



# ARS

## Annual Report Summary

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### DRI #241 - HARBOR BAY HILLSBOROUGH COUNTY RY 2008-09

On March 23, 1999, Hillsborough County adopted a Development Order (Resolution No. R99-051) for South Shore Properties Partners Ltd. to construct a 719-acre, multi-use development within Apollo Beach, between U.S. 41 and Tampa Bay, in southwestern Hillsborough County.

The Development Order has been amended four times, most recently on October 9, 2007 (Resolution No. 07-188). The amendments have cumulatively: added a 376.8-acre parcel from the Apollo Beach DRI (#209) with entitlements consisting of 500 single-family residential units and 40,000 sq. ft. of commercial development; expanded the Town Center use to include Parcels #1, #2, #3 and #6; authorized recreational, residential, commercial, and office uses with mixed and stand-alone development configurations within the "Town Center"; recognized recreational uses within selected areas of Parcels #8, #15 and #20; expanded the "Conservation" area to include the western half of Parcel #22 and a small area in the southwest corner of Parcel #7 (a total area of 19.4 acres); authorized the flexibility in design of Parcels #25, #26, #27 & #28; added a residential access point along 19<sup>th</sup> Avenue N.W. and a commercial access point along Leisey Road; modified the generalized dimensions of the large internal retention lake (or lagoon) Parcel #17; changed a U.S. 41 right-in/right-out only access to a directed median for the commercial center; and added three years to the buildout and Development Order expiration dates in association with revisions to Subsection 380.06(19)(c), F.S. The Development Order now expires on April 29, 2014. The Annual Report anniversary date is March 23<sup>rd</sup>.

### PROJECT STATUS

The following entitlements shall be completed by December 31, 2011:

| RESIDENTIAL (Units) |              | COMMERCIAL<br>(Sq. Ft.) | OFFICE<br>(Sq. Ft.) | BOAT SLIPS<br>(Wet) |
|---------------------|--------------|-------------------------|---------------------|---------------------|
| Single-Family       | Multi-Family |                         |                     |                     |
| 1,550               | 700          | 300,000                 | 40,000              | 675                 |

**Development this Reporting Year:** it appears that 50 single-family units were constructed during the reporting year in addition to 98,093 sq. ft. of Commercial.

**Cumulative Development:** 630 single family units, 273 multi-family units, 100,117 sq. ft. of Commercial and 10,327 sq. ft. of Office have all been completed. The Mirabay Club House/Amenities Center and Guardhouse have been previously constructed. The Hillsborough County School Board and the Hillsborough County Parks Department have previously acquired Parcels 31 and 32 (respectively) for development of a school facility and park. Based on prior aerial maps, it appeared that 70-75 boat slips have been constructed.

**Projected Development:** no specific development activity has been identified for the next reporting year.

## **SUMMARY OF DEVELOPMENT ORDER CONDITIONS**

1. Since cumulative extensions have been previously granted for the former Apollo Beach development, any future extension request beyond the established December 31, 2011 buildout date is presumed to create a Substantial Deviation pursuant to Subsection 380.06(19)(c), F.S., as stated in Condition III.D.
2. The developer submitted the results of the annual traffic count monitoring prepared in accordance with Condition IV.A.1.a. The results of the February 24, 2009, March 10, 2009 and March 18, 2009 monitoring events revealed that the project is currently generating 367 p.m. peak hour trips in comparison with the approved 2,553 trips (1,398 Inbound/1,155 Outbound).
3. The developer previously identified that the second westbound left turn lane on U.S. 41 at Big Bend Road was constructed in accordance with Condition IV.A.2.a.
4. Prior to removing the earthen plug associated with the former Pocket 108 boat lift, the developer shall institute the actions cited under Condition IV.C.2., including: the installation of speed zones, motor prohibition, seagrass informational markers and a buoy marker system; maintenance and “re-marking” of the navigational channel; establishment of an educational program and marketing materials for the limited access to the lagoon system; and a declaration statement for the lots located along the lagoon system. The developer has previously reported that: the Manatee Slow Speed Zone Buoys and channel markers have been installed and maintained in Tampa Bay; and the Seagrass Informational Markers have been ordered. The developer previously provided a copy of the “*Your Guide to the Apollo Beach Manatee Zone*” publication available to all Apollo Beach residents and/or interested citizens.
5. The developer has previously submitted a *Non-Potable Irrigation Water and Water Conservation Measures Plan* for the Harbor Bay community, in accordance with Condition IV.D.2.
6. The project’s Water Quality Monitoring Plan and baseline data were approved by SWFWMD in October 2000. The developer has submitted the results of December 20-21, 2007, March 27-28, 2008, June 23-24, 2008 and September 18-19, 2008 monitoring events in association with the RY 2008-09 Annual Report. In accordance with Condition IV.E.5., such monitoring shall continue to be conducted through project buildout with the results provided in all respective Annual Reports.
7. The developer is required to submit a *Hurricane Evacuation Plan* in the first annual report submitted following occupancy of any portion of the project (Condition IV.F.1.). In lieu of this requirement, the developer has agreed to provide all existing and future residents and property owners with the appropriate hurricane information including: categories; evacuation routes; shelter information; lists of local fire stations, sandbag locations, major roadways (including maps), hospitals, radio and television stations (including call letters, channel numbers & frequencies) and pertinent website addresses. The developer continues to allege that this information is included as part of the “purchase packages.”
8. In accordance with Condition IV.F.5., the developer is required to pay a set fee to mitigate shelter impacts upon the issuance of 339 Certificates of Occupancy for the property located east of U.S. 41 (aka Harbor Isles). At this point, only 101 units have been constructed within this designated location.

**DEVELOPER OF RECORD**

Newland Communities - Mirabay, Attention: Tom Griggs, Project Manager, 1137 Marbella Plaza Drive, Tampa, FL 33619 is the firm responsible for adhering to the conditions of the Development Order.

**DEVELOPMENT ORDER COMPLIANCE**

The project appears to be proceeding in a manner consistent with the Development Order. Hillsborough County is responsible for ensuring compliance with the terms and conditions of the Development Order.