

PASCO COUNTY, FLORIDA  
INTEROFFICE MEMORANDUM

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TO: Development Review Committee      DATE: 2/18/10      FILE: ENA10-007

SUBJECT: Harrison-Bennett Properties – Chapel  
Creek Crossings Master Planned Unit  
Development – Policy Direction Re-  
garding Impact Fee Credits for Road-  
way Improvements

FROM: Michael Nurrenbrock  
OMB Director

REFERENCES: Commission District 2

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DISCUSSION:

Harrison-Bennett Properties has a Master Planned Unit Development rezoning application and Development Agreement under review by staff for the Chapel Creek Crossings project. The project is located north of S.R. 54 and east of Curley Road, at the intersection of the future Zephyrhills Bypass Extension and Curley Road South realignment. See attached map.

There have been discussions with staff regarding the transportation improvements and impact fee credits. At a previous Development Review Committee meeting, a presentation was provided by the attorney for the developer regarding some outstanding issues relative to the transfer of impact fees outside the property, right-of-way acquisition, and site-related improvements. Staff was asked to meet with the developer regarding the outstanding issues and further determine if the reimbursement of impact fee credits outside the project would negatively impact the revenue stream for the County.

The developer has requested that the Development Review Committee discuss the following requests and provide direction to staff:

1. Developer proposes to phase the Construction of the Zephyrhills Bypass Extension from east of S.R. 54 to east of Handcart Road and receive impact fee credits as follows:
  - a. Phase I - East of S.R. 54 to Curley Road South (CONSTRUCTION Start – 2012) – Construct 4 lanes of ultimate 6 lanes and construct stormwater improvements, floodplain compensation, and wetland mitigation for 6 lanes (right-of-way will be donated for 6 lanes).
  - b. Phase II – Curley Road South to River Glen Boulevard (CONSTRUCTION Start – 2014) – Construct 4 lanes of ultimate 6 lanes through Chapel Creek Crossings, 2 lanes to the limits of the New River Town Center, 4 lanes through the New River Town Center; and, construct stormwater improvements, floodplain compensation and wetland mitigation for 6 lanes.
  - c. Phase III – River Glen Boulevard to east of Handcart Road (CONSTRUCTION Start – 2016) – Construct 4 lanes to the east limits of the New River Town Center, 2 lanes to east of Handcart Road; and, construct stormwater improvements, floodplain compensation and wetland mitigation for 6 lanes.

*Currently, right-of-way acquisition for the Zephyrhills Bypass Extension is programmed in FY14/15 and Construction is programmed in FY16/17. The project has been designed, Southwest Florida Water Management Permit issued; and, permit from the Army Corps of Engineers is pending.*

2. Developer proposes to construct 4 lanes of Curley Road South realignment from the intersection of S.R. 54 and MeadowPointe Boulevard to the intersection of Zephyrhills Bypass and wants to have the impact fee credits that would have been afforded to Epperson Ranch DRI for their improvement of this segment available to Chapel Creek Crossings.

*Currently, Epperson Ranch is required to start construction of Curley Road Phase I from Old S.R. 54 to north of Wells Road no later than January 1, 2014, with the project being accepted for maintenance prior to July 1, 2015. The developer (Harrison-Bennett Properties) would begin construction in 2012 in conjunction with 1.a. above.*

The County Engineer has opined that 1.a. and 2. above, do not qualify for impact fee credits due to the fact that Phase I and the Curley Road south improvements do not provide the parallel facilities necessary for the transportation network, would result in a minimal benefit to Pasco County, and would be serving as the driveway connections necessary for development of the property.

3. Developer proposes that they receive approval to transfer any excess impact fee credits off-site. They anticipate there will be no impact fee credits transferred in Phase I, Phase II, and for Curley Road South realignment; however, they are requesting that impact fee credits be transferred for Phase III. The total estimated amount of credits estimated by the developer for transfer is \$5,000,000.

*Prior to the opinion of the County Engineer, staff was recommending deferral of the decision on impact fee credit transfer off-site proposal until the Developer's proposed construction start date of 2016 for Phase III.*

4. Developer proposes to receive 50% of the total construction cost for 2 lanes of the 4 lanes of the Zephyrhills Bypass Extension (4,500 feet) as impact fee credits and cites Belle Verde (fka Cannon Ranch) as the precedent. Belle Verde's (fka Cannon Ranch) Developers Agreement provides that 50% of the total construction cost for 2 lanes of the 6 lanes of S.R. 52.

*Staff discussed the feasibility of the developer receiving impact fee credits for 33-1/3% of the total construction costs for 4 lanes of the Zephyrhills Bypass Extension and 33 1/3% of the total construction cost for the stormwater improvements, floodplain mitigation, and wetland mitigation for 6 lanes of the Zephyrhills Bypass Extension. (Note: Belle Verde (fka Cannon Ranch) was scheduled to receive transportation impact fee credits for 50% of the roadway costs for the construction of a 4-lane divided roadway (Clinton Avenue Extension) from the North/Loop Road to east of Parcel 10 in their project.)*

Staff is requesting direction from the Development Review Committee regarding the proposals offered by Harrison-Bennett Properties prior to finalizing the Development Agreement.

ATTACHMENTS:

1. Location Map
2. Ex Parte Sign-In/Disclosure Form

DJB/d/ena10007