

# CITY OF TAMPA

Janett S. Martin, City Clerk

Office of City Clerk

February 23, 1998

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

RE: Petition No. DZ88-1 WorldMart Center/Gateway  
Ordinance 98-0036, Abandoning DRI

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 ORD 98-0036

Certified Mail

TBRPC

ORDINANCE NO. 98-0036

AN ORDINANCE ABANDONING THE WORLD MART CENTER DEVELOPMENT OF REGIONAL IMPACT IN THE CITY OF TAMPA, FLORIDA, AND MORE PARTICULARLY DESCRIBED IN SECTION 1; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Tampa Preparatory School Inc. has submitted an Application for Abandonment of a Development of Regional Impact ("DRI") said DRI approved under Ordinance No. 89-03, as amended by Ordinance No. 91-198 and Ordinance No. 94-261; and

WHEREAS, the "Application for Abandonment of a Development of Regional Impact" relates to the property described in Exhibit "A"; and

WHEREAS, said Application provides reasons for the abandonment of the DRI; and

WHEREAS, the State of Florida, Department of Community Affairs has reviewed the Application and has found that the DRI may be abandoned under the provisions of Chapter 380, Florida Statutes; and

WHEREAS, the Tampa Bay Regional Planning Council has reviewed the Application and received comments from the State of Florida, Department of Community Affairs and found that abandonment of the DRI will have no regional impacts and will be consistent with Rule 9J-2.0251, Florida Administrative Code.

NOW, THEREFORE,

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

Section 1. That the World Mart Center Development of Regional Impact as approved on the property described in Exhibit "A", is hereby abandoned in its entirety.

Section 2. That all ordinances in conflict herewith are repealed to the extent of any conflict.

Section 3. That if any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions, at the City of Tampa's election, shall remain in full force and effect.

**Certified as true  
and correct copy.**

Section 4. This Ordinance shall take effect upon becoming law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA  
ON FEB 19 1998

ATTEST:

Janett S. Martini  
CITY CLERK

Ronnie Mason  
CHAIRMAN, CITY COUNCIL

APPROVED by me on FEB 20 1998

APPROVED BY:

Andrea E. Zelman  
ANDREA E. ZELMAN  
ASSISTANT CITY ATTORNEY

Dick A. Greco  
DICK A. GRECO, MAYOR

F:\WP61\WORK\JBG\TAMP\PREP\ORDINANC.DRI

State of Florida  
County of Hillsborough

This is to certify that the foregoing is a  
true and correct copy of Ordinance 98-0036  
on file in my office  
Witness my hand and official seal this 23rd day  
of Feb, 19 98  
Janett S. Martini  
CITY CLERK

EXHIBIT "A"

LEGAL DESCRIPTION:

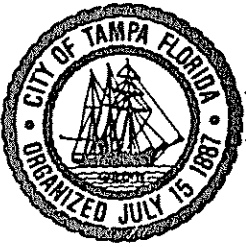
A portion of Section 24, Township 29 South, Range 18 East, Hillsborough County, Florida, lying within the following described boundaries, to wit:

Commence at the Northwest corner of Section 24, Township 29 South, Range 18 East; thence run South  $89^{\circ}15'30''$  East 42.00 feet along the Northerly boundary of said Section 24, to a point on the Easterly right-of-way line of North Boulevard and the POINT OF BEGINNING; continue thence South  $89^{\circ}15'30''$  East 800.84 feet along the Northerly boundary of Said Section 24 and the northerly boundary of Phillip's Field to a point on the face of an existing seawall at the water's edge of the Hillsborough River; thence run South  $05^{\circ}07'00''$  East 311.17 feet along the water's edge of the Hillsborough River to a point on the Southerly boundary of Phillip's Field; thence South  $10^{\circ}54'36''$  East 279.78 feet along said water's edge to a point on the North right of way line of Cass Street; thence along said right of way line the following courses; North  $81^{\circ}52'29''$  West 221.40 feet; thence North  $87^{\circ}39'29''$  West 50.00 feet; thence South  $89^{\circ}54'31''$  West 200.00 feet; thence South  $89^{\circ}50'08''$  West 60.06 feet to a point on a curve concave to the Southeast having a radium of 897.61 feet; thence from a tangent bearing South  $88^{\circ}37'12''$  West run Southwesterly 313.63 feet along the arc of said curve through a central angle of  $20^{\circ}01'09''$  to a point of intersection with a curve concave to the Northeast having a radius of 40.00 feet; thence from a tangent bearing South  $69^{\circ}32'56''$  West run Northwesterly 77.63 feet along the arc of said curve through a central angle of  $111^{\circ}11'34''$  to the end of said curve; thence run North  $00^{\circ}44'30''$  East 585.85 feet along the Easterly right of way line of North Boulevard and to the POINT OF BEGINNING.

Less and except the east 12' thereof.

**Certified as true  
and correct copy.**

#172



# CITY OF TAMPA

Janett S. Martin, City Clerk

Office of City Clerk

December 6, 1994

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

RE: Petition No. DZ88-1  
Ordinance No. 94-261

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. 94-261

CERTIFIED MAIL

cc: Land Development Coordination



315 E. Kennedy Blvd., City Hall • Tampa, Florida 33602 • 813/274-8396

Printed on Recycled Paper

TBRPC  
Ent Copy

ORDINANCE No. 94-261

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE SECOND AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FILED BY FNB PROPERTIES, INC. FOR WORLD MART CENTER-GATEWAY TAMPA, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, Ordinance No. 89-03, passed and ordained by the City Council of the City of Tampa, Florida, on January 5, 1989, approved a Development Order for World Mart Center-Gateway Tampa (the "Development"), a Development of Regional Impact ("DRI"); and

WHEREAS, Ordinance No. 89-03 was amended by Ordinance No. 91-198, passed and ordained by the City Council of the City of Tampa, Florida, on October 17, 1991, approving an amendment to the previously approved Development Order for the development (Ordinance No. 89-03, as amended by Ordinance No. 91-198 shall be referred to herein as the "Development Order"); and

WHEREAS, FNB Properties, Inc. (the "Developer"), now owns the property governed by the Development Order; and

WHEREAS, on September 6, 1994, the Developer filed a Notice of Proposed Change to a previously approved Development of Regional Impact pursuant to subsection 380.06(19), Fla. Stat., for the Development (the "Proposed Changes") attached hereto as Composite Exhibit A; and

WHEREAS, the Notice of Proposed Change proposes to amend the Development Order to extend the buildout dates for each phase, and commencement of construction date by a period of two (2) years (hereinafter said changes shall be referred to as the "Proposed Changes"); and

WHEREAS, subsection 380.06(19)(e)(2), Florida Statutes, provides that a proposed change which involves an extension of the date of buildout of a development, or any phase thereof, by less than five (5) years, if approved prior to December 31, 1994, is not a substantial deviation; and

WHEREAS, Subsection 380.06(19)(e)(2), Florida Statutes provides that any extension of the buildout date of a project or a phase thereof shall automatically

extend the commencement date of the project and the phases thereof by a like period of time; and

WHEREAS, the Proposed Changes to the Development Order shall constitute the second amendment to the Development Order; and

WHEREAS, public hearings on this amendment are not required under Subsection 380.06, (19)(e)(2), Florida Statutes and Section 27-418, City of Tampa Code; and

WHEREAS, the City Council has reviewed and considered the Notification of Proposed Change submitted by the Developer concerning the Proposed Changes; and

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

WHEREAS, 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 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 do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

C. That the Proposed Changes are consistent with the State Comprehensive Plan.

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

E. That, in accordance with Subsection 380.06(19)(e)(2), Florida Statutes, the Proposed Changes are found not to be substantial deviations 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 Subsection 380.06(19)(e)(2), Florida Statutes, the Proposed Changes are found not to be 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 is hereby amended to incorporate the Notification of Proposed Change.

B. 1. That section 7 of the Development Order is hereby amended to extend the commencement of development date by an additional period of two (2) years (for a cumulative total of four (4) years, eleven (11) months, and fifteen (15) days) to November 1, 1996; and

2. That the Development Order is hereby amended to extend the buildout of development for each phase by a period of two (2) years (for a cumulative total of four (4) years, eleven (11) months, and fifteen (15) days) as follows:

Phase I - 1991 - December 15, 1996  
Phase II - 1994 - December 15, 1999  
Phase III - 1996 - December 15, 2002  
(Conceptional Approval, Only)

**SECTION 4. Development Order as Amended.** This Ordinance shall constitute the second amendment to Ordinance No. 89-03, which shall constitute



collectively, with the first amendment adopted by Ordinance No. 91-198, 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.

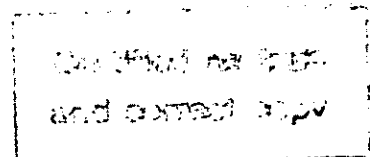
**SECTION 7. Governmental Agencies.** That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possess any of the powers and duties of any referenced 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 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 owner/developer (FNB Properties, Inc., c/o First Union National Bank of Florida, Special Assets Department, 100 South Ashley Drive, Tampa, Florida 33602, Attn: Mr. Ed Fleri), 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 recipient specified in chapter 380, Florida Statutes

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



SECTION 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 9 hereof.

Passed and ordained by the City Council of the City of Tampa, Florida on

DEC 09 1994.

Ronnie Mason

Chairman, City Council

Sandra W. Friedman

Mayor

Approved by me on DEC 05 1994

ATTEST:

Janett S. Martin  
City Clerk

State of Florida  
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Ordinance 94-261 on file in my office.

Witness my hand and official seal this 6th day of Dec 1994.

JANETT S. MARTIN, CITY CLERK

BY Nancy Townsend  
CITY CLERK  
NANCY TOWNSEND, DEPUTY CITY CLERK

APPROVED AS TO FORM BY:

Gina K. Gomes  
Assistant City Attorney

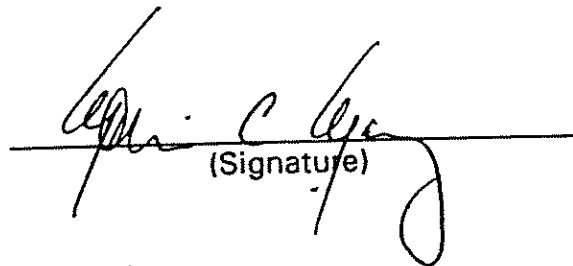
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF RESOURCE PLANNING AND MANAGEMENT  
BUREAU OF STATE PLANNING  
2740 Centerview Drive  
Tallahassee, Florida 32399  
(904) 488-4925

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, Morris C. Massey or Kenneth E. Graves, the undersigned owner/ authorized representative of FNB Properties, Inc., a Florida corporation, hereby gives notice of a proposed change to a previously approved Development of Regional Impact in accordance with subsection 380.06(19), Fla. Stat. In support thereof, I submit the following information concerning DRI No. 178 World Mart Center-Gateway Tampa Development (adopted by City of Tampa, Ordinance No. 89-03 as amended by City of Tampa Ordinance No. 91-198), which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa, to the Tampa Bay Regional Planning Council, and to the Bureau of State Planning, Department of Community Affairs.

September 6, 1994

  
(Signature)

2. Applicant (name, address, phone).

FNB Properties, Inc.  
100 S. Ashley Drive  
Tampa, FL 33602

T#285528.1

Certified as true  
and correct copy.

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

**Morris C. Massey or Kenneth E. Graves  
Carlton, Fields, Ward, Emmanuel,  
Smith & Cutler, P.A.  
P. O. Box 3239  
Tampa, FL 33601-3239**

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

**City of Tampa, Hillsborough County, Florida  
Township 29, South, Range 24, East, Section 24  
Legal description of Property is attached hereto as Exhibit A-1.**

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

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

**This amendment will extend the commencement date for development and the buildout date for each phase by two (2) years. The buildout dates for each phase contained in the DRI Development Order were extended in 1991 pursuant to the City of Tampa Ordinance No. 91-198 by 2 years, 11 months and 15 days.**

**This amendment will extend the commencement of development (section 7 of the Development Order, as amended) to November 15, 1996.**

**The "buildout" for each phase will be extended as follows:**

**Phase I - 1991 - December 15, 1996**

**Phase II - 1993 - December 15, 1998**

**Phase III - 1996 - December 15, 2002  
(Conceptual Approval, only)**

**If this amendment is approved, then the buildout date for each phase (including the commencement date of development) will be extended. Cumulatively by both amendments, a total of four (4) years, eleven (11) months and fifteen (15) days.**

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.

**No. change. See chart attached hereto as Exhibit A-2.**

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?**

**The Development Order was amended by the City of Tampa City Council on October 17, 1991 pursuant to City of Tampa Ordinance No. 91-198. This Ordinance extended the dates for commencement of development, buildout of each phase, and termination of the Development Order by two (2) years, eleven (11) months and fifteen (15) days. There has been no change in local government jurisdiction since the DRI Development Order was originally adopted.**

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

The Developer has not purchased or optioned any land within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI Development Order.

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), Fla. Stat.

Yes. The Proposed Change is expressly permitted by §§ 380.06(19)(c) and 380.06(19)(e)(2), Fla. Stat., and deemed not to be a substantial deviation, if made effective prior to December 31, 1994.

Do you believe this notification of change proposes a change which meets the criteria of subparagraph 380.06(19)(e)(2), Fla. Stat.?

YES X

NO    

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

Yes, this proposed amendment changes the proposed buildout and phasing dates. These changes are detailed in our response to question no. 5 above.

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), Fla. Stat. and 9J-2.025, Florida Administrative Code:

No changes to the City of Tampa Comprehensive Plan will be required.

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

No changes in the master site plan are proposed.

13. Pursuant to subsection 380.06(19)(f), Fla. Stat., include the precise language this 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 change to the nature, phasing, and buildout 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 belt; 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.

The precise language of the proposed amendment is as follows:

- "a. That section 7 of the Development Order is hereby amended to extend the commencement of development date by a period of two (2) years to November 15, 1996.
- b. That the Development Order is hereby further amended to extend the buildout of development for each phase by a period of two (2) years as follows:

Phase I - 1991 - December 15, 1996

Phase II - 1993 - December 15, 1998

Phase III - 1996 - December 15, 2002

(Conceptual Approval, only)."



Exhibit A-1

WORLD MART CENTER-GATEWAY TAMPA  
LEGAL DESCRIPTION

A portion of Section 24, Township 29 South, Range 18 East, lying within the following described boundaries, to wit:

Commence at the Northwest corner of Section 24, Township 29 South, Range 18 East: thence run South  $89^{\circ} 15' 30''$  East 42.00 feet along the Northerly boundary of said Section 24 to a point on the Easterly right-of-way line of North Boulevard and the POINT OF BEGINNING, continue thence South  $89^{\circ} 15' 30''$  East 800.84 feet along the Northerly boundary of said Section 24 and the Northerly boundary of Phillips Field to a point on the face of an existing seawall at the water's edge of the Hillsborough River: thence run South  $05^{\circ} 07' 00''$  East 311.17 feet along the water's edge of the Hillsborough River to a point on the Southerly boundary of Phillips Field: thence South  $10^{\circ} 54' 36''$  East 279.78 feet along said water's edge to a point on the North right-of-way line of Cass Street: thence along said right-of-way line the following courses: North  $81^{\circ} 52' 29''$  West 221.40 feet: thence North  $87^{\circ} 39' 29''$  West 50.00 feet: thence South  $89^{\circ} 54' 31''$  West 200.00 feet: thence South  $89^{\circ} 50' 08''$  West 60.06 feet to a point on a curve concave to the Southeast having a radius of 897.61 feet: thence from a tangent bearing South  $88^{\circ} 37' 12''$  West run Southwesterly 313.63 feet along the arc of said curve through a central angle of  $20^{\circ} 01' 09''$  to a point of intersection with a curve concave to the Northeast having a radius of 40.00 feet: thence from a tangent bearing South  $69^{\circ} 32' 56''$  West run Northwesterly 77.63 feet along the arc of said curve through a central angle of  $111^{\circ} 11' 34''$  to the end of said curve: thence run North  $00^{\circ} 44' 30''$  East 585.85 feet along the Easterly right-of-way line of North Boulevard to the POINT OF BEGINNING.

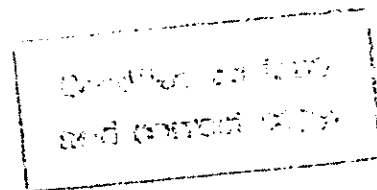
CONTAINING 10.974 acres, more or less.(D)  
[10.978 acres, more or less (M)]

9-20-88

Certified as true  
and correct copy.

## SUBSTANTIAL DEVIATION DETERMINATION CHART

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Attraction/ Recreation	# Parking Spaces			No change
	# Spectators			No change
	# Seats			No change
	Site locational changes			No change
	Acreage, including drainage, ROW, easements etc.			No change
	# External Vehicle Trips			No change
Airports	D.O. conditions			No change
	ADA representations			No change
	Runway (length)			No change
	Runway (strength)			No change
	Terminal (gross square feet)			No change
	# Parking Spaces			No change
	# Gates			No change
	Apron Area (gross square feet)			No change
	Site locational changes			No change
	Airport Acreage, including drainage, ROW, easements, etc.			No change
	# External Vehicle Trips			No change
	D.O. conditions			No change
	ADA representations			No change





TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Office	<p>Acreeage, including drainage, ROW, easements, etc.</p> <p>Building (gross square feet)</p> <p># Parking Spaces</p> <p># Employees</p> <p>Site locational changes</p> <p># External Vehicle Trips</p> <p>D.O. conditions</p> <p>ADA representations</p>			<p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p>
Petroleum/Chem. Storage	<p>Storage Capacity (barrels and/or lbs.)</p> <p>Distance to Navigable waters (feet)</p> <p>Site locational changes</p> <p>Facility Acreage, including drainage, ROW, easements, etc.</p> <p># External Vehicle Trips</p> <p>D.O. conditions</p> <p>ADA representations</p>			<p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p>
Ports (Marinas)	<p># boats, wet storage</p> <p># boats, dry storage</p> <p>Dredge and fill (cu.yds.)</p> <p>Petroleum storage (gals.)</p> <p>Site locational changes</p> <p>Port Acreage, including drainage, ROW, easements, etc.</p> <p># External Vehicle Trips</p> <p>D.O. conditions</p> <p>ADA representations</p>			<p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p> <p>No change</p>

Certified as true  
and correct copy.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Residential	# dwelling units			No change
	Type of dwelling units			No change
	# lots			No change
	Acreage, including drainage, ROW, easements, etc.			No change
Wholesale, Retail, Service	Site locational changes			No change
	# External Vehicle Trips			No change
	D.O. conditions			No change
	Acreage, including drainage, ROW, easements, etc.			No change
	Floor Space (gross square ft)			No change
	# Parking Spaces			No change
	# Employees			No change
	Site locational changes			No change
	# External Vehicle Trips			No change
	D.O. conditions			No change
	ADA representations			No change
Hotel/Motel	# Rental Units			No change
	Floor Space (gross square feet)			No change
	# Parking Places			No change
	# Employees			No change
	Site locational changes			No change
	Acreage, including drainage, ROW, easements, etc.			No change
	# External Vehicle Trips			No change
	D.O. conditions			No change
	ADA representations			No change

Certified as true  
and correct copy.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
R.V. Park	Acreage, including drainage, ROW, easements, etc. # Parking Spaces Buildings (gross square feet) # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations			No change No change No change No change No change No change No change No change
Open Space (All natural and vegetated non-impervious surfaces)	Acreage Site locational changes Type of open space D.O. conditions ADA representations			No change No change No change No change No change
Preservation, Buffer or Special Protection Areas	Acreage Site locational changes Development of site proposed D.O. conditions ADA representations			No change No change No change No change No change

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

Certified as true  
and correct copy.

7287009.1

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P O BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P O BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 848-9099	HARBOURVIEW BUILDING P O BOX 12426 PENSACOLA, FLORIDA 32562 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P O DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P O BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 859-7070 FAX (407) 859-7368	BARNETT TOWER P O BOX 2861 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
---	--	---	---	--	--

PLEASE REPLY TO :

Tampa

October 25, 1994

Ms. Susan Lynn-Johnson  
DRI Coordinator  
City of Tampa  
Department of Land Development  
Coordination  
306 East Jackson Street, Third Floor  
Tampa, Florida 33602

Re: Notice of Proposed Change to DRI #178/World Mart Center - Gateway Tampa

Dear Ms. Johnson:

As we discussed yesterday, a scrivener's error appears in the answer to question no. 5 in the "Notification of Proposed Change" filed by me in connection with the above-referenced DRI dated September 6, 1994. The response to question no. 5 in the Notice of Proposed Change provides that the buildout date for "Phase II" will be extended from "1993" to "December 15, 1998." These dates should be changed to "1994" and "December 15, 1999," respectively.

I would appreciate it if you would correct the scrivener's error in our application and go forward with the application based on an extension of the buildout date of Phase II under the terms of the DRI Development Order until December 15, 1999. Based on my calculation, December 15, 1999 is an extension of four years (4), eleven months (11) and fifteen (15) days from the original buildout date for that phase. Accordingly, under the terms of Subsection 380.06(19)(e)(2), Florida Statutes, this proposed change does not constitute a substantial deviation.

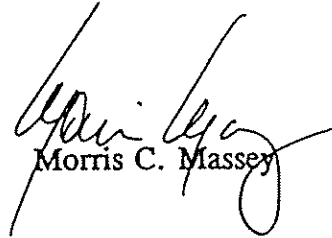
T#J11852.1

Certified as true  
and correct copy.

Susan Lynn Johnson  
October 25, 1994  
Page 2

Please call me if you have any questions concerning this letter and the proposed correction to the Notice of Proposed Change. I appreciate your assistance in this matter.

Sincerely,

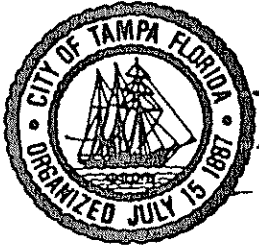


Morris C. Massey

MCM/wpc

cc: Timothy Butts, DRI Coordinator, Tampa Bay Regional Planning Council  
John E. Baker, DRI Planner, Florida Department of Community Affairs  
Gina K. Grimes, Assistant City Attorney, City of Tampa  
Edgar L. Fleri, Vice President, First Union National Bank of Florida  
✓ Kenneth E. Graves, Esquire





# CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

October 23, 1991

**RECEIVED**  
OCT 25 1991

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

Tampa Bay Regional  
Planning Council

RE: Petition No. DZ88-1  
Ordinance No. 91-198

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

*mailed 10/23/91*

FH/gg

Enclosure: Ordinance

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FILED BY FIRST UNION NATIONAL BANK OF FLORIDA FOR WORLD MART CENTER - GATEWAY TAMPA, A PREVIOUSLY APPROVED DEVELOPMENT OF REGIONAL IMPACT, PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Ordinance No. 89-03 passed and ordained by the City Council of the City of Tampa, Florida, on January 5, 1989, approved a Development Order for World Mart Center - Gateway Tampa (the "Development"), a Development of Regional Impact ("DRI"), hereinafter said Ordinance shall be referred to as the "Development Order"; and

WHEREAS, First Union National Bank of Florida now owns the property governed by the Development Order; and

WHEREAS, on July 31, 1991, First Union National Bank of Florida (the "Developer"), filed a Notification of Proposed Change to a Previously Approved Development of Regional Impact Subsection 380.06(19), Florida Statutes, for the World Mart Center - Gateway Tampa (the "Proposed Changes"), attached hereto as Composite Exhibit "A"; and

WHEREAS, the Notification proposed to amend the Development Order to extend the Development Order expiration date, build-out dates for each Phase and commencement of construction date by a period of 2 years, 11 months and 15 days (hereinafter said changes shall be referred to as the "Proposed Changes"); and

WHEREAS, Subsection 380.06(19)(e)2., Florida Statutes, provides that a proposed change which involves an extension of the date of build-out 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 changes in the Development Order commencement of construction date, build-out schedule and expiration dates 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 shall constitute the first Amendment to the Development Order; and

WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, and Section 27-418, City of Tampa Code, have been satisfied; and

WHEREAS, the City Council on October 3, 1991 and October 17, 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 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 Changes and to amend the Development Order; and

<p>Certified as true and correct copy.</p>
--

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 do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
- C. That the Proposed Changes are consistent with the State Comprehensive Plan.
- D. The the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- E. 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 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 is hereby amended to incorporate the Notification.
- B. 1. That Section 7. of the Development Order is hereby amended to extend the commencement of development date by a period of 2 years, 11 months and 15 days to November 15, 1994; and

Reviewed as true  
copy.

2. That the Development Order is hereby amended to extend the build-out of development for each phase by a period of 2 years, 11 months and 15 days as follows:

Phase I -- 1991 - December 15, 1994

Phase II -- 1993 - December 15, 1997

Phase III -- 1996 - December 15, 2001  
(Conceptual Approval only); and

3. That Section 8. of the Development Order is hereby amended to extend the expiration date of the Development Order by a period of 2 years, 11 months, and 15 days to February 4, 2007.

Section 4. Development Order, as Amended. This Ordinance shall constitute the First Amendment to Ordinance No. 89-03, 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 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 Owner/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 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 take effect immediately upon becoming a law.

Certified as true  
and correct copy.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA,  
FLORIDA, ON OCT 17 1991.

Joe Greco  
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henriquez  
CITY CLERK

APPROVED by me on OCT 23 1991

Sanford W. ...  
MAYOR

APPROVED as to form by:

Gina K. ...  
ASSISTANT CITY ATTORNEY

State of Florida  
County of Hillsborough

This is to certify that the foregoing is a  
true and correct copy of Ordinance No 91-198  
on file in my office. and attachments

Witness my hand and official seal this 23<sup>rd</sup> day  
of Oct, 1991.

Frances Henriquez  
CITY CLERK  
By ...  
Deputy 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, James Connors, Vice President, Special Assets Division, the undersigned owner/authorized representative of FIRST UNION NATIONAL BANK OF FLORIDA, (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

WORLD MART CENTER - GATEWAY TAMPA

(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.

7/31/91  
(Date)

James A. Connors  
(Signature)

Certified as true  
and correct copy.

Question 2. Applicant (Name, Address, Phone).

RESPONSE TO QUESTION 2.

FIRST UNION NATIONAL BANK OF FLORIDA  
100 South Ashley Drive  
Suite 880  
Tampa, Florida 33602  
(813) 276-6683

Question 3. Authorized Agent (Name, Address, Phone).

RESPONSE TO QUESTION 3.

Mr. James Connors, Vice President  
Special Assets Division  
FIRST UNION NATIONAL BANK OF FLORIDA  
100 South Ashley Drive  
Suite 880  
Tampa, Florida 33602  
(813) 276-6683

Mr. Ronald T. Rotella  
President  
ROTELLA & ASSOCIATES, INC.  
600 North Westshore Boulevard  
Suite 1202  
Tampa, Florida 33609  
(813) 289-6660

Mr. Gary C. Engelhardt  
Principal  
ENGELHARDT & ASSOCIATES  
200 North Westshore Boulevard  
Suite 225  
Tampa, Florida 33609  
(813) 282-3855

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

The approved project and proposed change is located in Section 24, Township 29 South and Range 18 East, City of Tampa, Hillsborough County, Florida, as more particularly described in Attachment "1" incorporated herein and made a part hereof as if fully set out below.

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 TO QUESTION 5.

The proposed change is limited to extensions of the approved development commencement date, build out schedule and expiration date for the approved project as established by the Development Order. The proposed time extension of two years, eleven months, and fifteen days will affect only the development commencement date, build out schedule and development order expiration dates. Currently approved development thresholds will remain and no modification of these thresholds is being requested. Pursuant to Section 380.06(19)(e) 2, Florida Statutes, the requested extension is deemed not to be a substantial deviation within the meaning of this Section.

No changes are proposed to the master site plan. Therefore, a copy is not included with this Notice of 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 TO QUESTION 6.

The proposed change relates solely to extensions of the development commencement date, build out schedule and Development Order expiration date for a period of less than three (3) years, and no change in land use type or intensity from that approved in the development order is proposed or has occurred. Therefore, the Substantial Deviation Determination Chart is not applicable and has not been completed nor attached as a part of this Notice of Proposed Change.



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 or 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?

- a. There have been no Resolutions of Local Government.
- b. No change in local government jurisdiction since development order issued.
- c. Not applicable.

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 plan or other map.

RESPONSE TO QUESTION 8.

First Union National Bank of Florida has not purchased or optioned lands within 1/4 mile of the original DRI site subsequent to approval and issuance of the original Development Order.

Certified as true  
and correct copy.

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 TO QUESTION 10.

The proposed change for an extension of the development order expiration date, development commencement date and the build out schedule, will extend each phase of the project by two (2) years, eleven (11) months and fifteen (15) days. The current Development Order expiration date is February 20, 2005.

	<u>NOW</u>	<u>PROPOSED</u>
Development Commencement Date	Dec. 1, 1991	Nov. 15, 1994
Phase I	1989 - 1991	1991 - 1994
Phase II	1991 - 1994	1993 - 1997
Phase III (Conceptual Approval Only)	1994 - 1998	1996 - 2001
Expiration Date	Feb. 20, 2005	Feb. 4, 2008

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

RESPONSE TO QUESTION 11.

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 TO QUESTION 12.

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

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 representation in the Application of redevelopment Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to the 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, until 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 TO QUESTION 13.

Appended hereto as Attachment "2" is a proposed development order incorporating the precise language to be added as an amendment to the approved development order. Specifically:

- a. The requested extensions of the development commencement date, build-out schedule and Development Order expiration date are addressed.
- b. Legal description is appended as Attachment "1".
- c. N/A

True  
and correct copy.

- d. February 4, 2008 is the proposed termination date.
- e. N/A
- f. N/A

Considered as true  
and correct copy.

ATTACHMENT 1

**CAL DESCRIPTION OF PROPERTY:**

A portion of Section 24, Township 29 South, Range 18 East, lying within the following described boundaries, to wit:

Commence at the Northwest corner of Section 24, Township 29 South, Range 18 East: thence run South 89° 15' 30" East 42.00 feet along the Northerly boundary of said Section 24 to a point on the easterly right-of-way line of North Boulevard and the POINT OF BEGINNING, continue thence South 89° 15' 30" East 800.84 feet along the Northerly boundary of said Section 24 and the Northerly boundary of Phillips Field to a point on the face of an existing seawall at the water's edge of the Hillsborough River: thence run South 05° 07' 00" East 311.17 feet along the water's edge of the Hillsborough River to a point on the Southerly boundary of Phillips Field: thence South 10° 54' 36" East 279.78 feet along said water's edge to a point on the North right-of-way line of Cass Street: thence along said right-of-way line the following courses: North 81° 32' 29" West 221.40 feet: thence North 87° 39' 29" West 50.00 feet: thence South 89° 54' 31" West 200.00 feet: thence South 89° 50' 08" West 60.06 feet to a point on a curve concave to the Southeast having a radius of 897.61 feet: thence from a tangent bearing South 88° 37' 12" West run Southwesterly 313.63 feet along the arc of said curve through a central angle of 20° 01' 09" to a point of intersection with a curve concave to the Northeast having a radius of 40.00 feet: thence from a tangent bearing South 69° 32' 56" West run Northwesterly 77.63 feet along the arc of said curve through a central angle of 111° 11' 34" to the end of said curve: thence run North 00° 44' 30" East 585.85 feet along the Easterly right-of-way line of North Boulevard to the POINT OF BEGINNING.

Reviewed as true  
and correct copy.

ATTACHMENT 2

Section 4. c. 3.      The total development approved is:

a. <u>Phase I - Specific Approval - (1991 - 1994)</u>	
Commercial	150,000 sq. ft.
Office	500,000 sq. ft.
Hotel	200 rooms
Office Mart	400,000 sq. ft.
Marina Slips	50 slips
b. <u>Phase II - Specific Approval - (1993 - 1997)</u>	
Office Mart	800,000 sq. ft.
c. <u>Phase III - Conceptual Approval - (1996 - 2001)</u>	
Office	1,000,000 sq. ft.

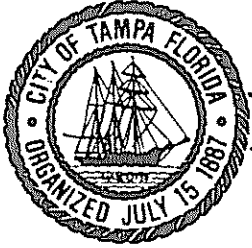
Section 7.      Commencement of Development.      That Development of the Project shall commence by November 15, 1994, unless the time period for commencement is extended by the City.

Section 8.      Expiration of Development Order.      That this Order shall remain in effect until February 4, 2008. Any development activity 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 on the finding of excusable delay in any proposed development activity, subject to the requirements of Chapter 380.06(19), Florida Statutes.

Section 9.      Downzoning/Intensity Reduction.      That prior to February 4, 2008, the City may not down-zone or reduce the intensity or unit density permitted by this Order, unless the City can demonstrate that:

- A.      substantial changes in the conditions underlying the approval of the Order have occurred.

1 of 100  
copy.



# CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

January 10, 1989

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

Re: Petition No. DZ88-1  
Petitioner: Double A. Venture  
Ordinance No.: 89-03

Dear Sirs:

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

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

Sincerely,

(Mrs.) Frances Henriquez  
City Clerk

FH/ssm

**CERTIFIED MAIL**

cc: Susan Mihalik, Land Development Coordination

ORDINANCE NO. 89-03

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 DOUBLE A VENTURE, SUBSEQUENTLY ASSIGNED TO GATEWAY TAMPA DEVELOPMENT CORPORATION, A FLORIDA CORPORATION, FOR WORLD MART CENTER-GATEWAY TAMPA, A DEVELOPMENT OF REGIONAL IMPACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 6, 1988, DOUBLE A VENTURE, subsequently assigned to GATEWAY TAMPA DEVELOPMENT CORPORATION, a Florida corporation (the "Developer") filed an Application for Development Approval (which together with later filed sufficiency responses, is hereafter referred to as the "ADA") of a Development of Regional Impact ("DRI") with the City of Tampa (the "City"), Hillsborough County City-County Planning Commission, Florida Department of Community Affairs, and the Tampa Bay Regional Planning Council ("TBRPC"), pursuant to the provisions of Section 380.06, Florida Statutes (1987), as amended ("Chapter 380"), and Section 43A-300, City of Tampa Code; and

WHEREAS, the ADA proposes the development of WORLD MART CENTER - GATEWAY TAMPA, a mixed-use commercial, office, hotel, office mart and marina or boating facilities development located on an 11-acre site at the northeast corner of Cass Street and North Boulevard within the municipal boundaries of the City of Tampa, incorporated Hillsborough County; and

WHEREAS, the City Council as the governing body of the local government having jurisdiction pursuant to Chapter 380 is authorized and empowered to consider ADAs for DRIs; and

WHEREAS, the public notice requirements of Chapter 380, and Section 43A-302, City of Tampa Code have been satisfied; and

WHEREAS, the City Council has on December 1, 1988, held a duly noticed public hearing on the ADA and has heard and considered testimony and documents received thereon; and

WHEREAS, all interested parties and members of the public were afforded an opportunity to participate in the application hearing on the subject DRI, 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 ("Order") of the City Council issued in response to the ADA filed by the Developer, for the development of WORLD MART CENTER - GATEWAY TAMPA, a DRI. The scope of development to be permitted pursuant to this Order includes the land use, operations, and activities described in the ADA and the supporting documents, which by reference are made a part hereof as composite Exhibit "A."

Section 2. That the 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, finds that there is substantial competent evidence to support the following findings of fact:

Certified as true and correct copy
---------------------------------------



- A. That the real property which is the subject of the ADA is legally described as set forth in Exhibit "B," attached hereto and by reference made a part hereof.
- B. That the Developer submitted to the City an ADA which is attached hereto as a part of the composite Exhibit "A," and made a part hereof (including, but not limited to, commitments made by the Developer as set forth in Exhibit A-1 attached hereto), to the extent that it is not inconsistent with the terms and conditions of this Order.
- C. That the Developer proposes the development of WORLD MART CENTER - GATEWAY TAMPA, a mixed-use commercial, office, hotel, merchandise mart and marina/boating facilities development with a total site area of 11 acres, located at the northeast corner of Cass Street and South Boulevard.
- D. That the proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, Florida Statutes (1988 Supp.).
- E. That the proposed development is consistent with the adopted local comprehensive plan and land development regulations.
- F. That the development will not unreasonably interfere with the achievement or objectives of the adopted State Land Development Plan applicable to the area.
- G. That a comprehensive review of the impact generated by the development has been conducted by the City's departments and the TBRPC.
- H. That this Order is consistent with the report and recommendations of the TBRPC and satisfies the provisions of Section 380.06(15), Florida Statutes, (1988 Supp.).

Section 3. That the 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 law and regulations, and based upon the record in these proceedings, 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 below.
- B. That the review by the City, the TBRPC, and other participating agencies and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, within the terms and conditions of this Order and the ADA. To the extent that the ADA is inconsistent with the terms and conditions of this Order, the terms and conditions of this Order shall prevail.

Section 4. That, having made the above findings of fact and drawn the above conclusions of law, it is ordered that Phases I and II of WORLD MART CENTER - GATEWAY TAMPA, as presented in the ADA are hereby specifically approved, subject to the following conditions, restrictions, and limitations, and Phase III is conceptually approved subject to the conditions herein:

- A. Substantial Deviations. Further review, pursuant to Chapter 380, shall be required if a substantial deviation, as defined in Section 380.06(19), Florida Statutes, (1988 Supp.) occurs. In addition to the criteria set forth in Section 380.06(19), Florida Statutes (1988 Supp.), a substantial deviation may occur by failure to comply with the conditions herein, failure to follow the commitments contained in Exhibit "A" (to the extent that such commitments are consistent with this Order), or by activities which are not commenced until after the expiration of the period of effectiveness of this Order.
- B. Annual Reports. The Developer shall submit annual reports on the DRI to the City, the TBRPC, the State Land Planning Agency - Department of Community Affairs, and other agencies as may be appropriate, on December 1, 1989, and on December 1st of each following year until such time as all terms and conditions of this Order are satisfied. The report shall be submitted on such forms as may from time to time be designated by the State. Such reports shall be submitted to the Director of Housing and Development Coordination 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 Order and may issue further orders to insure compliance with the terms and conditions of this Order. The 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 Order. The annual report shall contain the following information:
1. Changes in the plan of development, or representations contained in the ADA, or phasing for the reporting year and for the next year.
  2. A summary comparison of development activity proposed and actually conducted for the reporting year;
  3. Undeveloped tracts of land that have been sold to a separate entity or developer during the reporting year;
  4. Identification of, and intended use of, lands purchased, leased, or optioned by the Developer adjacent to the original DRI site during the reporting year;
  5. An assessment of the development's and local government's compliance with conditions of approval contained in this Order, and the commitments contained in the ADA;
  6. Any known incremental DRI applications for development approval or request for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;
  7. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.065(15) and (18), Florida Statutes (1988 Supp);

8. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer pursuant to Subsection 380.06(15)(f)(1), Florida Statutes (1987);
  9. Hourly traffic counts for a 24-hour period taken at all established access points to public rights of way, as required and approved by the City;
  10. An indication of a change, if any, in local government jurisdiction for any portion of the development during the reporting year;
  11. A list of significant local, state, and federal permits which have been obtained, or which are pending, with respect to the reporting year, by agency, type of permit, permit number, and purpose of each;
  12. An assessment of the effectiveness of TSM measures as described in Section C.11., below;
- C. Transportation Conditions. The following conditions are established for purposes of mitigating impacts of this development on regional transportation facilities. Issuance of building permits by the City for the project shall require a determination by the City of compliance with the conditions set forth herein. The mitigation measures set forth hereafter may be implemented singly or in combination, subject to City of Tampa approval, which shall not be unreasonably withheld, to mitigate the impacts of this development, or any phase thereof on regional transportation facilities. In addition to mitigation measures set forth herein, Developer shall pay City of Tampa transportation impact fees as provided herein, provided however that Developer shall receive credit against such impact fees for improvements constructed, right-of-way dedicated and/or cash contributed pursuant to this Order, in accordance with the City of Tampa Code.
1. For the purposes of this Order, the Developer is considered as one of a number of possible responsible entities regarding the mitigation of the transportation impacts of the project.
  2. For the purposes of this Order, funding commitments can be (at the Developer's option, and with the approval of the City which shall not be unreasonably withheld) Developer's commitments for actual construction, actual (or committed for in a binding contractual form) construction by any public or private entity, or the placement of improvements in the Transportation Improvements Work Programs of the City, Hillsborough County (the "County"), or the State of Florida (the "State"), or any combination of the foregoing.

3. The total development approved is:

a. Phase I-Specific Approval - (1989-1991)  
Commercial 150,000 sq. ft.  
Office 500,000 sq. ft.  
Hotel 200 rooms  
Office Mart 400,000 sq. ft.  
Marina Slips 50 slips

b. Phase II-Specific Approval - (1991-1994)  
Office Mart 800,000 sq. ft.

c. Phase III-Conceptual Approval - (1994-1998)  
Office 1,000,000 sq. ft.

4. Prior to issuance of the first building permit for Phase II, the Developer shall provide a survey or other acceptable information describing the actual generation of project trips and the actual distribution of project traffic to the City, and TBRPC. Said survey or information shall also include confirmation that:

- a. A minimum of 24% of the peak hour development trips for Phase I are being captured internally to the project.
- b. A minimum of 7% of the peak hour development trips for Phase I are being served by transit.
- c. A water taxi service linking the Development, the Performing Arts Center, Harbour Island, Hilton, and when constructed the Downtown Cruise Ship Terminal and Convention Center must be operational and providing service to a minimum of 73 development trips in the p.m. peak hour (as detailed in the ADA).

If the (projection of total) actual trip generation or distribution differs by ten percent (10%) from that assumed in the ADA for Phase I, a new Section 380.06, F.S. traffic analysis shall be required for Phase II and the Development Order shall be amended to include the revised list of identified improvements. The pipeline option shall also be amended to include the revised proportionate share amount and any necessary revision to the pipeline projects consistent with TBRPC Policy 19.8.14 (F.R.).

5. Prior to the issuance of the first building permit for Phase III, the developer must submit development transportation data to the City in sufficient detail to confirm the following:

- a. A minimum of 17% of the peak hour development trips for Phase I and Phase II are being captured internally to the project.
- b. A minimum of 10% of the peak hour development trips for Phase I and Phase II are being served by transit.

- c. The water taxi service established in Phase I is continuing to serve, at a minimum, the locations referenced in Section C.4. hereof and is providing service to a minimum of 137 development trips in the p.m. hour for Phase I and Phase II (as detailed in the ADA).

If the total vehicle trip reductions resulting from the above factors are found to be less than what was proposed in the ADA, a detailed analysis of trip generation, distribution, assignment, and impacts of development traffic must be submitted by the Developer and reviewed by the City, TBRPC, DCA, FDOT, and HART. Any additional conditions that result from this analysis as well as previous D.O. conditions and zoning and development agreements must be met prior to the issuance of permits for Phase III.

6. Prior to the issuance of any building permits for Phase III, the developer will have to accomplish the following:
  - a. A \$380.06 F.S. transportation analysis submitted by the developer for Phase III development and reviewed by the City, TBRPC, DCA, FDOT, and HART. Any additional conditions that result from this analysis, which shall be made by amendment to this D.O., as well as previous D.O. conditions and zoning and developer agreement requirements, must be met prior to the issuance of permits for Phase III.
  - b. Provide a site specific analysis to the City that shows that the site access is adequately designed to serve the proposed development trips.
  - c. Provide design and operating characteristics of any proposed transit amenities on and adjacent to the site for review and approval by HART and the City. Any improvements or amenities required by this review must be constructed or completed before the issuance of a building permit for Phase III.
7. The Developer shall have the option of proceeding with the development of each Phase of the project for which specific approval has been granted, under the conditions set forth in Sections C.7.a.-b. below, with respect to mitigating the project's transportation impacts. Developer shall notify the City and TBRPC of its election of a mitigation option hereunder prior to construction of each phase. In addition, prior to issuance of any building permits, Developer shall submit to City a schedule illustrating that construction of the applicable improvement can be completed within the applicable phase. The mitigation measures set forth in C.7.a.-b. below may be implemented singly or in combination subject to City approval which shall not be unreasonably

withheld; provided, however, Developer shall pay City of Tampa transportation impact fees as provided herein.

- a. Staging. Under this option, funding commitments will be required for all regionally significant improvements necessary to accommodate the traffic impacts of a particular phase of development as listed in Exhibit "C" prior to the commencement of that particular phase of development. Due to this requirement of funding commitments, the Developer may elect to proceed on a phasing basis under the thresholds identified in Exhibit "C." For the purposes of this Order, the thresholds in Exhibit "C" shall be computed with reference to building permits issued by the City. Prior to issuance of building permits beyond a particular threshold, the improvements identified in Exhibit "C" as being associated with the next succeeding threshold must be the subject of funding commitments from responsible entities, where those facilities are projected to operate below LOS D peak hour and the development would contribute five percent (5%) or more to the then existing LOS D peak hour capacity of the facility, except those facilities located in the Central Business District, or otherwise, which are subject to a lower level of service, as approved by appropriate regulatory agencies. Without funding commitments for these improvements, building permits shall not be issued where project construction (together with projected construction) would exceed the thresholds associated with improvements in Exhibit "C" for which there are no funding commitments. In the event of a stop order, a new Chapter 380.06 traffic analysis may be submitted to the City of Tampa, TBRPC, FDOT, and the MPO and shall include, but not be limited to, updated current traffic counts and projection of traffic volumes that will result from the completion of the currently approved project construction plus that to be generated by the next portion of project development which the developer is seeking to construct. Each updated traffic analysis shall serve to verify the findings of the traffic analysis done in the A.D.A. or shall indicate alternate transportation improvements which when implemented will maintain the roadways referenced in Exhibit "C" at Level of Service D peak hour. Both the traffic counts and the projection of traffic shall be prepared consistent with generally accepted traffic engineering practices and the methodology shall be determined at a traffic methodology meeting of all appropriate agencies. Alternatively, in the event of a stop order, and if the City, in its discretion permits it, Developer may attempt to demonstrate that the actual and projected traffic impacts of the project are such

that development may proceed beyond the thresholds identified in Exhibit "C" while maintaining the above referenced levels of service on the affected regionally significant facilities. If Developer so demonstrates to the satisfaction of the City, then development may proceed to the extent that the above-referenced levels of service are maintained on the affected regionally significant facilities.

- b. Pipelining Option: It is the intent of this option to permit the Developer to mitigate its development impacts on the substantially affected regionally significant roadway network by adequately providing, in the manner set forth below, for the public transportation facilities necessary to accommodate the traffic impacts of Phases I and II of the development. The requirements set forth below have been determined to make adequate provision for, or to provide reasonable assurances of the availability of the public transportation facilities necessary to accommodate the traffic impacts of Phases I and II of the development. The requirements set forth below have further been determined to be consistent with City, TBRPC, DCA, FDOT and MPO policies and Rule 9J-2.0255, Florida Administrative Code.

Under this option, the Developer, using Developer's proportionate share amount calculated pursuant to Rule 9J-2.0255, Florida Administrative Code (1987), as interpreted in accordance with TBRPC, DCA and the City policies regarding pipeline mitigation of transportation impacts, may elect under the circumstances set forth hereafter to either: (1) fund, design, and construct intersection improvements to the intersections of Boulevard at Cass Street, Boulevard at Cypress Street, and the link improvement to Ashley Street from Cass Street to North of Tyler Street as described below (hereafter referred to as "Alternative A") or (2) fund, design and construct one or more of the other improvements set forth in Exhibit "C" as pipeline mitigation for the development (hereafter referred to as "Alternative B"). In order to choose Alternative A or Alternative B, the Developer must obtain the required permits necessary for construction from the appropriate government agencies. Without all necessary permits, acceptable alternative pipeline improvements must be chosen.

For purposes of this development order, Developer's proportionate share of the costs of the transportation improvements necessary to accommodate the impacts of Phases I and II of the development, respectively, has been calculated to be \$494,900.00 for Phase I and \$406,464.00 for Phase II.

Alternative A: The Developer may elect to fund, design and construct Alternative A, consisting of intersection improvements to Boulevard and Cass Street consisting of a northbound right turn lane and reconfiguration of the westbound lanes to provide a left turn lane, a through lane and a combined through right-turn lane, intersection improvements to the intersection of Boulevard and Cypress Street consisting of a right-turn lane and a left-turn lane westbound and realignment of the east bound through lane at the east side of the intersection, and link improvements to Ashley Street from Cass Street to north of Tyler Street to include adding a third lane northbound north of Tyler Street for approximately 1,150 feet, restriping Tyler Street to four-lanes for northbound traffic between Cass and Tyler and for southbound traffic from north of Tyler to Cass.

The improvements to Boulevard and Cass, and the Boulevard and Cypress intersections will be started and completed prior to the end of Phase I; and the improvements to Ashley from Cass to north of Tyler will be started and completed prior to the end of Phase II. In no event shall any building permits be issued for Phase II prior to completion of the Phase I pipeline improvements without the concurrence of the City and TBRPC.

Alternative B: The Developer may elect to fund, design and construct Alternative B, consisting of one or more of the transportation improvements set forth in Exhibit "C," or such other improvements as are concurred in by the City and TBRPC as constituting adequate pipeline mitigation for the development consistent with the rules and policies of TBRPC and DCA.

Immediately upon electing one of these pipelining alternatives, the Developer shall notify the City and TBRPC of its election. Alternative B shall be implemented by development order amendment, the review and adoption of which shall not constitute a substantial deviation requiring further development of regional impact review. Additionally, implementation of either alternative shall require that:

The design shall be prepared in a manner normally used by the entity who will ultimately be responsible for the transportation improvements and shall be completed within twelve (12) months from the date of Developer's election. The design shall be reviewed and approved, as appropriate, by FDOT, Hillsborough County, and the City with final approval by the City prior to construction of such improvement;

Upon completion of the design, and approval by the appropriate responsible



entity and the City, Developer shall secure all necessary permits within 6 months of such approvals. The City shall assist, where appropriate, the Developer in obtaining all permits, approvals, utility relocations, rights-of-way, and easements necessary to complete the improvement(s);

Upon completion of the design, and securing of necessary permits, rights-of-way and easements, for each of the improvements Developer shall construct the improvement(s) and shall complete the improvement(s) within 24 months.

If prior to commencement of construction of the improvement(s), it can be demonstrated that, for reasons beyond the Developer's control, it is impossible or impractical for Developer to complete the improvement(s), or that the costs of designing, and/or constructing the improvement(s) being pipelined as mitigation for a particular phases(s) of the development exceeds Developer's total proportionate share amount for that particular phase(s) of the development, Developer shall notify the City. The City shall expeditiously determine whether to make the additional funding commitments necessary to fully fund completion of the improvement(s). If the City elects to make the additional funding commitments, they shall enter into the appropriate agreements with Developer for completion of the improvement(s) by the Developer using the remaining unexpended portion of Developer's proportionate share supplemented by the City's additional funding commitment. If the City determines not to make such funding commitment, or otherwise fails to secure such funding commitment, Developer may, subject to City's approval, either: (1) complete the improvements at its own expense; or (2) propose appropriate alternative roadway improvements, which if concurred in by the entity having responsibility for the improvements, the City and TBRPC pursuant to applicable laws, rules, and regulations, shall be pipelined pursuant to amendment of this development order, the review and adoption of which shall not constitute a substantial deviation requiring further development of regional impact review. If the Developer has completed any portion of the improvement prior to notification of the City, the amount of money required to be pipelined to alternative roadway improvements shall be reduced by the reasonable costs of the portion of the improvement(s) completed to the extent that the City and TBRPC determines that such portion actually provides a discrete, usable element of the design and/or construction of an improvement.

8. Non-Performance. Notwithstanding the foregoing, in the event that the performance by the Developer or City of the commitments set forth in Sections C.7.a.-b. shall be interrupted or delayed by any occurrence, and not occasioned by its conduct, whether such occurrence be an act of God or the result of war, riot, or civil commotion, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.
9. Payment of Impact Fee. Based on the intensity of the proposed development, its proximity to the downtown area, and its similarity of transportation characteristics to downtown developments, it has been determined that the proposed development will be required to contribute transportation impact fees in order to mitigate its transportation impacts to be calculated in the following manner:

The proposed development's transportation impact fees shall equal the Central/East Tampa District rates, plus one-half(1/2) the total sum of the Central Business District rates minus the Central/East Tampa District rates. The rates referenced in this paragraph are effective January 1, 1989, as designated in City of Tampa Code Section 57-88 which said section is attached as Exhibit D hereto and made part hereof by reference. Said transportation impact fees shall be determined using the following equation:

Proposed development's		Central/East Tampa District
transportation impact fees	=	Rates + 1/2 (Central Business
		District's rates minus (-)
		Central/East Tampa District
		rates)

For illustration purposes only, assume a 200,000 square foot office building. The transportation impact fee would be calculated as follows:

$$\begin{aligned}
 &\$2,218 \text{ (Central/East Tampa} \\
 &\text{District rates)} + 1/2 \\
 &(3,729 \text{ [Central Business} \\
 &\text{District rates]} - 2,218 \\
 &\text{[Central/East Tampa} \\
 &\text{District rates]} = 2,218 + \\
 &1/2 (3,729 - 2,218) = \\
 &\$2,973.50 \text{ per 1,000 square} \\
 &\text{feet.}
 \end{aligned}$$

10. Transit. In order to adequately mitigate the project's impacts on transit facilities and services, the following requirements shall be met:
  - a. The Developer, HART, and the City will work together to identify locations and design of transit amenities required for the site for Phase I and Phase II. At a minimum, a bus turn-out off of North Boulevard must be constructed by the Developer at the northwest corner of the

site after the design prepared by the Developer is reviewed and approved by HART and the City. The construction of the turn-out and any other on-site transit amenities required in the plan developed by HART, the City, and the Developer must be completed prior to any certificates of occupancy for the phase for which they are required.

- b. The Developer, in coordination with HART, and the City will monitor transit usage on this site in order to establish compliance with transit rates estimated in the ADA and shall report the findings in the annual report.
  - c. Any disputes as to location and design of transit amenities shall be resolved by City of Tampa staff. Shelter locations shall be reasonably accessible via walkways and crosswalks for pedestrian and handicapped movements. Sufficient area lighting and informational signage shall be provided at said shelter location.
11. TSM Plan. Within one (1) year from the issuance of the first certificate of occupancy, the Developer shall prepare and submit to the City, TBRPC, TUATS, FDOT, and HART, a plan of Transportation Systems Management ("TSM") measures to be implemented for the project or portions thereof. The plan shall set forth objectives for the reduction of total peak hour trips being generated by project uses as estimated in the ADA, and shall set forth strategies for accomplishing those objectives, considering the following as a minimum:
- a. worker flex time;
  - b. ride sharing;
  - c. provision of transit facilities and programs to encourage transit ridership; and
  - d. other appropriate trip diversion measures.

Each annual report for the project after the issuance of first certificates of occupancy for Phase II of the development shall include an assessment of the actual achievement of peak hour trip diversion as a result of these TSM measures.

12. Construction Damage. The Developer shall be responsible for repairing, rehabilitating, and/or restoring public roads damaged beyond normal wear and tear by construction equipment traveling to and from the Project to a condition the same or similar to that projected exclusive of the impact of such construction activities. The Transportation Division will perform detailed evaluations of street conditions prior to, during and upon completion of construction. The pavement condition indices determined by these evaluations will form the basis for determining proportionate share of street

rehabilitation costs that are determined to be necessitated by the Development.

D. Air Quality.

1. The measures to reduce erosion, fugitive dust, and air emissions referenced on page 14-3 of the ADA shall be required.
2. The applicant shall provide certification from a Professional Engineer (PE) that underground parking does not diminish ambient air quality. The parking facility ventilation system shall have a back-up electrical generation system to maintain health and safety during periods of power outage.

E. Hurricane Awareness.

1. The Developer shall promote awareness of, and shall cooperate with, local and regional authorities having jurisdiction to issue hurricane evacuation orders. The developer shall prepare a plan to ensure the safe and orderly evacuation of hotel guests and those employees who, for security or administrative reasons, are on the premises after an evacuation order is issued by (1) ordering all buildings closed for the duration of a hurricane evacuation order; (2) informing all employees of evacuation routes out of the flood-prone area and measures to be followed in the event of same; and (3) making all efforts to coordinate with and inform appropriate public authorities of building closings, security and safety measures, and evacuation plans. This plan shall be included in the first annual report submitted after occupancy of any portion of the project.
2. All contracts or deeds for sale of land and/or structures for World Mart Center - Gateway Tampa must be accompanied by a hazard disclosure statement generally describing the property(ies) relative probability of damage from hurricane surge.

F. Environment and Natural Resources.

1. Water from the site (either stormwater runoff or water used in cleaning parking garages or areas) shall not be directly discharged into the Hillsborough River. Environmentally sound cleaning procedures, including wet vacuuming and biodegradable solvents, shall be used to clean vehicular parking and access surfaces.
2. The reconstruction of the project's riverfront shall maximize the use of natural slopes, rip-rap and wooden docking and pedestrian walkways along the restored riverbank to accommodate the applicant's water taxis and boat docking. Such rip-rap and natural shoreline treatment shall include a minimum of one-half of the applicant's linear riverfront boundary. The shoreline stabilization design shall not result in further channelization of the Hillsborough River and hardening of the shoreline. Vertical concrete bulkhead seawalls shall be limited to the marina envelope.

3. The applicant shall provide a riverside site plan that, at a minimum, incorporates landscaped open space as a buffer between the development structures and the Hillsborough River. Specifically, the site plan shall reduce the currently proposed impervious surface to accommodate to the extent feasible, the overall goal of a continuous vegetated river corridor as public open space.
4. The general public shall be provided access to the plazas, landscaped parks, pedestrian walkways and other such open space.
5. Prior to approval of the proposed 50-slip day-use marina, a development plan shall be provided to the City of Tampa, TBRPC and the appropriate permitting agencies. Such a plan shall include specific information regarding depth and location of dredging activities, location of the spoil site, analysis of spoil components and assurance that any hazardous or toxic materials are identified and disposed of in accordance with Federal, State and local regulations. The Development Order shall be amended to address this plan and to incorporate necessary conditions concerning it. The marina development plan shall incorporate the following design standards and development guidelines.

No dredged material shall be disposed of on-site.

Depth of proposed dredged channel area shall be no deeper than necessary to accommodate reasonably expected marina users.

Dredged marina basin area shall be approximately 25 percent less in depth than the connecting channel depth in order to facilitate tidal flushing.

Provision of a sewage pump-out station.

Provision of restroom facilities to be accessible to marina patrons.

Turbidity curtains shall be used to reduce sediment during all dredging and marina construction operations.

6. The entire marina envelope and the area between the marina and the existing maintained navigation channel shall be designated a "no-wake" zone.
7. The applicant shall implement the following procedures regarding protection of the West Indian manatee:

Display manatee warning signs in and around the marina and manatee educational exhibits on the marina grounds. These exhibits shall contain basic information on manatee ecology, boater information and the Florida Department of Natural Resources (DNR) "Manatee Hotline" phone numbers.

The idle speed zone within the marina envelope shall be enforced by marina personnel.

Coöperate with and assist DNR in developing a manatee protection plan for Hillsborough County.

Consult DNR regarding the appropriate design and placement of educational exhibits and warning signs.

Advise all marina personnel that there are civil and criminal penalties for harming, harassing or killing manatees which are protected under the Endangered Species Act of 1973, the Marine Mammal Protection Act of 1972, and the Florida Manatee Sanctuary Act of 1978.

Schedule as much dredging and heavy construction operations as possible between the months of January and May to minimize potential contacts with manatees.

G. Drainage.

1. Prior to the issuance of any building or grading permits, or submittal of plats or construction drawings, a Master Drainage Plan for the project shall be submitted to the City and SWFWMD for approval. Prior to the issuance of any building permits, detailed drainage plans for the appropriate sections of the Master Drainage System will be submitted to the City for approval. The following parameters shall be included in the Detailed Drainage Plan(s):
  - a. The stormwater management system shall be designed to effectively filter the pollutants in the first one-half inch of site stormwater.
  - b. The applicant shall provide that the stormwater filtering system be inspected at least twice per year and certified by a Professional Engineer (PE) that the filtering system is adequately treating the first one-half inch of stormwater. Such certification to occur at least once in the dry season and once in the wet season.
  - c. The Developer or its successors and assigns shall implement a street cleaning program for parking and roadway areas within the project;
  - d. The drainage system shall be designed to provide filtration/assimilation treatment for the first "flush" of runoff generated from the site as required by Chapters 17-25, 40D-4.
2. In order to protect water quality in the Hillsborough River, it is appropriate that the developer provide for a semiannual surface water quality monitoring program, to be instituted before ground-breaking takes place and to

continue during construction through project build-out. The following guidelines shall apply:

- a. Sampling locations and parameters shall be determined in cooperation with the City of Tampa, FDER and SWFWMD.
  - b. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/FDER Quality Control Standards and Requirements.
  - c. The monitoring results shall be submitted to the FDER and SWFWMD. Should the monitoring indicate that applicable state water quality standards are not being met, the violation shall be reported to the City of Tampa immediately and all construction within the subbasin(s) where the violation is noted shall cease until the violation is corrected; or if the specific construction activities can be identified as causing the violation, all such activity shall cease until the violation is corrected.
  - d. The results of the monitoring shall be provided in each annual report.
  - e. The developer or its successors or assigns shall implement a street cleaning program for parking and roadway areas within the project.
  - f. The drainage system shall be designed to provide filtration/assimilation treatment for the first "flush" of runoff generated from the site as required by Chapters 17-25, 40D-4 and 40D-40, Florida Administrative Code.
3. In the absence of the dedication to, and acceptance by the City of specific drainage facilities, the Developer, its successors or assigns, shall be the responsible entity for the maintenance of the on-site stormwater management systems.
  4. Drainage design guidelines and/or development controls for construction activities shall be prepared by the Developer and reviewed by the City for use in an effort to control erosion during construction.
  5. Elevations for all habitable structures shall be at or above the base flood elevation.
  6. Attenuation of stormwater runoff is not proposed since discharge from the project site qualifies as discharging directly into receiving waters. Detention of the first 1/2 inch of runoff for "treatment" will be provided.
- H. Archaeology. The discovery of any significant historical or archaeological resources shall be reported to the Florida Division of Historical Resources and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and the City of Tampa.

- I. Energy. The following energy conservation measures shall be encouraged:

Energy policies, energy use monitoring and energy conservation established using a qualified energy use analyst;

Programs instituted to promote energy conservation by employees, buyers, suppliers and the public;

Programs instituted to reduce levels of operation of all air conditioning, heating, and lighting systems during nonbusiness hours;

Recycling programs instituted;

The elimination of advertising requiring lighting after business hours;

Innovative energy alternatives such as solar energy, resource recovery, waste heat recovery and cogeneration; and

Total energy systems on large facilities, when cost effective.

- J. Solid Waste. The total daily generation of solid waste from the commencement of construction through build-out and operation of the project will be accepted by the City of Tampa's McKay Bay Refuse to Energy Facility.

- K. Hazardous Substances. The applicant shall provide to all World Mart Center businesses information that:

A. Indicates the types of wastes and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designated containers/areas; and

B. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

- L. Wastewater. Wastewater service to the project will be supplied by the City, as described in the Department of Sanitary Sewers letter dated March 23, 1988, at the standard charges for wastewater service. The Developer shall be responsible for the pre-treatment necessary to ensure that all wastewater flows from the project to the wastewater system meet domestic wastewater characteristics. Connection fees, grants-in-aid of construction for offsite improvements to the wastewater system necessitated by this development shall be assumed by the Developer, its successors or assigns, when assessed by the City, as project plans become final, all in accordance with established City policies and regulations.

Permanent structures or retention areas shall not be constructed over the easement area running parallel to the Hillsborough River. Any improvements in the easements are subject to the City of Tampa's Department of Sanitary Sewers approval and must be constructed in a manner that allows unobstructed access throughout the length of the easement. The developer also must bear full responsibility for



protecting this line through proper design and construction techniques. Construction plans for the parking garage which abuts the easement area shall be submitted to said Department for review and approval. If design conflicts cannot be avoided, relocation of the interceptor at the developer's expense will be required.

The 21" diameter trunk sewer traversing the middle of the property from west to east shall be relocated prior to development of the site, if the line is in use and functional, at the expense of the Developer.

M. Water Supply.

1. The total daily water requirements from the commencement of construction through the build-out of the project as referenced in the ADA will be supplied by the City at the standard charges for water service as described in the Water Department's letter dated March 17, 1988. Connection fees, installation charges, and if applicable, grants-in-aid of construction for off-site improvements to the water system necessitated by this development shall be assumed by the developer, its successors or assigns, when assessed by the City as project plans become final, all in accordance with established City policies and regulations.
2. The Developer shall develop a plan for the use of non-potable water irrigation, including by way of example, stormwater usage and pumping from shallow wells not requiring consumptive use permits. The plan shall be included in the first annual report and shall stipulate implementation time frames.
3. The Developer, its successors or assigns, shall be responsible for installation, maintenance, and operation of any non-potable on-site wells.
4. Water saving methods and fixtures shall be incorporated into the project's design and construction guidelines to the extent mandated by Section 533.14, Florida Statutes (1987).
5. Fire flows, sufficient numbers of fire hydrants, and properly sized water mains shall be provided to the development in accordance with City laws, rules, and regulations. Except as provided in M.1. above, the Developer shall be responsible for the costs of any water distribution facilities necessary to ensure adequate fire protection to the Project.
6. Internal water distribution facilities not located within public rights-of-way shall be maintained by the Developer, owner, or its successors or assigns.

N. Other Public Facilities, Utilities, and Services. The City shall assure the adequacy and availability of the following public services for this development: police, emergency medical, and fire.

O. Maintenance of Open Space. The Developer, its successors or assigns, shall be the responsible entities for the maintenance of all open space areas of the project site including park and recreational

areas. Specifically, the Developer or its successors and assigns, shall maintain open space in the project's common areas.

P. Landscape. The development shall conform to the City of Tampa Site Clearing, Tree Removal and Landscape Ordinance in accordance with Chapter 45, City of Tampa Code. The project site will contain ten percent (10%) of landscape area.

Q. Credits Against Local Impact Fees and Exactions.

1. To the extent that the Developer or its successors, or assigns are required hereunder to contribute land for a public facility or construct, expand, or pay for land acquisition or construction or expansion of a public facility, or portion thereof, and the developer is also subject by local ordinance to impact fees or exactions to meet the same needs, the City of Tampa shall establish and implement a procedure that credits a development order exaction or fee toward an impact fee or exaction imposed by local ordinance for the same need; however, if the Florida Land and Water Adjudicatory Commission imposes any additional requirement, the City of Tampa shall not be required to grant a credit toward the local exaction or impact fee unless the City of Tampa determines that such required contribution, payment, or construction meets the same need that the local exaction or impact fee would address.
2. If the City of Tampa imposes or increases an impact fee or exaction by local ordinance after a development order has been issued, the developer may petition the City of Tampa, and the City of Tampa shall modify the affected provisions of the development order to give the developer credit for any contribution of land for a public facility, or construction, expansion, or contribution of funds for land acquisition or construction or expansion of a public facility, or a portion thereof, required by the development order toward an impact fee or exaction for the same need.
3. The City of Tampa and the developer may enter into capital contribution front-ending agreements as part of a development of regional impact development order to reimburse the developer, or his successor, for voluntary contributions paid in excess of his proportionate share.
4. This subsection does not apply to internal, on-site facilities required by local regulations or to any offsite facilities to the extent such facilities are necessary to provide safe and adequate services to the development (the "Excluded Facilities"). The parties recognize that the pipeline candidates referred to in Subsection C.7.B. are not Excluded Facilities as defined herein.

Section 5. Definitions. That the definitions contained in Chapter 380 shall control the interpretation and construction of any terms of this Order, unless the context indicates otherwise.

Section 6. Terms. That the term "Developer" as used in this Order is deemed to mean Gateway Tampa Development Corporation, a Florida corporation, the Developer of the project, its successors, or assigns and that the term "Individual Tenants" is deemed to mean those entities which purchase or lease land in the project and/or build buildings in the project (e.g., the Developer may also be an Individual Tenant), and that the term "successors and assigns" of the Developer or its "successors-in-interest" is deemed to include, but is not limited to, Individual Tenants, and any subsequently created condominiums or merchants association.

Section 7. Commencement of Development. That Development of the Project shall commence by December 1, 1991, unless the time period for commencement is extended by the City.

Section 8. Expiration of Development Order. That this Order shall remain in effect for a period of fifteen (15) years from the date upon which this Order becomes final and the appeal period has ended. Any development activity 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 on the finding of excusable delay in any proposed development activity, subject to the requirements of Chapter 380.06(19), Fla. Stat.

Section 9. Downzoning/Intensity Reduction. That prior to fifteen (15) years from the date upon which this Order becomes final and the appeal period has ended, the City may not down-zone or reduce the intensity or unit density permitted by this Order, unless the City can demonstrate that:

- A. substantial changes in the conditions underlying the approval of the Order have occurred; or
- B. the Order was based upon substantially inaccurate information provided by the Developer; or
- C. the change is clearly established by the City to be essential to the public health, safety, or welfare.

Any down-zoning or reduction of intensity shall be effected only through the usual and customary procedures required by statute and/or ordinance for changes in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use or development regulations which decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer by this Order. The inclusion of this Section 9 is not to be construed as evidencing any present foreseeable intent on the part of the City to down-zone or alter the density or intensity of the development, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes (1988 Supp.).

Section 10. Effect of Development Order on Successors and Assigns. That this Order shall be binding upon the Developer, its successors, assigns, or successors-in-interest.

Section 11. Compliance with Local Land Development Regulations. All development undertaken pursuant to this Order shall be in accordance with all applicable local codes, ordinances in effect at the time of permitting, and other laws, except as otherwise specifically provided herein.

Additionally, the Developer has elected to be bound by the rules adopted pursuant to chapters 403 and 373, Florida Statutes, in effect at the time of adoption of this Development Order. Accordingly, all applications for permits pursuant to those chapters and which are necessary for and consistent with the development authorized by this Development Order shall be subject to the rules adopted pursuant to chapters 403 and 373, Florida Statutes, in effect at the time of issuance of this Development Order.

Section 12. Responsibility for Monitoring. That the Director of HDC is responsible for insuring compliance with this Order and the receipt of the Developer's contributions required in Section C.7. above. Monitoring shall be accomplished by review of the Annual Report, Building Permits, Certificates of Occupancy, Plats, if applicable, and by on-site observations.

Section 13. Reference to Governmental Agencies. 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 Order.

Section 14. Directions to Clerk. That the City Clerk is hereby directed to send certified copies of this Order, within five (5) days of the effective date of this Ordinance, to the Developer, the Florida Department of Community Affairs, and the TBRPC.

Section 15. Rendering of Development Order. That this Order shall be deemed rendered upon transmittal of copies of this Order to the recipients specified in Chapter 380.

Section 16. Recordation of Notice of Adoption. That the Developer shall record a notice of adoption of this Order as required pursuant to Chapter 380 and shall furnish the City Clerk a copy of the recorded notice.

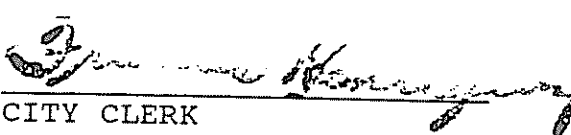
Section 17. Effective Date. That this Ordinance shall take effect immediately upon becoming a law, and a copy hereof shall be posted on the bulletin board in the hall of the first floor of the City Hall in the City of Tampa, Florida, for the convenience of the public.

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

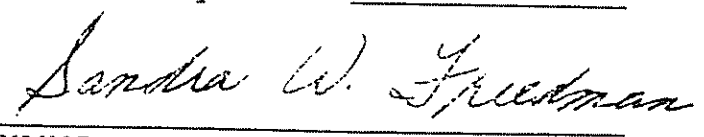
JAN 05 1989

  
CHAIRMAN, CITY COUNCIL

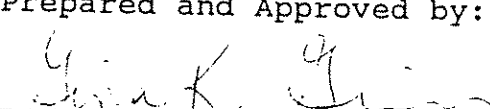
ATTEST:

  
CITY CLERK

APPROVED by me on JAN 06 1989

  
MAYOR

Prepared and Approved by:

  
CITY ATTORNEY

RFL/010

State of Florida)  
County of Hillsborough)

This is to certify that the foregoing is a true and correct copy of Ordinance #89-03 on file in my office.

Witness my hand and official seal this 10<sup>th</sup> day

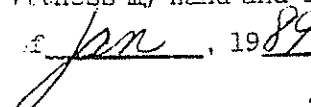
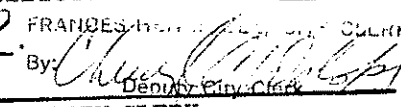
of Jan, 1989.  FRANCES  
By:  CITY CLERK.

EXHIBIT B

LEGAL DESCRIPTION OF PROPERTY:

A portion of Section 24, Township 29 South, Range 18 East, lying within the following described boundaries, to wit:

Commence at the Northwest corner of Section 24, Township 29 South, Range 18 East: thence run South 89° 15' 30" East 42.00 feet along the Northerly boundary of said Section 24 to a point on the easterly right-of-way line of North Boulevard and the POINT OF BEGINNING, continue thence South 89° 15' 30" East 800.84 feet along the Northerly boundary of said Section 24 and the Northerly boundary of Phillips Field to a point on the face of an existing seawall at the water's edge of the Hillsborough River: thence run South 05° 07' 00" East 311.17 feet along the water's edge of the Hillsborough River to a point on the Southerly boundary of Phillips Field: thence South 10° 54' 36" East 279.78 feet along said water's edge to a point on the North right-of-way line of Cass Street: thence along said right-of-way line the following courses: North 81° 52' 29" West 221.40 feet: thence North 87° 39' 29" West 50.00 feet: thence South 89° 54' 31" West 200.00 feet: thence South 89° 50' 08" West 60.06 feet to a point on a curve concave to the Southeast having a radius of 897.61 feet: thence from a tangent bearing South 88° 37' 12" West run Southwesterly 313.63 feet along the arc of said curve through a central angle of 20° 01' 09" to a point of intersection with a curve concave to the Northeast having a radius of 40.00 feet: thence from a tangent bearing South 69° 32' 56" West run Northwesterly 77.63 feet along the arc of said curve through a central angle of 111° 11' 34" to the end of said curve: thence run North 00° 44' 30" East 585.85 feet along the Easterly right-of-way line of North Boulevard to the POINT OF BEGINNING.

Certified as true  
and correct copy.

EXHIBIT "C"

Phase	Required Improvement
I	1) Ashley (Cass to Tyler) - Restripe to 4 lanes NB from S. of Cass to Tyler. N. of Tyler, Widen Ashley to 3 lanes NB. Restripe SB from N of Tyler to S of Cass to 4 lanes.
	2) Ashley at Cass intersection - Add second EB left-turn lane.
I	3) I-275 (Ashley Street Off-Ramps) Widen to 2 lane ramp.
I	4) Boulevard at Kennedy Intersection - Add Northbound and Southbound left-turn lanes and Southbound and Westbound right-turn lanes.
II	1) Boulevard at Cypress Intersection - Add Westbound right and left-turn lanes and realign Eastbound through movement.
II	2) Willow (Kennedy to Cleveland) - Widen to 4 lanes.
II	3) Boulevard at Cass Intersection - Add Northbound right-turn lane and reconfigure Westbound to provide left-turn lane, through lane and through right-turn lane.
II	4) I-275 (Armenia Avenue On-Ramp) - Extend ramp lane on freeway.
II	5) Crosstown Expressway (Plant Avenue On-Ramp) - Widen to provide 2 lane on-ramp.

RFL/010

**EXHIBIT D**  
**TRANSPORTATION IMPACT FEE DISTRICT SCHEDULE**  
**EFFECTIVE JANUARY 1, 1989**

LAND USE TYPE	UNIT	CENTRAL BUSINESS DISTRICT	CENTRAL/E. TAMPA DISTRICT	INTERBAY DISTRICT	NORTH CENTRAL DISTRICT	UNIVERSITY NORTH DISTRICT	WESTSHORE DISTRICT
<b>RESIDENTIAL</b>							
Single Family Detached							
Under 1500 s.f.	du	\$716	\$1,259	\$1,280	\$1,008	\$1,632	\$2,077
1500-2499 s.f.	du	\$955	\$1,677	\$1,707	\$1,344	\$2,175	\$2,770
2500 s.f. & over	du	\$1,127	\$1,979	\$2,014	\$1,526	\$2,569	\$3,268
Single Family Semi-Detached	du	\$726	\$1,274	\$1,297	\$1,022	\$1,654	\$2,105
Mobile Home	du	\$447	\$794	\$806	\$640	\$1,036	\$1,337
Multi-Family							
1-2 Stories	du	\$485	\$860	\$873	\$694	\$1,122	\$1,449
3 Stories & over	du	\$373	\$662	\$672	\$533	\$863	\$1,114
ACLF/Retirement Home	du	\$250	\$480	\$474	\$370	\$597	\$776
<b>LODGING</b>							
Hotel/motel	room	\$1,374	\$1,453	\$1,437	\$1,096	\$1,724	\$2,299
<b>INDUSTRIAL</b>							
General Light Industrial	1000 s.f.	\$1,332	\$1,119	\$1,164	\$919	\$1,461	\$1,830
General Heavy Industrial	1000 s.f.	\$513	\$305	\$317	\$250	\$404	\$499
Warehouse	1000 s.f.	\$1,676	\$997	\$1,037	\$818	\$1,319	\$1,631
Mini Warehouse	1000 s.f.	\$953	\$570	\$593	\$467	\$754	\$932
Utilities	employee	\$239	\$142	\$148	\$117	\$153	\$233
<b>MEDICAL</b>							
Nursing Home	bed	\$659	\$256	\$260	\$306	\$466	\$702
Hospital	bed	\$5,271	\$2,319	\$2,413	\$1,903	\$3,069	\$3,793
<b>OFFICE</b>							
Under 100,000 s.f.	1000 s.f.	\$6,056	\$3,601	\$3,746	\$2,954	\$4,765	\$5,870
100,000-199,999 s.f.	1000 s.f.	\$4,872	\$2,909	\$3,026	\$2,387	\$3,949	\$4,759
200,000- s.f. & over	1000 s.f.	\$3,729	\$2,218	\$2,307	\$1,819	\$2,934	\$3,627
Research Facility	1000 s.f.	\$1,813	\$1,078	\$1,122	\$885	\$1,427	\$1,764
<b>RETAIL</b>							
Shopping Center							
Convenience	1000 s.f.	\$4,024	\$3,271	\$4,067	\$2,199	\$4,193	\$6,654
Under 50,000 s.f.	1000 s.f.	\$2,353	\$2,823	\$2,979	\$2,072	\$3,063	\$5,408
50,000-99,999 s.f.	1000 s.f.	\$3,339	\$3,472	\$3,662	\$2,624	\$3,761	\$6,502
100,000-199,999 s.f.	1000 s.f.	\$3,586	\$3,693	\$3,894	\$2,818	\$3,999	\$6,865
200,000-299,999 s.f.	1000 s.f.	\$3,766	\$3,728	\$3,765	\$3,017	\$4,619	\$7,058
300,000-399,999 s.f.	1000 s.f.	\$3,883	\$3,759	\$3,702	\$3,142	\$4,998	\$7,207
400,000-999,999 s.f.	1000 s.f.	\$3,688	\$3,337	\$3,286	\$2,790	\$4,437	\$6,399
1,000,000 s.f. & over	1000 s.f.	\$3,528	\$3,059	\$3,013	\$2,557	\$4,067	\$5,865
Wholesale	1000 s.f.	\$693	\$801	\$789	\$670	\$1,066	\$1,537
Furniture	1000 s.f.	\$72	\$84	\$82	\$70	\$111	\$161
Hardware/Paint Store	1000 s.f.	\$1,922	\$1,861	\$1,964	\$1,366	\$2,019	\$3,565
<b>RESTAURANT</b>							
Restaurant	1000 s.f.	\$2,143	\$3,978	\$4,196	\$2,997	\$4,310	\$7,468
Restaurant w/Drive Thru	1000 s.f.	\$3,764	\$5,505	\$5,808	\$4,094	\$5,969	\$10,440
<b>SERVICES</b>							
Bank	1000 s.f.	\$7,009	\$5,105	\$5,385	\$3,816	\$5,533	\$9,643
Bank w/Drive Thru	1000 s.f.	\$7,963	\$5,800	\$6,118	\$4,335	\$6,286	\$10,955
Savings & Loan	1000 s.f.	\$2,530	\$1,843	\$1,944	\$1,377	\$1,997	\$3,481
Insurance	1000 s.f.	\$3,934	\$2,340	\$2,434	\$1,920	\$3,096	\$3,827
Day Care Center	Student	\$504	\$288	\$304	\$217	\$312	\$541
Service Station/Car Wash	1000 s.f.	\$20,335	\$5,364	\$5,660	\$3,937	\$5,820	\$10,274
<b>RECREATION</b>							
General Recreation	Parking Spac	\$436	\$587	\$606	\$471	\$762	\$953
Golf Course	Parking Spac	\$2,257	\$1,003	\$1,035	\$805	\$1,303	\$1,628
Marina	Slip	\$1,278	\$568	\$586	\$456	\$737	\$922
Racquet Club/Health Club	1000 s.f.	\$1,009	\$1,441	\$1,519	\$1,113	\$1,559	\$2,652
<b>INSTITUTIONAL</b>							
Elementary School	Student	\$335	\$156	\$157	\$118	\$193	\$252
Jr High/Middle School	Student	\$335	\$156	\$157	\$118	\$193	\$252
High School	Student	\$469	\$219	\$219	\$165	\$270	\$353
Junior/Technical College	Student	\$536	\$250	\$251	\$188	\$309	\$404
College	Student	\$805	\$375	\$376	\$282	\$463	\$605
Church	1000 s.f.	\$904	\$1,203	\$1,207	\$906	\$1,485	\$1,943
General Aviation	Flight	\$1,415	\$623	\$648	\$511	\$824	\$1,018
Civic Center	1000 s.f.	\$11,558	\$5,086	\$5,291	\$4,173	\$6,730	\$8,319

Certified as true  
and correct copy.