



ARS

Annual Report Summary

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DRI #241 - HARBOR BAY HILLSBOROUGH COUNTY RY 2012-13

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 19th 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 extended the buildout and Development Order expiration dates by a cumulative 11 year and 325-day period resulting from a culmination of Subsection 380.06(19)(c), F.S. revisions as well as 2009 and 2011 legislation. The Development Order now expires on March 20, 2023.

PROJECT STATUS

The following entitlements shall be completed by November 20, 2020:

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

Development this Reporting Year: it appears that 121 single-family units were constructed during the reporting year.

Cumulative Development: 1,274 residential units (i.e. 1,001 single-family & 273 multi-family), 95,444 sq. ft. of Commercial and 6,900 sq. ft. of Office have been completed. The Mirabay Club House/Amenities Center and Guardhouse were previously constructed. The Hillsborough County School Board and the Hillsborough County Parks Department previously acquired Parcels 31 and 32 (respectively) for development of future school and park amenities. Based on prior aerial maps, it was previously estimated that 407 boat slips have been constructed (i.e. 247 in the “open water” and 160 in the lake/lagoon).

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

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. As identified in Stipulation III.D. of the Development Order, any further buildout extension (beyond that which is allowable under new provisions of the Statutes as may be applicable) shall be presumed to create a Substantial Deviation pursuant to Subsection 380.06(19)(c), F.S. This factor was based on the numerous extensions previously granted in association with the project's predecessor - the Apollo Beach DRI.
2. The Developer submitted the results of the annual traffic count monitoring conducted on various days in the first week of May 2013 at the project access drives, consistent with Condition IV.A.1.a. According to Table 1 included in the monitoring report, the project was generating 770 of the 2,553 external p.m. peak hour trips (i.e. 1,398 Inbound/1,155 Outbound) approved for the project.
3. The Developer previously affirmed 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 May 12, 2011 (Dry Season), July 28, 2011 (Wet Season), and September 20, 2011 (Wet Season) monitoring events in association with the RY 2011-12 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 was 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 acknowledge that this information is included as part of all "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). Having surpassed this threshold during this reporting year, the Developer has subsequently notified “appropriate staff with the Hillsborough County School Board and the Emergency Management Department” of this fact and expects to arrange for the \$7,970 shelter mitigation fee “shortly.” It is anticipated that the next Annual Report will include acknowledgment that the payment has been made.
9. Pursuant to Condition III.K. of the Development Order and Section 380.06(18), F.S., the Harbor Bay annual reports are required to be submitted “*on March 23 of each year until and including such time as all terms and conditions of this development order are satisfied.*” In this regard, it is hereby acknowledged that the Annual Report, which was due on March 23, 2013 (for RY 2012-13), was not submitted until October 11, 2013.

DEVELOPER OF RECORD

Newland Communities - Mirabay, Attention: Anne Marie Lenton, Vice President of Operations, 777 S. Harbour Island Boulevard, Suite 320, 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 with the exception of the issue identified in *Summary of Development Order Condition #9*, above. Hillsborough County is responsible for ensuring compliance with the terms and conditions of the Development Order.