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OFFICE OF CITY CLERK

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

FRANCES HENRIQUEZ  
City Clerk

January 24, 1980

*SL - This ordinance is not adopted? See with [unclear] [unclear]*

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

Attention: Scott Wilson

Re: Ordinance No. 7368-A

Dear Sir:

The Tampa City Council held its regular meeting on January 22, 1980 and adopted the above ordinance.

This ordinance renders a development order under Chapter 380, Florida Statutes on the application by The Landmark Group Commercial Services Corporation.

Enclosed, please find a copy of this ordinance for your information and if further assistance is needed, do not hesitate to contact my office.

Sincerely,

*Frances Henriquez*  
(Mrs) Frances Henriquez  
City Clerk

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Enclosure

*Produced Pursuant to*

ORDINANCE NO. 7368 -A

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO CHAPTER 380, FLORIDA STATUTES, ON AN APPLICATION FOR DEVELOPMENT APPROVAL FILED BY THE LANDMARKS GROUP COMMERCIAL SERVICES CORPORATION OF FLORIDA, FOR TAMPA BAY PARK, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the Landmarks Group Commercial Services Corporation (hereinafter "the Landmarks Group") has filed an Application for Development Approval (hereinafter "ADA") with the City of Tampa, Florida (hereinafter "City") for the "Tampa Bay Park" development, to be located near the intersection of West Buffalo Avenue and North Himes Avenue, in the City of Tampa, Hillsborough County, Florida, and

WHEREAS, the various departments of the City have conducted an independent review of the ADA and the supplementary information and the results of this review have been provided to the Tampa Bay Regional Planning Council (hereinafter "TBRPC") and to the City Council, and

WHEREAS, TBRPC has duly executed its responsibilities under Section 380.06(8), Florida Statutes, including a review of the ADA and supplementary information, and

WHEREAS, TBRPC, on October 8, 1979, adopted the comments and recommendations concerning the subject ADA and the TBRPC report recommended approval of the proposed office complex facility with certain conditions to be specified in the City's development order, and

WHEREAS, the Hillsborough County City-County Planning Commission (hereinafter "HCPC") has reviewed the ADA on November 19, 1979, and on December 3, 1979, and ultimately recommended approval of the ADA, with certain conditions, and

WHEREAS, the results of the reviews by TBRPC and HCPC were forwarded to the City for review, and

WHEREAS, the City Council conducted a public hearing on December 13, 1979, after due notice as required by Section 380.06(7), Florida Statutes, and

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

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

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

Section 1. That this Ordinance shall constitute the development order of the City Council issued in response to the ADA filed by the Landmarks Group, for Tampa Bay Park, a Development of Regional Impact. The scope of development to be permitted pursuant to this order includes the operations described in the ADA and the supporting documents, which by reference are made a part hereof.

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

- A. That the Landmarks Group proposes the construction of an office complex development, with a total site area of 34.88 acres near the intersection of West Buffalo Avenue and North Himes Avenue in the City of Tampa, Hillsborough County, Florida.
- B. That the proposed development is not located in an area of critical State concern.
- C. That the proposed development is consistent with the goals and objectives of the State of Florida's comprehensive plan applicable to the area in which the proposed development is to be located.
- D. That the project is consistent with all local land development regulations.
- E. That the development is consistent with the report and recommendations of TBRPC. That report, as approved by the TBRPC, recommends approval of the project with certain conditions. All such conditions are reflected herein.
- F. That the City Council has considered whether and the extent to which the proposed development would create an additional demand for, or additional use of energy, and has determined from the record herein that existing sources of energy are sufficient to support this development, and that those existing sources will not be unduly burdened by the proposed development. However, it has been requested, in Section 3(E) below, that the applicant continue to consider feasible alternative energy saving measures during the construction process.

Section 3. That, having made the above findings of fact, it is ordered that the ADA is hereby approved, subject to the following conditions, restrictions, and limitations.

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

Further review pursuant to Chapter 380, Florida Statutes, may be required if a substantial deviation, as defined in Section 380.06(7)(g) and (h), Florida Statutes, occurs. Further, substantial deviation may occur by failure to comply with the conditions herein, failure to follow the plans and specifications submitted in the ADA and supplementary information, or by activities which are not commenced until after the expiration of the period of effectiveness of this order. Any substantial deviation, as described above, shall cause a termination of all development activity and a retriggering of the Development of Regional Impact Process.

B. Transportation Improvements to be Implemented by the Applicant

That the following transportation facility improvements identified in the ADA and committed to by the applicant shall be completed prior to completion of the complex:

1. That access to the development will be provided by two driveways, one on West Buffalo Avenue and one on North Himes Avenue.
2. That a two phase traffic signal controller will be installed at the North Himes Avenue driveway.
3. That a 150-foot, left-turn storage lane for south-bound traffic will be constructed at the North Himes Avenue driveway.
4. That a modification to the existing signal at the Buffalo Avenue driveway, in the form of a left-turn lead phase during peak hours, will be installed.

C. Transportation Facility Improvements as Committed by the City of Tampa

The following transportation facility improvements identified in the ADA as committed by the City of Tampa shall be completed within the time frames established by the City's transportation improvement program and the ADA:

1. A traffic responsive master signal controller for the signalized intersection along Dale Mabry Highway will be installed.
2. The intersection of Columbus Drive and North Boulevard will be widened for left-turn lanes by the City by the year 1985.
3. The intersections of Columbus Drive and Armenia Avenue and Columbus Drive and Howard Avenue will be widened for left-turn storage lanes by 1988.
4. The intersection of Armenia Avenue and Tampa Bay Boulevard will be widened for left-turn storage lanes in improved geometrics by 1989.

D. Implementation of Peak Period Demand Transportation Management Methods

That the developer and the City of Tampa shall work together to implement peak period demand transportation management methods to assist in avoiding further degradation of the areas' air quality and traffic conditions, if and when deemed necessary by the City of Tampa.

E. Solar Collection System

That the developer will give serious consideration to the incorporation in the final design of the facility and

installation during the development stage of Tampa Bay Park of a solar, water heating system for the office building and restaurant, if proven to be economically feasible and energy efficient.

F. Archaeological Survey

That, if any archaeological sites or artifacts are found during the foundation excavation process, construction will stop to allow the State, County, or local archaeological authorities an opportunity to assess the value of the sites or artifacts and excavate the site if deemed appropriate and necessary.

G. Applicable Local Codes

That all development pursuant to this order shall be in accordance with applicable local building codes, ordinances, and other laws, specifically including the Tampa Fire Prevention Code.

Section 4. That the definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms in this development order.

Section 5. That this development order shall be deemed rendered as of the date this Ordinance becomes a law.

Section 6. That the development order shall remain in effect for a period of five years from the date of rendition, provided that the order may be extended by City Council upon the finding of excusable delay in any proposed development activity.

Section 7. That the City Clerk is directed to send copies of this Ordinance to the State Department of Community Affairs, the Landmarks Group, owner, the TBRPC, and the HCPC, on the date this Ordinance becomes law.

Section 8. That the City Council finds, as conclusions of law, that these proceedings have been duly conducted pursuant to applicable laws and regulations, and based upon the record in this proceeding the Landmarks Group and the various departments of the City of Tampa are authorized to conduct development as described herein, subject to the conditions, restrictions and limitations set forth above.

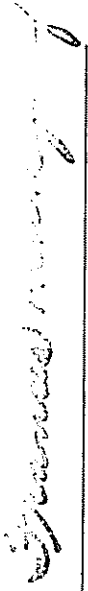
Section 9. That within 45 days after this order is rendered, the owner, the developer, TBRPC, by vote at a regularly scheduled meeting, or the State land planning agency may appeal this order to the Florida Land and Water Adjudicatory Commission by filing a notice of appeal with the commission. The appellant shall furnish a copy of the notice of appeal to the opposing party, as the case may be, and to the City. The filing of the notice of appeal shall stay the effectiveness of this order, and shall stay any judicial proceedings in relation to the development order, until after the completion of the appeal process, pursuant to Section 380.07, Florida Statutes.

Section 10. That this Ordinance shall take effect immediately upon becoming a law, and a copy hereof shall be posted on the bulletin board in the hall of the First Floor of the City Hall in the City of Tampa, Florida, for the convenience of the public.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JAN 22 1960.


  
CHAIRMAN  
CITY COUNCIL

ATTEST:



CITY CLERK

APPROVED by me on JAN 23 1960

  
MAYOR