CITY OF TAMPA

DM #72

Janett S. Martin, City Clerk

Office of City Clerk

April 1, 1999

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

RE: Petition No. DZ81-38 Busch Gardens
Ordinance 99-66

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process. If further information is needed, please contact the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Janett S. Martin
City Clerk

JM/gg

Enclosure: Certified copy of Ordinance 99-66

Certified Mail

315 E. Kennedy Blvd., City Hall • Tampa, Florida 33602 • 813/274-8396 • FAX: 813/274-8306
email: i:ctyclerk@ci.tampa.fl.us

D

ORDINANCE NO. 99-66

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, AMENDING ORDINANCE NO. 98-0081 AND APPROVING THE FIRST AMENDMENT TO THE SUBSTANTIAL DEVIATION DEVELOPMENT ORDER FOR BUSCH GARDENS/ADVENTURE ISLAND (ORDINANCE NO. 98-147), A DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO CHAPTER 380, FLORIDA STATUTES, BASED ON A NOTIFICATION OF PROPOSED CHANGE FILED BY BUSCH ENTERTAINMENT CORPORATION; AMENDING THOSE PRIOR ORDINANCES IN CONFLICT; AND IMPOSING CONDITIONS TO MITIGATE FOR THE PROPOSED DEVELOPMENT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Busch Gardens/Adventure Island is an Attraction and Recreation Facilities Development of Regional Impact pursuant to the provisions of Section 380.0651 (3)(b), Florida Statutes; and

WHEREAS, on September 23, 1981, the City adopted, by Ordinance, a Development Order, Ordinance No. 7771-A for Busch Gardens/Adventure Island, providing for the continuation of the theme park/entertainment complex known as Busch Gardens/Adventure Island on approximately 366 acres (the "Original Development Order") a copy of which is on file with the City; and

WHEREAS, on August 12, 1987, the Developer filed a Notification of a Proposed Change to a Previously Approved DRI with the City and the other appropriate reviewing agencies, a copy of which is on file with the City; and

DZ81-38

WHEREAS, on November 2, 1987, the City adopted, by Ordinance, an amendment to the Development Order, Ordinance No. 9799-A, for Busch Gardens/Adventure Island (the "First Amendment"), a copy of which is on file with the City; and

WHEREAS, on June 14, 1991, the Developer filed a second Notification of Proposed Change to a Previously Approved DRI with the City and other reviewing agencies, a copy of which is on file with the City; and

WHEREAS, on September 12, 1991, the City adopted, by Ordinance, an Amendment to the Development Order, Ordinance No. 91-163, for Busch Gardens/Adventure Island (the "Second Amendment"), a copy of which is on file with the City; and

WHEREAS, on January 4, 1994, the Developer filed a third Notification of a Proposed Change to a Previously Approved DRI with the City and other reviewing agencies, a copy of which is on file with the City; and

WHEREAS, on June 20, 1994, the City adopted by Ordinance, an Amendment to the Development Order, Ordinance No. 94-107, for Busch Gardens/Adventure Island (the "Third Amendment"), a copy of which is on file with the City; and

WHEREAS, on October 24, 1994, the Developer filed a fourth Notification of a Proposed Change to a Previously Approved DRI with the City and other reviewing agencies, a copy of which is on file with the City; and

WHEREAS, on December 20, 1994, the City adopted by Ordinance, an Amendment to the Development Order, Ordinance No.

94-278 for Busch Gardens/Adventure Island (the "Fourth Amendment"), a copy of which is on file with the City; and

WHEREAS, the Original Development Order, as amended by the First, Second, Third, and Fourth Amendments, collectively constitutes the "Original Development Order, as amended"; and

WHEREAS, on July 14, 1997, the Developer filed an Application for Development Approval of a Substantial Deviation to a Previously Approved DRI, and Sufficiency Responses dated October 14, 1997 and December 2, 1997 (collectively, the "ADA") with the City, the Tampa Bay Regional Planning Council ("TBRPC"), the Florida Department of Community Affairs ("DCA") and other applicable reviewing agencies, pursuant to the provisions of Section 380.06, Florida Statutes (1997), as amended ("Chapter 380"), and the City of Tampa Land Development Code, which was approved by Ordinance 98-0081 on April 16, 1998; and

WHEREAS, on June 25, 1998, the City adopted an Ordinance Rescinding Ordinance No. 98-0081 and Approving a Substantial Deviation to the Development Order (the "Substantial Deviation Development Order"); a copy of which is on file with the City; and

WHEREAS, on DECEMBER 15, 1998, Busch Entertainment Corporation (the "Developer") filed a Notification of Proposed Change to a previously approved Development of Regional Impact ("DRI") with the City of Tampa ("City") and the other applicable reviewing agencies, pursuant to the provisions of Section

380.06(19), Florida Statutes, a copy of which is on file with the City; and

WHEREAS, the amendment proposes to add .5 acres of land to the project, to be utilized for previously approved visitor parking spaces and to allow modifications to the parking lot.

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider this proposed Amendment to the previously approved Development Order, which fully incorporates the conditions for approval set forth in the Original Development Order, as amended; and

WHEREAS, upon approval of this proposed Amendment to the Development Order, the Original Development Order, shall be amended; and

WHEREAS; this proposed Amendment to the Development Order will, upon approval, act as an amendment to the conditions governing the remaining development and the proposed development, of the Busch Gardens/Adventure Island project; and

WHEREAS, the public notice requirements of Chapter 380, and Section 27-418, City of Tampa Code have been satisfied; and

WHEREAS, the City Council has, on March 11, 1999, held a duly noticed public hearing on the proposed Amendment to the previously approved Development Order and has heard and considered testimony and documents received thereon: and

WHEREAS, all interested parties and members of the public were afforded the opportunity to participate in the City Council application hearing on the subject DRI; and

WHEREAS, the City Council has reviewed the above-referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA

Section 1. Amendment to Prior Ordinance.

Ordinance No. 98-0081 is hereby amended as provided herein.

Section 2. Amendment of the Development Order.

This Ordinance, issued in response to the Notification of Proposed Change filed by the Developer, shall constitute an Amendment to the Original Development Order, and shall hereinafter be referred to as the "First Amendment to a Previously Approved Development Order".

All development in the project shall be controlled by and in accordance with said conditions as set forth herein. As such, this Amendment along with the approved rezoning site plan shall together govern the development of the project.

Section 3. Findings of Fact.

City Council, having received the Amendment, and having received all related comments, testimony, and evidence submitted by each party and members of the general public, finds there is

substantial competent evidence to support the following findings of fact:

A. The Recitals hereto are incorporated herein.

B. The project is an Attraction and Recreation Facilities DRI pursuant to the provisions of Section 380.0651 (3)(b), Florida Statutes.

C. The Developer submitted to the City of Tampa a Notification of Proposed Change to the Previously Approved Development Order, attached hereto is the legal description as shown on Composite Exhibit "A", as incorporated herein by reference, to the extent not inconsistent with the terms and conditions hereof, including, but not limited to the Master Plan provided by the Developer as shown and attached as Exhibit "B", incorporated herein by reference, additionally, a copy of the NOPC is attached and shown as Exhibit "C."

D. With respect to the development, approved pursuant to Ordinance No. 7771-A, Busch Entertainment Corporation submitted to the City of Tampa, an Application for Development Approval, dated April 1, 1981, and a Sufficiency Response dated June 17, 1981, which documents are collectively referred to as the "Original ADA", and incorporated herein by reference, to the extent not inconsistent with the terms and conditions hereof.

E. With respect to the amendment to the development, approved pursuant to Ordinance No. 9799-A, the Developer filed a document with the City of Tampa on August 12, 1987, entitled "Notification of a Proposed Change to a Previously Approved Development of Regional Impact", and incorporated herein by reference, to the extent not inconsistent with the terms and conditions hereof.

F. With respect to the amendment to the development approved pursuant to Ordinance No. 91-163, on September 12, 1991, the Developer filed with the City of Tampa a second "Notification of a Proposed Change to a Previously Approved Development of Regional Impact" and incorporated herein by reference, to the extent not inconsistent with the terms and conditions hereof.

G. With respect to the amendment to the development approved pursuant to Ordinance No. 94-107, on January 4, 1994, the Developer filed with the City a third "Notification of a Proposed Change to a Previously-Approved Development of Regional Impact", and incorporated herein by reference, to the extent not inconsistent with the terms and conditions hereof.

H. With respect to the amendment to the development approved pursuant to Ordinance No. 94-279, on December 20, 1994, the Developer filed with the City a fourth "Notification of a Proposed Change to a

Previously-Approved Development of Regional Impact" and incorporated herein by reference, to the extent not inconsistent with the terms and conditions hereof.

I. The real property that is the subject of the Amendment is legally described as set forth in attached Exhibit "A", incorporated herein by reference.

J. The Amendment proposes to:

a) Add .5 acres of land to the project;

b) Amend the Master Plan as approved in the original DRI Development Order;

c) Construct approved visitor parking spaces on the property to be added;

K. The proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1997), as amended.

L. A comprehensive review of the impacts generated by the proposed development has been conducted by the Department of Community Affairs, the City, the TBRPC, and other participating agencies.

M. The proposed development is consistent with the local land development regulations and with the City of Tampa Comprehensive Plan adopted pursuant to the Local Government Comprehensive Planning Act, Chapter 163, F.S., (1997), as amended.

N. The proposed development is in accordance with the applicable zoning district regulations.

O. The proposed development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.

P. The proposed development is consistent with the report and recommendations of the City, and with TBRPC's adopted Comprehensive Regional Policy Plan.

Q. The proposed development is consistent with the State Comprehensive Plan.

Section 4. Conclusions of Law.

That the City Council having made the above findings of fact, reached the following conclusions of law:

A. These proceedings have been duly conducted pursuant to applicable laws and regulations, and based upon the record in this proceeding, the Developer is authorized to conduct the remaining development and the proposed development as described in this Amendment, subject to the conditions, restrictions and limitations set forth below.

B. The review by the City, the TBRPC and other participating agencies and interested citizens reveals that the terms and conditions of this Amendment to the Development Order adequately address the impacts of the previously-approved and the proposed development in accordance with the requirements of Chapter 380.

Section 5. Order.

That, having made the above findings of fact and having drawn the above conclusions of law, it is ordered that the development as set forth in the Amendment, as Shown in Exhibits A, B, and C, respectively, is hereby approved:

A. Approved Development.

Specific Development Approved. Specific approval is hereby granted for the following development: (i) adding .5 acres for visitor parking related to the theme park; (ii) adding a new legal description attached in Exhibit "A"; (iii) filing an amended site plan attached in Exhibit "B"; (iv) a copy of the NOPC as Exhibit "C";

B. Revisions.

Any revisions to the proposed development not contemplated or addressed within this Amendment Order shall be subject to review by the City of Tampa.

C. Definitions. Unless the context of this Amendment to the Previously Approved Development Order indicates otherwise, the definitions contained in Chapter 380, Florida Statutes, (1997), as amended, shall control the interpretation and construction of any terms of this Amendment Order.

D. Binding Effect.

This Amendment to the Previously Approved Development Order shall be binding upon the Developer, its successors or assigns.

E. Compliance with Law. That except to the extent that the requirements set forth in this Amendment to the Previously Approved Development Order are more stringent than the

requirements otherwise provided by applicable law, all development undertaken pursuant to this Amendment to the Previously Approved Development Order shall be in accordance with applicable state laws, local codes, and ordinances in effect at the time of permitting.

F. Governmental Agencies. 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 Amendment to the Previously Approved Development Order.

G. Severability. That in the event any portion or section of this Amendment is deemed 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 which shall remain in full force and effect.

H. Transmittals. That the City Clerk is hereby directed to send copies of this Ordinance, within five (5) days of its becoming law, to the TBRPC, the DCA, and the Developer/owner, Busch Entertainment Corporation, (c/o James H. Shimberg, Jr., Holland & Knight LLP, 400 North Ashley Drive, Suite 2300, Tampa, Florida 33602).

I. Rendition. That this Amendment shall be deemed rendered upon transmittal of copies of this Ordinance to the entities specified in Chapter 380, F.S. (1997), as amended.

J. Recordation. The Developer shall record a notice of adoption of this Amendment in the public records of Hillsborough County pursuant to Chapter 380, F.S. (1997), as amended, and shall furnish the City Clerk a copy of the recorded notice.

K. 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 16 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, ON MAR 25 1999, 1999.

ATTEST:

Janett S. Martin

Approved as to form by:

City Attorney

Chairman, City Council

Approved by me on MAR 26 1999

Mayor

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance 99-66 on file in my office
Witness my hand and official seal this 31st day of Mar 19 99

Janett S. Martin
CITY CLERK

LIST OF EXHIBITS

Exhibit "A"	Legal Description (Attached)
Exhibit "B"	Master Plan (Attached)
Exhibit "C"	NOPC (Attached)

TPA3-548105.2

EXHIBIT "A"

LOT 21A, BLOCK 5 TOGETHER WITH THE EAST 24.00 FEET OF LOT 21, BLOCK 5, TOGETHER WITH THE WEST 2.00 FEET OF LOT 22, BLOCK 5, OF THE CORRECTED MAP OF TEMPLE KNOLL REVISED, AS RECORDED IN PLAT BOOK 24, PAGE 15, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

AND

LOTS 4, 5, 6 AND 7, BLOCK 112, OF TERRACE PARK SUBDIVISION, UNIT NO.3, AS RECORDED IN PLAT BOOK 14, PAGE 15, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, TOGETHER WITH ANY EXISTING RIGHT-OF-WAY TO BE VACATED LYING NORTH OF AND ABUTTING LOTS 4, 5, 6 AND 7, BLOCK 112, OF TERRACE PARK SUBDIVISION, UNIT NO. 3.

CITY OF TAMPA

Janett S. Martin, City Clerk — Office of City Clerk

August 1, 1997

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

RE: Petition No. DZ81-38 For: Busch Gardens
Resolution No. 97-1008 - Sixteenth Expansion

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process. If further information is needed, please contact the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Janett S. Martin
City Clerk

JM/gg

Enclosure: Resolution No. 97-1008

Certified Mail

TBRPC

RESOLUTION NO. 97-1008

A RESOLUTION APPROVING AND AUTHORIZING THE SIXTEENTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 18, 1997, the developer submitted plans for its sixteenth expansion of Busch Gardens pursuant to a development order adopted by City Council by Ordinance No. 7771-A, as amended by Ordinance No. 9799-A, and Ordinance No. 91-163; and

WHEREAS, the Director of the Department of Business and Community Services has submitted a report and recommendation to the City council recommending approval of this sixteenth expansion; and

WHEREAS, the impacts of the sixteenth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A, as amended by Ordinance No. 9799-A, and Ordinance No. 91-163.

NOW, THEREFORE,

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

Section 1. That the hotel project to be located in Busch Gardens area of the Busch Gardens Theme Park as expansion sixteen to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part hereof as Exhibit A, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion is based on the City of Tampa's review of the proposal and analysis submitted and the City of Tampa's finding that the impacts of the sixteenth expansion are within the limits specified in the Development Order; however, this approval does not constitute approval of all of the assumptions submitted in the proposal and analysis for expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 5. That this Resolution shall take effect immediately upon its adoption.

Certified as true and correct copy.

DZ81-38

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUL 31 1997.

ATTEST:

Janett S. Martin
CITY CLERK

Ronnie Mason
CHAIRMAN, CITY COUNCIL

APPROVED AS TO FORM:

Andrea E. Zelman
ANDREA E. ZELMAN
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillborough

This is to certify that the foregoing is a true and correct copy of Resolution 97-1008 on file in my office
Witness my hand and official seal this 1st day of Aug 19 97

JANETTE S. MARTIN, CITY CLERK
CITY CLERK

BY: Gail A. Anderson
GAIL A. ANDERSON, DEPUTY CITY CLERK

Incremental Project Report
Busch Gardens/Adventure Island DRI

Prepared for:

Busch Entertainment Corporation
Busch Gardens
P.O. Box 9158
Tampa, Florida 33674-9158

Prepared by:

Post, Buckley, Schuh & Jernigan, Inc.
5300 W. Cypress Street, Suite 300
Tampa, Florida 33607-1066
and
Coastal Environmental
9800 4th Street North, Suite 108
St. Petersburg, Florida 33702

Dated:

April 18, 1997

Certified as true
and correct copy.

Busch Gardens Incremental Project Report
Busch Gardens/Adventure Island DRI

Introduction

This Incremental Report is submitted in accordance with Section 4,B.(1) of the Busch Gardens/Adventure Island Development Order (Ordinance Number 7771-A). Busch Entertainment Corporation is seeking approval from the City of Tampa to increase the size of the 680 room hotel for which incremental approval was received on January 23, 1997, by 120 rooms to a total of 800 rooms. Approval of this incremental report by the City of Tampa will allow for the continued planning, design and construction of 800 hotel rooms and ancillary facilities while Busch Entertainment Corporation seeks approval of the Substantial Deviation for the Busch Gardens/Adventure Island DRI development program through the year 2010.

The November 14, 1996 Incremental Report initiated by Busch Entertainment Corporation was for four projects including the 680 room hotel facility planned for the northeast quadrant of the Busch Gardens theme park. The November, 1996 report establishes the baseline conditions within Busch Gardens/Adventure Islands.

Busch Entertainment Corporation has initiated a Substantial Deviation request for the Busch Gardens Development of Regional Impact. The Substantial Deviation will identify the planned expansion program for the Busch Gardens/Adventure Island theme park through the year 2010.

This Incremental Report addresses the impacts of the additional 120 hotel rooms. **Table 1, Projected Average Utility Service Demands for Incremental Development Project,** provides the service demands for the 120 rooms. The cumulative impacts of past development activities within the Busch Gardens DRI are also shown on Table 1 as of the last Incremental Report submitted to the City of Tampa in November, 1996. As evidenced by this Table, the projected impacts of this combined project increment including the 120 room facility are within the estimated demands anticipated by the Busch Gardens Development Order for potable water, wastewater, and solid waste. Busch Entertainment Corporation has recently taken over the direct management responsibility for the Tampa Brewery property. This includes responsibility for utility management. The brewery's closure in 1995 created surplus capacity to meet new demands within the northeast Tampa area including the demands associated with the long term development program for Busch Gardens/Adventure Island. Any increased usage above the approved threshold will be addressed with the City of Tampa and other appropriate agencies.

Certified as true and correct copy.

Table 1

PROJECTED AVERAGE UTILITY SERVICE DEMANDS FOR INCREMENTAL DEVELOPMENT PROJECTS

	Potable Water (Gal./Day)	Solid Waste (Tons/Day)	Electrical Power (KWH/Year)	Wastewater Treatment (Gal./ Day)
Total Demand after Last Submittal to City of Tampa	531,670	5.76	33,464,000	492,438
120 Hotel Rooms	16,200	0.24	33,464,000	15,360
Total Demand Including Hotel	**547,870**	**6.00**	**33,464, 000**	**507,798**
ADA Estimates of Demand to Accommodate 5 Mil Attendance	600,000	6.10	33,464,000	600,000
Margin for Future Projects	**68,330**	**0.10**	**-0-**	**92,202**

Certified as true and correct copy.

Utility Demands

A description of the estimating methods and assumptions used to determine the levels of demand for the 120 hotel rooms are provided below.

- ## Potable Water

Existing Conditions - As of the last Incremental Report submitted to the City of Tampa in November, 1996, Busch Gardens was estimated at an average of **531,670 gpd** of potable water.

Hotel

The potable water use of the hotel facility is based on 135 gallons per room. The potable water required to accommodate the 120 hotel rooms is estimated at 16,200 gpd (120 rooms x 135 gpd = **16,200 gpd**). This level of consumption is an estimate of the combined uses from all of the hotel facilities including the hotel rooms, restaurants, lounges and meeting areas. This estimated combined potable water usage was calculated using water use data from comparable facilities and assumes 100 percent occupancy of the hotel.

Total combined potable water demand for this Incremental Report is **16,200 gpd**. This additional demand plus the historical consumption of 531,670 gpd brings the total proposed potable water demands for Busch Gardens to **547,870 gpd** (16,200 gpd + 531,670 gpd = 547,870 gpd). This combined demand is 52,130 gpd below the estimated 600,000 gpd demand referenced in the DO.

- ## Wastewater Treatment

Existing Conditions - As of the November, 1996 Incremental Report, Busch Gardens was estimated at an average of **492,438** gallons of wastewater per day.

Hotel

Wastewater demand for the 120 room hotel facility is calculated at 95 percent of the potable water demand.

16,200 gpd potable water x 95% = **15,3600 gpd** of wastewater generated.

This wastewater generation rate includes all components of the hotel facilities and averages approximately 128.25 gallons per room. Again, as with potable water, this rate assumes 100 percent occupancy of the hotel, meeting facilities, restaurants and lounges.

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The cumulative wastewater generated by the project including the 120 hotel rooms is 507,798 gpd.

- ## Solid Waste

Existing Conditions - As of the November, 1996 Incremental Report, the solid waste generation from Busch Gardens was estimated at **5.76 tons per day.**

Hotel

Solid waste generation from the 120 hotel facility has been formulated based on estimates for each of the hotel components including: hotel rooms, restaurants, lounges and meeting facilities. This solid waste generation averages approximately 4.0 lbs per room for estimating purposes. These solid waste generation calculations assume gross generation estimates without any reduction in volume that may result from recycling efforts that may be implemented by the hotel.

120 hotel rooms x 4.0 lbs per room = 480 lbs -:- 2000 lbs per ton = 0.24 tons

The solid waste generated by the 120 hotel rooms is estimated at **0.24** tons.

The solid waste generated by the Busch Gardens projects identified in this Incremental Report, including the 120 room hotel is 0.24 tons per day. The total solid waste generated from Busch Gardens including this increment is **6.00 tons** (5.76 tons per day + 0.24 tons per day = 6.00 tons). This estimate is 0.10 tons below the 6.10 tons per day threshold identified in the project's DO.

- ## Electrical Power

Existing Conditions - As of the November, 1996 Incremental Report, the electrical power consumption of Busch Gardens was estimated at **33,464,000 KWH/Year.**

Hotel

Electrical power consumption for the hotel facility has been estimated based on the demands of comparable hotel facilities within the region. This review indicated that a single hotel room would typically require approximately 45.3 KWH per day and 16.3 MWH per year. These calculations assume the operation of the entire hotel facility including the hotel rooms, restaurants, lounges, and meeting areas. Total demand for the 120 hotel rooms is estimated using the per room rates referenced above.

Busch Entertainment Corporation has recently taken over the direct management responsibility for the Tampa Brewery. This includes responsibility for utility management.

Certified as true and correct copy.

The brewery's closure in 1995 created surplus capacity to meet new demands within the northeastern Tampa area, including the demands associated with the continued attendance growth and the planned hotels at Busch Gardens/Adventure Islands. Tampa Electric Company has been appraised of the projected electrical demands for the long term development program planned for Busch Gardens/Adventure Island and has indicated the ability to meet the projected demand. Any increased usage above the Busch Gardens/Adventure Island approved Development Order threshold will be addressed with the City of Tampa and other appropriate agencies.

- **Transportation**

A Traffic Impact Study identifying the transportation impacts of the development identified in this Incremental Report will be provided separately if requested by the City of Tampa.

Certified as true and correct copy.

CITY OF TAMPA

Janett S. Martin, City Clerk — Office of City Clerk

December 22, 1994

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

RE: Petition No. DZ81-38
Ordinance No. 94-278

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact the office of Land Development Coordination,

(813) 223-8405.

Sincerely,

Janett S. Martin
City Clerk

JM/gg

Enclosure: Certified Copy of Ordinance No. 94-278

CERTIFIED MAIL

cc: Land Development Coordination

ORDINANCE NO. 94-278

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA APPROVING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FILED BY BUSCH ENTERTAINMENT CORPORATION FOR BUSCH GARDENS, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Ordinance No. 7771-A passed and ordained by the City Council of the City of Tampa, Florida on September 23, 1981, approved a Development Order for Busch Gardens, (the "Development"), a Development of Regional Impact (the "DRI"), hereinafter said Ordinance shall be referred to as the "Development Order"; and

WHEREAS, Ordinance No. 9799-A, passed and ordained by the City Council of the City of Tampa, Florida, on November 2, 1987, approved a first amendment to the Development Order, hereinafter said Ordinance shall be referred to as the "First Amendment"; and

WHEREAS, Ordinance No. 91-163, passed and ordained by the City Council of the City of Tampa, Florida, on September 12, 1991, approved a second amendment to the Development Order, hereinafter said Ordinance shall be referred to as the "Second Amendment"; and

WHEREAS, Ordinance No. 94-107, passed and ordained by the City Council of the City of Tampa, Florida, on June 16, 1994, approved a Third Amendment to the Development Order, hereinafter said Ordinance shall be referred to as the "Third Amendment;" and

WHEREAS, on Oct 28, 1994, Busch Entertainment Corporation, (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact (the "Notification") pursuant to Subsection 380.06(19), Florida Statutes, for the Busch Gardens DRI, attached hereto as Exhibit "A"; and

WHEREAS the Notification proposed to amend the Development Order, as previously amended by the First Amendment, Second Amendment and Third Amendment by an additional period of two (2) years to extend both the Development Order build-out and expiration dates for a total of six (6) years, eleven (11) months and fifteen (15) days, hereinafter said change shall be referred to as the "Proposed Change"; and

WHEREAS, the Proposed Change to the Development Order, as previously amended by the First Amendment, Second Amendment and Third Amendment, shall constitute the Fourth Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the Notification as well as all related testimony and evidence submitted by the Developer concerning the Proposed Change; and

Certified as true and correct copy.

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380 Florida Statutes, is authorized and empowered to consider the Proposed Change and to amend the Development Order, as previously amended by the First Amendment, Second Amendment and Third Amendment; and

WHEREAS, Section 380.06, 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 the 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, finds that there is substantial, competent evidence to support the following findings of fact;

A. That the Developer submitted to the City the Notification attached hereto as Composite Exhibit "A".

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

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 in accordance with Subsections 380.06(19)(c) and 380.06(19)(e)3, Florida Statutes, the Proposed Change is found not to be a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.

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 herein, subject only to the amendments, conditions, restrictions and limitations set forth herein.

B. That based on the foregoing and pursuant to Subsections 380.06(19)(c) and 380.06(19)(e)3, Florida Statutes, the Proposed Change is found not to be a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.

Section 3. Order. That having made the above findings of fact, and conclusions of law, it is ordered:

A. That the Proposed Change is hereby approved and the

Certified as true and correct copy.

Development Order, as amended by the First Amendment, Second Amendment and Third Amendment, is hereby amended to incorporate the Notification.

B. That the Development Order as previously amended by the First Amendment, Second Amendment and Third Amendment is hereby amended to extend the date of build out of development by a period of two (2) additional years (for a cumulative extension of 6 years, 11 months, and 15 days) to December 15, 1997, and to extend the Development Order expiration date by a period of two (2) additional years (for a cumulative extension of 6 years, 11 months, and 15 days) to September 9, 1998.

Section 4. Development Order, as Amended. This Ordinance shall constitute the Fourth Amendment to Ordinance No. 7771-A, as previously amended by Ordinance 9799-A, Ordinance 91-163 and Ordinance No. 94-107, which shall constitute, collectively, the Development Order for the Development 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 5. Definitions. 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, its assigns, and its 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 possess 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 matter 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, by certified mail, within five (5) days of its effective date, to the Developer, Joseph C. Fincher, Jr., Busch Entertainment Corporation, 3000 E. Busch Blvd., P. O. Box 9158, Tampa, Florida 33612, the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Certified as true and correct copy.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of the 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 COT Home Rule Charter and shall take effect upon transmittal to the parties as specified in Section 9 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON DEC 20 1994.

Ronnie Mason
CHAIRMAN, CITY COUNCIL

APPROVED BY ME DEC 20 1994

Dorothy W. Frazier
MAYOR

ATTEST:
Janett S. Martin
CITY CLERK

APPROVED as to form, by:
Lisa K. [illegible]
ASSISTANT CITY ATTORNEY

34705

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance 94-278 + attachments on file in my office.

Witness my hand and official seal this 22nd day of Dec 19 94.

Janett S. Martin
CITY CLERK

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF STATE PLANNING
2740 Centerview Drive
Tallahassee, Florida 32399
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. I, Joseph C. Fincher, Jr., the undersigned owner/authorized representative of Busch Entertainment Corporation (developer), **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** Busch Gardens/Adventure Island DRI (original & current project names) **development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to** City of Tampa, Florida, (local government) **to the** Tampa Bay **Regional Planning Council, and to the Bureau of State Planning, Department of Community Affairs.**

_____ (Date)

_____ (Signature)

Certified as true and correct copy.

Question 2. Applicant (name, address, phone)

RESPONSE:

Busch Entertainment Corporation
3000 E. Busch Boulevard
Post Office Box 9158
Tampa, Florida 33612
(813) 987-5500

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

RESPONSE:

JOSEPH C. FINCHER, JR.
EXECUTIVE VICE PRESIDENT
Busch Entertainment Corporation
3000 E. Busch Boulevard
Post Office Box 9158
Tampa, Florida 33612
(813) 987-5500

STEPHEN A. MICHELINI
Consultant
3824 San Juan Street
Tampa, Florida 33629
(813) 837-6292

L. DAVID DE LA PARTE
Attorney
de la Parte and Gilbert, P.A.
One Tampa City Center, Suite 2300
Tampa, Florida 33601
(813) 229-2775

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

RESPONSE:

The approved project and proposed change is located in Sections 16, 17, 20 and 21, Township 28 South and Range 19 East, City of Tampa, Hillsborough County, Florida, as more particularly described in Attachment "4.1" incorporated herein and made a part hereof as if fully set out below.

Certified as true and correct copy.

Question 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.

RESPONSE:

On April 1, 1981, Developer filed an Application for Development Approval and pursuant to Ordinance No. 7771-A a development order was issued on September 23, 1981 ("Development Order"). On August 12, 1987, Developer filed a Notification of Proposed Change to revise the legal description of the development ("1987 NOPC") and on November 2, 1987, Ordinance No. 9799-A was passed approving the First Amendment to the Development Order ("First Amendment"). On June 14, 1991, Developer filed a Notification of Proposed Change pursuant to Section 380.06(19)(e)(2) requesting an extension of the Development Order as amended ("1991 NOPC") and Ordinance No. 91-163 was passed on September 12, 1991 ("Second Amendment"), extending the date of build out of the development by a period of two (2) years, eleven (11) months and fifteen (15) days to December 15, 1993, and further extending the Development Order expiration date by a period of two (2) years, eleven (11) months, and fifteen (15) days to September 9, 1994. On January 4, 1994, Developer filed a Notification of Proposed Change pursuant to Section 380.06(19)(c)(2) requesting an extension of the Development Order as amended ("1994 NOPC") and Ordinance No. 94-107 ("Third Amendment") was passed on June 16, 1994, further extending the date of buildout on Development Order expiration date by a period of two (2) years to December 15, 1995 and September 9, 1996, respectively.

Subsequent to the filing of the 1991 NOPC and the issuance of Ordinance No. 91-163, Section 380.06(19)(e)(2) was amended to extend by an additional two (2) years the time period for extension of the date of build out of a development as a non-substantial deviation. Section 380.06(19)(e)(2) now provides that a proposed change which involves an extension of the date of build out of a development by five (5) years or more but less than seven (7) years is presumed not to be a substantial deviation.

This proposed change is limited to an extension of the approved build out date and Development Order expiration date by two (2) years which would result in a total extension of the build out and

Certified as true and correct copy.

Development Order expiration dates of six (6) years, eleven (11) months and fifteen (15) days. The proposed time extension of two (2) years, will effect only the build out date and Development Order expiration date. Currently approved thresholds will remain and no modification of these thresholds is being requested.

Pursuant to Section 380.06(19)(e), Florida Statutes, the requested extension is presumed not to be a substantial deviation.

A copy of the currently approved master site plan is attached as attachment 5.1 and no change thereto is planned as a result of the proposed change.

Question 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.**

RESPONSE:

The proposed changes relate solely to an extension of the build out date and Development Order expiration date. No change in land use type or intensity from that approved in the Development Order as amended is proposed or has occurred. Accordingly, the Substantial Deviation Determination Chart is not applicable and has not been completed nor attached as a part of this NOPC.

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

RESPONSE:

RESOLUTIONS OF LOCAL GOVERNMENT

Ordinance 7771-A, original authorizing ordinance, 9-23-81
Ordinance 9799-A, removal of 0.52 acres, 11-2-87
Resolution 0391-H, first ride addition, 10-6-81
Resolution 6534-H, second ride and slide addition, 9-20-84
Resolution 7160-H, third ride & elephant addition, 1-3-85

Certified as true and correct copy.

Resolution 7936-H, fourth addition of restaurant, 5-9-85
Resolution 8202-H, fifth addition Nairobi Theater, 6-27-85
Resolution 9402-H, sixth ride and slide addition, 1-9-86
Resolution 2555-I, seventh addition animal display, 6-4-87
Resolution 3258-I, eighth addition lazy river, 9-17-87
Resolution 88-129, traffic management system, 1-14-88
Resolution 89-146, ninth ride addition, chute, 1-19-89
Resolution 89-1558, tenth addition, Swiss House, 9-7-89
Resolution 90-0916, eleventh addition, Gorillas, 6-7-90
Resolution 91-0143, twelfth addition, river slide, 1-28-91
Resolution 91-163, Extension of DO Expiration Date, 9-12-91
Resolution 92-2, thirteenth addition, roller coaster and tube slide, 109-92

There has been no change in local government jurisdiction since the last approval or development order issued.

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

RESPONSE:

Developer has not purchased or optioned lands within 1/4 mile of the original DRI site subsequent to approval and issuance of the Development Order as amended.

Question 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.**

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

Yes XXX **No _____**

Question 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.**

RESPONSE:

The proposed extension of the build out date and the Development Order expiration date, will not effect phasing of the project as the project was previously approved as a non-phased development. Presently, the build out date and the Development Order expiration date are December 15, 1995, and September 9, 1996, respectively.

The proposed build out date and Development Order expiration date of December 15, 1997, and September 9, 1998, respectively, represents an additional extension of two (2) years and a total extension of six (6) years, eleven (11) months and fifteen (15) days.

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

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

RESPONSE:

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

Question 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.**

RESPONSE:

No change in the approved master site plan will be required for the proposed change.

Certified as true and correct copy.

Question 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;**

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;**

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

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

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**

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.**

RESPONSE:

Appended hereto as Attachment 13.1 is a proposed Development Order incorporating the precise language to be added as the third amendment to the approved DO. Specifically:

a. The requested extension of the existing build out and Development Order expiration dates is addressed in Section 3 of the proposed DO appended hereto as Attachment 13.1.

b. The legal description of the property is appended hereto as Attachment 4.1.

c. N/A

d. September 9, 1998 is the proposed termination date as more fully described in response to Question 5. Said proposed termination date can be found in Section 3 of the proposed DO appended hereto as Attachment 13.1

e. N/A

f. N/A

31804

EXHIBIT A

LEGAL DESCRIPTION

The Busch Gardens Tampa properties can best be described in five parcels or groups of parcels. These parcels are: 1) the Busch Gardens Dark Continent site; 2) the Busch Gardens parking site; 3) Busch Gardens satellite properties; 4) the Busch Gardens Travel Park site; and, 5) the Adventure Island site.

Busch Gardens Dark Continent site

This site is bounded on the East by Malcolm McKinley Drive (also known as 40th Street or State Road 585-A), on the South by Busch Boulevard (State Road 580), on the West by 30th Street (State Road 583), and on its northernmost boundary by Bougainvillea Avenue. An approximate legal description is:

The South 1298.06 feet of the West 522 feet of Section 16, AND an irregular tract in the South 1298.06 feet of the East 2478.3 feet of Section 17, AND the North 2633.6 feet of the East 2704.1 feet of Section 20, AND the North 2605 feet of the West 522 feet of Section 21, LESS the bonded premises (brewery site) retained by Anheuser-Busch, Inc., ALL in Township 28 South, Range 19 East, Hillsborough County, Florida.

Busch Gardens parking site

This site is bounded on the South by Busch Boulevard, on the West by McKinley Drive, on its northernmost boundary by Linebaugh Avenue, and on its easternmost boundary by 42nd Street. An approximate legal description is:

The East 340 feet of the West 8012 feet of the North 1280 feet AND the East 644 feet of the West 1316 feet of the South 855 feet of the North 2135 feet AND the East 1245 feet of the West 1917 feet of the South 475 feet of the North 2610 feet, LESS the East 200 feet of the West 872 feet of the South 200 feet of the North 1772 feet (city fire station) and LESS the East 120 feet of the West 1917 feet of the South 126 feet of the North 2910 feet (hotdog stand), ALL in the NW 1/4 of Section 21, Township 28 South, Range 19 East, Hillsborough County, Florida.

Busch Gardens satellite properties

These properties are three relatively small tracts located across Busch Boulevard to the south of the Busch Gardens Dark Continent site. They are bounded on the North by Busch Boulevard and on the East and West by Larkhall Place and Wick Place, 34th Street and 33rd Street, and 33rd Street and Calder place, respectively. Approximate legal descriptions (listed from East to West) are:

1. The South 125 feet of the North 175 feet of the West 280 feet of the East 1130 feet AND the South 75 feet of the North 250 feet of the West 140 feet of the East 1090 feet;

2. The South 125 feet of the North 175 feet of the West 280 feet of the East 1790 feet AND the South 225 feet of the North 400 feet of the West 140 feet of the East 1650 feet AND the South 250 feet of the North 425 feet of the West 140 feet of the East 1790 feet;

3. The South 125 feet of the North 175 feet of the West 280 feet of the East 2120 feet;

ALL in the SE 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida.

Certified as true and correct copy

Busch Gardens Travel Park site

This site is bounded on the South by Linebaugh Avenue, and on the West by McKinley Drive. An approximate legal description is:

The East 1320 feet of the West 1992 feet of the North 630 feet of the South 680 feet of the SW 1/4 of Section 16, Township 28 South, Range 19 East, Hillsborough County, Florida.

Adventure Island site

This site is bounded on the East by 46th Street, on its southernmost boundary by Linebaugh Avenue and on its northernmost boundary by Bougainvillea Avenue. An approximate legal description is:

The east 1200 feet of the West 2628 feet of the North 625 feet of the South 1305 feet AND the East 640 feet of the West 2628 feet of the North 630 feet of the South 680 feet of the SW 1/4 of Section 16, Township 28 South, Range 19 East, Hillsborough County, Florida.

Certified as a true and correct

CITY OF TAMPA

Janett S. Martin, City Clerk — Office of City Clerk

June 21, 1994

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg FL 32702

RE: Petition No. DZ81-38
Ordinance No. 94-107

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact the office of Land Development Coordination, (813) 223-8405.

Sincerely,

Janett S. Martin
City Clerk

JM/gg

Enclosure: Ordinance No. 94-107
CERTIFIED MAIL

cc: Land Development Coordination

ORDINANCE NO. 94-107

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA APPROVING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FILED BY BUSCH ENTERTAINMENT CORPORATION FOR BUSCH GARDENS, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Ordinance No. 7771-A passed and ordained by the City Council of the City of Tampa, Florida on September 23, 1981, approved a Development Order for Busch Gardens, (the "Development"), a Development of Regional Impact (the "DRI"), hereinafter said Ordinance shall be referred to as the "Development Order"; and

WHEREAS, Ordinance No. 9799-A, passed and ordained by the City Council of the City of Tampa, Florida, on November 2, 1987, approved a first amendment to the Development Order, hereinafter said Ordinance shall be referred to as the "First Amendment"; and

WHEREAS, Ordinance No. 91-163, passed and ordained by the City Council of the City of Tampa, Florida, on September 12, 1991, approved a second amendment to the Development Order, hereinafter said Ordinance shall be referred to as the "Second Amendment"; and

WHEREAS, on January 4, 1994, Busch Entertainment Corporation, (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact and on March 14, 1994, the Developer filed an amendment to said Notification (collectively, the "Notification") pursuant to Subsection 380.06(19), Florida Statutes, for the Busch Gardens DRI, attached hereto as Composite Exhibit "A"; and

WHEREAS the Notification proposed to amend the Development Order, as previously amended by the First Amendment and Second Amendment, by an additional period of two (2) years to extend both the Development Order build-out and expiration dates for a total of four (4) years, eleven (11) months and fifteen (15) days, and further to authorize the relocation of the entrance to Adventure Island from Bouganvilla Avenue to 40th Street hereinafter said changes shall be referred to as the "Proposed Changes"; and

WHEREAS, the Proposed Changes to the Development Order, as previously amended by the First Amendment and Second Amendment, shall constitute the Third Amendment to the Development Order; and

WHEREAS, the City Council has reviewed and considered the Notification as well as all related testimony and evidence submitted by the Developer concerning the Proposed Changes; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380 Florida Statutes, is authorized and empowered to consider the Proposed

Certified as true

Changes and to amend the Development Order, as previously amended by the First Amendment and Second Amendment; and

WHEREAS, Section 380.06, 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 the 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, finds that there is substantial, competent evidence to support the following findings of fact;

A. That the Developer submitted to the City the Notification attached hereto as Composite Exhibit "A".

B. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.

C. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

D. That in accordance with Subsections 380.06(19)(e)2 and 380.06(19)(e)3, Florida Statutes, the Proposed Changes are found not to be a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.

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 herein, subject only to the amendments, conditions, restrictions and limitations set forth herein.

B. That based on the foregoing and pursuant to Subsections 380.06(19)(e)2 and 380.06(19)(e)3, Florida Statutes, the Proposed Changes are found not to be a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.

Section 3. Order. That having made the above findings of fact, and conclusions of law, it is ordered:

A. That the Proposed Changes are hereby approved and the Development Order, as amended by the First Amendment and Second Amendment, is hereby amended to incorporate the Notification.

B. That the Development Order as previously amended by the First Amendment and Second Amendment is hereby amended to extend the date of build out of development by a period of two (2) years to December 15, 1995, and to extend the Development Order expiration date by a period of two (2) years to September 9, 1996.

C. That the Developer is authorized to relocate the entrance to Adventure Island from Bouganvillea Avenue to 40th Street as depicted on the Master Site Plan attached hereto as Exhibit "B" and on Exhibit 3 of the traffic analysis dated March 2, 1994, and attached hereto as Exhibit "C".

D. That the developer, as a condition to the relocation of the entrance to Adventure Island from Bouganvillea Avenue to 40th Street, shall pay for the design and construction of those modifications on 40th Street as depicted on Exhibit "C".

Section 4. Development Order, as Amended. This Ordinance shall constitute the Third Amendment to Ordinance No. 7771-A, as previously amended by Ordinance 9799-A and Ordinance 91-163, which shall constitute, collectively, the Development Order for the Development 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 5. Definitions. 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, its assigns, and its 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 possess 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 matter 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, by certified mail, within five (5) days of its effective date, to the Developer, Joseph C. Fincher, Jr., Busch Entertainment Corporation, 3000 E. Busch Blvd.,

P. O. Box 9158, Tampa, Florida 33612, 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 the 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 COT Home Rule Charter and shall take effect upon transmittal to the parties as specified in Section 9 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUN 16 1994.

Joe Lacs
CHAIRMAN, CITY COUNCIL

APPROVED BY ME JUN 20 1994

Sandra Freedman
MAYOR

ATTEST:
Janett S. Martin
CITY CLERK

APPROVED as to form, by:
Gina K. Grimes
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance 94-107 as Amended on file in my office.
Witness my hand and official seal this 21st day of June, 19 94.

Nancy Townsend
JANETT S. MARTIN, CITY CLERK
CITY CLERK
BY: NANCY TOWNSEND, DEPUTY CITY CLERK

34705

EXHIBITS

Exhibit "A"	Notification of Proposed Change dated January 4, 1994 and Amendment to Notification dated March 11, 1994
Exhibit "B"	Master Site Plan
Exhibit "C"	Traffic Analysis dated March 2, 1994

Certified as a true and correct copy

EXHIBIT A

LEGAL DESCRIPTION

The Busch Gardens Tampa properties can best be described in five parcels or groups of parcels. These parcels are: 1) the Busch Gardens Dark Continent site; 2) the Busch Gardens parking site; 3) Busch Gardens satellite properties; 4) the Busch Gardens Travel Park site; and, 5) the Adventure Island site.

Busch Gardens Dark Continent site

This site is bounded on the East by Malcolm McKinley Drive (also known as 40th Street or State Road 585-A), on the South by Busch Boulevard (State Road 580), on the West by 30th Street (State Road 583), and on its northernmost boundary by Bougainvillea Avenue. An approximate legal description is:

> The South 1298.06 feet of the West 522 feet of Section 16, AND an irregular tract in the South 1298.06 feet of the East 2478.3 feet of Section 17, AND the North 2633.6 feet of the East 2704.1 feet of Section 20, AND the North 2605 feet of the West 522 feet of Section 21, LESS the bonded premises (brewery site) retained by Anheuser-Busch, Inc., ALL in Township 28 South, Range 19 East, Hillsborough County, Florida.

Busch Gardens parking site

This site is bounded on the South by Busch Boulevard, on the West by McKinley Drive, on its northernmost boundary by Linebaugh Avenue, and on its easternmost boundary by 42nd Street. An approximate legal description is:

> The East 340 feet of the West 1012 feet of the North 1280 feet AND the East 644 feet of the West 1316 feet of the South 855 feet of the North 2135 feet AND the East 1245 feet of the West 1917 feet of the South 475 feet of the North 2610 feet, LESS the East 200 feet of the West 872 feet of the South 200 feet of the North 1772 feet (city fire station) and LESS the East 120 feet of the West 1917 feet of the South 125 feet of the North 2910 feet (hotdog stand), ALL in the NW 1/4 of Section 21, Township 28 South, Range 19 East, Hillsborough County, Florida.

Busch Gardens satellite properties

These properties are three relatively small tracts located across Busch Boulevard to the south of the Busch Gardens Dark Continent site. They are bounded on the North by Busch Boulevard and on the East and West by Larkhall Place and Wick Place, 34th Street and 33rd Street, and 33rd Street and Calder place, respectively. Approximate legal descriptions (listed from East to West) are:

1. The South 125 feet of the North 175 feet of the West 280 feet of the East 1130 feet AND the South 75 feet of the North 250 feet of the West 140 feet of the East 1090 feet;

2. The South 125 feet of the North 175 feet of the West 280 feet of the East 1790 feet AND the South 225 feet of the North 400 feet of the West 140 feet of the East 1650 feet AND the South 250 feet of the North 425 feet of the West 140 feet of the East 1790 feet;

3. The South 125 feet of the North 175 feet of the West 280 feet of the East 2120 feet;

ALL in the SE 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida.

CITY OF TAMPA

Frances Henriquez, City Clerk — OFFICE OF CITY CLERK

RECEIVED
SEP 17 1991
Tampa Bay Regional Planning Council

September 16, 1991

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

RE: Petition No. DZ81-38
Ordinance No. 91-163

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,

(Mrs.) Frances Henriquez
City Clerk

FH/gg

mailed 9/16/91
received 9/17/91

Enclosure: Ordinance

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

ORDINANCE NO. 91-163

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA APPROVING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUES, FILED BY BUSCH ENTERTAINMENT CORPORATION FOR BUSCH GARDENS, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Ordinance No. 7771-A passed and ordained by the City Council of the City of Tampa, Florida on September 23, 1981, approved a Development Order for Busch Gardens, (the "Development"), a Development of Regional Impact ("DRI") hereinafter said Ordinance shall be referred to as the "Development Order"); and

WHEREAS, Ordinance No. 9799-A, passed and ordained by the City Council of the City of Tampa, Florida, on November 2, 1987, approved a first amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "First Amendment"); and

WHEREAS, On June 14, 1991, Busch Entertainment Corporation, (the "Developer") filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statues, for the Busch Gardens DRI (the "Proposed Changes"), attached hereto as Composite Exhibit "A"; and

WHEREAS, the Notification proposed to amend the Development Order, as previously amended by the First Amendment by a period of two (2) years, eleven (11) months and fifteen (15) days to extend both the Development Order build-out and expiration dates (hereinafter said change shall be referred to as the "Proposed Changes"); and

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

WHEREAS, Subsection 380.06(19)(e)3., Florida Statutes provides that any change not specified in subsections 380.06(19)(b) or 380.06(19)(c) Florida Statutes is subject to a public hearing pursuant to 380.06(19)(f)3, Florida Statutes; and

WHEREAS, the Proposed Changes include a change in the extension of the Development Order expiration date which will require a public hearing pursuant to Section 380.06(19)(f)3., Florida Statutes; and

WHEREAS, the Proposed Changes to the Development Order, as previously amended by the First Amendment, shall constitute the Second Amendment to the Development Order; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes and Section 43-96.2, City of Tampa Code have been satisfied; and

WHEREAS, the City Council on August 29, 1991 and September 12, 1991, held duly noticed public hearings on the Notification for Proposed Changes and has heard and considered testimony and documents received therein; and

WHEREAS, the City Council has reviewed and considered the Notification 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

Certified as true
and correct copy.

Statutes, is authorized and empowered to consider the Proposed Changes and to amend the Development Order, as previously amended by the First Amendment; and

WHEREAS, all interested parties and members of the public have been afforded an opportunity to be heard at the public hearing on the Proposed Changes before the City Council; and

WHEREAS, the City Council has reviewed and considered the above referenced documents as well as all testimony and evidence submitted by certain parties and members of the general public; and

WHEREAS, Section 380.06, Florida Statutes, requires that a Development Order be amended to reflect the 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 the 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, finds that there is substantial, competent evidence to support the following findings of fact:

A. That the Developer submitted to the City the Notification attached hereto as Composite Exhibit "A".

B. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.

C. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

D. That in accordance with Subsections 380.06(19)(e)2 and 380.06(19)(e)3, Florida Statues, the Proposed Changes are found not to be a substantial deviation under the provisions of Subsection 380.06(19), Florida Statues.

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

A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record of these proceedings, the Developer is authorized to conduct the Development as described herein, subject only to the amendments, conditions, restrictions and limitations set forth herein.

B. That based on the foregoing and pursuant to Subsections 380.06(19)(e)2 and 380.06(19)(e)3, Florida Statutes, the Proposed Changes are found not to be a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.

Section 3. Order. That having made the above findings of fact, and conclusions of law, it is ordered:

A. That the Proposed Changes are hereby approved and the Development Order, as amended by the First Amendment, is hereby

B. That the Development Order as previously amended by the First Amendment is hereby amended to extend the date of buildout of development by a period of two (2) years, eleven (11) months and fifteen (15) days to December 15, 1993, and to extend the Development Order expiration date by a period of two (2) years, eleven (11) months and fifteen (15) days to September 9, 1994.

Certified as true and correct copy

Section 4. Development Order, as Amended. This Ordinance shall constitute the Second Amendment to Ordinance No. 7771-A, as previously amended by Ordinance 9799-A, which shall constitute, collectively, the Development Order for the Development 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 5. Definitions. The definitions contained in Chapter 380, Florida Statues, 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, its assigns, and its 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 possess 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, by certified mail, within five (5) days of its effective date, to the Developer, 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 the copies of this Ordinance to the recipients specified in Chapter 380, Florida Statues.

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 take effect immediately upon being rendered in accordance with law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON SEP 12 1991

Joe Greco

CHAIRMAN, CITY COUNCIL

APPROVED BY ME SEP 12 1991

[illegible] Friedman

ATTEST:

[illegible]

CITY CLERK

APPROVED as to form by:

Gina K. Grimes

ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a [illegible] of Ordinance No 91-163 on file in my office.

Witness my hand and official seal this 16th day of Sept 1991.

[illegible], CITY CLERK
By: [illegible]
CITY CLERK
Deputy City Clerk

RESOLUTION NO. 90- 0916

A RESOLUTION APPROVING AND AUTHORIZING THE ELEVENTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 10, 1990, the developer submitted plans for its eleventh expansion of Busch Gardens pursuant to a development order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing and Development Coordination has submitted a report and recommendation to the City Council recommending approval of this eleventh expansion; and

WHEREAS, the impacts of the eleventh expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A;

NOW, THEREFORE

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

Section 1. That the Gorilla and Chimpanzee Display to be located in the Boma area of the Busch Gardens Theme Park as expansion eleven to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part hereof as Exhibit A, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion does not constitute approval of the assumptions submitted in the proposal for expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON June 7, 1990.

ATTEST:

CITY CLERK

CHAIRMAN, CITY COUNCIL

PREPARED AND APPROVED BY:

Gina K. Grimes
GINA K. GRIMES
ASSISTANT CITY ATTORNEY

RESOLUTION NO. 91- 0143

A RESOLUTION APPROVING AND AUTHORIZING THE TWELFTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 17, 1991, the developer submitted plans for its twelfth expansion of Busch Gardens pursuant to a development order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing and Development Coordination has a submitted a report and recommendation to the City Council recommending approval of this twelfth expansion; and

WHEREAS, the impacts of the twelfth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A;

NOW, THEREFORE

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

Section 1. That the Continuous River to be located in the Adventure Island area of the Busch Gardens Theme Park as expansion twelve to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part thereof as Exhibit A, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion does not constitute approval of the assumptions submitted in the proposal for expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 5. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JAN 24 1991.

Lee Duncan
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

PREPARED AND APPROVED BY:

GINA K. GRIMES
ASSISTANT CITY ATTORNEY

RECEIVED
JAN 28

720.GU

HICS

RESOLUTION NO. 89-456

A RESOLUTION APPROVING AND AUTHORIZING THE TENTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 25, 1989, the developer submitted plans for its tenth expansion of Busch Gardens pursuant to a development order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing and Development Coordination has submitted a report and recommendation to the City Council recommending approval of this tenth expansion; and

WHEREAS, the impacts of the tenth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A;

NOW, THEREFORE,

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

Section 1. That the "Fantasy Ride" to be located in the area of the remodeled Old Swiss House and new Clydesdale Hamlet of the Busch Gardens Theme Park as expansion ten to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part hereof, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion does not constitute approval of the assumptions submitted in the proposal for expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 5. That this Resolution shall take effective immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON SEP 07 1989.

ATTEST:

CITY CLERK

CHAIRMAN, CITY COUNCIL

PREPARED BY:

Gina K. Grimes

GINA K. GRIMES
ASSISTANT CITY ATTORNEY

(72)

#172- D-C - [illegible] (Brown)

Legal

RESOLUTION NO. 89- [illegible]

A RESOLUTION APPROVING AND AUTHORIZING THE NINTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 5, 1988, the Developer submitted plans for its ninth expansion of Busch Gardens pursuant to a Development Order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing and Development Coordination has submitted a report and recommendation to the City Council recommending approval of this ninth expansion; and

WHEREAS, the impacts of the ninth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A;

NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF TAMPA:

Section 1. That the "Shoot the Chute" attraction to be located on approximately three acres of land in the theme park as expansion nine to Busch Gardens' DRI, a copy of which proposal is attached hereto as Exhibit A, and by reference made a part hereof, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion does not constitute approval of the assumptions submitted in the Proposal for Expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 5. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JAN 19 198[illegible].

Lee Duncan
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Hennigan
CITY CLERK

"Shoot the Chute" Ride

Prepared and Approved by:

Gina K. Grimes
GINA K. GRIMES
ASSISTANT CITY ATTORNEY

Busch Gardens
Expansion #9

#172 - D-C - files (brown)
72

CITY OF TAMPA

Frances Henriquez, City Clerk — OFFICE OF CITY CLERK

January 10, 1992

RECEIVED
JAN 13 1992
Tampa Bay Regional Planning Council

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg FL 32702

RE: Petition No. DZ81-38
Resolution No. 92-2

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,

(Mrs.) Frances Henriquez
City Clerk

FH/gg

Enclosure: Resolution

CERTIFIED MAIL

cc: Susan Swift, Manager, Land Development Coordination

CITY OF TAMPA

Frances Henriquez, City Clerk — OFFICE OF CITY CLERK

January 19, 1988

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

RE: Petition No. DZ 81-38
Petitioner: Busch Gardens

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,

Frances Henriquez
City Clerk

FH/eag

Enclosure: Resolution # 88-129

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

RESOLUTION NO. 88-129

RESOLUTION ADOPTING A TRAFFIC MANAGEMENT SYSTEM AND IMPLEMENTATION PROGRAM FOR THE BUSCH GARDENS DEVELOPMENT OF REGIONAL IMPACT PURSUANT TO ORDINANCE NO. 7771-A; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Ordinance No. 7771-A which rendered a Development Order for Busch Gardens Development Of Regional Impact, Developer is required to do a study to identify the specific traffic impacts attributable to Developer's development activities and potential methods for offsetting those impacts; and

WHEREAS, Developer has submitted a study with three alternative transportation mitigation plans attached as Exhibit "A"; and

WHEREAS, City Staff, Tampa Bay Regional Planning Council, Hillsborough County and Florida Department of Transportation have recommended the selection of and have approved an alternative which calls for significant changes to the entrance to the east (Giraffe) lot from 40th Street, to the vehicle circulation within the Giraffe and Camper lots and to the manner in which vehicles will be directed into the Busch Gardens parking lots from 40th Street. This transportation plan also includes a signing plan design to eliminate existing signing confusion and to efficiently distribute traffic onto high capacity routes to and from Busch Gardens; and

WHEREAS, Developer has committed to implement said plan; and

WHEREAS, the appropriate vehicle to evidence the commitment of the Developer is by resolution;

NOW, THEREFORE,

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

Section 1. That the below listed improvements are necessary to mitigate the traffic impacts of the development.

A. Reconstruction of the entrance lanes, toll plaza and egress system within Giraffe and Camper lots as illustrated on Exhibit "B."

B. Upgrading the traffic signal controller for 40th Street/East-West Busch Gardens parking lot access to provide protected left turns for east-west approaches.

C. Implementation of a traffic system management plan which incorporates the following:

1. Initially direct all Busch Gardens visitors to the west (Lion) lot entrance.

2. When queues extend 250 feet in advance of the Lion lot toll plaza, direct entering vehicles as follows: Northbound on 40th Street to the east (Giraffe) lot, southbound on 40th Street to the west (Lion) lot.

3. When the west lots are full, direct all entering vehicles to the east lots.

D. A signing plan which includes provision for the following:

1. Relocation of existing of Florida Department of Transportation (FDOT) signing at the I-4/U.S. 301 interchange such that traffic is directed onto I-75 northbound to the Fowler Avenue exit if approved by FDOT. If prohibited by FDOT, then this function will need to be accomplished using billboards on I-4 in advance of I-75.

2. Revision of the overhead directional signing for vehicles northbound on 40th Street to be consistent with intersection modifications.

3. Installation of an additional sign bridge and overhead variable direction signing on north approach of 40th Street which directs visitor vehicles southbound on 40th Street to the appropriate parking facilities.

Section 2. That developer is responsible for one hundred (100%) percent of the cost associated with the above and shall implement the above within twelve months of the effective date of this Resolution. If the plan in Section 1 is not implemented within twelve months, developer will be deemed not to be in compliance with Section 4(p)(3) of Ordinance No. 7771-A and no further building permits shall be issued for the Development.

Section 3. That compliance with the above Section shall satisfy Section 4(p)(3) of Ordinance No. 7771-A.

Section 4. That upon expiration of the twelve month period for implementing of the plan approved herein, the Developer shall provide certification of implementation of the approved plan to Housing and Development Coordination (HDC). HDC shall verify compliance within thirty (30) days of receipt of the certification and notify Developer of its acceptance or denial of the certification.

Section 5. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 6. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JAN 14 1988.

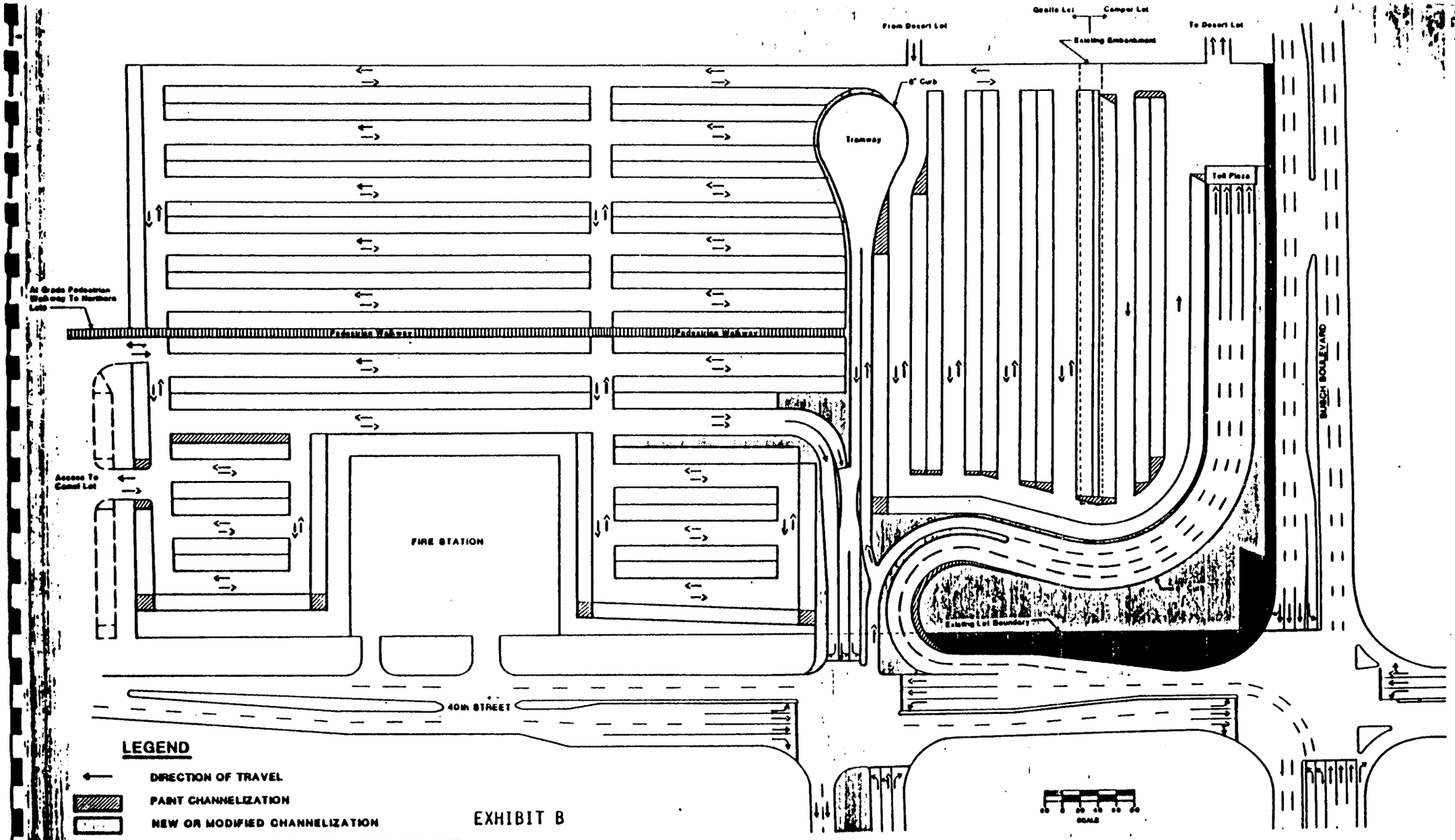
Tom Vann
CHAIRMAN, ~~CITY~~ COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

Prepared and Approved by:

Paul Kk
ASSISTANT CITY ATTORNEY



PBSJ	BUSCH ENTERTAINMENT CORPORATION TAMPA, FLORIDA	GIRAFFE-CAMPER LOT	FIGURE 19

Agenda Item # 4.C.
11/30/87

DEVELOPMENT ORDER REPORT

DRI #72

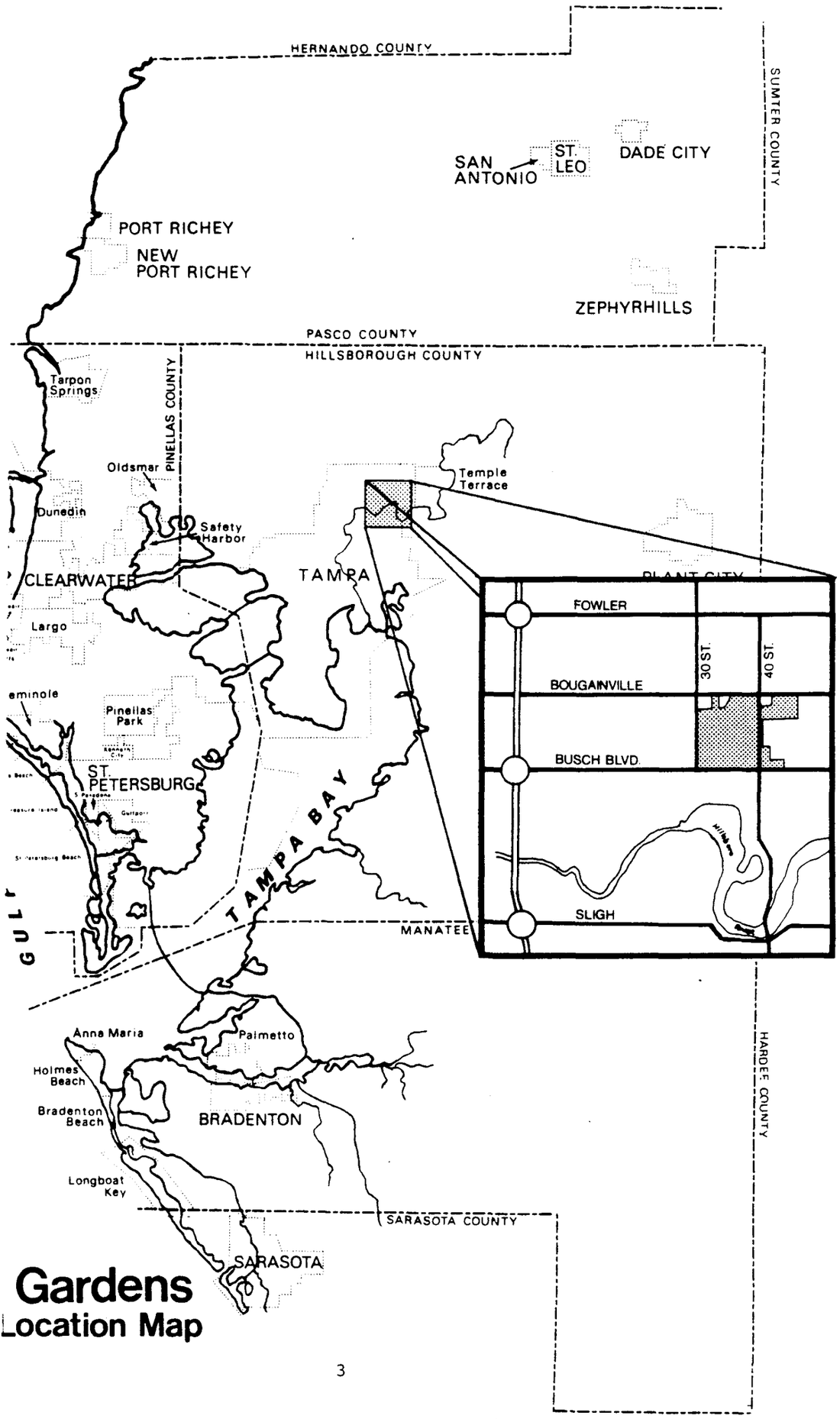
BUSCH GARDENS EXPANSION

CITY OF TAMPA

'ember 5, 1987, the Council received a copy of an Amendment (Ordinance ١) to the Busch Gardens Development Order adopted by the City of Tampa :ouncil on October 29, 1987. In accordance with Section 380.07, F.S., :velopment Order Amendment has been reviewed for consistency with .l's DRI final report and with the original Development Order approved)tember 22, 1981.

ıendment approves and authorizes the removal of 0.52 acres frOM Busch ıs' Bird Garden section of the Busch Garden Expansion site. All :ions of the original Development Order, as well as previous ıents, remain in full force.

ımendment has been determined to be consistent with the Council's :d Final Report of August 10, 1981. It is therefore recommended that :ouncil concur with the Busch Gardens Expansion Development Order ıent as issued by the City of Tampa.



Gardens
Location Map

#72

CITY OF TAMPA

Frances Henriquez, City Clerk — OFFICE OF CITY CLERK

November 3, 1987

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

RE: Petition No. DZ81-38
Petitioner: Busch Gardens

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,

Frances Henriquez
City Clerk

FH/eag

Enclosure:

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

ORDINANCE 9799 -A

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, RENDERING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR BUSCH GARDENS DEVELOPMENT OF REGIONAL IMPACT, CITY OF TAMPA ORDINANCE NO. 7771-A, PURSUANT TO SECTION 380.06(19), FLORIDA STATUTES (1985), ON A NOTIFICATION OF A PROPOSED CHANGE TO BUSCH GARDENS DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 1, 1981, Busch Entertainment Corporation (the "Developer") filed an Application for a Development of Regional Impact ("DRI") with the City of Tampa (the "City"), Hillsborough County City-County Planning Commission, Hillsborough County Environmental Protection Commission, Florida Department of Veteran and Community Affairs and the Tampa Bay Regional Planning Council, pursuant to the provisions of Section 3806.06, Florida Statutes (1980) and Section 43-96.2, City of Tampa Code; and

WHEREAS, on August 12, 1987 the Developer filed a document entitled "Notification of a Proposed Change to a Previously Approved Development of Regional Impact (DRI)" with the City, the Tampa Bay Regional Planning Council ("TBRPC") and the State of Florida Department of Community Affairs ("DCA"), pursuant to the provisions of Subsection 380-06(10) and Section 43-96.2, City of Tampa Code; which request, shall constitute the entire application for amendment of the Order and shall be hereinafter referred to as the "Proposed Amendment" and attached hereto as Composite Exhibit "B";

WHEREAS, the Developer proposes modifications to the Order as are more fully described in Section 1, below; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Section 380.06(19), is authorized and empowered to consider requests for amendments to the Order; and

WHEREAS, the public notice requirements of Section 380.06(19) and the City of Tampa have been satisfied; and

WHEREAS, the City Council has, on September 24, 1987 held a duly noticed hearing on the Proposed Amendment and has heard and considered testimony and documents thereon; and

WHEREAS, the City Council has received and considered the report and recommendations of the TBRPC; and

WHEREAS, all interested parties and members of the public were afforded the opportunity to participate in the public hearing on the Proposed Amendment before the City Council; and

WHEREAS, the City Council has reviewed the above referenced documents, as well as all related testimony and evidence submitted by all persons and members of the general public.

NOW, THEREFORE,

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

Section 1. That City Council, having received the above testimony and evidence submitted by all persons and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

A. That the Developer submitted to the City the Proposed Amendment attached hereto as Composite "B."

B. That the Development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1985), as amended.

C. That the Project is consistent with all local land development regulations and the local comprehensive plan.

D. That this Ordinance is consistent with the report and recommendations of the TBRPC and satisfies the provisions of Section 380.6(14), Florida Statutes, as amended.

E. That the Development will not unreasonably interfere with the achievement of objectives of the adopted state land development plan applicable to the area.

F. That a comprehensive review of the impacts generated by the Proposed Amendment has been conducted by the City departments and the TBRPC.

Section 2. That the City Council having made the above findings and fact, reaches 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 this proceeding, the various departments of the City and the Developer are authorized to approve/conduct development as described herein subject to the conditions, restrictions and limitations set forth herein.

B. That the review by the City, the TBRPC and other participating agencies and interested citizens reveals that the impacts of the Proposed Amendment are adequately addressed pursuant to the requirements of Chapter 380, within the terms and conditions of the Order and the Proposed Amendment, to the extent not inconsistent with this Ordinance.

C. That the Proposed Amendment does not constitute a substantial deviation from the Order.

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

Section 4. That having made the above findings of fact and drawn the above conclusions of law, it is further ordered that the Order is hereby amended by amending Exhibit "A", as attached hereto.

Section 5. That definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Amendment to the Order.

Section 6. This Ordinance shall constitute the Amendment to the Order in response to the Proposed Amendment. All provisions

of the Order, except as amended hereby, shall be and remain in full force and effect and shall be considered conditions of this Amendment to the Order, unless inconsistent with the terms and conditions of this Amendment to the Order, in which case the terms and conditions of the Amendment to the Order shall control.

Section 7. That this Amendment to the Order shall be binding upon the Developer, its assigns or successors in interest.

Section 8. 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 Amendment to the Order.

Section 9. That in the event any portion or section of this Amendment to the Order 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 Amendment to the Order, which shall remain in full force and effect.

Section 10. That the City Clerk is directed to send copies of this Amendment to the Order, within five (5) days of the effective date of this Ordinance, to the Developer, Hillsborough County, the Florida Department of Transportation, the DCA and the TBRPC.

Section 11. That this Amendment to the Order shall be deemed rendered upon transmittal of the copies of this Order to the recipients specified in Chapter 380.

Section 12. That the Developer shall record a Notice of Adoption of this Amendment to the Order pursuant to Chapter 380.

Section 13. That this Ordinance shall take effect immediately upon becoming a law. A copy hereof shall be posted on

the bulletin board in the hall of the first floor of the City Hall in the City of Tampa, Florida, for the convenience of the public.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, on OCT 29 1987.

CHAIRMAN, CITY COUNCIL

ATTEST:

CITY CLERK

APPROVED BY ME ON:

NOV 02 1987

SANDRA W. FREEDMAN, MAYOR

Prepared and Approved by:

PAMELA K. AKIN
Chief Assistant City Attorney

SCRIPTION: [redacted]

The Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; together with Lots 46 through 49 inclusive, Tampa Industrial Park, as recorded in Plat Book 34, Page 79, of the Public Records of Hillsborough County, Florida; LESS Road Right-of-Way for 30th Street, and LESS Road Right-of-Way for Temple Terrace Highway (S. R. #580), and LESS Road Right-of-Way for Malcom McKinley Drive; and LESS a portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Begin at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S00°-10'-16"W along the Easterly Right-of-Way bounuary of 30th Street a distance of 1327.63 feet for a Point of Beginning.

Thence S89°-43'-38"E a distance of 696.14 feet; thence N00°-16'-22"E a distance of 156.74 feet; thence S89°-43'-38"E a distance of 63.14 feet; thence S00°-16'-22"W a distance of 124.67 feet; thence S89°-43'-38"E a distance of 121.53 feet; thence S00°-16'-22"W a distance of 63.98 feet; thence S89°-43'-38"E a distance of 200.04 feet; thence N23°-20'-12"E a distance of 166.41 feet; thence S89°-42'-58"E a distance of 26.10 feet; thence S11°-38'-37"W a distance of 157.50 feet; thence S00°-21'-03"E a distance of 191.95 feet; thence N89°-38'-57"E a distance of 69.23 feet; thence S00°-14'-16"W a distance of 595.49 feet; thence N89°-45'-44"W a distance of 548.10 feet to a point designated as Point "A"; thence S00°-14'-16"W a distance of 60.40 feet to a point designated as Point "B"; thence S89°-45'-44"E a distance of 103.0 feet; thence S00°-14'-16"W a distance of 399.17 feet to a point on the Northerly Right-of-Way boundary of Temple Terrace Highway (S. R. #580); thence along the Northerly Right-of-Way boundary of Temple Terrace Highway the following courses and distances: N89°-43'-44"W a distance of 11.08 feet; thence N70°-43'-49"W a distance of 27.65 feet; thence N26°-37'-30"W a distance of 29.24 feet; thence N04°-20'-04"W a distance of 1.15 feet; thence N89°-43'-44"W a distance of 40.13 feet; thence S04°-20'-04"E a distance of 32.72 feet; thence S51°27'-59"W a distance of 5.76 feet; thence N89°-43'-44"W a distance of 30.47 feet; thence N00°-14'-16"E from said Northerly Right-of-Way boundary of Temple Terrace Highway (S. R. #580) a distance of 399.09 feet; thence S89°-45'-44"E a distance of 20.0 feet to Point "B"; thence N00°-14'-16"E a distance of 60.40 feet to Point "A"; thence continue N00°-14'-16"E a distance of 87.79 feet; thence N89°-45'-44"W a distance of 46.0 feet; thence N00°-14'-16"E a distance of 99.27 feet; thence N89°-45'-44"W a distance of 125.36 feet; thence N00°-14'-16"E a distance of 11.50 feet; thence N89°-45'-44"W a distance of 143.50 feet; thence N00°-14'-16"E a distance of 114.0 feet; thence N89°-45'-44"W a distance of 128.0 feet; thence N00°-14'-16"E a distance of 126.33 feet; thence N31°-59'-16"E a distance of 192.93 feet; thence N23°-24'-56"E a distance of 82.77 feet; thence S89°-49'-44"E a distance of 43.28 feet; thence S00°-10'-16"W a distance of 38.0 feet; thence S89°-49'-44"E a distance of 62.50 feet; thence N00°-10'-16"E a distance of 169.19 feet; thence N89°-43'-38"W a distance of 461.02 feet to a point on the Easterly Right-of-Way boundary of 30th Street; thence N00°-10'-16"E along the Easterly Right-of-Way boundary of 30th Street a distance of 10.0 feet to the Point of Beginning
Subject to an easement for Railroad and Utilities over and across the following described lands:

A portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Begin at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S89°-58'-31"E along the North boundary of the Northeast 1/4 of Section 20 a distance of 1222.65 feet for a Point of Beginning.

Thence continue S89°-58'-31"E along the North boundary of the Northeast 1/4 of Section 20 a distance of 40.0 feet; thence S00°-11'-34"W a distance of 948.43 feet to a point of curvature; thence on an arc to the right a distance of 149.29 feet, with a radius of 362.20 feet, subtended by a chord of 148.24 feet; chord bearing S12°-00'-05"W to a point of tangency; thence S23°-48'-34"W a distance of 129.06 feet; thence N89°-42'-58"W a distance of 43.62 feet; thence N23°-48'-34"E a distance of 146.48 feet to a point of curvature; thence on an arc to the left a distance of 132.81 feet, with a radius of 322.20 feet, subtended by a chord of 131.87 feet; chord bearing N12°-00'-05"E to a point of tangency; thence N00°-11'-34"E a distance of 948.31 feet to the Point of Beginning.
Subject to an easement for water facilities over and across the following described lands:

Beginning at the Northwest corner of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; run East (assumed bearing) a distance of 100 feet to a point on the East Right-of-Way boundary of 30th Street; thence run South along the East Right-of-Way boundary of 30th Street a distance of 470 feet for a Point of Beginning.

(continued)

Thence East to a point 6 feet East of the East Right-of-Way boundary of 30th Street; thence South parallel with the East Right-of-Way boundary of 30th Street a distance of 20 feet; thence West to a point on the East Right-of-Way boundary of 30th Street a distance of 6 feet; thence North along the East Right-of-Way boundary of 30th Street a distance of 20 feet to the Point of Beginning.

LESS and except the following described:
A portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Commence at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S00°-10'-16"W (assumed bearing) along the Easterly Right-of-Way boundary of 30th Street (said Easterly Right-of-Way boundary being 100.0 feet East of and parallel with the West boundary of the Northeast 1/4 of Section 20) a distance of 1337.63 feet; thence S89°-43'-38"E a distance of 355.24 feet for a Point of Beginning.

Thence continue S89°-43'-38"E a distance of 105.78 feet; thence S00°-10'-16"W a distance of 169.19 feet; thence N89°-49'-44"W a distance of 62.50 feet; thence N00°-10'-16"E a distance of 38.0 feet; thence N89°-49'-44"W a distance of 43.28 feet; thence N00°-10'-16"E a distance of 131.37 feet to the Point of Beginning.

AND

A portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Commence at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S00°-10'-16"W (assumed bearing) along the Easterly Right-of-Way boundary of 30th Street (said Easterly Right-of-Way boundary being 100.0 feet East of and parallel with the West boundary of the Northeast 1/4 of Section 20) a distance of 1337.63 feet; thence S89°-43'-38"E a distance of 355.24 feet; thence S00°-10'-16"W a distance of 131.37 feet; thence S23°-24'-56"W a distance of 82.77 feet; thence S31°-59'-16"W a distance of 192.93 feet; thence S00°-14'-16"W a distance of 114.72 feet for a Point of Beginning.

Thence continue S00°-14'-16"W a distance of 11.61 feet; thence S89°-45'-44"E a distance of 128.0 feet; thence S00°-14'-16"W a distance of 114.0 feet; thence S89°-45'-44"E a distance of 11.33 feet; thence S00°-14'-16"W a distance of 30.06 feet; thence N89°-45'-44"W a distance of 168.33 feet; thence N00°-14'-16"E a distance of 155.67 feet; thence S89°-45'-44"E a distance of 29.0 feet to the Point of Beginning.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF RESOURCE MANAGEMENT
2571 Executive Center Circle, East
Tallahassee, Florida 32301-8244

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

1. I, JOSEPH C. FINCHER, the undersigned authorized representative of Busch Entertainment Corporation, hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes (1985). In support thereof, I submit the following information concerning the Busch Gardens development, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa, to the Tampa Bay Regional Planning Council and to the Bureau of Resource Management, Department of Community Affairs.

August 12, 1987
Date

Signature of
Authorized Representative

2. Applicant:

Joseph C. Fincher, General Manager
Dark Continent
Busch Entertainment Corporation
3605 Bougainvilla
Tampa, Florida 33612
(813) 988-5171

3. Authorized Agent:

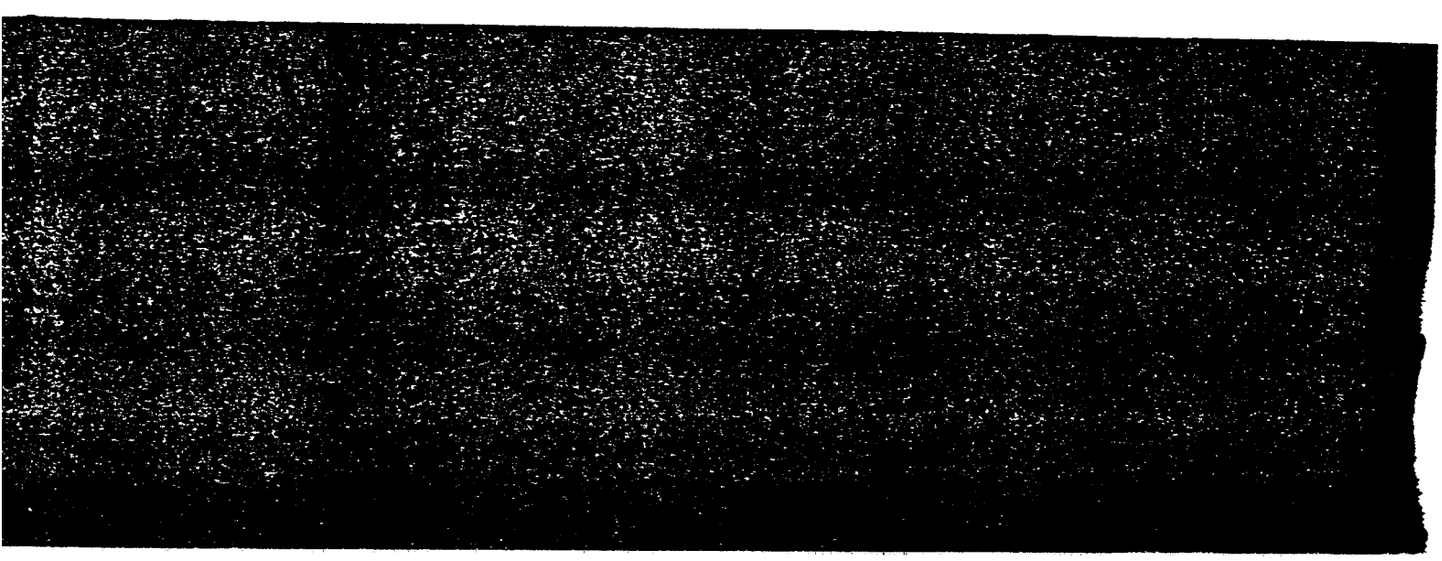
L. David de la Parte, Esquire
de la Parte, Gilbert & Gramovot, P.A.
705 E. Kennedy Boulevard
Tampa, Florida 33602
(813) 229-2775

4. Location of Approved DRI:

Busch Gardens Dark Continent site:

The South 1298.06 feet of the West 522 feet of Section 16, AND an irregular tract in the South 1298.06 feet of

COMPOSITE EXHIBIT "B"



the East 2478.3 feet of Section 17, AND the North 2633.6 feet of the East 2704.1 feet of Section 20, AND the North 2605 feet of the West 522 feet of Section 21, LESS the bonded premises (brewery site) retained by Anheuser-Busch, Inc., ALL in Township 28 South, Range 19 East, City of Tampa, Hillsborough County, Florida.

Busch Gardens parking site:

The East 340 feet of the West 1012 feet of the North 1280 feet AND the East 644 feet of the West 1316 feet of the South 855 feet of the North 2135 feet AND the East 1245 feet of the West 1917 feet of the South 475 feet of the North 2610 feet, LESS the East 200 feet of the West 872 feet of the South 200 feet of the North 1772 feet (city fire station) and LESS the East 120 feet of the West 1917 feet of the South 125 feet of the North 2910 feet (hotdog stand), ALL in the NW 1/4 of Section 21, Township 28 South, Range 19 East,City of Tampa, Hillsborough County, Florida.

Busch Gardens satellite properties:

1. The South 125 feet of the North 175 feet of the West 280 feet of the East 1130 feet AND the South 75 feet of the North 250 feet of the West 140 feet of the East 1090 feet;

2. The South 125 feet of the North 175 feet of the West 280 feet of the East 1790 feet AND the South 225 feet of the North 400 feet of the West 140 feet of the East 1650 feet AND the South 250 feet of the North 425 feet of the West 140 feet of the East 1790 feet;

3. The South 125 feet of the North 175 feet of the West 280 feet of the East 2120 feet;

ALL in the SE 1/4 of Section 20, Township 28 South, Range 19 East,City of Tampa, Hillsborough County, Florida.

Busch Gardens Travel Park site:

The East 1320 feet of the West 1992 feet of the North 630 feet of the South 680 feet of the SW 1/4 of Section 16, Township 28 South, Range 19 East, City of Tampa, Hillsborough County, Florida.

Adventure Island site:

The east 1200 feet of the West 2628 feet of the North 625 feet of the South 1305 feet AND the East 640 feet of the West 2628 feet of the North 630 feet of the South 680 feet of the SW 1/4 of Section 16, Township 28 South, Range 19 East, City of Tampa, Hillsborough County, Florida.

Location of Proposed Change:

A portion of the Northeast 1/4 of Section 20, Township 28, South, Range 19 East, City of Tampa, Hillsborough County, Florida, more particularly described as follows:

Commence at the intersection of the easterly right-of-way boundary of 30th Street and the north boundary of the Northeast 1/4 of stated section 20 thence S00°-10'-16"W (Assumed Bearing) along the Easterly right-of-way boundary of 30th Street (said easterly right-of-way boundary being 100.00 feet East of and parallel with the West boundary of the Northeast 1/4 of Section 20) a distance of 1337.63 feet, thence S89°-43'-38"E A distance of 355.24 feet, thence S00°-10'-16"W A distance of 131.37 feet, thence s23°-24'-56"W A distance of 82.77 feet, thence S31°-59'-16"W A distance of 192.93 feet, thence S00°-14'-16"W A distance of 114.72 feet for a point of beginning.

Thence continue S00°-14'-16"W A distance of 11.61 feet, thence S89°-45'-44"E A distance of 128.0 feet, thence S00°-14'-16"W A distance of 114.0 feet, thence S89°-45'-44"E A distance of 11.33 feet, thence S00°-14'-16"W A distance of 30.06 feet, thence N89°-45'-44"W A distance of 168.33 feet, thence N00°-14'-16"E A distance of 155.67 feet, thence S89°-45'-44"E A distance of 29.0 feet to the point of beginning.

5. Describe and indicate on a project master site plan map or other maps all individual changes previously made to the development.

None.

6. Describe and indicate on a project master site plan map all currently proposed changes to the development.

See Exhibit "A".

Additionally, supply information for appropriate portions of the chart below, indicating the proposed project changes.

Substantial Deviation Chart

Type of Land Use	Change Category	Last Approved No.	Proposed No.
Attraction/ Recreation	No. parking spaces (guest/employees)	*7,212	None
	No. Spectators (Annually)	*4,855,000	None
	No. Seats	N/A	None
	Site locational changes	None	None
	Acreage incl. drainage, row, easements, etc.	Approx. 366 acres	removal of .52 acres
	No. External Vehicle Trips	5,134	None

*At end of Phase III of development

7. Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued?

No.

8. Describe any lands purchased or optioned within one mile of the original DRI site subsequent to the original approval or issuance of the DRI development order.

Parcel A:

Currently under contract, Applicant having no present intention of developing and making a part of the existing development.

(See Composite Exhibit "C")

Parcel B:

Currently under option, Applicant having no present intention of developing and making a part of the existing development.

(See Composite Exhibit "C")

9. Briefly describe whether and the extent to which:

a. The proposed change may be inconsistent with any objectives or policies of the adopted state land development plan (or, in its absence, the adopted state comprehensive plan) applicable to the area;

Proposed change not inconsistent with adopted state plan.

b. The proposed change may be inconsistent with any local land development regulations or the adopted local comprehensive plan.

Proposed change not inconsistent with any local regulations or adopted local plan.

Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.00(15), Florida Statutes, and 9J-2.25, Florida Administrative Code:

10. 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 Exhibit "B".

11. 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.

For Revised legal description of the Busch Gardens Dark Continent site/See Exhibit "D"

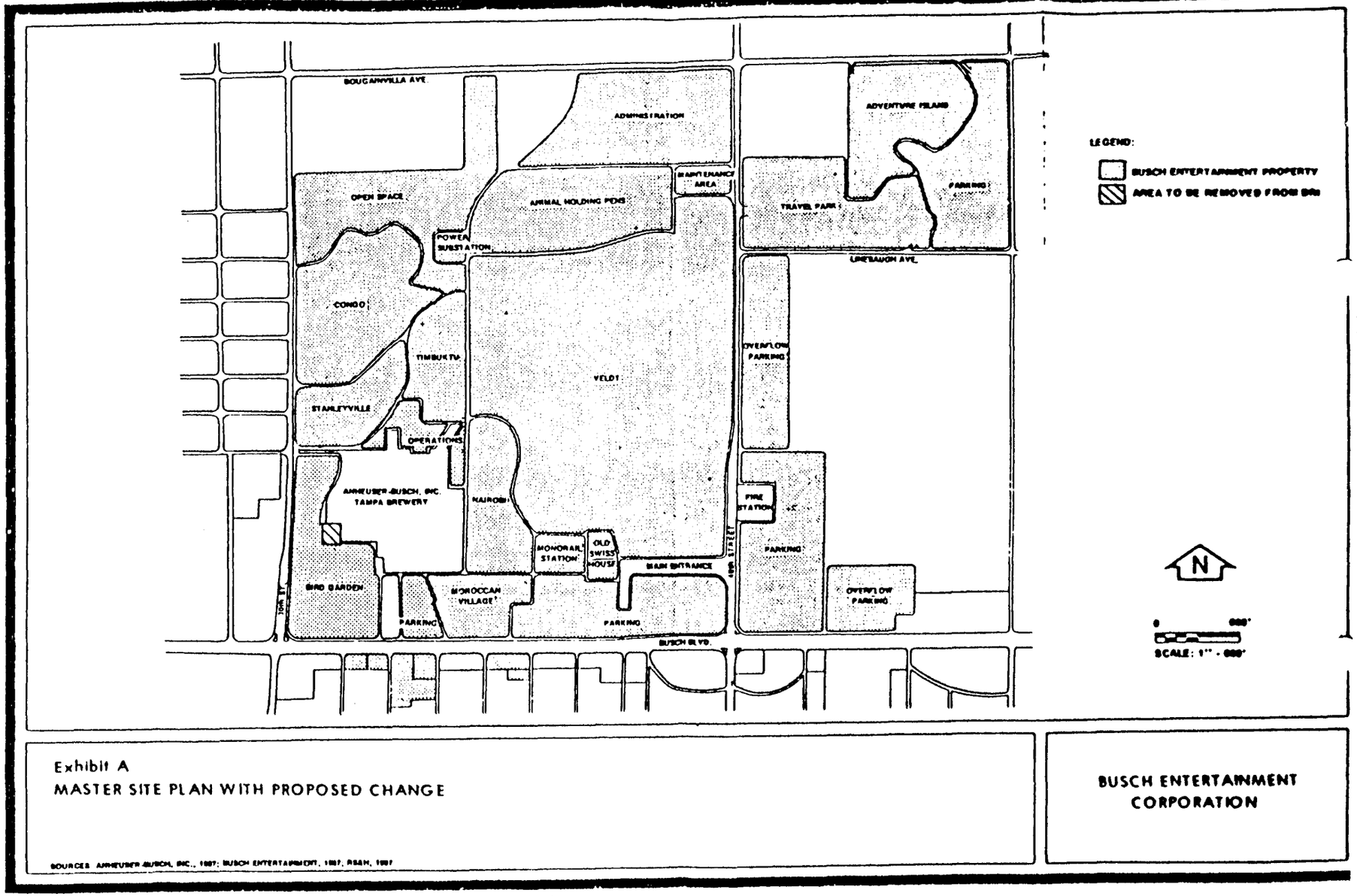


Exhibit A
MASTER SITE PLAN WITH PROPOSED CHANGE

SOURCES: ANHEUSER-BUSCH, INC., 1997; BUSCH ENTERTAINMENT, 1997; RS&H, 1997

BUSCH ENTERTAINMENT CORPORATION

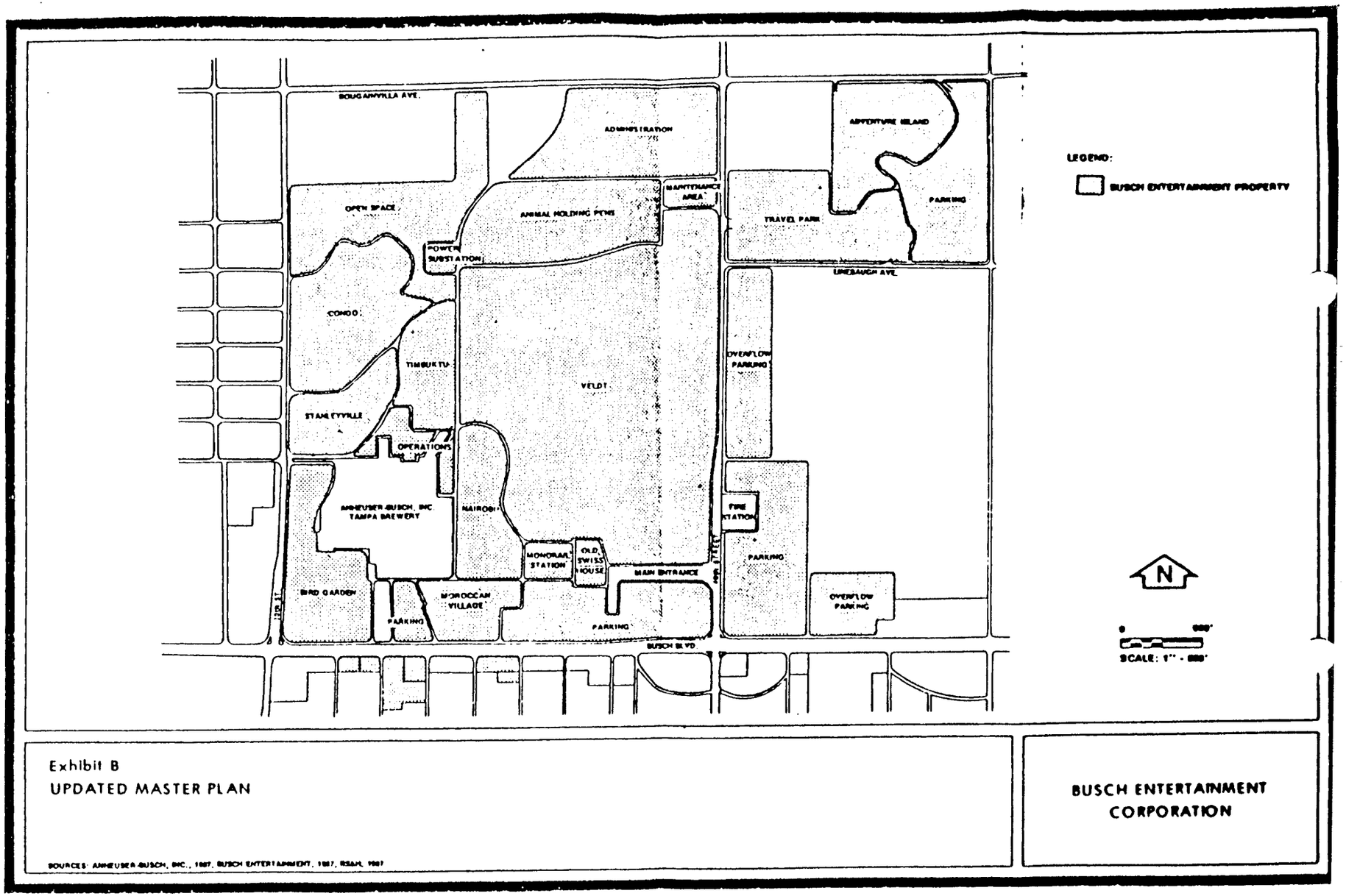
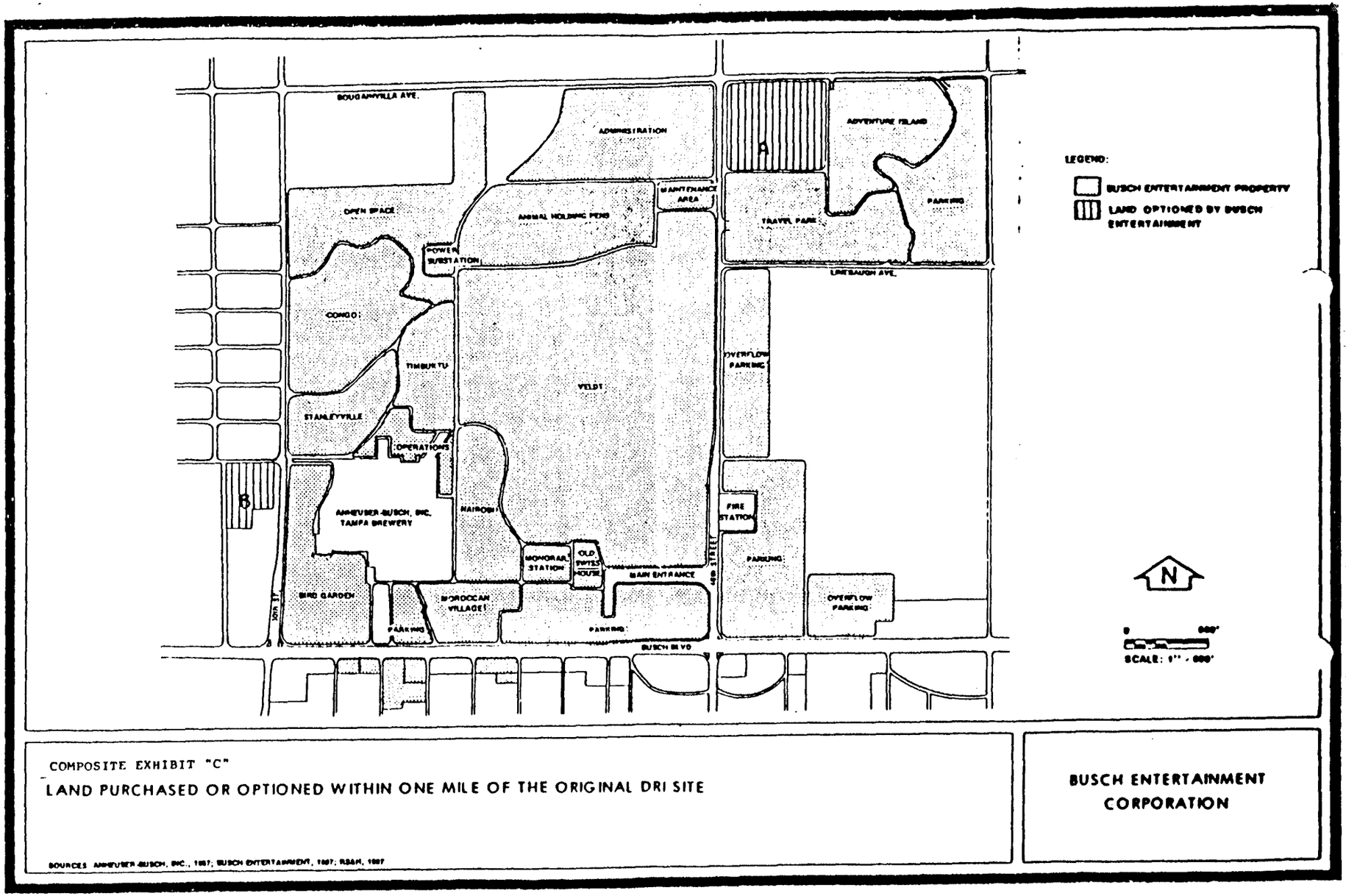


Exhibit B

UPDATED MASTER PLAN

SOURCES: ANHEUSER-BUSCH, INC., 1987; BUSCH ENTERTAINMENT, 1987; RS&H, 1987

BUSCH ENTERTAINMENT CORPORATION



COMPOSITE EXHIBIT "C"

LAND PURCHASED OR OPTIONED WITHIN ONE MILE OF THE ORIGINAL DRI SITE

SOURCES: ANHEUSER-BUSCH, INC., 1987; BUSCH ENTERTAINMENT, 1987; RS&H, 1987

BUSCH ENTERTAINMENT CORPORATION

AGREEMENT FOR PURCHASE AND SALE OF REAL ESTATE

THIS IS AN AGREEMENT by and between ALCO FOODSERVICE EQUIPMENT COMPANY, a Florida corporation (herein called "Seller"), and ANHEUSER-BUSCH COMPANIES, INC. a Delaware corporation (herein called "Buyer").

IN CONSIDERATION of Buyer's depositing with Seller the sum of as a deposit toward the purchase price hereinafter set forth, and the mutual covenants and conditions contained herein, Seller agrees to sell and Buyer agrees to buy the following described real property (herein called "Property"), situate in Hillsborough County, Florida, to wit:

> All of Lot 42 of TAMPA Industrial Park, according to map or plat thereof, recorded in Plat Book 34, Page 79, of the Public Records of Hillsborough County, Florida and being commonly known as the Jackson Products Co. property located generally at the corner of 40th Street and Bougainville Avenue with a mailing address of 4009 E. Bougainville, Tampa, Florida 33617.

upon the following terms and conditions:

1. Purchase Price. The purchase price shall be

Dollars, payable as follows:

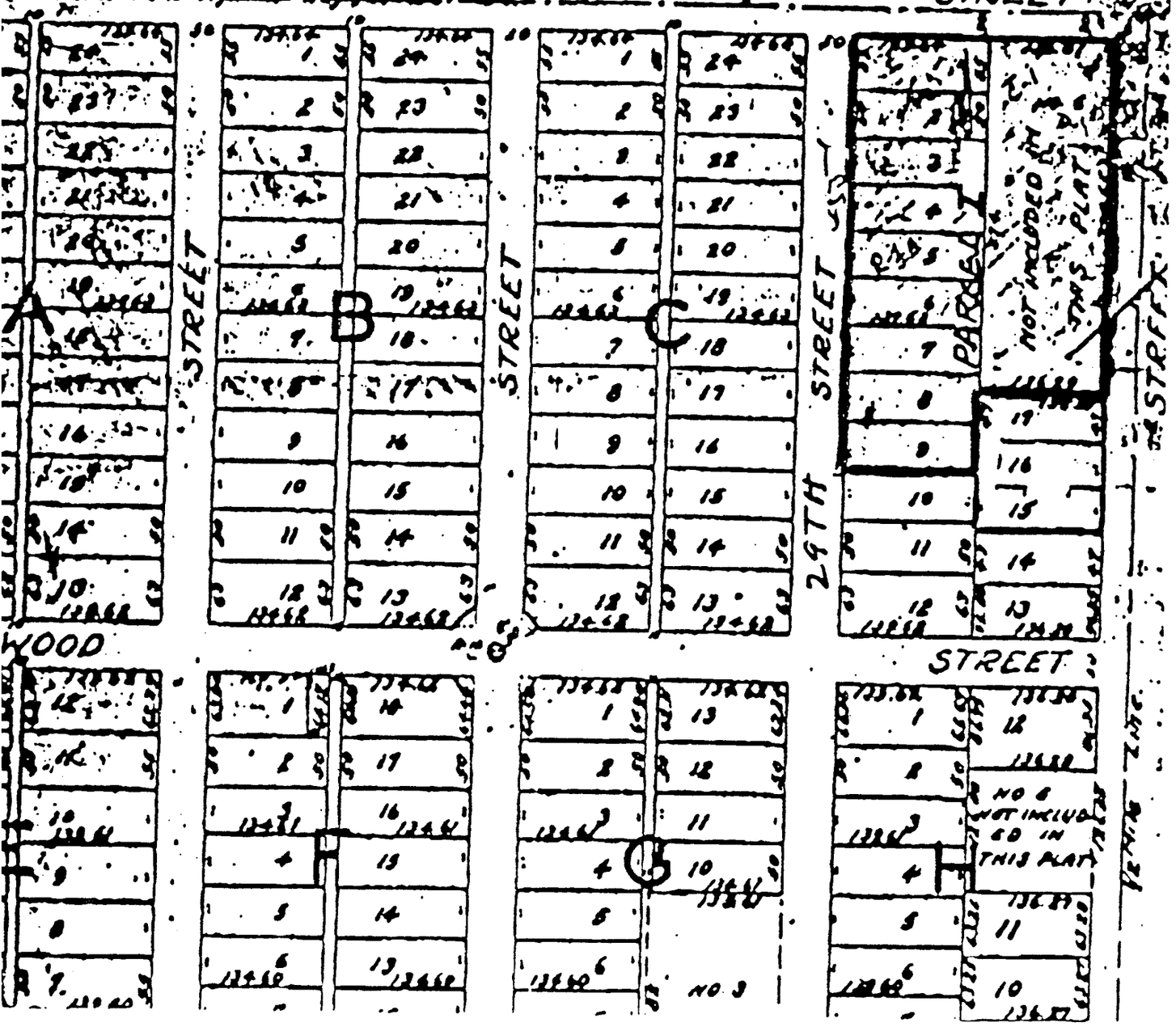
(a) deposit in the amount of to be held by Seller, receipt of which is hereby acknowledged;

EXHIBIT "A"

Being located in the SE¼ of the NW¼ of Sec 20. Twp 28S. R19E. of
HILLSBOROUGH COUNTY, FLORIDA.

RTION:

Being a subdivision of the SE¼ of the NW¼ of Sec. 20, Twp. 28S., R.19E. less the
ng tracts Using the P.R.M. (at SW cor of tract no 1) located 37.61'N. and 30'E of
of SE¼ of NW¼ of Sec 20 as the point of beginning run N. 252.44', E 287.20',
58', W 287.10', to pt. of beginning; From pt of beginning run E. 339.16', to SW.
tract 2, then N 126.30' E 279.18', S 126.37, W 279.18 to S.W. cor. of tract 2; From
beginning run E., 668.36' to SW cor. of tract No 3, then run N. 126.38', E. 139.59, N
E. 139.61, S 372.35, W. 279.18 to S.W. cor of tract No 3; From pt. of beginning run
to SW cor of tract No 4, thence N. 126.46', E 139.59, N 126.50, E. 136.27 to NE cor of tract
ence S 252.10, W. 275.84 to SW cor. of tract No 4; Beginning at NE. cor of tract No
N. 126.55 to SE. cor of tract No 5, Then W 136.27, N. 126.50, E. 136.28, S. 126.35, to SE. cor of
No 5; From NE. cor. of tract 4, run N 632.80, to SE cor of tract No 6, Then W. 136.29, N 3[illegible]
[illegible] to SE. cor. of tract No 6. (The Plat also includes the E 30' of the SW¼ of the NW¼ of
[illegible] makes a right of way for [illegible] ST. ¼ Mile Line)



CONDITIONAL PURCHASE AGREEMENT

This 15th day of January, 1987, Harris H. Mullen and Katherine H. Mullen, his wife; and Hal S. Holtsinger and Alma F. Holtsinger, his wife; and the Estate of C. A. Hook and Julia M. Hook, his wife (collectively, the "Seller"), with address at 1202 South Church Tampa, Florida 33629, agree to sell, and Anheuser-Busch Companies, Inc. (the "Purchaser"), with an address at One Busch Place, St. Louis, Missouri 63118, agrees to purchase the land parcel (the "Property") in Tampa, Hillsborough County, Florida, containing approximately 2.6 acres, shown as parcel I (outlined in red) on the attached plat marked Exhibit "A" upon the following terms and conditions:

1. Property to be Sold. Although the Property contains approximately 2.6 acres, the exact acreage will be determined by a property survey to be obtained and paid for by the Purchaser. Deed of Record will govern the legal description of the Property.

2. Purchase Price. The purchase price for the Property to be sold is payable in cash or be certified or bank check. Portions of the Property in public ways, if any, will not be included in acreage for the purpose of determining the purchase price. A deposit of is being paid by the Purchaser at the time of signing this Agreement. That deposit will be forfeited to the Seller and this Agreement will terminate if the Purchaser does not complete the purchase of the Property through no fault of Seller on or before or pay an additional deposit of on or before that date. If the additional deposit is paid, the time for completion of the purchase will be extended until

JAN 2? 1987

BUSCH PROPERTIES INC.

DESCRIPTION: BUSCH ENTE.. ENT CORPORATION PARCEL "A

The Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; together with Lots 46 through 49 inclusive, Tampa Industrial Park, as recorded in Plat Book 34, Page 79, of the Public Records of Hillsborough County, Florida; LESS Road Right-of-Way for 30th Street, and LESS Road Right-of-Way for Temple Terrace Highway (S. R. #580), and LESS Road Right-of-Way for Malcom McKinley Drive; and LESS a portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Begin at the intersection of the Easterly Right-of-Way boundary of 30th Street and t North boundary of the Northeast 1/4 of stated Section 20; thence S00°-10'-16"W along the Easterly Right-of-Way bounuary of 30th Street a distance of 1327.63 feet for a Point of Beginning.

Thence S89°-43'-38"E a distance of 696.14 feet; thence N00°-16'-22"E a distance of 156.74 feet; thence S89°-43'-38"E a distance of 63.14 feet; thence S00°-16'-22"W a distance of 124.67 feet; thence S89°-43'-38"E a distance of 121.53 feet; thence S00°-16'-22"W a distance of 63.98 feet; thence S89°-43'-38"E a distance of 200.04 feet; thence N23°-20'-12"E a distance of 166.41 feet; thence S89°-42'-58"E a distance of 26.10 feet; thence S11°-38'-37"W a distance of 157.50 feet; thence S00°-21'-03"E a distance of 191.95 feet; thence N89°-38'-57"E a distance of 69.23 feet; thence S00°-14'-16"W a distance of 595.49 feet; thence N89°-45'-44"W a distance of 548.10 feet to a point designated as Point "A"; thence S00°-14'-16"W a distance of 60.40 feet to a point designated as Point "B"; thence S89°-45'-44"E a distance of 103.0 feet; thence S00°-14'-16"W a distance of 399.17 feet to a point on the Northerly Right-of-Way boundary of Temple Terrace Highway (S. R. #580); thence along the Northerly Right-of-Way boundary of Temple Terrace Highway the following courses and distances: N89°-43'-44"W a distance of 11.08 feet; thence N70°-43'-49"W a distance of 27.65 feet; thence N26°-37'-30"W a distance of 29.24 feet; thence N04°-20'-04"W a distance of 1.15 feet; thence N89°-43'-44"W a distance of 40.13 feet; thence S04°-20'-04"E a distance of 32.72 feet; thence S51°27'-59"W a distance of 5.76 feet; thence N89°-43'-44"W a distance of 30.47 feet; thence N00°-14'-16"E from said Northerly Right-of-Way boundary of Temple Terrace Highway (S. R. #580) a distance of 399.09 feet; thence S89°-45'-44"E a distance of 20.0 feet to Point "B"; thence N00°-14'-16"E a distance of 60.40 feet to Point "A"; thence continue N00°-14'-16"E a distance of 87.79 feet; thence N89°-45'-44"W a distance of 46.0 feet; thence N00°-14'-16"E a distance of 99.27 feet; thence N89°-45'-44"W a distance of 125.36 feet; thence N00°-14'-16"E a distance of 11.50 feet; thence N89°-45'-44"W a distance of 143.50 feet; thence N00°-14'-16"E a distance of 114.0 feet; thence N89°-45'-44"W a distance of 128.0 feet; thence N00°-14'-16"E a distance of 126.33 feet; thence N31°-59'-16"E a distance of 192.93 feet; thence N23°-24'-56"E a distance of 82.77 feet; thence S89°-49'-44"E a distance of 43.28 feet; thence S00°-10'-16"W a distance of 38.0 feet; thence S89°-49'-44"E a distance of 62.50 feet; thence N00°-10'-16"E a distance of 109.19 feet; thence N89°-43'-38"W a distance of 461.02 feet to a point on the Easterly Right-of-Way boundary of 30th Street; thence N00°-10'-16"E along the Easterly Right-of-Way boundary of 30th Street a distance of 10.0 feet to the Point of Beginnin
Subject to an easement for Railroad and Utilities over and across the following described lands:

A portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Begin at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S89°-58'-31"E along the North boundary of the Northeast 1/4 of Section 20 a distance of 1222.65 feet for a Point of Beginning.

Thence continue S89°-58'-31"E along the North boundary of the Northeast 1/4 of Section 20 a distance of 40.0 feet; thence S00°-11'-34"W a distance of 948.43 feet to a point of curvature; thence on an arc to the right a distance of 149.29 feet, with a radius of 362.20 feet, subtended by a chord of 148.24 feet; chord bearing S12°-00'-05"W to a point of tangency; thence S23°-48'-34"W a distance of 129.06 feet; thence N89°-42'-58"W a distance of 43.62 feet; thence N23°-48'-34"E a distance of 146.48 feet to a point of curvature; thence on an arc to the left a distance of 132.81 feet, with a radius of 322.20 feet, subtended by a chord of 131.87 feet; chord bearing N12°-00'-05"E to a point of tangency; thence N00°-11'-34"E a distance of 948.31 feet to the Point of Beginning.
Subject to an easement for water facilities over and across the following described lands:

Beginning at the Northwest corner of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; run East (assumed bearing) a distance of 100 feet to a point on the East Right-of-Way boundary of 30th Street; thence run South along the East Right-of-Way boundary of 30th Street a distance of 470 feet for a Point of Beginning.

(continued)

_ EXHIBIT "D"

* This exhibit is part of the DCA form - Notification of a Proposed change to a DRI and answers Question 11 of that form.

Thence East to a point 6 ;t East of the East Right-o. ay boundary of 30th Street; thence South parallel with the East Right-of-Way boundary of 30th Street a distance of 20 feet; thence West to a point on the East Right-of-Way boundary of 30th Street a distance of 6 feet; thence North along the East Right-of-Way boundary of 30th Street a distance of 20 feet to the Point of Beginning.

LESS and except the following described:
A portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Commence at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S00°-10'-16"W (assumed bearing) along the Easterly Right-of-Way boundary of 30th Street (said Easterly Right-of-Way boundary being 100.0 feet East of and parallel with the West boundary of the Northeast 1/4 of Section 20) a distance of 1337.63 feet; thence S89°-43'-38"E a distance of 355.24 feet for a Point of Beginning.

Thence continue S89°-43'-38"E a distance of 105.78 feet; thence S00°-10'-16"W a distance of 169.19 feet; thence N89°-49'-44"W a distance of 62.50 feet; thence N00°-10'-16"E a distance of 38.0 feet; thence N89°-49'-44"W a distance of 43.28 feet; thence N00°-10'-16"E a distance of 131.37 feet to the Point of Beginning.

AND

A portion of the Northeast 1/4 of Section 20, Township 28 South, Range 19 East, Hillsborough County, Florida; more particularly described as follows:

Commence at the intersection of the Easterly Right-of-Way boundary of 30th Street and the North boundary of the Northeast 1/4 of stated Section 20; thence S00°-10'-16"W (assumed bearing) along the Easterly Right-of-Way boundary of 30th Street (said Easterly Right-of-Way boundary being 100.0 feet East of and parallel with the West boundary of the Northeast 1/4 of Section 20) a distance of 1337.63 feet; thence S89°-43'-38"E a distance of 355.24 feet; thence S00°-10'-16"W a distance of 131.37 feet; thence S23°-24'-56"W a distance of 82.77 feet; thence S31°-59'-16"W a distance of 192.93 feet; thence S00°-14'-16"W a distance of 114.72 feet for a Point of Beginning.

Thence continue S00°-14'-16"W a distance of 11.61 feet; thence S89°-45'-44"E a distance of 128.0 feet; thence S00°-14'-16"W a distance of 114.0 feet; thence S89°-45'-44"E a distance of 11.33 feet; thence S00°-14'-16"W a distance of 30.06 feet; thence N89°-45'-44"W a distance of 168.33 feet; thence N00°-14'-16"E a distance of 155.67 feet; thence S89°-45'-44"E a distance of 29.0 feet to the Point of Beginning.

\Y AREA ENGINEERING CO.. \
PHONE 626-2106
8711 NORTH 30TH STREET
P. O. BOX 11066
TAMPA. FLORIDA 33680

DESCRIPTION: PARCEL "D" (LESS AND EXCEPT FROM PARCEL "A" BUSCH ENTERTAINMENT CORP., TOGETHER WITH PARCEL "B" ANHEUSER-BUSCH INC.)

A PORTION OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 28 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY BOUNDARY OF 30TH STREET AND THE NORTH BOUNDARY OF THE NORTHEAST 1/4 OF STATED SECTION 20 THENCE S00°-10'-16"W (ASSUMED BEARING) ALONG THE EASTERLY RIGHT-OF-WAY BOUNDARY OF 30TH STREET (SAID EASTERLY RIGHT-OF-WAY BOUNDARY BEING 100.00 FEET EAST OF AND PARALLEL WITH THE WEST BOUNDARY OF THE NORTHEAST 1/4 OF SECTION 20) A DISTANCE OF 1337.63 FEET, THENCE S89°-43'-38"E A DISTANCE OF 355.24 FEET, THENCE S00°-10'-16"W A DISTANCE OF 131.37 FEET, THENCE S23°-24'-56"W A DISTANCE OF 82.77 FEET, THENCE S31°-59'-16"W A DISTANCE OF 192.93 FEET, THENCE S00°-14'-16"W A DISTANCE OF 114.72 FEET FOR A POINT OF BEGINNING.

THENCE CONTINUE S00°-14'-16"W A DISTANCE OF 11.61 FEET, THENCE S89°-45'-44"E A DISTANCE OF 128.0 FEET, THENCE S00°-14'-16"W A DISTANCE OF 114.0 FEET, THENCE S89°-45'-44"E A DISTANCE OF 11.33 FEET, THENCE S00°-14'-16"W A DISTANCE OF 30.06 FEET, THENCE N89°-45'-44"W A DISTANCE OF 168.33 FEET, THENCE N00°-14'-16"E A DISTANCE OF 155.67 FEET, THENCE S89°-45'-44"E A DISTANCE OF 29.0 FEET TO THE POINT OF BEGINNING.

DESCRIPTION: PARCEL "C" (LESS AND EXCEPT FROM PARCEL "A" BUSCH ENTERTAINMENT CORP., TOGETHER WITH PARCEL "B" ANHEUSER-BUSCH INC.)

A PORTION OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 28 SOUTH, RANGE 19 EAST, HILLSBOROUGH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY BOUNDARY OF 30TH STREET AND THE NORTH BOUNDARY OF THE NORTHEAST 1/4 OF STATED SECTION 20 THENCE S00°-10'-16"W (ASSUMED BEARING) ALONG THE EASTERLY RIGHT-OF-WAY BOUNDARY OF 30TH STREET (SAID EASTERLY RIGHT-OF-WAY BOUNDARY BEING 100.0 FEET EAST OF AND PARALLEL WITH THE WEST BOUNDARY OF THE NORTHEAST 1/4 OF SECTION 20) A DISTANCE OF 1337.63 FEET, THENCE S89°-43'-38"E A DISTANCE OF 355.24 FEET FOR A POINT OF BEGINNING.

THENCE CONTINUE S89°-43'-38"E A DISTANCE OF 105.78 FEET, THENCE S00°-10'-16"W A DISTANCE OF 169.19 FEET, THENCE N89°-49'-44"W A DISTANCE OF 62.50 FEET, THENCE N00°-10'-16"E A DISTANCE OF 38.0 FEET, THENCE N89°-49'-44"W A DISTANCE OF 43.28 FEET, THENCE N00°-10'-16"E A DISTANCE OF 131.37 FEET TO THE POINT OF BEGINNING.

RESOLUTION 3258-I

A RESOLUTION APPROVING AND AUTHORIZING THE EIGHTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 30, 1987, the Developer submitted plans for its eighth expansion of Busch Gardens pursuant to a Development Order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing, Inspections and Community Services has submitted a report and recommendation to the City Council recommending approval of this eighth expansion; and

WHEREAS, the impacts of the eighth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A;

NOW, THEREFORE,

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

Section 1. That the "Lazy River Attraction" to be located in the Adventure Island theme park on approximately four acres of land as expansion eight to Busch Gardens' DRI, a copy of which proposal is attached hereto and by reference made a part hereof, is hereby approved.

Section 2. That the expansion shall be substantially complete before January 1, 1988 or it may constitute a substantial deviation to the Development Order.

Section 3. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 4. That approval of this expansion does not constitute approval of the assumptions submitted in the Proposal for Expansion.

Section 5. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 6. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Tampa, Florida on SEP 17 1987.

Tom Vann
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

Prepared and Approved by:

Pamela K. Akin
PAMELA K. AKIN
Chief Assistant City Attorney

INTRODUCTION

Busch Entertainment Corporation proposes to develop a new attraction at the Adventure Island theme park in Tampa. In accordance with the City of Tampa's development order for the Busch Gardens Development of Regional Imapct (DRI), this report compares service demand levels expected after completion of this project to demands projected for the end of the total Busch Gardens ten-year expansion program as estimated in DRI Applicaiton for Development Approval. The areas of demand considered are:

- Potable Water
- Solid Waste Disposal
- Electrical Power
- Wastewater Treatment
- Traffic Facilities

The purpose for comparison is to determine whether actual development will generate service needs within the scope of demands anticipated for the DRI as presented in the Application for Development Approval. If new estimates indicate that service needs go beyond the ADA's estimated levels, then public agency evaluation of impacts based on the earlier estimates would have to be reconsidered in light of the updated service demands. This monitoring technique was deemed necessary since the expansion program could be only generally described, and total demand could depart substantially from the estimates depending on the actual projects incorporated into the ten-year program.

PROJECT: LAZY RIVER ATTRACTION

The proposed new expansion will be a Lazy River Attraction. The attraction will be a 1,750' concrete lined through with circulating pumps to create moving currents that replicate a lazy river effect. The attraction will be constructed in the Adventure Island theme park on approximately four acres of land and this new attraction will surround and interwind with already existing facilities. Site work will commence immediately on receipt of necessary approvals and opening of this project is targeted for March 1, 1988.

PROJECT: LAZY RIVER ATTRACTION

Busch Entertainment Corporation estimates the new attraction will increase total attendance for 1988 by approximately 15,000 visitors, an average increase of 41 persons per day. This increase will represent a portion of the overall attendance growth projected for the ten-year expansion period in the ADA rather than an additional component of growth.

SUMMARY COMPARISON OF SERVICE DEMANDS

Table 1 estimates the demand for services at Busch Gardens at completion of the Lazy River Attraction and compares these to demands at the end of the ten-year expansion program as estimated in the Application for Development Approval. Estimating methods and assumptions are described on the following pages. The comparison indicates that demand levels for potable water, solid waste disposal, electrical power, wastewater and traffic facilities after completion of the proposed Lazy River Attraction will not exceed levels that were anticipated for the total expansion program in the ADA. This expansion is therefore within the scope of development that was considered and addressed by the City of Tampa's adopted development order for the Busch Gardens Development of Regional Impact.

POTABLE WATER DEMAND

1. DEMAND BEFORE LAZY RIVER ATTRACTION

The estimate for 1988 is based upon Table 23-1 of the ADA. This estimate is based on historical consumption in 1973 - 1979 (gallons per visitor) adjusted to include estimated demand created by Adventure Island in 1980. The estimated gallons per day equals 420,500 gpd, per the recent submittal for expansion - Large Animal Dispaly.

2. DEMAND ADDED BY LAZY RIVER ATTRACTION

This expansion will create demand through increased attendance estimated at 41 persons per average day. Gallons per visitor was determined based on the estimated 1981 average level.

1981 AVERAGE DAILY DEMAND	451,000 GPD	(ADA Table 23-10)
:1981 AVERAGE DAILY ATTENDANCE	10,150 Visitors	(ADA Exhibit 12-1)
= Gallons per Visitor	44.4 gpd	

41 visitors x 44.4 = 1,820 gallons per day

SOLID WASTE DISPOSAL

1. DEMAND BEFORE LAZY RIVER ATTRACTION

Estimates for 1988 are based on solid waste generation in 1980 as reported by the private collection service (Diversified Equipment and Supply Company, Inc.) projected to 1988 on a pounds per visitor basis:

1980 Average Daily Solid Waste	8,200 lbs.	(4.1 tons ADA Table 24-1)
÷1980 Average Daily Attendance	9,369 Visitors	(ADA Exhibit 12-1)
= Pounds Per Visitor	.875 lbs.	

The estimated solid waste generation for 1988, per the recent submittal for expansion - Large Animal Display - is 4.17 tons per day.

2. DEMAND ADDED BY LAZY RIVER ATTRACTION

This expansion will create demand through increased attendance estimated at 41 additional persons per average day:

Solid Waste Per Visitor	.875 lbs.	(See Above)
x Additional Daily Visitors	41 Visitors	
= Additional Solid Waste Generate	36lbs ÷ 2,000 = .02 tons per day	

ELECTRICAL POWER DEMAND

1. DEMAND BEFORE LAZY RIVER ATTRACTION

The estimated KWH for 1988, per the submittal for expansion - Large Animal Display - is 29,629,659 KWH. This translates into 1988 KWH/visitor of 8.50.

2. DEMAND ADDED BY LAZY RIVER ATTRACTION

This estimate was based upon actual demand projected on an incremental KWH/visitor basis:

15,000 Incremental Visits x 8.50 KWH/Visitor = 127,500 KWH

WASTEWATER TREATMENT

1. The estimate for 1981 is shown on Exhibit 21-1 of the sufficiency response. The 1988 estimate is based on historical (gallons per visitor) demand in 1978-78 adjusted to include impacts of Adventure Island in 1980. The estimated waste water treatment is 383,600 gallons per day in 1988, per the submittal for expansion - Large Animal Display.

2. DEMAND ADDED BY LAZY RIVER ATTRACTION

This expansion will create demand through increased attendance estimated at 41 persons per average day. Gallons per visitor was estimated based on the 1981 level.

1981 AVERAGE DAILY DEMAND	410,000 GPD	(Sufficiency Response)
1981 AVERAGE DAILY ATTENDANCE	10,150 Visitors	(ADA Exhibit 12-1)

41 Visitors x 40.4 = 1,656 rounded to 1,660 gallons per day.

TRAFFIC FACILITIES

1. Introduction

Since its opening in 1959, Busch Gardens has grown from a local tourist attraction to a nationally known facility which covers approximately 366 acres. In 1980 a major development program for Busch Gardens was developed by Busch Entertainment Corporation, and the program was approved by the City of Tampa through a Development Order (Ordinance No. 7771-A). As part of this Development Order, requirements were placed on Busch Entertainment Corporation to mitigate the impact that future development at Busch Gardens would have on the transportation network. The Development Order requires that "any expansion to Busch Gardens shall not result in a traffic impact generated by Busch Gardens which would exceed the total traffic impact as referenced in the ADA, or which would result in a traffic level of service E at the intersection of Busch Boulevard and 40th Street, and the appropriate sections of Busch Boulevard and 40th Street."

Busch Entertainment Corporation currently plans an expansion that is proposed to be in operation by 1988. The proposed expansion, the Lazy River attraction, will be constructed within the existing boundary of the Adventure Island theme park. This expansion is estimated to increase total annual attendance for Adventure Island by approximately 15,000 visitors.

The following traffic analysis shows that the expansion will not have any significant impact on the roadway adjacent to the site, and will not result in a traffic level of service E at the intersection of Busch Boulevard and 40th Street, and the appropriate sections of Busch Boulevard and 40th Street.

Annual attendance between 1973 and 1986, with estimated attendance for 1987 and 1988 is shown in Table I.

TABLE I

BUSCH GARDENS

Year	Annual Attendance (millions)
1973	2.2
1974	1.9
1975	2.3
1976	2.4
1977	2.4
1978	2.6
1979	2.9
1980	3.4*
1981	3.3
1982	3.4
1983	3.3
1984	3.2
1985	3.3
1986	3.5
1987	3.5**
1988	3.51**

*: Adventure Island opened

**: Estimate

2. Analysis

LAZY RIVER EXPANSION

The Development Order requires that the traffic analysis shall use "the latest directional study data for the subject intersections, which reflects the 40th highest hour of attendance at Busch Gardens. The most recent mid-morning (10:00 AM to 11:00 AM) counts at the intersections of 40th Street with both Busch Boulevard and Bougainvillea Avenue were obtained by Post, Buckley, Schuh & Jernigan, Inc. on April 23 and 28, 1987. The 10:00 A.M. to 11:00 A.M. period is usually the peak hour for Busch Gardens traffic.

As previously indicated, Busch Entertainment Corporation estimates that the new attraction at Adventure Island will increase total attendance for 1988 by 15,000 visitors, an average increase of 41 persons per day.

Utilizing the previous information, the 1987 background (total traffic minus Busch Gardens traffic) turning movement counts for both the intersections of 40th Street with Busch Boulevard and Bougainvillea Avenue were projected for the year 1988 by applying a 4.4 percent growth rate as specified in the Busch Gardens ADA. Next, the 1988 Average Daily Traffic (ADT) generated by the new expansion was determined and was correlated to a peak hour volume. This results in an additional five vehicles during the 40th highest hour. See Appendix A for worksheet calculations to obtain the projected Lazy River expansion vehicle trips.

The 1988 projected traffic with the newly generated traffic were then analyzed utilizing CAPCALC 85, a computerized intersection capacity analysis program based upon the Highway Capacity Manual, Special Report 209, Transportation Research Board, 1985. The printouts of the computer analysis are included in Appendix B.

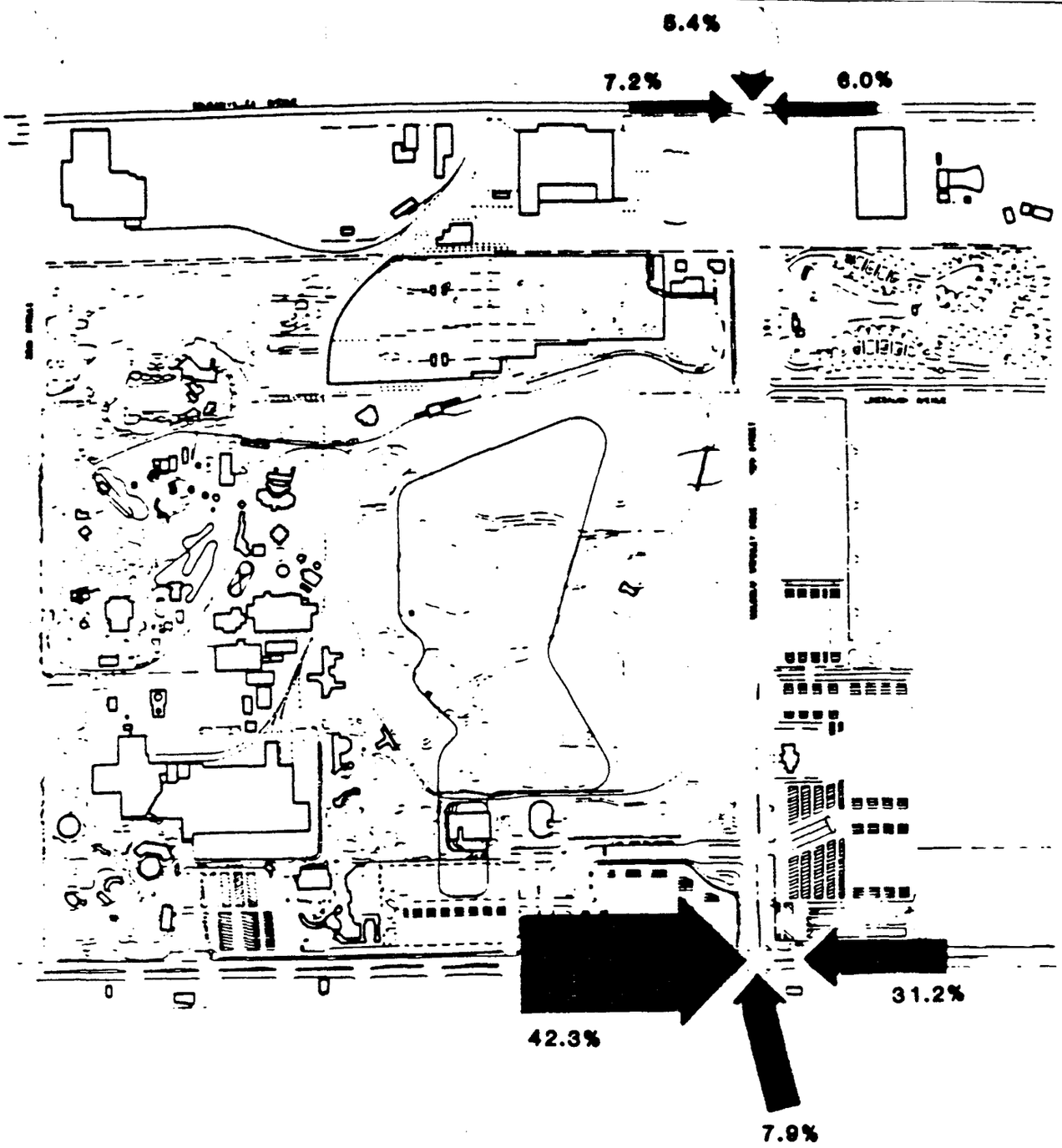
Distribution for site traffic was derived by calculating the percent of local traffic volumes approaching the intersections of 40th Street and Busch Boulevard and 40th Street and Bougainvillea Avenue. The distribution and background traffic (total traffic minus Busch Gardens traffic) was used since Adventure Island tends to serve a local rather than regional population. See Figure 1 for the background traffic approach distribution which was used to distribute Lazy River attraction trips.

3. Conclusions

The proposed Lazy River attraction at Adventure Island will not have a significant impact on the surrounding roadway network. The intersections studied will operate at level of service C or better. This is a good level of service and complies with the Development Order since the addition of the proposed expansion to Busch Gardens does not result in a level of service of E for Busch Boulevard and 40th Street or 40th Street and Bougainvillea Avenue.

Based on the recent average attendance at Busch Gardens, Busch Entertainment Corporation projects a maximum annual attendance of 3.6 million visitors as cited in the TSM Report. This projection assumes a very modest increase in annual attendance. This latest projection is considerably less than the 5.1 million visitors that were projected for 1989 in the 1981 Busch Gardens Development of Regional Impact, Application for Development Approval. Therefore, the Development Order requirement that "any expansion of Busch Gardens shall not result in a traffic impact generated by Busch Gardens which would exceed the total traffic impact as referenced in the ADA" is met. The latest projection of Busch Gardens traffic is less than 71 percent of the traffic forecast in the ADA.

Additionally, the attendance at Busch Gardens is growing at a slower rate than projected in the ADA, and the resulting impact of the Busch Gardens traffic will be less than noted in the ADA. The addition of the proposed Lazy River attraction at Adventure Island meets all of the requirements of the Development Order.



APPROACH DISTIBUTION
BACKGROUND TRAFFIC

*Background Traffic = Total Traffic - Busch Gardens Traffic

Figure 1

ADVENTURE ISLAND / LAZY RIVER ATTRACTION

PBSJ

APPENDIX A

BUSCH GARDENS LAZY RIVER EXPANSION

40TH HIGHEST HOUR AND DISTRIBUTION

To obtain 40th highest hour of proposed expansion to park - first need to convert average persons per day to vehicles per day and then to 40th hour as established from the 1983 attendance study. Busch Entertainment Corporation estimates the expansion may generate 15,000 visitors, or an average of 41 persons per day.

1983 $\frac{3.3 \text{ mill}}{365 \text{ day}}$ 9,041 guests/day avg. guests

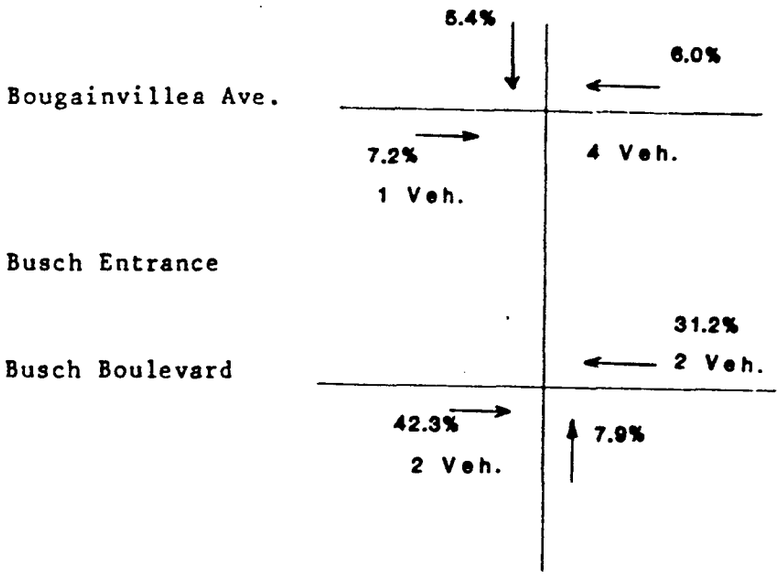
$\frac{9,041}{3.68}$ $\frac{\text{avg. per/day}}{\text{auto occ.}}$ 2,457 veh. per day (avg.)

*3.68 auto occupancy from PBS&J study

$\frac{1,058}{2,457}$ $\frac{\text{veh. per 40th hour}}{\text{veh. per day avg.}}$ 0.43 percent 40th highest hour of avg. day

If 41 visitors are envisioned on an average day due to the expansion, then (41 x .43) = 18 visitors at 40th highest hour.
18/3.68 = 5 vehicles at 40th highest hour.

Now, apply local distribution assumptions.



TPD13/24.091.25

APPENDIX B

AD E ISLAND LAZY RIVER

INTERSECTION :
BUSCH BLVD. @
40TH St.
WEEKDAY 10:00-11:00 AM 1988 CBD - A
ACTUATED SIGNAL

VOLUME ADJUSTMENT

APPROACH	LANE GROUP MVM	FLOW RATE VOLUME	FLOW RATE IN GROUP	LANE UTIL FACTOR	ADJ FLOW RATE	PROP OF TURNS LT	PROP OF TURNS RT
EB	L	725	806	1.05	846	1.00	0.00
	T	836	996	1.10	1096	0.00	0.00
	R	139	154	1.00	154	0.00	1.00
WB	L	75	78	1.00	78	1.00	0.00
	T	582	606	1.05	636	0.00	0.00
	TR	376	392	1.00	392	0.00	0.26
NB	L	113	133	1.00	133	1.00	0.00
	T	101	119	1.05	125	0.00	0.00
	R	84	99	1.00	99	0.00	1.00
SB	L	43	49	1.00	43	1.00	0.00
	T	95	108	1.00	108	0.00	0.00
	R	63	72	1.00	72	0.00	1.00

SATURATION FLOW

		IDEAL	# OF	ADJUSTMENT FACTORS								ADJ.
APP	MVM	SAT FLOW	LANES	WIDTH	H.V.	GRADE	PARK	BUS	AREA	RT	LT	FLOW
EB	L	1800	2	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.92	3246
	T	1800	3	1.00	0.98	1.00	1.00	1.00	1.00	1.00	1.00	5292
	R	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.85	1.00	1499
WB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.95	1676
	T	1800	2	1.00	0.98	1.00	1.00	1.00	1.00	1.00	1.00	3528
	TR	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.96	1.00	1693
NB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.70	1235
	T	1800	2	1.00	0.98	1.00	1.00	1.00	1.00	1.00	1.00	3528
	R	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.85	1.00	1499
SB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.73	1288
	T	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	1.00	1764
	R	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.85	1.00	1499

A RE ISLAND LAZY RIVER M

INTERSECTION :
BUSCH BLVD. @
40TH St.
WEEKDAY 10:00-11:00 AM 1988 CBD ? N
ACTUATED SIGNAL

CAPACITY ANALYSIS

APP	LN GR MVM	ADJ FLOW RATE	PMSV LT FLOW	ADJ SAT FLW RT	FLOW RATIO	CRIT ?	GREEN RATIO	LN GR CAPACITY	V/C RATIO
EB	L	846	0	3246	0.261	Y	0.333	1082	**0.782**
	T	1096	0	5292	0.207	N	0.600	3175	**0.345**
	R	154	0	1499	0.103	N	0.600	899	**0.171**
WB	L	78	0	1676	0.047	N	0.125	209	**0.373**
	T	636	0	3528	0.180	N	0.392	1382	0.460
	TR	392	0	1693	0.232	Y	0.392	663	0.591
NB	L	133	0	1235	0.108	Y	0.142	175	0.760
	T	125	0	3528	0.035	N	0.142	500	0.250
	R	99	0	1499	0.066	N	0.267	400	0.247
SB	L	49	0	1288	0.038	N	0.142	182	0.269
	T	108	0	1764	0.061	Y	0.142	250	0.432
	R	72	0	1499	0.048	N	0.142	212	0.340

CYCLE LENGTH : 120.0 SUM OF CRITICAL LANES' FLOW RATIOS : 0.662
LOSS TIME PER CYCLE : 12 INTERSECTION V/C : 0.736

LEVEL OF SERVICE

APP	LN GR MVM	V/C RATIO	GREEN RATIO	CYC LEN	1st DELAY	LN GR CAP	2nd DELAY	PF	LN GR DELAY	LN GR LOS	APP DELAY	APP LOS
EB	L	0.782	0.333	120	27.4	1082	2.7	1.00	30.1	D		
	T	0.345	0.600	120	9.2	3175	0.0	0.85	7.8	B		
	R	0.171	0.600	120	8.1	899	0.0	0.85	6.9	B	16.7	C
WB	L	0.373	0.125	120	36.6	209	0.5	1.00	37.1	D		
	T	0.460	0.392	120	20.6	1382	0.2	0.85	17.7	C		
	TR	0.591	0.392	120	22.0	663	1.0	0.85	19.5	C	19.7	C
NB	L	0.760	0.142	120	37.6	175	11.6	0.85	41.6	E		
	T	0.250	0.142	120	34.8	500	0.1	0.85	29.7	D		
	R	0.247	0.267	120	26.3	400	0.1	0.85	22.4	C	32.2	D
SB	L	0.269	0.142	120	34.9	182	0.2	0.85	29.8	D		
	T	0.432	0.142	120	35.8	250	0.8	0.85	31.1	D		
	R	0.340	0.142	120	35.3	212	0.4	0.85	30.3	D	30.6	D

INTERSECTION DELAY : 19.9 secs/veh
LEVEL OF SERVICE : C

INTERSECTION :
BUSCH BLVD. @
40TH St.
WEEKDAY 10:00-11:00 AM 1988 CBD?N
ACTUATED SIGNAL

TRAFFIC & ROADWAY CONDITIONS

APP	GRADE (%)	HV (%)	ADJ. PKG LN. Y/N	BUSES Nm	BUSES (Nb)	PHF	CONF. PEDS (peds/hr)	PED BUTTON Y/N	PED BUTTON SEC	ARR TYPE
EB	0	5	N	0	0	0.90	0	N	0.0	3
WB	0	5	N	0	0	0.96	0	N	0.0	3
NB	0	5	N	0	0	0.85	0	N	0.0	3
SB	0	5	N	0	0	0.88	0	N	0.0	3

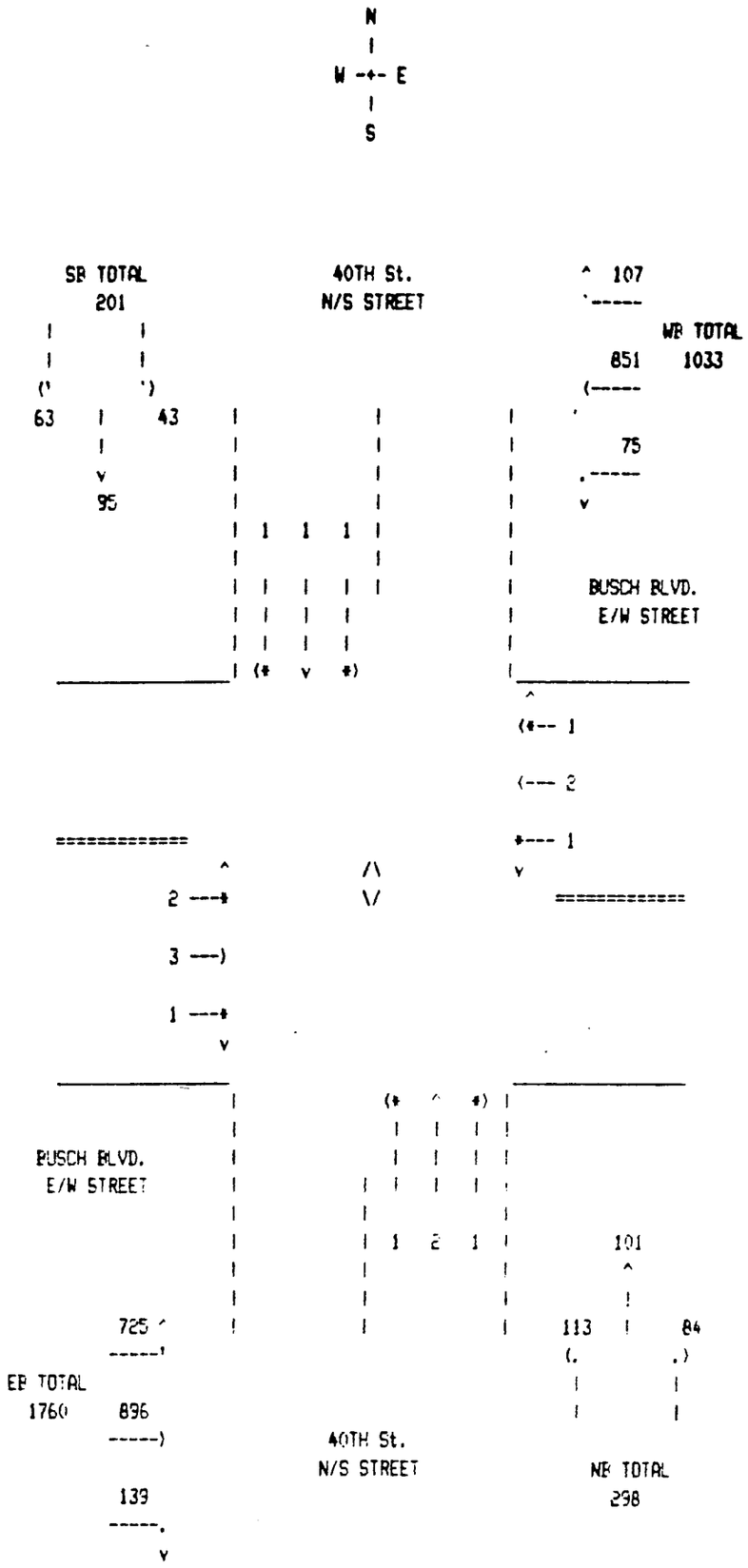
GEOMETRICS / VOLUMES

APP	VOLUME LT	VOLUME TH	VOLUME RT	LANE GROUPS 1 MVM	1 LNS	1 WD	2 MVM	2 LNS	2 WD	3 MVM	3 LNS	3 WD
EB	725	896	139	L	2	24.0	T	3	36.0	R	1	12.0
WB	75	851	107	L	1	12.0	T	2	24.0	TR	1	12.0
NB	113	101	84	L	1	12.0	T	2	24.0	R	1	12.0
SB	43	95	63	L	1	12.0	T	1	12.0	R	1	12.0

SIGNAL PHASING

APP	PHASE	1ST MV	2ND MV	3RD MV	PROT	PMSV	G	Y+R
EB	3	T	R			R	32	88
EB	4	L	T	R	L	R	40	80
WB	2	L	T	TR	L	R	15	105
WB	3	T	TR			R	32	88
NB	1	L	T	R		LR	17	103
NB	2	R				R	15	105
SB	1	L	T	R		LR	17	103

INTERSECTION 884088



INTERSECTION :
BOUGAINVILLEA AVE. @
40TH St.
WEEKDAY 10:00-11:00 AM 1988 CBD ? N
ACTUATED SIGNAL

VOLUME ADJUSTMENT

APPROACH	LANE GROUP MVM	GROUP VOLUME	FLOW RATE IN GROUP	LANE UTIL FACTOR	ADJ FLOW RATE	PROP OF TURNS LT	RT
EB	L	24	30	1.00	30	1.00	0.00
	TR	195	241	1.00	241	0.00	0.28
WB	L	17	18	1.00	18	1.00	0.00
	TR	166	177	1.00	177	0.00	0.06
NB	L	58	68	1.00	68	1.00	0.00
	TR	254	299	1.00	299	0.00	0.51
SB	L	43	49	1.00	49	1.00	0.00
	TR	488	561	1.00	561	0.00	0.05

SATURATION FLOW

APP	MVM	IDEAL SAT FLOW	# OF LANES	ADJUSTMENT FACTORS WIDTH	H.V.	GRADE	PARK	BUS	AREA	RT	LT	ADJ. FLOW
EB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.73	1288
	TR	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.96	1.00	1693
WB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.65	1147
	TR	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.99	1.00	1746
NB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.41	723
	TR	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.92	1.00	1623
SB	L	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	1.00	0.63	1111
	TR	1800	1	1.00	0.98	1.00	1.00	1.00	1.00	0.99	1.00	1746

INTERSECTION :
BOUGAINVILLEA AVE. @
40Th St.
WEEKDAY 10:00-11:00 AM 1988 CBD ? N
ACTUATED SIGNAL

CAPACITY ANALYSIS

APP	LN GR MVM	ADJ FLOW RATE	PMSV LT FLOW	ADJ SAT FLW RT	FLOW RATIO	CRIT ?	GREEN RATIO	LN GR CAPACITY	V/C RATIO
EB	L	30	0	1288	0.023	N	0.333	429	0.070
	TR	241	0	1693	0.142	Y	0.333	564	0.427
WB	L	18	0	1147	0.016	N	0.333	382	0.047
	TR	177	0	1746	0.101	N	0.333	582	0.304
NB	L	68	0	723	0.094	N	0.533	386	0.176
	TR	299	0	1623	0.184	N	0.533	866	0.345
SB	L	49	0	1111	0.044	N	0.533	593	0.083
	TR	561	0	1746	0.321	Y	0.533	931	0.603

CYCLE LENGTH : 60.0 SUM OF CRITICAL LANES' FLOW RATIOS : 0.463
LOSS TIME PER CYCLE : 6 INTERSECTION V/C : 0.514

LEVEL OF SERVICE

APP	LN GR MVM	V/C RATIO	GREEN RATIO	CYC LEN	1st DELAY	LN GR CAP	2nd DELAY	PF	LN GR DELAY	LN GR LOS	APP DELAY	APP LOS
EB	L	0.070	0.333	60	10.4	429	0.0	0.85	8.8	B		
	TR	0.427	0.333	60	11.8	564	0.3	0.85	10.3	B	10.1	B
WB	L	0.047	0.333	60	10.3	382	0.0	0.85	8.8	B		
	TR	0.304	0.333	60	11.3	582	0.1	0.85	9.7	B	9.6	B
NB	L	0.176	0.533	60	5.5	386	0.0	0.85	4.7	A		
	TR	0.345	0.533	60	6.1	866	0.1	0.85	5.3	B	5.2	B
SB	L	0.083	0.533	60	5.2	593	0.0	0.85	4.4	A		
	TR	0.603	0.533	60	7.3	931	0.8	0.85	6.9	B	6.7	B

INTERSECTION DELAY : 7.4 secs/veh
LEVEL OF SERVICE : B

INTERSECTION :
BOUGAINVILLEA AVE. @
40TH St.
WEEKDAY 10:00-11:00 AM 1988 CBD?N
ACTUATED SIGNAL

T R A F F I C & R O A D W A Y C O N D I T I O N S

APP	GRADE (%)	HV (%)	ADJ. PKG LN. Y/N	Nm	BUSES (Nb)	PHF	CONF. PEDS (peds/hr)	PED BUTTON Y/N	SEC	ARR TYPE
EB	0	5	N	0	0	0.81	0	N	0.0	3
WB	0	5	N	0	0	0.94	0	N	0.0	3
NB	0	5	N	0	0	0.85	0	N	0.0	3
SB	0	5	N	0	0	0.87	0	N	0.0	3

G E O M E T R I C S / V O L U M E S

	VOLUME			LANE GROUPS 1			2			3		
APP	LT	TH	RT	MVM	LNS	WD	MVM	LNS	WD	MVM	LNS	WD
EB	24	141	54	L	1	12.0	TR	1	12.0			
WB	17	156	10	L	1	12.0	TR	1	12.0			
NB	58	125	129	L	1	12.0	TR	1	12.0			
SB	43	464	24	L	1	12.0	TR	1	12.0			

S I G N A L P H A S I N G

APP	PHASE	1ST MV	2ND MV	3RD MV	PROT	PMSV	G	Y+R
EB	1	L	TR			LR	20	4.0
WB	1	L	TR			LR	20	4.0
NB	2	L	TR			LR	32	2.8
SB	2	L	TR			LR	32	2.8

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

June 4, 1987

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

RE: Petition No: DZ81-38
Petitioner: Busch Gardens

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,

Frances Henriquez
City Clerk

FH/nt

Enclosure: Resolution No. 2555-I

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

RESOLUTION 2555 -I

A RESOLUTION APPROVING AND AUTHORIZING THE SEVENTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 5, 1987, the Developer submitted plans for its seventh expansion of Busch Gardens pursuant to a Development Order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing, Inspections and Community Services has submitted a report and recommendation to the City Council recommending approval of this seventh expansion; and

WHEREAS, the impacts of the seventh expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A;

NOW, THEREFORE,

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

Section 1. That the "Large Animal Display" to be located on approximately one acre of land on the south side of the theme park as expansion seven to Busch Gardens' DRI, a copy of which proposal is attached hereto and by reference made a part hereof, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion does not constitute approval of the assumptions submitted in the Proposal for Expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 5. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Tampa, Florida on JUN 04 1987.

Tom Vann
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

Prepared and Approved by:

Pamela K. Akin
PAMELA K. AKIN
Chief Assistant City Attorney

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

July 1, 1985

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg, FL 33702

RE: Resolution No.'s: 8201-H & 8202-H

Ladies and Gentlemen:

For your information and record keeping, I am transmitting the above ordinance (s) adopted by the Tampa City Council.

If I can be of further service, please do not hesitate to contact my office.

Sincerely,

Frances Henriquez

(Mrs.) Frances Henriquez
City Clerk

FH/nt

Enclosures

RESOLUTION NO. 8202-H

A RESOLUTION APPROVING AND AUTHORIZING THE FIFTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 1, 1985, the Developer submitted plans for its fifth expansion of Busch Gardens pursuant to a Development Order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing, Inspections and Community Services has submitted a report and recommendation to the City Council, recommending approval of this fifth expansion; and

WHEREAS, the impacts of the fifth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A; now, therefore,

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

Section 1. That the theater to be located on approximately one acre of land in the "Nairobi" area as expansion five to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part hereof, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

Section 4. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON JUN 27 1985.

Sandra W. Freedman
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

Prepared and Approved by:

Pamela K. Akin
PAMELA K. AKIN
Assistant City Attorney

LEGAL DESCRIPTION

Block 82, GENERAL MAP OF TAMPA, as per plat recorded in Plat Book 1, page 7, of the Public Records of Hillsborough County, Florida.

EXHIBIT "A"

SL
file

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

May 13, 1985

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

RE: File No.: DZ81-38, Resolution No.: 7936-H
Petitioner: Busch Entertainment Corporation

Gentlemen:

For your information and record keeping, I am transmitting the above referenced resolution adopted by the Tampa City Council.

If I can be of further service, please do no hesitate to contact my office.

Sincerely,

(Mrs.) Frances Henriquez
City Clerk

FH/jlh
Enclosure
CERTIFIED MAIL

#72 DO [illegible]

TBRPC - cert. mail

RESOLUTION NO. 7936 -H

A RESOLUTION APPROVING AND AUTHORIZING THE FOURTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 28, 1985, the Developer submitted plans for its fourth expansion of Busch Gardens pursuant to a Development Order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing, Inspections and Community Services has submitted a report and recommendation to the City Council, recommending approval of this fourth expansion; and

WHEREAS, the impacts of the fourth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A; now, therefore,

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

Section 1. That the Fast Food Restaurant to be located on 34th Street and Busch Boulevard as expansion four to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part hereof, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and made effective the provisions of this Resolution.

Section 4. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ON MAY 9 - 1985.

Tom Vann
CHAIRMAN PRO TEM
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

Prepared and Approved by:

Pa. K. Akin
PAMELA K. AKIN
ASSISTANT CITY ATTORNEY

Copied and connected in D.O file

#72

#72

RESOLUTION NO. 6534-H

A RESOLUTION APPROVING AND AUTHORIZING THE SECOND EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Developer submitted plans for its second expansion of Busch Gardens pursuant to a Development Order adopted by City Council by Ordinance No. 7771-A; and

WHEREAS, the Director of the Department of Housing, Inspections and Community Services has submitted a report and recommendation to the City Council, recommending approval of this second expansion; and

WHEREAS, the impacts of the second expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A; now, therefore,

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

Section 1. That the Busch Gardens Expansion Program, second expansion, i.e., Speed Slide ride, submitted January 14, 1983, Looping Star ride, submitted March 1, 1984, and Tube Slide ride, submitted March 22, 1984, copies of which are attached hereto and by reference made a part hereof, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Resolution.

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 SEP 20 1984.

Sandra W. Freedman
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez
CITY CLERK

Prepared and Approved by:

Pamela K. Akin
ASSISTANT CITY ATTORNEY

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

September 24, 1981

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

Re: Ordinance No. 7771-A

Gentlemen:

I am transmitting the above ordinance which was adopted by the City Council and signed by the Mayor.

Please let me know if I can be of further service.

Sincerely,

Frances Henriquez

(Mrs) Frances Henriquez
City Clerk

eph

Enclosure

ORDINANCE NO. 7771-A

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY BUSCH ENTERTAINMENT CORPORATION, FOR BUSCH GARDENS, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, on April 1, 1981, Busch Entertainment Corporation filed an application for Development of Regional Impact with the City of Tampa, Hillsborough County, Hillsborough County City-County Planning Commission, Hillsborough County Environment Protection Commission, Florida Department of Veteran and Community Affairs and the Tampa Bay Regional Planning Council, pursuant to the provisions of Section 380.06, Florida Statutes (1980), and Section 43-96.2, City of Tampa Code; and

WHEREAS, the application proposed an expansion of the Busch Gardens attraction, in the City of Tampa, located on approximately 366 acres with the majority of the site bounded by Busch Boulevard, 40th Street, 30th Street and Bougainvillea Avenue; and

WHEREAS, the City Council as the governing body of the local government having jurisdiction pursuant to Section 380.06, Florida Statutes (1980), is authorized and empowered to consider applications for development approval for Developments of Regional Impact; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes (1980), and Section 43-96.2, City of Tampa Code, have been satisfied; and

WHEREAS, the City Council has on September 8, 1981 held a duly noticed public hearing on the application for development approval and has heard and considered testimony and documents received thereon; and

WHEREAS, the City Council has received and considered the report and recommendations of the Tampa Bay Regional Planning Council; and

WHEREAS, all interested parties and members of the public were afforded the opportunity to participate in the application hearing on the subject Development of Regional Impact, before the City Council, and

WHEREAS, the City Council has reviewed the above referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public, now, therefore,

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

Section 1. That this ordinance shall constitute the Development Order of the City Council issued in response to the Application for Development Approval (ADA) filed by the Busch Entertainment Corporation for Busch Gardens attraction, a Development of Regional Impact. The scope of development to be permitted pursuant to this order includes the operations described in the ADA and the supporting documents, which by reference are made a part hereof.

Section 2. That City Council, having received the above referenced documents,and having received all related comments, testimony and evidence submitted by each party and members of the general public, find there is substantial competent evidence to support the following findings of fact:

A. That the real property which is the subject of the ADA is legally described as set forth in Exhibit "A", attached hereto and by reference made a part hereof.

B. That Busch Entertainment Corporation (Developer) submitted to the City of Tampa (City) an ADA and sufficiency response which are attached hereto as composite Exhibit "B", and by reference made a part hereof, to the extent that they are not inconsistent with the terms and conditions of this Development Order.

C. That the Developer proposes an expansion of Busch Gardens, a tourist attraction, with a total site area of approximately 366 acres, with a majority of the site bounded by Busch Boulevard, 40th Street, 30th Street, and Bougainvillea Avenue.

D. That the proposed development is not located in an area of critical State concern as designated pursuant to Section 380.05, Florida Statutes (1979).

E. That the project is consistent with all local land development regulations.

F. That the development is consistent with the report and recommendations of the Tampa Bay Regional Planning Council (TBRPC). That report, recommended that conseptual approval of the proposed Busch Gardens expansion, as identified in the ADA, be accorded, and that specific conditional approval of each addition be given by the City upon the City's review of final plans for approval, with certain conditions. All such conditions are reflected herein.

G. That the development will not unreasonably interfere with the achievement or the objectives of the adopted State land development plan applicable to the area.

H. That a comprehensive review of the impact generated by the development has been conducted by the City's departments and the TBRPC.

Section 3. That City Council having made the above findings of fact, reaches the following conclusions of law:

A. That these proceedings have been duly conducted pursuant to applicable laws and regulations, and based upon the record in this proceeding, the Developer and the various departments of the City are authorized to conduct development as described herein, subject to the conditions, restrictions and limitations set forth herein.

B. That the review by the City, the TBRPC and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order and the ADA, to the extent not inconsistent with this Development Order.

Section 4. That, having made the above findings of fact and drawn the above conclusions of law, it is ordered that the ADA is hereby approved, subject to the following conditions, restrictions, and limitations:

A. Substantial Deviations; Retriggering of Development of Regional Impact Process.

Further review pursuant to Chapter 380, Florida Statutes, may be required if a substantial deviation, as defined in Chapter 380, Florida Statutes, occurs. Further, substantial deviation may occur by failure to comply with the conditions herein, failure to follow the plans and specifications submitted in the ADA and supplementary information, or by activities which are not commenced until after the expiration of the period of effectiveness of this order. Any substantial deviation, as described above, shall cause a termination of all development activity and a retriggering of the Development of Regional Impact process.

B. (1) The Developer shall submit plans for each specific expansion of Busch Gardens to the City's Director, Department of Housing, Inspections and Community Services for a review and approval prior to the issuance of construction permits. Within thirty (30) days of the receipt of the request for expansion, the Director, Department of Housing, Inspections and Community Services, shall submit a report and recommendations to the City Council, for the approval or disapproval of the request. The plan submitted shall include an updated matrix indicating how the impact generated by each expansion relate to the total project's impacts in the area of water supply, solid waste, electrical demand, waste water and traffic as referenced in Sections 4(D), 4(E), 4(F), 4(G), and 4(H) of this Development Order. If these projected impacts are within the limits specified in those sections listed above, the City shall approve the plans for the specific expansion by resolution of City Council. If the projected impacts are not within the limits specified in those sections listed above, then a date for a public hearing on the request for expansion shall be fixed and notice published. The notice shall state that the proposed expansion is not within the limits specified in the section(s) referred

to above. The notice shall be published one (1) time not less than 15 days in advance of the hearing. Additionally, immediately upon setting the date and time for the hearing, notices reflecting that date and that time shall be sent by certified mail by the City Clerk to the TBRPC, the Division of State Planning, and such other agencies as are appropriate. In addition to such published notice, the Developer shall immediately, upon the adoption of the resolution fixing a date for a public hearing and not less than fifteen (15) days prior to the date set for the public hearing, send a copy of the published notice to the owner or owners of every parcel of land within a distance of one hundred fifty (150) feet in any direction from the property line of the land described in the application for development approval as indicated in the ADA, which copy of the published notice shall be mailed to such owner or owners, at their usual post office address, by certified mail, with return receipt requested. When the return receipts are delivered to the Developer, the Developer shall prepare an affidavit indicating the lands that lie within one hundred fifty (150) feet in any direction from the land described in the ADA, the names of the owners of such lands, and the date and post office address to which each copy of the published notice was mailed. The Developer shall attach to the affidavit the return receipt notices that were mailed. The affidavit and return receipts must be filed with the City Council not less than seven (7) days prior to the date of the public hearing.

(2) The Developer or its representative shall appear in support of its application for expansion at the public hearing. Failure to so appear shall be grounds for denial of the application for expansion, in the absence of good cause shown.

(3) Following the public hearing, the City Council shall enter an order, by ordinance, that shall approve, deny, or conditionally approve the application for expansion. The ordinance shall include, but not be limited to, provisions pertaining to:

(a) The period of effectiveness;

(b) The conditions under which the DRI review process will be retriggered;

(c) The time period during which the ordinance may be appealed under the provisions of Chapter 380, Florida Statutes, as amended;

(d) Such additional data relevant to the order as Council may wish to include.

(4) Copies of the Development Order shall be forwarded to the Division of State Planning and the TBRPC within five (5) days of their issuance.

(5) If the City Council denies the request for expansion, the City Council must specify its reasons in writing and indicate any changes in the development proposal that would make the development eligible to receive its approval.

C. The Developer shall submit an annual report on the Development of Regional Impact to the City, the TBRPC, the State land planning agency, and other agencies as may be appropriate, on the anniversary of the effective date of this Development Order for each following year until and including such time as all terms and conditions of this Development Order are satisfied. Such report shall be submitted to the Director, Department of Housing, Inspections and Community Services, who shall, after appropriate review, submit it for review by the City Council. The City Council shall review the report for compliance with the terms and conditions of this Development Order and may issue further orders and conditions to insure compliance with the terms and conditions of this Development Order. Developer shall be notified of any City Council hearing wherein such report is to be reviewed, provided, however, that receipt and review by the City Council shall not be considered a substitute or a waiver of any terms or conditions of this Development Order. The report shall contain:

1. A description of all development activity conducted pursuant to this Development Order during the year immediately preceding the submission of the annual report;

2. A description of all development activities proposed to be conducted under the terms of this Development Order for the year immediately subsequent to the submission of the annual report;

3. A statement listing all applications for incremental review required pursuant to this Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report;

4. A statement setting forth the name(s) and address of any heir, assignee or successor in interest to the Developer; and,

5. A statement that all persons have received copies of the annual report, as required under Section 380.06(16), Florida Statutes (1980).

It is the intent herein, that the foregoing requirements for submittal of the annual report shall be in addition to and not in lieu of any submittal requirements for an annual report as promulgated by the State land planning agency.

D. That any expansion to Busch Gardens shall not result in the total demand for water supply exceeding 600,000 gallons, annual average per day, as referenced in the ADA.

E. That any expansion to Busch Gardens shall not result in the total demand for solid waste disposal exceeding 6.1 tons, annual average per day, as referenced in the ADA.

F. That any expansion to Busch Gardens shall not result in a total electrical demand exceeding 33,464,000 kilowatt hours, annually, as referenced in the ADA.

G. That any expansion to Busch Gardens shall not result in a total demand for waste water, exceeding 600,000 gallons annual average per day, as referenced in the ADA.

H. That any expansion to Busch Gardens shall not result in a traffic impact generated by Busch Gardens which would exceed the total traffic impact as referenced in the ADA, or which would result in a traffic level of service "E" at the intersection of Busch Boulevard and 40th Street, and the appropriate sections of Busch Boulevard and 40th Street. For the purposes of this section, level of service shall be calculated, based upon the following factors:

1. The latest actual figure for the 40th highest hour of attendance at Busch Gardens, as provided by the Developer;

2. The latest figure for vehicle occupancy rate for all Busch Gardens patrons on the day that contains the 40th highest hour of attendance, as identified in the preceding subsection, as provided by the Developer;

3. A 4.4% annual growth rate for background traffic, or less, as determined by the City's Traffic Engineering Division; and

4. The latest directional study data, for the subject intersection, as determined by the City's Traffic Engineering Division.

I. That the Developer shall institute measures to control windblown dust erosion during the construction of any expansion to Busch Gardens.

J. That, when required by the City, results of drilling for subsidence potential, shall be submitted to the City together with the plans for each specific expansion of Busch Gardens.

K. That the water quality monitoring program, referenced in the ADA, shall be maintained in perpetuity for Busch Gardens.

L. That final drainage plans for Busch Gardens shall include, whenever possible, features to enhance water quality as referenced in the ADA. Such features shall include, but not be limited to, grassy swales, retention and detention ponds, and vegetation. These final drainage plans shall be approved by the City and the Florida Department of Environmental Regulation. The Developer shall be deemed to have received the necessary approval for the final drainage plans from the Florida Department of Environmental Regulation upon receipt of an appropriate permit or a letter from that agency declining jurisdiction.

M. That Developer consider the use of high pressure sodium lights in parking lots and non public areas.

N. That the Developer, the City, and the Florida Department of Transportation, shall commit to the construction of a dual left-turn for east bound to north bound traffic movements at Busch Boulevard and 40th Street, together with, the necessary required storage length for east bound to north bound left-turn lanes at Busch Boulevard and 40th Street. The Developer's commitment shall be complete upon the execution of a contract with the City, to pay the cost of this construction, which payment shall not exceed $95,000.00. The City's commitment shall be complete upon the execution of a contract with the Developer, whereby the City assumes responsibility for seeing that the road improvements indicated herein, or alternative improvements which can be accomplished within the dollar amount referred to above, are completed. Should the bids for the improvements exceed the dollar amount referred to above, than the Developer and the City shall meet to discuss alternative approaches which could be utilized, including increased funding levels or alternative designs. The initial detailed plans and specifications for the improvements referred to above shall be provided by the Developer. Florida Department of Transportation's commitment shall be complete either upon notifying the City of its acceptance of a suggested design for the road improvements indicated herein or upon agreeing with the City to complete the indicated road improvements.

O. That the Developer shall immediately take steps to improve the access to Busch Gardens parking lots along 40th Street, in order to increase the rate of cars entering and to reduce the queues on 40th Street as referenced in the ADA. The Developer shall make additional improvements designed to reasonably accommodate the dual left-turn lanes referred to in Section 4 (N) above; provided, however, that the Developer shall not be required to complete these additional improvements until such time as the lanes are actually constructed.

P. That a traffic system management (TSM) and implementation program shall be developed through the coordinated efforts of the Developer, the City, Hillsborough County, Florida Department of Transportation, and TBRPC, for graduated implementation with each additional facility. The TSM procedures to be utilized and the set plan of action are identified and defined as follows:

1. That TSM shall be based on ultimate development and incremental years of development as determined by the Developer. This study shall identify the impact of each incremental development phase and recommend geometric improvements or system management measures for adequately accommodating the development-generated traffic within the study area. The study area is that area shown on Exhibit "C", attached hereto and by reference made a part hereof. The goal of the TSM shall be to mainatin at level of service "D" the intersections and roadways within the study area as defined above.

2. Prior to any expansion development, as defined in the ADA, commitment for road improvements identified in Section 4(N) above, shall be required. Also, prior to any expansion development, as defined in the ADA, commitment for improved access to Busch Gardens parking lots along 40th Street, in order to reduce the rate of cars entering and to reduce the queues on 40th Street, as defined in Section 4(O) above, shall be required.

3. The Developer shall be required to complete a study to identify the specific traffic impacts attributable to the Developer's development activities and potential methods for offsetting those impacts as defined in P(1) above. This study shall be completed no later than December 31, 1986. The scope of the study shall be limited to the area, indicated on Exhibit "C". Upon completion of this study, the Developer, the City, Hillsborough County, the Florida Department of Transportation and the TBRPC shall agree as to which methods identified in the study for offsetting those traffic impacts will be implemented. In identifying those methods to be implemented, the parties shall give special consideration to the least costly solution. The parties shall commit to implement the methods previously identified for off-setting the traffic impact attributable to the Developer's development activities, no later than December 31, 1987. The Developer's commitment for geometric improvements, if any, as distinct from system management techniques, shall be limited to the intersections and roadways immediately adjacent to the development area as defined in the ADA, and more specifically, Busch Boulevard, 30th Street, 40th Street and Bougainvillea Avenue. No site plans for future expansions, which will not be substantially completed before January 1, 1988, shall be approved by the City until these necessary commitments are made. All available sources of funds will be explored for partial or full funding for these improvements.

4. Upon execution of the Development Order, the City shall be deemed to have approved the TSM procedures identified and defined in this section. All other parties shall approve or disapprove, in writing, these TSM procedures, within thirty (30) days of the effective date of this Development Order. Failure by any party to respond within this time period shall be deemed an approval of these TSM procedures.

Q. That all development pursuant to this Order, shall be in accordance with applicable local building codes, ordinances, and other laws.

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

Section 6. That the Development Order shall remain in effect for a period of ten (10) years from the date of the rendition of this Order.

Section 7. Any expansion to Busch Gardens, wherein plans have been submitted to the City for its review and approval prior to the expiration date of this Order, may be completed, if approved. This Order may be extended by City Council upon the finding of excusable delay in any proposed development activity.

Section 8. That this Development Order shall be binding upon the Developer, its heirs, assignees, or successors in interest.

Section 9. It is understood that any reference herein to any governmental agencies 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 Development Order

Section 10. That in the event that any portion or section of this Development Order is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner effect the remaining portions or sections of this Development Order which shall remain in full force and effect.

Section 11. That the City Clerk is directed to send copies of this Development Order, within five (5) days of the effective date of this ordinance, to the Developer, Hillsborough County, the Florida Department of Transportation, the Florida Department of Veteran and Community Affairs, and the TBRPC.

Section 12. That within forty-five (45) days after this order is rendered, the Developer, TBRPC, by vote at a regularly scheduled meeting, or the State land planning agency, may appeal this order to the Florida Land and Water Adjudicatory Commission by filing a notice of appeal with the Commission. The appellant shall furnish a copy of the notice of appeal to the opposing party, as the case may be, and to the City. The filing of the Notice of appeal shall stay the effectiveness of this Order and shall stay any judicial proceedings in relation to the Development Order, until after the completion of the appeal process, pursuant to Chapter 380, Florida Statutes,

Section 13. That this Development Order shall be deemed rendered as of the date that this ordinance becomes law.

Section 14. That this Ordinance shall take effect immediately upon becoming a law, and a copy hereof shall be posted on the bulletin board in the hall of the First Floor of the City Hall in the City of Tampa, Florida, for the convenience of the public.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON SEP 22 1981.

ATTEST:

Frances Henriquez
CITY CLERK

Lloyd Copeland
CHAIRMAN, CITY COUNCIL

APPROVED by me on SEP 23 1981

Bob Martinez
MAYOR

Prepared and Approved by:

Kenneth E. Graves
ASSISTANT CITY ATTORNEY

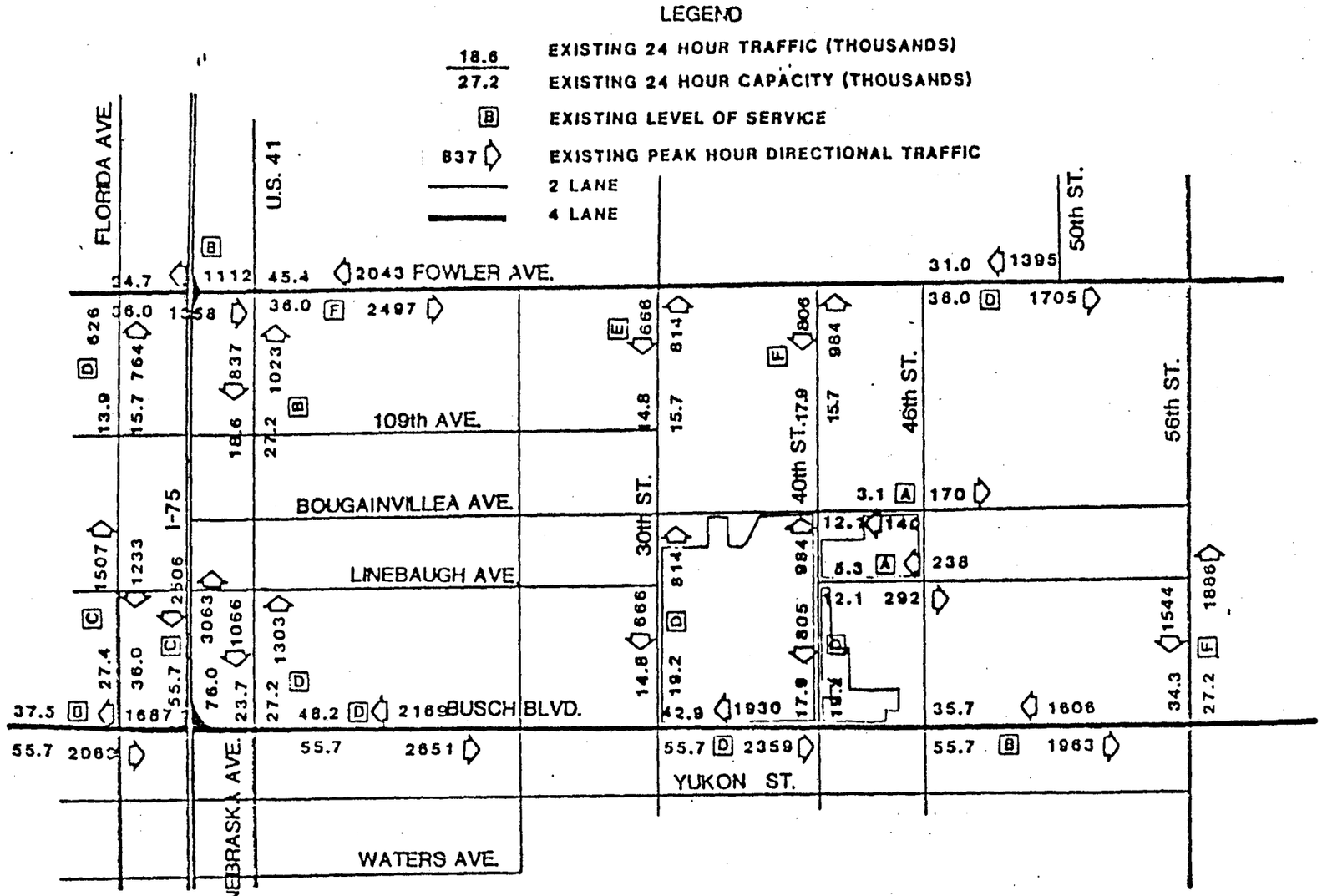


FIGURE 1

EXISTING ROADWAY CONDITIONS

EXHIBIT 31-1

BUSCH GARDENS TAMPA FLORIDA

EXHIBIT "C"

Busch Gardens Travel Park site

This site is bounded on the South by Linebaugh Avenue, and on the West by McKinley Drive. An approximate legal description is:

> The East 1320 feet of the West 1992 feet of the North 630 feet of the South 680 feet of the SW 1/4 of Section 16, Township 28 South, Range 19 East, Hillsborough County, Florida.

Adventure Island site

This site is bounded on the East by 46th Street, on its southernmost boundary by Linebaugh Avenue and on its northernmost boundary by Bougainvillea Avenue. An approximate legal description is:

> The east 1200 feet of the West 2628 feet of the North 625 feet of the South 1305 feet AND the East 640 feet of the West 2628 feet of the North 630 feet of the South 680 feet of the SW 1/4 of Section 16, Township 28 South, Range 19 East, Hillsborough County, Florida.

2

RESOLUTION NO. 92-

A RESOLUTION APPROVING AND AUTHORIZING THE THIRTEENTH EXPANSION TO BUSCH GARDENS PURSUANT TO THE CITY OF TAMPA'S DEVELOPMENT OF REGIONAL IMPACT (DRI) DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 2, 1991, the developer submitted plans for its thirteenth expansion of Busch Gardens pursuant to a development order adopted by City Council by Ordinance No. 7771-A, as amended by Ordinance No. 9799-A and Ordinance No. 91-163; and

WHEREAS, the Director of the Department of Housing and Development Coordination has submitted a report and recommendation to the City Council recommending approval of this thirteenth expansion; and

WHEREAS, the impacts of the thirteenth expansion are within the limits specified in the Development Order adopted by Ordinance No. 7771-A, as amended by Ordinance No. 9799-A and Ordinance No. 91-163.

NOW, THEREFORE,

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

Section 1. That the Roller Coaster attraction to be located in Busch Gardens area and the Tube Slide attraction to be located in the Adventure Island area of the Busch Gardens Theme Park as expansion thirteen to Busch Gardens DRI, a copy of which proposal is attached hereto and by reference made a part hereof as Exhibit A, is hereby approved.

Section 2. That this development shall be consistent with all City of Tampa Code requirements and shall comply with all standard permitting procedures.

Section 3. That approval of this expansion is based on the City of Tampa's review of the proposal and analysis submitted and the City of Tampa's finding that the impacts of the thirteenth expansion are within the limits specified in the Development Order; however, this approval does not constitute approval of all of the assumptions submitted in the proposal and anyalysis for expansion.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisns of this Resolution.

Section 5. This Reoslution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JAN 09 1992.

ATTEST:

CITY CLERK

CHAIRMAN, CITY COUNCIL

PREPARED AND APPROVED BY:

GINA K. GRIMES
ASSISTANT CITY ATTORNEY