



BRS

Biennial Report Summary

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DRI #218 - GATEWAY NORTH MANATEE COUNTY RYs 2009-11

On April 9, 1992, the Manatee County Board of County Commissioners granted a Development Order (Ordinance No. 92-30) to Magnolia Management Corporation for a three-phase, 1,065-acre, multi-use project located north of Moccasin Wallow Road and west of Interstate 75 in northwestern Manatee County. The project is specifically approved for Phase 1. Specific approval for Phases 2 and 3 is contingent upon further transportation, air quality and affordable housing analyses.

The Development Order has been amended five times, most recently on December 2, 2010 (Ordinance No. 10-44). The amendments have cumulatively: extended each of the phase buildout dates and the project commencement date; recognized various exchanges of entitlements and acreages amongst the project uses and phases; modified the Land Use Equivalency Matrix (LUEM) to recognize potential of Senior Housing, Mini-Warehouse and/or Hotel uses and LUEM notification procedures; classified 130.2 acres of commercial, office and office/service center as “mixed use”; modified the internal roadway system and external access points portrayed on the Master Development Plan; authorized residential development on currently designated school site if not requested by the School Board within three years of infrastructure completion adjacent with school site; authorized alternative school facilities on Parcel “M” of the General Development Plan; authorized potential installation of telecommunications tower within project; extended the frequency of reporting from “annual” to “biennial”; and updated information pertaining to the authorized agent, Developers and co-owners. Due to 2007 revisions to Subsection 380.06(19)(c), F.S., each of the project phases and the Development Order expiration dates were extended by “automatic” three-year periods. As revised, the Development Order expires on February 20, 2027.

The revised phasing schedule is as follows:

PHASE BUILDOUT	RESIDENTIAL			RETAIL (Sq. Ft.)	OFFICE (Sq. Ft.)	OFFICE/ WRHSE. (Sq. Ft.)
	Single Family	Multi-Family	Townhomes			
1 2/20/2022	1,685	578	265	386,000	154,000	100,000
2* 2/20/2025	0	144	0	0	406,500	150,000
3* 2/20/2027	0	0	128	59,200	400,000	147,500
TOTAL*	1,685	722	393	445,200	960,500	397,500

* - Phases 2 & 3 are conceptually approved only. Specific approval shall require further transportation, air quality and affordable housing analyses in accordance with Chapter 380.06, F.S.

PROJECT STATUS

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

Cumulative Development: besides construction of the entry roadway, development is essentially limited to the above-referenced fire station and a Sales Center.

Projected Development: future development activity(ies) has not been identified.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Specific approval of Phases 2 and/or 3 is contingent upon further Transportation [Condition 6.A.(11)], Air Quality [Condition 6.E.(2)], and Affordable Housing [Condition 6.P.(5)] analyses and recognition of corresponding mitigation within the Development Order, as may be applicable. Additionally required will be the establishment of a Transportation Systems Management program [Condition 6.A.(8)].
2. Upon the issuance of Certificates of Occupancy which generate an estimated 500 p.m. peak hour net external trips, the developer shall initiate a biennial p.m. peak hour traffic count monitoring program for all project entrances through buildout of Phase 1. Results of the traffic monitoring shall be submitted with each subsequent Biennial Report and will be compared against the 2,172 Inbound/2,064 Outbound p.m. peak hour trips approved for Phase 1. [Condition 6.A.(7)]
3. Condition 6.A.(9)/Tables 3 and 4 identify the required Roadway and Intersection Improvements (respectively) associated with Phase 1 of the project, the lone phase granted specific approval. The Developer has asserted that the construction thresholds have not been triggered and that “design, permitting, platting and other approvals are proceeding.” The status of these improvements (or applicability thereof) shall continue to be described within all future Biennial Reports.
4. Condition 6.B.(5) requires the developer to prepare and submit a *Wetland Management and Mitigation Plan* to TBRPC prior to any wetland alteration. Such Plan was initially submitted for “Artisan Lakes/Phase 1 (Subphases A, B & C)” in association with the RY 2006-07 Annual Report. The Developer additionally responded that “monitoring required by such Plan is proceeding.” The status of this Condition shall be continually updated and/or provided within all future Biennial Reports, as applicable.
5. The developer has previously submitted the “*Post-Development Master Drainage Plan*” in accordance with Condition 6.F.(1).
6. The developer initially prepared a surface water quality monitoring program and implemented surface water monitoring in accordance with Condition 6.F.(4). However, Manatee County Environmental Management Department subsequently determined that “ongoing monitoring is not required to continue for surface water for this project” due to “minimum sample size required for assessment of impaired waters.” Such modification was reflected in the revised Condition.
7. Per Condition 6.F.(5), the Developer previously submitted a ground water quality monitoring program subsequently approved by Manatee County on January 13, 2006. While such monitoring has been conducted and submitted in accordance with this condition, the Developer has requested a “temporary monitoring exemption due to no construction activity” in a March 20, 2008 letter to Manatee County. It is the Developer’s understanding that (ground water) “monitoring is to continue once construction is resumed.” All future ground water monitoring results shall be included in respective Biennial Reports.

8. Prior to any further development approvals, the developer shall submit a *Non-Potable Water Use Plan*, as required by Condition 6.H.(4). The Developer has “acknowledged” this requirement.
9. The developer shall prepare and submit a *Hazardous Substances and Hazardous Waste Management Plan* prior to “development approvals for any nonresidential land use within the Project,” as stated in Condition 6.J.(1).

DEVELOPER OF RECORD

The following developers are jointly responsible for adhering to the terms and conditions of the Development Order:

Property Reserve, Inc. 5 Triad Center, Suite 325 Salt Lake City, UT 84180	Taylor Woodrow Communities at Artisan Lakes, LLC 501 N. Cattlemen Road, Suite 100 Sarasota, FL 34232
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DEVELOPMENT ORDER COMPLIANCE

The project appears to be proceeding in a manner consistent with the Development Order. Manatee County is responsible for ensuring compliance with the terms and conditions of the Development Order.