



Agenda Item #1

TAMPA BAY REGIONAL PLANNING COUNCIL
CLEARINGHOUSE REVIEW COMMITTEE

Tampa Bay Regional Planning Council
Pinellas Park, FL 33782

9:30 a.m.
June 28, 2010

REPRESENTATIVES PRESENT:

Commissioner Nina Bandoni, City of Safety Harbor
Commissioner Larry Bustle, Manatee County (Meeting Chair)
Mr. Robert Kersteen, Gubernatorial Appointee/Pinellas County
Ms. Angeleah Kinsler, Gubernatorial Appointee/Hillsborough County
Councilman Bob Langford, City of New Port Richey
Councilman Wengay Newton, City of St. Petersburg
Mr. Andy Nunez, Gubernatorial Appointee/Pinellas County
Mayor Kathleen Peters, City of South Pasadena
Councilman Patrick Roff, City of Bradenton
Commissioner Jack Mariano, Pasco County

REPRESENTATIVES ABSENT:

Ms. Jill Collins, Gubernatorial Appointee/Hillsborough County
Ms. Kim Vance, Gubernatorial Appointee/Hillsborough County

OTHERS PRESENT:

Mr. Manny Pumariega, Executive Director, TBRPC
Don Conn, Esq., General Counsel, TBRPC
Mr. Avera Wynne, Director of Planning, TBRPC
Ms. Suzanne Cooper, Principal Planner, TBRPC
Mr. John M. Meyer, Principal Planner, DRI Coordinator, TBRPC
Ms. Lisa Barrett, Manager, Manatee County Planning Department
Ms. Stephanie Moreland, Planner, Manatee County Planning Department
Ed Vogler, Esq., Vogler Ashton/Robinson Gateway
Kim Ashton, Esq., Vogler Ashton/Robinson Gateway
Mr. Luis F. Gonzalez, Biologist, Fish & Wildlife Conservation Commission
Ms. Bobbi Jaroy, Recording Secretary, TBRPC

Commissioner Larry Bustle called the meeting of the Clearinghouse Review Committee of the Tampa Bay Regional Planning Council to order at 9:33 a.m.

Agenda Item #1 - Minutes

Mr. Kersteen made a motion to approve the Minutes from the December 21, 2009 CRC meeting. Mr. Nunez seconded the motion and the motion passed unanimously.

Agenda Item #2 - Consent Agenda

None.

Agenda Item #3 - Items Removed from Consent Agenda - Discussion

None.

Mr. John Meyer presented a brief update on the DRI process for the benefit of new Clearinghouse Review Committee (CRC) members. The process begins with the **Transportation Methodology** meeting during which discussion is focused on how the traffic is going to be analyzed, what the generation rates are, what the buildout year will be and the scope of the project. The Transportation Methodology meeting for the Robinson Gateway DRI (DRI #271) was held in late July 2009. Agreement was reached with Council staff and the project is now proceeding to the Preapplication stage. At today's **Preapplication Conference**, it is intended that agreement will be reached between the review agencies and the applicant as to what the regional issues are to which the applicant must adequately respond during the course of the DRI review. Next the applicant will prepare an **Application for Development Approval (ADA)** which is the most thorough analysis that will be completed during the review process. It is the applicant's initial response to all regional issues, including the scope, location and timing of the proposed development as well as the anticipated impacts. The **Sufficiency Response** is the applicant's response document to the questions raised by the various review agencies. The questions are restated and submitted with written responses for the review agencies to consider. The applicant is required to provide at least one sufficiency response before preparing for the next stages of review. A **Declaration of Sufficiency** is either made by the applicant indicating that no additional information will be provided and that the Final Report should be prepared based on the information received, to date, or if the applicant has adequately responded to all of the regional issues, TBRPC staff will declare the project "sufficient" and proceed to Final Report preparation. In either instance, this is the point in which Council staff notifies the local government to schedule a public hearing for project consideration. **Final Reports** include an overview of the proposal, an assessment of regional impacts, recommended regional conditions, and identification of developer commitments made during the course of review. Following Final Report adoption, TBRPC transmits the Report to the local government for incorporation into the potential

Development Order. Following adoption of a Development Order by a local government, the Order is then rendered to the Tampa Bay Regional Planning Council and Florida Department of Community Affairs within 30 days following adoption. The FDCA has a 45-day appeal period of Development Orders following the rendering of each Order. In the interim period, Council staff will adopt a Development Order Report for Council consideration assessing the extent of consistency between the Council's Final Report and the Development Order. Mr. Meyer indicated to CRC members that the on-screen graphic of the typical DRI Timeline has been provided to them in their folders.

Other DRI processes considered by Council staff include **Preliminary Development Agreements (PDAs)** which are agreements between the local government, the Florida Department of Community Affairs and the applicant to possibly undertake some development while the project is still undergoing DRI review. The PDA is not a part of every DRI. The risk of a PDA to the applicant is that they must commit to whatever the transportation improvements are for their development that have not, as yet, been identified. The **Notice of Proposed Change** process is undertaken by an applicant desiring to change any facet of the development order, such as timing, a new land use, an increase in land use, or to change a condition of the development order. An **Essentially Built-out Agreement** applies to projects that are about 90 percent complete, meaning that 90 percent of the entitlements are already constructed and the project has been fully mitigated and is not in conflict with any condition of the development order. A **Vested Rights Determination** is granted by the FDCA for those projects that are late to develop but already been approved prior to the inception of the DRI process in the early 1970s. In conclusion, referring to the "**DRI Information Matrix**" (on-screen graphic), Mr. Meyer explained that information concerning all DRIs is updated monthly on the Council's website, as may be applicable, to coincide with the Council meeting materials. This Matrix serves as an overview of all DRIs in terms of timing, entitlements, phasing, consistency with Development Order...

Commissioner Bustle asked if there are some automatic extensions of DRIs by the Legislature. Mr. Meyer replied that any/all such extension(s) should be considered on a project by project basis. The latest round of extensions approved by the legislature in 2009 applies to those projects with current buildout dates scheduled between September 2008 and January 2012. There was a prior three-year extension granted in 2007 legislation that had its own prerequisite(s) [must have been under "active construction" on July 1, 2007].

Commissioner Bustle indicated the committee will now proceed with the staff presentation of the Robinson Gateway preapplication.

Agenda Item #4 - Developments of Regional Impact - Preapplication Conference

DRI #271 - Robinson Gateway, Preapplication Conference, Manatee County

Mr. Meyer indicated that MW Gateway Development, LLC is seeking Development of Regional Impact (DRI) approval for a 300± acre, mixed-use development located in northwest Manatee County. The project is scheduled to consist of 542 residential units, 900,000 sq. ft. of retail, a 1,750-seat movie theater, and 600,000 sq. ft. of office and 350 hotel rooms upon completion of the second of two phases in 2025. The project is located north of Moccasin Wallow Road, west of Carter Road and the western boundary partially abutting Interstate 75, approximately 2.5 miles south of the Hillsborough County line.

Mr. Meyer introduced Mr. Ed Vogler of Vogler Ashton, representing the applicant, to complete the remainder of the presentation. Mr. Vogler indicated the owners of the property are Mr. Bill Robinson, who is a majority owner, himself, and his partner, Kim Ashton.

Mr. Vogler stated it is their intention to ultimately be the master developers of this site and that they have no intention to sell it. The Robinsons are long time Manatee County residents and property owners and have been working collaboratively with Mr. Vogler and Ms. Ashton on the project. The site is well-located, twenty minutes from downtown St. Petersburg and thirty minutes from downtown Tampa via the Crosstown Expressway. Moccasin Wallow Road is planned by Manatee County as a six-lane arterial roadway that will connect U.S. 41 (the major north/south road to the west of the site) through and passed I-75, and ultimately connect to U.S. 301. A four-lane connection is proposed from Moccasin Wallow Road to connect to S.R. 62.

Southeast of the site there is an existing Manatee County wastewater treatment facility. Over the past several years a group of ten active developers in this region combined their resources and entered into a joint development agreement between themselves and Manatee County. They constructed a series of sewer force mains which connect to the regional treatment plant and will provide wastewater treatment for all of the projects in the vicinity. The importance of this is that the private development community considered it important enough to preserve those resources through a capacity reservation agreement they entered into with Manatee County. Thus, the roadway network and the wastewater treatment sewer capacities have been planned for and are considered in the long run.

Mr. Vogler referred to Port Manatee as a major economic resource for the community. The Robinson Gateway project is adjacent to Port Manatee and will be influenced by the Port and some of the activities that are ongoing in Manatee County. The county has adopted the Port Manatee Encouragement Zone by which the county is trying to encourage developers and users who will supplement and compliment the Port. These efforts are supported community-wide by business, by government and by the chamber of commerce. The Port Manatee Encouragement Zone is supplemented by the North County Gateway Overlay which is another area in which they are attempting to create flexibility in land use as a community to allow for, not only residential uses, but also for other uses that might supplement the port. Referring to their project, Mr. Vogler explained that while there is not a lot of development on the ground, there have been significant planning efforts over an extended period of time. The north county residential summary on the Manatee County

web page indicates approximately 15,000 residential units planned and/or approved in this area. The Robinson Gateway project is at the epicenter right on the interstate, so they feel very confident about the long term prospects for actual development and use.

The entire site of this project is farmed and has been historically farmed. It is presently operated as the Tree House which is a very successful tree farm owned by William Robinson. Formerly, the site was the Pursley Turf and Sod Farm. One of the unique aspects of this site is there are no wetlands located here, according to their studies, nor are there any species of special concern. Just to the north of this site there is a mixed hardwood forest which is an area of regional concern. Their consultants have concluded that development of the Robinson Gateway site will have no impact on that forest.

Mr. Vogler indicated that the most regional issue is transportation. He reported that the Transportation Methodology meeting has been conducted, and as a result of that meeting, they have negotiated and adopted a Transportation Methodology Statement. The major agencies involved in the approval are Manatee County, Hillsborough County, the Metropolitan Planning Organization, the Florida Department of Transportation and TBRPC. In the near future they will be completing both the traffic counts and the study that will be submitted as part of the Application for Development Approval. They anticipate there will be regional transportation impacts which will be assessed, analyzed and mitigated.

The Robinson Gateway project is located immediately between two existing DRI proposals, to the northwest is Gateway North, which is an existing and approved long-term DRI that is partially built out as a residential community. To the southeast is a new DRI called Parrish Lakes that is not yet approved, but making its way through the process. The Parrish Lakes Comprehensive Plan Amendment was recently transmitted to the review agencies, which will allow for 550,000 square feet (sq. ft.) of commercial uses and a maximum 3,300 residential units. Development in the north county is proceeding quickly and there are some large projects allowing them to do comprehensive and community planning in an effective manner, and also allows them to consider what types of land uses would be appropriate for the Robinson Gateway site which has immediate interstate access and connection. They have identified a series of uses that would be developed consistent with the current Manatee County Comprehensive Plan and the authorizations that are allowed under that plan, which are 542 residential units, 900,000 sq. ft. of retail, a 1,750 sq. ft. movie theatre, 600,000 sq. ft. of office and 350 hotel rooms.

Mr. Vogler stated that it is unusual to find a large site that has no wetlands, no species of special concern and no significant regional resources. The regional issues for Robinson Gateway will primarily be traffic and perhaps affordable housing. The Robinson Gateway project proposes a voluntary affordable housing program whereby ten percent of the residential units would be committed to the development of workforce housing.

Councilman Newton referred to the Transportation Methodology statement in which the applicants indicate a willingness to share in the impacts on Moccasin Wallow Road with the applicants of the Gateway North and Parrish Lakes DRIs. He asked about the houses

and whether there has been any further build out within these projects. Mr. Vogler replied that there has not been any further build out and that the developer's sales offices have been temporarily closed down, although they have developed infrastructure for 450 residential units. The Manatee County plan to six-lane Moccasin Wallow Road has considered the projection for all the traffic in the region, and what they anticipate happening is that they (the applicant) will pay a fair share of the cost to build that road. Councilman Newton asked during what phase of the project will this occur. Mr. Meyer answered by stating the applicant will be responsible for mitigation anytime an increase on a regionally significant roadway would be five percent or more on the traffic, when degraded below the acceptable Level of Service. Mr. Meyer explained that the traffic analysis has not yet been completed to determine the extent of impact and when certain lengths or segments may fail and the developer would be responsible for mitigation.

Mr. Meyer reminded CRC members that the Parrish Lakes Preapplication Conference Report for Parrish Lakes was considered and approved by the CRC in May of 2009. As Mr. Vogler pointed out, Gateway North was approved in the early 1990s and is currently going through the Notice of Proposed Change process. The Robinson Gateway project is divided into two phases. The first phase identifies certain entitlements the applicant intends to build by 2015 with the remaining constructed over the next ten years as Phase 2. Under the former East Central Florida housing methodology requirement, they had to review and analyze existing and future housing within a ten-mile radius. Since this requirement is no longer recognized, the applicant has initially proposed ten percent of the residential units to be slated for workforce housing. This norm has been accepted by Manatee County, by the Department of Community Affairs and by the Tampa Bay Regional Planning Council for other recent Manatee County DRIs. As Mr. Vogler indicated, natural resources of regional significance exist adjacent to the project, and one element that review entities will focus on are the proposed land uses located along the northern edge of the project to ensure protection of these resources.

Mr. Meyer stated that in the Council's report is a list of all the regional issues for which the applicant will be responsible to address. The applicant has agreed to provide responses to all regional issues except for those highlighted in yellow, as these issues do not apply to this particular project. While the applicant has not proposed school construction on the site, the impacts to the local schools posed by the additional residential units will be assessed under Regional Issue #27, Education.

Mr. Meyer indicated to CRC members that in their folders are comments from Manatee County staff and the U.S. Army Corps of Engineers. Council staff did not receive the conceptual plan until last Friday, but the applicant will be responsible for providing a Master Development Plan as the DRI proceeds through review. The Master Development Plan will need to be reflective of the assumptions that are included in the transportation analysis [in terms of concentrated land uses and proposed access points]. The review agencies will be given a period of approximately a month and a half to provide any final comments they have on the applicant's submittal following this Conference. Upon receipt, if applicable, such comment(s) would be appended to the Report being considered today.

The next step for the applicant will be to prepare the Application for Development Approval (ADA), and once received, Council staff will have a 30-day review period. Typically, three weeks following receipt, Mr. Meyer will work with the applicant to coordinate and conduct a site visit that will include members of various review agencies and interested CRC members.

Councilman Roff complimented the applicant on the conceptual site plan and stated he is impressed by the open space plazas and greenways, since the property could be much more congested. He stated he would like the development community to see more examples of what should be done, especially considering the fact that this development is going into a very rural area. Councilman Roff pointed out that Florida Power & Light is building one of the largest solar farms out there, and also to the south there is a very large reservoir for drinking water. He also mentioned the importance of the planned connector road to Port Manatee, which will be one of the closest deep water ports to the Panama Canal.

Councilman Newton referred to Regional Issue #32, Attraction and Recreational Facilities, which is one the applicant will not be responding to, and asked why that is since recreational facilities such as soccer fields are mentioned in the Conceptual Plan. Mr. Meyer replied that the Attraction and Recreational Facilities issue relates to a development such as Busch Gardens. Instead, Mr. Meyer stated that recreational amenities are typically addressed under Regional Issue #26 - Recreation & Open Space. Councilman Newton expressed concern about the traffic that will be generated by the retail stores. Mr. Vogler stated they will definitely account for that. Some of the trips now going from U.S. 301 over to other environs in the county will be shortened. Part of the neo-traditional design is to attempt to capture some of those trips so that the main principle of new urbanism in a mixed-use project is reflected in the words "park once," so if you go to the site you can park one time and be able to walk and spend the day since shopping, movie theater, etc., all exist in one location. Mr. Vogler emphasized that Manatee County has been very thoughtful about what to do with the interstate system, and they have reserved additional right-of-way up and down the interstate through all of the projects that have been approved. He believes they have planned for at least eight and probably ten lanes throughout Manatee County. There is a group called TBARTA that is looking at multi-modal opportunities.

Commissioner Bustle stated he also serves as the Chair of the Manatee Port Authority and that he is very interested in the relationship between this project and the Port. He asked Mr. Vogler how he felt the Port affects the project as well as how the project affects the Port. Also, did they, the applicant, ever consider some type of light industrial business within the Robinson Gateway project since it is only approximately four miles from Port Manatee? Mr. Vogler replied that there is a north county gateway overlay, not on their site but immediately north and extending through the interstate. This area is designed to allow for the conversion to light industrial. Their thinking was that there is not any other regionally significant retail environment at this location, and they did not want to compete with the other sites that were moving toward industrial. He expressed the feeling that, if

in the future, this became important they would amend the development order. Mr. Vogler stated they feel there is enough acreage for Port support, and that the Port will need the retail and housing support. To answer the first question, Mr. Vogler stated he thought the biggest tie is going to be transportation and how that network works, because they expect a lot of truck traffic, not so much from the retail-generated traffic but from the transportation of goods in and out of the Port via rail or trucks that convert to rail. The issue of the Port collector road is an open question. There are several studies that would allow for an additional interstate connection somewhere in this area, allowing for a port connector road to come through.

Mr. Nunez asked Mr. Vogler to elaborate on the previously-mentioned ten percent of the housing in this project being designated as affordable housing. Mr. Vogler replied that the north county area has historically been predominated by affordable housing. He feels that as areas develop the housing stock will increase in value and the average home price will rise. Their project must be part of that solution. The north county area has many opportunities for affordable housing, and they will be obligated to respond. One thing that is not mentioned very much regarding affordable housing in the context of new development is that it becomes a competition for the existing housing stock in the area. Mr. Vogler stated there is truth to the concept that building homes that compete with existing housing stock is a detriment to the existing housing stock.

Mr. Nunez noted that on the conceptual plan it shows recreational facilities on the east side and he was wondering how the noise problem, along with lighting of the ball fields and increased traffic, would be addressed with houses across the road. Mr. Vogler replied that since this recreational facility will be adjacent to commercial, it will be regulated by Manatee County through imposing hours of operation. Also, along the north/south corridor on the east side of the project is an existing greenway, and the applicant will work with the county to ensure this area is populated with the right types of trees and buffers.

Mr. Luis Gonzalez of the Florida Fish and Wildlife Conservation Commission (FWC) referred to the map identifying the flatwoods, which Mr. Vogler had stated will be in a conservation easement. He indicated that with conservation easements there will be a land management requirement, and flatwoods will incorporate prescribed burning which will be an issue with houses. A recommendation the FWC usually provides is that some deed restriction be implemented notifying future homeowners that prescribed burning will be active on that property and they should be aware of this.

Mr. Pumariega referred to the development of Parrish Lakes and asked if that project is to include a sports complex also. Mr. Vogler stated the developers have not collaborated with them recently, but that he would be happy to check with them regarding this issue.

Ms. Cooper asked about the greenway that is planned along Carter Road in terms of what it connects to and what its purpose is. Ms. Lisa Barrett, Manatee County Planning, replied that she did not know the connection at this time, but stated that they do have greenways throughout the county and would require the applicant to incorporate that in their plan. Ms. Cooper asked if it was a wildlife corridor. Ms. Barrett replied that there are different walking corridors.

Councilman Roff made a motion to approve the Robinson Gateway Preapplication Conference Report. The motion was seconded by Councilman Newton and carried unanimously.

Agenda Item #5 - Program Reports

Commissioner Bustle asked Mr. Avera Wynne, TBRPC Planning Director, to give an update on several ongoing programs.

Mr. Wynne reported two things that will be happening with the One Bay implementation. Staff will be formulating amendments to the Strategic Regional Policy Plan (SRPP) and how One Bay can be implemented into the SRPP. Hand in hand with this is the HUD Sustainability Grant Program. He reported that a meeting was held last Friday, June 25, with a number of our partners, and there appears to be a good regional coalition coming together. Each of the counties' MPOs and some of the cities in the region that have projects and can help implement One Bay will be placed together as one regional application. Even if funding is not received in this grant cycle, the coalition will be in place. He feels Congress will see there is a lot of inertia behind regional planning.

Get Ready Tampa Bay held a very successful event last Tuesday, June 22. Unfortunately, that was a day when both the Manatee and Pasco County boards had meetings and members were unable to attend. He offered apologies for this, but explained they were working with some of the manufacturer partners to have their vehicles at the event. Participation from elected officials was good, also from the business community and manufacturers. Progress Energy announced they will be installing 75 to 100 charge stations in their service area in Pinellas and Pasco Counties. There is also a grant going to the Orlando area that will extend all the way toward I-75, or approximately 70 miles from downtown Orlando. TBRPC will be working with TECO, Lakeland Electric, and Florida Power & Light to search for a grant opportunity with the Department of Energy to obtain grants for places that do not have grant coverage to get the charging stations.

Mr. Wynne reported that SRI International has been awarded the contract from the Tampa Bay Regional Planning Council and the Tampa Bay Partnership to conduct the Cluster Study and the Workforce Housing Skills and Gaps Analysis. During the data collection phase employees of SRI may be contacting Council members. The purpose of the study is to attempt to determine what industries will be growing in our region. Even though an industry may be growing locally, if there is no chance that it will grow nationally or internationally, it may be wise to focus our strategies toward other industries. Once these industries are identified that may be growing over the next ten to twenty years, we need to be sure to identify the proper workforce for those industries. The workforce community and the education community will be interviewed as well so they can see for what industries they need to be training the workforce.

Mr. Pumariega reported that TBRPC staff is in the process of helping to complete the Statewide Regional Evacuation Plan. He added that this is the first time all of the state evacuation plans have been updated at the same time. Also, TBRPC received funding notification regarding doing a functional exercise for the entire region. Staff will be involving emergency management staff from various counties and municipalities in the region.

Commissioner Bustle mentioned the U.S. Army Corps of Engineers is going to do an areawide Environmental Impact Study (EIS) of the phosphate industry. He felt this will have a big impact on Mosaic and on the various other mining operations in the region.

A question was asked regarding the Sustainability Grants. Mr. Wynne reported that the angle they are taking with sustainability from the regional perspective is that it is implementing One Bay. There are two categories for the Sustainability Grants. Category 1 is if you do not have a One Bay, or there is no shared regional vision. He reported we have two shared regional visions in the Tampa Bay region, One Bay and TBARTA. All of the projects will be tied in with these. One Bay has four basic elements: built environment, natural environment, mobility, and economy/energy. One of the things One Bay addresses is developing a regional energy policy, particularly as alternatives can be integrated. There are many things related to land use and land development that can make accommodating alternative energy easier. Mr. Wynne reported all of the county MPOs have contributions in the mix.

Mr. Pumariega announced the next HUD Grant meeting will be Friday, July 23. He and Mr. Wynne have met twice with folks from the Orlando area to discuss how the regions could possibly connect. Our projects must be identified in detail and the cost be determined. The limiting factor is that there is a \$5 million maximum that can be applied for. The people from Orlando are supposed to be coming on July 23 with their projects in detail. Mr. Wynne stated the meeting last Friday went very well, but some people told him they felt Super Region is a great idea. They have permission from their respective administrations to join with TBRPC in a Tampa Bay regional application because that will be the most competitive, but if Super Region is thrown into the mix, they will have to go back through their administrations and begin all over. They would be willing to do that but they do not feel this could be accomplished in the required time frame.

Agenda Item #6 - Other Business - Chairman

None.

Agenda Item #7 - Next Meeting Date

The next CRC meeting will be announced as needed.

Agenda Item #8 - Adjourn

There being no further business, Commissioner Bustle adjourned the meeting at 10:45 a.m.

Respectfully submitted,

Bobbi Jaroy, Recording Secretary

Commissioner Larry Bustle, Meeting Chair