

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	PDR-13-22(Z)(P) – Park Place Investments, LLC	TYPE AGENDA ITEM	Advertised Public Hearing – Consent
DATE REQUESTED	09/12/2013	DATE SUBMITTED/REVISED	09/6/2013
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 <i>LB</i>
CONTACT PERSON TELEPHONE/EXTENSION	Shelley E. Hamilton, Principal Planner/941-748-4501, ext. 6863	PRESENTER/TITLE TELEPHONE/EXTENSION	Shelley E. Hamilton, Principal Planner; 941-748-4501; ext. 6863
LEGISLATIVE 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-13-22(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.

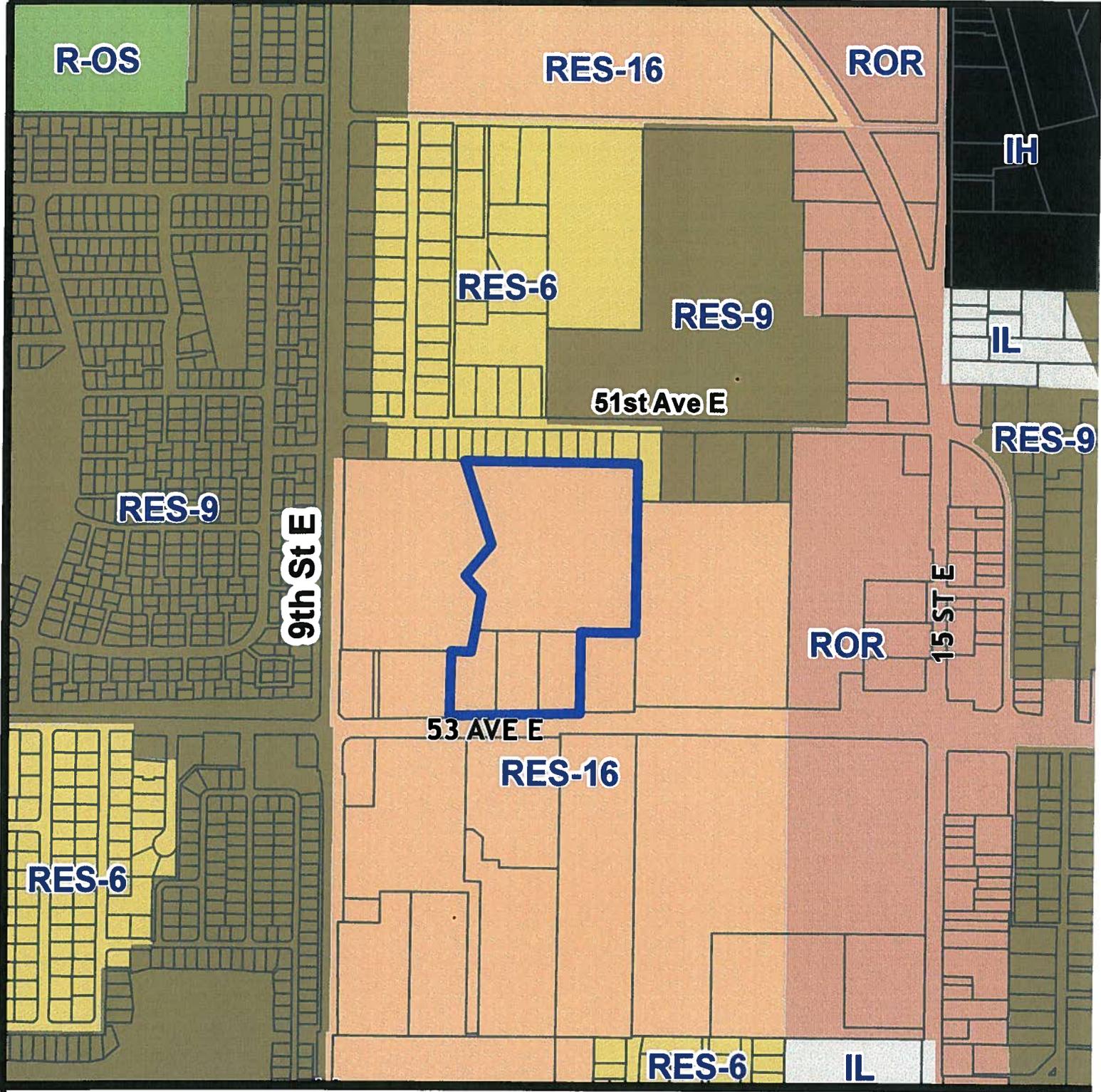
BACKGROUND/DISCUSSION
<ul style="list-style-type: none"> • Park Place Investments, LLC has filed a rezone application from “PR-M” (Professional – Medium) and “RSF-6” (Residential Single Family, 6 dwelling units per acre) to PD-R (Planned Development – Residential) and an accompanying Preliminary Site Plan. The 16.6 ± acre site is north of S.R. 70, approximately 590’ west of 9th Street East. The applicant proposes 58 single family dwelling units on the subject property; • The site is designated RES-16 (Residential, 16 dwelling units per acre) on the Future Land Use Map; the total number of dwelling units proposed (58) is lower than the maximum number of dwelling units permitted (266) in the RES-16 FLU category; • The applicant is requesting Specific Approval to allow: <ol style="list-style-type: none"> 1) an alternative to LDC Section 740.2.6.11. for 11’ wide travel lanes and 22’ wide streets for private streets; 2) an alternative to LDC Section 714.8.7 to allow installation of smaller diameter trees; and 3) an alternative to LDC Section 715.3.4 to allow one tree per lot frontage as opposed to 1 tree per 50 linear feet • The site is in a “C” Flood Zone, and in the Bowless Creek Watershed; • Water and Sanitary Sewer will be provided; and • Staff recommends approval with stipulations.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input checked="" type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> Available from Attorney (Attorney’s initials: SES)

<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)
<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

ATTACHMENTS: (List in order as attached)		INSTRUCTIONS TO BOARD RECORDS:	
Staff Report		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) 5601110009, 5601300303, 5601300253, 5601300204

Project Name: Park Place Investments
 Project #: PDR-13-22 (Z)(P)
 DTS#: 20130142
 Proposed Use: Residential

S/T/R: Sec 12 Twn 35 Rng 17
 Acreage: ± 16.6
 Existing Zoning: RSF-6, PR-M
 Existing FLU: RES-16
 Overlays: NONE
 Special Areas: NONE

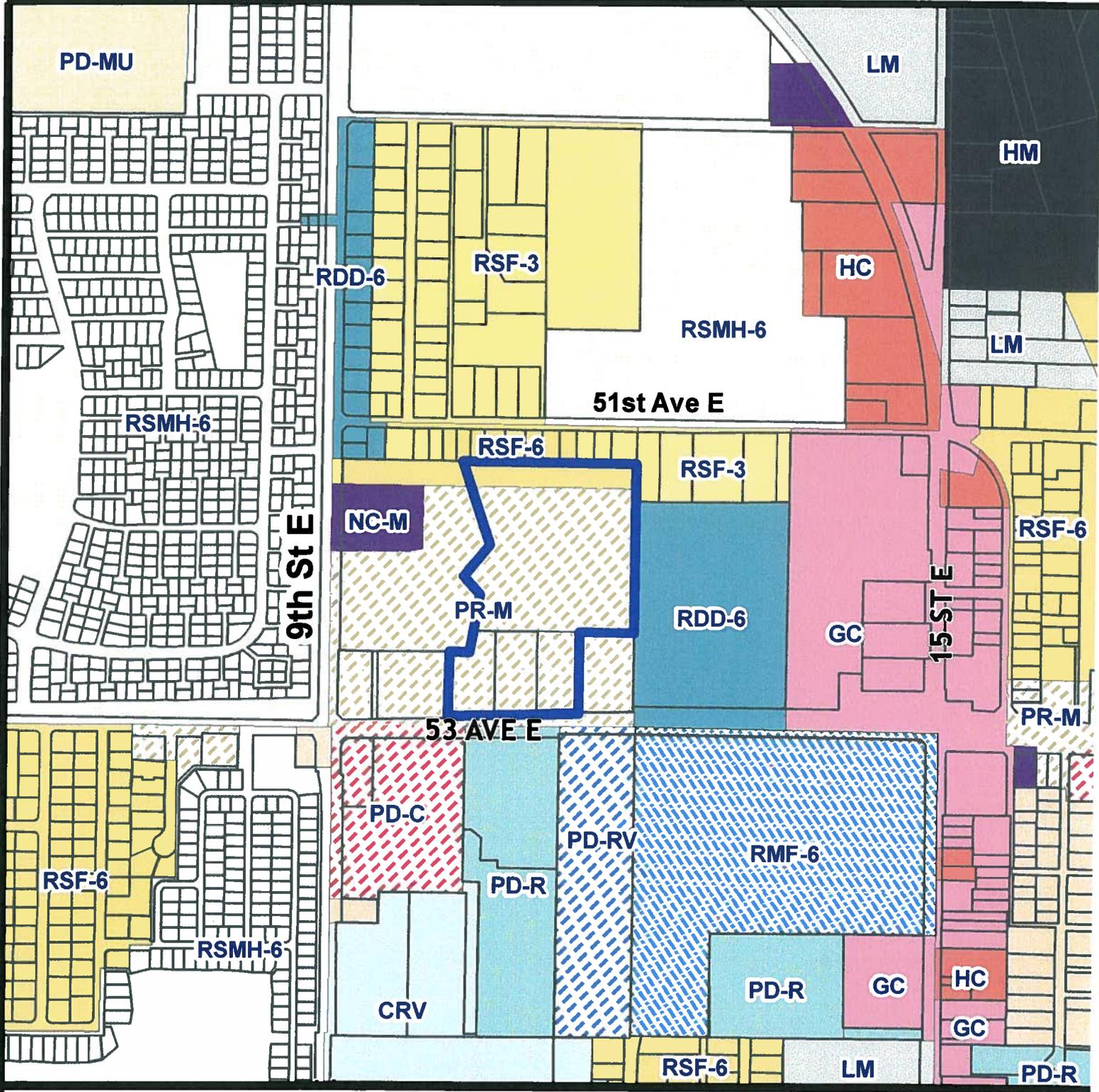
CHH: NONE
 Watershed: NONE
 Drainage Basin: MANATEE RIVER BL DAM, BOWLEES CREEK
 Commissioner: Robin DiSabatino



Manatee County
 Staff Report Map

Map Prepared 5/14/2013
 1 inch = 596 feet

ZONING



Parcel ID #(s) 5601110009, 5601300303, 5601300253, 5601300204

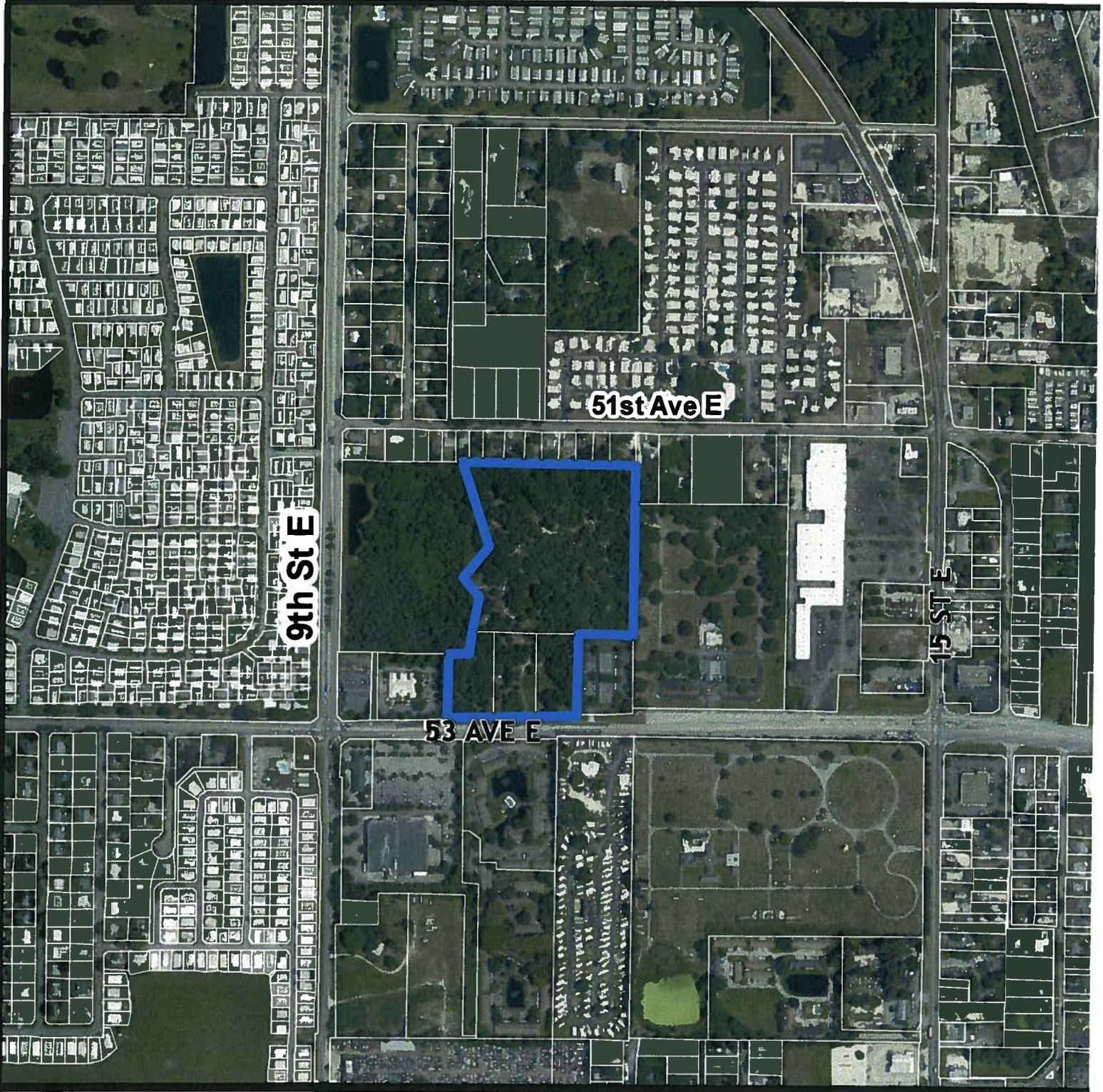
Project Name: Park Place Investments
 Project #: PDR-13-22 (Z)(P)
 DTS#: 20130142
 Proposed Use: Residential

S/T/R: Sec 12 Twn 35 Rng 17
 Acreage: 16.6
 Existing Zoning: RSF-6, PR-M
 Existing FLU: RES-16
 Overlays: NONE
 Special Areas: NONE

CHH: NONE
 Watershed: NONE
 Drainage Basin: MANATEE RIVER BL DAM, BOWLEES CREEK
 Commissioner: Robin DiSabatino

Manatee County
 Staff Report Map
 Map Prepared 5/14/2013
 1 inch = 596 feet

AERIAL



Parcel ID #(s) 5601110009, 5601300303, 5601300253, 5601300204

Project Name: Park Place Investments
Project #: PDR-13-22 (Z)(P)
DTS#: 20130142
Proposed Use: Residential

S/T/R: Sec 12 Twn 35 Rng 17
Acreage: ± 16.6
Existing Zoning: RSF-6, PR-M
Existing FLU: RES-16
Overlays: NONE
Special Areas: NONE

CHH: NONE
Watershed: NONE
Drainage Basin: MANATEE RIVER BL DAM, BOWLEES CREEK
Commissioner: Robin DiSabatino



Manatee County
Staff Report Map

Map Prepared 5/14/2013
1 inch = 596 feet

P.C. 09/12/13

PDR-13-22(Z)(P) – PARK PLACE INVESTMENTS/PARK PLACE ESTATES
(DTS #20130142)

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 16.6 acres, located north of 53rd Avenue East and approximately 590 feet east of 9th Street East, specifically at 1221, 1015, 1025, and 1035 53rd Avenue East, Bradenton, from the RSF-6 (Residential Single Family, 6 dwelling units per acre) and PR-M (Professional – Medium) to the PD-R (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 58 single family detached 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.: 9/12/13

B.O.C.C.: 10/3/13

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-13-22(Z)(P); **APPROVAL** of the Preliminary Site Plan with Stipulations No. A.1 – A.3, B.1, C.1, D.1 & D.2, E.1 – E.6, and F.1; **ADOPTION** of the Findings for Specific Approval for 1) an alternative to LDC Section 740.2.6.11 to allow smaller travel lanes and smaller private streets internal to the development; 2) an alternative to LDC Section 714.8.7 of the Land Development Code to allow the installation of smaller diameter trees, and 3) an alternative to LDC Section 715.3.4 to allow one canopy tree per lot frontage instead of one tree per 50 linear feet, as recommended by staff.

PROJECT SUMMARY	
CASE#	PDR-13-22 (Z)(P) - (DTS # 20130142)
PROJECT NAME	PARK PLACE ESTATES
APPLICANT(S):	PARK PLACE INVESTMENTS, LLC
PROPOSED ZONING:	PD-R (Planned Development Residential)
EXISTING ZONING:	RSF-6 (Residential Single Family, 6 dwelling units per acre) – 11.86 ± acres PR-M (Professional – Medium) – 4.75 ± acres TOTAL ACREAGE - 16.6 ± acres
PROPOSED USE(S):	58 Single Family Detached Units
CASE MANAGER:	Shelley Hamilton
STAFF RECOMMENDATION:	APPROVAL

DETAILED DISCUSSION

The 16.6 ± acre subject property is located on S.R. 70, approximately 600' east of 9th Street East. The subject property is designated RES-16 (Residential – 16 dwelling units per acre). The applicant requests to rezone this site from PR-M (Professional-Medium) and RSF-6 (Residential Single Family, 6 dwelling units per acre) to PDR (Planned Development Residential). The proposed development, while allowed 266 units under the RES-16 Future Land category, is only proposing 58 single family detached units on the property. The existing RSF-6 and PR-M zone districts are not conducive to the development proposed, which is more in keeping with both the existing single family dwelling units to the north, as well as the surrounding mobile home parks. The PDR district provides a broad range of housing types more in keeping with the general need of the area to be served.

A previous application [PDR-05-73(Z)(P)] was submitted to rezone the property to PDR and to develop 160 multi-family units on the property. After several rounds of comments, with issues raised relating to wetland impacts, tree removal, constrained roadway facilities, the internal roadway design, and compatibility with the single-family detached units to the north and proposed multi-family units; the application was closed on August 24, 2010 due to no activity by the applicants.

The property abuts single family residential development to the north and a four lane divided roadway to the south. Other residential properties are located west of 9th Street East and south of S.R. 70. Directly east of the property is a cemetery and professional offices, and directly west is a Manatee County drainage area and

stormwater area for construction of 9th Street E. The requested PDR zoning can be found to be consistent with the existing zoning in the area and would be a logical expansion of the surrounding development. The buffering and compatibility required by the LDC ensures that the project provide compatibility with adjacent uses in the area.

The main access is located off of S.R. 70 and the entry will function as a privately owned and maintained roadway. Greater detail regarding the internal street functions will be provided with the Final Site Plan and will be required to be consistent with the LDC and with the Public Works Engineering standards. The internal street system will be designed to encourage smooth traffic flow with controlled turning movements and minimization of hazards to vehicular and pedestrian traffic. Finally, the necessary potable water and sanitary sewer services are available to serve the project.

SITE CHARACTERISTICS AND SURROUNDING AREA

ADDRESS:	1221, 1015, 1025, and 1035 53 rd Avenue East
GENERAL LOCATION:	North of 53 rd Avenue East and approximately 590 feet east of 9 th Street East
ACREAGE:	16.61 ± acres
EXISTING USE(S):	Vacant
FUTURE LAND USE CATEGORY(S):	RES-16 (Residential – 16 units per acre)
DENSITY / INTENSITY:	Gross: 3.5 du/acre Net: 4.1 du/acre
OVERLAY DISTRICT(S):	None
SPECIFIC APPROVAL(S):	<ol style="list-style-type: none"> 1) LDC Section 740.2.6.11 which requires 12' travel lanes and 24' private streets; 2) LDC Section 714.8.7 which requires replacement tree calipers to be 3"/5"/7" depending on the size of the tree removed; and 3) LDC Section 715.3.4 which requires one canopy tree every 50 linear feet along rights-of-way in residential developments.
SPECIAL APPROVAL(S):	None

SURROUNDING USES & ZONING											
NORTH	Single Family Residential zoned RSF-6, but with a mix of lot and housing sizes										
SOUTH	Across 53 rd Avenue E. – Professional PD-C, Multi-Family Residential zoned PD-R, and a mobile home park zoned PD-RV										
EAST	Cemetery zoned RDD-6, Professional Offices zoned PR-M/, and Residential zoned RSF-3										
WEST	Manatee County Drainage area/Stormwater for the construction of 9 th Street E zoned NC-M.										
SITE DESIGN DETAILS											
LOT SIZE(S):	Typical: 6,000 sq. ft. (50' x 120') Corner Lot Width: 60'										
SETBACKS:	<table border="0"> <tr> <td>Front</td> <td>25 feet</td> </tr> <tr> <td>Side</td> <td>5 feet</td> </tr> <tr> <td>Rear</td> <td>15 feet</td> </tr> <tr> <td>Waterfront</td> <td>30 feet</td> </tr> <tr> <td>Wetland Buffer</td> <td>30 feet</td> </tr> </table>	Front	25 feet	Side	5 feet	Rear	15 feet	Waterfront	30 feet	Wetland Buffer	30 feet
Front	25 feet										
Side	5 feet										
Rear	15 feet										
Waterfront	30 feet										
Wetland Buffer	30 feet										
HEIGHT:	35 feet										
OPEN SPACE:	Required: 4.16 ± Acres (25%) Provided: 4.23 ± Acres (27%)										
RECREATIONAL AMENITIES:	Ponds and entry features, totally 1.70 ± acres. that serve as focal points. With only 58 lots proposed, these entry features will provide adequate focal points for the proposed development.										
ACCESS:	53 rd Avenue E./S.R. 70										
FLOOD ZONE(S)	"C," per FIRM Panel 120153 0333B, revised 3/15/84										
AREA OF KNOWN FLOODING	None										
UTILITY CONNECTIONS	Potable Water: On S.R. 70 Sanitary Sewer: On S.R. 70										
ENVIRONMENTAL INFORMATION											
Wetland Impacts											
According to the environmental narrative provided by WRA, dated April 5, 2013, there is one wetland on-site that extends off-site to the west. There is .17 acres within the "project limits." No impacts are proposed to this wetland and a 30' buffer is being provided around the perimeter. Also, there is some native habitat being preserved adjacent to the wetland buffer.											

Uplands

According to the environmental narrative, the entire site is 411 (Pine Flatwoods). LDC Section 603.4(20) recommends approximately 1.45 acres of native habitat be preserved. The Preliminary Site Plan shows 1.78 acres of preservation, which meets the intent of this section.

Endangered Species

According to the environmental narrative, there were two active gopher tortoise burrows observed while in the field. The applicant indicates that a formal gopher tortoise survey will be conducted prior to construction. Staff has provided a stipulation to require this be done prior to Final Site Plan approval.

Trees

According to the Preliminary Site Plan, there are a total of 1,498 trees on-site. Of these, 231 trees are proposed to be preserved. A total of 1,267 trees are proposed for removal, 871 within single-family lots and 396 outside of lots and subject to replacement. Replacement trees are provided in accordance with LDC Section 714.8.7. Staff has asked that the applicant request Specific Approval to allow smaller replacement trees at 3”/4”/4” in lieu of 3”/5”/7”.

Landscaping/Buffers

The Preliminary Site Plan shows 15’ greenbelt buffers on all sides of the project that abut other residential uses. The greenbelt, along with the preserved upland habitat will address any compatibility concerns that the slightly larger lots to the north may have. The roadway buffer is proposed at 20’ in width.

Landscape materials proposed within the buffers will meet or exceed the LDC requirements, as tree replacement is being provided on-site for the project. The details of species and quantities will be reviewed and approved at the Final Site Plan stage.

NEARBY DEVELOPMENT				
RESIDENTIAL				
PROJECT	SIZE (LOTS / UNITS)	DENSITY	FLUC	YEAR APPROVED
Un-Named Mobile Home Park	178	5.59	RES-9	1954
Scattered Single Family Residential (Un-Platted)	15 (averaging approximately .25 acres in size)	3.00	RES-6	Various
Heatherwood Condominium	28	3.4	RES-16	1984 CB 17/34
Tropical Gardens Village Mobile Home Park	161	18.6	RES-16	1956

NON-RESIDENTIAL			
PROJECT	SIZE	FLUC	YEAR APPROVED
Manasota Memorial Park (Cemetery)	13.79 acres	RES-16	1931
Medical Offices	7,200 sq. ft. on 1.89 acres	RES-16	1997
Manatee Rural Health Services, Inc.	10,294 sq. ft. on 2.00 acres	RES-16	1997
Winn Dixie Supermarket	63,693 sq. ft. on 8.23 acres	RES-16	1998
Horizon Bank	8,572 sq. ft. on .98 acres	RES-16	2000

POSITIVE ASPECTS

- The site is within a developing area of the County in which historic residential is mixed with commercial uses, and are giving way to planned residential developments;
- The proposed single family use is appropriately located adjacent to residential uses;
- The applicant met with FDOT and no right-of-way dedication will be requested for S.R. 70;
- The development shall be required to reduce the calculated pre-development flow rate by fifty percent for all storm water outfall;
- The site is not located within the 25 year to 100 year flood zones;
- The site is not located with a hurricane evacuation zone; and
- Public potable water, sanitary sewer, and reclaimed water are available adjacent to the site.

NEGATIVE ASPECTS

- Smaller lot sizes may be viewed as incompatible with the single family residences located to the north of the subject property. These lots to the north average approximately .25 acres in size.

MITIGATING MEASURES

- Additional buffering will be provided adjacent to the existing lots to the north with a proposed greenbelt and native upland habitat along the northernmost property boundary.

- **There are also ponds proposed along the S.R. 70 at the entrance to the proposed development that will aide in buffering any multi-family residences and the mobile home park across S.R.70.**

STAFF RECOMMENDED STIPULATIONS

A. DESIGN:

- 1. No lots shall be platted through any greenbelt, landscape buffer, retention pond, wetland, or wetland buffer.**
- 2. The minimum front yard setback shall be 25' to the garage portion of the structure. The remaining habitable portion of the structure may be set back 20'. The minimum front yard setback for structures with side loaded garages shall be 20'.**
- 3. A separate building permit will be required for any proposed signs. This building permit shall give the details of size and type of signs.**

B. INFRASTRUCTURE CONDITIONS:

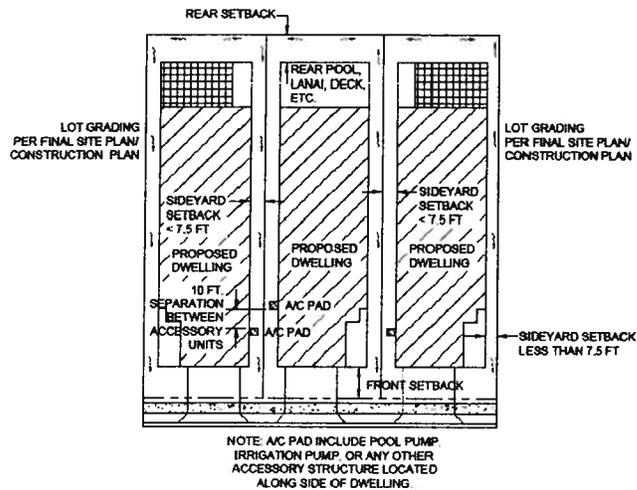
- 1. The project will be required to connect to Central Potable Water and Sanitary Sewer at the developer's expense.**

C. PUBLIC WORKS CONDITIONS:

- 1. The existing westbound left-turn lane that serves the commercial property at the southeast corner of S.R. 70 and 9th Street East shall be converted to a two-way left-turn lane to provide access to the subject property. This site-related improvement shall be coordination with the Florida Department of Transportation prior to filing of a Final Plat for the proposed development.**

D. STORMWATER CONDITIONS:

- 1. This project shall be required to reduce the calculated pre-developed flow rate by a full fifty percent (50%) for all stormwater outfall flow directly or indirectly into Bowlees Creek. Modeling shall be used to determine pre- and post-development flows.**
- 2. Ten (10) feet separation shall be provided between accessory structures (i.e., Heat Pumps, A/C Handlers, pool pumps, etc.) along the side yards of properties with a side yard setback of less than 7.5 feet.**



E. ENVIRONMENTAL CONDITIONS:

- 1. Landscaping material, quantities and species are not being approved at this time, and will be reviewed and approved during the Final Site Plan process.**
- 2. The developer shall provide an updated study, consistent with Policy 3.3.2.1. of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the Building and Development Services for any listed species found on-site, prior to Final Site Plan/Construction Plan approval.**
- 3. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to Manatee County prior to or concurrent with Final Plat approval.**
- 4. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the Erosion and Sediment Control Plan (ESCP) information on the Final Site Plan in accordance with LDC Section 519.**
- 5. 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); and**
 - The final disposition of the well – used, capped, or plugged.**

6. 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.

F. NOTICES

1. A Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, in a separate addendum to the sales contract, and in the Final Site. The Notice to Buyers shall include language informing prospective home buyers of the following:

- a. The lots proposed along the eastern property boundary will be abutting a cemetery;
- b. The PR-M zoning on the properties on both the west and east of the subject property which will allow professional office uses; and
- c. The proposed internal streets will be private, and if the applicant or Home Owner's Association every requests the internal streets to be turned over to the county, the streets will need to be brought up the LDC requirements.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None

COMPLIANCE WITH THE LAND DEVELOPMENT CODE

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
20' roadway buffer, 53 rd Avenue East (S.R. 70)	20'	Y		Shown on site plan
15' perimeter buffer	15' shown along north, east and west property boundary	Y		Shown on site plan
Buffer landscaping		Y		Shown on site plan
SIDEWALKS				
5' internal sidewalks		Y		Shown on both side of all internal streets
5' sidewalk, exterior		Y		Shown on site plan

ROADS & RIGHTS-OF-WAY

Internal rights-of-way	50' to be provided	Y		Streets to be private
24' paved roadways	22' to be provided		N	Specific Approval requested for 11' travel lanes, 22' streets

**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 16.62 ± acres and is just east of the northeast corner of 9th Street E. and 53rd Avenue E. (S.R. 70). Site access will be from S.R. 70.

Public Utilities, Facilities and Services

Sanitary Sewer and Potable Water will be constructed to Manatee County standards and will be publicly maintained. The proposed public water, wastewater are shown on the site plan. They are conceptual only and are included on the site plan to graphically demonstrate the intent to comply with the requirements of Section 722 of the Land Development Code. The size and location of these facilities will be finalized during the Final Site Plan/Construction Plan review process.

Major Transportation Facilities

The main access off of S.R. 70 is proposed to function as a local road that will be privately owned and maintained. The lane widths are proposed to be 11 feet each, 22 feet total width. A Specific Approval request has been requested to deviate from the 12 foot lanes, 24 foot total. A 50 foot right-of-way is illustrated on the site plan.

Compatibility

The site abuts residential development to the north and a four lane divided road to the south. Other residential properties are located west of 9th Street E. and south of S.R. 70. The requested PD-R zoning can be found to be consistent with existing zoning in the area, and can be a logical transition for the development. The buffering and compatibility required ensures the project will be compatible with other adjacent uses.

Transitions

As stated above, this property is located within a developing area of the County in which historic residential is mixed with commercial and is giving way to planned residential developments. Buffering, site design, and density limitations are assured.

Design Quality

The project is consistent with the Future Land Use of RES-16, relative to design standards for landscaping, buffering and setbacks, providing mitigation for any potential incompatibilities.

Adjacent Property

The proposed development has been designed to ensure that additional screening, buffering, and design features provide adequate protection for existing or probable uses of surrounding properties.

The PR-M (Professional - Medium Office) District to both the east and west of the site may provide office uses that are usually compatible with residential uses, either existing or planned. These types of uses are usually at a scale to serve residential neighborhoods, and usually have hours of operation from 9:00 a.m. to 5:00 p.m. Adequate buffering is required to ensure compatibility with adjacent residential uses.

Access

The proposed development has been designed to encourage smooth traffic flow while controlling turning movements and minimizing hazards to vehicular or pedestrian traffic.

Streets, Drives, Parking and Service Areas

The streets are proposed to be private. Greater detail will be provided with the Final Site Plan and will be required to be consistent with the Manatee County Land Development Code and Public Works Engineering standards.

Also, the applicants have demonstrated a gated entrance with a guardhouse proposed at the entry. The applicant has demonstrated the provision of two stacking spaces for the entry feature.

Pedestrian Systems

Pedestrian systems are shown consistent with sidewalk requirements in the Land Development Code. The Specific Approval request for decreased lane widths of 22 feet shall also aid with the pedestrian friendly neighborhood due to a smaller intimate feel and the natural traffic calming effects of smaller lane widths.

Natural and Historic Features, Conservation and Preservation Areas

The site does not contain any known historic or cultural resources. Approximately 1.78 acres of upland native habitat are proposed for preservation.

Density/Intensity

The proposed density is below the maximum allowed in the Comprehensive Plan. Proposed buffering and landscaping ensures minimization of impacts to surrounding development.

Height

Building heights will be required to be consistent with the Planned Development – Residential zoning district and will be limited to 35 feet.

Fences and Screening

No fences are proposed. Screening measures will be required to be consistent with the Planned Development – Residential zoning district standards.

Yards and Setbacks

All setbacks within Planned Development districts shall be measured from property lines and do meet code.

Trash and Utility Plant Screens

As required in the Land Development Code, all central refuse, trash and garbage collection containers will be screened from sight and/or located in such a manner so as not to be visible from any public area within or adjacent to a Planned Development district.

Signs

The site plan submitted depicts the location of a monument sign for entry purposes to the project. A separate building permit will be required at the time of Final Site Plan submittal and any proposed neighborhood entry signage will need be consistent with the Land Development Code.

Landscaping

The project shall meet standard zoning requirements of the LDC.

Mixed Use or Entranceway Designation

N/A

Water Conservation

The development will be required to conform with Manatee County Land Development Code and Engineering standards for water conservation measures.

Rights-of-Way

The property abuts S.R. 70. No right-of-way dedication was requested by Florida Department of Transportation along S.R. 70.

Utility Standards

The development will be required to connect to Central Potable Water and Sanitary Sewer at the developer's expense.

Stormwater Management

The following is provided for informational purposes only:

Project Located in Flood Prone Area: Yes

Type of Flooding (i.e., rainfall, riverine, storm surge, etc.): Rainfall

Project subject to flow reduction: Yes, 50% reduction is allowable runoff

Project subject to OFW: N/A

Watershed/Basin: Bowless Creek

Project located within Floodplain and/or Floodway: No, outside of the 100-year FEMA Floodplain.

Drainage Easements/Access Easements required for existing system(s): To be determined.

Impairment: Appears impaired for nutrients, fecal coliform, mercury, verify with FDOP (WBID's 1896).

Open Space

The site plan shows 25.5% open space (4.23 ± acres). 25% open space (4.16 ± acres) is required.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is in the RES-16 Future Land Use Category. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The property is located within a developing area of the County in which historic residential that is mixed with commercial is giving way to planned residential developments. Buffering, site design, and density limitations are ensured, with stipulations.

Policy 2.2.1.15.1 Intent. While the proposed development is designated RES-16 FLUC, which provides for moderate density residential uses at a density of 16 dwelling units, the proposed gross density is much lower at 3.5 du/acre. The surrounding uses will be protected with the lower density and the landscaping, design standards, and setbacks that will be provided with the development.

Policy 2.2.1.15.2 Range of Potential Uses includes; Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, low intensity recreational facilities, public or semi-public uses, schools, lodging places, and appropriate water-dependent/water-related/water-enhanced uses. As stated above, the lower density of 3.5 du/acre will provided compatibility assurance with the existing adjacent uses.

Policy 2.6.1.1 Compatibility. The Preliminary Site Plan design is compatible with surrounding development because the screening, buffering and design features will ensure compatibility with existing uses that surround the property.

Policy 2.6.2.7 Require Clustering to Limit Impacts and Policy 2.6.5.5 Preserve/Protect Open Space. The site plan shows 25.5% open space to be provided; 25% open space is required.

TRANSPORTATION

Major Transportation Facilities

The site is expected to have access onto S.R. 70, a four-lane arterial roadway.

Transportation Concurrency

Transportation Concurrency was evaluated as part of the review of this project. The applicant prepared a Traffic Impact Analysis (TIA) to determine impacts to the segment of S.R. 70 near the project site, including adjacent intersections. The results of the TIA, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segment is 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 for the project (see Certificate of Level of Service Compliance table below).

Access

In conjunction with transportation concurrency, a review of access issues was undertaken by County staff. The project is expected to have one access onto S.R. 70, which will align with the existing access point for the Heatherwoods Apartments located on the south side of S.R. 70. The project access point is expected to provide for full turning movements.

The results of the access review, which included information provided in the approved TIA, indicated that one site-related improvement will be required. This improvement involves the conversion of an existing westbound left-turn lane, which presently serves the existing Winn Dixie shopping center southwest of the project site. This improvement has been coordinated through the Florida Department of Transportation as part of the driveway approval for the project site.

CERTIFICATION OF LEVEL OF SERVICE (CLOS) COMPLIANCE

CLOS APPLIED FOR: Y X N
 TRAFFIC STUDY REQ'D: Y X N

NEAREST THOROUGHFARES	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
S.R. 70	9 th Street East to 15 th Street East (301 Boulevard) – Link #1790	“D”	“C”

In summary, the results of the traffic study review identified no off-site improvements being required for this project. However, a site-related improvement is required, as identified above.

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 wastewater will be reviewed at Final Site Plan/Construction Drawing stage.

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Request(s):

- 1) LDC Section 740.2.6.11 requires the provision of 12' travel lanes and 24' private streets. The applicant is requesting the provision of 11' travel lanes and 22' streets. The right-of-way is proposed to be the full standard width of 50' to provide adequate room for locating/maintaining utilities, providing adequate setbacks and allow for proper lot and roadway drainage. The 11' lanes will serve to calm traffic while encouraging pedestrian usage. The applicant has stated that decreasing lane width is a widely accepted method of calming traffic. Also, as the proposed plan also provides sidewalks on each side of

the street, the slower more intimate feel will encourage pedestrian mobility within the urban corridor. This can be accomplished with a Specific Approval request.

Staff Analysis and Recommendation

The proposed internal streets will be private. Should the applicant or Home Owners Association ever request the internal streets be turned over to the county, the streets would need to be brought up to LDC requirements.

Both Manatee County Public Works and the Southern Manatee Fire and Rescue District support the request for the 11" travel lanes and 22' streets as long as the full standard width of 50' is provided for proper lot and roadway drainage, and fire department vehicle maneuverability.

Finding for Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.2.4, the Board finds that the purpose of the Land Development Code regulations are satisfied to an equivalent degree by the proposed design, because the full standard width of 50' will be provided.

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

Staff Analysis and Recommendation

Staff supports a Specific Approval for an alternative to Section 714.8.7 of the Land Development Code to allow replacement tree sizes at 3"/4"/5" instead of 3"/5"/7". Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner. The Land Development Code is slated to be amended 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 Section 714.8.7 of the Land Development Code, the Board finds that the purpose of the Land Development Code regulation is satisfied to an equivalent degree by the proposed design, because the required number of trees and canopy will be provided.

- 3) LDC Section 715.3.4 requires one (1) canopy tree every fifty (50) linear feet along rights-of-way in residential developments, to allow for one canopy tree per lot per frontage.**

Staff Analysis and Recommendation

Staff supports a Specific Approval for an alternative to LDC Section 715.3.4 to allow only 1 tree per lot per frontage instead of one per 50 linear feet, as more than one tree on narrow lots creates conflicts between the trees and infrastructure. This alternative avoids these conflicts from occurring.

Finding for Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.4, the Board Finds that the purpose of the LDC regulation is satisfied to an equivalent degree, as providing less trees will prevent future removal to prevent conflicts with infrastructure.

ATTACHMENTS

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

ATTACHMENT #1 – APPLICABLE COMPREHENSIVE PLAN POLICIES

Policy 2.1.2.1 Provide opportunities for, and allow, new residential, and nonresidential development to occur at locations defined as appropriate in the Adopted Land Use Concept Resolutions and the established Mapping Methodology. (See TSD-Land Use).

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 Objectives 2.6.1 through 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 2.2.1.15 **RES-16:** Establish the Residential-16 Dwelling Units/Acre future land use category as follows:

Policy 2.2.1.16.1 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 medium density urban residential uses. Also, to provide for a complement of residential support uses normally utilized during the daily activities residents of these moderate density urban areas. Lodging places may also be located within this future land use category (see also Objective 6.1.3).

Policy 2.2.1.16.2 Range of Potential Uses (see Policies 2.1.2.3. through 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, low intensity recreational facilities, public or semi-public uses, schools, lodging places, and appropriate water-dependent/water-related/water-enhanced uses (see also Objective 4.2.1 and 2.10.4).

Policy 2.2.1.16.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:

6 dwelling units per acre

Minimum Gross Residential Density: 5.0 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:
12 dwelling units per acre

16 dwelling units per acre in 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 (1.00 inside the CRA's and UIRA)

Maximum Square Footage for Neighborhood Retail Uses:
Retail Uses: Small (30,000 sf – office only)

Policy 2.2.1.16.4 Other Information:

- a) All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to §163.3202, F.S.
- b) Small office uses within this category may be exempted from 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 non-residential project exceed 30,000 square feet shall required 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)

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 2.6.1.3 Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on the project site (see also 2.6.1.1).

Policy 2.6.2.7 Require clustering, as appropriate, to limit impacts of residential development, on adjacent agricultural, conservation open space, or environmentally sensitive uses.

Implementation Mechanism:

a) Planning Departments review and conditioning of development orders to ensure compliance with this policy.

Policy 2.6.5.4 Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas.

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) Development and maintain land development regulations containing these minimum open space standards, or equivalent standards.

Policy 2.9.1.2 Promote the connection and integration of community pedestrian, bicycle and vehicular systems to the larger county systems (See also Objective 3.3.3).

Implementation Mechanism:

a) Planning Department review and comment regarding connection to larger community system.

Policy 2.9.1.3 Promote vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more than one neighborhood.

Implementation Mechanism(s):

a) Planning Department review and comment on proposed site design and layout.

b) Appropriate revisions to the Land Development Code by the Planning Department.

Policy 2.9.1.5 **Promote the development of pedestrian friendly designs.**

Implementation Mechanism(s):

- a) **Planning Department review and comment on proposed site design and layout.**
- b) **Appropriate revisions to the Land Development Code by the Planning Department.**

Policy 2.9.1.7 **Encourage the development of community spaces, including usable open space and public access to water features.**

Implementation Mechanism(s):

- a) **Planning Department review and comment on proposed site design and layout.**
- b) **Appropriate revisions to the Land Development Code by the Planning Department.**



4260 West Linebaugh Ave.
Tampa, Florida 33624
813-265-3130 phone
813-265-6610 fax

www.wraconsultants.com

To: Shelley Hamilton – Case Manager
1112 Manatee Avenue West Fourth Floor
Bradenton, FL 34205
From: Clint R. Cuffle, P.E., Senior Project Engineer
Date: July 19, 2013
Subject: Specific Approval Request
PDR-13-22(Z)(P)
Project #: Park Place

Dear Shelley,

On behalf of our client, Park Place Investments, LLC, a specific approval is requested for the following:

1. LDC Sections 740.2.6.11, ~~740.2.1~~ and ~~907.2.2.1~~ which require 12' travel lanes and 24' streets.

The applicant proposes 11' travel lanes and 22' streets.

The right-of-way is proposed to be the full standard width of 50' to provide adequate room for locating/maintaining utilities, providing adequate setbacks and allow for proper lot and roadway drainage.

The 11' lanes shall serve to calm traffic while encouraging pedestrian usage. Decreasing lane width is a widely accepted method of calming traffic. As the proposed plan also provides sidewalks on each side of the street, the slower more intimate feel will encourage pedestrian mobility within the urban corridor.

Thank you for considering the specific approval request.

Sincerely,

Clint Cuffle, P.E.
Senior Project Engineer

MEMORANDUM



Building & Development
Services Department
Environmental Planning
1112 Manatee Avenue West
Dunedin FL 34705

MANATEE COUNTY
FLORIDA

Phone: 941.748.4501
Fax: 941-749-3071
www.myanatee.org

To: Shelley Hamilton,
From:  Dorothy Rainey, Environmental Planning
Date: July 31, 2013
Subject: Park Place Investments, LLC PDR-13-22(Z)(P)

EPD staff has recommended to the applicant that Specific Approval be sought for alternatives to sections 714.8.7 and 715.3.2 of the LDC, in an effort to implement the proposed revisions to these sections. The applicant did not submit formal requests for these sections, therefore, this memo will serve as official requests for the Specific Approvals.

Staff has provided the findings for these requests within our "no objection" comments for this project.

Cc: project file

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, September 12, 2013 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:

PDR-13-22(Z)(P) - PARK PLACE INVESTMENTS/PARK PLACE ESTATES

(DTS #20130142; B00000195) An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 16.6 acres, located north of 53rd Avenue East and approximately 590 feet east of 9th Street East, specifically at 1221, 1015, 1025, and 1035 53rd Avenue East, Bradenton, from RSF-6 Residential Single Family, 6 dwelling units per acre) and PR-6 (Professional - Medium) to PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 58 single family detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

ORDINANCE 13-28 LAKEWOOD CENTRE DRI (DRI #27) (DTS#20130244)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending an amended and stated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development Regional Impact (Ordinance 2-28) (DRI #27); A/K/A Tampa Bay Regional Planning Council (BRPC) DRI #265;

Modifying Map H and the Development Order with the following changes:

- Update Phasing and Build-out dates to reflect legislatively approved extensions;
- Update Conditions to reflect compliance with conditions contained therein;

- 3) Clarify procedures for a Land Use Exchange; and,
- 4) Other amendments for internal consistency.

This DRI is approved in three phases. Specific Approval was approved for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, a 300 room hotel, and 36.8 + acres of parks. Conceptual approval was approved for Phase 2 and 3 and in the future. Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.

The ordinance amends, replaces, and supersedes Ordinance 12-28, DRI #27, as amended; providing for severability, and an effective date.

The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) (697.4 ± acres)

PDMU-06-30(G)(R2) - LAKEWOOD CENTRE

(DTS #20130245) An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending Ordinance PDMU-06-30(G)(R) and the General Development Plan to:

- Update the phasing and build-out dates to reflect legislatively approved extensions;
- Update conditions to reflect compliance with requirements contained therein;
- Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase I in accordance with the approved land use exchange mechanism;
- Amend stipulations to facilitate these changes; and
- Modify certain conditions consistent with current departmental practices and other amendments for internal consistency

Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date. The project is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70, and contains 697.4 ± acres).

Sarasota Herald Tribune

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, 4th 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
8/30/2013

- 1) Update Phasing and Build-out dates to reflect legislatively approved extensions;
- 2) Update Conditions to reflect compliance with conditions contained therein;
- 3) Clarify procedures for a Land Use Exchange; and,
- 4) Other amendments for internal consistency.

This DRI is approved in three phases. Specific Approval was approved for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, a 300 room hotel, and 36.8 + acres of parks. Conceptual approval was approved for Phase 2 and 3 and in the future. Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.

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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, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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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

PRELIMINARY SITE PLAN FOR PARK PLACE

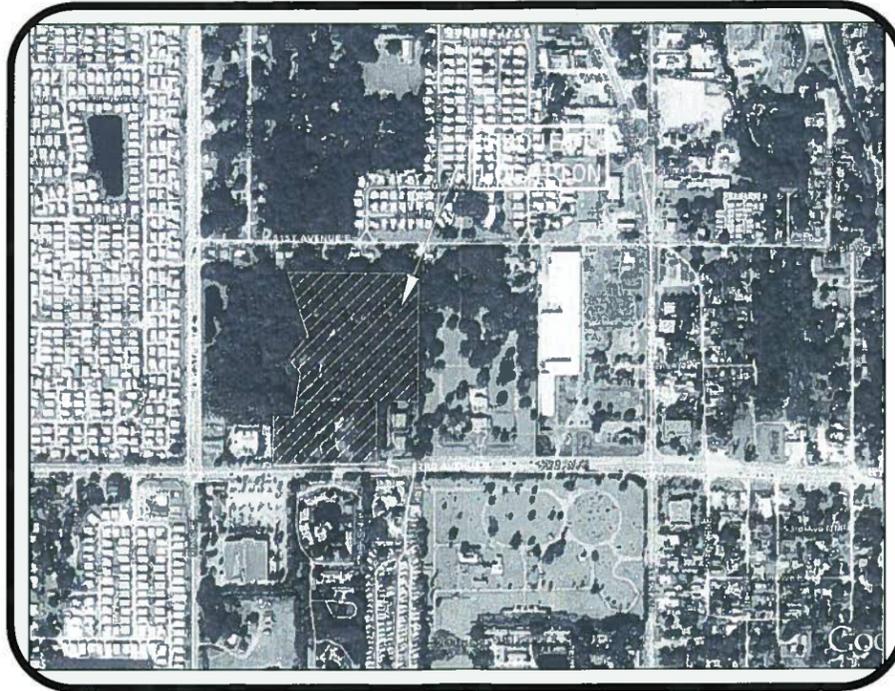
LOCATED IN
SECTION 12, TOWNSHIP 36S, RANGE 17E
MANATEE COUNTY, FLORIDA
PARCEL ID'S: 5601110009, 5601300204,
5601300253 and 5601300303

PREPARED FOR

PARK PLACE INVESTMENTS, LLC
14550 58TH STREET N
CLEARWATER, FL 33760

GENERAL NOTES:

1. THERE ARE NO KNOWN FOUNDATIONS, MOUNDS OR HIDDEN AREAS OF HISTORIC ORIGIN, EXISTING EASEMENTS, PLATTED STREETS LOCATED ON THIS SITE.
2. THERE ARE WETLANDS UNDER THE JURISDICTION OF SWFWMD WITHIN THE BOUNDARIES OF THIS PLAN.
3. THERE ARE NO KNOWN WELLS WITHIN THE BOUNDARIES OF THIS PLAN.
4. COMMON OPEN SPACE SHALL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION OR DEVELOPER.
5. THE RESIDENCES WILL BE SINGLE FAMILY DETACHED UNITS WITH AN OVERALL BUILDING NO GREATER THAN 35' IN HEIGHT.
6. STREET LIGHTS MAY BE INSTALLED AT THE DEVELOPER'S OPTION, AND SHALL COMPLY WITH LDC SECTION 709 AT TIME OF FSP.
7. THE PROJECT WILL BE CONSTRUCTED WITH ONE (1) PHASE: PHASE 1 WILL TAKE APPROXIMATELY 8 TO 10 MONTHS.
8. SEDIMENTATION AND EROSION CONTROL MEASURES WILL BE IN COMPLIANCE WITH SECTION 717, AS WELL AS SECTION 519, APPENDIX A-19 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE FOR SPECIFIC REQUIREMENTS, TO PREVENT SEDIMENTARY RUNOFF DURING CONSTRUCTION, STAKED HAYBALES, STAKED SILT SCREENS OR INLET DEBRIS CONTROL SCREENS ARE TO BE PLACED AT STORM INLETS, OUTFALL LOCATIONS AND ADJACENT PROPERTY LINES AS REQUIRED PRIOR TO ANY CONSTRUCTION ACTIVITIES. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE SEDIMENTATION BARRIERS IN A WORKING MANNER FOR THE DURATION OF CONSTRUCTION AND SHOULD BE CHECKED DAILY. SILTATION ACCUMULATIONS GREATER THAN THE LESSER OF 12 INCHES OR ONE-HALF OF THE DEPTH OF THE SEDIMENTATION BARRIER SHALL BE IMMEDIATELY REMOVED AND REPLACED IN UPLAND AREAS. IN ADDITION TO SPECIFIED EROSION CONTROL LOCATIONS, THE CONTRACTOR SHALL PERFORM DAILY SITE INSPECTIONS FOR POTENTIAL EROSION PROBLEMS. IF PROBLEMS OCCUR, THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING APPROPRIATE EROSION CONTROLS IMMEDIATELY. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING TEMPORARY EROSION CONTROL DEVICES FOLLOWING COMPLETION OF ALL CONSTRUCTION AND FINAL STABILIZATION.
9. NOTIFY MANATEE COUNTY ENVIRONMENTAL PLANNING DIVISION (EPD) AND WATER QUALITY DIVISION PRIOR TO THE INITIATION OF CONSTRUCTION. A PRE CONSTRUCTION INSPECTION OF THE SEDIMENTATION AND EROSION CONTROL (S&EC) DEVICES MAY BE REQUIRED AND WILL BE THE OPTION OF THE EPD STAFF.
10. CONTRACTOR SHALL LOCATE EROSION CONTROL MEASURES (ECMs) ALONG WETLAND BUFFERS. EXOTIC NUISANCE SPECIES LOCATED WITHIN WETLAND BUFFER SHALL BE MANUALLY REMOVED WITH CARE TAKEN TO PROTECT EXISTING NATIVE VEGETATION UNLESS OTHERWISE SPECIFICALLY ADDRESSED ON THE APPROVED PLANS. IN THOSE INSTANCES WHERE ADDITIONAL AREAS OF THE WETLAND BUFFER ARE SO HEAVILY VEGETATED WITH EXOTIC NUISANCE SPECIES AS TO TAKE MANUAL REMOVAL UNFEASIBLE, THE CONTRACTOR SHALL PROVIDE PROJECT ENGINEER AND MANATEE COUNTY ENVIRONMENTAL MANAGEMENT DIVISION SHOP DRAWING SHOWING LIMITS OF ADDITIONAL MECHANIZED CLEARING WITHIN BUFFER, PLANS TO RELOCATE ECMs AND PROPOSED STABILIZATION OF SOIL. CONTRACTOR SHALL OBTAIN EMD WRITTEN APPROVAL PRIOR TO CONDUCTING MECHANIZED CLEARING WITHIN WETLAND BUFFERS. ALL PROPOSED MODIFICATIONS TO LOCATIONS OF ECMs, SOIL STABILIZATION, SHOP DRAWINGS AND PROCESSING FOR APPROVAL SHALL BE THE FINANCIAL RESPONSIBILITY OF THE CONTRACTOR.
11. CONTRACTOR MUST CONTACT "CALL SUNSHINE" AT 1-800-432-4770 48 HOURS PRIOR TO EXCAVATION.
12. ALL TREES WITHIN THE AREA PROPOSED FOR CONSTRUCTION ACTIVITIES THAT ARE TO BE PRESERVED SHALL HAVE PROTECTIVE BARRICADES CONSTRUCTED AT THEIR DRIPLINES PRIOR TO COMMENCEMENT OF CONSTRUCTION. BARRICADES SHALL CONSIST OF MINIMUM 5' CHAIN LINK FENCING (NEW OR USED). NO IMPROVEMENTS, FILL, GRADE CHANGES OR COMPACTION OF SOIL DUE TO HEAVY MACHINERY WILL BE PERMITTED WITHIN THE DRIPLINE OF TREES PROPOSED TO BE PRESERVED.
13. A 10' MINIMUM UTILITY EASEMENT SHALL BE LOCATED ALONG ALL FRONT LOT LINES AND A 5' UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES.

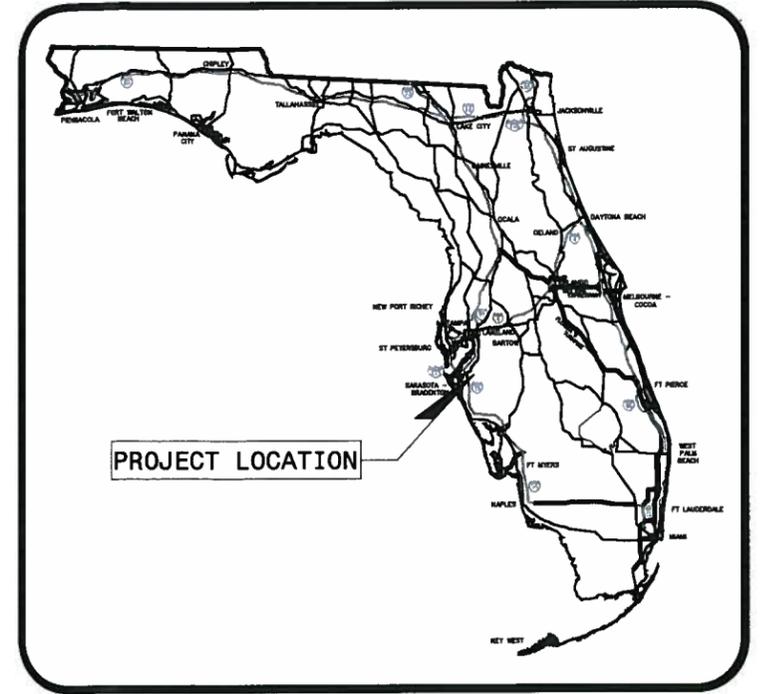


VICINITY MAP

PREPARED BY:



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DRAWING INDEX	
Sheet Number	Sheet Title
C-01	COVER SHEET
C-02	EXISTING SITE CONDITIONS
C-03	PRELIMINARY SITE PLAN AND DEVELOPMENT DESCRIPTION
C-04.1	PROPOSED SITE DESIGN
C-04.2	PROPOSED SITE DESIGN
L-01.0	PRELIMINARY LANDSCAPE PLAN

LEGAL DESCRIPTION

SEE SHEET 2 FOR EXISTING CONDITIONS AND LEGAL DESCRIPTION

DEVELOPMENT DESCRIPTION

SEE SHEET 3 FOR SITE DATA INFORMATION

PROFESSIONAL INFORMATION:

DEVELOPER:
PARK PLACE INVESTMENTS, LLC
14550 58TH STREET N
CLEARWATER, FL 33760
PHONE: 727-535-6339

ENGINEER:
WRA
4260 WEST LINEBAUGH AVENUE
TAMPA, FL 33624
PHONE: 813-265-3130
FAX: 813-265-6160

SURVEYORS:
JOHN TROELSTRUP SURVEYING & MAPPER
#5946

MANATEE COUNTY BUILDING & DEVELOPMENT SERVICES DEPARTMENT SIGNATURE BLOCK

PROJECT NUMBER: _____ PROJECT NAME: PARK PLACE
APPROVAL TYPE: REZONE (PSP STANDARDS) DTS NUMBER: _____

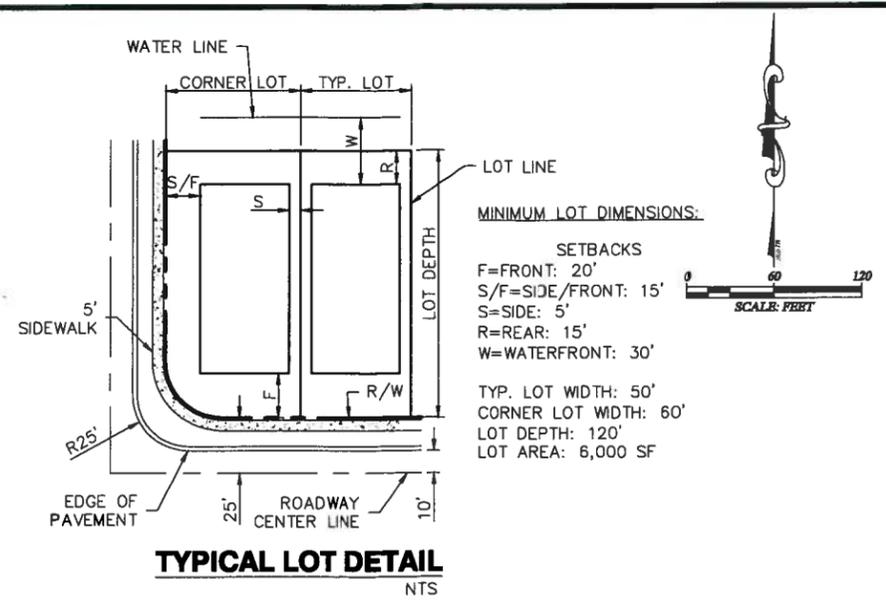
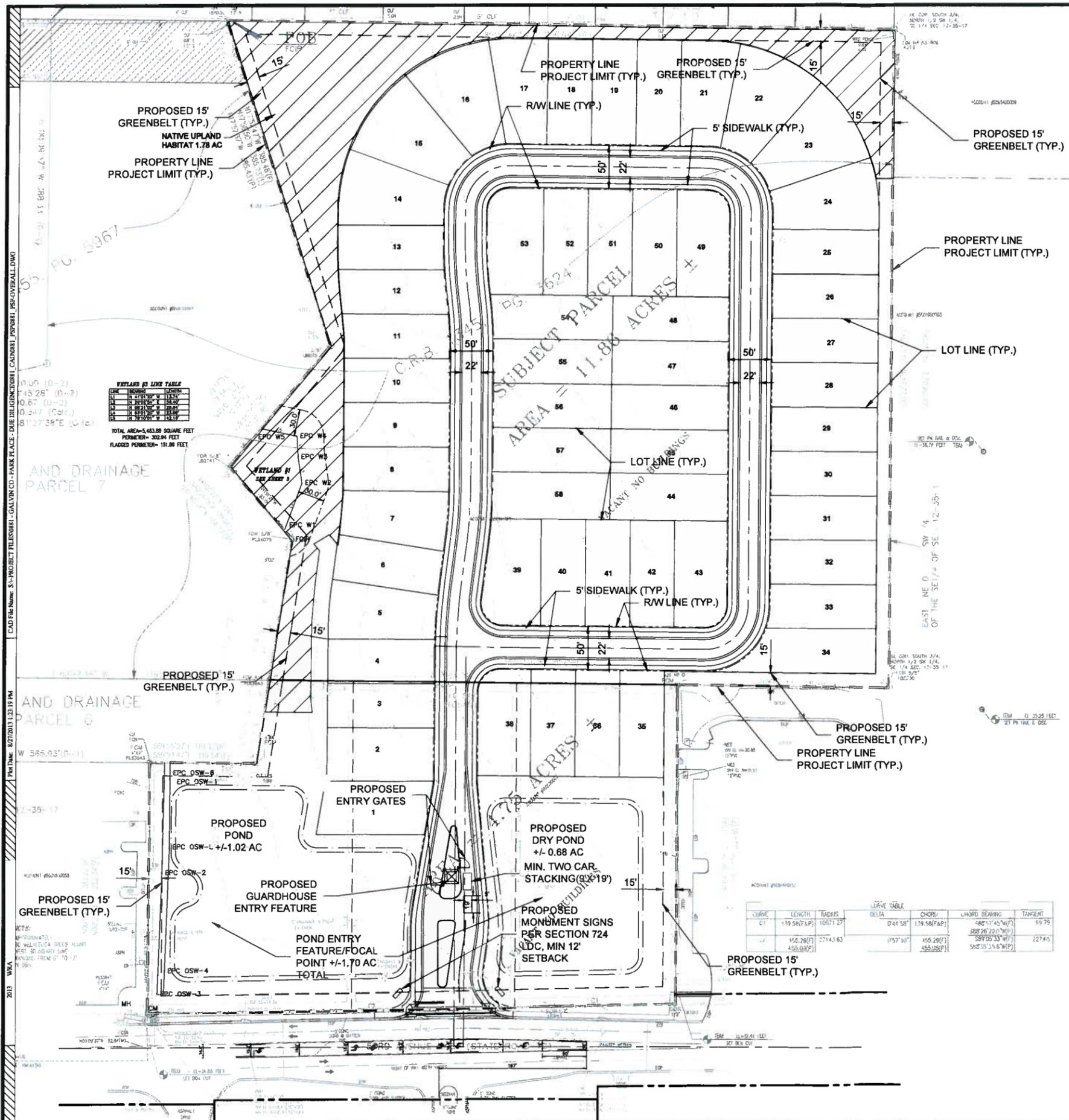
PROJECT PLANNER _____ DATE: _____
PROJECT ENGINEER _____ DATE: _____
CONCURRENCY _____ DATE: _____
ENVIRONMENTAL PLANNING DIVISION _____ DATE: _____
ENVIRONMENTAL HEALTH _____ DATE: _____
FIRE DISTRICT _____ DATE: _____

ATTENTION: THE COMBINATION OF THIS SIGNED PLAN AND ACCOMPANYING APPROVAL LETTER CONSTITUTES THE COMPLETE APPROVAL 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 APPROVAL.

REC'D BY OWNER/AGENT: _____ DATE _____

PDR-13-22(Z)(P)
20130142(2)
Park Place Investments LLC





DEVELOPMENT DESCRIPTION:

LANDUSE AND ZONING SUMMARY		
	AREA	% OF PROPERTY
TOTAL PROPERTY (1)	16.61 AC.	100 %
TOTAL UPLANDS	16.44 AC.	99.0%
TOTAL WETLANDS	0.17 AC.	3.0 %
TOTAL FLOODPLAIN AREA	0.0 AC.	0.0 %
TOTAL POND AREA	1.7 AC.	10.2 %

PARCEL ID: 56011.10009, 56013.00303, 56013.00253, 56013.00204

CURRENT ZONING: PR-M, RSF-6
 PROPOSED ZONING: PDR

CURRENT LANDUSE: VACANT MIXED FOREST UPLAND FOREST
 FUTURE LANDUSE: RES-16

UNIT TYPE: SINGLE FAMILY DETACHED
 MAX. UNITS ALLOWED BY F.L.U. (2): 266 UNITS
 UNITS PROPOSED: 58 S.F. DETACHED UNITS
 GROSS RES. ACREAGE (3): 16.6 AC
 GROSS RES. DENSITY: 58 UNITS/16.6 AC = 3.5
 NET RES. ACREAGE (4): 14.0 AC
 NET RES. DENSITY: 58 UNITS/14.0 AC = 4.1

- NOTES:**
- (1) ALL AREA CALCULATIONS AND PERCENTAGES CALLED OUT AS "TOTAL" ARE BASED ON ENTIRE PROPERTY.
 - (2) (16 UNITS/AC.) * 16.6 AC = 266 UNITS AS PER RES-16 FUTURE LANDUSE MAP
 - (3) AS PER MANATEE COUNTY COMP. PLAN REQUIREMENTS. INCLUDES WETLAND ACREAGE UP TO 20% OF PROJECT AREA.
 - (4) AS PER MANATEE COUNTY COMP. PLAN REQUIREMENTS: EXCLUDES RECREATIONAL AREAS, CONSERVATION EASEMENTS AND ALL PROPERTY WATERWARD OF JURISDICTIONAL WETLAND LINE.

OPEN SPACE SUMMARY		
	AREA	% OF PROPERTY
PROPERTY AREA	16.62 AC.	100.0 %
OPEN SPACE REQUIRED (1)	4.16 AC.	25.0 %
OPEN SPACE PROVIDED (2)	4.23 AC.	25.5 %

- NOTES:**
- (1) AS PER MANATEE COUNTY LOC NON-ENTRANCEWAY AND NON-OVERLAY REQUIREMENTS.
 - (2) OPEN SPACE INCLUDES STORMWATER PONDS (DRY SODDED AREAS), GREENBELT BUFFERS, WETLAND AND WETLAND BUFFERS, UPLAND PRESERVATION, RECREATIONAL AREAS AND OTHER PVIOUS COMMON AREAS. EXCLUDES ALL STRUCTURES, ROADS (R/W), SIDEWALKS, LOTS, WATER SURFACES WITHIN STORMWATER PONDS AND OTHER IMPERVIOUS IMPROVEMENTS.

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PRELIMINARY SITE PLAN AND DEVELOPMENT DESCRIPTION

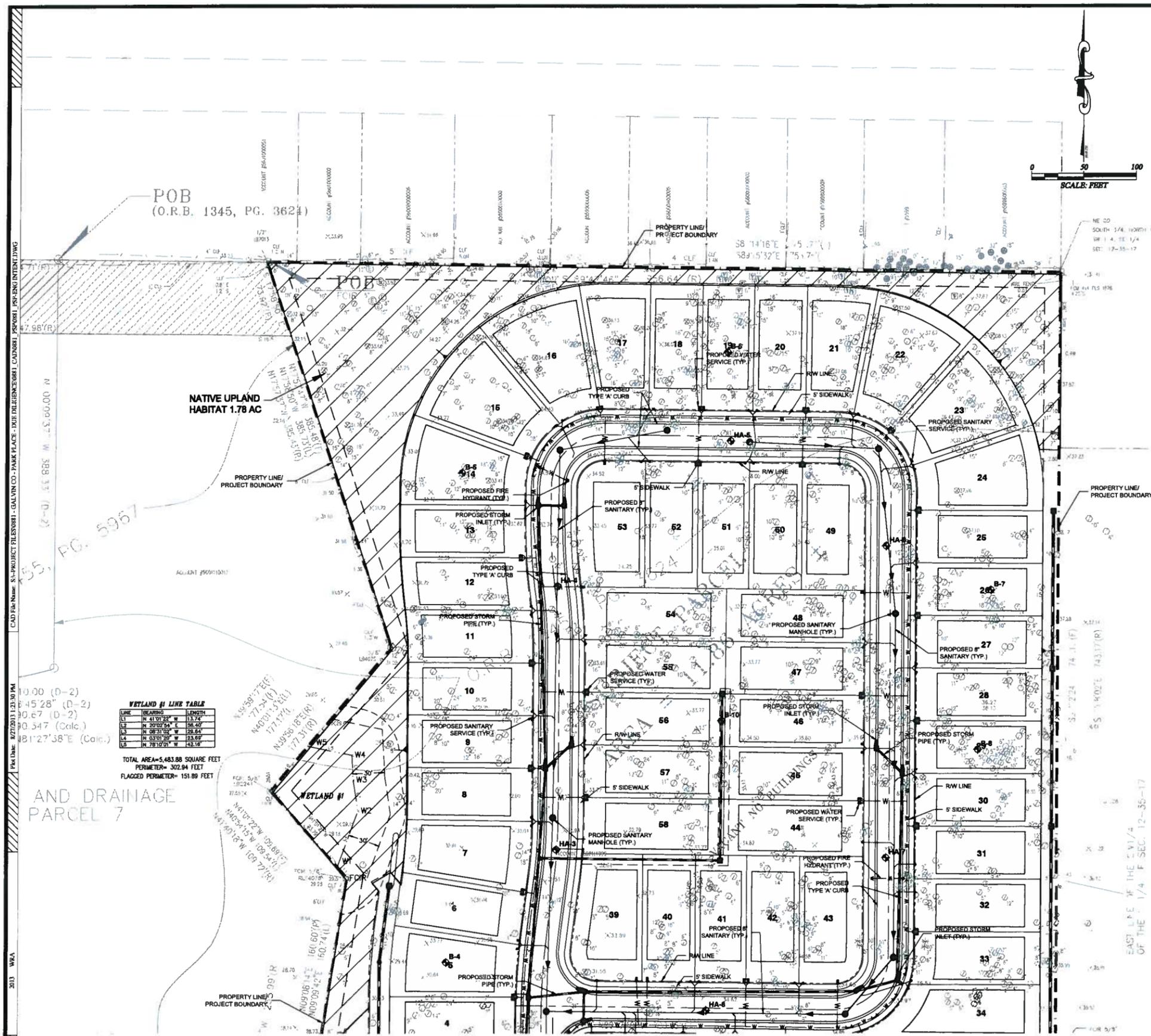
PARK PLACE

DESIGNED: JHL DRAWN: JG APPROVED: JHL

SEC. 12 TWP. 36S. RANG. 12E

Original Date: 04-05-13
 Last Modified:
 Scale: AS SHOWN

C-03



POB
(O.R.B. 1345, PG. 3624)

NATIVE UPLAND
HABITAT 1.78 AC

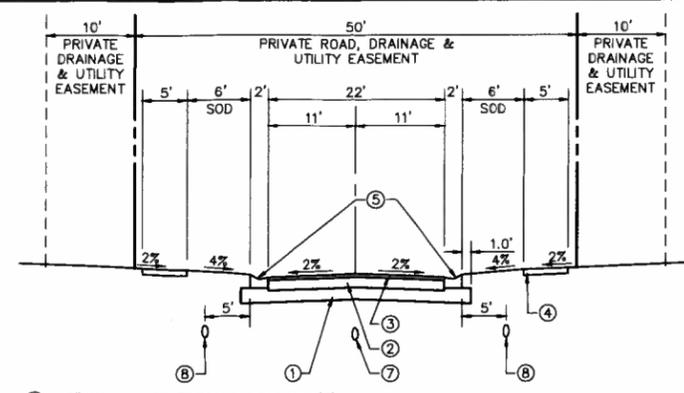
WETLAND #1 LINE TABLE

LINE	BEARING	LENGTH
L1	N 41°01'22" W	13.74
L2	N 20°02'04" E	18.42
L3	N 08°31'02" W	28.84
L4	N 53°01'02" W	23.69
L5	N 78°12'01" W	42.16

TOTAL AREA=5,483.88 SQUARE FEET
PERIMETER= 302.94 FEET
FLAGGED PERIMETER= 151.89 FEET

AND DRAINAGE
PARCEL 7

FOR CONTINUATION SEE SHEET NO. C-04.2



- ① 6" MINIMUM STABILIZED SUBGRADE, (C)
 - ② BASE (COMPACTED SAND ASPHALT, SHELL OR SOIL CEMENT), (B)
 - ③ ASPHALTIC CONCRETE SURFACE, (A)
 - ④ 5' CONCRETE SIDEWALK
 - ⑤ TYPE A CURB
 - ⑥ SANITARY SEWER
 - ⑦ WATER MAIN OR FORCE MAIN WITH 3' MINIMUM COVER OVER PIPE
- NOTE: CONTINUOUS UNDERDRAIN REQUIRED ON BOTH SIDES OF STREET, SUBJECT TO SOILS CONSULTANTS RECOMMENDATIONS AND DESIGN.
- A) Asphaltic concrete surface course shall be laid in two lifts.
The first lift shall be 1" Type S-I or S-III. The second lift shall be 3/4" Type S-III.
B) Base course shall consist of 4-1/2" compacted sand asphalt base (1200 lbs. stab.) or 6" Caloosahatchee shell compacted to 98% AASHTO T-180 density LBR 100 or 6" soil cement.*
C) 6" stabilized sub-base shell marl blended with sandy sub-grade minimum LBR 40, 98% T180 A

TYPICAL ROADWAY SECTION NTS

UTILITY/INFRASTRUCTURE NOTES:

1. THE PROPOSED POTABLE WATER, RECLAIMED WATER AND/OR WASTEWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENT OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
2. FIRE PROTECTION - FIRE WATER LINES AND HYDRANTS WILL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS. FIRE HYDRANTS SHALL BE LOCATED AND INSTALLED IN ACCORDANCE WITH THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT AND THE LOCAL FIRE DISTRICT. THE ON-SITE FIRE WATER LINES AND HYDRANTS WILL BE DEDICATED TO THE HOMEOWNERS ASSOCIATION FOR MAINTENANCE UPON COMPLETION AND COUNTY ACCEPTANCE.
3. THE INTERNAL ROADWAY SYSTEM IS PROPOSED TO BE PRIVATE ROADS WITH A PRIVATE 50' ROW. APPROXIMATELY 1350 LF OF ROADWAY WILL BE CONSTRUCTED AND DEDICATED TO THE HOMEOWNERS ASSOCIATION FOR MAINTENANCE UPON COMPLETION AND COUNTY ACCEPTANCE.
4. UTILITY EASEMENTS WILL BE PROVIDED WHERE NECESSARY FOR PROPER MAINTENANCE AND INSPECTION.
5. THE SITE IS IN THE "BOWLEES CREEK" DRAINAGE BASIN, POST DEVELOPED RUNOFF RATES WILL BE LIMITED TO 50% OF THE PRE DEVELOPED RUNOFF RATE FOR THE 25 YEAR STORM EVENT.
6. LEGAL EASEMENTS WILL BE ESTABLISHED ENCOMPASSING ALL STORMWATER MANAGEMENT FACILITIES FOR MAINTENANCE. THE EASEMENTS WILL BE DEDICATED TO THE HOMEOWNERS ASSOCIATION.
7. SOLID WASTE DISPOSAL WILL BE PROVIDED BY MANATEE COUNTY BY INDIVIDUAL CAN AND DUMPSTER PICK-UP.
8. THE IRRIGATION SOURCE IS A PRIVATE IRRIGATION WELL.
9. STREET LIGHTING MAY BE INSTALLED AT THE DEVELOPER'S OPTIONS BY A LICENSED CONTRACTOR, AND SHALL COMPLY WITH LDC SECTION 709 AT TIME OF FSP.
10. AN ENTRANCE SIGN AND/OR ENTRANCE MONUMENT SHALL BE INSTALLED BY THE DEVELOPER TO IDENTIFY THE PROPOSED DEVELOPMENT. INSTALLATION SHALL BE COMPLETED BY A LICENSED CONTRACTOR AS PER ALL APPLICABLE MANATEE COUNTY STANDARDS.
11. ALL EXISTING DRAINAGE EASEMENTS ON THE PROPOSED PARCELS TO BE DEVELOPED SHALL BE VACATED BY MEANS OF THE MANATEE COUNTY EASEMENT VACATION PROCESS.
12. ALL TRAFFIC CONTROL SIGNAGE AND PAVEMENT MARKINGS SHALL CONFORM TO FDOT AND MUTCD STANDARDS.

ADDITIONAL FIRE PROTECTION NOTES:

1. FIRE HYDRANTS SHALL BE INSTALLED WITHIN 400 FEET OF MAIN ENTRANCE OF ALL PRINCIPAL BUILDINGS AND SHALL NOT BE MORE THAN 800 FEET APART, AS MEASURED FROM NORMAL ACCESS ROUTES. FIRE HYDRANTS SHALL BE INSTALLED ON A MINIMUM 6 INCH LINE. THE LOCATION OF HYDRANTS SHALL BE APPROVED BY THIS DEPARTMENT. THE BASE OF THE HYDRANT SHALL BE AT FINISH GRADE.
2. MINIMUM MANDATORY CLEARANCE OF 7 1/2 FEET TO THE FRONT AND BOTH SIDES, AND 4 FEET TO THE REAR OF ALL FIRE HYDRANTS SHALL BE MAINTAINED. (FLORIDA FIRE PREVENTION CODE, 2010 ED.)

REVISIONS									
NO.	DATE	DESCRIPTION	BY						
1	01/11/13	PUBLISHED COMMENTS	JHI						
2									
3									
4									
5									
6									

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DRAWING	PROPOSED SITE DESIGN	
PROJECT	PARK PLACE	DESIGNED: JHI DRAWN: YG APPROVED: JHI
JOB #: 0881	SEC. 12	RNG. 126
3013 WVA	02/27/2013 10:30 AM	TWN. 36S

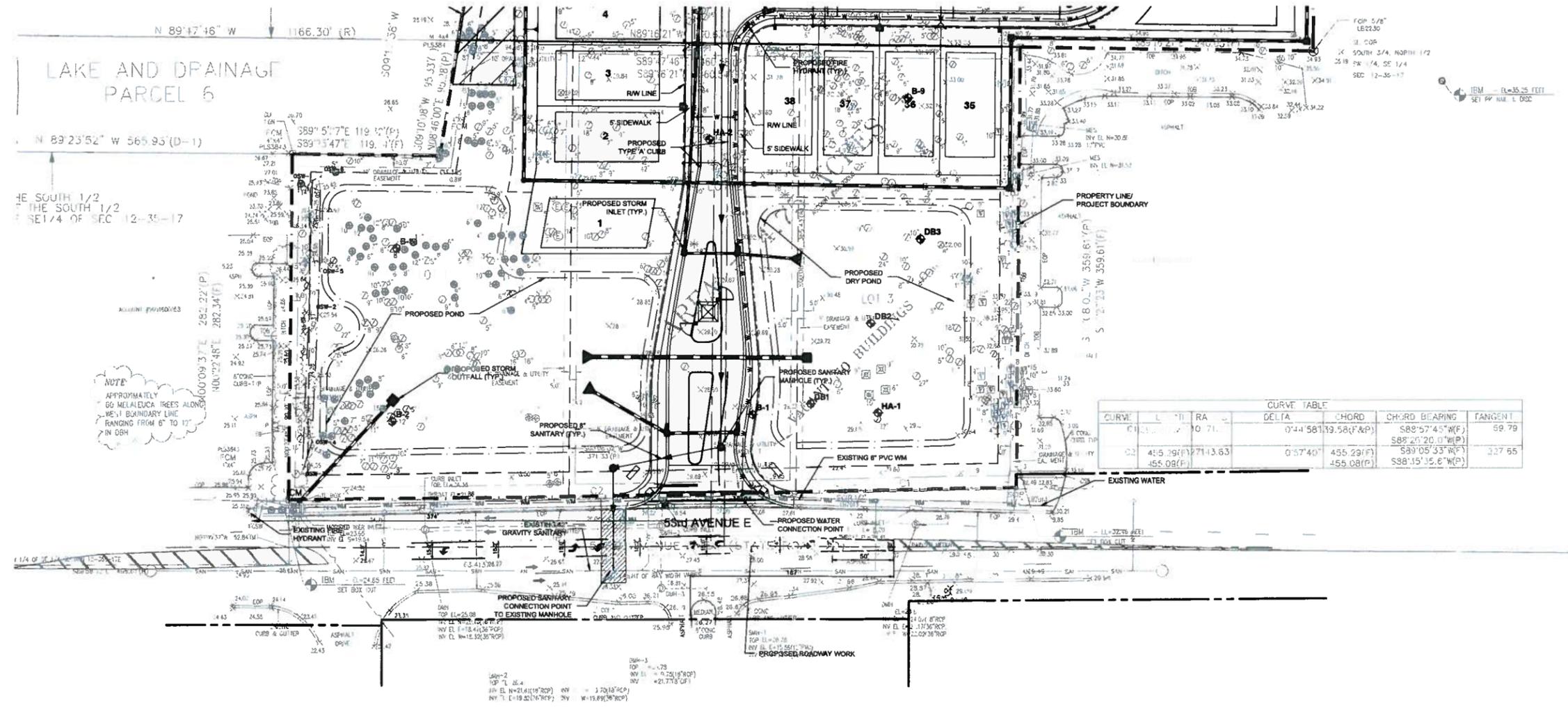
Original Date: 04-05-13
Last Modified:
Scale: AS SHOWN

C-04.1

2013 WRA
 Job Date: 02/20/13 1:23:36 PM
 CAD File Name: S:\PROJECT FILES\0881 - GAINCO - PARK PLACE - TRUE DILIGENCER\0881 - PARK PLACE - TRUE DILIGENCER.DWG
 Job No: 0881



FOR CONTINUATION SEE SHEET NO. C-04.1



NOTE:
 APPROXIMATELY
 60 MELALEUCA TREES ALONG
 WEST BOUNDARY LINE
 RANGING FROM 6" TO 10"
 IN DBH

REVISIONS	
NO.	DESCRIPTION
1.	FILED BY COMDATE
2.	
3.	
4.	
5.	
6.	

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DRAWING
PROPOSED SITE DESIGN

PROJECT
PARK PLACE
 SEC. 12, T. 29N. 36E, R. 17E
 DESIGNED: JHL DRAWN: YG APPROVED: JHL

Original Date: 04-05-13
 Last Modified:
 Scale: AS SHOWN
C-04.2

EXISTING TREE LEGEND			
SYMBOL	NAME	SYMBOL	NAME
○	OAK	⊗	MYRTLE
△	PINE	⊙	CEDAR
✳	PALM	⊠	MAGNOLIA
⊕	CITRUS	⊖	ASH
⊗	CHERRY	⊙	MELLEUCA
⊖	WILLOW	⊕	RAINTREE
⊙	MAPLE	⊗	EAR TREE
⊕	LIGUSTRUM	⊖	PECAN
⊗	CYPRESS	⊙	UNKNOWN



EXIST. TREE INVENTORY					
SYMBOL	NAME	4"-15"	16"-30"	31"+	Total
○	OAK	1216	96	3	1315
△	PINE	2	0	0	2
✳	PALM	8	2	0	10
⊕	OTHER	166	5	0	171
Total		1392	103	3	1498

LANDSCAPE PLAN LEGEND

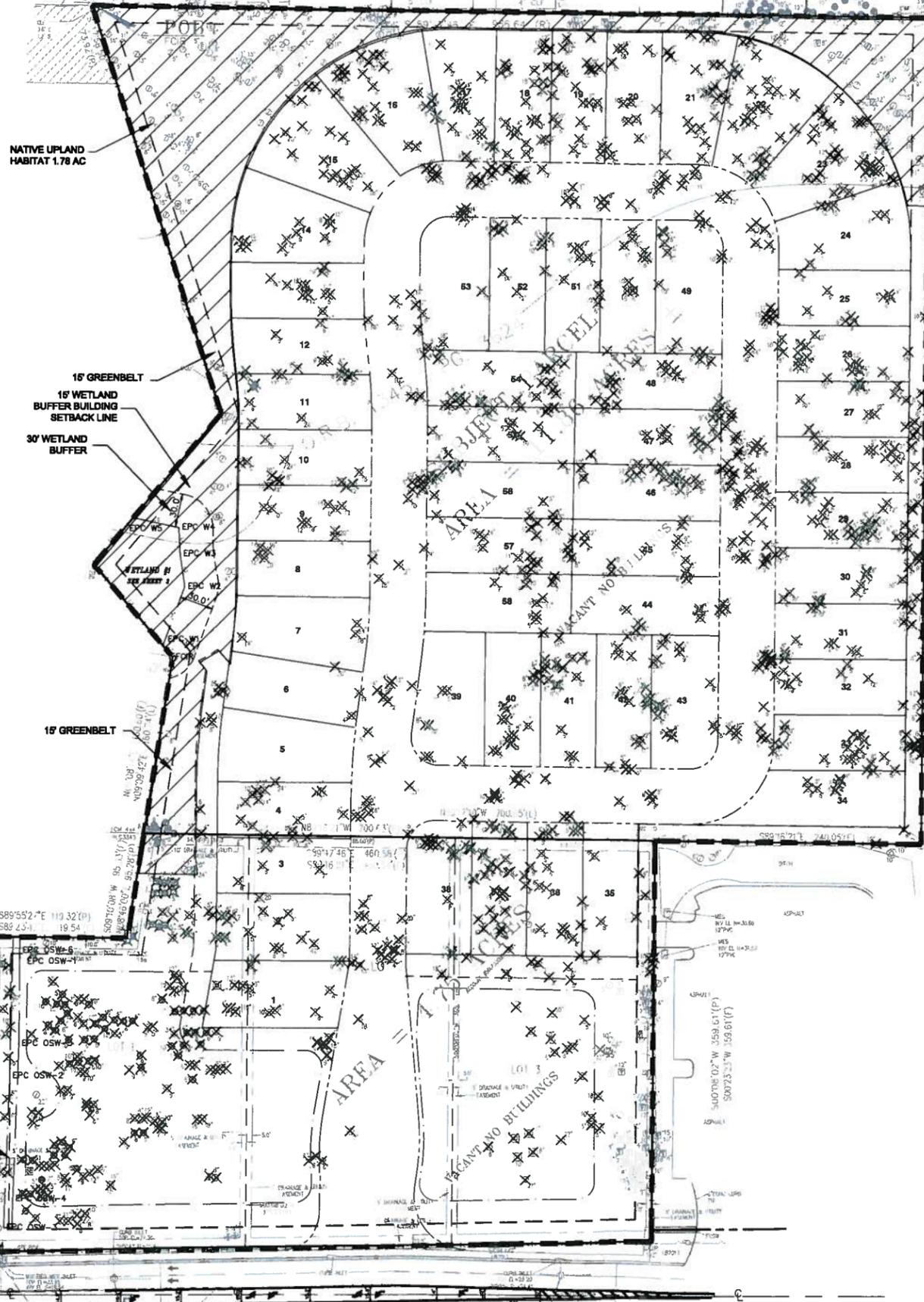
(1) PLANTING MATERIALS SHALL BE SPECIFIED AND QUANTIFIED DURING FINAL SITE PLAN REVIEW.

(2) EXISTING VEGETATION SHALL BE PRESERVED WHERE SHOWN AND UTILIZED TO MEET BUFFER REQUIREMENTS WHERE APPLICABLE.

TREES TO BE PRESERVED: EXISTING TREES PROPOSED FOR PRESERVATION. THESE TREES ARE QUANTIFIED UNDER THE TREE REMOVAL/PRESERVATION SUMMARY TABLE ON THIS SHEET.

TREES TO BE REMOVED: EXISTING TREES PROPOSED FOR REMOVAL. THESE TREES ARE QUANTIFIED UNDER THE TREE REMOVAL/PRESERVATION SUMMARY TABLE ON THIS SHEET. TREES WITH R/W PINES AND EASEMENTS ARE CALCULATED FOR TREE REPLACEMENT.

NOTE: THE NORTH BUFFER SHALL BE ENHANCED WITH UNDERSTORY AS SPACE PROVIDES AS SHOWN. EXACT NUMBER, SIZE AND SPECIES SHALL BE DETERMINED IN COORDINATION WITH NATURAL RESOURCE STAFF DURING FINAL SITE PLAN REVIEW.

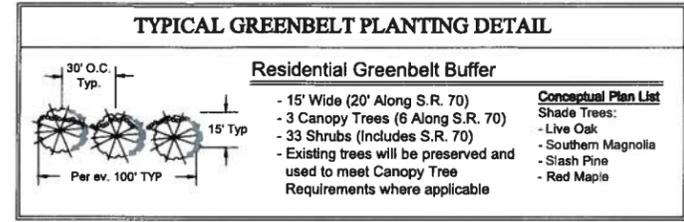


PARK PLACE - TOTAL TREE REMOVAL/PRESERVATION SUMMARY				
	4"-15"	16"-30"	OVER 30"	TOTAL
TOTAL TREES ON-SITE	1392	103	3	1498
TREE PRESERVATION SCHEDULE				
TREES PRESERVED	4"-15"	16"-30"	OVER 30"	TOTAL
	209	21	1	231
TREE REMOVAL SCHEDULE				
TREES REMOVED WITHIN LOTS	4"-15"	16"-30"	OVER 30"	TOTAL
	871	1	1	873
TREE REMOVAL SCHEDULE				
	4"-15"	16"-30"	OVER 30"	TOTAL
OAK	303	20	1	324
PALMS	3	2	0	5
PINES	0	0	0	0
OTHERS	65	2	0	67
TOTAL	371	24	1	396
RATIO (x1)	1	2	3	-
REQ. REPLACE	371	48	3	422

NOTE:

(1) A LANDSCAPE PLAN WILL BE PROVIDED AT FINAL SITE PLAN REVIEW TO INCLUDE AS MANY REPLACEMENT TREES AS POSSIBLE WHILE STILL MEETING MINIMUM SPECIES-SPECIFIC REQUIREMENTS.

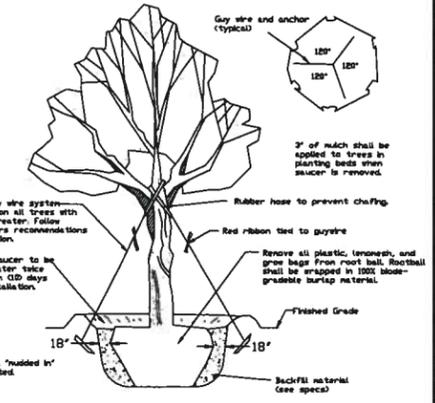
(2) FINAL TREE REPLACEMENT MITIGATION COURSE OF ACTION TO BE DETERMINED WITH THE FINAL SITE PLAN. PROPOSED REPLACEMENT SIZES AT 3"/4"/4" VS. 3"/5"/7".



- GENERAL LANDSCAPE NOTES**
- In the event of variation between quantities shown of the plant list and the plans, the plans shall control. Improvements made by the Landscape Contractor shall be no cause for additional costs to the owner. Soil, mulch, and topsoil quantity takeoffs shall be the responsibility of the contractor.
 - No substitutions shall be made without the written consent of the Owner or Landscape Architect.
 - Fertilizer shall be applied to all new planting areas at a rate of 1 1/4 lbs. actual nitrogen, 1 1/4 lbs. actual phosphorus, and 1 1/4 lbs. actual potash per 1,000 sq. ft. of planting area. The fertilizer shall also contain all minor trace elements suitable for the area where it is to be used.
 - All backfill soil mixtures shall contain 2/3 best of on-site topsoil and 1/3 best of 8 oz. of super-absorbent need in with each cubic yard. Ph levels within planting beds shall be between 6.5 and 7.5 following plant installation. It shall be the Landscape Contractor's responsibility to achieve the above.
 - Topsoil material, when called for on the plans, shall be free of sticks, stones larger than 1" dia., plants, or any other debris which would be toxic or otherwise harmful to plant growth. Topsoil should be fertile, friable, and of a suitable texture.
 - The Landscape Contractor shall take all necessary precautions to protect all existing structures on the site and shall be held responsible for any damage caused by his operations.
 - It shall be the Landscape Contractor's financial responsibility to prevent plants and trees from falling or being blown over, and to replace all plants which are damaged at no additional cost to the owner for sustained winds of less than 75 MPH.
 - Maintenance shall begin after each plant has been installed and shall continue until final acceptance by the Landscape Architect. Maintenance shall include pruning, mulching, weeding, replacement of sick or dead plants, watering (including cost of equipment such as a water-truck) and any other care which is needed for the proper growth of the plant material.
 - Excess waste material shall be removed daily from the site.
 - All plant materials used shall conform to the standards for Florida No. 1 or better as described in "Grades and Standards for Nursery Plants" Part 1 & 2, State of Florida, Department of Agriculture, Tallahassee, or equal thereto as approved by the Landscape Architect.
 - All shrub beds and hedges shall be top-dressed with 3" of mulch as specified in the Plant Schedule.
 - It shall be the responsibility of the Landscape Contractor to coordinate activities with other contractors on the job site.
 - All plant materials shall be fully guaranteed for a period of one (1) year following final acceptance by the owner.
 - Planting beds for hedges shall be 4' wide unless otherwise specified.
 - Unit prices for all plant material shall be provided to the Landscape Architect upon request.
 - All landscape materials installed within the public right of way shall be installed to meet all State and Local codes and regulations.
 - The Landscape contractor shall not include soil for retention areas into bid (i.e. Lobe banks and dry retention ponds). This work shall be the responsibility of the general contractor. Seeding of swales shall be the landscape contractor's responsibility.
 - Irrigation of common areas shall be by well.

TREE BARRICADE NOTE

WITHIN THE AREA PROPOSED FOR CONSTRUCTION ACTIVITIES THAT ARE TO BE PRESERVED SHALL HAVE PROTECTIVE BARRICADES CONSTRUCTED AT THEIR BOUNDARIES PRIOR TO COMMENCEMENT OF CONSTRUCTION. BARRICADES SHALL CONSIST OF MINIMUM 2" CHAIN LINK FENCING ONE (1) OR MORE IMPROVEMENTS, FILL, GRADE CHANGES OR COMPACTION OF SOIL DUE TO HEAVY MACHINERY WILL BE PERMITTED WITHIN THE BOUNDARY OF TREES PROPOSED TO BE PRESERVED.



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WRA

DESIGNED: JEL DRAWN: VG APPROVED: JEL

PROJECT: PARK PLACE

PRELIMINARY LANDSCAPE PLAN

REVISIONS

NO.	DATE	DESCRIPTION
1.		
2.		
3.		
4.		
5.		
6.		

Original Date: 04-05-13
 Last Modified: _____
 Scale: AS SHOWN

L-01.0

MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	Ordinance 13-28 Lakewood Centre (DRI #27) – DTS #20130244	TYPE AGENDA ITEM	Advertised Public Hearings - Consent
DATE REQUESTED	9/12/13 PC	DATE SUBMITTED/REVISED	9/5/13
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	Lisa Barrett, Planning Division Manager <i>LB</i>
CONTACT PERSON TELEPHONE/EXTENSION	Shelley Hamilton, Principal Planner 748-4501, ext. 6863	PRESENTER/TITLE TELEPHONE/EXTENSION	Shelley Hamilton, Principal Planner 748-4501, ext. 6863
ADMINISTRATIVE APPROVAL			

ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
I move to recommend approval of Ordinance 13-28 per the recommended motion in the staff report attached to this memo.

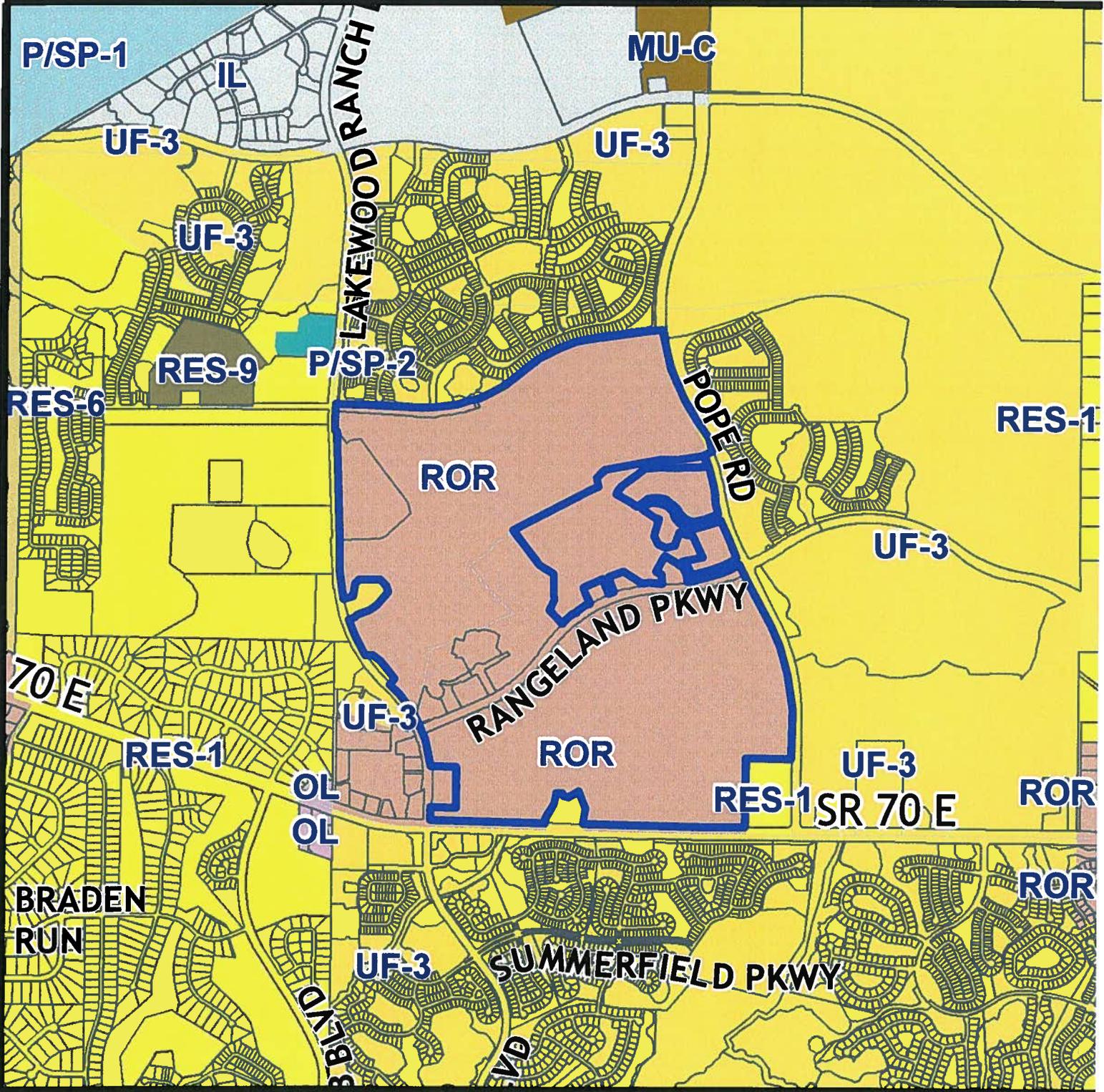
ENABLING/REGULATING AUTHORITY Federal/State law(s), administrative ruling(s), Manatee County Comp Plan/Land Development Code, ordinances, resolutions, policy
Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION
<ul style="list-style-type: none"> • The request is for approval of an amended and restated Development Order, pursuant to Chapter 380.06, Florida Statutes for the Lakewood Centre Development of Regional Impact. • This 697.4 ± acre site is generally located north of S.R. 70, between Lakewood Ranch Boulevard and Pope Road. • This DRI was approved in three phases in April 2006. Specific approval was approved for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, a 300 room hotel, and 36.8 ± acres of parks. • Conceptual approval was approved for Phases 2 and 3. Specific approval for those phases will be contingent on submittal of transportation and air quality analyses in accordance with Section 380.06, F.S. • This request includes modifying Map H and the Development Order with the following changes: <ul style="list-style-type: none"> ▪ Update Phasing, Buildout and Expiration dates to reflect legislatively approved extensions; ▪ Update Conditions to reflect compliance with conditions contained therein; ▪ Clarify the procedures for a Land Use Exchange; and ▪ Other amendments for internal consistency. • Staff recommends approval.

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

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

FUTURE LAND USE



Parcel ID #(s) Multiple

Project Name: Lakewood Centre
 Project #: ORD-13-28 / DRI #27
 DTS#: 20130244
 Proposed Use: DRI

S/T/R: Sec 1,1,7,16,9,8,17 Twn 35 Rng 19
 Acreage: ± 697
 Existing Zoning: PD-MU
 Existing FLU: ROR
 Overlays: ST
 Special Areas: NONE

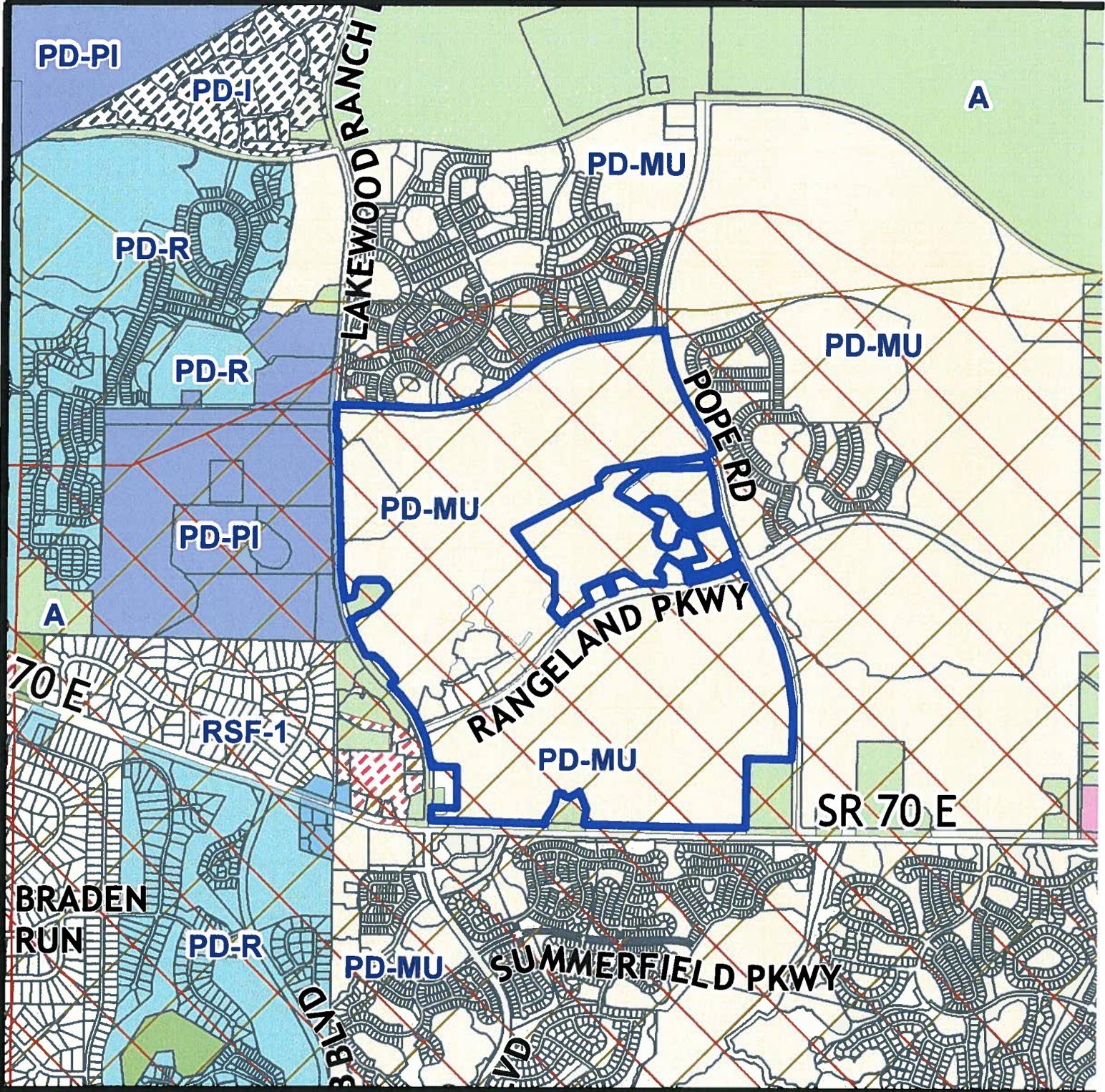
CHH:	NONE
Watershed:	WPE
Drainage Basin:	MILL CREEK, UNNAMED DRAIN, WILLIAMS CREEK, WOLF SLOUGH
Commissioner:	Vanessa Baugh



Manatee County
 Staff Report Map
 Map Prepared 8/15/2013

1 inch = 1,967 feet

ZONING



Parcel ID #(s) Multiple

Project Name: Lakewood Centre
 Project #: ORD-13-28 / DRI #27
 DTS#: 20130244
 Proposed Use: DRI

S/T/R: Sec 1,1,7,16,9,8,17 Twn 35 Rng 19
 Acreage: ± 697
 Existing Zoning: PD-MU
 Existing FLU: ROR
 Overlays: ST
 Special Areas: NONE

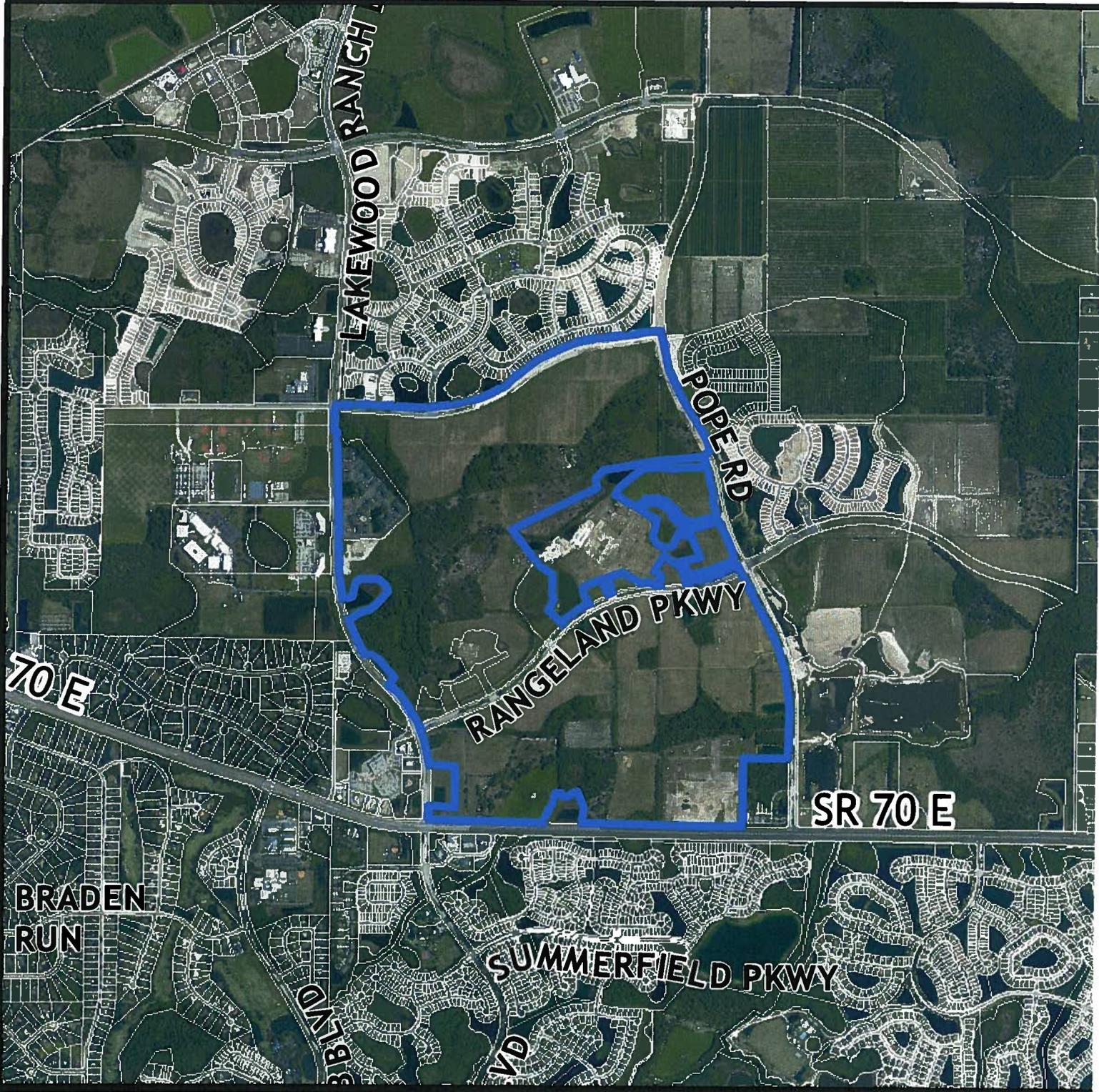
CHH: NONE
 Watershed: WPE
 Drainage Basin: MILL CREEK, UNNAMED DRAIN, WILLIAMS CREEK, WOLF SLOUGH
 Commissioner: Vanessa Baugh

-  Special Treatment
-  Evers Watershed (WPE)



Manatee County
 Staff Report Map
 Map Prepared 8/15/2013
 1 inch = 1,967 feet

AERIAL



Parcel ID #(s) Multiple

Project Name: Lakewood Centre
 Project #: ORD-13-28 / DRI #27
 DTS#: 20130244
 Proposed Use: DRI

S/T/R: Sec 1,1,7,16,9,8,17 Twn 35 Rng 19

Acreage: ± 697
 Existing Zoning: PD-MU
 Existing FLU: ROR
 Overlays: ST
 Special Areas: NONE

CHH:	NONE
Watershed:	WPE
Drainage Basin:	MILL CREEK, UNNAMED DRAIN, WILLIAMS CREEK, WOLF SLOUGH
Commissioner:	Vanessa Baugh



Manatee County
 Staff Report Map
 Map Prepared 8/15/2013

1 inch = 1,967 feet

ORDINANCE 13-28 LAKEWOOD CENTRE DRI (DRI #27)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 12-28) (DRI #27); A/K/A Tampa Bay Regional Planning Council (TBRPC) DRI #265;

Modifying Map H and the Development Order with the following changes:

- 1) Update Phasing and Build-out dates to reflect legislatively approved extensions;
- 2) Update Conditions to reflect compliance with conditions contained therein;
- 3) Clarify procedures for a Land Use Exchange; and,
- 4) Other amendments for internal consistency.

This DRI is approved in three phases. Specific Approval was approved for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, a 300 room hotel, and 36.8 ± acres of parks. Conceptual approval was approved for Phase 2 and 3 and in the future. Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.

The ordinance amends, replaces, and supersedes Ordinance 12-28, DRI #27, as amended; providing for severability, and an effective date.

The Lakewood Centre DRI is generally north of S.R. 70, between Lakewood Ranch Boulevard and Pope Road. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) (697.4 ± acres).

P.C.: 9/12/2013

B.O.C.C.: 10/3/2013

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, the Manatee County Land Development Code, and Section 380.06, Florida Statutes, subject to the conditions of approval established in the Development Order, I move to recommend APPROVAL of DRI #27 and ADOPT Manatee County Ordinance No. 13-28, as recommended by staff.

CASE SUMMARY

CASE NO.: DRI #27, Lakewood Centre

APPLICANT: SMR North 70, LLC

REQUEST: Modify Map H and the Development Order with the following changes:

- 1) Update Phasing and Build-out to reflect legislatively approved extensions;
- 2) Update Conditions to reflect compliance with conditions contained therein;
- 3) Clarify procedures for a Land Use Exchange; and
- 4) Other amendments for internal consistency.

STAFF RECOMMENDS: Approval

REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

- The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road, and north of State Road 70. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) (697.4 ± acres).
- To the NORTH, across Malachite Drive, is a residential portion of the Northwest Sector DRI also zoned PDMU/WP-E/ST.
- To the SOUTH, across State Road 70, is a residential portion of Cypress Banks DRI, zoned PDMU/WP-E/ST.
- To the EAST, is a residential portion of Northwest Sector DRI zoned PDMU/WP-E/ST and a church zoned A (General Agriculture).
- To the WEST, is a vacant parcel zoned A; a commercial parcel and a vacant parcel, both zoned PD-C/WP-E/ST; and a school, community uses (park and YMCA) zoned A/WP-E/ST and PD-PI/WP-E/ST.

SUMMARY:

History

Lakewood Center is a mixed-use DRI (Development of Regional Impact). Both the GDP (General Development Plan) and ADA (Application for Development Approval) for the DRI were originally approved in August 2008, to allow for:

Three phases with the following uses:

- 436 single family detached residential units,
- 3,239 multi-family units
- 1,774,000 sq. ft. of commercial,
- 1,563,000 sq. ft. of office, and
- 300 hotel rooms.

The project is surrounded by existing or proposed major thoroughfare roadways or major collectors:

- SR 70, a principal arterial, on the south;
- Lakewood Ranch Blvd, a minor arterial, on the west;
- Pope Road, a collector, on the east; and
- Malachite Drive, a collector, on the north.

This request represents the second amendment to the DRI. Development has proceeded in accordance with the approved Development Order.

To date, 272 multi-family units have been completed. Other site plans for residential development are under review.

Request

The request today is for an amendment to the Lakewood Centre Development Order (DO) and Map H. The request is accompanied with a companion revision to the Zoning Ordinance and General Development Plan as well.

The process to amend the DO is different than past requests due to legislative changes approved by the state earlier this year. The amendment is not being processed as a Notice of Proposed Change (NOPC) in which the Tampa Bay Regional Planning Council reviews and approves the amendment and makes a recommendation to the County.

House Bill 979 was approved during the 2012 legislative session adding sub section k. to Florida Statue Section 380.06 (19)(e)2, dealing with DRIs. Language was added that states “changes that do not increase the number of external peak hour trips and do not reduce open space and conserved areas within the project...” which is followed by the language already in the F.S. stating that such modifications to Development Orders only require an application to the local government in accordance with the local government’s procedure for amendment of a development order and that following adoption, the local government shall render a copy to the state land planning agency (Department of Economic Opportunity). DEO no longer has the right to review, only appeal the amendment if they believe the change creates a reasonable likelihood of new or additional regional impacts. There is no requirement to provide a copy to the Regional Planning Council, since they have no rights to appeal.

Staff has reviewed the amendments and concurs that the proposed changes to the DRI Development Order and Map H do not increase the number of external peak hour trips and do not reduce open space and conserved areas with the DRI project. Nor are the changes those listed requiring an NOPC or Substantial Deviation to the DRI. If the amendment is approved, a copy of the amended ordinance will be sent to DEO and a courtesy copy to the Tampa Bay Regional Planning Council.

Each request is detailed below and shown in strike-thru/underline format in the attached Development Order:

1. Update Phasing, and Buildout dates to reflect legislatively approved extensions.

TABLE 1: DEVELOPMENT TOTALS

LAND USE	PHASE 1 (2008 – 2022 ²⁰) ^{*&}	PHASE 2 (2009- 2021 ²⁰ 19) ^{*&}	PHASE 3 (2012- 2026 ²⁴) ^{*&}	TOTAL
RESIDENTIAL				
Single-Family	0	200	236	436
Multi-Family	900	1,800	539	3,239
RETAIL (square feet)	460,000	542,000	772,000	1,774,000
OFFICE (square feet)	458,000	458,000	647,000	1,563,000
Hotel (rooms)	300	0	0	300

* The phasing buildout dates shall be ~~November 21st~~ March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363).

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

On January 7, 2013, pursuant to F.S. 252.363 (Executive Orders for Tropical Storms Debby and Isaac), an extension was granted for two years and 121 days to all phase, buildout and expiration dates. The Phase 1 buildout date was extended from November 21, 2020 to March 22, 2022. The Phase 2 buildout date was extended from November 21, 2019 to March 22, 2021, and the Phase 3 buildout date was extended from November 21, 2024 to March 22, 2026.

Staff has no objection to the revisions as the extensions have already been granted. The Development Order is simply being updated with this revision.

2. Update conditions to reflect compliance with requirements contained therein.

The other changes to the ordinance relate to updated effective dates and ownership. Staff supports this clean up of the ordinance.

3. Clarify procedures for a Land Use Exchange.

The applicant proposes language to be added to Section 4.G.2 relating to a Land Use Exchange. This language applies to the review of timing of the various components of currency and is consistent with current County practice relating to the issuance of a CLOS for each phase, or sub-phase, of development. It also adds language that identifies that at the time of Final Site Plan approval, potable water, wastewater treatment and schools shall be analyzed and a CLOS will be issued at that time for those concurrency components.

Staff supports this request to add language in order to clarify the timing for the issuance of a CLOS for certain concurrency components, consistent with the County's current procedures.

4. Other amendments for internal consistency.

Staff supports this request to maintain internal consistency.

Conclusion

Staff recommends approval of the amendments as shown in strike-thru/underline format in the attached ordinance.

ATTACHMENTS:

1. Ordinance 13-28
2. Copy of Newspaper Advertising

**ORDINANCE 132-28
LAKEWOOD CENTRE, DRI #27**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED AND RESTATED DEVELOPMENT ORDER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, FOR THE LAKEWOOD CENTRE DEVELOPMENT OF REGIONAL IMPACT (ORDINANCE ~~12-2808-13~~) TO APPROVE THE FOLLOWING CHANGES TO MAP H AND THE DEVELOPMENT ORDER: (1) UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS, (2) UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN, ~~(3) MODIFY AFFORDABLE HOUSING CONDITIONS CONSISTENT WITH CURRENT PRACTICES,~~ (3) CLARIFY PROCEDURES FOR A LAND USE EXCHANGE, AND (4) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 28, 2006, SMR North 70, LLC submitted a Development of Regional Impact (DRI) Application for Development Approval (ADA*) for 3,675 residential units; 1,774,000 square feet of retail; 1,563,000 square feet of office; a 300 room hotel; and ±36.8 acres neighborhood park; with approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses within specific ranges; as legally described in Section 7, referred to as Lakewood Centre DRI, or the Project*; and

WHEREAS, on August 5, 2008, the Board of County Commissioners ("BOCC") approved Ordinance 08-13, a Development Order ("DO") for the Lakewood Centre DRI for a planned mixed use development on approximately 697.4 acres; and

WHEREAS, the Project* is proposed in three phases: Phase 1 with a buildout date of 2020; Phase 2 with a buildout date of 2019; and Phase 3 with a buildout date of 2024;

WHEREAS, Specific approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail, 458,000 square feet of office, a 300 room hotel, and ±36.8 acres of parks; and,

WHEREAS, Conceptual approval was granted for Phases 2 and 3 and in the future, Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.; and,

WHEREAS, on December 6, 2012, the Board of County Commissioners approved an amendment to the Development Order to update the phasing and buildout dates to reflect legislatively approved extensions, update conditions to reflect compliance with requirements contained therein, modify affordable housing conditions consistent with current practices and other amendments for internal consistency; and,

WHEREAS, on ~~June 7, 2012~~ June 13, 2013, SMR North 70, LLC filed a request to amend the Development Order pursuant to Section 380.06(19)(e)2, Florida Statutes, which does not require the filing of a notice of proposed change, but, requires an application to the local government to amend the development order in accordance with the local government's procedures; and

WHEREAS, the described Project* lies within the unincorporated area of Manatee County; and

WHEREAS, the Board of County Commissioners as the governing body of the local government having jurisdiction pursuant to Section 380.06(19)(e)2, Florida Statutes, has the statutory authority to consider and approve amendments to a Development Order for an approved DRI; and

WHEREAS, the public notice requirements of Manatee County and Section 380.06, Florida Statutes, have been adhered to and satisfied; and

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of Manatee County Staff; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ~~November 8, 2012~~ INSERT DATE regarding Ordinance ~~12-2813-XX~~ and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on ~~December 6, 2012~~ INSERT DATE regarding Ordinance ~~12-2813-XX~~ and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. AMENDMENT AND RESTATEMENT OF DEVELOPMENT ORDER FOR DRI #276, ORDINANCE ~~08-1312-28~~.

Ordinance ~~08-1312-28~~ is hereby amended and restated in its entirety below. This ordinance constitutes the amended and restated Development Order for the

Lakewood Centre Development of Regional Impact. The prior Development Order shall be superseded by this Ordinance, provided this amendment shall not be construed to terminate the rights of the Developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and are not specifically herein or otherwise modified or amended.

SECTION 2. FINDINGS OF FACT.

The Board of County Commissioners, after considering the testimony, evidence, documentation, –application for an amended Development Order and all other matters presented to the Board of County Commissioners at the public hearing, hereby makes the following findings of fact:

- A. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.
- B. An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend Zoning Ordinance No.PDMU-06-30(~~Z~~)(G)(R) and the General Development Plan for the entire 697.4+/- acre project.
- C. The Board of County Commissioners held a public hearing on ~~December 6, 2012~~INSERT DATE, regarding the application to amend the Development Order and the proposed Zoning Ordinance amendment in accordance with the requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.
- D. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.
- E. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, and drainage in compliance with state requirements and the Land Development Code.
- F. This Development Order is issued based on information provided by the Developer* in the original ADA* (with sufficiency responses), this application to amend the Development Order; public hearing testimony; data, information, and recommendations provided by the Planning Commission and Manatee County Building and Development Services staff, and ensures continued compliance with the Manatee County Comprehensive Plan.

- G. The real property which is the subject of this Development Order is legally described in Section 8 of this Ordinance.
- H. The Project* is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.
- I. The authorized agent and address for the Project* is Todd J. Pokrywa of SMR North 70, LLC, 14400 Covenant Way, Lakewood Ranch, Florida 34202.
- J. The owner of the property is SMR North 70, LLC, its heirs, assigns, designees and successors in interest as to the Project.

SECTION 3. CONCLUSIONS OF LAW.

- A. Based upon the previous findings of fact and the following conditions of this Development Order, the Board of County Commissioners of Manatee County concluded that:
 - 1. The Project* will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
 - 2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Comprehensive Regional Policy Plan (FCRPP), and the 2020 Manatee County Comprehensive Plan (as amended).
 - 3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the Building and Development Services Department.
 - 4. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.
 - 5. The review by the County* and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA, as amended by this request to modify the Development Order. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

SECTION 4. DEVELOPMENT COMPONENTS:

- A. This Development Order approval shall constitute approval of the application to amend the Development Order subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.
- B. Phase 1 of the Development is Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level of Service for all services, except potable water and sewer, which has been issued for the land uses listed in Phase 1 as defined herein and in Zoning Ordinance PDMU-06-30(Z)(G)(R). Potable water and sewer concurrency will be reviewed at time of each Final Site Plan submittal.

Phases 2 and 3 are Conceptually Approved. Specific Approval of Phases 2 and 3 are contingent upon submittal of further transportation and air quality analysis in accordance with Section 380.06, F.S. The Developer* shall provide full Application for Development Approval* responses regarding the issue of transportation when seeking Specific Approval of Phases 2 and 3. This submittal shall include the prior conduct of a transportation methodology meeting to reach agreement with all appropriate transportation review entities as to the terms, variables, and assumptions to be utilized in the transportation analysis. Reanalysis of affordable housing may be required if the Conceptually Approved phases change or Rule 73C-40-048, FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity will also be required.

- C. Approval of Phases 2 and 3 will also require review and approval of a revised Zoning Ordinance to be approved by the Board of County Commissioners.
- D. Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.
- E. The build-out date for this Development Order is— ~~November 21, 2024~~March 22, 2026.
- F. The expiration date for this Development Order is ~~November 21, 2025~~March 22, 2027.

|

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022^{0*}	Phase 2 2009 – 2019^{2021*}	Phase 3 2012- 2024^{6*}	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

Source: WilsonMiller, September 2005

* The phasing buildout dates shall be ~~November 24th~~ March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363), .

& The approved amount of any one land use may be increased, but only with decreases in one or more of the other land uses, per the Land Use Equivalency Matrix.

G. Development Totals:

1. The Land Use Equivalency Matrix, below allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on p.m. peak hour trip generation factors.
2. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the Certificate of Level of Service Compliance (CLOS) issued for that phase or subphase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate the need for additional affordable housing beyond the amount for which the supply of affordable housing has been demonstrative demonstrated to be available and is described in Section M of this Development Order. ~~In seeking approval, the Developer shall not exceed the potable water and wastewater treatment projected for~~

~~that phase.~~ The Developer* must apply for a modification to the CLOS and if the proposed Land Use Exchange results in impacts in excess of those previously approved, the Developer* may be granted approval for that excess only if, and when, capacity is available. However, reapplication shall not cause the Developer* to lose the capacity already approved for the Project*. If the request for a Land Use Exchange is approved, a modified CLOS shall be issued to replace the previously approved CLOS. Any modification to the CLOS shall not extend the time for which such capacity is reserved, pursuant to the CLOS. At the time of Final Site Plan approval, potable water, wastewater treatment and schools shall be analyzed and a CLOS will be issued for those concurrency components.

3. An application for a Land Use Exchange must include a revised General Development Plan which will include a revised Land Use and Phasing Schedule and a reallocation of square footage. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the 2020 Manatee County Comprehensive Plan and shall be subject to the approval of the Board of County Commissioners.
4. The County's review of any such request shall include a determination that the project as a whole will continue to be developed as a mixed use project with both residential and non-residential uses. As a part of such analysis, the County shall review the percentage of developed land area devoted to each land use category.
5. Upon approval of a Land Use Exchange, County staff shall provide to the Florida Department of Economic Opportunity (DEO) and TBRPC a copy of said approval.
6. The DRI biennial report shall include information indicating implementation of the matrix as well as cumulative amounts of development which have been approved by the County as of the biennial report date.

The Land Use Equivalency Matrix (LUEM), Table 2, is as follows:

Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential/ SF (Units)	Residential/ Multifamily (Units)	Commercial (Sq. Ft.)	Office (Sq. Ft.)	Hotel (Rooms)
Residential/S.F. (Units)		0.87	138.67	348.99	0.65
Residential/Multifamily (Units)	1.15		132.00	165.00	0.75
Commercial (1,000 Sq. Ft.)	7.21	3.88		1271.00	4.69
Office (1,000 Sq. Ft.)	2.87	0.68	176.00		1.86
Hotel (Rooms)	1.54	1.33	213.33	536.91	

SECTION 5. DEFINITIONS.

The definitions contained in Chapter 380, Florida Statutes, the Manatee County Comprehensive Plan, and Land Development Code shall apply to this Development Order in addition to those listed herein. The following capitalized terms used herein shall have the following meanings:

- A. "Application for Development Approval*" or "ADA*" shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval* (April 28, 2006), and the sufficiency responses submitted by the Developer* on October 23, 2006, April 20, 2007, and September 14, 2007.
- B. "Best Management Practices*" shall mean the method or combination of methods determined after problem assessment and examination of alternative practices, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.) and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and may vary on a regional and local basis depending on the nature of the problems, climate, physical characteristics, land use, soil types and conditions, and other factors.

- C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.
- D. "Conceptual Approval*" shall mean general review of the proposed location, densities, intensity of use, character, and major design features of a proposed development required to undergo review under this section for the purpose of considering whether these aspects of the proposed development comply with the issuing agency's statutes and rules. A conceptual agency review approval shall be valid for up to 10 years, unless otherwise provided in a state or regional agency rule, and may be reviewed and reissued for additional periods of time under procedures established by the agency.
- E. "Developer*" shall mean SMR North 70, LLC, its heirs, assigns, designees, agents, and successors in interest as to the Project* and all conditions of approval.
- F. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.
- G. "Fair Market Rent Documentation System" shall mean a system established by the Department of Housing and Urban Development (HUD) that provides complete documentation of the development of the Fair Market Rents (FMRs) for any area of the country. FMRs are developed and updated from the metropolitan Core-Based Statistical Areas (CBSAs) as established by the Office of Management and Budget.
- H. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by private sources which can include the Developer*, for construction with funding provided within one year.
- I. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:
1. existing topography;
 2. existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;

3. proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and
 4. off site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.
- J. "Project*" shall mean the land uses by area, square footage, density, and phase described in the ADA* to be constructed on the real property described in Section 8 herein.
- K. "Specific Approval" shall mean ADA approval for Phase 1 only. Specific Approval* of Phases 2 & 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S., with a requirement for prior conduct of transportation methodology meetings. Reanalysis of affordable housing associated with Phases 2 & 3 shall only be required if there is a changes to the phases or Rule 73C-40.048 FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity is also required. Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.
- L. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any structure.

The definitions contained in Chapter 380, Florida Statutes, shall apply to this Development Order.

Note: An asterisk (*) in the text of this Development Order denotes that the word is defined.

SECTION 6. DEVELOPMENT CONDITIONS:

THE LAKEWOOD CENTRE DRI IS SPECIFICALLY APPROVED FOR PHASE 1 DEVELOPMENT AND CONCEPTUALLY APPROVED FOR PHASES 2 AND 3, SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

Transportation

- A.(1) The Lakewood Centre DRI development will have an impact on several regionally significant roadway facilities within the primary impact area. Transportation Conditions Table 5 (below) identifies the improvements associated with Phase 1 approval.

**TABLE 5
PHASE 1 INTERSECTION/ROADWAY IMPROVEMENTS**

Roadway/ Intersection	@	Improvement	External Trip Threshold	ERU Threshold
SR 64	Lena Rd	Add 1 eastbound through lane	2,312	2,335
SR 70	US 301	Add 1 through lane to each approach, add 1 eastbound left turn lane and 1 eastbound right turn lane	2,312	2,335
SR 70	Lockwood Ridge Rd (45 th St.)	Add 1 westbound left turn lane, add 1 northbound left turn lane, add 1 southbound left turn lane, add 1 southbound right turn lane, add 1 eastbound and westbound through lane	1,466	1,480
SR 70	Caruso Rd	Add 1 northbound left turn lane and add 1 northbound right turn lane	1,380	1,393
SR 70	Tara Blvd	Add 1 westbound through lane	1290	1,302
SR 70	I-75 Southbound	Add 1 westbound through lane	1,055	1,065
SR 70	33 rd St. E	Add 1 southbound left turn lane	1932	1,951
SR 70	Pope Rd	Signalize when warrants are met, Add 1 eastbound left turn lane (already constructed – needs restriping)	973	983
SR 70	Lakewood Ranch Blvd.	Add 1 northbound right turn lane	432	436
Lakewood Ranch Blvd.	Center Ice Pky to Portal Crossing Dr	Widen to 4 lanes (add 1 lane to inside of existing in both directions)	417	421

*1 ERU (Equivalent Residential Units) = 1.01 PM peak Trips

1 ERU = 2.73 Single-Family Attached du's

1 ERU = 2.15 Multi-Family du's

1 ERU = 2.66 Hotel Rooms

1 ERU = 0.30 ksf Commercial

1 ERU = 0.77 ksf Office

- A.(2) Because the transportation improvements identified above have a "trip trigger", a monitoring program is necessary to verify that the actual number of trips generated accurately reflects the transportation analysis and subsequently required improvements. This monitoring program requires biennial pm peak hour project

driveway counts at all project entrances with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Pope Road, and Malachite Drive). The monitoring program shall commence one year after issuance of the first Certificate of Occupancy or first Final Plat, whichever occurs first, for Phase 1. Monitoring shall continue on a biennial basis for each access point until the trip improvement threshold is reached. The monitoring shall be conducted no earlier than 60 days prior to the due date of each biennial report in order to ensure relatively current traffic data and shall continue to project buildout.

The monitoring program shall consist of weekday PM peak hour directional counts from 4:00 to 6:00 PM, with subtotals at 15-minute increments, at all project entrance driveways with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Malachite Drive, and Pope Road). Only turns to and from the project entrances need to be counted (through volumes on the public roadways will not be required). The sum of the project entrance trips will be totaled in 15-minute increments and the highest four consecutive 15-minute totals will be summed to determine the project's total PM peak hour traffic volume. This total will include net external trips, diverted trips, and pass-by trips of the Lakewood Centre DRI development.

The total PM peak hour project traffic through Phase 1 is estimated to be 2,583 net external, 860 pass-by, and 666 internal trips, for a total of 4,109 gross trips.

The required monitoring data shall be included in each Biennial Report. If the monitoring results demonstrate that the project is generating more than fifteen (15) percent above the number of trips estimated in the original analysis (as stated above) or a Biennial Report is not submitted within 30 days of its due date, Manatee County shall issue no further development permits and conduct a Substantial Deviation determination pursuant to Subsection 380.06(19), F.S. As a result, the County may amend the Development Order to change or require additional roadway improvements. The revised Transportation Analyses, if required, shall be subject to review by all appropriate review entities.

- A.(3) In the event that total external p.m. peak hour trips exceed the threshold levels described in Table 5, and the corresponding Funding Commitments have not been provided, no further Final Site Plan approvals shall be granted unless an analysis is submitted which identifies the revised number of total external p.m. peak hour trips after which the required improvement would be required, according to the new subphase analysis. The

Development Order shall be amended to reflect these revised trip levels.

- A.(4) With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses the following :
1. External P.M. peak hour trips predicted to be generated by the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 5 are reached; and,
 2. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the Project covered by the Final Site Plan application.
- A.(5) Prior to development of Phase 2 or Phase 3, revised transportation analyses shall be required to be submitted pursuant to Section 380.06(6), Florida Statutes. This analysis shall address transportation impacts which result from the development of these phases.
- A.(6) As part of the Phase 2 or Phase 3 approval, the Developer shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, Metropolitan Planning Organization, Florida Department of Transportation (FDOT), and TBRPC. The TSM program shall include a biennial assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of the TSM measures. Results of the TSM program shall be included in the Biennial Report. The Transportation Systems Management Program shall evaluate carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion.
- A.(7) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project*. At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.
- A.(8) The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and park sites.

- A.(9) Provisions shall be made for the construction of all internal collector roads as shown on DRI Map H (Attached as Exhibit A). Roads shall be constructed at the cost of the Developer, or other appropriate entity, prior to or in conjunction with development requiring access on that roadway. This dedication/construction shall be eligible for impact fee credits to the extent allowed by the Manatee County Land Development Code and applicable law. Right-of-way along Malachite Drive and Pope Road will be dedicated to Manatee County by the Developer prior to or in conjunction with any Preliminary Site Plan or Preliminary Plat approvals adjacent to or encompassing such roadways, to ensure 120 feet of right-of-way adjacent to the site. This dedication shall be impact fee creditable to the extent permitted by the Manatee County Land Development Code and applicable law.
- A.(10) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike paths and lanes shall be constructed in accordance with Manatee County standards
- A.(11) The Developer shall provide adequate sidewalks along both sides of all streets and roadways throughout the Project.
- A.(12) Improvements made pursuant to the proportionate fair share ordinance, adopted by Manatee County Board of County Commissioners on November 7, 2006, shall satisfy the requirements for mitigation of the Project's Phase 1 transportation impacts. (LDA 10-01 implements the applicant's proportionate fair share contributions for Phase 1 mitigation.)

Vegetation, Wildlife, and Wetlands

- B.(1) No impacts to Natural Resources of Regional Significance (NRRS) as defined by TBRPC are proposed by this project. Impacts to Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007, shall only occur if justified pursuant to *Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region* Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance shall meet the ratios set forth in that policy and Policy 4.5.6; i.e., 2 created: 1 impacted for Special Habitats (Strategic Habitat Conservation Areas and Priority Wetlands); 3 created: 1 impacted for Riverine Habitat; and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.

- B.(2) In the event that any state or federally-listed species are discovered breeding on-site during project development, the Developer* shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- B.(3) Nuisance and exotic plant species shall be removed from upland areas of the project site during site development. A plan shall be developed to address how preserved and conserved upland areas will be managed to limit nuisance and exotic species. The plan shall be submitted to Manatee County for approval with the first Final Site Plan or Final Plat for vertical development. (completed)
- B.(4) As committed, the applicant shall preserve and protect all wetlands as shown on Map H using upland vegetated buffers managed as wildlife habitat. Unavoidable impacts to wetlands may be mitigated using credits from the Long Swamp Ecosystem Management Plan.
- B.(5) Conservation Easements for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to issuance of first Certificate of Occupancy or Final Plat for those areas within or directly adjacent to the proposed phase of development.
- B.(6) Preliminary and Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service) from the bald eagle nest shall be designed in accordance with the current Habitat Management Guidelines for the Bald Eagle published by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.
- B.(7) The natural wildlife corridor existing along the wetland corridor located south of Malachite Drive and north of Center Ice Parkway shall be maintained and protected by placing the area in a conservation easement. Wildlife passageways shall be incorporated into the roadways designed to cross this corridor if practical and approved by appropriate state, regional, and local agencies.
- B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No new clearing of tree or preservation areas shall be permitted for any new agricultural uses.
- B.(9) Prior to each Preliminary Site Plan approval, an evaluation for potential hazardous material locations (i.e., historical cattle dipping

vats, underground/aboveground storage tanks, or buried drums), shall be performed by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation and mitigative measures shall be subject to the approval of Manatee County. Copies of a remediation and mitigation plans along with the approvals by appropriate State or Federal agencies shall be provided to the Building and Development Services Department. All remediation and mitigation activities shall be completed prior to commencement of construction. A remediation plan shall be reviewed and submitted for approval to Manatee County.

B.(10) All proposed nature trails, boardwalks, and shade structures in wetlands, wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees or areas of significant vegetation and in accordance with Section 719 of the Manatee County Land Development Code. No nature trails, boardwalks, or shade structures shall be constructed within preserved wetlands in the areas shown as Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC’s Final Report of the Lakewood Centre DRI, adopted December 10, 2007.

B.(11) The following Pine Mesic Oak (414), Pine Flatwood (411), and Live Oak (427) Communities shall be preserved:

FLUCFCS Code	Pre-Construction Total			Post-Construction Total		Post- Construction Habitat (w/n Wetland Buffers)		Post- Construction Habitat (w/n Upland Conservation)	
	Total Acreage	Habitat w/n Wetland Buffer	Habitat w/n Upland Conservation	Acreage	Percentage (of habitat remaining)	Acreage	Percentage (of existing habitat w/n buffers)	Acreage	Percentage (of existing habitat w/n conservation)
411	31.7	4.9	26.8	11.8	37.9	4.9	100	6.9	25.7
414	47.0	10.5	36.5	25.2	53.6	10.5	100	14.7	40.2
427	4.2	1.0	3.2	3.4	80.9	1.0	100	2.2	75.0
Total	82.9	16.4	66.5	40.4	48.7	16.4	100	23.8	35.8

Area	FLUCCS 411	FLUCCS 414	FLUCCS 427	Total
Wetland Buffers	4.9	10.5	1.0	16.4
Upland Preservation Areas	6.9	14.7	2.2	23.8
Total	11.8	25.2	3.4	40.2

The preservation areas shall be clearly delineated, labeled and quantified on the Preliminary Site Plan. Upland Preservation Areas

may be reconfigured, subject to Building and Development Services Director approval, with the Preliminary Site Plan provided that the overall acreage, general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. Limited impacts may be permitted for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters or significant vegetation.

- B.(12) The Developer* shall provide 23.8_acres of upland preservation. Upland preservation areas, consistent with the potential Upland preservation areas identified on Map H (Attached as Exhibit A). The 23.8_acres of upland preservation shall not be inclusive of any required wetland or landscape buffers.
- B.(13) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan. (completed)

Soils

- C.(1) Best Management Practices, including those identified in the ADA*, shall be employed during site preparation and construction to prevent soil erosion.

Air Quality

- D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.
- D.(2) The developer shall provide full ADA* responses for Air Quality when seeking specific approval of Phases 2 and 3. Future review shall be administered under the Notice of Proposed Change process.

Water Quality and Stormwater Management

- E.(1) The stormwater management system shall be designed to restore and maintain the natural hydroperiod of the receiving wetlands, and to meet or exceed the requirements for development within the Evers Reservoir Watershed Overlay. Upland habitat within 50 feet of the contiguous wetland system draining to the upper Braden River shall be preserved to enhance water quality.
- E.(2) Development practices shall incorporate Best Management

Practices*, including those which prevent construction-related turbidity.

- E.(3) Because the project is partially within the Wolf Slough/Evers Reservoir basin, an integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides, and the design and construction techniques listed below should be utilized:
- ensuring that ponds and swales are properly grassed; and
 - implementation of a site-specific surface and groundwater quality monitoring system, through the Environmental Monitoring Plan.
- E.(4) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the project.
- E.(5) Existing native vegetation shall be preserved to meet screening requirements, where feasible, unless otherwise approved by the Building and Development Services Department.
- E.(6) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.
- E.(7) Stormwater management ponds shall not be constructed within wetland buffers or other natural resources of regional significance.
- E.(8) The applicant shall implement resident education advocating surface water protection.
- E.(9) Low impact development techniques are encouraged to be used throughout the development, particularly in areas draining to the Evers Reservoir. These techniques shall include, but are not limited to, the following:
- Retention of the maximum amount of existing native vegetation;
 - Shallow vegetated swales in all areas, including parking;
 - Appropriate Florida-friendly plant selections;
 - Small, recessed garden areas throughout landscaped areas;
 - Porous pavement and other pervious pavement technologies; and
 - Stabilized grass areas for overflow parking.

Specific requirements for implementation of these techniques shall be stipulated in the accompanying Zoning Ordinance.

- E.(10) Prior to construction of individual parcels or portions thereof, the applicant must provide a plan at the time of Preliminary or Final Site Plan detailing the operation and maintenance of the stormwater management system. The plan shall, at a minimum, identify the responsible entity, establish a long-term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system.
- E.(11) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.
- E.(12) Compensation for the loss of 100-year flood storage capacity shall be provided.
- E.(13) Manatee County has reviewed and approved the groundwater quality monitoring plan submitted for the Lakewood Centre DRI. This approval is contingent upon the following requirements:
- The Developer* shall ensure the protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.
 - Should the land use change significantly or should the baseline monitoring reveal exceedences that would merit additional monitoring measures, Manatee County may require the monitoring plan to be modified accordingly.
 - If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.

Historical and Archaeological Sites

- F.(1) Any significant historical or archaeological resources discovered during project development shall be reported to the Florida Division of Historical Resources (FDHR) and the disposition of such resources shall be determined in cooperation with the FDHR and Manatee County.

Water

- G.(1) Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).
- G.(2) The Developer* shall be required by Manatee County ordinances,

to extend potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

The Developer* shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with SWFWMD rules and regulations. Any existing on-site wells not intended for potable or non-potable uses shall be plugged and abandoned in accordance with Rule 40D-3.531, Florida Administrative Code.

- G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.
- G.(6) The Developer* has committed to the following:
- utilization of a non-potable water system for all landscaped areas;
 - use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
 - the re-establishment of the tree canopy previously cleared for agricultural activities, where possible.
- G.(7) The Developer* shall obtain verification of adequate water supply availability and service concurrent with the request for specific approval of Phase 2 and Phase 3.
- G.(8) Water-saving plumbing fixtures must be used inside all buildings, including housing units.
- G.(9) Water-conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- G.(10) Irrigation time clocks shall be reset after the establishment period for new landscaping has expired.
- G.(11) Florida-friendly landscaping principles shall be used throughout the development.
- G.(12) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.

- G.(13) Conservation education shall be provided for the residents and other users of the development.
- G.(14) Total water use for the residential development shall not exceed 150 gallons per capita per day.

Wastewater

- H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service to each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*
- H.(2) No septic tanks are permitted.

Solid Waste

- I.(1) Commercial and office tenants shall be provided with information at the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.
- I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

- J.(1) Greenways, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, other legal entity and/or as directed by the permitting agencies.
- J.(2) As committed, the Developer* shall provide 36.8-acres of parks on-site at the locations indicated on Map H. An additional 23.5 acres of passive parks (within upland preservation areas and outside of wetland buffers) will be provided on the site, at locations to be determined by Manatee County through the development review process.

Health Care, Police, and Fire

- K.(1) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer* may, with the approval of the County*, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County* or payment of impact fees, as applicable. An agreement as to the schedule for payment of the Developer's pro-rata share, mutually acceptable to the County* and the Developer*, shall be reached prior to the approval of the first Preliminary Site Plan, Final Site Plan, or Final Plat for Vertical Development* for Phase 1 or any subphase thereof. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project* and any pro-rata lump sum payment shall be creditable against the payment of impact fees at the rate in effect at the time payment was made. (completed for phase I only)
- K.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. The Developer* may, with the concurrence of the County, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, as allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for each Phase. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.(completed for phase I only)
- K.(3) As agreed upon, the applicant shall use applicable Fire Wise principles such as clearing around houses and structures, carefully spacing trees, and maintaining irrigation systems. Such practices shall be described on the Landscape Plans of each Final Site Plan.

Hurricane Preparedness

- L.(1) The Developer* shall promote awareness of hurricane and flooding hazard, preparedness and hazard mitigation through public information, neighborhood association newsletters, model homes, commercial/office buildings, etc.

Affordable Housing

- M.(1) The Developer shall provide workforce housing at a price as determined pursuant to the parameters as set forth in the definition contained within the Manatee County Land Development Code or at a rental rate as set forth in Stipulation M.(3) below, within the project, or within an adjacent project, in an amount equal to 10% of the total number of residential units constructed in Lakewood Centre Phases 1, 2, and 3. The workforce housing required herein is generally designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.
- M.(2) Maximum home sales prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The maximum sales price in effect at the time a contract for purchase of a workforce housing unit is executed shall apply.
- M.(3) Maximum rental rates shall correspond to values as provided for in the Fair Market Rent Documentation System*. These rates are updated periodically by Manatee County and shall be utilized accordingly. The rental rate in effect at the time a lease is executed shall apply.
- M.(4) The Developer shall include in its Biennial Report data showing the number and sale prices of workforce housing units sold and the number and rental rate of units leased during the reporting period. The Biennial Report shall also include the current Manatee County Maximum Income Limits Table and the Fair Market Rent Documentation System*. Only those units that have a sale price equal to or less than the maximum allowable home sales price, as provided in M.(2) or a rental rate equal to or less than the maximum rental rate as provided in M.(3), shall be counted toward the required mitigation.
- M.(5) With each Biennial Report, the overall ratio of workforce housing units provided to the number of residential units constructed in the Project shall be determined.
- M.(6) Should the required housing mitigation for Phase IV of the University Lakes DRI be constructed within Lakewood Centre, a separate calculation showing the overall ratio of workforce housing units provided within Lakewood Centre to the number of residential units constructed in Phase IV of University Lakes shall be included in the ~~Biennial~~Biennial Report. This calculation will be for

informational purposes only; any required fees for units not provided will be calculated according to the terms and conditions of the University Lakes DRI Development Order

Energy

- N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.
- N.(2) As committed, the Project* shall be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. The “Green Development” designation requires a combination of the following six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices.
- N.(3) The developer shall work with TECO/Peoples Gas to ensure that natural gas is available within the project, as committed.

General Conditions

- O.(1) Should development of Phase 1 depart from the parameters set forth in the ADA*, the Project* will be subject to Substantial Deviation review pursuant to Section 380.06, F.S.
- O.(2) Specific Approval of Phase 2 and Phase 3 shall be contingent upon further transportation and air quality analyses submitted in accordance with Subsection 380.06, F.S., and verification of water supply availability.
- O.(3) Physical development shall commence within two years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by ~~November 21, 2020~~March 22, 2022. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*. (completed)
- O.(4) In the event the Bradenton/Sarasota Arena development or parcel is reacquired by the Developers of the Lakewood Centre DRI and meet the aggregation criteria defined in 380.0651(4), F.S., the Developer shall process the addition of this parcel (and

corresponding entitlements) to the Lakewood Centre DRI through the requisite process administered under Subsection 380.06(19), F.S.

- O.(5) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 7 of this Development Order.
- O.(6) The Developer*, its successors, assigns or transferees, shall submit Biennial DRI Reports in accordance with Section 380.06(18), Florida Statutes* to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on even number years commencing March, 2010 until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to the Manatee County Building and Development Services Department, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Building and Development Services Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Biennial Report shall contain the following:
- a. Any change in the plan of development, or in the representation contained in the ADA, or in the phasing or land uses for the reporting year and for the next year;
 - b. A summary comparison of development activity proposed and actually conducted for the year;
 - c. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer*;
 - d. Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the land encompassed by the Development Order for the Project*;
 - e. An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for

- Development Approval* and which have been identified by the County*, TBRPC, or DEO, as being significant;
- f. Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;
- g. An indication of a change, if any, in local government jurisdiction for any portion of the Development* since the Development Order was issued;
- h. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;
- i. A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(14)(d), Florida Statutes;
- j. A statement that all persons have been sent copies of the Biennial Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;
- k. Reports or information pursuant to pertinent conditions herein requiring copies of information to be provided in the Biennial Report.
- l. An updated map showing the locations and acreage of upland and wetland preservation; and
- m. Any other information required pursuant to general law.

SECTION 7. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order.

GENERAL

1. Ground-level shops and eateries will be located below residential housing units to emphasize pedestrian activity along the street. (ADA/Page 10.2)
2. Agricultural uses will continue on portions of the property not immediately subject to development. (ADA/Page 10.7)
3. The County's Future Land Use Map will need to be revised to change the (285.3 acre) area of Urban Fringe-3 to the Residential/Office/Retail FLU to allow the proposed amount of development (ADA/Page 10.12). The amendment area is generally north and west of the Arena outparcel,

located in Sections 8 and 17, of Township 35, Range 19 (ADA/Page 10.14).

4. No amendments to the Capital Improvements Element will be required in order for the Project to be developed as proposed. (ADA/Page 10.13)
5. The proposed Land Use Equivalency Matrix is limited to the Phase 1 entitlements for which Specific Approval is being requested. (SR3/Page 10.1)

VEGETATION AND WILDLIFE

1. Most of the isolated wetlands and wetlands associated with the headwaters and/or intermittent tributaries of the perennial stream systems (Wolf Creek, Williams Creek, unnamed drainage) found on this site will be maintained to preserve existing plant communities in the project after development, as well as provide visual amenities and wildlife habitat. (ADA/Page 12.5)
2. In order to provide sufficient protection for this species [bald eagle] a management plan for the protection of this nesting territory will be prepared in coordination with the FWS prior to any development within 1500 feet of the nest for this DRI. (ADA/Page 12.9) [Developer Clarification: the recently adopted federal management guideline is now 660 feet].
3. The land-use plan will include preservation of the significant wetland systems on site, including all of the wetlands where listed species were observed. (ADA/Page 12.12)
4. Compensatory mitigation for the proposed wetland impacts will be provided by "The Long Swamp Ecosystem Management Plan" which is an existing comprehensive wetland restoration and enhancement project, approved by the USCOE, the SWFWMD, and Manatee and Sarasota Counties to provide mitigation for wetland impacts within the boundaries of Schroeder Manatee Ranch. (ADA/Page 12.13)
5. All development planned for this DRI will be consistent with the approved current bald eagle management plan at the time of the Preliminary or Final Site Plan application. (SR1/Page 9.5)
6. The intensity of agricultural activity on the Lakewood Centre site will not be increased during development. (SR1/Page 10.2)
7. The specific configuration of the preservation areas will be determined upon further planning and will be subject to approval by the Building and Development Services Director. (SR1/Page 10.11)

8. The applicant proposes to preserve additional native upland habitats (including pine flatwoods, pine-mesic oak, and live oak) north of Center Parkway and adjacent to the following wetlands: NW-W31, NW-W33B, NW-W33A, NW-W35, NW-W35B and NW-W37, as depicted on the supplemental map.- The applicant will remove all nuisance/exotic vegetation from upland portions of on-site communities. (SR1/Page 12.4)
9. Wildlife uses will be protected by limiting access to boardwalks or other appropriate areas (using marked trails, fenced areas, signage, etc.). (SR1/Page 26.1)
10. The 8.9-acre potential preservation area shown on Map H, contains several different types of native upland habitat. The exact amount of each habitat preserved will not be known until the Final Site Planning process is completed. (SR2/Page 10.4)
11. The developer offers the following stipulation to ensure protection of this species: "Preliminary and Final Site Plans within 1,500' of the bald eagle nest shall be designed in accordance with Habitat Management Guidelines for the Bald Eagle in the Southeast Region, as amended, or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval." (SR2/Page 12.7) [Developer Clarification: the recently adopted federal management guideline is now 660'].
12. Per the January 10, 2007 meeting between Stephanie Rousso (FWC), Alissa Powers (EAC) and Mike Burton (EAC), it was agreed that potential habitat be surveyed again for Sherman's fox squirrel prior to construction. (SR2/Page 12.10)

WETLANDS

1. Except for necessary roadway crossings and relatively minor impacts to allow sufficient development for a Town Center, the on-site wetlands will be retained in their natural state or enhanced. (ADA/Page 10.18)
2. Additional studies of wetland hydrology will be conducted for the design of the site's stormwater management system prior to Final Site Plan submittals. (ADA/Page 13/1)
3. Hydroperiods of on-site wetlands will be maintained through contributions from the proposed stormwater management system. Upland buffers of 30 feet around preserved isolated wetlands and 50 feet around wetlands contiguous with waters of the state within the Evers Reservoir Watershed Overlay District will be observed, protected and managed for wildlife habitat value in accordance with the Manatee County LDC. These buffers

- will remain in native vegetation where found and restored to native conditions where habitat has been degraded. (ADA/Page 13.2)
4. Wetland areas will be clearly identified in the field prior to initiating construction. Silt fence, or other appropriate erosion control device, will be placed at the limit of the wetland buffers to prohibit encroachment and sedimentation. (ADA/Page 13.6)
 5. Stormwater lake littoral shelves within the project area will be planted with at least three species of desirable herbaceous emergent vegetation. Plant materials will be bare root sized and installed on three-foot centers. (ADA/Page 13.6)
 6. The majority of these wetlands will remain undisturbed as important amenities to the site plan and will be incorporated into the surface water management plan and dedicated as Wetland Conservation Areas. (ADA/Page 15.2)
 7. The wetlands will be enhanced by incorporating them into the stormwater management system. This will improve wetland hydroperiods to mimic pre-agricultural impact functions and values. Wetland impacts will be mitigated using credits from the Long Swamp Ecosystem Management Plan. (SR1/Page 10.21)
 8. Conservation easement and wetland buffer signage will be installed at key locations to advise those utilizing the area or performing maintenance activities of appropriate restrictions. (SR1/Page 13.1)
 9. The only wetland impacts are proposed in the high intensity commercial development (MU area) portion of the project. (SR1/Page 13.3)
 10. The water quality and quantity functions of the wetlands will be replaced on site as part of the stormwater management system. (SR1/Page 13.9)
 11. Wetlands and wetland buffers will be placed under a conservation easement to Manatee County. During construction, Best Management Practices, such as silt fencing, will protect the wetland and buffers from potential secondary impacts. Post-construction, the installation of conservation easement/wetland buffer signage will educate and inform residents of the protected nature of these areas. (SR1/Page 26.1)
 12. The Lakewood Ranch Stewardship District will be responsible for the management of all conservation lands after project buildout. (SR2/Page 13.2)

WATER QUALITY

1. Water quality monitoring will be continued in accordance with Manatee County's "Ambient Surface Water Monitoring for Developments" if additional monitoring is deemed necessary or if the applicant is requested to participate in a basin management study in order to meet the state's reasonable assurance criteria for a total maximum daily load allocations for impaired and potentially impaired water bodies. (ADA/Page 14.4)
2. Construction water quality monitoring for turbidity will be accomplished with the implementation of a sediment control program... The "Sediment Control Program" and documentation as well as the construction manager's daytime and emergency contact information shall be provided to the Manatee County. (ADA/Page 14.6)
3. The applicant intends to propose and perform baseline water quality monitoring for ambient groundwater conditions, in order to meet Development Order stipulations and in accordance with Manatee County's Ambient Groundwater Monitoring Plan requirements. A groundwater monitoring plan will be submitted to Manatee County for their approval prior to startup of site development activities. The groundwater monitoring program will continue throughout the site development activities to ensure that these activities do not pose any potential adverse effects to the surficial aquifer resources... (ADA/Page 14.5)
4. Soil borings will be performed at the time of design to verify the Seasonal High Water Level at the specific sites as well as any elevations of any confining layers. (SR2/Page 14.2)

SOILS

1. Flexible roadways and building foundations will also be utilized to offset swelling and shrinking of soils. (ADA/Page 15.3)
2. Lake bank stabilization will be achieved through the use of temporary seed and mulch until final stabilization can be achieved by means of sodding. Within the Littoral zones of the lakes, below normal water level, native aquatic plants will be utilized. (ADA/Page 15.3)
3. A conservation easement covering the wetlands and wetland buffers will be dedicated to Manatee County through the final subdivision plat process or by separate legal instrument. (SR1/Page 15.2)

FLOODPLAINS

1. There will be no floodplain impacts. (ADA/Page 10.21)
2. There is no area within the 100-year floodplain within the project's boundaries or the immediate vicinity. (SR1/Page 9.4)

WATER SUPPLY

1. The Project will use the lowest quality water available for irrigation purposes, including non-potable quality groundwater and stormwater. (ADA/Page 10.15)
2. Water wells will be proposed on-site, and the future needs will be determined through studies not yet completed. (ADA/Page 17.5)
3. The applicant will operate and maintain the non-potable water supply system via Braden River Utilities. (ADA/Page 17.5)
4. The development will encourage responsible use of water by the occupants. The developer will implement non-potable (irrigation) restrictions to limit the use of non-potable water to conserve water. The Developer will also encourage the use of native, drought tolerant landscape within the single-family residential portion of the project. (ADA/Page 17.6 & SR1/Page 10.20)
5. The applicant has taken several steps to minimize the use of water including the following (SR1/Page 10.14):
 - the utilization of a non-potable water system for all landscaped areas;
 - the use of native vegetation or drought-resistant vegetation in landscaped areas; and
 - the re-establishment of tree canopy that has been previously cleared for agricultural activities where possible.
6. The [proposed] water wells will be used exclusively for irrigation purposes. (SR1/Page 17.2)
7. In regards to commercial/office areas, rainfall shutoff valves will be implemented in order to regulate the irrigation times, durations and quantities. (SR2/Page 17.2)

WASTEWATER MANAGEMENT

1. The proposed development will be served by a proposed sanitary sewer system. It is anticipated that septic tanks will not be required. (ADA/Page 18.3)

STORMWATER MANAGEMENT

1. The post-development stormwater management system will be designed to avoid adverse impacts to property and environmentally sensitive areas,

upstream and downstream of the site. Water quality and quantity standards will be achieved through the stormwater management system which will be designed in accordance with state and local criteria and will utilize ponds, lakes, littoral zones, wetlands, and control structures with skimmers to achieve the following (ADA/Page 19.5):

- no de-hydration or flooding of existing wetland systems
 - post-developed flows will be attenuated so that no upstream or downstream adverse impacts are created
 - stormwater treatment to ensure water quality criteria is met in accordance with State and Manatee County standards.
2. The development area within the watershed overlay will be designed with the knowledge that it is located within the Evers Reservoir Watershed and will be submitted to the appropriate agencies for the proper review and approval process. (ADA/Page 19.5)
 3. The stormwater management system will be owned and maintained by the applicant or assignee. Potentially, the ownership and maintenance could be assigned to the Lakewood Ranch Stewardship District. A regular maintenance program will be developed for the site. (ADA/Page 19.5)

TRANSPORTATION

1. Pope Road will be extended from its existing endpoint at the northern entrance to the Bradenton/Sarasota Arena site contemporaneously with the construction of the western portion of the Northwest Sector DRI. (SR1/Page 9.1)
2. No age-restricted units were assumed in the transportation analysis. (SR1/Page 10.9)
3. Transportation improvements to serve the Lakewood Centre project do not encourage or subsidize increased development in environmentally sensitive areas such as wetlands, floodways, or productive marine areas. (SR1/Page 10.22)
4. The Applicant will meet with MCAT (Manatee County Area Transit) [to discuss locations of transit stops] during the detailed planning stage of the project. (SR2/Page 9.2)
5. Manatee County will require external trip monitoring as a condition of approval of Phase 1. Further, any development beyond Phase 1 will require additional transportation analysis. This will provide an opportunity to confirm the assumptions used in the ADA analysis, or change them, as appropriate. (SR3/Page 9.2)

AIR QUALITY

1. In order to minimize the amount of fugitive dust, only the individual parcels of land where construction is schedule to proceed will be cleared. Additional measure to be employed to minimize fugitive dust include sodding, seeding, mulching, or planting of landscaped materials in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)

HURRICANE PREPAREDNESS

1. Although the project is not within the coastal high hazard area, the Developer will cooperate with local, regional, and state agencies to facilitate all-hazards emergency management, planning and coordination. (ADA/Page 10.14)

AFFORDABLE HOUSING

1. Please see Development Order Conditions M.(1) through M.(6) above.

RECREATION AND OPEN SPACE

1. The development will include passive and active recreation facilities including pedestrian and bicycle systems throughout the Project. (ADA/Page 10.13)
2. All open space and recreation facilities within the Project will be maintained by the Developer or successors such as a Homeowner's Association(s), a Community Development District or the Lakewood Ranch Stewardship District. (ADA/Page 26.2)
3. The Project will include a variety of recreational opportunities in the form of pocket parks, linear parks, and esplanades. (ADA/Page 26.2)
4. At least 4.6 acres [Developer Clarification: 4.3 acres] of parks will be developed on-site at the locations indicated on the revised Map H. An additional 6.6 acres [Developer Clarification: 8.9 acres] of passive parks (located in upland preservation areas outside of wetland buffers) will be provided on the site, at locations to be determined later. (SR1/Pages 10.16 & 10.20)

ENERGY

1. The developer will encourage the identified energy conservation methods [i.e. increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting] be used by builders in the Lakewood Centre DRI.

(SR1/Page 29.1)

2. The Lakewood Centre Project will be certified as a “green development” by the Florida Green Building Coalition (FGBC) under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. (SR1/Page 29.1)

The developer is working with TECO/Peoples Gas to ensure that natural gas is available within the project. (SR1/Page 29.1)

The “Green Development” designation requires a project to be “graded” on meeting a detailed list of requirements in six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices. Each category has certain criteria with points awarded for meeting those criteria. A minimum number of points are need to qualify as a “Green Development.” (SR2/Page 29.1)

SECTION 8. LEGAL DESCRIPTION:

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a

radius of 50.00 feet and a central angle of $87^{\circ}53'04''$; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $23^{\circ}41'47''$; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $11^{\circ}22'52''$; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence $S.68^{\circ}29'59''W.$, a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.68^{\circ}29'59''W.$, a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of $03^{\circ}46'14''$, an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}49'28''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}58'18''$, an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of $07^{\circ}40'51''$; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $01^{\circ}04'12''$; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence $S.01^{\circ}18'11''W.$, along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.78^{\circ}25'45''E.$, a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of $05^{\circ}37'54''$, an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies $S.25^{\circ}50'30''W.$, a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of $46^{\circ}27'42''$, an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of $06^{\circ}44'40''$; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence $S.12^{\circ}34'36''E.$, along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.64^{\circ}34'42''E.$, a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of $01^{\circ}33'58''$, an arc length of 80.39 feet to the point of tangency of said curve; thence $S.26^{\circ}59'15''E.$, a distance of 113.45 feet; thence $S.63^{\circ}00'45''W.$, a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of $18^{\circ}07'32''$; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence $S.09^{\circ}31'35''E.$, along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies $N.10^{\circ}12'41''W.$, a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of $11^{\circ}39'48''$, an arc length of 408.55 feet to the end of said curve; thence $N.79^{\circ}51'15''E.$, along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies $N.23^{\circ}17'40''W.$, a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of $04^{\circ}10'01''$, an arc

length of 219.07 feet to the end of said curve; thence S.31°07'37"E., along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-

of-way line; (1) thence northerly along the arc of said curve, through a central angle of $31^{\circ}44'31''$, an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence $N.02^{\circ}18'37''W.$, a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence $S.89^{\circ}34'35''E$ along the North line of said Section 17 a distance of 3985.93 feet; thence $S.00^{\circ}25'25''W$ a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies $S.69^{\circ}39'59''E.$, a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of $33^{\circ}08'49''$, an arc length of 188.02 feet to the point of tangency of said curve; thence $N.53^{\circ}28'49''E.$, a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of $30^{\circ}41'48''$; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence $N.84^{\circ}10'37''E.$, a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of $24^{\circ}43'08''$; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of $37^{\circ}11'49''$; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of $91^{\circ}38'36''$; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies

S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of 44°31'14", an arc length of 27.20 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve;

thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

<u>Total Described Area</u>	= 771.1310 Acres +/-
Less: Ponds No. 3	= 5.15 Acres +/-
Less: Parcel 100A	= 4.512 Acres +/-
Less DVA Arena, LLC	= 60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	= 1.7526 Acres +/-
<u>Less Ingress-Egress Easement No. 2</u>	<u>= 1.7374 Acres +/-</u>
Net Area	= 697.4463 Acres +/-

SECTION 9. DEADLINE FOR COMMENCEMENT OF DEVELOPMENT:

Physical development of the Project* shall commence within two years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than two years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section 4 above, or if any three year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals

granted herein. Any delay in construction commencement shall not be deemed to extend any timeframe for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 10. RESTRICTIONS ON DOWN-ZONING:

Prior to the buildout date of this Development Order, the County shall not down-zone or reduce the intensity or unit density permitted by this Development Order, unless the County can demonstrate that:

- A. Substantial changes in the condition underlying the approval of the Order have occurred; or
- B. The Order was based upon substantially inaccurate information provided by the Developer*; or
- C. The change is clearly established by the County* to be essential for the public health, safety, or welfare.

Any down-zoning or reduction in intensity or unit density shall be affected only through the usual and customary procedures required by statute or ordinance for change in local land development regulations.

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order. The inclusion of this section is not to be construed as evidencing any present or foreseeable intent on the part of the County* to down-zone or alter the density of the Project*, but is included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 11. ORDER BINDING UPON DEVELOPER*:

This Order shall be binding upon the Developer*.

SECTION 12. RENDITION:

The Building and Development Services Department is hereby directed to send certified copies of this Order within thirty days of the date of signature by the Chairman of the Board of County Commissioners to the Developer* and the Florida Department of Economic Opportunity.

SECTION 13. NOTICE OF RECORDING:

The Developer* shall record a notice of adoption of this Order, as required pursuant to Chapter 380, Florida Statutes, and shall furnish the Building and Development Services Department with a copy of the recorded notice.

SECTION 14. SEVERABILITY:

It is the intent of this Development Order to comply with the requirements of all applicable law and constitutional requirements. If any provision or portion of this Development Order is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then such provision or portion shall be deemed null and void, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE:

This Ordinance, Ordinance 12-2813-XX, shall become effective upon the filing of a certified copy of the executed Ordinance with the Department of State; and provided, however, that (a) the filing of a Notice of Appeal pursuant to Section 380.07, Florida Statutes, shall suspend development authorization granted for this Development Order until the resolution of the appeal.

ADOPTED AND APPROVED WITH A QUORUM PRESENT AND VOTING THIS ~~6th DAY OF December, 2012.~~ INSERT DATE

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY,
FLORIDA**

**BY: _____
John R. Chappie Larry Bustle,
Chairman**

**ATTEST: R. B. SHORE
Clerk of the Circuit Court**

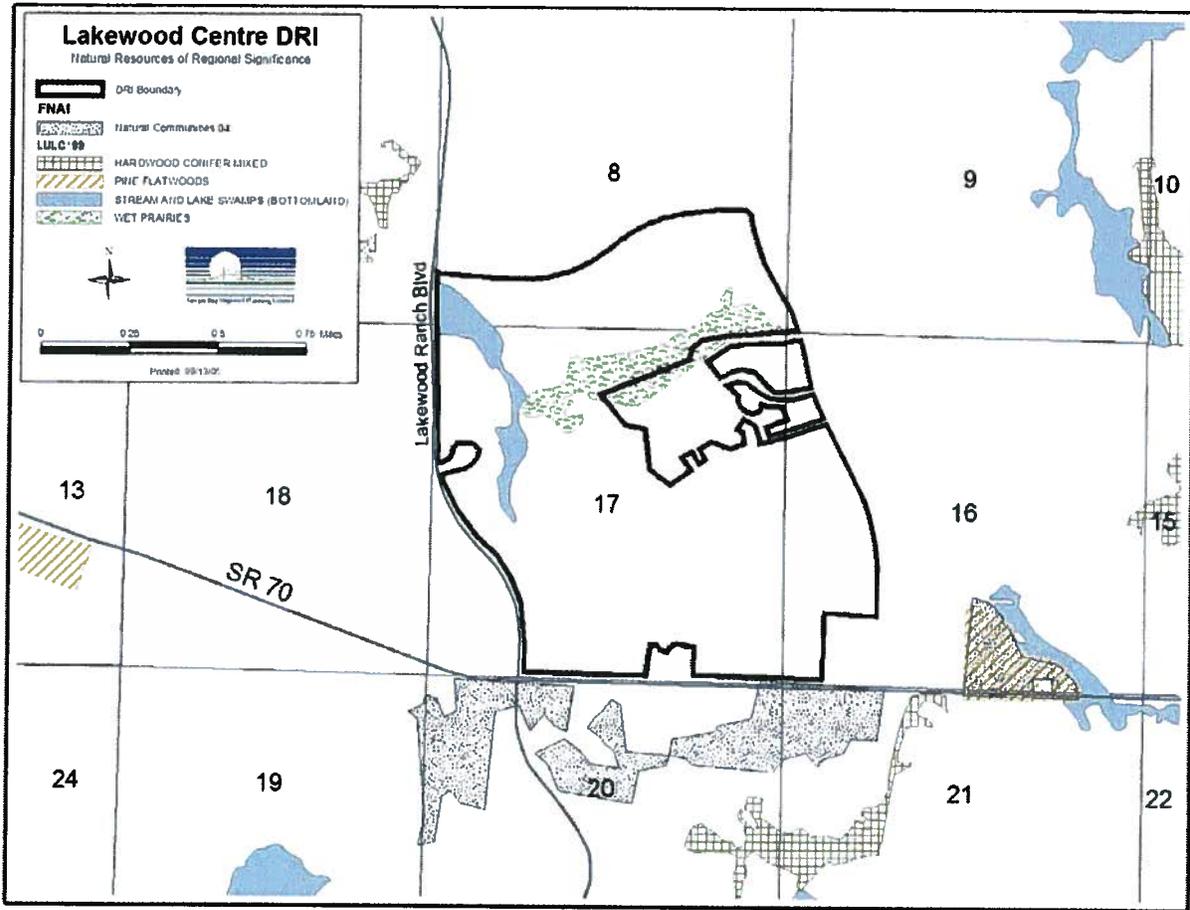
**BY: _____
Deputy Clerk**

| **Attachments to Ordinance ~~12-2813-XX~~**

Exhibit A – Map H

Exhibit B – Natural Resources of Regional Significance, as delineated on Map 3

MAP #3
LAKWOOD CENTRE
NATURAL RESOURCES OF REGIONAL SIGNIFICANCE



Source: *Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region (SRPP)*, adopted March 12, 1996, as amended.

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, September 12, 2013 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:

PDR-13-22(Z)(P) - PARK PLACE INVESTMENTS/PARK PLACE ESTATES

(DTS #20130142; B00000195) An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 16.6 acres, located north of 53rd Avenue East and approximately 590 feet east of 9th Street East, specifically at 1221, 1015, 1025, and 1035 53rd Avenue East, Bradenton, from RSF-6 Residential Single Family, 6 dwelling units per acre) and PR-6 (Professional - Medium) to a PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 58 single family detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; and providing an effective date.

ORDINANCE 13-28 LAKEWOOD CENTRE DRI (DRI #27) (DTS#20130244)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending an amended and stated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 2-28) (DRI #27); A/K/A Tampa Bay Regional Planning Council (TBRC) DRI #265;

Modifying Map H and the Development Order with the following changes:

- 1) Update Phasing and Build-out dates to reflect legislatively approved extensions;
- 2) Update Conditions to reflect compliance with conditions contained therein;

- 3) Clarify procedures for a Land Use Exchange; and,
- 4) Other amendments for internal consistency.

This DRI is approved in three phases. Specific Approval was approved for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, a 300 room hotel, and 36.8 + acres of parks. Conceptual approval was approved for Phase 2 and 3 and in the future. Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.

The ordinance amends, replaces, and supersedes Ordinance 12-28, DRI #27, as amended; providing for severability, and an effective date.

The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) (697.4 ± acres)

PDMU-06-30(G)(R2) - LAKEWOOD CENTRE

(DTS #20130245) An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending Ordinance PDMU-06-30(G)(R) and the General Development Plan to:

- Update the phasing and build-out dates to reflect legislatively approved extensions;
- Update conditions to reflect compliance with requirements contained therein;
- Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase I in accordance with the approved land use exchange mechanism;
- Amend stipulations to facilitate these changes; and
- Modify certain conditions consistent with current departmental practices and other amendments for internal consistency

Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The project is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70, and contains 697.4 ± acres).

Sarasota Tribune

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, 4th 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
8/30/2013

- Modifying Map H and the Development Order with the following changes:
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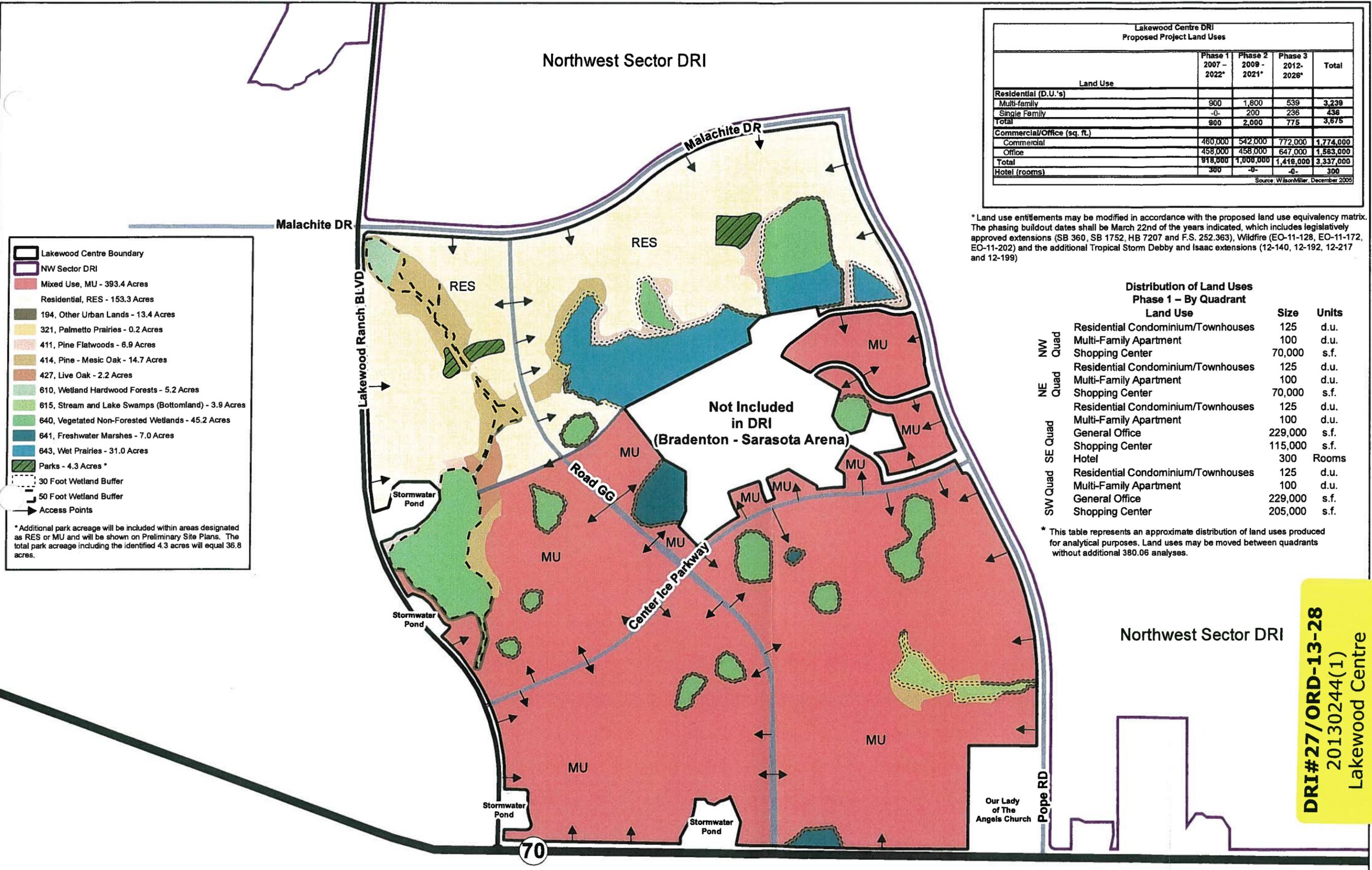
Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The project is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70, and contains 697.4 ± acres).

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Manatee County Building and Development Services Department
Manatee County, Florida



- Lakewood Centre Boundary
 - NW Sector DRI
 - Mixed Use, MU - 393.4 Acres
 - Residential, RES - 153.3 Acres
 - 194, Other Urban Lands - 13.4 Acres
 - 321, Palmetto Prairies - 0.2 Acres
 - 411, Pine Flatwoods - 6.9 Acres
 - 414, Pine - Mesic Oak - 14.7 Acres
 - 427, Live Oak - 2.2 Acres
 - 610, Wetland Hardwood Forests - 5.2 Acres
 - 615, Stream and Lake Swamps (Bottomland) - 3.9 Acres
 - 640, Vegetated Non-Forested Wetlands - 45.2 Acres
 - 641, Freshwater Marshes - 7.0 Acres
 - 643, Wet Prairies - 31.0 Acres
 - Parks - 4.3 Acres *
 - 30 Foot Wetland Buffer
 - 50 Foot Wetland Buffer
 - Access Points
- * Additional park acreage will be included within areas designated as RES or MU and will be shown on Preliminary Site Plans. The total park acreage including the identified 4.3 acres will equal 36.8 acres.

Land Use	Phase 1 2007 - 2022*	Phase 2 2009 - 2021*	Phase 3 2012 - 2026*	Total
Residential (D.U.'s)				
Multi-family	900	1,800	539	3,239
Single Family	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Commercial	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

Source: WilsonMiller, December 2005

* Land use entitlements may be modified in accordance with the proposed land use equivalency matrix. The phasing buildout dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363), Wildfire (EO-11-128, EO-11-172, EO-11-202) and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-192, 12-217 and 12-199)

Quadrant	Land Use	Size	Units
NW Quad	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	Shopping Center	70,000	s.f.
NE Quad	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	Shopping Center	70,000	s.f.
SE Quad	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	General Office	229,000	s.f.
	Shopping Center	115,000	s.f.
SW Quad	Hotel	300	Rooms
	Residential Condominium/Townhouses	125	d.u.
	Multi-Family Apartment	100	d.u.
	General Office	229,000	s.f.
	Shopping Center	205,000	s.f.

* This table represents an approximate distribution of land uses produced for analytical purposes. Land uses may be moved between quadrants without additional 380.06 analyses.

DRI#27/ORD-13-28
20130244(1)
Lakewood Centre

- CONSULTANT TEAM**
- WilsonMiller, Inc. Planning and Master Planning
 - Janus Research Archaeological
 - Fishkind & Associates Economic
 - Grimaldi Crawford, Inc. Transportation
 - Environmental Affairs Consultants, Inc. Environmental
 - Grimes Goebel Grimes Legal

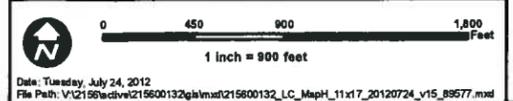
LAKEWOOD CENTRE

Manatee County, Florida

A Development of Regional Impact by SMR North 70, LLC.

MAP H
MASTER PLAN

JUNE 2013



MANATEE COUNTY GOVERNMENT

AGENDA MEMORANDUM

SUBJECT	PDMU-06-30(G)(R2) –Lakewood Centre GDP (DTS# 20130245)	TYPE AGENDA ITEM	Advertised Public Hearings - Consent
DATE REQUESTED	9/12/13 PC	DATE SUBMITTED/REVISED	9/5/13
BRIEFINGS? Who?	None	CONSEQUENCES IF DEFERRED	N/A
DEPARTMENT/DIVISION	Building & Development Services Department/Comprehensive Planning and Public Hearings	AUTHORIZED BY TITLE	Lisa Barrett, Planning Division Manager 
CONTACT PERSON TELEPHONE/EXTENSION	Shelley Hamilton, Principal Planner 748-4507, ext. 6863	PRESENTER/TITLE TELEPHONE/EXTENSION	Shelley Hamilton, Principal Planner 748-4501, ext. 6863
ADMINISTRATIVE APPROVAL			

ACTION DESIRED INDICATE WHETHER 1) REPORT; 2) DISCUSSION; 3) FORM OF MOTION; OR 4) OTHER ACTION REQUIRED
I move to recommend approval of PDMU-06-30(G)(R7) per the recommended motion in the staff report attached to this memo.

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

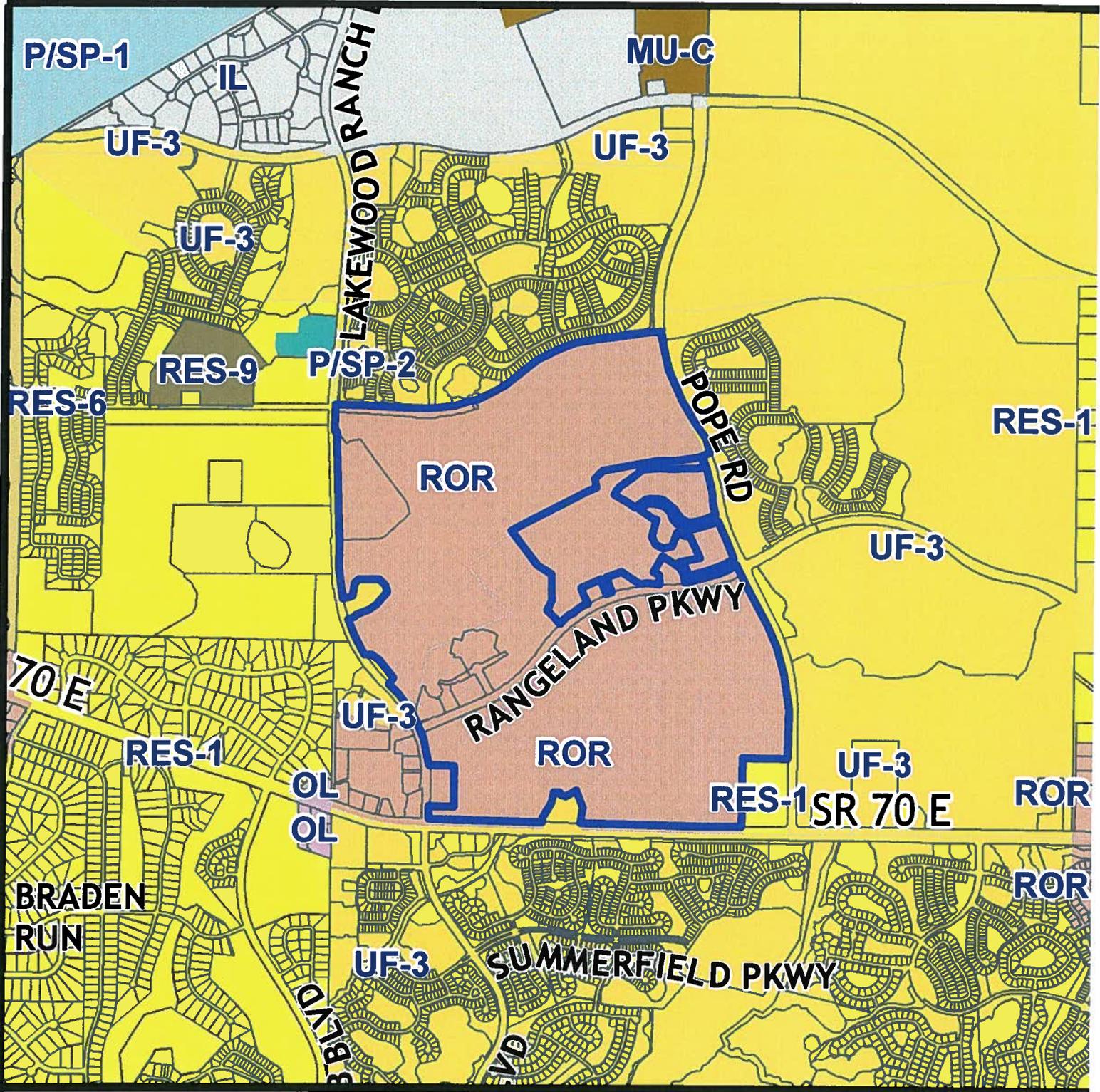
BACKGROUND/DISCUSSION
<ul style="list-style-type: none"> • The request is for approval of a revised Zoning Ordinance and General Development Plan for the Lakewood Centre Development of Regional Impact. • This 697.4 ± acre site is generally located east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road, and north of S.R. 70. • This DRI was approved in three phases in April 2006 to allow the following uses: <ul style="list-style-type: none"> • 3,675 residential dwelling units (436 single family detached and 3,239 multi-family) • 1,774,000 sq. ft. of commercial space; • 1,563,000 sq. ft. of office; • 300 Hotel Rooms; and • 36.8 ± acres of parks • This request includes modifying the GDP and the Zoning Ordinance with the following changes: <ul style="list-style-type: none"> • Update the phasing and buildout dates to reflect legislatively approved extensions; • Update conditions to reflect compliance with requirements contained therein; • Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase I in accordance with the approved land use exchange mechanism • Amend stipulations to facilitate these changes; and • Modify certain conditions consistent with current departmental practices and other amendments for internal consistency • Staff recommends approval.

COUNTY ATTORNEY REVIEW	
Check appropriate box	
<input checked="" type="checkbox"/>	REVIEWED Written Comments: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> Available from Attorney (Attorney's initials: SAS)
<input type="checkbox"/>	NOT REVIEWED (No apparent legal issues.)

<input type="checkbox"/>	NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)
<input type="checkbox"/>	OTHER

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

FUTURE LAND USE



Parcel ID #(s) Multiple

Project Name: Lakewood Centre
 Project #: PDMU-06-30 (G)(R2)
 DTS#: 20130245
 Proposed Use: Mixed Use

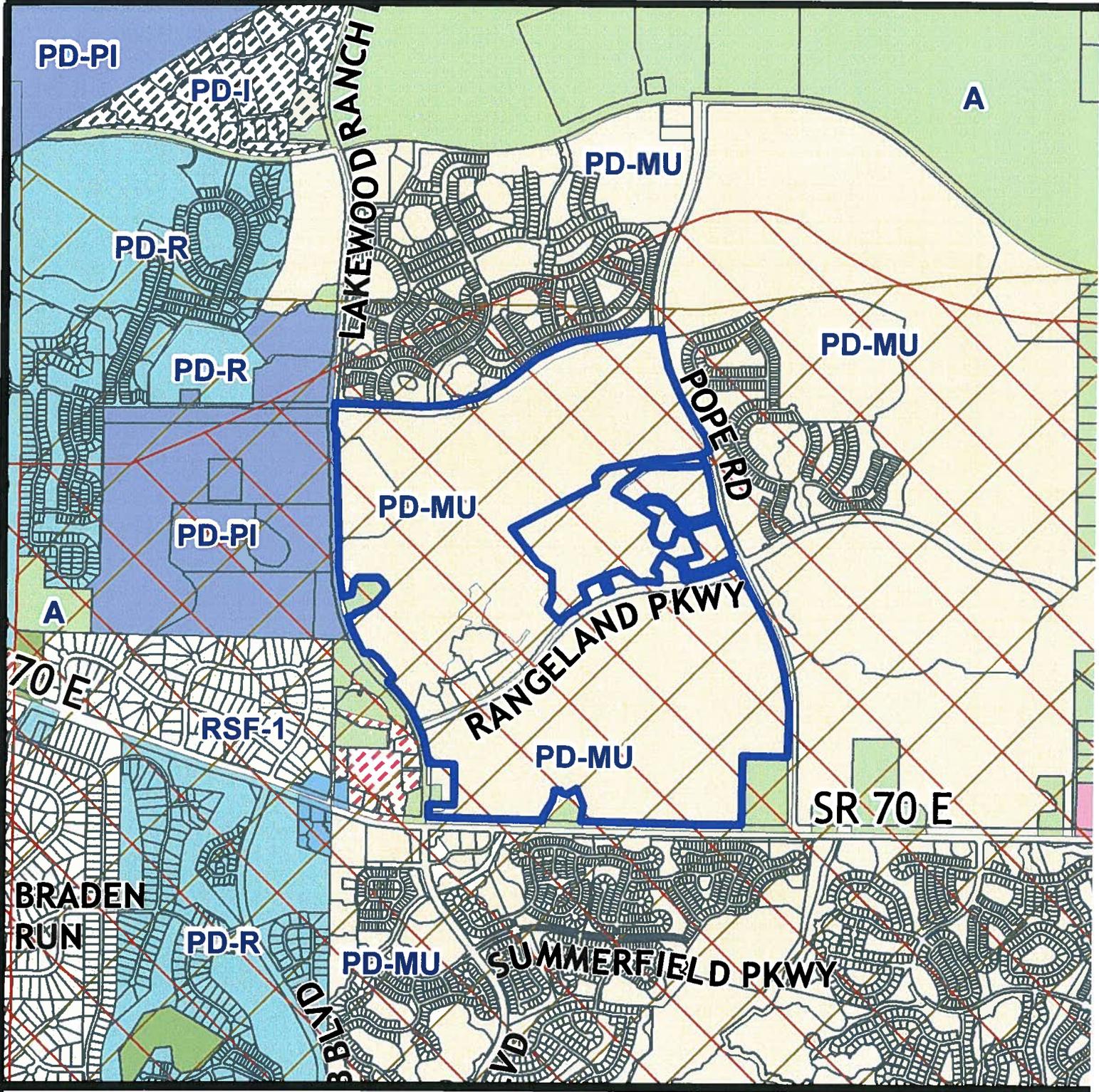
S/T/R: Sec 1,1,7,16,9,8,17 Twn 35 Rng 19
 Acreage: ± 697
 Existing Zoning: PD-MU
 Existing FLU: ROR
 Overlays: ST
 Special Areas: NONE

CHH:	NONE
Watershed:	WPE
Drainage Basin:	MILL CREEK,UNNAMED DRAIN,WILLIAMS CREEK,WOLF SLOUGH
Commissioner:	Vanessa Baugh



Manatee County
 Staff Report Map
 Map Prepared 8/15/2013
 1 inch = 1,967 feet

ZONING



Parcel ID #(s) Multiple

Project Name: Lakewood Centre
 Project #: PDMU-06-30 (G)(R2)
 DTS#: 20130245
 Proposed Use: Mixed Use

S/T/R: Sec 1,1,7,16,9,8,17 Twn 35 Rng 19
 Acreage: ± 697
 Existing Zoning: PD-MU
 Existing FLU: ROR
 Overlays: ST
 Special Areas: NONE

CHH: NONE
 Watershed: WPE
 Drainage Basin: MILL CREEK, UNNAMED DRAIN, WILLIAMS CREEK, WOLF SLOUGH
 Commissioner: Vanessa Baugh

-  Special Treatment
-  Evers Watershed (WPE)

Manatee County
 Staff Report Map
 Map Prepared 8/15/2013
 1 inch = 1,967 feet

AERIAL



Parcel ID #(s) Multiple

Project Name: Lakewood Centre
Project #: PDMU-06-30 (G)(R2)
DTS#: 20130245
Proposed Use: Mixed Use

S/T/R: Sec 1,1,7,16,9,8,17 Twn 35 Rng 19

Acreage: ± 697
Existing Zoning: PD-MU
Existing FLU: ROR
Overlays: ST
Special Areas: NONE

CHH: NONE
Watershed: WPE
Drainage Basin: MILL CREEK, UNNAMED DRAIN, WILLIAMS CREEK, WOLF SLOUGH
Commissioner: Vanessa Baugh



Manatee County
Staff Report Map
Map Prepared 8/15/2013

1 inch = 1,967 feet

P.C. 9/12/2013

PDMU-06-30(G)(R2) – LAKEWOOD CENTRE (DTS #20130245)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending Ordinance PDMU-06-30(G)(R) and the General Development Plan to:

- Update the phasing and buildout dates to reflect legislatively approved extensions;
- Update conditions to reflect compliance with requirements contained therein;
- Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase I in accordance with the approved land use exchange mechanism;
- Amend stipulations to facilitate these changes; and
- Modify certain conditions consistent with current departmental practices and other amendments for internal consistency

Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The project is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70, and contains 697.4 ± acres).

P.C.: 9/12/2013

B.O.C.C.: 10/3/2013

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend **APPROVAL** of Manatee County Zoning Ordinance No. PDMU-06-30(G)(R2); for a project that was previously granted Special Approval for: 1) a mixed use project in the R/O/R Future Land Use Categories; 2) exceeding a gross density of 9.0 d.u. per acre in the R/O/R Future Land Use Category; 3) exceeding a non-residential floor area ratio of 0.25; and 4) a project in the Evers Reservoir Watershed, as recommended by staff.

PROJECT SUMMARY	
CASE#	PDMU-06-30(G)(R2) - (DTS # 20130245)
PROJECT NAME	Lakewood Centre
APPLICANT(S):	SMR North 70, LLC
EXISTING ZONING:	PDMU/WP-E/ST (Planned Development Mixed Use/Watershed Protection – Evers/Special Treatment Overlay District)
APPROVED USE(S):	<ul style="list-style-type: none"> • 3,675 residential dwelling units (436 single family detached & 3,239 multi-family); • 1,774,000 sq. ft. of commercial space; • 1,563,000 sq. ft. of office; and • 300 Hotel Rooms
CASE MANAGER:	Shelley Hamilton, Principal Planner
STAFF RECOMMENDATION:	APPROVAL

DETAILED DISCUSSION

History

The Lakewood Centre GDP was originally approved on August 5, 2008.

The Lakewood Centre GDP is approved for 3,675 residences, 1,774,000 square feet of commercial space, and 1,563,000 square feet of office space, and 300 hotel rooms. The property boundaries are S.R. 70 to the south, Malachite Drive to the north, Lakewood Ranch Boulevard to the west, and Pope Road on the east. The total project acreage is 697.4 ± acres.

The following amendment to the Lakewood Centre GDP was approved by the BOCC:

December 6, 2012: Received approval to update the phasing, building, expiration and CLOS dates to reflect legislatively approved extensions; update Transportation Conditions to reflect compliance with conditions contained therein; modify Affordable Housing Conditions; modified Design Conditions; clarify allowable uses; allow for the transfer of residential units to Parcel "K;" and updated the Zoning Ordinance to reflect department references and other minor changes for internal consistency.

Introduction

The Lakewood Centre approvals allow for a mixture of residential, commercial, office and a hotel in three phases. An approved Land Use Exchange allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process, but requires the developer to demonstrate that the impacts generated by any revised land use mix will not exceed the impact for transportation, solid waste disposal, mass transit, drainage, and parks and recreation which have been approved and authorized in the Certificate of Level of Service (CLOS) issued. The ordinance, however, provides for a mechanism to modify the CLOS should the results indicate that the exchange results in impacts in excess of those approved, if capacity is available. Lakewood Centre has specific approval and has obtained a CLOS for Phase I of the development. Therefore, the information presented in the application pertains only to the development totals for Phase I.

Current Request:

This request is to amend the General Development Plan (GDP) and Zoning Ordinance for Lakewood Centre. Specifically, the current request is to: (1) update the phasing and build-out dates to reflect legislatively approved extensions; (2) update conditions to reflect compliance with requirements contained therein;(3) exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase I; and (4) other amendments necessary to achieve internal consistency. An analysis of each request is below.

1. Update the Phasing and Build-out dates to reflect legislatively approved extensions.

The applicant received an extension on January 7, 2013 pursuant to F.S. 252.363 for an extension of two years and 121 days. Table 1, below, has been updated to reflect these approved extensions to Phases 1, 2, and 3. Staff has no objection this request to update the phasing dates as the extensions have already been granted.

2. Update conditions to reflect compliance with requirements contained therein.

Changes have been made to the following conditions:

Development Approval Condition A(2) – this condition demonstrates the new CLOS date. The language is as follows:

A(2) For Phase I, the Developer has demonstrated the availability of adequate infrastructure and the ability to meet Acceptable Levels of Service for roadways, mass transit, drainage, and parks and recreation. The Certificate of Level of Service for Phase 1 shall be valid until ~~November 21, 2024~~ March 22, 2026 or to such date as may be extended from time to time, pursuant to LDA-10-01, subject to the limitations set forth in Stipulation B(2) and B(19).

Transportation Condition B(8)a. and B(8)b. – it is noted in each of these conditions that the requirements addressed have been completed. The language is as follows;

B(8) Thoroughfare roads that abut this site shall be constructed and bonded at the cost of the Developer or other appropriate entity, prior to Final Plat (or Certificate of Occupancy if platting is not required) approval of development that has access on that roadway and such development is generally shown on the GDP subject to timing changes that may be revised as a result of the broader solution set forth in Stipulation B(1). The County and Applicant shall enter into an Improvement Agreement providing for a performance bond, followed by a defect bond at the cost of the Developer or other appropriate entity, prior to in conjunction with Final Plat (or Certificate of Occupancy if platting is not required) approval. At a minimum, deadlines for completion (or the posting of a bond) of Pope Road and Malachite Drive shall be as follows:

a. Pope Road

From its northern terminus to Malachite Drive, prior to the first Final Plat (or Certificate of Occupancy if platting is not required) approval in Parcel R.
(Complete)

b. Malachite Drive

From Lakewood Ranch Boulevard to Pope Road, prior to the first Final Plat (or Certificate of Occupancy if platting is not required) approval in Parcel R.
(Complete)

All roads shall be constructed with the outside 2 lanes of a 4 lane divided design, including sidewalks, bike lanes, appropriate intersection improvements, and associated stormwater facilities, unless otherwise approved by Manatee County.

This construction shall be eligible for impact fee credits to the extent allowed by Section 806 of the Manatee County Land Development Code and applicable law. (Phase 1 impact fee credits shall be granted pursuant to LDA-10-01).

and;

Wetlands Condition C(8); it is noted that this can no longer be required based on a change in legislation. The language is as follows:

~~C(8) The Developer shall provide a copy of the Environmental Resource Permit approved by SWFWMD to the Building and Development Services Department prior to Final Site Plan approval.~~

The changes are shown as strike-through and under-line in the attached ordinance. Staff does not object to the changes to the conditions shown above.

3. Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in accordance with the approved land use exchange mechanism.

TABLE 1 – DEVELOPMENT TOTALS

TYPE OF DEVELOPMENT: Multi-Use Development

Land Use	PHASE 1 2008-2022¹	PHASE 2 2009-2019¹	PHASE 3 2012-2024¹	TOTAL
Commercial	4360,000 s.f.	542,000 s.f.	772,000 s.f.	1,620,000 1,674,000 s.f.
Office	4358,000 s.f.	458,000 s.f.	647,000 s.f.	1,5463,000 s.f.
Residential				
Single Family	0 1,008 Units	200 Units	236 Units	4361,444 Units
Multi-Family	900 Units	1,800 Units	539 Units	3,239 Units
Total Residential Units	900 1,908 Units	2,000 Units	775 Units	3,675 4,683 Units
Hotel	300 Rooms	0	0	300 Rooms

¹ November 21st - March 22nd of referenced year which includes legislatively approved extensions (SB 360, SB1752, HB 7207 and F.S. 252.363).

In support of the request, the applicant has provided the necessary Impact Analysis which is required by the companion Development Order to demonstrate that the revised land use mix will not exceed the impacts for transportation, potable water, wastewater treatment, solid waste disposal, mass transit, drainage, and parks and recreation which have been authorized pursuant to a Certificate of Level of Service.

Staff has reviewed the analysis and has determined that the revised land use mix will not exceed the previously determined impacts to such facilities.

The new gross and net densities/acre are as follows:

Gross Density/Acre	6.7 du/acre
Net Density/Acre	16.6 du/acre

Staff is recommending approval of such request. The effective date of the Zoning Ordinance will be delayed until the later of (1) the filing of the ordinance with the Department of State, State of Florida; or (2) 45 days after the filing of Ordinance 13-28, the Development Order for the Lakewood Centre DRI with the Department of Economic Opportunity.

4. Other amendments for internal consistency.

The General Development Plan has been revised to reflect all changes as outlined above. Also, the applicant proposed to delete the table in the bottom, right-hand corner of the graphic (see table below). As justification for the deletion of this table, the applicant has stated that the table becomes inaccurate with each simultaneous increase and decrease on individual parcels. This can occur with each Preliminary Plan and/or Final Site Plan, and therefore, this tracking chart would need to be amended with each PSP and/or FSP. At a minimum, however, staff would request that the overall FAR and density is provided with each subsequent PSP and/or FSP. The information is provided with each required Monitoring Report for the DRI, and a quarterly report is provided to Manatee County by SMR.

PARCEL	ACRES	RESIDENTIAL UNITS	GROSS DENSITY	NON-RESIDENTIAL USE	FAR
A	12.0	115	8.9	NA	NA
B	1.2	NA	NA	PARK	NA
C	31.4	500	15.9	NA	NA
D	1.8	15	10.8	NA	NA
E	0.7	NA	NA	PARK	NA
F	2.1	NA	NA	RETAIL – 10,000 s.f. OFFICE – 11,000 s.f.	0.23
G	29	NA	NA	MU RETAIL – 167,000 s.f.	0.13
H	19.6	400	20.4	NA	NA
I	90.4	8-	MA	MU RETAIL – 526,000 s.f. OFFICE – 608,000 s.f.	0.29*
J	148.0	1,250	NA	MU HOTEL – 300 ROOMS RETAIL – 820,000 s.f. OFFICE – 944,000 s.f.	0.27*
K	12.6	NA	NA	RETAIL – 72,000 s.f.	0.13
L	2.7	NA	NA	RETAIL – 13,000 s.f.	0.11
M	1.7	NA	NA	RETAIL – 7,000 s.f.	0.09
N	1.8	NA	NA	RETAIL – 7,000 s.f.	0.09
O	2.7	NA	NA	RETAIL – 12,000 s.f.	0.1
P	10.3	NA	NA	RETAIL – 48,000 s.f.	0.11
Q	17.3	NA	NA	RETAIL – 90,000 s.f.	0.12
R	30.7	270	8.6	NA	NA
S	25.4	292	11.5	NA	NA
S1	2.0	33	11.5	NA	NA
T	2.4	NA	NA	PARK	NA

*FAR calculation does not include square footage for residential and hotel uses in these parcels.

A. ~~The maximum square footage for each commercial and office parcel, as identified on the General Development Plan, may be increased provided that all dimensional criteria are met. This shall not authorize an overall increase of square footage for the Project. Such modification does not require the submittal or review of an amended general development plan, but may be approved with a preliminary site plan or final site plan.~~

B. ~~The maximum number of units for each residential parcel, as identified on the General Development plan, may be increased provided there is a simultaneous decrease on another residential parcel. This shall not authorize an overall increase in residential units for the Project. Such modification does not require the submittal or review of an amended general development plan, but may be approved with a preliminary site plan or final site plan.~~

<u>Staff Recommendation</u>		
Staff recommends approval of the changes to the Zoning Ordinance as identified in strike-thru/underline format attached to this report, as well as the changes to the General Development Plan.		
SITE CHARACTERISTICS AND SURROUNDING AREA		
ADDRESS:	Not yet assigned	
GENERAL LOCATION:	Generally north of S.R. 70, between Lakewood Ranch Boulevard and Pope Road	
ACREAGE:	697.4 ± acres	
EXISTING USE(S):	Mixed Use	
FUTURE LAND USE CATEGORY:	R/O/R and WO-E	
DENSITY:	Existing: 4.3 dwelling units per acre gross 13.0 dwelling units per acre net	Proposed: 6.7 dwelling units per acre gross 16.6 dwelling units per acre net
SPECIAL APPROVAL(S):	Previously granted for: <ul style="list-style-type: none"> • A mixed use project in the R/O/R Future Land Use Category • Exceeding the net density of 9.0 d.u. per acre gross in the R/O/R Future Land Use Category • Exceeding a non-residential floor area ratio of .25 • In the Evers Reservoir Watershed 	
OVERLAY DISTRICT(S):	ST (Special Treatment) WP-E (Watershed Protection – Evers)	
SPECIFIC APPROVAL(S):	N/A	

SURROUNDING USES & ZONING	
NORTH	<p>Land Use: Northwest Sector DRI - Residential</p> <p>Zoning: PDMU/WP-E/ST</p>
SOUTH	<p>Land Use: South of S.R. 70 - Cypress Banks DRI - Residential</p> <p>Zoning: PDMU/WP-E/ST</p>
EAST	<p>Land Use: Northwest Sector DRI – Residential, Lakes</p> <p>Zoning: PDMU/WP-E/ST</p> <p>Land Use: Church</p> <p>Zoning: A</p>
WEST	<p>Land Use: Vacant</p> <p>Zoning: A</p> <p>Land Use: Commercial</p> <p>Zoning: PD-C/WP-E/ST</p> <p>Land Use: Vacant</p> <p>Zoning: PD-C/WP-E/ST</p> <p>Land Use: School, community uses (park and YMCA)</p> <p>Zoning: A/WP-E/ST and PD-PI/WP-E/ST</p>

SITE DESIGN DETAILS	
OPEN SPACE:	220.6 ± acres – 40.3%
RECREATIONAL AMENITIES/ACREAGE:	<p>The following are complete or under construction at this time:</p> <ul style="list-style-type: none"> • Park totaling 1.2 acres in Parcel “B” • Park totaling .7 acres in Parcel “E” and • Park totaling 2.4 acres in Parcel “I” • Additional amenities will be provided with future site development in accordance with the conditions of the Zoning Ordinance

ACCESS:	Access is on Lakewood Ranch Boulevard, Pope Road, Malachite Drive, and SR 70.
FLOOD ZONE(S)	X – Firm Panels 120153 0360C and 120153 0370C
AREA OF KNOWN FLOODING	None
UTILITY CONNECTIONS	<p>POTABLE WATER:</p> <ul style="list-style-type: none"> • a 36" potable water main running east from the development project boundary. • a 42" potable water main running along the easterly side of Lakewood Ranch Boulevard from SR 70 northerly beyond the project boundary. • a 10" potable water main crossing Lakewood Ranch Boulevard 2,900' north of Rangeland Parkway. • an 8" potable water main crossing Lakewood Ranch Boulevard 3,700' north of Rangeland Parkway. • a 6" potable water main crossing Lakewood Ranch Boulevard 4,800' north of Rangeland Parkway. • 16" potable water main running along the easterly side of Pope Road from SR 70 northerly to the end of pavement. • an 8" potable water main crossing Pope Road approximately 700' north of SR 70. This 8" potable water main ties into the previously mentioned 16" potable water main. • a 12" potable water main crossing Pope Road approximately 2,600' north of SR 70. This 12" potable water main ties into the previously mentioned 16" potable water main. • 8" potable water mains crossing Pope Road at approximately 200', 400', 600', 800', 900', 1,200', and 1400' north of Ranchland Parkway. This 8" potable water main ties into the previously mentioned 16" potable water main. • a 36" potable water main running along the northerly side of SR 70 for the entire length of the development project. • a 16" potable water main running along the southerly side of Rangeland from easterly of the development boundary to Pope Road. This 16" potable water main ties to the 42" potable water main along Lakewood Ranch Boulevard and the 16" potable water main Pope Road. • 12" potable water mains crossing Rangeland Parkway approximately 1,200' and 2,400' east of Lakewood Ranch Boulevard. These 12" potable water mains tie into the previously mentioned 16" potable water main. • 8" potable water mains crossing Rangeland Parkway approximately 2,600', 3,200', 3,500', 3,900', 4,200' and 4,800' east of Lakewood Ranch

	<p>Boulevard. These 8" potable water mains tie into the previously mentioned 16" potable water main.</p> <ul style="list-style-type: none">• a 12" potable water main along the southerly side of Malachite Drive crossing Lakewood Ranch Boulevard to the west.• a 12" potable water main along the northerly side of Malachite Drive from Lakewood Ranch Boulevard easterly to the end of pavement.• a 12" potable water main crossing Malachite Drive approximately 1,500' east of Lakewood Ranch Boulevard. This 12" potable water main ties into the previously mentioned 12" potable water main. <p>RECLAIMED WATER:</p> <ul style="list-style-type: none">• an 8" reclaimed water main along the center of Lakewood Ranch Boulevard from 3500' north of Rangeland Parkway to beyond the project boundary. <p>WASTEWATER:</p> <ul style="list-style-type: none">• a 12" sanitary force main running north and south along the westerly side of Lakewood Ranch Boulevard for the entire length of the project.• a 16" sanitary force main running north and south along the center of Lakewood Ranch Boulevard for the entire length of the project. Pope Road:• a 20" force main running along the westerly side of Pope Road from SR 70 northerly to the north side of Ranchland Parkway where an 8" force main crosses Pope Road from the east, ties in and it increases to a 24" force main. The 24" force main continues northerly along the future Pope Road Right-of-Way beyond the development project boundary.• an 8" force main crossing Pope Road approximately 2,700' north of SR 70. This 8" force main ties into the previously mentioned 20" force main.• a 3" force main running along the northerly side of SR 70 from approximate 700' west of Pope Road easterly to beyond the development project boundary.• an 8" force main run along the northerly side of Ranchland Parkway from Lakewood Ranch Boulevard easterly for approximately 3,400' where a 10" force main crosses the road from the south ties in and it increases to a 10" force main. This 10" force main continues easterly along Ranchland Parkway to Pope Road where it turns to the north and continues parallel to the previously mentioned 24" force main along the westerly side of the roadway. This 10" force main continues approximately 2,000' north along the westerly side of Pope Road and ties into the previously
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	<p>mentioned parallel 24" force main.</p> <ul style="list-style-type: none"> • 6" force mains crossing Ranchland Parkway approximately 1,100' and 2,300' east of Lakewood Ranch Boulevard. These 6" force main ties into the previously mentioned 8" force main along Ranchland Parkway.
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ENVIRONMENTAL INFORMATION

Overall Wetland Acreage:	104.0 ± acres (need to check)
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POSITIVE ASPECTS

- **This DRI provides the applicant with flexibility in the quantity and location of single and multi-family dwelling units, which allows for a variety of housing options.**
- **No increase in building height.**

NEGATIVE ASPECTS

- **Potential for further land use equivalency conversions beyond what was originally contemplated for this DRI.**
- **The land use exchange could negatively impact available capacities.**

MITIGATING MEASURES

- **Future Land Use equivalency conversions will still require review and approval by the Board of County Commissioners.**
- **The impact analysis that is required with a Land Use equivalency conversion limits the extent to which the applicant can convert land uses. The applicant submitted the required analysis and has determined that the impacts of the revised land use mix will not exceed those which were previously analyzed and reserved for this project or those which were planned for this project.**

STIPULATIONS

See attached Zoning Ordinance

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

There are no remaining issues of concern.

CONCURRENCY	
CLOS APPLIED FOR:	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
TRAFFIC STUDY REQ'D:	Y <input type="checkbox"/> N <input checked="" type="checkbox"/>
<p>The proposed amendment has no impact on existing concurrency reservations. There are no Concurrency impacts or requirements with this proposed change.</p> <p>Lakewood Centre DRI has an existing CLOS. CLOS-07-093 will expire on 03/22/2026 or concurrent with the buildout date as same may be amended from time to time pursuant to the terms of LDA-10-01 (reflects extensions by HB 7207 and F.S.252.363).</p>	
ATTACHMENTS	
<ol style="list-style-type: none">1. Applicable Comprehensive Plan Policies2. Copy of Newspaper Advertising3. Ordinance PDMU-06-30(G)(R2) with exhibits	

**APPLICABLE
COMPREHENSIVE PLAN POLICIES**

Policy: 2.1.2.3 Permit the consideration of new residential and nonresidential 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: 2.1.2.7 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

Policy: 2.2.1.17 R/O/R: Establish the Retail/Office/Residential future land use category as follows:

Policy: 2.2.1.17.1 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 and developed areas exhibiting a broad range of commercial, residential and, in certain cases, light industrial uses, and to recognize the continued existence of such areas through the long range planning timeframe. Also, to provide for orderly transition from, or redevelopment of, these existing and developed multiple-use areas. Also, to prohibit the intrusion of new industrial areas into these ROR areas, which typically fail to exhibit a planned or integrated approach to multiple use development, and instead exhibit an incremental or unplanned history of multiple use development. Also to establish at a few major and highly accessible, but currently undeveloped, sites for the development of major future community or region-serving commercial uses with a variety and permitted intensity of use which allows for a multi-purpose commercial and office node, with residential uses. 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: 2.2.1.17.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale or office commercial uses which function in the market place as

neighborhood, community, or region-serving. Also residential uses, lodging places, public or semi-public uses, schools, recreational uses, appropriate water-dependent/ water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4), and short-term agricultural uses.

Policy: 2.2.1.17.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:

For development existing at time of plan adoption or treated as a special exception under this Comprehensive Plan - 16 dwelling units per acre

For new development - 9 dwelling units per acre

Maximum Net Residential Density:

For development existing at time of plan adoption or treated as a special exception under this Comprehensive Plan - 20 dwelling units per acre

For new development - 16 dwelling units per acre

Maximum Floor Area Ratio: 0.35

Maximum Floor Area Ratio in the Urban Area: 0.50

Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses: Large 300,000 sf

Objective 2.4.1 Level of Service And Concurrency: Require the issuance of a Certificate of Level of Service for all development to ensure that required public facilities and services are available concurrent with development.

Objective 2.6.1 Compatibility Through Screening, Buffering, Setbacks, and Other Mitigative Measures. Require suitable separation between adjacent land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.

Objective 2.6.5 Quality in Project Design: Promote appropriate diversity within and between existing and future development projects to achieve high quality, efficient functioning design.

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)

Objective 2.9.1.3 Provide vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more

	than one neighborhood.
Policy 2.9.1.5	Promote the development of pedestrian friendly designs.
Policy 2.9.1.6	Promote the use of unifying design elements and features.
Policy 2.9.1.9	Require where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Obj. 3.3.3).
Policy: 2.10.1.4	Allow DRI's and Large Project developments that meet commercial locational criteria or have a future land use category that allows for commercial square footage, the option of reallocating commercial square footage internally within neighborhoods if the following criteria is met: (a) must have a mixed use with a residential component. (b) must meet minimum development characteristics such as greater internal automobile trip capture, increased pedestrian and bike routes facilities, architectural design criteria which reinforces pedestrian scale and orientation and built on a neighborhood scale. Such neighborhoods will promote diversity of uses, while not promoting strip commercial development. Commercial uses located internally to neighborhoods shall be limited to "medium" commercial uses.
Policy 2.10.3.1	Require that access to commercial uses be established on at least one roadway, operating at, or better than, the adopted level of service. Access which is limited only to roadways that carry traffic within residential neighborhoods shall be considered unacceptable for commercial uses.
Policy 2.10.3.2	Require that all proposed small and medium commercial uses can be directly accessed from at least one roadway shown on the Roadway Functional Classification Map as collector or higher, at time of issuance of a development order.
Policy 3.2.3.2	Require all water users to use the lowest quality of available water which adequately and safely meets their water use needs by requiring stormwater reuse, alternative irrigation sources, reclaimed water use, and gray water irrigation systems where feasible. [See Policies 9.4.1.11, 9.6.1.2, and policies under objective 9.1.5]
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.

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, medium retail and office commercial uses, 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 acres (except within the WO or CSVA 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 use only)

Policy 2.2.1.11.4 Other information: (a) all mixed and multiple 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.

Objective 2.6.5 Quality in Project Design: Promote appropriate diversity within and between existing and future development projects to achieve high quality, efficient functioning design.

Policy: 2.6.5.1 Provide incentives for, and otherwise encourages the use of the planned unit development procedure to achieve quality, highly functional and well-integrated project designs.

Objective: 2.9.1 Strong Communities: Create and maintain communities which are characterized by their:

- connection, integration, and compatibility with surrounding land uses,

- **community spaces and focal points,**
- **protection of the natural environment,**
- **connection and integration of pedestrian, bicycle, and vehicular systems,**
- **usable open spaces, and public access to water features,**
- **unifying design elements and features,**
- **variety of housing stock,**
- **pedestrian oriented structures, and pedestrian friendly design,**
- **connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.**

Objective: 2.9.4 Community Image: Develop an aesthetically pleasing environment which enhances the image of Manatee County as a high quality community in which to live, work, and visit.

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, September 12, 2013 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:

PDR-13-22(Z)(P) - PARK PLACE INVESTMENTS/PARK PLACE ESTATES

(DTS #20130142; B00000195) An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 16.6 acres, located north of 53rd Avenue East and approximately 590 feet east of 9th Street East, specifically at 1221, 1015, 1025, and 1035 53rd Avenue East, Bradenton, from RSF-6 Residential Single Family, 6 dwelling units per acre) and PR-M (Professional - Medium) to a PDR (Planned Development Residential) zoning district; approve a Preliminary Site Plan for 58 single family detached units; subject to stipulations as to conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

ORDINANCE 13-28 LAKEWOOD CENTRE DRI (DRI #27) (DTS#20130244)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 2-28) (DRI #27); A/K/A Tampa Bay Regional Planning Council (TBPRC) DRI #265;

Modifying Map H and the Development Order with the following changes:

- Update Phasing and Build-out dates to reflect legislatively approved extensions;
- Update Conditions to reflect compliance with conditions contained therein;

- 3) Clarify procedures for a Land Use Exchange; and,
- 4) Other amendments for internal consistency.

This DRI is approved in three phases. Specific Approval was approved for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, a 300 room hotel, and 36.8 + acres of parks. Conceptual approval was approved for Phase 2 and 3 and in the future. Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.

The ordinance amends, replaces, and supersedes Ordinance 12-28, DRI #27, as amended; providing for severability, and an effective date.

The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) (697.4 ± acres)

PDMU-06-30(G)(R2) - LAKEWOOD CENTRE

(DTS #20130245) An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending Ordinance PDMU-06-30(G)(R) and the General Development Plan to:

- Update the phasing and build-out dates to reflect legislatively approved extensions;
- Update conditions to reflect compliance with requirements contained therein;
- Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase 1 in accordance with the approved land use exchange mechanism;
- Amend stipulations to facilitate these changes; and
- Modify certain conditions consistent with current departmental practices and other amendments for internal consistency

Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date. The project is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70, and contains 697.4 ± acres).

Sarasota Herald Tribune

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, 4th 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
8/30/2013

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ORDINANCE 13-28 LAKEWOOD CENTRE DRI (DRI #27) (DTS#20130244)

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Modifying Map H and the Development Order with the following changes:

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- 4) Other amendments for internal consistency.

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PDMU-06-30(G)(R2) - LAKEWOOD CENTRE

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- Update the phasing and build-out dates to reflect legislatively approved extensions;
- Update conditions to reflect compliance with requirements contained therein;
- Exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase 1 in accordance with the approved land use exchange mechanism;
- Amend stipulations to facilitate these changes; and
- Modify certain conditions consistent with current departmental practices and other amendments for internal consistency

Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The project is generally east of Lakewood Ranch Boulevard, south of Malachite Drive, west of Pope Road; and north of S.R. 70, and contains 697.4 ± acres).

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, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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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

**MANATEE COUNTY ORDINANCE NO.
PDMU-06-30(G)(R)(2)
LAKEWOOD CENTRE**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT AMENDING ORDINANCE PDMU-06-30(Z)(G)(R) TO APPROVE CHANGES TO THE GENERAL DEVELOPMENT PLAN AND ORDINANCE AS FOLLOWS: (1) UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS, (2) UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN, (3) ~~MODIFY AFFORDABLE HOUSING CONDITIONS CONSISTENT WITH CURRENT PRACTICES,~~ (3) EXCHANGE 100,000 SQUARE FEET OF COMMERCIAL AND 100,000 SQUARE FEET OF OFFICE FOR 1,008 SINGLE FAMILY UNITS IN PHASE 1, (4) ~~MODIFY DESIGN CONDITIONS;~~ (5) ~~CLARIFICATION OF ALLOWABLE USES;~~ (6) ~~ALLOW FOR TRANSFER OF RESIDENTIAL UNITS TO PARCEL K;~~ (47) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. THE LAKEWOOD CENTRE DRI IS GENERALLY LOCATED EAST OF LAKEWOOD RANCH BLVD, SOUTH OF MALACHITE DRIVE, WEST OF POPE ROAD, AND NORTH OF S.R. 70 (697.4+/- ACRES).

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

SECTION 1. AMENDMENT AND RESTATEMENT OF ORDINANCE NO. PDMU-06-30(Z)(G)(R). Ordinance PDMU-06-30(Z)(G)(R) is hereby amended and restated in its entirety below. All prior zoning ordinances (and any site plans approved pursuant thereto) shall be superseded by this Ordinance.

SECTION 2. DEFINITIONS. All capitalized terms used herein shall have the meanings set forth in the Lakewood Centre DRI Ordinance ~~42-2813-XX~~, Section 380.06 F.S., the Manatee County Comprehensive Plan, or the Manatee County Land Development Code, in that order of precedence.

SECTION 3. FINDINGS OF FACT. The Board of County Commissioners (BOCC) of Manatee County, after considering the testimony, evidence, documentation, application to amend the Zoning Ordinance and General Development Plan for Lakewood Centre, and all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

- A. The Planning Commission held a duly noticed public hearing on ~~November 8, 2012~~INSERT DATE and found the proposed amendments to the Zoning Ordinance and General Development Plan consistent with the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and recommended approval of the application and General Development Plan by the adoption of Ordinance No. PDMU-068-30(G)(R24).
- B. The BOCC held a public hearing on ~~December 6, 2012~~INSERT DATE regarding the proposed amendments to the zoning ordinance and General Development Plan described herein in accordance with the requirements of the Manatee County Land Development Code (Ordinance No. 90-01) and further considered the information received at the public hearing.
- C. On August 5, 2008, the BOCC found that, based upon a review of the surrounding uses and the criteria listed in LDC Section 603.7.4.9, residential structures on the Property in excess of 35 feet and up to 75 feet on Parcel A, C, D, H, R, S, and S-1, and up to 140 feet on Parcels G, I, and J are compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, existing or proposed, waterfront vistas or entranceways.
- D. Based upon a review of the surrounding uses and the criteria listed in LDC Section 603.7.4.9, the Board finds that as conditioned herein residential structures on the Property in excess of 35 feet and up to 75 feet on Parcel K are compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, existing or proposed, waterfront vistas or entranceways.
- E. The proposed amendment to the Lakewood Centre Zoning Ordinance and General Development Plan regarding the property described in Section ~~67~~ herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan (Ordinance No. 89-01), as amended.
- F. On August 5, 2008, the BOCC found that Special Approval for (1) a mixed-use project in the ROR Future Land Use Category; (2) a project exceeding a net density of 9.0 gross dwelling units per acre in the ROR Future Land Use Category; (3) a project exceeding a non-residential floor area ratio of 0.25; and (4) a project in the Evers Reservoir Watershed. The Board hereby finds that the project as conditioned herein, with the above described Special Approvals, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.
- G. The Lakewood Centre Zoning Ordinance was originally approved on August 5, 2008. The approved project consists of 3,675 residences, 1,744,000 square feet of commercial space, 1,563,000 square feet of office space, and 300 hotel rooms.
- H. On December 6, 2012 the Board of County Commissioners approved an amendment to the Zoning Ordinance and the General Development Plan to

~~On June 7, 2012, the applicant submitted amendments to the Zoning Ordinance and General Development Plan that include updating the Phasing, Buildout, Expiration and CLOS dates to reflect legislatively approved extensions, update Transportation Conditions to reflect compliance with conditions contained therein, modify Affordable Housing Conditions, modify Design Conditions, clarification of allowable uses, allow for the transfer of residential units to Parcel K, update the Zoning Ordinance to reflect departmental references and other minor changes for internal consistency.~~

- I. On June 13, 2013, SMR North 70, LLC submitted an application to amend the Zoning Ordinance and the General Development Plan to update the phasing and buildout dates to reflect legislatively approved extensions, update conditions to reflect compliance with requirements contained therein, exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase 1 and other amendments for internal consistency

SECTION 4. GENERAL DEVELOPMENT PLAN

- A. The General Development Plan dated ~~June, 2012~~June, 2013 is hereby APPROVED to allow a maximum of ~~3,6754,683~~ residences, 1,6774,000 square feet of commercial space, 1,4563,000 square feet of office space, and a 300-room hotel, with the following conditions and modifications, included herein in Section 4.
- B. The previous Zoning Ordinance for Lakewood Centre, which was adopted on ~~August 5, 2008~~December 6, 2012, is hereby replaced in its entirety, provided this amendment shall not be construed to terminate the rights of the developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and not specifically herein otherwise modified or amended.

A. DEVELOPMENT APPROVAL

- A(1). This Zoning Ordinance shall constitute approval of the General Development Plan subject to the conditions set forth herein and limited to the development amounts set forth in Table 1, below.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022^{0*}	Phase 2 2009 – 2021^{49*}	Phase 3 2012- 2026^{4*}	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single-family	1,008 -0-	200	236	436 <u>1,444</u>
Total	<u>1,908</u> ⁰	2,000	775	3,675 <u>4,683</u>
Commercial/Office (sq. ft.)				
Retail	<u>3460,000</u>	542,000	772,000	1,767 <u>4,000</u>
Office	<u>3458,000</u>	458,000	647,000	1,456 <u>3,000</u>
Total	<u>7918,000</u>	1,000,000	1,419,000	3,323 <u>7,000</u>
Hotel (rooms)	300	-0-	-0-	300

Source: WilsonMiller, April 2006

* The phasing buildout dates shall be ~~November 21st~~ March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363).

A(2). For Phase 1, the Developer has demonstrated the availability of adequate infrastructure and the ability to meet Acceptable Levels of Service for roadways, mass transit, drainage, and parks and recreation. The Certificate of Level of Service for Phase 1 shall be valid until ~~November 21, 2024~~ March 22, 2026 or to such date as may be extended from time to time, pursuant to LDA-10-01, subject to the limitations set forth in Stipulation B(2) and B(19).

A(3). The project site may continue to be used for agricultural activities, but at no greater intensity than at present.

A(4). Preliminary and Final Site Plan Applications shall be reviewed for compliance with this Zoning Ordinance and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application which are not specifically addressed in this Zoning Ordinance or are not inconsistent with this Zoning Ordinance.

B. TRANSPORTATION

B(1). The following intersection improvements are determined to be required intersection improvements for the Project due to the percentage of development traffic

impacting the intersection and the resulting Level of Service (LOS). (LDA 10-01 implements the applicant's proportionate fair share contributions for Phase 1 mitigation)

**TABLE 2
PHASE 1 INTERSECTION/ROADWAY IMPROVEMENTS**

Roadway/ Intersection	@	Improvement	External Trip Threshold	ERU Threshold
SR 64	Lena Rd	Add 1 eastbound through lane	2,312	2,335
SR 70	US 301	Add 1 through lane to each approach, add 1 eastbound left turn lane and 1 eastbound right turn lane	2,312	2,335
SR 70	Lockwood Ridge Rd (45 th St.)	Add 1 westbound left turn lane, add 1 northbound left turn lane, add 1 southbound left turn lane, add 1 southbound right turn lane, add 1 eastbound and westbound through lane	1,466	1,480
SR 70	Caruso Rd	Add 1 northbound left turn lane and add 1 northbound right turn lane	1,380	1,393
SR 70	Tara Blvd	Add 1 westbound through lane	1290	1,302
SR 70	I-75 Southbound	Add 1 westbound through lane	1,055	1,065
SR 70	33 rd St. E	Add 1 southbound left turn lane	1932	1,951
SR 70	Pope Rd	Signalize when warrants are met, Add 1 eastbound left turn lane (already constructed – needs restriping)	973	983
SR 70	Lakewood Ranch Blvd.	Add 1 northbound right turn lane	432	436
Lakewood Ranch Blvd.	Center Ice Pky to Portal Crossing Dr	Widen to 4 lanes (add 1 lane to inside of existing in both directions)	417	421

- *1 ERU (Equivalent Residential Units) = 1.01 PM peak Trips
- 1 ERU = 2.73 Single-Family Attached du's
- 1 ERU = 2.15 Multi-Family du's
- 1 ERU = 2.66 Hotel Rooms
- 1 ERU = 0.30 ksf Commercial
- 1 ERU = 0.77 ksf Office

The Developer and the County have entered into discussions to work out a broader

solution to the transportation concurrency needs in the area, which may require changes to the list of improvements set forth above and agreed-upon mechanisms for the finance and construction of such improvements. No development that triggers an improvement listed in Table 2, above, shall be permitted until the County and Developer have, in the context of such discussions, determined the improvements necessary to support such development (which may require changes to the above list of required improvements), and the method of financing and constructing such improvements unless any such improvement is subject to a Funding Commitment. Such required improvements, and the mechanisms for financing and constructing them, may be established pursuant to a Local Development Agreement or other appropriate mechanism (either severally or jointly with an agreement that addresses the transportation impacts of Northwest Sector DRI), an amendment to this Ordinance, or through the scheduling and funding of such improvements by the County in accordance with applicable law.

- B(2). The improvements listed above are triggered by stated 'External Trip Thresholds' based upon the traffic study submitted in the record in support of this ordinance. At present, the County has funded and scheduled construction for the improvements to SR 64 from Lena Road to Lakewood Ranch Boulevard and including the intersection referenced above, which will provide sufficient transportation infrastructure to support the development up to the threshold triggering additional improvements ("post-SR 64 threshold"). Accordingly, development that does not trigger a post-SR 64 threshold may be permitted at the time of adoption of this development order subject to the requirements of stipulation B(19) and the conditions set forth in the CLOS to be issued pursuant to the County's Comprehensive Plan and LDC.
- B(3). In the event that Funding Commitments for transportation improvements are only adequate to permit approval of a portion (subphase) of the development, the capacity and loading of transportation facilities in the Transportation Impact Area, shall be limiting factors in any subsequent approvals (a subphase analysis has been performed and cumulative subphases have been identified in Transportation Conditions Tables 2 and 3). An initial subphase of 417 external p.m. peak hour trips has been identified as requiring no transportation improvements.

The Developer shall be bound by the external trip thresholds set forth in Table 2, unless the Developer files a Notice of Proposed Change and provides the County an updated traffic analysis for the Transportation Impact Area taking into account previously permitted development in the project plus that to be generated by the next subphase. Copies of this transportation analysis shall be submitted to Manatee County and TBRPC for review and comment. Each updated traffic analysis shall serve to verify the findings of the initial DRI traffic analysis or shall indicate alternate transportation improvements or mechanisms which, when implemented, will maintain the intersections referenced in Table 2 at the appropriate Level of Service. In the event that a new analysis demonstrates the need for alternate improvements or different trip trigger thresholds, the Zoning Ordinance

shall be amended to reflect the revised thresholds or improvements.

B(4). With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses the following:

- a. External P.M. peak hour trips predicted to be generated by the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 2 are reached; and
- b. An assessment of the estimated traffic operations and turning movements together with the conceptual design of the driveways serving the project covered by the Final Site Plan application.

In the event that the total external p.m. peak hour trips projected to be generated exceeds the threshold levels described in Table 2, and the corresponding Funding Commitments have not been provided, no further Final Site Plan approvals shall be granted unless the Developer prepares an analysis which identifies the revised total external p.m. peak hour trips after which the road improvement would be required under the new subphase analysis. The Zoning Ordinance shall be amended to reflect these revised trip levels.

B(5). All improvements to state roadways will require FDOT approval and all improvements to County roads will require Manatee County Transportation Department approval.

B(6). Access to and from the site shall be in accordance with state and local access regulations and as generally shown on the General Development Plan (GDP).

B(7). Prior to or concurrent with each Final Plat approval, right-of-way for the adjacent roadways, as shown on the General Development Plan, shall be dedicated. This dedication shall be eligible for impact fee credits to the extent allowed by Section 806 of the Manatee County Land Development Code and applicable law.

B(8). Thoroughfare roads that abut this site shall be constructed and bonded at the cost of the Developer or other appropriate entity, prior to Final Plat (or Certificate of Occupancy if platting is not required) approval of development that has access on that roadway and such development is generally shown on the GDP subject to timing changes that may be revised as a result of the broader solution set forth in Stipulation B1. The County and Applicant shall enter into an Improvement Agreement providing for a performance bond, followed by a defect bond at the cost of the Developer or other appropriate entity, prior to or in conjunction with Final Plat (or Certificate of Occupancy if platting is not required) approval. At a minimum, deadlines for completion (or the posting of a bond) of Pope Road and Malachite Drive shall be as follows:

- a. Pope Road

From its northern terminus to Malachite Drive, prior to the first Final Plat (or Certificate of Occupancy if platting is not required) approval in Parcel R. (complete)

b. Malachite Drive

From Lakewood Ranch Boulevard to Pope Road, prior to the first Final Plat (or Certificate of Occupancy if platting is not required) approval in Parcel R. (complete)

All roads shall be constructed with the outside 2 lanes of a 4 lane divided design, including sidewalks, bike lanes, appropriate intersection improvements, and associated stormwater facilities, unless otherwise approved by Manatee County

This construction shall be eligible for impact fee credits to the extent allowed by Section 806 of the Manatee County Land Development Code and applicable law. [Phase I impact fee credits shall be granted pursuant to LDA-10-01]

- B(9). Beginning one year after the first Final Plat or Certificate of Occupancy has been issued, a biennial monitoring program to provide peak hour counts at the Project entrances shall be instituted to verify that external trip improvement thresholds specified in Table 2 for Phase 1 of the Project are not exceeded. Counts shall continue on a biennial basis through buildout of Phase 1. The methodology for the biennial monitoring program shall be approved by staff.
- B(10). Prior to development of Phase 2 and Phase 3, a revised transportation analysis shall be submitted, pursuant to Section 380.06(6), Florida Statutes and the Land Development Code. This analysis shall address potential transportation impacts which might result from the development of these phases.
- B(11). Bicycle and pedestrian facilities shall be constructed on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike lanes shall be constructed in accordance with Manatee County standards.
- B(12). The Developer shall provide sidewalks along both sides of all streets throughout the Project.
- B(13). The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and parks, as determined at time of Preliminary Site Plan approval.
- B(14). The Developer shall work with Manatee County Area Transit (MCAT) to identify a potential transit stop(s) within the Project. At such time that MCAT has established a plan for service to the project, the applicant shall coordinate to provide the needed location(s) for a transit stops within the Project.

- B(15). The Developer shall grant to appropriate agency or agencies, a non-ingress/egress easement prohibiting vehicular access to and from the development via SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Malachite Drive and Pope Road, except as generally depicted- on the General Development Plan for permitted road and driveway crossings.
- B(16). The Developer shall dedicate sufficient right-of-way at all roadway intersections to accommodate the future buildout design for each intersection. This shall be determined and shown on all Preliminary and Final Site Plans.
- B(17). Manatee County is in the process of developing performance standards to mitigate noise generated along multi-lane thoroughfares. If such standards are adopted by the Board of County Commissioners prior to the submission of the first Preliminary Site Plan or Final Site Plan with residences nearby a planned multi-lane thoroughfare, that and all other subsequent Preliminary Site Plans and Final Site Plan shall comply with those adopted standards.

If Manatee County has not adopted performance standards to mitigate the noise generated along multi-lane thoroughfare prior to the submission of the first Preliminary Site plan or Final Site Plan with residences nearby a planned multi-lane thoroughfare, the Developer shall prepare a noise mitigation plan for mitigation of noise from thoroughfare roads. The analysis contained in the noise mitigation plan shall be based on projected 2025 traffic volumes. Thoroughfare noise mitigation measures in each Preliminary Site Plan and Final Site Plan shall be consistent with the approved noise mitigation plan.

- B(18). At the time of Preliminary Site Plan, Final Site Plan, and Construction Plan approval for each phase of the Project the Developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this Project, as determined by the Public Works Department, and in accordance with LDC Section 722.1.3.4., as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.
- B(19) Notwithstanding the foregoing, the bowling center and 45,000 square feet of commercial approved pursuant to Ordinance PDMU-06-23(Z)(P) have a Certificate of Level of Service (CLOS) approval and the provisions herein are not intended to supersede such CLOS which remains in effect.

C. WETLANDS

- C(1). All Wetlands defined as "Preservation or Conservation Areas" by TBRPC (as shown on the General Development Plan (Exhibit 1) shall be preserved or conserved, respectively, except as shown on the GDP or as approved for roadway crossings and as approved in conformance with Condition C(3). The Developer shall not conduct dredging, filling, or any development activity within those Preservation or

Conservation Areas, except as shown on the GDP and as indicated in Condition C(3).

- C(2). Except for Wetland restoration and enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved.
- C(3). Any allowable Wetland losses shall require compensation in accordance with the Manatee County Land Development Code (LDC Section 719), as specified in permits issued under 40D-4 FAC, or under 62-340, FAC, as appropriate. Mitigation for Wetland losses shall be implemented prior to, or concurrent with, the Wetlands being disturbed. Mitigation may be provided by withdrawal of available mitigation credits from the Long Swamp Ecosystem Management Plan, if approved by appropriate agencies. Any on-site Wetland compensation areas shall require monitoring and maintenance activities. Percent coverage of desirable plant species in the on-site created Wetlands and enhanced Wetlands shall meet or exceed eighty-five percent (85%) planting survival rate for at least two (2) years for herbaceous Wetland systems and for at least five (5) years for forested Wetlands. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Zoning Ordinance.
- C(4). The Developer shall provide natural buffering around all Post Development Wetlands to provide an upland transition into the Wetland areas and to protect natural systems from development impact. All buffers, buffer restoration, and setbacks shall be in compliance with the Manatee County Land Development Code.
- C(5). A Conservation Easement for the areas defined as post-development jurisdictional Wetlands and Wetland buffers shall be dedicated to Manatee County, prior to or concurrently with Final Plat approval (or 1st C.O. if platting is not required), for those areas within or directly adjacent to the proposed phase of development.
- C(6). The Developer shall provide signs adjacent to Wetland buffers and conservation easements indicating that the area is a "Conservation Area", as required pursuant to Section 719.11.1.3.3 of the LDC. The type and location of such signs shall be shown and approved by the Building and Development Services Department with the Final Site Plan.
- C(7). No lot shall be platted through a Wetland, stormwater pond, or Wetland buffer.
- ~~C(8). The Developer shall provide a copy of the Environmental Resource Permit approved by SWFWMD to the Building and Development Services Department prior to Final Site Plan approval.~~

D. VEGETATION AND WILDLIFE

- D(1). An Exotic Plant Species Management Plan shall be submitted for review and approval prior to or concurrent with Final Site Plan or Construction Plan approval for each development pod. The management plan shall provide for the continued, phased, removal of nuisance, exotic plant species that become reestablished within common areas of a residential development and open spaces within non-residential projects, for the life of the Project. Removal of all exotic nuisance plant species from upland portions of each development pod shall be completed prior to the first Final Plat approval (for development in that pod), in accordance with Section 715.4 of the LDC. (completed for Parcels C and E)
- D(2). The following Pine Mesic Oak (414), Pine Flatwood (411), and Live Oak (427) Communities shall be preserved:

FLUCFCS Code	Pre-Construction Total			Post-Construction Total		Post- Construction Habitat (w/in Wetland Buffers)		Post- Construction Habitat (w/in Upland Conservation)	
	Total Acreage	Habitat w/in Wetland Buffer	Habitat w/n Upland Conservation	Acreage	Percentage (of habitat remaining)	Acreage	Percentage (of existing habitat w/in buffers)	Acreage	Percentage (of existing habitat w/in conservation)
411	31.7	4.9	26.8	11.8	37.9	4.9	100	6.9	25.7
414	47.0	10.5	36.5	25.2	53.6	10.5	100	14.7	40.2
427	4.2	1.0	3.2	3.4	80.9	1.0	100	2.2	75
Total	82.9	16.4	66.5	40.4	48.7	16.4	100	23.8	36.1

Area	FLUCCS 411	FLUCCS 414	FLUCCS 427	Total
Wetland Buffers	4.9	10.5	1.0	16.4
Upland Preservation Areas	6.9	14.7	2.2	23.8
Total	11.8	25.2	3.2	40.2

The preservation areas shall be clearly delineated, labeled, and quantified on the Preliminary Site Plan. Upland Preservation areas may be reconfigured, subject to Planning Director approval, with the Preliminary Site Plan provided that the overall acreage, general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. The Building and Development Services Department may allow limited impacts for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters, or significant vegetation.

- D(3). Unless otherwise approved by the Building and Development Services Department, native or drought tolerant landscape materials shall be utilized. The Developer and future owners of the site shall be required to participate in the Florida Yards and Neighborhood Program.

- D(4). The Developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to the first Final Site Plan approval for each development pod. A Management Plan, approved by the appropriate State or Federal agency, shall be provided to the Planning Department for any listed species found on-site, prior to Final Site Plan approval for each development pod. (completed for Parcels C and E)
- D(5). Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service) from the bald eagle nest shall be designed in accordance with the current Habitat Management Guidelines for the Bald Eagle or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.
- D(6). In the event that any state- or federally-listed species are discovered breeding on-site during Project development, the Developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.
- D(7). Wildlife passageways shall be incorporated into the roadways designed to cross the north-south Wetland corridor located north of Center Ice Parkway and east of Lakewood Ranch Boulevard and the upland corridor located south of Malachite Drive and east of Road GG, if approved by appropriate state, regional, and local agencies.
- D(8). Prior to construction, grading, or tree removal from the site, required protective barriers within each area of construction shall be installed to protect all 4" DBH (trunk diameter measured at 4.5 feet from the ground) and greater trees identified for protection, that is, not shown on the Preliminary Site Plan as proposed to be removed, replaced, or relocated. Specific tree protective measures shall be approved by the Planning Department with the Final Site Plan and Construction Plan submittal. Tree barricades for trees to be preserved shall be located at the drip line, unless otherwise approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed unless specifically approved and shall be clearly shown on the Final Site Plan. The following activities are prohibited within the drip line of preserved trees unless otherwise approved by the Planning Department: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials.

The Final Site Plan shall include details and locations of signs (in both English and Spanish) to alert workers of tree and native vegetation protection areas. These signs shall be constructed of weather resistant materials and shall demarcate the boundaries of the protected areas.

E. LAND

- E(1). The Developer shall limit site work and construction to areas needed for immediate development or stockpiling, if shown on the Final Site Plan.
- E(2). An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides, and herbicides shall be submitted to the Building and Development Services Department for review and approval prior to Final Site Plan approval. Where practical, native or drought tolerant landscape materials shall be utilized in common areas. (completed)
- E(3). A Construction Water Quality Monitoring Program and proposed sampling locations shall be submitted to the county for review and approval prior to any land clearing activities, or Final Site Plan approval, whichever occurs first. (completed)
- E(4). The entire site shall be evaluated for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative measures.
- E(5). A Well Management Plan for the proper rehabilitation or abandonment of existing wells shall be submitted to the county for review and approval prior to Final Site Plan approval. (completed)

F. AIR QUALITY

- F(1). The Developer shall institute the following procedures to ensure dust control during development of the Project:
 - a. Implement a watering program during excavation, and dredge and fill operations;
 - b. Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;
 - c. Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;
 - d. Keep soil stockpiles moist, or treat with soil binders or cover;
 - e. Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;
 - f. Remove dust producing materials as soon as possible; and
 - g. Clean (sweep) paved roads adjacent to site as necessary;

- F(2). Prior to development of Phase 2 and Phase 3, air quality impacts must be analyzed as required by Section 380.06, Florida Statutes. If mitigation is required based upon this analysis, the Development Order must be amended to incorporate those mitigative measures.
- F(3). The open burning of trees or branches for land clearing shall be done in compliance with applicable regulations.

G. WATER QUALITY AND DRAINAGE

- G(1). The stormwater management systems shall be designed, constructed, and maintained to meet or exceed Chapter 62-25, Florida Administrative Code, and 40D-4, Rules of SWFWMD, the County and Building and Development Services Department, whichever is more stringent; to provide retention, or detention with filtration /assimilation treatment per SWFWMD and County approved methods during the 25-year, 24-hour design storm; and such that maximum post-development flow rates do not exceed pre-development flow rated for the same design storm. Nothing in this paragraph shall be construed as a waiver by the Developer of any vested rights, if any, pertaining to approved and constructed stormwater drainage facilities. With the exception of any such vested rights, if any, any valid requirements of general law pertaining to retrofitting which shall apply to landowners in Manatee County, however, shall apply to the Developer.
- G(2). Best Management Practices (BMP) for reducing water quality impacts, as recommended by the County and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented. Low impact development techniques shall be used, where feasible.
- G(3). The Developer shall be the entity responsible for maintaining the stormwater management system. The Developer's obligations may be assumed by an appropriate agency or association.
- G(4). Stormwater management system design shall, to the maximum extent possible, incorporate and utilize isolated Wetlands.
- G(5). The applicant submitted an Ambient Surface Water Quality Monitoring Report to Manatee County in April, 2006. The report contained the surface water quality data representing the site specific ambient conditions to meet the one year pre-construction monitoring requirement, as specified in the "Ambient Surface Water Monitoring for Developments" Guidance document. On March 20, 2007, the Ambient Surface Water Quality Monitoring Plan was approved by the Manatee County.
- G(6). Within one year of initiating vertical construction, the Developer shall submit the results of surface water quality monitoring to Manatee County for review. The results shall be reviewed by Manatee County for consistency with the County's

“Ambient Surface Water Monitoring for Developments” (Guidance) document.

- a. The results of the monitoring shall be submitted to the County with each DRI Biennial Report and shall include an official laboratory report.
- b. The Developer will incorporate additional water quality treatment or water management methods into the Project's surface water drainage system to correct or mitigate any degradation if the measures implemented by the Developer are found to be ineffective or adversely impact water quality downstream of the Project site.
- c. Any violation of Rule 62-302, Florida Administrative Code, determined to be caused by this development, shall require corrective measures, as set forth by the DEP and shall be reported to the County and all work which is determined by the County to be contributing to the problem will be halted until the problem is resolved.

G(7). The applicant submitted a Groundwater Quality Monitoring Plan on February 15, 2006, to monitor for ambient (pre-development) and construction water quality conditions, as specified above. That plan included both the Northwest Sector Project as well as the Lakewood Centre Project. On February 21, 2006 the Groundwater Quality Monitoring Plan was approved by the County.

G(8). Water quality samples shall be collected and analyzed in accordance with Manatee County's Guidance document, referenced above and the Lakewood Centre DRI Site's Groundwater Quality Monitoring Plan, dated February 15, 2006. If any of the parameters are above the proposed, current, or final maximum contamination levels (MCL's) or MCL goal, the County and DEP will be properly notified for further action. The results of the groundwater quality monitoring shall be submitted to the County for review with the DRI biennial report and shall include an official laboratory report.

G(9). Stormwater treatment by biological filtration shall be provided where required and shall be encouraged wherever appropriate and feasible. Percolation treatment and underdrain effluent treatments may be utilized where consistent with applicable law.

G(10). To the extent required by applicable law and standard design guidelines, on site stormwater wet detention lakes shall include littoral zones constructed on slopes no steeper than a 4:1 horizontal to vertical ratio and shall be planted in, or allowed to be colonized by, native emergent and submergent vegetation. The Developer shall ensure, by supplemental replanting if necessary, at least eighty-five percent (85%) coverage by native aquatic vegetation within the littoral zone (to include at a minimum the area between ordinary high water and ordinary low water) for five years.

G(11). To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.

- G(12). Stormwater management ponds shall not be constructed within Wetland buffers or other natural resources of regional significance.
- G(13). All fill within the 25-year and 100-year floodplains shall be compensated by the creation of an equal or greater storage volume above the seasonal high water table. 100-year and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). The available storage volume above the 25-year Design High Water Level of any proposed stormwater attenuation ponds can be calculated toward compliance with the flood plain compensation requirement. In lieu of the above cup-for-cup compensation, the applicant may perform hydraulic analysis that reflect a No-Rise to the FEMA base flood elevation and receive a CLOMR from FEMA for the effected area. The hydraulic model is subject to approval by Manatee County.
- G(14). Education advocating surface water protection shall be provided to all residents and tenants in the Project.
- G(15). This Project shall be required to reduce the calculated pre-development flow rate by up to twenty five percent (25%) for all stormwater outfall flow directly or indirectly into the Braden River basin. Modeling shall be used to determine pre- and post-development flows.
- G(16). The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.
- G(17). Drainage Easements shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along any drainage systems conveying public drainage. In addition, Drainage Maintenance/Access Easements shall be dedicated along the banks of these systems in accordance with Manatee County Public Work standards. Manatee County is only responsible for maintaining the free flow of drainage through these systems. Manatee County has no obligation relative to these systems to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of stream beds.
- G(18). The Developer shall provide a drainage easement to Manatee County to accept stormwater for that portion of the following planned thoroughfare roadways that are located immediately adjacent to the Project to accommodate the following planned build-out conditions. The Developer shall design and construct the stormwater capacity for that portion of the following planned thoroughfare roadways within the Project area and such design and construction shall be included in the SWFWMD permit documentation.

Center Ice Parkway	4 lanes
Pope Road	4 lanes
S.R. 70	6 lanes

H. HISTORICAL AND ARCHAEOLOGICAL SITES

H(1). Any historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources, and treatment of such resources shall be determined in cooperation with the Division of Historical Resources, TBRPC, and the County. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, TBRPC, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource-disturbing activities are allowed to continue.

I. WATER

- I(1). The Developer shall participate, as required by Manatee County ordinances, in any necessary expansion of potable water service to each phase or subphase of the Project to assure that adequate potable water capacity exists to accommodate the Project.
- I(2). The Developer shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with SWFWMD rules and regulations. Any existing on site wells not intended for potable or nonpotable uses shall be plugged and abandoned in accordance with Rule 40D-3.531, Florida Administrative Code.
- I(3). The Developer shall require the installation of high efficiency (low volume) plumbing fixtures, appliances, and other water conserving devices, as mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.
- I(4). The Developer shall maintain all water lines and fire hydrants not dedicated to the County. The Developer's obligations may be assumed by an appropriate agency or association.
- I(5). The Developer shall use only nonpotable water to meet nonpotable (irrigation) water demands. For purposes of this Approval, "nonpotable" water is defined as water emanating from any source other than a public potable water utility.
- I(6). Adequate fire flow and water pressure shall be maintained within the Project's water

supply system.

- I(7). The Developer shall conform to and further the applicable rules and adopted guidelines of SWFWMD in regard to protection of the groundwater resources in the Southwest Tampa Bay Water Use Caution Area.
- I(8). The Developer shall use the lowest quality of water available for irrigation purposes. Consideration shall be given to meeting the irrigation needs of the Project with the following sources, in order of preference: stormwater and (s) non-potable quality groundwater. Prior to Final Site Plan approval(s), the Developer shall identify the irrigation source which will be utilized. Use of Manatee County public potable water supply shall be prohibited for in-ground irrigation systems, including on individual lots.
- I(9). For the purpose of potable or reclaimed water conservation, utilization of xeriscape principles is required in landscaped areas, in accordance with Policy 3.2.3.3. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be purposely irrigated. Native vegetation or drought-resistant vegetation shall be used in common and non-residential landscaped areas. Non-native vegetation may be used, consistent with xeriscape principles.
- I(10). The average total potable water use for the development shall not exceed 110 gallons per capita per day.
- I(11). A pre-design conference between the Developer and County staff shall be held prior to submittal of Construction Drawings for the Project to discuss the points of connection for potable water and wastewater service and the configuration of the potable water and sanitary sewer systems.
- I(12) The Developer shall submit a Master Plan for potable water, wastewater, and fire protection simultaneously with construction plan submittal for each area covered by the construction plan. The Developer shall also be responsible for determining if upgrading of offsite potable water and wastewater facilities is necessary to provide adequate potable water, sanitary sewer, or fire protection service to the portion of the development for which such service is being requested. Oversizing of potable water and wastewater facilities may be necessary to provide for future development in or adjacent to the Project and the Developer shall participate in such oversizing in accordance with applicable County ordinances or policies.

J. WASTEWATER

- J(1). The Developer shall participate, as required by Manatee County ordinances, in any necessary expansion of wastewater service to each phase or subphase of the Project to assure that adequate wastewater capacity exists to accommodate the Project.

- J(2). No septic system shall be permitted within the Project.
- J(3). Sewer lift stations shall be designed and equipped in accordance with County regulations.
- J(4). The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 98-28).

K. SOLID WASTE

- K(1) As stated in the ADA, it is not anticipated that hazardous or toxic waste will be generated by the Project's office or commercial tenants. Prior to the first Final Site Plan approval after August 5, 2008 for any non-residential land use within the Project, the Developer shall prepare a hazardous substances (including bio-hazardous wastes) and a hazardous waste management plan which shall be reviewed and approved by the County and TBRPC, and then distributed by the Developer to non-residential land users within the Project.

At a minimum, the plan shall:

- a. Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;
 - b. Indicate the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;
 - c. Describe generally improper disposal methods;
 - d. Describe generally appropriate disposal methods;
 - e. Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances;
 - f. Describe a program to inform owners and tenants of the information contained in the plan;
 - g. Describe construction requirements for hazardous waste holding areas; and
 - h. Describe typical spill clean up methods.
- K(2). All Project tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use, if any, shall be included in each Biennial Report.

- K(3). The Developer shall participate, as required by Manatee County ordinances, in any necessary expansion of solid waste service to each phase or subphase of the Project to assure that adequate solid waste capacity exists to accommodate the Project.

L. RECREATION AND OPEN SPACE

- L(1). The Project shall contain a minimum of 36.8 acres of usable uplands for recreation open space/parks which is a minimum of 1 acre of recreation open space per 100 dwelling units and a minimum of one Neighborhood Park per 500 units. Parks shall be distributed throughout the Project to serve all residents and shall be reviewed for distribution based on locations defined by major roadways (Center Ice Parkway and Road GG) and Wetland/upland habitat systems.

A maximum of 4 acres of the required upland recreation open space/parks acreage may include trails and greenways.

The minimum required park area for the Project may be reduced, at a ratio of 1 acre/100 units, if the Project is not built out to the number of units identified on the General Development Plan.

- L(2). A Community Park may be built in lieu of Neighborhood Parks within a given Parcel or group of Parcels, provided the total acreage and the sufficient distribution of recreation area/park land is met.
- L(3). Parks shall provide facilities appropriate for all ages, including a playground with outdoor play equipment, where appropriate.
- L(4). Parcels with multi-family units shall include active and passive recreation facilities that meet the needs of future residents based on projected demographics.
- L(5). For the purpose of this section, parks shall be characterized as:
- (a). Pocket Parks shall be a minimum of 1 – 4 acres containing uses that may include playground with seating, water fountain and shade structure, an open play field and shade trees. Other amenities may include picnic pavilions, tables, benches and grills, depending on neighborhood demographics. Pocket Parks may be connected to the overall recreation area/park system via trails/greenways and sidewalks
 - (b). Neighborhood Parks shall be a minimum of 5 -10 acres containing uses that may include active and passive recreation facilities. Typical recreation amenities include, at a minimum, a playground with shaded seating, restroom, and water fountain; formal or informal “athletic fields” suitable for team sports (baseball, football, soccer, volleyball, etc.); multi-use trail with

benches and/or exercise stations; and picnic pavilions, tables, benches and grills. Optional facilities include hard court facilities (tennis, racquetball, shuffleboard, etc) and a “club house” with swimming pool, depending on demographics of future residents. Neighborhood Parks shall be connected to the overall recreation area/park system via trails/greenways and sidewalks.

- (c). Community Parks shall be a minimum of 20 – 25 acres containing uses that may include active and passive recreation facilities. Typical recreation amenities include, at a minimum, a playground with shaded seating, restroom, and water fountain; formal or informal “athletic fields” suitable for team sports (baseball, football, soccer, volleyball, etc.); hard court facilities (tennis, racquetball, shuffleboard, etc.); a “club house” with swimming pool; multi-use trail with benches and/or exercise stations; and picnic area with pavilions, tables, benches and grills. Actual recreation facilities built are dependent on demographics of future residents. The specific size of each recreation area/park shall be determined by the Developer (as approved by the Planning Department in consultation with the Parks and Recreation Department) at time of Preliminary Site Plan approval based on the lot size(s) or unit types in the area being served. All parks shall be distributed accordingly so residents can safely walk/bike from their home to the park (generally not more than ½ mile). Community Parks shall be connected to the overall recreation area/park system via trails/greenways and sidewalks.

L(6). Trails/Greenways

- (a) A conceptual plan for trails/greenways shall be approved by the Manatee County Building and Development Services Department (in consultation with the Parks and Recreation Department) prior to the first residential Preliminary Site Plans north and south of Center Ice Parkway. (completed)
- (b) At a minimum, the trail/greenway system shall include a trail/greenway adjacent or proximate to the Wetlands and preserved uplands with “collector” trails from residential neighborhoods connecting with the “Wetland/preserve” trail. Trails/greenways shall contain benches with shade (architectural or vegetation) along the trail system in appropriate locations (i.e., rest stops for nature observation, etc.). Other recreation facilities such as gazebos may also be located in appropriate locations along the trail system. Trails/greenways shall, as much as practical, be ADA compliant with an emphasis on accessing the most significant natural and built landscape components (i.e., beautiful vistas and fishing/observation piers, among others). Improvements shall be completed concurrent with adjacent plat approvals.
- (c) All nature trails, board walks, and other recreation amenities that may be permitted by the Building and Development Services Department in Wetlands, Wetland buffers, or upland preservation areas shall be designed

to minimize impacts to trees, other significant vegetation and natural habitats in accordance with Section 719 of the Manatee County Land Development Code. Management plans shall be written and implemented to ensure the long term maintenance and ecological viability of these areas.

- (d) The “green infrastructure” shall serve as a connection of recreation areas/parks with trails/greenways; some of which may be 8-10 foot wide meandering landscaped sidewalks/multi-use trails.

- L(7). All recreation and open space areas not deeded to the County or other state agencies shall be owned and maintained as common open space through a property owners association, or other similar entity for the Project.
- L(8). Prior to the first Preliminary/Final Site Plan for Parcels A, C, S or R, the Developer shall provide an exhibit to the Building and Development Services Department to illustrate the location and size of parks identified as parcels B, E and T on the General Development Plan. Staff may administratively approve minor relocations of such parks if such relocations are deemed appropriate during design of the residential parcels. The minimum acreage identified on the plan shall be maintained.

M. EDUCATION

- M(1). To mitigate the Project’s impacts, the Developer provided the Manatee County School Board sufficient land, off-site, for elementary and middle school sites.

N. HEALTH CARE, POLICE, AND FIRE

- N(1). The Developer shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of emergency service facilities for emergency medical services. The Developer may, with the concurrence of the County, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, as applicable. An agreement as to the schedule for payment of the Developer’s pro-rata share, mutually acceptable to the County and the Developer, shall be submitted prior to the approval of the first Final Site Plan for Vertical Development for Phase 1 or any subphase thereof. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees at the rate in effect at the time payment was made. (completed for Phase I only)
- N(2). The Developer shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer may, with the concurrence of the County, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, as applicable. The pro-

rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. (completed for Phase I only)

- N(3). The Project shall be designed and constructed to meet or exceed specifications of the State Fire Code, Rule 4A-3.012., Florida Administrative Code. The Project shall use, as applicable, Fire Wise principles, such as clearing around houses, carefully spacing trees, and maintaining irrigation systems.
- N(4). The maximum height of buildings in the Project shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.
- N(5). Prior to approval of all Preliminary Site Plans, the Developer shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer shall provide calculations by a Florida registered engineer to the County indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire District that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Final Plat or Certificate of Occupancy in the Project.

O. ECONOMICS

- O(1). Excess infrastructure capacity constructed by the Developer shall be at the Developer's risk and shall not vest later development rights not addressed in this approval.
- O(2). The Project shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to policies 21.2, SCP and 21.5.3, FCRPP, respectively.
- O(3). The development and promotion of a day care system should be encouraged on site, and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

P. ENERGY

- P(1). Issuance of development approvals for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.
- P(2). All Project tenants, businesses, residents, etc. shall be notified in writing by the

Developer prior to occupancy that the following energy related practices are encouraged:

- a. Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and co-generation, where economically feasible;
- b. Obtain energy audits provided by energy companies or other qualified agencies;
- c. Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;
- d. Use landscaping and building orientation to reduce heat gain, where feasible, for all Project construction;
- e. Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;
- f. Reduce levels of operation of all air conditioning, heating, and lighting systems during nonbusiness hours, as appropriate;
- g. Institute and utilize recycling programs;
- h. Utilize energy efficient packaging or recyclable materials;
- i. Install total energy systems on large facilities when cost effective; and
- j. Elimination of advertising requiring lighting after business hours where feasible.

Q. AFFORDABLE HOUSING

- Q(1). The Developer shall provide workforce housing at a price as determined pursuant to the parameters as set forth in the definition contained within the Manatee County Land Development Code or at a rental rate as set forth in Stipulation Q(3) below, within the Project, or within an adjacent Project in an amount equal to 10% of the total number of residential units constructed in Lakewood Centre, Phases 1, 2, and 3. The workforce housing required herein is generally designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.
- Q(2). Maximum home sale prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The maximum sales price in effect at the time a contract for purchase of a workforce housing unit is executed shall apply.

Q(3). Maximum rental rates shall correspond to values as provided for in the Fair Market Rent Documentation System. These rates are updated periodically by Manatee County and shall be utilized accordingly. The rental rate in effect at the time a lease is executed shall apply.

Q(4). The Developer shall include in its Biennial Report data showing the number and sale prices of workforce housing units sold- and the number and rental rate of units leased during the reporting period. The Biennial Report shall also include the current Manatee County Maximum Income Limits Table and the Fair Market Rent Documentation System. Only those units that have a sale price equal to or less than the maximum allowable home sales price, as provided in Q.(2) or a rental rate equal to or less than the maximum rental rate as provided in Q.(3), shall be counted toward the required mitigation.

R. HURRICANE PREPAREDNESS

R(1). The Developer shall coordinate with the Institute for Business and Home Safety (IBHS) and the Manatee County Emergency Management Department to determine the feasibility of incorporating wind resistant “fortified” design criteria into the commercial and office facilities.

S. DESIGN STANDARDS

S(1). On-street parking may be allowed on all local streets. At time of Preliminary Site Plan approval, issues pertaining to traffic safety shall be reviewed by the County staff to determine the appropriateness of the specific location.

S(2). Street trees may also be allowed within rights-of-way and easements of all local streets, provided the trees are a minimum of 4' from the back of curb and that a maintenance agreement, acceptable to the County, with the HOA is provided.

S(3). Roadway buffers for Traditional Neighborhood Development residential parcels shall not apply with the exception of on SR 70, Lakewood Ranch Boulevard, Pope Road, and Malachite Drive. All buffers shall apply for Conventional Development parcels.

S(4). At time of each Preliminary Site Plan application, the Developer, with concurrence with the -Building and Development Services Department, shall select from the “Conventional” or “Traditional Neighborhood Design” (TND) standards as indicated in the tables below:

a. Traditional Neighborhood Design Standards:

<u>Type</u>	<u>Min. Lot Size (Sq. Ft.)</u>	<u>Min. Lot Width (Ft.)</u>	<u>Front Setback (Ft.)</u>		<u>Side Setback (Ft.)</u>	<u>Rear Setback (Ft.)</u>	<u>Maximum Height (Ft.)</u>
			<u>Front Loaded</u>	<u>Alley Loaded</u>			
<u>SF Detached</u>	3,200	27	10/25 ¹ /15 ² 5 ²	10	6/1 ⁸	15/5 ³	35
<u>SF Semi Detached</u>	2,300	23	10/25 ¹ /15 ² 5 ²	10	0/6	15/5 ³	35
<u>Single-Family Attached</u>	2,000	20	5/25 ¹ /15 ²	5	0/6	5	4 stories/ 50'
<u>Multi-Family</u>	-	-	10	10	15/25 ⁷	10	5 stories/ 75' ⁴
<u>Commercial</u>	-	-	40/25 ⁵		0/5 ⁵	0/5 ⁵	5 stories/ 75' ⁴
<u>Office</u>	-	-	40/25 ⁵		0/5 ⁵	0/5 ⁵	12 stories (including parking structure) 140'
<u>Park</u>	-	-	10		10	10	35

1. Setback to front loaded garage door.
2. Setback to the side loaded garage.
3. Rear setback for units with alley entry garages.
4. Height of single-use buildings. A building with a vertical mix of land uses may be up to 12 stories (140' in height). Residential buildings that exceed 35 feet are subject to Stipulations S(6) d & e.
5. The smaller setback only applies to internal roadways. The larger setback applies to external roadways and adjacent residential uses.
6. The larger setback only applies to SR 70. The smaller setback applies to Center Ice Pky, Road GG, and Pope Road. All other Commercial, Office building setbacks shall maintain a minimum setback of 15 feet from the face of the first floor to the back of curb of the internal drive aisle or 10 feet to the edge of parking. The minimum setback from the second story of commercial office buildings shall be 5' from the internal drive aisle or 0 feet from the edge of parking. This shall not apply to residential structures unless otherwise approved through the Lakewood Centre DRI. The commercial or office setback applies to buildings containing residential over first or second floor non-residential uses.
7. This distance is not a side yard setback but the minimum distance between buildings. A 15' separation is required between one-story and two-story buildings. A 25' separation is required between three, four, and five story buildings.
8. Minimum of 7 feet between units

b. Conventional Design Standards:

<u>Type</u>	<u>Min. Lot Size (Sq. Ft.)</u>	<u>Min. Lot Width (Ft.)³</u>	<u>Front Setback (Ft.)¹</u>	<u>Side Setback (Ft.)</u>	<u>Rear Setback (Ft.)</u>	<u>Maximum Height (Ft.)</u>
<u>SF Detached</u>	4,950	42	25/20	6	15	35
<u>SF Semi-Detached</u>	3,700	37	25/20	0/6	15	35

<u>SF- Attached</u>	2,500	25	25/20	0/ 6	15	35
<u>Multi-Family</u>	NA	NA	25	15/25 ²	15	3 stories/ 40
<u>Commercial</u>	5,000	N/A	40	15/20 ⁵	20 ⁵	5 stories/75' ⁴
<u>Office</u>	5,000	N/A	40	15/20 ⁵	20 ⁵	12 stories (including parking structures)/1 40'
<u>Park</u>	NA	NA	25	15	15	35

1. The front yard setback for all single-family residences shall be 25' to the garage portion of the structure. The remaining habitable portion of the structure may be setback 20'. The front yard setback for structures with side-loaded garages shall be 20'.
2. This distance is not a side yard setback but the minimum distance between buildings. A 15' separation is required between one-story buildings. A 25' separation is required between two and three story buildings.
3. Required setbacks are based on the dominant lot width for each subphase of development.
4. Height of single-use buildings. A building with a vertical mix of land uses may be up to 12 stories or 140' in height. Residential buildings that exceed 35 feet are subject to Stipulations S(6) d & e.
5. When adjacent to residential 10' of additional building separation is required for each story over one i.e. a 3-story building will require a 40' building separation.

S(5). Non Residential

a. The maximum square footage for each commercial and office parcel, as identified on the General Development Plan, may be increased provided that all dimensional criteria as outlined in S(4), consistent with the LDC and Comprehensive Plan provisions, as applicable, are met and there is a simultaneous increase and decrease of square footage on the parcels. This shall not authorize an overall increase of square footage for the Project. Such modification does not require the submittal or review of an amended General Development Plan, but may be approved with a Preliminary Site Plan or Final Site Plan. Such Preliminary or Final Site Plan shall include a tracking chart and exhibit giving location of additions and deletions to assure Manatee County that there has been no increase in square footage. Development totals shall be updated with each biennial report.

b. Building Appearance

All building facades shall exhibit an aesthetically attractive appearance. Design shall be subject to the following criteria and reviewed for compliance by the Building and Development Services Department with future Final Site Plan and Building Permit submittals.

- 1) The sides of all buildings shall have minimal blank walls no longer than 30 feet in length or 20' in height. In order to insure that the buildings do not Project a massive blank wall, design elements with distinctive color variation shall include prominently visible architectural details [e.g., bump-outs, reveals and projecting ribs, cornice, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc.] or other methods, as approved by the Building and Development Services Director. Facades greater than 75 feet in length shall have varying roof lines through varying the height of the cornice, or the use of 2 or more roof types (parapet, dormers, and sloped, etc.).
- 2) Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, or corrugated metal shall not be permitted, Architectural metals in conjunction with other permitted building materials shall be allowed, provided that at least seventy five percent (75%) of the building face is constructed from other permitted materials.
- 3) All rooftop mechanical equipment shall be screened from view from abutting roadways or adjacent residential properties. Screening shall be provided by materials consistent with the building. Details shall be shown prior to Final Site Plan approval.

c. Service Areas

Trash and garbage receptacles shall be screened with materials similar to the adjacent building facades.

- d. Exhaust and other filtering systems in Food Service Establishments or uses shall adhere to the Best Available Control Technology to eliminate or reduce the emission of smoke, grease, and odor from cooking facilities. This system shall be approved by the County with each Final Site Plan containing a food service establishment or use.
- e. Exterior loud speakers, bells, or similar audio-communication shall not be permitted; however, directed (non broadcast) communication devices and intercoms shall not be restricted. "Directed (non broadcast)" shall mean not plainly audible to a person greater than 10 feet from the source.
- f. A vertical mix of land uses is permitted on Parcels G, I, and J. If a vertical mix is designed on these parcels, it will include office or commercial land uses on the first floor and residential or office land uses on the upper floors.

- g. Signs shall meet the requirements of Section 724 of the Land Development Code.
- h. Each parcel shall include a pedestrian connection, where applicable, to abutting parcels, to be determined at time of Preliminary Site Plan approval.
- i. Prior to approval of any Preliminary Site Plan containing a communication antenna or tower (as listed on Table 6-1 of the LDC) an appropriate application shall be submitted, per Section 704.59.2, of the LDC. The approval of the GDP with those uses listed does not assure approval of the PSP containing such uses or approval of those uses. In addition to this criterion, all lattice towers shall maintain a minimum setback of 300% the height of the tower from any parcel (on and off site) approved for only a residential use.
- j. Increased setbacks and enhanced site and building design may be required by the County when commercial or office buildings exceeding 35-feet are proposed adjacent to a parcel approved for residential development.
- k. Structures in excess of 35' in height in the commercial and mixed use parcels adjacent to Pope Road shall maintain an additional foot beyond the 40' setback for each foot over 35'.

S(6). Residential

- a. The maximum number of units for each residential parcel, as identified on the General Development Plan, may be increased provided there is a simultaneous decrease on another residential parcel. This shall not authorize an overall increase in residential units for the Project. Such modification does not require the submittal or review of an amended General Development Plan, but may be approved with a Preliminary Site Plan or Final Site Plan. Such Preliminary or Final Site Plan shall include a tracking chart and exhibit giving location of additions and deletions to assure Manatee County that there has been no increase in units. Development totals shall be updated with each biennial report.
- b. The minimum size for a dwelling unit shall be nine hundred (900) square feet or three hundred (300) square feet for multi-family units.
- c. Prior to Final Plat approval, the applicant shall post a sign at each inter-neighborhood tie to inform perspective purchasers and residents of the future inter-neighborhood tie. The size, placement, and materials for the sign shall be determined with the Final Site Plan.
- d. Residential structures on Parcel S and R which are located within 400 feet of Malachite Drive or Pope Road shall not exceed 52 feet. At the time of

Preliminary/Final Site Plan approval, the applicant shall provide to the staff of the Building and Development Services Department, building design elevations that are in compliance with Section 603.7.4.9 of the LDC. Should the applicant and staff not come to an agreement, the applicant may appeal staff's decision to the Board of County Commissioners at an advertised public hearing.

- e. Residential structures in excess of 35 feet in height and up to 75 feet on Parcel A, C, D, H, K, R, S, and S-1, and up to 140 feet on Parcels G, I, and J shall be built in substantial compliance with the building design exhibits entered into the record at the August 5, 2008, public hearing (Exhibit 3). At the time of Preliminary/Final Site Plan, if the applicant proposes elevations that are not in substantial compliance with the elevations entered into the record, staff may review and administratively approve the new elevations, provided they are consistent with LDC Section 603.7.4.9, Building Height. The applicant may appeal staff's decision regarding the proposed elevations to the Board of County Commissioners at an advertised public hearing.
- f. Tree farms in the residential parcels shall cease operation prior to the first Final Plat (or FSP if platting is not required) approval in each parcel shown on the GDP.
- g. The Notice to Buyers or Tenants shall be included in the Declaration of Covenants and ~~Restrictions~~, Restrictions and in a separate addendum to the sales contract, and in the Final Site Plan and shall include language informing prospective homeowners of the following:
 - 1). The location of the inter-neighborhood ties and the potential for future traffic through the subdivision, where applicable;
 - 2). The potential uses associated with surrounding agriculture zoning which may have a negative impact on residences (e.g., noise and odor);
 - 3). Residents may experience increase noise impacts from the following roads:
 - Lakewood Ranch Blvd, a minor arterial facility planned to be 6-lanes;
 - Pope Road, a collector facility planned to be 4-lanes;
 - Center Ice Pky, a collector facility planned to be 4-lanes; and
 - Malachite Drive and Road "GG," major local streets planned to be 4 lanes.
 - 4). The location and size (including potential height) of future commercial and office developments in the Project.

- h. Residential parcels are permitted to have recreational facilities, churches or other places of worship, day care centers (large, medium, small, and accessory) and schools. Such uses may be approved pursuant to Conditional Use Criteria in the LDC, as may be amended. The floor area allocated to large, medium and small day care centers, accessory day care centers, environmental education facilities, schools of special education and schools shall be deducted from approved commercial entitlements.
- S(7). Prior to commencement of Phase 2 the developer shall donate at the County's option within the project or within 10 miles of the project boundary a 2 acre upland site or other appropriate accommodations as may be acceptable to Manatee County for public community use or public use facility.

T. DEFINITIONS

1. "Acceptable Level of Service" shall, for links and intersections in Manatee County, Florida, be "D" on a peak hour basis, as provided in the Land Development Code. Level of Service "D" shall be measured on a peak hour basis as determined by the Highway Capacity Manual (1994), TRB Special Report 209 or the most current manual and computer software version in accordance with guidelines acceptable to Manatee County.
2. "Application for Development Approval" (or ADA) shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval (Submitted on April 28, 2006); the First Sufficiency Response submitted by the Developer on October 23, 2006; the Second Sufficiency Response submitted on April 19, 2007; the Third Sufficiency Response submitted on September 13, 2007.
3. "Conventional Development" shall mean development that is characterized by a clear separation of land uses and housing types into specified geographic areas. Typically the setbacks and residential lot sizes are larger with a focus for usable space being within the rear yard. Commercial buildings are set farther from the street and contain parking in front of the building.
4. "Developer" shall mean SMR North 70, LLC, its heirs, assigns, designees, and successors in interest as to the Project.
5. "Development Approval" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Site Plan, Final Plat, or Construction Drawing approval where site plans or subdivision plats are not required.

6. "Fair Market Rent Documentation System" shall mean a system established by the Department of Housing and Urban Development (HUD) that provides complete documentation of the development of the Fair Market Rents (FMRs) for any area of the country. FMRs are developed and updated from the metropolitan Core-Based Statistical Areas (CBSAs) as established by the Office of Management and Budget.
7. "Funding Commitments" shall mean any combination of the following to assure the completion of any improvements required by this Development Order: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County for construction of the improvements required as referenced in Tables 2 and 3 of this Ordinance; 2) actual construction; 3) the placement of the improvements in the current year plus one year of the Capital Improvements Element of the appropriate County or the current year plus the first two years (or current plus first four years for FIHS facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Local Development agreement entered into between the Developer and the County. This Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 2 and 3.
8. "General Development Plan" shall be defined as the site plan for PDMU-06-30(G)(R24), last revised June, 20132, and attached as Exhibit 1. Development on the General Development Plan shall be limited to the total number of dwelling units and non-residential development in Table 1.
9. "Post-Development Wetlands" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development of this Project.
10. "Preliminary Site Plan" (PSP) shall mean a Master Preliminary Plan or a Preliminary Site Plan for a Phase or Subphase, as defined in The Manatee County Land Development Code.
11. "Project" shall mean the land uses, phasing, and improvements described in Table 1 which are attributable to development on that property described in Section 4 herein and set forth on the General Development Plan attached hereto as Exhibit 1.
12. "Traditional Neighborhood Development (TND)" shall mean the development

of a cohesive neighborhood using traditional town planning principles. A TND includes a range of housing types, a network of well-connected streets and blocks, public spaces, and neighborhood serving non-residential uses such as retail, office, schools, and places of worship within walking distance of the residences. Residential units will have smaller setbacks and the unit will be oriented to the street with recessed garages or alley access to structures with on-street parking. Typically the residential focus will be toward the street or public spaces. Commercial buildings will be closer to each other and the streets similar to a traditional downtown with on-street parking, street trees, or a vertical and horizontal mix of land uses.

13. "Transportation Impact Area" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Project will be five percent (5%) (or whatever greater percentage may be employed from time to time by DEO, TBRPC, or the County, provided the more restrictive percentage of such greater percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Map J of the Development Order, dated April, 2006.
14. "Vertical Development" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.
15. "Wetland" shall mean any wetland under the jurisdictional limits defined by Chapter 62-340, Florida Administrative Code, and implemented by the Florida Department of Environmental Protection, or as defined by Chapter 40D-4, FAC, and implemented by the Southwest Florida Water Management District.

SECTION 5. SPECIAL APPROVAL Special approval is hereby granted for a project that: (1) is mixed-use in the ROR Future Land Use Category; (2) exceeds a net density of 9.0 gross dwelling units per acre in the ROR Future Land Use Category; (3) exceeds a non-residential floor area ratio of 0.25; and (4) is in the Evers Reservoir Watershed.

~~**SECTION 6. ZONING** The property described in Section 7 below is hereby rezoned from the A (General Agriculture) zone district to the PDMU (Planned Development Mixed Use) zone district, retaining the WP-E (Watershed Protection Evers) and ST (Special Treatment) Overlay Districts where appropriate, and the official zoning map is hereby amended accordingly.~~

SECTION 7. LEGAL DESCRIPTION. Legal description and sketch of the Project is

attached as Exhibit 2.

SECTION 87. EFFECTIVE DATE. ~~This ordinance shall take effect upon filing with the Department of State, State of Florida and provided, however, that: (a) the filing of a Notice of Appeal pursuant to Section 380.07, F.S., shall suspend development authorization granted for this Development Order until the resolution of the appeal; and (b) Ordinance No. 12-28 shall become effective, in accordance with Section 5 of Ordinance 12-28.~~ This ordinance shall take effect upon the later of: 1) the date of the filing of this ordinance with the Department of State, State of Florida, and 2) the expiration of 45 days after the filing of Ordinance 13-28, the Development Order for Lakewood Centre, with the Department of Economic Opportunity, unless a notice of appeal is filed pursuant to Section 380.07.F.S.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the 6th day of ~~December, 2012~~ INSERT DATE.

**BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA**

BY: _____
John R. Chappie Larry Bustie,

Chairman

ATTEST: **R. B. SHORE**
Clerk of the Circuit Court

BY: _____
Deputy Clerk

EXHIBITS

- Exhibit 1 – GDP
- Exhibit 2 – Legal Description and Sketch
- Exhibit 3 – Building Design Exhibits for buildings that exceed 35 feet in height

EXHIBIT "2"

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°53'04"; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 23°41'47"; thence southerly along the arc of said curve, a distance of 1,211.79 feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 11°22'52"; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence S.68°29'59"W., a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°29'59"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 03°46'14", an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°58'18", an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 07°40'51"; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 01°04'12"; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence S.01°18'11"W., along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.78°25'45"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 05°37'54", an arc length of 289.07 feet to the point

of curvature of a non-tangent curve to the right, of which the radius point lies S.25°50'30"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°27'42", an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 06°44'40"; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence S.12°34'36"E., along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.64°34'42"E., a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of 01°33'58", an arc length of 80.39 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 113.45 feet; thence S.63°00'45"W., a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of 18°07'32"; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence S.09°31'35"E., along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.10°12'41"W., a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of 11°39'48", an arc length of 408.55 feet to the end of said curve; thence N.79°51'15"E., along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies N.23°17'40"W., a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of 04°10'01", an arc length of 219.07 feet to the end of said curve; thence S.31°07'37"E., along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point

of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-of-way line; (1) thence northerly along the arc of said curve, through a central angle of 31°44'31", an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence N.02°18'37"W., a distance of 1,728.76 feet to the POINT OF BEGINNING.

Said tract contains 33,590,466 square feet or 771.1310 acres, more or less.

LESS:

Pond Number 3, described in Official Record Book 1540, Page 7918 of the Public Records of Manatee County, Florida;

LESS:

Parcel 100A, described in Official Record Book 1915, Page 5768 of the Public Records of Manatee County, Florida;

LESS:

Premises described in Warranty Deed to DVA Arena, LLC, recorded in Official Record Book 1943, Page 4075 of the Public Records of Manatee County, Florida;

LESS: Ingress-Egress Easement No. 1

A Tract of land lying in Section 9, 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 3985.93 feet; thence S.00°25'25"W a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies S.69°39'59"E., a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of 33°08'49", an arc length of 188.02 feet to the point of tangency of said curve; thence N.53°28'49"E., a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 30°41'48"; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence N.84°10'37"E., a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 24°43'08"; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of 37°11'49"; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of 91°38'36"; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc of said curve, through a central angle of 44°31'14", an arc length of 27.20 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

Said tract contains 76,341 square feet or 1.7526 acres, more or less.

LESS: Ingress-Egress Easement No. 2

A Tract of land lying in Sections 16 and 17, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve; thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc length of 25.30 feet to the point of tangency of said curve; thence S.79°28'38"W., a distance of 62.92 feet to the point of curvature of a curve to the left having a radius of 133.00 feet and a central angle of 04°57'32"; thence westerly along the arc of said curve, an arc length of 11.51 feet to the point of reverse curvature of a curve to the right having a radius of 309.00 feet and a central angle of 81°41'53"; thence northwesterly along the arc of said curve, a distance of 440.60 feet to the point of reverse curvature of a curve to the left having a radius of 271.00 feet and a central angle of 49°45'11"; thence northwesterly along the arc of said curve, a distance of 235.32 feet to the point of tangency of said curve; thence N.78°27'38"W., a distance of 46.52 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.06°36'57"W., a radial distance of 271.00 feet; thence westerly along the arc of said curve, through a central angle of 21°41'20", an arc length of 102.59 feet to the end of said curve; thence S.66°23'37"W., along a line non-tangent to the last described curve, a distance of 80.42 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.32°08'23"E., a radial distance of 271.00 feet; thence southwesterly along the arc of said curve, through a central angle of 10°26'33", an arc length of 49.39 feet to the end of said curve; thence S.39°34'23"E., along a line non-tangent to the last described curve, a distance of 35.74 feet; thence N.60°04'23"W., a distance of 116.67 feet; thence N.29°55'37"E., a distance of 4.78 feet to the POINT OF BEGINNING.

Said tract contains 75,680 square feet or 1.7374 acres, more or less.

Exhibit "2"

Total Described Area	=	771.1310 Acres +/-
Less: Pond No. 3	=	5.15 Acres +/-
Less: Parcel 100A	=	4.512 Acres +/-
Less: DVA Arena, LLC	=	60.5327 Acres +/-
Less: Ingress-Egress Easement No. 1	=	1.7526 Acres +/-
Less: Ingress-Egress Easement No. 2	=	<u>1.7374 Acres +/-</u>
Net Area	=	697.4463 Acres +/-

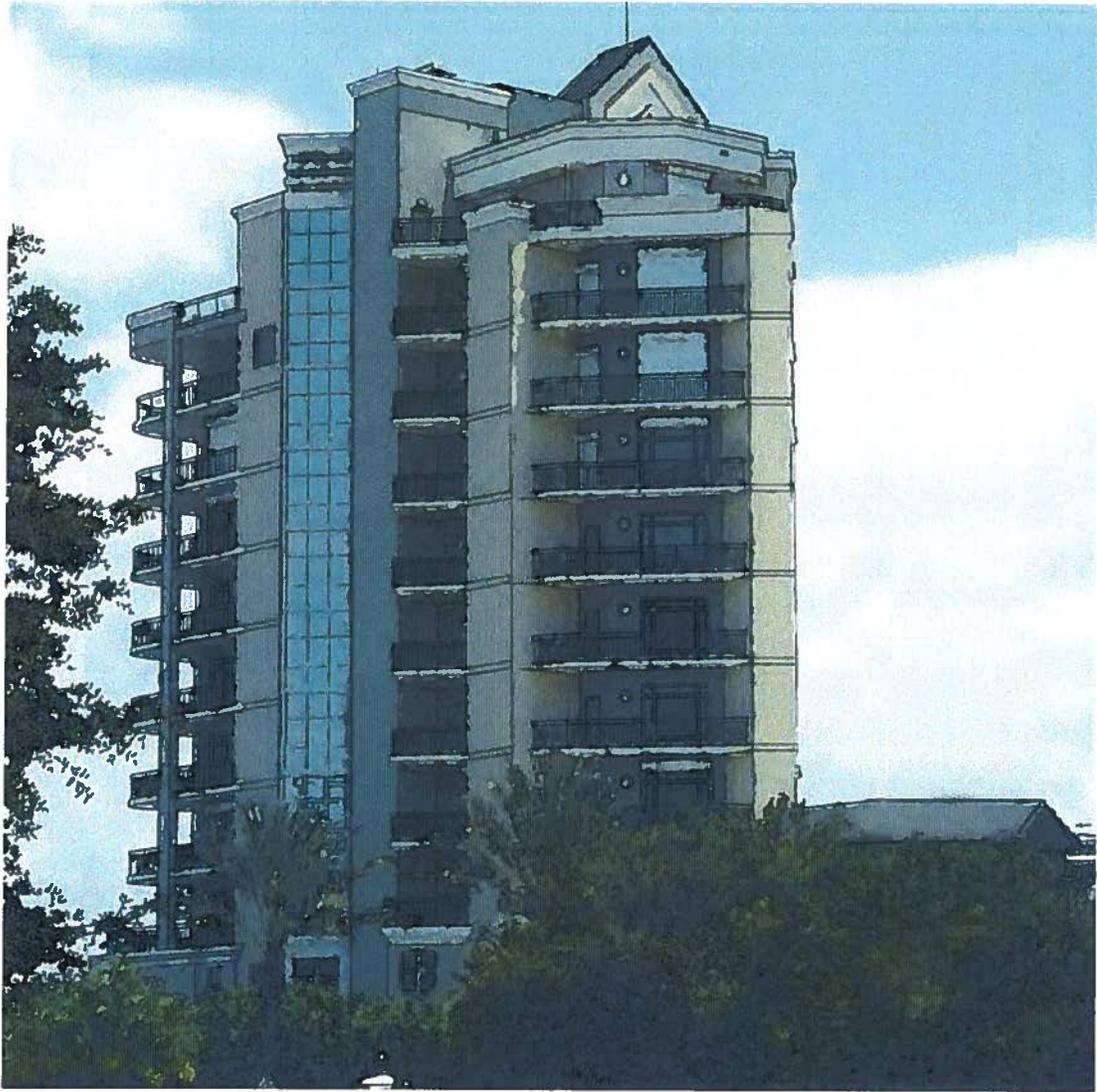


Exhibit "3"



Exhibit "3"



Exhibit "3"



Exhibit "3"

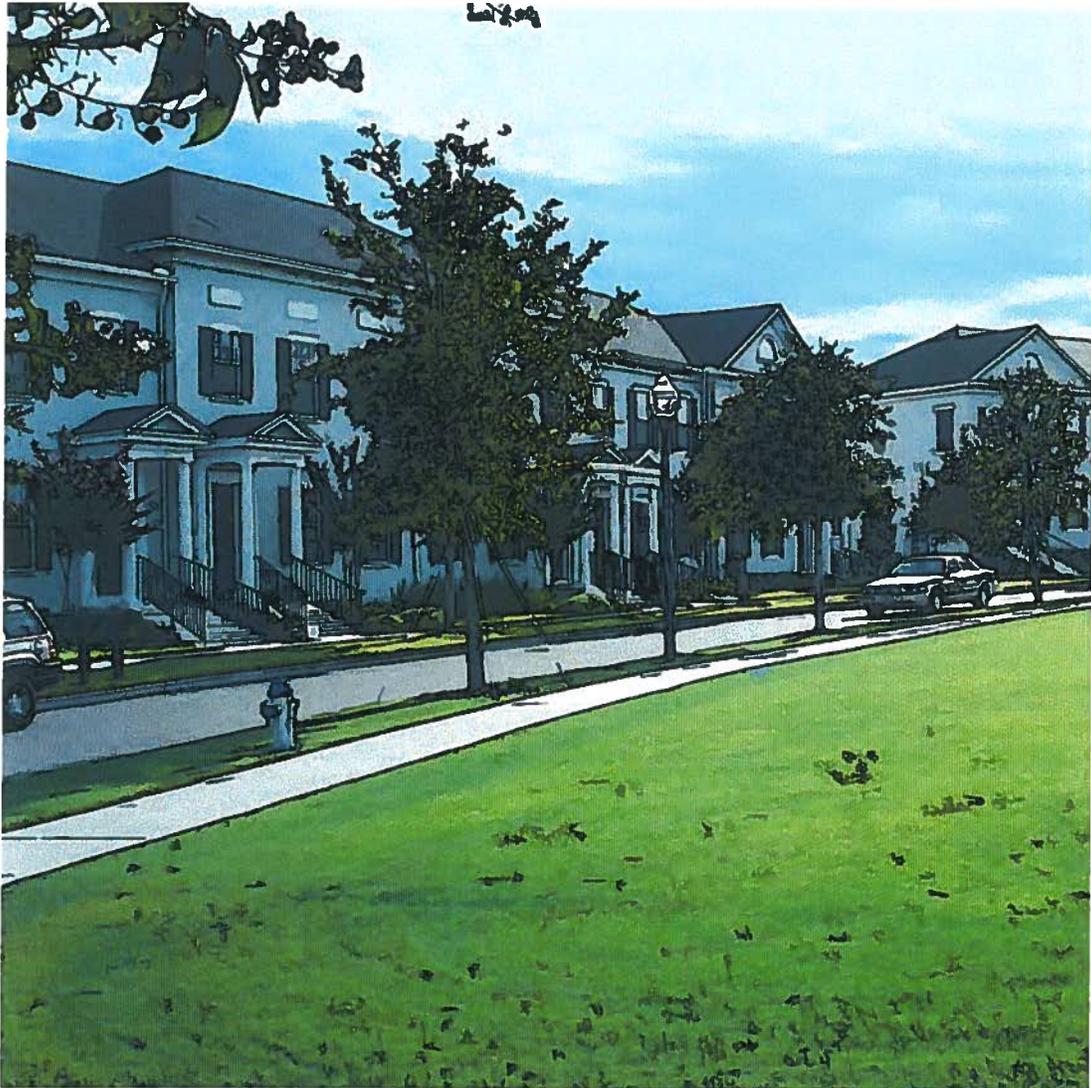


Exhibit "3"



Exhibit "3"



Exhibit "3"



Exhibit "3"

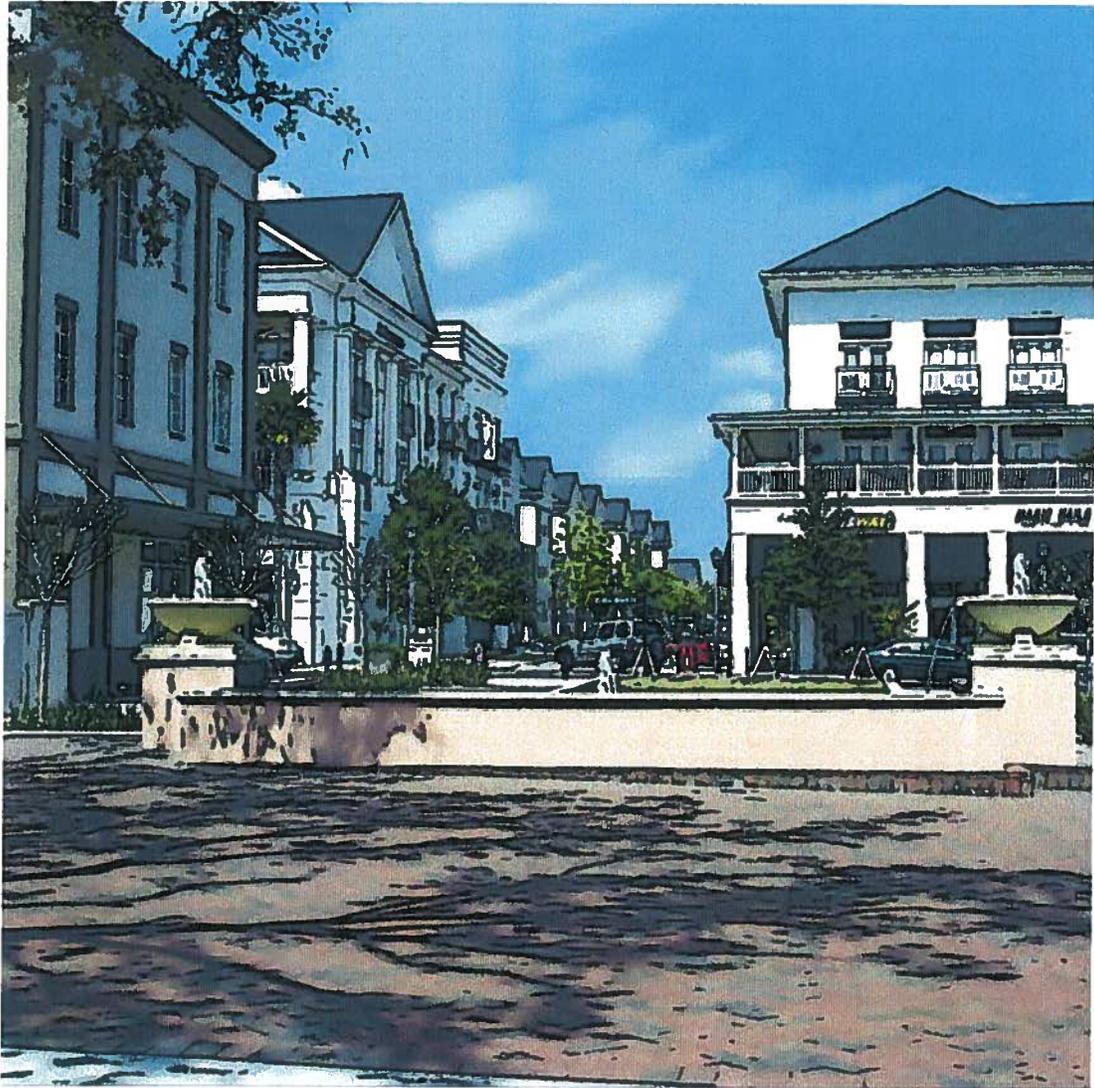


Exhibit "3"



Exhibit "3"

NOTES

- EXISTING CONDITIONS**
1. PROJECT ACREAGE IS 897.4 ACRES (±).
 2. PROPERTY IS CURRENTLY USED FOR AGRICULTURAL AND RESIDENTIAL PURPOSES.
 3. TOPOGRAPHIC CONTOURS AND ELEVATIONS FROM FLORIDA GEOGRAPHIC DATA LIBRARY, VERSION 3 (2000).
 4. THE SITE LIES IN FLOOD ZONE X, PANEL 1201530380C AND 1201530370C.
 5. THERE ARE NO KNOWN HISTORIC RESOURCES OR BUILDINGS ON-SITE.
 6. PERMITTED USES ON NON-RESIDENTIAL PARCELS SHALL BE THOSE IDENTIFIED AS "P", "P*", "AP", OR "SP" IN THE PDAM ZONING DISTRICT PER FIGURE 6-1 OF THE LDC.

Exclude from Parcels G, I, and J only:
 Breeding Facility
 Stockyards and feedlots
 Sawmills
 Slaughterhouses
 Auction Houses, Open Juniors
 Manufactured Home Parks and Subdivisions
 Hazardous Waste Transfer Facility
 Bus Bay/Maintenance Facility
 Motor Freight Terminals
 Motor Pool Facilities
 RR Switching Yard
 Correctional Facilities
 Resource Recovery
 Manufacturing

All of above, plus:

Construction Services
 Fleamarkets, open or closed
 Lambyards
 Towing Service and Storage Establishment

Residential Parcels permitted to have all residential uses defined in ordinance plus associated recreational facilities, churches or other places of worship, day care centers (large, medium, small, and accessory) and schools. Such uses may be approved pursuant to Conditional Use Criteria in the LDC, as may be amended. The floor area allocated to large, medium and small day care centers, accessory day care centers, environmental education facilities, school of special education and schools shall be deducted from approved commercial entitlements.

DEVELOPMENT DESCRIPTION

7. CURRENT ZONING IS PDAM/MP-E/ST. CURRENT FUTURE LAND USE IS ROR/WO-E
8. THE DEVELOPMENT WILL INCLUDE A MAXIMUM OF 4,683 RESIDENTIAL UNITS (1,444 SINGLE FAMILY AND 3,239 MULTIFAMILY), 1,874,000 SQUARE FEET OF RETAIL, 1,483,000 SQUARE FEET OF OFFICE USES, AND 300 HOTEL ROOMS.
9. THE DEVELOPMENT SHALL COMPLY WITH THE FOLLOWING DIMENSIONAL CRITERIA:

TRADITIONAL NEIGHBORHOOD DESIGN STANDARDS:

TYPE	MIN. LOT SIZE (Sq. Ft.)	MIN. LOT WIDTH (FT.)	FRONT SETBACK (FT.)		SIDE SETBACK (FT.)	REAR SETBACK (FT.)	MAXIMUM HEIGHT (FT.)
			FRONT LOADED	ALLEY LOADED			
SF - DETACHED	3,500	37	10/25/15	10	6/11	15/5'	35
SF - SEMI-DETACHED	2,300	33	10/25/15	10	0/6	15/5'	35
SF - ATTACHED	2,000	25	5/25/15	8	0/6	5	4 STORES/50
MULTI-FAMILY	-	-	10	10	15/25'	10	5 STORES/75'
COMMERCIAL	-	-	40/25'	-	0/5'	0/5'	5 STORES/75'
OFFICE	-	-	40/25'	-	0/5'	0/5'	12 STORES (INCLUDING PARKING STRUCTURES)/140
PARK	-	-	10	10	10	10	35

1. Setback to front lot line.
2. Setback to side lot line.
3. Rear setback for units with alley access.
4. Height of single-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height). Height of multi-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height). Height of multi-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height). Height of multi-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height).
5. The setback shall only apply to the front of the building. The setback shall not apply to the rear of the building. The setback shall not apply to the side of the building. The setback shall not apply to the side of the building.
6. The setback shall only apply to the front of the building. The setback shall not apply to the rear of the building. The setback shall not apply to the side of the building. The setback shall not apply to the side of the building.
7. This distance is not a side yard setback but the minimum distance between buildings. A 10' separation is required between secondary rear boundary buildings. A 10' separation is required between front, rear, and side lot lines.
8. Minimum of 7 feet between units.
9. These shall be a minimum of six (6) feet separation between accessory equipment (e.g. air condition units, heat pumps, pumps, etc.) and structures abutting houses with 8-foot side yard setbacks.

CONVENTIONAL DESIGN STANDARDS:

TYPE	MIN. LOT SIZE (Sq. Ft.)	MIN. LOT WIDTH (FT.)	FRONT SETBACK (FT.)	SIDE SETBACK (FT.)	REAR SETBACK (FT.)	MAXIMUM HEIGHT (FT.)
SF - SEMI-DETACHED	2,300	33	25/20	0/6	15	35
SF - ATTACHED	2,000	25	25/20	0/6	15	35
MULTI-FAMILY	NA	NA	25	15/25'	15	3 STORES/40
COMMERCIAL	5,000	NA	40	15/20'	20'	5 STORES/75'
OFFICE	5,000	NA	40	15/20'	20'	12 STORES (INCLUDING PARKING STRUCTURES)/140
PARK	NA	NA	25	15	15	35

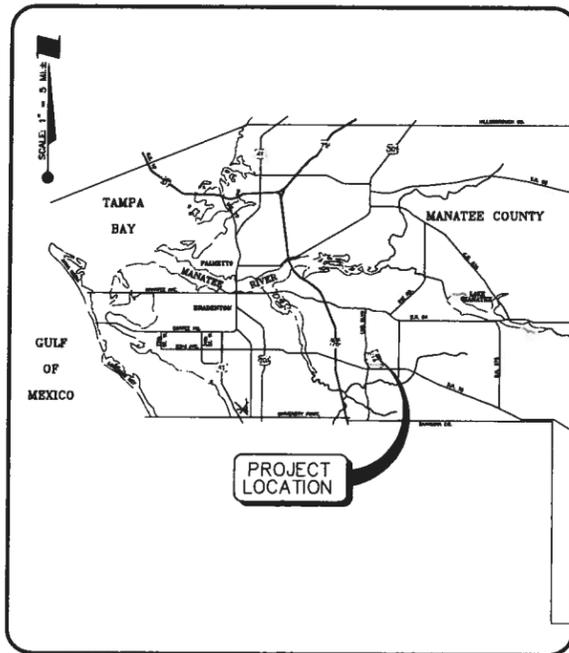
1. The front yard setback for all single-family residences shall be 25' to the garage portion of the structure. The remaining setback portion of the structure may be setback 20'. The front yard setback for structures with side-lot setbacks shall be 20'.
2. This distance is not a side yard setback but the minimum distance between buildings. A 10' separation is required between secondary rear boundary buildings. A 10' separation is required between front, rear, and side lot lines.
3. Height of single-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height). Height of multi-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height).
4. Height of single-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height). Height of multi-story building. A building with a vertical side of front yard may be up to 12 stories (140' in height).
5. These shall be a minimum of six (6) feet separation between accessory equipment (e.g. air condition units, heat pumps, pumps, etc.) and structures abutting houses with 8-foot side yard setbacks.

GENERAL DEVELOPMENT PLAN

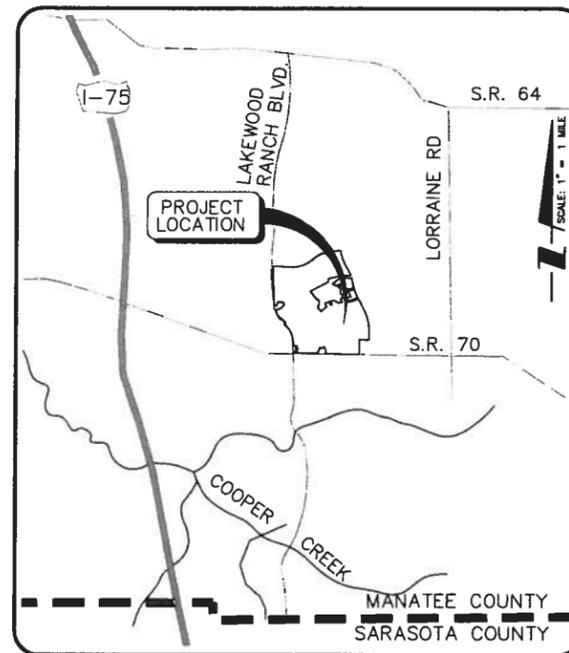
LAKWOOD CENTRE DRI

A SUBDIVISION OF PART OF SECTIONS 8, 9, 16, AND 17 TOWNSHIP 35 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA

CLIENT:
SMR North 70, LLC



LOCATION MAP



VICINITY MAP

10. A VERTICAL MIX OF LAND USES IS PERMITTED ON PARCELS G, I & J.
 11. PROPOSED GROSS RESIDENTIAL DENSITY IS 6.7 DU/ACRE. THE NET DENSITY IS 18.8 UNITS/ACRE.
 12. THE MAXIMUM ALLOWED FLOOR AREA RATIO IS 0.35.
 13. THE ENTIRE SITE IS LOCATED WITHIN THE WATERSHED OVERLAY THE REQUIRED OPEN SPACE IS:
 RESIDENTIAL: 79.1 ACRES
 COMMERCIAL: 141.5 ACRES
 TOTAL REQUIRED: 220.6 ACRES
- PROPOSED OPEN SPACE:
 WETLANDS: 92.1 ACRES
 EXISTING LAKE: 0.5 ACRES
 STORMWATER PONDS: 63.4 ACRES
 PARKS & REC: 36.8 ACRES
 OTHER OPEN SPACE: 18.5 ACRES
 ROADWAY BUFFER: 14.4 ACRES
 281.1 ACRES OR 40.3% OF THE ENTIRE PROJECT
- WETLAND BUFFERS: 31.8 ACRES
 UPLAND PRESERVATION: 23.8 ACRES

- OPEN SPACE MAY ALSO INCLUDE RECREATION AMENITIES AND WATER FEATURES TO BE DESIGNED WITH INDIVIDUAL PARCEL DEVELOPMENT.
14. SCREENING AND GREENBELT BUFFERS WILL BE PROVIDED PURSUANT TO SECTION 715 OF THE LAND DEVELOPMENT CODE. DETAILED PLANS WILL BE PROVIDED WITH THE INDIVIDUAL PRELIMINARY AND FINAL SITE PLANS, AS APPLICABLE.
 15. PERIMETER ROADWAY BUFFERS WILL BE PROVIDED PURSUANT TO SECTION 715 OF THE LAND DEVELOPMENT CODE. DETAILED PLANS WILL BE PROVIDED WITH THE INDIVIDUAL PRELIMINARY AND FINAL SITE PLANS, AS APPLICABLE. RIGHT OF WAY BUFFERS FOR INTERNAL STREETS DEPENDENT ON DETAILED SITE DESIGN. THE DESIGN AND MAINTENANCE OF THE ROADWAY BUFFERS WILL BE BASED ON A UNIFIED LANDSCAPE PLAN TO BE UNDER THE CONTROL OF THE PROPERTY OWNER.
 16. UTILITY EASEMENTS SHALL BE PLACED IN ACCORDANCE WITH SECTION 907.10 OF THE LAND DEVELOPMENT CODE.
 17. SIDEWALKS SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 722.1.4 OF THE LAND DEVELOPMENT CODE.
 18. SIGNAGE WILL MEET THE REQUIREMENTS OF SECTION 724 OF THE LAND DEVELOPMENT CODE.
 19. LIGHTING WILL MEET THE REQUIREMENTS OF SECTION 709 OF THE LAND DEVELOPMENT CODE.
 20. BACKFLOW PREVENTORS ARE REQUIRED ON ALL POTABLE WATER SERVICES AND ARE TO BE PROVIDED BY THE DEVELOPER.
 21. THE IRRIGATION SOURCE WILL BE NON-POTABLE. NON-POTABLE WATER LINES WILL BE PURPLE IN COLOR.
 22. SANITARY SEWER AND POTABLE WATER WILL BE PROVIDED THROUGH CONNECTIONS TO THE APPLICABLE PUBLIC SYSTEMS. SOLID WASTE SERVICES WILL BE PROVIDED BY MANATEE COUNTY.
 23. THERE ARE NO KNOWN EXISTING COVENANTS OR DEED RESTRICTIONS THAT WOULD AT THIS TIME AFFECT THE PROPOSED DEVELOPMENT.
 24. PARCELS HAVE NOT BEEN SURVEYED AND ACRESAGES SHOWN ARE APPROXIMATE. PARCELS ARE SUBJECT TO FUTURE SUBDIVISION PLATTING IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
 25. STORMWATER MANAGEMENT FACILITIES WILL MEET SECTION 717 OF THE LDC, THE MANATEE COUNTY DEVELOPMENT STANDARDS AND SWFWMD REQUIREMENTS. THOSE PORTIONS OF THE STORMWATER SYSTEM DESIGNED TO DISCHARGE INTO THE WATERSHED OVERLAY DISTRICT SHALL MEET OR EXCEED THE DESIGN STANDARDS OF CHAPTERS 82-3, 82-4 AND 82-25 AND LOCAL DESIGN STANDARDS FOR DISCHARGE INTO OUTSTANDING FLORIDA WATERS.
 26. WATER, WASTEWATER AND IRRIGATION LINES ARE PROPOSED WITHIN THE RIGHTS OF WAY FOR 44TH AVE., MALACHITE DRIVE AND POPE ROAD. THESE FACILITIES EXIST WITHIN THE RIGHT OF WAY FOR LAKEWOOD RANCH BOULEVARD.
 27. ALL DEVELOPMENT PARCELS ADJACENT TO AGRICULTURAL USES AT THE TIME OF FINAL SITE PLAN APPROVAL SHALL PROVIDE A 35' SETBACK AS REQUIRED BY SECTION 702.6.7.
 28. THE DEVELOPER RESERVES THE RIGHT TO UTILIZE STREET NAMES AS PER LAND DEVELOPMENT CODE SECTION 742.5.

INDEX TO SHEETS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GENERAL DEVELOPMENT PLAN
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STATUS : REVISIONS

NO.	DATE	DESCRIPTION	BY
06/08/13		UPDATED PER CURRENT PARCEL VALUES, NOTES, DATES	HER/98419
05/25/12		UPDATED PER CURRENT DATES / ROAD NAMES	RTD/89450
8/11/08		REVISED PER COMMENTS	RRP/2382

PROJECT SURVEYOR	PROJECT ENGINEER	PROJECT MANAGER
	ROBERT ENGEL, PE	DIANE CHADWICK, AICP

GENERAL DEVELOPMENT PLAN LAKWOOD CENTRE	
APPROVED	Date
Project Planner (PP)	
Project Engineer (PE)	
Concurrence (CO)	
Natural Resource (NR)	
Environmental Health	
Fire District	
Owner/Agent	

PROJECT NUMBER	04333-013-000(DRMPD)
DATE	JUNE 2013
INDEX NUMBER	D-04333-013-000001

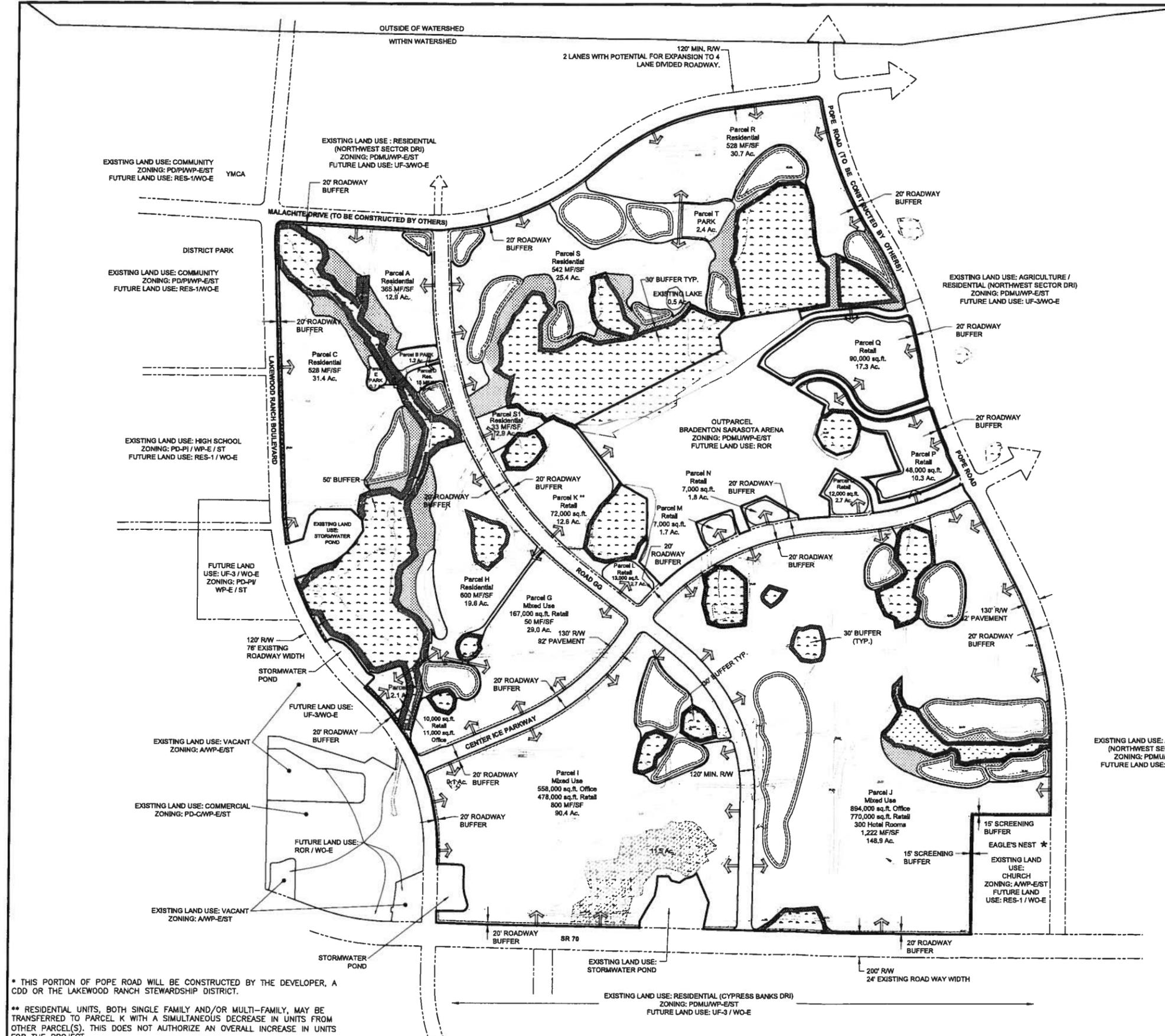


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Exhibit "1"

PDMU-06-30(G)(R2)
 20130245(1)
 SMR North 70,
 LLC/Lakewood Centre



LEGEND

- Project Boundary
- Herbaceous Wetlands
- Wetland Impact
- Forested Wetlands
- Wetland Buffer
- Upland Preservation
- Access Arrows
- Topographic Contours
- Lake / Stormwater Pond
- Parcel Boundary

LAND USE AND PHASING TABLE

Land Use	Phase 1 2007-2022*	Phase 2 2009-2021*	Phase 3 2012-2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family	1,008	200	236	1,444
Total	1,908	2,000	775	4,683
Retail/Office (sq.ft.)				
Retail	360,000	542,000	772,000	1,674,000
Office	358,000	458,000	647,000	1,463,000
Total	718,000	1,000,000	1,419,000	3,137,000
Hotel (rooms)	300	0	0	300

Source: WilsonMiller, September 2005
 * The Phasing bulldout dates shall be March 22nd of the years indicated which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363), Wildfire (EO-11-126, EO-11-172, EO-11-202) and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-192, 12-217 and 12-199)

- A. The maximum square footage for each commercial and office parcel, as identified on the General Development Plan, may be increased provided that all dimensional criteria are met. This shall not authorize an overall increase of square footage for the Project. Such modification does not require the submittal or review of an amended general development plan, but may be approved with a preliminary site plan or final site plan.
- B. The maximum number of units for each residential parcel, as identified on the General Development Plan, may be increased provided there is a simultaneous decrease on another residential parcel. This shall not authorize an overall increase in residential units for the Project. Such modification does not require the submittal or review of an amended general development plan, but may be approved with a preliminary site plan or final site plan.

ACREAGE BY LAND USE

RESIDENTIAL (ONLY)	126.9 AC.
MIXED USE, & RETAIL & OFFICE	250.6 AC.
RETAIL (ONLY)	51.2 AC.
RECREATION	4.3 AC.
RIGHT-OF-WAY	34.5 AC.
WETLANDS	92.1 AC.
WETLAND BUFFERS	31.6 AC.
UPLAND PRESERVATION	23.8 AC.
EXISTING LAKE	0.5 AC.
STORMWATER PONDS	63.4 AC.
OTHER OPEN SPACE	18.5 AC.
TOTAL SITE AREA	697.4 AC.

* THIS PORTION OF POPE ROAD WILL BE CONSTRUCTED BY THE DEVELOPER, A CDD OR THE LAKEWOOD RANCH STEWARDSHIP DISTRICT.

** RESIDENTIAL UNITS, BOTH SINGLE FAMILY AND/OR MULTI-FAMILY, MAY BE TRANSFERRED TO PARCEL K WITH A SIMULTANEOUS DECREASE IN UNITS FROM OTHER PARCEL(S). THIS DOES NOT AUTHORIZE AN OVERALL INCREASE IN UNITS FOR THE PROJECT.

<p>3 UPDATED NOTES AND PARCEL INFORMATION 2 UPDATED NOTES, DATES AND ROAD NAMES 1 REVISED PER COMMENTS</p>		<p>DATE: 08/06/13 DESIGNED BY: HER/98419 05/25/12 RTD/89450 12/12/07 MMP/2458</p>		<p>ACTIVITY: INTNLS/TEMP. NO. DATE DESIGNED BY: CVO/1995 10/07/05 DRAWN BY: CVO/1995 10/07/05 CHECKED BY: CONTRACT ADMIN. BY: WMA APPROVED BY:</p>		<p>WilsonMiller Planners • Engineers • Ecologists • Surveyors • Landscape Architects • Transportation Consultants WilsonMiller, Inc. 827 Canal Drive, Suite 400 • Tampa, Florida 33602 • Phone: 813-227-0000 • Fax: 813-227-0000 • Web: www.wilsonmiller.com</p>		<p>CLIENT: SMR NORTH 70, LLC PROJECT: LAKEWOOD CENTRE DRI</p>		<p>DATE: JANUARY 2008 HORIZONTAL SCALE: 1"=400' VERTICAL SCALE: SHEET NUMBER: 2 OF 2</p>		<p>TITLE: GENERAL DEVELOPMENT PLAN PROJECT NUMBER: 04333-013-000 SHEET NUMBER: 2 OF 2</p>	
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