


**TAMPA TRIANGLE
DEVELOPMENT OF REGIONAL IMPACT (DRI # 140)
DEVELOPMENT ORDER AMENDMENT 22-0088**

SIGN-OFF & APPROVAL	INITIAL	DATE
Manager, Community Development Section		3/31/22

Development Services Department
March 30, 2022

Recommendation

Staff recommends that the Board of County Commissioners approve the proposed changes in accordance with the attached resolution subject to any changes by the County Attorney’s office.

This application is accompanied by related zoning application MM 21-1339.

Background

The Hillsborough County Board of County Commissioners (BOCC) originally approved the Tampa Triangle Development of Regional Impact (DRI) on September 22, 1987 (Resolution No. R-87-319). This ±120-acre, single phase mixed-use project is located in central Hillsborough County at the southeast corner of the U.S. 301 and Causeway Boulevard intersection. Please see the attached aerial.

The project has an approved land use conversion table that allows land use amounts to be exchanged by utilizing equivalency ratios based upon trip generation. Exchanges between land uses therefore do not increase project trips.

The project’s Development Order (DO) has been amended ten times, most recently on September 13, 2016 (Resolution R16-128).

The project is approved for the following development (DO Condition IV.A6.). The amount of development in the Currently Approved Program reflects previously made land use trade-offs.

Maximum And Minimum Development Potential / Conversion

Approved Land Uses	Minimum Quantities	Maximum Quantities ⁽¹⁾	Currently Approved Program ^{(2) (3)}
Office	400,000	1,100,000	508,653
Retail	10,000	50,000	13,687
Service Center ⁽⁴⁾	--	125,000	50,000
Multi-Family	240	1,230	1,110

1. Maximum development is also limited to 1,325 PM peak hour trips.
2. Base program for application of trade-off matrix.
3. A trade-off was made in 2003, wherein the Office entitlements were reduced to 669,679 and the Multi-Family units increased to 616. An additional trade-off was made in 2013 wherein Office entitlements were reduced to 508,653 sq. ft. and Multi-Family units increased to 930. An additional trade-off was made in 2017 (per email between John Healey and Clayton Brickleyer, dated March 24, 2017) wherein Retail entitlements were reduced to 13,687 sf and Multi-Family units were increased to 1,110.
4. Service Center use is 80% office use and 20% warehouse use

PETITION NUMBER: Tampa Triangle DRI #140, 22-0088
BOCC MEETING DATE: April 12, 2022

Proposed Changes

On September 15, 2021, Liberty Property Limited Partnership (“Developer”), filed an application to amend the subject Development Order (hereinafter “DO Amendment”), requesting: 1) to change the approved development table to increase the maximum permitted quantities for the Service Center use from 125,000 to 250,000 (square feet); 2) to change the approved development table to increase the maximum permitted quantities for the Multi-Family use from 1,230 to 1,630 (units); and 3) to amend Map H to include Multi-Family development as an allowable use on Parcel C.

Additionally, the annual monitoring program requirement for the Tampa Triangle is being removed, and the Tampa Triangle project shall be continued to be limited to a maximum of 1,325 external PM peak hours. With each increment of development following the approval of the revised Development Order filed on September 15, 2021, a transportation analysis will be required to record driveway volumes in the evening peak hour for any development beyond 400,000 square feet of office space, (or the equivalent thereof in terms of trip generations) and continue until build-out. If the driveway volumes exceed more than 15 percent of those projected for peak hour (1,325 p.m. peak hour trips) in the Transportation Analysis conducted for NOPC # 6 (Resolution #01-042), that project/development will be required to pay the appropriate mobility fees.

The build out date, and date by which the development shall not be subject to down-zoning or reduction of intensity is being changed from July 4, 2019 to September 23, 2025, to recognize a statutory extension pursuant to Section 252.363, F.S and Executive Order Number 16-136.

Map H, dated August 27, 2021, is being modified to add multi-family uses as an allowable use on Parcel D.

Staff Findings

Staff finds that the proposed changes to increase the maximum quantities for the Service Center land use, and increase the maximum amount of multi-family units, revise Map H to show multi-family as an allowable use on Parcel C, do not increase the likelihood of additional transportation impacts that have not been previously reviewed as there exists an approved Land Use Conversion table that sets forth the ratios at which land uses may be exchanged thereby holding trip generation constant. Furthermore, the revised transportation analysis standard will provide for continued evaluation of future development to ensure if transportation trip generation occurs above the thresholds that those impacts will be mitigated. The proposed changes been reviewed by the Transportation Review section of the Development Services Department and no objections have been raised.

Staff finds the change to DRI Map H to add multi-family uses as an allowable use on Parcel C supportable as multi-family uses are currently approved within the project.

Based on the above, staff recommends that the proposed changes be approved.

Development Order History

On September 22, 1987, the Hillsborough County Board of County Commissioners (Board) approved the Tampa Triangle Development of Regional Impact. The project was approved as a one-phase project with a build out date of 1992.

On January 23, 1990, the Board approved the first Development Order (DO) Amendment Resolution R90-0032 revising the land use entitlements, establishing a land use trade off mechanism, extending the roadway improvement design deadline from October 1, 1989 to July 1, 1990, and revising the right-of-way dedication location for Falkenburg Road.

A request by the developer to extend the design deadline was granted by the Hillsborough County Engineering Services from July 1, 1990 to January 1, 1991. On November 4, 1991, Highway Design Services granted another time extension on the Falkenburg Extension to allow the Developer to submit 100% construction plans by July 13, 1992.

On July 14, 1992, the Board approved the second development order Amendment (Resolution R92-0167) extending the date of build out of the Tampa Triangle project by four years, eleven months and 29 days - to December 29, 1997.

On October 25, 1994, the Board approved the third development order Amendment (Resolution R94-0272), revising the schedule to complete the design of a portion of Falkenburg Road to December 31, 1995 and approving the relocation of approved office, commercial and multi-family uses and adjusting acreages for these uses.

On August 27, 1996, the Board approved the fourth development order amendment (Resolution No. R96-0215), changing the Falkenburg Road alignment back to its original configuration, extending the road design due date from December 31, 1995 to May 1, 1997, extending the build-out date (from December 29, 1997 to December 29, 1999), extending the effective date and down-zoning date (from September 1, 1997 to December 29, 2004), and clarifying the responsibilities of the developer regarding construction of the transportation project.

On January 12, 1999 the Board of County Commissioners approved the fifth development order amendment (R99-0005) adding 12 acres of land, extending the build out date by two years (from December 29, 1999 to December 29, 2001), extending the Falkenburg Road completion date from January 1, 1999 to June 1, 1999, and revising Section III.K requiring the developer to include a land use conversion table.

On March 13, 2001, the Board approved Resolution No. R01-042 extending the build-out date to December 29, 2006.

On December 10, 2002, the Board approved Resolution No. R02-276 revising Map H to allow multi-family uses on Parcel E, revising the land use conversion matrix and establishing the minimum and maximum development potentials for each allowable use as shown in the table below.

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On May 23, 2006, the BOCC approved Resolution No. R06-105 extending the build out date of the project and the Development Order expiration date to December 29, 2008.

On March 24, 2009, the BOCC approved Resolution No. R09-037 extending the project buildout date by three years to December 29, 2011, changing the Developer of Record from Tampa Triangle Joint Venture to Liberty Property Limited Partnership, and amending Map H to reflect the relocation of two internal access points.

The project's build out date was extended by 2-years to December 29, 2013 pursuant to Senate Bill 360 as acknowledged by the County in a letter dated December 23, 2009.

The project's build out date was further extended to November 5, 2018 pursuant to House Bill 7207 and Section 252.363, F.S and Executive Order Numbers 11-128, 11-172 & 11-202 as acknowledged by the County in a letter dated May 2, 2012.

On November 1, 2012 the BOCC approved Resolution No R12-155 which increased the maximum number of multi-family units to 930, extended the build out date and date by which the development shall not be subject to down-zoning or reduction of intensity to November 5, 2018 in recognition of two previous statutory extensions, and modified Map H to clarify that multi-family, business, retail, office, and service distribution uses are allowable uses on Parcel E in its entirety.

The project's build out date was further extended to July 4, 2019, pursuant to Section 252.363, F.S and Executive Order Number 16-136 as acknowledged by the County in a letter dated August 18, 2016. This extension was incorporated into the Amended and Restated DO Amendment 16-1131.

On September 13, 2016, the BOCC approved Resolution No R16-128 which increased the maximum permitted multifamily units from 930 to 1230, to amend Map H to include multi-family development as an allowable use on Parcel D, to revise the approved development program shown on Map H so as to reflect previous land use trade-offs, and to remove an access point from U.S. 301 east into Parcel D.

Draft Amended & Restated Development Order

RESOLUTION NO. R~~2022~~46 - _____

RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA
ISSUING AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR
DRI #140 - TAMPA TRIANGLE

Upon motion the following Resolution was adopted on this _____ day of _____, 20~~22~~46, by a vote of _____ to _____; Commissioner _____ moved to approve, seconded by Commissioner _____, with Commissioner(s) _____ voting "No."

WHEREAS, on September 22, 1987, the Board of County Commissioners approved a Development Order (Resolution No. R87-0319) for the TAMPA TRIANGLE Development of Regional Impact ("DRI") #140 (the "Development Order") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on January 23, 1990, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R90-032 (NOPC #1); and

WHEREAS, on July 14, 1992, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R92-0167 (NOPC #2); and

WHEREAS, on October 25, 1994, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R94-0272 (NOPC #3); and

WHEREAS, on August 27, 1996, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R96-0215 (NOPC #4); and

WHEREAS, on January 12, 1999, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R99-005 (NOPC #5); and

WHEREAS, on March 13, 2001, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R01-042 (NOPC #6); and

WHEREAS, on December 10, 2002, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R02-276 (NOPC #7); and

WHEREAS, on May 23, 2006, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R06-105 (NOPC #8);

WHEREAS, on March 24, 2009, the Board of County Commissioners approved an amendment to the Development Order by Resolution No. R09-037 (NOPC #9); and

WHEREAS, Liberty Property Limited Partnership ("Developer") requested and the County acknowledged the extension of the project's build out date from December 29, 2011 to December 29, 2013 pursuant to Senate Bill 360 (Chapter 2009-96, Laws of Florida), and the Developer requested and the County acknowledged the extension of the project's buildout date

from December 29, 2013 to November 5, 2018 pursuant to House Bill 7207 (Chapter 2011-139, Laws of Florida), Section 252.363, Florida Statutes, and Executive Orders 11-128, 11-172 and 11-202; and

WHEREAS, on November 1, 2012, the Board of County Commissioners approved, by Resolution R12-155, an amendment to the Development Order pursuant to Section 380.06(19)(e)2 of the Florida Statutes to change the approved development table to reflect 930 maximum permitted multifamily units, to modify Map H to clarify that multi-family, business, retail, office and service distribution uses are allowable uses on Parcel E in its entirety, and to acknowledge the extension of the buildout dates; and

WHEREAS, Developer requested and the County acknowledged the extension of the project's build out date from November 5, 2018 to July 4, 2019 pursuant to Executive Order 16-136 and Section 252.363, Florida Statutes; and

WHEREAS, on ~~September 13th~~^{June 20}, 2016, the Board of County Commissiones approved, by Resolution R16-128, an amendment to Developer filed an application to amend the Development Order pursuant to Section 380.06(19)(e)2 of the Florida Statutes to change the approved development table to increase the maximum permitted multifamily units from 930 to 1230, to amend Map H to include multi-family development as an allowable use on Parcel D, to revise the approved development program shown on Map H so as to reflect previous land use trade-offs, and to remove an access point from U.S. 301 east into Parcel D; and

WHEREAS, on December 10, 2018, a letter was sent from K. Clayton Bricklemyer, authorized representative for the developer of Tampa Triangle DRI #140, to Hillsborough County confirming the Developer's right to claim the extension for build-out date and the date before which a development shall not be subject to down-zoning or intensity reduction, pursuant to a series of Executive Orders. Thereby, the said deadlines for the Tampa Triangle DRI #140 ~~were~~^{are} extended to September 23, 2025; and

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WHEREAS, on September 15, 2021, Liberty Property Limited Partnership ("Developer"), filed an application to amend the subject Development Order (hereinafter "DO Amendment"), requesting: 1) to change the approved development table to increase the maximum permitted quantities for the Service Center use from 125,000 to 250,000 (square feet); 2) to change the approved development table to increase the maximum permitted quantities for the Multi-Family use from 1,230 to 1,630 (units); and 3) to amend Map H to include Multi-Family development as an allowable use on Parcel C; and

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~~WHEREAS, the public notice requirements of Section 380.06, Florida Statutes, have been satisfied; and~~

~~WHEREAS, amendments to the Development Order pursuant to Section 380.06(19)(e)2 do not require submittal to the regional planning agency and the state planning agency; and~~

~~WHEREAS, the Board of County Commissioners of Hillsborough County gave notice and held a public hearing has on _____, held a duly noticed public hearing on said DO Amendment, and providing the public and other interested parties an opportunity to be~~

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~~heard and present evidence concerning the proposed DO Amendment application to amend the Development Order and has heard and considered testimony and other documents and evidence.~~

NOW, THEREFORE, BE IT ~~RESOLVED—ORDAINED~~ BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, IN REGULAR MEETING ASSEMBLED THIS _____ DAY OF _____, 2022:

I. FINDINGS OF FACT

- A. All procedural requirements of Section 380.06, Florida Statutes, and the Hillsborough County Land Development Code have been complied with.
- B. Applications ~~and Sufficiency Responses~~ were previously submitted to Hillsborough County for Development Approval ~~and Sufficiency Responses~~ which are incorporated herein by reference. Since then, various developers have submitted Applications for Notices of Proposed Change as applicable to specific properties. Hereinafter, the word “Application” shall refer to the Application for the NOPC and/or a DO Amendment and other exhibits specifically incorporated in this and previous Resolutions.
- C. The real property which is the subject of the Application is legally described as set forth in Composite Exhibit “A”, together with the revised Master Site Plan (“Map H”) as set forth in Exhibit “B”.
- D. The proposed development is not in an Area of Critical State Concern as designated pursuant to Section 380.05, Florida Statutes.
- E. All development will occur in accordance with the Amended and Restated Development Order and Application.
- F. A comprehensive review of the impacts generated by the Development has been conducted by the Hillsborough County Administration and other affected agencies, as applicable.
- G. The authorized agent for Liberty Property Limited Partnership is T. Truett Gardner, Esquire, Gardner Brewer Martinez-Monfort, 400 North Ashley Drive, Suite 1100, Tampa, Florida

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II. CONCLUSIONS OF LAW

Based upon the compliance with the terms and conditions of this Amended and Restated Development Order, the following Conclusions of Law are made:

- A. The amendment to the Development Order is approved subject to all terms and

conditions of this Amended and Restated Development Order.

~~B.~~ B.—All applicable statutory and regulatory procedures have been adhered to.

~~B.C.~~ C. The Board of County Commissioners, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, is authorized and empowered to consider the DO Amendment to approve amendments to DRIs.

~~D.~~ C.—The Tampa Triangle Amended and Restated Development Order, as revised hereby, is consistent with the Future of Hillsborough County Comprehensive Plan, ~~and development in accordance with the Amended and Restated Development Order, as revised, will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.~~

~~C.E.~~ E. The review by Hillsborough County, the Hillsborough County City-County Planning Commission, and other participating agencies and interested citizens indicates that impacts are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order and the Application.

~~F.D.~~ D. Nothing contained in this Amended and Restated Development Order, as revised herein, shall limit or modify the rights originally approved by the Development Order or the protection afforded under Subsection 163.3167(8), Florida Statutes.

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

~~G.F.~~ F. Upon adoption, this Resolution shall be transmitted by the Ex Officio Clerk to the Board of County Commissioners by certified mail or other delivery service for which a receipt as proof of service is required, to Liberty Property Limited Partnership, the State Land Planning Agency, the Tampa Bay Regional Planning Council, and other recipients in accordance with Section 380.06, Florida Statutes.

~~H.~~ The Developer shall record a Notice of Adoption of this Resolution in the Hillsborough County public records pursuant to the form previously required by Section 380.06(15)(f), Florida Statutes (2017).

~~I.~~ All statutory procedures have been adhered to and the impacts of the development authorized hereby are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes.

~~J.G.~~ G. This Resolution shall become effective upon adoption by the Board of County Commissioners in accordance with Section 380.06, Florida Statutes, the date of transmittal as provided in above.

III. GENERAL PROVISIONS

- A. This resolution shall constitute the Amended and Restated Development Order of Hillsborough County in response to the Application for Development Approval for the Tampa Triangle Development of Regional Impact (ADA).
- B. The legal description set forth in **Composite Exhibit “A”** is hereby incorporated into and by reference made a part of this Amended and Restated Development Order.
- C. All provisions contained within the ADA and Sufficiency Response shall be considered conditions of this Amended and Restated Development Order unless inconsistent with the terms and conditions of this Amended and Restated Development Order, in which case the terms and conditions of this Amended and Restated Development Order shall control.
- D. The definitions contained in Chapter 380, Florida Statutes, shall govern and apply to this Amended and Restated Development Order. This Amended and Restated Development Order shall be binding upon the Developer and his heirs, assignees or successors in interest including any entity which may assume any of the responsibilities imposed on the Developer by this Amended and Restated Development Order. It is understood that any reference herein to any governmental agency shall be constructed to include any future instrumentality which may possess any of the powers and duties of any branch of government or governmental agency.
- E. In the event that any portion or section of this Amended and Restated Development Order is determined to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Amended and Restated Development Order which shall remain in full force and effect.
- F. Whenever this Amended and Restated Development Order provides for or otherwise necessitates reviews or determinations of any kind subsequent to its issuance, the right to review shall include all directly affected governmental agencies and departments as are or may be designated by the Board of County Commissioners of Hillsborough County to review developments set forth under applicable laws and rules governing Developments of Regional Impact.
- G. In each instance in this Amended and Restated Development Order where the Developer is responsible for ongoing maintenance of facilities at Tampa Triangle, the Developer may transfer any or all of his responsibilities to improve and maintain those facilities to an appropriate private body created to perform such responsibilities. Provided, however, that before such transfer may be effective, the body to which responsibility has been or will be transferred must be approved by the County, and/or other agencies (if any) having jurisdiction, concurrent or

otherwise, now or later, upon determination that the entity in question can and will be responsible to provide maintenance as required in this Amended and Restated Development Order, which approval shall not be unreasonably withheld.

- H. ~~A substantial deviation from the terms or conditions of this Development Order or other changes to the approved development plans which create a reasonable likelihood of additional adverse impact may result in the County ordering a termination of all development approved herein. Development activity constituting a substantial deviation from the terms or conditions of this Amended and Restated Development Order as defined by the criteria of Ch. 380.06(19)(b) or other changes to the approved development plans which create a reasonable likelihood of additional adverse regional impact, or any other regional impact not previously reviewed by Hillsborough County and the Tampa Bay Regional Planning Council shall result in further Development of Regional Impact review pursuant to Chapter 380.06, Fla. Stats., and may result in Hillsborough County ordering a termination of development activity pending such review.~~
- I. ~~The County Administrator of Hillsborough County Development Services Department~~ shall be responsible for monitoring all terms and conditions of this Amended and Restated Development Order. For purposes of this condition, the ~~County Administrator Development Services Department~~ may rely upon or utilize information supplied by any Hillsborough County department or agency having particular responsibility over the area or subject involved. The ~~County Administrator Development Services Department~~ shall report to the Board of County Commissioners any findings of deviation from the terms and conditions of this Amended and Restated Development Order. In the event of a deviation, the ~~County Administrator Development Services Department~~ may issue a notice of such noncompliance to the Developer, or the ~~County Administrator Development Services Department~~ may immediately recommend that the Board of County Commissioners establish a hearing to consider such deviations. ~~The Developer shall be given notice of any such hearing. In the event that circumstances require an immediate action, so as to prevent irreparable harm, the County Administrator need not issue a notice of non-compliance.~~
- J. ~~The Developer shall file an annual report in accordance with Section 380.06(18), Florida Statutes as amended, and appropriate rules and regulations. The report shall be submitted on Florida Department of Community Affairs Form BLWM-07-85 as amended. Such report shall be due on the anniversary of the effective date of this Amended and Restated Development Order for each following year until and including such time as all terms and conditions of this Amended and Restated Development Order are satisfied. Such report shall be submitted to the Development Services Department which shall, after appropriate review, submit it for review by the Board of County Commissioners. The Board of County Commissioners shall review the report for compliance with the terms and conditions of this Amended and Restated Development Order. The Developer shall be notified of any Board of County Commissioners' hearing wherein such report is to be reviewed. The receipt and review by the Board of County Commissioners shall not be considered a substitute or a waiver of any terms or~~

conditions of this Amended and Restated Development Order. This report shall contain:

1. ~~The information required by the State Land Planning Agency to be included in the Annual Report, which information is described in the Rules and Regulations promulgated by the State Land Planning Agency pursuant to Section 380.06, Florida Statutes; and~~
2. ~~A description of all development activities proposed to be conducted under the terms of this Amended and Restated Development Order for the year immediately following the submittal of the annual report; and~~
3. ~~A statement listing all Applications for Incremental Review required pursuant to this Amended and Restated Development Order or other applicable local regulations which the Developer proposes to submit during the year immediately following submittal of the annual report; and~~
4. ~~A statement setting forth the name(s) and address(es) of any heir, assignee or successor in interest to this Amended and Restated Development Order.~~
5. ~~A description of the land use conversions and resulting Land Use Schedule, with cumulative land use totals, and the remaining amounts of land use available.~~

~~(amended: Resolution No. R99-005).~~

JK. The provisions of this Amended and Restated Development Order shall not be construed as a waiver of or exception to any rule, regulation, or ordinance of Hillsborough County, its agencies and commissions, and to the extent further review is provided for in this Development Order or required by Hillsborough County, said review shall be subject to all applicable rules, regulations, and ordinances in effect at the time of the review.

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K. This Amended and Restated Development Order shall become effective upon adoption by the Board of County Commissioners of Hillsborough County ~~and transmittal~~ in accordance with Section 380.06, Florida Statutes.

IV. SPECIFIC CONDITIONS

A. Phasing Schedule, Deadlines and Land Use Conversions

The approved Map H for the Tampa Triangle DRI, dated August ~~27, 2021~~ 30, 2016, is attached hereto as **Exhibit "B"**. The Tampa Triangle project is approved with a buildout date of ~~September 23, 2025~~ July 4, 2019. ~~Prior to July 4, 2019, the Developer shall re-evaluate the parameters of the Transportation Analysis used for NOPC #6 (Resolution #01-042) and submit said documentation to Hillsborough County and the Florida Department of~~

~~Transportation for review and approval. The documentation shall compare the most recent available data at the time of the report to the data contained in the Transportation Analysis conducted for this NOPC for the following parameters:~~

~~Project Land Uses
Trip Generation
Value of Budgeted Roadway Improvements
Roadway Costs~~

~~A meeting shall be held with the County and FDOT staff to establish a methodology for performing the re-evaluation. The County shall approve the proposed methodology.~~

~~The re-evaluation shall be presented to the Board of County Commissioners for review. If the Board finds that any one of the parameters exceeds a 15 percent variance that would result in an increased proportionate share cost of the project, the Developer shall be required to file an NOPC to re-evaluate the project's transportation mitigation obligations. If the Board finds that none of the parameters exceeds a 15 percent variance from the Transportation Analysis that would result in an increased proportionate share cost, then the buildout date of the project shall be extended from July 4, 2019 to July 4, 2021.~~

~~(amended: Resolution No. R92-0167; Resolution No. R94-0272; Resolution No. R96-215; Resolution No. R99-005; Resolution No. R01-042; Resolution No. R02-276; Resolution No. R06-105, which extended the buildout date pursuant to this Section IV(A)(1); Resolution 09-037, which extended the buildout date pursuant to Section 380.06(19)(c), Florida Statutes and amended Map H to depict an internal roadway and to add internal access points; Resolution 12-155, which acknowledged buildout extensions granted by the Florida Legislature; Resolution R16-128; Resolution 22- dated the revised Map H, extended the buildout date and deleted the previously required follow up transportation analysis condition, pursuant to meetings with the County transportation staff and due to the County's mobility fee ordinance currently in effect.)~~

1. If the Developer elects to amend the proposed phasing schedule, he shall submit said amendments to the Development Services Department for review and approval as required by law, which approval shall not be withheld for mere acceleration or deceleration of phases if the terms of this Order are otherwise fully complied with. Any significant departure in project build-out from the phasing schedule set forth in the Application shall be subject to a substantial deviation determination pursuant to Section III.H., herein Chapter 380.06(19), Florida Statutes as amended.
2. The physical development of Tampa Triangle shall begin within three years of the effective date of the Development Order (Resolution No. R87-0319).

3. This Amended and Restated Development Order shall remain in effect for a period up to and including September 23, 2025~~July 4, 2019~~. No Development shall be approved after expiration of the Amended and Restated Development Order. Any development activity for which plans have been submitted to the County for its review and approval prior to the expiration date of this Amended and Restated Development Order may be completed in accordance with the requirements of the Amended and Restated Development Order, if approved. This Amended and Restated Development Order may be extended by the Board of County Commissioners of Hillsborough County on the finding of excusable delay in any proposed development activity. However, any application for extension must be filed with Hillsborough County a minimum of thirty (30) days prior to the expiration date of this Order.

(amended: Resolution No. R96-215; Resolution No. R99-005; Resolution No. R06-105; Resolution R09-037; Resolution R12-155; Resolution R22-)

4. The development shall not be subject to down-zoning, or intensity reduction until September 23, 2025~~July 4, 2019~~, unless the local government can demonstrate that substantial changes in the conditions underlying the approval of the Amended and Restated Development Order have occurred, or the Amended and Restated Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by local government to be essential to the public health, safety, or welfare.

(amended: Resolution No. R96-215; Resolution No. R99-005; Resolution No. R06-105; Resolution R09-037; Resolution 12-155; Resolution R22-)

6. Maximum And Minimum Development Potential / Conversion

Approved Land Uses	Minimum Quantities	Maximum Quantities ⁽¹⁾	Currently Approved Program ⁽²⁾⁽³⁾
Office	400,000	1,100,000	508,653
Retail	10,000	50,000	24,750 13,687
Service Center ⁽⁴⁾	--	250,000 250,000	50,000
Multi-Family	240	1,230 1,630	930 1,110

1. Maximum development is also limited to 1,325 PM peak hour trips.
2. Base program for application of trade-off matrix.
3. A trade-off was made in 2003, wherein the Office entitlements were reduced to 669,679 and the Multi-Family units increased to 616. An additional trade-off was made in 2013 wherein Office entitlements were reduced to 508,653 sq. ft. and Multi-Family units increased to 930. An additional trade-off was made in 2017 (per email between John Healey and Clayton Bricklemeyer, dated March 24, 2017) wherein Retail entitlements were reduced to 13,687 sf and Multi-Family units were increased to 1,110.
4. "Service Center" includes office and warehouse.

The conversion from one land use to another to achieve a net zero increase in P.M. peak hour traffic shall be in accordance with the Land Use Conversion Table attached hereto as **Exhibit "C."**

If the Developer elects to implement the trade-off mechanism, he shall file with Hillsborough County, ~~Tampa Bay Regional Planning Council and the Department of Economic Opportunity~~ a revised Map H including a Land Use schedule identifying what conversions have been made and a Revised General Site Plan for zoning purposes.

(added: Resolution No. R 99-005; amended: Resolution No. R02-276; Resolution 09-037, to reflect the use of the trade-off mechanism in 2003; Resolution R12-155, to reflect a change in maximum quantity of multi-family units; Resolution R16-~~128~~, to reflect a further change in maximum quantity of multi-family units; Resolution R22- to reflect a change in maximum quantities of multi-family units and service center square footage and to reflect a change in the currently approved program for retail and multi-family land uses based on trade-off mechanism use in 2017).

B. Transportation

1. The TAMPA TRIANGLE project is limited to a maximum of 1,325 external PM peak hour trips.

(amended: Resolution No. R02-276)

An annual monitoring program for the total TAMPA TRIANGLE project which will record driveway volumes in the evening peak hour shall be started when Certificates of Occupancy have been issued for 400,000 square feet of office space, (or the equivalent thereof in terms of trip generations) and continue until build-out. If the driveway volumes exceed more than 15 percent of those projected for peak hour (1,325 p.m. peak hour trips) in the Transportation Analysis conducted for NOPC # 6 (Resolution #01-042), a substantial deviation determination shall be required. If the variance is determined to be a substantial deviation, a revised transportation analysis will be required based upon results of the monitoring programs and agreements reached at another transportation methodology meeting to be held prior to the preparation of the new analysis. With each increment of development following the approval of the revised Development Order filed on September 15, 2021, a transportation analysis will be required to record driveway volumes in the evening peak hour for any development beyond 400,000 square feet of office space, (or the equivalent thereof in terms of trip generations) and continue until build-out. If the driveway volumes exceed more than 15 percent of those projected for peak hour (1,325 p.m. peak hour trips) in the Transportation Analysis conducted for NOPC # 6 (Resolution #01-042), that project/development will be required to pay the appropriate mobility fees.

~~2.~~

(deleted: Resolution No. R22-)

~~3.2.~~ INTENTIONALLY DELETED. Condition satisfied by Developer.

(deleted: Resolution No. R02-276)

~~4.3.~~ The Developer shall receive credit against impact fees, pursuant to law. The application and payment of impact fees in itself will not constitute funding commitments for the required right-of-way dedications and transportation improvements. Any difference between the Required Improvement Costs and the sum of the costs of the Required Design and the Required Improvements (the "Difference") shall be paid in cash prior to the issuance of the final Certificate of Occupancy for the project, provided that the developer may elect to make other improvements of a value equivalent to the Difference, subject to approval by the Hillsborough County Engineering Department. The Developer's completion of the Required Design and Required Improvements and payment of the Difference, or completion of the improvements and in lieu of the Difference as provided for herein, shall be deemed to fully and completely satisfy any and all of its obligations under the law to mitigate the traffic impacts of the TAMPA TRIANGLE project.

~~5.4.~~ A pedestrian circulation system and bicycle circulation system shall be provided within the project. The pedestrian system shall include internal sidewalks. Additionally, external sidewalks to the project in the right-of-way area of the major roadways (i.e., U.S. 301 and Causeway Boulevard) shall be

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required. The bicycle system shall incorporate whatever elements are necessary to complement the County Bicycle Plan and extend the County System into TAMPA TRIANGLE. No detailed site plans shall be approved which do not indicate these systems and their exact locations.

56. INTENTIONALLY DELETED. Condition satisfied by Developer.

(amended: Resolution No. R90-032; deleted: Resolution No. R02-276).

67. INTENTIONALLY DELETED. Condition satisfied by Developer.

(deleted: Resolution No. R02-276).

78. Except for items, if any, that relate solely to a particular development parcel, Hillsborough County will proceed first against the Developer for satisfaction of requirements of the Amended and Restated Development Order, including but not limited to, the Required Design, the Required Improvements Costs, and the Required Improvement provided, however, that the Developer shall be responsible for all Amended and Restated Development Order requirements.

(amended: Resolution No. R96-215).

C. Air Quality

1. If any proposed change is determined to be a substantial deviation, Hillsborough County shall determine whether the nature of the proposed change(s) is such that it would require a re-analysis of the air quality impacts of this project or if such proposed change includes uses which are determined to be point sources of air pollution. If a re-analysis is warranted as determined by Hillsborough County, the Developer shall perform point source air quality analyses and the Developer shall take remedial measures as required by Hillsborough County, all in accordance with applicable law.
2. The measures to reduce erosion, fugitive dust and air emission stated on pages 13-4, 13-5 and 14-4 and 14-5 of the ADA shall be required.

D. Stormwater Management and Water Quality

1. In order to protect water quality, there shall be no degradation of water quality standards from stormwater exiting the site. If the regulatory agencies with jurisdiction deem a water quality monitoring program necessary prior to groundbreaking or subsequent to build-out, the Developer shall provide a water quality monitoring program to the satisfaction of the regulatory agency (ies). Any violation of Chapter 17-3 Florida Administrative Code (F.A.C.) shall require corrective measures as set forth by Florida Department of Environmental Protection (FDEP). The following shall apply:

- a. Sampling locations and frequencies shall be determined to the satisfaction of the applicable agency (ies).
 - b. All water quality analytical methods and procedures shall be thoroughly documented and shall comply with EPA/ FDER Quality Control Standards and Requirements.
 - c. The monitoring results shall be submitted to Hillsborough County Environmental Protection Commission (EPC) and the applicable agency (ies). Should the monitoring indicate that applicable state water quality standards are not being met, the violation shall be reported to Hillsborough County immediately and all construction within project where the violation is noted shall cease until the violation is corrected; or if specific construction activities can be identified as causing the violation, all such activity shall cease until the violation is corrected.
2. Prior to the issuance of any building permits the Final Drainage Plan and drainage calculations shall be submitted by the Developer to TBRPC and FDEP for review and to Hillsborough County and Southwest Florida Water Management District (SWFWMD) for approval. The drainage system shall be designed to meet all applicable Hillsborough County and SWFWMD regulations, and shall be consistent with the Preliminary Master Drainage Plan submitted to Hillsborough County during review of this DRI and with the SWFWMD Conceptual Permit No. 490324 issued on September 4, 1985, provided that such drainage facilities are installed within two years after the effective date of this Development Order (Resolution 87-0319). Otherwise, the County drainage criteria in existence at the time of construction of the respective project phases shall be the prevailing criteria to use for design and construction unless other affected agencies' drainage criteria is more restrictive. If flooding conditions exist downstream of the DRI's outfall, more restrictive criteria may apply.
 3. The drainage system shall function in a manner as to rejuvenate the cypress head located in the northeast corner of the development site.
 4. Due to the "volume sensitive" nature of Delaney Creek, new development in the Delaney Creek Watershed must satisfy Hillsborough County and SWFWMD requirements, including the following criteria (1986 Ghioto, Singhofen and Associates, Inc. Delaney Creek Stormwater Management Master Plan, ES-7 and ES-8). Only a portion of the site is within the Delaney Creek Watershed area.
 - a. Compensating storage must be provided for any encroachment into the 100-year flood plain.
 - b. The peak rate of discharge resulting from the 100-year 24-hour storm under post-development conditions must not exceed the pre-development peak rate of runoff from the 100-year 24-hour storm.

- c. The volume of runoff discharged from the 100-year 24-hour storm under post-development conditions must not exceed that amount of runoff produced from the pre-development 100-year 24-hour storm.
5. Stormwater detention/retention pond design requirements for the development shall be as listed below unless otherwise approved by the Hillsborough County Environmental Protection Commission and the Hillsborough County Drainage Engineer:
 - a. The side slopes shall be no greater than 4:1.
 - b. The banks shall be completely vegetated to the design low water elevation.
 - c. The sides and the bottom of each pond shall not be constructed of impervious material.
6. The County shall notify the developer as to what drainage easements or right-of-way will be required by the County's Stormwater Management Department, in accordance with applicable County rules and regulations, prior to Master Drainage Plan approval. The Developer shall grant such easements to the County prior to the issuance of construction plan approval for the project.
7. In order to protect water quality, the Developer shall implement a vacuum street cleaning program for the parking and roadway areas within the development.
8. The Developer shall be responsible for the operation and maintenance of the on-site drainage facilities excluding easements maintained by Hillsborough County.

E. Wetlands

1. In order to protect the natural values of preserved/conserved wetland areas, the following shall be required:
 - a. Except as otherwise permitted by agencies having jurisdiction:
 - (1) No hydroperiod alteration shall be permitted in conservation or preservation areas identified on the Master Development Plan.
 - (2) No dredging, filling or development activities will be allowed within preservation areas. Activities within the conservation areas shall be limited to approved stormwater management outfall structures and boardwalks.

2. All on-site conservation area(s) shall be preserved unless a mitigation plan is approved by the Environmental Protection Commission and other appropriate jurisdictional agencies and submitted to the Development Services Department. All mitigation areas and littoral shelves shall be monitored in accordance with the requirements of the agency or agencies issuing the permit for such mitigation.
3. All wetland losses shall require a minimum of 1:1 in-kind wetland replacement. Mitigation for wetland losses shall be implemented prior to or concurrent with the wetlands being destroyed.
4. In the event that any species listed in Sections 39-27.03-.05, F.A.C. are observed frequenting the site for nesting, feeding, or breeding, proper mitigation measures shall be employed by the Developer in cooperation with the Florida Fish and Wildlife Conservation Commission.
5. The land use designations for those portions of the TAMPA TRIANGLE site which meet the definition of preservation and conservation areas, as defined in the Regional Planning Council's adopted growth policy, Future of the Region, Section 10.1.2 and 10.3.1, shall be designated on the revised General Development Plan submitted to Hillsborough County.
6. The Developer shall preserve representation tracts of coniferous forest and xeric oak communities listed on pages 18-6 and 18-7 of the ADA in a manner which will ensure their continued natural function and value.

F. Public Facilities

1. Prior to commercial site plan approval for the development, the Developer shall stipulate to the satisfaction of Hillsborough County the manner by which the developer will participate in the provision or expansion of internal water supply, supply lines, and facilities to service the project. No building permits shall be issued without an approved, permitted potable water distribution system and available capacity for that portion of the building construction.
2. Prior to detailed site plan approval for the development, the Developer shall ensure the provision of fire flows acceptable to Hillsborough County. The installation of a sprinkler system, fire hydrants or fire plan shall be options to ensure the provision of acceptable fire flows. No commercial site plans shall be approved without verification from the Hillsborough County Fire Department that sufficient firefighting facilities / manpower / equipment required to serve the project are available.
3. Prior to issuance of detailed site plan approval for the development, the Developer shall provide documentation to the Development Services Department of a master plan for wastewater collection, treatment and effluent disposal facilities approved and permitted by the Water Department or other

applicable entity. No Zoning Compliance Permits shall be issued without a commitment from Hillsborough County or other responsible entity to provide wastewater disposal capacity for the building(s) that are the subject of such application.

4. Any on-site wastewater treatment plant or disposal system, constructed to serve the project except as may be required pursuant to paragraph J.6 below, shall require a substantial deviation determination pursuant [Section III.H., herein, to Subsection 380.06\(19\), as amended.](#)
5. Prior to issuance of detailed site plan approval for the development, the Developer shall verify to the satisfaction of Hillsborough County that adequate Emergency Management Services capabilities and facilities are available to service the development.
6. The Developer shall be required to provide for recovered wastewater disposal in accordance with any uniformly applicable Hillsborough County ordinance or Water Department take-back policy in effect prior to detailed site plan approval.
7. The Developer shall use non-potable water for landscape and open space irrigation unless otherwise approved by Hillsborough County. The Developer shall identify a plan for using non-potable water for irrigation in the first annual report following issuance of the first Certificate of Occupancy submitted to Hillsborough County, ~~and the TBRPC.~~
8. The collection, transportation and disposal of solid waste are controlled by Hillsborough County ordinance and shall take place in accordance with the terms of said ordinance.
9. Septic tanks may be permitted on a temporary basis for construction purposes only, subject to local regulations.
10. The installation of any on-site well as a source of potable water shall require a substantial deviation determination pursuant to Subsection 380.06(19)(a), F.S., unless required by Hillsborough County.

G. Hazardous Waste

1. Prior to the issuance of Zoning Compliance Permits, the Developer shall, if not in conflict with Hillsborough County plans and policies, and only as required to accommodate hazardous waste generators in the project (if any) provide separate hazardous waste storage areas within the project. These areas shall be accessible to all businesses and shall be marked and/or colored so as to clearly distinguish the areas intended for hazardous wastes and materials. (Hazardous wastes are those substances and materials defined in F.S. 403.703(21), and Title 40 CFR Part 261, as amended).

2. The Developer shall notify in writing all project businesses of the location of the specially-designated hazardous waste and material container.
3. Surface impoundments of hazardous waste, hazardous waste piles, land treatment of hazardous waste, landfills and underground storage of hazardous materials shall be prohibited.
4. Large quantity generators of hazardous substances, as defined by applicable Federal and State regulations, shall implement a site specific surficial aquifer monitoring program as required by Hillsborough County, Hillsborough County Environmental Protection Commission (EPC) and FDEP. An emergency response and hazardous waste management operation plan shall be required for those facilities which generate/handle hazardous wastes, to minimize hazards to human health and the environment. The plans shall describe the procedures and actions required of facility personnel as well as the duties of local EMS / fire and police departments and hospitals. The plan shall be included in the first annual report following occupancy within the development.
5. All temporary hazardous waste storage facilities shall meet applicable federal, state and local laws, rules and regulations, and where appropriate the criteria set forth in Sections 3.913(a), (d) and (e), TBRPC's Future of the Region.
6. Small quantity generators as defined by applicable Federal and State regulations, should obtain United States Environmental Protection Agency (USEPA) identification numbers.
7. The Developer, through restrictive lease agreements or covenants, shall advise tenants and purchasers that any hazardous waste must be transported and disposed of in a manner consistent with applicable laws and regulations.

H. Hurricane Evacuation

1. The Developer shall coordinate with the Hillsborough County Bureau of Emergency Management and the Greater Tampa Chapter of the America Red Cross, as to the feasibility of designating the hotel within the TAMPA TRIANGLE development as a public hurricane evacuation center to shelter the residents of vulnerable areas. A report on the outcome of these discussions shall be submitted in the first annual report prior to issuance of Certificates of Occupancy for the project.

I. Energy Conservation

1. The energy conservation measures referenced on page 25-3 and 25-4 of the ADA shall be complied with by the Developer. The following energy conservation measures shall also be encouraged by the Developer or his assigns for the office, service center, research and development and commercial components of TAMPA TRIANGLE:

- a. The institution of programs to promote energy conservation by employees, buyers, suppliers, and the public.
- b. Reduction in levels of operation of all air conditioning, heating and lighting systems during non-business hours.
- c. Recycling programs.
- d. The use of energy- efficient cooling, heating and lighting systems.
- e. Installation of innovative energy conservation features such as waste heat recovery or solar power where feasible in project's facilities.
- f. Use of the most energy efficient technology economically feasible in the construction and operation of the project development.

J. Equal Opportunity

1. The Developer shall seek, and urge and encourage all contractors and subcontractors to involve minority groups in the development of the project. All office and commercial establishment areas shall be available to all, on a fair and impartial basis.

K. General

1. The discovery of any historical or archaeological resources shall be reported to Hillsborough County and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Hillsborough County.
- ~~2. Any approval of the TAMPA TRIANGLE development shall at minimum, satisfy the provisions of F.S. 380.06(15), as amended.~~
- ~~3.2.~~ The Developer shall maintain all open space and landscaped areas within the project site except for any drainage easements maintained by Hillsborough County.
- ~~4.3.~~ The Developer shall require all buyers or tenants through covenants or deed restrictions to prohibit any users that would be obnoxious due to noise, air odor or visual pollution.

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

I, ~~PAT FRANK~~CINDY STUART, Clerk of the Circuit Court and Ex-Officio Clerk of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the Board as its _____ meeting of _____, 2022~~16~~, as same appears of record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this _____ day of _____, 2022~~16~~.

CINDY STUART~~PAT FRANK~~, CLERK

By: _____
Deputy Clerk

COMPOSITE EXHIBIT "A"

Legal Description

PREPARED BY: POLARIS ASSOCIATES, SURVEYOR

THAT PART OF THE NORTH ¼ OF SECTION 31, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, FORMERLY KNOWN AS PORTIONS OF VACATED LOTS 1, 2, 7, 8, 9, 10 AND 16 IN THE NORTHWEST ¼ AND LOTS 11, 12, 13 AND 14 IN THE NORTHEAST ¼ OF SAID SECTION 31, OF SOUTH TAMPA SUBDIVISION AS RECORDED IN PLAT BOOK 6 PAGE 3, OF THE PUBLIC RECORDS OF SAID COUNTY, TOGETHER WITH PORTIONS OF LOTS D, E AND H OF BOULEVARD VILLAS AS RECORDED IN PLAT BOOK 8 PAGE 45, OF THE PUBLIC RECORDS OF SAID COUNTY TOGETHER WITH LOT 20, LESS THE WEST 16.22 FEET THEREOF AND ALL OF LOTS 21 THROUGH 26, BLOCK A, SUBDIVISION OF LOT A OF BOULEVARD VILLAS AS RECORDED IN PLAT BOOK 25 PAGE 40 OF THE PUBLIC RECORDS OF SAID COUNTY TOGETHER WITH ABUTTING ROAD RIGHT-OF-WAY, ALL OF WHICH BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH ¼ CORNER OF SECTION TOWNSHIP 29 SOUTH, RANGE 20 EAST HILLSBOROUGH COUNTY, FLORIDA, THENCE 5.00°30'20"W., 40.00 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 31 TO THE SOUTH RIGHT-OF-WAY LINE OF CAUSEWAY BOULEVARD THENCE, ALONG SAID LINE, N.89°27'11"W., 90.70 FEET FOR THE POINT OF BEGINNING; THENCE, LEAVING SAID LINE, S.00°30'20"W., 220.00 FEET; THENCE N.89°27'25"W., 292.44 FEET; THENCE S.00°18'12"W., 763.21 FEET TO A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 720.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE 306.98 FEET THROUGH A CENTRAL ANGLE OF 24°25'43" (CHORD BEARING S.13°30'36"E., 304.66 FEET); THENCE NON-TANGENT FROM SAID CURVE S.89°27'52"E., 1634.78 FEET; THENCE S.00°12'51"W., 1348.81 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 31; THENCE, ALONG SAID LINE, N89°35'35"W., 1981.87 FEET; THENCE LEAVING SAID LINE, N.00°06'43"E., 671.36 FEET, THENCE N.89°15'27"W., 322.94 FEET; THENCE N.00°18'56"E., 380.92 FEET; THENCE S.89°26'26"E., 162.04 FEET; THENCE N.00°20'38"E., 300.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ALONZO ROAD; THENCE ALONG SAID LINE THE FOLLOWING N.89°26'26"W., 500.01 FEET; THENCE N.89°43'07"W., 392.29 FEET; THENCE N.00°05'59"E., 15.05 FEET THENCE N.89°54'01"W., 170.60 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 301 (STATE ROAD 43); THENCE ALONG SAID LINE THE FOLLOWING N.11°18'59"W., 365.92 FEET; THENCE N.08°05'36"W., 613.79 FEET TO THE SOUTH LINE OF SAID SUBDIVISION OF LOT A OF BOULEVARD VILLAS; THENCE, ALONG SAID LINE, S.89°27'29"E., 260.38 FEET; THENCE N. 00°10'43"E., 161.80 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CAUSEWAY BOULEVARD; THENCE, ALONG SAID LINE THE FOLLOWING S.89°27'29"E., 445.17 FEET; THENCE N.81°39'08"E., 764.31 FEET TO A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1809.86 FEET; THENCE EASTERLY ALONG SAID CURVE, 280.96 FEET THROUGH A CENTRAL ANGLE OF 08°53'41" (CHORD BEARING N. 89°05'58"E., 280.68 FEET) THENCE S.89°27'11"E., 213.87 FEET TO THE POINT OF BEGINNING.

CONTAINING 109.4096 ACRES MORE OR LESS

TOGETHER WITH

THAT PART OF THE NORTHWEST ¼ OF SECTION 31, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, FORMERLY KNOWN AS PORTIONS OF LOTS I AND L OF BOULEVARD VILLAS AS RECORDED IN PLAT BOOK 8 PAGE 45, OF THE PUBLIC RECORDS OF SAID COUNTY TOGETHER WITH ABUTTING ROAD RIGHT-OF-WAY, ALL OF WHICH BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH ¼ CORNER OF SECTION 31, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, THENCE S.00°11'47"W., 40.00 FEET, ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 31 TO THE SOUTH RIGHT-OF-WAY LINE OF

CAUSEWAY BOULEVARD, THENCE ALONG SAID LINE, N89°27'11"W., 90.70 FEET; THENCE, LEAVING SAID LINE, S.00°30'20"W., 220 FEET; THENCE N.89°27'25"W., 292.44 FEET; THENCE S.00°18'12"W., 763.21 FEET TO A NON TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 720.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE 306.98 FEET THROUGH A CENTER ANGLE OF 24°25'43" (CHORD BEARING S.13°30'36"E., 304.66 FEET), THENCE NON-TANGENT FROM SAID CURVE S.89°27'52"E., 1634.78 FEET; THENCE S. 00°12'51"W., 1348.81 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 31; THENCE, ALONG SAID LINE, N89°35'35"W., 1981.87 FEET; THENCE LEAVING SAID LINE, N00°06'43"E., 671.36 FEET THENCE N.89°15'27"W., 322.94 FEET; THENCE N.00°18'56"E., 380.92 FEET; THENCE S.89°26'26"E., 162.04 FEET; THENCE N.00°20'38"E., 300.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF ALONZO ROAD; THENCE ALONG SAID LINE N.89°26'26"W., 500.01 FEET; THENCE LEAVING SAID LINE S.00°21'47"W., 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID ALONZO ROAD AND THE POINT OF BEGINNING; THENCE CONTINUE S.00°21'47"W., 659.94 FEET; THENCE N.89°26'22"W., 454.11 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 301 (STATE ROAD NO. 43); THENCE ALONG SAID LINE THE FOLLOWING, N.08°05'36"W., 631.86 FEET; THENCE N.11°18'59"E., 27.72 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID ALONZO ROAD; THENCE, ALONG SAID LINE THE FOLLOWING, S.89°54'01"E., 160.51 FEET, THENCE N.00°05'59"E., 4.95 FEET; THENCE S.89°43'07"E., 392.15 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.5878 ACRES MORE OR LESS
0072487 LEG

TOGETHER WITH

A PARCEL OF LAND LYING IN THE NORTH ½ OF SECTION 31, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY, FLORIDA, AND ALSO BEING A PORTION OF TRACT 4 IN THE NORTHEAST ¼ AND TRACTS 3 AND 8 IN THE NORTHWEST ¼ OF SAID SECTION 31, SOUTH TAMPA SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 3 PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE NORTH ¼ CORNER OF SECTION 31, TOWNSHIP 29 SOUTH, RANGE 20 EAST, HILLSBOROUGH COUNTY RUN THENCE S.00°12'43"W., 39.94 FEET ALONG THE EAST BOUNDARY OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 31 TO THE SOUTH RIGHT-OF-WAY LINE OF CAUSEWAY BOULEVARD FOR A POINT OF BEGINNING; THENCE S.89°26'29"E., 660.90 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT ON THE EAST BOUNDARY OF THE AFORESAID TRACT 4, SOUTH TAMPA SUBDIVISION; THENCE S.00°08'34"W., 626.87 FEET ALONG SAID EAST BOUNDARY TO THE SOUTHEAST CORNER OF SAID TRACT 4, THENCE N.89°25'26"W., 646.66 FEET ALONG THE SOUTH BOUNDARY OF SAID TRACT 4 TO THE SOUTHWEST CORNER THEREOF; THENCE S.00°12'43"W., 652.02 FEET ALONG THE WEST BOUNDARY OF TRACT 5 IN THE NORTHEAST ¼ OF SAID SOUTH TAMPA SUBDIVISION TO THE SOUTHWEST CORNER THEREOF; THENCE N.89°27'22"W., 328.56 FEET ALONG THE SOUTH BOUNDARY OF THE AFORESAID TRACT 8 AND THE EASTERLY PROJECTION THEREOF TO A POINT ON A CURVE; THENCE NORTHERLY, 306.98 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 720.00 FEET, A CENTRAL ANGLE OF 24°25'43", AND A CHORD BEARING AND DISTANCE OF N.13°29'40"W., (N.13°30'14"W., BY PREVIOUS DESCRIPTION), 304.66 FEET TO A POINT OF TANGENCY; THENCE N.00°19'08"E., (N.00°18'34"E., BY PREVIOUS DESCRIPTION), 763.21 FEET; THENCE S.89°26'29"E., 292.44 FEET; THENCE N00°31'16"E., 220.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF CAUSEWAY BOULEVARD; THENCE S.89°26'29"E., 90.70 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

LESS THE FOLLOWING PORTIONS OF VACATED RIGHTS-OF-WAY:

A VACATED PORTION OF A THIRTY (30) FOOT PLATTED RIGHT-OF-WAY AS RECORDED IN OR BOOK 10250, PAGE 0234, PUBLIC RECORDS OF HILLSBOROUGH COUNTY FLORIDA, AND A VACATED PORTION OF A PLATTED TWENTY-FIVE (25) FOOT RIGHT-OF-WAY RECORDED IN OR BOOK 11003, PAGE 1271, PUBLIC RECORDS OF HILLSBOROUGH COUNTY, FLORIDA.

EXHIBIT "B"

Map H

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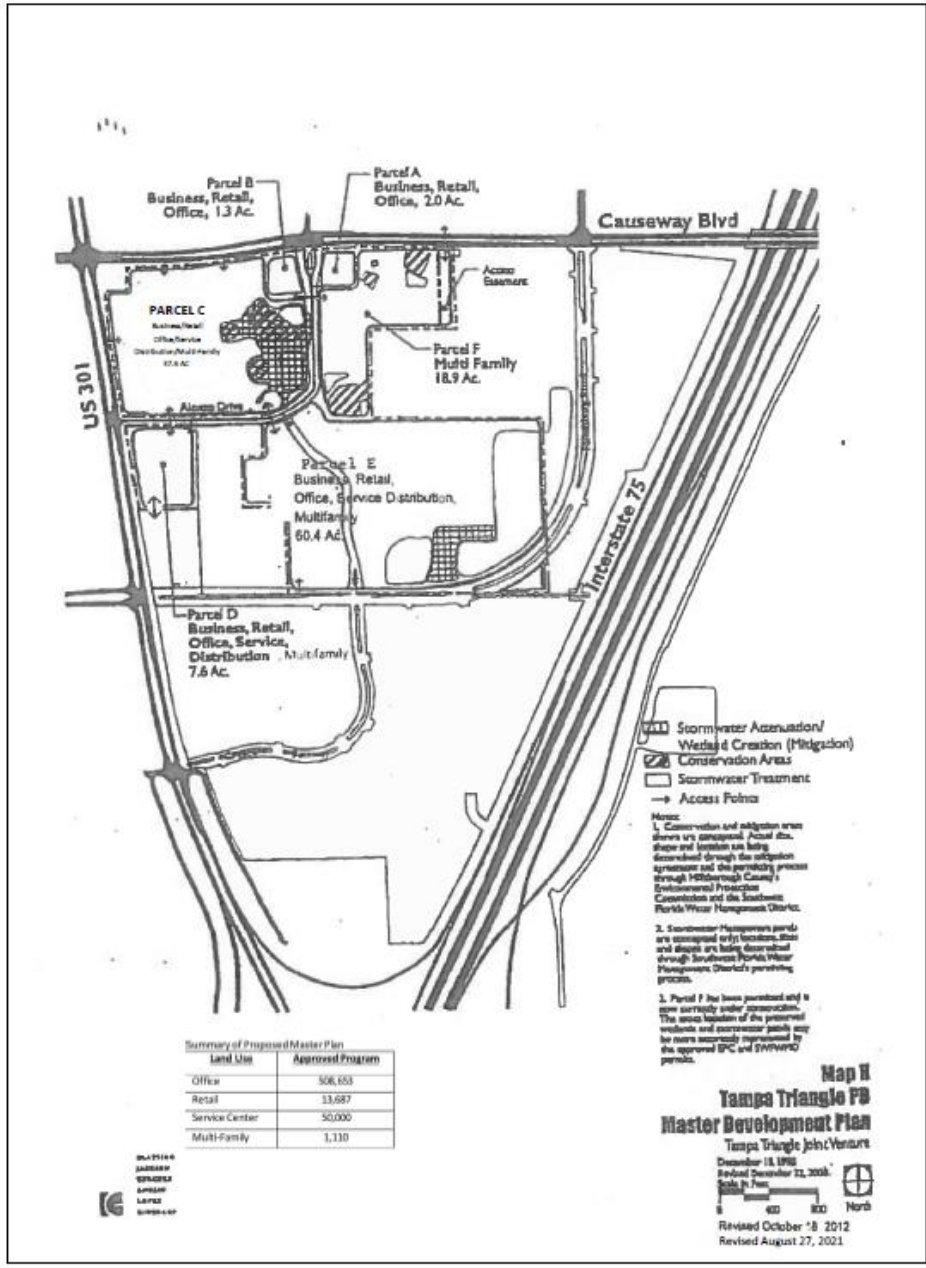


EXHIBIT "C"

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Land Use Conversions Tampa Triangle DRI ⁽¹⁾

		<u>CHANGE FROM</u>			
		Office	Retail	Service Center	Multi-Family
CHANGE TO	Office	--	8.34 KSF / KSF	0.76 KSF / KSF	0.51 KSF / DU
	Retail	0.12 KSF / KSF	--	0.09 KSF / KSF	0.06 KSF / DU
	Service Center	1.31 KSF / KSF	10.97 KSF / KSF	--	0.67 KSF / DU
	Multi-Family	1.95 DU / KSF	16.27 DU / KSF	1.48 DU / KSF	--

(1) All land use conversions are subject to the Maximum and Minimum land use quantities allowed under this Development Order.

Examples:

- 1.) Office to Retail
 - Add 10,000 square feet of retail by reducing office
 - $10 \text{ KSF} / (0.12 \text{ KSF} / \text{KSF}) = 83.333 \text{ KSF}$
 - Reduce office by 83,333 square feet

- 2.) Office to Service Center
 - Add 10,000 square feet of service center by reducing service center
 - $10 \text{ KSF} / (1.31 \text{ KSF} / \text{KSF}) = 7.634 \text{ KSF}$
 - Reduce office by 7,634 square feet

- 3.) Office to Multi-Family

- Add 100 DU's of multi-family by reducing office
- $100 \text{ DU} / (1.95 \text{ DU/KSF}) = 51.282 \text{ KSF}$
- Reduce office by 51,282 square feet

4.) Retail to Service Center

- Add 10,000 square feet of service center by reducing retail
- $10 \text{ KSF} / (10.97 \text{ KSF/KSF}) = 0.912 \text{ KSF}$
- Reduce retail by 912 square feet

5.) Retail to Multi-Family

- Add 100 DU's of multi-family by reducing retail
- $100 \text{ DU} / (16.27 \text{ DU/KSF}) = 6.146 \text{ KSF}$
- Reduce retail by 6,146 square feet

6.) Service Center to Multi-Family

- Add 100 DU's of multi-family by reducing service center
- $100 \text{ DU} / (1.48 \text{ DU/KSF}) = 67.568 \text{ KSF}$
- Reduce service center by 67,568 square feet