

MEMORANDUM



**Building and Development
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To: Lisa Barrett, Planning Manager
From: Bobbi Roy, Planning Coordinator
Date: August 8, 2012
Subject: Agenda Update for the August 9, 2012 Planning Commission

Item 2 – PDI-12-07(G) – US 41 Commercial

Change to Stipulation B.1 – see attached in strikethrough underline format.

Item 3 PDR-07-06(P)(R) – Insignia Bank, LLC/Eagle Trace Subdivision

Revised Stipulations in strikethrough underline format and revised motion – See attached

Item 4 PDMU-12-04(G) – Royal Palm Condominium or Apartments

Revised Stipulation in strikethrough underline format and revised motion – See attached

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cc: Planning Commissioners - 6
Doug Means, Planning Division Manager
Sarah Schenk, Assistant County Attorney
Susan Angersoll, Development Review Specialist
John Osborne, Planning and Zoning Official
Kathleen Thompson, Planning Manager (Comprehensive Planning)
Stephanie Moreland, Planner
Board Records
Counter Copy

Planning Commission: August 9, 2012
Item #: 2
PDI-12-07(G)
US 41 Commercial

Change to Stipulation B.1 in strikethrough underline format see below:

Effective July 1, 2012, House Bill 503 prevents the County from requiring a state or federal permit be issued prior to development order approval. The statute now requires state and federal permits be obtained before commencement of development.

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 final site plan approval~~ before commencement of development.

UPDATE MEMO
Planning Commission Hearing

Date: 8/09/2012

Item Number: 3

Case Number: PDR-07-06(P)(R)-Insignia Bank/Eagle Trace Subdivision

Case Planner: Stephanie Moreland

- The following changes (strike through and underline format) have been made to the staff report sections noted below:

STAFF RECOMMENDED STIPULATIONS

- Revise the following stipulation and move from Environmental Conditions to Notices section:

E. ENVIRONMENTAL CONDITIONS:

1.d. The Notice to Buyers shall include language that informs homeowners of the requirement for street trees. The Notice to Buyers and the Homeowner's documents or Deed restrictions governing the development shall state that the maintenance of street trees shall be the responsibility of the property owner, including, without limitation, proper root pruning to avoid interference of the tree's roots with sidewalks, utilities, foundations of other improvements constructed on the lots due to the natural growth of street trees.

F. NOTICES:

1.f. The Notice to Buyers shall include language that informs homeowners of the requirement for street trees. The Notice to Buyers shall state that the maintenance of street trees shall be the responsibility of the property owner, including, without limitation, proper root pruning to avoid interference of the tree's roots with sidewalks, utilities, foundations of other improvements constructed on the lots due to the natural growth of street trees.

- Revise the following stipulation:

B. TRANSPORTATION CONDITIONS:

1. Prior to After the platting of the 101st lot 99th unit, a single gated emergency access drive shall be constructed at the southeast corner from Pope Road, westward to the southeast entrance an internal street within Eagle Trace Subdivision, thru Lot #24 to 22nd Avenue East and continue east to Pope Road. The emergency access drive shall remain in place until a second means of access to the subdivision is provided via a public or private County approved street. One Two turn-arounds shall be provided for and constructed in accordance with the Fire Department recommendations to Public Works standards. One The turn-around shall be located on the Pope Road south side of the emergency gate and one located on the within Eagle Trace Subdivision side of the gate. The emergency access gate shall be accessible to emergency service providers acceptable to the Fire Department and Emergency Medical Service (EMS) Public Safety.

The emergency access drive shall be constructed at a minimum width of 16 feet wide. The emergency access drive shall be in compliance with Manatee County Transportation Department Standard Detail 401.9, ~~rev 06/12/2007~~ and Fire Department standards. The developer and/or Homeowner's Association shall be responsible for the maintenance of the emergency access drive and ~~which~~ shall be kept clear of vegetation.

- **Correct front setback in table on Page 12:**

Use/Type	Front	Side	Rear
Single-family detached	23'/20'*	6'	15'
Single-family semi-detached	23'/20'*	6'/0'	15'
Wetland buffer	15'		
Waterfront	30'		

*A 25-foot separation is required between the garage and edge of sidewalks. Corner lots shall provide a 20-foot setback from the structure (non-garage) to the property line adjacent to the other street.

- Revise recommended motion to reflect stipulation number change.

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 ADOPTION of Manatee County Zoning Ordinance No. PDR-07-06(P)(R); amending and restating Ordinance No. PDR-07-06(Z)(P); and APPROVAL of the Revised Preliminary Site Plan [PDR-07-06(P)(R)] with stipulations A.1-A.3, B.1-B.3, C.1-C.2, D.1, E.1-E.5, F.1 and G.1; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for an alternative to LDC Sections 702.6.7 and 907.9.2.4; for a project that was previously granted Special Approval for a project exceeding one dwelling unit per acre in the UF-3 Future Land Use Category; and for a project that was previously granted Specific Approval for alternatives to Land Development Code Sections 603.7.4.5, 712.2.8 and 722.1.4.3, as recommended by staff.

UPDATE MEMO
Planning Commission Hearing

Date: 8/09/2012

Item Number: 4

Case Number: PDMU-12-04(G)-Royal Palm Condominium or Apartments

Case Planner: Stephanie Moreland

- The following changes (strike through and underline format) have been made to the staff report sections noted below:

STAFF RECOMMENDED STIPULATIONS

- **Revise or delete the following stipulations:**

A. DESIGN AND LAND USE CONDITIONS:

- ~~4. A Letter of Map Revision based on Fill (LOMR-F), the follow up to the approved Conditional Letter of Map Revision based on Fill (CLOMR-F 06-04-0014C) shall be applied for and approved prior to Certificate of Occupancy for the final building.~~

C. 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 commencement of construction.~~
2. The developer shall provide an updated 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.~~

- Revise recommended motion to reflect stipulation number change.

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 General Development Plan PDMU-12-04(G) with Stipulations A.1-A.3, B.1-B.3, and C.1-C.5; GRANTING Special Approval for a project adjacent to a perennial stream and 2) exceeding a net density of nine dwelling units per acre in the RES-9 Future Land Use Category (FLUC); as recommended by staff.