



BRS

Biennial Report Summary

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**DRI #255 - BEXLEY RANCH
 PASCO COUNTY
 RYs 2008-10**

On March 28, 2006, the Pasco County Board of County Commissioners adopted Resolution No. 06-181 as a Development Order for Newland Communities, LLC. This 6,871± acre multi-use project is located in south central Pasco County, generally along the eastern side of the Suncoast Parkway, north of Tower Road, west of the CSX Railroad. The project is located slightly more than a mile north of S.R. 54 and approximately 4.5 miles south of S.R. 52. The Development Order authorizes specific approval for Phase 1 and 2 of a three-phase project. Specific approval of Phase 3 is contingent upon further transportation and air quality analysis in accordance with Section 380.06, F.S. The Development Order expires on December 31, 2025.

The currently approved phasing schedule is as follows:

LAND USE	PHASE 1 (12/31/2010)	PHASE 2 (12/31/2015)	PHASE 3* (TBD)	TOTAL
Single-Fam. Residential (Units)	2,450	2,480	1,070	6,000
Multi-Family Residential (Units)	0	600	400	1,000
Commercial (Sq. Ft.)	125,000	78,221	91,500	294,721
Office (Sq. Ft.)	337,200	200,000	0	537,200
Golf (Holes)	18	0	0	18

* - Specific approval of Phase 3 is contingent upon further air quality and transportation analyses in accordance with Subsection 380.06, F.S.

The Development Order has been amended once on March 25, 2008 (Resolution No. 08-177) to authorize the following modifications of the Development Order: removed the 1:1 jobs-to-housing ratio requirement imposed by Pasco County; removed the identified “design” date for S.R. 54 Improvement between the Suncoast Parkway and U.S. 41 while maintaining the established commencement and completion dates; modified the Master Development Plan (Exhibit F) and Land Use and Phasing Schedule (Table 1) to reflect a previously-approved land use conversion and delete a roadway (i.e. Lake Patience Road between Tower Road and Sunlake Blvd.); extended the date by which the Developer must provide all required off-site infrastructure and mitigate on-site wetlands at an off-site location for the combined elementary/middle school campus and the district park (to September 1, 2010); and revised the Master Developer to be “NNP-Bexley, Ltd.” The anniversary date for the Biennial Report is March 28th of each even number year.

On December 31, 2008, the Developer submitted a Notice of Proposed Change application requesting the following modifications to the Development Order which remain under review and/or consideration:

- extend the Phase 1 and 2 buildout date and Development Order expiration date by a period of eight years (to December 31, 2018, December 31, 2023 & December 31, 2033, respectively);
- Increase Single-Family by 493 units (to 5,423 through current Phase 2 and 6,493 overall), Multi-Family by 60 units (to 660 through current Phase 2 and 1,060 overall) and 4,950 sq. ft. of additional Commercial (to 208,171 through current Phase 2 and 299,671 overall);
- Consolidate Phase 1 and 2 entitlements;
- Update the language in Development Order Condition 5.g.(8) to recognize that the Habitat Management Plan has been submitted to and approved by Pasco County;
- Incorporation and application of Traditional Neighborhood Design/Employment Center (TND/EC) credits to the Transportation Proportionate Share [i.e. Conditions 5.m.(1)(a-d)].
- “Amend Condition 5.m.(5) Substandard Roads requiring the Applicant/Developer to provide payment for the County’s use in resurfacing Tower Road Segment C”;
- Amend Condition 5.o.(2)(a) to further extend the date by which the Applicant must provide required off-site infrastructure and mitigate on-site wetlands at an off-site location for the combined elementary/middle school by two additional years;
- Amend Condition 5.p.(5) to further extend the date by which the Applicant must provide all required off-site infrastructure and mitigate on-site wetlands at an off-site location for the district park by two additional years;
- Add provision to allow relocation of school and adjacent park site on Map H without the requirement for submittal of a Notice of Proposed Change application;
- Correct a Florida Statute citation reference in Condition 5.v.(3) from Subsection “380.06(14)(a)” to “380.06(15)(f)”;
- Add a land use entitled “Active Adult Residential” to the Land Use Equivalency Matrix with a maximum of 1,442 units;
- Revise Exhibit H (Transportation Improvements) as follows:
 - “Sunlake Boulevard - Clarifies that construction does not have to be the western two lanes.”
 - “Pipeline TBD is subject to TND/EC Credits.”
 - “Tower Road - Clarifies that resurfacing by Applicant/Developer for this improvement will be satisfied by the Applicant/Developer making payment to the County for their use in resurfacing roadway - the justification for which is described in Item E. Above.”
 - “Adds the following to the list of improvements that are impact fee creditable - the justification for which is that the improvement is not required for the project traffic:
 - Tower Road/Ashley Glen
 - Sunlake Boulevard”
 - “Deletes requirement to build Lake Patience Road from Sunlake to terminus in Oakstead - the justification for which is that Lake Patience Road is to be paid for and constructed by others.”
- “Revise segment description and timing for various roadways in Exhibit I - Transportation Impact Chronology Table.”

In lieu of preparing a formal Biennial Report, the Applicant has submitted a correspondence indicating that “no development has occurred since the date of this submittal” (i.e. June 25, 2008). Submittal of such correspondence in lieu of a Report is authorized under Subsection 380.06(18). Therefore, the following development and compliance representations would be identical to those previously reported, as presented below.

PROJECT STATUS

Development this Reporting Year: no development activity occurred during the reporting period.

Cumulative Development: construction of Sunlake Boulevard Segment A commenced on June 29, 2007.

Projected Development: No specific development activity has been identified for the next reporting period.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The Developer has prepared a *Groundwater Quality Monitoring Plan* allegedly approved by Pasco County. The extent of required coordination of this Plan with FDEP, SWFWMD and Tampa Bay Water was not documented within the Biennial Report. The Developer anticipates initiating monitoring efforts on June 30, 2008 and shall continue through project buildout. The monitoring results shall be reported at least annually and included in each Biennial Report as required in Condition 5.c.(5).
2. The Developer has prepared a *Habitat Management Plan (HMP)* allegedly approved by Pasco County in May 2008. A revised HMP has reportedly been submitted to Florida Fish and Wildlife Conservation Commission in accordance with Condition 5.g.(8). As required by Condition 5.g.(8)(i), updates of the HMP shall be included in each biennial report.
3. The Developer shall institute an annual monitoring program to verify that the allowable trips are not exceeded. The monitoring shall commence within eighteen (18) months following construction plan approval for fifty (50) percent of Phase 2 development. The total driveway trips shall not be allowed to exceed 3,538 inbound and 2,839 outbound p.m. peak hour trips (6,377 trips total). The monitoring results shall be submitted to Pasco County, TBRPC and FDOT. If the monitoring reports demonstrate that the project is generating more than five (5) percent above the number of approved trips, Pasco County shall amend the DO accordingly [Conditions 5.m.(4)(a)-(d)]. This requirement has obviously not been triggered at this point.
4. Condition 5.m.(6) obligates the Developer to submit a detailed description of the overall transit accommodation plan to Pasco County prior to preliminary site plan submittal for the first units or phase within the development. The plan shall include, but not be limited to, proposed ingress, egress bus routes, bus stops, benches, shelters, lighting, pedestrian walkways and landscaping. The status of this Condition shall be addressed in the **next** Biennial Report and included in future Biennial Reports until this Condition has been satisfied.
5. The Developer shall initiate a *Transportation Systems Management* program to divert vehicle trips from the p.m. peak hour in the first year following issuance of the first Certificates of Occupancy for office development within the project. The TSM program shall include an annual assessment of the actual achievement of trips diverted from the p.m. peak hour as a result of the program. As documented in Condition 5.m.(7), results of the TSM program shall be included in all subsequent Biennial Reports.

DEVELOPER OF RECORD

NNP-Bexley, Ltd., 1137 Marbella Plaza Drive, Tampa, FL 33619 is the entity 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. Pasco County is responsible for ensuring compliance with the terms and conditions of the Development Order.