



DOAR

Development Order Amendment Report

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DRI #103 - COOPER CREEK MANATEE COUNTY

On March 9, 2011, Manatee County rendered Ordinance No. 11-07 to the Tampa Bay Regional Planning Council. The Ordinance reflects an amendment adopted by the Board of County Commissioners on February 3, 2011.

BACKGROUND

On January 9, 1986, Manatee County granted a Development Order (Resolution R-85-236) to the Wilbur Boyd Corporation for the above-referenced DRI, a 605-acre, mixed-use development located northwest of the University Parkway and I-75 intersection in Manatee County.

The Development Order had been amended on nine prior occasions, most recently on December 1, 2005 (Ordinance No. 05-54). The amendments have cumulatively: consolidated the formerly approved two phase project into a single phase; extended each of the formerly approved phases and the Development Order expiration date to December 30, 2009; authorized any combination of approved land uses if the p.m. peak hour external vehicle trips anticipated are less than 2,832 trips; modified the trade-off mechanism and significantly modified the plan of development; modified list of transportation improvements including two "safety" improvements; recognized new owners/Master Developers; authorized potential conversion of Commercial (Parcel J) **OR** Office (Parcel K) to Vo-Tech/School (maximum of 6,000 sq. ft.); and authorized Commercial or Office development within Parcel J.

DEVELOPMENT ORDER AMENDMENT

The Ordinance authorized the following modifications to the Development Order:

- exchange of 113 residential units (various residential parcels) for 20,000 sq. ft. Vo-Tech/School space (Parcel K) and an increase Commercial by 29,000 sq. ft. (in Parcels H, I and/or J);
- additional Honore Avenue access point;
- recognition of additional extensions of the buildout date (to December 30, 2013) and the Development Order expiration date (to December 30, 2014) within the Development Order. These extensions were previously granted by Manatee County in accordance with revisions to Subsection 380.06(19)(c), F.S. and SB 360; and
- corresponding changes to the Master Development Plan and corresponding Land Use Table.

The revised plan of development is as follows:

BUILDOUT DATE	RESIDENTIAL (Units)	COMMERCIAL (Sq. Ft.)	OFFICE (Sq. Ft.)	VO-TECH/SCHOOL (Sq. Ft.)	MOTEL (Rooms)
Dec. 30, 2013	767	774,000	140,000	20,000*	250

* - an additional 6,000 sq. ft. of Vo-Tech/School can be attained with a simultaneous reduction of Commercial (Parcel J) or Office (Parcel K) at a 1:1 ratio..

DISCUSSION

It is hereby acknowledged that the formerly recognized square footage of approved Commercial space (i.e. 886,000 sq. ft.) was reduced by 141,000 sq. ft. (to 745,000 sq. ft.) in order to eliminate the “double-counting” of square footage anticipated for Motel in the latest transportation analysis. It was noted that the Motel was already included in the analysis in terms of “occupied” rooms, thus the redundancy in square footage. Adding the 29,000 sq. ft. increase of Commercial recognized within this Ordinance yields the corrected total of 774,000 sq. ft. of Commercial as currently recognized in the Development Order.

While the Development Order currently recognizes approval of the entitlements recognized above **plus** an additional 6,000 sq. ft. of Vo-Tech/School space (i.e. 26,000 sq. ft. total), the Developer has confirmed that the additional 6,000 sq. ft. can only be attained through a corresponding reduction of Commercial (Parcel J) or Office (Parcel K) at a 1:1 ratio, as required. A concurrent Cooper Creek NOPC application has recently been submitted to request even further modifications of the Development Order. Clarification of this issue will be pursued in conjunction with the future amendatory language.

Although not previously recognized as part of the NOPC application submitted by the Developer or as part of the Council’s *Cooper Creek NOPC Report* adopted on May 11, 2009, the Development Order was additionally modified to reflect five-year extensions of the buildout date (to December 30, 2013) and expiration date (to December 30, 2014), to coincide with extensions previously granted by Manatee County in accordance with revisions to Subsection 380.06(19)(c), F.S. and provisions of SB 360 approved by the legislature in 2007 and 2009 respectively.

The transmittal letter of this Ordinance did recognize that Ordinance No. 11-07 did contain a typographical error recognizing the date of adoption as “February 3, 2010” rather than the intended “February 3, 2011.” It is understood that “*a corrective document will be submitted to Board Records to be approved on the next Board of County Commissioners meeting correcting the incorrect date.*”

RECOMMENDATION

In accordance with Section 380.07, Florida Statutes (F.S.), this Development Order has been reviewed and determined to be consistent with the Council’s *NOPC Report* adopted on May 11, 2009 and with the Council’s *Final Report* adopted on July 8, 1985.

It is recommended that the Department of Community Affairs concur with the Development Order amendment issued by Manatee County for DRI #103 - Cooper Creek.

GENERAL LOCATION MAP

