



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 #102 - CREEKWOOD MANATEE COUNTY RY 2009-10

On August 27, 1985, Manatee County granted a Development Order (Resolution R-85-149) to Creekwood, Limited, for a 1,090-acre, multi-use development located northwest of the S.R. 70/I-75 intersection in Manatee County.

The Development Order has been previously amended seven times, most recently on January 5, 2006 (Ordinance No. 05-41). The amendments have cumulatively: deleted 512± acres from the project; downscaled residential development; revised and extended the project phases (i.e. Phase I by a period of five years, Phase II by seven years, Phase III by five years and Phase IV by four years); modified the project entitlements; increased Phase IV Office by 65,000 sq. ft.; authorized a maximum of 85,000 sq. ft. of medical office space with corresponding reduction of Phase IV office uses; decreased Phase III residential development by 367 units; transferred six residential units from Phase I/II to Phase IV; recognized hotel as an independent land use and allowed a maximum of 100 Hotel rooms; removed linear park requirement in favor of a requirement for the dedication of a 33.4-acre conservation area; and recognized two new owners (i.e. Creekwood Estates LLC and Professional Place LLC). Manatee County adopted Ordinance No. 07-130 to universally extend the phase buildout and Development Order expiration dates associated with all active Manatee County DRIs by a three-year period in accordance with recent revisions to Subsection 380.06(19)(c), F.S. As extended, the Development Order expires on December 31, 2012.

Reflective of the three-year extension period, the following constitutes the approved phasing schedule:

Phase	Buildout	Residential (Units)	Commercial (Sq. Ft.)	Industrial (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
I & II	Completed	592	455,048	0	0	0
III	12/31/2011 ¹	140	55,000	230,000	60,000	0
IV	12/31/2012	518	116,952	720,000	165,000 ²	100
TOTAL		1,250	627,000	950,000	225,000	100

1. The Phase III buildout date has been extended by two years in accordance with 2009 legislation (SB 360).

2. Office space may include up to 85,000 sq. ft. of medical office.

In lieu of preparing a formal Annual Report, a representative of Corona Creekwood LLC submitted a correspondence (dated December 8, 2010) indicating that “no additional development pursuant to the Development Order related to Parcel D... since submission of the previous annual report.” A similar response was received on behalf of Beaver Creek Land Development Inc on December 15, 2010, an owner of approximately 35 acres within the project. Submittal of these responses in lieu of a formal Report is authorized under Subsection 380.06(18). Therefore, the following development and compliance representations are identical to those previously reported in response to the prior annual report.

PROJECT STATUS

Development this Reporting Year: no development activity occurred during the reporting period.

Cumulative Development: 592 residential units have been completed as well as 501,594 sq. ft. of Commercial development (a 50,000 sq. ft. mini-warehouse was constructed and counted as 24,000 sq. ft. of Commercial), 89,084 sq. ft. of Light Industrial, 3,990 sq. ft. of Office and 78 Hotel rooms.

Projected Development: the developer has indicated that “a significant amount of Industrial is either under construction or under building permit review.” Under these pretenses, it would be logical to assume that some Industrial development would be completed.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The Applicant has identified the Level of Service status of 12 specific links/intersections allegedly in compliance with Transportation Condition #10 of the Development Order (Ordinance No. 05-41). The November 2009 status report indicated that one of these 12 facilities currently operates at LOS “A” [*S.R. 70/I-75 Northbound intersection*], two at LOS “B” [*i.e. S.R. 70/I-75 Southbound intersection and Lockwood Ridge Road: University Parkway to S.R. 70*], six at LOS “C” [*i.e. S.R. 64/Morgan-Johnson Road intersection, S.R. 70/Caruso Road intersection, S.R. 70/87th Street East intersection, University Parkway: Lockwood Ridge Road to I-75, S.R. 70: U.S. 301 to I-75, and S.R. 64: Morgan-Johnson Road to I-75*], and three at LOS “D” [*i.e. S.R. 70/45th Street East intersection, S.R. 70/Tara-Creekwood Boulevard intersection, and I-75: University Parkway to S.R. 70*]. The only recognized change in comparison with last year’s Level of Service analysis was the upgrade of the *S.R. 70/I-75 Northbound intersection* from LOS “B” to LOS “A.”

The intersection Levels of Service were derived using the existing counts using HCS+ software. The Level of Service on the link segments were determined by using the FDOT recorded volumes. The segment of I-75 between University Parkway and S.R. 70 also used the FDOT recorded volumes to determine the Level of Service.

Condition #10 required the assessment of the following five additional intersections, which were not provided:

- S.R. 70 from Honore Avenue to I-75
- Intersection of S.R. 70 and S.R. 683
- Intersection of S.R. 70 and U.S. 301
- Intersection of S.R. 70 and U.S. 41
- S.R. 70 from I-75 to Lorraine Road

To address this point, the Developer has previously stated that since the development has experienced “more than a 50% reduction in both residential and industrial entitlements” from its initial approval, the traffic impact study area and significantly impacted intersections (i.e. more than 5%) have been reduced proportionately.

Subject to verification of the appropriateness of the above statement by Manatee County and/or the Florida Department of Transportation, the Developer would be encouraged to consider requesting removal of these additional links/intersections from the Development Order in conjunction with the

next Notice of Proposed Change application submitted for the project, if applicable.

2. Yearly water consumption and sanitary sewer flow estimates/projections for RY 2008-09 through RY 2011-12 were provided in the annual report, pursuant to General Condition 15.d. The table reflects range estimates from 195,000 gallons per day (GPD) of potable water demand and wastewater generation in 2008-09 to 280,000 GPD in 2011-12. The estimates were based on: assumed average water/sewer demand rates of 250 GPD per residential unit and 0.1 GPD/Sq. Ft. for all non-residential uses; and assumed project completion in 2012. As required, these estimates should be updated annually and submitted within all future Annual Reports.
3. The annual report included the results of the semi-annual surface and groundwater quality monitoring conducted on March 11, 2009 and September 28, 2009, as required by Environmental Condition 4 and Water Quality Condition 1.a. Similar to past monitoring results of the site, several water quality criteria exceeded state standards but are attributable to surface water and groundwater characteristics of the area, as identified by the consulting firm that conducted the analysis.
4. The following Plans have all been previously submitted as required: *I-75 Noise Contour Plan*; *Stormwater Maintenance Plan*; *Master Drainage Plan*; *Wetland-Lake Management Plan*; and a *Cultural Resource Assessment Survey*.

DEVELOPER OF RECORD

The following firms are responsible for adhering to the conditions of the Development Order regarding their respective parcels:

Corona Creekwood, LLC c/o Kevin Hennessy, Esquire Lewis, Longman & Walker 1001 Third Avenue West, Suite 670 Bradenton, FL 34205	Beaver Creek Land Development Inc. c/o Edward Vogler II Vogler Ashton, PLLC 2411-A Manatee Avenue West Bradenton, FL 34205
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DEVELOPMENT ORDER COMPLIANCE

The project appears to be proceeding in a manner consistent with its Development Order. However, it is potentially concerning that annual reporting of the project will become fragmented with no single party identifying the extent of universal compliance with the Development Order. It is unclear, at this point, which party(ies) will be obligated with the required traffic and water quality monitoring. Manatee County is responsible for ensuring compliance with the terms and conditions of the Development Order.