



BRS

Biennial Report Summary

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DRI #256 - NORTHWEST SECTOR MANATEE COUNTY RYs 2014-16

On December 4, 2007, the Manatee County Board of County Commissioners rendered to the Tampa Bay Regional Planning Council (TBRPC) Ordinance No. 07-68, a Development Order adopted on November 1, 2007. The Development Order granted specific approval for only the first of a two-phase project owned by Schroeder-Manatee Ranch, Inc. The 1,519± acre predominantly residential development is located in south central Manatee County, generally along the north side of S.R. 70 between Lakewood Ranch Boulevard (to the west) and Lorraine Road (to the east), slightly more than 1.5 miles south of S.R. 64. As a result of 2011 legislation [i.e. creation of Subsection 380.06(19)(c)2., F.S.] and various Executive Orders enacted by the Governor in 2011, 2012 & 2015,

The Development Order has been amended once on August 6, 2013 (Ordinance No. 13-24). The Amendment authorized: an update of the project buildout and Development Order expiration dates to reflect prior extensions granted in accordance with legislation and prior Executive Orders enacted by the Governor in 2011 & 2012; an update to reflect previously completed requirements; eliminated the “Minimums” and “Maximums” associated with the Land Use Equivalency Matrix as well as modified the notification procedures and timing thereof; and updated the Master Development Plan to reflect the currently-approved entitlements and phasing schedule. Additionally, the Governor subsequently enacted Executive Orders 15-173 (on account of Tropical Storm Erika) and 16-136 (on account of Tropical Storm Colin), further revising and extending the Development Order expiration and buildout schedule. The Development Order now expires on July 20, 2027.

The following constitutes the approved phasing schedule for Northwest Sector:

LAND USE	PHASE 1 (7/20/2023 ²)	PHASE 2 ¹ (7/20/2027 ²)	TOTAL
RESIDENTIAL (UNITS)	3,000	1,422	4,422
(Single-Family)	(2,650)	(1,422)	(4,072)
(Multi-Family)	(350)	(0)	(350)
RETAIL (SQ. FT.)	200,000	0	200,000
OFFICE (SQ. FT.)	105,000	0	105,000
PARK (ACRES)	9.2	10	19.2

1. Specific approval of Phase 2 is contingent upon further Section 380.06, F.S. transportation and air quality analyses, additional affordable housing analyses if non-residential uses are added, and verification of adequate public utility and school capacities.

2. The buildout dates referenced above are inclusive of Executive Orders enacted by the Governor in 2015 (15-173) & 2016 (16-136).

PROJECT STATUS

Development this Reporting Year: 530 Single-Family units and 336 Multi-Family Residential units were completed. In addition, 93 Single-Family Residential units remain under construction.

Cumulative Development: 1,557 Single-Family units, 336 Multi-Family units and 100,000 sq. ft. of Office have been constructed.

Projected Development: no specific development activity has been identified although it would be anticipated that, at minimum, the Residential units identified as currently under construction (above) would be completed.

SUMMARY OF DEVELOPMENT ORDER CONDITIONS

1. The Tables associated with Condition 6.A.(1) identify the trip thresholds associated with the various link (i.e. 514, 1,148, 1,822 & 1,881 trips) and intersection (i.e. 164, 733, 1,041, 1,439, 1,603, 1,714, 2,083, 2,093, 2,126, 2,159, 2,257, 2,388, 2,577, 2,610 & 3,041 trips) improvements that are required of the Developer in conjunction with Phase 1. While some of these thresholds are likely to have been surpassed, Manatee County staff has subsequently determined that these thresholds are no longer applicable since Phase 1 transportation improvements have been mitigated through the adoption of a Local Development Agreement (LDA-10-01).” A copy of LDA-10-01 was included within the RYs 2012-14 Northwest Sector Biennial Report.
2. Condition 6.A.(2) outlines the Developer’s obligation to initiate and annual traffic monitoring program within one year after issuance of the first Certificate of Occupancy or first Final Plat, whichever occurs first. The results of which were intended to ensure that the approved Phase 1 PM Peak hour project traffic (i.e. 3,340 net external + 240 pass-by + 384 internal trips + 256 diverted trips = 4,220 trips) are not exceeded. While this threshold has been triggered, the Developer provided a copy of a October 12, 2012 e-mail from Mr. Bob Agrusa of Manatee County Public Works Department/Transportation Planning Division indicating his/their opinion that “*the requirement to conduct a traffic monitoring program for Phase 1 only has been negated and will not be necessary beyond this point*” based on the fact that LDA-10-01 was approved by Manatee County to establish/identify mitigation improvements for Phase 1 and timing thereof. The correspondence concluded by identifying that Manatee County “*will likely require the Applicant to undertake a monitoring program as part of approval for any subsequent phases of this development.*”
3. As part of Phase 2 approval, the Developer shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, MPO, FDOT and TBRPC and include provisions for an annual assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures implementation. Results of the TSM program shall be included in the Biennial Report. [Condition 6.A.(6)]
4. The Developer has previously submitted a *Habitat Management Plan* for upland preservation areas and identified provisions of how the preserved areas will be managed to limit nuisance and exotic species in accordance with Conditions 6.B.(3) & 6.B.(10), respectively. The Plan and preservation area management provisions were subsequently approved by Manatee County staff (i.e. August 17, 2010 correspondence from Mr. Joel Christian contained in RYs 2008-10 Biennial Report).
5. The Developer shall implement resident education advocating surface water protection. [Condition 6.E.(8)]
6. The Developer submitted the results of the required annual surface and groundwater quality monitoring in accordance with Condition 6.E.(13) within the current Biennial Report. The surface water monitoring requirements consist of the collection and analyses of quarterly (i.e. March, June, September & December)

samples taken at pre-defined monitoring stations. All required monitoring was submitted in association with the Biennial Report with the exception of three particular surface water stations (i.e. SW-2, SW-3 & SW-4) and two particular groundwater stations (i.e. GW-2 & GW-3) which were temporarily exempted from monitoring (through June 30, 2015) due to development inactivity in the immediate area. Monitoring of these sites has subsequently been reconvened. The Developer previously provided a correspondence from Mr. Scott Browning (dated December 23, 2013), on behalf of Manatee County, concurring with the Developer's request to discontinue surface water monitoring at surface water stations SW-1, SW-5, SW-6, SW-7 & SW-8 since "the data sufficiency requirements of the approved monitoring plan have been met."

DEVELOPER OF RECORD

SMR North 70 LLC, 14400 Covenant Way, Lakewood Ranch, FL 34202 is 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.