

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
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November 26, 2001

JOHN MEYER DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD SUITE 219
ST PETERSBURG FL 33702

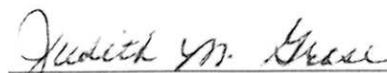
Re: Resolution No. R01-234 - Amending the Development Order for
the Breckenridge Development Of Regional Impact (DRI #155)

Dear Mr. Meyer:

Attached is a certified original of referenced resolution, which
was adopted by the Hillsborough County Board of County
Commissioners on November 13, 2001.

We are providing this original for your files.

Sincerely,



Judith M. Grose,
Manager, BOCC Records

jg
Attachment
Certified Mail #7000 0600 0029 5053 8469
cc: Board files (orig.)
Charles Gauthier, Chief, DCA Bureau of State Planning
(orig.ltr.)
David M. Smith, Attorney at Law(orig. ltr.)
Susan Fernandez, Senior Assistant County Attorney
John Healy, Senior Planner, Planning & Growth Management
Beth Novak, County Attorney's Office
Jim Glaros, Assistant Chief Deputy, Valuation, Property
Appraiser's Office

Resolution No. R01-234

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #155 DEVELOPMENT ORDER
BRECKENRIDGE

Upon motion by Commissioner Scott, seconded by Commissioner Norman, the following Resolution was adopted by a vote of 5 to 2; Commissioner(s) Platt Storms voting "No."

WHEREAS, in July, 1986, Crow Property Company filed an Application for Development Approval of a Development of Regional Impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said application proposed construction of a research corporate park on approximately two hundred and forty-eight and nine-tenths acres, located in central Hillsborough County, hereinafter referred to as Breckenridge, and

WHEREAS, the Board of County Commissioners by Resolution No. R87-0196 approved the Development Order for Breckenridge DRI #155 on June 22, 1987; and

WHEREAS, on August 9, 2001, Purity Enterprises, Inc., the Owner of the westernmost 185.± undeveloped acres of DRI #155 filed a Notice of Proposed Change to a Previously Approved Development of Regional Impact, pursuant to Subsection 380.06(19), Florida Statutes, which proposes to disaggregate/remove from the DRI 185.± acres of land; reduce the total project acreage to reflect the 185.± acre reduction; modify the Project Master Plan to reflect the reduction; and delete the conditions applicable to the 185.± acre reduction; and

WHEREAS, the described project lies within the unincorporated area of Hillsborough County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider Notice of Proposed Changes to Developments of Regional Impact; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and

WHEREAS, the Proposed Change constitutes the First Amendment to the Development Order; and

WHEREAS, the Board of County Commissioners of Hillsborough County has on November 13, 2001 held a duly noticed public hearing on said Notice of Proposed Change and has heard and considered testimony and other documents and evidence; and

WHEREAS, the Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens, Regional County and City agencies as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN REGULAR MEETING ASSEMBLED THIS 13th DAY OF November, 2001, AS FOLLOWS:

I. **FINDINGS OF FACT.** That the Board of County Commissioners of Hillsborough County, having received the above-referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, finds that there is substantial, competent, clear and convincing evidence to support the following Findings of Fact:

- A. Purity Enterprises, Inc. submitted to Hillsborough County, Florida, a Notice of Proposed Change, on August 9, 2001, which is on file with Hillsborough County and incorporated herein by reference.
- B. The real property which is the subject of the Development Order, as amended by this First Amendment, is described in Exhibit A, attached hereto and incorporated herein by reference.
- C. The proposed development is not an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- D. All development will occur in accordance with this Development Order Amendment and August 9, 2001 Notice of Proposed Change.
- E. A comprehensive review of the impact generated by the Notice of Proposed Change has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council and other affected agencies.

II. **CONCLUSIONS OF LAW.** That the Board of County Commissioners having made the above Findings of Fact, renders the following Conclusions of Law:

- A. Based upon compliance with the terms and conditions of this Development Order Amendment, provisions of the Notice of Proposed Change dated

August 9, 2001, incorporated herein by reference, the reports, recommendations and testimony heard and considered by the County Commission, it is concluded that:

1. The development will not unreasonably interfere with the achievement of the objectives of the adopted Land Development Plan applicable to the area.
 2. The development is consistent with local land development regulations.
 3. The development is consistent with the report and recommendation of the Tampa Bay Regional Planning Council.
 4. The changes authorized by this Order do not constitute a substantial deviation.
- B. In considering whether the amended development order should be approved subject to conditions, restrictions, and limitations, Hillsborough County has considered the criteria stated in subsection 380.06(19), Florida Statutes.
- C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, the original Application for Development Approval and this August 9, 2001, Notice of Proposed Change.
- D. The Notice of Proposed Change dated August 9, 2001, is approved subject to all terms and conditions of this Development Order.
- E. The 2015 Land Use Plan Map for Hillsborough County designates the area within which this land lies as Community Mixed Use - 12.

III. **ORDER**. Having made the above findings of fact and drawn the above conclusions of law, it is ordered as follows:

- A. The legal description to which this Development Order applies is as set forth in Exhibit A attached hereto and hereby incorporated into and by reference made a part of this Development Order.

- B. The Revised Map H dated September 21, 2001, attached hereto as Exhibit B is hereby incorporated into and by reference made a part of this Development Order.
- C. All provisions contained within the original Application and Sufficiency Responses and the August 9, 2001, Notice of Proposed Change on file with Hillsborough County and incorporated by reference shall be considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.
- D. The revised Developer commitments attached hereto as Exhibit C are hereby incorporated into and by reference made a part of this Development Order.
- E. The Developer Certification attached hereto as Exhibit D is hereby incorporated into and by reference made a part of this Development Order.
- F. The Development Order SPECIFIC CONDITIONS set forth in Section IV of R87-0196 are amended as follows:

1. Section IV.A. is amended in part to read as follows:

A. Phasing and Deadlines

- 1. The development of the project shall proceed in accordance with the following:

<u>Years</u>	<u>Use</u>	<u>Amount</u>
<u>Breckenridge Park</u>		
<u>Existing</u>	Office	63,484
	Research & Development	203,228
	Service Center	190,509
<u>Total</u>	<u>457,221</u>	

- 2. If the Developer elects to amend the proposed phasing schedule, he shall submit said amendments to the Department of Development Coordination for review and approval, which approval shall not be withheld for mere acceleration or deceleration of phases if the terms of this Order are otherwise fully complied with.

Any significant departure in project buildout from the phasing schedule set forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(19), Florida Statutes (1985).

3. Any phase approval of this development shall stipulate that excess infrastructure capacity constructed to potentially serve other phases shall be at the developer's risk and shall not vest latter phase development rights.
4. This Development Order shall remain in effect for a period up to and including June 1, 1998. No development shall be approved after expiration of the development order. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this Development Order may be completed in accordance with the requirements of the Development Order, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity. However, any application for extension must be filed with Hillsborough County a minimum of thirty (30) days prior to the expiration date.
5. The development shall not be subject to down-zoning, or intensity reduction until June 1, 1998, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or the development order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

2. Section IV.B. is amended in part to read as follows:

B. Transportation

1. The developer at its option, may select one of the following alternatives to mitigate the project's transportation.

a. Option 1

(1) The Developer may choose to sub-phase the project whereby specific amounts of project development would be approved on condition that specific regional roadway improvement are provided. The concept would be acceptable under the following conditions:

(a) TBRPC and Hillsborough County shall concur with the defined amount of development to be specifically approved.

(b) Funding commitments for roadway improvements shall be required when the regional roadway operates below an average daily LOS C, D at peak hour and the development contributes 7.5 percent or more of the average daily LOS C, D at peak hour capacity of the existing facility.

(c) A stop order shall be issued before development takes place which triggers the need for roadway improvements pursuant to TBRPC policy, but for which funding

commitments have not been assured. A new analysis and/or monitoring may also be required in this instance.

- (2) The Developer shall submit for approval by TBRPC, Hillsborough County, the Hillsborough County MPO, Florida Department of Transportation (FDOT), the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM) measures to be instituted and implemented for each project phase. The plan shall provide for sufficient TSM measures to divert a significant percentage of total peak hour trips away from the peak traffic hours projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

1. Worker flex time.
2. Worker ridesharing strategies.
3. Provision of transit and service facilities and programs to increase transit ridership.
4. High Occupancy Vehicle Options.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for Phase I shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result

of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

b. Option 2

In the event that commitments for transportation improvements are only adequate to permit partial approval of the Breckenridge development, the capacity and loading of transportation facilities in the central Hillsborough County transportation area, shall be limiting factors in any subsequent approvals. Accordingly, the Developer shall generate and provide Hillsborough County, Hillsborough County MPO, the FDOT and the TBRPC, pursuant to the provisions of Section 380.06, Florida Statutes, with updated current traffic counts on the roadways included in the transportation study network and projections of traffic volumes that will result from the completion of the approved project construction plus that to be generated by the next portion for which the Developer is seeking approval. Each updated traffic analysis shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections at a satisfactory average daily Level of Service C or D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices. Prior to any specific approval beyond the initial partial approval, the County or its designee shall ensure in written findings of fact that the roadways and intersections

included in the transportation study network are operating at or above an average daily Level of Service C, D at peak hours, and that the expected trips to be generated by such approval would not cause the roadways to operate below an average daily Level of Service C, D at peak hour.

2. The Developer shall receive credit against impact fees, pursuant to law. The application and payment of Impact Fees in itself will not constitute funding commitments for the required right-of-way dedications and transportation improvements.
 3. Driveway radii shall be a minimum of 40 feet to accommodate single unit vehicles.
 4. A pedestrian circulation system and a bicycle circulation system shall be provided within the project. The bicycle system shall incorporate whatever elements are necessary to complement the County Bicycle Plan and extend the County System into Breckenridge. No detailed site plans shall be approved which do-not indicate these systems.
3. Section IV.C. is unchanged and reads as follows:

C. Air Quality

1. If any proposed change is determined to be a substantial deviation, Hillsborough County shall determine whether the nature of the proposed change(s) is such that it would require a re-analysis of the air quality impacts of this project or if such proposed change includes uses which are determined to be point sources of air pollution. If a re-analysis is warranted as determined by Hillsborough County, the Developer shall perform point source air quality analyses and the Developer shall take remedial measures as required by Hillsborough County, all in accordance with applicable law.

4. Section IV.D. is amended in part to read as follows:

D. Stormwater Management and Water Quality

1. In order to protect water quality in the Tampa Bypass Canal, a source of potable water, there shall be no degradation of water quality standards from stormwater exiting the site. The Developers shall comply with all DER and SWFWMD permitting requirements. Any violation of Chapter 17-3, F.A.C. shall require corrective measures as set forth by DER.
2. Stormwater detention/retention pond design requirements for the development shall be as listed below unless otherwise approved by the Hillsborough County Environmental Protection Commission and the Hillsborough County Drainage Engineer:
 - a. The side slopes shall be no greater than 4:1.
 - b. The banks shall be completely vegetated to the design low water elevation.
 - c. The sides and the bottom of each pond shall not be constructed of impervious material.
3. The Developer may be required to give an additional drainage easement or right-of-way within the existing Breckenridge Park site prior to Master Drainage Plan approval. The additional easement or right-of-way shall not require the Developer to remove existing improvements. Fifteen feet of easement or right-of-way exists currently at the north property line of the Breckenridge Park site. Up to an additional 5 feet of easement or right-of-way may be required, and an additional 20 feet may be required for maintenance access.

5. Section IV.E. is amended in part to read as follows:

E. Wetlands

1. In order to protect the natural values of preserved/conserved wetland areas, the following shall be required:
 - a. Except as otherwise permitted by agencies having jurisdiction:
 - (1) No hydroperiod alteration shall be permitted in conservation or preservation areas identified on the Master Development Plan.
 - (2) No dredging, filling or development activities will be allowed within preservation areas. Activities within the conservation areas shall be limited to approved stormwater management outfall structures and boardwalks.
2. All mitigation areas and littoral shelves shall be monitored semiannually for a period of four years. Monitoring shall include an analysis of species diversity and composition and efforts to control exotic species encroachment. Additional planting may be required to maintain an 85 percent survival of planted species at the end of three years.
3. In the event that any species listed in Sections 39-27.03-.05, F.A.C. are observed frequenting the site for nesting, feeding, or breeding, proper mitigation measures shall be employed by the developer in cooperation with the Florida Game and Fresh Water Fish Commission.
4. Special precautions shall be taken by the developer in coordination with the Florida Game and Fresh Water Fish Commission to ensure the continued utilization of the site during and after project construction for

feeding by Wood Storks (endangered) and Florida Sandhill Cranes (threatened).

5. The land use designations for those portions of the Breckenridge site which meet the definition of preservation and conservation areas, as defined in the Regional Planning Council's adopted growth policy, Future of the Region, Section 2.701 and 2.702 shall be as designated on the revised General Development Plan submitted to Hillsborough County.
6. Section IV.J. is renumbered and amended in part to read as follows:

F. Public Facilities

1. Prior to site plan approval, the Developer shall stipulate to the satisfaction of Hillsborough County the manner by which the developer will participate in the provision or expansion of internal water supply, supply lines, and facilities to service Breckenridge. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction.
2. Prior to site plan approval, the Developer shall ensure the provision of fire flows acceptable to Hillsborough County. The installation of a sprinkler system, fire hydrants and/or fire plan are options to ensure the provision of acceptable fire flows.
3. No site plan shall be approved without verification from the Hillsborough County Fire Department that sufficient firefighting facilities/manpower/equipment required to serve the project are available.
4. Prior to issuance of site plan approval, the Developer shall provide documentation to the Planning and Growth Management Department a master plan for wastewater collection, treatment and effluent disposal facilities approved and permitted by the Utilities Department or other applicable entity. No Zoning Compliance Permits shall be issued without a

commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such application.

5. Any on-site wastewater treatment or disposal plant constructed to serve Breckenridge shall require a substantial deviation determination pursuant to Subsection 380.06(19), F.S.
6. Prior to issuance of site plan approval, the Developer shall verify to the satisfaction of Hillsborough County that adequate Emergency Management Services capabilities and facilities are available to service the development.
7. The Developer shall be required to provide for recovered waste water disposal in accordance with any uniformly applicable Hillsborough County ordinance or Water Department take-back policy in effect prior to construction plan approval if any County wastewater facility is used by the project.
8. The Developer shall use non-potable water for landscape and open space irrigation unless otherwise approved by Hillsborough County.
9. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

7. Section IV.K. is renumbered and amended in part to read as follows:

G. Hazardous Waste

1. Prior to the issuance of Zoning Compliance Permits, the developer shall provide, if not in conflict with Hillsborough County, plans and policies for separate hazardous waste storage areas within the project. These areas shall be accessible to all businesses and shall be marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and materials. (Hazardous wastes are those substances

and materials defined in Subsection 403.703(21), F.S., and listed in Title 40 CFR Part 261).

2. The developer shall provide to all Breckenridge businesses, information that indicates the location of the specially-designated hazardous waste and materials containers/areas.
3. Surface impoundments of hazardous waste, hazardous waste piles, land treatment of hazardous waste, landfills and underground storage of hazardous materials shall be prohibited.
4. Large quantity generators as defined by applicable Federal and State regulations, of hazardous substances shall implement a site-specific surficial aquifer monitoring program as required by Hillsborough County, Hillsborough County Environmental Protection Commission and DER. An emergency response and hazardous waste management operation plan shall be required for those facilities which generate/handle hazardous wastes, to minimize hazards to human health and the environment. The plans shall describe the procedures and actions required of facility personnel as well as describe the arrangement agreed to by local EMS/fire and police departments and hospitals and shall be included in the first annual report following occupancy within the park.
5. All temporary hazardous waste storage facilities shall meet the criteria set forth in Sections 3.913(a), (d) and (e), TBRPC's, Future of the Region.
6. Small quantity generators as defined by applicable Federal and State regulations, should obtain USEPA identification numbers.
7. The developer through lease agreements or restrictive covenants shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

8. Section IV.L. is deleted in its entirety.
9. Section IV.M. is deleted in its entirety.
10. Section IV.N. is renumbered and is otherwise unchanged. The Section reads as follows:

H. Equal Opportunity

1. The Developer shall comply with all requirements of the Civil Rights Act. The developer shall seek, and urge and encourage all contractors and subcontractors to involve minority groups in the development of the project. All office and commercial establishment areas shall be available to all, on a fair and impartial basis.

11. Section IV.P. is renumbered and amended to read as follows:

I. General

1. Any approval of the Breckenridge development shall at minimum, satisfy the provisions of Chapter 380.06(15), F.S.
2. The final Developer's commitments set forth in the ADA, and as summarized and amended by Exhibit C be honored, except as they may be superceded by specific terms of the Development Order.

- G. This resolution shall constitute the Development Order of Hillsborough County in response to the Notice of Proposed Change submitted for the Breckenridge Development of Regional Impact.
- H. The definitions contained in Chapter 380, Florida Statutes shall govern and apply to this Development Order.
- I. This Development Order shall be binding upon the Developer and his heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.

- J. In the event that any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.
- K. This Development Order shall become effective upon the date of transmittal of the resolution adopted by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes, as amended.
- L. This resolution shall constitute the First Amendment to the Development Order approved by Hillsborough County for Breckenridge, Resolution No. R87-0196.
- M. The Developer shall record in the Public Records of Hillsborough County a Notice of Adoption of this Development Order in accordance with Chapter 380, Florida Statutes.

STATE OF FLORIDA)
)
 COUNTY OF HILLSBOROUGH)

I, **RICHARD AKE**, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its public hearing meeting of 13th ~~November~~, 2001, as same appears of record in Minute Book 306 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 26th day of ~~November~~, 2001.

RICHARD AKE , CLERK OF CIRCUIT COURT

By: Juelene Gregory
 Deputy Clerk



Approved as to form and legal sufficiency

By: [Signature]
 Senior Assistant County Attorney

**EXHIBIT A
LEGAL DESCRIPTION**

PARCEL 1: (BRECKENRIDGE PARK)

A tract of land lying within the Southeast 1/4 of Section 36, Township 28 South, Range 19 East, Hillsborough County, Florida, described as follows:

Beginning at the northwest corner of said Southeast 1/4 of Section 36, Township 28 South, Range 19 East; thence N.89°44'49"E., along the North line of said Southeast 1/4, for 1339.02 feet; thence S.9°18'16" W., for 830.96 feet thence S.9°23'52"W., for 186.79 feet; thence S.12°29'39"W., for 87.47 feet, to a point of curvature of a curve concave to the Northwest, thence Southwesterly 448.27 feet along the arc of said curve, having a radius of 1095.92 feet, a central angle of 23°26'10", a chord length of 445.15 feet and a chord bearing of S.24°12'44"W., to a point of tangency; thence S.35°55'49"W., 255.83 feet; thence S.54°04'11"E., for 15.00 feet; thence S.35°55'49"W., for 694.84 feet, to a point of curvature of a curve concave to the Northwest; thence southwesterly 360.99 feet along the arc of said curve, having a radius of 515.00 feet, a central angle of 40°09'40", a chord length of 353.064 feet and a chord bearing of S.56°00'39"W.; thence N.88°22'34"W., for 134.65 feet, to the West line of said Southeast 1/4; thence N.0°01'11"E., along said West line, for 2462.25 feet, to the point of beginning. Containing 55.28 acres, more or less.

EXHIBIT “B”

REVISED MAP “H”

**LOCATED IN ORIGINAL DEVELOPMENT
ORDER BOOK.**

DRI #155
Breckenridge

**EXHIBIT C
DEVELOPER COMMITMENTS**

General Project

1. "Site design, building appearance, and landscaping will be similar to that existing in Breckenridge Park" (ADA, 12-3)
2. "The production, storage or disposal of hazardous wastes, if any, will comply with all applicable federal, state, or local regulations." (ADA, 12-10)

Air

1. "The contractor will be required to sod, seed, mulch or plant with landscape material the cleared and disturbed areas as soon as possible after clearing. The side slopes of detention ponds will be sodded or natural vegetation will be encouraged to grow. The contractor will also be required to control wind erosion through sprinkling or other appropriate means." (ADA, 13-8 and 13-10).
2. "Coordination of transit opportunities with the Hillsborough Area Regional Transit Authority will take place as the project develops." (ADA, 13-10)
3. "The Breckenridge project will not lease space to 'facilities which are obnoxious or offensive for reasons of emissions of odors, fumes, dust, smoke, noise, or vibrations,' thereby eliminating the possibility of air pollution from these sources." (ADA, 13-10 and 13-11)

Land

1. "Prior to construction, heavy surface compaction will be performed to adequately densify the upper sandy soils." (ADA, 14-1)
2. "To further overcome soil limitations, judicious use of fill material will elevate building pads above base flood elevation levels. Drainage systems will be utilized to eliminate saturated soils and/or ponding. Detention areas will be incorporated into the existing wetlands to reduce the need for pond embankments. Side banks will be of an appropriate slope and will be promptly stabilized with vegetation." (ADA, 14-5)
3. "To alleviate the erosive effects of wind and water, the following steps will be implemented during construction:
 - (1) Only those portions of the site ready for construction will be cleared.
 - (2) Sediment basins will be constructed at the start of each drainage system phase.

- (3) Areas to be cleared and disturbed by construction will be seeded, mulched with hay, straw and other suitable materials, sodded, or planted with other landscape material as soon after the construction as possible...
 - (4) Construction areas will have interim water quality control features as needed to reduce turbidity.
 - (5) Embankment areas of stormwater filtration ponds will be sodded or will be designed to encourage wetland vegetation or, in some cases, may be planted with specific wetland species...
 - (6) If wind erosion does become significant during construction, the contractor will sprinkle the problem area with water...
 - (7) Landscaping will be initiated before development work is completed to ensure that bare soil is not unnecessarily exposed to wind and water erosion." (ADA, 14-5 and 14-6)
4. "Any fill material obtained from off-site sources will be from properly permitted facilities." (SR, 14-2)
 5. "Final recommendations for foundation design will be determined as site locations become known and more detailed geologic investigations can be undertaken." (SR, 14-3)

Water

1. "The stormwater management system will be designed to meet the requirements of all applicable regulatory agencies." (ADA, 15-10 and 15-14)
2. "Stormwater runoff will be treated in accordance with CH. 17-25 FAC in several stormwater filtration ponds located within the upland development parcels.
3. "A street sweeping program will be implemented by the applicant." (SR, 15-7)
4. "The applicant will utilize the services of a grounds maintenance firm to maintain the landscaped and common open spaces areas. The firm will be required to use best turf management practices." (SR, 15-8)

Wetlands

1. "During the construction phase, the integrity of all wetland systems will be protected, with primary emphasis being the prevention of the erosion of uplands. Hay bale barriers will be placed adjacent to wetlands to provide further erosion protection. As needed, physical

barriers will be located around wetlands to deny access by vehicular equipment." (ADA, 126-10 and 16-11)

Flood Plains

"The finished floor elevations of all buildings within these areas will be constructed at or above the 100-year flood elevation as determined by the Master Drainage Study completed for the project." (ADA, 17-1)

Wastewater

1. "If the discharge varies from the characteristics of domestic wastewater, the specific characteristic will be reviewed by the treating agency prior to connection to the collection system." (ADA, 21-1)
2. "Septic tanks will not be used for wastewater disposal on this project." (ADA, 21-4)
3. "The applicant will advise prospective tenants of the types of wastes and materials that are considered to be hazardous or toxic. The applicant will also advise individual tenants of applicable statutes and regulations regarding these materials." (SR, 21-2)

Drainage

1. "All treatment of stormwater runoff will be provided on-site." (ADA, 22-1)
2. "The detention basin will be designed to limit the post-development 100-year water surface elevation to the 100-year pre-development water surface elevation." (ADA, 22-2)
3. "The drainage system will be designed such that water levels will maintain the existing hydroperiod of the on-site and off-site wetland systems." (ADA, 22-4)
4. "Within parking and roadway areas, storm sewer systems will be employed to collect and transport stormwater runoff." (ADA, 22-4)
5. "The stormwater management system will be designed to meet all applicable Florida Department of Environmental Regulation, Southwest Florida Water Management District and Hillsborough County requirements." (ADA, 22-7 and 22-8)
6. "The on-site drainage system will be operated and maintained by the applicant..." (ADA, 22-10)

Water Supply

1. "Hydrant flow testing and pressure surveys will be completed after the system is installed to verify performance...." (ADA, 23-6)
2. "The applicant will utilize all water conservation devices required by state and local building regulations." (SR, 23-1)
3. "The applicant will obtain a CUP permit, if required." (SR, 23-2)
4. "The applicant will provide payment for applicable connection fees, installation charges, and aid in construction payments for on-site and off-site construction of water lines, as required." (SR, 23-3)

Solid Waste

1. "The applicant will develop a program which will emphasize the education of tenants to the existence of laws and regulations which govern the storage, generation, use, transportation and disposal of hazardous materials." (SR, 24-1)
2. "Within each lease agreement the applicant will inform potential tenants of applicable state and federal regulations and their responsibilities in complying with same." (SR, 24-3 and 24-6)

Recreation and Open Space

"The open space and recreation areas will be maintained by Crow Property Company or its assigns." (SR, page DOC-10)

Transportation

1. "The developer will continue to work with the Hillsborough Area Regional Transit Authority to accommodate transit usage by Breckenridge patrons." (ADA, 31-34)
2. "The developer will work with the Tampa Urban Area MPO in supporting their car and van pooling programs." (ADA, 31-34)

* ADA - Application for Development Approval
SR - Sufficiency Response

EXHIBIT "D"

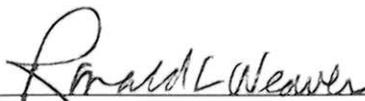
DEVELOPERS CERTIFICATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in the State and County named above to administer oaths and take acknowledgments, personally appeared Ronald L. Weaver, as attorney for Purity Enterprises, Inc., the applicant for the Breckenridge DRI Notice of Proposed Change #1, to me well known, who being by me first duly sworn, says upon oath as stated below.

1. Purity Enterprises, Inc., filed its Notice of Proposed Change #1 for the Breckenridge DRI on August 9, 2001.

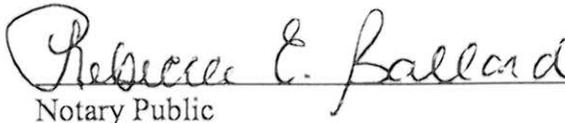
2. The aforementioned application was filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA"), and the Tampa Bay Regional Planning Council ("TBRPC") as required by law.



Ronald L. Weaver
Attorney for Purity Enterprises, Inc.

Sworn to and subscribed before me this 16th day of November, 2001.

(SEAL)



Notary Public

My Commission Expires:



Rebecca E Ballard
My Commission CC012088
Expires April 14, 2004

Resolution No. R87-0196

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #155 DEVELOPMENT ORDER
BRECKENRIDGE

Upon motion by Commissioner Poe,
seconded by Commissioner Colson, the following
Resolution was adopted by a vote of 5 to 1;
Commissioner(s) Platt
voting "No."

WHEREAS, in July, 1986, Crow Property Company filed an Application for Development Approval of a Development of Regional Impact with the Hillsborough County Board of County Commissioners pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, said Application proposed construction of a research corporate park on approximately two hundred and forty-eight and nine-tenths acres, located in central Hillsborough County, hereinafter referred to as Breckenridge, and

WHEREAS, the described project lies within the unincorporated area of Hillsborough County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider Applications for Development Approval for Developments of Regional Impact; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and

WHEREAS, the Zoning Hearing Master appointed pursuant to Zoning Code of Hillsborough County (Ordinance 85-10), has reviewed the Application for Development Approval and has filed a recommendation on said Application with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners of Hillsborough County has on June 22, 1987 held a duly noticed public hearing on said Application for Development Approval and has heard and considered testimony and other documents and evidence; and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council; and

WHEREAS, the Board of County Commissioners has solicited, received and considered reports, comments and recommendations from interested citizens, County and City agencies as well as the review and report of Hillsborough County Administration.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA IN REGULAR MEETING ASSEMBLED THIS 22nd DAY OF June, 1987, AS FOLLOWS:

I. FINDINGS OF FACT

- A. Crow Property, Company hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an Application for Development Approval and Sufficiency Responses which are attached hereto and marked "Composite Exhibit A" and incorporated herein by reference.

Hereinafter, the word "Application" shall refer to the Application for Development Approval, Sufficiency Responses and other exhibits duly submitted and recorded.

- B. The real property which is the subject of the Application Development Approval is legally described as set forth in Composite Exhibit A, attached hereto and made a part hereof by reference.
- C. The proposed development is not an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- D. All development will occur in accordance with this Development Order and Application.
- E. A comprehensive review of the impact generated by the development has been conducted by the Hillsborough County Administration, the Hillsborough County Environmental Protection Commission, the Hillsborough County City-County Planning Commission, and the Tampa Bay Regional Planning Council and other affected agencies.

II. CONCLUSIONS OF LAW

- A. Based upon the compliance with the terms and conditions of this Development Order, provisions of the Application as set forth in Composite Exhibit A, the reports, recommendations and testimony heard and considered by the Zoning Hearing Master, it is concluded that:
 - 1. The development will not unreasonably interfere with the achievement of the objectives of the Adopted Land Development Plan applicable to the area.
 - 2. The development is consistent with local land development regulations.
 - 3. The development is consistent with the report and recommendation of the Tampa Bay Regional Planning Council.
- B. In considering whether the development should be approved subject to conditions, restrictions, and limitations, Hillsborough County has considered the criteria stated in subsection 380.06(14), Florida Statutes.
- C. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, the Tampa Bay Regional Planning Council, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the Application.
- D. The Application for Development Approval is approved subject to all terms and conditions of this Development Order.
- E. The Horizon 2000 Land Use Plan Map for Hillsborough County designates the area within which this land lies as Research Corporate Park and Light Industrial.

III. GENERAL PROVISIONS

- A. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made a part of this Development Order.
- B. All provisions contained within the Application and Sufficiency Responses marked "Composite Exhibit A" shall be

considered conditions of this Development Order unless inconsistent with the terms and conditions of this Development Order, in which case the terms and conditions of this Development Order shall control.

- C. This resolution shall constitute the Development Order of Hillsborough County in response to the Application for Development Approval for the Breckenridge Development of Regional Impact.
- D. The definitions contained in Chapter 380, Florida Statutes shall govern and apply to this Development Order.
- E. This Development Order shall be binding upon the Developer and his heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Development Order. It is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successors in interest to, or which otherwise possesses any of the powers and duties of any branch of government or governmental agency.
- F. In the event that any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Development Order which shall remain in full force and effect.
- G. Whenever this Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected governmental agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review developments set forth under applicable laws and rules governing Developments of Regional Impact.
- H. In each instance in this Development Order where the Developer is responsible for ongoing maintenance of facilities at Breckenridge, the Developer may transfer any or all of his responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, and/or other agencies having jurisdiction, concurrent or otherwise, now or later, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Development Order, which approval shall not be unreasonably withheld.
- I. Development activity constituting a substantial deviation from the terms or conditions of this Development Order as defined by the criteria of Ch. 380.06(19)(b) or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by Hillsborough County and the Tampa Bay Regional Planning Council shall result in further Development of Regional Impact review pursuant to Chapter 380.06, Fla. Stats., and may result in Hillsborough County ordering a termination of development activity pending such review.
- J. The Department of Development Coordination of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the Department of Development Coordination may rely upon or utilize information supplied by any

Hillsborough County department or agency having particular responsibility over the area or subject involved. The Department of Development Coordination shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Development Order. In the event of a deviation, the Department of Development Coordination may issue a notice of such noncompliance to the Developer, or the Department of Development Coordination may immediately recommend that the Board of County Commissioners establish a hearing to consider such deviations.

K. The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes (1985), and appropriate rules and regulations. The report shall be submitted on Florida Department of Community Affairs Form BLWM-07-85 as amended. Such report shall be due on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the Department of Development Coordination which shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Development Order. The Developer shall be notified of any Board of County Commissioner's hearing wherein such report is to be reviewed. The receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. This report shall contain:

1. The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and
2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately following the submittal of the annual report; and
3. A statement listing all Applications for Incremental Review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and
4. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to this Development Order.

L. The provisions of this Development Order shall not be construed as a waiver of or exception to any rule, regulation or ordinance of Hillsborough County, its agencies and commissions, and to the extent that further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations and ordinances in effect at the time of the review.

M. This Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes (1985).

IV. SPECIFIC CONDITIONS

A. Phasing Schedule and Deadlines

1. The development of the project shall proceed in accordance with the following proposed phasing schedule:

<u>Years</u>	<u>Use</u>	<u>Amount</u> (gross sq. ft.)
<u>Breckenridge Park</u>		
Existing	Office	63,484
	Research & Development	203,228
	Service Center	<u>190,509</u>
Total		457,221
<hr/>		
<u>Breckenridge West</u>		
Phase I (1987-89)	Office	131,500
	Research & Development	42,000
	Service Center	78,000
	Support Commercial	7,500
Phase I Total		<u>259,000</u>
Phase II (1989-91)	Research & Development	180,500
	Service Center	119,000
	Support Commercial	2,500
Phase II Total		<u>302,000</u>
Phase III (1991-93)	Research & Development	180,500
	Service Center	119,000
	Support Commercial	2,500
Phase III Total		<u>302,000</u>
<hr/>		
<u>Breckenridge West</u>		
<u>Total</u>	Office	131,500
	Research & Development	403,000
	Service Center	316,000
	Support Commercial	<u>12,500</u>
Breckenridge West Total		863,000
<hr/>		
<u>Total Breckenridge Project</u>		
	Office	194,984
	Research & Development	606,228
	Service Center	506,509
	Support Commercial	12,500
Project Total		<u>1,320,221</u>
<hr/>		

2. For purposes of this Order, a phase shall be considered complete upon issuance of the final Certificate of Occupancy for the phase. Development of Phases I, II and III may occur anywhere on the site.
3. If the Developer elects to amend the proposed phasing schedule, he shall submit said amendments to the Department of Development Coordination for review and approval, which approval shall not be withheld for mere acceleration or deceleration of phases if the terms of this Order are otherwise fully complied with. Any significant departure in project buildout from the phasing schedule set forth in the Application shall be subject to a substantial deviation determination pursuant to Chapter 380.06(19), Florida Statutes (1985).
4. Any phase approval of this development shall stipulate that excess infrastructure capacity constructed to potentially serve other phases shall be at the developer's risk and shall not vest latter phase development rights. 6-22-87
6-22-90
5. The physical development of Breckenridge West shall begin within three years of the effective date of this Development Order.
6. This Development Order shall remain in effect for a period up to and including June 1, 1998. No development shall be approved after expiration of the development order. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this Development Order may be completed in accordance with the requirements of the Development Order, if approved. This Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity. However, any application for extension must be filed with Hillsborough County a minimum of thirty (30) days prior to the expiration date.
7. The development shall not be subject to down-zoning, or intensity reduction until June 1, 1998, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the development order have occurred, or the development order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

B. Transportation

1. The developer at its option, may select one of the following alternatives to mitigate the project's transportation.
 - a. Option 1
 - (1) Approval of Phases I & II of the development shall require funding commitments from the responsible entities for the following roadway improvements. Without funding commitments for these improvements, construction permits shall not be issued for Phase I. Where stipulated the Developer shall provide the improvements.

- (a) Provide the link and intersection improvements indicated in Table 1.
- (2) Approval of Phase III of the development shall require funding commitments from the responsible entities for the following roadway improvements. Without funding commitments for these improvements, construction permits shall not be issued for Phase II.
 - (a) Provide the intersection improvements indicated in Table 2.
- (3) An annual monitoring program for the total Breckenridge West project shall be started when Certificates of Occupancy have been issued for 300,000 square feet of office, (or the equivalent thereof in terms of trip generation) and continue until build-out, that will record driveway volumes in the evening peak hour. If the driveway volumes exceed more than 15 percent of those projected for peak hour in the DRI/ADA for each phase, a substantial deviation determination shall be required. If the variance is determined to be a substantial deviation, a revised transportation analysis, will be required based upon results of the monitoring program and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis.
- (4) The Developer may choose to sub-phase the project whereby specific amounts of project development would be approved on condition that specific regional roadway improvement are provided. The concept would be acceptable under the following conditions:
 - (a) TBRPC and Hillsborough County shall concur with the defined amount of development to be specifically approved.
 - (b) Funding commitments for roadway improvements shall be required when the regional roadway operates below an average daily LOS C, D at peak hour and the development contributes 7.5 percent or more of the average daily LOS C, D at peak hour capacity of the existing facility.
 - (c) A stop order shall be issued before development takes place which triggers the need for roadway improvements pursuant to TBRPC policy, but for which funding commitments have not been assured. A new analysis and/or monitoring may also be required in this instance.
- (5) The Developer shall submit for approval by TBRPC, Hillsborough County, the Tampa Urban Area MPO, Florida Department of Transportation (FDOT), the Hillsborough Area Transit Authority (HART), a plan of transportation systems management (TSM)

measures to be instituted and implemented for each project phase. The plan shall provide for sufficient TSM measures to divert a significant percentage of total peak hour trips away from the peak traffic hours projected in the ADA. The plan shall be submitted to the reviewing agencies within one year of issuance of any Development Order approving this project and shall address the following at minimum:

1. Worker flex time.
2. Worker ridesharing strategies.
3. Provision of transit and service facilities and programs to increase transit ridership.
4. High Occupancy Vehicle Options.

If Developer desires the opportunity to seek credit against transportation impact fees for any lowering of traffic impacts resulting from TSM measures, each annual report for this development after the issuance of certificates of occupancy for Phase I shall include a yearly assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of implementation of each TSM measure. The results of the TSM study may serve as a basis for the Developer to request Development Order amendments.

Table 1. Improvements Needed for Phase I (1989)

Roadway Links	Average Daily Level of Service With Project	Project Traffic as Percent of LOS C Average Daily Capacity	Required Improvements
U.S. 301:			
Sligh Avenue to North Project Driveway	F	7.9%	Construct six-lane divided arterial
North Project Driveway to South Project Driveway	D	32.5%	Construct six-lane divided arterial
South Project Driveway to I-4	E	22.9%	Construct six-lane divided arterial

At the intersection of U.S. 301 and the north project access, the developer shall provide at the request of the County one of the following required improvements: a 425 foot acceleration lane with a 210 foot taper (the 210 feet are part of the 425 feet) on U.S. 301 for the eastbound traffic turning south or, if a traffic signal is installed at the intersection, the eastbound to south right turns phase shall run concurrent with the northbound to west left turn phase unless is address in Option C.2b. This condition is subject to FDOT approval. Further, this improvement shall not be required to be provided by the developer if a pipelining option is approved which includes the developer's fair share contribution to this improvement.

Table 2. Link Improvements Needed for Phase III (1993)

Roadway Link	Average Daily Level of Service With Project	Project Traffic as Percent of LOS C Avg. Daily Capacity	Required Improvement
U.S. 301			
Harney to Sligh	F	9.9%	Construct four-lane divided arterial

b. Option 2

In the event that commitments for transportation improvements are only adequate to permit partial approval of the Breckenridge development, the capacity and loading of transportation facilities in the central Hillsborough County transportation area, including but not limited to the regional roadways and intersections referenced in Option 1, shall be limiting factors in any subsequent approvals. Accordingly, the Developer shall generate and provide Hillsborough County, the Tampa Urban Area Transportation Study (TUATS) MPO, the FDOT and the TBRPC, pursuant to the provisions of Section 380.06, Florida Statutes, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of the currently approved project construction plus that to be generated by the next portion for which the Developer is seeking approval. Each updated traffic analysis shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways and intersections at a satisfactory average daily Level of Service C or D at peak hours. Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices. Prior to any specific approval beyond the initial partial approval, the County or its designee shall ensure in written findings of fact that the above roadways and intersections are operating at or above an average daily Level of Service C, D at peak hours, and that the expected trips to be generated, and that the expected trips to be generated by such approval would not cause the roadways to operate below an average daily Level of Service C, D at peak hour.

c. Option 3

In lieu of Option 1 or 2 above, the Developer may elect Option 3 as set out below. The requirements of Option 3 have been determined to be the appropriate requirements to cure and mitigate the impacts of the project on regionally significant transportation highway facilities within the primary impact area. The selection of this mitigation/curing mechanism is based upon the project's impact on transportation facilities, the substantial public benefit to be gained by accelerating the design, construction and use of a major public facility, and its consistency with the TBRPC and DCA policies regarding pipelining transportation impacts.

- (1) The Developer shall design the widening of U.S. 301 from its existing configuration (2 and 4-lane) to a 6-lane divided roadway from I-4 to Sligh Avenue, and design the appropriate transition from the required 4 lane improvement to the existing 2 lane section north of Sligh Avenue. Said design shall also include left turn lanes or other improvements required to meet the County standards on Sligh Avenue east and west of U.S. 301. Said design shall also include a

traffic signal at U.S. 301 and Sligh Avenue. Unless extended pursuant to an agreement with the Hillsborough County Engineering Department, said design shall be completed on or before 18 months after the final adoption of this development order and the resolution of any appeal thereof or the expiration of the time period for appeals without such an appeal having been filed. The designs required under this paragraph are hereinafter collectively referred to as the "Required Design". The Required Design shall be prepared in a manner normally used in Hillsborough County roadway projects. Approval shall be in accordance with Hillsborough County Standards and the Florida Department of Transportation's Plans Preparation Manual and Standards for Construction. The design period shall include review by the County and FDOT of all plans at 30%, 60% and 90% of completion within a fourteen (14) day review period.

- (2) The Developer shall construct the improvements required to widen U.S. 301 to a 4-lane divided roadway within the existing right-of-way from the north project access to Sligh Avenue, appropriate transitions to 2 lanes north of Sligh Avenue and those design improvements on Sligh Avenue as identified in paragraph IV.B.1.c (1), above. Said construction shall be in accordance with the Required Design and shall be accomplished in such a way that the two additional lanes on U.S. 301 can be added at a later date with minimum disturbance to the initial 4 lanes.
- (3) The Developer shall construct the following improvements at the intersection of the north project access and U.S. 301:
 - (a) Signalization;
 - (b) Provide a right turn lane on U.S. 301 to accommodate southbound traffic turning into the project;
 - (c) Provide a left turn lane on U.S. 301 to accommodate northbound traffic turning into the project.
 - (d) Provide a left turn lane and a right turn lane for the project entrance road to accommodate eastbound traffic exiting the project onto U.S. 301.
- (4) The improvements set out in paragraphs IV.B.1.c (2) and (3) are hereinafter called the "Required Improvements."
- (5) Subject to acts of God or other occurrences beyond Developer's control, developer shall expeditiously commence the construction of the Required Improvements upon approval of the Required Design by FDOT and the Hillsborough County Engineering Department and shall complete such construction on or before 18 months after said approvals, provided that signalization will be required only after warrants are met and FDOT approval

is granted. To ensure that the Required Improvements are completed at the earliest possible time, Hillsborough County shall assist the Developer when required in obtaining all necessary permits, approvals and utility relocations and shall provide any off-site construction easements and rights-of-way necessary to complete said improvements.

- (6) In lieu of the requirements under paragraphs IV.c (1), (2), (3), (4) and (5) above, the Developer may elect to pay to Hillsborough County, subject to the County's approval, the total costs for the aforesaid Required Design and the Required Improvements, which, for purposes of this development order shall be deemed to be \$850,000.00 in 1987 dollars, (the "Required Improvements Costs"). If the Developer has completed any of the Required Improvements prior to payment of costs in accordance with this paragraph, the Required Improvements Costs shall be reduced by the reasonable cost of the design and/or improvements completed. The intent of this paragraph is to enable the Developer to meet its obligations to fully mitigate the traffic impacts of the project by paying the stated sums, which exceed Developer's fair share of the costs of the improvements identified in Tables 1 and 2 of this development order, in lieu of constructing the identified improvements if, for reasons beyond the developer's control, it becomes impractical or impossible for developer to complete said improvements.
- (7) Upon completion of the Required Design and the Required Improvements, or upon the Developer's payment of the Required Improvements Costs, the Developer shall be deemed to have fully and completely satisfied any and all of its obligations to mitigate the traffic impacts of the Breckenridge project, including any obligations developer might otherwise have under Hillsborough County's present or future transportation impact fee ordinances for construction of roadway improvements and for the acquisition of right-of-way.
- (8) Should the Developer fail to substantially comply with the time frames listed herein, the County shall have the right to complete the Required Design or construction of the Required Improvements.
- (9) Development activities and issuance of permits shall immediately cease if the Required Design and Required Design Improvements or the payment of the Required Improvements Costs as described herein are not provided by the Developer in accordance with the requirements of paragraphs IV.c(1)-(6), above.

4. Right-of-Way Dedication

- a. The Developer shall deed to the County prior to detailed site plan approval for Breckenridge West,

an additional 22 feet of right-of-way on the east side of Orient Road. This will provide part of the 94 feet of total right-of-way needed ultimately to accommodate a symmetrical four-lane divided roadway section.

- b. The right-of-way, whether public or private for the east-west internal roadway shown adjacent to the north right-of-way line for U.S. 92/I-4 shall be located a minimum of 36 feet north of the north right-of-way line at U.S. 92/I-4, so the future widening of these roadways may take place without affecting the proposed land use of this site.
5. If a cul-de-sac is approved on Lenox Drive, the Developer shall pay the full cost of design and construction.
6. The Developer shall receive credit against impact fees, pursuant to law. The application and payment of Impact Fees in itself will not constitute funding commitments for the required right-of-way dedications and transportation improvements.
7. If a traffic signal becomes warranted at any project access, or at the intersection of U.S. 92 and Lenox Drive, the Developer shall pay for the design, purchase and installation of the traffic signal(s), including interconnecting the signal(s) to adjacent intersection(s) if required. The traffic signals shall comply with Florida Department of Transportation (FDOT) or Hillsborough County standard, whichever is applicable.
8. Driveway radii shall be a minimum of 40 feet to accommodate single unit vehicles.
9. The Developer shall not construct the intersection of the project access with Lenox Drive as a "Y" intersection as shown on the April 16, 1987 site plan. The access shall be located a minimum of 230 feet north of U.S. 92 measured from the near edge of the pavement on U.S. 92 to the near edge of pavement of the drive. The developer shall present the proposed geometry to the County Engineering Department for approval. This condition shall not be required if a cul-de-sac for Lenox Drive is approved, designed and constructed by the developer.
10. The access to Lenox Drive shall have shoulders on each side of the drive, a minimum six foot wide, due to the existing drainage ditch on the east side of Lenox Drive.
11. A pedestrian circulation system and a bicycle circulation system shall be provided within the project. The bicycle system shall incorporate whatever elements are necessary to complement the County Bicycle Plan and extend the County System into Breckenridge. No detailed site plans shall be approved which do not indicate these systems.

C. Air Quality

1. If any proposed change is determined to be a substantial deviation, Hillsborough County shall determine whether the nature of the proposed change(s) is such that it would require a re-analysis of the air quality impacts of this project or if such proposed change includes uses which are determined to be point

sources of air pollution. If a re-analysis is warranted as determined by Hillsborough County, the Developer shall perform point source air quality analyses and the Developer shall take remedial measures as required by Hillsborough County, all in accordance with applicable law.

D. Stormwater Management and Water Quality

1. In order to protect water quality in the Tampa Bypass Canal, a source of potable water, there shall be no degradation of water quality standards from stormwater exiting the site. The Developers shall comply with all DER and SWFWMD permitting requirements. Any violation of Chapter 17-3, F.A.C. shall require corrective measures as set forth by DER.
2. Prior to the issuance of any building permits for Breckenridge West, the Final Drainage Plan and drainage calculations for Breckenridge West shall be submitted to TBRPC and DER for review and to Hillsborough County and SWFWMD for approval.
 - a. The County drainage criteria in existence at the time of construction of the respective project phases shall be the prevailing criteria to use for design and construction. If flooding conditions exist downstream of the DRI's outfall, more restrictive design criteria may apply.
 - b. All major drainage outfalls shall be designed to convey the 50-year conveyance with a foot of freeboard without increasing high water.
3. Stormwater detention/retention pond design requirements for the development shall be as listed below unless otherwise approved by the Hillsborough County Environmental Protection Commission and the Hillsborough County Drainage Engineer:
 - a. The side slopes shall be no greater than 4:1.
 - b. The banks shall be completely vegetated to the design low water elevation.
 - c. The sides and the bottom of each pond shall not be constructed of impervious material.
4. The Developer shall give all necessary drainage easements or rights-of-way as required by the County's Stormwater Management Department, prior to Master Drainage Plan approval.
5. The Developer may be required to give an additional drainage easement or right-of-way within the existing Breckenridge Park site prior to Master Drainage Plan approval. The additional easement or right-of-way shall not require the Developer to remove existing improvements. Fifteen feet of easement or right-of-way exists currently at the north property line of the Breckenridge Park site. Up to an additional 5 feet of easement or right-of-way may be required, and an additional 20 feet may be required for maintenance access.
6. Prior to the issuance of any building permits, the Final Drainage Plan for Breckenridge West shall be submitted for review to DER and TBRPC and for approval to Hillsborough County and the Southwest Florida Water

Management District (SWFWMD).

H. Wetlands

1. In order to protect the natural values of preserved/conserved wetland areas, the following shall be required:
 - a. Except as otherwise permitted by agencies having jurisdiction:
 - (1) No hydroperiod alteration shall be permitted in conservation or preservation areas identified on the Master Development Plan.
 - (2) No dredging, filling or development activities will be allowed within preservation areas. Activities within the conservation areas shall be limited to approved stormwater management outfall structures and boardwalks.
2. All mitigation areas and littoral shelves shall be monitored semiannually for a period of four years. Monitoring shall include an analysis of species diversity and composition and efforts to control exotic species encroachment. Additional planting may be required to maintain an 85 percent survival of planted species at the end of three years.
3. All wetland losses shall require a minimum of 1:1 wetland replacement in accordance with the Restoration Plan provided for in paragraph 6 below.
4. In the event that any species listed in Sections 39-27.03-.05, F.A.C. are observed frequenting the site for nesting, feeding, or breeding, proper mitigation measures shall be employed by the developer in cooperation with the Florida Game and Fresh Water Fish Commission.
5. Special precautions shall be taken by the developer in coordination with the Florida Game and Fresh Water Fish Commission to ensure the continued utilization of the site during and after project construction for feeding by Wood Storks (endangered) and Florida Sandhill Cranes (threatened).
6. A Restoration Plan shall be provided to TBRPC for review and to Hillsborough County EPC, DER and SWFWMD for approval prior to issuance of any permits for Breckenridge West. The developer at a minimum shall use the methods described in Section 16 of the ADA for wetland restoration and enhancement.
7. The land use designations for those portions of the Breckenridge site which meet the definition of preservation and conservation areas, as defined in the Regional Planning Council's adopted growth policy, Future of the Region, Section 2.701 and 2.702 shall be as designated on the revised General Development Plan submitted to Hillsborough County.

J. Public Facilities

1. Prior to detailed site plan approval for each phase of

- the development the Developer shall stipulate to the satisfaction of Hillsborough County the manner by which the developer will participate in the provision or expansion of internal water supply, supply lines, and facilities to service Breckenridge. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction.
2. Prior to detailed site plan approval for each phase of the development, the Developer shall ensure the provision of fire flows acceptable to Hillsborough County. The installation of a sprinkler system, fire hydrants and/or fire plan are options to ensure the provision of acceptable fire flows.
 3. No detailed site plan shall be approved without verification from the Hillsborough County Fire Department that sufficient firefighting facilities/manpower/ equipment required to serve the project are available.
 4. Prior to issuance of detailed site plan approval for each phase of the development, the Developer shall provide documentation to the Department of Development Coordination a master plan for wastewater collection, treatment and effluent disposal facilities approved and permitted by the Utilities Department or other applicable entity. No Zoning Compliance Permits shall be issued without a commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such application.
 5. Any on-site wastewater treatment or disposal plant constructed to serve Breckenridge shall require a substantial deviation determination pursuant to Subsection 380.06(19), F.S.
 6. Prior to issuance of detailed site plan approval for each phase of the development, the Developer shall verify to the satisfaction of Hillsborough County that adequate Emergency Management Services capabilities and facilities are available to service the development.
 7. The Developer shall be required to provide for recovered waste water disposal in accordance with any uniformly applicable Hillsborough County ordinance or Department of Water and Wastewater Utilities take-back policy in effect prior to construction plan approval if any County wastewater facility is used by the project.
 8. The Developer shall use non-potable water for landscape and open space irrigation unless otherwise approved by Hillsborough County.
 9. The collection, transportation and disposal of solid waste is controlled by County ordinance and shall take place in accordance with the terms of said ordinance.

K. Hazardous Waste

1. Prior to the issuance of Zoning Compliance Permits, the developer shall provide, if not in conflict with Hillsborough County, plans and policies for separate hazardous waste storage areas within the project. These areas shall be accessible to all businesses and shall be marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and

materials. (Hazardous wastes are those substances and materials defined in Subsection 403.703(21), F.S., and listed in Title 40 CFR Part 261).

2. The developer shall provide to all Breckenridge businesses, information that: indicates the location of the specially-designated hazardous waste and materials containers/areas.
3. Surface impoundments of hazardous waste, hazardous waste piles, land treatment of hazardous waste, landfills and underground storage of hazardous materials shall be prohibited.
4. Large quantity generators as defined by applicable Federal and State regulations, of hazardous substances shall implement a site-specific surficial aquifer monitoring program as required by Hillsborough County, Hillsborough County Environmental Protection Commission and DER. An emergency response and hazardous waste management operation plan shall be required for those facilities which generate/handle hazardous wastes, to minimize hazards to human health and the environment. The plans shall describe the procedures and actions required of facility personnel as well as describe the arrangement agreed to by local EMS/fire and police departments and hospitals and shall be included in the first annual report following occupancy within the park.
5. All temporary hazardous waste storage facilities shall meet the criteria set forth in Sections 3.913(a), (d) and (e), TBRPC's, Future of the Region.
6. Small quantity generators as defined by applicable Federal and State regulations, should obtain USEPA identification numbers.
7. The developer through lease agreements or restrictive covenants shall require that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

L. Hurricane Evacuation

1. The developer shall coordinate with the Hillsborough County Bureau of Emergency Management and the Greater Tampa Chapter of the American Red Cross, as to the feasibility of designating buildings within the Breckenridge West development as public hurricane evacuation centers to shelter the residents of the more vulnerable areas. A report on the outcome of these discussions shall be submitted in the first annual report prior to issuances of Certificates of Occupancy for Breckenridge West.

M. Energy Conservation

1. The energy conservation measures referenced on page 25-4 of the ADA shall be required. The following energy conservation measures shall also be encouraged by the Developer or his assigns: for the office, service center, research and development and commercial components of Breckenridge West:
 - a. The institution of programs to promote energy conservation by employees, buyers, suppliers and the public.
 - b. Reduction in levels of operation of all air

conditioning, heating and lighting systems during non-business hours.

- c. Recycling programs.
- d. The use of energy-efficient cooling, heating and lighting system.
- e. Installation of innovative energy conservation features such as waste heat recovery or solar power where feasible in project development.
- f. Use of the most energy efficient technology economically feasible in the construction and operation of light industrial/commercial/office facilities the life-cycle costing (to include operation and maintenance costs) in evaluating energy conservation effectiveness.

N Equal Opportunity

- 1. The Developer shall comply with all requirements of the Civil Rights Act. The developer shall seek, and urge and encourage all contractors and subcontractors to involve minority groups in the development of the project. All office and commercial establishment areas shall be available to all, on a fair and impartial basis.

P. General

- 1. Any approval of the Breckenridge development shall at minimum, satisfy the provisions of Chapter 380.06(15), F.S.
- 2. All of the final Developer's commitments set forth in the ADA, and as summarized in Attachment 1 be honored, except as they may be superceded by specific terms of the Development Order.

STATE OF FLORIDA)
)
 COUNTY OF HILLSBOROUGH)

I, RICHARD AKE, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Board at its public hearing meeting of June 22, 1987, as same appears of record in Minute Book 133 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 7th day of July, 1987.

RICHARD AKE, CLERK

APPROVED BY COUNTY ATTORNEY
 BY [Signature]
 Approved As To Form And
 Legal Sufficiency.

By: [Signature]
 Deputy Clerk

BRECKENRIDGE
Developer's Committments
Attachment 1

DEVELOPER COMMITMENTS

General Project

1. "The entire project will be accessed by Orient Road, U.S. 92 via Lenox Drive and U.S. 301." (ADA*, 12-1)
2. "Site design, building appearance, and landscaping will be similar to that existing in Breckenridge Park" (ADA, 12-3).
3. "Only internal access will be provided to these (retail) services." (ADA, 12-6)
4. "The production, storage, or disposal of hazardous wastes, if any, will comply with all applicable federal, state, or local regulations." (ADA, 12-10)
5. "For any structure over 20 feet in height, an additional two feet of setback...shall be provided for every one foot of structure over 20 feet." (SR*, 11 & 12-9)
6. "The project access at Lenox Drive will meet all applicable Hillsborough County Engineering Department design standards." (SR*, 11 & 12-10)
7. "The Breckenridge West project will abide by all applicable development regulations." (SR, 11 & 12-13)
8. "The 3.1 acre upland park will be planted with saw palmetto and cordgrass...." (SR, 11 & 12-14)

Air

1. "The contractor will be required to sod, seed, mulch or plant with landscape material the cleared and disturbed areas as soon as possible after clearing. The side slopes of detention ponds will be sodded or natural vegetation will be encouraged to grow. The contractor will also be required to control wind erosion through sprinkling or other appropriate means." (ADA, 13-8 and 13-10)
2. "Coordination of transit opportunities with the Hillsborough Area Regional Transit Authority will take place as the project develops." (ADA, 13-10)
3. "The Breckenridge project will not lease space to facilities which are obnoxious or offensive for reasons of emissions of odors, fumes, dust,

smoke, noise, or vibrations,' thereby eliminating the possibility of air pollution from these sources." (ADA, 13-10 and 13-11)

Land

1. "Prior to construction, heavy surface compaction will be performed to adequately densify the upper sandy soils." (ADA, 14-1)
2. "To further overcome soil limitations, judicious use of fill material will elevate building pads above base flood elevation levels. Drainage systems will be utilized to eliminate saturated soils and/or ponding. Detention areas will be incorporated into the existing wetlands to reduce the need for pond embankments. Side banks will be of an appropriate slope and will be promptly stabilized with vegetation." (ADA, 14-5)
3. "To alleviate the erosive effects of wind and water, the following steps will be implemented during construction:
 - (1) Only those portions of the site ready for construction will be cleared.
 - (2) Sediment basins will be constructed at the start of each drainage system phase.
 - (3) Areas to be cleared and disturbed by construction will be seeded, mulched with hay, straw and other suitable materials, sodded, or planted with other landscape material as soon after the construction as possible...
 - (4) Construction areas will have interim water quality control features as needed to reduce turbidity.
 - (5) Embankment areas of stormwater filtration ponds will be sodded or will be designed to encourage wetland vegetation or, in some cases, may be planted with specific wetland species...
 - (6) If wind erosion does become significant during construction, the contractor will sprinkle the problem area with water...
 - (7) Landscaping will be initiated before development work is completed to ensure that bare soil is not unnecessarily exposed to wind and water erosion." (ADA, 14-5 and 14-6)
4. "Any fill material obtained from off-site sources will be from properly permitted facilities." (SR, 14-2)
5. "Final recommendations for foundation design will be determined as site locations become known and more detailed geologic investigations can be undertaken." (SR, 14-3)

Water

1. "The stormwater management system will be designed to meet the requirements of all applicable regulatory agencies." (ADA, 15-10 and 15-14)
2. "Specifically, the following best available techniques for management and treatment of stormwater runoff will be incorporated into development of Breckenridge West:
 - (1) maintaining, wherever possible, existing drainage basins and flow patterns;
 - (2) incorporation of areas of natural wetland into the drainage system as secondary stormwater treatment and for stormwater storage and treatment;
 - (3) conservation of viable wetland vegetation wherever possible and supplemental plantings of wetland vegetation as outlined in the restoration plan described in response to Question 16;
 - (4) use of grassed roadside and side yard swales wherever possible to promote infiltration and filtration of surface runoff;
 - (5) integration of pond areas within the drainage system to decreased discharge, promote infiltration, and provide volume for detention of first flush waters; and
 - (6) where applicable, use of underdrain systems to provide final filtration of first flush waters." (ADA, 15-15 and 15-16)
3. "Stormwater runoff will be treated in accordance with CH. 17-25 FAC in several stormwater filtration ponds located within the upland development parcels." (SR, 15-1)
4. "A street sweeping program will be implemented by the applicant." (SR, 15-7)
5. "The applicant will utilize the services of a grounds maintenance firm to maintain the landscaped and common open spaces areas. The firm will be required to use best turf management practices". (SR, 15-8)

Wetlands

1. "The upland island habitat will be supplementally enhanced with saw palmetto (Serenoa repens) and prairie cordgrass plantings..." (ADA, 16-8).
2. "During the construction phase, the integrity of all wetland systems will be protected, with primary emphasis being the prevention of the erosion of uplands. Hay bale barriers will be placed adjacent to wetlands to provide further erosion protection. As needed, physical

barriers will be located around wetlands to deny access by vehicular equipment." (ADA, 126-10 and 16-11)

3. "A contingency maintenance schedule and monitoring program with methodology will be discussed during the permitting stage of the restoration plan." (SR, 16-8)
4. "The restoration plan will restore the type, nature and function of the 21.4 acres of altered wetlands. Restoration will occur during Phase I. After development, wetlands will total 95.5 acres. (SR, 16-4)
5. "With the exception of the borrow pit, the restoration plan includes the re-establishment of all of the wetlands which will be affected by the project in areas adjacent to existing wetland systems." (SR, 16-6)
6. "The restoration plan also includes the regarding of selected upland areas for wetland planting to meet adjoining wetland elevations. Mulching with on-site organic soils will be combined with tree, shrub, and herbaceous plantings to promote establishment of the wetland plant communities." (SR, 16-7)
7. "The applicant is fully committed to a successful restoration plan which will result in a viable wetland system comprised of marshes, mixed hardwood forests, and open water habitats." (SR, 16-9)

Flood Plains

"The finished floor elevations of all buildings within these areas will be constructed at or above the 100-year flood elevation as determined by the Master Drainage Study completed for the project." (ADA, 17-1)

Economy

"The applicant will construct water and sewer lines within the project. The applicant will pay a fair share of the costs of road improvements needed to serve the project as required by Hillsborough County and specified in the development order." (SR, 20-4 and 20-5)

Wastewater

1. "If the discharge varies from the characteristics of domestic wastewater, the specific characteristic will be reviewed by the treating agency prior to connection to the collection system." (ADA, 21-1)
2. "Septic tanks will not be used for wastewater disposal on this project." (ADA, 21-4)
3. "The applicant will advise prospective tenants of the types of wastes and materials that are considered to be hazardous or toxic. The applicant will also advise individual tenants of applicable statutes and regulations regarding these materials." (SR, 21-2)

Drainage

1. "All treatment of stormwater runoff will be provided on-site." (ADA, 22-1)
2. "Equalizer pipes will join all the detention areas allowing them to function as one basin." (ADA, 22-2)
3. "The detention basin will be designed to limit the post-development 100-year water surface elevation to the 100-year pre-development water surface elevation." (ADA, 22-2)
4. "The drainage system will be designed such that water levels will maintain the existing hydroperiod of the on-site and off-site wetland systems." (ADA, 22-4)
5. "Within parking and roadway areas, storm sewer systems will be employed to collect and transport stormwater runoff." (ADA, 22-4)
6. "Approximately 63 acres or 32.5 percent of the total site will be impervious area after development." (ADA, 22-6) (Developer clarification: Subject to permitting)
7. "Final design of the detention basins will be in accordance with the approved restoration plan." (ADA, 22-7) (Developer clarification: Subject to permitting)
8. "A total of 3.72 acrefeet of storage (in addition to detention storage will be provided for water quality treatment." (ADA, 22-7)
9. "The stormwater management system will be designed to meet all applicable Florida Department of Environmental Regulation, Southwest Florida Water Management District and Hillsborough County requirements." (ADA, 22-7 and 22-8)
10. "The proposed drainage plan will generally follow the existing drainage patterns and the existing discharge point from the site will be maintained." (ADA, 22-8)
11. "The on-site drainage system will be operated and maintained by the applicant..." (ADA, 22-10)

Water Supply

1. "In addition to domestic potable water demands, the water distribution system will be designed to provide 1,000 GPM fire flow demand. Irrigation for the open space areas will be provided by on-site private irrigation wells." (ADA, 23-1)
2. "All applicable state and local regulations concerning the placement and operation of such wells shall be met or exceeded." (ADA, 23-4)



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

2571 EXECUTIVE CENTER CIRCLE, EAST • TALLAHASSEE, FLORIDA 32399

BOB MARTINEZ
Governor

THOMAS G. PELHAM
Secretary

September 9, 1987

Ms. Suzanne Cooper
DRI Coordinator
Tampa Bay Regional
Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

Dear Ms. Cooper:

RE: ADA-887-036; Breckenridge Agreement

Enclosed please find the agreement entered into between the State of Florida's Department of Community Affairs, and The Crow Property Company. The agreement essentially prohibits the developer from exercising option IV.B.1.c.(6) of the Development Order (D.O.) issued by Resolution R87-0196, June 22, 1987 by the Hillsborough County Board of County Commissioners until such time that the D.O. is amended with language that fulfills the requirements of the Department of Community Affairs Transportation Rule 9J-2.0255.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anita Tallarico".

Anita Tallarico
Planner II
Development of Regional
Impact Section

AT/sr

Enclosures

cc: Mr. Rick Adair (FDOT)
Ms. Shirley Gersholowitz (Hillsborough County)

AGREEMENT FOR

BRECKENRIDGE DRI, HILLSBOROUGH COUNTY, FLORIDA

This Agreement is entered into between CROW PROPERTY COMPANY (hereinafter the "Developer") and the STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS (the "Department") subject to all other governmental approvals and solely at the Developer's own risk.

W I T N E S S E T H

WHEREAS, the Department is the state land planning agency having the power and duty to exercise general supervision of the administration and enforcement of Chapter 380, Florida Statutes, which includes provisions relating to Developments of Regional Impact (DRI); and

WHEREAS, pursuant to Subsection 380.032(3), Florida Statutes, the Department is authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380, Florida Statutes; and

WHEREAS, Crow Property Company is the Developer under the Breckenridge DRI Development Order, Hillsborough County Resolution R87-0196 adopted June 22, 1987, (the "Development Order"); and

WHEREAS, the property governed by both the Development Order and this Agreement is the same property, which property is more particularly described in Exhibit "A" attached hereto; and

WHEREAS, the Department desires that the Development Order be amended to specify the County's obligations if the County elects to accept payment pursuant to Section IV. B.1.c.(6) thereof; and

WHEREAS, the Developer desires to avoid an appeal of the Development Order by the Department pending adoption of the desired amendment; and

WHEREAS, because this Agreement eliminates those issues on which the Department would have based an appeal, this Agreement is beneficial to the Department in its role as the state agency

Return to the Department of Community Affairs, 2571 Executive Center Circle East
Tallahassee, FL 32399

with the responsibility for the administration and enforcement of Chapter 380, Florida Statutes.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, it is hereby understood and agreed that:

1. The Developer hereby waives any and all rights to invoke the provisions of Section IV. B.l.c.(6) of the Development Order until said section is amended to specify, to the satisfaction of the Department, Hillsborough County's obligations with regard to spending the funds it may elect to receive under said section.

2. Because the Developer's commitment in paragraph 1 above eliminates the applicability of Section IV. B.l.c.(6) of the Development Order, which the Department intended to appeal, until the Department approves, in writing, an amendment to that section, the Department hereby agrees not to appeal the Development Order.

3. The Developer shall not claim vested rights, or assert equitable estoppel, arising from this Agreement or any expenditures or actions taken in reliance on this Agreement, to continue with development of the project beyond that authorized in the Development Order.

4. This Agreement shall not, in itself, entitle the Developer to approval of any amendment to the Development Order.

5. In the event of a breach of this Agreement or failure to comply with any conditions of this Agreement, or if this Agreement is based upon materially inaccurate information, the Department may terminate the Agreement or file suit to enforce it as provided in Sections 380.06 and 380.11, Florida Statutes, including a suit to enjoin all development.

6. This Agreement affects the rights and obligations of the parties under Chapter 380, Florida Statutes. It is not intended to determine or influence the authority or decisions of any other state or local government or agency in the issuance of any other permits or approvals which might be required by state law or

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Tallahassee, FL 32399

local ordinance for the project authorized by the Development Order.

7. The terms and conditions of the Agreement shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto. The Developer shall ensure and provide that any party claiming by, through or under the Developer with respect to any of the Developer's interest in the lands or parcels affected by this Agreement is bound by the terms of this Agreement. If the Developer subsequently acquires an interest in such lands, then this Agreement shall be binding with respect to such interest.

8. This Agreement may be executed in several counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

9. The date of execution of this Agreement shall be the date that the last party signs and acknowledges this Agreement.

10. The Developer shall record a fully executed copy of this Agreement in the Public Records of Hillsborough County, Florida, and forward a recorded copy to the Department on or before September 3, 1987.

WITNESSES:

G. John Corley
Dale C. Weiberson

CROW PROPERTY COMPANY

BY:

Gary W. Harrod

Its:

President

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 19 day of August, 1987, by GARY W. HARROD of CROW PROPERTY COMPANY

Dale C. Weiberson
Notary Public

My Commission Expires:

Notary Public, State of Florida

My Commission Expires May 5, 1989

Booted thru Troy Falls - Insurance, Inc.

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Tallahassee, FL 32399

WITNESSES:

Laraine Whittington
Doris Tallam

STATE OF FLORIDA DEPARTMENT
OF COMMUNITY AFFAIRS

BY: Thomas G. Pelham
Thomas G. Pelham, Esquire
Secretary

DATED: Aug 31, 1987

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY

David Jordan
Office of the General Counsel
of the Department of Community
Affairs

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me
this 31st day of Aug., 1987, by Thomas G. Pelham
of the Department of Community Affairs, an agency of the State of
Florida, on behalf of the Department.

Jane R. Barr
Notary Public Notary Public, State of Florida
My Commission Expires My Commission Expires June 24, 1988
Revised Textbook Edition & Insurance, Inc.

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Tallahassee, FL 32399

PARCEL 1:

A tract of of land lying within the Southeast 1/4 of Section 36, Township 28 South, Range 19 East, Hillsborough County, Florida, described as follows:

Beginning at the northwest corner of said Southeast 1/4 of Section 36, Township 28 South, Range 19 East; thence N 89°44'49" E along the North line of said Southeast 1/4, for 1339.02 feet; thence S 9°18'16" W, for 830.96 feet; thence S 9°23'52" W, for 186.79 feet; thence S 12°29'39" W, for 87.47 feet, to a point of curvature of a curve concave to the Northwest; thence Southwesterly 448.27 feet along the arc of said curve, having a radius of 1095.92 feet, a central angle of 23°26'10", a chord length of 445.15 feet and a chord bearing of S 24°12'44" W, to a point of tangency; thence S 35°55'49" W, for 255.83 feet; thence S 54°04'11" E, for 15.00 feet; thence S 35°55'49" W, for 694.84 feet, to a point of curvature of a curve concave to the Northwest; thence southwesterly 360.99 feet along the arc of said curve, having a radius of 515.00 feet, a central angle of 40°09'40", a chord length of 353.64 feet and a chord bearing of S 56°00'39" W; thence N 88°22'34" W, for 134.65 feet, to the West line of said Southeast 1/4; thence N 0°01'11" E along said West line, for 2462.25 feet, to the point of beginning, containing 55.28 acres, more or less.

PARCEL 2:

Being that portion of the the Southwest 1/4 Section 36, Township 28 South, Range 19 East, Hillsborough County Florida; together with that portion of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 28 South, Range 19 East, Hillsborough County, Florida more fully described as follows:

Begin at the East 1/4 corner of said Section 36, being the Northwest corner of Breckenridge Park - Unit One, as recorded in Plat Book 55, Page 6 of the Public Records of Hillsborough County, Florida; thence South 00°01'11" East along the West line of the said Breckenridge Park - Unit One, being the West line of the Southeast 1/4 of said Section 36 for a distance of 2463.35 feet to a point on the northerly right-of-way line of State Road No. 400 - Limited access, U.S. Highway 92 (State Road No. 600); thence North 88°55'03" West along the said Northerly right-of-way line, for a distance of 11.06 feet; thence North 87°40'33" West continuing along the said Northerly right-of-way line for a distance of 190.56 feet to a point of a tangent curve concave Southeasterly; thence along the arc of the said curve for a distance of 616.45 feet, through a central angle of 11°49'03" having a radius of 2988.79 feet, a long chord of 615.36 feet, chord bearing South 86°25'09" West to a point of a reverse curve concave Northerly; thence along the arc of said curve for a distance of 467.70 feet; through a central angle of 09°32'26", having a radius of 2808.79 feet; a long chord of 467.16 feet, chord bearing South 85°31'06" West; thence South 89°56'42" West continuing along the said North right-of-way line for a distance of 1388.59 feet to a point on the West line of the Southwest 1/4 of said Section 36, said West line being the East right-of-way line of Lenox Drive 60.00 feet wide per Staley's Subdivision as recorded in Plat Book 30, Page 89, of the

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Tallahassee, FL 32399

Parcel 2 (continued,

Public Records of Hillsborough County, Florida; thence North 00°32'49" West along the West line of the said Southwest 1/4 Section 36, for a distance of 1181.23 feet to the Northeast corner of said Staley's Subdivision; thence North 89°32'27" West along the North line of said Staley's Subdivision, said line being the South line of the Northeast 1/4 of the Southeast 1/4 said Section 35, for a distance of 1295.58 feet to a point on the East right-of-way line of Orient Road (25.00 feet half width); thence North 00°13'22" West along the said East right-of-way line for a distance of 1337.40 feet to a point of the North line of the Northeast 1/4 of the Southeast 1/4 of said Section 35; thence South 89°32'39" East along the said North line for a distance of 1298.23 feet to the Northeast corner of the said Northeast 1/4 of the Southeast 1/4 of Section 35; thence North 89°43'20" East along the North line of the Southeast 1/4 of said Section 36 for a distance of 2682.86 feet to the point of the beginning.

Said parcel contains 8,435,137 square feet, more-or-less, which equals 193.6441 acres more-or-less.

Subject to a Tampa Electric Company easement per Minute Book 128, Pages 113 and 114; and a 25.00 foot easement as recorded in Deed Book 1355, Page 181 of the Public Records of Hillsborough County, Florida.

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Tallahassee, FL 32399

AGREEMENT FOR

BRECKENRIDGE DRI, HILLSBOROUGH COUNTY, FLORIDA

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WHEREAS, pursuant to Subsection 380.032(3), Florida Statutes, the Department is authorized to enter into agreements as may be necessary to effectuate the provisions and purposes of Chapter 380, Florida Statutes; and

WHEREAS, Crow Property Company is the Developer under the Breckenridge DRI Development Order, Hillsborough County Resolution R87-0196 adopted June 22, 1987, (the "Development Order"); and

WHEREAS, the property governed by both the Development Order and this Agreement is the same property, which property is more particularly described in Exhibit "A" attached hereto; and

WHEREAS, the Department desires that the Development Order be amended to specify the County's obligations if the County elects to accept payment pursuant to Section IV. B.l.c.(6) thereof; and

WHEREAS, the Developer desires to avoid an appeal of the Development Order by the Department pending adoption of the desired amendment; and

WHEREAS, because this Agreement eliminates those issues on which the Department would have based an appeal, this Agreement is beneficial to the Department in its role as the state agency

Return to the Department of Community Affairs, 2571 Executive Center Circle East
Tallahassee, FL 32399

with the responsibility for the administration and enforcement of Chapter 380, Florida Statutes.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, it is hereby understood and agreed that:

1. The Developer hereby waives any and all rights to invoke the provisions of Section IV. B.1.c.(6) of the Development Order until said section is amended to specify, to the satisfaction of the Department, Hillsborough County's obligations with regard to spending the funds it may elect to receive under said section.

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3. The Developer shall not claim vested rights, or assert equitable estoppel, arising from this Agreement or any expenditures or actions taken in reliance on this Agreement, to continue with development of the project beyond that authorized in the Development Order.

4. This Agreement shall not, in itself, entitle the Developer to approval of any amendment to the Development Order.

5. In the event of a breach of this Agreement or failure to comply with any conditions of this Agreement, or if this Agreement is based upon materially inaccurate information, the Department may terminate the Agreement or file suit to enforce it as provided in Sections 380.06 and 380.11, Florida Statutes, including a suit to enjoin all development.

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local ordinance for the project authorized by the Development Order.

7. The terms and conditions of the Agreement shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties hereto. The Developer shall ensure and provide that any party claiming by, through or under the Developer with respect to any of the Developer's interest in the lands or parcels affected by this Agreement is bound by the terms of this Agreement. If the Developer subsequently acquires an interest in such lands, then this Agreement shall be binding with respect to such interest.

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10. The Developer shall record a fully executed copy of this Agreement in the Public Records of Hillsborough County, Florida, and forward a recorded copy to the Department on or before September 3, 1987.

WITNESSES:

G. John Carby
Walter C. Weisenborn

CROW PROPERTY COMPANY

BY:

[Signature]

Its:

President

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 19 day of December, 1987, by GARY W. HARROD of CROW PROPERTY COMPANY

Walter C. Weisenborn
Notary Public
My Commission Expires:
Notary Public, State of Florida
My Commission Expires May 5, 1989
Bonded thru Troy Feltz - Insurance, Inc.

Return to: Department of Community Affairs, 2571 Executive Center Circle East Tallahassee, FL 32399

WITNESSES:

Laraine Whittington
Sanita Tallam

STATE OF FLORIDA DEPARTMENT
OF COMMUNITY AFFAIRS

BY: Thomas G. Pelham
Thomas G. Pelham, Esquire
Secretary

DATED: Aug. 31, 1987

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY

David Jordan
Office of the General Counsel
of the Department of Community
Affairs

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me
this 31st day of Aug., 1987, by Thomas G. Pelham
of the Department of Community Affairs, an agency of the State of
Florida, on behalf of the Department.

Jane R. Barr
Notary Public Notary Public, State of Florida
My Commission Expires My Commission Expires June 24, 1988
Headed From Tax Filing Insurance, Inc.

Return to: Department of Community Affairs, 2571 Executive Center Circle East,
Tallahassee, FL 32399

PARCEL 1:

A tract of of land lying within the Southeast 1/4 of Section 36, Township 28 South, Range 19 East, Hillsborough County, Florida, described as follows:

Beginning at the northwest corner of said Southeast 1/4 of Section 36, Township 28 South, Range 19 East; thence N 89°44'49" E along the North line of said Southeast 1/4, for 1339.02 feet; thence S 9°18'16" W, for 830.96 feet; thence S 9°23'52" W, for 186.79 feet; thence S 12°29'39" W, for 87.47 feet, to a point of curvature of a curve concave to the Northwest; thence Southwesterly 448.27 feet along the arc of said curve, having a radius of 1095.92 feet, a central angle of 23°26'10", a chord length of 445.15 feet and a chord bearing of S 24°12'44" W, to a point of tangency; thence S 35°55'49" W, for 255.83 feet; thence S 54°04'11" E, for 15.00 feet; thence S 35°55'49" W, for 694.84 feet, to a point of curvature of a curve concave to the Northwest; thence southwesterly 360.99 feet along the arc of said curve, having a radius of 515.00 feet, a central angle of 40°09'40", a chord length of 353.64 feet and a chord bearing of S 56°00'39" W; thence N 88°22'34" W, for 134.65 feet, to the West line of said Southeast 1/4; thence N 0°01'11" E along said West line, for 2462.25 feet, to the point of beginning, containing 55.28 acres, more or less.

PARCEL 2:

Being that portion of the the Southwest 1/4 Section 36, Township 28 South, Range 19 East, Hillsborough County Florida; together with that portion of the Northeast 1/4 of the Southeast 1/4 of Section 35, Township 28 South, Range 19 East, Hillsborough County, Florida more fully described as follows:

Begin at the East 1/4 corner of said Section 36, being the Northwest corner of Breckenridge Park - Unit One, as recorded in Plat Book 55, Page 6 of the Public Records of Hillsborough County, Florida; thence South 00°01'11" East along the West line of the said Breckenridge Park - Unit One, being the West line of the Southeast 1/4 of said Section 36 for a distance of 2463.35 feet to a point on the northerly right-of-way line of State Road No. 400 - Limited access, U.S. Highway 92 (State Road No. 600); thence North 88°55'03" West along the said Northerly right-of-way line, for a distance of 11.06 feet; thence North 87°40'33" West continuing along the said Northerly right-of-way line for a distance of 190.56 feet to a point of a tangent curve concave Southeasterly; thence along the arc of the said curve for a distance of 616.45 feet, through a central angle of 11°49'03" having a radius of 2988.79 feet, a long chord of 615.36 feet, chord bearing South 86°25'09" West to a point of a reverse curve concave Northerly; thence along the arc of said curve for a distance of 467.70 feet; through a central angle of 09°32'26", having a radius of 2808.79 feet; a long chord of 467.16 feet, chord bearing South 85°31'06" West; thence South 89°56'42" West continuing along the said North right-of-way line for a distance of 1388.59 feet to a point on the West line of the Southwest 1/4 of said Section 36, said West line being the East right-of-way line of Lenox Drive 60.00 feet wide per Staley's Subdivision as recorded in Plat Book 30, Page 89, of the

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Tallahassee, FL 32399

Parcel 2 (continued)

Public Records of Hillsborough County, Florida; thence North 00°32'49" West along the West line of the said Southwest 1/4 Section 36, for a distance of 1181.23 feet to the Northeast corner of said Staley's Subdivision; thence North 89°32'27" West along the North line of said Staley's Subdivision, said line being the South line of the Northeast 1/4 of the Southeast 1/4 said Section 35, for a distance of 1295.58 feet to a point on the East right-of-way line of Orient Road (25.00 feet half width); thence North 00°13'22" West along the said East right-of-way line for a distance of 1337.40 feet to a point of the North line of the Northeast 1/4 of the Southeast 1/4 of said Section 35; thence South 89°32'39" East along the said North line for a distance of 1298.23 feet to the Northeast corner of the said Northeast 1/4 of the Southeast 1/4 of Section 35; thence North 89°43'20" East along the North line of the Southeast 1/4 of said Section 36 for a distance of 2682.86 feet to the point of the beginning.

Said parcel contains 8,435,137 square feet, more-or-less, which equals 193.6441 acres more-or-less.

Subject to a Tampa Electric Company easement per Minute Book 128, Pages 113 and 114; and a 25.00 foot easement as recorded in Deed Book 1355, Page 181 of the Public Records of Hillsborough County, Florida.

Return to: Department of Community Affairs, 2571 Executive Center Cc. East,
Tallahassee, FL 32399

Richard L. Ake
Clerk of the Circuit Court
Hillsborough County, Florida



P.O. Box 1110
Tampa, Florida 33601
Telephone 223-7811

CERTIFIED MAIL

July 9, 1987

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Attn: Julia Greene
Executive Director

Re: Resolution - Breckenridge DRI #155 Development Order
H.C. Document No. R87-0196

Dear Ms. Greene:

Enclosed please find an executed copy of the subject Resolution which was adopted by the Hillsborough County Board of County Commissioners on June 22, 1987.

We are providing this copy for your official files.

Sincerely,

RICHARD AKE, CLERK
BOARD OF COUNTY COMMISSIONERS

By: Edna L. Fitzpatrick
Edna L. Fitzpatrick
Deputy Clerk

ELF/lt

cc: Board files
State Land Planning Agency
Elliott Dunn, Asst. County Attorney
Keith Brickleyer, Attorney, (for Crow Property Co.)
Shirley Gersholowitz, Sr. Planner, Dept. of Development Coordination

Enclosure

FINAL CONDITIONS
OF

APPROVAL

MEETING OF: County Commissioners
MEETING DATE: June 22, 1987
PETITION NUMBER: 87-107 (in conjunction
with DRI 155, Breckenridge)
DATE TYPED: July 1, 1987

- A. Approval with Conditions - Approval is based on the General Development Site Plan received April 16, 1987, and all data shown, defined, described, noted, referenced, and listed thereon.
1. The development of this project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the general site plan, the phasing schedule, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
 2. Buildings in the project along property boundaries that abut or are located across from any residential development on Lenox Drive shall have a maximum height limitation of two stories or 35 feet. Elsewhere within the project, buildings shall have a maximum height of three stories or 45 feet. This has been determined after an analysis of the intensity review criteria in Subsection 14.15(f)(1), Section 14.15 as a whole, and Sections 14.1, 14.2, and 14.4 of the Hillsborough County Zoning Code.
 3. The parking ratio shall be as required by the Hillsborough County Zoning Code for specific uses.
 4. There shall be no access permitted to Staley Drive. There shall be no access permitted to Lenox Drive other than the project access shown on the site plan of April 16, 1987.
 5. Any on-site buildings which face residentially zoned property shall be architecturally finished. In addition, no warehouse loading areas may face residentially zoned properties on Lenox Dr.
 6. The developer shall provide, external sidewalks to the project in the right-of-way area of the major roadway(s) bordering the project (i.e., U.S. 301, Hillsborough Avenue, Orient Road). The exact location and timing for installation of said sidewalks shall be determined by the County Department of Development Coordination during the Detailed Site Plan approval.
 7. The developer shall be required to utilize public water and public sewer and shall pay all costs to connect for service delivery. The developer shall submit to the County Department of Development Coordination, prior to the issuance of Zoning Compliance Permits, evidence of commitment from the City of Tampa Water and Sanitary Sewers Department to provide public water and public sewer services, and evidence of agreement to pay necessary costs to enable the City to provide public water and public sewer service delivery.
 8. The developer shall submit a County Fire Department approved fire protection plan to the County Department of Development Coordination or install at the developer's expense, prior to the issuance of Certificates of Occupancy, fire hydrants and, if necessary, water lines of a size necessary to meet minimum fire flow and pressure requirements to provide adequate water resources for fire-fighting. The location of the hydrants and water lines shall be subject to approval of the City of Tampa Water and Sanitary Sewers Departments and Hillsborough County Fire Department accordingly. The installation of the hydrants and water lines shall be subject to approval of the City of Tampa Water and Sanitary Sewers Departments and Hillsborough County Fire Department accordingly and prior to the issuance of Certificates of Occupancy.
 9. Prior to General Site Plan certification, the boundaries of any on-site environmentally sensitive area(s) shall be delineated in the field by County Environmental Protection Commission staff. The developer shall show on the General Development Site Plan the boundaries of all environmentally sensitive area(s) and shall label the area(s) therein "Conservation Area" prior to General Development Site

FINAL CONDITIONS
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Plan certification. Prior to General Development Site Plan certification, the developer shall submit to the County Department of Development Coordination evidence of approval from the Environmental Protection Commission of the conservation area boundaries and area(s) therein as shown on the General Development Site Plan. All on-site conservation area(s) shall be preserved unless a mitigation plan is approved by the Environmental Protection Commission and submitted to the Department of Development Coordination.

10. The natural hydroperiods must be determined by the County Environmental Protection Commission (EPC) staff and shall be maintained by the developer during and after construction, unless otherwise approved by EPC.
11. The developer shall utilize haybales staked around the wetlands during construction to prevent soil erosion into the wetlands.
12. The only uses permitted shall be those permitted and accessory uses listed in the PD-RP district. No freestanding support commercial uses shall be permitted within 200 feet of property boundaries which border public roadways.
13. Buffers and Screening shall be as required by Section 7.12 of the Zoning Code.
14. The internal access points indicated on the site plan submitted April 16, 1987 may not be permitted as shown because of concerns for on-site traffic safety due to the close proximity of certain access points. The number and location of access points from public internal project roadways shall be reviewed and approved by the Hillsborough County Engineering Department during Detailed Site Plan review.
15. Prior to the issuance of any development permits of the western parcels, the developer shall install a new traffic signal with a left-turn phase at the intersection of Orient Road and Hillsborough Avenue.
16. Within sixty days of rezoning approval by the Hillsborough County Board of County Commissioners, the developer shall submit to the County Department of Development Coordination a revised General Development Site Plan for certification which shall reflect all the conditions outlined above.

3. "The proposed irrigation wells will be operated and maintained by the owner of the project." (ADA, 23-4)
4. "The water distribution system for Breckenridge West including fire hydrant locations will be designed to provide fire protection in accordance with City of Tampa Water Department standards." (ADA, 23-6)
5. "Hydrant flow testing & pressure surveys will be completed after the system is installed to verify performance...." (ADA, 23-6)
6. "The applicant will utilize all water conservation devices required by state and local building regulations." (SR, 23-1)
7. "The applicant will obtain a CWP permit, if required." (SR, 23-2)
8. "The applicant will provide payment for applicable connection fees, installation charges, and aid in construction payments for on-site and off-site construction of water lines, as required." (SR, 23-3)

Solid Waste

1. "The applicant will develop a program which will emphasize the education of tenants to the existence of laws and regulations which govern the storage, generation, use, transportation and disposal of hazardous materials." (SR, 24-1)
2. "Within each lease agreement the applicant will inform potential tenants of applicable state and federal regulations and their responsibilities in complying with same." (SR, 24-3 and 24-6)

Recreation and Open Space

"The open space and recreation areas will be maintained by Crow Property Company or its assigns." (SR, page DOC-10)

Transportation

1. "The developer will work with HART to support bus accessibility in the final site design and implementation." (ADA, 31-6)
2. "The developer will continue to work with the Hillsborough Area Regional Transit Authority to accommodate transit usage by Breckenridge patrons." (ADA, 31-34)
3. "The developer will work with the Tampa Urban Area MPO in supporting their car and van pooling programs." (ADA, 31-34)

* ADA - Application for Development Approval

SR - Sufficiency Response