



ARS

Annual Report Summary

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DRI #194 - DG FARMS HILLSBOROUGH COUNTY RY 2008-09

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 17-year extension of the Phase 1 buildout date, inclusive of a three-year extension authorized by 2007 revisions to Subsection 380.06(19)(c), F.S. and two years associated with adoption of SB 360 in 2009; 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 (1990-2013)	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, air quality analyses and 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: it appears that 83 single-family residential units were completed. An additional 37 single-family homes remain under construction.

Cumulative Development: 252 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 37 single-family residential units would be completed, at minimum.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. It appears that the project has recently exceeded the threshold in which to initiate traffic count monitoring in accordance with Condition II.B.1. While results of an initial traffic monitoring event conducted on May 14, 2009 were provided in conjunction with the RY 2008-09 Annual Report, the counts appear to be limited to the residential component of the project. It is anticipated that future Annual Reports will include a summary of P.M. Peak Hour traffic counts conducted for ALL access points serving existing development, as required. In addition, knowing that the existing "Park and Ride" facility was constructed by the Developer and benefits the neighboring area, it would be appropriate to exclude this facility's counts, if easily extractable or separate from DG Farms project traffic, in future calculations. Traffic monitoring shall be conducted annually through buildout with the results provided in all subsequent Annual Reports.
2. As required by Condition II.B.4., the Applicant has submitted the proposed Transportation Systems Management Program (TSMP) within the RY 2008-09 Annual Report. The Developer anticipates reductions in p.m. peak hour travel will result from the availability of mass transit to the project and partnership efforts with Bay Area Commuter Services to educate employers/employees of Carpooling, Vanpooling, Telework, Compressed Work Week and Flexible Work Week, among other initiatives. Future Annual Reports shall continue to recognize transportation systems management measures being implemented and the success thereof.
3. The Developer previously selected Option 3 (Condition II.B.3.c.) - "pipelining" for Phase 1 transportation impact mitigation. The developer asserted that the \$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 by Condition II.B.3.c.3)(a).
4. The Developer has previously submitted the *Master Stormwater Management/Drainage Plan* and the *Stormwater Pollution Prevention Plan* in accordance with Condition II.E.1. The Developer has additionally submitted the comparability of a *Non-Potable Water/Irrigation Plan* as required by Condition IV.G.6.
5. In accordance with Condition II.E.2., the Developer has established a surface water quality monitoring program subsequently approved by TBRPC, Hillsborough County, FDEP & SWFWMD. The Program included a provision for the conduct of semi-annual monitoring. The Developer has confirmed that "all required monitoring reports have been filed." The status of water quality monitoring shall continue to be described in all future Annual Reports.
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, 2009, was not submitted until November

6, 2009.

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.