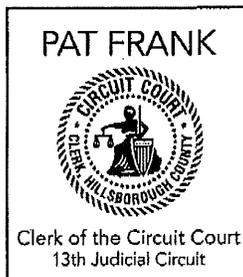


#159



MEMORANDUM

DATE: October 12, 2011
TO: Nancy Y. Takemori, Assistant County Attorney
FROM: Julia Poupart, Director, BOCC Records/VAB *Julia Poupart*
SUBJECT: Resolution – Rescind the Eastshore Commerce Park (DRI # 159)
Development Order Petition #11-0789 - Adopted by Resolution R88-0255,
as Amended by R90-0026, R92-0218, & R97-104

Attached is an executed copy of subject resolution, Resolution R11-116, approved by the Board on October 11, 2011.

We are providing a copy to you for further handling.

md

Attachment

cc: Board files (orig.)
Appropriate Parties via County Attorney's Office
Paige Ward, County Attorney's Office
John Healey, Senior Planner, Development Services
Tracy Torres, Property Appraiser's Office
Christopher Weiss, Property Appraiser's Office
Mary Mahoney, Business and Support, Management and Budget
Nancy Milam, County Attorney's Office
Sharon Sweet, BOCC Records

Office of the County Attorney

BOARD OF COUNTY COMMISSIONERS

Kevin Beckner
Victor D. Crist
Ken Hagan
Al Higginbotham
Lesley "Les" Miller, Jr.
Sandra L. Murman
Mark Sharpe



Donald R. Odom, Interim County Attorney

Managing Attorneys

Christine M. Beck
Robert E. Brazel
Hank Ennis
Mary Helen Farris
Susan J. Fernandez
Sheree C. Fish
Adam J. Gormly
Jennie Granahan Tarr

MEMORANDUM

To: Midge Dixon, BOCC Records
From: Nancy Y. Takemori, Assistant County Attorney 
Date: October 11, 2011
Subject: Eastshore Commerce Park (DRI # 159)
Resolution to Rescind the Development Order

Please find attached 1 original of the Resolution to Rescind the Eastshore Commerce Park (DRI #159) Development Order as approved by the Board of County Commissioners on October 11, 2011. Please certify the Resolution as a complete and accurate copy of the approved Resolution, and provide a certified, numbered copy to me for distribution.

Please contact me should you have any questions. Thank you.

NYT/pww
Attachment

cc: John E. Healey, Planning & Growth Management (w/o attachments)

RECEIVED
2011 OCT 11 PM 2:15
CLERK TO
THE BOARD (AJ)

10/11/2011 G:\Real Property & Development\Takemori\DR1\Eastshore Commerce Park DRI\Memo to Midge Dixon - Resolution to Rescind the Eastshore Commerce Park (DRI #159) Dev Order approved 101111.doc

601 E. Kennedy Boulevard, 27th Floor
Post Office Box 1110 • Tampa, Florida 33601
(813) 272-5670 • Fax: (813) 272-5231

An Affirmative Action/Equal Opportunity Employer

Resolution No. R11- 116

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
TO RESCIND THE EASTSHORE COMMERCE PARK (DRI # 159) DEVELOPMENT
ORDER

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact ("DRI") # 159 pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an Amended Development Order (Resolution No. R90-0026) for the EASTSHORE COMMERCE PARK DRI #159 (the "First Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on September 8, 1992, the Board of County Commissioners approved an Amended Development Order (Resolution No. R92-0218) for the EASTSHORE COMMERCE PARK DRI #159 (the "Second Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on April 8, 1997, the Board of County Commissioners approved an Amended Development Order (Resolution No. R97-104) for the EASTSHORE COMMERCE PARK DRI #159 (the Eastshore Commerce Park DRI Development Order, as amended by the First, Second and this Third Amendment, shall be referred to as the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, the Development Order for the EASTSHORE COMMERCE PARK DRI expired on December 31, 2010; and

WHEREAS, Section 380.06(29)(a)2, Florida Statutes, provides exemptions from the DRI program for development within a county that qualifies as a dense urban land area ("DULA"), and which is within an urban service area ; and

WHEREAS, the EASTSHORE COMMERCE PARK DRI is within Hillsborough County's urban service area; and

WHEREAS, on July 1, 2009, the Florida Legislative Office of Economic and Demographic Research transmitted to the Department of Community Affairs a list of counties qualifying as dense urban land areas (DULAs); and

WHEREAS, Hillsborough County is classified as a DULA because Hillsborough County has an average of at least one thousand (1,000) people per square mile of land area; and

WHEREAS, pursuant to Section 380.06(29)(e), Florida Statutes, any previously approved DRI development order for a DRI in an area of a county that is exempt from the DRI program under Section 380.06(29)(a) shall continue to be effective unless the developer or landowner requests that the county rescind the development order for the DRI pursuant to Section 380.115(1), Florida Statutes; and

WHEREAS Hillsborough County and Tampa Bay Water (together, the "Developers") are the fee simple title owners and developers of the approximately four hundred twenty three (423) acres of land known as EASTSHORE COMMERCE PARK DRI; and

WHEREAS, the Developers have requested the Hillsborough County Board of County Commissioners to rescind the Development Order for the EASTSHORE COMMERCE PARK DRI; and

WHEREAS, the Developers filed an Application for Rescission of the EASTSHORE COMMERCE PARK DRI and related documents ("Application") in accordance with Section 380.115, Florida Statutes; and

WHEREAS, Section 380.115(1)(b), Florida Statutes, provides that, if requested by a landowner or developer, a DRI development order shall be rescinded by the local government having jurisdiction upon a showing that all required mitigation related to the amount of development that existed on the date of rescission has been completed; and

WHEREAS, there has been limited development of public uses within the EASTSHORE COMMERCE PARK DRI to date, and the mitigation related to the amount of existing development, including the extension of Columbus Drive from US 301 to Falkenburg Road, has been fully constructed; and

WHEREAS, all required mitigation related to the amount of development that existed on the date of rescission has, therefore, been completed; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the proposed rescission and to rescind the Development Order; and

WHEREAS, all adjacent property owners have been duly noticed in accordance with the notice requirements applicable to modifications to existing DRIs in the County's Land Development Code; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the proposed rescission before the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has held a duly noticed public hearing to consider the proposed rescission of the EASTSHORE COMMERCE PARK DRI Development Order and has reviewed and considered the Application, as well as all testimony and evidence submitted by the Developers, reviewing agencies, and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

Section One. Rescission. The Development Order for the EASTSHORE COMMERCE PARK DRI, adopted by Resolution No. R88-0255, as amended by Resolution Nos. 90-0026, 92-0218 and 97-104, is hereby rescinded pursuant to Section 380.115(1), Florida Statutes.

Section Two. Severability. The provisions of this Resolution shall be deemed to be severable. If any provision of this Resolution is judicially determined to be unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

Section Three. Future Development. All future development within the Eastshore Commerce Park project will continue to be subject to all applicable provisions of The Future of Hillsborough Comprehensive Plan and the Hillsborough County Land Development Code.

Section Four. Effective Date. This Resolution shall become effective upon the expiration of the appeal period under Section 380.07, Florida Statutes (2011), without an appeal having been taken, or if taken, dismissed or this Resolution affirmed.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, PAT FRANK, 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 the resolution adopted by the Board of County Commissioners in its regular meeting of the 11th day of October.

2011, as the same appears in the Minute Book 425, of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 12th day of October, 2011.

PAT FRANK
CLERK OF THE CIRCUIT COURT

By: Beverly Anne Miller

Deputy Clerk

Approved as to form and legal sufficiency

By: [Signature]

Assistant County Attorney



Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
County Center, 12th Floor
601 E. Kennedy Blvd.
P.O. Box 1110
Tampa, Florida 33601
Telephone 276-2029, ext. 6730

May 7, 1997

TIM BUTTS DRI COORDINATOR
TAMPA BAY REGIONAL PLANNING COUNCIL
9455 KOGER BOULEVARD, SUITE 219
ST. PETERSBURG, FL 33702

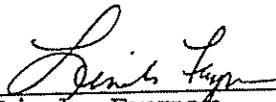
Re: Resolution No. R97-104 - Amending the Development Order for
Eastshore Commerce Park (DRI #159)

Dear Mr. Butts:

Attached is a certified copy of referenced resolution, which was
adopted by the Hillsborough County Board of County Commissioners on
April 8, 1997.

We are providing this copy for your files.

Sincerely,



Linda Fryman
Senior Manager, BOCC Records

LF:SAB

Attachment

Certified Mail

cc: Board files (orig.)

J. Thomas Beck, Florida Department of Community Affairs
David Mechanik, Esquire, Mechanik, Davis & Nuccio
Vincent Marchetti, Sr. Assistant County Attorney
Gene Boles, Director, Planning & Growth Management
Joe Egozcue, County Attorney's Office

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 Resolution No. R97-104 Amending the Development Order for Eastshore Commerce Park (DRI #159), approved by the Board in its regular meeting of April 8, 1997, as the same appears of record in MINUTE BOOK 251 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 7th day of May,
1997.



RICHARD AKE, CLERK
BY: [Signature]
Deputy Clerk

AMENDED DEVELOPMENT ORDER

Resolution No. R97-104

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONER OF HILLSBOROUGH COUNTY, FLORIDA
DRI # 159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK**

Upon motion by Commissioner Norman seconded by Commissioner Platt, the following Resolution was adopted by a vote of 7 to 0, Commissioner(s) _____ Voting No.

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact ("DRI") #159 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an Amended Development Order (Resolution No. R90-0026) for the EASTSHORE COMMERCE PARK DRI #159 (the "First Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on September 8, 1992, the Board of County Commissioners approved an Amended Development Order (Resolution No. R92-0218) for the EASTSHORE COMMERCE PARK DRI #159 (the "Second Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on October 31, 1996, AmeriSteel, (f.k.a. "Florida Steel Corporation") filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the EASTSHORE COMMERCE PARK DRI and submitted a Sufficiency Response letter on March 12, 1997 (which documents are collectively referred to as the "Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change proposed an extension of the date of buildout of Revised Phase I; an extension of the construction commencement date for the Required Improvement; an extension of the date of commencement of development; the inclusion of an equivalency matrix; an extension of the Effective Date of the Development Order; and an extension of the date that no downzoning of the Development may occur, all as defined in the Notice of Change; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes") and

WHEREAS, the Proposed Changes shall constitute the Third Amendment to the Development Order; and

WHEREAS, the Board of County Commissioners has reviewed and considered the Notice of Change, as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order; and

WHEREAS, the public notice requirements of Chapter 380, Florida Statutes, have been fulfilled; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the proposed Third Amendment before the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has held a duly noticed public hearing on the reconsideration of the proposed Third Amendment to the Development Order and has reviewed and considered the Notice of Change, as well as all testimony and evidence submitted by the Developer, reviewing agencies, and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

Section 1. Findings of Fact. That the Board of County Commissioners, having received the Notice of Change, 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 evidence to support the following findings of fact:

- A. AmeriSteel, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, the Notice of Change, incorporated herein by reference, which proposed an extension of the date of buildout of Revised Phase I; an extension of the construction commencement date for the Required Improvement; an extension of the date of commencement of development; the inclusion of an

equivalency matrix; an extension of the Effective Date of the Development Order; and an extension of the date that no downzoning of the Development may occur, all as defined in the Notice of Change; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").

- B. All statutory procedures have been adhered to.
- C. The findings of fact and conclusions of law made in the Development Order, together with the First Amendment and the Second Amendment, are incorporated herein by reference.
- D. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- E. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable the area.
- F. That the Proposed Changes are consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
- G. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the County and the Tampa Bay Regional Planning Council.
- H. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes (1991).

Section 2. Conclusions of Law. That the Board of County Commissioners having made the above findings of fact, renders the following conclusions of law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations and, based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject to the terms and conditions of the Development Order, First Amendment, Second Amendment, and the amendments, conditions, restrictions, and limitations set forth herein.
- B. The review by the County, the Tampa Bay Regional Planning Council and other participating agencies and interested citizens concludes

that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.

- C. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06(19), Florida Statutes.
- D. That based upon analyses which are part of the Notice of Change, the record of the proceedings and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.
- E. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be a substantial deviation to the previously approved Development Order.

Section 3. Order. That, having made the above findings of fact and conclusions of law, it is ordered that the Development Order, together with the First Amendment and Second Amendment, is hereby amended to extend the date of buildout of Revised Phase I as defined in the Notice of Change; extend the construction commencement date for the Required Improvement; extend the date of commencement of development; include an equivalency matrix; extend the Effective Date of the Development Order; and extend the date that no downzoning of the Development may occur, all as more fully set forth in the Notice of Change. Accordingly, the Development Order, together with the First Amendment and Second Amendment is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit "A".

Section 4. Based on the above findings of fact and conclusions of law the Eastshore Commerce Park Development Order is hereby specifically amended as follows:

- A. Section 4.A.1. is amended to substitute the Revised Phasing Schedule set forth on attached Exhibit "A" in lieu of the phasing schedule set forth in the Development Order.
- B. Section 4.A.6. is amended to read:
 - 6. The physical development of EASTSHORE COMMERCE PARK shall begin by January 1, 2003.

- C. Section 4.A.7. is hereby amended to extend the termination date of the Development Order to December 31, 2010.
- D. Section 4.A.8. is hereby amended to extend the date that no downzoning of the Development may occur until December 31, 2010.
- E. Section 4.A.9. of the Development Order is hereby created to read:

At the time of selection of a land use trade-off under the Equivalency Matrix, attached hereto as Exhibit "B" and approved under Subsection 4.G., below, the Developer shall notify the Department of Community Affairs of said selection and shall also provide the Department of Community Affairs, TBRPC and the City with cumulative land use totals and remaining allowable quantities. This condition shall not be construed as a requirement for an approval of a particular land-use trade-off so long as the desired trade-off is consistent with the conversions set forth in the Equivalency Matrix. Selection of a land use trade-off under the Equivalency Matrix shall be reported in the Annual Report following said selection.

- F. The first sentence of Section 4.B.1.c.(5) is amended to read:
 - (5). Developer agrees to construct the Required Improvement and shall commence same by January 1, 2003 or commencement of construction of the Development, whichever is earlier, and construction shall be completed within eighteen (18) months after commencement of construction of the Required Improvement. Any additional costs associated with the delay in design, right-of-way acquisition and construction of the Required Improvement beyond April 8, 1997, shall be borne by the Developer.

- H. The Development Order is hereby amended to incorporate the Equivalency Matrix; attached hereto as Exhibit "B".

Section 5. Development Order, As Amended. The Development Order, together with the First Amendment and Second Amendment is hereby reaffirmed in its entirety except as amended by this Resolution.

Section 6. Developer's Certification. The Developer's Certification, attached hereto as Exhibit "C", affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

Section 7. Recording. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

Section 8. Rendition. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

Section 9. Transmittals. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 regular meeting of April 8, 1997 as the same appears of record book 251 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 7th day of May, 1997.



RICHARD AKE, CLERK

By Darryl M. [Signature]
Deputy Clerk

Ameri/amendev

APPROVED BY COUNTY ATTORNEY
BY [Signature]

Approved As To Form And
Legal Sufficiency.

EXHIBIT A**AMENDED DEVELOPMENT ORDER****Revised Phase Designations****Eastshore Commerce Park**

Years	Office Showroom (Sq. Ft.)¹	Commercial (Sq. Ft.)	Warehouse/ Distribution (Sq. Ft.)
Revised Phase I (1987-2005)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	---	20,900	1,392,200
Total	832,600	108,900	4,417,200

¹ Square footage totals referred to are gross square feet of floor area.

EXHIBIT B

(Revised 2/97)
EQUIVALENCY MATRIX¹

Eastshore Commerce Park

Change From Change To:	Office/Showroom	Warehouse	Commercial
Office/Showroom	N/A	321 Sq. Ft./ksf ² (0.3212) ³	2,361 Sq. Ft./ksf ² (2.3610) ³
Warehouse	3.113 Sq. Ft./ksf (3.1135) ³	N/A	7,351 Sq. Ft./ksf (7.3511) ³
Commercial	424 Sq. Ft./ksf (0.4235) ³	136 Sq. Ft./ksf (0.1360) ³	N/A

¹ Land use exchanges are based on net external p.m. peak hour peak direction project traffic. Use of this matrix shall be limited to the following minimums and maximums to ensure that impacts for transportation, water, wastewater, solid waste, and affordable housing are not exceeded.

Land Use	Minimum	Maximum
Office/Showroom	500,000 Sq. Ft.	850,000 Sq. Ft.
Warehouse	800,000 Sq. Ft.	2,050,000 Sq. Ft.
Commercial	20,000 Sq. Ft.	108,900 Sq. Ft.

² Example exchanges:

Add 50,000 Sq. Ft. Office/Showroom by reducing Warehouse
 $50 \text{ ksf} \times 0.3212 = 155,666$; reduce Warehouse by 155,666 Sq. Ft.
 Add 25,000 Sq. Ft. Commercial by reducing Office/Showroom
 $25 \text{ ksf} \times 2.3610 = 10,589$; reduce Office/Showroom by 10,589 Sq. Ft.

³ Actual equivalency factor for use in calculations

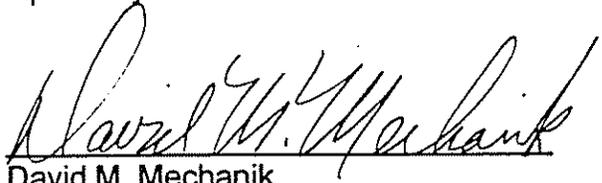
EXHIBIT "c"

DEVELOPER'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared David M. Mechanik, attorney for AmeriSteel, the applicant of the Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Eastshore Commerce Park DRI (the "NOPC"), to me well known, who being by me first duly sworn, says upon oath as stated below:

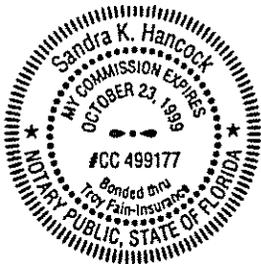
1. AmeriSteel filed the NOPC on October 31, 1996, and Sufficiency Response letter on March 12, 1997.
2. The NOPC and Sufficiency Response letter were filed with Hillsborough County, the State of Florida Department of Community Affairs ("DCA") and the Tampa Bay Regional Planning Council ("TBRPC") as required by law.


 David M. Mechanik
 Attorney for AmeriSteel

The foregoing was acknowledged before me this 23rd day of April, 1997, by David M. Mechanik, who is personally known to me.

(SEAL)





Printed name of notary: _____

Notary Public-State of Florida

Commission Number: _____

My commission expires: _____

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-F
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

September 22, 1992

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, FL 33702

Re: Resolution No. R92-0218 - Amending the Development Order for Eastshore
Commerce Park (DRI #159)

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which was adopted
by the Hillsborough County Board of County Commissioners on September 8, 1992.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

mailed 9/25/92

received 9/28/92

By: *Linda Fryman*
Linda Fryman
Manager, BOCC Records

LF:ADF

Attachment

Certified Mail

cc: Board files (1 orig.)

J. Thomas Beck, Florida Department of Community Affairs

David Mechanik, Esquire - MacFarlane, Ferguson (excluding exhibits)

Kevin S. Kuenzel, Assistant County Attorney (excluding exhibits)

Gene Boles, Director, Planning and Development Management (excluding
exhibits)

Joe Egozcue, County Attorney's Office (excluding exhibits)

159

An Affirmative Action - Equal Opportunity Employer

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 Resolution
No. R92-0218 Amending the Development Order for Eastshore
Commerce Park (DRI #159)

adopted by the Board in its regular meeting of
September 8, 1992, as the same appears of
record in MINUTE BOOK 196 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 22nd day
of September, 1992.

RICHARD AKE, CLERK

BY: *Richard Ake*
Deputy Clerk

AMENDED DEVELOPMENT ORDER

Resolution No. R92-0218

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK

Upon motion by Commissioner Iorio, seconded by Commissioner Busansky, the following Resolution was adopted on this 8th day of September, 1992.

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact ("DRI") #159 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an Amended Development Order (Resolution No. R90-0026) for the EASTSHORE COMMERCE PARK DRI #159 (the "First Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on December 4, 1991, Florida Steel Corporation filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the EASTSHORE COMMERCE PARK DRI and submitted the First Sufficiency Response letter on February 21, 1992, the Second Sufficiency Response letter on April 23, 1992, and the Third Sufficiency Response letter on April 30, 1992 (which documents are collectively referred to as the "Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, on May 26, 1992, the Board of County Commissioners approved an Amended Development Order (Resolution No. R92-0120) for the EASTSHORE COMMERCE PARK DRI #159 pursuant to the provisions of Subsection 380.06, Florida Statutes; and

WHEREAS, on July 28, 1992, Resolution No. R92-0120 was found to be void as the public notice requirements in Chapter 380, Florida Statutes, were not fulfilled; and

WHEREAS, it is therefore necessary to rehear the Notice of Change; and

WHEREAS, the Notice of Change proposed a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Change; an extension of the construction commencement date for the Required Improvement; an extension of the date of commencement of development; and supplementally, a revised legal description correcting various nonsubstantive typographical errors; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes") and

WHEREAS, the Proposed Changes shall constitute the Second Amendment to the Development Order; and

WHEREAS, the Board of County Commissioners has reviewed and considered the Notice of Change, as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order; and

WHEREAS, the public notice requirements of Chapter 380, Florida Statutes, have been fulfilled; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the proposed Second Amendment before the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has held a duly noticed public hearing on the reconsideration of the proposed Second Amendment to the Development Order and has reviewed and considered the Notice of Change, as well as all testimony and evidence submitted by certain parties and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:
 - A. Florida Steel Corporation, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, the Notice of Change, which is attached hereto as Composite Exhibit "A" and incorporated herein by reference, which requested a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Proposed Change; an extension of the construction commencement date for the Required Improvement; an extension of the date of commencement of development; and supplementally, a revised legal description correcting various nonsubstantive typographical errors, which corrected legal description is attached hereto as Exhibit "D"; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").
 - B. All statutory procedures have been adhered to.
 - C. The findings of fact and conclusions of law made in the Development Order, together with the First Amendment, are incorporated herein by reference.
 - D. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
 - E. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
 - F. That the Proposed Changes are consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
 - G. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the County and the Tampa Bay Regional Planning Council.
 - H. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes (1991).
2. That the Board of County Commissioners having made the above findings of fact, renders the following conclusions of law:
 - A. That these proceedings have been duly conducted pursuant to applicable law and regulations and, based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject to the terms and conditions of the Development Order, First Amendment and the amendments, conditions, restrictions and limitations set forth herein.
 - B. The review by the County, the Tampa Bay Regional Planning Council and other participating agencies and interested citizens

concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.

- C. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06(19), Florida Statutes.
- D. That based upon analyses which are part of Composite Exhibit "A", the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.
- E. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be substantial deviation to the previously approved Development Order.

3. The Development Order, together with the First Amendment, is hereby amended to incorporate a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Proposed Change; an extension of the construction commencement date for the Required Improvement; an extension of the date of commencement of development; and supplementally, a revised legal description correcting various nonsubstantive typographical errors; all as more fully set forth in the Notice of Change. Accordingly, the Development Order, together with the First Amendment, is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit "B", which reflects the changes to the project phase designations.

4. Based on the above findings of fact and conclusions of law the Eastshore Commerce Park Development Order is hereby specifically amended as follows:

- A. Section IV.A.1. is amended to substitute the Revised Phasing Schedule set forth on attached Exhibit "B" in lieu of the phasing schedule set forth in the Development Order.
- B. Section IV.A.6. is amended to read:
 - 6. The physical development of EASTSHORE COMMERCE PARK shall begin by October 26, 1996, which is within eight (8) years of the effective date of this Development Order.
- C. The first sentence of Section IV.B.1.c.(5) is amended to read:
 - (5). Developer agrees to construct the Required Improvement and shall commence same by December 10, 1996, which is no later than ninety six (96) months from the date of final approval of this Development Order subject to no appeals or commencement of construction of the Development, whichever is earlier, and construction shall be completed within eighteen (18) months after commencement of construction of the Required Improvement.
- D. The legal description contained in the Application for Development Approval is hereby substituted by the legal description set forth on Exhibit "D" attached hereto.

5. The Development Order, together with the First Amendment, is hereby reaffirmed in its entirety except as amended by this Resolution.

6. The Developer's Certification, attached hereto as Exhibit "C", affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

7. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

8. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

9. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 regular meeting of Sep. 8, 1992, as the same appears of record in Minute Book 196 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 21st day of September, 1992.

RICHARD AKE, CLERK

By: Linda Lyman
Deputy Clerk

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

EXHIBIT "B" TO AMENDED DEVELOPMENT ORDER

**REVISED PHASE SCHEDULE
Eastshore Commerce Park**

<u>Years</u>	<u>Office Showroom (Sq.Ft.)¹</u>	<u>Commercial (Sq.Ft.)</u>	<u>Warehouse/ Distribution (Sq.Ft.)</u>
Revised Phase I (1987-1999)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	<u>---</u>	<u>20,900</u>	<u>1,392,200</u>
TOTALS	832,600	108,900	4,417,200

¹ Square footage totals referred to are gross square feet of floor area.

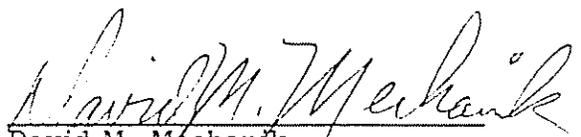
EXHIBIT "C"

DEVELOPER'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

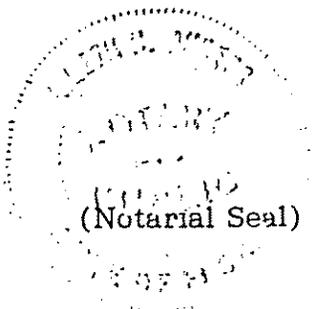
I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared David M. Mechanik, as attorney for Florida Steel Corporation, the applicant of the Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Eastshore Commerce Park DRI #159 (the "Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Florida Steel Corporation filed the Notice of Change on December 4, 1991.
2. Florida Steel Corporation filed a First Sufficiency Response letter on February 21, 1992.
3. Florida Steel Corporation filed a Second Sufficiency Response letter on April 23, 1992.
4. Florida Steel Corporation filed a Third Sufficiency Response letter on April 30, 1992.
5. The Notice of Change, First Sufficiency Response, Second Sufficiency Response and Third Sufficiency Response were filed with all persons as required by law.


David M. Mechanik
Attorney for Florida Steel
Corporation

Sworn to and subscribed before me this 16th day of June, 1992.


Notary Public



My Commission Expires:

AILEEN M. ANDERS
Notary Public, State of Florida
My comm. expires Feb. 7, 1993
No. AA645205

EXHIBIT "D"

LEGAL DESCRIPTION: Parcel 1

A parcel of land being the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 18, and a portion of the Southwest 1/4 of the Southwest 1/4 of Section 7 lying South of a Seaboard System Railroad, all in Township 29 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows: Commence at the Southwest corner of said Section 7 for a POINT-OF-BEGINNING; thence along the West boundary of said Section 7 North 00° 11'43" West, a distance of 675.69 feet to the intersection with the Southerly boundary of a Seaboard System Railroad right-of-way line; thence along the Southerly right-of-way line of said railroad, North 77°45'51" East, a distance of 1668.48 feet to the intersection with the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section 7; thence departing the Southerly right-of-way line of said railroad, along the East boundary of the Southwest 1/4 of the Southwest 1/4 of said Section, South 00°05'02" East, a distance of 1225.07 feet to the Southeast corner of the Southwest 1/4 of the Southwest 1/4 of said Section 7 (also the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 18); thence along the East boundary of the Northwest 1/4 of the Northwest 1/4 of said Section 18, South 00°18'02" East, a distance of 676.22 feet to the Southeast corner of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 18; thence along the South boundary of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 18 South 89°53'09" West, a distance of 1630.63 feet to the intersection with the West boundary of the North 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 18; thence along said West boundary North 00°11'43" West, a distance of 675.23 feet to the Southwest corner of said Section 7 and the POINT-OF-BEGINNING.

Said parcel contains 2,812,963 square feet or 64.6 acres more or less.

LEGAL DESCRIPTION: Parcel 2

A parcel of land being in the Southwest 1/4 and the Southeast 1/4 of Section 18, Township 29 South, Range 20 East, and in the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 29 South, Range 19 East, all in Hillsborough County, Florida, being more particularly described as follows: Commence at the Northeast corner of the Southwest 1/4 of said Section 18; thence along the North boundary of the Southeast 1/4 of said Section 18, North $89^{\circ}59'25''$ East, a distance of 200.00 feet; thence 200.00 feet Easterly of and parallel with the East boundary of the Northeast 1/4 of the Southwest 1/4 of said Section 18, South $00^{\circ}31'28''$ East, a distance of 1324.26 feet to a point on the North boundary of the Southwest 1/4 of the Southeast 1/4 of said Section 18; thence 200.00 feet Easterly of and parallel with the Southeast 1/4 of the Southwest 1/4 of said Section 18, South $00^{\circ}31'15''$ East, a distance of 1287.32 feet to a point on the Northerly right-of-way line of a Seaboard System Railroad; thence on said right-of-way line, North $84^{\circ}43'50''$ West, a distance of 1046.25 feet; thence departing said right-of-way line North $00^{\circ}10'58''$ West, a distance of 741.68 feet to a point on the South boundary of a Railroad easement as recorded in Official Record Book 333, Page 313, of the public records of said county and state; thence on said South boundary North $89^{\circ}47'33''$ West, a distance of 381.90 feet to the beginning of a non-tangential curve concave Northerly, having a radius of 1,935.08 feet and a central angle of $05^{\circ}06'00''$; thence on the arc of said curve a distance of 172.24 feet, said arc subtended by a chord which bears North $87^{\circ}14'33''$ West, a distance of 172.19 feet to the curves end; thence North $84^{\circ}43'51''$ West, a distance of 1,230.31 feet to the point of curvature of a curve concave Northeasterly having a radius of 504.34 feet and a central angle of $49^{\circ}36'40''$; thence on the arc of said curve a distance of 436.70 feet, said arc subtended by a chord which bears North $59^{\circ}53'19''$ West, a distance of 423.18 feet to the curves end and the intersection with the West boundary of the Southwest 1/4 of said Section 18; thence along the West boundary thereof North $00^{\circ}12'19''$ West, a distance of 577.29 feet; thence departing said West boundary South $89^{\circ}55'14''$ West, a distance of 95.29 feet to a point on the West boundary of a railroad easement as recorded in Official Record Book 333, Page 313, of the public records of said county and state; thence on said West boundary North $00^{\circ}12'19''$ West, 95.29 feet West of and parallel with the East boundary of Section 13, Township 29 South, Range 19 East, a distance of 789.72 feet; thence South $89^{\circ}47'14''$ East, a distance of 95.29 feet to a point on the East boundary of said Section 13 (also the West boundary of Section 18-29-20), said point being 71.72 feet South of the Southwest corner of the Northwest 1/4 of said Section 18; thence 71.72 feet South of and parallel with the North boundary of the Southwest 1/4 of Section 18, North $89^{\circ}59'25''$ East, a distance of 2,970.95 feet to the intersection with the East boundary of the Southwest 1/4 of said Section 18; thence along the East boundary thereof North $00^{\circ}31'28''$ West, a distance of 71.72 feet to the Northeast corner of the Southwest 1/4 of said Section 18 and the POINT-OF-BEGINNING.

Together with the West 200.00 feet of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 18, Township 29 South, Range 20 East, Hillsborough County, Florida, being more particularly described as follows: BEGINNING at the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 18; proceed on the North boundary thereof North $89^{\circ}55'13''$ East, a distance of 200.00 feet; thence departing said North boundary 200.00 feet East of and parallel with the West boundary of said Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 18, South $00^{\circ}30'29''$ East, a distance of 662.55 feet to a point on the South boundary thereof; thence on said South boundary South $39^{\circ}56'56''$ West, a distance of 200.00 feet to the Southwest corner of said Northwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of said Section 18; thence on the West boundary thereof North $00^{\circ}30'29''$ West a distance of 662.55 feet to the POINT-OF-BEGINNING.

Said parcel contains 6,294,417 square feet or 144.50 acres more or less.

LEGAL DESCRIPTION: Parcel 3

A parcel of land being a portion of the Northwest 1/4 of the Northwest 1/4, all of the South 1/2 of the Northwest 1/4 and a portion of the North 1/2 of the Southwest 1/4 of Section 18, Township 29 South, Range 20 East, together with a portion of the South 1/2 of the Northeast 1/4 and a portion of the East 95.00 feet of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 29 South, Range 19 East, all being in Hillsborough County, Florida, and being more particularly described as follows: BEGINNING at the Northeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 18, Township 29 South, Range 20 East, proceed on the East boundary thereof South 00°30'29" East, a distance of 1325.23 feet to the Northeast corner of the Northeast 1/4 of the Southwest 1/4 of said Section 18; thence on the East boundary thereof South 00°31'28" East, a distance of 71.72 feet; thence departing from said East boundary South 89°59'25" West, a distance of 2970.95 feet to a point on the West boundary of the Northwest 1/4 of the Southwest 1/4 of said Section 18; thence departing from said West boundary, North 89°47'14" West, a distance of 95.29 feet; thence North 00°12'19" West, 95.29 feet West of and parallel to the East boundary of Section 13, Township 29 South, Range 19 East, a distance of 71.72 feet to a point on the North boundary of the Southeast 1/4 of said Section 13; thence North 00°11'43" West, 95.29 feet West of and parallel to the East boundary of the Northeast 1/4 of said Section 13, a distance of 649.29 feet; thence South 46°45'14" West, a distance of 388.88 feet to the point of intersection with the Southerly right-of-way line and the Northeasterly end of STANNUM STREET; thence on the Northeasterly end North 36°42'39" West, a distance of 60.00 feet to the point of intersection with the Northerly right-of-way line of said street; thence on said right-of-way line South 46°45'14" West, a distance of 257.85 feet to the point of intersection with the Northeasterly right-of-way line of a Railroad Spur Track as recorded in Official Record Book 333, Page 313, of the public records of said county and state; thence on said right-of-way line North 36°43'31" West, a distance of 647.99 feet; thence departing from said right-of-way line South 60°17'08" West, a distance of 1095.89 feet to a point on the Easterly right-of-way line of U. S. Highway No. 301 (State Road No. 43), said point being on a curve concave Northeasterly having a radius of 4060.38 feet and a central angle of 01°24'40"; thence on the arc of said curve a distance of 100.00 feet, said arc subtended by a chord which bears North 28°11'59" West, a distance of 100.00 feet to the curves end; thence departing from said right-of-way line North 60°19'31" East, a distance of 1081.04 feet to a point on the aforesaid Northeasterly right-of-way line of Railroad Spur Track; thence on said right-of-way line North 36°43'31" West, a distance of 353.80 feet to the point of curvature of a curve concave Northeasterly having a radius of 385.28 feet and a central angle of 23°56'16"; thence on the arc of said curve, a distance of 160.97 feet, said arc subtended by a chord which bears North 24°37'04" West, a distance of 159.80 feet to the curves end; thence North 12°48'59" West, a distance of 31.87 feet to a point on the North boundary of the Southeast 1/4 of the Northeast 1/4 of said Section 13; thence departing from said right-of-way line on said North boundary North 89°40'40" East, a distance of 1332.44 feet to the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of aforesaid Section 18, Township 29 South, Range 20 East; thence on the West boundary thereof, North 00°11'43" West, a distance of 646.33 feet; thence departing from said West boundary, North 89°53'09" East, a distance of 1630.63 feet to a point on the East boundary of said Northwest 1/4 of the Northwest 1/4 of Section 18; thence on said East boundary, South 00°18'02" East, a distance of 647.34 feet to the Northwest corner of the Southeast 1/4 of the Northwest 1/4 of said Section 18; thence on the North boundary thereof, North 89°55'13" East, a distance of 1331.48 feet to the POINT-OF-BEGINNING, containing 144.51 acres of land more or less.

AND

PARCEL 4

Tracts #7 and #8 in the Northwest 1/4 of Section 18, Township 29 South, Range 20 East, of SOUTH TAMPA Subdivision according to the plat thereof as recorded in Plat Book 6, Page 3 of the public records of Hillsborough County, Florida

AND

PARCEL 5

Tract # 2 in the Northwest 1/4 of Section 18, Township 29 South, Range 20 East, in SOUTH TAMPA Subdivision according to the plat thereof as recorded in Plat Book 6, Page 3 of the public records of Hillsborough County, Florida.

AND

PARCEL 6

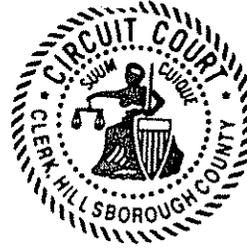
Tract #1 in the Northwest 1/4 of Section 18, Township 29 South, Range 20 East, in SOUTH TAMPA Subdivision according to the plat thereof as recorded in PLAT Book 6, Page 3 of the public records of Hillsborough County, Florida.

AND

PARCEL 7

That part of the Southeast 1/4 of the Southwest 1/4 of Section 7, Township 29 South, Range 20 East, lying South of the Seaboard Coastline Railroad right-of-way, Hillsborough County, Florida.

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-F
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

June 25, 1992

Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, FL 33702

Re: Resolution No. R92-0120 - Amending the Development Order
for Eastshore Commerce Park (DRI #159)

Dear Ms. Cooper:

Attached is a certified copy of referenced resolution, which
was adopted by the Hillsborough County Board of County
Commissioners on May 26, 1992.

We are providing this copy for your files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

By: Linda Fryman
Linda Fryman
Manager, BOCC Records

mailed 6/25/92
received 6/29/92

LF:ADF

Attachment

Via Courier (Dept. of Community Affairs only)

cc: Board files (1 orig.)

J. Thomas Beck, Florida Department of Community Affairs
Eastshore Commerce Park, c/o David M. Mechanik, Esq.,
Macfarlane Ferguson

Jeanie E. Hanna, Assistant County Attorney

Gene Boles, Director, Planning and Development Management

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 _____
Resolution No. R92-0120 Amending the Development
Order for Eastshore Commerce Park (DRI #159)

approved by the Board in its _____ regular meeting
of _____ May 26 _____, 1992, as the same
appears of record in MINUTE BOOK _____ 192 _____ of the
Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 25th
day of _____ June _____, 19 92 .

RICHARD AKE, CLERK

By: Edna J. Fitzpatrick
Deputy Clerk

PROPOSED
AMENDED DEVELOPMENT ORDER

Resolution No. R92-0120

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK

Upon motion by Commissioner Selvey, seconded by Commissioner Busansky, the following Resolution was adopted on this 26th day of May, 1992.

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact ("DRI") #159 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an Amended Development Order (Resolution No. R90-0026) for the EASTSHORE COMMERCE PARK DRI #159 (the "First Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on December 4, 1991, Florida Steel Corporation filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the EASTSHORE COMMERCE PARK DRI and submitted the First Sufficiency Response letter on February 21, 1992, the Second Sufficiency Response letter on April 23, 1992, and the Third Sufficiency Response letter on April 30, 1992 (which documents are together referred to as the "Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change proposed a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Change; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes") and

WHEREAS, the Proposed Changes shall constitute the Second Amendment to the Development Order; and

WHEREAS, the Board of County Commissioners has reviewed and considered the Notice of Change, as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order; and

WHEREAS, the public notice requirements of Chapter 380, Florida Statutes, have been fulfilled; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the proposed Second Amendment before the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has held a duly noticed public hearing on the proposed Second Amendment to the Development Order and has reviewed and considered the Notice of Change, as well as all testimony and evidence submitted by certain parties and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:
 - A. Florida Steel Corporation, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, the Notice of Change, which is attached hereto as Composite Exhibit "A" and incorporated herein by reference, which requested a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Proposed Change; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").
 - B. All statutory procedures have been adhered to.
 - C. The findings of fact and conclusions of law made in the Development Order, together with the First Amendment, are incorporated herein by reference.
 - D. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
 - E. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
 - F. That the Proposed Changes are consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
 - G. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the County and the Tampa Bay Regional Planning Council.
 - H. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes (1991).
2. That the Board of County Commissioners having made the above findings of fact, renders the following conclusions of law:
 - A. That these proceedings have been duly conducted pursuant to applicable law and regulations and, based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject to the terms and conditions of the Development Order, First Amendment and the amendments, conditions, restrictions and limitations set forth herein.
 - B. The review by the County, the Tampa Bay Regional Planning Council and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.
 - C. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06(19), Florida Statutes.
 - D. That based upon analyses which are part of Composite Exhibit "A", the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the

presumption created under Subsection 380.06(19), Florida Statutes.

- E. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be substantial deviation to the previously approved Development Order.

3. The Development Order, together with the First Amendment, is hereby amended to incorporate a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Proposed Change; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development all as more fully set forth in the Notice of Change. Accordingly, the Development Order, together with the First Amendment, is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit "B", which reflects the changes to the project phase designations.

Based on the above findings of fact and conclusions of law the Eastshore Commerce Park Development Order is hereby specifically amended as follows:

Section IV.A.1. is amended to substitute the Revised Phasing Schedule set forth on attached Exhibit "B" in lieu of the phasing schedule set forth in the Development Order.

Section IV.A.6. is amended to read:

- 6. The physical development of EASTSHORE COMMERCE PARK shall begin by October 26, 1996, which is within eight (8) years of the effective date of this Development Order.

The first sentence of Section IV.B.1.c.(5) is amended to read:

- (5). Developer agrees to construct the Required Improvement and shall commence same by December 10, 1996, which is no later than ninety six (96) months from the date of final approval of this Development Order subject to no appeals or commencement of construction of the Development, whichever is earlier, and construction shall be completed within eighteen (18) months after commencement of construction of the Required Improvement.

4. The Development Order, together with the First Amendment, is hereby reaffirmed in its entirety except as amended by this Resolution.

5. The Developer's Certification, attached hereto as Exhibit "C", affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

6. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

7. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

8. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 regular meeting of May 26, 1992, as the same appears of record in Minute Book 192 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 25th day of June, 1992.

RICHARD AKE, CLERK

By: Edna G. Fitzpatrick
Deputy Clerk

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

COMPOSITE EXHIBIT "A"

- Item 1 - Notification of Proposed Change Application, dated December 1991.
- Item 2 - Sufficiency Response, letter dated February 21, 1992.
- Item 3 - Second Sufficiency Response, letter dated April 23, 1992.
- Item 4 - Third Sufficiency Response, letter dated April 30, 1992.

**NOTIFICATION OF A PROPOSED CHANGE
TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)**

Subsection 380.06 (19), Florida Statutes

for the

EASTSHORE COMMERCE PARK DRI

Prepared for:

**Florida Steel Corporation
Tampa, Florida**

By:

**Greiner, Inc.
Tampa, Florida**

and

**Macfarlane, Ferguson, Allison & Kelly
Tampa, Florida**

December 1991

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

Section 13, Township 29 South, Range 19 East, and Sections 7 and 18, Township 29 South, Range 20 East, in unincorporated Hillsborough County, Florida.

5. **Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, Development Order conditions and requirements, or in the representations contained in either the Development Order or the Application for Development Approval (ADA).**

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

A brief description of the history and current conditions of the project is provided here to assist in the review of this Notice of Proposed Change.

In December of 1986, Florida Steel Corporation filed an Application for Development Approval (ADA) for an approximate 434-acre site in central Hillsborough County, Florida, east of U.S. Highway 301, north of State Road 60, south of County Road 574, and west of Faulkenburg Road. The Eastshore Commerce Park project is a Development of Regional Impact (DRI) pursuant to the provisions of Section 380.06, Florida Statutes.

Following agency review and comments, and public hearing before the Board of County Commissioners, a Development Order for the Eastshore Commerce Park project was approved on September 27, 1988 (Resolution Number R88-0255 "Development Order"). The Development Order was amended on January 23, 1990, to extend the dates of buildout of development of Phase I and Phase IIA,

each by two years eleven months and fifteen days (Resolution No. 90-0026 "First Amendment").

No on-site construction activity has occurred since the Development Order was approved.

This NOPC does not propose a change which involves the master site plan map. The proposed changes to the Development Order are as follows (each requested change is followed by a discussion and rationale for each change):

- A. A change to the project's current phase designations. This would not change current approved development totals, but would change the project to a three phase development, without sub-phases (i.e. Phase IIA and IIB). The proposed change would combine specifically approved Phase I with that portion of Phase II which was specifically approved (Phase IIA) as a specifically approved "stage" of development (as described in Section IV. Specific Conditions, A. Phasing Schedule and Deadlines, 1., of the Development Order and as amended by Exhibit 2 of the First Amendment) into a Revised Phase I. Build out for Revised Phase I would be as currently approved for Phase IIA (1997).

Build out for conceptually approved Phase IIB, referred to herein as "Revised Phase II", and conceptually approved Phase III are addressed in Item B, below.

Discussion/Rationale

The Development Order adopted a Phasing Schedule which provided that the buildout of Phase I and Phase IIA would occur, respectively, in 1989 and in 1994. The Revised Phasing Schedule (Exhibit 2) approved by the First Amendment extended the previous dates of buildout of development of Phase I and Phase IIA, to December 15, 1992 and December 15, 1997, respectively. The cumulative impacts of Phase I and Phase IIA, i.e. Revised Phase I, were assessed in the Application for Development Approval and mitigation for such cumulative impacts were identified and required in the Development Order (Condition IV.B.1.c).

Table 1, below presents the Revised Phase Designations.

- B. The second change requests an extension of the construction commencement date for the Required Improvement by thirty six (36) months. All other provisions of Development Order Condition IV.B.c(5) would remain unchanged.

Discussion/Rationale

The "Required Improvement" consists of a four lane divided roadway where the first two lanes are to be constructed as a "site access improvement" and the third and fourth lanes are to be constructed as the "Pipeline Improvement." Current market conditions have precluded construction of the development and thus construction of the site access improvement and the Pipeline Improvement has been unfeasible. The Development Order, Condition IV.B.c.(5) requires that "no Certificates of Occupancy for these phases (Original Phases I and IIA, now

TABLE I
 REVISED PHASE DESIGNATIONS¹
 Eastshore Commerce Park

<u>Years</u>	<u>Office Showroom (Sq. Ft.)²</u>	<u>Commercial (Sq. Ft.)</u>	<u>Warehouse/ Distribution (Sq. Ft.)</u>
Revised Phase I (1987- Dec. 15, 1997 1997)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	---	<u>20,900</u>	<u>1,392,200</u>
TOTALS	832,600	108,900	4,417,200

¹ The Phasing Schedule of the Original Development Order provided that the buildout of Phase I and Phase IIA would occur, respectively, in 1989 and 1994. The Amended Development Order extended the previous dates of buildout of development of Phase I and Phase IIA, each by period of two (2) years, eleven (11) months and fifteen (15) days. This Revised Phasing schedule does not change the previously approved dates of buildout.

² Square footage totals referred to are gross square feet of floor area.

identified as Revised Phase I) shall be issued until completion of the "Required Improvement." Thus, there is significant protection that the "Required Improvement" will be completed prior to any regionally significant transportation impacts which may result from the development of the project.

Moreover, a traffic analysis was performed, attached as Exhibit "A", which shows that the extension will not adversely effect the adjacent roadways. The extension will not result in roadway impacts beyond those originally identified.

- C. The third change requests an extension of the date of commencement of development by thirty six (36) months.

Discussion/Rationale

Current market conditions have precluded construction of the development and thus necessitates the request for this extension. This change is also necessary to effectuate the Development Order Change requested in Item B, above.

- 6. Complete the following table for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.

No change in land use types or amounts is proposed.

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

The Development Order for the Eastshore Commerce Park DRI, Resolution No. 88-0255, was adopted by the Hillsborough County Board of County Commissioners on September 27, 1988.

The First Amendment, Resolution No. R 90-0026, was adopted by the Hillsborough County Board of County Commissioners on January 23, 1990. Please see response to Question 5, above for a discussion of previous amendments.

There has been no change in local government jurisdiction.

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

No additional lands have been purchased or optioned within 1/4 mile of the original DRI site.

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

The proposed changes are less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06 (19) (b), Florida Statutes.

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

No, please refer to item 9 above.

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

No, please see response to Question 5.

The changes to the project phase designations are indicated in Table 1, Revised Phasing Schedule, included with this NOPC.

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

No amendment to the Future of Hillsborough Comprehensive Plan for Unincorporated Hillsborough County will be required.

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

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

There have been no revisions to the master site plan (Map H) or any other maps of the development.

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the Development Order. This language should address and quantify:
- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements, to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

The specific language is included in a proposed Amended Development Order provided as Exhibit "B" to this report.

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

Not applicable.

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

October 26, 1994. This date is requested to effectuate the changes requested in this NOPC.

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

No change, please see response to Question 5.

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

No change, please see response to Question 5.

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

Not applicable.

EXHIBIT "A"

TECHNICAL MEMORANDUM PIPELINE IMPROVEMENT TIME EXTENSION EASTSHORE COMMERCE PARK NOPC

This memorandum supports the Eastshore Commerce Park Notice of Proposed Change (NOPC) request to delay construction of the Development Order required "Pipeline Improvement" by three years. Currently, the Pipeline Improvement is required to commence construction no later than November 1991 with completion of construction to occur no later than April 1993. The Pipeline Improvement is a part of the Development Order improvement identified as the "Required Improvement" which provides for the four-lane extension of Woodberry Road from Faulkenburg Road to U.S. 301, as shown in Exhibit "B" of the "Development Order". The Pipeline Improvement is the third and four lanes of the Required Improvement.

The NOPC requests that the date upon which the construction of the Pipeline Improvement must commence be extended by three years, from November 1991 to November 1994. This extension of the construction commencement date automatically results in a completion date of no later than April 1996, i.e., the Development Order specified 18 months construction time period.

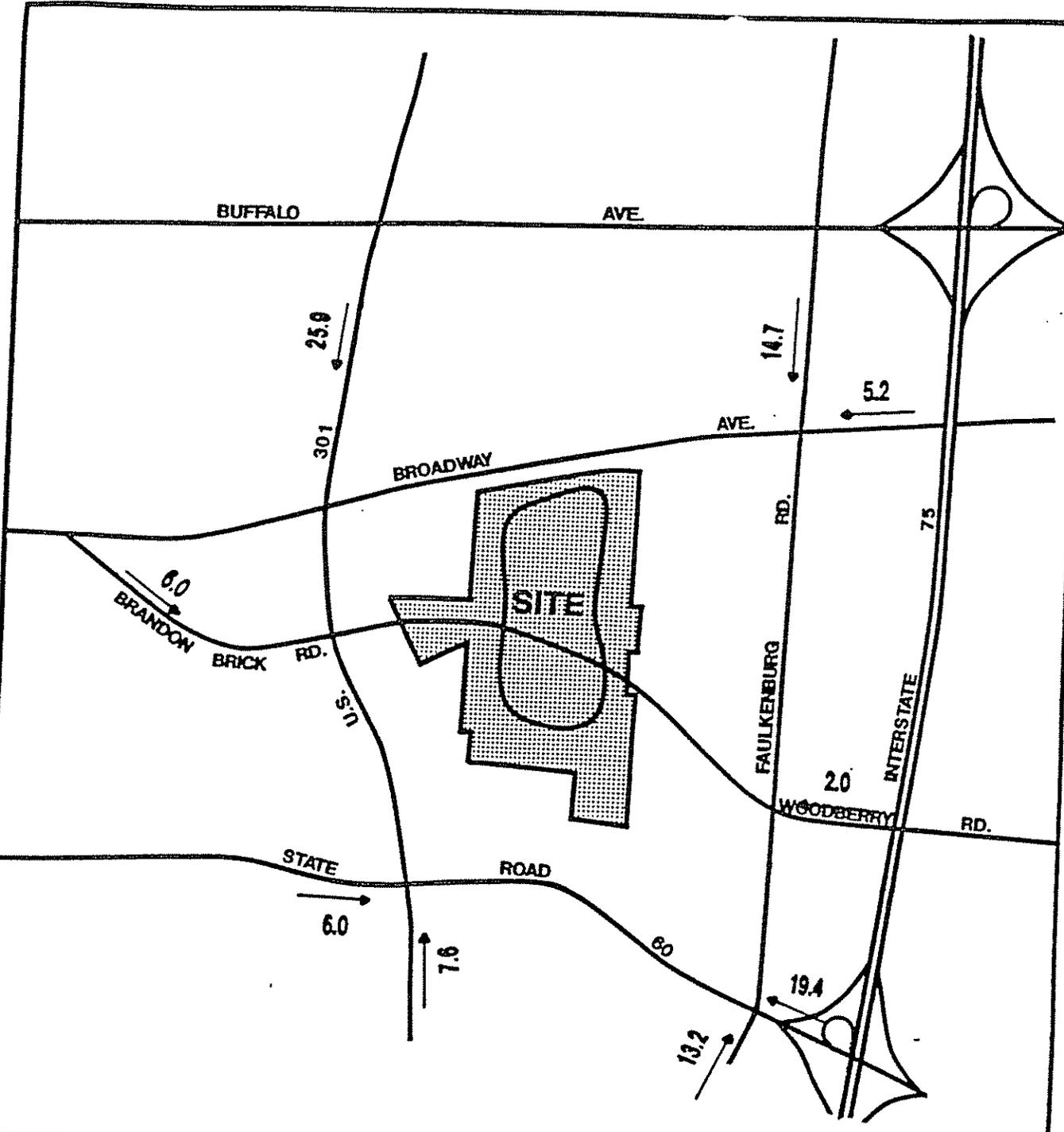
For the purposes of this analysis, the roadways surrounding the site within the DRI studied transportation network which benefit (i.e. experience reductions in overall traffic demands) from the Pipeline Improvement have been reviewed to determine if the delay in the construction of the Pipeline Improvement will result in the need for additional improvements beyond those previously identified in the application. The roadways studied include U.S. 301, Broadway Avenue, and Faulkenburg Road. The 1994 roadway laneage needs identified in the DRI application for the completion of Phase I and Phase IIA (analyzed cumulatively in the DRI application) without the

Pipeline Improvement (referred to as "Revised Phase I" in the NOPC) were tested for 1997 without the Pipeline Improvement to determine if any additional improvement needs arose.

Revised Phase I, which consists of Phase I and Phase IIA as defined in the Development Order, results in 3,253 p.m. peak hour vehicle trips with 962 of those trips inbound and the remaining 2,291 trips outbound. Exhibit 1 depicts the Directions of Approach for project traffic, which is the same as that identified in the DRI Application.

Current background traffic for the surrounding roadways was obtained from the FDOT, Hillsborough County and Greiner, Inc. Counts from the FDOT were used for U.S. 301. A PM peak hour turning movement count at Broadway Avenue and Faulkenburg Road was obtained from Hillsborough County Engineering Services. The counts were then projected to 1997 using historic growth in the area. Table 1 shows a historic growth analysis using the least square method of forecasting. FDOT count stations on U.S. 301 and S.R. 574 were used for this analysis. As shown in Table 1, two (2) analyses were performed to calculate background traffic growth per year. One using 1986 through 1990 volumes and one using 1987 through 1990 volumes. The analysis using 1986 through 1990 volumes showed a negative growth for the area. This analysis was considered invalid because the interchange at S.R. 60 and I-75 was not open in 1986. Therefore, the analysis using 1987 through 1990 volumes was considered more appropriate. The results of this analysis showed an average growth of 2.21 percent per year on the studied roadways.

The existing traffic counts and current growth rates reflect the inclusion of DRI development activity. However, to present a conservative analysis and to account for additional DRI development which could affect the studied roadways a growth rate of



EASTSHORE COMMERCE PARK
 Hillsborough County, Florida

DIRECTIONS OF APPROACH

Florida Steel Corporation

EXHIBIT 1

TABLE 1

HISTORIC GROWTH RATES
Eastshore Commerce Park

FOOT COUNT STATION	1986		1987		1988		1989		1990		SUM XI ² 11Y1	SUM XI ² Sx	SUM XI ² Sy	a	b	Year 1994	Growth Per Year
	Count	Sum	Count	Sum	Count	Sum	Count	Sum	Count	Sum							
10	87	28049 88	28949 89	29010 90	29071	31334	10186055	5	1564	313	28770	30490	1.22				
15	87	27804 88	26774 89	28057 90	28140	31334	9912733	5	2946	589	-24142	31234	1.61				
40	87	18849 88	19383 89	21358 90	21332	31334	7316263	5	7712	1542	-113768	29213	6.30				
113	87	19841 88	20973 89	21033 90	21092	31334	7319664	5	1906	381	-13068	22822	2.06				
114	87	17380 88	17288 89	17212 90	17135	31334	6107378	5	-406	-81	24135	16807	-0.40				
STUDY AREA TOTAL	87	111923 88	113367 89	116669 90	119970	38730	40894394	10	13721	2744	-93710	130576					

AVERAGE ANNUAL AREAWIDE GROWTH BY VOLUME = 2.21

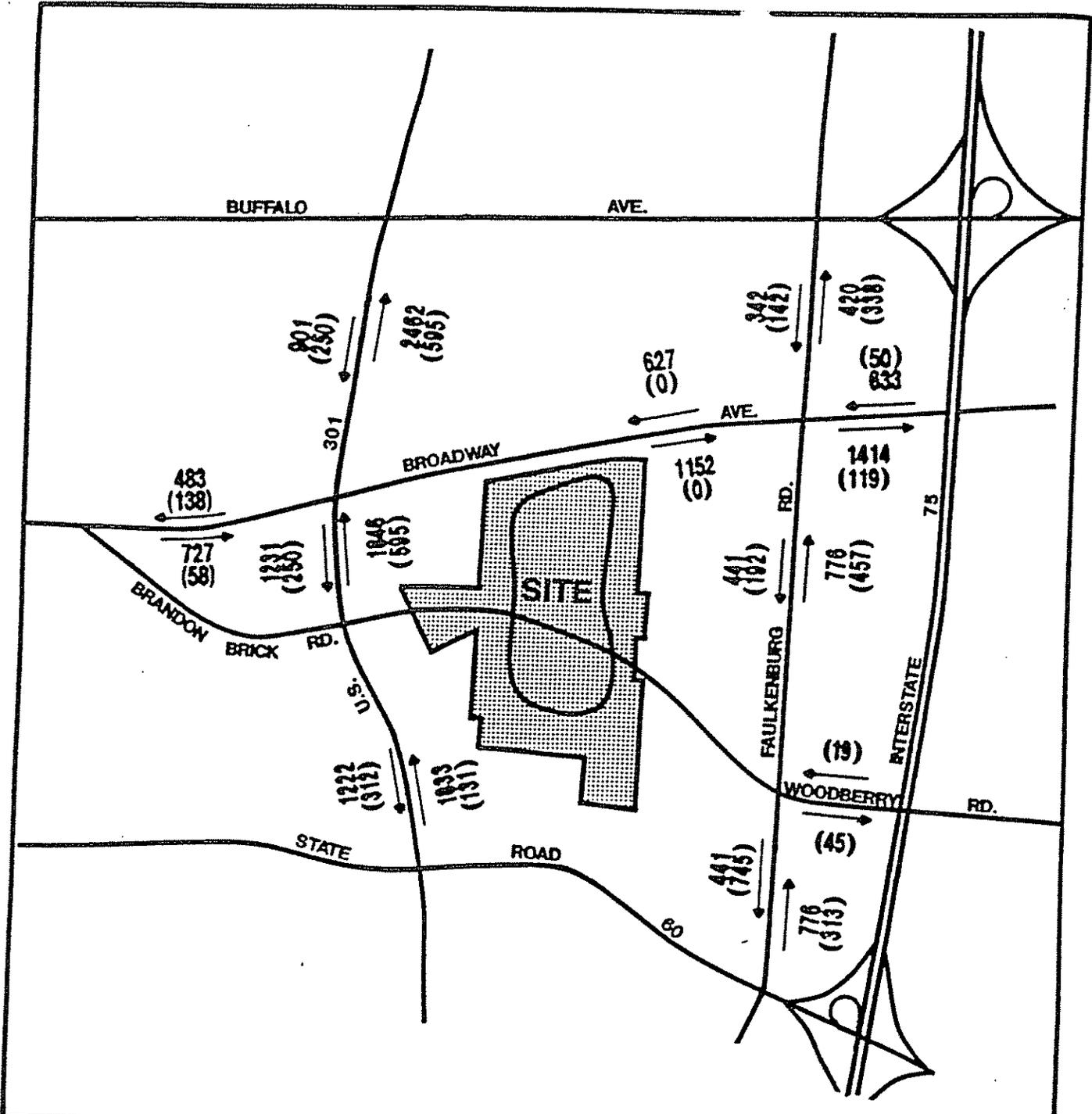
EASTSHORE COMMERCE PARK-ROADWAY GROWTH RATES
(LEAST SQUARES METHOD OF FORECASTING)

FOOT COUNT STATION	1986		1987		1988		1989		1990		SUM XI ² 11Y1	SUM XI ² Sx	SUM XI ² Sy	a	b	Year 1994	Percent Growth Per Year
	Count	Sum	Count	Sum	Count	Sum	Count	Sum	Count	Sum							
10	86	42062 87	28049 88	28949 89	29010 90	29071	31428	13403387	10	-25021	31428	16415	-10.88				
15	86	41454 87	27804 88	26774 89	28057 90	28140	31286	13715777	10	-25975	295066	13701	-13.67				
40	86	29849 87	18849 88	19383 89	21358 90	21332	22554	9312779	10	-10535	115178	16239	-7.60				
113	86	18346 87	19841 88	20973 89	21033 90	21092	20257	8919720	10	6683	668	24667	3.76				
114	86	16535 87	17380 88	17288 89	17212 90	17135	17122	7334548	10	911	910	17869	0.78				
STUDY AREA TOTAL	86	151306 87	111923 88	113367 89	116669 90	119970	527625	46372162	10	-58838	-5884	403115	70222				

AVERAGE ANNUAL AREAWIDE GROWTH BY VOLUME = -10.37

4.0 percent per year was used for this study. Exhibit 2 shows the projected 1997 PM peak hour background traffic volumes and the Revised Phase I project traffic volumes on the studied roadways. As exhibited in the projected 1997 background traffic volumes and current traffic counts, growth in background traffic volumes has been significantly less than that originally identified in the original DRI analysis.

A review of Table 2 provides the 1994 laneage identified in the DRI application, the 1997 background traffic volumes, the Revised Phase I project traffic volumes and the resulting levels of service. As the table indicates, acceptable levels of service are shown for all studied roadway segments. The delay in construction of the Pipeline Improvement will not result in the surrounding roadways requiring improvements beyond those previously identified and assessed in the DRI application and Development Order.



LEGEND

XX - 1997 BACKGROUND
PM PEAK HOUR TRAFFIC

(XX)- PHASE IIA PROJECT TRAFFIC

Phase I

EASTSHORE COMMERCE PARK
Hillsborough County, Florida

1997 PM PEAK HOUR TRAFFIC

Florida Steel Corporation

TABLE 2
1997 ROADWAY LINK ANALYSIS
Eastshore Commerce Park

<u>Roadway</u>	<u>Segment</u>	<u>1994 Laneage</u>	<u>Direction</u>	<u>1997 PM Peak Hour Background Traffic</u>	<u>Revised⁶ Phase I Project Traffic</u>	<u>Total</u>	<u>LOS D Service Volume</u>	<u>LOS</u>
Broadway	Columbus Dr. to Brandon Brick	4LD	EB	727 ¹	58	785	1,720 ⁴	B
			WB	483	138	621	1,668	B
	U.S. 301 to Faulkenberg	4LD	EB	1,152 ²	0	1,152	1,720 ⁴	B
			WB	627	0	627	1,668	B
	Faulkenberg to Martin Luther King, Jr. Boulevard	4LD	EB	1,414 ²	119	1,533	1,720 ⁴	C
			WB	633	50	683	1,668	B
U.S. 301	Martin Luther King, Jr Boulevard to Broadway	6LD	NB	2,462 ³	595	3,057	3,980 ⁵	D
			SB	901	250	1,151	3,830	B
	Broadway to Brandon Brick	6LD	NB	1,846 ³	595	2,441	3,980 ⁵	C
			SB	1,231	250	1,481	3,830	B
	Brandon Brick to S.R. 60	6LD	NB	1,833 ³	131	1,964	3,980 ⁵	C
			SB	1,222	312	1,534	3,830	B
Faulkenburg	Martin Luther King, Jr. Boulevard to Broadway	4LD	NB	420 ²	338	758	1,720 ⁴	B
			SB	342	142	484	1,668	B
	Broadway to Woodberry	4LD	NB	776 ²	457	1,233	1,720 ⁴	B
			SB	441	192	633	1,668	B
	Woodberry to S.R. 60	4LD	NB	776 ²	313	1,089	1,720 ⁴	B
			SB	441	745	1,186	1,668	B

1 Greiner, Inc. base count

2 Hillsborough County base count

3 FDOT base count

4 LOS D Service Volume obtained from FDOT Generalized Maximum Service Volumes, which is less the LOS D service volume of 1820 used in DRI application.

5 LOS D Service Volume for enhanced 6-lane facility obtained from Eastshore ADA.

6 Project traffic obtained from DRI application and Development Order Proportionate Share Exhibit.

Exhibit "B" to
Notification of Proposed Change

PROPOSED
AMENDED DEVELOPMENT ORDER

Resolution No. _____

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK

Upon motion by Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted on this ____ day of _____, 19__.

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact ("DRI") #159 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an Amended Development Order (Resolution No. R90-0026) for the EASTSHORE COMMERCE PARK DRI #159 (the "First Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on _____, Florida Steel Corporation filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the EASTSHORE COMMERCE PARK DRI ("Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change proposed a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development by thirty six (36) months; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes") and

WHEREAS, the Proposed Changes shall constitute the Second Amendment to the Development Order; and

WHEREAS, the Board of County Commissioners has reviewed and considered the Notice of Change, as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order; and

WHEREAS, the public notice requirements of Chapter 380, Florida Statutes, have been fulfilled; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the proposed Second Amendment before the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has held a duly noticed public hearing on the proposed Second Amendment to the Development Order and has reviewed and considered the Notice of Change, as well as all testimony and evidence submitted by certain parties and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:
 - A. Florida Steel Corporation, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, the Notice of Change, which is attached hereto as Exhibit "A" and incorporated herein by reference, which requested a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development by thirty six (36) months (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").
 - B. All statutory procedures have been adhered to.
 - C. The findings of fact and conclusions of law made in the Development Order, together with the First Amendment, are incorporated herein by reference.
 - D. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
 - E. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
 - F. That the Proposed Changes are consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
 - G. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the County and the Tampa Bay Regional Planning Council.
 - H. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes (1989).
2. That the Board of County Commissioners having made the above findings of fact, renders the following conclusions of law:
 - A. That these proceedings have been duly conducted pursuant to applicable law and regulations and, based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject to the terms and conditions of the Development Order, First Amendment and the amendments, conditions, restrictions and limitations set forth herein.
 - B. The review by the County, the Tampa Bay Regional Planning Council and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.
 - C. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06(19), Florida Statutes.
 - D. That based upon analyses which are part of Composite Exhibit "A", the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has submitted clear and convincing evidence to rebut the

presumption created under Subsection 380.06(19), Florida Statutes.

E. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1989), the Proposed Changes are found not to be substantial deviation to the previously approved Development Order.

3. The Development Order, together with the First Amendment, is hereby amended to incorporate a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development by thirty six (36) months, all as more fully set forth in the Notice of Change. Accordingly, the Development Order, together with the First Amendment, is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit "B", which reflects the changes to the project phase designations.

4. The Development Order, together with the First Amendment, is hereby reaffirmed in its entirety except as amended by this Resolution.

5. The Developer's Certification, attached hereto as Exhibit "C", affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

6. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

7. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

8. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 regular meeting of _____, as the same appears of record in Minute Book ____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this ___ day of _____, 19__.

RICHARD AKE, CLERK

By: _____
Deputy Clerk

EXHIBIT "B" TO AMENDED DEVELOPMENT ORDER

REVISED PHASE DESIGNATIONS
Eastshore Commerce Park

<u>Years</u>	<u>Office Showroom (Sq. Ft.)¹</u>	<u>Commercial (Sq. Ft.)</u>	<u>Warehouse/ Distribution (Sq. Ft.)</u>
Revised Phase I (1987-Dec. 15, 1997)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	<u>---</u>	<u>20,900</u>	<u>1,392,200</u>
TOTALS	832,600	108,900	4,417,200

¹ Square footage totals referred to are gross square feet of floor area.

C2553.00
February 21, 1992

Ms. Shirley Gersholowitz, Manager
Hillsborough County
Plans and Policies Section
Post Office Box 1110
Tampa, Florida 33601

Reference: Eastshore Commerce Park NOPC - Response to Agency Comments

Dear Ms. Gersholowitz:

At the request of Hillsborough County, a traffic study has been completed to determine the future year transportation impacts which may occur as a result of the extension of Revised Phase I of the referenced project. The attached Technical Memorandum presents this study.

The study concludes that Revised Phase I can be extended to 1999 without any additional transportation mitigation. As a result, item 5A and Table 1 of the NOPC is hereby modified to request 1999 as a revised buildout date for Revised Phase I. Due to this change, the extension requested in item 5B is changed to request an extension of sixty (60) months. Also, as a result of the modification of item 5A, the extension requested in item 5C is changed to request an extension of sixty (60) months. A revised proposed Amended Development Order reflecting these changes is enclosed.

While these requested changes in the NOPC may be presumed to create a substantial deviation, the traffic study attached clearly and convincingly demonstrates that the requested changes do not constitute a substantial deviation. Please feel free to contact Dave Mechanik (813/273-4345) or myself at any time with questions or comments you may have regarding this request.

Sincerely,

GREINER, INC.



Randy Coen
Senior Project Manager

RGC:vh

c: Libby Myers, Hillsborough County
Daniel Santos, Hillsborough County
Suzanne Cooper, TBRPC
Tom Beck, DCA
David Mechanik

Item 2

TABLE 1
REVISED PHASE DESIGNATIONS¹
Eastshore Commerce Park

<u>Years</u>	<u>Office Showroom (Sq.Ft.)²</u>	<u>Commercial (Sq.Ft.)</u>	<u>Warehouse/ Distribution (Sq.Ft.)</u>
Revised Phase I (1987-1999)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	---	<u>20,900</u>	<u>1,392,200</u>
TOTALS	832,600	108,900	4,417,200

¹ The Phasing Schedule of the Original Development Order provided that the buildout of Phase I and Phase IIA would occur, respectively, in 1989 and 1994. The Amended Development Order extended the previous dates of buildout of development of Phase I and Phase IIA, each by a period of two (2) years, eleven (11) months and fifteen (15) days. This Revised Phasing schedule does not change the previously approved dates of buildout.

² Square footage totals referred to are gross square feet of floor area.



TECHNICAL MEMORANDUM
REVISED PHASE I TRAFFIC STUDY
Eastshore Commerce Park NOPC

At the request of Hillsborough County, a traffic study has been completed to determine the future year transportation impacts which may occur as a result of the extension of Revised Phase I of Eastshore Commerce Park. As a result of this traffic study, the buildout date requested for Revised Phase I has been modified to identify 1999 as the Revised Phase I buildout year.

To provide consistency with the previously submitted Technical Memorandum - Pipeline Improvement Time Extension, which accompanied the NOPC as Exhibit "A", the trip generation and distribution of project traffic used in this study is identical to that used in the previous memorandum and the original DRI traffic study. As a result, the study area for Revised Phase I remains identical to that previously analyzed and the primary focus of this study is the changes in background traffic that have occurred since the original approval of Eastshore Commerce Park.

While the Revised Phase I adversely impacted roadway segments are clearly identified in the proportionate share calculations attached to the Development Order (titled "Eastshore Commerce Park 40% Phase II), the Revised Phase I study area was not as clearly documented. Table 31.5C of the original DRI application has been modified to clearly identify the Revised Phase I study area and is attached in a hand adjusted manner to aid in the review of the adjustments.

Referring to this table, and the original DRI analysis, the Background Traffic Volume column was adjusted to reflect the originally projected 1992 volumes by interpolating between the 1989 Phase I and 1994 Phase I background traffic volumes. The Project Traffic Volume columns was adjusted to reflect Revised Phase I volumes, i.e., Phase I plus 40% of Phase II as defined in the Development Order. The same capacity figures, Volume/Capacity Ratios and LOS standards used in the original DRI study were used in this calculation to determine the Percentage Contribution figures for Revised Phase I.

A review of the table indicates that roadway links B-3, B-4, F-1, T-6, T-7 and T-9 form the study area. Roadway links A-1, A-2, and A-3 have been omitted since they are on-site

project related roadways. Roadway links C-1, C-2, C-4, D-1, T-5 and T-8 which appear in the proportionate share calculations were added as local concerns by Hillsborough County during the original final review of this project.

Table 1 presents the 1999 pm peak hour traffic conditions for Revised Phase I with current projections of background traffic volumes. The Lanes column reflects the roadway lane configurations that existing when the project was originally assessed. The Service Volumes are those used in the original analysis. Both of these items can be verified by reviewing the Development Order Proportionate Share exhibit, a copy of which is attached for your convenience.

The Peak Hour Count columns provide actual direction traffic counts along with the year of each count. The Average Annual Growth column documents published Hillsborough County growth rates for each of the studied roadway links. These growth rates include DRI development. However, to ensure that appropriate levels of DRI development are included in these County growth rates the County FSUTMS model was utilized. The model was run with and without the full loading of DRI projects as required for this analysis. The DRI projects assessed include: Florida Corporate Center, Sabal, Brandon Town Center, Regency Park North, Tampa Triangle, Parkway Center, Highland Park, Shannon Sunway, Pavilion, and Lake Fair Mall. For roadway links where traffic volumes increased due to the inclusion of additional DRI development in the model, an adjustment factor was calculated to ensure that appropriate (increased) future year background traffic volumes were identified. The background DRI traffic adjustment factor is provided in the column labeled "Model W/WO Factor". In addition, a disk containing the two model runs is attached.

The Projected 1999 Peak Hour Background Traffic Volumes column is calculated using the existing traffic counts and applying the average annual growth rates and background DRI traffic adjustment factors. Project traffic volumes shown in the table were obtained from the original application materials and can be verified in large part using the Proportionate Share D.O. exhibit. Finally, the Total Traffic columns reflect the addition of background and project traffic, as well as a determination of level of service based on the same criteria use in the original approval.

Table 2 presents this same information with three changes. The Lanes column has been revised to reflect the greater of current, committed, or proportionate share assessed number of lanes for each roadway link. The Service Volume and Level of Service columns were changed to reflect the individual roadway link changes in the number of lanes.

The resulting levels of service indicate that all studied roadway links will operate within acceptable level of service standards. This is primarily due to overly conservative projection of future year background traffic volumes included in the original DRI study. As a result, the extension of the Revised Phase I buildout date to 1999 will not result in additional improvements.

TABLE 31.5C
EASTSHORE COMMERCE PARK

1994 BACKGROUND, COMMITTED DEVELOPMENT AND PROJECT
AVERAGE DAILY TRAFFIC CONDITIONS

Link ^a Index	Roadway	Location	Existing Lanes	Background	Project	Total ADT With Project	Capacity ^b	Volume/Capacity Ratio	Daily ^c LOS	Percentage Contribution LOS % ^c
1-1	West Access Road	US 301 to Site	2 L	...	5,733 3023	5,733 3023	15,700	0.37 0.23	A	48.6 30.8
1-2	East Access Road	Faulkenburg Rd. to Site	2 LD	...	6,867 4346	6,867 4346	19,800	0.35 0.22	A	46.4 29.4
1-3	Access Road	Site	2 L	...	4,158 2631	4,158 2631	15,700	0.26 0.17	A	35.2 22.13
1-1	Buffalo Avenue	40th St. to 50th St.	2 L	13,274 12119	580 367	13,854 12486	15,700	0.88 0.80	D	4.9 3.1
1-2	Buffalo Avenue	50th St. to I-4	2 L	13,685 12705	580 367	14,265 13072	15,700	0.92 0.83	D	4.9 3.1
1-3	Buffalo Avenue	I-4 to US 301	2 L	24,413 21261	1,638 1037	26,051 22305	15,700	1.66 1.42	E	13.9 8.8
1-4	Buffalo Avenue	Faulkenburg Rd. to I-75	2 L	13,572 12272	1,832 1178	15,404 13450	15,700	0.98 0.85	F	15.7 9.9
1-1	Columbus Dr.	50th St. to Broadway Ave.	2 L	17,076 16015	756 478	17,832 16493	15,700	1.14 1.05	F	6.4 4.1
1-2	Broadway Avenue	60th St. to Columbus Dr. to B. Brick	2 L	15,517 14215	756 478	16,273 14693	15,700	1.04 0.94	F	6.4 4.1
1-1	Broadway Ave.	Faulkenburg to East	2 L	18,963 17722	655 415	19,618 18137	15,700	1.25 1.16	F	6.4 4.1
1-1	Caureway Blvd.	50th St. to US 301	2 L	14,046 12727	630 390	14,676 13117	15,700	0.93 0.84	F	5.5 3.5
1-1	Faulkenburg Road	Broadway Ave. to SR 60	4 LD	12,423 11367	4,360 2759	16,783 14126	36,000	0.47 0.39	A	5.3 3.4
1-2	Faulkenburg Road	SR 60 to Palm River Rd.	4 LD	6,706 6227	1,663 1052	8,369 7279	36,000	0.23 0.17	A	15.6 9.9
1-3	Faulkenburg Road	Palm River Rd. to Crosstown Expy.	4 LD	5,544 5100	1,663 1052	7,207 6152	36,000	0.20 0.17	A	6.0 3.8
1-1	SR 60	Faulkenburg Rd. to I-75	6 LD	39,118 37123	2,412 1586	41,537 38659	55,700	0.75 0.69	B	5.6 3.5
1-2	SR 60	50th St. to US 301	4 LD	38,634 36704	756 478	39,390 37182	36,000	1.09 1.03	F	2.7 1.7
1-1	US 301	Bloomingsdale to I-75	4 LD	24,285 22211	1,368 853	25,653 23064	36,000	0.71 0.65	C	4.8 3.1
1-5	US 301	SR 60 to Brandon Brick Rd.	4 LD	49,299 46324	1,714 1085	51,013 47409	36,000	1.42 1.32	F	6.1 3.9
1-6	US 301	Brandon Brick Rd. to Broadway Ave.	4 LD	49,491 46713	2,263 2065	51,754 48778	36,000	1.47 1.36	F	11.7 7.9
1-7	US 301	Broadway Ave. to Buffalo Ave.	4 LD	53,753 50082	3,263 2065	57,016 52147	36,000	1.58 1.44	F	11.7 7.9
1-8	US 301	Buffalo Ave. to I-4	4 LD	50,140 47350	1,386 877	51,526 48227	36,000	1.42 1.34	F	4.8 3.0
1-9	US 301	I-4 to North	2 L	32,745 30651	970 614	33,715 31265	15,700	2.15 1.99	F	8.2 5.2

See Map J-1 for Link location.
Capacity at LOS E from FDOT.
The V/C ratios below were used to determine daily Level of Service:

Level of Service	Arterial
A	<0.60
B	<0.70
C	<0.80
D	<0.90
E	<1.00
F	>1.00

Table 1

EASTSHORE COMMERCE PARK

1999 PM Peak Hour Traffic Conditions - DRI Existing Geometry

Roadway Link	LOS "D"		Year	Avg Ann Growth	Model W:VWO Factor	Projected 1999 Peak Hour Volumes		Revised Phase I Project Traffic		Total Traffic		Level of Service				
	Lanes	Service Volume				Actual Peak Hour Count		NB:EB	SB:WB	NB:EB	SB:WB		Volume		NB:EB	SB:WB
						NB:EB	SB:WB						NB:EB	SB:WB		
Martin Luther King Jr. Blvd.																
B-3 I-4 to US 301	2LU	850:830	800	1991	2.6%	1.10	1594	1063	294	130	1888	1193	F			
B-4 Faulkenburg Rd to I-75	2LU	850:830	800	1991	8.4%	1.10	2207	1471	337	141	2544	1613	F			
Broadway Av																
C-2 Columbus Dr to B. Brick	2LU	970:940	800	1991	4.2%	1.00	1603	1069	60	136	1663	1205	F			
C-3 Faulkenburg Rd to MLK Jr Bl	2LU	970:940	156	1991	0.5%	1.60	1427	236	118	53	1545	289	F A			
Causeway Blvd																
D-1 50th St to US 301	2LU	850:800	395	1990	4.2%	1.25	1356	680	50	114	1406	794	F			
Faulkenburg Rd																
F-1 Broadway Av to SR 60	2LU	970:940	395	1990	8.4%	1.18	945	818	365	153	1310	972	F			
Columbus Dr																
C-1 50th St to Broadway Av	2LU	970:940	828	1990	1.7%	1.00	1431	954	60	136	1491	1090	F			
US 301																
T-5 SR 60 to Brandon Brick Rd	4LD	1950:1900	1840	1990	2.2%	1.15	2074	2535	136	308	2210	2843	F			
T-6 B. Brick Rd to Broadway Av	4LD	1950:1900	1840	1990	2.2%	1.07	1930	2359	587	259	2517	2618	F			
T-7 Broadway Av to MLK Jr. Bl	4LD	1950:1900	1471	1990	2.2%	1.06	1528	1868	587	259	2115	2127	F			
T-8 MLK Jr. Bl to I-4	4LD	1950:1900	1403	1991	2.2%	1.04	1404	1717	249	109	1653	1826	D			
T-9 I-4 to Harney Rd	2LU	970:940	1082	1991	2.2%	1.00	1041	1273	174	77	1215	1350	F			

1. Number of lanes obtained from Eastshore Commerce Park - Existing Traffic Conditions.
 2. Service volumes obtained from Eastshore Commerce Park Development Order Proportionate Share Exhibit, copy attached.
 3. Published Hillsborough County Growth Rates, provided by Hillsborough County Transportation Department.
 4. FSUTMS derived adjustment factor, disk containing two model runs attached.
 5. 1999 volumes calculated using Average Annual Growth Rates and DRI Adjustment Factors.
 6. Project traffic obtained from Eastshore Commerce Park final review documentation.
 7. Level of Service based on service volumes used in Eastshore Commerce Park final review.

Table 2

EASTSHORE COMMERCE PARK

1999 PM Peak Hour Traffic Conditions - Previously Approved Geometry

Roadway Link	Lanes	1		2		Year	Avg Ann Growth	3	Model W:V:O	4		5		6		7		
		LOS "D"		Service Volume						Actual Peak Hour Count		Projected 1999 Peak Hour Volumes		Revised Phase I Project Traffic		Total Traffic		
		NB:EB	SB:WB	NB:EB	SB:WB					NB:EB	SB:WB	NB:EB	SB:WB	NB:EB	SB:WB	NB:EB	SB:WB	
<u>Martin Luther King Jr. Blvd.</u>																		
B-3 I-4 to US 301	6LD	2580/2430	1200	800	1991	2.6%	1.10	1063	130	1888	1193	B	B					
B-4 Faulkenburg Rd to I-75	6LD	2580/2430	1200	800	1991	8.4%	1.10	2207	141	2544	1613	D	B					
<u>Broadway Av</u>																		
C-2 Colomus Dr to B. Brick	4LD	1950/1900	1200	800	1991	4.2%	1.00	1069	60	1663	1205	D	B					
C-4 Faulkenburg Rd to MLK Jr Blvd	4LD	1950/1900	943	156	1991	0.5%	1.60	1427	53	1545	289	C	B					
<u>Causeway Blvd</u>																		
D-1 50th St to US 301	4LD	1710/1630	787	395	1990	4.2%	1.25	1356	680	1406	794	C	B					
<u>Faulkenburg Rd</u>																		
F-1 Broadway Av to SR 60	4LD	1950/1900	456	395	1990	8.4%	1.18	945	153	1310	972	C	B					
<u>Colomus Dr</u>																		
C-1 50th St to Broadway Av	4LD	1950/1900	1241	828	1990	1.7%	1.00	1431	60	1491	1090	C	B					
<u>US 301</u>																		
T-5 SR 60 to Brandon Brick Rd	6LE	3980/3830	1505	1840	1990	2.2%	1.15	2074	308	2210	2843	C	C					
T-6 B. Brick Rd to Broadway Av	6LE	3980/3830	1505	1840	1990	2.2%	1.07	1930	259	2517	2618	C	C					
T-7 Broadway Av to MLK Jr. Bl	6LE	3980/3830	1203	1471	1990	2.2%	1.06	1528	587	2115	2127	C	C					
T-8 MLK Jr. Bl to I-4	6LE	3980/3830	1148	1403	1991	2.2%	1.04	1404	109	1653	1836	C	C					
T-9 I-4 to Harney Rd	6LD	2930/2810	886	1082	1991	2.2%	1.00	1041	174	1215	1350	B	B					

1. Number of lanes obtained from Eastshore Commerce Park - Existing Traffic Conditions.
 2. Number of lanes based on greater of current, permitted or proportionate share assumed geometry.
 3. Published Hillsborough County Growth Rates, provided by Hillsborough County Transportation Department.
 4. FUTURE derived adjustment factor, disk containing no modification attached.
 5. 1999 volumes calculated using Average Annual Growth Rates and DRI Adjustment Factors.
 6. Project traffic obtained from Eastshore Commerce Park final review documentation.
 7. Level of Service based on service volumes used in Eastshore Commerce Park final review.

Route	From	To	Dir	Est. No. of Lanes	Cost per Mile	Distance (Miles)	Improvement Cost	Existing Volume	Existing Capacity	Existing "Reserve" Capacity	New Capacity	New Volume	DBI Trips	Relayed 1992	Relayed Volume	Existing V/C	Existing EV/EC	Proposed V/C	Proposed EV/EC	DBI \$ Trips	Fair Share Ratio	DBI Fair Share \$
COLLEBURY	SOUTH ST	US 301	WB	2 LDR 4 LDR	1,681,617	3.17	5,338,726	526	639	116	1,710	1,639	59	668	918	6.58	1.01	5.91	5.91	0.28	0.0000	0
US 301	EN 68	BRAND BR	SB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	352	400	68	1,639	1,720	114	564	678	0.41	0.61	14.25	14.25	0.48	0.0000	0
US 301	BRAND BR	BROOKVIEW	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	2,224	1,528	2,868	3,508	4,258	308	2,765	3,413	1.90	1.48	15.01	15.01	0.72	0.1829	177,134
US 301	BROOKVIEW	BUFFIELD	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	1,496	1,317	2,408	3,813	4,869	136	1,844	3,498	0.74	0.98	7.25	7.25	0.43	0.0000	0
US 301	BUFFIELD	1-4	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	2,311	1,534	2,868	3,508	4,258	308	2,813	3,498	1.11	1.63	20.15	20.15	0.48	0.2784	279,377
US 301	1-4	HONEY	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	1,541	1,349	2,408	3,813	4,869	136	1,876	2,135	0.76	1.06	13.61	13.61	0.51	0.0000	0
US 301	HONEY	1-4	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	2,014	1,268	2,808	3,908	4,658	257	3,193	3,788	1.13	1.62	20.15	20.15	0.48	0.2784	279,377
US 301	1-4	HONEY	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	2,814	1,700	2,808	3,908	4,658	257	3,163	3,428	0.77	1.06	12.85	12.85	0.43	0.0000	0
BUFFIELD	1-4	HONEY	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	1,462	1,300	2,408	3,813	4,869	136	1,662	1,971	0.71	0.98	5.81	5.81	0.43	0.0682	33,479
BUFFIELD	1-4	US 301	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	975	344	1,000	2,938	3,138	174	1,086	1,508	1.52	1.92	18.81	18.81	0.43	0.0038	177,433
BUFFIELD	1-4	US 301	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	537	344	1,000	2,938	3,138	174	1,294	1,281	0.77	1.20	6.24	6.24	0.43	0.0396	82,236
BUFFIELD	1-4	US 301	WB	4 LDR 4 LDR	1,681,617	3.17	5,338,726	546	604	668	1,639	1,758	138	761	891	0.63	1.04	16.35	16.35	0.51	0.0000	0

TOTAL Phase 2 TBRC FAIR SHARE TOTAL 1,653,379
Phase 2 DCR FAIR SHARE TOTAL 1,632,181

* Includes bridge and/or overpass cost
** Capacity reduced ELD principal arterial (i.e., ELD)

Non-Grade Roads Phase 1, 408

Major	Minor	Intersection Type	Cost per Intersection	Lines Involved	Improvement Cost	Total Project Crlt. Point Volume Capacity	DBI Trips	Fair Share Ratio	DBI Fair Share \$
WILSON	US 301	WB	1,338,750	0	736,313	0	1,031	M/A	M/A
WILSON	FALLS	WB	1,338,750	0	736,313	0	435	M/A	M/A
WILSON	US 301	WB	1,338,750	0	2,453,038	0	1,234	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	544	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	258	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	497	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	1,000	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	945	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	60	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	136	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	60	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	1,154	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	631	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	1,108	M/A	M/A
WILSON	US 301	WB	1,338,750	0	325,500	0	736	M/A	M/A

TOTAL Non-FDOT Site Related (Woodberry Est) 2,516,850
Non-FDOT TBRC FAIR SHARE 25,380
Total County Road System 2,542,230

Major	Minor	Intersection Type	Cost per Intersection	Lines Involved	Improvement Cost	Total Project Crlt. Point Volume Capacity	DBI Trips	Fair Share Ratio	DBI Fair Share \$
BUFFIELD	FALLS	WB	361,539	2	241,828	4,378	248	0.85	13,211
BUFFIELD	US 301	WB	361,539	2	241,828	2,318	374	0.16	37,837
BUFFIELD	US 301	WB	361,539	2	241,828	2,662	375	0.14	23,333
BUFFIELD	US 301	WB	361,539	0	241,828	3,966	566	0.14	52,354

TOTAL Non-FDOT DCR FAIR SHARE 0
\$ Project Crlt. Point (POUT/DIR) 100
FAIR SHARE RATIO 0.85
DBI FAIR SHARE \$ 13,211

TOTAL TBRC FAIR SHARE OF INTERSECTIONS 136,333
DBI FAIR SHARE \$ 13,211

Exhibit "B" to
Notification of Proposed Change

PROPOSED
AMENDED DEVELOPMENT ORDER

Resolution No. _____

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK

Upon motion by Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted on this ____ day of _____, 19__.

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact ("DRI" #159 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an Amended Development Order (Resolution No. R90-0026) for the EASTSHORE COMMERCE PARK DRI #159 (the "First Amendment") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on December 4, 1991, Florida Steel Corporation filed a Notification of a Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the EASTSHORE COMMERCE PARK DRI and on February 24, 1992 submitted a Response to Agency Comments (which documents are together referred to as the "Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change proposed a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Change; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development; (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes") and

WHEREAS, the Proposed Changes shall constitute the Second Amendment to the Development Order; and

WHEREAS, the Board of County Commissioners has reviewed and considered the Notice of Change, as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order; and

WHEREAS, the public notice requirements of Chapter 380, Florida Statutes, have been fulfilled; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the proposed Second Amendment before the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has held a duly noticed public hearing on the proposed Second Amendment to the Development Order and has reviewed and considered the Notice of Change, as well as all testimony and evidence submitted by certain parties and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a development order be amended to reflect the Board of County Commissioners' approval of changes to the approved development order.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:

- A. Florida Steel Corporation, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, the Notice of Change, which is attached hereto as Exhibit "A" and incorporated herein by reference, which requested a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Proposed Change; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development (hereinafter all proposed modifications as set forth in the Notice of Change shall be referred to as the "Proposed Changes").
- B. All statutory procedures have been adhered to.
- C. The findings of fact and conclusions of law made in the Development Order, together with the First Amendment, are incorporated herein by reference.
- D. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- E. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
- F. That the Proposed Changes are consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
- G. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the County and the Tampa Bay Regional Planning Council.
- H. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes (1989).

2. That the Board of County Commissioners having made the above findings of fact, renders the following conclusions of law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations and, based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject to the terms and conditions of the Development Order, First Amendment and the amendments, conditions, restrictions and limitations set forth herein.
- B. The review by the County, the Tampa Bay Regional Planning Council and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Resolution.
- C. That the Proposed Changes are presumed to create a substantial deviation under Subsection 380.06(19), Florida Statutes.
- D. That based upon analyses which are part of Composite Exhibit "A", the record of the proceeding and the aforementioned reviews, and the conditions contained herein, the Developer has

submitted clear and convincing evidence to rebut the presumption created under Subsection 380.06(19), Florida Statutes.

- E. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1989), the Proposed Changes are found not to be substantial deviation to the previously approved Development Order.

3. The Development Order, together with the First Amendment, is hereby amended to incorporate a change to the project's current phase designations changing the project to a three phase development without subphases; an extension of Revised Phase I as defined in the Notice of Proposed Change; an extension of the construction commencement date for the Required Improvement; and an extension of the date of commencement of development all as more fully set forth in the Notice of Change. Accordingly, the Development Order, together with the First Amendment, is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit "B", which reflects the changes to the project phase designations.

4. The Development Order, together with the First Amendment, is hereby reaffirmed in its entirety except as amended by this Resolution.

5. The Developer's Certification, attached hereto as Exhibit "C", affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

6. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

7. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

8. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 regular meeting of _____, as the same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this ___ day of _____, 19__.

RICHARD AKE, CLERK

By: _____
Deputy Clerk

EXHIBIT "B" TO AMENDED DEVELOPMENT ORDER

REVISED PHASE DESIGNATIONS
Eastshore Commerce Park

<u>Years</u>	<u>Office Showroom (Sq.Ft.)¹</u>	<u>Commercial (Sq.Ft.)</u>	<u>Warehouse/ Distribution (Sq.Ft.)</u>
Revised Phase I (1987-1999)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	<u>---</u>	<u>20,900</u>	<u>1,392,200</u>
TOTALS	832,600	108,900	4,417,200

¹ Square footage totals referred to are gross square feet of floor area.

C2404.00
April 23, 1992

Mr. Daniel Santos
Hillsborough County Planning
and Zoning Department
800 East Twiggs Street
Suite 201
Tampa, Florida 33602

Reference: Eastshore Commerce Park NOPC

Dear Mr. Santos:

At your request, we have further analyzed the potential effects of extending the Woodberry Extension Pipeline Improvement by a period of sixty (60) months. As we discussed at our meeting on April 10, 1992, we have analyzed the extension in terms of 1.) a comparison of traffic volumes projected in the ADA analysis for 1992 with the NOPC volumes projected for 1999 for SR60, and 2.) the potential effect the immediate construction of the Pipeline Improvement may have on the reduction of existing SR60 traffic in the vicinity of the project site.

Referring to the first analysis, the 1992/1999 volume comparison, Exhibit 1 provides the original ADA projected 1992 traffic volumes along SR60 between Faulkenburg Road and US301 (the segment of SR60 parallel to the Pipeline Improvement) as well as an existing 1992 traffic count conducted as a part of the NOPC process and a projection of the 1999 NOPC traffic volumes for SR60. As a review of this information indicates, the current 1992 traffic count is significantly less than the 1992 traffic volumes projected in the original ADA analysis. More important, the NOPC 1999 projected traffic volumes are less than the 1992 ADA projected traffic volumes. As a result, the extension of the Pipeline Improvement by sixty (60) months will not result in SR60 carrying traffic volumes in excess of those originally projected in the ADA analysis. In other words, if the Pipeline Improvement is constructed by 1999, it will be in place at a point where there is less congestion on SR60 than was calculated for this roadway during the original DRI review.

The second analysis, the effects of the immediate construction of the Pipeline Improvement on SR60 traffic, was completed using the current Hillsborough County/MPO FSUTMS model. In order to establish a base condition the model was run using the existing (1988) roadway network. Exhibit 2 provides the results of this model run. As a second model run, the Pipeline Improvement was included in the network (without the inclusion of Eastshore Commerce Park since it would not be constructed simultaneously under this scenario). The results of this second model are provided in Exhibit 3. A comparison of the two model runs (Exhibits 2 and 3) indicate that the immediate construction of the Pipeline Improvement will have virtually no effect on the reduction of traffic along SR60. Specifically, the reduction of SR60 traffic due to the construction of the Pipeline Improvement is less than 1.6 percent and thus, will not

Item 3

Greiner

Mr. Daniel Santos

C2404.00

April 23, 1992

Page 2

provide any noticeable improvement in the operational condition of SR60.

To understand why the Pipeline Improvement did not have the expected effect we did a third model run assuming that the full length of Woodberry Road is in place. In the third run, the 2000 FSUTMS model roadway network was substituted for the existing (1988) roadway network, using the same socioeconomic data as the two(2) previous model runs. The 2000 roadway network incorporates the extension of Woodberry Road from US301 to Parsons Avenue on the eastern side of Brandon. Under this model run the Pipeline Improvement (a portion of this longer segment) provides a substantial reduction (36.5%) in SR60 traffic volumes (comparison of Exhibits 2 and 4 traffic volumes). However, this reduction in SR60 traffic volumes is dependent upon the eastward extension of Woodberry Road to Parsons Avenue.

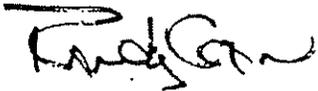
The current T.I.P. (1992/93-1996/97) was reviewed to determine the schedule for the eastern extension of Woodberry Road. The extension is not scheduled in the five (5) year planning horizon. Therefore, the sixty (60) month (or five (5) year) extension of the Pipeline Improvement will not adversely effect the operation of SR60.

In summary, the extension of the Pipeline Improvement by sixty (60) months will not result in traffic volumes on SR60 higher than originally projected for 1992. In addition, the Pipeline extension, if constructed today, would not provide any significant beneficial effects given the existing roadway network. Finally, it should be noted that the sixty (60) month extension is a maximum time length, since the Development Order requires that the Pipeline Improvement be in place prior to the issuance of a Certificate of Occupancy for any building at Eastshore Commerce Park.

I will call you upon courier delivery of this letter to review the analysis and answer any initial questions you may have.

Sincerely,

GREINER, INC.

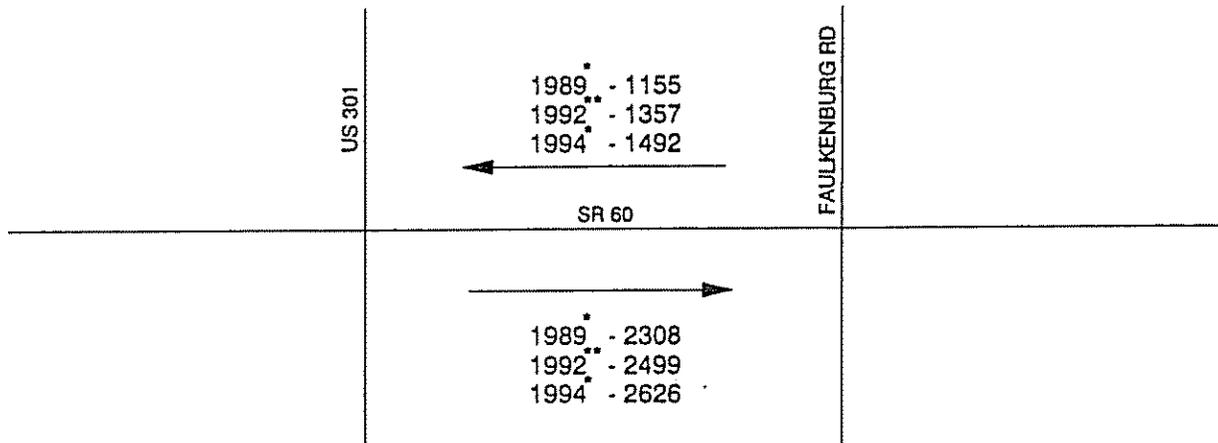


Randy Coen

RC:dcb

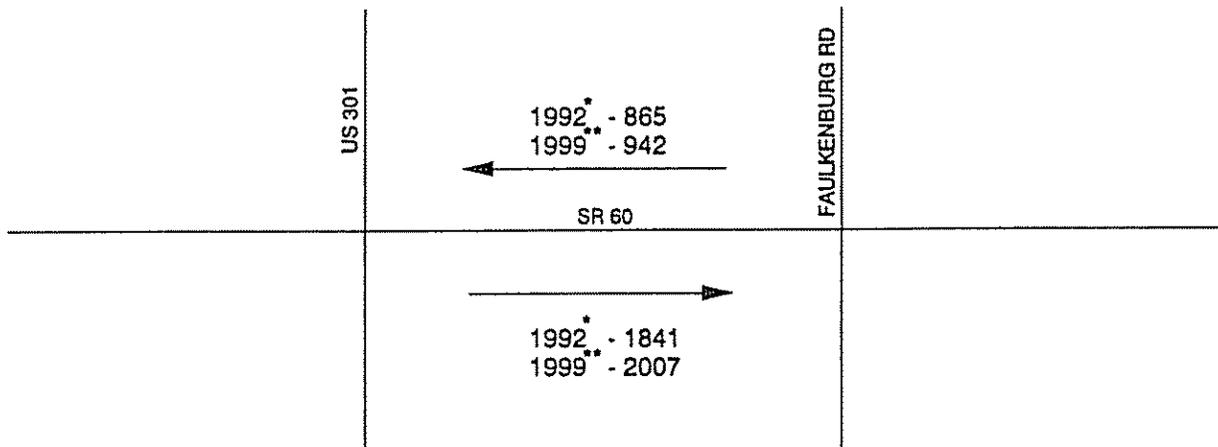
xc: Libby Meyers, Hillsborough County
David Mechanik, Esquire

SR 60 ADA TRAFFIC

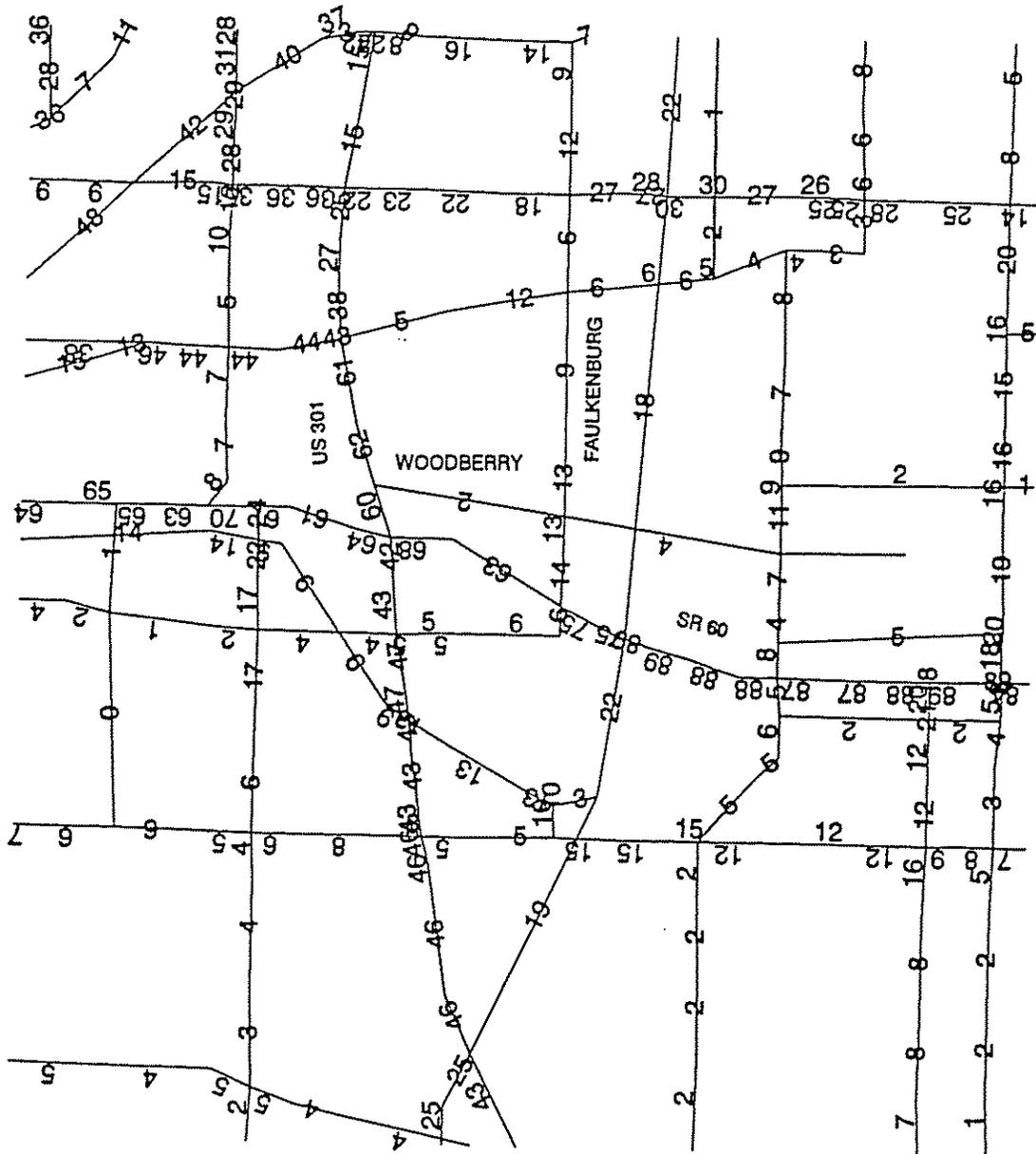


- * TRAFFIC OBTAINED FROM ADA/SUFFICIENCY RESPONSES
- ** 1992 TRAFFIC INTERPOLATED FROM 1989 AND 1994 VOLUMES

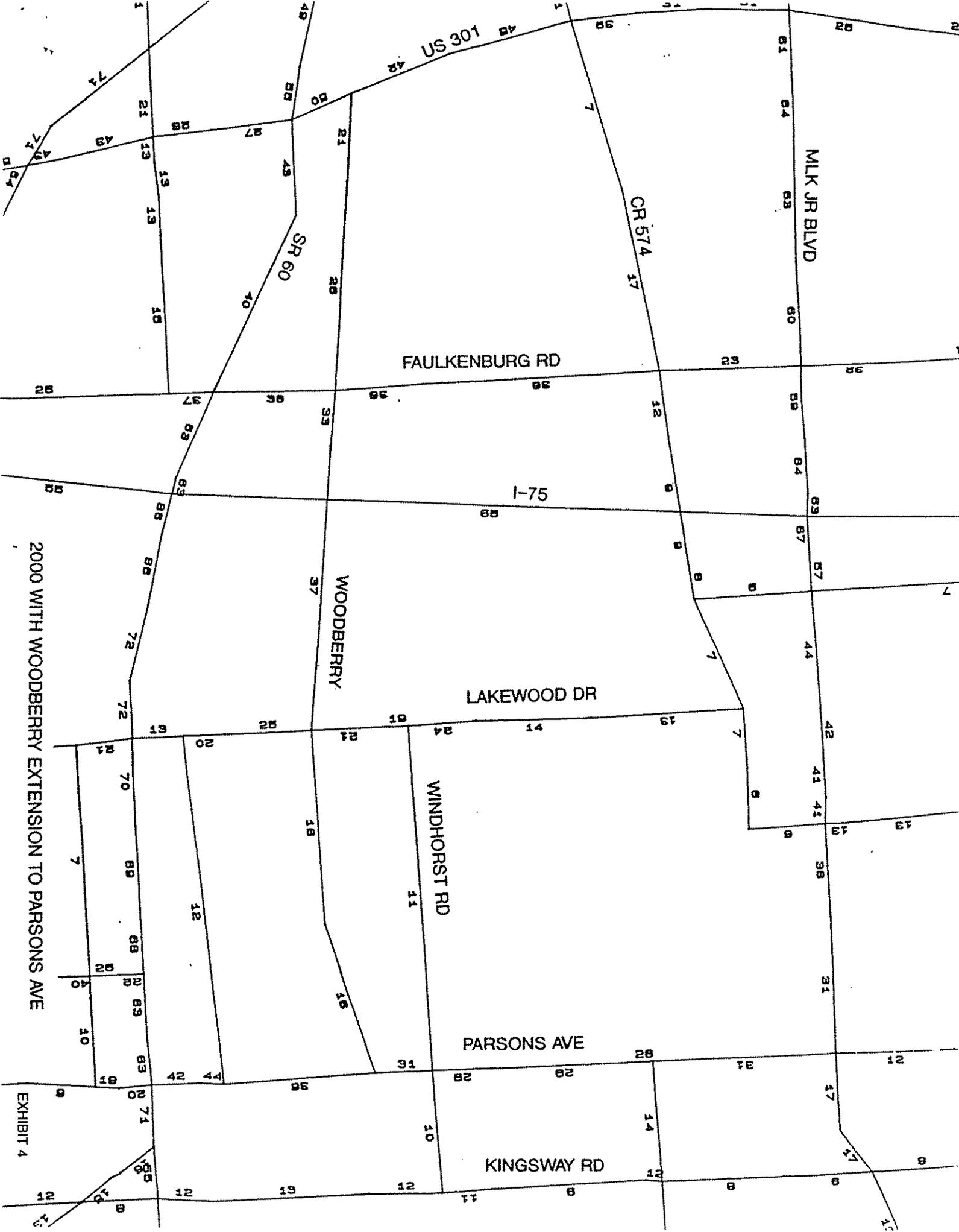
NOPC TRAFFIC



- * EXISTING JANUARY 1992 TRAFFIC COUNT
- ** NOPC TRANSPORTATION ANALYSIS TRAFFIC



1988 WITH WOODBERRY EXTENSION



2000 WITH WOODBERRY EXTENSION TO PARSONS AVE

EXHIBIT 4

US 301

MILK JR BLVD

FAULKENBURG RD

I-75

WOODBERRY

LAKEWOOD DR

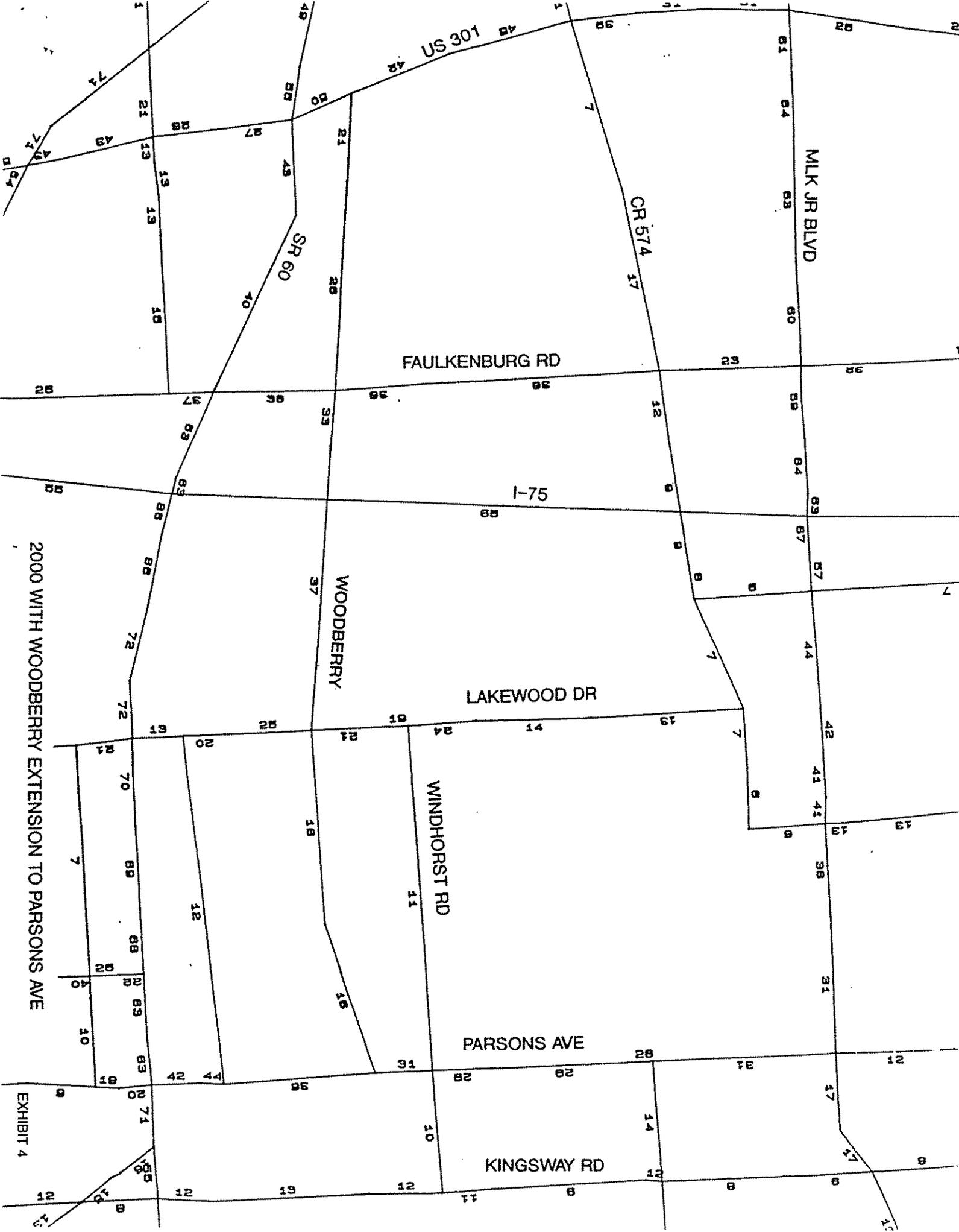
WINDHORST RD

PARSONS AVE

KINGSWAY RD

CR 574

SR 60



C2404.00
April 30, 1992

Ms. Suzanne T. Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
Hendry Building, Suite 219
St. Petersburg, Florida 33702

Reference: DRI No. 159 - Eastshore Commerce Park

Dear Ms. Cooper:

The information which follows is in response to the staff report presented at the March 30, 1992 Clearinghouse Review Committee. The staff report included four (4) recommendations, which we have fully responded to below.

RECOMMENDATION: Reassessment of the adequacy of the development's transportation impact mitigation for the extended build-out period.

RESPONSE: Our letter of February 21, 1992 fully addressed this issue by examining all applicable roadways within the transportation impact study area. The analysis concludes that the mitigation previously identified for the project remains adequate and appropriate. This conclusion has been verified by Hillsborough County. An additional copy of this letter is attached for your convenience.

RECOMMENDATION: Screening of intersections within the project's transportation impact study area for air quality impacts in 1999.

RESPONSE: The staff report suggested that the following intersections be examined: Martin Luther King, Jr. Boulevard at I-75 (westside and eastside); Martin Luther King, Jr. Boulevard at Faulkenburg Road; and Broadway Avenue at Faulkenburg Road. These intersections were first examined to determine their 1999 operational level of service, please see attached memorandum dated April 28, 1992. The capacity analyses indicated that only one of these intersections (Martin Luther King, Jr. Boulevard at I-75 Westside/Southbound exit ramps) was projected to operate below LOSD.

FDER guidelines indicate that no air quality analysis is warranted when intersections operate at or above LOSD. The one (1) intersection projected to operate below LOSD was analyzed for air quality impacts, please see attached memorandum dated April 29, 1992. The analysis concludes that under simulated worst-case traffic and meteorological conditions for 1999, this intersection will operate within acceptable Ambient Air Quality Standards.

Item 4

Greiner

Ms. Suzanne T. Cooper, DRI Coordinator
C2404.00
April 30, 1992
Page 2

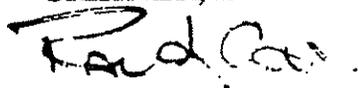
RECOMMENDATION: Evaluation of the proposed pipeline project extension upon the effectiveness of Woodberry Road prior to 1999. Evaluation of the policy implications of extending a pipeline project by five (5) years.

RESPONSE: The attached letter of April 23, 1992 fully addresses both of the above recommendations. First, the currently projected 1999 traffic volumes are less than those projected for 1992 in the original ADA analysis for the effected roadways. Second, the construction of the Woodberry Road Pipeline Improvement at this time would not provide the anticipated benefit due to the current Hillsborough County schedule for the eastern extension of Woodberry Road. The proposed extension of the pipeline improvement ensures that the pipeline improvement will be in place at or before the time it is needed from both a traffic demand and roadway network perspective.

As always, please call at anytime if questions or comments arise during your review of this requested information.

Sincerely,

GREINER, INC.



Randy Coen
Senior Project Manager

RC:dcb
Enclosures

xc: Judy Landon, TBRPC
Shirley Gersholowitz, Hillsborough County
Daniel Santos, Hillsborough County
Libby Myers, Hillsborough County
Tom Beck, DCA
David Mechanik, Esquire
Tom Creed, Florida Steel

Greiner

C2404.00
April 28, 1992

MEMORANDUM

To: Randy Coen
From: Steve Pivnicki *SP*
Subject: Eastshore Commerce Park

As requested, the following intersections were analyzed to determine their operating level of service in 1999 with revised Phase I project traffic and existing plus committed lane geometry:

- 1) Martin Luther King, Jr. Boulevard and I-75 (West Side and East Side)
- 2) Martin Luther King, Jr. Boulevard and Faulkenborg Road
- 3) Faulkenborg Road and Broadway Avenue

Background traffic for 1999 was determined using the Hillsborough growth rates and the transportation model with/without approved DRI factor as presented in previous link analysis tables.

The following summarizes the results:

<u>Intersection</u>	<u>1999 PM Peak Hour Level of Service</u>
Martin Luther King, Jr. Boulevard and I-75 (West Side)	F
Martin Luther King, Jr. Boulevard and I-75 (East Side)	B
Martin Luther King, Jr. Boulevard and Faulkenborg Road	D
Faulkenborg Road and Broadway Avenue	D

As shown, the intersection of Martin Luther King, Jr. Boulevard and I-75 (west side) is expected to operate at LOS F in 1999 with existing plus committed lane geometry. Therefore this intersection will require an Air Quality Analysis.

It should be noted, while developing background traffic on Broadway Avenue, a mistake was found on the previous link tables. A model with/without approved DRI factor of 1.6 was used instead of the correct value of 1.06. This change has been incorporated into the link analyses tables and they are attached. This change did not result in additional laneage requirements for Broadway Avenue.

SMP:mgr

Table 2

EASTSHORE COMMERCE PARK

1999 PM Peak Hour Traffic Conditions - Previously Approved Geometry

Roadway Link	Lanes	1		Actual Peak Hour Count	Year	Avg Ann Growth	4		5		6		7	
		LOS "D"					Model W/O Factor	Projected 1999 Peak Hour Volumes		Revised Phase I Project Traffic		Total Traffic		
		Service Volume	Volume					NB/EB	SB/WB	NB/EB	SB/WB	NB/EB	SB/WB	NB/EB
<u>Martin Luther King Jr. Blvd.</u>														
B-3 I-4 to US 301	6LD	2580/2430	1200	800	1991	2.6%	1.10	1594	1063	294	130	1888	1193	B
B-4 Faulkenburg Rd to I-75	6LD	2580/2430	1200	800	1991	8.4%	1.10	2207	1471	337	141	2544	1613	B
<u>Broadway Av</u>														
C-2 Columbus Dr to B. Brick	4LD	1950/1900	1200	800	1991	4.2%	1.00	1603	1069	60	136	1663	1205	D
C-4 Faulkenburg Rd to MLK Jr Blvd	4LD	1950/1900	812	257	1992	0.5%	1.06	891	282	118	53	1009	335	B
<u>Causeway Blvd</u>														
D-1 50th St to US 301	4LD	1710/1630	767	395	1990	4.2%	1.25	1356	680	50	114	1406	794	C
<u>Faulkenburg Rd</u>														
F-1 Broadway Av to SR 60	4LD	1950/1900	456	395	1990	8.4%	1.18	945	818	365	153	1310	972	C
<u>Columbus Dr</u>														
C-1 50th St to Broadway Av	4LD	1950/1900	1241	828	1990	1.7%	1.00	1431	954	60	136	1491	1090	C
<u>US 301</u>														
T-5 SR 60 to Brandon Brick Rd	6LE	3980/3830	1505	1840	1990	2.2%	1.15	2074	2535	136	308	2210	2843	C
T-6 B. Brick Rd to Broadway Av	6LE	3980/3830	1505	1840	1990	2.2%	1.07	1930	2359	587	259	2517	2618	C
T-7 Broadway Av to MLK Jr. Bl	6LE	3980/3830	1203	1471	1990	2.2%	1.06	1528	1868	587	259	2115	2127	C
T-8 MLK Jr. Bl to I-4	6LE	3980/3830	1148	1403	1991	2.2%	1.04	1404	1717	249	109	1653	1826	C
T-9 I-4 to Harnsey Rd	6LD	2930/2810	886	1082	1991	2.2%	1.00	1041	1273	174	77	1215	1350	B

1. Number of lanes obtained from Eastshore Commerce Park - Existing Traffic Conditions.
2. Number of lanes based on greater of current, committed or proportionate share assessed geometry.
3. Published Hillsborough County Growth Rates, provided by Hillsborough County Transportation Department.
4. FHUTMS derived adjustment factor, data containing two model runs attached.
5. 1990 volumes calculated using Average Annual Growth Rates and DRI Adjustment Factors.
6. Project traffic obtained from Eastshore Commerce Park final review documentation.
7. Level of Service based on service volumes used in Eastshore Commerce Park final review.

Table 1

EASTSHORE COMMERCE PARK

1999 PM Peak Hour Traffic Conditions - DRI Existing Geometry

Roadway Link	Lanes	2		Actual Peak Hour Count	Year	Avg Ann Growth	4		Projected 1999 Peak Hour Volumes	6		8		7	
		LOS "D" Service Volume					Model W/WO Factor			Revised Phase I Project Traffic		Total Traffic Volume		Level of Service	
		NB/EB	SB/WB				NB/EB	SB/WB		NB/EB	SB/WB	NB/EB	SB/WB	NB/EB	SB/WB
<u>Martin Luther King Jr. Blvd.</u>															
B-3 I-4 to US 301	2LU	850/830	1200	800	1991	2.6%	1.10	1594	1063	294	130	1888	1193	P	P
B-4 Faulkenburg Rd to I-75	2LU	850/830	1200	800	1991	8.4%	1.10	2207	1471	337	141	2544	1613	P	P
<u>Broadway Av</u>															
C-2 Columbus Dr to B. Brick	2LU	970/940	1200	800	1991	4.2%	1.00	1603	1069	60	136	1663	1205	F	F
C-3 Faulkenburg Rd to MLK Jr Bl	2LU	970/940	812	257	1992	0.5%	1.06	891	282	118	53	1009	335	F	A
<u>Causeway Blvd</u>															
D-1 50th St to US 301	2LU	850/800	787	395	1990	4.2%	1.25	1356	680	50	114	1406	794	F	D
<u>Faulkenburg Rd</u>															
F-1 Broadway Av to SR 60	2LU	970/940	456	395	1990	8.4%	1.18	945	818	365	153	1310	972	F	F
<u>Columbus Dr</u>															
C-1 50th St to Broadway Av	2LU	970/940	1241	828	1990	1.7%	1.00	1431	954	60	136	1491	1090	F	F
<u>US 301</u>															
T-5 SR 60 to Brandon Brick Rd	4LD	1950/1900	1505	1840	1990	2.2%	1.15	2074	2535	136	308	2210	2843	F	F
T-6 B. Brick Rd to Broadway Av	4LD	1950/1900	1505	1840	1990	2.2%	1.07	1930	2359	587	259	2517	2618	F	F
T-7 Broadway Av to MLK Jr. Bl	4LD	1950/1900	1203	1471	1990	2.2%	1.06	1528	1868	587	259	2115	2127	F	F
T-8 MLK Jr. Bl to I-4	4LD	1950/1900	1148	1403	1991	2.2%	1.04	1404	1717	249	109	1653	1826	D	E
T-9 I-4 to Harney Rd	2LU	970/940	886	1082	1991	2.2%	1.00	1041	1273	174	77	1215	1350	F	F

1. Number of lanes obtained from Eastshore Commerce Park - Existing Traffic Conditions.
 2. Service volumes obtained from Eastshore Commerce Park Development Order Proportional Share Exhibit, copy attached.
 3. Published Hillsborough County Growth Rates, provided by Hillsborough County Transportation Department.
 4. FHUTMS derived adjustment factor, disk containing two model runs attached.
 5. 1999 volumes calculated using Average Annual Growth Rates and DRI Adjustment Factors.
 6. Project traffic obtained from Eastshore Commerce Park final review documentation.
 7. Level of Service based on service volumes used in Eastshore Commerce Park final review.

HCM: SIGNALIZED INTERSECTION SUMMARY

Center For Microcomputers In Transportation

=====
 Streets: (E-W) MLK JR BLVD (N-S) I-75 WEST SIDE
 Analyst: FIV File Name: MLK75W.HC9
 Area Type: Other 4-27-92 PM PEAK
 Comment: 1999 WITH EASTSHORE TRAFFIC (REVISED PHASE I)
 =====

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes		2		1	3					1		
Volumes		2448		181	1222					501		
Lane Width		12.0		12.0	12.0					12.0		
RTOR Vols				0			0					0

Phase combination	Signal Operations							
	1	2	3	4	5	6	7	8
EB Left					!NB Left			
Thru		*			! Thru			
Right					! Right			
Peds					! Peds			
WB Left	*	*			!SB Left	*		
Thru	*	*			! Thru			
Right					! Right			
Peds					! Peds			
NB Right	*				!EB Right			
SB Right	*				!WB Right			
Green	6A	69A			!Green	32A		
Yellow/A-R	4	5			!Yellow/A-R	4		
Lost Time	3.0	3.0			!Lost Time	3.0		
Cycle Length: 120 secs Phase combination order: #1 #2 #5								

Intersection Performance Summary										
Lane	Group	Mvmts	Cap	Adj Sat Flow	v/c Ratio	a/c Ratio	Delay	LOS	Approach:	
									Delay	LOS
EB	T		3608	2135	1.21	0.59	*	*	*	*
WB	L		1714	100	1.31	0.67	*	*	*	*
	T		5411	3652	0.35	0.68	5.4	E		
SB	L		1533	422	1.25	0.28	*	*	*	*
Intersection Delay = * (sec/veh) Intersection LOS = *										
* Delay and LOS not meaningful when any v/c is greater than 1.2										

HCM: SIGNALIZED INTERSECTION SUMMARY

Center For Microcomputers In Transportation

=====
 Streets: (E-W) MIK JR BLVD (N-S) I-75 EAST SIDE
 Analyst: PIV File Name: MIK75E.HC9
 Area Type: Other 4-27-92 PM PEAK
 Comment: 1999 WITH EASTSHORE TRAFFIC (REVISED PHASE I)
 =====

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2			2							
Volumes	968	2014			974							
Lane Width	12.0	12.0			12.0							
RTOR Vols			0			0						

Signal Operations

Phase combination	1	2	3	4	5	6	7	8
EB Left	#	#			!NB Left			
Thru	#	#			! Thru			
Right					! Right			
Peds					! Peds			
WB Left					!SB Left			
Thru		#			! Thru			
Right					! Right			
Peds					! Peds			
NB Right					!EB Right			
SB Right					!WB Right			
Green	71A	39A			!Green			
Yellow/A-R	5	5			!Yellow/A-R			
Lost Time	3.0	3.0			!Lost Time			

Cycle Length: 120 secs Phase combination order: #1 #2

Intersection Performance Summary

Lane	Group	Adj Sat		v/c	a/c	Delay	LOS	Approach	
		Flow	Flow					Delay	LOS
EB	L	1731	1053	0.91	0.98	8.6	B	2.9	A
	T	3608	3518	0.60	0.98	0.2	A		
WB	T	3608	1233	0.83	0.34	26.5	D	26.5	D

Intersection Delay = 8.7 (sec/veh) Intersection LOS = B

ICM: SIGNALIZED INTERSECTION SUMMARY

Center For Microcomputers In Transportation

=====
 Streets: (E-W) MLK JR BLVD (N-S) FAULKENBURG
 Analyst: PIV File Name: MLKFK.HC9
 Area Type: Other 4-27-92 PM PEAK
 Comment: 1999 WITH EASTSHORE TRAFFIC (REVISED PHASE I)
 =====

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	3	1	1	3	1	1	1	1	1	1	1
Volumes	100	1740	296	246	1331	35	131	364	567	315	556	30
Lane Width	12.0	12.0	12.0	12.0	12.0		12.0	12.0	12.0	12.0	12.0	12.0
RTOR Vols			0			0			0			0

Signal Operations

Phase combination	1	2	3	4	5	6	7	8
EB left	*	*			NB Left	*	*	
Thru		*			Thru		*	
Right		*			Right		*	
Peds					Peds			
WB left	*	*			SB Left	*	*	*
Thru		*			Thru		*	*
Right		*			Right		*	*
Peds					Peds			
NR Right	*				EB Right	*		
SB Right	*				WB Right			
Green	13A	39A			Green	10A	6A	30A
Yellow/A-R	4	5			Yellow/A-R	4	4	5
Lost Time	3.0	3.0			Lost Time	3.0	3.0	3.0
Cycle Length: 120 secs Phase combination order: #1 #2 #5 #6 #7								

Intersection Performance Summary

	Lane	Group	Adj Sat		v/c	a/c	Delay	LOS	Approach		
			Mvmts	Cap					Flow	Ratio	Delay
EB	L		1731		202	0.22	0.48	13.7	B	30.3	D
	T		5411		1849	0.99	0.34	34.4	D		
	R		1549		671	0.46	0.43	11.6	B		
WB	L		1731		202	0.99	0.48	67.8	F	30.9	D
	TR		5387		1041	0.78	0.34	24.3	C		
NB	L		1731		159	0.49	0.36	24.7	C	40.1	E
	T		1822		486	0.79	0.27	31.4	D		
	R		1549		594	1.01	0.38	49.3	E		
SB	L		1731		260	1.01	0.44	71.2	F	45.1	E
	T		1822		638	0.92	0.35	32.4	D		
	R		1549		723	0.04	0.47	8.2	B		
Intersection Delay =						34.6 (sec/veh)	Intersection LOS = D				

HCM: SIGNALIZED INTERSECTION SUMMARY

Center For Microcomputers In Transportation

=====
 Streets: (E-W) BROADWAY (N-S) FAULKNERBURG
 Analyst: PIV File Name: FIKRDW.HC9
 Area Type: Other 4-27-92 PM PEAK
 Comment: 1999 WITH EASTSHORE TRAFFIC (REVISED PHASE I)
 =====

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	1	1	1	1	1	1	2	1	1	2	1
Volumes	97	626	165	101	88	35	296	849	254	400	745	51
Lane Width	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	12.0	
RTOR Vols			0			0			0			0

Signal Operations

Phase combination	1	2	3	4	5	6	7	8
EB Left	*	*			NB Left	*	*	
Thru		*			Thru		*	
Right		*			Right		*	
Peds					Peds			
WB Left	*	*			SB Left	*	*	*
Thru		*			Thru		*	*
Right		*			Right		*	*
Peds					Peds			
NB Right	*				EB Right	*		
SB Right	*				WB Right			
Green	5A	43A			Green	18A	7A	28A
Yellow/A-R	3	5			Yellow/A-R	3	3	5
Lost Time	3.0	3.0			Lost Time	3.0	3.0	3.0
Cycle Length: 120 secs Phase combination order: #1 #2 #5 #6 #7								

Intersection Performance Summary

Lane	Group	Adj Sat	v/c	a/c	Delay	LOS	Approach	Delay	LOS
Mvmts	Cap	Flow	Ratio	Ratio					
EB	L	1731	72	0.00	0.44	0.0	A	27.2	D
	T	1822	683	0.96	0.38	36.7	D		
	R	1549	813	0.21	0.52	7.2	B		
WB	L	1731	72	0.64	0.44	31.0	D	22.7	C
	T	1822	683	0.11	0.38	16.0	C		
	R	1507	565	0.07	0.38	15.5	C		
NB	L	1731	260	0.97	0.40	62.2	F	45.0	E
	T	3644	911	0.98	0.25	45.0	E		
	R	1549	452	0.59	0.29	24.8	C		
SB	L	1731	361	1.00	0.48	60.3	F	33.2	D
	TR	3612	1204	0.70	0.33	19.6	C		
Intersection Delay = 35.6 (sec/veh)					Intersection LOS = D				

HILLSBOROUGH COUNTY

REFERENCE: TM COUNT
 INTERSECTION OF I-75 AND SR 574 WEST
 NAME OF COUNTER: CT/JP
 WEATHER: CL

FILENAME: 175/574W

DATE: 2 / 3 / 88

PERIOD BEGIN	--NORTH BOUND--			--SOUTH BOUND--			--EAST BOUND--			--WEST BOUND--			VEHICLE TOTAL
	LT	THRU	RT	LT	THRU	RT	LT	THRU	RT	LT	THRU	RT	
16:00	0	0	0	60	0	41	0	180	48	21	114	0	464
16:15	0	0	0	82	0	41	0	191	35	23	111	0	483
16:30	0	0	0	71	0	39	0	216	48	24	130	0	528
16:45	0	0	0	67	0	34	0	212	71	27	112	0	523
HR TOTAL	0	0	0	280	0	155	0	799	202	95	467	0	1998
17:00	0	0	0	74	0	39	0	201	53	25	141	0	533
17:15	0	0	0	62	0	42	0	309	92	20	146	0	671
17:30	0	0	0	84	0	49	0	264	108	35	132	0	672
17:45	0	0	0	118	0	34	0	264	71	36	185	0	708
HR TOTAL	0	0	0	338	0	164	0	1038	324	116	604	0	2584
DAY TOTAL	0	0	0	618	0	319	0	1837	526	211	1071	0	4582

FOR THE PERIOD 16:00 - 18:00 THE PEAK HOUR IS 17:00 - 18:00

DIRECTION	PEAK HR FACTOR	---- VOLUMES ----			--- PERCENTS		
		LEFT	THRU	RIGHT	LEFT	THRU	RIGHT
NORTH	0.00	0	0	0	0	0	0
SOUTH	0.83	338	0	164	67	0	33
EAST	0.85	0	1038	324	0	76	24
WEST	0.81	116	604	0	16	84	0

HILLSBOROUGH COUNTY

REFERENCE: TM COUNT
 INTERSECTION OF I-75 AND SR 574 EAST
 NAME OF COUNTER: EG/BM
 WEATHER: CL

FILENAME: 175/574E

DATE: 2 / 3 / 88

PERIOD BEGIN	--NORTH BOUND--			--SOUTH BOUND--			--EAST BOUND--			--WEST BOUND--			VEHICLE TOTAL
	LT	THRU	RT	LT	THRU	RT	LT	THRU	RT	LT	THRU	RT	
16:00	0	0	53	0	0	0	47	193	0	0	127	26	446
16:15	0	0	46	0	0	0	60	199	0	0	96	33	434
16:30	0	0	72	0	0	0	57	212	0	0	101	40	482
16:45	0	0	60	0	0	0	77	210	0	0	127	35	509
HR TOTAL	0	0	231	0	0	0	241	814	0	0	451	134	1871
17:00	0	0	64	0	0	0	61	211	0	0	113	40	489
17:15	0	0	95	0	0	0	125	244	0	0	114	41	619
17:30	0	0	103	0	0	0	108	233	0	0	129	54	627
17:45	0	0	70	0	0	0	112	267	0	0	125	40	614
HR TOTAL	0	0	332	0	0	0	406	955	0	0	481	175	2349
DAY TOTAL	0	0	563	0	0	0	647	1769	0	0	932	309	4220

FOR THE PERIOD 16:00 - 18:00 THE PEAK HOUR IS 17:00 - 18:00

DIRECTION	PEAK HR FACTOR	--- VOLUMES ---			--- PERCENTS ---		
		LEFT	THRU	RIGHT	LEFT	THRU	RIGHT
NORTH	0.81	0	0	332	0	0	100
SOUTH	0.00	0	0	0	0	0	0
EAST	0.90	406	955	0	30	70	0
WEST	0.90	0	481	175	0	73	27

HILLSBOROUGH COUNTY

REFERENCE: TM COUNT
 INTERSECTION OF CR 574 AND FAULKENBURG RD
 NAME OF COUNTER: BM
 WEATHER: CL

FILENAME: FAUL/574

DATE: 5 / 1 / 90

PERIOD BEGIN	NORTH BOUND				SOUTH BOUND				EAST BOUND				WEST BOUND				VEHICLE TOTAL	PEDS TOTAL
	PEDS	LT	THRU	RT	PEDS	LT	THRU	RT	PEDS	LT	THRU	RT	PEDS	LT	THRU	RT		
15:00	0	19	54	16	0	9	52	10	0	6	81	39	0	12	40	9	357	0
15:15	0	20	56	20	0	26	95	5	0	15	128	45	0	13	33	3	458	0
15:30	0	20	53	12	0	37	52	10	0	11	100	41	0	14	27	5	382	0
15:45	0	14	41	20	0	30	91	5	0	16	143	36	0	9	35	8	451	0
HR TOTAL	0	73	214	68	0	102	291	31	0	50	450	161	0	48	135	25	1548	0
17:00	0	26	68	28	0	35	84	11	1	12	144	27	0	14	23	6	482	1
17:15	0	30	91	39	0	49	154	3	0	28	250	45	0	17	30	3	742	3
17:30	0	21	57	28	0	62	104	3	0	12	265	50	0	16	25	4	687	3
17:45	0	13	52	24	0	56	57	5	0	22	258	37	0	10	28	4	585	0
HR TOTAL	0	90	268	119	0	232	409	22	1	74	937	150	0	57	106	19	2453	7
DAY TOTAL	0	163	482	187	0	334	700	53	1	124	1387	321	0	105	241	44	4141	7

FOR THE PERIOD 16:00 - 18:00 THE PEAK HOUR IS 17:00 - 18:00

DIRECTION	PEAK HR FACTOR	VOLUMES			PERCENTS		
		LEFT	THRU	RIGHT	LEFT	THRU	RIGHT
NORTH	0.75	90	268	119	19	56	25
SOUTH	0.80	232	409	22	35	52	3
EAST	0.84	74	937	150	6	80	14
WEST	0.91	57	106	19	31	58	10

REFERENCE: 2
 INTERSECTION OF FAULKENBURG AND BROADWAY
 NAME OF COUNTER: SP-106
 WEATHER: Good

FILENAME: FAWF

DATE: 4 / 22 / 92

PERIOD BEGIN	--- NORTH ROUND ---				--- SOUTH ROUND ---				--- EAST ROUND ---				--- WEST ROUND ---				VEHICLE TOTAL	TRKS TOTAL
	TRKS	LT	THRU	RT	TRKS	LT	THRU	RT	TRKS	LT	THRU	RT	TRKS	LT	THRU	RT		
16:00	0	33	82	16	0	43	78	5	0	22	104	34	0	11	28	17	450	0
16:15	0	37	58	15	0	47	61	8	0	26	114	32	0	14	26	11	449	0
16:30	0	28	55	21	0	42	74	3	0	24	108	39	0	17	24	9	444	0
16:45	0	32	57	11	0	53	75	7	0	18	127	41	0	13	20	7	461	0
HR TOTAL	0	130	232	65	0	185	288	23	0	90	453	146	0	55	98	39	1804	0
						(427)				(496)				(689)			(192)	
17:00	0	39	63	17	0	57	81	9	0	31	131	37	0	9	25	11	508	0
17:15	0	44	66	19	0	62	105	4	0	19	147	37	0	12	18	6	541	0
17:30	0	33	76	20	0	54	79	9	0	21	167	34	0	11	19	8	525	0
17:45	0	26	61	14	0	51	67	4	0	18	161	31	0	8	15	12	468	0
HR TOTAL	0	142	266	70	0	224	332	26	0	89	506	141	0	40	75	37	2042	0
						(472)				(582)				(836)			(152)	
DAY TOTAL	0	272	492	135	0	409	620	49	0	179	1059	287	0	95	173	76	3846	0

FOR THE PERIOD 16:00 - 17:45 THE PEAK HOUR IS 16:45 - 17:45

DIRECTION	PEAK HR FACTOR	--- VOLUMES ---			--- PERCENTS ---			
		LEFT	THRU	RIGHT	LEFT	THRU	RIGHT	
NORTH	0.91	148	256	67	(471)	31	54	14
SOUTH	0.87	226	340	29	(595)	38	57	5
EAST	0.91	89	572	151	(812)	11	70	19
WEST	0.91	45	80	32	(157)	29	51	20
					(2035)			

Greiner

C2404.00
April 29, 1992

MEMORANDUM

To: Randy Coen
From: Daniel Doebler
Subject: Air Quality Analysis for the Eastshore Commerce Park

The Florida Department of Environmental Regulations (FDER) Guidelines for Evaluating the Air Quality Impact of Indirect Sources, January 1988, recommends evaluation of the Martin Luther King, Jr. Boulevard/I-275 southbound ramps intersection as a traffic facility significantly impacted by project related traffic. The intersection is projected to function at level of service F in 1999 and the Eastshore Commerce Park project will increase peak hour traffic volumes at the intersection by approximately 12 percent.

As a significantly impacted traffic facility, the intersection was subjected to detailed modeling for carbon monoxide (CO) in accordance with FDER guidelines. Although the intersection is part of an interchange, only the Martin Luther King, Jr. Boulevard/I-275 southbound ramps intersection was included in the detailed modeling. The FDER guidelines recommend inclusion of proximal facilities within 525 feet of the significantly impacted facility. The I-75 mainline and northbound ramps, both projected to operate at an acceptable LOS during peak hour, are located approximately 700 feet and 1,800 feet, respectively, from the significantly impacted intersection.

The detailed modeling was performed using the TEXIN2/MOBILE4 computer program as recommended by FDER. This model considers the generation and dispersion of emissions from both free flow and queuing motor vehicles. Free flow emissions are those attributable to motor vehicles operating in a cruise mode, queued emissions are those associated with stopped, accelerating and decelerating motor vehicles.

Traffic volumes were obtained from data developed for the transportation analysis. Data concerning vehicle mix, operating mode, atmospheric stability class, ambient temperature, wind speed and an inspection/maintenance program were based on FDER recommendations. These worst-case, modeling parameters are summarized in Table 1. Also in conformance with the FDER guidelines, a series of 36 wind directions (0°-350° at 10° intervals) was examined over the modeling grid in order to determine the most critical wind angles.

To account for the variation in the traffic and meteorological data over time, a persistence factor was used to convert the one-hour modeled conditions to comparable worst-case eight-hour conditions. In this way, the results can be compared to the federal and state Ambient Air Quality Standards (AAQS) which are also based on one-hour and eight-hour time periods. A FDER recommended persistence factor of 0.5 was used to convert the one-hour values to eight-hour concentrations.

TABLE 1
SUMMARY OF AIR QUALITY IMPACT ANALYSIS
DETAILED MODELING PARAMETERS

<u>Parameter</u>	<u>Value</u>
Region	Low altitude
Tampering Rate	Default
Operating Mode	20.6%, 27.3%, 20.6%
Exhaust Emission Rates	Default
Anti-tampering Program	No
Ambient Temperature	50 °F
Vehicle Mix	Default
Stability Class	D (neutral)
Wind Speed	1 meter/second
Wind Direction	0°-350° @ 10° intervals
Mixing Height	1,000 meters
Receptor Height	1.8 meters
Background Concentration	2.0 ppm
Surface Roughness	0.75 centimeters
ASTM Volatility Class	C
Base RVP	10.5
In-use RVP	9.0
In-use Start Year	92
Inspection/Maintenance Program	Yes
Start Year	91
Stringency	20%
First Model Year	1975
Last Model Year	2020
Waiver Rate Pre-1981	20%
Waiver Rate 1981+	10%
Compliance	100%
Program Type	1 (Centralized)
Inspection Frequency	1 (Annual)
Vehicle Types	LDGV, LDGT1, LDGT2
Test Type	1 (Idle)
Alternate I/M Credits	1 (MOBILE4 I/M Credits)

ASTM = American Society for Testing and Materials
RVP = Reid Vapor Pressure

Greiner

Memorandum/Coen
C2404.00
April 29, 1992
Page 3

In the absence of site-specific background CO monitoring data, the FDER-recommended default value of 2.0 parts per million (ppm) was used. The background CO value was added to the modeled one-hour and the computed eight-hour results to account for CO sources beyond the study area.

Four receptors were sited in the vicinity of the intersection. The receptors were located 10 meters from the edge of pavement with the distance from the intersection dependent upon the limited access right-of-way lines.

An intersection drawing showing roadway geometry and receptor locations, the signalized intersection summary showing approach traffic volumes and capacity analysis and the TEXIN2/MOBILE4 computer output file are attached.

The results of the analysis are summarized in Table 2. The reported CO concentrations include contributions from background traffic, project traffic and background CO levels.

As shown in Table 2, the highest one- and eight-hour CO levels in the vicinity of Martin Luther King, Jr. Boulevard/I-75 southbound ramps intersection for the 1999 build condition are predicted to be 8.4 and 5.2 ppm, respectively. These levels are below the one-hour CO AAQS of 35 ppm and the eight-hour standard of 9 ppm.

The results of the air quality impact analysis conducted for the proposed Eastshore Commerce Park project indicate that under simulated worst-case traffic and meteorological conditions, motor vehicle emissions associated with the project will not cause, nor contribute to, an exceedance of the AAQS for CO. Therefore, consideration of additional mitigation measures is not necessary.

DD:mgr

TABLE 2

PREDICTED ONE- AND EIGHT-HOUR WORST-CASE
CARBON MONOXIDE LEVELS FOR THE MARTIN LUTHER
KING, JR. BOULEVARD/I-275 SOUTHBOUND RAMPS
INTERSECTION FOR YEAR 1999

<u>Receptor^a</u>	<u>Carbon Monoxide Concentrations^b</u>	
	<u>One-Hour Average (ppm)</u>	<u>Eight-Hour Average (ppm)</u>
1	8.4	5.2
2	6.6	4.3
3	4.7	3.4
4	8.4	5.2

Source: Greiner, Inc.

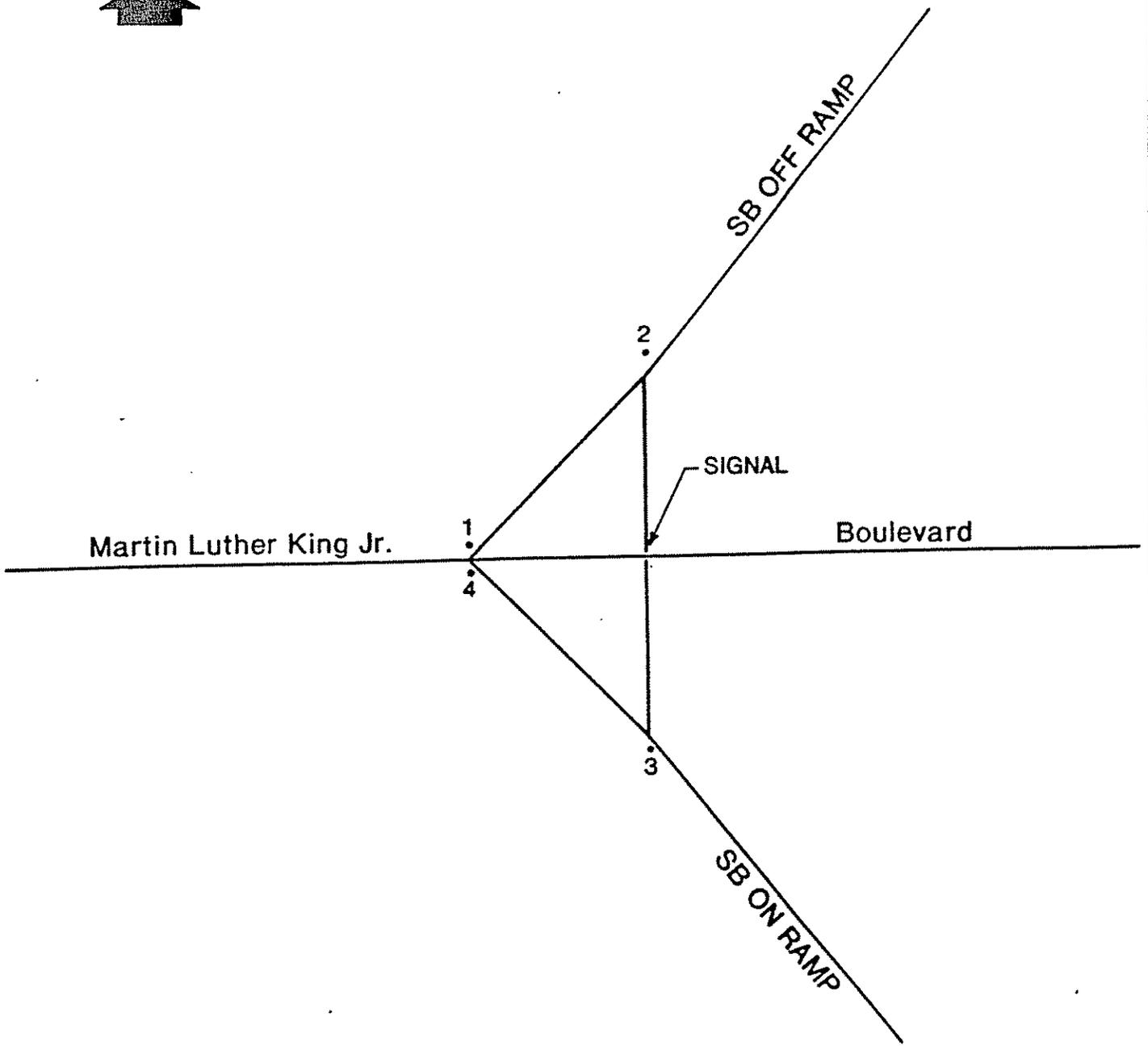
^aSee Air Quality Appendix for receptor locations.

^bIncludes background concentration of 2.0 ppm.

Ambient Air Quality Standards (AAQS) for carbon monoxide levels considered not to pose any significant health risk:

One-hour - 35 parts per million

Eight-hour - 9 parts per million



Greiner, Inc.

EASTSHORE COMMERCE PARK

LEGEND

1 Receptor

RECEPTOR LOCATIONS

FIGURE 1

ICM: SIGNALIZED INTERSECTION SUMMARY

Center For Microcomputers In Transportation

=====
 Streets: (E-W) MLK JR BLVD (N-S) I-75 WEST SIDE
 Analyst: FIV File Name: MLK75W.HC9
 Area Type: Other 4-27-92 PM PEAK
 Comment: 1999 WITH EASTSHORE TRAFFIC (REVISED PHASE I)
 =====

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes		2		1	3						1	
Volumes		2448		181	1222						501	
Lane Width		12.0		12.0	12.0						12.0	
RTOR Vols				0		0						0

Signal Operations

Phase combination	1	2	3	4	5	6	7	8
EB Left					:NB Left			
Thru		*			: Thru			
Right					: Right			
Peds					: Peds			
WB Left	*	*			:SB Left *			
Thru	*	*			: Thru			
Right					: Right			
Peds					: Peds			
NB Right	*				:EB Right			
SB Right	*				:WB Right			
Green	6A	69A			:Green 32A			
Yellow/A-R	4	5			:Yellow/A-R 4			
lost Time	3.0	3.0			:Lost Time 3.0			

Cycle Length: 120 secs Phase combination order: #1 #2 #5

Intersection Performance Summary

	Lane Group	Mvmts	Cap	Adj Sat Flow	v/c Ratio	a/c Ratio	Delay	LOS	Approach:	
									Delay	LOS
EB	T	3608		2135	1.21	0.59	*	*	*	*
WB	L	1714		100	1.31	0.67	*	*	*	*
	T	5411		3652	0.35	0.68	5.4	R		
SB	L	1533		422	1.25	0.28	*	*	*	*

Intersection Delay = * (sec/veh) Intersection LOS = *
 * Delay and LOS not meaningful when any v/c is greater than 1.2

TITLE: MLK & I-75 RAMPS WEST SIDE 1999 WITH PROJECT

METEOROLOGICAL CONDITIONS:

Wind Speed = 1.0 m/s Stability Class = 4 (D) Surface Roughness = 1. cm
 Wind Bearing = 10. deg Mixing Height = 1000. m Averaging Time = 60. min
 Temperature = 50.0 f Ambient Concentration = .0 ppm

COMMENT: Wind angle will be incremented from 0 to 360 deg by 10.0 deg for worst case analysis.

INTERSECTION INFORMATION:

Type = Signalized Cycle Length = 120.0 sec Signal Phases = 3
 Delay Links = 0 Non-Delay Links = 2 TFLAG = 0
 Intersection Calculational Procedure: CMA Operations & Design

-----LINK SUMMARY-----

Link	Type	Width	Height	VPHI	VSP	NLN	NLTL	NRTL	FLT	FRT	LTFLG	THWIDE	LTWIDE
1	AG	3.7	.0	501.	30.0	0	1	0	*****	.0000	1	3.66	3.66
2	AG	21.9	.0	1403.	35.0	3	1	0	.1290	.0000	1	3.66	3.66
3	AG	3.7	.0	0.	30.0	1	0	0	.0000	.0000	0	3.66	3.66
4	AG	18.3	.0	2448.	10.0	2	0	0	.0000	.0000	0	3.66	3.66

WARNING CMA Planning Procedure will be used to reduce V/C= 1.52

WARNING According to the CMA Planning Procedure, intersection volume greater than capacity, V/C= 1.33

LDGV	LDGT1	LDGT2	HOGV	LDDV	LDDT	HDDV	MC	LDGT	All Modes
76.9	134.0	137.7	237.6	12.5	21.7	48.1	160.6	135.5	88.1

-----TRAFFIC FLOW ANALYSIS (MAJOR INTERSECTION - SIGNALIZED)-----

Volume/Capacity= 1.33	Fraction of Excess
Stopped Delay= 180.0 sec/veh	Emissions Due to:
Approach Delay= 238.2 sec/veh	Vehicles Idling= .54
Time in Queue= 230.1 sec/veh	Vehicles Turning= .06
Fraction Stopping= 1.00	Vehicles Stopping & Slowing= .41

-----LINK DESCRIPTION-----

Link	XL1	YL1	XL2	YL2	Length	VEH/HR	Speed	MGH CD/M-SEC
1	.0	.0	.0	106.7	106.7	501.	30.0	.85
2	.0	.0	1000.0	.0	1000.0	4352.	35.0	6.35
3	.0	.0	.0	-82.3	82.3	181.	30.0	.31
4	.0	.0	-1000.0	.0	1000.0	3670.	10.0	13.82
5	.0	106.7	161.5	356.6	297.5	501.	30.0	.85
6	.0	-82.3	143.3	-256.0	225.2	181.	30.0	.31
*****Pseudolinks*****								
7	.0	.0	.0	106.7	106.7	501.	.0	13.46
8	.0	.0	145.4	.0	145.4	4352.	.0	16.16
9	.0	.0	.0	-8.0	8.0	181.	.0	.64
10	.0	.0	-380.6	.0	380.6	3670.	.0	12.22
11	.0	106.7	26.7	147.9	49.1	501.	.0	13.46

-----MOBILE4 EMISSION CALCULATIONS-----

User supplied VMT mix: No
Anti-tampering program: No

User supplied Tampering data: No
User supplied mileage accrual: No

Inspection/Maintenance: Yes
User supplied registration data: No

-----MOBILE4 EMISSION FACTORS (GRAMS CO/VEHICLE MILE)-----

Scenario: Region = 1 Vehicle Mix: LDGV = .695 LDDV = .033
 Year = 1999 LDGT1= .117 LDDT = .017
 PCCN = 20.6 LDGT2= .085 HDDV = .029
 PCHC = 27.3 HDGV = .015 MC = .010
 PCCC = 20.6
 Altitude= 500.0 ft

I/M program selected:

Start year (January 1): 1991
 Pre-1981 MYR stringency rate: 20%
 First model year covered: 1975
 Last model year covered: 2020
 Waiver rate (pre-1981): 20%
 Waiver rate (1981 and newer): 10%
 Compliance Rate: 100%
 Inspection type: Centralized
 Inspection frequency Annual
 Vehicle types covered: LDGV - Yes
 LDGT1 - Yes
 LDGT2 - Yes
 HDGV - No
 1981 & later MYR test type: Idle

TAMPA, FL

ASTM Class: C
 Minimum Temp: 46. (F) Maximum Temp: 50. (F)
 Base RVP: 10.5 In-use (IU) RVP: 9.0 IU 1st Yr: 1992

Speed	LDGV	LDGT1	LDGT2	HDGV	LDDV	LDDT	HDDV	MC	LDGT	All Modes
30.0	9.4	12.8	13.2	20.6	.9	1.0	7.0	16.6	13.0	9.9
35.0	8.0	11.0	11.3	18.0	.8	.9	6.1	13.8	11.1	8.5
10.0	20.2	27.9	28.4	60.6	2.5	2.8	19.6	52.2	28.1	21.8

MOBILE4 IDLE EMISSION RATE (GRAMS CO/HR)

-----TEXIN2 WORST CASE WIND ANGLE ANALYSIS-----

Receptor	XR	YR	ZR	Angle (deg)	CD (ppm)*
1	-112.8	19.1	1.8	260.0	6.4
2	.0	118.5	1.8	50.0	4.6
3	.0	-94.1	1.8	.0	2.7
4	-112.8	-19.1	1.8	280.0	6.4

*Includes Background Ambient Concentration of .0 ppm

Stop - Program terminated.

EXHIBIT "B" TO AMENDED DEVELOPMENT ORDER

**REVISED PHASE SCHEDULE
Eastshore Commerce Park**

<u>Years</u>	<u>Office Showroom (Sq.Ft.)¹</u>	<u>Commercial (Sq.Ft.)</u>	<u>Warehouse/ Distribution (Sq.Ft.)</u>
Revised Phase I (1987-1999)	735,040	57,400	1,689,160
Revised Phase II (1989-1994)	97,560	30,600	1,335,840
Phase III (1994-1997)	<u>---</u>	<u>20,900</u>	<u>1,392,200</u>
TOTALS	832,600	108,900	4,417,200

¹ Square footage totals referred to are gross square feet of floor area.

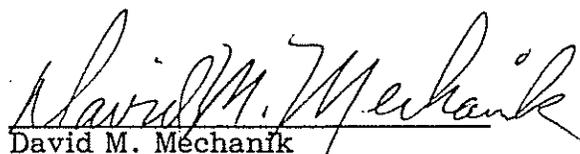
EXHIBIT "C"

DEVELOPER'S CERTIFICATION

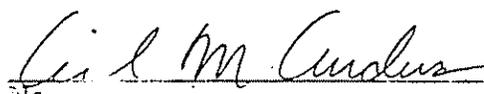
STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

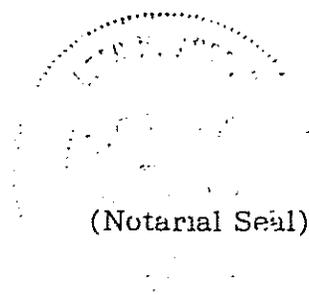
I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgements, personally appeared David M. Mechanik, as attorney for Florida Steel Corporation, the applicant of the Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the Eastshore Commerce Park DRI #159 (the "Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Florida Steel Corporation filed the Notice of Change on December 4, 1991.
2. Florida Steel Corporation filed a First Sufficiency Response letter on February 21, 1992.
3. Florida Steel Corporation filed a Second Sufficiency Response letter on April 23, 1992.
4. Florida Steel Corporation filed a Third Sufficiency Response letter on April 30, 1992.
5. The Notice of Change, First Sufficiency Response, Second Sufficiency Response and Third Sufficiency Response were filed with all persons as required by law.


David M. Mechanik
Attorney for Florida Steel
Corporation

Sworn to and subscribed before me this 16th day of June, 1992.

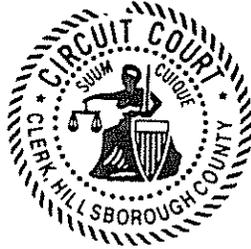



(Notarial Seal)

My Commission Expires:

AILEEN M. ANDERS
Notary Public, State of Florida
My comm. expires Feb. 7, 1993
No. AA645205

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-H
P.O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

January 30, 1990

RECEIVED
FEB 2 1990

Tampa Bay Regional
Planning Council

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

Attn: Suzanne Cooper
DRI Coordinator

Re: Resolution No. R90-0026 Amending DRI #159 Development
Order - Eastshore Commerce Park

Dear Ms. Cooper:

Enclosed please find an executed certified copy of the
referenced resolution, adopted by the Hillsborough County
Board of County Commissioners on January 23, 1990.

We are providing this certified copy for your official
files.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

mailed 1/31/90

By: Edna L. Fitzpatrick / gm.
Edna L. Fitzpatrick
Director, BOCC Records

ELF:LT

cc: Board files (orig.)
Ed Lehman, State of Florida Department of Community
Affairs
Jeff Miller, Director, Planning & Zoning
Gordon J. Schiff, Attorney for Eastshore Commerce Park
John Dixon Wall, Assistant County Attorney

Enclosure

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 _____
Resolution No. R90-0026 Amending DRI #159 Development Order
Eastshore Commerce Park

_____ adopted by the Board in its regular meeting of
January 23, 1990, as the same appears of
record in MINUTE BOOK 164 of the Public Records of
Hillsborough County, Florida.

WITNESS my hand and official seal this 30th
day of January, 1990.

RICHARD AKE, CLERK

By: M. J. Iris Bishop
Deputy Clerk

Resolution No. R 90-0026

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
AMENDING DRI # 159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK

Upon motion of Commissioner Colson, seconded by Commissioner Padgett, the following Resolution was adopted on this 23rd day of January, 1990.

WHEREAS, on September 27, 1988, the Board of County Commissioners approved a Development Order (Resolution No. R88-0255) for the EASTSHORE COMMERCE PARK Development of Regional Impact (DRI) #159 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on December 14, 1989, Florida Steel Corporation filed a Notification of a Proposed Change to a previously approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes, for the EASTSHORE COMMERCE PARK DRI ("Notice of Change") in accordance with Section 380.06(19), Florida Statutes; and

WHEREAS, the Notice of Change proposed an extension of the dates of buildout of development of Phase I and Phase IIA, each by less than three (3) years, as more particularly stated in the Notice of Change; and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that a proposed change which involves an extension of the date of buildout of a development, or any phase thereof, by less than three (3) years is not a substantial deviation and is not subject to a public hearing pursuant to subparagraph 380.06(19)(f)3., Florida Statutes, or a determination pursuant to subparagraph 380.06(19)(f)5., Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA:

1. The following findings of fact are made:

a. Florida Steel Corporation submitted to Hillsborough County the Notice of Change, which is attached hereto as Exhibit 1 and incorporated herein, which requested an extension of the dates of buildout of development of Phase I and Phase IIA, each by two (2) years, eleven (11) months and fifteen (15) days (the "Proposed Change").

b. In accordance with Subsection 380.06(19)(e)2., Florida Statutes, the Proposed Change is not a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes and is not subject to a public hearing pursuant to Subparagraph 380.06(19)(f)3., Florida Statutes, or a determination pursuant to Subparagraph 380.06(19)(f)5., Florida Statutes.

c. All statutory procedures have been adhered to.

d. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.

2. The Development Order is hereby amended to extend the dates of buildout of development of Phase I and Phase IIA, each by a period of two (2) years, eleven (11) months and fifteen (15) days. Accordingly, the Development Order is further amended to incorporate the Revised Phasing Schedule, attached hereto as Exhibit 2, which reflects such extensions of dates of buildout.

3. The Development Order is hereby reaffirmed in its entirety except as amended by this Resolution.

4. The Developer's Certification, attached hereto as Exhibit 3, affirms that a copy of the Notice of Change has been delivered to all persons as required by law.

5. The Developer shall record a Notice of Adoption of this Resolution in accordance with Section 380.06(15), Florida Statutes.

6. This Resolution shall become effective upon rendition by the Board of County Commissioners of Hillsborough County in accordance with Section 380.06, Florida Statutes.

7. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail to the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients specified by statute or rules.

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 regular meeting of January 23, 1990, as the same appears of record in Minute Book 164 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 29th day of January, 1990.

RICHARD AKE, CLERK

APPROVED BY COUNTY ATTORNEY
BY John R. Wall
Reviewed As To Form And
Legal Sufficiency.

By: Judith M. Nichols
Deputy Clerk

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

(An Extension of Project Phase and Build-out Dates
by Less Than Three Years)

Subsection 380.06 (19), Florida Statutes (1985), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning council, and the state land planning agency according to this form.

1. I, David M. Mechanik, the undersigned authorized representative of Florida Steel Corporation, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Eastshore Commerce Park development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the Board of County Commissioners of Hillsborough County, to the Tampa Bay Regional Planning Council, and to the Bureau of Resource Management, Department of Community Affairs.

12/14/89
(Date)

David M. Mechanik
(Signature)

2. Applicant (name, address, phone).

Florida Steel Corporation
Post Office Box 31328
Tampa, Florida 33631
Phone: (813)
Mr. Edward L. Flom, Chief Executive Officer

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

Mr. Randy G. Cohn
Greiner, Inc.
Post Office Box 31646
Tampa, Florida 33631-3416
Phone: (813) 286-1711

Mr. David M. Mechanik
Macfarlane, Ferguson, Allison & Kelly
Post Office Box 1531
Tampa, Florida 33601
Phone: (813) 229-4945

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

Section 13, Township 29 South, Range 19 East, and Sections 7 and 18, Township 29 South, Range 20 East, in unincorporated Hillsborough County, Florida.

5. **Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, Development Order conditions and requirements, or in the representations contained in either the Development Order or the Application for Development Approval (ADA).**

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

This application does not propose a change which involves the master site plan map. The proposed change consists solely of a request for an extension of the project's dates of buildout of Phase I and Phase IIA each by a period of two (2) years, eleven (11) months, and fifteen (15) days.

6. **Complete the following table for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.**

As the presently proposed change relates solely to an extension of the project's dates of buildout of Phase I and Phase IIA each by a period less than three (3) years, a response to the questions asked in the Substantial Deviation Chart is not applicable to this requested change.

A brief description of the history and current conditions of the project is provided here to assist in the review of this Notice of Proposed Change.

In December of 1986, Florida Steel Corporation filed an Application for Development Approval (ADA) for an approximate 434-acre site in central Hillsborough County, Florida, east of U.S. Highway 301, north of State Road 60, south of County Road 574, and west of Faulkenburg Road. The Eastshore Commerce Park project was a Development of Regional Impact (DRI) pursuant to the provisions of Section 380.06, Florida Statutes.

Following agency review and comments, and public hearings before both the Zoning Hearing Master and the Board of County Commissioners, a Development Order for the Eastshore Commerce Park project was approved on September 27, 1988 (Resolution Number R88-0255).

No on-site construction activity has occurred since the Development Order was approved in September 1988.

The development is proposed to remain consistent with the land uses and development totals set forth in Condition IV.A.1. of the Development Order.

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

There have been no modifications or amendments to the originally approved DRI Development Order, nor has there been a change in local government jurisdiction.

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

No additional lands have been purchased or optioned within 1/4 mile of the original DRI site.

SUBSTANTIAL DEVIATION DETERMINATION

If the proposed change to the previously approved DRI or Development Order condition does not meet or exceed any of the criteria listed in the DRI Development Order or in Subsection 380.06(19)(b), Florida Statutes, then the local government having jurisdiction over the development must hold a public hearing and make a determination as to whether such proposed changes constitute a substantial deviation and will cause the development to be subject to further development-of-regional-impact review. If the local government determines that the proposed change does not require further development-of-regional-impact review and is otherwise approved, the local government must issue an amendment to the Development Order incorporating the approved change and conditions of approval relating to the change, subject to the appeal provisions of Subsection 380.06(19)(f), F.S., and Section 380.07, F.S.

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

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

No changes to the master site plan are proposed.

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

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;

The Development Order should be modified to reflect an extension of the dates of buildout of Phase I and Phase IIA each by a period of two (2) years, eleven (11) months, and fifteen (15) days (see attached proposed resolution for precise language).

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

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

Not applicable.

If the proposed change meets or exceeds substantial deviation criteria listed in the DRI Development Order, or in the criteria listed in Subsection 380.06(19)(b), F.S., then the proposed change is a substantial deviation and shall be subject to further DRI review without the necessity for a determination by the local government.

The proposed change is not a substantial deviation as expressly noted in Subsection 380.06(19)(c)2., Florida Statutes, which addresses extensions of a development of regional impact's date of buildout or any phase thereof, by less than three (3) years.

Exhibit 2

REVISED PHASING SCHEDULE ***

<u>Years</u>	<u>Office Showroom (Sq. Ft.)*</u>	<u>Commercial (Sq. Ft.)</u>	<u>Warehouse/ Distribution (Sq. Ft.)</u>
Phase I (1987-1992)	670,000	37,000	798,600
Phase II A** (1989-1997)	65,040	20,400	890,560
Phase II B (1989-1994)	97,560 162,600	30,600 51,000	1,335,840 2,226,400
Phase III (1994-1997)	--	20,900	1,392,200
TOTALS	832,600	108,900	4,417,200

*Subtotal for
Phase II*

* Where square footage totals are referred to in this Development Order, said term shall mean "gross square feet".

** Phase II A and Phase II B totals are based upon usage of Option 3, described in paragraph IV.B.1.c. of the Development Order.

*** The Phasing Schedule in effect prior to the adoption of this Revised Phasing Schedule provided that the buildout of Phase I and Phase IIA would occur, respectively, in 1989 and in 1994. This Revised Phasing Schedule shall be construed to extend the previous dates of buildout of development of Phase I and Phase IIA, each by a period of two (2) years, eleven (11) months and fifteen (15) days.

Exhibit 3

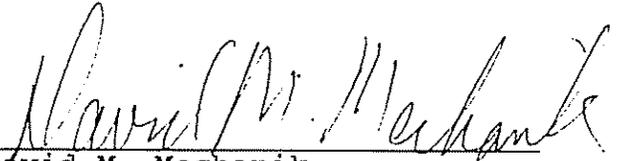
AFFIDAVIT

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths, and take acknowledgments, personally appeared David M. Mechanik, as attorney for Florida Steel Corporation, the applicant of the Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI) Subsection 380.06(19), Florida Statutes for the Eastshore Commerce Park DRI #159 ("Notice of Change"), to me well known, who being by me first duly sworn, says upon oath as stated below:

1. Florida Steel Corporation filed the Notice of Change on December 14, 1989.
2. The Notice of Change was filed with all persons as required by law.



David M. Mechanik
Attorney for Florida Steel
Corporation

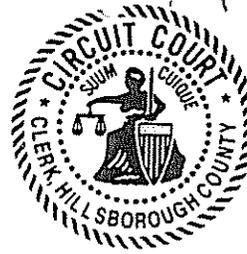
Sworn to and subscribed before me this 10th day of January, 1990.

Notary Public

(Notarial Seal)

My Commission Expires:
NOTARY PUBLIC, State of Florida
My Commission Expires Feb. 7, 1993

Richard Ake
Clerk of the Circuit Court
Hillsborough County, Florida



Clerk to Board of
County Commissioners
Room # 214-H
P. O. Box 1110
Tampa, Florida 33601
Telephone 272-5845

CERTIFIED MAIL

October 26, 1988

Tampa Bay Regional Planning Council
9455 Koger Boulevard
Suite 219
St. Petersburg, Florida 33702

Attn: Sheila Benz

Re: Eastshore Commerce Park Development Order - DRI #159
(Florida Steel Corporation)
H.C. Resolution No. R88-0255

Dear Ms. Benz:

Enclosed please find an executed copy of the referenced Development Order for the Eastshore Commerce Park, adopted by the Hillsborough County Board of County Commissioners on September 27, 1988.

Sincerely,

RICHARD AKE
CLERK OF CIRCUIT COURT

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

cc: Board files (orig.)
State of Florida Dept. of Community Affairs
David M. Mechanik, Attorney for Florida Steel Corporation
Raul Quintana, Architecture Services
Carol Clarke, Section Mgr./Central, Planning & Zoning

Enclosure

ELF/lt

159

new
master DO file

Resolution No. R88-0255

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
DRI #159 DEVELOPMENT ORDER
EASTSHORE COMMERCE PARK

Upon motion by Commissioner Poe, seconded by
Commissioner Talley, the following Resolution was adopted by
a vote of 7 to 0 Commissioner(s) none voting "No".

WHEREAS, on December 23, 1986, Florida Steel Corporation 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 MIXED USE PROJECT on approximately FOUR HUNDRED AND THIRTY FOUR ACRES, located in CENTRAL Hillsborough County, hereinafter referred to as EASTSHORE COMMERCE PARK, 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 the 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 September 27, 1988, 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 27th DAY OF SEPTEMBER, 1988, AS FOLLOWS:

I. FINDINGS OF FACT

- A. Florida Steel Corporation, hereinafter referred to as "Developer", submitted to Hillsborough County, Florida, an Application for Development Approval, Sufficiency Responses and Revised Map H 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 is legally described as set forth in Composite Exhibit A.
- 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 the 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 ("HCCCPC"), and the Tampa Bay Regional Planning Council ("TBRPC") 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 TBRPC.
- B. In considering whether the development should be approved subject to conditions, restrictions, and limitations, Hillsborough County has considered the criteria stated in Section 380.06 and more specifically, subsection 380.06(14), Florida Statutes.
- C. The review by Hillsborough County, the HCCCPC, the TBRPC, 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 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 "Urban Level 2" and "Environmental Overlay".

III. GENERAL PROVISIONS

- A. This resolution shall constitute the Development Order of Hillsborough County in response to the Application for Development Approval for the EASTSHORE COMMERCE PARK Development of Regional Impact.
- B. The legal description set forth in Composite Exhibit A is hereby incorporated into and by reference made a part of this Development Order.

- C. All provisions contained within "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.
- 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 its 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 include 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 EASTSHORE COMMERCE PARK, 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 Subsection 380.06(19)(b), Florida Statutes, 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 TBRPC shall result in further Development of Regional Impact ("DRI") review pursuant to Section 380.06, Florida Statutes.
- J. The County Administrator of Hillsborough County shall be responsible for monitoring all terms and conditions of this Development Order. For purposes of this condition, the County Administrator may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The County Administrator 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 County Administrator may issue a notice of such noncompliance to the Developer, or the County Administrator 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 Subsection 380.06(18), Florida Statutes, as amended, 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 Planning and Zoning Department 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(es) of any heir, assignee or successor in interest to this Development Order; and
 5. A statement describing how the Developer has complied with each term and condition of this Development Order applicable when the Annual Report was prepared.
- 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 (1987).
9/27/85
- N. The Developer has elected, pursuant to Subsection 380.06(5)(c), Florida Statutes, to be bound by the provisions of Chapters 403 and 373 in effect at the time that this Development Order is issued. Accordingly, to the extent that the provisions of Subsection 380.06(5)(c), Florida Statutes, affect the determination as to which laws, rules or regulations are applicable to the Development, said determination shall apply, notwithstanding any condition in this Development Order to the contrary.

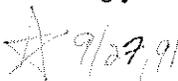
IV. SPECIFIC CONDITIONS

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>Office Showroom (Sq. Ft.)*</u>	<u>Commercial (Sq. Ft.)</u>	<u>Warehouse/ Distribution (Sq. Ft.)</u>
Phase I (1987-1989)	670,000	37,000	798,600
Phase II A**	65,040	20,400	890,560
Phase II B (1989-1994)	97,560 162,600	30,600 51,000	1,335,840 2,226,400
Phase III (1994-1997)	---	20,900	1,392,200
TOTALS	832,600	108,900	4,417,200

- * Where square footage totals are referred to in this Development Order, said term shall mean "gross square feet".
 ** Phase IIA and Phase IIB totals are based upon usage of Option 3, described in paragraph B.1.c. below.

2. No Certificates of Occupancy shall be issued until the pipeline option (the "Required Improvement" referred to in subparagraph B.1.c.(1) hereunder) is complete.
3. For purposes of this Order, a phase shall be considered complete upon issuance of the Certificate of Occupancy for the phase. Development of Phases I, II and III may occur anywhere on the site.
4. If the Developer elects to amend the proposed phasing schedule, he shall submit said amendments to the County for review and approval, as required by law, 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 build-out from the phasing schedule set forth in paragraph A.1. above shall be subject to a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, as amended.
5. Excess infrastructure capacity constructed to serve Phases I and IIA that will potentially serve Phases IIB and III shall be at the Developer's risk and shall not operate to relieve Developer from conditions which must be complied with prior to commencement of Phase IIB and Phase III.
6.  The physical development of EASTSHORE COMMERCE PARK shall begin within three (3) years of the effective date of this Development Order.
7. This Development Order shall remain in effect for a period up to and including November 1, 1998.
8. The development shall not be subject to down-zoning, or intensity reduction until November 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, shall select one of the following alternatives to mitigate the project's transportation impacts.

a. Option 1

- (1) Prior to approval of Phase I of the development, acquire funding commitments from responsible entities for the roadway improvements indicated in Table 1 and Table 2. Without funding commitments for these improvements, construction permits shall not be issued for Phase I.
- (2) Prior to approval of Phase II of the development, acquire funding commitments from responsible entities for the roadway improvements indicated in Table 3 and Table 4. Without funding commitments for these improvements, construction permits shall not be issued for Phase II.
- (3) Prior to approval of Phase III of the development, acquire funding commitments from responsible entities for the roadway improvements indicated in Table 5 and Table 6. Without funding commitments for these improvements, construction permits shall not be issued for Phase III.
- (4) In the event future roadways, if any, to which traffic from this project has been assigned are not built as assumed in the methodology used for the traffic analysis, a new analysis and traffic reassignment shall be required, as appropriate. The annual report shall contain information regarding the status of such roadways, if any. In the event that such roads, if any, are not constructed on schedule, said fact shall require that a substantial deviation determination be conducted pursuant to Florida Statutes 380.06(19).
- (5) The applicant, or its assigns, shall prepare and implement a Transportation Systems Management (TSM) program upon issuance of Certificates of Occupancy for 800,000 square feet of office/showroom space (or the equivalent thereof in terms of trip generation) which will divert a number of vehicle trips from the PM peak hour which is consistent with the assumptions used to prepare the Application. The plan shall be reviewed by Hillsborough County, Hillsborough Area Regional Transit ("HART"), the Tampa Urban Area Metropolitan Planning Organization ("Tampa Urban Area MPO"), Florida Department of Transportation ("FDOT") and TBRPC.

The TSM program 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. Results of the TSM program shall be included in the Annual Report.

If the Annual Report indicates that the total trip diversions are not being met, Hillsborough County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and amend the Development Order to change TSM objectives and/or require additional roadway improvements. The results of the TSM study may serve as a basis for the Developer or reviewing agencies to request Development Order amendments.

In addition, this TSM program shall be developed in cooperation with Hillsborough County, FDOT, the Tampa Urban Area MPO, HART and TBRPC. This program shall seek to implement and will be measured by the TSM objectives and policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

"Policy: Promote ridesharing by public and private sector employees.

OBJECTIVES:

- * Increase urban area peak automobile occupancy rates by 10 percent by 1995 through expanded ridesharing efforts.
- * Increase peak hour occupancy rates for transit and other high occupancy vehicles by 20 percent by 1995."

TABLE 1

Roadway Improvements Needed for Phase I (1989)

Roadway Segment	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Woodberry Extension; U.S. 301 to Site	N/A	N/A	Construct two lanes
Woodberry Extension; Faulkenburg Rd. to Site	N/A	N/A	Construct two lanes
Woodberry Ext.; East Access to West Access	N/A	N/A	Construct two lanes
Buffalo Avenue; I-4 to U.S. 301	F	20	Construct two lanes to provide a 4-lane divided arterial (4LDA)
U.S. 301; Brandon Brick to Broadway Ave.	F	20	Construct four lanes to pro- vide a 6LDA
U.S. 301; Broadway Avenue to Buffalo Avenue	F	20	Construct two lanes to pro- vide a 4LDA

TABLE 2

Intersection Improvements Needed for Phase I (1989)

Intersection	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Faulkenburg Road & S.R. 60	F	5	Add SB dual left-turn lanes; add NB right- turn lane.
Faulkenburg Road & Woodberry Extension	N/A	N/A	Add NB left-turn lane (dual); add SB right-turn lane; add EB left and right- turn lanes.
U.S. 301 & Woodberry Extension	N/A	N/A	Add WB dual left-turn lanes; add WB right-turn lane
Buffalo Avenue & U.S. 301	F	9	Add NB and SB left-turn lanes (dual); add NB, SB, EB, and WB thru lanes.
Buffalo Avenue & Faulkenburg Road	F	11	Add EB and WB thru lanes.
U.S. 301 & S.R. 60	F	1	Add NB & SB thru lanes; add EB & WB thru lanes.

TABLE 3

Roadway Segment Improvements Needed for Phase II (1994)

Segment	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Woodberry Ext.; U.S. 301 to West Site Access	N/A	N/A	Construct four lanes to pro- vide a 6LDA
Woodberry Ext.; Faulken- burg to East Site Access	N/A	N/A	Construct four additional lanes to pro- vide a 6LDA
Woodberry Ext.; East Access to West Access	N/A	N/A	Construct four additional lanes to pro- vide a 6LDA
Buffalo Avenue; 40th Street to 50th Street	F	8	Construct two lanes to pro- vide a 4LDA
Buffalo Avenue; 50th Street to I-4	F	8	Construct two lanes to pro- vide a 4LDA
Buffalo Avenue; I-4 to U.S. 301	F	53	Construct four lanes to pro- vide a 6LDA
Columbus Drive; 50th Street to Broadway Ave.	F	11	Construct two lanes to pro- vide a 4LDA
Broadway Avenue; Columbus Drive to Brandon Brick	F	11	Construct two lanes to pro- vide a 4LDA
Broadway Avenue; Faulkenburg to Buffalo Avenue	F	21	Construct two lanes to pro- vide a 4LDA
Causeway Boulevard; 50th Street to U.S. 301	F	20	Construct two lanes to pro- vide a 4LDA

TABLE 3 (Continued)

Roadway Segment Improvements Needed for Phase II (1994)

Segment	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
S.R. 60; Faulkenburg to I-75	E	11	Construct two lanes to pro- vide a 8LDA
S.R. 60; 50th Street to U.S. 301	F	5	Construct four lanes to pro- vide a 8LDA
U.S. 301; Bloomingdale to I-75	F	19	Construct two lanes to pro- vide a 6LDA
U.S. 301; S.R. 60 to Brandon Brick	F	27	Construct four lanes to pro- vide a 8LDA
U.S. 301; Brandon Brick to Broadway Avenue	F	52	Construct four lanes to pro- vide a 8LDA
U.S. 301; Broadway Ave. to Buffalo Ave.	F	52	Construct four lanes to pro- vide a 8LDA
U.S. 301; Buffalo Ave. to I-4	F	22	Construct four lanes to pro- vide a 8LDA
U.S. 301; I-4 to Harney Road	F	31	Construct four lanes to pro- vide a 6LDA

TABLE 4

Intersection Improvements Needed for Phase II (1994)

Intersection	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Buffalo Avenue & 40th Street	F	8	Add SB left- turn lane (dual)
Broadway Avenue & Brandon Brick Road	N/A	N/A	Add EB & WB thru lanes
Buffalo Avenue & Faulkenburg Road	F	16	Add WB left- turn lane (dual); add NB right-turn lane (dual)
Buffalo Avenue & I-75	F	27	Add EB left- turn lane
Faulkenburg Road & S.R. 60	F	19	Add EB left- turn lane (dual); add EB & WB thru lanes
Faulkenburg Road & Broadway Avenue	F	51	Add SB left- lane (dual); add EB & SB right-turn lanes; add WB left-turn lane (dual); add EB & WB thru lanes.
Faulkenburg Road & East Access Drive	N/A	N/A	Add 1 NB left- turn lane; add 1 EB left-turn lane; add 1 EB right-turn lane
U.S. 301 & West Access Drive	N/A	N/A	Add NB right- turn lane; add NB & SB left- turn lanes; add WB right-turn lane
Woodberry Ext. at Eastern Intersection with Project Loop Road	N/A	N/A	Add NB & SB left-turn lanes; add NB dual right-turn lane; add SB right- turn lane; add WB left-turn lane; add EB & WB right-turn lanes

TABLE 4 (continued)

Intersection Improvements Needed for Phase II (1994)

Intersection	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Woodberry Ext. at Western Intersection with Project Loop Road	N/A	N/A	Add NB left- turn lane; add NB right-turn lane; add SB dual right-turn lanes; add EB left-turn lane; add EB & WB right-turn lanes
Buffalo Avenue & U.S. 301	F	24	Add EB left-turn (dual); add NB, SB, EB and WB thru lanes
U.S. 301 & S.R. 60	F	4	Grade Separation
U.S. 301 & Causeway Boulevard	F	7	Add SB left-turn lane (dual)

TABLE 5

Roadway Segment Improvements for Phase III (1997)

Roadway Segment	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Woodberry Ext.; U.S. 301 to Site	N/A	N/A	Construct four lanes to provide a 6LDA
Woodberry Ext.; Faulkenburg to Site	N/A	N/A	Construct four lanes to provide a 6LDA
Woodberry Ext.; East Site Access to West Site Access	N/A	N/A	Construct four lanes to provide a 6LDA
Buffalo Avenue; 40th Street to 50th Street	F	12	Construct two lanes to provide a 4LDA
Buffalo Avenue; 50th Street to I-4	F	12	Construct two lanes to provide a 4LDA
Buffalo Avenue; I-4 to U.S. 301	F	33	Construct two lanes to provide a 4LDA
Buffalo Avenue; Faulkenburg to I-75	F	82	Construct four lanes to provide a 6LDA
Columbus Drive; 50th Street to Broadway Avenue	F	34	Construct two lanes to provide a 4LDA
Broadway Avenue; Columbus Drive to Brandon Brick	F	15	Construct two lanes to provide a 4LDA
Broadway Avenue; Brandon Brick to Faulkenburg	F	21	Construct two lanes to provide a 4LDA
Broadway Avenue Faulkenburg to Buffalo Avenue	F	29	Construct two lanes to provide a 4LDA

TABLE 5 (Continued)

Roadway Segment Improvements for Phase III (1997)

Roadway Segment	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Causeway Boulevard; 50th Street to U.S. 301	F	13	Construct two lanes to provide a 4LDA
Faulkenburg; Broadway Avenue to S.R. 60	F	51	Construct two lanes for a 6LDA
S.R. 60; Faulkenburg to I-75	F	35	Construct two lanes for a 8LDA
S.R. 60; 50th Street to U.S. 301	F	5	Construct two lanes for a 8LDA
U.S. 301; Bloomingdale to I-75	F	26	Construct two lanes for a 6LDA
U.S. 301; I-75 to Crosstown Expwy	F	14	Construct two lanes for a 8LDA
U.S. 301; Crosstown Expwy to Palm River Road	F	21	Construct two lanes for a 6LDA
U.S. 301; Palm River Road to S.R. 60	F	21	Construct four lanes to provide a 8LDA
U.S. 301; S.R. 60 to Brandon Brick	F	21	Construct two lanes to provide a 6LDA
U.S. 301; Brandon Brick to Broadway Avenue	F	32	Construct two lanes to provide a 6LDA
U.S. 301; Broadway Avenue to Buffalo Avenue	F	70	Construct four lanes to provide a 8LDA
U.S. 301; Buffalo Avenue to I-4	F	30	Construct two lanes to provide a 6LDA
U.S. 301; I-4 to Harney Road	F	43	Construct four lanes to provide a 6LDA

TABLE 6

Intersection Improvements Needed for Phase III (1997)

Roadway Segment	LOS w/Project Prior to Improvement	Project Traffic as % of LOS "D" (Existing Facility) Peak-Hour Capacity	Required Improvement
Buffalo Avenue & U.S. 301	F	35	Grade Separation
Buffalo Avenue & Faulkenburg Road	F	49	Add NB right- turn lanes; add WB left-turn lane; add SB & WB right-turn lanes
Buffalo Avenue & I-75	F	37	Add SB right- turn lane
Faulkenburg Road & S.R. 60	F	27	Add SB right- turn lane; add SB & EB flyover
Faulkenburg Road & Broadway Avenue	F	63	Add EB left- turn lane (dual)
U.S. 301 & Bloomingdale Avenue	F	9	Improve signal phasing
Faulkenburg Road & Woodberry Extension	N/A	N/A	Add NB left- turn lane
U.S. 301 & Causeway Boulevard	F	9	Add EB left-turn lane (dual)

b. Option 2

The capacity and loading of transportation facilities within the EASTSHORE COMMERCE PARK transportation area, including but not limited to the regional roadways and intersections referenced in Option 1, shall be limiting factors to construction of Phase IIB and Phase III. Accordingly, the Developer shall generate and provide Hillsborough County, the Tampa Urban Area MPO, the FDOT and the TBRPC, pursuant to the provisions of Section 380.06, Florida Statutes, as amended, with updated current traffic counts on the above roadways and projections of traffic volumes that will result from the completion of Phase I and Phase IIA plus that to be generated by the next portion of project development which the Developer is seeking to construct. Each updated traffic analysis shall serve to verify the findings of the development DRI-Application traffic analysis (referenced in this report as Option 1) or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the roadways referenced in Option 1 at a satisfactory Level of Service, (peak hour Level of Service D). Both the traffic counts and the projection of traffic volume shall be prepared consistent with generally accepted traffic engineering practices and the methodology determined at a traffic methodology meeting of all appropriate agencies. Prior to any Phase IIB and Phase III construction, the County, or its designee, shall ensure in written findings of fact that the above roadways will operate at or above a peak hour Level of Service D at the time of completion of such construction.

c. Option 3

In lieu of Option 1 or 2 above, the Developer may elect Option 3 as set out herein. The pipeline option is being pursued to accommodate Phase I and 40 percent of Phase II (in terms of total trip generation) transportation impacts (hereinafter 40% of Phase II shall be referred to as "Phase IIA" and the balance of Phase II shall be referred to as "Phase IIB"). The pipeline fair share calculation for Phase I and Phase IIA, in accordance with current adopted methods, procedures and policies of Hillsborough County, TBRPC, Florida Department of Community Affairs ("DCA") and FDOT, has been determined to be One Million Eight Hundred Thirty Nine Thousand Four Hundred Ninety Four Dollars (\$1,839,494.00) ("Pipeline Fair Share Amount"). Prior to development beyond Phase IIA, a determination shall be made by Hillsborough County and coordinated by the County in writing with the other appropriate agencies whether or not a pipeline option for mitigation for the remainder of the project is permissible. If so, the Development Order shall be amended to identify a pipeline project(s) and fair share amount which will mitigate the remainder of the development. The requirements of Option 3 have been determined to be the appropriate requirements to cure and mitigate the impacts of Phase I and Phase IIA on regionally significant transportation highway facilities within the primary impact area. The approval 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 and construct Woodberry Road from and including the intersection of Faulkenburg Road to and including the intersection of U.S. 301. The location and description of said Woodberry Road Extension project is based upon Hillsborough County's proposed alignment of said roadway and is provided on "Exhibit B", attached hereto. Hereinafter said project shall be referred to as the "Required Improvement". The Required Improvement shall be designed, at a minimum, to Hillsborough County standards and to applicable FDOT standards at the U.S. 301 intersection.

It is understood and agreed that the first two lanes of the Required Improvement is a "site access improvement", the expense for which the Developer is required to bear in addition to the Pipeline Fair Share Amount. Conversely, the third and fourth lanes of the Required Improvement represent additional lanes beyond those required by the Development of Phase I and Phase IIA for site access. Accordingly the pipeline improvement required under this Development Order is the third and fourth lane of the Required Improvement ("Pipeline Improvement"). The Required Improvement shall be constructed as a single project.

The Developer shall provide the necessary right-of-way for that portion of the Required Improvement lying within the project boundaries.

Hillsborough County shall provide the necessary right-of-way for that portion of the Required Improvement lying between the easterly boundary of EASTSHORE COMMERCE PARK and Faulkenburg Road, said land being owned by Hillsborough County.

Upon completion of the Required Improvement the Developer and Hillsborough County shall simultaneously dedicate said roadway to Hillsborough County. Prior to dedication of the Required Improvement, Hillsborough County shall allow the Developer all right, access and use of its property described above necessary to construct the Required Improvement.

- (2) The Hillsborough County Road Network impact fee in accordance with Ordinances 86-4 as amended by 87-19 (Roadway Improvements) and 85-24E as amended by 86-5 and 87-17 (Right-of-Way) is approximately Five Hundred Ninety Eight Thousand Six Hundred Thirty Four Dollars and Thirteen Cents (\$598,634.13) for Phase I and Phase IIA of EASTSHORE COMMERCE PARK, based on external daily trips. (Hereinafter said Ordinances shall be together referred to as the "Transportation Impact Fee Ordinances".) The "Fair Share" contribution by the Developer for Phase I and Phase IIA in accordance with Section 380.06, Florida Statutes, as calculated by Hillsborough County, FDOT and TBRPC is approximately One Million Eight Hundred Thirty Nine Thousand Four Hundred Ninety Four Dollars (\$1,839,494.00).

- (3) The cost of the Required Improvement is approximately Five Million Thirty Three Thousand Seven Hundred and Two Dollars (\$5,033,702.00), which amount includes design, right-of-way, construction and construction inspection, one-half

of which is attributable to the Pipeline Improvement, as described in paragraph B.1.c.(1), above.

- (4) Buildings within EASTSHORE COMMERCE PARK shall be subject to the Transportation Impact Fee Ordinances, as they may be amended from time to time, provided however that the Pipeline Fair Share Amount shall be applied toward and be a credit against impact fees imposed thereunder. Nothing herein shall be construed as a waiver of Developer's right to contest the validity of the Transportation Impact Fee Ordinances or the impact fees assessed thereunder.

The estimated cost of the Required Improvement (\$5,033,702.00) as described in paragraph B.1.c.(3) above includes the Developer's site related improvement (\$2,516,851.00), and the Pipeline Improvement (\$2,516,851.00) which is funded by the Developer's Pipeline Fair Share Amount (\$1,839,494.00) and an advancement by the Developer of future (Phase IIB and Phase III) transportation impact fees and/or Fair Share assessments (\$677,357.00).

Inasmuch as the estimated cost of the Pipeline Improvement (\$2,516,851.00) is in excess of the Pipeline Fair Share Amount, the amount of the actual cost of the Pipeline Improvement, including the costs of design, right-of-way, construction and construction inspection that exceeds the Pipeline Fair Share Amount shall be applied toward and be credited against applicable transportation Impact Fees and/or fair share assessments under Section 380.06, Florida Statutes, for Phase IIB and Phase III, provided however, that such credit shall not exceed \$677,357.00 (the amount which represents the difference between the estimated cost of the Pipeline Improvement and the Pipeline Fair Share Amount).

The value of right-of-way provided for the Required Improvement shall be 33.34% (zone 4 "r/w to construction ratio" per Ordinance #85-24E) of one-half of the cost of design, construction, and construction inspection of the Required Improvement provided that credit shall only be given for right-of-way provided by the Developer and provided further that the right-of-way attributable to the site related improvement (one-half of the right-of-way necessary for the Required Improvement) is not eligible for credit.

- (5) Developer agrees to construct the Required Improvement and shall commence same no later than thirty six (36) months from the date of final approval of this Development Order subject to no appeals or commencement of construction of the Development, whichever is earlier, and construction shall be completed within eighteen (18) months after commencement of construction of the Required Improvement. During construction of the Required Improvement, the Developer may proceed with Phase I and Phase IIA, provided however that no occupancy of buildings within these phases shall occur and no Certificates of Occupancy for these phases shall be issued until completion of the Required Improvement. For purposes of the above referenced provision,

9/27/91
★
36
18
54 months
(4 1/2 yrs.)

occupancy shall not mean use of buildings for which a Certificate of Occupancy is not required.

(6) The Developer agrees to use due diligence within the time frames set forth above, to design and identify right-of-way needs, provide the right-of-way and construct the Required Improvement.

(7) If the Required Improvement has not been constructed within the above stated period no further building permits or certificates of occupancy shall be issued. After concurrence from TBRPC, the County shall either require the Developer to immediately complete the Required Improvement or may require the Developer to provide the County a bond or Letter of Credit in the full amount of the cost of the uncompleted portion of the Required Improvement. The County shall determine the reasonable amount of the Letter of Credit required from the Developer. The County shall draw down on the Bond or on the Letter of Credit for completion of the Required Improvement and shall complete the Required Improvement as expeditiously as possible.



(8) The Developer shall design and construct the Required Improvement regardless of cost. If the cost of the Required Improvement is estimated at any time by the Developer to exceed Five Million Thirty Three Thousand Seven Hundred Two Dollars (\$5,033,702.00), the Developer may request a review and reconsideration by the County, TBRPC, FDOT and other reviewing agencies of the transportation assessment obligations of this Development Order. Any change to the pipelining project, schedule or transportation assessment obligations agreed to by the County and other review agencies shall be accomplished through an amendment to the Development Order.

*Extension
Could affect
Costs due to
inflation
Need to review
prop. share
calc.*

(9) In the event that the performance by the Developer of the commitments set forth in this Development Order shall be interrupted or delayed by war, riot, civil commotion or natural disaster then Developer shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(10) The applicant, or its assigns, shall prepare and implement a Transportation Systems Management (TSM) program upon issuance of Certificates of Occupancy for 800,000 square feet of office/showroom space (or the equivalent thereof in terms of trip generation) which will divert a number of vehicle trips from the PM peak hour which is consistent with the assumptions used to prepare the ADA. The plan shall be reviewed by Hillsborough County, HART, the Tampa Urban Area MPO, FDOT and TBRPC.

well with Ph. 3

The TSM program 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. Results of the TSM program shall be included in the Annual Report.

If the Annual Report indicates that the total traffic diversions are not being met, Hillsborough County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19) Florida Statutes, and amend the Development Order to change TSM objectives and/or require additional roadway improvements. The results of the TSM study may serve as a basis for the Developer and reviewing agencies to request Development Order amendments.

In addition, this TSM program shall be developed in cooperation with Hillsborough County, FDOT, the Tampa Urban Area MPO, HART and TBRPC. This program shall seek to implement and will be measured by the TSM objectives and policies set forth in the Florida Transportation Plan and shall include, but not be limited to:

"Policy: Promote ridesharing by public and private sector employees.

OBJECTIVES:

- * Increase urban area peak automobile occupancy rates by 10 percent by 1995 through expanded ridesharing efforts.
- * Increase peak hour occupancy rates for transit and other high occupancy vehicles by 20 percent by 1995."

2. General Transportation Conditions.

a. A transportation improvements plan and schedule for the CENTRAL Hillsborough area in cooperation with FDOT, TBRPC, the Tampa Urban Area MPO and developers in the study area shall be developed. The plan shall consider all approved developments in the area including previously approved DRIs and projected development. The plan shall be commenced within one year of the issuance of Phase I building permits and be completed prior to issuance of building permits for Phase II. In lieu thereof, issuance of a Development Order approving an areawide DRI including the project site shall satisfy this requirement. The ongoing I-75 Development Standards Study and the Capital Improvements Element of the Hillsborough County Comprehensive Plan, currently being revised, shall satisfy this condition. The parameters for this interim transportation plan or areawide DRI traffic analysis shall include but not be limited to:

- (1) The regionally significant roadways which shall be included in the focus of the transportation plan, as well as identification of additional roadways to be constructed within the study area.
- (2) The existing, approved and projected development to be included within the plan.
- (3) The manner by which the traffic impact of existing development will be documented and assessed.
- (4) The manner by which the traffic impact of approved and projected development will be documented and assessed.

- (5) The procedures by which mass transit shall be studied as a viable alternative to alleviate overburdening of the roadways.
- (6) Identification of specific construction implementation goals, such as right-of-way acquisition and implementation of additional north/south and east/west corridors designed to coincide with transportation improvement needs generated by each phase completion for projects approved within the study area.
- (7) Identification of funding sources for the prescribed improvements.

Nearly the entire app. amend.

b. When Certificates of Occupancy have been issued for 800,000 square feet of office/showroom (or the equivalent thereof in terms of trip generation) an annual monitoring program to provide peak-hour counts at project entrances shall be instituted to verify that the projected number of peak-hour external trips for the development are not exceeded. Counts will continue on an annual basis through build-out. This information shall be supplied in the required Annual Report. If an annual report is not submitted within 30 days of its due date, or if the Annual Report indicates that the total trips exceed projected counts by more than 15 percent, Hillsborough County shall conduct a substantial deviation determination pursuant to Subsection 380.06(19), Florida Statutes, and may amend the Development Order to change or require additional roadway improvements. The results of the study may also serve as a basis for the developer or reviewing agencies to request Development Order amendments.

If the variance is determined to be a substantial deviation, the revised transportation analysis required pursuant to Subsection 380.06(19), Florida Statutes, will be 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.

- c. In addition to the Pipeline Fair Share Amount, the Developer shall pay for the design, purchase and installation of a traffic signal at the intersection of U.S. 301 and Woodberry Road to accommodate the geometry for Phase I and Phase IIA if permitted by the FDOT when signalization warrants are met at this intersection, including the coordination of the signal to adjacent signalized intersection, if required by FDOT.
- d. Hillsborough County shall be responsible for the signalization of the intersection of Faulkenburg Road and Woodberry Road. However, because Woodberry Road shall serve as one of the accesses for this development, the Developer shall pay the County its share of the cost of said signalization, which amount is in addition to the Pipeline Fair Share Amount. The share shall be determined using the method for fair share calculation which is in effect when the signal is installed. This share shall be paid when the development of the first phase begins.
- e. In addition to the Pipeline Fair Share Amount, the Developer shall pay for the design, purchase and installation of traffic signals, including the coordination of the signals to adjacent signalized intersection if required by the County, at the other access on Faulkenburg Road and the access on Columbus Drive when these accesses meet signalization warrants.

- f. All internal roads shall be designed in accordance with Hillsborough County Standards, where applicable.
- g. The Developer shall, within thirty (30) days of the date of final approval of this Development Order subject to no appeals, notify the County, TBRPC and DCA of its election of Option 1, 2 or 3 under this Developer Order.
- h. The Developer shall, immediately upon commencement of construction of the Development, notify the County TBRPC and DCA of the date of such commencement.

C. Air Quality/Wind and Water Erosion

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1. The applicant shall submit a new air quality analysis if the 1987 fiscal year TIP road improvements, upon which the original air quality analysis is based, are not completed by build-out of Phase I. In the event a new air quality analysis is required, Hillsborough County reserves the right to require mitigation measures or a revision of the master plan to alleviate any impacts of the project on ambient air quality.
 2. The Developer shall undertake the measures referenced in the Application (ADA page 13-11) at a minimum to reduce erosion, fugitive dust and other adverse air emissions during all phases of development.

D. Soils

The soil conservation measures referenced in the Application (ADA pages 14-11 and 14-12) and the measures to reduce erosion, fugitive dust and air emissions referenced in the Application (ADA pages 13-11) at minimum, shall be implemented.

E. Stormwater Management and Water Quality

1. Prior to construction plan approval and the subsequent issuance of building permits, the Master Stormwater Management (Drainage) Plan and supporting calculations for EASTSHORE COMMERCE PARK shall be submitted to TBRPC for review and to Hillsborough County and the Southwest Florida Water Management District ("SWFWMD") for approval. The stormwater management system shall be designed to meet all applicable Hillsborough County and SWFWMD regulations which are in effect at the time of submittal and review of construction plans for a particular phase of the project unless the appropriate reviewing agencies determine that the regulations in effect at the time of Master Stormwater Management Plan approval are still adequate to address the stormwater impacts of the Development, in which event, the regulations in effect at the time of Master Stormwater Management approval shall apply.
2. The proposed stormwater management system shall be designed, constructed, and maintained to meet or exceed Chapter 17-25, F.A.C., and 40D-4, Rules of SWFWMD. Treatment shall be provided by biological filtration, wherever feasible.
3. Best Management Practices for reducing water quality impacts, as recommended by Hillsborough County and SWFWMD in accordance with the applicable regulations of these agencies shall be implemented, including a street cleaning program for parking and roadway areas within the development.

4. In order to protect water quality in the Harney Creek Drainage basin, there shall be no degradation of adopted water quality standards by the development's stormwater exiting the site. Therefore, the developer shall implement a semiannual surface water quality monitoring program, to be instituted before any construction activity takes place in each subbasin of the project and to continue through build-out of development within each subbasin, at minimum. If more stringent water quality monitoring is required by SWFWMD or Florida Department of Environmental Regulation ("DER") in applicable permits, the conditions of the permit shall supercede this requirement. Any violation of Chapter 17-3, F.A.C., by the developer, or its assigns shall require corrective measures as set forth by DER. The following shall apply:
 - a. Sampling locations shall be determined in cooperation with Hillsborough County, DER, SWFWMD and TBRPC.
 - b. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/DER Quality Control Standards and Requirements.
 - c. The monitoring results shall be submitted to Hillsborough County, DER and SWFWMD immediately. Should the monitoring indicate that applicable state water quality standards are not being met by the developer, or its assigns, all construction within the subbasin(s) where the violation is noted shall cease until the violation is corrected; or if specific construction activities can be identified as causing the violation, all such activity shall cease until the violation is corrected.
5. All drainage easements necessary to accommodate any and all of the impacts of the Development shall be donated by the Developer to the County as required and in accordance with the appropriate County policy in effect at the time of construction plan submittal and review. All easement documents must be fully executed prior to the issuance of Certificates of Occupancy.
6. The Developer shall operate and maintain all on-site stormwater management facilities unless otherwise required or approved by the County.
7. There shall be no loss of hydrologic storage capacity within the 25-year floodplain. No habitable structures shall be allowed in the designated 25-year floodplain unless provisions are made to compensate for reduction in natural storage area caused by the development. Finish floor elevations for all habitable structures shall be at or above the 100-year flood elevation.
8. All drainage facilities within the confines of this project necessary for the proper functioning of this project are to be improved by the Developer, where necessary.
9. Except as otherwise permitted by the County Stormwater Management Department, all major drainage outfalls are to be designed to convey the 50 year conveyance with a foot of freeboard without increasing high waters.
10. 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 Engineering Review Manager:

- 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.
11. To maintain good water quality, the project must be designed to properly treat stormwater runoff, thereby complying with the requirements of the Florida Administrative Code 17-25. Regulations of Stormwater Discharge. Stormwater Management plans and calculations must be submitted to Hillsborough County Environmental Protection Commission through Department of Development Review prior to issuance of any SWFWMD stormwater discharge permit. Prior to Commercial Site Plan approval, the developer must submit to the County Environmental Protection Commission a copy of the Southwest Florida Water Management District stormwater discharge permit or exemption for the project.

F. Open Space/Wetlands/Vegetation and Wildlife

1. Any activity interfering with the integrity of the wetlands, such as clearing, excavating, draining or filling, without written authorization from the Director of Environmental Protection Commission or his designated agent, pursuant to Section 17 of the Hillsborough County Environmental Protection Act and of Chapter 1-11, Rules of Environmental Protection Commission shall be prohibited.
2. The portions of the EASTSHORE COMMERCE PARK site which meet the definition of preservation and conservation area, as defined in the Council's adopted growth policy, Future of the Region, Sections 10.1.2 and 10.3.1 shall be so designated on any subdivision plats submitted to Hillsborough County as on Map H of the Application.
3. In order to protect the natural values of preserved/conserved wetland areas, the following shall be required, at minimum:
 - a. Except as permitted by agencies having jurisdiction:
 - (1) No hydroperiod alteration shall be permitted in conservation or preservation areas as identified on the Master Site Plan.
 - (2) No dredging, filling or development activities will be allowed within preservation areas. Activities within the conservation areas shall be limited to stormwater management outfall structures and boardwalks under condition as stipulated by Section IV,F.1., above.
 - b. All losses of viable wetlands shall require 1:1 in-kind wetland replacement. The viability of each wetland shall be determined by the Hillsborough County Environmental Protection Commission. Mitigation for wetland losses shall be implemented prior to or concurrent with the wetlands being disturbed.
 - c. All mitigation areas and littoral shelves shall be monitored quarterly for year one (1), semi-annually for years two (2) and three (3) (and, if forested, annually for years four (4) and five (5)). Monitoring results shall be provided in each Annual Report. Monitoring shall include species diversity and composition and efforts to control nuisance species encroachment. Additional planting may be required to maintain an

eighty-five percent (85%) survival/cover of planted species at the end of each year of the monitoring period.

4. Representative tracts of the pine flatwoods and sand live oak hammock shall be preserved on-site as committed to in the Application (Sufficiency Response #1, p.18-6).
5. In the event that any species listed in Sections 39-27.003 .005, F.A.C., are observed frequenting the site for nesting, feeding, or breeding, proper protection/mitigation measures shall be employed immediately in cooperation with the Florida Game and Fresh Water Fish Commission ("FGFWFC").
6. The Developer shall be responsible for maintaining all landscaped and open space areas within the project site other than those for which Hillsborough County has assumed maintenance responsibilities.

G. Public Facilities

1. Prior to or simultaneous with construction plan or commercial site plan approval for all or a portion of the development, the Developer shall stipulate to the satisfaction of Hillsborough County, in accordance with applicable regulations, the manner by which the Developer will participate in the provision or expansion of internal water supply (if applicable), supply lines, and facilities to service EASTSHORE COMMERCE PARK. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for the building construction which is the subject of the building permit.
2. Prior to or simultaneous with construction plan or commercial site plan approval for all or a portion of the development, the Developer shall ensure the provision of fire flows acceptable to Hillsborough County, in accordance with applicable regulations. The installation of a sprinkler system, fire hydrants or fire plan shall be options to ensure the provision of acceptable fire flows. No building permits shall be approved without verification from the Hillsborough County Fire Department that sufficient fire flow required to serve such building is available.
3. Prior to construction plan approval for all or a portion of the development, the Developer shall provide documentation to the Department of Development Review a master plan for wastewater collection, treatment and effluent disposal facilities approved and permitted by the Utilities Department or other applicable entity. No building 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 a building permit application.
4. If an interim wastewater treatment facility is utilized, it shall be subject to the provisions of Section 4 Wastewater Treatment Plants and Facilities of the Hillsborough County Zoning Code, and the Hillsborough County Interim Wastewater Treatment Plant Policy, copies of which are attached hereto as "Exhibit C". The interim facility shall be phased out in accordance with the provisions of said Section 4.
5. Prior to issuance of Certificates of Occupancy, the Developer shall verify to the satisfaction of Hillsborough County that adequate solid waste disposal, electricity, fire, emergency medical services and police capabilities and facilities are available for the building(s) that are the subject of such Certificate of Occupancy.

6. Concurrent with issuance of the first Certificate of Occupancy, the Developer shall use non-potable water, if available, for landscape and open space irrigation unless otherwise approved by Hillsborough County. The Developer shall submit a plan to Hillsborough County and TBRPC for using non-potable water for irrigation in the first Annual Report following issuance of the first Certificate of Occupancy. Applicable Hillsborough County regulations and procedures may be adequate to meet this requirement. The lowest quality water available shall be used for irrigation. Further, the Developer shall adhere to its commitment regarding use of treated effluent as stated in the Application (Sufficiency Response #1, p. 23-1).
7. Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Subsection 533.14, Florida Statutes, 1985) and native vegetation shall be used in landscaping wherever feasible.
8. The collection, transportation and disposal of solid waste is controlled by Hillsborough County ordinance and shall take place in accordance with the terms of said ordinance.
9. The Developer shall be responsible for maintenance and operation of any on-site wells. There shall be no utilization or construction of any onsite wells as a source of potable water unless approved by Hillsborough County and appropriate reviewing agencies.
10. Septic tanks shall not be permitted for use on-site, provided that temporary septic tanks may be used in connection with construction activities if such temporary facilities comply with all applicable regulations.
11. No disposal of non-domestic or hazardous waste into the sanitary sewer system shall be permitted.
12. EASTSHORE COMMERCE PARK sewer lines shall be monitored for leaks and ruptures once every three (3) years until such time as said lines are dedicated to the County. The entity(ies) to carry out the monitoring shall be the developer, or its assigns. Faulty lines shall be replaced as quickly as possible.

H. Hazardous Waste

1. Prior to the issuance of Certificates of Occupancy, the Developer shall, if not in conflict with Hillsborough County plans and policies, and only as required to accommodate hazardous waste generators in the project (if any) provide 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), Florida Statutes, and listed in Title 40 CFR Part 261), as amended.
2. The Developer shall, notify in writing, all project businesses of the location of the specially-designated hazardous waste and materials containers.
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 of hazardous substances as defined by applicable Federal and State regulations, shall implement a site-specific surficial aquifer monitoring program as

required by Hillsborough County, Hillsborough County Environmental Protection Commission ("EPC") 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 the duties of local EMS/fire and police departments and hospitals. The plan shall be included in the first Annual Report following occupancy within the park by large quantity generators of hazardous substances (if any).

5. All temporary hazardous waste storage facilities shall meet applicable federal, state and local laws, rules and regulations, and where appropriate, 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 United State Environmental Protection Agency ("USEPA") identification numbers.
7. The Developer shall provide to all EASTSHORE COMMERCE PARK businesses information that:
 - a. Indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and
 - b. Describes construction requirements for hazardous waste holding areas; and
 - c. Advises of applicable statutes and regulations regarding hazardous wastes and materials.
8. All EASTSHORE COMMERCE PARK tenants that generate hazardous waste should utilize waste exchanges. A report of such use shall be included in each Annual Report.
9. Any EASTSHORE COMMERCE PARK tenants that generate hazardous waste shall re-evaluate their waste streams to determine whether the quantity of waste can be reduced, or if other raw materials can be substituted in the process that may render the waste non-hazardous. Such re-evaluations shall be reported in each Annual Report for the development.
10. EASTSHORE COMMERCE PARK shall develop an ongoing survey which will locate and catalog tenant businesses where hazardous materials and wastes are stored, handled or transported. The ultimate fate or disposal of the substances shall also be recorded. The results of this survey shall be reported to Hillsborough County on an annual basis.

I. Hurricane Evacuation

The Developer shall promote awareness of, and shall cooperate with local and regional authorities having jurisdiction to issue hurricane evacuation orders. The Developer shall prepare a plan to ensure that safe and orderly evacuation of employees when a Level C, D or E evacuation order, (as appropriate), is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all residents and employees of evacuation routes out of the flood prone area and measures to be fulfilled in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first Annual Report.

J. Energy Conservation

1. The energy conservation measures referenced in the Application (ADA pages 25-2 and 25-5) shall be complied with by the Developer. The following energy conservation measures shall also be encouraged by the Developer or its assigns:
 - a. The establishment of energy policies, energy use monitoring and energy conservation, using a qualified energy use analyst;
 - b. The institution of programs to promote energy conservation by employees, buyers, suppliers and the public;
 - c. The institution of programs to reduce levels of operation of all air conditioning, heating, and lighting systems during non-business hours and the use of energy efficient cooling, heating and lighting systems;
 - d. The institution of recycling programs;
 - e. The elimination of advertising requiring lighting after business hours;
 - f. The employment of innovative energy alternatives such as solar energy, resource recovery, waste heat recovery and cogeneration;
 - g. The installation of total energy systems on large facilities, when cost effective;
 - h. Use of the most energy efficient technology economically feasible in the construction and operation of the project's facilities; and
 - i. Use of landscaping and retention of existing vegetation as a means for energy conservation.

A report on the implementation of and participation in these and any other energy programs shall be included in each Annual Report.

K. Equal Opportunity/Economy

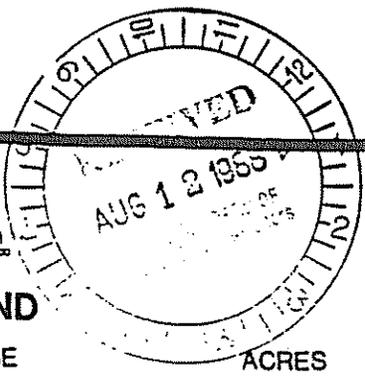
1. The Developer shall encourage the promotion of entrepreneurship and small and minority-owned business start ups and provide for non-discriminatory employment opportunities within the development. A report on equal opportunity employment programs utilized by project business and the program's effect should be incorporated into the Annual Report following issuance of the first Certificates of Occupancy for project businesses.
2. The Developer shall 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.
3. The Developer shall encourage employers in EASTSHORE COMMERCE PARK to institute programs to provide child care facilities at the place of employment or as a cooperative effort with other businesses. A report on child care programs utilized by project business employees should be incorporated into the Annual Report following issuance of the first Certificates of Occupancy for project businesses.

L. Historical or Archaeological Resources

1. The discovery of any historical or archaeological resources shall be reported to the Florida Division of Historical Resources and Hillsborough County and the disposition of such resources shall be determined in cooperation with the Florida Division of Historical Resources and Hillsborough County.

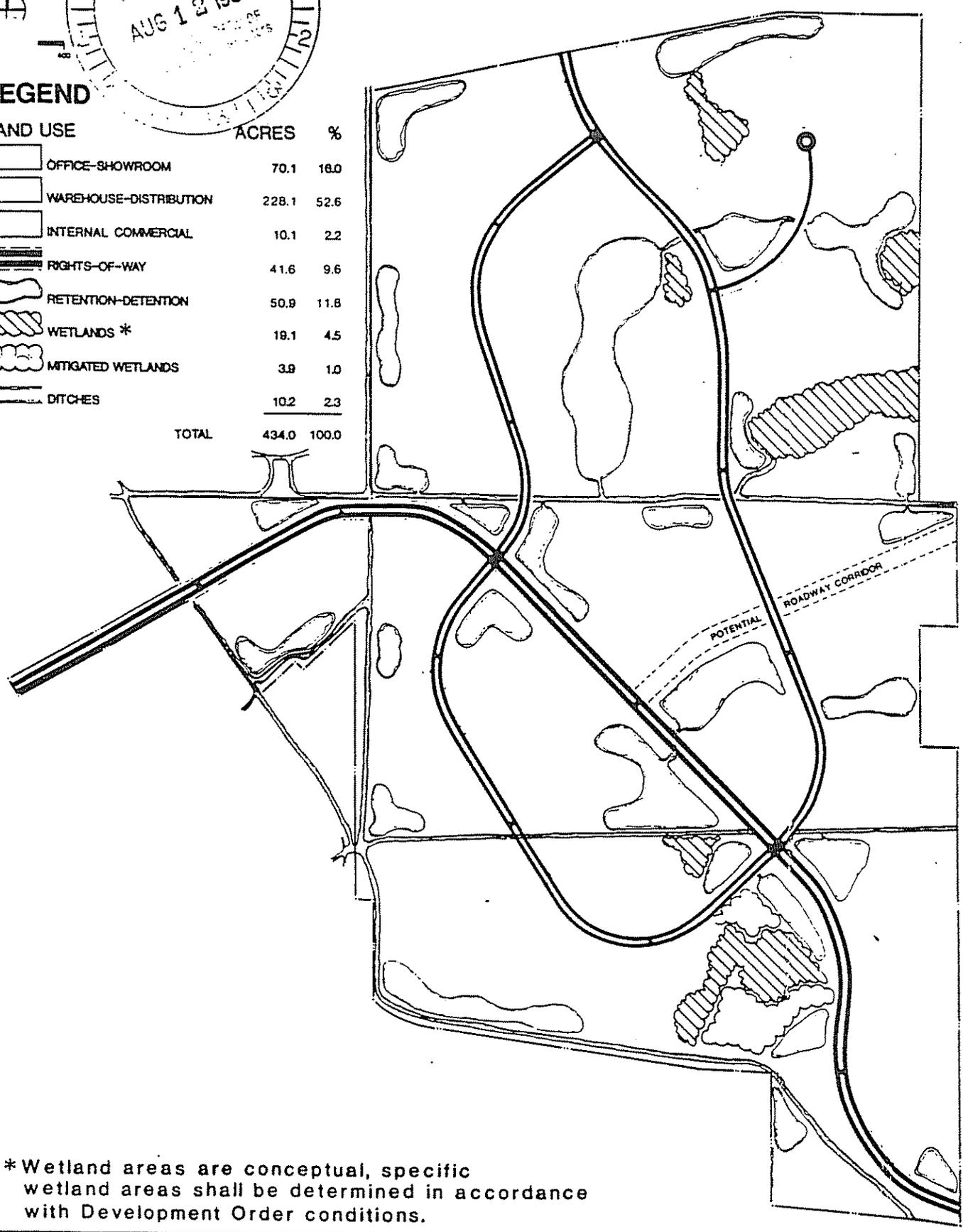
M. General

1. Any approval of the EASTSHORE COMMERCE PARK development shall at minimum, satisfy the provisions of Subsection 380.06(15), Florida Statutes, as amended.
2. All of the final Developer's commitments set forth in the ADA, and as summarized in Attachment 1 entitled "Developer Commitments" shall be honored, except as they may be superceded by specific terms of the Development Order.
3. Portions of the project which apply for commercial site plan approval or final plat approval after the Board of County Commissioners formally adopts development standards for the I-75 Corridor Plan shall comply with such standards. In the event applicable I-75 Corridor development standards would significantly impair or alter the design or character of the project as approved in the DRI process, the developer shall be entitled to a public hearing on this matter before the Board and may propose alternative mitigative strategies. In no event shall the agreed upon standards be less than those specified in the Development Order unless such conditions are modified pursuant to Section 380.06, Florida Statutes.



LEGEND

LAND USE	ACRES	%
OFFICE-SHOWROOM	70.1	16.0
WAREHOUSE-DISTRIBUTION	228.1	52.6
INTERNAL COMMERCIAL	10.1	2.2
RIGHTS-OF-WAY	41.6	9.6
RETENTION-DETENTION	50.9	11.8
WETLANDS *	18.1	4.5
MITIGATED WETLANDS	3.8	1.0
DITCHES	10.2	2.3
TOTAL	434.0	100.0



* Wetland areas are conceptual, specific wetland areas shall be determined in accordance with Development Order conditions.

**EASTSHORE
COMMERCE PARK
MASTER PLAN**

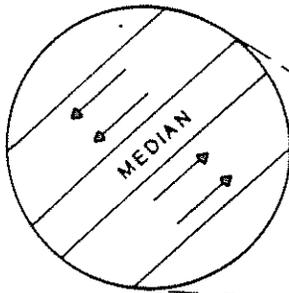
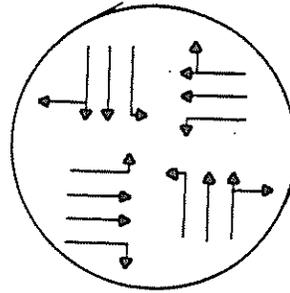
**DESIGN
ARTS**
EXHIBIT "A"
**REVISED
MAP H**
FLORIDIANVILLE CORPORATION
1985
THE DESIGN ARTS GROUP, INC.
1985



0 100 200 300

EXISTING WOODBERRY ROAD

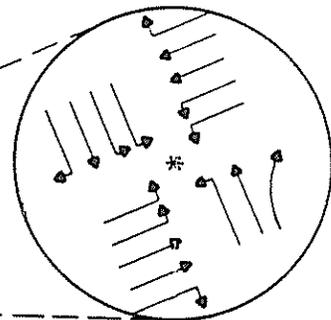
FAULKENBURG ROAD



EAST LOOP ROAD

WEST LOOP ROAD

WOODBERRY EXTENSION



U.S. 301

BRANDON BRICK ROAD

* This intersection shall be constructed as indicated or as required by the F.D.O.T.

EASTSHORE COMMERCE PARK

DESIGN
ARTS

MEMORANDUM FOR THE RECORD

WOODBERRY EXTENSION ALIGNMENT

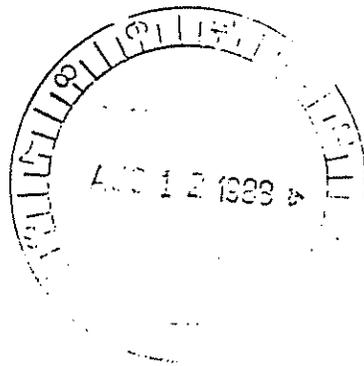
EXHIBIT "B"

THE DESIGN ARTS GROUP, INC.
11000 W. 10th Avenue, Suite 100
Denver, Colorado 80202
Tel: 303-751-1000



EXHIBIT C
Pages 1 thru 9

SECTION 4: Wastewater Treatment Plants and
Facilities of Hillsborough County
Zoning Code
Hillsborough County Interim Wastewater
Treatment Plant Policy



WASTEWATER TREATMENT PLANTS AND FACILITIES (Amended 5-88)

The following specific standards shall be used in deciding application for approval of such uses:

- (1) The Wastewater Treatment Plant and Facilities shall be secured from public access. A solid fence, a minimum of six feet in height, and berms and/or landscaping shall be required around the Wastewater Treatment Plant. A fence, a minimum of six feet in height, shall be required around the ponds. Pump/Lift Stations shall be secured either by a fence six feet in height or by the use of other vandal proof construction measures which will provide protection against entry or damages. These requirements may be waived by the Zoning Administrator upon demonstration that protection to an equal or greater extent is provided.
- (2) For all Wastewater Treatment Plants and Facilities, the Engineer of Record shall certify that the design plans for the Plant and Pump/Lift Stations include nuisance control (odor and noise control) mitigation measures approved by the Hillsborough County Departments of Engineering and Water and Wastewater Utilities and shall ensure that such measures are installed. The mitigation measures shall be designed relative to the facility's size, design and intensity and may include, in part, landscaping measures.
- (3) The operation of a public or privately owned operated interim wastewater facility shall be discontinued and public wastewater service shall be utilized within six months of the availability of public wastewater service with adequate capacity at any project boundary unless otherwise provided for in an Interim Wastewater Treatment Agreement.
- (4) Prior to placement of any Wastewater Plant and Facility onsite, the developer shall provide evidence of approval from the applicable permitting agencies.
- (5) Distance requirements for Wastewater Treatment Plants and Facilities shall be as follows:
 - A. Wastewater Treatment Plant Type 1 - Interim Wastewater Treatment Plants under 500,000 gallons per day (g.p.d.)

For Type 1 Plants there shall be a distance requirement of 150 feet from the plant to any offsite agriculturally or residentially zoned or used land or to any onsite platted lot or dwelling unit.
 - B. Wastewater Treatment Plant Type 2 - Permanent Wastewater Treatment Plants under 500,000 g.p.d.

For Type 2 Plants there shall be a distance of 250 feet from the plant to any offside agriculturally or residentially zoned or used land or to any platted lot or dwelling unit.
 - C. Wastewater Treatment Plant Type 3 - Wastewater Treatment Plants of 500,000 g.p.d. or greater

For Type 3 Plants there shall be a distance requirement of 500 feet from the Plant to the project boundary. There shall be no platted lots or dwelling units within this distance requirement. If the plant is located in the Industrial Category of the Comprehensive Plan, the distance requirement shall be 250 feet.
 - D. Neighborhood Pump/Lift Station serving less than 3000 equivalent dwelling units (e.d.u.)

There shall be no minimum distance requirement for Neighborhood Pump/Lift Stations.



E. Master Pump/Lift Stations serving 3000 e.d.u.s or greater

There shall be a distance requirement of 20 feet from the Master Pump/Lift Station to the edge of the lot. Only nonresidential or agricultural structures and parking may be located within the specified distance. There shall be a distance requirement of fifty feet from the Pump/Lift Station to any surrounding residential structures or building envelopes.

(6) The following review process shall be followed in approving Wastewater Treatment Plants and Facilities:

A. Wastewater Treatment Plant

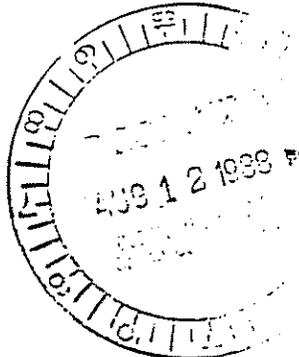
1. Type 1 - Shall be determined by the Board of County Commissioners as a Personal Appearance as outlined in Section 13.7 of Hillsborough County Ordinance 85-10.
2. Type 2 - Shall be determined by the Board of County Commissioners as a Personal Appearance as outlined in Section 13.7 of Hillsborough County Ordinance 85-10.
3. Type 3 - Shall be reviewed by the Zoning Hearing Master and the Board of County Commissioners as outlined in Article XIII of Hillsborough County Ordinance 85-10.

B. Pump/Lift Stations

1. Neighborhood - Shall be determined by the Zoning Administrator.
2. Master - Shall be determined by the Board of County Commissioners as a Personal Appearance as outlined in Section 13.7 of Hillsborough County Ordinance 85-10.

(7) A waiver of distance requirements for Wastewater Treatment Plants and Facilities may be approved by the Board of County Commissioners in cases involving practical difficulties, unnecessary hardship, or superior alternatives. These difficulties, hardships, and alternatives may include but not be limited to adjacency to environmentally sensitive land, major rights-of-ways or retention areas. The waiver request shall be heard using the Personal Appearance Procedure as outlined in Article XIII of Hillsborough County Ordinance 85-10.

In instances where the distance requirements are modified, additional conditions of approval may be required.



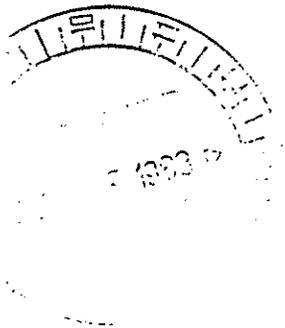
INTERIM WASTEWATER TREATMENT PLANT (IWWTP) POLICY

PURPOSE

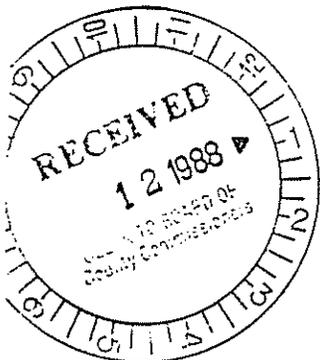
This policy provides an option for Developers to obtain interim wastewater treatment and disposal services for individual developments occurring within the County's wastewater service areas when the County has programmed service availability in its current 5 year Capital Improvements Program. This purpose can be attained through the use of interim wastewater facilities and Developer participation, provided, such use of an interim wastewater treatment facility is consistent with the planned and orderly development of the County's utility system, its long-range 201 Facilities Plan, the goals and objectives of the County's Comprehensive Plan, and the policy guidelines as provided herein.

POLICY GUIDELINES

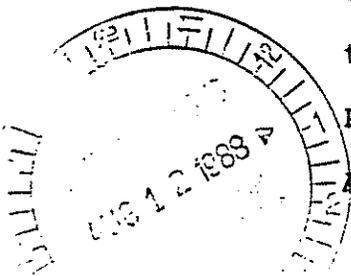
1. Prior to application for an interim wastewater treatment facility, the developer shall have first applied for wastewater service for the project at the Development Review Department and received written notification that the County is unable to provide wastewater treatment and disposal services in time to meet the Developer's building schedule and that service is programmed in the County's Capital Improvement Program.
2. If utilization of an interim wastewater treatment facility is the only reasonable alternative available to the Developer for the project, the County shall have an appropriate agreement prepared and approved by the Board of County Commissioners for each participating project or group of projects. The department may recommend approval of the use of an interim wastewater treatment facility within the following guidelines:



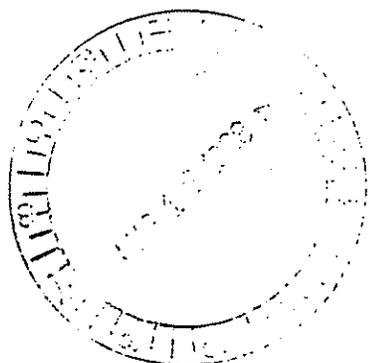
- a. The interim wastewater treatment facility shall serve one or more residential subdivisions or individually metered commercial developments or one master metered residential or commercial development subject to an approved wastewater collection system master plan. The project(s) to be served must be able to generate wastewater flows equal to the permitted capacity of the interim wastewater treatment plant.
- b. The Developer shall be responsible for all costs related to the construction, installation and removal of the interim wastewater treatment plant including, but not limited to, engineering design, permitting, site improvements, piping and site restoration. The Developer may acquire the plant by purchase or lease, but in either case, the County must be protected by proper bond, or other security, to assure performance under the agreement. The Developer will bear the cost of such bond.
- c. Sufficient effluent disposal/recovered water reuse shall be provided within the project(s) to meet the needs of the interim plant's rated and permitted capacity.
- d. The extended aeration process shall be the treatment process utilized in the plant.
- e. Plants for which an approved agreement was executed after October 29, 1986 shall be equipped with dual media deep bed filtration, preceded by alum or polymer conditioning. High level disinfection by chlorination or other approved methods of disinfection shall be used.



- f. The Developer shall pay all normal and customary capacity fees, meter installation fees, and other related charges. Capacity fees shall be paid before building permits are issued.
- g. The County shall have the right to review construction of the IWWTTP. The Developer shall remedy all deficiencies reported to Developer.
- h. A phasing/build-out schedule shall be provided by the Developer to the County and updated every six months. If the County is unable to provide off-site treatment at the time the plant is at capacity, the Developer may elect to enlarge the interim wastewater treatment plant according to these same procedures and policy guidelines.
- i. When the interim wastewater treatment plant can be phased out the Developer shall construct all off-site facilities to the designated point-of-connection identified in the Preliminary Review of the service application as part of the project development normally and customarily provided by the Developer as stipulated in existing County Ordinance. Included will be any special improvements required as a condition of rezoning or DRI approval or as stated in the interim plant agreement. The County will connect the project to the County's off-site facilities at the designated point-of-connection.
- j. In lieu of constructing offsite improvements to the designated point of connection, the County may require a payment equivalent to the cost of the off site improvements to the point of connection at the time of approval of the Interim Wastewater Treatment Plant agreement or at the time of Notification of Availability of Service.



- k. Construction of the Interim Wastewater Treatment Plant shall begin within 24 months from the date of the Interim Wastewater Treatment Plant Agreement.
- l. The County must be protected by proper bond, or other security to assure performance under paragraph 2i of this policy. The Developer will bear the cost of such a bond or security.
- m. The County shall make every effort to insure that off-site treatment facilities will be provided in accordance with the County's 201 Plan or approved master plans.
3. Operation and maintenance of approved interim wastewater treatment facilities:
- a. Master Metered Residential or Commercial Developments.
- 1) The Developer shall be responsible for wastewater treatment plant and effluent disposal facility operation and maintenance, regulator agency compliance, and all costs associated therewith until the plant is taken out of service and the project served by the plant is connected to County wastewater service.
- 2) The County will bill the Developer for County provided water service. No billings will be made for any wastewater user fees until the project is connected to County wastewater service.



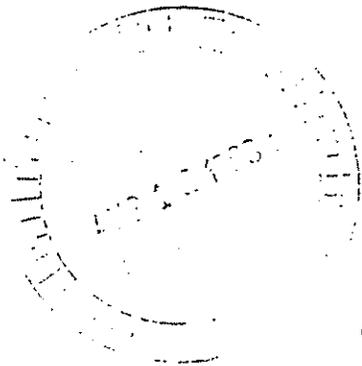
b. Residential Subdivisions or Individually Metered Commercial Projects.

1) Operations and maintenance responsibilities, regulatory agency compliance, operating costs, permits, easements and licenses.

a) The Developer shall be responsible for wastewater treatment plant and effluent disposal facility operation and maintenance, regulatory agency compliance, and all costs associated therewith until the plant operation permit, issued by the Department of Environmental Regulation (DER), is transferred to the County.

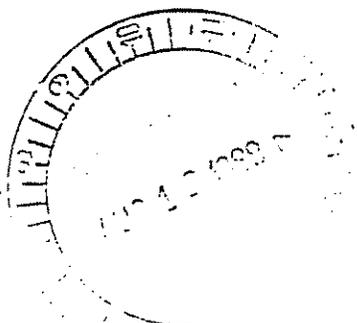
b) After the Engineer of Record certifies the plant has been built in accordance with County standards and specifications, the County has conducted a construction inspection of the plant, EPC has issued an acceptance for use letter for the IWWTP and for the initial collection system to the IWWTP, the Health Department has authorized use of the water transmission system, the County has inspected and accepted the project water transmission and wastewater collection systems and the Developer has submitted an acceptable performance security, the Department of Water and Wastewater utilities will authorize release and installation of water meters and/or waive its restriction for the release of Certificates of Occupancy.

c) When the Developer has been issued an Operation permit by DER and the Department of Water and Wastewater Utilities has completed a final



facility inspection, the County shall acknowledge receipt of the Operation permit from the Developer. Upon DER approval of the Operation permit transfer, the County will assume operation and maintenance of the plant and the associated effluent disposal facilities.

- d) When the County assumes O&M responsibilities, the County shall operate and maintain the plant and effluent disposal facilities through the use of its own employees or outside contractors. The Department of Water and Wastewater Utilities shall be responsible for negotiating applicable IWWTP operation and maintenance contracts.
 - e) Necessary easements, permits and licenses for the operation of the plant and effluent disposal facilities shall be provided by the Developer to the County together with technical and operation/maintenance manuals and as-built mylars.
- 2) Customer Billing, Developer Payment, and Plant Excess Costs.
- a) After water meters have been installed, the County will begin billing water and wastewater customer user charges. While the Developer retains operations and maintenance responsibility for the interim plant and associated facilities, the Developer shall be entitled to reimbursement of its incurred operation and maintenance expenditures each month from the wastewater consumption fees generated by customers of the IWWTP. The payment will not exceed the actual O&M costs as invoiced and



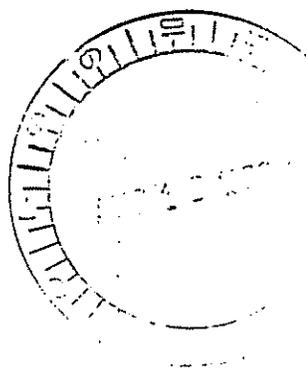
provided monthly by the Developer, the predetermined O&M costs if stipulated in the IWWTP agreement, or the monthly charges in a negotiated O&M contract agreement, whichever is applicable.

- b) After the County assumes operation and maintenance responsibility for the IWWTP, the Developer shall be responsible for all plant O&M costs in excess of the consumption revenue generated by the customers of the IWWTP. The County will bill the Developer monthly for any deficient amounts.
4. The Developer shall remove the IWWTP and restore the site within 120 days after connection of the IWWTP to an off-site facility.

RESPONSIBILITIES

The Department of Water and Wastewater utilities under the direction of the County Administrator will establish and execute procedure necessary to implement and accomplish the objectives of this policy.

E1M158WU



ATTACHMENT # 1

DEVELOPER'S COMMITMENTS

DRI #159 - EASTSHORE COMMERCE PARK

DEVELOPER COMMITMENTS

The following are developer commitments set forth in the Application for Development Approval (ADA) and Sufficiency Responses (SR) which shall be honored by the developer, except as they may be superceded by specific terms of the Development Order.

General Project Description

1. However, the Applicant will agree to a development order condition which stipulates that if approval of the crossing is not obtained from CSX prior to the commencement of Phase III (the phase in which this improvement is needed), a new transportation analysis that excludes this crossing will be conducted before proceeding with Phase III. (SR 2*, p. 12-1)

Air

2. The fugitive particulate matter emissions generated during the development phases will be minimized, and the impacts mitigated, by controlling vehicle speeds and/or by applying water or soil stabilizing chemicals as necessary to reduce vehicle generated emissions. Additionally, all disturbed areas not under development will be stabilized by seeding or paving as quickly as possible to minimize open areas exposed to both vehicle traffic and wind erosion. (ADA*, p. 13-11)

Land

3. Standard measures to reduce construction-induced soil erosion will be implemented. (ADA, p. 14-11)
4. All structural quality fill will come from on-site retention pond excavations or from properly permitted commercial borrow pits. (SR*, p. 14-1)
5. Stormwater management ponds and other excavations below ground surface will be terminated well above the bottom of the confining layer. Since the clay materials are unsuitable for borrow, they will not be excavated. (SR 2, p. 14-1)

Wetlands

6. The Applicant agrees to design additional Wood Stork feeding habitat within the proposed stormwater management system shown on Map H. Where possible, this habitat will be created adjacent to existing wetlands so as to maximize the potential for use by wading birds. (SR, p. 16-1)

7. The Applicant is committed to using littoral shelves for stormwater treatment where feasible and to complying with all applicable regulations regarding stormwater treatment ponds. (SR, p. 16-2)

Vegetation and Wildlife

8. Both bayheads, the freshwater marshes, and two cypress heads will be preserved. (ADA, p. 18-20)
9. However, the Applicant is willing to install nesting boxes along the powerline easement, if necessary. (SR, p. 18-1)
10. The applicant is willing to provide a buffer of pine flatwoods and sand live oak habitat averaging 20 feet in width adjacent to the powerline easement. (SR, p. 18-2)
11. The preferred habitat of these three plant species (Epidendrum conopseum, Tillandsia fasciculata and T. setacea) on the site is the bay swamp. All bay swamp on the site will be dedicated as conservation areas, thus the project will not significantly affect these protected plant species. (SR, p. 18-4)

Drainage

12. Approximately 46.1 acres of the total site will serve as stormwater detention areas. These areas will be designed to not only be functional physical components for run-off management, but also to serve as amenities. (ADA, p.22-1)
13. The water outlet control structures will be designed to limit the 25-year peak rate of discharge from the post-development site conditions to the 25-year pre-development rate. They will also be designed with the capability of safely discharging the peak run-off from the 100-year storm event. (ADA, p. 22-2)
14. The water outlet control structures within the detention areas will be designed to intercept the run-off from an inch of rainfall as required by the provisions of Chapter 17-25 of the FAC. (ADA, p. 22-6)
15. The controlled water levels of the proposed Master Drainage Plan ponds will be maintained to coincide with the natural hydrology and will not significantly alter the water table levels on adjacent property. The pond system will be hydraulically designed to allow for settlement of particulate matter and to maximize the processes of mixing and aeration. The ponds will be shaped to minimize stagnation and to allow for extended detention times. (ADA, p. 22-7)
16. Wherever development occurs within the 100-year floodplain, fill will be used to raise the building floor elevations above the 100 year flood elevation. The loss of natural storage that will occur as a result of

the filling process will be compensated for by the additional storage provided by the proposed pond system. (ADA, p. 22-7)

17. As described in the ADA, the only modifications of on-site wetlands for stormwater treatment will involve the installation of sedimentation basins and grease baffles as required under Chapter 17-25, F.A.C. The remainder of the required treatment volume will be provided by proposed retention/detention ponds. (SR, p. 22-1)
18. The Applicant will coordinate with the County Stormwater Management Department in the determination of all necessary drainage easements and/or drainage rights-of-way. (SR, p. 22-3)
19. The outlet control structures for detention areas will be designed to limit the peak discharge rate from a 25-year rainfall for developed conditions to the peak discharge rate from a 10-year rainfall for existing conditions per the current applicable Hillsborough County regulations. (SR, p. 22-4)
20. The Applicant will provide a copy of the Master Drainage Plan to TBRPC for informational purposes. (SR, p. 22-8)

Water Supply

21. In the event that potable water is used for irrigation, scheduling will be adjusted to account for wet or low vegetation water use periods. (SR, p. 23-1)
22. Treated effluent will be considered for irrigation needs, and the Applicant will use the most practicable of the lowest quality water source. (SR, p. 23-3)

Solid Waste

23. The Applicant intends to advise the tenants of the park of all applicable State statutes regarding hazardous materials. (SR, p. 24-2)

Recreation and Open Space

24. Maintenance of the open space will be provided by the developer or its assignee. (ADA, p. 27-2)

Fire

25. The developer will provide a water supply system capable of delivering 1000 gpm fire flow at 20 pounds per square inch residual pressure during the maximum hour demand period. (ADA, p. 30-1)

Transportation

26. At present, transit service is not available at the site. However, the applicant supports the inclusion of such service and is prepared to provide incentives to insure ridership. Such incentives would include bus loading areas, posting of route information and design all on-site roads and circulation areas within the site with lane widths and turning radii necessary to provide access for transit buses. (ADA, p. 31-60)

ADA = Application for Development Approval
SR = Sufficiency Response
SR 2 = Sufficiency Response 2

AFFIDAVIT

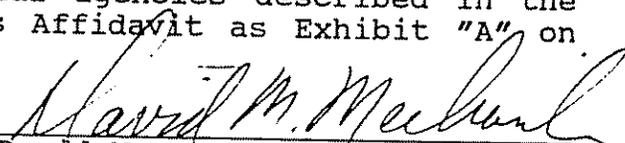
STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I hereby certify that on this day before me, the undersigned notary public authorized in this State and County named above to administer oaths and take acknowledgments, personally appeared David M. Mechanik, as attorney for Florida Steel Corporation, the applicant/owner of the Eastshore Commerce Park DRI, to me well known, who being by me first duly sworn, says upon oath as stated below:

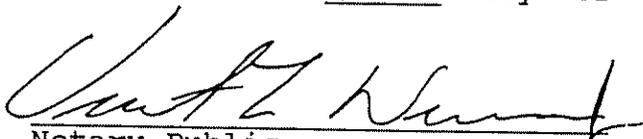
1. Florida Steel Corporation filed its application for development approval for Eastshore Commerce Park on December 23, 1986. The first additional information submittal was filed on May 29, 1987. The second additional information submittal was filed on November 9, 1987. And the third additional information submittal was filed on March 4, 1988.

2. The aforementioned documents were filed with the Tampa Bay Regional Planning Council and those other governmental agencies described in the distribution list attached to this Affidavit as Exhibit "A".

3. Copies of Revised Map H (a portion of Composite Exhibit "A" and Exhibit "B" were also filed with the State of Florida Department of Community Affairs and Tampa Bay Regional Planning Council and those other governmental agencies described in the distribution list attached to this Affidavit as Exhibit "A" on August 11, 1988.


David M. Mechanik
Attorney for
Florida Steel Corporation

Sworn to and subscribed before me this 10th day of October, 1988.


Notary Public

(Notarial Seal)

My commission expires:

NOTARY PUBLIC, State of Florida
My commission expires July 21, 1991



DRI APPLICATION TRANSMITTAL LIST

<u>Applicable Local Government</u>	<u>SUBMITTAL REQUIREMENT As established by local procedures</u>
Ms. Sheila Benz Tampa Bay Regional Planning Council 9455 Koger Boulevard, Suite 219 St. Petersburg, Florida 33702	10 copies ADA
Mr. Richard Adair Florida Department of Transportation 4950 West Kennedy Boulevard Suite 404 Tampa, Florida 33609	1 copy ADA
Mr. Howard Glassman Florida Department of Transportation Mail Station 28 605 Suwannee Street Tallahassee, Florida 32301	1 copy ADA
Ms. Marianne G. Korosy, DRI Coordinator Dept. of Environmental Regulation 7601 Highway 301 North Tampa, Florida 33610	2 copies ADA
Mr. George W. Percy State Historic Preservation Office Chief, Bureau of Historic Preservation Division of Archives, History & Records Mgt. Department of State The Capitol Tallahassee, Florida 32301	Response to Question 19-A of ADA Legal Description
Mr. Mike Allen Office of Environmental Services Florida Game and Fresh Water Fish Commission 620 South Meridian Tallahassee, Florida 32301	1 copy ADA
Mr. Steve Minnis Planning Department Southwest Florida Water Management District 2379 Broad Street Brooksville, Florida 33512-9712	4 copies ADA

<p>Mr. Bill Howell Bureau of Biological & Interpretive Serv. Department of Natural Resources 3900 Commonwealth Boulevard, Room 508 Tallahassee, Florida 32303</p>	<p>2 copies ADA</p>
<p>Mr. Dennis Harmon, Chief Bureau of Economic Analysis Florida Department of Commerce 406 Fletcher Building Tallahassee, Florida 32301-8132</p>	<p>1 copy ADA</p>
<p>Mr. James Murley, Chief, Attn: Mr. Ed Lehman Department of Community Affairs Division of Local Resource Mgt. 2571 Executive Center Circle, E. Tallahassee, Florida 32301</p>	<p>1 copy ADA</p>
<p>Mr. A. J. Salem Planning Division U.S. Army Corps of Engineers P.O. Box 4970 Jacksonville, Florida 32232-0019</p>	<p>1 copy ADA</p>
<p>Mr. Connor Davis Marine Fisheries Commission 2562 Executive Center Circle, E. Suite 211 Tallahassee, Florida 32301</p>	<p>1 copy ADA</p>
<p>Mr. Gene Heath, General Manager West Coast Regional Water Supply Authority 2535 Landmark Drive, Suite 211 Clearwater, Florida 33519</p>	<p>1 copy ADA</p>
<p>Mr. William Saalman, III U.S. Department of Agriculture Soil Conservation Service 5539 State Road 579 Seffner, Florida 33584</p>	<p>1 copy ADA</p>
<p>Ms. Shirley Gersholowitz Hillsborough County Department of Development Coordination 800 East Twiggs Street Tampa, Florida 33602</p>	<p>18 copies ADA</p>