

RESOLUTION

A RESOLUTION AMENDING THE DEVELOPMENT ORDER FOR THE POLK COMMUNITY COLLEGE AND UNIVERSITY OF SOUTH FLORIDA JOINT USE FACILITY DEVELOPMENT OF REGIONAL IMPACT (DRI) PURSUANT TO THE REQUIREMENTS OF SECTION 380.06, FLORIDA STATUTES.

WHEREAS, the Polk County Board of County Commissioners, hereafter referred to as the "Board", as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes (F.S.) is authorized and empowered to consider applications for developments of regional impact; and

WHEREAS, the Board adopted a development order with conditions of approval on October 15, 1985 for the Polk Community College / University of South Florida (PCC/USF) Development of Regional Impact, more particularly described in attached Exhibit "A"; and

WHEREAS, the Board amended the development order pursuant to Subsection 380.06(19), F.S. on November 10, 1987 and October 10, 1989; and

WHEREAS, the Board received additional proposed changes on December 20, 1990, and reviewed those changes pursuant to the requirements of Subsection 380.06(19), F.S.; and

WHEREAS, the Board administratively determined on January 29, 1991, in regular session, that the proposed changes do not constitute a substantial deviation from the adopted development order as previously amended;

NOW, THEREFORE BE IT RESOLVED THAT THE ADOPTED DEVELOPMENT ORDER AS AMENDED SHALL BE FURTHER AMENDED BY CHANGING THE FOLLOWING FINDING OF FACT, AND THAT THE BALANCE OF THE ADOPTED DEVELOPMENT ORDER AS AMENDED SHALL REMAIN IN EFFECT IN ITS ENTIRETY.

FINDINGS OF FACT

- C. The application proposes the development of approximately 133 acres for the development of a joint-use facility to contain 514,689 combined gross floor-area for classroom, academic and administrative office space, and a regional command center for the Polk County Sheriff. Ancillary development includes parking lots, drives, and recreation and open space. Collectively, all development constitutes a development of regional impact.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THIS 12th DAY OF February, 1991.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY

BY: Marlene Young
MARLENE YOUNG, CHAIRPERSON

ATTEST;

E.D. "Bud" Dixon, Clerk

BY: Nette L. Dairland
Deputy Clerk

STATE OF FLORIDA)
)
COUNTY OF POLK . (

I, E. D. "Bud" Dixon Clerk of the Board of County
Commissioners of Polk County, Florida, hereby certify that
the foregoing is a true and correct copy of a resolution
amending the Development Order for the PCC/USF Development
of Regional Impact (DRI)

which was adopted by the said Board on the 12th day of
February _____, 1991.

WITNESS my hand and official seal on this 18th day
of February _____, 1991.

E. D. "BUD" DIXON
Clerk and Auditor

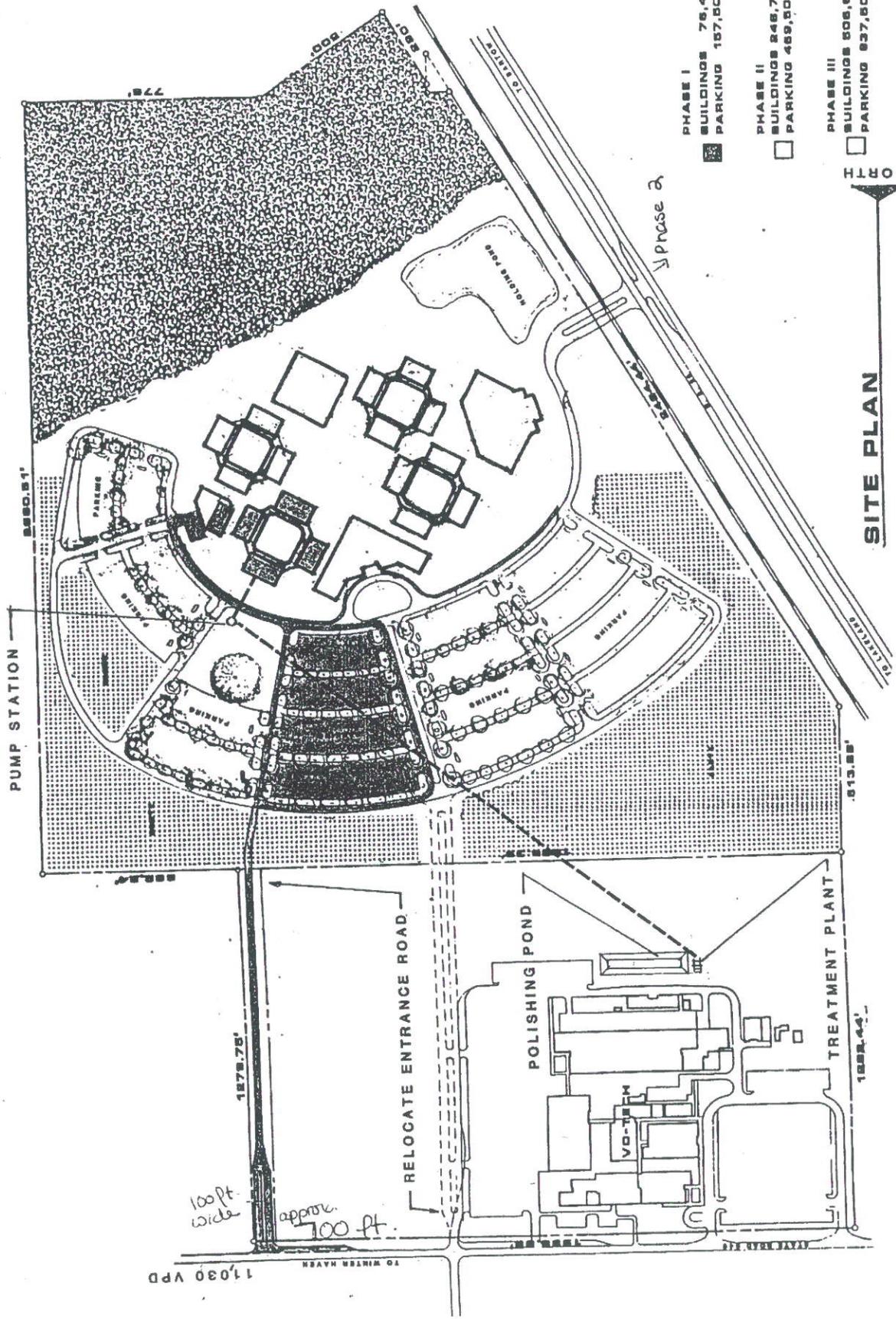
(SEAL)

By:

Nettie L. Darland
Nettie L. Darland
Deputy Clerk

The Southwest 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4. All being in Section 2, Township 29 South, Range 24 East and that part of the Southeast 1/4 of the Northeast 1/4 and that portion of the Northeast 1/4 of the Southeast 1/4 lying North and East of Seaboard Coast Line Railroad R/W in Section 3, Township 29 South, Range 24 East and also that part of the Southwest 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East more fully described as follows: Begin at the Northwest corner of said Southwest 1/4 of Southwest 1/4, Run thence South along the West line of said Southwest 1/4 of Southwest 1/4 a distance of 27.94 feet to the intersection with the Northeasterly R/W line of Seaboard Coast Line Railroad, run thence Southeasterly along said Northeasterly R/W line a distance of 290 feet more or

less to the center line of Banana Creek as located this date (8-11-70), run thence northeasterly along the centerline of Banana Creek a distance of 500 feet more or less to the intersection with the North line of said Southwest 1/4 of Southwest 1/4, run thence West along the North line of said Southwest 1/4 of Southwest 1/4 a distance of 552 feet more or less to the point of beginning, all the above described being subject to easements and Rights-of-Way of record or as now in use containing 132.86 acres more or less.



- PHASE I
 BUILDINGS 76,471 SQ. FT.
 PARKING 157,500 SQ. FT.
- PHASE II
 BUILDINGS 246,720 SQ. FT.
 PARKING 469,500 SQ. FT.
- PHASE III
 BUILDINGS 506,688 SQ. FT.
 PARKING 937,500 SQ. FT.

NORTH
SITE PLAN

14030 VPD
 100 ft. wide
 approx. 700 ft.

RESOLUTION

WHEREAS, the Polk County Board of County Commissioners, hereafter, referred to as "the Board", as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider applications for developments of regional impact; and

WHEREAS, the Board adopted a development order with conditions of approval on October 15, 1985 for the Polk Community College/University of South Florida (PCC/USF) Development of Regional Impact, more particularly described in attached Exhibit A; and

WHEREAS, the Board amended the development order of approval through public hearing and resolution on November 10, 1987; and

WHEREAS, the Board received additional proposed changes on August 1, 1989, with a request for determination of substantial deviation to the adopted development order as previously amended; and

WHEREAS, the Board duly held a public hearing on September 12, 1989, and reviewed the additional proposed changes;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT THE PROPOSED CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION TO THE ADOPTED DEVELOPMENT ORDER AS PREVIOUSLY AMENDED SUBJECT TO THE FOLOWING CONDITIONS OF DETERMINATION:

1. The proposed primary entrance to the campus from U.S. Highway 98 shall be constructed as a part of the PCC/USF Phase 1B reviewed by the Board in public hearing on September 12, 1989.
2. Subject to Polk County School Board concurrence, the existing secondary entrance to the campus, from State Road 540 East, shall be moved to the west to align with Reynolds Road prior to the opening of any interchange at the intersection of Reynolds Road and the proposed Lakeland Circumferential Route.

NOW, THEREFORE BE IT FURTHER RESOLVED THAT THE ADOPTED DEVELOPMENT ORDER AS AMENDED SHALL BE FURTHER AMENDED BY CHANGING THE FOLLOWING FINDINGS OF FACT, AND THAT THE BALLANCE OF THE ADOPTED DEVELOPMENT ORDER AS AMENDED SHALL REMAIN IN EFFECT IN ITS ENTIRETY:

FINDINGS OF FACT

- J. Traffic impacts will be minimal for the first two phases (1998, 1996) of the project. At Buildout (2014) the following links will have a ten percent or more Level of Service "C" impact: Reynolds from North Crystal Lake Road to Winter Lake Road (CR 540), and U.S. 98 from Winter Lake Road to Combee Road.

K. The following intersections will require improvements:
Winter Lake Road and Reynolds Road (Entrance to PCC/USF--1980,
U.S. 98 and PCC/USF Entrance--1996 and 2014, U.S. 98 and
Proposed Lakeland Circumferential Route--2014, and Winter
Lake Road and Thornhill Road--2014.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF
POLK COUNTY, FLORIDA THIS 10th DAY OF October, 1989.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY

BY: Ernie Caldwell
ERNIE CALDWELL, CHAIRMAN

ATTEST:

E.D. "Bud" Dixon, Clerk

BY: Nettie J. Barlow
Deputy Clerk

The southwest 1/4 of the Northwest 1/4 and the in
 Northwest 1/4 of the southwest 1/4. All being in
 Section 2, Township 29 South, Range 24 East and that
 part of the Southeast 1/4 of the Northeast 1/4 and that
 portion of the Northeast 1/4 of the Southeast 1/4 lying
 North and East of Seaboard Coast Line Railroad R/W in
 Section 3, Township 29 South, Range 24 East and also
 that part of the Southwest 1/4 of the Southwest 1/4 of
 Section 2, Township 29 South, Range 24 East more fully
 described as follows: Begin at the Northwest corner of
 said Southwest 1/4 of Southwest 1/4, Run thence South
 along the West line of said Southwest 1/4 of Southwest
 1/4 a distance of 27.94 feet to the intersection with
 the Northeastly R/W line of Seaboard Coast Line
 Railroad, run thence Southeastly along said
 Northeastly R/W line a distance of 290 feet more or
 less to the center line of Banana Creek as located this
 date (8-11-78), run thence northwesterly along the
 centerline of Banana Creek a distance of 500 feet more
 or less to the intersection with the North line of said
 Southwest 1/4 of Southwest 1/4, run thence West along
 the North line of said Southwest 1/4 of Southwest 1/4 a
 distance of 552 feet more or less to the point of
 beginning, all the above described being subject to
 easements and Rights-of-Way of record or as now in use
 containing 132.86 acres more or less.

RESOLUTION

WHEREAS, the Polk County Board of County Commissioners, hereafter, referred to as "the Board", as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider applications for developments of regional impact; and

WHEREAS, the Board adopted a development order with conditions of approval on October 15, 1985 for the Polk Community College/University of South Florida (PCC/USF) Development of Regional Impact, more particularly described in attached Exhibit A; and

WHEREAS, the Board received a request for a determination of substantial deviation to the adopted Development Order; and

WHEREAS, the Board duly held a public hearing on November 10, 1987, and reviewed the proposed changes;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT THE ADOPTED DEVELOPMENT ORDER BE AMENDED BY AMENDING THE FOLLOWING FINDINGS OF FACT AND THAT THE BALANCE OF THE ADOPTED DEVELOPMENT ORDER REMAINS IN EFFECT IN ITS ENTIRETY:

FINDINGS OF FACT

- H. The development will be served through the wastewater treatment plant at the Traviss Vocational Technical Center. Existing and proposed utility improvements for this plant are adequate to serve the proposed development.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THIS 10th DAY OF November, 1987.

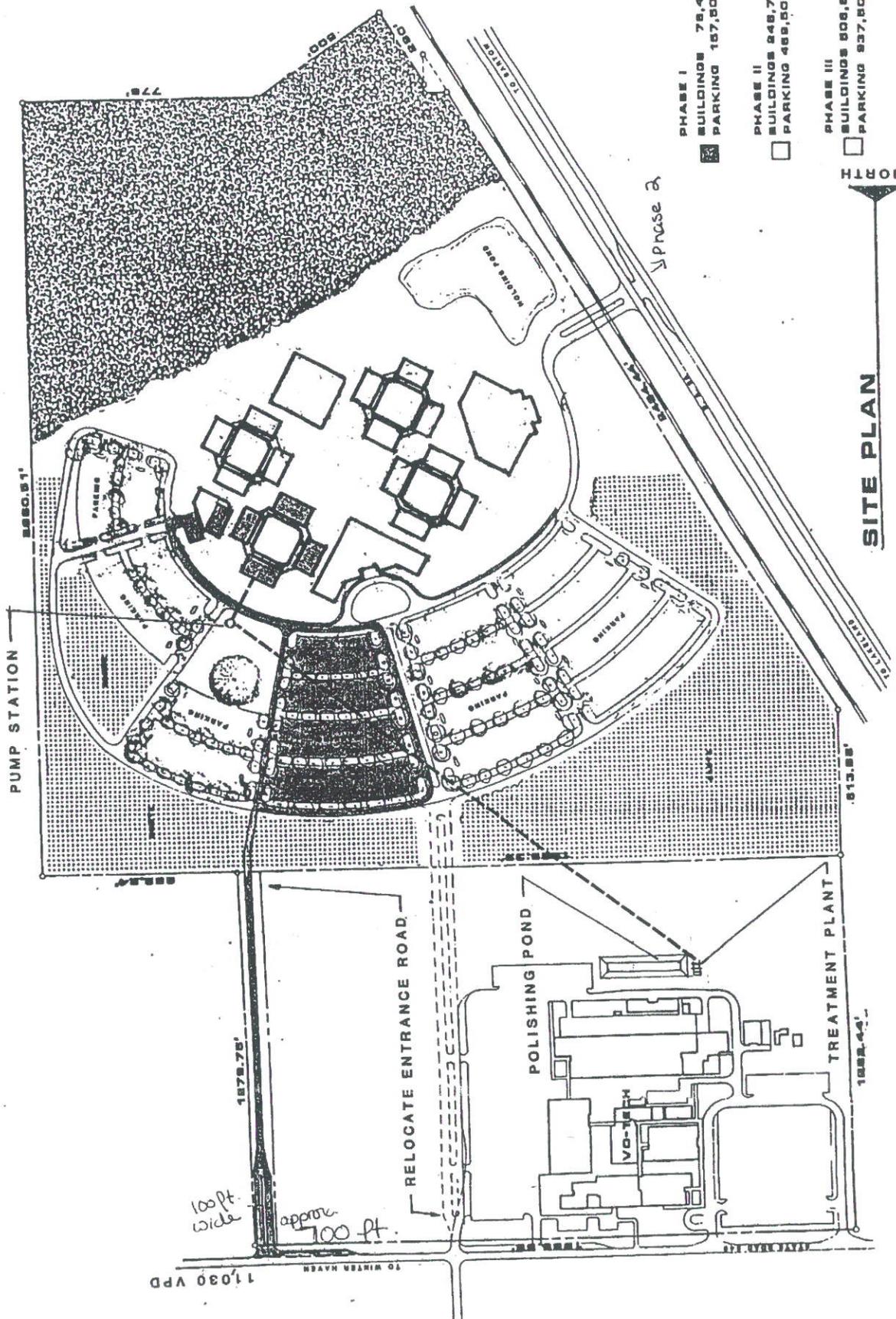
BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY

BY: Royce Ready
ROYCE READY, CHAIRMAN

ATTEST:

E.D. "Bud" Dixon, Clerk

BY: [Signature]
Deputy Clerk



PHASE I
 BUILDINGS 78,471 SQ. FT.
 PARKING 167,900 SQ. FT.

PHASE II
 BUILDINGS 248,780 SQ. FT.
 PARKING 466,000 SQ. FT.

PHASE III
 BUILDINGS 808,889 SQ. FT.
 PARKING 937,900 SQ. FT.

NORTH
SITE PLAN

RESOLUTION

WHEREAS, the Polk County Board of County Commissioners, hereafter, referred to as "the Board", as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider applications for developments of regional impact; and

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WHEREAS, the Board received a request for a determination of substantial deviation to the adopted Development Order; and

WHEREAS, the Board duly held a public hearing on November 10, 1987, and reviewed the proposed changes;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT THE ADOPTED DEVELOPMENT ORDER BE AMENDED BY AMENDING THE FOLLOWING FINDINGS OF FACT AND THAT THE BALANCE OF THE ADOPTED DEVELOPMENT ORDER REMAINS IN EFFECT IN ITS ENTIRETY:

FINDINGS OF FACT

- H. The development will be served through the wastewater treatment plant at the Traviss Vocational Technical Center. Existing and proposed utility improvements for this plant are adequate to serve the proposed development.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THIS _____ DAY OF _____, 1987.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY

BY: _____
ROYCE READY, CHAIRMAN

ATTEST:

E.D. "Bud" Dixon, Clerk

BY: _____
Deputy Clerk

Exhibit A

The Southwest 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4. All being in Section 2, Township 29 South, Range 24 East and that part of the Southeast 1/4 of the Northeast 1/4 and that portion of the Northeast 1/4 of the Southeast 1/4 lying North and East of Seaboard Coast Line Railroad R/W in Section 3, Township 29 South, Range 24 East and also that part of the Southwest 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East more fully described as follows: Begin at the Northwest corner of said Southwest 1/4 of Southwest 1/4, Run thence South along the West line of said Southwest 1/4 of Southwest 1/4 a distance of 27.94 feet to the intersection with the Northeasterly R/W line of Seaboard Coast Line Railroad, run thence Southeasterly along said Northeasterly R/W line a distance of 290 feet more or less to the center line of Banana Creek as located this date (8-11-78), run thence northeasterly along the centerline of Banana Creek a distance of 500 feet more or less to the intersection with the North line of said Southwest 1/4 of Southwest 1/4, run thence West along the North line of said Southwest 1/4 of Southwest 1/4 a distance of 552 feet more or less to the point of beginning, all the above described being subject to easements and Rights-of-Way of record or as now in use containing 132.86 acres more or less.

1:30 P.M. HEARING



BOARD OF COUNTY COMMISSIONERS

P O L K C O U N T Y
DIVISION OF DEVELOPMENT COORDINATION

MERLE H. BISHOP
Director

TO: Board of County Commissioners
Mr. Frank B. Smith, County Administrator
FROM: Colette Meehan, Development Review Coordinator *CM*
DATE: November 10, 1987
RE: PCC/USF Staff Report

Attached is the staff report and recommendation for the PCC/USF determination of substantial deviation from the adopted development order. A reduced version of the site plan is also enclosed to illustrate the relocation of the entrance drive and proposed location of facilities for sewer.

If you have any questions, or require additional information, please contact my office.

CM/pj

Attachments

Development of Regional Impact
Determination of Substantial Deviation
for
Polk Community College/University of South Florida (PCC/USF)
DRI Case Number 85-03

INTRODUCTION

Pursuant to Section 380.06 (19), Florida Statutes, the Developer has submitted a proposed change to the PCC/USF Development of Regional Impact to Polk County to review the proposed changes pursuant to the criteria enumerated and to make the determination.

A "substantial deviation" is any change to a previously approved Development of Regional Impact which creates a reasonable likelihood of additional adverse regional impact, or any other regional impact created by the change not previously reviewed by the Regional Planning Agency.

REQUESTED CHANGE

The proposed change involves the availability of the provision of public sewer facilities to service the development as well as the relocation of the entrance drive to the campus area. The development order stated that the City of Lakeland would provide water and sewer services to the development. The City is unable at the present time to service this development and has not indicated that service will be available in the near future. The applicant has applied for and received a permit from the Department of Environmental Regulation to allow construction of a dry line connection to the wastewater sewage collection and transmission system at the Travis Vocational Technical Center Wastewater Treatment Plant. This line has a design flow of 15,000 gpd to serve the anticipated 2,115 students. An additional hookup permit will be required. It is not anticipated that any negative impacts will result from this change.

The request for the relocation of the entrance drive results from restrictions placed on the property by the Polk County School Board. The new access drive is located approximately seven hundred (700) feet to the east of the entrance originally approved. The right of way is proposed to be one hundred (100) feet wide and has been reviewed by the Traffic Engineering and Transportation Planning staff (see attached site plan). Although, staff preferred the entrance drive as originally approved, this proposed modification is not anticipated to create any significant impacts on the existing service level or roadway movements.

FINDING

Pursuant to Section 380.06 (19) (d), Florida Statutes, and based upon documentation submitted by the developer, the local planning agency finds that the proposed change does not meet or exceed any of the criteria in 380.06 (19) (b), and is therefore presumed not to create a substantial deviation to the approved Development of Regional Impact.

PLANNING DIVISION RECOMMENDATION

The Planning Division has reviewed the request for determination of substantial deviation for the Polk Community College/University of South Florida DRI Case Number 85-03 and recommends that the Board determine that the proposed requests do not create a substantial deviation from the adopted development order.

RESOLUTION

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, ISSUING A DEVELOPMENT ORDER OF APPROVAL WITH CONDITIONS FOR AN APPLICATION FOR APPROVAL OF A DEVELOPMENT OF REGIONAL IMPACT KNOWN AS THE POLK COMMUNITY COLLEGE AND UNIVERSITY OF SOUTH FLORIDA JOINT USE FACILITY, SUBMITTED BY POLK COUNTY COMMUNITY COLLEGE, SETTING FORTH FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL PURSUANT TO CHAPTER 380, FLORIDA STATUTES.

WHEREAS, the Polk County Board of County Commissioners hereafter referred to as "the Board," as the governing body of local government having jurisdiction pursuant to Section 380.06, Florida Statutes, is authorized and empowered to consider applications for Development of Regional Impact; and

WHEREAS, Polk Community College, filed an Application for Development Approval (ADA) of a Development of Regional Impact (DRI) with the Board pursuant to the provisions of Section 380.06, F.S.; and

WHEREAS, the Board held a duly noticed public hearing on said application for development approval, hereinafter referred to as "the application," and

WHEREAS, the Board solicited, received and considered reports, comments and recommendations from other units of government, local agencies and interested citizens;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT THE APPLICATION SUBMITTED BY POLK COMMUNITY COLLEGE, IS HEREBY APPROVED WITH CONDITIONS, SAID APPROVAL BEING BASED UPON THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW.

I. FINDINGS OF FACT

- A. Polk Community College, hereinafter referred to as "Applicant," submitted an application to Polk County, Florida, on June 5, 1985, said application being incorporated and made a part of this Resolution by reference.
- B. The site of the proposed development is located in Polk County, Florida, said property being described as follows:

The Southwest 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4. All being in Section 2, Township 29 South, Range 24 East and that part of the Southeast 1/4 of the Northeast 1/4 and that portion of the Northeast 1/4 of the Southeast 1/4 lying North and East of Seaboard Coast Line Railroad R/W in Section 3, Township 29 South, Range 24 East and also that part of the Southwest 1/4 of the Southwest 1/4 of Section 2, Township 29 South, Range 24 East more fully described as follows: Begin at the Northwest corner of said Southwest 1/4 of Southwest 1/4, Run thence South along the West line of said Southwest 1/4 of Southwest 1/4 a distance of 27.94 feet to the intersection with the Northeasterly R/W line of Seaboard Coast Line Railroad, run thence Southeasterly along said Northeasterly R/W line a distance of 290 feet more or

less to the center line of Banana Creek as located this date (8-11-78), run thence northeasterly along the centerline of Banana Creek a distance of 500 feet more or less to the intersection with the North line of said Southwest 1/4 of Southwest 1/4, run thence West along the North line of said Southwest 1/4 of Southwest 1/4 a distance of 552 feet more or less to the point of beginning, all the above described being subject to easements and Rights-of-Way of record or as now in use containing 132.86 acres more or less.

- C. The application proposes the development of approximately 133 acres for development of a Joint Use Facility to contain 506,689 combined gross floor area for classroom and administrative office space, and ancillary development including parking lots, drives and recreation and open space which constitutes a development of regional impact.
- D. The proposed development is not located in an area of critical state concern as designated pursuant to Section 380.05, F.S.
- E. The State of Florida has not adopted a land development plan applicable to the area in which the proposed development is to be located.
- F. The Board has adopted a Comprehensive Plan for Polk County pursuant to Section 163.3161, F.S.
- G. The major portion of the property encompassed by the proposed development is currently zoned Rural Conservation (RC). Surrounding development includes institutional, industrial and commercial activities as well as substantial tracts of undeveloped property.
- H. The development will be served by City of Lakeland water and sewer. Existing and proposed utility improvements are adequate to serve the proposed development.
- I. Primary access to the development will be from US-98 a four lane divided arterial. Additional access will be from S.R. 540 adjacent to Travis Vocational Technical Center.
- J. Traffic impacts will be minimal for the first two phases (1988, 1996) of the project. At buildout (2008) the following links will have a ten percent or more Level of Service "C" impact: Reynolds from North Crystal Lake Road to Winter Lake Road (CR 540), and U.S. 98 from Winter Lake Road to Combee Road.
- K. The following intersections will require improvements: Winter Lake Road and Reynolds Road (Entrance to PCC/USF)--1980, U.S. 98 and PCC/USF Entrance--1996 and 2008, U.S. 98 and proposed Lakeland Circumferential Route--2008, and Winter Lake Road and Thornhill Road--2008.
- L. Primary access will be from U.S. 98 and secondary access will be from C.R. 540.
- M. Approximately 22 acres of the site are classified as wetlands. No wetland alteration is proposed. Wetlands will not be adversely impacted by the proposed project.

- N. Approximately 20 acres of the site is in the flood hazard area for Banana Creek. No alteration or development is proposed in this area.
- O. Due to the location and scale of this public facility, final design should facilitate designation of one or more buildings as primary public shelters.
- P. The data and information contained within the application were sufficient for the Board to perform the impact review required by Section 380.06, F.S.
- Q. On September 17, 1985, the Board convened the required public hearing on the application, heard testimony and received evidence and documents pertaining to the application including the report and recommendation of the Central Florida Regional Council and the report and recommendation of the Polk County Planning Department.

II. CONCLUSIONS OF LAW

- A. The Board's review of the proposed application has been conducted pursuant to and complied with the provisions of Chapter 380, Florida Statutes.
- B. The application as submitted, complies with the requirements of Section 380.06, F.S. and Chapter 22-F, Florida Administrative Code.
- C. The proposed development is consistent with the report and recommendation of the Central Florida Regional Planning Council.
- D. The development as proposed in the application is consistent with the Polk County Comprehensive Plan and local land development regulations.
- E. All development activities described in the application shall be subject to the terms of this Development Order and shall not be subject to future development of regional impact review pursuant to Section 380.06, F.S. unless the Board determines that any proposed changes to the development constitute a substantial deviation pursuant to Section 380.06 (17), F.S.
- F. The rights and obligations set forth in this Development Order shall inure to the benefit of and be binding upon this applicant, any subsequent property owners affected by this Order and their successors, assigns and grantees.
- G. The provisions of this Development Order shall not be construed as a waiver or exception of any rule, regulation, or ordinance of Polk County and, therefore, any further review and approval required by Polk County shall be subject to all such applicable rules, regulations or ordinances in effect at the time of the review.
- H. The Polk County Director of Development Coordination shall be the local official responsible for assuring compliance with this Development Order.

BE IT FURTHER RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THAT THE APPLICATION IS APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

III. CONDITIONS

A. Emergency Public Shelter Provisions

The developer shall meet with local Red Cross and Civil Defense officials prior to finalization of project plans, in an effort to execute an agreement for the designation of a portion of the project's facilities as a primary public shelter. This meeting shall also include discussions on Red Cross Shelter standards, the designation of shelter managers, and the provision of alternate electrical power.

B. Transportation Monitoring and Improvements

To ensure that regional transportation impacts are adequately addressed and level of service "C" is maintained on effected links, the applicant shall be responsible for ongoing traffic monitoring until such time as buildout is completed. Prior to Phase I development activities, the applicant shall meet jointly with Polk County, the Central Florida Regional Planning Council, and the Florida Department of Transportation for the purpose of outlining the details of the ongoing traffic monitoring program.

In addition, the applicant shall be responsible for all ingress/egress improvements to the development site and the required intersection improvements at S.R. 540 and Reynolds Road, and S.R. 540 and U.S. 98. Those improvements include:

1. Site access improvements as shown on Maps J-6A, J-6B, J-6C1, J-6C2 of the Application for Development Approval be required as warranted and recommended by Florida Department of Transportation and Polk County.
2. The construction of the entrance to C.R. 540 at Reynolds Road be at the cost of the developer and include the cost of additional turn lanes and signal upgrading, beyond the currently scheduled improvement.
3. The new entrance to U.S. 98 be a private road. The County will not participate in the cost of maintaining this road, or improvements and maintenance of the entrance road crossing and any related signalization of the Seaboard Coast Line Railroad.
4. The improvements required at U.S. 98 at the project entrance should be paid for by the Developer, as required by Florida Department of Transportation.
5. The developer must, annually, monitor the link of C.R. 540 from Reynolds Road to U.S. 98 to determine the project's contribution to traffic on that link. If level of service "C" is exceeded and the Developer's contribution is more than 10% of the level of service "C" capacity (currently 9,700), then the developer must contribute the share of his impact to the required improvement.

At any time level of service "C" capacity at any location is exceeded for any link(s) or intersection(s) covered under this DRI-ADA, and the PCC/USF facility contributes greater than ten (10) percent of the level of service "C" volume, the required improvements shall be funded. Failure to undertake level of service "C" improvements for effected links and intersections will result in the termination of all development activities for future phases. Future development activities may not resume until such time that the regional level of service "C" improvements are underway and reasonable assurance has been provided concerning the completion of such improvements.

C. Ongoing Monitoring and Annual Reports

As part of the recommendation for approval, the applicant must supply the Polk County Planning Department and the Central Florida Regional Planning Council with an annual report by January 7th of each year containing the information detailed on the required monitoring form.

D. Substantial Deviations

Any proposed changes to the application which exceed the changes presumed not be substantial deviations listed in Section 380.06 (17) (b), F.S. shall be submitted to the Board for a determination if such change constitutes a substantial deviation, and, therefore, requiring further review pursuant to Section 380.06, F.S.

E. Termination of Agreement

The terms and conditions of this agreement for Phase I approval shall expire in the event development activity does not commence at the development site before July 1, 1987. Furthermore, failure to comply with conditions A through E may be determined to be a substantial deviation and thus initiate the development of regional impact review process and potential shut-down of all development activities.

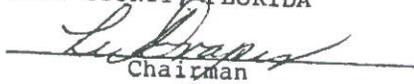
F. Recording of Notice of Adoption

Notice of the adoption of this development order shall be recorded by the Applicant in accordance with the provisions of Section 380.06 (14) (d), F.S. within 15 days after its adoption.

DULY PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THIS 15th DAY OF October, 1985.

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

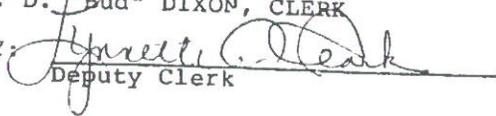
BY:


Chairman

ATTEST:

E. D. "Bud" DIXON, CLERK

BY:


Deputy Clerk