



BRS

Biennial Report Summary

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DRI #260 - WIREGRASS RANCH PASCO COUNTY RYs 2009-11

On August 3, 2007, the Pasco County Board of County Commissioners rendered to the Tampa Bay Regional Planning Council (TBRPC) Resolution No. 08-06, a Development Order adopted on July 17, 2007. The Development Order granted specific approval for the first three (of four) project phases to Wiregrass Ranch, Inc. Specific approval of Phase 4 is contingent upon further transportation and air quality analyses. The mixed-use project is situated on 5,100-acres in south-central Pasco County, east of the Seven Oaks DRI and S.R. 581, south of S.R. 54, southwest of the New River DRI, west of the Wesley Chapel DRI and north of the Meadow Pointe DRI. The Development Order currently expires on December 31, 2020.

With the Development Order being modified initially to resolve an appeal by the Florida Department of Community Affairs, whereby Exhibit I was amended to clarify the Phases 2 and 3 proportionate share mitigation requirements (i.e. October 9, 2007/Resolution No. 07-291), the Development Order has subsequently been modified two more times (i.e. September 7, 2010/Resolution No. 10-376 & September 21, 2010/Resolution No. 10-399) to cumulatively:

- change the Developer of Record to “Locust Branch, LLC;
- authorize Industrial and Attraction & Recreation facility as potential uses obtainable through the Land Use Equivalency Matrix (LUEM);
- modify the extent of flexibility granted for use by the LUEM;
- authorize exchange of locations (and associated project entitlements) between Parcels O3 and M13;
- redesignate Parcel “V4” as Parcel “M18” (to allow mixed uses);
- add 50± acres of Parcel “S3” to Parcel “O3” (to allow Office development);
- increase the size of the Town Center (Parcel “M7”) to 138± acres and Parcel M15 by 10± acres;
- reduce the size of Parcel S4 by 148± acres;
- establish a Parcel “S3A”;
- designated 80 acres of Parcel S5 as a County Park;
- convert approximately 220 acres of Parcel “S5” to new Parcels “M17” and “M19”;
- slightly modify the boundaries for Parcel C-8;
- designate approximately 21± acres of former Parcel M4A as County Park;
- depict the proposed realignment of Bruce B. Downs Blvd.;
- rename “Porter Boulevard” to “Wiregrass Ranch Boulevard”;
- modify Exhibit E/Map H-3/“Land Use Schedule” (i.e. project acreages and designation of parcel development by phase);
- modify Exhibit I/“Wiregrass DRI Transportation Mitigation Terms and Conditions” as follows:
 - rename “Porter Boulevard” to “Wiregrass Ranch Boulevard”
 - extend the due dates associated with the required “Letters of Credit”
 - increase the Phase 1 proportionate share credit for the hospital and medical office employment center uses

- allocate entitlements attributable to each pipeline improvement and the subphasing of improvements 6 and 7
 - update the proportionate share costs to reflect July 2009 FDOT cost indexes
 - add “the Pasco County 2 year extension to construction start dates and financial assurance column)
- modify the Land Use Table to reflect requirement for 1,000 of the Phase 1 and 1,500 of the Phase 2 Single-Family Residential units be housing units for the elderly and to establish 99,180 sq. ft. of Medical Office as a subset of their approved 400,000 sq. ft. of General Office uses approved for Phase 1;
 - modify numerous tables within Exhibit H to reflect the use of June 2009 FDOT cost indexes;
 - extend the buildout dates associated with Phases 1 - 3 (to December 31, 2019) and the Development Order expiration date (to December 31, 2023), each by a period of three years;
 - recognize conversions of 34 Single-Family residential units (from Phase 3) for 9,180 sq. ft. of Medical Office and 84 Single-Family residential units (from Phase 3) to 707-student Community College campus and advanced each to Phase 1;
 - modify the underlying Future Land Use classifications assigned to the project from MU (Mixed Use) and RES-3 (Residential - 3 units/acre) to PD (Planned Development) as applicable within Subsections 1.e and 5.b.(4)(a) of the Development Order; and
 - corresponding modifications to the Master Development Plan.

The Buildout and Development Order expiration dates have each been extended by an additional four years and 306 days to account for 2011 legislation (HB 7207) and the tolling period associated with three Executive Orders (i.e. Nos. 11-128, 11-172 & 11-202) signed into law by the Governor during 2011. The revised Phase 1-3 buildout dates are November 1, 2024 and the revised Development Order expiration date is November 1, 2028.

The following constitutes the revised phasing schedule:

LAND USE		PHASE 1 (thru 11/01/24)	PHASE 2 (thru 11/01/24)	PHASE 3 (thru 11/01/24)	PHASE 4 ² (thru 11/01/24)	TOTAL
RESIDENTIAL	#	6,000	4,689	132	1,000	11,821
	(Single-Family)	(4,000) ¹	(3,163) ¹	(132)	(0)	(7,295)
	(Multi-Family)	(2,000)	(1,526)	(0)	(1,000)	(4,526)
RETAIL	Sq. Ft.	1,580,800	800,000	340,000	460,000	3,180,800
OFFICE	Sq. Ft.	310,000	599,080	150,000	875,000	1,934,080
MEDICAL OFFICE	Sq. Ft.	199,180	0	0	0	199,180
HOTEL	Rooms	480	0	0	0	480
HOSPITAL	Beds	100	0	0	0	100
COMM. COLLEGE	Students	707	0	0	0	707
ATTRACTION & REC.	Sq. Ft.	300,000	0	0	0	300,000
GOLF	Holes	18	0	0	0	18
SCHOOLS/ELEMENTARY	#	1	1	1	1	4

1. Single-Family residential entitlements are inclusive of 1,000 “elderly housing units” within Phase 1 and 1,500 within Phase 2.

2. Specific approval of Phase 4 is contingent upon further transportation and air quality analyses.

On February 15, 2012, 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 all project dates recognized within the Development Order by eight (8) years and 306 days in accordance with: HB 7207/2011 legislation [4 years]; remaining time period not previously granted under provision of Subsection 380.06(19)(c)1., F.S., which is “presumed not to create a Substantial Deviation” [4 years]; and tolling period associated with three Executive Orders (i.e. Executive Orders Nos. 11-128, 11-172 and 11-202) signed into law by Governor Scott during 2011 regarding the threat of wildfires statewide [306 days]. Specifically, the revised dates are:
 - Phase 1 Buildout Date - November 1, 2028
 - Phase 2 Buildout Date - November 1, 2028
 - Phase 3 Buildout Date - November 1, 2028
 - Albeit **conceptually-approved** only, Phase 4 Buildout Date - November 1, 2032
 - Development Order Expiration Date - November 1, 2032
- Vest office entitlements, subject to conditions, pursuant to the phasing and duration provision.
- Add provisions regarding Pasco County’s adoption of an Urban Service Area, a Transportation Concurrency Exception Area and allowance for Mobility Fees in lieu of Transportation Concurrency.
- Expand Land Uses and entitlements that may be advanced to an earlier phase.
- Provide for Land Uses that may be added to a Phase.
- Replace all references from “Florida Department of Community Affairs/FDCA” to “Florida Department of Economic Opportunity/FDEO.”
- Update the Land Use Table (i.e. Table 1).
- Convert 348 Single-Family Detached Units from Phases 2 and 3 to 271 Hospital Beds and advance to Phase 1.
- Advance all specific approved Office entitlements to Phase 1.
- Add University as an approved use.
- Revise Parcel names, configurations and designations depicted on Map H (Exhibit H).
- Delete Exhibit E, provide an entitlement accounting process and clarify the entitlement assignment process.
- Allow the Town Center to be located on another Parcel(s) and revise the applicable standards.
- Revise the location and development standards of the Corporate Business Park.
- Revise the location and development standards for Hotel.
- Delete the temporary provision for land use consistency.
- Revise the provision for interconnectivity.
- Revise the Conditions and Maximum Land Use and Entitlements of the Land Use Exchange Matrix and Land Use Exchange requirements and make them consistent with the Comprehensive Plan.
- Update the Ground Water and Surface Water Monitoring Plan (GSMP) Baseline Monitoring and reporting status.
- Update Exhibit L, Conservation Corridor Exhibit.
- Update the Environmental Management Plan (EMP) implementation status.
- Update the GPS Control Point provisions.
- Update the approval date and contents of the Developer’s Agreement.

- Clarify the conceptual nature of Exhibit J.
- Update or remove various specific Land Development Code section citations.
- Clarify when Mobility Fees and Credits are applicable.
- Update the status of the Master Roadway Plan.
- Identify which Parcels have been conveyed to the School Board.
- Provide alternative locations for a District Park.
- Revise the provisions for a General Government Service Center.
- Delete Exhibit M (“Settlement Agreement with Pasco County and FDOT dated December 22, 2006”) and Exhibit O (“Agreement with Florida Department of Community Affairs dated October 8, 2004”).
- Revise Exhibit I (“Wiregrass Ranch DRI Transportation Mitigation Table”).
- Advance 2,000 Single-Family Detached from Phases 1C & 1D to Phase 1A and adjust the Proportionate Share Per Trip Fee for Phases 1C & 1D accordingly.
- Allow other uses to be converted to Residential uses in Phase 1A.
- Revise the Conditions for when the Easement Agreement for the Park & Ride Facility (Item #11) must be provided.
- Revise the location and conditions for the Park & Ride Facility.

PROJECT STATUS

Development this Reporting Year: it appears that 5,731 sq. ft. of additional Commercial was developed in association with “The Shoppes at Wiregrass.” In addition, construction of the Pasco-Hernando Community College commenced on Parcel M18 and the Wesley Chapel Medical Center has commenced construction on Parcel O2.

Cumulative Development: 772,385 sq. ft. of Commercial with “The Shoppes at Wiregrass.”

Projected Development: no specific development activity has been identified for the next reporting period although the Developer has identified that Residential development “was proposed” for Parcels S-1, S-3 and S-4, Retail on Parcel C-2 and Hospital on Parcel O-2.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The Developer indicated that an *Environmental Management Plan* (EMP) was previously submitted to the required agencies on April 8, 2008 in accordance with Condition 5.h.(6)(a). The EMP allegedly included: an *Integrated Pest Management Program* (Conditions 5.d.(2)(h)); *Wetland H25 Management Plan* (Condition 5.f.(7)); and *Ground Water and Surface Water Monitoring Plans*. (Conditions 5.d.(9)(a) & 5.d.(9)(b), respectively). The Developer confirmed that the EMP was subsequently modified to reflect the “minor” comments provided by the SWFWMD. In accordance with the Water Monitoring requirements, baseline monitoring was completed in July 2011. All monitoring shall be conducted at least annually and included with each Biennial Report.
2. The Developer identified that a coordinated *Wetlands Mitigation Plan* was submitted to and approved by Pasco County in accordance with Condition 5.f.(6). The *Plan* will continue to be updated and submitted to the County concurrent with future Preliminary Plan submittals.

3. The Developer has stated that they have complied with Condition 5.h.(2) and, in particular, their former conduct and submittal of additional breeding season surveys of listed species documented on site. These surveys pertained to development along the State Road 56 corridor, as well as additional surveys during the reporting period for the Wesley Chapel Medical Center and Parcel M11 development. Additional surveys will be submitted to Pasco County Growth Management Department, Pasco County Biologist and the Florida Fish and Wildlife Conservation Commission, as required, “as each development parcel proceeds through the design and permitting phase.”
4. **The Developer has not addressed their extent of compliance with the following requirements:** distribution of water conservation educational materials to project residents and businesses [Condition 5.k.(1)(e)]; incorporation of the Florida Yards and Neighborhoods program principles into integrated pest management, landscape design, plant material selection, and irrigation system installation [Condition 5.k.(1)(j)]; and/or notifying project businesses of applicable statutes and regulations regarding hazardous waste and materials, including those listed in Rule 9J-2.044, FAC [Condition 5.k.(3)(c)]. Acknowledging that only limited development has occurred on the site to date, it will be relevant that the extent of compliance with each of these requirements be addressed within any/all future Wiregrass Ranch Biennial Reports.
5. The Developer allegedly submitted a *Solid Waste Recycling Plan* to the County for review in December 2008 in accordance with Condition 5.k.(1)(c). The cause for the delay in review and/or approval is unclear and has not been identified. The Developer has alleged that this Plan “is still under review.” The Developer has reported that the Plan has subsequently been updated to reflect the cardboard recycling program being implemented at the Shoppes at Wiregrass. A monitoring report updating the implementation and progress of such recycling shall be submitted to the Pasco County Utility Services Branch (PCUSB), HOA, CDD, or other entity approved by the PCUSB and included in the Biennial Report.
6. Eighteen (18) months following construction plan approval for vertical construction of 50% of the Phase 1 of the DRI in terms of p.m. peak-hour project trip generation, or prior to construction plan approval for vertical construction of 65% of the Phase 1 of the DRI in terms of p.m. peak-hour project trip generation or December 31, 2014, whichever occurs first, the Developer shall institute a monitoring program to provide external p.m. peak-hour counts and projected counts at the project entrances as set forth below. Monitoring shall continue on a biennial basis until project buildout. Each monitoring event shall be conducted within a six month period from the due date of each biennial report to ensure that the counts are relatively accurate. [Condition 5.m.(4)]. For Phase 1 the total p.m. peak-hour trips at the project entrance driveways was projected to be 10,288 (5,287 Inbound/5,001 Outbound), which included 968 internal capture and 648 pass-by trips. For Phases 1 and 2 (cumulative) the total p.m. peak-hour project trips at the project driveways were projected to be 17,581 (9,131 Inbound/8,450 Outbound), which included 2,670 internal capture and 690 pass-by trips. For Phases 1, 2, and 3 (cumulative) the total p.m. peak-hour project trips at the project driveways was projected to be 19,818 (10,077 Inbound/9,741 Outbound), which included 3,428 internal capture and 786 pass-by trips. The results of each monitoring event shall be submitted to Pasco County, TBRPC and FDOT.
7. Condition 5.m.(6) recognizes that the Developer shall initiate a Transportation Demand Management (TDM) Program in an effort to divert vehicle trips from the p.m. peak-hour. The TDM Program

shall be submitted within the first year following completion of development in Phase 1 and include a biennial assessment of the actual achievement of trips diverted from the p.m. peak-hour as a result of the program using a methodology approved by Pasco County. Results of the TDM Program shall be included in each biennial report. This Condition has obviously not been triggered at this time.

8. As documented in Condition 5.o.(2), the Developer shall convey the following to Pasco County without compensation other than impact fee credits within 90 days of written request: a mutually-agreeable 80± acre District Park site and a mutually-agreeable 16-acre Community Park site within Parcel M-4A. The Developer has advised that they are “currently working with the County on the proposed location for the park.”

DEVELOPER OF RECORD

Locust Branch LLC, 201 N. Franklin Street, Suite 2000, Tampa, FL 33602 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. Pasco County is responsible for ensuring compliance with the terms and conditions of the Development Order.