



DOAR

Development Order Amendment Report

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DRI #216 - UNIVERSITY LAKES MANATEE COUNTY

On January 7, 2013, Manatee County rendered Ordinance No. 12-34 to the Tampa Bay Regional Planning Council. The Ordinance reflects an amendment adopted by the Board of County Commissioners on December 6, 2012.

BACKGROUND

On June 1, 1992, the Manatee County Board of County Commissioners granted a Development Order (Ordinance No. 92-32) to Schroeder-Manatee, Inc. for a four-phase, 2,353-acre, multi-use development located east of I-75 and north of University Parkway in southern Manatee County. The Development Order initially granted specific approval for only Phase 1 and conceptual approval of all the other phases.

The Development Order has been previously amended a total of seven times, the latest occurred on October 16, 2007 (Ordinance No. 07-72). The modifications have cumulatively: extended the phase buildout dates and Development Order expiration date (to May 26, 2027); granted specific approval for all remaining phases; modified and moved entitlements and acreages between phases; authorized relocation of the Town Center to the east side of Lakewood Ranch Boulevard; amended select Development Order conditions regarding transportation and affordable housing; established February 22nd as the annual reporting date; amended the Land Use Equivalency Matrix language to recognize latest ITE generation rates; added a net 1,785.5 acres located directly east of the existing University Lakes DRI (east of Lorraine Rd.) with additional corresponding access points; reconfigured a portion of the internal roadway network; and associated Master Development Plan modifications. The Phase 2-4 buildout dates and Development Order expiration date were each extended by a period of four years & 326 days in association with the establishment of Subsection 380.06(19)(c)2., F.S. by the 2011 legislature and three Executive Orders enacted by the Governor during 2011. The Development Order now expires on August 5, 2032.

The following constitutes the approved phasing schedule:

LAND USE	PHASE 1 (9/13/2011)	PHASE 2 (8/05/2019)	PHASE 3 (8/05/2019)	PHASE 4 (8/05/2027)	TOTAL
RESIDENTIAL (Units)	1,507	773	751	1,012	4,043
(Single-Family Detached)	(970)	(361)	(450)	(434)	(2,215)
(Single-Family Attached)	(88)	(0)	(0)	(0)	(88)
(Multi-Family)	(449)	(412)	(301)	(578)	(1,740)
RETAIL (SQ. FT.)	328,321	114,543	181,478	128,337	752,679
(Neighborhood/Community)	(52,764)	(0)	(0)	(128,337)	(181,101)
(General)	(275,557)	(114,543)	(181,478)	(0)	(571,578)
(Highway)	(0)	(0)	(0)	(0)	(0)
INDUSTRIAL (SQ. FT.)	0	0	18,603	0	18,603

LAND USE	PHASE 1 (9/13/2011)	PHASE 2 (8/05/2019)	PHASE 3 (8/05/2019)	PHASE 4 (8/05/2027)	TOTAL
OFFICE (SQ. FT.)	323,318	608,608	191,677	125,274	1,248,877
HOTEL (ROOMS)	215	0	0	405	620
HOSPITAL (BEDS)	0	150	0	0	150

DEVELOPMENT ORDER AMENDMENT

The Ordinance authorized the following modifications to the Development Order:

- Recognized the prior revocation of a 1991 Development Agreement which had initially required the combining the University Lakes DRI (in Manatee County) and Lakewood Ranch Corporate Park DRI (in Sarasota County) in terms of a unified transportation analysis. The Amendment recognized the resultant revised transportation analysis and corresponding mitigation associated with only the University Lakes DRI;
- Modified Affordable Housing conditions to reflect current Manatee County procedures;
- Updated project’s Development Components (Table 1) & Phasing Schedule (Table 2) to reflect previously approved and executed land use entitlement conversions;
- Updated Development Order verbiage to reflect previously completed requirements;
- Updated buildout and Development Order expiration dates to reflect previously granted extensions;
- Revised the “Maximum” amount of various Land Uses reflected in the Land Use Equivalency Matrix; and
- extended the frequency of reporting from “Annual” to “Biennial.”

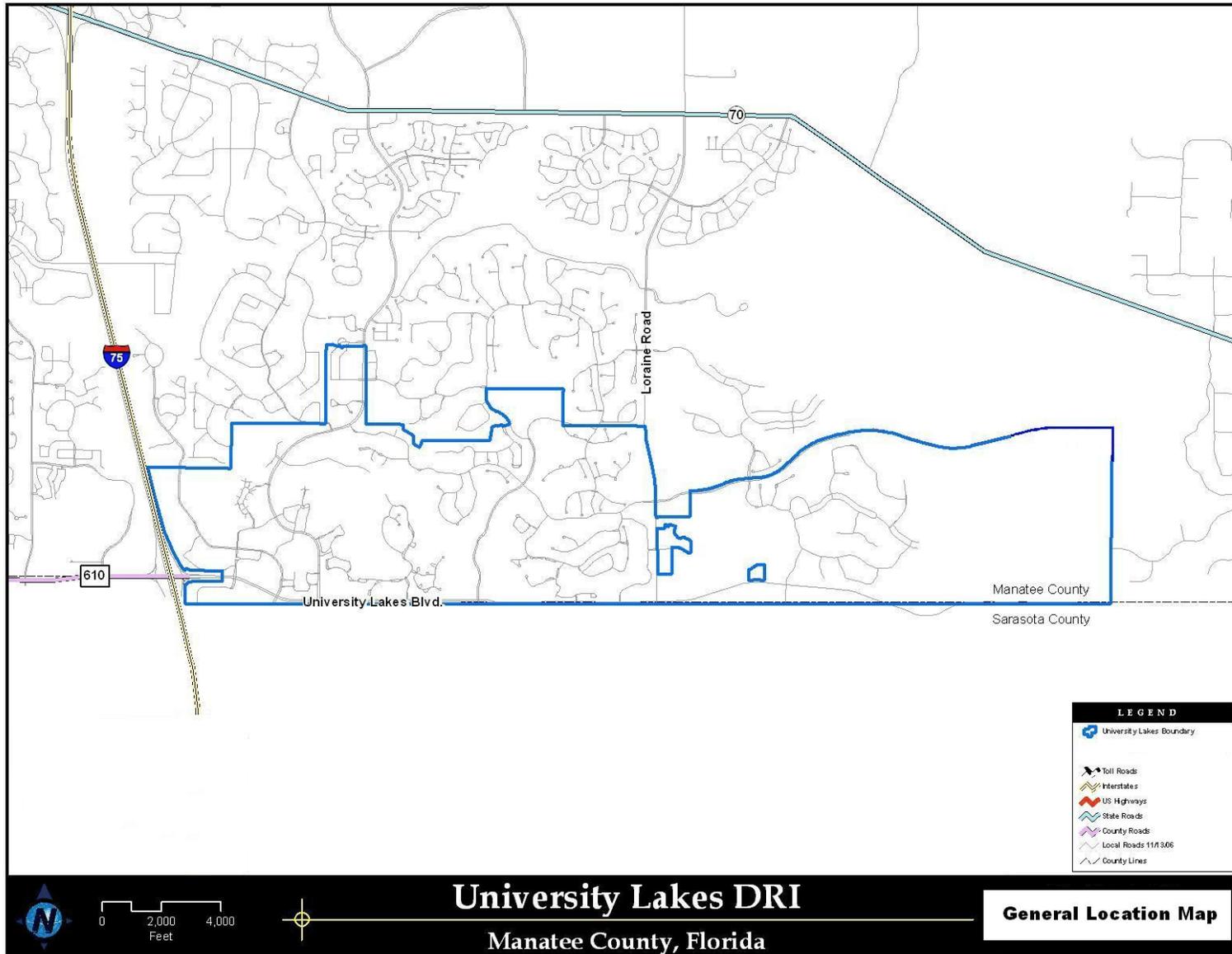
DISCUSSION

The aforementioned modifications to the Development Order were not processed through the typical Notice of Proposed Change process. Alternatively, by adopting the above-reference Amendment, Manatee County had determined that *“the proposed changes are (were) similar in nature, impact, or character to the changes enumerated in Subparagraphs 380.06(19)(e)2.a-j, F.S., and does not create the likelihood of any additional regional impact.”* Subsequently, Manatee County administratively incorporated the modifications into the Development Order.

FINDING

This Development Order Amendment Report has been prepared in accordance with provisions outlined in Section 380.07, F.S. By issuance of this Report, the Tampa Bay Regional Planning Council hereby finds that the referenced modifications do qualify as Section 380.06(19)(e)2., F.S. changes and, therefore, exempt from the Notice of Proposed Change process.

GENERAL LOCATION MAP





Florida Department of Transportation

801 North Broadway Avenue
Bartow, FL 33830

RICK SCOTT
GOVERNOR

OFFICE OF THE
SECRETARY

February 1, 2013

Mr. Ray Eubanks
Plan Processing Administrator
Department of Economic Opportunity
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RE: Request for NOPC - University Lakes DRI

Mr. Eubanks,

The Department has received the proposed Development Order (DO) for the University Lakes DRI #22/ORD 12-34. In reviewing the proposed DO, the Department has identified a reduction in the transportation mitigation requirements from 34 projects to 1 project. This reduction in the mitigation is significant and may result in additional regional impacts. The Department has not received a traffic study to better understand how these changes impact the State Highway System and more particularly facilities on the Strategic Intermodal System. Considering the investments that the State is making with transportation improvements in this area, we have concerns the proposed DO will create additional regional transportation impacts.

It is the Department's position that amendments to the conditions of a DO which propose changes to the underlying assumptions, mitigation conditions, traffic methodology, recalculation of proportionate share and related monitoring do not qualify as an (e)2.k change and would need to be processed as an Notice of Proposed Change (NOPC). Alternatively, the local government could seek a determination from DEO that the change will not result in additional regional impacts pursuant to s. 380.06(19)(e)2.l. This position is consistent with DEO's interpretation (see attached).

Based on the above, the Department recommends that the proposed amendment to the DO be evaluated under the NOPC process. We look forward to working with the County, the developer and the Regional Planning Council to resolve this matter in a timely and mutually satisfactory manner.

Sincerely,

Rax Jung
Sr. Technical Analysis Coordinator
FDOT District One
Intermodal Systems Development

Cc: *Lisa Barrett, Manatee County*
Mr. John Meyer, Tampa Bay Regional Planning Council

www.dot.state.fl.us

Rick Scott
GOVERNOR



FLORIDA DEPARTMENT of
ECONOMIC OPPORTUNITY

Hunting F. Deutsch
EXECUTIVE DIRECTOR

RECEIVED

August 22, 2012

AUG 24 2012

Ms. Kathleen P. Toolan, Assistant General Counsel
Florida Department of Transportation
605 Suwannee Street
Tallahassee, Florida 32399-0450

DEPARTMENT OF TRANSPORTATION
OFFICE OF POLICY PLANNING

Dear Kathleen:

I am responding to your letter of August 13, 2012, which was sent as a follow-up to our meeting in July. Your letter asks for clarification regarding the types of changes to an existing DRI development order that qualify as non-substantial changes pursuant to 380.06(19)(e)2.k, F.S. You note that with a couple of minor tweaks, we endorsed the position articulated in the letter to Tom Beck from Darrin Taylor dated April 24, 2012. In our response, we agreed that changes to a DRI that involve changes to numerical standards listed in 380.06(19)(b) and (c), F.S., that do not result in an increase in external peak hour trips or reduction in open space and conserved areas qualify as a non-substantial change and need not be processed through the NOPC process. However, changes related to non-numerical aspects of the development, such as additions of new land and extensions of build out dates, do not qualify under that provision, but could qualify under 380.06(19)(e)2.l, F.S. Darrin's letter specifically identifies those changes in the statute which would and would not qualify as an (e)2.k change.

I agree with your position that amendments to the conditions of a DO which propose changes to the underlying assumptions, mitigation conditions, traffic methodology, recalculation of proportionate share and related monitoring do not qualify as an (e)2.k change and would therefore either need to be processed as an NOPC or seek a determination from DEO that the change will not result in additional regional impacts pursuant to s. 380.06(19)(e)2.l.

I hope this letter adequately clarifies our position in this matter. I look forward to our continued cooperative and coordinated relationship in the implementation of the HB 979. Please do not hesitate to call me at 850-717-8499 or David Jordan at 850-717-8527 if we can be of further assistance.

Sincerely,

Mike McDaniel, Chief
Office of Comprehensive Planning

cc: David Jordan, Department of Economic Opportunity
Maria Cahill, Florida Department of Transportation
Rob Magee, Florida Department of Transportation

Florida Department of Economic Opportunity | The Caldwell Building | 107 E. Madison Street | Tallahassee, FL | 32399-4120
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