



ARS

Annual Report Summary

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DRI #194 - DG FARMS HILLSBOROUGH COUNTY RY 2007-08

On July 11, 1989, Hillsborough County granted a Development Order (Resolution No. R89-0171) to O.W. Casperson Trust/DG Farms for a three-phase, 1,385-acre, mixed-use development located in south central Hillsborough County, northeast of the U.S. 301/S.R. 674 intersection. The project is approved to contain 5,380 dwelling units, 360,000 square feet (sq. ft.) of commercial space and 50,000 sq. ft. of office space.

The Development Order has been amended five times, most recently on September 9, 2008 (Resolution No. R08-134). The amendments have authorized: a cumulative 15-year extension of the Phase 1 buildout date [three years of which are attributable to 2007 modification to Subsection 380.06(19)(c), F.S.]; an increase of Phase 1 office space by 59,999 sq. ft.; advancement of 50,000 sq. ft. of commercial development from conceptually-approved Phase 2; and establishment of a Land Use Equivalency Matrix to allow conversion(s) between approved uses. The revised Development Order expiration date is June 30, 2018. The anniversary date for the Annual Report is July 11th.

The approved phasing schedule is as follows:

LAND USE	PHASE 1 (1990-2011)	PHASE 2 ² (1997-2003)	PHASE 3 ² (2004-2010)	TOTAL ^{1,2}
Office (Sq. Ft.)	10,000 ¹	0	0	10,000
Retail (Sq. Ft.)	235,047 ¹	200,000	0	435,047
Residential (Units)	2,848 ¹	2,100	1,180	6,128
[Single-Family Attached]	[54]	[300]	[200]	[554] ¹
[Single-Family Detached]	[1,344] ¹	[1,450]	[330]	[3,124] ¹
[Multi-Family]	[0] ¹	[350]	[650]	[1,000] ¹
[Retirement Residential]	[1,450] ¹	[0]	[0]	[1,450] ¹

1. The entitlements are reflective of a May 14, 2004 Ruden McClosky correspondence acknowledging all Land Use Equivalency Matrix transactions.

2. Specific approval of Phases 2 & 3 are contingent upon further Chapter 380.06 transportation and air quality analyses, as well as an affordable housing analysis.

During the 2003-04 reporting period, Hillsborough Associates II, III & IV acquired approximately 1,293 acres and Wal-Mart Stores East, LP acquired 35 acres of the overall 1,385 acre project. The remaining parcels were retained by the developer (John Falkner).

PROJECT STATUS

Development this Reporting Year: 37 single-family residential units were completed. An additional seven single-family residential units remain under construction.

Cumulative Development: 169 single-family residential units and a 223,062 sq. ft. Retail facility (Wal-Mart).

Projected Development: no specific development activity has been identified, however, it would be anticipated that the above-referenced seven single-family residential units would be completed, at minimum. Construction of the 1,200 sq. ft. retail gas facility (Murphy Oil) that received site development approval on May 7, 2007 may also occur in association with the Wal-Mart parcel.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. An annual traffic monitoring program at project entrances (Condition II.B.1) and establishment of a Transportation Systems Management program (Condition II.B.4) are required upon the issuance of Certificates of Occupancy (COs) for 1,000 single-family residential units (or the equivalent). Based on a quick trip generation analysis conducted by Council staff for P.M. Peak Hour impacts, it appears that the project is currently generating an estimated 97% of this threshold based on the completed development reflected in this Report. It is likely that this threshold will be surpassed in the near future and these requirements shall be initiated. Results of such traffic monitoring shall be included in all respective Annual Reports as well as a report of transportation systems management measures implemented.
2. The Developer previously selected Option 3 (Condition II.B.3.c.) - “pipelining” for Phase 1 transportation impact mitigation. The developer has alleged that a \$5,373,209 proportionate share payment has been made to Hillsborough County to account for Phase 1 development. The developer has additionally constructed and dedicated a 150± space “park-and-ride” facility within the development's transportation impact area, as required.
3. The Developer has previously submitted the *Master Stormwater Management/Drainage Plan* and the *Stormwater Pollution Prevention Plan* in accordance with Condition II.E.1.
4. Condition II.E.2. requires the Developer to establish a surface water quality monitoring program and provide for the semi-annual monitoring thereof prior to the inception of any development activity. Albeit delinquent, the proposed Surface Water Quality Monitoring Program was submitted for review on May 8, 2007 and allegedly approved by TBRPC, Hillsborough County, FDEP & SWFWMD in August 2007. Since the monitoring component was initiated in early 2008, only a single monitoring event was conducted during the reporting period, as collected on February 19, 2008. The status of water quality monitoring shall continue to be described in all future Annual Reports.
5. The Developer has submitted the comparability of a non-potable water/irrigation plan” in accordance in Condition IV.G.6. as part of the RY 2007-08 Annual Report.
6. Stipulation I.I. of the Development Order obligates the Developer to submit Annual Reports “*on the anniversary date of adoption by the Board of County Commissioners [i.e. on July 11th]... until and including such time as all terms and conditions of this Development Order are satisfied.*” It is hereby stated that this Report, which was due on July 11, 2008, was not submitted until December 5, 2008.

DEVELOPER OF RECORD

DG Farms, c/o Roy W. Cohn, 35100 S.R. 64 East, Myakka City, FL 34251 is the firm responsible for adhering to the terms and conditions of the Development Order.

DEVELOPMENT ORDER COMPLIANCE

The project appears to be proceeding in a manner consistent with the Development Order with the exception of the issue identified under *Summary of Development Order Condition #6*, above. Hillsborough County is responsible for ensuring compliance with the terms and conditions of the Development Order.