

AMENDMENT TO EAST LAKE WOODLANDS
DEVELOPMENT ORDER

WHEREAS, The East Lake Woodlands Development of Regional Impact received a Development Order on August 10, 1976, which remained in effect for 10 years; and

WHEREAS, the Development Order was extended until April 30, 1991 by Resolution 87-529 on December 22, 1987; and

WHEREAS, the project is not completed and the developer has requested that the Development Order be extended until April 30, 1995; and

WHEREAS, the developer has proposed that during this extension the developer shall construct only a total of 3,334 dwelling units out of a permitted 4,900 units and that no further dwelling units shall be constructed unless approved by subsequent Development Order Amendments; and

WHEREAS, the Pinellas County Board of County Commissioners finds that there is sufficient capacity in existing and planned solid waste disposal facilities, public drinking water supply, and electrical power, to accommodate the additional units without adverse impact; and

WHEREAS, the Commission finds that the developer has contributed, in advance, \$926,744 which is deemed to mitigate the applicable transportation impact of the development contemplated herein under Rule 9J-2.0255; and

WHEREAS, the developer has proposed to provide one (1) school site of approximately 12 acres where the existing Development Order provided for two (2) school sites totalling 22 acres; and

WHEREAS, the Commission met in regular session on September 20, 1988 and approved the proposed changes to the East Lake Woodlands Development Order.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Pinellas County, Florida in regular session duly assembled this 20th day of September 1988 that the East Lake Woodlands Development Order be amended as provided by the attached Development Order Amendments and related exhibits.

Commissioner Rainey offered the foregoing

resolution and moved its adoption, which was seconded by

Commissioner Greer, and upon roll call the vote was:

Ayes:	Chesnut, Tyndall, Rainey, Todd and Greer.
Nays:	None.
Absent and not voting:	None.

Witness my hand and seal of said County,
of Pinellas County, Florida.
this 21st day of Sept. A.D. 19 88.
I, KARLEEN F. DeBLAKER, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida.
KARLEEN F. DeBLAKER, Clerk of the Circuit Court Ex-Officio Clerk to the Board of County Commissioners, Pinellas County, Florida.

By: Deputy Clerk

DR1#18
a

To: Honorable Chairman and Members of the Board of County Commissioners

From: Fred E. Marguis, County Administrator

Re: East Lake Woodlands DRI # 18 - Request for Determination of Substantial Deviation for Proposed Changes to a Previously Approved Development of Regional Impact

Date: September 20, 1988

Analysis: On December 22, 1987 the Board approved a resolution (87-529) to amend the Development Order (DO) for the East Lake Woodlands DRI to extend the time frame of the DO for about 5 years. This resolution was brought before the Board as an attempt by the applicant to resolve the moratorium placed on this development pursuant to the transportation conditions of the DO. Subsequent to the amendment an appeal was filed by the Tampa Bay Regional Planning Council (TBRPC) contesting the action. In addition, correspondence from the Department of Community Affairs (DCA) suggested that further transportation mitigation may be necessary to insure compliance with the DO through the scheduled build-out (i.e. April 30, 1991). Pursuant to the recommendation of DCA, the developer, Pinellas County, TBRPC, DCA and the Florida Department of Transportation have met jointly to mutually resolve all issues. The attached Development Order Amendments are acceptable to properly mitigate the following requested changes:

1. The developer proposes to provide one (1) school site on approximately 12 acres where the original DO provided two (2) school sites totaling 22 acres.
2. The Development Order shall stay in effect until April 30, 1995. April 30, 1995 shall also be the date of build-out.
3. The developer is authorized, with approval of this amendment, a total of 3,334 dwelling units subject to all other existing Development Order conditions.

Recommendation: It is recommended that the requested change be determined not to be a Substantial Deviation and the attached resolution should be adopted to amend the Development Order to incorporate the language changes as proposed.

LAW OFFICES OF
CONNOR & MARTINEZ
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

ROBERT C. APOAR
KENNETH L. CONNOR*
ROBERT H. DELLECKER
D. LANCE LANGSTON
MEL R. MARTINEZ*
JOSEPH P. MAWHINNEY
LINDA SUMNER AKINS

* BOARD CERTIFIED CIVIL TRIAL LAWYER

REPLY TO: TALLAHASSEE

119 EAST PARK AVENUE
POST OFFICE BOX 1187
TALLAHASSEE, FLORIDA 32302
(904) 681-9850
FAX (904) 681-9379

September 12, 1988

20 NORTH ORANGE AVENUE, SUITE 700
POST OFFICE BOX 8447
ORLANDO, FLORIDA 32802
(407) 849-1061
FAX (407) 425-1856

County Commissioners
of Pinellas County
County Courthouse
315 Court Street
Clearwater, FL 34616

RE: Proposed change to East Lake Woodlands Development Order

Dear Commissioners:

Attached hereto is a copy of the application for an amendment to the East Lake Woodlands Development Order, with supporting appendices. This amendment is scheduled for public hearing on Tuesday, September 20 at the scheduled Commission meeting. The enclosed materials are provided for your review in advance of the hearing to allow you to raise questions in advance if you wish, thereby minimizing the amount of time necessary for the hearing. If you have questions, please contact Assistant County Administrator Jake Stowers, Assistant County Attorney Jim Bennett, or myself.

The developer has worked closely with county staff, regional planning council staff, the Tampa Bay office of the Florida Department of Transportation, and staff of the Florida Department of Community Affairs on this amendment. The proposed draft satisfies the concerns of all of the affected agencies. The following is a brief description of the development order amendment and supporting materials.

The primary purpose of the amendment is to extend the expiration date and date of buildout of the East Lake Woodlands DRI until April 30, 1995, which has the practical effect of extending the County's jurisdiction over this project for the same period. In conjunction with this extension, a number of other changes have been made to update the development order. In the first paragraph, the developer agrees to provide a school site depicted on exhibit "A" attached to the amendment.

As set out in appendices 3 through 6, adequate water, sewer and solid waste service will be available for East Lake Woodlands. Since the county has not received final approval for expansion of the sewer plant, however, the second paragraph

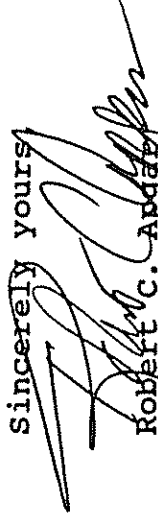
County Commissioners
of Pinellas County
September 12, 1988
Page 2

prohibits building permits and site plan approval unless sewer service is available.

In the third paragraph, the amendment deletes outdated transportation provisions of the development order and substitutes new language. The new language incorporates a requirement for transportation impact mitigation in the total sum of \$926,744.00 (of which \$423,371.00 has previously been paid to the county by the developer pursuant to the county's existing transportation impact ordinance) which shall be used exclusively for the widening and improvement of roads impacted by the East Lake Woodlands DRI. The order provides that a portion of the contribution shall be transferred to the Florida Department of Transportation for certain state highway system improvements. The proposed language further provides that the developer may not exceed a total of 3,334 development dwelling units unless the developer submits an additional transportation study which meets the requirements of Chapter 380.

The developer will be pleased to address any questions that you wish to raise prior to the hearing, or at the hearing.

Sincerely yours,



Robert C. Applegate
Attorney for
East Lake Woodlands, Ltd.

RCA:ms

cc: All County Commissioners
Fred E. Marquis, County Administrator
Jake Stowers, Assistant County Administrator
Jim Bennett, Assistant County Attorney

CONNOR & MARTINEZ

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

MUBEN REALTY COMPANY, the authorized representative of EAST LAKE WOODLANDS, LTD., hereby gives notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06 (19), Florida Statutes (1985). In support thereof, we submit the attached information concerning the EAST LAKE WOODLANDS DRI, No. 18, Pinellas County, which information is true and correct to the best of our knowledge. We have submitted today, under separate cover, copies of this completed notification to Pinellas County, to the Tampa Bay Regional Planning Council, and to the Bureau of Resource Management, Department of Community Affairs.

July 26, 1988
(Date)

EAST LAKE WOODLANDS, LTD., a
Florida limited partnership

By MUBEN REALTY COMPANY, a New
Jersey corporation, as its sole
General Partner

By A. George Newman
As its Vice President

(Corporate Seal)

ELW19/ks1
4.27.88

Notification of Amendment
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1. Applicant (name, address, phone).
East Lake Woodlands, Ltd., P.O. box 860, Palm Harbor,
Florida 33563, (813) 785-5691
2. Authorized Agent (name, address, phone).
William J. Deas, Esquire, 2215 River Boulevard,
Jacksonville, FL 32204, (904) 387-9292
3. Location (City, County, Township/Range/Section) of approved
DRI and proposed change.

Palm Harbor, Pinellas County
Township 28S/Range 16 East/Sections 9, 10, 15, & 16

4. Changes previously made:

No significant changes have been made in the original plan of development. On or about September 29, 1987, East Lake Woodlands submitted a proposed change to Pinellas County requesting the following:

- (a) An extension of the buildout date for the project to April 30, 1991;
- (b) An extension of the expiration date of the Development Order to April 30, 1991; and
- (c) A limit of 3,334 units unless authorized by a further Development Order Amendment.

Said request was granted in Pinellas County Resolution No. 87-529, adopted December 22, 1987.

5. Currently Proposed Changes:

Currently proposed changes are set out in detail in the Development Order Amendment, which is attached hereto as Exhibit "A".

6. Local Government Jurisdiction:

There has been no change in local government jurisdiction for any portion of the development since the last approval.

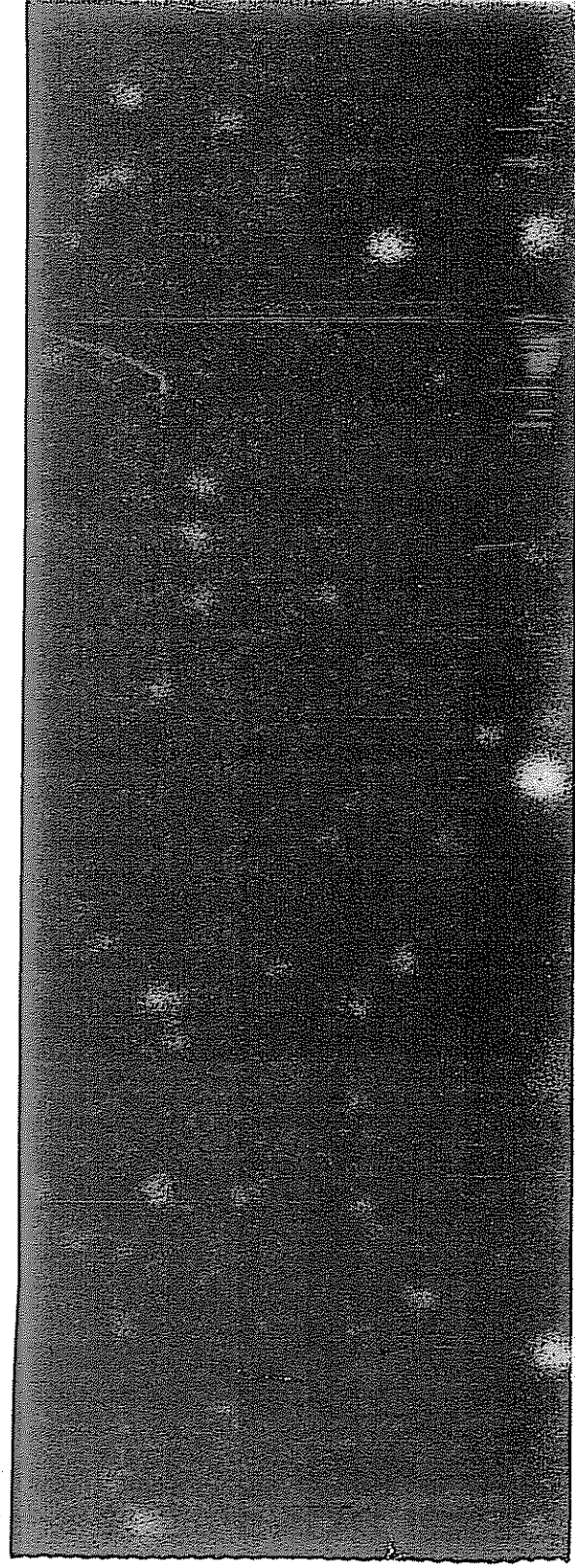
7. Additional Lands:

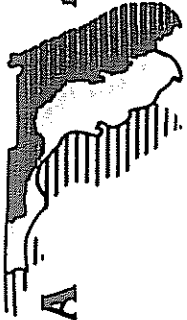
No lands have been purchased or optioned within one mile of the original DRI site.

Notification of Amendment
Page 3

8. Consistency:

Proposed change is not inconsistent with any objective or policy of the State Land Development Plan or of the Local Comprehensive Plan or Land Development Regulations.





DEPARTMENT OF TRANSPORTATION

KAYE R. NEWBERSON
SECRETARY

August 1, 1988

Mr. Hugh Pascoe
Transportation Planning
Administrator
Pinellas County
440 Court St.
Clearwater, Fl. 33516

Re: East Lake Woodlands DRI, No. 18
Traffic Impacts Mitigation Coordination

Dear Hugh:

I would like to follow-up on my July 29, 1988 phone conversation with Ms. Sara Ward of your office regarding the coordination of the above referenced DRI's traffic impacts mitigation efforts. Our conversation centered around discussions on which "mechanisms" are available to Pinellas County to distribute the \$503,373 transportation impact mitigation revenues from the DRI to the Department.

At this time it appears that there are two means available to the County to distribute this revenue. One method is through the execution of an Inter-local Agreement (ILA) while the other is through the execution of a Joint Participation Agreement (JPA). The ILA is the most conducive method since it involves less processing time and is more easily implemented than a JPA. If the DRI's transportation impact revenues were paid to the County as "impact fees" pursuant to the County's Transportation Impact Fee Ordinance, the ILA would probably be suitable. However, if these revenues were paid to the County as a result of the DRI's (and the County's) utilization of DCA's Transportation Policy Rule 9J-5.0255, a JPA would probably be the most appropriate mechanism to use. Therefore, the County should first determine what "legal restrictions" it must follow before distributing the revenues.

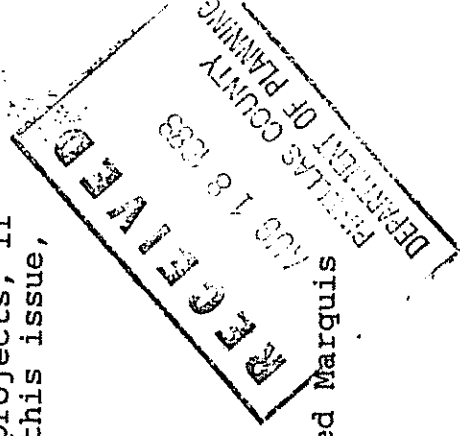
Appropriate Department staff representatives are willing to attend a meeting with the County to discuss the most appropriate implementation mechanisms available. We could also start discussing how the Department will integrate the revenues into our Five Year Work Program for either the SR 580 or SR 584 capacity improvement projects, if necessary. Should you have any questions concerning this issue, please contact this office.

Sincerely,

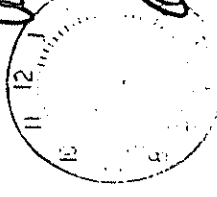
Richard E. Adair

Richard E. Adair
Planning Section Administrator

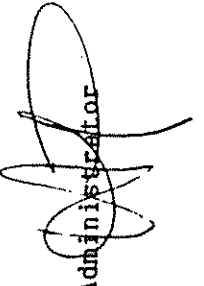
CC: James G. Kennedy, Jim Edwards, Ron Pscion and Fred Marquis



AUG 02 1988

PINELLAS COUNTY
ADMINISTRATIVE

TO: Al Na , Principal Planner

FROM: Hubert L. Pascoe, Transportation Planning Administrator 

SUBJECT: East Lake Woodlands DRI
Proposed Amendment to Development Order

DATE: August 4, 1988

As you requested, we have reviewed the proposed amendment to the Development Order for the East Lake Woodlands DRI and have the following comments.

The July 17, 1988 letter from Mr. Thomas L. Thomson (FDOT) to Mr. Fred Marquis states that, "It is expected that the Department and the County would enter into a Joint Participation Agreement to identify how the Department would utilize this revenue on the State Highways impacted by the DRI's traffic". Pinellas County and FDOT have not entered into such an agreement as yet.

We and FDOT agree that a formal agreement be finalized and that it be made a part of the Development Order Amendment. This should take the form of a Joint Participation Agreement (JPA) between FDOT and the BCC. We are currently coordinating development of the JPA with FDOT District 7 staff.

The agreement with FDOT is especially important because the State Highway Projects as depicted under item 3 of the proposed D.O. amendment may be affected by outstanding concerns of the City of Oldsmar with current FDOT projects for SR 580 and SR 584.

Because the July 26, 1988 proposed amendment to the Development Order states that, "all conditions required by the Order as previously amended and as further amended herein and hereby, shall remain in effect throughout the extension of the order", then:

Current Right-of-Way requirements for the entirety of East Lake Road lying within the property limits of East Lake Woodlands should be included in the amended D.O as indicated in the February 24, 1987 Pinellas County Subdivision Regulation Sector Plan as follows:

The required right-of-way will be, as a minimum, 200 feet for the entirety of East Lake Road..., etc.

The August 10, 1976 Development Order only required a right-of-way of 110 feet.

HLP/g
8850P

Enclosures: State Road 580 Environmental Reevaluation Agenda Item IV.
July 22, 1988 MPO Meeting.
City of Oldsmar Resolution No. 88-18 submitted under cover letter of July 22, 1988 to the Metropolitan Planning Organization.

CITY HALL OPEN
8:30 A.M. - 5:00 P.M.
MONDAY THRU FRIDAY

PHONES:
855-4693
855-4694
855-4695

July 22, 1988

Mr. Hubert Pasco
Metropolitan Planning Organization of Pinellas County
440 Court Street
Clearwater, Florida 34616

Re: City of Oldsmar Resolution 88-18

Dear Mr. Pasco:

Pursuant to paragraph five of Resolution 88-18, enclosed please find a certified copy of Resolution 88-18 of the City of Oldsmar, Florida.

Resolution 88-18 pertains to proposed traffic routes, namely S.R. 580, within the city limits of Oldsmar.

The City Council has directed me to forward this Resolution to your attention in hopes that you will forward copies of the same to the members of the M.P.O. so that they can be made aware of the City's position on this matter.

Should I be of any further assistance to you concerning this issue, please do not hesitate to call on me.

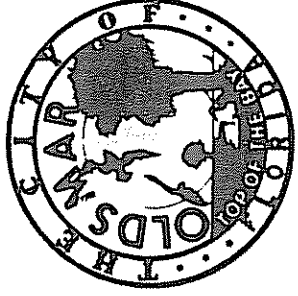
Sincerely,

Cheryl P. Mortenson
Cheryl P. Mortenson, C.M.C., City Clerk
City of Oldsmar, Florida

CDM/ch

Enclosure

CC: Mayor, Council, Manager, Attorney and Planner



RECEIVED

JUL 25 1988

POLLUTION CONTROL

BUILDING

PINELLAS COUNTY

MAINTENANCE

DEPARTMENT OF PLANNING

City Of Oldsmar

P. O. Box 100
OLDSMAR, FLORIDA 33557

855-4612
855-5049
855-4211
855-5940

STATE ROAD 580 ENVIRONMENTAL REEVALUATION

AGENDA ITEM IX

At its last meeting, the MPO continued consideration of the S.R. 580 project to allow for representatives of the city of Oldsmar, FDOT, and MPO to meet and identify and resolve, if possible, outstanding concerns. The MPO also directed that the staff develop a report concerning the alternatives and costs if possible.

Staff was directed to pursue resolution of local and state concerns in two ways:

- first, to determine if a means of accommodating Oldsmar's concerns of the SCL alignment's impacts on the downtown area could be reached while retaining the facility on the 2010 Plan, and
- second, to draft up possible Plan alternatives and cost impacts for the MPO's consideration.

The purpose of this agenda item is to receive a report on the results of those meetings and staff alternatives as they relate to direction given in June.

ATTACHMENTS: Report on Project Meetings
S.R. 580 Chronology
Staff Report (to be included in members' folders)

ACTION: MPO to take action based upon discussion

STAFF REPORT

CITY OF OLDSMAR COUNCIL WORKSHOP
ON S.R. 580 IMPROVEMENTS

JULY 6, 1988

Attendants of the workshop were: the City Council members and Mayor, the City Manager, City staff, newspaper reporters, MPO and FDOT staffs, and the FDOT's engineering consultant.

Teresa Estes, FDOT Project Engineer, made a presentation of projected traffic conditions within the S.R. 580 Corridor. The effects of delaying the project were also discussed. FDOT warned that should the City convince the MPO to amend the Year 2010 Long Range Highway Plan, a delay from three to six years in implementing a new project could occur. Delays cannot be predicted because available monies could be allocated to other projects while a new Environmental Impact Study is prepared for a new alternative.

Currently, the MPO's Five Year Transportation Improvement Program (May, 1988) shows that FDOT intends to multi-lane and resurface S.R. 580 from the east approach of the Oldsmar Bridge to the Hillsborough County Line by FY 1991-92.

The MPO Year 2010 Long Range Highway Plan calls for a six-lane divided arterial between the east approach of the Oldsmar Bridge and C.R. 233; it then continues with a four-lane divided arterial section along the SCL RR tracks until it intersects S.R. 584; and from there to the Hillsborough County Line, it shows an eight-lane enhanced arterial section.

Although there was not an absolute consensus among the city of Oldsmar Council members, general opposition was expressed in regard to the following improvements:

1. - S.R. 580 improvement following an alignment along the SCL RR tracks between C.R. 233 and S.R. 584.
2. - Eight laning of S.R. 580 between the SCL RR/S.R. 584 intersection.

The contention is that S.R. 580, as planned, would divide the southern part of the City and negatively impact the City's plans to revitalize its downtown and build a new City Hall there. There was also concern expressed that seven streets between St. Petersburg Drive and Bayview Boulevard will, in effect, be blocked off due to the limited access portions of S.R. 580 as planned. The blocked-off streets would be Congress, Jefferson, Exeter, Park, Fairfield, Washington, and Lee. Other comments were made by Council members in regard to doing what is right for the City even if that means delaying the S.R. 580 project. It was commented that the City Council may like even less an alternate project.

Essentially, by the end of the work session, City concerns could be summarized as threefold:

- 1) The preference of the City is to totally eliminate the SCL alignment on the MPO Year 2010 Plan. As a means of compensating for the alignment's capacity, appropriate segments of C.R. 233 and S.R. 584 should be widened to eight-lanes divided.
- 2) The limited access nature of the SCL alignment's design at its apex with S.R. 584 is fundamentally at odds with City downtown plans. Further attempts to make the design compatible with the downtown should include: a) realignment of the S.R. 580/584 interchange including extension of the flyover to allow enhanced local circulation; or b) designing the SCL alignment as a lower volume/capacity urban street more in keeping with the planned downtown redevelopment.
- 3) There was also general concern that too much emphasis was being placed on the use of both S.R. 580 and S.R. 584 east of C.R. 233. As a possible alternative, FDOT and the MPO should further investigate the potential of diverting more traffic around, rather than through, Oldsmar. This concept would entail an expanded role for the C.R. 233/East-West Connector Road/Linebaugh Extension, or creation of a loop road around the City. Either alternative would presumably allow a reduction in the number of planned lanes on S.R. 580 and S.R. 584 east of C.R. 233.

A public hearing on the proposed improvement of S.R. 580 will be held from 4:00 to 8:00 p.m. on July 21, 1988 at the Oldsmar City Hall. The results of that meeting will be presented to the MPO.

July, 1988

S.R. 580 CHRONOLOGY - OLDSMAR AREA

In 1978, The Florida Department of Transportation completed a Project Development and Environmental (PDE) Corridor Study of S.R. 580 from Alternate U.S. 19 in Dunedin to the Hillsborough County Line. This study included a number of alternative alignments for S.R. 580 in Oldsmar and showed as the preferred alignment and cross section, a four-lane divided segment along the SCL Railroad alignment from C.R. 233 to S.R. 584.

In April, 1980, the Pinellas County Metropolitan Planning Organization adopted its Year 2000 Long Range Highway Plan. This plan showed S.R. 580 as a six-lane divided arterial from Safety Harbor to C.R. 233; as a four-lane divided arterial from C.R. 233 to S.R. 584 using the SCL Railroad alignment; and as a six-lane divided Freeway/Expressway from S.R. 584 to the Hillsborough County Line.

In October, 1984, the Pinellas County Metropolitan Planning Organization adopted its Year 2010 Long Range Highway Plan, which replaced the Year 2000 Plan. The 2010 plan showed S.R. 580 as a six-lane divided arterial from Safety Harbor to C.R. 233 as a six-lane divided arterial from C.R. 233 to S.R. 584 using the SCL Railroad alignment; and as a six-lane freeway/expressway from S.R. 584 to the Hillsborough county Line.

In December, 1986, the Pinellas County Metropolitan Planning Organization amended its Year 2010 Long Range Highway Plan. The amended 2010 plan, which is still current, shows S.R. 580 as a six-lane divided arterial from Safety Harbor to C.R. 233; as a four-lane divided arterial from C.R. 233 to S.R. 584 using the SCL Railroad alignment; and as an eight-lane divided "enhanced" arterial from S.R. 584 to the Hillsborough County Line.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, PERTAINING TO TRAFFIC ROUTING AROUND, THROUGH AND WITHIN THE CITY, CERTAIN ROAD IMPROVEMENTS AND THE ALIGNMENT OF A NEW ROADWAY WITH CSX RAILROAD RIGHT-OF-WAY.

WHEREAS, the Mayor and City Council as well as the residents of Oldsmar recognize the current traffic problems within the City; and

WHEREAS, acknowledged traffic projections show the definite need for new routes for traffic as well as certain road improvements; and

WHEREAS, the City recognizes its duty, obligation and right to be instrumental in the planning of traffic facilities to service Oldsmar; and

WHEREAS, the Mayor and City Council of the City of Oldsmar wish to make the City's ideas known to other planning agencies and a matter of public record.

NOW, THEREFORE, be it resolved by the City Council of the City of Oldsmar, Florida, as follows:

1. That no roadway improvements within the City of Oldsmar be designed solely to facilitate commuter traffic without regard to local interior crosstown traffic and the City's ability to provide emergency services.

2. That C.R. 667 and the East-West connector be designated the primary facility and be designed so as to accomodate faster moving, through traffic and that the Florida Department of Transportation designate this as S. R. 580 connecting with the Linebaugh extension in Hillsborough County.

BE IT FURTHER RESOLVED:

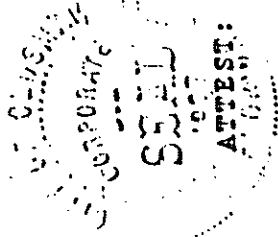
3. That, as a second choice in recognition of a need to facilitate movement of traffic between the cities of Tampa and Clearwater, a DOT study be undertaken for a new roadway designed to align with the CSX Railroad right-of-way and State Street.

4. That this new roadway be a four-lane urban arterial, full-access, at grade facility designated S.R. 580-Business.

5. That the City Clerk is hereby directed to send a copy of this resolution to the Pinellas County Metropolitan Planning Organization (MPO); the Pinellas County Commission; Secretary Kaye Henderson, Florida Department of

Transportation (DOT); James Kennedy, Deputy Assistant Secretary DOT Seventh District; Sen. Curt Kiser; Rep. Tom Woodruff; the Hillsborough County MPO and the Hillsborough County Commission.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, THIS 21ST DAY OF JULY, 1988.



ATTEST:

[Signature]
CITY CLERK

[Signature]
THOMAS J. PINTA, MAYOR
CITY OF OLDSMAR

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

I HEREBY CERTIFY THAT THIS IS
A TRUE AND CORRECT COPY OF
Resolution 88-18
OF THE PUBLIC RECORDS OF OLDSMAR
CITY CLERK
[Signature]

LAW OFFICES OF
CONNOR & MARTINEZ
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS

ROBERT C. AFGAR
KENNETH L. CONNOR
ROBERT H. DELLECKER
D. LANCE LANGSTON
MEL R. MARTINEZ
JOSEPH P. MAWHINNEY

* BOARD CERTIFIED CIVIL TRIAL LAWYER

REPLY TO:

119 EAST PARK AVENUE
POST OFFICE BOX 1187
TALLAHASSEE, FLORIDA 32302
(904) 681-9800

Tallahassee

20 NORTH ORANGE AVENUE, SUITE 700
POST OFFICE BOX 8447
ORLANDO, FLORIDA 32802
(407) 849-1061

July 26, 1988

VIA FEDERAL EXPRESS

Mr. Fred E. Marquis
County Administrator
Pinellas County, Florida
315 Court Street
Clearwater, FL 33516

RE: East Lake Woodlands -- Proposed Amendment to Development
Order

Dear Mr. Marquis:

Enclosed please find East Lake Woodlands' proposed Development Order Amendment, which is submitted to you pursuant to Section 380.06(19), Florida Statutes (1987) for review and adoption by Pinellas County. Also enclosed is an Appendix of supporting materials provided by your staff which East Lake Woodlands believes constitute clear and convincing evidence that the proposed amendment is not a substantial deviation.

East Lake Woodlands is very appreciative of the highly professional efforts of Scott I. Steady, Assistant Pinellas County Attorney, and the other Pinellas County staff. Mr. Steady has effectively coordinated review of this amendment by the County staff, DOT, DCA and the TBRPC.

Copies of the proposed amendment have been provided by Federal Express this date to Ms. Julia E. Greene, Executive Director of the Tampa Bay Regional Planning Council; and to Scott I. Steady, Esquire, Assistant Pinellas County Attorney; and to Mr. Tom Beck, Chief of the Bureau of State Planning, Department of Community Affairs via hand delivery.

Mr. Fred E. Marquis
Page Two of Two

If you have any questions or require further information,
please let me know.

Sincerely yours,



Robert C. Apgar

RCA/we
Enclosure

CONNOR & MARTINEZ



NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY
APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI) PURSUANT
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July 26 1988
(Date)

EAST LAKE WOODLANDS, LTD., a
Florida limited partnership

By MUBEN REALTY COMPANY, a New
Jersey corporation, as its sole
General Partner

By A. George Newman
As its Vice President

(Corporate Seal)

ELW19/ks1
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1. Applicant (name, address, phone).
East Lake Woodlands, Ltd., P.O. box 860, Palm Harbor,
Florida 33563, (813) 785-5691
2. Authorized Agent (name, address, phone).
William J. Deas, Esquire, 2215 River Boulevard,
Jacksonville, FL 32204, (904) 387-9292
3. Location (City, County, Township/Range/Section) of approved
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Palm Harbor, Pinellas County
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Woodlands submitted a proposed change to Pinellas County
requesting the following:
 - (a) An extension of the buildout date for the project to
April 30, 1991;
 - (b) An extension of the expiration date of the Development
Order to April 30, 1991; and
 - (c) A limit of 3,334 units unless authorized by a further
Development Order Amendment.Said request was granted in Pinellas County Resolution No.
87-529, adopted December 22, 1987.

5. Currently Proposed Changes:

Currently proposed changes are set out in detail in the
Development Order Amendment, which is attached hereto as
Exhibit "A".

6. Local Government Jurisdiction:

There has been no change in local government jurisdiction
for any portion of the development since the last approval.

7. Additional Lands:

No lands have been purchased or optioned within one mile of
the original DRI site.

Notification of Amendment
Page 3

8. Consistency:

Proposed change is not inconsistent with any objective or policy of the State Land Development Plan or of the Local Comprehensive Plan or Land Development Regulations.

DEVELOPMENT ORDER AMENDMENT

A. 1. All of Section VII (3) of the Order is hereby deleted and the following language shall be substituted in its place:

"The Developer agrees to provide the school site of approximately 12 acres located on County Road 77 as indicated in Exhibit "A" (attached hereto)."

2. The following shall be added to Section VII (1) Sewer

Facilities:

No building permits shall be issued when the anticipated demands for sewer service is equal to or greater than the actual permitted capacity available. No site plans shall be approved which will cause the development's sewer service demand to exceed the permitted capacity available at the time of the request.

3. The last Paragraph of Section VII(5) of the Order is hereby deleted and the following shall be substituted in its place:

"The developer is authorized to construct a total of 3,334 dwelling units. The developer may not construct additional units beyond the 3,334 unless authorized by a further Development Order Amendment. The developer agrees to submit a transportation study predicting the impacts of any such requested amendments. Such studies shall meet the requirements of question 31 of the Application for Development Approval form pursuant to F.S. 380.06 (10)."

The developer will pay to the County as and for transportation impact mitigation the total sum of \$926,744.00 (calculated pursuant to Exhibit B) simultaneously with the adoption hereof (of which total sum \$423,371.00 has previously been paid to the County by the developer incident to the County's existing transportation impact ordinance); which sum shall be designated and utilized solely and exclusively for the widening and improvement of that portion of CR 752/SR 584/SR 580, lying east of U.S. 19 and located within Pinellas County. The County shall remit to the Florida Department of Transportation the remaining sum of \$503,373.00 (\$926,744.00 - \$423,371.00) which shall be utilized by the Florida Department of Transportation exclusively for that portion of the aforesaid segment of SR 584/SR 580 as the State of Florida is required to maintain within Pinellas County.

The total sum of \$926,444.00 (calculated pursuant to Exhibit B) contemplated hereby is deemed to mitigate the applicable transportation impact of the development contemplated herein under Rule 9J-2.0255.

In accordance with the rules and procedures promulgated by the Florida Department of Community Affairs and the Tampa Bay Regional Planning Council, Pinellas County is proposing the allocation of its proportion of the fair share contribution (\$423,371)

from the developers of the East Lake Woodlands Development of Regional Impact to selected highway construction projects.

This commitment on the part of Pinellas County to perform the following construction on or before the specified date constitutes an acceptable means of mitigating the impacts of the DRI through project buildout. These construction projects as described below have been selected from a list of regionally significant roadways on which the peak hour level of service is either currently at or is projected to fall below "D" prior to project buildout.

PINELLAS COUNTY PROJECTS

<u>ROAD</u>	<u>SEGMENT</u> <u>FROM</u> <u>TO</u>	<u>TYPE OF</u> <u>IMPROVEMENT</u>	<u>COST OF</u> <u>CONSTRUCTION</u>	<u>DATE OF</u> <u>CONSTRUCTION</u>
CR 752	US 19 E. Lake Rd.	6 Lane Arterial	\$7,160,000	1993
CR 752	E. Lake SR 584 Rd.	6 Lane Arterial	\$4,684,000	1994

Furthermore, Pinellas County regards the transfer of a portion of the fair share contribution of (\$503,373.00) to the Florida Department of Transportation and the maintenance of projects as described below for the mitigation of traffic on the state highway system in the adopted work program of the FDOT and the Transportation Improvement Program of the Pinellas County MPO as a sufficient mitigation measure under DCA and TBRPC rules and policies.

STATE HIGHWAY PROJECTS

<u>ROAD</u>	<u>SEGMENT</u> <u>FROM</u> <u>TO</u>	<u>TYPE OF</u> <u>IMPROVEMENT</u>	<u>COST OF</u> <u>CONSTRUCTION</u>	<u>DATE OF</u> <u>CONSTRUCTION</u>
SR 584	CR 752 SR 580	6 Lane Arterial	\$5,618,000	1993
SR 580	Oldsmar Hills Bridge CL	4/8 Lane Arterial	\$6,124,000	1992

4. All of Section IX of the Order is hereby deleted and the following language shall be substituted in its place:

"This Development Order shall stay in effect until April 30, 1995. April 30, 1995 shall also be the date of buildout and the County shall not downzone or reduce the density or intensity of use on the Project prior to such date, except as provided in Section 380.06(15)(c)3. Developer shall submit an annual report on or before December 30th of each year to the County, the Tampa Bay Regional Planning Council, and the Department of Community Affairs. The report shall include the items required in Rule 9J-2.025(7), Florida Administrative Code, as applicable."

B. All conditions required by the Order as previously amended, and as further amended herein and hereby, shall remain in effect throughout the extension of the Order.

C. The County Administrator shall transmit a certified copy of this amendment to the Department Of Community Affairs, the Tampa Bay Regional Planning Council, and to the Developer.

EXHIBIT "A"

PROPERTY OWNERSHIP MAP
PINELLAS COUNTY

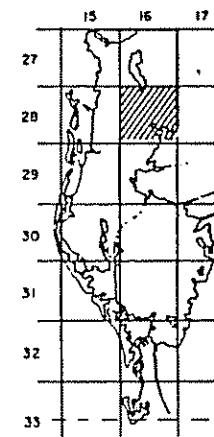
RONALD J. SCHULTZ
PROPERTY APPRAISER

SCALE 1" = 200'

DATE OF MAP: 7/21/81



COUNTY LOCATOR



SHEET MATCH

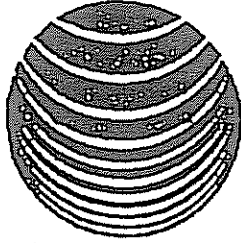
S05-28-16	S04-28-16	S03-26-16
N08-28-16	N09-28-16	N10-28-16
S08-28-16	S09-28-16	S10-28-16

LEGEND

COUNTY LINE	AREA (FROM DEED)	103.85
CITY LIMIT LINE	AREA (CALCULATED)	103.85
TAX DISTRICT LINE	DIMENSIONS (FROM DEED)	100.3
ROAD R/W	DIMENSIONS (SCALED)	100.12
RAILROAD R/W	WATER	
PROPERTY LINE	INTERSTATE HIGHWAY	75
LAND MOOR	U.S. HIGHWAY	19
INTERIOR TRACT LINE OR	STATE HIGHWAY	60



115.38 Acre



TRANSPORTATION CONSULTING GROUP

March 8, 1988

Mr. William Deas
2215 River Boulevard
Jacksonville, Florida 32203-0004

Re: Final Revisions to Eastlake Woodlands DRI DO Analysis

Dear Bill:

With this letter I transmit the final Eastlake Woodlands Traffic Analysis regarding potential exactions for transportation. This set of modifications was calculated based on comments received during our February 18, 1988 meeting with TBRPC in St. Petersburg. The most significant of those comments are summarized below:

- o It was requested that we investigate SR 580 from the Pinellas/Hillsborough county line to Memorial Boulevard.
- o It was suggested that we increase the AADT by the number of trips estimated for uncompleted dwelling units.

I have discussed the pertinent parameters for completing this analysis with the following individuals:

- o George Adrionson - Florida DOT, Tampa
- o Roy Chapman - TBRPC Traffic Consultant from RSH

I received traffic count information from FDOT files in Tampa and received very helpful trip distribution information from Mr. Roy Chapman. The trip distribution data for the Cypress Lakes impact analysis was on file with Mr. Chapman and his eastbound percentage trips of 47 percent compared favorably with the 49 percent resulting from Eastlake Woodlands analysis. East of the county line location on SR 580 at Racetrack Road, the Forest Lakes percentage of 19 percent compares with the 14 percent from ELW. Upon arriving at Sheldon Road/Memorial Boulevard the 9 percent of Cypress Lakes volume compares with 7 percent for ELW. These are very close comparisons considering the two different methods used. Also, ELW is over a mile further west of Forest Lakes.

For purposes of this analysis, SR 580 was divided into three separate links with Link 14 from the County line to Old Memorial Highway, Link 15 from Old Memorial Highway to Pistol Range Road and Link 16 from Pistol Range Road to Sheldon/Memorial Boulevard. The link mileages and corresponding costs by peak and off peak direction are shown on the attached table.

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EXHIBIT "B"

The AADT values used in the spreadsheet were adjusted upward to account for the unbuilt Eastlake Woodlands dwelling units at the time of AADT measurement (midpoint 1987).

Two additional changes include a correction to the percent DRI distribution for link 3 and use of the same service volume for each direction of analysis. The final exactions resulting from comments received at the TBRPC workshop meeting come to \$926,744.

By copy of this letter, I am submitting the final calculations to Mr. Henry Bittaker of DCA, Mr. Rick Adair of FDOT Tampa, Mr. Dave Simpson of Tampa Bay Regional Planning Council and their Traffic Consultant, Mr. Roy Chapman. This constitutes final submittal of our analysis to these agencies. Please call if further question arise concerning the Eastlake Woodlands analysis.

RAH:KHR

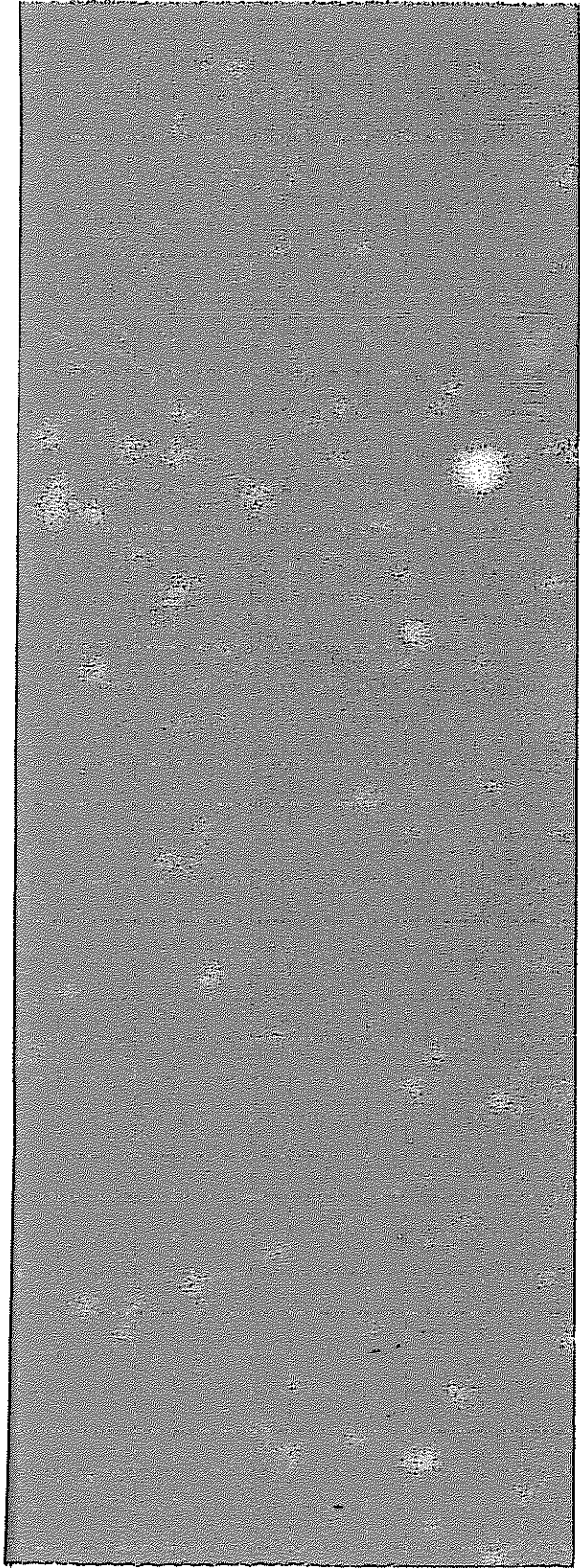
Attachment

cc: Mr. Henry Bittaker
Mr. Rick Adair
Mr. Dave Simpson
Mr. Roy Chapman
Mr. Hugh Pasco

Sincerely,
TRANSPORTATION CONSULTING GROUP



Richard A. Hall, P.E.
Vice President



East Lake Woodlands DRI DO Extension Analysis

TRIP GENERATION:	W/ ITE 4th Edition	PM Peak Hr	Directional DRI Trips
	Units		
Residential	Total	0.619 =	418
PUD	In	0.40854 =	276
	Out	0.21046 =	142
Full DRI	In	0.40854 =	1362

TRIP DISTRIBUTION
 60% South to Link 5 then 60% East, 40% West
 40% West to Link 6 then 30% North, 70% South
 At Link 5 10% East, 40% South & 50% West

Percentages of distributed Site Traffic are shown on Table below

CALCULATIONS:		DRI Out= 142		Growth (c)= 0.08		D Factor		0.55	
0.085 % peak (a)		DRI In= 276							
Link	1987 AADT (b)	1987 PKHD/r SV(d)	1987 V/SV	1987 %Dist	DRI Trips	Percent DRI/SV (d)	1991 Non-DRI	1991 Total	Total DRI Trips /MaxVol (d)
1	14,648	685	856	0.80	3	0.3%	932	934	14
2	13,522	632	856	0.74	14	1.6%	860	874	68
PK01r3	31,181	1387	856	1.62	65	7.6%	1,887	1,952	321
Off01r3	31,181	1131	856	0.24	33	3.9%	1,538	1,572	176
PK01r4	21,326	948	856	1.32	108	12.6%	1,290	1,398	239
Off01r4	21,326	780	856	0.39	55	6.5%	1,051	1,116	292
5	16,418	768	856	0.31	84	8.7%	1,044	1,128	187
6	18,920	885	966	0.92	28	2.9%	1,203	1,231	136
7	14,350	671	966	0.69	14	1.4%	913	927	68
8	12,326	576	966	0.60	11	1.1%	784	795	64
9	18,564	868	966	0.90	90	9.3%	1,181	1,270	443
10	16,775	784	856	0.92	11	1.3%	1,057	1,078	54
11	10,640	497	966	0.51	14	1.4%	677	691	68
12	19,490	911	966	0.94	28	2.9%	1,240	1,267	136
13	51,813	2422	2641	0.92	30	1.2%	3,295	3,326	150
PK01r14	31,181	1372	856	1.60	39	4.6%	1,867	1,906	107
Off01r14	31,181	1372	856	1.60	20	2.4%	1,867	1,887	87
PK01r15	31,730	1396	856	1.63	33	3.8%	1,899	1,932	89
Off01r15	31,730	1396	856	1.63	17	2.0%	1,899	1,916	73
PK01r16	32,279	1420	856	1.66	20	2.3%	1,932	1,952	53
Off01r16	32,279	1420	856	1.66	10	1.2%	1,932	1,942	44

	1991 V/SV w/o Impr	1991 V/SV w/ Impr	1991 New SV	MI	2,821,768 Cost	Cost per mile 4LD (e) (f)DCA Link Share Prop. Share	Intersection Share Cost (g)
1	1.09	na	1749	1.90	0	0.0%	0
2	1.02	0.50	1749	0.97	0	0.0%	39,144
Pk01r3	2.28	1.12	1749	0.97	1,368,558	7.3%	99,596
Off01r3	1.84	0.90	1749	0.97	1,368,558	3.7%	51,307
Pk01r4	1.63	0.80	1749	2.00	2,821,768	12.1%	340,342
Off01r4	1.30	0.64	1749	2.00	2,821,768	0.0%	0
5	1.17	0.65	1749	1.38	0	0.0%	0
6	1.27	1.27	966	7.20	0	0.0%	0
7	0.96	0.96	966		0	0.0%	0
8	0.82	0.82	966		0	0.0%	0
9	1.32	0.73	1749	2.20	0	0.0%	0
10	1.26	1.12	966	1.85	0	0.0%	0
11	0.71	0.71	966	1.25	0	0.0%	0
12	1.31	0.72	1749	1.83	0	0.0%	0
13	1.26	1.26	2641	1.00	0	0.0%	0
Pk01r14	2.23	0.98	1950	0.60	846,531	3.6%	30,447
Off01r14	2.20	0.97	1950	0.60	846,531	1.9%	15,685
Pk01r16	2.26	0.99	1950	1.80	2,539,592	3.0%	76,117
Off01r15	2.24	0.98	1950	1.80	2,539,592	1.5%	39,212
Pk01r16	2.28	1.00	1950	2.10	2,962,857	1.8%	53,282
Off01r16	2.27	1.00	1950	2.10	2,962,857	0.9%	27,448
					Total Exaction (Links + Intersections) =		\$926,744

Notes:

- 8.5% "K" Factor for area roadways, except 8% from FDOT PD&E Study on SR680/SR684
- 1987 ADOT from Pinellas County Planning Dept., Area-wide Summary Map
- Annual Traffic Growth factor of 8% Specified by FDOT, Tampa
- All Peak Hour Service Volumes are derived from FDOT "Generalized Daily Level of Service Maximum Volumes for Florida's Urbanized Areas"
- FDOT unit price of \$ 2,821,768 per mile for Urban 4 Lane Divided
- Proportionate Share formula from DCA Transportation Rule
- FDOT unit price of \$ 522,210 (+3% inflation) for urban major inter.

TOTAL P.05

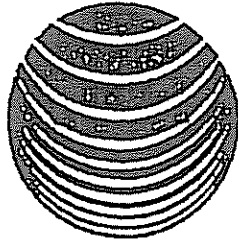
APPENDIX TO

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

EAST LAKE WOODLANDS, LTD.

INDEX

1. Letter from Richard A. Hall, Transportation Consulting Group to Mr. William Dees, dated March 8, 1988
2. Letter from Thomas L. Thomson, Florida Department of Transportation to Fred Marquis, Pinellas County Administrator, dated June 17, 1988
3. Memorandum from William E. Dunn, Director of Utilities, to Fred E. Marquis, Pinellas County Administrator, dated June 14, 1988
4. Letter from Daniel P. Johnson, Bessent, Hammack and Ruckman, Inc. to Henry Bittaker, Florida Department of Community Affairs, dated June 23, 1988
5. Memorandum from Arthur R. Finney, Jr., Director, Pinellas County Water System to Fred E. Marquis, Pinellas County Administrator, including map, dated June 14, 1988
6. Memorandum from Gene Jordan, Director of Pinellas County Public Works to Fred E. Marquis, Pinellas County Administrator, dated July 13, 1988
7. Development of Regional Impact Order for East Lake Woodlands
- Approved, dated August 10, 1976.



TRANSPORTATION CONSULTING GROUP

March 8, 1988

Mr. William Deas
2215 River Boulevard
Jacksonville, Florida 32203-0004

Re: Final Revisions to Eastlake Woodlands DRI DO Analysis

Dear Bill:

With this letter I transmit the final Eastlake Woodlands Traffic Analysis regarding potential exactions for transportation. This set of modifications was calculated based on comments received during our February 18, 1988 meeting with TBRPC in St. Petersburg. The most significant of those comments are summarized below:

- o It was requested that we investigate SR 580 from the Pinellas/Hillsborough county line to Memorial Boulevard.
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I have discussed the pertinent parameters for completing this analysis with the following individuals:

- o George Adrionson - Florida DOT, Tampa
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The AADT values used in the spreadsheet were adjusted to account for the unbuilt Eastlake Woodlands dwelling units at the time of AADT measurement (midpoint 1987).

Two additional changes include a correction to the percent DRI distribution for link 3 and use of the same service volume for each direction of analysis. The final exactions resulting from comments received at the TBRPC workshop meeting come to \$926,744.

By copy of this letter, I am submitting the final calculations to Mr. Henry Bittaker of DCA, Mr. Rick Adair of FDOT Tampa, Mr. Dave Simpson of Tampa Bay Regional Planning Council and their Traffic Consultant, Mr. Roy Chapman. This constitutes final submittal of our analysis to these agencies. Please call if further question arise concerning the Eastlake Woodlands analysis.

RAH:KHR
Attachment

cc: Mr. Henry Bittaker
Mr. Rick Adair
Mr. Dave Simpson
Mr. Roy Chapman
Mr. Hugh Pasco

Sincerely,
TRANSPORTATION CONSULTING GROUP



Richard A. Hall, P.E.
Vice President

East Lake Woodlands DRI DO Extension Analysis

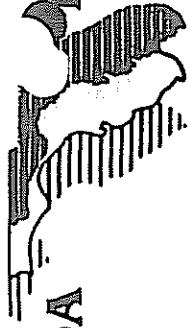
TRIP GENERATION: w/ ITE 4th Edition

	Residential PUD	Full DRI	w/ ITE 4th Edition		PM Peak Hr	Directional DRI Trips
			Total	Units		
			In	676 *	0.619 =	418
			Out	676 *	0.40854 =	276
			In	676 *	0.21046 =	142
			In	3334 *	0.40854 =	1362

TRIP DISTRIBUTION
 60% South to link 5 then 60% East, 40% West
 40% West to link 6 then 30% North, 70% South
 At Link 5 10% East, 40% South & 50% West
 Percentages of distributed Site Traffic are shown on Table below

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 0.085 % peak(a) DRI In= 276

Link	1987 AADT (b)	1987 PKHD1r SV(d)	1987 V/SV	DRI %Dist	DRI Trips	Percent DRI/SV @D	1991 Non-DRI	1991 Total	TotDRI Trips	% TotDRI /MaxVol@D
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PK01r3	31,181	1387	1.62	0.24	65	7.6%	1,887	1,952	321	37.4%
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PK01r4	21,326	948	1.11	0.39	108	12.6%	1,290	1,338	239	27.9%
OffD1r4	21,326	780	0.91	0.39	55	6.5%	1,061	1,116	292	34.1%
5	16,418	768	0.79	0.31	84	8.7%	1,044	1,128	187	19.4%
6	18,920	885	0.92	0.10	28	2.9%	1,203	1,231	136	14.1%
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8	12,326	576	0.60	0.04	11	1.1%	784	795	54	5.6%
9	18,554	868	0.90	0.33	90	9.3%	1,181	1,270	443	45.8%
10	16,775	784	0.92	0.04	11	1.3%	1,067	1,078	54	6.4%
11	10,640	497	0.51	0.05	14	1.4%	677	691	68	7.1%
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13	51,813	2422	0.92	0.11	30	1.2%	3,295	3,326	150	5.7%
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OffD1r14	31,181	1372	1.60	0.14	20	2.4%	1,867	1,887	87	10.2%
PK01r15	31,730	1396	1.63	0.12	33	3.8%	1,899	1,932	89	10.4%
OffD1r15	31,730	1396	1.63	0.12	17	2.0%	1,899	1,916	73	8.5%
PK01r16	32,279	1420	1.66	0.07	20	2.3%	1,932	1,952	53	6.2%
OffD1r16	32,279	1420	1.66	0.07	10	1.2%	1,932	1,942	44	5.1%



FLORIDA

BOB MARQUEZ
GOVERNOR

DEPARTMENT OF

TRANSPORTATION

DAVE R. EDWARDS

SECRETARY

June 17, 1988

Mr. Fred Marquis
Pinellas County Administrator
315 Court Street
Clearwater, Fl. 34616

Dear Mr. Marquis:

Re: East Lake Woodlands DRI, No. 18
Proposed Development Order Amendment Comments

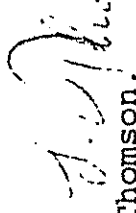
I wish to apologize to you regarding the delay in responding to your letter of May 20, 1988 relating to the Department's concerns on how the East Lake Woodlands DRI is to mitigate its transportation impacts on the State Highway System. Part of the delay in responding to your letter relates to our recent receipt of the proposed Development Order amendment language from Mr. Scott Steady of your office.

Our initial review of the draft language noted no significant concerns regarding the County's proposal to provide the Department a portion (\$503,373) of the DRI's total proportionate share sum of \$926,440 for mitigating the DRI's transportation impacts on SR 580 and/or SR 584. It is expected that the Department and the County would enter into a Joint Participation Agreement to identify how the Department would utilize this revenue on the State Highways impacted by the DRI's traffic.

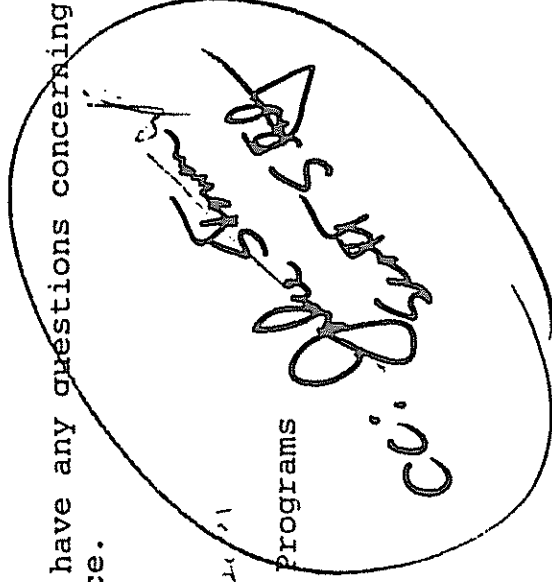
The Department believes that this initial effort by the County to help mitigate development impacts on the State Highway System will be representative of future coordination efforts between our two agencies. If my staff can help facilitate the transfer of revenues from this project or other future development projects, please ask your staff to contact Mr. Jim Edwards of this office at SunCom No. 571-3760.

Should you or your staff have any questions concerning this matter, please contact this office.

Sincerely,


Thomas L. Thomson,
Director of Planning and Programs

CC: James G. Kennedy
Tom Beck
Julia Greene



Appendix 2

TO: Fred E. Marquis
County Administrator

FROM: William E. Dunn *W.E. Dunn*
Director of Utilities

SUBJECT: East Lake Woodlands DRI

DATE: June 14, 1988

This is in answer to your inquiry on the availability of wastewater service to East Lake Woodlands.

Pinellas County owns and operates the wastewater collection and transmission system serving the County's East Lake Woodlands wastewater service area.

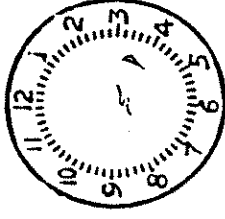
The wastewater collected in the southern area of East Lake Woodlands is transmitted to the City of Oldsmar's wastewater system for treatment and disposal in accordance with terms of a wholesale service agreement between the County and the City. This wholesale agreement permits the County to pump 200,000 gallons per day of wastewater into Oldsmar's facilities. The average daily flow being pumped into Oldsmar's wastewater system is approximately 190,000 gallons per day.

The wastewater from the central and northern area of East Lake Woodlands is being treated at a 400,000 gallons per day, activated sludge wastewater treatment plant (contact stabilization modification), owned and operated by the County, within East Lake Woodlands. The effluent from the County's East Lake Woodlands Wastewater Treatment Plant is filtered, meets standards for use on public access areas, and is utilized for irrigation of the south golf course within the community. The average daily flow to this wastewater plant is approximately 190,000 gallons per day, and this treatment facility is being operated in accordance with Operation Permit Number D052-135056, issued by the State Department of Environmental Regulation on March 25, 1988.

The County is nearing the completion of plans and specifications for the expansion of its East Lake Woodlands Wastewater Treatment Plant to 1,000,000 gallons per day together with transmission facilities to conduct effluent to the irrigation facilities on the north golf course. Land is available for construction of additions to the treatment facility. Hydrogeological studies made on the north and south golf courses (total 171 acres) at East Lake Woodlands indicate that these golf courses can utilize 2,100,000 gallons per day of effluent for irrigation. The proposed irrigation rate of 1,000,000 gallons per day is about 47.6 percent of the recommended application rate of 2,100,000 gallons per day. The proposed irrigation application rate amounts to 1.51 inches per week. The proposed addition to the plant will provide advanced secondary treatment with effluent filtration, and the quality of the effluent will meet State Department of Environmental Regulation standards for use on public access areas.

The proposed project to expand this wastewater facility will provide wastewater facilities for East Lake Woodlands and a proposed community to be located north of East Lake Woodlands to the ultimate development of the two communities. The County has funds budgeted for the expansion of the East Lake Woodlands wastewater treatment and transmission facilities and anticipates completion of these additions to this wastewater system in the first half of 1989.

Appendix 3



Bessent, Hammack & Ruckman, Inc.
CONSULTING AND DESIGN ENGINEERS

3708 SWANN AVENUE / TAMPA, FLORIDA 33609 / (813) 879-3271
TAMPA/JACKSONVILLE

June 23, 1988

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
Division of Resource Planning & Management
Bureau of Resource Management
2571 Executive Center Circle, East
Tallahassee, FL 32301-8244

Attention: Mr. Henry Bittaker

Reference: East Lake Woodlands DRI, Pinellas County
Engineers Project No. 30001.01

Dear Mr. Bittaker:

This correspondence is to provide information on the availability of sanitary sewer treatment and disposal service of the wastewater treatment facility which provides service to the above referenced development of Regional Impact. Wastewater treatment for this community is provided by the East Lake Woodlands Treatment Plant which is owned and operated by Pinellas County. The present capacity of the package treatment plant is 400,000 gallons/day with effluent disposal by spray irrigation of the East Lake Woodlands Golf Course.

The treatment facility is presently operating at slightly above half capacity with the maximum monthly metered flows recording 210,000 gallon/day during the month of March 1988, the peak of the winter resident season. However, the flow commitments to the plant from permitted developments within the project are approaching the present design capacity of the treatment facility.

The capacity of the treatment plant is to be expanded from the present 400,000 gallon/day to 1,000,000 gallon/day. The design of the expansion of the facility is completed and is in the review and permitting process. The proposed expansion requires a construction permit from the Department of Environmental Regulation (DER) which is anticipated to be obtained in September of 1988. Upon receipt of the construction permit sewage service for new development project can be permitted so long as the capacity at the plant remains available. In light of the fact that the plant is operating at half capacity the remaining available capacity is sufficient to accommodate new developments until the actual construction of the WWTP expansion is completed.

Mr. Henry Bittaker
Engineer's Project No. 30001.01
Page -2-

The expansion is expected to be completed and operational by June of 1989 and will provide for the needs of the East Lake Woodlands Development to its ultimate development.

As is described herein, provisions for wastewater treatment service for continuing development within the project exist or measures are in process for providing service to the ultimate build out of the project. Please contact our office if there are any questions regarding the wastewater treatment situation.

Sincerely,

BESSENT, HAMMACK AND RUCKMAN, INC.

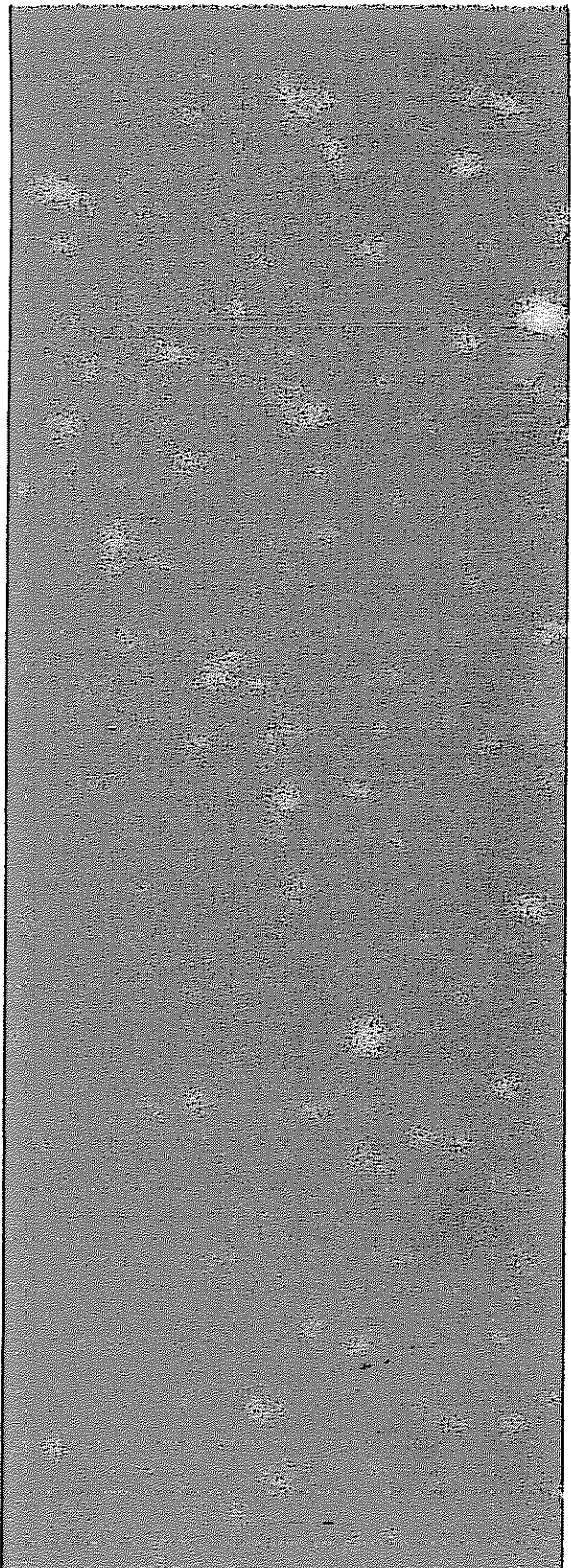
Daniel P. Johnson

Daniel P. Johnson, P.E.

DPJ/sr

cc: William Deas
Allan Lipsky

Appendix 4
Page 2



TO : Fred E. Marquis, County Administrator
FROM : Arthur R. Pinney, Jr., Director
SUBJECT : AVAILABILITY OF WATER TO ULTIMATE BUILDOUT
DATE : June 14, 1988

In response to a telephone conversation on June 13, 1988, the availability of water in East Lake Woodlands during development to ultimate buildout has been reviewed.

East Lake Woodlands, as well as other areas within the County, is within Water Service Areas designated to the Pinellas County Water System by the Board of County Commissioners by Resolution 75-365 dated September 16, 1975. Accordingly, with the continued program by Pinellas County to have water available to the customers in the designated Water Service Areas, the ultimate needs for water in the development East Lake Woodlands is considered.

Water is made available to East Lake Woodlands from transmission mains, 48" and 60" in diameter. From the attached map, it can be determined the main, 48" in diameter, is located within the right-of-way of East Lake Road which is adjacent on the west to East Lake Woodlands. The main, 60" in diameter, passes from north to south through East Lake Woodlands. By agreement, the developers of East Lake Woodlands install the distribution system within designated utility easements at their cost, and dedicate the completed utilities within the easement to the Water System for operation.

The source of water for the Pinellas County Water System is the East Lake Road and Eldridge Wilde Well Fields, which are operated by the County, and the Cypress Creek and Cross Bar Well Fields which are operated by the West Coast Regional Water Supply Authority. Consumptive Use Permits have been granted by the Southwest Florida Water Management District for the operation of Eldridge Wilde Well Field at an average of 35 MGD at a peak of 55 MGD, and the East Lake Road Well Field at an average of 3 MGD, at a maximum of 5 MGD. The WCRWSA has obtained from the same agencies Consumptive Use Permits to operate Cypress Creek at an average of 30 MGD and a maximum of 40 MGD, and the Cross Bar Ranch Well Field at an average of 30 MGD and a maximum of 45 MGD. The total permit for all of these well fields is an average of 98 MGD and a maximum of 145 MGD. Of this amount, an average of 83 MGD and a maximum of 125 MGD is allotted to Pinellas County Water System, with the remaining 15 MGD average and a peak of 20 MGD designated for ultimate use by the City of St. Petersburg from the Cypress Creek Well Field.

Fred E. Marquis
Re: East Lake Woodlands
Page 2

Pinellas County Water System has pending before SWFWMD, Consumptive Use Permits for the Eldridge Wilde and East Lake Road Well Fields. The water usage shown in the application for these permits were 69.79 MGD average and peak of 89.7 MGD for 1987. The projected six-year use which would be until 1993, was an average of 76.81 MGD and a maximum of 114.88 MGD. The projected use of water for ten years in advance, which would be 1997, is an average of 81.87 MGD with a peak of 122.81 MGD. Thus it can be concluded, from the projected water needs in 1997 and available water from the four well fields, that Pinellas County Water System will have sufficient water to supply the customers in its Water Service Areas until 1997.

Since 1982, Pinellas County Water System has purchased four parcels of land within the confines of Pinellas County for future well fields. These parcels of land will be available for development of future sources of water required by Pinellas County Water System.

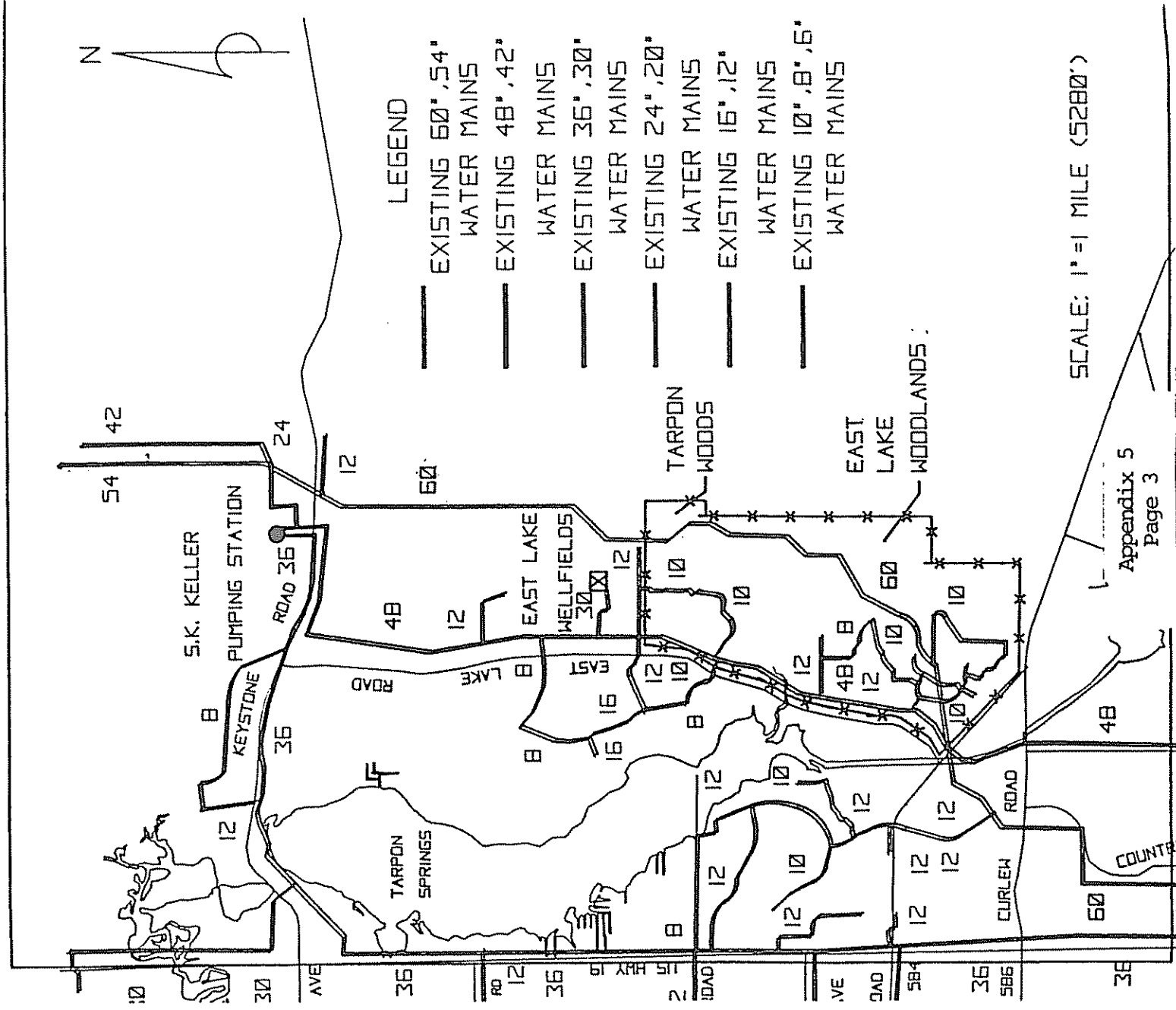
Attachment

arf/fj/2680D

"

Appendix 5
Page 2





To: Fred E. Harguis, County Administrator

From: Gene Jordan, Director of Public Works

Re: Availability of Solid Waste Disposal Capacity

Date: July 13, 1988

As a part of the overall solid waste disposal program, Pinellas County Government has undertaken the responsibility of providing refuse disposal for all residents and businesses of the County. Pinellas County has constructed a mass-burn resource recovery plant adjacent to the Bridgeway Acres landfills to provide disposal by incineration rather than by sanitary landfill where possible. The current capacity of the mass-burn facility is 3150 tons per day and the adjacent Bridgeway Acres land fill has about 40-50 years of available capacity left.

Pinellas tonnage data for 1987 are as follows

to landfill:	230,000 tons
to resource recovery:	<u>935,000 tons</u>
total solid waste disposal:	1,165,000 tons

A new resource recovery facility is being evaluated for the north county area and will possibly begin operation within five years.

Based on this information Pinellas County's current projected capacity will be adequate to provide solid waste disposal for the remaining 676 dwelling units proposed for construction build-out at East Lake Woodlands projected through April 30, 1995.

If additional information is required, please contact me.

August 10, 1976

Minutes of the August 10 Board of County
Commissioners meeting regarding the approval
of DRI for East Lake Woodlands.

#1

DEVELOPMENT OF REGIONAL IMPACT ORDER FOR EAST LAKE WOODLANDS - APPROVED

Pursuant to legal notice published in the June 11, 1976 issue of the Clearwater Sun, as evidenced by publisher's affidavit filed with the Clerk, public hearing was held on the application for development approval re East Lake Woodlands (a Development of Regional Impact - DRI) as required under Section 384.06 of the Florida Statutes

Deputy Clerk Harold L. Rollman reported that no letters were received in favor of or in objection to the application, and that the matter is in order to be heard.

With the aid of a map, Assistant Director of Planning Larry Allen pointed out the location of the property, as well as adjacent areas which have already received development authorization. He indicated that the recommendations of the Water System, the Sewer System, the Administrator's office and the Tampa Bay Regional Planning Council have been incorporated into the conditions specified in the Development Order; and that the Planning Department recommends approval of the

August 10, 1976

following Development Order for submission to the Tampa Bay Regional Planning Council and to the Division of State Planning:

DRI DEVELOPMENT ORDER FOR EAST LAKE WOODLANDS

Let it be known that pursuant to Section 380.06(7), Florida Statutes, the Board of County Commissioners of Pinellas County has heard at a public hearing held on June 18, 1974, the Application for Development Approval for East Lake Woodlands, a Development of Regional Impact consisting of a Residential Project of over 3,000 units, to be located in Pinellas County through 1985.

Pursuant to Section 380.06 and after due consideration of the consistency of this development with the regulations, and the regional report, this body took the following action:

Approval with the attached conditions of this development.

This Development Order specifically sets out the conditions of the proposed phases of construction. This DRI is consistent with current development activities in northern Pinellas County and the adopted Comprehensive Land Use Plan, which provides for urban development in the east Lake Tarpon area of RPD zoning. Since East Lake Woodlands residential DRI is compatible with existing plans of development for that area, it is the recommendation of the Planning Department that this Development Order be issued by the Board of County Commissioners subject to the enclosed conditions.

EAST LAKE WOODLANDS - DRI #18

This DRI is consistent with current development activities in northern Pinellas County and the adopted County Land Use Plan, which provides for urban development in the East Lake Tarpon Area under RPD zoning. Since the East Lake Woodlands residential DRI is compatible with existing plans of development for that area, it is the recommendation of the Planning Department that this Development Order be issued by the Board of County Commissioners. The following conditions apply to East Lake Woodlands:

1. AIR QUALITY

The proposed East Lake Woodlands development will comply with the following conditions in accord with TBRPC air quality recommendations:

1. Pay to the Pinellas County Board of County Commissioners 29% of the cost of establishing an Air Quality Monitoring Station

August 10, 1976

on public dedicated land within the proposed development area.

This air monitoring station total cost estimate includes:

(a) Hi Vol Sampler	\$ 500.00
(b) Ozone electronic continuous sampler	5,500.00
(c) SO ₂ electronic continuous sampler	6,500.00
(d) NO _x Bubbler	400.00
(e) Wong wind speed & direction instrument	700.00
TOTAL	\$ 13,600.00

The unit will be purchased, operated and maintained by appropriate public agency and will be located on one of the County-owned properties existing in this area.

All monies heretofore mentioned must be paid in full to the Pinellas County Board of County Commissioners preceeding any further site plan approvals.

Pinellas County will establish an escrow account "earmarked" for said purpose.

II. ARCHAEOLOGICAL

The Developer shall show proof of contract for an archaeological survey of the subject property to be a qualified firm or individual (approved by Pinellas County) before further major land alteration occurs.

III. INTERIOR LAKE MANAGEMENT PLAN

The Developer shall contract with a qualified firm, agency or individual to establish an interior lake management plan of sufficient detail (approved by Pinellas County) to allow the future proposed lakes to become functional biological units recognizing their primary purpose of providing retention.

IV. ENDANGERED SPECIES

The Developer will contract with a qualified firm, agency or individual to monitor the continuing status of threatened species on or near the site. In addition, before any land alteration occurs in each phase of the continuing development, the Pinellas County staff will be allowed to conduct an appropriate survey of the site for endangered species, including, but not limited to, the Southern Bald Eagle.

V. PRESERVATION AREAS

An adequate area of upland vegetation and wildlife shall be preserved in its natural state, as a prerequisite to final site plan approval of each additional phase of development to be approved by the Board of County Commissioners.

August 10, 1976

This area will be agreed to by the Developer and the Pinellas County Planning Department staff and will not exceed two percent (2%) of the upland acreage of the site. Passive recreation may be considered a compatible use for these areas, depending on agreed to intensity limitations.

VI. WETLANDS

The Developer shall, to the extent set forth below, preserve the existing wetland areas on the site.

Conservation areas shall consist of those areas designated as "conservation areas" on the attached preliminary site plan and incorporated by reference herein. It is the intent of this Development Order that the conservation areas designated herein shall be maintained substantially in their natural state. Such areas may be used for storm water retention, passive recreation, and other uses compatible with the natural functions and character of the wetlands. However, no excavation shall take place, nor shall any fill material, golf courses, artificial lakes, or structures be placed on or within any such designated conservation areas which would adversely affect the natural functions and character of the wetlands.

Wetland Reserve Areas shall be those areas so designated totaling approximately 120 acres. Prior to any development in the Wetland Reserve Areas designated herein, the Developer shall demonstrate to the County of Pinellas and to the Division of State Planning that such development will not adversely affect water quality, flood hazards, aquifer recharge or other natural functions of the wetlands system in the Brooker Creek Drainage Basin.

Nothing herein shall limit the right of Pinellas County to protect wetlands areas pursuant to state or local laws, ordinances or regulations.

VII. IMPACT ON PUBLIC FACILITIES

1. Sewer Facilities

The Developer must provide adequate on-site sewage treatment facilities for the project. Plans for these facilities must be approved by the County Pollution Control Department and the State of Florida Department of Environmental Regulation. The development must connect to a municipal sewerage system when such system is available to the project. If the County assumes operation of the developer's sewage system, the sewerage system shall be conveyed to Pinellas County at no cost to the County.

August 10, 1976

2. Water Supply

The availability of an adequate, safe, potable, water supply shall be a limiting factor in subsequent site plan approvals for East Lake Woodlands. No site plan shall be approved for East Lake Woodlands unless it is determined by the County Administration in written findings of fact that the water demands generated by such approval would not cause the total anticipated demand to exceed the authorized supply of water available to the County system. Such written findings shall be a part of the authorization for any site plan approval for East Lake Woodlands, and shall include: 1) The anticipated amount of water required, determined by multiplying the proposed number of dwelling units in the site plan by the standard impact factor utilized by the County Water System in accordance with the County's Managed Growth Program which factor shall not exceed 300 gallons per dwelling unit per day; 2) The date this anticipated demand will be reached, based on the Developer's estimated buildout period for the development proposed in the site plan; 3) The water supply source from which the additional water demand generated by the site plan approval will be met; 4) The projected excess capacity of the County water system at the anticipated date of completion of the development proposed in the site plan, and any commitments that have been made for that excess capacity; 5) The regional impact of withdrawing water from the sources which are required to fulfill the additional water demand based on the data utilized in Findings 1 through 4 as evidenced by issuance of a water use permit.

Approval of a site plan pursuant to this provision does not constitute a binding commitment by the County for water supply. Water shall be supplied by Pinellas County pursuant to its adopted Managed Growth Program, and no building permits shall be issued when anticipated demands are equal to or greater than the actual supply of water available to the County system. Water for nonpotable needs shall be obtained from sewage effluent, shallow wells or the retention lake system. The distribution system for irrigation shall not be connected to any county or municipal water source. The existing irrigation wells may be used for general irrigation so long as the impact on County water system does not exceed the present impact, if any.

The Developer has entered into an agreement with Pinellas County in which the Developer has conveyed to Pinellas County its rights in the

August 10, 1976

Floridan aquifer as well as certain real property for the construction of wells, pipelines, and a water treatment facility. The County has agreed to provide, subject to certain conditions, water for domestic consumption in the East Lake Woodlands development. Said agreement between the Developer and Pinellas County remains in full force and effect.

Potable water supply for East Lake Woodlands shall be limited to its proportionate share of the production capability of the Pinellas County Water System as authorized by the Southwest Florida Water Management District or its successor agency. (Subject to the above referenced agreement.) This limitation shall apply to any and all development and improvements of any kind or character placed upon the East Lake Woodlands site. No site plans shall be approved which would cause the development's water demand to exceed the authorized production capability of Pinellas County at the time of request. Water demand shall be calculated based upon the County's most current estimates of actual domestic and non-domestic water use in East Lake Woodlands.

3. School

The Developer has provided two adequate school sites, totaling 22 acres, that were agreed upon by the School Board of Pinellas County.

4. Fire Protection

The Developer will provide a public safety facility site (minimum of 1.5 acres total) for the establishment of a fire station.

The Developer will contract with the Tarpon Lake Volunteer Fire Department for fire protection services for residential units under construction, model homes, recreation buildings and other community buildings owned by the Developer. In addition, upon the closing of the sale of a house a fee will be collected from the buyer which will be payable to the Tarpon Lake Volunteer Fire Department and be equal to the then current annual subscription fee for fire protection.

5. Transportation

The Developer will be required to dedicate by deed or plat, whichever is appropriate, the right-of-way requirements depicted on the accompanying transportation network map, affixed to and made part of the original Development Order.

August 10, 1976

In addition, the Developer will be required to dedicate by plat all rights-of-way as required by the Pinellas County Subdivision Regulations and/or the Pinellas County Zoning Regulations.

Also, as a minimum, the required right-of-way will be 110 feet for the entirety of East Lake Road lying within the property limits of East Lake Woodlands.

The capacity and loading of transportation facilities in the East Lake Tarpon area, including but not limited to East Lake Road (CR 77); State Road 586 (between SR 584 and US 19); State Road 584 (Between SR 580 and US 19); State Road 582 (between US 19 and the Hillsborough County line); shall be a limiting factor in subsequent site plan approvals. No site plan shall be approved for East Lake Woodlands unless it is determined be the County Administration in a written finding, that the above roadways are operating at Level of Service C or above, and that the expected trips to be generated by such approval would not cause the roadways to operate below Level of Service C. A site plan disapproval through this procedure may be appealed by the Developer to the Board of County Commissioners. On appeal, the Board of County Commissioners may approve such site plan upon an affirmative finding that the aforesaid roadways shall not be unduly burdened and improvements or new roads deemed necessary to maintain Level of Service C or above, as determined by a transportation plan for northeast Pinellas County adopted by the appropriate Urban Area Transportation Study processes, shall be substantially completed by the expected date of completion for the development phase or portion under consideration. Determinations of the Level of Service of roadways shall be set forth in writing, and shall be based upon the most recent and best available transportation data, including but not limited to average daily traffic counts by the Florida Department of Transportation, and to the extent that appropriate data is available, shall utilize the methodology contained in the Highway Capacity Manual - 1965. In making any determinations pursuant to this provision, the County shall consider applying proportionate uniform treatment in relation to other proposed developments in the area.

VIII. SITE PLAN APPROVAL

Site plan approval shall be required for any development in East Lake Woodlands. A copy of all final site plans approved for East Lake Woodlands shall be transmitted to the Division of State Planning.

August 10, 1976

Floridan aquifer as well as certain real property for the construction of wells, pipelines, and a water treatment facility. The County has agreed to provide, subject to certain conditions, water for domestic consumption in the East Lake Woodlands development. Said agreement between the Developer and Pinellas County remains in full force and effect.

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5. Transportation

The Developer will be required to dedicate by deed or plat, whichever is appropriate, the right-of-way requirements depicted on the accompanying transportation network map, affixed to and made part of the original Development Order.

August 10, 1976

IX.

This Development Order shall stay in effect for a period of ten (10) years from and after the date hereof. During this period, the Developer shall annually provide Pinellas County and the Division of State Planning with a summary of completed construction and an estimate of proposed construction over the remaining life of the Development Order.

X.

This Development Order shall not encompass or approve any proposed development which constitutes a substantial deviation from the terms of this Order, from the representations contained in the Application for Development Approval (ADA), or which is commenced after the expiration of the period of effectiveness of this Order. The Application for Development Approval submitted by East Lake Woodlands, L.T.D. to Pinellas County on or about February 18, 1974 is hereby incorporated by reference and made a part of this Development Order.

XI.

The Order shall be binding upon the Developer, its successors and assigns. This Order is subsequent to an existing Development Order
Issued February 18, 1975.

PINELLAS COUNTY BOARD OF
COUNTY COMMISSIONERS

EAST LAKE WOODLANDS

BY: Don Jones

Authorized Signature
DON JONES, Chairman

BY: _____

Authorized Signature

ATTEST:

HAROLD NULLENDORE, CLERK

By: H. R. Dillman

Deputy Clerk

TAMPA BAY REGIONAL
PLANNING COUNCIL

DIVISION OF STATE PLANNING

BY: _____

Authorized Signature

BY: _____

R. G. Whittle, Jr.
Director

August 10, 1976

Upon question by Commissioner Iley concerning the impact of the conditions stipulated in the Development Order upon the developer, Mr. Allen indicated that one condition is a contribution toward the cost of an air quality monitoring station in the area.

In the ensuing discussion, County Attorney W. Gray Dunlap indicated that the Development Order does not clearly state whether the \$13,600.00 figure is the total cost of the monitoring station or whether the said figure represents the 29% share requested of the developer.

Director of Environmental Management Stephen Peacock explained that the share required of the developer for the air monitoring station will be 29% of the \$13,600.00 figure, and that the Division of State Planning and the Tampa Bay Regional Planning Council have requested the establishment of the air quality monitoring station primarily to document possible degradation of air quality resulting from increased development in the East Lake Tarpon area.

In response to further question by Commissioner Iley,

Mr. Peacock indicated the following:

1. That increased traffic in the area is expected to cause degradation of air quality, and that knowledge of the extent of degradation will be of assistance in highway planning for the area.
2. That an archaeological survey is required to ensure that archaeological or historical sites will be preserved, and that the developer may contract for such a survey at an approximate cost of \$1,000.00 for the property.
3. That the lake management condition specifies that lakes be designed so that they will be functional lakes, and that such specification should not increase the developer's cost of excavating the lakes. In regard to continuing lake management, the developer's attention is directed to the impact of golf course maintenance programs, in that such maintenance programs can result in pollution of the lakes.

County Administrator Merrett R. Stierheim indicated that the Development Order endeavors to ensure that the development will

August 10, 1976

not cause problems to residents in adjacent areas and will not destroy the natural assets of the area.

No one appeared in response to the Chairman's call for objectors. Commissioner Malchon moved, seconded by Commissioner Stephens and carried, that the Development Order be approved as presented.

Commissioner Iley pointed out that "one glaring error" in the subject Development Order is that no provision has been made for low cost housing, and that management of growth has resulted in an extensive increase in cost to the developer and, in turn, to the consumer.

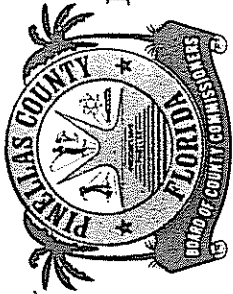
Mr. Allen indicated that the Tampa Bay Regional Planning Council includes recommendations for low cost housing in the language for Development Orders; that the Planning Department can do little beyond making recommendations for inclusion of low cost housing; and that any method by which provision for low cost housing can be achieved will be brought to the Board's attention.

*

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BOARD OF COUNTY COMMISSIONERS
PINELLAS COUNTY, FLORIDA
315 COURT STREET
CLEARWATER, FLORIDA 34616

COMMISSIONERS

JOHN CHESNUT, JR. - CHAIRMAN
BRUCE TYNDALL - VICE CHAIRMAN
GEORGE GREER
CHARLES E. RAINEY
BARBARA SHEEN TODD

September 21, 1988

Ms. Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Fl 33702-9380

Re: East Lake Woodlands

Dear Ms. Cooper:

Enclosed please find a certified copy of Resolution 88-397, along with the appropriate attachments, which were approved by the Board of County Commissioners at its September 20, 1988 hearing.

Should you have any questions, please feel free to contact me.

Sincerely,

Al Navaroli

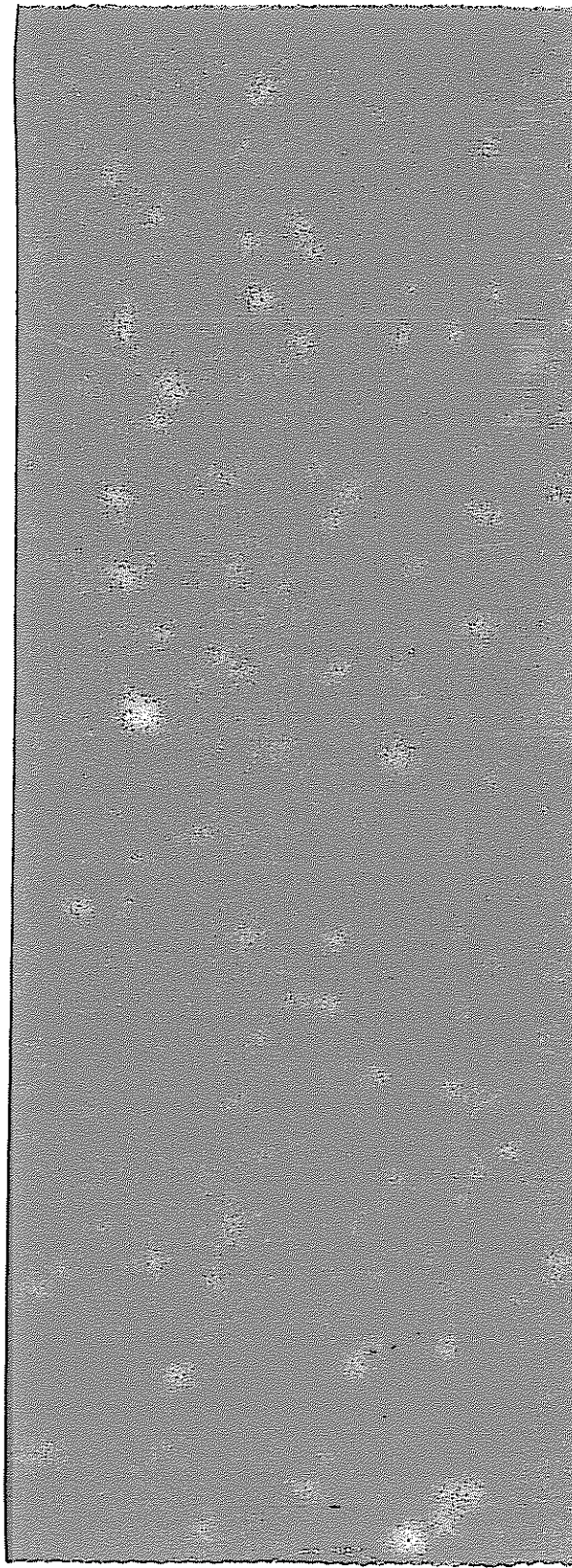
Al Navaroli
Principal Planner

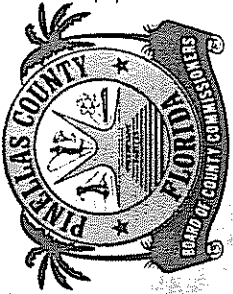
AN/dm

*13 master D-O-file
copy to Planning*

PLEASE ADDRESS REPLY TO:
DEPARTMENT OF PLANNING

PINELLAS COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER





BOARD OF COUNTY COMMISSIONERS
PINELLAS COUNTY, FLORIDA
315 COURT STREET
CLEARWATER, FLORIDA 33516

COMMISSIONERS

GEORGE GREER, CHAIRMAN
JOHN CHESNUT, JR., VICE-CHAIRMAN
CHARLES E. RAINEY
BARBARA SHEEN TODD
BRUCE TYNDALL

December 30, 1987

Suzanne Cooper
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702-2491

Re: East Lake Woodlands

Dear Ms. Cooper:

Enclosed you will find a "certified" copy of Resolution No. 87-529, the Amendment to East Lake Woodlands Development Order which replaces the copy sent to you earlier. Also attached for your records is a copy of the traffic analysis for development order extension, which was presented as exhibit No. 2 at the hearing on December 22, 1987.

Should you need any additional assistance, please feel free to contact me.

Sincerely,

Al Navaroli
Principal Planner

AN/dm

Attachments

PLEASE ADDRESS REPLY TO:
DEPARTMENT OF PLANNING

PINELLAS COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

8
WPA
D.D.

RESOLUTION NO. 87-529

AMENDMENT TO EAST LAKE WOODLANDS
DEVELOPMENT ORDER.

WHEREAS, the East Lake Woodlands Development of Regional Impact received a development order on August 10, 1976, which remained in effect for 10 years; and

WHEREAS, the project is not completed and the developer has requested that the Development Order be extended until April 30, 1991; and

WHEREAS, the developer has proposed that during this extension the developer shall construct only a total of 3,334 dwelling units out of a permitted 4,900 units and that no further dwelling units shall be constructed unless approved by subsequent Development Order Amendments; and

WHEREAS, the Pinellas County Board of County Commissioners finds that there is sufficient capacity in existing and planned wastewater treatment and solid waste disposal facilities, public drinking water supply, and electrical power, to accommodate the additional units without adverse impact; and

WHEREAS, the Commission finds that the developer has contributed, in advance, \$423,371 in transportation impact fees and said sum is an appropriate contribution to allow the County to improve County Road 752 to a six-lane divided road to mitigate the transportation impacts of East Lake Woodlands and other developments in the same area; and

WHEREAS, the Commission met in regular session on December 22, 1987, and approved the proposed changes to the East Lake Woodlands Development Order.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Pinellas County, Florida, in regular session duly assembled this 22nd day of December 1987:

1. The termination date of the East Lake Woodlands Development Order is hereby extended until April 30, 1991.
2. April 30, 1991 shall also be the date of buildout and the County shall not downzone or reduce the density or

intensity of use on said property prior to such date except as provided in Section 380.06(15)(c)3.

3. All conditions required by the 1976 Development Order shall remain in effect throughout the extension of the Development Order.

4. The developer is authorized to construct a total of 3,334 dwelling units. The developer may not construct additional units beyond the 3,334 unless authorized by a further Development Order Amendment but such is not necessarily prohibited. If a request for such an amendment is submitted, developer agrees to assume the burden of proving that the proposed amendment is not a substantial deviation requiring further development of Regional Impact Review.

5. Developer shall submit an annual report on or before December 30 of each year to Pinellas County, the Tampa Bay Regional Planning Council, and the Department of Community Affairs. The report shall include the items required in Rule 9J-2.25(7), Florida Administrative Code, as applicable.

6. The County Administrator shall transmit a certified copy of this amendment to the Department of Community Affairs, the Tampa Bay Regional Planning Council, and to the Developer.

Commissioner Chesnut offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Rainey, and upon roll call the vote was:

Ayes: Greer, Chesnut, Rainey and Todd.

Nays: None.

Absent and Not Voting: Tyndall.

0133F

I, KARLEEN F. DeBLAKER, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida.

Witness my hand and seal of said County of Pinellas County, Florida, this 30th day of December, A.D. 1987.

KARLEEN F. DeBLAKER, Clerk of the Circuit Court Ex-Officio, Clerk to the Board of County Commissioners, Pinellas County, Florida.

By: *[Signature]* Deputy Clerk

EAST LAKE WOODLANDS DRI
TRAFFIC ANALYSIS FOR DEVELOPMENT ORDER EXTENSION

The East Lake Woodlands DRI submitted to Pinellas County in 1976 is planning for 676 dwelling units for completion in the year 1991. To complete negotiations with state and local agencies, the mitigative measures contemplated thus far must be evaluated in light of state DRI regulations.

Currently, the East Lake Woodlands DRI has negotiated an impact fee amount of \$423,371 to be applied toward the purchase of right-of-way on CR 752. CR 752 runs adjacent to the project and the right-of-way purchase will provide a direct mitigation of traffic flows added to that roadway. The calculations in this report demonstrate that under the DCA Transportation Rule, East Lake Woodlands fair share contributions toward this pipeline project are in line with the proportionate shares they are legally bound to contribute by the Transportation Rule.

Input Assumptions

The East Lake Woodlands project is now authorized to build 4,900 units under the original Application for Development Approval which successfully received a Development Order. Construction is complete on 2,658 of those dwelling units. This report deals only with 676 new units to be completed by 1991. Of these units 289 will be single family units and 388 will be multi family units.

Analysis Methodology

This report documents analysis of the new dwelling units through calculation of the DCA Transportation Rule proportionate share formula. Projected trip generation from these new dwelling units is distributed on to the surrounding roadway system and the service volume of existing roadways and future roadways are evaluated. The DCA Proportionate Share formula is as stated below:

$$\frac{\text{DRI trips} - (\text{SV existing} - \text{Trips existing})}{(\text{SV increase})} \times \text{Cost}$$

1. DRI trips = number of the trips from the proposed development expected to reach the roadway during the peak hour.
2. SV existing = the peak hour service volume of the existing roadway at the desired level of service.
3. Trips existing = the total number of peak hour trips on the roadway resulting from existing development.
4. SV increase = the change in peak hour service volume of roadway resulting from construction of an improvement designed to maintain the desired level of service or existing level of service, which ever is worse.

5. Cost = cost of construction of an improvement designed to maintain the desired level of service or the existing level of service, which ever is worse.

Other provisions within the DCA Transportation Rule state that the list of improvements that the developer should mitigate "shall address the construction of that improvement which is necessary to maintain the desired level of service until project buildout. In the event the roadway is operating at or below the desired level of service at the time of Application for Development Approval, the schedule shall address the construction of that improvement which is necessary to maintain until project buildout, the level of service existing at the time of Application for Development Approval." The rule further states "in the event any roadway identified in the schedule ... is operating at Level of Service F at the time of Application of Development Approval, the schedule shall address those improvements which are necessary to maintain the volume to capacity ratio existing on any such roadway at the time of Application for Development Approval."

For the purposes of the East Lake Woodlands case, the Application for Development Approval is equated to the 1987 application for a Development Order Extension. In 1987 the developer and Pinellas County entered into an agreement for the payment of impact fees to mitigate the construction of the additional 676 dwelling units. The buildout of these dwelling units is considered to be 1991.

Analysis

The calculations leading to and including the proportionate share formula application are displayed on the attached worksheet. Trip generation analysis performed according to the Institute of Transportation Engineers Trip Generation Report, Third Edition shows the 289 single family dwelling units will produce 182 in-bound pm peak hour trips. This is a result of an application of the peak hour in-bound trip generation rate of .63 vehicles per hour. In addition, the multi-family dwelling units will attract 155 pm peak hour trips according to the peak hour in-bound trip rate of 0.4 trips per dwelling unit. This yields a total in-bound trip volume of 337 during the pm peak hour. The transportation rule requires that a peak hour trip analysis be performed, thus this report includes analysis of peak hour directional movements.

It is assumed that traffic from East Lake Woodlands will distribute in a proportion of 40 percent to and from East Lake Road and 60 percent to and from CR 752 to the south. Traffic on the adjacent roadways has the distribution patterns as summarized in the calculation sheet. Only a minor amount of travel is removed from these roadways due to satisfaction of trip making along the arterials.

Service volumes on roadways existing in 1987 were calculated using procedures in the 1965 Highway Capacity Manual as specified by the DCA Transportation Rule. These service volumes are displayed on the table

in the calculation worksheet. To facilitate discussion, the links in question are numbered in accordance with the map preceding the worksheet.

The calculation of volume to capacity ratio is shown for each link. This v/c ratio is a result of dividing the 1987 peak hour directional traffic by the 1987 roadway service volume. As can be seen, link three has the highest volume to capacity ratio of 1.18.

To arrive at DRI loadings on each link, the cumulative percent of DRI trips on each link are summarized by percentage in the table and the total loading of 337 in-bound pm peak hour DRI trips is multiplied by this percentage distribution factor. The resulting DRI in-bound pm peak hour loadings are displayed in the table for each link.

Non-DRI trips for each link for the buildout year of 1991 are calculated by increasing the 1987 traffic by eight percent per year compounded. Peak hour volumes were assumed to be ten percent of daily traffic volumes. These two assumptions are used by the FDOT Tampa District office. The total trips in 1991 are the result of adding the DRI trips and the non-DRI trips.

It was then necessary to estimate roadway improvements which would bring each of the roadways up to the level of service standard (or LOS F v/c ratio that existed during the Fall of 1987). After these improvements were determined, the new service volumes were calculated and the theoretical cost of making those improvements was also determined. Costs were estimated to be \$522,210 for major intersection improvements and \$361,550 for minor intersection improvements according to standard rates now applied by the FDOT Tampa District office. The new service volume of the improved intersections allowed for final calculation of the DCA Proportionate Share Formula. The results of the Proportionate Share Formula are depicted in the worksheet table.

Conclusions

It can be seen by the last table in the calculations worksheet that the cumulative fair share contributions as required by the DCA Proportionate Share Formula calculation are less than the \$423,371 agreed to by Pinellas County. When combined with funding from other sources this money can be pipelined into a buildable project that will serve to mitigate the traffic impacts from this portion of the East Lake Woodlands expansion.

21-Dec-87

East Lake Woodlands DRI
DO Extension Analysis

TRIP GENERATION:

	Direction	Units	PM Peak Hr		Peak, Directional DRI Trips
			Trip Rate		
Single Family DUS	Total	289 *	1 =		289
	In	289 *	0.63 =		182
	Out	289 *	0.37 =		107
Multi Family DUS	Total	388 *	0.6 =		233
	In	388 *	0.4 =		155
	Out	388 *	0.2 =		78
Total Outbound Trips =					185
Total Inbound Trips =					337

TRIP DISTRIBUTION:

60% South to link 5 then 60% East, 40% West
40% West to link 6 then 30% North, 70% South
At Link 5 10% East, 40% South & 50% West

Percentages of distributed Site Traffic are shown on Table
of links below.

DCA RULE CALCULATIONS:

Peak	0.1 Trips in=	337	Growth = 0.08	D Factor = 0.55
Link 1987 ADT				
1	16,380	1987 PkHrDir	1987 V/C	1987 Dir Apr
2	10,041	901	1.50	na
3	29,113	552	0.92	na
4	23,151	1601	1.57	WB
5	17,491	1273	1.20	WB
6	15,987	962	1.25	EB
		879	1.51	SB
				Load
				1991 Non-DRI
				1,226
				751
				2,178
				1,732
				1,309
				1,196
				1,291
				1991 Total
				1,239
				761
				2,286
				1,830
				1,407
				1,291
				1987 SV(old)
				600
				600
				1017
				1064
				772
				581

1991 V/C	1991 w/o Impr	1991 V/C	1991 w/ Impr	1991 Intersection	1991 New SV	1991 MI	1991 Cost	1991 DCA PropShare	1991 Share Cost
na	na	na	na	Improvements					
na	na	na	na						
2.25	2.25	1.51	1.51	Add 2Lanes E&W	1,514	0.66	522,210	0.22	113,368
1.72	1.72	0.95	0.95	Add 2L W Bound	1,928	0.44	522,210	0.11	59,116
1.82	1.82	0.97	0.97	Add 2L E Bound	1,444	0.33	522,210	0.15	76,007
2.22	2.22	1.47	1.47	Add SB Right	877		361,530	0.32	115,041
Total Exaction									363,533

DEI #18
b

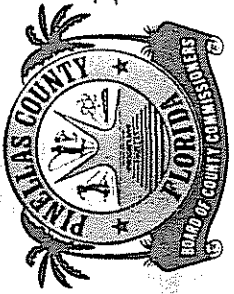
SERVICE VOLUMES:

LOS "D" Serv.		Vol From the 1965 Highway Capacity Manual, per DCA Rule			
Int	Movement	VPHG	G/C	SV(D)	Approach SV(D)
34	WB Thru	1200	0.57	686	
	WB Right	1000	0.19 *	189	
	WB Left	1000	0.14	143	1017
	EB Thru	960	0.57	549	
	EB Right	1000	0.10 *	100	
	EB Left	1000	0.14	143	791
	NB Thru/Left	960	0.29	274	
	NB Right	1000	0.55 *	550	824
45	WB Thru	960	0.90	864	
	WB Right	0	0.00	0	
	WB Left	1000	0.20	200	1064
	EB Thru	960	0.70	672	
	EB Right	1000	0.10 *	100	
	EB Left	0	0.00	0	772
	NB Left	1000	0.10	100	
	NB Right	1000	0.55 *	550	650
56	WB Thru	960	0.32	310	
	WB Right	1000	0.15 *	150	
	WB Left	1000	0.10	97	556
	EB Thru	960	0.32	310	
	EB Right	1000	0.15 *	150	
	EB Left	1000	0.10	97	556
	NB Thru	800	0.48	387	
	NB Left	1000	0.10	97	
	NB Right	0	0.00	0	
	SB Thru	1000	0.48	484	484
	SB Left	1000	0.10	97	
	SB Right	0	0.20	0	581

IMPROVED INTERSECTION SERVICE VOLUMES

SERVICE VOLUMES:

Int	LOS "D" Serv. Movement	Vol From the 1965 Highway Capacity Manual, per DCA Rule	SV(D)	G/C	SV(D)	Approach SV(D)
34	WB Thru	1920	0.57	1097		
	WB Right	1000	0.19 *	189		1514
	WB Left	2000	0.11	229		
	EB Thru	1920	0.57	1097		
	EB Right	1000	0.10 *	100		
	EB Left	1000	0.14	143		1340
	NB Thru/Left	960	0.29	274		
	NB Right	1000	0.55 *	550		824
45	WB Thru	1920	0.90	1728		
	WB Right	0	0.00	0		
	WB Left	1000	0.20	200		1928
	EB Thru	1920	0.70	1344		
	EB Right	1000	0.10 *	100		
	EB Left	0	0.00	0		1444
	NB Left	1000	0.10	100		
	NB Right	1000	0.55 *	550		650
56	WB Thru	960	0.32	310		
	WB Right	1000	0.15 *	150		
	WB Left	1000	0.10	97		556
	EB Thru	960	0.32	310		
	EB Right	1000	0.15 *	150		
	EB Left	1000	0.10	97		556
	NB Thru	800	0.48	387		
	NB Left	1000	0.10	97		
	NB Right	0	0.00	0		484
	SB Thru	1200	0.48	581		
	SB Left	1000	0.10	97		
	SB Right	1000	0.20	200		877



BOARD OF COUNTY COMMISSIONERS
PINELLAS COUNTY, FLORIDA
315 COURT STREET
CLEARWATER, FLORIDA 33516

COMMISSIONERS

GEORGE GREER, CHAIRMAN
JOHN CHESNUT, JR., VICE-CHAIRMAN
CHARLES E. RAINEY
BARBARA SHEEN TODD
BRUCE TYNDALL

December 23, 1987

Ms. Suzanne Cooper, DRI Coordinator
Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Fl 33702-9380

Re: East Lake Woodlands DRI

Dear Ms. Cooper:

Please be advised that on December 22, 1987 the Board of County Commissioners approved the request of East Lake Woodlands Ltd. to extend the expiration date of the development order for the above referenced DRI. The development order approved on August 10, 1976 ran for a period of 10 years; the approved extension permits the development order to remain in effect until April 30, 1991. Attached for your reference is the adopted resolution which amends the 1976 development order and provides the specific conditions under which this request was approved.

If you have any questions regarding this, please call Al Navaroli our DRI coordinator at (813) 462-3403.

Sincerely,

Paul Cassel

Paul Cassel
Zoning Administrator

PC/dm

PLEASE ADDRESS REPLY TO:
DEPARTMENT OF PLANNING

*Master
Bo-fee*

PINELLAS COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER

TO: Honorable Chairman and Members of the Board of County Commissioners

FROM: Fred E. Marquis, County Administrator 

SUBJECT: East Lake Woodlands Development of Regional Impact

DATE: December 21, 1987

Analysis: This DRI project lies northeast of the intersection of Tampa Road and East Lake Road and consists of a residential planned community with approximately 2658 dwelling units having been constructed or site plan approved to date. The project also contains an area of commercial support activities near the southwest portion of the development. On August 10, 1976, a Development Order was approved for this project in accordance with the requirements of Chapter 380, Florida Statutes. That Development Order was to remain in effect for a period of ten years and since the project is not completed the developer has requested that the Development Order be extended until April 30, 1991, which has been projected as a completion date for the development.

The zoning of the site would currently permit 4900 dwelling units within this project, however, this amendment to the Development Order would provide for a total of 3334 total units in the project at build-out.

Recommendation: In accordance with Chapter 380.06 (19) Florida Statute, staff finds that the change requested to extend the time-frame is consistent with the Development Order and further recommends the request be approved and that the attached language be incorporated as an amendment to the 1976 Development Order as additional development order conditions. This amended language provided the following specific conditions:

1. Development Order to be extended until April 30, 1991 which shall also be the project's build-out date.
2. All conditions of the 1976 Development Order remain in effect throughout this period.
3. This extension provides for the development of 676 dwelling units only as projected by the applicant to be the final phase of development. This will provide a total of 3334 units at final build-out. Any requests for additional development would trigger further DRI review pursuant to Chapter 380, Florida Statute.

COUNTY COMMISSIONERS

12112/37 /#48

AMENDMENT TO EAST LAKE WOODLANDS
DEVELOPMENT ORDER.

WHEREAS, the East Lake Woodlands Development of Regional Impact received a development order on August 10, 1976, which remained in effect for 10 years; and

WHEREAS, the project is not completed and the developer has requested that the Development Order be extended until April 30, 1991; and

WHEREAS, the developer has proposed that during this extension the developer shall construct only a total of 3,334 dwelling units out of a permitted 4,900 units and that no further dwelling units shall be constructed unless approved by subsequent Development Order Amendments; and

WHEREAS, the Pinellas County Board of County Commissioners finds that there is sufficient capacity in existing and planned wastewater treatment and solid waste disposal facilities, public drinking water supply, and electrical power, to accommodate the additional units without adverse impact; and

WHEREAS, the Commission finds that the developer has contributed, in advance, \$423,371 in transportation impact fees and said sum is an appropriate contribution to allow the County to improve County Road 752 to a six-lane divided road to mitigate the transportation impacts of East Lake Woodlands and other developments in the same area; and

WHEREAS, the Commission met in regular session on December 22, 1987, and approved the proposed changes to the East Lake Woodlands Development Order.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Pinellas County, Florida, in regular session duly assembled this 22nd day of December 1987:

1. The termination date of the East Lake Woodlands Development Order is hereby extended until April 30, 1991.
2. April 30, 1991 shall also be the date of buildout and the County shall not downzone or reduce the density or

intensity of use on said property prior to such date except as provided in Section 380.06(15)(c)3.

3. All conditions required by the 1976 Development Order shall remain in effect throughout the extension of the Development Order.

4. The developer is authorized to construct a total of 3,334 dwelling units. The developer may not construct additional units beyond the 3,334 unless authorized by a further Development Order Amendment but such is not necessarily prohibited. If a request for such an amendment is submitted, developer agrees to assume the burden of proving that the proposed amendment is not a substantial deviation requiring further development of Regional Impact Review.

5. Developer shall submit an annual report on or before December 30 of each year to Pinellas County, the Tampa Bay Regional Planning Council, and the Department of Community Affairs. The report shall include the items required in Rule 9J-2.25(7), Florida Administrative Code, as applicable.

6. The County Administrator shall transmit a certified copy of this amendment to the Department of Community Affairs, the Tampa Bay Regional Planning Council, and to the Developer.

Commissioner Chesnut offered the foregoing resolution and moved its adoption, which was seconded by Commissioner Rainey, and upon roll call the vote was:

Ayes: Greer, Chesnut, Rainey and Todd.

Nays: None.

Absent and Not Voting: Tyndall.

0133F

I, KARLEEN F. DeBLAKER, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida.

Witness my hand and seal of said County.

this 19th day of December, 1987.
KARLEEN F. DeBLAKER, Clerk of the Circuit Court Ex-Officio Clerk to the Board of County Commissioners, Pinellas County, Florida.

By: *K. Rainey* Deputy Clerk

8/10/76

DRI DEVELOPMENT ORDER FOR EAST LAKE WOODLANDS

Let it be known that pursuant to Section 380.06(7), Florida Statutes, the Board of County Commissioners of Pinellas County has heard at a public hearing held on June 18, 1974, the Application for Development Approval for East Lake Woodlands, a Development of Regional Impact consisting of a Residential Project of over 3,000 units, to be located in Pinellas County through 1985.

Pursuant to Section 380.06 and after due consideration of the consistency of this development with the regulations, and the regional report, this body took the following action:

Approval with the attached conditions of this development.

This Development Order specifically sets out the conditions of the proposed phases of construction. This DRI is consistent with current development activities in northern Pinellas County and the adopted Comprehensive Land Use Plan, which provides for urban development in the east Lake Tarpon area of RPD zoning. Since East Lake Woodlands residential DRI is compatible with existing plans of development for that area, it is the recommendation of the Planning Department that this Development Order be issued by the Board of County Commissioners subject to the enclosed conditions.

EAST LAKE WOODLANDS - DRI #18

This DRI is consistent with current development activities in northern Pinellas County and the adopted County Land Use Plan, which provides for urban development in the East Lake Tarpon Area under RPD zoning. Since the East Lake Woodlands residential DRI is compatible with existing plans of development for that area, it is the recommendation of the Planning Department that this Development Order be issued by the Board of County Commissioners. The following conditions apply to East Lake Woodlands:

I. AIR QUALITY

The proposed East Lake Woodlands development will comply with the following conditions in accord with TBRPC air quality recommendations:

1. Pay to the Pinellas County Board of County Commissioners 29% of the cost of establishing an Air Quality Monitoring Station on public dedicated land within the proposed development area.

This air monitoring station total cost estimate includes:

(a) Hi Vol Sampler	\$ 500.00
(b) Ozone electronic continuous sampler	5,500.00
(c) SO2 electronic continuous sampler	6,500.00
(d) NO _x Bubbler	400.00
(e) Wong wind speed & direction instrument	700.00
TOTAL	\$ 13,600.00

The unit will be purchased, operated and maintained by appropriate public agency and will be located on one of the County-owned properties existing in this area.

All monies heretofore mentioned must be paid in full to the Pinellas County Board of County Commissioners preceeding any further site plan approvals.

Pinellas County will establish an escrow account "earmarked" for said purpose.

II. ARCHAEOLOGICAL

The Developer shall show proof of contract for an archaeological survey of the subject property to be a qualified firm or individual (approved by Pinellas County) before further major land alteration occurs.

III. INTERIOR LAKE MANAGEMENT PLAN

The Developer shall contract with a qualified firm, agency or individual to establish an interior lake management plan of sufficient detail (approved by Pinellas County) to allow the future proposed lakes to become functional biological units recognizing their primary purpose of providing retention.

IV. ENDANGERED SPECIES

The Developer will contract with a qualified firm, agency or individual to monitor the continuing status of threatened species on or near the site. In addition, before any land alteration occurs in each phase of the continuing development, the Pinellas County staff will be allowed to conduct an appropriate survey of the site for endangered species, including, but not limited to, the Southern Bald Eagle.

V. PRESERVATION AREAS

An adequate area of upland vegetation and wildlife shall be preserved in its natural state, as a prerequisite to final site plan approval of each additional phase of development to be approved by the Board of County Commissioners.

This area will be agreed to by the Developer and the Pinellas County Planning Department staff and will not exceed two percent (2%) of the upland acreage of the site. Passive recreation may be considered a compatible use for these areas, depending on agreed to intensity limitations.

VI. WETLANDS

The Developer shall, to the extent set forth below, preserve the existing wetland areas on the site.

Conservation areas shall consist of those areas designated as "conservation areas" on the attached preliminary site plan and incorporated by reference herein. It is the intent of this Development Order that the conservation areas designated herein shall be maintained substantially in their natural state. Such areas may be used for storm water retention, passive recreation, and other uses compatible with the natural functions and character of the wetlands. However, no excavation shall take place, nor shall any fill material, golf courses, artificial lakes, or structures be placed on or within any such designated conservation areas which would adversely affect the natural functions and character of the wetlands.

Wetland Reserve Areas shall be those areas so designated totaling approximately 120 acres. Prior to any development in the Wetland Reserve Areas designated herein, the Developer shall demonstrate to the County of Pinellas and to the Division of State Planning that such development will not adversely affect water quality, flood hazards, aquifer recharge or other natural functions of the wetlands system in the Brooker Creek Drainage Basin.

Nothing herein shall limit the right of Pinellas County to protect wetlands areas pursuant to state or local laws, ordinances or regulations.

VII. IMPACT ON PUBLIC FACILITIES

1. Sewer Facilities

The Developer must provide adequate on-site sewage treatment facilities for the project. Plans for these facilities must be approved by the County Pollution Control Department and the State of Florida Department of Environmental Regulation. The development must connect to a municipal sewerage system when such system is available to the project. If the County assumes operation of the developer's sewage system, the sewerage system shall be conveyed to Pinellas County at no cost to the County.

2. Water Supply

The availability of an adequate, safe, potable, water supply shall be a limiting factor in subsequent site plan approvals for East Lake Woodlands. No site plan shall be approved for East Lake Woodlands unless it is determined by the County Administration in written findings of fact that the water demands generated by such approval would not cause the total anticipated demand to exceed the authorized supply of water available to the County system. Such written findings shall be a part of the authorization for any site plan approval for East Lake Woodlands, and shall include: 1) The anticipated amount of water required, determined by multiplying the proposed number of dwelling units in the site plan by the standard impact factor utilized by the County Water System in accordance with the County's Managed Growth Program which factor shall not exceed 300 gallons per dwelling unit per day; 2) The date this anticipated demand will be reached, based on the Developer's estimated buildout period for the development proposed in the site plan; 3) The water supply source from which the additional water demand generated by the site plan approval will be met; 4) The projected excess capacity of the County water system at the anticipated date of

completion of the development proposed in the site plan, and any commitments that have been made for that excess capacity; 5) The regional impact of withdrawing water from the sources which are required to fulfill the additional water demand based on the data utilized in Findings 1 through 4 as evidenced by issuance of a water use permit.

Approval of a site plan pursuant to this provision does not constitute a binding commitment by the County for water supply. Water shall be supplied by Pinellas County pursuant to its adopted Managed Growth Program, and no building permit shall be issued when anticipated demands are equal to or greater than the actual supply of water available to the County system.

Water for nonpotable needs shall be obtained from sewage effluent, shallow wells or the retention lake system. The distribution system for irrigation shall not be connected to any county or municipal water source. The existing irrigation wells may be used for general irrigation so long as the impact on County water system does not exceed the present impact, if any.

The Developer has entered into an agreement with Pinellas County in which the Developer has conveyed to Pinellas County its rights in the Floridan aquifer as well as certain real property for the construction of wells, pipelines, and a water treatment facility. The County has agreed to provide, subject to certain conditions, water for domestic consumption in the East Lake Woodlands development. Said agreement between the Developer and Pinellas County remains in full force and effect.

Potable water supply for East Lake Woodlands shall be limited to its proportionate share of the production capability of the Pinellas County Water System as authorized by the Southwest Florida Water Management District or its successor agency. (Subject to the above referenced agreement.) This limitation shall apply to any and all development and improvements of any kind or character placed upon the East Lake Woodlands site. No site plans shall be approved which would cause the development's water demand to exceed the authorized production capability of Pinellas County at the time of request. Water demand shall be calculated based upon the County's most current estimates of actual domestic and non-domestic water use in East Lake Woodlands.

3. School

The Developer has provided two adequate school sites, totaling 22 acres, that were agreed upon by the School Board of Pinellas County.

4. Fire Protection

The Developer will provide a public safety facility site (minimum of 1.5 acres total) for the establishment of a fire station.

The Developer will contract with the Tarpon Lake Volunteer Fire Department for fire protection services for residential units under construction, model homes, recreation buildings and other community buildings owned by the Developer. In addition, upon the closing of the sale of a house a fee will be collected from the buyer which will be payable to the Tarpon Lake Volunteer Fire Department and be equal to the then current annual subscription fee for fire protection.

5. Transportation

The Developer will be required to dedicate by deed or plat, whichever is appropriate, the right-of-way requirements depicted on the accompanying transportation network map, affixed to and made part of the original Development Order.

In addition, the Developer will be required to dedicate by plat all rights-of-way as required by the Pinellas County Subdivision Regulations and/or the Pinellas County Zoning Regulations.

Also, as a minimum, the required right-of-way will be 110 feet for the entirety of East Lake Road lying within the property limits of East Lake Woodlands.

The capacity and loading of transportation facilities in the East Lake Tarpon area, including but not limited to East Lake Road (CR 77); State Road 586 (between SR 584 and US 19); State Road 584 (Between SR 580 and US 19); State Road 582 (between US 19 and the Hillsborough County line); shall be a limiting factor in subsequent site plan approvals. No site plan shall be approved for East Lake Woodlands unless it is determined be the County Administration in a written finding, that the above roadways are operating at Level of Service C or above, and that the expected trips to be generated by such approval would not cause the roadways to operate below Level of Service C. A site plan disapproval through this procedure may be appealed by the Developer to the Board of County Commissioners. On appeal, the Board of County Commissioners may approve such site plan upon an affirmative finding that the aforesaid roadways shall not be unduly burdened and improvements or new roads deemed necessary to maintain Level of Service C or above, as determined

by a transportation plan for northeast Pinellas County adopted by the appropriate Urban Area Transportation Study processes, shall be substantially completed by the expected date of completion for the development phase or portion under consideration. Determinations of the Level of Service of roadways shall be set forth in writing, and shall be based upon the most recent and best available transportation data, including but not limited to average daily traffic counts by the Florida Department of Transportation, and to the extent that appropriate data is available, shall utilize the methodology contained in the Highway Capacity Manual - 1965. In making any determinations pursuant to this provision, the County shall consider applying proportionate uniform treatment in relation to other proposed developments in the area.

VIII. SITE PLAN APPROVAL

Site plan approval shall be required for any development in East Lake Woodlands. A copy of all final site plans approved for East Lake Woodlands shall be transmitted to the Division of State Planning.

IX.

This Development Order shall stay in effect for a period of ten (10) years from and after the date hereof. During this period, the Developer shall annually provide Pinellas County and the Division of State Planning with a summary of completed construction and an estimate of proposed construction over the remaining life of the Development Order.

X.

This Development Order shall not encompass or approve any proposed development which constitutes a substantial deviation from the terms of this Order, from the representations contained in the Application for Development Approval (ADA), or which is commenced after the expiration of the period of effectiveness of this Order. The Application for Development Approval submitted by East Lake Woodlands, L.T.D. to Pinellas County on or about February 18, 1974 is hereby incorporated by reference and made a part of this Development Order.

8/16/76

The Order shall be binding upon the Developer, its successors and assigns. This Order is subsequent to an existing Development Order issued February 18, 1975.

PINELLAS COUNTY BOARD OF
COUNTY COMMISSIONERS

EAST LAKE WOODLANDS

By: 查 敏

Authorized Signature
DON JONES, Chairman

BY:

Authorized Signature

ATTEST:

HAROLD MULLENDORE, CLERK

By: _____

Deputy Clerk

TAMPA BAY REGIONAL
PLANNING COUNCIL

DIVISION OF STATE PLANNING

BY:

Authorized Signature

BY: _____

R. G. Whittle, Jr.
Director

DRI #18

Summary of the East Lake Woodlands Development Order

On August 17, 1976, the Council received the East Lake Woodlands Development Order issued by the Pinellas County Commission on August 10, 1976 superseding the existing development order issued February 18, 1975. In reviewing the Development Order, the staff finds that the recommendations of the Council, approved at the April 8, 1974 Council meeting, were incorporated into the new Development Order.

The new Development Order reiterates those conditions specified in the existing Development Order and includes the following pertinent new conditions:

1. The established cost apportionment for establishing an Air Quality Monitoring Station must be paid in full to Pinellas County preceding any further site plan approvals.
2. No site plan shall be approved or building permits issued for East Lake Woodlands unless it is determined by the County Administration that the water demands generated would not cause the total anticipated demand to exceed the authorized supply of water available to the County system.
3. No site plan shall be approved for East Lake Woodlands unless it is determined by the County Administration that the affected roadways are operating at Level of Service C or above, and that the expected trips to be generated would not cause the roadways to operate below Level of Service C.
4. Any substantial deviation from the terms of the Order shall retrigger the DRI process.

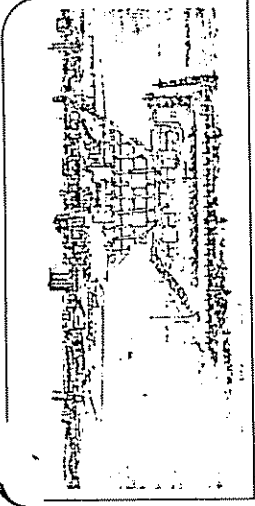
The recommendations of the Council included in the DRI Report were:

- Initiation of an ambient air quality monitoring program
- Provide facilities, manpower and equipment to meet the public facility needs in the area.
- Formulation of an interim transportation plan for the area to be adopted by the appropriate transportation committees.
- That any significant deviations from the terms of the Development Order shall cause a retriggering of the DRI process.

Based upon these findings, the staff recommends that the Council concur with the revised Development Order.

LIST OF ENCLOSURES

1. Development Order issued by City of Oldsmar June 21, 1977.
2. Copy of letter to Pinellas County dated April 15, 1977.
3. Copy of letter to Pinellas County dated June 21, 1977.
4. Writ of Certiorari
5. Ordinance # 280
6. Letter from St. Petersburg Public Works Department
7. Check on Air Quality Monitor as per DO paragraph I
8. East Lake Woodlands Interior Lake Management Plan prepared by Bessent, Hammack and Ruckman
9. Letter from Tropical BioIndustries
10. Letter from Bessent, Hammack and Ruckman dated June 22, 1977
11. Oldsmar City site approval administration
12. Existing Oldsmar Engineering and Consultant Qualifications (Envisors) in separate binding



CITY
OF
ST. PETERSBURG
THE SUNSHINE CITY

May 20, 1977

The Honorable Robert Williams
Mayor of Oldsmar
Post Office Box 100
Oldsmar, FL 33557

Dear Mayor Williams:

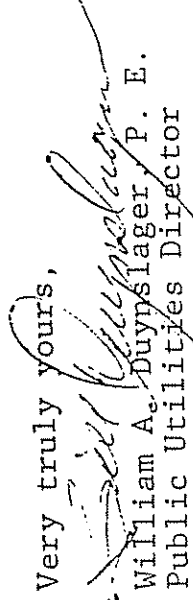
The City of St. Petersburg has a contractual arrangement with your city to sell water on a wholesale basis. We are prepared to meet that commitment as the city grows. The addition of 6,000 family units to your present water supply system will not overtax our city's capability of meeting your supply.

Continued future growth should not provide a problem in your water supply, however, it would be appreciated if we could review your growth plans from time to time to assure adequate planning on our part to perpetuate the liability of service to which you have grown accustomed.

However, should you desire to seek a water supply other than ours for portions of your growing community, the City of St. Petersburg would not object. Our main concern is long range planning to assure adequacy of water supplies.

Please advise if we may be of further service.

Very truly yours,


William A. Duynslager, P. E.
Public Utilities Director

WAD/fl

cc: Mayor Freeman
City Manager
City Attorney
Public Works Administrator

COUNCIL-MANAGER GOVERNMENT • R. E. HARBAUGH, CITY MANAGER
P.O. BOX 2842 • ST. PETERSBURG, FLORIDA 33731 • (813) 893-7171
An Equal Opportunity Employer

Mayor

Robert L. Williams
Council

Carl R. Cook

Richard B. Rogers

William F. Kniffin

Dotty H. Lee

June 9, 1977

State of Florida
Division of State Planning
Tallahassee, Fla.

Attention: Mr. James May

Dear Mr. May:

Upon assuming responsibility for Eastlake Woodlands DRI #18 work was initiated to accomplish the studies required in the Development Order.

Forwarded herewith is the Interior Lake Management Plan in fulfillment of Section III of the DO. This plan in conjunction with the Master Drainage Plan previously submitted provides the means to insure the lakes becoming functional biological units as well as be compatible with local and regional drainage requirements.

In addition, Section I, Air Quality monies required have been turned over to the County and Section II, Archaeological and IV, Endangered Species will be fulfilled shortly. These and other concerns of the DO are all being taken into consideration by our staff and consultants in site plan approval for the development.

We shall continue efforts to accomplish fulfillment of the DO and hope that complete resolution of the modification will be forthcoming shortly.

Sincerely

RLW

Robert L. Williams, Mayor
City of Oldsmar

RLW/cc

c.c. Scott Wilson - TBRPC
Fred Marquis - Assistant County Administrator

City of Oldsmar

P.O. Box 100
OLDSMAR, FLORIDA 33557

CITY HALL OPEN

8:30 A.M. - 4:30 P.M.
MONDAY THRU FRIDAY

PHONES:

855-4693

855-4694

855-4695

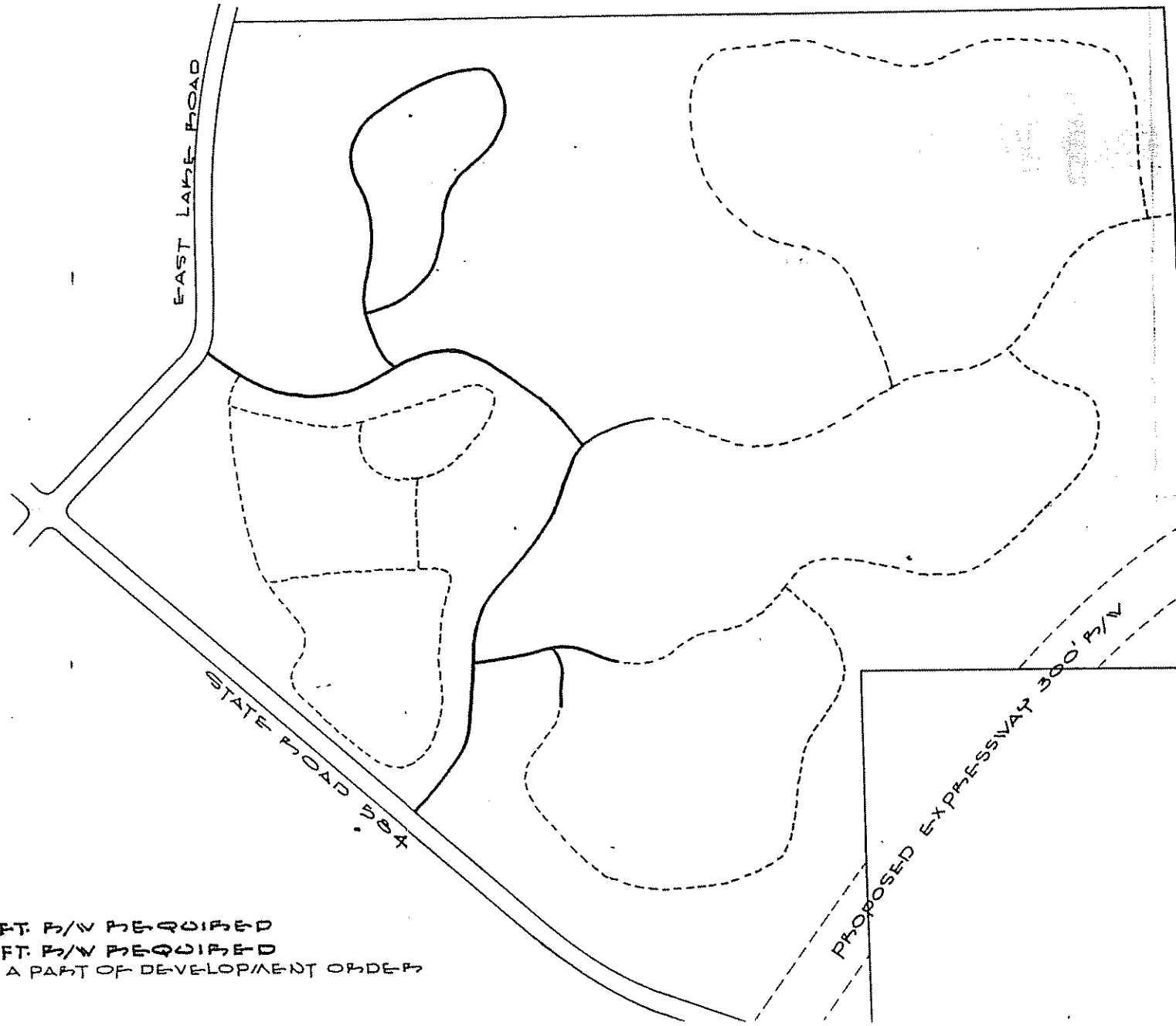
SDW
WOW
SLV

MM

*Mike route to
Ron for review*

SAR

- 110' FT. R/W REQUIRED
- 60' FT. R/W REQUIRED
- NOT A PART OF DEVELOPMENT ORDER



Mayor

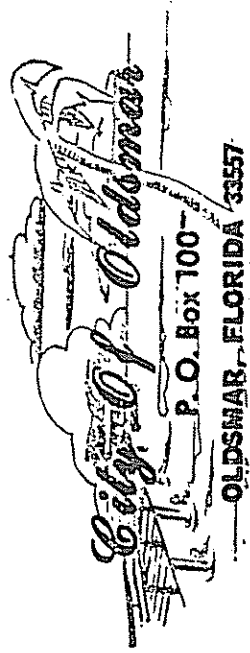
Robert L. Williams
Council

Carl R. Cook

Richard B. Rogers

William F. Kniffin

Dotty H. Lee



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855-4693
855-4694
855-4695

June 23, 1977

Mr. R. G. Whittle, Jr.
State Planning Director
Department of Administration
Division of State Planning
660 Apalachee Parkway
IBM Building
Tallahassee, Florida 32304

RE: City of Oldsmar--
East Lake Woodlands
Development--DRI #18 A

Dear Mr. Whittle:

It is the purpose of this letter to reply to your letter of June 10, 1977, and to bring the Division up to date on the progress that is being made on the reissuance of the East Lake Woodlands development order, and generally what the present situation is on the resolution of the problems involved in the transfer of jurisdiction between Pinellas County and the City of Oldsmar relative to this project.

Preliminarily, the City would like to state for the record that we cannot concur in the conclusion that the project is presently being developed without an effective development order. The City strongly feels that the legal effect of the change in jurisdiction brought about by the annexation which occurred on March 1, 1977, is that the County's development order continues to be an effective control mechanism until such time as a substitute development order is issued by the City for the purpose of reflecting the assumption of jurisdictional authority by the City as a result of the annexation. Unquestionably, the City is solely responsible for the enforcement of the presently issued order until such time as a new order reflecting the actual present circumstances can be issued. Legal counsel advises me that the mere change of jurisdiction would not cause a development order to lapse, because the result of such an interpretation would bring Chapter 380, Florida Statutes, into conflict with Chapter 171, Florida Statutes. The rules of statutory interpretation require that both these statutes be interpreted to be consistent with one

another if such an interpretation is possible. For that reason, the effect of the change of jurisdiction due to the annexation would appear to be ministerial in nature only, reflecting the substitution of one governmental body for another.

As reflected in your letter, it was agreed at the meeting in Tallahassee that, as an interim measure, the City would enforce the presently existing development order while at the same time (1) revising the order to reflect the jurisdiction change arising from the annexation, and (2) obtaining satisfactory expertise to insure compliance with the order.

Your letter of June 10, 1977, reflected a concern that substantive steps to effectuate the transition to a "new, workable, and acceptable development order" be accomplished by June 25, 1977. The City is now in the position to assure the Division that the three major items in your letter (adoption of the lake management plan, resolution of the water source, and administration of the development order) have either been resolved or are substantially provided for in the very near future.

The lake management plan was submitted to the Division and to TBRPC in early June and has been made a part of the development order approved by the Oldsmar City Council on June 21, 1977 (paragraph III of the D. O.).

The archaeological and endangered species studies are contemplated to be submitted to the City by Tuesday, June 28. We have been informed by the developer's engineers that Dr. Durbin C. Tabb had been recommended to conduct these studies by the developer's land planner, Walter Taft Bradshaw. It is further my understanding that Dr. Tabb's qualifications were approved by Mr. Henry Dean of your staff. As is reflected in the memorandum from Dr. Tabb to Earl Michaels of Bessent, Hammack & Ruckman, Inc., these studies are taking place at this time and will be received by June 28. I have attached a copy of this memorandum for your information.

The concern that the Division had regarding the administration of the sophisticated elements of the proposed development order is shared by the City. As the City has stated on several occasions, it will continue to make every effort to insure that the present development order is fully complied with until such time as the City's development order has been approved by TBRPC and the Division. The City had previously reached a tentative agreement with the County

that the County staff could be employed for the purpose of monitoring the development order. A contract for such an arrangement had been presented to the County staff and approved by Mr. Marquis but no such contract was entered into because of the suit filed by the County. A monitoring arrangement with the County would not appear to be a viable possibility until such time as the issues to be litigated are finally settled. Additionally, the City has previously requested TBRPC to provide monitoring services for the development order. Mr. Wilson has advised, within the last few days, however, that until such time as there is an effective development order issued by the City that TBRPC would be unable to enter into such an agreement.

The City has already received a proposal from its own consulting engineers, ENVISORS, Inc., regarding monitoring services for the development order. Additionally, the City is in the process of receiving a proposal from the engineering firm of Harland, Bartholomew & Associates, and expects either to direct our own city engineers to monitor the project with the consultants' assistance, as is reflected in their brochure attached to this letter, or to employ the Harland firm in the very near future.

It is contemplated that the contract the City would enter into would require the consultant to conduct, among other things, regular inspections of the project on at least a monthly basis and to prepare reports reflecting such inspections, copies of which shall be furnished to TBRPC and the Division.

The water source question will possibly require the City to undertake its own program for provision of potable water through a separate City system. The City has passed a Chapter 180, F. S., ordinance (Ordinance No. 280) and has authorized the extension of its water lines to the project. The question of the County's right to continue to provide water on a retail basis to its present customers within the project will be resolved through negotiation or litigation. The residents of the project will be provided water as needed regardless of the identity of the retail supplier. The City of St. Petersburg has indicated that plenty of water is available to the City to supply the project and in fact major St. Petersburg distribution lines traverse the project and have been in place for many years. At this point in time the City is undertaking to prepare a suit for declaratory judgment to resolve the question of provision of water to the project. Because of the fact

that the resolution of this question would potentially resolve other areas of conflict, the City feels that it is desirable to get a judicial determination at the earliest possible time.

One of the major steps that has been taken recently is the issuance of Development Order #18A by the City. This order was issued by the City Council at its regular meeting on Tuesday, June 21, 1977, and a copy of that development order is attached for your information. We have also forwarded a copy of this development order to TBRPC with a request that review proceedings begin. The development order reflects many of the desires expressed by TBRPC at the meeting of May 25, 1977, and contains some of the language that was suggested in their proposed revision to the original development order. It was initially the City's understanding that the development order to be issued by the City would merely reflect the jurisdictional changes arising because of the annexation. Apparently TBRPC desires to make certain other modifications to the language of the initial development order, and in this spirit the City has included some of TBRPC's requested language modifications. Since the development order has now been issued by the City, all parties can be assured that an effective development order, issued by the City, will be a reality following the review process. I would hope that these circumstances would ameliorate the concern that the Division had regarding the existence of a development order issued by the City.

As you are probably aware, Pinellas County instituted a law suit against the City challenging the validity of the annexation. On a Motion to Dismiss, the Circuit Court dismissed three of the five counts of the Complaint, allowed the Plaintiff to litigate the issues in another count following the disposition of the annexation question, and issued a Writ of Certiorari which was limited to reviewing the validity of the annexation itself.

The issues remaining to be decided by the Court are:

- (1) Whether or not the statutory procedures for annexation were properly met;
- (2) Whether the exclusion of certain road rights-of-way made the property non-contiguous or created enclaves or prevented the territory from being a unified whole with respect to municipal services; and
- (3) Whether the annexation must fail because the County will no longer be able to assess abutting property for road improvements.

The City Attorney and the special trial counsel, Richard T. Earle, Jr., advise me that the City is in an excellent legal position in this suit and that the annexation will be upheld by the Circuit Court. It is further our legal counsel's opinion that the annexation is presumed valid until such time as the Court may rule otherwise. For that reason, the only governmental agency having jurisdiction within the annexed territory is the City of Oldsmar, and we are continuing to do our very best to insure that the presently existing development order is properly complied with by the developer. The substance of this commitment will be more apparent when TBRPC and the Division begin receiving regular inspection reports from the City's consultants.

As you can see from the above, the City has undertaken substantial steps to enforce the provisions of the presently effective development order and to insure that this development order and the one just issued by the City will be properly monitored in order to guarantee that the welfare of the citizens of Oldsmar and of the surrounding property owners will be fully protected as the development progresses. I think that you will agree that the City has accomplished more in enforcing the development order than has been accomplished during the last two years, and that with the assistance of competent consultants the project can be monitored in accordance with the highest professional standards and that the Division and TBRPC will be kept up to date as to the progress of the development on a regular basis.

The outstanding legal issues between the County and the City will be resolved by the Court and it is the City's desire that this resolution take place in the near future. I would assume that as long as the Division is assured that an appropriate monitoring process is taking place during the process of reviewing the City's development order that this will meet your requirements and will be sufficient to safeguard the public interest.

We appreciate your offer to keep the lines of communication open for resolution of any present disputes between the City and the County and you will note by the attached letter to the Board of County Commissioners that the City has not abandoned hope of resolving these issues outside the Court.

Any recommendations or suggestions that you may have to

assist the City in this process will be most welcome.
If my office can answer any questions that you might
have, or be of any other assistance, please don't hesi-
tate to contact me.

Very truly yours,

Robert L. Williams, Mayor
CITY OF OLDSMAR, FLORIDA

RLL/vr

cc TBRPC, Attn. Mr. Wilson
enclosures

Mayor
Robert L. Williams
Council

Carl R. Cook
Richard B. Rogers
William F. Kniffin
Dotty H. Lee

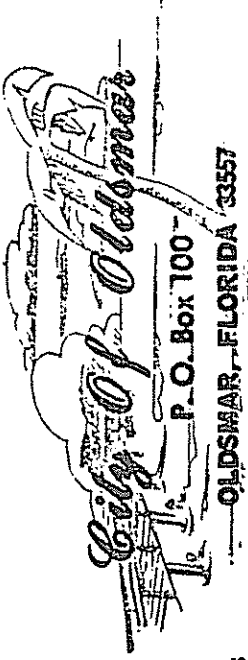
Board of County Commissioners
Pinellas County, Florida
315 Haven Street
Clearwater, Florida 33516

RE: East Lake Woodlands

Dear Mrs. Malchon and Gentlemen:

In an effort to resolve the presently existing concerns between the City of Oldsmar and Pinellas County, I have been authorized by the City Council of Oldsmar to suggest the following items as a basis for reaching a comprehensive understanding that would be mutually satisfactory both to the City and to the County.

1. Oldsmar would propose to use the County Planning Staff to supplement the City's capabilities as the review agency for whatever effective development order is in existence on the East Lake Woodlands project. This contemplates continuity of review regardless of whether the annexation is eventually found to be valid or not. The arrangement for services to the City would be in accordance with the contract previously submitted and approved by Mr. Marquis.
2. Oldsmar would extend sewer service into the East Lake Woodlands area and generally into the area east of Lake Tarpon, in accordance with the dictates of the 201 study. The County and the City would cooperate to insure that the 201 study is completed as soon as possible.
3. The City would settle the water dispute through an arrangement similar to that presently used by the County with a number of other municipalities. The County would sell water to the City on a wholesale basis for areas within the municipal boundaries not presently served by the St. Petersburg water system and which can be served on a cost-effective basis best by the County water system. The City



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PHONES:
855-4693
855-4694
855-4695

June 21, 1977

and the County would agree on a water service area that would be served exclusively by the City. Areas outside this water service area would be served exclusively by the County on a wholesale basis should the municipal boundaries be extended into that area in future years, except as modified by a mutually acceptable agreement for transfer of facilities. This agreement would be reduced to an inter-local agreement and appropriately filed.

4. The County and the City would attempt to establish a rational and amicable working relationship for the resolution of potential conflict areas in the future with the stated goal to eliminate the unnecessary costs and political disruption arising from intergovernmental disputes. Regular lines of communication would be established to insure the prompt discussion of potential difficulties.

I would hope that the above suggestions will meet with approval by the Board of County Commissioners and will form the basis for the resolution of the present concerns.

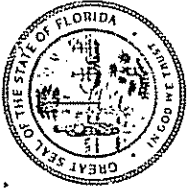
I will be happy to make myself and the members of my staff available to fully discuss the above matters with members of the County Commission or with the County staff.

Very truly yours,

Robert L. Williams

Robert L. Williams
Mayor, City of Oldsmar

RLW/lc



STATE OF FLORIDA

Department of Administration

Division of State Planning

660 Apalachee Parkway - IBM Building

R. G. Whittle, Jr.
STATE PLANNING DIRECTOR

TALLAHASSEE

32304

(904) 488-4925

June 10, 1977

Mayor Robert L. Williams
City of Oldsmar
Post Office Box 100
Oldsmar, Florida 33557

Re: Annexation of Eastlake Woodlands
Development by the City of Oldsmar

Dear Mayor Williams:

The Division of State Planning staff appreciated the opportunity to meet with you on May 25, 1977, at the offices of the Tampa Bay Regional Planning Council regarding Oldsmar's annexation of Eastlake Woodlands. Since representatives of both the City of Oldsmar and Pinellas County, as well as Tampa Bay Regional Planning Council and the Division of State Planning were present, an updating of the present status of the situation was possible.

You will recall that shortly after the March 1, 1977, annexation of the Eastlake Woodlands development by the City of Oldsmar, representatives of the City, Pinellas County, Tampa Bay Regional Planning Council, Division of State Planning and the developer, met in Tallahassee for initial discussions of the applicability of Chapter 380, Florida Statutes, to the annexed land.

Our decision was complicated by the fact that Eastlake Woodlands is a DRI previously approved by Pinellas County. The legal effect of the county's development order dated August 10, 1976, was questioned in light of the new jurisdictional status of the City. After much discussion, it was agreed that the City would expeditiously develop and adopt a new development order for the Eastlake Woodlands DRI. The Division advised that this should be accomplished as soon as possible to dispel any questions of the legal effect the county's development order dated August 10, 1976, may continue to have.

RECEIVED
JUN 13 1977
Reuben O. Dr. Askew
GOVERNOR

L. L. Gov. J. H. "Jim" Williams
SECRETARY OF ADMINISTRATION

As an interim measure, the City agreed to write a letter to the Division stating that they would enforce the substantive provisions of the county's order pending adoption by the City of a new development order, and the developer agreed to write a letter for the record stating that they would not assert Paragraph 2.19 of the annexation ordinance as an estoppel argument against enforcing the county's development order dated August 10, 1976.

The Division subsequently received a letter from you dated March 22, 1977, in which the City agreed to abide by the terms of the development order previously issued on the Eastlake Woodlands project. We also received a letter dated March 16, 1977, from Eastlake Woodlands confirming that any ongoing discussions specifically would not waive anyone's right or remedies or estop or bar anyone from enforcing any such rights or remedies.

Our most recent updating session, the meeting on May 25, 1977, has clarified several issues. At that meeting, several proposed draft development orders were presented and discussed. Out of this discussion, several important concerns of the Division emerged. These concerns involve the continuation of the project without the adoption of the lake management plan, the resolution of the question of the water source for the project, and the administration of the sophisticated elements of the proposed development order which require considerable professional staff analysis, such as the transportation section.

Three months have now elapsed since Oldsmar's annexation of Eastlake Woodlands. Representatives of the City of Oldsmar indicated at the May 25 meeting that the problems involved in the adoption of a development order by the City would be ironed out within 30 days, although this view was not shared by all those present.

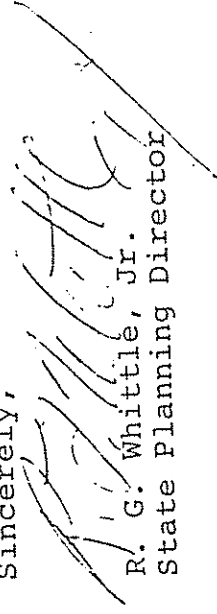
The Division has attempted to keep communications open with all the parties involved to develop a viable solution to the potential problems involved. However, it is apparent at this time that the City and County have not progressed substantially in reaching an understanding of how the transition to a new workable and acceptable development order can be achieved. There are serious questions in our minds whether this can be accomplished by June 25, 1977, as the City has assured us. While the Division has deferred any enforcement decision pending the outcome of good faith negotiations agreed to be entered into at the March 11 meeting in Tallahassee, it remains true that the development taking place in the Eastlake Woodlands project is being undertaken without an effective Development Order, technically in violation of Section 380.06, Florida Statutes.

May Robert L. Williams
June 10, 1977
Page Three

The Division is only willing to delay an enforcement decision until June 25, which is the date we were assured by the City that the problems with the development order would be worked out. Beyond that date, however, the Division strongly recommends to the City of Oldsmar that it discontinue the issuance of any further building permits until a new development order has been adopted. Should further development then proceed without the City taking the necessary steps to comply with the requirements of Section 380.06, Florida Statutes, the Division of State Planning will be forced to consider further action.

I once again reiterate the repeated pledge from our Division to offer any assistance to you and to all others involved that would help resolve this situation to everyone's satisfaction. However, you must understand that we cannot allow development to proceed indefinitely without a legally enforceable development order.

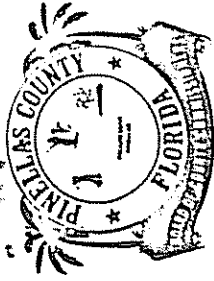
Sincerely,



R. G. Whittle, Jr.
State Planning Director

RGWjr/HD/kf

cc: Mr. Paul Bergman
Mr. Scott Knox
Mr. Steve Peacock
Mr. Pickens Talley
Mr. Rutberg
Mr. Scott Wilson



BOARD OF COUNTY COMMISSIONERS
PINELLAS COUNTY, FLORIDA

315 HAVEN STREET

CLEARWATER, FLORIDA 33516

March 14, 1977

COMMISSIONERS

JEANNE MALCHON, CHAIR
DON JONES, VICE-CHAIRMAN
JOHN CHESNUT, JR.
CHARLES E. RAINEY
JOSEPH "JOE" WORNICKI

Mr. Robert Worrall
Director of Marketing
East Lake Woodlands, LTD.
301 East Lake Woodlands Parkway
Palm Harbor, Florida 33563

Re: Status of Tree Permit Requirements

Dear Mr. Worrall:

As per our discussion on February 14, 1977, we are forwarding this information to you so that we may keep all files updated.

The following is a breakdown as of our last inspection on February 18, 1977 of the present tree replacement requirements:

ITEM 1 - Polishing Pond permit T-2321-6:

Permit and Citation requirements - 100 trees plus 137 inches
Planted as of February 18, 1977 - (93)8' trees plus 132 inches
*Needed to plant - (20)8' trees

(*Note - part of the inch requirement was converted to 8-foot trees by mutual agreement so that the inch requirement was eliminated.)

ITEM 2 - Woodlands Parkway permit T-2321-9:

Permit requirement - (450)8' trees
Planted as of February 18, 1977 - (324)8' trees
Need to plant (126)8' trees

ITEM 3 - Clubhouse and Tennis Complex Citation T-2/19/75:

Requirement - (40)8' trees
Planted as of February 18, 1977 - (45)8' trees
Citation abated, plus 5 trees credited against total replacement requirement.

ITEM 4 - Single Family Lots:

Requirement - (6)8' trees per lot before C.O., or a total of (1482)8' trees
Planted as of February 18, 1977 - (36)8' trees
Need to plant before C.O. - (1446)8' trees

D.O. file DRI # 18

COPY FOR: Scott Wilson, Exec. Director, TBRPC

Mr. Robert Worrall
Director of Marketing
East Lake Woodlands, LTD.

March 14, 1977

Re: Status of Tree Permit Requirements

ITEM 5 - Recreation and Tennis Club Area permit T-2321-7:
Permit requirement - 2663 inches of trees
Replants as of February 18, 1977 are those trees planted which
were under 6' and, by agreement, are being counted against the
inch requirement:

- a. 246 undersize trees planted along fairways
- b. 254 undersize trees planted in parking areas and along
Woodlands Parkway, 500 total undersize trees planted
counting as 277.5 inches of diameter replacement.

Need to plant 2385.5 inches

The total necessary replants for the entire project, as of January 31, 1977, was (5262) 8' trees plus 2663 inches under permits, and (40) 8' trees plus 165 inches due to citations. After the inspection of February 18, 1977, the total number of trees still required was (3413) 8' trees, after subtracting the 6-trees-per-lot requirement for the remaining 241 undeveloped lots plus 2385.5 inches.

If you have any questions or if we can be of any assistance, please call me at 446-7161, Ext. 761 or 762.

Sincerely,



STEPHEN L. PEACOCK
Director
Department of Environmental Management

SLP/bjf

CC: Fred Marquis, Assistant County Administrator
Mayor Williams, Oldsmar
Allan Rutberg, Pres., East Lake Woodlands
James May, Div. of State Planning
Scott Wilson, Executive Director, TBRPC

Mayor

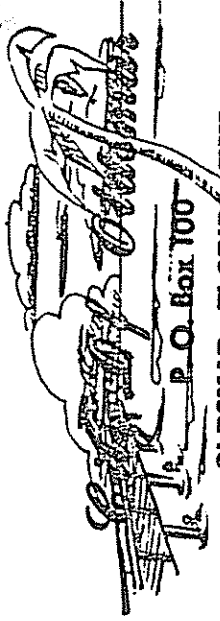
Robert L. Williams
Council

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MONDAY THRU FRIDAY

PHONES:
855-4693
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855-4695

April 15, 1977

Board of County Commissioners
Pinellas County, Florida
315 Haven Street
Clearwater, Fla. 33516

Attention: Mrs. Jeanne Malchon
Chairwoman

Dear Mrs. Malchon:

At our last meeting with your staff on April 4th, we reached what would appear to be a reasonable working relationship on the environmental issues, originally thought to be of major concern. However, when it came to discussion with your water department, there was a basic conflict with the policy recommendations of your water department.

Mr. Zussy suggested that perhaps a meeting with your Commissioners and those from Oldsmar could offer some hope of resolving this matter and restoring a fully cooperative relationship between our governments.

I am sorry that the original date we worked out at the conference was not suitable with our council. Since we would like as many as possible to attend, they have suggested May 2nd. This is the earliest date Mr. Marquis will be back from his Military Duty. We would suggest that the same time of 2:30 PM will be fine and would be pleased if you, this time, would visit with us at our Council Chamber in Oldsmar.

cont'd.....

Board of County Commissioners
Mrs. Jeanne Malchon
April 15, 1977
Page 2

We are located at 103 West State Street, diagonally across the street from the new Bank of Oldsmar. This is one block off of S.R. 584 at the point where the Railroad crosses 584.

We are looking forward to your visit.

Sincerely

Robert L. Williams

Robert L. Williams
Mayor
City of Oldsmar

RW/cc

c.c. Fred Marquis, Assistant County Administrator
D. Duane Zussy - County Administrator
John G. Hubbard - Attorney, City of Oldsmar
City Council of City of Oldsmar

Mayor

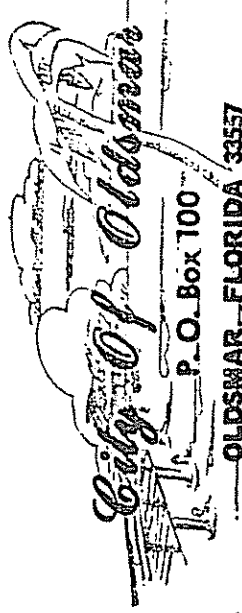
Robert L. Williams
Council

Carl R. Cook

Richard B. Rogers

William F. Kniffin

Dotty H. Lee



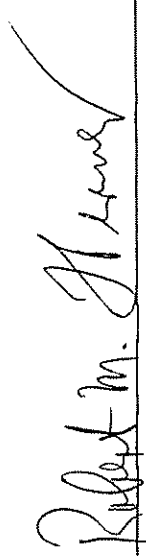
OLDSMAR, FLORIDA 33537

CITY HALL OPEN
8:30 A.M. - 4:30 P.M.
MONDAY THRU FRIDAY

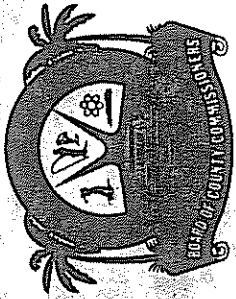
PHONES:
855-4693
855-4694
855-4695

CERTIFICATE

I, Robert M. Werner, Acting City Clerk of the City of Oldsmar, Florida, hereby certify that the attached DRI # 18A is a true copy and was adopted in accordance with the Provisions of the Charter of the City of Oldsmar, Florida, this 21st day of June A. D., 1977.


Robert M. Werner
Acting City Clerk

(SEAL)



MERRETT R. STIERHEIM
COUNTY ADMINISTRATOR

PINELLAS COUNTY, FLORIDA

PHONE (813) 446-7161 • 315 HAVEN STREET • CLEARWATER, FLORIDA 33516

June 21, 1974

Mr. Scott D. Wilson
Acting Director
Tampa Bay Regional Planning Council
3151 - 3rd Avenue North, Suite 540
St. Petersburg, Florida 33713

Dear Scott:

Subject: Eastlake Woodlands - Development of Regional Impact

It is ironical that I received your letter requesting the status of Eastlake Woodlands on the same day that the Board of County Commissioners was considering an amended Development Order as per our agreement. I am attaching for your information a copy of the amended Development Order for a portion of Eastlake Woodlands.

It should be noted that this Development Order authorizes the land clearing activity required for the golf course only. As per our agreements with the Regional Planning Council staff, we will issue a Development Order concurrent with each phase based upon final site plan approval. At such time as the developers submit a phase of the project that involves residential development, the issues raised relative to services required by the residential impact will be specifically addressed in the Development Order.

As part of the internal permitting procedures of Pinellas County, we require a tree removal permit based upon detailed analysis of land clearing operations. The developer had submitted all of the required information for the clearance of his right-of-way for access to the golf course only and was under the impression that that review constituted authorization to proceed. We, too, discovered clearing operations had begun at approximately the same time your staff reviewed the area. A Stop Order was issued, and the developer discontinued operation subject to the issuance of the Development Order.

DRIT # 0119

Mr. Scott D. Wilson
June 21, 1974
Page 2

Again, I would like to emphasize that the enclosed Development Order authorizes only those land clearing operations necessary to lay out the basic golf course and does not guarantee or authorize any permits for residential or commercial usage. We will keep the Regional Planning Council abreast of each phase of this project through the issuance of specific Development Orders at the time of final site plan approval.

If there are any further questions relative to the specific Development Order or any comments on the procedure for issuance of future Development Orders, please do not hesitate to contact me. I feel that it is critical to the proper evaluation and monitoring of the east Lake Tarpon area that both of our staffs maintain absolute knowledge of all proposed activities in that area.

Sincerely,



W. R. Stierheim
County Administrator

Enclosure
cc: Zoning Department w/ Enc.

ORDINANCE NO. 280

AN ORDINANCE OF THE CITY OF OLDSMAR, FLORIDA, DECLARING THE INTENTION OF THE CITY TO PROVIDE SANITARY SEWER SERVICE AND POTABLE WATER SERVICE TO SERVE AREAS WITHIN AND WITHOUT THE CORPORATE LIMITS OF THE CITY OF OLDSMAR AND WITHIN AN AREA HEREIN DESCRIBED; DESCRIBING THE UTILITY TO BE CONSTRUCTED, AS TO ITS PURPOSE, AND THE PROPOSED TERRITORY TO BE INCLUDED; PROVIDING FOR FINANCING THROUGH THE ASSESSMENT OF SPECIALLY BENEFITTED PROPERTY; PROVIDING WHAT REVENUE CERTIFICATES MAY BE ISSUED TO FINANCE THE PROJECT; PROVIDING FOR THE COST OF THE PROJECT AND OTHER NECESSARY PROVISIONS; ALL OF THE ABOVE PURSUANT TO CHAPTER 180, FLORIDA STATUTES; AND PROVIDING FOR A PUBLIC HEARING AND FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. The City of Oldsmar, Florida, acting by and through its City Council, by the authority and under the provisions of Chapter 180, Florida Statutes, and other provisions of law, hereby declares its intention to construct sanitary sewer collection lines and services, sewer mains, pumping stations, force mains, sewer appurtenances, and other sewage treatment facilities to provide for the collection and disposal of sewage and other liquid wastes; to construct water distribution lines, water pumping stations and other water facilities and equipment; to provide a water supply for domestic, municipal or industrial uses; such sewage treatment lines and facilities and water distribution facilities to be within and without the corporate limits but all within five (5) miles of the existing city limits of the City of Oldsmar and none of which is within the limits of any incorporated municipality. The area proposed to be served by the said water supply system and sewage disposal system is as follows:

A parcel of land lying in Sections 9, 10, 15 and 16, Township 28 South, Range 16 East, Pinellas County, Florida, more particularly described as follows:

Commencing at the Northwest corner of Said Section 10, run thence South 89°34'03" East, along the North boundary of Section 10 a distance of 2658.02 feet; thence South 89°24'00" East along the North boundary of Section

10 a distance of 2656.30 feet to the Northeast corner of Section 10; run thence South 00°50'24" East along the East boundary of Section 10 a distance of 2686.82 feet; continue thence South 00°50'17" East along the East boundary of Section 10 a distance of 2686.46 feet to the Northeast corner of Section 15; thence North 89°14'25" West along the North boundary of Section 15 a distance of 2673.52 feet; thence South 00°13'59" East a distance of 3293.42 feet to a point on the North-easterly right-of-way line of State Road 584; thence North 68°58'34" West along said Northeasterly right-of-way line a distance of 1683.77 feet to a point of curvature; thence along an arc of a curve to the right a distance of 962.25 feet, said curve having a radius of 2814.79 feet, central angle 19°35'13", chord bearing North 59°10'57" West, and a chord distance of 957.58 feet to the point of tangent; thence North 49°23'21" West along said right-of-way a distance of 366.37 feet to a point on the East boundary of Section 16; thence North 49°23'21" West along said right-of-way a distance of 3117.90 feet to a point on the South boundary of Section 9; thence North 49°23'21" West a distance of 2055.21 feet to a point on the Easterly right-of-way line of East Lake Road, County Road No. 77; thence North 45°26'14" East along said Easterly right-of-way line a distance of 1546.86 feet to a point of curvature; thence along an arc of a curve to the left a distance of 500.30 feet, said curve having a radius of 623.69 feet, central angle 45°57'37", chord bearing North 22°27'25" East and a chord distance of 486.99 feet to a point of tangent; thence North 00°31'23" West along said right-of-way a distance of 1048.84 feet to a point of curvature; thence along an arc of a curve to the right a distance of 563.72 feet, said curve having a radius of 2814.93 feet, central angle 11°28'27", chord bearing North 05°12'50" East and a chord distance of 562.78 feet to a point of tangent; thence North 10°57'04" East along said right-of-way a distance of 885.92 feet to a point on the North boundary of Section 9; thence South 89°07'12" East along said North boundary of Section 9 a distance of 2368.75 feet to the POINT OF BEGINNING.

Said parcel containing 1230.536 acres, more or less.

Section 2. That such water service system and sewage

treatment system, as constructed in or extended into the above described area, may be financed by assessment of the cost thereof to properties within such area benefitting in such manner, as is later prescribed by further resolution or ordinance of the City Council of the City of Oldsmar, or by such other financing arrangements as the City shall deem to be in the best interests of the health, safety and welfare of the inhabitants of the City of Oldsmar, and the City may issue revenue certificates for some or all of the amounts necessary, with such certificates to be supported by and repaid solely from revenues derived from users of the utility so constructed or extended, and which may be *pari passu* with and

a part of the existing bonded indebtedness previously authorized by the City Council, if appropriate, or as a separate revenue certificate project. The cost of the proposed extension or construction of water service and sewage treatment facilities into the area so described will be in the total estimated amount of \$3,000,000.00, including engineering costs, legal and administrative costs, and the costs of financing.

Section 3. Pursuant to Section 180.03, Florida Statutes, there is hereby established the date of June 7, 1977, as the date on which a public hearing will be held at 7:30 o'clock P. M. at the City Hall, Oldsmar, Florida, for the purpose of hearing any objections to the provisions of this Ordinance. All such objections shall be in writing and filed with the City Council.

Section 4. All persons owning property within the said area above described shall be required to connect with the water service distribution system and sewage treatment system constructed therein or extended therein by and under the provisions of ordinances established by the City subsequent to the passage of this Ordinance.

Section 5. The City Clerk is hereby directed to publish this Ordinance in a newspaper of general circulation within the City of Oldsmar, in accordance with law. The City Clerk is also directed to record this Ordinance among the Public Records of Pinellas County, Florida, following its final passage and adoption.

Section 6. The need for such water distribution system and sewage treatment system is hereby found to be a necessity to the health, welfare and safety of the inhabitants of the City of Oldsmar and is found to be an activity authorized pursuant to the terms of Section 180.06, Florida Statutes.

Section 7. This Ordinance shall become effective imme-

diately upon final passage and adoption.

PASSED AND ADOPTED THIS 14th DAY OF June, 1977,
BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA.

Richard L. Hubbert
Mayor

ATTEST:

Charles D. Lump
City Clerk

PASSED ON FIRST READING: 5/3/77

PASSED ON SECOND READING: 6/14/77

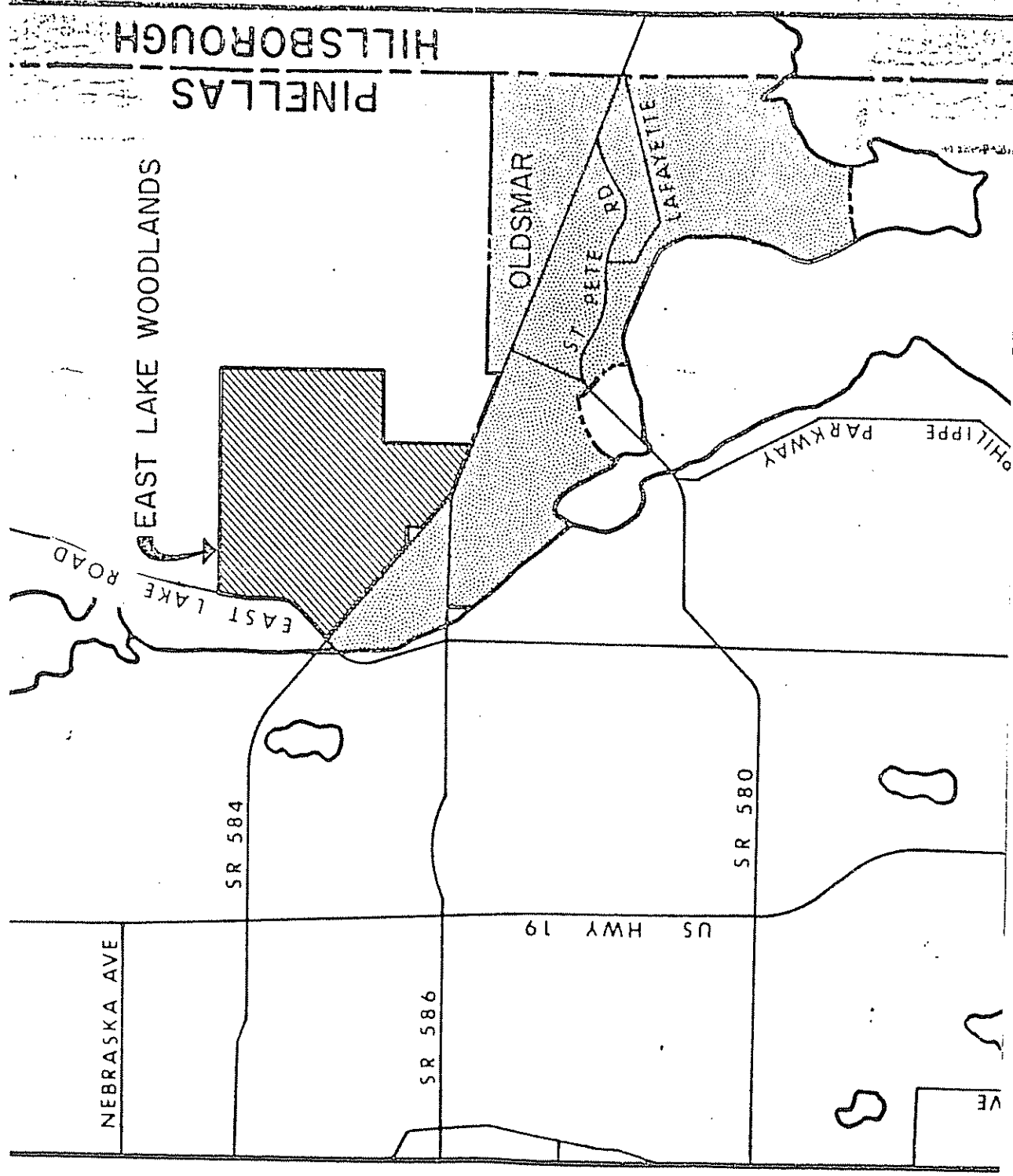
*Call me WOZ
Get a copy of MMR
attached O.O.*

NOTICE OF A PUBLIC HEARING ON A DEVELOPMENT
OF REGIONAL IMPACT FOR THE ISSUANCE OF AN
AMENDED DEVELOPMENT ORDER FOR EASTLAKE
WOODLANDS

*This public hearing
is for the Apr 21, 77
OO is already
various (approved)*

Notice is hereby given that on the 18th day of October, 1977 and the 1st day of November, 1977, beginning at 7:30 P.M. in the Council Chambers of the City of Oldsmar, 103 West State Street, Oldsmar, Florida, a Public Hearing will be held by the City Council on the amended Development Order for the area known as Eastlake Woodlands, a Development of Regional Impact.

A geographic location map which indicates the area known as Eastlake Woodlands is hereto attached and made part of this notice.



The Public is invited to attend this Public Hearing to make its views known on the aforementioned subject.

This Notice is in accordance with State Statutes 380.06.

This Notice Posted: 8/11/77
For Publication 8/16/77

Christa Crump
Christa Crump
City Clerk

This DRI is consistent with current development activities in Northern Pinellas County and in the City of Oldsmar, Florida (the "City"), as well as being consistent with the adopted County Land Use Plan (to the extent same is applicable hereto), which provides for urban development in the East Lake Tarpon Area under RPD zoning. Since the East Lake Woodlands, Ltd. (East Lake"), residential DRI is also compatible with existing and planned development within the City, this Development Order is being adopted by the City of Oldsmar as a successor interest to Pinellas County due to the annexation of the Development into the City, March 1, 1977. This Development Order amends the Orders issued previously by the Pinellas County Commission on February 18, 1975 and on August 10, 1976.

1. AIR QUALITY

The Project will comply with the following conditions in accordance with Tampa Bay Regional Planning Council ("TBRPC") air quality recommendations; Pay to Pinellas County (the "County") 29% of the cost of establishing an Air Quality Monitoring Station on public dedicated land within the general area of the Project. The monitoring station total cost estimate includes:

(a)	Hi Vol Sampler	\$ 500.00
(b)	Ozone electronic continuous sampler	5,500.00
(c)	SO ₂ electronic continuous sampler	6,500.00
(d)	NO _x Bubbler	400.00
(e)	Wong wind speed & direction instrument	700.00
TOTAL		\$13,600.00

The unit will be purchased, operated, and maintained by an appropriate public agency and will be located on one of the County-owned properties existing in the general area of the Project. East Lake has heretofore paid to the County the sum of \$3,944.00, in accordance with the provisions of this paragraph, which sum should be deposited by the County into an escrow account "earmarked" for said purpose.

2. ARCHAEOLOGICAL

East Lake shall enter into an agreement with a qualified firm or individual (approved by the City and the Florida Division of Archives, History and Records Management) to prepare a comprehensive archaeological survey

and evaluation of the Project and shall submit same to the City prior to any further land alteration within the Project requiring site plan approval being commenced. The completed archaeological survey shall be utilized in the site plan review process by the City. Any site of archaeological or historical significance shall be preserved or excavated at East Lake's expense under the supervision of a professionally qualified archaeologist acceptable to the City.

III. INTERIOR LAKE MANAGEMENT PLAN

East Lake has entered into an agreement with a qualified firm (approved by the City) to establish an interior lake management plan of sufficient detail (also approved by the City) to allow the future proposed lakes within the Project to become functional biological units, recognizing their primary purpose of providing retention, and has submitted said plan to the City. This lake management plan designated as East Lake Woodlands Interior Lake Management Plan, prepared by Bessent, Hammack and Ruckman, Inc., dated May 27, 1977, is made a part of the Development Order by reference. Prior to any further development within the Project, requiring site plan approval and that would directly affect the interior lake system, East Lake shall amend the above referenced plan and submit such amendment to the City so as to include a specific procedure for assuring that the future proposed lakes continue to be biologically functional units, such procedure to provide for maintenance and monitoring of the interior lake system by homeowners associations or some other appropriate method acceptable to the City so as to insure that the lake system is properly maintained. Additionally, the amendment shall set forth reasonable standards of water quality to be maintained and provisions for the granting of reasonable access easements for proper maintenance.

IV. ENDANGERED SPECIES

East Lake will enter into an agreement with a qualified firm, agency, or individual (approved by the City) to monitor the continuing status of threatened species on or near the Project. In addition, before any further development requiring site plan approval occurs in each phase of the continuing development of the Project, the City, or its designated

representative, will be allowed to conduct an appropriate survey of the proposed alteration site for endangered species, including, but not limited to, the Southern Bald Eagle. If endangered species are found on the Project, adequate measures shall be taken by East Lake to preserve the functional integrity of their natural habitat.

V. NATURAL AREAS

East Lake shall, to the extent set forth below, preserve the existing natural areas within the Project. Natural areas shall generally consist of those areas designated as "natural area" on the preliminary site plan prepared by T. Carl Jackson, dated July 15, 1976, and titled East Lake Woodlands Master Plan revised May, 1976, which is incorporated herein by reference. Those areas, totalling approximately 140 acres, shall be further and specifically defined by an accurate land survey to be completed by East Lake utilizing a scale of 1" = 200' prior to any further land development within the Project requiring site plan approval. That survey shall be approved by the City and shall be submitted to TBRPC and the Division for review and comment. It is the intent of this Development Order that the natural areas designated herein and therein shall be maintained substantially in their natural state. Such areas may be used for storm water retention, passive recreation, and other uses compatible with the natural functions and character of the natural areas. However, no excavation shall take place, nor shall any fill material, golf courses, artificial lakes, or structures be placed on or within any such designated natural areas which would adversely affect the natural functions and character of the natural areas. Prior to any development in the Natural Areas designated herein, East Lake will demonstrate to the City and to the Division of State Planning, State of Florida (the "Division") that such development will not adversely affect water quality, flood hazards, aquifer recharge, or other natural functions of the natural system in the Brooker Creek Drainage Basin. Nothing herein shall limit the right of the City to protect natural areas pursuant to site or local laws, ordinances, or regulations.

VI. IMPACT ON PUBLIC FACILITIES

1. Sewer Facilities

The City will provide adequate on-site sewage treatment facilities for the Project on an interim basis. Plans for these facilities will be prepared by the City and must be approved by the State of Florida, Department of Environmental Regulation. The Project must connect to the City's sewerage system when such system is available to the Project. A facilities planning study (North Pinellas 201 Step I Plan) is currently underway and the provision of sewerage service by a regional facility to the Project will be an integral component of the final North Pinellas facility plan.

2. Water Supply

The availability of an adequate, safe, potable, water supply shall be a limiting factor in subsequent site plan approvals for the Project. No site plan shall be approved for the Project unless it is determined by the City Administration in written findings of fact that the water demands generated by such approval would not cause the total anticipated demand to exceed the authorized supply of water available from a duly franchised supplier of water to the Project. Such written findings shall be a part of the authorization for any site plan approval for the Project, and shall include: (1) The anticipated amount of water required, determined by multiplying the proposed number of dwelling units in the site plan by the standard impact factor utilized by the City, which factor shall not exceed 300 gallons per dwelling unit per day; (2) The date this anticipated demand will be reached based on East Lake's estimated buildout period for the development proposed in the site plan; (3) The water supply source from which the additional water demand generated by the development proposed in the site plan will be met; (4) The projected excess capacity of the water supplier to the Project at the anticipated date of completion of the development proposed in the site plan, and any commitments that have been made for that excess capacity; (5) The regional impact of withdrawing water from the sources which are required to fulfill the additional water demand, based in the data utilized in Findings 1 through 4 as evidenced

by the issuance of water use permit; and (6) The fact that the West Coast Regional Water Supply Authority has represented that the water supply source has sufficient capacity for the proposed development. No building permits shall be issued by the City when anticipated demands for water are equal to or greater than the actual supply of water available from a duly franchised supplier. Water for nonpotable needs shall be obtained from sewage effluent, shallow wells, or the retention lake system. The distribution system for irrigation shall not be connected to any County or City water source. The existing irrigation wells may be used for general irrigation as long as the impact on the County water system does not exceed the present impact, if any. East Lake has heretofore entered into an agreement with the County dated January 13, 1976, in which East Lake has conveyed to the County its rights in the Florida aquifer as well as certain real property for the constructing of wells, pipelines, and a water treatment facility in exchange for an adequate water supply for the Pinellas County Water System. Said agreement between East Lake and the County remains in full force and effect. In addition, the City of St. Petersburg has agreed to provide water for domestic consumption in the Project under the present Water Use Agreement with the City and has indicated a sufficient quantity of available water to serve the residents of the Project. Water demand shall be calculated based upon the supplier's usage calculations. Potable water supply for the Project shall be subject to all lawful limitations imposed by the Southwest Florida Water Management District or its successor agency. This limitation shall apply to any and all development and improvements of any kind or character placed upon the Project. No site plans shall be approved which would cause the Project's water demand to exceed the authorized supply. The provision of water to the project shall at all times be consistent with and in accordance with the provisions of Chapter 373, Florida Statutes.

3. Schools

The Developer has heretofore conveyed two adequate school sites (totalling 22 acres) to the School Board of Pinellas County.

4. Fire Projection

The City will provide fire protection services to the Project. East Lake will provide the City with a public safety facility site (minimum of 1.5 acres total) for the establishment of a fire station as and when requested to do so by the City.

5. Transportation

East Lake will be required to dedicate by deed or plat, whichever is appropriate, rights of way so as to satisfy the requirements depicted on the transportation network map which is affixed to and made a part of the original Development Order. In addition, East Lake will be required to dedicate by plat all rights of way as required by the City's Subdivision Zoning Regulations. Specifically, the required right of way width will be 110 feet for the entirety of East Lake Road lying within the property limits of the Project. The capacity and loading of transportation facilities in the East Lake Tarpon Area, including but not limited to East Lake Road (CR 77); State Road 586 (between CR 584 and U.S. 19); and State Road 580 (between U.S. 19 and Hillsborough County Line) shall be a limiting factor in subsequent site plan approvals. No site plan shall be approved for the Project unless it is determined by the City Administration in a written finding, that the above roadways are operating at Level of Service C or above, and that the expected trips to be generated by such approval would not cause the roadways to operate below Level of Service C. Any site plan which is disapproved, based on those grounds above, may be appealed by East Lake to the City Council. On appeal, the City Council may approve such site plan upon an affirmative finding by it that the aforesaid roadways shall not be unduly burdened; and that any improvements or new roads deemed necessary to maintain Level of Service C or above, as determined by a transportation plan for Northeast Pinellas County adopted by the appropriate Urban Area Transportation Study processes, shall be substantially completed by the expected date of completion for the development phase or portion under consideration. Prior to granting such approval, the City shall forward the request to TBRPC for comment and shall take such comment into consideration at a public meeting prior to making a determination of approval or disapproval. Determinations of

the Level of Service of roadways shall be set forth in writing, and shall be based upon the most recent and best available transportation data, including, but not limited to, average daily traffic counts by the Florida Department of Transportation, and to the extent that appropriate data is available, shall utilize the methodology contained in the Highway Capacity Manual - 1965. In making any determinations pursuant to this provision, the City shall consider applying proportionate uniform treatment in relation to other proposed developments in the area.

VII. SITE PLAN APPROVAL

Site plan approval shall be required for any development in the Project. A copy of all final site plans approved for the Project shall be transmitted to Tampa Bay Regional Planning Council and the Division of State Planning.

VIII. TERM

This Development Order shall remain in effect for a period of ten (10) years from and after the date hereof. During this term, East Lake shall annually provide, on or before April 1st of each year, beginning with the year 1978, the City, TBRPC and the Division with a summary of completed construction to date and an estimate of proposed construction over the remaining term of the Development Order.

IX. EFFECT

This Development Order shall not encompass or approve any proposed development which constitutes a substantial deviation from the terms of the Development Order, from the representations contained in the Application of Development Approval adopted herein by reference, or which is commenced after the expiration of the term of this Development Order as defined in VIII. above. The application for Development Approval submitted by East Lake to the County on or about February 18, 1974, is hereby incorporated by reference and made a part of this Development Order except as to matters involving governmental jurisdiction or authority arising because of reissuance of this Development Order by the City as a result of the annexation of the Project into the City as of March 1, 1977, as referred to above.

X. MISCELLANEOUS

This Development Order shall be binding upon and inure to the benefit of East Lake, together with its successors, grantees, and assigns. This Development Order is intended to supersede and replace that certain Development Order issued February 18, 1975, as well as that certain Development Order issued August 10, 1976, and identified as DRI # 18, both of which are hereby declared to be null and void, with the County, as a result of the annexation of the Project and substitution of the City for it, being released from any and all liability thereunder. All development decisions issued by the City pertaining to the Project subsequent to the effective date of the annexation of the Project (i.e. March 2, 1977) but prior to the effective date hereof, shall be reviewed by the City in light of the terms of this Development Order so as to insure that the said decisions are consistent with this Development Order. All studies and reports required under the terms of this Development Order which are to be utilized in the site plan review process of the City shall be completed prior to such site plan review.

EXECUTED THIS 5th day of July, 1977.

CITY OF OLDSMAR
FLORIDA

EAST LAKE WOODLANDS, LTD.
A Florida limited partnership

By Robert L. Williams
Mayor

By Allen R. Rutberg, as one
of the General Partners

Attest [Signature]
City Clerk

By MUBEN REALTY COMPANY, A
New Jersey corporation, as one of
the General Partners

By _____
As its

Attest _____
As its

(Corporate Seal)

TAMPA BAY REGIONAL
PLANNING COUNCIL

DIVISION OF STATE PLANNING

By _____

By _____

EAST LAKE WOODLANDS - DRI # 18A

This DRI is consistent with current development activities in Northern Pinellas County and in the City of Oldsmar, Florida (the "City"), as well as being consistent with the adopted County Land Use Plan (to the extent same is applicable hereto), which provides for urban development in the East Lake Tarpon Area under RPD zoning. Since the East Lake Woodlands, Ltd. ("East Lake"), residential DRI is also compatible with existing and planned development within the City, this Development Order is being adopted by the City of Oldsmar as a successor interest to Pinellas County due to the annexation of the Development into the City, March 1, 1977. This Development Order replaces the Orders issued previously by the Pinellas County Commission on February 18, 1975 and on August 10, 1976.

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The Project will comply with the following conditions in accordance with Tampa Bay Regional Planning Council ("TBRPC") air quality recommendations: Pay to Pinellas County (the "County") 29% of the cost of establishing an Air Quality Monitoring Station on public dedicated land within the general area of the Project. The monitoring station total cost estimate includes:

(a) Hi Vol Sampler	\$ 500.00
(b) Ozone electronic continuous sampler	5,500.00
(c) SO ₂ electronic continuous sampler	6,500.00
(d) NO _x Bubbler	400.00
(e) Wong wind speed & direction instrument	700.00

TOTAL

\$13, 600.00

The unit will be purchased, operated, and maintained by an appropriate public agency and will be located on one of the County-owned properties existing in the general area of the Project. East Lake has heretofore paid to the County the sum of \$3,944.00, in accordance with the provisions of this paragraph, which sum should be deposited by the County into an escrow account "earmarked" for said purpose.

II. ARCHAEOLOGICAL

East Lake shall enter into an agreement with a qualified firm or individual (approved by the City and the Florida Division of Archives, History and Records Management) to prepare a comprehensive archaeological survey and evaluation of the Project and shall submit same to the City prior to any further land alteration within the Project requiring site plan approval being commenced. The completed archaeological survey shall be utilized in the site plan review process by the City. Any site of archaeological or historical significance shall be preserved or excavated at East Lake's expense under the supervision of a professionally qualified archaeologist acceptable to the City.

III. INTERIOR LAKE MANAGEMENT PLAN

East Lake has entered into an agreement with a qualified firm (approved by the City) to establish an interior lake management plan of sufficient detail (also approved by the City) to allow the future proposed lakes within the Project to become functional biological units, recognizing their primary purpose of providing retention, and has submitted said plan to the City. This lake management plan designated as East Lake Woodlands Interior Lake Management Plan, prepared by Bessent, Hammack and Ruckman, Inc., dated May 27, 1977, is made a part of the Development Order by reference.

IV. ENDANGERED SPECIES

East Lake will enter into an agreement with a qualified firm, agency, or individual (approved by the City) to monitor the continuing status of threatened species on or near the Project. In addition, before any further development requiring site plan approval occurs in each phase of the continuing development of the Project, the City, or its designated representative, will be allowed to conduct an appropriate survey of the proposed alteration site for endangered species, including, but not limited to, the Southern Bald Eagle. If endangered species are found on the Project, adequate measures shall be taken by East Lake to preserve the functional integrity of their natural habitat.

V. PRESERVATION AREAS

An adequate area of upland vegetation and wildlife shall be preserved in its natural state, as a prerequisite to final site plan approval of each additional phase of development within the Project to be approved by the City. This area will be agreed to by East Lake and the City staff and will not exceed two percent (2%) of the upland acreage of the proposed site. Passive recreation may be considered a compatible use for these areas, depending on agreed to intensity limitations. A properly identified map depicting these areas shall be part of this Development Order by reference following submission to and approved by the City.

VI. WETLANDS

East Lake shall, to the extent set forth below, preserve the existing wetland areas within the Project. Wetland reserve areas shall consist of those areas labelled as "NATURAL AREA" on the preliminary site plan prepared by T. Carl Jackson, dated July 15, 1976, and entitled East Lake Woodlands Master Plan Revised May 15, 1976, which is incorporated herein by this reference, together with other wetland areas agreed upon by the City and East Lake totalling approximately 120 acres. It is the intent of this Development Order that the natural areas designated herein and therein shall be maintained substantially in their natural state. Such areas may be used for storm water retention, passive recreation, and other uses compatible with the natural functions and character of the wetlands. However, no excavation shall take place, nor shall any fill material, golf courses, artificial lakes, or structures be placed on or within any such designated wetland reserved areas which would adversely affect the natural functions and character of the wetlands. Prior to any development in the Wetland Reserve Areas designated herein, East Lake shall demonstrate to the City and to the Division of State Planning, State of Florida (the "Division") that such development will not adversely affect water quality, flood hazards, aquifer recharge, or other natural functions of the wetlands system in the Brooker Creek Drainage Basin.

Nothing herein shall limit the right of the City to protect wetlands areas pursuant to state or local laws, ordinances, or regulations

VII. IMPACT ON PUBLIC FACILITIES

1. Sewer Facilities

The City will provide adequate on-site sewage treatment facilities for the Project on an interim basis. Plans for these facilities will be prepared by the City and must be approved by the State of Florida, Department of Environmental Regulation. The Project must connect to the City's sewerage system when such system is available to the Project. A facilities planning study (North Pinellas 201 Step 1 Plan) is currently underway and the provision of sewerage service by a regional facility to the Project will be an integral component of the final North Pinellas facility plan.

2. Water Supply

The availability of an adequate, safe, potable, water supply shall be a limiting factor in subsequent site plan approvals for the Project. No site plan shall be approved for the Project unless it is determined by the City Administration in written findings of fact that the water demands generated by such approval would not cause the total anticipated demand to exceed the authorized supply of water available from a duly franchised supplier of water to the Project. Such written findings shall be a part of the authorization for any site plan approval for the Project, and shall include: (1) The anticipated amount of water required, determined by multiplying the proposed number of dwelling units in the site plan by the standard impact factor utilized by the City, which factor shall not exceed 300 gallons per dwelling unit per day; (2) The date this anticipated demand will be reached based on East Lake's estimated buildout period for the development proposed in the site plan; (3) The water supply source from which the additional water demand generated by the development proposed in the site plan will be met; (4) The projected excess capacity of the water supplier to the Project at the anticipated date of completion of the development proposed in the site plan, and any commitments that have been made for that excess capacity; (5) The regional impact of withdrawing water from the sources which are required to fulfill the additional water demand, based in the data utilized in Findings 1 through 4 as evidenced

by the issuance of a water use permit; and (6) The fact that the West Coast Regional Water Supply Authority has represented that the water supply source has sufficient capacity for the proposed development. No building permits shall be issued by the City when anticipated demands for water are equal to or greater than the actual supply of water available from a duly franchised supplier. Water for nonpotable needs shall be obtained from sewage effluent, shallow wells, or the retention lake system. The distribution system for irrigation shall not be connected to any County or City water source. The existing irrigation wells may be used for general irrigation as long as the impact on the County water system does not exceed the present impact, if any. East Lake has heretofore entered into an agreement with the County dated January 13, 1976, in which East Lake has conveyed to the County its rights in the Florida aquifer as well as certain real property for the constructing of wells, pipelines, and a water treatment facility in exchange for an adequate water supply from the Pinellas County Water System. Said agreement between East Lake and the County remains in full force and effect. In addition, the City of St. Petersburg has agreed to provide water for domestic consumption in the Project under the present Water Use Agreement with the City and has indicated a sufficient quantity of available water to serve the residents of the Project. Water demand shall be calculated based upon the supplier's usage calculations. Potable water supply for the Project shall be subject to all lawful limitations imposed by the Southwest Florida Water Management District or its successor agency. This limitation shall apply to any and all development and improvements of any kind or character placed upon the Project. No site plans shall be approved which would cause the Project's water demand to exceed the authorized supply.

3. Schools

The Developer has heretofore conveyed two adequate school sites (totalling 22 acres) to the School Board of Pinellas County.

4. Fire Protection

The City will provide fire protection services to the Project. East Lake will provide the City with a public safety facility site (minimum of 1.5 acres total) for the establishment of a fire station as and when requested to do so by the City.

5. Transportation

East Lake will be required to dedicate by deed or plat, whichever is appropriate, rights of way so as to satisfy the requirements depicted on the transportation network map which is affixed to and made a part of the original Development Order. In addition, East Lake will be required to dedicate by plat all rights of way as required by the City's Subdivision Zoning Regulations. Specifically, the required right of way width will be 110 feet for the entirety of East Lake Road lying within the property limits of the Project. The capacity and loading of transportation facilities in the East Lake Tarpon Area, including but not limited to East Lake Road (CR 77); State Road 586 (between CR 584 and US 19); and State Road 580 (between US 19 and Hillsborough County Line) shall be a limiting factor in subsequent site plan approvals. No site plan shall be approved for the Project unless it is determined by the City Administration in a written finding, that the above roadways are operating at Level of Service C or above, and that the expected trips to be generated by such approval would not cause the roadways to operate below Level of Service C. Any site plan which is disapproved, based on those grounds above, may be appealed by East Lake to the City Council. On appeal, the City Council may approve such site plan upon an affirmative finding by it that the aforesaid roadways shall not be unduly burdened; and that any improvements or new roads deemed necessary to maintain Level of Service C or above, as determined by a transportation plan for Northeast Pinellas County adopted by the appropriate Urban Area Transportation Study processes, shall be substantially completed by the expected date of completion for the development phase or portion under consideration. Determinations of the Level of Service of roadways shall be set forth in writing, and shall

be based upon the most recent and best available transportation data, including, but not limited to, average daily traffic counts by the Florida Department of Transportation, and to the extent that appropriate data is available, shall utilize the methodology contained in the Highway Capacity Manual - 1965. In making any determinations pursuant to this provision, the City shall consider applying proportionate uniform treatment in relation to other proposed developments in the area.

VIII. SITE PLAN APPROVAL

Site plan approval shall be required for any development in the Project. A copy of all final site plans approved for the Project shall be transmitted to Tampa Bay Regional Planning Council and the Division of State Planning.

IX. TERM

This Development Order shall remain in effect for a period of ten (10) years from and after the date hereof. During this term, East Lake shall annually provide, on or before April 1st of each year, beginning with the year 1978, the City, TBRPC and the Division with a summary of completed construction to date and an estimate of proposed construction over the remaining term of the Development Order.

X. EFFECT

This Development Order shall not encompass or approve any proposed development which constitutes a substantial deviation from the terms of this Development Order, from the representations contained in the Application of Development Approval adopted herein by reference, or which is commenced after the expiration of the term of this Development Order as defined in IX. above. The Application for Development Approval submitted by East Lake to the County on or about February 18, 1974, is hereby incorporated by reference and made a part of this Development Order except as to matters involving governmental

jurisdiction or authority arising because of reissuance of this Development Order by the City as a result of the annexation of the Project into the City as of March 1, 1977, as referred to above.

XI. MISCELLANEOUS

This Development Order shall be binding upon and inure to the benefit of East Lake, together with its successors, grantees, and assigns. This Development Order is intended to supersede and replace that certain Development Order issued February 18, 1975, as well as that certain Development Order issued August 10, 1976, and identified as DRI # 18, both of which are hereby declared to be null and void, with the County as a result of the annexation of the Project and substitution of the City for it being released from any and all liability thereunder.

EXECUTED THIS 21st day of June, 1977.

CITY OF OLDSMAR
FLORIDA

EAST LAKE WOODLANDS, LTD.
A Florida limited partnership

By: Robert L. Williams
Mayor

By Allan R. Rutberg, as one
of the General Partners

Attest: Robert M. Glavin
Acting City Clerk

By MUBEN REALTY COMPANY, A
New Jersey corporation, as one of
the General Partners

By _____
As its

Attest _____
At its

TAMPA BAY REGIONAL
PLANNING COUNCIL

(Corporate Seal)

DIVISION OF STATE PLANNING

By _____

By _____

February 18, 1975

DEVELOPMENT OF REGIONAL IMPACT ORDER FOR EAST LAKE WOODLANDS - APPROVED

Pursuant to legal notice published February 1, 1975 in the Clearwater Sun as evidenced by affidavit of publication, public hearing was held on the application for development approval re East Lake Woodlands (a Development of Regional Impact - DRI) as required under Section 384.06 of the Florida Statutes.

Deputy Clerk Harold L. Rollman reported that no letters were received in favor of or in objection to the said application, and that the matter was in order to be heard.

Fred Marquis, Assistant to the Administrator for Metropolitan Development and Planning recalled that the subject project is located at the intersection of East Lake Road and County Road 584; that it is totally within the RPD concept in compliance with the Master Plan for the development of the East Lake Tarpon area; and that the Planning Department recommends approval of the following development order for submittal to the Tampa Bay Regional Planning County and to the Division of State Planning:

DRI DEVELOPMENT ORDER FOR EAST LAKE WOODLANDS

Let it be known that pursuant to Section 380.06 (7), Florida Statutes, the Board of County Commissioners of Pinellas County has heard at a public hearing held on February 18, 1975, the application for development approval for East Lake Woodlands, a development of regional impact consisting of a residential project of over 3,000 units, to be located in Pinellas County on through 1985.

Pursuant to Section 380.06 and after due consideration of the consistency of this development with the regulations, and the regional report, this body took the following action:

approval with conditions
of this development.

The following is a clarification of the East Lake Woodlands DRI Development of Regional Impact issued April 9, 1974. This Development Order specifically sets out the conditions of the proposed phases of construction which are as follows. This DRI is consistent with current development activities in northern Pinellas County and the adopted County Land Use Plan, which provides for urban development in the East Lake Tarpon Area under RPD zoning. Since the East Lake Woodlands residential DRI is compatible with existing plans of development for that area, it is the recommendation of the Planning Department that this Development Order be issued by the Board of County Commissioners, subject to the following conditions:

February 18, 1975

1. Major Road Systems

The major road system consisting of two parkways, one intersecting on East Lake Road (Woodlands Parkway) and the other intersecting on State Road #584 (East Lake Woodlands Parkway). The entrance to Woodlands Parkway has a dedicated right-of-way of 110 feet for the divided roadway, with the total area consisting of 8.9 acres, more or less. The East Lake Woodlands Parkway also has a dedicated right-of-way of 110 feet for that divided highway with the total acreage being 9.8 acres, more or less. This parkway is serving the over-all Lake Tarpon road plan as a major arterial connector to the property adjacent to East Lake Woodlands. The developer will be required to dedicate by deed or plat, whichever is appropriate, the right-of-way requirements depicted on the accompanying transportation network map, affixed hereto and made a part of this development order.

In addition, the developer will be required to dedicate by plat all rights-of-way as required by the Pinellas County Subdivision Regulations and/or the Pinellas County Zoning Regulations.

The tree replacement factor for this phase will be 428 ($1\frac{1}{2}$ to 2 inch) trees.

2. Condominium Area

This phase is for the condominium section of the East Lake Woodlands development. The area is bounded on the south by State Road #584 and on the west by East Lake Road. The project consists of approximately 30 acres, more or less. Included in this 30 acres are 3.7 acres of streets and 1.8 acres of area recreation, plus 25.9 acres of open space surrounding the buildings. The road alignment has been changed to prevent the destruction of an existing cypress head.

The tree replacement factor in this phase is to be determined at completion.

3. Single Family

This is the single family section of the East Lake Woodlands development. The area in question is located southeast of one of two proposed school sites that were donated to the Pinellas County School Board by the developers. The single family area as presented consists of 246 lots. The approximate lot sizes are 8,500 square feet (87 lots) and 12,000 square feet (159 lots) bordered by a portion of the lake system. The total acreage of this section is 105.3 acres.

The tree replacement factor will be 400 ($1\frac{1}{2}$ inch) trees, of which twenty-five percent (25%) can be palms.

February 18, 1975

4. Temporary Treatment Plant

This site consists of 1.82 acres and contains one golf course irrigation pump station, through which the effluent is diluted with water from the retention lake system and/or shallow wells to be sprayed on the golf course. Sewage will be treated using the "contact stabilization" method.

This project is in the Pinellas County Sanitary Sewer Service Area. The County is planning a regional sanitary sewerage system (Northwest County Wastewater Treatment Plant) to serve this development and others in the Lake Tarpon area. Until the regional system is available, the County is requiring East Lake Woodlands development to provide an interim sewage treatment facility built to specifications of the State Department of Pollution Control and developed in accordance with the policies of Pinellas County, at such time that the County can assume operation of this sewerage system, the sewerage facilities shall be converted to Pinellas County at no cost to the County.

5. East Half of the Lake System

The east half of the lake system totaling 92 acres will become a functional biological unit providing retention for a twenty-five (25) year storm. Apart from retention this lake system will serve as a buffer zone for the 120 acres of natural area being preserved by the developer, as a prerequisite to final site plan approval by the Board of County Commissioners. This area was agreed to by the developer and the Pinellas County Planning Department staff. The lake system will be altered where need be on location to save trees by the County agent on the project. The developer shall contract with a qualified firm, agency, or individual to establish an interior lake management plan of sufficient detail (approved by Pinellas County) to allow the proposed lakes to become functional biological units recognizing their primary purpose of providing retention.

6. Endangered Species

The developer will contract with a qualified firm, agency or individual to monitor the continuing status of threatened species on or near the site. In addition, before any land alteration occurs in each phase of the continuing development, the Pinellas County staff will be allowed to conduct an appropriate survey of the site for endangered species, including but not limited to the Southern Bald Eagle.

If deemed necessary by the Pinellas County Board of County Commissioners, an adequate management plan, approved by the Florida Game and Fresh Water Commission, will be established to protect said species.

February 18, 1975

7. Water Supply

The developer has entered into an agreement with Pinellas County in which the developer has conveyed to Pinellas County its rights in the Florida aquifer as well as certain real property for the construction of wells, pipelines and a water treatment facility. The County has agreed to provide, subject to certain conditions, water for domestic consumption in the East Lake Woodlands development.

8. School Facilities

The developer has provided two (2) school sites totaling twenty-two (22) acres that are adequate to serve the needs generated by the entire development. One site is located in the northeast corner of the project, the other being located in the northwest corner of the project.

9. Fire Protection

The developer will provide a public service facility site (minimum of four acres total) for the establishment of a fire station.

The developer will contract with the Tarpon Lake Volunteer Fire Department for fire protection services for residential units under construction, model homes, recreation buildings and other community buildings owned by the developer. In addition, upon the closing of the sale of a house, a fee will be collected from the buyer which will be payable to the Tarpon Lake Volunteer Fire Department and will be equal to the then current annual subscription fee for fire protection.

10. Air Quality

The East Lake Woodlands development will contribute its share of the cost of an Air Quality Monitoring Station to serve the east Lake Tarpon area. In recognition that the other major land developments within this area will also make contributions for the purchase of this unit, the equitable portion of the cost allocable to the East Lake Woodlands development is deemed to be 29% of the actual cost as outlined below:

(a) Hi Vol. Sampler	\$ 500.00
(b) Ozone electronic continuous sampler	5,500.00
(c) SO ₂ electronic continuous sampler	6,500.00
(d) R ₂ X bubbler	400.00
(e) Wind speed & Direction instrument	700.00
TOTAL	<u>\$3,600.00</u>

February 18, 1975

No one appeared in response to the Chairman's request for opponents to the application.

Following discussion, Commissioner Jones moved, seconded by Commissioner Dockerty and carried, that the development order be approved as presented.

I, HAROLD MULLENDORE, Clerk of the Circuit Court and Clerk Ex-Officio, Board of County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of the original as it appears in the official files of the Board of County Commissioners of Pinellas County, Florida.

Witness my hand and seal of said county

this 18 day of Feb. A.D. 19 75

HAROLD MULLENDORE, Clerk of the Circuit Court Ex-Officio Clerk to the Board of County Commissioners, Pinellas County, Florida.

By George A. Collier
Deputy Clerk

DRI DEVELOPMENT ORDER

Let it be known that pursuant to Section 380.06 (7), Florida Statutes the Board of County Commissioners of Pinellas County has heard at a public hearing held on June 18, 1974, the application for development approval for Eastlake Woodlands, a development of regional impact consisting of a residential project of over 3,000 units, to be located in Pinellas County on through 1985.

Pursuant to Section 380.06 and after due consideration of the consistency of this development with regulations, and the regional report, this body took the following action:

Approval with conditions

of this development.

The following is a clarification of the Eastlake Woodlands DRI Development Order issued (4-9-74). This Development Order specifically sets out the conditions of the proposed golf course construction and are as follows: (1) A full irrigation system will be provided by the developer and will in no way require the use of or impact upon the County water system.

(2) A drainage system, initial width sixty (60) feet measured from the existing swamp forest canopy is permitted to provide necessary drainage for golf course only. The expansion of this drainage system will be authorized at a later date to include the necessary lakes as modified (see plan).

(3) The revised plan, whereby fairway alignment inflicts the least possible impact on wetland systems is hereby approved.

(4) Necessary clearcut areas for realigned golf course, ie 60', will be permitted with selective clearing only in removing fairway areas.

(5) The development of the golf course will remain in compliance with County Ordinance 72-9, Tree Ordinance, at all times.

Copies of this order are to be sent immediately to the Division of State Planning, to Tampa Bay Regional Planning Council, and to Norco Properties, Inc.

June 18, 1974

Date

ATTEST: Harold Mullendore, Clerk

BY: H. R. Callahan

Deputy Clerk

Charles F. Guiness
Chairman

William Dockett
Commissioner

Commissioner

Commissioner

Commissioner

Commissioner

City of Oldsmar

P.O. Box 100
OLDSMAR, FLORIDA 33557

Mayor
Robert L. Williams
Council
Carl R. Cook
Richard B. Rogers
William F. Kniffin
Clifford M. Sparks

CITY HALL OPEN
8:30 A.M. - 4:30 P.M.
MONDAY THRU FRIDAY

PHONES:
855-4693
855-4694
855-4695

CERTIFICATE

I, Christa Crump, City Clerk of the City of Oldsmar,
Florida hereby certify that the attached Ordinance
is a true copy and was adopted in accordance with the
Provisions of the Charter of the City of Oldsmar, Florida
this 14TH day of June A.D., 19 77


Christa Crump
City Clerk

(SEAL)

IN THE CIRCUIT COURT FOR PINELLAS COUNTY, FLORIDA

CIRCUIT CIVIL NO. 77-2758-7

PINELLAS COUNTY, a political sub-)
division of the State of Florida,)

Plaintiff,)

vs.)

CITY OF OLDSMAR, a municipal cor-)
poration, ROBERT WILLIAMS, WILLIAM)
K. KNIFFIN, DOROTHY H. LEE, CARL)
COOK and RICHARD ROGERS, as and)
constituting the Mayor and City)
Commission,)

Defendants.)

WRIT OF CERTIORARI

THE STATE OF FLORIDA

TO: ROBERT WILLIAMS, WILLIAM K. KNIFFIN, DOROTHY H.
LEE, CARL COOK and RICHARD ROGERS, as and constituting
the Mayor and City Commission of the City of Oldsmar, Florida;

WHEREAS, the allegations of Count V of the Complaint
reflect that:

1. The City Commission of the City of Oldsmar adopted Ordinance #270 purportedly annexing certain lands which were in the unincorporated area of Pinellas County.
2. In adopting said ordinance the City Commission may not have complied with the statutory procedures or met the statutory requirements for said annexation in that:

A. The annexation ordinance was not submitted to a separate vote of the registered electors of the City of Oldsmar.

B. Certain rights-of-way within the area purportedly annexed are "owned" by PINELLAS COUNTY which rights-of-way are excluded from the area annexed and the exclusion thereof circumvented the statutory requirement that all property owners within an area proposed for annexation sign a Petition for Voluntary Annexation.

C. Because of the exclusion of the rights-of-way mentioned in the foregoing paragraph "B", the COUNTY will be unable to pay for improvements of the roads by means of special assessments charged to abutting property owners since said property is no longer in the unincorporated area of PINELLAS COUNTY and that as a result of such exclusion, said purported annexation is invalid.

D. The City in adopting Ordinance #270 failed to meet the requirements established for annexation as they apply to PINELLAS COUNTY'S rights-of-way as described in said ordinance in that the total area annexed under said ordinance is not contiguous to the boundary of the City of Oldsmar; the exclusion of the COUNTY'S rights-of-way has resulted in the creation of enclaves; and the exclusion of PINELLAS COUNTY'S rights-of-way prevents the territory sought to be annexed and the annexing municipality from becoming a unified whole with respect to municipal services.

You are hereby required to make reply to the allegations of Count V of the Complaint insofar as said allegations are material to the issues above defined in this Writ on or before the 24th day of July 1977, to the end that Count V and your response thereto, as limited by this Writ, may be reviewed by this Court and such action taken thereon as of right and according to law should be done and taken.

Herein fail not or Judgment by Default will be entered against you for the relief prayed for in said Count V.

DONE AND ORDERED this 9th day of July, 1977.

B. J. DRIVER
Circuit Judge

Copies furnished to:

DRI DEVELOPMENT ORDER

Let it be known that pursuant to Section 380.06 (7), Florida Statutes the Board of County Commissioners of Pinellas County has heard at a public hearing held on April 9, 1974, the application for development approval for East Lake Woodlands, a development of regional impact consisting of a residential project of over 3,000 units, to be located in Pinellas County on through 1983.

Pursuant to Section 380.06 and after due consideration of the consistency of this development with regulations, and the regional report, this body took the following action:

Approval with conditions
of this development.

Subject to the following conditions (to be used for approval with conditions): (1) Project will conform to any additional right-of-way requirement for transportation facilities, that will result from the special highway network evaluation for that area.

(2) Project development phasing shall conform to the availability of community facilities for the area.

(3) Project will be in accordance with the County development controls, and will conform to an approved final site for the development.

Copies of this order are to be sent immediately to the Division of State Planning, to Tampa Bay Regional Planning Council, and to Norco Properties, Inc.

April 9, 1974
Date

HAROLD MULLENDORE
Clerk

By H. L. Rollins
Deputy Clerk

W. J. Jackson
Commissioner

W. J. Jackson
Commissioner

W. J. Jackson
Commissioner

W. J. Jackson
Commissioner

W. J. Jackson
Commissioner

