

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	PDMU-11-12(G) – HC Properties, LLC/Shops at Harrison Ranch (DTS#20110203)	TYPE AGENDA ITEM	Advertised Public Hearing - Regular
DATE REQUESTED	04/12/2012 PC	DATE SUBMITTED/REVISED	03/29/2012
BRIEFINGS? Who?	As Requested	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	Robert Schmitt, AICP, Planning Division Manager
CONTACT PERSON TELEPHONE/EXTENSION	Sharon Tarman, AICP, Planner / 941-748-4501, ext. 6863	PRESENTER/TITLE TELEPHONE/EXTENSION	Sharon Tarman, AICP, Planner / 941-748-4501, ext. 6863
ADMINISTRATIVE APPROVAL			

ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
I move to recommend approval of PDMU-11-12(G) per the recommended motion in the staff report attached to this memo.

ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
Manatee County Comprehensive Plan and Manatee County Land Development Code.

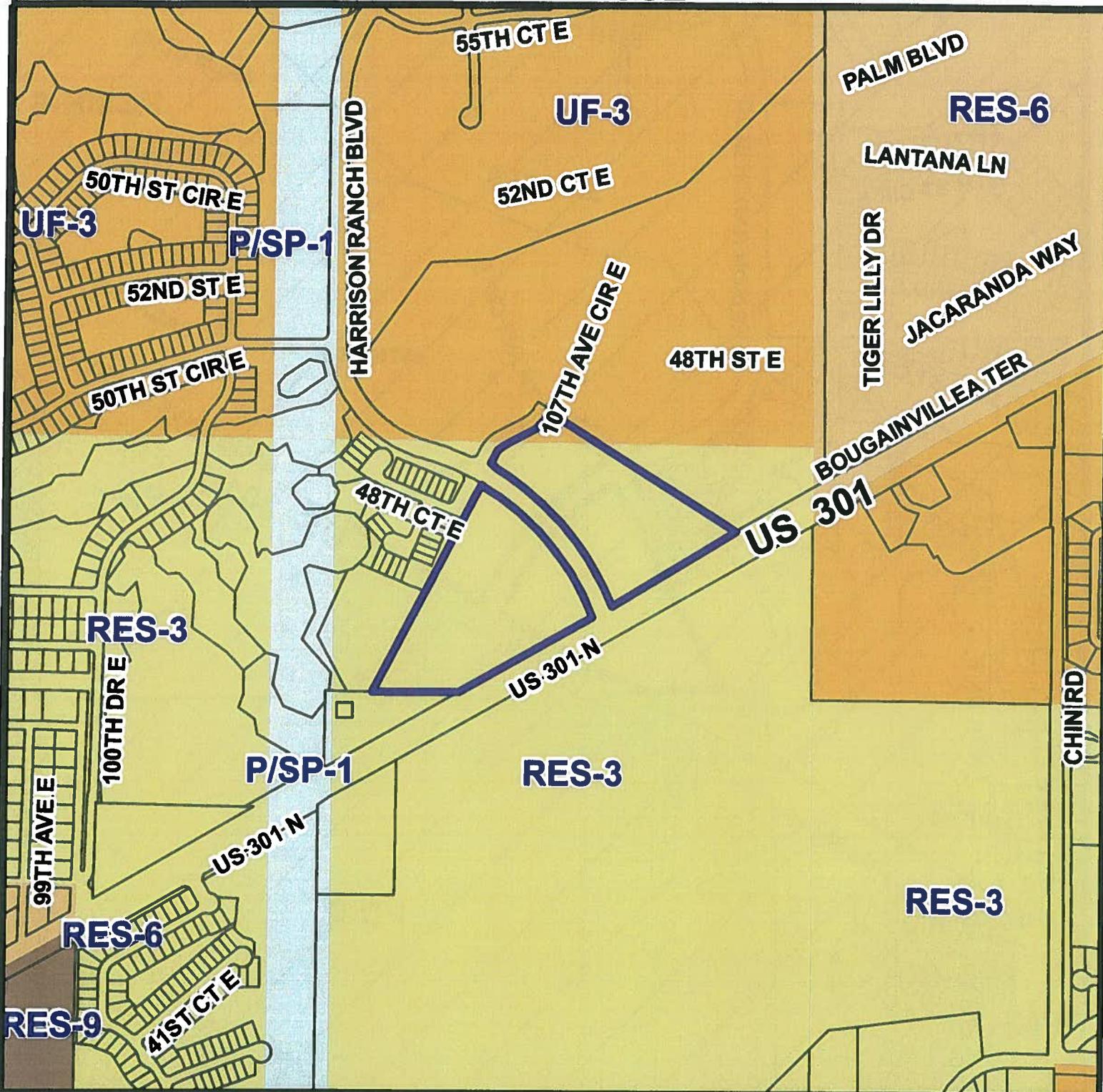
BACKGROUND/DISCUSSION
<ul style="list-style-type: none"> • HC Properties, LLC, applicant for the Shops at Harrison Ranch requests approval of a General Development Plan in the PDMU zoning district and approval of a General Development Plan for 170,000 square foot commercial retail and or professional office on approximately 30.14± acres. • The site is located on the northeast and northwest corners of US 301 and Harrison Ranch Boulevard at 4605 and 4606 Harrison Ranch Boulevard. • The site was identified as "future commercial" in 2002 when rezoned to PDMU [PDMU-01-04(Z)(G)]. A stipulation was placed on the site that requires the applicant obtain Board approval for any commercial development. • The site is in the RES-3 (29.2± acres) and UF-3 (0.94± acres) Future Land Use Categories (FLUCs). Comprehensive Plan Policies 2.1.10.2 and 2.2.11.2 allow neighborhood retail and professional offices to be considered in the RES-3 and UF-3 FLUCs. • Land Use Operative Provision, E, of the Manatee Comprehensive Plan requires proposed commercial projects be within a node eligible for consideration of commercial development. This provision further requires any site within the RES-3 and UF-3 to be a maximum of 1,500 feet from an intersection of two functional-classified roadways. Because the site is at the northeast and northwest corners of U.S. 301 (Arterial) and Harrison Ranch Boulevard (Collector), it meets commercial locational criteria and is eligible to be considered for commercial development. • A total of 170,000 square feet maximum for both parcels is proposed. • The site is in the North Central Overlay District (NCO). The project is required to meet the applicable NCO standards in the LDC Section 604.10. • A total of 3.76 acres of wetland impacts are proposed. • Staff recommends approval with stipulations.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input checked="" type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> Available from Attorney (Attorney's initials: <u>SAS</u>)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)

<input type="checkbox"/>	OTHER
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ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff Report with attachments Site Plan		N/A	
COST:	n/a	SOURCE (ACCT # & NAME):	n/a
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

FUTURE LAND USE



Parcel ID #(s) 726400559, 726400519

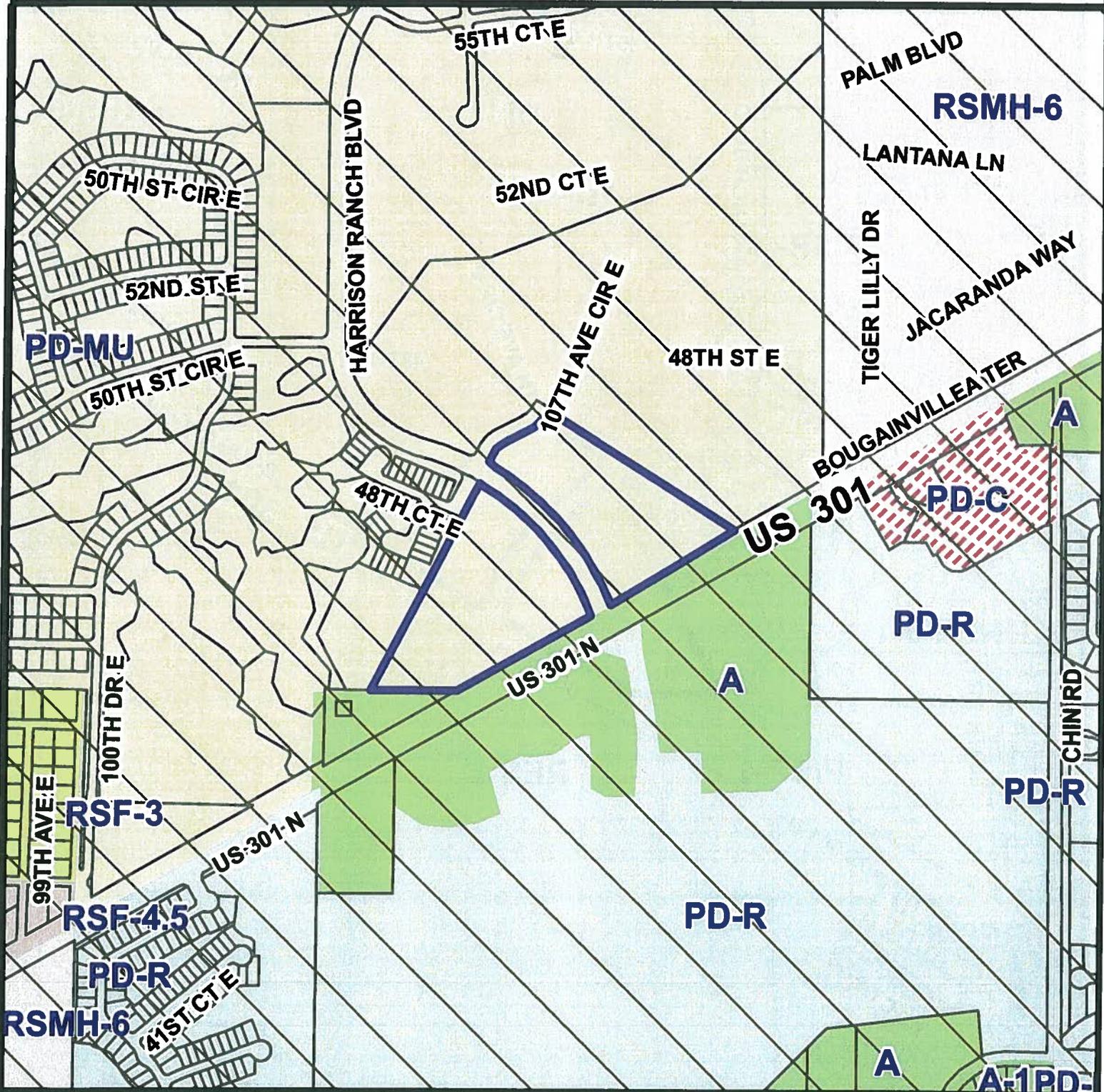
Project Name: Shops at Harrison Ranch
 Project #: PDMU-11-12 (G)
 DTS#: 20110203
 Proposed Use: Commercial

S/T/R: Sec 36,1 Twn 33,34 Rng 18
 Acreage: 14.14 & 16.0
 Existing Zoning: PD-MU
 Existing FLU: UF-3, RES-3
 Overlays: NCO
 Special Areas: Greenway

CHH: NONE
 Watershed: NONE
 Drainage Basin: UNNAMED DRAIN
 Commissioner: Larry Rustle


 Manatee County
 Staff Report Map
 Map Prepared 7/13/2011
 1 inch = 743 feet

ZONING



Parcel ID #(s) 726400559, 726400519

Project Name: Shops at Harrison Ranch
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CHH: NONE
 Watershed: NONE
 Drainage Basin: UNNAMED DRAIN
 Commissioner: Larrv Bustle

Manatee County
 Staff Report Map
 Map Prepared 7/13/2011
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Overlays

 North Central Overlay

AERIAL



Parcel ID #(s) 726400559, 726400519

Project Name: Shops at Harrison Ranch
 Project #: PDMU-11-12 (G)
 DTS#: 20110203
 Proposed Use: Commercial

S/T/R: Sec 36, 1 Twn 33, 34 Rng 18
 Acreage: 14.14 & 16.0
 Existing Zoning: PD-MU
 Existing FLU: UF-3, RES-3
 Overlays: NCO
 Special Areas: Greenway

CHH: NONE
 Watershed: NONE
 Drainage Basin: UNNAMED DRAIN
 Commissioner: Larry Rustle

Manatee County
 Staff Report Map
 Map Prepared 7/13/2011
 1 inch = 743 feet

P.C. 04/12/2012

PDMU-11-12(G) – HC PROPERTIES, LLC/SHOPS AT HARRISON RANCH
(DTS #20110203)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for a total of 170,000 square feet of commercial retail and or professional office space on approximately 30.14± acres at the northwest and northeast corners of U.S. 301 North and Harrison Ranch Boulevard, at 4605 and 4606 Harrison Ranch Boulevard, Parrish; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 03/08/2012, 04/12/12

B.O.C.C.: 04/05/2012

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend APPROVAL of the General Development Plan PDMU-11-12(G) with Stipulations A.1 – A.8, B.1 – B.8, C.1, and D.1; GRANTING Special Approval for a non-residential project exceeding 30,000 square feet in the RES-3 and UF-3 Future Land Use Categories; as recommended by staff.

PROJECT SUMMARY	
CASE#	PDMU-11-12(G) (DTS #20110203)
PROJECT NAME	Shops at Harrison Ranch
APPLICANT(S):	HC Properties, LLC
EXISTING ZONING:	PDMU(Planned Development Mixed Use)
ACREAGE	30.14± acres
PROPOSED USE(S):	Retail and/or Professional
CASE MANAGER:	Sharon Tarman, AICP
STAFF RECOMMENDATION:	APPROVAL with stipulations

DETAILED DISCUSSION

Three vacant parcels make up the 30.14± acre site on the northeast (East Parcel) and northwest corners (West Parcel) of Harrison Ranch Boulevard and U.S. 301. East Parcel consists of a small strip of land (.45± acres) and a larger parcel of 13.69± acres, for a total of 14.14± acres. West Parcel has 16.00± acres. East Parcel and West Parcel together have approximately 2,000 feet of frontage along Harrison Ranch Boulevard and 1,630 feet along U.S. 301. There are existing 50' roadway buffers along Harrison Ranch Boulevard and US 301.

The site was once a part of an overall 940± acre site previously rezoned to PDMU [PDMU-01-04(Z)(G)] in 2002. At that time, the approved General Development Plan identified the parcels as "future commercial". The parcels were not approved for development. The approval included 1,250 single-family detached units, 300 single-family attached units, and 38,000 square feet of public use facilities and residential support uses to be located north, east and west of the future commercial sites.

On June 11, 2002, Harrison Ranch, LLC and Manatee County executed a Development Agreement (LDA-01-03) for the Harrison Ranch project.

On July 27, 2004, Harrison Ranch, LLC received approval for an additional 65.52± acres [PDMU-01-04(Z)(P)] which included an additional 992 lots for single-family detached, 176 single-family attached units and accessory recreational facilities. At the same hearing, a Revised and Restated Development Agreement [LDA-01-03(R)] was approved. The Land

Development Agreement outlines transportation and water and sewer improvements affecting the residential portion of the Harrison Ranch Development only. The LDA will expire on September 2, 2014.

The Comprehensive Plan designates most of the site (29.2± acres) as RES-3 on the Future Land Use Map (FLUC). A small part (0.94± acres) in the northeast corner of East Parcel is in the UF-3 FLUC. Comprehensive Plan Policies 2.2.1.10.2 and 2.2.11.2 allow neighborhood retail and professional offices to be considered in the RES-3 and UF-3 FLUCs. A Floor Area Ratio (FAR) of 0.14 (East Parcel) and 0.12 (West Parcel), as well as the overall FAR of 0.13, is below the 0.23 FAR thresholds for the RES-3 and UF-3 FLUCs.

Land Use Operative Provision, E, of the Manatee Comprehensive Plan requires that proposed commercial projects be within a node eligible for consideration of commercial development. This provision further requires any site within the RES-3 and UF-3 to be a maximum of 1,500 feet from an intersection of two functional-classified roadways. Because the site is at the northeast and northwest corners of U.S. 301 (Arterial) and Harrison Ranch Boulevard (Collector), it meets commercial locational criteria and is eligible to be considered for commercial development.

A total of 170,000 square feet maximum for both parcels is proposed and includes the following uses:

Building Materials Establishment	Health Services Hospitals
Retail Sales Neighborhood Convenience	Health Services Medical & Dental Laboratories
Retail Sales Neighborhood General	Health Services Nursing Home Services Office
Drive-Thru Eating Establishment	Car Wash (self-service, full-service and incidental)
Farm Equipment and Supply Establishments	Dry Cleaners (Neighborhood, General and Pick-Up)
Gas Pumps	Food Caterings
General Retail Sales Uses	Funeral Chapel, Funeral Homes
Service Station	Cultural Facilities
Bank or Bank with Drive Through	Medium or Large Daycare Center
Business Service	
Health Services Professional Office	
Health Services Clinic	
Health Services Veterinary Clinic	

The uses are shown as permitted or permitted with limitations in Figure 6-1 of the Land Development Code.

The site is in the North Central Overlay District (NCO). The project is required to meet the applicable NCO standards in LDC Section 604.10.

The U.S. 301 corridor from Erie Road extending northeast toward Parrish is rapidly transitioning from rural agricultural uses to a mix of commercial retail and service uses, as well as residential developments.

Staff has the following concerns:

- The proposed General Development Plan (GDP) separates the 30.14± acres into seven leased sites within the East Parcel and West Parcel. The boundaries of the leased parcels encompass 3.76± acres of wetlands. The most significant wetland (Wetland A) is on West Parcel.
- The applicant feels that it is paramount to the development to have the ability to impact onsite wetlands due to the site's constraints. Typically, consideration of whether wetland impacts are warranted tracks at later stages of development with more detailed plans.
- The northern boundary of West Parcel and eastern boundary of East Parcel abuts residential uses. These uses may be impacted by potential noise and glare from the commercial development. Staff recommends the installation of an eight-foot high solid decorative wall on top of a three-foot high berm to help alleviate potential adverse impacts.

Staff recommends approval with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA

ADDRESS:	4605 and 4606 Harrison Ranch Blvd.	
GENERAL LOCATION:	Northeast and northwest corners of U.S. 301 North, and Harrison Ranch Blvd.	
ACREAGE:	30.14± acres	
EXISTING USE(S):	Vacant	
FUTURE LAND USE CATEGORIES:	RES-3 (Residential, three dwellings per acre) and UF-3 (Urban Fringe-3 dwellings per acre).	
FLOOR AREA RATIO (FAR):	EAST PARCEL	0.14
	WEST PARCEL	0.12
SPECIAL APPROVAL(S):	Non-residential project exceeding 30,000 square feet in RES-3 and UF-3.	
OVERLAY DISTRICT(S):	North County Overlay District (NCO)	
SPECIFIC APPROVAL(S):	N/A	

SURROUNDING USES & ZONING

NORTH	Single-family attached residences (Harrison Ranch Phase 1-B) and vacant land (Harrison Ranch) zoned PDMU.
SOUTH	Across U.S. 301 North, vacant land zoned A (General Agriculture) and the proposed Residential Development-Silverleaf zoned PDR

	(Planned Development Residential).		
EAST	Vacant land (Harrison Ranch Phase IIA-5) zoned PDMU.		
WEST	Single-family attached (Harrison Ranch Phase 1-B) zoned PDMU and vacant land zoned A (General Agriculture).		
SITE DESIGN DETAILS			
LOT SIZES:	East Parcel – 14.14± acres West Parcel – 16± acres		
SETBACKS:	East Parcel		
	Fronts (West along Harrison Ranch Blvd. and South Along U.S. 301)	50'	
	Sides (North and East)	20'	
	Rear Waterfront Wetland buffer setback, if applicable	20' 20' 30' 15'	
SETBACKS:	West Parcel		
	Fronts (East along Harrison Ranch Blvd. and South Along U.S. 301)	50'	
	Sides (North and West)	20'	
	Rear Waterfront Wetland buffer setback, if applicable	20' 20' 30' 15'	
OPEN SPACE:	Parcel	Required	Provided
	East Parcel (14.14± Acres)	2.83 Acres (20%)	4.9 Acres (34.6%)
	West Parcel (16± Acres)	3.2 Acres (20%)	5.7 Acres (35.6%)
ACCESS:	Harrison Ranch Boulevard		
FLOOD ZONE(S):	X - per FIRM Panel 120153 0215 C, revised 07/15/92. A (No Base Flood Elevation determined) - per		

	draft map #12081C 0190E.
AREA OF KNOWN FLOODING:	Yes - rainfall
UTILITY CONNECTIONS:	Water and sewer available
ENVIRONMENTAL INFORMATION	

Overall Wetland Acreage:	3.76
Proposed Impact Acreage:	3.76

Wetland I.D.	Acres Impacted	Type	Quality	Reason for Impact	Staff Objection Yes / No
A	3.28	Herbaceous	Med. (0.5)	Commercial Development	No
B	0.07	Herbaceous	Low (0.3)	Commercial Development	No
C	0.16	Herbaceous	Low (0.3)	Commercial Development	No
D	0.25	Herbaceous	Low (0.3)	Commercial Development	No

Wetlands:

Total onsite wetlands comprise herbaceous systems in four locations. The best quality wetland is identified as Wetland "A" and is 3.28 acres in size. It is located in the Western Parcel. The other three areas are of low quality and total less than a half acre (See chart above).

Typically, the County has considered the State's Unified Mitigation Assessment Method (UMAM) scores of .4 or less to be a critical factor in determining the eligibility of whether wetlands were viable and/or sustainable. In cases where the UMAM scores were greater or it was determined that impacts were unavoidable, the County's "overriding public benefit" test came into play (Comprehensive Plan Policy: 3.3.1.1: *Prohibit removal, alteration, or encroachment within wetlands except in cases here no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrate the necessity of the proposed impact.*)

The applicant provided a narrative detailing the background and creation of the commercial node as well as analysis for avoidance and minimization of wetlands impacts. Further, after discussions with staff, they provided a "projection" of how the wetland system in question was to likely fare as we move forward in time (This projection was offered after analyzing similar situations in the County, wetlands at a commercial node/area, and finding that the wetlands declined).

According to the Environmental Assessment of the wetlands, impacts first occurred by the construction of historic US 301 and historic agricultural activities including severe ditching.

Surrounding development, continued agricultural activities and recent US 301 improvements have further caused deterioration of the wetlands. The hydroperiod as well as the natural topography of the wetlands has all been significantly altered. There are indications of a continued transition to a more upland state with on-going invasions of nuisance and exotic species. The report states:

...this wetland has undergone decades of adverse impacts and continues to degrade. The current UMAM score attributed to this wetland system is 0.5 out of 1.0.

...History and experience indicate herbaceous wetlands located along major arterial roadways are hazardous to indigenous wildlife, and further dictate a rapid functional deterioration due largely to the alteration of the historic watersheds and hydroperiods.....Supported by knowledge of other wetlands which have undergone similar degradation, the current wetland will soon (4-5yrs.) degrade to a UMAM score of 0.37 or less.

Staff considerations for this wetlands impact included the standard base criteria indicated on the above referenced chart. Additionally, consideration was given to the viability of the wetland.

Should wetland impacts be approved, mitigation will be determined by the Southwest Florida Water Management District (SWFWMD) as part of the Environmental Resource Permit. However to accommodate the County's requirement to provide an overriding public benefit, the applicant proposes to increase the mitigation requirement by providing for additional area for a total 5:1 ratio providing for a larger integrated wetland/upland wildlife corridor system within the same County drainage basin.

In this case, considering all the available information and the applicant's proposal, staff supports this request.

Uplands:

There is a total of 2.34 acres of upland habitat within the project boundary. The applicant has shown 1.7 acres of upland preservation area, which is contained on the east parcel.

Endangered Species:

According to the response to comments the environmental consultant has evaluated the site for endangered/threatened species in November and December 2010 and in July 2011. No such species were found utilizing the site for nesting or breeding purposes. The site plan shows an eagle's nest located off-site at the southwest corner of the project area. The nearest improvements proposed for the project (storm water facility) are approximately 241 feet from the nest. Therefore, the applicant will need to follow guidelines established for Bald Eagle's Nests. A stipulation is provided to address.

Trees

The applicant will provide tree removal and replacement information at the Preliminary/Final Site Plan stage. Staff does not anticipate any problem with replacement of trees being achieved on-site.

NEARBY DEVELOPMENT				
NON-RESIDENTIAL				
PROJECT	SQ. FT.	F.A.R.	FLUC	YEAR APPROVED
Chin Road Commercial [PDC-03-61(P)(R)]	79,500 sq. ft.	0.15	UF-3	2006
Oxford Commercial Development [PDC-08-26(Z)(P)]	150,000 sq. ft.	0.18	OM	2009
Victoria Estates, LTD., et al/Creekside Commons (PDC-04-38(Z)(P))	256,256 sq. ft.	0.12	R/O/R, RES-9	2008
Eckerds at Creekside Oaks (AP-03-81)	15,374 sq. ft.	0.08	R/O/R	2004
Parkwood Square Shopping Center [PDC-058-07])	118,416 sq. ft.	0.11	R/O/R	2009
Derel Trust [PDO/PDC-05-12(P)]	87,110 sq. ft. mini-storage, 8,100 sq. ft. office, 6,045 sq. ft. daycare center	0.34 (PDC) 0.07 (PDO)	OL, R/O/R, UF-3	2009
RESIDENTIAL				
PROJECT	LOTS / UNITS	DENSITY	FLUC	YEAR APPROVED
Kingsfield	466	2.75	UF-3	1995
The Gardens	645	4.89	RES-6	Prior to 2000
Kingsfield Lakes	343	1.71	UF-3	2000
Lexington	352	2.42	RES-6 & UF-3	2001
Chelsea Oaks	215	1.97	UF-3	2001
Aberdeen	222	2.68	RES-3	2002
Harrison Ranch	1,550	1.65	RES-3 & UF-3	2002
Manatee River Plantation	493	1.50	UF-3	2002

Creekside Oaks	403	2.49	RES-9	2003
Gamble Creek Estates	165	1.01	UF-3	2004
Selby Grove	174	1.96	UF-3	2004
Lexington Addition	35	1.72	UF-3	2005
River Wilderness Ph III	178	0.60	UF-3	2005
McKinley Oaks (fka Mulholland Preserve; fka Manning/Silver Companies)	36	0.89	UF-3	2006
Forest Creek	493	2.79	UF-3	2010
Canoe Creek	896	2.94	UF-3	2011
Silverleaf	732	2.78	RES-3 & UF-3	Pending

POSITIVE ASPECTS

- The site is in an area where there are a mix of commercial, office, and residential uses.
- The shopping center may potentially provide services to the nearby residents and employees.
- Access points are via a functionally classified roadway, Harrison Ranch Boulevard, which connects U.S. 301.
- The timing appears to be consistent with development trends in the area.

NEGATIVE ASPECTS

- Wetland impacts are proposed.
- Adjacent single-family residences to the north of West Parcel and future residential uses to the east of East Parcel may experience potential visual and noise impacts.
- There is a bald eagle's nest nearby.

MITIGATING MEASURES

- Applicant is providing mitigation for impacts to wetlands and, providing additional improvements to provide for an *overriding public benefit*.
- There appears to be adequate separation between the residential and the proposed commercial uses. Additionally, staff recommends the buffers adjacent to residential uses contain a solid decorative wall along the north perimeter of West Parcel and east perimeter of East Parcel.
- Staff recommends the project be designed in accordance with the Florida Fish and Wildlife Conservation Commission's Bald Eagle Management Plan (dated, April 2008).

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. At time of the first Preliminary Site Plan or Final Site Plan approval, a unified architectural theme for the commercial project shall be approved by the Building and Development Services Department and applied to all commercial buildings.
2. HVAC and mechanical equipment (including roof mounted) shall be screened from view from adjacent residential uses. Screening shall consist of similar colors and materials consistent with the construction of the exterior finish of the buildings. Compliance with the building elevations shall be determined prior to Final Site Plan approval.
3. Prior to Preliminary Site Plan or Final Site Plan approval, designated dumpster locations shall be placed away from designated residential areas or structures as much as possible.
4. Dumpsters shall be screened from view from adjacent residential uses. Screening shall consist of building materials matching the principal buildings on site.
5. Tractor trailer or semi-trucks involved in deliveries to the rear of the buildings facing residential development (to the north of the West Parcel and to the east of the East Parcel) shall be restricted to the hours between 7:00 a.m. and 10:00 p.m. During the period of time between 10:00 p.m. and 7:00 a.m., there shall be no delivery, loading or unloading of tractor trailers or semi-trucks; use of forklifts or other loading or unloading devices; and running of truck or trailer motors, or other refrigeration devices installed thereon.
6. Prior to Preliminary Site Plan or Final Site Plan approval, the proposed stormwater pond along the north perimeter of West Parcel shall be shifted southward outside of the 20-foot wide landscaped buffer and as necessary to retain existing desirable trees along the northern and western project boundary.
7. Prior to the first Certificate of Occupancy, an eight-foot high solid decorative wall on top of a three-foot berm shall be installed in the 20-foot wide landscaped buffer along the northern perimeter of West Parcel. Landscaping shall be planted on the exterior side of the wall and shall be designed to incorporate the existing canopy trees on the residential side.
 - a. The eight-foot high solid decorative wall shall be measured from the top of the berm and shall extend the length of the northern perimeter of West Parcel as shown on the site plan.
 - b. There shall be no utility lines, swales or stormwater facilities within the required

landscape buffer with the exception of limited crossings.

8. Prior to the first Certificate of Occupancy, an eight-foot high solid decorative wall shall be installed in the 20-foot wide landscaped buffer along the eastern perimeter of East Parcel from the north property line to the Upland Preserve Area. Landscaping shall be planted on the exterior side of the wall and shall be designed to incorporate the existing canopy trees on the residential side.
 - a. The eight-foot high solid decorative wall shall be measured from the finished elevation of the rear drive aisle and shall extend the length of the eastern perimeter of East Parcel.
 - b. There shall be no utility lines, swales or stormwater facilities within the required landscape buffer with the exception of limited crossings.

B. ENVIRONMENTAL CONDITIONS:

1. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Environmental Planning Division for review prior to Preliminary Site Plan or Final Site Plan approval.
2. A Conservation Easement for the areas defined as post-development Upland Preservation areas shall be dedicated to the County prior to or concurrent with PSP/FSP approval.
3. There is a bald eagle's nest within 241 feet of the closest improvements proposed within the boundaries of this project. The project shall be designed in accordance with the Florida Fish and Wildlife Conservation Commission's "Bald Eagle Management Plan" (April 2008). Submit revised plans/documentation demonstrating compliance with these guidelines prior to or concurrent with PSP/FSP approval.
4. Existing native vegetation located within any required landscape buffer shall be preserved to the greatest extent possible. There shall be no overhead or underground power lines, swales, or stormwater facilities within any proposed landscape buffer containing desirable native vegetation with the exception of limited crossings.
5. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Environmental Planning Division. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. Tree protection methodology shall be approved with the Preliminary Site Plan or Final Site Plan.
6. A Construction Water Quality Monitoring Program and proposed sampling locations

are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.

7. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Preliminary Site Plan and Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
8. This applicant shall utilize an off-site mitigation area located within Manatee County within the same drainage basin as Wetland A to mitigate the proposed removal of Wetland A. The off-site mitigation area shall be approved by the Southwest Florida Water Management District (SWFWMD) and a conservation easement shall be placed over the mitigation area in accordance with applicable law and County Codes. The off-site replacement area shall have a functional loss ratio of at least 5:1.

C. STORMWATER CONDITIONS:

1. This project shall be required to reduce the calculated pre-development flow rate by a full fifty percent (50%) for all stormwater outfall flow directly or indirectly into Slaughter Canal. Modeling shall be used to determine pre- and post- development flows.

D. FLOODPLAIN MANAGEMENT:

1. Prior to Preliminary Site Plan, Final Site Plan or Construction Drawing approval, the Base Flood Elevation for East Parcel shall be established.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None.

COMPLIANCE WITH LDC

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
50' roadway buffer, Harrison Ranch Boulevard		Y		Noted on Site Plan
50' roadway buffer, US 301		Y		Noted on Site Plan
20' perimeter buffer next to Harrison Ranch Phase IB, Phase IIA-4, and IIA-5		Y		Noted on Site Plan
Buffer landscaping			N	Details will be provided with future PSP/FSP in accordance with LDC Sections 604.10, 714, and

				715.
SIDEWALKS				
5' internal sidewalks			N	Details to be provided with future PSP/FSP.
5' sidewalk, exterior		Y		Already installed on both sides of Harrison Ranch Blvd and the north side of US 301 as shown on Site Plan
BIKE LANES				
4' bike lane		Y		Already installed on both sides of Harrison Ranch Blvd as shown on Site Plan
ROADS & RIGHTS-OF-WAY				
12' drive aisle width (minimum for one way traffic)		Y		Details will be provided with future PSP/FSP in accordance with LDC Section 710.1.5.5.1 Table "A".
24' drive aisle width for two way traffic		Y		Details will be provided with future PSP/FSP in accordance with LDC Section 710.1.5.5.1 Table "A".
COMPLIANCE WITH THE LAND DEVELOPMENT CODE Factors for Reviewing Proposed Site Plans (Section 508.6) Planned Districts – General Development Plans (Section 603.5)				

Physical Characteristics:

Three vacant parcels make up the 30.14± acre site on the northeast (East Parcel) and northwest corners (West Parcel) of Harrison Ranch Boulevard and U.S. 301. East Parcel consists of a small strip of land (.45± acres) and a larger parcel of 13.69± acres, for a total of 14.14± acres. West Parcel has 16.00± acres. East Parcel and West Parcel together have approximately 2,000 feet of frontage along Harrison Ranch Boulevard and 1,630 feet along U.S. 301.

There are 3.76± acres of wetlands. The applicant is proposing to impact onsite wetlands and provide mitigation and some additional offsite wetland improvements for addressing the "overriding public benefit."

There is an eagle's nest off-site at the southwest corner of the project area. The nearest improvements proposed for the project (stormwater facility) are approximately 241± feet from the nest. A stipulation is included to ensure the established guidelines for Bald Eagle's Nests are followed.

West Parcel is in Flood Zone Category X (area of minimal flooding) per FIRM Panel 120153 0215 C, Revised 7/15/92. The Draft Flood Insurance Rate Maps recently updated the flood

zone and indicates a part of East Parcel is in an A Flood Zone with no Base Flood Elevation determined. A stipulation is included requiring the establishment of the Base Flood elevation prior to Construction Drawing and Final Site Plan approval.

Public Utilities, Facilities and Services:

The site will be served by County water and sewer. There is a 20" potable water main, a 8" and 16" force main along US 301, a 10" potable water main and 8" reclaimed water main along Harrison Ranch Boulevard and a 8" potable water main and 6" reclaimed water main and 8" sanitary gravity sewer crossing Harrison Ranch Boulevard to the north of this proposed development.

Major Transportation Facilities:

The site is adjacent to U.S. 301 (Arterial) and Harrison Ranch Boulevard (Collector). West Parcel and East Parcel have two entrances connecting Harrison Ranch Boulevard.

Compatibility:

The site is adjacent to property zoned PDMU to the north and east. To the west is zoned A (General Agriculture). Across U.S. 301, to the south, is zoned A. Further south and southeast is zoned PDR (Planned Development Residential) and PDC (Planned Development Commercial) respectively.

Transitions:

The site is in the North Central Overlay District (NCO). The U.S. 301 corridor from Erie Road extending northeast toward Parrish is rapidly transitioning from rural agricultural uses to a mix of commercial retail and service uses, as well as residential developments. The proposed use will provide transition between an arterial roadway and the existing residential development to the north. Planned development zoning is appropriate because it can be designed to provide a transition between the roadways, various proposed commercial uses and existing residential uses.

Design Quality:

The applicant proposes 170,000 square feet of commercial retail and service uses and professional uses on the two parcels combined. The square footage will be divided between the West Parcel and East Parcel but not to exceed 150,000 square feet per parcel per the Comprehensive Plan FLUCs UF-3 and RES-3.

Adjacent Property:

The site is in an area with a mix of commercial, office and residential land uses. To the north is Harrison Ranch Subdivision. Southeast of the site, across U.S. 301, is Chin Road Commercial Shopping Center. Southwest of the site, across U.S. 301, is Parkwood Square Shopping Center.

Access:

All internal drives are designed to connect to two main access points connecting Harrison Ranch Boulevard which connects U.S. 301.

Pedestrian Systems:

There are 5-foot wide sidewalks existing along Harrison Ranch Boulevard and U.S. 301.

Natural and Historic Features, Conservation and Preservation Areas:

There are no known historic or archaeological resources on the site. 34.6% (4.9 acres) open space is proposed for East Parcel and 35.6% (5.7 acres) for West Parcel.

Intensity:

A Floor Area Ratio (FAR) of 0.14 (East Parcel) and 0.12 (West Parcel), is below the .23 FAR threshold for the RES-3 and UF-3 FLUCs. The UF-3 and RES-3 FLUCs allow a maximum of 150,000 square feet for neighborhood retail uses. The project proposes a maximum of 170,000 square feet for both parcels. Special Approval is required for a non-residential project exceeding 30,000 square feet.

Height:

The maximum building height of 35 feet should not create any external impacts that would adversely affect the surrounding development.

Fences and Screening:

The design shows West Parcel will be separated from adjacent residential uses (north) by a 20-foot wide buffer. The width of the buffer appears to be adequate given there is a varied width buffer ranging from approximately 30 to 60 feet on the residential side. To help alleviate any potential noise and visual impacts on adjacent residential uses, staff recommends the installation of a continuous eight-foot high solid decorative wall on top of a three-foot high berm. The wall is to be constructed generally in the center of the buffer along the northern perimeter of West Parcel.

The design shows the East Parcel will be separated from proposed adjacent residential uses (east) by a 20-foot wide buffer. The width of the buffer appears to be adequate given there is a buffer width of approximately 60 feet on the residential side. To help alleviate any potential noise and visual impacts on adjacent residential uses, staff recommends the installation of a continuous eight-foot high solid decorative wall. The wall is to be constructed generally in the center of the buffer along the eastern perimeter of East Parcel.

Yards and Setbacks:

Setbacks are as shown on the General Development Plan. Future Preliminary and Final Site Plans will be reviewed for compliance with the indicated dimensions.

Trash and Utility Plant Screens:

Staff recommends a stipulation requiring designated dumpster locations be placed away from residential uses as much as possible, to be determined with future Preliminary or Final Site Plans.

Signs:

Signs will be reviewed under a separate request with the issuance of a building permit.

Landscaping:

Landscaping requirements will be in accordance with LDC Sections 604.10, 714 and 715 and will be addressed with future Preliminary and Final Site Plans.

Mixed Use or Entranceway Designation:

The site is not in an area designated as an Entranceway of the County.

Open Space:

The site plan shows 34.6% open space for East parcel (4.9± acres) and 35.6% open space for West parcel (5.7± acres). 20% open space is required.

COMPLIANCE WITH COMPREHENSIVE PLAN

Most of the site is in the RES-3 (Residential 3 dwelling units per acre) Future Land Use Category. A small part is in UF-3 (Urban Fringe 3 dwelling units per acre). A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given development trends in the area. The surrounding area is characterized by transitioning from agricultural and low density residential development to mixed-use development.

Policy 2.2.1.10.1 Intent. (RES-3) To identify areas which are established for a moderate-density suburban, or a clustered low density urban, residential environment. Also, to provide a complement of residential support uses normally utilized during the daily activities of residents of these moderate density suburban, or low density urban areas.

Policy 2.2.1.10.2 Range of Potential Uses. Neighborhood retail uses are in the range of potential uses.

Policy 2.2.1.11.1 Intent. (UF-3) The site is intended for low density urban, or clustered low-moderate density urban, residential environment. Also to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community.

Policy 2.2.1.11.2 Range of Potential Uses. Retail wholesale or office commercial uses which function in the market place as neighborhood or community serving uses are in the range of potential uses.

Policy 2.6.1.1 Compatibility. The General Development Plan is designed to be compatible with surrounding development because the uses proposed and setbacks are comparable with surrounding development. Appropriate buffers are provided for compatibility and transition between existing developments.

CONCURRENCY

CLOS APPLIED FOR: No, a CLOS cannot be granted at General Development Plan stage.

TRAFFIC STUDY REQ'D: The applicant will be required to provide a traffic study at Preliminary Site Plan stage.

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	EXISTING LOS
US 301	from Erie Road to Chin Road (Links 3410, 3411, and 3412)	D	B

Wastewater and potable water determined with FSP/Construction Plans.

ATTACHMENTS

1. Applicable Comprehensive Plan Policies
2. ECO Wetland Impact Analysis
3. Public Comment Letters
4. Newspaper Advertisement

APPLICABLE COMP PLAN POLICIES

DEFINITIONS:

Project - Any land use or combination of more than one land use, either existing or proposed, for which application for approval has either been submitted or is in the process of being reviewed, or which has been issued a development order. Cultivation or raising of agricultural or other farm or plant products shall not be considered a project unless either:

- the proposed or existing agricultural use is considered a special agricultural use, as defined herein, or
- the proposed or existing agricultural use is conducted along with uses other than residential dwelling units(s) for the family of the individual or individuals carrying out the agricultural activity.

A project shall also constitute a parcel or tract of land which is proposed or exists as a single development, with all portions of the parcel or tract being contiguous, except where divided by roadways, railroads, streams, rivers, lakes or utility transmission corridors.

Policy: 2.2.1.10

RES-3: Establish the Residential-3 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.10.1

Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a moderate-density suburban, or a clustered low density urban, residential environment. Also, to provide a complement of residential support uses normally utilized during the daily activities of residents of these moderate density suburban, or low density urban areas.

Policy: 2.2.1.10.2

Range of Potential Uses (see Policies 2.2.1.5, 2.1.2.3 - 2.1.2.7): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low-intensity recreational uses, and appropriate water-dependent/water-related/water enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Policy: 2.2.1.10.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:

3 dwelling units per acre

Minimum Gross Residential Density: 2.5 only in CRA's and UIRA for residential projects that designate a

minimum of 25% of the dwelling units as “Affordable Housing”

Maximum Net Residential Density:

6 dwelling units per acre

9 dwelling units per acre within the CRA’s and UIRA for residential projects that designate a minimum of 25% of the dwelling units as “Affordable Housing”

(except within the WO or CHHA Overlay

Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5)

Maximum Floor Area Ratio:

0.23 (0.35 for mini-warehouse uses only)

1.00 inside the CRA’s and UIRA

Maximum Square Footage for Neighborhood

Retail Uses: Medium (150,000sf)

Policy: 2.2.1.10.4

Other Information:

- a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which gross density exceeds 2.0 dwelling units per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval.
- c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.

Policy: 2.2.1.11

UF-3: Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.11.1

Intent: To identify, textually, in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future growth (and growth beyond the long term planning period) is projected to occur at the appropriate time in a responsible manner. The development of these lands shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. At a minimum, the nature, extent, location of development, and availability of services will be reviewed to ensure the transitioning of these lands is

conducted consistent with the intent of this policy. These UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community. (See further policies under 2.2.1.11.5 for guidelines)

Policy: 2.2.1.11.2

Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban density planned residential development with integrated residential support uses as part of such developments, retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving, short-term agricultural uses, agriculturally-compatible residential uses, farmworker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Policy: 2.2.1.11.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:

3 dwelling units per acre

Maximum Net Residential Density:

9 dwelling units per acre

(except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5)

Maximum Floor Area Ratio:

0.23 (0.35 for mini-warehouse uses only)

Maximum Square Footage for Neighborhood

Retail Uses: Medium (150,000sf)

Large (300,000)*

*With Limitations (See Policy 2.2.1.11.5)

Policy: 2.2.1.11.4

Other Information:

- a) All mixed, multiple-use, and community serving non-residential projects require special approval, as defined herein, and as further defined in any land

development regulations developed pursuant to § 163.3202, F.S.

- b) All projects for which gross residential density exceeds 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval.
- c) Any nonresidential project exceeding 30,000 square feet shall require special approval.

Policy: 2.2.1.11.5

In order to serve more than day to day needs within the low-moderate density urban environment, properties meeting the following criteria may be developed with land uses which are defined as community serving non-residential uses:

- a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.

Policy: 2.6.1.1

Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity [see policy 2.6.1.3]

Implementation Mechanism(s):

- a) Maintain setback, screening, buffering, and other appropriate mitigation techniques in land development regulations.
- b) Planning Department review of development approvals to ensure policy compliance.

Policy: 2.6.1.2

Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval

process in order to achieve compatibility between these large projects and adjacent existing and future land uses.

Implementation Mechanism:

- a) Land development regulations consistent with this policy.
 - innovative site design (which may include planned development review)
 - appropriate building design
 - limits on duration/operation of uses
 - noise attenuation techniques
 - limits on density and/or intensity [see policy 2.6.1.3]

Implementation Mechanism(s):

- a) Maintain setback, screening, buffering, and other appropriate mitigation techniques in land development regulations.
- b) Planning Department review of development approvals to ensure policy compliance.

Policy: 3.3.1.1

Prohibit removal, alteration, or encroachment within wetlands except in cases where no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrate the necessity of the proposed impact. [See policy 4.1.2.2 of the Coastal Management Element for coastal wetlands.]

Implementation Mechanism:

- (a) Review by the Planning Department to ensure that impacts by development are minimized.

Policy: 3.3.1.2

Require that the extent of wetland areas on any proposed development or redevelopment site be identified on a signed-and-sealed wetlands delineation at time of preliminary site plan, preliminary plat, or other preliminary development plan or similar approval. Manatee County may revoke any development orders where the difference between an estimate of wetland areas shown on a signed-and-sealed survey and actual wetlands on site is determined to be significant enough to warrant substantial project redesign.

Implementation Mechanism(s):

- (a) The Manatee County Planning Department will

require that any application for preliminary development plan approval be accompanied by a signed-and-sealed survey of any wetland areas, along with approvals of such survey or delineation by the SWFWMD, or certification of the delineation by a professional qualified for this purpose.

- (b) The Planning Department shall review all signed-and-sealed wetlands surveys for accuracy and consistency with the wetlands protection policies contained under objective 3.3.1 and all relevant policies contained in the Future Land Use and Coastal Management elements.

Policy: 3.3.1.3

When development related impacts are unavoidable (see policy 3.3.1.1), require that all development-related impacts to wetlands be mitigated.

- (1) When mitigation is required by the State, the type and quantity of mitigation shall be determined by the Uniform Wetland Mitigation Assessment Method (UMAM) as outlined in Chapter 62-345 F.A.C., as amended.

- (2) In those instances where wetland mitigation is not required by the State wetland mitigation shall be provided in accordance with Subparagraphs (a) through (d) below. The type of wetland mitigation or combination thereof as described in subparagraphs (a) through (d) below shall be determined by the County based on site conditions. The order of preference considered by the County shall be as follows:

- (a) **Wetland Enhancement/Restoration:** Five acres of enhanced or restored on site wetlands shall be provided for every one acre of wetland to be impacted.

- (b) **Upland Preservation:** In the event there is inability to create viable wetland enhancement/restoration on the site, five acres of native upland habitat shall be preserved for every one acre of wetland to be impacted. Preserved uplands utilized for wetland mitigation shall be on site of the proposed development and shall be in excess of the requirement of Policy 3.3.2.2

- (c) **Payment in Lieu of Mitigation:** In lieu of the mitigation requirements in subparagraphs (a)

and (b) above, the County may collect a mitigation fee. The fee charged shall be based on the acreage of impact and shall be an amount sufficient to achieve full and complete compensation for the impact.

(d) Wetland Creation: Two acres of herbaceous wetlands shall be or created for every acre of herbaceous wetlands altered. Four acres of forested or mangrove wetlands shall be created for every acre of such wetlands altered, unless other requirements are enforced pursuant to (3) below.

(3) Wetland mitigation provided in accordance with Section (2) above shall also be subject to the following:

(a) All approved mitigation shall be required to demonstrate, through appropriate monitoring and reporting by the project's developer, at least an 85% coverage of desirable wetland species for a period of at least two years for herbaceous wetland communities, and an 85% planting survival rate for at least five years for forested and mangrove communities.

(b) All areas which are created, in accordance with this policy shall be protected.

Implementation Mechanism(s):

(a) The County shall coordination with SWFWMD, DEP, and other jurisdictional agencies to ensure compliance with this policy.

(b) Revision to land development regulations to establish required protection mechanisms for post-development mitigation areas.

(c) The County shall revise the Land Development Code to be consistent with this Policy, including the establishment of an Environmental Improvement Fund.

(d) A resolution adopted by the Board of County Commissioners shall set forth the amount of the mitigation fee referenced in Comprehensive Plan Policy 3.3.1.3 (2)(c). The resolution shall limit the use of the fund purchase, improve, create, restore, manage and replace wetlands and other natural

habitats in order to increase the overall wetland functions in the County. The fee shall be sufficient to cover the County's costs for wetland mitigation and shall consider the cost of land acquisition, earthwork, planting, monitoring and long term management. The fund may be supplemented with other funding sources for the purposes of implementing Goal 3.3

Policy: 3.3.1.7

Cooperate with the Florida Department of Environmental Protection (DEP), Southwest Florida Water Management District (SWFWMD), and the U.S. Army Corps of Engineers (USACOE) to monitor compliance with dredge and fill permits.

Implementation Mechanism:

- (a) Provision of personnel, as available, from the Planning Department to assist in monitoring State, regional, and Federal permits for development activities within wetlands.



SHOPS AT HARRISON RANCH:

Proposed 3.28 acre Wetland Impact:

Please note that the project as proposed is fully compliant with the North County Overlay requirements. Furthermore, the plan is compatible and consistent with the Comprehensive Plan and Land Development Code, with the possible exception of Policy 3.3.1.1 which we believe we comply with through the “over-riding public interest” provision.

At issue is a 3.28 acre degraded herbaceous wetland located adjacent to the intersection of US 301 and Harrison Ranch Boulevard. The location of the wetland conflicts with two proposed out-parcels and affects a significant number of parking spaces, which has the effect of reducing the number of square feet of commercial uses available.

Environmental assessment of the wetland system has been determined the wetland was first adversely impacted by the construction of historic US 301 and historic agricultural activities including sever ditching. The wetland has been further degraded due to more recent adverse impacts resulting from surrounding developmental land uses, agricultural grading and disking activities and the recent US 301 improvements. The hydroperiod as well as the natural topography of the wetland has all been significantly altered, resulting in the on-going invasion of nuisance and exotic wetland vegetation, as well as indications of transition to a more upland state. As such, this wetland has undergone decades of adverse impacts and continues to degrade. The current UMAM score attributed to this wetland system is 0.5 out of 1.0.

History and experience indicate herbaceous wetlands located along major arterial roadways are hazardous to indigenous wildlife, and further dictate a rapid functional deteriorate due largely to the alteration of the historic watersheds and hydroperiods. Examples of other wetlands which have undergone similar degradation have been discussed with County staff and photographic documentation provided herein. Documentation has been provided to County staff indicating the current UMAM score of 0.5 attributed to this wetland. Supported by knowledge of other wetlands which have undergone similar degradation, the current wetland will soon (4-5 yrs.) degrade to a UMAM score of 0.37 or less.

As a superior design alternative and in compliance with the Manatee County Comprehensive Plan wetland impact mitigation ratios, the Applicant is proposing to mitigate the removal of the wetland at a ratio of 5:1. The Applicant is proposing the utilization of an off-site mitigation area (located within the same drainage basin as the existing wetland) to mitigate the proposed removal of this 3.28 acre degrading wetland system. The off-site mitigation area consists of a 98 acre mixture of enhanced native wetland and upland preservation habitats; all of which provide, within in Manatee County, a functional native habitat corridor system with a much higher probability of utilization by fish and wildlife, including listed species. These habitats comprising the off-site mitigation area could otherwise be removed by agricultural activities. The off-site mitigation area has been approved and regulated by SWFWMD and will be subject to a perpetual conservation easement in order to insure the long term viability of the native habitat corridor system. The mitigation ratios proposed by the Applicant adhere to the Manatee County Comprehensive Plan ratio requirements of 5:1 for preservation as mitigation based upon "function" calculations.

~~We believe this is a long term win, win for Manatee County.~~

SUMMARY

If the wetland is retained, two prime out-parcels will not be developed and the development potential of the west parcel will be significantly impacted. Assuming both out-parcels would be restaurants, there could be 30 long term jobs lost to the local economy. If the number of in-line stores is also reduced, an additional 20 long term jobs will not be added to the local economy. Neither of these statistics include the short term construction jobs which the County would benefit from in the near future.

If the wetland is allowed to be impacted, the existing isolated wetland will be mitigated at a ratio of 5:1 and become part of a larger integrated wetland/upland wildlife corridor system within the same Manatee County drainage basin and will be protected by a conservation easement to insure that it will continue to function as a viable native habitat wildlife corridor system.

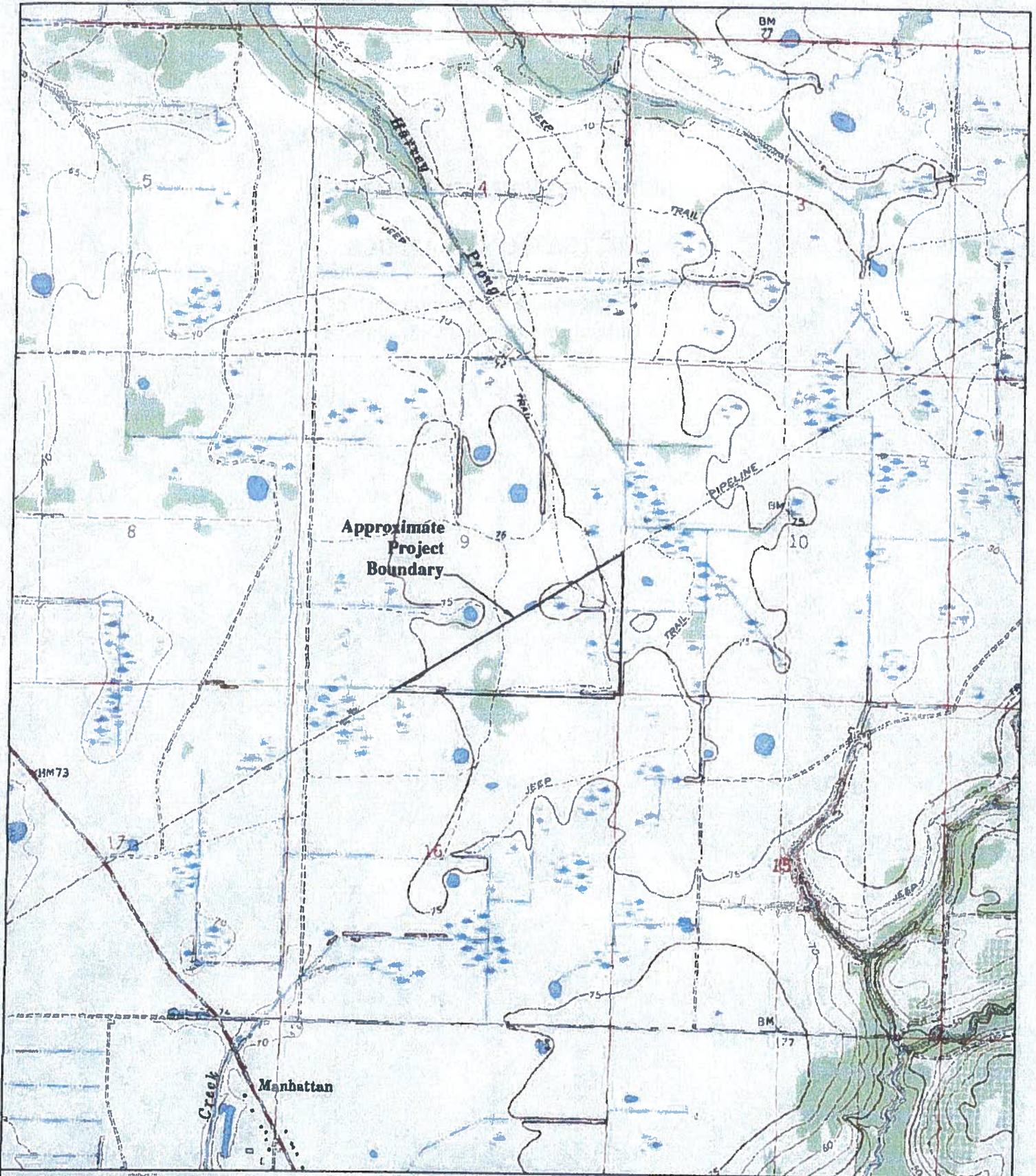
1523 8th Avenue West, Suite B, Palmetto FL 34221 -- Telephone 941.722.0901 Fax 941.722.4931
P.O. BOX 53106, Sarasota, FL. 34233-- Telephone 941.741.1187 Fax 941.722.4931
233 East Park Avenue, Suite 101, Lake Wales FL 33853 -- Telephone 863.676.8996 Fax 863.676.9897

SHOPS AT HARRISON RANCH

MITIGATION GRAPHICS

Mitigation area location graphic
Mitigation area plan view graphic

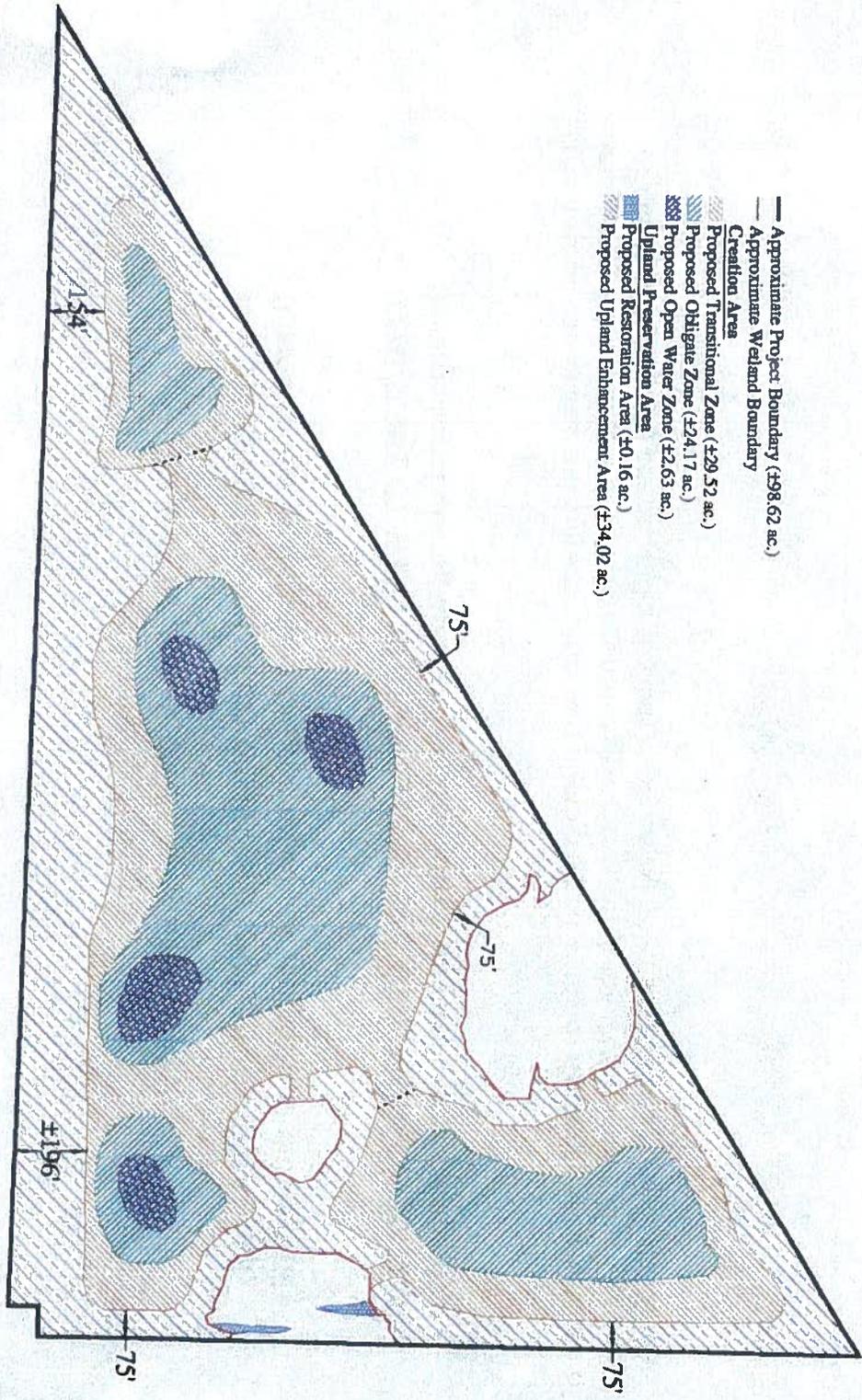
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233 East Park Avenue, Suite 101, Lake Wales FL 33853 -- Telephone 863.676.8996 Fax 863.676.9897



Client: Falkner Farms
 Project: Farm Wetland Compensation
 Title: USGS Topographic Map (Rye Quad)
 Date: September 16, 2010
 File: E:\Palmetto\FalknerWetland\2010\Mitigation\Sub final\2 of 26.dwg


ECo
 CONSULTANTS INCORPORATED
 1523 8th Avenue West, Suite B, Palmetto, FL 34221
 Telephone 941.722.0901, Fax 941.722.4931
 P.O. Box 53106, Sarasota, FL 34234
 Telephone 941.388.0503, Fax 941.870.3245
 233 East Park Avenue, Suite 101, Lake Wales, FL 33853

Sec: 9 Twp: 34S Rng: 20E
 Scale: 1" = 2000'
 Date Drawn: 09/16/10
 Drawn by: CW



- Approximate Project Boundary (±98.62 ac.)
- Approximate Wetland Boundary
- Creation Area
- Proposed Transitional Zone (±29.52 ac.)
- Proposed Obligate Zone (±24.17 ac.)
- Proposed Open Water Zone (±2.63 ac.)
- Upland Preservation Area
- Proposed Restoration Area (±0.16 ac.)
- Proposed Upland Enhancement Area (±34.02 ac.)

Client: Falkner Farms
 Project: Farm Wetland Compensation
 Title: Plan View
 Date: November 13, 2011



1213 8th Avenue West, Suite B, Palmsett, FL 34221 - Telephone (941) 722-0901, Fax (941) 722-4931
 P.O. Box 50008, Sarasota, FL 34232 - Telephone (941) 388-0325, Fax (941) 670-3245
 233 East Park Avenue, Suite 101, Lake Wales, FL 33853 - Telephone (863) 676-8726, Fax (863) 676-9887

Sec: 9 Twp: 34S Rng: 20E

Scale: 1" = 300'

Date Drawn: 01/13/11

Drawn by: CW



Sheet:
1 of 1



**PHOTOGRAPHS
ILLUSTRATING THE DEGRADATION
OF**

- **A SIMILARLY IMPACTED WETLAND ON UNIVERSITY BLVD**
(historic aerial photographs and current site photographs of the wetland)
- **THE SUBJECT WETLAND AT THE SHOPS OF HARRISON RANCH**
(historic aerial photographs and current site photographs of the wetland)

The historic conditions and impacts to the two photographed wetlands illustrate similar patterns of impact and degradation over time, supporting the proposition the wetland located at The Shops of Harrison Ranch will continue to a similarly experience loss of function and viability over time.

1523 8th Avenue West, Suite B, Palmetto FL 34221 -- Telephone 941.722.0901 Fax 941.722.4931
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**SHOPS AT HARRISON RANCH WETLAND LOCATED AT US
301/HARRISON RANCH BLVD.**

This wetland scored a 0.5 on a recent UMAM analysis

In the near future this wetland, due to past impacts and altered hydrology, will continue to degrade to a much lower (less than a 0.4) UMAM scored wetland system

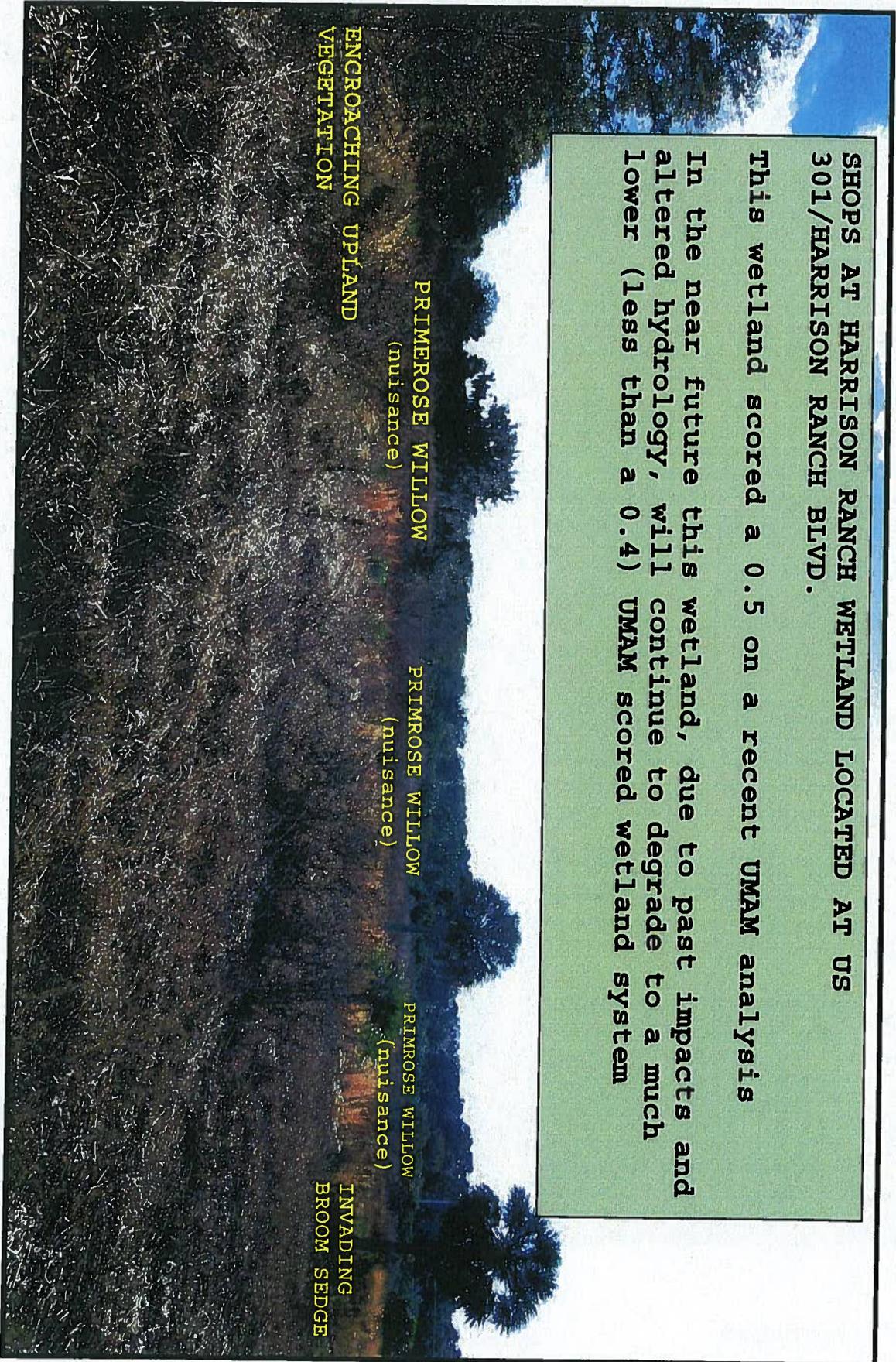
**PRIMROSE WILLOW
(nuisance)**

**PRIMROSE WILLOW
(nuisance)**

**PRIMROSE WILLOW
(nuisance)**

**INVADING
BROOM SEDGE**

**ENCROACHING UPLAND
VEGETATION**





Client:

Project:

Title: 1970 Aerial Photograph

Date:

File: E:\Palmetto\



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233 East Park Avenue, Suite 101, Lake Wales, FL 33853

Sec: 35 **Twp:** 35S **Rng:** 18E

Scale: 1" = 200'

Date Drawn: 01/30/12

Drawn by: CW



Sheet:
1 of 3



Client:
Project:
Title: 2011 Aerial Photograph
Date:
File: E:\Palmetto\

 **ECo**
CONSULTANTS INCORPORATED
1523 8th Avenue West, Suite B, Palmetto, FL 34221
Telephone 941.722.0901, Fax 941.722.4931
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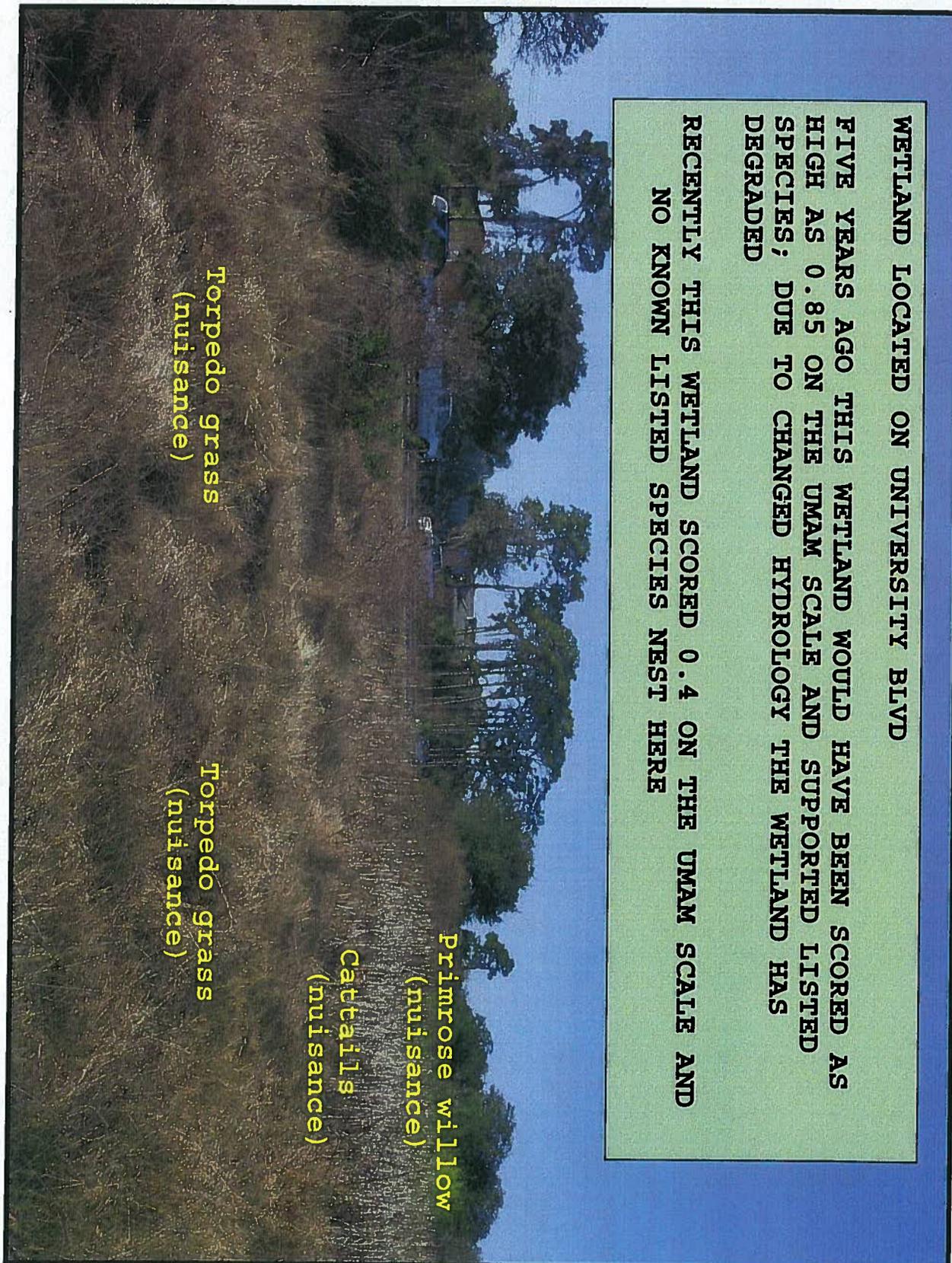
Sec: 35 Twp: 35S Rng: 18E
Scale: 1" = 200'
Date Drawn: 01/30/12
Drawn by: CW


Sheet:
3 of 3

WETLAND LOCATED ON UNIVERSITY BLVD

FIVE YEARS AGO THIS WETLAND WOULD HAVE BEEN SCORED AS HIGH AS 0.85 ON THE UMAM SCALE AND SUPPORTED LISTED SPECIES; DUE TO CHANGED HYDROLOGY THE WETLAND HAS DEGRADED

RECENTLY THIS WETLAND SCORED 0.4 ON THE UMAM SCALE AND NO KNOWN LISTED SPECIES NEST HERE



Torpedo grass
(nuisance)

Torpedo grass
(nuisance)

Primrose willow
(nuisance)

Cattails
(nuisance)

Approximate
2011 Wetland
Boundary

Approximate 1940
Wetland Boundary

Client: HC Properties, LLC.

Project: Shops at Harrison Ranch

Title: 1970 Aerial Photograph

Date: February 20, 2012

File: E:\Sarasota\Tom Brown\Harrison\Historic Aerial 012512.dwg



CONSULTANTS INCORPORATED
1503 8th Avenue West, Suite B, Palmetto, FL 34221
Telephone 941.722.0901, Fax 941.722.4911
P.O. Box 53106, Sarasota, FL 34234
Telephone 941.388.0505, Fax 941.870.7945
233 San Park Avenue, Suite 101, Lake Wales, FL 33853

Sec: 1 **Twp:** 34S **Rng:** 18E

Scale: 1" = 200'

Date Drawn: 01/31/12

Drawn by: CW



Sheet:
1 of 1

Approximate Project Boundary (229.69 ac. Total)
 — Approximate Wetland Boundary
 Approximate 1940 Wetland Boundary
 211 Improved Pasture (223.25 ac.)
 420 Upland Hardwood Forest (2234 ac.)
 641 Freshwater Marsh (23.8 ac.)



Client: HC Properties, LLC
 Project: Shops at Harrison Ranch
 Title: Habitat Map
 Date: February 20, 2012



1823 Rd. Avenue West, Suite B, Palmerton, FL 34221 - Telephone 941.722.0301, Fax 941.722.4931
 P.O. Box 53106, Sarasota, FL 34234 - Telephone 941.388.0303, Fax 941.870.3045
 233 Bass Park Avenue, Suite 101, Lakeland, FL 33853 - Telephone 863.676.8996, Fax 863.676.9877

Sec: 1 Twp: 34S Rng: 18E
 Scale: 1" = 200'
 Date Drawn: 02/20/12
 Drawn by: CW



Sheet:
 1 of 1

SHOPS AT HARRISON RANCH
ESTIMATED PROJECTED UMAM SCORES
FOR
WETLAND "A"

CURRENT CONDITION UMAM the functional loss score is 1.64 (this is the environmental score of the wetland and represents the number of credits to purchase at a Mitigation Bank if the entire 3.28 acre wetland system in its current state were removed)

2016 UMAM the functional loss score is now 1.11 this UMAM analysis shows lower scores in the 3 acre wetland (we impacted the outer 0.28 acres) due to: 1. proximity of intensive development from our project 2. reduced water quality treatment capacity due to being the recipient of surface waters from our new, existing project, and the invasion of nuisance species due to changes to the wetland hydroperiod resulting again from the project; with the use of my magic crystal ball, I have determined the condition of the wetland would decline As such 1.11 credits would be needed to mitigate the wetland's removal

2021 UMAM the functional loss score is now at 0.90 this UMAM analysis shows scores to continue to drop due to the continued loss of desirable wetland vegetation and the continued increase in nuisance veg species, due to long term hydroperiod fluctuations and changes

PART II: QUANTIFICATION OF ASSESSMENT AREA (CURRENT STATE)

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:		Assessment Area Name/Number WETLAND "A": 3.28 ac.	
Impact or Mitigation	Assessment conducted by: John Henslick		Assessment date(s): June – July 2011	
Scoring guidance:	Optimal: 10	Moderate 7	Minimal 4	Not present 1
Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Condition is optimal and fully supports wetland/surface functions	Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal level of support of wetland/surface water functions	Condition is insufficient to provide wetland/surface water functions
Location and landscape support	the wetland is located in an abandoned cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; abutted on the north by small lot residential units, the east and the south by major roadways (blvd and US 301)			
Current with				
4				
Water environment (n/a for uplands)	the wetland provides minimal water quality treatment due to reduced hydroperiod resulting from ditching; minimal storage of surface waters due to shallow nature of wetland and ditching;			
Current with				
5				
Community structure	Vegetative community consists areas of Maiden cane, sand cord grass, and limited spike rush, with areas of primrose willow, brazilian pepper, salt bush and new growth pines			
Current with				
6				

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.5	

If preservation as mitigation:
Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas
FL = delta x acres
0.5 x 3.28 =
1.64

If mitigation
Time lag (t-factor)=
Risk factor =

For mitigation assessment areas
RFG = delta/(t-factor x risk) =

Delta =(with – current)

PART II: QUANTIFICATION OF ASSESSMENT AREA (2016 POST DEVELOPMENT)

Assumes a 0.28 ac. fringe impact permitted as part of the development ERP

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:	Assessment Area Name/Number WETLAND "A": 3 ac.	
Impact or Mitigation	Assessment conducted by: John Henslick	Assessment date(s): June – July 2011	
Scoring guidance: Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Optimal: 10 Condition is optimal and fully supports wetland/surface functions	Moderate 7 Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal 4 Minimal level of support of wetland/surface water functions
Location and landscape support Current with 3	the wetland is located in an abandoned cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; abutted on the north by small lot residential units, the east and the south by major roadways (blvd and US 301); intensive development surrounding the wetland system		
Water environment (n/a for uplands) Current with 4	the wetland provides minimal water quality treatment due to reduced hydroperiod resulting from ditching; minimal storage of surface waters due to shallow nature of wetland and ditching; wetland receives surface water runoff from surrounding development; significant fluctuations in water depth storage		
Community structure Current with 4	Vegetative community consists areas of reduced areas of Maiden cane, sand cord grass, with significant areas of primrose willow, cattails and brazilian pepper, salt bush		

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.37	

If preservation as mitigation:
Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas
FL = delta x acres
0.37 x 3 =
1.11

If mitigation
Time lag (t-factor)=
Risk factor =

For mitigation assessment areas
RFG = delta/(t-factor x risk) =

Delta =(with – current)

PART II: QUANTIFICATION OF ASSESSMENT AREA (2021 POST DEVELOPMENT)

Assumes a 0.28 ac. fringe impact permitted as part of the development ERP

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:	Assessment Area Name/Number WETLAND "A": 3 ac.	
Impact or Mitigation	Assessment conducted by: John Henslick	Assessment date(s): June - July 2011	
Scoring guidance: Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Optimal: 10 Condition is optimal and fully supports wetland/surface functions	Moderate 7 Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal 4 Minimal level of support of wetland/surface water functions
Location and landscape support Current with 3	<p>the wetland is located in an abandoned cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; abutted on the north by small lot residential units, the east and the south by major roadways (blvd and US 301); intensive development surrounding the wetland system</p> <p>the wetland provides minimal water quality treatment due to reduced hydroperiod resulting from ditching; minimal storage of surface waters due to shallow nature of wetland and ditching; wetland receives surface water runoff from surrounding development; significant fluctuations in water depth storage</p> <p>Vegetative community consists areas of reduced areas of Maiden cane, with significant areas of primrose willow, cattails and brazilian pepper,</p>		
Water environment (n/a for uplands) Current with 4			
Community structure Current with 3			

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.30	

If preservation as mitigation:
Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas
FL = delta x acres
0.30 x 3 =
0.90

If mitigation
Time lag (t-factor)=
Risk factor =

For mitigation assessment areas
RFG = delta/(t-factor x risk) =

Delta =(with - current)

SHOPS AT HARRISON RANCH

WETLAND UMAM ANALYSIS

Wetlands "A" though "D"

PART II: QUANTIFICATION OF ASSESSMENT AREA (impact)

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:		Assessment Area Name/Number WETLAND "C": 0.16 ac.	
Impact or Mitigation	Assessment conducted by: John Henslick		Assessment date(s): June – July 2011	
Scoring guidance: Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Optimal: 10 Condition is optimal and fully supports wetland/surface functions	Moderate 7 Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal 4 Minimal level of support of wetland/surface water functions	Not present 1 Condition is insufficient to provide wetland/surface water functions
Location and landscape support Current with 3	the wetland is located in an active cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; future land uses will surround wetland with intensive development; abutted on two sides by major roadways; very small in size			
Water environment (n/a for uplands) Current with 2	the wetland provides minimal water quality treatment due to reduced hydroperiod; currently exhibits significant cattle waste due presence of grazing cattle; minimal storage of surface waters due to shallow nature of wetland (only depressions in pasture); hydrologically isolated			
Community structure Current with 4	Vegetative community consists of two species, smart weed and spike rush, as such minimal diversity; significant coverage of upland bahia grasses; very small in area of habitat coverage			

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.3	

If preservation as mitigation:
Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas
FL = delta x acres

If mitigation
Time lag (t-factor)=
Risk factor =

For mitigation assessment areas
RFG = delta/(t-factor x risk) =

Delta =(with -- current)

PART II: QUANTIFICATION OF ASSESSMENT AREA (impact)

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:	Assessment Area Name/Number WETLAND "B": 0.07 ac	
Impact or Mitigation	Assessment conducted by: John Henslick		Assessment date(s): June - July 2011
Scoring guidance: Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Optimal: 10 Condition is optimal and fully supports wetland/surface functions	Moderate 7 Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal 4 Minimal level of support of wetland/surface water functions
Location and landscape support Current with 3	the wetland is located in an active cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; future land uses will surround wetland with intensive development; abutted on two sides by major roadways; very small in size		
Water environment (n/a for uplands) Current with 2	the wetland provides minimal water quality treatment due to reduced hydroperiod; currently exhibits significant cattle waste due presence of grazing cattle; minimal storage of surface waters due to shallow nature of wetland (only depressions in pasture); hydrologically isolated		
Community structure Current with 4	Vegetative community consists of two species, smart weed and spike rush, as such minimal diversity; significant coverage of upland bahia grasses; very small in area of habitat coverage		

Score = sum of scores/30 (if upland divide by 20)	
Current with 0.3	

If preservation as mitigation: Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas FL = delta x acres

If mitigation Time lag (t-factor)=
Risk factor =

For mitigation assessment areas RFG = delta/(t-factor x risk) =

Delta =(with - current)

PART II: QUANTIFICATION OF ASSESSMENT AREA (impact)

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:		Assessment Area Name/Number WETLAND "C": 0.16 ac.	
Impact or Mitigation	Assessment conducted by: John Henslick		Assessment date(s): June - July 2011	
Scoring guidance: Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Optimal: 10 Condition is optimal and fully supports wetland/surface functions	Moderate 7 Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal 4 Minimal level of support of wetland/surface water functions	Not present 1 Condition is insufficient to provide wetland/surface water functions
Location and landscape support Current with 3	the wetland is located in an active cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; future land uses will surround wetland with intensive development; abutted on two sides by major roadways; very small in size			
Water environment (n/a for uplands) Current with 2	the wetland provides minimal water quality treatment due to reduced hydroperiod; currently exhibits significant cattle waste due presence of grazing cattle; minimal storage of surface waters due to shallow nature of wetland (only depressions in pasture); hydrologically isolated			
Community structure Current with 4	Vegetative community consists of two species, smart weed and spike rush, as such minimal diversity; significant coverage of upland bahia grasses; very small in area of habitat coverage			

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.3	

If preservation as mitigation: Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas FL = delta x acres

If mitigation Time lag (t-factor) =
Risk factor =

For mitigation assessment areas RFG = delta/(t-factor x risk) =

Delta =(with - current)

PART II: QUANTIFICATION OF ASSESSMENT AREA (impact)

Site/Project Name: SHOPS AT HARRISON RANCH	Application number:		Assessment Area Name/Number WETLAND "D": 0.25 ac.	
Impact or Mitigation	Assessment conducted by: John Henslick		Assessment date(s): June – July 2011	
Scoring guidance:	Optimal: 10	Moderate 7	Minimal 4	Not present 1
Scoring of each indicator is based on what would be suitable for the type of wetland or surface waters assessed	Condition is optimal and fully supports wetland/surface functions	Condition is less than optimal but sufficient to maintain most wetland surface water functions	Minimal level of support of wetland/surface water functions	Condition is insufficient to provide wetland/surface water functions
Location and landscape support	the wetland is located in an active cattle pasture with no significant native habitats in proximity; not connected to other wetlands or native habitats; future land uses will surround wetland with intensive development; abutted on two sides by major roadways; very small in size			
Current with 3				
Water environment (n/a for uplands)				
Current with 2	the wetland provides minimal water quality treatment due to reduced hydroperiod; currently exhibits significant cattle waste due presence of grazing cattle; minimal storage of surface waters due to shallow nature of wetland (only depressions in pasture); hydrologically isolated			
Community structure	Vegetative community consists of two species, smart weed and spike rush, as such minimal diversity; significant coverage of upland bahia grasses; very small in area of habitat coverage			
Current with 4				

Score = sum of scores/30 (if upland divide by 20)	
Current	with
0.3	

If preservation as mitigation:
Preservation adjustment factor =
Adjusted mitigation delta =

For Impact Assessment areas
FL = delta x acres

If mitigation
Time lag (t-factor)=
Risk factor =

For mitigation assessment areas
RFG = delta/(t-factor x risk) =

Delta =(with – current)



To:
Cc:
Bcc:
Subject: Fw: From Jim Mumpower Harrison Ranch Villa Owner

From: MJEM51@aol.com
To: sharon.tarman@mymanatee.org
Cc: jmoneyheffer@verizon.net, garys82767@yahoo.com, Rpiper13@msn.com, MJEM51@AOL.COM
Date: 03/11/2012 09:30 PM
Subject: From Jim Mumpower Harrison Ranch Villa Owner

Morning Sharon,

As owners of Villas at Harrison Ranch, we are very concern about the proposed retail shops located on Hwy 301 that joins our Villa homes. I have experience other areas that have retail shops in front of homes with very unsatisfactory results.

Following are some of our concerns.

We are not in favor of any entrance from Harrison Boulevard into the retail area.

What kind of buffer is planned?

What kind of lights are planned?

What is the limit on noise? Trucks etc?

What type of protections is planned?

As owners of Villas at Harrison Ranch, John Moneyheffer and Gary Smith and myself drove to Manatee County Administration Building in Bradenton last Thursday March 8, 2012, to find out that the Planning Hearing had been canceled without any notification.

We would appreciate any thoughts you have on our concerns.

My Regards,

Jim Mumpower

770-480-6419

mjem51@aol.com

To: Manatee County Commissioners

Re: The Shops at Harrison Ranch – Planned Development Project # PDMU – 11-12(G)

We live at 10416 48th Court East, Parrish, Manatee County, Florida in Harrison Ranch, in the section of that development known as The Harrison Ranch Villas, which is immediately adjacent to the development site captioned above.

Maintaining and enhancing the general character of the area and the value of our property over time is a primary concern. In pursuit of that ideal we are concerned that this development be of the highest quality in appearance, and that the businesses permitted add value to our community, and the site be buffered from our community in such ways that they will not impact on the peacefulness and beauty of our property, and that entrances to the site add as little traffic as possible into The Harrison Ranch streets and roadways.

We would like your consideration of the following concerns and recommendations, and ask that they be made stipulations in the development plan:

- 1) We ask the Manatee County Commissioners to support the developer, and our community, in asking FDOT to approve entrances and exits directly from US 301 into the site, making them the primary entrances and exits to the site, rather than those currently shown in the development plan, which currently require 4 lane access from Harrison Ranch Boulevard only. We would also ask, that if FDOT approves this request, that the commission also then approve entrances into the site off US 301 only and approve no entrances or exits from Harrison Ranch Boulevard into the East or West Parcels. We believe this would minimize traffic into The Harrison Ranch streets and roadways, making them safer for our children and older adults, who use Harrison Ranch Boulevard, and other streets and roadways in the Harrison Ranch development, daily.
- 2) Require the developer to place the already stipulated 8' solid decorative fence, to be atop a 4 foot or higher earth "berm". This would maximize the protection of our adjacent community from intrusive and unpleasant sounds, sights, lights and activities arising from uses in the site.
- 3) Restrict any deliveries to the rear of the businesses to the hours of 7am to 7pm rather than the current 7am to 10pm.
- 4) Permitting and operations of businesses be enforced strictly, according to the established codes, with primary consideration being given to the effect on the lifestyle and tranquility of the homeowners in the surrounding communities.

If these additional stipulations are approved, we will support the development.

Thank you for your support of these concerns and recommendations

Sincerely,

Gary H. Smith and Catherine I. Smith

Phone 941-531-3252

March 27, 2012

The Honorable Larry Bustle
Manatee County Commissioner
P.O. Box 1000
Bradenton, Florida 34206

Re: The Shops at Harrison Ranch – Planned Development Project # PDMU – 11-12(G)

Dear Mr. Bustle:

We live at 10445 48th Court East, Parrish, FL 34219, in the Harrison Ranch Villas, which is immediately adjacent to the site in the plan indicated above.

Maintaining and enhancing the general character of the area and the value of our property over time are our primary concerns. In pursuit of these ideas we are concerned that this development be of the highest quality in appearance, that the businesses permitted add value to our community, the site be buffered from our community in such ways that they will not impact on the peacefulness and beauty of our property, and that entrances to the site add as little traffic and congestion as possible into The Harrison Ranch streets and roadways.

We would like your consideration of the following concerns and recommendations:

- 1) Support the developer and our community by asking the FDOT to approve entrances and exits directly from US 301 into the site, making them the primary entrances and exits to the site, rather than those currently shown in the development plan. That plan now requires 4-lane access from Harrison Ranch Boulevard. We would additionally ask if the FDOT approves this request, that you approve only a single lane right turn entrance into the site off Highway 301 into the East and West Parcel. We believe this would minimize traffic into The Harrison Ranch streets and roadways, making them safer for our children and older adults who use these streets daily.
- 2) Require the developer to place the already stipulated 8' solid decorative fence to be atop a 4-foot or higher earth "berm". This would maximize the protection of our adjacent community from intrusive and unpleasant sounds, sights, lights and activities arising from uses in the site.
- 3) Restrict any deliveries to the rear of the businesses to the hours of 7am to 7pm rather than the current 7am to 10pm.
- 4) Permitting and operations of businesses be strictly enforced, according to the established codes, with primary consideration being given to the effect on the lifestyle and tranquility of the homeowners in the surrounding communities.

Thank you for your support of these concerns and recommendations

Respectively,



Charles L. Parker
66clicks@gmail.com
740-967-7740



Marilyn J. Parker

Bradenton Herald

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, April 5, 2012, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider and act upon the following matters:

MPI-12-01(Z)(IMP) - IMG ACADEMIES, LLP/IMG ACADEMIES RAPID RESPONSE - EDC
DTS # 20120024

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 221.36 acres located south of 53rd Avenue West and west of 34th Street West at 5500 34th Street West, 5500 Bollettieri Boulevard and 5695 Bollettieri Boulevard in Bradenton, from PDR (Planned Development Residential), A-1 (Suburban Agriculture, 1 dwelling unit per acre), and

LEGAL NOTICE

RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the MP-1 (Master Plan institutional) zoning district; approve an Institution Master Plan for a School of Special Education; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-11-12(G) - SHOPS AT HARRISON RANCH
DTS #20110203

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for a total of 170,000 square feet of commercial retail and or professional office space on approximately 30.14 acres at the northwest and northeast corners of U.S. 301 North and Harrison Ranch Boulevard, at 4605 and 4606 Harrison Ranch Boulevard, Parrish; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an

PDR-04-11(P)(R2) - THE AURORA FOUNDATION/GREYHAWK LANDING WEST
DTS #20110442

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Preliminary Site Plan to allow revisions to various conditions of approval pertaining to front and rear yard setbacks, school impact fees, and allowable structures in the side yards; the site is approximately 1,160 feet north of SR 64, south and west of Greyhawk Landings, east of Gates Greek, and north of Missionary Village, at 12705 SR 64 East, Bradenton, in the PDR (Planned Development Residential) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance, Resolution and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: planning.agenda@mymanatee.org.

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Building and Development Services Department
Manatee County, Florida

Newspaper Advertising

Sarasota Herald Tribune

MANATEE PUBLIC NOTICES

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, April 5, 2012, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider and act upon the following matters:

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DTS # 20120024

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to

zoning within the unincorporated area; providing for a rezoning of approximately 221.36 acres located south of 53rd Avenue West and west of 34th Street West at 5500 34th Street West, 5500 Bollettieri Boulevard and 5695 Bollettieri Boulevard in Bradenton, from PDR (Planned Development Residential), A-1 (Suburban Agriculture, 1 dwelling unit per acre), and RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the MP-1 (Master Plan-institutional) zoning district; approve an Institution Master Plan for a School of Special Education; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-11-12(G) - SHOPS AT HARRISON RANCH
DTS #20110203

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for a total of 170,000 square feet of commercial retail and or professional office space on approximately 30.14 acres at the northwest and northeast corners of U.S. 301 North and Harrison Ranch Boulevard, at 4605 and 4606 Harrison Ranch Boulevard, Parrish; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-04-11(P)(R2) - THE AURORA FOUNDATION/GREYHAWK LANDING WEST
DTS #20110442

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Preliminary Site Plan to allow revisions to various conditions of approval pertaining to front and rear yard setbacks, school impact fees, and allowable structures in the side yards; the site is approximately 1,160 feet north of SR 64, south and west of Greyhawk Landings, east of Gates Greek, and north of Missionary Village, at 12705 SR 64 East, Bradenton, in the PDR (Planned Development Residential) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance, Resolution and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida; telephone number (941) 748-4501 x6878; e-mail to: planning.agenda@mymanatee.org.

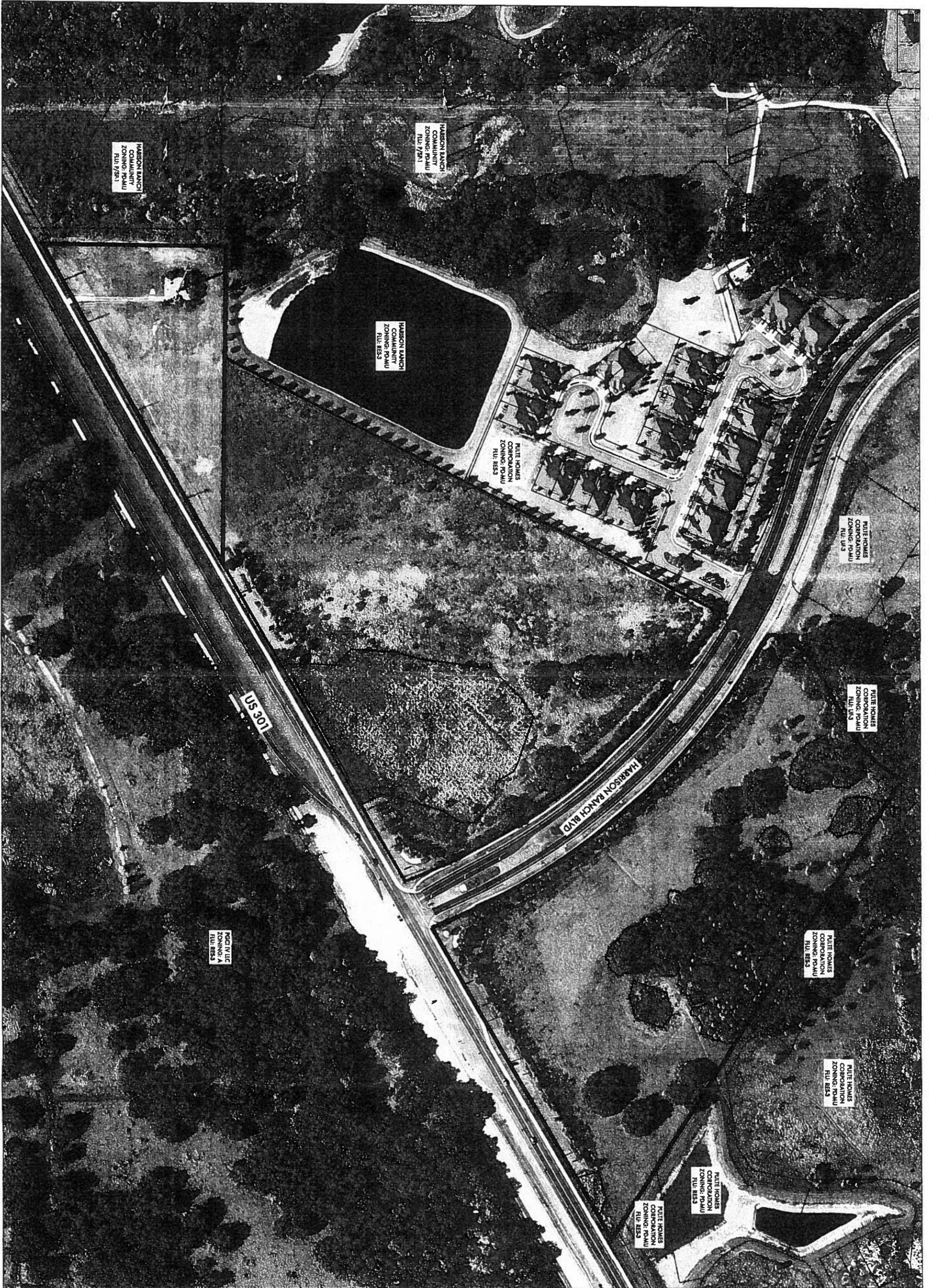
According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: March 21, 2012



DESIGNED: _____
 DRAWN: _____
 DATE: 01-26-2010
 JOB NO.: 00-41974
 SCALE: 1"=100'
 SHEET: 2

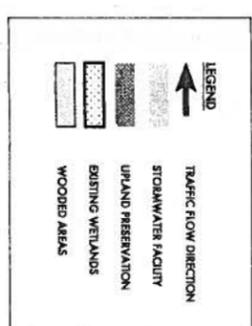
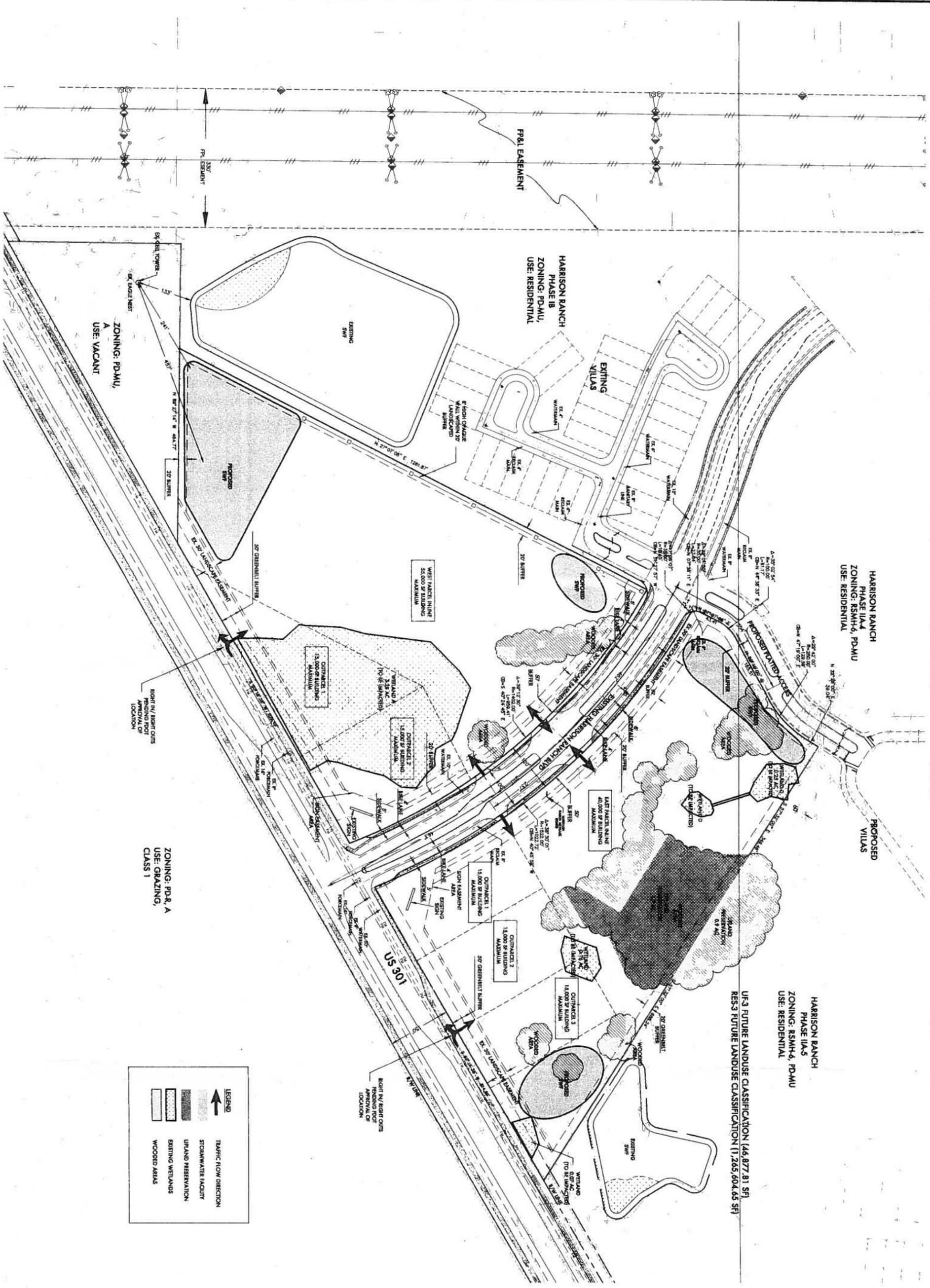
AERIAL
 FOR
SHOPS AT HARRISON RANCH
 LOCATED IN
 SECTION 1 & 36, TOWNSHIP 33 & 34 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA

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REVISIONS	
1	_____
2	_____
3	_____
4	_____
5	_____
6	_____
7	_____



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 EMAIL: ZNS@ZNS-ENR.COM | TELEPHONE: 941 748.8000 | FAX: 941 748.3316



DESIGNED: _____
 DRAWN: 01-26-2010
 DATE: 01-26-2010
 JOB NO: 00-41974
 SCALE: 1"=100'
 SHEET: 2

GENERAL DEVELOPMENT PLAN
 FOR
SHOPS AT HARRISON RANCH
 LOCATED IN
 SECTION 1 & 36, TOWNSHIP 33 & 34 SOUTH, RANGE 18 EAST
 MANATEE COUNTY, FLORIDA

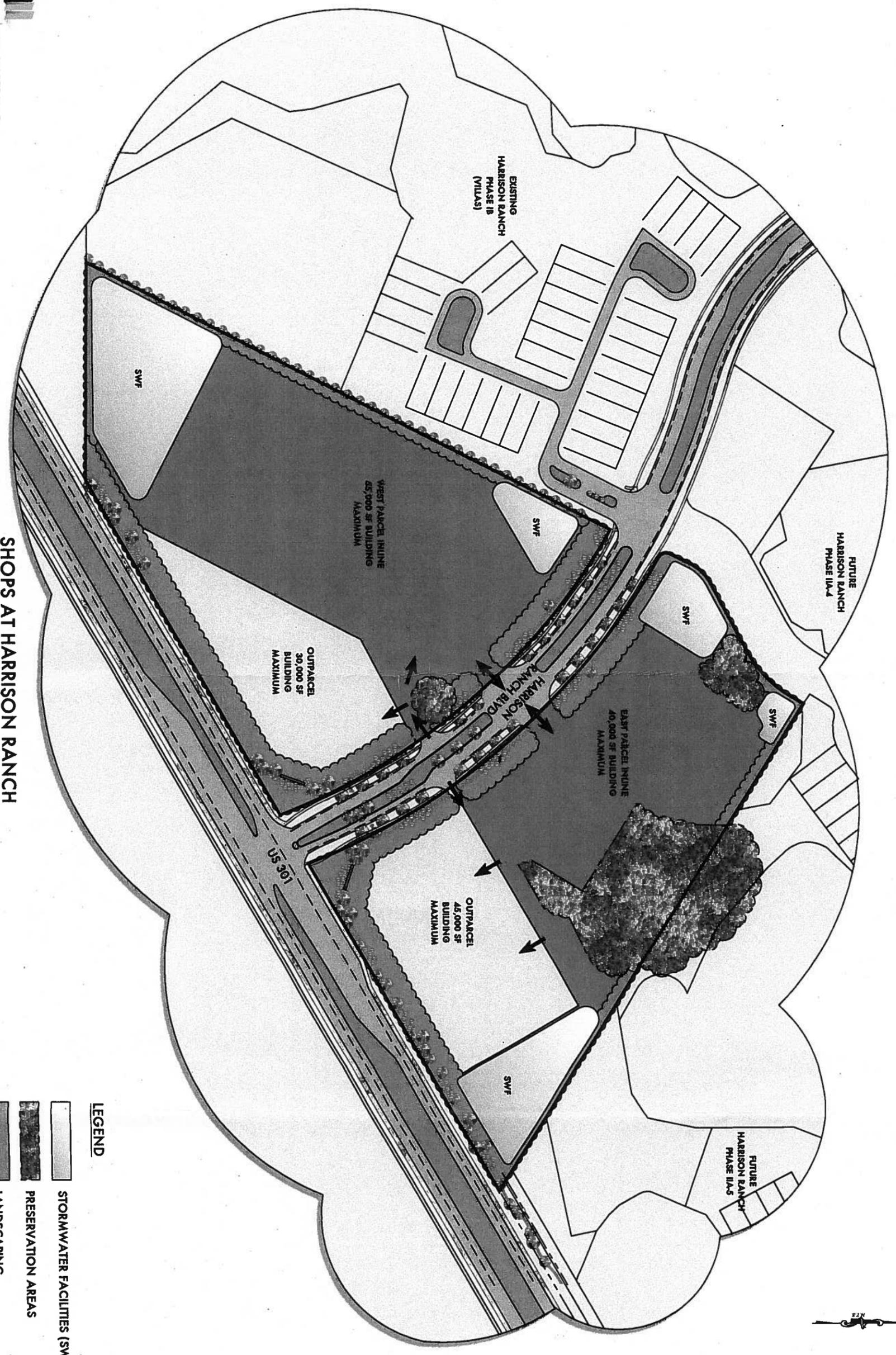
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NO.	REVISIONS	DATE
1	REVISED DRAWING FOR NO. COMMENTS	2011.06
2	REVISED DRAWING	2011.10
3	REVISED DRAWING	2011.11
4	REVISED DRAWING	2012.03.27
5		
6		
7		

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SHOPS AT HARRISON RANCH

LEGEND

-  STORMWATER FACILITIES (SWF)
-  PRESERVATION AREAS
-  LANDSCAPING

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	PDR-11-09(Z)(P) –Rye Road LLC/Rye Road Subdivision (dts - 20110179)	TYPE AGENDA ITEM	Advertised Public Hearing - Regular
DATE REQUESTED	04/12/12 PC	DATE SUBMITTED/REVISED	03/30/12
BRIEFINGS? Who?	Yes as requested	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	Robert Schmitt, AICP, Planning Division Manager
CONTACT PERSON TELEPHONE/EXTENSION	Lisa Barrett, Planning Manager/Stephanie Moreland, Planner /941-748-4501, ext. 6884 or 3880	PRESENTER/TITLE TELEPHONE/EXTENSION	Lisa Barrett, Planning Manager 941-748-4501, ext. 6884
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

I move to recommend approval of PDR-11-09(Z)(P) per the recommended motion in the staff report attached to this memo.

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- The applicant, Rye Road LLC, requests approval of a rezone of approximately 35.26 acres at 181 Rye Road from A (General Agriculture-one dwelling per five acres) to PDR (Planned Development Residential) and a Preliminary Site Plan for 102 lots for single-family detached residences. The vacant site has approximately 200 feet of frontage and is on the south side of Rye Road across from Gene Witt Elementary School.
- The site is in the UF-3 (Urban Fringe-three dwelling units per acre) Future Land Use Category (FLUC). Suburban or urban planned residential development with integrated residential support uses are in the range of potential uses for consideration. Special Approval is required for a project exceeding a gross density of one dwelling unit per acre in UF-3 FLUC. Planned Development is the process required to acquire Special Approval.
- The site has 1.18 acres of wetlands. No impacts to the wetlands and wetland buffers are proposed.
- Staff raised the following concerns with the proposed design:
 1. LDC Section 722.1.4.3 requires sidewalks to be on both sides of the street when a project is within two miles of a school. The site is within one mile of Gene Witt Elementary School. The applicant indicates difficulty meeting this requirement because of the unusual shape of the property as well as the physical characteristics of the site.

The site plan shows a proposed sidewalk along the south side of Rye Road and a continuous sidewalk design which allows pedestrians to enjoy a walk-able community without having to cross the streets several times. The applicant requests Specific Approval for the nineteen lots in the southern part of the site without a sidewalk. Since there are no inter-neighborhood ties and the streets are private, staff believes this should not have an adverse impact on the community.
 2. The project is adjacent to the A zoning district which permits agricultural uses that may be incompatible with single-family development. The design shows only minimum roadway and perimeter buffers. LDC Section 702.6.7 requires yards adjacent to active agricultural operations to be separated by a street or a designated open space of at least thirty-five feet in width or a setback thirty-five feet greater than otherwise required by Code. The applicant requests Specific Approval to allow a reduction of this requirement to allow a 15-foot rear yard setback and a fifteen-foot wide perimeter buffer adjacent to agricultural properties. Staff supports the request.
 3. Lots along the north, south, and west perimeters are significantly smaller than surrounding adjacent lots in the A zoning district. To avoid impacts to wetlands and the unique physical characteristics of the site, the design includes smaller lot sizes than surrounding properties.
 4. Only one access point is proposed for more than 100 units. The irregular shaped property has some unique constraints. The main street for the subdivision is within a 200-foot wide strip of land shared with a 40-foot wide drainage canal. The road

extends 2,040 feet before it forms a looped road. There is no existing development or another existing road that will allow for a second access. The design shows an entrance lane width of 32-feet and exit lane width of 24-feet, extending approximately two hundred feet from Rye Road as an alternative for a second access. The applicant requests Specific Approval to allow more than 100 lots with one means of access. Staff and the Fire Marshal do not support the request for Specific Approval to allow more than 100 lots with one access point. Staff recommends deletion of two lots to show a maximum of 100 lots or two means of access.

- No upland preservation is proposed. Staff recommends that areas proposed as Lots 44-46 and Lots 53-55 be preserved as upland preservation (Comprehensive Plan Policy 3.3.2.2 and LDC Section 603.4.20 require upland preservation.)

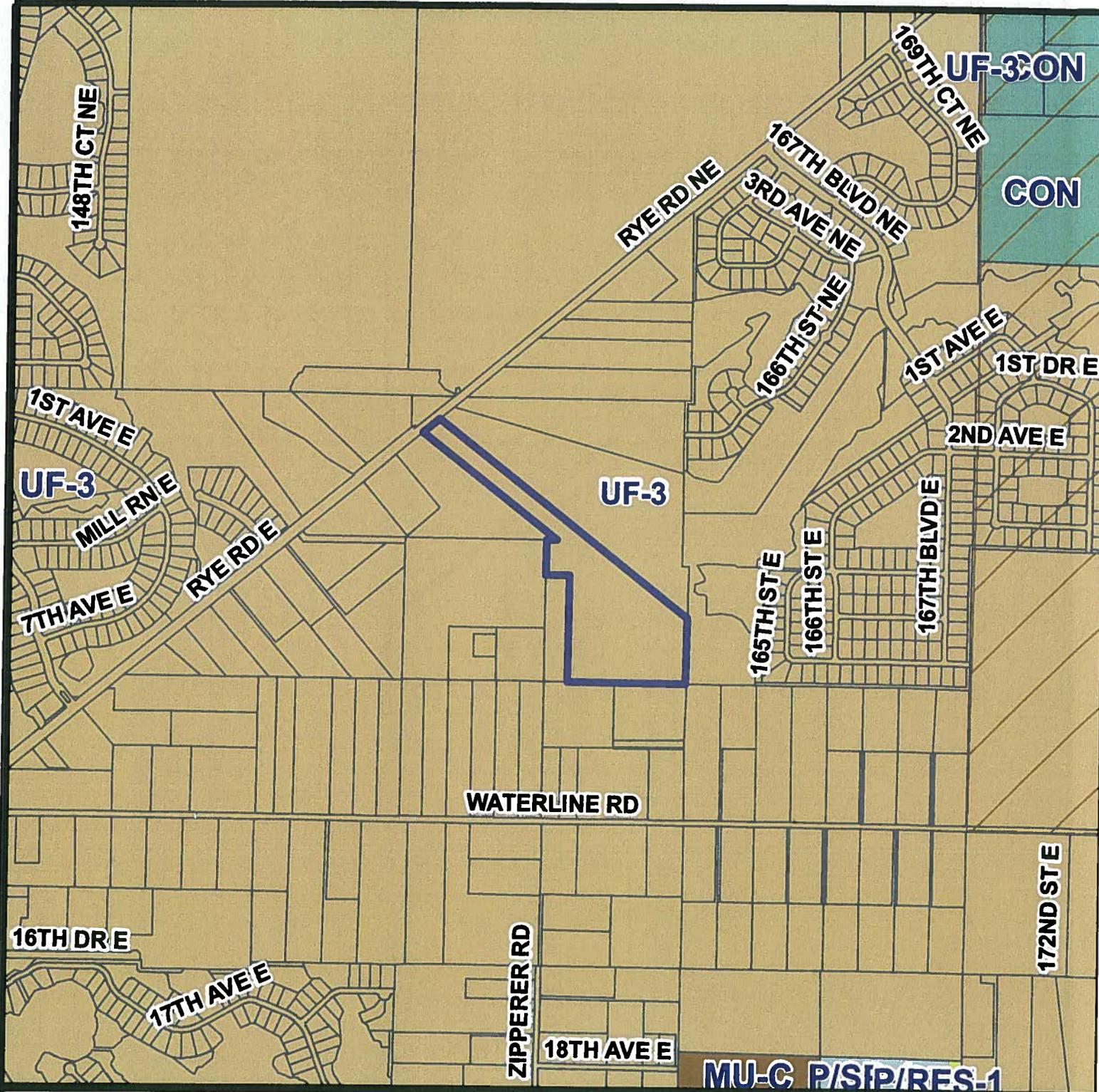
Staff supports all other Specific Approval requests listed in the staff report including the request for a substandard road right-of-way width (37 feet wide), a cul-de-sac greater than 800 feet long, and a reduction in finish floor elevations.

Staff recommends approval with stipulations.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input checked="" type="checkbox"/>	REVIEWED Written Comments: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> Available from Attorney (Attorney's initials: SAS)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff Report with attachments Site Plan		n/a	
COST:	n/a	SOURCE (ACCT # & NAME):	n/a
COMMENTS:		AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

FUTURE LAND USE



Parcel ID #(s) 561601006

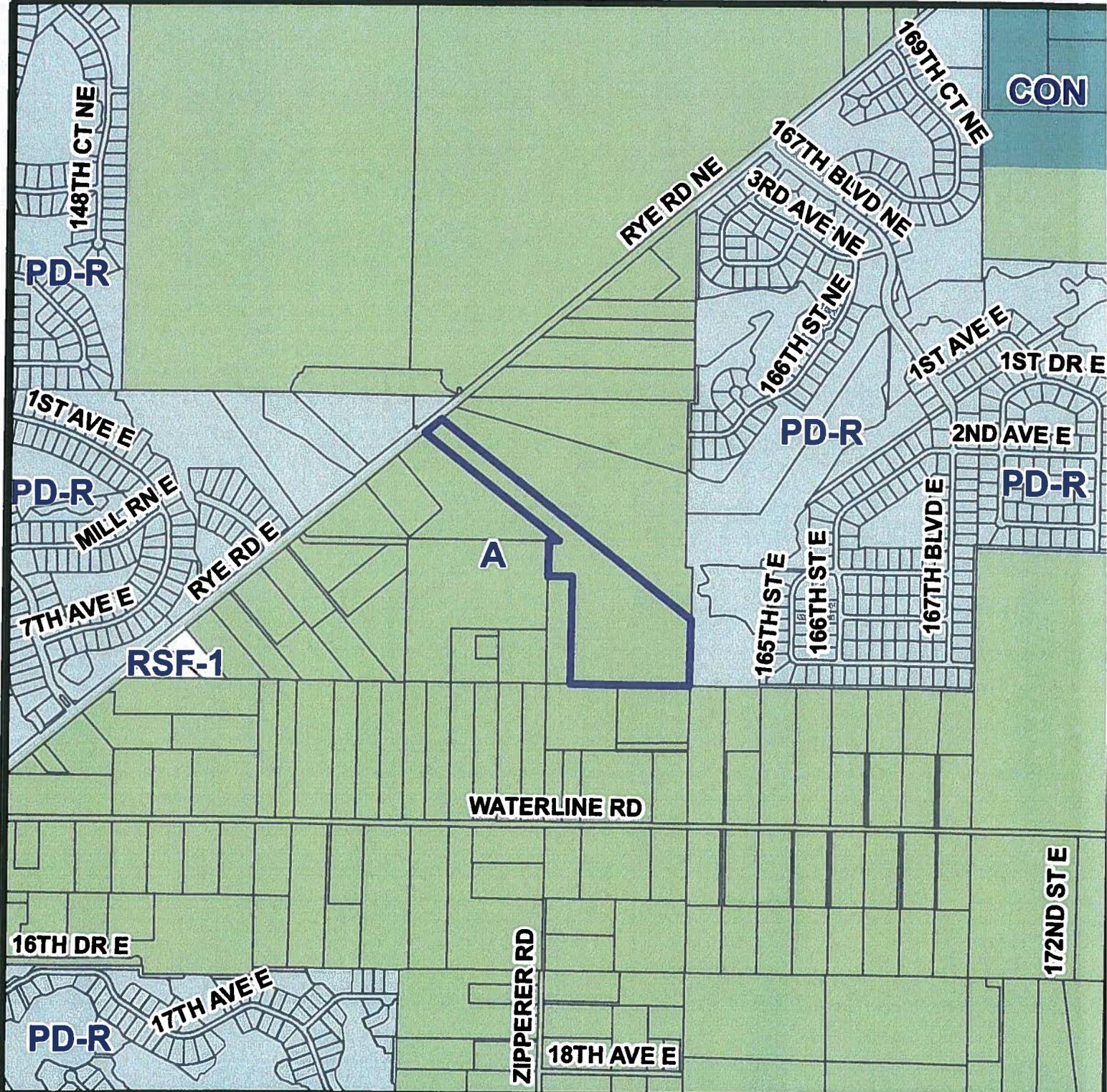
Project Name: Rye Rd Subdivision
 Project #: PDR-11-09 (Z)(P)
 DTS#: 20110179
 Proposed Use: Residential

S/T/R: Sec 26 Twn 34 Rng 19
 Acreage: 35.26
 Existing Zoning: A
 Existing FLU: UF-3
 Overlays: NONE
 Special Areas: NONE

CHH: NONE
 Watershed: NONE
 Drainage Basin: MILL CREEK
 Commissioner: Larry Bustle


 Manatee County
 Staff Report Map
 Map Prepared 7/19/2011
 1 inch = 1,267 feet

ZONING



Parcel ID #(s) 561601006

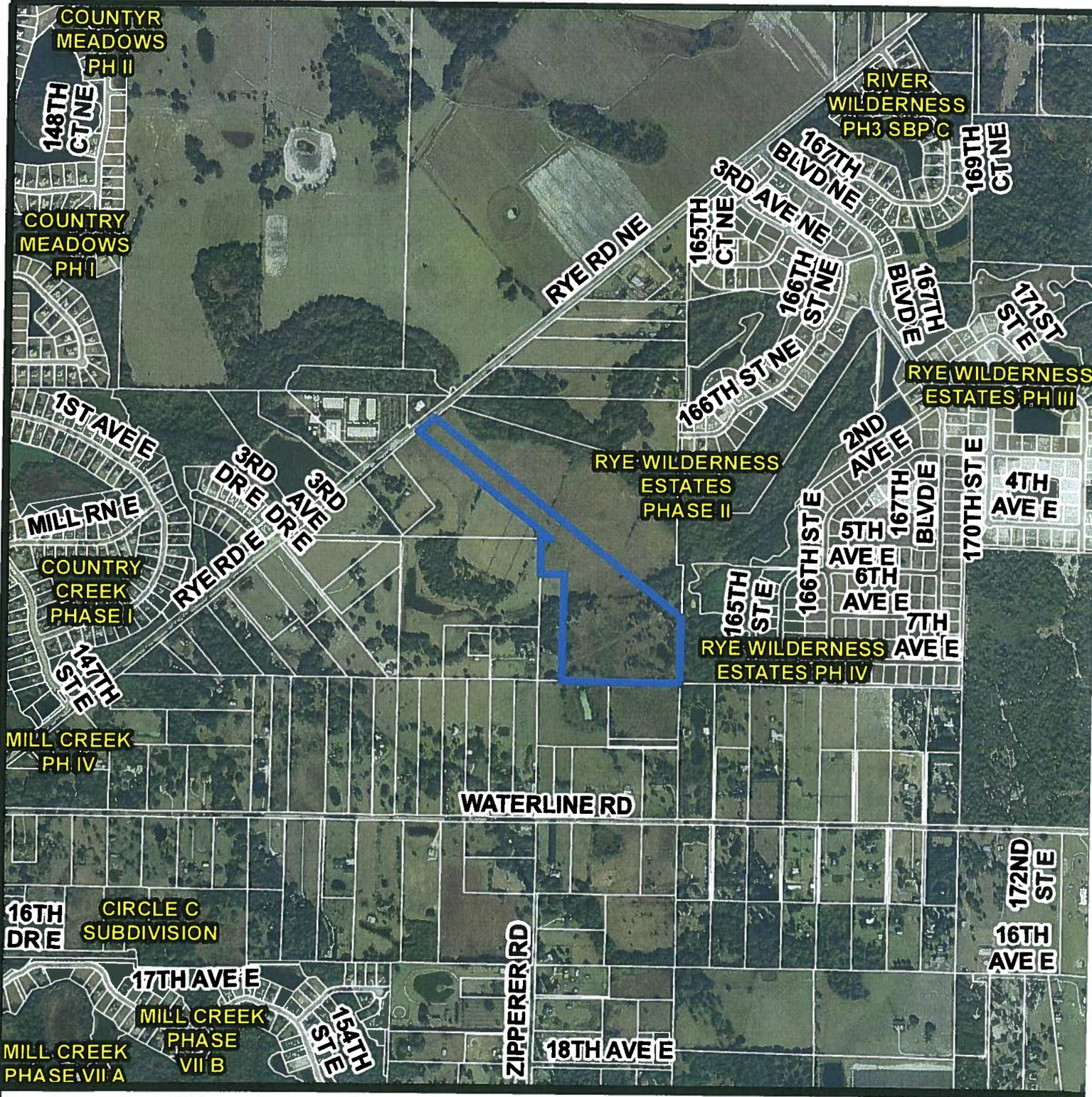
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 Drainage Basin: MILL CREEK
 Commissioner: Larry Bustle

Manatee County
 Staff Report Map
 Map Prepared 7/19/2011
 1 inch = 1,267 feet

AERIAL



Parcel ID #(s) 561601006

Project Name: Rye Rd Subdivision
 Project #: PDR-11-09 (Z)(P)
 DTS#: 20110179
 Proposed Use: Residential

S/T/R: Sec 26 Twn 34 Rng 19
 Acreage: 35.26
 Existing Zoning: A
 Existing FLU: UF-3
 Overlays: NONE
 Special Areas: NONE

CHH: NONE
 Watershed: NONE
 Drainage Basin: MILL CREEK
 Commissioner: Larry Bustle

Manatee County
 Staff Report Map
 Map Prepared 7/19/2011
 1 inch = 1,267 feet

P.C. 4/12/2012

PDR-11-09(Z)(P) – RYE ROAD LLC/RYE ROAD SUBDIVISION (DTS#20110179)

An Ordinance of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 35.26 acres at 181 Rye Road, Bradenton, from A (General Agriculture-one dwelling unit per five acres) to the PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 102 residential lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 4/12/2012

B.O.C.C.: 5/03/2012

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend APPROVAL of Manatee County Zoning Ordinance No. PDR-11-09(Z)(P), APPROVAL of the Preliminary Site Plan with Stipulations A.1-A.3, B.1, C.1, D.1-D.5, E.1-E.12 and F.1; GRANTING Special Approval for a project 1) exceeding a gross density of one dwelling unit in the UF-3 Future Land Use Category; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for alternative(s) to Sections 722.1.4.3, 907.9.4.2, 740.2.6.18, 702.6.7, 702.9.1.B, and 714.8.7 of the Land Development Code, and Denial of the Specific Approval request for an alternative to LDC Section 712.2.8, as recommended by Staff.

PROJECT SUMMARY	
CASE#	DTS # 20110179, Buzzsaw 00000069
PROJECT NAME	Rye Road Subdivision
APPLICANT(S):	Rye Road LLC
ADDRESS:	181 Rye Road
PROPOSED ZONING:	PDR (Planned Development Residential)
EXISTING ZONING:	A (General Agriculture)
FUTURE LAND USE CATEGORY:	UF-3 (Urban Fringe-three dwelling units per acre)
ACREAGE:	35.26± acres
PROPOSED USE(S):	102 lots for single-family detached residences
CASE MANAGER:	Lisa Barrett/Stephanie Moreland
STAFF RECOMMENDATION:	APPROVAL with significant issues
DETAILED DISCUSSION	
<p>The vacant 35.26± acre site has approximately 200± feet of frontage along Rye Road.</p> <p>The site is in the UF-3 (Urban Fringe- three dwelling units per acre) Future Land Use Category (FLUC). This FLUC allows consideration of suburban or urban planned residential development with integrated residential support uses in its range of potential uses. Special Approval is required because the gross density exceeds one dwelling unit per acre in the UF-3 FLUC.</p> <p>Planned development is the process necessary to achieve Special Approval. PDR zoning provides greater flexibility for the project when establishing appropriate buffers and setbacks to help mitigate potential adverse impacts on the surrounding agricultural neighborhood.</p> <p>The one phase development includes 102 lots for single-family detached residences. The</p>	

project's only access connects Rye Road. Because the internal roadways are private, no inter-neighborhood ties are proposed or required.

1.46± acres are proposed for recreational acreage. Recreation amenities include a trail system over a gas line easement.

The site has 1.18± acres of wetlands. No impacts to the wetlands and wetland buffers are proposed.

Staff has the following design concerns:

- LDC Section 722.1.4.3 requires sidewalks to be on both sides of the street when a project is within two miles of a school. The site is within one mile of Gene Witt Elementary School. The applicant indicates difficulty meeting this requirement because of the unusual shape of the property as well as the physical characteristics of the site.

The site plan shows a proposed sidewalk along the south side of Rye Road and a continuous sidewalk design which allows pedestrians to enjoy a walk-able community without having to cross the streets several times. According to the applicant, there will be nineteen lots in the southern part of the site without a sidewalk. Since there are no inter-neighborhood ties and the streets are private, staff believes this should not have an adverse impact on the community.

- The project is adjacent to the A zoning district which permits agricultural uses that may be incompatible with single-family development. The design shows only minimum roadway and perimeter buffers. LDC Section 702.6.7 requires yards adjacent to active agricultural operations to be separated by a street or a designated open space of at least thirty-five feet in width or a setback thirty-five feet greater than otherwise required by Code. The applicant requests Specific Approval to allow a reduction of this requirement to allow a 15-foot rear yard setback and a fifteen-foot wide perimeter buffer adjacent to agricultural properties. Staff supports the request.
- Lots along the north, south, and west perimeters are significantly smaller than surrounding adjacent lots in the A zoning district. To avoid impacts to wetlands and the unique physical characteristics of the site, the design includes smaller lot sizes than surrounding properties.
- Only one access point is proposed for more than 100 units. The irregular shaped property has some unique constraints. The main street for the subdivision is within a 200-foot wide strip of land shared with a 40-foot wide drainage canal. The road extends 2,040 feet before it forms a looped road. There is no existing development or another existing road that will allow for a second access. The design shows an entrance lane width of 32-feet and exit lane width of 24-feet, extending approximately two hundred feet from Rye Road as an alternative for a second access. The applicant requests Specific Approval to allow a substandard road right-of-way width (37 feet

wide). To address number of lots and two means of access requirement of LDC, Staff recommends elimination of two lots to show a maximum of 100 lots.

- No upland preservation is proposed. Staff recommends that areas proposed as Lots 44-46 and Lots 53-55 be preserved as upland preservation (Comprehensive Plan Policy 3.3.2.2 and LDC Section 603.4.20 require upland preservation.)

Staff recommends approval with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA

GENERAL LOCATION:	South side of Rye Road, across from Gene Witt Elementary School.
EXISTING USE(S):	Agriculture
DENSITY:	2.9 gross – 3.12 net
SPECIAL APPROVAL(S):	Project exceeding gross residential density of one dwelling unit per acre.
OVERLAY DISTRICT(S):	None
SPECIFIC APPROVAL(S):	<ol style="list-style-type: none"> 1. To allow sidewalks on one side of internal roads, 2. Cul-de-sac greater than 800 feet, 3. Reduced right-of-way widths, 4. One main access for more than 100 lots, 5. Reduced agricultural setback, 6. Reduction in finish floor elevations, and 7. Reduced replacement tree sizes.

SURROUNDING USES & ZONING

NORTH	Vacant land (Diocese of Venice) zoned A. Across Rye Road, is Gene Witt Elementary School zoned PDR.
SOUTH	Vacant land zoned A, Farther south is Waterline Road
EAST	Rye Wilderness Subdivision zoned PDR
WEST	Vacant land and single-family residence zoned A. Farther west across Rye Road is Country Creek Subdivision zoned PDR.

SITE DESIGN DETAILS

MINIMUM LOT SIZE(S):	6,325 sq. ft., minimum lot width 55'
-----------------------------	--------------------------------------

SETBACKS:	Front Side Rear Waterfront Wetland	23'/20'***(**corner lots – no garage) 5' 12'/15'>(*adjacent to active agriculture) 30' 15'
OPEN SPACE:	25% or (8.82± acres) required; 36% (12.65± acres provided).	
MAXIMUM HEIGHT:	35 feet	
RECREATIONAL AMENITIES:	Trail over gas line easement	
RECREATIONAL ACREAGE:	1.46± acres	
ACCESS:	One entrance connecting Rye Road	
FLOOD ZONE(S)	X - Panel 120153 0360 C (rev. 7/15/1992)	
AREA OF KNOWN FLOODING	No	
UTILITY CONNECTIONS	Water and sewer	
ENVIRONMENTAL INFORMATION		
Overall Wetland Acreage:	1.18± acres	
Proposed Impact Acreage:	None	
<p><u>Wetlands:</u></p> <p>According to the environmental narrative from Steinbaum & Associates there are two wetlands on-site that total 2.02 acres (including the wetland buffers). Neither the report nor the Preliminary Site Plan show that any wetland or wetland buffer impacts are anticipated for this development and the Preliminary Site Plan shows the required 30' wetland buffer for both wetlands. Therefore, staff is not reviewing or recommending approval for any wetland or wetland buffer impacts with this request.</p> <p><u>Uplands:</u></p> <p>Comprehensive Plan Policy 3.3.2.2 and LDC Section 603.4.20 require the preservation of upland habitats. According to the FLUCCS map included with the environmental narrative, there are no native upland habitats on-site. However, during staff's site visit to evaluate potential tree preservation, areas were observed that were mapped as 211 (Improved Pasture and 213(Woodland Pasture) that contained healthy trees as well as ground cover of saw palmetto. As a result, staff is recommending preservation of both of the areas identified in the field as upland native habitat preservation.</p>		

The priority area falls within proposed Lots 45 and 46 and the east half of Lot 44. The second area recommended for preservation falls within Lots 53 through 55. The former area has priority, as it is immediately adjacent to Wetland A and its respective 30' wetland buffer so it would provide additional habitat to expand on an area already required to be preserved and placed within a conservation easement. The second area is also important, as it would expand on the habitat provided by the off-site forested wetland to the east of this area.

Endangered Species:

According to the environmental narrative there were no listed species observed on-site, however, a listed species survey was not performed. Comprehensive Plan Policy 3.3.2.1 requires that a listed species survey be conducted prior to Final Site Plan approval. A stipulation is provided to require compliance.

Trees

The applicant provided a tree survey, however, no totals or tree removal/replacement matrix information was provided. Tree removal and replacement may be addressed at the Final Site Plan stage and may be affected by potential preservation area outcomes after the hearing process.

NEARBY DEVELOPMENT

RESIDENTIAL				
PROJECT	LOTS / UNITS	DENSITY	MIN. LOT SIZE	YEAR APPROVED
Country Meadows	247	0.96	15,200 sq. ft.	2001
Country Creek Ph 3	82	1.13	18,600 sq. ft.	2000
Rye Wilderness Estates	298	0.87	21,780 sq. ft.	2004
Wilderness Crossing	68	1.82	14,000 sq. ft.	2011
Winding River	97	0.88	16,000 sq. ft.	2000

POSITIVE ASPECTS

- **The proposed amendment is the logical expansion of adjacent zoning district to the east and across Rye Road.**
- **The surrounding area is gradually transitioning from suburban agricultural uses to single-family residential development.**

NEGATIVE ASPECTS

- The project is adjacent to the A zoning district which permits agricultural uses that may be incompatible with single-family development.
- Lots along the north, south, and west perimeters are significantly smaller than surrounding adjacent lots in the A zoning district.
- Minimum roadway and perimeter buffers are proposed.
- Only one main access point proposed for more than 100 units.
- No upland preservation is provided.

MITIGATING MEASURES

- Staff recommends the Notice to Buyers include language informing prospective buyers of the presence of adjacent agricultural operations.
- All internal roadways are private. Per LDC Section 740.2.6.7, private streets shall not be used for inter-neighborhood ties.
- To avoid impacts to wetlands and the unique physical characteristics of the site, the design includes smaller lot sizes than surrounding properties.
- Staff recommends the elimination of two lots at time of Final Site Plan to meet LDC requirements for 100 lots.
- Staff recommends a stipulation requiring upland preservation be provided.

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. Any gates or emergency access points within the project shall be accessible to emergency providers by either a remote control or siren activated system in accordance with Manatee County Ordinance 04-30. Prior to Final Site Plan approval, the applicant shall receive written approval from EMS and the Fire Marshal approving the proposed system.
2. All lots shall provide a 23-foot front yard setback from the garage to the property line adjacent to a street, creating a 25-foot separation between the garage of a residence and edge of the sidewalk or curb. For corner lots, a 20-foot setback shall be provided from the structure (non-garage) to the property line adjacent to the other street.
3. At time of Final Site Plan, the design shall be reconfigured to show a maximum of 100 lots or two means of access to address LDC requirements. This requirement may be eliminated if two lots are eliminated for upland preservation as recommended by the Environmental Division of the Building and Development Services Department.

B. TRANSPORTATION CONDITIONS:

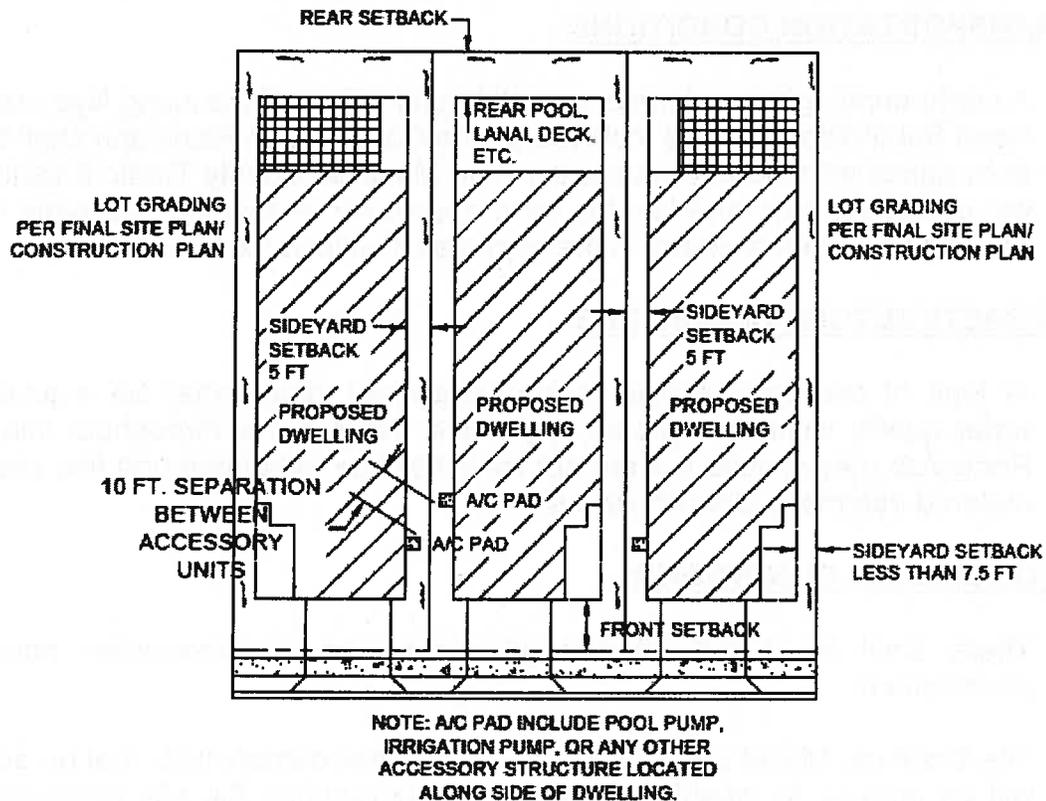
1. A northbound right-turn lane and southbound left-turn lane along Rye road into the Rye Road Subdivision shall be included on the Construction Plans and shall be designed in accordance with County standards. The Manatee County Traffic Engineering Division will determine turn lane lengths (or if necessary re-examine the need for turn lanes) based on the data provided in the approved Traffic Impact Study.

C. INFRASTRUCTURE CONDITIONS:

1. At time of construction plan review, additional efforts shall be required to maintain water quality within the proposed potable water mains throughout this development. Remedies may include but are not limited to inter-neighborhood ties and/or the use of metered automatic blow off valves.

D. STORMWATER CONDITIONS:

1. There shall be a full 25-year attenuation on all stormwater ponds within the development.
2. The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.
3. Existing storage volume in existing wetlands and drainage ditches shall be compensated with equal or greater volume in the proposed stormwater retention pond.
4. Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.
5. There shall be a minimum of ten-foot measured between the closest corners, between accessory equipment and structures alongside houses with five-foot side yard setbacks.



E. ENVIRONMENTAL CONDITIONS:

1. All lot owners shall be encouraged to participate in the Florida Yards and Neighborhoods Program. Information shall be provided in the sales office and provided to all lot purchasers.
2. The area on the Preliminary Site Plan encompassing proposed Lots 45 and 46 and the east half of Lot 44 and the area encompassing Lots 53-55 shall be provided as "native upland habitat" preservation, with the final configuration of this preservation area to be determined and adjusted with the Final Site Plan.
3. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Environmental Planning Division for review prior to Final Site Plan approval.
4. No lots shall be platted through post-development wetlands, wetland buffers, and native upland habitat preservation areas. Conservation Easements for native upland habitat preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.

5. The project shall be designed so that no temporary wetland buffer impacts, other than those allowed by Section 719.11.1.2 of the LDC, are required in areas that contain native desirable vegetation. This shall be reviewed and approved by the Environmental Planning Division with Final Site Plan.
6. All proposed mulch nature trails, board walks and shade structures located in wetland buffers and areas where native vegetation is to remain shall be designed in a manner that minimizes impacts to trees or areas of significant vegetation and in accordance with Section 719 of the LDC if applicable.
7. Existing native vegetation located within any required landscape buffer shall be preserved to the greatest extent possible. There shall be no overhead or underground power lines, swales, or stormwater facilities within any proposed landscape buffer containing desirable native vegetation with the exception of limited crossings.
8. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Environmental Planning Division. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. Tree protection methodology shall be approved with the Final Site Plan.
9. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.
10. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the Environmental Planning Division for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
 - Digital photographs of the well along with nearby reference structures (if existing).
 - GPS coordinates (latitude/longitude) of the well.
 - The methodology used to secure the well during construction (e.g. fence, tape).
 - The final disposition of the well - used, capped, or plugged.
11. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
12. The developer shall provide listed species study, consistent with Policy 3.3.2.3 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or

federal agency, shall be provided to the Planning Department for any listed species found on-site, prior to Final Site Plan approval.

F. NOTICES

1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the sales contract and in the Final Site Plan shall include language to inform prospective homeowners of:

- a) The presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
- b) There is a fifty-foot wide Florida Gas Transmission Company Pipeline Easement which traverses the southern part of the site from east to west.
- c) HOA documents shall include language which informs the potential buyer that roads within Rye Road Subdivision are privately maintained and are not designed to Manatee County Transportation Standards, i.e. sidewalk placement, Miami curb, valley gutter inlets, gated inlet, right-of way widths, etc. In order for the private streets to be accepted into the County maintained system, approval is required from the Manatee County Transportation Department and Board Of County Commissioners

Should the homeowners wish to proceed at a later date with the process for acceptance of maintenance, be advised that all costs associated with the up-grades to current Manatee County Standards shall be borne entirely by the homeowners. Further, the acceptance must be taken to the Board of County Commissioners for a vote of acceptance. There are no assurances of acceptance by the Board, even if the roadways have been brought up to current Manatee County Standards.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

All issues raised by staff and the reviewing agencies have not been resolved. Staff has concerns relative to the number of single-family lots proposed for a subdivision with only one main access. The LDC requires two points of access for more than 100 lots. Staff recommends elimination of two lots or a second access to meet this requirement.

COMPLIANCE WITH LDC				
Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
20' roadway buffer along Rye Road	Shown	Y		

15' perimeter buffers	Shown			
35' perimeter buffer next to active agriculture	None		N	Applicant requests Specific Approval for a reduced agricultural buffer of 15 feet.
Buffer landscaping	Shown	Y		To be in accordance with LDC.
SIDEWALKS				
5' internal sidewalks	Shown		N	A continuous six-foot wide sidewalk on one side of internal roadways except for 19 lots to the south.
5' sidewalk, exterior	Shown			
ROADS & RIGHTS-OF-WAY				
50' internal rights-of-way	37' proposed	N		37-foot wide right-of-way provided - Streets to be private. Specific Approval requested.
24' paved roadways	Shown		Y	
Dedicate ± 42' ROW along Rye Road	Shown		Y	
Inter-neighborhood Ties	None	Y		Private Streets proposed
COMPLIANCE WITH THE LAND DEVELOPMENT CODE Factors for Reviewing Proposed Site Plans (Section 508.6) Planned Districts - Rezone Review Criteria (Section 603.4)				

Physical Characteristics:

The irregular shaped vacant 35.26± acre site has approximately 200± feet of frontage along the east side of Rye Road, across from Gene Witt Elementary School. There are two on-site wetlands. A fifty-foot wide Florida Gas Transmission Company Pipeline Easement traverses the southern part of the site from east to west. There is also a ten foot wide Florida Power and Light easement in the west part of the site, affecting Lots 98,101, and 102. The site plan indicates this easement is to be removed or relocated.

Public Utilities, Facilities and Services:

The site will be served by County water and sewer.

Major Transportation Facilities:

The project's only access point will connect Rye Road, a two-lane major collector roadway.

Compatibility:

The site borders large agricultural zoned properties having five acres or more to the north, south, and west. To the east, the site abuts an undeveloped area in Rye Wilderness Subdivision, a planned residential development with a minimum lot size of 21,780 square feet. Staff raised concerns relative to compatibility with surrounding large agricultural properties. To avoid impacts to wetlands and the unique physical characteristics of the site, the design includes smaller lot sizes than surrounding properties.

Transitions:

Major land uses and conditions have changed since the zoning was established. The site has been zoned A since the adoption of the 1990 Land Development Code. Some growth has occurred in the area at a low to moderate density. Some surrounding developments include: Rye Wilderness Estates to the east and Country Meadows across Rye Road to the west. Development trends appear to be moving slowly towards smaller lots in planned residential developments.

Design Quality:

The one phase development includes 102 lots for single-family detached residences. The project's only access connects Rye Road. Because the internal roadways are private, no inter-neighborhood ties are proposed or required.

1.46± acres are proposed for recreational acreage. Recreation amenities include a trail system over a gas line easement.

Adjacent Property

The site is surrounded by large agricultural properties consisting of five acres or more to the north, south, and west. To the north is vacant agricultural land. There is a single-family residence to the immediate west and Rye Wilderness Subdivision is to the east. Gene Witt Elementary School is across Rye Road to the west.

Access:

The site has one main access connecting Rye Road.

Streets, Drives, Parking and Service Areas:

The main street for the subdivision extends 2,040 feet before it forms a looped road and is within a 200-foot wide strip of land shared with a 40-foot wide drainage canal. The farthest point from Rye Road to the middle of the looped road is 3,650 feet. The applicant requests Specific Approval for substandard private road right-of-ways of 37 feet.

Pedestrian Systems:

The site is within one mile of Gene Witt Elementary School. LDC Section 722.1.4.3 requires sidewalks to be on both sides of the street when a project is within two miles of a school. The site plan shows a continuous sidewalk on one side of the internal roadways adjacent to 83 lots. Staff believes there will be limited traffic in this area of the subdivision because the remaining lots with no sidewalks are in the southern part of the site, all internal roadways are private, and there are no inter-neighborhood ties.

In addition to the existing sidewalk on the north side of Rye Road, the design shows a proposed sidewalk to be installed along the south side of Rye Road, adjacent to 200-foot frontage of the property.

Natural and Historic Features, Conservation and Preservation Areas:

The site has 2.01± acres of wetlands including 30-foot wide wetland buffers. No impacts to the wetlands and wetland buffers are proposed. There are no known historic or archaeological resources on the site. Upland preservation has not been considered. Staff has made recommendations to accommodate upland preservation.

Density:

A gross density of 2.9 dwelling units per acre is below the required density for the UF-3 FLUC. Special Approval is required for a density exceeding one dwelling unit per acre in the UF-3. Planned Development is the process necessary to acquire Special Approval.

Height:

The maximum 35-foot height should not create any external impacts that would adversely affect the surrounding development.

Fences and Screening:

The design shows no fences in the roadway or perimeter buffers. Except for the 20-foot wide roadway buffer along Rye Road, a 15-foot wide buffer will be installed along the perimeters of the subdivision.

Yards and Setbacks:

Setbacks are as shown on the site plan. The established setback for the project is shown in the chart below:

Yards and Setbacks				
Type	Front	Side	Rear	Water
	23'/20'**	5'	12'/15'*	30'

*agricultural setback

**Non-garage side - corner lots

Staff has no objections to the proposal to reduce the front, and rear yard setbacks. The reduction to 23 feet in the front yard setbacks should not affect or be a detriment to the health, safety, and welfare of the general public.

The outside edge of the internal sidewalk is two feet inside the right-of-way, creating a separation of 25 feet between the garage of a residence and edge of the sidewalk. To be consistent with past approvals, the illustration below shows a front setback of 23-feet with a 25-foot separation between the garage of the residence and edge of the sidewalk.

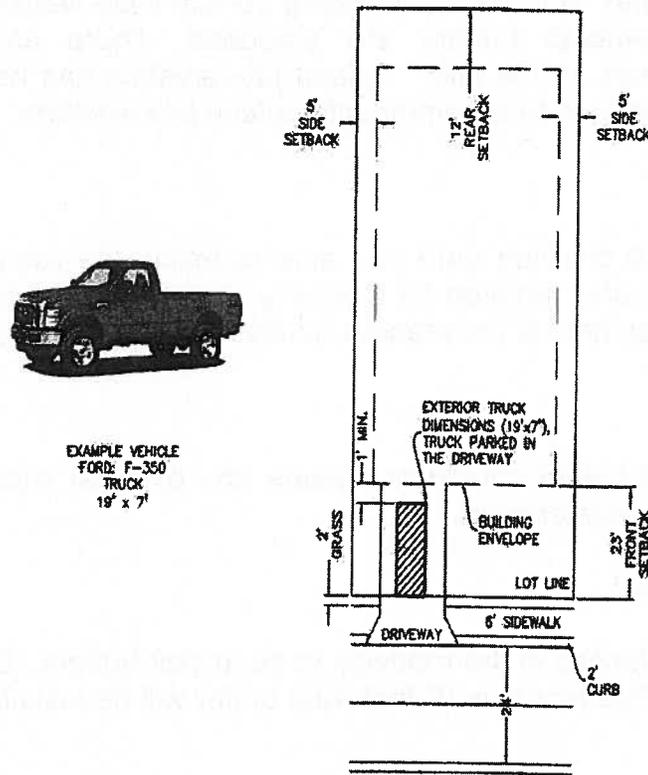


EXHIBIT: LARGE VEHICLE PARKED IN DRIVEWAY

Trash and Utility Plant Screens:

Single-family homes will be served by individual can pick-up to be reviewed with the Final Site Plan.

Signs:

All signs will be reviewed at the building permit stage.

Landscaping:

The Preliminary Site Plan indicates 20-foot wide roadway buffers adjacent to Rye Road, a 15-foot wide perimeter buffer adjacent to the Rye Wilderness Subdivision (south), the residence to the west, and a reduced agricultural buffer to the north.

Open Space:

25% or 8.8 acres of open space is required. 36% (12.65± acres) is provided.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the UF-3 Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The surrounding area is characterized by residential and agricultural uses.

Policy 2.2.1.11.1 Intent. The site is intended for a low-density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. The proposed gross density of 2.9 exceeds the Special Approval threshold (1.00) gross) in the UF-3 FLUC.

Policy 2.2.1.11.2 Range of Potential Uses. Single-family detached homes are in the range of potential uses.

Policy 2.6.1.1 Compatibility. PDR developments can be designed to permit development consistent with the growing residential trends in the area. In addition, PDR allows the Board to attach stipulations to ensure the project is compatible with the surrounding uses.

Policy 2.6.2.7 Require Clustering to Limit Impacts. The site design avoids any impacts to wetlands.

Policy 3.3.2.2 Preservation of Upland Habitat. With staff recommendations the project will comply.

CONCURRENCY

CLOS APPLIED FOR: No
TRAFFIC STUDY REQ'D: No

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	EXISTING LOS
Rye Road	CR 675 to SR 64 (link 2920)	D	C

The applicant has opted to defer concurrency with this Preliminary Site Plan. A traffic analysis must be submitted and approved prior to FSP approval.

Wastewater and potable water determined with FSP/Construction Plans

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant's Requests:

- LDC Section 722.1.4.3 requires sidewalks along both sides of all street within a development which is within two (2) miles walking distance of a school. The applicant requests sidewalks on one side of the street for nineteen lots in the southern part of the site.

Staff Analysis and Recommendation

The site is within one mile of Gene Witt Elementary School. The proposed subdivision is directly northwest of the school across Rye Road, a two lane rural road.

In addition to the existing five-foot wide sidewalk on the north side of Rye Road, the design shows a proposed five-foot wide sidewalk to be installed along the 200-foot northern property line of Rye Road (south side) and a continuous sidewalk along the internal roads adjacent to 83 lots.

Staff believes the plan provides safe and efficient pedestrian access within the proposed gated community. Given there are no logical inter-neighborhood ties proposed or required, and the internal roads are private, staff anticipates traffic will be limited in the southern part of the site where there are no sidewalks proposed.

Finding for Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 722.1.4.3, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because safe and efficient

pedestrian access will not be compromised, as this subdivision is gated, private and has no inter-neighborhood ties.

2. LDC Section 907.9.4.2 requires a cul-de-sac street to not exceed 800 feet in length. The applicant requests a 3,650 foot long cul-de-sac.

Staff Analysis and Recommendation

The proposed Rye Road Subdivision is surrounded by wet lands and undeveloped properties. The shape of the property does not allow for two access points or inter-neighborhood ties. The route between the entrance and the loop drive may require safety improvements to satisfy the District Fire marshal and Emergency Medical Services (EMS) during final design.

Given the site is constrained by its irregular shape, and the design includes turn-arounds at 800-foot intervals, staff recommends approval.

Finding for Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.4.2, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because turn-arounds are provided at 800-foot intervals and public safety will not be compromised.

3. LDC Section 740.2.6.18 requires right-of-way widths to be 50 feet. The applicant requests street right-of-way widths of 37 feet.

Staff Analysis and Recommendation:

The proposed travel lanes are to be constructed similar to Manatee County Transportation Department Highway, Traffic & Storm Water Standards, 2007, Index #401.8 with a pavement width of 24 feet, non-conforming six (6) foot sidewalks adjacent to the curb and two ten (10) foot Utility Easements located each side of the 37' right-of-way. Approval of this request is satisfied to an equivalent degree because safe and efficient pedestrian access will not be compromised, as this subdivision is gated, private, and has no inter neighborhood ties.

Since the proposed subdivision will be gated and private, should the applicant or HOA ever request the internal streets and sidewalks be turned over to the county, the streets and sidewalks would be required to be brought up to LDC requirements.

Staff recommends approval.

Finding For Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC

Section 740.2.6.18, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because the roads will be private and the street turnover will be acknowledge in the HOA documents.

4. LDC Section 712.2.8 requires a second means of access for more than 100 lots for safe entry to and egress from the project, particularly for emergency vehicles. The applicant requests 102 lots with one main access.

Staff Analysis and Recommendation:

Applicant proposes a layout in which the internal drive serves 50 lots in a loop and which, along the only route, serves 52 lots to a divided entry way with a wide median and a gated entrance to Rye Road. The loop and the long main drive provide access for all of the lots. The route between the entrance and the loop drive requires safety improvements to satisfy the District Fire Marshall for final design.

The Fire Marshal also requires a second entrance for 100 or more homes. Therefore, staff recommends two entrances for the subdivision or a reduction of two lots.

The applicant does not concur with staff and believes that the proposed design satisfies the public purpose and intent of the LDC regulation to an equivalent degree because the street layout allows safety improvements for emergency vehicles.

Staff recommends denial of this request.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 712.2.8 the Board finds that the public purpose and intent of the LDC regulations are not satisfied to an equivalent degree because public safety cannot be compromised.

5. LDC 702.6.7 requires yards adjacent to active agricultural operations to be at least thirty-five feet greater than otherwise required unless separated by a street or other designated open space at least thirty-five feet in width. The applicant requests a separation to include a 15-foot wide perimeter buffer and rear yard setbacks of 15 feet for lots adjacent to active agriculture.

Staff analysis and recommendation:

Given the constraints of the site, Staff has no objections to the proposal to provide a 30-foot separation adjacent to active agricultural properties. Further,

Staff is considering the removal of this requirement with upcoming code updates. Staff recommends a stipulation to include language in the Notice to Buyers informing prospective buyers of the presence of active agricultural operations.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 702.6.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because language indicating the presence of active agricultural operations will be included in the Notice to Buyers.

6. LDC Section 702.9.1.B.1 requires finish floor elevations for single-family detached dwellings to be 21-inches above the highest elevation of the street or crown of the street, whichever is greater. The applicant requests the finish floor elevation to be a minimum of 18-inches above the crown of the adjacent roadway.

Staff Analysis and Recommendation:

The applicant has requested flexibility with this particular section of the Land Development Code to minimize the transition between existing grade and proposed grade of lots contained within this subdivision. The geometry of the project area is an important consideration due to the narrow throat of the subdivision. The applicant is also utilizing mid-lot grading pattern to the greatest extent possible to minimize fill. The Preliminary Site reflects drainage culverts and inlets extended to the rear of lots to collect and convey runoff to internal stormwater management facilities. The lot grading design for this subdivision will be in compliance with all other design and construction elements of Section 702.9 including Public Works Design Standards for lot grading.

Staff recommends approval of the request.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 702.9.1.B.1 the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because the intent of drainage and grading will not be compromised.

7. LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree removed. The request is to allow replacement tree calipers to be three or four inches.

Staff Analysis and Recommendation:

Staff is in support of the request for Specific Approval for an alternative to Section 714.8.7 of the LDC to allow replacement tree sizes at 3”/4”/4” instead of 3”/5”/7”. Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner. The LDC is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 (Tree Protection).

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

ATTACHMENTS

- 1. Applicable Comprehensive Plan Policies**
- 2. Zoning Disclosure Affidavit**
- 3. Request for Specific Approval**
- 4. East Manatee Fire Comment Letter**
- 5. Copy of Newspaper Advertisement**

APPLICABLE COMP PLAN POLICIES

- | | |
|-----------------|--|
| Policy: 2.1.2.5 | Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses. |
| Policy: 2.1.2.7 | Review all proposed development for compatibility and appropriate timing. This analysis shall include: <ul style="list-style-type: none">- consideration of existing development patterns,- types of land uses,- transition between land uses,- density and intensity of land uses,- natural features,- approved development in the area, |

- availability of adequate roadways,
- adequate centralized water and sewer facilities,
- other necessary infrastructure and services.

- limiting urban sprawl

- applicable specific area plans

- (See also policies under Objs. 2.6.1 - 2.6.3)

Policy: 2.2.1.11 **UF-3:** Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.11.1 Intent: To identify, textually, in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future growth (and growth beyond the long term planning period) is projected to occur at the appropriate time in a responsible manner. The development of these lands shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. At a minimum, the nature, extent, location of development, and availability of services will be reviewed to ensure the transitioning of these lands is conducted consistent with the intent of this policy. These UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community. (See further policies under 2.2.1.11.5 for guidelines)

Policy: 2.2.1.11.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban density planned residential development with integrated residential support uses as part of such developments, retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving, short-term agricultural uses, agriculturally-compatible residential uses, farmworker

housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Policy: 2.2.1.11.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:
3 dwelling units per acre

Maximum Net Residential Density:
9 dwelling units per acre
(except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5)

Maximum Floor Area Ratio:
0.23 (0.35 for mini-warehouse uses only)

Maximum Square Footage for Neighborhood
Retail Uses: Medium (150,000sf)
Large (300,000)*
*With Limitations (See Policy 2.2.1.11.5)

Policy: 2.2.1.11.4

Other Information:

- a) All mixed, multiple-use, and community serving non-residential projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which gross residential density exceeds 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval.
- c) Any nonresidential project exceeding 30,000 square feet shall require special approval.

Policy: 2.2.1.11.5

In order to serve more than day to day needs within the low-moderate density urban environment, properties meeting the following criteria may be developed with land uses which are defined as community serving non-residential uses:

Policy:	2.6.1.1	a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.
		Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:
		<ul style="list-style-type: none">- use of undisturbed or undeveloped and landscaped buffers- use of increased size and opacity of screening- increased setbacks- innovative site design (which may include planned development review)- appropriate building design- limits on duration/operation of uses- noise attenuation techniques- limits on density and/or intensity [see policy 2.6.1.3]
		Implementation Mechanism(s):
		a) Maintain setback, screening, buffering, and other appropriate mitigation techniques in land development regulations.
		b) Planning Department review of development approvals to ensure policy compliance.
Policy:	2.6.1.2	Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval process in order to achieve compatibility between these large projects and adjacent existing and future land uses.
		Implementation Mechanism:
		a) Land development regulations consistent with this policy.
Policy:	2.6.1.3	Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on

the project site (see also policy 2.6.1.1).

Policy: 2.6.2.1

Limit location of new residential development and residential support uses adjacent to intensive and incompatible agricultural operations.

Implementation Mechanism(s):

- a) Planning Department review of proposed rezones and appropriate site plans submitted for new residential development adjacent to existing agricultural operations or to Ag/R Future Land Use Category for consistency with this policy and with policy 2.6.1.1.
- b) Planning Department review of residential support uses for consistency with policy 2.6.1.1. [See policy 2.13.2.1]

Policy: 3.3.2.2

Require the preservation of native upland habitat during land development activities through the following strategies:

- (1) Maintenance of areas of non-exotic vegetation, or viable portions thereof, on any project site, especially when such area or viable portions of areas, are part of larger upland habitats which may extend beyond the boundaries of the development site;
- (2) Encourage increased preservation of native upland habitat by providing incentives, including but not limited to:
 - (a) Transfer of density/intensity out of preserved native upland habitat
 - (b) reduced lot sizes and setbacks
 - (c) consideration of increased building height when native upland preservation provides additional buffering and screening
- (3) Removal of all nuisance exotic plant species from upland development sites during construction unless Special Approval is granted.
- (4) Designation of upland preservation areas at time of

general development plan, preliminary site plan, preliminary plat, or other preliminary development plan or similar approval.

- (5) Manatee County shall consider habitat size, adjacency to other natural areas, and habitat value when reviewing site development plans for uplands preservation.

ZONING DISCLOSURE AFFIDAVIT

B4

File Number _____

File Name Rye Road Subdivision

The Manatee County Land Development Code 90-01, as amended requires that all applications for Zoning Atlas Amendments shall include public disclosure of applicants and their percentage of interest.

If the property is owned by a CORPORATION, list the principal officers and principal stockholders and the percentage of stock owned by each.

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

If the property is in the name of a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the principals below, including general and limited partners.

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. This is in addition to the list of owners.

FOR ANY CHANGES OF OWNERSHIP OR CHANGES IN CONTRACTS FOR PURCHASE SUBSEQUENT TO THE DATE OF THE APPLICATION, BUT PRIOR TO THE DATE OF FINAL PUBLIC HEARING, A SUPPLEMENTAL DISCLOSURE OF INTEREST SHALL BE FILED.

Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

NAME, ADDRESS AND OFFICER

PERCENTAGE STOCK, INTEREST OR OWNERSHIP

Check if owner () or contract purchaser (X)

Rye Road, LLC

100%

2212 58th Avenue East, Bradenton, FL

Carlos Beruff / Managing Member

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: [Signature]

STATE OF FLORIDA
COUNTY OF Manatee

(Applicant): _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 27 day of April, 2010, by Carlos Beruff, who is personally known to me or who has produced _____ as identification. (type of identification)

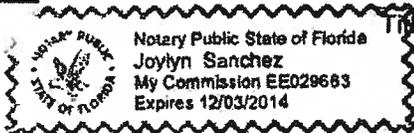
Signature: _____

My Commission Expires: Dec 3, 2014

[Signature]
Notary
Joylyn Sanchez

Commission No: EF 029603

Print or type name of Notary



B-Squared Engineering, LLC
2212 58th Avenue East
Bradenton, FL 34203

March 21, 2012

Lisa Barrett
Manatee County Planning Department
1112 Manatee Avenue West
Bradenton, FL 34205

Re: **Rye Road Subdivision**
PDR-1109(Z)(P)
Request for Specific Approval & Special Approval

Dear Ms. Barrett,

On behalf of our client, Rye Road, LLC, we are requesting a specific approval for exemption from the following code requirements:

1. Agricultural Setback of 35' for Lots 1-24, 46, 47, part of 48 and 54-102. We are providing a 15' agricultural building setback from the greenbelt buffer. Providing an additional 35' building setback from the greenbelt buffer would be detrimental to the development due to the geometry of the site. Please note that Lots part of 48 and 49-53 are not adjacent to an active agricultural use. In the event this adjacent property becomes active agricultural use during FSP/Construction Plan, Final Plat or the Construction process we also ask this be given specific approval for the agricultural setback.
2. The subject project proposes 102 single family homes with one means of access. However, the access has an entrance lane width of 32 feet and exit lane width of 24 feet. We believe this is sufficient access to provide emergency access to the site for the extra 2 lots above code requirement for a second means of access.
3. We are requesting 23' front yard setbacks for the lots on the subject project and a graphic of a typical lot layout is provided in the Preliminary Site Plan.
4. Due to the geometry of the site we are forced to have a cul-de-sac over 800'. However, we have provided two turn around areas which are no greater than 800 feet apart.
5. Due to the geometry of the site we are requesting a sidewalk on only one side of the road for a portion of the site. For the first half of the property lots are only on one side of the road due to the natural constraints of the Property. We will also have only one sidewalk on one side of the road for the looped portion in the back as it would be detrimental to the site to a second sidewalk in this area. There will be very little traffic in this back portion and it would mean only 19 homes would need to cross the street.
6. Based upon site layout and minimization of grade transition to surrounding property we are requesting finish floor elevations to only be required to be 18" above crown of roadway.

B-Squared Engineering, LLC
2212 58th Avenue East
Bradenton, FL 34203

7. Due to the geometry of the site and the fact that these are private streets we are asking the right-of-way be reduced to a minimum of 37 feet. There will be a 10' utility easement on all sides with lots and 0' utility easement where no lots exist on subject side of right-of-way.
8. We are requesting Specific Approval as recommended by Natural Resources Division for an alternative to Section 715.8.7 to allow for tree replacement sizes of 3"/4"/4" instead of 3"/5"/7".

Special approval is requested for a gross density exceeding 1 dwelling unit per acre and a net density exceeding 3 dwelling units per acre in the UF-3 future land use. The project proposes a gross density of 2.9 dwelling units per acre and a net density of 3.12 dwelling units per acre.

Regards,

B-Squared Engineering, LLC
Janelle L. Beruff, P.E.

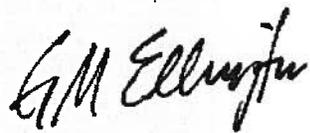
location of hydrants shall be approved by this department. **The base of the hydrant shall be at finish grade.**

7. Fire flows for single family houses 5000 square feet or less shall be 1000 gpm FFPC, NFPA 1 chapter 18
8. Minimum mandatory clearance of 7 ½ feet to the front and 4 feet to the rear of all hydrants shall be maintained. (FFPC 2007)
9. Gates shall operate under the following requirements:
 - a. Openers shall be set to the current frequency and code for use by fire districts as well as Manatee County Department of Public Safety. This frequency and code shall be separate from and in addition to any frequency and code intended for use by occupants. The remote control unit shall cause the gate to begin opening operations when activated no less than ten (10) feet from the outer most edge of the gate.
 - b. When in the fully open position, gates shall allow not less than fifteen (15) feet horizontal clear space including the roadway surface, as measured from inside curb to inside curb. A vertical clear space of not less than thirteen (13) feet six (6) inches shall also be required.
 - c. In the event of power outages, a battery back-up system shall cause the gate(s) to be open on the entry side of the complex to allow for emergency access (see item 2 above). The gate(s) shall remain in the fully open position until power is restored.
10. Fire Department recommends the proposed project follow the guidelines set forth by the Florida Division of Forestry Firewise program regarding landscaping.
11. **Contractor shall provide this department documentation indication the hydrants at this location are in proper working order and shall be tested by a State Certified Contractor I or II. Documentation of testing shall be provided to this department prior to final CO. Documentation shall include GPM, static, flow and residual pressures.**
12. **Access for use of heavy fire fighting equipment shall be provided to the immediate job site at the start of the project and maintained until completion.**

Fire department review for code compliance shall not be construed as authority to violate, cancel alter or set aside any provisions of the adopted codes; nor shall such review prevent the Fire Marshal from thereafter requiring a correction of errors in plans, or in construction, or of violation of the codes.

If you have any questions, please contact this department.

Sincerely,

A handwritten signature in black ink that reads "GM Ellington". The signature is written in a cursive, slightly slanted style.

George Ellington
Deputy Chief/ Fire Marshal

cc: B Squared Engineering, 2212 58th Ave East, Bradenton, FL 34203

Copy of Newspaper Advertising

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, April 12, 2012 at 9:00 a.m. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matter:

PDR-11-09(Z)(P) - RYE ROAD LLC/RYE ROAD SUBDIVISION (DTS#20110179)

An Ordinance of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 35.26 acres at 181 Rye Road, Bradenton from A (General Agriculture- one dwelling unit per five acres) to the PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 102 residential lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

All interested parties are invited to appear at this public hearing and be heard, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Building and Development Services Department will be heard and considered by the Planning Commission and entered into the record.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans With Disabilities: The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS. MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
03/28/2012

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

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Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: March 28, 2012

PRELIMINARY SITE PLAN FOR RYE ROAD SUBDIVISION

GENERAL NOTES

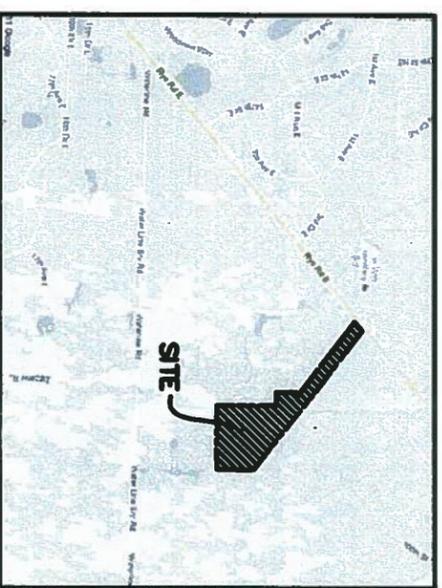
1. TOTAL PROJECT ACREAGE: 34.2 AC.
2. EXISTING ZONING: UNZONED ZONING FOR
3. FUTURE ZONING: SEE PLANS
4. FPO: SEE NOTES
5. EXISTING LAND USE: AGRICULTURAL
6. ACQUIRED LAND USE: SEE PLANS
7. THERE ARE NO KNOWN HISTORIC SITES OR HISTORIC BUILDINGS LOCATED ON THE SITE.
8. FLOOD ZONES: ZONE "X", FEMA MAP NO. 15015 5300 C, REVISED JULY 15, 1992
9. THERE ARE NO KNOWN HISTORIC SITES OR HISTORIC BUILDINGS LOCATED ON THE SITE.
10. TOTAL NUMBER OF LOTS: 102
11. NET RESIDENTIAL DENSITY: 34.2 AC. OR 2.1 UNITS/AC.
12. GROSS NONRESIDENTIAL ACREAGE OR DENSITY: N/A
13. NET RESIDENTIAL DENSITY: 34.2 ACRES (EXCLUDES WETLANDS AT JURISDICTIONAL LINES & RECREATIONAL AREAS) OR 2.1 UNITS/AC.
14. WETLANDS EXCLUDING BUFFERS: 1.18 ACRES
15. THE TWENTY FIVE (25) YEAR FLOODPLAIN IS NOT LOCATED WITHIN THE SUBJECT SITE.
16. RESIDENTIAL LOT STANDARDS:
LOT AREA: Varies (R. 255 S.F. MIN.)
LOT WIDTH: 50' MIN.
17. LOT DEPTH: Varies (R. 100' MIN.)
BUILDING ENVELOPE: SEE PLANS
FRONT: 20' SIDE/END GARAGE / 25' FRONT LOAD GARAGE
REAR: 12' MINIMUM
18. WETLAND: 19' FROM WETLAND BUFFER
19. LOT UTILITY EASEMENTS IN ACCORDANCE WITH SECTION 907.16 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
FRONT: 10'
20. OTHER EASEMENTS AS SHOWN ON PLANS.
21. MINIMUM OPEN SPACE: 25%. PROVIDED OPEN SPACES ARE:
LANDSCAPE OPEN SPACE: 5.32 ACRES
ARTIFICIAL WATER BODIES: 3.79 ACRES
LANDSCAPE ISLANDS: 0.11 ACRES
WETLANDS INCLUDING BUFFERS: 2.01 ACRES
WETLANDS EXCLUDING BUFFERS: 1.18 ACRES
MINIMUM BUILDING HEIGHT: 5'
22. ALL REQUIRED YARDS ARE DELINEATED ON THE PLANS.
23. ALL STREETS, STORM WATER MANAGEMENT FACILITIES AND DRAINAGE STRUCTURES SHALL BE PRIVATELY OWNED AND MAINTAINED.
24. START DATE: UPON RECEIPT OF ALL AGENCY APPROVALS (APPROXIMATELY 7/1/12), BUT NOT TO EXCEED THE EXPIRATION OF THE CERTIFICATE OF LEASE, SERVICE CONTRACT LEASE HAS BEEN MADE TO THE MANATEE COUNTY SCHOOL BOARD.
25. LANDSCAPE DATA: SEE PRELIMINARY SITE PLAN FOR GENERAL BUFFER PLANTINGS
26. THERE ARE NO PREVIOUS STRIPINGS LOCATED ON THE SUBJECT SITE.
27. ALL SIGNS SHALL BE IN ACCORDANCE WITH SECTION 724 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
28. IF PROPOSED EXISTING WELLS SHALL BE KEPT IN A WATERPROOF MANNER AND BE PROTECTED DURING ALL CONSTRUCTION ACTIVITIES.
29. ACCORDANCE WITH DEP, SWMWD RULE CHAPTER 400.4.251 AND MANATEE COUNTY PUBLIC HEALTH UNIT REGULATIONS.
30. SANITARY SEWER COLLECTION SYSTEM TO BE DEDICATED TO MANATEE COUNTY AND WILL CONSIST OF GRAVITY MAIN WITH LIFT STATION AND WORKS STANDARDS.
31. WATER DISTRIBUTION SYSTEM TO BE DEDICATED TO MANATEE COUNTY AND WILL CONSIST OF A WATER LINE CONNECTED TO THE MAIN ALONG WITH ROAD SYSTEM TO BE DESIGNED IN ACCORDANCE WITH MANATEE COUNTY PUBLIC WORKS STANDARDS.
32. THE STORM WATER MANAGEMENT SYSTEM CONSISTS OF INLETS WITH RELATED PIPING, LINES, BASIN, WETLAND, AND CONTROL STRUCTURES AND WILL BE DESIGNED IN ACCORDANCE WITH MANATEE COUNTY PUBLIC WORKS STANDARDS AND MEET THE REQUIREMENTS OF CHAPTER 36, THERE WILL BE DEDICATED RIGHT-OF-WAY ALONG EYE ROAD TO PROVIDE A 42' HALT TO MANATEE COUNTY UPON ACQUISITION OR IMPACT FEE CREDIT.
33. THE PROJECT IS TO BE CONSTRUCTED IN ONE PHASE.
34. THE PROPOSED SINGLE FAMILY SUBDIVISION IS TO BE A GATED COMMUNITY.
35. THE PROPOSED SINGLE FAMILY SUBDIVISION SHALL BE PROVIDED: (1) RESPONDED TO EMERGENCY SERVICES USE. THIS FREQUENCY SHALL BE DETERMINED BY AVL. THIS SHALL BE A MASTER RESPONSE CENTER, THE EMERGENCY SERVICES SHALL BE ABLE TO OPEN ANY GATE WITHIN ITS JURISDICTION WITH ONE OPERATOR. THIS FREQUENCY SHALL BE AVAILABLE AND USED EXCLUSIVELY BY EMERGENCY SERVICES. THE REMAINING FREQUENCIES SHALL BE FOR OWNER USE. EQUIPMENT SHALL BE AVAILABLE AND USED EXCLUSIVELY BY EMERGENCY SERVICES ON THE CONSTRUCTION SITE. THE MINIMUM FEE FLOW SHALL NOT BE LESS THAN 800 GPM. HIGHER FLOW REQUIREMENTS MAY BE REQUIRED ACCORDING TO THE DENSITY OF THE APPROVED PROJECT. (NEPA 24.4.2.1)
36. THE PORTABLE WATER, RECLAIMED WATER AND/OR MAINTENANCE FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.

PRELIMINARY SITE PLAN

102 Lot Single Family Subdivision

B-Squared Engineering, LLC

FL Cert. of Auth. No. 28902
2212 58th Avenue East, Bradenton, FL 34203
(863)-781-2344
Fax: (941) 567-2652



MANATEE COUNTY

SCALE: N.T.S.
SECTION: 26
TOWNSHIP: 34S
RANGE: 19E

PROJECT TEAM

OWNER/CLIENT:
RYE ROAD, LLC
2212 58TH AVE. E.
BRADENTON, FL
(941) 359-9000
Fax: (941) 359-9300

SURVEYOR:
Point Breck Surveying, LLC
2433 Goldenrod Street
Sarasota, FL 34239
(941) 378-4797

CIVIL ENGINEER:
B-Squared Engineering, LLC
2212 58th Avenue East
Bradenton, FL 34203
(941) 359-9000 Ext. 151
Fax: (941) 567-2652

ENVIRONMENTAL CONSULTANT:
STEINBAUM & ASSOCIATES
P.O. Box 15437
Sarasota, FL 34277
(941) 378-4759
Fax: (941) 378-5645

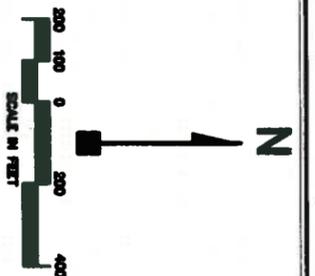
- ## INDEX OF DRAWINGS
- 1 COVER SHEET
 - 2 AERIAL W/ SITE PLAN
 - 3-4 OVERALL EXISTING CONDITIONS / DEMOLITION PLAN
 - 5-6 PRELIMINARY SITE PLAN W/ PRELIMINARY LOT DIMENSIONS
 - 7-8 PRELIMINARY SITE PLAN

LEGEND

EXISTING MANHOLE	WM #	PROPOSED MANHOLE
EXISTING FIRE HYDRANT	FR 3x7.5	PROPOSED FRESH FLOOR ELEVATION
EXISTING SPOT GRADE	FR #2	PROPOSED FIRE HYDRANT
OVERLAND DRAINAGE FLOW DIRECTION	FR #2 (TYP)	PROPOSED WATER MAIN SIZE WITH SPECIFICATION (POLY/VINYL CHLORIDE PIPE)
PAVEMENT DRAINAGE FLOW DIRECTION	FR #2	PROPOSED WATER MAIN
PROPOSED SPOT GRADE	FR #2	PROPOSED DOUBLE SANITARY SEWER SERVICE
PROPOSED DRAINAGE EASEMENT	FR #2	PROPOSED SINGLE SANITARY SEWER SERVICE
PROPOSED CATCH BASIN	FR #2	PROPOSED DOUBLE WATER SERVICE
PROPOSED JUNCTION BOX	FR #2	PROPOSED SINGLE WATER SERVICE
PROPOSED 8" D. WALL WITH RE-DOOR AND INLET	FR #2	PROPOSED FORDOLAN
E/W W/ PER-AP	FR #2	PROPOSED MANHOLE PAVING SPACE
5" 12" 3" NO	FR #2	PROPOSED CLEAR MANHOLE
PROPOSED LINEAR FEET OF REINFORCED CONCRETE PIPE AND SLOPE PERCENTAGE	FR #2	PROPOSED DRAINAGE BASIN
PROPOSED INVERT	FR #2	PROPOSED EASEMENT (SEE PLANS FOR TRYS)
BENCHMARK	FR #2	
SEASONAL HIGH/ANNUAL WATER LINE	FR #2	
PROPOSED RIGHT-OF-WAY	FR #2	

APPROVAL	DATE	PROJECT NAME, FILE NUMBER
APPROVAL		
PROJECT NUMBER (20)		
CONTRACT NUMBER (20)		
ENVIRONMENTAL PLANNING NUMBER (20)		
PERMITS		
DATE		
APPROVAL		

JANIELE L. BERUFF, P.E.
FL LICENSE NO. 69951



CONTRACTOR TO VERIFY ALL
EXISTING CONDITIONS PRIOR TO
THE START OF CONSTRUCTION

2 SHEET	DRAWN JLK
	CHECKED JLK
	DATE 7/21/10
	JOB NO. BRU105
	SCALE 1"=200'
JANELLE L. BERUFF, P.E. FL LICENSE NO.: 69931	

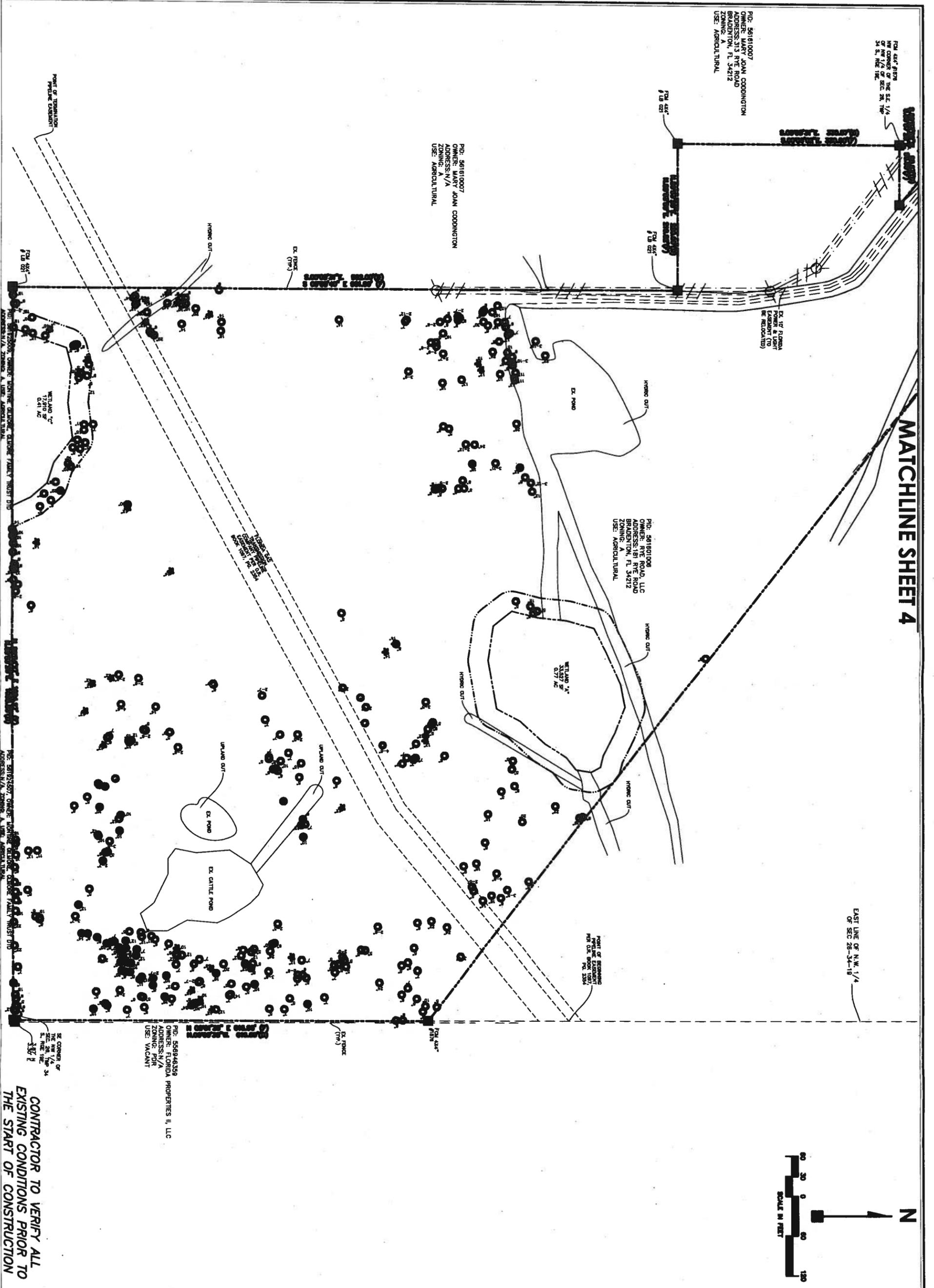
NO.	REVISIONS	DATE	BY

CLIENT: RYE ROAD, LLC
PROJECT: RYE ROAD SUBDIVISION
SHEET: AERIAL W/ SITE PLAN

B² B-SQUARED Engineering, LLC
 FL Cert. of Auth. No. 28902
 212 58th Avenue East, Bradenton, FL 34203
 (941) 359-9000 Ext. 151
 Fax: (941) 567-2652

ENGINEERING

MATCHLINE SHEET 4

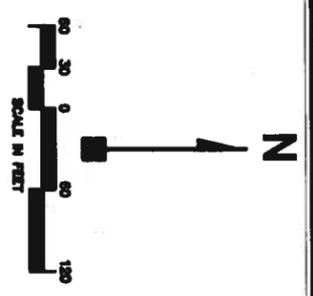


PID: 561910007
 OWNER: MARY JOAN COODINGTON
 ADDRESS: 313 RYE ROAD
 BRADENTON, FL 34212
 ZONING: A
 USE: AGRICULTURAL

PID: 561910007
 OWNER: MARY JOAN COODINGTON
 ADDRESS: N/A
 ZONING: A
 USE: AGRICULTURAL

PID: 561910006
 OWNER: RYE ROAD, LLC
 ADDRESS: 181 RYE ROAD
 BRADENTON, FL 34212
 ZONING: A
 USE: AGRICULTURAL

PID: 559946359
 OWNER: FLORIDA PROPERTIES II, LLC
 ADDRESS: N/A
 ZONING: FOR
 USE: VACANT



**CONTRACTOR TO VERIFY ALL
 EXISTING CONDITIONS PRIOR TO
 THE START OF CONSTRUCTION**

NO.	REVISIONS	DATE	BY

DESIGN	AK
CHECKED	AK
DATE	7/21/10
JOB NO.	BR/1703
SCALE	1"=50'

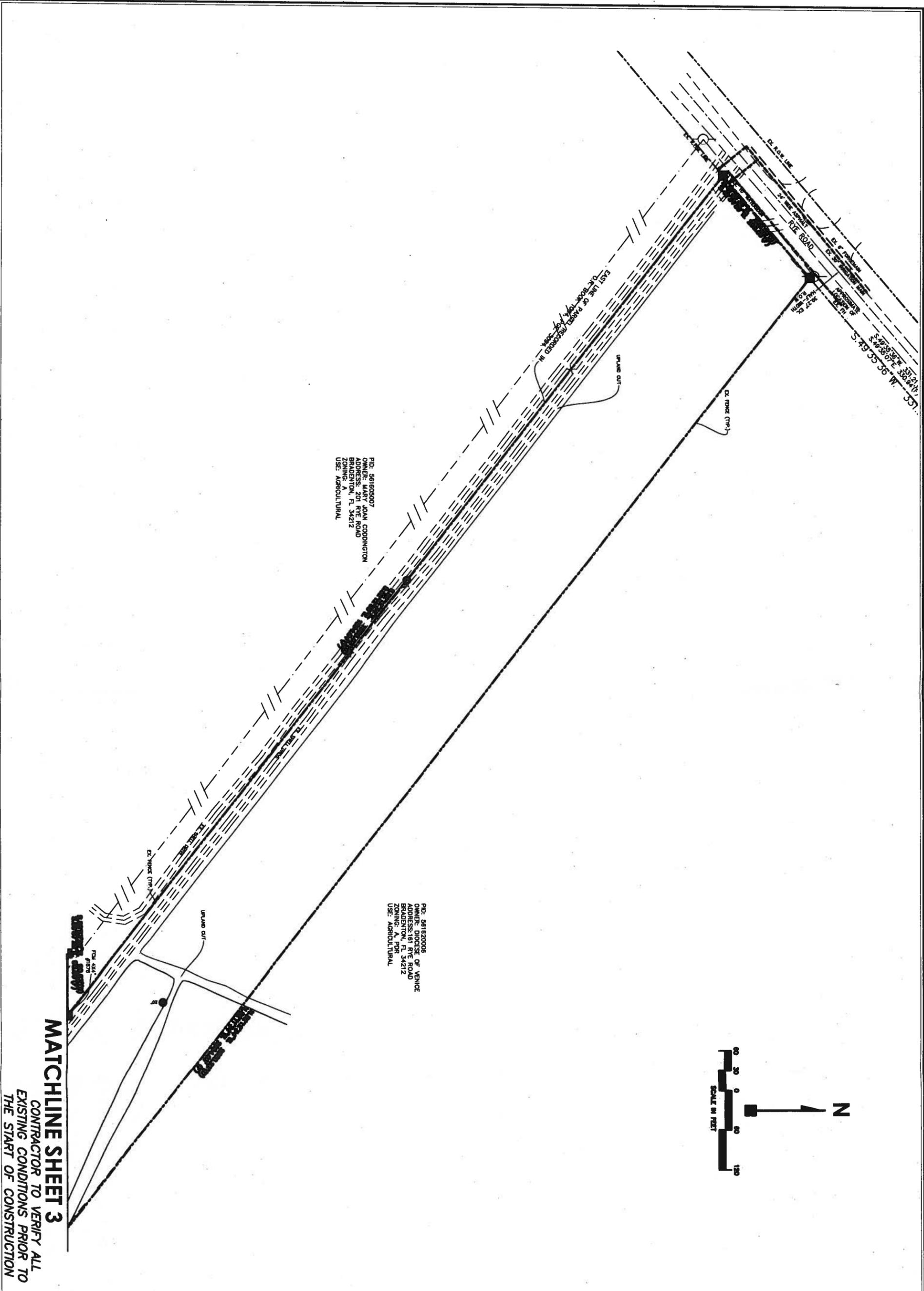
JANELLE L. BERUFF, P.E.
 FL LICENSE NO.: 69931

SHEET **3**

CLIENT:	RYE ROAD, LLC
PROJECT:	RYE ROAD SUBDIVISION
SHEET:	EXISTING CONDITIONS PLAN

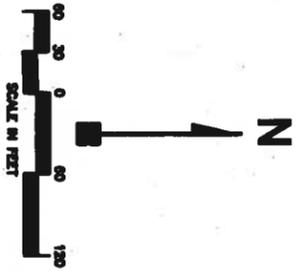
B² B-SQUARED Engineering, LLC
 FL Cert. of Auth. No. 28902
 212 58th Avenue East, Bradenton, FL 34203
 (941) 359-9000 Ext. 151
 Fax: (941) 567-2652

ENGINEERING



PLO: 581820007
 OWNER: MARTY JOAN CODDINGTON
 ADDRESS: 181 RYE ROAD
 BRADENTON, FL 34212
 ZONING: A
 USE: AGRICULTURAL

PLO: 581820006
 OWNER: DIOCESE OF VENICE
 ADDRESS: 181 RYE ROAD
 BRADENTON, FL 34212
 ZONING: A
 USE: AGRICULTURAL

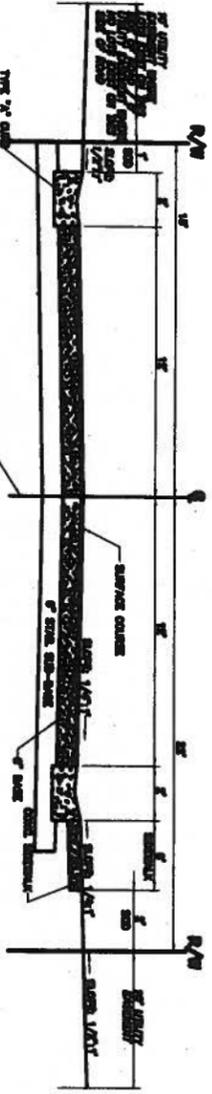


MATCHLINE SHEET 3

CONTRACTOR TO VERIFY ALL
 EXISTING CONDITIONS PRIOR TO
 THE START OF CONSTRUCTION

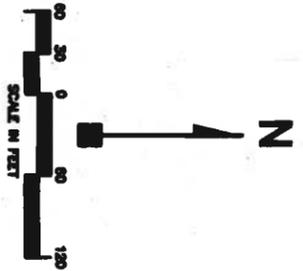
DRAWN J.L. CHECKED J.L. DATE 12/20/10 JOB NO. BRU/103 SCALE 1"=80'	NO. REVISIONS DATE BY	CLIENT: RYE ROAD, LLC	B-SQUARED Engineering, LLC FL Cert. of Auth. No. 28902 212 58th Avenue East, Bradenton, FL 34203 (941) 359-9000 ExT. 151 Fax: (941) 567-2652
		PROJECT: RYE ROAD SUBDIVISION	
SHEET: EXISTING CONDITIONS PLAN	SHEET 4	JANELLE L. BERUFF, P.E. FL LICENSE NO.: 69931	

37' PRIVATE RIGHT-OF-WAY - N.T.S.



PID: 581620007
 OWNER: JOAN COODINGTON
 ADDRESS: 201 RYE ROAD
 BRADENTON, FL 34212
 ZONING: A
 USE: AGRICULTURAL

PID: 581620006
 OWNER: DIOCESSE OF VENICE
 ADDRESS: 181 RYE ROAD
 BRADENTON, FL 34212
 ZONING: A
 USE: AGRICULTURAL



MATCHLINE SHEET 7

CONTRACTOR TO VERIFY ALL
 EXISTING CONDITIONS PRIOR TO
 THE START OF CONSTRUCTION

DRAWN J.L.B.	CHECKED J.L.B.	DATE	12/20/10
		JOB NO.	BRUF03
SCALE		1"=80'	

NO.	REVISIONS	PER COUNTY COMMENT	DATE	BY
1			1/24/12	JLB

CLIENT:	RYE ROAD, LLC
PROJECT:	RYE ROAD SUBDIVISION
SHEET:	PRELIMINARY SITE PLAN

B² B-SQUARED Engineering, LLC
 FL Cert. of Auth. No. 28902
 212 58th Avenue East, Bradenton, FL 34203
 (941) 359-9000 Ext. 151
 Fax: (941) 567-2652

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	PDMU-11-13(G) Medallion Home at Ft. Hamer, LLC/Wayne Underhill/CrossCreek	TYPE AGENDA ITEM	Advertised Public Hearing - Regular
DATE REQUESTED	04/12/12 PC	DATE SUBMITTED/REVISED	03/29/12
BRIEFINGS? Who?	As Requested	CONSEQUENCES IF DEFERRED	N/A <i>BS</i>
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	Robert Schmitt, AICP, Planning Division Manager
CONTACT PERSON TELEPHONE/EXTENSION	Sharon Tarman 941-748-4501, ext. 6863	PRESENTER/TITLE TELEPHONE/EXTENSION	Sharon Tarman, AICP, Planner 941-748-4501, ext. 6863
ADMINISTRATIVE APPROVAL			

ACTION DESIRED
INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED

I move to recommend approval of PDMU-11-13(G) per the recommended motion in the staff report attached to this memo.

ENABLING/REGULATING AUTHORITY
Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- The request is for approval of a General Development Plan for 1,282 residential units (702 single-family detached (197platted, 5 built), 174 single-family attached, 156 single-family semi-detached, and 250 multi-family). The property is currently zoned PDMU/NCO and PDMU/NCO/CH.
- This 656± acre site is located on the east side of Ft. Hamer Road, south of Golf Course Road and north of Mulholland Road.

History:

- On March 29, 2005, CrossCreek was rezoned from General Agriculture and General Agriculture/Coastal High Hazard Overlay (A and A/CH) to PDMU (Planned Development Mixed Use). A Preliminary Site Plan [PDMU-03-57(Z)(P)], which has expired, was approved for 1,118 units (203 single-family attached, 732 single-family detached and 182 paired villas semi-attached), 106,000 square feet of commercial and a 22± acre school site (Annie Lucy Williams Elementary).
- At the same hearing, a Local Development Agreement (LDA-05-01) was approved, providing for the dedication of right-of-way, Proportionate Fair-Share Mitigation for concurrency impacts, stormwater facilities, and an extended Certificate Level of Services, to expire six and one-half years from the date of issuance of the CLOS for public facilities and services covered by the Development Agreement.
- The only two remaining outstanding issues related to the LDA include dedication of right-of-way and oversizing of stormwater ponds and access/drainage easements. These issues are now addressed through stipulation with the GDP.
- The North Central Overlay was adopted on April 5, 2005, which was after CrossCreek was submitted for review.
- Phase 1A, CrossCreek was platted (PB 53 PG 97) which contains 197 single-family detached lots. Five homes have been built. Due to the downturn in the economy, some of the infrastructure has not been sufficiently completed and there are no means of funding the improvements that are necessary. The existing main roadways, Crosscreek Parkway, Creekside Park Drive, and Silkwood Way have been fully completed. Based on infrastructure inspection reports, the items that are insufficient are predominantly related to failed, missing infrastructure which are repairable or replaceable, and do not hinder any future connection through Phase 1A to future development. In order for the insufficiencies to be addressed going forward, staff recommends stipulation A.1, to require the applicant to either make the necessary improvements to Phase 1A infrastructure or provide a performance security to guarantee the infrastructure improvements prior to building permit issuance for units within Phase 1A.
- The PSP [PDMU-03-57(Z)(P)], CLOS and LDA have expired.

Current Request:

- On June 8, 2011, the applicant submitted an application for a new General Development Plan (GDP). The GDP does not include the commercial tract or the school site.
- There are several differences between the previous PSP and the GDP; the major difference is the level of detail. PSPs provide more details about preliminary site design and engineering intent, whereas the GDP has very few design elements.
- The applicant is proposing multi-family units which are a new residential unit type for this area. In addition, there is an increase of 165 residential

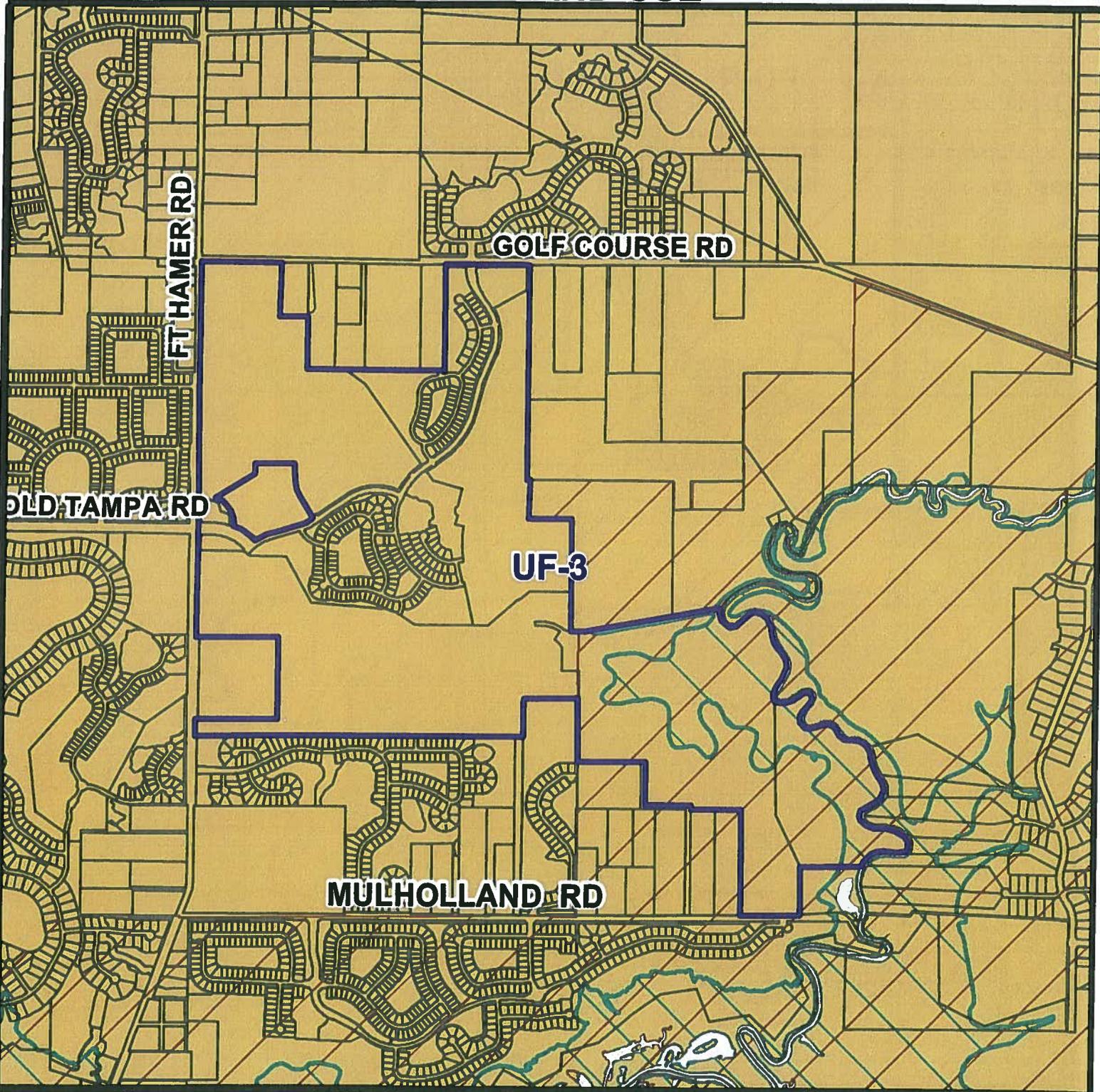
units (from 1,117 to 1,282). The gross density will increase from 1.64 dwelling units per acre to 1.95 dwelling units per acre.

- Also, many of the stipulations that were included with the previous PSP approval were not carried forward with this request because:
 - 1) This is a new application, and
 - 2) Many of the prior stipulations were recommended as the NCO was not yet codified.
- The main entrances to CrossCreek, which are located on Ft. Hamer Road and Golf Course Road, have been constructed. The GDP shows two proposed inter-neighborhood ties, one from Phase 1B to the east and one to the south to Chelsea Oaks, which will be emergency access only.
- The applicant proposes two dead-end streets that exceed 800' in length in Phases 2D and 2F. The applicant proposes to provide either emergency access roads with a 20' width and constructed at an elevation above the 100 year floodplain, or provide a turn-around either at the midpoint of the cul-de-sac, or at 800', for streets that exceed 800'. The applicant has requested Specific Approval to LDC Section 907.9.4.2. Staff recommends approval of this request with Stipulation G.2.
- The applicant requests Specific Approval to LDC Section 604.10.3.6 that requires a 20' minimum greenbelt buffer along the property boundary. The previously approved PSP showed the greenbelt buffer along the project boundary adjacent to Annie Lucy Elementary School and the Chelsea Oaks Subdivision to be 15'. The elementary school has a 25' and Chelsea Oaks has a 15' greenbelt buffer installed. Stipulation E.2 addresses the staff recommended requirements for this greenbelt buffer in order to ensue general compliance with NCO standards.
- The applicant requests Specific Approval to LDC Section 714.8.7 that requires tree replacement caliper minimums of 3"/5"/7". Staff is in support of the request to allow replacement tree sizes at 3"/4"/4" instead of 3"/5"/7". The LDC is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.
- Proposed wetland impacts are approximate in location and the applicant has stated that they will work with staff at time of PSP to locate street crossings to minimize wetland impacts. The issues are summarized in the staff report.
- Staff recommends approval.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input checked="" type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> Available from Attorney (Attorney's initials: <u>SAS</u>)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)	INSTRUCTIONS TO BOARD RECORDS:	
<ul style="list-style-type: none"> • Staff Report for PDMU-11-13(G) • Site Plan 	N/A	
COST: n/a	SOURCE (ACCT # & NAME):	n/a
COMMENTS:	AMT./FREQ. OF RECURRING COSTS: (ATTACH FISCAL IMPACT STATEMENT)	

FUTURE LAND USE



Parcel ID #(s) Multiple

Project Name: CrossCreek
 Project #: PDMU-11-13 (G)
 DTS#: 20110209
 Proposed Use: Residential

S/T/R: Sec 4,5,9,10,8 Twn 34 Rng 19
 Acreage: 690.0
 Existing Zoning: PD-MU, A
 Existing FLU: UF-3
 Overlays: NCO
 Special Areas: Greenway

CHH: Y
 Watershed: NONE
 Drainage Basin: SINK, SINK, GAMBLE CREEK
 Commissioner: Larry Bustle



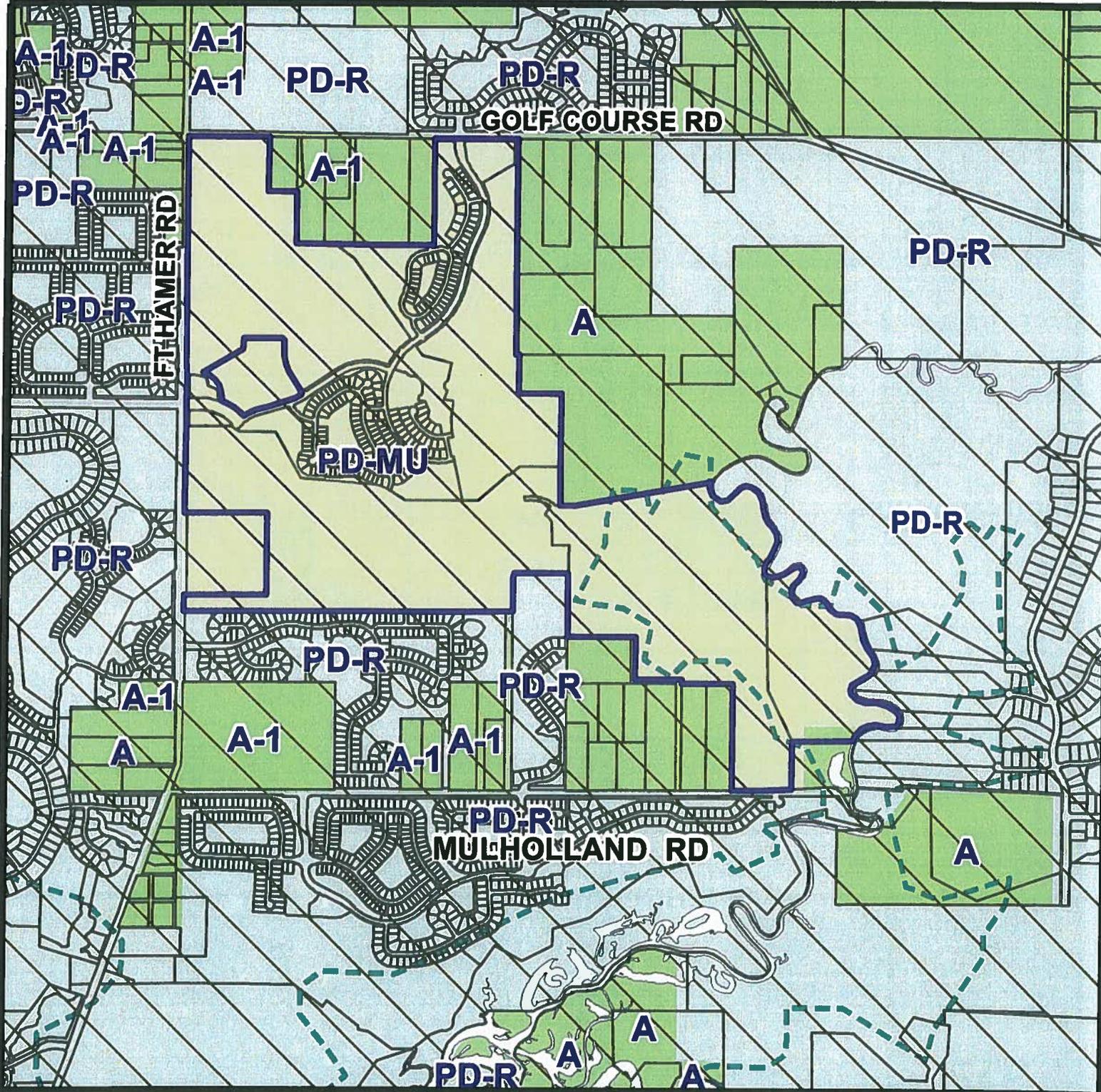
Manatee County
 Staff Report Map
 Map Prepared 7/19/2011

1 inch = 1,667 feet

Overlays

-  CHH - FLU (2008)
-  Coastal Evacuation Area

ZONING



Parcel ID #(s) Multiple

Project Name: CrossCreek
 Project #: PDMU-11-13 (G)
 DTS#: 20110209
 Proposed Use: Residential

S/T/R: Sec 4,5,9,10,8 Twn 34 Rng 19
 Acreage: 341.62
 Existing Zoning: PD-MU, A
 Existing FLU: UF-3
 Overlays: NCO
 Special Areas: Greenway

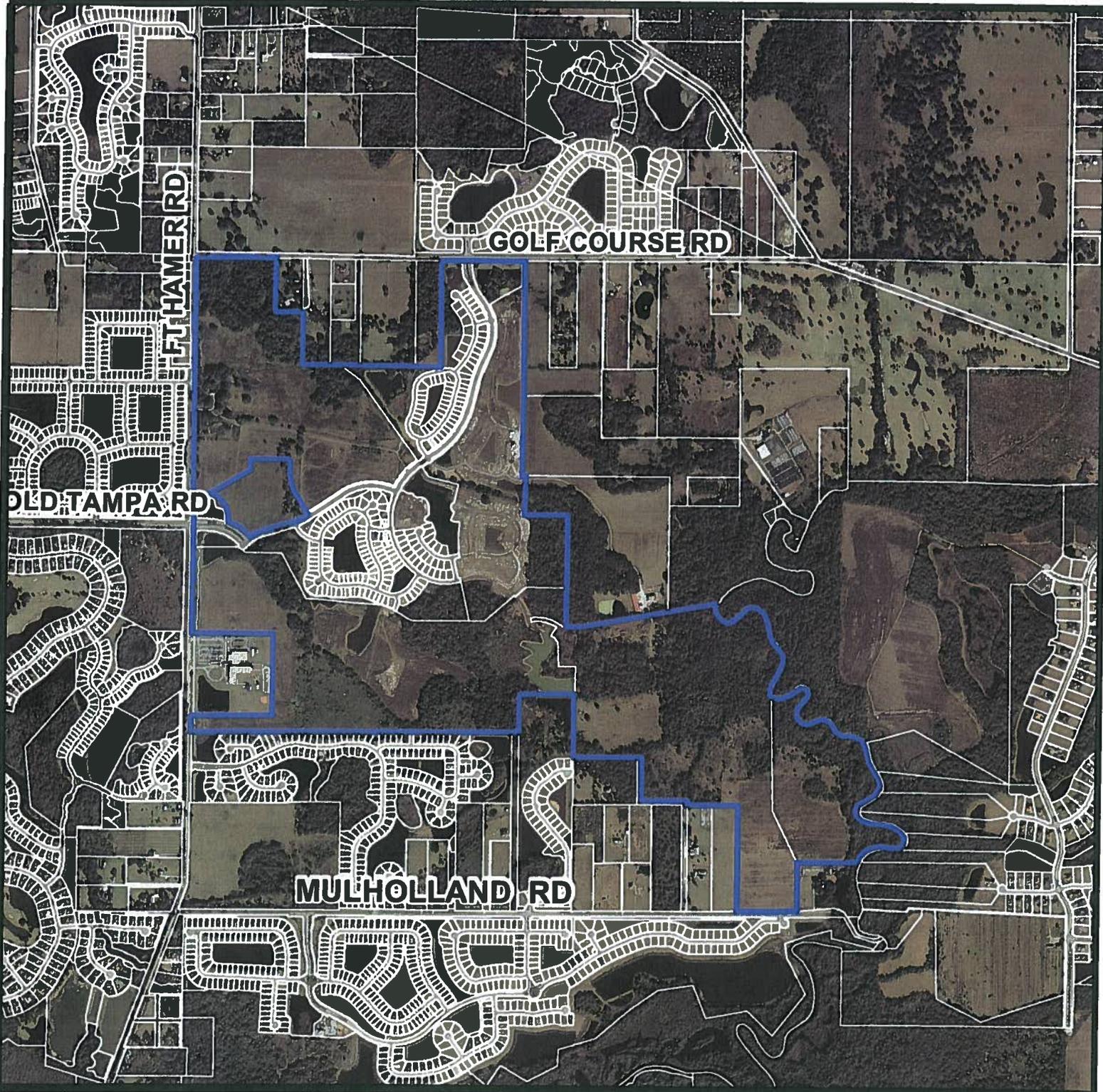
CHH: Y
 Watershed: NONE
 Drainage Basin: SINK, SINK, GAMBLE CREEK
 Commissioner: Larry Bustle

Manatee County
 Staff Report Map
 Map Prepared 7/19/2011
 1 inch = 1,667 feet

Overlays

-  CHH - Zoning
-  North Central Overlay

AERIAL



Parcel ID #(s) Multiple

Project Name: CrossCreek
Project #: PDMU-11-13 (G)
DTS#: 20110209
Proposed Use: Residential

S/T/R: Sec 4,5,9,10,8 Twn 34 Rng 19
Acreage: 690.0
Existing Zoning: PD-MU, A
Existing FLU: UF-3
Overlays: NCO
Special Areas: Greenway

CHH: Y
Watershed: NONE
Drainage Basin: SINK, SINK, GAMBLE CREEK
Commissioner: Larry Bustle



Manatee County
Staff Report Map
Map Prepared 7/19/2011

1 inch = 1,667 feet

P.C. 04/12/12

**PDMU-11-13(G) – MEDALLION HOME AT FT. HAMER, LLC/WAYNE
UNDERHILL/CROSSCREEK (DTS#20110204)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for 1,282 residential units (702 single-family detached (197 platted), 174 single-family attached, 156 single-family semi-detached, and 250 multi-family) on approximately 656± acres on the east side of Ft. Hamer Road, south side of Golf Course Road, and north of Mulholland Road; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 02/09/12, 03/08/12
04/12/12

B.O.C.C.: 03/01/12, 04/05/12
05/03/12

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend APPROVAL of Manatee County Zoning Ordinance No. PDMU-11-13(G); APPROVAL of the General Development Plan with Stipulations A.1 – A.4, B.1 – B.6, C.1 – C.4, D.1, E.1 – E.3, F.1 – F.11, G.1 – G.2, H.1, and I.1.a – g.; GRANTING Special Approval for a project: 1) adjacent to a Perennial Stream; 2) partially in the Coastal Evacuation Area; 3) partially in the Coastal High Hazard Area; 4) partially within the Coastal High Hazard Overlay; and 5) with a gross residential density exceeding 1 dwelling unit per acre in the UF-3 Future Land Use Category; APPROVAL of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to LDC Sections 714.8.7, 604.10.3.6, and 907.9.4.2, as recommended by staff.

PLANNING COMMISSION ACTION:

On February 9, 2012, by a vote of 5 – 0, the Planning Commission recommended to continue to March 8, 2012.

Board of County Commissioners:

On March 1, 2012, by a vote of 6 -0, the Board of Commissioner voted to continued the item until May 3, 2012.

PROJECT SUMMARY	
CASE#	PDMU-11-13(G) (DTS#20110204)
PROJECT NAME	CrossCreek
APPLICANT(S):	Medallion Home at Ft. Hamer, LLC/Wayne Underhill
PROPOSED ZONING:	PDMU/NCO, PDMU/NCO/CH
EXISTING ZONING:	PDMU/NCO, PDMU/NCO/CH – 656± acres
PROPOSED USE(S):	Single-family detached (505units), Single-family attached (174 units), Single-family semi-detached (156 units), Multi-family (250 units)
EXISTING USES(S)	197 platted lots (5 existing single-family homes), accessory recreational uses and vacant land.
CASE MANAGER:	Sharon Tarman, AICP
STAFF RECOMMENDATION:	APPROVAL with stipulations
DETAILED DISCUSSION	
<p>The 656± acre site is located on the east side of Ft. Hamer Road, south of Golf Course Road and north of Mulholland Road and already zoned PDMU (Planned Development Mixed Use).</p> <p><u>History:</u></p> <p>On March 29, 2005, CrossCreek was rezoned from A and A/CH to PDMU and PDMU/CH [PDMU-03-57(Z)(P)], with a Preliminary Site Plan (PSP) approval for 1,117 residential units (203 single-family attached, 732 single family detached and 182 paired villas semi-attached), 106,000 square feet of commercial and a 22± acre school site (Annie Lucy Williams Elementary). The North Central Overlay was adopted on April 5, 2005, which was after CrossCreek was submitted for review.</p> <p>At the same hearing, a Local Development Agreement (LDA-05-01) was approved, providing for the dedication of right-of-way, Proportionate Fair Share Mitigation for concurrency impacts, stormwater facilities, and an extended Certificate of Level of Service, to expire six and one-half years from the date of issuance of the CLOS for public facilities and services covered by</p>	

the Development Agreement. The LDA expired on December 21, 2011. There were many requirements in the LDA but only two remaining outstanding issues include dedication of right-of-way and oversizing of stormwater ponds and access/drainage easements. These issues are now addressed through stipulation with the GDP.

The PSP for this development has expired. The CLOS issued with the LDA and previous PSP for the project expired on October 31, 2011. The Annie Lucy Williams Elementary School, Phase 1A of CrossCreek Subdivision, and the amenity center have been constructed to date. A Final Site Plan (PDMU-03-57/FSP-05-141) for the multi-use trail (Phase 1C) was approved on May 18, 2007. A revision to the FSP [PDMU-03-57/FSP-05-141(R)] was approved on August 12, 2008. The site plan was scheduled to expire on October 31, 2011 but the applicant was granted extensions under Senate Bill 360 and HB 7207. The FSP will now expire on October 31, 2015.

197 units were platted in Phase 1A. Five homes have been built. Due to the downturn in the economy, some of the infrastructure has not been sufficiently completed and there are no means of funding the improvements that are necessary. The existing main roadways, Crosscreek Parkway, Creekside Park Drive, and Silkwood Way have been fully completed. Based on infrastructure inspection reports, the items that are insufficient are predominantly related to failed, missing infrastructure which are repairable or replaceable, and do not hinder any future connection through Phase 1A to future development. In order for the insufficiencies to be addressed going forward, staff recommends stipulation A.1, to require the applicant to either make the necessary improvements to Phase 1A infrastructure or provide a performance security to guarantee the infrastructure improvements prior to building permit issuance for units within Phase 1A.

Current Request: On June 8, 2011 the applicant submitted an application for a General Development Plan (GDP). The GDP does not include the commercial tract or school site.

The GDP is for 1,282 residential units. The units are comprised of 702 (197 platted) single-family detached, 174 single-family attached, 156 single-family semi-detached, and 250 multi-family units. There are several differences between the previous PSP and the GDP; the major difference is the level of detail. PSPs provide more details about preliminary site design and engineering intent, whereas the GDP has very few design elements.

With this request, the applicant is proposing multi-family units which are a new residential unit type for this area. In addition, there is an increase of 165 residential units, from 1,117 to 1,282. The gross density will increase from 1.64 dwelling units per acre to 1.95 dwelling units per acre.

The platted single-family detached units comprise 15% of the total units proposed for this subdivision. The remaining single-family detached units comprise 39% of the total units. Single-family attached comprise 14%, single-family semi-detached comprise 12% and multi-family comprise 20% of the overall residential housing type proposed.

The GDP shows single-family semi-detached units along Ft. Hamer Road at the southwest

corner of Golf Course Road and Ft. Hamer Road. Single-family attached is proposed internal to the site and multi-family is proposed along Ft. Hamer Road, north of the Annie Lucy Williams Elementary School and south of the prior approved commercial tract.

Single-family detached units are proposed along project boundaries that are adjacent to large tracts of land that are zoned A (General Agriculture) to the east and south. Single-family semi-detached and attached units are proposed adjacent to tracts of land zoned A to the north, near Golf Course Road. Those areas contain wetlands that are proposed to remain intact. The wetlands will enhance and provide greater separation between the residential housing types and the agricultural zoned properties. With the exception of the project boundary between the school site and CrossCreek and Chelsea Oaks and CrossCreek (15'), all other boundaries will have a 20' wide perimeter buffer planted to NCO standards. In addition, where the project is adjacent to active agriculture, a 35' agriculture setback is required. The separation through the use of buffers and setbacks will minimize potential compatibility concerns between residential unit types.

Staff considers the proposed location of the multi-family units, at a commercial node and between Annie Lucy Williams Elementary School and the future commercial tract, to be appropriate.

The main entrances to CrossCreek, which are located on Ft. Hamer Road and Golf Course Road, have been constructed. The GDP shows two proposed inter-neighborhood ties, one from Phase 1B to the east, and one to the south to Chelsea Oaks, which will be emergency access only.

The applicant requests Specific Approval to LDC Section 907.9.4.2 for dead end streets that exceed 800' in length in Phases 2D and 2F which is the southern portion of the site. There is a long chain of wetlands and a stormwater pond which limit internal connection in the southeast portion of the site. The applicant proposes to provide either emergency access roads with a 20' width and constructed at an elevation above the 100 year floodplain, or provide a turn-around either at the midpoint of the cul-de-sac, or at 800', for streets that exceed 800' in Phases 2D and 2F. The applicant has provided exhibits that will be attached to the Ordinance showing the general location of the long roadways or cul-de-sacs and the maximum proposed length. The applicant estimates the maximum length of the roadways in each phase to be approximately 1,200 linear feet. Staff recommends a stipulation to require mitigation of these long cul-de-sacs through either an emergency roadway or a turn-around at the midpoint or 800'.

The previously approved PSP showed the greenbelt buffer along the project boundary adjacent to Annie Lucy William Elementary School and the Chelsea Oaks Subdivision to be 15'. The applicant requests Specific Approval to LDC Section 604.10.3.6 that requires a 20' minimum greenbelt buffer along the project boundary to maintain the buffer width that was previously approved for this area. The elementary school and Chelsea Oaks Subdivision have a 25' and 15', respectively, greenbelt buffers that have been installed and the proposed 15' buffer from CrossCreek will enhance what is already in place.

Proposed wetland impacts, wetland mitigation and upland preservation areas are consistent with the previously approved PSP. These issues are summarized below.

At staff's request, the applicant hosted a neighborhood meeting on December 14, 2011. Approximately 15 residents attended the meeting. The concerns that were expressed included the impact this proposed development will have on the existing platted lots in Phase 1A CrossCreek Subdivision, the condition of existing roadways within Phase 1A of CrossCreek Subdivision, and if the proposed multi-family will be rentals or privately owned. Residents also asked when the project will begin construction. One resident noted that someone is dumping yard waste in the development at the end of a cul-de-sac. Overall, the tone of the meeting was pleasant and the applicant and staff were able to answer the residents' questions and direct them to departments within county government to address current issues, particularly the dumping of yard waste.

Staff recommends approval of this GDP with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA

ADDRESS:	4402 Ft. Hamer Road
GENERAL LOCATION:	East of Fort Hamer Road, South of Golf Course Road, North of Mulholland Road
ACREAGE:	656± acres
EXISTING USE(S):	Vacant and Single-family detached (197 units platted, 5 units built) with amenity center
FUTURE LAND USE CATEGORY(S):	UF-3 (Urban Fringe 3 dwelling units per acre), UF-3/CH (Urban Fringe 3 dwelling units per acre/Coastal High Hazard Area)
DENSITY:	1.95± du/ac (gross) – 2.69± du/ac (net)
SPECIAL APPROVAL(S):	<ol style="list-style-type: none"> 1. Adjacent to a perennial stream (Gamble Creek) 2. Partially in the Coastal Evacuation Area (CEA) 3. Partially in the Coastal High Hazard Area (CHHA) 4. Partially in the CH Overlay 5. Gross density over 1 d.u./acres
OVERLAY DISTRICT(S):	North Central Overlay (NCO), Coastal High Hazard Overlay (CHHA)
SPECIFIC APPROVAL(S):	<ol style="list-style-type: none"> 1. Section 714.8.7 Tree replacement alternatives 2. Section 604.10.3.6 Greenbelt Buffer 3. Section 907.9.4.2 Dead End street longer

	than 800'.								
SURROUNDING USES & ZONING									
NORTH	Vacant/Agriculture – A Across Golf Course Road: <ul style="list-style-type: none"> • Single-family residential – PDR (Gamble Creek Estates) • Vacant – PDR (Wildcat Preserve) 								
SOUTH	Single-family residential – PDR (Chelsea Oaks and McKinley Oaks) Single-family residential – A Across Mulholland Road: <ul style="list-style-type: none"> • Single Family residential – PDR (River Plantation Ph 1) 								
EAST	Single-family residential – A Across Gamble Creek: <ul style="list-style-type: none"> • Single Family residential – PDR (Twin River) 								
WEST	Elementary School – PDMU Across Ft. Hamer Road: <ul style="list-style-type: none"> • Single-family residential – PDR (River Wilderness Ph IV and Kingsfield Ph 2-3-4-5) • Single-family residential – A • Single-family residential – A-1 								
SITE DESIGN DETAILS									
LOT SIZE(S):	4,000 sq. ft. (minimum) (40' wide minimum)								
SETBACKS:	Single-family detached								
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Front</td> <td style="width: 50%;">20'/15' (side loaded garage)</td> </tr> <tr> <td>Side</td> <td>5'</td> </tr> <tr> <td>Rear</td> <td>15'</td> </tr> <tr> <td>Waterfront</td> <td>30'</td> </tr> </table>	Front	20'/15' (side loaded garage)	Side	5'	Rear	15'	Waterfront	30'
	Front	20'/15' (side loaded garage)							
	Side	5'							
	Rear	15'							
	Waterfront	30'							
Single-family semi-detached									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Front</td> <td style="width: 50%;">20'</td> </tr> <tr> <td>Side</td> <td>0'/7.5' (End Unit)</td> </tr> <tr> <td>Rear</td> <td>15'</td> </tr> <tr> <td>Waterfront</td> <td>30'</td> </tr> </table>	Front	20'	Side	0'/7.5' (End Unit)	Rear	15'	Waterfront	30'	
Front	20'								
Side	0'/7.5' (End Unit)								
Rear	15'								
Waterfront	30'								
Single-family attached									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Front</td> <td style="width: 50%;">20'</td> </tr> <tr> <td>Side</td> <td>0'/10' (End Unit)</td> </tr> </table>	Front	20'	Side	0'/10' (End Unit)					
Front	20'								
Side	0'/10' (End Unit)								

	Rear Waterfront	15' 30'
	Multi-family	
	West (Ft. Hamer Rd)	50'
	South (from school site)	15'
	East (adjacent to single-family)	10'
	North (CrossCreek Parkway)	15'
	Between Buildings	30'
	Wetland buffer setback to adjacent structure	15'
OPEN SPACE:	Provided 42% or 276.5± Acres	
RECREATIONAL AMENITIES:	Existing amenity center with pool and clubhouses located on Creekside Park Drive. Three existing neighborhood recreation areas in Phase 1A. Staff proposes a stipulation to address recreational amenities for Phases 2A-2F.	
RECREATIONAL ACREAGE:	32.7 acres (Phases 1A thru 1H) 0.1 acres per dwelling unit (Phases 2A thru 2F)	
BUFFERS	<ul style="list-style-type: none"> • 50' roadway – Golf Course Road • 50' roadway – Ft. Hamer Road • 50' roadway – Mulholland Road • 20' roadway – CrossCreek Parkway • 20' roadway – Silkwood Way • 20' roadway – Creekside Park Drive • 20' greenbelt along the eastern and southern property boundaries (with exception near Chelsea Oaks) • 15' greenbelt along the boundary adjoining Chelsea Oaks • 15' greenbelt along the north and east boundary adjoining Annie Lucy Elementary School • 35' greenbelt along the western boundary within Phase 1A CrossCreek 	
ACCESS:	Fort Hamer Road, Golf Course Road, and Mulholland Road	

<p>FLOOD ZONE(S)</p>	<p>X and AE with a Base Flood Elevation of 13 feet NGVD per FIRM Panel 120153 0220C, revised 7/15/92. Also encroaches in the regulatory floodway of Gamble Creek.</p>
<p>AREA OF KNOWN FLOODING</p>	<p>Yes, up to 50% reduction required</p>
<p>UTILITY CONNECTIONS</p>	<ul style="list-style-type: none"> • Existing 8” potable water main that is stubbed out at the southwest end of Silkwood Way • Existing 6” potable water main that is stubbed out at the southerly end of Stonegate Drive • Existing 8” sanitary gravity sewer and associated manhole(s) at the intersection of Grassland Way and Creekside Park Drive • Existing 6” potable water main, 8” sanitary gravity sewer and associated manhole(s) at the northerly end of 125th Avenue East • Existing 8” force main and the 24” potable water main along Fort Hamer Road.

ENVIRONMENTAL INFORMATION	
Overall Wetland Acreage:	91.54
Proposed Impact Acreage:	0.36

Wetland I.D.	Acres Impacted	Type	Quality (UMAM score)	Reason for Impact	NRD Objection	Explanation
WL#1	.10	Forested	Not avail	Road	N	Previously approved road crossing
WL#2	.08	Herbaceous	Not avail	Road	N	Previously approved road crossing
WL#3	.08		Not avail	Road	N	Road crossing to access upland area
WL#4	.10	Herbaceous	Not avail	Road	N	Road crossing to access upland area

The GDP shows a total of 91.5 acres of wetlands within the 656.0 acre project area. Apparent wetlands and wetlands buffer impacts have been conceptually depicted with this GDP.

The proposed 0.36 acres of wetland impacts are to four wetlands. The proposed impacts to wetlands were previously approved with the original PSP for this project. Wetlands #1 and 2 were further reviewed and permitted with Phase 1A-1C. The other two impacts are necessary for access to upland areas surrounded by wetland or other surface water systems. Although UMAM scores are not available for these wetlands, the impacts are necessary to make reasonable use of the upland areas. UMAM scores will be required with the PSP for each phase of the project.

The proposed wetland impacts are approximate in location and the applicant has stated that they will work with staff at time of PSP to locate the crossings to minimize wetland impacts. A stipulation is proposed to ensure this is achieved. The Environmental Planning Division has no objection to the wetland impacts as proposed.

The applicant has not yet indicated how they will achieve wetland mitigation for the impacts. This information will be required prior to PSP approval for the project area. The amount of

mitigation required for the proposed wetland impacts will be determined by SWFWMD utilizing the Uniform Mitigation Assessment Method (UMAM).

Wetland density transfer has been reviewed by the Environmental Planning Division and appears to be consistent with Comprehensive Plan Policy 2.3.1.1.

Uplands:

Although the applicant did not provide an environmental narrative or FLUCCS map to address the native upland habitats within the project boundaries, upland habitat preservation was previously identified with the original overall project and it appears that it has been carried over with this GDP. Prior to Final Plat approval, Conservation Easements are required for upland preservation as well as wetland areas. A stipulation is provided to address this issue.

Endangered Species:

An "Updated" Threatened & Endangered Species study is required prior to FSP approval (one was previously performed and provided for the original overall project area). A stipulation is also provided to address this issue.

Trees

Since this is a GDP, tree removal and replacement is not necessarily required at this stage. Details of tree removal and replacement will be addressed at later stages of development.

Water Quality/Contamination

It appears that the original project area was evaluated for hazardous materials and that a cattle dipping vat was identified on-site. According to a DEP letter dated August 3, 2011, the applicant is required to request a Site Assessment Report Addendum (SARA). The applicant has indicated that they will continue to research the status of compliance with the DEP requirements.

Water quality monitoring will be addressed with the *Erosion & Sediment Control Plan*, with monitoring stations to be required both upstream and downstream of the site to be monitored during the construction phase of development.

NEARBY DEVELOPMENT				
NON-RESIDENTIAL				
PROJECT	SQ. FT.	F.A.R.	FLUC	YEAR APPROVED
Chin Road Commercial [PDC-03-61(P)(R)]	79,500 sq. ft.	0.15	UF-3	2006
Oxford Commercial Development [PDC-08-26(Z)(P)]	150,000 sq. ft.	0.18	OM	2009
Victoria Estates, LTD., et al/Creekside Commons (PDC-04-38(Z)(P))	256,256 sq. ft.	0.12	R/O/R, RES-9	2008
Eckerds at Creekside Oaks (AP-03-81)	15,374 sq. ft.	0.08	R/O/R	2004
Parkwood Square Shopping Center [PDC-058-07]	118,416 sq. ft.	0.11	R/O/R	2009
Derel Trust [PDO/PDC-05-12(P)]	87,110 sq. ft. mini-storage, 8,100 sq. ft. office, 6,045 sq. ft. daycare center	0.34 (PDC) 0.07 (PDO)	OL, R/O/R, UF-3	2009

RESIDENTIAL				
PROJECT	LOTS / UNITS	DENSITY	FLUC	YEAR APPROVED
Kingsfield	466	2.75	UF-3	1995
The Gardens	645	4.89	RES-6	Prior to 2000
Kingsfield Lakes	343	1.71	UF-3	2000
Lexington	352	2.42	RES-6 & UF-3	2001
Chelsea Oaks	215	1.97	UF-3	2001
Aberdeen	222	2.68	RES-3	2002
Harrison Ranch	1,550	1.65	RES-3 & UF-3	2002
Manatee River Plantation	493	1.50	UF-3	2002
Creekside Oaks	403	2.49	RES-9	2003
Gamble Creek Estates	165	1.01	UF-3	2004
Selby Grove	174	1.96	UF-3	2004
Lexington Addition	35	1.72	UF-3	2005
River Wilderness Ph III	178	0.60	UF-3	2005
McKinley Oaks (fka Mulholland Preserve; fka Manning/Silver Companies)	36	0.89	UF-3	2006
Forest Creek	493	2.79	UF-3	2010
Canoe Creek	896	2.94	UF-3	2011
Silverleaf	732	2.78	RES-3 & UF-3	Pending

POSITIVE ASPECTS

- This development had prior approval [PDMU-03-57(Z)(P)] and a portion of it has already been platted (Phase 1A CrossCreek Subdivision).
- The surrounding area is transitioning from suburban agricultural uses to single-family residential development.
- The introduction of multi-family residential use into the area at a commercial node will provide more unit type options.
- 42% open space will be provided.

NEGATIVE ASPECTS

- **Wetland impacts are proposed.**
- **The introduction of multi-family residential use may create a sense of increased intensity for the area.**

MITIGATING MEASURES

- **Wetland mitigation will be addressed administratively with future site plan approvals. Impacts for road crossings only.**
- **The multi-family residential will be located at a commercial node as well as between a commercial property and Annie Lucy Williams Elementary School.**

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. **PHASE IA SUBDIVISION IMPROVEMENTS.** No building permits shall be issued for lots located in Phase IA unless and until (a) existing subdivision improvement defects have been resolved, or (b) the County has accepted satisfactory performance security guaranteeing the same.
2. All recreational structures shall be setback 30' from the right-of-way or adjacent residential lots. Also, any proposed parking facilities shall be setback 30' from any rear or side residential lot line.
3. Lots in Phase 2F shall have a minimum lot size of 10,000 square feet and a minimum lot width of 50 feet.
4. Multi-family building setbacks shall be as follows:
 - Ft. Hamer Road –Comply with LDC Section 604.10.3.3(l) depending on proposed height.
 - Along the perimeter boundaries – 25*
 - *Increase 10' for each story over 1 where abutting a single family residential.
 - Minimum 30' between buildings.

B. TRANSPORTATION CONDITIONS:

1. Prior to Final Plat approval, the applicant shall post a sign indicating the location of future inter-neighborhood ties to undeveloped property to the east adjacent to Phase 1B and to Chelsea Oaks (emergency access only) to the south adjacent to Phase 2B or 2C to inform prospective purchasers and residents of the future inter-neighborhood tie. The size, placement and materials for this sign shall be determined with the PSP/FSP.

2. Right-of-Way Dedication:

- a. To allow for future widening of Ft. Hamer Road, dedication of right-of-way is required to provide Manatee County with a 60' half section from the existing centerline on Ft. Hamer Road. Such dedication shall be accomplished prior to or in conjunction with the respective final plat approvals for the property adjacent to Fort Hamer Road. After dedication of right of way takes place, the applicant may apply for impact fee credits in accordance with the requirements of the Land Development Code.
- b. To allow for future widening of Golf Course Road, dedication of right-of-way is required to provide Manatee County with a 42' half section from the existing centerline on Golf Course Road for the portion of the property which is adjacent to Golf Course Road. Such dedication shall be accomplished prior to or in conjunction with the respective final plat approvals for the property adjacent to Golf Course Road. After dedication of right of way takes place, the applicant may apply for impact fee credits in accordance with the requirements of the Land Development Code.
- c. To allow for future widening of Mulholland Road, dedication of right-of-way is required to provide Manatee County with a 42' half section from the existing centerline on Mulholland Road for the portion of the property which is adjacent to Mulholland Road. Such dedication shall be accomplished prior to or in conjunction with the respective final plat approvals for the property adjacent to Mulholland Road. After dedication of right of way takes place, the applicant may apply for impact fee credits in accordance with the requirements of the Land Development Code.

3. A 10' wide stabilized multi-purpose path shall be constructed within the 25' greenway easement along Ft. Hamer Road. This pathway shall be outside the 10' wide drainage easement.
4. At the time of the PSP/FSP for Phase 2B at least one pedestrian only access is required between the school site and the internal roadway network.
5. Stonegate Drive (Phase 1A) shall be extended to provide a vehicular and pedestrian connection to Phase 2B.
6. Two means of access shall be shown on the PSP/FSP for each phase of development with more than 100 dwelling units.

C. STORMWATER CONDITIONS:

1. OVERSIZE SOUTHERN RETENTION POND. The retention pond, located adjacent to Ft. Hamer Road, between the elementary school site and the southern project boundary, shall be oversized in size and depth to accommodate future off site retention resulting from the future widening of Ft. Hamer Road. Said oversizing shall be based

on the preliminary engineering study prepared by PBS&J on behalf of the County, provided that said oversizing shall not cause the pond to extend eastward beyond the boundary of the elementary school parcel. The property owner shall be entitled to retain any soils removed for excavation of the retention pond facilities. Impact fee credits shall be available to the property owner based upon the land value and development costs, including but not limited to, permitting, dewatering, excavation, compaction, sodding, piping, and control structure, for the percentage of the retention pond attributable to the oversizing, with final credit amounts to be determined in accordance with the requirements of Chapter 8 of the LDC.

2. ACCESS EASEMENT AND DRAINAGE COMPENSATION EASEMENT POND ON AND ADJACENT TO MULHOLLAND ROAD. The Applicant shall dedicate to the County a twenty five (25') foot access easement ("access easement") through the Compensation Storage Pond to the Floodway Area for purposes of the County's maintenance activities within Gamble Creek, with Manatee county having no responsibility to maintain the access easement area. An additional easement through and over the compensation storage pond acreage in the floodway on Mulholland Road will be dedicated to the County for the purpose of compensation for drainage ("drainage compensation easement") resulting for Manatee County's future improvement of the Mulholland Bridge. The acreage for said drainage compensation easement shall not exceed ten (10) acres. The Applicant shall review and approve the location of the proposed drainage compensation easement area prior to the Final Plat submission for the lots on Mulholland Road located in Phase 2F, to assure that the location shall not unreasonably interfere with the quiet and beneficial enjoyment of adjacent residential properties. Said approval shall not be unreasonably withheld. Said access and compensation drainage easements and notice of the County's future construction activities associated with the compensation easement area shall be disclosed and provided for in the homeowner association/subdivision documents including the Notice to Buyers.
3. RETENTION POND FOR RIGHT OF WAY STORMWATER AT NORTHWEST CORNER OF PROJECT. The Applicant shall dedicate or convey to the County necessary and appropriate easements in order for the county to locate and construct a stormwater retention site at the northwest corner of the project where it abuts Ft. Hamer Road and Golf Course Road. Said easement shall be configured in such a way to allow the Applicant to design and construct the multi-purpose path (enhanced sidewalk) to the south and east of the pond outside of wetlands, wetland buffers and the pond site.
4. A Drainage Easement shall be dedicated to Manatee County and be shown on the PSP/FSP and Final Plats along Gamble Creek. This drainage easement shall be inclusive of conservation/tree preservation easements dedicated to Manatee County.

D. FLOODPLAIN:

1. At time of PSP/FSP approval, a 50' buffer between the building envelope and the

regulatory floodway may be required depending on the configuration of the lots.

E. BUFFERS:

1. A 10' wide roadway buffer is required along all internal streets adjacent to reverse frontage lots. Landscaping in these buffers shall conform to the type and quantity standards specified in LDC, Section 715.3.2 and shall be planted outside the right-of-way.
2. A 15' wide perimeter buffer shall be provided adjacent to Chelsea Oaks Subdivision and Annie Lucy Williams Elementary School. The proposed CrossCreek buffers and landscaping materials shall meet the NCO standards with regard to size and shall be planted in the following manner:

Buffer adjacent to the existing Chelsea Oaks buffer
2 canopy trees (3" caliper, 12' high, 5' spread)
Per 100 linear feet

Buffer along the north and east side of the school
2 canopy trees (3" caliper, 12' high, 5' spread), planted in a staggered arrangement to the School trees
3 understory trees (1.5' caliper, 6' high)
33 shrubs (24", 3 gallon)
Per 100 linear feet

3. All other buffers shall meet the NCO requirements.

F. ENVIRONMENTAL CONDITIONS:

1. Conservation Easements inclusive of areas defined as wetlands, wetland buffers, and upland preservation areas shall be recorded concurrently with the Final Plat. The developer shall include in the deed restriction information concerning the conservation easement, the limitations on use therein, maintenance of the easement area, maintenance of the signs, and the consequences of violations. The boundaries of conservation areas shall be marked with signs in English and Spanish that indicate a "Conservation Area". The number and placement of signs shall be approved with the PSP/FSP.
2. Unless otherwise approved by Environmental Planning Division of the Building and Development Services Department, native landscape materials shall be utilized in common areas.
3. Upland preservation areas shall be clearly delineated, labeled, and quantified on the PSP/FSP.
4. Unless adequate water depths and details are provided prior to the approval of the

PSP/FSP for Phases 2E and 2F by the Board of County Commissioners at an advertised public hearing, no docks or a boat ramp are allowed along Gamble Creek. Only one dock or pier for use as a fishing or observation platform is allowable in a location to be determined by the Environmental Planning Division of the Building and Development Services Department with the PSP/FSP.

5. A 50 foot wide tree preservation and greenbelt easement, inclusive of the greenbelt, wetland, and upland conservation areas and drainage easement shall be designated adjacent to Gamble Creek. No 4 inch d.b.h. trees or greater shall be removed within the Tree Preservation Easement, except as allowed by LDC Section 714.2.2.
6. No lots shall be platted through wetlands, wetland buffers, or upland preservation areas.
7. The applicant shall submit a Well Management Plan to the County for review and approval prior to PSP/FSP approval.
8. Prior to PSP/FSP approval, the applicant shall provide an updated study for the presence of threatened/endangered species and species of special concern. Appropriate permits shall be obtained or Wildlife Management Plans shall be approved by the U.S. Fish and Wildlife Service (FWS) or the Florida Fish and Wildlife Conservation Commission for any listed species found on-site, prior to FSP approval.
9. Prior to FSP approval, the applicant shall provide a copy of the approved SWFWMD permit.
10. Wetland impacts shall be limited to those crossings identified on the approved GDP. At the time of PSP the crossings shall be designed to minimize the impacts to wetlands. Minimization measures may include but not limited to locating crossings at the narrowest portion of the wetland; locating crossings at previously disturbed areas; reducing right of way and roadway width; utilization of oversized, bottomless culverts. Any additional wetland impacts other than those crossings shown on the GDP shall require approval of a PSP by the BOCC at an advertised public hearing.
11. Tree removal and replacement shall be addressed with the PSP/FSPs in compliance with the *Tree Protection* regulations of the LDC.

G. PUBLIC SAFETY

1. Any gates shall be accessible to emergency service providers by either a remote control or siren activated system. Prior to PSP/FSP approval, the applicant shall receive written approval from EMS and the Fire Marshall approving the proposed system.
2. In order to ensure adequate access and turning maneuverability for emergency vehicles, the 1,200 foot long roadways in Phase 2D and 2F shall be designed as

follows: if the detailed site design provides for an integrated roadway network, the applicant shall provide 20' wide emergency access roads, constructed at an elevation above the 100 year floodplain. If the site design provides for cul-de-sacs only, the applicant shall provide a turn-around at the midpoint or 800' interval.

H. RECREATIONAL:

1. If the southern portion (Phases 2A thru 2F) of the development is developed separately from the northern portion (Phases 1A thru 1H) of the development then Phase 2A thru 2F shall include 0.01 acres per dwelling unit of recreational amenities for passive and active recreation as well as a focal point. These amenities shall be shown on the PSP/FSP.

I. NOTICES

1. The Notice to Buyer shall be included in the Declaration of Covenants and Restrictions, and on the FSP and shall include language informing prospective home buyers of:
 - a. The presence of neighboring agricultural uses, including possible use of pesticides and herbicides and of odors and noises associated with agricultural uses.
 - b. The presence of inter-neighborhood ties in these neighborhoods which may connect to existing and future roadways when development occurs on the adjacent property.
 - c. Phases 2D, 2E, and 2F are in a flood prone area and the site is partially within the Coastal Evacuation Area and the Coastal High Hazard Area.
 - d. A hazard disclosure statement for homes in Phases 2D, 2E, and 2F generally describing the property's relative probability of damage from floodwaters.
 - e. Construction of a future bridge connecting Upper Manatee River Road and Fort Hamer Road and future road improvements along Fort Hamer.
 - f. The future extension of Mulholland Road to the east, connecting to Rye Road.
 - g. Informing prospective homeowners that Manatee County is not obligated to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of the stream bed of Gamble Creek or any ditch directly or indirectly flowing into the Gamble Creek.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED	
FLOODPLAIN MANAGEMENT	
Site lies in Zones X and AE with a Base Flood Elevation of 13' NGVD per FIRM Panel 120153 0220C, revised 7/15/92. The project also encroaches into the regulatory floodway of Gamble Creek.	

COMPLIANCE WITH LDC				
Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
50' roadway buffer, Golf Course Road		Y		Existing buffer shown on site plan.
50' roadway buffer, Ft. Hamer Road		Y		Existing buffer shown on site plan.
50' roadway buffer, Mulholland Road		Y		Shown on site plan
35' perimeter buffer to the west next to Phase 1A CrossCreek Subdivision		Y		Existing buffer shown on site plan. The 35' buffer exceeds the requirements in the LDC.
20' perimeter buffer to the east		Y		Shown on site plan
20' perimeter buffer to the south, except as stated below		Y		Shown on site plan
20' perimeter buffer adjacent to Chelsea Oaks	15' perimeter buffer adjacent to Chelsea Oaks		N	Requesting Specific Approval
20' perimeter buffer adjacent to Annie Lucy Williams Elementary School	15' perimeter buffer adjacent to Annie Lucy Williams Elementary School		N	Requesting Specific Approval
Buffer landscaping		Y		Stipulation; To be verified with PSP/FSP.

SIDEWALKS				
5' internal sidewalks		Y		Existing sidewalks along CrossCreek Parkway, Silkwood Way, Manorwood Loop, Glenridge Lane, Larchmere Lane, Creekside Park Drive, Stonegate Drive, Ridgestone Drive. Future development to comply with LDC and verified with PSP/FSP
5' external sidewalk		Y		Existing sidewalk for Phase 1A along the entrance to Golf Course Road. Applicant paid into Sidewalk Fund for portion of sidewalk not constructed along Golf Course Road. Sidewalk along Mulholland Road to comply with LDC to be verified with PSP/FSP.
10' multi-purpose path, exterior		Y		Existing along Ft. Hamer Road from the south property line to just north of the proposed commercial site.
10' multi-purpose path, exterior		Y		Stipulation for segment along Ft. Hamer from Golf Course Road south to just north of the proposed commercial.
ROADS & RIGHTS-OF-WAY				
50' internal rights-of-way		Y		Streets to be public/private; To be verified with PSP/FSP.
24' paved roadways		Y		To be verified with PSP/FSP.
Inter-neighborhood Ties		Y		Shown on site plan.
Golf Course Road, 120'/60' half width		Y		To be verified with PSP/FSP. CrossCreek Phase 1A dedicated 27' of additional ROW in Plat Book 53 Page 50.
Ft. Hamer Road, 150'/75' half width		Y		To be verified with PSP/FSP.
Mulholland Road, 84'/42' half width		Y		To be verified with PSP/FSP.

COMPLIANCE WITH THE LAND DEVELOPMENT CODE
Factors for Reviewing Proposed Site Plans (Section 508.6)
Planned Districts - Rezone Review Criteria (Section 603.4)

Physical Characteristics:

The 656 acre parcel can be made suitable for the development proposed without hazard to person or property, on or off the site, as proposed. The soil conditions as well as other physical characteristics are conducive to the proposed development of the site. The portion of the site that lies within a FEMA Floodplain will be mitigated as required by Federal, State and Local regulations. The site has existing uses that range from vacant to agricultural to single family residential.

The site was rezoned to PDMU in 2005 with the approval of a PSP for 1,117 residential units, consisting of 662 lots for single-family detached residences, 237 lots for single-family attached residences, 182 semi-detached residences, and accessory recreational facilities. The development approval also included Annie Lucy Williams Elementary School (22± acres) and 106,000 square feet of retail uses.

The GDP proposes 1,282 residential units, which represents an increase of 157 units. The applicant proposes 702 (197 platted) single-family detached, 174 single-family attached, 156 single-family semi-detached, and 250 multi-family units. The elementary school and the commercial tract are not included in this application. The previously approved PSP has expired, so the GDP will govern future development of the site, excluding the commercial tract. Since the PSP has expired, the owner of that property will be required to submit an application sometime in the future for staff review and Board approval.

Public Utilities, Facilities and Services:

This site has access to Ft. Hamer Road, Golf Course Road, and Mulholland Road, and is in an area served by Manatee County EMS, Fire and Law Enforcement. With regard to utilities there is an 8" potable water main that is stubbed out at the southwest end of Silkwood Way; a 6" potable water main that is stubbed out at the southerly end of Stonegate Drive; an 8" sanitary gravity sewer at the intersection of Grassland Way and Creekside Park Drive; and a 6" potable water main, as well as, an 8" sanitary gravity sewer at the northerly end of 125th Avenue East. Along Mulholland Road there is an existing Manatee County 24" potable water main and an 8" force main.

Major Transportation Facilities:

The site has access to Ft. Hamer Road, Golf Course Road and Mulholland Road. Ft. Hamer, Golf Course Road and Mulholland Road are all classified as thoroughfares in the Comprehensive Plan.

Compatibility: The site is in the NCO District of Manatee County.

The proposed development may be found to be compatible with the surrounding land uses and development patterns in north county, particularly as development moves north and east into the Parrish area and beyond.

The site is east of Ft. Hamer Road, south of Golf Course Road and north of Mulholland Road. The area has been transitioning to suburban residential development. Portions of the surrounding area are residentially zoned. Other portions remain agriculturally zoned. PDMU zoning requires site plan review to address proper transitioning and the impacts to the abutting land uses. PDMU zoning allow the Board to attach stipulations to ensure the project is compatible with surrounding uses.

Transitions:

The site in an area that is transitioning from agricultural uses to suburban residential development with complementary commercial uses nearby.

Design Quality:

The conceptual design of this proposed development generally complies with applicable LDC and NCO District requirements and standards. The proposed GDP requires review of the proposed use and density. The GDP shows 1,282 residential units for a gross density of 1.95 dwelling units per acre.

Due to its size, this project is a Large Project. The Large Project review criteria was reviewed and approved with the PSP. The information that was previously submitted was relied upon during the course of this review because the specific elements that require additional analysis remain the same.

Some recreational amenities exist and are shown on the GDP. Staff proposes a stipulation that if the southern portion (Phases 2A thru 2F) of the development develops separately from the northern portion (Phases 1A thru 1H) of the development then Phase 2A thru 2F shall include 0.01 acre per dwelling unit of recreational amenities for passive and active recreation as well as a focal point. The stipulation does not limit the range of amenities that may be provided by the applicant. These amenities shall be shown on the PSP/FSP.

Adjacent Property

The site is in an area that is transitioning from agricultural to suburban residential development. To the north, across Golf Course Road, is Gamble Creek Estates, a Planned Development Residential subdivision. There are also large residential lots to the north and east of the project. Along the south is Chelsea Oaks, a Planned Development Residential subdivision, as well as large residential lots. To the west, across Ft. Hamer Road, is River Wilderness. To the northwest, across the intersection of Ft. Hamer Road and Old Tampa Road, is Kingsfield, a Planned Development Residential subdivision.

The site is designed with respect to the adjacent land uses. The thoroughfares that surround the project provide a large separation between CrossCreek and many adjacent residential developments. The only existing subdivision that could be directly impacted by the development of CrossCreek is Chelsea Oaks to the south. However, there is an existing fifteen (15) foot buffer, installed by Chelsea Oaks, and CrossCreek will be required to install a fifteen (15) foot buffer. So the total effective buffer between these developments will be 30' wide. Existing wetlands will provide a large natural buffer to properties to the east of Phases

1C, and 2C through 2F.

The fifty (50) foot roadway buffer along Ft. Hamer, Golf Course Road and Mulholland Road comply with NCO District requirements. The remaining project boundaries, except adjacent to Chelsea Oaks, the school site, and Phase 1A, have a proposed twenty (20) foot wide greenbelt buffer which complies with the NCO District requirements.

The minimum lot size proposed in this development is smaller than those approved nearby. The project proposes a forty (40) foot wide minimum lot width with a minimum lot size of 4,000 square feet. Staff proposes a stipulation (A.2) to require larger lots in Phase 2F, adjacent to Mulholland Road, to provide for compatible development with the area.

Chelsea Oaks was approved with a minimum lots size of 65' x 115' (7,475 sq. ft.), while the PSP provided for a minimum lot area of 8,250 sq. ft. and perimeter lots at 10,000 sq. ft. Gamble Creek Estates has the largest lots in the area with an 80' minimum lot width, 100' minimum lot width along Golf Course Road and 102.5' minimum along Spencer Parrish Road. Kingsfield has a minimum lot size of 64'x115' (7,360 sq. ft.) and the perimeter lots were approved at 64'x130' (8,320 sq. ft.) and 64'x150' for lots adjacent to pasture. Manatee River Plantation and River Wilderness have smaller lot sizes with 55'x125' and 55'x110', respectively. However, the minimum lot size for perimeter lots in Manatee River Plantation is 70' x 125' (8,750 s.f.). The smallest approved lots in the area are located in Canoe Creek which are 27'x116' (3,132 sq. ft.).

Although most nearby developments have larger lots and provide perimeter lots that were even larger than the minimum lots, the lot sizes proposed in CrossCreek are comparable to those in Canoe Creek, which is to the east of this site. In addition, the site plans for most of the above mentioned subdivisions were approved prior to the implementation of the NCO District, which requires enhanced roadway and perimeter buffers.

The project will comply with all LDC standards for protection of adjacent properties, including buffer and screening.

Access:

The site has access to Ft. Hamer Road, Golf Course Road and Mulholland Road.

Streets, Drives, Parking and Service Areas:

New proposed streets will be required to meet County Public Works Standards, the details of which will be reviewed with future PSP and FSPs.

Pedestrian Systems:

There is an existing 10' wide multi-purpose path constructed from the property line adjacent to Chelsea Oaks to just north of CrossCreek Parkway on the east side of Ft. Hamer Road. The remaining 10' wide multi-use path along Ft. Hamer Road will be constructed during the appropriate phase of the project. There is a 14 acre passive park shown on the GDP and located at the southeast corner of Ft. Hamer Road and Golf Course Road with a multi-use trail that will run along the perimeter of the park.

Along the entrance to Phase 1A, Creekside Park Drive, adjacent to Golf Course Road there is an existing 5' sidewalk. The 5' sidewalk also extends into CrossCreek along both sides of Creekside Park Drive, Silkwood Way, and CrossCreek Parkway. There is a documented \$29,000 Sidewalk Fund Contribution for the completion of the 5' sidewalk along the north boundary of Phase 1H. This will be installed by Manatee County when it is deemed appropriate.

Natural and Historic Features, Conservation and Preservation Areas:

The site plan shows that there are approximately 91.54 acres of wetlands on site, which equates to 14.0% of the overall acreage. The proposed 0.36 acres of wetland impacts are to four wetlands. The proposed impacts to wetlands were previously approved with the PSP for this project. Wetlands #1 and 2 were further reviewed and permitted with Phases 1A-1C. The other two impacts are necessary for access to upland areas surrounded by wetland or other surface water systems. There are no known historic features located on this property.

A Cultural Resource Assessment Survey Report was performed in 2003. According to the report none of the cultural resources identified during the assessment are eligible for listing in the National Register of Historic Places (NRHP).

Density/Intensity:

The proposed gross density is 1.95 dwelling units per acres, which requires Special Approval in the UF-3 Future Land Use Category for development that exceeds a gross density of 1 dwelling unit per acre.

Height:

All structures will be limited to a maximum of 35 feet, including multi-family, in compliance with the LDC and will be required to comply with NCO Standards. Any structure over 35 feet requires the applicant to approval from the Board of County Commissioners per LDC Section 603.7.4.9.

Fences and Screening:

Fences and screening will be addressed with the PSP/FSP and will meet the minimum LDC requirements.

Landscape buffers – 20' perimeter, 15' adjacent to Chelsea Oaks and Annie Lucy Elementary School, 50' major thoroughfare roadway.

Yards and Setbacks:

Setbacks are shown on the site plan. The setbacks for the single-family units were previously approved with the PSP. The applicant has included an exhibit on Sheet L-704 of the site plan showing a distance of 25' from the building to the sidewalk.

The established setbacks for the project are shown below in the chart:

PROPOSED RESIDENTIAL SETBACKS		
SETBACKS	Single-family detached	
	Front	20'/15'(*)
	Side	5'(**)
	Rear	15'
	Waterfront	30'
	Single-family semi-detached	
	Front	20'
	Side	0/7.5' (End Unit)
	Rear	15'
	Waterfront	30'
	Single-family attached	
	Front	20'
	Side	0/10' (End Unit)
	Rear	15'
Waterfront	30'	
Multi-family		
West (Ft. Hamer Rd)	50'	
South (from school site)	15'	
East (adjacent to single-family)	10'	
North (CrossCreek Parkway)	15'	
Between Buildings	30'	
Wetland setback	15'	

(*) 15' front setback for side loaded garage

(**) There shall be a minimum of ten (10) foot separation, measured between the closest corners, between accessory equipment and structures alongside houses with 5 foot side yard setbacks.

Staff recommends that the multi-family buildings meet the setback requirements of the NCO District. The recommended setbacks are stipulated and shown below:

PROPOSED MULTI-FAMILY		
Setbacks	West (Ft. Hamer Rd)	*
	South (from school site)	25'***
	East (adjacent to single-family)	25'***
	North (CrossCreek Parkway)	25'***
	Between Buildings	30'

*The setback shall comply with LDC Section 603.7.4 and is dependent upon the proposed height of the buildings.

**Increase 10' for each story over 1 where abutting single-family residential.

Trash and Utility Plant Screens:

Solid waste collection will be via can service and shown on the FSP.

Signs:

Signage will meet all LDC standards and be permitted separately.

Landscaping:

All proposed landscaping will comply with the requirements of the LDC or as otherwise stipulated.

Water Conservation:

The applicant proposes 42% open space for the project and all landscaping will meet the LDC minimum standards.

Rights-of-Way:

Internal streets will be designed to Manatee County Public Works Standards and will be reviewed with future PSP/FSPs.

Utility Standards:

Connection to Manatee County utilities is required and will be reviewed with future PSP/FSPs.

Stormwater Management:

The design of the stormwater management facilities will be required to meet the requirement of LDC Section 717 and the adopted Manatee County Development Standards for the treatment of stormwater. Stormwater facilities will be reviewed with future PSP/FSPs.

Open Space:

The site plan shows 42% open space (276.5 acres) while only 25% open space is required.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the UF-3 Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given development trends in the area. The surrounding area is characterized by development that is transitioning from agricultural and low density residential development to a mixed-use suburban development pattern.

Policy 2.2.1.11.1 Intent. (UF-3) The project site is intended for a low-moderate density urban, residential environment that is being developed through the planned unit development concept. The proposed density (1.95 gross and 2.69 net) exceeds the Special Approval threshold (1 du/acre) in the UF-3 FLUC. Special Approve is therefore required.

Policy 2.2.1.11.2 Range of Potential Uses. Residential use is within the range of potential uses.

Policy 2.6.1.1 Compatibility. The GDP design is compatible with surrounding development through the use of buffers and setbacks. The proposed use, lot sizes, and setbacks are comparable with surrounding development.

Policy 2.6.2.7 Require Clustering to Limit Impacts. The site design avoids impacts to adjacent agricultural, conservation, open space or environmentally sensitive uses. Minimal impacts are proposed to wetlands for road crossings.

Policy 2.6.5.4 Preserve/Protect Open Space.

The site plan shows 42% open space (276.5 acres) while only 25% open space is required.

CONCURRENCY			
CLOS APPLIED FOR: Y <input type="checkbox"/> N <input checked="" type="checkbox"/> TRAFFIC STUDY REQ'D: Y <input type="checkbox"/> N <input checked="" type="checkbox"/> (not at this stage)			
NEAREST ROADWAY	LINK(S)	ADOPTED LOS	EXISTING LOS
Old Tampa Road	2832 (From Chin Road to Ft. Hamer Road)	D	D
Golf Course Road	5090 (From Ft. Hamer Road to Rye Road)	D	C
Ft. Hamer Road	2521 & 2522 (From Golf Course Road to the end)	D	B
<p>Concurrency cannot be granted with a GDP and will be addressed with a future PSP/FSP.</p> <p>A CLOS was previously issued in conjunction with the previous PSP, however, it expired on October 31, 2011.</p> <p>Wastewater and potable water determined with FSP/Construction Plans</p>			

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS
<p>Applicant Request(s):</p> <p>1. Alternative to LDC Section 714.8.7 – Replacement Trees</p> <p>Alternative To: LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree that is to be removed. The request is to allow the tree calipers to be three or four inches.</p> <p>Applicant Proposes: During review of the CrossCreek application, the Environmental Planning Division proposed replacement tree sizes of 3"/4"/4" instead of 3"/5"/7", with the understanding that the LDC is slated to reflect the smaller replacement tree sizes in the upcoming amendment to this section of the LDC. The applicant is amenable to this request.</p> <p>Staff Analysis and Recommendation: Staff is in support of the request for Specific Approval for an alternative to Section 714.8.7 of the LDC to allow replacement tree sizes at 3"/4"/4" instead of 3"/5"/7". Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner. The LDC</p>

is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.

Finding for Specific Approval: Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

2. Alternative to LDC Section 604.10.3.6 – Greenbelt buffers

Alternative To: LDC Section 604.10.3.6 requires a twenty (20) foot wide minimum greenbelt buffer along the property boundary.

Applicant Proposes: Section 604.10.3.6 of the LDC requires a twenty (20) foot wide minimum greenbelt buffer along the project boundary. The CrossCreek project was previously approved with a 15' greenbelt buffer adjacent to Chelsea Oaks Subdivision and Annie Lucy Williams Elementary School. Chelsea Oaks Subdivision was approved with a 15' greenbelt buffer with a row of trees and shrubs planted on the subdivision side of the property boundary.

The elementary school was approved with a 25' greenbelt buffer. The elementary school buildings were constructed in the middle of the property with parking lots and playfields surrounding the complex. A row of trees has also been planted on the school's side of the property boundary within their 25' greenbelt buffer.

The applicant feels that a 15' planted buffer will provide a nice transition. Therefore, the applicant believes that a 15' planted buffer on their side of the property line is more than sufficient and would like to maintain the buffer width that was approved originally.

Staff Analysis and Recommendation: Staff has some concerns with the request, because as we assess vegetation on mature projects, we observe conflicts with tree canopies located in adjacent greenbelt buffers. Staff recommends that should the Specific Approval be granted, a 15' wide perimeter buffer be provided adjacent to Chelsea Oaks Subdivision and Annie Lucy Williams Elementary School. The elementary school has a planting of oak trees spaced 50' on center along the north and east side that is adjacent to the proposed CrossCreek buffers. The buffers are proposed to be planted in the following manner:

Buffer adjacent to the existing Chelsea Oaks buffer
2 canopy trees (3" caliper, 12' high, 5' spread)
Per 100 linear feet

Buffer along the north and east side of the school
2 canopy trees (3" caliper, 12' high, 5' spread), planted in a staggered arrangement to the School trees
3 understory trees (1.5' caliper, 6' high)

33 shrubs (24", 3 gallon)
Per 100 linear feet

The landscaping materials shall meet the NCO standards and reviewed at time of PSP/FSP approval. All other buffers shall meet the NCO requirements. Staff recommends stipulations E.2 and E.3.

Finding for Specific Approval: Notwithstanding the failure of this plan to comply with the requirements of LDC Section 604.10.3.6, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because a 15' wide greenbelt buffer will be required along the perimeter of Annie Lucy Williams Elementary School site and Chelsea Oaks Subdivision and the existing vegetation, as well as proposed vegetation, will provide an adequate screening buffer.

3. Alternative to LDC Section 907.9.4.2 – Dead End Streets

Alternative To: LDC Section 907.9.4.2, which requires that all roads that are not intended to extend beyond the limits of a subdivision provide a cul-de-sac street that is to be eight hundred (800) feet or less in length.

Applicant Proposes: The applicant proposes two roadways that will exceed 800' in length in Phases 2D and 2F. The approximate lengths and locations of these long roadways are shown on an exhibit attached to this staff report. A long chain of wetlands and a stormwater pond provide for poor internal connection in the southeast portion of the site. For that reason, if the detailed site design provides for an integrated roadway network, the applicant proposes to provide 20' wide emergency access roads, constructed at an elevation above the 100 year floodplain. If the site design provides for cul-de-sacs only, the applicant will provide a turn-around at the midpoint or 800' interval.

Staff Analysis and Recommendation: The remedies proposed by the applicant meet the intent of the Land Development Code regarding access. Although the roadway will exceed 800' in length, the provision of either an emergency access roadway or a turn-around at 800' or at the midpoint of the cul-de-sac will mitigate concerns regarding access for first responders.

Finding for Specific Approval: Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.4.2, the Board finds that the public purpose of the LDC regulations are satisfied to an equivalent degree with either an emergency access roadway or a turn-around at the 800' or midpoint of the cul-de-sac.

ATTACHMENTS

1. Applicable Comprehensive Plan Policies
2. Request for Specific Approval
3. Aerial Exhibit for Dead End Roads
4. Newspaper Advertisement

APPLICABLE COMP PLAN POLICIES

Policy: 2.1.2.3 Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development if compatible with future areas of development.

Implementation Mechanism(s):

- a) Designation of maximum allowable densities on the Future Land Use Map to permit consistent and compatible residential development on vacant areas within and adjacent to existing residential areas.
- b) Designation of nonresidential categories on the Future Land Use Map to permit compatible nonresidential development on vacant areas within and, where appropriate, adjacent to existing nonresidential development.

Policy: 2.1.2.4 Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, and redevelopment area planning efforts when applicable in areas which are internal to, or are contiguous expansions of the built environment.

Policy: 2.1.2.7 Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- consideration of existing development patterns,
- types of land uses,
- transition between land uses,
- density and intensity of land uses,
- natural features,
- approved development in the area,
- availability of adequate roadways,
- adequate centralized water and sewer facilities,

- other necessary infrastructure and services.
- limiting urban sprawl
- applicable specific area plans
- (See also policies under Objs. 2.6.1 - 2.6.3)

Implementation Mechanism(s):

- a) Planning Department review of all plan amendments and development proposals for consistency with this policy.
- b) Placement of conditions, as necessary on development orders to ensure policy compliance.

Policy: 2.2.1.11

UF-3: Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.11.1

Intent: To identify, textually, in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future growth (and growth beyond the long term planning period) is projected to occur at the appropriate time in a responsible manner. The development of these lands shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. At a minimum, the nature, extent, location of development, and availability of services will be reviewed to ensure the transitioning of these lands is conducted consistent with the intent of this policy. These UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community. (See further policies under 2.2.1.11.5 for guidelines)

Policy: 2.2.1.11.2

Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban density planned residential development

with integrated residential support uses as part of such developments, retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving, short-term agricultural uses, agriculturally-compatible residential uses, farmworker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Policy: 2.6.1.1

Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity [see policy 2.6.1.3]

Implementation Mechanism(s):

- a) Maintain setback, screening, buffering, and other appropriate mitigation techniques in land development regulations.
- b) Planning Department review of development approvals to ensure policy compliance.

Policy: 2.6.2.7

Require clustering, as appropriate, to limit impacts of residential development on adjacent agricultural, conservation, open space, or environmentally sensitive uses.

Implementation Mechanism:

		a) Planning Departments review and conditioning of development orders to ensure compliance with this policy.
Policy:	2.6.5.4	Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas.
Policy:	2.2.2.4	CEA: Establish the Coastal Evacuation Area Overlay District as follows:
Policy:	2.2.2.4.1	Definition: The geographic area which lies within the evacuation area for a Category 1 hurricane as established by the Manatee County Emergency Management Division of the Public Safety Department in conjunction with the Tampa Bay Regional Planning Council, as updated on a periodic basis.
Policy:	2.2.2.4.2	Purpose: a) To limit population in the Category 1 hurricane evacuation area requiring evacuation during storm events. b) To limit the amount of infrastructure, both private and public, within the CEA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents. c) To, through exercise of the police power, increase the degree of protection to public and private property, and to protect the lives of residents within the CEA, and reduce the risk of exposing lives or property to storm damage. d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability. e) To protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal

		waters.
		a) To encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.
Policy:	2.2.2.4.3	Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CEA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the Coastal Management Element. Compliance with all goals, objectives, and policies listed in this subsection, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CEA Overlay District.
Policy:	2.2.2.4.4	Effect of Mapping: a) Any project which is at least partially within the CEA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CEA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CEA District, except where policies associated with the CEA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CEA Overlay shall override other goals, objectives and policies.
Policy:	2.2.2.4.5	Development Restrictions/conditions a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal Evacuation Area.
Policy:	2.2.2.5	CHHA: Establish the Coastal High Hazard Area Overlay District as follows:
Policy:	2.2.2.5.1	Definition: The geographic area below the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge

model, as well as those portions of Manatee County located seaward of the 5 foot Mean Sea Level topographic contour, including all areas of known coastal flooding.

Policy: 2.2.2.5.2

Purpose:

- a) To limit population in areas most vulnerable to coastal storm events.
- b) To limit the amount of infrastructure, both private and public, within the CHHA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.
- c) To, through exercise of the police power, increase the degree of protection to public and private property, and to protect the lives of residents within the CHHA, and reduce the risk of exposing lives or property to storm damage.
- d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.
- e) To protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.
- f) To encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge and tidal velocity, and the erosive effect of wave action.

Policy: 2.2.2.5.3

Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CHHA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the Coastal Management Element. Compliance with all goals, objectives, and policies listed in these subsections, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CHHA Overlay District.

Policy: 2.2.2.5.4

Effect of Mapping:

a) Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CHHA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designated as CHHA is an approximation, and is subject to a more precise determination on any project within, or proximate to, that area shown on the Future land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay.

b) See also objectives listed under Policy 2.2.2.5.3 above.

Policy: 2.10.4.2

Prohibit the consideration of any development order establishing the potential for commercial development, where the proposed project site is inconsistent with commercial locational criteria. Consistency shall be determined through the application of the commercial location review process described in the operative provisions contained in this Element. Permitted exceptions to these requirements are limited to:

- existing commercial uses that are legally permitted, and that are in place at time of comprehensive plan adoption. However, where such uses are nonconforming to other development regulations, nothing in this policy shall render those uses conforming to the subject regulations.
- redevelopment of an existing commercial use which does not meet the commercial locational criteria, subject to the finding by the Board of County Commissioners that the proposed project is consistent with the general welfare of Manatee

County residents.

- locations designated as Retail/Office/ Residential or Low Intensity Office (OL), Medium Intensity Office (OM) or Mixed Use (MU) or within the MU-C Mixed Use Community and its Sub Areas which are inconsistent with commercial locational criteria [see 2.2.1.16.4(b) and 2.2.1.17.4(e)].
- recreational vehicle parks. However, compliance with Policy 2.10.5.2 shall be required.
- establishments providing nursing services as described in Chapter 464, F.S.
- sale of agricultural produce at roadside stands.
- small commercial uses associated with a permanent roadside agricultural stand. Maximum commercial square footage shall be 3,500 square feet of the project. Development must be located on functionally classified rural arterial or rural collector roadway. Planned development approval required.
- agricultural service establishments (e.g. farm equipment sales and service).
- low intensity commercial recreational facilities (e.g., driving range).
- rural recreational facilities located in the Ag/R future land use category meeting adverse impact standards as established within the Manatee County Land Development Code. All such uses must receive Special Approval.
- appropriate water-dependent, water -related, and water-enhanced commercial uses, as described under Objective 4.2.1.
- commercial uses located within Port Manatee.
- Professional office uses not exceeding 3,000 square feet in gross floor area within the Res-6, Res-9, RES-12, and Res-16 future land use categories may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and detailed

in the operative provisions provided such office is located on a roadway classified as a minor or principal arterial on the roadway functional classification map, however, not including interstates, and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.2.1.12.4, 2.2.1.13.4, 2.2.1.15.4).

- commercial uses located within the rural community of Myakka City which is designated as those lands on Sheet 29 f the Future Land Use Map shown as Res-3 or Res-1 on May 11, 1989, provided that they are located along State Road 70 within 1,500 feet from its intersection with Wauchula Road, and located within 1,000 feet along Wauchula Road from its intersection with State Road 70. Further, properties developed commercially, or having commercial zoning in place at the time of adoption of this Comprehensive Plan if they have frontage on State Road 70 and are within three-quarters mile of the State Road 70 and Wauchula Road intersection are also exceptions. Furthermore, all commercial uses allowable under this provision will be exempt from the one-half mile spacing requirement denoted in Policy 2.10.4.3(4).
- Small commercial (professional) office uses which operate as an accessory use to a residential religious development. Such accessory office uses which do not serve the general public but which serve the residential religious development may locate in residential future land use categories (RES-1, RES-3, UF-3, RES-6, RES-9, RES-12 and RES-16)
- and may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and detailed in the operative provisions (see also 2.2.1.9, 2.2.1.10, 2.2.1.11, 2.2.1.12.4, 2.2.1.13.4, 2.2.1.14.4 and 2.2.1.15.2).
- Neotraditional developments that have commercial and office developments located internal to the project and whose main project access is located on a road designated as a collector or higher.
- DRI's and Large Project developments that have

mixed uses with a residential component and meet minimum development characteristics (see Neo-Traditional Development definition for development characteristics), have commercial uses located internal to neighborhoods and whose main neighborhood access is located on a road designated as a collector or higher.

- commercial uses located within the Parrish area for properties fronting US 301, from Moccasin Wallow Road to the realigned Ft. Hamer Road. These commercial uses are limited to a building footprint of 5,000 square feet except at nodes.

No exception to commercial locational criteria provided for under this policy shall be used as a precedent for establishing other commercial development inconsistent with this Comprehensive Plan.

Nothing in this policy shall require the issuance of a development order solely on the basis of compliance with commercial locational criteria. Compliance with other commercial development standards contained in Policy 2.10.4.3 below, and with all other goals, objectives, and policies of this Comprehensive Plan is also required for issuance of a development order approving commercial uses. In particular, compliance with the policies of Objectives 2.6.1 and 2.6.2 is mandatory for approval of any commercial use within a residential designation.

January 19, 2012



HEIDT
DESIGN

P: (813) 253-5311 | F: (813) 464-7629
5806-B Breckenridge Pkwy.
Tampa, FL 33610
www.heidtdesign.com

Mrs. Sharon Tarman, Case Manager/Planner
Manatee County Planning Department
P.O. Box 1000
Bradenton, FL 3406-1000

RE: CrossCreek PMDMU-11-13(G)
Specific Approval Requests

Dear Sharon:

This letter is written in accordance with Section 603.3.2 of the Land Development Code to request Specific Approval for alternatives to standard Land Development Code requirements for a Planned Development project. On behalf of Medallion Home at Ft. Hamer, LLC, Heidt Design respectfully requests approval of the following:

1. Section 714.8.7 - Tree Replacement Alternatives

Section 714.8.7 of the Land Development Code requires tree replacement caliper minimums of 3"/5"/7". During review of the CrossCreek application, the Environmental Planning Division proposed replacement trees sizes of 3"/4"/4" instead of 3"/5"/7", with the understanding that the LDC is slated to reflect the smaller replacement tree sizes with in the upcoming amendment to this section of the Code. The applicant is amenable to this request.

2. Section 604.10.3.6 - Greenbelt Buffers

Section 604.10.3.6 of the Land Development Code requires a twenty (20) foot wide minimum greenbelt buffer along the project boundary. The CrossCreek project was previously approved for a 15' greenbelt buffer adjacent to Annie Lucy Williams Elementary School site and Chelsea Oaks subdivision. The elementary school buildings were constructed in the middle of the property with parking lots and playfields surrounding the complex. A row of trees has also been planted on the school's side of the property boundary. The applicant feels that an additional 15' planted buffer will provide a nice transition. It does not appear that Chelsea Oaks was required to provide any buffer adjacent to CrossCreek. Therefore, the applicant believes that a 15' planted buffer on their side of the property line is more than sufficient.

3. Section 907.9.4.2 - Dead End Streets

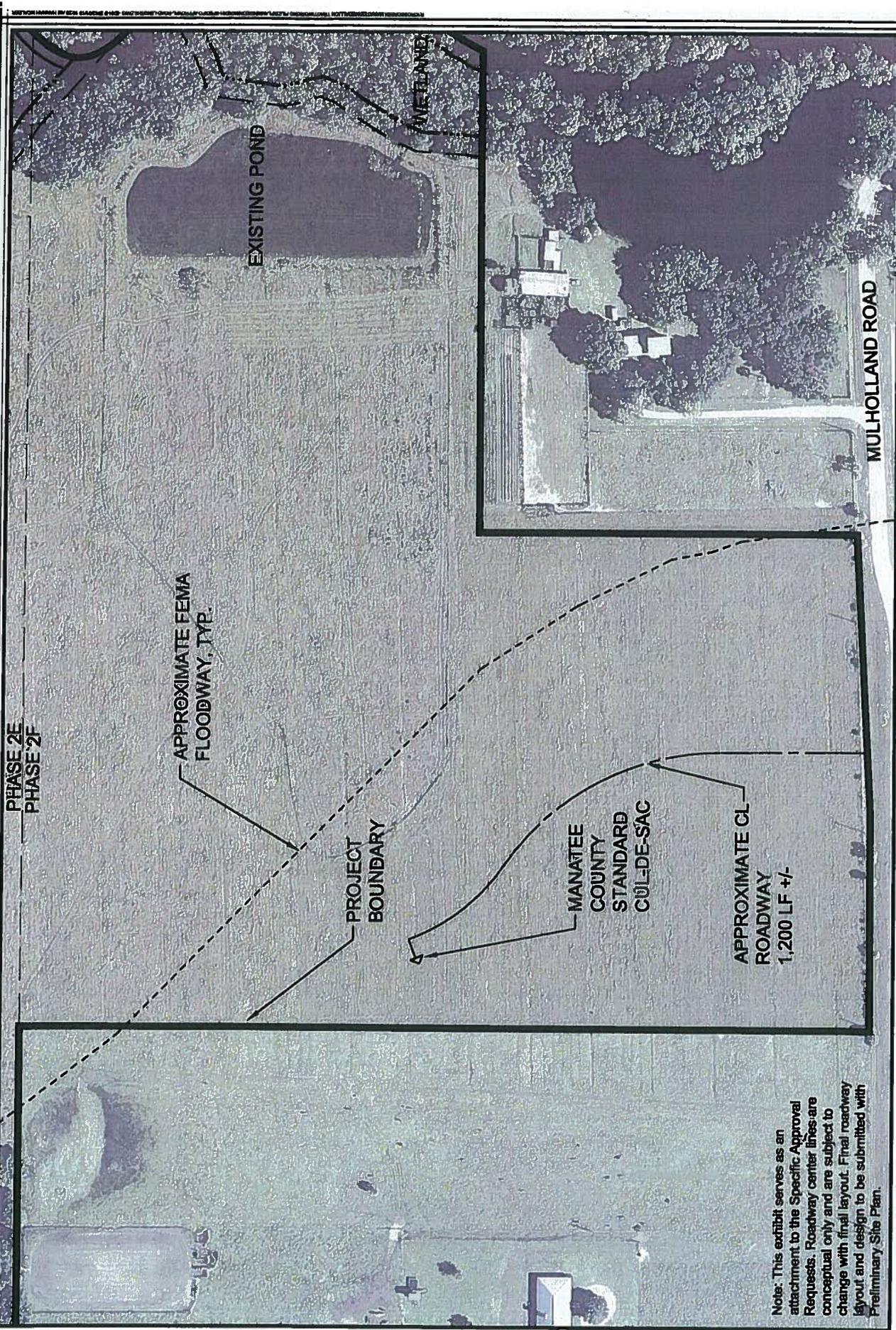
Section 907.9.4.2 of the Land Development Code requires dead end roads not be longer than 800 feet. The Board of County Commissioners previously approved this specific approval request during the PSP zoning stage. The applicant is requesting to exceed the 800 foot road length in Phases 2D and 2F. As shown on the attached aerial exhibit, a long chain of wetlands and a stormwater pond provide for poor internal connection in the southeast portion of the site. Therefore, the applicant is proposing to provide emergency access road(s), at a 20' width and constructed at an elevation above the 100 year floodplain, or an turn-a-round at or before 800' wide enough for emergency vehicles for dead end street(s) over 800 feet in length in Phases 2D and 2F.

Thank you for your consideration of our requests. If you have any questions regarding the above requests, please feel free to contact me at 813-964-7125.

Sincerely,



Christie Barreiro, AICP
Community Planner



Note: This exhibit serves as an attachment to the Specific Approval Requests. Roadway center lines are conceptual only and are subject to change with final layout. Final roadway layout and design to be submitted with Preliminary Site Plan.

CrossCreek

Medallion Home at Fort Hamer, LLC

Specific Approval Request for cul-de-sac roadways exceeding 800' - Exhibit B

Parrish, Manatee County, Florida

SCALE: 1" = 200'

HEID T
DESIGN

NO.	DATE	DESCRIPTION

HEID T DESIGN
1100 W. PALM BEACH BLVD., SUITE 100
WEST PALM BEACH, FL 33411
TEL: 561-833-8888
WWW.HEIDTDESIGN.COM

Bradenton Herald

Sarasota Herald Tribune

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of Manatee County will conduct a Public Hearing on Thursday, March 1, 2012, at 9:00 A.M. at the Manatee County Government Administrative Center, 1st Floor Chambers, to consider and act upon the following matters:

LDA-09-03 (R) - FIRST AMENDMENT TO LOCAL DEVELOPMENT AGREEMENT FOR SILVERLEAF DEVELOPMENT

Request: Approval of an Amendment to a Local Development Agreement providing for the issuance of a certificate of level of service compliance which will not extend beyond June 10, 2023; providing for dedication of right-of-way and the payment of a proportionate share of the cost to mitigate impacts on public facilities; providing for design, permitting and construction of project entrance improvements including turn lanes; providing for severability, and providing for an effective date. The Local Development Agreement applies to Silverleaf for which approval is sought pursuant to pending application known as PDR-11-14(G) (263.35 ± acres). The proposed use of the properties is residential development. Pursuant to the pending zoning request, Silverleaf is seeking approval for 732 single family detached residential units, each with a maximum height of 35 feet.

PDMU-11-13(G) - MEDALLION HOME AT FT. HAMER, LLC/WAYNE UNDERHILL/CROSSCREEK (DTS#20110204)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for 1,282 residential units (702 single-family detached (187 platted), 174 single-family attached, 156 single-family semi-detached, and 250 multi-family units) on approximately 656± acres on the east side of Ft. Hamer Road, south side of Golf Course Road, and north of Mulholland Road, subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Interested parties may examine the proposed Ordinance, Resolution and related documents and may obtain assistance regarding this matter from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida; telephone number (841) 748-4601 x8878; e-mail to: planning.agenda@mymanatee.org.

According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 748-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS Manatee County Building and Development Services Department Manatee County, Florida 2/17/2012

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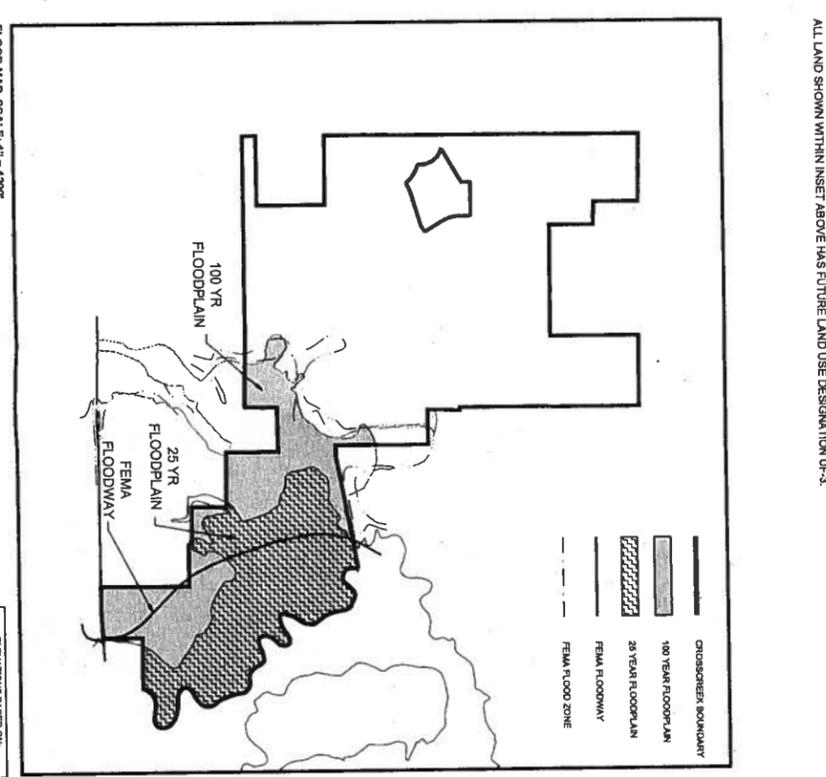
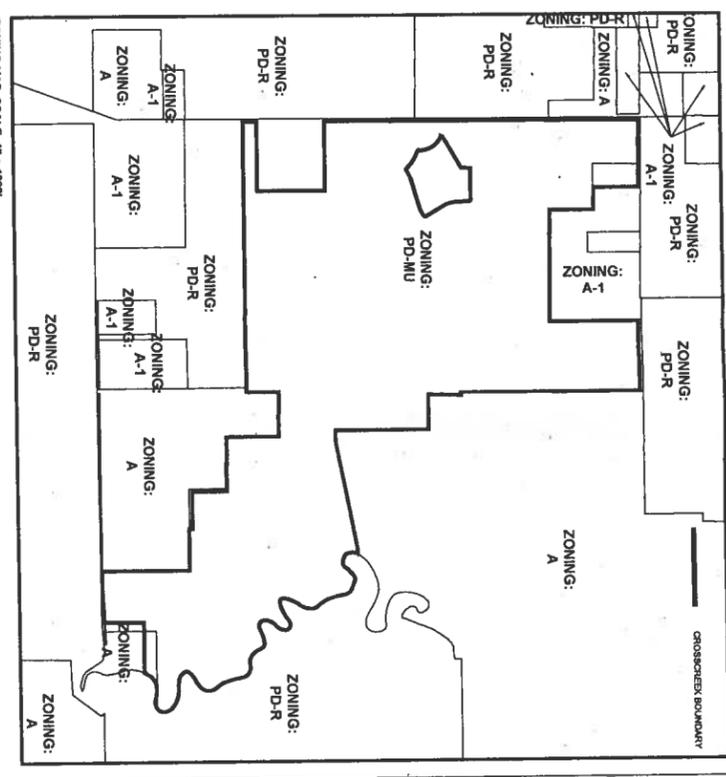
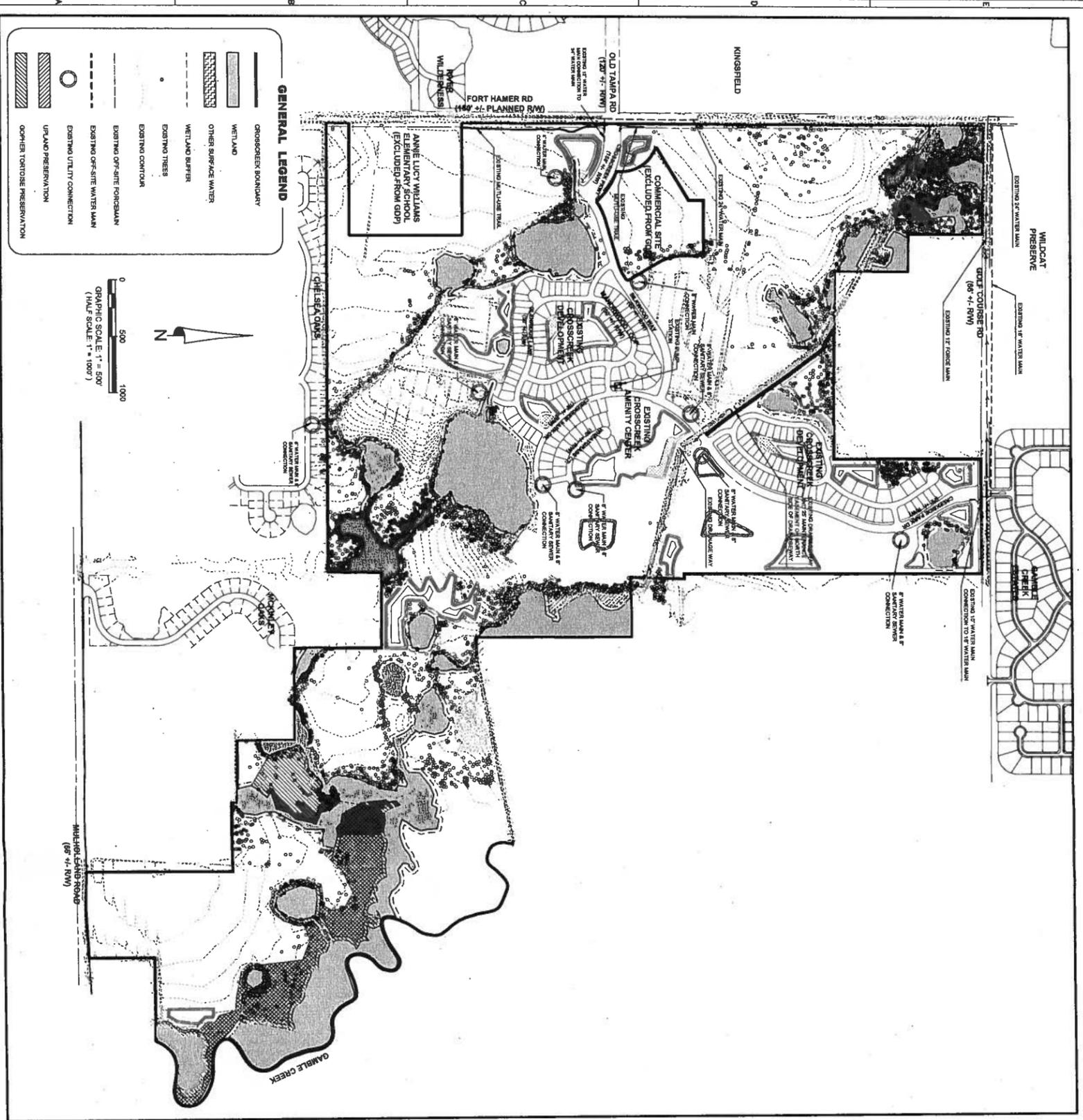
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THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS Manatee County Building and Development Services Department Manatee County, Florida

Date of pub: February 18, 2012



NOTES:
 1. TOPOG AND TREE INFORMATION PER SURVEY, DATED 2004 BY HEIDT & ASSOCIATES, INC.
 2. WETLAND INFORMATION PER SURVEY, DATED 2004 BY BIOLOGICAL RESEARCH ASSOCIATES

FLOOD MAP SCALE: 1" = 1200'
 PER FEMA FROM MANATEE COUNTY COMMUNITY PANEL NO. 120753 0220 C WITH AN EFFECTIVE DATE OF JULY 15, 1982.

L-701

**CROSSCREEK
GENERAL DEVELOPMENT PLAN**

EXISTING CONDITIONS

PREPARED FOR: **MEDALLION HOME AT FORT HAMER, LLC**

**HEIDT
DESIGN**

*Civil Engineering • Planning & GIS
Transportation Engineering
Ecological Services • Landscape Architecture*

Engineering Business Certificate of Authorization No. 28782
Landscape Architecture Certificate of Authorization No. LC26000405

DATE	DESCRIPTION	DATE	DESCRIPTION
01/04/2012	REV LEGAL CHARTS, PONDS, ACCESS		
01/03/2012	REV COMMERCIAL BOUNDARY		
12/03/2011	REV WETLAND, OSW, IMPACTS		
09/15/2011	COUNTY COMMENTS/RC		
08/03/2011	COUNTY COMMENTS		
06/27/2011	REVIEW SUBMITTAL		



GENERAL LEGEND

- CROSSCREEK BOUNDARY
- WETLAND
- OTHER SURFACE WATER
- WETLAND BUFFER
- UPLAND PRESERVATION AREA
- SOILS PRESERVATION AREA

NOTE:
1. AERIAL PER 2010 DEP LAND BOUNDARY INFORMATION SYSTEM

0 400 800
GRAPHIC SCALE 1" = 400'
(HALF SCALE 1" = 800')

L-702

PROJECT NO.	DATE	DESCRIPTION
8	01/04/2012	REV LEGAL, CHARTS, POND, ACCESS
7	01/03/2012	REV COMMERCIAL BOUNDARY
5	12/02/2011	REV WETLAND, O&M, IMPACTS
3	06/13/2011	COUNTY COMMENTS/BOC
1	05/27/2011	REVIEW SUBMITTAL

**CROSSCREEK
GENERAL DEVELOPMENT PLAN**

AERIAL SITE PLAN

PREPARED FOR: **MEDALLION HOME AT FORT HAMER, LLC**

**HEIDT
DESIGN**

Civil Engineering • Planning & GIS
Transportation Engineering
Ecological Services • Landscape Architecture

Engineering Business Certificate of Authorization No. 28782
Landscape Architecture Certificate of Authorization No. LC26000403



GENERAL LEGEND

- CROSSCREEK BOUNDARY
- WETLAND
- OTHER SURFACE WATER
- WETLAND BUFFER
- UPLAND PRESERVATION
- GOPIERS TORTOISE PRESERVATION

NOTE:
1. AERIAL PER 2010 FDEP LAND BOUNDARY INFORMATION SYSTEM.

0 400 800
GRAPHIC SCALE: 1" = 400'
(HALF SCALE: 1" = 800')

L-703

PROJECT NO.	DATE	DESCRIPTION
1	06/27/2011	REVIEW SUBMITTAL
3	08/13/2011	COUNTY COMMENTS/RC
5	12/02/2011	REV. WETLAND, OSW, IMPACTS
7	01/03/2012	REV COMMERCIAL BOUNDARY
8	01/04/2012	REV LEGAL, CHARTS, PONDS, ACCESS

**CROSSCREEK
GENERAL DEVELOPMENT PLAN**

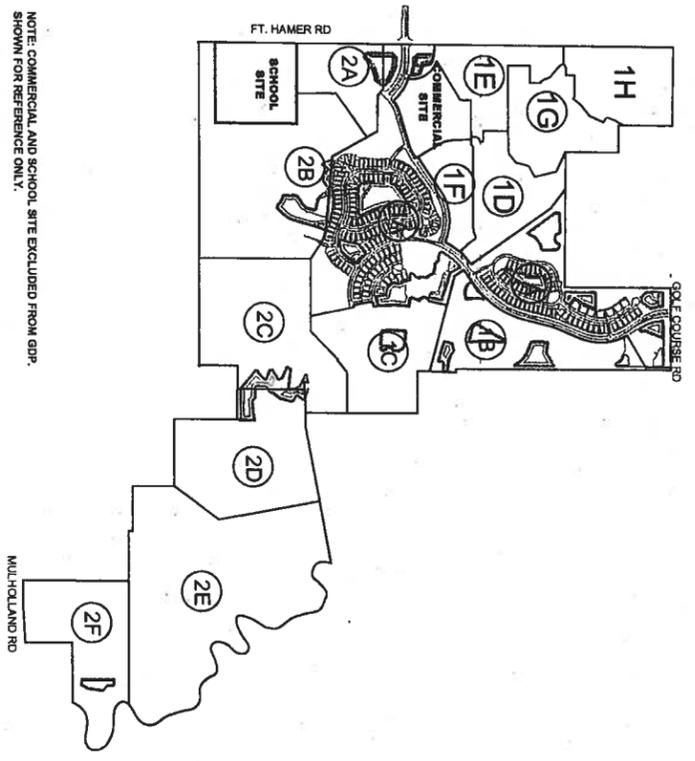
AERIAL SITE PLAN

PREPARED FOR: **MEDALLION HOME AT FORT HAMER, LLC**

**HEIDT
DESIGN**

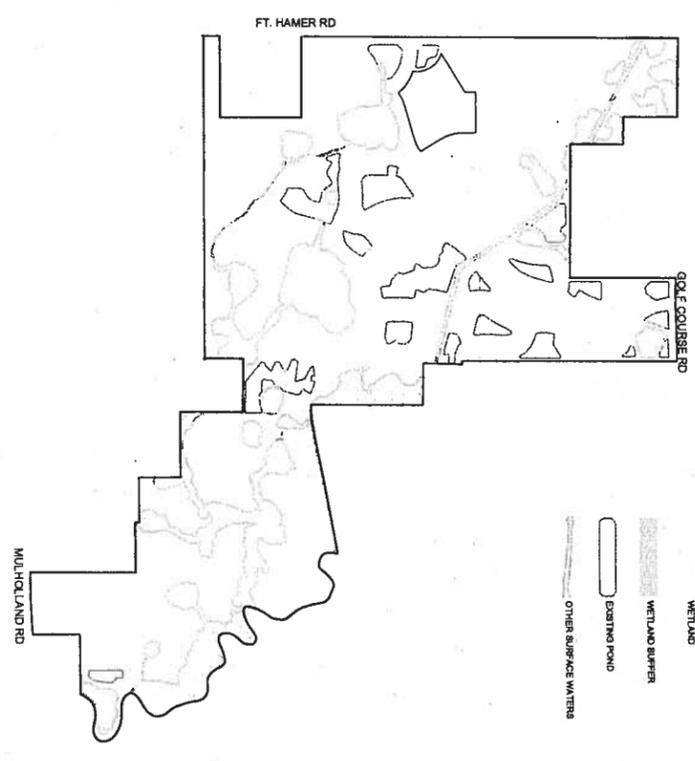
*Civil Engineering • Planning & GIS
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Ecological Services • Landscape Architecture*

Engineering Business Certificate of Authorization No. 28782
Landscape Architecture Certificate of Authorization No. LC26000403

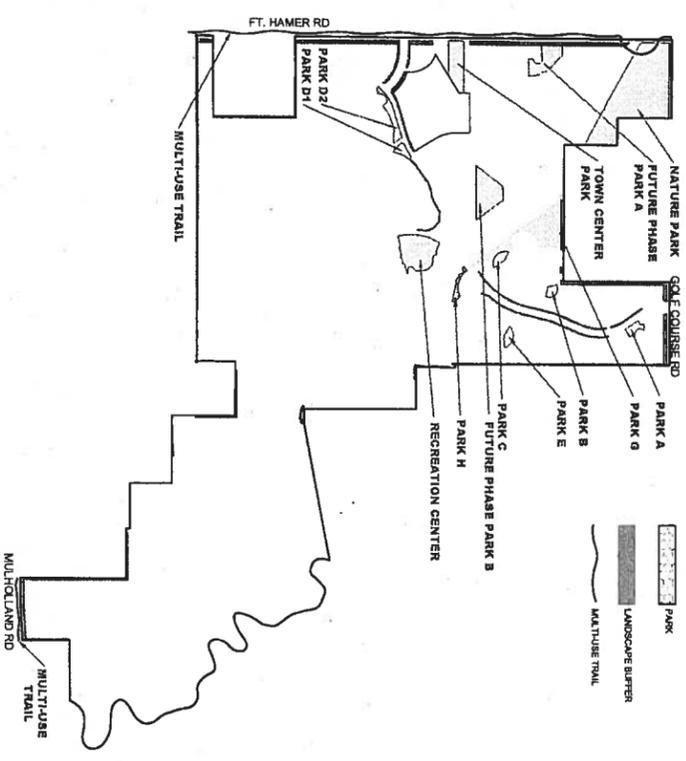


PROPOSED PHASING PLAN

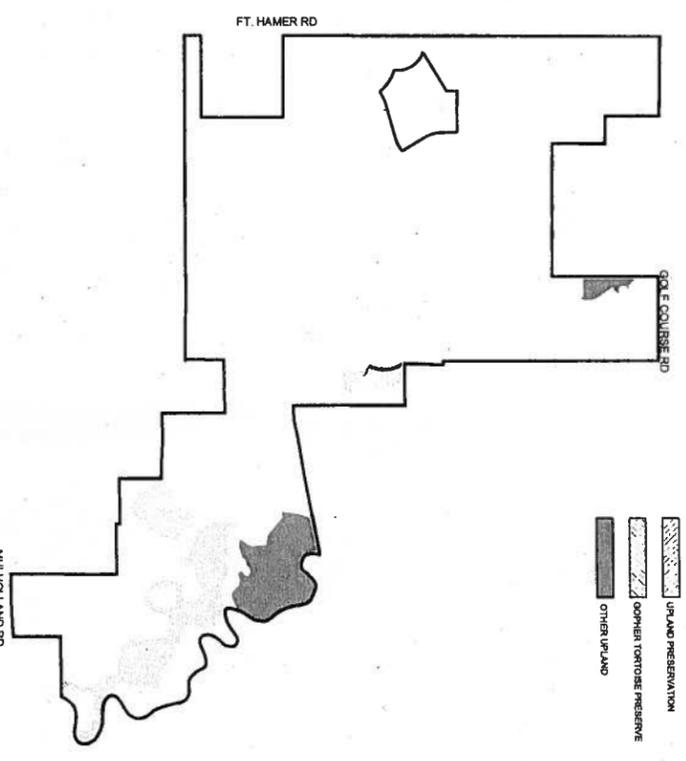
NOTE: COMMERCIAL AND SCHOOL SITE EXCLUDED FROM GDP.
SHOWN FOR REFERENCE ONLY.



PROPOSED WETLAND, WETLAND BUFFERS, PONDS, AND OTHER SURFACE WATERS



PROPOSED PARKS AND BUFFERS



PROPOSED UPLAND HABITAT AND PRESERVATION

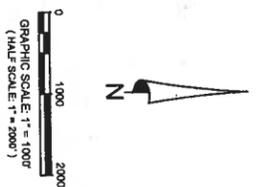
Open Space	
Total Residential Project Area	6561.0 ac.
Required Open Space	25%
Required Open Space Percentage	164.0 ac.
Maximum Pond Allowable as Open Space is	123.0 ac.
75% of Required open Space	
Proposed Open Space	91.2 ac.
Wetlands	34.1 ac.
Wetland Buffers	5.6 ac.
Other Surface Water	23.9 ac.
Upland Preservation / Gopher Tortoise Preserve	25.1 ac.
Upland Park/Recreation	22.0 ac.
Other Open Upland	14.6 ac.
Landscaping Buffers	60.0 ac.
Ponds	276.6 ac.
Total Open Space	42%

PROPOSED UPLAND PRESERVATION / GOPHER TORTOISE PRESERVE	
GOPHER TORTOISE PRESERVE	11.8 ac
UPLAND PRESERVATION	1.4 ac
COMBINED GOPHER TORTOISE PRESERVE / UPLAND PRESERVATION	17.8 ac
TOTAL PROPOSED UPLAND PRESERVE AND GOPHER TORTOISE HABITAT PRESERVE	51.0 ac

Area shown in chart above for preservation and gopher tortoise preserve areas includes wetland buffers. Such areas have been leased out of Upland Preservation / Gopher Tortoise Preserve acreage shown on Open Space Chart, this sheet.

PROPOSED RECREATION AREAS / PARKS	
PARK A	0.5 ac
PARK B	0.3 ac
PARK C	0.4 ac
PARK D	0.4 ac
PARK D2	1.0 ac
PARK E	0.4 ac
PARK G	4.5 ac
PARK H	0.4 ac
RECREATION CENTER	3.8 ac
NATURE PARK	14.0 ac
FUTURE PHASE PARK A	2.0 ac
FUTURE PHASE PARK B	3.0 ac
TOWN CENTER PARK	2.0 ac
TOTAL PROPOSED	32.7 ac

Area shown for all parks is approximate and may vary slightly based on actual site layout and final design. Park location, size, and design elements are preliminary and subject to change. Buffers to meet passive and active recreation programming. Such areas have been leased out of Park acreage shown on Open Space Chart, this sheet.



NO.	DATE	DESCRIPTION
1	06/27/2011	REVIEW SUBMITTAL
2	08/03/2011	COUNTY COMMENTS/MORC
3	09/13/2011	COUNTY COMMENTS/MORC
5	12/02/2011	REV. WETLAND, OSW, IMPACTS
6	12/18/2011	FOR MEDALLION HOME/INTER-COUNTY COMMENTS
7	01/03/2012	REV. COMMERCIAL BOUNDARY
8	01/04/2012	REV. LEGAL, CHARTS, PONDS, ACCESS

**CROSSCREEK
GENERAL DEVELOPMENT PLAN**

OPEN SPACE AND PHASING

PREPARED FOR: **MEDALLION HOME AT FORT HAMER, LLC**

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L-706

PROJECT NO.: MH-CC-1002
FILE: L-706 OS-FPH
DESIGN BY: MCALEER
DRAWN BY: MCALEER