#16/ SCHOOL PARCEL

CITY OF TAMPA

Pam Iorio, Mayor

Office of the City Clerk

Shirley Foxx-Knowles
City Clerk

Via Certified Mail/Return Receipt Requested

October 7, 2010

Tampa Bay Regional Planning Council
Attention: John Meyer
4000 Gateway Centre, Suite 100
Pinellas Park, FL 33782

Re: File No. DZ02-49
Ordinance No. 2010-144

Dear Sir:

The City Council of the City of Tampa met in regular session on October 7, 2010 at 9:00 a.m. in the City Council Chambers.

During this session, the enclosed amended ordinance was adopted regarding the above listed petition. This ordinance is being transmitted for your information and record keeping process.

If you have any questions, please contact my office or the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Shirley Foxx-Knowles/ssm

Shirley Foxx-Knowles, CMC
City Clerk

SFK/ssm

Enclosure: Certified Copy of Ordinance 2010-144

315 E. Kennedy Blvd., Third Floor • Tampa, Florida 33602 • (813) 274-8397 • FAX: (813) 274-8306

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[SCHOOL PARCEL - AMENDED AND RESTATED DEVELOPMENT ORDER]

ORDINANCE NO. 2010-144

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER/SCHOOL PARCEL DEVELOPMENT OF REGIONAL IMPACT, DRI #16B, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on March 5, 1974, the City of Tampa ("City") adopted Resolution No. 4108-F (the "Original Development Order"), which is the Original Development Order issued by the City pursuant to Chapter 380, Florida Statutes for the Tampa Bay Center Development of Regional Impact ("DRI"); and

WHEREAS, on September 30, 1975, the City adopted Resolution No. 7658-F, as the First Amendment to the Original Development Order (the "First Amendment"); and

WHEREAS, on May 11, 1978, the City adopted Ordinance No. 6935-A (the "Second Amendment"); and

WHEREAS, on June 12, 1979, the City adopted Resolution No. 5445-G (the "Third Amendment"); and

WHEREAS, on November 30, 1989, the City adopted Ordinance No. 89-297 which denied the requested Fourth Amendment to the Original Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property; and

WHEREAS, on August 22, 2002, the City adopted Ordinance No. 2002-179 (the "Fourth Amendment"); and

WHEREAS, on September 20, 2004, the City adopted Ordinance No. 2004-215 (the "Fifth Amendment"); and

WHEREAS, on June 4, 2009 the City adopted Ordinance No. 2009-84 (the "Sixth Amendment"); and

WHEREAS, Tampa Bay Mall Limited Partnership, First Allied Development Partners, LP (collectively, the "Limited Partnerships") and Jesuit High School of Tampa, Inc. (f/k/a St. Louis Catholic Benevolence and Educational Association, Inc.) ("School") are the owners of the subject DRI property (the "Owners") more particularly described in the legal description attached hereto as **Exhibit 1** (the "Property"), with the Limited Partnerships owning the parcels more particularly described in the legal description

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attached hereto as **Exhibit 1A** ("Limited Partnership Parcels") and the School owning the parcels more particularly described in the legal description attached hereto as **Exhibit 1B** ("School Parcel"); and

WHEREAS, following adoption of the Fifth Amendment, the Limited Partnerships utilized the trade-off mechanism approved in the Fifth Amendment and traded 109,700 square feet of retail entitlements in exchange for 158,500 square feet of office entitlements in order to develop a corporate headquarters and training facility on the southeastern portion of the Limited Partnership Parcels; and

WHEREAS, on December 8, 2009, the Owners filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact pursuant to Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC" or "Proposed Change"), to (i) eliminate the Alternate Development Scenarios (ii) confirm that 887,000 Gross Leasable square feet is the approved development total, and that 777,300 Gross Leasable square feet of retail space remain available for development; (iii) amend the trade-off mechanism to allow retail uses to be converted to medical office square footage and/or hotel rooms anywhere on the Property as identified on Revised Map H; (iv) add right in/right out access points for vehicular ingress and egress to and from both Himes Avenue and Dr. Martin Luther King Jr. Blvd. at the locations identified on Revised Map H; (v) approve the reduction or elimination of the stormwater pond on the School Parcel; (vi) confirm that the Property is exempt from payment of transportation impact fees up to the amount of $5,536,530, pursuant to City of Tampa Code Section 25-74(a)(3); (vii) recognize the extension of the buildout date to December 31, 2015, pursuant to Section 380.06(19)(c), Florida Statutes; (viii) recognize the extension of the termination date for this Development Order to December 31, 2020 pursuant to Section 380.06(19)(c), Florida Statutes; (ix) bifurcate and sever the DRI into two separate Developments of Regional Impact such that the Limited Partnership Parcels are in one Development of Regional Impact and the School Parcel is in a separate Development of Regional Impact and each such Development of Regional Impact is subject to its own respective development of regional impact development order; and (x) adopt the foregoing proposed changes in an amended and restated format; and

WHEREAS, on October 11, 2010, the City adopted Ordinance No. 2010-142, attached hereto as **Exhibit 2**, which approved the Proposed Change as the Seventh Amendment (the "Seventh Amendment"), including the change which approved the bifurcation of the Tampa Bay Center DRI into two separate Developments of Regional Impact (hereinafter, the Original Development Order, together with the First, Second, Third, Fourth, Fifth Sixth and Seventh Amendments shall collectively be referred to as the "Amended Development Order"); and

WHEREAS, the City Council has reviewed and considered the bifurcation of the Tampa Bay Center DRI as part of the NOPC at a properly noticed public hearing and considered all related testimony and evidence submitted by the Owners concerning the NOPC and bifurcation; and

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WHEREAS, it is therefore necessary and proper for the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, to adopt two Ordinances as two separate DRI Development Orders, "Tampa Bay Center/Limited Partnership Parcels Development of Regional Impact" (DRI #16A) and "Tampa Bay Center/School Parcel Development of Regional Impact (DRI #16B).

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

A. That the real property which is the subject of this Ordinance, the School Parcel, is legally described as set forth in **Exhibit 1B,** has a total site area of 8.55 acres and is located at the intersection of Dr. Martin Luther King Jr. Blvd. and Himes Ave; and

B. That Ordinance 2010-142, as set forth in **Exhibit 2**, approved the bifurcation of the Tampa Bay Center DRI;

C. That the School proposes the development of the Tampa Bay Center/School Parcel DRI with up to a maximum of 118,075 square feet of retail development or the equivalent under the Trade-Off Matrix set forth in **Exhibit 3**; and

D. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

E. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan; and

F. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan; and

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G. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council; and

H. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that were not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council 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 School is authorized to conduct the development as described in this Bifurcated, Amended and Restated Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein;

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the Proposed Change is presumed to create a substantial deviation;

D. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that the School has rebutted the presumption of a substantial deviation and, accordingly, such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

E. That, based on the foregoing, this Ordinance does not constitute a substantial deviation from the Amended Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

F. That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. Order. That having made the above findings of fact and conclusions of law, it is ordered that the Proposed Change is hereby approved, and that

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the Amended Development Order be amended, restated, and bifurcated as set forth below ("Bifurcated, Amended and Restated Development Order"):

A. Approved Development.

That the application for development approval and supplements A, B, C and D filed by Tampa Northwest, Ltd., attached to Resolution No. 4108-F, on file with the City of Tampa, TBRPC and DCA and incorporated herein by reference, as described in said application and amendments and as further amended pursuant to Ordinance No. 6935-A and Ordinance No. 2004-215, is hereby approved to allow 118,075 square feet of gross leasable area of retail, subject to the conditions set forth in the Hillsborough County Planning Commission Resolution, dated February 18, 1974, as more specifically set forth in Section 3.B. below. *[Reso. No. 4108-F; 3-5-74; Ord. No. 6935-A; 5-11-78; Ord. No. 2004-215; 9-16-04]*

Office, medical office and hotel are added as approved land uses anywhere on the Property as identified on Map H, attached hereto as **Exhibit 4**, which is hereby approved; and the Trade-Off Matrix for converting approved retail square footage to office, medical office square footage or hotel rooms, with the multiplication factors as more specifically set forth in **Exhibit 3**, is hereby approved; office and medical office square footage are in terms of gross square feet. Sufficient water and/or wastewater service capacity must be available (through improvements planned or committed to by Developer) prior to construction of uses that are achieved through use of the Trade-Off Matrix for a conversion which will increase the demand for such service. The Applicant shall provide City, DCA and TBRPC notice of its intent to utilize the Trade-Off Matrix for a land use conversion at least fourteen (14) days prior to submission of any application to City which relies on such conversion. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)]*

The number and location of access points and median openings for the Development Plan shall be as shown on Map H **(Exhibit 4)**. *[Ord. No. 2002-179; 8-22-02]*;

The additional right in/right out access points for vehicular ingress and egress to and from both Himes Avenue and Dr. Martin Luther King Blvd., (f/k/a Buffalo Avenue) ("MLK Blvd.") and the School Parcel are hereby approved; *[Ord. No. 2010-142; (10-11-10)]*

The School will provide, at a minimum, the parking required by the City of Tampa Code of Ordinances. *[Reso. No. 4108-F; 3-5-74; Reso. No. 5445-G; 6-12-79; Ord. No. 2010-142; (10-11-10)]*

The reduction or elimination of the retention pond previously located on the School Parcel is hereby approved, subject to permitting requirements.

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Stormwater requirements for development within the School Parcel will be addressed within the boundaries of the School Parcel. *[Ord. No. 2010-142; (10-11-10)]*

B. Conditions of Approval.

That the Approved Development pursuant to Section 3.A. above is subject to the following conditions:

1. In order for the highway network to be able to move the traffic generated by the proposed regional shopping center, the following improvements and modifications must be made to the existing systems to coincide with the project's development. *[Reso. No. 4108-F; 3-5-74]*:

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

c. Widen and improve Buffalo Avenue between Highland and I-75. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard

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south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements of Columbus Drive. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later than two years from completion of shopping center construction to coincide with Phase II of the project. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

h. The entrance/exit onto the proposed MacDill Ave. extension must be deleted. Inclusion of this facility would change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east. *[Reso. No. 4108-F; 3-5-74] [This condition has been satisfied as confirmed by Ord. No. 89-279; 11-30-89]*

2. A written request addressed to the Hillsborough Area Regional Transit Authority ("HART") (f/k/a "Tampa Bay Rapid Transit Authority") pointing out the transportation needs of the proposed shopping center as it relates to the contiguous major generators and giving assurances of full cooperation in the efforts of establishing a major station point in the vicinity of these major generators. *[Reso. No. 4108-F; 3-5-74; Ord. No. 2010-142; (10-11-10)][This condition has been satisfied per Ordinance No. 2004-215; 9-16-04]*

3. The Development shall be subject to the following additional conditions:

(a) Use of the DRI property for parking is not proposed as a primary or singular use. *[Ord. No. 2004-215; 9-16-04]*

(b) The School shall submit an application for water and wastewater service for each proposed development located on the various lots or parcels, and, at the time of development, any upgrades to the City water or wastewater system necessary to provide capacity to serve the new development shall be designed and constructed at the School's expense. The School shall pay all required fees as outlined in water service commitment letter prior to

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obtaining construction permit. Plans for water and wastewater systems to serve the new development must be submitted and approved prior to beginning new construction. The School acknowledges that a wastewater capacity fee may be required for each development. The capacity fee is based on the number and size of the water meters required to serve each development within a parcel. Credit shall be given for the water meters currently serving the site as provided for in the City of Tampa Code and as agreed to by the Owners. *[Ord. No. 2004-215; 9-16-04]*

(c) The School shall comply with the "City of Tampa Streets and Sidewalks Ordinance" as provided in Chapter 22, City of Tampa Code of Ordinances, as amended. Sidewalks and/or marked pedestrian pathways will be provided between developed parcels and the HART transit facility. The School shall also provide facilities for bicycle parking. Compliance with this condition shall be determined at the at the time of commercial site plan approval for the Parcel. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)]*

(d) The School shall become a member of the Westshore Transportation Management Organization ("TMO") which employs transportation demand management strategies. *[Ord. No. 2004-215; 9-16-04]*

(e) City reserves the right to evaluate the need for the traffic signal at the project access point on Himes Ave. The need for the signal will be evaluated based on the development of the retail entitlements, and/or the final arrangement with HARTline with respect to bus circulation to and from the transit stop facility on site, and/or any other relevant condition. Removal of the traffic signal shall be at City's sole cost and expense. If at any point in the future the traffic signal is required to be reinstalled, it shall be at the City's cost and expense. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142]. [This condition has been satisfied]*

(f) The Developer shall remove, at its sole expense, the abandoned right turn lane and raise the curb near the intersection of MLK Blvd. and MacDill Ave. prior to the issuance of the Certificate of Occupancy for the corporate headquarters facility. The Developer shall be responsible for obtaining all required permits with respect thereto, and the City shall cooperate with Developer in obtaining said

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permits. If Developer proceeds diligently and in good faith in obtaining the required permits from all permitting agencies and all necessary permits have not been obtained prior to issuance of the first building permit for the project, the City shall not withhold issuance of the building permits provided Developer provides City with monthly reports on the status of permit issuance. *[Ord. No. 2004-215; 9-16-04][This condition has been satisfied]*

(g) At the time of development, construction plans shall be evaluated for compliance with fire and life safety codes. Specifically, water supply for fire protection shall be reevaluated with improvements required for new structures, including but not limited to fire line connections to the City of Tampa Water Department. *[Ord. No. 2004-215; 9-16-04]*

(h) The School is subject to the assessment of transportation impact fees pursuant to the City of Tampa Impact Fee Ordinance, as amended; provided however, as a result of demolition of the mall structure in 2005 (Permit Nos. 262917 and 263132), the Property is exempt from payment of transportation impact fees up to the amount of $5,536,530 (the "Demolition Exemption"), pursuant to City of Tampa Code Section 25-74(a)(3) and correspondence from the City. The School Parcel shall be permitted to utilize up to $581,890 (10.51 percent) of the total available transportation impact fee Demolition Exemption amount. On the effective date of this Bifurcated, Amended and Restated Development Order, the transfer of the Demolition Exemption will be specific to each DRI and the future transfer of the Demolition Exemption will not be allowed between the School Parcel and the Limited Partnership Parcels. As set forth in City of Tampa Code Section 25-74(d)(2), use of the Demolition Exemption allocated to the School shall be restricted to the School Parcel. The School shall file annually with the City of Tampa Growth Management and Development Services Department a demolition exemption ledger, in the form attached hereto as **Exhibit 5**, which will identify exemptions for approved uses in the existing legal boundary of the School Parcel. The Demolition Exemption will be tracked according to size and use of the proposed development with the most current impact fee ordinance as a guide. The Growth Management and Development Services Department shall maintain a ledger to monitor the

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amount of the exemption in the same manner as described in Section 25-74(d)(3) applicable to transportation impact fee credits. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142 (10-11-10)]*

(i) The on-site relocation of the existing bus transit facilities operated by the Hillsborough Transit Authority per the note on Revised Map H attached hereto shall be accomplished in a manner consistent with the recommendation of the report of the Hillsborough County Planning Commission, which was attached as an exhibit to the Original Development Order approved by City Resolution No. 4108-F. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142 (10-11-10)][This condition has been satisfied]*

(j) Internal shared vehicular access between the School Parcel and the Limited Partnership Parcel shall be provided consistent with the traffic analysis which is a part of Composite Exhibit 2. Compliance with this condition shall be determined at the time of commercial site plan approval. *[Ord. No. 2010-142 (10-11-10)]*

C. Build-out Date and Expiration Date.

The Approved Development pursuant to Section 3.A. above shall have a buildout date of December 31, 2015. This Bifurcated, Amended and Restated Development Order shall expire on December 31, 2020 *[Ord. No. 2002-179; 8-22-02; Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)][Build-out date and expiration date extended pursuant to letter dated April 3, 2009 from the City of Tampa]*

D. Bifurcation of the Tampa Bay Center DRI Development Order

Nothing in this Ordinance is intended to modify, nor shall it have the effect of modifying, the development rights and obligations of the School with respect to the School Parcel in existence immediately prior to approval. The School Parcel shall be permitted to develop up to a maximum of 118,075 square feet of retail or the equivalent under the Trade-Off Matrix. The Land Use Schedule attached hereto as **Exhibit 6** sets forth the approved land uses and development square footages and the build-out and expiration dates for the School Parcel.

Section 4. Development Order, as Amended. This Ordinance shall constitute the Bifurcated, Amended and Restated Development Order as originally approved by Resolution 4108-F, and as previously amended by Resolution 7658-F, Ordinance No. 6935-A, Resolution No. 5445-G, Ordinance No. 2002-179, Ordinance No. 2004-215,

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Ordinance No. 2009-84, and Ordinance No. 2010-142, which shall constitute the Development Order for the Tampa Bay Center/School Parcel DRI as passed and obtained by the City Council. All provisions of the Original Development Order, as amended, shall remain in full force and effect and shall be considered conditions of this Bifurcated, Amended and Restated Development Order unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

Section 5. Definitions. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the School, its assigns, and successors in interest.

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law, to the School, c/o David M. Mechanik, Esq., Mechanik Nuccio Hearne & Wester P.A., 305 S. Boulevard, Tampa, Florida 33606, the Florida Department of Community Affairs (Division of Community Planning), and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 11. Recording. That the School shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

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Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 10 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON OCT 7 2010.

ATTEST:

CITY COUNCIL CHAIRMAN

CITY CLERK

APPROVED BY ME ON OCT 1 1 2010

PAM IORIO, MAYOR

APPROVED AS TO LEGAL SUFFICIENCY:

REBECCA KERT
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough
This is to certify that the foregoing is a true and correct copy of Ordinance No 2010-144 on file in my office
Witness my hand and official seal this 18th day of October, 2010
CITY CLERK/DEPUTY CITY CLERK

EXHIBIT LIST TO SCHOOL PARCEL - AMENDED AND RESTATED DEVELOPMENT ORDER

Exhibit 1:	**Legal Description of Tampa Bay Center DRI Property**
Exhibit 1A:	**Legal Description of Limited Partnership Parcels**
Exhibit 1B:	**Legal Description of School Parcel**
Exhibit 2:	**Ordinance 2010-142**
Exhibit 3:	**Trade-Off Matrix**
Exhibit 4:	**Map H**
Exhibit 5:	**Demolition Exemption Ledger Form**
Exhibit 6:	**Land Use Schedule**

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EXHIBITS PLACED WITHIN NOPC FILE DUE TO THEIR VOLUMINOUS NATURE

#16 / BIFURCATION

CITY OF TAMPA

Pam Iorio, Mayor

Office of the City Clerk

Shirley Foxx-Knowles
City Clerk

Via Certified Mail/Return Receipt Requested

October 7, 2010

Tampa Bay Regional Planning Council
Attention: John Meyer
4000 Gateway Centre, Suite 100
Pinellas Park, FL 33782

Re: File No. DZ02-49
Ordinance No. 2010-142

Dear Sir:

The City Council of the City of Tampa met in regular session on October 7, 2010 at 9:00 a.m. in the City Council Chambers.

During this session, the enclosed amended ordinance was adopted regarding the above listed petition. This ordinance is being transmitted for your information and record keeping process.

If you have any questions, please contact my office or the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Shirley Foxx-Knowles/ssm

Shirley Foxx-Knowles, CMC
City Clerk

SFK/ssm

Enclosure: Certified Copy of Ordinance 2010-142

315 E. Kennedy Blvd., Third Floor • Tampa, Florida 33602 • (813) 274-8397 • FAX: (813) 274-8306

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[AMENDED AND RESTATED DEVELOPMENT ORDER]

ORDINANCE NO. 2010-142

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER DEVELOPMENT OF REGIONAL IMPACT, DRI #16, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE HEREOF.

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WHEREAS, Tampa Bay Mall Limited Partnership, First Allied Development Partners, LP (collectively, the "Limited Partnerships") and Jesuit High School of Tampa, Inc. (f/k/a St. Louis Catholic Benevolence and Educational Association, Inc.) ("School") are the owners of the subject DRI property (the "Owners") more particularly described in

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the legal description attached hereto as **Exhibit 1** (the "Property"), with the Limited Partnerships owning the parcels more particularly described in the legal description attached hereto as **Exhibit 1A** ("Limited Partnership Parcels") and the School owning the parcels more particularly described in the legal description attached hereto as **Exhibit 1B** ("School Parcel"); and

WHEREAS, following adoption of the Fifth Amendment, the Limited Partnerships utilized the trade-off mechanism approved in the Fifth Amendment and traded 109,700 square feet of retail entitlements in exchange for 158,500 square feet of office entitlements in order to develop a corporate headquarters and training facility on the southeastern portion of the Limited Partnership Parcels; and

WHEREAS, on December 8, 2009, the Owners filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact pursuant to Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC" or "Proposed Change"), attached hereto as **Composite Exhibit 2,** to (i) eliminate the Alternate Development Scenarios (ii) confirm that 887,000 Gross Leasable square feet is the approved development total, and that 777,300 Gross Leasable square feet of retail space remain available for development; (iii) amend the trade-off mechanism to allow retail uses to be converted to medical office square footage and/or hotel rooms anywhere on the Property as identified on Revised Map H, attached hereto as **Exhibit 3**; (iv) add right in/right out access points for vehicular ingress and egress to and from both Himes Avenue and Dr. Martin Luther King Jr. Blvd. at the locations identified on Revised Map H; (v) approve the reduction or elimination of the stormwater pond on the School Parcel; (vi) confirm that the Property is exempt from payment of transportation impact fees up to the amount of $5,536,530, pursuant to City of Tampa Code Section 25-74(a)(3); (vii) recognize the extension of the buildout date to December 31, 2015, pursuant to Section 380.06(19)(c), Florida Statutes; (viii) recognize the extension of the termination date for this Development Order to December 31, 2020 pursuant to Section 380.06(19)(c), Florida Statutes; (ix) bifurcate and sever the DRI into two separate Developments of Regional Impact such that the Limited Partnership Parcels are in one Development of Regional Impact and the School Parcel is in a separate Development of Regional Impact and each such Development of Regional Impact is subject to its own respective development of regional impact development order; and (x) adopt the foregoing proposed changes in an amended and restated format; and

WHEREAS, the Proposed Change to the Amended Development Order shall constitute the Seventh Amendment to the Original Development Order; and

WHEREAS, the City Council has reviewed and considered the NOPC at a properly noticed public hearing as well as all related testimony and evidence submitted by the Owners concerning the Proposed Change; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a development

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order be adopted to reflect the City Council's approval of the Proposed Change to the development order.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

A. That the Owners submitted to the City the NOPC which is incorporated herein by reference as **Composite Exhibit 2**;

B. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC") and the Department of Community Affairs ("DCA"); and

C. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan; and

D. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan; and

E. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council; and

F. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that were not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council having made the above findings of fact, renders the following conclusions of law:

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A. That these proceedings have been duly conducted pursuant to applicable law and regulations and based upon the record of these proceedings, the Owners are authorized to conduct the development as described in the Amended and Restated Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein;

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the Proposed Change is presumed to create a substantial deviation;

D. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that the Owners have rebutted the presumption of a substantial deviation and, accordingly, such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

E. That, based on the foregoing, this Ordinance does not constitute a substantial deviation from the Amended Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

F. That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. Order. That having made the above findings of fact and conclusions of law, it is ordered that the Proposed Change ishereby approved, and that the Amended Development Order be amended and restated as set forth below ("Amended and Restated Development Order"):

A. Approved Development.

That the application for development approval and supplements A, B, C and D filed by Tampa Northwest, Ltd., attached to Resolution No. 4108-F, on file with the City of Tampa, TBRPC and DCA and incorporated herein by reference, as described in said application and amendments and as further amended pursuant to Ordinance No. 6935-A and Ordinance No. 2004-215, is hereby approved to allow 887,000 square feet of gross leasable area of retail, subject to the conditions set forth in the Hillsborough County Planning Commission Resolution, dated February 18, 1974, as more specifically set forth in Section 3.B. below. *[Reso. No. 4108-F; 3-5-74; Ord. No. 6935-A; 5-11-78; Ord. No. 2004-215; 9-16-04]*

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Office, medical office and hotel are added as approved land uses anywhere on the Property as identified on Revised Map H, attached hereto as **Exhibit 3**, which is hereby approved; and the Trade-Off Matrix for converting approved retail square footage to office, medical office square footage or hotel rooms, with the multiplication factors as more specifically set forth in **Exhibit 4**, is hereby approved; office and medical office square footage are in terms of gross square feet. Sufficient water and/or wastewater service capacity must be available (through improvements planned or committed to by Developer) prior to construction of uses that are achieved through use of the Trade-Off Matrix for a conversion which will increase the demand for such service. The Applicant shall provide City, DCA and TBRPC notice of its intent to utilize the Trade-Off Matrix for a land use conversion at least fourteen (14) days prior to submission of any application to City which relies on such conversion. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)]*

The number and location of access points and median openings for the development plan shall be as shown on Revised Map H **(Exhibit 3)**. *[Ord. No. 2002-179; 8-22-02]*;

The additional right in/right out access points for vehicular ingress and egress to and from both Himes Avenue and Dr. Martin Luther King Blvd., (f/k/a Buffalo Avenue) ("MLK Blvd.") and the School Parcel, and the right in/right out access point for vehicular ingress and egress to and from MLK Blvd. and the Limited Partnership Parcels are hereby approved; *[Ord. No. 2010-142; (10-11-10)]*

The Owners will provide, at a minimum, the parking required by the City of Tampa Code of Ordinances. *[Reso. No. 4108-F; 3-5-74; Reso. No. 5445-G; 6-12-79; Ord. No. 2010-142; (10-11-10)]*

The reduction or elimination of the retention pond previously located on the School Parcel at the northwest corner of the Property is hereby approved, subject to permitting requirements. Stormwater requirements for development within the Limited Partnership Parcels will be met within the boundaries Limited Partnership Parcels and in accordance with all permitting requirements. Stormwater requirements for development within the School Parcel will be addressed within the boundaries of the School Parcel. *[Ord. No. 2010-142; (10-11-10)]*

B. Conditions of Approval.

That the Approved Development pursuant to Section 3.A. above is subject to the following conditions:

1. In order for the highway network to be able to move the traffic generated by the proposed regional shopping center, the following

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improvements and modifications must be made to the existing systems to coincide with the project's development. *[Reso. No. 4108-F; 3-5-74]*:

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

c. Widen and improve Buffalo Avenue between Highland and I-75. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements of Columbus Drive. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later than two years from completion of shopping center construction to

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coincide with Phase II of the project. *[Reso.No. 4108-F; 3-5-7] [This condition has been satisfied per Reso. No. 7658-F; 9-30-75];*

h. The entrance/exit onto the proposed MacDill Ave. extension must be deleted. Inclusion of this facility would change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east. *[Reso. No. 4108-F; 3-5-74] [This condition has been satisfied as confirmed by Ord. No. 89-279; 11-30-89]*

2. A written request addressed to the Hillsborough Area Regional Transit Authority ("HART") (f/k/a "Tampa Bay Rapid Transit Authority") pointing out the transportation needs of the proposed shopping center as it relates to the contiguous major generators and giving assurances of full cooperation in the efforts of establishing a major station point in the vicinity of these major generators. *[Reso. No. 4108-F; 3-5-74; Ord. No. 2010-142; (10-11-10)][This condition has been satisfied per Ordinance No. 2004-215; 9-16-04]*

3. The Development shall be subject to the following additional conditions:

(a) The exact location and number of athletic fields may be reconfigured subject to the provisions hereof. Any lighted practice fields and/or outdoor fields that use crowd noise simulation shall be set back approximately 350 feet from the southern and eastern property lines; [*Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)]*

(b) Use of the outdoor athletic fields will occur between the hours of 8:30 am and 4:00 pm. For a limited number of times per year, team practices at the outdoor athletic fields may be held at night, depending upon the number of night games scheduled each year. Any lighting to facilitate such practices will be shielded and shall be directed away from the training facility's adjoining uses.

The ambient lighting and resulting light trespass (if any) beyond the perimeter of the property from all uses on the property will be no greater than the previously existing retail mall parking lot lighting. Baseline measurements of light trespass (if any) and ambient lighting resulting from the previously existing retail mall parking lot will be established by utilizing procedures acceptable to the Illuminating Engineering Society of North America and shall, thereafter, constitute the standards against which

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development of the project is measured. All such baseline measurements will be acquired prior to demolition of the existing mall structures, adjacent parking structures and surfaces, and lighting fixtures. Mitigation strategies employed by the Developer shall:

1) identify and minimize the horizontal luminance of the exterior surface of the adjacent uses;
2) identify and minimize the vertical luminance of the exterior surface on the vertical surface of adjacent uses;
3) identify and employ an acceptable type of glare shield (i.e. shroud) or cut-off characteristic of proposed light fixtures to be used; and
4) provide that lighting plans ensure that lighting meets the standards established herein.

Developer shall be responsible on an on-going basis for compliance with the aforementioned lighting standards. This obligation includes the responsibility to implement additional approved mitigation strategies if initial measures do not achieve compliance with the aforementioned standards. *[Ord. No. 2004-215; 9-16-04] [This condition has been satisfied; however, ongoing monitoring will occur in accordance with this condition]*

(c) Team practices at the athletic practice and training facility are not open to the public. However, if the training facility is utilized for the annual summer training camp, the annual summer training camp may be open to the public subject to all of the following specific conditions:

i. The annual summer training camp shall not be open to the public for more than twenty-five (25) total days during the months of July and August. Developer may permit the public to attend summer training camp at any time between the hours of 7:00 A.M. and 9:00 P.M.
ii. Night practices shall occur no more than a total of six (6) nights during each annual summer training camp, and during said night practices Developer shall adhere to the lighting conditions and restrictions approved pursuant to the Fifth Amendment and set forth in this Amended and Restated Development Order.

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iii. The average daily session attendance for a summer training camp shall not exceed 3,000 members of the general public. No later than ninety (90) days after the end of each summer training camp the Developer shall submit a report to the City with the daily session public attendance figures for each day (and night) the summer training camp was open to the public. The City staff shall review said report to determine the average daily session attendance, which shall be derived by adding the daily session public attendance figure for all days (and nights) of the summer training camp ("Total Public Session Attendance Figure"), and then dividing the Total Public Session Attendance Figure by the number of sessions the summer training camp was open to the public which result shall be the "Average Daily Session Attendance." If the Average Daily Session Attendance exceeds the limit of 3,000 persons by more than ten (10) percent for two (2) consecutive years, then the City Staff may require the Developer to further evaluate and mitigate the impacts, if any, of the additional public attendees.

iv. The accommodations and services (bleachers, VIP/Family seating, food, beverage and merchandise sales, and restrooms) to be provided to the public during the summer training camp shall occur only in the locations identified on the "Summer Training Camp Aerial Sketch" attached hereto as **Exhibit 5.** Public parking and public access points for public ingress and egress to the summer training camp shall occur only in the locations shown on the Summer Training Camp Aerial Sketch.

v. At all times during summer training camp, Developer shall comply with the noise conditions and restrictions approved pursuant to the Fifth Amendment and set forth in this Amended and Restated Development Order. Developer acknowledges that the noise abatement plan approved by EPC and on file with the City of Tampa pursuant to Section 3(g) of the Fifth Amendment, shall apply to all

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summer training camp practices and activities; and

vi. The Developer shall coordinate with and assist the City Transportation Division and Traffic Operations Division to ensure that during the times the public is attending the summer training camp signal timing changes at the study driveway intersection are implemented as determined necessary by the City. If in-field traffic operations show, at any time, the need for additional traffic control, the City may require the Developer to provide police officers (at Developer's cost and expense) during any hours the public is attending the summer training camp; and

vii. On weekdays between 5:00 and 6:00 pm, if the summer training camp is open to the public, the MLK Blvd. access point identified as Exit #2 on the "Summer Training Camp Aerial Sketch" may not be utilized for summer training camp ingress or egress and all egress traffic from the summer training camp shall be directed to the Himes Ave access point identified as "General Public Parking Entrance/Exit" on the "Summer Training Camp Aerial Sketch" and said egress traffic shall then be directed south on Himes, away from MLK Blvd. If in-field traffic operations show that this restriction creates traffic circulation issues on the Property which are deemed unacceptable according to standard engineering principles, then the Developer, the City and FDOT shall agree, in writing, to an alternative reasonably acceptable to all three (3) parties.

viii. The Developer shall provide the City with easements, in a form acceptable to the City, for the existing potable water facilities located on the Property adjacent to MLK Blvd. and for the relocated and enlarged stormwater facilities located along the southeastern portion of the Property. *[This condition has been satisfied pursuant to Resolution No. 2009-771 and 2009-772]*

ix. An application for wastewater and water service will be submitted if required by city code as a

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result of the proposed change permitting the summer training camp to be open to the public.

x. Walkways and crosswalks will be provided for pedestrian and handicap access from the existing transit facility to the summer training camp areas open to the public. Bicycle racks will also be provided at the development site.

xi. With respect to construction of permanent improvements for the summer training camp, the Developer will promote energy conservation by employees, buyers, suppliers and the public, as appropriate, and will use landscaping and building orientation to reduce heat gain where feasible. *[Ord. No. 2004-215; 9-16-04]*

(d) Limited crowd noise simulations may be conducted only between the hours of 8:30 a.m. and 4:00 p.m. and are limited to September to January practice sessions and will occur no more than two times per week. The simulations occur during practice of situation plays in 5-10 second intervals for a total of approximately 15 minutes per practice.

The Developer shall submit a noise abatement plan to EPC staff for review and approval prior to construction. The plan shall be submitted at least 90 days prior to construction and include but not be limited to the following: specific descriptions of all noise abatement measures proposed, such as adjusting the volume of the crowd noise simulation, using permanent or temporary noise barriers, and adjusting the location, height, and direction of the speakers. The plan shall also include a study that demonstrates the proposed abatement measures will ensure compliance with the noise level limits of Section 1-10.03, Rules of the EPC. At a minimum, the study shall identify the nearest residential and commercial receptors based on current and proposed land use, and shall include instantaneous A-weighted sound level readings and octave band sound level readings taken from the identified receptors during crowd noise simulation. The study shall then demonstrate that the proposed abatement measures mitigate the noise impacts on those receptors to levels that comply with the noise level limits in the EPC rule. Upon approval by EPC staff, the plan shall be filed with the City of Tampa. After implementation of the abatement measures described above, the Developer will submit

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results of noise testing to EPC staff that demonstrate compliance. *[Ord. No. 2004-215; 9-16-04][This condition has been satisfied; however, ongoing monitoring will occur]*

(e) Use of the DRI property for parking is not proposed as a primary or singular use. *[Ord. No. 2004-215; 9-16-04]*

(f) Developer shall submit an application for water and wastewater service for each proposed development located on the various lots or parcels, and, at the time of development, any upgrades to the City water or wastewater system necessary to provide capacity to serve the new development shall be designed and constructed at the Developer's expense. Developer shall pay all required fees as outlined in water service commitment letter prior to obtaining construction permit. Plans for water and wastewater systems to serve the new development must be submitted and approved prior to beginning new construction. Developer acknowledges that a wastewater capacity fee(s) may be required. The capacity fee is based on the number and size of the water meters required to serve each development within a parcel. Credit shall be given for the water meters currently serving the site as provided for in the City of Tampa Code and as agreed to by the Owners. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)]*

(g) Developer shall comply with the "City of Tampa Streets and Sidewalks Ordinance" as provided in Chapter 22, City of Tampa Code of Ordinances, as amended. Sidewalks and/or marked pedestrian pathways will be provided between developed parcels and the HART transit facility. Developer shall also provide facilities for bicycle parking. Compliance with this condition shall be determined at the at the time of commercial site plan approval for the property. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)]*

(h) Developer shall become a member of the Westshore Transportation Management Organization ("TMO") which employs transportation demand management strategies. *[Ord. No. 2004-215; 9-16-04]*

(i) City reserves the right to evaluate the need for the traffic signal at the project access point on Himes Ave. The need

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for the signal will be evaluated based on the development of the retail entitlements, and/or the final arrangement with HARTline with respect to bus circulation to and from the transit stop facility on site, and/or any other relevant condition. Removal of the traffic signal shall be at City's sole cost and expense. If at any point in the future the traffic signal is required to be reinstalled, it shall be at the City's cost and expense. *[Ord. No. 2004-215; 9-16-04][This condition has been satisfied]*

(j) The Developer shall remove, at his sole expense, the abandoned right turn lane and raise the curb near the intersection of MLK Blvd. and MacDill Ave. prior to the issuance of the Certificate of Occupancy for the corporate headquarters facility. The Developer shall be responsible for obtaining all required permits with respect thereto, and the City shall cooperate with Developer in obtaining said permits. If Developer proceeds diligently and in good faith in obtaining the required permits from all permitting agencies and all necessary permits have not been obtained prior to issuance of the first building permit for the project, the City shall not withhold issuance of the building permits provided Developer provides City with monthly reports on the status of permit issuance. *[Ord. No. 2004-215; 9-16-04][This condition has been satisfied]*

(k) At the time of development, construction plans shall be evaluated for compliance with fire and life safety codes. Specifically, water supply for fire protection shall be reevaluated with improvements required for new structures, including but not limited to fire line connections to the City of Tampa Water Department. *[Ord. No. 2004-215; 9-16-04]*

(l) The Developer is subject to the assessment of transportation impact fees pursuant to the City of Tampa Impact Fee Ordinance, as amended; provided however, as a result of demolition of the mall structure in 2005 (Permit Nos. 262917 and 263132), the Property is exempt from payment of transportation impact fees up to the amount of $5,536,530, pursuant to City of Tampa Code Section 25-74(a)(3) (the "Demolition Exemption"). All or a portion of the Demolition Exemption may be utilized by the Owners for new construction within the Property. As set forth in City of Tampa Code Section 25-74(d)(2), use of the Demolition Exemption shall be restricted to the Tampa Bay

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Center Property. The Developer shall annually file a demolition exemption ledger, in the form attached hereto as **Exhibit 6**, with the City of Tampa Growth Management and Development Services Department, which will identify exemptions for approved uses in the existing legal boundaries of the Tampa Bay Center DRI for both the School Parcel and the Limited Partnership Parcels. The Demolition Exemption will be tracked according to size and use of the proposed development with the most current impact fee ordinance as a guide. The Growth Management and Development Services Department shall maintain a ledger to monitor the amount of the exemption in the same manner as described in Section 25-74(d)(3) applicable to transportation impact fee credits. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142 (10-11-10)]*

(m) The on-site relocation of the existing bus transit facilities operated by the Hillsborough Transit Authority per the note on Revised Map H attached hereto shall be accomplished in a manner consistent with the recommendation of the report of the Hillsborough County Planning Commission, which was attached as an exhibit to the Original Development Order approved by City Resolution No. 4108-F. *[Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142 (10-11-10)][This condition has been satisfied]*

(n) Internal shared vehicular access between developed parcels shall be provided consistent with the traffic analysis which is a part of Composite Exhibit 2. Compliance with this condition shall be determined at the time of commercial site plan approval. [*Ord. No. 2010-142 (10-11-10)*]

C. Build-out Date and Expiration Date.

The Approved Development pursuant to Section 3.A. above shall have a buildout date of December 31, 2015. This Amended and Restated Development Order shall expire on December 31, 2020 *[Ord. No. 2002-179; 8-22-02; Ord. No. 2004-215; 9-16-04; Ord. No. 2010-142; (10-11-10)][Build-out date and expiration date extended pursuant to the letter dated April 3, 2009 from the City of Tampa]*

D. Bifurcation of the Tampa Bay Center DRI Development Order

The Tampa Bay Center DRI is hereby bifurcated and severed into two separate Developments of Regional Impact such that the School Parcel is governed by one

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Development of Regional Impact, and the Limited Partnership Parcels are governed by a separate Development of Regional Impact, and each such Development of Regional Impact is subject to its own respective development of regional impact development order, each of which is attached hereto as **Exhibits 6A and 6B** (the "Separate Development Orders"). The owners and developers of each separated portion shall only be required to comply with the conditions of the Development Order applicable to each portion, and each development is subject to all of the provisions of law which apply to an individual development of regional impact as if such developments were never part of a single Development of Regional Impact.

Nothing in this Ordinance is intended to modify, nor shall it have the effect of modifying, the development rights and obligations of the parties with respect to the School Parcel and the Limited Partnership Parcels in existence immediately prior to approval. However, the School Parcel shall be permitted to develop up to a maximum of 118,075 square feet of retail or the equivalent under the Trade-Off Matrix, and the Limited Partnership Parcels shall be permitted to develop up to a maximum of 768,925 square feet, of which 109,700 square feet has already been developed leaving a remaining balance of 659,225 square feet of retail or the equivalent under the Trade-Off Matrix. The Land Use Schedule attached hereto as **Exhibit 7** sets forth the land uses, approved and remaining development square footages, build-out dates and expiration dates for the Limited Partnership Parcels and School Parcel under each of the Separate Development Orders. Revised Map H sets forth the location of development entitlements.

The School Parcel shall be permitted to utilize 10.51 percent of the available transportation impact fee Demolition Exemption amount ($581,890), and the Limited Partnership Parcels shall be permitted to utilized 89.49 percent of the available transportation impact fee Demolition Exemption amount ($4,954,640). On the effective date of this Amended and Restated Development Order, the transfer of the Demolition Exemption will be specific to each Bifurcated, Amended and Restated Development Order and the future transfer of the Demolition Exemption will not be allowed between the School Parcel and the Limited Partnership Parcels.
[Ord. No. 2010-142; (10-11-10)]

Section 4. Development Order, as Amended. This Ordinance shall constitute the Amended and Restated Development Order as originally approved by Resolution 4108-F, and as previously amended by Resolution 7658-F, Ordinance No. 6935-A, Resolution No. 5445-G, Ordinance No. 2002-179, Ordinance No. 2004-215, and Ordinance No. 2009-84, which shall constitute, collectively, the Development Order for the Tampa Bay Center DRI as passed and ordained by the City Council. All provisions of the Original Development Order, as amended, shall remain in full force and effect and shall be considered conditions of this Amended and Restated Development Order unless

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inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

Section 5. Definitions. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, their assigns, and successors in interest.

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law to the Limited Partnerships, c/o Gina K. Grimes, Esq., Hill Ward Henderson, 101 E. Kennedy Boulevard, Suite 3700, Tampa, Florida 33602, the School, c/o David M. Mechanik, Esq., Mechanik Nuccio Hearne & Wester P.A., 305 S. Boulevard, Tampa, Florida 33606, the Florida Department of Community Affairs (Division of Community Planning), and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 11. Recording. That the Owners shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

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Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 10 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON OCT 7 2010.

ATTEST:

CITY COUNCIL CHAIRMAN

CITY CLERK

APPROVED BY ME ON OCT 1 1 2010

PAM IORIO, MAYOR

APPROVED AS TO LEGAL SUFFICIENCY:

REBECCA KERT
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough
This is to certify that the foregoing is a true and correct copy of Ordinance No. 2010-142 on file in my office
Witness my hand and official seal this 18th day of October, 2010.
CITY CLERK

EXHIBIT LIST TO AMENDED AND RESTATED DEVELOPMENT ORDER

Exhibit 1:	**Legal Description of Property**
Exhibit 1A:	**Legal Description of Limited Partnership Parcels**
Exhibit 1B:	**Legal Description of School Parcel**
Composite Exhibit 2:	**NOPC (including all Exhibits)**
Exhibit 3:	**Revised Map H**
Exhibit 4:	**Trade-Off Matrix**
Exhibit 5:	**Summer Training Camp Aerial Exhibit**
Exhibit 6	**Impact Fee Demolition Exemption Ledger Form**
Exhibit 7A:	**Limited Partnership Parcels Development Order**
Exhibit 7B:	**School Parcel Development Order**
Exhibit 8:	**Land Use Schedule**

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EXHIBITS PLACED WITHIN NOPC FILE DUE TO THEIR VOLUMINOUS NATURE

#16

CITY OF TAMPA

Pam Iorio, Mayor

Growth Management & Development Services

Land Development Coordination

April 3, 2009

Ms. Gina Grimes
Hill, Ward and Henderson P.A.
P.O. Box 2231
Tampa, Florida 33601-2231

Re: Tampa Bay Center – Development of Regional Impact
(Build Out Date Extension)

Dear Ms. Grimes:

City of Tampa staff has reviewed the documentation you provided to demonstrate that the Tampa Bay Center Development of Regional Impact (DRI) was under active construction on July 1, 2007 and, therefore, eligible for the 3 year build out date extension authorized under Florida Statutes 380.06(19), Florida Statutes.

This letter is to confirm that based upon the information submitted, the project was under active construction on July 1, 2007. Therefore, the projects build out is extended by three (3) years to December 31, 2015 with the expiration date also extended by a 3 year period to December 31, 2020.

If you have any questions, please contact me at (813) 274-8405.

Regards,

Susan Johnson,
DRI Coordinator
City of Tampa, Florida

Cc: John Meyer

306 E. Jackson St. 3E • Tampa, Florida 33602 • (813) 274-8405 • FAX: (813) 274-7706

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16

CITY OF TAMPA

Pam Iorio, Mayor

Office of the City Clerk

Shirley Foxx-Knowles
City Clerk

Via Certified Mail/Return Receipt Requested

June 8, 2009

Tampa Bay Regional Planning Council
Attention: John Meyer
4000 Gateway Centre, Suite 100
Pinellas Park, FL 33782

Re: File No. DZ02-49
Ordinance No. 2009-84

Dear Sir:

The City Council of the City of Tampa met in regular session on June 4, 2009, at 9:00 a.m. in the City Council Chambers.

During this session, the enclosed amended ordinance was adopted regarding the above listed petition. This ordinance is being transmitted for your information and record keeping process.

If you have any questions, please contact my office or the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Shirley Foxx-Knowles

Shirley Foxx-Knowles, CMC
City Clerk

SFK/dm

Enclosure: Certified Copy of Ordinance 2009-84

ORDINANCE NO. 2009- 84

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE SIXTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER DEVELOPMENT OF REGIONAL IMPACT, DRI #16, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTIFICATION OF PROPOSED CHANGE FILED BY BUCCANEERS FOOTBALL STADIUM LIMITED PARTNERSHIP; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on March 5, 1974, the City of Tampa ("City") adopted Resolution No. 4108-F (the "Original Development Order"), which is the Original Development Order issued by the City pursuant to Chapter 380, Florida Statutes, for the Tampa Bay Center Development of Regional Impact ("DRI"); and

WHEREAS, on September 30, 1975, the City adopted Resolution No. 7658-F, as the First Amendment to the Original Development Order (the "First Amendment"); and

WHEREAS, on May 11, 1978, the City adopted Ordinance No. 6935-A (the "Second Amendment"); and

WHEREAS, on June 12, 1979, the City adopted Resolution No. 5445-G (the "Third Amendment"); and

WHEREAS, on November 30, 1989, the City adopted Ordinance No. 89-297 which denied the requested Fourth Amendment to the Original Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property; and

WHEREAS, on August 22, 2002, the City adopted Ordinance No. 2002-179 (the "Fourth Amendment"); and

WHEREAS, on September 20, 2004, the City adopted Ordinance No. 2004-215 (the "Fifth Amendment") (hereinafter, the Original Development Order, together with the First, Second, Third, Fourth and Fifth Amendments shall collectively be referred to as the "Amended Development Order"); and

WHEREAS, Tampa Bay Mall Limited Partnership, First Allied Development Partners, LP and Jesuit High School of Tampa, Inc. (f/k/a St. Louis Catholic Benevolence and Educational Association, Inc.) are the owners of the subject DRI property (the "Owners") more particularly described in the legal description attached

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hereto as Exhibit 1 (the "Property"), and Buccaneers Football Stadium Limited Partnership (the "Developer") is the applicant of the subject Notification of Proposed Change; and

WHEREAS, following adoption of the Fifth Amendment, the Developer utilized the trade-off mechanism approved in the Fifth Amendment and traded 109,700 square feet of retail entitlements in exchange for 158,500 square feet of office entitlements in order to develop the Developer's Corporate Headquarters and Training Facility; and

WHEREAS, on March 26, 2009, the Developer filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC"), attached hereto as Composite Exhibit 2; and

WHEREAS, the NOPC proposes that the annual summer training camp on the Property be open to the public (the "Proposed Change"); and

WHEREAS, the Proposed Change to the Amended Development Order will constitute the Sixth Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the NOPC at a properly noticed public hearing as well as all related testimony and evidence submitted by the Developer concerning the Proposed Change; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a development order be amended to reflect the City Council's approval of changes to an adopted development order;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

A. That the Developer submitted to the City the NOPC and which is incorporated herein by reference as Composite Exhibit 2;

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B. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments, and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC"), and the Department of Community Affairs ("DCA"); and

C. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan; and

D. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan; and

E. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council; and

F. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that were not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council 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 in the Amended Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein; and

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change is adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

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D. That this Ordinance does not constitute a substantial deviation from the Amended Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. Order. That having made the above findings of fact and conclusions of law, it is ordered that the Amended Development Order be further amended as set forth below:

The Proposed Change, as more particularly set forth in the NOPC, attached hereto and made a part hereof as Composite Exhibit 2, is approved and Section 3(f) appearing on page 6 of the Fifth Amendment to the Development Order is hereby amended and restated in its entirety as follows:

(f) Team practices at the athletic practice and training facility are not open to the public. However, if the training facility is utilized for the annual summer training camp, the annual summer training camp may be open to the public subject to all of the following specific conditions:

1) The annual summer training camp shall not be open to the public for more than twenty-five (25) total days during the months of July and August. Developer may permit the public to attend summer training camp at any time between the hours of 7:00 A.M. and 9:00 P.M.

2) Night practices shall occur no more than a total of six (6) nights during each annual summer training camp, and during said night practices Developer shall adhere to the lighting conditions and restrictions approved pursuant to the Fifth Amendment and set forth in this Amended Development Order.

3) The average daily session attendance for summer training camp shall not exceed 3,000 members of the general public. No later than ninety (90) days after the end of each summer training camp the Developer shall submit a report to the City with the daily session public attendance figures for each day (and night) the summer training camp was open to the public. The City staff shall review said report to determine the average daily session attendance, which shall be derived

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by adding the daily session public attendance figure for all days (and nights) of the summer training camp ("Total Public Session Attendance Figure"), and then dividing the Total Public Session Attendance Figure by the number of sessions the summer training camp was open to the public which result shall be the "Average Daily Session Attendance." If the Average Daily Session Attendance exceeds the limit of 3,000 persons by more than ten (10) percent for two (2) consecutive years, then the City Staff may require the Developer to further evaluate and mitigate the impacts, if any, of the additional public attendees.

4) The accommodations and services (bleachers, VIP/Family seating, food, beverage and merchandise sales, and restrooms) to be provided to the public during the summer training camp shall occur only in the locations identified on the "Summer Training Camp Aerial Sketch" attached hereto as Exhibit 3. Public parking and public access points for public ingress and egress to the summer training camp shall occur only in the locations shown on the Summer Training Camp Aerial Sketch.

5) At all times during summer training camp, Developer shall comply with the noise conditions and restrictions approved pursuant to the Fifth Amendment and set forth in this Amended Development Order. Developer acknowledges that the noise abatement plan approved by EPC and on file with the City of Tampa pursuant to Section 3(g) of the Fifth Amendment, shall apply to all summer training camp practices and activities; and

6) The Developer shall coordinate with and assist the City Transportation Division and Traffic Operations Division to ensure that during the times the public is attending the summer training camp signal timing changes at the study driveway intersections are implemented as determined necessary by the City. If in-field traffic operations show, at any time, the need for additional traffic control, the City may require the Developer to provide police officers (at Developer's cost and expense) during any hours the public is attending the summer training camp; and

7) On weekdays between 5:00 and 6:00 pm, if the summer training camp is open to the public, the MLK Blvd. access point identified as Exit #2 on the "Summer Training Camp Aerial Sketch" (attached hereto as Exhibit 3), may not be utilized for summer training camp ingress or egress and all

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egress traffic from the summer training camp shall be directed to the Himes Ave access point identified as "General Public Parking Entrance/Exit" on the "Summer Training Camp Aerial Sketch" (attached hereto as Exhibit 3) and said egress traffic shall then be directed south on Himes, away from MLK Blvd. If in-field traffic operations show that this restriction creates traffic circulation issues on the Property which are deemed unacceptable according to standard engineering principles, then the Developer, the City and FDOT shall agree, in writing, to an alternative reasonably acceptable to all three (3) parties.

8) The Developer shall provide the City with easements, in a form acceptable to the City, for the existing potable water facilities located on the Property adjacent to MLK Blvd. and for the relocated and enlarged stormwater facilities located along the southeastern portion of the Property.

9) An application for wastewater and water service will be submitted if required by city code as a result of the proposed change permitting the summer training camp to be open to the public.

10) Walkways and crosswalks will be provided for pedestrian and handicap access from the existing transit facility to the summer training camp areas open to the public. Bicycle racks will also be provided at the development site.

11) With respect to construction of permanent improvements for the summer training camp, the Developer will promote energy conservation by employees, buyers, suppliers and the public, as appropriate, and will use landscaping and building orientation to reduce heat gain where feasible.

Section 4. Development Order, as Amended. This Ordinance shall constitute the Sixth Amendment to the Amended Development Order as originally approved by Resolution 4108-F, and as previously amended by Resolution 7658-F, Ordinance No. 6935-A, Resolution No. 5445-G, Ordinance No. 2002-179 and Ordinance No. 2004-215, which shall constitute, collectively, the Development Order for the Tampa Bay Center DRI as passed and ordained by the City Council. All provisions of the Amended Development Order, except those provisions specifically modified herein, shall remain in full force and effect and shall be considered conditions of the Amended Development Order unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

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Section 5. Definitions. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, the Owners, their assigns and successors in interest.

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law to the Developer, c/o John B. Grandoff III, Esquire, 101 East Kennedy Boulevard, Suite 3700, Tampa, Florida 33602, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 11. Recording. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 10 hereof.

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PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUN 0 4 2009.

ATTEST:

CHAIRMAN/~~CHAIRMAN PRO-TEM~~

CITY COUNCIL

CITY CLERK/~~DEPUTY CITY CLERK~~

APPROVED BY ME ON JUN 0 5 2009

PAM IORIO, MAYOR

APPROVED AS TO LEGAL SUFFICIENCY BY:

E/S

REBECCA KERT
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance NO. 2009-84 on file on my office
Witness my hand and official seal this 8 day JUNE, 20 09

CITY CLERK

EXHIBIT LIST TO ORDINANCE

Exhibit 1: Legal Description of Property

Composite Exhibit 2: NOPC (including all Exhibts)

Exhibit 3: Summer Training Camp Aerial Sketch

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EXHIBIT 1
TO ORDINANCE

LEGAL DESCRIPTION :

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 29 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, ALSO BEING PART OF BLOCKS 1 THRU 9 AND ADJACENT STREETS (VACATED), FAIRGROUND FARMS SUBDIVISION, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT BOOK 8, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 10, THENCE ALONG THE WESTERLY BOUNDARY OF SECTION 10, SOUTH 00°29'36" WEST, 69.70 FEET; THENCE DEPARTING SAID WESTERLY BOUNDARY OF SECTION 10, SOUTH 90°00'00" EAST, 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE 26.36 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 75°31'21", A CHORD BEARING AND DISTANCE OF NORTH 52°31'16" EAST, 24.49 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, SOUTH 89°43'04" EAST, 1713.64 FEET; THENCE NORTH 89°39'21" EAST, 846.73 FEET TO A POINT OF TANGENCY; THENCE 39.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°48'58", A CHORD BEARING AND DISTANCE OF SOUTH 44°56'10" EAST, 35.61 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, SOUTH 00°28'19" WEST, 254.10 FEET; THENCE SOUTH 02°47'55" EAST, 140.23 FEET; THENCE SOUTH 00°28'19" WEST, 762.51 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, NORTH 89°59'23" WEST, 174.14 FEET; THENCE SOUTH 00°16'38" WEST, 215.39 FEET; THENCE SOUTH 90°00'00" WEST, 680.94 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF OHIO AVENUE, NORTH 00°27'54" EAST, 45.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 90°00'00" WEST, 1756.59 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 162.14 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SOUTH 90°00'00" EAST, 146.00 FEET; THENCE NORTH 00°29'36" EAST, 233.00 FEET; THENCE SOUTH 90°00'00" WEST, 146.00 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 950.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 80.2663 ACRES, MORE OR LESS.

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NOPC - COMPOSITE EXHIBIT 2 TO ORDINANCE

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STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399-2100
904/488-4925

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

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

1. We, the undersigned attorneys and authorized representatives of Buccaneers Football Stadium Limited Partnership, First Allied Development Partners, L.P., Stadium Plaza Assoc., LLC, and Tampa Bay Mall, L.P., hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the **Tampa Bay Center Development of Regional Impact (DRI No. 16)** development, located in the City of Tampa, Florida, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa; the Tampa Bay Regional Planning Council, and the Bureau of Local Planning, Department of Community Affairs.

3-27-09
(Date)

Gina K. Grimes, Esquire
John B. Grandoff, III, Esquire
Morris C. Massey, Esquire
Attorneys and Authorized Agents for
Buccaneers Football Stadium Limited
Partnership, First Allied Development
Partners, L.P., Stadium Plaza Assoc.,
LLC, and Tampa Bay Mall, L.P.,
collectively, Applicant

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2. **Applicant**:

Buccaneers Football Stadium Limited Partnership, et al
c/o Gina K. Grimes, Esq./John B. Grandoff, III, Esq./Morris C. Massey, Esq.
Hill, Ward & Henderson, P.A.
P. O. Box 2231 (33601-2231)
101 East Kennedy Avenue, Suite 3700
Tampa, Florida 33602
Telephone Number: (813) 221-3900
Facsimile Number: (813) 221-2900
Email Address: ggrimes@hwhlaw.com; jgrandoff@hwhlaw.com; mmassey@hwhlaw.com

Owner:

Tampa Bay Mall Limited Partnership
c/o Gina K. Grimes, Esq./John B. Grandoff, III, Esq./Morris C. Massey, Esq.
Hill, Ward & Henderson, P.A.
P. O. Box 2231 (33601-2231)
101 East Kennedy Avenue, Suite 3700
Tampa, Florida 33602
Telephone Number: (813) 221-3900
Facsimile Number: (813) 221-2900
Email Address: ggrimes@hwhlaw.com; jgrandoff@hwhlaw.com; mmassey@hwhlaw.com

3. **Authorized Agents**:

Gina K. Grimes, Esquire
John B. Grandoff, III, Esquire
Morris C. Massey, Esquire
Hill, Ward & Henderson, P.A.
P. O. Box 2231 (33601-2231)
101 East Kennedy Avenue, Suite 3700
Tampa, Florida 33602
Telephone Number: (813) 221-3900
Facsimile Number: (813) 221-2900
Email Address: ggrimes@hwhlaw.com; jgrandoff@hwhlaw.com; mmassey@hwhlaw.com

4. **Location**: Section 10, Township 29 South, Range 18 East, Tampa, Hillsborough County, Florida

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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 to the representations contained in either the development order or the Application for Development Approval.**

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

For purposes of general background and to put the following proposed changes in context, the current approved Tampa Bay Center DRI Development Order, as amended, permits two (2) development scenarios: 1) The original Development Order, as amended by the First, Second and Third Amendments, approved 887,000 square feet of gross leasable area (GLA) for a regional shopping center and 5,102 on-site parking spaces; or 2) The Fourth Amendment to the Development Order approved an "Alternative Development Scenario" which included a different site configuration and a decrease in retail square footage to 776,500 square feet GLA of retail and 4,500 parking spaces. The Fifth Amendment to the Development order approved Office as an approved land use with utilization of Trade-Off Mechanism, and approved an alternative development scenario. (Additional information regarding the Developer Order and each of the five (5) amendments thereto is set forth in the response to Question #7 below.)

PROPOSED CHANGES

The Tampa Bay Buccaneers plan to relocate their annual Summer Training Camp ("STC") to their new Corporate Headquarters and Training Facility ("Training Facility") on the subject site generally located at the northwest corner of Ohio Avenue and MacDill Avenue, and open said STC to the general public.

Since approval of the Fifth Amendment to the Development Order in 2004, the Developer demolished the Tampa Bay Center Mall which previously existed on the subject site and was comprised of approximately 877,000 square feet of retail uses. Construction of the new Tampa Bay Buccaneers Corporate Headquarters and Training Facility was completed in 2007. The Corporate Headquarters is comprised of the Tampa Bay Buccaneers executive/corporate and administrative offices and various uses related thereto, including marketing, media and public relations functions. The Training Facility is comprised of various training areas and practice fields and is currently used for the Tampa Bay Buccaneers regular season training, which is not open to the public.

Section 3(f) of the Amended Development Order already permits the Training

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Facility to be utilized for the annual STC. However, that section also provides that if the STC is proposed to be open to the public, "... then the Developer shall file a Notice of Proposed Change to amend this Development order to analyze the impacts (if any) of such a change." Accordingly, this NOPC is being filed in order to allow the public to attend the STC.

Generally, Summer Training Camp for all NFL teams begins sometime in late July and extends through the middle of August, depending on the team's game schedule for that year. STC may be held for up to 25 days. For the past 4 years, the Buccaneers have held their STC in Orlando. In the past, STC Practices which were open to the public have been held up to twice daily for a total of approximately four (4) to six (6) hours a day. The typical public morning practices occurred from approximately 8:30 a.m. to 11:00 a.m. and afternoon practices occurred from approximately 2:45 p.m. to 4:30 p.m. Some days there were two practices open to the public and other days there was only one, and occasionally practices were held in the evening.

Since this will be the first year the STC will be held at the Buccaneers new Training Facility, and given the Training Facility has resources and accommodations that have never been available to them in the past, the Buccaneers desire some flexibility as to the days and times during which the summer practices will be held, including occasional night practices. As such, a general time frame (7:00 a.m. to 9:00 p.m.) is proposed during which the STC practices may be open to the public, and night practices are proposed no more than six (6) times during STC. Mitigation standards and requirements with respect to light and noise were added in the Fifth Amendment to the Development Order and would also apply to STC activities.

Public attendance figures for the past four years at the Buccaneers Summer Training Camp held in Orlando have ranged from an average of 850 to 1,450 persons per day. The estimated attendance for the STC at the Training Facility, and the assumptions in the Transportation Analysis discussed below, assumed traffic impacts for an average daily attendance of 3,000 persons. This projection is more than double the average daily attendance for the STC practices held in Orlando and may even be an overestimate. Monitoring and reporting requirements for public attendance are included in the proposed amended Development Order attached hereto.

The accommodations and services to be provided at the Training Facility to serve the public during the STC include bleacher seating for no more than 4,000 persons, food, beverage and merchandise sales, and restrooms. Public access to the site is proposed through two driveways. General public access to STC practices will be provided through the Himes Avenue & Tampa Bay Center Driveway intersection. Media and invited guest (VIP) will be provided access through the Dr. Martin Luther King Jr. Boulevard & Tampa Bay Center (West) Driveway. Public parking for up to 2500 cars will be provided in the area already

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designated on Map H for parking. An aerial sketch of the locations of the parking spaces, access points and public accommodation and service areas is attached as Exhibit A.

Based upon historical STC practice schedules and the Buccaneers' desire to have flexibility as to when its practices are conducted, a conservative Transportation Analysis was conducted to evaluate site ingress and egress during the highest hour of the a.m. and p.m. peak period. The Transportation Analysis is attached hereto as Exhibit B. The results of the Transportation Analysis indicate that only signal timing changes are required at the study driveway intersections to accommodate the anticipated traffic impacts associated with the proposed STC practices. If in-field traffic operations in the future show the need for additional control, it may be mandated that traffic control (i.e. a police officer) be provided by the Tampa Bay Buccaneers during the proposed hours of STC practices. In addition, if a STC practice is anticipated to occur during evening hours (i.e., after 6:00 p.m.), traffic control (i.e. police officer) will be located at both driveways.

It should be emphasized that public attendance at the STC is a short term seasonal activity. It is almost identical to the baseball Spring Training games, which occur every year on the adjacent parcels, except that the public attendance at the STC will be much less than what occurs at Spring Training Games. It is also important to note that the Training Facility, including STC, has fewer impacts than the previously existing regional mall. Given the results of the Traffic Analysis and the mitigation requirements already included in the existing Amended Development Order, this NOPC, including the proposed amendments to the Development Order, establishes that any potential impacts of public attendance at the STC are mitigated.

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

See Substantial Deviation Determination Chart attached hereto as Exhibit C.

7. **List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart).**

The original approved Tampa Bay Center DRI Development Order and five (5) amendments thereto are summarized as follows:

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On March 5, 1974, Resolution No. 4108-F (the "Development Order") approved a regional shopping center on an 83 acre site at the southeast corner of North Himes Avenue and West Buffalo Avenue (now known as Dr. Martin Luther King, Jr. Blvd.). The approved shopping center was comprised of approximately 840,000 square feet of gross leasable area (GLA). The approved project proposed approximately 4,650 parking spaces.

On September 30, 1975, Resolution No. 7658-F (the "First Amendment") clarified certain conditions contained in Resolution No. 4108-F relating to transportation improvements and modifications to coincide with the project's development.

On May 11, 1978, Ordinance No. 6935-A (the "Second Amendment") approved an increase in the total gross leasable area to 887,000 square feet GLA of retail.

On June 12, 1979, Resolution No. 5445-G (the "Third Amendment") approved an increase in the number of on-site parking spaces to 5,102.

On November 30, 1989, Ordinance No. 89-297 denied the requested Fourth Amendment to the Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property. This proposed change was denied because it did not "... promote the general health, safety and welfare of the residents in the neighborhoods to the east and south of the proposed entrance/exit onto MacDill Avenue."

On August 22, 2002, Ordinance No. 2002-179 (the "Fourth Amendment") approved an "Alternate Development Scenario" as an approved choice of development scenarios for the Tampa Bay Center DRI, which Alternate Development Scenario provided that the existing mall structure would be demolished and the overall square footage reduced by 110,500 square feet GLA to an approved total of 776,500 square feet GLA of retail and 4,500 parking spaces as shown on Map H – Master Plan for the Alternative Development Scenario. The Alternate Development Scenario also had a build-out date of December 31, 2012, and an expiration date of December 31, 2017. Additionally, the number and location of access points and median openings for the Alternate Development Scenario were limited to those as shown on adopted Map "H". Finally, a corrected legal description was adopted for the entire Tampa Bay Center site.

On September 20, 2004, Ordinance No. 2004-215 (the "Fifth Amendment") approved utilization of a trade-off mechanism with a multiplication factor of 1.4449 for converting approved retail square footage to office square; and approves a second alternate development scenario ("Alternate Development Scenario #2") allowing 776,500 square feet of retail (or the equivalent square footage of office utilizing the trade-off mechanism) and 5,000 parking spaces. The Alternate Development Scenario #2 also had a build-out date of December 31, 2012, and an expiration date of December 31, 2017. Additionally, the

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number and location of access points and median openings for the Alternate Development Scenario were limited to those as shown on adopted Map "H-2".

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?

No.

8. **Describe any lands purchased or optioned within ¼ mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.**

Not applicable.

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.**

Not applicable.

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

YES _____ NO __X__

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

This proposed change will not change the build-out date or any phasing date of the project.

However, on February 10, 2009, the owners of the subject project requested confirmation from the City of Tampa that the automatic three (3) year extension of any DRI phasing, build-out and expiration dates as provided in House Bill 7203 adopted by the Florida Legislature in 2007 for any DRI under active construction as of July 1, 2007, applies to the Tampa Bay Center DRI. The automatic extension provided by the Florida Legislature in House Bill 7203 extends the build-out date for this DRI from December 31, 2012, to December 31, 2015, and the expiration date is likewise extended from December 31, 2017, to December

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31, 2020.

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

No.

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

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

No change is proposed to either Map H-1, depicting "Alternative Development Scenario No. 1", or Map H-2, depicting "Alternative Development Scenario No. 2" (as those terms are defined in the current DRI Development Order for the Tampa Bay Center DRI).

Map H-3 attached to the current Development Order for the Tampa Bay Center DRI depicting "Alternative Development Scenario No. 2" with the training facility also remains unchanged. However, as part of this NOPC, we are proposing to add an aerial sketch of the subject property depicting the areas of the site that may be used in connection with the summer training camp, including vehicular access points, parking areas, general public area for bleacher seating (approximately 4,000 seats), food and beverage sales, merchandise sales and restrooms. This Summer Training Camp Aerial Sketch is attached hereto as Exhibit A and is incorporated herein by this reference.

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;**

    See enclosed draft Development Order attached hereto as Exhibit D.

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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;**

No change is proposed.

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

No change is proposed.

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

The termination date in the existing DRI Development Order for the Tampa Bay Center DRI has been extended from December 31, 2017, to December 31, 2020, by virtue of House Bill 7203 enacted by the Florida Legislature in 2007 (see response to Question No. 10 above). No further change in the termination date of this DRI is being requested as a result of this proposed change.

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

No change is proposed.

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.**

No change is proposed.

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SCHEDULE OF EXHIBITS

NAME OF DOCUMENT	EXHIBIT
Summer Training Camp Aerial Sketch	A
Summer Training Camp Transportation Analysis	B
Substantial Deviation Determination Chart	C
Draft Development Order	D

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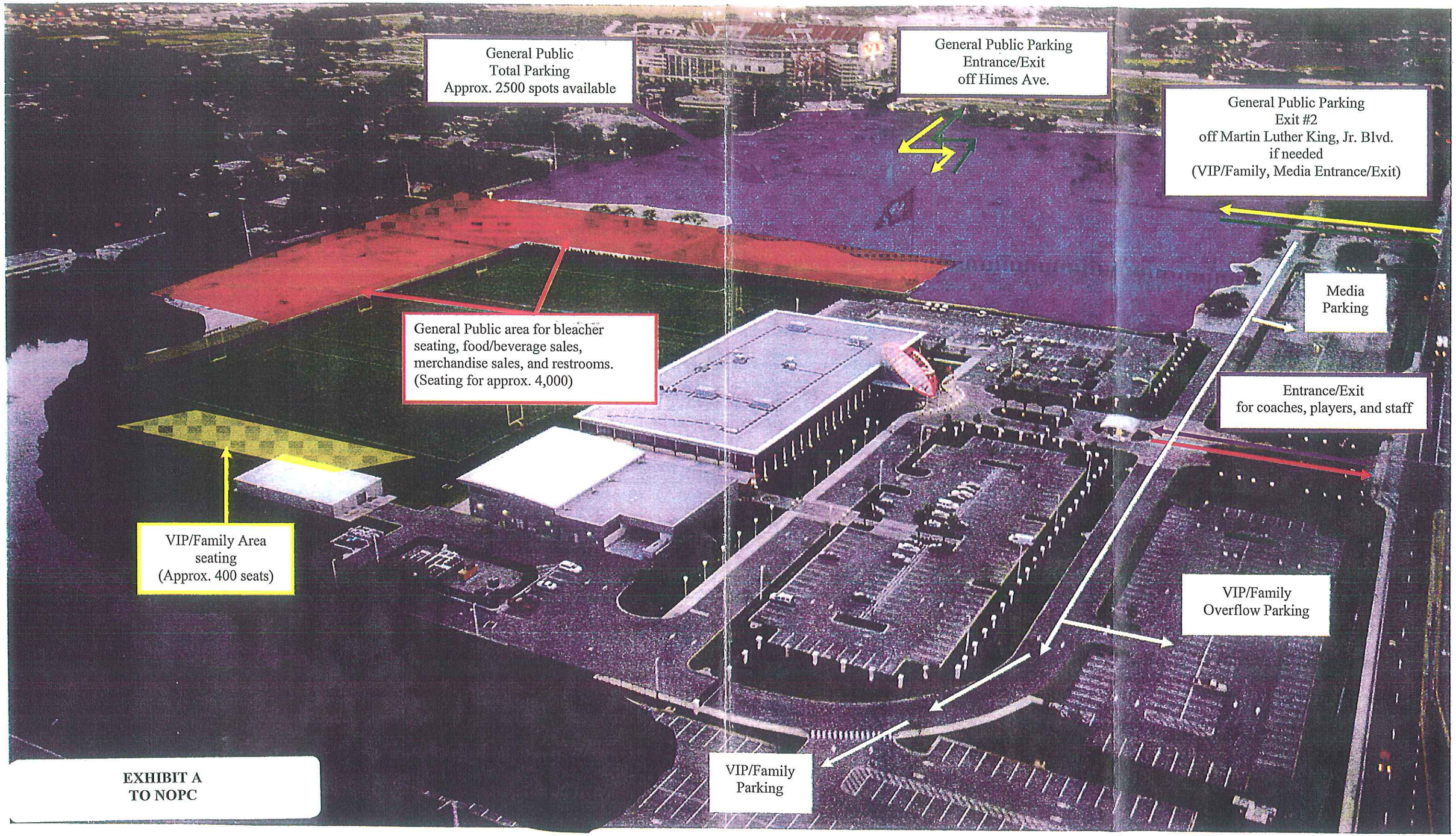

EXHIBIT A
TO NOPC

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Kimley-Horn
and Associates, Inc.

Suite 300
10117 Princess Palm Avenue
Tampa, Florida
33610-8300

March 26, 2009

Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Suite 100
Pinellas Park, Florida 33782

Re: Tampa Bay Center DRI (#16)
Notice of Proposed Change (NOPC)
Transportation Impact Analysis

Dear Mr. Meyer:

Pursuant to the February 19, 2009 submitted study methodology which was accepted on March 4, 2009, please find the following transportation impact and operational analysis for your review. The approved study methodology and corresponding Tampa Bay Regional Planning Council (TBRPC) acceptance e-mail is attached.

Project Description

The Tampa Bay Center DRI (#16) is located in the City of Tampa, in the southeast quadrant of the Martin Luther King Jr. Boulevard (State Road 574) & Himes Avenue intersection. The general site location is shown in Figure 1.

Construction of the Tampa Bay Buccaneers Corporate Headquarters and Training Facility was completed in 2007 and is currently used for the Tampa Bay Buccaneers regular season training which is not open to the public. As required in the current Development Order, this NOPC is being filed in order to allow the public to attend the Tampa Bay Buccaneers annual Summer Training Camp. Summer Training Camp may be held for up to 25 days from late July to the middle of August on the site. Practices are planned to occur up to twice daily for a total of approximately four (4) to six (6) hours a day.

For the past four (4) years, the Buccaneers have held their Summer Training Camp in Orlando. Given this will be the first year the Summer Training Camp will be held at the Tampa Bay Buccaneers Training Facility, and given the Facility has resources and accommodations that have never been available to them in the past, the Buccaneers desire some flexibility as to the days and times during which the summer practices will be held. In the past, the typical morning practices occurred from approximately 8:30 a.m. to 11:00 a.m. and afternoon practices from approximately 2:45 p.m. to 4:30 p.m. For the proposed Summer Training Camp, some days there may be two practices open to the public and other days there may only be one, and occasionally practices may be held in the evening (i.e. after 6:00 p.m.). Based upon this information and the Buccaneers'

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EXHIBIT B TO NOPC

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desire to have flexibility as to when its practices are conducted, it was determined that the analysis would address site ingress during the highest hour of the a.m. peak period (7:00 a.m. to 9:00 a.m.) and site egress during the highest hour of the p.m. peak period (4:00 p.m. to 6:00 p.m.).

Public access to the site is proposed through two driveways. General public access to Summer Training Camp practices will be provided through the Himes Avenue & Tampa Bay Center Driveway intersection. Media and invited guest (VIP) access will be provided through the Dr. Martin Luther King Jr. Boulevard & Tampa Bay Center (West) Driveway.

Trip Generation

Trip generation for the proposed Summer Training Camp practices were estimated during the a.m. and p.m. peak hours based upon the following assumptions as originally presented and defined in the approved methodology:

- Bleacher capacity of 1,000 persons
- Vehicle occupancy rate of 3.0 persons per vehicle

However, although the approved methodology assumed a bleacher capacity for up to 1,000 persons, revisions to the bleacher design layout may allow a bleacher capacity of up to 4,000 persons in order to accommodate the positive public response to the announcement of Summer Training Camp at the new Facility. Public attendance figures for the past four years at the Buccaneers Summer Training Camp held in Orlando have ranged from an average of 850 to 1,450 persons per day. The current analysis was conducted in a conservative fashion and assumed traffic impacts for an average attendance of 3,000 persons, which assumes more than twice the number of persons attending on an average weekday as compared to historic information.

Based upon the assumption of 3,000 persons, it is estimated that a total of 1,000 vehicles in the peak hour could be associated with the proposed Summer Training Camp practices. Again, using conservative assumptions, the analysis assumed all vehicles enter into the site during the a.m. peak hour and all vehicles exiting the site during the p.m. peak hour.

Trip Distribution

Trip distribution was estimated based upon existing count data obtained during the a.m. and p.m. peak hours on Himes Avenue and Dr. Martin Luther King Jr. Boulevard. Reviewing the traffic count data, the following trip distribution was assumed for both the a.m. and p.m. peak hour analyses:

Direction	Distribution
East on Dr. Martin Luther King Jr. Boulevard	28%
West on Dr. Martin Luther King Jr. Boulevard	26%
North on Himes Avenue	23%
South on Himes Avenue	23%

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This distribution was applied separately to both the general public and media/VIP access driveways based upon the following assumptions:

Intersection	AM Period (Ingress)	PM Period (Egress)
• Himes Avenue & Tampa Bay Center Driveway	90%	50%
• Dr. Martin Luther King Jr. Boulevard & Tampa Bay Center (West) Driveway	10%	50%

As shown above, media/VIP traffic is assumed to account for ten (10) percent of the total traffic impacts and will be the only vehicles to utilize the Dr. Martin Luther King Jr. Boulevard & Tampa Bay Center (West) Driveway during the a.m. peak hour. During the p.m. peak hour, it was anticipated that all vehicles will distribute through the two driveways equally.

Existing Conditions

Vehicle turning movement volume counts were collected during the a.m. peak period (7:00 a.m. to 9:00 a.m.) and p.m. peak-hour period (4:00 p.m. to 6:00 p.m.) on February 24, 2009 at the Himes Avenue & Tampa Bay Center Driveway intersection and on March 12, 2009 at the Dr. Martin Luther King Jr. Boulevard & Tampa Bay Center (West) Driveway intersection. The raw counts and signal timings are attached.

Vehicle turning movement counts at the study intersections were modified to reflect peak-season conditions. This modification was performed using FDOT weekly adjustment factors for Hillsborough County. The adjustment factor and existing peak-season traffic volumes are provided in the attached turning movement volume worksheets. The 2009 existing a.m. and p.m. peak-season traffic volumes are summarized in Figure 2 and Figure 3, respectively.

Intersection Analysis

Intersection analyses were conducted at the Himes Avenue & Tampa Bay Center Driveway intersection and the Dr. Martin Luther King Jr. Boulevard & Tampa Bay Center (West) Driveway intersection for existing conditions during the a.m. and p.m. peak hours, respectively. Intersection analyses were conducted using the *Highway Capacity Manual (HCM)* module of the Synchro software.

Future (Total Traffic) conditions were determined by adding anticipated traffic volumes associated with the proposed Summer Training Camp practices to existing volumes. This analysis was completed to determine if anticipated future traffic volumes can be accommodated with the existing signal control or if a traffic control officer or some other form of traffic control would be required.

Based upon the analysis, both study driveways/intersections are anticipated to operate at an acceptable level of service in the a.m. and p.m. peak hours. No geometric changes are required for either intersection. The Himes Avenue site driveway approach currently operates at LOS E in the a.m. and p.m. peak hours. Future driveways conditions at the Himes Avenue and Tampa Bay Center (West) driveways are expected to have similar delays with the Buccaneers Summer

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Training Camp practices. Table 1 and Table 2 summarize the anticipated levels of service for both the a.m. and p.m. peak hours, respectively.

TABLE 1
AM Peak Hour Intersections Conditions

	Intersection	Adopted LOS	Intersection LOS	Approach LOS			
				NB	SB	EB	WB
EXISTING TRAFFIC	Himes Avenue & Tampa Bay Center	D	A	A	A	-	E
	Dr. Martin Luther King Jr. Bl. & Tampa Bay Center (West)	D	A	A	D	A	A
TOTAL TRAFFIC	Himes Avenue & Tampa Bay Center [1]	D	C	B	C	-	E
	Dr. Martin Luther King Jr. Bl. & Tampa Bay Center (West)	D	A	A	D	A	A

Notes: [1] Includes signal timing adjustments

TABLE 2
PM Peak Hour Intersections Conditions

	Intersection	Adopted LOS	Intersection LOS	Approach LOS			
				NB	SB	EB	WB
EXISTING TRAFFIC	Himes Avenue & Tampa Bay Center	D	A	A	A	-	E
	Dr. Martin Luther King Jr. Bl. & Tampa Bay Center (West)	D	A	A	E	A	A
TOTAL TRAFFIC	Himes Avenue & Tampa Bay Center [1]	D	C	B	B	-	D
	Dr. Martin Luther King Jr. Bl. & Tampa Bay Center (West) [1]	D	C	E	D	C	B

Notes: [1] Includes signal timing adjustments

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Conclusion

Based upon this transportation analysis, only signal timing changes are required at the study driveway intersections to accommodate the anticipated traffic impacts associated with the proposed annual Summer Training Camp practices. If in-field traffic operations in the future show the need for additional control, it may be mandated that traffic control (i.e. police officer) be provided by the Tampa Bay Buccaneers during the proposed hours of summer camp practices. In addition, if a training camp practice is anticipated to occur during evening hours (i.e. after 6:00 p.m.), traffic control (i.e. police officer) will be provided at both driveways.

If you have any additional questions, please call at (813) 620-1460.

Very Truly Yours,

KIMLEY-HORN AND ASSOCIATES, INC.

Christopher C. Hatton, P.E.
Senior Vice-President

Patrick O'Connor, P.E.
Project Manager

PMO/sdm

Enclosures

Copy to: Susan Johnson, City of Tampa
Joe Zambito, Hillsborough County MPO
Charles White, Hillsborough County Planning & Growth Management
Les Weakland, Hartline
Bernard Piawah, FDCA
Kent Fast, FDOT
Domingo Noriega, URS

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Kimley-Horn
and Associates, Inc.

February 19, 2009

Suite 300
10117 Princess Palm Avenue
Tampa, Florida
33610-8300

Mr. John Meyer, DRI Coordinator
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Suite 100
Pinellas Park, Florida 33782

Re: Tampa Bay Center DRI, #16, Hillsborough County
Notice of Proposed Change (NOPC) Methodology Statement
Information

Dear Mr. Meyer:

Enclosed are three copies of the NOPC Methodology Statement for the Tampa Bay Center DRI, # 16, located in the City of Tampa.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Patrick M. O'Connor, P.E.
Project Manager

PMO/smcp

Enclosures

Copy to: Susan Johnson, Cityof Tampa (3) Copies
Joe Zambito, Hillsborough County MPO
Charles White, Hillsborough County Planning & Growth Management
Les Weakland, Hartline
Bernard, Piawah, FDCA
Kent Fast, FDOT
Domingo Noriega, URS

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FAX 813 620 1542

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TAMPA BAY CENTER, DRI #16
City of Tampa, Florida

NOTICE OF PROPOSED CHANGE
February 19, 2009

TRANSPORTATION METHODOLOGY

INTRODUCTION

The Tampa Bay Center DRI, #16, is located in the City of Tampa, in the southeast corner of the Martin Luther King Jr. Boulevard (State Road 574) & Himes Avenue intersection. The Tampa Bay Center DRI is an 83 acre (+/-) development and the original Development Order was adopted in 1974. The Development Order has been amended a total of six times, with the latest occurring on September 21, 2004 (Resolution 2004-215), which allowed for the construction of the Tampa Bay Buccaneers Corporate Headquarters Facility.

Specifically, the latest approved Development Order consists of adding Office as an approved land use; authorizes and approves utilization of a trade-off mechanism to allow the conversion of approved retail square footage to office square footage; and approves a second alternate development scenario to provide another alternative to the currently approved development scenario at the time of development. The current DRI buildout approval does not expire until December 31, 2012, and the Development Order does not expire until December 31, 2017.

NOPC OBJECTIVE

The Tampa Bay Buccaneers wish to conduct their annual summer training camp at the Corporate Headquarters location where they currently conduct their regular season training. The primary difference is that the regular season training is not open to the public and the annual summer training camp will be open to the public and should be considered a temporary use. As stated in Section 3f of Resolution 2004-215;

> "If in the future the annual summer training camp is proposed to be open to the public, then the Developer shall file a Notice of Proposed Change to amend this Development Order to analyze the impacts (if any) of such a change."

The objective of this NOPC will be to analyze the impacts of holding the summer training camp at the Corporate Headquarters, specifically the impacts of having practices open to the public. Based upon discussions with the Tampa Bay Buccaneers, practices are anticipated to occur twice daily for a total of approximately four hours a day. Summer training camp will be conducted daily from the end of July to the middle of August (approximately 23 days).

The public will access the development from Himes Avenue and Martin Luther King (MLK), Jr. Boulevard through existing (Tampa Bay Center Driveway and One Buc Place) driveways (both currently signalized) and park on the west side of the practice field, where paved parking areas exists.

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Troemel, David

From: OConnor, Patrick
Sent: Monday, March 09, 2009 1:38 PM
To: Troemel, David
Subject: FW: Tampa Bay Center DRI #16 NOPC Methodology -- Addendum

See below.

PATRICK M. O'CONNOR, P.E. (FL)
Kimley-Horn and Associates, Inc.

(P) 813.620.1460
(F) 813.620.1542

From: John Meyer [mailto:johnm@tbrpc.org]
Sent: Wednesday, March 04, 2009 9:56 AM
To: Gina Grimes
Cc: OConnor, Patrick; Hatton, Christopher; kent.fast@dot.state.fl.us; Charles White; patrickj@hillsboroughcounty.org; susan.johnson@tampagov.net; Pessaro, Brian
Subject: RE: Tampa Bay Center DRI #16 NOPC Methodology -- Addendum

Folks:

Having previously received written acknowledgement of acceptance of the Tampa Bay Center Methodology from Florida Department of Transportation and Hillsborough County, the staff of the Tampa Bay Regional Planning Council will accept the Methodology as proposed.

Please include proposed Development Order Conditions <u>within the NOPC application</u> restricting the frequency (in terms of # and/or dates) of the practices that are open to the public and limitations on the hours of such events.

If you should have any question(s), please do not hesitate to contact me.

John M. Meyer
DRI, LEPC and IC&R Coordinator

Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782
Phone - 727/570-5151 ext. 29
FAX - 727/570-5118
www.tbrpc.org

From: Gina Grimes [mailto:GGrimes@hwhlaw.com]
Sent: Monday, February 23, 2009 4:48 PM
To: John Meyer

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Cc: patrick.oconnor@kimley-horn.com; Christopher.Hatton@kimley-horn.com
Subject: RE: Tampa Bay Center DRI #16 NOPC Methodology -- Addendum

John,

We understand your concern about setting a precedent... and any assistance you can provide re the timing will be appreciated!

Thanks,
Gina

From: John Meyer [mailto:johnm@tbrpc.org]
Sent: Friday, February 20, 2009 8:06 AM
To: patrick.oconnor@kimley-horn.com
Cc: susan.johnson@tampagov.net; kent.fast@DOT.state.fl.us; whitece@hillsboroughcounty.org; Domingo_Noriega@URSCorp.com; Christopher.Hatton@kimley-horn.com; Gina Grimes; bford@buccaneers.nfl.com; zambitoj@plancom.org; weaklandl@gohart.org; Bernard.piawah@dca.state.fl.us
Subject: RE: Tampa Bay Center DRI #16 NOPC Methodology -- Addendum

Patrick:

Per our prior discussions, I do not recall agreeing to any specific period of time in which to review your draft Methodology Statement and provide comment(s), as may be appropriate. While I agree in the importance of establishing a time frame for review, I think the requested for review of the initial Methodology Statement of two-weeks is too short and not a precedence I would like to establish. I would alternatively request that the designated review period for the initial Methodology be extended to Friday, March 13th. Any thoughts?

John M. Meyer
DRI, LEPC and IC&R Coordinator

Tampa Bay Regional Planning Council
4000 Gateway Centre Blvd., Suite 100
Pinellas Park, FL 33782
Phone - 727/570-5151 ext. 29
FAX - 727/570-5118
www.tbrpc.org

From: patrick.oconnor@kimley-horn.com [mailto:patrick.oconnor@kimley-horn.com]
Sent: Thursday, February 19, 2009 4:52 PM
To: John Meyer
Cc: susan.johnson@tampagov.net; kent.fast@DOT.state.fl.us; whitece@hillsboroughcounty.org; Domingo_Noriega@URSCorp.com; Christopher.Hatton@kimley-horn.com; GGrimes@hwhlaw.com; bford@buccaneers.nfl.com; zambitoj@plancom.org; weaklandl@gohart.org; Bernard.piawah@dca.state.fl.us
Subject: RE: Tampa Bay Center DRI #16 NOPC Methodology -- Addendum

It was incorrectly stated in the methodology that March 5, 2009 is a Wednesday. The date referenced is correct, however, March 5, 2009 is actually Thursday. I apologize for this error.

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PATRICK M. O'CONNOR, P.E. (FL)
Kimley-Horn and Associates, Inc.

(P) 813.620.1460
(F) 813.620.1542

From: OConnor, Patrick
Sent: Thursday, February 19, 2009 4:40 PM
To: 'johnm@tbrpc.org'
Cc: susan.johnson@tampagov.net; kent.fast@DOT.state.fl.us; 'whitece@hillsboroughcounty.org'; Domingo_Noriega@URSCorp.com; Hatton, Christopher; Gina Grimes; 'Ford, Brian'; 'zambitoj@plancom.org'; 'weaklandl@gohart.org'; 'Bernard.piawah@dca.state.fl.us'
Subject: Tampa Bay Center DRI #16 NOPC Methodology

John-
Please find attached the NOPC methodology statement for the Tampa Bay Center DRI #16. Hard copies have been sent to individuals listed below as indicated by you.

Thank you,
Patrick O'Connor

John Meyer, TBRPC (3 COPIES)
Susan Johnson, City of Tampa (3 COPIES)
Joe Zambito, Hills. County MPO
Charles White, Hills. County Planning & Growth Mngmt.
Les Weakland, HARTLINE
Bernard Piawah, FDCA
Kent Fast, FDOT
Domingo Noriega, URS

PATRICK M. O'CONNOR, P.E. (FL)
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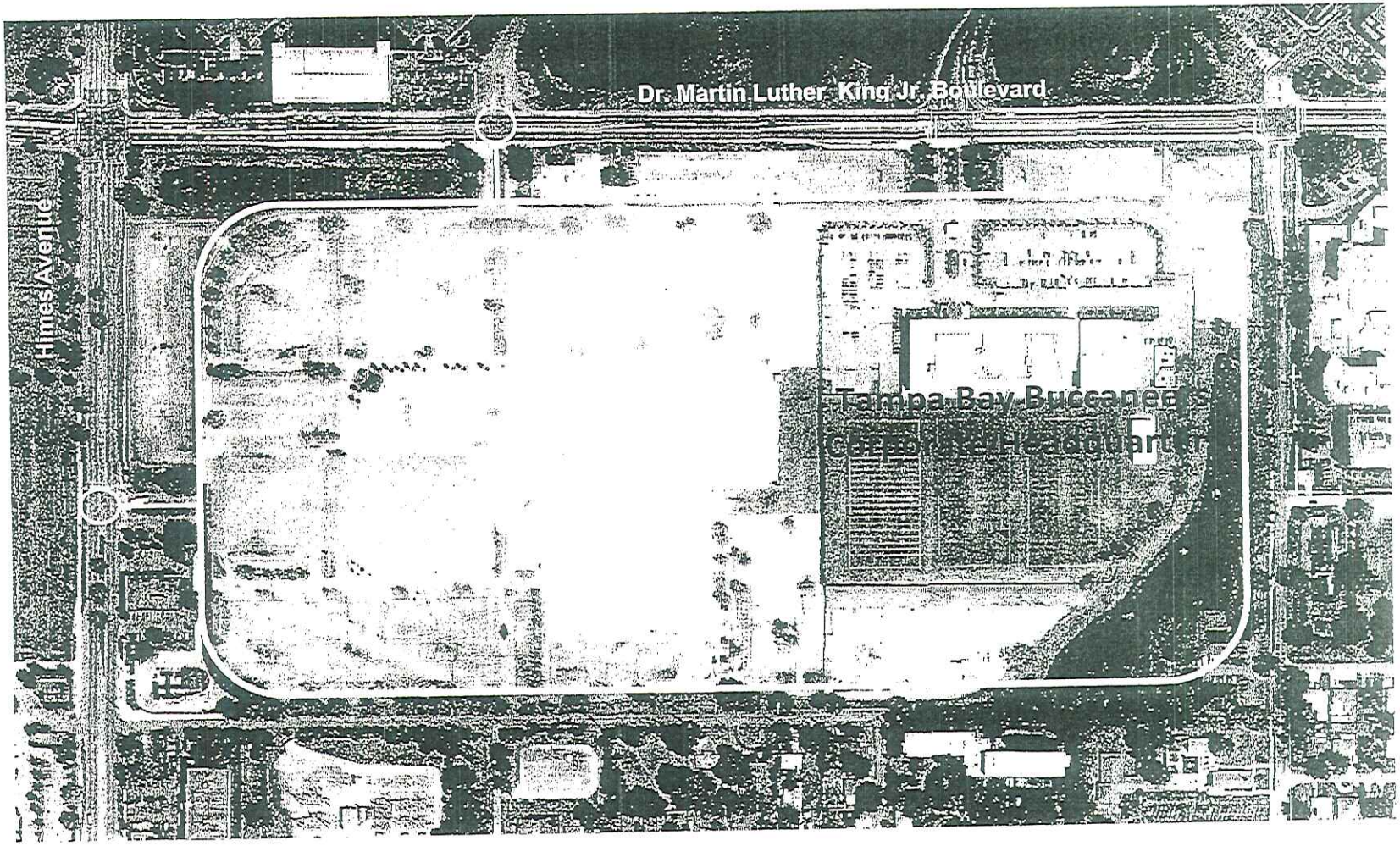

Legend

Study Intersection

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Figure 1
Project Location Map
Tampa Bay Buccaneers Corporate Headquarters
Southeast Quadrant of Himes Avenue & Dr. ML King Jr. Boulevard
City of Tampa, Florida

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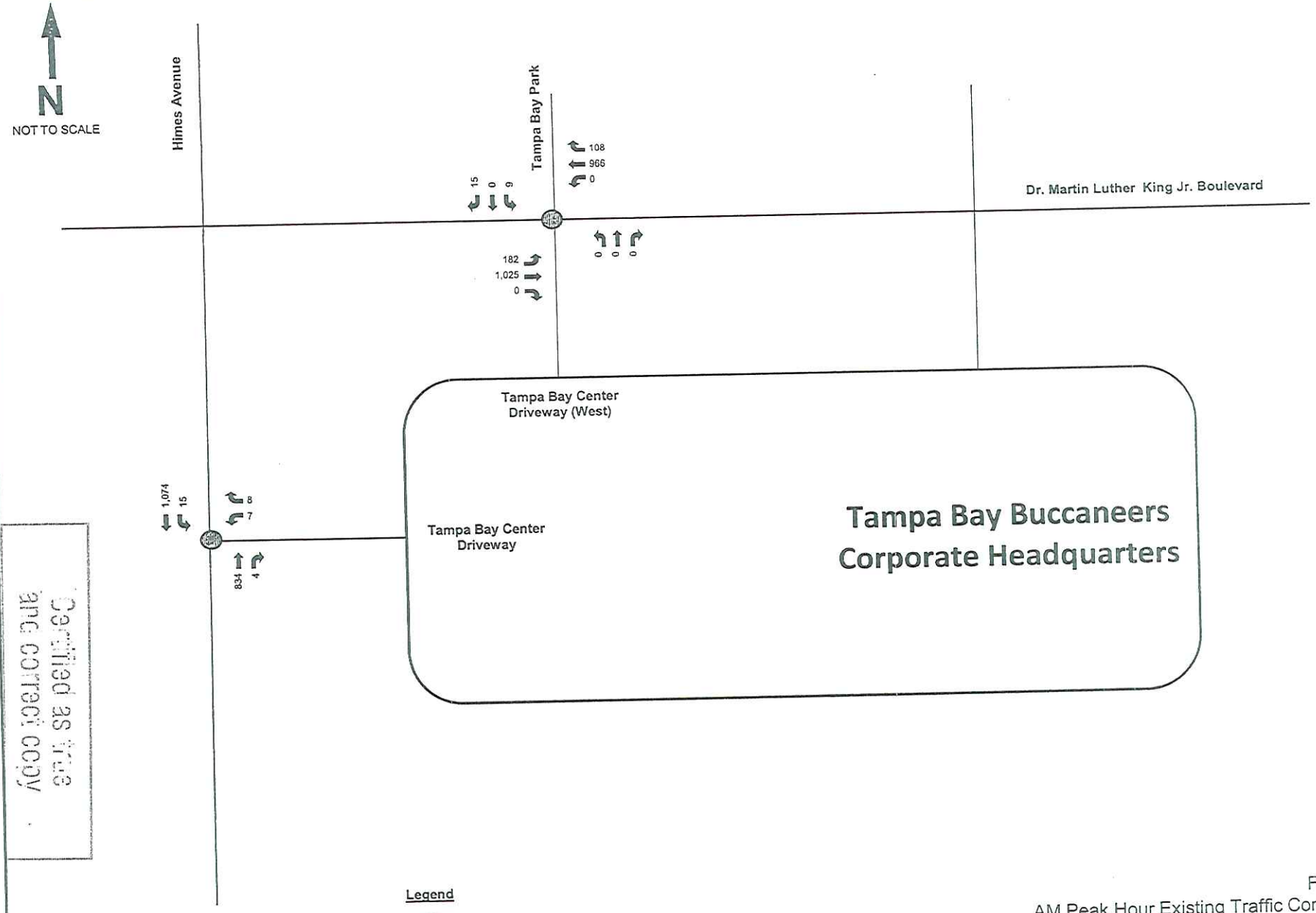

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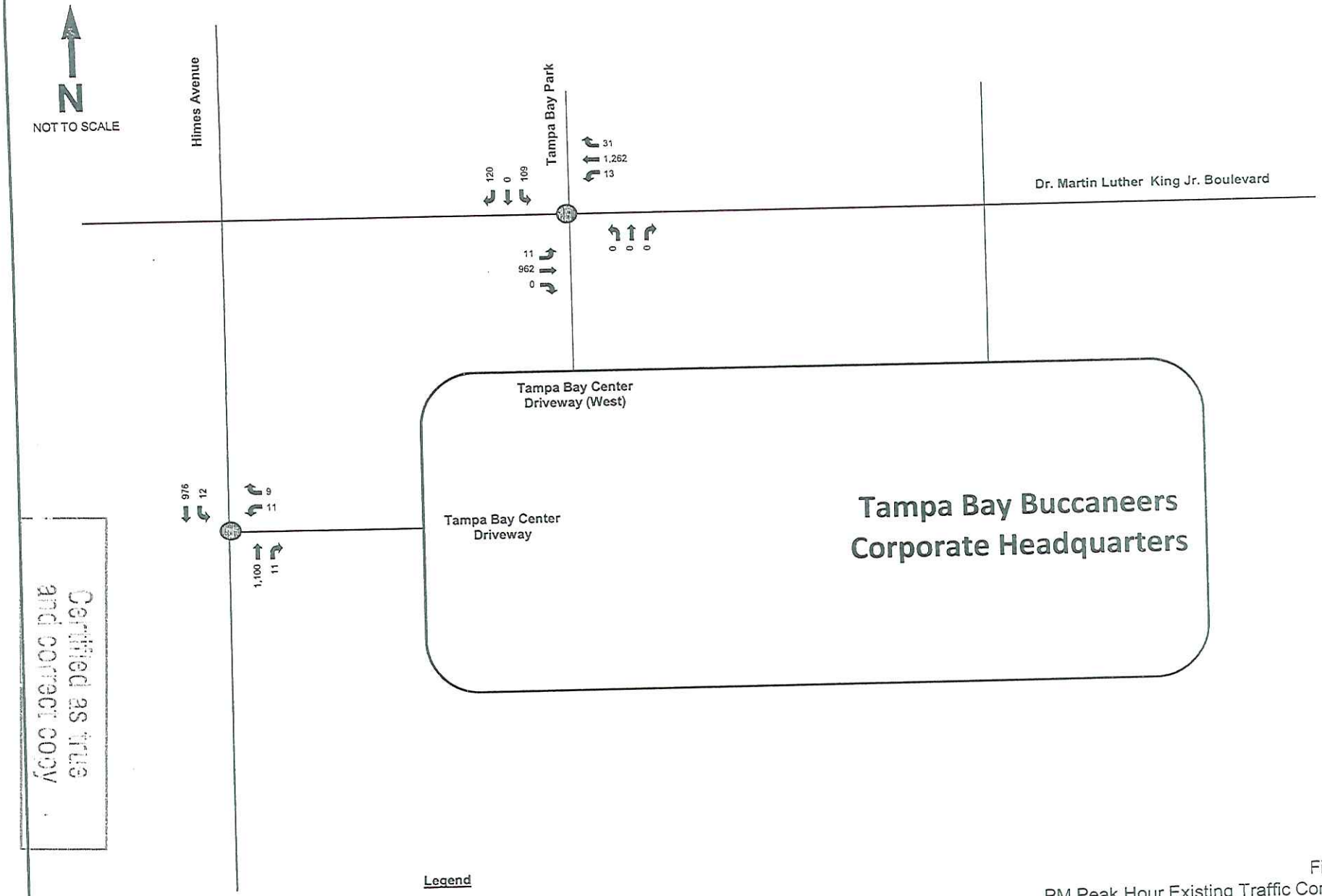
Figure 2
AM Peak Hour Existing Traffic Conditions
Tampa Bay Buccaneers Corporate Headquarters
Southeast Quadrant of Himes Avenue & Dr. ML King Jr. Boulevard
City of Tampa, Florida



Legend

Study Intersection

000 Existing Traffic

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Figure 3
PM Peak Hour Existing Traffic Conditions
Tampa Bay Buccaneers Corporate Headquarters
Southeast Quadrant of Himes Avenue & Dr. ML King Jr. Boulevard
City of Tampa, Florida

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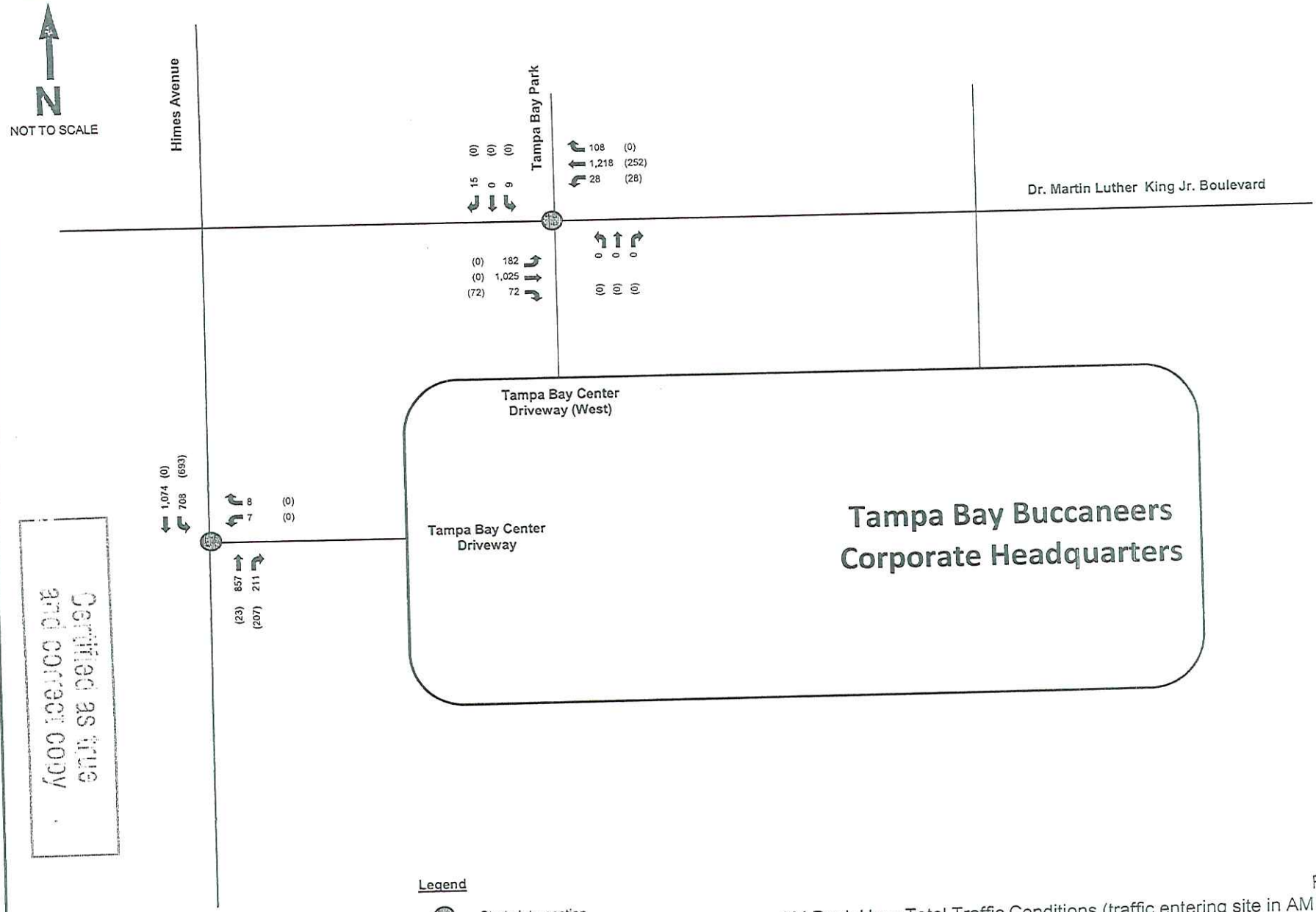

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Study Intersection

000 Total Traffic

(000) Project Traffic

Figure 4
AM Peak Hour Total Traffic Conditions (traffic entering site in AM Period)
Tampa Bay Buccaneers Corporate Headquarter
Southeast Quadrant of Himes Avenue & Dr. ML King Jr. Boulevard
City of Tampa, Florida

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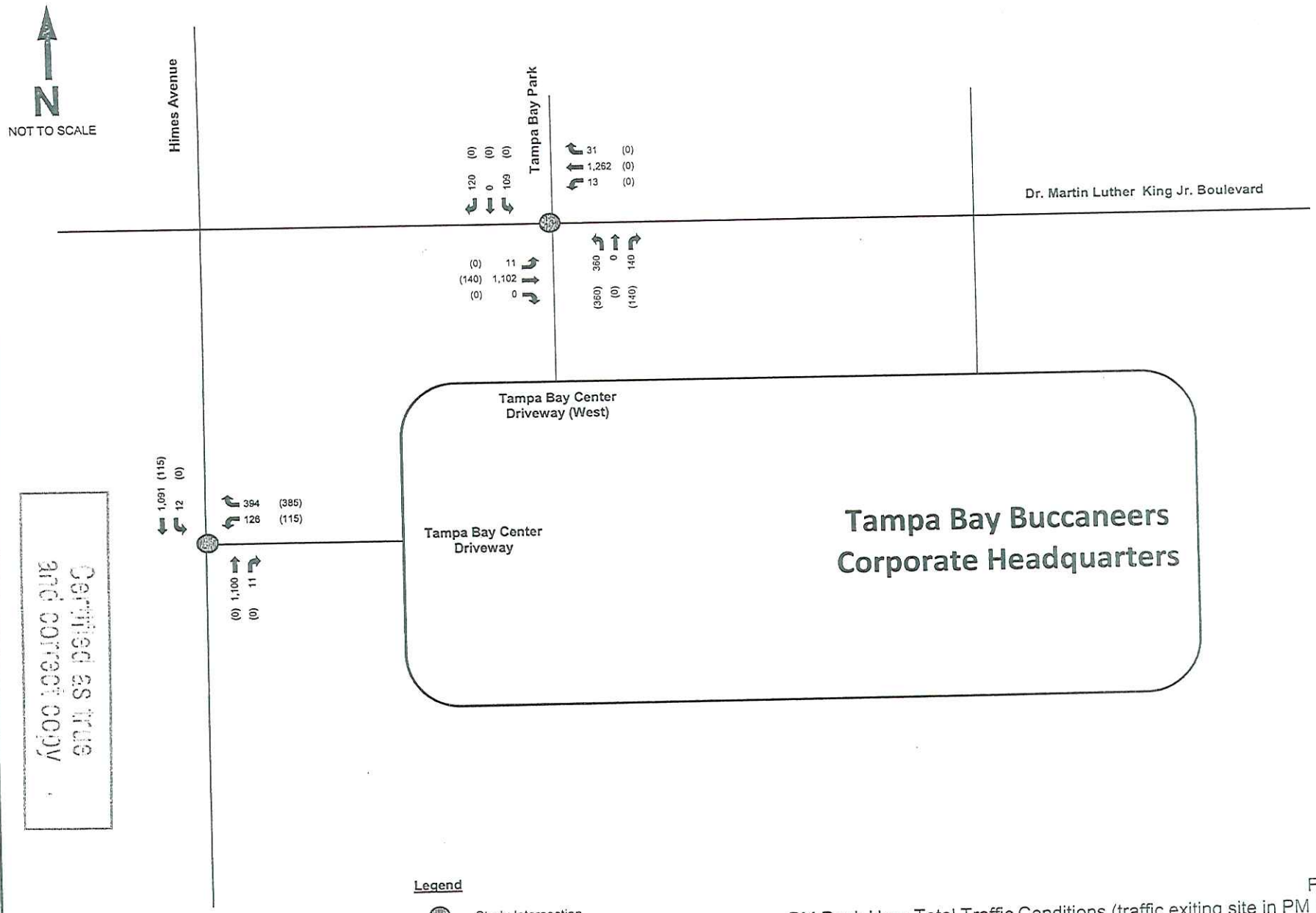

Legend

Study Intersection

000 Total Traffic

(000) Project Traffic

Figure 5
PM Peak Hour Total Traffic Conditions (traffic exiting site in PM Period)
Tampa Bay Buccaneers Corporate Headquarter
Southeast Quadrant of Himes Avenue & Dr. ML King Jr. Boulevard
City of Tampa, Florida

Kimley-Horn and Associates, Inc.

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TRAFFIC VOLUMES
AT STUDY INTERSECTIONS

INTERSECTION: Himes Avenue & Tampa Bay Center
COUNT DATE: February 24, 2009
TIME PERIOD: AM Period
PEAK HOUR FACTOR: 0.891

"EXISTING TRAFFIC"	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements						7		8			842	4		15	1,085	
Peak Season Correction Factor	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990
EXISTING CONDITIONS						7		8			834	4		15	1,074	

"PROJECT DISTRUBUTION" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
VIP and Media Distribution	Entering											23.0%					
	Exiting																
General Public Distrubution	Entering												23.0%		77.0%		
	Exiting																

"PROJECT TRAFFIC" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Project Trips	VIP and Media											23					
	General Public												207		693		
TOTAL PROJECT TRAFFIC							0		0			23	207		693	0	
TOTAL TRAFFIC							7		8			857	211		708	1,074	

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TRAFFIC VOLUMES
AT STUDY INTERSECTIONS

INTERSECTION: Dr. ML King Jr. Boulevard & Tampa Bay Park (West)
COUNT DATE: March 12, 2009
TIME PERIOD: AM Period
PEAK HOUR FACTOR: 0.95

"EXISTING TRAFFIC"	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw turning Movements		188	1,057	0		0	996	111		0	0	0		9	0	15
Peak Season Correction Factor	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970
EXISTING CONDITIONS		182	1,025	0		0	966	108		0	0	0		9	0	15

"PROJECT DISTRUBUTION" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
VIP and Media Distribution	Entering				72.0%		28.0%										
	Exiting																
General Public Distribution	Entering							28.0%									
	Exiting																

"PROJECT TRAFFIC" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Project Trips	VIP and Media				72		28										
	General Public							252									
TOTAL PROJECT TRAFFIC			0	0	72		28	252	0		0	0	0		0	0	0
TOTAL TRAFFIC			182	1,025	72		28	1,218	108		0	0	0		9	0	15

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TRAFFIC VOLUMES
AT STUDY INTERSECTIONS

INTERSECTION: Himes Avenue & Tampa Bay Center Driveway
COUNT DATE: February 24, 2009
TIME PERIOD: PM Period
PEAK HOUR FACTOR: 0.891

"EXISTING TRAFFIC"	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements						11		9			1,111	11		12	986	
Peak Season Correction Factor	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990	0.990
EXISTING CONDITIONS						11		9			1,100	11		12	976	

"PROJECT DISTRUBUTION" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Traffic Egressing Dr. ML King Bl.	Entering															23.0%	
	Exiting																
Traffic Egressing Himes Avenue	Entering						23.0%		77.0%								
	Exiting																

"PROJECT TRAFFIC" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Project Trips	Dr. ML King Bl.															115	
	Himes Avenue						115		385								
TOTAL PROJECT TRAFFIC							115		385			0	0		0	115	
TOTAL TRAFFIC							126		394			1,100	11		12	1,091	

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TRAFFIC VOLUMES
AT STUDY INTERSECTIONS

INTERSECTION: Dr. ML King Jr. Boulevard & Tampa Bay Park (West)
COUNT DATE: March 12, 2009
TIME PERIOD: PM Period
PEAK HOUR FACTOR: 0.962

"EXISTING TRAFFIC"	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements		11	992	0		13	1,301	32		0	0	0		112	0	124
Peak Season Correction Factor	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970	0.970
EXISTING CONDITIONS		11	962	0		13	1,262	31		0	0	0		109	0	120

"PROJECT DISTRUBUTION" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Traffic Egressing Dr. ML King Blvd	Entering																
	Exiting										72.0%		28.0%				
Traffic Egressing Himes Avenue	Entering																
	Exiting			28.0%													

"PROJECT TRAFFIC" LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Project Trips	Dr. ML King Blvd										360		140				
	Himes Avenue			140													
TOTAL PROJECT TRAFFIC			0	140	0		0	0	0		360	0	140		0	0	0
TOTAL TRAFFIC			11	1,102	0		13	1,262	31		360	0	140		109	0	120

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1: Tampa Bay Center & Himes Avenue

Movement	WBL	WBR	NBL	NBR	SBL	SBT
Lane Configurations						
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	0.97	1.00	0.95	1.00	1.00	0.95
Frt	1.00	0.85	1.00	0.85	1.00	1.00
Flt Protected	0.95	1.00	1.00	1.00	0.95	1.00
Satd. Flow (prot)	3433	1583	3539	1583	1770	3539
Flt Permitted	0.95	1.00	1.00	1.00	0.29	1.00
Satd. Flow (perm)	3433	1583	3539	1583	538	3539
Volume (vph)	7	8	834	4	15	1074
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	8	9	937	4	17	1207
RTOR Reduction (vph)	0	9	0	0	0	0
Lane Group Flow (vph)	8	0	937	4	17	1207
Turn Type		Perm		Free	pm+pt	
Protected Phases	4		6		5	2
Permitted Phases		4		Free	2	
Actuated Green, G (s)	3.7	3.7	138.8	160.0	146.8	146.8
Effective Green, g (s)	4.2	4.2	139.8	160.0	147.8	147.8
Actuated g/C Ratio	0.03	0.03	0.87	1.00	0.92	0.92
Clearance Time (s)	4.5	4.5	5.0		5.0	5.0
Vehicle Extension (s)	3.0	3.0	3.0		2.0	3.0
Lane Grp Cap (vph)	90	42	3092	1583	528	3269
v/s Ratio Prot	c0.00		0.26		0.00	c0.34
v/s Ratio Perm		0.00		0.00	0.03	
v/c Ratio	0.09	0.01	0.30	0.00	0.03	0.37
Uniform Delay, d1	76.0	75.9	1.7	0.0	0.7	0.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	0.4	0.1	0.3	0.0	0.0	0.3
Delay (s)	76.5	75.9	2.0	0.0	0.7	1.0
Level of Service	E	E	A	A	A	A
Approach Delay (s)	76.2		2.0			1.0
Approach LOS	E		A			A

Intersection Summary

HCM Average Control Delay	2.0	HCM Level of Service	A
HCM Volume to Capacity ratio	0.36		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	40.5%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

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2: Dr. Martin Luther King Jr. Bl & Tampa Bay Center (West)

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0			4.0						4.0	4.0
Lane Util. Factor	1.00	0.95			0.95						1.00	1.00
Frt	1.00	1.00			0.98						1.00	0.85
Flt Protected	0.95	1.00			1.00						0.95	1.00
Satd. Flow (prot)	1770	3539			3486						1770	1583
Flt Permitted	0.20	1.00			1.00						0.76	1.00
Satd. Flow (perm)	366	3539			3486						1410	1583
Volume (vph)	182	1025	0	0	966	108	0	0	0	9	0	15
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	192	1079	0	0	1017	114	0	0	0	9	0	16
RTOR Reduction (vph)	0	0	0	0	4	0	0	0	0	0	0	13
Lane Group Flow (vph)	192	1079	0	0	1127	0	0	0	0	0	9	3
Turn Type	pm+pt		Free	pm+pt			Perm		Perm	Perm		Perm
Protected Phases	1	6		5	2			4			8	
Permitted Phases	6		Free	2			4		4	8		8
Actuated Green, G (s)	123.4	123.4			109.1						27.0	27.0
Effective Green, g (s)	124.0	124.0			109.7						28.0	28.0
Actuated g/C Ratio	0.78	0.78			0.69						0.18	0.18
Clearance Time (s)	5.4	4.6			4.6						5.0	5.0
Vehicle Extension (s)	2.0	3.0			3.0						3.0	3.0
Lane Grp Cap (vph)	374	2743			2390						247	277
v/s Ratio Prot	c0.03	0.30			0.32							
v/s Ratio Perm	c0.36										c0.01	0.00
v/c Ratio	0.51	0.39			0.47						0.04	0.01
Uniform Delay, d1	7.8	5.8			11.7						54.8	54.5
Progression Factor	1.00	1.00			0.45						1.00	1.00
Incremental Delay, d2	0.5	0.4			0.6						0.3	0.1
Delay (s)	8.3	6.3			5.9						55.1	54.6
Level of Service	A	A			A						E	D
Approach Delay (s)		6.6			5.9			0.0			54.8	
Approach LOS		A			A			A			D	

Intersection Summary			
HCM Average Control Delay	6.7	HCM Level of Service	A
HCM Volume to Capacity ratio	0.42		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	8.0
Intersection Capacity Utilization	58.6%	ICU Level of Service	B
Analysis Period (min)	15		
c Critical Lane Group			

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1: Tampa Bay Center & Himes Avenue

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	0.97	1.00	0.95	1.00	1.00	0.95
Frt	1.00	0.85	1.00	0.85	1.00	1.00
Flt Protected	0.95	1.00	1.00	1.00	0.95	1.00
Satd. Flow (prot)	3433	1583	3539	1583	1770	3539
Flt Permitted	0.95	1.00	1.00	1.00	0.23	1.00
Satd. Flow (perm)	3433	1583	3539	1583	431	3539
Volume (vph)	11	9	1100	11	12	976
Peak-hour factor, PHF	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	11	9	1134	11	12	1006
RTOR Reduction (vph)	0	9	0	0	0	0
Lane Group Flow (vph)	11	0	1134	11	12	1006
Turn Type		Perm		Free	pm+pt	
Protected Phases	4		6		5	2
Permitted Phases		4		Free	2	
Actuated Green, G (s)	3.7	3.7	119.8	140.0	126.8	126.8
Effective Green, g (s)	4.2	4.2	120.8	140.0	127.8	127.8
Actuated g/C Ratio	0.03	0.03	0.86	1.00	0.91	0.91
Clearance Time (s)	4.5	4.5	5.0		5.0	5.0
Vehicle Extension (s)	3.0	3.0	3.0		2.0	3.0
Lane Grp Cap (vph)	103	47	3054	1583	422	3231
v/s Ratio Prot	c0.00		c0.32		0.00	c0.28
v/s Ratio Perm		0.00		0.01	0.03	
v/c Ratio	0.11	0.01	0.37	0.01	0.03	0.31
Uniform Delay, d1	66.1	65.9	1.9	0.0	0.9	0.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	0.5	0.0	0.3	0.0	0.0	0.3
Delay (s)	66.5	65.9	2.3	0.0	0.9	1.0
Level of Service	E	E	A	A	A	A
Approach Delay (s)	66.3		2.3			1.0
Approach LOS	E		A			A

Intersection Summary			
HCM Average Control Delay	2.3	HCM Level of Service	A
HCM Volume to Capacity ratio	0.36		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	41.2%	ICU Level of Service	A
Analysis Period (min)	15		
c Critical Lane Group			

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2: Dr. Martin Luther King Jr. Bl & Tampa Bay Center (West)

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0						4.0	4.0
Lane Util. Factor	1.00	0.95		1.00	0.95						1.00	1.00
Frt	1.00	1.00		1.00	1.00						1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00						0.95	1.00
Satd. Flow (prot)	1770	3539		1770	3527						1770	1583
Flt Permitted	0.17	1.00		0.26	1.00						0.76	1.00
Satd. Flow (perm)	318	3539		487	3527						1410	1583
Volume (vph)	11	962	0	13	1262	31	0	0	0	109	0	120
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	11	1002	0	14	1315	32	0	0	0	114	0	125
RTOR Reduction (vph)	0	0	0	0	1	0	0	0	0	0	0	106
Lane Group Flow (vph)	11	1002	0	14	1346	0	0	0	0	0	114	19
Turn Type	pm+pt		Free	pm+pt			Perm		Perm	Perm		Perm
Protected Phases	1	6		5	2			4			8	
Permitted Phases	6		Free	2			4		4	8		8
Actuated Green, G (s)	109.2	107.2		109.2	107.2						15.8	15.8
Effective Green, g (s)	111.2	107.8		111.2	107.8						16.8	16.8
Actuated g/C Ratio	0.79	0.77		0.79	0.77						0.12	0.12
Clearance Time (s)	5.4	4.6		5.4	4.6						5.0	5.0
Vehicle Extension (s)	2.0	3.0		2.0	3.0						3.0	3.0
Lane Grp Cap (vph)	288	2725		418	2716						169	190
v/s Ratio Prot	c0.00	0.28		0.00	c0.38							
v/s Ratio Perm	0.03			0.03							c0.08	0.01
v/c Ratio	0.04	0.37		0.03	0.50						0.67	0.10
Uniform Delay, d1	4.0	5.2		3.3	6.0						59.0	54.9
Progression Factor	1.00	1.00		0.89	0.61						1.00	1.00
Incremental Delay, d2	0.0	0.4		0.0	0.6						10.2	0.2
Delay (s)	4.1	5.5		2.9	4.2						69.1	55.1
Level of Service	A	A		A	A						E	E
Approach Delay (s)		5.5			4.2			0.0			61.8	
Approach LOS		A			A			A			E	

Intersection Summary

HCM Average Control Delay	10.0	HCM Level of Service	A
HCM Volume to Capacity ratio	0.51		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	50.9%	ICU Level of Service	A
Analysis Period (min)	15		

c Critical Lane Group

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1: Tampa Bay Center & Himes Avenue

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	0.97	1.00	0.95	1.00	1.00	0.95
Frt	1.00	0.85	1.00	0.85	1.00	1.00
Flt Protected	0.95	1.00	1.00	1.00	0.95	1.00
Satd. Flow (prot)	3433	1583	3539	1583	1770	3539
Flt Permitted	0.95	1.00	1.00	1.00	0.22	1.00
Satd. Flow (perm)	3433	1583	3539	1583	412	3539
Volume (vph)	7	8	857	211	708	1074
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	8	9	963	237	796	1207
RTOR Reduction (vph)	0	9	0	0	0	0
Lane Group Flow (vph)	8	0	963	237	796	1207
Turn Type		Perm		Free	pm+pt	
Protected Phases	4		6		5	2
Permitted Phases		4		Free	2	
Actuated Green, G (s)	3.7	3.7	94.2	160.0	146.8	146.8
Effective Green, g (s)	4.2	4.2	95.2	160.0	147.8	147.8
Actuated g/C Ratio	0.03	0.03	0.60	1.00	0.92	0.92
Clearance Time (s)	4.5	4.5	5.0		5.0	5.0
Vehicle Extension (s)	3.0	3.0	3.0		2.0	3.0
Lane Grp Cap (vph)	90	42	2106	1583	793	3269
v/s Ratio Prot	0.00		0.27		c0.30	0.34
v/s Ratio Perm		0.00		c0.15	c0.62	
v/c Ratio	0.09	0.01	0.46	0.15	1.00	0.37
Uniform Delay, d1	76.0	75.9	18.0	0.0	32.1	0.7
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	0.4	0.1	0.7	0.2	32.9	0.3
Delay (s)	76.5	75.9	18.7	0.2	64.9	1.0
Level of Service	E	E	B	A	E	A
Approach Delay (s)	76.2		15.1			26.4
Approach LOS	E		B			C

Intersection Summary			
HCM Average Control Delay	22.5	HCM Level of Service	C
HCM Volume to Capacity ratio	0.95		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	4.0
Intersection Capacity Utilization	77.1%	ICU Level of Service	D
Analysis Period (min)	15		
c Critical Lane Group			

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2: Dr. Martin Luther King Jr. Bl & Tampa Bay Center (West)

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0						4.0	4.0
Lane Util. Factor	1.00	0.95	1.00	1.00	0.95						1.00	1.00
Frt	1.00	1.00	0.85	1.00	0.99						1.00	0.85
Flt Protected	0.95	1.00	1.00	0.95	1.00						0.95	1.00
Satd. Flow (prot)	1770	3539	1583	1770	3496						1770	1583
Flt Permitted	0.13	1.00	1.00	0.24	1.00						0.76	1.00
Satd. Flow (perm)	242	3539	1583	456	3496						1410	1583
Volume (vph)	182	1025	72	28	1218	108	0	0	0	9	0	15
Peak-hour factor, PHF	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
Adj. Flow (vph)	192	1079	76	29	1282	114	0	0	0	9	0	16
RTOR Reduction (vph)	0	0	0	0	3	0	0	0	0	0	0	13
Lane Group Flow (vph)	192	1079	76	29	1393	0	0	0	0	0	9	3
Turn Type	pm+pt		Free	pm+pt			Perm		Perm	Perm		Perm
Protected Phases	1	6		5	2			4			8	
Permitted Phases	6		Free	2			4		4	8		8
Actuated Green, G (s)	123.4	115.0	160.0	109.7	106.7						27.0	27.0
Effective Green, g (s)	124.0	115.6	160.0	111.7	107.3						28.0	28.0
Actuated g/C Ratio	0.78	0.72	1.00	0.70	0.67						0.18	0.18
Clearance Time (s)	5.4	4.6		5.4	4.6						5.0	5.0
Vehicle Extension (s)	2.0	3.0		2.0	3.0						3.0	3.0
Lane Grp Cap (vph)	309	2557	1583	354	2345						247	277
v/s Ratio Prot	c0.05	0.30		0.00	0.40							
v/s Ratio Perm	c0.43		c0.05	0.05							0.01	0.00
v/c Ratio	0.62	0.42	0.05	0.08	0.59						0.04	0.01
Uniform Delay, d1	13.4	8.9	0.0	7.6	14.4						54.8	54.5
Progression Factor	1.00	1.00	1.00	0.52	0.58						1.00	1.00
Incremental Delay, d2	2.8	0.5	0.1	0.0	1.0						0.3	0.1
Delay (s)	16.2	9.4	0.1	4.0	9.3						55.1	54.6
Level of Service	B	A	A	A	A						E	D
Approach Delay (s)		9.8			9.2			0.0			54.8	
Approach LOS		A			A			A			D	

Intersection Summary			
HCM Average Control Delay	9.9	HCM Level of Service	A
HCM Volume to Capacity ratio	0.50		
Actuated Cycle Length (s)	160.0	Sum of lost time (s)	4.0
Intersection Capacity Utilization	65.5%	ICU Level of Service	C
Analysis Period (min)	15		

c Critical Lane Group

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1: Tampa Bay Center & Himes Avenue

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0	4.0	4.0	4.0	4.0
Lane Util. Factor	0.97	1.00	0.95	1.00	1.00	0.95
Frt	1.00	0.85	1.00	0.85	1.00	1.00
Flt Protected	0.95	1.00	1.00	1.00	0.95	1.00
Satd. Flow (prot)	3433	1583	3539	1583	1770	3539
Flt Permitted	0.95	1.00	1.00	1.00	0.18	1.00
Satd. Flow (perm)	3433	1583	3539	1583	340	3539
Volume (vph)	126	394	1100	11	12	1091
Peak-hour factor, PHF	0.97	0.97	0.97	0.97	0.97	0.97
Adj. Flow (vph)	130	406	1134	11	12	1125
RTOR Reduction (vph)	0	117	0	0	0	0
Lane Group Flow (vph)	130	289	1134	11	12	1125
Turn Type		Perm		Free	pm+pt	
Protected Phases	4		6		5	2
Permitted Phases		4		Free	2	
Actuated Green, G (s)	35.5	35.5	87.9	140.0	95.0	95.0
Effective Green, g (s)	36.0	36.0	88.9	140.0	96.0	96.0
Actuated g/C Ratio	0.26	0.26	0.64	1.00	0.69	0.69
Clearance Time (s)	4.5	4.5	5.0		5.0	5.0
Vehicle Extension (s)	3.0	3.0	3.0		2.0	3.0
Lane Grp Cap (vph)	883	407	2247	1583	265	2427
v/s Ratio Prot	0.04		c0.32		0.00	c0.32
v/s Ratio Perm		c0.18		0.01	0.03	
v/c Ratio	0.15	0.71	0.50	0.01	0.05	0.46
Uniform Delay, d1	40.1	47.2	13.7	0.0	9.3	10.1
Progression Factor	1.00	1.00	1.00	1.00	1.00	1.00
Incremental Delay, d2	0.4	10.0	0.8	0.0	0.0	0.6
Delay (s)	40.5	57.3	14.5	0.0	9.3	10.8
Level of Service	D	E	B	A	A	B
Approach Delay (s)	53.2		14.4			10.8
Approach LOS	D		B			B

Intersection Summary

HCM Average Control Delay	20.3	HCM Level of Service	C
HCM Volume to Capacity ratio	0.57		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	61.5%	ICU Level of Service	B
Analysis Period (min)	15		

c Critical Lane Group

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2: Dr. Martin Luther King Jr. Bl & Tampa Bay Center (West)

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0			4.0	4.0		4.0	4.0
Lane Util. Factor	1.00	0.95		1.00	0.95			1.00	1.00		1.00	1.00
Frt	1.00	1.00		1.00	1.00			1.00	0.85		1.00	0.85
Flt Protected	0.95	1.00		0.95	1.00			0.95	1.00		0.95	1.00
Satd. Flow (prot)	1770	3539		1770	3527			1770	1583		1770	1583
Flt Permitted	0.11	1.00		0.16	1.00			0.65	1.00		0.29	1.00
Satd. Flow (perm)	206	3539		304	3527			1207	1583		546	1583
Volume (vph)	11	1102	0	13	1262	31	360	0	140	109	0	120
Peak-hour factor, PHF	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96	0.96
Adj. Flow (vph)	11	1148	0	14	1315	32	375	0	146	114	0	125
RTOR Reduction (vph)	0	0	0	0	1	0	0	0	88	0	0	75
Lane Group Flow (vph)	11	1148	0	14	1346	0	0	375	58	0	114	50
Turn Type	pm+pt		Free	pm+pt			Perm		Perm	Perm		Perm
Protected Phases	1	6		5	2			4			8	
Permitted Phases	6		Free	2			4		4	8		8
Actuated Green, G (s)	80.4	78.3		80.2	78.2			44.7	44.7		44.7	44.7
Effective Green, g (s)	82.4	78.9		82.2	78.8			45.7	45.7		45.7	45.7
Actuated g/C Ratio	0.59	0.56		0.59	0.56			0.33	0.33		0.33	0.33
Clearance Time (s)	5.4	4.6		5.4	4.6			5.0	5.0		5.0	5.0
Vehicle Extension (s)	2.0	3.0		2.0	3.0			3.0	3.0		3.0	3.0
Lane Grp Cap (vph)	160	1994		214	1985			394	517		178	517
v/s Ratio Prot	c0.00	0.32		0.00	c0.38							
v/s Ratio Perm	0.04			0.04				c0.31	0.04		0.21	0.03
v/c Ratio	0.07	0.58		0.07	0.68			0.95	0.11		0.64	0.10
Uniform Delay, d1	16.7	19.7		14.7	21.6			46.1	33.0		40.2	32.8
Progression Factor	1.00	1.00		0.65	0.57			1.00	1.00		1.00	1.00
Incremental Delay, d2	0.1	1.2		0.0	1.6			32.9	0.1		7.6	0.1
Delay (s)	16.7	21.0		9.6	14.0			79.0	33.1		47.8	32.9
Level of Service	B	C		A	B			E	C		D	C
Approach Delay (s)		20.9			13.9			66.1			40.0	
Approach LOS		C			B			E			D	

Intersection Summary

HCM Average Control Delay	26.6	HCM Level of Service	C
HCM Volume to Capacity ratio	0.76		
Actuated Cycle Length (s)	140.0	Sum of lost time (s)	12.0
Intersection Capacity Utilization	74.1%	ICU Level of Service	D
Analysis Period (min)	15		

c Critical Lane Group

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Adams Traffic, Inc.
P.O. Box 997
Plant City, FL 33564
Tel:(813) 763-7763 Fax:(813) 659-8688

Project No.: 09022

Turning Movement Count
Field Data Sheet

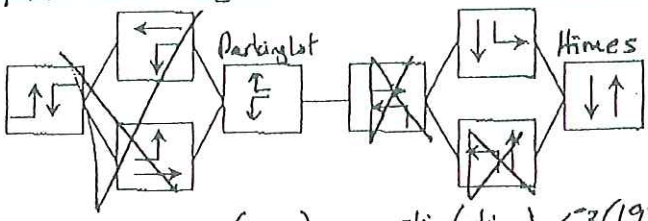
Date: 2/24/09 Count Times: 7-9am & 4-6pm

Major Street: Himes Avenue Direction: N-S Speed Limit: 40 mph

Minor Street: Parking Lot (Old Mall) Direction: E-W Speed Limit: N/A mph

City/County: Tampa / Hillsborough Weather: Clear

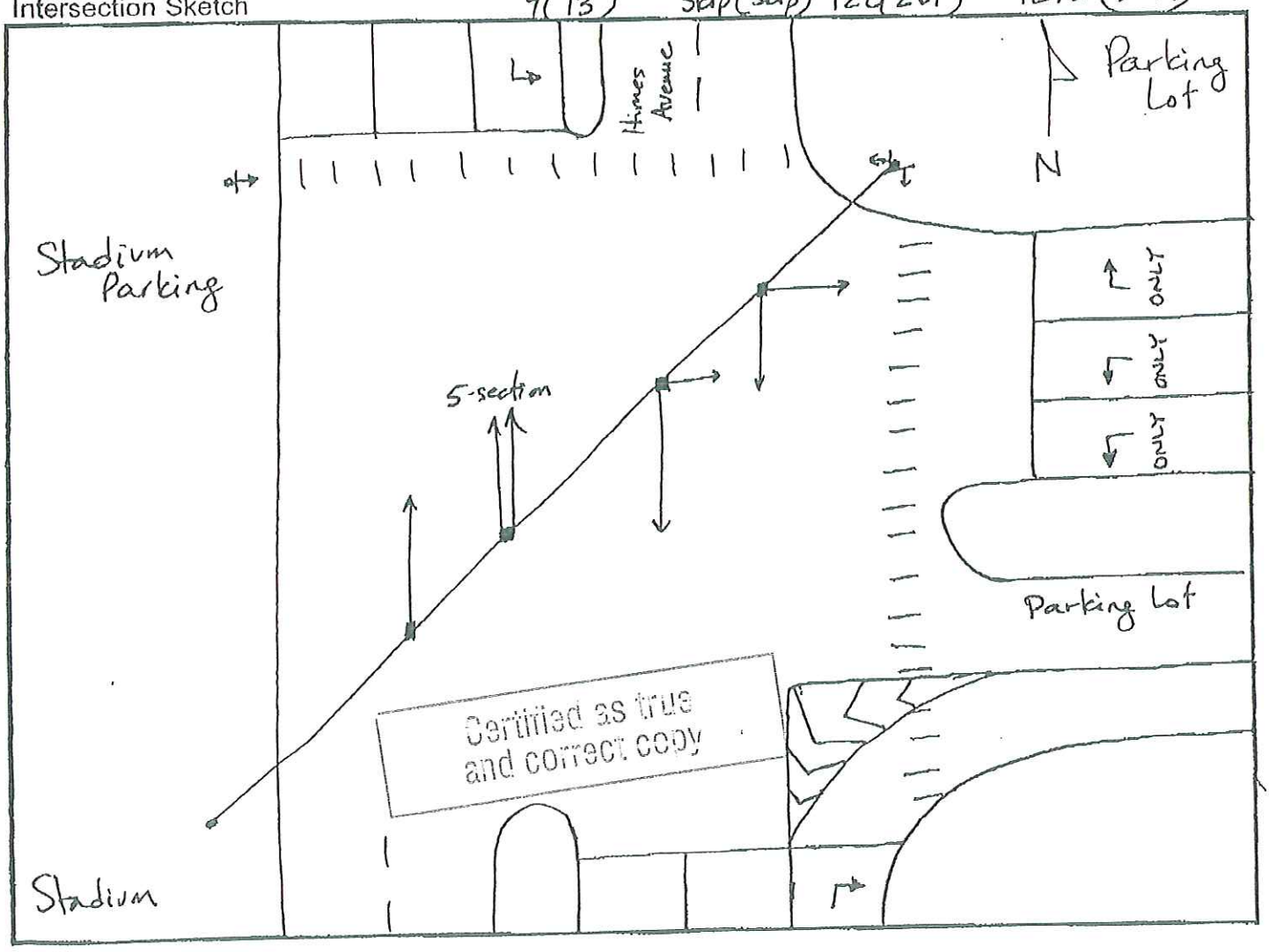
Phasing:



3 Cycles Measured:

AM(PM)			
	11(8)	skip(skip) 53(199)	- 64s. (207s.)
	18(14)	skip(skip) 373(337)	- 391s. (351s.)
	9(13)	skip(skip) 120(261)	- 129s. (274s)

Intersection Sketch



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City/County: Tampa/Hillsborough
Weather: Clear
Comments:

Kimley-Horn and Associates, Inc.
10117 Princess Palm Ave, Suite 300
Tampa, FL 33610
813-620-1460

File Name : HIMES&~1
Site Code : 00000000
Start Date : 2/24/2009
Page No : 1

Groups Printed- Passenger Vehicles - Heavy Vehicles - U-Turns

	PARKING LOT Westbound					HIMES AVENUE Northbound					HIMES AVENUE Southbound					
Start Time	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Int. Total
07:00 AM	3	0	0	1	4	0	130	0	0	130	2	206	0	0	208	342
07:15 AM	0	0	0	2	2	0	164	2	0	166	2	237	0	0	239	407
07:30 AM	3	0	0	2	5	0	225	0	0	225	3	262	0	0	265	495
07:45 AM	0	0	0	2	2	0	249	2	0	251	1	296	0	0	297	550
Total	6	0	0	7	13	0	768	4	0	772	8	1001	0	0	1009	1794
08:00 AM	4	0	0	2	6	0	174	0	0	174	6	308	0	0	314	494
08:15 AM	0	0	0	2	2	0	194	2	0	196	5	219	0	0	224	422
08:30 AM	4	0	0	3	7	0	190	1	0	191	2	221	0	0	223	421
08:45 AM	0	0	0	1	1	1	165	2	0	168	2	227	0	0	229	398
Total	8	0	0	8	16	1	723	5	0	729	15	975	0	0	990	1735
*** BREAK ***																
04:00 PM	5	0	0	1	6	2	212	1	0	215	1	192	0	0	193	414
04:15 PM	0	0	0	3	3	0	241	2	0	243	5	186	0	0	191	437
04:30 PM	3	0	0	2	5	0	241	0	0	241	1	225	0	0	226	472
04:45 PM	3	0	0	3	6	0	258	6	0	264	2	225	0	0	227	497
Total	11	0	0	9	20	2	952	9	0	963	9	828	0	0	837	1820
05:00 PM	4	0	0	1	5	0	272	1	0	273	3	267	0	0	270	548
05:15 PM	3	0	1	2	6	0	314	4	1	319	4	220	0	0	224	549
05:30 PM	4	0	2	0	6	0	271	2	0	273	2	260	0	0	262	541
05:45 PM	0	0	0	3	3	0	254	3	0	257	3	239	0	0	242	502
Total	11	0	3	6	20	0	1111	10	1	1122	12	986	0	0	998	2140
Grand Total	36	0	3	30	69	3	3554	28	1	3586	44	3790	0	0	3834	7489
Apprch %	52.2	0.0	4.3	43.5		0.1	99.1	0.8	0.0		1.1	98.9	0.0	0.0		
Total %	0.5	0.0	0.0	0.4	0.9	0.0	47.5	0.4	0.0	47.9	0.6	50.6	0.0	0.0	51.2	

	PARKING LOT Westbound					HIMES AVENUE Northbound					HIMES AVENUE Southbound					
Start Time	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																
Intersection	07:30 AM															
Volume	7	0	0	8	15	0	842	4	0	846	15	1085	0	0	1100	1961
Percent	46.7	0.0	0.0	53.3		0.0	99.5	0.5	0.0		1.4	98.6	0.0	0.0		
07:45 Volume	0	0	0	2	2	0	249	2	0	251	1	296	0	0	297	550
Peak Factor																0.891
High Int.	08:00 AM					07:45 AM					08:00 AM					
Volume	4	0	0	2	6	0	249	2	0	251	6	308	0	0	314	
Peak Factor					0.625					0.843					0.876	

Kimley-Horn and Associates, Inc.
10117 Princess Palm Ave, Suite 300
Tampa, FL 33610
813-620-1460

File Name : HIMES&~1
Site Code : 00000000
Start Date : 2/24/2009
Page No : 2

	PARKING LOT Westbound					HIMES AVENUE Northbound					HIMES AVENUE Southbound					
Start Time	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Int. Total
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																
Intersection	05:00 PM															
Volume	11	0	3	6	20	0	1111	10	1	1122	12	986	0	0	998	2140
Percent	55.0	0.0	15.0	30.0		0.0	99.0	0.9	0.1		1.2	98.8	0.0	0.0		
05:15 Volume	3	0	1	2	6	0	314	4	1	319	4	220	0	0	224	549
Peak Factor																0.974
High Int.	05:15 PM					05:15 PM					05:00 PM					
Volume	3	0	1	2	6	0	314	4	1	319	3	267	0	0	270	
Peak Factor					0.833					0.879					0.924	

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City of Tampa Signal Timing Sheet

Section ID: 2407 Computer: M CCU: 39 DROP 4 SHOP ID 1560

Timing Date: 2/10/2009 Phase Date: 8/7/2000 Controller: ECONOLITE

Intersection: HIMES and SEARS

Phase Numbers		2		4	5	6		
Direction		SB		WB	SBLT	NB		
Minimum Green		10		5	5	10		
Walk		9		4	---	4		
Flash Don't Walk		1		18	---	29		
Vehicle Extension		3.0		3.0	2.0	3.0		
Max. Green I		75		25	10	75		
Max. Green II		130		45	15	130		
Yellow Clearance		4.0		3.5	4.0	4.0		
All Red Clearance		1.0		1.0	1.0	1.0		
Phase Recall		MAX		---	---	MAX		
Detector Memory		---		ON	---	---		
Ped. Recall		ON		---	---	ON		
Flash Operation		YEL		RED	---	YEL		

Special Modes and Times of Operations:

Surveillance Times:

Flash Source: C Times: 7-D 23:00 - 04:45

C = Computer Flash T = Time Clock/Controller

Special Functions: 1 AFT WB
0
0

Please Implement Within: [✓] 1 Week [ ] 1 Month

Comments:

UPDATED FDOT CLEARANCES. Ø5 IS LEADING LEFT.
SF-1 PLACES PERMANENT CALL ON WB PED & PHASE 4.
E.O.C. RESISTOR REQUIRED ON RECEIVE.

BACKUP PROTECTION GROUP 1 - 'ON'.

Submitted By: GT Reviewed By: DS Approved By: _____
Date: 2-17-09 Date: 2-17-09 Date: _____

Signal Timing Implemented: [ ] As Sent [ ] With Following Revisions

_____ Date: _____

[ ] Signal Timing Not Implemented Reason:

Date: _____ By: _____

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2407

CITY OF TAMPA COMPUTER PATTERN SHEET

ECONOLITE

2407 - HIMES & SEARS

Timing Date: 10/15/2008		MIN	10	5	5	
		YEL	4	3.5	4	
DownLd Date: / /		RED	1	1	1	
		WLK	4	4		
MSX: M CCU: 39 Drop: 4		FDW	29	18		
		Min - 60	39	10	11	
Pat		CYC	OS	NS	WB	SBLT
1	Am 0615 - 0900	160	21	138	11	11
2	Am off 0900 - 1115	130	33	108	11	11
3	Noon 1115 - 1330	140	40	118	11	11
4	Pm off 1330 - 1515	130	33	108	11	11
5	Pm 1515 - 1830	140	134	118	11	11
6	Evening 1830 - 2200	130	33	108	11	11
7	Late 2200 - 0615	100	53	78	11	11
8	Bucs - In 1	100	86	50	35	15
9	Bucs - Out	200	43	81	104	15
10		120	108	65	31	24
11		140	21	80	35	25
12		200	43	119	48	33
13	WB Detour MLK (AM)	200	173	115	50	35
14						
15						
16	Hurricane	200	43	119	48	33

.F. #1 - AFTER WB TO MAX.
omputer Flash 23:00 - 04:45 7days.

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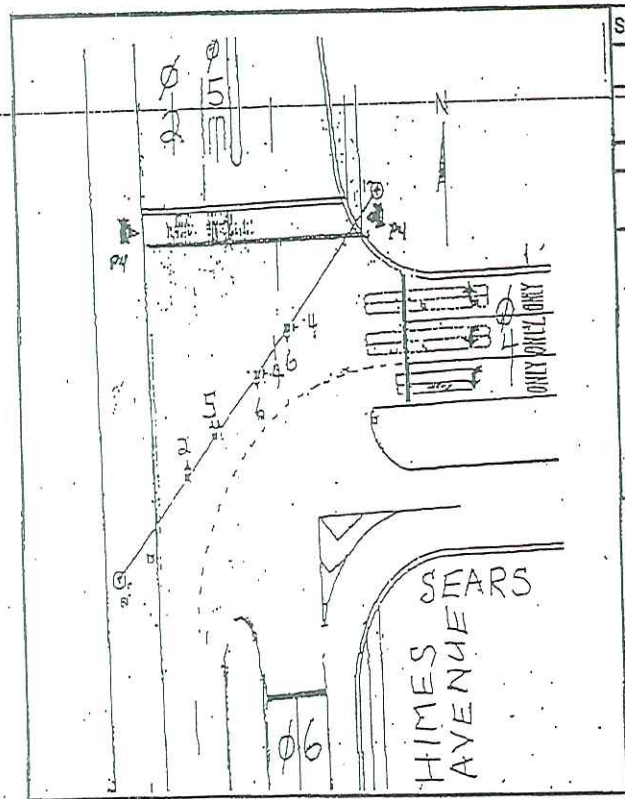
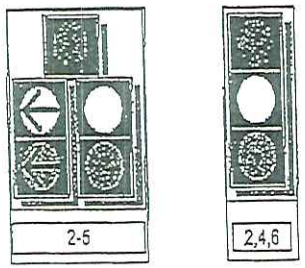
.B.C. Day Plan 1: M-Th patt 1-7 Day Plan 2: Fri patt 1-7 w/5 @ 14:45
Day Plan 3: S-Su patt 7 and patt 2 all other times

City of Tampa - Phasing Diagram

Sect. I.D.#	2407	Vers.	12/21/2005
Location:	HIMES / SEARS	Pg:	1 of 1
		Prepared by GT	Reviewed by





8 Phase Controller in 3 phase semi-actuated operation. Phases 2 & 6 are CNA. Ped heads and buttons on P4 only. Apply Ped Clr Protect - On and Backup Protection. SBLT is lead left.

Date: 10/15/2008	Signal Head Numbers	2	4	6	2/5	P 2	P 4	P 6	P 8
Controller:	Econolite								
Vehicle Movements	Flashing Operation	Y	R	Y	Y	N/A		N/A	N/A
	Phase	Interval	Display Sequence						
Ø2 & Ø5		RW	G	R	R	←G G		DW	
		Clear to	G	R	R	←Y G		DW	
		Ø2 & Ø6	G	R	R	G		DW	
Ø2 & Ø6		RW	G	R	G	G		DW	
		Clear to	Y	R	Y	Y		DW	
		Ø4	R	R	R	R		DW	
Ø4		RW	R	G	R	R		W	
		Clear Ped	R	G	R	R		FDW	
		Clear to	R	Y	R	R		DW	
		All Other	R	R	R	R		DW	

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Adams Traffic, Inc.
P.O. Box 997
Plant City, FL 33564
Tel:(813) 763-7763 Fax:(813) 659-8688

Certified as true and correct copy

Project No.: 09022.02

Turning Movement Count
Field Data Sheet

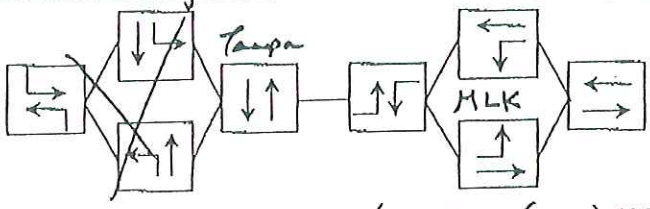
Date: 3/12/09 Count Times: 7-9am & 4-6pm

Major Street: Dr. ML King Jr Boulevard Direction: E-W Speed Limit: 35 mph

Minor Street: Tampa Bay Park (west) Direction: N-S Speed Limit: NOT POSTED mph

City/County: Tampa / Hillsborough Weather: Clear

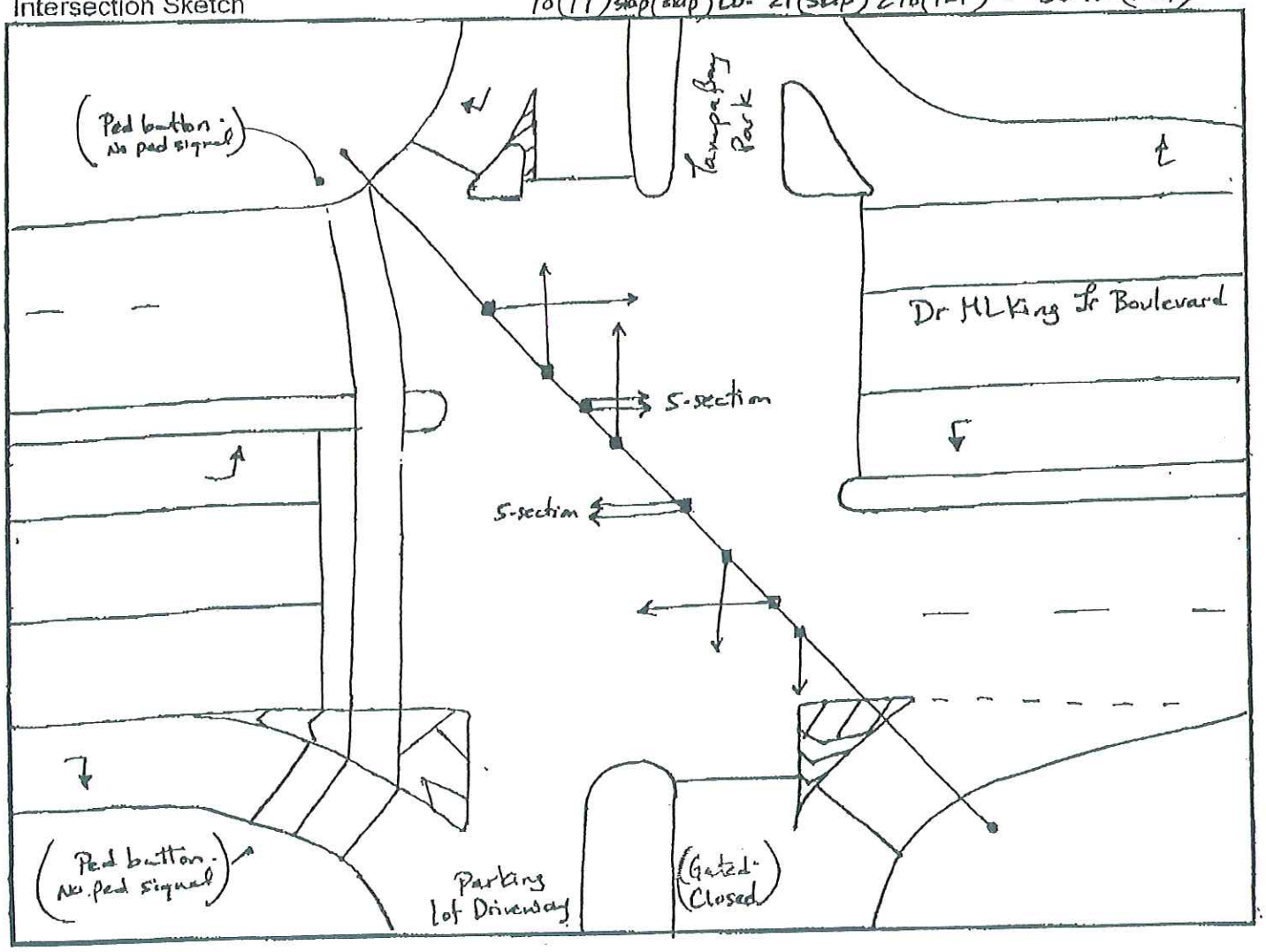
Phasing:



3 Cycles Measured:
AM (PM)

15(11) skip(skip) EB-11(skip) 454(121) - 480s. (132s.)
16(15) skip(skip) EB-13(skip) 291(124) - 320s. (139s.)
18(19) skip(skip) EB-21(skip) 298(121) - 337s (140s.)

Intersection Sketch



Turning Movement Count
Adams Traffic, Inc.
(813) 763-7763

City/County: Tampa/Hillsborough
Weather: Clear
Comments:

File Name : mlk&tampabayparkwest
Site Code : 00000000
Start Date : 3/12/2009
Page No : 1

Groups Printed- Passenger Vehicles - Heavy Vehicles - U-Turns

	TAMPA BAY PARK (WEST) Southbound					DR ML KING JR BOULEVARD Westbound					PARKING LOT DRIVEWAY (CLOSED GATE) Northbound					DR ML KING JR BOULEVARD Eastbound					
Start Time	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Int. Total
07:00 AM	1	0	2	1	4	0	176	8	0	184	0	0	0	0	0	30	223	0	0	253	441
07:15 AM	1	0	1	3	5	0	225	19	0	244	0	0	0	0	0	38	250	0	0	288	537
07:30 AM	3	0	2	1	6	0	279	27	0	306	0	0	0	0	0	44	269	0	0	313	625
07:45 AM	1	0	0	2	3	0	266	26	1	293	0	0	0	0	0	43	249	0	0	292	588
Total	6	0	5	7	18	0	946	80	1	1027	0	0	0	0	0	155	991	0	0	1146	2191
08:00 AM	1	0	0	5	6	0	233	38	0	271	0	0	0	0	0	45	290	0	0	335	612
08:15 AM	4	0	0	5	9	0	218	19	0	237	0	0	0	0	0	56	249	0	0	305	551
08:30 AM	3	0	1	4	8	0	204	21	2	227	0	0	0	0	0	33	256	0	0	289	524
08:45 AM	5	0	0	1	6	0	208	18	2	228	0	0	0	0	0	43	264	0	0	307	541
Total	13	0	1	15	29	0	863	96	4	963	0	0	0	0	0	177	1059	0	0	1236	2228
*** BREAK ***																					
04:00 PM	27	0	9	20	56	0	324	5	0	329	0	0	0	0	0	0	293	0	0	293	678
04:15 PM	19	0	15	20	54	1	349	2	1	353	0	0	0	0	0	2	198	0	0	200	607
04:30 PM	29	0	20	14	63	0	311	4	0	315	0	0	0	0	0	7	261	0	0	268	646
04:45 PM	15	0	15	10	40	4	320	6	0	330	0	0	0	0	0	6	257	0	0	263	633
Total	90	0	59	64	213	5	1304	17	1	1327	0	0	0	0	0	15	1009	0	0	1024	2564
05:00 PM	39	0	27	12	78	2	294	1	0	297	0	0	0	0	0	3	232	0	0	235	610
05:15 PM	23	0	15	14	52	3	350	10	0	363	0	0	0	0	0	1	256	0	0	257	672
05:30 PM	35	0	15	16	66	4	337	14	1	356	0	0	0	0	0	1	247	0	0	248	670
05:45 PM	11	0	8	25	44	0	276	7	0	283	0	0	0	0	0	6	252	0	0	258	585
Total	108	0	65	67	240	9	1257	32	1	1299	0	0	0	0	0	11	987	0	0	998	2537
Grand Total	217	0	130	153	500	14	4370	225	7	4616	0	0	0	0	0	358	4046	0	0	4404	9520
Apprch %	43.4	0.0	26.0	30.6		0.3	94.7	4.9	0.2		0.0	0.0	0.0	0.0		8.1	91.9	0.0	0.0		
Total %	2.3	0.0	1.4	1.6	5.3	0.1	45.9	2.4	0.1	48.5	0.0	0.0	0.0	0.0	0.0	3.8	42.5	0.0	0.0	46.3	

	TAMPA BAY PARK (WEST) Southbound					DR ML KING JR BOULEVARD Westbound					PARKING LOT DRIVEWAY (CLOSED GATE) Northbound					DR ML KING JR BOULEVARD Eastbound					
Start Time	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Intersection	07:30 AM																				
Volume	9	0	2	13	24	0	996	110	1	1107	0	0	0	0	0	188	1057	0	0	1245	2376
Percent	37.5	0.0	8.3	54.2		0.0	90.0	9.9	0.1		0.0	0.0	0.0	0.0		15.1	84.9	0.0	0.0		
07:30 Volume	3	0	2	1	6	0	279	27	0	306	0	0	0	0	0	44	269	0	0	313	625
Peak Factor																					0.950
High Int.	08:15 AM					07:30 AM					6:45:00 AM					08:00 AM					
Volume	4	0	0	5	9	0	279	27	0	306	0	0	0	0	0	45	290	0	0	335	
Peak Factor					0.667					0.904										0.929	

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Turning Movement Count
Adams Traffic, Inc.
(813) 763-7763

City/County: Tampa/Hillsborough
Weather: Clear
Comments:

File Name : mlk&tampabayparkwest
Site Code : 00000000
Start Date : 3/12/2009
Page No : 2

	TAMPA BAY PARK (WEST) Southbound					DR ML KING JR BOULEVARD Westbound					PARKING LOT DRIVEWAY (CLOSED GATE) Northbound					DR ML KING JR BOULEVARD Eastbound					
Start Time	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Left	Thru	Right	RTOR	App. Total	Int. Total
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																					
By Approach	08:00 AM					07:15 AM					07:00 AM					07:30 AM					
Volume	13	0	1	15	29	0	1003	110	1	1114	0	0	0	0	0	188	1057	0	0	1245	
Percent	44.8	0.0	3.4	51.7		0.0	90.0	9.9	0.1		-	-	-	-		15.1	84.9	0.0	0.0		
High Int.	08:15 AM					07:30 AM										08:00 AM					
Volume	4	0	0	5	9	0	279	27	0	306	-	-	-	-	-	45	290	0	0	335	
Peak Factor					0.806					0.910					-					0.929	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																					
Intersection	04:45 PM																				
Volume	112	0	72	52	236	13	1301	31	1	1346	0	0	0	0	0	11	992	0	0	1003	2585
Percent	47.5	0.0	30.5	22.0		1.0	96.7	2.3	0.1		0.0	0.0	0.0	0.0		1.1	98.9	0.0	0.0		
05:15 Volume	23	0	15	14	52	3	350	10	0	363	0	0	0	0	0	1	256	0	0	257	672
Peak Factor																					0.962
High Int.	05:00 PM					05:15 PM										04:45 PM					
Volume	39	0	27	12	78	3	350	10	0	363	0	0	0	0	0	6	257	0	0	263	
Peak Factor					0.756					0.927										0.953	
Peak Hour From 04:00 PM to 05:45 PM - Peak 1 of 1																					
By Approach	05:00 PM					04:45 PM					04:00 PM					04:00 PM					
Volume	108	0	65	67	240	13	1301	31	1	1346	0	0	0	0	0	15	1009	0	0	1024	
Percent	45.0	0.0	27.1	27.9		1.0	96.7	2.3	0.1		-	-	-	-		1.5	98.5	0.0	0.0		
High Int.	05:00 PM					05:15 PM										04:00 PM					
Volume	39	0	27	12	78	3	350	10	0	363	-	-	-	-	-	0	293	0	0	293	
Peak Factor					0.769					0.927					-					0.874	

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City of Tampa Signal Timing Sheet

Section ID 2402 Computer: M CCU: 39 DROP 3 MYLAR: 513 SHOP ID 1363

Timing Date: 3/17/2005 Phase Date: 2/5/2002 Controller: ECONOLITE

Intersection: M L KING JR and SEARS 200983

Phase Numbers	1	2		4	5	6		8
Direction	EBLT	WB		NB	WBLT	EB		SB
Minimum Green	5	10		10	5	10		10
Walk	—	9		4	—	9		4
Flash Don't Walk	—	1		22	—	1		22
Vehicle Extension	2.0	3.0		3.0	2.0	3.0		3.0
Max. Green I	30	85		40	30	85		40
Max. Green II	30	85		40	30	85		40
Yellow Clearance	3.0	3.6		3.0	3.0	3.6		3.0
All Red Clearance	2.4	1.0		2.0	2.4	1.0		2.0
Phase Recall	—	MAX		—	—	MAX		—
Detector Memory	—	—		ON	—	—		ON
Ped. Recall	—	ON		—	—	ON		—
Flash Operation	—	YEL		RED	—	YEL		RED

Special Modes and Times of Operations:

Surveillance Times:

Flash Source: C Times: 7-D 19:30 - 07:00

C = Computer Flash T = Time Clock/Controller

Special Functions
1 AFT N/S
2 BEF WBLT TO MAX
0

Please Implement Within: [✓] 1 Week [ ] 1 Month

Comments:

UPDATED TIMINGS: NEW FLASH TIMES
E.O.C. RESISTOR REQUIRED ON RECIEVE
—— NOTE: NBRT LOOP TO HAVE A DELAY DETECTOR OF 4 SEC.——
RESERVICING LEFT TURNS WITHOUT SERVICING CROSS STREET NOT ALLOWED
BACK-UP PROTECTION APPLIED TO GROUP 1

Submitted By: SK Date: 3-17-05
Reviewed By: JS Date: 5-5-05
Approved By: MJS Date: 5/5/05

Signal Timing Implemented: [✓] As Sent [✓] With Following Revisions
[illegible]
Date: 5-18-05

[ ] Signal Timing Not Implemented Reason:

Date: _____ By: E. Abbott

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2402

CITY OF TAMPA COMPUTER PATTERN SHEET

ECONOLITE

2402 - M. L. KING JR. & SEARS

Timing Date: 03/01/2005

DownLd Date: / /

MSX: M CCU: 39 Drop: 3

MIN	10	10	5		
YEL	3.6	3	3		
RED	1	2	2.4		
WLK	9	4			
FDW	1	22			
Min - 42	15	16	11		

Pat			CYC	OS	EW	NS	EWLT
1	Am	0615 - 0900	160	89	98	32	30
2	Am off	0900 - 1115	130	98	82	34	14
3	Noon	1115 - 1330	140	5	89	36	15
4	Pm off	1330 - 1515	130	98	82	34	14
5	Pm	1515 - 1830	140	105	77	45	18
6	Evening	1830 - 2200	130	101	71	45	14
7	Late	2200 - 0615	100	44	54	33	13
8	Bucs - In		200	91	126	44	30
9	Bucs - Out		200	166	110	62	28
10			120	25	62	40	18
11			140	99	77	45	18
12			200	166	110	62	28
13	WB Detour MLK (AM)		200	91	126	44	30
14							
15							
16	Hurricane		200	140	127	33	40

;.F. #1 - After N/S to max.
;.F. #2 - Before WB/LT to max.
:omputer Flash 19:30 - 07:00 7days.

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ıdditional programming for Controller T.B.C.
)ay Plan 1: M-F patt. 1-7. Day Plan 2: S-S patt. 7 & patt. 2 all other times.

CITY OF TAMPA - Phasing Diagram

Pg: 1 of 2

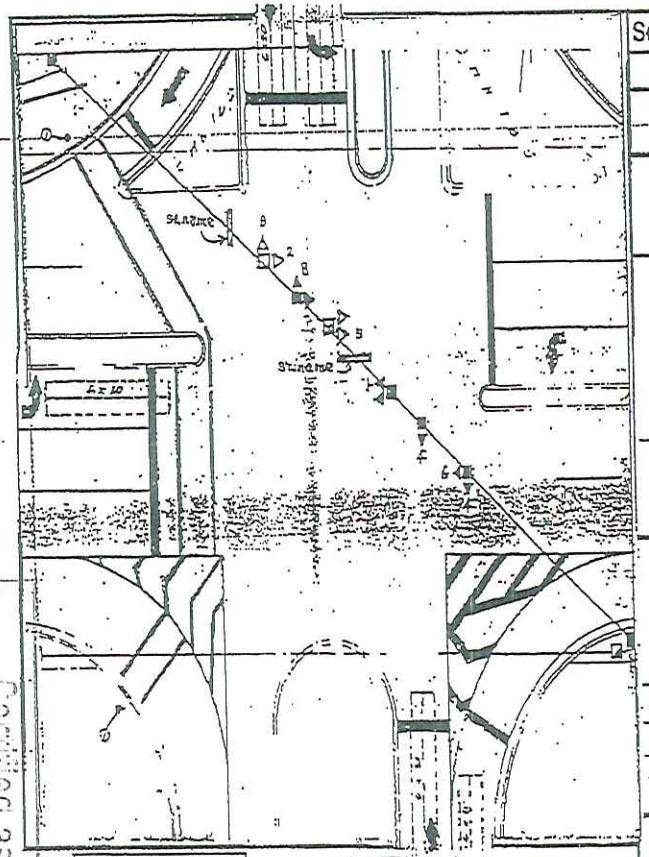
Sect. I.D.#: 2402

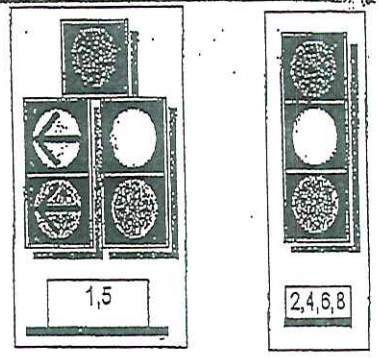
Location: M.L. KING & SEARS

Mylar #.: 513

Prep. SK SK Rev.

Date: 2/5/02





Vehicle Movements	Phase	Signal Head Numbers	1	2		4	5	6		8		P 2	P 4	P 6	P 8
		Flashing Operation		Y	Y	R		Y	Y		R				
		Interval	Display Sequence												
	1 & 5	RW	←G	R	R	R	←G	R	R		R				
		CLR TO	←G	R	R	R	←Y	R	R		R				
		1 & 6	←G	R	R	R		R	R		R				
		CLR TO	←Y	R	R	R	←G	R	R		R				
		2 & 5		R	R	R	←G	R	R		R				
		CLR TO	←Y	R	R	R	←Y	R	R		R				
		ALL OTHER		R	R	R		R	R		R				
	1 & 6	RW	←G	G	R	R		R	G		R				
		CLR TO	←G	Y	R	R		R	Y		R				
		1 & 5	←G	R	R	R		R	R		R				
		CLR TO	←Y	G	R	R		R	G		R				
		2 & 6		G	R	R		R	G		R				
		CLR TO	←Y	Y	R	R		R	Y		R				
		ALL OTHER		R	R	R		R	R		R				
	2 & 5	RW		R	G	R	←G	G			R				
		CLR TO		R	Y	R	←G	Y			R				
		1 & 5		R	R	R	←G	R			R				
		CLR TO		R	G	R	←Y	G			R				
		2 & 6		R	G	R		G			R				
		CLR TO		R	Y	R	←Y	Y			R				
		ALL OTHER		R	R	R		R			R				
	2 & 6	RW		G	G	R		G	G		R				
		CLR TO		G	Y	R		Y	G		R				
		1 & 6		G	R	R		R	G		R				
		CLR TO		Y	G	R		G	Y		R				
		2 & 5		R	G	R		G	R		R				
		CLR TO		Y	Y	R		Y	Y		R				
		ALL OTHER		R	R	R		R	R		R				

Notes: 6 phase semi-actuated operation. Ped buttons on west side of intersection for N/S ped movement. No ped heads.

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CITY OF TAMPA - Phasing Diagram

Pg: 2 of 2

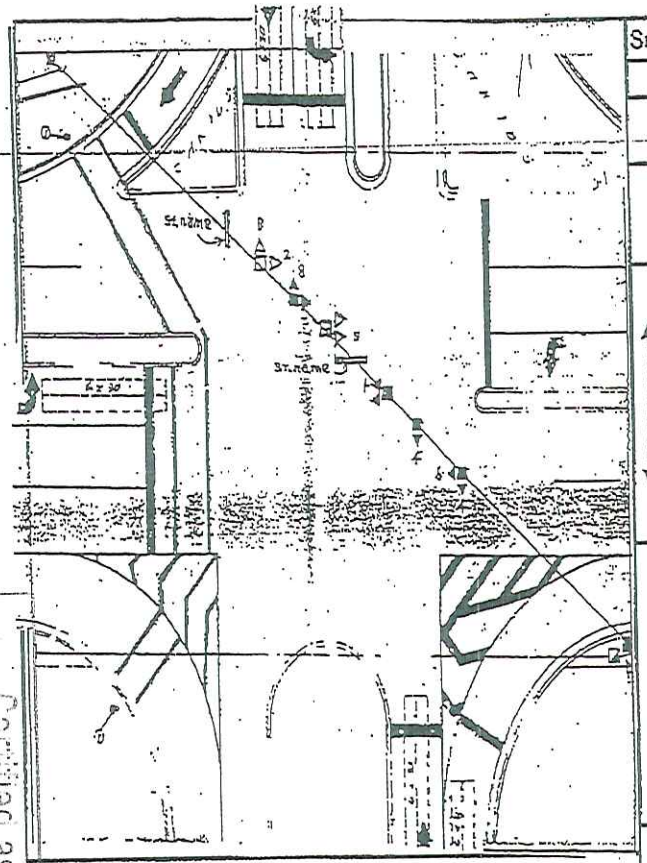
Sect. I.D.#: 2402

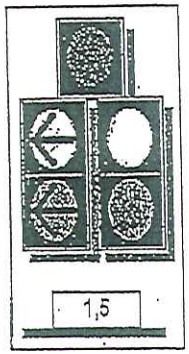
Location: M.L. KING & SEARS

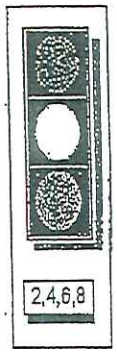
Mylar #.: 513

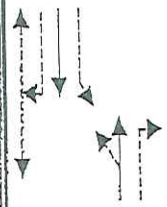
Prep. SK SK Rev.

Date: 2/5/02







Vehicle Movements	Phase	Signal Head Numbers	1	2			4	5	6		8		P 2	P 4	P 6	P 8
		Flashing Operation	Y	Y			R	Y	Y		R					
		Interval	Display Sequence													
	4 & 8	RW	R	R			G	R	R		G					
		CLR TO	R	R			Y	R	R		Y					
		ALL OTHER	R	R			R	R	R		R					

Notes: 6 phase semi-actuated operation. Ped buttons on west side of intersection for N/S ped movement. No ped heads.

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[EXHIBIT C TO NOPC]
SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Attraction/Recreation	# Parking Spaces	Not Applicable	Not Applicable	Not Applicable
	# Spectators			
	# Seats			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Airports	Runway (length)	Not Applicable	Not Applicable	Not Applicable
	Runway (strength)			
	Terminal (gross square feet)			
	# Parking Spaces			
	# Gates			
	Apron Area (gross square feet)			
	Site locational changes			
	Airport Acreage, including drainage, ROW, easements, etc.			

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Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Airports (cont.)	# External Vehicle Trips			
	D.O. Conditions			
	ADA representations			
Hospitals	# Beds	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Building (gross square feet)			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Industrial	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	# Parking spaces			
	Building (gross square feet)			
	# Employees			
	chemical storage (barrels and pounds)			
	Site locational changes			

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[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Industrial (cont.)	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Mining Operations	Acreage mined (year)	Not Applicable	Not Applicable	Not Applicable
	Water withdrawal (gal/day)			
	Size of mine (acres), including drainage, ROW, easements, etc.			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			

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[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Office	Acreage, including drainage, ROW, easements, etc.	25.5 M.O.L.	0	0
	Building (gross square feet)	Minimum: 145,000* *office square footage is not in addition to approved retail square footage, and may only be developed through utilization of the trade-off mechanism and a decrease in equivalent amount of retail square footage	0	0
	# Parking Spaces	5,000	4,650	5,102 (6/12/79) 4,500 (8/22/02)
	# Employees	200	Not Applicable	Not Applicable
	Site locational changes	Not Applicable	Not Applicable	Not Applicable
	# External vehicle trips	No Change	2,022 vph	2,106 vph (5/11/78) 1,867 vph (8/22/02)
	D.O. Conditions	(See attached proposed Development Order)	See Original D.O. (3/5/74)	See Amendments: 9/30/75; 5/11/78; 6/12/78; and 8/22/02
	ADA representations	Not Applicable	Not Applicable	Not Applicable

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[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Petroleum/Chemical Storage	Storage Capacity (barrels and/or pounds)	Not Applicable	Not Applicable	Not Applicable
	Distance to Navigable Waters (feet)			
	Site locations changes			
	Facility Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Ports (Marinas)	# Boats, wet storage	Not Applicable	Not Applicable	Not Applicable
	# Boats, dry storage			
	Dredge and fill (cu. yds.)			
	Petroleum storage (gals.)			
	Site locational changes			
	Port Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			

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[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Residential	# Dwelling units	Not Applicable	Not Applicable	Not Applicable
	Type of dwelling units			
	# of lots			
	Acreage, including drainage, ROW, easements, etc.			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc.	No Change	83 ±	80.27± (8/22/02)
	Floor Space (gross square feet)	No Change	840,000 GLA	887,000 (5/11/78) 776,500 (8/22/02)
	# Parking Spaces	No Change	4,650	5,102 (6/12/79) 4,500 (8/22/02)
	# Employees	No Change	2,350	2,482 (5/14/78) 1,942 (8/22/02)
	Site locational changes	Not Applicable	Not Applicable	Not Applicable
	# External vehicle trips	No Change	2,022 vph	2,106 vph (5/11/78) 1,867 vph (8/22/02)

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Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Wholesale, Retail, Service (cont.)	D.O. Conditions	No change	See Original D.O. (3/5/74)	See Amendments: 9/30/75; 5/11/78.; 6/12/78; 8/22/02; 9/20/04; AND 3/26/09
	ADA representations	Not Applicable	Not Applicable	Not Applicable
Hotel/Motel	# Rental Units	Not Applicable	Not Applicable	Not Applicable
	Floor space (gross square feet)			
	# Parking Places			
	# Employees			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
R.V. Park	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Buildings (gross square feet)			
	# Employees			
	Site locational changes			

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[EXHIBIT C TO NOPC]

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
R.V. Park (cont.)	# External vehicle trips			
	D.O. conditions			
	ADA representations			
Open Space (All natural and vegetated non-impervious surfaces)	Acreage	Not Applicable	Not Applicable	Not Applicable
	Site locational changes			
	Type of open space			
	D.O. Conditions			
	ADA representations			
Preservation, Buffer or Special Protection Areas Preservation (cont.)	Acreage	Not Applicable	Not Applicable	Not Applicable
	Site locational changes			
	Development of site proposed			
	D.O. Conditions			
	ADA representations			

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974707

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

[EXHIBIT D TO NOPC]

ORDINANCE NO. 2009-

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE SIXTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER DEVELOPMENT OF REGIONAL IMPACT, DRI #16, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTIFICATION OF PROPOSED CHANGE FILED BY BUCCANEERS FOOTBALL STADIUM LIMITED PARTNERSHIP; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on March 5, 1974, the City of Tampa ("City") adopted Resolution No. 4108-F (the "Original Development Order"), which is the Original Development Order issued by the City pursuant to Chapter 380, Florida Statutes, for the Tampa Bay Center Development of Regional Impact ("DRI"); and

WHEREAS, on September 30, 1975, the City adopted Resolution No. 7658-F, as the First Amendment to the Original Development Order (the "First Amendment"); and

WHEREAS, on May 11, 1978, the City adopted Ordinance No. 6935-A (the "Second Amendment"); and

WHEREAS, on June 12, 1979, the City adopted Resolution No. 5445-G (the "Third Amendment"); and

WHEREAS, on November 30, 1989, the City adopted Ordinance No. 89-297 which denied the requested Fourth Amendment to the Original Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property; and

WHEREAS, on August 22, 2002, the City adopted Ordinance No. 2002-179 (the "Fourth Amendment"); and

WHEREAS, on September 20, 2004, the City adopted Ordinance No. 2004-215 (the "Fifth Amendment") (hereinafter, the Original Development Order, together with the First, Second, Third, Fourth and Fifth Amendments shall collectively be referred to as the "Development Order"); and

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WHEREAS, Tampa Bay Mall Limited Partnership, First Allied Development Partners, LP and Jesuit High School of Tampa, Inc. (f/k/a St. Louis Catholic Benevolence and Educational Association, Inc.) are the owners of the subject DRI property (the "Owners") more particularly described in the legal description attached hereto as Exhibit 1 (the "Property"), and Buccaneers Football Stadium Limited Partnership (the "Developer") is the applicant of the subject Notification of Proposed Change; and

WHEREAS, on March 26, 2009, the Developer filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC"), attached hereto as Composite Exhibit 2; and

WHEREAS, the NOPC proposes that the annual summer training camp on the Property be open to the public (the "Proposed Change"); and

WHEREAS, the Proposed Change to the Development Order will constitute the Sixth Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the NOPC at a properly noticed public hearing as well as all related testimony and evidence submitted by the Developer concerning the Proposed Change; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a development order be amended to reflect the City Council's approval of changes to an adopted development order;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

A. That the Developer submitted to the City the NOPC and which is incorporated herein by reference as Composite Exhibit 2;

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B. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments, and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC"), and the Department of Community Affairs ("DCA"); and

C. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan; and

D. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan; and

E. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council; and

F. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that were not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council 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 in the Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein; and

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change is adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

D. That this Ordinance does not constitute a substantial deviation from the Development Order, as defined in Chapter 380, Florida Statutes, and nothing

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herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. Order. That having made the above findings of fact and conclusions of law, it is ordered that the Development Order be amended as set forth below:

The Proposed Change, as more particularly set forth in the NOPC, attached hereto and made a part hereof as Composite Exhibit 2, is approved and Section 3(f) appearing on page 6 of the Fifth Amendment to the Development Order is hereby amended and restated in its entirety as follows:

(f) Team practices at the athletic practice and training facility are not open to the public. However, if the training facility is utilized for the annual summer training camp, the annual summer training camp may be open to the public subject to all of the following specific conditions:

1) The annual summer training camp shall not be open to the public for more than twenty-five (25) total days during the months of July and August. Developer may permit the public to attend summer training camp at any time between the hours of 7:00 A.M. and 9:00 P.M.
2) Night practices shall occur no more than a total of six (6) nights during each annual summer training camp, and during said night practices Developer shall adhere to the lighting conditions and restrictions set forth in this Amended Development Order.
3) The average daily attendance for summer training camp shall not exceed 3,000 members of the general public. No later than ninety (90) days after the end of each summer training camp the Developer shall submit a report to the City with the daily public attendance figures for each day (and night) the summer training camp was open to the public. The City staff shall review said report to determine the average daily attendance, which shall be derived by adding the daily public attendance figure for all days of the summer training camp ("Total Public Attendance Figure"), and then dividing the Total Public Attendance Figure by the number of days the summer training camp was open to the public

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which result shall be the "Average Daily Attendance." If the Average Daily Attendance exceeds the limit of 3,000 persons per day by more than ten (10) percent per year for two (2) consecutive years, then the City Staff may require the Developer to further evaluate and mitigate the impacts, if any, of the additional public attendees.

4) The accommodations and services (bleachers, VIP/Family seating, food, beverage and merchandise sales, and restrooms) to be provided to the public during the summer training camp shall occur only in the locations identified on the "Summer Training Camp Aerial Sketch" attached hereto as Exhibit 3. Public parking and public access points for public ingress and egress to the summer training camp shall occur only in the locations shown on the Summer Training Camp Aerial Sketch.

5) At all times during summer training camp, Developer shall comply with the noise conditions and restrictions set forth in this Amended Development Order; and

6) The Developer shall coordinate with and assist the City Transportation Division to ensure that signal timing changes are implemented as determined necessary by the City at the study driveway intersections. If in-field traffic operations show, at any time, the need for additional traffic control, the City may require the Developer to provide police officers (at Developer's cost and expense) during the hours the public is attending the summer training camp. If summer training camp is conducted at night (after 6:00 p.m.) and is open to the public, Developer shall provide police officers (at Developer's cost and expense) at both driveway access points on the Property.

Section 4. Development Order, as Amended. This Ordinance shall constitute the Sixth Amendment to the Development Order as originally approved by Resolution 4108-F, and as previously amended by Resolution 7658-F, Ordinance No. 6935-A, Resolution No. 5445-G, Ordinance No. 2002-179 and Ordinance No. 2004-215, which shall constitute, collectively, the Development Order for the Tampa Bay Center DRI as passed and ordained by the City Council. All provisions of the Development Order, except those provisions specifically modified herein, shall remain in full force and effect and shall be considered conditions of the Development Order unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

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and correct copy

Section 5. Definitions. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, the Owners, their assigns and successors in interest.

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law to the Developer, c/o John B. Grandoff III, Esquire, 101 East Kennedy Boulevard, Suite 3700, Tampa, Florida 33602, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 11. Recording. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 10 hereof.

Certified as true
and correct copy

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON _____.

ATTEST:

_____
CHAIRMAN,
CITY COUNCIL

_____
CITY CLERK

APPROVED BY ME ON _____

_____
PAM IORIO, MAYOR

APPROVED AS TO LEGAL SUFFICIENCY:

_____
_____
ASSISTANT CITY ATTORNEY

976676

Certified as true
and correct copy

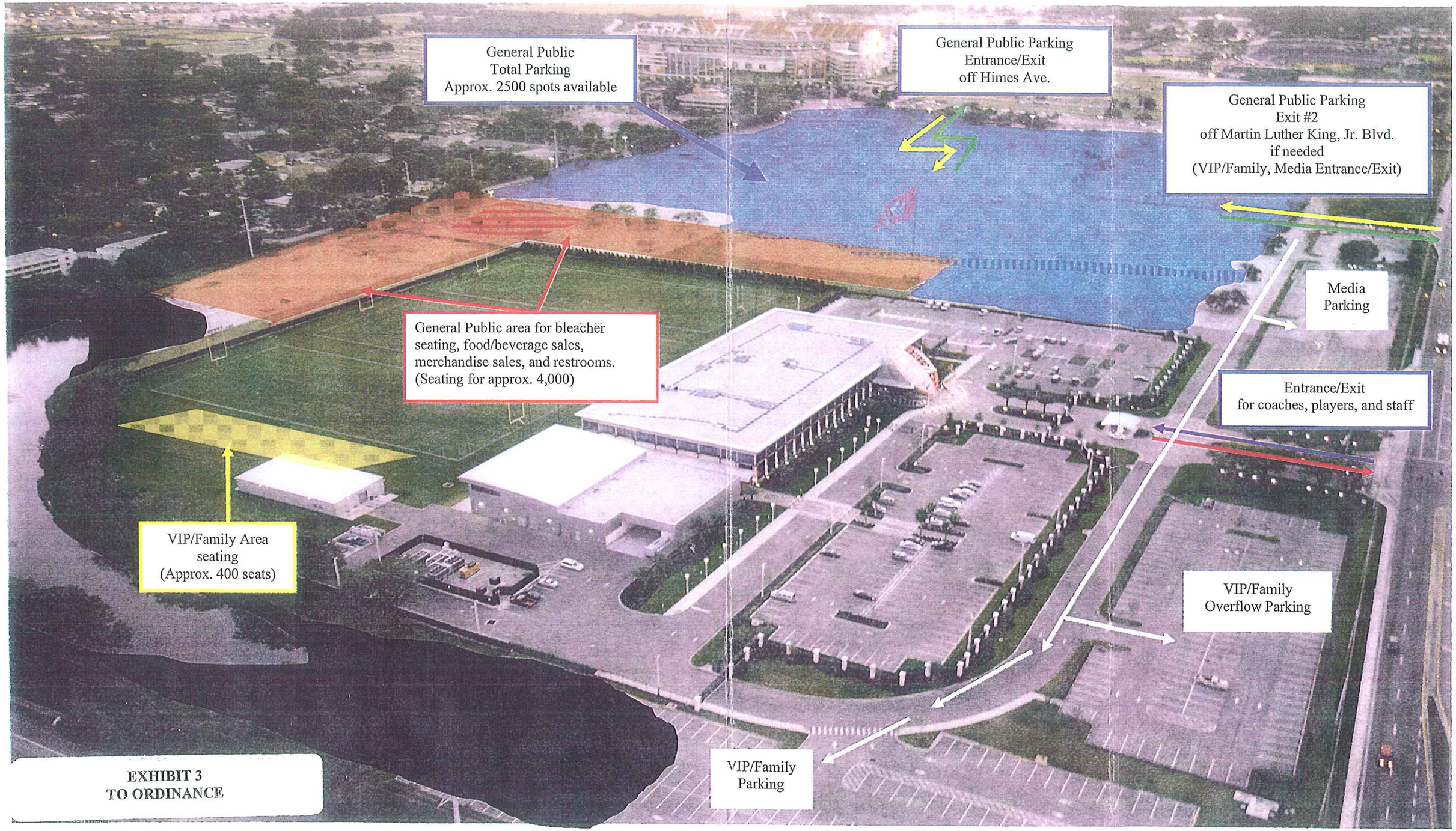

EXHIBIT 3
TO ORDINANCE

Certified as true
and correct copy

#16

CITY OF TAMPA

Pam Iorio, Mayor

Office of the City Clerk

Shirley Foxx-Knowles
City Clerk

September 21, 2004

Tampa Bay Regional Planning Council
Attention: John Meyer
9455 Koger Boulevard
St. Petersburg, FL 33702

File No. DZ02-49 Tampa Bay Center DRI Amendment

Dear Sir:

The City Council of the City of Tampa met in regular session on September 16, 2004 at 9:00 a.m. During that session, the enclosed ordinance was adopted regarding the above listed petition. This ordinance is being transmitted for your information and record keeping process.

If you have any questions, please contact my office or the office of Land Development Coordination, at (813)274-8405.

Sincerely,

Shirley Foxx-Knowles
SB

Shirley Foxx-Knowles
City Clerk

SFK/sb

Enclosure: Certified Copy of Ordinance 2004-215
CERTIFIED MAIL

315 E. Kennedy Blvd., Third Floor • Tampa, Florida 33602 • (813) 274-8397 • FAX: (813) 274-8306

TampaGov
www.tampagov.net

cc: Tampa Bay Regional Council

ORDINANCE NO. 2004-215

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE FIFTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER DEVELOPMENT OF REGIONAL IMPACT, DRI #16, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTIFICATION OF PROPOSED CHANGE FILED BY BUCCANEERS FOOTBALL STADIUM LIMITED PARTNERSHIP; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on March 5, 1974, the City of Tampa ("City") adopted Resolution No. 4108-F (the "Original Development Order"), which is the Development Order issued by the City pursuant to Chapter 380, Florida Statutes, for the Tampa Bay Center Development of Regional Impact ("DRI"); and

WHEREAS, on September 30, 1975, the City adopted Resolution No. 7658-F, as the First Amendment to the Development Order (the "First Amendment"); and

WHEREAS, on May 11, 1978, the City adopted Ordinance No. 6935-A (the "Second Amendment"); and

WHEREAS, on June 12, 1979, the City adopted Resolution No. 5445-G (the "Third Amendment"); and

WHEREAS, on November 30, 1989, the City adopted Ordinance No. 89-297 which denied the requested Fourth Amendment to the Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property; and

WHEREAS, on August 22, 2002, the City adopted Ordinance No. 2002-179 (the "Fourth Amendment") (hereinafter, the Original Development Order, together with the First, Second, Third and Fourth Amendments shall collectively be referred to as the "Development Order"); and

Certified as true and correct copy.

WHEREAS, Tampa Bay Mall Limited Partnership is the owner of the subject DRI property more particularly described in the legal description attached hereto as Exhibit 1 (the "Property"), and Buccaneers Football Stadium Limited Partnership (the "Developer") is the applicant of the subject Notification of Proposed Change; and

WHEREAS, on May 3, 2004, the Developer filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC"), attached hereto as Exhibit 2; and

WHEREAS, the NOPC proposes to amend the Development Order to add Office as an approved land use; authorizes and approves utilization of a trade-off mechanism to allow the conversion of approved retail square footage to office square footage; and approves a second alternate development scenario ("Alternate Development Scenario #2") to provide another alternative to the currently approved development scenarios allowing the Developer to choose the most appropriate development scenario at the time of development. (Hereinafter the proposal to add Office as an approved land use, trade-off mechanism and Alternate Development Scenario #2 as an approved development plan for the Tampa Bay Center DRI shall collectively be referred to as the "Proposed Change"); and

WHEREAS, the Proposed Change to the Development Order will constitute the Fifth Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the NOPC at a properly noticed public hearing as well as all related testimony and evidence submitted by the Developer concerning the Proposed Change; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a development order be amended to reflect the City Council's approval of changes to an adopted development order;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

Certified as true and correct copy.

A. That the Developer submitted to the City the NOPC attached hereto and incorporated herein by reference as Composite Exhibit 2;"

B. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments, and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC"), and the Department of Community Affairs ("DCA");

C. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan;

D. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan;

E. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council;

F. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that were not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council 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 in the Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein;

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change is adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

Certified as true and correct copy.

D. That this Ordinance does not constitute a substantial deviation from the Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. Order. That having made the above findings of fact and conclusions of law, it is ordered that the Development Order be amended as set forth below:

The Proposed Change, as more particularly set forth in the NOPC, attached hereto and made a part hereof, is approved and the Development Order is hereby amended as follows:

(1) Office is added as an approved land use, and the Trade-Off Mechanism with a multiplication factor of 1.4449 for converting approved retail square footage to office square footage is hereby approved; office square footage is in terms of gross square feet; and

(2) Alternate Development Scenario #2 allowing 776,500 square feet of retail (or the equivalent square footage of office utilizing the trade-off mechanism) and 5,000 parking spaces, is hereby approved as a choice of development scenarios for the Tampa Bay Center DRI, and Map H-2 - Master Plan for Alternate Development Scenario #2 (attached as Exhibit 3) is hereby approved. Map H-2 shall govern the location of all land uses, subject to the terms of this Order.

The Developer may select either Alternate Development Scenario #1, as approved pursuant to Ordinance No. 2002-179, authorizing 776,500 square feet GLA of retail (See Map H-1 attached hereto as Exhibit 4), or Alternate Development Scenario #2, as approved herein (Map H-2), but not a combination of both. The Developer shall notify the City, TBRPC and the DCA within thirty (30) days of its election.

The Proposed Change shall be subject to the following conditions:

(a) The Alternate Development Scenario #2 shall have a build-out date of December 31, 2012;

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(b) The Alternate Development Scenario #2 Development Order shall expire on December 31, 2017;

(c) The number and location of access points and median openings for the Alternate Development Scenario #2 shall be as shown on Map H-2, attached hereto as Exhibit 3;

(d) The proposed location of the two (2) currently planned athletic fields is shown on Map H-3, dated May 17, 2004 (Exhibit 5); however, the exact location and number of athletic fields may be reconfigured subject to the provisions hereof. Any lighted practice fields and/or outdoor fields that use crowd noise simulation shall be set back approximately 350 feet from the southern and eastern property lines;

(e) Use of the outdoor athletic fields will occur between the hours of 8:30 am and 4:00 pm. For a limited number of times per year, team practices at the outdoor athletic fields may be held at night, depending upon the number of night games scheduled each year. Any lighting to facilitate such practices will be shielded and shall be directed away from the training facility's adjoining uses.

The ambient lighting and resulting light trespass (if any) beyond the perimeter of the property from all uses on the property will be no greater than the previously existing retail mall parking lot lighting. Baseline measurements light trespass (if any) and ambient lighting resulting from the previously existing retail mall parking lot will be established by utilizing procedures acceptable to the Illuminating Engineering Society of North America and shall, thereafter, constitute the standards against which development of the project is measured. All such baseline measurements will be acquired prior to demolition of the existing mall structures, adjacent parking structures and surfaces, and lighting fixtures. Mitigation strategies employed by the Developer shall:

1) identify and minimize the horizontal luminance of the exterior surface of the adjacent uses;

2) identify and minimize the vertical luminance of the exterior surface on the vertical surface of adjacent uses;

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3) identify and employ an acceptable type of glare shield (i.e. shroud) or cut-off characteristic of proposed light fixtures to be used; and

4) provide that lighting plans ensure that lighting meets the standards established herein.

Developer shall be responsible on an on-going basis for compliance with the aforementioned lighting standards. This obligation includes the responsibility to implement additional approved mitigation strategies if initial measures do not achieve compliance with the aforementioned standards.

(f) Team practices at the athletic practice and training facility are not open to the public and the training facility is not currently intended to be utilized for the annual summer training camp. If in the future the training facility is utilized for the annual summer training camp, it will not be open to the public. If in the future the annual summer training camp is proposed to open to the public, then the Developer shall file a Notice of Proposed Change to amend this Development order to analyze the impacts (if any) of such a change.

(g) Limited crowd noise simulations may be conducted only between the hours of 8:30 a.m. and 4:00 p.m. and are limited to September to January practice sessions and will occur no more than two times per week. The simulations occur during practice of situation plays in 5-10 second intervals for a total of approximately 15 minutes per practice.

The Developer shall submit a noise abatement plan to EPC staff for review and approval prior to construction. The plan shall be submitted at least 90 days prior to construction and include but not be limited to the following: specific descriptions of all noise abatement measures proposed, such as adjusting the volume of the crowd noise simulation, using permanent or temporary noise barriers, and adjusting the location, height, and direction of the speakers. The plan shall also include a study that demonstrates the proposed abatement measures will ensure compliance with the noise level limits of Section 1-10.03, Rules of the EPC. At a minimum, the study shall identify the nearest residential and commercial receptors based on current and proposed land use, and shall include instantaneous A-weighted sound level

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readings and octave band sound level readings taken from the identified receptors during crowd noise simulation. The study shall then demonstrate that the proposed abatement measures mitigate the noise impacts on those receptors to levels that comply with the noise level limits in the EPC rule. Upon approval by EPC staff, the plan shall be filed with the City of Tampa. After implementation of the abatement measures described above, the Developer will submit results of noise testing to EPC staff that demonstrate compliance.

(h) Use of the DRI property for parking is not proposed as a primary or singular use;

(i) Developer shall submit an application for water and wastewater service and, at the time of development, any upgrades to the City water or wastewater system necessary to provide capacity to serve the new development shall be designed and constructed at the Developer's expense. Plans for water and wastewater systems to serve the new development must be submitted and approved prior to beginning new construction. Developer acknowledges that a wastewater capacity fee may be required. The capacity fee is based on the number and size of the water meters required to serve the new development. Credit shall be given for the water meters currently serving the site;

(j) Developer shall comply with the "City of Tampa Streets and Sidewalks Ordinance" as provided in Chapter 22, City of Tampa Code of Ordinances, as amended;

(k) Developer shall become a member of the Westshore Transportation Management Organization ("TMO") which employs transportation demand management strategies;

(l) City reserves the right to evaluate the need for the traffic signal at the project access point on Himes Ave. The need for the signal will be evaluated based on the development of the retail entitlements, and/or the final arrangement with HARTline with respect to bus circulation to and from the transit stop facility on site, and/or any other relevant condition. Removal of the traffic signal shall be at City's sole cost and expense. If at any point in the future the traffic

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signal is required to be reinstalled, it shall be at the City's cost and expense;

(m) The Developer shall remove, at his sole expense, the abandoned right turn lane and raise the curb near the intersection of Dr. Martin Luther King Jr. Blvd. and MacDill Ave. prior to the issuance of the Certificate of Occupancy for the corporate headquarters facility. The developer shall be responsible for obtaining all required permits with respect thereto, and the City shall cooperate with Developer in obtaining said permits. If Developer proceeds diligently and in good faith in obtaining the required permits from all permitting agencies and all necessary permits have not been obtained prior to issuance of the first building permit for the project, the City shall not withhold issuance of the building permits provided Developer provides City with monthly reports on the status of permit issuance;

(n) At the time of development, construction plans shall be evaluated for compliance with fire and life safety codes. Specifically, water supply for fire protection shall be reevaluated with improvements required for new structures, including but not limited to fire line connections to the City of Tampa Water Department.

(o) The developer is subject to the assessment of transportation impact fees pursuant to the City of Tampa Impact Fee Ordinance, as amended.

(p) The on-site relocation of the existing bus transit facilities operated by the Hillsborough Transit Authority per the note on Map H-2 and Map H-3 attached hereto shall be accomplished in a manner consistent with the recommendation of the report of the Hillsborough County Planning Commission, which was attached as an exhibit to the original Development Order approved by City Resolution No. 4108-F.

Section 4. Development Order, as Amended. This Ordinance shall constitute the Fifth Amendment to the Development Order as originally approved by Resolution 4108-F, and as previously amended by Resolution 7658-F, Ordinance No. 6935-A, Resolution No. 5445-G, and Ordinance No. 2002-179, which shall constitute, collectively, the Development Order for the Tampa Bay Center DRI as passed and ordained by the City Council. All provisions of the Development Order, except those

Certified as true
and correct copy.

provisions specifically modified herein, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

Section 5. Definitions. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, their assigns, and successors in interest.

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law to the Developer, c/o John B. Grandoff III, Esquire, 101 East Kennedy Boulevard, Suite 3700, Tampa, Florida 33602, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 11. Recording. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 10 hereof.

Certified as true
and correct copy.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON SEP 16 2004.

ATTEST:

CITY CLERK

CHAIRMAN, [redacted]
CITY COUNCIL

APPROVED BY ME ON SEP 20 2004

PAM IORIO, MAYOR

APPROVED AS TO LEGAL SUFFICIENCY:

MORRIS C. MASSEY
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance 2004-215 on file in my office
Witness my hand and official seal this 21st day of September, 2004

CITY CLERK/~~DEPUTY CITY CLERK~~

Exhibit 1
TO ORDINANCE

Legal Description

Certified as true
and correct copy.

Exhibit 2
TO ORDINANCE

Notification of Proposed Change

Responses to Reviewing Agency Comments

Services and Utility Comparison
(dated May 2004)

Certified as true
and correct copy.

Exhibit 3
TO ORDINANCE

Map H-2 – Master Plan for Alternate Development Scenario #2

Certified as true
and correct copy.

Exhibit 4
TO ORDINANCE

Map H-1 -- Master Plan for Alternate Development Scenario #1

Certified as true
and correct copy.

Exhibit 5
TO AMENDED DEVELOPMENT ORDER

Map H-3 dated 5/17/04 -- Alternate Development Scenario #2 w/Training Facility

Certified as true
and correct copy.

Exhibit 1
TO ORDINANCE

Legal Description

EXHIBIT 1
TO ORDINANCE

LEGAL DESCRIPTION :

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 29 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, ALSO BEING PART OF BLOCKS 1 THRU 9 AND ADJACENT STREETS (VACATED), FAIRGROUND FARMS SUBDIVISION, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT BOOK 8, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 10, THENCE ALONG THE WESTERLY BOUNDARY OF SECTION 10, SOUTH 00°29'36" WEST, 69.70 FEET; THENCE DEPARTING SAID WESTERLY BOUNDARY OF SECTION 10, SOUTH 90°00'00" EAST, 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE 26.36 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 75°31'21", A CHORD BEARING AND DISTANCE OF NORTH 52°31'16" EAST, 24.49 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, SOUTH 89°43'04" EAST, 1713.64 FEET; THENCE NORTH 89°39'21" EAST, 846.73 FEET TO A POINT OF TANGENCY; THENCE 39.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°48'58", A CHORD BEARING AND DISTANCE OF SOUTH 44°56'10" EAST, 35.61 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, SOUTH 00°28'19" WEST, 254.10 FEET; THENCE SOUTH 02°47'55" EAST, 140.23 FEET; THENCE SOUTH 00°28'19" WEST, 762.51 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, NORTH 89°59'23" WEST, 174.14 FEET; THENCE SOUTH 00°16'38" WEST, 215.39 FEET; THENCE SOUTH 90°00'00" WEST, 680.94 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF OHIO AVENUE, NORTH 00°27'54" EAST, 45.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 90°00'00" WEST, 1756.59 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 162.14 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SOUTH 90°00'00" EAST, 146.00 FEET; THENCE NORTH 00°29'36" EAST, 233.00 FEET; THENCE SOUTH 90°00'00" WEST, 146.00 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 950.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 80.2663 ACRES, MORE OR LESS.

Exhibit 2
TO ORDINANCE

Notification of Proposed Change

Responses to Reviewing Agency Comments

Services and Utility Comparison
(dated May 2004)

NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT

SUBSECTION 380.06(19) F. S.

FOR

TAMPA BAY CENTER
A DEVELOPMENT OF REGIONAL IMPACT

Buccaneers Football Stadium Limited Partnership
c/o Hill, Ward & Henderson, P.A.
Bank of America Plaza, Suite 3700
101 East Kennedy Boulevard
Tampa, Florida 33602

May 3, 2004

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

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

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

1. I, John B. Grandoff III, Esquire, the undersigned attorney and authorized representative of Buccaneers Football Stadium Limited Partnership, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the **Tampa Bay Center Development of Regional Impact (DRI No. 16)** development, located in the City of Tampa, Florida, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa; the Tampa Bay Regional Planning Council, and the Bureau of Local Planning, Department of Community Affairs.

MAY 3 2004
(Date)

John B. Grandoff III, Esquire
Attorney and Authorized Agent for
Buccaneers Football Stadium Limited
Partnership, Applicant

2. Applicant:

Buccaneers Football Stadium Limited Partnership
c/o John B. Grandoff, III, Esquire
Hill, Ward & Henderson, P.A.
P. O. Box 2231 (33601-2231)
101 East Kennedy Avenue, Suite 3700
Tampa, Florida 33602
Telephone Number: (813) 221-3900
Facsimile Number: (813) 221-2900
Email Address: jgrandoff@hwhlaw.com

Owner:

Tampa Bay Mall Limited Partnership
c/o John B. Grandoff, III, Esquire
Hill, Ward & Henderson, P.A.
P. O. Box 2231 (33601-2231)
101 East Kennedy Avenue, Suite 3700
Tampa, Florida 33602
Telephone Number: (813) 221-3900
Facsimile Number: (813) 221-2900
Email Address: jgrandoff@hwhlaw.com

3. Authorized Agent:

John B. Grandoff, III, Esquire
Hill, Ward & Henderson, P.A.
P. O. Box 2231 (33601-2231)
101 East Kennedy Avenue, Suite 3700
Tampa, Florida 33602
Telephone Number: (813) 221-3900
Facsimile Number: (813) 221-2900
Email Address: jgrandoff@hwhlaw.com

4. **Location**: Section 10, Township 29 South, Range 18 East, Tampa, 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 to the representations contained in either the development order or the Application for Development Approval.

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

For purposes of general background and to put the following proposed changes in context, the current approved Tampa Bay Center DRI Development Order, as amended, permits two (2) development scenarios: 1) The original Development Order, as amended by the First, Second and Third Amendments, approved 887,000 square feet of gross leasable area (GLA) for a regional shopping center and 5,102 on-site parking spaces; 2) The Fourth Amendment to the Development Order approved an "Alternative Development Scenario" which included a different site configuration and a decrease in retail square footage to 776,500 square feet GLA of retail and 4,500 parking spaces. (Additional information regarding the Developer Order and each of the four (4) amendments thereto is set forth in the response to Question #7 below.)

PROPOSED CHANGES

The Tampa Bay Buccaneers plan to relocate their corporate offices and facilities from One Buccaneer Place, Tampa, Florida 33607, to the subject site at the southeast corner of North Himes Avenue and Dr. Martin Luther King, Jr. Boulevard. This proposed change will be the Fifth Amendment to the Tampa Bay Center Development of Regional Impact, DRI No. 16. The specific changes are as follows:

a. Addition of Office as an Approved Land Use with Utilization of Trade-Off Mechanism. The first change requests approval of the addition of Office as an approved land use, and authorizes and approves utilization of a proposed trade-off mechanism to allow the conversion of approved retail square footage to office square footage.

The proposal to add Office as an approved land use does not request approval of additional square footage entitlements for the office use. Instead, office uses may only be developed through use of the proposed trade-off mechanism. The addition of a proposed trade-off mechanism to allow existing approved retail square footage to be exchanged for office square footage will ensure the proposed change will not create additional impacts, nor impacts not previously reviewed. The "Trade-Off Mechanism Analysis" dated December 15, 2003, prepared by Kimley-Horn Associates,

Inc. and attached hereto as Exhibit A, provides the rationale and analysis to support the addition of a trade-off mechanism with a multiplication factor of 1.4449 for converting approved retail square footage to office square footage.

b. Map H-2 – Master Plan for Alternative Development Scenario #2. The second change requests adoption of Map H-2 – Master Plan for Alternative Development Scenario #2, dated May 3, 2004, attached hereto as Exhibit B.

The Fourth Amendment to the Development Order approved an "Alternative Development Scenario" (hereinafter referred to as "Alternative Development Scenario #1"), allowing 776,500 square feet of retail and 4,500 parking spaces, as depicted on Map H to the Fourth Amendment (hereinafter referred to as "Map H-1" and attached hereto as Exhibit C).

The proposed change requests approval of a Second Alternative Development Scenario (Alternative Development Scenario #2) allowing 776,500 square feet of retail (or the equivalent square footage of office utilizing the trade-off mechanism) and 5,000 parking spaces, as depicted on Map H-2 – Master Plan. Map H-2 – Master Plan will be applicable in the circumstance in which the trade-off mechanism is utilized to trade retail square footage to office square footage. As indicated on Map H-2, portions of the existing retail mall will be demolished to accommodate development of the proposed professional office, retail and parking uses. The specific acreage amounts for each of the approved and proposed land uses is shown on Map H-2 – Master Plan.

c. Limitation of number and location of access points and median openings for Alternative Development Scenario #2. The last approved NOPC (Fourth Amendment), for the reasons stated therein and as an accommodation to the reviewing agencies, limited the number and location of access points and number and location of median openings for Alternative Development Scenario #1 as shown on Map H-1. Likewise, this NOPC Applicant agrees to limit the number and location of access points and median openings to the same as those approved in the Fourth Amendment. The Applicant has specifically depicted said access points and median openings on Map H-2, attached hereto as Exhibit B.

d. Imposition of Project Build-Out Date and Development Order Expiration Date for Alternative Development Scenario #2. Again, as was the case in the last approved NOPC (Fourth Amendment), for the reasons stated therein and as an accommodation to the reviewing agencies, this NOPC Applicant agrees to the imposition of a project build-out date of December 31, 2012, for Alternative Development Scenario #2 only, and a development order expiration date of December 31, 2017, for Alternative Development Scenario #2 only.

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

See Substantial Deviation Determination Chart attached hereto as Exhibit D.

7. **List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart).**

The original approved Tampa Bay Center DRI Development Order and four (4) amendments thereto are summarized as follows:

On March 5, 1974, Resolution No. 4108-F (the "Development Order") approved a regional shopping center on an 83 acre site at the southeast corner of North Himes Avenue and West Buffalo Avenue (now known as Dr. Martin Luther King, Jr. Blvd.). The approved shopping center was comprised of approximately 840,000 square feet of gross leasable area (GLA). The approved project proposed approximately 4,650 parking spaces.

On September 30, 1975, Resolution No. 7658-F (the "First Amendment") clarified certain conditions contained in Resolution No. 4108-F relating to transportation improvements and modifications to coincide with the project's development.

On May 11, 1978, Ordinance No. 6935-A (the "Second Amendment") approved an increase in the total gross leasable area to 887,000 square feet GLA of retail.

On June 12, 1979, Resolution No. 5445-G (the "Third Amendment") approved an increase in the number of on-site parking spaces to 5,102.

On November 30, 1989, Ordinance No. 89-297 denied the requested Fourth Amendment to the Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property. This proposed change was denied because it did not "... promote the general health, safety and welfare of the residents in the neighborhoods to the east and south of the proposed entrance/exit onto MacDill Avenue."

On August 22, 2002, Ordinance No. 2002-179 (the "Fourth Amendment") approved an "Alternate Development Scenario" as an approved choice of development scenarios for the Tampa Bay Center DRI, which Alternate Development Scenario provided that the existing mall structure would be demolished and the overall square footage reduced by 110,500 square feet GLA

to an approved total of 776,500 square feet GLA of retail and 4,500 parking spaces as shown on Map H – Master Plan for the Alternative Development Scenario. The Alternate Development Scenario also had a build-out date of December 31, 2012, and an expiration date of December 31, 2017. Additionally, the number and location of access points and median openings for the Alternate Development Scenario were limited to those as shown on adopted Map "H". Finally, a corrected legal description was adopted for the entire Tampa Bay Center site.

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?

No.

8. **Describe any lands purchased or optioned within ¼ mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.**

Not applicable.

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.**

Not applicable.

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

YES _____ NO ____X____

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

A build-out date was not imposed for the original Development Order, as amended by the First, Second and Third Amendments. However, the Fourth Amendment established a build-out date of December 31, 2012, solely for Alternative Development Scenario #1. As stated in the Proposed Changes listed in Question 5, the Applicant likewise agrees to a build-out date of December 31, 2012, solely for Alternative Development Scenario #2.

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

No.

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

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

See Map H-1 – Master Plan (attached hereto as Exhibit C), the master site plan approved pursuant to the Fourth Amendment to the Development Order for Alternative Development Scenario #1.

See also Map H-2 – Master Plan (attached hereto as Exhibit B), the proposed master site plan for Alternative Development Scenario #2. For illustrative purposes, Map H-2 also delineates the footprint of the existing retail mall to be demolished.

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;

See enclosed draft Development Order attached hereto as Exhibit E.

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;

No change is proposed.

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

No change is proposed.

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

A development order expiration/termination date was not adopted as part of the original Development Order, as amended by the First, Second and Third Amendments. However, the Fourth Amendment established an expiration/termination date of December 31, 2017, solely for Alternative Development Scenario #1. As stated in the Proposed Changes listed in Question 5, the applicant likewise agrees to a development order expiration/termination date of December 31, 2017, solely for Alternative Development Scenario #2.

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

No change is proposed.

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.

No change is proposed.

SCHEDULE OF EXHIBITS

NAME OF DOCUMENT	EXHIBIT
Trade-Off Mechanism Analysis	A
Map H-2 – Master Plan for Alternative Development Scenario #2	B
Map H-1 – Master Plan for Alternative Development Scenario #1	C
Substantial Deviation Determination Chart	D
Draft Development Order	E

g:/jbg/BUCCANEER DRI/NOPC (GKG).rtf

EXHIBIT A

TRADE-OFF MECHANISM ANALYSIS

DECEMBER 15, 2003

PREPARED BY

Kimley-Horn Associates, Inc.
1220 Tech Boulevard
Tampa, Florida 33619

TAMPA BAY CENTER DRI (#16)

NOTICE OF PROPOSED CHANGE
December 15, 2003

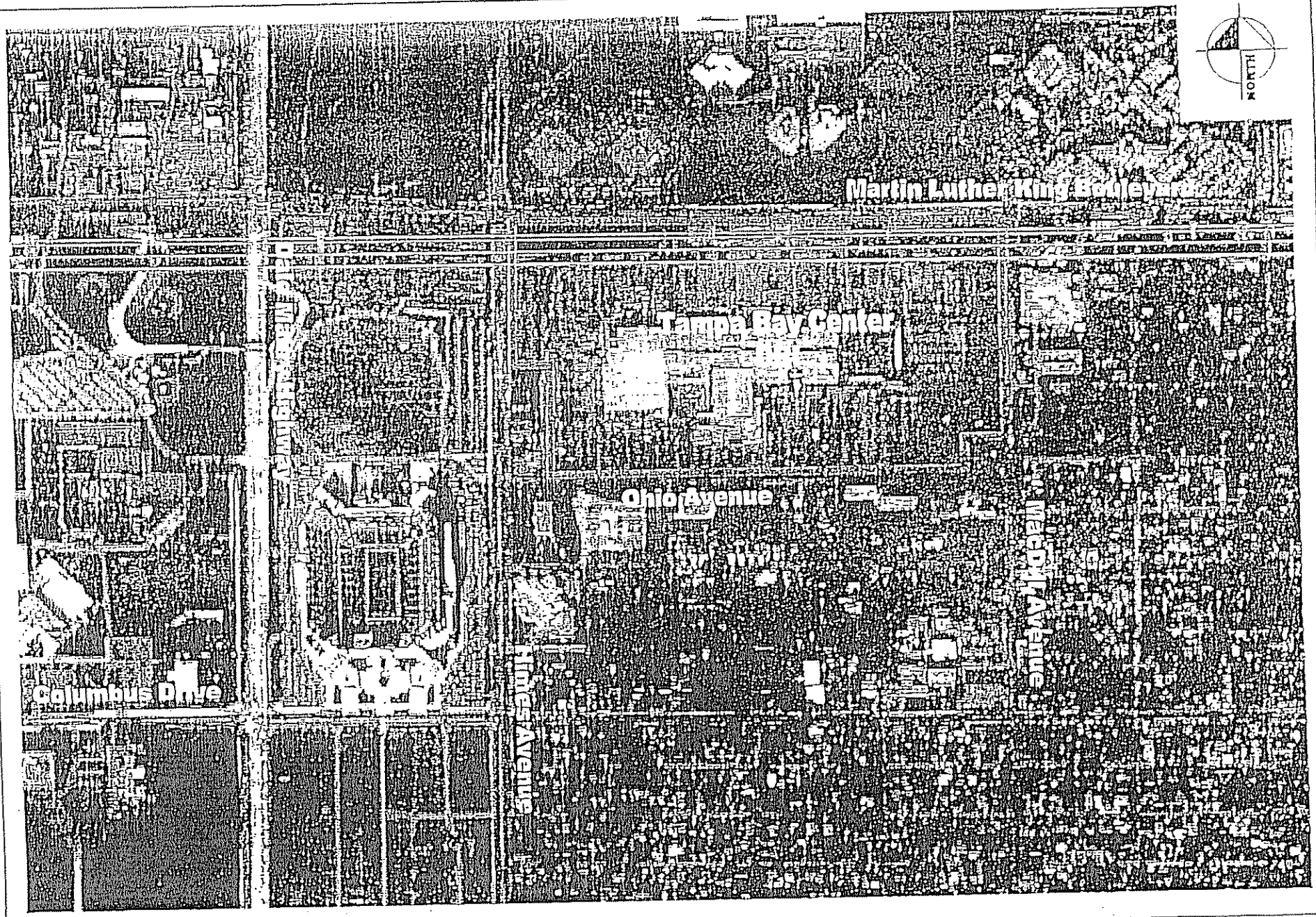
INTRODUCTION

The Tampa Bay Center DRI (#16) is located in the southeast corner of the Martin Luther King Jr. Boulevard (State Road 574) & Himes Avenue intersection. See Figure 1 for the general DRI location. The Tampa Bay Center DRI is an 83 acre (±) development that consists of retail land uses. The Tampa Bay Center Mall was constructed on the DRI site. The original Development Order was adopted in 1974. The Development Order has been amended a total of five times, with the latest occurring on August 22, 2002 (Resolution 2002-179).

Specifically, the latest approved Development Order consists of approvals for 776,500 square feet of retail. The existing mall was recently closed and the buildings are anticipated to be demolished. In addition, the existing HARTline transfer center is to be relocated on site. The current DRI buildout approval does not expire until December 31, 2012, and the Development Order does not expire until December 31, 2017.

NOPC OBJECTIVE

The objective for this current NOPC is to create a trade-off matrix that allows an exchange of retail development for general office development and the proposed Tampa Bay Buccaneers Corporate Headquarters. It should be noted that the net trip generation of the trade-off of retail for office and the Tampa Bay Buccaneer Corporate Headquarters land uses for this NOPC will not exceed the number of approved outbound trips for the DRI without a more detailed analysis.



Kimley-Horn and Associates, Inc.

© 2003

Project Location Map
Tampa Bay Center DRI
Hillsborough County, Florida

DATE:	SCALE:	FIGURE:
12/03	NTS	1

DRI TRIP GENERATION

The trip generation for the retail uses of the DRI was estimated using trip generation rates and pass-by capture rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, Sixth Edition, 1997; and the ITE *Trip Generation Handbook*, March 2001.

Based upon the approved 776,500 square feet of retail, the net, new, two-way external trips vested by the retail land uses are 22,256 two-way, daily trip-ends and 2,123 two-way (1,013 inbound/1,110 outbound), p.m. peak hour trip-ends. Pass-by capture trips were based upon guidelines found in the Florida Department of Transportation (FDOT) *Site Impact Handbook*, April 1997, which state that pass-by capture trips cannot exceed 10 percent of adjacent street traffic. The traffic volumes for the adjacent street to the site, Martin Luther King Boulevard, were obtained from Hillsborough County's *Roadway Level of Service Report*, January 2003. The AADT along Martin Luther King Boulevard is 32,252 vehicles and using a k_{100} factor of 0.095, the peak hour, two-way volume is 3,064 vehicles. The FDOT 10 percent rate (306 of 3,064) for pass-by trips was utilized in the analysis. The trip generation calculations can be found in Table 1 of the Appendix.

The general office land use is proposed to include the Tampa Bay Buccaneers Corporate Headquarters. As discussed in the November 20, 2003 Methodology Meeting at the Tampa Bay Regional Planning Council (TBRPC), trip generation rates for the proposed Tampa Bay Buccaneers Corporate Headquarters were based upon trip generation rates for the general office land use. The trip generation rates for the general office land use are slightly larger than those determined from a driveway count of the existing Tampa Bay Buccaneers Corporate Headquarters. Therefore, using the general office land use trip rates was conservative in estimating the actual trip generation of the Tampa Bay Buccaneers Corporate Headquarters.

A trade-off matrix was developed that allows an exchange of retail development for general office development, which includes the proposed Tampa Bay Buccaneers Corporate Headquarters. Based upon the number of net, new outbound trips generated by the existing approved retail land use (1,170 outbound trips); a conversion of retail square footage to office square footage was developed. Shown in Table 2 of the Appendix, a multiplication factor of 1.4449 for converting retail square footage to office square footage was determined for the Tampa Bay Center DRI.

Using this factor (1.4449) and the existing approved retail square footage (776,500 square feet), it can be expected that approximately 1,122,000 square feet of office space can be developed on the site without exceeding the number of previously approved net, new outbound trips. This trip generation calculation is shown in Table 3 of the Appendix.

The size of the Tampa Bay Buccaneers Corporate Headquarters is expected to be approximately 120,000 square feet. Therefore, there will be approximately 1,002,000 square feet of available office space or, using the conversion factor, approximately 693,400 square feet of available retail space remaining on the development site. This trip generation calculation is shown in Table 4 of the Appendix.

CONCLUSION

In order to create an exchange of retail development for general office development and the proposed Tampa Bay Buccaneers Corporate Headquarters, a trade-off matrix was developed. Based upon the number of net, new outbound trips generated by the existing approved retail land use, a multiplication factor of 1.4449 for converting retail square footage to office square footage was determined for the Tampa Bay Center DRI.

It should be noted that typically, traffic trade-off matrices, approved by the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs, associated with a DRI are based upon the number of two-way trips for either daily total or p.m. peak-hour totals. The trade-off matrix for this NOPC is based upon the number of p.m. peak-hour, *peak-directional* trips, which limits the potential amount of available office square footage, which could be based upon the number of p.m. peak-hour, *two-way* trips. Therefore, in the future as additional development is proposed, if the anticipated number of outbound trips exceeds 1,170 trips, a more detailed analysis would need to be performed to identify potential off-site impacts to the surrounding roadway network.

APPENDIX

Table 1 – EXISTING APPROVED RETAIL TRIP GENERATION

Table 2 – PM PEAK HOUR: LAND USE TRADE-OFFS

Table 3 – PROPOSED OFFICE TRIP GENERATION

Table 4 – PROPOSED BUCCANEERS CORPORATE HEADQUARTERS TRIP GENERATION

TABLE 1 - EXISTING APPROVED RETAIL TRIP GENERATION

DAILY TRIP GENERATION

		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
GROUP 2	1																				
	2	Shopping Center	6	820	776.5	ksf	50%	50%	12,732	12,732	25,464	0.0%	0	12,732	12,732	25,464	12.6%	3,208	11,128	11,128	22,256
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total:	12,732	12,732	25,464			12,732	12,732	25,464	12.6%	3,208	11,128	11,128	22,256

Note: Daily Adjacent Street Traffic is 32252 vehicles per day

P.M. PEAK-HOUR TRIP GENERATION

		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
GROUP 2	1																				
	2	Shopping Center	6	820	776.5	ksf	48%	52%	1,166	1,263	2,429	0.0%	0	1,166	1,263	2,429	12.6%	306	1,013	1,110	2,123
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total:	1,166	1,263	2,429			1,166	1,263	2,429	12.6%	306	1,013	1,110	2,123

Note: Peak Adjacent Street Traffic is 5064 vehicles per hour.

TABLE 2

TAMPA BAY CENTER, DRI #16
Notice of Proposed Change
Revised December 15, 2003

PM PEAK HOUR: LAND USE TRADE-OFFS

A. LAND USE TRADE-OFF RATES (MULTIPLICATION FACTORS)

CHANGE TO \ CHANGE FROM →	Retail (1,000 SF)	Trade-Off Rate Calculations				
		From / To Conversion =	Trips/1,000 SF	/	Trips/1,000 SF	= Rate
Retail (1,000 SF)	–					
Future Hypothetical Office (1,000 SF)	1.4449	Retail / Office =	1.4295	/	0.9893	= 1.4449

B. TRADE-OFF EXAMPLE

EXAMPLE 1: TRADE FROM RETAIL TO FUTURE HYPOTHETICAL OFFICE

Trade 776.5 x (1,000 SF) of Retail for ? (1,000 SF) of Future Hypothetical Office
= 776.5 x (1,000 SF) of Retail x 1.4449 x (1,000 SF) of Future Hypothetical Office
= 1122.0 x (1,000 SF) of Future Hypothetical Office
= 1,122,000 SF of Future Hypothetical Office

C. SOURCE INFORMATION AND DOCUMENTATION FOR TRADE-OFF RATES

Land Use	Net External Outbound Trips (1)	Land Use Size (1) (1,000 SF)	Trips	/	1,000 SF
Retail (1,000 SF)	1,110	776.5 (1,000 SF)	1.4295	/	1,000 SF
Future Hypothetical Office (1,000 SF)	1,110	1,122.0 (1,000 SF)	0.9893	/	1,000 SF

D. FOOTNOTES

(1): Land use sizes and net external trips are from Trip Generation Tables

File Name = H:\048799 - Burcaw\002 - Bucs\[Table B HOPC PM Trade Off 121003.xls]PM Trade-Off
Print Date = 12/15/03
Print Time = 2:08 PM

TABLE 3 - PROPOSED OFFICE TRIP GENERATION

DAILY TRIP GENERATION

		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
GROUP 2	1																				
	2	General Office Building	6	710	1122	ksf	50%	50%	4,249	4,249	8,498	0.0%	0	4,249	4,249	8,498	0.0%	0	4,249	4,249	8,498
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total:	4,249	4,249	8,498			4,249	4,249	8,498			4,249	4,249	8,498

Note: Daily Adjacent Street Traffic is 32252 vehicles per day

P.M. PEAK-HOUR TRIP GENERATION

		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
GROUP 2	1																				
	2	General Office Building	6	710	1122	ksf	17%	83%	227	1,110	1,337	0.0%	0	227	1,110	1,337	0.0%	0	227	1,110	1,337
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total:	227	1,110	1,337			227	1,110	1,337			227	1,110	1,337

Note: Peak Adjacent Street Traffic is 3064 vehicles per hour

TABLE 4 - PROPOSED BUCCANEERS CORPORATE HEADQUARTERS TRIP GENERATION

DAILY TRIP GENERATION

GROUP 2	ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
	Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
1																				
2	Buccaneers Corporate Headquarters	6	710	120	ksf	50%	50%	763	763	1,526	0.0%	0	763	763	1,526	0.0%	0	763	763	1,526
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
							Total:	763	763	1,526			763	763	1,526			763	763	1,526

Note: Daily Adjacent Street Traffic is 32252 vehicles per day

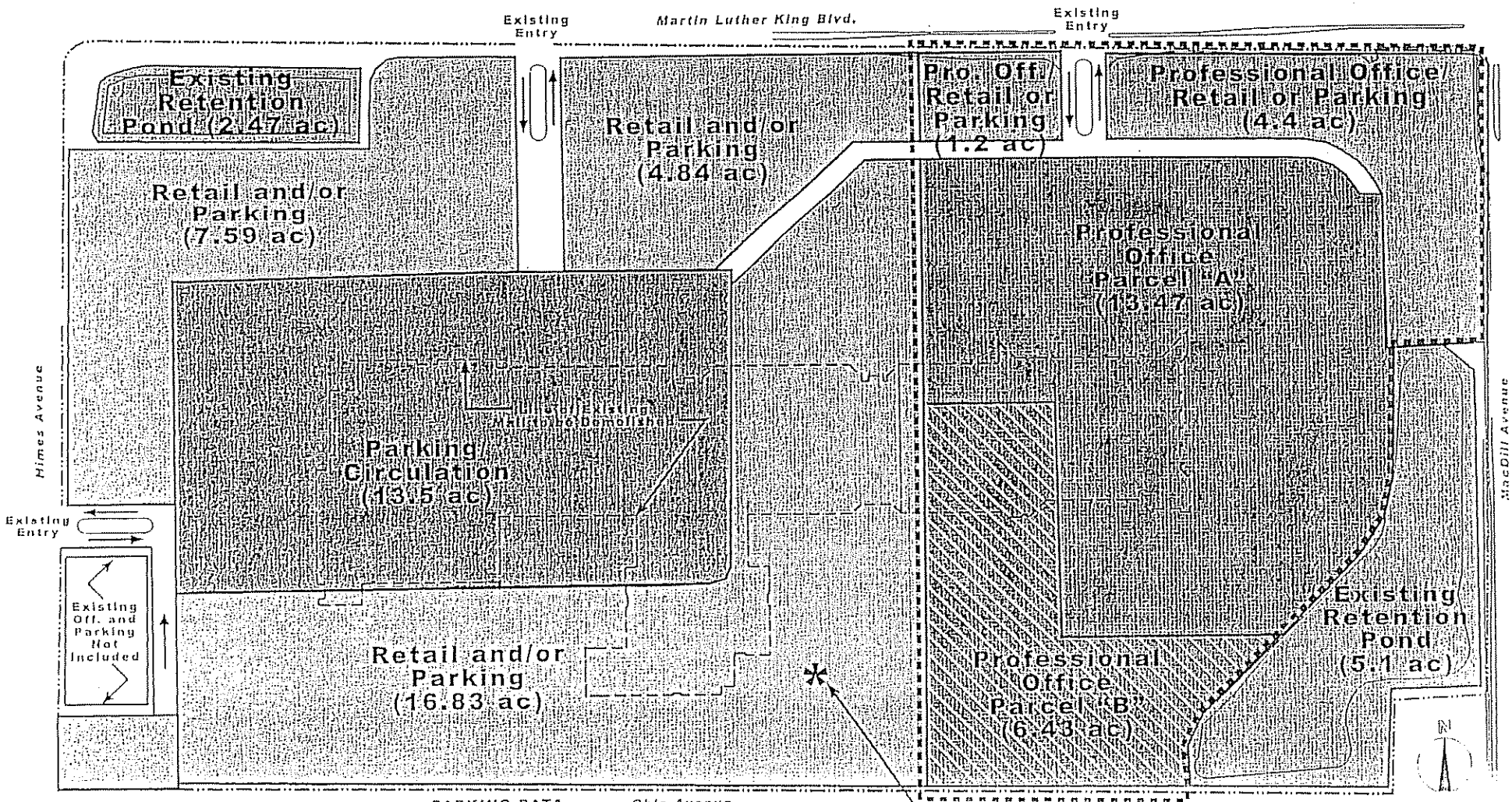
P.M. PEAK-HOUR TRIP GENERATION

GROUP 2	ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
	Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
1																				
2	Buccaneers Corporate Headquarters	6	710	120	ksf	17%	83%	36	178	214	0.0%	0	36	178	214	0.0%	0	36	178	214
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
							Total:	36	178	214			36	178	214			36	178	214

Note: Peak Adjacent Street Traffic is 3064 vehicles per hour

\Buca TripGen 121003. PRINT DAY-PEAK (GROUP 2)
12/15/2003,2:07 PM

EXHIBIT B



LEGEND

Retail and/or Parking	28.83 Acres (37.5%)
Retention	7.57 Acres (9.4%)
Professional Office Parcel "A"	13.47 Acres (17%)
Professional Office Parcel "B"	6.43 Acres (8%)
Parking/ Circulation	13.5 Acres (17%)
Pro. Office/Retail/Parking	5.6 Acres (7%)
Ingress / Egress	3.2 Acres (4.1%)
TOTAL SITE AREA	79.7 Acres

PARKING DATA

Total Parking Count: 5000

EXISTING BUS TERMINAL TO BE RELOCATED ON SITE AS PART OF FUTURE DEVELOPMENT

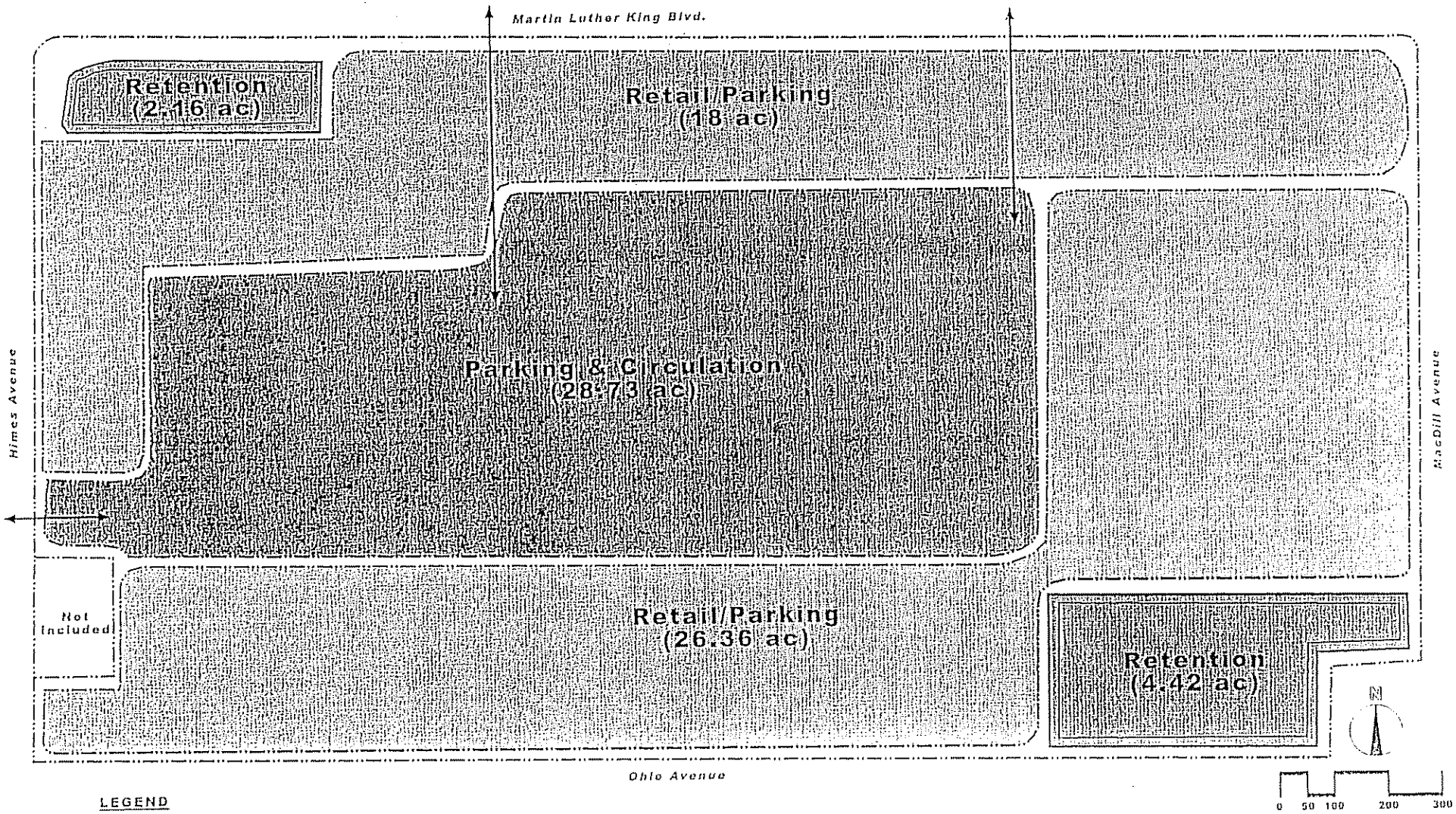
DRI AMENDED SITE AREA (25.5 ACRES)

0 50 100 200 300

MAP "H-2" DRI MASTER PLAN

ALTERNATE DEVELOPMENT SCENARIO #2 MAY 3, 2004

EXHIBIT C



LEGEND

	Retail and/or Parking	44.39 Acres (55.7%)
	Retention	6.58 Acres (8.3%)
	Parking/ Circulation	28.73 Acres (36%)
TOTAL SITE AREA		79.7 Acres

MAP "H-1" DRI MASTER PLAN

ALTERNATE DEVELOPMENT SCENARIO #1
APPROVED AUG. 22, 2002

EXHIBIT D

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Attraction/Recreation	# Parking Spaces	Not Applicable	Not Applicable	Not Applicable
	# Spectators			
	# Seats			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Airports	Runway (length)	Not Applicable	Not Applicable	Not Applicable
	Runway (strength)			
	Terminal (gross square feet)			
	# Parking Spaces			
	# Gates			
	Apron Area (gross square feet)			
	Site locational changes			
	Airport Acreage, including drainage, ROW, easements, etc.			

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Airports (cont.)	# External Vehicle Trips			
	D.O. Conditions			
	ADA representations			
Hospitals	# Beds	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Building (gross square feet)			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	External Vehicle Trips			
	D.O. conditions			
	ADA representations			
Industrial	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	# Parking spaces			
	Building (gross square feet)			
	# Employees			
	chemical storage (barrels and pounds)			
	Site locational changes			

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Industrial (cont.)	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Mining Operations	Acreage mined (year)	Not Applicable	Not Applicable	Not Applicable
	Water withdrawal (gal/day)			
	Size of mine (acres), including drainage, ROW, easements, etc.			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Office	Acreage, including drainage, ROW, easements, etc.	25.5 M.O.L.	0	0
	Building (gross square feet)	Minimum: 145,000* *office square footage is not in addition to approved retail square footage, and may only be developed through utilization of the trade-off mechanism and a decrease in equivalent amount of retail square footage	0	0
	# Parking Spaces	5,000	4,650	5,102 (6/12/79) 4,500 (8/22/02)
	# Employees	200	Not Applicable	Not Applicable
	Site locational changes	Not Applicable	Not Applicable	Not Applicable
	# External vehicle trips	No Change	2,022 vph	2,106 vph (5/11/78) 1,867 vph (8/22/02)
	D.O. Conditions	(See attached proposed Development Order)	See Original D.O. (3/5/74)	See Amendments: 9/30/75; 5/11/78; 6/12/78; and 8/22/02
	ADA representations	Not Applicable	Not Applicable	Not Applicable

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Petroleum/Chemical Storage	Storage Capacity (barrels and/or pounds)	Not Applicable	Not Applicable	Not Applicable
	Distance to Navigable Waters (feet)			
	Site locations changes			
	Facility Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
Ports (Marinas)	# Boats, wet storage	Not Applicable	Not Applicable	Not Applicable
	# Boats, dry storage			
	Dredge and fill (cu. yds.)			
	Petroleum storage (gals.)			
	Site locational changes			
	Port Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Residential	# Dwelling units	Not Applicable	Not Applicable	Not Applicable
	Type of dwelling units			
	# of lots			
	Acreage, including drainage, ROW, easements, etc.			
	Site locational changes			
	# External vehicle trips			
	D.O. Conditions			
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc.	No Change	83 ±	80.27± (8/22/02)
	Floor Space (gross square feet)	No Change	840,000 GLA	887,000 (5/11/78) 776,500 (8/22/02)
	# Parking Spaces	No Change	4,650	5,102 (6/12/79) 4,500 (8/22/02)
	# Employees	No Change	2,350	2,482 (5/14/78) 1,942 (8/22/02)
	Site locational changes	Not Applicable	Not Applicable	Not Applicable
	# External vehicle trips	No Change	2,022 vph	2,106 vph (5/11/78) 1,867 vph (8/22/02)

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
Wholesale, Retail, Service (cont.)	D.O. Conditions	No change	See Original D.O. (3/5/74)	See Amendments: 9/30/75; 5/11/78.; 6/12/78; and 8/22/02
	ADA representations	Not Applicable	Not Applicable	Not Applicable
Hotel/Motel	# Rental Units	Not Applicable	Not Applicable	Not Applicable
	Floor space (gross square feet)			
	# Parking Places			
	# Employees			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External vehicle trips			
	D.O. Conditions			
	ADA representations			
R.V. Park	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Buildings (gross square feet)			
	# Employees			
	Site locational changes			

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE & DATE OF CHANGE
R.V. Park (cont.)	# External vehicle trips			
	D.O. conditions			
	ADA representations			
Open Space (All natural and vegetated non-impervious surfaces)	Acreage	Not Applicable	Not Applicable	Not Applicable
	Site locational changes			
	Type of open space			
	D.O. Conditions			
	ADA representations			
Preservation, Buffer or Special Protection Areas Preservation (cont.)	Acreage	Not Applicable	Not Applicable	Not Applicable
	Site locational changes			
	Development of site proposed			
	D.O. Conditions			
	ADA representations			

G:\BG\BUCCANEERS DRI\NOPC (GKG).rtf

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

RESPONSES TO REVIEWING AGENCY COMMENTS

CITY OF TAMPA

Land Development Coordination

1. **Define the types of uses contained within the proposed Buccaneers Corporate Headquarters.**

   The uses that will comprise the Tampa Bay Buccaneers Corporate-Headquarters Facility will include the executive/corporate and administrative offices and various uses specifically related thereto, including but not limited to: media and public relations offices and an athletic practice-training facility, including athletic practice fields.

2. **The existing Buccaneers facility (One Buc Place) has an outdoor training facility. Identify the location of any similar facility on Alternate Scenario #2. Given the proximity to adjacent residential uses and hospital, provide detail on hours of operation, days of utilization and whether the facility is open to the public.**

   The proposed location of the two (2) planned athletic practice fields is shown on Map H-3, dated May 17, 2004, (Exhibit 1) attached hereto for informational purposes only.

   As will be the case with the corporate and administrative offices, the athletic practice and training facility will be open year round. The administrative staff, players, and coaches arrive and leave the facility at different times during the day; many of the players do not use the facility during the off-season. The proposed hours of operation for the athletic practice and training facility are 6:00 am to 6:00 pm, with occasional use at other hours; however, outdoor team practices will generally occur between the hours of 8:30 am and 4:00 pm, although potentially 1-3 times per year, team practices may be held at night, depending upon the number of night games scheduled each year.

   As is currently the case at One Buc Place, team practices are <u>not</u> open to the general public. The proposed new training facility is <u>not</u> intended to be utilized for the annual summer training camp which is currently held in Orlando and is open to the fans and patrons.

3. **The existing outdoor training facility simulates game situations using simulated crowd noise. Will this be utilized at this facility? If so, given the proximity to residential and institutional uses, please provide noise analysis detailing expected noise levels from these uses. If the facility is utilized at night, please provide information on lighting.**

During certain practice sessions, limited crowd noise simulations will be conducted. Based on past experience these simulations are only conducted one or two times per week during the September to January practice sessions. The simulations occur during practice of situation plays in 5-10 second intervals for a total of approximately 15 minutes per practice, i.e., a total of 15 to 30 minutes per week.

As requested by the City, a Noise Analysis prepared by Jeff Palmquist, E.I.T., of Kimley-Horn and Associates, Inc., is attached hereto (Exhibit 2).

As to night practice sessions, based on past experience generally night practices are not held; however in the event such practices are conducted, they would not be held more than 1-3 times per year. Any lighting to facilitate such practices would be shielded and directed away from the training facility adjoining uses. A copy of the preliminary foot-candle analysis and light fixture data sheets for the proposed field lighting are attached. The ambient lighting beyond the perimeter of the field will be similar to the current mall parking lot lighting as illustrated.

4. **The original project approvals consisted of 4650 parking spaces. Alternate scenario #2 increases the total number of parking spaces over alternate scenario #1 by 500 spaces. Given the increase, is parking as a primary use being requested? Will a parking garage be constructed?**

While Alternative Scenario #2 includes 5000 parking spaces, the number of spaces proposed for Alternative Scenario #2 is a <u>decrease</u> from the number of spaces approved under the original Development Order as amended (Resolution No. 5445-G) which approved 5,102 parking spaces. Therefore, Alternative Development Scenario #2 does not propose a change which would result in additional regional impacts or impacts not previously reviewed.

Additionally, parking is not proposed as a primary/singular use, nor are there currently plans to construct a parking garage; however, in the future it is possible that a parking garage could be constructed in conjunction with development of other approved uses.

5. **It is my understanding that HART has an agreement addressing transit with the previous property owner. If so, identify possible transit locations and status of discussions with HART on possible relocations of the transfer facility.**

   Discussions between the Applicant's representative and Les Weakland of HARTline are still ongoing. It is the Applicant's intent to have this issue resolved prior to the July 15, 2004 public hearing. As soon as an agreement has been reached relative to this issue, the Applicant will advise all reviewing agencies.

6. **The property carries Commercial Intensive (CI) zoning with a maximum FAR of 1.0, with surface parking. Does the approved site acreage allow development of 1.2 million square feet of office development?**

   The existing site acreage is 80.2 acres, which equates to 3,493,512 square feet of allowable building area, based on the current zoning. However, as indicated in the DRI Trade Off Mechanism Analysis, dated Dec. 15, 2003, prepared by Christopher Hatton, P.E., of Kimley-Horn and Associates, Inc., the maximum amount of office square footage that can be developed utilizing the transportation trade-off mechanism is 1,200,000 sq. ft., which is well below (almost 1/3) the FAR limit.

7. **Acknowledge that the office square footage will be approved as gross square feet.**

   It is acknowledged that the office square footage is in terms of gross square feet.

<u>City of Tampa Transportation Division</u>

8. **In order to fully evaluate the proposed change, a more detailed internal circulation plan is needed. The submitted conceptual plan is too general and does not provide us with sufficient information to evaluate traffic loading and circulation.**

   It is anticipated that the existing site access points and general internal circulation patterns will be unchanged and that the traffic generation potential for the site will be maintained. Map H-3 dated May 17, 2004, further defines the access easements and internal circulation of the proposed and future developments.

9. **The developer needs to evaluate the need for two signals at the site access onto Martin Luther King Boulevard. Depending on the proposed internal circulation, two signalized access points may not be necessary.**

It is anticipated that the existing site access points and traffic patterns will be unchanged and that the traffic generation potential for the site will be maintained, therefore, the two signalized access points along Martin Luther King Boulevard, and the signalized access point on Himes Boulevard, are expected to continue to be warranted in the future. In addition, there are existing office land uses located north of Martin Luther King Boulevard that currently use the two signals for ingress and egress.

10. **Please show any proposed HARTline bus staging / circulation.**

Discussions between the Applicant's representative and Les Weakland of HARTline are still ongoing. It is the Applicant's intent to have this issue resolved prior to the July 15, 2004 public hearing. As soon as an agreement has been reached relative to this issue, the Applicant will advise all reviewing agencies and will address the bus staging/circulation at that time.

11. **The abandoned right turn lane on Martin Luther King Boulevard needs to be removed and the curb raised.**

The Applicant has no objections to the removal of the right-turn lane along Martin Luther King Boulevard. However, since the Applicant is not proposing a change that necessitates the removal, the Applicant suggests that the City coordinate with the Florida Department of Transportation (FDOT) in order to remove the right-turn lane.

12. **The Consultant needs to provide this office with a copy of the trip generation study prepared for the Tampa Bay Buccaneers Corporate Headquarters.**

The Applicant has attached a copy of the DRI Trade Off Mechanism Analysis, dated Dec. 15, 2003, prepared by Christopher Hatton, P.E., of Kimley-Horn and Associates, Inc., (conducted at One Buc Place), which includes a DRI Trip Generation Study (Exhibit 3).

13. **The passer by trip rate used to derive the retail trips is much lower than what a typical mall of this size would normally generate. Please clarify.**

Pass-by capture trips were determined based upon information found in the Institute of Transportation Engineers' (ITE) *Trip Generation Handbook*, March 2003. After the pass-by capture rate was determined, the number of pass-by capture trips was compared to the adjacent Martin Luther King Boulevard traffic. Based upon guidelines found in the FDOT *Site Impact Handbook*, April 1997, the

number of pass-by capture trips should not exceed ten (10) percent of the adjacent street traffic. It was determined that the pass-by capture rate determined was greater than 10 percent of the Martin Luther King Boulevard traffic, and therefore, was reduced.

14. Page 4 of the NOPC lists Parking as a use. Since the existing and proposed additional parking spaces will be used for events, the "new" net external trips may increase. This should be accounted for when calculating the trade off mechanism.

    The NOPC considered the PM Peak Hour (rather than Daily, AM Peak Hour, Weekend, etc.) as the worst-case (conservative) time period in order to determine the appropriate net, new external trips for the trade-off mechanism. It should be noted that "Parking", however, is not expected to generate any traffic during the weekday PM Peak Hour, with the rare exception of weekday full-capacity events at Raymond James Stadium which would occur regardless of any development proposed as part of this NOPC.

HILLSBOROUGH COUNTY PLANNING COMMISSION

1. The site is designated Urban Mixed Use-60, the purpose of which is to designate areas suitable for medium high density residential, professional office and commercial development. Designated areas are determined to be appropriate for such uses due to market demands and availability of adequate community facilities.

   Planning Commission staff requests that the applicant provide further detail on the acreage of the site and where the additional office use will be placed so that a review of appropriate land coverage on the site can be determined as it relates to the floor area ratio permitted by the plan category.

   See response to Questions No. 1 and No. 6 under City of Tampa comments as well as Map H-2 which identifies the proposed locations for office use.

2. The NOPC relies heavily on a parking space analysis, and does not address alternative modes of transportation. Planning Commission staff requests that the NOPC address transportation Demand Management strategies, which are inclusive of coordination with the Hillsborough Area Transit Authority (HARTline), promoting bicycle activity, and a walkable environment as outlined in the following policies of the Tampa Comprehensive Plan.

   The NOPC considered the PM Peak Hour (rather than Daily, AM Peak Hour, Weekend, etc.) as the worst-case (conservative) time period in order to

determine the appropriate net, new external trips for the trade-off mechanism. It should be noted that "Parking", however, is not expected to generate any traffic during the weekday PM Peak Hour, with the rare exception of weekday full-capacity events at Raymond James Stadium which would occur regardless of any development proposed as part of this NOPC.

3. Planning Commission staff would further request information on the type and location of the requested access point.

   No additional site access points are being requested in this NOPC. It is expected that the existing site access points along Martin Luther King Boulevard and Himes Avenue will be maintained.

HARTLINE

1. If the owner implements the "Alternative Development Scenario" which this pending NOPC references as being part of the Fourth Amendment to the DRI, then transit requirements are fulfilled under the terms of the HART – Property Owner's Agreement dated 8/7/02. The only mention of transit in the pending NOPC proposing a third (3d) alternative is an asterisk on map H-2 reading: "Existing Bus Terminal to be relocated on site as part of future development." It is, therefore, not clear how transit requirements would be fulfilled under the requested change. If this third (3d) alternative will also implement the 8/7/02 agreement, HART will understand the intent and how the developer and owner plan to meet these conditions. Based upon the present information, HART does not understand how the developer and owner intend to honor transit conditions.

   Discussions between the Applicant's representative and Les Weakland of HARTline are still ongoing. It is the Applicant's intent to have this issue resolved prior to the July 15, 2004 public hearing.

TAMPA BAY REGIONAL PLANNING COUNCIL

1. Assuming that the proposed Land Use equivalency Matrix was based exclusively on trip generation factors (transportation), please identify how the public utilities impacts (i.e., potable water demand, wastewater and solid waste generation) would be affected. Please complete the following table which would constitute the two development extremes available to the applicant. It is understood that the project could contain a combination of each use.

(For this comparative analysis, conversion of 776,500 sq. ft. of Retail to Office at a rate of 1,000 sq. ft. of Retail equals 1,444.9 sq. ft. of Office would yield 1,121,965 sq. ft. of Office space maximum)

On May 28, 2004, the NOPC Applicant submitted to all reviewing agencies a "Services and Utilities Comparison" prepared by Matthew Campo, P.E., of Burcaw & Associates Engineering, Inc., which the Applicant believes addresses the questions raised herein and provides the technical basis for the responsive information set forth in the table herein below.

LAND USE/ ENTITLEMENTS	POTABLE WATER (gpd)	WASTEWATER (gpd)	SOLID WASTE (Lbs./Day)
776,500 Sq. Ft. of Retail	194,125 gpd	155,300 gpd	31,060 lbs/day
1,121,965 Sq. Ft. of Office	94,245 gpd	75,171 gpd	11,219 lbs/day
NET DIFFERENCE →	99,880 gpd (less)	80,129 gpd (less)	19,841 lbs/day (less)

If the proposed conversion of retail to office would yield an increase in potable water demand, wastewater generation and/or solid waste generation, does the City have the willingness and ability to meet the additional public utility demand(s)? If so, please provide correspondence from the City indicating such.

Since the above table establishes that the impact on services and utilities would be less under Alternative Development Scenario #2, it is the Applicant's understanding that no further response is necessary.

2. **While attending a Buccaneer practice session, it was observed that large speakers were sporadically placed around the football field and utilized to simulate crowd noise during practice. How will the surrounding residential neighborhood(s) and adjacent hospital be shielded from the loud crowd simulation noises?**

   See the response to Question #3 under City of Tampa comments and the Noise Analysis prepared by Jeff Palmquist, E.I.T., of Kimley-Horn and Associates, Inc., attached hereto (Exhibit 2).

   Additionally, the outdoor practice fields will be surrounded with an eight (8) to ten (10) foot high fence covered with windscreen and buffered with a landscaped hedge. Further, the speakers utilized for crowd noise simulation will be directed towards the practice fields and away from the surrounding land uses; the ambient noise level is significantly less behind the crowd-noise-simulation speakers.

3. **Who currently owns the parcel located in the southwest corner of the site that is designated "Existing Office and Parking/Not Included" and proposed "Map H-2"? Is it possible that this parcel could be acquired by the applicant and somehow aggregated into the current development scheme?**

   According to information obtained under the Hillsborough County Property Appraiser's web site, the record owner of the property is Stadium Plaza Associates, LLC. The NOPC Applicant has no plans to incorporate this parcel into the current development scheme.

4. **It is noted that the applicant proposes a "minimum of 145,000 sq. ft. of office space" within the project site. What was the basis for determining the minimum office criteria? Is this actually for a new Buccaneers headquarters? Where would this office space be located within the purview of the proposed Master Development Plans (Maps H-1 & H-2)? If the applicant is proceeding with two development scenarios (Map H-1 & H-2), it would then be necessary to modify Map H-1 to depict this minimum 145,000 sq. ft. of office space requirement.**

   The proposed Buccaneer's Corporate Headquarters Facility includes 145,000 square feet of office space as shown on Map H-3. The area designated as Parcel A on Map H-2 is the proposed location of the Buccaneer's Corporate Headquarters Facility.

The Applicant is not proceeding with two (2) development scenarios, or a combination of two (2) development scenarios. The development scenarios are alternative development scenarios. Therefore, if Alternative Development Scenario #2 is chosen, then Map H-2 would govern development of the site. If Alternative Development Scenario #1 is chosen, then Map H-1 would govern. If neither Alternative Development Scenario #1 or #2 is chosen, then the original Map H would govern. Map H-2 was included in this NOPC application primarily for ease of reference to illustrate the previously approved DRI amendments.

5. **It is stated that there will be 200 employees under the proposed plan of development. What assumptions were made to attain the employment figures regarding office space (other than Buccaneer headquarters) and/or potential retail uses?**

This information was based on the current employee count for the Buccaneers' Corporate Headquarters Facility, which includes staff members, players, coaches, and other team-related personnel, and is consistent with other NFL team employee figures throughout the League; there are significant portions of the building that are intermittently used or occupied by the team staff and players. No additional changes are proposed for the Corporate Headquarters Facility.

Transportation

6. **Please identify how many PM peak hour trips, by direction, were analyzed in the original Application for Development Approval or latest NOPC application that modified the number of approved trips for this development of regional impact. These are the number of trips that were approved for the development and should be the number used in the comparison for the trade-off to office.**

The number of net, new external trips approved in the latest NOPC application is 1,013 inbound trips and 1,110 outbound trips. The trade-off matrix was then developed based upon the number of approved, outbound trips (1,110).

7. **The second paragraph on Page 3 of 4 of the analysis indicates how pass-by capture was limited to 10% of the traffic on the adjacent road. The calculation of allowable pass-by capture is a two step process. First, the maximum number of pass-by trips needs to be calculated using the appropriate formula from the Institute of Transportation Engineers (ITE) Trip Generation Handbook, 2001. Then the number should be limited to 10% of the background traffic on the adjacent roads. The calculation of trips on the adjacent roads indicated in the analysis is of the total peak hour volume. Project traffic, if any, needs to be subtracted from the total**

traffic to obtain background traffic. Please revise the analysis to comply with the above described method.

Pass-by capture trips were determined based upon information found in the Institute of Transportation Engineers' (ITE) *Trip Generation Handbook*, March 2003. After the pass-by capture rate was determined, the number of pass-by capture trips was compared to the adjacent Martin Luther King Boulevard traffic. Based upon guidelines found in the FDOT *Site Impact Handbook*, April 1997, the number of pass-by capture trips cannot exceed ten (10) percent of the adjacent street traffic. It was determined that the pass-by capture rate determined was greater than 10 percent of the Martin Luther King Boulevard traffic, and therefore, was reduced

8. **Map H-2 provided as Exhibit B indicates that the office and or retail will be developed around the site in a number of separate areas. According to the ITE Trip Generation Report, 2003, the office trip generation should be calculated according to the size of each separate area. Please identify the number of square feet of office or retail expected in each area and complete the analysis using the appropriate trip generation for each area.**

   The specific land use combinations and sizes for office and retail have not yet been determined. It is expected that the trade-off matrix agreed upon in this NOPC will be used to determine the split of office and retail land uses that can be constructed on the site.

<u>Master Development Plan (Map H-2)</u>

9. **It is noted that Map H-2 includes a citation that "Existing Bus Terminal to be relocated on site as part of future development." Does this suggest that the current location is tentative and would be relocated elsewhere on site? Would the new location need to be mutually agreeable with Hillsborough Area Regional Transit (HART)?**

   Discussions between the Applicant's representative and Les Weakland of HARTline regarding this issue are still ongoing. It is the Applicant's intent to have this issue resolved prior to the July 15, 2004 public hearing. As soon as an agreement has been reached relative to this issue, the Applicant will advise all reviewing agencies.

10. **Please revise the Master Development Plan to denote the location of the practice fields.**

    The location of the two (2) proposed athletic practice fields is shown on Map H-3 dated May 17, 2004, attached hereto for informational purposes only.

11. It is noted that the applicant has agreed to limit the number and locations of project access points and median openings to those currently approved. Why are the existing project median openings not depicted on either of the proposed DRI Master Plans (Map H-1 or Map H-2)?

The median openings are located off site and since no changes thereto are proposed, they are not shown on the DRI Master Plans.

12. Map H-2 labeled the 2.47 acre and 5.1 acre retention ponds as existing. The alternative development scenario (Map H-1) allows for a reduction of 0.99 acres in stormwater retention. Would this reduction be attributable to the alternative development scenario?

Alternative Development Scenario #2 does not propose a reduction in stormwater retention areas. Map H-2 reflects the current locations and sizes of the stormwater retention ponds existing on site. No reduction in the size of the retention ponds is currently being proposed.

13. Please define "Parking/Circulation" as designated on Map H-2.

The term "parking circulation" on Map H-2 is defined as the paved parking lots and internal vehicle circulation required for future development of the site. The parking circulation areas shown on Map H-2 and H-3 reflect what was previously approved as part of the other NOPC/DRI amendments for this site.

14. Please confirm that the applicant proposes to partially restore some of the parking spaces voluntarily forfeited as part of the last NOPC application submitted for the Tampa Bay Center DRI (to 4,500 parking spaces). It is understood that the Buccaneer training facility is not open to the public and thus traffic volume would be reduced. The current application requests an increase of 500 parking spaces. What are the current City standards for parking spaces per 1,000 sq. ft. of office and per 1,000 sq. ft. of retail development?

See response to Question #4 under City of Tampa comments regarding the number of approved parking spaces. Again, it is the Applicant's position that 5000 parking spaces is not an increase to the number of spaces previously approved; in fact, it is a decrease in the number of spaces approved under the original development.

For informational purposes, City of Tampa Code Section 27-242 sets forth the parking requirements for office and retail uses. The number of spaces required for office is 3.3 spaces per 1,000 square feet. The number of parking spaces required for retail depends on the type of retail use. For a freestanding retail establishment, such as a department store, the number of required parking

spaces is 3 spaces per 1,000 square feet. For a grocery store, regional mall, strip center or any other type retail, the number of required parking spaces is 4 spaces per 1,000 square feet. At the time of actual development of the site, the Applicant shall comply with the applicable city codes.

G:\JBG\BUCCANEERS DRI\Responses to Reviewing Agencies.doc

EXHIBIT LIST

Exhibit 1	Map H-3, dated May 17, 2004
Exhibit 2	Buccaneers Crowd Simulation Noise Analysis
Exhibit 3	Trade-Off Mechanism Analysis dated December 15 2003 (which includes a DRI Trip Generation Study)

Kimley-Horn
and Associates, Inc.

July 6, 2004

Mr. William A. Hayward, Jr., R.A.
One Buccaneer Place
Tampa Bay, FL 33607
(813) 554-1314

Suite 400
601 21st Street
Vero Beach, Florida
32960

Re: Buccaneers Crowd Simulation Noise Analysis

A noise analysis was conducted on June 24, 2004 at the Tampa Bay Buccaneers Corporate Headquarters & Training Facility proposed site, located at the Tampa Bay Center Mall on Martin Luther King, Jr. Boulevard, in Tampa, Florida. The analysis was to estimate the expected increase in sound levels associated with the team's training activities for adjacent noise sensitive receivers. The noise source that the analysis focused on was the electronically generated crowd noise simulation that the team will intermittently utilize during the proceedings of a practice session.

The simulated crowd noise is typically utilized during one or two practices per week during the regular season, which extends from September to January. During the times of operation, the crowd simulation intervals are activated for 10 to 15 seconds each, depending on the complexity and the execution time of any given single play. The frequency of which these crowd noise intervals are activated ranges from every 20 to 35 seconds. In general, this operating sequence will extend for a 10 to 15 minute time span during the practice session. In order to accurately portray the expected noise levels that the crowd simulation will generate, the four speakers used by the team were positioned in their future operating location at the Tampa Bay Center. Upon identification of noise sensitive areas, the simulated crowd noise was implemented in a manner that is consistent with a real practice session and noise level readings were recorded.

Two areas neighboring the site were identified as noise sensitive areas. The first was the hospital on the east side of MacDill Avenue and the second was the residential area to the immediate south and southeast of the subject property. Noise levels in this memorandum are expressed in dBA, measured as an hourly L_{eq}. The hourly L_{eq} is the equivalent steady-state sound level, which in an hour contains the same acoustic energy as the time-varying sound level during the same time period. In other words, the fluctuating sound levels of the noise are represented in terms of a steady noise level with the same energy content.

[illegible]

EXHIBIT 2

For purposes of establishing a reference datum, the following table provides typical sound levels from various familiar sources and activities:

RELATIVE SCALE OF SOUND LEVELS (dB)		
Common Noise Source	*Distance From Source(ft)*	*Sound Pressure Level(dB)*
Jet Take-Off	330	125
Gas Lawn Mower	3	95
Diesel Truck	50	85
Gas Lawn Mower	100	70
Vacuum Cleaner	10	70
Normal Speech	3	65

Existing noise levels at the hospital without the crowd simulation measured 62.9 dBA. The majority of that noise can be attributed to the existing traffic on MacDill Avenue. During the occasions when the crowd simulation is operating, the outdoor noise levels at the hospital can be expected to increase to 66 dBA. For a typical human ear, a fluctuation of 3 dBA represents the lower limit of sensitivity where a change in sound may be perceived.

Readings were also taken at the southern property line of the proposed site to establish sound levels for the residential area to the south of the site. Existing noise levels measured 49.6 dBA. With the crowd simulation functioning, the level of outdoor noise can be expected to increase to 53.3 dBA.

In addition to sound level measurements of the crowd simulation, further readings were obtained during the team's mini-camp practice session to obtain common team noise. The readings were taken at a distance of 10 feet from the sideline of the practice field for a period of 15 minutes. Sound levels produced by the team at this proximity were 69.8 dBA. During typical practice sessions when the crowd simulation is not operating, the typical sound levels at the hospital are not expected to be influenced by common team noise. At the residential area to the south of the subject property, noise levels may increase by 1 dBA with the introduction of the common team noise. During the sporadic periods that the crowd simulator is in use, the addition of the team noise will be a minor and negligible supplement.

Kimley-Horn
and Associates, Inc.

In conclusion, due to the marginal and intermittent usage of the Buccaneers crowd simulator and the minimal sound level increases experienced by the adjacent noise sensitive receivers, it is the findings of this analysis that the noise generated by the simulator and the typical noise produced by the team in a normal practice session is not expected to pose any significant impact to the neighboring areas. Furthermore, the Tampa Code of Ordinances Chapter 14 OFFENSES, Article III. NOISE states:

> Section 14-151. Loud and unreasonable noises—Prohibited. The creation of any avoidable and unreasonably loud, disturbing and unnecessary noise within the corporate limits of the city is hereby prohibited. Noise or disturbances of such character, intensity and duration as to be and tending to be detrimental to the life, health or normal comfort of any individual is prohibited.

Consistent with the requirements set forth by the Code, the noise analysis illustrates that the noise produced from the practice sessions are at an acceptable level at the property limits of the Tampa Bay Buccaneers Corporate Headquarters & Training Facility proposed site.

If you should have any questions regarding the analysis or the accompanying memorandum, feel free to contact me at (772)794-4101.

KIMLEY-HORN AND ASSOCIATES, INC.

Jeff Palmquist, E.I.T.

Cc: Gina K. Grimes
Christopher Hatton, P.E.
File

TRADE-OFF MECHANISM ANALYSIS

DECEMBER 15, 2003

PREPARED BY

Kimley-Horn Associates, Inc.
1220 Tech Boulevard
Tampa, Florida 33619

EXHIBIT 3

TAMPA BAY CENTER DRI (#16)

NOTICE OF PROPOSED CHANGE
December 15, 2003

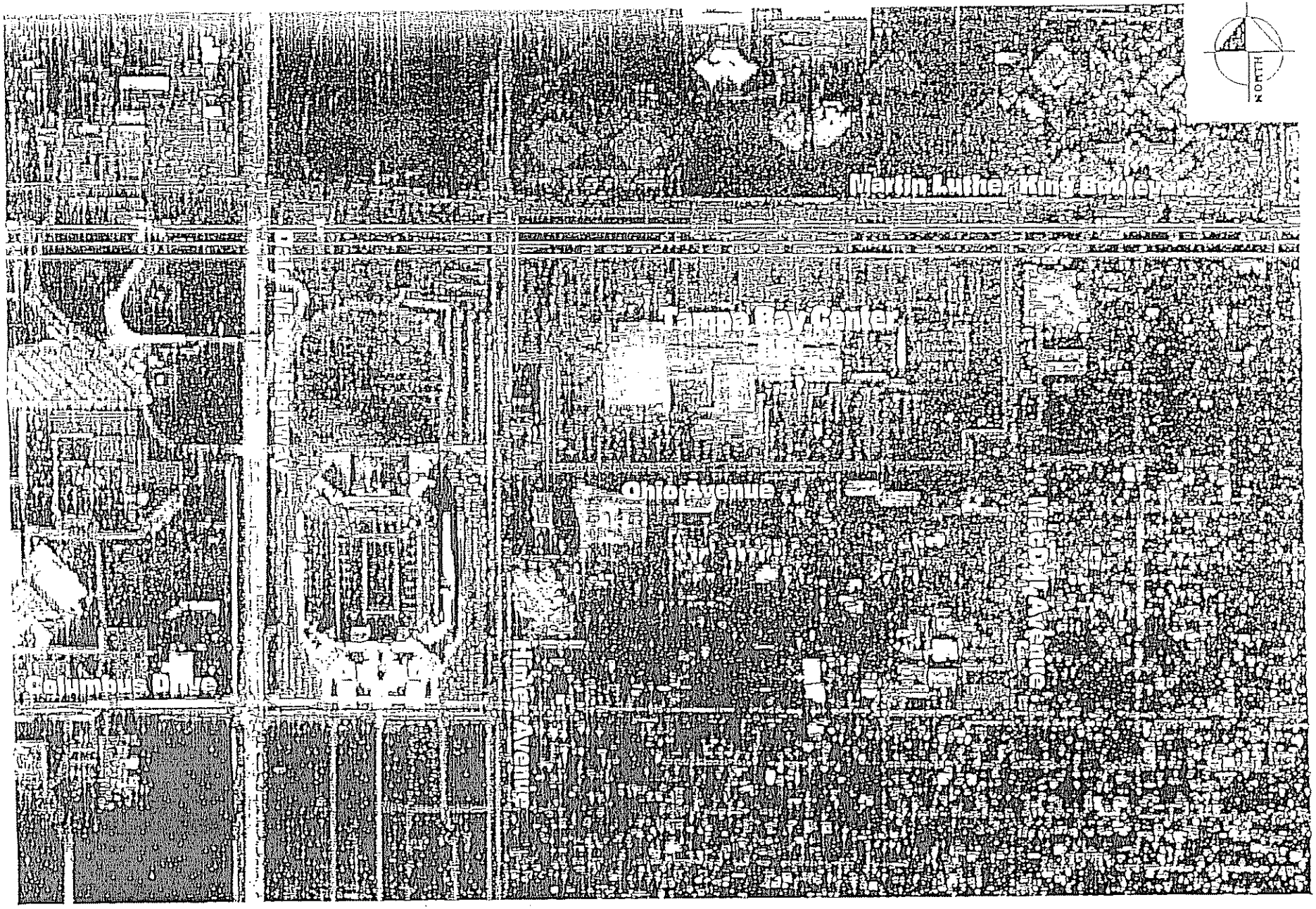
INTRODUCTION

The Tampa Bay Center DRI (#16) is located in the southeast corner of the Martin Luther King Jr. Boulevard (State Road 574) & Himes Avenue intersection. See Figure 1 for the general DRI location. The Tampa Bay Center DRI is an 83 acre (±) development that consists of retail land uses. The Tampa Bay Center Mall was constructed on the DRI site. The original Development Order was adopted in 1974. The Development Order has been amended a total of five times, with the latest occurring on August 22, 2002 (Resolution 2002-179).

Specifically, the latest approved Development Order consists of approvals for 776,500 square feet of retail. The existing mall was recently closed and the buildings are anticipated to be demolished. In addition, the existing HARTline transfer center is to be relocated on site. The current DRI buildout approval does not expire until December 31, 2012, and the Development Order does not expire until December 31, 2017.

NOPC OBJECTIVE

The objective for this current NOPC is to create a trade-off matrix that allows an exchange of retail development for general office development and the proposed Tampa Bay Buccaneers Corporate Headquarters. It should be noted that the net trip generation of the trade-off of retail for office and the Tampa Bay Buccaneer Corporate Headquarters land uses for this NOPC will not exceed the number of approved outbound trips for the DRI without a more detailed analysis.



Kimley-Horn and Associates, Inc.

Project Location Map
Tampa Bay Center DRI
Hillsborough County, Florida

DATE:	SCALE:	FIGURE:
12/03	NTS	1

DRI TRIP GENERATION

The trip generation for the retail uses of the DRI was estimated using trip generation rates and pass-by capture rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, Sixth Edition, 1997; and the ITE *Trip Generation Handbook*, March 2001.

Based upon the approved 776,500 square feet of retail, the net, new, two-way external trips vested by the retail land uses are 22,256 two-way, daily trip-ends and 2,123 two-way (1,013 inbound/1,110 outbound), p.m. peak hour trip-ends. Pass-by capture trips were based upon guidelines found in the Florida Department of Transportation (FDOT) *Site Impact Handbook*, April 1997, which state that pass-by capture trips cannot exceed 10 percent of adjacent street traffic. The traffic volumes for the adjacent street to the site, Martin Luther King Boulevard, were obtained from Hillsborough County's *Roadway Level of Service Report*, January 2003. The AADT along Martin Luther King Boulevard is 32,252 vehicles and using a k_{100} factor of 0.095, the peak hour, two-way volume is 3,064 vehicles. The FDOT 10 percent rate (306 of 3,064) for pass-by trips was utilized in the analysis. The trip generation calculations can be found in Table 1 of the Appendix.

The general office land use is proposed to include the Tampa Bay Buccaneers Corporate Headquarters. As discussed in the November 20, 2003 Methodology Meeting at the Tampa Bay Regional Planning Council (TBRPC), trip generation rates for the proposed Tampa Bay Buccaneers Corporate Headquarters were based upon trip generation rates for the general office land use. The trip generation rates for the general office land use are slightly larger than those determined from a driveway count of the existing Tampa Bay Buccaneers Corporate Headquarters. Therefore, using the general office land use trip rates was conservative in estimating the actual trip generation of the Tampa Bay Buccaneers Corporate Headquarters.

A trade-off matrix was developed that allows an exchange of retail development for general office development, which includes the proposed Tampa Bay Buccaneers Corporate Headquarters. Based upon the number of net, new outbound trips generated by the existing approved retail land use (1,170 outbound trips), a conversion of retail square footage to office square footage was developed. Shown in Table 2 of the Appendix, a multiplication factor of 1.444's for converting retail square footage to office square footage was determined for the Tampa Bay Center DRI.

Using this factor (1.4449) and the existing approved retail square footage (776,500 square feet), it can be expected that approximately 1,122,000 square feet of office space can be developed on the site without exceeding the number of previously approved net, new outbound trips. This trip generation calculation is shown in Table 3 of the Appendix.

The size of the Tampa Bay Buccaneers Corporate Headquarters is expected to be approximately 120,000 square feet. Therefore, there will be approximately 1,002,000 square feet of available office space or, using the conversion factor, approximately 693,400 square feet of available retail space remaining on the development site. This trip generation calculation is shown in Table 4 of the Appendix.

CONCLUSION

In order to create an exchange of retail development for general office development and the proposed Tampa Bay Buccaneers Corporate Headquarters, a trade-off matrix was developed. Based upon the number of net, new outbound trips generated by the existing approved retail land use, a multiplication factor of 1.4449 for converting retail square footage to office square footage was determined for the Tampa Bay Center DRI.

It should be noted that typically, traffic trade off matrices, approved by the Tampa Bay Regional Planning Council and the Florida Department of Community Affairs, associated with a DRI are based upon the number of two-way trips for either daily total or p.m. peak-hour totals. The trade-off matrix for this NOPC is based upon the number of p.m. peak-hour, *peak directional* trips, which limits the potential amount of available office square footage, which could be based upon the number of p.m. peak-hour, *two-way* trips. Therefore, in the future as additional development is proposed, if the anticipated number of outbound trips exceeds 1,170 trips, a more detailed analysis would need to be performed to identify potential off-site impacts to the surrounding roadway network.

APPENDIX

Table 1 – EXISTING APPROVED RETAIL TRIP GENERATION

Table 2 – PM PEAK HOUR: LAND USE TRADE-OFFS

Table 3 – PROPOSED OFFICE TRIP GENERATION

Table 4 - PROPOSED BUCCANEERS CORPORATE HEADQUARTERS TRIP GENERATION

TABLE 1 - EXISTING APPROVED RETAIL TRIP GENERATION

DAILY TRIP GENERATION

	ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
	Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
1																				
2	[illegible]	6	820	[illegible]	[illegible]	50%	50%	12,732	12,732	25,464	0.0%	0	12,732	12,732	25,464	12.6%	3,208	11,128	11,128	22,256
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
							Total	12,732	12,732	25,464			12,732	12,732	25,464	12.6%	3,208	11,128	11,128	22,256

Note: Daily Adjacent Street Traffic is 32,[illegible] vehicles per [illegible]

P.M. PEAK-HOUR TRIP GENERATION

	ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
	Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
1																				
2	[illegible]	6	820	[illegible]	[illegible]	45%	50%	1,166	1,263	2,429	0.0%	0	1,166	1,263	2,429	12.6%	306	1,013	1,110	2,123
3																				
4																				
5																				
6																				
7																				
8																				
9																				
10																				
11																				
12																				
13																				
14																				
15																				
							Total:	1,166	1,263	2,429			1,166	1,263	2,429	12.6%	306	1,013	1,110	2,123

Note: Peak Adjacent Street Traffic is 306 vehicles per hour

\Retail TripGen 121005 PRINT DAY-PEAK (GROUP 1)
#2/15/2005 1:55 PM

TABLE 2

TAMPA BAY CENTER, DRI #16
Notice of Proposed Change
Revised December 15, 2003

PM PEAK HOUR: LAND USE TRADE-OFFS

A) LAND USE TRADE-OFF RATES (MULTIPLICATION FACTORS)

CHANGE TO \ CHANGE FROM	Retail (1,000 SF)	Trade-Off Rate Calculations					
Retail (1,000 SF)	--	From / To Conversion =	Trips/1,000 SF	/	Trips/1,000 SF	=	Rate
Future Hypothetical Office (1,000 SF)	1.4449	Retail / Office =	1.4295	/	0.9893	=	1.4449

B) TRADE-OFF EXAMPLE

EXAMPLE 1: TRADE FROM RETAIL TO FUTURE HYPOTHETICAL OFFICE

Trade 776.5 x (1,000 SF) of Retail for ? (1,000 SF) of Future Hypothetical Office
= 776.5 x (1,000 SF) of Retail x 1.4449 x (1,000 SF) of Future Hypothetical Office
= 1122.0 x (1,000 SF) of Future Hypothetical Office
= 1,122,000 SF of Future Hypothetical Office

C) SOURCE INFORMATION AND DOCUMENTATION FOR TRADE-OFF RATES

Land Use	Net External Outbound Trips (1)	Land Use Size (1) (1,000 SF)	Trips	/	1,000 SF
Retail (1,000 SF)	1,110	776.5 (1,000 SF)	1.4295	/	1,000 SF
Future Hypothetical Office (1,000 SF)	1,110	1,122.0 (1,000 SF)	0.9893	/	1,000 SF

D) FOOTNOTES

(1): Land use sizes and net external trips are from Trip Generation Tables

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Print Date = 12/15/03
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TABLE 3 - PROPOSED OFFICE TRIP GENERATION

DAILY TRIP GENERATION

GROUP		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Size	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
1	2	General Office Building	6	710	112	1000	50%	50%	4,249	4,249	8,498	0.0%	0	4,249	4,249	8,498	0.0%	0	4,249	4,249	8,498
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total	4,249	4,249	8,498			4,249	4,249	8,498			4,249	4,249	8,498

Note: Daily Adjacent Street Traffic is 91251 vehicles per day

P.M. PEAK-HOUR TRIP GENERATION

GROUP		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Size	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
1	2	General Office Building	6	710	112	1000	17%	83%	227	1,110	1,337	0.0%	0	227	1,110	1,337	0.0%	0	227	1,110	1,337
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total	227	1,110	1,337			227	1,110	1,337			227	1,110	1,337

Note: Peak Adjacent Street Traffic is 3064 vehicles per hour

TABLE 4 - PROPOSED BUCCANEERS CORPORATE HEADQUARTERS TRIP GENERATION

DAILY TRIP GENERATION

		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Size	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
GROUP	1																				
	2	[illegible]	6	710	122	KSF	50%	50%	763	763	1,526	0.0%	0	763	763	1,526	0.0%	0	763	763	1,526
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total	763	763	1,526			763	763	1,526			763	763	1,526

Note: Daily Adjacent Street Traffic is 30,[illegible] vehicles per day

PM PEAK-HOUR TRIP GENERATION

		ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		GROSS VOLUMES			INTERNAL CAPTURE		EXTERNAL TRIPS			PASS-BY CAPTURE		NET NEW EXTERNAL TRIPS		
		Land Use	ITE Edition	ITE Code	Size	ITE Units	Percent In	Percent Out	In	Out	Total	Percent	IC Trips	In	Out	Total	Percent	PB Trips	In	Out	Total
GROUP	1																				
	2	[illegible]	6	710	122	KSF	17%	83%	36	178	214	0.0%	0	36	178	214	0.0%	0	36	178	214
	3																				
	4																				
	5																				
	6																				
	7																				
	8																				
	9																				
	10																				
	11																				
	12																				
	13																				
	14																				
	15																				
								Total	36	178	214			36	178	214			36	178	214

Note: Peak Adjacent Street Traffic is 3,[illegible] vehicles per hour

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12/15/2003 2:07 PM

Exhibit 2 To Ordinance

TAMPA BAY CENTER DRI
Notice of Proposed Change

SERVICES AND UTILITIES COMPARISON

Prepared For:

Buccaneers Football Stadium Limited Partnership

Prepared By:

Matthew D. Campo, P.E.

Florida Reg No. 53988

Burcaw & Associates Engineering, Inc.

6402 W. Linebaugh Avenue

Tampa, Florida 33625

May 2004

Burcaw Project No. 03498

I. INTRODUCTION

The intent of this report is to assess the impact of the DRI amendment (Notice of Proposed Change) on various utilities and services in the DRI area. The proposed DRI amendment allows the conversion of approved retail square footage to office square footage. The proposed DRI amendment and site plan, as illustrated in this report, will **not** have an increased impact to the current utilities and stormwater facilities serving the site. The proposed office uses will, in effect, have a **reduced impact** to utilities and stormwater runoff compared with current (and approved) retail uses.

II. PROJECT DESCRIPTION

The project site is the former Tampa Bay Center Mall, located on the south side of Dr. Martin Luther King Jr Boulevard between Himes Avenue and MacDill Avenue, in Section 10, Township 29, Range 18. **SEE LOCATION MAP.**

The site contains an existing mall structure with approximately 887,000 square feet (SF) of developed retail space. The approved DRI Development Order permits an alternative development scenario with 776,500 SF of retail space. The proposed DRI amendment requests approval of a trade-off mechanism based on a transportation trip equivalency ratio between approved retail square footage and proposed office square footage. Utilizing the proposed trade-off mechanism, conversion of all approved retail square footage (776,500 SF) would result in a maximum of 1,122,000 SF of office space in terms of equivalent vehicle trips.

The proposed DRI amendment and future development of the site anticipates a portion of the site to be used to construct a new corporate office building

(including a training facility) preliminarily including, but not limited to, 145,000 SF – 225,000 SF of building area, two (2) natural-grassed turf fields, related parking area, and other required improvements. The balance of the site is anticipated to be used to develop other future retail, professional office space, or other uses as outlined by the DRI site plan.

A portion (approximately one-third) of the existing mall will be demolished for the proposed new development. The balance (approximately two-thirds) of the mall may be demolished in the future.

III. SERVICES/PUBLIC UTILITIES

Demand rates were determined for water, sewer, and solid waste services for each land use for comparison. Usage rates were factored per day to represent 1,000 SF of usable floor area. Table 1, comparing these rates, is shown at the end of this section. As a result of the proposed DRI amendment and site plan, there will be a net reduction of demand on the utility services currently being provided to this site, as outlined below.

Water

Water is currently available to the site from the City of Tampa via a 12" line on Dr. Martin Luther King Jr Boulevard. Water use rates for retail and office uses were based on studies of similar land uses. Retail usage was determined to be 250 gallons per day (GPD) per 1000 SF. **Office water usage was determined to be 84 GPD per 1000 SF, or (1/3) one-third the usage of retail.**

The 776,500 SF gross leasable area (GLA) of Retail allowed by the approved DRI Development Order would use 194,125 GPD of water. The same water usage would equate to 2,311,012 SF of office space for the entire site, and 959,070 SF of office space for the portion of the site that will include the proposed office development.

Sewer

Sewer is currently available to the site from the City of Tampa via a 12" force main on Ohio Avenue. Standard utility engineering practice is to estimate sewer flows to by 80% of water usage. Retail sewer flows were determined to be 200 gallons per day (GPD). **Office sewer flows were determined to be 67 GPD, or (1/3) one-third the usage of retail.**

The 776,000 SF GLA of retail uses approved under the current DRI Development Order would produce 155,300 GPD of sewage. The same sewer flow would allow 2,311,012 SF of Office space for the entire site, and 959,070 SF of office space for the portion of the site that will include the proposed office development.

Water Reuse

Currently, water reuse is not available at the site.

Solid Waste

Solid waste collection is provided by Waste Management, Inc. through the City of Tampa. Solid waste usage rates were provided by the City of Tampa Solid Waste Department. **Retail use produces 40 pounds per day (PPD) of solid waste per 1000 SF, while office use produces 10 PPD per 1000 SF, or (1/4) on-fourth of what a retail use produces.**

The 776,500 SF GLA of retail approved under the current DRI Development Order would produce 31,060 PPD of solid waste. The usage would allow 3,106,000 SF of office space for the entire site, and 1,288,990 SF of office space for the portion of the site that will include the proposed office development.

Irrigation

The construction of the proposed office development includes a training facility containing two (2) natural-grassed turf fields. This resulting increase in grassed areas, will affect an increase in the irrigation water demand to the site. Irrigation shall be addressed in two parts, described as follows:

1. An irrigation meter will be acquired from the City of Tampa to handle the microirrigation systems.
2. An irrigation well system will be used to service the proposed practice fields. The well is a ground water source and will not affect the demand on the municipality servicing the site.

Stormwater

The proposed office development described on the proposed DRI site plan will result in a net reduction of approximately 366,000 SF of building footprint area and pavement areas being replaced by the two (2) natural-grassed turf fields and open space. This will reduce the quantity of stormwater runoff and decrease the pollutants commonly found in stormwater.

IV. UTILITIES

Electric

Electricity is currently available to the site through Tampa Electric Company (TECO). An 11-15' TECO Easement exists along the north property line of the site.

Gas

Natural gas service is currently available to the site provided by TECO-Peoples Gas. A 2" inch service line has been constructed on the south side of the property from Ohio Avenue.

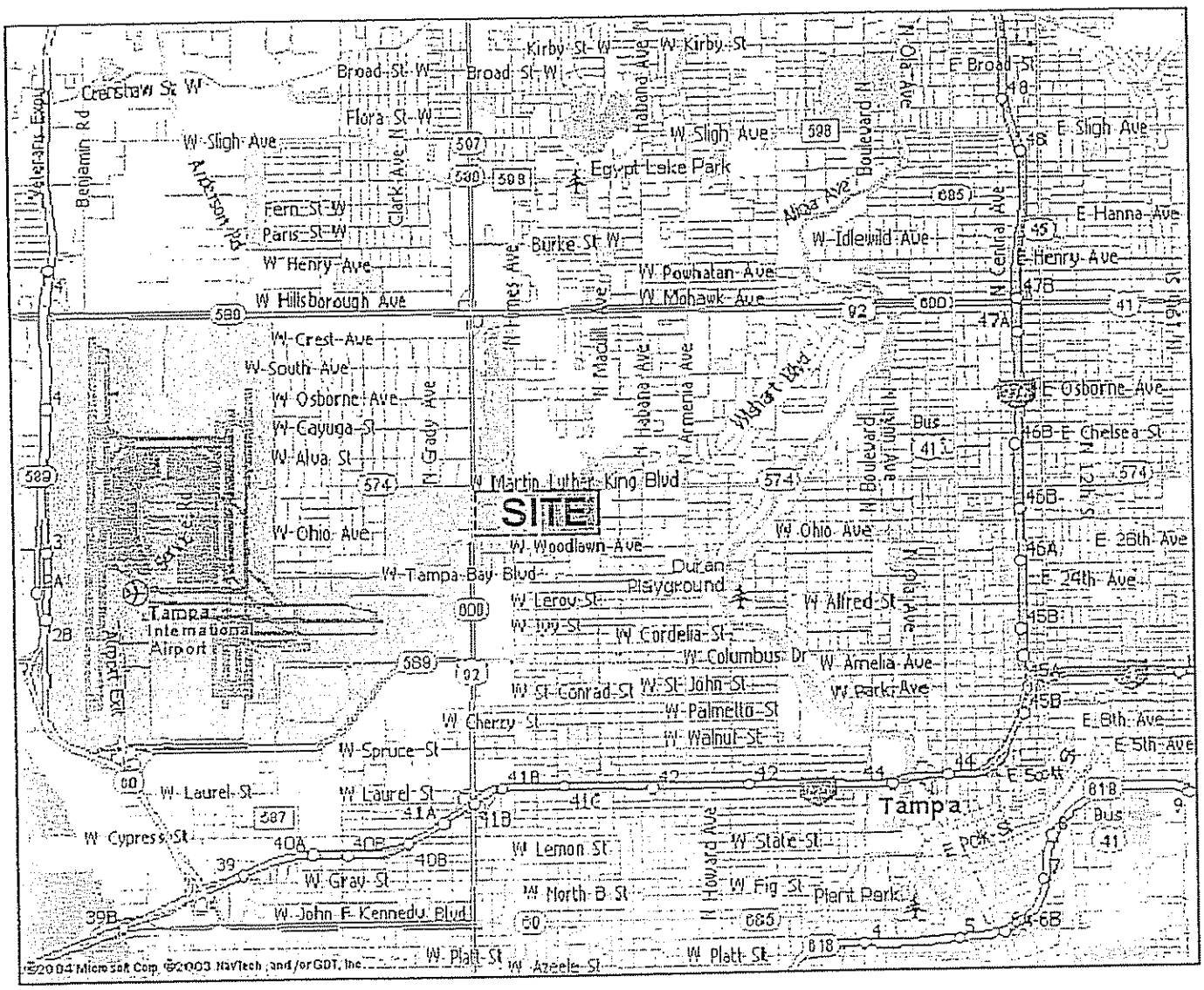
Telephone

Telephone service is available to the site through Verizon.

V. CONCLUSION

Based on the foregoing, the proposed DRI amendment approving the conversion of approved retail square footage to office square footage will not have an increase in impacts to the current utilities serving the site, and will result in a **reduced impact** to utilities and stormwater runoff compared with current (and approved) retail uses.

G:\JBG\BUCCANEERS DRI\Services and Utilities Comparison (May 2004).doc



BURCAW & Associates, Inc.

Engineers • Surveyors • Planners • Environmental Services •

8402 W. Linebaugh Ave., Suite A
Tampa, Florida 33625
PHONE: 813.882.4815
FAX: 813.882.3808
www.burcawinc.com
LB # 4890

LOCATION MAP

DATE	SCALE	JOB NO.
APRIL, 2004	N.T.S.	
DRAWN	BSW	
CK'D BY	MDC	

TABLE 1

RETAIL VS OFFICE DEVELOPMENT - PUBLIC UTILITY CONVERSION RATE

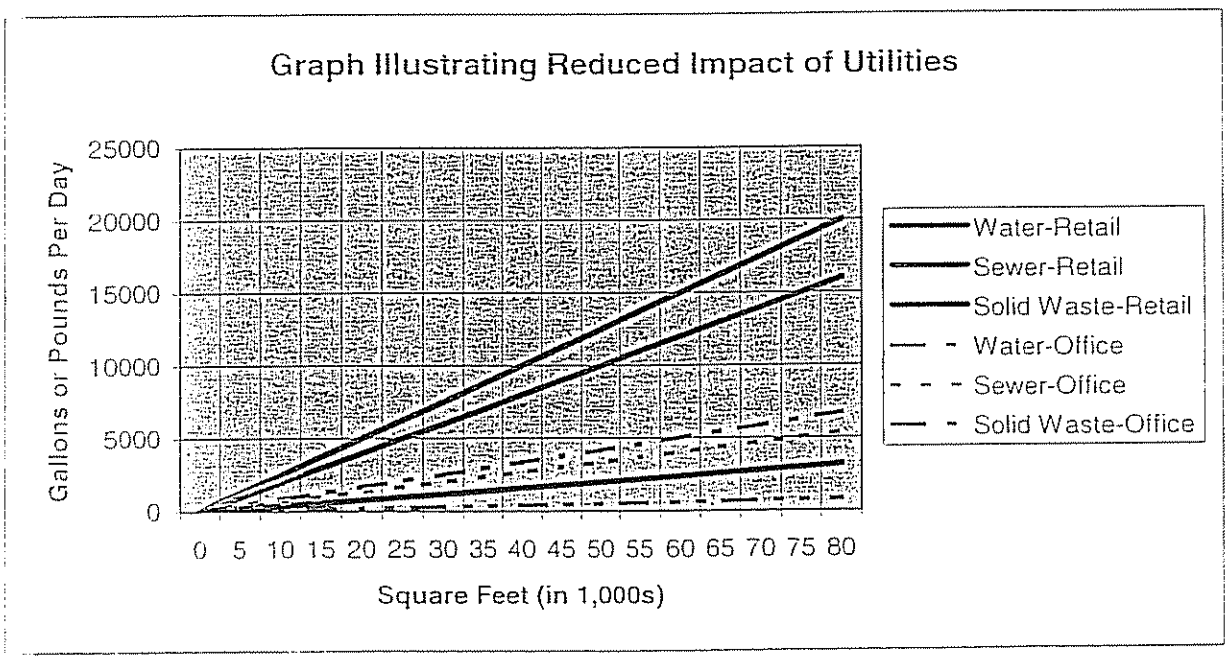
WATER										
Retail										
1000 SF	x	0.250 GPD/SF	=	250 GPD						
Office										
1000 SF	x	0.084 GPD/SF	=	84 GPD						
SEWER*										
Retail										
1000 SF	x	0.200 GPD/SF	=	200 GPD*						
Office										
1000 SF	x	0.067 GPD/SF	=	67.2 GPD*						
SOLID WASTE										
Retail										
1000 SF	x	0.040 PSF	=	40 PPD						
Office										
1000 SF	x	0.010 PSF	=	10 PPD						

Retail to Office Conversion Rate

250	/	84	=	2.98 **
200	/	67.2	=	2.98 **
40	/	10	=	4.00 **

* Sewer flows are estimated to be 80% of water flows.

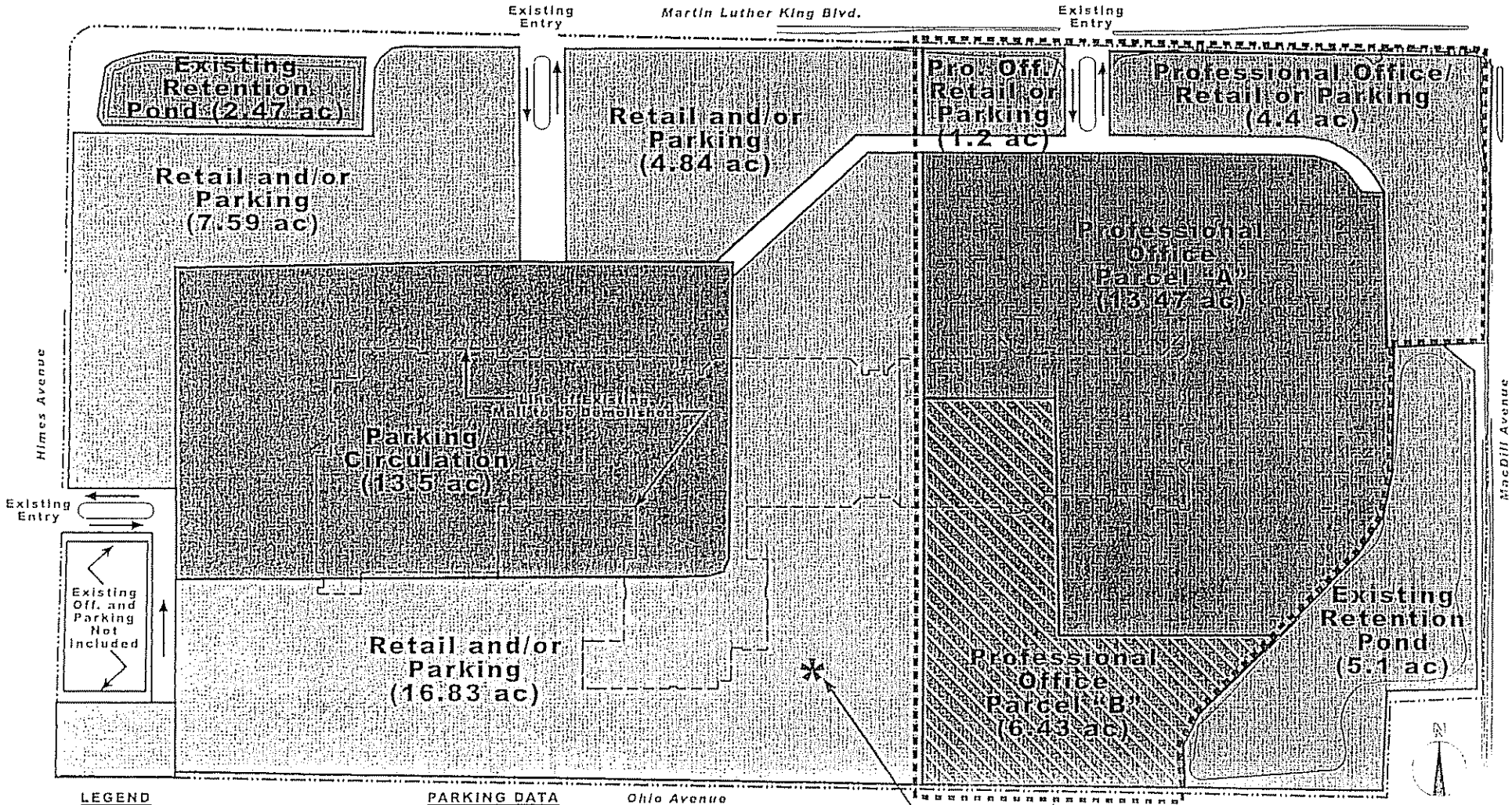
** Table illustrates that usage rates for retail exceed office usage by these factors.



	Retail			Office		
Squa	Water-Reta	Sewer-Reta	Solid Waste-I	Water-Offi	Sewer-Offi	Solid Waste-Office
0	0	0	0	0	0	0
5	1250	1000	200	420	336	50
10	2500	2000	400	840	672	100
15	3750	3000	600	1260	1008	150
20	5000	4000	800	1680	1344	200
25	6250	5000	1000	2100	1680	250
30	7500	6000	1200	2520	2016	300
35	8750	7000	1400	2940	2352	350
40	10000	8000	1600	3360	2688	400
45	11250	9000	1800	3780	3024	450
50	12500	10000	2000	4200	3360	500
55	13750	11000	2200	4620	3696	550
60	15000	12000	2400	5040	4032	600
65	16250	13000	2600	5460	4368	650
70	17500	14000	2800	5880	4704	700
75	18750	15000	3000	6300	5040	750
80	20000	16000	3200	6720	5376	800

Exhibit 3
TO ORDINANCE

Map H-2 – Master Plan for Alternate Development Scenario #2



EXISTING BUS TERMINAL TO BE RELOCATED ON SITE AS PART OF FUTURE DEVELOPMENT

DRI AMENDED SITE AREA (25.5 ACRES)

LEGEND

Retail and/or Parking	29.93 Acres (37.5%)
Retention	7.57 Acres (9.4%)
Professional Office Parcel "A"	13.47 Acres (17%)
Professional Office Parcel "B"	6.43 Acres (8%)
Parking/ Circulation	13.5 Acres (17%)
Pro. Office/Retail/Parking	5.6 Acres (7%)
Ingress / Egress	3.2 Acres (4.1%)
TOTAL SITE AREA	79.7 Acres

PARKING DATA

Total Parking Count: 5000

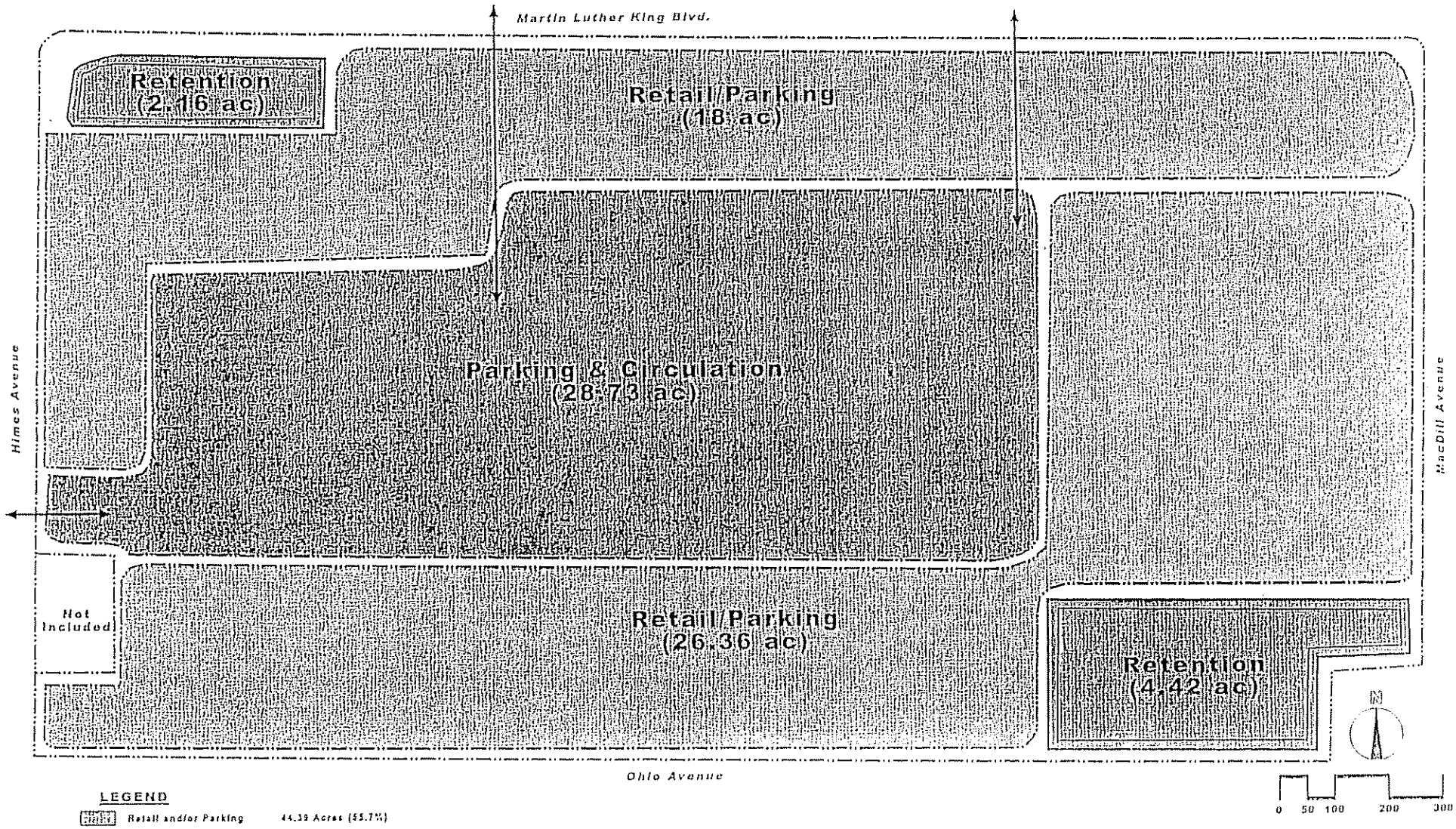
MAP "H-2" DRI MASTER PLAN

ALTERNATE DEVELOPMENT SCENARIO #2 MAY 3, 2004

Exhibit 3 To Ordinance

Exhibit 4
TO ORDINANCE

Map H-1 -- Master Plan for Alternate Development Scenario #1



LEGEND

	Retail and/or Parking	44.39 Acres (55.7%)
	Retention	6.58 Acres (8.3%)
	Parking/ Circulation	28.73 Acres (36%)
	TOTAL SITE AREA	79.7 Acres

MAP "H-1" DRI MASTER PLAN

ALTERNATE DEVELOPMENT SCENARIO #1

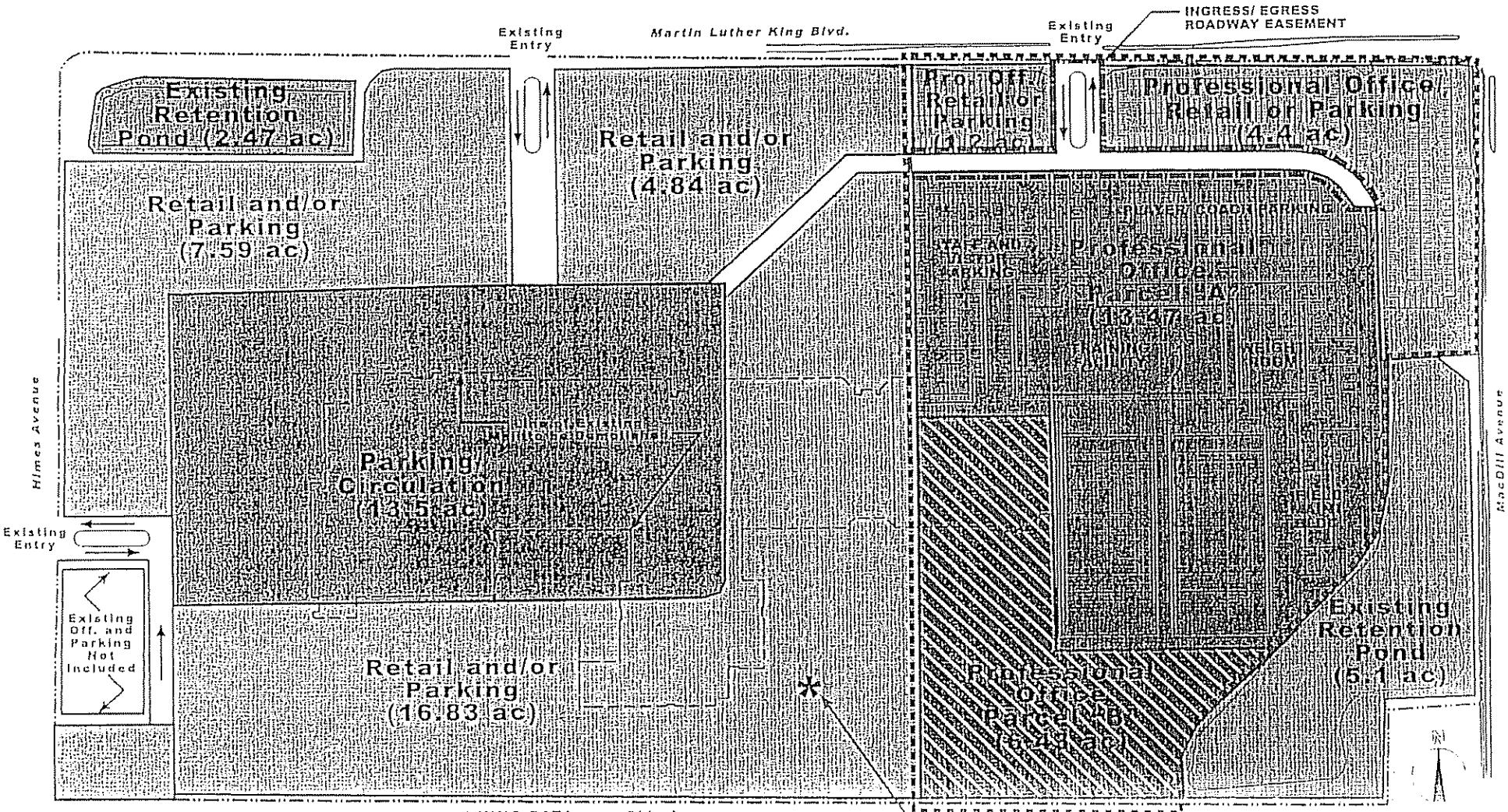
APPROVED AUG. 22, 2002

Buccaneers

Exhibit 4 To Ordinance

Exhibit 5
TO ORDINANCE

Map H-3 dated 5/17/04
Alternate Development Scenario #2 w/Training Facility



LEGEND

- Retail and/or Parking 29.93 Acres (37.5%)
- Retention 7.57 Acres (9.4%)
- Prof. Office Parcel "A" 13.47 Acres (17%)
- Prof. Office Parcel "B" 6.43 Acres (8%)
- Parking/ Circulation 13.5 Acres (17%)
- Prof. Office/Retail/Parking 5.6 Acres (7%)
- Ingress / Egress 3.3 Acres (4.1%)

TOTAL SITE AREA 79.7 Acres

- Property Line
- Ingress/ Egress Easement
- DRI Amended Site Area

PARKING DATA

Total Parking Count:	5000
Retail:	4625
Buc Corporate Facility:	375

MAP "H-3" DRI MASTER PLAN

ALTERNATE DEVELOPMENT SCENARIO #2 MAY 17, 2004
WITH TRAINING FACILITY

Exhibit 5 To Ordinance

#16

CITY OF TAMPA

Janett S. Martin, CMC, City Clerk

Office of City Clerk

August 29, 2002

Tampa Bay Regional Planning Council
Attention: John Meyer, DRI Coordinator
9455 Koger Boulevard
St. Petersburg FL 33702

RE: File No. DZ02-49, Tampa Bay Center
ORDINANCE: 2002-179

Dear Sirs:

The City Council of the City of Tampa met in regular session on August 22,2002, at 9:00 a.m. During this session, the enclosed ordinance (2002-179) was adopted, approving an ordinance creating the fourth amendment to the DRI for Tampa Bay Center.

Sincerely,

Gail A. Anderson
Deputy City Clerk

GAA/gsg

Enclosure: Certified copy of Ordinance 2002-179 by certified mailing.

315 E. Kennedy Blvd., City Hall • Tampa, FL 33602 • 813/274-8396 • FAX: 813/274-8306
l: ctyclerk@ci.tampa.fl.us

CC
TBRI

ORDINANCE NO. 2002-179

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE FOURTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER DEVELOPMENT OF REGIONAL IMPACT, DRI #16, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTIFICATION OF PROPOSED CHANGE FILED BY TAMPA NORTHWEST, LTD.; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on March 5, 1974, the City of Tampa ("City") adopted Resolution No. 4108-F (the "Original Development Order"), which is the Development Order issued by the City pursuant to Chapter 380, Florida Statutes, for the Tampa Bay Center Development of Regional Impact ("DRI"); and

WHEREAS, on September 30, 1975, the City adopted Resolution No. 7658-F, as the First Amendment to the Development Order (the "First Amendment"); and

WHEREAS, on May 11, 1978, the City adopted Ordinance No. 6935-A (the "Second Amendment"); and

WHEREAS, on June 12, 1979, the City adopted Resolution No. 5445-G (the "Third Amendment"); and

WHEREAS, on November 30, 1989, the City adopted Ordinance No. 89-297 which denied the requested Fourth Amendment to the Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property (hereinafter, the Original Development Order, together with the First, Second, and Third Amendments shall collectively be referred to as the "Development Order"); and

WHEREAS, Tampa Northwest, Ltd., (the "Developer") is the owner of the Tampa Bay Mall which is described in the legal description attached hereto as Exhibit "A" and which is the subject of the Notification of Proposed Change (the "Property"); and

WHEREAS, on February 19, 2002, the Developer filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC"), attached hereto as Exhibit "B;" and

WHEREAS, the NOPC proposes to amend the Development Order to incorporate an alternate development scenario ("Alternate Development Scenario") to provide an alternative to the currently approved development scenario allowing the Developer to choose the most appropriate development scenario at the time of development. The proposed Alternate Development Scenario incorporates the following: i) a master plan for the Alternate Development Scenario ("Map H"), attached as Exhibit "C;" and ii) a corrected legal description, attached as Exhibit "A." (Hereinafter the inclusion of the Alternate Development Scenario as an approved development plan for the Tampa Bay Center DRI shall be referred to as the "Proposed Change"); and

WHEREAS, the Proposed Change to the Development Order will constitute the Fourth Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the NOPC as well as all related testimony and evidence submitted by the Developer concerning the Proposed Change; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a development order be amended to reflect the City Council's approval of changes to an adopted development order;

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

A. That the Developer submitted to the City the NOPC attached hereto and incorporated herein by reference as Composite Exhibit "B;"

B. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments, and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC"), and the Department of Community Affairs ("ADCA");

C. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan;

D. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan;

E. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council;

F. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that are not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council 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 in the Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein;

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change is adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

D. That this Ordinance does not constitute a substantial deviation from the Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

E. That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. **Order.** That having made the above findings of fact and conclusions of law, it is ordered that the Development Order be amended as set forth below:

A. The Proposed Change is approved and the Development Order is hereby amended to approve the Alternate Development Scenario as an approved choice of development scenarios for the Tampa Bay Center DRI and to include Map H and the corrected legal description. The Proposed Change shall be subject to the following conditions:

1) Under the Alternate Development Scenario, the existing mall structure shall be demolished and the overall square footage shall be reduced by 110,500 square feet Gross Leaseable Area ("GLA"), leaving an approved total of 776,500 square feet GLA;

2) The Alternate Development Scenario shall have a buildout date of December 31, 2012;

3) The Alternate Development Scenario Development Order shall expire on December 31, 2017;

4) The number of access points for the Alternate Development Scenario shall be as shown on Map H, attached hereto as Exhibit "C;"

5) The number of median openings for the Alternate Development Scenario shall be as shown on Map H, attached hereto as Exhibit "C;" and

6) There shall be no increase in impervious area for the Alternate Development Scenario;

all as more particularly set forth in the NOPC.

B. The corrected legal description shall also apply to the existing development order.

Section 4. **Notice.** The Developer shall provide notice to the City, the Tampa Bay Regional Planning Council, and the Florida Department of Community Affairs of its intent to implement the Alternate Development Scenario.

Section 5. **Development Order, as Amended.** This Ordinance shall constitute the Fourth Amendment to Resolution 4108-F, as previously amended by Resolution 7658-F, Ordinance No. 6935-A, Resolution No. 5445-G, (and Ordinance No. 89-297 which denied a requested Fourth Amendment to the Development) which shall constitute, collectively, the Development Order for the Tampa Bay Center DRI as passed and ordained by the City Council. All provisions of the Development Order, except those provisions specifically modified herein, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

Section 6. **Definitions.** That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 7. **Binding Effect.** That this Ordinance shall be binding upon the Developer, their assigns, and successors in interest.

Section 8. **Governmental Agencies.** That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be

created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 9. **Severance.** That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 10. **Transmittals.** That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law to the Developer, Tampa Northwest, Ltd., c/o David M. Mechanik, Esquire, 101 East Kennedy Boulevard, Suite 3140, Tampa, Florida 33602, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 11. **Rendition.** That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 12. **Recording.** That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 13. **Effective Date.** That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 9 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON AUG 2 2 2002.

ATTEST:

CITY CLERK/DEPUTY CITY CLERK

CHAIRMAN, CITY COUNCIL

APPROVED by me on AUG 2 6 2002

DICK A. GRECO, MAYOR

APPROVED as to form by:

GINA K. GRIMES
CHIEF ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance 2002-179 on file in my office
Witness my hand and official seal this 27th day of Aug. 20 02

DEPUTY CITY CLERK

Exhibit "A"
TO AMENDED DEVELOPMENT ORDER

Legal Description

Certified a
and correct copy

LEGAL DESCRIPTION :

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 29 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, ALSO BEING PART OF BLOCKS 1 THRU 9 AND ADJACENT STREETS (VACATED), FAIRGROUND FARMS SUBDIVISION, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT BOOK 8, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 10, THENCE ALONG THE WESTERLY BOUNDARY OF SECTION 10, SOUTH 00°29'36" WEST, 69.70 FEET; THENCE DEPARTING SAID WESTERLY BOUNDARY OF SECTION 10, SOUTH 90°00'00" EAST, 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE 26.36 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 75°31'21", A CHORD BEARING AND DISTANCE OF NORTH 52°31'16" EAST, 24.49 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, SOUTH 89°43'04" EAST, 1713.64 FEET; THENCE NORTH 89°39'21" EAST, 846.73 FEET TO A POINT OF TANGENCY; THENCE 39.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°48'58", A CHORD BEARING AND DISTANCE OF SOUTH 44°56'10" EAST, 35.61 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, SOUTH 00°28'19" WEST, 254.10 FEET; THENCE SOUTH 02°47'55" EAST, 140.23 FEET; THENCE SOUTH 00°28'19" WEST, 762.51 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, NORTH 89°59'23" WEST, 174.14 FEET; THENCE SOUTH 00°16'38" WEST, 215.39 FEET; THENCE SOUTH 90°00'00" WEST, 680.94 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF OHIO AVENUE, NORTH 00°27'54" EAST, 45.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 90°00'00" WEST, 1756.59 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 162.14 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SOUTH 90°00'00" EAST, 146.00 FEET; THENCE NORTH 00°29'36" EAST, 233.00 FEET; THENCE SOUTH 90°00'00" WEST, 146.00 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 950.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 80.2663 ACRES, MORE OR LESS.

Certified
and correct

EXHIBIT "A"

Exhibit "B"
TO AMENDED DEVELOPMENT ORDER

Notification of Proposed Change

Certified
are corr

FORM RPM-BSP-PROPCHANGE-1
Effective Date
11/20/90

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
850/487-4545

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

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

1. I, David M. Mechanik, the undersigned authorized representative of Tampa Northwest, Ltd., hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Tampa Bay Center DRI development located in Tampa, Florida, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa, to the Tampa Bay Regional Planning Council, and to the Bureau of State Planning, Department of Community Affairs.

2/19/02
(Date)

(Signature)
David M. Mechanik, Authorized Representative
Tampa Northwest, Ltd.

Certified and sworn

EXHIBIT "B"

2. **Applicant (name, address, phone):**

Mr. David M. Mechanik, Esquire
Mechanik Nuccio Bentley Williams Hearne & Wester, P.A.
101 East Kennedy Boulevard – Suite 3140
Tampa, Florida 33602
Phone: (813) 276-1920
Fax: (813) 276-1560

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

Mr. Randy Coen
WilsonMiller, Inc.
1101 Channelside Drive, Suite 400 N
Tampa, Florida 33602
Phone: (813) 223-9500
Fax: (813) 223-0009

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

Tampa, Hillsborough County, Florida.
Section 10, Township 29 South, Range 18 East.

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 to the representations contained in either the development order or the Application for Development Approval.**

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

Prior to describing the proposed changes, a brief history of the project is presented below to orient the reviewer as to the evolution of the project.

On March 5, 1974, the City of Tampa adopted Resolution No. 4108-F (the Development Order) that approved a regional shopping center on a ±83 acre site at the southeast corner of North Himes Avenue and West Buffalo Avenue (now known as Dr. Martin Luther King, Jr. Boulevard). The approved shopping center was comprised of approximately 840,000 square feet of gross leaseable area (GLA). The approved project proposed approximately 4,650 parking spaces.

On September 30, 1975, the City adopted Resolution No. 7658-F (the First Amendment) that clarified certain conditions contained in Resolution No. 4108-F (the Development

Order) related to transportation improvements and modifications to coincide with the project's development.

On May 11, 1978, the City adopted Ordinance No. 6935-A (the Second Amendment) that approved an increase in the total gross leaseable area in the project to 887,000 square feet GLA.

On June 12, 1979, the City adopted Resolution No. 5445-G (the Third Amendment) that approved an increase in the number of on-site parking spaces to 5,102.

On November 30, 1989, the City adopted Ordinance No. 89-297 that denied the requested Fourth Amendment to the development order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property. Although the City found that the proposed amendment did not constitute a substantial deviation as defined in Section 380.06(19), Florida Statutes, the proposed change was denied because it did not "promote the general health, safety and welfare of the residents in the neighborhoods to the East and South of the proposed entrance/exit onto MacDill Avenue."

Tampa Northwest, Ltd., is the owner of Tampa Bay Center. It desires to sell to a party that wants to demolish the existing structures and build in their place a reconfigured center with the same mix of uses as Tampa Bay Center. This new commercial center, which will have less offsite impacts than Tampa Bay Center, is referred to as the ***Alternate Development Scenario***. The proposed changes to the Development Order are proposed solely as an ***Alternate Development Scenario*** and are as follows (each requested change is followed by a discussion and rationale for each change):

A. The first change requests the establishment of a project buildout date of December 31, 2012 for the *Alternate Development Scenario*.

   Discussion and Rationale

   Neither the original Development Order nor subsequent amendments established a project buildout date. The subject DRI was originally approved in 1974 under the same statutes and rules that governed the Killearn Lakes DRI that was the subject of litigation governing the applicability of a buildout date. In 1991, the First District Court of Appeals found in the Killearn Lakes case that a buildout date could not be imposed on the project because, under the statutes and rules in effect prior to 1977, a buildout date was not a requirement and no such buildout date was specified in the development order. However, as an accommodation to the reviewing agencies, the potential purchaser has agreed to a date so long as it applies solely to its ***Alternate Development Scenario***.

B. The second change requests the establishment of a development order expiration date of December 31, 2017 for the ***Alternate Development Scenario***.

   Discussion and Rationale

   See previous explanation.

C. The third change requests the creation of a Development Order condition that would limit the number of access points for the ***Alternate Development Scenario***.

Discussion and Rationale

As currently approved, there are no limitations on the number of access points that can be approved for the ***Alternate Development Scenario***. In an effort to accommodate the reviewing agencies, the Developer is proposing to limit the number of access points in the ***Alternate Development Scenario*** to those shown on Map H, described below and appended hereto as Exhibit 1.

D. The fourth change requests creation of a Development Order condition that prohibits additional median openings for the project.

Discussion and Rationale

As currently approved, there are no limitations on the number or location of median openings along Himes Avenue or Dr. Martin Luther King, Jr. Boulevard. In an effort to accommodate the reviewing agencies, the Developer is proposing to limit the number of median openings in the ***Alternate Development Scenario*** to those shown on Map H, described below and appended hereto as Exhibit 1.

E. The fifth change requests the adoption of a Map H - Master Plan for the ***Alternate Development Scenario.***

Discussion and Rationale

To accommodate the reviewing agencies, the proposed ***Alternate Development Scenario*** depicted on Map H - Master Plan, appended, is proposed. The Master Plan envisions a plan whereby the development is constructed in a traditional shopping center arrangement with the major anchor stores located with parking fields in front of the stores and with free-standing stores located around the perimeter of the development parcel. Stormwater facilities and project access points (as discussed previously) are also indicated. An approved, yet unbuilt, right in /right out access point along Himes Avenue south of the existing signalized access point is requested herein to be relocated along Himes Avenue north of the existing signalized access point, subject to the approval of the City of Tampa Transportation Department. A copy of the previously approved Illustrative Site Plan is also appended hereto as Exhibit 2.

Development totals for the ***Alternate Development Scenario*** are indicated on the Map H - Master Plan (Exhibit 1) and are reduced in total from the previously approved and constructed development. There will be no increase in impervious area for the ***Alternate Development Scenario***, therefore there will be no increase in stormwater impacts. Additionally, the ***Alternate Development Scenario*** will generate fewer trips than the existing approval for the Tampa Bay Center DRI. At the request of the Tampa Bay Regional Planning Council, a letter was prepared comparing the trip generation of the approved development with that of the ***Alternate Development Scenario***. A copy of that letter is appended hereto as Exhibit 3.

F. The sixth change requests the update of the legal description for the property.

Discussion and Rationale

In the course of preparing this NOPC, the Applicant's consultant became aware that the legal description included in the Application for Development Approval that was adopted by the 1974 DRI Development Order is incorrect. It is clear from the records of this DRI, that the DRI was intended to cover the entire Tampa Bay Center site. Accordingly, a corrected legal description is included as Exhibit 4.

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

See chart, appended.

7. **List all the dates and resolutions numbers (or other appropriate identification numbers) of all modifications or amendments to the original approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Determination Chart).**

A complete listing and description of the modifications or amendments has been provided in response to Question 5, above. Please review the response to that question for pertinent information.

Has there been a change in local government jurisdiction for any portion of the development since the last approval or the development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

No.

8. **Describe any lands purchased or optioned within ¼ mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size, intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.**

Not applicable.

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.**

Not applicable.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., Florida Statutes.	
Yes _____	No ___X___

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

No. One of the proposed changes would establish December 31, 2012 as the buildout date solely for the *Alternate Development Scenario*.

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

No.

12. **Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15), Florida Statutes 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 provided DRI or development order conditions.

Map H - Master Plan for the *Alternate Development Scenario* is provided as Exhibit 1.

13. **Pursuant to Subsection 380.06(19)(f), Florida Statutes, 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 Amended Development Order language is provided as Exhibit 5.

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.**

A corrected legal description is included as Exhibit 4.

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

Not applicable, construction has commenced.

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

One of the proposed changes would establish December 31, 2017 as the Development Order termination date solely for the ***Alternate Development Scenario***.

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

No change.

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), Florida Administrative Code.**

Not Applicable

APPENDIX

Substantial Deviation Determination Chart

Type of Land Use	Change Category	Proposed Plan	Original Plan	Previous D.O. Change + Date
Attraction / Recreation	# Parking Spaces	Not Applicable	Not Applicable	Not Applicable
	# Spectators			
	# Seats			
	Site Location Changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D. O. Conditions			
	ADA Representations			
Airports	Runway (length)	Not Applicable	Not Applicable	Not Applicable
	Runway (strength)			
	Terminal (gross square feet)			
	# Parking spaces			
	# Gates			
	Apron Area (gross square feet)			
	Site locational changes			
	Airport acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Hospitals	# Beds	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Building (gross square feet)			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			

Substantial Deviation Determination Chart, continued

Type of Land Use	Change Category	Proposed Plan	Original Plan	Previous D.O. Change + Date
Industrial	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Building (gross square feet)			
	# Employees			
	Chemical Storage (barrels and lbs)			
	Site locational changes			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Mining Operations	Acreage mined (year)	Not Applicable	Not Applicable	Not Applicable
	Water Withdrawal (Gal / day)			
	Size of Mine (acres), including drainage, ROW, easements, etc.			
	Site locational changes			
	# External Vehicle Trips			
	D.O. conditions			
	ADA Representations			
Office	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	Building (gross square feet)			
	# Parking Spaces			
	# Employees			
	Site locational changes			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			

Substantial Deviation Determination Chart, continued

Type of Land Use	Change Category	Proposed Plan	Original Plan	Previous D.O. Change + Date
Petroleum / Chemical Storage	Storage Capacity (barrels and /or lbs)	Not Applicable	Not Applicable	Not Applicable
	Distance to Navigable Waters (feet)			
	Site locational changes			
	Facility acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Ports (Marinas)	# Boats, wet storage	Not Applicable	Not Applicable	Not Applicable
	# Boats, dry storage			
	Dredge and fill (cu. yds.)			
	Petroleum Storage (gals.)			
	Site locational changes			
	Port acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
Residential	# dwelling units	Not Applicable	Not Applicable	Not Applicable
	Type of dwelling units			
	# lots			
	Acreage, including drainage, ROW, easements, etc.			
	Site locational changes			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			

Substantial Deviation Determination Chart, continued

Type of Land Use	Change Category	Proposed Plan	Original Plan	Previous D.O. Change + Date
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc.	80.27 ± *	83 ± *	N/A
	Floor Space (gross square feet)	776,500 GLA	840,000 GLA	887,000 (5/11/1978)
	# Parking Spaces	4,500	4,650	5,102 (6/12/1979)
	# Employees	1,942	2,350	2,482 (5/11/1978)
	Site locational changes	N/A	N/A	N/A
	# External Vehicle Trips	1,867 vph	2,022 vph	2,106 vph (5/11/1978)
	D.O. Conditions	See Proposed D.O.	See Original D.O. (3/5/1974)	9/30/1975; 5/11/1978; 6/12/1979
	ADA Representations	N/A	N/A	N/A
Hotel/Motel	# Rental Units	Not Applicable	Not Applicable	Not Applicable
	Floor Space (gross square feet)			
	# Parking Spaces			
	# Employees			
	Site locational changes			
	Acreage, including drainage, ROW, easements, etc.			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			
R.V. Park	Acreage, including drainage, ROW, easements, etc.	Not Applicable	Not Applicable	Not Applicable
	# Parking Spaces			
	Buildings (gross square feet)			
	# Employees			
	Site locational changes			
	# External Vehicle Trips			
	D.O. Conditions			
	ADA Representations			

* Original acreage is as reported in the DRI/ADA; Proposed acreage is based upon boundary survey of property.

Substantial Deviation Determination Chart, continued

Type of Land Use	Change Category	Proposed Plan	Original Plan	Previous D.O. Change + Date
Open Space (All natural and vegetated non-impervious surfaces)	Acreage	Not Applicable	Not Applicable	Not Applicable
	Site locational changes			
	Type of open space			
	D.O. Conditions			
	ADA Representations			
Preservation, Buffer or Special Protection Areas	Acreage	Not Applicable	Not Applicable	Not Applicable
	Site locational changes			
	Development of site PROPOSED			
	D.O. Conditions			
	ADA Representations			

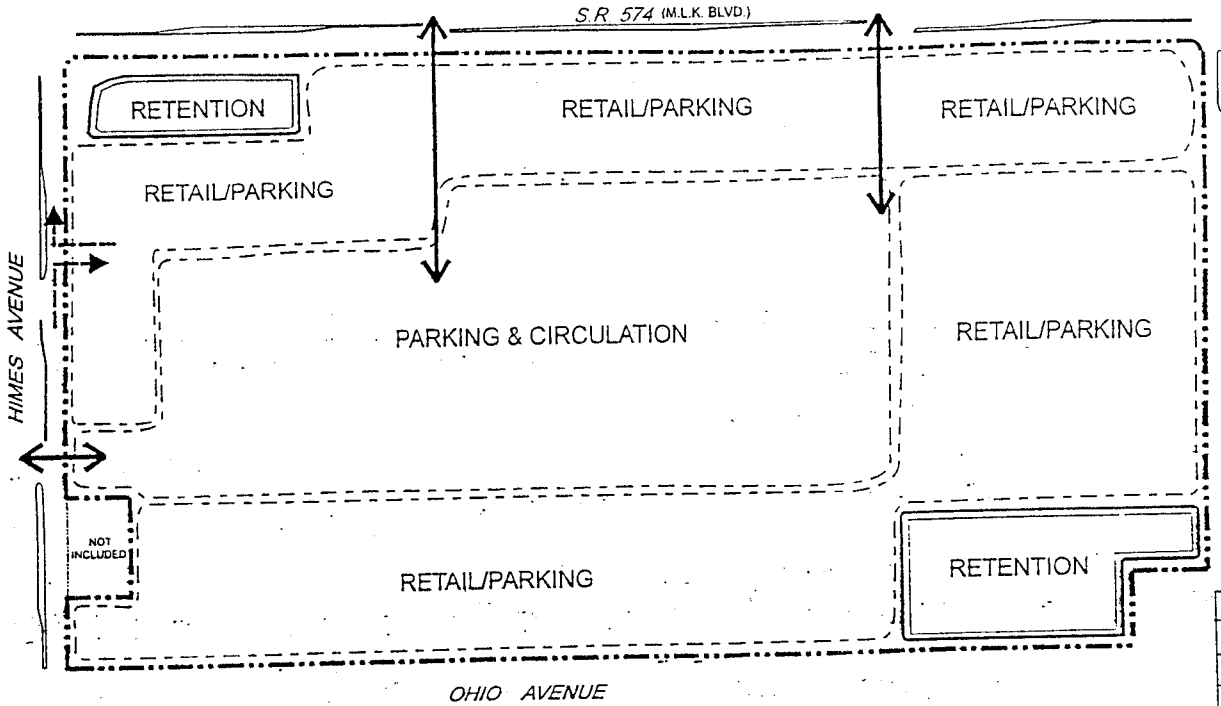
NOTE: If a response is to be more than one sentence, attach a detailed description of each PROPOSED change and copies of the PROPOSED modified site plan drawings. The Bureau may request additional information from the developer or his agent.

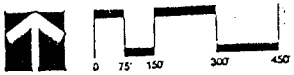
LIST OF EXHIBITS

1. Map H – Master Plan for the *Alternate Development Scenario*
2. Previously Approved Illustrative Site Plan
3. Letter to Tampa Bay Regional Planning Council
4. Corrected Legal Description
5. Amended Development Order

EXHIBIT 1

Map H - Master Plan for the *Alternate Development Scenario*





LAND USES	DEVELOPMENT TOTALS	
RETAIL	776,500 SQUARE FEET (GLA)	72.64 ACRES
PARKING SPACES	4,500 SPACES	
RETENTION		7.63 ACRES
TOTAL		80.27 ACRES

WilsonMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa

1101 Channelside Drive Suite 400N • Tampa, Florida 33602 • Phone 813-223-5500 • Fax 813-223-0006 • Web-Site www.wilsonmiller.com

CLIENT: TAMPA NORTHWEST, LTD.

PROJECT: TAMPA BAY CENTER

DATE: FEBRUARY 15, 2002

HORIZONTAL SCALE:

VERTICAL SCALE:

SEC 10 TWP 29 RGE 18

CROSS REFERENCE:

TITLE: MAP H MASTER PLAN
ALTERNATE DEVELOPMENT SCENARIO

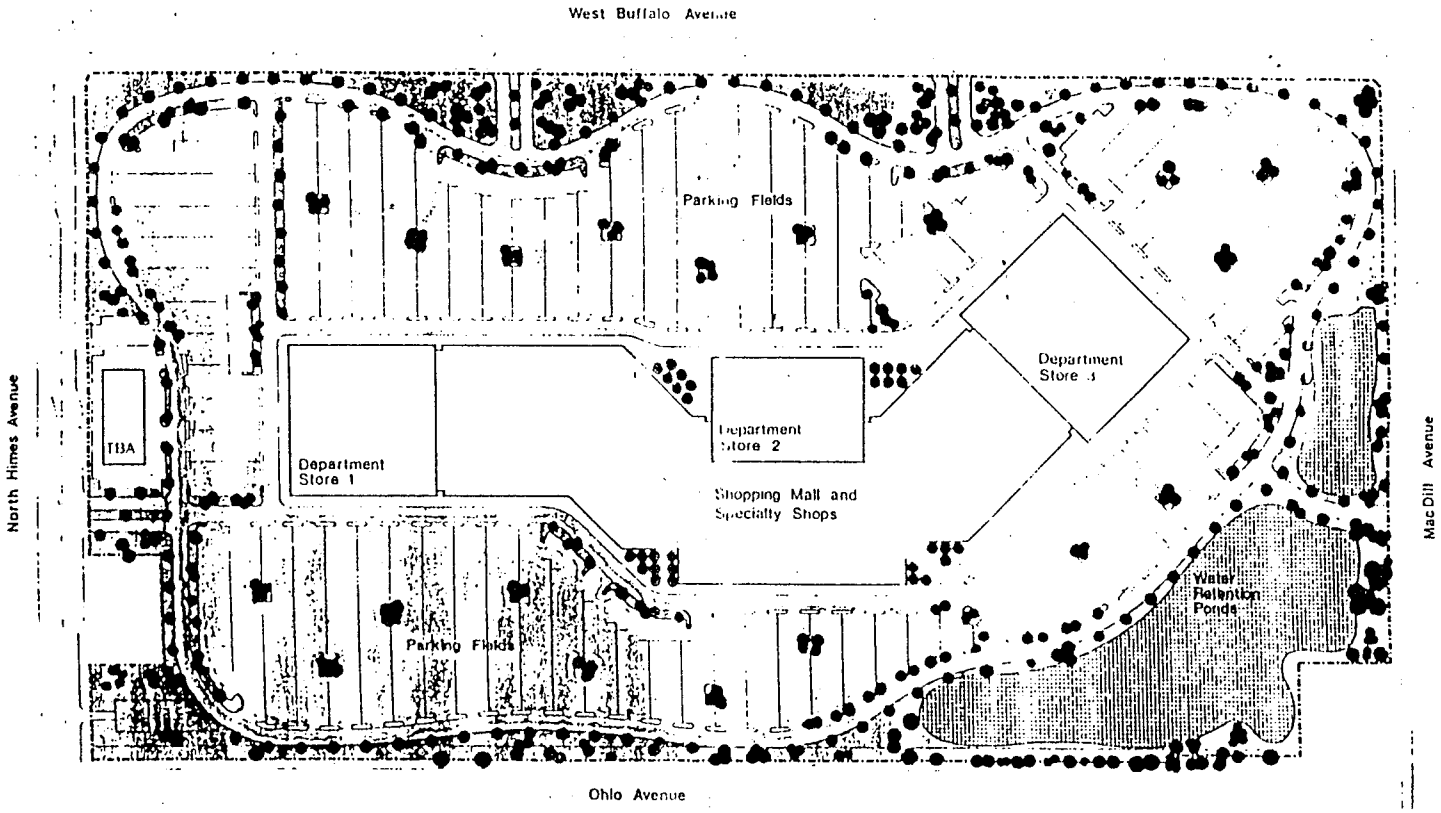
PROJECT NUMBER: 3603-003-000

INDEX NUMBER:

SHEET NUMBER: 1 OF 1

EXHIBIT 2

Previously Approved Illustrative Site Plan



Regional Shopping Center

Illustrative Site Plan

Tampa, Hillsborough County, Florida

A Development of a Subsidiary of THE ROUSE COMPANY Columbia Maryland GERALD M. COPE Architect J. E. GREINER Co., Inc. Engineers

0 100 200 300 400

1 Acre

North

EXHIBIT 3

Letter to TBPRC Comparing Trip Generation

WilsonMiller
New Directions In Planning, Design & Engineering

February 19, 2002

Mr. John Meyer
Tampa Bay Regional Planning Council
9455 Koger Blvd., Suite 219
St. Petersburg, FL 33702

REFERENCE: Tampa Bay Center NOPC

Dear Mr. Meyer:

Enclosed please find a PM Peak Hour Trip Generation Table that documents the vehicle trip characteristics for the Tampa Bay Center DRI as approved and the Alternative Development Scenario currently being proposed. As shown in the table, the Alternative Development Scenario results in a significant reduction in project traffic, i.e., an 11.35%, or a 230 vph reduction in net external vehicle traffic (1,876 vph vs. 2,106 vph).

The Alternative Development Scenario trip generation calculations are based on a hypothetical development encompassing a number of different retail uses and presents a very conservative calculation of the potential net external traffic associated with the proposed redevelopment of the site. Using the more acceptable overall ITE Shopping Center (Land Use Code 820) trip generation calculation procedure results in less net external vehicle trips than that identified above for the Alternative Development Scenario.

A copy of this letter and the enclosed table are being provided directly to your transportation consultant, Mr. Roy Chapman, as previously requested. Please note that the enclosed table was revised based on comments received from Mr. Chapman on your behalf and items arising out of the research stemming from the preparation of the subject NOPC.

Sincerely,

Randy Coen, AICP
Vice President
Manager, Planning & Transportation Services

Enclosure

Xc: Mr. David M. Mechanik, Esq. (w/encl.)

Naples Fort Myers Sarasota Bradenton Tampa Tallahassee
1101 Channelside Drive, Suite 400N Tampa, Florida 33602 813-223-9500 ☎ 813-223-0009
www.wilsonmiller.com

EXHIBIT 4

LEGAL DESCRIPTION :

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 29 SOUTH, RANGE 18 EAST, HILLSBOROUGH COUNTY, FLORIDA, ALSO BEING PART OF BLOCKS 1 THRU 9 AND ADJACENT STREETS (VACATED), FAIRGROUND FARMS SUBDIVISION, ACCORDING TO THE MAP OR PLAT RECORDED IN PLAT BOOK 8, PAGE 34, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 10, THENCE ALONG THE WESTERLY BOUNDARY OF SECTION 10, SOUTH 00°29'36" WEST, 69.70 FEET; THENCE DEPARTING SAID WESTERLY BOUNDARY OF SECTION 10, SOUTH 90°00'00" EAST, 25.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE 26.36 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 75°31'21", A CHORD BEARING AND DISTANCE OF NORTH 52°31'16" EAST, 24.49 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DR. MARTIN LUTHER KING JR. BOULEVARD, SOUTH 89°43'04" EAST, 1713.64 FEET; THENCE NORTH 89°39'21" EAST, 846.73 FEET TO A POINT OF TANGENCY; THENCE 39.63 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°48'58", A CHORD BEARING AND DISTANCE OF SOUTH 44°56'10" EAST, 35.61 FEET TO A POINT OF TANGENCY, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, SOUTH 00°28'19" WEST, 254.10 FEET; THENCE SOUTH 02°47'55" EAST, 140.23 FEET; THENCE SOUTH 00°28'19" WEST, 762.51 FEET; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF MACDILL AVENUE, NORTH 89°59'23" WEST, 174.14 FEET; THENCE SOUTH 00°16'38" WEST, 215.39 FEET; THENCE SOUTH 90°00'00" WEST, 680.94 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF OHIO AVENUE, NORTH 00°27'54" EAST, 45.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OHIO AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, NORTH 90°00'00" WEST, 1756.59 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, NORTH 00°29'36" EAST, 162.14 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE, SOUTH 90°00'00" EAST, 146.00 FEET; THENCE NORTH 00°29'36" EAST, 233.00 FEET; THENCE SOUTH 90°00'00" WEST, 146.00 FEET TO A POINT ON THE AFOREMENTIONED EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF HIMES AVENUE. NORTH 00°29'36" EAST, 950.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 80.2663 ACRES, MORE OR LESS.

EXHIBIT 5

Amended Development Order

ORDINANCE NO. 2001-_____

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE FOURTH AMENDMENT TO THE DEVELOPMENT ORDER FOR THE TAMPA BAY CENTER DEVELOPMENT OF REGIONAL IMPACT, DRI #16, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, IN RESPONSE TO A NOTIFICATION OF PROPOSED CHANGE FILED BY TAMPA NORTHWEST, LTD.; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on March 5, 1974, the City of Tampa ("City") adopted Resolution No. 4108-F (the "Original Development Order"), which is the Development Order issued by the City pursuant to Chapter 380, Florida Statutes, for the Tampa Bay Center Development of Regional Impact ("DRI"); and

WHEREAS, on September 30, 1975, the City adopted Resolution No. 7658-F, as the First Amendment to the Development Order (the "First Amendment"); and

WHEREAS, on May 11, 1978, the City adopted Ordinance No. 6935-A (the "Second Amendment"); and

WHEREAS, on June 12, 1979, the City adopted Resolution No. 5445-G (the "Third Amendment"); and

WHEREAS, on November 30, 1989, the City adopted Ordinance No. 89-297 which denied the requested Fourth Amendment to the Development Order that proposed an entrance/exit onto MacDill Avenue along the eastern boundary of the property (hereinafter, the Original Development Order, together with the First, Second, and Third Amendments shall collectively be referred to as the "Development Order"); and

WHEREAS, Tampa Northwest, Ltd., (the "Developer") is the owner of the Tampa Bay Mall which is described in the legal description attached hereto as Exhibit "A" and which is the subject of the Notification of Proposed Change (the "Property"); and

WHEREAS, on February 19, 2002, the Developer filed the Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the Property (the "NOPC"), attached hereto as Exhibit "B;" and

WHEREAS, the NOPC proposes to amend the Development Order to incorporate an alternate development scenario ("Alternate Development Scenario") to provide an alternative to the currently approved development scenario allowing the Developer to choose the most appropriate development scenario at the time of development. The proposed Alternate Development Scenario incorporates the following: i) a site plan for the Alternate Development Scenario ("Map H"), attached as Exhibit "___;" and ii) a corrected legal description, attached as Exhibit "___." (Hereinafter the inclusion of the Alternate Development Scenario as an approved development plan for the Tampa Bay Center DRI shall be referred to as the "Proposed Change"); and

WHEREAS, the Proposed Change to the Development Order will constitute the Fourth Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the NOPC as well as all related testimony and evidence submitted by the Developer concerning the Proposed Change; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a development order be amended to reflect the City Council's approval of changes to an adopted development order;

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. **Findings of Fact.** That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

A. That the Developer submitted to the City the NOPC attached hereto and incorporated herein by reference as Composite Exhibit "B;"

B. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City's Departments, and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC"), and the Department of Community Affairs ("DCA");

C. That the Proposed Change is consistent with all local land development regulations and the local comprehensive plan;

D. That the Proposed Change does not unreasonably interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and is consistent with the State Comprehensive Plan;

E. That the Proposed Change is consistent with the recommendations of the Tampa Bay Regional Planning Council;

F. That the Proposed Change does not individually or cumulatively create additional regional impacts on transportation or other public facilities nor does it create impacts that are not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such no further development of regional impact review is necessary.

Section 2. **Conclusions of Law.** That the City Council 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 in the Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein;

B. That the review by the City, TBRPC, DCA, and other participating agencies and interested citizens concludes that the impacts of the Proposed Change is adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes; and

C. That the City has, at its proceedings, considered all previous changes and the Proposed Change and determined that such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;

D. That this Ordinance does not constitute a substantial deviation from the Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes;

E. That the Proposed Change authorized by this Ordinance does not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. **Order.** That having made the above findings of fact and conclusions of law, it is ordered that the Development Order be amended as set forth below:

A. The Proposed Change is approved and the Development Order is hereby amended to approve the Alternate Development Scenario as an approved choice of development scenarios for the Tampa Bay Center DRI and to include the Master Plan (Map H) and the corrected legal description. The Proposed Change shall be subject to the following conditions:

1) The Alternate Development Scenario shall have a buildout date of December 31, 2012;

2) The Alternate Development Scenario Development Order shall expire on December 31, 2017;

3) The number of access points for the Alternate Development Scenario shall be as shown on Map H;

4) The number of median openings for the Alternate Development Scenario shall be as shown on Map H; and

5) There shall be no increase in impervious area for the Alternate Development Scenario;

all as more particularly set forth in the NOPC.

B. The corrected legal description shall also apply to the existing development order.

Section 4. **Notice.** The Developer shall provide notice to the City, the Tampa Bay Regional Planning Council, and the Florida Department of Community Affairs of its intent to implement the Alternate Development Scenario.

Section 5. **Development Order, as Amended.** This Ordinance shall constitute the Fourth Amendment to Resolution 4108-F, as previously amended by Resolution 7658-F, Ordinance No.6935-A, Resolution No. 5445-G, (and Ordinance No. 89-297 which denied a requested Fourth Amendment to the Development) which shall constitute, collectively, the Development Order for the Tampa Bay Center DRI as passed and ordained by the City Council. All provisions of the Development Order, except those provisions specifically modified herein, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

Section 6. **Definitions.** That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 7. **Binding Effect.** That this Ordinance shall be binding upon the Developer, their assigns, and successors in interest.

Section 8. **Governmental Agencies.** That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 9. **Severance.** That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 10. **Transmittals.** That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming a law to the Developer, Tampa Northwest, Ltd., c/o David M. Mechanik, Esquire, 101 East Kennedy Boulevard, Suite 3140, Tampa, Florida 33602, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 11. **Rendition.** That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380, Florida Statutes.

Section 12. **Recording.** That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 13. **Effective Date.** That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 9 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON _____.

_____
CHAIRPERSON, CITY COUNCIL

APPROVED by me _____

_____
CITY CLERK

_____
MAYOR

APPROVED as to form by:

_____
ASSISTANT CITY ATTORNEY

Exhibit "A"
TO AMENDED DEVELOPMENT ORDER

Exhibit "B"
TO AMENDED DEVELOPMENT ORDER

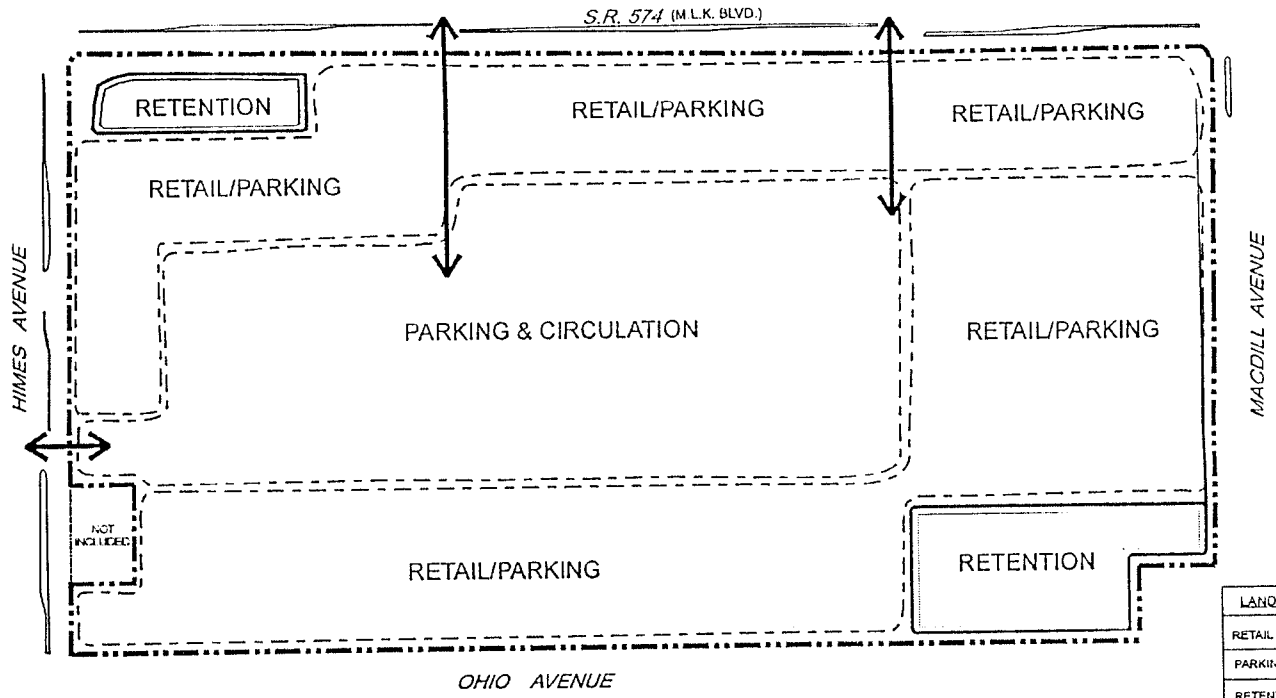
Exhibit "C"
TO AMENDED DEVELOPMENT ORDER

Exhibit "D"

TO AMENDED DEVELOPMENT ORDER

Exhibit "C"
TO AMENDED DEVELOPMENT ORDER

Alternate Development Scenario Master Plan ("Map H")



LAND USES	DEVELOPMENT TOTALS	
RETAIL	776,500 SQUARE FEET (GLA)	72.64 ACRES
PARKING SPACES	4,500 SPACES	
RETENTION		7.63 ACRES
TOTAL		80.27 ACRES

WilsonMiller

Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants

WilsonMiller, Inc.

Naples • Fort Myers • Sarasota • Bradenton • Tampa

1101 Channelside Drive Suite 400N • Tampa, Florida 33602 • Phone 813-223-2640 • Fax 813-223-3020 • Web Site www.wilsonmiller.com

CLIENT: TAMPA NORTHWEST, LTD.

PROJECT: TAMPA BAY CENTER

DATE: FEBRUARY 19, 2002

REVISION DATE: MARCH 20, 2002

HORIZONTAL SCALE:

SEC: 10 TWP: 29 RGE: 18

TITLE: MAP H MASTER PLAN
ALTERNATE DEVELOPMENT SCENARIO

CROSS REFERENCE

PROJECT NUMBER: 3603-003-000

INDEX NUMBER

SHEET NUMBER: 1 of 1

EXHIBIT "C"

CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

December 8, 1989

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

Re: File No. Z74-1A
Ordinance No. 89-297

Dear Sirs:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Mihalik, Manager of Land Development Coordination, at 223-8405.

Sincerely,

Frances Henriquez/ssm

(Mrs.) Frances Henriquez
City Clerk

FH/ssm

Enclosure

CERTIFIED MAIL

cc: Susan Mihalik, Land Development Coordination

315 E. Kennedy Blvd. City Hall • Tampa, Florida 33602 • 813/223-8396

4. Prior to the construction of any entrance/exit onto MacDill Avenue and prior to the issuance of any curb cut permit from the City of Tampa, the plans and impact for said construction shall be submitted to the Hillsborough County Planning Commission for review and recommendation. Said recommendation shall be forwarded to Tampa City Council for consideration and final action.

f. That the impacts generated by Proposed Change have a detrimental effect on the residential neighborhood to the east and south of the proposed entrance/exit onto MacDill Avenue in that said Proposed Change will cause commercial traffic to utilize local streets in said residential neighborhoods thereby threatening the safety, charater and general welfare of the residents.

Section 2. That in accordance with the foregoing findings of fact, and in consideration of the applicable laws and regulations, the City Council makes the following conclusions of law:

a. The Proposed Change, the construction of an entrance/exit onto MacDill Avenue for the Tampa Bay Center, does not consititute a substantial deviation, as defined in Section 380.06(19), Florida Statutes.

b. The Proposed Change shall not be subject to further review under Section 380.06, Florida Statutes.

c. The proposed Change does not promote the general health, safety and welfare of the residents in the neighborhoods to the East and South of the proposed entrance/exit onto MacDill Avenue.

Section 3. That, having made the above findings of fact and conclusions of law, it is ordered that the Proposed Change is hereby denied.

Section 4. That if any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 5. That the City Clerk is hereby directed to send certified copies of this Ordinance, within five (5) days of the effective date of this Ordinance to the Department of Community Affairs, Tampa Bay Regional Planning council and Tampa Northwest, Ltd.

Section 6. That this Ordinance shall take effect immediately upon becoming a law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, ON NOV 30 1989, 1989.

CHAIRMAN, CITY COUNCIL

ATTEST:

CITY CLERK

APPROVED BY ME ON DEC 04 1989, 1989

Gina K. Grimes
Assistant City Attorney

SANDRA W. FREEDMAN, MAYOR

State of Florida)
County of Hillsborough)

This is to certify that the foregoing is a true and correct copy of Ordinance #89-297 on file in my office.

Witness my hand and official seal this 8th day of Dec, 1989.

FRANCES HENRIQUEZ, CITY CLERK
By: Deputy City Clerk
CITY CLERK.

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

May 17, 1978

Mr. Scott D. Wilson, Executive Director
Tampa Bay Regional Planning Council
3151 Third Avenue North, Suite 540
St. Petersburg, Florida 33713

Re: Ordinance No. 6935-A

Dear Mr. Wilson:

I am transmitting the above ordinance adopted by the Tampa City Council on May 11, 1978 and approved by the Mayor on May 16, 1978.

This ordinance determines that the expansion plan of the Tampa Bay Center is not a substantial deviation.

Enclosed, please find a copy of this ordinance for your information.

Sincerely,

Frances Henriquez mf
(Mrs) Frances Henriquez
City Clerk

eph

Enclosure - 2

DRI #16 Development Order

DG
SL

STATE OF FLORIDA

Department of Administration

Division of State Planning

660 Apalachee Parkway - IBM Building

TALLAHASSEE

32304

(904) 488-4925

Reubin O'D. Askew
GOVERNOR

Lt. Gov. J. H. "Jim" Williams
SECRETARY OF ADMINISTRATION

R. G. Whittle, Jr.
STATE PLANNING DIRECTOR

April 27, 1976

Mr. Jacob D. Varn
Post Office Box 3239
Tampa, Florida 33601

Dear Mr. Varn:

Pursuant to your telephone conversation with Gil Backenstoss on April 23, 1976, I am able to verify the information you requested regarding the Tampa Bay Center project (f/k/a Tampa Northwest, Ltd., shopping center project).

On March 15, 1976, the Division of State Planning received from the City of Tampa a copy of Resolution Number 7658-F, passed and adopted by the City Council of the City of Tampa, Florida, on September 30, 1975. This resolution clarifies certain conditions contained in the original development order for this development of regional impact and therefore becomes an amendment to the development order.

The Division of State Planning has reviewed the development order amendment and has not taken action to appeal. The 30 day period for filing a notice of appeal to the Florida Land and Water Adjudicatory Commission pursuant to Section 380.06, Florida Statutes, has expired for this amendment to the DRI development order.

If you have further questions on this matter, please do not hesitate to write or call.

Sincerely,

R. G. Whittle, Jr.
Director
Division of State Planning

RGWjr/gb/sl

cc: Mr. Scott Wilson
Mr. Tim Powell

DRI #16

April 26, 1976

Mr. Jacob D. Varn
Attorney At Law
The Exchange National Bank Building
P. O. Box 3239
Tampa, Florida 33601

Subject: DRI Development Order - DRI 16/Rouse Shopping Center, City of Tampa

Dear Mr. Varn:

Pursuant to our telephone conversation of April [illegible], please find [illegible] of the [illegible] Committee [illegible] April [illegible]. [illegible] a motion [illegible] the Development Order [illegible] on the above referenced development.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Steven [illegible]
DRI [illegible]

Enclosure

SAL/cld

Tampa Bay Center
(Rouse Mall DRI #16)

Summary of Development Order Revisions

On March 15, 1976, the Council received a copy of the revised Development Order for the Tampa Bay Center (Rouse Mall). The staff has reviewed the revised Order to determine its consistency with the original Development Order and with the Council's report and recommendations dated February 11, 1974. Based on the findings and comparisons outlined below, it is the recommendation of the staff that the Development Order revision not be appealed.

The Development Order revision pertains exclusively to transportation issues. The transportation stipulations of the original Development Order, dated March 5, 1974, are listed below along with the modifications indicated in the Development Order revision, dated September 17, 1975.

Original Development Order

That, "In order for the highway network to be able to move the traffic generated by the proposed regional shopping center, the following improvements and modifications must be made to the existing systems to coincide with the project's development:

-- Presently planned or committed

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements.

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements.

c. Widen and improve Buffalo Avenue between Highland and I-75.

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1.

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes.

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements at Columbus Drive.

DRI #16

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later than two years from completion of shopping center construction to coincide with Phase II of the project."

WHEREAS, The beforementioned section of the Planning Commission recommendation specifically excludes:

"-- Not presently planned but committed

a. The entrance/exit onto the proposed MacDill extension must be deleted. Inclusion of this facility could change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east."

Revised Development Order Stipulation

"That the widenings and other improvements of Himes Avenue, Buffalo Avenue and Dale Mabry Highway by the developer have been completed to the extent required by the development order; in the event that the City of Tampa or the Florida Department of Transportation fails to construct those improvements or modifications planned or committed to by them and set out in Paragraph 2 of the February 18, 1974, resolution, such failure shall not impair the validity of the development order."

Based on discussions with officials of the City of Tampa, it appears that all of the transportation improvements required of the developer have been made and that the remaining improvements or modifications will be completed by the Florida Department of Transportation.

DJ
SL
JH

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

March 11, 1976

Tampa Bay Regional Planning Council
3151 - 3rd Avenue North
Suite 540
St. Petersburg, Florida 33713

Gentlemen:

Transmitting a certified copy of Resolution No. 7608-F clarifying certain conditions relating to a regional shopping center by the Rouse Company and Tampa Northwest, Ltd., at the intersection of Himes Avenue and Buffalo Avenue.

If further information is needed, please do not hesitate to contact my office.

Sincerely,

(Mrs) Frances Henriquez
City Clerk

FH/eph

Enclosure

R. ✓

SDW ✓
WO ✓
SL ✓
MMcK ✓

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

Bill, Roger, Steve, Mike;
What is role of RPC in determining Sub. deviation? Let's discuss
DW

February 22, 1978

Mr. Scott Wilson, Director
Tampa Bay Regional Planning Council
3151 - 3rd Avenue North
Suite 540
St. Petersburg, Florida 33713

Re: File No. Z74-1A

Dear Mr. Wilson:

The Tampa City Council held their regular meeting on February 21, and adopted a motion concerning Resolution No. 2556-G calling for a public hearing to determine whether or not a planned addition to the Tampa Bay Center constitutes a substantial deviation from the DRI previously approved by City Council.

Council requested that the Hillsborough County Planning Commission and the Tampa Bay Regional Planning Council be requested to appear and make recommendations on March 28 at 10:15 AM.

Enclosed, please find a copy of the above mentioned resolution for your information. If further assistance is needed, please do not hesitate to contact my office.

Sincerely,

F. Henriquez

(Mrs) Frances Henriquez
City Clerk

eph

Enclosure - 1

INTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS • FLORIDA ASSOCIATION OF CITY CLERKS, INC • AMERICAN RECORDS MANAGEMENT ASSOCIATION • SUNCOAST LEAGUE OF MUNICIPALITIES

DRI Development Order File #16

DMC

RESOLUTION NO. 2556 -G

A RESOLUTION CALLING FOR A PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, CONCERNING A PLANNED ADDITION TO A DEVELOPMENT OF REGIONAL IMPACT.

WHEREAS, on March 5, 1974, the City Council approved, by Resolution No. 4108-F, an application by Tampa Northwest, Ltd. for a development of regional impact commonly known as Tampa Bay Center; and,

WHEREAS, that development provided for the construction of a shopping center with a gross leasable area of 840,000 square feet; and,

WHEREAS, Section 380.06 (2), Florida Statutes, provides that the local government shall be the determining body for deciding whether additions to developments of regional impact constitute "substantial deviations"; and,

WHEREAS, the City Council of the City of Tampa has determined that it is in the best interests of the citizens of the City of Tampa to call a public hearing to assist it in making the determination of whether or not the increase above cited constitutes a substantial deviation; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That a public hearing be held by the City Council of the City of Tampa on MAR 28 1978 10:15 AM in Council Chambers, City Hall, 3rd Floor, in the City of Tampa, Florida, at which public hearing all parties in interest and citizens may appear and be heard as to any and all matters pertinent to the proposed addition to the development of regional impact, and the determination of whether or not that addition constitutes a substantial deviation.

Section 2. That the City Clerk is hereby directed to publish notice of said public hearing as provided by law.

Section 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON FEB 21 1978.

Floyd [illegible]

CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henrigary

CITY CLERK

SDW ✓
WO —

CITY OF TAMPA

TAMPA, FLORIDA 33602

I will attend
HDW

August 27, 1975

Hillsborough County Planning Commission
Mr. Henry Echezabal, Chairman
Hillsborough County Court House
Tampa, Florida 33602

6 lane on Buffalo
Jake Varn

Re: File No. Z74-1

Dear Mr. Echezabal:

The Tampa City Council held their regular meeting on August 26, 1975 and adopted a motion to invite the Planning Commission, Assistant City Attorney Morison Buck, and Mr. Scott Wilson from the Tampa Bay Regional Planning Council to discuss the recommendations from the Hillsborough County Planning Commission concerning the Rouse DRI (Shopping Center at Himes and Buffalo Avenue) on September 2, 1975 at 10:30 AM.

If further information is needed, please do not hesitate to contact my office.

Sincerely,

(Mrs) Frances Henriquez
City Clerk

FH/peh

cc: Mr. John Crislip, Director
Mr. Morison Buck, Assistant City Attorney
✓ Mr. Scott Wilson, Tampa Bay Regional Planning Council

CITY OF TAMPA

TAMPA, FLORIDA 33602

March 5, 1974

Tampa Bay Regional Council
3151 3rd Avenue North
Suite 540
St. Petersburg, Florida 33713

Attention: Mr. Bill Buzick

Dear Sir:

A certified copy of Resolution No. 4108-F approving a development of regional impact on petition of Tampa Northwest, Ltd. is enclosed for your information.

Also, the City Council at its meeting of February 26, 1974 unanimously adopted a motion as urgently requesting the Tampa Bay Regional Planning Council not to appeal council's decision.

Please let me know if further information is needed.

Sincerely yours,

(Mrs.) Frances Henriquez
City Clerk

FH/eph

Enclosures

File #14

14-73-16

Tpa Bay Planning Council

MB

RESOLUTION NO. 4108-F

A RESOLUTION APPROVING A DEVELOPMENT OF REGIONAL IMPACT COMPRISED OF A REGIONAL SHOPPING CENTER BY TAMPA NORTHWEST, LTD., ON THE SOUTHWEST CORNER OF HIMES AVENUE AND BUFFALO AVENUE.

WHEREAS, Tampa Northwest, Ltd. filed an application for development approval for a development of regional impact, pursuant of Section 380.06, Florida Statutes, with the City Council of the City of Tampa, Florida; and

WHEREAS, the City Council of the City of Tampa, Florida, held a public hearing duly and properly held before the City Council on February 19, 1974, pursuant to a notice as provided in Section 380.06, Florida Statutes, to consider whether the development of Tampa Northwest, Ltd., as described in its application for development approval and supplements A, B, C and D thereto, shall be approved, denied or approved subject to conditions, restrictions or limitations, and

WHEREAS, at said hearing the City Council did receive evidence on the nature, extent and impact of the development from all parties present, including the Tampa Bay Regional Planning Council and the Hillsborough County Planning Commission, and

WHEREAS, pursuant to subsection 380.06, Florida Statutes, the City Council has reviewed and carefully considered the evidence presented. Now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the development, as described in the application and amendments, herein described, is hereby approved, subject to the conditions set forth in the Hillsborough County Planning Commission Resolution, dated February 18, 1974, and attached hereto as Exhibit A.

Section 2. That this resolution shall constitute a development order, as required by Chapter 380, Florida Statutes.

Section 3. That after the effective date of this resolution, copies of said resolution shall be filed with the City Clerk, the Division of State Planning of the Department of Administration, and Tampa Northwest, Ltd.

Section 4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON MAR 5 1974.

P. L. Cherry
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriques
CITY CLERK

State of Florida)
County of Hillsborough)
This is to certify that the foregoing is a true and correct copy of Res. 4108-F on file in my office.

Witness my hand and official seal this 5 day of Mar. 1974.

Frances Henriques

HILLSBOR GH COUNTY PLANNING CO ISSION

Zoning Subdivision Capital Improvement Referral Other	MEETING DATE February 18, 1974	HCPC File No. (T)DRI74 - 1 Agency File No.

mbers*	Aye	Nay	Abstain	Absent
Couch, Chm.				
Ames	X			
s. Davis	X			
Echezabal	X			
Fernandez	X			
Hearn	X			
Rampello	X			
.Sweat	X			
Taylor	X			

Theodore J. Couch

Theodore J. Couch, Chairman

Attest: John A. Crislip

John A. Crislip, Executive Director

m. or acting Chm. votes only on tie

motion of Mr. Echezabal Seconded by Mr. Fernandez

The following resolution was adopted:

BE IT RESOLVED, That the Hillsborough County anning Commission and its staff has reviewed at the request of the City of Tampa the plication for development approval of the Development of Regional Impact proposed by e Rouse Company known as Rouse Shopping Center.

BE IT FURTHER RESOLVED, That the application filed be approved in accord with the report and recommendation attached hereto and the llowing:

1. The standards and guidelines as submitted in e Development of Regional Impact Application and Supplement A, B, C, D as attached.

2. In order for the highway network to be able move the traffic generated by the proposed regional shopping center, the following nprovements and modifications must be made to the existing systems to coincide with the roject's development:

-- Presently planned or committed

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements.

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements.

c. Widen and improve Buffalo Avenue between Highland and I-75.

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1.

EXHIBIT A

Con't

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes.

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements at Columbus Drive.

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later then two years from completion of shopping center construction to coincide with Phase II of the project.

-- Not Presently planned but committed

a. The entrance/exit onto the proposed MacDill extension must be deleted. Inclusion of this facility would change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east.

3. Based on one-third advanced ticket sales, the Rouse shopping center's three main generators, and any other commercial enterprise that the Rouse Corporation deems necessary, may be required to remain closed on Sundays that have a scheduled pre-season, regular season, or post season football game.

4. A written request addressed to the Tampa Bay Rapid Transit Authority pointing out the transportation needs of the proposed shopping center as it relates to the contiguous major generators and giving assurances of full cooperation in the efforts of establishing a major station point in the vicinity of these major generators.

mm ✓
SDW ✓
WO
SC

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

June 13, 1979

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

Attention: Scott Wilson

Re: Resolution No. 5445-G

Dear Mr. Wilson:

The Tampa City Council held their regular meeting on June 12, and adopted the above resolution that determines that the proposed expansion of the parking facilities at the Tampa Bay Center is not a substantial deviation and shall not be subject to further review.

If further information is needed, please do not hesitate to contact my office.

Sincerely,

Frances Henriquez

(Mrs) Frances Henriquez
City Clerk

eph

Enclosure - 1

NTERNATIONAL INSTITUTE OF MUNICIPAL CLERKS • FLORIDA ASSOCIATION OF CITY CLERKS, INC • AMERICAN RECORDS MANAGEMENT ASSOCIATION • SUNCOAST LEAGUE OF MUNICIPALITIES

Original O.D. file for DRI #16

DMC TBRPC

RESOLUTION NO. 5445-G

A RESOLUTION FINDING AND DETERMINING THAT THE PROPOSED EXPANSION OF PARKING FACILITIES AT TAMPA BAY CENTER IS NOT A SUBSTANTIAL DEVIATION AND SHALL NOT BE SUBJECT TO FURTHER REVIEW UNDER CHAPTER 380, FLORIDA STATUTES.

WHEREAS, the City Council of the City of Tampa, Florida, pursuant to procedures required by Section 380.06, Florida Statutes, on February 19, 1974, adopted Resolution No. 4108-F approving, subject to certain conditions, the Application for Development Approval of Tampa Northwest Ltd., for its shopping center development known as Tampa Bay Center; and,

WHEREAS, the City Council subsequently clarified certain conditions contained in Resolution No. 4108-F by the adoption of Resolution No. 7658-F and entered its determination, by Ordinance No. 6935-A, that modification of plans for Phase II of Tampa Bay Center to result in an increase in gross leasable area to 887,000 square feet would not constitute a substantial deviation; and,

WHEREAS, the City Council has been requested by Tampa Northwest, Ltd., to consider whether an increase in the number of parking spaces above that proposed previously for Tampa Bay Center would constitute a substantial deviation from the terms of the City Council's previous approvals of Tampa Bay Center, and having been fully advised by administrative staff in the matter which came on to be heard before City Council at its regularly scheduled public meeting on June 12, 1979, in Council Chambers in the City of Tampa, Florida, at which time all parties present were given an opportunity to be heard, now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the City Council of the City of Tampa finds that the proposed increase in the number of parking spaces to be provided at Tampa Bay Center will not create additional adverse regional impacts as compared with the impacts projected in the original Application for Development Approval, nor will it create any other regional impact not reviewed in the original proceeding leading to adoption of Resolution No. 4108-F.

Section 2. That the expansion of parking facilities at Tampa Bay Center in conjunction with construction of Phase II to include a total of 5,102 parking spaces will not constitute a substantial deviation as defined in Section 380.06(7)(g), Florida Statutes, and shall not be subject to further review under Section 380.06, Florida Statutes.

Section 3. That the City Clerk is hereby directed to transmit copies of this Resolution to the Division of State Planning, Tampa Bay Regional Planning Council, and Tampa Northwest, Ltd.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUN 12 1979.

Lloyd Copeland

CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henrigueg

CITY CLERK

DMC

ORDINANCE NO. 6935 -A

AN ORDINANCE FINDING AND DETERMINING THAT THE EXPANSION PLAN OF THE TAMPA BAY CENTER IS NOT A SUBSTANTIAL DEVIATION AND SHALL NOT BE SUBJECT TO FURTHER REVIEW UNDER CHAPTER 380, FLORIDA STATUTES.

WHEREAS, by letter dated February 14, 1978, Tampa Northwest Ltd. requested the Tampa City Council to determine whether certain changes to the Tampa Bay Center constituted a substantial deviation, as defined in Section 380.06 (7) (g), F.S.; and,

WHEREAS, this matter came on to be heard by the Tampa City Council at a public hearing on March 28, 1978. Said public hearing, being duly and properly noticed, was conducted in the Council Chambers, City Hall, 3rd Floor, in the City of Tampa, Florida, and all parties hereto were present or given the opportunity to be present, and together with the general public, were given an opportunity to present testimony and evidence; and,

WHEREAS, the City Council having reviewed Tampa Northwest Ltd.'s request and all documents in the File of Record, including, but not limited to, letter dated February 14, 1978, to David Carr, memorandum dated February 10, 1978, a traffic engineering report by Barr, Dunlop and Associates, dated February 1978, a site plan for the Tampa Bay Center, dated July 2, 1974, and revised through December 20, 1974, letter dated March 27, 1978, to members of City Council and the Hillsborough County Planning Commission resolution of March 20, 1978, having heard testimony, and having received and examined all documentary evidence makes the following findings of fact:

1. By Resolution No. 4108-F, dated March 5, 1974, the Tampa City Council approved, subject to certain terms and conditions expressly stated therein, Tampa Northwest Ltd.'s application for development approval (ADA), for a development of regional impact, known as the Tampa Bay Center. As approved, Tampa Bay Center would be constructed in two phases, have a total of 840,000 square feet of gross leasable area, be a one story structure, have 4600 parking spaces and have three major department stores.

2. The first phase of construction was completed in August 1976 and contains 154 specialty shops and two major department stores for a total of 725,000 square feet in the two story structure.

3. Tampa Northwest Ltd. proposes to add the third major department store with 150,000 square feet and an additional 12,000 square feet of leasable area. These improvements will constitute the second phase of construction.

4. With completion of construction of the proposed second phase, the Tampa Bay Center will have 887,000 square feet of gross leasable area in a two story structure.

5. The impacts resulting from the Tampa Bay Center with the proposed second phase construction when compared with the impacts projected in the original ADA are not additional adverse regional impacts. In addition, the Tampa Bay Center, if completed as proposed, will not create any other regional impact not contained in the ADA, which was

previously reviewed by the Tampa City Council, Hillsborough County Planning Commission, and Tampa Bay Regional Planning Council and which was ultimately approved by the City Council, in Resolution No. 4108-F.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That in accordance with the foregoing findings of facts, and in consideration of the applicable laws and regulations, the City Council makes the following conclusion of law:

a. The changes made and proposed herein to the Tampa Bay Center do not constitute a substantial deviation, as defined in Section 380.06 (7) (g), Florida Statutes.

b. The changes made and proposed herein to the Tampa Bay Center shall not be subject to further review under Section 380.06, Florida Statutes.

Section 2. That the proposed additional construction to the Tampa Bay Center shall be subject to all other applicable provisions of the City of Tampa Code.

Section 3. That all ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 4. That this Ordinance shall be published and posted as provided by law and it shall take effect immediately upon its publication.

Section 5. That copies of this Ordinance shall be transmitted by the Clerk to the Division of State Planning, Tampa Bay Regional Planning Council, Hillsborough County Planning Commission, and Tampa Northwest Ltd.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON MAY 11 1978.

Lloyd Copeland
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

APPROVED BY ME ON MAY 16 1978

W F Poe
WILLIAM F. POE, MAYOR

MB

17 September 1975 JD

RESOLUTION NO. 7658-F

A RESOLUTION CLARIFYING CERTAIN CONDITIONS CONTAINED IN RESOLUTION NO. 4108-F, RELATING TO A REGIONAL SHOPPING CENTER BY THE ROUSE COMPANY AND TAMPA NORTHWEST, LTD., AT THE INTERSECTION OF HIMES AVENUE AND BUFFALO AVENUE.

WHEREAS, On February 18, 1974, the Hillsborough County Planning Commission, by resolution, recommended to the City of Tampa, subject to certain terms and conditions, approval of an application for development approval for a development of regional impact by The Rouse Company; and

WHEREAS, The proposed development of regional impact is a regional shopping center to be known as the Tampa Bay Center to be located at the intersection of Himes and Buffalo Avenue; and

WHEREAS, In recommending approval the Hillsborough County Planning Commission incorporated into its resolution a portion of its staff report; and

WHEREAS, That part of the staff report as to planned highway improvements and modification incorporated as part of Paragraph 2 of the February 18, 1974, resolution provides in part as follows, "In order for the highway network to be able to move the traffic generated by the proposed regional shopping center, the following improvements and modifications must be made to the existing systems to coincide with the project's development:

- - Presently planned or committed

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements.

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements.

c. Widen and improve Buffalo Avenue between Highland and I-75.

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1.

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes.

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements at Columbus Drive.

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later than two years from completion of shopping center construction to coincide with Phase II of the project."

WHEREAS, The beforementioned section of the Planning Commission recommendation specifically excludes:

"-- Not presently planned but committed

a. The entrance/exit onto the proposed MacDill extension must be deleted. Inclusion of this facility could change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east."

WHEREAS, The City of Tampa incorporated into its development order of March 5, 1974, (Resolution No. 4108-F) the Hillsborough County Planning Commission's resolution of recommendation of February 18, 1974; and

WHEREAS, The Tampa Bay Center is now under construction and in connection with the construction and permanent financing, the developers and its lenders have asked for a clarification of that portion of Paragraph 2 of the Hillsborough County Planning Commission's resolution of recommendation of February 18, 1974, as to planned highway improvements and modifications; and

WHEREAS, As a result of the developer's and lender's request for a clarification of the terms and conditions of the development order, the Hillsborough County Planning Commission adopted a certain resolution dated August 18, 1975, clarifying its earlier resolution of recommendation.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the City Council adopts and concurs in the terms and conditions of the Hillsborough County Planning Commission's resolution of August 18, 1975 and incorporates by reference herein that resolution.

do we have?

Section 2. That the widenings and other improvements of Himes Avenue, Buffalo Avenue and Dale Mabry Highway by the developer have been completed to the extent required by the development order; in the event that the City of Tampa or the Florida Department of Transportation fails to construct those improvements or modifications planned or committed to by them and set out in Paragraph 2 of the February 18, 1974, resolution, such failure shall not impair the validity of the development order.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON SEP 30 1975.

Frances Henriquez
ATTEST, CITY CLERK

Lloyd Copeland
Chairman, City Council

State of Florida)
County of Hillsborough)

This is to certify that the foregoing is a true and correct copy of Resolution No. 7658-F on file in my office.

Witness my hand and official seal this 11th day of March, 1976.

City Clerk

HILLSBOROUGH COUNTY PLANNING COMMISSION

X	Zoning	MEETING DATE	HCPC File No.
	Subdivision	February 18, 1974	(T)DRI74 - 1
	Capital Improvement Referral		Agency File No.
	Other		

Members*	Aye	Nay	Abstain	Absent
Mr. Couch, Chm.				
Mr. Ames	X			
Mrs. Davis	X			
Mr. Echezabal	X			
Mr. Fernandez	X			
Mr. Hearn	X			
Mr. Rampello	X			
Mr. Sweat	X			
Mr. Taylor	X			

Theodore J. Couch, Chairman

Attest: John A. Crislip

John A. Crislip, Executive Director

*Chm. or acting Chm. votes only on tie

On motion of Mr. Echezabal Seconded by Mr. Fernandez

The following resolution was adopted:

BE IT RESOLVED, That the Hillsborough County Planning Commission and its staff has reviewed at the request of the City of Tampa the application for development approval of the Development of Regional Impact proposed by the Rouse Company known as Rouse Shopping Center.

BE IT FURTHER RESOLVED, That the application as filed be approved in accord with the report and recommendation attached hereto and the following:

1. The standards and guidelines as submitted in the Development of Regional Impact Application and Supplement A, B, C, D as attached.

2. In order for the highway network to be able to move the traffic generated by the proposed regional shopping center, the following improvements and modifications must be made to the existing systems to coincide with the project's development:

-- Presently planned or committed

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements.

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements.

c. Widen and improve Buffalo Avenue between Highland and I-75.

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1.

Con't

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes.

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements at Columbus Drive.

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later then two years from completion of shopping center construction to coincide with Phase II of the project.

-- Not Presently planned but committed

a. The entrance/exit onto the proposed MacDill extension must be deleted. Inclusion of this facility would change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east.

3. Based on one-third advanced ticket sales, the Rouse shopping center's three main generators, and any other commercial enterprise that the Rouse Corporation deems necessary, may be required to remain closed on Sundays that have a scheduled pre-season, regular season, or post season football game.

4. A written request addressed to the Tampa Bay Rapid Transit Authority pointing out the transportation needs of the proposed shopping center as it relates to the contiguous major generators and giving assurances of full cooperation in the efforts of establishing a major station point in the vicinity of these major generators.

HILLSBOROUGH COUNTY PLANNING COMMISSION

Zoning Subdivision Capital Improvement Referral Other Rouse DRI Clarification Statement	MEETING DATE August 18, 1975	HCPC File No. (T)DRI74 - 1 Agency File No.

mbers	Aye	Nay	Abstain	Absent
hezabal, Chm.				X
nes	X			
unhild				X
uch	X			
rnandez	X			
arn	X			
mpello	X			
eat				X
ylor	X			

Joe H. Taylor, Vice Chairman
~~Henry A. Echezabal, Chairman~~

John A. Crislip, Executive Director

tion of Mr. Rampello Seconded by Mr. Ames

The following resolution was adopted:

WHEREAS, On February 18, 1974, the Hillsborough Planning Commission, by resolution, recommended to the City of Tampa, subject to terms and conditions, approval of an application for development approval for a pment of regional impact by The Rouse Company; and

WHEREAS, The proposed development of regional is a regional shopping center to be known as the Tampa Bay Center to be located at ersection of Himes Avenue and Buffalo Avenue; and

WHEREAS, In recommending approval the Hillsborough Planning Commission incorporated into its resolution a portion of its staff report; and

WHEREAS, That part of the staff report as to planned y improvements and modification incorporated as part of Paragraph 2 of the February 18, esolution provides in part as follows, "In order for the highway network to be able to he traffic generated by the proposed regional shopping center, the following improve- and modifications must be made to the existing systems to coincide with the project's ment:

-- Presently planned or committed

a. Widen Himes Avenue to four lanes divided between Buffalo Avenue and Tampa Bay Boulevard and make appropriate intersection improvements.

Con't

b. Widen Dale Mabry Highway between Kennedy Boulevard and Columbus Drive to six lanes and make appropriate intersection upgrading and improvements.

c. Widen and improve Buffalo Avenue between Highland and I-75.

d. Construction of at least one entrance/exit with acceleration and deceleration lanes on Himes Avenue in addition to improvement 1.

e. Construction of at least two entrance/exits on Buffalo Avenue with acceleration and deceleration lanes.

f. Undertake the widening of Himes Avenue to four lanes divided from Tampa Bay Boulevard south to Columbus Drive concurrently with construction of shopping center and make appropriate intersection improvements at Columbus Drive.

g. Undertake the widening of Himes Avenue to four lanes from Buffalo to Hillsborough with a completion date not later than two years from completion of shopping center construction to coincide with Phase II of the project."

WHEREAS, The beforementioned section of the Planning Commission recommendation specifically excludes:

-- <u>Not presently planned but committed</u>

a. The entrance/exit onto the proposed MacDill extension must be deleted. Inclusion of this facility could change the functional character of the roadway and would thereby have a detrimental effect on the residential areas to the south and east.

Con't

HILLSBOROUGH COUNTY PLANNING COMMISSION

(T)DRI74-1

WHEREAS, The City of Tampa incorporated into its development order of March 5, 1975, (Resolution No. 4108-F) the Hillsborough County Planning Commission's resolution of recommendation of February 18, 1974; and

WHEREAS, The Tampa Bay Center is now under construction and in connection with the construction and permanent financing, the developers and its lenders have asked for a clarification of that portion of Paragraph 2 of the Hillsborough County Planning Commission's resolution of recommendation of February 18, 1974, as to planned highway improvements and modifications.

BE IT RESOLVED, That the Hillsborough County Planning Commission recommends to the Tampa City Council that the following clarification statements are made:

1. It was the intent of the Hillsborough County Planning Commission in adopting its resolution of February 18, 1974, that its recommendation of approval was conditioned on the fact that all of the improvements and modifications set out in the staff report and resolution must have been either planned or committed to by the developer, the City of Tampa or the Florida Department of Transportation at the time of approval.

2. As of February 18, 1974, the information contained in the Development of Regional Impact Application and Supplements A, B, C, and D thereto, and the Hillsborough County Planning Commission's staff report did reflect that all of these improvements and modifications were planned or committed to by the developer, the City of Tampa or the Florida Department of Transportation.

3. It was the intent of the Hillsborough County Planning Commission that the failure of the City of Tampa or Florida Department of Transportation to construct the improvements or modifications planned or committed to by them as of February 18, 1974, would not constitute a substantial deviation from the Hillsborough County Planning Commission's resolution of recommendation, dated February 18, 1974.

TRRP

ORDINANCE NO. 89-297

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, DENYING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FILED BY TAMPA NORTHWEST LTD./THE ROUSE COMPANY, FOR TAMPA BAY CENTER, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Tampa Bay Center, a regional shopping mall on the southwest corner of Himes Avenue and Buffalo Avenue, is a development of regional impact as defined in Chapter 380, Florida Statutes, and following review pursuant to Section 380.06, Florida Statutes, has received approvals from the Ctiy of Tampa for construction of the mall by virtue of the "Development Order" (Resolution No. 4108-F, Resolution No. 7658-F and Ordinance No. 6935-A); and

WHEREAS, by letter dated April 11, 1989, Tampa Northwest, Ltd./The Rouse Company, the developer of the Tampa Bay Center, has filed a "Notification Of A Proposed Change To A Previously Approved Development of Regional Impact (DRI)", hereinafter "Proposed Change", attached hereto and made a part hereof as Exhibit A,; and

WHEREAS, the Proposed Change is to construct an entrance into and an exit from the Tampa Bay Center onto MacDill Avenue; and

WHEREAS, the applicant has requested the Tampa City Council to determine whether the proposed entrance/exit constitutes a substantial deviation, as defined in Section 380.06(19), Florida Statutes and to otherwise approve said Proposed Change;

WHEREAS, this matter came on to be heard by the Tampa City Council at a public hearing on August 24, 1989. Said public hearing, being duly and properly noticed was conducted in the City Council Chambers, City Hall, in the City of Tampa, and all parties hereto were present or given the opportunity to be present, and together with the general public, were given an opportunity to present testimony and evidence; and

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. The City Council having reviewed the applicant's Proposed Change, having heard testimony, and having received and examined all documentary evidence makes the following findings of fact:

a. The proposed entrance/exit onto MacDill Avenue does not create a reasonable likelihood of additional regional impact or any type of regional impact not previously reviewed by the regional planning agency.

b. The proposed entrance/exit does not meet or exceed any of the criteria listed in Section 380.06(19)(b), Florida Statutes.

c. That the Proposed Change does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

d. That the Proposed Change is consistent with the report and recommendations of the Tampa Bay Regional Planning Council.

e. That a comprehensive review of the impacts generated by the Proposed Change has been conducted by the City and the Tampa Bay Regional Planning Council.

Certified as true and correct copy.

Z74-1-A