



BRS

Biennial Report Summary

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DRI #103 - COOPER CREEK MANATEE COUNTY RYs 2012-14

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

The Development Order has been amended a total of 12 times, most recently on December 1, 2011 (Ordinance No. 11-38). The amendments have cumulatively: consolidated the project into a single phase; extended the buildout and Development Order expiration dates, inclusive of extensions associated with SB 360, SB 1752 & HB 7207 (i.e. 2009, 2010 & 2011 legislation, respectively) [the Development Order expiration date has been cumulatively extended to December 30, 2020]; authorized any combination of approved land uses if the anticipated p.m. peak hour external vehicle trips do not exceed 2,832 trips; modified the required transportation improvements, including two “safety” improvements; recognized new owners/Master Developers; authorized potential conversion of Parcel J **OR** Parcel K to Vo-Tech/School (maximum of 46,000 sq. ft.); exchanged 113 residential units (various residential parcels) for 20,000 sq. ft. Vo-Tech/School space (Parcel K); increased Commercial by 49,000 sq. ft. (to 794,000) and Office by 83,000 sq. ft. (to 223,000); added an Honore Ave. access point and a “right-in/right-out” only access point along University Pkwy.; extended the frequency of future monitoring to Biennial (due on January 9th of all even-numbered years); modified the limitations and provisions associated with the Land Use Equivalency Matrix; recognized Assisted Living Facility as a potential use on Parcels G and/or K that can only be attained through conversion from other project use(s); modified the designated Conservation Areas illustrated in Exhibit C (and definitions thereof) to reflect “*recorded Conservation Easements and conservation areas (both wetlands and uplands)*” as well as existing “*wetlands in the developed portion of the site that may not be under a conservation easement*”; modified Map H to reflect revised Conservation area designations and revise access to internal Cooper Creek Boulevard; and modified General Condition D(6) to alternatively require mitigation for impacts in accordance with State requirements, or Manatee County Comprehensive Plan if mitigation is not required by the State.

The following constitutes the approved plan of development:

BUILDOUT DATE	RESIDENTIAL		COMMERCIAL (Sq. Ft.)	OFFICE (Sq. Ft.)	VO-TECH/SCHOOL (Sq. Ft.)	MOTEL (Rooms)
	SF Units	MF Units				
Dec. 30, 2019	403	364	794,000	223,000	20,000*	250

* - an additional 26,000 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.

PROJECT STATUS

Development this Reporting Period: the Developer has acknowledged that “with the exception of the University Mall Outparcels, all construction activities underway in the previous annual report have been completed.” Therefore, it appears that 102,059 sq. ft. of Commercial and 30,029 sq. ft. of Office was completed during the reporting period.

Cumulative Development: based on information contained within the DRI development chart provided as the “Cooper Creek DRI Exhibit C” to the RYs 2012-14 Biennial Report, completed entitlements are listed as 802,402 sq. ft. of Commercial, 146,783 sq. ft. of Office, 403 single-family residential units, 290 multi-family residential units and 244 hotel rooms.

Projected Development: no specific development activity has been identified for the next reporting period.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The Developer is required to conduct semi-annual surface water and groundwater monitoring in accordance with Conditions 5.D.(2) and 5.D.(3), respectively. The Developer has provided the results of two surface water/groundwater monitoring events conducted during 2013 (i.e. on April 30, 2013 [Dry Season] and September 17, 2013 [Wet Season]).

The only parameters which did not meet the State standards during conduct of the 2013 surface water monitoring events were dissolved oxygen (DO) and total coliform bacteria. The Developer’s representative has attributed the low DO levels to “*the decomposition of organic material and can be common in rivers, streams, wetlands and still waters*” and is consistent with prior monitoring conducted for Cooper Creek. The observed high total coliform levels were attributed to significant rainfall event which occurred the day before the monitoring was conducted in the Dry Season.

The lone parameter which consistently did not meet the State drinking water standards during conduct of the 2013 groundwater monitoring events was total coliform bacteria. The Developer’s representative indicated that the levels are consistent with monitoring previously conducted at the site and “*are not attributed to the activities within the Cooper Creek Center.*” One additional parameter exceeded the State’s standards during the Wet Season monitoring at one sampling location was Total Dissolved Solids. While the level slightly exceeded the standards (i.e. 530 mg/L recorded vs. State standards of 500 mg/L), the Developer’s representative concluded that it “*is not considered to be related to construction activities onsite*” since similar levels have not been routinely detected.

2. The Developer previously acknowledged that bus bays were constructed at the project entrance and at the main commercial areas in accordance with Revised Condition 5.B.(5).
3. The Developer continues to acknowledge all required transportation improvements identified in Condition 5.B.(6) have been completed. These improvements consisted of: signalization of the University Parkway/Cooper Creek Boulevard intersection; construction of a westbound right-turn deceleration lane on Cooper Creek Boulevard at University Parkway; construction of an additional southbound left-turn lane on Cooper Creek Boulevard at University Parkway; construction of an additional northbound to eastbound right-turn lane from Honore Avenue to Cooper Creek Boulevard, and construction of an additional eastbound to northbound left-turn lane from University Parkway to Cooper Creek Boulevard.

4. In accordance with Condition 5.L.(2), the developer should designate an energy officer to establish an energy plan, monitor energy use and promote energy conservation within the project. While such report has not been provided to date and no “energy officer” has been identified, the following energy conservation measures were previously alleged to have been incorporated into the Cooper Creek DRI: hotel pools were oriented to the south to capture maximum amount of sun rays; hotel room AC units are electronically controlled; highest SEER rating AC units are utilized; fluorescent lighting is utilized in hotel and all buildings; motion/heat sensors are utilized in hotel to eliminate the need for lights and AC when rooms are unoccupied; and indoor/outdoor lights and security lighting are on timers.

5. The DRI development chart, provided as the “Cooper Creek DRI Exhibit C” to the RYs 2012-14 Biennial Report, additionally indicates that the project is approved for 915,000 sq. ft. of Commercial and 160,000 sq. ft. of Office. Contrarily, as reflected above, Council records and Manatee County Ordinance No. 11-38 identify that the project is approved for 794,000 sq. ft. of Commercial and 223,000 sq. ft. of Office. It is requested that this discrepancy be addressed in conjunction with, if not prior to, submittal of the 2014-16 Biennial Report.

DEVELOPER OF RECORD

The following property owners are responsible for adherence to the Conditions of the Development Order:

<p>Wilmington Land Company 8210 Lakewood Ranch Blvd. Bradenton, FL 34202</p>	<p>Dick Road Blend-All Hotel Development, Inc. Walden Avenue Blend-All Hotel Development, Inc. WR-I Associates, Ltd. RB-3 Associates The Randall Benderson 1993-1 Trust</p> <p>(ALL LOCATED AT)</p> <p>8441 Cooper Creek Blvd. University Park, FL 34201</p>
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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.