



ARS

Annual Report Summary

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DRI #130 - CYPRESS BANKS MANATEE COUNTY RY 2014-15

On November 16, 1989, Manatee County granted a Development Order to Schroeder-Manatee Ranch (SMR) Development Corporation for a four-phase, 1,790-acre residential, commercial and hotel resort development in southeastern Manatee County along S.R. 70, approximately two miles east of I-75. Only Phase 1 had initially been granted specific approval.

The Development Order has been previously amended a total of nine times, most recently on December 4, 2008 (Ordinance No. 08-69). The amendments have cumulatively: modified the development plan in terms of land use acreages and entitlement locations; extended the buildout and commencement dates for each phase; altered the transportation requirements; cumulatively added 2,167.3 acres to the east and southeast boundary of the project; ultimately granted specific approval of all project phases; added 10,174 sq. ft. of commercial uses and 274 residential units; added nine project access points; and corresponding Map H and Development Order modifications. The Phases 3 & 4 buildout date and the Development Order expiration date have all been extended by four years in association with the establishment of Subsection 380.06(19)(c)2., F.S., 326 days to account for the three Executive Orders executed by the Governor during 2011, plus one year and 121 days to account for four Executive Orders enacted during 2012. The Development Order now expires on October 28, 2023.

The currently-approved phasing schedule is as follows:

PHASE	BUILDOUT	COMMERCIAL (Sq. Ft.)	RESIDENTIAL (Units)
1	August 7, 2000	0	1,405
2	August 7, 2005	46,856	1,405
3	October 28, 2019*	166,818	1,406
4	October 28, 2023*	0	1,766
TOTAL		213,674	5,982 (4,912 SF/1,070 MF)

* - The Phase 3-4 buildout dates are reflective of extension periods identified above.

PROJECT STATUS

Development this Reporting Year: 119 Residential units and 8,765 sq. ft. of Commercial were completed. In addition, 52 more Residential units and 10,000 sq. ft. of Commercial remain under construction.

Cumulative Development: the Developer is no longer obligated to provide a breakdown of Residential by housing type. A total of 5,018 Residential units and 104,945 sq. ft. of Commercial development have been completed to date.

Projected Development: No specific development activity has been identified for the next reporting year. However, it would be anticipated that the above-referenced Residential and Commercial development activity currently identified as “under construction” would be completed, at minimum.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. Condition D.(1) obligated the Developer to conduct quarterly surface water and groundwater quality monitoring for the 1,790-acres originally approved as the Cypress Banks DRI. The Condition further recognized that such monitoring must continue until two years after buildout with results submitted with all subsequent Annual Reports. Manatee County Natural Resources Department (MCNRD) staff subsequently concluded that the Developer had satisfied all **surface water** quality monitoring requirements associated with the original parcel as well as the various project expansions, including the 290.9-acre Greenbrook II addition (approved in 2003), the 991-acre SE Sector addition (approved in 2005), and an unnamed 178.4-acre addition approved in 2008. The Developer remains obligated to continue to conduct quarterly **groundwater** monitoring at four prescribed locations. The Developer recently proposed to plug and abandon monitoring Station GW-604, due to damage sustained by “mowing equipment,” and establish an alternate monitoring location (“GW-808”). Based on a February 10, 2015 correspondence from Manatee County Environmental Protection Division staff (Mr. Scott Browning/Sr. Environmental Specialist), included as “Exhibit H-4” to the RY 2014-15 Annual Report, Manatee County subsequently agreed to allow the proposed exchange of groundwater monitoring locations (i.e. GW-604 → GW-808) effective for the RY 2015-16 and all future groundwater monitoring events. The Developer remains obligated to conduct quarterly groundwater monitoring at four locations (GW-304R, GW-504, GW-704 & GW-808) with results provided in each Annual Report.

The RY 2014-15 groundwater monitoring was conducted and submitted for March 18, 2014, May 28, 2014, August 25, 2014 and November 13, 2014 with the RY 2014-15 Annual Report. The following serves as a summary of the monitoring results:

- Iron (*Fe*) levels were well in excess of State standards (i.e. 0.3 mg/L) at all four monitoring stations during each monitoring event in which samples were collected;
- Color exceeded the maximum State criterion (i.e. 15 pcu) during all monitoring in which samples were collected at Stations GW-504 & GW-704;
- Sulfate (*SO₄*) levels exceeded the maximum State criterion (i.e. 250 mg/L) during all monitoring in which samples were collected at Stations GW-604 & GW-704;
- Total Dissolved Solids (*TDS*) exceeded the maximum State criterion (i.e. 500 mg/L) during all monitoring in which samples were collected at Stations GW-604 and GW-704. The TDS levels were also in excess of the State standards during the 4th Quarter monitoring event at Station GW-504; and
- pH results were below the minimum criterion range (i.e. 6.5-8.5) at all monitoring stations during all monitoring events in which samples were collected.

The Developer’s representative had previously attributed the majority of unfavorable groundwater monitoring results, especially at the location of Station GW-704, to the potential influence of surface water runoff. More recently, the Developer’s representative had additionally attributed unfavorable conditions reported at Station GW-604 to damage sustained in the site’s well casing.

2. The Developer has previously submitted the *Final Drainage Plan* for Phase 1 and a *Non-Potable Water Use Plan for Landscape and Irrigation*, consistent with Conditions E.(7) and H.(3), respectively. The Developer continues to reflect that these Conditions are met within each Preliminary Development Plan submitted and/or prior to each sub-phase construction permit issued.
3. The Developer has previously executed agreements with the Manatee County School Board to dedicate 40 acres and option to purchase an additional 58 acres, consistent with Condition H.(9).
4. The Developer submitted the results of the annual traffic count monitoring, the majority of which appear to have been conducted on January 14 & 22, 2015. The project, which was approved to generate 4,924 overall p.m. peak hour external trips (2,973 Inbound/1,951 Outbound) based on the 2007 Development Order Amendment, is currently generating 3,984 p.m. peak hour external trips (2,285 Inbound/1,699 Outbound), approximately 80.90% of the approved trips. The total count summary was provided as *Attachment D* to the Annual Report and is exclusive of the 71 trips (31 Inbound/40 Outbound) reportedly attributed to the Nolan Middle School.
5. The Developer has created perpetual and financially responsible entities, Lakewood Ranch Community Development Districts (the “Districts”), which will be responsible for the operation and maintenance of the stormwater management systems, open space, and wetlands. It is the intention of the Developer to transfer these functions to the Districts as areas are platted.

DEVELOPER OF RECORD

SMR Communities Joint Venture, 14400 Covenant Way, Bradenton, FL 34202 is the firm responsible for adhering to the conditions of the Development Order.

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.