MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDMU-09-10(P)(R) - Gulfside Homes / Bowlees Creek, LLP / Bowlees Creek	**TYPE AGENDA ITEM**	Advertised Public Hearing – Consent
DATE REQUESTED	12/13/12 PC	**DATE SUBMITTED/REVISED**	12/04/12
BRIEFINGS? Who?	No	**CONSEQUENCES IF DEFERRED**	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	**AUTHORIZED BY TITLE**	Lisa Barrett, Planning Manager
CONTACT PERSON TELEPHONE/EXTENSION	Stephanie Moreland / 941-748-4501 ext. 3880 DTS#20120335 B00000147	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Stephanie Moreland, Planner / 941-748-4501 ext. 3880
ADMINISTRATIVE APPROVAL			

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

I move to continue the public hearing for PDMU-09-10(P)(R) to January 10, 2013 at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers.

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

- n/a

COUNTY ATTORNEY REVIEW

Check appropriate box	
☐	**REVIEWED** **Written Comments:** ☐ **Attached** ☐ **Available from Attorney (Attorney's initials: _____)**
☒	**NOT REVIEWED (No apparent legal issues.)**
☐	**NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)**
☐	**OTHER**

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

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDMU-12-06(G) – Village Square	**TYPE AGENDA ITEM**	Advertised Public Hearing – Consent
DATE REQUESTED	12/13/12 PC	**DATE SUBMITTED/REVISED**	12/04/12
BRIEFINGS? Who?	No	**CONSEQUENCES IF DEFERRED**	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	**AUTHORIZED BY TITLE**	Lisa Barrett, Planning Manager
CONTACT PERSON TELEPHONE/EXTENSION	Kathleen Thompson, AICP / 941-748-4501 ext. 6841 DTS#20120156	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Kathleen Thompson, AICP / Planning Manager / 941-748-4501 ext. 6841
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-12-06(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 property, a triangular parcel approximately 5.07+/- acres, is located at the northeast intersection of US 301 North and 100th Drive East.
- This triangular parcel, part of the overall approval of Harrison Ranch, received development approval for up to 38,000 sf of residential support/public uses. The site plan has since expired and now has PDMU zoning without a plan.
- The applicant does not wish to pursue the residential support/public uses.
- Instead, the applicant submitted a general development plan for 30,000 square feet for a range of office uses including business services, professional offices and medical offices.
- The site is within the RES-3 Future Land Use Category which allows consideration of medium retail and office commercial neighborhood serving uses, subject to commercial locational criteria.
- This site does not meet commercial locational criteria as it is not located at the intersection of two thoroughfares. However, the Land Use Operative Provision E(4)(b) of the Comprehensive Plan provides exceptions to the commercial location criteria for small or medium commercial projects which are designated an *"Appropriate Infill Commercial Project"* by the BOCC.
- Staff reviewed the surrounding area for compatibility, timing, existing development patterns, types of land uses, transition between uses and intensity.
- This parcel is in the middle of existing residential development, approved residential development and proposed commercial development. This site is the last remaining parcel in the immediate area without some type of development approval.
- Staff finds the request can be considered an "appropriate infill commercial" project and recommends approval.

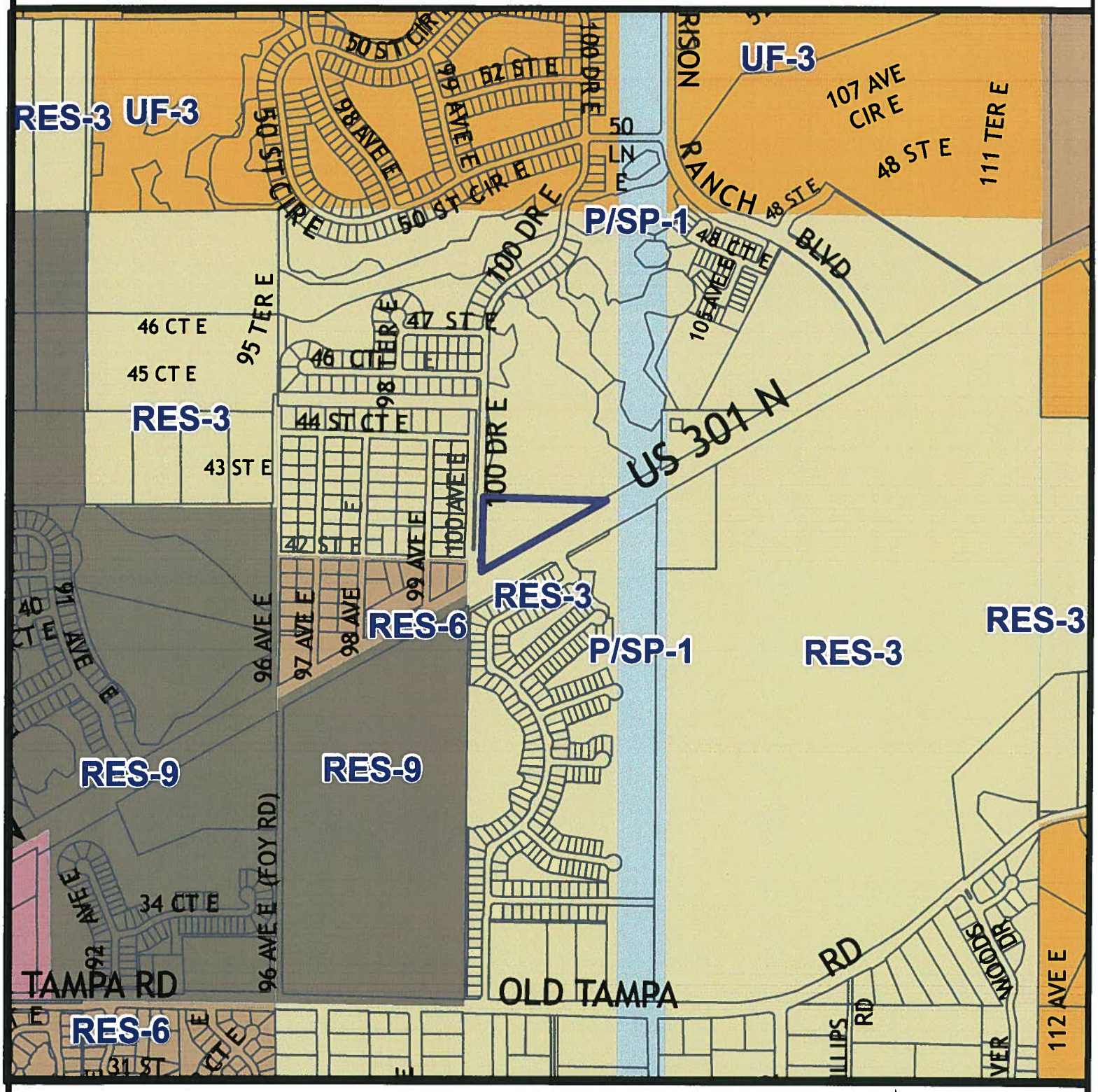
COUNTY ATTORNEY REVIEW

Check appropriate box	
☐	**REVIEWED** **Written Comments:** ☐ **Attached** ☐ **Available from Attorney (Attorney's initials: _____)**
☒	**NOT REVIEWED (No apparent legal issues.)**
☐	**NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)**

☐	**OTHER**

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

FUTURE LAND USE



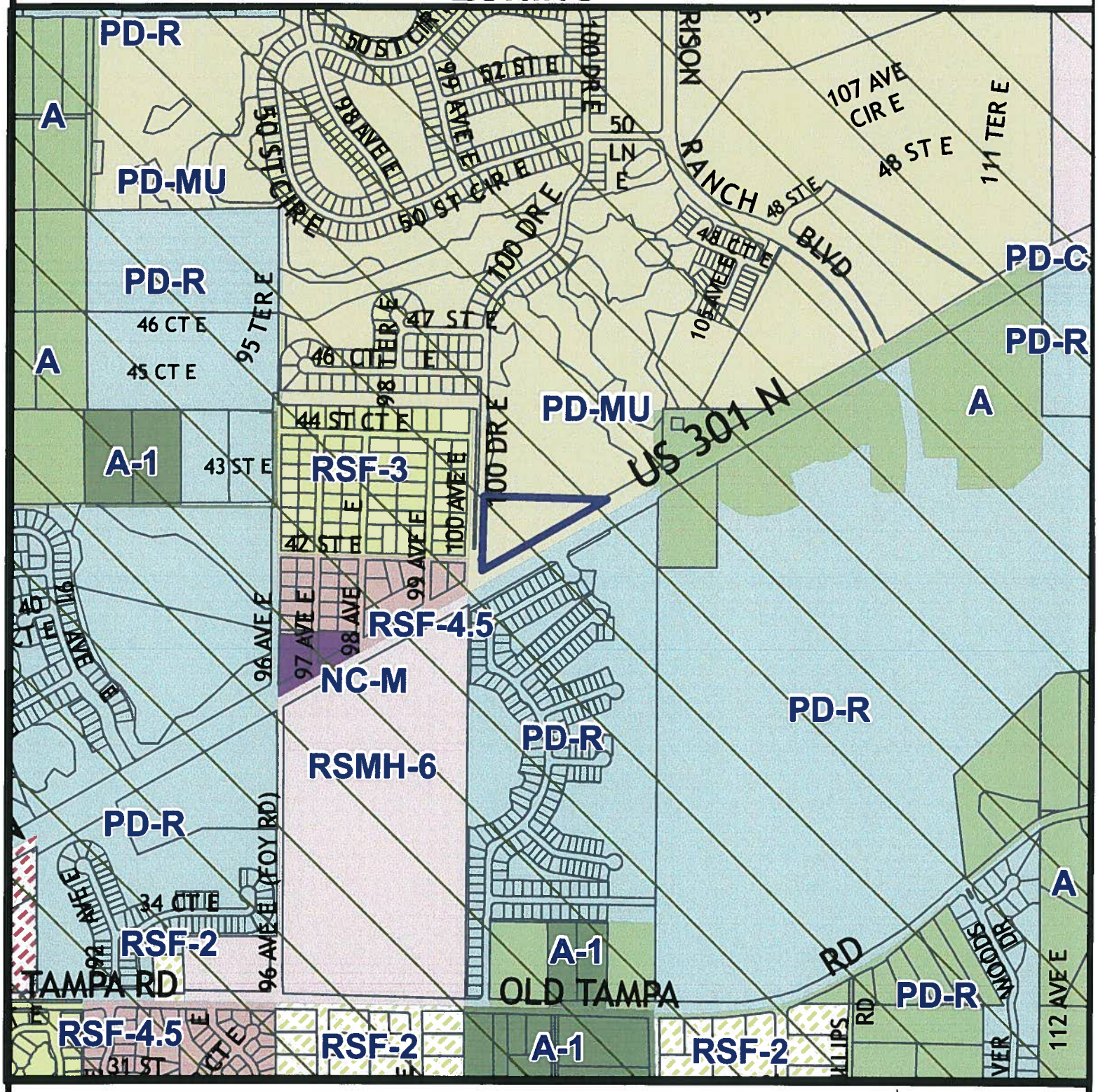
Parcel ID #(s) 726400609

Manatee County
Staff Report Map

Map Prepared 5/21/2012
1 inch = 934 feet

Project Name:	Village Square
Project #:	PDMU-12-06 (G)
DTS#:	20120156
Proposed Use:	Commercial
S/T/R:	Sec 1 Twn 34 Rng 18
Acreage:	5.07
Existing Zoning:	PD-MU
Existing FLU:	RES-3
Overlays:	NCO
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	MANATEE RIVER BL DAM,UNNAMED DRAIN
Commissioner:	Larry Bustle

ZONING



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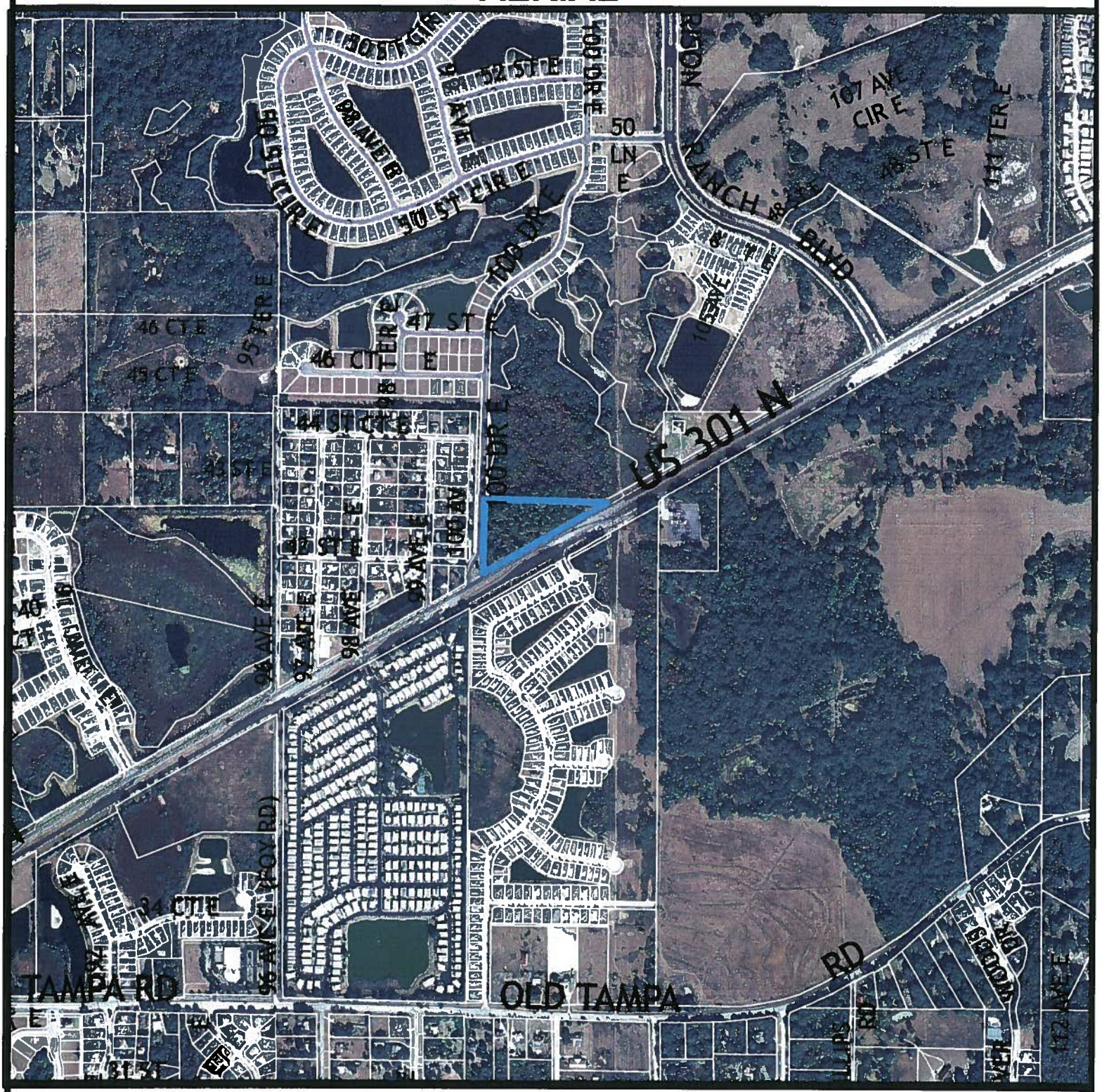
CHH:	NONE
Watershed:	NONE
Drainage Basin:	MANATEE RIVER BL DAM,UNNAMED DRAIN
Commissioner:	Larry Bustle

North Central Overlay

AERIAL



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Existing FLU:	RES-3
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CHH:	NONE
Watershed:	NONE
Drainage Basin:	MANATEE RIVER BL DAM,UNNAMED DRAIN
Commissioner:	Larry Bustle

P.C. 12/13/12

PDMU-12-06(G) – VILLAGE SQUARE (DTS #20120156)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for 30,000 square feet of professional office; medical office; and business service uses on approximately 5.07 acres at the northeast corner of US 301 and 100th Drive East, approximately 2,100 feet west of 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.: 12/13/12 **B.O.C.C.: 01/03/13**

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. PDMU-12-06(G); APPROVAL of the General Development Plan with Stipulations A.1 – A.3, B.1 and C.1 – C.4; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of an alternative to Section 714.8.7 (Tree Caliper) of the Land Development Code, as recommended by staff.

PROJECT SUMMARY	
CASE#	**PDMU-12-06(G) – DTS #20120156**
PROJECT NAME	**Village Square**
APPLICANT(S):	**HC Properties, LLC**
EXISTING ZONING:	**PDMU/NCO (Planned Development Mixed Use/ North Central Overlay)**
PROPOSED USE(S):	**Professional Office/Medical Office/Business Services**
CASE MANAGER:	**Kathleen Thompson, AICP**
STAFF RECOMMENDATION:	**APPROVAL**

DETAILED DISCUSSION

The subject property is located at the northeast intersection of US 301 North and 100th Drive East. The site is a triangular parcel approximately 5.07+/- acres.

When Harrison Ranch was rezoned in 2002 [(PDMU-01-04(Z)(G)] part of the approval included up to 38,000 sf of residential support/public uses within this triangular parcel. The site plan has since expired and now has PDMU zoning without a plan.

The applicant does not wish to pursue the residential support/public uses. Instead, the applicant has submitted a general development plan for 30,000 square feet for a range of office uses including business services, professional offices and medical offices.

The site is within the RES-3 Future Land Use Category which allows consideration of medium retail and office commercial neighborhood serving uses, subject to commercial locational criteria. However, this site is not within a commercial node, which is defined by the Manatee County Comprehensive Plan as generally extending a maximum of 1,500 feet along the frontage of two functionally classified roadways (collector or higher). This site is approximately 2,100 feet west of US 301, which is outside the 1500' parameter, plus 100th Drive East is a local street, not a functionally classified roadway.

Land Use Operative Provision E(4)(b) of the Comprehensive Plan provides exceptions to the commercial location criteria for small or medium commercial projects which are designated an *"Appropriate Infill Commercial Project"* by the BOCC.

Policy 2.10.4.3(3) of the Comprehensive Plan further states that no proposed commercial site shall represent an intrusion into any residential area. Intrusion means located between two residential uses or site which are not separated by the right-of-way of any roadway functionally classified as collector or higher, unless the proposed commercial use meets the definition of *"infill commercial development"* demonstrated through evaluation of existing land use patterns in the vicinity of the proposed use.

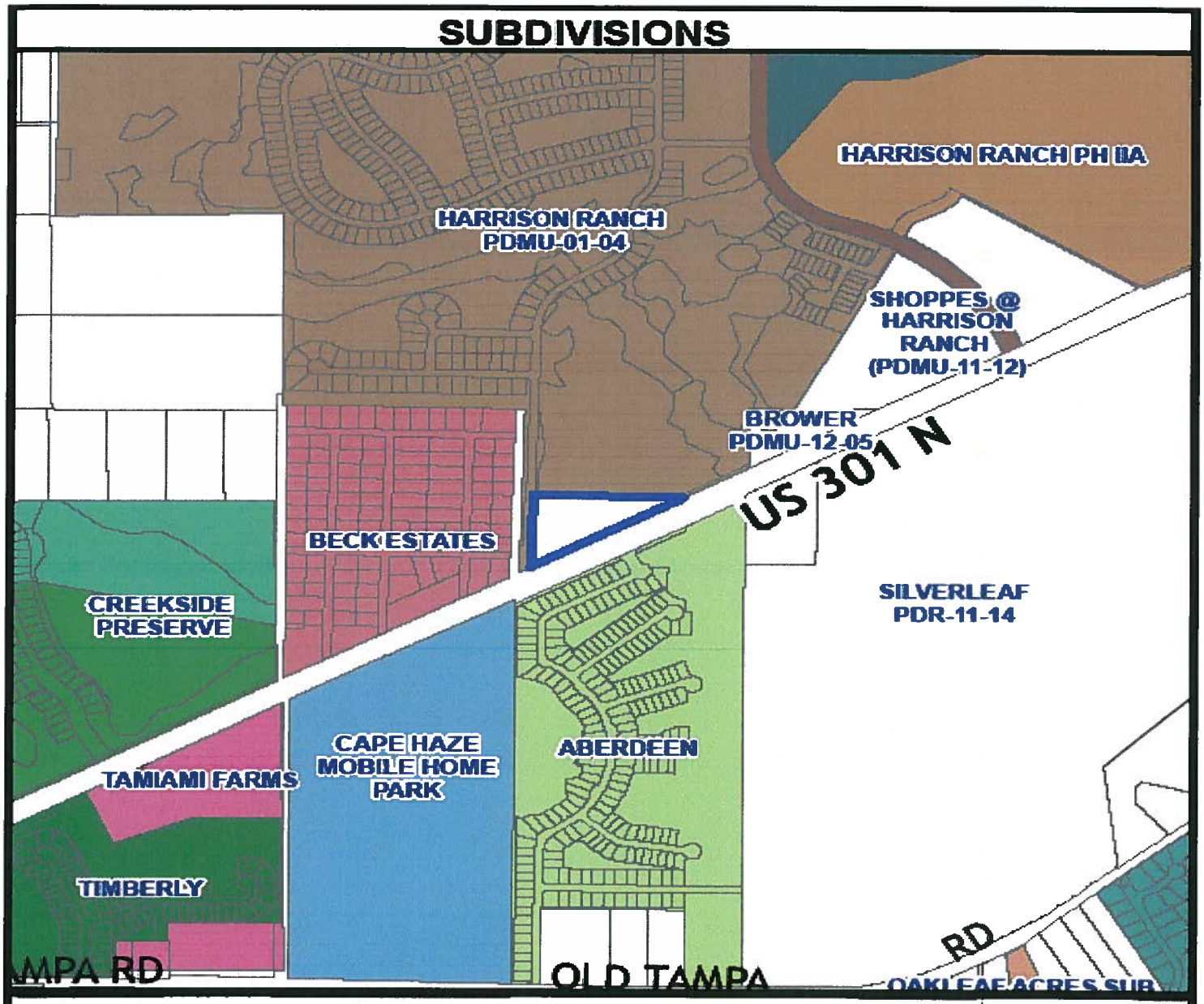
An "Appropriate Infill Commercial Project" is not defined, however it is somewhat clarified by Policy 2.10.1.1:

> "Encourage the development of new commercial uses as "infill" development and discourage the "expansion" of existing commercial areas not meeting commercial locational criteria contained in Objective 2.10.4." Objective 2.10.4 is Locational Criteria and Development Standards.

Since "Appropriate Infill Commercial Project" is not defined by the Code or Comprehensive Plan each request to determine if the site may be considered "infill" must be carefully considered. Staff reviewed the request for compatibility and appropriate timing, existing development patterns, types of land uses, transition between uses, and intensity. The existing zoning, Planned Development Mixed Use (PDMU), has a wide range of uses, including commercial retail which has the potential for adverse impacts that retail and associated uses may have on adjacent homes, primarily hours of operation, noise, lights and traffic volumes.

The applicant agreed to limit the uses to business services (such as advertising agencies, blueprinting services, computer and data processing services and insurance agencies) and professional/medical offices. These type uses are normally open during daytime hours while nearby residents are working, which makes them generally compatible with residential development. Office development on this site is more appropriate than agriculture or residential development allowed under the existing zoning.

The subject parcel located at the northeast corner of US 301 and 100th Drive East is in the middle of existing residential development, approved residential development and proposed commercial development. This site is the last remaining parcel in the immediate area without some type of development approval. With recommended stipulations, staff finds the request can be considered an "appropriate infill commercial" project.



Parcel ID #(s) 726400609

Manatee County
Staff Report Map

Map Prepared 5/21/2012
1 inch = 641 feet

Project Name:	Village Square
Project #:	PDMU-12-06 (G)
DTS#:	20120156
Proposed Use:	Commercial
S/T/R:	Sec 1 Twn 34 Rng 18
Acreage:	5.07
Existing Zoning:	PD-MU
Existing FLU:	RES-3
Overlays:	NCO
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	MANATEE RIVER BL DAM,UNNAMED DRAIN
Commissioner:	Larry Bustle

SITE CHARACTERISTICS AND SURROUNDING AREA	
ADDRESS:	**Not assigned**
GENERAL LOCATION:	North side of US 301, approximately 2,100 feet west of Harrison Ranch Boulevard, immediately east of 100th Drive East.
ACREAGE:	5.07 ± acres
EXISTING USE(S):	Vacant
FUTURE LAND USE CATEGORY(S):	RES-3 (Residential, 3 dwelling units per acre)
INTENSITY(FAR):	0.136
SPECIAL APPROVAL(S):	N/A
OVERLAY DISTRICT(S):	North County Overlay District (NCO)
SPECIFIC APPROVAL(S):	714.8.7 Tree caliper

SURROUNDING USES & ZONING	
NORTH	Harrison Ranch Development zoned PDMU/NCO (Planned Development Mixed Use/North Central Overlay). A large wetland system is Immediately north of the site.
SOUTH	Across US 301 to the south is Aberdeen and Silverleaf subdivisions zoned PDR/NCO and Cape Haze Mobile Home Park zoned RSMH-6/NCO (Residential Mobile Home, 6 dwelling units per acre)
EAST	Vacant land in Harrison Ranch and FPL power lines zoned PDMU/NCO
WEST	Across 100th Drive East , to the west, are homes in Beck Estates Subdivision zoned RSF-3 and RSF-4.5

SITE DESIGN DETAILS		
BUILDING SETBACKS:	Front Side Rear	85' (NCO) 35' (100th Drive E) 35'

	Waterfront	30'
OPEN SPACE:	2.19 Acres – 43% (minimum is 20%)	
ACCESS:	US 301North and 100th Drive East	
FLOOD ZONE(S)	Zone X per FIRM Panel 120153 0215C, revised 7/15/92 The preliminary dFIRM panel shows the eastern corner of this site to be within Zone A. The preliminary dFIRM map series are proposed to be effective in late 2013.	
AREA OF KNOWN FLOODING	Yes (rainfall, riverine, storm surge, etc.)	
UTILITY CONNECTIONS	The project will be served by County water and County sewer	

ENVIRONMENTAL INFORMATION

Wetlands:
According to the environmental narrative provided by ECO Consultants there is a forested wetland (Mixed Wetland Hardwoods – 617) that extends on-site in two locations, totaling 0.54 acres. No impacts are proposed to the wetlands or wetland buffers with this general development plan.

Uplands:
According to the environmental narrative provided by ECO Consultants, the upland portions of the site are categorized as Pine Flatwoods (411) on the FLUCCS map. The applicant is proposing to provide a total of 0.47 acres of native upland habitat preservation, which includes 0.33 acres of wetland buffers and 0.077 acres of landscape buffer area which contains native habitat. The 0.47 acres will be required to be included in the conservation easement for the wetlands and buffers on this project. A condition is provided to require this.

Endangered Species:
According to the environmental narrative provided by ECO Consultants no listed as endangered, threatened or a species of special concern, were found to utilizing the site for nesting or for breeding purposes.

Trees
The applicant has not provided any tree information with this application. Staff has no concerns with the project accommodating required tree replacement quantities on-site as part of the required landscape materials for the project. Staff recommends that Specific Approval

be requested for an alternative to Section 714.8.7 of the LDC to allow smaller replacement tree sizes in accordance with the amendments to that section that staff is proposing.

NEARBY DEVELOPMENT

NON-RESIDENTIAL

PROJECT	SQ. FT.	F.A.R.	FLUC	YEAR APPROVED
Brower	5,000	0.034	RES-3, P/SP-1	PENDING
Shops at Harrison Ranch [(PDMU-11-12(G)]	170,000	0.14 east parcel 0.12 west parcel	RES-3, UF-3	PENDING
Oxford Commercial	150,000	0.18	OM	2009
Parkwood Square Shopping Center Expansion	118,416	0.11	R/O/R	2009
Derel Trust	87,110 mini-storage 8,100 office 6,045 daycare center	0.34 (PDC) 0.07 (PDO)	OL, R/O/R, UF-3	2009
Creekside Commons	256,256	0.12	R/O/R, RES-9	2008
Chin Road Commercial	79,500	0.15	UF-3	2006
Eckerds at Creekside Oaks	15,374	0.08	R/O/R	2004

RESIDENTIAL

PROJECT	LOTS / UNITS	DENSITY	FLUC	YEAR APPROVED
Silverleaf	732	2.78	RES-3 & UF-3	2012
Lexington Addition	35	1.72	UF-3	2005
Aberdeen	222	2.68	RES-3	2002
Harrison Ranch	1,550	1.65	RES-3 & UF-3	2002
Lexington	352	2.42	RES-6 & UF-3	2001
The Gardens	645	4.89	RES-6	Prior to 2000

POSITIVE ASPECTS

- The proposed development is a logical extension of existing planned development mixed use in the area.
- The site is in an area where there are a mix of commercial, office, and residential uses.
- This development may potentially provide services to the nearby residents and employees.
- Access point is via US 301, a functionally classified state roadway and 100th Drive East, a local street.
- The timing appears to be consistent with development trends in the area.
- Due to the configuration of the parcel, residential development is not likely.

NEGATIVE ASPECTS

- Adjacency to Beck Estates residential subdivision along 100th Drive East has potential adverse impacts such as additional traffic, noise and lighting.
- The site plan design is not known with a general development plan. Design could be a compatibility issue.

MITIGATING MEASURES

- Potential uses are listed on the general development plan. No retail uses are proposed.
- Adequate separation between Beck Estates and the project exists because of dual right of way for 100th Drive East and 100th Avenue East.
- The LDC will ensure compatibility with the area through design, buffers, building setbacks and orientation of the building.

STAFF RECOMMENDED STIPULATIONS

A. <u>DESIGN AND LAND USE CONDITIONS</u>:

1. The uses shall be limited to professional and/or medical offices and business services. No retail shall be permitted.

2. At time of Final Site Plan approval, the project shall meet all applicable North County Overlay District regulations (LDC 604.10).

3. Signs shall be addressed with future approvals. No approval for signs are granted with this general development plan.

B. 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 Drain. Modeling shall be used to determine pre and post development flows.

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. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with final plat approval.

3. 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.

4. 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.

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, US 301	50'	Y		Shown on GDP
20' perimeter buffer to north and west	20'	Y		Shown on GDP
Buffer landscaping				Details will be provided with future PSP/FSP per LDC

				Sections 604.10, 714 and 715. Specific Approval requested for 714.8.7 Tree caliper
50' roadway buffer, US 301	50'	Y		Shown on GDP
SIDEWALKS				
5' internal sidewalks				To be shown on PSP/FSP
5' sidewalk, exterior				Sidewalk existing along US 301. Sidewalk, if required along 100th Drive East, to be shown on PSP/FSP
ROADS & RIGHTS-OF-WAY				
100th Drive East	50' ROW/ 25' half ROW	Y		Shown on GDP
US 301	150' ROW/ 75' half ROW	Y		Shown on GDP

CONCURRENCY

N/A with a general development plan.
Concurrency will be addressed at preliminary/final site plan stage.
Traffic Impact Statement not required with this application request.

COMPLIANCE WITH THE LAND DEVELOPMENT CODE
Factors for Reviewing Proposed Site Plans (Section 508.6)

Physical Characteristics:
The 5.07 acre parcel is suitable for the development proposed without hazard to person or property, on or off the site, as proposed. The site is currently vacant.

This site was included in the Harrison Ranch Development that was rezoned to PDMU in 2002 with the approval of a general development plan (GDP). The GDP at that time designated the use of this parcel to be a public use facility and/or residential support use. Approval of these uses has since expired.

There are two wetlands on site and part of a larger system which extends into Harrison Ranch.

Public Utilities, Facilities and Services:
The site lies north of US 301, west of Harrison Ranch Boulevard, and is in an area served by Manatee County EMS, Fire and Law Enforcement. With regard to utilities, along US 301 there is an existing Manatee County 20" potable water main, an 8" and a 16" force main. The site will be served by County water and sewer.

Major Transportation Facilities:
The site has access to US 301 which is classified as a thoroughfare 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 towards Parrish and beyond.

The site is on the north side of US 301 and west of Harrison Ranch Boulevard. This area has been transitioning to suburban residential development with complementary commercial uses nearby.

PDMU zoning requires site plan review to address proper transitioning and the impacts to the abutting land uses. PDMU zoning allows the Board to attach stipulations to ensure the project is compatible with the surrounding uses.

Transitions:
The site is in the North Central Overlay District (NCO). The U.S. 301 corridor from Erie Road extending northeast toward Parrish is 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 planned mixed use development to the north. Planned development zoning can be designed to provide a transition between the roadways, various proposed commercial uses and existing residential uses.

Design Quality:
The conceptual design of this proposed development complies with applicable Land Development Code requirements and standards. The proposed General Development Plan requires review of the proposed use and density. The GDP shows 30,000 square feet of professional office, medical office and business service uses for a gross intensity of 0.136 FAR. The proposed uses are consistent with potential uses allowed in a PDO (Planned Development Office) zoning district.

A detailed project design will be reviewed with future Preliminary and final site plans.

Adjacent Property
The site is in an area with a mix of commercial, office and residential land uses. To the north is the Harrison Ranch Development. South of the site, across U.S. 301, are single-family homes in Aberdeen and Silverleaf Subdivisions and a mobile home park. To the west of 100th Drive East is the Beck Estates residential subdivision.

Access:
The site has access to U.S. 301 and requires FDOT approval. A secondary access is proposed from 100th Drive East.

Streets, Drives, Parking and Service Areas:
New proposed drive will be required to meet County Public Works Standards, the details of which will be reviewed with future Preliminary/final site plans.

Pedestrian Systems:
There are sidewalks existing along U.S. 301.

Natural and Historic Features, Conservation and Preservation Areas:
There are no known historic or archaeological resources on the site

Intensity: The site is proposed with a 0.136 floor area ratio.

Height:
The applicant is proposing a maximum height of 24.8' to meet NCO standards for building setbacks.

Fences and Screening:
A 50' wide landscape buffer is proposed along US 301 with 20' wide landscape buffers along the north and west perimeters. Screening materials will be addressed with the preliminary/final site plan and will meet minimum LDC requirements.

Trash and Utility Plant Screens:
It is anticipated that the project will have a centralized dumpster which shall be located and screened per minimum LDC requirements.

Signs:
Signage will meet all LDC standards and be permitted separately.

Landscaping:
According to the general development plan, a 50-foot wide landscaped roadway buffer is proposed along U.S. 301. The perimeter buffer to the north and west is indicated to be 20 feet wide. There will be perimeter and interior landscaping around buildings and vehicle use areas. Tree removal and replacement will be addressed with future preliminary and final site plans. Landscaping will be in accordance with LDC Section 714 and 715.

Mixed Use or Entranceway Designation:
The site is outside the entranceway but is located within the Mixed Use (MU) Future Land Use Designation.

Water Conservation:
A landscape plan will be required with the preliminary/final site plan. The plan will provide irrigation design and specific plant materials. Water used for irrigation shall be the lowest

quality of available water which adequately and safely meets water use needs by requiring storm water reuse, alternative irrigation sources, reclaimed water use and gray water irrigation systems. (Comp Plan Policy 3.2.3.2).

Utility Standards:
Connection to Manatee County utilities is required and will be reviewed in greater detail with future site plan submittals.

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 Preliminary/final site plans.

Open Space: The minimum open space required is 20%. The applicant is providing 43% (2.20+/- acres).

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-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 2.1.1.4 Promote development. The project is proposed in an area that has existing public facilities.

Policy 2.1.2.3 Permit new residential and non-residential development: The proposal is compatible with existing development and with future areas of development.

Policy 2.1.2.4 Limit urban sprawl. The project is west of the Future Development Area Boundary (FDAB) and is deemed compatible with existing and future development.

Policy: 2.1.2.5 Permit the consideration of new residential and nonresidential development. The proposal is in an area suitable for non-residential uses.

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given development trends in the area. The surrounding area is characterized by a mix of commercial, office, and residential uses

Policy 2.2.1.10.1 Intent. The project should provide a complement of residential support uses normally utilized during the daily activities of residents.

Policy 2.6.1.1 Compatibility. 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 towards Parrish and beyond. Appropriate buffers are provided for compatibility and transition between existing developments. The large FPL easement to the east of the site and wetland system to the north provides a significant buffer. To the west of the site is Beck Estates residential subdivision that has adequate separation and buffering from the proposed project because of existing dual right of way for 100th Drive East and 100th Avenue East.

Policy 2.6.5.1 Achieve Quality Designs: PDMU zoning requires a higher quality project.

.

Policy 2.6.5.4 Open Space. The site plan shows a minimum of 43% open space (2.2 acres)

Policy 2.10.1.1 Encourage "infill" development: This parcel is located in the middle of existing residential development, approved residential development and proposed commercial development. This parcel is the last remaining site in the immediate area without some type of development approval and can be considered an "appropriate infill commercial" project.

Land Use Operative Provisions

E. 4) **Permitted Exceptions to Limits On Maximum Frontage For A Commercial Node For Small Or Medium Commercial Uses**

a) **75% Rule: Proposed Commercial Project Partially Exceeding Maximum Frontage:** If a proposed commercial project exceeds, in part, the maximum frontage limiting a commercial node (i.e., 800 feet or 1,500 feet for small and medium commercial projects, respectively), compliance with commercial locational criteria shall be established only if the portion of the commercial project's frontage along either (or both) functionally-classified roadways defining the proposed commercial node is at least 75% of the proposed commercial project's total frontage.

b) **Infill Small or Medium Commercial Development:** Approval of a development order permitting a proposed commercial use may also be considered where the Board of County Commissioners finds that the proposed use, though located outside a commercial node as defined in Sections (1) and (2) above, and although not permitted for consideration under the 75% rule described in subsection (1) above, is an "Appropriate Infill Commercial Project."

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Request(s):

1.Alternatives to tree replacement caliper per LDC 714.8.7

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. **Specific Approval Request Letter**
3. **Copy of Newspaper Advertising**
4. **Public Comment Letter**

APPLICABLE COMP PLAN POLICIES		
Policy:	2.1.1.4	Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment. Implementation Mechanism(s): a) Future Land Use Map indicating nodal concentrations of intensity at or surrounding interstate interchanges where public facilities are available. b) Designation of large infill areas on the Future Land Use Map west of I-75 in Manatee County at a density/intensity compatible with existing development.
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.
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:	2.1.2.5	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. Implementation Mechanism(s): a) Designation of maximum allowable residential densities on the Future Land Use Map which would encourage transition in densities proximate to existing residential areas, and which are conducive to a wide range of residential uses in areas established for new residential development. Such areas will also serve as alternative locations to those residential areas described in Policy 2.1.2.1.

		b) Designation of a variety of future nonresidential areas on the Future Land Use Map at locations conducive to the development of a variety of employment generators. Such areas will serve as alternative locations to those future nonresidential areas described in Policy 2.1.3.1.
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)
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:	2.6.1.1	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

Policy: 2.6.5.1

Provide incentives for, and otherwise encourage the use of the planned unit development procedure to achieve quality, highly functional, and well-integrated project designs.

Implementation Mechanism(s):

a) Density or intensity increments in future land use categories reserved for planned unit developments only, through the special approval process.

b) Limitations on scale of development unless planned unit development is utilized through the special approval process.

c) Land development regulations developed pursuant to §163.3202, F.S., providing for a planned unit development review process that minimizes the duration of reviews, and the number of discretionary approvals.

d) Available clustering options for planned unit development projects.

e) Require planned development zoning to grant special approval for all projects within the MU category, excluding single family homes and related accessory uses on lots of record.

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.

Land uses within the Watershed Overlay District shall meet additional requirements required by the Comprehensive Plan (See also Policy 2.2.2.2.5)

Implementation Mechanism:

		a) Develop and maintain land development regulations containing these minimum open space standards, or equivalent standards.
Objective:	2.10.1	**Commercial Project Design/Location:** Improved design and location of commercial development.
Policy:	2.10.1.1	Encourage the development of new commercial uses as "infill" development and discourage the "expansion" of existing commercial areas not meeting commercial locational criteria contained in Objective 2.10.4. Implementation Mechanism: a) Planning Department review of proposed commercial development which does not meet commercial locational criteria, for compliance with this policy.

July 27, 2012

Kathleen Thompson, AICP
Planning Manager
Building and Development Services
Manatee County Government
1112 Manatee Avenue West
Bradenton, FL 34205

Re: Village Square
Application Number: 20120156/Project Number PDMU-12-06(G)
Specific Approval for Replacement Tree Sizes

Dear Kathleen:

As part of our application, we would like to formally request a Specific Approval for an alternative to Section 714.8.7 of the LDC. This approval will allow the installation of smaller diameter trees that will require a shorter timeframe for establishment and will ultimately provide superior tree canopy.

Thank you for your consideration.

Very truly yours,

ZNS ENGINEERING, L.C.

THOMAS C. MCCOLLUM, AICP
Vice President

TCM/dlh
cc: Mr. Thomas B. Brown

ZNS|ENGINEERING

P.O. Box 9448 | Bradenton, FL 34206 | Office: 941.748.8080 | Fax: 941.748.3316 | www.znseng.com
Engineering-FB0027476 Surveying-LB0006982 Landscape Architecture-LC0000365

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF DRI/ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the **Planning Commission of Manatee County** will conduct a Public Hearing on **Thursday, December 13, 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 matters:

PDMU-12-06(G)–TS#20120156 - VILLAGE SQUARE
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for 30,000 square feet of professional office; medical office; and business service uses on approximately 5.07 acres at the northeast corner of US 301 and 100th Drive East, approximately 2,100 feet west of 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.

PDC-12-09(Z)(P)–DTS#20120305- BUTLER/RACE TRAC- LENA ROAD
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 rezone of approximately 2.75 acres at the southwest corner of SR 64 East and Lena Road at 7902 SR 64 East, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDC (Planned Development Commercial) zoning district; approving a Preliminary Site Plan for a 5,928 square foot convenience store, 10,933 square foot canopy and 20 gas pumps; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-09-10(P)(R)–DTS#20120335 - GULFSIDE HOMES / BOWLEES CREEK, LLP / BOWLEES CREEK
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Eliminate a 200 rack dry storage facility (51,000 square feet);
- Increase the total number of multi-family units from 162 to 225;
- Add a 126 bed group care home (equals 21 units), for a total of 246 units;
- Retain 53 existing wet slips.

The 19.01± acre site is north of Bowlees Creek, south of 69th Avenue West (Bay Drive), and west of U.S. 41, Bradenton. The site is zoned PDMU/AI/CH (Planned Development Mixed Use/ Airport Impact and Coastal High Hazard Overlay Districts); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

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
11/28/2012

Sarasota Herald Tribune

Dated this 2...

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
Date of Pub: November 28, 2012

William Stoltz

4208 99th Ave E

Parrish Fl 34219

RECEIVED
DEC - 6 2012
BY:_____

12.02.2012

Director of the Building and Development Services

Dear Director,

I would like to voice my opinion against the proposed Development in Parrish (PDMU-12-06(G)-DTS#20120156 - Village Square). I live to the west by one block in Beck estates on 99th Avenue East.

When Harrison Ranch was put in, an access road was added next to 100th Ave E. We did not think this would affect our quality of life but it has, this has turned into a drag strip. By adding more business's to this corner it will make this an even more traveled road.

When Harrison Ranch was approved, I was under the assumption that this area was for residential housing not business's. If I had wanted to live around business's, I would have purchased land in town rather than our rural area.

There are always changes to our environment when projects happen, these following items are some that have happened since the Harrison ranch access road (100th Drive E.) was put in. It seems that no one has responsibilities for these. I do not want this to happen again.

1. The two corner vacant lots (just to the east) do not drain like they used to, they turn into large ponds when we have heavy rains. By heavy rains I mean our typical summer down pours. The drain ditch that was on the East side of 100th Ave E. was filled in with a sidewalk and sidewalk added along Hwy 301. Now the natural drain is onto 42nd Street E.
2. 100th Ave. E. turns into a large pond since 100th Drive E. was added; the natural drain into the wetlands to the East does not work any longer.
3. The dividing berm added next to 100th Ave E has been poorly maintained, the irrigation system has been leaking since installation. We have a constant wet area where water pools from this and as a result the vegetation they installed does not grow correctly and looks horrible.

With the additional loss of green space by adding all the parking lots required to service this new Business plaza this will increase the ambient temperature of our neighborhood. What effect will this have on the area wildlife? I just recently have seen that the Eagle family has returned to our area, they disappeared when the Harrison Ranch project got under way. Add now we want to limit their area again?

Sincerely William Stoltz

William Stoltz

INDEX

COVER SHEET.....1
AERIAL.....2
GENERAL DEVELOPMENT PLAN.....3

RECEIVED
OCT 09 2012
BY:

GENERAL DEVELOPMENT PLAN

TO SERVE

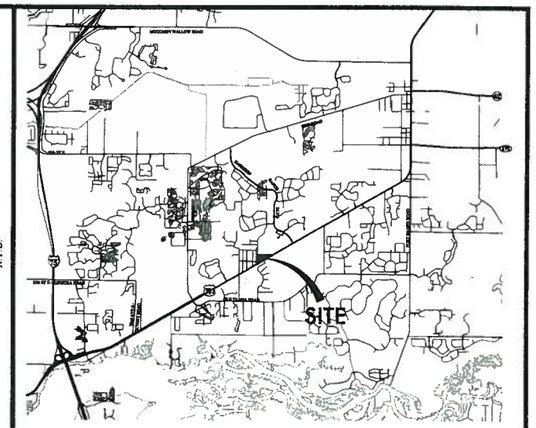
VILLAGE SQUARE

LOCATED IN

SECTION 1, TOWNSHIP 34 SOUTH, RANGE 18 EAST

MANATEE COUNTY, FLORIDA

ZONED:
PD-MU/NCO



VICINITY MAP

N.T.S.

PDMU-12-06(G)
20120156(3)
Village Square

NOTES:

1. THE SITE IS CURRENTLY ZONED PD-MU/NCO AND IS VACANT. THIS SITE CONTAINS AN UNDETERMINED NUMBER OF TREES.
2. THE SITE IS DESIGNATED AS FLOOD ZONE X ON F.I.R.M. PANEL #12015302 15C.
3. THERE ARE NO KNOWN FOUNDATIONS, MOUNDS OR MIDDEN AREAS OF HISTORIC ORIGIN, EXISTING EASEMENTS, PLATTED STREETS LOCATED ON THIS SITE.
4. THERE ARE WETLANDS UNDER THE JURISDICTION OF SWFWMD AND FDEP WITHIN THE BOUNDARIES OF THIS PLAN.
5. THERE ARE NO KNOWN WELLS WITHIN THE BOUNDARIES OF THIS PLAN.
6. COMMON OPEN SPACE SHALL BE OWNED AND MAINTAINED BY PROPERTY OWNERS OR THE MASTER DEVELOPER.
7. STREET LIGHTS MAY BE INSTALLED AT THE DEVELOPER'S OPTION. STREET AND SECURITY LIGHTING WILL MEET OR EXCEED REQUIREMENTS OF SECTION 709 OF THE MANATEE COUNTY LDC.
8. THERE ARE PROPOSED SIGNS TO IDENTIFY THE DEVELOPMENT.
9. INFRASTRUCTURE CONSTRUCTION WILL COMMENCE IN 2013 AND WILL BE COMPLETED WITHIN THREE YEARS UPON CONSTRUCTION PLAN APPROVAL AND CERTIFICATE OF LEVEL OF SERVICE APPROVAL.
10. SANITARY SEWER AND POTABLE WATER WILL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS AND PRIVATELY MAINTAINED.
11. SOLID WASTE DISPOSAL WILL BE PROVIDED BY MANATEE COUNTY.
12. DRIVE ISLES AND DRIVEWAY ENTRANCES SHALL BE CONSTRUCTED TO "MANATEE COUNTY TRANSPORTATION DEPARTMENT HIGHWAY, TRAFFIC & STORMWATER STANDARDS". FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) ACCEPTANCE OF THE PROJECT IS REQUIRED. A PERMIT OR NOTICE OF INTENT TO ISSUE FROM FDOT WILL BE REQUIRED PRIOR TO FINAL SITE PLAN APPROVAL BY THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT.
13. A SCHOOL NEED ASSESSMENT IS NOT REQUIRED FOR A COMMERCIAL DEVELOPMENT.
14. ALL PROPOSED BUILDING FINISHED FLOOR ELEVATIONS ARE TO BE A MINIMUM OF 21" ABOVE THE CROWN OF THE ADJACENT ROADWAY (IN ACCORDANCE WITH SECTION 702.9 OF THE MANATEE COUNTY LDC) OR IF WITHIN THE 100 YEAR FLOOD PLAIN, A MINIMUM OF ONE FOOT ABOVE THE 100 YEAR FLOOD ELEVATION.
15. ALL REQUIREMENTS OF THE NORTH CENTRAL OVERLAY DISTRICT WILL BE ADDRESSED. LANDSCAPE, OPEN SPACE, BUFFERS, SETBACKS, SIGNAGE AND ARCHITECTURAL REQUIREMENTS WILL BE ADDRESSED DURING THE FINAL SITE PLAN.
16. THERE IS A RECORDED EAGLES NEST LOCATED ON AN ADJACENT PROPERTY. APPROXIMATELY 700' TO THE NORTHEAST.

PROPOSED USES:

SHORT TERM AGRICULTURAL USES
BANK OR BANK WITH DRIVE THRU
BUSINESS SERVICES
PROFESSIONAL OFFICES
HEALTH SERVICES PROFESSIONAL OFFICES
HEALTH SERVICES CLINIC
HEALTH SERVICES VETERINARY CLINIC
MEDICAL AND DENTAL LABORATORY
DRY CLEANERS (NEIGHBORHOOD, PICK-UP)
PRINTING (SMALL)
PERSONAL SERVICE ESTABLISHMENT
OUTPATIENT TREATMENT FACILITY
CHURCHES OR OTHER PLACES OF WORSHIP
DAY CARE (SMALL, LARGE, MEDIUM, ACCESSORY)
SCHOOL OF SPECIAL EDUCATION

Approval Type: GENERAL DEVELOPMENT PLAN Project Name: VILLAGE SQUARE

APPROVED: _____ _____
Date File Number

PROJECT PLANNER (PD) _____
PROJECT ENGINEER (PW) _____
CONCURRENCY (PD) _____
ENVIRONMENTAL PLANNING _____
ENVIRONMENTAL HEALTH _____
FIRE DISTRICT _____
OWNER/AGENT _____

Attention: The combination of this signed plan and accompanying letter constitutes the complete approval document. Both documents should be provided to interested parties and submitted with any building permit application.

DESCRIPTION:

VILLAGE SQUARE
PARCEL ID: 726400609

COMMENCING AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 34 SOUTH, RANGE 18 EAST; THENCE RUN S 00□07'50" W ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 247.65 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. 301 (SECTION 1302-104.202); THENCE S 60 □16'38" W ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 2656.09 FEET; THENCE S 60 □15'41" W CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY, A DISTANCE OF 813.04 FEET TO THE POINT OF BEGINNING; THENCE S 60□15'41" W CONTINUING ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 997.93 FEET; THENCE N 01□27'51" E, A DISTANCE OF 517.00 FEET; THENCE S 88 □32'09" E, A DISTANCE OF 853.57 FEET TO THE POINT OF BEGINNING.

LYING AND BEING IN SECTION 1, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 5.07 ACRES.

SITE DATA:

PARCEL 1:

ACRES	±1.76 AC
WETLANDS ACRES*	±0.39 AC
OPEN SPACE REQUIRED	1.03 AC
OPEN SPACE PROVIDED (MINIMUM)	1.03 AC
PROPOSED USES:	PROFESSIONAL
BUILDING (MAXIMUM)	11,000 SF
PROPOSED PARKING	55 SPACES

TOTAL PROJECT

TOTAL PROJECT ACREAGE	±5.07 AC
TOTAL WETLANDS*	±0.55 AC
TOTAL SWF	±0.76 AC
TOTAL BUILDING AREA (PROPOSED MAXIMUM)	30,000 SF
MAXIMUM FAR	30,000 SF / 220,648.0 SF = 0.136 FAR
MAXIMUM BUILDING HEIGHT	NOT TO EXCEED 24.83'
OPEN SPACE	95,512 SF (43%)

PARCEL 2:

ACRES	±3.31 AC
WETLANDS ACRES*	±0.16 AC
OPEN SPACE REQUIRED	1.31 AC
OPEN SPACE PROVIDED (MINIMUM)	1.31 AC
PROPOSED USES:	PROFESSIONAL
BUILDING (MAXIMUM)	19,000 SF
PROPOSED PARKING	95 SPACES

PARKING SUMMARY:*

TOTAL

PARKING REQUIRED	150
PARKING PROVIDED	150

*INCLUDES HANDICAP PARKING.
1 SPACE/200 SQ. FT.

REVISIONS

REVISED DRAWING PER MC COMMENTS	KLB 2012.07
REVISED	RAM 2012.09

OPEN SPACE SUMMARY:

LANDSCAPE BUFFERS -	43,471 SF	
NATIVE UPLAND PRESERVE IN LANDSCAPE BUFFER-	3,355 SF	
WETLAND BUFFERS -	2,642 SF	
NATIVE UPLAND PRESERVE IN WETLAND BUFFER-	14,515 SF	
WETLAND AREA -	23,714 SF	
STORM WATER FACILITIES - (PORTION OF STORM WATER FACILITY AREAS ARE INCLUDED IN LANDSCAPE BUFFER AREA)	20,491 SF	9.3% OF TOTAL (<75% REQ.)
SET BACKS (YARDS) -	7,815 SF	
TOTAL	95,512 SF	43%

BUILDING SETBACKS:

SOUTH / FRONT	85' NCO - US 301 (SEE BUILDING SET BACK CALCULATION BELOW)
WEST / SIDE	35' MIN. - 100TH AVENUE EAST
NORTH / REAR	35' MINIMUM
WATERFRONT	30' MINIMUM
WETLAND BUFFER OFFSET	15' MINIMUM

BUILDING SET BACK CALCULATION
1. SETBACK FROM BUILDING TO EDGE OF PAVEMENT (US-301) - 85' MINIMUM
2. FORMULA - DIST./3-3.5 = BUILDING HEIGHT
85'/3 = 28.3-3 = 24.83'
3. THEREFORE MAXIMUM BUILDING HEIGHT = 24.83'

BUFFER REQUIREMENTS:

SOUTH / FRONT	50' LANDSCAPE BUFFER - US 301
WEST	20' MIN. LANDSCAPE BUFFER
NORTH / REAR	20' MIN. LANDSCAPE BUFFER
WETLAND BUFFER	30' MINIMUM

ZNS|ENGINEERING
ENGINEERS | PLANNERS | SURVEYORS
EB 0007479
LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
LC 0000265 LB 0006882
POST OFFICE BOX 9448 BRADENTON, FL 34206 | 201 56th AVENUE DRIVE EAST BRADENTON, FL 34208
E-MAIL: ZNS@ZNS-ENG.COM | TELEPHONE 941.748.8080 | FAX 941.748.3316

PREPARED FOR:
H C PROPERTIES
US 301 AND 100TH DRIVE EAST
MANATEE COUNTY
FLORIDA

AUTHORIZED AGENT/PREPARER:
ZNS ENGINEERING
BOX 9449

BRADENTON FLORIDA
941.748.8080 AGENT EXT. 120

PROJECT DATA:
VILLAGE SQUARE
00-42504

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SHEET 1

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BY:

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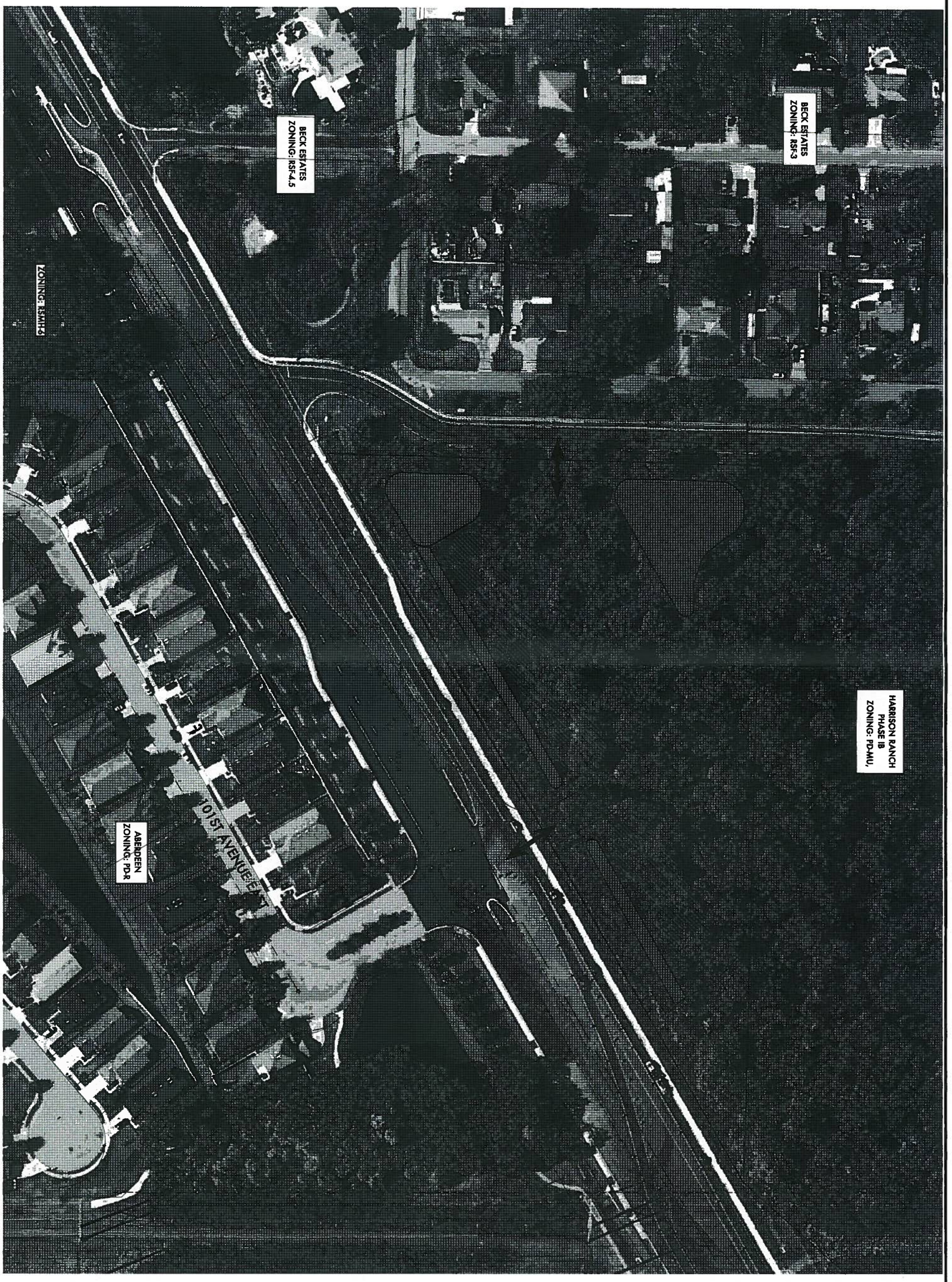

1" = 50'

DESIGNED	
DRAWN	RAM
DATE	01.2012
JOB NO.	00-42504
SCALE	1"=50'
SHEET	2

AERIAL
FOR
VILLAGE SQUARE
LOCATED IN
SECTION 1, TOWNSHIP 34 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

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REVISIONS

	REVISED	DATE
1		2012.07
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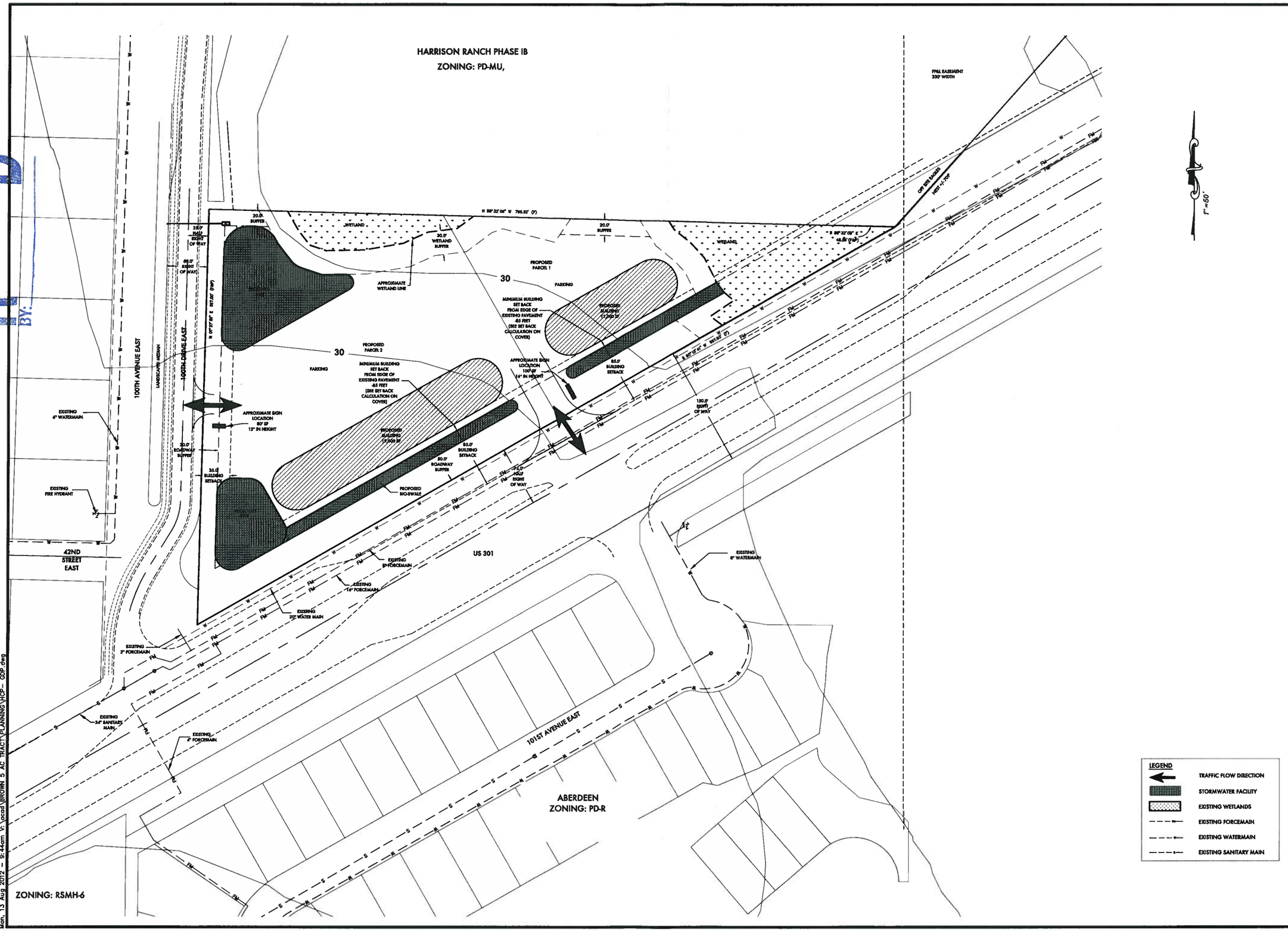

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REVISIONS
1 ISSUED
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7

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GENERAL DEVELOPMENT PLAN
FOR
VILLAGE SQUARE
LOCATED IN
SECTION 1, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: BAM
DRAWN: BAM
DATE: 01.2012
JOB NO.: 00-050M
SCALE: 1"=50'

SHEET 3

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDC-12-09(Z)(P) –Butler/RaceTrac-Lena Road	**TYPE AGENDA ITEM**	Advertised Public Hearing – Consent
DATE REQUESTED	12/13/12 PC	**DATE SUBMITTED/REVISED**	12/04/12
BRIEFINGS? Who?	None	**CONSEQUENCES IF DEFERRED**	N/A JB
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	**AUTHORIZED BY TITLE**	Lisa Barrett, Planning Division Manger
CONTACT PERSON TELEPHONE/EXTENSION	Stephanie Moreland 941-748-4501, ext. 3880 DTS# 20120305	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Stephanie Moreland, Planner / 941-748-4501, ext.3880
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 PDC-12-09(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.

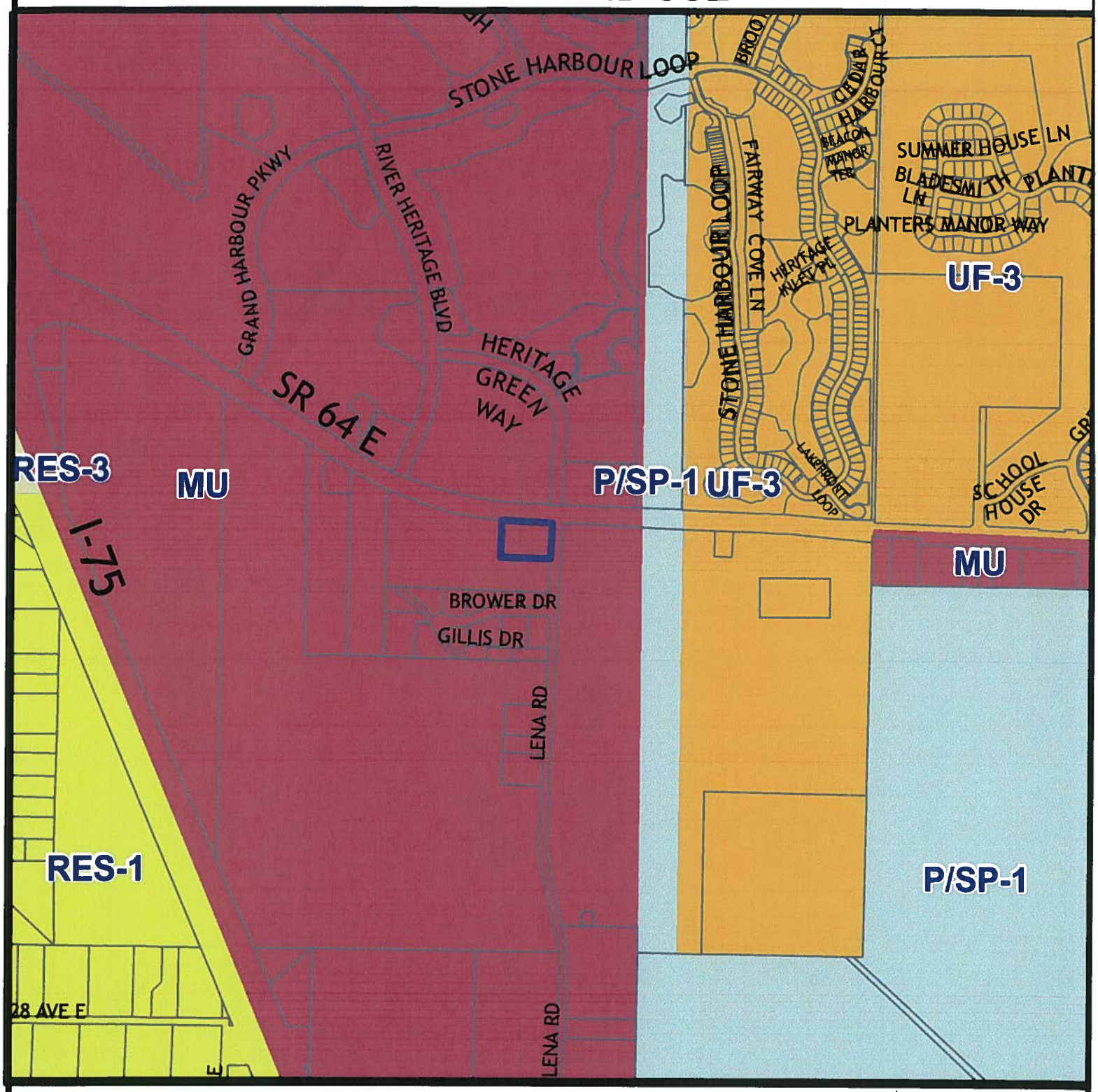
BACKGROUND/DISCUSSION

- The vacant 2.75± acre site has approximately 400 feet of frontage along S.R.64 East and 300 feet along Lena Road. The site is in an Entranceway.
- The site is in the MU (Mixed Use) Future Land Use Category (FLUC). The MU FLUC lists retail commercial in the range of potential uses for consideration. All projects within the MU FLUC require Special Approval. The rezone to PDC is the procedure to acquire Special Approval. Developments in the MU FLUC are not required to meet standards for commercial locational criteria.
- The site is currently zoned A-1and does not permit retail commercial.
- The proposed PDC zoning permits (with Board approval) a mix of commercial retail and service uses. A rezone to PDC is compatible and consistent with the MU FLUC.
- The design shows one off-site entrance connecting S.R. 64 East and two entrances on Lena Road. Cross access is proposed to the west and south. Additionally, the site plan shows one building, a large canopy over gas pumps and parking in the front and east sides of the building. Six-foot wide sidewalks exist along S.R. 64 East. Pedestrian crosswalks are proposed to extend from S.R. 64 East to the buildings. Sidewalks are proposed along Lena Road.
- There will be perimeter and interior landscaping around vehicle use areas, as well as, landscaping in accordance with LDC Section 715 in perimeter and roadway buffers.
- The project is in the X Flood zone Category. There are no wetlands or wetland buffer impacts proposed.
- There are no known historic or archaeological resources on the site.
- The applicant requests Specific Approval for the following:
  - An elimination of a part of the southern buffer because of the shared driveway with the adjacent property.
  - Smaller replacement tree sizes.
  - More than ten consecutive parking spaces without a landscaped island.
- This project will serve a rapidly developing area in east county. Heritage Harbor is to the north and Greenfield Plantation Subdivision is to the north and northeast, across S.R. 64 E., and Maple Grove Estates Subdivision is to the south.
- Staff recommends approval with stipulations.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
☒	**REVIEWED** **Written Comments:** ☐ **Attached** ☒ **Available from Attorney (Attorney's initials: SAS)**
	NOT REVIEWED (No apparent legal issues.)
☐	**NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)**
☐	**OTHER**

ATTACHMENTS: (List in order as attached)		**INSTRUCTIONS TO BOARD RECORDS:**	
Staff Report		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) 1463700052 (Part of)

Manatee County
Staff Report Map

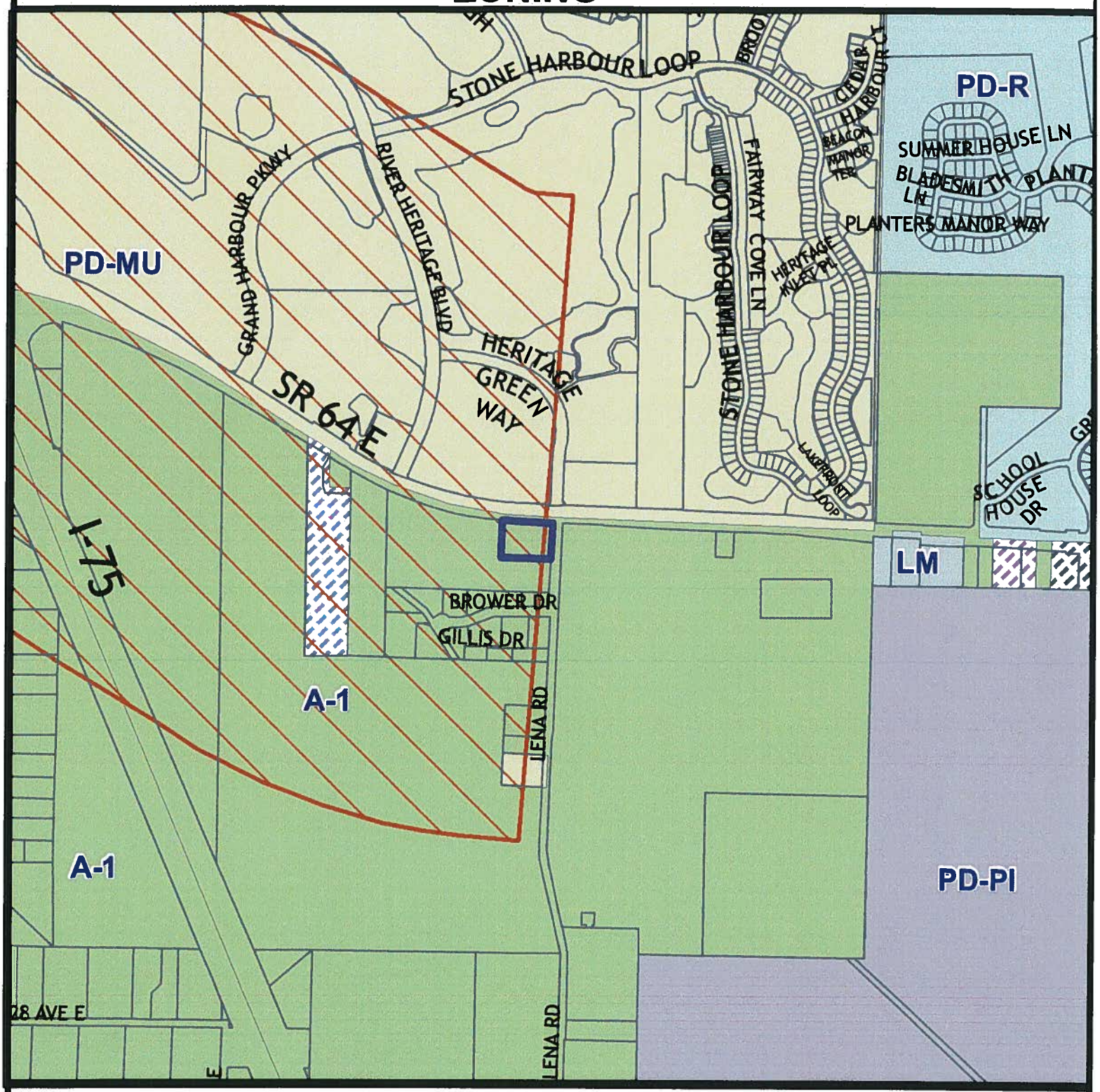
Map Prepared 9/17/2012

1 inch = 1,103 feet

Project Name:	BUTLER / RACE TRACK LENA RD
Project #:	PDC-12-09 (Z)(P)
DTS#:	20120305
Proposed Use:	Commercial

S/T/R:	Sec 36 Twn 34 Rng 18		
Acreage:	2.75		
Existing Zoning:	A-1	CHH:	NONE
Existing FLU:	MU	Watershed:	NONE
Overlays:	NONE	Drainage Basin:	CYPRESS STRAND
Special Areas:	NONE	Commissioner:	Vanessa Baugh

ZONING



Parcel ID #(s) 1463700052 (Part of)

Manatee County
Staff Report Map

Map Prepared 9/17/2012

1 inch = 1,103 feet

Project Name:	BUTLER / RACE TRACK LENA RD
Project #:	PDC-12-09 (Z)(P)
DTS#:	20120305
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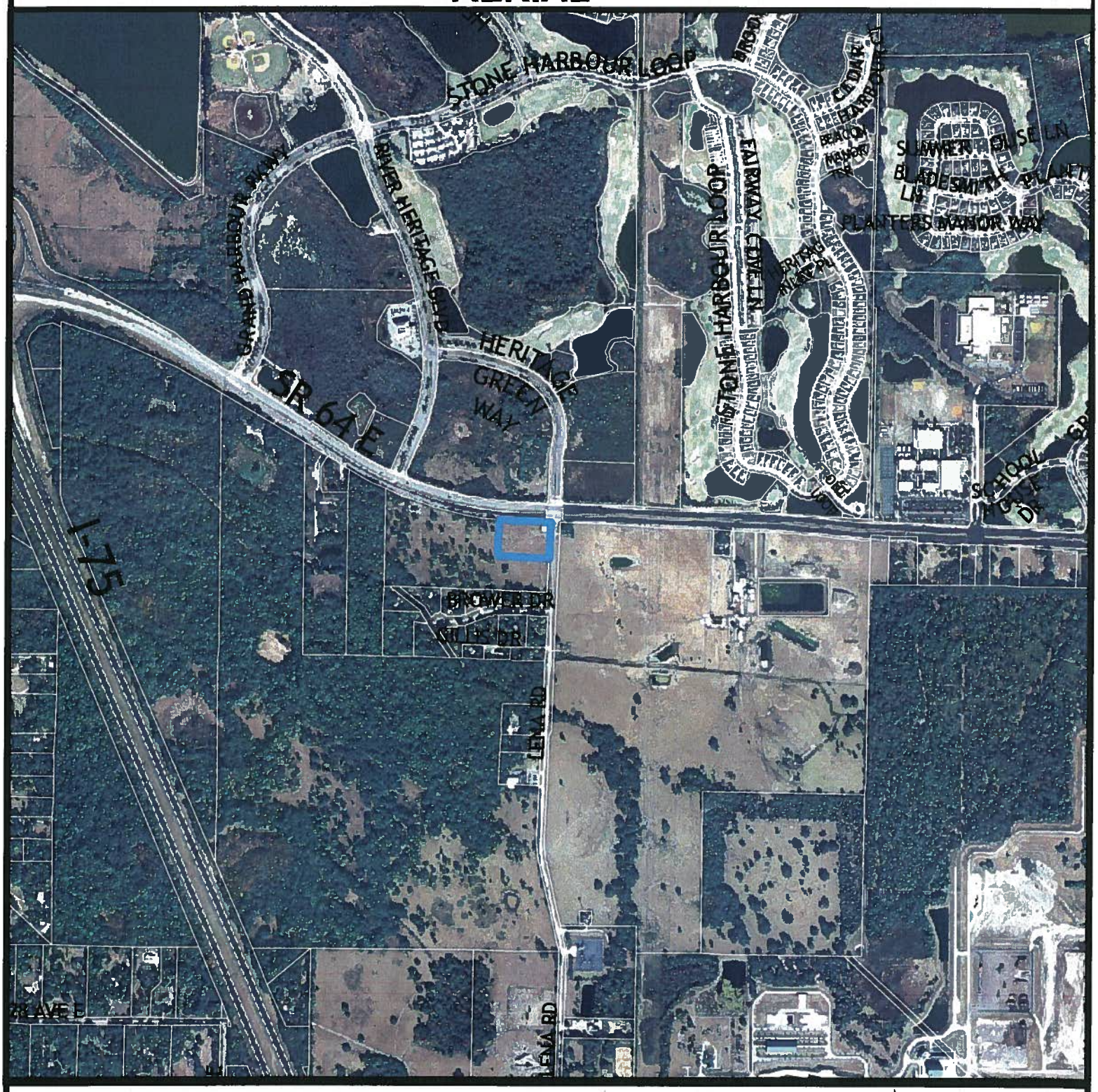
S/T/R:	Sec 36 Twn 34 Rng 18
Acreage:	2.75
Existing Zoning:	A-1
Existing FLU:	MU
Overlays:	NONE
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	CYPRESS STRAND
Commissioner:	Vanessa Baugh

Entranceway

AERIAL



Parcel ID #(s) 1463700052 (Part of)

Manatee County
Staff Report Map

Map Prepared 9/17/2012

1 inch = 1,103 feet

Project Name:	BUTLER / RACE TRACK LENA RD		
Project #:	PDC-12-09 (Z)(P)		
DTS#:	20120305		
Proposed Use:	Commercial		
S/T/R:	Sec 36 Twn 34 Rng 18		
Acreage:	2.75		
Existing Zoning:	A-1	CHH:	NONE
Existing FLU:	MU	Watershed:	NONE
Overlays:	NONE	Drainage Basin:	CYPRESS STRAND
Special Areas:	NONE	Commissioner:	Vanessa Baugh

P.C. 12/13/12

PDC-12-09(Z)(P) – BUTLER/RACE TRAC- LENA ROAD DTS#20120305

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 rezone of approximately 2.75 acres at the southwest corner of SR 64 East, and Lena Road at 7902 SR 64 East, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDC (Planned Development Commercial) zoning district; approving a Preliminary Site Plan for a 5,928 square foot convenience store, 10,933 square foot canopy and 20 gas pumps; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 12/13/12 **B.O.C.C.: 01/03/13**

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-12-09(Z)(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1–A.4 and B.1–B-2; GRANTING Special approval for: 1) a project within a Mixed Use Future Land Use Category; and 2) Entranceways; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for alternatives to LDC Sections 714.8.7, 715.3.1.d and 715.3.1.g, as recommended by staff.

PROJECT SUMMARY	
CASE #:	**PDC-12-09(Z)(P) DTS# 20120305**
PROJECT NAME:	**RaceTrac-Lena Road**
APPLICANT(S):	**Edith Butler**
PROPOSED ZONING:	**PDC (Planned Development Commercial)**
EXISTING ZONING:	**A-1 (Suburban Agriculture - one dwelling unit per acre)**
PROPOSED USE(S):	**5,928 square foot convenience store, 10,933 square foot canopy and 20 gas pumps.**
CASE MANAGER:	**Stephanie Moreland**
STAFF RECOMMENDATION:	**Approval**

DETAILED DISCUSSION

The vacant 2.75± acre site is a split from a 19.95± acre parent tract east of I-75. The site has approximately 400 feet of frontage along SR 64 East and 300 feet along Lena Road. The site is in an entranceway.

The site is in the MU (Mixed Use) Future Land Use Category (FLUC). The MU FLUC lists retail commercial in the range of potential uses for consideration. All projects within the MU FLUC require Special Approval. The rezone to PDC is the procedure to acquire Special Approval. Developments in the MU FLUC are not required to meet standards for commercial locational criteria (i.e. located within 1,500 feet of two functionally classified roadways).

The site is currently zoned A-1. The intent of the A-1 zoning district is to provide for agricultural and related uses on short term agricultural lands. The A-1 zoning district does not permit retail commercial.

The proposed PDC zoning permits (with Board approval) a mix of commercial retail and service uses. A rezone to PDC is compatible and consistent with the MU FLUC.

The design shows one off-site entrance connecting SR 64 East and two entrances on Lena Road. Cross access is proposed to the west and south.

The site plan shows one building, a large canopy over gas pumps and parking in front and east sides of the building.

Six-foot wide sidewalks exist along SR 64 East. Pedestrian crosswalks are proposed to extend from SR 64 East to the buildings. Sidewalks are proposed along Lena Road.

There will be perimeter and interior landscaping around vehicle use areas, as well as landscaping in accordance with LDC Section 715 in perimeter and roadway buffers.
The project is in the X Flood zone Category. There are no wetlands or wetland buffer impacts proposed.

There are no known historic or archaeological resources on the site.

The applicant requests Specific Approval for the following:

- an elimination of a part of the buffer to the south because of the shared driveway with the adjacent property.
- Smaller replacement tree sizes.
- More than ten consecutive parking spaces without a landscaped island.

The applicant hosted a Neighborhood Meeting on 1/14/12. Some concerns raised included: traffic, night time deliveries, lighting, vagrancy, usage by garbage trucks, access and drainage problems.

This project will serve a rapidly developing area in east county. Heritage Harbor is to the north, Greenfield Plantation Subdivision is to the northeast, across SR 64 East, and Maple Grove Estates Subdivision is to the south.

Staff recommends approval with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA		
ADDRESS:	7902 SR 64 East	
GENERAL LOCATION:	Southwest corner of S.R.64 and Lena Road East.	
ACREAGE:	2.75± acres	
EXISTING USE(S):	Vacant land	
FUTURE LAND USE CATEGORY(S):	MU (Mixed Use)	
FLOOR AREA RATIO (FAR):	0.14	
SPECIAL APPROVAL(S):	Project in MU	
OVERLAY DISTRICT(S):	N/A	
SPECIFIC APPROVAL(S):	1. Smaller replacement tree sizes. 2. Partial buffer to the south. 3. More than 10 spaces without terminal island.	
SURROUNDING USES & ZONING		
NORTH	Across SR 64 East, is Heritage Harbor Development zoned PDMU (Planned Development Mixed Use).	
SOUTH	Vacant land and single-family residences zoned A-1.	
EAST	Across Lena Road is a single-family residence and vacant land zoned A-1. Farther east is Manatee County Land-fill zoned PD-PI (Planned Development Public Interest).	
WEST	Vacant land zoned A-1. Farther west is I-75.	
SITE DESIGN DETAILS		
BUILDING SQUARE FOOTAGE:	5,928 square feet.	
MINIMUM SETBACKS FOR PDC ZONING DISTRICT (corner lot has two front yards and two side yards):	Front Side	30' 15'

OPEN SPACE:	**30%**
ACCESS:	**SR 64 East and Lena Road**
FLOOD ZONE(S)	**X (Panel 120153 0352 C, revised 7/15/92)**
AREA OF KNOWN FLOODING	**No**
UTILITY CONNECTIONS	**County water and sewer**
ENVIRONMENTAL INFORMATION	
Overall Wetland Acreage:	**None**
Proposed Impact Acreage:	**No impact**

NEARBY DEVELOPMENTS

Residential

Project	Unit/lots	Year Approved
Greenfield Plantation	192 lots	1997
Heritage Harbor	5,000 units	2000
Maple Grove Estates	9 lots	1975

Non-Residential

Project	Sq.ft.	Floor Area Ratio	FLUC	Year Approved
Hide-Away Storage	35,107	0.24	MU	Pending
Magnolia Plaza	12,000	0.19	MU	2010
Walgreens	16,486 retail 3,940 bank	0.16	UF-3	2008
Blackpointe Plaza (f.k.a. Richland Plaza)	18,300 retail & restaurant 4,100 convenience store (3,800 canopy/gas) 1,152 carwash 5,800 bank	0.10	MU	2008
CVS	10,657 retail	0.10	MU	2003

(f.k.a. Eckerds SR 64)				
Amsouth Bank	**3,820 bank**	**0.05**	**MU**	**2003**
Lakewood Ranch Commerce Park	**2,684,000 mixed use (industrial, commercial, and office)**		**ROR/IL**	**2003**
Hess	**3,480 conv. Store 5,796 canopy/gas pumps**	**0.10**	**IL**	**1999**
East Glen (aka Ogles)	**15,115 office & daycare**	**0.12**	**MU**	**1999**

POSITIVE ASPECTS

- The site has direct access to a major arterial and an area designated for mixed uses.
- Commercial retail sales and services will provide convenience for nearby residents, motorists, and visitors in the area.
- The rezone is a logical expansion of PDC along SR 64 East.

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. All roof mounted HVAC equipment shall be screened from view from adjacent roadways. Screening shall consist of similar colors and materials consistent with the construction of the exterior finish of the buildings. Details of screening shall be submitted with the Final Site Plan.

2. All dumpsters shall be screened from view from SR 64 East. Screening shall consist of building materials matching the principal building.

3. Prior to Final Site Plan approval, an Easement Agreement for cross access with adjacent properties to the south and west shall be provided.

4. All other applicable state permits shall be obtained before commencement of the development.

B. ENVIRONMENTAL CONDITIONS:

1. 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.

2. 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.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None.

COMPLIANCE WITH LDC

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
20' wide along SR 64 East & Lena Road	20'	Y		Meets minimum standards
10' wide along perimeters	10'	Y		Specific Approval requested for partial buffer to the south.
Buffer Landscaping	Yes	Y		Meets minimum standards
SIDEWALKS				
5' sidewalk, exterior	5' wide along Lena Road	Y		6' wide sidewalks exist along SR 64 East
ROADS & RIGHTS-OF-WAY				
24' Internal driveways (two-way)		Y		
Dedicate ± Zero ROW	N/A	Y		No additional R/W required
Inter-neighborhood Ties		Y		

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 2.75± acre site is vacant. The site is in an area where there is a mix of agriculture, residential, commercial and industrial zoned properties.

There are no wetlands or wetland impacts proposed.

Public Utilities, Facilities and Services:

There is a 30" reclaimed water main, 8" potable water main and dual 16" force mains, along Lena Road. There is a 42' potable water main and a 12" force main along SR 64.

Compatibility:

This segment of SR 64 East has experienced recent growth in the last decade. Heritage Harbor, a Development of Regional Impact (DRI) is to the north. Farther northeast, across SR 64 East, is a school, golf course, and single-family residences in Greenfield Plantation Subdivision. To the south, is vacant land. Farther south, approximately 300 feet, are single-family residences in Maple Grove Estates. Manatee County Landfill is farther southeast. To the east, is Magnolia Plaza, a recently approved commercial project, not yet constructed. A convenience store with gas pumps (Mobil) is approximately one mile to the east. Vacant land and Interstate I-75 is to the west.

The surrounding area has a mix of agricultural, commercial, industrial, and residential zoning districts and uses. The proposed square footage and FAR are compatible with approved projects to the east and west. A rezone to PDC is compatible with the surrounding zoning districts and allows the Board to attach stipulations to ensure the project is compatible with nearby uses.

Transitions:

The site has been zoned A-1 prior to the adoption of the 1990 Land Development Code. This segment of SR 64 East is transitioning from agriculture to residential, commercial, and industrial uses and zoning districts. The development trend appears to be moving towards a mix of uses which furthers the intent of the MU FLUC. PDC zoning district provides a gradual transition from a major thoroughfare to a landfill.

Design Quality:

One commercial building and canopy over gas pumps will be constructed. The design shows parking spaces will be provided in the front and east sides of the building. The off-site stormwater facility parallels a part of the south and west perimeters of the site.

The project will be required to meet the conditional use criteria standards in LDC Section 704.66.

Lighting will be required in accordance with the requirements of LDC Section 709 and will be reviewed with the future Final Site Plan.

Relationship to Adjacent Property:

The site's proximity to SR 64 East and other commercial retail and service uses makes it suitable to be considered for commercial zoning. Residential uses and a low intensity recreational use are across SR 64 East, to the north. Manatee County Land-fill is to the southeast.

Streets, Drives, Parking and Service Areas:

The structure will share drive aisles which connect SR 64 East and Lena Road. The drive aisles are designed for one and two-way traffic. 40 parking spaces are required (1 space per 200 square feet of gross floor area and one space per 2 pumps per LDC 710). The site plan shows 67 parking spaces to be provided. One designated loading space is proposed behind the building and a bicycle rack for six bicycles is proposed at the front of the building.

Pedestrian Systems:

There are six-foot wide sidewalks existing along SR 64 East and five foot wide sidewalks are proposed along Lena Road. There are sidewalks adjacent to the building ranging from 6.5 to 16.8 feet wide.

Natural and Historic Features, Conservation and Preservation Areas:

There are no known historic or archaeological resources on the site. 30% open space is proposed. There are no wetlands or wetland impacts.

Intensity:

The Floor Area Ratio (FAR) of 0.14 is below the maximum FAR (1.0) allowed for the MU FLUC.

Height:

The maximum height of the structures will not exceed 35 feet and should not create any external impacts that would adversely affect the surrounding developments.

Fences and Screening:

The design shows 5,928 square foot building. Perimeter buffers with landscaping in accordance with LDC Section 715 are proposed for screening.

Yards and Setbacks:

The minimum setbacks for the PDC zoning district and the project are shown in the chart below:

Type	Front	Side	Water
	30'	15'	30'

The site is considered a corner lot having two front yards and two side yards. Therefore, only front and side yard setbacks are applicable.

Trash and Utility Plant Screens:

The site plan shows an area southwest of the building for screened dumpsters.

Signs:

One sign is proposed for the project at the entrance on SR 64 East and one at the intersection of Lena Road and SR 64. The sign will be reviewed with the future Final Site Plan.

Landscaping:

The site plan shows landscaping in accordance with Land Development Code regulations. The applicant requests specific approval to reduce the size of replacement trees at planting, and for a partial perimeter buffer to the south.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is in the MU 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 a mix of agricultural, residential, commercial, and industrial uses.

Policy 2.2.1.21.1 Intent. The site is intended for a variety of residential, commercial, or industrial development.

Policy 2.2.1.21.2 Range of Potential Uses. Retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving.

Policy 2.2.1.21.3 Range of Potential Density/Intensity: The maximum floor area ratio for MU is 1.0. A floor area ratio of 0.14 is proposed.

Policy 2.6.1.1 Compatibility. The proposed design and uses appear to be compatible with surrounding developments.

Policy 2.6.5.4 Preserve/Protect Open Space.
The site plan shows 30% open space (1.2± acres). 25% open space is required.

TRANSPORTATION

Major Transportation Facilities

The site has frontage along SR 64 East, a six-lane divided principal arterial roadway and Lena Road, a two-lane urban collector.

Transportation Concurrency

Transportation concurrency was evaluated as part of the review of this project. The Applicant prepared a Traffic Impact Analysis (TIA) study to determine impacts to the segments of SR 64 East and Lena Road adjacent to the project site, including affected intersections. The results of the traffic study, which was reviewed and approved by the Transportation Planning Division, indicated that all impacted roadway segments and intersections are expected to operate above the level of service (LOS) D performance standard with project-related traffic and with no off-site concurrency-related improvements being required. (See Certificate of Level of Service Compliance table below.)

Access

As previously stated, a review of access issues was undertaken by County staff. The project is expected to have one driveway onto SR 64 East and two driveways onto Lena Road. The access point on SR 64 East will be configured as a right-turn in/right-turn out only driveway. The northernmost access point on Lena Road will also be configured as a right-turn in/right-turn out only driveway and the southern driveway will provide for full turning movement access. The access points to the west and south are proposed off-site to be shared with adjacent properties to the west and south. An Easement Agreement is stipulated for shared access.

Due to the layout of the site, as well as the distance of these driveways to the SR 64 East & Lena Road intersection, improvements at these driveways are required to facilitate efficient traffic flow adjacent to the site. These site-related improvements, which involve a turn lane into the site and channelization measures, are provided in the Certificate of Level of Service Compliance table below.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE TRANSPORTATION CONCURRENCY

CLOS APPLIED FOR: **Yes**
TRAFFIC STUDY REQ'D: **Yes**

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
S.R.64 East	I-75 to Lena Road (Link #3060)	D	C

	Lena Road to Lakewood Ranch Blvd. (Link #3061)		
Lena Road	**SR 64 East to 41st Avenue East (Link #6036)**	**D**	**B**

The results of the traffic study identified the following required site-related improvements:

1. Construct an eastbound deceleration right-turn lane at SR 64 and the project driveway. The right-turn lane shall be constructed in accordance with the Florida Department of Transportation (FDOT) Design Standard (Index 301); and

2. Provide a four (4) foot raised concrete traffic separator between northbound and southbound travel lanes along Lena Road from the northbound approach stop-bar at SR 64 to a point south of the northernmost driveway proposed on Lena Road. The specific design requirements for this improvement shall be coordinated through the Traffic Design Division. This traffic separator may be extended in the future which will result in restricting the southernmost driveway on Lena Road to right-in/right-out only movements.

Please note that the transportation concurrency approval is based upon the results of the submitted/approved traffic study and the corresponding preliminary site plan which identified three future access points, including the configuration (i.e. turning movements allowed) of each access point. If the configuration of any of the three access points changes at the final site plan/construction plan level (including the elimination of any access point), a re-evaluation of traffic impacts shall be required by the Applicant and further improvements may be imposed by County staff. Also, since SR 64 is a state facility, the proposed access point on this roadway will be subject to FDOT approval. Any modifications to the location/configuration of this access point can be approved administratively by County staff.

OTHER CONCURRENCY COMPONENTS

Solid waste landfill capacity, parks needs, and preliminary drainage intent have been reviewed with this Preliminary Site Plan. School capacity, potable water and waste water will be reviewed at the time of Final Site Plan/Construction Drawings.

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Section 603.3 of the Land Development Code (LDC) allows the Board of County Commissioners to make specific modifications to the general zoning and subdivision regulations, where the Board of County Commissioners makes a written finding that the public purpose of the regulations is satisfied to an equivalent or greater degree.

1. **Request:**

   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.

2. **Request:**

   LDC Section 715.3.1.d requires no more than 10 parking spaces without a terminal island. The applicant requests thirteen spaces.

   Staff Analysis and Recommendation:

   North of the building, the design shows thirteen parking spaces followed by an interior landscaped island, then eight parking spaces. The location of the island allows ease of access and prevents trampling of landscaping from patrons. This minor deviation also maintains a superior landscape design.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.1.d., the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree because a superior design is maintained.

3. **Request:**

LDC Section 715.3.1.g requires installation of a perimeter buffer. The applicant requests a partial elimination of the buffer to the south.

Staff Analysis and Recommendation:

The site design shows the southern driveway connecting Lena Road is partly offsite in an access easement. Due to the nature of the easement and the future development potential of the remainder parcel, the proposed tree plantings will be planted in the perimeter buffer south of the building and a continuous hedge will be planted south of the off-site driveway.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.1.g., the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree because adequate screening is provided.

ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **Zoning Disclosure Affidavit**
3. **Request for Specific Approval**
4. **Copy of Newspaper Advertising**

APPLICABLE COMP PLAN POLICIES		
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)
Policy:	2.2.1.21	**MU:** Establish the Mixed-Use future land use category as follows:
Policy:	2.2.1.21.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity and are limited to areas with a high level of public facility availability along functionally classified roadways. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.
Policy:	2.2.1.21.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale, office uses, light industrial uses,

		research/corporate uses, warehouse/ distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses.
Policy:	2.2.1.21.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: 9 dwelling units per acre Minimum Gross Residential Density: 7.0 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: 20 dwelling units per acre 24 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". Maximum Floor Area Ratio: 1.0 2.0 inside the CRA's and UIRA. Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses: Large (300,000sf)
Policy:	2.2.1.21.4	Other Information: a) All projects require special approval and are subject to the criteria within b, c, d below, unless all the following are applicable: 1. The proposed project consists of a single family dwelling unit located on a lot of record which is not subject to any change in property boundary lines during the development of the proposed land use, and 2. The proposed project is to be developed without generating a requirement for either subdivision review, or final site or development

plan review, or equivalent development order review.

b) Non-Residential uses exceeding 150,000 square feet of gross building area (region-serving uses) may be considered only if consistent with the requirements for large commercial uses, as described in this element.

c) Development in each area designated with the Mixed Use category shall:

contain the minimum percentage of at least three of the following general categories of land uses;

- 10 %Residential,
- 10 %Commercial / Professional,
- 10 %Light Industrial / Distribution.
- 5 %Recreation / Open Space,
- 3 %Public / Semi Public,

d) Access between these uses shall be provided by roads other than those shown on the Major Thoroughfare Map Series of this Comprehensive Plan or alternative vehicular and pedestrian access methods acceptable to the County:

(e) Development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Objectives 2.10.4.1 and 2.10.4.2 of this element.

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.
Policy:	2.6.2.1	Limit location of new residential development and residential support uses adjacent to intensive and incompatible agricultural operations.

ZONING DISCLOSURE AFFIDAVIT **B4**

File Number _____

File Name Butler/RaceTrac SR 64 at Lena Road

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 (X) or contract purchaser ( )	
Edith A. Butler	100%
~~1324 17th Street West~~ 1903 22nd St W	
Bradenton, FL 34205	

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

Signature: Edith A. Butler

(Applicant): _____

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 28th day of August 2012 by Edith A. Butler, who is personally known to me or who has produced _____ as identification.
(type of identification)

Signature: Cheryl A Wilson Keiger

Cheryl A Wilson Keiger
Notary

My Commission Expires: _____

_____
Print or type name of Notary

Commission No: _____

_____
Title or Rank

Notary Public State of Florida
Cheryl A Wilson-Keiger
My Commission DD 935298
Expires 10/22/2013

BLALOCK WALTERS

ATTORNEYS AT LAW

WE MAKE A DIFFERENCE

November 2, 2012

Ms. Stephanie Moreland
Manatee County Government
Building & Development Services
1112 Manatee Avenue West
4th Floor
Bradenton, FL 34205

Mark P. Barnebey
Anthony D. Bartirome
Robert G. Blalock
Lisbeth P. Bruce
Marisa J. Davies
Jonathan D. Fleece
Dana Carlson Gentry
Charles F. Johnson, III
Mary Fabre LeVine
Melanie Luten
Michael D. Magidson
Fred E. Moore
Stephen G. Perry
Matthew R. Plummer
William C. Robinson, Jr.
Scott E. Rudacille
Jenifer S. Schembri
Robert S. Stroud
Clifford L. Walters
Matthew D. Westerman

RE: Butler/RaceTrac – Lena Road
Rezone to Preliminary Site Plan Standards
Request for Special and Specific Approvals

Dear Ms. Moreland:

On behalf of Edith Butler and RaceTrac Petroleum, Inc., we are respectfully requesting Manatee County's approval of the following Special and Specific Approvals with the Request to rezone the subject parcel to Planned Development Commercial to Preliminary Site Plan standards for a convenience store with gas pumps.

The Manatee County Comprehensive Plan provides that all projects proposed in the MU Future Land Use Category require Special Approval pursuant to Policy 2.2.1.21.4. Special Approval is addressed through the rezoning of the property to Planned Development zoning, Planned Development Commercial (PDC). The non-residential use does not exceed 150,000 square feet. The uses shall be considered area wide rather than per project, and the area includes a variety of proposed uses. The proposed convenience store with gas pumps will provide a needed community use. Access provided includes a right-in/right-out along State Road 64 East, an unrestricted ingress and a right-out at the northern entranceway at Lena Road, and a full access ingress/egress at the southern entranceway at Lena Road. Cross access is proposed to the west and the south for future development. Although the property is located within a commercial node, development within the MU category shall not be required to achieve compliance with the commercial locational criteria described in Objectives 2.10.4.1 and 2.10.4.2 of this element, because it is recognized that commercial development is an appropriate use in MU designated property.

Where possible, the strict application of the Land Development Code has been included in the design of the site. The proposed Planned Development

BRADENTON
802 11th Street West
Bradenton, FL 34205

SARASOTA
2 North Tamiami Trail
Suite 408
Sarasota, FL 34236

941.748.0100 phone
941.748.2093 fax
BlalockWalters.com

mbarnebey@blalockwalters.com

Commercial District for convenience store with gas pumps includes a request for specific approval of requirements for development under standard district regulations that shall be designed so as to be sensitive to the impacts of the specific approval requested. The specific approval is outlined below regarding foundation landscaping in the Entranceway.

We are respectfully requesting the following Specific Approvals to the Land Development Code for the Preliminary Site Plan:

1. Tree Replacement Size – Section 714.8.7

   Staff is in support of the applicant's request to utilize smaller replacement trees than are currently required by Code, with the replacement trees being 3"/4"/4" instead of 3"/5"/7". These tree sizes reflect nursery inventory and promote faster establishment of the new trees. Additionally, the Land Development Code is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.

2. Vehicle Use Areas – Section 715.3.1.d.

   The applicant is requesting a Specific Approval to allow flexibility in the Land Development Code Section 715.3.1.d. "No more than ten (10) consecutive spaces shall be allowed without an interior landscape island." The preliminary site plan provides thirteen spaces and eight spaces with a landscape island between. This minor deviation design allows for a superior landscape design and substantially meets the intent of the code.

3. Perimeter Landscaping Requirements - Section 715.3.1.g

   The applicant is requesting Specific Approval to allow flexibility in Land Development Code Section 715.3.1.g. "Where vehicle use areas abut the roadway, the roadway buffer may serve as the perimeter parking lot buffer. However, where the vehicle use area does not abut a roadway, the perimeter landscaping requirements shall be a minimum width of eight (8) feet containing one (1) canopy tree meeting the minimum requirements of 715.4(B) per forty (40) feet or substantial fraction thereof, and either shrubs, hedges, berming or fences or any combination thereof, to reach a height of forty-two (42) inches, two (2) years after installation, and being eighty (80) percent opaque." Vehicle Use area screening for the southern driveway off

Lena Road is within the access easement off-site. A hedge will be planted in this area. Due to the nature of the easement and the future development potential of the remainder parcel, the proposed tree plantings for this area will be located behind the building west of this driveway.

Please do not hesitate to contact me with any questions or comments regarding the request for Special Approval and Specific Approval. I can be reached at (941) 748-0100.

Very truly yours,

Mark P. Barnebey, Esq.

MPB/rwl

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF DRI/ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the **Planning Commission of Manatee County** will conduct a Public Hearing on **Thursday, December 13, 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 matters:

PDMU-12-06(G)–TS#20120156 - VILLAGE SQUARE
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a General Development Plan for 30,000 square feet of professional office; medical office; and business service uses on approximately 5.07 acres at the northeast corner of US 301 and 100th Drive East, approximately 2,100 feet west of 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.

PDC-12-09(Z)(P)–DTS#20120305- BUTLER/RACE TRAC- LENA ROAD
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 rezone of approximately 2.75 acres at the southwest corner of SR 64 East and Lena Road at 7902 SR 64 East, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDC (Planned Development Commercial) zoning district; approving a Preliminary Site Plan for a 5,928 square foot convenience store, 10,933 square foot canopy and 20 gas pumps; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDMU-09-10(P)(R)–DTS#20120335 - GULFSIDE HOMES / BOWLEES CREEK, LLP / BOWLEES CREEK
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Eliminate a 200 rack dry storage facility (51,000 square feet);
- Increase the total number of multi-family units from 162 to 225;
- Add a 126 bed group care home (equals 21 units), for a total of 246 units;
- Retain 53 existing wet slips.

The 19.01± acre site is north of Bowlees Creek, south of 69th Avenue West (Bay Drive), and west of U.S. 41, Bradenton. The site is zoned PDMU/AI/CH (Planned Development Mixed Use/ Airport Impact and Coastal High Hazard Overlay Districts); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

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
11/28/2012

Sarasota Herald Tribune

Dated this ...

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
Date of Pub: November 28, 2012

PRELIMINARY SITE PLAN - AUGUST 2012

FOR

RACETRAC MARKET - SR64 at LENA ROAD

IN

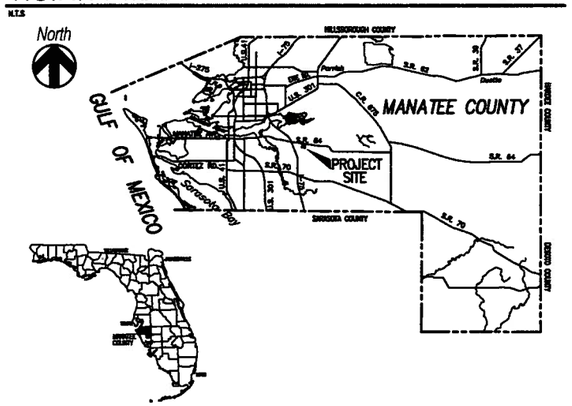
SECTION 36, TOWNSHIP 34S., RANGE 18E.
MANATEE COUNTY, FLORIDA

FOR

RACETRAC PETROLEUM, INC.

VICINITY MAP

N.T.S



LOCATION MAP

N.T.S

CONTACTS

OWNER
RACETRAC PETROLEUM, INC.
3225 CUMBERLAND BOULEVARD
SUITE 100
ATLANTA, GA 30339
PHONE: (770) 431-7600

CIVIL ENGINEER
JENSEN AND GROUP ENGINEERING CONSULTANTS, LLC
1626 BARBER ROAD, SUITE A
SARASOTA, FLORIDA 34240
PHONE: (941) 747-7400
FAX: (941) 371-1865

SURVEYOR
EBI SURVEYING
8415 SUNSTATE STREET
TAMPA, FL 33634
PHONE: (813) 886-6080
FAX: (813) 886-6081

ARCHITECT
INTERPLAN, INC.
93 LEE ROAD, SUITE 120
ORLANDO, FLORIDA 32810
PHONE: (407) 645-5008

UTILITY PURVEYOR
MANATEE COUNTY UTILITIES DEPARTMENT
66TH STREET WEST 4422-B
BRADENTON, FLORIDA 34210
PHONE: (941) 792-8811
FAX: (941) 795-3467

LANDSCAPE ARCHITECT
HARDEMAN KEMPTON & ASSOC., Inc.
2207 W. NORTH A STREET
TAMPA, FLORIDA 33606
PHONE: (813) 258-0066
FAX: (813) 258-1783

INDEX

SHEET NUMBER	DESCRIPTION
	COVER SHEET
C-01	EXISTING CONDITIONS PLAN
C-02	PRELIMINARY SITE PLAN
L-1.1	LANDSCAPE PLAN
L-1.2	LANDSCAPE DETAILS
L-1.3	LANDSCAPE SPECS

PRELIMINARY SITE PLAN NOTES

PROJECT: RACETRAC MARKET - SR64 at LENA ROAD
ADDRESS: 7802 SR 64 EAST, BRADENTON, FL 34202
PARCEL I.D. NO.: 1463700052
EXISTING ZONING: A-1
PROPOSED ZONING: PDC (PLANNED DEVELOPMENT COMMERCIAL)
PROPOSED USE: COMMENCE STORE WITH GAS PUMPS

1. BASIC INFORMATION

(a-e) REFER TO COVER SHEET AND SHEET C-02 FOR BASIC INFORMATION.
(h) SEE COVER SHEET FOR VICINITY MAP.
(i) ALL DIMENSIONS ARE PROVIDED IN FEET AND DECIMALS OF A FOOT.
(g) SEE COVER SHEET FOR STANDARD SIGN-OFF BLOCK.

2. EXISTING SITE CONDITIONS

(a) TOTAL PROJECT ACREAGE= 2.75± ACRES; CONSTRUCTION LIMIT ACREAGE= 3.35± ACRES
(b) SEE SHEET C-01 FOR ADJACENT PROPERTY ZONING AND LAND USE.
(c) SEE SHEETS C-01 FOR NAME, LOCATION, AND SIZE OF EXISTING EASEMENTS, EXISTING AND PLATTED STREETS, DRAINAGE WAYS, UTILITIES, BUILDING AND HISTORIC SITES ON SITE.
(d) SEE SHEET C-01, FOR LOCATION EXISTING AND PLATTED STREETS, DRAINAGE WAYS, AND UTILITIES ON CONTIGUOUS PROPERTIES AT PROJECT PERIMETER.
(e) SEE ATTACHED SURVEY AND SHEETS C-01 AND C-02 FOR TOPOGRAPHIC INFORMATION AS PROVIDED IN SURVEY BY EBI SURVEYING, PROJECT NO. 8090DWG, DATED 04/17/2012.
(f) PROJECT LIES WITHIN FLOOD ZONE "X" AS PER F.I.R.M. PANEL NO. 120153 0352C, REVISED DATE JULY 15, 1992.
(g) N/A; PROJECT IS LESS THAN ONE HUNDRED (100) ACRES.
(h) THERE ARE NO EXISTING WETLANDS WITHIN THE PROJECT LIMITS.
(i) SEE SHEET C-01 FOR TREE LOCATIONS WITHIN THE CONSTRUCTION LIMITS (REFER TO LANDSCAPE PLANS FOR TREE REMOVAL).

3. DEVELOPMENT DESCRIPTION

(a) SEE SHEET C-02 FOR SITE DATA (APPROXIMATE LOCATIONS, INTENSITY, AND ACREAGE OF GENERAL LAND USES). NO DWELLING UNITS OR RECREATIONAL FACILITIES ARE PROPOSED.
(b) N/A; THERE ARE NO DWELLING UNITS PROPOSED WITH THIS DEVELOPMENT.
(c) THE FLOOR AREA TO SITE RATIO IS 16,861 S.F. (5,828 S.F. BLDG. + 10,633 S.F. CANOPY): 119,790 S.F. = 1:7.1 OR 0.141 OR 14%
OPEN SPACE TO SITE RATIO IS 35,910 S.F.: 119,790 S.F. = 1:3.4 OR 0.297 OR 30%
(d) N/A; NO BONUS APPLICATION IS BEING SUBMITTED.
(e) CONSTRUCTION SHALL BE IN ONE PHASE AND COMMENCE UPON FINAL SITE PLAN / BUILDING PERMIT APPROVAL. CONSTRUCTION SHALL BE COMPLETED WITHIN 1 YEAR.

ADDITIONAL INFORMATION:
PARKING CALCULATIONS: THE LDC REQUIRES 1 SPACE PER 2 GAS PUMPS AND 1 SPACE PER 200 SQUARE FEET FOR CONVENIENCE STORE. THE PROPOSED SITE DESIGN INCLUDES 20 GAS PUMPS AND 5,828 SQUARE FEET OF CONVENIENCE STORE.
20 x 1sp/2 pumps = 10 SPACES REQUIRED, AND 5,828 SF x 1sp/200 SF = 30 SPACES REQUIRED.
TOTAL PARKING REQUIRED = 40; TOTAL PARKING PROVIDED = 67.
A BICYCLE RACK FOR 6 BIKES HAS BEEN PROVIDED ALONG WITH ONE OFF-STREET LOADING SPACE.

4. PROPOSED SITE DESIGN

(a) (1 THRU 6) REFER TO SHEET C-02 FOR APPROXIMATE DIMENSIONS AND LOCATIONS OF LOT LINES/LAND USES, PROPOSED STRUCTURES, PROPOSED INFRASTRUCTURE, PROPOSED/REQUIRED EASEMENTS, PROPOSED OPEN SPACE, AND PARKING/LOADING AREAS.
(7 AND 8) REFER TO SHEETS L-1.1 THROUGH L-1.3 FOR LANDSCAPE PLAN AND DETAILS.
(9) REFER TO SHEET C-02 FOR PROPOSED VEHICULAR CIRCULATION.
(10) REFER TO SHEET C-02 FOR PROPOSED SIGN LOCATIONS. PROPOSED LIGHTING SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 709 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE (LDC).
(b.) PROPOSED BUILDING SHALL HAVE A HEIGHT OF 24'.
(c.) REFER TO SHEET C-02 FOR PROPOSED SIGN LOCATIONS. PROPOSED LIGHTING SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 709 OF THE LDC.

5. REQUIRED IMPROVEMENTS

(a.b.) PROPOSED WATER SERVICE AND SEWER SERVICE SHALL BE PROVIDED BY CONNECTIONS TO EXISTING UTILITY INFRASTRUCTURE. THE UTILITY PURVEYOR IS MANATEE COUNTY. SEE SHEET C-02 FOR CONNECTION LOCATIONS. ON-SITE WATER AND SEWER SERVICES WILL BE PRIVATELY MAINTAINED.
(c.) REFUSE COLLECTION SHALL BE PROVIDED BY USE OF A PROPOSED DUMPSTER (WITH ENCLOSURE).
(d.) FIRE PROTECTION SHALL BE PROVIDED BY THE EXISTING FIRE HYDRANT LOCATED NEAR THE NORTHEAST CORNER OF THE PROPERTY WITHIN THE LENA ROAD R/W. THE PROPOSED BUILDING WILL NOT BE FIRE SPRINKLED.
(e.) IRRIGATION SHALL BE PROVIDED BY CONNECTION TO EXISTING EFFLUENT REUSE FACILITIES NEAR THE PROJECT SITE. THERE ARE NO KNOWN EXISTING WELLS LOCATED WITHIN THE PROJECT LIMITS.
(f.) PROPOSED PROJECT SIDEWALKS AND EXISTING SIDEWALKS ARE SHOWN ON SHEET C-02.
(g.) SEE SHEET C-02 FOR PROPOSED DRIVEWAY AND ACCESS. DETAILED CROSS SECTIONS SHALL BE PROVIDED WITHIN THE FSP AND CONSTRUCTION PLANS.
(h.) SEE SHEET C-02 FOR PROPOSED STORMWATER COLLECTION SYSTEM.

6. SUPPLEMENTAL INFORMATION

(a.) ANY PROPOSED EASEMENTS AND/OR RIGHT-OF-WAY DEDICATIONS AND RESERVATIONS SHALL BE CONVEYED AND RECORDED IN A MANNER ACCEPTABLE TO MANATEE COUNTY REQUIREMENTS.

LATEST REVISION: 1 10/23/12

Manatee County Building & Development Services Department Signature Block

Project Number: _____ Project Name: _____
Approval Type: _____ DTS Number: _____

PROJECT PLANNER _____ DATE _____
PROJECT ENGINEER _____ DATE _____
CONCURRENCY _____ DATE _____
ENVIRONMENTAL PLANNING _____ DATE _____
ENVIRONMENTAL HEALTH _____ DATE _____
FIRE DISTRICT _____ DATE _____

Attention: The combination of this signed plan and accompanying approval letter constitutes the complete approved document. Both documents should be provided to interested parties and submitted with any building permit application. There may be other documents, including a CLOS that affect this project approved.

OWNER/AGENT _____ DATE _____

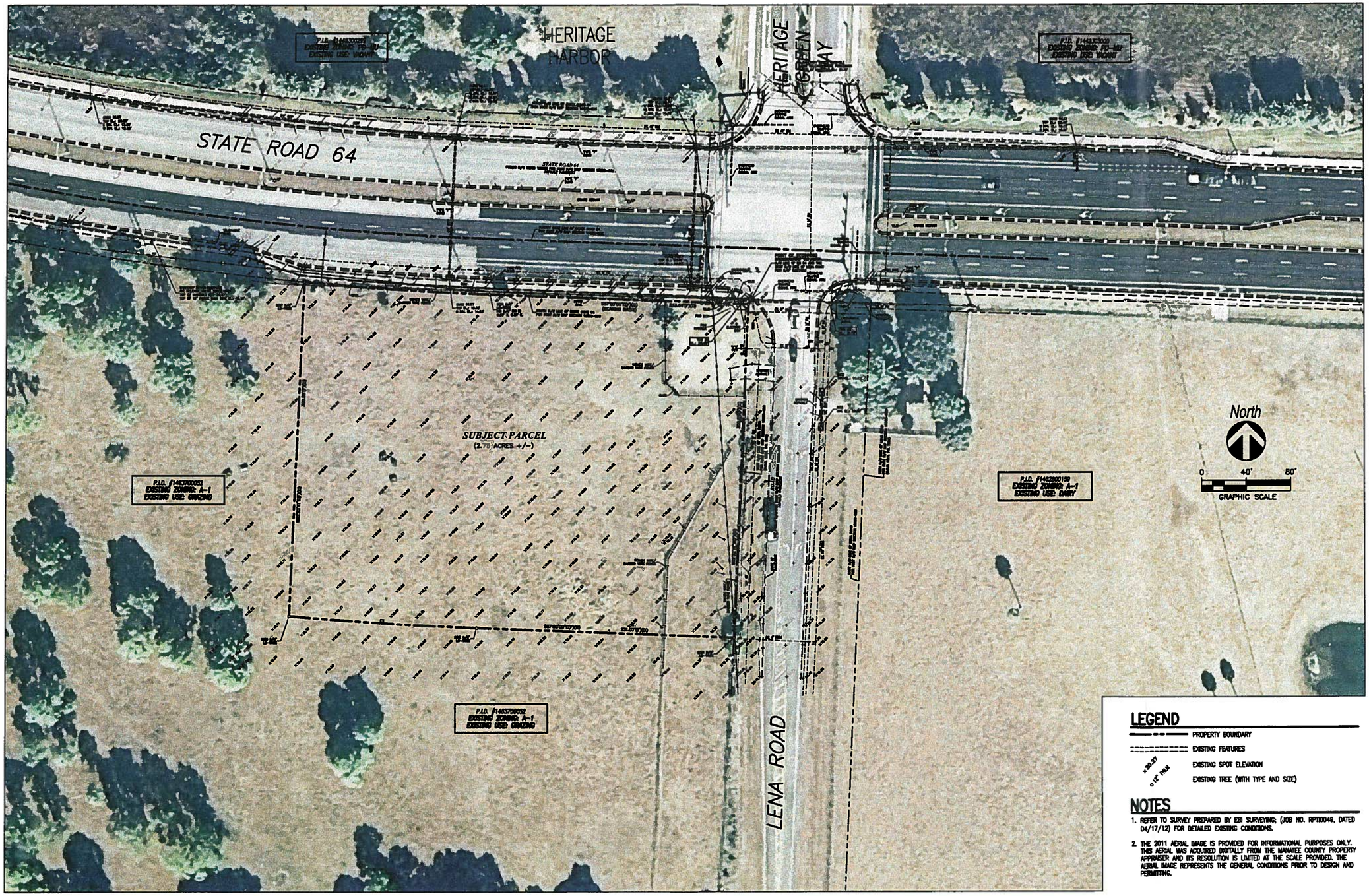
JAG Jensen and Group, LLC Engineering Consultants

KURT W. JENSEN, P.E. FL. P.E. NO. 34850
DATE: _____ E.B.# 26498

811 KNOW WHAT'S BELOW. ALWAYS CALL 811 BEFORE YOU DIG. It's fast. It's free. It's the law. www.callsunshine.com

ATTENTION SHOULD BE DIRECTED TO THE FACT THAT THESE PLANS MAY HAVE BEEN REDUCED IN SIZE AND SCALE BY REPRODUCTION. PLEASE NOTE THAT THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

PDC-12-09(Z)(P)
20120305(3)
Butler/Race Trac- Lena Road (RAPID RESPONSE-EDC)



LEGEND

- PROPERTY BOUNDARY
- EXISTING FEATURES
- x 20.27 — EXISTING SPOT ELEVATION
- o 12" PALM — EXISTING TREE (WITH TYPE AND SIZE)

NOTES

1. REFER TO SURVEY PREPARED BY EBI SURVEYING; (JOB NO. RP110049, DATED 04/17/12) FOR DETAILED EXISTING CONDITIONS.
2. THE 2011 AERIAL IMAGE IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THIS AERIAL WAS ACQUIRED DIGITALLY FROM THE MANATEE COUNTY PROPERTY APPRAISER AND ITS RESOLUTION IS LIMITED AT THE SCALE PROVIDED. THE AERIAL IMAGE REPRESENTS THE GENERAL CONDITIONS PRIOR TO DESIGN AND PERMITTING.

JAG Jensen and Group, LLC
Engineering Consultants
1628 Barber Road, Suite A
Sarasota, Florida 34240
Ph.: (941) 371-1660 Fax: (941) 371-1665
www.JAG-Eng.com

NO.	REVISION DESCRIPTION	DATE	BY
1	PRL MANATEE COMMENTS	9/25/12	MWM

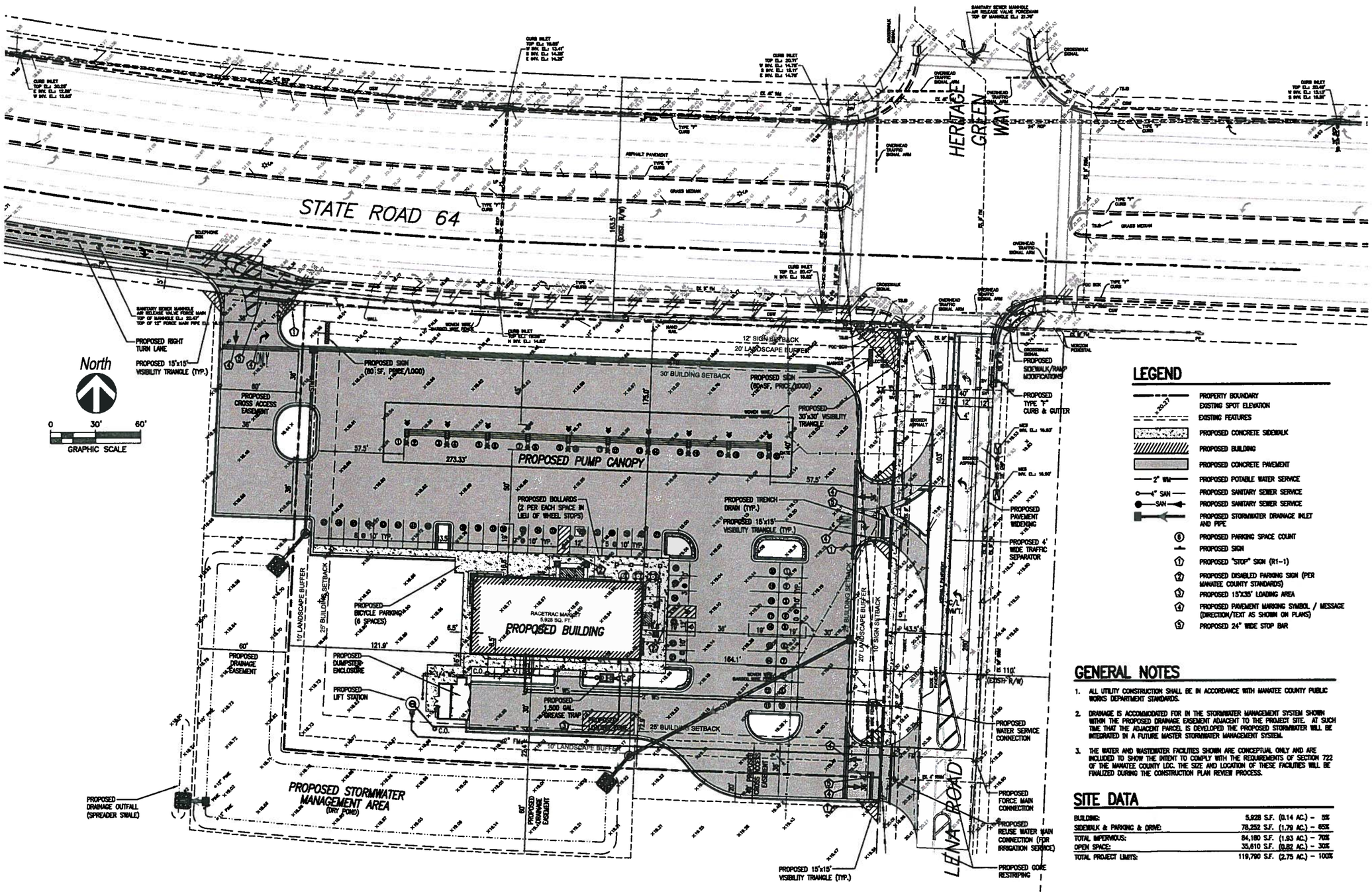
PROJECT NO: 074-001
DESIGNED BY: MWM
DRAWN BY: JAG
CHK'D BY: MWM
PROJ. MGR: KWJ
DATE: 07/16/2012

RACETRAC PETROLEUM, INC.
3225 CUMBERLAND BOULEVARD, SUITE 300
ATLANTA, GA 30339
(770) 431-7600

FOR: RACETRAC PETROLEUM, INC.
TITLE: PRELIMINARY SITE PLAN
RACETRAC MARKET - SR64 @ LENA ROAD
DESC: EXISTING CONDITIONS PLAN

X
Kurt W. Jensen, P.E.
FLA. CERT. NO. 34850
E.B. #28466
DATE:

C-01



LEGEND

- PROPERTY BOUNDARY
- EXISTING SPOT ELEVATION
- EXISTING FEATURES
- PROPOSED CONCRETE SIDEWALK
- PROPOSED BUILDING
- PROPOSED CONCRETE PAVEMENT
- 2" WM — PROPOSED POTABLE WATER SERVICE
- 4" SAN — PROPOSED SANITARY SEWER SERVICE
- SAN — PROPOSED SANITARY SEWER SERVICE
- PROPOSED STORMWATER DRAINAGE INLET AND PIPE
- (8) PROPOSED PARKING SPACE COUNT
- PROPOSED SIGN
- (1) PROPOSED "STOP" SIGN (R1-1)
- (2) PROPOSED DISABLED PARKING SIGN (PER MANATEE COUNTY STANDARDS)
- (3) PROPOSED 15'X35' LOADING AREA
- (4) PROPOSED PAVEMENT MARKING SYMBOL / MESSAGE (DIRECTION/TEXT AS SHOWN ON PLANS)
- (5) PROPOSED 24" WIDE STOP BAR

GENERAL NOTES

1. ALL UTILITY CONSTRUCTION SHALL BE IN ACCORDANCE WITH MANATEE COUNTY PUBLIC WORKS DEPARTMENT STANDARDS.
2. DRAINAGE IS ACCOMMODATED FOR IN THE STORMWATER MANAGEMENT SYSTEM SHOWN WITHIN THE PROPOSED DRAINAGE EASEMENT ADJACENT TO THE PROJECT SITE. AT SUCH TIME THAT THE ADJACENT PARCEL IS DEVELOPED THE PROPOSED STORMWATER WILL BE INTEGRATED IN A FUTURE MASTER STORMWATER MANAGEMENT SYSTEM.
3. THE WATER AND WASTEWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO SHOW 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 CONSTRUCTION PLAN REVIEW PROCESS.

SITE DATA

BUILDING:	5,928 S.F. (0.14 AC.) - 5%
SIDEWALK & PARKING & DRIVE:	78,252 S.F. (1.79 AC.) - 65%
TOTAL IMPERVIOUS:	84,180 S.F. (1.93 AC.) - 70%
OPEN SPACE:	35,610 S.F. (0.82 AC.) - 30%
TOTAL PROJECT LIMITS:	119,790 S.F. (2.75 AC.) - 100%

Jensen and Group, LLC
Engineering Consultants
1828 Barber Road, Suite A
Sarasota, Florida 34240
Ph.: (941) 747-1800 Fax: (941) 371-1885
www.JAGengineering.com

NO.	REVISION DESCRIPTION	DATE	BY
1	PER MANATEE COUNTY COMMENTS	9/23/05	MAM

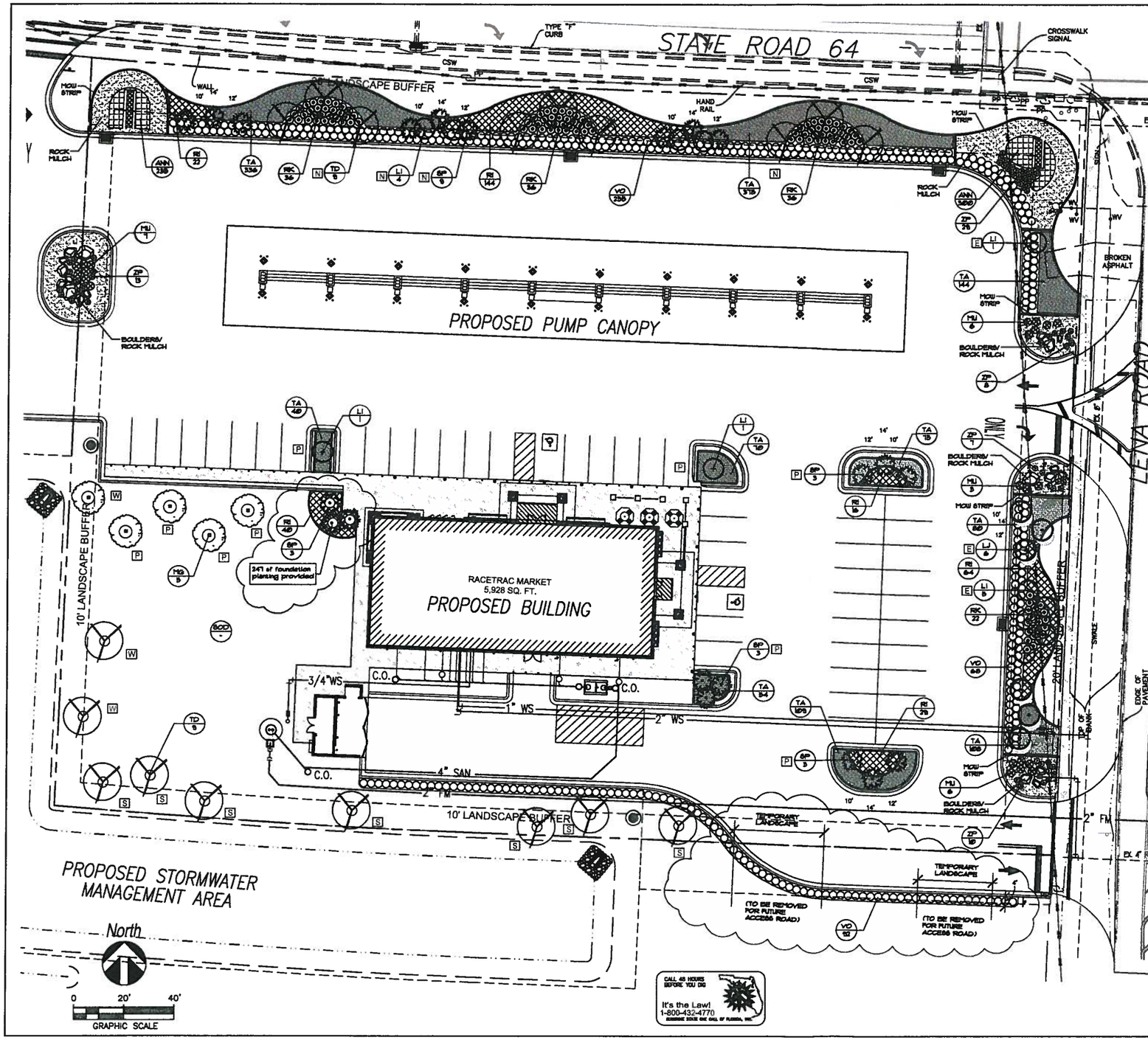
PROJECT NO: 074-001
DESIGNED BY: MAM
DRAWN BY: JAG
CHK'D BY: MAM
PROJ. MGR: KJW
DATE: 07/05/05

RACETRAC PETROLEUM, INC.
3225 CUMBERLAND BOULEVARD, SUITE 700
ATLANTA, GA 30339
(770) 431-7600

FOR: RACETRAC PETROLEUM, INC.
TITLE: PRELIMINARY SITE PLAN
RACETRAC MARKET - SR64 @ LENA ROAD
DESC: PRELIMINARY SITE PLAN

X
Kurt W. Jensen, P.E.
FLA. CERT. NO. 34850
E.B. #26486
DATE:

C-02



LANDSCAPE MATERIALS LIST

QTY	KEY	BOTANICAL NAME	COMMON NAME	SPECIFICATIONS	NATIVE
12	LI	Lagerstroemia indica	Crape Myrtle 'Natchez'	B/B, min. 8' oah X 3' spr, 1.5" cal, std.	N
6	LJ	Ligustrum japonicum	Tree Ligustrum	B/B, min. 8' oah X 6' spr, multi-trunk	N
21	SP	Sabal palmetto	Sabal Palm	B/B, 10' - 16' clear trunk hts. as listed, tied fronds, no hurricane/ cigar cuts allowed	Y
5	MG	Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	B/B, min. 10' oah X 4' spr, 2.5" cal.	Y
18	TD	Taxodium distichum	Bald Cypress	B/B, min. 10' oah X 4' spr, 2.5" cal.	Y
415	VO	Viburnum obovatum	Walter's Viburnum	min. 3 gallon, 24" ht x 18"-24" spr, 36" o.c.	
315	RI	Raphiolepis indica 'Albe'	Dwarf Indian Hawthorn	min. 3 gallon @ 30" o.c.	
149	RK	Rosa cv. 'Knockout'	Double Red Knockout Roses	min. 3 gallon @ 36" o.c.	
67	ZP	Zamia pumila	Coontie Palm	min. 3 gallon @ 30" o.c.	
22	MU	Muhlenbergia capillaris	Muhly Grass	min. 1 gallon @ 36" o.c.	
1,391	TA	Trachelospermum asiaticum	Minima Jasmine	min. 1 gallon @ 18" o.c.	
535	ANN	Annuals spp.	Annuals spp.	4" diameter pots @ 10" o.c.	
-	Sod1	Zoysia japonica	Empire Zoysia Sod	Sq Ft, install in rolls	
-	Sod2	Paspalum notatum	Bahia Sod	Sq Ft	
	MULCH		Hardwood mulch	Cu'Yd.	

LANDSCAPE REQUIREMENTS

As per Manatee County landscape code (chaper 7, section 715 and 737)

LANDSCAPE CALCULATIONS

RIGHT-OF-WAY BUFFERS REQUIREMENTS

Designated Entranceways requirements

20' wide landscape buffer

(1) decorative or canopy trees per 25 lf and continuous hedge

S.R. 64

400 lf/ 25 lf = (16) trees req'd and provided

Lena Rd. -

300 lf/ 25 lf = (12) trees req'd and provided

PERIMETER / INTERIOR BUFFERS REQUIREMENTS

vehicular used area abuts adjacent property

8' wide landscape buffer

(1) tree /40 lf and a continuous hedge

west - 132 lf /40 = (3) trees required and provided

south - 277 lf /40 = (7) trees required and provided

PARKING AREAS LANDSCAPE REQUIREMENTS

(4) canopy trees and (20) shrubs /20 parking spaces

47 total parking spaces

47 /20 = .8

2.35 x 4 = (9) canopy trees required

2.35 x 20 = (47) shrubs

(9) canopy trees and (47) shrubs provided

REQUIRED FOUNDATION LANDSCAPE

40 sf landscaping per 1,000 sf of building

5,928 sf / 1,000 sf = 5.928 x 40 sf = 238 sf landscaping required

TOTAL REQUIRED TREES

Proposed required trees = (47) trees

Native species required - 47 x 30% = (14) trees req'd

No more than 30% of total required trees can be understory trees = 47 x .30 = (14) trees

No more than 40% of total required trees can be palms = 47 x .40 = (19) trees

ADDITIONAL NOTES

All interior landscape areas not dedicated to trees or to preservation of existing vegetation must be landscaped with grass, ground cover, shrubs or other approved landscaping materials. Sand, gravel, rock, shell or pavement are not appropriate landscape materials.

A three-inch min. layer, after watering-in, of mulch or other recycled materials must be placed and maintained around all newly installed trees, shrubs, and ground cover plantings. Each tree must have a ring of mulch no less than 24 inches beyond it's trunk in all directions. Areas not planted with trees, shrubs, or ground covers shall be sodded with sod.

Contractor shall install new irrigation system to provide 100% coverage to all landscape areas.

GENERAL LANDSCAPE NOTES

1. All landscape material shall be fla. no. 1 grade or better, as specified in grades and standards for nursery plants, parts I and II, by Division of Plant Industry, Florida Department of Agriculture and Consumer Services, and shall conform to current American Association of Nurseryman Standards for Nursery Stock. Landscape material shall be planted according to Sound Nursery Practices.

2. All shrubs shall be a minimum of 24" high at the time of planting and spaced no greater than 36" on center. Shrubs shall not adversely impact existing tree root systems and shall be field adjusted if necessary.

3. All required trees shall be a minimum of 10' overall height with a min. 2" trunk caliper at time of planting. Adjust tree locations as necessary to avoid utilities, obstructions, etc. see materials list for exact specifications.

4. All required trees shall be located a minimum of 5 feet from impervious surfaces, all shrubs 2 feet.

5. An automatic underground irrigation system shall be installed to maintain the landscape area in a healthy manner and provide 100% coverage.

6. The contractor shall sod all disturbed areas. All planting shall be mulched to a 3" minimum depth.

7. The contractor shall be responsible for the clean up of premises and removal of all discarded and surplus materials, and rubbish.

8. Verify the locations of existing trees, lawns, and shrubs. Remove extraneous materials such as rocks, branches, building materials or unacceptable soils prior to planting sod, trees, and shrubs, where encountered.

9. Contractor shall become acquainted with the related paving, site grading, and all utilities (including water, sewer, and electrical supply) to preclude any misunderstandings and ensure a trouble free installation.

10. The exact location of all existing structures, underground utilities , and pipes may not be as indicated on drawings; the contractor shall determine the location of these items and shall conduct his work in a manner to prevent interruption or damage to existing systems which must remain operational. The contractor shall protect existing structures and utility services which must remain operational and shall be responsible for their replacement if damaged by him.

11. Contractor shall call Sunshine State One-Call at least 48 hours prior to digging. (1-800-432-4770).

12. Quantities on plan take precedence over materials list. Quantities on materials list are provided as a courtesy only.

REQUIRED TREE LEGEND

(label indicates how each tree satisfies the code requirement)

- N North ROW buffer along S.R. 64 . (Qty: 8)
- E East ROW buffer along Lena Rd. (Qty: 6)
- W West buffer along adjacent to commercial site. (Qty: 3)
- S South buffer along adjacent to commercial site. (Qty: 7)
- P Parking area landscape requirement (Qty 9)

PLANS PREPARED BY

HARDEMAN · KEMPTON & ASSOCIATES

Landscape Architects

2207 N. NORTH "X" ST. TAMPA FL 33605 (813) 248-[illegible]

JAG Jensen and Group, LLC Engineering Consultants

1635 Barber Road, Suite A
Sarasota, Florida 34240
Ph: (941) 747-7400 Fax: (941) 371-1995
www.JAG-Eng.com

NO.	REVISION DESCRIPTION	DATE	BY
1	per comments	10-26-12	KC

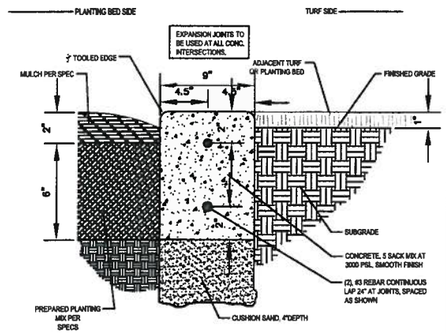
PROJECT NO: 074-001
DESIGNED BY: KC
DRAWN BY: KC
CHK'D BY: JER
PROJ. MGR: JER
DATE: 08/23/2012

RACETRAC PETROLEUM, INC.
3225 CLAIRMONT RD. DOUGLAS BLVD.
SUITE 100
ATLANTA, GA 30339
(770) 431-7600

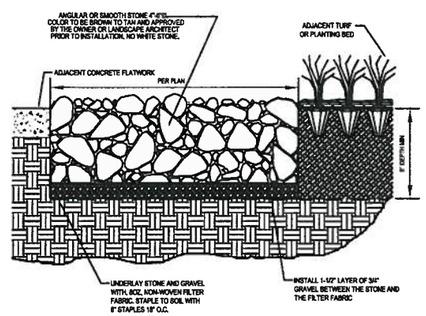
FOR: PRELIMINARY LANDSCAPE PLAN
TITLE: RACETRAC MARKET - SR64 @ LENA ROAD
DESC: LANDSCAPE PLAN

X
JASON E. RINARD, R.L.A.
FLA. REG. NO. 00018505
DATE:

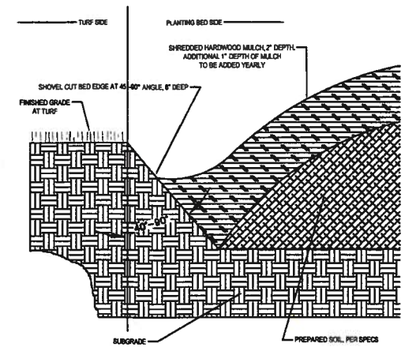
L-1.1



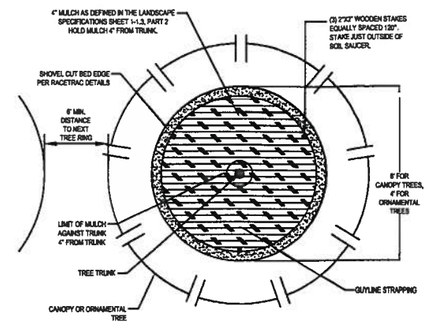
1 L1.2 REINFORCED CONCRETE BED EDGE (MOW STRIP)
NTS



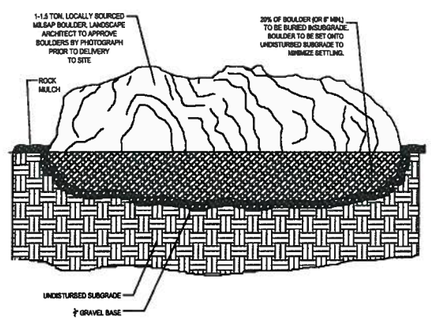
2 L1.2 SIGNATURE RIVER ROCK MULCH
NTS



3 L1.2 SHOVEL CUT BED EDGE
NTS

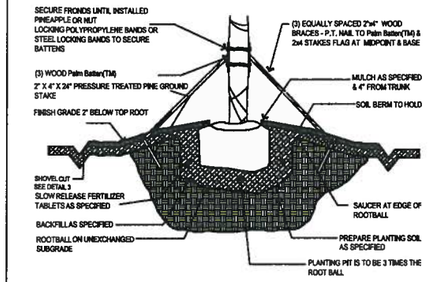


4 L1.2 MULCHING RING AT TREES
NTS

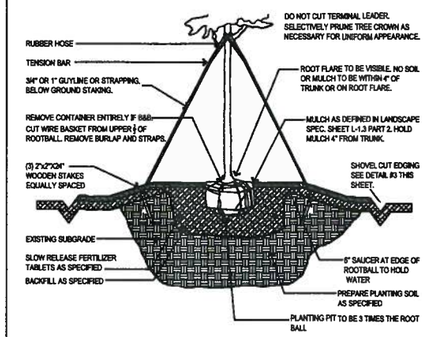


AVOID PLACING UTILITIES DIRECTLY BELOW BOULDERS PLACEMENT OF BOULDERS SHALL NOT CREATE PONDING OR ENTRAPMENT OF WATER.

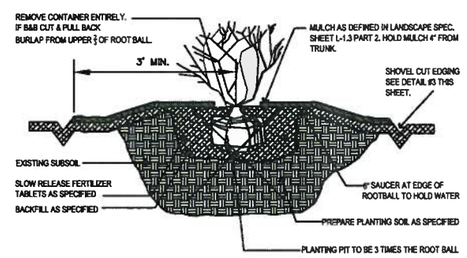
5 L1.2 BOULDER INSTALLATION
NTS



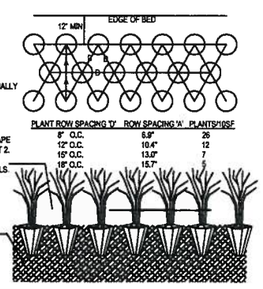
6 L1.2 STAKED PALM TREE
NTS



7 L1.2 STAKED TREE(GENERAL)
NTS

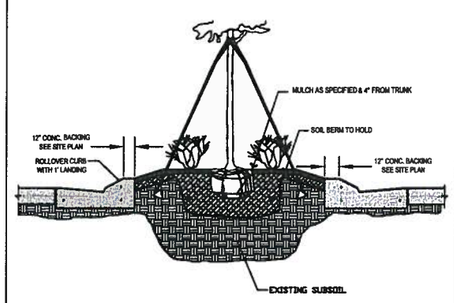


8 L1.2 SHRUB(GENERAL)
NTS

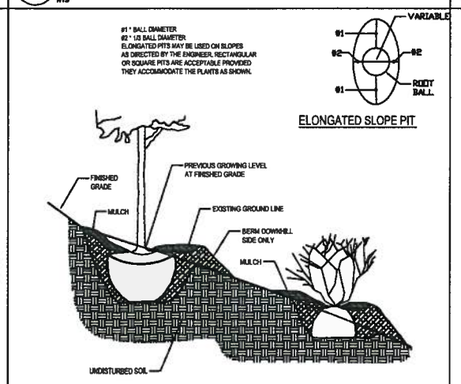


PLANT	ROW SPACING 'D'	ROW SPACING 'A'	PLANTS/100SF
	8" O.C.	6.9"	26
	12" O.C.	10.4"	12
	15" O.C.	13.0"	7
	18" O.C.	15.7"	4

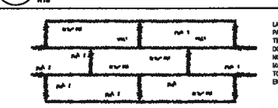
9 L1.2 GROUNDCOVER PLANTING
NTS



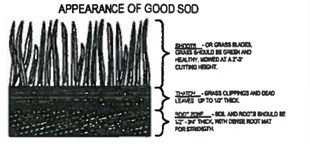
10 L1.2 LANDSCAPE ISLAND BED (TYP)
NTS



11 L1.2 PLANT PLACEMENT ON SLOPE
NTS



APPEARANCE OF GOOD SOD



SOD PLANTING REQUIREMENTS

GRASS	VARIETIES	RESOURCE AREA	GROWING SEASON
BERMUDA GRASS	COMMON UNHULLED TIFGREEN TIFLAWN	M-L P.C. P.C. P.C.	WARM WEATHER
BAHIA GRASS	PAHIAMCOLA	P.C.	WARM WEATHER
CENTIPEDE	-	P.C.	WARM WEATHER
ST. AUGUSTINE	COMMON BITTERBLUE PALEDOF	C	WARM WEATHER
ZOYSIA	EMERALD MEYER	P.C.	WARM WEATHER
TALL FESCUE	KENTUCKY	M-L.P.	COOL WEATHER

FERTILIZER REQUIREMENTS FOR SOD

TYPES OF SPECIES	PLANTING YEAR	FERTILIZER (N-P-K)	RATE (lb/sq.ft)	NITROGEN TOP DRESSING RATE (lb/sq.ft)
COOL SEASON GRASSES	FIRST	5-3-1-2	1020	10-100
	SECOND	5-3-1-2	1020	-
	MAINTENANCE	16-10-16	400	50
WARM SEASON GRASSES	FIRST	5-3-1-2	1020	10-100
	SECOND	5-3-1-2	800	10-100
	MAINTENANCE	16-10-16	400	20

NOTE: NO ROLLED SOD IN FLORIDA

FERTILIZER REQUIREMENTS FOR SOIL SURFACE APPLICATION

FERTILIZER TYPE	FERTILIZER RATE (Sq.ft)	FERTILIZER RATE (Sq.ft)	SEASON
16-16-17	1000	25#	FALL

9 L1.2 SOD
NTS

CALL 48 HOURS BEFORE YOU DIG
It's the Law!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

PLANS PREPARED BY
HARDEMAN · KEMPTON & ASSOCIATES
Landscape Architects
5307 N. ARGON "A" ST. TAMPA FL 33603 (813) 233-0336

JAG Jensen and Group, LLC Engineering Consultants
1539 Barber Road, Suite A
Sarasota, Florida 34240
Ph: (941) 727-7403 Fax: (941) 371-1865
www.JAG-Sarasota.com

NO.	REVISION DESCRIPTION	DATE	BY
1	per comments	10-04-13	KC

PROJECT NO: 074-001
DESIGNED BY: KC
DRAWN BY: KC
CHK'D BY: JER
PROJ. MGR: JER
DATE: 09/05/2013

RACETRAC PETROLEUM, INC.
3225 CUMBERLAND BOULEVARD, SUITE 300
ATLANTA, GA 30339
(770) 431-7600

RACETRAC PETROLEUM, INC.
PRELIMINARY LANDSCAPE PLAN
RACETRAC MARKET - SR64 @ LENA ROAD

FOR:
TITLE: LANDSCAPE DETAILS
DESC:

X
JASON E. RINARD, R.L.A.
FLA. REG. NO. 0001608
DATE:

L-1.2

PART 1 - GENERAL

DESCRIPTION

Provide trees, plants and ground covers as shown and specified. The work includes:

1. Soil preparation. (Topsoil to be provided by GC)
2. Trees, plants and ground covers.
3. Planting mixes.
4. Mulch and planting accessories.
5. Maintenance until final acceptance by RaceTrac Construction Manager

Related Work:

1. Irrigation System.

QUALITY ASSURANCE

Plant names indicated, comply with "Standardized Plant Names" as adopted by the latest edition of the American Joint Committee of Horticultural Nomenclature. Names of varieties not listed conform generally with names accepted by the nursery trade. Provide stock true to botanical name and legibly tagged.

Comply with sizing and grading standards of the latest edition of "American Standard for Nursery Stock". A plant shall be dimensioned as it stands in its natural position.

All plants shall be nursery grown under climatic conditions similar to those in the locality of the project for a minimum of 2 years.

Stock finished shall be at least the minimum size indicated. Larger stock is acceptable, at no additional cost, and providing that the larger plants will not be cut back to size indicated. Provide plants indicated by two measurements so that only a maximum of 25% are of the minimum size indicated and 75% are of the maximum size indicated.

Before submitting bid, the Contractor shall have investigated the sources of supply and satisfied himself that he can supply the listed plants in the size, variety and quality listed and specified. Failure to take this precaution will not relieve the Contractor from his responsibility for furnishing and installing all plant materials in strict accordance with the Contract Documents without additional cost to the Owner. Landscape Architect shall approve any substitutes of plant material or changes in plant material size prior to contractor submitting a bid.

SUBMITTALS

The Landscape Contractor shall submit the following materials certification:

1. Photographs of landscape material to be used or locations of nurseries for Landscape Architect to tag material.
2. Boulders and rock mulch samples on site and available for approval by Landscape Architect on first site visit during construction. Photographs of boulders and rock mulch may be offered as alternatives to samples on site.
3. Red Oak double shredded hardwood mulch sample on site for approval by Landscape Architect on first site visit during construction.
4. Routine soil test by approved laboratory and or state cooperative. Mix together a minimum of 5 soil cores per site for testing.
5. Upon plant material acceptance, submit written maintenance instructions recommending procedures for maintenance of plant materials.

Upon plant material acceptance, submit written maintenance instructions recommending procedures for maintenance of plant materials.

DELIVERY, STORAGE AND HANDLING

Deliver fertilizer materials in original, unopened, and undamaged containers showing weight, analysis, and name of manufacturer. Store in manner to prevent wetting and deterioration.

Take all precautions customary in good trade practice in preparing plants for moving. Workmanship that fails to meet the highest standards will be rejected. Spray deciduous plants in foliage with an approved "Anti-Desiccant" immediately after digging to prevent dehydration. Dig, pack, transport, and handle plants with care to ensure protection against injury. Inspection certificates required by law shall accompany each shipment invoice or order to stock. Protect all plants from drying out. If plants cannot be planted immediately upon delivery, properly protect them with soil, wet peat moss, or in a manner acceptable to the Landscape Architect. Water heeled-in plantings daily. No plant shall be bound with rope or wire in a manner that could damage or break the branches or trunk.

Cover plants transported on open vehicles with a protective covering to prevent wind burn.

Provide dry, friable, loose topsoil for planting bed mixes. Amend with 4 parts screened topsoil and 1 part organic material (ie. Nature's Helper, Pro-Mix). Frozen or muddy topsoil is not acceptable.

PROJECT CONDITIONS

Protect existing utilities, paving, and other facilities from damage caused by landscaping operations.

A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity discrepancies or material omissions occur in the plant materials list, the planting plans shall govern.

The irrigation system will be installed prior to planting. Locate, protect and maintain the irrigation system during planting operations. Repair irrigation system components, damaged during planting operations, at this Contractor's expense. Do not begin landscape accessory work before completion of final grading or surfacing.

WARRANTY

Warrant plant material to remain alive and be in a healthy, vigorous condition for a period of 1 year after completion and final acceptance of entire project.

Replace, in accordance with the drawings and specifications, all plants that are dead or, are in an unhealthy or unsightly condition, and have lost their natural shape due to dead branches, or other causes due to the Contractor's negligence. The cost of such replacement(s) is at Contractor's expense. Warrant all replacement plants for 1 year after installation.

Warranty shall not include damage or loss of trees, plants or ground covers caused by fires, floods, freezing rains, lightning storms or winds over 75 miles per hour, winter kill caused by extreme cold and severe winter conditions not typical of planting area; acts of vandalism or negligence on the part of the Owner.

Remove and immediately replace all plants, found to be unsatisfactory during the initial planting installation. Maintain plant material and lawns until final acceptance is made.

ACCEPTANCE

Inspection to determine acceptance of planted areas will be made by the Owner's representative or Landscape Architect.

1. Planted areas will be accepted provided all requirements, including maintenance, have been complied with and plant materials are alive and in a healthy, vigorous condition.

The Contractor will commence the specified plant maintenance once plants have been planted and until final acceptance.

CODES, PERMITS AND FEES

Obtain any necessary permits for this Section of Work and pay any fees required for permits.

The entire installation shall fully comply with all local and state laws and ordinances, and with all established codes applicable thereto.

PART 2 - PRODUCTS

MATERIALS

Plants: Provide plants typical of their species or variety; with normal, densely-developed branches and vigorous, fibrous root systems. Provide only sound, healthy, vigorous plants free from defects, disfiguring knots, sun scald injuries, frost cracks, abrasions of the bark, plant diseases, insect eggs, borers, and all forms of infestation. All plants shall have a fully developed form without voids and open spaces. Plants held in storage will be rejected if they show signs of growth during storage.

1. Dig balled and burlaped plants with firm, natural balls of earth of sufficient diameter and depth to encompass the fibrous and feeding root system necessary for full recovery of the plant. Provide ball sizes complying with the latest edition of the "American Standard for Nursery Stock". Cracked or mushroomed balls are not acceptable.
2. Container-grown stock: Grown in a container for sufficient length of time for the root system to have developed to hold its soil together, firm and whole.
   a. No plants shall be loose in the container.
   b. Container stock shall not be pot bound or have circling roots. Circling roots will be rejected.
3. Provide trees species that mature at heights over 25 feet with a single main trunk. Trees that have the main trunk forming a "Y" shape are not acceptable.
4. Plants planted in rows shall be matched in form.
5. Plants larger than those specified in the plant list may be used when acceptable to the Landscape Architect.
   a. If the use of larger plants is acceptable, increase the spread of roots or root ball in proportion to the size of the plant.
6. The height of the trees, measured from the crown of the roots to the top of the top branch, shall not be less than the minimum size designated in the plant list.
7. No pruning wounds shall be present with a diameter of more than 1" and such wounds must show vigorous bark on all edges.
8. Evergreen trees shall be branched to the ground unless specified otherwise.
9. Shrubs and small plants shall meet the requirements for spread and height indicated in the plant list.
   a. The measurements for height shall be taken from the ground level to the height of the top of the plant and not the longest branch.
   b. Single stemmed or thin plants will not be accepted.
   c. Side branches shall be generous, well-twigged, and the plant as a whole well-bushed to the ground.
   d. Plants shall be in a moist, vigorous condition, free from dead wood, bruises, or other root or branch injuries.

ACCESSORIES

Topsoil for Planting Beds: Fertile, friable, natural topsoil of loamy character, without admixture of subsoil material, obtained from a well-drained arable site, reasonably free from clay, lumps, coarse sands, stones, plants, roots, sticks, and other foreign materials, with acidity range of between pH 6.0 and 6.8. Topsoil to be at a minimum depth of 6" in planting beds and 4" depth in sodded areas.

Fertilizer: Similar or equal to Milorganite (6-3-0).

Anti-Desiccant: Protective film emulsion providing a protective film over plant surfaces; permeable to permit transpiration. Mixed and applied in accordance with manufacturer's instructions.

Mulch: See plans for type of mulch to be used.

A. Hardwood: 6 month old well rotted double shredded native hardwood mulch not larger than 4" in length and 1/2" in width, free of wood chips and sawdust. Install minimum depth of 4".
B. River Rock: Rock type to be tan to yellow-brown washed river slicks, 5" - 8" in size. Install in location as shown on Landscape Plan an even depth of 8".

Water: Free of substances harmful to plant growth. Hoses or other methods of transportation furnished by Contractor.

Guying/Staking/Wire: No. 10 or 12 gage galvanized wire.

1. Turnbuckles: Galvanized steel of size and gage required to provide tensile strength equal to that of the wire. Turnbuckle openings shall be at least 3".

Staking and Guying Hose: New, Two ply, reinforced garden hose not less than 1/2" inside diameter. Green or black in color, all same color for the project.

Tree Wrap: Standard waterproofed tree wrapping paper, 2-1/2" wide, made of 2 layers of crepe Kraft paper weighing not less than 30 lbs. Per ream, cemented together with asphalt.

Twine: Two-ply jute material.

PART 3 - EXECUTION

INSPECTION

Examine proposed planting areas and conditions of installation. Do not start planting work until unsatisfactory conditions are corrected.

PREPARATION

Time of planting:

1. Evergreen material: Plant evergreen materials between August 15 and October 15 or in spring before new growth begins. If project requirements require planting at other times, plants shall be sprayed with anti-desiccant prior to planting operations.
2. Deciduous material: Plant deciduous materials April 1 to June 1 and August 15 to November 15. If deciduous trees are planted in-leaf, they shall be sprayed with an anti-desiccant prior to planting operation.
3. Planting times other than those indicated shall be acceptable to the Owner.

Planting shall be performed only by experienced workmen familiar with planting procedures under the supervision of a qualified supervisor.

Locate plants as indicated or as approved in the field after staking by the Contractor. If obstructions are encountered that are not shown on the drawings, do not proceed with planting operations. Contact Landscape Architect to determine new location.

Excavate circular plant pits with vertical sides, except for plants specifically indicated to be planted in beds. Provide shrub and tree pits as shown in tree and shrub planting details. Depth of pit shall accommodate the root system. Provide undisturbed sub grade to hold root ball at nursery grade as shown on the drawings. Root flare must be visible after planting.

Provide pre-mixed planting mixture for use around the balls and roots of the plants consisting of 50% excavated material and 50% topsoil mix. Add plant fertilizer per manufacturer's recommendation for each cu. yd. of mixture.

Provide pre-mixed ground cover bed planting mixture consisting of 4 parts screened topsoil to 1 part peat moss and plant fertilizer per manufacturer's recommendation for each cu. yd. of mixture.

Remove loose material and debris from base surface before placing landscape accessories.

Drainage Test

Randomly select a representative number of shrub plant pits in each shrub planting area and test for drainage prior to planting. Randomly select a representative number of tree plant pits and test for drainage prior to planting. Fill each selected plant pit with water and let stand for twenty-four (24) hours. Do not proceed with planting where drainage problems are apparent. Report to the Owner's Representative areas which do not drain within twenty-four (24) hours.

INSTALLATION

Set plant material in the planting pit to proper grade and alignment. Set plants upright, plumb, and faced to give the best appearance or relationship to each other or adjacent structure. Set plant material 2"-3" above the finish grade. No filling will be permitted around trunks or stems. Backfill the pit with topsoil mix and excavated material. Do not use frozen or muddy mixtures for backfilling. Form a ring of soil around the edge of each planting pit to retain water as shown in detail.

After balled and burlapped plants are set, muddle planting soil mixture around bases of balls and fill all voids.

1. Remove all burlap, ropes, and wires from the top 2/3 of the root ball.

Space ground cover plants in accordance with indicated dimensions. Adjust spacing as necessary to evenly fill planting bed with indicated quantity of plants. Plant to within 24" of the trunks of trees and shrubs within planting bed and to within 12" of edge of bed.

Mulching:

1. Mulch tree and shrub planting pits and shrub beds with required (see landscape plan) mulching material 4" deep immediately after planting. Thoroughly water mulched areas. After watering, rake mulch to provide a uniform finished surface.

Wrapping, guying, staking:

1. Inspect trees for injury to trunks, evidence of insect infestation, and improper pruning before wrapping.
2. Staking/Guying:
   a. Stake/guy all trees immediately after lawn sodding operations and prior to acceptance.
   b. Stake deciduous trees 3" caliper and less. Stake evergreen trees under 8'-0" tall.
   c. Guy deciduous trees over 3" caliper. Guy evergreen trees 8'-0" tall and over.
3. All work shall be acceptable to the Landscape Architect.

Pruning:

1. Prune branches of deciduous stock, after planting, to balance the loss of roots and preserve the natural character appropriate to the particular plant requirements. In general, remove 1/4 to 1/3 of the leaf bearing buds. Remove or cut back broken, damaged, and unsymmetrical growth of new wood.
2. Multiple leader plants: Preserve the leader which will best promote the symmetry of the plant. Cut branches flush with the trunk or main branch, at a point beyond a lateral shoot or bud a distance of not less than 1/2 the diameter of the supporting branch. Make cut on an angle.
3. Prune evergreens only to remove broken or damaged branches.

Decorative stone: (where indicated on landscape plan)

1. Install weed control barrier over sub-grade prior to installing stone. Lap 6" on all sides.
2. Place stone without damaging weed barrier.
3. Arrange stones for best appearance.

Metal edging: Locate to seperate rock mulch from organinc mulch areas or where indicated on landscape plan.

1. Assemble to the lines and elevations indicated.
2. Assemble, align, bend and adjust the sections before back filling. Stake in place per manufacturer's recommendations to prevent frost movement. Readjust after fill is in place.
3. Set top flush with adjoining surfaces.

MAINTENANCE

The Contractor shall provide as a seperate bid, maintenance for a period of *1 year* after final acceptance of the project landscaping. The Contractor must be able to provide continued maintenance if requested by the Owner or provide the name of a reputable landscape contractor who can provide maintenance.

Maintenance shall include mowing, fertilizing, mulching, pruning, cultivating, weeding, watering, and application of appropriate insecticides and fungicides necessary to maintain plants and lawns free of insects and disease.

1. Re-set settled plants to proper grade and position. Restore planting saucer and adjacent material and remove dead material.
2. Tighten and repair guy wires and stakes as required. Remove guy wires after one year. Guy straps are not to be too tight some slack is required.
3. Correct defective work as soon as possible after deficiencies become apparent and weather and season permit.
4. Water trees, plants and ground cover beds within the first 24 hours of initial planting, and not less than twice per week until final acceptance.

CLEANING

Perform cleaning during installation of the work and upon completion of the work. Remove from site all excess materials, soils, debris, and equipment. Repair damage resulting from planting operations.

CALL 48 HOURS BEFORE YOU DIG
It's the Law!
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

PLANS PREPARED BY
HARDEMAN - KEMPTON & ASSOCIATES
Landscape Architects

JAG
Jensen and Group, LLC
Engineering Consultants

NO.	REVISION DESCRIPTION	DATE	BY
1	per comments	10-24-12	KC

PROJECT NO: 074-001
DESIGNED BY: KC
DRAWN BY: KC
CHK'D BY: JER
PROJ. MGR: JER
DATE: 08/09/2012

RACETRAC PETROLEUM, INC.
3225 CUMBERLAND BOULEVARD, SUITE 100
ATLANTA, GA 30339
(770) 431-7600

FOR: RACETRAC PETROLEUM, INC.
TITLE: PRELIMINARY LANDSCAPE PLAN
RACETRAC MARKET - SR64 @ LENA ROAD
DESC: LANDSCAPE SPECIFICATIONS

X
JASON E. RINARD, R.L.A
FLA. REG. NO. 0001606
DATE:

L-1.3

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PA-13-01 – Complete Streets	**TYPE AGENDA ITEM**	Advertised Public Hearing – Regular
DATE REQUESTED	12/13/12 PC	**DATE SUBMITTED/REVISED**	12/06/12
BRIEFINGS? Who?	No	**CONSEQUENCES IF DEFERRED**	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	**AUTHORIZED BY TITLE**	John Osborne, AICP Planning and Zoning Official
CONTACT PERSON TELEPHONE/EXTENSION	Kathleen Thompson, AICP / 941-748-4501 ext. 6841	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Kathleen Thompson, AICP / Planning Manager / 941-748-4501 ext. 6841
ADMINISTRATIVE APPROVAL			

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

I move to recommend transmittal of PA-13-01 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

- In March 2012, the Manatee County Health Department was awarded a grant by the American Public Health Association to assist Manatee County in developing and implementing a Complete Streets policy aimed at improving public health in the county.
- The main objective of a Complete Streets policy is to support healthy activity opportunities through the design and construction of integrated and multi-modal roadways.
- Complete Streets contribute to healthy and livable communities by encouraging walking and biking to work, shopping, schools, parks, and other local destinations through the design of multi-modal options on roadways.
- Complete Streets contribute to slowing down traffic, reducing emissions by automobiles and trucks, improves environmental quality and provides for local economic opportunities.
- Complete Streets are roadways designed to accommodate all users, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, delivery and service personnel, freight haulers, and emergency responders. "All users" includes people of all ages and abilities.
- Staff is proposing a comprehensive plan text amendment to establish the goal, objective and policies for the Complete Streets concept.
- Staff recommends transmittal.

COUNTY ATTORNEY REVIEW

Check appropriate box	
☐	**REVIEWED** **Written Comments:** ☐ **Attached** ☐ **Available from Attorney (Attorney's initials: _____)**
☒	**NOT REVIEWED (No apparent legal issues.)**
☐	**NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)**
☐	**OTHER**

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

P.C. 12/13/12

PLAN AMENDMENT PA-13-01 (PROPOSED ORDINANCE 13-03)

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, amending Ordinance 89-01, as amended, (the Manatee County Comprehensive Plan); providing a Purpose and Intent; providing for a Text Amendment to include a new definition of Complete Streets in the Definitions Element and providing for an amendment to the Traffic Element to establish a new goal, objective and policy that improves public health, active mobility and environmental quality by creating and maintaining an integrated network of multi-modal roadways for users of all ages and abilities through the Complete Street design, where applicable; and providing an effective date.

P.C. 12/1312 B.C.: 01/03/13

App.Rec. County Initiated Type of Amendment: Text

RECOMMENDED MOTION:

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents and finding the request to be in compliance with the provisions of Chapter 163, Part II, Florida Statutes, and consistent with the Manatee County Comprehensive Plan, I move to recommend TRANSMITTAL of Manatee County Plan Amendment 13-03, as recommended by staff.

PLAN AMENDMENT SUMMARY SHEET

Name: **County Initiated Text Amendments**

File Number: **PA-13-01/ Proposed Ordinance-13-03**

REQUEST: Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, amending Ordinance 89-01, as amended, (the Manatee County Comprehensive Plan); providing a Purpose and Intent; providing for a Text Amendment to include a new definition of Complete Streets in the Definitions Element and providing for an amendment to the Traffic Element to establish a new goal, objective and policy that improves public health, active mobility and environmental quality by creating and maintaining an integrated network of multi-modal roadways for users of all ages and abilities through the Complete Street design, where applicable.

BACKGROUND

In March 2012, the Manatee County Health Department was awarded a grant by the American Public Health Association as part of the Power of Policy: *Innovation to Improve Health program.* The grant funding supported Manatee County Government in the development and implementation of a Complete Streets policy aimed at improving public health in the county. Its main objective is to support healthy activity opportunities through the design and construction of integrated and multi-modal roadways. Complete Streets contribute to healthy and livable communities by encouraging walking and biking to work, shopping, schools, parks, and other local destinations through the design of multi-modal options on roadways. Complete Streets contribute to slowing down traffic, reducing emissions by automobiles and trucks, improves environmental quality and provides for local economic opportunities. Complete Streets are roadways designed to accommodate all users, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, delivery and service personnel, freight haulers, and emergency responders. "All users" includes people of all ages and abilities.

To promote the use of Complete Streets, where appropriate, staff recommends the following text amendment.

PROPOSED LANGUAGE

DEFINITIONS (shown in <u>underline</u> format)

<u>COMPLETE STREETS. Complete streets are those that adequately provide for roadway users, of all ages and abilities, including bicyclists, pedestrians, transit riders, and</u>

motorists, to the extent appropriate to the function and context of the street, within a connected roadway network.

TRAFFIC ELEMENT (shown in underline format)

Proposed new Goal, Objective and Policies promoting the Complete Streets design:

GOAL 5.6	**Encourage and promote the Complete Streets concept throughout the county.**
Objective 5.6.1	**Integrate Complete Streets.** Complete Streets are roadways designed to accommodate all users, including, but not limited to motorists, cyclists, pedestrians, transit and school bus riders, delivery and service personnel, freight haulers, and emergency responders.
Policy 5.6.1.1	Improve public health and safety, active mobility and environmental quality by creating and maintaining an integrated network of multi-modal roadways for users of all ages and abilities through the Complete Street design, where applicable.
Policy 5.6.1.2	Provide streets for walking, bicycling and public-private transportation to enable convenient and active travel as a part of daily activities for all users, where applicable.
Policy 5.6.1.3	Promote infrastructure that facilitates crossing of the right of way, such as accessible curb ramps, crosswalks, refuge islands and pedestrian signals, where applicable.
Policy 5.6.1.4.	Promote complete streets that contribute to the slowing down of traffic, reduce pollution and emissions, improve environmental quality and provides for local economic opportunities, where applicable.

Implementation Mechanism(s):

a. Criteria and performance standards for Complete Streets shall be established by Manatee County Public Works Department.
b. Applicable revisions to the Land Development Code by the Building and Development Services Department.

ATTACHMENTS:

1. Consistency with State Statutes
2. Copy of Newspaper Advertising

ATTACHMENT #1

CONSISTENCY OF THE LOCAL COMPREHENSIVE
PLAN AMENDMENT WITH FLORIDA STATUTES

PA-13-01

The proposed amendment is consistent with
Florida Statutes 163 Part II

163.3184 Process for adoption of comprehensive plan or plan amendment states "in compliance" means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245 and 163.3248

163.3177 Required and optional elements of comprehensive plan; studies and surveys
This plan amendment request maintains the structure of the Comprehensive Plan.

163.3178 Coastal Management
This plan amendment request maintains the structure of the Comprehensive Plan.

163.3180 Concurrency
This plan amendment request maintains the structure of the Comprehensive Plan.

163.3191 Evaluation and appraisal of comprehensive plan
Manatee County completed the required EAR and the EAR based plan amendments in 2004 and 2006. The next EAR update is scheduled for December 2013.

163.3245 Sector plans
There are no sector plans established at this time.

163.3248 Rural Land Stewardship areas
There are no Rural Land Stewardship areas established at this time.

All State goals and policies taken from Chapter 187.201, Florida Statutes.

The proposed amendment is consistent with the following goals and policies of the State Comprehensive Plan:

187.201 (21)(b)(1)

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF LAND USE CHANGE

OFFICIAL ACTIONS AFFECTING OR REGULATING USE OR REAL PROPERTY IN UNINCORPORATED MANATEE COUNTY – NOTICE TO REAL PROPERTY OWNERS AND GENERAL PUBLIC

The Manatee County Planning Commission will hold a public hearing to consider an amendment to the Manatee County Comprehensive Plan and changes to the use of certain lands within the unincorporated area of Manatee County with the intent to make a recommendation to the Board of Manatee County Commissioners:

Date: Thursday, December 13, 2012
Time: 9:00 A.M. or soon thereafter
Place: Manatee County Government Administrative Center
1112 Manatee Ave. West; Board Chambers (1st Floor)

Additional amendments to the following may be necessary to implement these changes and ensure internal consistency.

PLAN AMENDMENT PA-13-01 (PROPOSED ORDINANCE 13-03)

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, amending Ordinance 89-01, as amended, (the Manatee County Comprehensive Plan); providing a Purpose and Intent; providing for a Text Amendment to include a new definition of Complete Streets in the Definitions Element and providing for an amendment to the Traffic Element to establish a new goal, objective and policy that improves public health, active mobility and environmental quality by creating and maintaining an integrated network of multi-modal roadways for users of all ages and abilities through the Complete Street design, where applicable; and providing an effective date.

Public is invited to speak at this hearing, subject to proper rules of conduct. The hearing may be continued from time to time to a date and time certain. The Public may also provide written comments for the Planning Commission to consider.

Rules of Procedure for this public hearing are in effect pursuant to Resolution 10-195 Copies of this Resolution may be obtained from the Planning Department (See address below).

Please Send Comments To: Manatee County Building and Development Services Department
Attn: Project Coordinator
1112 Manatee Ave. West, 2nd Floor
Bradenton, FL 34208
planning.agenda@mymanatee.org

048169

All written comments will be entered into the record.

For More Information: Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 748-4501, Ext. 6878, between 8:00 AM and 5:00 PM.

Americans with Disabilities: The Manatee County Planning Commission does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission'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 second; FAX 745-3790.

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/she will need a record of the proceedings, and for such purpose, he/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.

Sarasota Herald Tribune

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1112 Manatee Ave. West, 2nd Floor
Bradenton, FL 34206
planning.agenda@mymanatee.org

All written comments will be entered into the record.

For More Information: Copies of the proposed amendments will be available for review and copying at cost approximately seven (7) days prior to the public hearing. Information may also be obtained by calling 748-4501, Ext. 6878, between 8:00 AM and 5:00 PM.

Americans with Disabilities: The Manatee County Planning Commission does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission'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 second; FAX 745-3790.

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/she will need a record of the proceedings, and for such purpose, he/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.

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDR-12-03(Z)(G) – Rowe Ventures, LLC/The Aviary at Rutland Ranch	**TYPE AGENDA ITEM**	Advertised Public Hearing – Regular
DATE REQUESTED	12/13/12 PC	**DATE SUBMITTED/REVISED**	12/05/12
BRIEFINGS? Who?	No	**CONSEQUENCES IF DEFERRED**	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	**AUTHORIZED BY TITLE**	Lisa Barrett, Planning Division Manager LB
CONTACT PERSON TELEPHONE/EXTENSION	John Osborne, AICP / 941-748-4501 ext. 6825	**PRESENTER/TITLE TELEPHONE/EXTENSION**	John Osborne, AICP/Planning and Zoning Official / 941-748-4501 ext. 6825
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-12-03(Z)(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

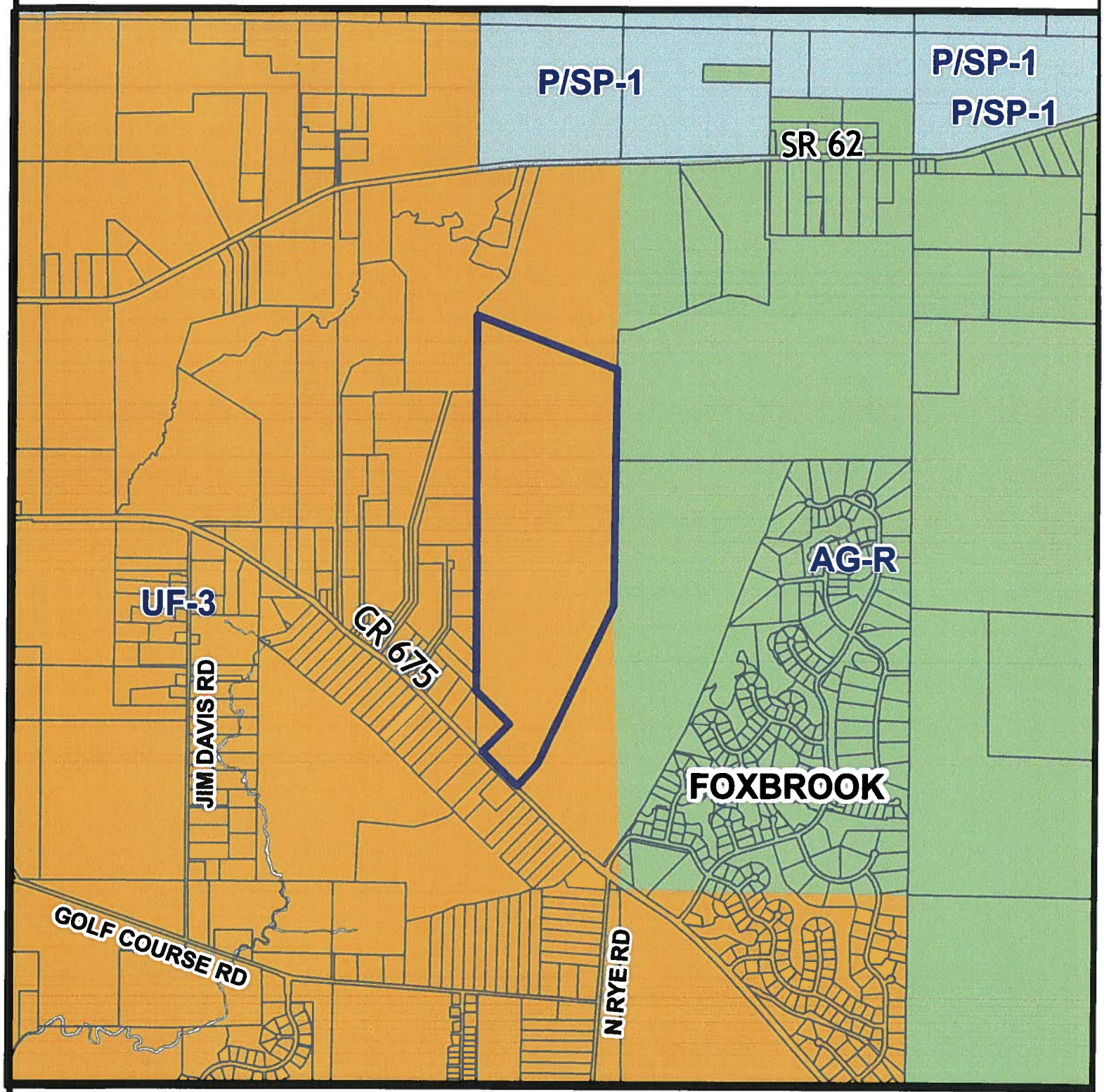
- The applicant is requesting a rezone of 400± acres from A/NCO (General Agriculture/North Central Overlay) to the PDR/NCO (Planned Development Residential) retaining the North Central Overlay zoning district, and a General Development Plan for 784 residential units.
- The property is located on the north side of CR 675 1800' east of 161st Avenue East at 16410 CR 675, Parrish.
- Staff recommends approval.

COUNTY ATTORNEY REVIEW

Check appropriate box	
☒	**REVIEWED** **Written Comments:** ☐ **Attached** ☒ **Available from Attorney (Attorney's initials:** SAS)
☐	**NOT REVIEWED (No apparent legal issues.)**
☐	**NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)**
☐	**OTHER**

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

FUTURE LAND USE



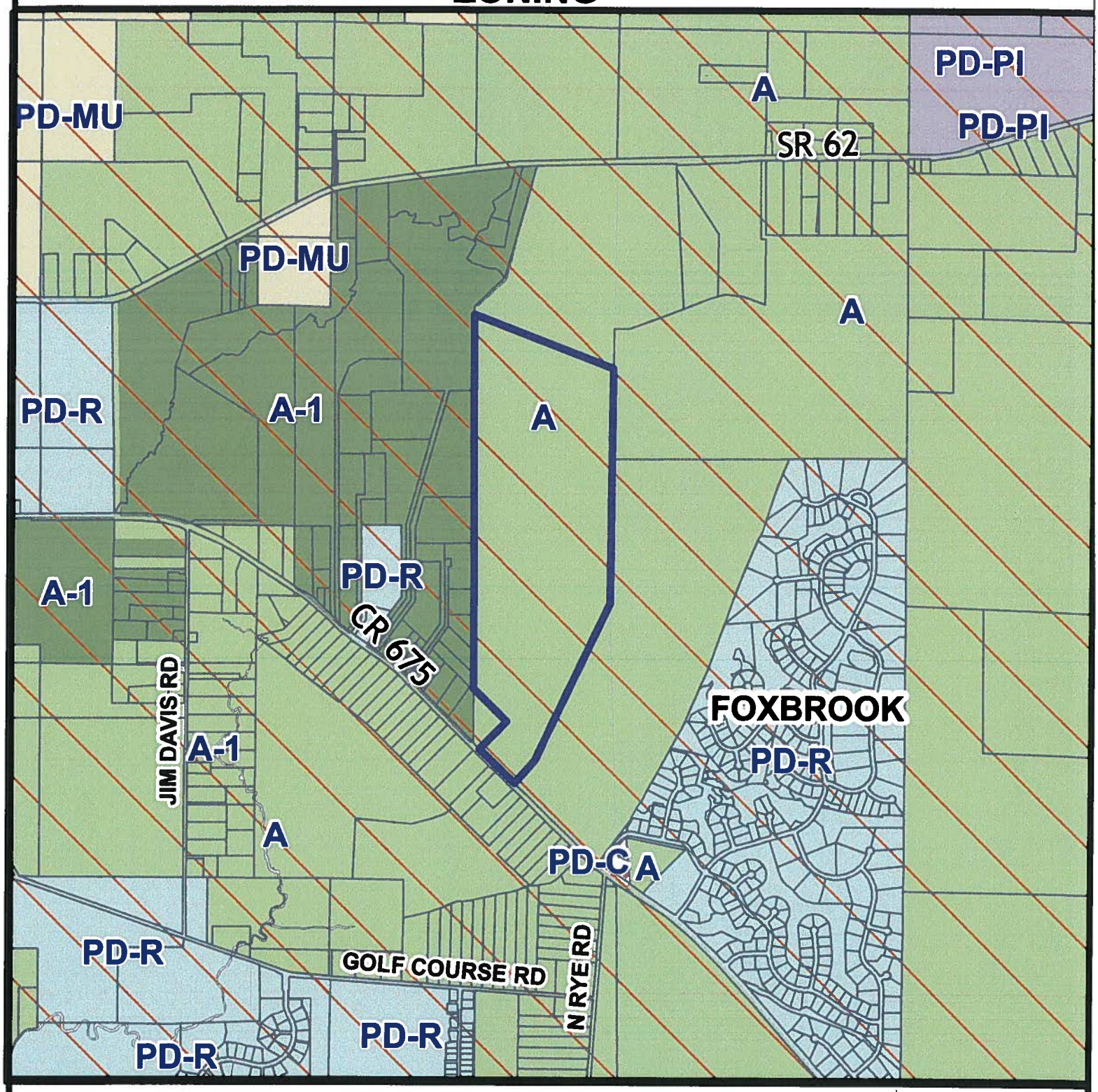
Parcel ID #(s) 494901009

Manatee County
Staff Report Map

Map Prepared 3/5/2012
1 inch = 2,490 feet

Project Name:	The Aviary at Rutland Ranch
Project #:	PDR-12-03 (Z)(G)
DTS#:	20120045
Proposed Use:	Residential
S/T/R:	Sec 25,23,24,35,26 Twn 33 Rng 19
Acreage:	± 400
Existing Zoning:	A
Existing FLU:	UF-3
Overlays:	NCO
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	GAMBLE SINK OVERFLOW,GAMBLE CREEK
Commissioner:	Larry Bustle

ZONING



Parcel ID #(s) 494901009

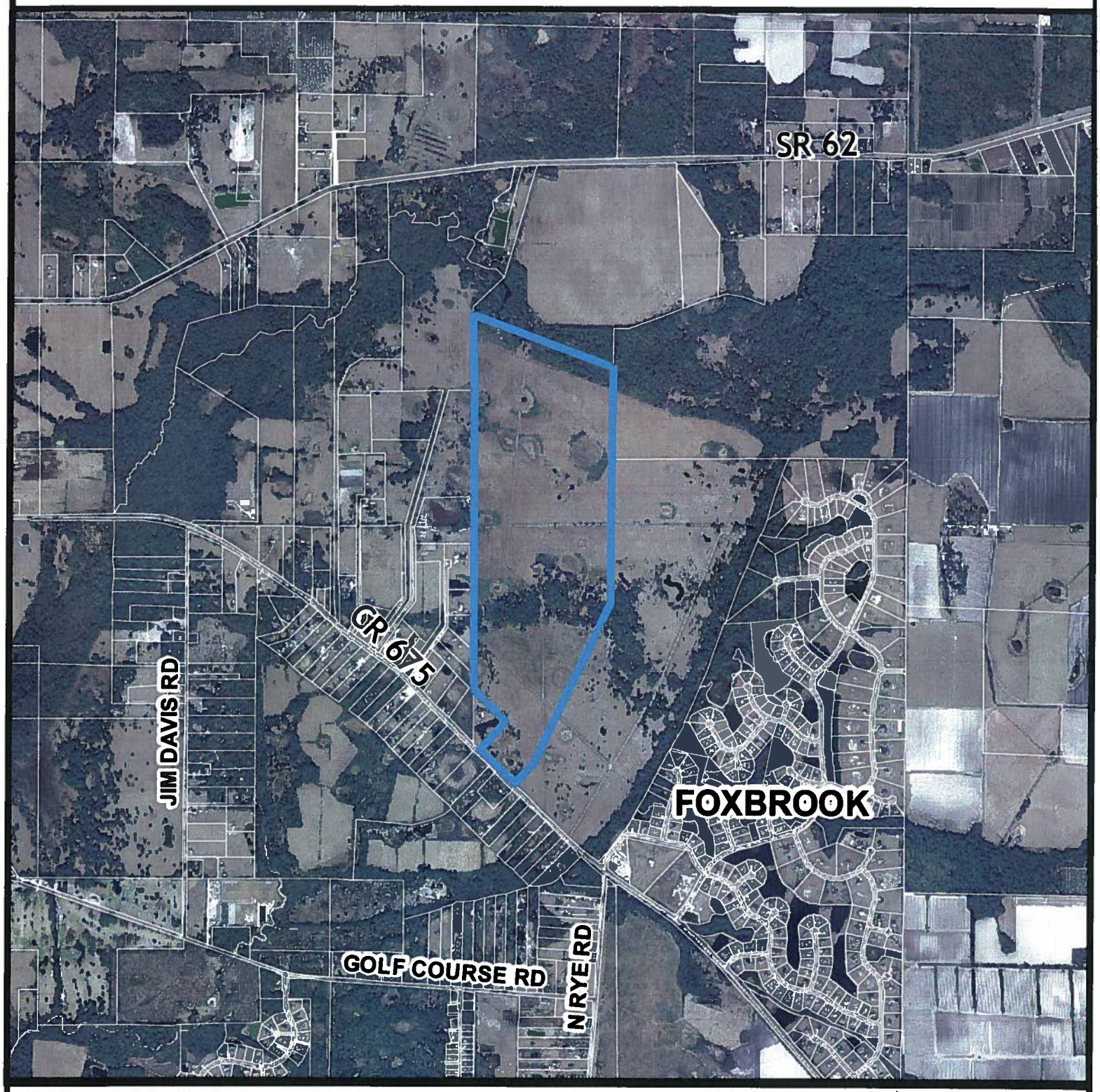
Manatee County
Staff Report Map

Map Prepared 3/5/2012
1 inch = 2,490 feet

North Central Overlay

Project Name:	The Aviary at Rutland Ranch
Project #:	PDR-12-03 (Z)(G)
DTS#:	20120045
Proposed Use:	Residential
S/T/R:	Sec 25,23,24,35,26 Twn 33 Rng 19
Acreage:	± 400
Existing Zoning:	A
Existing FLU:	UF-3
Overlays:	NCO
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	GAMBLE SINK OVERFLOW,GAMBLE CREEK
Commissioner:	Larry Bustle

AERIAL



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Manatee County
Staff Report Map

Map Prepared 3/5/2012
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Project #:	PDR-12-03 (Z)(G)
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Proposed Use:	Residential
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Acreage:	± 400
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Existing FLU:	UF-3
Overlays:	NCO
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	GAMBLE SINK OVERFLOW,GAMBLE CREEK
Commissioner:	Larry Bustle

P.C. 12/13/12

PDR-12-03(Z)(G) – ROWE VENTURES, LLC/THE AVIARY AT RUTLAND RANCH (DTS # 20120045)

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 rezone of approximately 400± acres, 1800' east of 161st Avenue East and north of CR 675, at 16410 CR 675, Parrish from A/NCO (General Agriculture/North Central Overlay District) to the PDR/NCO (Planned Development – Residential/North Central Overlay District); approve a General Development Plan for 784 residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 09/13/12, 11/08/12, 12/13/12 **B.O.C.C.: 01/03/13**

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-12-03(Z)(G); APPROVAL of the General Development Plan with Stipulations # A1, B1-5, C1-5, D1-8 & E1; GRANTING Special Approval for a project: 1) adjacent to a perennial stream and 2) gross density greater than 1 d.u. per acre in the UF-3 Future Land Use Category; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of an alternative to Section 714.8.7 of the Land Development Code, as recommended by staff.

PROJECT SUMMARY	
CASE#	**PDR-12-03(Z)(G) (DTS #20120045)**
PROJECT NAME	**The Aviary at Rutland Ranch**
APPLICANT(S):	**Rowe Ventures, LLC**
PROPOSED ZONING:	**PD-R (Planned Development – Residential)**
EXISTING ZONING: **FUTURE LAND USE CATEGORY:**	**A (General Agriculture) zoning - 400± acres** **Urban Fringe – 3 dwelling units per acre (UF-3)**
PROPOSED USE(S):	**Single family detached and single family attached**
CASE MANAGER:	**John Osborne, AICP**
STAFF RECOMMENDATION:	**APPROVAL**

DETAILED DISCUSSION

The Parrish area has experienced significant growth pressure. The US 301 corridor going northeast toward Parrish is rapidly transitioning from rural and agricultural uses to more suburban-oriented uses, with significant residential development, which includes approved but not yet constructed projects on both sides of US 301 North. CR 675 has also experienced more growth with Foxbrook to the east, and Creekside Meadows to the west towards the Village of Parrish. The trend in the area appears to be toward low to moderate density residential development, as the UF-3 FLUC allows a range of suburban residential developments.

This area of the county is inside the Sewer Service Area, but currently has limited services and employment opportunities nearby. However, further analysis indicates partially constructed commercial development at Foxbrook, and other developments to the south. While perhaps not ideal location for next residential development in terms of infill development, it is within the Sewer Service Area and infill in terms of the Foxbrook development.

This General Development Plan includes up to 784 single-family detached, attached and semi-detached units (units could range from 620-784). The maximum gross density requested

is 1.96 dwelling units per acre, below the 3 dwelling units per acre maximum permitted by the UF-3 FLUC. Staff was concerned about the visual impact of the proposed density, however the project is proposing to maintain consistency with the North Central Overlay District standards, which include higher design standards for landscaping, buffering and setbacks, mitigating any potential incompatibilities. In addition, the housing market has changed and smaller lots are now the prevalent market segment. Another positive aspect regarding higher density is more efficiency gained in terms of the provision of County water, sewer services and other services.

The General Development Plan shows five access points. The main access is off CR 675. An emergency access is proposed on the eastern property edge. The applicant has proposed two neighborhood ties that will provide access to the future Rye Road Extension to the east.

The project has evolved over the years. Originally in 2005 (DTS # 20050401), the project was a Preliminary Site Plan and larger, extending north to SR 62 with 862 residential units proposed and included entire right-of-way dedication for Rye Road Extension north to SR 62. In 2012, the project was scaled back to a GDP and site limited to the southern portion of the property, south of Gamble Creek, which is completely within the UF-3 Future Land Use Category.

Staff recommends approval of this General Development Plan with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA

ADDRESS:	**16410 CR 675, Parrish**
GENERAL LOCATION:	**approximately 1800' east of 161st Avenue East and north of CR 675**
ACREAGE:	**400 ± acres**
EXISTING USE(S):	**Agriculture**
FUTURE LAND USE CATEGORY(S):	**UF-3 (Urban Fringe 3 dwelling units per acre)**
DENSITY / INTENSITY:	**1.96 gross**
SPECIAL APPROVAL(S):	**1. Adjacent to a perennial stream (Gamble Creek) 2. Gross density over 1 d.u./acres**
OVERLAY DISTRICT(S):	**North Central Overlay District (NCO)**
SPECIFIC APPROVAL(S):	**Section 714.8.7 – to allow installation of smaller diameter trees for landscaping**

	requirements.
SURROUNDING USES & ZONING	
NORTH	**Vacant/Agriculture - A**
SOUTH	**Across CR 675:** **Vacant/Large lot single family residential - A**
EAST	**Vacant/Agriculture - A**
WEST	**Vacant/Large lot single family residential – A-1**

SITE DESIGN DETAILS		
LOT SIZE(S): Single-family Detached (316-434 units) Single-family Semi-Detached (122-133 units) Single-family Attached (182-217 units)	7,000 -10,000 sq. ft. 3,200 - 5,800 sq. ft 2,200 - 3,300 sq. ft	
SETBACKS & LOTS: Single-family Detached	Front Side Rear S.F. Lot Width Lot Depth	25'/20' if side or rear garage '6'-8' depending on lot size 15' 7,000-10,000 S.F. 60-80' 100-120'
Single-family Semi-Detached	Front Side Rear S.F. Lot Width Lot Depth	25'/20' if side or rear garage '0' one side & 8' one side 15' 3,200-5,800 S.F. 30-50' 90-115'
Single-family Attached	Front Side Rear S.F. Lot Width Lot Depth Waterfront	25'/20' if side or rear garage 15' - distance between buildings 15' 2,200-3,300 S.F. 20-30' 110-115' 30' per LDC (for all the above)

	Wetland	15' per LDC (for all the above)
OPEN SPACE:	148 Acres – 37% (100 Acres required 25%)	
RECREATIONAL AMENITIES:	Trail will be provided in N portion of Parcel 5 and connect to sidewalk system and a 16.4 acre recreation area / park.	
ACCESS:	CR 675 – full boulevard access with emergency access. Site plan includes 3 inter-neighborhood ties.	
FLOOD ZONE(S)	X and AE with Base Flood Elevations between 22.3' – 25' per FIRM Panels 12013 0210C and 0230C, revised 7/15/92. Encroaches the regulatory floodway of Gamble Creek.	
AREA OF KNOWN FLOODING	Yes, 50% reduction is allowable runoff	
UTILITY CONNECTIONS	Potable Water - Existing 30" potable water main (Rutland Road) Wastewater –No wastewater facilities adjacent to this proposed development. Available by extension at developer expense.	

ENVIRONMENTAL INFORMATION

Overall Wetland Acreage:	**30.1**
Proposed Impact Acreage:	**4.08**

Wetland I.D.	Acres Impacted	Type	Quality (UMAM Score)	Reason for Impact	EPD Objection	Explanation
01	1.71	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
02	0.68	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
03	0.23	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
04	0.20	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
07	0.19	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
08	0.24	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
09	0.16	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
10	0.49	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
18	0.18	Herbaceous	Low (0.3)	Lots	No	Non-viable wetland
TOTAL	4.08					

The site contains 30.1 acres of wetlands. A total of 4.08 acres of wetland impacts are being proposed to non-viable wetlands for placement of additional single-family lots. If applicant was to preserve these wetlands, they would provide little or no usable habitat, as they would be surrounded by development, with no connection to viable habitat. There are no wetland buffer impacts proposed other than those of the wetlands being impacted. Therefore, the Environmental Planning Division has no objection to the 9 impacts totaling 4.08 acres.

Mitigation for the 4.08 acres of wetland impacts is proposed in the form of upland habitat preservation at a 5:1 ratio or through a combination of wetland enhancement of the preserved wetlands and upland preservation to be determined at the time of Final Site Plan. Final UMAM calculations will be approved by SWFWMD as part of the ERP process. The 10.1 acres of Forested Uplands are not included in the currently proposed 16.7 acres of Forested Uplands necessary to fulfill the Open Space requirements for the project.

Uplands:

The applicant is proposing 16.7 acres of preservation/conservation area consisting of native Forested Uplands to fulfill open space requirements. Additional areas of woodland pasture are proposed for passive recreational uses such as picnic areas, hiking trails, and benches. These woodland pasture areas exhibit significant coverage by live oaks with minimal understory present.

Endangered Species:

Surveys for "Listed Species" were performed during the month of April 2012. Specific attention was paid to such species as sand hill cranes, burrowing owl, Audubon's crested caracara, bald eagle nests, gopher tortoises and their commensal organisms, Sherman's fox squirrel, and the southeastern American kestrel. The surveys identified no known listed species nesting or breeding on the subject parcel.

An updated listed species inventory will be provided to staff prior to Final Site Plan approval since there may be a significant lapse in time from this approval of the rezone to the Final Site Plan approval. A stipulation is provided to require this.

Trees

The applicant has provided no tree information with this submittal. However, staff had tree data available to look at from the previous application submitted on this project for a very similar development layout. Staff only looked at the overall quantities on-site and removal amounts to ensure there will be no issues at Final Site Plan with the site's ability to accommodate the required replacement trees. Staff has concluded that this will not be an issue and that the applicant will be able to provide the required replacements in accordance with Section 714.8.7 of the LDC. The applicant is, at staff's recommendation, requesting Specific Approval for an alternative to this section to be able to provide smaller replacement tree sizes in accordance with the upcoming LDC amendments.

Staff will require identification of trees for removal as well as locations where replacement trees will be provided at the Final Site Plan stage. In addition to this information, staff will conduct a site visit with the applicant to find areas where adjustments to locations of improvements may be made to preserve additional trees. A stipulation has been provided to require field adjustments be made where possible to minimize impacts to trees.

NEARBY DEVELOPMENT

RESIDENTIAL				
PROJECT	LOTS / UNITS	DENSITY	FLUC	YEAR APPROVED
CrossCreek	1282	1.95	UF-3	Pending
Martin/Hillwood	119	1.53	UF-3	Pending
Foxbrook (no sewer)	301	0.32	UF-3	1998
Rye Road Sub	99	2.9	UF-3	Approved
River's Reach	326	1.31	UF-3	2011
Wilderness Crossing	68	1.82	UF-3	2011
Dakin	448	1.88	UF-3	2010
Canoe Creek	896	2.94	UF-3	2010
Cone Ranch	1,999	1.70	UF-3	2009
Wilderness Bend	279	2.42	UF-3	2008

POSITIVE ASPECTS

- **Project inside Manatee County's Sewer Service Area.**
- **Proposed along existing County potable water line.**
- **Provides ROW for future expansion of CR 675 and extension of Rye Road.**
- **16.4 acre recreation area**

NEGATIVE ASPECTS

- **Inside Sewer Service Area, but limited infrastructure (i.e., sewer, reclaimed water) exists in this portion of the area at this time.**
- **The project is adjacent to A and A-1 zoning which permit agricultural uses that maybe incompatible with single family development.**
- **Proposed lot sizes are significantly smaller than surrounding agricultural lots and Foxbrook subdivision to east.**
- **Residents may be impacted by traffic noise along CR 675.**
- **Gamble Creek is a known flood way.**
- **Immediate area has limited employment and other services currently available.**

MITIGATING MEASURES

- **Developer will be required to extend existing wastewater services from the south to this site, consistent with the County's Wastewater Masterplan requirements.**
- **Project is consistent with North County Overlay District standards in terms of setbacks, buffers and other requirements ensuring compatibility with area.**
- **Site plan does not propose any residential development within the 25-Year Floodplain of Gamble Creek and site design will conform to FEMA Flood and Manatee County Engineering Design Standards.**
- **Commercial development approved and partially developed to the east at the intersection of CR 675 and Rye Road.**

STAFF RECOMMENDED STIPULATIONS

A. <u>DESIGN AND LAND USE CONDITIONS</u>:

1. At time of Final Site Plan, the landscape planting design shall comply with the North Central Overlay District, LDC Sections 604.10.3, 604.10.3.3 and 604.10.3.5, as amended.

B. <u>TRANSPORTATION CONDITIONS</u>:

1. To allow for future widening of CR 675, dedication of right-of-way is required at Final Plat or FSP approval, as appropriate, to provide Manatee County with up to a 75' half section from the existing centerline on CR 675. After dedication of right-of-way takes place, impact fee credits shall be available to the property owner, with final amount to be determined in accordance with the requirements of Chapter 8 of the LDC.

2. To allow for the construction of the future Rye Road Extension, dedication of right-of-way for the road, wetland mitigation, floodplain compensation, and attenuation volume is required at Final Plat or FSP approval, as appropriate, to provide Manatee County with a 42' half section along a portion of the property's eastern boundary. After dedication of right-of-way takes place, impact fee credits shall be available to the property owner, with final amount to be determined in accordance with the requirements of Chapter 8 of the LDC.

3. Typical boulevard cross section must be designed to Manatee County Transportation Department Highway, Traffic & Stormwater Standards, 2007, Index #401.2 (120' – Four Lane Divided Roadway). The landscape buffer cannot be included within the 120' R/W.

4. The precise location and alignment of the site's access to CR 675/Rutland Road shall be coordinated with the Public Works Department during the review of the PSP/FSP/Construction plan submittal.

5. Signs shall be posted at all future inter-neighborhood ties identifying the future connections. Sign locations and content shall be provided with FSP submittal.

C. <u>STORMWATER CONDITIONS</u>:

1. This project shall provide wetland mitigation, floodplain compensation and attenuation volume for the portion of the future alignment of Rye Road Extension within the project boundaries. After these improvements have been made, impact fee credits shall be available to the property owner, with final amount to be determined in accordance with the requirements of Chapter 8 of the LDC. These credits would be considered for the dedication of right-of-way of land, construction cost, and engineering design and permitting.

2. This project shall provide stormwater facilities for improvements associated with the proposed project entrance off of Rutland Road (C.R. 675).

3. Any fill within the 25-year or 100-year floodplains of the Gamble Creek shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. 100-year and 25-year floodplain compensation in dual use facilities (i.e., stormwater attenuation and floodplain compensation) shall be compensated above the 25-year Design High Water Level (DHWL).

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

5. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plat along Gamble Creek within the project boundaries. In

addition, a Drainage-Maintenance Access Easement shall be provided along Gamble Creek. Manatee County is only responsible for maintaining the free flow of drainage through these systems

D. ENVIRONMENTAL CONDITIONS:

1. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with Final Plat approval.

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.

3. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.

4. The Final Site Plan shall identify wildlife connections between preservation areas severed by roadway construction. Oversized culverts, rumble strips or wildlife crossing signage may be required for wildlife connections and shall be approved with the Final Site Plan.

5. 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.

6. 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.

7. 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.

8. 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.

E. 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, and shall include language informing prospective homeowners in the project of the:
   a) Lots located within a flood zone;
   b) A and A-1 zoning districts surrounding the site and potential agricultural uses and operations permitted which may impact residents with noise and odor;
   c) The potential extension of Rye Road extending from CR 675 to SR 62 over Gamble Creek as a future 6 lane divided arterial roadway; and
   d) The potential expansion of CR 675 to a future 6 lane divided roadway.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None. Future site plan submittals will be consistent with Land Development Code unless authorized by this ordinance for the Special and Specific Approvals.

COMPLIANCE WITH LDC

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
50' roadway buffer, SR 675		Y		Shown on site plan
50' perimeter buffer to the east, west and south		Y		Shown on site plan
Buffer landscaping		Y		Stipulation; To be verified with PSP/FSP
SIDEWALKS				
5' internal sidewalks on both sides of street		Y		GDP level site plan. To be verified with PSP/FSP
5' sidewalk, exterior		Y		GDP level site plan. To be verified with PSP/FSP
ROADS & RIGHTS-OF-WAY				
Internal rights-of-way		Y		Streets to be private
Paved roadways		Y		GDP level site plan. To be verified with PSP/FSP

Dedicate ROW for CR 675		**Y**		**GDP level site plan. To be verified with PSP/FSP**
Dedicate ROW for Rye Road Extension		**Y**		**GDP level site plan. To be verified with PSP/FSP**
Inter-neighborhood Ties		**Y**		**Two provided to east (will connect to future Rye Rd Extension ROW dedication) One provided to west.**

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 site is approximately 400 ±acres and extends from CR 675 north to the Gamble Creek. The site contains wetlands and upland preservation areas. The main access will occur from CR 675 and extend north.

Public Utilities, Facilities and Services:
The General Development Plan does not provide engineering detail for utilities. However, the development will be required to connect to Central Potable Water and Sanitary Sewer at the developer's expense.

Major Transportation Facilities:
The main access is proposed to function as a collector, with inter-neighborhood ties and access points to the future extension of Rye Road. ROW dedication intent is illustrated on the GDP, but not required for the Rye Road and CR 675 facilities at this time, but will occur with future site plan submittals.

A "Deferral and Acknowledgment of Eventual Requirement for Concurrency Certification" has been received. Applicant is advised that when seeking further development approval(s) for this project, the "Deferral" does not exempt applicant from the requirement for a Certificate of Level of Service Compliance.

The applicant provided a traffic impact statement (TIS), which has been reviewed. However, since the project is expected to generate 527 PM peak hour trips, which exceeds the 50 trips threshold for a traffic impact statement, the applicant will be required to undertake a detailed traffic impact analysis (TIA) at the time of preliminary site plan or final site plan submittal to determine the complete transportation impacts of this project.

Compatibility, Transitions and Design Quality
Staff was concerned about the visual impact of the proposed density; however the project is proposing to maintain consistency with the North Central Overlay District standards, which include higher design standards for landscaping, buffering and setbacks, mitigating any potential incompatibilities. In addition, the housing market has changed and smaller lots are now the prevalent market segment. The General Development Plan will be good in perpetuity, with no expiration. As the area grows, the lots will likely be more compatible with

future development given current market trends.

Adjacent Property

While adjacent property to the east is agriculture, there are some A-1 zoned properties to the west. Staff was concerned about the visual impact of the proposed density; however the project is proposing to maintain consistency with the North Central Overlay District standards, which include higher design standards for landscaping, buffering and setbacks, mitigating any potential incompatibilities.

Access

The General Development Plan shows five access points. The main access is off CR 675. An emergency access is proposed on the eastern property edge. The applicant has proposed two neighborhood ties that will provide access to the future Rye Road Extension to the east. The site plan also shows one inter-neighborhood tie to the west. Emergency tie is necessary to south as the three inter-neighborhood ties do not provide a secondary means of access until development occurs at west inter-neighborhood tie or to the east when Rye Rd Extension is constructed.

Streets, Drives, Parking and Service Areas:

Greater detail with be provided with the preliminary and final site plans and be required to be consistent with the Manatee County Land Development Code and Public Works Engineering Standards.

Pedestrian Systems:

Pedestrian systems will be consistent with sidewalk requirements in the Land Development Code. The North Central Overlay District standards also provides requirements for pedestrian and trail facilities which the development is consistent with. The Manatee County Greenways Masterplan includes a future facility to the east of this development along Gamble Creek. Alternatively, the greenway could be located within the future ROW of Rye Road Extension, which this development dedicates a portion of. This development would connect to the greenway through future sidewalk connections. Sidewalks along the frontage of the development will be determined with future site plan submittals, consistent with the LDC requirement, which allows payment in-lieu of.

Natural and Historic Features, Conservation and Preservation Areas:

The site contains 30.1 acres of wetlands. A total of 4.08 acres of wetland impacts are being proposed to non-viable wetlands for placement of additional single-family lots. The applicant is proposing 16.7 acres of preservation/conservation area consisting of native Forested Uplands to fulfill open space requirements. Additional areas of woodland pasture are proposed for passive recreational uses such as picnic areas, hiking trails, and benches.

Density/Intensity:

Staff was concerned about the visual impact of the proposed density given the project's location. However the project is proposing to maintain consistency with the North Central Overlay District standards, which include higher design standards for landscaping, buffering and setbacks, mitigating any potential incompatibilities. In addition, the housing market has changed and smaller lots are now the prevalent market segment.

Height:
Building heights will be required to be consistent with the Planned Development – Residential zoning district and the North Central Overlay District standards.

Fences and Screening:
Fences and screening measures will be required to be consistent with the North Central Overlay District standards.

Yards and Setbacks:
The General Development Plan provides a range of development types, lot sizes, and setbacks that are comparable with surrounding development with the utilization of the North Central Overlay District standards.

Signs:
Any proposed neighborhood entry signage will be consistent with the Land Development Code and the North Central Overlay District Standards.

Landscaping:
The North Central Overlay District standards require enhanced landscaping, buffering and aesthetic requirements over the standard zoning requirements of the LDC. Future site plan submittals shall be required to provide landscape plan details.

Water Conservation:
The General Development Plan does not provide engineering detail for water conservation measures. However, the development will be required to conform with Manatee County Land Development Code and Engineering Standards.

Rights-of-Way:
As designated on the Manatee County Right-of-Way Needs Map in this location, CR 675 requires a right-of-way of 150 feet (75' half-width right-of-way) with the existing half width adjacent to this proposed development of 50 feet. Therefore, dedication of an additional 25 foot is required for future roadway expansion. It will be required to show this roadway, dimensions, etc. in greater detail with the preliminary and final site plans.

As designated on the Manatee County Right-of-Way Needs Map in this location, Rye Rd requires a right-of-way of 84 feet (42' half-width right-of-way). As this future roadway will lie within the property boundaries of the project, a 42' half width for this future 2 lane roadway is shown on the site plan. It will be required to show this roadway, dimensions, etc. in greater detail with the preliminary and final site plans.

Utility Standards:
The General Development Plan does not provide engineering detail for utilities. However, the development will be required to connect to Central Potable Water and Sanitary Sewer at the developer's expense.

Stormwater Management:
Project Located in Flood Prone Area: Yes (portions of site)
Type of Flooding (i.e. rainfall, riverine, storm surge, etc): Rainfall
Project Subject to flow reduction: Yes; 50% reduction in allowable runoff
Project subject to OFW: No
Watershed/Basin: Gamble Creek
Project located within Floodplain and/or Floodway: FEMA 100-year Floodplain & Floodway; 25-year Floodplain (portions of site in 25-Year Floodplain)
Drainage Easements/Access Easements required for existing system(s): Yes

The following will be required at Final Design:
1.) A no-rise permit will be required for all encroachment within the FEMA 100-year floodway of the Gamble Creek. Any existing or proposed structures within the floodway shall be modeled.

The General Development Plan reflects an observation deck and trail system in the floodway. A no-rise permit will be required for any vertical development in the FEMA designated Floodway.

Open Space:
The site plan shows 37% open space (148 acres). 25% open space (100 ac.) is required. A 16.4 acre park is proposed that will accommodate the recreational needs of the development. This major recreational facility is an important community asset which gives the Aviary a sense of "community" as opposed to the large lot residential development in the surrounding area.

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 low density residential development to the east (served by County potable water) and low density development associated with agricultural uses to the west.

Policy 2.6.1.1 Compatibility. The General Development Plan design is compatible with surrounding development because the proposed uses, lot sizes, and setbacks are comparable with surrounding development with the utilization of the North Central Overlay District standards.

Policy 2.6.2.7 Require Clustering to Limit Impacts. The site design avoids any impacts to most wetlands and clusters development out of the Gamble Creek's 25 Year Floodplain.

Policy 2.6.5.4 Preserve/Protect Open Space.
The site plan shows 37% open space (148 acres). 25% open space (100 ac.) is required.

CONCURRENCY

CLOS APPLIED FOR: Y_____ N _X_
TRAFFIC STUDY REQ'D: Y_____ N _X

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	EXISTING LOS
CR 675	US 301 – SR 64	D	B

Off-site improvements associated with traffic concurrency will be determined with future Certificate of Level of Service Application, which will include review of a Traffic Impact Analysis.

Wastewater and potable water determined with FSP/Construction Plans.

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Request:
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. Copy of Newspaper Advertising

ATTACHMENT #1 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: 2.1.2.5

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.

Implementation Mechanism(s):

a) Designation of maximum allowable residential densities on the Future Land Use Map which would encourage transition in densities proximate to existing residential areas, and which are conducive to a wide range of residential uses in areas established for new residential development. Such areas will also serve as alternative locations to those residential areas described in Policy 2.1.2.1.

b) Designation of a variety of future nonresidential areas on the Future Land Use Map at locations conducive to the development of a variety of employment generators. Such areas will serve as alternative locations to those future nonresidential areas described in Policy 2.1.3.1.

Policy:	2.1.2.6	Limit urban sprawl through the consideration of new development, when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.
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: 2.2.1.11.3 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.

Received
FEB 03 2012
ZONING

MANATEE COUNTY GOVERNMENT
BUILDING & DEVELOPMENT SERVICES DEPARTMENT
ZONING DISCLOSURE AFFIDAVIT

Project name: The Aviary at Rutland Ranch

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 Check if owner (√) or contract purchaser ( )	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
John Falkner, MGRM	100 %
Rowe Ventures, LLC	
3511 SR 64 East, Myakka City, FL 34251	

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

Signature: John Falkner

(Applicant): John Falkner, MGRM

STATE OF FLORIDA
COUNTY OF Manatee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 20th day of Jan. 2012 by JOHN FALKNER, who is (personally known) to me or who has produced _____ as identification.
(type of identification)

Roy W. Cohn
Notary Signature

Roy W. Cohn
Print or type name of Notary

My Commission Expires: 01/01/2014

Commission No: DD921914

Title or Rank

Revised 2/8/10
B-4

ROY W. COHN
MY COMMISSION # DD 921914
EXPIRES: January 1, 2014
Bonded Thru Notary Public Underwriters

July 12, 2012

Mr. John Osborne
Planning and Zoning Official
Manatee County Government
1112 Manatee Avenue West
Bradenton, FL 34205

Re: The Aviary at Rutland Ranch
Application Number: 20120045/Project Number PDR-12-03(Z)(G)
Specific Approval for Replacement Tree Sizes

Dear John:

As part of our application, we would like to formally request a Specific Approval for an alternative to Section 714.8.7 of the LDC. This approval will allow the installation of smaller diameter trees that will require a shorter timeframe for establishment and will ultimately provide superior tree canopy.

Thank you for your consideration.

Very truly yours,

ZNS ENGINEERING, L.C.

THOMAS C. MCCOLLUM, AICP
Vice President

TCM/dlh
cc: Mr. John Falkner
Hugh E. McGuire, Esquire

ZNS|ENGINEERING

P.O. Box 9448 | Bradenton, FL 34206 | Office: 941.748.8080 | Fax: 941.748.3316 | www.znseng.com
Engineering-CA0027476 Surveying-LB0006982 Landscape Architecture-LC0000365

Copy of Newspaper Advertising

Sarasota Herald Tribune

NOTICE OF DRI/ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a. Public Hearing on Thursday, September 13, 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 matters:

ORDINANCE 12-20 UNNAMED EXCLUSIVE GOLF AND COUNTRY CLUB (a.k.a. UNIVERSITY PARK COUNTRY CLUB) DRI #12
Request: Determination of whether the following modifications to the Unnamed Exclusive Golf and Country Club DRI Development Order constitute a substantial deviation pursuant to Section 380.06, Florida Statutes:
1.)Allocate 46 previously approved residential units to newly created Tracts L South and B2.
2.)Decrease acreage devoted to Open Space (roads, right-of-way, etc.) in favor of the new Tracts B2 and L South.
3.)Increase residential acreage to accommodate Tracts B-2 and L South.
4.)Update the Development Order to reflect the project expiration and build out dates as previously authorized by the State of Florida and Manatee County, and
5.)Update the Development Order to reflect terminology changes, Department references and other minor changes.

Unnamed Exclusive (University Park Country Club) is north of University Parkway, between Honore Avenue and the Palm Aire Development, and extends north to the Braden River. Present zoning: PDR/WP-E/ST (Planned Development Residential, Watershed Protection-Evers and Special Treatment overlay districts) (1,187.59± acres).

PDR-89-06(G)(R10) UNNAMED EXCLUSIVE GOLF AND COUNTRY CLUB
Request:Approval of a revised Zoning Ordinance for Unnamed Exclusive Golf and Country Club to:
1.)Allocate 46 previously approved residential units to newly created Tracts L South and B2.
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PDMU-12-05(Z)(G) – STANLEY AND DEBORAH BROWER / BROWER PARCEL (DTS #20120146)
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 rezone of approximately 3.42 acres on the north side of US 301, approximately 925 feet west of Harrison Ranch Boulevard, at 10308 US 301, Parrish from A/NCO (General Agriculture/North Central Overlay) to the PDMU/NCO (Planned Development Mixed Use) retaining the North Central Overlay zoning district; approval of a General Development Plan for 5,000 square feet of commercial/professional neighborhood serving use; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-12-03(Z)(G) – ROWE VENTURES, LLC/THE AVIARY AT RUTLAND RANCH (DTS # 20120045)
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 rezone of approximately 400± acres, 1800' east of 161st Avenue East and north of CR 675, at 16410 CR 675, Parrish from A/NCO (General Agriculture/North Central Overlay District) to the PD-R/NCO (Planned Development – Residential/North Central Overlay District); approve a General Development Plan for 784 residential units; 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) 748-4801x6878; 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

Date of pub: August 29, 2012

Copy of Newspaper Advertising

Bradenton Herald

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PDR-89-05(G)(R10) UNNAMED EXCLUSIVE GOLF AND COUNTRY CLUB

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
08/29/2012

GENERAL DEVELOPMENT PLAN

TO SERVE

THE AVIARY AT RUTLAND RANCH

LOCATED IN

SECTIONS 26, AND 35, TOWNSHIP. 33 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

ZONED:
A (AGRICULTURE)

EXISTING LAND USE:
UF-3

OVERLAY DISTRICT:
NORTH CENTRAL OVERLAY (NCO)

PROPOSED ZONING
PD-R (RESIDENTIAL)

INDEX

COVER SHEET.....1
AERIAL.....2
GENERAL DEVELOPMENT PLAN.....3

NOTES:

1. THE SITE IS CURRENTLY ZONED A (AGRICULTURE) AND IS VACANT.
2. THE SITE IS DESIGNATED AS FLOOD ZONE AE & X ON F.I.R.M. PANEL #12081C0210C & 12081C0230C.
3. THERE ARE NO KNOWN FOUNDATIONS, MOUNDS OR MIDDEN AREAS OF HISTORIC ORIGIN, EXISTING EASEMENTS, PLATTED STREETS LOCATED ON THIS SITE.
4. THERE ARE 30.1 ACRES OF WETLANDS UNDER THE JURISDICTION OF SWFWMD AND FDEP WITHIN THE BOUNDARIES OF THIS PLAN.
5. THERE ARE NO KNOWN WELLS WITHIN THE BOUNDARIES OF THIS PLAN.
6. COMMON OPEN SPACE SHALL BE OWNED AND MAINTAINED BY PROPERTY OWNERS OR THE MASTER DEVELOPER.
7. STREET LIGHTS MAY BE INSTALLED AT THE DEVELOPER'S OPTION. STREET AND SECURITY LIGHTING WILL MEET OR EXCEED REQUIREMENTS OF SECTION 709 OF THE MANATEE COUNTY LDC.
8. THERE ARE PROPOSED SIGNS TO IDENTIFY THE DEVELOPMENT.
9. INFRASTRUCTURE CONSTRUCTION WILL COMMENCE IN 2014 AND WILL BE COMPLETED WITHIN FOUR YEARS UPON CONSTRUCTION PLAN APPROVAL AND CERTIFICATE OF LEVEL OF SERVICE APPROVAL.
10. SANITARY SEWER, POTABLE WATER AND ROADS WILL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS AND DEDICATED TO THE COUNTY. EXCEPT AS ILLUSTRATED FOR PARCEL 5.
11. A SCHOOL NEED ASSESSMENT IS INCLUDED WITH THIS SUBMITTAL.
12. ALL PROPOSED BUILDING FINISHED FLOOR ELEVATIONS ARE TO BE A MINIMUM OF 21" ABOVE THE CROWN OF THE ADJACENT ROADWAY FOR LOTS DESIGNED TO DRAIN TO BOTH FRONT & REAR OR 24" FOR LOTS DESIGNED TO DRAIN FROM REAR TO FRONT, PER MANATEE COUNTY DETAILS 700.3 & 700.4 OR IF WITHIN THE 100 YEAR FLOOD PLAIN, A MINIMUM OF ONE FOOT ABOVE THE 100 YEAR FLOOD ELEVATION.
13. THE DEVELOPMENT WILL MEET OR EXCEED ALL REQUIREMENTS OF THE NORTH CENTRAL OVERLAY. LANDSCAPE, OPEN SPACE, BUFFERS, SETBACKS, SIGNAGE AND ARCHITECTURAL REQUIREMENTS WILL BE ADDRESSED DURING THE FINAL SITE PLAN.
14. NO PERMANENT STRUCTURES, OTHER THAN ELEVATED WALKWAYS AND OBSERVATION DECKS, WILL BE CONSTRUCTED WITHIN THE FLOODWAY.
15. GAMBLE CREEK IS A PERENNIAL STREAM THAT IS ADJACENT TO THE SITE. A 50' SETBACK FROM THE TOP OF BANK WILL BE PROVIDED.
16. ALL FINISHED FLOOR ELEVATIONS WILL BE AT LEAST ONE FOOT ABOVE THE FEMA 100 YEAR FLOODPLAIN, PURSUANT TO MANATEE COUNTY CRITERIA.
17. THE PROJECT IS IN THE GAMBLE CREEK DRAINAGE BASIN, AND WILL REQUIRE A 50% REDUCTION FROM THE STANDARD ALLOWABLE POST DEVELOPMENT DISCHARGE RATE FOR A 25 YEAR - 24 HOUR STORM.
18. EFFLUENT REUSE IS AVAILABLE, AND WILL BE PROVIDED FOR IRRIGATION.
19. ALL PROPOSED DRAINAGE, POTABLE WATER AND SANITARY SEWER SYSTEMS, INCLUDING OFFSITE SEWER AND WATER SYSTEMS CONSTRUCTED TO MANATEE COUNTY STANDARDS AND DEDICATION TO MANATEE COUNTY.
20. SIDEWALKS WILL BE PROVIDED ALONG BOTH SIDES OF STREETS. A BIKE LANE WILL BE PROVIDED ALONG THE BOULEVARD. A TRAIL WILL BE PROVIDED IN THE NORTH PORTION OF PARCEL 5. THE TRAIL WILL TIE TO THE INTERNAL SIDEWALK SYSTEM.
21. PHASING: CONSTRUCTION IS EXPECTED TO COMMENCE WITHIN 5 YEARS FROM APPROVAL OF THIS GENERAL DEVELOPMENT PLAN AND WILL CONTINUE UNTIL INFRASTRUCTURE TO SERVE THE DEVELOPMENT IS COMPLETE. IT IS ANTICIPATED THAT INDIVIDUAL PARCELS WILL ALSO BE PHASED. SPECIFIC PHASING CANNOT BE DETERMINED AT THIS TIME.

SPECIFIC DESIGN NOTES:

1. NO HOMES WILL TAKE ACCESS FROM THE BOULEVARD SECTION OF THE PRINCIPLE ROADWAY.
2. A 50' GREEN BELT BUFFER WILL BE PROVIDED ALONG EAST, WEST AND SOUTH BOUNDARIES OF THE SITE. THE NORTH BOUNDARY WILL REMAIN IN ITS NATURAL CONDITION.
3. SINGLE FAMILY RESIDENTIAL LOTS WILL BE PROVIDED ADJACENT TO THE 50' PERIMETER GREEN BELT BUFFER UNLESS A WETLAND OR STORM WATER FACILITY IS LOCATED ADJACENT TO THE PROJECT BOUNDARY.
4. THE 120' RIGHT OF WAY SHOWN ON SHEET 3 WILL BE DEVELOPED AS A 4 LANE BOULEVARD WITH LANDSCAPED MEDIAN, 5' SIDEWALK ON BOTH SIDES AND A 6' BIKE LANE.
5. NO RESIDENTIAL DEVELOPMENT IS PROPOSED WITH THE FLOODWAY OR THE 25 YEAR FLOODPLAIN OF GAMBLE CREEK.

*ADDITIONAL NEIGHBORHOOD PARKS MAYBE DEVELOPED IN INDIVIDUAL NEIGHBORHOODS AT THE OPTION OF THE DEVELOPER, BASED UPON THE NEEDS OF THE RESIDENTS.

RECEIVED
OCT 30 2012
BY:

REVISIONS:
REVISED - MAY, 2012
REVISED - JUNE, 2012
REVISED - SEPTEMBER, 2012

LANDUSE SUMMARY

PARCEL	USE	AREAS	UNITS
1	SINGLE FAMILY DETACHED	+/- 60.00 AC	80 - 111
2	SINGLE FAMILY DETACHED	+/- 53.56 AC	70 - 93
3	SINGLE FAMILY ATTACHED (TOWNHOUSE) & SINGLE FAMILY DETACHED	+/- 83.84 AC	200 - 247
4	SINGLE FAMILY SEMI DETACHED & SINGLE FAMILY DETACHED	+/- 59.28 AC	140 - 163
5	SINGLE FAMILY DETACHED	+/- 127.68 AC	130 - 170
PARK	COMMUNITY PARK*	+/- 16.43 AC	0
	TOTAL	+/- 400.00 AC	620 - 784
	GROSS DWELLING UNIT DENSITY		1.55 - 1.96

OPEN SPACE
REQUIRED 100 AC (25%)
PROVIDED 148 AC (37%0

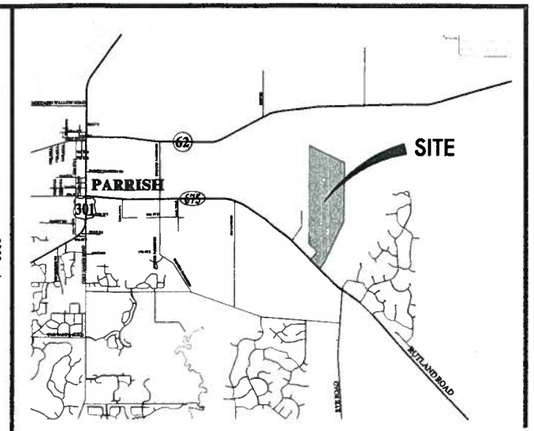
LOT & SETBACK SUMMARY

SINGLE FAMILY DETACHED	7,000 -10,000 SQFT
LOT WIDTH	60' - 80'
LOT DEPTH	100' - 120'
FRONT SETBACK	25', UNLESS SIDE OR REAR GARAGE THEN 20'
SIDE YARD SETBACK	6' - 8' DEPENDING ON LOT SIZE
REAR YARD SETBACK	15'
SINGLE FAMILY SEMI DETACHED	3,200 - 5,800 SQFT
LOT WIDTH	30' - 50'
LOT DEPTH	90' - 115'
FRONT SETBACK	25', UNLESS SIDE OR REAR GARAGE THEN 20'
SIDE YARD SETBACK	0' ONE SIDE 8' ONE SIDE
REAR YARD SETBACK	15'
SINGLE FAMILY ATTACHED	2,200 - 3,300 SQFT
LOT WIDTH	20' - 30'
LOT DEPTH	110' - 115'
FRONT SETBACK	25', UNLESS SIDE OR REAR GARAGE THEN 20'
SIDE YARD SETBACK	DISTANCE BETWEEN BUILDINGS 15'
REAR YARD SETBACK	15'

UNIT SUMMARY

UNIT BY TYPE	NUMBER OF UNITS
SINGLE FAMILY DETACHED	316 - 434
SINGLE FAMILY SEMI-DETACHED	122 - 133
SINGLE FAMILY ATTACHED	182 - 217
TOTAL	620 - 784

NOTE:
WATER FRONT SETBACK - MINIMUM 30', AN ADDITIONAL 15' WETLAND BUFFER SETBACK WILL BE PROVIDED ADJACENT TO JURISDICTIONAL WETLANDS. WHERE THE REDUCTION OF THE BUFFER WIDTH WILL NOT IMPACT THE ADJACENT WETLAND BUFFER THE BUFFER WIDTH MAY BE REDUCED.



VICINITY MAP

DESCRIPTION:

THE AVIARY AT RUTLAND RANCH

PARCEL ID: 4949010009

A PARCEL OF LAND LYING IN SECTIONS 26 AND 35, TOWNSHIP 33 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE S 00°12'00" W, ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 51.29 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF S.R. 675 (RUTLAND ROAD); THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; 1) S 44°26'31" E, A DISTANCE OF 116.57 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 34327.47 FEET; 2) ALONG THE ARC OF SAID CURVE IN A SOUTHEASTERLY DIRECTION, A DISTANCE OF 43.50 FEET THROUGH A CENTRAL ANGLE OF 00°04'21", TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING TWO (2) COURSES; 1) CONTINUE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 705.41 FEET THROUGH A CENTRAL ANGLE OF 01°10'39" TO THE POINT OF TANGENCY; 2) S 45°41'31" E, A DISTANCE OF 252.53 FEET; THENCE N 37°01'42" E, A DISTANCE OF 563.72 FEET; THENCE N 23°34'23" E, A DISTANCE OF 3722.26 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35; THENCE N 00°57'02" E, ALONG SAID EAST LINE, AND THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 2682.99 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 26; THENCE N 00°57'03" E, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1,558.25 FEET; THENCE N 67°56'22" W, A DISTANCE OF 2847.59 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID NORTHEAST QUARTER; THENCE S 00°00'14" W, ALONG SAID WEST LINE, A DISTANCE OF 2654.18 FEET TO THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE S 00°01'26" W, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2657.96 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE S 00°12'02" W, ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 35, A DISTANCE OF 1713.47 FEET; THENCE S 45°41'31" E, A DISTANCE OF 847.56 FEET; THENCE S 44°18'29" W, A DISTANCE OF 712.75 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PERTINENT EASEMENTS, RIGHTS-OF-WAYS AND RESTRICTIONS OF RECORD.

CONTAINING 400.0 ACRES, MORE OR LESS.

PDR-12-03(Z)(G)
20120045(3)
The Aviary at Rutland Ranch

Approval Type: GENERAL DEVELOPMENT PLAN Project Name: THE AVIARY AT RUTLAND RANCH

APPROVED: _____ _____
Date File Number

PROJECT PLANNER (PD) _____
PROJECT ENGINEER (PW) _____
CONCURRENCY (PD) _____
ENVIRONMENTAL PLANNING _____
ENVIRONMENTAL HEALTH _____
FIRE DISTRICT _____
OWNER/AGENT _____

Attention: The combination of this signed plan and accompanying letter constitutes the complete approval document. Both documents should be provided to interested parties and submitted with any building permit application.

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LC 0000268 LB 0000882
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E-MAIL: ZNS@ZNSENG.COM | TELEPHONE 941.748.8080 | FAX 941.748.3316

PREPARED FOR:
ROWE VENTURES, LTD.
16410 CR 675
PARRISH, FL 34219

AUTHORIZED AGENT/PREPARER:
ZNS ENGINEERING
BOX 9449

BRADENTON FLORIDA
9417488080 AGENT EXT.

PROJECT DATA:
THE AVIARY AT RUTLAND RANCH
00-42994

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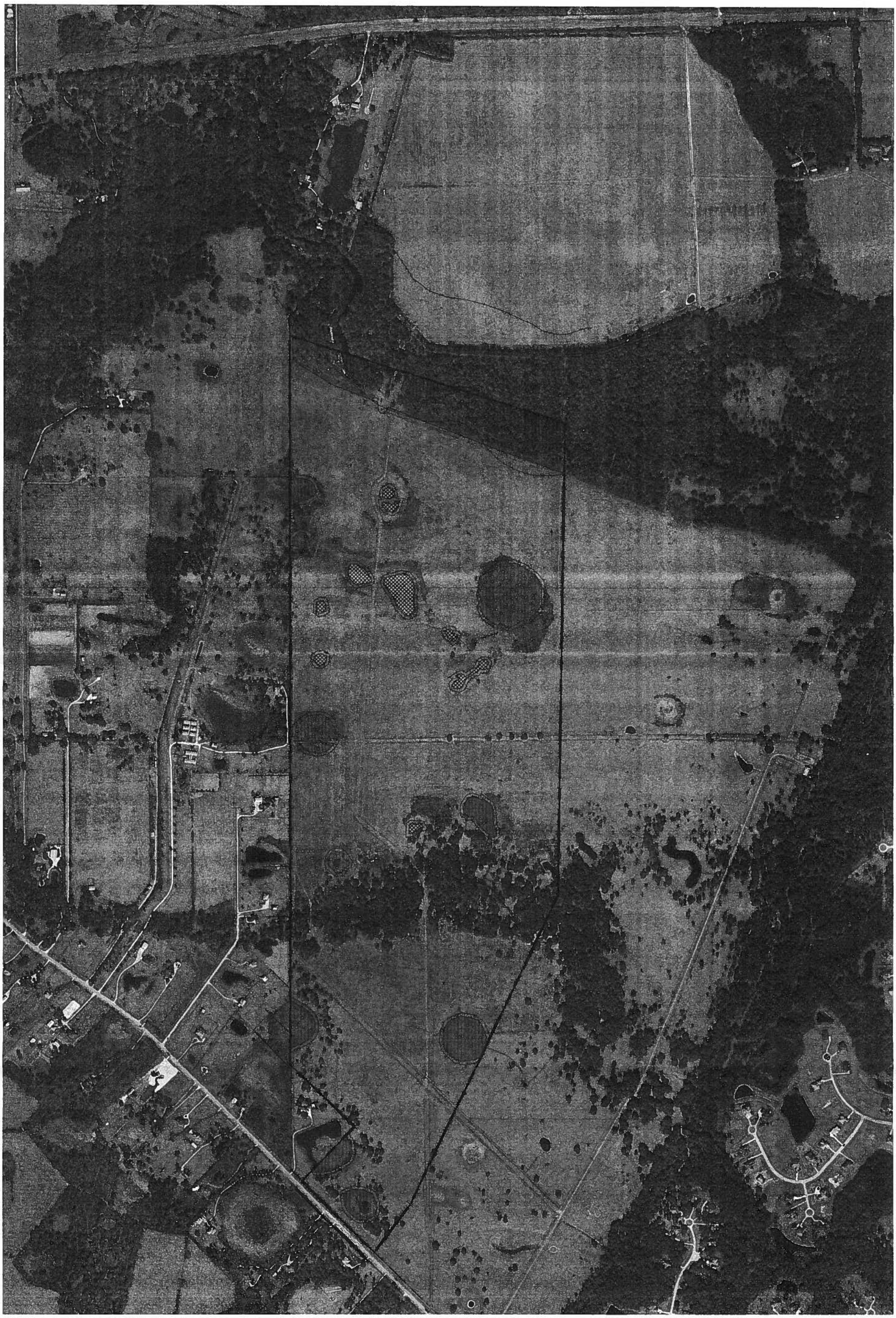
SHEET 1

Thu, 20 Sep 2012 - 11:32am V:\acad\Aviary\Planning\AVR-COV.dwg

Tue, 19 Jun 2012 – 9:35am V:\acad\Aviary\Planning\AVR-AER.dwg



1"=400'

DESIGNED
DRAWN RAM
DATE 01.2012
JOB NO. 00-42994
SCALE 1"=400'
SHEET 2

AERIAL
FOR
AVIARY AT RUTLAND RANCH
LOCATED IN
SECTION 26 & 35, TOWNSHIP 33 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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E-MAIL ZNS@ZNSENG.COM | TELEPHONE 941.748.8080 | FAX 941.748.3316

1" = 400'

ZONING: A
USE: GRAZING
FLUC: AG-RURAL

FLOODWAY AREA

100 YEAR FLOOD PLAIN

FUTURE TIE

S 00°47'20" W 2682.62'

AG-RURAL
AG

ZONING: A
USE: GRAZING

S 25°24'48" W 3222.36'

FEMA FLOOD ZONE AE

WETLAND 22 - EAST

PROPOSED SWF 11

TRAIL

GATE

WETLAND 11

PROPOSED SWF 7

SINGLE FAMILY DETACHED

PARCEL 4
59.38 AC
SINGLE FAMILY SEMI DETACHED
SINGLE FAMILY DETACHED
140-162 UNITS

WETLAND 20

PROPOSED SWF 4

WETLAND 17

PUBLIC ROADS

WETLAND 14

EMERGENCY ACCESS ROAD

SCHOOL BUS PICKUP SHELTER

25 YEAR FLOOD PLAIN

GAMBLE CREEK

LIMITS OF VERTICAL CONSTRUCTION

PARCEL 5
127.68 AC
SINGLE FAMILY DETACHED
130-170 UNITS

PRIVATE ROAD THROUGHOUT

WETLAND 22

WETLAND 3

WETLAND 4

WETLAND TO BE IMPACTED

PRIVATE ROAD

WETLAND 10

WETLAND 18

PARCEL 3
83.84 AC
SINGLE FAMILY ATTACHED &
SINGLE FAMILY DETACHED
200 - 247 UNITS

PARCEL 1
60.00 AC
SINGLE FAMILY DETACHED
80-111 UNITS

PARCEL 2
63.56 AC
SINGLE FAMILY DETACHED
70-93 UNITS

PROPOSED SWF 1

WETLAND 11A

WETLAND 12

WETLAND 23 WEST

OBSERVATION PLATFORM

ZONING: A-1, A
USE: GRAZING, CLASS 1

ZONING: A-1
USE: GRAZING, CLASS 1

PROPOSED SWF 10

WETLAND 6

WETLAND 7

WETLAND 8

WETLAND 15

WETLAND 16

PROPOSED SWF 6

PROPOSED SWF 5

PARK
16.43 AC

PROPOSED SWF

WETLAND 13

ZONING: A-1
USE: GRAZING

ZONING: A
USE: RESIDENTIAL

ZONING: A-1, A
USE: GRAZING, CLASS 1

N 00°06'21" W 2654.18'
1322.09'

1153.46'

N 00°08'09" W 2657.96'

N 00°02'27" E 1713.45'

ZONING: A-1,
USE: NON AGRICULURAL

ZONING: A-1,
USE: AGRICULURAL

ZONING: A-1,
USE: RESIDENTIAL

164ST AVENUE EAST

CR 675 (RUTLAND RD.)

60' HALF R/W

PROPERTY LINE

30' BUFFER

ORNAMENTAL TREE (TYP)

RIGHT OF WAY LINE

5' CONC. S/W

VARIES (3' MIN.)

BIKE LANE

TYPE "F" CURB & GUTTER

TRAVEL LANE

SOLID WHITE STRIPE

30' LANDSCAPED MEDIAN

EX. GROUND

4" THICK CONC. SIDEWALK

12" STABILIZED SUB-BASE

6" CRUSHED CONC. BASE

ASPHALTIC CONCRETE SURFACE TO BE PLACED IN TWO LIFTS
FIRST LIFT: 1-1/4" S-111
SECOND LIFT: 1" S-111 TO BE PLACED AFTER MAJORITY OF HOME BUILDING CONSTRUCTION COMPLETED

TYPICAL BOULEVARD CROSS SECTION

LEGEND

- 100 YEAR FLOODPLAIN
- 25 YEAR FLOODPLAIN
- FLOODWAY
- WETLAND
- WETLAND TO BE IMPACTED
- PROPOSED PARCELS
- PROPOSED STORM WATER FACILITIES
- PROPOSED PROJECT BOUNDARY
- TRAFFIC DIRECTIONS
- NATIVE UPLAND HARDWOOD FOREST PRESERVE
- NATIVE UPLAND HARDWOOD FOREST
- WOODLAND PASTURE

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EMAIL: ZNS@ZNSENG.COM | TELEPHONE 941.748.8080 | FAX 941.748.3115

REVISIONS
1 REVISED: _____ BY: _____ DATE: 2014
2 REVISED: _____ BY: _____ DATE: 2014
3 ADDED WETLAND NUMBERS: _____ BY: _____ DATE: 2014
4 REVISED: _____ BY: _____ DATE: 2014
5 _____ BY: _____ DATE: 2014
6 _____ BY: _____ DATE: 2014
7 _____ BY: _____ DATE: 2014

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GENERAL DEVELOPMENT PLAN
FOR
THE AVIARY AT RUTLAND RANCH
LOCATED IN
SECTION 26 & 35 TOWNSHIP 33 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: RAM
DRAWN: _____
DATE: 01.2012
JOB NO.: 02-4094
SCALE: 1"=400'
SHEET: 3

Thu, 20 Sep 2012 – 11:32am V:\acad\Aviary\Planning\AVR-GDP.dwg