

R-90-39  
COOPER CREEK CENTER DEVELOPMENT ORDER  
RESOLUTION GRANTING AMENDMENTS TO R-85-236  
AS AMENDED BY R-86-323 AND R-87-58

WHEREAS, the Board of County Commissioners approved Resolution R-85-236 adopting a Development Order for Cooper Creek Center on January 9, 1986; and,

WHEREAS, the Board of County Commissioners approved Resolution R-86-323 adopting Amendments to the Development Order for Cooper Creek Center on December 23, 1986 which Amendments were found not to be a substantial deviation to the originally approved Development Order; and,

WHEREAS, the Board of County Commissioners adopted further non-substantial Amendments to the Development Order for Cooper Creek Center on February 10, 1987; and,

WHEREAS, the Developer has requested that the Development Order for Cooper Creek Center be further amended to provide for an extension of the Final Master Development Plan, Design Criteria and infrastructure construction drawings submission date to make the filing requirements consistent with Z-86-16, as amended; and,

WHEREAS, said Board of County Commissioners has considered all of the foregoing and has been advised and informed in the premises.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, that the Board hereby approves the Amendment to R-85-236, as amended by R-86-323 and R-87-58, as follows:

1. "F. General Conditions, Section C.(7)" is hereby amended to add: (the underlined provision contains the new language)

C.(7) The Developer shall file a Master Final Development Plan and Design Criteria with Manatee County for Phase I on or prior to September 15, 1989. The Developer shall submit construction drawings for infrastructure with Manatee County for Phase I on or prior to November 21, 1989, and shall complete or demonstrate substantial progress toward building permit application or fifty percent (50%) of the development totals set forth below in Table 2 within five (5) years of Development Order approval. Failure to meet this schedule may require a revised and updated Traffic Study prepared in accordance with the provisions of Paragraph C.(2) to demonstrate that Acceptable Levels of Service\* are still projected to exist at the time building permits are issued. In the event substantial progress toward building permit applications for 50% of the Vertical Development described in Table 2 of this paragraph is demonstrated by the developer, the developer may nevertheless be required to prepare a revised and updated Traffic Study\* pursuant to this paragraph if building permit for 50% of the Vertical Development described in Table 2 shall expire for any reason other than completion of development or for reasons or causes beyond the control of the developer. The determination that a revised and updated Traffic Study\* is required shall be made by the Board of County Commissioners at a public hearing with notice to the developer upon recommendation by the Director of Planning and Development after consultation with the County Traffic Authority\*.

If the Traffic Study\* indicates that an Acceptable Level of Service\* is not being maintained, failure to meet the time schedule set forth above shall, at the option of the Board of County Commissioners, result in the withholding of future building permits for Phase One until an Acceptable Level of Service\* is obtained.

Failure to comply with the time schedule set forth above, shall not be presumed to be a substantial deviation pursuant to Chapter 380.06(19) FS.

TABLE 2

LAND USE DEVELOPMENT TOTALS AND OFF-SITE TRANSPORTATION TRIPS

PHASE ONE

<u>LAND USE</u>	<u>SQUARE FEET</u>	<u>OFF-SITE PM PEAK HOUR NET VEHICLE TRIPS</u>
1. Residential	412 Units	278
2. Industrial	400,000 S.F.	422
3. Office	120,000 S.F.	217
4. Commercial	530,000 S.F.	1,893
5. Hotel	400 Rooms	<u>261</u>
		3,052

Tradeoff between the land uses set forth above may be granted by the County provided the total number of off-site transportation trips set forth above is not exceeded as determined at time of Site Development Plan\* review.

2. All other provisions of Resolution R-85-236 and R-86-323 and R-87-58, the Development Order for Cooper Creek Center, not amended hereby, shall remain in full force and effect. In the event there is an inconsistency between the terms of this Resolution and the Resolutions referred to above, the terms of this Resolution shall control.

ADOPTED with a quorum present and voting this 29th day of March, 1990.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: *Patricia G. Sloan*

ATTEST R. B. Shore,  
Clerk of the Circuit Court

*R. B. Shore*

STATE OF FLORIDA COUNTY OF MANATEE  
I hereby certify that the foregoing is a true and correct copy of the Resolution of the Board of County Commissioners of said County on the 29<sup>th</sup> day of March, 1990 this 27<sup>th</sup> day of March, 1990.

P. B. Shore  
Clerk of the Circuit Court