



# ARS

## Annual Report Summary

4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782  
Phone (727) 570-5151 / FAX (727) 570-5118  
www.tbrpc.org

### DRI #210 - NEW RIVER PASCO COUNTY RY 2015-16

On January 7, 1992 the Pasco County Board of County Commissioners adopted a Development Order (Resolution #92-98) for a mixed-use development located east of I-75 and north of State Road 54 in southeastern Pasco County. The Development Order granted specific approval for Phase 1. Specific approval of Phases 2 and 3 is contingent upon further transportation and air quality analysis under Section 380.06, F.S.

The Development Order has been amended a total of five times, the latest occurred on November 18, 2003 (Resolution No. 04-43). The amendments have cumulatively:

- extended the build-out dates of each of the three phases by a total of 12 years (to December 31<sup>st</sup> of 2008, 2013 and 2020, respectively) and the Development Order expiration to November 30, 2022;
- exchanged locations for previously approved commercial and multi-family parcels;
- eliminated the 1,920 “retirement units” and any reference in the Development Order thereof;
- removal of the geographic phasing nature of the project; and
- modified, accelerated and decelerated entitlements between the specifically and conceptually approved phases.

Revisions to Subsection 380.06(19)(c), F.S. [2007 legislature] and SB 360 [2009 legislature] have cumulatively extended the Phase 1 buildout date by five additional years (to December 31, 2013) and the Development Order expiration date to December 31, 2025.

The currently-approved phasing schedule is as follows:

| PHASE        | BUILDOUT   | RESIDENTIAL (Units) |              | OFFICE (Sq. Ft.) | COMMERCIAL (Sq. Ft.) |
|--------------|------------|---------------------|--------------|------------------|----------------------|
|              |            | Single-Family       | Multi-Family |                  |                      |
| 1            | 12/31/2013 | 1,250               | 300          | 120,000          | 50,000               |
| 2*           | TBD        | 1,178               | 1,100        | 0                | 200,000              |
| 3*           | TBD        | 390                 | 582          | 0                | 310,000              |
| <b>TOTAL</b> |            | <b>2,818</b>        | <b>1,982</b> | <b>120,000</b>   | <b>560,000</b>       |

\* Phases 2 & 3 have conceptual approval only. Specific approval of these phases will require further transportation analyses in accordance with Section 380.06, F.S.

## **PROJECT STATUS**

***Development this Reporting Period:*** it appears that development was limited to the completion of 39 single-family residential units.

***Cumulative Development:*** 709 single-family residential units, 12,000± sq. ft. of Commercial and a 3.51-acre park site (on “Parcel D”). It was additionally identified that the Phase 1 and Phase 2 segments of River Glen Boulevard were completed.

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

## **SUMMARY OF DEVELOPMENT ORDER CONDITIONS**

1. The Developer previously submitted a *Stormwater Management Plan* and a *Wetland/Lake Management Plan* in accordance with Conditions V.B.3. & V.B.4., respectively. It is understood that annual surface water quality monitoring is proceeding in accordance with the specification identified in Condition V.B.4. Such monitoring shall continue through project build-out.
2. Pursuant to Condition V.M.3., an energy program report must be prepared and submitted in each Annual Report. In lieu of this requirement, through consultation with the Withlacoochee Rural Electric Coop, the Developer has elected to develop and implement an “energy efficiency and conservation program” for the project, consisting of: the use of energy efficient fixtures, the conduct of energy audits, alternative energy sources and optimum construction design features.
3. Prior to the issuance of Certificates of Occupancy for Phase 2, the Developer is required to submit a *Transportation Systems Management Plan* and prepare for the implementation thereof. The program shall include the yearly assessment of trips diverted from p.m. peak hour as a result of TSM measures implemented. The results shall be documented within each respective Annual Report. (Condition V.N.4.)
4. In accordance with Condition V.O.1., the Developer had dedicated a 20-acre school site to the Pasco County School Board and the school was subsequently constructed.
5. As stipulated in Condition V.N.1.g. (Resolution No. 04-43), the Developer shall implement an annual traffic monitoring program to verify that the total driveway trips associated with Phase 1 do not exceed the 1,694 (918 Inbound/776 Outbound) p.m. peak hour trips approved for Phase 1 of the project. Such program shall be initiated “prior to preliminary plan/plat approval for 50% of Phase 1 entitlements.” This Condition is obviously not applicable at this point.
6. In accordance with Stipulation IV.A.2, “*the Developer shall provide an Annual Report on the required form to the [Pasco County] Development Services Branch, the TBRPC, and the DCA [now “DEO”] on the anniversary date of final adoption of the Development Order [July 13<sup>th</sup>] each year during the term of this Development Order.*” In this regard, it is hereby acknowledged that although the RY 2015-16 Annual Report was submitted on July 12, 2016, a RY 2014-15 Annual Report was never submitted.

7. Council records show that the only Phase 1 of the project has been specifically approved while Phases 2 and 3 are subject to further transportation analysis. The Phase 1 buildout date lapsed on December 31, 2013 inclusive of all previously granted legislative extensions. The Developer acknowledged that an additional one year and 82-day extension was requested in December 2015 on account of two Executive Orders enacted by the Governor in 2015. However, even if granted, the Phase 1 buildout date would still remain lapsed.
8. The Developer has made reference to the fact that they submitted a DRI Rescission application on May 16, 2016. It appears that the project could and would qualify for rescission since the development is located in Pasco County's "Urban Service Area" and Pasco County staff has subsequently confirmed that the project has mitigated all existing development.

### **DEVELOPER OF RECORD**

New River Partners Ltd., Attention: Beat M. Kahli, President, 3680 Avalon Park East Blvd., Suite 300, Orlando, FL 32828 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 with the exception of the issue identified as *Summary of Development Order Conditions #6 & #7*, above. Pasco County is responsible for ensuring compliance with the terms and conditions of the Development Order.