



Tampa Bay Regional Planning Council

ARS

Annual Report Summary

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DRI #190 - UNIVERSITY COMMONS MANATEE COUNTY RY 2006-07

On June 3, 1992, Manatee County Board of County Commissioners adopted a Development Order (Ordinance No. 92-31) for this 286-acre multi-use project located north of University Parkway, east of U.S. 301 in southwestern Manatee County.

On January 4, 1994, Manatee County adopted Ordinance No. 93-54 as an amendment to the DRI and settled an appeal of the original Development Order by the Florida Department of Community Affairs. The amendment authorized a 20-month and 15-day extension of the buildout dates (to September 15, 1999 for Phase I and September 15, 2004 for Phase II), as a result of the appeal process. Specific Phase II approval is contingent upon further Chapter 380.06, F.S. analysis of transportation, air quality and housing.

The Development Order has been amended five times, the latest adopted on June 22, 2004 (Ordinance No. 04-47). The amendments have cumulatively: authorized eight year, eight month and 14-day extensions of the Phase I and Phase II buildout dates (to September 14, 2003 and September 14, 2008, respectively); modified the development entitlements; and authorized an exchange of 510 independent senior housing units and an 85-bed group care facility for 383 multi-family units. The anniversary date for the Annual Report is April 15th.

The approved phasing schedule is as follows:

LAND USES	PHASE I (1992-2003)	PHASE II (1998-2008)	TOTAL
RESIDENTIAL			
Single-Family Detached (Units)	150	0	150
Single-Family Attached (Units)	150	0	150
Single-Family Semi-Detached (Units)	100	0	100
Skilled Nursing (Beds)	120	0	120
Multi-Family(Units)	0	370 ¹	370 ¹
COMMERCIAL (SQ. FT.)	250,000	175,000 ²	425,000
OFFICE (SQ. FT.)	0	10,000	10,000

NOTES:

1. The multi-family residential entitlements represented reflect a 13-unit reduction recognized in the project's corresponding Zoning Ordinance.
2. The represented Phase II commercial entitlements (i.e. 175,000 sq. ft.) are exclusive of 40,000 sq. ft. of canopies approved for the project.

On March 16, 2007, the developer submitted a Notice of Proposed Change application requesting the following modifications to the Development Order, which remain under review:

- allow a net increase of 22,695 sq. ft. of Commercial, including the development of an outparcel;
- extend the buildout date by an additional one year, three months and 16 days (to December 30, 2009);
- revision to a Condition pertaining to parking requirements; and
- add access point(s) on Lockwood Ridge Road.

PROJECT STATUS

Development this Reporting Year: it appears that a total of 240 multi-family residential units and 51,994 sq. ft. of Commercial were completed during the reporting year.

Cumulative Development: 450,389 sq. ft. of retail space, a 120-bed Skilled Nursing facility, 150 single-family attached units, 100 single-family semi-attached units, 150 single-family detached units and 240 multi-family residential units have all been constructed to date. Development of office uses has not been (and perhaps will not be) initiated.

Projected Development: it is anticipated that the remaining multi-family residential units and lone commercial outparcel will be under construction during the next reporting period. It is understood that remaining commercial is limited to a maximum of 24,611 sq. ft., which would/could include 10,000 sq. ft. of office uses, in accordance with the Development Order.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Condition 5.B.(3) requires the developer to submit an Annual Traffic Monitoring Report. The results of the July 17-18, 2007 monitoring event revealed that the project is currently generating 2,385 p.m. peak hour trips (i.e. 1,234 Inbound/1,150 Outbound) of the approved 2,651 trips. As required, traffic monitoring shall continue through project buildout.
2. The developer has previously submitted a copy of the *Master Drainage Plan* in accordance with Condition 5.G.(1) of the Development Order.
3. In accordance with Condition 5.G.(3), the developer is required to conduct and submit the results of semi-annual surface/groundwater monitoring. Such requirement shall continue through four years following the issuance of the last Certificate of Occupancy. The developer has submitted the results on a lone monitoring event conducted during the reporting period on July 19, 2007. Manatee County was alleged to have approved a reduction in the frequency in water quality monitoring although no formal verification has been provided by the County or the developer.
4. Condition 5.H.(1) requires the developer to prepare a hazardous substances and hazardous waste management plan within one year of the Effective Date of the Development Order. In lieu of this requirement, the developer has previously submitted a copy of a "Biomedical Waste Management Contract" between the skilled nursing facility (*Life Care Center of Sarasota*) and Medico

Environmental Services, Inc. Although the initial contract was effective for a one year period, it can be renewed for successive one year periods without further action by the parties. Similar contracts shall be provided to address similar, future facilities if and when appropriate.

5. Condition T.2. of the Development Order and Subsection 380.06(18), F.S., the developer is required to submit an Annual Report on the anniversary date of the Development Order and “each year thereafter until such time as all terms and conditions of this Development Order are satisfied.” It is hereby stated that the Annual Report, which was due on April 15, 2007, was not submitted until August 1, 2007.

DEVELOPER OF RECORD

University Parkway Associates, 34555 Chagrin Blvd., Chagrin Falls, OH 44022 **and** Wal-Mart Stores East L.P., 2001 S.E. 10th Street, Bentonville, AR 72716-0550 have all been identified as owners/developers of “active” parcels within the University Commons DRI and therefore responsible for adhering to the conditions of the Development Order. The Annual Report further identified that the following parties currently own undeveloped parcels within the University Commons DRI: Kamco Properties LLC, 5640 West Maple Road #101, West Bloomfield, MI 48322 (Parcel #2040810059) **and** Coast Bank of Florida, 1301 6th Avenue West, Bradenton, FL 34205 (Parcel #2040810259).

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 Condition #5*, above. Manatee County is responsible for ensuring compliance with the terms and conditions of the Development Order.