



ARS

Annual Report Summary

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DRI #190 - UNIVERSITY COMMONS MANATEE COUNTY RY 2012-13

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 1 and September 15, 2004 for Phase 2), as a result of the appeal process. Specific Phase 2 approval is contingent upon further Chapter 380.06, F.S. analysis of transportation, air quality and housing.

The Development Order has been previously amended six times, most recently on August 5, 2008 (Ordinance No. 08-21). The amendments have cumulatively: granted specific approval of Phase 2, authorized cumulative extensions of the buildout and Development Order expiration dates by 15 years, eight months and 14-days, inclusive of seven years to account for 2007, 2009 and 2010 legislative revisions; modified the development entitlements; authorized an exchange of 510 independent senior housing units and an 85-bed group care facility for 383 multi-family units; increased Phase 2 Commercial uses by 18,289 sq. ft. (to 203,289 sq. ft. less 10,000 sq. ft. for Office); recognized construction of a stand-alone Walgreens facility; increased the maximum “canopied” Commercial to 54,560 sq. ft.; and added an access point along Lockwood Ridge Road. The Development Order and buildout date currently expire on September 14, 2015.

The approved phasing schedule is as follows:

LAND USES	PHASE 1 (1992 - 9/14/2006)	PHASE 2 (1998 - 9/14/2015)	TOTAL
RESIDENTIAL (UNITS)			
Single-Family Detached	150	0	150
Single-Family Attached	150	0	150
Single-Family Semi-Detached	100	0	100
Multi-Family	0	383	383
SKILLED NURSING (BEDS)	120	0	120
COMMERCIAL (SQ. FT.)	250,000	193,289 ^{1,2}	443,289 ²
OFFICE (SQ. FT.)	0	10,000	10,000

NOTES:

1. Per Ordinance No. 08-21, “the maximum Commercial space allowed shall be 203,289 sq. ft. less any [additional]... Office,” an alternative use.
2. The represented Phase 2 commercial entitlements (i.e. 203,289 sq. ft.) are exclusive of 54,560 sq. ft. of canopies cumulatively approved for the project.

Albeit submitted after the reporting deadline, the Developer's authorized representative (Mr. Mark Barnebey of Blalock Walters) submitted a September 11, 2013 correspondence indicating that "no additional development has occurred at the University Commons DRI since the submission of the previous annual report." Submittal of such a correspondence in lieu of a formal Annual Report is authorized under Subsection 380.06(18), F.S. Therefore, the following development and compliance representations have not been updated and would remain identical to those identified in TBRPC's last Annual Report Summary prepared for the project.

PROJECT STATUS

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

Cumulative Development: based on best available data, it appears that 396,170 sq. ft. of retail space, a 120-bed Skilled Nursing facility, 151 single-family detached units, 268 single-family attached units, 110 single-family semi-detached units and 240 multi-family residential units have all been constructed to date. Office development has not yet been initiated.

Projected Development: anticipated future development activity was not been identified.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Condition 5.B.(3) requires the developer to submit an Annual Traffic Monitoring Report. The results revealed that the project had generated 2,753 p.m. peak hour trips (i.e. 1,400 Inbound/1,353 Outbound) during the February 21, 2012 monitoring event. However, these counts were reduced by nine percent to account for the "seasonal factors" plus 12 additional trips to account for the alleged "thru traffic on Shade Avenue." Following the application of such reductions, the project is said to have generated 2,494 of the 2,651 p.m. peak hour trips approved for the project. As required, traffic monitoring shall continue annually 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. Condition 5.G.(3) obligates the developer to conduct semi-annual surface/groundwater monitoring. Such requirement shall continue through four years following the issuance of the last Certificate of Occupancy, with results provided in each respective Annual Report. Following approval of the Development Order (including this stipulation), Manatee County staff subsequently agreed to allow a reduction in the frequency of such monitoring from twice per year to annually, in association with the "wet" season. During the 2011-12 reporting period, surface water and groundwater monitoring samples were collected on September 22, 2011. The results of each monitoring event were submitted in conjunction with the current Annual Report. The surface water sample was found to meet all state standards for parameters monitored. While the groundwater monitoring sample exceeded the state drinking water standards for two parameters - total dissolved solids and odor, the Developer's representative acknowledged that "*these two exceedances are not considered to be a cause for concern about water quality on the site, as the groundwater samples are taken from an irrigation well, not a potable water well*" and the fact that "*the change in land use at the site has resulted in the continued improvement in the quality of groundwater at the site*" based on past and present monitoring results.

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 in yearly increments without further action by the parties. Similar contracts shall be provided to address relevant future facilities if applicable and when appropriate.

DEVELOPER OF RECORD

The following firms are jointly responsible for adhering to the Conditions of the Development Order:

Wal-Mart Stores East, L.P. 2001 S.E. 10 th Street Bentonville, AR 72716-0550	University Parkway Associates 34555 Chagrin Boulevard Chagrin Falls, OH 44022
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The following additional parties own undeveloped parcels within the project:

Kamco Properties, LLC 5640 West Maple Road, #101 West Bloomfield, MI 48322 [Parcel #2040810059]	First Bank 560 Anglum Road Hazelwood, MO 63042 [Parcel #2040810259]	Divosta Homes/Pulte Homes 9240 Estero Park Commons Blvd. Estero, FL 33928 [Parcels #2040818359 & #2040817809]
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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.