



ARS

Annual Report Summary

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DRI #266 - WOLF CREEK BRANCH S/D HILLSBOROUGH COUNTY RY 2008-09

On January 23, 1990, Hillsborough County granted the initial Development Order (Resolution No. R90-0031) for DRI #207 to the Magnolia Management Corporation for a three-phase, 628-acre, multi-use development located west of I-75 and north of 19th Avenue in southwest Hillsborough County. Only Phase 1 was granted specific approval. Specific approval of (then proposed) Phases 2 & 3 were contingent upon further transportation analyses.

The DRI #207 Development Order was amended three times, most recently on December 10, 2002 (Resolution No. R02-275). The amendments extended each of the phase buildout dates and the Development Order expiration date. The Development Order was scheduled to expire on January 23, 2020.

On December 12, 2006, Hillsborough County adopted a Substantial Deviation Development Order (Resolution No. R06-276) for the project. The SDDO authorized consolidation of former project phases and expanded the project by 990 acres, 3,167 residential units, 248,480 sq. ft. of Retail and 58,900 sq. ft. of Office. The expanded project is now situated on 1,518± acres in southern Hillsborough County, generally west of I-75, north of 19th Avenue and the South Shore Corporate Park DRI, east of the C.S.X. Railroad and south of S.R. 672 and the Southbend DRI, approximately 11.5 miles north of Manatee County. The Development Order expires on December 31, 2025.

The following constitutes the approved project entitlements with an established buildout date of December 31, 2018:

LAND USE	ENTITLEMENTS
RESIDENTIAL	2,735 Single-Family Detached 991 Single-Family Attached 779 Multi-Family
COMMERCIAL	348,480
OFFICE	108,900
SCHOOLS	One Elementary School One Middle School
PARKS	38
REGIONAL SPORTS COMPLEX*	80

* - Owned by Hillsborough County

On May 3, 2010, the Developer submitted a Notice of Proposed Change application requesting the following modifications to the Development Order which remain under review and/or consideration:

- change the name of the DRI to “Waterset”;
- add 569.99 acres and corresponding 1,005 Single-Family residential units resulting from transference of land and entitlements from the concurrently-submitted Southbend/NNP NOPC application. This expansion area will be referred to as “Waterset North”;
- incorporate the transportation obligations associated with the 1,005 Single-Family residential units as recognized in the current Southbend DRI Development Order.
- recognize that the traffic monitoring initiation threshold will remain 1,000 units and may be constructed anywhere within the project, including within Waterset North;
- add a Land Use Equivalency Matrix component applicable only to Waterset North entitlements; and
- extend the buildout date associated with the existing Wolf Creek Branch S/D entitlements by a five-year period.

In lieu of preparing a formal Annual Report, the Applicant has submitted a correspondence indicating that “no development took place in the previous reporting year and no activity is anticipated in the upcoming year.” 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 year.

Cumulative Development: As indicated in prior Annual Reports associated with the project’s former designation as DRI #207, cumulative development is limited to the construction of entryway improvements and roadway improvements associated with the 30th Street extension.

Projected Development: no specific development activity has been identified.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Condition D.2.b. specifies the roadway improvements required of the Developer prior to the earlier of (1) issuance of building permits for 2,800 residential units or the equivalent thereof based on ITE PM peak hour trip generation rates; or (2) December 31, 2014.
2. Condition D.2.d. identifies additional roadway improvements that are required by the Developer and the timeline for completion thereof. Construction of these improvements shall be initiated upon the issuance of Certificates of Occupancy for the 1,935th, the 2,800th and 3,200th residential unit.
3. In accordance with Condition D.2.e.(ii), an annual traffic monitoring program shall commence with completion of 1,000 dwelling units and continued until buildout. The monitoring shall demonstrate that the project is not generating in excess of 4,622 net external P.M. peak hour trips, 716 pass-by trips and 760 internal trips for a total of 6,098 trips.

4. All mitigation areas and littoral shelves shall be monitored quarterly for a period of one year and semi-annually for the next three years as required by Condition D.3.e. Monitoring shall include species diversity composition, spreading (regeneration) and exotic species encroachment. Additional planting shall be required to maintain an 85 percent survival of planted species at the end of the three-year monitoring period. Monitoring of wetlands and wetlands hydroperiods shall be additionally performed by the Developer and a report thereof, including any significant adverse alterations to wetlands hydroperiods, shall be part of the annual report, as stated in Condition D.3.f.
5. Condition D.3.h. obligates the Developer to submit a *Wetland/Lake Management Plan* to TBRPC for review and to Hillsborough County, DEP and SWFWMD for approval prior to development approval for each increment or phase. The plan shall address but not be limited to, wetlands to be preserved, proposed wetland/lake alteration, control of exotic species, mitigation of lost wetlands, control of on-site water quality, and methods for wetland restoration/enhancement.
6. The Developer shall submit the following prior to the first construction plan approval:
 - corresponding transit amenities [Condition D.2.k.];
 - a *Comprehensive Emergency Management Plan* [Condition D.4.a.];
 - a \$152,994.00 shelter mitigation fee or alternative mitigation acceptable to Hillsborough County [Condition D.4.e.];
 - a *Potable Water and Non-Potable Water Use Plan* [Condition D.9.j.];
 - a *Surface and Groundwater Monitoring Plan* [Condition D.9.j.(ii)]; and
 - a *Master Stormwater Management Plan* [Condition D.12.e.].
7. The Developer has indicated that seven nest boxes were installed in the specified locations with the intention of maintaining and enhancing the breeding population of the Southeastern American Kestrels on site. Such installation allegedly occurred on December 10, 2007 in accordance with Condition D.7.d.
8. The Developer has previously submitted the *Upland Management Plan* in conjunction with Condition D.7.f.
9. Condition D.12.b. mandates the Developer to amend the water quality monitoring program established in 1992 to include the expanded land area added to the project under the SD. The amended program shall be submitted to SWFWMD and DEP for review and approval prior to any site development in the expanded portion of the DRI. The Developer allegedly submitted the revised program to the required agencies on February 14, 2008. It is unclear whether this revised Program has been approved by these agencies. The status of such approval shall be addressed in the next Annual Report.
10. Condition D.12.g. acknowledges that the Developer shall hire a licensed engineer to conduct annual inspections of the stormwater management systems on the project site to ensure that the system is being properly maintained in keeping with its design, and is capable of accomplishing the level of stormwater storage and treatment for which it was designed and intended. Such inspection results shall be included in each annual report.

11. Upon receipt of request from the School Board and Hillsborough County Fire Rescue respectively, the Developer shall convey: two 15-acre school sites [Condition D.13.]; and a minimum of 1.2 acres for construction of a future fire station facility [Condition D.14.c.].

DEVELOPER OF RECORD

The following parties are jointly responsible for adhering to the conditions of the Development Order:

NNP Southbend II LLC 1137 Marbella Plaza Drive Tampa, FL 33619	Property Reserve, Inc. 150 East Social Hall Ave., Suite 550 Salt Lake City, UT 84111
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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.