



# ARS

## Annual Report Summary

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### **DRI #240 - HERITAGE HARBOUR MANATEE COUNTY RY 2015-16**

On March 21, 2000, the Manatee County Board of County Commissioners granted a Development Order (Ordinance No. 00-19) to U.S. Home Corporation. The Development Order authorized construction of a mixed use development on 2,500± acres located northeast of the I-75/SR 64 intersection, along the southern bank of the Manatee River. Only Phase 1 of the two-phase project was specifically approved.

The Development Order has been amended six times, most recently on May 5, 2016 (Ordinance No. 16-16). The amendments have cumulatively: granted Phase 2 approval; extended the Phase 1 & Phase 2 buildout dates; exchanged entitlements between phases; modified the internal roadway network; relocated the assisted living facility; added "agriculture" as an approved interim use; increased park acreage by one acre (to 41.2 acres); added 288.7 acres to the project; modified Table 2 footnote to provide an alternative to road improvement "B" (frontage road); increased Phase 2 Retail by 54,900 sq. ft. (to 551,900 sq. ft.); established a Land Use Equivalency Matrix to allow limited exchanges from non-Residential uses (Parcels 19 and/or 20 only) and amongst housing unit types at pre-determined ratios project-wide; added Hotel as an alternative use on Parcels 19 and/or 20; changed the name of the project from "Heritage Sound" to "Heritage Harbour" and the name of the authorized agent/developer from "U.S. Home Corporation" to "Harbourvest, LLC"; removed the former 12.0-acre Marina in favor of "Residential" designation with no increase in Residential or other entitlements; extended the frequency of reporting from "Annual" to "Biennial" (i.e. due on March 21<sup>st</sup> of all odd-numbered years); acknowledged completion of transportation mitigation; added a Land Use Equivalency Matrix (LUEM) applicable only to Parcel 35; recognized Commercial, ALF and Multi-Family Residential as potential uses on Parcel 35 (as entitlements may be attained through LUEM); realigned Port Harbour Parkway extension though Parcel 35 and corresponding "update of notes"; added the approved Local Development Agreement (dated 9/14/14) as an exhibit to the Development Order; established thresholds for the amount of development that may be authorized on Parcel 35 by land use type; and corresponding Master Development Plan revisions.

Manatee County issued correspondences acknowledging the granting of additional extensions of the Phase 1 and 2 buildout dates as well as the Development Order expiration dates in accordance with four Executive Orders enacted by the Governor in 2012 due to Tropical Storms Debby and Isaac and two Executive Orders enacted by the Governor in 2015 on account of an emergency flooding declaration and Tropical Storm Erika. These dates are now November 20, 2019 (Phase 1 buildout), November 20, 2024 (Phase 2 buildout) and November 20, 2026 (Development Order expiration).

The currently-approved phasing schedule is as follows:

LAND USE	PHASE 1 (thru 11/20/2019)	PHASE 2 (thru 11/20/2024)	TOTAL
<b>RESIDENTIAL</b> (Units)	<b>2,550</b>	<b>2,800*</b>	<b>5,350*</b>
<b>S.F. Detached</b>	(1,290)	( 980)	(2,270)
<b>S.F. Attached</b>	( 500)	( 640)	(1,140)
<b>Multi-Family</b>	( 760)	(1,180)*	(1,940)*
<b>ACLF</b> (Beds)	0	600	600
<b>RETAIL</b> (Sq. Ft.)	300,000	488,837*	788,837*
<b>OFFICE</b> (Sq. Ft.)	103,250	66,750	170,000
<b>HOTEL</b> (Rooms)	150	150	300
<b>MARINA</b> (Slips)	162 [Wet]	300 [Dry]	462 [Wet/Dry]
<b>GOLF</b> (Holes)	36	9	45

\* - Entitlements are reflective of a September 27, 2012 Land Use Equivalency Matrix conversion request in which 63,063 sq. ft. of Retail was converted for 350 additional Multi-Family/Apartment units within Phase 2.

The Developer acknowledged the following as part of the RY 2011-12 Annual Report “*we are aware that the vacant 288-acre parcel of land formerly referred to as Stoneybrook East and controlled by Heritage Harbour Development LLC, was previously foreclosed by the bank that held the mortgage and it was subsequently sold to Upper Manatee 288, LLC during the current reporting period.*”

## **PROJECT STATUS**

**Development this Reporting Year:** 62 Single-Family Detached, 38 Single-Family Attached and 168 Multi-Family Residential units were completed.

**Cumulative Development:** 1,500 Single-Family Detached units, 219 Single-Family Attached units and 1,673 Multi-Family units, 28,000 sq. ft. of Office and 45 holes of golf.

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

## **SUMMARY OF DEVELOPMENT ORDER CONDITIONS**

1. The Developer continues to acknowledge that the required S.R. 64 improvements were previously completed and accepted in accordance with Condition 5.B.(1).
2. The Developer previously submitted the results of a January 30, 2014 traffic monitoring event prepared and conducted in accordance with Condition 5.B.(2). The results revealed that the project was generating 1,241 [i.e. 768 Inbound/473 Outbound] of the approved 5,811 p.m. peak hour external trips [i.e. 3,204 Inbound/2,607 Outbound]. However, Ordinance No. 14-37, adopted by the Manatee County BOCC, affirmed completion of all transportation mitigation obligations and authorized cessation of the annual traffic monitoring program.

3. The Developer was obligated to establish a “*Transportation Systems Management*” program following the exceedance of COs for 2,000 Residential units (or the equivalence), as outlined in Condition 5.B.(3). As intended, the Program required an annual assessment of actual vehicle trips diverted from peak hour as a result of implementing TSM measure(s). While no such quantification was ever provided, the Developer did identify ridesharing, telework, telecommuting and flex-scheduling as potential means of reducing the number of project-related trips in addition to implementation of a “Resident Education Program,” whereby information is disseminated to residents/businesses through community newsletters and posted to the Heritage Harbour website. Subsequently, Ordinance No. 14-37 did include acknowledgment that the provisions of this requirement “have been supplanted by the LDA” [Local Development Agreement] and, thus, not required any longer.
4. The Developer has previously submitted a *Wetland Management and Mitigation Plan*, an *Integrated Pest Management Plan*, and a *Hurricane Evacuation and Recovery Plan* in accordance with Conditions 5.C(1)f., 5.C(3)a. and 5.K(3), respectively. The Developer has reported that these Plans were all subsequently approved by Manatee County, as required.
5. The Developer previously acknowledged implementing the measures and requirements associated with the Surface and Ground Water Quality Monitoring Plans approved by Manatee County in 2005, as required by Condition 5.C(3)b. Included with these requirements are the obligation to conduct annual Surface and Groundwater quality monitoring. In 2012, Manatee County did authorize alteration of the monitoring locations with the removal of five stations (i.e. SW-3, SW-8, SW-9, SW-11 & SW-13) from future monitoring as well as the relocation of four others (i.e. SW-6, SW-7, SW-10 & SW-15), as memorialized in a July 2, 2012 correspondence from Mr. Scott Browning, Senior Environmental Specialist with the Manatee County Environmental Protection Division to the Developer’s representative (H. Clayton Robertson of Vanasse Hangen Brustlin, Inc.). The Developer did provide electronic copies of the 2015 and 2016 water quality monitoring results supplemental to the Annual Report. It is hereby requested that the Developer continue to provide such results in association with all future Annual/Biennial Reports.
6. Condition 5.C(6)a. requires the Developer to submit a *Manatee Protection Plan* prior to marina construction.
7. The Developer has previously mitigated the project’s impacts on public hurricane shelters [Condition 5.K(4)] and schools [Condition 4.L.(1)] through the prior payments of \$209,664 and \$913,931, respectively.

### **DEVELOPER OF RECORD**

Lennar Homes, L.L.C., 10481 Six Mile Cypress Parkway, Ft. Myers, FL 33966 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.