

ORDINANCE NO. 821

AN ORDINANCE OF THE CITY OF TEMPLE TERRACE, FLORIDA, AMENDING TEMPLE TERRACE ORDINANCE NO. 544, AS AMENDED BY ORDINANCES NO. 585 AND 682; CONSTITUTING A DEVELOPMENT ORDER ISSUED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FOR GTE/COLLIER-326; A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FINDINGS OF FACT; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR AMENDMENTS TO SECTION 4 OF THE DEVELOPMENT ORDER TO PROVIDE FOR A TRADE-OFF SCHEDULE, PHASE COMPLETION DATES AND CREDITS FOR CONSTRUCTION OF ROAD IMPROVEMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in August 1984, GTE Realty and Collier Enterprises (hereinafter collectively referred to as the "Developer") filed an Application for Development Approval for a Development of Regional Impact ("Tampa Telecom Park") with the City of Temple Terrace ("the City") pursuant to the provisions of Section 380.06, Florida Statutes; and

WHEREAS, on March 29, 1985, the City approved the Development Order for the Tampa Telecom Park;

WHEREAS, in 1986, the Developer filed with the City proposed amendments to the existing Development Order, which amendments provided for a modified building development schedule based upon trip generation, annual monitoring requirements for drainage basins, and an amended improvement fee payment schedule;

WHEREAS, on June 17, 1986, the City approved the amendments and found that the changes did not constitute a substantial deviation from the existing Development Order as defined in Chapter 380, Florida Statutes; and

WHEREAS, on February 7, 1989, the City approved additional amendments to the Development Order relating to the regulation of signs within the Tampa Telecom Park; and

WHEREAS, on July 24, 1992, the Developer filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact (DRI) pursuant to Subsection 380.06(19), Florida Statutes (Notice of Change) proposing to provide a trade-off mechanism and clarifying the procedure for calculation of credits relating to construction of road improvements; and

WHEREAS, the Department of Community Affairs has required the Developer to assign phase completion dates to the phases described in the original Development Order, which dates were deleted in the 1986 amendments; and

WHEREAS, the Developer proposes to extend the phase completion dates included in the original Development Order (Ordinance No. 544) by four years, eleven months and 25 days; and

WHEREAS, the Department of Community Affairs has required that the Developer create minimum intensity levels for certain uses in the project; and

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

WHEREAS, the Mayor and City Commission have reviewed the proposed amendments and have determined that they do not constitute a substantial deviation either singularly or in the aggregate with prior amendments to the Development Order, as defined in Section 380.06(19), Florida Statutes; and

WHEREAS the Mayor and City Council have reviewed the Notice of Change, as well as all related testimony and evidence submitted by all parties and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF TEMPLE TERRACE, FLORIDA:

Section 1. Introduction.

This ordinance shall constitute an amendment to the GTE/Collier-326 Development Order as previously amended.

## Section 2. Findings.

The City Council, having received all related comments, testimony and evidence submitted by each party and members of the general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The amendments to the Development Order, as described herein, do not create a change to a previously approved DRI constituting a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.
- B. All statutory procedures have been adhered to.
- C. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.

## Section 3. Conclusions of Law.

The City Council having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the proposed amendments will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

B. The proposed amendments are consistent with the applicable land development regulations and local comprehensive plan of the City.

C. The Development Order is hereby reaffirmed in its entirety except as amended by this Ordinance.

Section 4. Order.

Having made the above findings of fact and conclusions of law, it is ordered that the Development Order be amended as follows:

A. Section 4, paragraph N, subparagraph 1 of the Development Order is amended to create phase completion dates. The revised paragraph reads as follows:

1. Building Development Schedule. Development, other than utilities and infrastructure improvements, shall be constructed as follows:

PHASE I (1992: Completion Date)		CUMULATIVE TOTAL BY USE
Office	330,000 sq. ft. GLA*	330,000 sq. ft. GPA*
Service Center	270,000 sq. ft. GLA*	270,000 sq. ft. GLA*
Light Manufacturing	300,000 sq. ft. GLA*	300,000 sq. ft. GLA*
Peak Hour Offsite Vehicle Trips		IN 308      OUT 919

**PHASE II  
(1992-1995)**

Office	420,000 sq. ft. GLA*	750,000 sq. ft. GLA*
Service Center	130,000 sq. ft. GLA*	400,000 sq. ft. GLA*
Retail	50,000 sq. ft. GLA*	50,000 sq. ft. GLA*
Hotel	350 rooms	350 rooms
Light	300,000 sq. ft. GLA*	600,000 sq. ft. GLA*
Manufacturing		
Peak Hour Offsite		IN 561 OUT 1414
Vehicle Trips		

**PHASE III  
(1995-1998)**

Office	700,000 sq. ft. GLA*	1,450,000 sq. ft. GLA*
Service Center	300,000 sq. ft. GLA*	700,000 sq. ft. GLA*
Retail	N/A	50,000 sq. ft. GLA*
Hotel	N/A	350 rooms
Light	100,000 sq. ft. GLA*	700,000 sq. Ft. GLA*
Manufacturing		
Peak Hour Offsite		IN 835 OUT 2526
Vehicle Trips		

**PHASE IV  
(1998-2000)**

Office	600,000 sq. ft. GLA*	2,050,000 sq. ft. GLA*
Service Center	300,000 sq. ft. GLA*	1,000,000 sq. ft. GLA*
Retail	N/A	50,000 sq. ft. GLA*
Hotel	N/A	350 rooms
Light	100,000 sq. ft. GLA*	800,000 sq. ft. GLA*
Manufacturing		
Peak Hour Offsite		IN 1197 OUT 3908
Vehicle Trips		

\* GROSS LEASABLE AREA

B. Section 4, paragraph N, subparagraph 3(a), (b), and (c) of the Development Order is amended to create a trade-off schedule and clarify earlier amendments relating to development flexibility and to delete subparagraphs 3(a), (b), and (c). The revised paragraph reads as follows:

3. Construction of GTE/Collier - 326 substantially in accordance with the building development schedule and site development schedule set forth above is a condition of this Order. The City's determination of substantial compliance with the building development schedule shall be predicated on both the relative mix of uses and off-site vehicle trip generation rates as follows.

The Developer shall be permitted to trade-off one or more of the approved land uses for the project consistent with the requirements of this paragraph. The trip generation rates provided below for each approved land use shall be utilized to calculate the amount of p.m. peak hour off-site vehicle trips which are attributed to the project to determine what phase the development is in. Calculation of the total p.m. peak hour traffic shall include both the actual and projected traffic generated by existing uses as well as trips projected to be generated by uses for which approval is being sought. The Developer shall provide the Department with a copy of any proposed trade-off calculation for its review and approval prior to the trade-off becoming effective. When the number of p.m. peak hour off-site vehicle trips equals the number of p.m. peak hour off-site vehicle trips that would occur to commence the subsequent building development phase as described in 4.N.1., above, the Developer shall make all contributions and shall perform all conditions required to

proceed into the subsequent building development phase. In no event shall the Developer construct more than 350,000 square feet of light manufacturing uses on 50,000 square feet of commercial/retail uses for the entire project. Finally, the Developer shall construct during development of the project the following minimum intensities for the described uses:

- a. Office 1,025,000 square feet;
- b. Service Center 125,000 square feet;
- c. Light Industrial 126,000 square feet;
- d. Retail 6,000 square feet

#### TRIP GENERATION RATE CHART

<u>Land Use</u>	<u>Size</u>	<u>P.M. Peak Hour Trips</u>
Office	1,000 sq. ft.	1.22
Light Manufacturing	1,000 sq. ft.	0.75
Service Center	1,000 sq. ft.	0.62
Day Care	1,000 sq. ft.	1.04
Retail	1,000 sq. ft.	5.99
Hotel	1 room	0.45

- B. Section 4, paragraph R.3. of the Development Order is amended to clarify the process for calculation of credits for construction of road improvements. The revised paragraph reads as follows:

The Developer with the concurrence of the City shall have the option, with each building development phase to contribute the amount of money specified as its fair share of the construction costs and/or of constructing the improvements listed below.

The Developer shall receive credit for the costs incurred for construction of the improvements. The credits received shall be equal to the reasonable costs incurred by the Developer for activities including but not limited to improvement design, construction administration, and construction (including construction costs attributable to expansion of the improvement beyond the limits originally identified by the responsible agency). Prior to electing the construction option, the Developer shall meet with the City to identify the proposed improvement and estimated construction cost. The Developer shall, to the extent possible, certify actual costs of the improvements to the City; provided, the City may require reasonable supporting documentation which establishes the sums incurred, that the costs incurred are directly related to the improvements and that such sums are reasonable in amount. The credit received by the Developer pursuant to this paragraph shall be applied against the Developer's required contributions. In addition to the credit applicable to right-of-way

dedicated by Developer as described in paragraph R.4., below, the Developer shall also receive a credit in the amount of \$368,559.00 for acquisition of required right-of-way from other owners along Fletcher Avenue. This amount includes the costs incurred by the Developer in paying for right-of-way condemned by Hillsborough County. The total credit due the Developer for acquisition/dedication of right-of-way and construction of improvements to Fletcher Avenue completed during Phase I is \$1,718,663.00. All off-site construction of County roads and streets shall comply with Florida Department of Transportation ("FDOT") or County standards relating to roadway design and construction as of the date the construction is initiated.

#### Section 5. Repeal of Conflicting Ordinances

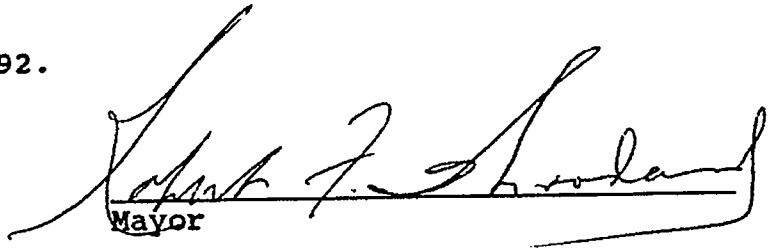
All ordinances or parts or ordinances not specifically in conflict herewith are hereby continued in full force and effect, but all ordinances or parts or ordinances in conflict herewith are hereby repealed.

#### Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage, approval and being posted or published as required by law.


PASSED AND ORDAINED BY THE  
CITY COUNCIL OF THE  
CITY OF TEMPLE TERRACE, FLORIDA,  
THIS 3<sup>rd</sup> DAY OF November 1992.

APPROVED BY THE MAYOR THIS  
25<sup>th</sup> DAY OF November, 1992.

  
\_\_\_\_\_  
Mayor

(CORPORATE SEAL)

ATTEST:

  
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City Clerk

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