MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDR-13-34(Z)(P) – Fountain Lake Apartments LLC/ Fountain Lake (DTS #20130327))	**TYPE AGENDA ITEM**	Advertised Public Hearing – Consent
DATE REQUESTED	12/12/13 PC	**DATE SUBMITTED/REVISED**	12/05/13
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
CONTACT PERSON TELEPHONE/EXTENSION	Rossina Leider / Planner 941-748-4501 ext. 6859	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Rossina Leider / Planner 941-748-4501 ext. 6859
ADMINISTRATIVE APPROVAL			

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

I move to recommend approval of PDR-13-34(Z)(P) per the recommended motion in the staff report attached to this memo.

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

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- The ±5.07 acre vacant site is located 800 feet north of 57th Avenue West and 1,300 feet east of the US 41. The site does not have direct frontage along a roadway, and to the west is adjacent to an existing multi-family development (Fountain Lake Apartments) which fronts 57th Avenue West.
- The site is zoned RMF-9 (Residential Multi-Family, 9 dwelling units per acre), and within the RES-16 (Residential – 16 dwelling units per acre). It is in the Urban Core of the County, and part of the "South County Community Redevelopment Area" (CRA) and the Transportation Concurrency Exception Area (TCEA).
- Site lies in Zone X per FIRM Panel 120153 0329C (revised 7/15/92). There are no wetlands on site, or/and species considered threatened or endangered.
- The current request is to rezone the property from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to PDR (Planned Development Residential), and approve a Preliminary Site Plan for a maximum of 80 multifamily units.
- The project is designed as an expansion to the existing Fountain Lake Apartments (f.k.a. Fountain Lake Condominium) approved in 1983 and built with a total of 202 units. Both developments will share the existing and proposed facilities as, for example, the stormwater pond, recreational areas, internal driveways, and access points, as both properties are under the same ownership.
- The Preliminary Site Plan proposes:
  - Two access points onto 57th Avenue West thru the existing Fountain Lake Apartments:
    - One new access point via a 20-foot wide driveway, that runs parallel to the west property boundary of the existing Fountain Lake Apartments in a south-north direction, from the 57th Avenue West to the site, and
    - One existing access point via a ±24-foot wide driveway that connects the southeast corner of the site with the existing Fountain Lake Apartments, providing access to 57th Avenue West at the southeast corner of the existing residential complex.
  - Two buildings with a maximum height of 41 feet (3-stories). Specific Findings have been making to indicate that the proposed buildings exceeding 35 feet in height are consistent with Section 603.7.4.9 of the Land Development Code.
  - Gross and net density of 15.78 and 18.5 dwelling units per acre, respectively.
  - 1.71 acres of open space (33.7% of the total site).
  - 15-foot wide greenbelt landscape buffer along the north and west property boundaries to screen the project from the adjacent properties (residential multi-family development and stormwater facilities of a commercial site, respectively). No screening buffer is proposed along the east property line since the design proposes to integrate the project with the existing multi-family complex. To the south, there is a stormwater facility which is part of the existing apartment complex and no buffer is required.
  - 0.15 acres of recreational area that includes two landscaped squares with fountains as focal points.
  - Stormwater management facility, already installed on the adjacent parcel of the south of the site.
  - Parking areas are provided in accordance with LDC regulations (2 parking spaces per unit, and 1 guest parking for every 10 units) for a total of 173 parking spaces including 42 garage spaces in seven structures.
- Special approval is required for a project with:
  - Gross density exceeding 9 dwelling units per acre in the RES-16 FLUC.

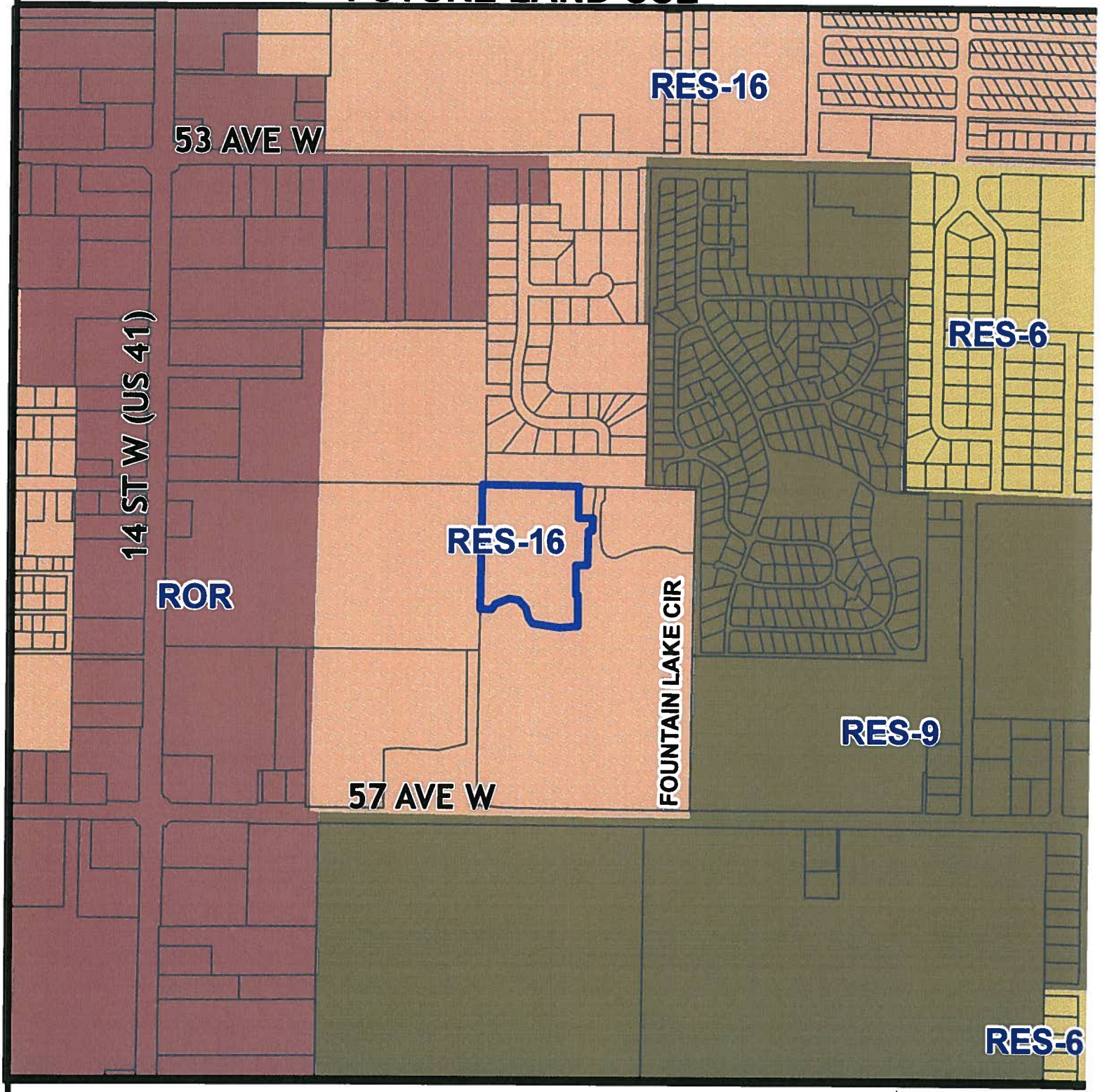
- Net density exceeding 12 dwelling units per acre in the RES-16 FLUC.
- The applicant requests Specific Approval to:
  - Reduced replacement tree sizes (LDC Section 714.8.7)
  - Eliminate required greenbelt buffer along east property boundary (LDC Sections 603.7.4.5 and 715.3.2).

Staff supports all requested Specific Approvals. Staff recommends approval of this request, with stipulations.

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

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

FUTURE LAND USE



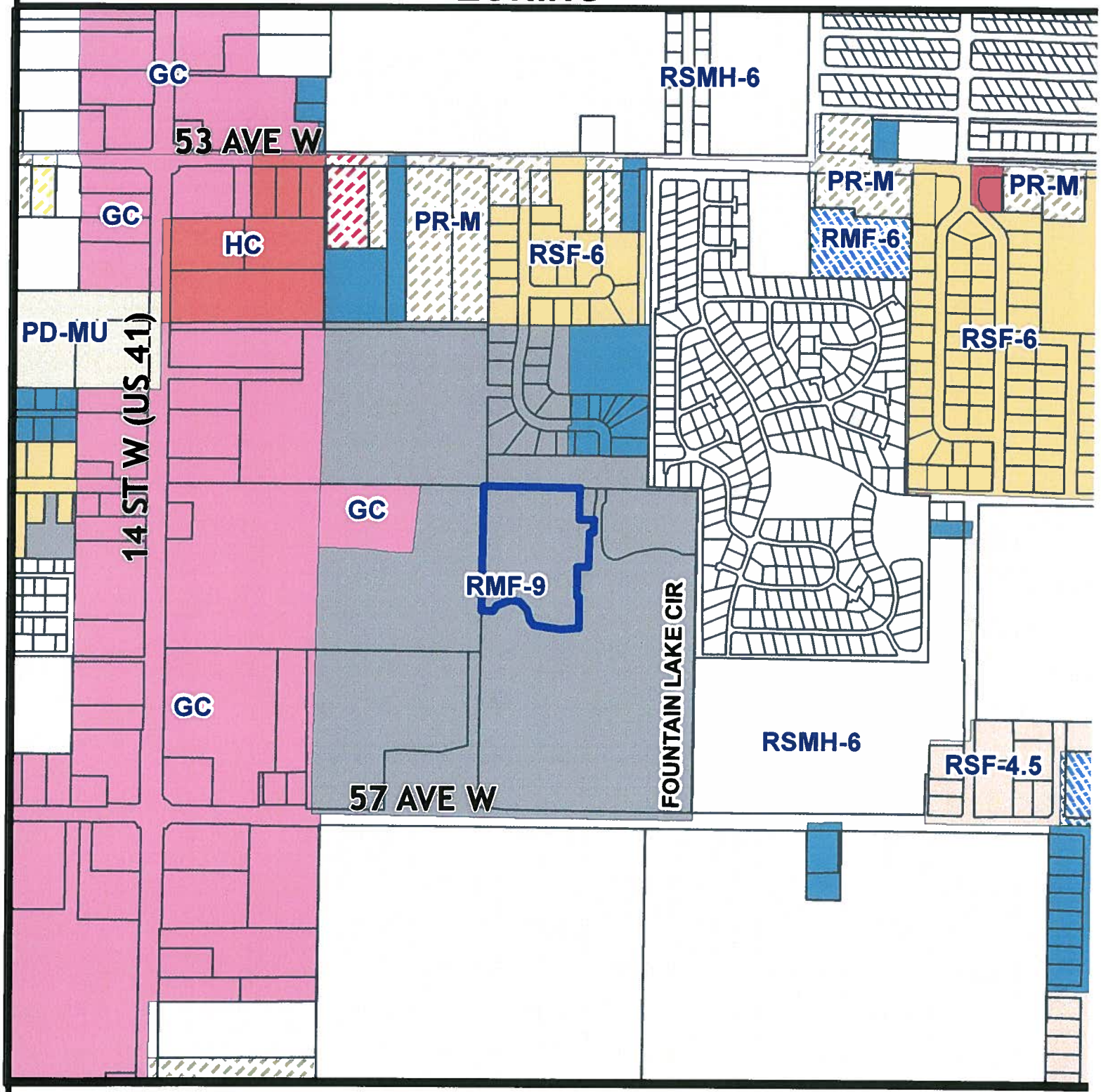
Parcel ID #(s) 5866401002

Manatee County
Staff Report Map

Map Prepared 10/18/2013
1 inch = 553 feet

Project Name:	Fountain Lake Apartments
Project #:	PDR-13-34 (Z)(P)
DTS#:	20130327
Proposed Use:	Residential
S/T/R:	Sec 14 Twn 35 Rng 17
Acreage:	5.07
Existing Zoning:	RMF-9
Existing FLU:	RES-16
Overlays:	NONE
Special Areas:	CRA
CHH:	NONE
Watershed:	NONE
Drainage Basin:	BOWLEES CREEK
Commissioner:	Robin DiSabatino

ZONING



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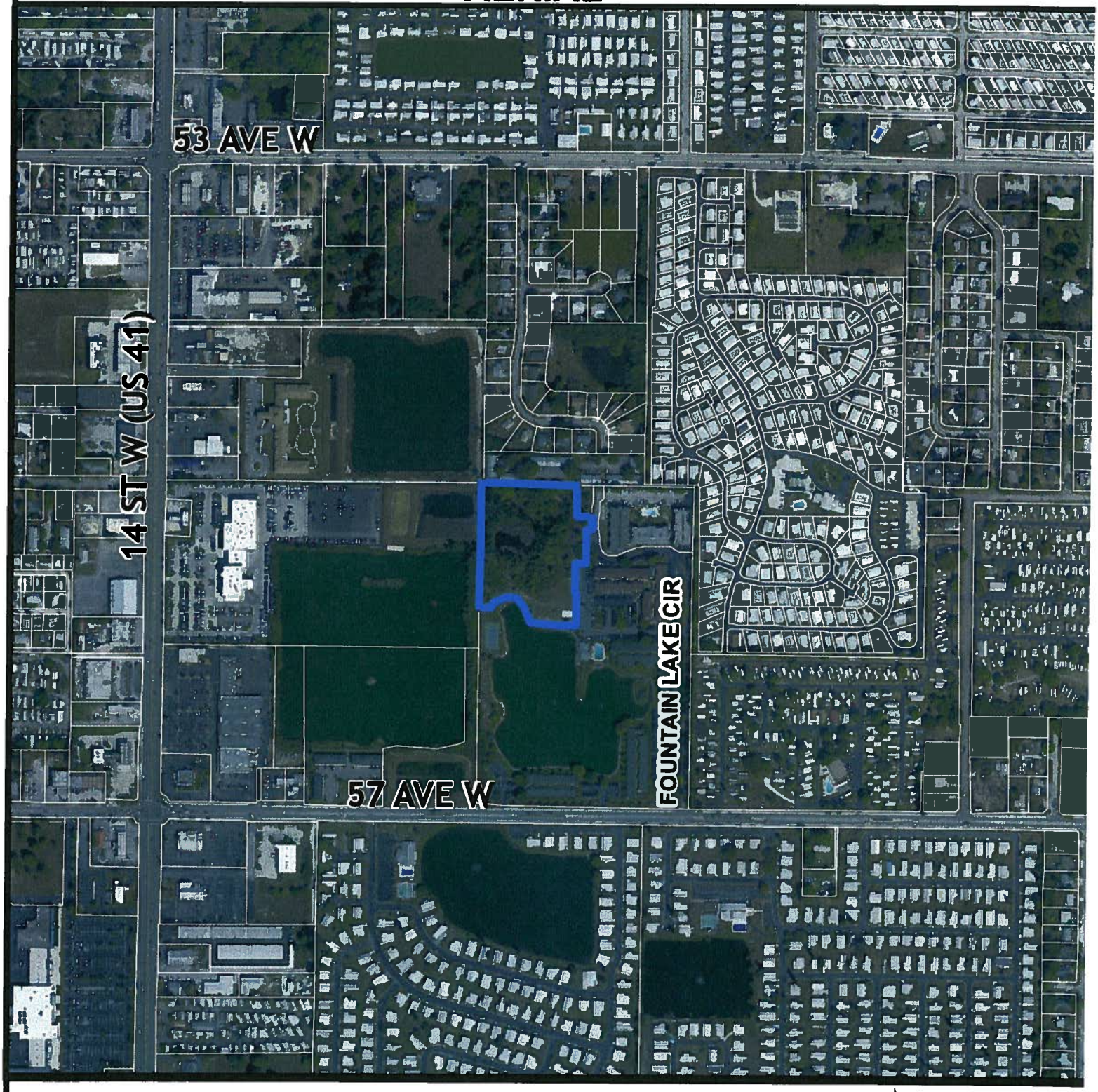
AERIAL



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Overlays:	NONE
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CHH:	NONE
Watershed:	NONE
Drainage Basin:	BOWLEES CREEK
Commissioner:	Robin DiSabatino

P.C. 12/12/2013

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)

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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family 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.: 12/12/2013 **B.O.C.C.: 01/09/2014**

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-13-34(Z)(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1-A.3, B.1-B.2, C.1-C.2, D.1, and E.1-E-4; MAKING Specific Findings that the proposed buildings exceeding 35 feet in height are consistent with Section 603.7.4.9 of the Land Development Code; GRANTING Special Approval for a project: 1) exceeding gross density of 9 dwelling units per acres in the RES-16 Future Land Use Category and 2) exceeding net density of 12 dwelling units per acre in the RES-16 Future Land Use Category; ADOPTING of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to Sections 714.8.7, 603.7.4.5, and 715.3.2 of the Land Development Code, as recommended by staff.

PROJECT SUMMARY	
CASE#	**PDR-13-34(Z) (P) - DTS #20130327**
PROJECT NAME	**FOUNTAIN LAKE**
APPLICANT(S):	**FOUNTAIN LAKE APARTMENTS LLC**
PROPOSED ZONING:	**PDR (Planned Development Residential)**
EXISTING ZONING:	**RMF-9 (Residential Multi-Family, 9 dwelling units per acre)**
PROPOSED USE(S):	**80 Multi-Family Units**
CASE MANAGER:	**Rossina Leider**
STAFF RECOMMENDATION:	**APPROVAL**

DETAILED DISCUSSION

The site is in the Urban Core of the County, part of the "South County Community Redevelopment Area" (CRA) which is subject to a redevelopment plan to revitalize and enhance the area, and the Transportation Concurrency Exception Area (TCEA), which allows for transportation impact mitigation thru alternative methods.

The ±5.07 acre vacant site does not have direct frontage along a roadway. The site is located 800 feet north of 57th Avenue West and 1,300 feet east of the US 41, west of the existing Fountain Lake Apartments, which fronts 57th Avenue West. The site is zoned RMF-9 (Residential Multi-Family, 9 dwelling units per acre), within the RES-16 (Residential – 16 dwelling units per acre).

In 2006, an application for an administrative approval of 39 residential units (townhouses) was submitted (FSP-07-06), which was abandoned. The application was closed on 05/18/2009.

Request

The current request is to rezone the property from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to PDR (Planned Development Residential), and approve a Preliminary Site Plan for a maximum of 80 multi-family units. The project is designed as an expansion to the existing multi-family development (Fountain Lake Apartments f.k.a. Fountain Lake Condominium) approved in 1983 and built with a total of 202 units. Access to the 80 units is thru the existing Fountain Lake Apartments.

The Preliminary Site Plan identifies:

- Two access points onto 57th Avenue West:
  a. One new access point via a 20-foot wide driveway, that runs parallel to the west property boundary of the existing Fountain Lake Apartments in a south-north direction, from the 57th Avenue West to the site, and
  b. One existing access point via a ±24-foot wide driveway that connects the southeast corner of the site with the existing Fountain Lake Apartments, providing access to 57th Avenue West at the southeast corner of the existing residential complex.
- Two buildings with a maximum height of 41 feet (3-stories) and the following dimensions:
  - Building 1: 18,806 sq. ft. (216' x 91.5') oriented north to south, and setback 56 feet from the west property boundary, and
  - Building 2: 19,044 sq. ft. (206' x 93.5') oriented east to west, and setback 106 feet from the north property boundary.
- Gross and net density of 15.78 and 18.5 dwelling units per acre, respectively.
- 1.71 acres of open space (33.7% of the total site).
- 15-foot wide greenbelt landscape buffer along the north and west property boundaries to screen the project from the adjacent properties (residential multi-family development and stormwater facilities of a commercial site, respectively). No screening buffer is proposed along the east property line since the design proposes to integrate the project with the existing multi-family complex. To the south, there is a stormwater facility which is part of the existing apartment complex and no buffer is required.
- 0.15 acres of recreational area that includes two landscaped squares with fountains as focal points.
- Stormwater management facility, already installed on the adjacent parcel of the south of the site.
- Parking areas are provided in accordance with LDC regulations (2 parking spaces per unit, and 1 guest parking for every 10 units) for 173 parking spaces as follows:
  - 131 spaces including 6 handicap parking spaces, and
  - 42 garage spaces located in seven structures (± 1,339 sq. ft. each). The garage structures (12 feet in height to roof midpoint) will be setback approximately 23 feet and 20 feet from the north and east property lines, respectively.

As mentioned previously, the site is designed to be an expansion of the existing multi-family complex adjacent to the east property line (Fountain Lake Apartment), and both developments will share the existing and proposed facilities as, for example, the stormwater pond, recreational areas, internal driveways, and access points, as both properties are under the same ownership.

Two access points are provided via driveways thru existing Fountain Lake to connect to 57th Avenue West. These two access points will satisfy two means of access required by the LDC. Staff recommends a stipulation requiring the western most driveway be completed and

constructed prior to issuance of the first certificate of occupancy.

The site will be developed with a similar type of building used to develop the existing Fountain Lake Complex. The proposed buildings will be higher than the surrounding buildings at Lough Erne Condominiums and Fountain Lake Apartment, with a maximum height of 41-foot/3 stories. However, the buildings will be separated at least 106 feet from the north and east property lines, approximately two times the proposed maximum height of the buildings. In addition, no impacts are expected to be created to the property to the west since the site is adjacent to the stormwater facilities of a automobile dealership located along the US 41, providing transition from the commercial uses to the west and the less intense residential uses to the east (single-family manufactured homes). Specific Finding for structures exceeding 35 feet in height (LDC Section 603.7.4.9) indicating that the development is comparable with surrounding areas is included.

The applicant proposes an overall gross and net density of 15.78 du/acre and 18.5 du/acre, respectively. The total number of proposed units (80 units) is almost equivalent to the maximum number of dwelling units permitted (81 units with a maximum gross density of 16 du/acre). In RES-16 FLUC, Special Approval is required for projects which the density exceeds 9 du/acre gross and 12 du/acre net, and may be acquired through the planned development process.

This project is considered an expansion of the existing Fountain Lake Apartment located to the east of the site, which has been developed with 202 multi-family units in a 18.9-acre parcel with a gross density of 10.7 du/acre. If taken in consideration together, the existing and proposed Fountain Lake Apartment Complex, the overall acreage will contain 282 multi-family units in a 23.97-acre site with a maximum gross density of 11.76 du/acre.

Fountain Lake Apartments		**Total Units**	**Gross Density (du/ac)**
Existing complex	18.9	202	10.7
Proposed expansion (current request)	5.07	80	15.78
Total	23.97	282	11.76

Site lies in Zone X per FIRM Panel 120153 0329C (revised 7/15/92). No changes in zone on the preliminary digital maps (D-FIRMs with a projected effective date 03/17/14).

There no wetlands, uplands, or/and species considered threatened or endangered. There do not appear to be any known or recorded historic resources within the project area.

Recreational area (0.15 acres) has been provided (two landscaped squares with fountains), and additional existing amenities in the apartment complex (pool and clubhouse) will be available (0.29 acres).

The applicant requests Specific Approval to:

- Reduce replacement tree sizes (LDC Section 714.8.7)
- Eliminate required greenbelt buffer along east property boundary (LDC Sections 603.7.4.5 and 715.3.2).

Staff supports all requested Specific Approvals. Staff recommends approval of this request, with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA	
ADDRESS:	**5620 Fountain Lake Circle, Bradenton**
GENERAL LOCATION:	**North and west of the existing Fountain Lake Apartments (± 800 north of 57th Avenue West)**
ACREAGE:	**5.07 ± acres**
EXISTING USE(S):	**vacant**
FUTURE LAND USE CATEGORY(S):	**RES-16 (Residential, 16 dwelling units per acre)**
DENSITY: **Maximum Density allow in RES-16:** **16 du/acre gross & 20 du/acre net**	**15.78 gross** **18.5 net**
SPECIAL APPROVAL(S):	• **Exceeding gross density of 9 dwelling units per acres in the RES-16 FLUC** • **Exceeding net density of 12 dwelling units per acre in the RES-16 FLUC**
OVERLAY DISTRICT(S):	**None**
SPECIFIC APPROVAL(S):	• **714.8.7 – Replacement Tree Calipers** • **603.7.4.5 & 715.3.2. – Elimination of greenbelt buffer along east boundary**

SURROUNDING USES & ZONING	
NORTH	**Multi-family units zoned RMF-9 and single-family units zoned RSMH-6 (Residential single-family manufactured homes, 6 dwelling units per acre). Further north, there are single-family semi-detached units zoned RDD-6 (Residential Duplex, 6 dwelling units per acre).**
SOUTH	**Existing stormwater pond and a tennis court of Fountain Lake Apartments zoned RMF-9 (Residential Multi-Family, 9 dwelling units per**

	acre).	
EAST	**Existing Fountain Lake Apartments zoned RMF-9. Further east, there are multi-family units in Lough Erne Condominiums zoned RMF-9.**	
WEST	**Stormwater facility and borrow pit areas of the Honda automobile dealership zoned RMF-9. Further west, there are the buildings and parking areas of the automobile dealership zoned GC.**	
SITE DESIGN DETAILS		
MINIMUM UNIT SIZE(S):	**917 sq. ft.**	
BUILDING SIZE(S)	**Building 1: 18,806 sq. ft. (91.5' x 216') Building 2: 19,044 sq. ft. (206' x 93.5') 40 units per building**	
SETBACKS:	**Front Side Rear Waterfront**	**38.7' 56' (west) & 118' (east) 106' 30'**
OPEN SPACE: 25% required – 1.27 acres	**33.7% open space provided - 1.71 acres**	
RECREATIONAL AMENITIES:	**Two landscaped squares with two fountains (focal points).**	
RECREATIONAL ACREAGE:	**0.15 acres.**	
ACCESS:	• **One driveway access from 57th Avenue West at the southwest corner of the existing Fountain Lake Apartment (new access)** • **One driveway access from 57th Avenue West at the southwest corner of the existing Fountain Lake Apartment (existing access point)**	
FLOOD ZONE(S)	**Zone X per FIRM Panel 120153 0329C, revised 7/15/92. No change in zone on the preliminary digital maps (D-FIRMs), projected effective date 3/17/14.**	
AREA OF KNOWN FLOODING	**Yes, rainfall. Project Subject to 50% reduction in allowable runoff.**	
UTILITY CONNECTIONS	**Water and sewer available. The potable water and sanitary sewer will be tied into a privately owned and maintained system.**	

ENVIRONMENTAL INFORMATION	
Overall Wetland Acreage:	**None**
Proposed Impact Acreage:	**N/A**

Wetlands:

According to the environmental narrative provided by Steinbaum & Associates dated September 7, 2013, the site is estimated to have no jurisdictional wetlands. The applicant has submitted a petition for formal SWFWMD wetland determination, which is currently in process of being reviewed. A final determination will be required before staff approves the Final Site Plan.

Uplands:

According to the environmental narrative, there is a small amount of Mixed Hardwoods within the project limits. Based on the location and configuration of this small amount of habitat, upland preservation is not feasible for this project.

Endangered Species:

According to the environmental narrative there were no species considered species of special concern, threatened or endangered observed during the on-site listed species survey event.

Trees

According to the tree removal and replacement tables provided by the landscape architect, there is a total of 174 trees on-site. Proposed quantities for removal are 117 trees and 18 palms. Replacement is proposed at 130 canopy trees and 18 palms. Staff has recommended and is in support of the Specific Approval for an alternative to Section 714.8.7 of the LDC to allow for smaller replacement trees at 3"/4"/4" caliper in lieu of 3"/5"/7" caliper.

Landscaping/Buffers:

The applicant has shown a 15' perimeter screening buffer around the boundaries of the project that do not abut a right-of-way, with exception of the east buffer which is adjacent to existing Fountain Lake Complex. The landscape materials proposed within these buffers appear to meet the intent of the LDC. However, landscaping materials, quantities and species will be reviewed and approved by EPD with the Final Site Plan.

NEARBY DEVELOPMENT

NON-RESIDENTIAL				
PROJECT	**SQ. FT.**	**F.A.R.**	**FLUC**	**YEAR APPROVED**
Honda Cars of Bradenton	50,000	0.09	ROR	2006 (expansion)
Hidden Lakes Memory Care Facility	30,304 (78 beds)		ROR, RES-16	2012

RESIDENTIAL				
PROJECT	**LOTS / UNITS**	**DENSITY**	**FLUC**	**YEAR APPROVED**
57th Avenue Apartments	29	3.9	ROR, RES-16	2005
Lough Erne	52	22.80	RES-16	1982
Fountain Lakes	202	10.7	RES-16	1983

POSITIVE ASPECTS

- The project will represent an enhancement to the South County Community Redevelopment Area (CRA).
- The project may be considered infill development and serves as a transition between commercial uses to the west along US 41, and residential uses to the east.
- The proposed use is adequately buffered from adjacent residential property.
- The design shows 33.7 % of open space.

NEGATIVE ASPECTS

- The design proposes higher buildings than the surrounding multi-family buildings.
- No pedestrian walks to connect the development with existing sidewalk at 57th Avenue West proposed.

MITIGATING MEASURES

- The proposed buildings are separated more than 106 feet from the adjacent residential properties.
- No logical pedestrian connection is available as no sidewalks exist in the existing Fountain Lake.

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. The maximum number of dwelling units approved for this project is 80 units.

2. Proposed buildings shall be in conformance with the elevations and articulated roofline design presented at the Planning Commission and Board of County Commission meetings. (Attached as Exhibit 1)

3. No new detention or retention ponds shall be constructed within landscape buffers or greenbelt buffers.

B. TRANSPORTATION CONDITIONS:

1. A detailed traffic analysis will be required prior to Final Site Plan approval. Additional on-site and/or off-site improvements may be required as the property is developed.

2. The following traffic design and operation items are subject to the findings of the traffic study that will be submitted to Manatee County Transportation Planning at the Final Site Plan stage:
   a) Anticipated back-of-queue length for eastbound left turn movements on 57th Avenue West at both project driveways.
   b) Investigation of potential westbound right turn lanes on 57th Avenue West at both project driveways.

C. PUBLIC WORKS CONDITIONS:

1. The western most access driveway from 57th Avenue West to the site shall be completed and constructed prior to issuance of the first certificate of occupancy.

2. The Final Site Plan shall show the following:
   c) A 15-foot separation from the south façade of Building #1 to the 20 feet wide drive isle.
   d) Any required safety improvements to the east and/or west side of the 20 feet drive isle from the proposed buildings to the exit point on 57th Avenue West in regard to the relationship of the retention ponds.
   e) All required stop signs and stop bars at the intersections of the parking lot drive isles and main drive isles, and any other pedestrian crossing striping that is necessary. All traffic control signage and pavement markings, if warranted, shall conform to MUTCD Standards.
   f) Verification of visibility triangles for the proposed drive isle exit points.
   g) A "Cross-Access Easement" between the new drive isle and the adjacent development (Fountain Lake Apartments). Verification that the "Cross-Access

Easement" agreement will be obtained prior to issuance of the first certificate of occupancy.

D. STORMWATER CONDITIONS:

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

E. ENVIRONMENTAL CONDITIONS:

1. Trees proposed for preservation shall have tree barricades located at the drip line. Up to 15% of canopy encroachment may be allowed within the drip line as approved by the Environmental Planning Division. Improvements proposed within drip lines shall be field adjusted where possible to avoid impacting roots within the drip line. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the barricades shall remain undisturbed and shall be clearly shown on the Final Site Plan. The following activities are prohibited within the barricades of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the Environmental Planning Division.

2. Landscape material, quantities and species are not being reviewed and approved with the Preliminary Site Plan. Staff will review and approve this information with the Final Site Plan.

3. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:

   - Digital photographs of the well along with nearby reference structures (if existing).
   - GPS coordinates (latitude/longitude) of the well.
   - The methodology used to secure the well during construction (e.g. fence, tape).
   - The final disposition of the well - used, capped, or plugged.

4. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None

COMPLIANCE WITH LDC				
Standard(s) Required	**Design Proposal**	**Compliance**		**Comments**
		Y	**N**	
BUFFERS				
15' perimeter buffers	**15' along north & west boundaries**		**N**	**Applicant requests Specific Approval to eliminate the greenbelt buffer along east boundary adjacent to existing Fountain Lake. No buffer is needed to the south adjacent to stormwater facility**
Buffer landscaping	**Shown**	**Y**		**To be in accordance with LDC Section 715**
SIDEWALKS				
5' internal sidewalks	**Shown**	**Y**		**Meets requirements**
ROADS & RIGHTS-OF-WAY				
24' paved driveways	**Shown**	**Y**		**Meets requirements**
20' paved access driveway	**Shown**	**Y**		**From the southwest corner to the abutting parcel to the south (existing Fountain Lake Apartment Complex) to the southwest corner of the property**

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 ±5.07-acre site is currently vacant and has an irregular shape (semi-rectangular) with no frontage along any roadway. There are no jurisdictional wetlands on site according to the environmental narrative provided by the applicant. The site is adjacent to the east and south to Fountain Lakes Apartments (apartment complex) which has frontage along 57th Avenue West (approximately 870 feet).

Public Utilities, Facilities and Services
The site will be served by County water and sewer. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan.

Compatibility
The site is surrounded to the north, east, and south by developed multi-family residential areas (Fountain Lakes Apartments, Lough Erne Condominiums, and Village Park Condominiums) zoned RMF-9. To the west, there are stormwater facilities, Honda of Bradenton, zoned RMF-9. Further west, there are commercial areas zoned GC (General

Commercial).

The project is compatible with the residential uses in the surrounding area. The commercial uses are separated from the site by stormwater ponds. PDR zoning requires approval of a site plan by the Board of County Commissioners to address any compatibility concerns. PDR zoning also provides greater flexibility for the project to establish appropriate buffers to help minimize any compatibility and transition concerns with the surrounding zoning and land uses.

Transitions
The site has been zoned RMF-9 since the adoption of the 1990 Land Development Code. The majority of the surrounding area to the north, east, and south has been developed with multi-family units, and further north and east with manufactured single-family homes, and single-family semi-detached units. The nearby commercial areas to the west are separated to the site by stormwater facilities. The project appears to be consistent with the development trends.

Design Quality
The design of the project includes 80 multi-family units in two buildings. The buildings will have a maximum height of 41feet (3-stories) with open space and parking areas around the buildings.

Two access points are provided through the existing Fountain Lake Apartment Complex, connecting to 57th Avenue West. The existing stormwater facility at Fountain Lake Apartments will be expanded and reshaped to serve the site.

Adjacent Property
The site is entirely surrounded by residential properties zoned RMF-9. Further north, east, and south across 57th Avenue West are residential areas zoned RDD-6 and RSMH-6. To the west is commercial areas zoned GC.

A 15-foot wide buffer is provided along:
- the west property boundary adjacent to large retention ponds (RMF-9 zoning) that separates the project from commercial uses located along US 41, and
- the north property boundary adjacent to a multi-family area (RMF-9 zoning).

Streets, Drives, Parking and Service Areas
The site has no frontage along a street. The proposed residential development will get access to 57th Avenue West via two driveways thru the existing Fountain Lake Complex as follows:
- One existing 24 feet wide driveway (to the east) that actually provides access to 254 units (202 units in Fountain Lakes Apartments and 52 units in Lough Erne Condominiums).
- One new driveway (to the west) that will be 20 feet wide and its location and width have been approved by the Cedar Hammock Fire Marshall, the Manatee County Public Safety, and Public Works Departments, and will be reviewed in detail at Final Site Plan.

The proposed multi-family complex will have private driveways with a minimum of 24 feet pavement width. Adequate parking areas have been provided, for a total of 173 parking

spaces including 6 handicap spaces and 42 garages.

Pedestrian Systems:
The design shows internal sidewalks that provide connectivity between the buildings, parking areas, open spaces, and also, between the existing and proposed apartment complex.

Natural and Historic Features, Conservation and Preservation Areas:
There are no known historic or archaeological resources on the site, and according to the environmental narrative there are no wetlands on-site.

Density
The proposed maximum density (15.78 gross and 18.5 net) is in compliance with the RES-16 FLUC. The total number of residential units proposed (80) for the project is almost equivalent to the maximum number of dwelling units permitted (81). Special Approval is required for a project which exceeds 9 du/acre gross density and 12 du/acre net density in the RES-16 FLUC. Special approval may be acquired through the planned development process.

Height
The applicant is proposing two buildings with 3-stories at a maximum height of 41' feet. For buildings exceeding 35 feet in height, LDC Section 603.7.4.9 requires a Specific Finding be approved by the Board of County Commissioners, indicating that the development is compatible with surrounding areas. Staff analysis is as follows:

Compatibility

Considering the site is not in an area designated as an entranceway, the buildings should not create any external impacts that would adversely affect surrounding development, existing or proposed waterfront vistas, or entranceway areas.

Fountain Lake Apartments and Lough Erne Condominiums, to the east, are developed with 2-story structures and separated from this project by more than 116 feet. To the north, there are 1-story multi-family units located at least 120 feet away from proposed Building #2. To the west, is a stormwater pond and the closest building is commercial and is over 900 feet away. Therefore, staff believes that the proposed buildings are compatible with existing buildings in nearby surrounding developments.

Relationship to Adjacent Properties

The site plan shows the proposed buildings setback at least 56 feet from the property lines, except for the south façade of Building #1 which is ±39 feet from a stormwater facility. Additionally, the site has no frontage along a roadway.

The building elevations submitted for the project show staggered heights, varied rooflines and modulated facades to reduce the appearance of bulk from adjacent properties. This will provide an appropriate transition to adjacent properties.

Roofline Design

The buildings have slope roofs with vary in heights and articulated rooflines. The design

shows other building elements such as windows, balconies, a varying façade, and other architectural features which help to minimize the mass appearance of the buildings.

Open Space

The west and south property boundaries are adjacent to large stormwater facilities. The project provides more than 33% of open space exceeding the minimum requirement of 25%. Proposed buildings and amenities are appropriately connected with sidewalks throughout the site.

Comprehensive Plan

This site is designated RES-16 (Residential, 16 dwelling units per acre) on the Future Land Use map. The site is consistent with the intent and range of potential uses for consideration in RES-16 FLUC.

SPECIFIC FINDING FOR STRUCTURES EXCEEDING 35 FEET IN HEIGHT

Based on a review of the factors to be considered under LDC Section 603.7.4.9, the Board of County Commissioners finds that the development, as approved and stipulated, is compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, because nearby properties contain buildings of similar heights, appropriate setbacks are provided from adjacent properties, and the building elevations indicate an articulate design that incorporate elements which help to minimize the mass appearance of the buildings

Fences, Screening, and Landscaping

No perimeter fencing is proposed. The greenbelt buffer along to the north and west property boundaries will be 15-foot wide and screened with landscaping in accordance with standards listed in LDC Sections 603.7.4.5 and 715 (one shade tree planted every 30 ft. on center).

Yards and Setbacks

Setbacks are shown in the site plan. The buildings are appropriate setback from the adjacent property lines; they are separated at least a distance that is equal to their height (41feet) or a minimum of 30 feet, whichever is greater as follows:

- Building 1: setback at least 56 feet from the west property line, 38 feet from the south property line (adjacent to a stormwater facility), and 240 feet from the east property line (existing Fountain Lake Apartment complex), and
- Building 2: setback 120 feet from the west property line, 106 feet from the north property line (adjacent to a multi-family development), and 117 feet from the east property line (existing Fountain Lake Apartment complex).
- Garages: approximately 23 feet from the north boundary and 20 feet from the east boundary.

Trash and Utility Plant Screens

A trash compactor located in the existing Fountain Lakes Apartment Complex will be utilized to serve the site. It will be reviewed at Final Site Plan.

Signs
All signs will be reviewed with the Final Site Plan and Building Permits.

Mixed Use or Entranceway Designation
The site in not in an area designated as an Entranceway of the County. The site is in the "South County Community Redevelopment Area" (CRA) which is subject to a redevelopment plan to revitalize and enhance the area, and the Transportation Concurrency Exception Area (TCEA), which allows for transportation impact mitigation thru alternative methods.

Water Conservation
The development will be required to conform to Manatee County Land Development Code and Engineering Standards for water conservation measures.

Rights-of-Way
Internal driveways will be designed to Manatee County Public Works standards and will be reviewed with future Final Site Plan.

Utility Standards
Connection to Manatee County utilities is required and will be reviewed in greater detail with future Final Site Plan.

Stormwater Management
The majority of the stormwater facility to serve the project is located outside the property boundaries, specifically south of the site as part of the existing apartment complex. The facility will be expanded and the design will be required to meet the requirements of the LDC Section 717 and the adopted Manatee County Development Standards for the treatment of stormwater. Stormwater facilities will be reviewed in greater detail with future site plan submittals.

Open Space
The site plan shows 33.7% or 1.7 acres of open space is provided with this project. Landscaped open space is provided, and recreational amenities that include two squares with water fountain as focal point have been proposed.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-16 Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given development trends in the area. The surrounding area is characterized by a mix of residential uses (multi-family, single-family manufactured home, and single-family semi-detached). Further west, there are commercial uses along the US 41 corridor.

Policy 2.2.1.15.1 Intent. The proposed use (residential multi-family) is consistent with the intent of the RES-16 FLUC which provides for moderate density urban residential uses.

Policy 2.2.1.15.2 Range of Potential Uses. Suburban or urban residential uses are considered in the range of potential uses for projects within the RES-16 FLUC.

Policy 2.2.1.15.3 Range of Potential Density. The proposed gross and net density (15.78 du/acre and 18.5 du/acre) is consistent with the maximum gross and net density allow in the RES-16 FLUC. is 16 du/acre and 20 du/acre respectively. Special approval is required for a project exceeding a gross density of 9 du/acre and net density exceeding 12 du/acre.

Policy 2.6.1.1 Compatibility. PDR developments can be designed to permit development consistency with the growing development trends in the area. The proposed use and setbacks are comparable with surrounding developments, partially the existing Fountain Lake Apartment complex. Appropriate buffers are provided for compatibility and transition between the surrounding properties, and additionally, PDR allow the Board to attach stipulations to ensure the project is compatible with surrounding uses.

Policy 2.6.2.7 Require Clustering to Limit Impacts. According to the environmental narrative there are no wetlands, uplands, or species considered species of special concern, threatened or endangered on-site.

Policy 2.6.5.4 Preserve/Protect Open Space.
The site plan shows 33.7% open space (1.7 acres). 25% open is required.

TRANSPORTATION

Major Transportation Facilities

The site is located north of 57thAvenue West, a two-lane collector roadway.

Transportation Concurrency

The Applicant is seeking Rezone and Preliminary Site Plan (PSP) approval at this time, but has deferred concurrency until the Final Site Plan (FSP) review stage of this project. At that time, the Applicant will be required to submit a detailed Traffic Impact Analysis (TIA) which will determine if any off-site concurrency-related improvements will be required by the project. However, the Applicant did prepare and submit a Traffic Impact Statement (TIS) at this time to determine preliminary impacts to the segments of 57thAvenue West adjacent to the project site. The results of the TIS, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segments are expected to operate above the level of service (LOS) D performance standard with project-related traffic and with no off-site improvements needed/identified at this time (see Certificate of Level of Service Compliance table below).

Access

The site will have access onto 57th Avenue West via two driveways. It is likely that one driveway on 57thAvenue West will provide full turning movements, while the second driveway on 57th Avenue West will be provide for either full or restricted movements. At the time of the detailed TIA, all access points will be evaluated to determine the specific configuration (i.e. full or partial access) and if any site-related improvements will be required for the site.

Right of Way

The applicant has elected to defer concurrency with the submission of this preliminary site plan and has submitted a generalized traffic impact statement. The need for additional right of way to accommodate any required on-site or off-site improvements will be reviewed and determined with the submittal and approval of a detailed traffic impact analysis and access management study during the review of the final site plan. Any right of way to be dedicated shall be shown on the final site plan and final plat(s) and shall be dedicated prior to approval of the first Final Plat.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

TRANSPORTATION CONCURRENCY

CLOS APPLIED FOR: Y ____ N √

TRAFFIC STUDY REQ'D: Y √ N ____ **(a TIS was submitted, however, a TIA will be required at FSP)**

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
57thAvenue West	U.S. 41 to 9th Avenue East (Link #1840)	D	D

OTHER CONCURRENCY COMPONENTS

Solid waste landfill capacity, potable water, waste water, parks, school facilities and drainage will be reviewed at the time of Final Site Plan/Construction Drawings, as the Applicant has elected to defer concurrency at this stage.

SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Request:

1. **Alternative to LDC Section 714.8.7 – Tree Replacement Size**
   LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree removed. The request is to allow replacement tree calipers to be three or four inches.

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

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

2. **Alternative to LDC Sections 603.7.4.5 & 715.3.2 – Elimination of greenbelt buffer along east boundary**
   LDC Sections 603.7.4.5 and 715.3.2 require a 15-foot continuous greenbelt buffer around the entire perimeter of the project within the PDR (Planned Development Residential) zoning district. The request is to eliminate the required greenbelt buffer along the east property line.

   Staff Analysis and Recommendation:
   Staff is in support of the request for Specific Approval for an alternative to Sections 603.7.4.5 and 715.3.2 since the project is designed as an expansion of the existing multi-family development adjacent to the east and a buffer in this area is not necessary.

   Finding for Specific Approval:
   Notwithstanding the failure of this plan to comply with the requirements of LDC Sections 603.7.4.5 and 715.3.2, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the project will be functionally integrated with the adjacent residential project.

SPECIAL APPROVAL – FINDINGS

"Special Approval" is a process requiring an additional level of review pursuant to the Comprehensive Plan. It is defined as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC. The planned development process allows the Board of County Commissioners to approve stipulations to ensure compatibility with surrounding zoning and land uses and address any specific issues related to the development.

Special Approval is required for a project:

Exceeding a gross density of 9 dwelling unit per acre and a net density of 12 dwelling units per acre in the RES-16 FLUC.

Comprehensive Plan Policy 2.2.1.15.4 requires special approval for all projects exceeding gross and net residential density of 9.00 du/acre and 12 du/acre, respectively.

The proposed gross and net density (15.78 du/acre and 18.5 du/acre) is consistent with the maximum density threshold allowed in the RES-16 FLUC (16 du/acre gross and 20 du/acre net).

The site is located in the "South County Community Redevelopment Area" (CRA), which is subject to a redevelopment plan to revitalize and enhance the area. The proposed densities appear appropriate to achieve the referenced goal, and are consistent with the developments trends of the nearby area that is developed with moderate residential density.

The Board finds that the purpose of the Special Approval regulation is satisfied by the analysis provided in the staff report and proposed design which indicates the proposed project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **Zoning Disclosure Affidavit**
3. **Request for Specific Approval**
4. **TIA**
5. **Building Elevations (Exhibit 1)**
6. **Copy of Newspaper Advertising**

APPLICABLE COMP PLAN POLICIES		
Policy:	2.1.2.3	Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development if compatible with future areas of development.
Policy:	2.1.2.7	Review all proposed development for compatibility and appropriate timing. This analysis shall include: - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area, - availability of adequate roadways, - adequate centralized water and sewer facilities, - other necessary infrastructure and services. - limiting urban sprawl - applicable specific area plans - (See also policies under Objs. 2.6.1 - 2.6.3)
Policy:	2.2.1.15	**RES-16:** Establish the Residential-16 Dwelling Units/Acre future land use category as follows:
Policy:	2.2.1.15.1	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 moderate 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:	2.2.1.15.2	Range of Potential Uses (see Policies 2.1.2.3 - 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 Objectives 4.2.1 and 2.10.4).

Policy:	2.2.1.15.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: 16 dwelling units per acre Minimum Gross residential Density: 13.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "affordable housing". Maximum Net Residential Density: 20 dwelling units per acre 28 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: 0.25 (0.35 for mini-warehouse uses only) 1.00 inside the CRA's and UIRA Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf)
Policy:	2.2.1.15.4	Other Information: a) All mixed and multiple-use projects, or projects containing any lodging place not consistent with the locational criteria for medium commercial uses contained in this element, shall require special approval, as defined herein, and as further defined in any development regulations developed pursuant to § 163.3202, F.S. b) All projects for which either gross residential density exceeds 9 dwelling units per acre, or for which any net residential density exceeds 12 units per acre, shall require special approval. c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval. d) Development of densities greater than 9 du/ga in areas that are not substantially or completely developed with residential uses exceeding 9 du/ga at time of plan adoption shall require approval pursuant to policy 2.6.2.5.

		e) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provision Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates, and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2)
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]

CAVOLI Engineering, Inc.
Consulting Civil Engineers

5824 Bee Ridge Road, #325
Sarasota, FL 34233-5065
(941) 927-3647
Fax: (941) 927-3646
email: cavoliengineer@aol.com

24 October 2013

Ms. Rosalna Leider
Manatee County Building and Development Services Department
1112 Manatee Avenue West
Bradenton, FL 34205

Subject: FOUNTAIN LAKE APARTMENTS
PDR-13-34 (Z)(P)
SPECIFIC APPROVAL REQUEST

Dear Ms. Leider:

The following is provided as a SPECIFIC APPROVAL REQUEST regarding the subject project:

Request #1:
LDC Section 714.8.7 requires replacement tree calipers to be three, five, or seven inches depending on the size of the tree removed. The request is to allow replacement tree calipers to be three or four inches.
Staff is in support of the request for Specific Approval for an alternative to Section 714.8.7 of the LDC to allow replacement tree sizes at 3"/4"/4" instead of 3"/5"/7". Staff believes that smaller size trees typically establish and grow faster. Therefore, they provide more tree canopy sooner. The LDC is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.

Request #2:
LDC Sections 603.7.4.5 and 715.3.2.c.3 statethe requirements for greenbelt buffers which apply to the east property line adjacent to existing residential complexes.
The project controls the property to the east and therefore does not wish to buffer this project from itself. This project is a continuation of the existing apartment complex and therefore for continuity we request Specific Approval to allow the development to proceed without this requirement on the east property line.

Request #3:
Within the RES-6 FLUC, Special Approval is required for a project that exceeds a gross and net density of 9 du/acre and 12 du/acre, respectively.
We would reqeust Special Approval for the Density proposed. As discussed during the Pre-Application meeting, this area is identified as one where this request would be an acceptable increase in density.

Request #4:
The maximum height allows in the PDR zoning district is 35 feet. It appears that the proposed building height is 41 feet. The request to increase the height above 35 feet may be approved by the BOCC after review the nature of surrounding uses, and the criteria listed under LDC Section 603.7.4.9. Please provide an analysis accordingly.
We would reqeust Special Approval for the increase in height from 35' to 41'. Additional setbacks have been provided in accordance with LDC requirements fro such a request.

We trust this meets your needs at this time. Please contact our office if you have any questions or require any additional information.

Very truly yours,

CAVOLI Engineering, Inc.

John Cavoli.

John F. Cavoli, P.E.

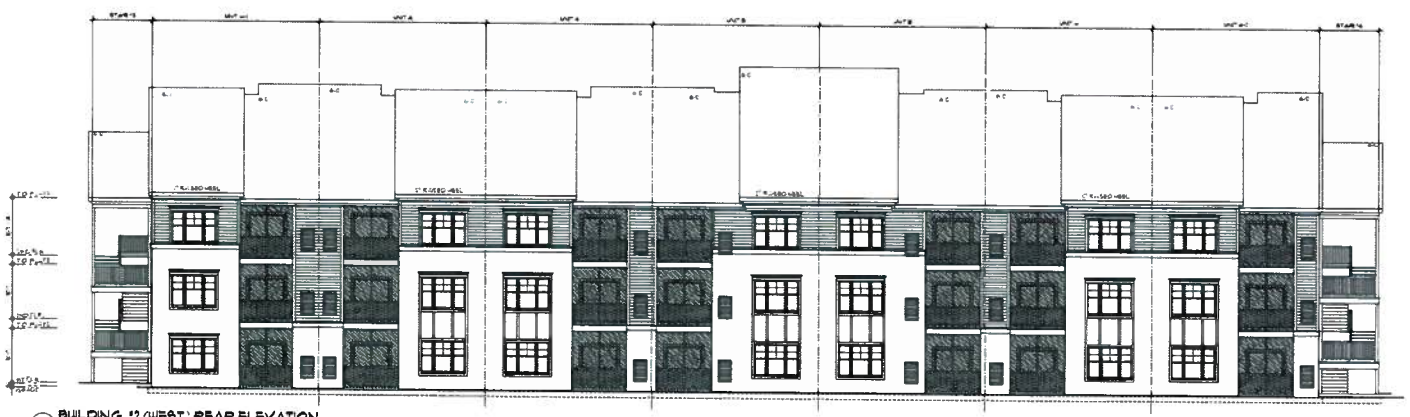
ELEVATION KEYNOTES

3.0 CONCRETE
3.1 CONCRETE FOUNDATION WALL
3.2 CONCRETE FOOTING
3.3 TURNED DOWN CONCRETE ALAN
3.4 STUCCO 3 COAT TYPE
3.5 CONCRETE SLAB W/ BROOMFINISH

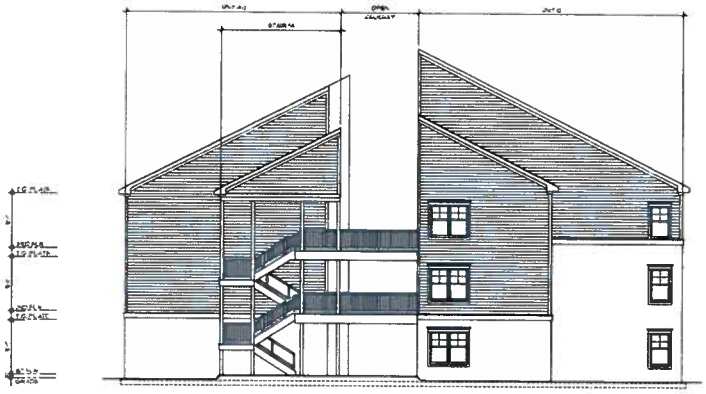
4.0 LOGGS AND PLASTICS
4.1 7/8" RAKE BOARD ALUM. WRAP
4.2 7/8" FREZE BOARD ALUM. WRAP
4.3 6" VINYL HORIZONTAL SIDING
4.4 6" VINYL INNER CORNER SEE DETAIL 100.43.0X
4.5 7/8" RAKE BOARD ALUM. WRAP
4.6 7/8" RAKE FREZE BOARD ALUM. WRAP
4.7 TV DECKING
4.8 STUCCO TRANSITION BOARD SEE DETAIL 100.43.0X
4.9 TV DECORATIVE FYNBOARD PANELING
4.10 1/4" VINYL TRIM
5.1 BAND BOARD AT OPEN LAUNDRY
5.2 HYDROCHLORIDE BY TYPE ON ROLL

10.0 THERMAL & MOISTURE PROTECTION
11 REFRIGERATED FOOD SHELVES
12 CONTINUOUS METAL FLASHING
13 VINYL WINDOW SEE SCHEDULE FOR REF
14 ALONG GLASS PATIO DOOR
15 CONTINUOUS RIDGE VENT
16 EXTERIOR METAL DOOR
17 EXTERIOR STILE AND RAIL DOOR
18 LOW PROFILE VENT

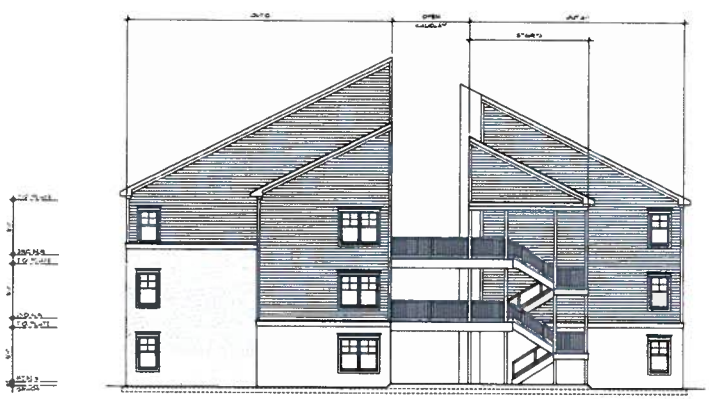
10.0 SPECIALTIES
10.1 ALUMINUM GUARDRAIL 4 HIGH
10.2 EXTERIOR METAL SCREENING FOR DECK
10.3 EXTERIOR FIRE SEE STAIRS
10.4 EXTERIOR UNIT MECHANICAL LOUVER



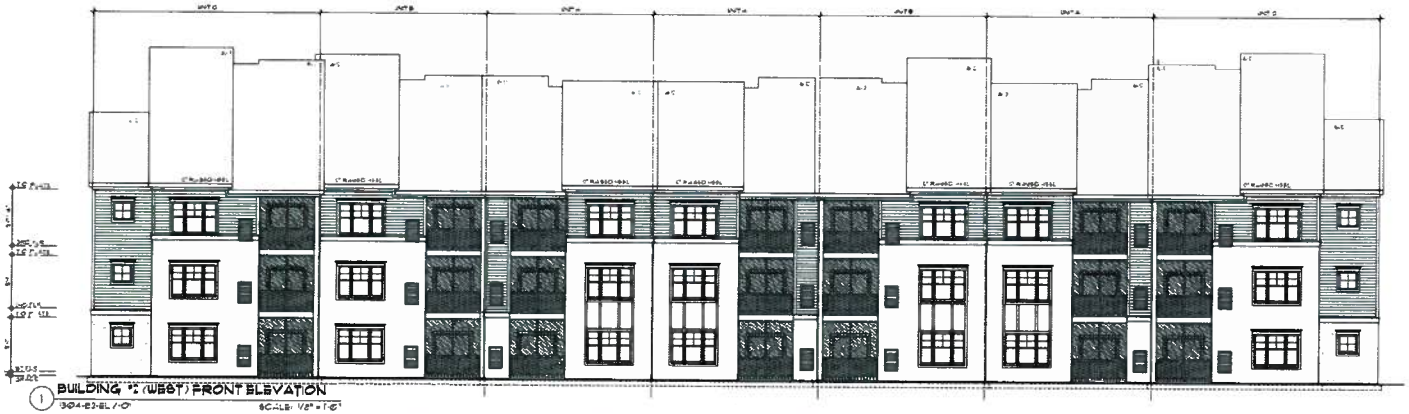
4 BUILDING #2 (WEST) REAR ELEVATION
1304-B1-EL/-03 SCALE: 1/8" = 1'-0"



3 BUILDING #2 (WEST) LEFT-SIDE ELEVATION
1304-B2-EL/-04 SCALE: 1/8" = 1'-0"



2 BUILDING #2 (WEST) RIGHT-SIDE ELEVATION
1304-B2-EL/-02 SCALE: 1/8" = 1'-0"



1 BUILDING #2 (WEST) FRONT ELEVATION
1304-B2-EL/-01 SCALE: 1/8" = 1'-0"

GATE architecture
GATE 17 ARCHITECTURE, L.L.C.
100 CHETWYND DRIVE, SUITE 200
BRYN MAWR, PA 19010
(484) 380-3707

"NOT FOR CONSTRUCTION"
09-09-13

TIMOTHY R. JENTZ, AIA
STATE OF FLORIDA
REGISTRATION NO. AR84999
EXPIRES 02-28-2012

BEACHWOLD RESIDENTIAL, LLC

FOUNTAIN LAKES

BRADENTON, FLORIDA

G17-1304

NO.	REVISION	DATE
1	PRELIMINARY PLAN	09-09-13

DRAWN BY: MAJ
SCALE: AS NOTED
DATE: 09-09-13
PROJECT OF RECORD: TIMOTHY JENTZ
PROJECT MANAGER: CRAIG B. CHOLELLI

A3.02

BUILDING ELEVATIONS

© 2013 Gate 17 Architecture L.L.C.

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Consulting Civil Engineers

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TRAFFIC IMPACT STATEMENT

FOUNTAIN LAKE APARTMENTS

Application Number/Project Number: PDR-13-34 (Z)(P)

Narrative:

The subject project proposes an expansion of the existing apartment complex by adding 80 units to the north side of the existing development. The Project site is located on the north side of 57th Avenue East approximately 2,000 feet east of the intersection of US41 and 57th Avenue East. There is one main entrance to the complex and one minor entrance which serves only a few units. The 80 proposed units will access through the main entrance. There are no proposed changes to the access points with this project.

Existing Data:

In Table 1 below, the link information outlined for the existing data on the first directionally accessed functionally classified (concurrency regulated) roadway segment along 57th Avenue East has been provided.

TABLE 1

Link No.	Road Name	From Street	To Street	Cross Section	Peak-Hour two-way LOS Standard Service Volume	5% Peak-Hour two-way LOS Stand. Service Volume	LOS Standard	Existing LOS
1840	57 Ave East	US41	9 Street East	2U	1,112	55	D	D

Approved
10-22-13
SLC.

Criteria 1:
Criteria 1 requires the trip generation by the proposed site to be equal to or <50 P.M. gross (total) peak-hour trips. Table 2 below indicates the estimated trips using ITE Trip Generation 9th Edition. The trips generated by this project alone will exceed the 50 P.M. peak-hour trip threshold. Therefore a full Traffic Impact Analysis (TIA) will be required when concurrency is applied for.

TABLE 2

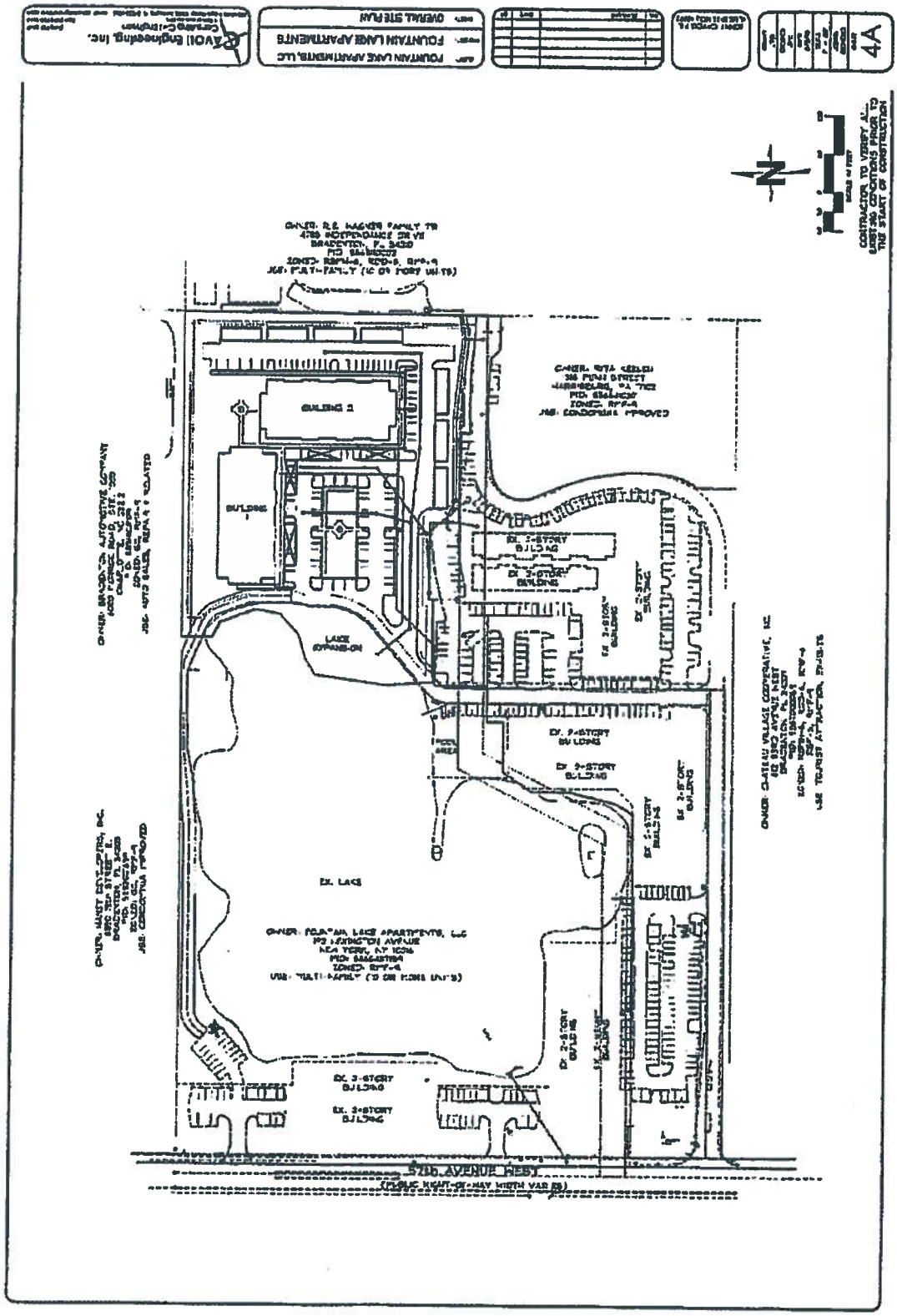
ITE Code	Land Use Type	Size	PM Peak-Hour Trips In	PM Peak-Hour Trip Out	PM Peak-Hour Total Trips
220	Apartment	80 Units	40	22	62

Using the Equation Method:
Proposed – T=0.55(x)+17.65

Criteria 2:
Criteria 2 requires the project traffic not to exceed 5% of the P.M. peak-hour, two-way LOS Standard Service Volume for the connecting roadway segment. The proposed site is expected to generate 62 trips. Based upon the information shown in Table 2, this number does exceed 5% peak-hour LOS standard service volume shown in Table 1.

Criteria 3
Criteria 3 requires the project to be located on a roadway segment that does not have an "existing" concurrency issue which pertains to current traffic conditions only. Based upon information in Table 1, 57 Avenue East from US 41 to 9th Street East, Link Number 1840, appears to be operating at or above the currently adopted LOS standard (D) according to the most recent Manatee County Link Sheet, during the PM peak-hour.

John F. Cavoli, P.E.
FL Reg. No.: 48692
10.4.13
Date:


FOUNTAIN LAKE APARTMENTS, LLC
FOUNTAIN LAKE APARTMENTS
OVERALL SITE PLAN
4A
CONTRACTOR TO VERIFY ALL
EXISTING CONDITIONS PRIOR TO
THE START OF CONSTRUCTION
BUILDING 2
BUILDING 1
EX. 2-STORY BUILDING
EX. 3-STORY BUILDING
LAKE EXPANSION
EX. LAKE
EX. 1-STORY BUILDING
EX. 2-STORY BUILDING
57th AVENUE WEST
(PUBLIC RIGHT-OF-WAY WIDTH VAR.)

Fountain Lake Apartment PDR -13-34(Z)(P)
Steve Kollar to: John Cavoli 10/22/2013 07:27 AM
Cc: Rossina Leider, Susan Barfield, Jason Utley, Clarke Davis

RE: Fountain Lake Apartment - Traffic Analysis Statement
Petition # PDR-13-34(Z)(P)
Consultant: Cavoli Engineering Inc.

Mr. Cavoli

Based on the revised Traffic Impact Statement (TIS), dated October 4, 2013, for the proposed Fountain Lake Apartment, the Manatee County Public Works Department, Transportation Planning Division, approves the TIS. However, a Traffic Impact Analysis (TIA) shall be submitted in conjunction with an application for concurrency. Upon submittal of a application for concurrency, three copies of the TIA along with a CD of all electronic files shall be submitted to the Building and Development Services Department, 1112 Manatee Ave W. Bradenton Fl. 34205, 4th floor Reviewer On Call for required routing.

Please do not hesitate to contact me at the number below if you have any questions or require further assistance.

Sincerely,

Steve Kollar
Transportation Systems Modeler
AutoDesk Contract Administrator
Manatee County Public Works Department
Transportation Planning Division
1022 26th Avenue East Bradenton Fl. 34208
Phone (941) 748-4501 Ext. 7604
steve.kollar@mymanatee.org

ZONING DISCLOSURE AFFIDAVIT

B4

File Number _____

File Name _____

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

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

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

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

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

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

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

NAME, ADDRESS AND OFFICER	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
Check if owner ( ) or contract purchaser ( )	
FOUNTAIN LAKE APARTMENTS, LLC	100%
192 LEXINGTON AVE., 9th FLOOR	
NEW YORK, NY 10018	

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

Signature: _____

(Applicant): Robert P. Rothenberg for Fountain Lake Apartments, LLC

STATE OF ~~FLORIDA~~ NEW YORK
COUNTY OF NEW YORK

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 25th day of July, 2013, by Robert P. Rothenberg, who is ~~personally known to me~~ or who has produced _____ as identification.

(type of identification)

Signature: _____

My Commission Expires: _____

Commission No: _____

Notary

Print or type name of Notary

Title or Rank

Rev.12/1/07
B-4

CHARLES D. RUBENSTEIN
Notary Public, State of New York
No. 02RU6015348
Qualified in New York County
Commission Expires March 12, 2015

Received
AUG 22 2013
ZONING

Copy of Newspaper Advertising

Sarasota Herald Tribune

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, December 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:

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)
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 92.13 acres, located on Bayshore Road and Palm View Road (61st Street) in Bradenton, from A-1 (Suburban Agriculture), PD-RV (Planned Development – Recreational Vehicle), RSF-4.5 Residential Single Family, 4.5 dwelling units per acre), NC/M (Neighborhood Commercial - Medium), and PDR (Planned Development – Residential) zoning districts to the PDRV (Planned Development – Recreational Vehicle) zoning district; and approve a General Development Plan for 499 recreational vehicle sites, a community recreational area, office, and shower areas; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-24(Z)(P) – LAWRENCE REAGAN, ESTHER R. FERGUSON REAL ESTATE TRUST AND RESIDUAL TRUST UNDER WILL OF ESTELLE L. REAGAN REZONE/DEL TIERRA SUBDIVISION (F.K.A. REAGAN RANCH) (DTS #20130188; BUZZSAW #00000209)
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 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)
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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)
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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parcel G from office to residential;
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4. Delete Land Use Condition 1 related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
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Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately ½ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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

Date of pub: November 27, 2013

Bradenton Herald

NOTICE OF ZONING IANGES IN UNINCORPO-RATED MANATEE COUNTY

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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
11/27/2013

Copy of Newspaper Advertising

PRELIMINARY SITE PLAN
FOR
FOUNTAIN LAKE APARTMENTS

GENERAL NOTES

1. TOTAL PROJECT AREA: ±5.07 AC.
2. EXISTING ZONING: RMF-9
3. PROPOSED ZONING: PDR
4. ADJACENT ZONING: SEE PLANS
5. PID: 5066401002
6. EXISTING LAND USE: VACANT
7. ADJACENT LAND USE: SEE PLANS
8. FLUC = RES-16
9. THERE ARE NO KNOWN HISTORIC SITES OR HISTORIC BUILDINGS LOCATED ON THE SITE.
10. FLOOD ZONES: ZONE 'X' PER FEMA MAP PANEL 12081G 0529C.
11. TOTAL NUMBER OF UNITS: 80 PROPOSED 202 EXISTING
    MINIMUM PROPOSED UNIT SQUARE FOOTAGE - 917 SQUARE FEET (INCLUDING BALCONY)
12. DENSITY CALCULATIONS:
    GROSS RESIDENTIAL ACREAGE: 5.07 AC.
    GROSS RESIDENTIAL DENSITY: TOTAL UNITS/GROSS RES. AC.: 80/5.07 = 15.78 DU/AC.
    NET RESIDENTIAL ACREAGE: (GROSS ACREAGE LESS FOCAL POINT AREA) = 4.36 AC.
    NET RESIDENTIAL DENSITY: TOTAL UNITS/NET RESIDENTIAL ACREAGE = 80/4.36 = 18.5 DU/AC.
13. LOT UTILITY EASEMENTS (IN ACCORDANCE WITH SECTION 907.10 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE):
    FRONT: 10', SIDE: 5' REAR: 5'
14. SETBACKS (PDR): TO PROPERTY LINE: AT 41' BLDG. HT.: 41'; LESS THAN 41' BLDG. HT.: 20' WATERFRONT: 30'
15. REQUIRED PARKING SPACES: (80 UNITS: 2 SPACES/UNIT + 1 GUEST/10 UNITS) = 169 SPACES
    PROVIDED PARKING SPACES: 131 SPACES INCLUDING 6 HANDICAP AND 42 GARAGE SPACES = 173 SPACES.
16. OPEN SPACE:
    TOTAL OPEN SPACE PROVIDED: 1.71 AC. (33.7%)
    LANDSCAPE BUFFERS/RECREATIONAL: 1.29 AC. (25.4%) LAKE (WATER AREA): 0.42 AC. (8.28%)
    TOTAL PROJECT AREA : 5.07 AC. (100%) TOTAL OPEN SPACE REQUIRED: 25.0%
17. MAXIMUM BUILDING HEIGHT: 41'.
18. ALL STREETS, STORM WATER MANAGEMENT FACILITIES AND DRAINAGE STRUCTURES SHALL BE PRIVATELY OWNED AND MAINTAINED.
19. CONSTRUCTION SCHEDULE:
    START DATE: UPON RECEIPT OF ALL AGENCY APPROVALS (APPROXIMATELY MARCH 1, 2014)
    COMPLETION DATE: TWELVE MONTHS FROM START DATE (APPROXIMATELY MARCH 1, 2015), BUT NOT TO EXCEED THE EXPIRATION OF THE CERTIFICATE OF LEVEL SERVICE
20. STATEMENT OF SCHOOL NEEDS: REQUEST FOR STATEMENT OF SCHOOL NEEDS HAS BEEN MADE TO THE MANATEE COUNTY SCHOOL BOARD.
21. LANDSCAPE DATA: SEE LANDSCAPE PLAN (IN ACCORDANCE WITH SECTION 715 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE).
22. ALL SIGNS SHALL BE IN ACCORDANCE WITH SECTION 724 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
23. THERE ARE NO PERENNIAL STREAMS LOCATED ON THE SUBJECT SITE.
24. TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THERE ARE NO KNOWN WETLANDS LOCATED ON THE SUBJECT SITE.
25. ALL EASEMENTS, DEDICATIONS, AND PRESERVATIONS WILL BE COMPLETED THROUGH THE FINAL PLAT
26. SANITARY SEWER COLLECTION SYSTEM TO BE PRIVATELY OWNED AND MAINTAINED AND WILL BE DESIGNED IN ACCORDANCE WITH MANATEE COUNTY PUBLIC WORKS
27. WATER DISTRIBUTION SYSTEM TO BEPRIVATELY OWNED AND MAINTAINED AND WILL BE DESIGNED IN ACCORDANCE WITH MANATEE COUNTY PUBLIC WORKS STANDARDS.
28. A CONSTRUCTION PERMIT FOR THE WATER DISTIBUTION SYSTEM IS REQUIRED FROM THE HEALTH DEPARTMENT PRIOR TO THE START OF CONSTRUCTION.
29. A CONSTRUCTION PERMIT FOR THE SANITARY SEWER COLLECTION SYSTEM IS REQUIRED FROM FDEP PRIOR TO THE START OF CONSTRUCTION.
30. THE STORM WATER MANAGEMENT SYSTEM CONSISTS OF INLETS WITH RELATED PIPING, LAKE/CONTROL STRUCTURE MODIFICATIONS AND WILL BE DESIGNED IN ACCORDANCE WITH MANATEE COUNTY PUBLIC WORKS STANDARDS AND MEET THE REQUIREMENTS OF CHAPTER 40D-4 OR 40D-40 FAC (SWFWMD).
31. ALL RESIDENTIAL UNITS WILL HAVE CONSOLIDATED WASTE CONTAINERS (DUMPSTERS) FOR GARBAGE SERVICE AND RECYCLING BY A CONTRACTED WASTE HAULER. WASTE TO BE COLLECTED ON ADJACENT OWNED PROPERTY AS IDENTIFIED ON THE PLANS.
32. ALL RECREATIONAL OPEN AREAS WILL BE ADA ACCESSIBLE AND MEET ALL STANDARD RECREATION DESIGN GUIDELINES.
33. IRRIGATION FOR THE PROPOSED PROJECT SHALL BE PROVIDED BY WELL WATER. RECLAIM WATER IS UNAVAILABLE.
34. UNDEGROUND/ABOVEGROUND POLLUTANT STORAGE TANK INSTALLATION/REMOVAL MUST CONFORM TO THE REQUIREMENTS OF CHAPTERS 62-761, FLORIDA ADMINISTRATION CODE.
35. NO LIGHTING IS PROPOSED FOR THE SUBJECT SITE AT THIS TIME.
36. SIGNAGE AT THE ENTRANCE TO THE PROJECT IS PROPOSED AT THIS TIME AND WILL BE SUBMITTED SEPARATELY TO THE BUILDING DEPARTMENT.
37. THE PROJECT IS TO BE CONSTRUCTED IN ONE PHASE.
38. NO GROUND DISTURBING ACTIVITIES OR VEHICLE TRAVEL WILL OCCUR WITHIN THE DRIP LINE OF THE EXISTING TREES THAT WILL BE PRESERVED.
39. TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THERE ARE NO KNOWN WELLS LOCATED ON THE SUBJECT SITE. IF ANY OTHER WELLS ARE DISCOVERED AND THE WELLS ARE NOT TO BE UTILIZED THEY WILL BE ABANDONED IN ACCORDANCE WITH ALL PERTINENT REGULATIONS.
40. 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 REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.

CONSTRUCTION NOTES

1. ALL WORK SHALL BE PERFORMED IN CONFORMANCE WITH MANATEE COUNTY PUBLIC WORKS STANDARDS, ALL APPLICABLE CODE REQUIREMENTS, AND ALL PERMITS ISSUED FOR THE SUBJECT PROJECT.
2. THE CONTRACTOR SHALL NOTIFY FLORIDA ONE CALL, FPL, AND ALL UTILITY COMPANIES PRIOR TO THE START OF ANY WORK BOTH ON- SITE AND OFF-SITE SO THAT THE EXACT LOCATION OF EXISTING UTILITIES CAN BE DETERMINED AND ALL APPROPRIATE ADJUSTMENTS CAN BE MADE.
3. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION AND CONTINUED SERVICE OF ALL EXISTING UTILITIES.
4. ALL FACILITIES HEREIN HAVE BEEN DESIGNED IN ACCORDANCE WITH THE LATEST EDITION OF THE FLORIDA ACCESSIBILITY CODE AND THE AMERICANS WITH DISABILITIES ACT.
5. ALL TRAFFIC CONTROL SIGNAGE AND PAVEMENT MARKINGS SHALL CONFORM TO FDOT AND MUTCD STANDARDS.
6. CONTROL STANDARDS FOR DESIGN, CONSTRUCTION, AND MAINTENANCE FOR STREETS AND HIGHWAYS.
7. ANY PROPOSED DEVIATIONS FROM THE APPROVED PLANS WILL BE REQUESTED IN WRITING AND APPROVAL GIVEN BY ALL PERMITTING AGENCIES AND THE ENGINEER OF RECORD.
8. ALL SURFACE WATER DISCHARGES SHALL COMPLY WITH ALL STATE WATER QUALITY STANDARDS AND ANY APPLICABLE REQUIREMENTS.
9. INSTALL PROPERTY CORNER MONUMENTS AT GRADE ON ALL LOT CORNERS TO INSURE PROPER LOT GRADING/DRAINAGE.
10. LANDSCAPING SHALL NOT BE PERMITTED WITHIN ANY DRAINAGE OR DRAINAGE MAINTENANCE AREAS.
11. REMOVAL OF ALL EXOTIC NUISANCE PLANT SPECIES FROM UPLAND PORTIONS OF THE SITE SHALL BE COMPLETED PRIOR TO FINAL PLAT APPROVAL, IN ACCORDANCE WITH SECTION 715.4 OF THE LDC.
12. PRIOR TO DEVELOPMENT-RELATED LAND CLEARING ACTIVITIES, ALL APPLICABLE COUNTY APPROVALS MUST BE OBTAINED THROUGH THE PLANNING DEPARTMENT.
13. IF BURNING OF TREES OR BRANCHES IS REQUIRED FOR LAND CLEARING, A BURN PERMIT MUST BE FIRST OBTAINED FROM THE ENVIRONMENTAL MANAGEMENT DEPARTMENT. NO BURN PERMITS WILL BE ISSUED UNTIL FINAL SITE PLANS AND CONSTRUCTION PLANS ARE APPROVED.
14. ALL APPROPRIATE RECREATION COMPONENTS SHALL MEET THE FOLLOWING INDUSTRY STANDARDS: INTERNATIONAL PLAY EQUIPMENT MANUFACTURES ASSOCATION (IPEMA), U.S. CONSUMER PRODUCT SAFETY COMMISSION (CPSC), AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM), AMERICANS WITH DISABILITIES ACT (ADA).
15. ACCESS FOR USE OF OF HEAVY FIRE FIGHTING EQUIPMENT SHALL BE PROVIDED TO THE IMMEDIATE JOB SITE AT THE START OF THE PROJECT AND MAINTAINED UNTIL COMPLETION.
16. WHERE UNDERGROUND WATER MAINS AND HYDRANTS ARE TO BE PROVIDED, THEY SHALL BE INSTALLED, COMPLETED AND IN SERVICE PRIOR TO BUILDING CONSTRUCTION.
17. ALL REQUIRED FIRE HYDRANTS FOR THIS SITE SHALL BE APPROVED AND TESTED BY THIS DEPARTMENT PRIOR TO ANY COMBUSTIBLES BEING INTRODUCED TO THIS SITE. AS SOON AS THE WATER SUPPLY IS AVAILABLE FOR TESTING, NOTIFICATION SHALL BE MADE TO THIS DEPARTMENT.
17. ALL SIGNAGE AND PACEMENT MARKINGS SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), FDOT DESIGN STANDARDS AND THE MANATEE COUNTY TRANSPORTATION DEPARTMENT - HIGHWAY, TRAFFIC AND STORM WATER STANDARDS.
18. TRAFFIC CONTROL DEVICES THA DO NOT CONFORM TO THE LATEST EDITION OF THE MANATEE COUNTY TRANSPORTATION DEPARTMENT - HIGHWAY & STORM WATER STANDARDS WITHIN PUBLICLY MAINTAINED WILL REQUIRE A SIGN AND HARDWARE DIAGRAM AND, IF ACCEPTABLE, AN EXECUTED MAINTENANCE AGREEMENT PRIOR TO APPROVAL OF THE CONSTRUCTION PLANS.

80 UNIT MULTI FAMILY CONDOMINIUM EXPANSION

PROJECT TEAM

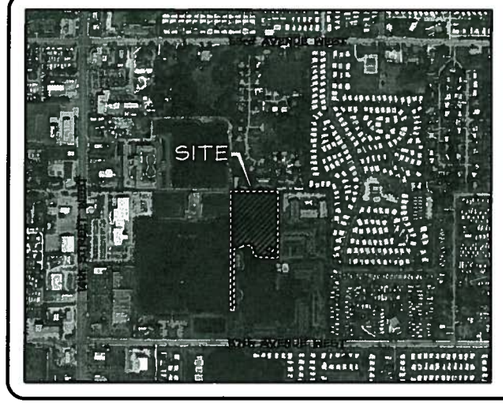
CLIENT:
FOUNTAIN LAKE APARTMENTS, LLC
192 Lexington Avenue
New York, NY 10018
(860) 443-0719

CIVIL ENGINEER:
CAVOLI Engineering, Inc.
5824 Bee Ridge Road, #325
Sarasota, FL 34233
(941) 927-3647
Fax: (941) 927-3646

SURVEYOR:
George F. Young, Inc.
10540 Portal Crossing, Ste. 105
Bradenton, FL 34211
(941) 747-2981
Fax: (941) 747-7234

LANDSCAPE ARCHITECT:
DWJA, INC.
630 So. Orange Avenue, Ste. 202
Sarasota, FL 34236
(941) 366-3159
Fax: (941) 954-4616

ENVIRONMENTAL CONSULTANT:
Steinbaum & Associates, Inc.
P.O. Box 15437
Sarasota, FL 34277
(941) 921-2707
Fax: (941) 921-2739



MANATEE COUNTY

SCALE: 1"= 0.25 MILES
SECTION: 14
TOWNSHIP: 35S
RANGE: 17E
LATITUDE: 27° 26' 72" N
LONGITUDE: 82° 34' 11" W

INDEX OF DRAWINGS

1	COVER SHEET
2	AERIAL W/ SITE PLAN
3	EXISTING CONDITIONS / DEMOLITION PLAN
4	PRELIMINARY SITE PLAN
4A	OVERALL SITE PLAN
L-01 - L-11	LANDSCAPE PLANS

LEGEND

EX MH	EXISTING MANHOLE	MH #5	PROPOSED MANHOLE
EX F. HYD.	EXISTING FIRE HYDRANT	FF 38.75	PROPOSED FINISH FLOOR ELEVATION
33X 91	EXISTING SPOT GRADE	FH #2	PROPOSED FIRE HYDRANT
	OVERLAND DRAINAGE FLOW DIRECTION	8" PVC WM (TYP)	PROPOSED WATER MAIN SIZE WITH SPECIFICATION (POLYVINYL CHLORIDE PIPE)
	PAVEMENT DRAINAGE FLOW DIRECTION		
34.00	PROPOSED SPOT GRADE	WM	PROPOSED WATER MAIN
D.E.	PROPOSED DRAINAGE EASEMENT		PROPOSED DOUBLE SANITARY SEWER SERVICE
CB #5	PROPOSED CATCH BASIN		PROPOSED SINGLE SANITARY SEWER SERVICE
JB	PROPOSED JUNCTION BOX		PROPOSED DOUBLE WATER SERVICE
E/W W/ RIP-RAP INV. 29.05	PROPOSED END WALL WITH RIP-RAP AND INVERT		PROPOSED SINGLE WATER SERVICE
57 LF 36" RCP AT 1.72%	PROPOSED LINEAR FEET OF REINFORCED CONCRETE PIPE AND SLOPE PERCENTAGE	FM	PROPOSED FORCEMAIN
INV.	PROPOSED INVERT	(TYP)	TYPICAL
BM	BENCHMARK		PROPOSED HANDICAP PARKING SPACE
	SEASONAL HIGH/NORMAL WATER LINE	6" CL. MIN.	6" CLEAR MINIMUM
	PROPOSED RIGHT-OF-WAY		PROPOSED DRAINAGE BASIN
			PROPOSED EASEMENT (SEE PLANS FOR TYPE)

APPROVAL TYPE: PDR/PRELIMINARY SITE PLAN PROJECT NAME: FOUNTAIN LAKE APTS.
APPROVED: _____ DATE _____ FILE NUMBER

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

ATTENTION: THE COMBINATION OF THIS SIGNED PLAN AND ACCOMPANYING APPROVAL LETTER CONSTITUTES THE COMPLETE APPROVAL DOCUMENT. BOTH DOCUMENTS SHOULD BE PROVIDED TO INTERESTED PARTIES AND SUBMITTED WITH ANY BUILDING PERMIT APPLICATION.

CAVOLI Engineering, Inc.
Consulting Civil Engineers
FL Cert. of Auth. No. 8875
5824 Bee Ridge Road, #325, Sarasota, FL 34233
(941) 927-3647
Fax: (941) 927-3646
email: cavoliengineer@aol.com

JOHN F. CAVOLI, P.E.
FL LICENSE NO.: 48692

DRAWN	JNR
CHECKED	JFC
DATE	8/27/15
SCALE	1" = 200'
JOB NO.	BCMD02
SHEET	2

JOHN F. CAVOLI, P.E.
FL LICENSE NO.: 48692

NO.	REVISIONS	DATE	BY

CLIENT: FOUNTAIN LAKE APARTMENTS, LLC
PROJECT: FOUNTAIN LAKE APARTMENTS
SHEET: AERIAL W SITE PLAN

CAVOLI Engineering, Inc.
Consulting Civil Engineers
FL Cert. of Auth. No. 8873
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(941) 927-3647
Fax: (941) 927-3646
email: cavoliengineer@aol.com

MATCHLINE SEE LOWER RIGHT

MATCHLINE SEE UPPER LEFT

EX. LAKE

APPROXIMATE EDGE WATER

EX. LAKE
APPROXIMATE WATER LEVEL = 14.8'±
(06/14/13)
(TO BE FILLED)
THE PLAN REFLECTS FILLING OF AN EXISTING LAKE AND EXPANSION OF THE EXISTING RETENTION AREA. THE RETENTION POND EXPANSION SHALL COMPENSATE FOR AVAILABLE STORAGE CAPACITY IN THE EXISTING LAKE AND PROVIDE TREATMENT AND ATTENUATION FOR THE PROPOSED SITE IMPROVEMENTS INCLUDING REQUESTED STORMWATER CONDITIONS.)

(PARCEL 8)
(VACANT)
Manatee County PARCEL #5866401002

OWNER: FOUNTAIN LAKE APARTMENTS, LLC
192 LEXINGTON AVENUE
NEW YORK, NY 10016
PID: 5866437159
ZONED: RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

OWNER: HANEY DEVELOPERS, INC.
9350 15th STREET E.
BRADENTON, FL 34203
PID: 5866400104
ZONED: GC, RMF-9
USE: CONDOMINIA IMPROVED

OWNER: BRADENTON AUTOMOTIVE COMPANY
4000 MONROE ROAD, STE. 600
CHARLOTTE, NC 28212
PID: 5866400104
ZONED: GC, RMF-9
USE: AUTO SALES, REPAIR & RELATED

OWNER: R.E. WAGNER FAMILY TR.
4786 INDEPENDANCE DRIVE
BRADENTON, FL 34210
PID: 5863110002
ZONED: RSFH-6, RDD-6, RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

NOT SUBDIVIDED
EARL R YOUNG
O.R. BOOK 2010, PAGE 3336

OWNER: RITA KEELEN
1316 PENN STREET
HARRISBURG, PA 17102
PID: 5866410201
ZONED: RMF-9
USE: CONDOMINIA IMPROVED

OWNER: FOUNTAIN LAKE APARTMENTS, LLC
192 LEXINGTON AVENUE
NEW YORK, NY 10016
PID: 5866437159
ZONED: RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

FOUNTAIN LAKES OF BRADENTON, LLC

FOUNTAIN LAKE SECTION THREE
CONDOMINIUM
PARCEL "A"
CONDO. BOOK 17, PAGES 101-108

LOUGH ERNE CONDOMINIUM CONDO. BOOK 11, PAGE 104-105

1 STORY BLOCK APARTMENTS F.F. EL.= 19.9'

EDGE OF PAVEMENT

6' CHAIN LINK FENCE

4' CHAIN LINK FENCE

AUSTRALIAN PINE TREE LINE (TREES NOT LOCATED)

APPROXIMATE TOP OF BANK

DRAINAGE INLET
GRATE =17.16'
(1.0' WIDE WEIR NORTH SIDE=16.49')
INV.(S)=13.22'
(12" PLASTIC PIPE)
(TO BE REMOVED)

EX. 12" STORM DRAIN (TO BE REMOVED)

(12" PLASTIC PIPE)
(INV.=13.26')
(TO BE REMOVED)

6' WOOD FENCE (TO BE REMOVED)

4' WOOD FENCE

MULCH PATH

DOG WALK AREA

WOOD GAZEBO (TO BE RELOCATED)

EX. DOG ENCLOSURE TO BE MODIFIED

HALL ENCROACHMENT

MASONRY BLOCK 2.5' HIGH

3' HIGH C.B. COPINGS (TYPICAL)

ACCESS EASEMENT TO TENNIS (BLANKET EASEMENT IN O.R. 15

EX. CURB (TO BE REMOVED)

ASPHALT PARKING

CURB CUT

CONDOMINIUM BOUNDARY LINE

LIGHT POLE ON CONC PAD (2'X 2')

ASPHALT TENNIS COURT
9.5' CHAIN LINK FENCE AROUND PERIMETER

3'X 3' CONC LIGHT POLE BASE (TO BE RELOCATED)

TENNIS COURT TO BE MODIFIED

EX. PARKING SPACES (TO BE REMOVED, TYP.)

EX. CURB (TO BE REMOVED)

APPROXIMATE TOP OF BANK (TO BE RELOCATED)

NON-EXCLUSIVE EASEMENT FOR INGRESS IN O.R. BOOK 989, PAGE 1949., O.R. BOOK 985, PAGE 195, O.R. BOOK 1016, PAGE 1247, O.R. BOOK 1040, PAGE 3266, O.R. BOOK 1065, PAGE 3333, O.R. BOOK 1067, PAGE 2451 AND O.R. BOOK 1000, PAGE 1519

JUNCTION BOX

EDGE OF PAVEMENT ACCESS ROAD EASEMENT

EASEMENT FOR PARKING IN O.R. BOOK 1067, PAGE 2451 AND O.R. BOOK 1065, PAGE 3333

ACCESS ROAD EASEMENT

COVERED PARKING (TYPICAL)

ELECTRIC BOX

LIFT STATION

22" PIPE END INV.=14.54'

STORM PIPE

PIPE END INV.=15.62'

EX. SANITARY MANHOLE

EX. SANITARY SEWER

PAVERS

STAIRWELL

ELECTRIC BOX

ASPHALT PARKING

LIGHT POLE ON CONC PAD (2'X 2')

EX. CONC. DUMPSTER PAD/COMPACTOR WITH MASONRY WALL

METAL GATE

CAR CARE AREA

CURB (TYPICAL)

WELL

CONC WALK

N 67°40'00" E 39.58'

LIGHT POLE ON CONC PAD (1' DIAM FPL TRANSF CONC PAD

N

30 15 0 30 60
SCALE IN FEET

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

AVOLI Engineering, Inc.
Consulting Civil Engineers
FL Cert. of Auth. No. 8873
5824 Bee Ridge Road, #323, Sarasota, FL 34233-5043
(941) 927-3647
Fax: (941) 927-3646
email: cavollengineer@aol.com

CLIENT: FOUNTAIN LAKE APARTMENTS, LLC
PROJECT: FOUNTAIN LAKE APARTMENTS
SHEET: EXISTING CONDITIONS / DEMOLITION PLAN

NO.	REVISIONS	DATE	BY
3	Per County Comments	10/30/13	JFC
2	Per County Comments	10/28/13	JFC
1	Per County Comments	10/17/13	JFC

JOHN F. CAVOLI P.E.
FL LICENSE NO. 48692

DRAWN	JRR
CHECKED	JFC
DATE	8/2/13
SCALE	1" = 30'
JOB NO.	BCWD02
SHEET	3

MATCHLINE SEE LOWER RIGHT

MATCHLINE SEE UPPER LEFT

ASPHALT TENNIS COURT 9.5' CHAIN LINK FENCE AROUND PERIMETER

EX. LAKE

OWNER: HANEY DEVELOPERS, INC.
9550 15th STREET E.
BRADENTON, FL 34203
PID: 5866407001
ZONED: GC, RMF-9
USE: CONDOMINIA IMPROVED

NOT SUBDIVIDED

OWNER: FOUNTAIN LAKE APARTMENTS, LLC
192 LEXINGTON AVENUE
NEW YORK, NY 10016
PID: 5866437159
ZONED: RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

APPROXIMATE TOP OF BANK

DOG WALK AREA

4' WOOD FENCE

MASONRY BLOCK WALL 2.5' HIGH

HALL ENCROACHMENT

20' PAVED SECONDARY ACCESS DRIVE

3' HIGH C.B. COUPINS (TYPICAL)

ACCESS EASEMENT TO TENNIS (BLANKET EASEMENT IN O.R. 15

CONNECT TO EX. PARKING AREA

CURB CUT

ASPHALT PARKING

CONDOMINIUM BOUNDARY LINE

LIGHT POLE ON CONC PAD (2'X 2')

HALT DRIVE

TYPICAL

OWNER: BRADENTON AUTOMOTIVE COMPANY
4000 MONROE ROAD, STE. 1000
CHARLOTTE, NC 28212
PID: 5866437159
ZONED: RMF-9
USE: AUTO SALES, REPAIR & RELATED

EX. LAKE

APPROXIMATE TOP OF BANK

6' CHAIN LINK FENCE

1 STORY BLOCK APARTMENTS F.F. EL. = 19.9'

EDGE OF PAVEMENT

OWNER: R.E. WAGNER FAMILY TR.
4785 INDEPENDANCE DRIVE
BRADENTON, FL 34210
PID: 5865110002
ZONED: RSM-6, RDD-6, RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

NOT SUBDIVIDED
EARL R YOUNG
O.R. BOOK 2010, PAGE 3336

6' CHAIN LINK FENCE

15' GREENBELT BUFFER

20' BUILDING SETBACK (TYP.)

6 CAR GARAGE 1,334 S.F. MIN. F.F.=20.00

DRAINAGE STRUCTURE (TYP.)

FIRE HYDRANT ASSEMBLY (TYP.)

STORM PIPE

PIPE END INV.=15.42

PIPE END INV.=15.54

OWNER: RITA KEELEN
318 PENN STREET
HARRISBURG, PA 17102
PID: 5866410201
ZONED: RMF-9
USE: CONDOMINIA IMPROVED

10' BUILDING SETBACK

10' PRIVATE NON-EXCLUSIVE DRAINAGE EASEMENT

5' SIDEWALK

OPEN AREA/ GREEN SPACE

FOUNTAIN FOCAL POINT

BUILDING 2
19,044 S.F.
3-STORY
MIN. F.F.=20.00

8" PVC WATER MAIN (TYP.)

COVERED PARKING AREA (6 STALLS EA., TYP.)

FDC

6 CAR GARAGE 1,445 S.F. MIN. F.F.=20.00

NON-EXCLUSIVE EASEMENT FOR INGRESS IN O.R. BOOK 989, PAGE 1941, O.R. BOOK 989, PAGE 1951, O.R. BOOK 1016, PAGE 1247, O.R. BOOK 1040, PAGE 3266, O.R. BOOK 1065, PAGE 3333, O.R. BOOK 1067, PAGE 2451 AND O.R. BOOK 1000, PAGE 1819

EDGE OF PAVEMENT ACCESS ROAD EASEMENT

JUNCTION BOX

LOUGH ERNE CONDOMINIUM CONDO. BOOK 11, PAGE 104-106

(PARCEL 8)
(VACANT)
Manatee County PARCEL #5866401002

SANITARY MANHOLE (TYP.)

8" SANITARY SEWER (TYP.)

6 CAR GARAGE 1,334 S.F. MIN. F.F.=20.00

DRAINAGE STRUCTURE (TYP.)

TYPE 'D' CURB (TYP.)

CONC WALK

EASEMENT FOR PARKING IN O.R. BOOK 1067, PAGE 2451 AND O.R. BOOK 1065, PAGE 3333

ELECTRIC BOX

N 67°40'00" E 94.58'

ACCESS ROAD EASEMENT

BUILDING 1
18,806 S.F.
3-STORY
MIN. F.F.=20.00

FIRE HYDRANT ASSEMBLY (TYP.)

STORM DRAIN (TYP.)

FOUNTAIN FOCAL POINT

TYPE 'D' CURB (TYP.)

COVERED PARKING (TYPICAL)

22" PIPE END INV.=14.64'

LIFT STATION

ELECTRIC BOX

A/C

ASPHALT

STORM PIPE

FOUNTAIN LAKE SECTION THREE CONDOMINIUM
PARCEL 'A'
CONDO. BOOK 17, PAGES 101-108

EX. SANITARY MANHOLE

CONNECT TO EX. SANITARY MANHOLE

EX. SANITARY SEWER

PAVERS

OWNER: FOUNTAIN LAKE APARTMENTS, LLC
192 LEXINGTON AVENUE
NEW YORK, NY 10016
PID: 5866437159
ZONED: RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

10' BUILDING SETBACK

15' GREENBELT BUFFER

30' WATERFRONT BUILDING SETBACK

OPEN AREA/ GREEN SPACE

FDC

TYPE 'D' CURB (TYP.)

ELECTRIC BOX

ASPHALT PARKING

PAVERS WALK

LIGHT POLE ON CONC PAD (2'X 2')

EX. CONC. DUMPSTER PAD/COMPACTOR WITH MASONRY WALL

METAL GATE

CAR CARE AREA

8" PVC WATER MAIN

PATCH EX. TOB (TYP.)

PROPOSED TOP OF BANK (TYP.)

APPROX. SHELL

20' PAVED SECONDARY ACCESS DRIVE

30' WATERFRONT BUILDING SETBACK

PROPOSED LAKE EXPANSION

EX. LAKE

ENDWALL (TYP.)

CONNECT TO EX. PARKING AREA

CONNECT TO EX. WATER MAIN

CONNECT TO EX. SIDEWALK

MATCH EX. TOB (TYP.)

OWNER: FOUNTAIN LAKE APARTMENTS, LLC
192 LEXINGTON AVENUE
NEW YORK, NY 10016
PID: 5866437159
ZONED: RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

EX. FOUNTAIN FOCAL POINT

FOUNTAIN LAKES OF BRADENTON, LLC

ASPHALT TENNIS COURT 9.5' CHAIN LINK FENCE AROUND PERIMETER

N

30 15 0 30 60

SCALE IN FEET

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

AVOLI Engineering, Inc.
Consulting Civil Engineers
FL Cert. of Auth. No. 8875
5804 Bee Ridge Road, #323, Sarasota, FL 34233-5065
(941) 927-3647
Fax: (941) 927-3646
email: cavolieng@earthlink.net

CLIENT: FOUNTAIN LAKE APARTMENTS, LLC
PROJECT: FOUNTAIN LAKE APARTMENTS
SHEET: PRELIMINARY SITE PLAN

NO.	REVISIONS	DATE	BY
3	Per County Comments	10/31/13	JFC
2	Per County Comments	10/14/13	JFC
1	Per County Comments	10/4/13	JFC

JOHN F. CAVOLI P.E.
FL LICENSE NO. 46672

DRAWN	JRR
CHECKED	JFC
DATE	8/2/13
SCALE	1" = 30'
JOB NO.	BCWD02
SHEET	4

OWNER: HANEY DEVELOPERS, INC.
5550 15th STREET E.
BRADENTON, FL 34203
PID: 5882001659
ZONED: GC, RMF-9
USE: CONDOMINIA IMPROVED

OWNER: BRADENTON AUTOMOTIVE COMPANY
6000 MONROE ROAD, STE. 1000
CHARLOTTE, NC 28212
PID: 5881600109
ZONED: GC, RMF-9
USE: AUTO SALES, REPAIR & RELATED

OWNER: R.E. WAGNER FAMILY TR.
4785 INDEPENDANCE DRIVE
BRADENTON, FL 34210
PID: 5863110002
ZONED: RSMH-6, RDD-6, RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

OWNER: FOUNTAIN LAKE APARTMENTS, LLC
192 LEXINGTON AVENUE
NEW YORK, NY 10016
PID: 5866437159
ZONED: RMF-9
USE: MULTI-FAMILY (10 OR MORE UNITS)

OWNER: RITA KEELEN
1318 PENN STREET
HARRISBURG, PA 17102
PID: 5866410201
ZONED: RMF-9
USE: CONDOMINIA IMPROVED

OWNER: CHATEAU VILLAGE COOPERATIVE, INC.
612 53RD AVENUE WEST
BRADENTON, FL 34207
PID: 5867000069
ZONED: RSMH-6, RDD-6, RMF-6
RSF-6, RMF-9
USE: TOURIST ATTRACTION, EXHIBITS

57th AVENUE WEST
(PUBLIC RIGHT-OF-WAY WIDTH VARIES)

EX. LAKE

LAKE EXPANSION

BUILDING 1

BUILDING 2

COMMUNITY RECREATIONAL AREA

POOL AREA

EX. 2-STORY BUILDING

SCALE IN FEET

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

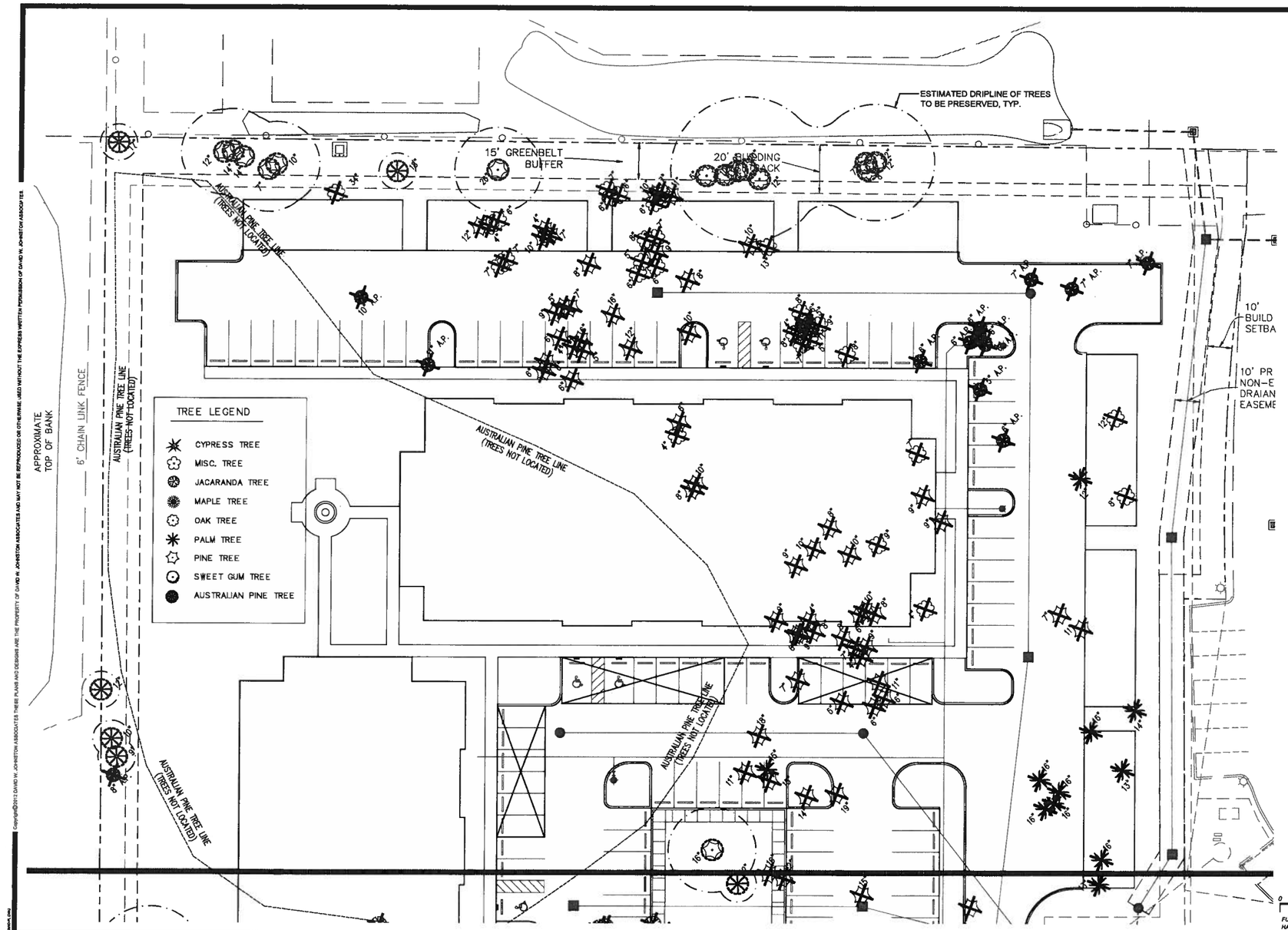
CAVOLI Engineering, Inc.
Consulting Civil Engineers
FL Cert. of Auth. No. 8875
5824 Bee Ridge Road, #325, Sarasota, FL 34233-5043
(941) 927-3647
Fax: (941) 927-3646
email: cavolieng@aol.com

CLIENT: FOUNTAIN LAKE APARTMENTS, LLC
PROJECT: FOUNTAIN LAKE APARTMENTS
SHEET: OVERALL SITE PLAN

NO.	REVISIONS	DATE	BY
1	Per County Comments	10/31/13	JFC

JOHN F. CAVOLI, P.E.
FL LICENSE NO.: 46972

DRAWN: JRR
CHECKED: JFC
DATE: 8/2/13
SCALE: 1" = 60'
JOB NO.: BCWD02
SHEET: 4A



TREE PROTECTION - REMOVAL LEGEND

- EXISTING TREE OR PALM TO BE REMOVED
- EXISTING TREE OR PALM TO REMAIN WITH TREE BARRIER TYPICAL

TREE REMOVAL LEGEND	4"-15"	16"-30"	OVER 30"
OAK	33	-	1
PINE	58	10	-
JACARANDA	13	-	-
CYPRESS	-	1	-
SWEETGUM	1	-	-
TOTAL	105	11	1
PALM	18		

NOTE:
ALL AUSTRALIAN PINE TREES ON SITE SHALL BE REMOVED AS AN UNPROTECTED SPECIES PER MANATEE COUNTY LDC 714.2.2.7

PROTECTED TREE LEGEND	4"-15"	16"-30"	OVER 30"
OAK	9	1	-
PINE	5	2	-
JACARANDA	11	-	-
TOTAL	25	3	-
PALM	11		

TOTAL TREE COUNT ON SITE: 174

REPLACEMENT REQUIRED	TOTAL
3" CALIPER TREES AT 1:1	105
5" CALIPER TREES AT 2:1	22
7" CALIPER TREES AT 3:1	3
PALMS	18

REPLACEMENT PROVIDED	TOTAL
3" CALIPER TREES	105
5" CALIPER TREES	22
7" CALIPER TREES	3
PALMS	18

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

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SITE DEVELOPMENT PLANS FOR:

FOUNTAIN LAKES APARTMENTS

BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	AS NOTED
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

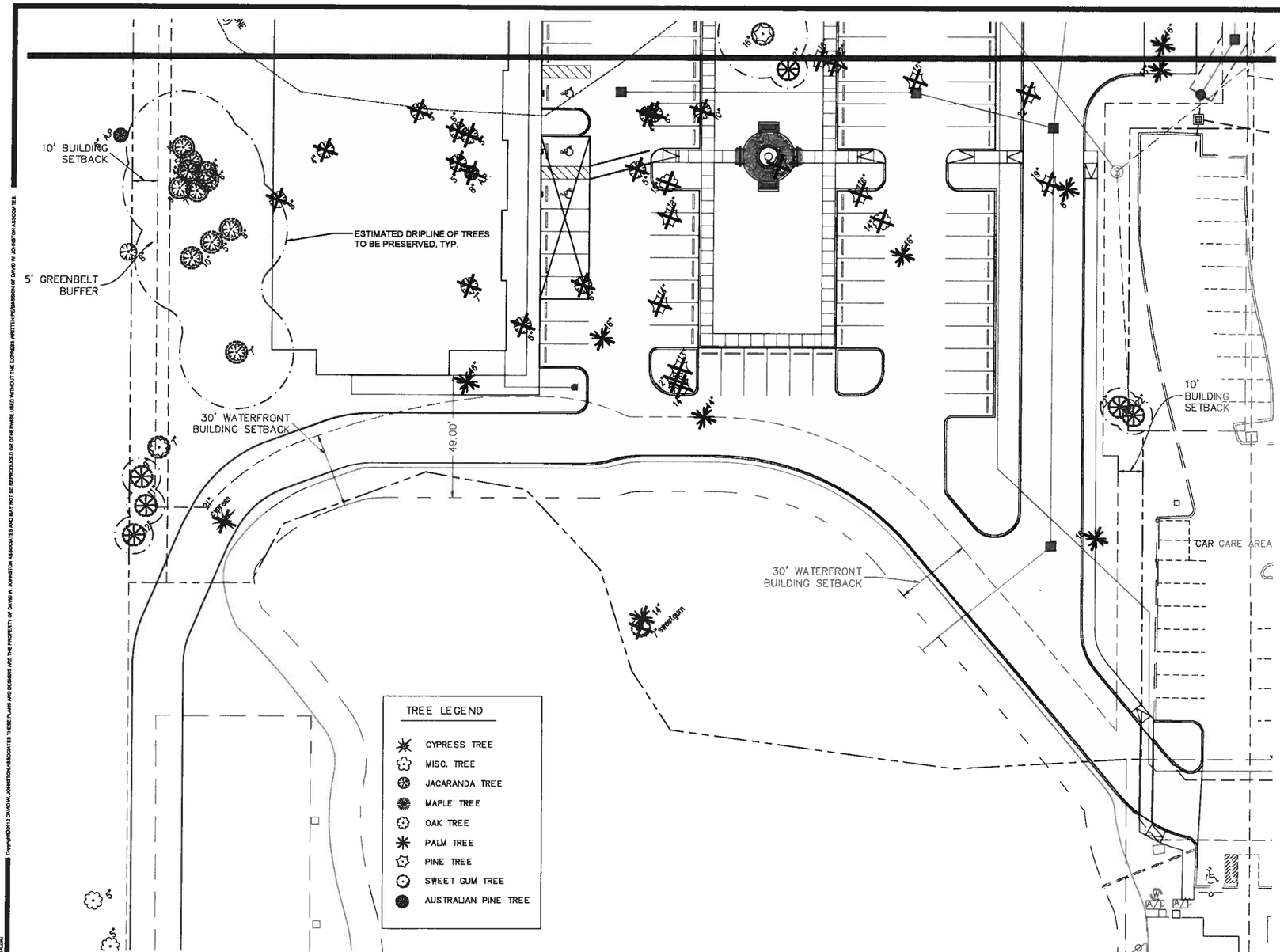
REVISIONS			
1	REV PER COUNTY COMMENTS 10-4-13		
2	REV PER CIVIL PLAN CHANGES 12-4-13		

TREE PROTECTION AND REMOVAL PLAN

12/04/13
PHILIP J. SMITH, R.L.A. #1555

dwja LANDSCAPE ARCHITECTS
DAVID W. JOHNSTON ASSOCIATES
630 S. ORANGE AVE. SUITE 202 • SARASOTA, FL 34236 • (941) 366-3150

SHEET NO.
L-01



TREE PROTECTION - REMOVAL LEGEND

EXISTING TREE OR PALM TO BE REMOVED

EXISTING TREE OR PALM TO REMAIN WITH TREE BARRIER TYPICAL

SEE SHEET L-01 FOR REMOVAL AND REPLACEMENT TABLES

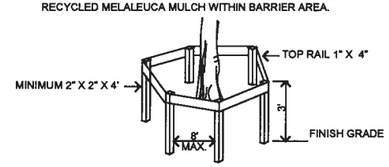
TREE PROTECTIVE BARRIER

PROTECTIVE BARRIER REQUIREMENTS

1. PROTECT ALL ABOVE GROUND PORTIONS OF TREES FROM MECHANICAL DAMAGE.
2. PROTECT SOIL NEAR TREE FROM COMPACTION.
3. PROVIDE PHYSICAL AND MENTAL AWARENESS OF THE PRESENCE OF TREES ON THE SITE TO CONSTRUCTION PERSONNEL.
4. HEAVY EQUIPMENT NOT ALLOWED INSIDE BARRIER; ONLY HAND LABOR.
5. CONSTRUCTION MATERIAL OR TEMPORARY SOIL DEPOSITS NOT ALLOWED INSIDE BARRIER AREA.

PROTECTIVE BARRIER SPECIFICATIONS

1. UPRIGHTS SPACED AT 4'-5' INTERVALS OF NO LESS THAN 2" X 2" LUMBER WITH 1" X 4" TOP RAIL. BARRICADE SHALL BE INSTALLED NO CLOSER THAN THE DRIPLINE OF THE TREE. BARRICADES MAY BE PLACED (3) THREE FEET FROM THE TRUNK OF PALMS.
2. BARRIERS TO BE ERECTED AROUND REMAINING TREES BEFORE CONSTRUCTION OR NEARBY TREES ARE REMOVED.
3. BARRIERS TO REMAIN IN PLACE UNTIL ALL PAVING, CONSTRUCTION AND HEAVY EQUIPMENT IS OUT OF AREA.
4. REMOVE ALL TURF IN BARRIER AND INSTALL 3" DEPTH OF RECYCLED MELALEUCA MULCH WITHIN BARRIER AREA.



TREE BARRIER DETAIL

0 20 40

FULL SIZE (22"X34") SCALE : 1"=20'
HALF SIZE (11"X17") SCALE : 1"=40'

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SITE DEVELOPMENT PLANS FOR:

FOUNTAIN LAKES APARTMENTS

BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	AS NOTED
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

REVISIONS			
1	REV PER COUNTY COMMENTS 10-4-13		
2	REV PER CIVIL PLAN CHANGES 12-4-13		

TREE PROTECTION AND REMOVAL PLAN

12/04/13
PHILIP J. SMITH, R.L.A. #1888

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DAVID W. JOHNSTON ASSOCIATES
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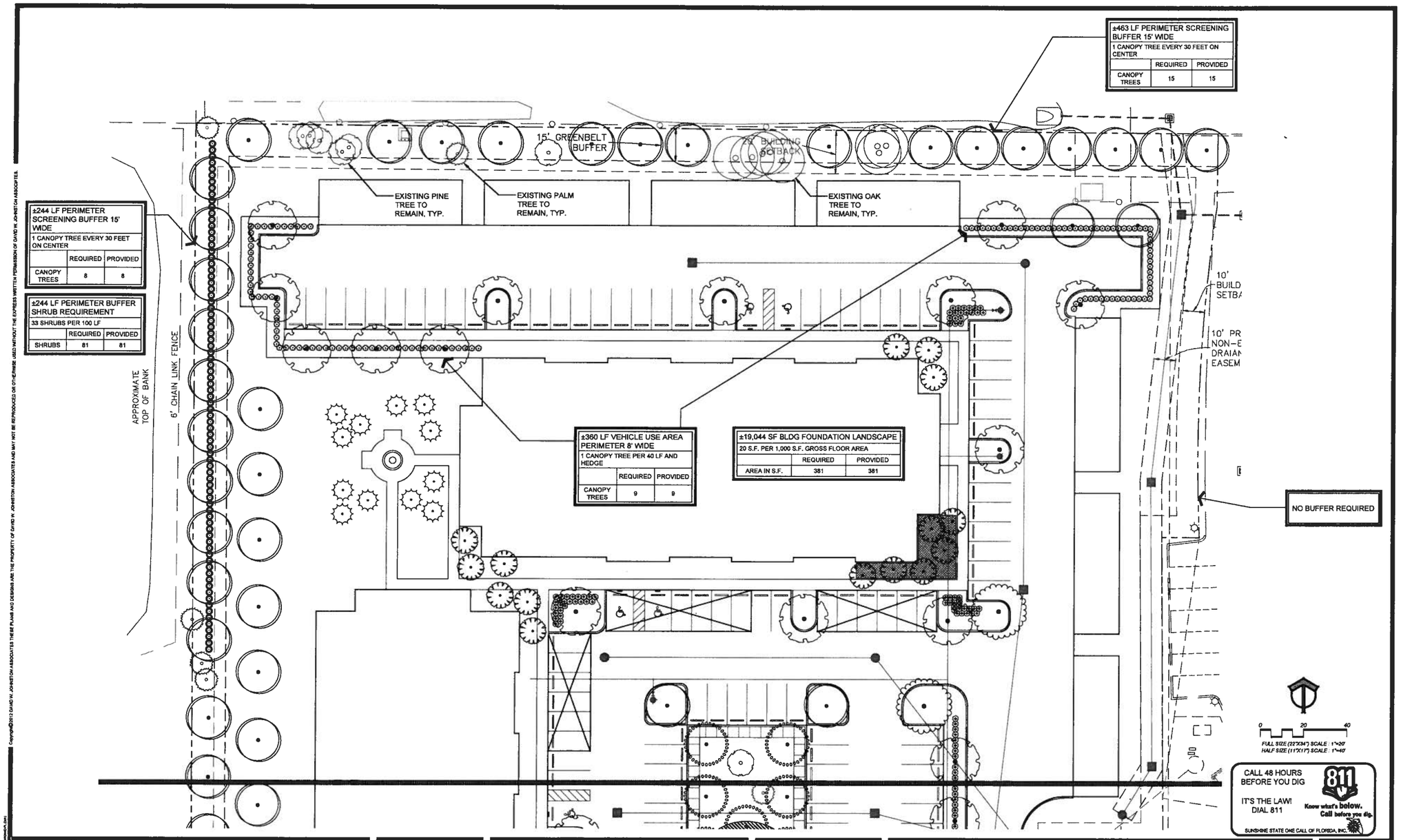
SHEET NO.
L-02



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SITE DEVELOPMENT PLANS FOR:

FOUNTAIN LAKES APARTMENTS

BRADENTON, FLORIDA
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PLANTING PLAN

12/04/13
PHILIP J. SMITH, R.L.A. #1666

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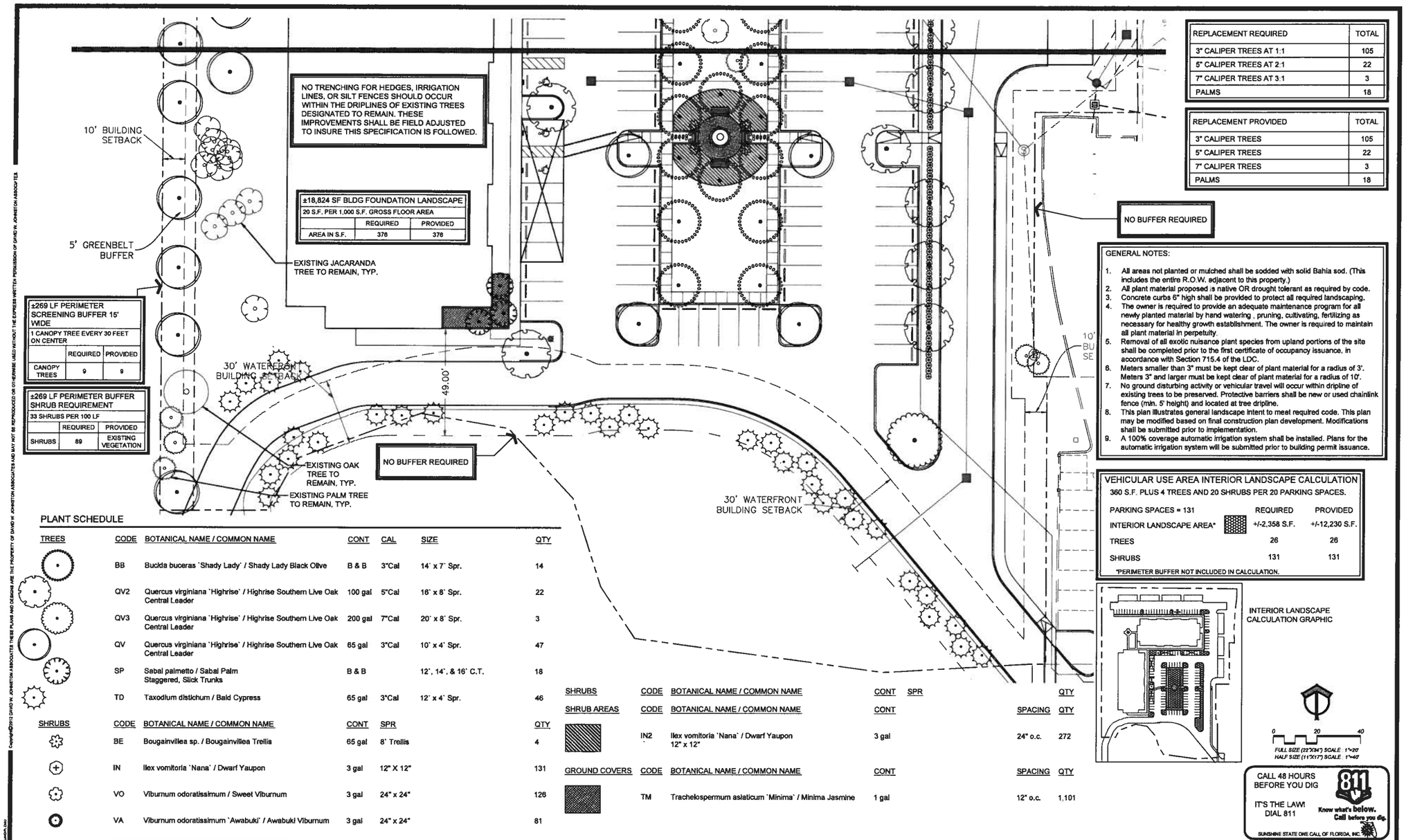
SHEET NO.
L-03



±18,824 SF BLDG FOUNDATION LANDSCAPE		
20 S.F. PER 1,000 S.F. GROSS FLOOR AREA		
	REQUIRED	PROVIDED
AREA IN S.F.	376	376

±269 LF PERIMETER SCREENING BUFFER 15' WIDE		
1 CANOPY TREE EVERY 30 FEET ON CENTER		
	REQUIRED	PROVIDED
CANOPY TREES	9	9

±269 LF PERIMETER BUFFER SHRUB REQUIREMENT		
33 SHRUBS PER 100 LF		
	REQUIRED	PROVIDED
SHRUBS	89	EXISTING VEGETATION

REPLACEMENT REQUIRED	TOTAL
3" CALIPER TREES AT 1:1	105
5" CALIPER TREES AT 2:1	22
7" CALIPER TREES AT 3:1	3
PALMS	18

REPLACEMENT PROVIDED	TOTAL
3" CALIPER TREES	105
5" CALIPER TREES	22
7" CALIPER TREES	3
PALMS	18

NO BUFFER REQUIRED

GENERAL NOTES:

1. All areas not planted or mulched shall be sodded with solid Bahia sod. (This includes the entire R.O.W. adjacent to this property.)
2. All plant material proposed is native OR drought tolerant as required by code.
3. Concrete curbs 6" high shall be provided to protect all required landscaping.
4. The owner is required to provide an adequate maintenance program for all newly planted material by hand watering , pruning, cultivating, fertilizing as necessary for healthy growth establishment. The owner is required to maintain all plant material in perpetuity.
5. Removal of all exotic nuisance plant species from upland portions of the site shall be completed prior to the first certificate of occupancy issuance, in accordance with Section 715.4 of the LDC.
6. Meters smaller than 3" must be kept clear of plant material for a radius of 3'. Meters 3" and larger must be kept clear of plant material for a radius of 10'.
7. No ground disturbing activity or vehicular travel will occur within dripline of existing trees to be preserved. Protective barriers shall be new or used chainlink fence (min. 5' height) and located at tree dripline.
8. This plan illustrates general landscape intent to meet required code. This plan may be modified based on final construction plan development. Modifications shall be submitted prior to implementation.
9. A 100% coverage automatic irrigation system shall be installed. Plans for the automatic irrigation system will be submitted prior to building permit issuance.

VEHICULAR USE AREA INTERIOR LANDSCAPE CALCULATION

360 S.F. PLUS 4 TREES AND 20 SHRUBS PER 20 PARKING SPACES.

PARKING SPACES = 131	REQUIRED	PROVIDED
INTERIOR LANDSCAPE AREA*	+/-2,358 S.F.	+/-12,230 S.F.
TREES	26	26
SHRUBS	131	131

*PERIMETER BUFFER NOT INCLUDED IN CALCULATION.

INTERIOR LANDSCAPE CALCULATION GRAPHIC

0 20 40

FULL SIZE (22"X34") SCALE: 1"=20'
HALF SIZE (11"X17") SCALE: 1"=40'

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PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY
	BB	Bucida buceras `Shady Lady` / Shady Lady Black Olive	B & B	3"Cal	14` x 7` Spr.	14
	QV2	Quercus virginiana `Highrise` / Highrise Southern Live Oak Central Leader	100 gal	5"Cal	16` x 8` Spr.	22
	QV3	Quercus virginiana `Highrise` / Highrise Southern Live Oak Central Leader	200 gal	7"Cal	20` x 8` Spr.	3
	QV	Quercus virginiana `Highrise` / Highrise Southern Live Oak Central Leader	65 gal	3"Cal	10` x 4` Spr.	47
	SP	Sabal palmetto / Sabal Palm Staggered, Slick Trunks	B & B		12`, 14`, & 16` C.T.	18
	TD	Taxodium distichum / Bald Cypress	65 gal	3"Cal	12` x 4` Spr.	46

SHRUBS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPR	QTY
	BE	Bougainvillea sp. / Bougainvillea Trellis	65 gal	8` Trellis	4
	IN	Ilex vomitoria `Nana` / Dwarf Yaupon	3 gal	12" X 12"	131
	VO	Viburnum odoratissimum / Sweet Viburnum	3 gal	24" x 24"	126
	VA	Viburnum odoratissimum `Awabuki` / Awabuki Viburnum	3 gal	24" x 24"	81

SHRUBS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPR	QTY
SHRUB AREAS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPACING	QTY
	IN2	Ilex vomitoria `Nana` / Dwarf Yaupon 12" x 12"	3 gal	24" o.c.	272
GROUND COVERS	CODE	BOTANICAL NAME / COMMON NAME	CONT	SPACING	QTY
	TM	Trachelospermum asiaticum `Minima` / Minima Jasmine	1 gal	12" o.c.	1,101

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FOUNTAIN LAKE APARTMENTS LLC

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PLANTING PLAN

12/04/13

PHILLIP A. SMITH, R.L.A. #1664

dwja LANDSCAPE ARCHITECTS
DAVID W. JOHNSTON ASSOCIATES
630 S. ORANGE AVE. SUITE 202 • SARASOTA, FL 34236 • (941) 366-3150

SHEET NO.

L-04

LANDSCAPE NOTES:

1. ALL NEW PLANT MATERIALS USED SHALL CONFORM TO THE STANDARDS FOR FLORIDA NO. 1 OR BETTER AS ESTABLISHED IN "GRADES AND STANDARDS FOR NURSERY PLANTS" PART I AND PART II STATE OF FLORIDA DEPARTMENT OF AGRICULTURE.
2. INSTALLATION OF WORK SHALL BE COORDINATED WITH OTHER CONTRACTORS IN SUCH A MANNER AS TO ALLOW FOR A SPEEDY AND ORDERLY COMPLETION OF ALL WORK ON THE SITE.
3. CONTRACTORS ARE ADVISED TO REFER TO THE SPECIFICATIONS, CONTRACT DOCUMENTS, AND PLAN SHEETS FOR A MORE DETAILED DISCLOSURE OF PERFORMANCE STANDARDS AND REQUIREMENTS.
4. THE CONTRACTOR IS CAUTIONED TO BE AWARE OF UNDERGROUND UTILITIES. PRIOR TO EXCAVATION, THE CONTRACTOR SHALL CHECK WITH THE JOB SITE SUPERINTENDENT, SUNSHINE ONE, AND THE CITY OF SARASOTA UTILITIES FOR LOCATION OF ALL UTILITIES A MINIMUM OF 48 HOURS BEFORE BEGINNING WORK.
5. ALL SOD SHALL BE ARGENTINE BAHIA UNLESS OTHERWISE NOTED ON PLANTING PLAN OR SOD PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISH GRADING IN SOD AREAS. HAND RAKE PRIOR TO INSTALLING SOD. CONTRACTOR TO CUT AND MATCH IN ALL NEW SOD TO EXISTING SOD. STAGGER AND KICK ALL JOINTS TIGHT. ALL SOD TO BE ROLLED IMMEDIATELY AFTER INSTALLATION.
6. CONTRACTOR SHALL APPLY MINIMUM 2 APPLICATIONS OF ROUNDUP HERBICIDE (OR APPROVED EQUAL) ON EXISTING TURF WHERE IT IS REQUIRED TO BE REMOVED FOR PLANTING. ROUNDUP MUST BE SPRAYED PRIOR TO COMMENCING ANY GRADING OPERATIONS. CONTRACTOR SHALL REVIEW TURF KILL WITH LANDSCAPE ARCHITECT OR OWNER REPRESENTATIVE FOR APPROVAL. ALL HERBICIDES MUST BE APPLIED BY LICENSED APPLICATORS PER MANUFACTURERS RECOMMENDED RATES AND INSTRUCTIONS. POST ALL APPLICATIONS. PLANTING IN WEED INFESTED SOIL IS NOT ACCEPTABLE
7. ANY EXCESS SOIL OR DEBRIS FROM CONSTRUCTION SHALL BE REMOVED FROM THE SITE AND TAKEN TO THE COUNTY LAND FILL OR OTHER LOCATION AS APPROVED.
8. MULCH ALL NEW PLANTING WITH MIN. 3" (OR AS NOTED OTHERWISE ON PLAN) OF RECYCLED MELALEUCA MULCH.
9. THE LANDSCAPE CONTRACTOR SHALL HAND WATER ALL PLANT MATERIAL AS REQUIRED THE LANDSCAPE CONTRACTOR SHALL BE LIABLE FOR REPLACING TREES AND SHRUBS EXPERIENCING TRANSPLANT SHOCK DUE TO LACK OF WATER AT ANY TIME DURING THE COURSE OF LANDSCAPE INSTALLATION.
10. ALL TREES AND PALMS WITHIN SOD AREAS SHALL BE MULCHED WITH 4' MIN. DIAMETER RING 3" DEEP STAKES WHENEVER POSSIBLE SHALL BE WITHIN MULCH RINGS.
11. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL OF ALL EXISTING SOD, DEBRIS, WEEDS, AND HANDWORK UNDER EXISTING TREES IN PREPARATION FOR ANY PLANTING.
12. CONTRACTOR SHALL REPAIR ANY AREAS DISTURBED DURING THE COMPLETION OF WORK INCLUDING RESODDING OF IRRIGATION TRENCHES AND PLANTING PITS RESULTING FROM MATERIAL RELOCATIONS.
13. THE LANDSCAPE CONTRACTOR SHALL INCORPORATE TERRA-SORB INTO ALL PLANTING PITS AS PER MANUFACTURERS RECOMMENDATIONS. TERRA-SORB MANUFACTURED BY INDUSTRIAL SERVICES INTERNATIONAL, INC., BRADENTON, FLORIDA: (800) 227-6727
14. CONTRACTOR SHALL STAKE ALL TREES AS PER DETAILS.
15. ALL PLANT MATERIAL SHALL BE FERTILIZED ACCORDING TO THE FERTILIZATION CHART.
16. CONTRACTOR IS RESPONSIBLE FOR RESTORING ALL DISTURBED AREAS CREATED BY THE CONSTRUCTION. THIS SHALL INCLUDE ALL SOD AND HAND RAKING TO RESTORE A SMOOTH UNIFORM SURFACE. ALSO REMOVAL OF ANY DEBRIS ENCOUNTERED OR CREATED FROM CONSTRUCTION OPERATIONS. ANY MATERIAL REMOVED FROM THE SITE SHALL BE TAKEN TO A SANITARY LANDFILL OR OTHER APPROVED LOCATION.
17. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO COMMENCING ANY WORK.
18. THE 90-DAY MAINTENANCE PERIOD SHALL BEGIN ONCE SUBSTANTIAL COMPLETION HAS BEEN MADE AND AGREED TO BY THE OWNER.
19. FINAL ACCEPTANCE WILL OCCUR AFTER THE OWNER HAS ACCEPTED THE JOB AFTER THE 90-DAY MAINTENANCE PERIOD.
20. AN AUTOMATIC IRRIGATION SYSTEM WILL BE INSTALLED TO PROVIDE 100%%% COVERAGE ON ALL NEW PLANT MATERIAL.
21. MYCOR-TREE AS MANUFACTURED BY PLANT HEALTH CARE, INC. (1-800-421-9501) SHALL BE MIXED INTO THE UPPER 10" OF BACKFILL OR SOIL MEDIA AT THE TIME OF PLANTING AND WATERED IN COMPLETELY AFTER USE. INSTALLATION SHALL BE AS FOLLOWS:
    - INSTALL 1 - 3 OUNCE PAK PER INCH CALIPER FOR TREE OF PALM.
    - INSTALL 1 - 1 OUNCE APPLICATION FOR ALL 3 GALLON CONTAINER MATERIAL.
    - INSTALL 1 - 5 GRAM APPLICATION FOR ALL 1 GALLON MATERIAL.

MAINTENANCE PROGRAM:

UPON SUBSTANTIAL COMPLETION AS DEEMED TRUE BY THE OWNER, A MAINTENANCE PROGRAM FOR ALL PLANT MATERIAL AND IRRIGATION SHALL COMMENCE AND CONTINUE FOR NINETY (90) DAYS.

PLANTING:

A. THE CONTRACTOR SHALL MAINTAIN ALL NEWLY PLANTED MATERIALS BY WATERING, PRUNING, CULTIVATING, FERTILIZING, AND WEEDING AS REQUIRED FOR HEALTHY GROWTH AND WEED FREE PLANTING BEDS OR SAUCERS.
B. RESTORE PLANTING SAUCERS, TIGHTEN AND REPAIR STAKES, RESET TREES OR PALMS TO PROPER GRADE OR VERTICAL POSITION AS REQUIRED.
C. SPRAY MATERIAL AS REQUIRED TO KEEP FREE FROM INSECTS AND DISEASE.

IRRIGATION:

A. MAINTAIN THE INSTALLED IRRIGATION SYSTEM IN AN OPERABLE CONDITION AT ALL TIMES.
B. CHECK FOR LINE BREAKS AND CLEAN BUBBLERS OF DEBRIS SO THAT THEY PROVIDE UNIFORM WATER DISTRIBUTION AT ALL TIMES.

REPORTS:

A. PROVIDE BIWEEKLY REPORTS DETAILING MAINTENANCE WORK COMPLETED AND OTHER PERTINENT INFORMATION. REPORT SHALL BE SUBMITTED TO THE OWNER WITH COPIES TO THE LANDSCAPE ARCHITECT.

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ALL PLANTINGS SHALL BE FERTILIZED WITH AGRIFORM 20-10-15 PLANTING TABLETS AT THE TIME OF INSTALLATION AND PRIOR TO COMPLETION OF BACKFILLING. AGRIFORM PLANTING TABLETS SHALL BE PLACED UNIFORMLY AROUND THE ROOT MASS AT THE DEPTH THAT IS BETWEEN THE MIDDLE AND THE BOTTOM OF THE ROOT MASS.

21 GRAM TABLET						10 GRAM TABLET	10 GRAM TABLET
1 GALLON CAN PLANTS	3 GALLON CAN PLANTS	5 GALLON CAN PLANTS	7 GALLON CAN PLANTS	LARGE TREES OR B & B TREES	MATURE PALMS	WELL ROOTED LINERS	SMALL GROUNDCOVERS OR PERENNIALS
1 TABLET	2 TABLETS	3 TABLETS	4 TABLETS	TREES: 5 TABLETS/EA. 1/2" OF CALIPER SHRUBS: 1 TABLET FOR EA. 1' OF HEIGHT	10 TABLETS PER PALM	1 TO 2 TABLETS EACH	1 TABLET EACH

AGRIFORM 20-10-5 PLANTING TABLETS AS MANUFACTURED BY:
SIERRA CHEMICAL COMPANY
1001 YOSEMITE DRIVE
MILPITAS, CA 95035

NOTE: LANDSCAPE ARCHITECT MAY MAKE A RANDOM SAMPLING OF PLANT PITS TO DETERMINE THE UNIFORMITY OF APPLICATION.

FERTILIZATION - TREES, SHRUBS AND GROUNDCOVERS

NOT TO SCALE

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811 Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

NOTE:

1. THIS CONTRACT IS SUBJECT TO THE RULES AND REGULATIONS OF GRADES AND STANDARDS FOR NURSERY PLANTS AS PUBLISHED BY THE DIVISION OF PLANT INDUSTRY, FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.
2. ALL PLANTS NOT LISTED IN GRADES AND STANDARDS FOR NURSERY PLANTS, PUBLISHED BY THE DIVISION OF PLANT INDUSTRY, SHALL CONFORM TO A FLORIDA NO. 1 AS TO: 1. HEALTH AND VITALITY, 2. CONDITION OF FOLIAGE, 3. ROOT SYSTEM, 4. FREEDOM FROM PEST OR MECHANICAL DAMAGE, 5. HEAVILY BRANCHED AND DENSELY FOLIATED ACCORDING TO THE ACCEPTED NORMAL SHAPE OF THE SPECIES OR SPORT.
3. AT THE CONCLUSION OF THIS PLANTING, IF THE LANDSCAPE ARCHITECT OR OWNER HAS REASON TO BELIEVE THAT THE PLANTS ARE NOT OF THE SPECIFIED GRADE, HE WILL REQUEST A REGRADING INSPECTION BY THE DIVISION OF PLANT INDUSTRY, AND SUCH EVIDENCE WILL BE THE BASIS FOR REQUESTING REPLACEMENT OF PLANTS AND FOR LEGAL OR OTHER ACTION TAKEN BY THE DIVISION OF PLANT INDUSTRY ACCORDING TO LAW, SHOULD THIS BECOME NECESSARY.

IMPORTANT NOTE:

ALL TREES, PALMS AND B&B MATERIAL SHALL BE PLANTED AS FOLLOWS:

1. DIG HOLE.
2. SPRINKLE TERRASORB EVENLY OVER BACKFILL SOIL NEXT TO HOLE SO THAT TERRASORB WILL THOROUGHLY MIX WITH SOIL DURING BACKFILLING OPERATIONS.
3. BACKFILL WITH 4" OF SOIL AND PREPARE SHELF FOR ROOTBALL TO SET ONTO.
4. PLACE ROOTBALL IN HOLE AND STRAIGHTEN TREE.
5. BACKFILL 25% OF DEPTH. WATER AND TAMP IN WHILE MAINTAINING THE STRAIGHTENED TREE.
6. BACKFILL TO 50% DEPTH. WATER AND TAMP IN WHILE MAINTAINING THE STRAIGHTENED TREE.
7. BACKFILL TO 75% DEPTH. WATER AND TAMP IN WHILE MAINTAINING THE STRAIGHTENED TREE.
8. BACKFILL THE REST AND THOROUGHLY WATER IN TREE MAKING SURE THE TRUNK IS DIRECTLY PERPENDICULAR TO THE FINISHED GRADE.

NOTE:

ANY DEVIATION FROM THE ABOVE PROCESS WILL NOT BE CONSIDERED AS PER INDUSTRY STANDARDS AND WILL BE CAUSE FOR REJECTION OF THE WORK.

TREES WITH SHARP 'V' SHAPED BRANCHING AT THE TRUNK SHALL NOT BE ACCEPTED.

REFER TO SPECIFICATIONS FOR OTHER NOMENCLATURE, ABBREVIATIONS AND QUALITY REQUIREMENTS.
EXAMPLES:
HEIGHT x SPREAD
HEIGHT x SPREAD - CALIPER

TREE AND SHRUB SIZING SPECIFICATION

NOT TO SCALE

TREE SHALL BEAR THE SAME RELATION TO FINISH GRADE AS IT HAD TO PREVIOUS EXISTING GRADE.

ARBORBRACE® TREE GUYING SYSTEM OR APPROVED EQUAL (305) 992-4104

ARBORBRACE TREE GUYING SPECIFICATIONS:
ATG-R: FOR UP TO 4" CALIPER TREES
(3) POLYPROPYLENE GUYLINES 3/4" X 12'=800 LB TEST, OLIVE DRAB, UV RESISTANT
(3) NICKEL PLATED SPRING CAM-LOCK TENSION CLIPS
(3) ARROWHEAD NYLON ANCHORS (4" X 3-3/4")

ARBORBRACE TREE GUYING SPECIFICATIONS:
ATG-J: FOR UP TO 6" CALIPER TREES
(3) POLYPROPYLENE GUYLINES 1" X 12'=1,000 LB TEST, OLIVE DRAB, UV RESISTANT
(3) 1-1/4" NICKEL PLATED, NON-RUSTING SPRING CAM-LOCK TENSION CLIPS (1,500 LB BREAK STRENGTH)
(3) ARROWHEAD NYLON ANCHORS (5-1/2" X 4-1/2")

TREE PLANTING, STAKING AND PRUNING

NOT TO SCALE

ALL PALMS UNDER 16' O.A.H. SHALL NOT BE STAKED.

PALM PLANTING AND STAKING DETAIL

NOT TO SCALE

BALL SIZE VARIES. MINIMUM ACCEPTED SIZES ARE AS FOLLOWS:
SABAL PALMS: (OVER 16' CT) 48"X48" DEEP
SABAL PALMS: (UNDER 16' CT) 36"X36" DEEP

REFER TO SPECIFICATIONS FOR OTHER NOMENCLATURE, ABBREVIATIONS AND QUALITY REQUIREMENTS.

WIRE AND BURLAP BALLS AS NECESSARY FOR GIVEN SPECIMEN.

PALM SIZING SPECIFICATIONS

NOT TO SCALE

SHRUB SHALL HAVE THE SAME RELATION TO FINISH GRADE AS IT HAD TO PREVIOUS EXISTING GRADE.

SHRUB / GROUNDCOVER PLANTING

NOT TO SCALE

SITE DEVELOPMENT PLANS FOR:

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dwja LANDSCAPE ARCHITECTS
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630 S. ORANGE AVE. SUITE 202 • SARASOTA, FL 34236 • (941) 366-3159

SHEET NO.
L-05

DIVISION 2 - SITE WORK
SECTION 0221
FINISH GRADING

I. GENERAL

1. SCOPE
   1. FURNISH ALL LABOR, MATERIAL, AND EQUIPMENT NECESSARY TO SHAPE, MOLD, AND FINISH GRADE ALL FEATURES OF THE PROJECT.
      A. INCLUDE ALL KILLING REMOVAL OF VEGETATIVE GROWTH AND HAND WORK NECESSARY TO ESTABLISH FINISH GRADE INCLUDING UNDER ANY EXISTING TREES.
      B. KILL AND ELIMINATE ANY AND ALL UNWANTED VEGETATIVE GROWTH FROM TOPSOIL AND SUBSOIL BY APPROVED MEANS, AND BEFORE PLANTING.
      C. CONSTRUCT BERMS TO ELEVATIONS SHOWN, AND PERFORM ALL GRADING, INCLUDING ROUGH GRADING (2" +/-) BEFORE IRRIGATION INSTALLATION, AND FINISHED GRADING PRIOR TO PLANTING.
      D. LIGHTLY SCARIFY TOPSOIL INTO SURFACE OF SUBGRADE. REMOVE EXTRANEOUS MATTER MEASURING ONE INCH (1") OR LARGER IN ANY DIMENSION.
   2. MATERIAL SHALL INCLUDE FILL AND TOPSOIL APPROPRIATELY THROUGHOUT THE PROJECT.

II. EXECUTION

1. BERMS AND GRADED AREAS
   1. ALL BERMS AND GRADED AREAS SHALL BE BUILT IN ACCORDANCE WITH THE SITE DEVELOPMENT PLANS AND DETAILS. FINISH GRADING OPERATIONS SHALL BRING ALL BERMS AND GRADED AREAS TO A FINAL GRADE POSITION SO AS NOT TO INHIBIT POSITIVE DRAINAGE.
   2. THE SITE DEVELOPMENT PLANS SHOW EARTH BERM LOCATIONS. THE CONTRACTOR SHALL SUPPLY SUFFICIENT SECOND CUT CLEAN FILL MATERIAL TO PROVIDE A FINISH GRADE AS REPRESENTED ON THE PLANS. QUANTITIES OF SOIL GIVEN REPRESENT APPROXIMATE FINISH VOLUMES COMPACTED IN PLACE.
   3. BERMS SHALL BE SO SHAPED THAT THEIR LINES AND SLOPES WILL BLEND WITH THE SURROUNDING CONTOURS. THE MOUNDS AND VALLEYS OF THE BERMS SHALL BE SCULPTURED INTO SMOOTH UNDULATING SHAPES WITHOUT 'BIRD-BATHS'. 4. IN ORDER TO DEVELOP AESTHETICALLY PLEASING BERMS, THE ARCHITECT RESERVES THE RIGHT TO MAKE MINOR ADJUSTMENTS IN SHAPE AND CONTOURING AT ANY TIME DURING CONSTRUCTION.
   5. FINISH GRADING OF BERMS SHALL BE DONE BY A WHEEL TRACTOR AND SHALL INVOLVE THE PUSHING AND BACK-BLADING OF SMALL AMOUNTS OF MATERIAL IN A REPETITIVE OPERATION.
   6. UNIFORMLY FINE GRADE AREAS WITHIN GRADING LIMITS INCLUDING TRANSITION AREAS. SMOOTH FINISHED SURFACE WITHIN SPECIFIED TOLERANCE (MINIMUM 3% SLOPE), COMPACT WITH UNIFORM LEVELS OR SLOPES BETWEEN POINTS WHERE ELEVATIONS ARE SHOWN, OR BETWEEN SUCH POINTS AND EXISTING GRADES.
   7. OBTAIN APPROVAL OF FINISHED GRADES BEFORE PROCEEDING WITH GRASSING AND PLANTING OPERATIONS. ELIMINATE IRREGULARITIES AND PONDING. LEAVE GRADE 1 1/2" BELOW CURB OR WALK.
   8. IF PLANTING AND MULCHING IS NOT COMMENCED IMMEDIATELY, PROTECT STOCKPILED OR SPREAD TOPSOIL FROM EROSION BY FORCE OR WIND, WATER, OR OTHER FORCE, RE-ESTABLISH ERODED, RUTTED, OR SETTLED GRADES TO PROPER FINISHED GRADE.
   9. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR REPAIRING, RE-GRADING, AND RE-SEEDING ANY AREAS COMPLETED BY THE GENERAL CONTRACTOR WHICH ARE DISTURBED BY THE WORK OF THIS CONTRACT.
   10. THE TILLED AREAS SHALL BE SETTLED, FINE GRADED, AND RAKED TO MEET APPROVED FINISHED GRADE. COARSE SOIL LUMPS, ROCKS, ROOTS, WEEDS AND DEBRIS NOT PASSING THROUGH A HAND RAKE SHALL BE REMOVED FROM THE SURFACE. THE SURFACE SHALL BE SMOOTH, FIRM, AND OF FINE TEXTURE IMMEDIATELY BEFORE SODDING.

III. INSPECTION AND APPROVAL

1. INSPECTION
   1. ALL FINISH GRADING OPERATIONS SHALL BE SUBJECT TO REGULAR INSPECTIONS BY THE ARCHITECT. BECAUSE THE CONTOURING OF THE PROJECT IS ESSENTIAL TO AN AESTHETICALLY PLEASING DEVELOPMENT THE ARCHITECT MAY MAKE MINOR ALTERATIONS DURING THE FINISH GRADING OPERATIONS.
2. APPROVAL
   1. ALL FINISH GRADING OPERATIONS SHALL BE SUBJECT TO THE APPROVAL OF THE ARCHITECT PRIOR TO BEGINNING THE INSTALLATION OF THE IRRIGATION SYSTEM. POSITIVE DRAINAGE IS A FUNCTION OF FINISH GRADING AND WILL BE GUARANTEED BY THE CONTRACTOR. FOLLOWING THE INSTALLATION AND BACKFILLING OF THE IRRIGATION SYSTEM A DRAINAGE CHECK MAY BE CONDUCTED BY NATURAL OR MAN MADE CIRCUMSTANCES. ANY POSITIVE DRAINAGE FAULTS WILL BE CORRECTED AND A NEW FINISH GRADE ESTABLISHED.

END SECTION 2-0221

DIVISION 2 - SITE WORK
SECTION 0270
LANDSCAPE - GENERAL

I. SCOPE:
   1. THE WORK EMBRACED UNDER THIS CONTRACT INCLUDES SUPPLYING AND PLACING OF ALL MATERIALS AS LISTED IN THE SPECIFICATIONS AND ON THE PLANS IN ACCORDANCE WITH SOUND INDUSTRY PRACTICE. ALL LABOR, EQUIPMENT, TOOLS, PLANT MATERIAL AND MISCELLANEOUS ITEMS CALLED FOR HEREIN OR REQUIRED FOR SATISFACTORY COMPLETION OF THE WORK, SHALL BE FURNISHED AND INSTALLED BY THE LANDSCAPE OR IRRIGATION SUBCONTRACTOR.
   2. CONTRACTORS SHALL BE RESPONSIBLE FOR SECURING ALL NECESSARY LICENSES AND PERMITS, AND SHALL COMPLY IN ALL WAYS WITH FEDERAL, STATE AND LOCAL CODES.

II. INVESTIGATION OF SITE:
   1. ALL BIDDERS SHALL PERSONALLY EXAMINE THE SITE AND FULLY ACQUAINT THEMSELVES WITH ALL EXISTING CONDITIONS IN ORDER THAT NO MISUNDERSTANDING MAY ARISE AS TO THE CHARACTER OR AS TO THE EXTENT OF THE WORK TO BE DONE, AND LIKEWISE, IN ORDER TO ADVISE AND ACQUAINT THEMSELVES WITH ALL PRECAUTIONS TO BE TAKEN IN ORDER TO AVOID INJURY TO PERSONS AND PROPERTY.
   2. THE CONTRACTOR SHALL DETERMINE BY SITE INVESTIGATION ANY NECESSARY WORK NOT SPECIFICALLY CALLED FOR, BUT, NECESSARY TO SATISFACTORILY COMPLETE THE WORK. NO ADDITIONAL COMPENSATION WILL BE GRANTED BECAUSE OF ANY DIFFICULTIES WHICH MAY BE ENCOUNTERED ON THE SITE IN THE EXECUTION OR MAINTENANCE OF ANY PORTION OF THE WORK.
   3. ANY DAMAGES TO UNDERGROUND OR ABOVE GROUND UTILITIES OR TO ANY PROPERTY OF THE OWNER OR OTHER CONTRACTOR SHALL BE REPAIRED OR REPLACED IMMEDIATELY AT THE RESPONSIBLE CONTRACTOR'S EXPENSE.
   4. ANY DAMAGE CAUSED TO UNDERGROUND INSTALLATIONS OF ANOTHER CONTRACTOR SHALL BE BACK CHARGED TO THAT CONTRACTOR IF SUCH INSTALLATIONS ARE NOT LOCATED IN ACCORDANCE WITH PLANS.

III. QUALIFICATIONS:
   1. ALL LANDSCAPE AND IRRIGATION CONTRACTORS WISHING TO BID THE PROJECT SHALL HAVE A MINIMUM OF FIVE YEARS EXPERIENCE SPECIALIZING IN THIS TYPE OF WORK IN THIS LOCATION.
   2. INDIVIDUALS OR CORPORATIONS NOT ABLE TO MEET THIS REQUIREMENT MAY SUBMIT THEIR QUALIFICATIONS TO THE LANDSCAPE ARCHITECT DURING THE BIDDING PERIOD FOR REVIEW AND POSSIBLE QUALIFICATION.

IV. PERFORMANCE STANDARDS:
   1. ALL WORK SHALL BE PERFORMED BY COMPETENT AND SKILLED CRAFTSMEN. LABOR CREWS SHALL BE UNDER THE DIRECT CONTROL OF A SINGLE FOREMAN DESIGNATED AT THE BEGINNING OF THE WORK AND SKILLED IN READING BLUEPRINTS AND COORDINATION BETWEEN OFFICE AND JOB. WHILE LABOR CREWS MAY CHANGE, THE SAME FOREMAN WILL BE IN CHARGE THROUGHOUT THE JOB. CONTRACTOR SHALL REVIEW PLANS THROUGHOUT THE JOB. CONTRACTOR SHALL REVIEW PLANS AND SPECIFICATIONS WITH THE JOB FOREMAN TO INSURE COMPLETE UNDERSTANDING OF THE PROJECT.
   2. TOOLS SHALL NOT BE LEFT ON THE JOB SITE IN AN UNSAFE OR UNPROTECTED CONDITION.
   3. ALL OPEN EXCAVATIONS SHALL BE PROPERLY BARRICADED AND LIGHTED AT NIGHT.
   4. THE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIAL, SOIL, AND/OR RUBBISH CAUSED BY HIS EMPLOYEES OR WORK. THE CONTRACTOR SHALL CLEAN BEHIND HIS WORK IMMEDIATELY AND SHALL TAKE NECESSARY PRECAUTIONS TO KEEP CONCRETE, BRICK AND OTHER PAVING MATERIAL CLEAN OF SOIL. THIS SHALL INCLUDE THE USE OF DROP-CLOTHS, ETC. DAMAGE TO GRADES OR LAWNS SHALL BE REPAIRED IMMEDIATELY AND ALL DEBRIS AND EXCESS SOIL REMOVED BY RAKING.
   5. ALL STAKING AND LAYOUT OF PHYSICAL FEATURES SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT BEFORE CONSTRUCTION OR PLANTING IS STARTED. THE SAME SHALL APPLY TO THE ESTABLISHMENT OF PROPER GRADES AND LEVELS. ALL PLANTING BEDS SHALL BE ACCURATELY STAKED IN ACCORDANCE WITH THE PLANS. CHANGES NECESSITATED BY BUILDING CHANGES, ETC., SHALL BE IN KEEPING WITH THE OVERALL CONCEPTS OF THE DESIGN. ANY BEDS DEVELOPED WITHOUT THE APPROVAL OF THE ARCHITECT SHALL, IF THEY DO NOT ACCURATELY REPRESENT THE PLAN AND/OR THE DESIGN CONCEPT, BE REDEVELOPED WITHOUT ADDITIONAL EXPENSE TO THE OWNER.
   6. MATERIAL SUCH AS GROUND COVERS, MULCH OR GRAVEL SHALL BE SPREAD IN THE SPECIFIED QUANTITY TO COVER THE AREA DESIGNED. NO ADDITIONAL MATERIALS SHALL BE USED IN SUCH AREAS WITHOUT THE APPROVAL OF THE ARCHITECT AND/OR OWNER.
   7. THE CONTRACTOR SHALL IN GOOD WORKMANLIKE MANNER, DO AND PERFORM ALL WORK AND FURNISH ALL SUPPLIES AND MATERIALS, MACHINERY, EQUIPMENT, FACILITIES AND MEANS, EXCEPT AS OTHERWISE EXPRESSLY SPECIFIED HEREIN, NECESSARY OR PROPER TO PERFORM AND COMPLETE ALL THE WORK REQUIRED BY THIS CONTRACT, WITHIN THE TIME SPECIFIED HEREIN, IN ACCORDANCE WITH THE PROVISIONS OF THIS CONTRACT AND SAID SPECIFICATIONS AND IN ACCORDANCE WITH THE PLANS, AND IN ACCORDANCE WITH THE DIRECTIONS OF THE ARCHITECT AS GIVEN FROM TIME TO TIME DURING THE PROGRESS OF THE WORK.

END OF SECTION 2-0270

DIVISION 2 - SITE WORK
SECTION 0280
LANDSCAPE DEVELOPMENT

I. GENERAL
   1. STAKING AND LAYOUT: ALL STAKING AND LAYOUT OF PHYSICAL FEATURES SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT BEFORE CONSTRUCTION OF PLANTING IS STARTED. THE SAME SHALL APPLY TO THE ESTABLISHMENT OF PROPER GRADES AND LEVELS. ALL PLANTING BEDS SHALL BE ACCURATELY STAKED IN ACCORDANCE WITH THE PLANS. CHANGES NECESSITATED BY BUILDING CHANGES, ETC., SHALL BE IN KEEPING WITH THE OVERALL CONCEPTS OF THE DESIGN. ANY BEDS DEVELOPED WITHOUT THE APPROVAL OF THE LANDSCAPE ARCHITECT SHALL, IF THEY DO NOT ACCURATELY REPRESENT THE PLAN AND/OR THE DESIGN CONCEPT, BE RE-DEVELOPED WITHOUT ADDITIONAL EXPENSE TO THE OWNER.
   2. COMMENCEMENT OF WORK: WORK UNDER THIS CONTRACT SHALL COMMENCE NOT LESS THAN TEN (10) DAYS AFTER NOTICE TO PROCEED AND SHALL BE COMPLETE IN AN ORDERLY BUSINESS LIKE FASHION. ONCE WORK IS BEGUN IT SHALL CONTINUE ON CONSECUTIVE WORKING DAYS UNTIL WORK IS COMPLETED. SUNDAYS, SATURDAYS, HOLIDAYS AND STOPPAGES DUE TO FOUL WEATHER OR DELAYS CAUSED BY THE OWNER OR BUILDING CONTRACTOR SHALL BE EXCLUDED. UNNECESSARY DELAYS IN WORK MAY RESULT IN FORFEITURE OF PERFORMANCE BOND WHEN REQUIRED. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO IMMEDIATELY NOTIFY THE LANDSCAPE ARCHITECT IN WRITING, OF ANY STOPPAGES IN WORK DUE TO CIRCUMSTANCES BEYOND HIS CONTROL AND TO STATE THE TIME DURATION OF SUCH STOPPAGE.
   3. MAINTENANCE: THE CONTRACTOR IS ENTIRELY RESPONSIBLE FOR THE WORK UNTIL FINAL ACCEPTANCE. ONCE MATERIAL IS PLANTED, IT SHALL RECEIVE WATER EACH DAY FROM TIME OF PLANTING UNTIL FINAL INSPECTION - NOT TO INCLUDE SUNDAYS. WATERING SHALL BE DONE IN ACCORDANCE WITH SOUND NURSERY PRACTICE. WATER SHALL BE SUPPLIED BY THE OWNER, HOSES, ETC. BY THE CONTRACTOR, UNLESS OTHERWISE SPECIFIED FOR SPECIFIC JOB CONDITIONS. MAINTENANCE OF TURF AREAS SHALL ALSO INCLUDE MOWING TO MAINTAIN A HEALTHY CONDITION AND FOR AESTHETIC PURPOSES.
   4. COORDINATION OF WORK: THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COORDINATION OF PLANTING OPERATIONS WITH THE OTHER CONTRACTORS ON THE JOB. REPAIR OF DAMAGE TO PLANTS, GRADES, LAWNS, ETC., DURING INSTALLATION SHALL NOT BE CONSIDERED AS AN EXTRA, AND SHALL NOT BE CHARGEABLE TO THE OWNER. DAMAGE CAUSED BY OTHER CONTRACTORS WILL BE THE RESPONSIBILITY OF SAID CONTRACTORS.
   5. RIGHT TO REJECT: THE OWNER SHALL HAVE THE RIGHT, AT ANY STAGE OF THE WORK, TO REJECT ANY AND ALL WORK AND MATERIALS WHICH, IN HIS OPINION, MAY NOT MEET THE REQUIREMENTS OF THESE SPECIFICATIONS. REJECTED MATERIAL SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND ACCEPTABLE MATERIAL SUBSTITUTED IN ITS PLACE.
   6. UNDERGROUND DEBRIS: SHOULD ANY OBJECTIONABLE MATERIAL SUCH AS CONCRETE, BRICKS, ROOTS OR OTHER DEBRIS BE ENCOUNTERED DURING LANDSCAPE INSTALLATION, THEY SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR. ALL OPEN EXCAVATIONS SHALL BE PROPERLY BARRICADED, AND LIGHTED AT NIGHT.
   7. ALL PLANT MATERIAL FURNISHED BY THE CONTRACTOR, UNLESS OTHERWISE SPECIFIED, SHALL BE FLORIDA #1 OR BETTER IN ACCORDANCE WITH GRADES AND STANDARDS FOR NURSERY PLANTS, STATE PLANT BOARD OF FLORIDA. THE LANDSCAPE ARCHITECT RESERVES ALL RIGHTS TO DETERMINE ACCEPTABILITY OF PLANT MATERIAL SUBMITTED FOR PLANTING.
   8. SUBSTITUTIONS: SUBSTITUTIONS WILL BE PERMITTED ONLY UPON SUBMISSION OF SUFFICIENT PROOF THAT ANY PLANT IS NOT OBTAINABLE AND UPON AUTHORIZATION OF THE LANDSCAPE ARCHITECT. UNDER NO CIRCUMSTANCES SHALL UNAUTHORIZED SUBSTITUTIONS BE INCLUDED IN THE BID PROPOSAL AND BREAKDOWN.
   9. CLEAN-UP: THE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIAL, SOIL, AND/OR RUBBISH CAUSED BY HIS EMPLOYEES OR WORK. CONTRACTOR SHALL CLEAN BEHIND HIS WORK IMMEDIATELY AND SHALL TAKE NECESSARY PRECAUTIONS TO KEEP CONCRETE, BRICK AND OTHER PAVING MATERIAL CLEAN OF SOIL. THIS SHALL INCLUDE THE USE OF DROP-CLOTHS, ETC. DAMAGE TO GRADES OR LAWNS SHALL BE REPAIRED IMMEDIATELY AND ALL DEBRIS AND EXCESS SOIL REMOVED. SHOULD THE CONTRACTOR FAIL TO KEEP THE PREMISES IN A CLEAN SATISFACTORY CONDITION, THE OWNER RESERVES THE RIGHT TO HIRE APPROPRIATE PERSONNEL TO PERFORM CLEAN-UP WORK AND BACK CHARGE THE CONTRACTOR FOR ALL COSTS INCURRED.
   10. ABBREVIATIONS:

c.w.	CLEAR WOOD
c.t.	CLEAR TRUNK
CL. (S)	CLUMP (S)
DBL.	DOUBLE
O.A.	OVER ALL (HEIGHT & WIDTH THE SAME)
O.A.H	OVER ALL HEIGHT
spr.	SPREAD
stms.	STEMS
STG. HTS.	STAGGERED HEIGHTS
HD. (S)	HEAD (S)
std.	STANDARD
f.o.w.	FAN ON WALL *
f.o.f.	FAN ON FENCE *
tks.	TRUNKS
esp.	ESPALIER
r.c.	ROOTED CUTTINGS
u.r.c.	UN-ROOTED CUTTINGS
o.c.	ON CENTER

* NOTE:(F.O.W. & F.O.F) FAN ON WALL AND FAN ON FENCE SHALL MEAN PROVIDING ALL NECESSARY HOOKS, MASONRY PLUGS, ETC., AND TYING AS REQUIRED TO BEGIN ESPALIER OF PLANTS SPECIFIED.

11. COMPLETION AND ACCEPTANCE:
   1. COMPLETION OF THE WORK SHALL MEAN THE FULL AND EXACT COMPLIANCE AND CONFORMITY WITH THE PROVISIONS EXPRESSED OR IMPLIED IN THE DRAWINGS AND SPECIFICATIONS, AND ASSOCIATED CHANGE ORDER AS APPROVED BY THE LANDSCAPE ARCHITECT.
   2. FINAL INSPECTION SHALL BE MADE BY THE LANDSCAPE ARCHITECT AT THE REQUEST OF THE CONTRACTOR, AND SHALL BE PRIOR TO FINAL REQUEST FOR PAYMENT. ALL REQUIREMENTS OF THE SPECIFICATIONS SHALL APPLY UNTIL FINAL ACCEPTANCE OF THE WORK BY THE OWNER OR HIS REPRESENTATIVE. 3. THE ACCEPTABILITY OF ALL MATERIAL, WORKMANSHIP, LABOR AND COMPLIANCE WITH THE SPECIFICATIONS, GRADES AND STANDARDS SHALL BE SOLELY DETERMINED BY THE LANDSCAPE ARCHITECT.

12. GENERAL GUARANTY: NEITHER THE FINAL CERTIFICATE OF PAYMENT NOR ANY PROVISION OF THE CONTRACT DOCUMENTS NOR PARTIAL OR ENTIRE OCCUPANCY OF THE PREMISES BY THE OWNER SHALL CONSTITUTE AN ACCEPTANCE OF WORK NOT DONE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS OR RELIEVE THE CONTRACTOR OF LIABILITY IN RESPECT TO ANY EXPRESS WARRANTIES OR RESPONSIBILITY FOR FAULTY MATERIAL AND/OR WORKMANSHIP. THE CONTRACTOR SHALL REMEDY ANY DEFECTS IN THE WORK AND PAY FOR ANY DAMAGE TO OTHER WORK RESULTING THEREFROM WHICH SHALL APPEAR WITHIN A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE OF THE WORK UNLESS A LONGER PERIOD IS SPECIFIED. THE GUARANTY PERIOD SHALL COMMENCE AT SUCH TIME AS THE LANDSCAPE ARCHITECT CERTIFIES THAT THE PROJECT HAS BEEN COMPLETED IN SUBSTANTIAL COMPLIANCE WITH THE CONTRACT DOCUMENTS. IN CERTAIN INSTANCES LIMITED, DEFINED AREAS OF THE PROJECT MAY BE RELEASED BY THE LANDSCAPE ARCHITECT FOR MAINTENANCE PURPOSES ONLY AND/OR FOR COMMENCEMENT OF THE GUARANTY PERIOD. SUCH PARTIAL RELEASES SHALL BE AT THE SOLE DISCRETION OF THE LANDSCAPE ARCHITECT.

RESPONSIBILITIES OF THE OWNER THROUGHOUT THE GUARANTY PERIOD SHALL BE AS FOLLOWS:
   1. MAINTAIN A REGULAR INSPECTION SCHEDULE OF ALL MATERIALS AND WORKMANSHIP INCLUDED WITHIN THE SCOPE OF THE CONTRACTED WORK.
   2. ESTABLISH NORMAL, REGULARLY SCHEDULED MAINTENANCE PROCEDURES FOR ALL AREAS OF WORK UNDERTAKEN BY THE CONTRACTOR. SUCH MAINTENANCE PROCEDURES AND FREQUENCY SHALL BE IN KEEPING WITH NORMAL INDUSTRY STANDARDS FOR THE SCOPE AND NATURE OF THE WORK INVOLVED.
   3. MAINTAIN A WRITTEN RECORD OF THE MAINTENANCE PROCEDURES UNDERTAKEN INCLUDING THE FREQUENCY OF ALL MAINTENANCE PERFORMED, RECORD OF PROBLEMS ENCOUNTERED AND SOLUTIONS.
   4. MONITOR ALL PLANT MATERIALS FOR PROPER SOIL MOISTURE CONTENT AND THE UNIFORMITY OF WATER APPLICATION OVER TIME, AS COMPENSATED FOR SEASONAL VARIATION AND LOCAL CLIMATE. APPLY LOCALIZED HAND WATERING AS NECESSARY TO ENSURE PROPER MOISTURE LEVELS FOR THE ESTABLISHMENT OF LARGER PLANT MATERIALS AND PLANTS IN UNIQUE MICRO-ENVIRONMENTS.
   5. PROVIDE WRITTEN NOTIFICATION TO THE CONTRACTOR AND THE LANDSCAPE ARCHITECT OF ANY MATERIAL AND/OR WORKMANSHIP THAT IS BELIEVED TO BE AT A LEVEL OF QUALITY AND/OR PERFORMANCE BELOW THAT WHICH WAS SPECIFIED WITHIN THE CONTRACT DOCUMENTS AND SUBJECT TO THE CONTRACTOR'S GUARANTY. SUCH NOTICE SHALL BE DELIVERED TO THE CONTRACTOR AND THE LANDSCAPE ARCHITECT VIA MAIL TO THEIR LAST KNOWN ADDRESS.

RESPONSIBILITIES OF THE CONTRACTOR THROUGHOUT THE GUARANTY PERIOD SHALL INCLUDE THE FOLLOWING:
   1. PRIOR TO FINAL ACCEPTANCE, THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A WRITTEN MAINTENANCE SCHEDULE WHICH ADDRESSES ALL ASPECTS OF THE WORK SCOPE AS COMPLETED UNDER THIS CONTRACT.
   2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MAINTENANCE OF ALL ITEMS WITHIN THE WORK SCOPE FOR THE ENTIRE COURSE OF THE CONTRACT UNLESS SPECIFICALLY NOTED OTHERWISE WITHIN THE CONTRACTOR DOCUMENTS.
   3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR INSPECTING THE PROJECT SITE AT REGULAR INTERVALS DURING THE GUARANTY PERIOD. THE FREQUENCY OF SUCH INSPECTIONS SHALL BE AT THE DISCRETION OF THE CONTRACTOR; HOWEVER, THE FREQUENCY SHALL BE SUCH THAT THE CONTRACTOR IS SATISFIED THAT HE CAN PERCEIVE POTENTIAL MAINTENANCE CONCERNS, NOTIFY THE OWNER AND PROTECT HIS INTERESTS IN THE GUARANTY OF MATERIALS AND WORKMANSHIP.
   4. FAILURE OF THE CONTRACTOR TO COMPLY WITH ANY OF THE ABOVE CONTRACTOR RESPONSIBILITIES SHALL BE CONSIDERED AS HIS ACCEPTANCE OF ALL MAINTENANCE SCHEDULES AND PROCEDURES AS BEING PERFORMED BY THE OWNER AND THE CONTRACTOR SHALL THEREBY FORFEIT HIS RIGHT TO DISPUTE ANY QUESTION ARISING AS TO GUARANTY OF SPECIFIC MATERIALS AND/OR WORKMANSHIP.
   5. ALL PLANT MATERIALS SHALL BE GUARANTEED TO BE ALIVE AND IN SATISFACTORY GROWTH, FLORIDA #1 GRADE OR BETTER, AS TO THEIR SPECIES, AT THE END OF THE GUARANTY PERIOD.

6. GUARANTY PERIODS FOR PLANT MATERIALS SHALL BE AS FOLLOWS:
   GROUND COVERS & VINES - 12 MONTHS
   SHRUBS -12 MONTHS
   PALMS - 12 MONTHS
   TREES (INCLUDING MYRICA SPP.) - 12 MONTHS

7. AT ANY TIME DURING THE GUARANTY PERIOD THE CONTRACTOR SHALL BE REQUIRED TO REPLACE ALL PLANTS THAT ARE DEAD OR IN AN UNSATISFACTORY CONDITION OF GROWTH. ALL REPLACEMENTS AND RELATED REPLACEMENT COSTS SHALL BE AT THE CONTRACTOR'S EXPENSE, SHALL BE OF A LIKE SIZE AND KIND OF THE PLANTS AS ORIGINALLY SPECIFIED AND/OR REMOVED, AND, SHALL BE GUARANTEED FOR AN ADDITIONAL PERIOD OF TIME IN COMPLIANCE WITH THE ABOVE STATED GUARANTY PERIODS.

13. ACTS OF GOD: ANY PLANT MATERIALS PROVIDED AND INSTALLED OR MATERIALS WHICH HAVE BEEN: PLANTED AND DAMAGED OR DESTROYED BY ANY PHENOMENA CONSIDERED AS AN ACT OF GOD, IE., HURRICANE WINDS, FIRE, FLOOD, FREEZE, RAIN, HAIL, ETC. SHALL, ACCORDING TO THE FLORIDA LAW, BELONG TO THE OWNER AND SHALL BE HIS RESPONSIBILITY. ANY MATERIALS WHICH HAVE BEEN PROVIDED AND INSTALLED OR PLANT MATERIALS WHICH HAVE BEEN PLANTED AND DAMAGED OR DESTROYED BY ACTS OF THEFT, VANDALISM OR TERRORISM SHALL BE REPLACED BY THE CONTRACTOR AT NO ADDITIONAL EXPENSE TO THE OWNER. MATERIALS STORED ON-SITE AS YET NOT PLANTED ARE NOT COVERED BY THIS CLAUSE AND ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

DIVISION 2 - SITE WORK
SECTION 0281
TOPSOIL AND FERTILIZERS

I. GENERAL

1. TOPSOIL TOPSOIL IS DEFINED AS 95% SAND WITH NOT MORE THAN 2% CLAY AND THE BALANCE LOAM MATERIAL. SAND IS DEFINED AS MATERIAL WHICH PASSES THROUGH NUMBER 270 AND NUMBER 10 SIEVE. TOPSOIL SHALL BE FREE FROM HARD CLODS, STIFF CLAY, HARDPAN, SODS, LARGE STONES, LIME, CEMENT, BRICKS, COAL ASHES, CINDERS, SLAG, CONCRETE, TAR OR ITS RESIDUE, TARRED PAPER, BOARDS, CLIPS, STICKS OR OTHER OBJECTIONABLE MATERIAL. TOPSOIL SHALL CONTAIN NO MORE THAN 5% LOAM OR SILT AND SHALL BE WEED FREE. THE CONTRACTOR IS RESPONSIBLE FOR PERFORMING PERCOLATION TO DETERMINE PERCOLATION RATES FOR AREAS OF THE SITE TO RECEIVE LANDSCAPING.IE., BEDS, HEDGE ROWS AND ALL TREE LOCATIONS LESS THAN 6" PER HOUR THE DRAINAGE CONTAINER SHALL INSTALL SUMPS TO PROVIDE DRAINAGE AT 6" PER HOUR SUMPS SHALL BE A MINIMUM OF 8" IN DIAMETER, SHALL BE 36" DEEP OR BREAK THROUGH CONFORMING LAYER WHICH EVER IS GREATER AND BACKFILLED WITH CLEAN BUILDERS SAND.
2. ROUGH GRADES TO BE FURNISHED BY OTHERS SHALL BE ASCERTAINED BY SITE INSPECTION PRIOR TO BIDDING.

II. MATERIALS

1. PEAT MOSS - PEAT MOSS SHALL CONSIST OF COARSE, PARTIALLY DECOMPOSED VEGETABLE MATTER OF NATURAL OCCURRENCE. IT SHALL BE MEDIUM BROWN IN COLOR, CLEAN, LOW IN CONTENT OF MINERAL AND WOODY MATERIAL, AND MILDLY ACID, AND SHALL BE SHREDDED AND FREE FROM ALL STONES AND TWIGS.
2. SAND - CLEAN, COARSE, UNGRADED, MEETING ASTM C33-55 REQUIREMENT FOR CONCRETE SAND.
3. BONEMEAL - COMMERCIAL BONEMEAL SHALL BE FINELY GROUND AND HAVE A MINIMUM ANALYSIS OF 4% NITROGEN AND 20% PHOSPHORIC ACID.
4. NATURAL ORGANIC FERTILIZER - SHALL BE A COMMERCIALLY NATURAL ORGANIC FERTILIZER 6-3-0 (ACTIVE SLUDGE), SUCH AS MILORGANITE, PRODUCED BY THE SEWERAGE COMMISSION, MILWAUKEE, WISCONSIN.
5. FERTILIZER AND LIME MATERIALS
   1. FERTILIZERS: ALL FERTILIZERS SHALL BE UNIFORM IN COMPOSITION FREE FLOWING AND SUITABLE FOR APPLICATION BY MECHANICAL SPREADER EQUIPMENT. FERTILIZERS SHALL BE DELIVERED TO THE SITE FULLY LABELED ACCORDING TO APPLICABLE STATE FERTILIZER LAWS. THE FOLLOWING INFORMATION SHALL BE SHOWN ON THE FERTILIZER BAG OR PACKAGE OR ON A TAG:

      1. NAME AND ADDRESS OF MANUFACTURER.
      2. NAME, BRAND OR TRADE MARK.
      3. NUMBER OF NET POUNDS OF READY MIXED MATERIAL IN THE PACKAGE.
      4. CHEMICAL COMPOSITION OR ANALYSIS.
      5. GUARANTEE OF ANALYSIS.

   IF A BRAND OR GRADE OF FERTILIZER IS DELIVERED IN THE BULK, A WRITTEN STATEMENT HAVING THE ABOVE LISTED INFORMATION MUST ACCOMPANY EACH LOAD.

   2. CUSTOM MIXED FERTILIZERS SHALL HAVE A WRITTEN STATEMENT CONTAINING THE FOLLOWING INFORMATION WITH EACH LOAD:
      1. WEIGHT OF EACH COMMERCIAL FERTILIZER USED IN THE CUSTOM MIXING.
      2. THE GUARANTEED ANALYSIS OF EACH COMMERCIAL FERTILIZER USED IN THE CUSTOM MIXING.
      3. TOTAL WEIGHT OF FERTILIZER DELIVERED IN EACH LOAD.
      4. THE MANUFACTURER OF EACH OF THE COMMERCIAL FERTILIZERS.
      5. GUARANTEED ANALYSIS OF EACH LOAD TO BE STATED AS FOLLOWS:
         1. % OF TOTAL NITROGEN.
         2. % OF TOTAL AVAILABLE PHOSPHORIC ACID.
         3. % OF TOTAL SOLUBLE POTASH.
      6. NAME AND ADDRESS OF THE PERSON SELLING THE FERTILIZER.
   3. FERTILIZER APPLICATION RATES SHALL BE DETERMINED BY SOIL TEST (UNDER UNUSUAL CIRCUMSTANCES WHERE THERE IS INSUFFICIENT TIME FOR A COMPLETE SOIL TEST, 30 POUNDS MILORGANITE FERTILIZER PER 1000 SQ. FT. CAN BE APPLIED.) SHALL BE DISTRIBUTED EVENLY OVER THE AREA TO BE SODDED.
   4. LIME: LIME MATERIAL SHALL BE GROUND LIMESTONE (HYDRATED OR BURNT LIME MAY BE SUBSTITUTED) WHICH CONTAINS AT LEAST 50% TOTAL OXIDES (CALCIUM OXIDE PLUS MAGNESIUM OXIDE). GROUND LIMESTONE SHALL BE GROUND TO SUCH FINENESS THAT AT LEAST 50% WILL PASS THROUGH A 100-MESH SIEVE AND 98% TO 100% WILL PASS THROUGH A MESH SIEVE.
      1. APPLICATION RATES FOR LIMING MATERIALS SHALL BE DETERMINED BY SOIL TESTS. (UNDER UNUSUAL CIRCUMSTANCES WHERE THERE IS INSUFFICIENT TIME FOR A COMPLETE SOIL TEST, LIME SHALL BE APPLIED AT A MINIMUM RATE OF 50 POUNDS OF GROUND LIMESTONE OF ITS EQUIVALENT PER 1000 SQ. FT.). LIME SHALL BE DISTRIBUTED UNIFORMLY OVER THE ENTIRE AREA TO BE SODDED.
   5. PH OF ALL TOPSOIL SHALL BE BETWEEN 5.0 AND 6.5. A SOIL ANALYSIS SHALL BE SUPPLIED BY THE CONTRACTOR INDICATING PH AND NECESSARY TO AMEND SOIL TO PROPER PH.

III. EXECUTION

1. Topsoil shall be placed in all planting pits 6" below and to the side of Plant Root System.
2. All fertilizers and soil amendments shall be spread prior to beginning work under paragraph 3 below.
3. Lawn Areas - In those instances that topsoil is called on the drawings in lawn areas it shall be placed four inches (4") deep and diced or roto-tilled an additional four inches (4") into the existing grade. A smooth tractor blade finish plus one inch (1") below sod finish grade shall then be established.

END SECTION 2-0281

DIVISION 2 - SITE WORK
SECTION 0283
PLANTING

I. GENERAL

1. NOMENCLATURE: THE NAMES USED CONFORM TO THE NAMES GIVEN IN 'STANDARDIZED PLANT NAMES' EXCEPT IN CASES NOT COVERED BY THAT BOOK, IN WHICH CASE, THE NAMES CONFORM TO THE CUSTOMS OF THE TRADE.
2. SUMMARY OF MATERIALS LISTS: AN ITEMIZED LIST OF PLANTS IS SHOWN IN THE SPECIFICATIONS AND COMPLETE REQUIREMENTS FOR THESE PLANTS ARE A PART OF THIS SPECIFICATION.
3. ALL PLANT MATERIAL FURNISHED BY THE CONTRACTOR, UNLESS OTHERWISE SPECIFIED, SHALL BE FLORIDA NO. 1 OR BETTER, IN ACCORDANCE WITH GRADES AND STANDARDS FOR NURSERY PLANTS, STATE PLANT BOARD OF FLORIDA. THE LANDSCAPE ARCHITECT RESERVES ALL RIGHTS TO DETERMINE ACCEPTABILITY OF PLANT MATERIAL SUBMITTED FOR PLANTING. PALMS MUST MEET SPECIFICATIONS CONTAINED HEREIN, BUT NEED NOT NECESSARILY BE NURSERY GROWN STOCK.

II. MATERIALS

1. TREES AND PALMS: ALL TREES MUST HAVE A FULLY DEVELOPED FIBROUS ROOT SYSTEM, BE HEAVILY BRANCHED, OR IN THE CASE OF PALMS, HEAVILY FROND, FREE FROM ALL INSECTS, FUNGUS, AND OTHER DISEASES. ALL TREES AND PALMS EXCEPT CABBAGE PALMS SHALL BE BALLED AND BURLAPPED GROW BAG MATERIAL IS NOT ACCEPTABLE. ALL TREES AND PALMS SHALL HAVE A HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES. IN THE CASE OF TREES NAMED AS SPECIMEN ITEMS, THE LANDSCAPE ARCHITECT SHALL RETAIN THE RIGHT TO REJECT THEM WHEN THEY LACK PROPER LANDSCAPE ARCHITECTURAL CHARACTER AS CALLED FOR BY ITS USE ON THE PLAN. (THIS SHALL BE DETERMINED PRIOR TO PLANTING AT THE REQUEST OF THE LANDSCAPE CONTRACTOR.)
2. SHRUBS AND VINES: ALL SHRUBS AND VINES SHALL HAVE A FULLY DEVELOPED ROOT SYSTEM, AND SHALL FULFILL DIMENSIONAL REQUIREMENTS AND BE CONSIDERED NORMAL FOR THE SPECIES UNLESS STATED. SHRUBS AND VINES SHALL BE HEAVILY CANNED AND LEAFED FOLIAGE TO BASE AND SHALL BE FREE FROM INSECTS, DISEASES AND MUTILATIONS OF ANY NATURE. SELF-HEADING SHALL BE PLANTED IN WELL ROTTED MANURE IN PITS TWELVE INCHES (12") GREATER AT ALL DIMENSIONS THAN THE BALL OF THE PLANT. ALL YUCCAS SHALL BE ROOTED PLANTS. ALL AZALEAS SHALL BE PLANTED IN PITS TWELVE INCHES (12") GREATER THAN THE BALL OF THE PLANTS. DOMESTIC PEAT SHALL BE USED TO FILL THE CAVITY BETWEEN BALL AND PIT. SOIL AMENDMENTS SHALL BE ADDED TO INSURE PROPER ACIDIC REACTION OF SOIL. WHEN AZALEAS ARE PLANTED IN MASONRY PLANTERS OR PLANTING AREAS THE SIDES OF AREA SHALL BE LINED WITH .005 POLYETHYLENE TO PROTECT FROM ALKALINE NATURE OF MASONRY.

DIVISION 2 - SITE WORK

3. GROUNDCOVERS: ALL GROUNDCOVERS SHALL HAVE A STURDY FIBROUS ROOT SYSTEM, UNLESS UNROOTED CUTTINGS ARE CALLED FOR ON THE PLANS AND/OR SUMMARY OF MATERIALS, SHALL BE HEAVILY LEAFED AND MUST BE FREE OF ALL INSECTS, DISEASES AND INJURIES.

III. EXECUTION

1. DIGGING AND MOVING:
   1. B & B PLANTS: NO PLANT SHALL BE ACCEPTED WHEN THE BALL OF EARTH SURROUNDING ITS ROOTS HAS BEEN CRACKED OR BROKEN. THE DIAMETER OF THE BALL MUST BE SUFFICIENT TO ENCOMPASS THE FIBROUS AND FEEDING ROOT SYSTEM NECESSARY FOR THE MAXIMUM DEVELOPMENT OF THE PLANT.
   2. ONLY A MINIMUM OF FRONDS SHALL BE REMOVED FROM THE CROWN OF PALM TREES TO FACILITATE MOVING AND HANDLING. CLEAR TRUNK SHALL BE AS SPECIFIED AFTER THE MINIMUM OF FRONDS HAS BEEN REMOVED.
   3. PROTECTION AFTER DELIVERY: THE BALLS OF B & B PLANTS WHICH CANNOT BE PLANTED IMMEDIATELY ON DELIVERY SHALL BE COVERED WITH MOIST SOIL OR MULCH, OR EQUAL PROTECTION FROM DRYING WINDS OR SUN, AND KEPT MOIST.
   4. PROTECTION. TREES MOVED BY WINCH OR CRANE SHALL BE THOROUGHLY PROTECTED FROM CHAIN MARKS, GIRDLING OR BARK SLIPPAGE BY MEANS OF BURLAP, WOOD BATTENS OR OTHER APPROVED METHOD

2. PREPARATION OF GROUND PLANTING:
   1. NO PLANT PIT SHALL BE DUG OR PREPARED UNTIL THEIR LOCATIONS HAVE BEEN STAKED ON THE GROUND AND APPROVED. ALL PLANT MATERIALS SHALL BE SUBJECT TO INSPECTION AT ANY TIME BY THE OWNER TO DETERMINE ADHERENCE TO QUALITY AND SIZE.
   2. CIRCULAR PITS WITH VERTICAL SIDES SHALL BE EXCAVATED FOR ALL PLANTS. DIAMETER OF PITS FOR TREES SHALL BE AT LEAST TWO FEET (2') GREATER THAN THE DIAMETER OF THE BALL. THE DEPTH OF PITS FOR TREES SHALL BE ENOUGH TO ACCOMMODATE THE BALL WHEN THE PLANT IS SET TO FINISH GRADE ALLOWING FOR SIX INCHES (6") COMPACTED PLANTING SOIL IN THE BOTTOM OF THE PIT.

3. PLANTING OPERATIONS:
   1. SETTING PLANTS: ALL PLANTS SHALL BE PLANTED IN PITS, CENTERED AND SET ON SIX INCHES (6") OF COMPACTED TOPSOIL TO SUCH A DEPTH THAT THE FINISH GRADE LEVEL AT THE PLANT AFTER SETTLEMENT WILL BE THE SAME AS THAT AT WHICH THE PLANT WAS GROWN. ALL PLANTING AREAS SHALL RECEIVE ADEQUATE FERTILIZATION WITH AGRIFORM TABLETS AS PER SCHEDULE IN PLANS. WATERING SHALL COMMENCE WITH BACKFILLING TO ELIMINATE ALL AIR POCKETS. NO BURLAP SHALL BE PULLED OUT FROM UNDER BALLS. ROOTS SHALL BE SPREAD IN THEIR NORMAL POSITION. ALL BROKEN OR FRAYED ROOTS SHALL BE CUT OFF CLEANLY. PLANTING SHALL BE SET SO THAT THE FINAL GRADE OF GROUND AROUND THE PLANTS SHALL CONFORM TO SURROUNDING GRADES.
   2. COORDINATION: THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COORDINATION OF PLANTING OPERATIONS WITH THE BUILDING CONTRACTOR AND ANY OTHER CONTRACTOR ON THE JOB. REPAIR OF DAMAGE TO PLANTS, GRADES, LAWNS, ETC., DURING INSTALLATION SHALL NOT BE CONSIDERED AS AN EXTRA, AND NOT CHARGEABLE TO THE OWNER. DAMAGE CAUSED BY OTHER CONTRACTORS WILL BE THE RESPONSIBILITY OF SAID CONTRACTOR.

4. PRUNING:
   1. THE AMOUNT OF PRUNING, UNLESS OTHERWISE DIRECTED, SHALL BE LIMITED TO THE MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES AND TO COMPENSATE FOR THE LOSS OF ROOTS AS A RESULT OF TRANSPLANTING OPERATIONS. PRUNING SHALL BE DONE IN SUCH A MANNER AS TO NOT CHANGE THE NATURAL HABIT OR SHAPE OF THE PLANT. ALL CUTS OVER ONE-HALF INCH (1/2") IN DIAMETER SHALL BE TREATED WITH AN APPROVED TREE PAINT.
   2. ALL TREES SHALL BE TRIMMED UP FOR CLEAR TRUNK, AS DIRECTED BY THE LANDSCAPE ARCHITECT. SUCH PRUNING IS FOR AESTHETIC CHARACTER AND SHALL BE DONE ONLY UNDER HIS DIRECTION.

5. WATERING:
   1. ALL PLANT MATERIAL SHALL BE WATERED IN AT THE TIME OF PLANTING, AND NOT LEFT TO DRY OUT UNTIL THE END OF THE DAY. THE AUTOMATIC IRRIGATION SYSTEM, IF SPECIFIED, DOES NOT REPLACE THE NEED FOR HANDWATERING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL WATERING TO AVOID TRANSPLANT SHOCK.

6. CONTRACTORS RESPONSIBILITY FOR CONDITIONS OF PLANTINGS:
   1. THE CONTRACTOR'S SHALL ASSURE THAT THE PLANTS ARE KEPT ADEQUATELY WATERED, THAT THE GUY WIRES ARE KEPT TIGHT AND THE BRACES ADJUSTED AS NECESSARY, THAT ALL PLANTING AREAS AND BEDS ARE KEPT FREE OF WEEDS AND UNDESIRABLE PLANT GROWTH AND THAT THE PLANTS ARE FERTILIZED AS NECESSARY SO THAT THEY ARE HEALTHY, VIGOROUS AND UNDAMAGED AT THE TIME OF ACCEPTANCE. HIS RESPONSIBILITY FOR PROTECTION AGAINST MECHANICAL DAMAGE SHALL INCLUDE THE PROVIDING OF PROTECTION FROM VEHICLES, INCLUDING THE POSTING OF APPROVED WARNING SIGNS AND BARRICADES, AS MIGHT BE NECESSARY. HE SHALL REPAIR, RESTORE OR REPLACE ANY PLANTS OR PLANTING AREAS WHICH MIGHT BECOME DAMAGED AS A RESULT OF ANY NEGLIGENCE BY HIM IN COMPLYING WITH THESE REQUIREMENTS. AS A SPECIFIC REQUIREMENT OF THESE CONDITIONS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ASSURING THAT ALL PLANTS AT THE TIME OF FINAL INSPECTION, EXHIBIT THE CHARACTERISTICS AND QUALIFICATIONS REQUIRED FOR THE GRADE OF PLANT AS ORIGINALLY SPECIFIED.

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SITE DEVELOPMENT PLANS FOR:
FOUNTAIN LAKES APARTMENTS
BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	N/A
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

REVISIONS

1	REV PER COUNTY COMMENTS 10-4-13		
2	REV PER CIVIL PLAN CHANGES 12-4-13		

PLANTING SPECIFICATIONS
12/04/13
PHILLIP J. SMITH, R.L.A. #1600

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DAVID W. JOHNSTON ASSOCIATES
650 S. ORANGE AVE. SUITE 202 • SARASOTA, FL 34236 • (941) 366-3159

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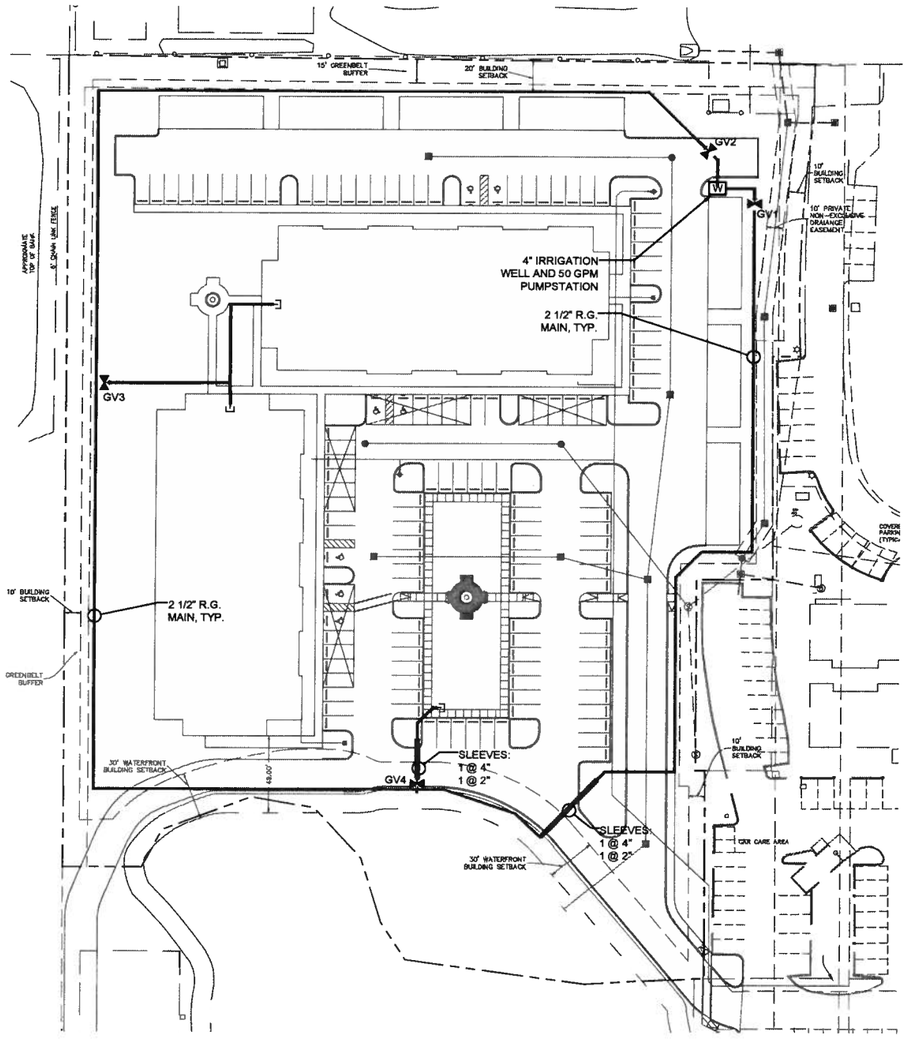
L-06



IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
⧗	2 1/2" Nibco T-113-K Bronze Gate Valve
⊓	Cap for future use Cap at the mainline for future use.
W	4" Well and 50 GPM Pumpstation
———	Irrigation Mainline: PVC Class 200 SDR 21 PVC Class 200 irrigation pipe.
═══	Pipe Sleeve: PVC Schedule 40 Typical pipe sleeve for irrigation pipe. Pipe sleeve size shall allow for irrigation piping and their related couplings to easily slide through sleeving material. Extend sleeves 18 inches beyond edges of paving or construction.

NOTE:
IRRIGATION MAIN IS SCHEMATIC ONLY. ADJUST FOR EXISTING TREES AND LOCATE WITHIN PROPERTY BOUNDARY.

0 40 80

FULL SIZE (22"X34") SCALE: 1"=40'
HALF SIZE (11"X17") SCALE: 1"=80'

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SITE DEVELOPMENT PLANS FOR:
FOUNTAIN LAKES APARTMENTS
BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	AS NOTED
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

REVISIONS			
1	REV PER COUNTY COMMENTS 10-4-13		
2	REV PER CIVIL PLAN CHANGES 12-4-13		

IRRIGATION PLAN
MAINLINE SCHEMATIC
12/04/13
PHILIP J. SMITH, R.L.A. #1666

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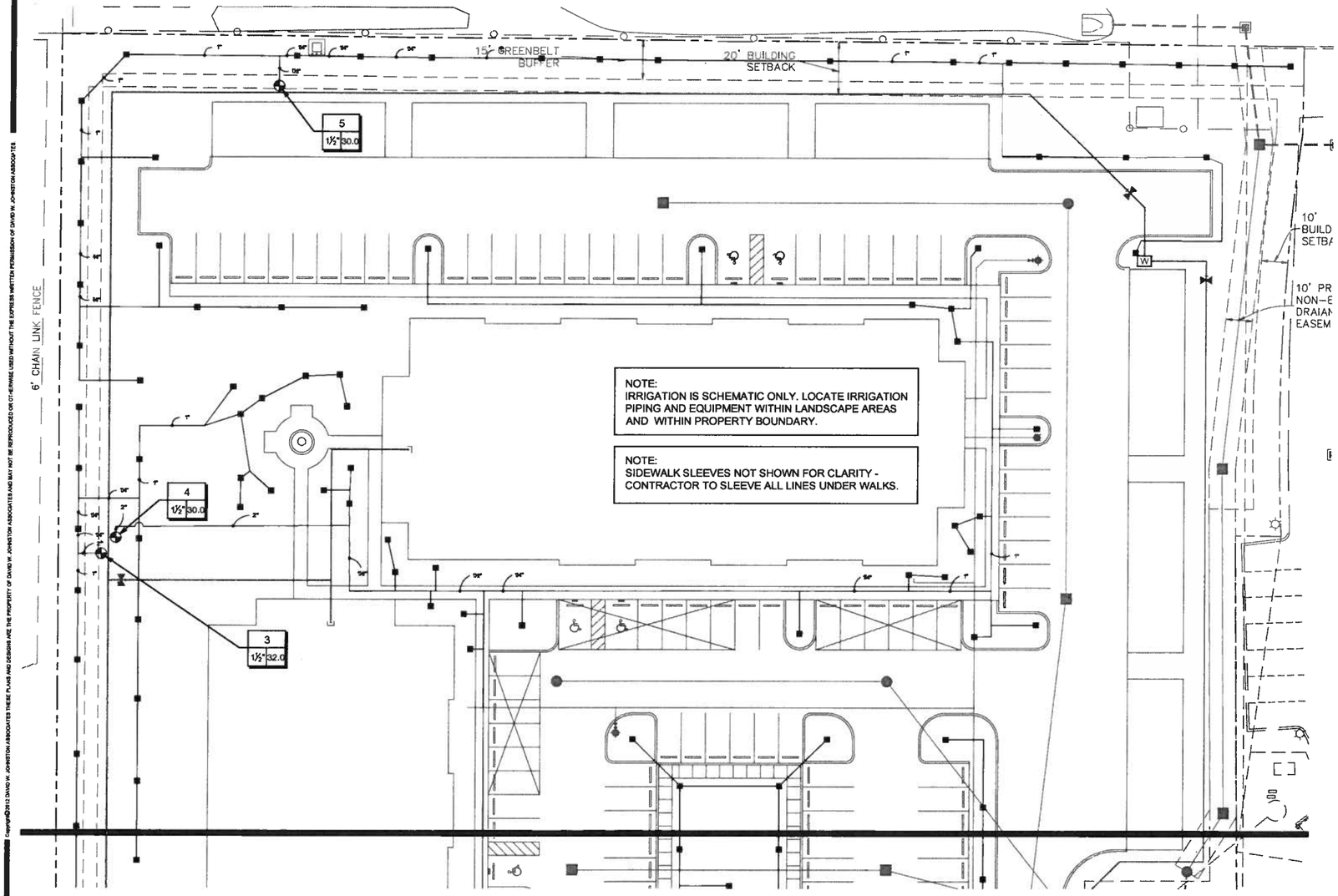

NOTE:
IRRIGATION IS SCHEMATIC ONLY. LOCATE IRRIGATION PIPING AND EQUIPMENT WITHIN LANDSCAPE AREAS AND WITHIN PROPERTY BOUNDARY.

NOTE:
SIDEWALK SLEEVES NOT SHOWN FOR CLARITY - CONTRACTOR TO SLEEVE ALL LINES UNDER WALKS.

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
25 50 15 20	Hunter PCB Flood Bubbler, 1/2" FIPT.

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	Hunter PGV-151 Angle 1-1/2" Plastic Electric Remote Control Valve, for Residential/Light Commercial Use. Female NPT Inlet/Outlet, With Flow Control. Angle Configuration.
	Irrigation Lateral Line: PVC Class 160 SDR 26 PVC Class 315 for 1/2" pipe, PVC Class 200 for 3/4" pipe, PVC Class 160 SDR 26 for 1" and above. Only lateral transition pipe sizes 1" and above are indicated on the plan, with all others being 3/4" in size.
	Pipe Sleeve: PVC Schedule 40 Typical pipe sleeve for irrigation pipe. Pipe sleeve size shall allow for irrigation piping and their related couplings to easily slide through sleeving material. Extend sleeves 18 inches beyond edges of paving or construction.

Valve Callout
- # — Valve Number
- #" — Valve Flow
- # — Valve Size

LATERAL PIPE SIZING REQUIREMENTS

FLOW RANGE	MINIMUM PIPE SIZE
1 TO 10 GPM	3/4"
11 TO 20 GPM	1"
21 TO 30 GPM	1-1/4"
31 TO 40 GPM	1-1/2"
41 TO 60 GPM	2"
61 TO 90 GPM	2-1/2"
91 TO 130 GPM	3"

PIPE SIZES ILLUSTRATED IN THE CHART ABOVE ARE MINIMUM ACCEPTABLE SIZES. CONTRACTOR SHALL FIELD SIZE ALL LATERAL PIPING TO KEEP ALL FRICTION LOSS VELOCITIES BELOW 5.0 DURING NORMAL OPERATION.

0 20 40
FULL SIZE (23"X34") SCALE 1"=20'
HALF SIZE (11"X17") SCALE 1"=40'

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BRADENTON, FLORIDA
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IRRIGATION PLAN BUBBLERS
12/04/13
PHILLIP J. SMITH, R.L.A. #1666

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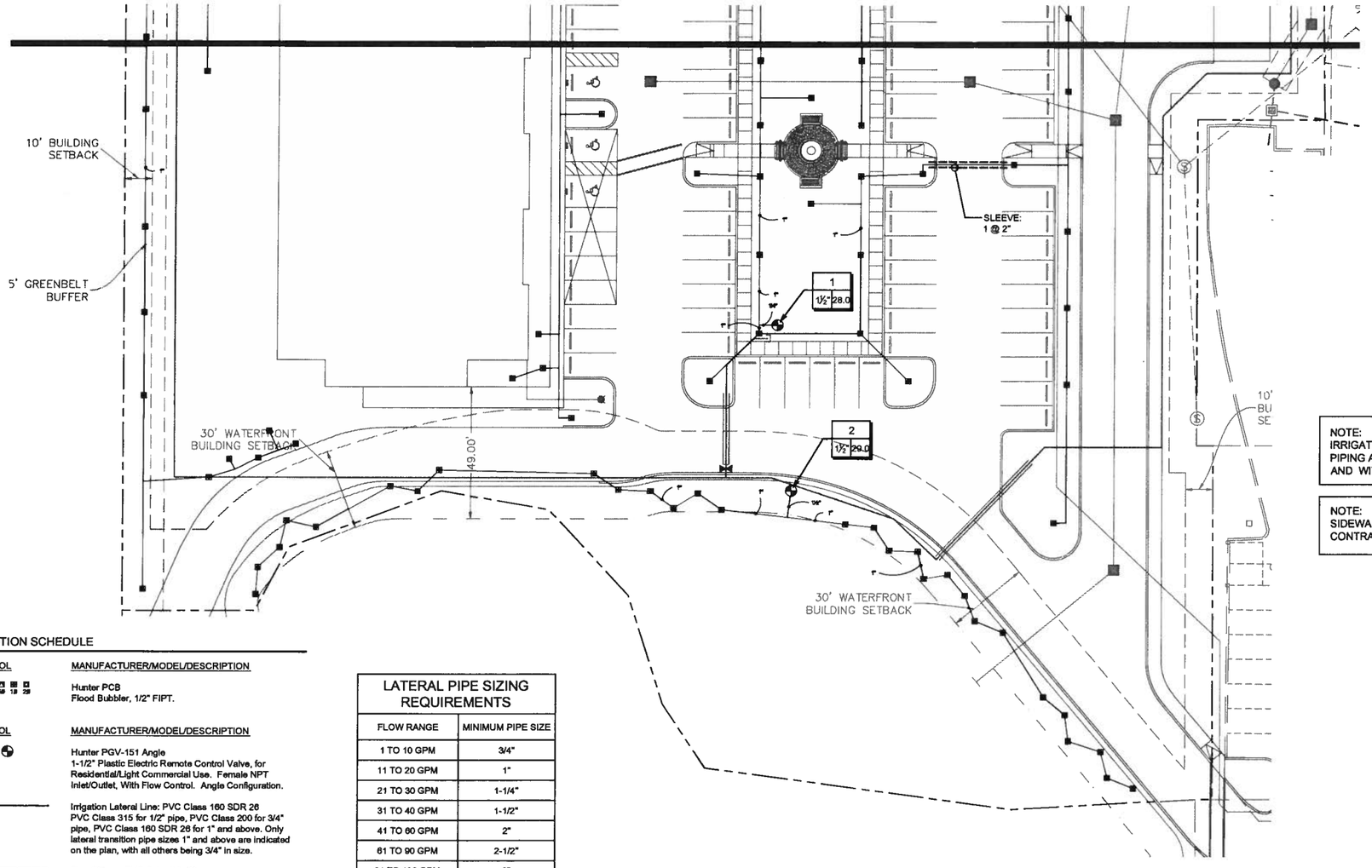

NOTE:
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NOTE:
SIDEWALK SLEEVES NOT SHOWN FOR CLARITY - CONTRACTOR TO SLEEVE ALL LINES UNDER WALKS.

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
H 25 F 50 B 18 D 29	Hunter PCB Flood Bubbler, 1/2" FIPT.

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	Hunter PGV-151 Angle 1-1/2" Plastic Electric Remote Control Valve, for Residential/Light Commercial Use. Female NPT Inlet/Outlet, With Flow Control. Angle Configuration.
	Irrigation Lateral Line: PVC Class 160 SDR 26 PVC Class 315 for 1/2" pipe, PVC Class 200 for 3/4" pipe, PVC Class 160 SDR 26 for 1" and above. Only lateral transition pipe sizes 1" and above are indicated on the plan, with all others being 3/4" in size.
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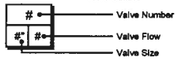
Valve Callout



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SITE DEVELOPMENT PLANS FOR:
FOUNTAIN LAKES APARTMENTS
BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	AS NOTED
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

REVISIONS			
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2	REV PER CIVIL PLAN CHANGES 12-4-13		

IRRIGATION PLAN
BUBBLERS
12/04/13
PHILIP J. SMITH, R.L.A. #1666

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SHEET NO.
L-09

IRRIGATION NOTES:

1. ALL IRRIGATION LAYOUT HAS BEEN DESIGNED TO PROVIDE 100% COVERAGE WITH A MINIMUM OF 90% OVERLAP. ANY CHANGES MADE IN HEAD LAYOUT DUE TO FIELD CONDITIONS SHALL BE IN ACCORDANCE WITH THESE STANDARDS.
2. ITEMS SHALL BE LOCATED WITHIN 14"X19" RECTANGULAR VALVE BOXES AS FOLLOWS: ALL VALVES, SPLICES WITHIN VALVE CONTROL LINES, AND QUICK COUPLERS - NDS MODEL #113BC.
3. VERIFY LOCATIONS OF ALL UNDERGROUND UTILITIES PRIOR TO INSTALLATION OF IRRIGATION SYSTEM. MAIN LINE SHALL NOT BE LOCATED WITHOUT PRIOR APPROVAL OF THE PROJECT CONSTRUCTION MANAGER AND THE LANDSCAPE ARCHITECT.
4. ALL PRESSURIZED MAIN LINES UNDER ASPHALT PAVEMENT SHALL BE WITHIN SLEEVES AS NOTED. WHERE ELECTRIC VALVE CONTROL LINES PASS THROUGH A SLEEVE WITH OTHER MAIN OR LATERAL LINES THEY SHALL BE CONTAINED WITHIN A SEPARATE, SMALLER CONDUIT.
5. THE IRRIGATION CONTRACTOR SHALL BE DIRECTLY RESPONSIBLE FOR ALL SLEEVING AND DIRECTIONAL BORES.
6. ALL IRRIGATION HEADS SHALL BE LOCATED 2 FEET FROM BACK OF PAVEMENT EDGE (SIDEWALK, EDGE OF PAVEMENT OR CURB).
7. LOCATE ALL VALVES IN PLANTING BEDS WITH A MINIMUM OF 3'- 0" FROM BACK OF CURB OR EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED. PIPE SIZES ON EITHER SIDE OF SECTION VALVES CONNECTING MAINLINE TO SECTION LATERAL SHALL BE ONE (1) PIPE SIZE LARGER THAN VALVE SIZE.
8. ALL UNSIZED PIPE SHALL BE 3/4" UNLESS OTHERWISE NOTED.
9. EACH TREE AND PALM (AS SHOWN ON THE PLANS) SHALL HAVE FLOOD BUBBLERS AS INDICATED (SEE IRRIGATION HEAD KEY FOR SPECIFICATION). SUCH HEADS SHALL BE ON MINIMUM 5'-0" LENGTH OF FLEXIBLE PIPE TO ALLOW ITS POSITIONING AT THE TREE. LOCATE BUBBLER ON THE UPHILL SIDE OF TREES ON ALL SLOPES. CLIP BUBBLER FLEX TO BASE OF ROOTBALL.
10. NUMBER THE TOP OF ALL VALVE BOX LIDS WITH MINIMUM 1" HEIGHT BLACK LETTERS TO CORRESPOND TO AUTOMATIC AND GATE VALVE DESIGNATIONS. ALL HOSE BIBB VALVE BOXES SHALL BE LABELED IN A SIMILAR MANNER WITH THE DESIGNATION "HB". LETTER OUTSIDE OF TIME CLOCK CABINETS TO CORRESPOND WITH IRRIGATION CLOCK PROGRAM DESIGNATION.
11. ALL 24 VAC WIRING SHALL BE UF DIRECT BURIAL COPPER WIRE AS FOLLOWS:
    PULSE WIRES - #14
    COMMON WIRES - #12
12. CONTROL WIRING FOR VALVES SHALL BE LAID IN CONTROLLER TO VALVE. EACH SECTION VALVE SHALL HAVE A SEPARATE PULSE WIRE RUNNING FROM TRENCHES BENEATH MAINLINE. RUN FOUR SPARE WIRES FULL LENGTH OF MAIN TO CLOCK.
13. VALVES SHALL BE WIRED TO CONTROLLER STATION NUMBERS AS PER THE IRRIGATION PLAN DURING INSTALLATION AND UPON COMPLETION OF THE IRRIGATION SYSTEM PROGRAM.
14. EACH SECTION VALVE SHALL HAVE A SEPARATE PULSE WIRE RUNNING FROM TIME CLOCK TO VALVE. CONTROL WIRING FOR VALVES SHALL BE LAID IN TRENCHES IN 1-1/4" GRAY ELECTRICAL CONDUIT ONE (1) FOOT BELOW SITE FINISH GRADE, AND ABOVE ALL MAIN LINE. PROVIDE PULL BOXES MIN. 200' O.C. FOR PULLING WIRE. THE IRRIGATION CONTRACTOR SHALL INSTALL A COLOR CODED METAL DETECTABLE MARKING TAPE ONE (1) FOOT BELOW GRADE WHICH CLEARLY NOTES: "CAUTION: IRRIGATION LINE BURIED BELOW." TAPE AS MANUFACTURED BY LINEGUARD, INC., WHEATON, IL 60187 OR EQUAL .
15. CONTRACTORS ARE ADVISED TO REFER TO THE SPECIFICATIONS, CONTRACT DOCUMENTS, AND PLAN SHEETS FOR A MORE DETAILED DISCLOSURE OF PERFORMANCE STANDARDS AND REQUIREMENTS.
16. HYDROSTATIC TESTING: AFTER THE MAIN LINE PIPE HAS BEEN LAID AND BACKFILLED, THE PIPE SHALL BE HYDROSTATICALLY TESTED FOR LEAKAGE. THE CONTRACTOR SHALL FURNISH THE PUMP, PIPE CONNECTION, BLOW OFF VALVES AND ANY OTHER NECESSARY APPARATUS INCLUDING GAUGES AND METERS AND ALL PERSONNEL NECESSARY FOR CONDUCTING THE TEST. BEFORE APPLYING THE TEST PRESSURE, ALL AIR SHALL BE EXPELLED FROM THE PIPE. IF NECESSARY, THREADED TAPS SHALL BE MADE AT THE POINTS OF HIGHER ELEVATIONS AND THEN CLOSED WITH PLUGS.
17. WHEN PRACTICAL TESTS SHALL BE MADE ON SECTIONS BETWEEN VALVES. OR SECTIONS NOT EXCEEDING 2,000 FEET IN LENGTH. DEAD ENDS, BENDS OR OTHER FITTINGS SHALL HAVE A FIRM FOUNDATION AND BE SECURELY BLOCKED AGAINST THE TRENCH WALLS BEFORE TESTING OR COMPLETING THE BACKFILL AS SPECIFIED.
18. THE FULL TEST PRESSURE OF 65 POUNDS PER SQUARE INCH (PSI) SHALL BE HELD FOR NO LESS THAN TWO HOURS OR LONGER AS NECESSARY TO PERMIT THOROUGH EXAMINATION OF ALL EXPOSED JOINTS IN THE SECTION OF MAIN BEING TESTED. TEST PRESSURE SHALL BE MAINTAINED AT 65 PSI BY PUMPING WATER INTO THE PIPE IN ACCORDANCE WITH THE REQUIREMENTS OF AWWA C600.
19. LEAKAGE SHALL BE MEASURED BY THE QUANTITY OF WATER PUMPED INTO THE PIPE TO MAINTAIN TEST PRESSURE DURING TEST PERIOD. MAXIMUM PERMISSIBLE LEAKAGE SHALL BE LESS THAN THE NUMBER OF GALLONS PER HOUR DETERMINED BY THE FOLLOWING FORMULA:
    L= (S X D X (P).5)/133200
    L = ALLOWABLE LEAKAGE IN GPH
    S = LENGTH OF SECTION TESTED. IN FEET
    D = NOMINAL DIAMETER OF THE PIPE IN INCHES
    P = AVERAGE PRESSURE MAINTAINED DURING THE LEAKAGE TEST IN PSI.
    THE TEST PRESSURE SHALL BE SIXTY-FIVE (65) PSI.
20. WATER FOR TESTING SHALL BE OBTAINED FROM AN APPROVED WATER SOURCE. THE CONTRACTOR SHALL PROVIDE ALL WATER REQUIRED AT HIS OWN EXPENSE AND SHALL MAKE ALL NECESSARY ARRANGEMENTS WITH THE AUTHORITY WHICH CONTROLS THE SOURCE OF THE WATER SYSTEM AND SHALL BE GOVERNED IN HIS USE OF WATER BY ALL RULES AND REGULATIONS IMPOSED THEREON BY SAID AUTHORITY. THE CONTRACTOR SHALL PROVIDE AND REMOVE TEMPORARY CONNECTIONS BETWEEN THE SOURCE WATER SYSTEM AND THE MAINS CONSTRUCTED UNDER THIS CONTRACT. ALL TEMPORARY CONNECTIONS SHALL MEET THE APPROVAL OF THE LANDSCAPE ARCHITECT. THE AUTHORITY CONTROLLING THE SOURCE WATER SYSTEM AND PUBLIC HEALTH AUTHORITIES HAVING JURISDICTION.
21. ALL LEAKS SHALL BE LOCATED AND REPAIRED UNTIL THE TEST MEETS THE ABOVE REQUIREMENTS. ANY FAULTY FITTINGS, VALVES OR OTHER ACCESSORIES WHICH LEAK DURING TESTING SHALL BE REPAIRED AND TESTING SHALL BE REPEATED AS SPECIFIED ABOVE UNTIL CORRECTED. ANY REPLACEMENT OF FAULTY MATERIAL OR RETESTING SHALL BE AT THE EXPENSE OF THE CONTRACTOR.

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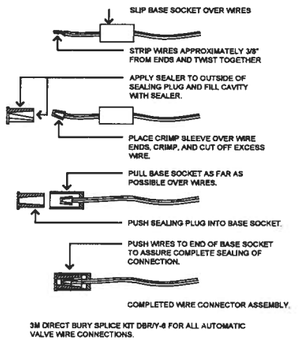
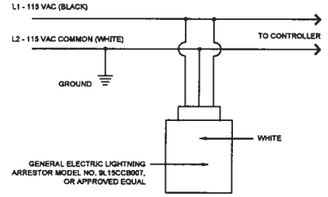


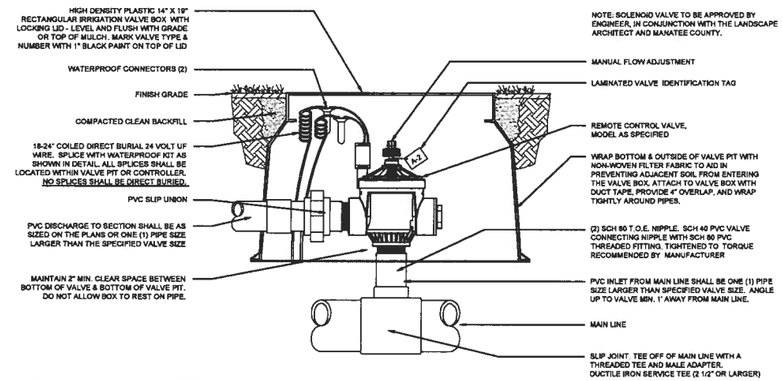
3M DIRECT BURY SPLICE KIT DBRY-6 FOR ALL AUTOMATIC VALVE WIRE CONNECTIONS.

TYPICAL WIRE CONNECTION
NOT TO SCALE

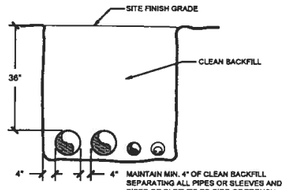


PROVIDE & INSTALL ONE (1) LIGHTNING ARRESTOR WITHIN EACH 115 VAC POWER SUPPLY CIRCUIT FOR CONTROLLERS.

LIGHTNING ARRESTOR DETAIL
NOT TO SCALE

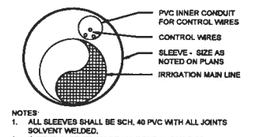


TYPICAL ANGLE AUTOMATIC VALVE
NOT TO SCALE



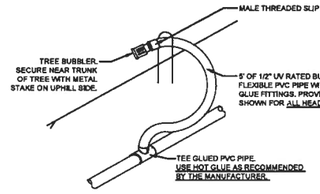
SET TOP OF PIPES OR SLEEVES 36" BELOW SITE FINISH GRADE. BACKFILL TRENCH WITH CLEAN FILL MATERIAL FREE OF ORGANIC MATERIAL AND ROCK.

TRENCH DETAIL
NOT TO SCALE

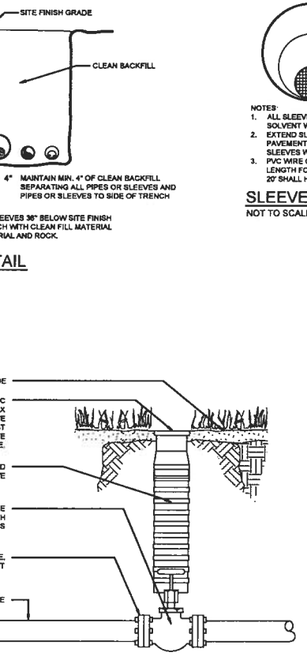


NOTES:
1. ALL SLEEVES SHALL BE SCH. 40 PVC WITH ALL JOINTS SOLVENT WELDED.
2. EXTEND SLEEVES 36" BEYOND THE OUTSIDE EDGE OF PAVEMENT OR BACK OF CURB. STAKE EACH END OF SLEEVES WITH SURVEYORS LATH MARKED "IRRIG SLEEVES"
3. PVC WIRE CONDUIT SHALL BE ONE CONTINUOUS RUN LENGTH FOR RUNS LESS THAN 20'. RUNS OF GREATER THAN 20' SHALL HAVE SOLVENT WELD JOINTS.

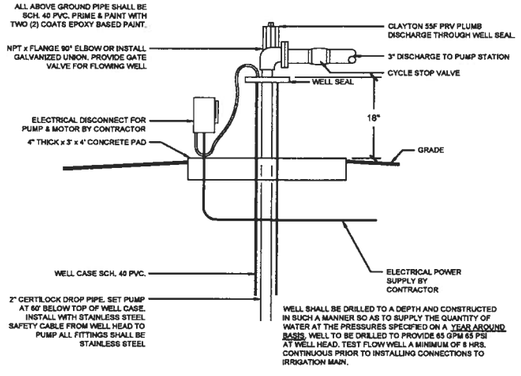
SLEEVE DETAIL
NOT TO SCALE



TREE BUBBLER
NOT TO SCALE

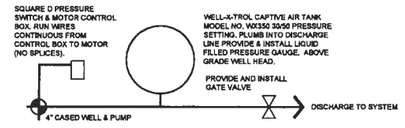


MAINLINE ISOLATION GATE VALVE DETAIL
NOT TO SCALE



WELL SHALL BE DRILLED TO A DEPTH AND CONSTRUCTED IN SUCH A MANNER SO AS TO SUPPLY THE QUANTITY OF WATER AT THE PRESSURES SPECIFIED ON A YEAR AROUND BASIS. WELL TO BE DRILLED TO PROVIDE 65 GPM 65 PSI AT WELL HEAD. TEST FLOW WELL A MINIMUM OF 8 HRS. CONTINUOUS PRIOR TO INSTALLING CONNECTIONS TO IRRIGATION MAIN.

WELL HEAD SCHEMATIC
NOT TO SCALE



NOTE:
THE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT OF THE WELL PUMPING LEVEL PRIOR TO PROCUREMENT OF THE SPECIFIED PUMP SPECIFIED TO VERIFY THE SUITABILITY OF THE PARTICULAR PUMP FOR THE SPECIFIC APPLICATION CONDITIONS.

1. PUMPSTATION CONTRACTOR SHALL PROVIDE AND INSTALL ONE 6" X4" WELL WITH 5 HP SUBMERSIBLE PUMP. PUMP SHALL BE AS MANUFACTURED BY GRUNDFOS OR APPROVED EQUAL. DISCHARGE SHALL BE 50 GPM AT 155 TDH (67 PSI) AT THE TOP OF THE WELL HEAD AND PUMP STATION. SUBMIT GRONDFOS SPECIFICATION CURVE WITH THE BID. INSTALL STAINLESS STEAL SAFETY CABLE WITH THE PUMP.
2. PUMP SPECIFIED IS BASED IS BASED ON 60' PUMPING LEVEL FOR BID PURPOSES. IF THE CONTRACTOR HAS REASON TO BELIEVE THAT THE PUMPING LEVEL WILL BE DEEPER THAN THE 60' THEY SHALL SO NOTE DURING THE BID PROCESS AND COSTS. IT IS EXPECTED THAT THE WELL WILL BE OPEN HOLE DRILLED TO AN APPROXIMATE DEPTH OF 500'. IT IS THE DRILLERS RESPONSIBILITY TO DRILL THE WELL TO A DEPTH THAT PRODUCES THE REQUIRED WATER IN THE QUANTITY AND QUALITY REQUIRED FOR FRESH WATER WELL FOR IRRIGATION PURPOSES ON A YEAR ROUND BASIS.
3. A SEPARATE POWER DISCONNECT SHALL BE PROVIDED FOR THE PUMP BY THE CONTRACTOR. CLEARLY LABEL DISCONNECT WITH 1" HIGH WHITE LETTERS INDICATING " WELL DISCONNECT". SEE IRRIGATION PLAN FOR DISCONNECT LOCATION.
4. PUMP DROP PIPE SHALL BE SCH. 80 CERT. LOCK.
5. PROVIDE AND INSTALL REINFORCED CONCRETE SLAB AS BASE AT THE WELL HEAD. SLAB SHALL BE MIN. 3' X 4' X4" DEPTH WITH 6X6 10/10 WWM. PROVIDE AND INSTALL CHAIN LINK FENCE AND 3' GATE AROUND WELL. FENCE SHALL BE 6' TALL 9 GAUGE BLACK VINYL COATED. SUBMIT SHOP DRAWINGS FOR APPROVAL. ALL AREAS NOT CONCRETE SHALL BE SMALL CRUSHED AND WASHED OYSTER SHELL.
6. PRIOR TO CONSTRUCTION OF THE WELL THE CONTRACTOR SHALL SUBMIT SHOP DRAWINGS OF ALL COMPONENTS FOR APPROVAL, INCLUDING ANTICIPATED WELL DEPTH AND PUMPING LEVEL. THE CONTRACTOR SHALL ALSO INCLUDE DEPTH OF WELLS AND PUMPING LEVEL IN THE AREA OF THE PROJECT.
7. THE CONTRACTOR SHALL INSTALL A CYCLE STOP VALVE MODEL CSV3B 3" OR APPROVED EQUAL TO AUTOMATICALLY ADJUST THE PUMP TO MATCH VARIABLE FLOW REQUIREMENTS.
8. THE CONTRACTOR SHALL PROVIDE AN ALTERNATE PRICE FOR A RID-O-RUST SYSTEM TO BE INSTALLED ON THE PUMP CONTROL PACKAGE, SHOULD THE RUST COMPONENT OF THE WATER REQUIRE THIS SYSTEM TO BE INSTALLED, IT SHALL BE ONLY DONE WITH APPROVAL OF THE OWNER AND AFTER THE WELL IS DRILLED TO A SUFFICIENT DEPTH TO PROVIDE THE WATER SPECIFIED (QUALITY AND CLARITY ON A YEAR ROUND BASIS.)
9. THE CONTRACTOR SHALL OBTAIN ALL PERMITS FOR REQUIRED WORK.

WELL & PUMP DETAIL
NOT TO SCALE

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SITE DEVELOPMENT PLANS FOR:
FOUNTAIN LAKES APARTMENTS
BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	AS NOTED
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

REVISIONS		
1	REV PER COUNTY COMMENTS 10-4-13	
2	REV PER CIVIL PLAN CHANGES 12-4-13	

IRRIGATION DETAILS

12/04/13
PHILLIP J. SMITH, R.L.A. #1666

dwja LANDSCAPE ARCHITECTS
DAVID W. JOHNSTON ASSOCIATES
660 S. ORANGE AVE. SUITE 202 • SARASOTA, FL 34236 • (941) 366-3150

SHEET NO.
L-10

IRRIGATION SYSTEM

I. GENERAL

1. SCOPE: UNDER THIS ITEM THE CONTRACTOR SHALL FURNISH AND INSTALL ALL MATERIALS AND EQUIPMENT FOR AN AUTOMATIC IRRIGATION SYSTEM IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIAL, CONSTRUCTION EQUIPMENT AND TECHNICAL SUPERVISION WHICH MAY BE REQUIRED TO PRODUCE AN OPERATIONAL SYSTEM.

2. CODES AND INSPECTIONS: THE ENTIRE INSTALLATION SHALL COMPLY FULLY WITH ALL LOCAL AND STATE LAWS AND ORDINANCES AND WITH ALL ESTABLISHED CODES APPLICABLE THERETO. THE CONTRACTOR SHALL TAKE OUT ALL REQUIRED PERMITS, ARRANGE FOR ALL NECESSARY INSPECTIONS AND SHALL PAY ALL FEES AND EXPENSES IN CONNECTION WITH SAME. AS PART OF THE WORK UNDER THIS CONTRACT, UPON COMPLETION OF THE WORK, HE SHALL FURNISH TO THE OWNER ALL INSPECTION CERTIFICATES CUSTOMARILY ISSUED IN CONNECTION WITH THE CLASS OF WORK INVOLVED.

3. DESCRIPTION OF SYSTEM: THE AUTOMATIC IRRIGATION SYSTEM SHALL CONSIST OF UNDER GROUND PIPING AND SPRINKLER EQUIPMENT TO INSURE COMPLETE COVERAGE OF THE AREAS AS SHOWN ON THE IRRIGATION PLAN. GATE VALVES SHALL BE INCORPORATED IN THE SYSTEM AS SHOWN ON THE PLANS TO SHUT OFF CERTAIN PORTIONS OF THE SYSTEM WHILE ALLOWING OPERATION OF THE REMAINING SPRINKLER OUTLETS.

4. PROGRESS OF WORK: BEGIN WORK WHEN ORDERED TO DO SO BY THE LANDSCAPE ARCHITECT. THIS WORK MUST PROCEED IN AN ORDERLY MANNER AND IN ACCORDANCE WITH WHATEVER JOB SCHEDULE MAY BE SET UP TO AVOID DELAY OR INTERFERENCE WITH OTHER CONSTRUCTION WORK. THE IRRIGATION WORK SHALL PROCEED IN CONJUNCTION WITH THE GENERAL CONSTRUCTION WORK OF THE PROJECT. THE CONTRACTOR MUST PROVIDE MEANS OF ACCESS TO ALL SITE FEATURES AT ALL TIMES SO AS NOT TO IMPEDE THE GENERAL CONSTRUCTION WORK IN AREAS UNDER CONSTRUCTION, AND LEAVE THE AREA OF IRRIGATION WORK IN A FINELY GRADED CONDITION WITH ALL STONE OR ROCK REMOVED AND SMOOTHLY BLENDED TO ADJACENT AREAS.

5. STAKING AND LAYOUT:

1. IT IS TO BE RECOGNIZED, DUE TO THE ARTISTIC NATURE OF LANDSCAPE PLANTING DESIGN AND CONSTRUCTION, THAT THE LANDSCAPE PLANTING AS CONSTRUCTED MAY DIFFER SLIGHTLY FROM THE PLANS DRAWN FOR CONSTRUCTION OF THE IRRIGATION SYSTEM.

THE CONTRACTOR SHALL BE PREPARED TO ADJUST INSTALLATION OF THE IRRIGATION SYSTEM SO THAT IT WILL PROPERLY IRRIGATE PLANTED FEATURES CONSTRUCTED IN ACCORDANCE WITH THE EVIDENT INTENT OF THE IRRIGATION PLANS, AS INTERPRETED BY THE LANDSCAPE ARCHITECT.

2. AN AGENT OF THE CONTRACTOR SHALL STAKE THE LOCATION ON THE GROUND OF ALL IRRIGATION EQUIPMENT TO BE INSTALLED. IN STAKING THE LOCATIONS OF THE SPRINKLER OUTLETS, HE SHALL ADJUST THE STAKING AS REQUIRED TO BEST IRRIGATE THE AREA BEING DEVELOPED AND SHALL STRIVE TO MAINTAIN A UNIFORM SPACING BETWEEN THE VARIOUS OUTLETS. THIS SPACING MAY VARY ACCORDING TO MANUFACTURES RECOMMENDATIONS WHERE ADJUSTMENT OF SPACING IS REQUIRED TO FIT THE LANDSCAPE DEVELOPMENT AS CONSTRUCTED. ROUTING OF THE PIPE SHALL BE IN ACCORDANCE WITH THE IRRIGATION PIPING PLAN EXCEPT THAT THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO CHANGE THE ROUTING OF PIPE FROM THAT SHOWN ON THE PLAN AND TO CHANGE THE DEPTH OF TRENCH AND COVER OVER THE TOP OF PIPE IN CASE OF ROCK OR OTHER OBSTACLE. IN NO EVENT SHALL FIELD CHANGES OF THIS NATURE AFFECT THE OVERALL COST OF THE PROJECT EXCEPT WHERE THESE CHANGES MAY ALTER THE QUANTITY OF MATERIALS TO BE PROVIDED ACCORDING TO THE PLAN. THE CONTRACTOR MAY ADJUST THE LOCATION OF ANY PIPELINE TO AVOID LEDGE ROCK, STUMPS OR OTHER OBSTACLES, PROVIDED THAT SUCH ADJUSTMENT DOES NOT INCREASE THE QUANTITY OF PIPE REQUIRED AND IS NOT IN CONFLICT WITH THE EVIDENT INTENT OF THE PLAN.

3. SEE IRRIGATION PLAN FOR CONNECTIONS TO WATER SOURCE, PIPE SIZES AND LOCATION, HEADS AND VALVES. TIME CLOCK(S)/ CONTROLLER(S) SHALL BE LOCATED AT THE DIRECTION OF THE LANDSCAPE ARCHITECT.

4. THE IRRIGATION CONTRACTOR SHALL CAREFULLY REVIEW BED AND PAVING CUT-OUT LOCATIONS, WALKS, ROADS, PROPERTY LINES AND OTHER SITE FEATURES AND INSTALL HIS WORK ACCORDING TO THE INTENT OF THE IRRIGATION PLAN. SHOULD HEADS AND/OR LINES OR OTHER SYSTEM COMPONENTS BE IMPROPERLY LOCATED THEY SHALL BE PROPERLY RELOCATED AT THE CONTRACTORS EXPENSE.

6. RECORD PLAN:

1. THE CONTRACTOR SHALL MAINTAIN AT ALL TIMES AN UP-TO-DATE RECORD PLAN OF THE IRRIGATION SYSTEM AS BUILT. THE PLAN SHALL INDICATE THE LOCATION AND MEASUREMENTS, TO THE NEAREST FOOT, OF ALL MAINLINE PIPE INSTALLED, INCLUDING ALL AUTOMATIC AND GATE VALVES; SPLICE BOXES; MAIN LINE TEES, ELBOWS AND FITTINGS; PULSE AND COMMON CONTROL WIRE ROUTINGS; EQUIPMENT LOCATIONS; SLEEVE LOCATIONS; AND, THE CONTRACTOR SHALL MAKE SUCH MODIFICATIONS TO ANY NOTES AND/OR DETAILS AS APPROPRIATE TO SHOW THE FINAL INSTALLED CONDITION OF THE OVERALL SYSTEM. THE RECORD PLAN SHALL BE AN ORIGINAL PLAN, DRAWN IN INK ON A GOOD GRADE OF TRACING PAPER AT THE SCALE OF THE ORIGINAL PLAN AS BID; OR, UPON REQUEST, THE LANDSCAPE LANDSCAPE ARCHITECT MAY SUPPLY TO THE CONTRACTOR A PLASTIC SEPIA OF THE PLAN WHICH MAY BE MODIFIED TO PRESENT THE AS-BUILT CONDITION OF THE SYSTEM. ANY SUCH SEPIA SHALL BE USED ONLY FOR RECORD PLAN DRAWINGS AND SHALL BE RETURNED TO THE LANDSCAPE LANDSCAPE ARCHITECT WITH THE FINAL PAY REQUEST. IT SHALL BE KEPT UP TO DATE DURING THE INSTALLATION OF THE SYSTEM AND SHALL ACCURATELY INDICATE THE LOCATION OF ALL EQUIPMENT INSTALLED TO THAT TIME. A COPY SHALL BE AVAILABLE ON THE SITE FOR INSPECTION AT ALL TIMES.

2. THE CONTRACTOR SHALL SUBMIT ONE (1) PRINT OF THE RECORD PLAN TO THE LANDSCAPE ARCHITECT FOR HIS REVIEW SIMULTANEOUSLY WITH EACH DRAW REQUEST AS THE PROJECT PROGRESSES. SUCH SUBMISSIONS SHALL BE COMPLETE THROUGH THE CURRENT WORK FOR WHICH PAYMENT IS REQUESTED.

3. AT LEAST TEN DAYS PRIOR TO SCHEDULED DATE OF THE FINAL INSPECTION OF THE COMPLETED IRRIGATION SYSTEM THE CONTRACTOR SHALL SUBMIT TO THE LANDSCAPE ARCHITECT, FOR HIS APPROVAL, A COMPLETE AND CORRECT COPY OF THE RECORD PLAN AND THREE (3) COPIES OF MANUFACTURER'S MAINTENANCE AND OPERATING INSTRUCTIONS FOR ALL VALVES, SPRINKLERS AND OTHER EQUIPMENT INSTALLED.

7. DEFINITIONS: THE FOLLOWING DEFINITIONS ARE IN ADDITION TO, SUPPLEMENT, AND/OR COMPLEMENT THESE SET FORTH ELSEWHERE IN THESE SPECIFICATIONS, WHEREVER THE FOLLOWING TERMS, OR PRONOUNS IN PLACE OF THEM, ARE USED IN THESE SPECIFICATIONS, THEIR INTENT AND MEANINGS SHALL BE INTERPRETED AS FOLLOWS:

SW: SOLVENT WELD PVC PIPE AND/OR FITTINGS.

RG: RUBBER GASKETED OR O-RING PVC PIPE AND/OR FITTINGS.

QCV: QUICK COUPLER VALVE, AS SPECIFIED.

HB: HOSE BIBB, AS SPECIFIED.

SLEEVE: A CONDUIT FOR ENCOMPASSING OTHER PIPES, WIRES, CABLES, ETC WITH THE PURPOSE OF PRESENTING EASE OF ACCESS AND/OR REPLACEMENT OF SUCH PIPES, WIRES, CABLES, ETC. WITHIN OTHERWISE DIFFICULT TO ACCESS AREAS.

II. MATERIALS

1. GENERAL: ALL MATERIALS AND EQUIPMENT SHALL BE SUPPLIED BY THE CONTRACTOR AND NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT. THE CONTRACTOR SHALL INSPECT ALL MATERIALS AND EQUIPMENT PRIOR TO INSTALLATION AND ANY DEFECTIVE MATERIALS AND EQUIPMENT SHALL BE REPLACED WITH THE PROPER MATERIALS AND EQUIPMENT. THOSE ITEMS USED IN THE INSTALLATION THAT ARE FOUND TO BE DEFECTIVE OR IMPROPERLY INSTALLED SHALL BE REMOVED AND THE PROPER MATERIALS AND EQUIPMENT INSTALLED IN THE PROPER MANNER.

2. PVC PIPE AND FITTINGS:

1. ALL PIPE SHALL BE CLASS 160 UNPLASTICIZED POLYVINYL CHLORIDE PIPE, TYPE 1120 OR 1220, OR BETTER. PIPE FROM 2" SIZE UP OPERATING IN EXCESS OF 90 PSI SHALL BE GASKETED PIPE. SOLVENT WELD PIPE MAY BE USED IN ALL OTHER INSTANCES. OUTSIDE DIAMETER TO WALL THICKNESS RATIOS SPECIFIED IN CS 245-63 FOR STANDARD DIMENSION RATION (SDR-PR) PIPE SHALL BE MAINTAINED IN THE BARREL OF THE PIPE. MINIMUM WALL THICKNESS AT THE BELL JOINT SHALL BE AS FOLLOWS:

CLASS 160 (SDR 26)

2 1/2"	3"	4"	6"	8"	10"
.132"	.156"	.205"	.298"	.386"	.480"

2. PIPE AND FITTINGS SHALL BE MADE FROM CLEAN, VIRGIN, NSF APPROVED TYPE I, GRADE I (PVC 1120) PVC, CONFORMING TO ASTM RESIN SPECIFICATION D 1784-60T.

3. ALL PIPE SHALL BE PRESSURE RATED AT HYDROSTATIC WORKING PRESSURES OF 160 PSI 73.4 DEGREES F. AND SHALL MEET REQUIREMENTS AS SET FORTH IN COMMERCIAL STANDARD CS 256-63 WITH STANDARD DIMENSION RATIO SDR 26.

3. RISERS AND SWING JOINT NIPPLES: ALL RISERS IN EXCESS OF 12" ABOVE GRADE AND/OR SWING JOINT NIPPLES SHALL BE UNPLASTICIZED POLYVINYL CHLORIDE, SCHEDULE 80, THREADED PIPE. FITTINGS ON SWING JOINTS SHALL BE MARLEX, SCHEDULE 80, THREADED ELBOWS OR STREET ELBOWS. ASSEMBLE WITH TEFLON TAPE ONLY. FOR SYSTEMS OPERATING AT LESS THAN 90 PSI, SWING JOINTS MAY BE CONSTRUCTED OF FLEXIBLE PVC AND INSERT FITTINGS AS PER PLAN DETAIL.

4. 110-120 VOLT ELECTRIC WIRING: ALL 120 VOLT AC WIRING SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL ELECTRIC CODES BY A LICENSED ELECTRICIAN. 110-120 VOLT SERVICE TO CONTROLLER SHALL CONSIST OF ONE BLACK AND ONE WHITE WIRE AND GROUND. ALL WIRING SHALL BE BURIED TO MINIMUM DEPTH OF 20". WIRE SHALL BE FURNISHED IN MINIMUM 2500' REELS AND SPLICED ONLY IN CONTROLLER OR VALVE BOXES. ALL SPLICES IN WIRING SHALL BE MADE WATERTIGHT.

5. VALVE CONTROL LINES:

1. 24 VOLT ELECTRIC - ELECTRIC CONTROL LINES FROM CONTROLLER TO AUTOMATIC VALVES SHALL BE DIRECT BURIAL UF WIRE OF A DIFFERENT COLOR THAN THE 110-120 VOLT SERVICE TO CONTROLLERS. THE 24 VOLT COMMON GROUND SHALL BE OF ONE CONTINUAL COLOR AND A DIFFERENT COLOR THAN THE OTHER 24 VOLT LINES AND THE 110-120 VOLT SERVICE. ALL WIRE SHALL BE FURNISHED IN MINIMUM 2,500' REELS AND SPLICING SHALL BE MINIMIZED, WITH SUCH SPLICES MADE WATERPROOF WITH THE USE OF WATERPROOF SCOTCHLOK OR PEN-TITE KITS. ALL 24 VOLT WIRING SHALL BE DONE IN ACCORDANCE WITH EXISTING CODES. SPLICING SHALL BE IN VALVE BOXES OR CONTROLLERS ONLY. EACH TIMECLOCK/CONTROLLER SHALL HAVE IT'S OWN COMMON WIRE(S) SERVICING THAT CONTROLLER AND ALL VALVES ASSOCIATED WITH IT.

6. SPRINKLER HEADS, CONTROLLERS, AUTOMATIC VALVES: SHALL BE AS CALLED FOR ON THE IRRIGATION PLAN OR APPROVED EQUAL.

7. QUICK COUPLING VALVES AND/OR HOSE BIBBS: QUICK COUPLING VALVES AND KEYS OR HOSE BIBBS SHALL BE AS SPECIFIED ON THE PLANS. LOCATE AS SHOWN ON THE IRRIGATION PLAN. IF THE PLAN SPECIFIES HOSE BIBBS RATHER THAN QUICK COUPLING VALVES, PROVIDE AND INSTALL HOSE BIBBS WITHIN VALVE BOXES AS NOTED ON PLANS.

8. GATE VALVES:

1. GATE VALVES SHALL BE AS SPECIFIED ON THE PLANS, OR APPROVED EQUAL. EACH VALVE SHALL BE AFFORDED ACCESS THROUGH A PVC OR FIBERGLASS BOX EQUIPPED WITH COVER.

2. PROVIDE TWO (2) GATE VALVE KEYS.

3. GATE VALVES AT LINE SIZE SHALL BE LOCATED AS SHOWN ON THE CONTRACT DRAWINGS.

9. PRESSURE REGULATING VALVES: COMBINATION PRESSURE REDUCING, PRESSURE SUSTAINING AND CHECK VALVES, AS MANUFACTURED BY CLA-VAL, OR APPROVED EQUAL, SHALL BE INSTALLED WHERE SHOWN ON THE IRRIGATION DESIGN PLAN. THE VALVE SHALL BE AS SIZED ON THE PLAN, DIAPHRAGM OPERATED, SINGLE SEAT, GLOBE VALVES. A MODEL X/OSL LIMIT SWITCH SHALL BE INSTALLED.

10. MISCELLANEOUS SYSTEM COMPONENTS: ALL MISCELLANEOUS SYSTEM COMPONENTS SHALL BE OF THE TYPE AND SIZE AS INDICATED ON THE IRRIGATION DESIGN PLAN AND DETAIL DRAWINGS.

11. VALVE BOXES: ALL VALVES, SPLICES WITHIN VALVE CONTROL LINES, HOSE BIBBS AND/OR QUICK COUPLER VALVES SHALL BE LOCATED WITHIN AN NDS, OR EQUAL, VALVE BOX AS FOLLOWS:

12"X17"
STANDARD RECTANGULAR VALVE BOX AND COVER MODEL NO. NDS #113PBCR FOR REUSE PURPLE AND NDS #114BC FOR GREEN.

ALL BOXES AND PITS SHALL BE FITTED WITH NDS, OR EQUAL, EXTENSIONS AS NECESSARY TO PROVIDE A MINIMUM OF 2" CLEAR SPACE BELOW THE BOTTOM OF THE VALVE, FILTER OR FITTING CONTAINED WITHIN THE BOX.

12. MAXICOM COMPONENTS: THE CONTRACTOR SHALL SUBMIT COMPLETE SHOP DRAWINGS INCLUDING MANUFACTURERS TECHNICAL DATA FOR COMPONENT PARTS OF THE MAXICOM SYSTEM. COMMENCE NO WORK BEFORE APPROVAL BY THE LANDSCAPE ARCHITECT. SEE LANDSCAPE ARCHITECTS DRAWINGS FOR REQUIRED COMPONENTS.

THE CONTRACTOR IS RESPONSIBLE FOR ARRANGING FOR GROUNDING TESTS AND TO INSTALL ALL GROUNDING PER THE MANUFACTURERS RECOMMENDATIONS.

III. EXECUTION

1. GENERAL: THE CONTRACTOR SHALL DILIGENTLY FOLLOW THE MANUFACTURER'S RECOMMENDATIONS FOR INSTALLING PIPE, VALVES, SPRINKLERS AND ALL OTHER ITEMS. THE PIPE SHALL BE LAID IN TRUE, SMOOTH ALIGNMENT WITH SUFFICIENT COVER AND THRUST BLOCKING TO PREVENT EXCESSIVE MOVEMENT.

2. TRENCH EXCAVATION:

1. ALL TRENCHES SHALL BE EXCAVATED TO SUFFICIENT DEPTHS TO PROVIDE A MINIMUM OF 10" COVER ON LATERALS AND 18" COVER ON MAINS. (FOR THOSE LINES OPERATING LESS THAN 90 PSI.)

LINES OPERATING IN EXCESS OF 90 PSI SHALL HAVE 24" OF COVER.

2. TRENCH BOTTOM SHALL BE CLEAN AND SMOOTH WITH ALL ROCK, SOIL AND ORGANIC DEBRIS REMOVED. ALL TRENCHES SHALL BE ONLY AS WIDE AS NECESSARY TO PERMIT EASY HANDLING AND INSTALLATION OF PIPE IN THEM.

3. PIPE SHALL BE PLACED SO THAT BARREL OF PIPE AND COUPLING ARE A MINIMUM OF 2" ABOVE HIGH POINTS OF THE TRENCH BOTTOM.

3. ROCK EXCAVATION: IN THE EVENT LEDGE ROCK, BOULDERS, STUMPS, OR OTHER OBSTRUCTION IS ENCOUNTERED IN EXCAVATION OF THE TRENCHES, WHICH CAN NOT BE REMOVED BY THE EQUIPMENT IN USE OR TRACTOR MOUNTED BACKHOE, THE CONTRACTOR SHALL ADJUST THE LINE OR THE TRENCH TO CIRCUMVENT IT, AS PART OF HIS WORK. IF THE OBSTRUCTION CAN NOT BE AVOIDED, THE CONTRACTOR SHALL REMOVE IT BY BLASTING.

4. BEDDING MATERIAL: EXCAVATED MATERIAL, EXCEPT IN THE CASE OF EXCAVATED ROCK, IS USUALLY SATISFACTORY FOR BEDDING OF PIPE.

5. THRUST BLOCKS:

1. THRUST BLOCKS SHALL BE CONSTRUCTED BEHIND ALL MAINLINE FITTINGS, TEES, BENDS, REDUCERS, LINE VALVES, PLUGS, CAPS, ETC., IN ACCORDANCE WITH PIPE MANUFACTURER'S RECOMMENDATIONS AND PLAN DETAILS.

2. THRUST BLOCK SHALL BEAR AGAINST UNDISTURBED EARTH, AND, IN CASE THIS IS NOT POSSIBLE, THEY SHALL BE MADE CORRESPONDINGLY LARGER.

3. THRUST BLOCKS SHALL BE SO PLACED AS NOT TO INTERFERE WITH REPAIR TO JOINTS AND COUPLINGS AND SHALL BE A CONCRETE MIX CONSISTING OF ONE PART CEMENT, TWO PARTS SAND AND FIVE PARTS GRAVEL, MIXED AND PLACED FAIRLY DRY SO THEY MAY BE SHAPED EASILY. NO PRECAST UNITS SHALL BE USED.

6. GATE VALVES:

1. ALL VALVES SHALL BE CLOSED AT TIME OF INSTALLATION AND SHALL BE SET PLUMB. REACH WELLS SHALL BE INSTALLED SO THAT LID IS SET 1/2" BELOW FINISHED GRADE. GATE VALVES SHALL BE LOCATED AS SHOWN ON THE PLANS AND OF A SIZE EQUAL TO THE PIPELINE ON WHICH IT IS INSTALLED.

2. GATE VALVES SHALL BE INSTALLED SO THE LOWER END RESTS FIRMLY ON THE GROUND AND SHALL BE DESIGNED TO WITHSTAND 2,000 LBS. WITHOUT FAILING.

7. BACKFILL:

1. AFTER PROPER BEDDING OF PIPE IS ACHIEVED, THE BALANCE OF BACKFILL SHALL BE PLACED AND SUITABLY COMPACTED BY TAMPING MECHANICALLY OR HYDRAULICALLY TO THE SATISFACTION OF THE LANDSCAPE ARCHITECT. BACKFILL WITHIN AREAS TO BE PAVED OVER SHALL BE COMPACTED TO 98% MODIFIED PROCTOR MAXIMUM DENSITY. TESTING, IF REQUIRED, WILL BE AT THE OWNER'S EXPENSE FOR ALL PASSED TESTS; ALL FAILED TESTS WILL BE BACK CHARGED TO THE CONTRACTOR.

2. NO LINES SHALL BE COVERED UNTIL THEY HAVE BEEN PASSED BY INSPECTION HEREINAFTER DESCRIBED, EXCEPT THAT LINES MAY BE COVERED WITH ALL JOINTS LEFT OPEN FOR INSPECTION.

3. IN THE CASE OF CUTTING OF PAVED ROADS OR DRIVES, ALL BACK FILL SHALL BE COMPACTED AND THE TOP 6" OF BACK FILL SHALL BE POURED IN 3,000 PSI CONCRETE. THE FINAL PATCH SHALL BE MADE TO MATCH THE GRADE AND MATERIAL OF THE ADJACENT FINISH ROAD OR DRIVE.

8. TURF AREA HEADS: HEADS IN LAWN AREAS SHALL BE SET FLUSH WITH SOD. ALL OTHER HEADS SHALL BE ADJUSTED TO SOD HEIGHT AFTER INSTALLATION OF SOD OR SEEDING OPERATIONS.

9. PLANTING & GROUNDCOVER AREA HEADS: HEADS IN PLANTING AREAS SHALL HAVE A CONCRETE MUD SUPPORT 6" IN DIAMETER AND 4" DEEP PLACED 2" BELOW GRADE AND ABOVE GRADE FOR ALL RISERS OF 24" OR GREATER IN HEIGHT. HEADS IN PLANTING AND GROUNDCOVER AREAS SHALL BE STUBBED 24" ABOVE GRADE AND HEIGHT ADJUSTED AFTER PLANTING OPERATIONS ARE COMPLETE. ALL RISERS SHALL BE CLEARLY MARKED BY 18" STAKES WITH BLUE ENGINEER'S FLAG ATTACHED. STAKES SHALL BE MAINTAINED THROUGHOUT THE JOB AND REMOVED AT COMPLETION AS DIRECTED.

10. PIPING: PIPING SHALL RUN AS STRAIGHT AS POSSIBLE. PIPE SHALL BE CUT SQUARE, PROPERLY REAMED TO REMOVE CONSTRICTIONS OR BURRS BEFORE MAKING UP JOINTS. ALL MAINS AND LATERALS SHALL BE THOROUGHLY FLUSHED BEFORE VALVES OR HEADS ARE INSTALLED.

ALL RISERS WITHIN PLANTING AND GROUNDCOVER ARES SHALL BE PAINTED FLAT BLACK WITH A PAINT WHICH ADHERES WELL TO PVC.

11. EXISTING INSTALLATIONS: IN ANY INSTANCE WHERE THE CONTRACTOR IS REQUIRED TO CUT INTO ANY EXISTING IRRIGATION INSTALLATION FOR THE PURPOSE OF REPAIR AND/OR CONNECTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FLUSHING AND TESTING OF ALL LINES AND CLEANING OF ALL HEADS, NOZZLES, AND COMPONENTS WHICH MAY BE AFFECTED BY SUCH CUT. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO IMMEDIATELY REPORT ANY DAMAGE SUBSEQUENT TO SUCH CUTS OR REPAIRS TO THE LANDSCAPE LANDSCAPE ARCHITECT SO THAT PROPER RESOLUTION OF THE DAMAGE MAY BE DETERMINED. WHEN INTERFACING WITH EXISTING IRRIGATION SYSTEMS IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO SCHEDULE HIS WORK IN SUCH A MANNER THAT THE EXISTING SYSTEM WILL REMAIN OPERATIONAL FOR THE GREATEST LENGTH OF TIME POSSIBLE. THE CONTRACTOR SHALL KEEP THE OWNER AND LANDSCAPE LANDSCAPE ARCHITECT APPRAISED OF HIS SCHEDULE IN THIS MATTER.

12. RESTORATION: ANY AREAS THAT HAVE BEEN DISTURBED MUST BE FULLY RESTORED. CONTRACTOR TO RAKE OUT AND SEED OR SOD AREAS DISTURBED BY TRENCHES AND IRRIGATION INSTALLATION. AREAS UNDER 12" IN WIDTH SHALL BE SEEDED. AREAS OVER 12" IN WIDTH SHALL BE SODDED. SEED OR SOD SHALL MATCH EXISTING TURF.

13. HYDROSTATIC TESTING: AFTER THE PIPE HAS BEEN LAID AND BACKFILLED, THE MAIN LINE PIPE SHALL BE HYDROSTATICALLY TESTED FOR LEAKAGE. THE CONTRACTOR SHALL FURNISH THE PUMP, PIPE CONNECTION, BLOW OFF VALVES AND ANY OTHER NECESSARY APPARATUS INCLUDING GAUGES AND METERS AND ALL PERSONNEL NECESSARY FOR CONDUCTING THE TEST. BEFORE APPLYING THE TEST PRESSURE, ALL AIR SHALL BE EXPELLED FROM THE PIPE. IF NECESSARY, THREADED TAPS SHALL BE MADE AT THE POINTS OF HIGHER ELEVATIONS AND THEN CLOSED WITH PLUGS.

WHEN PRACTICAL, TESTS SHALL BE MADE ON SECTIONS BETWEEN VALVES, OR SECTIONS NOT EXCEEDING 2,000 FEET IN LENGTH. DEAD ENDS, BENDS OR OTHER FITTINGS SHALL HAVE A FIRM FOUNDATION AND BE SECURELY BLOCKED AGAINST THE TRENCH WALLS BEFORE TESTING OR COMPLETING THE BACKFILL AS SPECIFIED.

THE FULL TEST PRESSURE OF 65 POUNDS PER SQUARE INCH (PSI) SHALL BE HELD FOR NO LESS THAN TWO HOURS OR LONGER AS NECESSARY TO PERMIT THOROUGH EXAMINATION OF ALL EXPOSED JOINTS IN THE SECTION OF MAIN BEING TESTED. TEST PRESSURE SHALL BE MAINTAINED AT 65 PSI BY PUMPING WATER INTO THE PIPE IN ACCORDANCE WITH THE REQUIREMENTS OF AWWA C600.

LEAKAGE SHALL BE MEASURED BY THE QUANTITY OF WATER PUMPED INTO THE PIPE TO MAINTAIN TEST PRESSURE DURING TEST PERIOD. MAXIMUM PERMISSIBLE LEAKAGE SHALL BE LESS THAN THE NUMBER OF GALLONS PER HOUR DETERMINED BY THE FOLLOWING FORMULA:

$L = (S \times D \times (P)^{.5})/133200$

L = ALLOWABLE LEAKAGE IN GPH
S = LENGTH OF SECTION TESTED, IN FEET
D = NOMINAL DIAMETER OF THE PIPE IN INCHES
P = AVERAGE PRESSURE MAINTAINED DURING THE LEAKAGE TEST IN PSI. THE TEST PRESSURE SHALL BE SIXTY FIVE (65) PSI.

WATER FOR TESTING SHALL BE OBTAINED FROM AN APPROVED WATER SOURCE. THE CONTRACTOR SHALL PROVIDE ALL WATER REQUIRED AT HIS OWN EXPENSE AND SHALL MAKE ALL NECESSARY ARRANGEMENTS WITH THE AUTHORITY WHICH CONTROLS THE SOURCE OF WATER SYSTEM AND SHALL BE GOVERNED IN HIS USE OF WATER BY ALL RULES AND REGULATIONS IMPOSED THEREON BY SAID AUTHORITY. THE CONTRACTOR SHALL PROVIDE AND REMOVE TEMPORARY CONNECTIONS BETWEEN THE SOURCE WATER SYSTEM AND THE MAINS CONSTRUCTED UNDER THIS CONTRACT. ALL TEMPORARY CONNECTIONS SHALL MEET THE APPROVAL OF THE LANDSCAPE ARCHITECT, THE AUTHORITY CONTROLLING THE SOURCE WATER SYSTEM AND PUBLIC HEALTH AUTHORITIES HAVING JURISDICTION.

ALL LEAKS SHALL BE LOCATED AND REPAIRED UNTIL THE TEST MEETS THE ABOVE REQUIREMENTS. ANY FAULTY FITTINGS, VALVES OR OTHER ACCESSORIES WHICH LEAK DURING TESTING SHALL BE REPEATED AS SPECIFIED ABOVE, ANY REPLACEMENT OF FAULTY MATERIAL OR RETESTING SHALL BE AT THE EXPENSE OF THE CONTRACTOR.

END OF SECTION 2-0274

CALL 48 HOURS BEFORE YOU DIG
IT'S THE LAW! DIAL 811
811 Know what's below. Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

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SITE DEVELOPMENT PLANS FOR:
FOUNTAIN LAKES APARTMENTS
BRADENTON, FLORIDA
FOUNTAIN LAKE APARTMENTS LLC

PROJECT NO.	1343
SCALE	N/A
DATE	07/24/13
DRAWN BY	KSR
ISSUED	08/06/13

REVISIONS			
1	REV PER COUNTY COMMENTS 10-4-13		
2	REV PER CIVIL PLAN CHANGES 12-4-13		

IRRIGATION SPECIFICATIONS
12/04/13
PHILLIP J. SMITH, R.L.A. #1666

dwja LANDSCAPE ARCHITECTS
DAVID W. JOHNSTON ASSOCIATES
650 S. ORANGE AVE. SUITE 202 • SARASOTA, FL 34236 • (941) 366-3150

SHEET NO.
L-11

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	Ordinance 13-25 Creekwood (DRI #13)	**TYPE AGENDA ITEM**	Advertised Public Hearings - Consent
DATE REQUESTED	12/12/13 PC	**DATE SUBMITTED/REVISED**	12/04/13
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 LB
CONTACT PERSON TELEPHONE/EXTENSION	Rossina Leider / 748-4501 ext. 6859	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Rossina Leider / Planner / 748-4501 ext. 6859
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 13-25 per the recommended motion in the staff report attached to this memo.

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

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- The request is for approval of an amended and restated Development Order, pursuant to Chapter 380.06, Florida Statutes for the Creekwood Development of Regional Impact.
- This 816.26 ± acre site is generally located at the northwest and northeast intersections of State Road 70 and I-75. This DRI was approved on August 27, 1985 for a mixed-use project that includes residential, commercial, industrial, offices, and recreation. Eight amendments have been approved by the BOCC, and the total amount of development authorized within the latest amendment (08/02/2012) is 1,250 units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,0000 square feet of mini-warehouse, and 100 hotel rooms.
- This request includes modifying Map H and the Development Order with the following changes:
  - A. Modify the land use of Parcel G from office to residential;
  - B. Increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet;
  - C. Delete Land Use Condition #1regarding maximum density in the watershed;
  - D. Amend the stipulations related to the I-75 bridge approach; and
  - E. Update the Development Order to reflect terminology changes, and department references.
- Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).
- The addition of 112 residential units will not impact the traffic pattern of the surrounding area. The residential use will generate less PM peak-hour trips than the previous approved office complex.
- The proposed modification does not reduce the overall open space and conservation areas of the Creekwood DRI.
- Staff recommends approval.

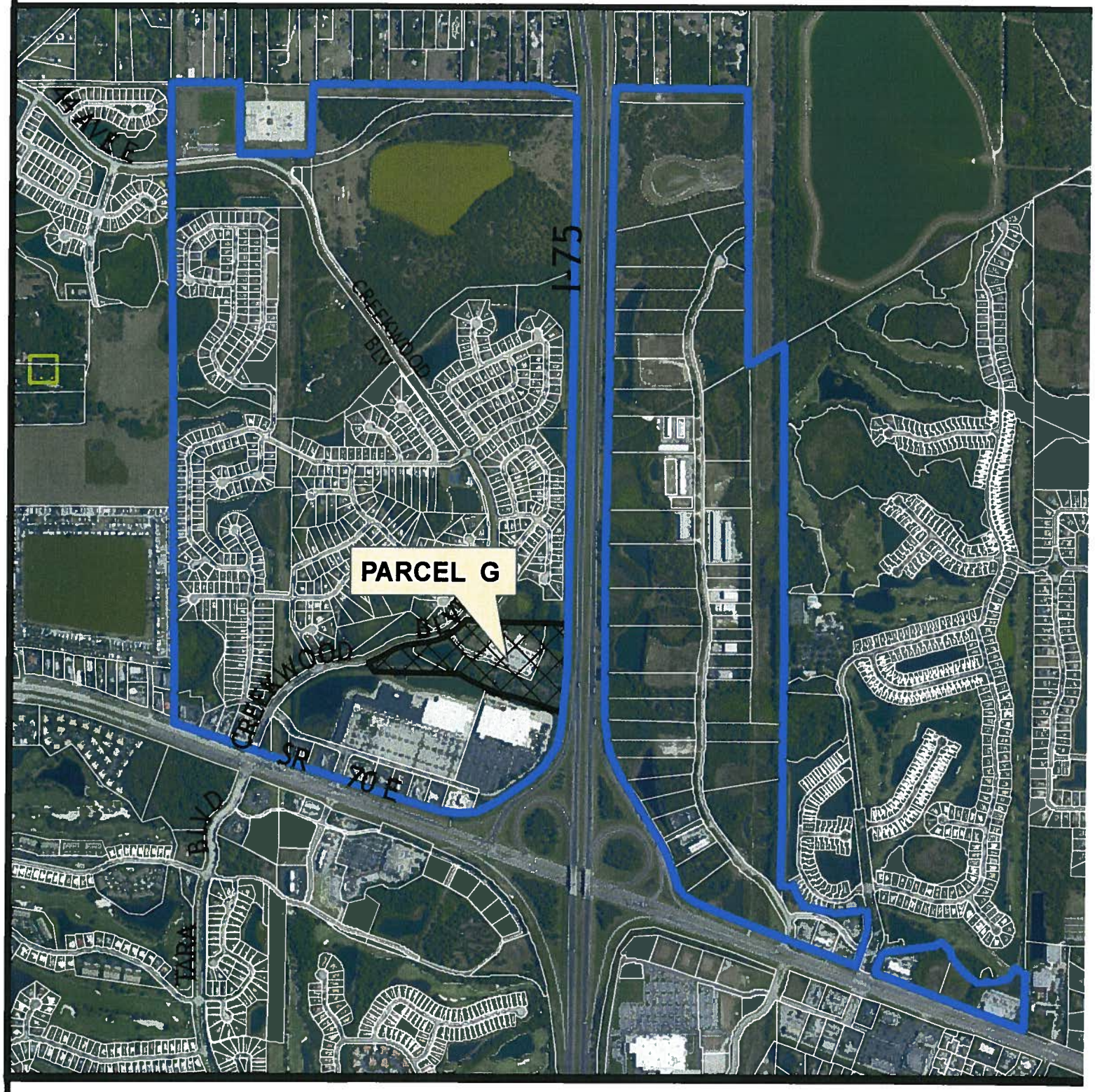
COUNTY ATTORNEY REVIEW

Check appropriate box	
☒	**REVIEWED** **Written Comments:** ☐ **Attached** ☒ **Available from Attorney (Attorney's initials: SAS)**

☐	**NOT REVIEWED (No apparent legal issues.)**
☐	**NOT REVIEWED (Utilizes exact form or procedure previously approved by CAO.)**
☐	**OTHER**

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

AERIAL



Parcel ID #(s) Multiple

Project Name:	Creekwood DRI #13
Project #:	ORD-13-25 / DRI #13
DTS#:	20130204
Proposed Use:	Residential
S/T/R:	Sec 13, 11, 12 Twn 35 Rng 18
Acreage:	± 818
Existing Zoning:	PD-R, PD-C, PD-I
Existing FLU:	MU, RES-6, PSP, ROR
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

PARCEL G - ± 20.75 ACRES

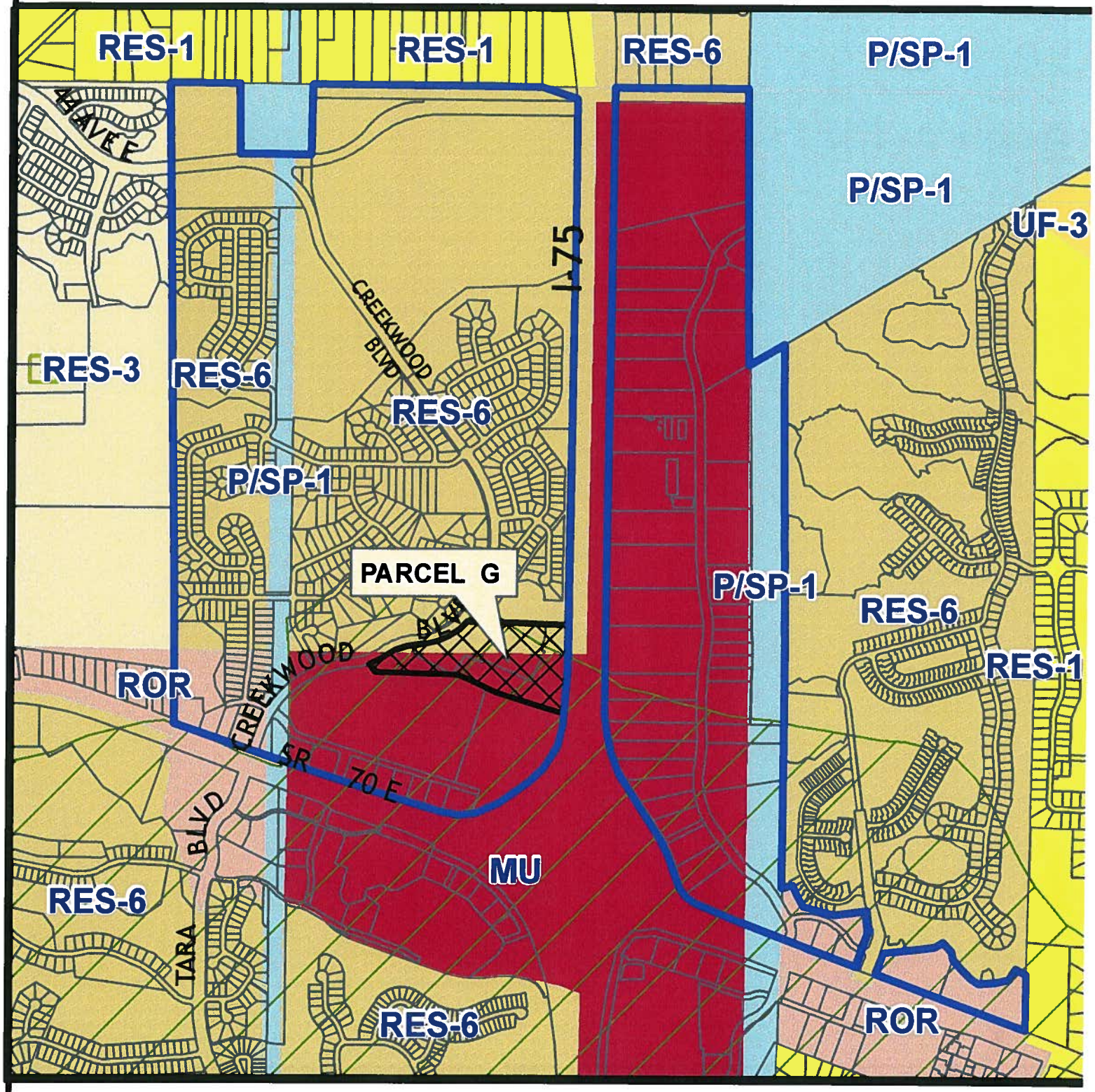
CREEKWOOD DRI

N

Manatee County
Staff Report Map

Map Prepared 7/3/2013

FUTURE LAND USE



Parcel ID #(s) Multiple

Project Name:	Creekwood DRI #13
Project #:	ORD-13-25 / DRI #13
DTS#:	20130204
Proposed Use:	Residential
S/T/R:	Sec 13,11,12 Twn 35 Rng 18
Acreage:	± 818
Existing Zoning:	PD-R, PD-C, PD-I
Existing FLU:	MU, RES-6, PSP, ROR
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

Evers Watershed (WPE)

PARCEL G - ± 20.75 ACRES

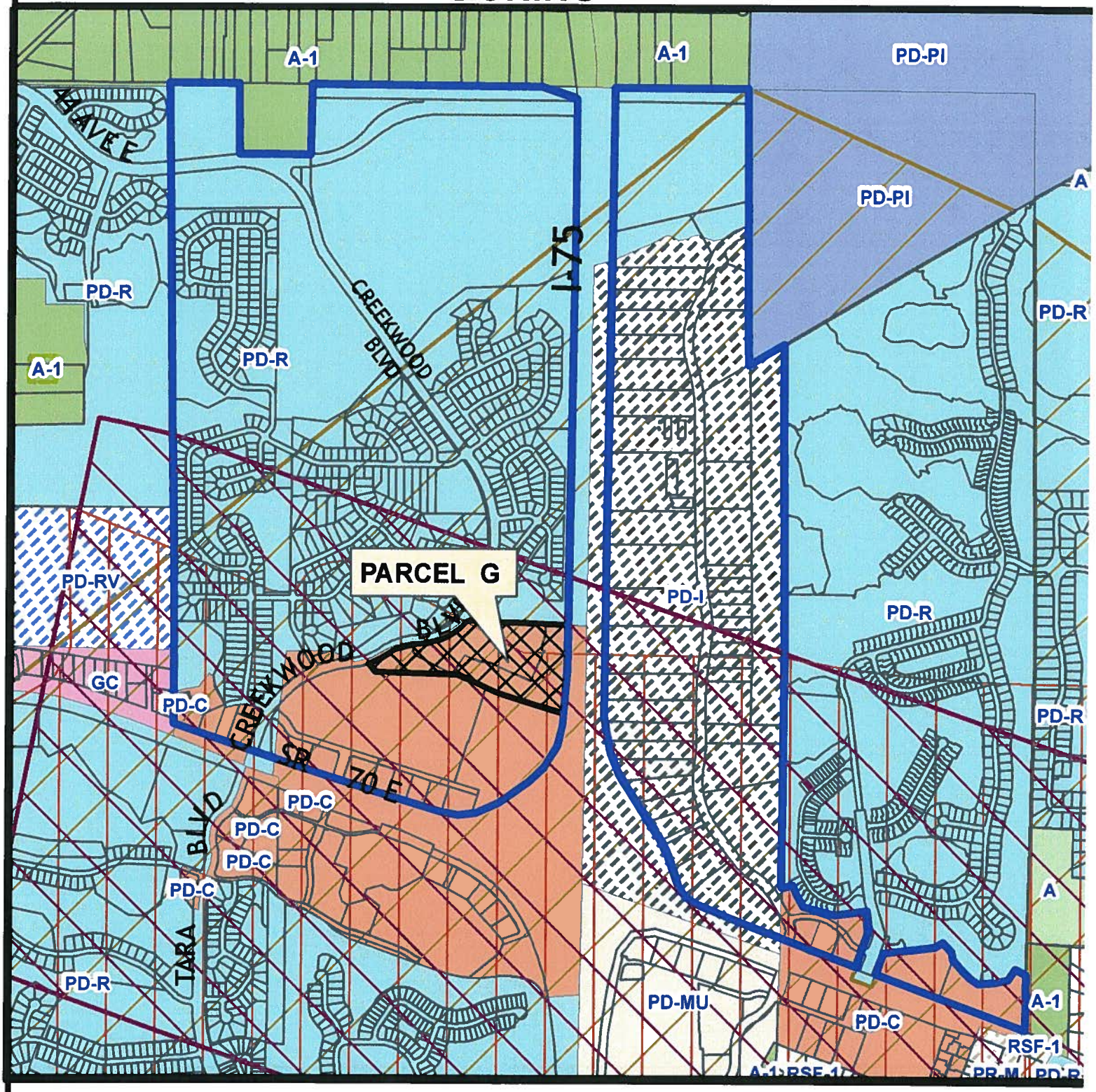
CREEKWOOD DRI

N

Manatee County
Staff Report Map

Map Prepared 7/3/2013

ZONING



Parcel ID #(s) Multiple

Project Name:	Creekwood DRI # 13
Project #:	ORD-13-25 / DRI #13
DTS#:	20130204
Proposed Use:	Residential
S/T/R:	Sec 13,11,12 Twn 35 Rng 18
Acreage:	± 818
Existing Zoning:	PD-R, PD-C, PD-I
Existing FLU:	MU, RES-6, PSP, ROR
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

Special Treatment

Evers Watershed (WPE)

Entranceways

PARCEL G - ± 20.75 ACRES

CREEKWOOD DRI

N

Manatee County
Staff Report Map

Map Prepared 7/3/2013

P.C. 12/12/13

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)

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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

P.C.: 12/12/13 **B.O.C.C.: 12/17/13**

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, 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 Ordinance No. 13-25, as recommended by staff.

CASE SUMMARY

CASE NO.: **Ordinance 13-25 – Creekwood (DRI #13)**

APPLICANT: **Wells Fargo Bank, NA**

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

A. **Modify the land use of Parcel G from office to residential;**
B. **Increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet;**
C. **Delete Land Use Condition #1regarding maximum density in the watershed;**
D. **Amend the stipulations related to the I-75 bridge approach; and**
E. **Update the Development Order to reflect terminology changes, and department references.**

STAFF RECOMMENDS: **APPROVAL**

REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

- The request is for approval of modifications to the DRI Development Order and Map H for the Creekwood DRI. These changes are accompanied by a request to amend the General Development Plan and Zoning Ordinance for Creekwood (Z-84-76).

  The Creekwood DRI is located northeast and northwest of the intersection of I-75 and State Road 70, extending northward to the north of the future 44th Avenue Extension.

  Present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection Evers and Special Treatment Overlay Districts) (± 818.26 acres).

- To the NORTH, west and east of I-75, are single-family homes on large lots (Braden River Ranchettes Subdivision) zoned A-1 (Suburban Agriculture). To the northeast is the Manatee County wastewater treatment plant and landfill zoned PD-PI/WP-E (Planned Development Public Interest/ Watershed Protection Evers Overlay District).

- To the SOUTH, across SR 70, west of I-75, are commercial developments in the Tara DRI zoned PDC/WP-E/ST (Planned Development Commercial/Watershed Protection Evers and Special Treatment Overlay Districts). Tara DRI is zoned PDC/PDR/WP-E/ST (Planned Development Commercial, Planned Development Residential/Watershed Protection Evers and Special Treatment Overlay Districts).

  To the south, across SR 70, east of I-75, are commercial developments in the River Club Park of Commerce DRI (Wal-Mart) zoned PDMU/WP-E/ST (Planned Development Mixed Use/Watershed Protection Evers and Special Treatment Overlay Districts) and in Ranch Lake Plaza and Ranch Lake Business Center Subdivisions zoned PDC/WP-E/ST (Planned Development Commercial/Watershed Protection Evers and Special Treatment Overlay

Districts) and PR-M/WP-E/ST (Professional-Medium/Watershed Protection Evers and Special Treatment Overlay Districts).

- To the EAST, are single-family homes (Rosedale Subdivision) zoned PDR/WP-E (Planned Development Residential/ Watershed Protection Evers Overlay District), and a church (Woodland Baptist Church) zoned A-1/WP-E/ST (Suburban Agriculture/Watershed Protection Evers and Special Treatment Overlay Districts).

- To the WEST, is an RV park (Pleasant Lakes RV) zoned PD-RV/ST (Planned Development Recreational Vehicle/Special Treatment Overlay District), Crossing Creek Subdivision (single-family homes) and vacant land zoned PDR, and Campbell Commercial zoned GC/WP-E/ST (General Commercial/Watershed Protection Evers and Special Treatment Overlay Districts).

SUMMARY: (RL)

The applicant requests approval of modifications to the DRI Development Order and Map H for the Creekwood DRI.

History

The Creekwood DRI was originally approved on August 27, 1985 (R-85-149) for a 1,090-acre multi-use development, and revised for clarification from the Department of Community Affairs on October 22, 1985 (R-85-219).

Creekwood is a mixed-use development on ±818 acres, that includes residential, commercial, industrial, office, and recreation. The project is approved for 4 phases, with phases overlapping in time. Phases I and II have been completed. Phase III and IV have been legislatively extended to November 22, 2018 and November 22, 2019 respectively.

Approved development totals are as follow:

Phase	Buildout	Residential (Units)	Commercial (Sq. Ft.)	Industrial (Sq. Ft)	Office (Sq. Ft.)	Mini-Warehouse (Sq. Ft.)	Hotel (Rooms)
I & II	Completed	592	455,048	-	-	-	-
III	11/22/2018(1)	140	55,000	230,000	60,000	-	-
IV	11/22/2019(1)	518	92,952	570,000	165,000(2)	80,000	100
TOTAL		1,250	603,000	800,000	225,000	80,000	100

(1) Phases III & IV buildout dates reflect all legislatively approved extensions.
(2) Office space may include up to 85,000 sq. ft. of medical office.

The following amendments to the Creekwood DRI Development Order were approved by the BOCC:

- May 20, 1986: Received approval to delete approximately 240 acres east of I-75 from the Development Order (R-86-112)
- July 23, 1992: Received approval to allow a six month extension for the required date to submit a preliminary site plan for Phase II (R-92-80)
- April 22, 1993: Received approval to amend the Development Order and Map H to reduce acreage to 818,26 ±acres, extend the buildout dates for each phase, provide additional access points from SR 70, relocate 7,500 sq. ft. of commercial, and other various changes related to zoning and land uses (R-93-25)

- December 15, 1998: Received approval to amend the Development Order and Map H to exchange the land use designation for Parcel G (General Commercial) with Parcel O-1 (Office), increase total commercial floor area (69,500 sq. ft.) and land area, decrease total office floor area (44,000 sq. ft.) and land area, decrease residential development (500 units), and change the designation of Parcels C-1, C-2, and O-1 and combine them to a re-designated Parcel C (ORD-98-49)

- March 28, 2000: Received approval to amend the Development Order and Map H to modify Phase IV to allow 447,000 sq. ft of commercial and 38,000 sq. ft of office on Parcel C, adjust development totals in Parcel C (522,000 sq. ft. of commercial and 115,000 sq. ft. of office), modify the project phasing deadlines, and modify specific conditions (ORD-00-07)

- January 6, 2004: Received approval to amend the Development Order and Map H to re-designate parcels identification, add an additional roadway connection to the west, modify the Project Phasing Table to clarify, eliminate, and redistribute approved development (reduce industrial to 950,000 sq. ft., clarify allocation of commercial approved in the industrial category, expand the range of commercial and industrial uses permitted east of I-75, decrease residential from 2,305 to 1,617 units), update and modify the Project Phasing Table to recognize completed development, transfer industrial, office, and commercial square feet from Phases I and II to Phases III and IV (ORD-04-28)

- January 5, 2006: Received approval to amend the Development Order and Map H to modify the Project Phasing Table to reduce, add, and redistribute approved development (decrease residential from 1,617 to 1,250 units, increase office to 225,00 sq. ft., transfer residential units from Phases I and II to Phase IV, and delete condition requiring Preliminary Site Plans be submitted 18 months prior to buildout date) (ORD-05-41)

- August 2, 2012: Received approval to amend the Development Order and Map H to add 30,000 square feet to an existing 50,000 square foot mini-warehouse project on Parcel C-5 for a total of 80,000 square feet of mini-warehouse, update the Development Order to reflect previously approved project extensions, update the water quality monitoring conditions, update the Development Totals and Table 1 (Phasing by Use) to clarify previously approved reduction of 150,000 of industrial entitlements (ORD- 12-15)

To date, 592 residential units have been completed as well as 501,594 sq. ft. of commercial development (a 50,000 sq. ft. mini-warehouse was constructed and counted as 24,000 sq. ft. of commercial), 89,084 sq. ft. of light industrial, 3,990 sq. ft. of office and 78 hotel rooms. Various site plans for industrial development are under review or have been approved.

Request

The request today is for an amendment to the Creekwood Development Order (DO) and Map H. The request includes a companion revision to the Zoning Ordinance and General Development Plan.

The process to amend the DO is different than past requests due to legislative changes approved by the state last 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:

- **Modify the land use of Parcel G from office to residential, increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet.**

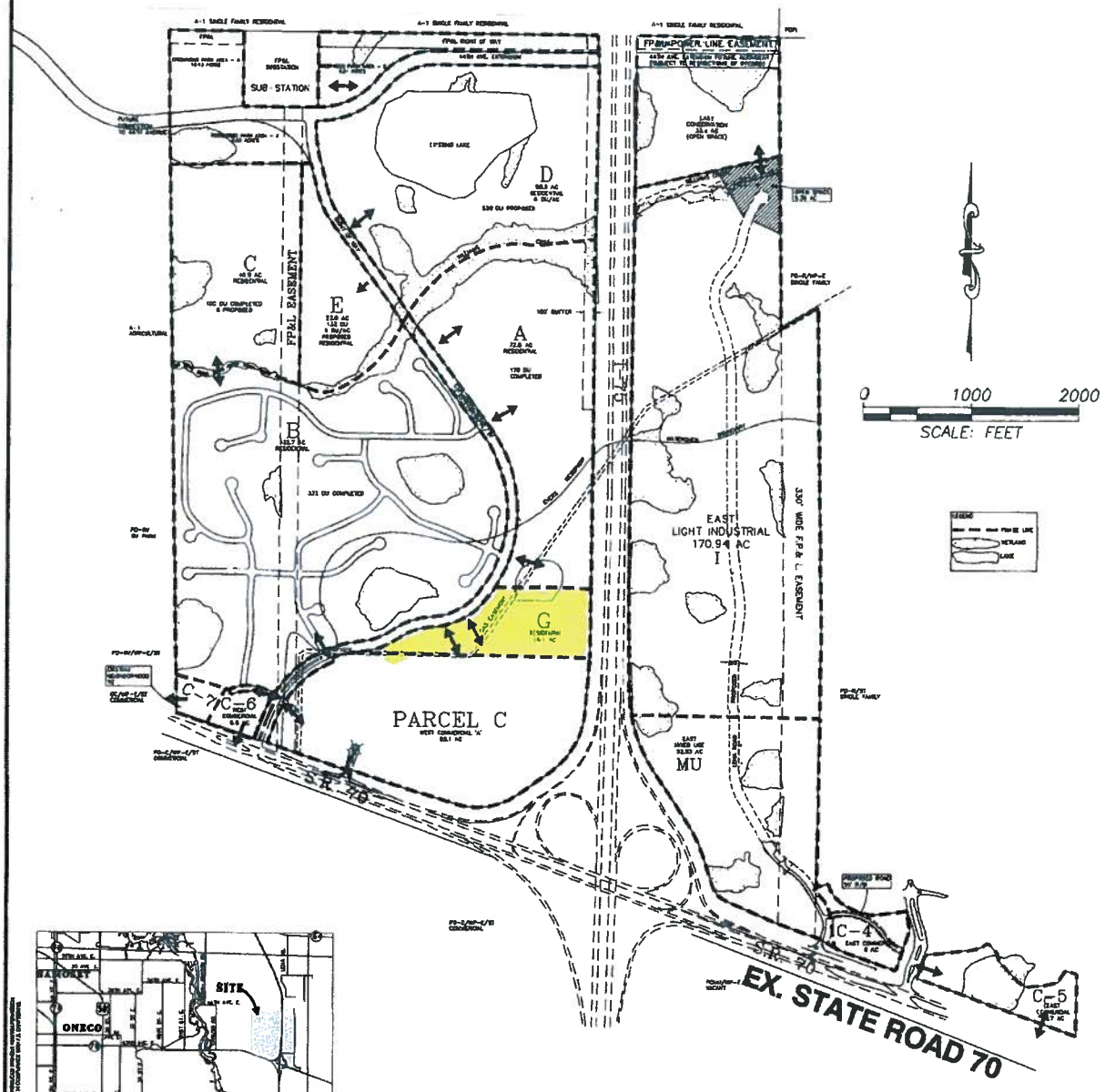
The approved Map H provides for office use only on Parcel G. The applicant proposes to modify the land use of Parcel G from office to residential, increasing the number of residential units and residential acreage and decreasing office square footage and acreage. The proposal includes adding 112 residential units for a total of 1,362 units, and decreasing the office square footage by 125,000 square feet for a total of 100,000 square feet of office space.

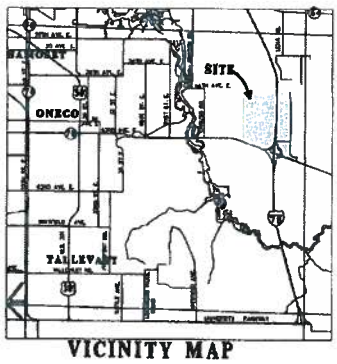
The proposal includes the following:

- Under the Map H, the applicant proposes to change the use of Parcel G to residential, and modify the Land Use/Acreage Summary Table to show the increment of residential units and acreage since the office square footage and acreage is reduced.

LAND USE/ACREAGE SUMMARY

LAND USE	ACRES	UNITS/ SQUARE FEET
RESIDENTIAL	~~374~~ 390.1	~~1,350~~ 1,362 (592 COMPLETE/ 770 REMAINING)
INDUSTRIAL	170.94	800,000 SF
COMMERCIAL ONLY (C-6, C-7, C)	71.9	482,000 SF
~~OFFICE ONLY (O)~~	~~16.1~~	~~125,000 SF~~
MIXED NON-RESIDENTIAL (MU,C-4, C-5)	65.73	
COMMERCIAL		121,000 SF
OFFICE		100,000 SF
MINI-WAREHOUSE (ONLY C-5)	6.5	80,000 SF
HOTEL		100 ROOMS (93,000 SF)
ROADS/OPEN SPACE	54.73	
CONSERVATION	33.4	
PARKS	25	
PROJECT TOTAL	~~818.3~~	





MAP H

- Under the Development Order the applicant proposes to change Section 5 and Section 6 as follow:

SECTION 5. DEVELOPMENT COMPONENTS

Approval of this ordinance authorizes development of the following land uses, when developed in conjunction with the terms of this ordinance, and any applicable local, regional, state, or federal regulations.

A. ~~1,250~~ 1,362 dwelling units
B. 603,000 square feet of commercial
C. 800,000 square feet of industrial
D. ~~225,000~~ 100,000 square feet of office
E. 100 room hotel (93,000 square feet)
F. 80,000 square feet of mini-warehouse

SECTION 6. DEVELOPMENT CONDITIONS

PROJECT PHASING AND BUILDOUT CONDITIONS

1. The developer shall comply with the deadlines contained in the revised phasing schedule, listed in Table 1 below:

Table 1 - Phasing by Use

	PHASES				
Uses	**Acreage 818.3**	**I, II (Complete)**	**III (1996-11/22/2018)**	**IV (2001-11/22/2019)**	**Total**
RESIDENTIAL	~~374~~ 390.1	592	140	~~518~~ 630	~~1,250~~ 1,362
COMMERCIAL [RETAIL AND SERVICE-380.0651(3)(f)]	~~91.6~~ 137.63*****	455,048	55,000	92,952**	603,000**
HOTEL [Hotel or motel - 380.0651(3)(g)]	~~52.53~~			100 rooms 93,000	100 rooms 93,000
OFFICE	~~16.1~~		60,000*	~~165,000~~ 40,000*	~~225,000~~ 100,000*
INDUSTRIAL	170.94		230,000	570,000***	800,000***
MINI-WAREHOUSE	6.5			80,000****	80,000****
OPEN SPACE (ROADS, RIGHT-OF-WAY, CONSERVATION, PRESERVATION, ETC.)	113.13				

* Office space may include up to 85,000 square feet of medical office. Office entitlements have been removed from Parcel G for a total reduction of 125,000 sq. ft. of office space. The reduction of office entitlements was requested by the owner of Parcel G and approved by the Board of County Commissioners on December 17, 2013 (Ordinance 13-25). No entitlements have been taken from any other Parcel in the DRI at that time.

** Construction of the initial 50,000 sq. ft. of Mini-Warehouse was acknowledged within the RY 2007-08 Annual Report. The Annual Report reflected that 50,000 sq. ft. of Mini-Warehouse was equivalent to 24,000 sq. ft. of Commercial. As appropriate, this amount of Commercial has been deducted from the Phase IV and overall Commercial entitlements reflected in this Table for the project.

*** 150,000 sq. ft. reduction of industrial entitlements was requested by the master developer and approved by the Board of County Commissioners on December 4, 2008 [Z-84-76(R8)].

**** Mini-Warehouse consists of 50,000 sq. ft. constructed during 2007-08 as well as the 30,000 sq. ft. expansion proposed with Ordinance 12-15.

***** Commercial acreage includes Hotel and Office to reflect acreage of mixed use, non-residential parcels. The acreage of the Commercial only parcels is 71.9 acres and the Mixed Use parcel is 65.73 acres.

Staff has no objection to the above proposed modification since:

- The number of external peak hours trips has not been increased. Parcel G has an existing entitlement of 60,000 square feet of medical office uses (per Z-84-76/FSP-04-106 approved on 03/14/2005). The traffic analysis provided by the applicant indicates that the proposal to change the use to residential (112 units) will not create any additional transportation impacts, and will reduce the number of PM peak-hour trips generated from 184 to 68.
- The conservation areas and open spaces within the Creekwood DRI has not been reduced.

- **Delete Land Use Condition #1 regarding maximum density in the watershed.**

  The applicant proposes to delete Land Use Condition #1 that restricts the maximum density of residential areas within the Evers Reservoir Watershed to five (5) dwelling units per acre. Staff has no objection to the proposed modification since:

  - Parcel G is within the RES-6 and MU FLUCs with an allowed maximum gross density of 6 and 9 dwelling units per acre respectively. The possible increment in density, as a result of the deletion of the above requirement, will not represent a significant impact in the context of this DRI, since Parcel G represents less than 2% of the total area of the Creekwood project,
  - Natural Resources Department Staff reviewed the request and has no objection. It appears the change would have minimal ramifications on loading allocations,
  - The majority of the existing undeveloped residential areas within the Creekwood DRI are located outside of the Evers Watershed Overlay, and
  - The Land Development Code and the Comprehensive Plan do not include any specific provision(s) related to maximum density limitations for projects located in the Watershed Overlay.

- **Amend the stipulations related to the I-75 bridge approach.**

  The applicant has requested to amend Transportation Conditions #2 and #7 of Section 6 of the Development Order related to the right-of-way for 44th Avenue East (Cortez Road Extension) at the I-75 bridge approach. The applicant proposed to change the above referenced conditions as follow:

2. Developer shall provide for a 120-foot wide right-of-way for 44th Avenue East (Cortez Road Extended) through the project. Two lanes of this roadway shall be constructed through the project by the developer with development of parcels adjacent thereto except for the bridge approach to the I-75 crossing. Sufficient right-of-way to construct the bridge approach shall be ~~dedicated, but~~ reserved and shall not be dedicated unless the right-of-way is voluntarily dedicated by the owner thereof pursuant to a development agreement. ~~t~~The developer shall not be responsible for constructing the bridge over I-75 as an on-site transportation improvement. The developer shall enter into an agreement with the County to either oversize the internal stormwater pond system to be constructed on Parcel D or reserve capacity in the existing stormwater pond system to accept stormwater from the future 44th Avenue extension. The agreement must be entered into prior to Preliminary Site Plan approval for Parcel D.

7. All roads shown on the General Development Plan, including required stub-outs to the property boundary shall be dedicated to Manatee County with adequate rights-of-way as determined by the Transportation Department except for the bridge approach for the 44th Avenue crossing of I-75.

Staff does not object proposed changes to the Transportation Conditions.

- **Update the Development Order to reflect terminology changes, and department references.**

  Other amendments to the Development Order are proposed to reflect terminology changes and department name references.

Conclusion

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

ATTACHMENTS:

1. Ordinance 13-25
2. Copy of Newspaper Advertising
3. Traffic Impact Statement
4. Map H

ORDINANCE ~~12-15~~13-25 – CREEKWOOD (DRI # 13)

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, FLORIDA STATUTES, FOR THE CREEKWOOD DEVELOPMENT OF REGIONAL IMPACT, (ORDINANCE 12-15) TO APPROVE THE FOLLOWING CHANGES TO MAP H AND THE ORDINANCE: 1) MODIFY THE LAND USE OF PARCEL G FROM OFFICE TO RESIDENTIAL; 2) INCREASE THE TOTAL NUMBER OF RESIDENTIAL UNITS BY 112 FOR A TOTAL OF 1,362 UNITS AND DECREASE THE OFFICE SQUARE FOOTAGE BY 125,000 SQUARE FEET FOR A TOTAL OF 100,000 SQUARE FEET; 3) DELETE LAND USE CONDITION #1 REGARDING MAXIMUM DENSITY IN THE WATERSHED; 4) AMEND THE STIPULATIONS RELATED TO THE I-75 BRIDGE APPROACH; AND 5) UPDATE THE DEVELOPMENT ORDER TO REFLECT TERMINOLOGY CHANGES, CURRENT LAND DEVELOPMENT CODE AND COMPREHENSIVE PLAN AMENDMENTS, AND DEPARTMENT REFERENCES; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, CREEKWOOD, INVESTORS, LTD., hereinafter referred to as "CREEKWOOD", proposed a Development of Regional Impact (DRI) for a mixed-use development located in Manatee County; and

WHEREAS, on August 27, 1985, Manatee County adopted Resolution R-85-149 granting Creekwood a DRI Development Order; and

WHEREAS, on October 22, 1985, Manatee County approved Resolution R-85-219 amending Resolution R-85-149 by providing for clarification from the Department of Community Affairs; and

WHEREAS, on May 20, 1986, Manatee County approved Resolution R-86-112 amending Resolution R-85-219 by deleting two hundred and forty (240) plus or minus acres from the approved Creekwood DRI Development Order; and

WHEREAS, on April 22, 1993, Manatee County approved Resolution R-93-25 amending Resolution R-86-112 by approving amendments to Map H, extending the build out date, and other various changes; and

WHEREAS, on December 15, 1998, Manatee County approved Ordinance 98-49 amending Resolution R-93-25 increasing the commercial uses by 69,500 square feet and land area by 2.3 acres, changing the land use designation for Parcels C-1 and C-2 from

Highway Tourist Oriented at General Commercial to General Commercial, and combining Parcels C-1, C-2, and O-1 into a redesignated Parcel C; and

WHEREAS, on March 28, 2002, Manatee County approved Ordinance 00-07 amending Ordinance 98-49 to amend Phase IV of the Project Phasing Conditions to delete 25,000 square feet of office space and add 25,000 square feet of commercial space on Parcel C, modify the Project Phasing Deadlines to reflect current development approvals and schedules for the balance of approved development for this DRI, amend General Condition 17 requiring all Site Plans to comply with the 1990 Land Development Code; and other various changes; and

WHEREAS, on January 6, 2004, Manatee County approved Ordinance 04-28 amending Ordinance 00-07 to redesignate parcel identifications, add an additional roadway connection to the west, modify the Project Phasing Table to clarify, eliminate, and redistribute approved development (reduce industrial to 950,000 square feet, clarify allocation of commercial approved in the industrial category, expand the range of commercial and industrial uses permitted east of I-75, decrease residential units from 2,305 to 1,617), update and modify the Project Phasing Table to recognize completed development, transfer industrial, office, and commercial square feet from Phase I and II to Phases III and IV, amend the Development Order to update terminology and departmental references; and other changes for internal consistency, and allow biennial rather than annual DRI reports.

WHEREAS, on January 5, 2006, Manatee County approved Ordinance 05-41 amending Ordinance 04-28 to decrease residential units from 1,617 to 1,250, increase office square footage from 160,000 to 225,000,transfer 6 residential units from Phases I and II , delete the footnote under Table 1 requiring Preliminary Site Plans be submitted 18 months prior to the build out date, transfer 6 residential units from Phases I and II to Phase IV (a 13-year extension to buildout; 18-year cumulative extension), and amend the Development Order to update terminology and departmental references; and other changes for internal consistency, including recodification of the existing development order.

~~**WHEREAS**, on March 1, 2012, Control Storage, Inc. filed a Notice of Proposed Change to the approved Development Order with the Manatee County Board of County Commissioners, pursuant to the provisions of Section 380.06, Florida Statutes; and~~

WHEREAS, on August 2, 2012 Manatee County approved Ordinance 12-15, amending Ordinance 05-41 ~~the Notice of Proposed Change proposed to modify Map H and the Development Order~~ to add 30,000 square feet to an existing 50,000 square foot mini-warehouse project located on Parcel C-5; update the Development Order to reflect the project extensions previously authorized by the State of Florida and Manatee County; update the water quality monitoring conditions; update the Development Totals and Table 1 – Phasing by Use to clarify previously approved reduction of 150,000 square feet of industrial entitlements; and update the Development Order to reflect terminology

changes, current Land Development Code and Comprehensive Plan amendments, and department references; and

WHEREAS, on May 16, 2013, Wells Fargo Bank, N.A. 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 procedure; and

WHEREAS,the application includes a request to modify the land use of Parcel G from Office to Residential; to increase the total residential units by 112 for a total of 1,362 units and to decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; ~~and~~ to delete Land Use condition #1 regarding maximum density in the watershed; and to amend the stipulations related to the I-75 bridge approach.

WHEREAS, the described project lies within the unincorporated area of Manatee County, a political subdivision of the State of Florida; and

WHEREAS, the public notice requirements of Manatee County and Chapter 380.06, Florida Statutes have been adhered to and satisfied; and the Planning Commission held a duly noticed public hearing; and

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

WHEREAS, the Planning Commission has reviewed the application to amend the Development Order ~~of the Notice of Proposed Change~~ and has filed a recommendation on this application with the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners has received and considered the recommendation of the Planning Commission; and

WHEREAS, the Board of County Commissioners of Manatee County on ~~August 2, 2012~~ December 17, 2013, held a duly noticed public hearing on Ordinance 13-25 and the application to amend the Development Order ~~for the Notice of Proposed Change,~~ and has solicited, received, and considered reports, comments, and recommendations from interested citizens, county ~~and city~~ agencies, the applicant, ~~the Tampa Bay Regional Planning Council, the Department of Economic Opportunity,~~ as well as the review and report of the Manatee County Building and Development Services Department.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA IN A REGULAR MEETING ASSEMBLED THIS ~~2nd DAY OF AUGUST, 2012~~ 17th DAY OF DECEMBER, 2013 AS FOLLOWS:

SECTION 1. AMENDMENT AND RESTATEMENT OF DEVELOPMENT ORDER FOR DRI 13, ORDINANCE 12-15~~05-41~~.

The previous development order for Creekwood, which was adopted on August 27, 1985, and all subsequent amendments are replaced in their entirety, provided this amendment shall not be construed to terminate the rights of the developer, if any, granted under Section 163.3167(8) Florida Statutes, to the extent such rights have previously been granted and 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 amendment of approved Map H, the recommendation and findings of the Planning Commission of Manatee County, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the recommendation of the Manatee County Planning Commission concerning the ~~Notice of Proposed Change to the DRI~~ application to amend the Development Order as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners held a public hearing on ~~August 2, 2012~~ December 17, 2013, regarding the ~~Notice of Proposed Change to the DRI~~application to amend the Development Order described herein, in accordance with the requirements of Manatee County Ordinance 90-01, as amended (the Manatee County Land Development Code) and Ordinance 89-01, as amended (the 2020 Manatee County Comprehensive Plan) and has further considered the testimony, comments, and information received at the Public Hearing.

C. The proposed change to the DRI regarding the property described in Exhibit "A" is found to be consistent with the requirements of Manatee County Ordinance 89-01, as amended (the 2020 Manatee County Comprehensive Plan), provided it proceeds in accordance with the Development Conditions specified herein.

D. The real property, which is the subject of this Development Order, is legally described as set forth in Exhibit "A" of this Development Order.

E. The Project is not in an Area of Critical State Concern, as designated pursuant to Section 380.05, Florida Statutes.

F. The authorized agent for the Project is King Engineering Associate~~s~~, Inc., and their address is 2930 University Parkway, Sarasota, Florida 34243.

G. The original owner of the property was ~~is~~ Creekwood Investors, Ltd., ~~Professional Place LLC~~, and the owner of Parcel G is Wells Fargo Bank, NA, ~~and Control Storage, Inc~~.

H. A comprehensive review of the impacts generated by the Development has been conducted by the departments of Manatee County, the Planning Commission~~,~~ and the Board of County Commissioners., ~~TBRPC, and the Department of Economic Opportunity (DEO)~~.

I. All "WHEREAS" clauses preceding Section 1 of this Ordinance are adopted as findings of fact.

SECTION 3. CONCLUSIONS OF LAW

Based upon the previous findings of fact and the following conditions of the Development Order, the Board of County Commissioners of Manatee County concluded that:

A. 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 Strategic Regional Policy Plan, and Ordinance 89-01, as amended (The 2020 Manatee County Comprehensive Plan, as amended).

B. 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.

C. That the review by the County, ~~TBRPC,~~ other participating agencies, and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Development Order.

D. That the changes proposed by this amendment to Ordinance ~~05-41~~12-15 as described in Section 4 and which were requested in the application to amend the Development Order ~~,Notice of Proposed Change~~ along with the previous changes to the DRI, ~~cumulatively do~~ are not ~~constitute~~ a Substantial Deviation or an NOPC pursuant to Section 380.06(19)(e)2, Florida Statutes.

SECTION 4. AMENDMENTS TO APPROVED DEVELOPMENT

The application to amend the Development Order for ~~a Notice of Proposed Change to~~ the Creekwood DRI is hereby approved, amending the previous Development Order and its

amendments in their entirety, subject to the conditions listed herein, to allow the following changes in the plan of development:

1. Modify Map H attached hereto Exhibit "B" and the Development Order with the following changes:

A. Modify the use of Parcel G from Office to Residential;

~~A.~~B. ~~Add 30,000 square feet to an existing 50,000 square foot mini-warehouse project located on Parcel C-5~~Increase the number of Residential units by 112 for a total of 1,362 units with a simultaneous decrease of office square footage by 125,000 square feet to allow a revised total of 100,000 square feet;

C. Delete Land Use Condition #1 regarding the maximum density in the Watershed.

~~Update the Development Order to reflect the project extensions previously authorized by the State of Florida and Manatee County;~~

~~A. Update the Water Quality Monitoring conditions;~~

~~B. Update the Development Totals and Table 1 - Phasing by Use to clarify previously approved reduction of 150,000 square feet of industrial entitlements; and~~

D. Amend the stipulations related to the I-75 bridge approach; and

~~D.~~E. Update the Development Order to reflect terminology changes, ~~current Land Development Code and Comprehensive Plan amendments~~, and department references.

SECTION 5. DEVELOPMENT COMPONENTS

Approval of this ordinance authorizes development of the following land uses, when developed in conjunction with the terms of this ordinance, and any applicable local, regional, state, or federal regulations.

A. ~~1,250~~ 1,362 dwelling units

B. 603,000 square feet of commercial

C. 800,000 square feet of industrial

D. ~~225,000~~ 100,000 square feet of office

E. 100 room hotel (93,000 square feet)

F. 80,000 square feet of mini-warehouse

SECTION 6. DEVELOPMENT CONDITIONS

PROJECT PHASING AND BUILDOUT CONDITIONS

1. The developer shall comply with the deadlines contained in the revised phasing schedule, listed in Table 1 below:

Table 1 - Phasing by Use

	PHASES				
Uses	**Acreage 818.3**	**I, II (Complete)**	**III (1996-11/22/2018)**	**IV (2001-11/22/2019)**	**Total**
RESIDENTIAL	~~374~~ 390.1	592	140	~~518~~ 630	~~1,250~~ 1,362
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HOTEL [Hotel or motel - 380.0651(3)(g)]	~~52.53~~			100 rooms 93,000	100 rooms 93,000
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INDUSTRIAL	170.94		230,000	570,000***	800,000***
MINI-WAREHOUSE	6.5			80,000****	80,000****
OPEN SPACE (ROADS, RIGHT-OF-WAY, CONSERVATION, PRESERVATION, ETC.)	113.13				

* Office space may include up to 85,000 square feet of medical office. Office entitlements have been removed from Parcel G for a total reduction of 125,000 sq. ft. of office space. The reduction of office entitlements was requested by the owner of Parcel G and approved by the Board of County Commissioners on December 17, 2013 (Ordinance 13-25). No entitlements have been taken from any other Parcel in the DRI at that time.

** Construction of the initial 50,000 sq. ft. of Mini-Warehouse was acknowledged within the RY 2007-08 Annual Report. The Annual Report reflected that 50,000 sq. ft. of Mini-Warehouse was equivalent to 24,000 sq. ft. of Commercial. As appropriate, this amount of Commercial has been deducted from the Phase IV and overall Commercial entitlements reflected in this Table for the project.

*** 150,000 sq. ft. reduction of industrial entitlements was requested by the master developer and approved by the Board of County Commissioners on December 4, 2008 [Z-84-76(R8)].

**** Mini-Warehouse consists of 50,000 sq. ft. constructed during 2007-08 as well as the 30,000 sq. ft. expansion proposed with Ordinance 12-15.

***** Commercial acreage includes Hotel and Office to reflect acreage of mixed use, non-residential parcels. The acreage of the Commercial only parcels is 71.9 acres and the Mixed Use parcel is 65.73 acres.

2. The developer shall submit a revised transportation analysis with any request for project extension, beyond those which may be granted by State law. The Manatee County Board of County Commissioners shall review this analysis and determine whether or not the requested extension constitutes a Substantial Deviation pursuant to Section 380.06 Florida Statutes.

3. The developer must adhere to the following phasing buildout schedule.

Phase I - 1986-1996
Phase II - 1993-2003
Phase III - 1996-November 22, 2018
Phase IV - 2001-November 22, 2019

4. Preliminary Site Plans shall be valid for a maximum period of five (5) years. Final Site Plans shall be valid for a maximum period of four (4) years, however, not to exceed the end of the phase for which development is proposed as described in the phasing build out schedule.

LAND USE CONDITIONS

~~1 Development within the Evers Reservoir Watershed shall be restricted to a maximum density of five dwelling units per acre. Maximum density for all other parcels shall be as noted on the General Development Plan.~~

1~~2~~. At the time of Preliminary Site Plan submittal, the applicant shall demonstrate compliance with the requirements of the Planned Development District in effect at that time including, but not limited to, such concerns as Entranceway requirements, aesthetic appearance from State Road 70 (S.R. 70) and Interstate 75 (I-75), ample provision for open space, adequate restrictions to prohibit unsightly vehicles, trash, etc., and a maintenance program which assures that an attractive appearance will be maintained.

2~~3~~. Light manufacturing, industrial service establishments, wholesale trade establishments, research and development activities, warehouse, mini-warehouse, heavy printing, and ancillary office use are permitted uses proposed within Parcel I. Construction service establishment (with no retail and rental sales) is allowed on the east side of Lena Road only. Industrial uses to be constructed within the Evers Reservoir Watershed Protection Overlay District, must employ Best Possible Technology so that such uses will not be contrary to the public health, safety, and welfare. Best Possible Technology shall be in accordance with the laws in effect at the time of Preliminary Site Plan approval and shall be shown on the plan or plat for consideration and approval.

3 All buildings, parking, and service areas within Parcels MU and I shall maintain a minimum setback of 100 feet from S.R. 70 and I-75. All trash and garbage receptacles that are visible from S.R. 70, I-75, 54th Drive East, and adjacent residential shall be screened with materials similar to the adjacent building

facade. All truck loading, service areas, outside storage, and parking of heavy equipment, semi-trucks or trailers or other vehicles over 1-1/2 tons shall be located at the non-street side of the building when adjacent to I-75, and S.R. 70, unless they are not visible from a height of five (5) feet at the edge of pavement of said street, to be determined at time of Certificate of Occupancy.

4. The Developer shall provide a 20-foot wide greenway adjacent to one side of the right of way for Lena Road, from S.R. 70 to the northern terminus of Lena Road. Within this greenway, the Developer shall install a ten foot wide paved bicycle and pedestrian path.

5. The developer shall be allowed to construct a total of ~~1,250~~1,362 dwelling units. Dwellings shall be constructed in accordance with the density approved for each specific parcel in the revised Map H (Exhibit "B").

BUFFER CONDITIONS

1. (Reserved)

2. a. A building setback of at least fifty (50) feet shall be provided west of and adjacent to the existing power line easement traversing Parcels MU & I~~)~~. Native trees lying within shall not be removed. Trees of a native species shall be planted within 20 feet of the FP&L line where the base of trees closer than twenty-five (25) feet apart do not already exist. In addition, the screening buffers required between zoning district boundaries by the Land Development Code shall be required, except for the requirements for trees if more stringent within this stipulation. These plantings shall occur prior to a certificate of occupancy for each lot and they shall meet the minimum standards of the Land Development Code.

   b. A 50-foot wide roadway buffer shall be required along east side of I-75.

   c. Buildings on the east side Lena Road in Parcel I shall be located on the western two-thirds of the lots.

3. Residential

   a. The 100-foot wide roadway buffer along the west side of I-75 shall be provided. Additionally, the depth, design, and location of landscaped buffers will be determined when a Preliminary Site Plan is submitted for approval. Continued maintenance of these buffers shall be assured through appropriate measures such as covenants and deed restrictions.

   b. Prior to Final Site Plan approval a noise analysis shall be done based on the potential 10 lane configuration of I-75 and anticipated traffic in 2025.

Manatee County noise level criteria for residential properties

MANATEE COUNTY NOISE STIPULATION*
No residential dwelling units shall be allowed in areas where the exterior noise level is; Ldn > 65 dBA.: Leq design hour > 65 dBA: or L10 design Hour > 68 dBA Unless protected by some performance equivalent measure to achieve; Ldn # 65 dBA, Leq design hour # 65 dBA, or L10 design Hour # 68 dBA
NOISE REDUCTION REQUIRED*
Sound attenuating barriers should be provided between the residential units and the noise source. Living areas shall be located and designed in a manner which orients the living areas and outdoor activity areas away from the noise source. Living areas include bedrooms, lanais, and florida rooms. Buildings shall be positioned to maximize the distance between the residential units and the noise source.

* For more detailed information see "The Noise Guidebook – A reference document for implementing the Department of Housing and Urban Development's Noise Policy", prepared by The Environmental Planning Division, Office of Environment and Energy.

ENVIRONMENTAL CONDITIONS

1. At the time of the first Preliminary Site Plan submittal, a Master Drainage Plan for the entire development, including a demonstration that the effect the proposed altering and deepening of existing wetlands will have on their ability to filter surface water and percolating groundwater will be acceptable, shall be submitted. This Master Drainage Plan, though it may have been approved by the County, will be subject to modifications by new state-of-the-art techniques and surface water management performance standards that may be developed or adopted during the course of the development process. (Completed)

2. Stormwater management system design for that portion of the development lying within the Evers Reservoir Watershed shall meet or exceed any requirements of the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as may be amended. This shall not be interpreted to mean that the developer is required to retrofit any approved and existing stormwater systems which do not meet this requirement.

3. In conjunction with the submittal of the first Preliminary Site Plan, a demonstration of compliance with the Watershed Protection, Special Treatment, and Agricultural Fringe Overlay zones shall be submitted. As required by the Special Treatment District, the Board of County Commissioners must make a determination prior to construction that "Best Possible Technology" is being employed prior to construction. (Completed)

4. The Stormwater Maintenance Plan, submitted with the first Preliminary Plan, shall be designed using accepted best management practices to provide a natural hydroperiod within each wetland. Isolated wetlands shall, where practical, be incorporated into the stormwater system. Construction and post-construction monitoring of surface and groundwater quality and quantity shall be outlined and implemented; included in this plan shall also be the design and execution of a maintenance program to ensure the adequate functioning of the system beyond project build out. The stormwater management system shall be designed with enough flexibility to allow for hydroperiod refinement, as needed.

5. All jurisdictional wetlands and streams shall be preserved physically and functionally. The only exception may be those areas in which appropriate environmental permits and local approvals are obtained.

   All development shall comply with the wetland policies of the Comprehensive Plan and the 1990 Land Development Code, as amended. Parcels which have approved Preliminary and Final Site Plans may continue to be developed in a manner consistent with the most recent approval, provided that such approval has not expired.

6. The Preliminary Site Plan, as submitted by phase, shall specifically also outline which and how much of each vegetation association is being preserved. Every effort shall be made by the developer and any future developers of this property to preserve a diverse range of the existing wildlife habitat. These preserve areas should be as large as possible and should be located adjacent to wetlands or a different upland community type.

7. Wetlands on the project site shall be preserved consistent with Map F-1 on page 44 of the ADA additional information response and with s.2.7 of the Council's adopted Future of the Region. In addition, the wetland on Parcel C-5 shall be preserved.

8. Representative tracts of all major upland vegetative communities shall be preserved in their natural state to serve as conservation/recreation areas.

9. The wind and soil erosion controls including sodding, hydroseeding, mulching and bare soil wetting, committed to by the developer in the ADA, shall be required.

WATER QUALITY CONDITIONS

1. To assure water quality is maintained:

   a. The developer shall institute a program to provide a body of initial baseline water quality data before any significant groundbreaking takes place, as well as institute a bi-annual on-going monitoring program through project build-out. Sampling stations shall be at the sampling sites shown in "Exhibit B" (attached to Resolution R-93-25).

   Sampling should be taken on a cresting hydrograph and should occur immediately after a one-inch storm event, and after a dry period, during both the rainy season (June-September) and the dry season (November-February). Significant water quality parameters should include, but not be limited to, the following:

   - streamflow (cu. ft./sec.);
   - turbidity (ntu);
   - specific conductance (umho/cm at 25 deg. C);
   - dissolved oxygen (mg/l);
   - biochemical oxygen demand (mg/l);
   - pH;
   - total orthophosphate as P (m/l);
   - total organic nitrogen as N (mg/l);
   - total organic carbon as C (mg/l);
   - total coliforms, multiple tube method, MPN (col/100 ml):
   - total lead as Pb (ug/l; and
   - temperature (deg. C).

   Any changes to the sampling stations identified in "Exhibit B", the sampling frequency, or the above list of parameters shall be submitted to Manatee County and TBRPC for review and comment, with approval by Manatee County.

   All water quality methods and procedures shall be thoroughly documented and should comply with EPA/DEP Quality Control standards and should be submitted to Manatee County and TBRPC.

b. The developer shall provide baseline water-level contour maps for the unconfined aquifer on the Creekwood site, to reflect conditions present during both the wet season (June - September) and the dry season (November - February). In addition, the developer shall provide for review annually updated ground water contour maps as described above; until the project reaches completion.

2. In order to protect water quality, the following parameters shall be included in the project drainage plan.

a. The developer shall submit for approval a wetland-lake management plan, to be implemented during construction and after completion of the project. The plan shall address, but not be limited to, the following:
- proposed wetland/lake alterations;
- control of exotic species;
- control of on-site water quality
- maintenance of natural hydroperiod; and
- methods for wetland restoration/enhancement.

b. The drainage system shall be designed to provide retention, or detention with filtration/assimilation treatment for the first inch of runoff generated from the site during the 25-year, 24-hour design storm; and that maximum post-development shall not exceed pre-development flows for the same design storm.

c. The proposed retention/detention wetland systems shall be designed to be consistent with the Stormwater and Lake Systems Maintenance and Design Guidelines (TBRPC 1978). The design criteria of this system should include the following elements:

(1) A minimum of 15 but no more than 50 percent of the surface area of the detention pond at the normal water level (NWL) shall consist of a shallow vegetated littoral shelf.

(2) The littoral shelf shall be incorporated into the pond bank, preferably near the pond outlet, to provide a final polishing treatment for the stormwater. As an alternative, the littoral shelf shall be established on a shallow submerged island in the middle of the pond.

(3) A sediment sump shall be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.

(4) The littoral shelf, if located along the pond bank, shall have side slopes no greater than 7:1 with the top of the shelf at NWL and sloping to a depth of three feet or less.

(5) The littoral shelf shall be vegetated with a diverse group of native species which can include Sagittaria, pickerel-weed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as enhance the pond by providing blooming flowers and presenting a more "natural" appearance.

(6) A copy of an operation and maintenance (O & M) schedule shall be provided to the owner, and be submitted to TBRPC with the annual report. The O & M schedule should include an estimation of the frequency of sediment removal operations and should mention the periodic need for removing dead vegetation.

HAZARDOUS WASTE CONDITIONS

1. Prior to the construction of industrial facilities, hazardous waste storage and disposal plans, including transportation of wastes, shall be provided and approved.

2. The developer shall provide separate hazardous waste storage containers/areas within the project prior to or concurrent with the certificate of occupancy for the first business within the project. These containers/areas shall be accessible to all project businesses and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials. Such containers shall also be designed to prevent unauthorized use or entry. The hazardous waste storage containers/areas shall be allowed to be located within the Evers Reservoir Watershed Overlay District until such time as the first industrial use outside of the Evers Reservoir Watershed Overlay District is constructed, at which time the storage containers/areas shall be relocated outside of the Evers Reservoir Watershed Overlay District.

   The developer shall provide to all Creekwood businesses information that:

   a. Indicates types of waste and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designed containers; and

   b. Indicates the location of the specially-designed hazardous waste and materials containers; and

   c. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

   The developer shall ensure that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

ARCHAEOLOGICAL CONDITION

1. At the time a Preliminary Site Plan for the specific areas referenced in the May 24, 1984 letter from the State Division of Archives, History and Records Management is submitted, the developer must show the location of all archaeological and historic sites identified by a systematic, professional archaeological and historic survey. If any sites exist, the ones which are significant must be protected and preserved.

PARKS AND RECREATION CONDITIONS

1. Implementation of the bike/pedestrian path shall be required as committed in the ADA, unless more restrictive conditions have been placed on the development in this order.

2. Development plans shall assure adequate buffering between the industrial, office, commercial, and residential designations of this development through appropriate measures such as covenants and deed restrictions.

3. Assignment of specific responsibility for open spaces shall be made at the time of Final Plat submittal, unless no plat is required, then it shall be required at time of Final Site Plan submittal.

4. The 25-acre park located in the northwest quadrant of the project as shown on Revised Map H shall be deeded to the County by the Developer upon request of the County. The County shall utilize said acreage for public park purposes. The Developer shall be entitled to impact fee credit as set forth in Section 806.4.1 of the Land Development Code, as may be amended. (Completed)

   If the County desires to develop the park prior to the Developer extending Creekwood Boulevard from the southern boundary of Williams Creek north, the County may construct that portion of Creekwood Boulevard necessary to access the park. The Developer shall provide Manatee County with sufficient right-of-way for said construction. If Manatee County undertakes construction of any portion of the roadway, Manatee County shall obtain all necessary permits including any wetland impact permits required for said construction. The Developer shall have the right to review construction plans prior to commencement of construction to determine compatibility with its development plans including, but not limited to, provision of sufficient curb cuts to access development parcels. The road will be constructed to County standards. If the County constructs the road described in this paragraph, and the road is of a type not eligible for impact fee credits pursuant to Section 806.4 of the Land Development Code, then the developer shall reimburse the county for the cost of construction. Reimbursement shall be required in conjunction with Final Site Plan or Final Plat approval for development of the parcels adjacent to that portion of the road which the county constructs. If the road is eligible for impact

fee credit and the county constructs the roadway, the developer will not be entitled to reimbursement. The Developer shall have the right to relocate the right-of-way or constructed roads at its expense.

PUBLIC SAFETY CONDITIONS

1. Creekwood shall contribute a pro-rata share of the cost of constructing a fire station on the Tara public service site. The timing and amount of the required financial contribution shall be determined at the time of Preliminary Site Plan submittal. (Completed)

2. Creekwood shall contribute a pro-rata share of the cost to construct and equip the Sheriff Department's portion of the Public Services Building on the Tara Public Site. The timing and amount of the required financial contribution shall be determined at the time of Preliminary Site Plan submittal. (Completed)

3. The use of street names for the main entrance roads to both the residential and industrial portion of the project may be allowed. The entrance road to the residential portion of the project shall be allowed as a designation of Creekwood Boulevard and the entrance road to the industrial portion of the project may be allowed to be named as a boulevard at a later time. All other streets within the project shall be numbered in accordance with the revised county grid system, unless street names are allowed by the Board of County Commissioners for those other streets at a later time.

TRANSPORTATION CONDITIONS

1. Improvements shall be required to the project entrances on S.R. 70 and to the intersection of S.R. 70 and I-75. Such improvements shall include, but not be limited to, left turn storage lanes, signalization, ramp improvements and additional through lanes. The extent and timing of improvements required shall be determined by the County Transportation Authority with the review of an updated traffic analysis for each increment of development.

2. Developer shall provide for a 120-foot wide right-of-way for 44th Avenue East (Cortez Road Extended) through the project. Two lanes of this roadway shall be constructed through the project by the developer with development of parcels adjacent thereto except for the bridge approach to the I-75 crossing. Sufficient right-of-way to construct the bridge approach shall be ~~dedicated, but~~ reserved and shall not be dedicated unless the right-of-way is voluntarily dedicated by the owner thereof pursuant to a development agreement. tThe developer shall not be responsible for constructing the bridge over I-75 as an on-site transportation improvement. The developer shall enter into an agreement with the County to either oversize the internal stormwater pond system to be constructed on Parcel D or reserve capacity in the existing stormwater pond system to accept stormwater from the future 44th Avenue extension. The agreement must be

entered into prior to Preliminary Site Plan approval for Parcel D.

3. Construction of approximately 1,600 feet of 44th Avenue East, from the west property boundary west to the existing pavement by the developer, to a two-lane section, including payment for acquisition of necessary right of way, shall be required prior to Final Plat approval of the 101st dwelling unit north of Williams Creek. The primary entrance road (Creekwood Boulevard) to the residential portion of the project shall connect to 44th Avenue at the time of construction of the extension of 44th Avenue, mentioned herein. Manatee County shall cooperate with Creekwood in the condemnation of any land necessary to meet this requirement.

4. A cross access easement between Parcels C-6 and C-7 and the Campbell Commercial Center to the west shall be recorded and this roadway connection shall be constructed or bonded prior to the next Certificate of Occupancy for Parcels C-6 or C-7. This cross access easement shall be located within 50 feet of the northern right-of-way of S.R. 70 at the western property line of Parcel C-7 and shall be extended eastward to the northern-most driveway on Creekwood Boulevard in Parcel C-6. (Completed)

5. The proposed entrance onto S.R. 70 at the southwest corner of the development shall be relocated eastward to facilitate the frontage road from the Campbell Commercial Center and to avoid conflict with regard to intersection function. (Completed)

6. The intersections of any driveway (including the frontage road) with the project entrance boulevard onto S.R. 70 shall be located as far from S.R. 70 right-of-way as necessary to avoid conflict with regard to intersection function. (Completed)

7. All roads shown on the General Development Plan, including required stub-outs to the property boundary shall be dedicated to Manatee County with adequate rights-of-way as determined by the Transportation Department except for the bridge approach for the 44th Avenue crossing of I-75.

8. The need for wider internal roads or potential changes in their proposed alignment shall be addressed at the time of Preliminary Site Plan submittal.

9. The proposed owner's association documents shall contain a provision requiring the occupants of the Parcel I to coordinate shift changes to reduce peak hour traffic.

10. In accordance with the Traffic Element of the Manatee County Comprehensive Plan, adopted level of service as of the effective date of this ordinance, as determined by the procedures reported in the Highway Capacity Manual (HCM) 2000 and using the most recent version of the Highway Capacity Software (HCS), or most current HCM manual and HCS software, and in accordance with guidelines and conclusions acceptable to the County, Tampa Bay Regional

Planning Council, and the Department of Economic Opportunity shall be maintained on all of the following thoroughfares which have been identified by the Tampa Bay Regional Planning Council as receiving from Creekwood, five percent (5%) or more of daily Level of Service "C" capacity:

a. University Parkway from Lockwood Ridge Road to I-75

b. S.R. 70 from U.S. 41 to I-75

c. Lockwood Ridge Road from University Parkway to S.R. 70

d. S.R. 64 from Morgan Johnson Road to I-75

e. I-75 from University Parkway to S.R. 70

f. S.R. 780 from Honore Avenue to I-75

g. Intersection of S.R. 70 and S.R. 683

h. Intersection of S.R. 70 and 45th Street East

i. Intersection of S.R. 70 and Caruso Road

j. Intersection of S.R. 70 and U.S. 301

k. Intersection of S.R. 64 and Morgan Johnson Road

l. Intersection of S.R. 70 and the Project Entrances

m. Intersection of S.R. 70 and I-75

n. Intersection of S.R. 70 and U.S. 41

o. S.R. 70 from I-75 to Lorraine Road

No plat or site plan shall receive approval if the approval of such increment of development would generate traffic which, in conjunction with existing traffic and traffic anticipated as a result of other development approvals, and other circumstance upon which the County may base traffic projections, will have the likely result of causing or contributing to a degradation of the Level of Service on these road links and intersections to a daily level below the adopted level of service as of the effective date of this ordinance. S.R. 70 shall maintain an acceptable Level of Service. Each request for plat or site plan approval must be accompanied by a traffic study prepared or provided in this paragraph. Level of Service on the above referenced links and intersections shall be verified as part of each annual report as required by Chapter 380.06(16) Florida Statutes. If any traffic study required above for any increment of development shows that the

project will contribute more than ten percent (10%) of the Level of Service C capacity of S.R. 70 between S.R. 683 (15th Street East) and U.S. 301, then that increment of development shall not be approved unless the improvements necessary to achieve the adopted level of service on that segment under construction.

This stipulation shall not be construed as diminishing any rights to credits for improvements paid for by the developer pursuant to this stipulation that would be available under Stipulation 14 of the general conditions contained herein.

11. Access to the project shall be as shown on the Revised Map H.

12. A cross-access easement shall be provided between Residential Parcels C and E. The location shall be approved by the Building and Development Services and Public Works Departments prior to or concurrent with the Preliminary Site Plan, for Parcel E.

OFF SITE FACILITY DEVELOPMENT FEE CONDITIONS

1. The developer, its successors, and assigns shall be bound by any and all impact fee ordinance(s) in effect at the time of building permit issuance. Impact fees shall be collected by Manatee County unless provisions have been made for another entity to collect all or part of the fees.

GENERAL CONDITIONS

1. The developer shall demonstrate the availability of adequate service/capability to provide, wastewater treatment, solid waste disposal, electricity, police, fire, and EMS service with each Preliminary Site Plan submittal,.

2. All structures shall meet at a minimum the building requirements of the Southern Standard Building Code, as amended.

3. The developer shall satisfy county requirements regarding the provision of EMS and police services to this portion of the County.

4. The energy conservation measures referenced in the ADA shall be required as a condition of approval.

5. Implementation of the bike/pedestrian path shall be required as committed in the ADA.

6. The development of this project shall proceed in accordance with the information plans, projections, representations and materials contained in the Application for Master Development Approval and application for rezoning and General Development Plan approval, except as modified by the stipulations, conditions,

and requirements set forth herein or in the approval of the ADA, or set forth in subsequent DRI or local approvals required for this development.

7. Nothing herein shall be construed as limiting the authority of Manatee County, in the course of review and development of this project, to implement and apply laws, ordinances, rules, and regulations under its jurisdiction, consistent with the approval hereby granted.

8. The matters addressed herein, as well as additional matters that are appropriate to consider at later stages of review, may be reflected in additional or more detailed stipulations, conditions, and requirements to be formulated and applied at later stages of review of this project under local procedures.

9. In the event that the import of any of the stipulations contained herein appears uncertain, interpretation thereof should be by reference to the staff report presented to the Planning Commission and Board of County Commissioners in connection with their consideration of this development proposal, and by reference to the record of the hearings before these bodies.

10. In the event ownership of any portion of the property embraced by this project, or any of the development rights acquired by virtue of this or subsequent approvals, is transferred to any party other than the applicant, the applicant or other transferor of such property or rights shall notify the Board of County Commissioners thereof and shall, in writing, identify the party or parties who will then be responsible to fulfill the obligations and meet the conditions established by these stipulations and by any subsequently established stipulations.

11. Nothing herein shall be construed as authorizing any use of the property other than as described in the General Development Plan hereby approved, nor shall anything herein be construed as denying the property owner or developer any rights to the continuation of existing uses that may be provided by the Land Development Code or other applicable law.

12. The terms "fair share" and "pro-rata share" as used herein refer to a contribution or participation by the developer, whose purpose is to address an impact generated by new development upon the public domain or upon services or facilities provided by the County, in an amount or of a value that reflects as nearly as is practicable, the impact of this development as a proportion of the total of impacts upon the same services, facilities, or element of the Public domain, that are expected to be generated by all developments in the impact area that have received approval or that are specifically anticipated on the basis of submitted development requests.

13. Where these stipulations require, expressly or by implication, an exercise of discretion or judgment, but do not specify the nature or parameters thereof, or where some determination must be made or approval granted or condition satisfied, the necessary decision or judgment shall be made by the County; but

in doing so the County shall act reasonably and in good faith and, where appropriate, in accordance with accepted practice.

14. In the event the County or other government entity with jurisdiction in the matter establishes impact fees or similar charges that are designed to pay the cost of any of the types of facilities, services, or impacts upon the public domain that the developer by virtue of these stipulations has an affirmative obligation to address, and such fees are payable with respect to portions of the development thereafter completed or finally approved, appropriate reductions in developer's obligations as set forth herein shall be considered and should be reflected in stipulations made a part of subsequent approvals.

15. The developer and any successors in interest shall submit annual DRI reports in accordance with Section 380.06(16), Florida Statutes, to Manatee County, the TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on (October 22, 1985) and each year until such time as all terms and conditions of this Order are satisfied. Six copies of this report shall be submitted to the Director of the Manatee County Building and Development Services Department who shall be responsible for assuring the developments compliance with this order, to this end the Director shall review the report for compliance with the terms and conditions of this Order. Should the director decide that further orders and conditions are necessary to ensure compliance with the terms and conditions of this Order, he shall submit the report to the Manatee County Board of County Commissioners. The Developer shall be notified of any Board of County Commissioners hearing wherein such report is to be reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, waiver, or change of conditions as to any terms or conditions of this Order. The annual report shall contain:

a. The information required by the State Land Planning Agency to be included in the annual report, which information is described in the Rules and Regulations promulgated by that Agency, pursuant to Section 380.06(16), Florida Statutes;

b. Changes in the plan of development or phasing for the reporting year and for the next year, together with a description of all development activities proposed to be conducted pursuant to this Order for the year immediately following the annual report;

c. A summary comparison of development activity proposed and actually conducted for the reporting year;

d. A summary providing the actual daily water and sanitary sewer requirements, in terms of gallons per day, for the reporting year and a projection of the expected daily water and sewer flow requirement for each of the five (5) succeeding years;

e. Undeveloped tracts of land that have been sold to a separate entity or developer and the identify of that purchaser, together with a statement listing the names and addresses of any heir, assignee, or successor in interest to this Order;

f. Identification and intended use of lands purchased, leased, or optioned by the Developer adjacent to the DRI site since the Order was issued;

g. An assessment of the Developer's and local government's compliance with conditions of approval contained in the Order;

h. Any requests for a substantial deviation determination that were filed in the reporting year and to be filed during the next year;

i. A statement that all persons have been sent copies of the annual report in conformance with Subsections 380.06(14) and (16), Florida Statutes; and

j. A copy of any notice of the adoption of a development order or the subsequent modification of an adopted development order that was recorded by the Developer, pursuant to Subsection 380.06(14)(d), Florida Statutes.

k. Failure to file an annual report as provided within shall suspend any further development.

16. All references made in Ordinance ~~12-15~~13-25 to a conceptual development plan shall hereinafter refer to revised Map H (Exhibit "B"), as amended herein.

17. All Preliminary and Final Site Plans shall comply with the requirements of the 1990 Land Development Code, as amended. Parcels which have approved Preliminary and Final Site Plans may continue to be developed in a manner consistent with the most recent approval, provided that such approval has not expired.

18. The Developer shall include in each Notice to Buyer for any property sold east of I-75 within the DRI boundaries, a statement that the use of the two hundred forty (240) plus or minus acres excluded from the Creekwood, Ltd. Development of Regional Impact approval is for a County owned treatment facility that may include spray irrigation.

19. If the Development Order is appealed by the ~~DCA~~Department of Economic Opportunity (DEO), the Developer shall pay all costs and fees of County staff and attorneys that the County is required to expend related to said appeal. Said costs and fees shall be paid at the rate of the processing fee for Development of Regional Impacts under the current ~~Planning~~ Building and Development Services Department fee schedules. Payment of all billings by the Developer related to

such reasonable fees and costs shall be paid within 45 days of the submittal of an invoice, except those fees in dispute and under review or appeal. If the Development Order is appealed by ~~DCA~~DEO, and Manatee County chooses to pursue the appeal over the objections of the Developer, the Developer shall not be responsible for costs incurred subsequent to the Developer's objection.

SECTION 7. LEGAL DESCRIPTION

Development of Creekwood shall be restricted to the 818.26 acres owned by the Developer and described by the legal description included as Exhibit "A" attached to, and made a part of, this Development Order.

SECTION 8. GENERAL

1. This Ordinance shall constitute a Development Order issued in accordance with Chapter 380, Florida Statutes.

2. Definitions and matters contained in Chapter 380, Florida Statutes, shall control the construction of any defined terms and matters appearing in the Development Order.

3. The following are hereby incorporated by reference and made a part of this Development Order:

   a. The "Application for Development Approval" together with supporting documents submitted by CREEKWOOD.

   b. The Application for ~~a Notice of Proposed Change.~~an amendment to the Development Order

SECTION 9. RESTRICTIONS ON DOWN-ZONING

The County may not down-zone or reduce the intensity or unit density permitted by this Order prior to November 22, 2019, unless the County can demonstrate that:

(a) Substantial changes in the conditions 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 of intensity or unit density shall be affected only through the usual and customary procedures required by statute and/or ordinance for changes 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 or intensity of the Project, but is included herein to comply with Section 380.06(15)(c)3, Florida Statutes.

SECTION 10. BINDING ORDER UPON DEVELOPER

This Development Order shall be binding upon the Developer.

SECTION 11. DEADLINE FOR COMMENCEMENT OF CONSTRUCTION

Physical development of the Project* shall commence within three years of the effective date of this Ordinance unless the time period for commencement is extended by the Board of County Commissioners (Development has commenced). If more than three years shall elapse between approval of this order and commencement of actual development, or if construction of a phase is not begun or completed by the time frame contained in Section 6. above, or if any five 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, including the Certificate of Level of Service. Any delay in construction commencement shall not be deemed to extend any time frame 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 12. RENDITION

The Building and Development Services Department is hereby directed to send certified copies of this Order within thirty (30) 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~~, and the TBRPC~~.

SECTION 13. NOTICE OF RECORDING

The Developer shall record a notice of amendment ~~adoption~~ of this Order as required pursuant to Chapter 380, Florida Statutes, and shall furnish the ~~Planning~~ Building and Development Services Department 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, and to this end the provisions of this Ordinance are declared severable, but all remaining provisions and portions of this Development Order shall remain in full force and effect.

SECTION 15. EFFECTIVE DATE

This Ordinance shall become effective upon the filing of a certified copy of the executed ordinance with the Department of State; provided, however, that the filing of a notice of appeal pursuant to Section 380.07, Florida Statutes shall suspend development authorization granted by this Development Order until the resolution of said appeal. However, this is not intended to suspend development previously authorized pursuant to Ordinance ~~05-41~~12-15 during the pendency of any appeal.

ADOPTED AND APPROVED with a quorum present and voting this ~~2~~2nd~~, day of August, 2012.~~ 17th day of December, 2013.

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

EXHIBIT A

LEGAL DESCRIPTION FOR REVISED CREEKWOOD

CREEKWOOD

THE EAST ½ OF SECTION 11, TOWNSHIP 35, RANGE 18 E., LESS THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 966, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
ALSO:
THAT PART OF SECTION 12., TOWNSHIP 35., RANGE 18E., LYING WEST OF STATE ROAD NO. 93 (INTERSTATE 75).
ALSO:
THAT PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 35 S., RANGE 18 E., LYING WEST OF STATE ROAD NO. 93 (INTERSTATE 75), AND LYING NORTH OF STATE ROAD NO. 70
ALSO:
THAT PART OF SECTION 13, TOWNSHIP 35 S,. RANGE 18 E,. LYING WEST OF STATE ROAD NO. 93 (INTERSTATE 75), AND NORTH OF STATE ROAD NO. 70.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A LITERWOOD POST FOUND MARKING THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 35 S., RANGE 18 E., SAME BEING THE SOUTHWEST CORNER OF THE EAST ½ OF SECTION 11, TOWNSHIP 35 S., RANGE 18 E., FOR A POINT OF BEGINNING: THENCE S 00°43'18" E, ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 14, A DISTANCE OF 193.63 FT. TO THE NORTHEAST CORNER OF "CAMPBELL COMMERCIAL SUBDIVISION" AS RECORDED IN PLAT BOOK 23, PAGES 141 AND 142, AFORESAID PUBLIC RECORDS: THENCE CONTINUE S 00°43'10" E, ALONG THE EAST LINE OF SAID "CAMPBELL COMMERCIAL SUBDIVISION", SAME BEING THE OCCUPIED WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 513.00 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W OF STATE ROAD NO. 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13160-2503; THENCE S 70°20'03" E, ALONG SAID NORTHERLY R/W, A DISTANCE OF 7.83 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 17120.74 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID NORTHERLY R/W AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°08'15", A DISTANCE OF 339.93 FT. TO THE P.R.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 17256.74 FT.; THENCE RUN SOUTHEASTERLY ALONG SAID NORTHERLY R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°08'15", A DISTANCE OF 342.63 FT. TO THE P.T. OF SAID CURVE; THENCE S 70°20' 03" E. ALONG SAID NORTHERLY R/W, A DISTANCE OF 35.37 FT. TO THE INTERSECTION WITH THE NORTHERLY INTERCHANGE R/W OF STATE ROAD NO. 93 (INTERSTATE 75), AND SAID STATE ROAD NO. 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13075-2402; THENCE S 80°04'21" E, ALONG SAID NORTHERLY INTERCHANGE R/W, 82.10 FT.; THENCE S 70°20'03" E. ALONG SAID NORTHERLY INTERCHANGE R/W, 400.14 FT.; THENCE S 73°01'06" E. ALONG SAID NORTHERLY INTERCHANGE R/W, 100.26 FT.; THENCE S 70°20'03" E, ALONG SAID NORTHERLY INTERCHANGE R/W, 218.97 FT.; THENCE S 78°46'36" E, ALONG SAID NORTHERLY INTERCHANGE R/W, A DISTANCE OF 136.27 FT. TO THE INTERSECTION WITH THE NORTHERLY LIMITED ACCESS R/W, OF SAID STATE ROAD NO. 93 (INTERSTATE 75); THENCE S 70°20'03" E, ALONG SAID NORTHERLY LIMITED ACCESS R/W, 298.34 FT.; THENCE S 72°37'29" E. ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 628.85 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 622.20 FT.; THENCE RUN NORTHEASTERLY ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 52°23'42". A DISTANCE OF 568.98 FT. TO THE P.T. OF SAID CURVE; THENCE N 54°E58'49" E,

ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 351.55 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST, HAVING RADIUS OF 721.51 FT.; THENCE RUN NORTHEASTERLY ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 50°03'07". A DISTANCE OF 632.91 FT. TO THE P.T. OF SAID CURVE, THENCE N 04°55'42" E, ALONG SAID LIMITED ACCESS R/W, 518.38 FT.; THENCE N 00°55'22" E, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 4990.44 FT. TO THE P.C. OF A CURVE CONCAVE TO THE WEST. HAVING A RADIUS OF 5530.30 FT.; THENCE RUN NORTHERLY ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°38'59", A DISTANCE OF 450.42 FT. TO THE INTERSECTION WITH THE LINE OF SECTION 12, TOWNSHIP 35 S., RANGE 18 E.; THENCE N 89°26'05" W, ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 1065.82 FT. TO A CONCRETE MONUMENT FOUND MARKING THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 33 S., RANGE 18 E., SAME BEING THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 35 S., RANGE 18 E.; THENCE N 89°36'09" W, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1404.27 FT. TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 966, AFORESAID PUBLIC RECORDS; THENCE S 00°26'58" W, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 660.16 FT.; TO THE SOUTHEAST CORNER OF SAID CERTAIN PARCEL; THENCE N 89°36'09" W, ALONG THE SOUTH LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 660.00 FT. TO THE SOUTHWEST CORNER OF SAID CERTAIN PARCEL; THENCE N 00°26'58" E, ALONG THE WEST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 660.16 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 11, THENCE N 89°35' 09" W, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 660.11 FT. TO THE NORTHWEST CORNER OF THE EAST ½ OF SAID SECTION11; THENCE S 00°45'32" E. ALONG THE WEST LINE OF THE EAST ½ OF SAID SECTION 11. A DISTANCE OF 5292.41 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 11, 12, 13 AND 14 MANATEE COUNTY, FLORIDA.

CONTAINING 540.56 ACRES MORE OR LESS

CREEKWOOD-EAST

THAT PART OF SECTIONS 12 AND 13, TOWNSHIP 35 S., RANGE 18 E., LYING EAST OF STATE ROAD NO. 93 (INTERSTATE 75), AND LYING NORTH OF STATE ROAD NO. 70. LESS LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1029, 3035 AND OFFICIAL RECORDS BOOK 1145, PAGE 3377, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A"

COMMENCE AT A CONCRETE MONUMENT FOUND MARKING THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 S., RANGE 18 E.; THENCE S 01°00'42" W. ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 13, A DISTANCE OF 821.22 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W OF STATE ROAD NO. 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13075-2402; THENCE N 70°20' 03" W, ALONG SAID NORTHERLY R/W , 1492.94 FT.; THENCE N 33°10'32" W. ALONG SAID NORTHERLY R/W, 83.17 FT.; THENCE N 70°20'03" W, ALONG SAID NORTHERLY R/W, 70.00 FT.; THENCE S 74°16'39" W. ALONG SAID NORTHERLY R/W, A DISTANCE OF 79.73 FT. FOR A POINT OF BEGINNING: THENCE CONTINUE S 74°16'39" W, ALONG SAID NORTHERLY R/W, 7.01 FT.; THENCE N 70°20'30" W, ALONG SIAD NORTHERLY R/W, A DISTANCE OF 512.00 FT. TO THE INTERSECTION WITH THE NORTHERLY INTERCHANGE R/W OF STATE ROAD NO. 93 (INTERSTATE 75), AND STATE ROAD NO. 70; THENCE N 60°14'02" W. ALONG SAID NORTHERLY INTERCHANGE R/W, A DISTANCE OF 217.32 FT. TO THE INTERSECTION WITH THE NORTHERLY LIMITED ACCESS R/W OF SAID STATE ROAD NO. 93

(INTERSTATE 75), THENCE N 70°20'03" W. ALONG SAID NORTHERLY LIMITED ACCESS R/W, 400.78 FT.; THENCE N 66°31'12" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 493.00 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 216.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 48°55'49", A DISTANCE OF 184.46 FT. TO THE P.T. OF SAID CURVE; THENCE N 17°35'24" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 250.16 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1300.23 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°33'05", A DISTANCE OF 352.91 FT. TO THE P.T. OF SAID CURVE; THENCE N 33°08'29" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 513.14 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1338.39 FT.; THENCE RUN NORTHWESTERLY AND NORTHERLY, ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°55'25", A DISTANCE OF 769.08 FT. TO THE P.T. OF SAID CURVE; THENCE N 00°13'03" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 4772.30 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SECTION 12, TOWNSHIP 35 S., RANGE 18 E.; THENCE S 89°26'05" E, ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 1251.28 FT. TO A CONCRETE MONUMENT FOUND MARKING THE NORTHWEST CORNER OF THE EAST ½ OF SAID SECTION 12; SAME BEING THE INTERSECTION WITH THE WEST LINE OF A 330.0 FT. WIDE FLORIDA POWER & LIGHT CO. EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 612, PAGE 508, AFORESAID PUBLIC RECORDS; THENCE S 00°25'44" E, ALONG SAID WEST LINE, SAME BEING THE WEST LINE OF SAID EAST ½ OF SECTION 12, A DISTANCE OF 2561.96 FT. MORE OR LESS TO THE INTERSECTION WITH THE PHYSICAL CENTERLINE OF A 30.0 FT. WIDE FLORIDA GAS TRANSMISSION COMPANY EASEMENT (FORMERLY KNOWN AS HOUSTON TEXAS GAS & OIL CORPORATION, A DELAWARE CORPORATION) AS DESCRIBED AND RECORDED IN DEED BOOK 399, PAGE 117, AFORESAID PUBLIC RECORDS; THENCE N 59°39'32" E, ALONG SAID PHYSICAL CENTERLINE 63.89 FT.; THENCE N 59°36'32" E, ALONG SAID PHYSICAL CENTERLINE, A DISTANCE OF 316.93 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID 330.0 FT. WIDE POWER & LIGHT COMPANY EASEMENT, SAME BEING THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1029, PAGE 3035, AFORESAID PUBLIC RECORDS; THENCE S 00°25'44" E, ALONG SAID EASEMENT LINE AND THE WEST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 2932.78 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID EAST ½ OF SECTION 12, SAME BEING THE NORTH LINE OF THE EAST ½ OF SAID SECTION 13; THENCE S 01°10'44" W, ALONG SAID EAST EASEMENT LINE AND THE WEST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 2180.91 FT.; THENCE RUN ALONG THE SOUTHERLY LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 1029, PAGE 3035, THE FOLLOWING COURSES AND DISTANCES; N 74°57'17" E, A DISTANCE OF 109.85 FT. TO A POINT ON A CURVE WHOSE RADIUS POINT LIES N 74°57'17" E, 290.00 FT.; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°25'25", A DISTANCE OF 184.36 FT. TO THE P.T. OF SAID CURVE; THENCE S 51°28'08" E, 69.79 FT.; THENCE S 67°12'08" E, 132.97 FT.; THENCE S 76°52'08" E, 119.24 FT.; THENCE N 83°31'52" E, 306.67 FT.; THENCE S 06°28'08" E, 180.22 FT.; THENCE S 19°39'57" W, 360.60 FT. TO THE POINT OF BEGINNING.

CONTAINING 265.86 ACRES MORE OR LESS.

PARCEL "B"

COMMENCE AT A CONCRETE MONUMENT FOUND MARKING THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 S., RANGE 18 E., THENCE S 01°00'42" W, ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 13, A DISTANCE OF 279.10 FT. FOR A <u>POINT OF BEGINNING</u>: THENCE CONTINUE S 01°00'42" W, ALONG SAID EAST LINE OF THE SOUTHEAST 1/4, A DISTANCE OF 542.12 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W

OF STATE ROAD NO. 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13075-2402; THENCE N 70°20'03" W, ALONG SAID NORTHERLY R/W. 1492.94 FT., THENCE N 33°10'32" W, ALONG SAID NORTHERLY R/W 1.61 FT. TO THE INTERSECTION WITH THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1029, PAGE 3035, AFORESAID PUBLIC RECORDS; THENCE RUN ALONG THE SOUTHERLY LINE OF SAID CERTAIN PARCEL THE FOLLOWING COURSES AND DISTANCES; N 19°39'57" E, 215.12 FT.; THENCE N 83°57'11" E, A DISTANCE OF 410.86 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST. HAVING A RADIUS OF 283.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°37'41", A DISTANCE OF 161.16 FT.; THENCE S 43°52'49" E, 121.17 FT.; THENCE S 10°11'25"E, 72.10 FT.; THENCE S 43°52'49" E, 240.00FT.; THENCE S 34°24'49" E, 88.00 FT.; THENCE N 85°27'11" E. 175.71 FT.; THENCE N 75E17'11" E, 113.23 FT.; THENCE N 34°52'11" E. 120.63 FT.; THENCE S 74°45'26" E, 103.64 FT. TO THE POINT OF BEGINNING.

CONTAINING 11.84 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING IANGES IN UNINCORPO-RATED MANATEE COUNTY

ICE IS HEREBY GIVEN, the **Planning Commission lanatee County** will con- a Public Hearing on **sday, December 12, 2013 :00 a.m. at the Manatee nty Government ilnistrative Center, 1st r Chambers, 1112 Manatee nue West, Bradenton, ida** to consider, act upon, forward a recommendation ie Board of County ımissioners on the following ters:

IV-12-16(Z)(G) – THE NE CORPORATION/CONE) GRAHAM, INC. MULLEN CREEK PARK (DTS#20120453)

Ordinance of the Board of inty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land elopment Code), relating to ing within the unincorporat-ırea; providing for a rezone ıpproximately 92.13 acres, ıted on Bayshore Road and m View Road (61st Street) in denton, from A-1 (Suburban iculture), PD-RV (Planned velopment – Recreational iicle), RSF-4.5 (Residential gle Family, 4.5 dwelling units acre), NC/M (Neighborhood nmercial - Medium), and R (Planned Development – sidential) zoning districts to PDRV (Planned velopment – Recreational iicle) zoning district; and ɔrove a General velopment Plan for 499 reational vehicle sites, a nmunity recreational area, ce, and shower areas; sub-t to stipulations as condi-ıs of approval; setting forth dings; providing a legal scription; providing for sever-lity, and providing an effec-e date.

R-13-24(Z)(P) – LAWRENCE AGAN, ESTHER R. FERGU-N REAL ESTATE TRUST D RESIDUAL TRUST UNDER LL OF ESTELLE L. REAGAN ZONE/DEL TIERRA SUBDI-SION (F.K.A. REAGAN NCH) (DTS #20130188; ZZSAW #00000209)

Ordinance of the Board of unty Commissioners of natee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land elopment Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)

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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)

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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parce G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
3. Add 112 residential units and decrease office square footag by 125,000 square feet;
4. Delete Land Use Condition related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEK-WOOD COMMONS WEST (DTS #20130206)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately _ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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) 748-4501 x6878; e-mail to: planning.agenda@mymanatee.org

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

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

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.
MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
11/27/2013

Copy of Newspaper Advertising

Sarasota Herald Tribune

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, December 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:

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)
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 92.13 acres, located on Bayshore Road and Palm View Road (61st Street) in Bradenton, from A-1 (Suburban Agriculture), PD-RV (Planned Development – Recreational Vehicle), RSF-4.5 Residential Single Family, 4.5 dwelling units per acre), NC/M (Neighborhood Commercial - Medium), and PDR (Planned Development – Residential) zoning districts to the PDRV (Planned Development – Recreational Vehicle) zoning district; and approve a General Development Plan for 499 recreational vehicle sites, a community recreational area, office, and shower areas; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-24(Z)(P) – LAWRENCE REAGAN, ESTHER R. FERGUSON REAL ESTATE TRUST AND RESIDUAL TRUST UNDER WILL OF ESTELLE L. REAGAN REZONE/DEL TIERRA SUBDIVISION (F.K.A. REAGAN RANCH) (DTS #20130188; BUZZSAW #00000209)
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 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)
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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)
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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parcel G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatmegt Overlay Districts);
3. Add 112 residential units and decrease office square footage by 125,000 square feet;
4. Delete Land Use Condition 1 related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately ½ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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

Date of pub: November 27, 2013

grimail crawford inc.
Your Comprehensive Engineering, Planning and GIS Solutions Consultants

June 5, 2013

Mr. Bob Agrusa, P.E.
Transportation Planning Manager
Manatee County Public Works Department
Transportation Planning Division
1022 26th Avenue East
Bradenton, Fl. 34208

Subject: Creekwood DRI – Parcel G Revision – Concurrency Determination - Revised

Dear Mr. Agrusa:

Provided below is a concurrency determination for the proposed revision to Parcel G of Creekwood DRI. Parcel G has concurrency approval for 60,000 square feet of medical office. Its location within Creekwood DRI is illustrated under Attachment 1, and the corresponding trip generation, based on the ITE equation for each time period, is reported below in Table 1.

Table 1: Parcel G Trip Generation
Land Uses with Concurrency Approval

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips			Gross PM Peak Hour Trips		
					In	Out	Total	In	Out	Total
Medical Office	720	60,000	s.f.	2,238	126	17	143	52	132	184

Source : ITE, Trip Generation Manual, 9th Ed., 2012

The use for this parcel is proposed to be revised to contain 116 townhomes, instead of 60,000 square feet of medical office. Under the revised land use configuration, the trip generation would change as follows:

grimail crawford inc.
Your Comprehensive Engineering, Planning and GIS Solutions Consultants

Table 2: Parcel G Trip Generation
Proposed Land Use Revision

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips			Gross PM Peak Hour Trips		
					In	Out	Total	In	Out	Total
Townhouse	230	116	d.u.	732	10	48	58	46	22	68

Source : ITE, Trip Generation Manual, 9th Ed., 2012

As can be seen from Table 2, inbound, outbound, and total PM peak hour trip generation associated with the revised configuration is lower than that of current concurrency-approved medical office use. Therefore, there would not be any additional transportation impacts from the proposed change.

In summary, since the proposed change does not create any additional transportation impacts, concurrency would still be satisfied. Should you have any questions, please do not hesitate to call me at 813-387-0084.

Sincerely,
GRIMAIL CRAWFORD, INC.

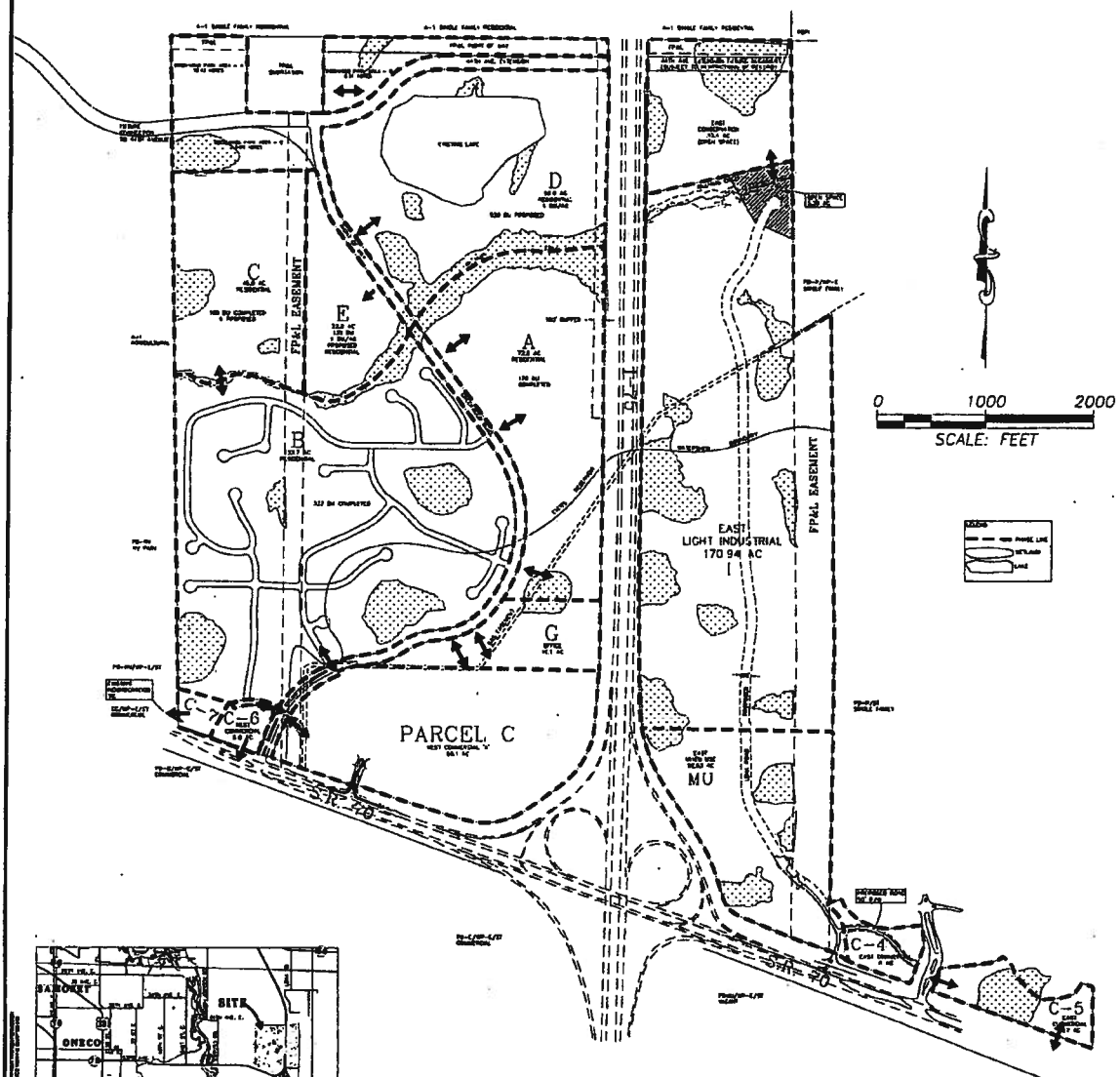
Richard A. Stiles, AICP
Senior Associate

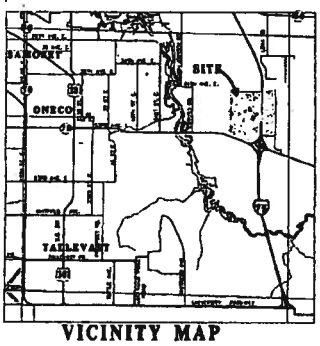
Attachment

cc: Scott Griffith, M/I Homes
Darenda Marvin, AICP, Grimes Goebel

LAND USE/ACREAGE SUMMARY

LAND USE	ACRES	UNITS/SQUARE FEET
RESIDENTIAL	374	1250 (592 COMPLETE/658 REMAINING)
INDUSTRIAL	170.94	800,000 SF
COMMERCIAL ONLY (C-6,C-7,C)	71.9	482,000 SF
OFFICE ONLY (O)	18.1	125,000 SF
MIXED NON-RESIDENTAL (MU,C-4,C-5)	85.73	
COMMERCIAL		121,000 SF
OFFICE		100,000 SF
NON-WORK/HOUSE (ONLY C-5)	6.5	80,000 SF
HOTEL		100 ROOMS(83,000 SF)
ROADS/OPEN SPACE	54.73	
CONSERVATION	33.4	
PARKS	25	
PROJECT TOTAL	818.3	





VICINITY MAP

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO. FLA.

STATE OF FLORIDA, COUNTY OF MANATEE
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 6TH day of AUGUST 20 12

R.B. SHORE
Clerk of Circuit Court

By: Nancy Harris D.C.

King ENGINEERING ASSOCIATES, INC.
4921 Memorial Highway
One Memorial Center, Suite 300
Tampa, Florida 33634
Phone 813 880-8881
Fax 813 880-8882
www.kingengineering.com
Engineering License #2610

CREEKWOOD

SECTIONS 11, 12, 12 & 14 TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

TITLE: **CREEKWOOD MASTER DEVELOPMENT PLAN**

JOB NO. 4706-000-000
DATE: 02-27-2012
SCALE: 1" = Mile

Exhibit "B"

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	Z-84-76(R10) – Wells Fargo Bank, NA / Creekwood	**TYPE AGENDA ITEM**	Advertised Public Hearing – Consent
DATE REQUESTED	12/12/13 PC	**DATE SUBMITTED/REVISED**	12/04/13
BRIEFINGS? Who?	No	**CONSEQUENCES IF DEFERRED**	N/A
DEPARTMENT/DIVISION	Building & Development Services/ Comprehensive Planning and Public Hearings Division	**AUTHORIZED BY TITLE**	Lisa Barrett, Planning Division Manager
CONTACT PERSON TELEPHONE/EXTENSION	Rossina Leider / 748-4501 ext. 6859 DTS # 20130202	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Rossina Leider / Planner / 748-4501 ext. 6859
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 Z-84-76(R10) 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

- Creekwood DRI is a mixed-use development, located at the NE and NW quadrants of the intersection of State Road 70 and I-75. The DRI development was approved on August 27, 1985.
- On September 3, 1985, the Board of County Commissioners approved a rezone and General Development Plan (GDP) for a ±1,090 acre project (Z-84-76). The GDP was approved to allow 4,081 units, 435,000 square feet of commercial space, 2,000,000 square feet of industrial space, and 184,000 square feet of office space.
- Nine amendments have been made to the GDP, the most recent on August 2, 2012. The total project acreage was reduced to ±818.26 acres and the total amount of development authorized within the latest GDP amendment is 1,250 units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,0000 square feet of mini-warehouse, and 100 hotel rooms.
- The applicant requests to revise the Zoning Ordinance and General Development Plan to:
  - Modify the land use of Parcel G from office to residential;
  - Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
  - Add 112 residential units and decrease office square footage by 125,000 square feet;
  - Delete Land Use Condition 1 related to maximum density in the Watershed;
  - Remove references to Parcel G related to non-residential development;
  - Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
  - Amend the stipulations related to the I-75 bridge approach; and
  - Update the Zoning Ordinance to reflect department references.
- A companion application to amend the Development Order and Map H to the Creekwood DRI is being reviewed under a separate application.
- Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).
- The addition of 112 residential units will not impact the traffic pattern of the surrounding area. The residential use will generate less PM peak-hour trips than the previous approved office complex. No traffic related improvements have been required as a result of this request.
- No impacts to the overall open space and conservation areas of the Creekwood DRI will take place with this proposal. The proposed gross density is in the range of maximum gross density allowed for a project within the RES-6 and MU FLUCs.
- Future residents of Parcel G may be impacted by noise since the site is adjacent to I-75 and to north of an established large commercial development. At time of Preliminary Site Plan, staff will evaluate possible impacts to future residents and will include necessary stipulations

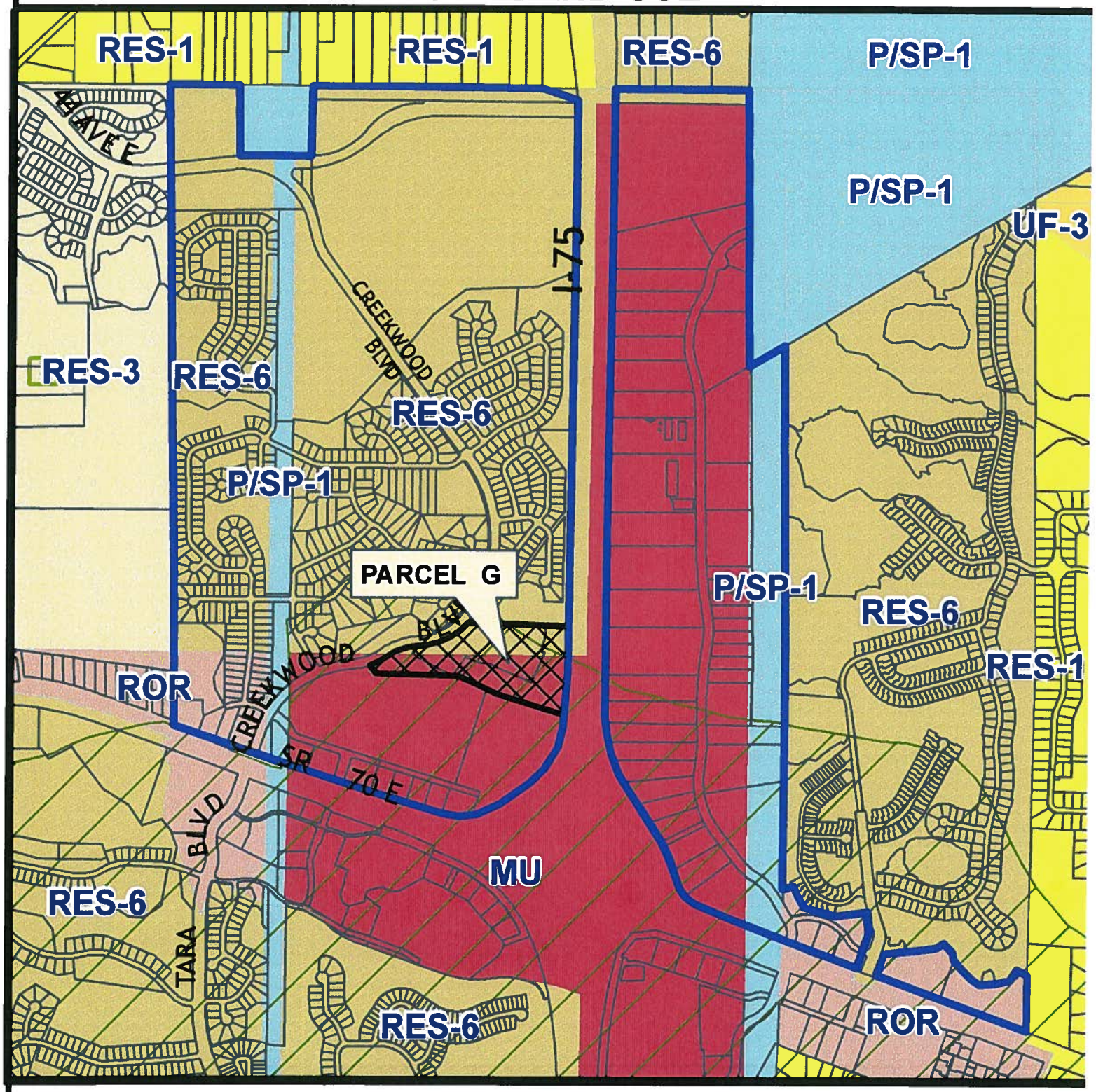
to mitigate them.

- Staff recommends approval of the proposed changes.

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

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

FUTURE LAND USE



Parcel ID #(s) Multiple

Project Name:	Wells Fargo Bank, NA / Creekwood
Project #:	Z-84-76 (R10)
DTS#:	20130202
Proposed Use:	Residential
S/T/R:	Sec 13,11,12 Twn 35 Rng 18
Acreage:	± 818
Existing Zoning:	PD-R, PD-C, PD-I
Existing FLU:	MU, RES-6, PSP, ROR
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

Evers Watershed (WPE)

PARCEL G - ± 20.75 ACRES

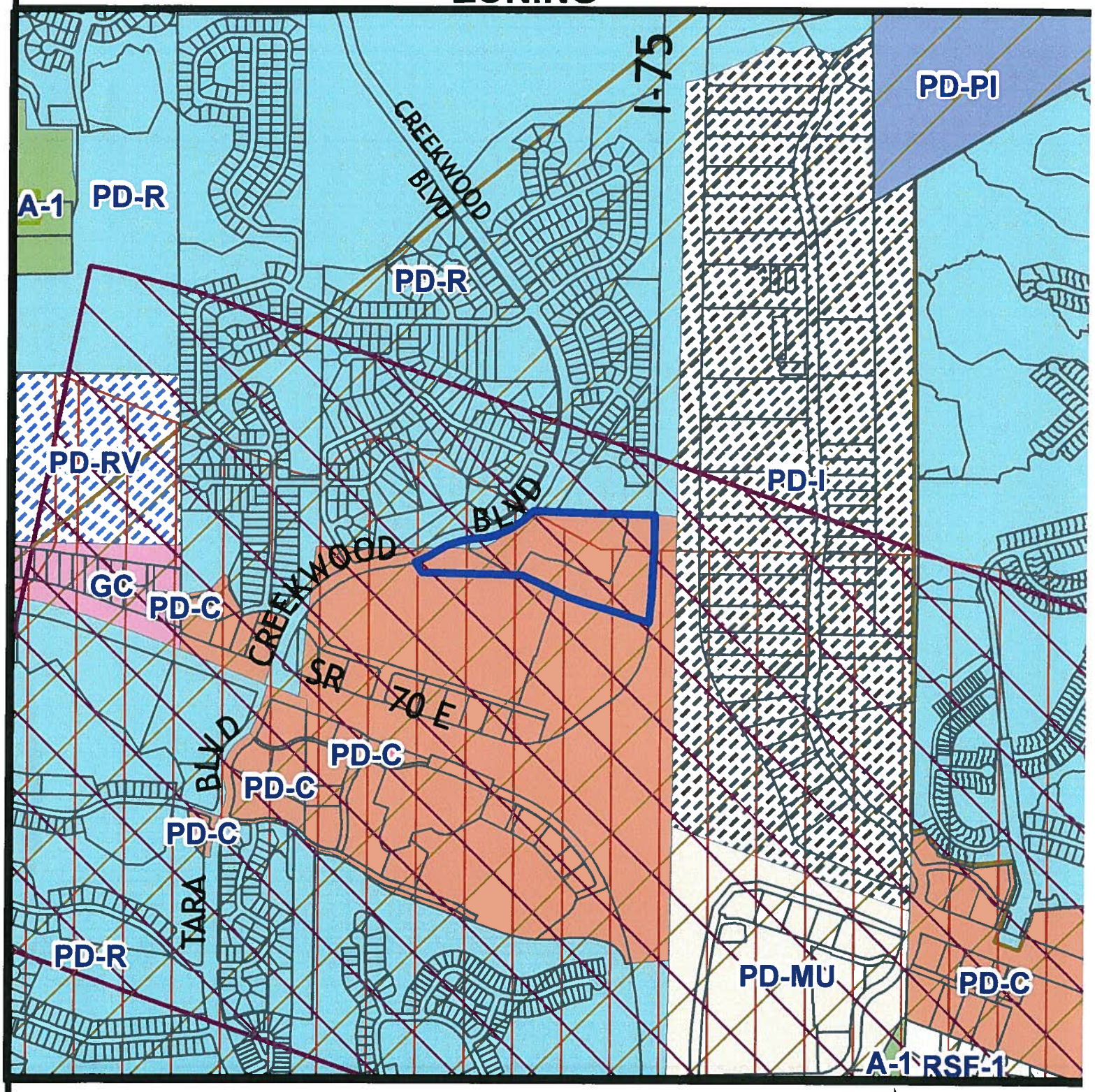
CREEKWOOD DRI

N

Manatee County
Staff Report Map

Map Prepared 7/3/2013

ZONING



Parcel ID #(s) 1730800759, 1731001259

Manatee County
Staff Report Map

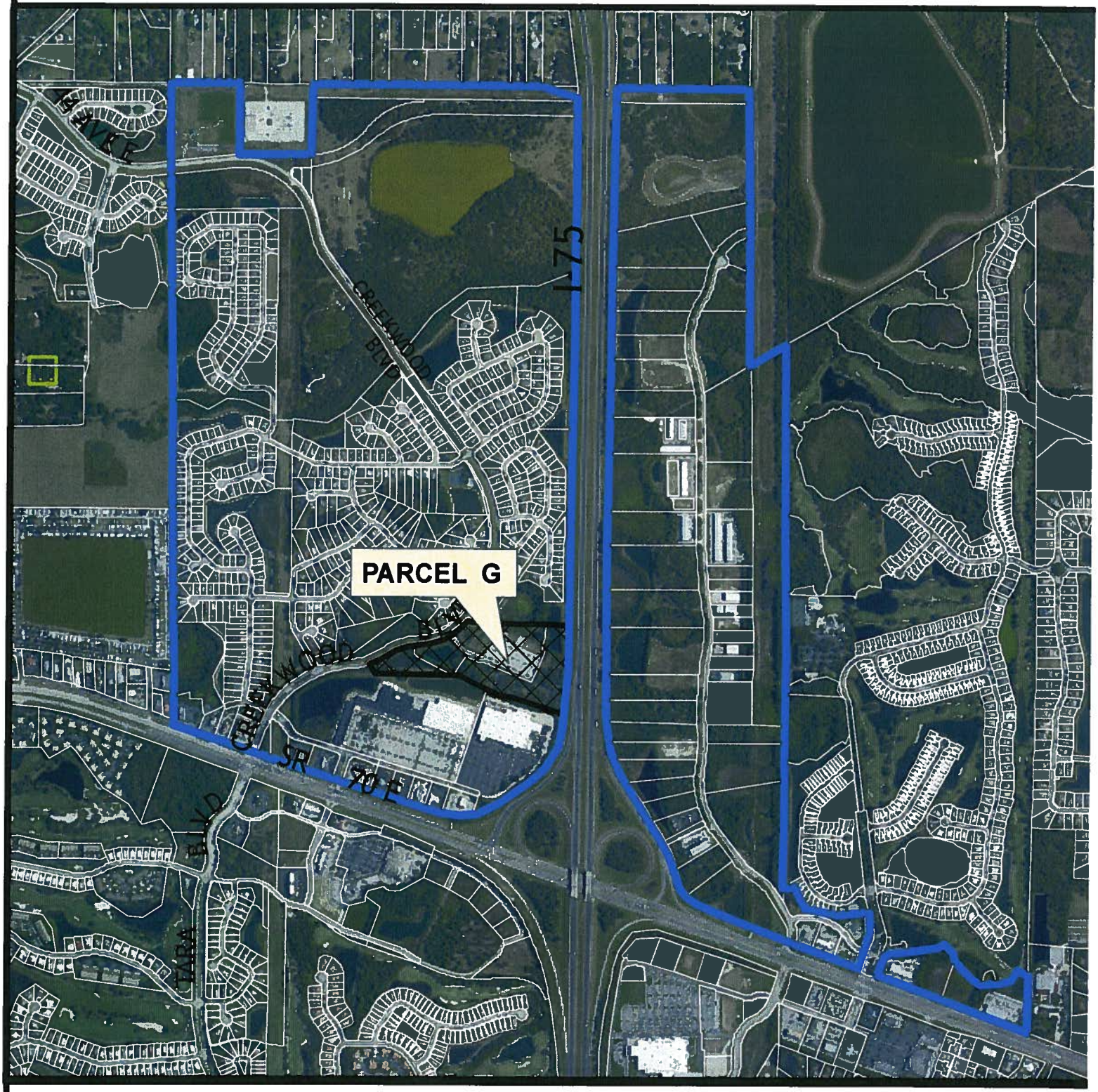
Map Prepared 7/3/2013
1 inch = 1,042 feet

Project Name:	Creekwood
Project #:	Z-84-76 (R10)
DTS#:	20130202
Proposed Use:	Residential
S/T/R:	Sec 13,11,12 Twn 35 Rng 18
Acreage:	20.75
Existing Zoning:	PD-R, PD-C
Existing FLU:	MU, RES-6
Overlays:	ST
Special Areas:	NONE

Special Treatment
Evers Watershed (WPE)
Entranceways

CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

AERIAL



Parcel ID #(s) Multiple

Project Name:	Wells Fargo Bank, NA / Creekwood
Project #:	Z-84-76 (R10)
DTS#:	20130202
Proposed Use:	Residential
S/T/R:	Sec 13, 11, 12 Twn 35 Rng 18
Acreage:	± 818
Existing Zoning:	PD-R, PD-C, PD-I
Existing FLU:	MU, RES-6, PSP, ROR
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

PARCEL G - ± 20.75 ACRES

CREEKWOOD DRI

N

Manatee County
Staff Report Map

Map Prepared 7/3/2013

P.C. 12/12/13

Z-84-76(R10) – Wells Fargo Bank, NA / Creekwood (DTS #20130202)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parcel G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
3. Add 112 residential units and decrease office square footage by 125,000 square feet;
4. Delete Land Use Condition 1 related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

P.C.: 12/12/13 **B.O.C.C.:** 12/17/13

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 APPROVAL of Manatee County Zoning Ordinance No. Z-84-76(R10) for a project that was previously granted Special Approval for a project in: 1) the Entranceway; 2) the Watershed Protection –

Evers Overlay District; 3) the Special Treatment Overlay District, and 4) the MU (Mixed Use) FLUC; and for a project that previously granted Specific Approval for alternatives to LDC Sections 710.1.6, 710.2.1, and 737.4.1.2.g of the Land Development Code, as recommended by the staff.

PROJECT SUMMARY	
CASE#:	**Z-89-76(Z)(R10) (DTS # 20130202)**
PROJECT NAME:	**Creekwood**
APPLICANT(S):	**Wells Fargo Bank, NA**
EXISTING ZONING:	**PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, and Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts)**
REQUEST:	**Amend the Zoning Ordinance and General Development Plan to:** **1) Modify the land use of Parcel G from office to residential;** **2) Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WE-P/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);** **3) Add 112 residential units and decrease office square footage by 125,000 square feet;** **4) Delete Land Use Condition 1 related to maximum density in the Watershed;** **5) Remove references to Parcel G related to non-residential development;** **6) Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (DRI # 13 – Creekwood); and** **7) Update the Zoning Ordinance to reflect department references.**
CASE PLANNER:	**Rossina Leider**

STAFF RECOMMENDATION:	APPROVAL

DETAILED DISCUSSION

History

Creekwood DRI is a mixed-use development, located at the NE and NW quadrants of the intersection of State Road 70 and I-75. The development was approved in 1985, and has been amended a number of times to reduce the total project acreage, decrease amount of development and modify and redistribute project entitlements. The most recent amendment was in 2012.

Creekwood DRI is currently approved for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space which includes up to 85,000 square feet of medical offices, 80,000 square feet of mini-warehouse space, and 100 hotel rooms. The total project acreage is ± 818.26 acres.

Creekwood Zoning Ordinance (Z-84-76) was originally approved on September 3, 1985 with a General Development Plan for 4,081 units, 435,000 square feet of commercial space, 2,000,000 square feet of industrial space, and 184,000 square feet of office space. The total project acreage was ±1,090 acres.

The following amendments to the Creekwood Zoning Ordinance and General Development Plan were approved by the BOCC:

- **April 22, 1993: Allow 2,805 units, 427,500 square feet of commercial space, 2,000,000 square feet of industrial space, and 184,000 square feet of office space. The total project acreage was reduced to ±818.26 acres [Z-84-76(R)].**
- **December 16, 1997: Change various land uses and buffers conditions [(Z-84-76(R2)].**
- **December 15, 1998: Exchange the land use designation for Parcel G (General Commercial) with Parcel O-1 (Office), increase total commercial floor area (69,500 sq. ft.) and land area, decrease total office floor area (44,000 sq. ft.) and land area, decrease residential development (500 units), and change the designation of Parcels C-1, C-2, and O-1 and combine them to a re-designated Parcel C [(Z-84-76(R3)].**
- **March 28, 2000: Delete 25,000 square feet of office space and add 25,000 square feet of commercial on Parcel C, adjust the overall total of development in Parcel C (522,000 sq. ft. of commercial and 115,000 sq. ft. of office), modify the project**

phasing deadlines, and modify land use, environmental, and transportation conditions [(Z-84-76(R4)].

- **January 6, 2004: Re-designate parcel identification, add an additional roadway connection to the west, modify the Project Phasing Table to eliminate and redistribute approved development (reduce industrial to 950,000 sq. ft., clarify allocation of commercial approved in the industrial category, expand the range of commercial and industrial uses permitted east of I-75, decrease residential from 2,305 to 1,617 units), modify land use, park and recreation, and transportation conditions ([(Z-84-76(R5)].**

- **January 5, 2006: Decrease residential units from 1,617 to 1,250 units, increase office use from 160,000 to 225,000 square feet, and transfer residential units from Phase I and II to Phase IV [(Z-84-76(R6)].**

- **December 4, 2008: Allow telecommunication towers east of I-75 within Parcel I, and to update various provisions [(Z-84-76(R7)].**

- **December 4, 2008: Decrease industrial entitlements from 950,000 to 800,000 square feet, delete phasing and buildout condition regarding development limitations east of I-75 until completion of SR 70 improvements, delete transportation conditions, and update various provisions [(Z-84-76(R8)]. The referenced reduction of industrial entitlement (150,000 square feet) was voluntarily requested by the developer to reflect the amount of industrial space that will be constructed.**

- **August 2, 2012: Add 30,000 square feet of mini-warehouse space for a total of 80,000 square feet of mini-warehouse to an existing 50,000 square feet facility (equivalent to 24,000 square feet of commercial space) located on Parcel C-5, increase allowable building height on Parcel C-5, and revise the land use conditions applicable to the mini-warehouse project [(Z-84-76(R9)].**

The total amount of development authorized within the latest GDP amendment is:

USE	DEVELOPMENT TOTALS
Residential	1,250 d.u.
Commercial	603,000 sq. ft.
Industrial	800,000 sq. ft. (1)
Office	225,000 sq. ft. (2)
Mini-warehouse	80,000 sq. ft
Hotel	100 rooms

(1) Includes telecommunication towers
(2) Office space may include up to 85,000 sq. ft. of medical office

Additionally, on March 14, 2005 a Final Site Plan identified as Creekwood West Commons (Z-84-76/FSP-04-106) was approved on the Parcel G of the Creekwood GDP and Map H of Creekwood DRI. The project entitlements are for 60,000 square feet of

office space in 3 buildings (20,000 sq. ft. each). A CLOS-05-062 has been issued and will expire on 03/14/2015.

Request

The request is for an amendment to the General Development Plan (GDP) and Zoning Ordinance for Wells Fargo Bank, NA within the Creekwood DRI. In general, the request is to modify the land use of Parcel G from office to residential, add 112 residential units and decrease office space by 125,000 square feet, delete conditions related to maximum density allowed in the watershed, remove references to non-residential development in Parcel G, and update the Zoning Ordinance to reflect department references.

Additionally, staff is updating the Land Use Condition 7 (width of pedestrian and bicycle path along Lena Road) to be consistent with previously approved Land Use Conditions 5 of Ordinance 12-15 (Creekwood - DRI # 13).

A companion application to amend the Development Order and Map H to the Creekwood DRI is being reviewed under a separate application with separate review criteria.

Request #1 and #2 :

- **Modify land use of Parcel G from office to residential rezoning the site (±20.75 acres) from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR (Planned Development Residential) retaining the overlay districts.**

The applicant requests to change the land use of Parcel G from office to residential. Since residential uses are not allowed in the currently zoning district of the subject property (PDC), the applicant is requesting to rezone the ±20.75-acre site to PDR (Planned Development Residential). The site is also within the Watershed Protection and Special Treatment Overlay Districts.

Parcel G is within the RES-6 (Residential, 6 dwelling units per acre) and MU (Mixed Use) Future Land Use Categories which allow for consideration for suburban or urban residential uses with a maximum gross density of 6 du/acre and 9 du/acre respectively.

Staff has no objection to the request since the proposed use is consistent with the FLUC provisions of the Comprehensive Plan. (See Rezone Criteria Analysis of LDC Section 504.5 for further discussion)

Request #3:

- **Add 112 residential units and decrease office square footage by 125,000 square feet.**

The applicant requests to allow the addition of 112 residential units with a simultaneous decrease of 125,000 square feet of office space. The proposed residential

units will be located entirely on Parcel G (±20.75 acres), which is subject to rezone as part of this application from PDC/WP-E/SP (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts) to PDR (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts). Parcel G will be developed with a gross density of 5.4 du/acre, which is consistent with the maximum gross density allow in RES-6 and MU FLUCs.

As mentioned above, a Final Site Plan for 60,000 square feet of office space has been approved (03/14/2005) on Parcel G (Z-84-76/FSP-04-106 – Creekwood West Commons). The site has a valid Certificate Level of Service (CLOS- 05-062 issued on 03/14/2005) that will expire on 03/14/2015, and the traffic analysis provided by the applicant indicates that the proposal to change the use from office to residential (112 units) will reduce the number of PM peak-hour trips generated from 184 to 68, and will not create any additional transportation impacts.

Table 1 of the Zoning Ordinance (Development by Parcels) and Table 2 (Phasing by Uses) are revised accordingly to reflect a total amount of 1,362 residential units (1,250 approved units plus 112 units proposed at this time) and 100,000 square feet of office space (225,000 approved sq. ft. minus 125,000 sq. ft. of office reduction on Parcel G).

Table 1 and Table 2 are modified as follows:

PROJECT PHASING AND BUILDOUT CONDITIONS

1. Table 1 enumerates, by parcel, the allocation of development described in Section 4:

Table 1 - Development by Parcels

LAND USE	PARCEL	SQUARE FOOTAGE
Commercial	C	447,000
	C-6	20,000
	C-7	15,000
	MU/C-4/C-5	21,000*
Mini-Warehouse	C-5	80,000*
~~Office~~	~~G~~	~~125,000**~~
Office	MU/C-4	100,000*
Industrial	I	800,000***
Hotel	MU	100 rooms
Residential	A	170 units
	B	322 units
	C	106 units

	D	520 units
	E	132 units
	G	112 units

* **The distribution of commercial square footage among the parcels shall also be subject to the following maximum square footages per parcel:**

Parcel MU 100,000 square feet
Parcel C-4 10,000 square feet
Parcel C-5 16,000 square feet west of the wetland

The distribution of mini-warehouse square footage among the parcels shall be subject to the following maximum square footage per parcel:

Parcel C-5 80,000 square feet east of the wetland

The distribution of office square footage among the parcels shall also be subject to the following maximum square footages per parcel:

Parcel MU 100,000 square feet
Parcel C-4 6,000 square feet

In no event shall the total square footage on parcels MU, C-4 and C-5 (west of the wetland) exceed 121,000 for commercial uses or 100,000 for office uses and 80,000 of mini-warehouse on Parcel C-5 (east of the wetland).

** **Office space may include up to 85,000 square feet of medical office.**
*** **Including telecommunication towers**

2. The developer shall comply with the deadlines contained in the revised phasing schedule, listed in Table 2 below:

Table 2 - Phasing By Use

	PHASES			
	I, II (Complete)	III (1996-11/22/2018)*[1]	IV (2001-11/22/2019)*[1]	Total
RESIDENTIAL	592	140	~~518~~ 630	~~1,250~~ 1,362
COMMERCIAL	455,048	55,000	92,952	603,000
MINI-WAREHOUSE			80,000	80,000
HOTEL			100 rooms	100
OFFICE		60,000	~~165,000~~ 40,000	~~225,000~~ 100,000 [2]
INDUSTRIAL		230,000	570,000	800,000

* Dates are reflective of Buildout Dates contained below within this Development Order. Preliminary Site Plans shall be submitted 1 year prior to such buildout dates.

1 Phases III and IV Buildout Dates include the time extensions authorized by the Florida Legislature and Manatee

County.

[2] Office entitlements have been removed from Parcel G for a total reduction of 125,000 sq. ft. of office space. The reduction of office entitlements was requested by the owner of Parcel G and approved by the Board of County Commissioners on December 17, 2013 (Ordinance 13-25). No entitlements have been taken from any other Parcel in the DRI at that time.

Staff has no objection to the request with the above modifications to the Table 1 (Development by Parcels) and Table 2 (Phasing by Use) since:

- **The proposed use and gross residential density are allowed in the RES-6 and MU FLUCs,**
- **No increase in the generation of PM peak-hours trips will occur with this modification of land use from office to residential,**
- **No impacts to the conservation areas and open spaces within the Creekwood DRI and GDP will be created with the proposed change of use.**

Request #4:

- **Delete Land Use Condition 1 related to maximum density in the Watershed.**

The applicant proposes to delete Land Use Condition #1 that restricted the maximum density of residential areas within the Evers Reservoir Watershed to five (5) dwelling units per acre. Staff has no objection to the proposed modification since:

- **Parcel G is within the RES-6 and MU FLUCs with an allowed maximum gross density of 6 and 9 dwelling units per acre respectively. The possible increment in density, as a result of the deletion of the above requirement, will not represent a significant impact in the context of this DRI or the GDP, since Parcel G represents less than 2% of the total area of the Creekwood project,**
- **Natural Resources Department Staff reviewed the request and has no objection. It appears the change would have minimal ramifications on loading allocations,**
- **The proposed gross density is 5.4 du/acre, and**
- **The Land Development Code and the Comprehensive Plan do not include any specific provision(s) related to maximum density limitations for projects located in the Watershed Overlay.**

Land Use Condition 1 is deleted as follow:

Land Use Conditions

1. ~~**Development within the Evers Reservoir Watershed shall be restricted to a maximum density of five dwelling units per acre. Maximum density for all parcels shall be noted on the General Development Plan.**~~

Request #5:

- **Remove references to Parcel G related to non-residential development.**

The applicant proposes to delete all references and conditions related to non-residential development in Parcel G. Staff has no objection to the proposal since Parcel G will be rezoned to a residential zoning district (PDR) and the non-residential regulations will no longer applicable. (See revised Zoning Ordinance in strike-thru/underline format)

Request #6:

- **Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (DRI # 13 – Creekwood).**

Staff is revising Land Use Condition 7 to be consistent with previously approved revision of Land Use Condition 5 of the Ordinance 12-25 (DRI-13 – Creekwood). The Zoning Ordinances states that the width of the bicycle and pedestrian path along Lena Road will be six feet, since the Development Order states that the referenced path shall be ten feet wide. The requirement for a 10-foot wide path along Lena Road was approved with Ordinance 04-28 on 01/06/2004, but was not included in Zoning Ordinance Z-84-76(R5) – Creekwood, and subsequences revisions of the referenced zoning ordinance.

Land Use Condition 7 (re-numbering to Land Use Condition 6) is modified as follow:

~~7.~~ 6. The Developer shall provide a 20-foot wide greenway adjacent to one side of the right-of-way for Lena Road, from S.R. 70 to the northern terminus of Lena Road. Within this greenway, the Developer shall install a ~~six-foot~~ ten-foot wide bicycle and pedestrian path.

Request #7:
Amend the stipulations related to the I-75 bridge approach.

The applicant has requested to amend Transportation Conditions #2 and #7 of Section 5 of the Zoning Ordinance related to the right-of-way for 44th Avenue East (Cortez Road Extension) at the I-75 bridge approach. The applicant proposes to change the above referenced conditions as follows:

2. **Developer shall provide for a 120-foot wide right-of-way for 44th Avenue East (Cortez Road Extended) through the project. Two lanes of this roadway shall be constructed through the project by the developer with development of parcels adjacent thereto except for the bridge approach to the I-75 crossing. Sufficient right-of-way to construct the bridge approach shall be ~~dedicated~~ reserved and**

shall not be dedicated unless the right-of-way is voluntarily dedicated by the owner thereof pursuant to a development agreement.~~,~~ ~~but~~ tThe developer shall not be responsible for constructing the bridge over I-75 as an on-site transportation improvement. The developer shall enter into an agreement with the County to either oversize the internal stormwater pond system to be constructed on Parcel D or reserve capacity in the existing stormwater pond system to accept stormwater from the future 44th Avenue extension. The agreement must be entered into prior to Preliminary Site Plan approval for Parcel D.

7. All roads shown on the General Development Plan, including required stub-outs to the property boundary, shall be dedicated to Manatee County with adequate rights-of-way as determined by the Transportation Department except for the bridge approach for the 44th Avenue crossing of I-75.

Staff has no objection to the proposed modification.

Request #8:
Update the Zoning Ordinance to reflect department references.

Various stipulations are being amended to update departmental references.

Staff recommends approval of the request as shown in strike-thru/underline format of the attached Zoning Ordinance.

SITE CHARACTERISTICS AND SURROUNDING AREA	
ADDRESS:	Various
GENERAL LOCATION:	Northwest and northeast intersections of State Road 70 and I-75
SIZE:	± 818.26 acres
EXISTING USE(S):	Residential, commercial, office, industrial, and mini-warehouse
FUTURE LAND USE CATEGORY:	RES-6 (Residential, 6 dwelling units per acre) MU (Mixed Use) R/O/R (Retail/Office/Residential) P/SP-1 (Public/Semi-Public(1))

SPECIAL APPROVAL(S):	**Previously granted for:** • **Entranceway** • **Watershed Protection – Evers Overlay District** • **Special Treatment Overlay District** • **MU (Mixed Use) FLUC**
OVERLAY DISTRICT(S):	• **WP-E (Watershed Protection – Evers Overlay District)** • **SP (Special Treatment Overlay District)**
SPECIFIC APPROVAL:	**Previously granted for:** • **Reduce parking space requirements – LDC Section 710.1.6** • **Reduce off-street loading space – LDC Section 710.2.1** • **Elimination of foundation landscaping on Parcel C-5 (mini-warehouse expansion) – LDC 737.4.1.2.g**
SURROUNDING USES & ZONING	
NORTH	• **To the north, west and east of I-75, are single-family homes on large lots (Braden River Ranchettes Subdivision) zoned A-1 (Suburban Agriculture). To the northeast is the Manatee County wastewater treatment plant and landfill zoned PD-PI (Planned Development Public Interest).**
SOUTH	• **West of I-75, across SR 70, are commercial developments in the Tara DRI zoned PDC/WP-E/ST (Planned Development Commercial/Watershed Protection Evers and Special Treatment Overlay Districts).** • **East of I-75, across SR 70, are commercial developments in the River Club Park of Commerce DRI (Wal-Mart) zoned PDMU/WP-E/ST (Planned Development Mixed Use/Watershed Protection Evers and Special Treatment Overlay Districts) and in Ranch Lake Plaza and Ranch Lake Business Center Subdivisions zoned**

	PDC/WP-E/ST (Planned Development Commercial/Watershed Protection Evers and Special Treatment Overlay Districts) and PR-M/WP-E/ST (Professional-Medium/Watershed Protection Evers and Special Treatment Overlay Districts).
EAST	• **Single-family homes (Rosedale Subdivision) zoned PDR/WP-E (Planned Development Residential/ Watershed Protection Evers Overlay District), and a church (Woodland Baptist Church) zoned A-1/WP-E/ST (Suburban Agriculture/Watershed Protection Evers and Special Treatment Overlay Districts).**
WEST	• **Is an RV park (Pleasant Lakes RV) zoned PD-RV/ST (Planned Development Recreational Vehicle/Special Treatment Overlay District), Crossing Creek Subdivision and vacant land zoned PDR, and Campbell Commercial zoned GC/WP-E/ST (General Commercial/Watershed Protection Evers and Special Treatment Overlay Districts.**

POSITIVE ASPECTS

- **The addition of 112 residential units will not impact the traffic pattern of the surrounding area. The residential use will generate less PM peak-hour trips than the previous approved office complex.**
- **No traffic related improvements have been required as a result of this request.**
- **No impacts to the overall open space and conservation areas of the Creekwood DRI will take place with this proposal.**
- **The proposed gross density is in the range of maximum gross density allowed for a project within the RES-6 and MU FLUCs.**

NEGATIVE ASPECTS

- **Future residents of Parcel G may be impacted by noise since the site is adjacent to I-75 and to north of an established large commercial development.**

MITIGATING MEASURES
• **At time of Preliminary Site Plan, staff will evaluate possible impacts to future residents and will include necessary stipulations to mitigate them.**
STIPULATIONS
See attached Zoning Ordinance

COMPLIANCE WITH THE LAND DEVELOPMENT CODE SECTION 504.5 - REZONE CRITERIA
1. **Compatibility with Neighbors. Is the requested change compatible with the existing development pattern and the zoning of nearby properties?** The site is surrounded to the north and west by residential areas zoned PDR (Planned Development Residential). To the south, there is PDC (Planned Development Commercial) zoning. The requested change, from PDC (Planned Development Commercial) to PDR (Planned Development Residential), is compatible with the existing development pattern and zoning of nearby properties along Creekwood Boulevard. The property is adjacent to property zoned PDR to the north and west which are developed residentially.
2. **Changes from Original Conditions. Has there been a change in the conditions upon which the original zoning designation was based? Have major land uses or conditions changed since the zoning was established?** The original zoning of Parcel G (PDC – Planned Development Commercial) was established in 1985 with the approval of the Creekwood DRI. At that time, the Manatee County zoning regulations did not have a mixed use category, therefore, each parcel within a mixed use project, was given an individual category based upon its intended use. The parcel was originally intended to be developed with office uses. The proposed amendment to PDR zoning is consistent with the development trend of properties along Creekwood Boulevard which is characterized by residential areas. Only the areas adjacent or nearby to SR 70 are zoned PDC.
3. **Comprehensive Plan. Does the current zoning or the proposed zoning better conform to the current Comprehensive Plan?** The property is within two FLUCs: RES-6 (Residential-6 du/acre) and MU (Mixed Use). PDC and PDR zoning districts are appropriate for the above mentioned Future Land Use Categories. However, the proposed PDR zoning better conforms with the Comprehensive Plan since all adjacent properties along the nearby segment of Creekwood Boulevard are zoned PDR. PDR zoning district allows a variety of residential uses. The RES-6 and MU FLUCs take in consideration suburban or urban residential uses in the range of potential uses.

4. **Conflicts with Public Improvements. Will the proposed change conflict with existing or planned public improvements?**
The proposed change will not conflict with any existing or planned public improvements Any required improvement will be determined with future site plan submittal.

5. **Sufficient Public Facilities. Whether the proposed change will be supported by sufficient public facilities, based upon a consideration of the following factors:**

(i) **Will the proposed change adversely affect traffic patterns or congestion?**
Based on the traffic analysis provided by the applicant the proposed change will not adversely affect traffic patterns or congestion. The proposed use will generate less PM peak-hour trips than the previous approved office complex.

(ii) **Will the proposed change adversely impact population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are adversely affected?**
PDR zoning is intended for a variety of residential uses. However, will not significantly impact population density or demand for schools or recreational facilities, and there is available capacity to attend the future demand of utilities (water and sewer).

(iii) **Are sufficient public facilities planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law?**
Yes. Insufficient public facilities issues have not been raised by staff during review process. There are water and sewer are available to support the residential development of site.

6. **Neighborhood Changes. Will the proposed change adversely affect the health, safety or welfare of the neighborhood?**
The proposed zoning amendment should have no adverse impact on the health, safety or welfare on the neighborhood in this location.

7. **Compliance with LDC. Is the proposed amendment in conformance with all applicable requirements of this Code?**
The proposed amendment is in conformance with all applicable requirements of the LDC. Compliance with the standards of the PDR zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approval for this site.

8. **Orderly Development. Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**
The proposed amendment is consistent with the development patterns in the area and appropriate for orderly development of the community. The surrounding area to the north and west is developed with single-family detached residences within PDR zoning designation, and to the south with a shopping area zoned PDC. To the east is the Interstate. The property will be developed with attached residential units. Any

transitional issues, such as buffers will be addressed with the Preliminary Site Plan.

9. **Expanding Districts. Is the proposed amendment the logical expansion of adjacent zoning districts?**
The proposed amendment is a logical expansion of the adjacent residential zoning district to the north and west (PDR).

10. **Trends. Is the timing of the request appropriate given the development trends in the area?**
The timing is appropriate given development trends in the area. The surrounding area, within the Creekwood DRI, has developed throughout the last twenty years. This particular site is one of few remaining, vacant parcels in the area.

11. **Historic Resources. Will the proposed change adversely impact historic resources?**
No, there do not appear to be any known or recorded historic resources on the site. If any historic resources are found at the time of development, the applicant will be required to immediately report discoveries of historical or archaeological resources to the Florida Division of Historical Resources.

12. **Environmental Impacts. Will the proposed change have an adverse environmental impact on the vicinity?**
Any environmental impacts will be addressed with the future site plan submittals.

13. **Lighting. Will the proposed change allow uses that require so much outdoor lighting that even the light from shielded fixtures may reflect off-site with potentially adverse effects on residential areas?**
The proposed use will not require much outdoor lighting. However, during the future site plan submittal any proposed outdoor lighting will be required to meet LDC Section 709.

14. **County Wide Changes. Will the proposed change adversely affect the health, safety and welfare of the County as a whole?**
The rezone should have no negative impact to the health, safety and welfare of the County in this location.

15. **Mobile Homes. For any rezoning that would result in the removal or relocation of mobile home owners residing in a mobile home park, has the applicant demonstrated that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners, within the meaning of, and pursuant to, Section 723.083, Florida Statutes.**
Not applicable.

16. **Other Matters. Any other matters which may be appropriate for consideration pursuant to this Code, the Comprehensive Plan or applicable law.**
Future development will require site plan review.

COMPLIANCE WITH LDC

(Note: Compliance with the standards of the PDR zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approvals for this site.)

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED
None

TRANSPORTATION
Major Transportation Facilities The project site (i.e. Parcel G) is expected to have access onto Creekwood Boulevard, a two-lane collector roadway. **Transportation Concurrency** This project site is part of the Creekwood DRI which was initially approved for transportation concurrency during the 1980's. This current request by the Applicant involves a change in land uses for this specific parcel (from medical office to townhomes) which translates to a decrease in PM Peak-Hour project trips as accepted and approved by the Transportation Planning Division. Based upon the above, no further review of transportation concurrency-related issues was required at this time. However, for information purposes only, Transportation Planning Division staff has reviewed current traffic conditions on the segment of Creekwood Boulevard adjacent to the project site. The results of this review indicated that the adjacent roadway segment is currently operating above the level of service (LOS) D performance standard (see Certificate of Level of Service Compliance table below). **Access** The Applicant is not changing the location or configuration of the original access point for the project site. Thus, no further review was required at this time.

CONCURRENCY			
CLOS APPLIED FOR: Y (Existing CLOS still in effect) TRAFFIC STUDY REQ'D: N			
NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	EXISTING LOS
Creekwood Boulevard	73rd Street E to 44th Avenue E (Link #5062)	D	C
CLOS- 05-062 (issued on 03/14/2005) will expire on 03/14/2015			
Wastewater and potable water determined with FSP/Construction Plans			

SPECIFIC APPROVAL – ANALYSES, RECOMMENDATIONS, FINDINGS
N/A

ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **Zoning Ordinance Z-84-76(R10)**
3. **Copy of Newspaper Advertising**

APPLICABLE COMP PLAN POLICIES

Policy: 2.1.2.7	Review all proposed development for compatibility and appropriate timing. This analysis shall include: - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area, - availability of adequate roadways, - adequate centralized water and sewer facilities, - other necessary infrastructure and services. - limiting urban sprawl - (See also policies under Objs. 2.6.1 - 2.6.3)
Policy: 2.2.1.12	**RES-6:** Establish the Residential-6 Dwelling Units/Gross Acre future land use category as follows:
Policy: 2.2.1.12.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.
Policy: 2.2.1.12.2	Range of Potential Uses (see Policies 2.1.2.3 - 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, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water- nhanced uses (see also Objectives 4.2.1 and 2.10.4).
Policy: 2.2.1.12.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: 6 dwelling units per acre Maximum Net Residential Density: 12 dwelling units per acre (except within the WO or CSVA Overlay Districts pursuant to Policies 2.3.1.4 and 4.3.1.5)

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

Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf)

Policy: 2.2.1.12.4 Other Information:

a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.

b) All projects for which gross residential density exceeds 4.5 dwelling units per acre, or in which any net residential density exceeds 6 dwelling units per acre shall require special approval.

c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.

d) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provisions Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

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 Minimum Gross Residential Density: 7.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing". Maximum Net Residential Density: 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 24 dwelling units per acre inside the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing". Maximum Floor Area Ratio: 0.35 1.0 inside the CRA's and UIRA Maximum Floor Area Ration for Hotels: 1.0 Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses: Large 300,000sf
Policy: 2.2.1.17.4	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) All projects for which either gross residential density exceeds 6 dwelling units per acre, or for which any net residential density exceeds 9 units per acre, shall require special approval.

c) All non-residential projects, or part thereof, exceeding 0.25 FAR shall also require special approval except mini-warehouse.

d) Non-residential projects exceeding 150,000 square feet gross building area may be considered only if consistent with the requirements for large commercial uses, as described in this element.

e) In areas where existing development is recognized utilizing the Retail/Office/Residential category, or where the spatial form of the Retail/Office/Residential designation on the Future Land Use map is accordingly inconsistent with the commercial locational criteria contained in this element; development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Sections 2.10.4.1 and 2.10.4.2 of this element. However, any such development or redevelopment shall still be required to achieve compliance with other commercial development standards contained in this element, and be consistent with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

f) In areas where the Retail/Office/Residential category is designated in a manner entirely consistent with the commercial locational criteria, all commercial development or redevelopment shall be conducted in a manner consistent with the commercial location criteria and development standards contained in this element.

g) In order to distinguish between uses which may be permitted in the R/O/R category, as compared to those which require siting within an industrial category, the following guidelines shall be utilized:

I. No uses which have a primary purpose of distribution of goods from that site shall be permitted in the Retail/ Office/ Residential designation.

II. No new areas (a new area, for the purposes of this policy, shall be defined as property beyond those parcel configurations as of May 11, 1989 which had light industrial uses established upon them) engaging in the manufacturing, processing, and assembly of goods shall be permitted in the Retail/Office/ Residential designation except as provided

below:

III. Legally established light industrial uses existing prior to the adoption of this Comprehensive Plan shall be considered legally conforming uses, limited to their approved location. With special approval, other light industrial uses and additional square footage within the same parcel may be approved if there are no additional impacts to adjoining properties and all special approval criteria are met.

iv. If a legally established light industrial use ceases operation for over six months with no action to re-establish and/or continue such use, the use shall now be prohibited from development within the R/O/R designation.

Policy: 2.2.1.21 **MU:** Establish the Mixed-Use future land use category as follows:

Policy: 2.2.1.21.1 Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity and are limited to areas with a high level of public facility availability along expressways. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.

Policy: 2.2.1.21.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale, office uses, light industrial uses, research/corporate uses, warehouse/ distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses.

Policy: 2.2.1.21.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:
9 dwelling units per acre

Maximum Net Residential Density:
20 dwelling units per acre

Maximum Floor Area Ratio: 1.0
Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses:
Large (300,000sf)

Policy: 2.2.1.21.4 Other Information:

a) All projects require special approval and are subject to the criteria within b, c, d below, unless all the following are applicable:

1. The proposed project consists of a single family dwelling unit located on a lot of record which is not subject to any change in property boundary lines during the development of the proposed land use, and

2. The proposed project is to be developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

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

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

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

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

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

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

Policy: 2.2.1.22 **P/SP (1):** Establish the Public/Semi-Public (1) future land use category as follows:

Policy: 2.2.1.22.1	Intent: To recognize major existing and programmed public/quasi-public facilities, primarily those facilities associated with public or private utilities, including electrical transmission corridors occupied by transmission lines of 240KV or more. Also, to recognize, and provide a unique designation within the Future Land Use Element, for those public or semi-public facilities which have adverse aesthetic or health, safety, or welfare impacts on adjacent property or residents. Additional areas under this category may be recognized by amendments to the Future Land Use Map, if appropriate, and why such uses are programmed.
Policy: 2.2.1.22.2	General Range of Potential Uses: Recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors. Also, when the P/SP (1) designation is an easement on privately-held property, other uses consistent with the adjacent future land use category or categories, where consistent with the purpose of the easement and consistent with all other goals, objectives, and policies of this Comprehensive Plan, may also be considered. (See also Policy 2.1.1.5)
Policy: 2.2.1.22.3	Range of potential Density/Intensity: Maximum Net Residential Density: 0 dwelling units per acre except where the area designated as P/SP (1) is utility easement on property owned by applicants for a proposed project. Under this exception, property designated as P/SP (1) shall, during the development review process, be counted toward gross residential acreage, as defined herein, and the limits on gross density associated with the category adjacent to the P/SP (1) designation shall be applied to the area shown as P/SP (1). When there are different future land use categories designated adjacent to the P/SP (1) category, the area shown on the Future Land Use Map as P/SP (1) shall be reviewed as being designated under both adjacent future land use categories, with the centerline of the easement utilized as the line separating both adjacent categories. Maximum Net Residential Density: 0 dwelling units per acre Maximum Floor Area Ratio: 0 FAR (except for structures reasonably related to the operation of the public or quasi-public facilities)

However, where P/SP (1) is an easement on privately-held property, the property designated as P/SP (1) shall be counted toward gross non-residential acreage, as defined herein, and the Maximum Floor Area Ratio associated with adjacent category or categories shall be applied to the area designated as P/SP (1), and included in the definition of Gross Non-residential Acreage.

Policy: 2.2.1.22.4 Other Information:

a) Recognizing that the relocation of any utility transmission corridor may occur to the benefit of current and future Manatee County residents, or visitors, any such relocation within the boundaries of a proposed project site may be considered without the approval of a plan amendment, as defined in § 163I.31.87, F.S., only if such relocation is determined, during the review of a proposed project through the special approval process, to reduce any adverse impact of such corridor on adjacent existing and future land uses. Where such proposed relocation generates an increased adverse impact on adjacent land uses, a plan amendment would be required unless mitigation of such increase in adverse impact is successfully accomplished through the special approval process.

b) In all instances where the P/SP(1) future land use category is applied, except regarding utility easements as is provided in Policy 2.2.1.22.3 above, the following shall apply:

I) An applicant shall be required to declare a specific use or uses for a specific piece of property for which the applicant is proposing to amend the existing future land use category to P/SP(1).

II) At such time the applicant is proposing to amend the existing future land use category of a specific piece of property to P/SP(1), the applicant shall provide information and analysis on the compatibility of the proposed use or uses, as specified according to paragraph (ii) above, with surrounding development.

III) Property with the future land use category of P/SP(1), shall required Planned Development zoning to be developed.

Policy: 2.3.1.4 Prohibit the clustering of development through the transfer of density/intensity credits from property located outside of the Watershed Overlay District to property located within this district, unless a finding of overriding public interest is determined by the Board of County Commissioners.

	Implementation Mechanism: a) Planning Departments review of projects for compliance with this policy.
Policy: 2.6.1.1	Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to: - use of undisturbed or undeveloped and landscaped buffers - use of increased size and opacity of screening - increased setbacks - innovative site design (which may include planned development review) - appropriate building design - limits on duration/operation of uses - noise attenuation techniques - limits on density and/or intensity [see policy 2.6.1.3]
Policy: 2.6.5.1.	Provide incentives for, and otherwise encourage the use of the planned unit development procedure to achieve quality, highly functional, and well-integrated project designs.
Policy: 2.6.5.2	Encourage, in locations which are suited to diverse uses, mixed and multiple use projects to provide for integration and synergy between land uses. Nothing in this policy shall preclude single use or homogenous projects if mixing of uses on a single project, or intrusion of a different use into a homogenous area, will create inappropriate diversity or incompatibilities between adjacent land uses.
Policy: 2.6.5.5	Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas.
Policy: 2.9.1.9	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: 2.10.1.2	Promote the development of commercial uses in planned commercial centers, and discourage scattered, incremental commercial development.

MANATEE COUNTY ORDINANCE Z-84-76 (R109)
~~CONTROL STORAGE, INC.~~ WELLS FARGO BANK, NA / ~~STORAGE NOW (AKA~~ CREEKWOOD~~)~~

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSSIONERS OF ~~COUNTY OF~~ MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING ORDINANCE Z-84-76(~~R78~~R9) TO AMEND THE GENERAL DEVELOPMENT PLAN TO MODIFY THE LAND USE OF PARCEL G FROM OFFICE TO RESIDENTIAL; REZONE PARCEL G FROM PDC/WP-E/ST (PLANNED DEVELOPMENT COMMERCIAL/ WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAY DISTRICTS) TO PDR/WP-E/ST (PLANNED DEVELOPMENT RESIDENTIAL/WATERSHED PROTECTION/SPECIAL TREATMENT OVERLAY DISTRICTS); ADD 112 RESIDENTIAL UNITS AND DECREASE OFFICE SQUARE FOOTAGE BY 125,000 SQUARE FEET; DELETE LAND USE CONDITION 1 RELATED TO MAXIMUM DENSITY IN THE WATERSHED; REMOVE REFERENCES TO PARCEL G RELATED TO NON-RESIDENTIAL DEVELOPMENT; REVISE LAND USE CONDITION 7, RELATED TO THE WIDTH OF A BICYCLE AND PEDESTRIAN PATH ALONG LENA ROAD, TO BE CONSISTENT WITH PREVIOUSLY APPROVED LAND USE CONDITIONS 5 OF THE ORDINANCE 12-15 (CREEKWOOD - DRI # 13); AMEND THE STIPULATIONS RELATED TO THE I-75 BRIDGE APPROACH; ~~AND 30,000 SQUARE FEET TO AN EXISTING 50,000 SQUARE FOOT MINI-WAREHOUSE PROJECT ON PARCEL C-5; INCREASE THE ALLOWABLE HEIGHT FOR PARCEL C-5 FROM 30' TO 35'; UPDATE THE ZONING ORDINANCE TO REFLECT THE PROJECT EXTENSIONS PREVIOUSLY AUTHORIZED BY THE STATE OF FLORIDA AND MANATEE COUNTY; REVISE LAND USE CONDITIONS #3 AND #15 TO ALLOW GROUND SIGNS ON PARCEL C-5 AND AMEND ARCHITECTURAL STANDARDS; UPDATE THE WATER QUALITY MONITORING CONDITIONS;~~ UPDATE THE ZONING ORDINANCE TO REFLECT DEPARTMENT REFERENCES; AND SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. AMENDMENT AND RESTATEMENT OF ORDINANCE Z-84-76(R98).

Ordinance Z-84-76(R98) is hereby amended and restated in its entirety below. All prior ordinances (and any site plans approved pursuant thereto) shall be superseded by this ordinance.

Section 2. FINDINGS OF FACT

The Board of County Commissioners, after considering the testimony, evidence, documentation, application to amend the General Development Plan Ordinance, as well as all other matters presented to the Board at the Public Hearing hereinafter referenced, hereby makes the following findings of fact:

A. CREEKWOOD, INVESTORS, LTD., hereinafter referred to as "CREEKWOOD", proposed a Development of Regional Impact (DRI) for a mixed-use development located in Manatee County; and

B. On September 3, 1985, Manatee County adopted Ordinance Z-84-76 granting the Creekwood Zoning Ordinance; and

C. On April 22, 1993, Manatee County approved Ordinance Z-84-76(R) amending Ordinance Z-84-76 by approving amendments to Map H, extending the build out date, and other various changes; and

D. On December 16, 1997, Manatee County approved Creekwood Zoning Ordinance Z-84-76(R2) to modify Land Use Conditions 2.c., 10, and 11, Buffer Condition 6, and Transportation Condition 4.

E. On December 15, 1998, Manatee County approved the Creekwood Zoning Ordinance Z-84-76(R3) by modifying the General Development Plan to exchange uses (General Commercial in Parcel G for Office Park in Parcel O-1); increase the total commercial floor area by 69,500 square feet; decrease residential units by 500; and other various changes.

F. On March 28, 2000, Manatee County approved the Creekwood Zoning Ordinance Z-84-76(R4) by modifying the General Development Plan to modify development totals, the phasing schedule, and some conditions.

G. On January 6, 2004, Manatee County approved the Creekwood Zoning Ordinance Z-84-76(R5) modifying the General Development Plan to redesignate parcel identifications, add a roadway connection to the west, modify the Project Phasing Table to eliminate and redistribute development, expand the range of permitted commercial uses east of I-75, recognize completed development, extend buildout dates, and amend various development conditions.

H. On April 15, 2005, Creekwood filed an application to amend the approved Zoning Ordinance and General Development Plan with the Manatee County Board of County Commissioners; and

I. On January 5, 2006, Manatee County approved the Creekwood Zoning Ordinance Z-84-76 (R6) amending the General Development Plan to decrease residential from 1,617 to 1,250 units with a simultaneous increase in office from 160,000 to 225,000 square feet, and transferring 6 residential units from Phases I and II to Phase IV.

J. On November 7, 2007, Ridan Industries submitted an application for a revision to the Creekwood Zoning Ordinance [Z-84-76(R7)] and General Development Plan to update the allowable uses to include a telecommunications tower east of I-75 in the Creekwood East Corporate Park. This request is scheduled for public hearing before the Planning Commission and Board of County Commissioners simultaneously with revision Z-84-76(R8).

K. On May 7, 2008, Creekwood Investors Limited and Creekwood East Corporate Park LLC submitted and application to amend the Creekwood Zoning Ordinance [Z-84-76(R8)] and General Development Plan to decrease industrial from 950,000 to 800,000 square feet; delete Project Phasing and Buildout Condition #10; Delete Transportation Conditions; and update various provisions.

L. On February 27, 2012, Control Storage, Inc. filed an application to amend the approved Zoning Ordinance and General Development Plan with the Manatee County Board of County Commissioners; and

M. ~~The Board of County Commissioners held a Public Hearing on~~ On August 2, 2012, the Board of

County Commissioners approved an amendment to the ~~regarding the proposed~~ General Development Plan and Zoning Ordinance to add 30,000 square feet to an existing 50,000 square foot mini-warehouse project on Parcel C-5; increase the allowable height for parcel C-5 from 30 feet to 35 feet ; update the Zoning Ordinance to reflect the project extensions previously granted; revise land use condition #15 regarding signage; amend architectural standards and update the water quality monitoring conditions. Specific Approvals were granted for LDC Sections 710.1.6, 710.2.1, and 737.4.1.2.g:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 710.1.6, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because adequate parking is provided.

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 710.2.1, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because adequate parking is provided.

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 737.4.1.2.g, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the building will not be visible and there is sufficient vegetation along SR 70.

N. On May 16, 2013, Wells Fargo, N.A. filed an application to amend the General Development Plan and the Zoning Ordinance to modify the land use of parcel G from office to residential; rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts); add 112 residential units and decrease office square footage by 125,000 square feet; delete land use condition 1 related to maximum density in the watershed; remove references to parcel G related to non-residential development; revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13); and to update ~~terminology and~~ departmental references.

~~M.~~ O. The Board of County Commissioners held a public hearing on ~~INSERT DATE~~ December 17, 2013 to consider the ~~A~~amendment described herein in accordance with the requirements of Manatee County Ordinance 90-01, the Manatee County Land Development Code, and has further considered the information received at said Public Hearing.

~~N.~~P. The proposed amendment to the General Development Plan and Zoning ~~o~~Ordinance regarding the property described in Section 5 herein is found to be consistent with the requirements of Manatee County Ordinance 89-01, as amended, the 2020 Manatee County Comprehensive Plan.

Section 3.

The Master Development Plan (~~date stamped February 27, 2012~~ dated May 9, 2013) included as Exhibit "B", has been approved as the General Development Plan for the real property described in Section 5

hereof, subject to the conditions included herein in Section 5.

Section 4.

A. The revised General Development Plan entitled Creekwood, has been APPROVED to allow ~~1,250~~1,362 residential units, 603,000 square feet commercial space, 800,000 square feet industrial space, ~~225,000~~100,000 square feet office space, 80,000 square feet of mini-warehouse space, and a 100-room hotel (93,000 square feet), subject to the conditions included in Section 5.

B. The previous Development Order for Creekwood, which was adopted on September 3, 1985, and all subsequent amendments are hereby amended by this Ordinance.

Section 5. PROJECT PHASING AND CONDITIONS

PROJECT PHASING AND BUILDOUT CONDITIONS

1. Table 1 enumerates, by parcel, the allocation of development described in Section 4:

Table 1 - Development by Parcels

LAND USE	PARCEL	SQUARE FOOTAGE
Commercial	C	447,000
	C-6	20,000
	C-7	15,000
	MU/C-4/C-5	121,000*
Mini-Warehouse	C-5	80,000*
~~Office~~	~~G~~	~~125,000**~~
Office	MU/C-4	100,000*
Industrial	I	800,000***
Hotel	MU	100 rooms
Residential	A	170 units
	B	322 units
	C	106 units
	D	520 units
	E	132 units
	G	112 units

* The distribution of commercial square footage among the parcels shall also be subject to the following maximum square footages per parcel:

Parcel MU 100,000 square feet
Parcel C-4 10,000 square feet
Parcel C-5 16,000 square feet west of the wetland

The distribution of mini-warehouse square footage among the parcels shall be subject to the following maximum square footage per parcel:

Parcel C-5 80,000 square feet east of the wetland

The distribution of office square footage among the parcels shall also be subject to the following maximum square footages per parcel:

Parcel MU 100,000 square feet
Parcel C-4 6,000 square feet

In no event shall the total square footage on parcels MU, C-4 and C-5 (west of the wetland) exceed 121,000 for commercial uses or 100,000 for office uses and 80,000 of mini-warehouse on Parcel C-5 (east of the wetland).

** Office space may include up to 85,000 square feet of medical office.
*** Including telecommunications towers.

2. The developer shall comply with the deadlines contained in the revised phasing schedule, listed in Table 2 below:

Table 2 - Phasing By Use

	PHASES			
	I, II (Complete)	III (1996-11/22/2018)*[1]	IV (2001-11/22/2019)*[1]	Total
RESIDENTIAL	592	140	~~518~~ 630	~~1,250~~ 1,362
COMMERCIAL	455,048	55,000	92,952	603,000
MINI-WAREHOUSE			80,000	80,000
HOTEL			100 rooms	100 rooms
OFFICE		60,000	~~165,000~~ 40,000	~~225,000~~ 100,000[2]
INDUSTRIAL		230,000	570,000	800,000

* Dates are reflective of Buildout Dates contained below within this Development Order. Preliminary Site Plans shall be submitted 1 year prior to such buildout dates.
1 Phases III and IV Buildout Dates include the time extensions authorized by the Florida Legislature and Manatee County.

[2] Office entitlements have been removed from Parcel G for a total reduction of 125,000 sq. ft. of office space. The reduction of office entitlements was requested by the owner of Parcel G and approved by the Board of County Commissioners on December 17, 2013 (Ordinance 13-25). No entitlements have been taken from any other Parcel in the DRI at that time.

3. The developer shall submit a revised transportation analysis with any request for project extension. The Manatee County Board of County Commissioners shall review this analysis and determine whether or not the requested extension constitutes a substantial deviation pursuant to Section 380.06 Florida Statutes.

4. With each Preliminary and Final Site Plan submittal, a Development Land Use Summary Table shall be provided to include the number of units or square footages that have Preliminary or Final Site Plan approval for the applicable use category and phase as identified in Table 2.

5. With each Preliminary and Final Site Plan submitted for development in either Parcel MU, C-4 or C-5, the applicant shall quantify the amount of commercial and office space requested, together with the amounts previously approved in Parcels MU, C-4 and C-5.

6. The developer must adhere to the following phasing buildout schedule.

Phase I	1986-1996
Phase II	1993-2003
Phase III	1996-11/22/2018
Phase IV	2001-11/22/2019

7. Preliminary Site Plans shall be valid for a maximum period of five (5) years. Final Site Plans shall be valid for a maximum period of four (4) years, however, not to exceed the end of the phase for which development is proposed as described in the phasing buildout schedule.

8. Because the phasing, quantity, and type of uses have been modified with this approval, prior to the first Preliminary Site Plan for a building in Parcels I, MU, or C-4, revised Final Site Plans for the approved Creekwood East Corporate Park (PDC-88-05[R4]/FSP-01-05) and Creekwood East (PDC-88-05[R4]/FSP-01-131), as amended, shall be obtained to reflect compliance with the amendments of this Ordinance. (Completed)

9. Because expired building entitlements were transferred to a later phase with prior approvals, the Preliminary Site and Final Site Plans for Parcels D and E, as identified on Map H, shall be revised to reflect compliance with the amendments of this Ordinance.

LAND USE CONDITIONS

~~1. Development within the Evers Reservoir Watershed shall be restricted to a maximum density of five dwelling units per acre. Maximum density for all other parcels shall be as noted on the General Development Plan.~~

12. Maximum heights permitted within the project shall be as follows:

a. Multi-family - 3 stories and 35 feet.

b. All other residential uses - 3 stories

c. Commercial uses in Parcel MU
1. 40 feet west of Lena Rd.
2 30 feet east of Lena Rd.

d. Hotels in Parcel MU
1. 45 feet west of Lena Rd.
2 30 feet east of Lena Rd.

e Commercial uses in Parcels C - 40 feet. except:

Buildings or structures within 200 feet of Creekwood Boulevard shall not exceed 25 feet in height and buildings within 175 feet of Interstate 75 (I-75) shall not exceed 25 feet in height, except for a garden center, which may be a maximum height of 35 feet.

f. Commercial Uses in Parcels C-6 and C-7 - 26 feet, except:

Buildings within 200 feet of any platted residential lot shall not exceed 20 feet in height, with the exception of cupolas, gables peaks, and spires, which may extend to a height of 35 feet.

g. Commercial Uses in Parcels C-4 and C-5 - 30 feet; except

Buildings north of 54th Drive East shall not exceed 20 feet.
Mini-Storage buildings on Parcel C-5 shall not exceed 35 feet

h. Office buildings - The maximum height for office buildings shall not exceed 35 feet, except in Parcels C-4, C-5, C-6, C-7, and MU which shall be limited in height as specified in 2. c, f, & g above.

i. Parcel I - 20 feet east of Lena Road.
40 feet west of Lena Road.

23. Signs within the boundaries of the Creekwood development shall comply with all regulations in effect at the time of permitting.

a. Creekwood Boulevard

All signage along Creekwood Boulevard shall be ground signs, not to exceed 6 feet in height, and limited to one sign at the 52nd Drive East entrance and one sign at the entrance to Parcel G.

b. 54th Drive East and Lena Road

Signs along 54th Drive East in Parcel C-4 and along Lena Road in Parcel I shall be monument style and not exceed 8 feet in height.

c. S.R. 70 and I-75

Signs along S.R. 70 and I-75 shall be limited to one pole sign per parcel, per street frontage, as identified on the GDP. Additional permitted signs shall be limited to ground signs. All signage must provide concealment of main support structure (e.g., pole) between 20 and 100% of sign width with materials consistent with those in the development.

Notwithstanding the above, Parcel C-4 shall be limited to one pole sign, 20 feet in height at the intersection of Lena Road, and Parcel C-5 shall be limited to one pole sign for all developments on Parcel C-5, 20 feet in height and two ground signs (one for the development on the west side of the wetland and one for the development on the east side of the wetland), as regulated by the LDC.

34. At the time of Preliminary and Final Site Plan submittals the applicant shall demonstrate compliance with the requirements of the Planned Development District in effect at that time including, but not limited to, such concerns as entranceway requirements, aesthetic appearance from S.R. 70 and I-75, ample provision for open space, adequate restrictions to prohibit unsightly vehicles, trash, etc., and a maintenance program which assures that an attractive appearance will be maintained.

45. Light manufacturing, industrial service establishments, wholesale trade establishments, research and development activities, warehouse, mini-warehouse, heavy printing, and ancillary office use are permitted uses within Parcel I. Telecommunication towers shall be allowed west of Lena Road within Parcel I. Construction service establishment (with no retail and rental sales) is allowed on the east side of Lena Road only. Industrial uses to be constructed within the Evers Reservoir Watershed Protection Overlay District, must employ Best Possible Technology so that such uses will not be contrary to the public health, safety, and welfare. Best Possible Technology shall be in accordance with the laws in effect at the time of Preliminary Site Plan approval and shall be shown on the plan or plat for consideration and approval.

56. All buildings and service areas within Parcels MU and I shall maintain a minimum setback of 100 feet from S.R. 70 and I-75. All trash and garbage receptacles that are visible from S.R. 70, I-75, 54th Drive East, and adjacent residential shall be screened with materials similar to the adjacent building facade. All truck loading, service areas, outside storage and parking of heavy equipment, semi-trucks and/or trailers or other vehicles over 1½ tons shall be located at the non-street side of the building when adjacent to I-75, and S.R. 70, unless they are not visible from a height of five feet (5') at the edge of pavement of said street, to be determined at time of Certificate of Occupancy.

67. The Developer shall provide a 20-foot wide greenway adjacent to one side of the right-of-way for Lena Road, from S.R. 70 to the northern terminus of Lena Road. Within this greenway, the Developer shall install a ~~six-foot~~ ten-foot wide bicycle and pedestrian path.

78. The developer shall be allowed to construct a total of 1,362~~1,250~~ dwelling units. Dwellings shall be constructed in accordance with the density approved for each specific parcel in the revised Master Development Plan.

89. Prior to issuance of a Certificate of Occupancy for any use on Parcel C-6, a continuous barrier shall be provided between Parcel C-6 and the residential subphase to the north, extending westward from the Creekwood Boulevard to the western property line of Lot 1 in Creekwood, Phase 1, Subphase 1, Unit A-1. The wall shall be of finished concrete block construction and be at least 8 feet in height or wall/berm combination in which the wall is at least 6 feet in height. In the event 52nd Drive East is not vacated, an opening in the wall, not to exceed 34 feet in width, for a driveway may be permitted, provided that the driveway is located east of 72nd Street East and is as close to Creekwood Boulevard as permitted by the Land Development Code. The opening width may be adjusted pursuant to County engineering requirements. (Completed)

910. The following setbacks shall apply to Parcels C, C-6, C-7, C-4, C-5, D, and E:

a. Parcel C-6

The minimum building setback from the current north property line in Parcel C-6, adjacent to or across the street from the residential property to the north, shall be 60 feet. This setback may be reduced to 40 feet for office uses provided:

(1) The landscape buffer, referenced in Buffer Condition 5, is increased in width to 40 feet; and

(2) The office building has a stucco finish and painted using light color hues.

b. Parcel C-7

The minimum building, parking, or loading and service area setback in Parcel C-7 from any residential lot shall be 200 feet.

c. Parcel C

The building setback from Creekwood Boulevard and I-75 shall not be less than 100 feet, provided however a garden center may have a reduced setback from I-75 of 80 feet.

Building Materials Establishments shall maintain a minimum setback of 400 feet from Creekwood Boulevard and 175 feet from I-75 right-of-way, except for the garden center referenced above. Motor Vehicle Repair Establishments shall only have indoor bays, shall be closed between the hours of 10:00 p.m. and 7:00 a.m. and shall maintain a minimum setback of 800 feet from Creekwood Boulevard and 200 feet from I-75, measured perpendicular to the applicable roadway from the opening of any repair bay, and shall be at least 600 feet from any residential property. Exterior loud speakers shall

maintain a setback distance of 750 feet from Creekwood Boulevard or any residential property and shall be directed away from Creekwood Residential parcels. Intercoms shall not be restricted.

d. Parcels C-4

The minimum building setback adjacent to Rosedale shall be 30 feet.

e. Parcels C-5

The minimum building setback adjacent to Rosedale shall be 45 feet.

Other setbacks are based on building height, as referenced in Land Use Condition 2 and in accordance with the Land Development Code for the PDC zoning district.

f. Parcels D and E

Multi-family units constructed on Parcels D and E shall be setback form Creekwood Boulevard and 44th Avenue extension as follows:

1. 35 feet for 1 or 2 story buildings
2. 55 feet for 3-story buildings

104. The following use restriction shall apply to Parcels C-6, C-7, C, C-4, C-5, and MU.

a. Parcels C-6 and C-7

Uses in Parcels C-6 and C-7 shall be limited to Private Community Uses, Neighborhood Commercial, and Professional Uses. Any use designed with parking to accommodate semi-trailer truck parking shall not be permitted. Gas pumps shall not be permitted on Parcel C-6.

b. Parcel C

Uses in Parcel C shall be limited to retail sales establishments, eating establishments (including drive-thru), gas pumps, service stations, banks (including drive-thru), business service establishments, health services, hotels, offices, car washes, dry cleaners, funeral homes and chapels, personal service establishments, repair service establishments, and neighborhood and community serving motor vehicle repair, and building materials establishments. No adult entertainment uses or drinking establishments (as both are defined by the Land Development Code) shall be permitted. No businesses may be open on a 24 hour basis, except for businesses within the outparcels along S.R. 70, grocery stores, or for special promotions no more than twice a year for each such business.

c. Parcels C-4 and C-5

Uses in Parcels C-4 and C-5 shall be limited to Retail Sales (excluding convenience stores), Eating (with no drive-thru), Banking (with drive-thru), Business Services, Offices, Clinics, Small Printing, and Personal Service, however, parcels north of 54th Drive East in Parcel C-4 shall be further limited to Business Services and Offices. (Mini-warehouse east of the wetland in Parcel C-5 only).

d. Parcel MU

Uses in Parcel MU shall be limited to Retail Sales, Eating (including Drive Thru), Gas Pumps, Banking (with drive-thru), Business Services, Offices, Clinics, Dry Cleaners, Printing, Personal Services, Rental Services, mini-warehouses, Neighborhood Serving Motor Vehicle Repair, and Hotel.

11~~2~~. Truck Deliveries in Parcels I, MU, C-4, C-5, C-6, C-7 and~~,~~ C~~, and G~~

a. Parcels C-6, and C-7

Trucks involved in deliveries to Parcels C-6 or C-7 shall not utilize 52nd Avenue Drive East and shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m.

b. Parcel C

Trucks involved in deliveries to Parcels C shall not utilize the access north of 52nd Avenue Drive East between the hours of 10:00 p.m. and 7:00 a.m. The Developer shall install signage at each entrance to Parcel C from Creekwood Boulevard, and at the terminus of the back entrance into Parcel C, indicating this restriction.

c. Parcels C-4 and C-5

Trucks involved in deliveries to Parcels C-4 or C-5 shall be prohibited between the hours of 10:00 p.m. and 7:00 a.m., except deliveries relating pharmaceutical supplies to a drug store. Trucks arriving into Parcel C-4 shall enter from Lena Road.

d. Parcel I

Trucks involved in deliveries to the east side of Lena Road in Parcel I shall be prohibited between the hours of 8:00 p.m. to 8:00 a.m.

There shall not be any overnight parking of trucks or trailers, except for trailers in trailer parking spaces that do not have any motors running. This shall be posted in all loading areas.

~~e. Parcel G~~

~~Trucks involved in deliveries shall prohibited between the hours of 8:00 p.m. and 8:00 a.m.~~

~~There shall be no overnight parking of trucks or trailers. This shall be posted in all loading areas.~~

123. All roof mounted H.V.A.C. mechanical equipment, loading areas, outdoor storage, and dumpsters shall be screened from view from I-75, S.R. 70, and residential properties to the north, with a solid parapet wall or other noise deflecting materials, consistent with the exterior finish materials of the buildings.

134. Lighting

a. Exterior lights shall be directed to the interior of Parcels MU, I, C-4, C-5, C-6, C-7, D, E, and G.

b. Parcel C

Except for street lights consistent with existing street lights along Creekwood Boulevard, no external lights shall be allowed within 100 feet of Creekwood Boulevard. All external lights in Parcel C shall be "box lighting," directed downward to the ground, shall not be in excess of 40 feet high on the front of the shopping center and 30 feet high on the rear or residential side of the shopping center and shall not allow more than 1.5 lumens beyond the boundary of Parcel C. The lighting within the area along the southern boundary of Parcel C, within 100 feet of S.R. 70, east of the Florida Power and Light (FP&L) easement, may exceed 1.5 lumens provided the standards and requirements of Section 709.2.3 of the LDC are met. The applicant shall submit a Photometric Plan at time of Final Site Plan approval for any plan (not including outparcels on S.R. 70). Building security lighting shall be mounted and directed downward.

c. Creekwood Boulevard

Developer shall install "box lighting" street lights along Creekwood Boulevard from S.R. 70 to the north end of Parcel G. Such lights shall be installed adjacent to Parcel C prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel C (not including outparcels on S.R. 70) and adjacent to Parcel G prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel G.

d. Parcels C-4 and C-5

Pole and building mounted lights on Parcels C-4 and C-5 and adjacent streets shall be limited to 20 feet in height, directed to the interior of the development using horizontal cut-off fixtures, and be amber in color. However, where federal, state, and local regulatory requirements dictate different standards for uses such as for financial institutions, the

requirements of those agencies shall be considered to supersede this condition only to the extent necessary to meet such requirements as long as the resulting lighting is not directed at Rosedale without shielding.

All pole lights on these parcels shall maintain a consistent style and color. This shall be determined prior to the first Final Site Plan approval for either parcel. Pole shall be muted, earth-tone colors.

e. Building Signs

Lighted building signs in Parcels MU, C-4, and C-5 shall not be visible from Rosedale. Lighted building signs in Parcel G shall not be visible from the residential portion of Creekwood.

f. Parcels D, E, and G

The design and shielding of any on-site lighting shall comply with LDC Section 709, as amended, for all Final Site Plans submitted after the date of this approval (January 5, 2006).

145. Multi-family, commercial, mini-warehouse, office, and industrial building facades visible from I-75, S.R. 70, and surrounding residential properties, shall include landscaping and design features which reduce the mass, scale, and uniform monolithic appearance of large unadorned walls.

Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, baked enamel or similar materials. Painted or exposed standard concrete block, or corrugated metal shall not be permitted. Architectural metals or standard concrete block with stucco type finish, in conjunction with other permitted building materials may be allowed, provided that at least fifty percent (50%) of the building face is constructed from other permitted materials or provided that the portion of the building made from these materials is completely screened from adjacent parcels. In Parcel C, for the area on the north side of the shopping center, east of Shops "B", which is greater than 300 feet from Creekwood Blvd. and 52nd Place East and greater than 750 feet from I-75, standard concrete block (painted) may be permitted.

In order to insure that the buildings do not project a massive blank wall, blank walls shall be no longer than 40 feet in length in any direction for the commercial, mini-warehouse, and office buildings and no longer than 30 feet in length in any direction for multi-family buildings, unless the building is completely screened from view. Design elements including prominently visible architectural details [e.g. bumpouts, reveals and projecting ribs, cornice, offset building planes, windows, shutters, areas of contrasting or different finish building materials, color etc.] shall be applied to the walls of buildings. Other methods, as determined be the ~~Planning~~ Building and Development Services Director, may be approved, including increasing the referenced 40 and 30 foot spacing requirement, provided superior building materials and significant horizontal design features are incorporated as part of the building elevation. Facades greater than 80 feet in length shall have variation in roof lines through varying the height of the cornice, or the use of 2 or more

roof types (parapet, dormers, and sloped, etc.) unless an equivalent alternative is approved by the Building and Development Services Department Director.

Chain link fences that are visible to adjacent properties and I-75 and S.R. 70 shall be prohibited. Outdoor storage areas shall be enclosed in an area attached to the main structure and shall utilize design elements and materials reflective of the main structure or decorative metal fences and grilles.

Building elevations shall be submitted at time of Final Site Plan and reviewed by staff for compliance with this condition.

15~~6~~. All truck loading and service areas shall be located at the non-street side of the building when adjacent to I-75 and S.R. 70. Additional buffering may be required if visible from I-75, Creekwood Boulevard or any residential property.

16~~7~~. Safe and efficient cross access for automobiles, bicycles, and pedestrians shall be provided through the proposed General Commercial and Office Park. A minimum of 5-foot wide sidewalks and pedestrian ways shall be provided to facilitate internal pedestrian circulation within the development including commercial (outparcels included) and office. The location of the sidewalks and pedestrian ways shall be approved by the ~~Planning~~ Building and Development Services Department with future plan submittals. Bicycle parking facilities shall be provided for each individual project in the development. A minimum of 1 bike rack for each single business exceeding 75,000 square feet of shopping center building area and 1 bike rack for each additional 75,000 square feet of shopping center building area shall be provided. These facilities shall be conveniently located to the entrances of the commercial and office buildings, and shall include facilities that secure the frame of the bicycle.

17~~8~~. The preservation of significant oak trees within the parking areas for the shopping center on Parcel C ~~and for office uses on Parcel G~~ shall be a condition of Preliminary and Final Site Plan approvals. Sufficient area around the trees, as determined by a registered Landscape Architect shall be provided to reasonably guarantee their survival.

18~~9~~. Prior to the first Certificate of Occupancy in Parcel C, a 5-foot wide sidewalk shall be constructed along the east side of Creekwood Boulevard, from S.R. 70 to the northern limits of Parcel C. Prior to the first Certificate of Occupancy in Parcel G, a 5-foot sidewalk shall be constructed along the east side of Creekwood Boulevard, from Parcel C to the existing sidewalk in the Westbrooke Subdivision.

~~21~~19~~0~~. Exterior loud speakers, bells, or similar audio communications shall not be permitted on Parcels C-4 or C-5 provided, however, that directed (non-broadcast) communication devices and intercoms shall not be restricted.

~~21~~20. Exhaust and other filtering systems in Food Service Establishments east of I-75 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 Environmental Management Department, Air Quality Section, with each Final Site Plan that includes a Food Service

Establishment.

21. Construction traffic in Parcels MU, I, and C-4 shall utilize Lena Road, except where left turns, exiting the project are prohibited. Construction traffic and traffic associated with tree harvesting on Parcel C-5 shall utilize S.R. 70 if such temporary access is permitted by FDOT. Temporary signs shall be posted at S.R. 70 and the Rosedale entrance directing construction traffic to Lena Road. All lot owners shall inform their contractors of this requirement.

22. Tree harvesting on Parcel C-5 within 70 feet of the adjacent residential property to the north shall not occur until the construction of the required wall or the building itself should the Planning Building and Development Services Director approve an alternative as permitted under Buffer Condition 5.e.(ii.).

23. Overhead doors associated with the mini-warehouse use shall be located so as to generally not be visible from S.R. 70 or Rosedale.

~~25. Parcel G - 60,000 square feet of office uses may be constructed in the RES-6 portion of this parcel. The remaining 65,000 square feet of office shall be constructed entirely within the MU FLUC and shall meet the development requirements of the 1990 Land Development Code, as amended, and the specific requirements of this Zoning Ordinance.~~

BUFFER CONDITIONS

1. Parcels I and MU

   a. A building setback of at least fifty (50) feet shall be provided west of and adjacent to the existing power line easement traversing Parcels MU & I. Native trees lying within shall not be removed. Trees of a native species shall be planted within 20 feet of the FP&L line where the base of trees closer than twenty-five (25) feet apart do not already exist. In addition, the screening buffers required between zoning district boundaries by the Land Development Code shall be required, except for the requirements for trees if more stringent within this stipulation. These plantings shall occur prior to a certificate of occupancy for each lot and they shall meet the minimum standards of the Land Development Code.

   b. A 50-foot wide buffer shall be required along east side of I-75.

   c. Buildings on the east side Lena Road in Parcel I shall be located on the western two-thirds of the lots.

2. Residential

   a. The 100-foot wide buffer along the west side of I-75 shall be provided. Additionally, the depth, design, and location of landscaped buffers will be determined when a Preliminary Site Plan is submitted for approval. Continued maintenance of these buffers shall be assured through appropriate measures such as covenants and deed restrictions.

b. Prior to Final Site Plan approval a noise analysis shall be done based on the potential 10-lane configuration of I-75 and anticipated traffic in 2025.

Manatee County noise level criteria for residential properties

MANATEE COUNTY NOISE STIPULATION*
No residential dwelling units shall be allowed in areas where the exterior noise level is; Ldn > 65 dBA.: Leq design hour > 65 dBA: or L10 design Hour > 68 dBA Unless protected by some performance equivalent measure to achieve; Ldn # 65 dBA, Leq design hour # 65 dBA, or L10 design Hour # 68 dBA
NOISE REDUCTION REQUIRED*
Sound attenuating barriers should be provided between the residential units and the noise source. Living areas shall be located and designed in a manner which orients the living areas and outdoor activity areas away from the noise source. Living areas include bedrooms, lanais, and florida rooms. Buildings shall be positioned to maximize the distance between the residential units and the noise source.

* For more detailed information see "The Noise Guidebook – A reference document for implementing the Department of Housing and Urban Development's Noise Policy", prepared by The Environmental Planning Division, Office of Environment and Energy.

c. Parcels D ~~and~~, E, and G

(i) The roadway buffers along Creekwood Boulevard and 44th Avenue extension shall be a minimum of 20 feet wide planted with 3 canopy trees (3-inch caliper as measured 6 inches from the base of the tree, 12 feet high, 5-foot spread) and 6 understory evergreen trees (2-inch caliper as measured from the base of the tree, 6 feet high, 3 foot spread) with 33 shrubs (30 inches at time of planting) per 100 linear feet.

(ii) The greenbelt buffer along the west side of Parcel E, excluding the FP&L easement shall be a minimum of 20 feet wide planted with 3 canopy trees (3-inch caliper as measured 6 inches from the base of the tree, 12 feet high, 5-foot

spread) and 33 shrubs (30 inches at time of planting) per 100 linear feet.

(iii) A landscape buffer shall be provided along the east side of Creekwood Boulevard from the FP&L easement to the north end of Parcel G, consistent with the landscape plan submitted in the public record for a portion of this area, which shall include a 3 foot high berm with a 4 to 6 foot high hedge. The landscaping adjacent to Parcel C shall be installed prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel C (not including outparcels on S.R. 70) and the landscaping adjacent to Parcel G shall be installed prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel G. The hedge shall obtain 80% opacity within 2 years of planting. (Completed)

(iv) A 200-foot wide buffer, containing the existing wetland on the residential development north of Parcel G, shall be maintained. All native vegetation shall be preserved within the buffer. (Completed)

3. The following buffering requirements shall apply to Parcels C-6, C-7, C, ~~G,~~ C-4, and C-5:

a Parcel C-6

A thirty (30) foot wide landscaped buffer shall be provided along the north side of Parcel C-6, adjacent to the residential land uses. Prior to any Certificate of Occupancy in Parcel C-6, two staggered rows of 3-inch dbh live oak trees of at least 14 feet in height shall be planted with trees in each row 50 feet apart. Existing live oak trees meeting this criteria may remain and may count to satisfy this condition. Any existing pine trees removed to satisfy this condition shall not be required to be replaced pursuant to County tree replacement requirements.

b. Parcel C-7

A 75-foot wide buffer from southwest corner of lot 1 of Phase 1, Subphase 1, Unit A-1 shall be provided along the east side of parcel C-7. Prior to the issuance of a Certificate of Occupancy for any use on Parcel C-7, screening consistent with the requirements of the Land Development Code, including the installation of a hedge to be a minimum of 6 feet high at maturity and 80 percent opaque, shall be provided along the east side of Parcel C-7, adjacent to the residential lots to the east. Within the 30-oot waterfront setback required by the Land Development Code, the developer shall provide tree landscaping consistent with Buffer Condition 5.A. above.

c. Parcel~~s~~ C ~~and G.~~

~~(i) A 200-foot wide buffer, containing the existing wetland on the residential development north of Parcel G, shall be maintained. All native vegetation shall be~~

~~preserved within the buffer.~~

~~(ii)~~(i) A 50-foot wide buffer shall be provided along the eastern boundary of Parcels C ~~and G~~ adjacent to I-75 and the exit ramp. All native vegetation (i.e., oaks, pines, palmettos, wax myrtles, etc.) shall be preserved, except for limited view corridors, designed to allow the view of buildings and signage in Parcel C, while maintaining lower story vegetation (such as palmettos) and significant trees, may be allowed, subject to ~~Planning~~ Building and Development Services Department review and approval.

~~(iii)~~ (ii) The existing native vegetation located between Creekwood Boulevard and the FP&L easement between S.R. 70 and 52nd Place East, shall be preserved, except where removal may be necessitated by the expansion of Creekwood Boulevard, in which case landscaping, at a minimum, shall conform to the Land Development Code.

~~(iv) A landscape buffer shall be provided along the east side of Creekwood Boulevard from the FP&L easement to the north end of Parcel G, consistent with the landscape plan submitted in the public record for a portion of this area, which shall include a 3 foot high berm with a 4 to 6 foot high hedge. The landscaping adjacent to Parcel C shall be installed prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel C (not including outparcels on S.R. 70) and the landscaping adjacent to Parcel G shall be installed prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel G. The hedge shall obtain 80% opacity within 2 years of planting.~~

~~(v)~~ (iii) The existing fence and landscaping on the west side of Creekwood Boulevard from its current end, south to 73rd Street East shall be installed, consistent with the plan submitted in the public record, prior to the first Certificate of Occupancy or Temporary Certificate of Occupancy for any building in Parcel C.

d. Parcels C-4

Prior to Final Plat approval, the following shall be installed within the 15 foot wide buffer along the entire eastern and northern boundary:

(i) Canopy trees spaced 30 feet apart and a minimum 5-nch caliper; and

(ii) Beginning at the current Rosedale wall on the east and extending to the west of Parcel C-4, a decorative concrete block wall (or a construction alternative with the same appearance for any portion of the wall in excess of 8 feet in height above grade), finished and painted consistent with the existing Rosedale wall. The top of the wall shall be approximately 8 feet above the finished floor elevations of the adjacent residences in Rosedale. Construction of the wall shall be concurrent with the horizontal improvements associated with the plat (Completed).

e. Parcel C-5

(i) A thirty five (35) foot wide landscaped buffer shall be provided along the north side of Parcel C-5; and

(ii) Within the southerly portion of this buffer, excluding the wetland, a decorative concrete block wall (or a construction alternative with the same appearance for any portion of the wall in excess of 8' in height above grade), generally 8 feet in height above existing grade and finished and painted consistent with the existing Rosedale wall, shall be installed. In order to prevent tree removal within this buffer from occurring any earlier than necessary, the wall shall be installed during building construction for each portion (east or west of the wetland) of this parcel, and shall be completed prior to the first Certificate of Occupancy on that portion of the parcel. The wall shall not be required for that portion of the property containing the wetland. The ~~Planning~~ Building and Development Services Director, or designee, shall have the authority to approve a superior alternative to a wall in which the building shall serve the purpose of a wall. Should this alternative be approved, tree removal shall not occur on this parcel until such time as the building is constructed.

(iii) Existing trees shall be maintained within this buffer to the extent practical and additional canopy trees of a minimum 5-inch caliper, shall be installed within this buffer in order to achieve canopy trees at least 30 foot on center. Timing shall be as outlined above and shall be verified prior to the issuance of the Certificate of Occupancy (Completed.)

f. Parcels C-4 and C-5

A coordinated landscape plan shall be developed for the 30-foot wide buffer along S.R. 70. This plan shall be determined prior to the first Final Plat approval for either parcel. (Completed)

ENVIRONMENTAL CONDITIONS

1. At the time of the first Preliminary Site Plan submittal, a Master Drainage Plan for the entire development, including a demonstration that the effect the proposed altering and deepening of existing wetlands will have on their ability to filter surface water and percolating groundwater will be acceptable, shall be submitted. This Master Drainage Plan, though it may have been approved by the County, will be subject to modifications by new state-of-the-art techniques and surface water management performance standards that may be developed or adopted during the course of the development process. (Completed)

2. Stormwater management system design for that portion of the development lying within the Evers Reservoir Watershed shall meet or exceed any requirements of the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as may be amended.

This shall not be interpreted to mean that the developer is required to retrofit any approved and existing stormwater systems which do not meet this requirement.

3. In conjunction with the submittal of the first Preliminary Site Plan, a demonstration of compliance with the Watershed Protection, Special Treatment and Agricultural Fringe Overlay zones, shall be submitted. As required by the Special Treatment District, the Board of County Commissioners must make a determination prior to construction that "Best Possible Technology" is being employed prior to construction. (Completed)

4. The Stormwater Maintenance Plan, submitted with the first Preliminary Site Plan, shall be designed using accepted best management practices to provide a natural hydroperiod within each wetland. Isolated wetlands shall, where practical, be incorporated into the stormwater system. Construction and post-construction monitoring of surface and groundwater quality and quantity shall be outlined and implemented; included in this plan shall also be the design and execution of a maintenance program to ensure the adequate functioning of the system beyond project buildout. The stormwater management system shall be designed with enough flexibility to allow for hydroperiod refinement, as needed.

5. All jurisdictional wetlands and streams shall be preserved physically and functionally. The only exception may be those areas in which appropriate environmental permits and local approvals are obtained.

   All Preliminary and Final Site Plans shall comply with the wetland policies of the Comprehensive Plan and the 1990 Land Development Code, as amended. Parcels which have approved Preliminary and Final Site Plans may continue to be developed in a manner consistent with the most recent approval, provided that such approval has not expired.

6. The Preliminary Site Plan, as submitted by phase, shall specifically also outline which and how much of each vegetation association is being preserved. Every effort shall be made by the developer and any future developers of this property to preserve a diverse range of the existing wildlife habitat. These preserve areas should be as large as possible and should be located adjacent to wetlands and/or a different upland community type.

7. Wetlands on the project site shall be preserved consistent with Map F-1 on page 44 of the ADA additional information response and with s.2.7 of the Council's adopted *Future of the Region*. In addition, the wetland on Parcel C-5 shall be preserved.

8. Representative tracts of all major upland vegetative communities shall be preserved in their natural state to serve as conservation/recreation areas.

9. The wind and soil erosion controls including sodding, hydroseeding, mulching and bare soil wetting, committed to by the developer in the ADA, shall be required.

10. A Wetland Buffer Restoration Plan shall be submitted to the ~~Planning~~ Building and Development Services Department for review with each Final Site Plan in accordance with Section 719.11.2.1.

of the LDC. The plan shall include both supplemental plantings and ongoing removal of exotic, nuisance vegetation.

11. 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 ~~Planning~~ Building and Development Services Department with each Final Site Plan.

12. An Exotic Plant Species Management Plan shall be submitted for review and approval prior to Final Site Plan approval for each phase. 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 the site shall be completed prior to issuance of the first Certificate of Occupancy or Final Plat approval, in accordance with Section 715.4 of the LDC.

WATER QUALITY CONDITIONS

1. To assure water quality is maintained:

   a. The developer shall institute a program to provide a body of initial baseline water quality data before any significant groundbreaking takes place, as well as institute a bi-annual on-going monitoring program through project build-out. Sampling stations shall be at the sampling sites shown in "Exhibit A".

   Sampling should be taken on a cresting hydrograph and should occur immediately after a one-inch storm event, and after a dry period, during both the rainy season (June - September) and the dry season (November - February). Significant water quality parameters should include, but not be limited to, the following:

   -streamflow (cu. ft. /sec.);
   -turbidity (ntu);
   -specific conductance (umho/cm at 25 deg. C);
   -dissolved oxygen (mg/l);
   -biochemical oxygen demand (mg/l);
   -pH;
   -total orthophosphate as P (m/l);
   -total organic nitrogen as N (mg/l);
   -total organic carbon as C (mg/l);
   -total coliforms, multiple tube method, MPN (col/100 ml);
   -total lead as Pb (ug/l); and
   -temperature (deg. C).

   Any changes to the sampling stations identified in "Exhibit A", the sampling frequency, or the above list of parameters shall be submitted to Manatee County and Tampa Bay

Regional Planning Council (TBRPC) for review and comment, with approval by Manatee County.

All water quality methods and procedures shall be thoroughly documented and should comply with EPA/DER Quality Control standards and should be submitted to Manatee County and TBRPC.

b. The developer shall provide baseline water-level contour maps for the unconfined aquifer on the Creekwood site, to reflect conditions present during both the wet season (June - September) and the dry season (November - February). In addition, the developer shall provide for review annually updated ground water contour maps as described above, until the project reaches completion.

2. In order to protect water quality, the following parameters shall be included in the project drainage plan.

a. The developer shall submit for approval a wetland-lake management plan, to be implemented during construction and after completion of the project. The plan shall address, but not be limited to, the following:

-proposed wetland/lake alterations;
-control of exotic species;
-control of on-site water quality;
-maintenance of natural hydroperiod; and
-methods for wetland restoration/enhancement.

b. The drainage system shall be designed to provide retention, or detention with filtration/assimilation treatment for the first inch of runoff generated from the site during the 25-year, 24-hour design storm; and that maximum post-development shall not exceed pre-development flows for the same design storm.

c. The proposed retention/detention wetland systems shall be designed to be consistent with the *Stormwater and Lake Systems Maintenance and Design Guidelines* (TBRPC 1978). The design criteria of this system should include the following elements:

(1) A minimum of 15 but no more than 50 percent of the surface area of the detention pond at the normal water level (NWL) shall consist of a shallow vegetated littoral shelf.

(2) The littoral shelf shall be incorporated into the pond bank, preferably near the pond outlet, to provide a final polishing treatment for the stormwater. As an alternative, the littoral shelf shall be established on a shallow submerged island in the middle of the pond.

(3) A sediment sump shall be provided at all influent pipes to accumulate sediment and to provide easy access for sediment removal.

(4) The littoral shelf, if located along the pond bank, shall have side slopes no greater than 7:1 with the top of the shelf at NWL and sloping to a depth of three feet or less.

(5) The littoral shelf shall be vegetated with a diverse group of native species, which can include Sagittaria, pickerel-weed, Juncus, water lilies, cypress, etc. These species aid in nutrient and heavy metal uptake as well as enhance the pond by providing blooming flowers and presenting a more "natural" appearance.

(6) A copy of an operation and maintenance (O & M) schedule shall be provided to the owner, and be submitted to TBRPC with the annual report. The O & M schedule should include an estimation of the frequency of sediment removal operations and should mention the periodic need for removing dead vegetation.

HAZARDOUS WASTE CONDITIONS

1. Prior to the construction of industrial facilities, hazardous waste storage and disposal plans, including transportation of wastes, shall be provided and approved.

2. The developer shall provide separate hazardous waste storage containers/areas within the project prior to or concurrent with the certificate of occupancy for the first business within the project. These containers/areas shall be accessible to all project businesses and shall be clearly marked and/or colored so as to clearly distinguish the containers/areas intended for hazardous wastes and materials. Such containers shall also be designed to prevent unauthorized use or entry. The hazardous waste storage containers/areas shall be allowed to be located within the Evers Reservoir Watershed Overlay District until such time as the first industrial use outside of the Evers Reservoir Watershed Overlay District is constructed, at which time the storage containers/areas shall be relocated outside of the Evers Reservoir Watershed Overlay District.

   The developer shall provide to all Creekwood businesses information that:

   a. Indicates types of waste and materials that are considered to be hazardous and are to be stored or disposed of only in the specially-designed containers; and

   b. Indicates the location of the specially-designed hazardous waste and materials containers; and

   c. Advises of applicable statutes and regulations regarding hazardous wastes and materials.

   The developer shall ensure that any hazardous waste will be transported and disposed of in a manner consistent with applicable regulations.

ARCHAEOLOGICAL CONDITION

1. At the time a Preliminary Site Plan for the specific areas referenced in the May 24, 1984 letter from the State Division of Archives, History and Records Management is submitted, the developer must show the location of all archaeological and historic sites identified by a systematic, professional archaeological and historic survey. If any sites exist, the ones which are significant must be protected and preserved.

PARKS AND RECREATION CONDITIONS

1. Implementation of the bike/pedestrian path shall be required as committed in the ADA, unless more restrictive conditions have been placed on the development in this order.

2. Development plans shall assure adequate buffering between the industrial, office, commercial and residential designations of this development through appropriate measures such as covenants and deed restrictions.

3. Assignment of specific responsibility for open spaces shall be made at the time of Final Plat submittal, unless no plat is required, then it shall be required at time of Final Site Plan submittal.

4. The 25-acre park located in the northwest quadrant of the project as shown on Revised Map H shall be deeded to the County by the Developer upon request of the County. The County shall utilize said acreage for public park purposes. The Developer shall be entitled to impact fee credit as set forth in Section 806.4.1 of the Land Development Code, as may be amended. (Completed)

   If the County desires to develop the park prior to the Developer extending Creekwood Boulevard from the southern boundary of Williams Creek north, the County may construct that portion of Creekwood Boulevard necessary to access the park. The Developer shall provide Manatee County with sufficient right-of-way for said construction. If Manatee County undertakes construction of any portion of the roadway, Manatee County shall obtain all necessary permits including any wetland impact permits required for said construction. The Developer shall have the right to review construction plans prior to commencement of construction to determine compatibility with its development plans including but not limited to provision of sufficient curb cuts to access development parcels. The road will be constructed to County standards. If the county constructs the road described in this paragraph, and the road is of a type not eligible for impact fee credits pursuant to Section 806.4 of the Land Development Code, then the developer shall reimburse the county for the cost of construction. If the road is eligible for impact fee credit and the county constructs the roadway, the developer will not be entitled to reimbursement. The Developer shall have the right to relocate the right-of-way and/or constructed road at its expense.

PUBLIC SAFETY CONDITIONS

1. Creekwood shall contribute a pro-rata share of the cost of constructing a fire station on the Tara public service site. The timing and amount of the required financial contribution shall be determined at the time of Preliminary Site Plan submittal. (Completed)

2. Creekwood shall contribute a pro-rata share of the cost to construct and equip the Sheriff Department's portion of the Public Services Building on the Tara Public Site. The timing and

amount of the required financial contribution shall be determined at the time of Preliminary Site Plan submittal. (Completed)

3. The use of street names for the main entrance roads to both the residential and industrial portion of the project may be allowed. The entrance road to the residential portion of the project shall be allowed as a designation of Creekwood Boulevard and the entrance road to the industrial portion of the project may be allowed to be named as a boulevard at a later time. All other streets within the project shall be numbered in accordance with the revised county grid system unless street names are allowed by the Board of County Commissioners for those other streets at a later time.

TRANSPORTATION CONDITIONS

1. Improvements shall be required to the project entrances on S.R. 70 and to the intersection of S.R. 70 and I-75. The improvements required at the S.R. 70 and Creekwood Boulevard intersection are generally described in the Intersection Analysis prepared by Roy Chapman P.E. and dated December, 1998. An updated intersection analysis shall be submitted prior to platting of the 101st residential lot north of Williams Creek. Such improvements shall include, but not be limited to, left turn storage lanes, signalization, ramp improvements and additional through lanes. The extent and timing of improvements required shall be determined by the County Transportation Authority with the review of an updated traffic analysis for each increment of development. This will require an overall maintenance of Level of Service "D" during peak hour of the intersection of Creekwood Boulevard and S.R. 70, as well as left-turns, right-turns, in and out of Creekwood Boulevard at S.R. 70.

2. Developer shall provide for a 120-foot wide right-of-way for 44th Avenue East (Cortez Road Extended) through the project. Two lanes of this roadway shall be constructed through the project by the developer with development of parcels adjacent thereto except for the bridge approach to the I-75 crossing. Sufficient right-of-way to construct the bridge approach shall be ~~dedicated~~ reserved and shall not be dedicated unless the right-of-way is voluntarily dedicated by the owner thereof pursuant to a development agreement.~~,~~ ~~but~~ ~~t~~The developer shall not be responsible for constructing the bridge over I-75 as an on-site transportation improvement. The developer shall enter into an agreement with the County to either oversize the internal stormwater pond system to be constructed on Parcel D or reserve capacity in the existing stormwater pond system to accept stormwater from the future 44th Avenue extension. The agreement must be entered into prior to Preliminary Site Plan approval for Parcel D.

3. Construction of approximately 1,600 feet of 44th Avenue East from the west property boundary west to the existing pavement, by the developer to a two lane section, including payment for acquisition of necessary right of way, shall be required prior to final plat approval of the 101st dwelling unit north of Williams Creek. The primary entrance road (Creekwood Boulevard) to the residential portion of the project shall connect to 44th Avenue at the time of construction of the extension of 44th Avenue, mentioned herein. Manatee County shall cooperate with Creekwood in the condemnation of any land necessary to meet this requirement.

4. A cross access easement between Parcels C-6 and C-7 and the Campbell Commercial Center to the west shall be recorded and this roadway connection shall be constructed or bonded prior to the next Certificate of Occupancy for Parcels C-6 or C-7. This cross access easement shall be located within 50 feet of the northern right-of-way of S.R. 70 at the western property line of Parcel C-7 and shall be extended eastward to the northern-most driveway on Creekwood Boulevard in Parcel C-6. (Completed)

5. The proposed entrance onto S.R. 70 at the southwest corner of the development shall be relocated eastward to facilitate the frontage road from the Campbell Commercial Center and to avoid conflict with regard to intersection function. (Completed)

6. The intersections of any driveway (including the frontage road) with the project entrance boulevard onto S.R. 70 shall be located as far from S.R. 70 right-of-way as necessary to avoid conflict with regard to intersection function.

7. All roads shown on the General Development Plan, including required stub-outs to the property boundary, shall be dedicated to Manatee County with adequate rights-of-way as determined by the Transportation Department except for the bridge approach for the 44th Avenue crossing of I-75.

8. The need for wider internal roads or potential changes in their proposed alignment shall be addressed at the time of Preliminary Site Plan submittal.

9. The proposed owner's association documents shall contain a provision requiring the occupants of the industrial park to coordinate shift changes to reduce peak hour traffic.

10. In accordance with the Traffic Element of the Manatee County Comprehensive Plan, the adopted level of service as of the effective date of this ordinance, as determined by the procedures reported in the Highway Capacity Manual (HCM) 2000 and using the most recent version of the Highway Capacity Software (HCS), or most current HCM manual and HCS software, and in accordance with guidelines and conclusions acceptable to the County, Tampa Bay Regional Planning Council and the Department of ~~Community Affairs~~Economic Opportunity shall be maintained on all of the following thoroughfares which have been identified by the Tampa Bay Regional Planning Council as receiving from Creekwood, five (5%) percent or more of daily Level of Service "C" capacity:

    a. University Parkway from Lockwood Ridge Road to I-75

    b. S.R. 70 from U.S. 41 to I-75

    c. Lockwood Ridge Road from University Parkway to S.R. 70

    d. S.R. 64 from Morgan Johnson Road to I-75

    e. I-75 from University Parkway to S.R. 70

f. S.R. 780 from Honore Avenue to I-75

g. Intersection of S.R. 70 and S.R. 683

h. Intersection of S.R. 70 and 45th Street East

i. Intersection of S.R. 70 and Caruso Road

j. Intersection of S.R. 70 and U.S. 301

k. Intersection of S.R. 64 and Morgan Johnson Road

l. Intersection of S.R. 70 and the Project Entrances

m. Intersection of S.R. 70 and I-75

n. Intersection of S.R. 70 and U.S. 41

o. S.R. 70 from I-75 to Lorraine Road

No plat or site plan shall receive approval if the approval of such increment of development would generate traffic which, in conjunction with existing traffic and traffic anticipated as a result of other development approvals, and other circumstances upon which the County may base traffic projections, will have the likely result of causing or contributing to a degradation of the Level of Service on these road links and intersections to a daily level below the adopted level of service as of the effective date of this ordinance. S.R. 70 shall maintain an acceptable Level of Service. Each request for plat or site plan approval must be accompanied by a traffic study prepared or provided in this paragraph. Level of Service on the above referenced links and intersections shall be verified as part of each annual report as required by Chapter 380.06(16) Florida Statutes. If any traffic study required above for any increment of development shows that the project will contribute more than ten percent (10%) of the Level of Service C capacity of S.R. 70 between S.R. 683 (15th Street East) and U.S. 301, then that increment of development shall not be approved unless the improvements are necessary to achieve the adopted level of service on that segment under construction.

This stipulation shall not be construed as diminishing any rights to credits for improvements paid for by the developer pursuant to this stipulation that would be available under Stipulation 14 of the General Conditions contained herein.

11. Access to the project shall be as shown on the Revised Map H.

12. A cross-access easement shall be provided between Parcels C and E. The location shall be approved by the ~~Planning~~ Building and Development Services and Transportation Departments prior to or concurrent with Preliminary Site Plan approval for Parcel E.

13. Prior to Final Plat approval for Parcel I, a 90-foot right-of-way for Lena Road, from the terminus

of the cul-de-sac in Parcel I to the eastern boundary of the Creekwood project, shall be dedicated to Manatee County. The intersection crossing with the eastern property boundary shall be south of Williams Creek and shall align in such a manner so that the road will not conflict with power poles in the easement. (Completed)

14. Prior to the next Preliminary Site Plan approval east of I-75, the Developer shall provide Manatee County with a mechanical means to monitor the new project trip traffic inbound and outbound at appropriate locations determined by Manatee County. (Completed)

15. Prior to issuance of Certificate of Occupancy for the 65,000 square feet of office on Parcel G the following improvement must be completed:

    At the intersection of S.R. 70 and Creekwood Boulevard, construct an additional southbound left-turn lane (dual left-turn lanes) with a separate southbound through-lane and a separate southbound right-turn lane. (Completed)

16. Prior to or in conjunction with Final Site Plan or Final Plat approval for any phase or subphase of Parcel D, the developer shall dedicate right-of-way to provide for a 250-foot half width right-of-way for the future 10-lane configuration of I-75.

17. Until there are dual left turn lanes on S.R. 70 to the Northbound I-75 ramp and receiving lanes for those turn lanes there shall be no increase in PM peak hour trips using the east side northbound ramp to I-75 above the 99 total trips currently approved for with the project prior to the NOPC approved January 5, 2006. As each Final Site Plan is brought forward there shall be an analysis of the proposed new trips to the ramp and the already approved trips from the project to ensure that the number of trips on the ramp does not exceed 99, until the above identified improvements are in place. (Completed)

OFF SITE FACILITY DEVELOPMENT FEE CONDITIONS

1. The developer, its successors, and assigns shall be bound by any and all impact fee ordinance(s) in effect at the time of building permit issuance. Impact fees shall be collected by Manatee County unless provisions have been made for another entity to collect all or part of the fees.

GENERAL CONDITIONS

1. The developer shall demonstrate the availability of adequate service/capability to provide wastewater treatment, solid waste disposal, police, fire, and EMS service with each Preliminary Development Plan submittal.

2. All structures shall meet at a minimum the building requirements of the Southern Standard Building Code, as amended.

3. The developer shall satisfy county requirements regarding the provision of EMS and police services to this portion of the County.

4. The energy conservation measures referenced in the ADA shall be required as a condition of approval.

5. Implementation of the bike/pedestrian path shall be required as committed in the ADA.

6. The development of this project shall proceed in accordance with the information plans, projections, representations and materials contained in the Application for Master Development Approval and application for rezoning and Conceptual Plan approval, except as modified by the stipulations, conditions and requirements set forth herein or in the approval of the ADA, or set forth in subsequent DRI or local approvals required for this development.

7. Nothing herein shall be construed as limiting the authority of Manatee County, in the course of review and development of this project, to implement and apply laws, ordinances, rules and regulations under its jurisdiction, consistent with the approval hereby granted.

8. The matters addressed herein, as well as additional matters that are appropriate to consider at later stages of review, may be reflected in additional and/or more detailed stipulations, conditions and requirements to be formulated and applied at later stages of review of this project under local procedures.

9. In the event that the import of any of the stipulations contained herein appears uncertain, interpretation thereof should be by reference to the staff report presented to the Planning Commission and Board of County Commissioners in connection with their consideration of this development proposal, and by reference to the record of the hearings before these bodies.

10. In the event ownership of any portion of the property embraced by this project, or any of the development rights acquired by virtue of this or subsequent approvals, is transferred to any party other than the applicant, the applicant or other transferor of such property or rights shall notify the Board of County Commissioners thereof and shall, in writing, identify the party or parties who will then be responsible to fulfill the obligations and meet the conditions established by these stipulations and by any subsequently established stipulations.

11. Nothing herein shall be construed as authorizing any use of the property other than as described in the General Development Plan hereby approved, nor shall anything herein be construed as denying the property owner or developer any rights to the continuation of existing uses that may be provided by the *Land Development Code* or other applicable law.

12. The terms "fair share" and "pro-rata share" as used herein refer to a contribution or participation by the developer, whose purpose is to address an impact generated by new development upon the public domain or upon services or facilities provided by the County, in an amount or of a value that reflects as nearly as is practicable, the impact of this development as a proportion of the total of impacts upon the same services, facilities, or element of the Public domain, that are expected

to be generated by all developments in the impact area that have received approval or that are specifically anticipated on the basis of submitted development requests.

13. Where these stipulations require, expressly or by implication, an exercise of discretion or judgment, but do not specify the nature or parameters thereof, or where some determination must be made or approval granted or condition satisfied, the necessary decision or judgment shall be made by the County; but in doing so the County shall act reasonably and in good faith and, where appropriate, in accordance with accepted practice.

14. In the event the County or other government entity with jurisdiction in the matter establishes impact fees or similar charges that are designed to pay the cost of any of the types of facilities, services, or impacts upon the public domain that the developer by virtue of these stipulations has an affirmative obligation to address, and such fees are payable with respect to portions of the development thereafter completed or finally approved, appropriate reductions in developer's obligations as set forth herein shall be considered and should be reflected in stipulations made a part of subsequent approvals.

15. All references made in Ordinance ~~12-15~~ 13-~~XX~~25 to a General Development Plan shall mean the Master Development Plan dated May 9, 2013~~hereinafter refer to revised Map H, as amended herein~~.

16. All Preliminary and Final Site Plans shall comply with the requirements of the 1990 Land Development Code, as amended. Parcels which have approved Preliminary and Final Site Plans may continue to be developed in a manner consistent with the most recent approval, provided that such approval has not expired.

Section 5. LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR REVISED CREEKWOOD

CREEKWOOD

THE EAST ½ OF SECTION 11, TOWNSHIP 35, RANGE 18 E., LESS THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 966, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.
ALSO:
THAT PART OF SECTION 12., TOWNSHIP 35., RANGE 18E., LYING WEST OF STATE ROAD 93 (INTERSTATE 75).
ALSO:
THAT PART OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 35 S., RANGE 18 E., LYING WEST OF STATE ROAD 93 (INTERSTATE 75), AND LYING NORTH OF STATE ROAD 70
ALSO:

THAT PART OF SECTION 13, TOWNSHIP 35 S,. RANGE 18 E,. LYING WEST OF STATE ROAD 93 (INTERSTATE 75), AND NORTH OF STATE ROAD 70.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A LITERWOOD POST FOUND MARKING THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 35 S., RANGE 18 E., SAME BEING THE SOUTHWEST CORNER OF THE EAST ½ OF SECTION 11, TOWNSHIP 35 S., RANGE 18 E., FOR A POINT OF BEGINNING: THENCE S 00°43'18" E, ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF SECTION 14, A DISTANCE OF 193.63 FT. TO THE NORTHEAST CORNER OF "CAMPBELL COMMERCIAL SUBDIVISION" AS RECORDED IN PLAT BOOK 23, PAGES 141 AND 142, AFORESAID PUBLIC RECORDS: THENCE CONTINUE S 00°43'10" E, ALONG THE EAST LINE OF SAID "CAMPBELL COMMERCIAL SUBDIVISION", SAME BEING THE OCCUPIED WEST LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 513.00 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W OF STATE ROAD 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13160-2503; THENCE S 70°20'03" E, ALONG SAID NORTHERLY R/W, A DISTANCE OF 7.83 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 17120.74 FT.; THENCE RUN SOUTHEASTERLY, ALONG SAID NORTHERLY R/W AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°08'15", A DISTANCE OF 339.93 FT. TO THE P.R.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 17256.74 FT.; THENCE RUN SOUTHEASTERLY ALONG SAID NORTHERLY R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 01°08'15", A DISTANCE OF 342.63 FT. TO THE P.T. OF SAID CURVE; THENCE S 70°20' 03" E. ALONG SAID NORTHERLY R/W, A DISTANCE OF 35.37 FT. TO THE INTERSECTION WITH THE NORTHERLY INTERCHANGE R/W OF STATE ROAD. 93 (INTERSTATE 75), AND SAID STATE ROAD. 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13075-2402; THENCE S 80°04'21" E, ALONG SAID NORTHERLY INTERCHANGE R/W, 82.10 FT.; THENCE S 70°20'03" E. ALONG SAID NORTHERLY INTERCHANGE R/W, 400.14 FT.; THENCE S 73°01'06" E. ALONG SAID NORTHERLY INTERCHANGE R/W, 100.26 FT.; THENCE S 70°20'03" E, ALONG SAID NORTHERLY INTERCHANGE R/W, 218.97 FT.; THENCE S 78°46'36" E, ALONG SAID NORTHERLY INTERCHANGE R/W, A DISTANCE OF 136.27 FT. TO THE INTERSECTION WITH THE NORTHERLY LIMITED ACCESS R/W, OF SAID STATE ROAD 93 (INTERSTATE 75); THENCE S 70°20'03" E, ALONG SAID NORTHERLY LIMITED ACCESS R/W, 298.34 FT.; THENCE S 72°37'29" E. ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 628.85 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 622.20 FT.; THENCE RUN NORTHEASTERLY ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 52°23'42". A DISTANCE OF 568.98 FT. TO THE P.T. OF SAID CURVE; THENCE N 54°58'49" E, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 351.55 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST, HAVING RADIUS OF 721.51 FT.; THENCE RUN NORTHEASTERLY ALONG SAID LIMITED ACCESS R/W, AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 50°03'07". A DISTANCE OF 632.91 FT. TO THE P.T. OF SAID CURVE, THENCE N 04°55'42" E, ALONG SAID LIMITED ACCESS R/W, 518.38 FT.; THENCE N 00°55'22" E, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 4990.44 FT. TO THE P.C. OF A CURVE CONCAVE TO THE WEST. HAVING A RADIUS OF 5530.30 FT.; THENCE RUN NORTHERLY ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 04°38'59", A DISTANCE OF 450.42 FT. TO THE INTERSECTION WITH THE

LINE OF SECTION 12, TOWNSHIP 35 S., RANGE 18 E.; THENCE N 89°26'05" W, ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 1065.82 FT. TO A CONCRETE MONUMENT FOUND MARKING THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 33 S., RANGE 18 E., SAME BEING THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 35 S., RANGE 18 E.; THENCE N 89°36'09" W, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1404.27 FT. TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 915, PAGE 966, AFORESAID PUBLIC RECORDS; THENCE S 00°26'58" W, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 660.16 FT.; TO THE SOUTHEAST CORNER OF SAID CERTAIN PARCEL; THENCE N 89°36'09" W, ALONG THE SOUTH LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 660.00 FT. TO THE SOUTHWEST CORNER OF SAID CERTAIN PARCEL; THENCE N 00°26'58" E, ALONG THE WEST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 660.16 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SAID SECTION 11, THENCE N 89°35' 09" W, ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 660.11 FT. TO THE NORTHWEST CORNER OF THE EAST ½ OF SAID SECTION11; THENCE S 00°45'32" E. ALONG THE WEST LINE OF THE EAST ½ OF SAID SECTION 11. A DISTANCE OF 5292.41 FT. TO THE POINT OF BEGINNING, BEING AND LYING IN SECTIONS 11, 12, 13 AND 14 MANATEE COUNTY, FLORIDA.

CONTAINING 540.56 ACRES MORE OR LESS

CREEKWOOD-EAST

THAT PART OF SECTIONS 12 AND 13, TOWNSHIP 35 S., RANGE 18 E., LYING EAST OF STATE ROAD 93 (INTERSTATE 75), AND LYING NORTH OF STATE ROAD 70. LESS LANDS AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1029, 3035 AND OFFICIAL RECORDS BOOK 1145, PAGE 3377, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

ALL OF THE ABOVE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A"

COMMENCE AT A CONCRETE MONUMENT FOUND MARKING THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 S., RANGE 18 E.; THENCE S 01°00'42" W. ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 13, A DISTANCE OF 821.22 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W OF STATE ROAD 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13075-2402; THENCE N 70°20' 03" W, ALONG SAID NORTHERLY R/W , 1492.94 FT.; THENCE N 33°10'32" W. ALONG SAID NORTHERLY R/W, 83.17 FT.; THENCE N 70°20'03" W, ALONG SAID NORTHERLY R/W, 70.00 FT.; THENCE S 74°16'39" W. ALONG SAID NORTHERLY R/W, A DISTANCE OF 79.73 FT. FOR A POINT OF BEGINNING: THENCE CONTINUE S 74°16'39" W, ALONG SAID NORTHERLY R/W, 7.01 FT.; THENCE N 70°20'30" W, ALONG SIAD NORTHERLY R/W, A DISTANCE OF 512.00 FT. TO THE INTERSECTION WITH THE NORTHERLY INTERCHANGE R/W OF STATE ROAD 93 (INTERSTATE 75), AND STATE ROAD 70; THENCE N 60°14'02" W. ALONG SAID NORTHERLY INTERCHANGE R/W, A DISTANCE OF 217.32 FT. TO THE INTERSECTION WITH THE NORTHERLY LIMITED ACCESS R/W OF SAID STATE ROAD 93

(INTERSTATE 75), THENCE N 70°20'03" W. ALONG SAID NORTHERLY LIMITED ACCESS R/W, 400.78 FT.; THENCE N 66°31'12" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 493.00 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 216.00 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 48°55'49", A DISTANCE OF 184.46 FT. TO THE P.T. OF SAID CURVE; THENCE N 17°35'24" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 250.16 FT. TO THE P.C. OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 1300.23 FT.; THENCE RUN NORTHWESTERLY, ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 15°33'05", A DISTANCE OF 352.91 FT. TO THE P.T. OF SAID CURVE; THENCE N 33°08'29" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 513.14 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 1338.39 FT.; THENCE RUN NORTHWESTERLY AND NORTHERLY, ALONG SAID LIMITED ACCESS R/W AND THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 32°55'25", A DISTANCE OF 769.08 FT. TO THE P.T. OF SAID CURVE; THENCE N 00°13'03" W, ALONG SAID LIMITED ACCESS R/W, A DISTANCE OF 4772.30 FT. TO THE INTERSECTION WITH THE NORTH LINE OF SECTION 12, TOWNSHIP 35 S., RANGE 18 E.; THENCE S 89°26'05" E, ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 1251.28 FT. TO A CONCRETE MONUMENT FOUND MARKING THE NORTHWEST CORNER OF THE EAST ½ OF SAID SECTION 12; SAME BEING THE INTERSECTION WITH THE WEST LINE OF A 330.0 FT. WIDE FLORIDA POWER & LIGHT CO. EASEMENT, AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 612, PAGE 508, AFORESAID PUBLIC RECORDS; THENCE S 00°25'44" E, ALONG SAID WEST LINE, SAME BEING THE WEST LINE OF SAID EAST ½ OF SECTION 12, A DISTANCE OF 2561.96 FT. MORE OR LESS TO THE INTERSECTION WITH THE PHYSICAL CENTERLINE OF A 30.0 FT. WIDE FLORIDA GAS TRANSMISSION COMPANY EASEMENT (FORMERLY KNOWN AS HOUSTON TEXAS GAS & OIL CORPORATION, A DELAWARE CORPORATION) AS DESCRIBED AND RECORDED IN DEED BOOK 399, PAGE 117, AFORESAID PUBLIC RECORDS; THENCE N 59°39'32" E, ALONG SAID PHYSICAL CENTERLINE 63.89 FT.; THENCE N 59°36'32" E, ALONG SAID PHYSICAL CENTERLINE, A DISTANCE OF 316.93 FT. TO THE INTERSECTION WITH THE EAST LINE OF SAID 330.0 FT. WIDE POWER & LIGHT COMPANY EASEMENT, SAME BEING THE WEST LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1029, PAGE 3035, AFORESAID PUBLIC RECORDS; THENCE S 00°25'44" E, ALONG SAID EASEMENT LINE AND THE WEST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 2932.78 FT. TO THE INTERSECTION WITH THE SOUTH LINE OF SAID EAST ½ OF SECTION 12, SAME BEING THE NORTH LINE OF THE EAST ½ OF SAID SECTION 13; THENCE S 01°10'44" W, ALONG SAID EAST EASEMENT LINE AND THE WEST LINE OF SAID CERTAIN PARCEL, A DISTANCE OF 2180.91 FT.; THENCE RUN ALONG THE SOUTHERLY LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 1029, PAGE 3035, THE FOLLOWING COURSES AND DISTANCES; N 74°57'17" E, A DISTANCE OF 109.85 FT. TO A POINT ON A CURVE WHOSE RADIUS POINT LIES N 74°57'17" E, 290.00 FT.; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°25'25", A DISTANCE OF 184.36 FT. TO THE P.T. OF SAID CURVE; THENCE S 51°28'08" E, 69.79 FT.; THENCE S 67°12'08" E, 132.97 FT.; THENCE S 76°52'08" E, 119.24 FT.; THENCE N 83°31'52" E, 306.67 FT.; THENCE S 06°28'08" E, 180.22 FT.; THENCE S 19°39'57" W, 360.60 FT. TO THE POINT OF BEGINNING.

CONTAINING 265.86 ACRES MORE OR LESS.

PARCEL "B"

COMMENCE AT A CONCRETE MONUMENT FOUND MARKING THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF SECTION 13, TOWNSHIP 35 S., RANGE 18 E., THENCE S 01°00'42" W, ALONG THE EAST LINE OF SAID SOUTHEAST 1/4 OF SECTION 13, A DISTANCE OF 279.10 FT. FOR A POINT OF BEGINNING: THENCE CONTINUE S 01°00'42" W, ALONG SAID EAST LINE OF THE SOUTHEAST 1/4, A DISTANCE OF 542.12 FT. TO THE INTERSECTION WITH THE NORTHERLY R/W OF STATE ROAD 70, AS SHOWN ON F.D.O.T. R/W MAP, SECTION 13075-2402; THENCE N 70°20'03" W, ALONG SAID NORTHERLY R/W. 1492.94 FT., THENCE N 33°10'32" W, ALONG SAID NORTHERLY R/W 1.61 FT. TO THE INTERSECTION WITH THE SOUTHERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED IN OFFICIAL RECORDS BOOK 1029, PAGE 3035, AFORESAID PUBLIC RECORDS; THENCE RUN ALONG THE SOUTHERLY LINE OF SAID CERTAIN PARCEL THE FOLLOWING COURSES AND DISTANCES; N 19°39'57" E, 215.12 FT.; THENCE N 83°57'11" E, A DISTANCE OF 410.86 FT. TO THE P.C. OF A CURVE CONCAVE TO THE NORTHWEST. HAVING A RADIUS OF 283.00 FT.; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 32°37'41", A DISTANCE OF 161.16 FT.; THENCE S 43°52'49" E, 121.17 FT.; THENCE S 10°11'25"E, 72.10 FT.; THENCE S 43°52'49" E, 240.00FT.; THENCE S 34°24'49" E, 88.00 FT.; THENCE N 85°27'11" E. 175.71 FT.; THENCE N 75E17'11" E, 113.23 FT.; THENCE N 34°52'11" E. 120.63 FT.; THENCE S 74°45'26" E, 103.64 FT. TO THE POINT OF BEGINNING.

CONTAINING 11.84 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

SECTION 6. SEVERABILITY

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 7. EFFECTIVE DATE

This ordinance shall take effect upon 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 13-25, the Development Order for Creekwood, with the Department of Economic Opportunity, unless a notice of appeal is filed pursuant to Section 380.07.F.S. ~~immediately upon filing with the Office of the Secretary of State, Florida Department of State.~~

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the ~~2nd day of August, 2012.~~ ~~INSERT DATE~~ 17th day of December, 2013.

Z-84-76 (R-109) – ~~Control Storage, Inc./Storage Now~~ Wells Fargo Bank, NA ~~(aka~~ Creekwood~~)~~

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

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING IANGES IN UNINCORPO-RATED MANATEE COUNTY

ICE IS HEREBY GIVEN, the **Planning Commission lanatee County** will con- a Public Hearing on **sday, December 12, 2013 :00 a.m. at the Manatee nty Government ılinistrative Center, 1st r Chambers, 1112 Manatee nue West, Bradenton,** ida to consider, act upon, forward a recommendation ıe Board of County ımissioners on the following ters:

(V-12-16(Z)(G) – THE NE CORPORATION/CONE) GRAHAM, INC. MULLEN CREEK PARK (DTS#20120453)
Ordinance of the Board of ınty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land 'elopment Code), relating to ing within the unincorporat- ırea; providing for a rezone ıpproximately 92.13 acres, ıted on Bayshore Road and m View Road (61st Street) in denton, from A-1 (Suburban lculture), PD-RV (Planned /elopment – Recreational ıicle), RSF-4.5 (Residential gle Family, 4.5 dwelling units acre), NC/M (Neighborhood ımmercial - Medium), and R (Planned Development – ıidential) zoning districts to PDRV (Planned /elopment – Recreational ıicle) zoning district; and ɔrove a General /elopment Plan for 499 reational vehicle sites, a ımunity recreational area, ce, and shower areas; sub- t to stipulations as condi- ıs of approval; setting forth dings; providing a legal ɜcription; providing for sever- lity, and providing an effec- ɜ date.

R-13-24(Z)(P) – LAWRENCE AGAN, ESTHER R. FERGU-)N REAL ESTATE TRUST D RESIDUAL TRUST UNDER LL OF ESTELLE L. REAGAN ZONE/DEL TIERRA SUBDI- SION (F.K.A. REAGAN NCH) (DTS #20130188; ZZSAW #00000209)
Ordinance of the Board of unty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning s (Ordinance 90-01, the ıatee County Land elopment Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)
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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)
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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.
This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parce G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
3. Add 112 residential units and decrease office square footag by 125,000 square feet;
4. Delete Land Use Condition related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

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Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately _ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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) 748-4501 x6878; 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.

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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
11/27/2013

Copy of Newspaper Advertising

Sarasota Herald Tribune

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, December 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:

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)
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 92.13 acres, located on Bayshore Road and Palm View Road (61st Street) in Bradenton, from A-1 (Suburban Agriculture), PD-RV (Planned Development – Recreational Vehicle), RSF-4.5 (Residential Single Family, 4.5 dwelling units per acre), NC/M (Neighborhood Commercial - Medium), and PDR (Planned Development – Residential) zoning districts to the PDRV (Planned Development – Recreational Vehicle) zoning district; and approve a General Development Plan for 499 recreational vehicle sites, a community recreational area, office, and shower areas; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-24(Z)(P) – LAWRENCE REAGAN, ESTHER R. FERGUSON REAL ESTATE TRUST AND RESIDUAL TRUST UNDER WILL OF ESTELLE L. REAGAN REZONE/DEL TIERRA SUBDIVISION (F.K.A. REAGAN RANCH) (DTS #20130188; BUZZSAW #00000209)
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Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)
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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: November 27, 2013

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	Z-84-76/PSP-13-21(P) – Wells Fargo Bank/Creekwood Commons West (DTS #20130206)	**TYPE AGENDA ITEM**	Advertised Public Hearing – Consent
DATE REQUESTED	12/12/13 PC	**DATE SUBMITTED/REVISED**	12/04/13
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
CONTACT PERSON TELEPHONE/EXTENSION	Rossina Leider / Planner 941-748-4501 ext. 6859	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Rossina Leider / Planner 941-748-4501 ext. 6859
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 Z-84-76/PSP-13-21(P) per the recommended motion in the staff report attached to this memo.

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

Manatee County Comprehensive Plan and Manatee County Land Development Code.

BACKGROUND/DISCUSSION

- The 20.75± acre vacant site is located on the east side of Creekwood Boulevard, approximately ½ mile northeast of intersection of SR 70 and Creekwood Boulevard.
- The site is Parcel G of the Creekwood DRI, a mixed-use development, located at the NE and NW quadrants of the intersection of State Road 70 and I-75. The DRI project was approved in 1985, and has been amended a number of times to reduce the total project acreage, decrease amount of development and modify and redistribute project entitlements. The most recent amendment was in 2012.
- Parcel G was originally intended to be developed with office uses, and zoned PDC (Planned Development Commercial) as part of the original approval of the Creekwood DRI. The site has entitlements for 60,000 square feet of office space (Z-84-76/FSP-04-106/ Creekwood West Commons, approved on 03/14/2005) and a Certificate Level of Services (CLOS-05-062) issued on 03/14/2005 that will expire on expire on 03/14/2015.
- The site is zoned PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts) [subject to the approval of Ordinance Z-84-76(R10) to modify the use of the site from office to residential, and rezone the site from PDC (Planned Development Commercial) to PDR (Planned Development Residential) maintaining the Overlay Districts (Watershed Protection and Special Treatment)].
- The site is within the RES-6 (Residential – six dwelling units per acre)(7.9 acres) and MU (Mixed-Use)(12.8 acres) Future Land Use Categories (FLUC).
- The current request is for approval of a Preliminary Site Plan for a maximum of 12 single-family attached residences in a gated private community. The Preliminary Site Plan proposes:
  - Two access points: one main access point to connect Creekwood Boulevard with an internal loop via a main private roadway (gated entrance), and a gated emergency access point in the northwest corner of the site that provides connection from the internal loop to Creekwood Boulevard, via a 15-foot wide stabilized.
  - Minimum lot size of 1,584 square feet (16 foot wide minimum). The dwelling units will be organized in buildings containing 4 or 6 units located along both sides of the "internal loop".
  - Gross and net density of 5.4 and 5.65 dwelling units per acre respectively.
  - 7.5 acres of open space (36% of the total site). Recreational amenities (0.89 acres) as a focal point (optional open pavilion, restrooms, and a pool).
  - 20-foot wide roadway buffer along Creekwood Boulevard, and a 5-foot wide sidewalk within the referenced roadway buffer, both already existing.
  - 15-foot wide greenbelt landscape buffer along the south and partially north property boundaries to screen the project from the adjacent development (commercial site and residential subdivision, respectively). A 100- foot buffer along the east property boundary adjacent to the I-75 is provided.
  - 6-foot high fence or wall (at developer option) along the south property boundary (lots 45 to 74) and along the rear of lots 1 to 14.
  - Stormwater management facilities to the west and northeast of the site (already installed on-site).
  - No impacts to wetland or wetland buffers.
- Special approval is required for a project with:

- Project in MU (Mixed-Use) FLUC
- Project within WP-E (Watershed Protection Evers) Overlay District
- Project within ST (Special Treatment) Overlay District (partially)
- Project within the Entranceway Overlay District (partially)

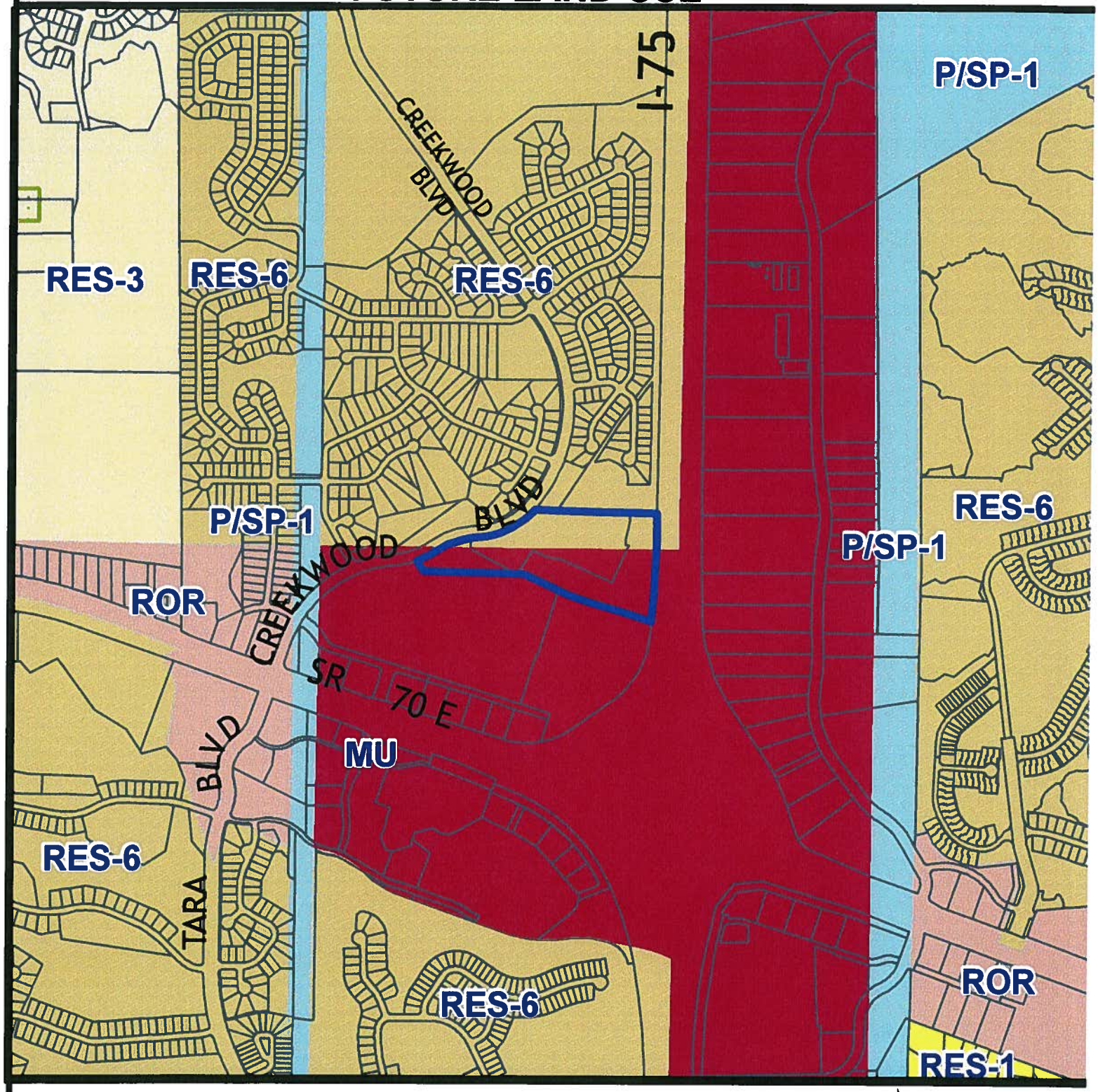
- The applicant requests Specific Approval to:
  - Reduced waterfront yard setback (LDC Section 702.6.8)
  - Reduced private Right-of-Way width (LDC Section 740.2.6.18)
  - To allow sidewalks on one side of internal travel lane (LDC Section 722.1.4.3)
  - Second means of access (LDC Section 712.2.8)
  - Reduced replacement tree sizes (714.8.7)
  - To allow one canopy tree per plantable area (715.3.4)
  - Placement of 6-foot high wall or fence along the exterior edge of the greenbelt buffer with landscape placed in the interior side of the fence or wall. (715.3.2.3, Option E)

Staff supports all requested Specific Approvals. Staff recommends approval of this request, with stipulations.

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

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

FUTURE LAND USE



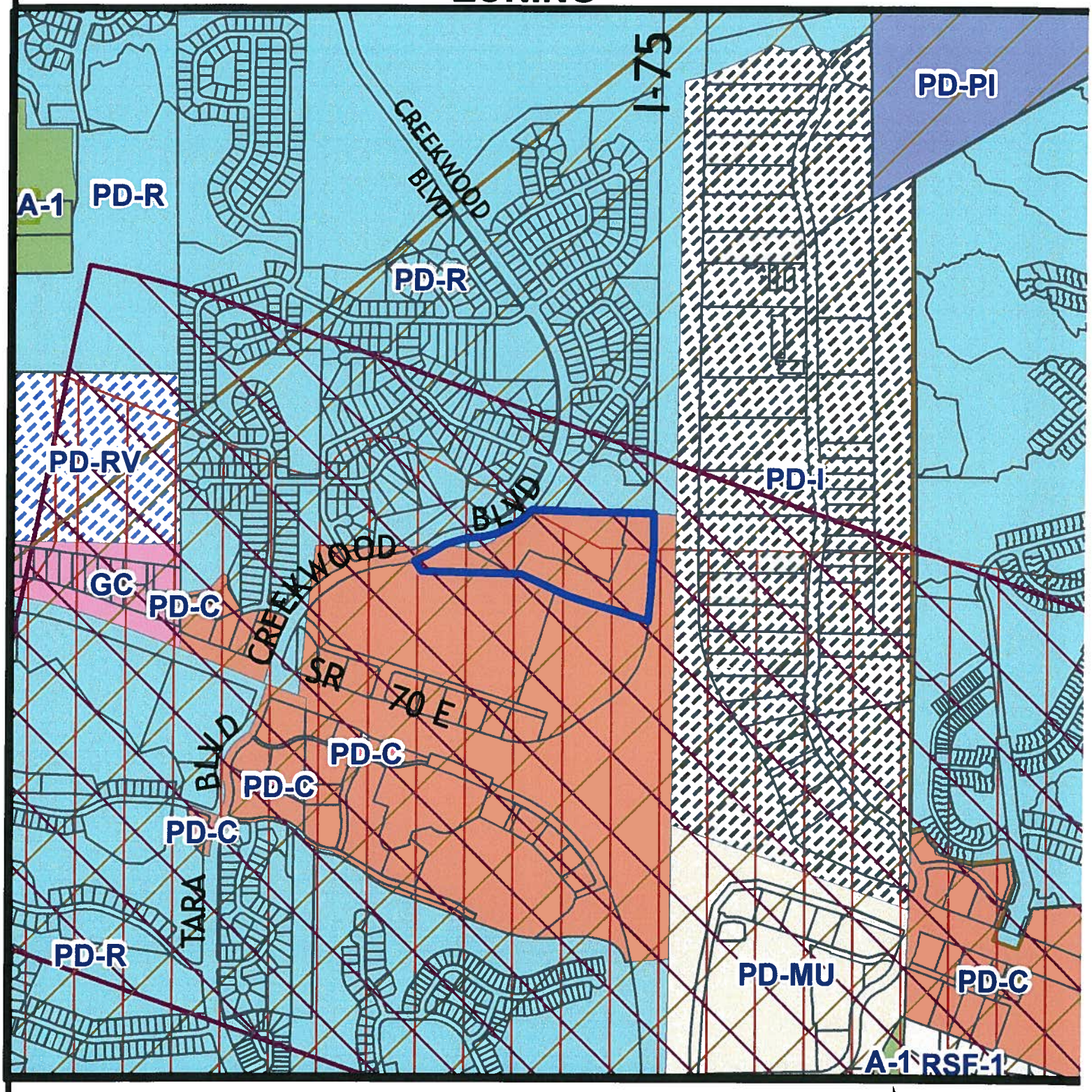
Parcel ID #(s) 1730800759, 1731001259

Manatee County
Staff Report Map

Map Prepared 7/3/2013
1 inch = 1,042 feet

Project Name:	Creekwood West Commons
Project #:	Z-84-76 / PSP-13-21
DTS#:	20130206
Proposed Use:	Residential
S/T/R:	Sec 13,11,12 Twn 35 Rng 18
Acreage:	20.75
Existing Zoning:	PD-R, PD-C
Existing FLU:	MU, RES-6
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

ZONING



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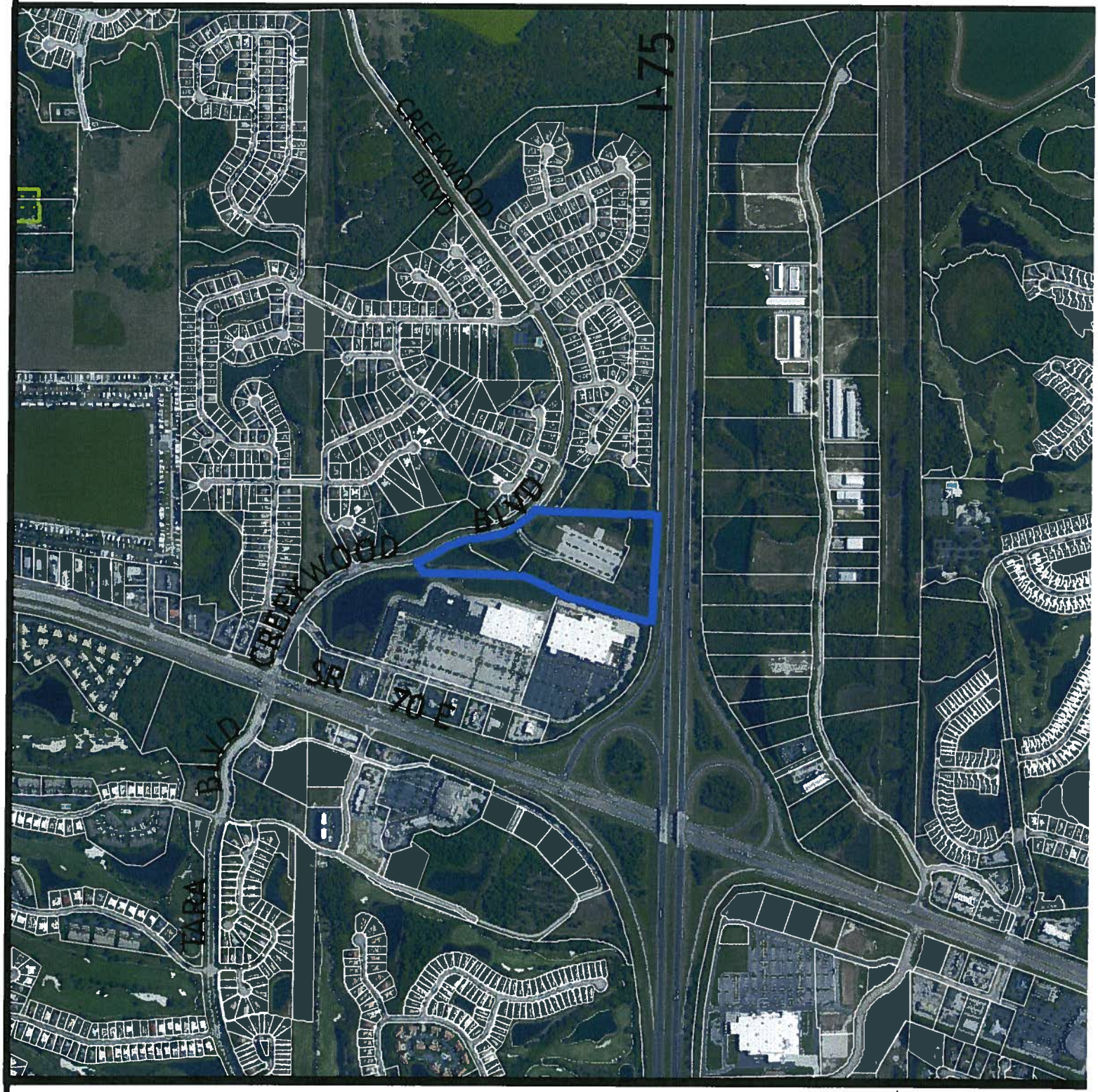
Project #:	Z-84-76 / PSP-13-21
DTS#:	20130206
Proposed Use:	Residential
S/T/R:	Sec 13,11,12 Twn 35 Rng 18
Acreage:	20.75
Existing Zoning:	PD-R, PD-C
Existing FLU:	MU, RES-6
Overlays:	ST
Special Areas:	NONE

Special Treatment
Evers Watershed (WPE)
Entranceways

CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

AERIAL



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Acreage:	20.75
Existing Zoning:	PD-R, PD-C
Existing FLU:	MU, RES-6
Overlays:	ST
Special Areas:	NONE
CHH:	NONE
Watershed:	WPE
Drainage Basin:	WILLIAMS CREEK,UNNAMED STREAM
Commissioner:	Vanessa Baugh

P.C. 12/12/2013

Z-84-76/PSP-13-21(P) – Wells Fargo Bank/Creekwood Commons West (DTS #20130206)

An Ordinance of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences. Subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately ½ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts).

P.C.: 12/12/2013 **B.O.C.C.: 12/17/2013**

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 ADOPTION of Manatee County Zoning Ordinance No. Z-84-76/PSP-13-21(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1-A.8, B.1-B.2, C.1-C.2, D.1-D.3, and E.1; GRANTING Special Approval for: 1) a project in the MU Future Land Use Category; 2) Entranceway, 3) partially within the Watershed Protection Evers Overlay District, and 4) partially within Special Treatment Overlay District; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to Sections 702.6.8, 740.2.6.18, 722.1.4.3, 712.2.8, 714.8.7, 715.3.4, and 715.3.2.3 Option E of the Land Development Code, subject to approval of Ordinance Z-84-76(R10), as recommended by staff.

PROJECT SUMMARY	
CASE#	**Z-84-76/PSP-13-21(P) (DTS # 20130206)**
PROJECT NAME	**Wells Fargo Bank/Creekwood West Commons**
APPLICANT(S):	**Wells Fargo Bank, NA**
EXISTING ZONING:	**PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts) - 20.75 acres**
PROPOSED USE(S):	**112 lots for single-family attached residences**
CASE MANAGER:	**Rossina Leider**
STAFF RECOMMENDATION:	**APPROVAL**

DETAILED DISCUSSION

The ±20.75 acre vacant site is located on the east side of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard. The site is zoned PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts) and within the RES-6 (Residential – six dwelling units per acre)(7.9 acres) and MU (Mixed-Use)(12.8 acres) Future Land Use Categories (FLUC).

History

The site is Parcel G of the Creekwood DRI, a mixed-use development, located at the NE and NW quadrants of the intersection of State Road 70 and I-75. The DRI project was approved in 1985, and has been amended a number of times to reduce the total project acreage, decrease amount of development and modify and redistribute project entitlements. The most recent amendment was in 2012.

The Creekwood DRI has a total project acreage of ± 818.26 acres, and is currently approved for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space which includes up to 85,000 square feet of medical offices, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.

Parcel G was originally intended to be developed with office uses, and zoned PDC (Planned

Development Commercial) in 1985 as part of the original approval of the Creekwood DRI. On March 14, 2005 a Final Site Plan identified as Creekwood West Commons (Z-84-76/FSP-04-106) was approved on Parcel G, and the project entitlements are for 60,000 square feet of office space in 3 buildings (20,000 sq. ft. each). The site was partially developed, and the following improvements have been constructed or installed:

- a main roadway entrance, and the parking areas,
- stormwater facilities and all infrastructure, and
- 20-foot wide roadway buffer (according to the requirements of the zoning ordinance Z-84-76).

A Certificate Level of Services (CLOS-05-062) was issued for the project on 03/14/2005 and will expire on expire on 03/14/2015.

At this time, a companion application has been submitted [(Z-84-76 (R10)] to:

- modify the use of the site (Parcel G) from office to residential, and
- rezone the site to PDR (Planned Development Residential) maintaining the Overlay Districts (Watershed Protection and Special Treatment).

Request

The current request is for approval of a Preliminary Site Plan for a maximum of 112 lots for single-family attached residences in a gated private community. The Preliminary Site Plan identifies:

- Two access points as follows:
  a. One access point to connect Creekwood Boulevard with an internal loop via a main private roadway (gated entrance), and
  b. One access point in the northwest corner of the site that provides connection from the internal loop to Creekwood Boulevard, via a 15-foot wide stabilized, gated emergency access.
- Minimum lot size of 1,584 square feet (16 foot wide minimum). The dwelling units will be organized in buildings containing 4 or 6 units located along both sides of the "internal loop".
- Gross and net density of 5.4 and 5.65 dwelling units per acre respectively.
- 7.5 acres of open space (36% of the total site).
- 20-foot wide roadway buffer along Creekwood Boulevard, and a 5-foot wide sidewalk within the referenced roadway buffer, both already existing.
- 15-foot wide greenbelt landscape buffer along the south and partially north property boundaries to screen the project from the adjacent development (commercial site and residential subdivision, respectively).
- 6-foot high fence or wall (at developer option) along the south property boundary (lots 45 to 74) and along the rear of lots 1 to 14.
- A 100- foot buffer along the east property boundary adjacent to the I-75.
- Stormwater management facilities to the west and northeast of the site (already installed on-site).
- No impacts to wetland or wetland buffers.

- Recreational amenities (0.89 acres) as a focal point (optional open pavilion, restrooms, and a pool).

The site will be developed with single-family attached lots, and a minimum lot size of 1,584 square feet (16' x 99'). The applicant proposes a different housing type and smaller lots for which were developed the adjacent residential subdivisions along both sides of Creekwood Boulevard (Creekwood Phase I and Phase II, developed with single—family detached lots and a minimum lot size of 6,600 sq. ft.).

However, the site will be separated to the single-family detached developments for a greenbelt buffer, stormwater facilities, and a large wetland to the north, and for the Creekwood Boulevard to the west. In addition, the project will provide transition from the established commercial site (Lowe's) to the south and the single-family detached developments to the north.

The applicant proposes a maximum of 112 residential units for an overall gross and net density of 5.4 du/acre and 5.65 du/acre, respectively. In RES-6 FLUC, Special Approval is required for projects for which the density exceeds 4.5 du/acre gross and 6 du/acre net. With Special Approval, the site has the potential to be developed with a maximum of 163 units as follows:

FLUC	Acres	Without Special Approval		With Special Approval	
		Gross Density (du/ac)	Total Units	Gross Density (du/ac)	Total Units
RES-6	7.9	4.5	35	6	47
MU	12.9	9	116	9	116
Total Units		-	**151**	-	**163**

The Preliminary Site Plan proposes only 28 residential units within the RES-6 portion of the site (7.9 acres) for a gross density of 3.5 du/acre and a net density below of 6 du/acre, not exceeding the maximum density threshold without special approval in RES-6 FLUC (4.5 du/acre gross and 6 du/acre net).

Site lies in Zone X per FIRM Panel 120153 0354C (revised 7/15/92). The project is not located within the FEMA FIRM Map delineated 100 year floodplain (Zones A or AE). However, a portion of the project is delineated within:

- the 100 year floodplain pursuant to the preliminary DFIRM (with no base flood elevation), and
- the 100-year floodplain according to the Braden River Watershed Study approved for regulatory use by SWFWMD on May 21, 2013.

The site lies within the MU (Mixed-Use) FLUC, Entranceway, Evers Watershed, and Special Treatment Overlays Districts. The project shall comply with all applicable regulations of LDC Sections 737, 604.1, and 604.4. Special Approval is required to be granted by the Board of County Commissioners through the planned development process, and PDR zoning provides greater flexibility for the project when establishing appropriate mitigation measures.

There are ±0.05 acres of wetlands, and no impacts to wetlands or wetland buffers are proposed. A possible retaining wall with a decorative fence is proposed on the rear of lots 15, 16, 17, 18, and to 19, adjacent or nearby to the wetland buffer. There do not appear to be any known or recorded historic resources within the project area.

Recreational area (0.89 acres) has been provided in the central portion of the site, with optional amenities proposed (open pavilion, a pool, and restrooms). The following buffers have been provided:

- 20-foot wide roadway buffer already installed according to the requirements of Z-84-76.
- 15-foot wide greenbelt buffer along the west portion of the north property boundary that will preserve the existing vegetation.
- 15-foot wide landscaped greenbelt buffer along the south boundary adjacent to a commercial site. The buffer will be planted with 3 canopy trees and 33 shrubs per every 100 ft. A 6-foot high fence or wall (at the developer option) is proposed in the exterior edge of the buffer in order to provide additional screening and privacy to the residential units (Lots 45 to 74). The fence or wall will be extended along the rear for lots 1 to 14 (direction south to north). Staff recommends a stipulation requiring the wall or fence be provided along the south property line adjacent to the existing commercial site.
- 100-foot wide buffer along the east property boundary adjacent to the I-75 corridor. A noise analysis shall be provided before Final Site Plan approval according to the regulations of zoning ordinance Z-84-76.

The applicant requests Specific Approval to:

- Reduced waterfront yard setback (LDC Section 702.6.8)
- Reduced private Right-of-Way width (LDC Section 740.2.6.18)
- To allow sidewalks on one side of internal travel lane (LDC Sections 722.1.4.3)
- Second means of access (712.2.8)
- Reduced replacement tree sizes (LDC Section 714.8.7)
- To allow one canopy tree per plantable area (LDC Section 715.3.4)
- Placement of 6-foot high wall or fence (at developer option) along the exterior edge of the greenbelt buffer with landscape placed in the interior side of the fence or wall (LDC Section 715.3.2.3 Option E)

Staff supports all requested Specific Approvals. Staff recommends approval of this request, with stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA	
ADDRESS:	**7715 52nd Terrace E**
GENERAL LOCATION:	**East of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard**
ACREAGE:	**± 20.75 acres**
EXISTING USE(S):	**Vacant**
FUTURE LAND USE CATEGORY(S):	**RES-6 (Residential - 6 dwelling units per acre) (7.9 acres) MU (Mixed Use) (12.8 acres)**
DENSITY / INTENSITY:	**5.4 gross – 5.65 net overall**
SPECIAL APPROVAL(S):	• **Project in MU (Mixed-Use) FLUC** • **Project within WP-E (Watershed Protection Evers) Overlay District** • **Project within ST (Special Treatment) Overlay District (partially)** • **Project within the Entranceway Overlay District (partially)**
OVERLAY DISTRICT(S):	**WP- E (Watershed Protection Evers) ST (Special Treatment) Entranceway**
SPECIFIC APPROVAL(S):	**1) Reduced waterfront yard setback 2) Reduced private Right-of-Way width 3) To allow sidewalks on one side of internal travel lane 4) Second means of access 5) Reduced replacement tree sizes 6) To allow one canopy tree per plantable area 7) Placement of 6-foot high wall or fence along the exterior edge of the greenbelt buffer with landscape placed in the interior side of the fence or wall.**
SURROUNDING USES & ZONING	
NORTH	**Single-family homes zoned PDR (Planned Development Residential)**
SOUTH	**Creekwood West Commercial zoned PDC (Planned Development Commercial**

EAST	**I-75**	
WEST	**Across Creekwood Boulevard, are single-family homes zoned PDR (Planned Development Residential)**	
SITE DESIGN DETAILS		
LOT SIZE(S):	**1,584 sq. ft. (16' x 99')**	
SETBACKS: **(*) 16' min. between buildings** **(**) Specific Approval to LDC Section 702.6.8 is requested by the applicant**	**Front** **Side** **Rear** **Waterfront**	**25'** **5' (*)** **10'** **21'(**)**
OPEN SPACE: **(35% is required for projects within the Watershed Overlay District)**	**Required: 35 % or 7.26 acres** **Provided: 36% or 7.5 acres**	
RECREATIONAL AMENITIES: **(*) Optional amenities**	**Open pavilion, restrooms, and a swimming pool (*)**	
RECREATIONAL ACREAGE:	**0.89 acres**	
ACCESS:	**- One main access point from Creekwood Boulevard** **- One emergency access to the north of the main entrance**	
FLOOD ZONE(S)	**Zone X per FIRM Panel 120153 0354C (revised 7/15/92). Preliminary digital maps (D-FIRMs) place portion of the site in Zone 1 with no base flood elevation (projected effective 3/17/14)**	
AREA OF KNOWN FLOODING	**Yes, rainfall. 25% reduction in allowable runoff for Braden River required**	
UTILITY CONNECTIONS	**Water and sewer available**	
ENVIRONMENTAL INFORMATION		
Overall Wetland Acreage:	**0.05 acres**	
Proposed Impact Acreage:	**None**	

Wetlands:
According to the environmental narrative from King Engineering dated July 2013 there is a wetland that is partially within the project area, which is depicted on the site plan sheets along with the required 30' wetland buffer. There are no impacts proposed to either the wetland or the wetland buffer. The portion of the wetland and the associated 30' wetland buffer will be required to be placed in a conservation easement along with the platting of the subdivision. A

stipulation is provided to require this.

Endangered Species:
According to the environmental narrative there were no signs of listed species on-site with the exception of a white ibis foraging within an onsite stormwater pond.

Landscaping/Buffers:
Section 715.3.4 of the LDC requires street trees be planted along the roadways, but within the lots. The PSP shows symbols for these trees and a list of species to choose from. There is also a "typical lot/building layout provided, which shows where utilities such as water and sewer will be entering the lots. Since this leaves a limited space for planting of street trees the applicant has been advised to request Specific Approval for an alternative to this section to allow planting of an amount of trees that will fit in the plantable areas.

NEARBY DEVELOPMENT

NON-RESIDENTIAL				
PROJECT	**SQ. FT.**	**F.A.R.**	**FLUC**	**YEAR APPROVED**
Creekwood West Commercial	384,523	0.17	MU	2000

RESIDENTIAL				
PROJECT	**LOTS / UNITS**	**DENSITY**	**FLUC**	**YEAR APPROVED**
Creekwood Ph 2, Sub E	35	2.85	RES-6	1995
Creekwood Ph 2, Sub G & H	70	2.03	RES-6	1996
Creekwood Ph 2, Sub F	45	0.57	RES-6	1995
Creekwood Ph I, Sub I, Unit A-1	93	2.12	RES-6	1991
Creekwood Ph I, Sub I, Unit A-2	19	2.29	RES-6	1993
Creekwood Ph I, Sub I, Unit A-3	31	2.15	RES-6	1993
Creekwood Ph I, Sub I, Unit B-5	24	1.52	RES-6	1994
Creekwood Ph I, Sub I, Unit B-6	20	1.88	RES-6	1995

POSITIVE ASPECTS

- **The surrounding area to the north and west is developed residential.**
- **The development of this parcel, with attached residential units, will serve as a transition between the established commercial area to the south and the single-family detached subdivisions to the north and west.**
- **The design shows 36% open space.**

- **PDR allows the Board to stipulate development to ensure compatibility.**

NEGATIVE ASPECTS

- **Proposed lot sizes are smaller than surrounding lots to the north and west.**
- **Future residents may be impacted by noise along I-75 and the commercial site adjacent to the south.**
- **One full access provided for over 100 units.**

MITIGATING MEASURES

- **Area to the north and west separated to the site by existing trees, buffers, wetland areas, and ponds.**
- **The applicant is providing a 15-foot wide greenbelt buffer planted with canopy trees and shrubs. Staff recommends a stipulation requiring a 6-foot high fence or wall along the south property line abutting commercial development to the south.**
- **A 100-foot buffer along the east property boundary adjacent to the I-75 is provided.**
- **A Noise Analysis shall be provided before approval of the subsequent Final Site Plan.**
- **An emergency access is provided.**

STAFF RECOMMENDED STIPULATIONS

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

1. Compliance with all applicable regulations of the Zoning Ordinance Z-84-76(R10) shall be demonstrated at time of Final Site Plan.
2. Pursuant to Ordinance No. Z-84-76(R10) a "Noise Analysis" shall be provided prior to the approval of the Final Site Plan.
3. Compliance will all applicable regulations of LDC Sections 604.1 – Evers Watershed Overlay District, 604.4 – Special Treatment Overlay District, and 737 - Entranceways shall be demonstrated at time of Final Site Plan.

4. No new detention or retention ponds shall be constructed within landscape buffers or greenbelt buffers.
5. Recreational amenities shall be shown on the Final Site Plan and installed prior to Final Plat.
6. A 6-foot high wall or fence shall be installed along the south property boundary on the areas adjacent to Lots 45 thru 74.
7. Any walls or fences within perimeter buffers shall be measured from the finished grade or the adjacent roadway or lot (exclusive any swales), whichever elevation is greater. This requirement shall be verified with a cross-section detail on the Final Site Plan.
8. The gates to the project (entrance and emergency access) shall be accessible to EMS by either a remote control or siren activated system. Prior to Final Site Plan approval, the applicant shall receive written approval from EMS and the Fire Marshall approving the proposed system.

B. PUBLIC WORKS CONDITIONS:

1. The applicant shall demonstrate with the Final Site Plan submittal acceptable hammerhead turnaround pavement is provided for Public Safety, Fire, and Solid Waste Vehicles to maneuver and complete a turnaround movements. Such maneuvering analysis shall be provided with modeling analysis reviewed and approved by Public Works Department.
2. Prior to Final Plat approval, a sign shall be installed on the hammerhead turnaround indicating that no parking is allowed within these areas and shall be used for emergency vehicles only.

C. STORMWATER CONDITIONS:

1. This project shall be required to reduce the calculated pre-development flow rate by a full twenty-five percent (25%) for all stormwater outfall flow directly or indirectly into Evers Reservoir/Braden River. Modeling shall be used to determine pre- and post- development flows.
2. This project shall be required to provide 150% water quality treatment for Evers Reservoir/Braden River Watershed.

D. ENVIRONMENTAL CONDITIONS:

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

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

3. 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. Comprehensive Plan Policy 3.2.1.8 prohibits the use of treated effluent within the WO Overlay District.

E. NOTICES

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

   a) All planned thoroughfares adjacent to the project (I-75 and Creekwood Boulevard) including the location and number of lanes for each one,
   b) Potential noise associated with the planned roadways,
   c) The location of an existing large commercial development (384,523 square feet) adjacent to south property boundary,
   d) The roads within the Creekwood West Common Subdivision will be privately maintained, and are not designed to Manatee County Transportation Standards, i.e. sidewalk placement, right-of way widths, etc. In order for the private streets to be accepted into the County maintained system, approval is required from the Manatee County Public Works Department and Board of County Commissioners. There are no assurances of acceptance by the Board, even if the roadways have been brought up to current Manatee County Standards.

   Should the homeowners wish to proceed at a later date with the process for acceptance of maintenance, be advised that all costs associated with the up-grades to current Manatee County Standards shall be borne entirely by the homeowners.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None

COMPLIANCE WITH LDC				
Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
20' roadway buffer, Creekwood Boulevard	Shown	Y		Meets required standard
15' greenbelt buffer along south and north boundaries	Shown	Y		Meets required standards
100' perimeter buffer next to I-75	Shown	Y		Meets required standards
Buffer landscaping	Shown	Y		To be in accordance of LDC Section 715
SIDEWALKS				
5' internal sidewalks required on both sides of streets	One (1) side only		N	A continuous six-foot wide sidewalk on one side of the internal roadway of the subdivision proposed. Applicant requests Specific Approval
5' sidewalk, exterior	Shown	Y		Existing
ROADS & RIGHTS-OF-WAY				
50' internal rights-of-way	40'		N	Streets to be private. Applicant requests Specific Approval to reduce private R-O-W width
24' paved roadways	24'	Y		Meets required standards
Interneighborhood Ties	None	Y		Private streets proposed, no available connection
35% Open Space	Shown	Y		36% open space provided

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

Physical Characteristics.
The ±20.75-acre site is currently vacant and has an irregular shape with frontage along Creekwood Boulevard (±1,000 feet – west property boundary). To the east, the site is adjacent to the Interstate (I-75), to the north to a conservation area part of a residential subdivision (Creekwood Phase II, SubPhase E), and to the south is a commercial site. There is a wetland partially located on-site and no impacts to the wetland or the wetland buffer are proposed.

The site was previously developed for an office complex with all infrastructure installed including the parking areas and multiple stormwater facilities.

Public Utilities, Facilities and Services
The site will be served by County water and sewer. The water for irrigation will be from stormwater facility or irrigation well(s).

Compatibility
The site is surrounded to the north, across a conservation area, and to the west, across Creekwood Boulevard, by single-family residential subdivisions (Creekwood Phase I, SubPhases A-1, A-2, & A-3, and Creekwood Phase II, SubPhases F, G, & H) zoned PDR, and approved for a minimum lot size of 6,600 square feet. To the east, there is the Interstate (I-75), and to the south a commercial center (Lowe's) zoned PDC.

The proposed use is comparable with surrounding developments to the north and east. The majority of the residential subdivisions in the nearby area along Creekwood Boulevard are approved for bigger lots, however, the proposal for single-family attached dwellings units is consistent with recently approved residential projects County wise that considered smaller lots and different types of residential units. Appropriate buffers and screening are provided for compatibility and transition along the areas of the project adjacent to a large commercial area and the I-75.

PDR zoning requires approval of a site plan by the Board of County Commissioners to address any compatibility concerns. PDR zoning also provides greater flexibility for the project to establish appropriate buffers to help minimize any compatibility and transition concerns with the surrounding zoning and land uses.

Transitions
The site has been zoned PDC since 1984 with the approval of the Creekwood DRI. At that time, the Manatee County zoning regulations did not have a mixed use category, therefore, each parcel within a mixed use project, was given an individual category based upon its intended use. The parcel was originally intended to be developed with office uses.

All surrounding area along Creekwood Boulevard, to the north and east, is zoned PDR and has been developed with low residential density. The property will be developed with attached single-family units and will serve as an appropriate transition between the commercial area to the south and the low density residential subdivisions to the north. The project appears to be consistent with the development trend.

Design Quality
The project includes 112 single-family attached lots, with a minimum lot width of 16 feet and a minimum lot size of 1,584 square feet. The lots are arranged with frontage along an internal private roadway (loop), and in the central area of the subdivision is located an optional recreational amenity (open pavilion, pool, and restrooms). Along to the east, is a 100-foot wide buffer along the I-75 corridor as required by the Zoning Ordinance for Creekwood (Z-84-76). The existing stormwater facilities are located to the west and northeast of the site.

A main access point is connecting the internal loop to Creekwood Boulevard , and a 15- foot wide stabilized emergency access is proposed from the internal loop to Creekwood Boulevard

at the northwest corner of the site. The subdivision will be a gated community.

Adjacent Property
The site is surrounded to the east (across Creekwood Boulevard) and north and by residential areas zoned PDR, to the east by the I-75, and to the south by a commercial site zoned PDC. A 20-foot wide roadway buffer is provided along Creekwood Boulevard (west boundary), and a 15-foot wide greenbelt buffer separates the project from the existing commercial site (Lowe's). Additionally, a 100-foot wide buffer is provided along the east property boundary adjacent to the I-75.

Streets, Drives, Parking and Service Areas
The site has access via a main entrance private road that connects the site from Creekwood Boulevard to an internal loop. The proposed residential streets will be private, with a minimum 24 feet pavement width, and right-of-way width of 40 feet. The applicant is requesting Specific Approval to reduce a private right-of-way width (LDC Section 740.2.6.18) and staff is supporting the request.

Pedestrian Systems
There is an existing 5-foot wide sidewalk along Creekwood Boulevard that will be connected with the internal sidewalks to the subdivision.

The site is within two walking miles of Tara Elementary and Braden River Middle Schools and per LDC Section 722.1.4.3 sidewalks are required to be placed on both sides of the street. The site plan shows a 6-foot wide sidewalk on one side of the internal residential along the main entrance roadway and the internal loop. Staff believes the design provides efficient pedestrian access since the proposed residential subdivision will be a gated community with limited traffic, the roadways will be private, and no inter-neighborhood ties are proposed.

Natural and Historic Features, Conservation and Preservation Areas
According to the environmental narrative, there is one wetland partially on site (±0.05). No impacts to the wetland and the wetland buffer are proposed.

There do not appear to be any known or recorded historic or archaeological resources on the site.

Density
The applicant proposes a maximum of 112 residential units for an overall gross and net density of 5.4 du/acre and 5.65 du/acre, respectively. The site is within two FLUC (RES-6 and MU), which allow the following maximum ranges of density:

- RES-6: 6 du/acre gross and 12 du/acre net. Special Approval is required for all projects for which the density exceeds 4.5 du/acre gross and 6 du/acre net. The maximum number of units allow in the RES-6 portion of the site (7.9 acres) is 35 units without Special Approval, and 47 units with Special Approval.
- MU: 9 du/ acre gross and 20 du/acre net. The maximum number of unit allow in the MU portion of the site (12.9 acres) is 116 units.

With Special Approval, the site has the potential to be developed with a maximum of 163 units. The Preliminary Site Plan proposes only 28 residential units within the RES-6 portion of the site, for a gross density of 3.5 du/acre and a net density below of 6 du/acre, not exceeding the maximum density threshold without special approval in RES-6 FLUC (4.5 du/acre gross and 6 du/acre net).

Height

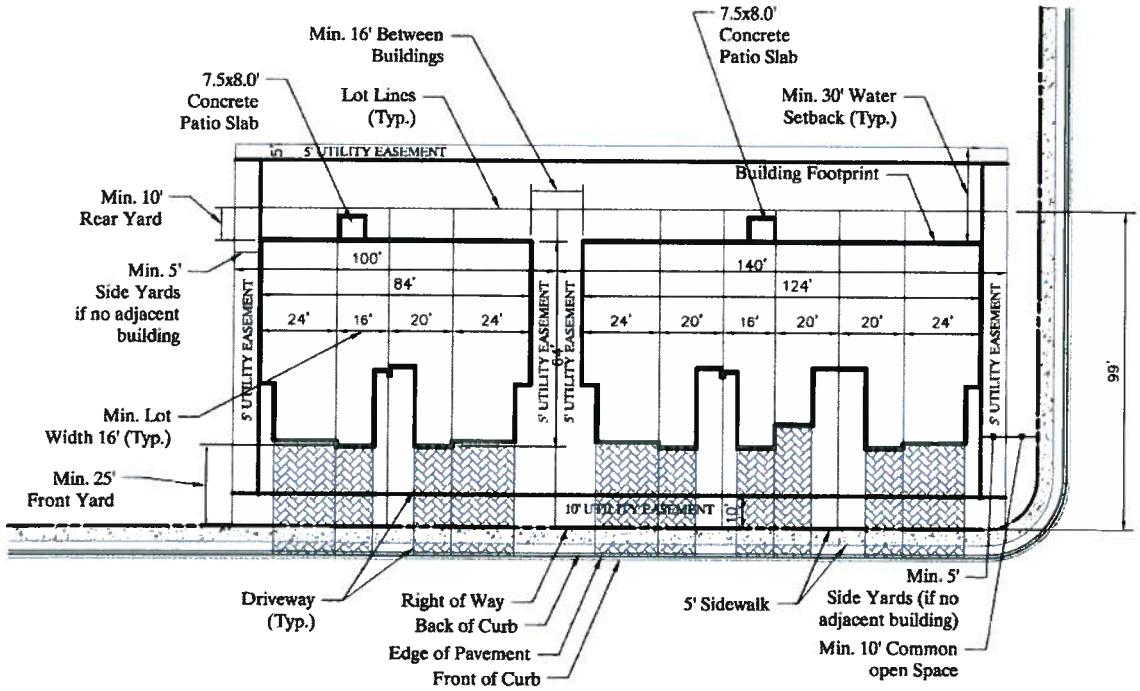
The maximum 35 feet height should not create any external impacts that would adversely affect the surrounding developments.

Yards and Setbacks

Setbacks are as shown in the site plan. The established minimum setbacks for the project are shown in the following chart: (See Typical Lot/Building Envelope)

Use/Type	Front	Side	Rear
Single-family attached	25'	5'(*)	10'
Wetland buffer	15'		
Waterfront	21'(**)		

(*) A minimum 16-foot separation between buildings is provided.
(**) 30 feet is required per LDC Section 702.6.8. Applicant request Specific Approval



TYPICAL LOT/BUILDING DETAIL

Trash and Utility Plant Screens
Single-family attached units will be served by individual can pick-up to be reviewed with the Final Site Plan.

Signs
All signs will be reviewed with the Final Site Plan and Building Permits.

Landscaping
To the west, there is an existing 20-foot wide roadway buffer along Creekwood Boulevard that includes a 3-foot high berm planted with a 4 to 6 foot high hedge and 80% of opacity and according to the Buffer Condition #3.c.iv (Z-84-76) that was applicable to Parcel G as a previously approved non-residential development. This buffer will remain.

A 15-foot greenbelt buffer adjacent to a commercial development (south property boundary) will be planted with 3 canopy trees and 33 shrubs per every 100 ft. Foundation landscaping (40 square feet for 1,000 square feet of floor area) will be provide at the proposed amenity center.

A 6-foot high fence or wall (at the developer option) will be provided along the south property boundary in order to minimize incompatibilities between the proposed residential area and the adjacent commercial site. Specific approval is required to placed a wall or fence along the exterior edge of the greenbelt buffer with landscape placed in the interior side of the fence or wall. Staff supports the request.

Additionally, the above referenced 6-foot high or fence (at the developer option) will be extended to the back of lots 1 thru 14 to provide more privacy to the development. Any buffer is adjacent to this portion of the fence or wall.

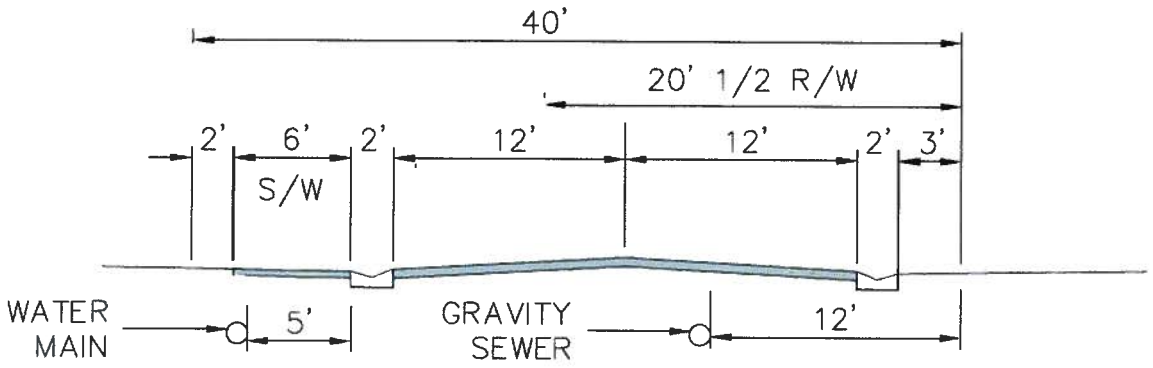
Mixed Use or Entranceway Designation
The project is located within MU FLUC and the Entranceway Overlay District. Special Approval is required for all projects within the referenced designated areas of the County. Planned Development is the process necessary to acquire Special Approval by the Board of County Commissioners.

Additionally, the project shall comply with all applicable regulations of LDC Section 737 of the Land Development Code.

Water Conservation
The development will be required to conform to Manatee County Land Development Code and Engineering Standards for water conservation measures. Since the site is partially within the Watershed Overlay District and reclaim water use is not allowed, stormwater withdrawal and auxiliary well will be utilized as irrigation source, as is stated in the Preliminary Site Plan Note #32.

Rights-of-Way
Internal street(s) will be private and designed as a 40-foot "Public Utility Easement" with travel

lane width of 12 feet (see Typical Road Section). The design will be reviewed with future Final Site Plan. As mentioned above, the applicant is requesting Specific Approval to reduce a private right-of-way width (LDC Section 740.2.6.18). Staff supports the request.



NOTE: UTILITIES MAY SHIFT BASED UPON DRAINAGE PIPE LOCATION W/ RIGHT OF WAY

TYPICAL ROAD SECTION
NTS

Utility Standards
Connection to Manatee County utilities is required and will be reviewed in greater detail with future Final Site Plan.

Stormwater Management
The project is not located within the FEMA FIRM Map delineated 100 year floodplain (Zones-A or AE). However, a portion of the project is delineated within:

- the 100 year floodplain pursuant to the preliminary DFIRM, and
- the 100-year floodplain according to the Braden River Watershed Study approved for regulatory use by SWFWMD on May 21, 2013.

The design of the stormwater facilities will be required to meet the requirements of LDC Section 717 and the adopted Manatee County Development Standards for the treatment of stormwater. Stormwater facilities will be reviewed in greater detail with future site plan submittals.

Open Space
The site plan shows 36% or 7.5 acres of open space is provided with this project in compliance with the minimum open space required (35%) for a project within the Watershed Overlay District and Entranceway (LDC Sections 603.7.4.2 and 737). Landscaped open space is provided, and recreational amenities have been proposed as focal point.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-6 and MU Future Land Use Categories. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given development trends in the area. The surrounding area to the north and east is entirely developed with residential subdivisions, and to the south the area is characterized by commercial uses.

Policy 2.2.1.1.1 Intent. The proposed use is consistent with of the RES-6 and MU FLUC. The intent of the RES-6 considerate the establishment of a residential environment (low density urban or clustered low-moderate density urban). The intent of the MU FLUC provides 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.

The proposed density (5.4 gross and 5.65 net) does not exceed the density threshold in RES-6 (6 du/acre gross and 12 du/acre net)(4.5 du/acre gross and 6 du/acre net without Special Approval) and MU (9du/acre gross and 20 du/acre net).

Policy 2.2.1.21.2 Range of Potential Uses. Suburban and urban residential uses are considered in the range of potential uses for project within RES-6 and MU FLUC

Policy 2.6.1.1 Compatibility. PDR developments can be designed to permit development consistency with the growing development trends in the area. The proposed use is comparable with surrounding developments to the north and east, and the lot size is consistent with recently approved residential projects County wise that considered smaller lots. Appropriate buffers are provided for compatibility and transition between existing developments, and additionally, PDR allow the Board to attach stipulations to ensure the project is compatible with surrounding uses.

Policy 2.6.2.7 Require Clustering to Limit Impacts. The site design shows no impacts to the 0.05 acres of wetland on-site.

Policy 2.6.5.4 Preserve/Protect Open Space. The site plan shows 36% open space (7.5 acres). 35% open is required.

TRANSPORTATION

Major Transportation Facilities

The project site (i.e. Parcel G) is expected to have access onto Creekwood Boulevard, a two-lane collector roadway.

Transportation Concurrency

This project site is part of the Creekwood DRI which was initially approved for transportation concurrency during the 1980's. This current request by the Applicant involves a change in land uses for this specific parcel (from medical office to townhomes) which translates to a decrease in PM Peak-Hour project trips as accepted and approved by the Transportation Planning Division. Based upon the above, no further review of transportation concurrency-related issues was required at this time.

However, for information purposes only, Transportation Planning Division staff has reviewed current traffic conditions on the segment of Creekwood Boulevard adjacent to the project site. The results of this review indicated that the adjacent roadway segment is currently operating above the level of service (LOS) D performance standard (see Certificate of Level of Service Compliance table below).

Access

The Applicant is not changing the location or configuration of the originally access point for the project site. Thus, no further review was required at this time.

CONCURRENCY

CLOS APPLIED FOR: **Y (Existing CLOS still in effect)**
TRAFFIC STUDY REQ'D: **N**

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	EXISTING LOS
Creekwood Boulevard	73rd Street E to 44th Avenue E (Link #5062)	D	C

CLOS- 05-062 (issued on 03/14/2005) will expire on 03/14/2015

Wastewater and potable water determined with FSP/Construction Plans

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Request(s):

1. **Alternative to LDC Section 702.6.8 - 30 feet waterfront yard**
The applicant is requesting a reduction of the 30 feet waterfront yard (setback) to a proposed 21 foot setback to an existing stormwater facility for one building and a 28 foot setback to another facility. This measurement is to the top of bank. Many surrounding communities do not require a waterfront setback of 30 feet. 20 feet or 25

feet is a more typical required distance. The purpose of this setback is to allow access to the lakes within the community for maintenance and 20 feet has been deemed adequate in other projects in Manatee County. The applicant requests that the 21 foot setback be determined acceptable.

Staff Analysis and Recommendation

702.6.8 *Waterfront Yards.* *The required waterfront yard in any district shall not be less than thirty (30) feet regardless of whether front, side, rear or other yard is involved. On platted lots of records and special exception status lots, the required waterfront yard shall not be less than twenty-five (25) feet. This required waterfront setback shall apply to lots adjacent to Waters of the State or waterbodies owned by a community or homeowners association. Water owned entirely by one (1) person and completely contained within the parcel, is exempt from this requirement unless otherwise provided for in this Code. Commercial Fish Houses in the Cortez Fishing Village Overlay District shall be exempt from all waterfront setback requirements.*

Based upon Preliminary Site Plan and the previously approved Final Site Plan for this subject property, the subject retention was constructed to provide treatment and attenuation for existing constructed pavement and buildings which were not constructed. The subject retention pond will be privately maintained by the Homeowner's Association. Access to the retention pond is provided along the embankment slope of the retention and along the top-of-bank. Staff measures the 30 feet waterfront yard (setback) landward from the Normal Water Level (NWL) of a retention pond. Therefore, the measurement from top-of-bank to the edge of the proposed multi-family buildings is conservative. Staff is in agreement with the applicant's request analysis regarding the distance of the proposed buildings is adequate for the waterfront yard (setback).

Finding for Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 702.6.8, the Board finds that the request of the LDC regulations are satisfied to an equivalent degree due to adequate accessibility to the existing stormwater facilities and separation distance to Normal Water Level.

2. **Alternative to LDC Section 740.2.6.18 - Reduced Private Right-of-Way Width**

The applicant is requesting a 40 foot Public Utility. (The street is proposed to the private; therefore, the Right of Way is delineated as a Public Utility Easement). Sheet PL-4 contains a typical road section to illustrate that the easement, as designed, is appropriately sized to accommodate all necessary infrastructure. The applicant requests that the dimensions as shown be deemed acceptable.

Staff Analysis and Recommendation

740.2.6.18 *Minimum width for Private Street Easement* The minimum street width shall be fifty (50) feet.*

The proposed travel lanes are to be constructed similar to Manatee County Transportation Department Highway, Traffic & Storm Water Standards, 2007, Index #401.8 with a pavement width of 24 feet, non-conforming six (6) foot sidewalk adjacent to the curb and two ten (10) foot Utility Easements located each side of a 40' right-of-way where lots exist on both sides of the roadway. Approval of this request is satisfied to an equivalent degree because safe and efficient pedestrian access will not be compromised, as this subdivision is gated, private, and has no inter neighborhood ties. A Privately Owned and Maintained Development (POMD) Agreement would be required for County access and maintenance of proposed utility infrastructure to be dedication to the County.

Since the proposed subdivision will be gated and private, should the applicant or HOA ever request the internal streets and sidewalks be turned over to the county, the Right-of-Way width (50 feet) and sidewalks would be required to be brought up to LDC requirements.

Staff is in agreement with the applicant's request analysis regarding reduced Right-of-Way width with the included language in the Homeowner's Association (HOA) Documents regarding turnover and the requirement for a POMD Agreement.

Finding For Specific Approval
Notwithstanding the failure of this plan to comply with the requirements of LDC Section 740.2.6.18, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because the roads will be private and the street turnover will be acknowledged in the HOA documents.

3. **Alternative to LDC Section 722.1.4.3 - Sidewalk on both sides of street within 2 miles of an Elementary or Middle School**

The applicant requests sidewalks be installed along one side of the proposed private streets. The subject property is located within two walking miles of both Tara Elementary and Braden River Middle Schools. The Preliminary Site Plan illustrates sidewalks along one side of the proposed private, gated street. However, Creekwood Boulevard, to which the private street connects, contains sidewalks on both sides of the street. In addition, as Creekwood Boulevard crosses State Road 70 and becomes known as Tara Boulevard, this roadway also has sidewalks on both sides of the street. The applicant requests that one sidewalk be deemed acceptable due to the limited amount of traffic on the private, gated roadway and the accessibility to sidewalks on the adjacent thoroughfare roadway.

Staff Analysis and Recommendation
722.1.4.3 *A five-foot sidewalk shall be installed along all property lines abutting a street for all development requiring an Administrative or Special Permit, Preliminary or Final Site Plan, or Preliminary or Final Plat approval located:*

- *Within two (2) walking miles of any Public Elementary or Middle School or*
- *In PR, NC, GC, HC, LM and HM Zoning Districts, or*
- *Nonresidential planned development districts or*
- *Within a fifteen hundred (1,500) foot radius of a transit stop*

The subject project is approximately 1.5 miles from Tara Elementary School, 2.8 miles to Bashaw Elementary School, and 2.9 miles to Braden River Middle School.

Staff believes the plan provides safe and efficient pedestrian access within the proposed gated community. Since the proposed Sidewalk is located along the back of curb, the sidewalk is required to be 6 feet wide. The internal street creates a loop, allowing pedestrian traffic a continuous route through the subdivision.

Staff is in agreement with the applicant's request analysis regarding sidewalk on one side of the private streets with the included language in the Homeowner's Documents.

Finding for Specific Approval
Notwithstanding the failure of this plan to comply with the requirements of LDC Section 722.1.4.3, the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because safe and efficient pedestrian access will not be compromised, as this subdivision is gated, private, and has no inter-neighborhood ties.

4. **Alternative to LDC Section 712.2.8 - Second Means of access for more than 100 lots**

The applicant requests 112 lots with one main access. LDC Section 712.2.8 requires a second means of access for more than 100 lots for safe entry to and egress from the project, particularly for emergency vehicles.

Staff Analysis and Recommendation
The applicant proposes a layout in which a main drive provides access from Creekwood Boulevard and connects with an internal loop to serve 112 lots. The main drive is a divided facility with a median and a gated entrance. A 15-foot wide emergency access is provided at the northwest corner of the site.

The initial design provided for an entrance boulevard from the access point on Creekwood Boulevard to the loop, which does not comply entirely with the full requirements of a second means of access. The proposed access entrance was designed to accommodate the previous approved office complex (Z-84-76/FSP04-106), and looks like the logical connection point to Creekwood Boulevard since there are three existing stormwater facilities along the referenced roadway.

However, the Fire Marshal and the Public Safety Department also require a second entrance for 100 or more lots, and therefore, the applicant revised the project layout to include a 15- foot wide stabilized emergency access from the internal loop to Creekwood Boulevard, which represents to the emergency providers a better access option.

Staff is in support of the request for Specific Approval for an alternative to Section 712.2.8 of the LDC to allow an emergency access as a second means of access.

Finding for Specific Approval
Notwithstanding the failure of this plan to comply with the requirements of LDC Section 712.2.8, the Board finds that the public purpose and intent of the LDC regulations are

satisfied to an equivalent degree because public safety will not be compromised.

5. **Alternative to LDC Section 714.8.7 – Tree Replacement Size**

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

Staff Analysis and Recommendation

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

Finding for Specific Approval

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

6. **Alternative to LDC Section 715.3.4 Street Trees**

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. The request is to allow one canopy tree per plantable area along the front of the townhomes..

Staff Analysis and Recommendation

Staff is in support of the request for Specific Approval for an alternative to Section 715.3.4 of the LDC to allow only 1 tree per plantable area along the fronts of the townhomes, as the minimum lot width is 16' and the driveways limit the plantable area available to accommodate planting of street trees.

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.

7. **Alternative to LDC Section 715.3.2.3, Option E**

LDC Section 715.3.2.3, Option E requires a solid, decorative, opaque wall a minimum six (6) feet in height placed at the interior edge of the greenbelt buffer and the landscaping shall be placed on the exterior side of the wall. The applicant's request is to allow for the placement of a six (6) foot high fence or wall (at developer option) at the exterior edge of the 15-foot greenbelt buffer along the south property boundary with the landscaping placed on the interior edge of the fence.

However, staff is recommending a stipulation that the wall or fence will be provided along the south property line in the areas adjacent to Lots 45 thru 74.

Staff Analysis and Recommendation
Staff has no objections to the proposal. It would provide more privacy to future residents in Lots 45 through 74, and minimize impacts that could be created for a large commercial development adjacent to the property. No reduction to the width of the greenbelt buffer is proposed.

Finding for Specific Approval
Notwithstanding the failure of this plan to comply with the requirements of LDC Sections 715.3.2.3, Option E, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because adequate buffer and landscaping will be provided.

SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

"Special Approval" is a process requiring an additional level of review pursuant to the Comprehensive Plan. It is defined as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC. The planned development process allows the Board of County Commissioners to approve stipulations to ensure compatibility with surrounding zoning and land uses and address any specific issues related to the development.

Special Approval is required for a project:

Within MU Future Land Use Category (FLUC)
Comprehensive Plan Policy 2.2.1.11.4 requires special approval for all projects within MU FLUC, unless all the following are applicable:

1. The proposed project consists of a single family dwelling unit located on a lot of record which is not subject to any change in property boundary lines during the development of the proposed land use, and

2. The proposed project is to be developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

The proposed use (single-family attached) is consistent with the intended uses in areas within MU FLUC since suburban and urban residential uses are allowed. Planned Development zoning is the required process to grant special approval.

Within the following Overlay Districts: Entranceway, Watersehed Protection Ever, and Special Treatment

The project is within the entranceway corridor of I-75 and SR 70. Special Approval is required for a project in the Entranceway. The planned development process allows the Board of County Commissioners to approve stipulations to ensure compatibility with surrounding zoning and land uses and address any specific issues related to the development.

The design meets the applicable entranceway standards in LDC Section 737, and adequate buffers are provided.

Additionally, Special Approval is required for a site within the Watershed Protection Ever and Special Treatment Overlay. The proposed Preliminary Site Plan appears appropriate and consistent with the applicable regulations (LDC Sections 604.1 and 604.4) related to preservation and protection of natural features and sensitive environments.

SPECIFIC FINDING FOR SPECIAL APPROVALS

The Board finds that the purpose of the Special Approval regulation are satisfied by the analysis provided in the staff report and proposed design which indicates the proposed project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **Request for Specific Approvals**
3. **Copy of Newspaper Advertising**

APPLICABLE COMP PLAN POLICIES	
Policy: 2.1.2.7	Review all proposed development for compatibility and appropriate timing. This analysis shall include: - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area, - availability of adequate roadways, - adequate centralized water and sewer facilities, - other necessary infrastructure and services. - limiting urban sprawl - (See also policies under Objs. 2.6.1 - 2.6.3)
Policy: 2.2.1.12	**RES-6:** Establish the Residential-6 Dwelling Units/Gross Acre future land use category as follows:
Policy: 2.2.1.12.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.
Policy: 2.2.1.12.2	Range of Potential Uses (see Policies 2.1.2.3 - 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, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water- nhanced uses (see also Objectives 4.2.1 and 2.10.4).
Policy: 2.2.1.12.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: 6 dwelling units per acre Maximum Net Residential Density: 12 dwelling units per acre (except within the WO or CSVA Overlay Districts pursuant to Policies

	2.3.1.4 and 4.3.1.5) Maximum Floor Area Ratio: 0.23 (0.35 for mini-warehouse uses only) Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf)
Policy: 2.2.1.12.4	Other Information: a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S. b) All projects for which gross residential density exceeds 4.5 dwelling units per acre, or in which any net residential density exceeds 6 dwelling units per acre shall require special approval. c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval. d) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provisions Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).
Policy: 2.2.1.21	**MU:** Establish the Mixed-Use future land use category as follows:
Policy: 2.2.1.21.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity and are limited to areas with a high level of public facility availability along expressways. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.
Policy: 2.2.1.21.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale, office uses, light industrial uses, research/corporate uses, warehouse/ distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals,

short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses.

Policy: 2.2.1.21.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:
9 dwelling units per acre

Maximum Net Residential Density:
20 dwelling units per acre

Maximum Floor Area Ratio: 1.0
Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses:
Large (300,000sf)

Policy: 2.2.1.21.4 Other Information:

a) All projects require special approval and are subject to the criteria within b, c, d below, unless all the following are applicable:

1. The proposed project consists of a single family dwelling unit located on a lot of record which is not subject to any change in property boundary lines during the development of the proposed land use, and

2. The proposed project is to be developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

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

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

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

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

- 3 %Public / Semi Public,

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

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

Policy: 2.3.1.4 Prohibit the clustering of development through the transfer of density/intensity credits from property located outside of the Watershed Overlay District to property located within this district, unless a finding of overriding public interest is determined by the Board of County Commissioners.

Implementation Mechanism:

a) Planning Departments review of projects for compliance with this policy.

Policy: 2.6.1.1 Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

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

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

Policy: 2.6.5.2 Encourage, in locations which are suited to diverse uses, mixed and multiple use projects to provide for integration and synergy between land uses. Nothing in this policy shall preclude single use or homogenous projects if mixing of uses on a single project, or intrusion of a different use into a homogenous area, will create inappropriate diversity or incompatibilities between adjacent land uses.

Policy: 2.6.5.5	Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas.
Policy: 2.9.1.9	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)

Creekwood West Commons
Preliminary Site Plan

The subject property is a uniquely situated in-fill parcel, surrounded by a developed commercial site to the south, a developed residential project to the north, I-75 to the east and Creekwood Boulevard and multiple stormwater facilities to the west. In addition, the site was previously developed for an office building with all infrastructure installed including the parking lot. These factors have presented some challenges to the design of the project. The best use for this site, as a transition from the commercial shopping center to the single family subdivision, is for residential development of a higher density. The proposed Preliminary Site Plan requests approval of 112 single family attached dwelling units with buildings of 4 or 6 units located on individually platted lots. In accordance with Section 603.3.3.2 of the Land Development Code, the applicant proposes several designs which are not literally in accord with certain general regulations and offers the following information to allow the Board to make a finding for each instance that the public purpose of the regulation is satisfied to an equivalent or greater degree. For each request, the full text of the Land Development Code is included for your ease of review.

REQUEST: The Preliminary Site Plan illustrates a 21 foot setback to an existing stormwater facility for one building and a 28 foot setback to another facility. This measurement is to the top of bank. Many surrounding communities do not require a waterfront setback of 30 feet. 20 feet or 25 feet is a more typical required distance. The purpose of this setback is to allow access to the lakes within the community for maintenance and 20 feet has been deemed adequate in other projects in Manatee County. The applicant requests that the 21 foot setback be determined acceptable.

702.6.8 ***Waterfront Yards.*** *The required waterfront yard in any district shall not be less than thirty (30) feet regardless of whether front, side, rear or other yard is involved. On platted lots of records and special exception status lots, the required waterfront yard shall not be less than twenty-five (25) feet. This required waterfront setback shall apply to lots adjacent to Waters of the State or waterbodies owned by a community or homeowners association. Water owned entirely by one (1) person and completely contained within the parcel, is exempt from this requirement unless otherwise provided for in this Code. Commercial Fish Houses in the Cortez Fishing Village Overlay District shall be exempt from all waterfront setback requirements.*

REQUEST: The Preliminary Site Plan illustrates a 40 foot Public Utility Easement. (The street is proposed to the private; therefore, the Right of Way is delineated as a Public Utility Easement). Sheet PL-4 contains a typical road section to illustrate that the easement, as designed, is appropriately sized to accommodate all necessary infrastructure. The applicant requests that the dimensions as shown be deemed acceptable.

*740.2.6.18 Minimum width for Private Street Easement**
The minimum street width shall be fifty (50) feet.

REQUEST: The subject property is located within two walking miles of both Tara Elementary and Braden River Middle Schools. The Preliminary Site Plan illustrates sidewalks along one side of the proposed private, gated street. However, Creekwood Boulevard, to which the private street connects, contains sidewalks on both sides of the street. In addition, as Creekwood Boulevard crosses State Road 70 and becomes known as Tara Boulevard, this roadway also has sidewalks on both sides of the street. The applicant requests that one sidewalk be deemed acceptable due to the limited amount of traffic on the private, gated roadway and the accessibility to sidewalks on the adjacent thoroughfare roadway.

722.1.4.3 A five-foot sidewalk shall be installed along all property lines abutting a street for all development requiring an Administrative or Special Permit, Preliminary or Final Site Plan, or Preliminary or Final Plat approval located:
- *Within two (2) walking miles of any Public Elementary or Middle School or*
- *In PR, NC, GC, HC, LM and HM Zoning Districts, or*
- *Nonresidential planned development districts or*
- *Within a fifteen hundred (1,500) foot radius of a transit stop*

REQUEST: The Preliminary Site Plan requests approval of 112 residential units on a parcel of land with limited roadway frontage. In addition, the remaining boundaries of the parcel are otherwise not available for vehicular access. While the frontage along Creekwood Boulevard measures just less than 1,000 linear feet the area contains three existing stormwater facilities that are being incorporated into the project design. The existing entrance roadway is the only logical connection point to Creekwood Boulevard and the proposed design utilizes this previously constructed roadway with only minor modifications. The initial design submitted to staff provided for an entrance boulevard (travelways separated by a median), however, in meetings with both the Public Safety Department and the East Manatee Fire and Rescue Department, the plans were revised to include a separate, 15 foot wide stabilized emergency access leading from Creekwood Boulevard to the internal roadway. These emergency service providers preferred this separate access point to the boulevard design.

712.2.8. Second Means of Access. All residential developments or parts of phases thereof, containing more than one hundred (100) residential dwelling units; and all professional, commercial, and manufacturing development, or parts of phases thereof, containing more than fifty (50) lots, shall have a second separate means of access (street), which shall afford an alternate means of safe entry to and egress from the development (see second means of access, Diagram A). The second means of access (street) shall have the access to a through street, either public or private, constructed to county standards, other than that street on which the primary access is located, (see Diagram A, Number 1 preferred). If a second means of access is not available to another street, another direct access street to the same primary access street is acceptable if the primary access street is a public thoroughfare available for travel in either direction, and separated from the other access by a minimum of three hundred (300) feet (see Diagram A, Number 2). If a separate secondary access street other than from another street or a

separate secondary access street from the same primary street separated by at least three hundred (300) feet is not available; then the separation of three hundred (300) feet may be reduced between streets subject to other design considerations addressing fire protection, public safety, traffic, storm water management and other Manatee County Development Standards (see Diagram A, Number 3). Upon request of the property owner submitting an application for a Planned Development Residential, where a specific design incorporates site security elements for the planned development residential; the Board, Planning Director and Design Review Committee may consider an alternative design for the construction of the secondary means of access within or at the property line. The alternative design shall incorporate specific security provisions to allow satisfactory ingress by emergency vehicles. The right-of-way design standards for width and radii shall be adhered to. In addition, the design shall retain the construction of appropriate utilities and drainage requirements. The security components shall include the construction of and maintenance criteria for security gates and signage, in addition to the road base and surface stability for emergency vehicles. The area above the ground surface shall remain free and unobstructed to allow ready access by emergency vehicles to the planned development

REQUEST: As requested by the staff of the Environmental Planning Division, consistent with their policy, street trees will not be installed every 50 linear feet, but, one per lot frontage. In the instant case, the individual lots will be platted to accommodate townhomes with a minimum width of 16 feet for interior units. The applicant will work with EPD staff during the Final Site Plan review to determine appropriate spacing for street trees.

715.3.4. Residential Street Trees.

- *Prior to C.O., one (1) canopy tree shall be planted within twenty-five (25) feet of the right-of-way of each local street within a residential development for every fifty (50) linear feet, or substantial fraction thereof, of right-of-way. None of these required trees shall be planted within a public or private utilities easement. Palm trees may not be utilized to meet this requirement, unless they are grouped with a minimum of two (2) used for each canopy tree. A maximum of twenty-five (25) per cent of all proposed residential street trees may be palm trees.*
- *The trees shall be spaced no closer together than twenty-five (25) feet, unless a decorative grouping or alternative method is chosen by the developer. Existing native trees should be used to fulfill these requirements wherever they meet the spacing and size requirements.*
- *Responsibility for installation and initial maintenance is the developer's on all common areas within the project. Responsibility for the property owner's installation and maintenance of the trees shall be placed within the Homeowner's Documents and/or Deed Restrictions governing the development. Such trees shall be installed prior to Certificate of Occupancy for each individual unit.*

REQUEST: As requested by the staff of the Environmental Planning Division, consistent with their policy, replacement trees will not be installed in accordance with the code required dbh size, but, rather smaller sizes (3"/4"/4" in lieu of 3"/5"/7").

714.8.7. When trees are removed with an approved tree removal permit, such trees shall be replaced as follows:

Existing Tree Size	*Required Replacement Caliper Minimum*	*Ratio of Replacement Trees to Removed Trees*
4"—15" D.B.H.	*3"*	*1:1*
16"—30" D.B.H.	*5"*	*2:1*
Over 30" D.B.H.	*7"*	*3:1*

The southern property line of the proposed development is adjacent to a commercially zoned and developed property. Section 715.3.2, Buffer Zones, and subsection 2., Screening Buffers require a 10 foot wide buffer *(illustrated as 15 feet wide on the PSP in order to comply with subsection 3.Residential Greenbelt which exceeds the screening buffer width)* and provides various options to achieve the desired screening and decorative, opaque fences are encouraged. These options are provided within Figure 715.C with options A and C depicting fences and combination landscaping while option E depicts the use of a solid, decorative, opaque wall. The Preliminary Site Plan illustrates a six foot tall decorative wall or fence at the exterior edge of the 15-foot greenbelt buffer along the south property boundary with the landscaping placed on the interior of the fence. The prohibition under option E, when a wall is provided, is intended to prevent an aesthetically unpleasing visual barrier to either the traveling public or an adjacent owner. In this instance, the adjacent land is used commercially and the placement of landscaping on the exterior of the wall would provide no benefit, visual or otherwise, to the commercial tenants or visitors (the area is predominantly used for loading or occasional employee parking).

715.3.2. Buffer Zones.

a..Buffer Zones are landscaped strips along parcel boundaries.

b.Buffer Zones serve to separate incompatible uses and/or create attractive boundaries.

- *Widths and degrees of vegetation depend on relationship between uses.*
- *Standards are per one hundred (100) linear feet.*
- *Plant materials are to be spread relatively evenly throughout the buffer.*
- *See Figure 715.C for required amounts of landscaping.*
- *See Figure 715.C for landscaping alternatives*

2. Screening Buffers.

- *Screening buffers are required between zoning district boundaries.*
- *The width of the buffer shall be as defined in the Buffer Matrix, Figure 715.D.*
- *Decorative, opaque fences shall be considered:*

Concrete Aggregate
Stucco
Finish (either colored or painted)
Brick
Stone
Glass Block or
Wood

No chain link shall be allowed. (The exception is chain link with slats shall be allowed for the gates of dumpster enclosures).
Concrete masonry shall be allowed only if split face design.
Structurally safe, durable and attractive.
A Minimum of six (6) feet in height.
- *For hedges used within screening buffer zones, the plant materials used shall reach a minimum height of six (6) feet within three (3) years of planting.*

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING IANGES IN UNINCORPO-RATED MANATEE COUNTY

ICE IS HEREBY GIVEN, the **Planning Commission lanatee County** will con- a Public Hearing on **sday, December 12, 2013 :00 a.m. at the Manatee nty Government ilnistrative Center, 1st r Chambers, 1112 Manatee nue West, Bradenton, ida** to consider, act upon, forward a recommendation ie Board of County ımissioners on the following ters:

IV-12-16(Z)(G) – THE IE CORPORATION/CONE) GRAHAM, INC. MULLEN CREEK PARK (DTS#20120453)

Ordinance of the Board of ınty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land elopment Code), relating to ing within the unincorporat-area; providing for a rezone ıpproximately 92.13 acres, ated on Bayshore Road and m View Road (61st Street) in denton, from A-1 (Suburban iculture), PD-RV (Planned elopment – Recreational ıicle), RSF-4.5 (Residential gle Family, 4.5 dwelling units acre), NC/M (Neighborhood nmercial - Medium), and R (Planned Development – sidential) zoning districts to PDRV (Planned elopment – Recreational ıicle) zoning district; and prove a General elopment Plan for 499 reational vehicle sites, a nmunity recreational area, ce, and shower areas; sub-t to stipulations as condi-ıs of approval; setting forth dings; providing a legal scription; providing for sever-lity, and providing an effec-e date.

R-13-24(Z)(P) – LAWRENCE AGAN, ESTHER R. FERGU-N REAL ESTATE TRUST D RESIDUAL TRUST UNDER LL OF ESTELLE L. REAGAN ZONE/DEL TIERRA SUBDI-SION (F.K.A. REAGAN NCH) (DTS #20130188; ZZSAW #00000209)

Ordinance of the Board of ınty Commissioners of natee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land elopment Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)

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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEK-WOOD (DRI # 13)

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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parce G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
3. Add 112 residential units and decrease office square footag by 125,000 square feet;
4. Delete Land Use Condition related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description ; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately _ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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) 748-4501 x6878; 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 nondiscrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790 .

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.
MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
11/27/2013

Copy of Newspaper Advertising

Sarasota Herald Tribune

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, December 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:

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)
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 92.13 acres, located on Bayshore Road and Palm View Road (61st Street) in Bradenton, from A-1 (Suburban Agriculture), PD-RV (Planned Development – Recreational Vehicle), RSF-4.5 Residential Single Family, 4.5 dwelling units per acre), NC/M (Neighborhood Commercial - Medium), and PDR (Planned Development – Residential) zoning districts to the PDRV (Planned Development – Recreational Vehicle) zoning district; and approve a General Development Plan for 499 recreational vehicle sites, a community recreational area, office, and shower areas; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-24(Z)(P) – LAWRENCE REAGAN, ESTHER R. FERGUSON REAL ESTATE TRUST AND RESIDUAL TRUST UNDER WILL OF ESTELLE L. REAGAN REZONE/DEL TIERRA SUBDIVISION (F.K.A. REAGAN RANCH) (DTS #20130188; BUZZSAW #00000209)
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 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

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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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

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This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

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6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
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8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)
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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

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.

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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

Date of pub: November 27, 2013

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDRV-12-16(Z)(G) – DTS #20120453 – The Cone Corporation/Cone and Graham, Inc. – McMullen Creek RV Park	**TYPE AGENDA ITEM**	Advertised Public Hearing – Regular
DATE REQUESTED	12/12/2013 PC	**DATE SUBMITTED/REVISED**	12/6/2013
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
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
PUBLIC HEARING			

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

I move to recommend approval of PDRV-12-16(Z)(G) per the recommended motion in the staff report attached to this memo.

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

Manatee County Comprehensive Plan and Manatee County Land Development Code.

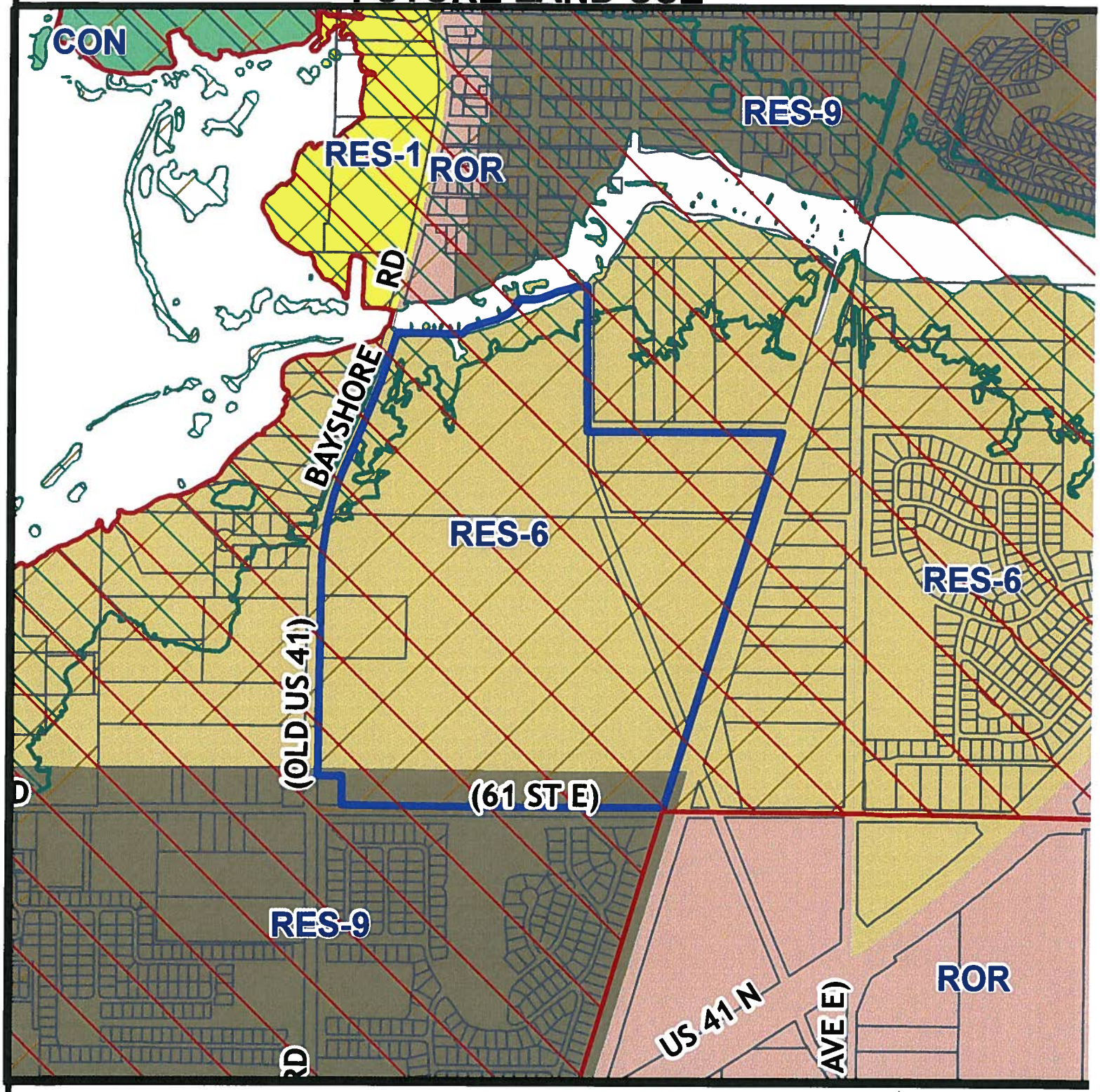
BACKGROUND/DISCUSSION

- The Cone Corporation/Cone and Graham, Inc. has filed a rezone application from "A-1" (Suburban Agriculture)," PD-RV" (Planned Development – Recreational Vehicle)," RSF-4.5" (Residential Single Family, 4.5 dwelling units per acre), "NC-M" (Neighborhood Commercial – Medium), and "PD-R" (Planned Development – Residential) to "PDRV" (Planned Development – Recreational Vehicle) and an accompanying General Preliminary Site Plan. The 92.13 acre site is located at the northeast corner of Bayshore Road and Palm View Road. The applicant is proposing a recreational vehicle park with 499 recreational vehicles, a community recreational area, office and shower areas on the subject property;
- The site is designated RES-6 (Residential, 6 gross units per acre) and RES-9 (Residential, 9 gross dwelling units per acre), on the Future Land Use Map. The site is also partially in the CHHA (Coastal High Hazard) Overlay District, and entirely in the CEA (Coastal Evacuation Area) Overlay, and the CPA (Coastal Protection Area). The total acreage rezoned to the PD/RV zone district, could support a total of 1,106 recreational vehicle sites on the property; however, the applicant proposes a total of 499 sites on the property;
- The applicant is requesting to defer the installation of sidewalks (Section 722.1.4.3);
- The applicant is requesting Special Approvals: (1) a portion of the property is located within the CHH and CEA Overlay Districts (Comprehensive Plan Policy 2.2.2.5.4); and (2) all new recreational vehicle parks require to be established pursuant to the special approval process (Comprehensive Plan Policy 2.10.5.2);
- The site is in an "X" and an "AE" Flood Zone;
- Water and Sanitary Sewer will be provided; and
- Staff recommends approval with stipulations.

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

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

FUTURE LAND USE



Parcel ID #(s) 2119600001,2233900006,2115500007,2119700009,2235000003

Manatee County
Staff Report Map

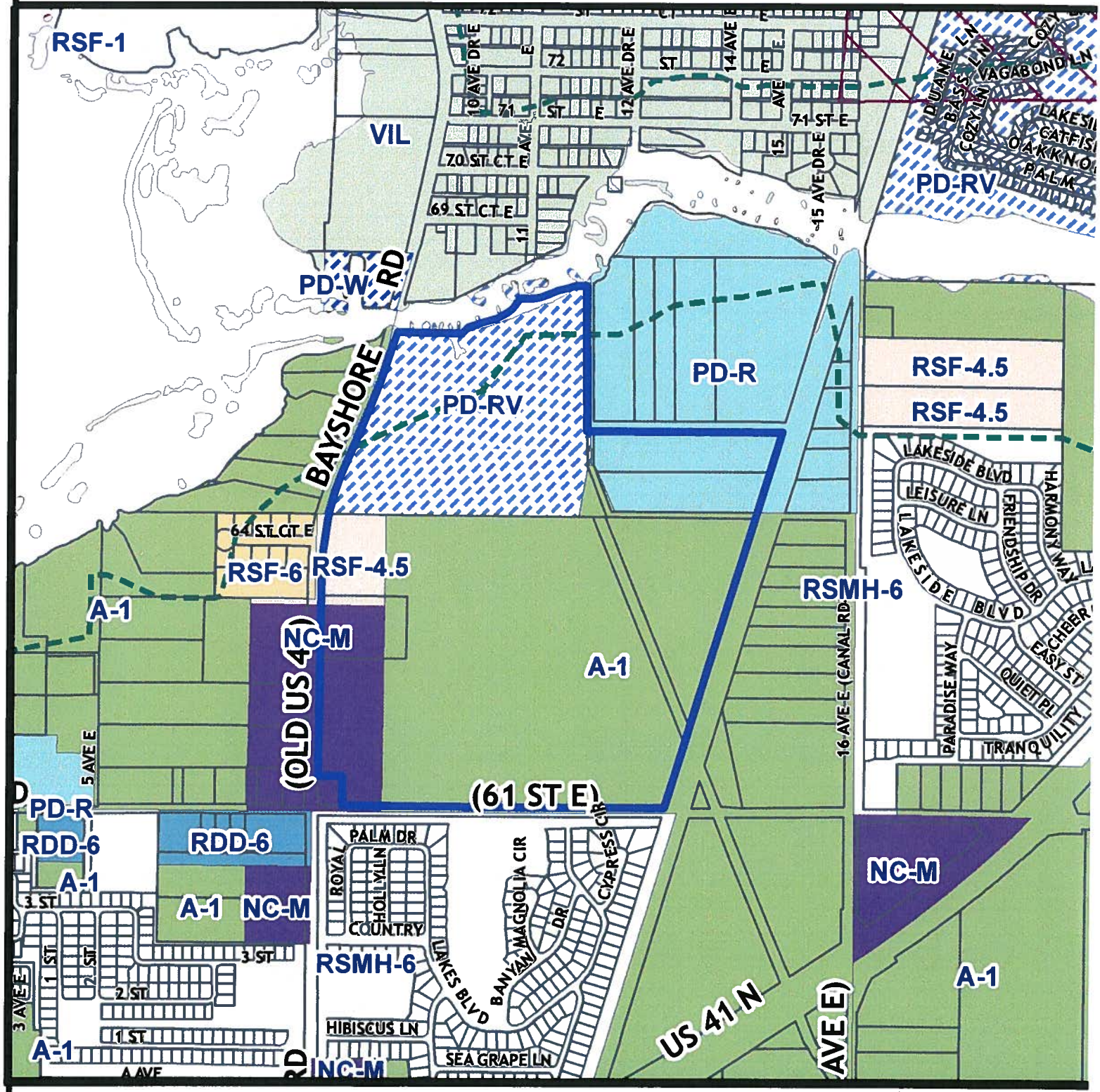
Map Prepared 1/9/2013
1 inch = 667 feet

Project Name:	McMullen Creek RV Park
Project #:	PDRV-12-16 (Z)(G)
DTS#:	20120453
Proposed Use:	RV Park
S/T/R:	Sec 36,25 Twn 33 Rng 17
Acreage:	± 93.3
Existing Zoning:	PD-R, NC-M, RSF-4.5, PD-RV, A-1
Existing FLU:	RES-9, RES-6
Overlays:	NONE
Special Areas:	NONE

CPA 2012
CHHA 2012
Coastal Evacuation Area

CHH:	Y
Watershed:	NONE
Drainage Basin:	MCMULLIN CREEK
Commissioner:	Michael Gallen

ZONING



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Existing Zoning:	PD-R, NC-M, RSF-4.5, PD-RV, A-1
Existing FLU:	RES-9, RES-6
Overlays:	NONE
Special Areas:	NONE

CHH - Zoning

CHH:	Y
Watershed:	NONE
Drainage Basin:	MCMULLIN CREEK
Commissioner:	Michael Gallen

AERIAL

Parcel ID #(s) 2119600001,2233900006,2115500007,2119700009,2235000003

Manatee County
Staff Report Map

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Acreage:	± 93.3
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Existing FLU:	RES-9, RES-6
Overlays:	NONE
Special Areas:	NONE
CHH:	Y
Watershed:	NONE
Drainage Basin:	MCMULLIN CREEK
Commissioner:	Michael Gallen

P.C. 12/12/13

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)

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 92.13 acres, located on Bayshore Road and Palm View Road (61st Street) in Bradenton, from A-1 (Suburban Agriculture), PD-RV (Planned Development – Recreational Vehicle), RSF-4.5 (Residential Single Family, 4.5 dwelling units per acre), NC/M (Neighborhood Commercial - Medium), and PDR (Planned Development – Residential) zoning districts to the PDRV (Planned Development – Recreational Vehicle) zoning district; and approve a General Development Plan for 499 recreational vehicle sites, a community recreational area, office, and shower areas; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 05/09/13, 12/12/2013 **B.O.C.C.:** 06/06/13, 08/06/13, 1/09/2014

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. PDRV-12-16(Z)(G); APPROVAL of the General Development Plan with Stipulations A.1–A.13; B.1–B.6; C.1–C.2; D.1; E.1–E.6, F.1, and G.1; GRANTING Special Approvals for: 1) a parcel located within the CEA Overlay District (Comprehensive Plan Policy 2.2.2.4.4) and the CHHA Overlay District (Comprehensive Plan Policy 2.2.2.5.4); 2) adjacent to a perennial stream (Comprehensive Plan Policy 3.2.2.1); and 3) all new recreational vehicle parks (Comprehensive Plan Policy 2.10.5.2); ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval to allow the deferral of the installation of the sidewalk along Palm View Road (61st Street) as allowed by Section 722.1.4.3 of the Land Development Code, as recommended by staff, and subject to Ordinance No. 14-01 becoming effective.

PLANNING COMMISSION ACTION:
On May 9, 2013, by a vote of 7 – 0, the Planning Commission recommended approval.

BOARD OF COUNTY COMMISSIONERS ACTION:
On June 6, 2013, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to August 6, 2013 at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Chambers.
On August 6, 2013, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing. No date certain was set for the continued public hearing, and the public hearing will be re-advertised and adjacent property owners will be re-notified of the continued public hearing at the time it is rescheduled.

PUBLIC COMMENT AND CORRESPONDENCE:
A Traffic Impact Analysis was entered into the record at the May 9, 2013 Planning Commission public hearing.

The following people spoke at the May 9, 2013 Planning Commission public hearing:

Charles Miller & Ralph Goff stated concerns are drainage and flooding, would like a drainage plan for Rubonia from the County, what are the elevations of the project site, there are too many mobile home parks around Rubonia, please have staff review further for flooding, and would like sidewalks along Bayshore Road.

Bill Burger states there is a recorded historical structure known as the Strickland House on the property, staff should research if this item should go before the Historic Preservation Board for a Certificate of Appropriateness if the applicant intends to demolish the historic structure.

Mike Burton, 6411 Bayshore Road, stated he is appreciative of the applicant adding the sidewalk along Bayshore Road for them, has some concerns about drainage along Bayshore Road, and the applicant has been very helpful in responding to neighbors requests.

Mary Sheppard stated her concerns are how high are the permanent mobile homes going to be elevated, like sidewalks added, notify potential buyers in Coastal High Hazard Area of future possibility of sea level rise – hope buffers guide runoff so water can be filtered before it goes in the creek and Terra Ceia Bay, and should have the Florida Friendly Yards pamphlet submitted to potential buyers.

1. **A revision to Stipulation A.9, clarifying that none of the non-transient units (park trailer units) would be allowed in the Coastal High Hazard Area (CHHA) Overlay District, as shown on the GDP, was entered into the record at the June 6, 2013 Board of County Commissioners public hearing.**

Public Comment from the June 6, 2013 Board of County Commissioners public hearing:

Charles Miller – Resident of Rubonia – opposed to project – road flooding – trailer park is going to cause more flooding problems.

Public Comment from the August 6, 2013 Board of County Commissioners public hearing:

Charles Miller – Resident of Rubonia – opposed to project due to flooding and drainage issues in the McMullen Creek Area.

UPDATE SINCE THE JUNE 6, 2013 BOCC PUBLIC HEARING

During the review of the public hearing packet by the County Attorney's Office, it was identified that several sections of the Land Development Code needed to be updated to be in conformance with the Florida Statutes relative to park trailers/recreational vehicles versus mobile/manufactured homes.

As a result of identified inconsistencies with the Florida Statutes and the Land Development Code, changes to Section 201 (Definitions), Section 603.8 (Planned Development Manufactured Home Park), and Section 603.9 (Planned Development Recreational Vehicle Park) were processed to correct the inconsistencies. Any reference to the different types of recreational vehicles, as well as reference to a Manufactured Home, was deleted from the Land Development Code. All definitions will rely on the definitions in the Florida Statutes, so that any future change to the Florida Statutes will not require any subsequent amendment to the Land Development Code as a result of those possible future changes.

The staff report for the Land Development Code provided clarification that a recreational vehicle park is strictly to provide "temporary or seasonal living quarters," and MAY NOT contain any mobile homes. However a mobile home park MAY provide five or more sites for recreational vehicles. The Land Development Code changes also updated the definitions, and any references to park trailers or manufactured homes have been deleted from the staff report.

The application is going back to the Planning Commission because of the number of changes to the plan since the Planning Commission considered this request in May of 2013.

The original application for the rezoning to PDRV proposed recreational vehicles and park trailers on the subject property. As a result of the changes/deletions to the definitions for park trailers/recreational vehicles and mobile/manufactured homes, the proposed development has been amended to delete all references to park trailers, and the staff report included herein has been updated to reflect those changes, including a reduction in the number of units to 499 total recreational vehicle sites on the subject property.

PROJECT SUMMARY	
CASE#	PDRV-12-16 (Z)(G) (DTS #20120453)
PROJECT NAME	McMullen Creek RV Park
APPLICANT(S):	The Cone Corporation; Cone and Graham, Inc.
PROPOSED ZONING:	PDRV (Planned Development – Recreational Vehicle
EXISTING ZONING:	A-1 (43.7 ± acres), PDRV (26.6 ± acres); RSF-4.5 (3.1± acres), PDR (7.4 ± acres), NC/M (6.6 ± acres)
PROPOSED USE(S):	499 recreational vehicle sites
CASE MANAGER:	Shelley Hamilton
STAFF RECOMMENDATION:	APPROVAL W/ STIPULATIONS

DETAILED DISCUSSION

History

- In 1981, the northernmost 26.6 ± acres of the subject property was rezoned to PDRV.

- A subsequent Preliminary Plat was approved for Phases I and II of the McMullen Creek Travel Trailer Park, with a density allowed in that area of 11.97 dwelling units per acre. The only construction that occurred was in Phase I, to accommodate a portion of the infrastructure (utilities). No final plat was ever approved for the Travel Trailer Park.

- On September 14, 2011, a letter was written to the applicant from the Planning Division of the Building and Development Services Department of the Manatee County government. That letter explained the process for a project to retain special exception status. If good faith has been exhibited by a development toward completion of a project, where any of the following has been demonstrated, then the project will retain that special exception status:

  – Progress through approval stages as long as such approvals do not expire as provided in the Manatee County Land Development Code. Approval status may include preliminary plat, preliminary plan,

construction drawing, final plat, final site plan, building permit or nonconforming project revision; or

- **Substantial completion of construction (i.e., at least 50% of the horizontal or vertical improvements, as required by the approved plan or plat, for that particular project or phase.**

Based upon information received from Manatee County Public Works Department, it was staff's determination that a minimum of 50% of the infrastructure has been installed for Phase I, which consisted of approximately eight acres of the preliminary plat for McMullen Creek Trailer Park, and that only Phase I of the park is considered to have retained special exception status.

- **On August 6, 2012, a request was received from the applicants for an Administrative Determination to determine that Recreational Vehicle Parks (and PDRV zoning) on property in the RES-6 and RES-9 FLU categories are consistent with the Comprehensive Plan. A determination was issued on August 24, 2012, after a review of all applicable provisions in the Comprehensive Plan, as well as Land Development Code regulations, that RV Parks are an allowable use in the RES-6 and RES-9 FLU categories and that the property was eligible to apply for a rezone to the PDRV zone district.**

  As justification for this Administrative Determination, the applicant offered the following information:

  - **Policy 2.10.5.1 of the Comprehensive Plan states, in part, "...recreational vehicle parks shall not be required to undergo review for compliance with commercial locational criteria identified in the operative provisions of this Element, nor shall Floor Area Ratio requirements be applied to Recreational Vehicle Parks."**

  - **Policies 2.2.1.1.2.2 (RES-6) and 2.2.1.13.2 (RES-9) – Range of Potential Uses (see also Policies 2.1.2.3 through 2.1.2.7 and 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, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objective 4.2.1 and 2.10.4).**

  - **Policy 2.2.1.12.4(c) – Any non-residential project exceeding 30,000 square feet of gross building area shall require special approval.**

  - **Recreational Vehicle Parks are located in residential and rural areas of Manatee County and most other counties in Florida due to the function of these uses.**

- **Recreational Vehicle Parks are not, by their nature, intensive commercial uses and are not compatible with intensive commercial uses.**

- **Staff's review of the information provided with the Administrative Determination request demonstrated that there are other existing Recreational Vehicle Parks in Manatee County that are zoned PDRV and have residential FLUCs of UF-3, RES-3, RES-6 and RES-9. In the Administrative Determination, the applicant was cautioned that there may be limitations from other regulations, and no future application may circumvent any other provisions of the Comprehensive Plan, the Land Development Code or other regulation that is in place. If any limitation is discovered during the review of an application for rezoning of the property, then revisions to the application or remedies to the situation may be required in order for the application to proceed to public hearing.**

New Request

The development standards for Recreational Vehicle Parks are addressed in LDC Section 603.9. Specifically, LDC Section 603.9.2 states that a recreational vehicle park is only permitted to have recreational vehicles. It further states that a recreational vehicle park shall be considered commercial in nature and shall be limited to 12 recreational vehicle sites per acre.

In addition to the LDC code limitation of 12 recreational vehicle sites per acre, Section 380.0651, Florida Statutes, states that a recreational vehicle park containing 500 or more sites meets the threshold for a Development of Regional Impact (DRI).

With this limitation, the applicant has committed to a maximum of 499 recreational vehicle units, thereby keeping the proposed development at the threshold limit of a DRI. The number of units to be placed on the entire 92.13 ± acres of the property, equates to the 5.416 recreational vehicle sites per acre, well below the limitation placed on recreational vehicle parks in the LDC.

Existing Conditions

The subject property is a 92.13 ± acre parcel, and as previously stated, designated RES-6 and RES-9 on the Future Land Map for Manatee County. There are five (5) zone districts that cover the subject property, as follows:

PDRV (Planned Development/Recreational Vehicle)	**26.6 acres**
RSF-4.5 (Residential Single Family, 4.5 dwelling units per acre)	**3.1 acres**
NC/M (Neighborhood Commercial/Medium District)	**6.6 acres**
PDR (Planned Development Residential)	**7.4 acres**
A-1 (Agricultural Suburban District)	**48.43 acres**
TOTAL	**92.13 acres**

A total of 573 dwelling units could be placed on the property under the existing RES-6 and RES-9 FLUCs (RES-6 - 85.24 ± acres x 6 du/acre = 511 units; RES-9 - 6.89 ± acres x 9 du/acre = 62 units; TOTAL = 573 units).

The total acreage, if zoned to the PDRV zone district, could support a total of 1106 recreational vehicle sites on the property (92.13 acres x 12 recreational vehicle sites per acre). As previously stated, the applicant is proposing a total of 499 units on the property, which is well below the number of recreational vehicle units that the site could support.

The property has VIL (Village - Rubonia) zoning to the north, across McMullen Creek. This area is developed with scattered single family residences in an un-platted subdivision. There is vacant PDR (Planned Development/Recreational) and RSMH – 6 (Residential Single Family Manufactured Home – 6 dwelling units per acre) zoning to the north and east, across the railroad tracks. There is RSMH – 6 zoning to the south. This area is developed as Country Lakes Village Mobile Home Park, with a density of 4.16 dwelling units per acre. Finally, there is NC/M (Neighborhood Commercial/Medium District) and RSF-6 (Residential Single Family, 6 dwelling units per acre) to the west. There are scattered single family residences in an un-platted subdivision. There are other mobile home/recreational vehicle parks in close proximity to the proposed development, including two parks north of McMullen Creek, one zoned PDRV, and one zoned VIL; two parks to the south, one zoned RSMH-6 and 1 zoned A-1; and one park east across the railroad tracts, zoned RS-MH-6. These uses aid in supporting the request to PDRV for the subject property.

The site plan submitted with the application demonstrates adequate buffering and setbacks for the proposed recreational vehicle park. The design also ensures the protection of McMullen Creek, as well as any native habitats on site.

A portion of the property is located in both the CHHA (Coastal High Hazard) Overlay District and the CEA (Coastal Evacuation Area) Overlay District. Specifically, 2.83 ± acres, outside of the 50 foot wetland buffer along McMullen Creek, is within the CHHA Overlay District area in the northwest portion of the property, and the entire property is within the CEA and CPA areas. The Comprehensive Plan does not allow any property within the CEA or the CHHA Overlay District to have increased density over what is allowed in the underlying Future Land Use designation. As previously identified, if rezoned to the PDRV district, the total number of recreational vehicle site that would be permitted (499) is well below what would be allowed under the RES-6 and RES-9 Future Land Use designations.

Policy 4.3.1.6 of the Coastal Element of the Comprehensive Plan prohibits the development of new manufactured (mobile) home parks within the Coastal Planning Area. This is one of the main purposes of the LDC code changes that were initiated. Clarification of the definitions in the LDC for recreational vehicles/park

trailers and manufactured/mobile homes was needed because park trailers were being lumped together with manufactured/mobile homes and were considered more permanent in nature. With the provision of only recreational vehicles, and no reference to park trailers, the types of units allowed in proposed development within the CHHA Overlay District, CEA, and CPA is assured. During inclement weather, the recreational vehicles could be moved quickly. Further, since the Florida Statutes recognize a park trailer as a recreational vehicle, any placement of a park trailer on the property would be required to then meet the same requirements and duration of stay requirements that all recreational vehicles must meet.

Finally, the applicant has demonstrated the availability of services (transportation, water and sewer) to adequately serve the proposed development.

Consistency with Existing Regulations

Policy 2.2.1.12.2 of the RES-6 FLUC and Policy 2.2.1.13.2 of the RES-9 FLUC establish a range of potential uses, which include suburban and urban residential uses, as well as neighborhood retail uses.

Future Land Use Policy 2.10.5.1 states that recreational vehicle parks are to be regulated as a commercial use, "consistent with the function of those uses," however, shall not be required to undergo review for compliance with commercial locational criteria. Further, Future Land Use Policy 2.10.5.2 required that the following Land Development regulations, such as appropriate setbacks, buffers, access and intensity of uses proposed are maintained for all new recreational vehicle parks. Floor Area Ratio requirements do not have to be applied to Recreational Vehicle Parks, and there is no density associated with the recreational vehicle park, just a limit on the maximum number of sites per acre (12).

LDC Section 603.9.3.3 addresses the amount of accessory retail uses allowed to occupy the site; specifically, any accessory retail use, and the parking area related to those accessory retail uses shall not occupy more than 5% of the gross acreage of a park. The same section of the LDC addresses accessory service uses and non-commercial low intensity recreational uses. Any proposed accessory uses are required to be specifically requested with the application for PDRV. The non-commercial recreational facilities planned for this property include a recreation hall, shower facilities (in two different locations on the property), and office building. A stipulation has been added that these structures will be provided as shown on the GDP submitted with this rezone application. LDC Section 603.9.3.3 also states that accessory structure facilities shall only be accessible from internal streets. The site plan shows that all accessory structure facilities are internally located; however, this will be stipulated in order to assure that this standard is adhered to.

LDC Section 603.9.5.5 addresses the requirement that within all new PDRV projects containing twenty-five or more lots, a 20 sq. ft./site emergency storm shelter

building shall be provided consistent with LDC Section 716. In this case an 9,980 sq. ft. facility would be required. The minimum lowest floor elevation shall be twelve (12) feet above mean sea level or two (2) feet above the highest point of the road adjacent to the shelter, whichever is higher. The applicant has shown a 12,300 sq. ft. recreational hall and shower. This recreational hall was proposed by the applicant to be used for a shelter area. The site plan demonstrates that this facility will be provided, however, the area cannot be classified as an emergency storm shelter facility because of the site's location within a Level "A" Hurricane Vulnerability Zone. Emergency Management has provided information that the closest emergency storm shelter for this area is Tillman Elementary in Palmetto, FL and Lincoln Middle School also in Palmetto, FL. Emergency Management has indicated that there is sufficient capacity in both of these schools for any emergency situation.

LDC Section 603.11 relates to the time limits for the placement of recreational vehicles. This section states that, "in new parks…recreational vehicles may remain on site for a limited period of time, not to exceed one hundred eighty (180) days within any three hundred sixty-five (365) day period." This requirement aids in the demonstration that these units are transient in nature.

SITE CHARACTERISTICS AND SURROUNDING AREA	
ADDRESS:	**6200, 6308, and 6650 Bayshore Road 1323 and 1326 65th St. Ct.**
GENERAL LOCATION:	**Northeast corner of Bayshore Road (Old U.S. 41) and 61st Street (Palm View Road)**
ACREAGE:	**92.13 ± acres**
EXISTING USE(S):	**Vacant**
FUTURE LAND USE CATEGORY(S):	**RES-6 (6 gross dwelling units per acre/12 net dwelling units per acre) and RES-9 (9 gross dwelling units per acre/16 net dwelling units per acre)**
OVERLAY DISTRICT(S):	**CHHA (Coastal High Hazard) Overlay District CEA (Coastal Evacuation Area) Overlay CPA (Coastal Protection Area)**
SPECIFIC APPROVAL	**1) Alternative to LDC Section 722.1.4.3 which requires sidewalks on both sides of the street, in this case, applicant is deferring the provision of the sidewalk on Palm View Road; applicant has stipulated to the provision of a sidewalk on**

	Bayshore Road.
SPECIAL APPROVAL(S):	**1) Parcel partially located within the CHHA Overlay District – Comprehensive Plan Policy 2.2.2.5.4, within the CEA Overlay District – Comprehensive Plan Policy 2.2.2.4.4), and within the CPA (Coastal Planning Area;** **2) Parcel is adjacent to a perennial stream (McMullen Creek) – Comprehensive Plan Policy 3.2.2.1; and** **3) All new recreational vehicle parks be established pursuant to the special approval process – Comprehensive Plan Policy 2.10.5.2**
SURROUNDING USES & ZONING	
NORTH	**PDR and PDR-VIL - Abuts McMullen Creek with Single Family Residential and Vacant Residential further north**
SOUTH	**RDD-6 and RSMH-6 - Multi-Family Residential**
EAST	**PDR and RSMH-6 - Abuts an active railroad line with Single Family Residential further east**
WEST	**NC/M, RSF-6, and A-1 - Single Family Residential and Vacant Residential**
SITE DESIGN DETAILS	
LOT SIZE(S)/YARDS:	**Individual Recreational Vehicle Sites: 1,500 sq. ft. (30 feet x 50 feet); 5 ft. Yard requirement** **Non-residential use 10,000 sq. ft. site minimum for the proposed clubhouse**
INTENSITY:	**Gross: 5.416 sites/acre** **Net: 12.55 sites/acre**

BUFFERS:	**Front , along both streets** **Side, adjacent to railroad track** **Adjacent to residential uses** **Rear, adjacent to required setback to McMullen Creek**	**50 feet** **15 feet** **75 feet** **15 feet**
OPEN SPACE:	**52.36 ± acres (21.75 ± acres upland open space plus 30.61 ± acres other open space) – 56.83% (20% required)**	
RECREATIONAL AMENITIES:	**Recreation Hall, Shelter Building, showers, pool, fishing piers, canoe/kayak launches**	
ACCESS:	**Two accesses to Bayshore Road; one access to Palm View Road**	
FLOOD ZONE(S)	**"X" and "AE" with Base Flood Elevations of 9' and 10' NGVD 1929, per FIRM PANEL 120153 0183C, revised 7/15/1992**	
AREA OF KNOWN FLOODING	**Yes, storm surge**	
UTILITY CONNECTIONS	**Existing 8" water main along Bayshore Road and an existing 12" force main along Palm View Road – both shown on plan**	
ENVIRONMENTAL INFORMATION		
Overall Wetland Acreage:	**1.54 acres (in the form of Mangrove Swamp)**	
Proposed Impact Acreage:	**No impacts are proposed to the wetland acreage**	

According to the environmental narrative prepared by Dick Seagle & Associates, Inc., dated August 18, 2011, there are 1.54 acres of wetlands on site, in the form of Mangrove Swamp – 612. No impacts are proposed to this wetland.

<u>Uplands</u>
There is little or no native upland habitat located within the project boundaries. Areas of live oak trees exist on site, but are devoid of understory vegetation and are located in areas that have experienced disturbance from past agricultural activities.

<u>Endangered Species</u>
According to the above-referenced environmental narrative, there were no listed

wildlife species observed during the survey.

Trees
Tree removal and replacement will be addressed with the Final Site Plan and will be accordance with Section 714.8.7 of the Land Development Code.

Miscellaneous
Passive recreational facilities, including a walkway to a canoe/kayak launch along the McMullen Creek and a floating dock and pool area along the existing lake, are planned for the subject project.

The facilities proposed along the existing lake are not regulated by Land Development Code because the lake does not represent a navigable water. The lake was built in conjunction with construction for the U.S. 41/I-275 improvements.

The facilities proposed along the McMullen Creek frontage do not pose any threat to the waterway and is compatible with the natural character of that waterway.

RESIDENTIAL				
PROJECT	**LOTS/UNITS**	**DENSITY/ACREAGE**	**FLUC**	**YEAR APPROVED**
Country Lakes Village (Mobile Home Park)	254	4.16 du/ac	RES-9	1997
Tree Lakes	550 RV Sites	2.35 acres	RES-9	1981
Terra Ceia Manor (Mobile Home Park)	205	8.5 du/acre	RES-9	1978
Big Lakes Estates (Mobile Home Park)	112	8.0 du/acre	RES-9	1967
Country Lakes Village II (Mobile Home Park)	213	4.0 du/acre	RES-6	1997
Scattered single family homes			RES-6	

POSITIVE ASPECTS

- **Infrastructure is in place to support the proposed use;**
- **56.83% open space to be provided;**
- **Additional transient housing to be provided;**
- **Additional recreational opportunities to be provided; and**
- **Compliance with Comprehensive Plan Policy 2.1.1.4 which encourages the promotion of development in currently undeveloped areas where adequate public facilities are available.**

NEGATIVE ASPECTS

- **The entire eastern property boundary is located adjacent to an active railroad line.**

MITIGATING MEASURES

- **Stipulation is attached that puts any site offered for lease on notice of the adjacent active railroad line.**

- **Stipulations are attached that ensure that all development standards within LDC Section 603.9, as well as compliance with Chapter 320.01 of the Florida Statutes and Chapter 64E-15 of the Florida Administrative Code, are addressed.**

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

There is a historic home on the property. No final plans have been made for the property, and at this point, will be made available to interested parties for use on another property, if someone comes forward, but it is not the owner's intention to restore the home for the project's use. While the home is on the Florida Master Site File for the State of Florida, it is not on the National Historic Registry. Also, the site is not within HA (Historical Archeological) or Terra Ceia Overlays Districts, so therefore there is no requirement to preserve the home. See language in Attachment "6," Historic Home Site Information from Cathy Slusser.

The applicant has stated that the preservation or moving of the home is not feasible because of the cost involved to move the home.

STAFF RECOMMENDED STIPULATIONS

A. DESIGN AND LAND USE CONDITIONS:

1. **Development of a recreational vehicle park on the subject property shall be in general compliance with Land Development Code Section 603.9.**

2. **Mobile home, lodging, recreational vehicle parks, and recreational camps are licensed annually by the Department of Health in accordance with Chapter 64E-15, Florida Administrative Code (F.A.C.). The applicant shall contact the Health Department for plan review prior to any future construction on the site.**

3. **The applicant shall continue to demonstrate compliance with the following development standards during each subsequent application for approval:**

   a. **Each recreational vehicular site shall contain a minimum of 1,200 square feet.**

   b. **The density shall not exceed 12 recreational vehicle sites per acre of gross site.**

   c. **All recreational vehicle units or accessory buildings shall be parked or located 25 feet from any public street or highway right-of-way.**

4. **At the time of Final Site Plan/Construction Plan submittal, the developers shall install water mains and hydrants to meet fire flow requirements.**

5. **No attachments to recreational vehicles on site, other than open canvas awnings having no walls, roll-up screen enclosures, pop-out units or similar attachments which are integral to the unit as originally manufactured, shall be allowed.**

6. **A recreational hall and shower facilities shall be provided on site. The square footage of the recreational hall and shower facilities shall be determined at the time of Final Site Plan submittal.**

7. **No recreational facility on site may serve as an emergency storm shelter during the time of inclement weather or hurricane conditions.**

8. **No more than 499 recreational vehicle sites shall be allowed on site.**

9. **Development will be limited to recreational vehicles only. No permanent mobile homes shall be allowed.**

10. **A Hurricane Evacuation Plan, demonstrating evacuation necessary during inclement weather or hurricane conditions, shall be provided at the time of Preliminary Site Plan/Final Site Plan submittal.**

11. **At the time of any evacuation order due to inclement weather or hurricane conditions, all recreational vehicles on site shall be removed.**

12. **Recreational vehicles may remain on the site for a period not to exceed one hundred eighty (180) days within any three hundred sixty-five (365) day period.**

13. **The barbed wire fencing along the railroad tracks shall be removed prior to completion of construction/certificate of occupancy.**

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

1. **The applicant is advised that when seeking further development approvals for the recreational vehicle park, a "Deferral and Acknowledgement of 'Eventual Requirement for Concurrency Certification' does not exempt the applicant from the requirements for a Certificate of Level of Service Compliance.**

2. **At the time of a Preliminary Site Plan or Final Site Plan application, the Applicant shall be required to prepare and submit a Traffic Impact Analysis (TIA) for the subject project. As part of this process, and prior to submitting the TIA for review, the Applicant will need to coordinate with the Manatee County Transportation Planning Division regarding an updated traffic methodology statement to be used for the TIA.**

3. **The site shall provide two access locations onto Bayshore Road and one access location onto Palm View Road, as shown on the site plan submitted with this application**

4. **A five foot wide sidewalk shall be provided adjacent to the project along Bayshore Road.**

5. **The required sidewalk along Palm View Road is deferred until such time as a determination is made by Public Works that the sidewalk is required.**

6. **The details of the internal driveway system, including eighteen (18) feet of paving for one-way vehicular travel way or twenty-four (24) feet of paving for two-way vehicular travel way shall be provided at the time of Preliminary Site Plan/Final Site Plan/Construction Plan submittal. The internal driveways**

shall be paved with a smooth, dustless surface, clearly marked as to internal circulation and direction of travel.

C. INFRASTRUCTURE CONDITIONS:

1. **County water and county sewer shall be extended to the site by the developer, and the project will be required to connect to Central Potable Water through a Master Meter, and to Sanitary Sewer. All internal utilities shall be private, and all connections shall be provided at the developer's expense.**

2. **Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material. A permit is required from Manatee County Health Department unless work is approved by County Public Works.**

D. STORMWATER CONDITIONS:

1. **This project shall provide 150% water quality treatment for Terra Ceia Bay Aquatic Preserve.**

E. ENVIRONMENTAL CONDITIONS:

1. **If any part of the subject property is platted, no lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.**

2. **The project shall be designed so that no temporary wetland buffer impacts, other than those allowed by Section 719.11.1.2. of the Land Development Code, are allowed in areas that contain native desirable vegetation. This shall be reviewed and approved by the Environmental Planning Division with Preliminary Site Plan/Final Site Plan.**

3. **Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Environmental Planning Division. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees; machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. Tree protection methodology shall be approved with the Preliminary Site Plan/Final Site Plan.**

4. **A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Preliminary Site Plan/Final Site Plan in accordance with Section 519, of the Land Development Code.**

5. **A Well Management Plan for the property 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:**

   a. **Digital photographs of the well along with nearby reference structures (if existing);**

   b. **GPS coordinates (latitude/longitude) of the well;**

   c. **The methodology used to secure the well during construction (e.g., fence, tape); and**

   d. **The final disposition of the well – used, capped, or plugged.**

6. **There shall be no boat slips permitted for the individual recreational vehicle sites unless approval is first obtained by the Board of County Commissioners.**

F. PUBLIC SAFETY

1. **The North River Fire District requires stabilized, all weather, road surfaces, exact specifications to be determined at the time of Final Site Plan stage, for emergency vehicle access. The road surfaces must be NFPA standards. This requirement shall be reviewed and approved with future Preliminary Site Plan/Final Site Plan/Construction Plan submittal.**

G. NOTICE

1. **A Notice shall be provided to all owners, lessees or renters of recreational vehicle sites that includes language informing them of the following:**

   a. **The easternmost property boundary abuts an active railroad line;**
   b. **A portion of the northwestern property is in the Coastal High Hazard (CHHA) Overlay District designation, and as such may be subject to flooding and storm evacuation emergencies;**
   c. **The entire site is within the CEA (Coastal Evacuation Area) and the (CPA (Coastal Planning Area); and**
   d. **The property will be subject to evacuation during emergency weather situations.**

   These notifications shall also be posted and made available to all owners, lessees of property sites and rentals on site.

COMPLIANCE WITH LDC				
Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
50 foot roadway buffer, Bayshore Road	50 ft.	√		Shown on site plan
50 foot roadway buffer, Palm View Road	50 ft.	√		Shown on site plan
75 foot buffer adjacent to residential zoning	75 ft.	√		Shown on site plan
Adjacent to undeveloped roadways	15 ft.	√		15 foot provided on plan
15 foot perimeter buffer adjacent to RR tracks to the East	15 ft.	√		Shown on site plan
50 foot perimeter buffer adjacent to McMullen Creek to the North	50 ft.	√		Shown on site plan
Wetland buffer	50 ft.	√		50 foot provided on plan
SIDEWALKS				
5' internal sidewalks	N/A			None required because the internal streets are proposed to be private drives
5' sidewalk, exterior				Sidewalk will be provided along Bayshore Road right-of-way Specific Approval has been requested to defer the installation of sidewalks along the Palm View Road right-of-way

ROADS & RIGHTS-OF-WAY				
Internal roadways	**N/A**			**Driveways proposed.**
Dedication of ROW on Bayshore Avenue		√		**Although shown on site plan, any required ROW dedication will be determined with the Preliminary Site Plan, or Final Site Plan, as appropriate, and dedicated prior to issuance of any form of Certificate of Completion.**
Dedication of ROW on Palm View Road		√		**Although shown on site plan, any required ROW dedication will be determined with the Preliminary Site Plan, or Final Site Plan, as appropriate, and dedicated prior to issuance of any form of Certificate of Completion.**
Inter-neighborhood Ties	**N/A**			**N/A**

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 does not pose any hazard either on or off site. Wetland #1, along McMullen Creek, will be protected with a 50' buffer, with the only proposed activity in that area being a boardwalk to allow viewing of the creek, as well as passive recreation in form of canoeing and kayaking in the creek.

Public Utilities, Facilities and Services

The infrastructure to serve this facility is in place, including collector roadways along the west and south sides of the parcel, and existing water and sanitary service to tie into along Bayshore Road to the west of the parcel. The internal utility connections will be private because the property is located within the CHHA, and the internal connection to central utilities will be through a master meter.

The onsite stormwater systems will discharge into McMullen Creek, which follows the historical pattern for the site.

The application is for a GDP that does not include a CLOS. The review to determine capacity for roadways, utilities, and facilities will be demonstrated when the project proceeds to the next phase and a request for a CLOS is submitted.

Compatibility

The entire perimeter of the property is physically separated from properties owned by others. There is a street along the west, south and northeast; the Seaboard Airline Railroad right-of-way along the east, and McMullen Creek along the northwest property boundaries. These physical separations, in addition to the buffers required by the Land Development Code, will aid in providing buffering of the site's traffic, noise and lights.

Transitions

The application will rezone the entire property to PDRV with a proposed gross density of 5.42 dwelling units/acre. The northernmost parcel on site contains 28.49 acres of the total 92.13 acres in the application. That northernmost property was zoned to PDRV and approved as McMullen Creek Travel Trailer Park, as a Preliminary Plat in 1981. This parcel received an approximate density of 11.97 dwelling units/acre. The parcel is adjacent to McMullen Creek on the north.

The existing zoning to the south is RSMH6, with a present land use of mobile home, known as Country Lakes Village Mobile Home Park, Phase 1. There are 254 units on approximately 61 acres, with an approximate density of 4.16 dwelling units/acre. This use is separated from the proposed recreational vehicle park by a minor collector road (Palm View Road).

On the west, the subject property abuts Bayshore Road right-of-way, with properties zoned NC/M, RSF-6 and A-1 across the road.

There is an active railroad line along the entire eastern property boundary of the project. There is also a large lake along the majority of the east side of the property. This lake will aid in buffering the existing uses from the proposed uses on site. The buffered properties to the east are zoned PDR and A-1, developed with single family residential uses.

Design Quality

The site has been designed to address all sections of the Comprehensive Plan and Land Development Code relating to a PDRV zone district, including the allowed use in the RES-6 and RES-9 FLUC, the proposed vs. allowable density, as well all required buffers, setbacks, open space, and the protection of habitat. Lighting and signage will be addressed at the Preliminary Site Plan/Final Site Plan stage.

Adjacent Property
The proposed buffers provide the minimum required by the Land Development Code, Section 715, for PDRV zoning.

Access
The proposed access points are shown on the GDP. There are two proposed onto Bayshore Road and one proposed onto Palm View Road. There are stipulations that have been added that will ensure that the proposed access locations are addressed in more detail during the next phase of review.

Streets, Drives, Parking and Service Areas
There are stipulations supplied by Transportation Planning staff that will ensure necessary items are addressed in more detail during the Preliminary Site Plan/Final Site Plan stage of review.

Pedestrian Systems
Since the internal streets will be private drives, no sidewalks will be required internally. The applicant has submitted a sidewalk deferral letter for the provision of sidewalks on Palm View Road.

Natural and Historic Features, Conservation and Preservation Areas
This is a highly disturbed site, as indicated in the Seagle & Associates environmental report. The site is currently being used as grazing land for cattle. There are no known archaeological or historic sites on the property.

Density/Intensity
The allowed density of 12 recreational vehicle sites per acre is not exceeded by the proposed development.

Height
The maximum building height of any residential buildings on site will be 15' and for any non-residential building shall be 35'.

Fences and Screening
The site will be screened with a combination of fences and/or vegetative screening. In some areas vegetation will be more appropriate than fencing. There appears to be a barbed wire fence along the railroad tracks. This fence is shown on the subject property and needs to be removed in conjunction with Preliminary Site Plan/Final Site Plan/Construction Plan approval. The details of the landscaping planned for the property will be shown at the Preliminary Site Plan/Final Site Plan/Construction Plan submittal.

Yards and Setbacks
All proposed yards and setbacks are shown on the plans submitted and they are consistent with the PDRV criteria.

Trash and Utility Plant Screens
Individual garbage bags will be provided at each recreational vehicle site and will be pickup up the park management and disposed of in dumpsters for county pick-up.

The proposed dumpster will be setback 450' from the east property line. Appropriate screening will be provided during the next series of plans.

Signs
Signing will be addressed during the Preliminary Site Plan/Final Site Plan stage.

Landscaping
Appropriate landscaping is indicated on the plan, but will be shown in detail during the Preliminary Site Plan/Final Site Plan stage.

Mixed Use or Entranceway Designation
N/A

Water Conservation
This will be more thoroughly addressed during the Preliminary Site Plan stage/Final Site Plan stage.

Rights-of-Way
Any required right-of-way dedication will be determined with the Preliminary Site Plan or Final Site Plan, as appropriate. The specific dedication amount will be required to be shown on the Preliminary and/or Final Site Plan and dedicated prior to issuance of any form of Certificate of Completion.

Utility Standards
There is infrastructure available, in form of existing water and sanitary sewer service to serve the site.

Stormwater Management
Project Located in Flood Prone Area: Yes
Type of Flooding (i.e., rainfall, riverine, storm surge, etc.): Storm Surge
Project Subject to flow reduction: N/A
Project Subject to OFW: Yes, 150% water quality treatment
Watershed/Basin: Terra Ceia Bay
Project located within Floodplain and/or Floodway: Portion of the project located in FEMA FIRM 100-year floodplain. Floodplain delineation adjusted with preliminary DFIRM.
Drainage Easements/Access Easements required for existing system(s): Will be addressed at the Preliminary Site Plan/Final Site Plan stage.

The onsite stormwater systems will discharge to McMullen Creek, which follows the historical pattern for the site.

Open Space

The minimum required Open Space for this property is 20%. The site exceeds the minimum open space requirement, proposing 56.83% open space.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-6 and RES-9 Future Land Use Categories. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate given the placed density, the existence of adequate services and other residential trends in the area. The surrounding area is characterized by vacant property, other mobile home parks and single family residences.

RES-6

Policy 2.2.1.12.1 Intent. The intent of the RES-6 district is to allow low density urban, or a clustered low-moderate density urban residential development. The proposed recreational vehicle park falls within the potential density range for the RES-6 FLUC.

Policy 2.2.1.12.2 Range of Potential Uses. A recreational vehicle park is within the range of potential uses identified in this policy, which includes suburban or urban residential uses and low intensity recreational uses.

Policy 2.2.1.1.12.3 Range of Potential Density/Intensity. The maximum density for a recreational vehicle park is 12 sites per acre. The proposed development, at 5.43 sites per acre, does not exceed those maximum allowed density.

Policy 2.2.1.12.4.b) Other Information. Since the development of a Recreational Vehicle Park is considered a commercial use, a Special Approval is not required to allow a gross residential density exceeding 4.5 dwelling units per acre or in which any net residential density exceeds 6.0 dwelling units per acre.

RES-9

Policy 2.2.1.13.1 Intent. The intent of the RES-9 district is also to allow low-moderate urban, or a clustered low-moderate density urban residential development. The proposed recreational vehicle park falls within the potential density range for the RES-9 FLUC.

Policy 2.2.1.13.2 Range of Potential Uses. A recreational vehicle park is within the range of potential uses identified in this policy, which includes suburban or urban residential uses and low intensity recreational uses.

Policy 2.2.1.13.3 Range of Potential Density. The maximum gross residential density for a recreational vehicle park is 12 site per acre. The proposed development, at 5.43 sites per acre, does not exceed those maximum allowed density.

Policy 2.2.1.13.4.b) Other Information. Since the development of a Recreational Vehicle Park is considered a commercial use, a Special Approval is not required to allow a gross residential density exceeding 6.0 dwelling units per acre or in which any net residential density exceeds 9.0 dwelling units per acre.

Policy 2.6.1.1 Compatibility. The General Site Plan design is compatible with surrounding development because the uses proposed, density, and setbacks are comparable with surrounding development.

Policy 2.6.2.7 Require Clustering to Limit Impacts. The site design avoids any impacts to wetlands on site, as well as to McMullen Creek.

Policy 2.6.5.4 Preserve/Protect Open Space. The minimum required open space for this property is 20%. The site exceeds the minimum open space requirement, proposing 56.83% open space.

TRANSPORTATION

Major Transportation Facilities

The site is expected to have access onto Bayshore Road and Palm View Road, which are both two-lane collector roadways.

Transportation Concurrency

Since the applicant is only seeking a rezoning and General Development Plan (GDP) approval at this time, transportation concurrency cannot be granted until the Preliminary Site Plan (PSP) or Final Site Plan (FSP) review stages of this project. At that time, the applicant will be required to submit a detailed Traffic Impact Analysis (TIA) which will determine if any off-site concurrency-related improvements will be required by the project. However, the applicant did prepare and submit a Traffic Impact Statement (TIS) at this time to determine preliminary impacts to the segments of Bayshore Road and Palm View Road adjacent to the project site. The results of the TIS, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segments are expected to operate above the level of service (LOS) "D" performance standard with project-related traffic and with no off-site improvements needed (see Certificate of Level of Service Compliance table below).

Access

As previously stated, the site is expected to have access onto Bayshore Road and Palm View Road through multiple driveways which will provide for full turning movements. At the time of the detailed TIA, all access points will be evaluated to determine if any site-related improvements will be required for the site.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

TRANSPORTATION CONCURRENCY

CLOS APPLIED FOR: Y _____ N √
TRAFFIC STUDY REQ'D: Y √ N _____ **(a TIS was submitted, however, a TIA will be required at PSP or FSP)**

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
Bayshore Road	US 41 S to US 41 N (Link #2170)	D	B
Palm View Road	US 19 to US 41 (Link #2860)	D	B

In summary, the results of the TIS identified no off-site improvements at this time. However, a detailed TIA will be required at the PSP or FSP review stage to determine if any improvements will be required at that time.

OTHER CONCURRENCY COMPONENTS

Solid waste landfill capacity, parks needs, and preliminary drainage intent will be reviewed at the time of PSP. School capacity, potable water and waste water will be reviewed at the time of FSP/Construction Drawings.

SPECIFIC APPROVAL – ANALYSIS, RECOMMENDATION, FINDING

Applicant Request

1. **Alternative to LDC Section 722.1.4.3 which requires sidewalks on both sides of the street.**

   The applicant requests deferral of sidewalk requirements along 61st Street (Palm View Road).

Staff Analysis and Recommendation

Per LDC Section 722.1.4.3 sidewalks are required along both sides of all streets adjacent to the development since the site is within 2 miles walking distance of a school. The applicant has provided the following information in support of this deferral:

- **The closest school is Palm View Elementary School, located on Palm View Road on the south side, approximately 170' southwest of the site, (on the opposite side of the road from the project;**
- **Transient recreational vehicles to be located in this park are not expected to generate many school age children population;**
- **The nearest sidewalk along Palm View Road is located approximately 170' from the property, and on the opposite side of the road, in front of the school, and running approximately 450' in length;**
- **The nearest sidewalk along Bayshore Road is located approximately 170' from the property, and on the opposite side of the road, running adjacent to the school for approximately 550' in length; and**
- **Wider internal driveways will be provided to encourage walking to internal recreational uses.**

Staff agrees that a small number of school age children may be expected to be generated from a recreational vehicle park. Also, in recreational vehicles parks residents walk, or drive golf carts, to their recreational destinations. Given that, there would be a need for some type of walking trails or wider roadways with low speeds to accommodate the internal guests. Also, given the fact that sidewalks currently exist along the frontages of the Palm View Elementary School that accommodate the children in the adjacent areas, staff recommends approval of the request.

Finding for Specific Approval

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 722.1.4.3 the Board finds that the public purpose and intent of the LDC regulations are satisfied to an equivalent degree because safe and efficient pedestrian access will be provided as designed.

SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Request(s):

1. **Comprehensive Plan Policy 2.2.2.5.4., states that, "Any project which is at least partially within the CHHA Overlay District shall be submitted for**

approval under the special approval process..." Similarly, Comprehensive Plan Policy 2.2.2.4.4, also requires that "any project which is at least partially within the CEA Overlay District shall be submitted for approval under the special approval process..."

Staff Analysis and Recommendation

The purpose of the CHHA and the CEA Overlay Districts, and the CPA is to "limit the amount of infrastructure with the CHHA and CEA Overlay Districts, and the CPA, and thereby limit the magnitude of public loss and involvement in mitigating for loss private infrastructure to Manatee County residents. " It is the intent of this overlay district to prohibit permanent structures from being placed in this district. A small area in the northwest portion of the site is located within the CHHA Overlay District, specifically 2.83 acres outside of the 50 ft. wetland buffer along McMullen Creek. These recreational vehicles can be easily removed from the area, in the case of a storm event where evacuation is essential.

Finding for Special Approval

Notwithstanding the requirements of Comprehensive Plan Policy 2.2.2.5.4., the Board finds that the purpose of the Comprehensive Plan, specifically the intent to require any project which is at least partially within the CHHA and CEA Overlay Districts to be submitted and reviewed under the special approval process. The Special Approval ensures that services are available to ensure the transitioning of these lands, is satisfied to an equivalent degree by the proposed design.

2. **Comprehensive Plan Policy 3.2.2.1., requires any project that is adjacent to any perennial lake or stream obtain special approval to ensure that project impacts on these waterbodies are identified and minimized.**

Staff Analysis and Recommendation

The site plan and accompanying documentation submitted with the application demonstrates that the appropriate buffer is being provided, and that are no impacts proposed to the McMullen Creek area.

The LDC Section 605 details the Special Approval process and states that this is a "process requiring an additional level of review that only needs to occur as a single development application; in this case, along with application to rezone the property to the PD/RV zone district. If granted at the rezone stage, with a General Development Plan, a Special Approval is not required to be granted at each subsequent stage of review. LDC Section 605.3 states that a Special Approval shall continue in effect until such time as the use for which the special approval is granted discontinues for a period exceeding one year.

The LDC Section 605.5 states that "Special Approval may be granted only upon findings that the project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities and only when the specific criteria for the use have been satisfied. It is staff's opinion that the application submitted includes all information necessary to make a finding that the Special Approval should be approved.

Finding for Special Approval
Notwithstanding the requirements of Comprehensive Plan Policy 3.2.2.1, the Board finds that the purpose of the Comprehensive Plan, specifically the intent to require all new project adjacent to a perennial stream be established pursuant to the special approval process. The information submitted with the Special Approval, in conjunction with the rezone application, ensures that all criteria for the use proposed have been satisfied.

3. **Comprehensive Plan Policy 2.10.5.2., requires that a development, "Maintain land development regulations which:**

   - **Establish appropriate setback and buffer requirements for recreational vehicle parks,**
   - **Maintain locational standards or guidelines for new recreational vehicle parks which address required levels of access, level of service, relative intensity and impact of such uses,**
   - **Provide for adequate sites on which recreational vehicle parks may be considered for approval,**
   - **Require that all new recreational vehicle parks be established pursuant to the special approval process,**
   - **Exempt recreational vehicle parks from maximum Floor Area Ratio requirements while establishing alternative maximum intensity standards, and,**
   - **Establish certain districts on the official zoning atlas within which recreational vehicle parks shall not be located."**

Staff Analysis and Recommendation

The applicant has argued that this application is not a new application, but an expansion of an existing park. Staff agrees that a portion of the acreage, subject to this application, is an existing park (26.6 acres of the total 92.13 acres was approved in 1981 to allow 347 units). The applicant also provided a letter from Manatee County Building and Development Services granting a "grandfathered" status for 8.0 acres of that previous application because an

adequate amount of infrastructure is in place to satisfy the status of such a status. Staff is, however, of the opinion that this will be a new development, since there has been a large time lag between the approval and the proposed time of actual development in the future. Therefore, the requirements to process this application using the special approval process, ensures all requirements are met.

The LDC Section 605 details the Special Approval process and states that this is a "process requiring an additional level of review that. LDC Section 605.2 states that the added review need only occur as a single development application; in this case, along with application to rezone the property to the PD/RV zone district. If granted at the rezone stage, with a General Development Plan, a Special Approval is not required to be granted at each subsequent stage of review. LDC Section 605.3 states that a Special Approval shall continue in effect until such time as the use for which the special approval is granted discontinues for a period exceeding one year.

The LDC Section 605.5 states that "Special Approval may be granted only upon findings that the project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities and only when the specific criteria for the use have been satisfied. It is staff's opinion that the application submitted includes all information necessary to make a finding that the Special Approval should be approved.

Finding for Special Approval

Notwithstanding the requirements of Comprehensive Plan Policy 2.10.5.2, the Board finds that the purpose of the Comprehensive Plan, specifically the intent to require new recreational vehicle parks be established pursuant to the special approval process. The information submitted with the Special Approval, in conjunction with the rezone application, ensures that all criteria for the use proposed have been satisfied.

ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **Request for Specific Approval**
3. **Request for Special Approval**
4. **Vesting Letter, dated 9/14/2011**
5. **Administrative Determination, dated 8/24/2012**
6. **Historic Home on Site – information from Cathy Slusser, Historic Resources Director**
7. **Traffic Impact Analysis**
8. **Zoning Disclosure Affidavit**
9. **Copy of Newspaper Advertising**
10. **Public Comment Letter**

ATTACHMENT #1
APPLICABLE COMPRENENSIVE PLAN POLICIES

FUTURE LAND USE

Policy 2.2.1.12	**RES-6: Establish the Residential -6 Dwelling Units/Gross Acre future land use category as follows:**
Policy 2.2.1.12.1	**Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.**
Policy 2.2.1.12.2	**Range of Potential Uses (see Policies 2.1.2.3 – 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, 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 2.2.1.12.3	**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 within the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing." (except within the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.4 and 4.3.2.5)**

	Maximum Floor Area Ratio: **0.23 (o.35 for mini-warehouse uses only)** **1.00 inside the CRA's and UIRA** **Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000 sf.)**
Policy 2.2.1.12.4	**Other Information:** **a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.** **b) All projects for which gross residential density exceeds 4.5 dwelling units per acre, or in which any net residential density exceeds 6 dwelling units per acre shall require special approval.** **c) Any non-residential project exceeding 30,000 square feet of gross building area shall require special approval.** **d) Professional office uses not exceeding 3,000 square feet in gross floor area within the category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.1 and detailed in the Land Use Operative Provisions Section E(1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2,10.4.2).**
Policy 2.2.1.13	**RES-9: Establish the Residential - 9 Dwelling Units/Gross Acre future land use category as follows:**
Policy 2.2.1.13.1	**Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low-moderate urban, or a clustered moderate urban residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these urban areas.**

Policy 2.2.1.13.2	**Range of Potential Uses (see Policies 2.1.2.3 – 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, dormitories, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).**
Policy 2.2.1.13.3	**Range of Potential Density/Intensity:** **Maximum Gross Residential Density:** **9 dwelling units per acre** **Minimum Gross Residential Density: 7.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "affordable Housing."** **Maximum Net Residential Density:** **16 dwelling units per acre** **20 dwelling units per acre within the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing." (except within the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.4 and 4.3.2.5)** **Maximum Floor Area Ratio:** **0.23 (0.35 for mini-warehouse uses only)** **1.00 inside the CRA's and UIRA** **Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000 sf.)**
Policy 2.2.1.13.4	**Other Information:** **a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.** **b) All projects for which gross residential density exceeds 6 dwelling units per acre, or in which any net**

	residential density exceeds 9 dwelling units per acre shall require special approval. **c) Any non-residential project exceeding 30,000 square feet of gross building area shall require special approval.** **d) Professional office uses not exceeding 3,000 square feet in gross floor area within the category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.1 and detailed in the Land Use Operative Provisions Section E(1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2,10.4.2).**
Policy 2.2.2.4	**CEA: Establish the Coastal Evacuation Area Overlay District as follows:**
Policy 2.2.2.4.1	**Definition: The geographic area which lies within the evacuation area for a Category 1 Hurricane as established by the Manatee County Emergency Management Division of the Public Safety Department in conjunction with the Tampa Bay Regional Planning Council, as updated on a period basis.**
Policy 2.2.2.4.2	**Purpose:** **a) To limit population in the Category 1 Hurricane evacuation area requiring evacuation during storm events.** **b) To limit the amount of infrastructure, both private and public, within the CEA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.** **c) To, through exercise of the police power, increase the degree of protection to public and private property, and to protect the lives of residents within the CEA, and reduce the risk of exposing lives or property to storm damage.** **d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.** **e) To protect coastal water quality by reducing impervious surface along coastal areas, thereby reducing the risk of**

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

	surge model, pursuant to applicable law, as updated on a periodic basis.
Policy 2.2.2.5.2	**Purpose:** **a) To limit population in the Coastal High Hazard Area Overlay District.** **b) To limit the amount of infrastructure, both private and public, within the CHHA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.** **c) To, through exercise of the police power, increase the degree of protection to public and private property, and to protect the lives of residents within the CHHA, and reduce the risk of exposing lives or property to storm damage.** **d) To accomplish shoreline stabilization along coastal areas by limiting development activity which may adversely impact shoreline stability.** **e) To protect coastal water quality by reducing imperious surface along coastal area, thereby reducing the risk of incomplete treatment of stormwater runoff before discharge into coastal waters.** **f) To encourage, establish, and maintain vegetative and spatial buffer zones, in order to maintain the capacity of natural vegetative communities in mitigating the negative effects of storm surge, and tidal velocity, and the erosive effect of wave action.**
Policy 2.2.2.5.3	**Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CHHA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the Coastal Management Element. Compliance with all goals, objectives, and policies listed in these subsections, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CHHA Overlay District.**
Policy 2.2.2.5.4	**Effect of Mapping:** **a) Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased, or operated by the Manatee County**

	Port Authority. The area designated under the CHHA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CHHA District, except where policies associated with the CHHA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CHHA Overlay shall override other goals, objectives and policies. The extent and coverage of the area designated as CHHA is an approximation, and is subject to a more precise determination on any project within, or proximate to, that area shown on the Future Land Use Map as CHHA. At the time of review of any such project for issuance of any development order establishing total or partial development potential, evaluation of a pre-development topographic survey of the site shall be utilized to determine the extent of the CHHA District Overlay. **b) See also objectives listed under Policy 2.2.2.5.3.**
Policy 2.2.2.5.5	**Development Restrictions/Conditions** **a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal High Hazard Area Overlay District.**
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.**
Policy 2.9.4.4	**Protect natural waterfront vistas as a defining characteristic of Manatee County. Protection measures may include, but not be limited to the following:** **– increased waterfront setbacks and buffers,** **– additional plantings of native vegetation.** **– maintaining conservation areas in public or joint ownership arrangements,** **– provision of joint boat docking facilities.** **– limitations on height and size of structures.**

Policy 2.10.4.2 Prohibit the consideration of any development order establishing the potential for commercial development, where the proposed project site is inconsistent with commercial locational criteria. Consistency shall be determined through the application of the commercial location review process described in the operative provisions contained in this Element. Permitted exceptions to these requirements are limited to:

- Recreational vehicle parks. However, compliance with 2.10.5.2 shall be required.

Policy: 2.10.4.3 Require that all proposed commercial uses meet, in addition to commercial locational criteria, the following commercial development standards:

1) any proposed commercial site must be sized and configured to provide for adequate setbacks, and buffers from any adjacent existing or future residential uses.
2) any proposed commercial site must be configured and sized to allow for orientation of structures, site access points, parking areas, and loading areas on the site in a manner which minimizes any adverse impact on any adjacent residential use.
3) no proposed commercial site shall represent an intrusion into any residential area. As used in this standard, "intrusion" means located between two residential uses or sites which are not separated by the right-of-way of any roadway functionally classified as collector or higher, unless the proposed commercial use meets the definition of "infill commercial development," demonstrated through evaluation of existing land use patterns in this vicinity of the proposed use, and pursuant to guidelines contained in commercial locational criteria found in the operative provisions of this Element. Permitted exceptions listed in Policy 2.10.4.2 shall not be required to meet this development standard. No such intrusion shall be found in neotraditional developments approved as such by the County, as a mixture of uses are encouraged within those projects. No such intrusion shall be found in DRI and Large Project developments where commercial uses are internal

to neighborhoods, approved as such by the County, as a mixture of uses are encouraged within those neighborhoods.

4) Commercial nodes meeting the requirements specified in the operative provisions of this Element shall, additionally, be spaced at least one-half mile apart, as measured between the center of two nodes. However, where two Supplement #20 Future Land Use Element Page 117 commercial nodes have been established by the development of commercial uses prior to plan adoption, and are spaced less than the minimum required one-half mile, then a waiver of this commercial development standard may be considered. Preferentially, in instances where previous development has not established a pattern of land uses inconsistent with commercial locational criteria or development standards, nodes shall be spaced no less than one mile apart. Neotraditional projects shall be exempt from this requirement. DRI and Large Project developments that have mixed uses with a residential component that receive approval to locate commercial uses internal to neighborhoods shall be exempt from this requirement.

Objective 2.10.5 Recreational Vehicle Parks: Recreational vehicle parks which are located and planned to ensure maximum compatibility with other commercial, and with residential land uses.

Policy 2.10.5.1 Regulate recreational vehicle parks and campgrounds as commercial uses, consistent with the function of those uses. All recreational vehicle parks shall be required to demonstrate compliance with Objective 2.6.1, with applicable commercial development standards contained in Policy 2.10.4.3 above, and with other applicable goals, objectives and policies. Consistent with Policy 2.10.4.2, however, recreational vehicle parks shall not be required to undergo review for compliance with commercial locational criteria identified in the operative provisions of this Element, nor shall Floor Area Ratio requirements be applied to Recreational Vehicle Parks.

Policy 2.10.5.2	**Maintain land development regulations which:** • **Establish appropriate setback and buffer requirements for recreational vehicle parks;** • **Maintain locational standards or guidelines for new recreational vehicle parks which address required level of access, level of service, relative intensity an impact of such uses;** • **Provide for adequate sites on which recreational vehicle parks may considered for approval;** • **Require that all new recreational vehicle parks be established pursuant to the special approval process;** • **Exempt recreational vehicle parks from maximum Floor Area Radio requirements while establishing alternative maximum intensity standards; and** • **Establish certain districts on the official zoning atlas within which recreational vehicle parks shall not be located.**
CONSERVATION	
Policy 3.2.2.1	**Require all projects that are adjacent to any perennial lake or stream, as reflected in the Manatee County Soil Survey, obtain special approval to ensure that project impacts on these waterbodies are identified and minimized. (See Policy 2.3.1.2)**
Objective 3.3.1	**Wetlands Protection: Preserve and protect existing, viable wetland systems to:** – **maintain control of flooding and erosion through storage of agricultural and urban runoff in wetland areas;** – **achieve biological filtration of pollutants associated with urban and agricultural runoff by wetlands;** – **maintain protection of coastal areas from tidal storm surges through maintaining wetlands as a natural buffer;** – **achieve water recharge of surficial aquifers through wetland areas;** – **maintain unique habitat functions of wetland areas as homes and critical breeding areas for many animal and plant species;** – **maintain essential chemical and energy cycles**

	facilitated by wetlands; – **maintain educational and recreational opportunities provided by wetlands.**
Policy 3.3.1.1	**Prohibit removal, alteration, or encroachment within wetlands, except in cases where no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrate that necessity of the proposed impact. (See Policy 4.1.2.2 of the Coastal Management Element for coastal wetlands.)**
Policy 3.3.1.5	**Protect all wetlands from land development activities by requiring the establishment of natural area buffers adjacent to all post-development wetlands, except upland cut ditches in non-hydric soils. Land alteration or removal of vegetation shall be prohibited in any buffers established according to this policy except to allow the removal of nuisance plant species, small areas of impervious surface for stormwater outfalls, and to allow public access consistent with natural resource protection. Such buffers shall be established according to the following schedule except as provided in Policy 3.3.1.5:** **(1) Buffers a minimum fifty (50) feet in width shall be established adjacent to all in flowing watercourses located in the WO Overlay and all Outstanding Florida Waters and Aquatic Preserves;** **(2) Buffers a minimum thirty (30) feet in width shall be established adjacent to all isolated wetlands and other wetlands not listed in (1) above;** **(3) Wetland buffers may be increased for large areas of significant wetlands, for watershed protection, and to implement the goals, objectives and policies of this Comprehensive Plan (See 2.9.4.4, 3.3.2, 4.1.2 and 4.1.4)**
Objective 3.3.2	**Wildlife and Upland Habitat Protection: Protect and preserve native wildlife, endangered, threatened and species of special concern, and native upland habitat through appropriate acquisition, restoration, and development controls to provide:**

	– **Areas for passive recreational and enhanced quality of life;** – **Large pervious areas for improved water quality and groundwater recharge;** – **Species biodiversity; and** – **Natural area greenways**
Policy 3.3.2.2	**Require the preservation of native upland habitat during land development activities through the following strategies:** **(1) Maintenance of areas of non-exotic vegetation, or viable portions thereof, on any project site, especially when such area or viable portions of areas, are part of larger upland habitats which may extend beyond the boundaries of the developed site;** **(2) Encourage increased preservation of native upland habitat by providing incentives, including but not limited to:** **(a) Transfer of density/intensity out of preserved native upland habitat;** **(b) Reduced lot sizes and setbacks;** **(c) Consideration of increased building height when native upland preservation provides additional buffering and screening.** **(3) Removal of all nuisance exotic plan species from upland development site during construction unless Special Approval is granted.** **(4) Designation of upland preservation areas at time of general development plan, preliminary site plan, or other preliminary development plan or similar approval.** **(5) Manatee County shall consider habitat size, adjacency to other natural areas, and habitat value when reviewing site development plans for uplands preservation.**
Objective 4.1.2	**Coastal Planning Area Emergent Vegetation and Upland Habitat Protection: Maintain or increase the amount of native habitat in the Coastal Planning Area to:** – **Retain habitat for native species;** – **Provide natural areas for passive enjoyment by local residents and visitors;** – **Provide filtration of pollutants for runoff to coastal waters;**

	– Preserve habitat for juvenile fish; – Prevent the intrusion of invasive species which provide interior habitat.
Policy 4.1.2.5	**Require buffers larger than 50 feet adjacent to environmentally sensitive coastal wetlands as necessary to prevent degradation due to proposed development and to discourage trimming and loss of habitat.**
Goal 4.3	**Protection of the Residents and Property within the Coastal Planning Area from the Physical and Economic Effect of Natural Disasters.**
Objective 4.3.1	**Development Type, Density and Intensity: Limit development type, density and intensity within the Coastal Planning Area and direct population and development to areas outside of the Coastal High Hazard Area to mitigate the potential negative impacts of natural hazards in this area.**
Policy 4.3.1.1	**Direct population concentrations away from the Coastal Evacuation Area (CEA).**
Policy 4.3.1.5	**Maximum the clustering of uses in the Coastal High Hazard Area.** **(1) Clustering shall be promoted to protect coastal resources from the impacts of dock accesses, runoff from impervious surface and to minimize infrastructure subject to potential storm damage.** **(2) Net density limits may be waived for appropriate clustered projects.** **(3) For projects located partially within the CHHA, development shall be encouraged to transfer from areas within the CHHA to portions of the site outside of the CHHA. (See Policies under Objective 2.3.1 of the Future Land Use Element.)**
Policy 4.3.1.6	**Prohibit the development of new manufactured home projects within the Coastal Planning Area.**
Policy 4.3.1.8	**Maintain the minimum construction setback line for all areas of the Coastal Planning Area which have not been delineated for a Coastal Control Construction Line.**

HOUSING

Policy 6.1.1.1	**Permit consideration of manufactured homes (mobile homes) in all future land use categories, subject to compliance with other goals, objectives, and policies of this Comprehensive Plan.**

HOUGH ENGINEERING, INC. - CONSULTING ENGINEERS
1771 MANATEE AVENUE WEST, BRADENTON, FLORIDA 34205
PHONE: (941) 747-4838 • FAX: (941) 747-4072
www.hougheng.com

March 26, 2013

Mr. John Osborne
Planning & Zoning Official
Manatee County
Building and Development Services
1112 Manatee Avenue West
Bradenton, FL 34205

Re: McMullen Creek RV Park Rezone to PDRV to GDP Standards
Project No. B00000168

Dear John:

We would like to request a Sidewalk Deferral along Bayshore Road and Palm View Road. We believe the request is justified for the following reasons:

1. **Sidewalks are not required in the Terra Ceia Overlay area** (as indicated by Staff in our July 8, 2011 pre-application meeting.)
2. The park model and RV **uses on the site** are **not expected to generate any school children population.**
3. The **nearest sidewalk along Bayshore Road** is 170' from the closest location to the property (and on the **opposite side of the road where the school is located**) on the west side. It is just south of Palm View & runs 550' in length.
4. The **nearest sidewalk along Palm View Road** is 170' from the closest location to the property (and on the **opposite side of the road where the school is located**) on the south side. It is just south of Palm View & runs 450' in length.
5. The closest school is **Palm View Elementary School**, located on Palm View Road approximately 170' southwest of the project at the closest location **(on the opposite side of the road from the project).**

Please give me a call if you have any questions.

Sincerely,

Marla M. Hough, P.E.
President

Enclosure: Aerial Photo Showing Site & Sidewalk Information

Cc Bob Graham, Nick Easterling, Bob Greene, Esquire
Sidewalk Deferral.rv-r

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October 28, 2013

Board of County Commissioners
c/o Shelley Hamilton
Manatee County
P.O. Box 1000
Bradenton, FL 34206-1000

Re: McMullen Creek Park Rezone to PDRV to GDP Standards
Project No. B00000168

Dear County Commissioners:

Please consider the following Special Approval items associated with the subject application:

Comprehensive Plan, Policy 3.2.2.1 Require all projects that are adjacent to any perennial lake or stream, as reflected in the Manatee County Soil Survey, obtain special approval to ensure that project impacts on these waterbodies are identified and minimized.

The appropriate buffer of 50' is proposed adjacent to the McMullen Creek (which is a perennial stream) jurisdictional line.

Land Development Code, Section 604.3.3 CH: Coastal High Hazard Area Overlay District, Prohibited Uses/Activities. "The following uses are prohibited within the Coastal High Hazard Overlay District, regardless of the underlying zoning district. 1. New Manufactured home developments."

We are not proposing new manufactured home developments anywhere onsite. We are only proposing Recreational Vehicles within the CHHA, and these can be driven outside of the CHHA area with no preparation time required to respond to any inclement weather advisories.

We appreciate your consideration of these items and would be happy to answer any questions.

Sincerely,

HOUGH ENGINEERING, INC.

Marla M. Hough, P.E.
President

Enclosure:

Cc Bob Graham, David Tozlosky, Nick Easterling, & Bob Greene, Esquire

BOCCSpecialApproval.rv-r

HOUGH ENGINEERING, INC. - CONSULTING ENGINEERS
1771 MANATEE AVENUE WEST, BRADENTON, FLORIDA 34205
PHONE: (941) 747-4838 • FAX: (941) 747-4072
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January 31, 2013

Board of County Commissioners
c/o Shelley Hamilton
Manatee County
P.O. Box 1000
Bradenton, FL 34206-1000

Re: McMullen Creek Park Rezone to PDRV to GDP Standards
Project No. B00000168

Dear County Commissioners:

Please consider the following two Special Approval items associated with the subject application:

Special Approval Item 1: Comprehensive Plan Policy 2.2.2.5.4, which reads as follows:

> **"Any project which is at least partially within the CHHA Overlay District shall be submitted for approval under the special approval process..."**
>
> A small area in the northwest portion of the site is located within the CHHA area, specifically 2.83 acres outside of the 50' wetland buffer along McMullen Creek. This portion of the site also lies within the 8+/- acres of the site that has grandfathered PDRV zoning based upon constructed infrastructure, as discussed in the August 24, 2012 letter from Bob Schmitt of Manatee County.
>
> Recreational vehicle (RV's) uses are proposed in this area and no park models. The RV's can be driven away from the site if inclement weather is predicted. This use restriction in accompaniment with it lying within the grandfathered area mitigates circumstances to warrant this Special Approval request.

Special Approval Item 2: Comprehensive Plan Policy 2.10.5.2, which reads as follows:

> **"Maintain land development regulations which:"**
> **--Establish appropriate setback and buffer requirements for recreational vehicle parks,**
>
> The project was laid out using buffers in the PDRV section of the LDC, specifically 603.9.4.3.2.
>
> **--Maintain locational standards or guidelines for new recreational vehicle parks which address required level of access, level of service, relative intensity and impact of such uses,**
> **--Provide for adequate sites on which recreational vehicle parks may be considered for approval,**
> **--Require that all new recreational vehicle parks be established pursuant to the special approval process,**
>
> Although an 8 acre portion of the site was grandfathered with PDRV zoning, a prior approval for McMullen Creek Travel Trailer Park approved PDRV zoning for 26.6 acres of site with 347 proposed units as Project #81-T-4 in 1981. Staff has taken the conservative approach of viewing this application as a new recreational park rather than an expansion of an existing RV park; hence, it is required to make a Special Approval request per this component of the Comp Plan.
>
> **--Exempt recreational vehicle parks from maximum Floor Area Ratio requirements while establishing alternative maximum intensity standards, and,**
> **--Establish certain districts on the official zoning atlas within which recreational vehicle parks shall not be located.**

We appreciate your consideration of these items and would be happy to answer any questions.

Sincerely,

HOUGH ENGINEERING, INC.

Marla M. Hough, P.E.
President

Cc Bob Graham, Nick Easterling, Bob Greene, Esquire

BOCCSpecialApproval.rv-r

MANATEE COUNTY
FLORIDA

September 14, 2011,

Mrs. Maria M. Hough, P.E., President,
Hough Engineering, Inc.
1771 Manatee Ave. West
Bradenton, Florida 34205
Phone: (941) 747-4838

Reference: Graham RV Park (f.k.a. McMullen Creek Travel Trailer Park)

Dear Mrs. Hough:

Thank you for your inquiry regarding vesting of the above referenced property for an RV Park in the RES-6 (Residential, six dwelling units per acre) Future Land Use Category.

According to Comprehensive Plan Section D.2.2, "A project may retain special exception status if it continues in good faith toward completion of development as demonstrated by any of the following:

- Progress through approval stages so long as such approvals do not expire as provided in the Manatee County Land Development Code. Approval stages may include preliminary plat, preliminary plan, construction drawing, final plat, final plan, building permit, or nonconforming project revision (Section D.3.1 herein); or,
- Substantial completion of construction, i.e., at least 50% of the horizontal or vertical improvements as required by the approved plan or plat for that particular project or phase."

Based on the above information and information received from Manatee County Public Works Department, it is staff's determination that a minimum 50% of the infrastructure has been installed for Phase One, which consists of approximately eight (8) acres of Parcel 2115500007. Therefore, only Phase One of the RV Park is considered to have retained special exception status.

If you have any questions or comments please contact Stephanie Moreland of my staff at 748-4501, ext. 3880.

Sincerely,

John Osborne, Administrator
Planning Division
Building and Development Services

SDM/sm

MANATEE COUNTY
FLORIDA

August 24, 2012

Robert F. Greene
Greene Hamrick Perrey Quinlan & Schermer, P.A.
601 Twelfth Street West
Bradenton, FL 34205

RE: AD-12-11 Addresses: 6650, 6200, 6308 Bayshore Road, 1326 65th Street E. and 1323 66th Street Court East, Palmetto, FL
PINs: 2115500007, 2235000003, 2233900006, 2119600001 and 2119700009, respectively
DTS# 20120287
Section: 25,36, Township: 33S, Range: 17E
Owners: Cone & Graham Inc./The Cone Corporation

Dear Mr. Greene:

The zoning districts for the above referenced properties are as follows:

PIN 2115500007 - PDRV (Planned Development Recreational Vehicle)
PIN 2235000003 - A-1 (Suburban Agriculture), RSF-4.5 (Residential Single Family – 4.5 dwelling units per acre) and NC-M (Neighborhood Commercial – Medium)
PIN 2233900006 - A-1, RSF-4.5 and NC-M
PIN 2119600001 - A-1
PIN 2119700009 - A-1

The Future Land Use Category (FLUC) for all five parcels is RES-6 (Residential – 6 dwelling units per gross acre).

In your August 8, 2012 letter, you state, "We are asking for an administrative determination that a Recreational Vehicle Park use (and PDRV zoning) on property with a FLUCs of RES-6 and RES-9 are consistent with the Comprehensive Plan, subject to issuance of special approval if the project exceeds 30,000 square feet and subject to compliance with commercial development standards contained in Policy 2.10.4.3."

Based on the analysis you provided including review of the applicable Comprehensive Plan policies and Land Development Code regulations, we concur that a Recreational Vehicle Park use is an allowable use in the FLUC of RES-6 and you are eligible to apply for a rezone of those

properties currently not zoned PDRV. Parcel #2115500007 has an existing PDRV zoning and according to Manatee County letter dated September 14, 2011 is vested special exception status for Phase One based on prior approval for the referenced Graham RV Park (fka McMullen Creek Travel Trailer Park). The zoning of this parcel as PDRV under the FLUC of RES-6 appears to be consistent with some other existing PDRV zoned Recreational Vehicle Parks approved throughout the County having residential FLUCs of UF-3, RES-3 and RES-9.

Any application to rezone the above referenced properties to PDRV including the expansion of the Graham RV Park is subject to compliance with all applicable Comprehensive Plan and Land Development Code requirements. Approval of a rezone application can only granted by the Board of County Commissioners in a public hearing. However, there is no guarantee of approval.

The determination contained herein represents a reasonable attempt to answer the questions raised. It is not intended to be an exhaustive review of all regulations applicable to the property. Other issues may concern your case.

The development of the property may encounter limitations from other regulations. For example, if sufficient capacities in major public facilities will not exist concurrent with the impacts of the proposed development, then, the development proposal will require a revision or other remedies.

This opinion is not intended and cannot be used to circumvent any provisions of the Comprehensive Plan, the Land Development Code or other regulations. It is not necessarily applicable to other similar situations. Unless specifically stated, this opinion is property/site specific.

Information contained herein represents the best available information at the time it is issued and is based, in part, on representations made by the applicant. The Planning Department reserves the right to void or modify this determination at any time if the material information or representations provided by the applicant are determined to be incorrect or misleading. This determination is appealable as prescribed in the **Land Development Code**. If you have any questions or comments regarding the above, please contact me at 941-748-4501, ext. 6836.

Sincerely,

Bob Schmitt, AICP
Planning Division Manager

RS/JLP/jlp

cc: Records Management
Addressing

GREENE HAMRICK PERREY QUINLAN & SCHERMER, P.A.

ATTORNEYS AT LAW

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■ Board Certified Real Estate Lawyer
* Also admitted in Illinois, Kansas and Missouri
▲ Also admitted in Georgia

AD-12-11
R0120287

PDRV Lake Manatee RV Park CON
PDRV Winter Quarters HF3
PDRV Timberlane - MU
GC/PDRV Pleasant Lake - ROR narrow front portion RES-3
Cortez multiple
FLL CRV Key way RV Park ROR/RES9
PDRV Horseshoe Cove RES-3
CRV Fishermans Cove RES-9

August 6, 2012

John Osborne
Manatee County Building and
Development Services Department
1112 Manatee Avenue West
Bradenton, Florida 34205

Re: Request for Administrative Determination
Applicant: Cone & Graham Inc./The Cone Corporation
Project Name: Graham RV Park
Parcel IDs: 2115500007, 2235000003, 2119600001, 2119700009, 2233900006
Zoning Classification: PDRV; PDR; A-1; RSF4.5; NC-M
Future Land Use Category: RES-9; RES-6

3300 26th Ave E
PDRV Sugar Creek Resort RES-6

Dear Mr. Osborne:

This is a request for administrative determination by the Planning Department pursuant to Section 515 of the Manatee County Land Development Code ("LDC"). This applicant is the owner of the above real property. A portion of the real property constitutes Phase One of a proposed Recreational Vehicle Ppark which previously received approvals from Manatee County and has retained special exception status as set forth in the attached letter dated September 14, 2011.

The applicant intends to develop the entire property as an Recreational Vehicle Park and intends to submit an application for rezoning of the property to PDRV and approval of a General Development Plan. As a condition to the rezoning, a determination needs to be made as to the consistency of PDRV zoning with the Comprehensive Plan. The existing Comprehensive Plan Future Land Use Categories on the property are RES-9 and RES-6. Provisions of the Comprehensive Plan that we believe are pertinent to this issue are as follows:

> Policy: 2.10.5.1: Regulate recreational vehicle parks and campgrounds as commercial uses, consistent with the function of these uses. All recreational

vehicle parks shall be required to demonstrate compliance with Objective 2.6.1, with applicable commercial development standards contained in Policy 2.10.4.3 and with other applicable goals, objectives and policies. Consistent with Policy 2.10.4.2, however, recreational vehicle parks shall not be required to undergo review for compliance with commercial locational criteria identified in the operative provisions of this Element, nor shall Floor Area Ratio requirements be applied to Recreational Vehicle Parks.

Policies 2.2.1.12.2 (RES-6) and 2.2.1.13.2 (RES-9) Range of Potential Uses (see Policies 2.1.2.3 – 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, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objective 4.2.1 and 2.10.4).

Policy 2.2.1.12.4(c): Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.

Definition: Commercial Use – An activity carried out for pecuniary gain, excluding the rental, lease of any residential, or equivalent residential, dwelling unit. This term shall also specifically include certain uses providing residential accommodation for individuals if providing nursing services as described in Ch. 464, F.S., Also including Recreational Vehicle Parks. Includes retail, wholesale and office uses.

Definition: Retail Uses – Neighborhood – Commercial establishments, or groupings thereof, that serve the commercial needs of the neighborhood (i.e. food stores, convenience stores, drug stores, restaurants). The uses may also include office uses for personal or professional services.

We are asking for an administrative determination that Recreational Vehicle Park use (and PDRV zoning) on property with FLUCs of RES-6 and RES-9 are consistent with the Comprehensive Plan, subject to issuance of a special approval if the project exceeds 30,000 square feet and subject to compliance with commercial development standards contained in Policy 2.10.4.3.

Our analysis is as follows:

- Neighborhood retail uses are permitted in RES-6 and RES-9.
- Retail Uses – Neighborhood is a commercial establishment serving the needs of the neighborhood.

- Commercial Use is any activity for pecuniary gain including Recreational Vehicle Parks.
- Recreational Vehicle Parks are to be regarded as commercial uses consistent to the function of these uses.
- Definition of Commercial Use, Intensive does not include specific reference with Recreational Vehicle Parks.
- Recreational Vehicle Parks are located in residential and rural areas of Manatee County and most other counties in Florida due to the function of these uses.
- Recreational Vehicle Parks are not by their nature intensive commercial uses and are not compatible with intensive commercial uses.
- Recreational Vehicle Parks serve the needs of the neighborhoods in which they are located.

Please confirm that Recreational Vehicle Park use and PDRV zoning can be approved in RES-6 and RES-9 FLUC subject to compliance with other Comprehensive Plan and Land Development Code requirements.

Sincerely yours,

Robert F. Greene

Annotation

FileType	File Year	File Seq.	File Ext.	Parcel Id	Annotation
T	79	2		0	79-T-2/BRADENTON RIVER CAMPGROUND, TRAVEL TRAILER PARK/ACREAGE: 61.72/LOTS: 162/ W OF KAY RD. ADJ. TO I-75 & CYPRESS STRAND, 666.5AC. 391 LOTS APPR. BOCC 4/12/79 RENAMED MANATEE RIVER RV PARK SEE PROJECT BROWSE.
T	83	6		0	83-T-6/(C)/PLEASANT LAKE RV PARK F/K/A CAMPBELL RV PARK/ 65.3 AC. 340 RV LOTS 5 COMMERCIAL LOTS ZONED R-5 & C APPR. 11/10/83. SEE PROJECT BROWSE
T	89	1		0	CREEKSIDE RV PARK, 8207 BAYSHORE RD., BAYSHORE RD. & I-275, R-5, FLZ B & A6, 26.8AC., 376 LOTS 10.2DU/AC., BOCC 6/15/89 (BETSY/LAURIE)
PRV	99	1	1	290300003	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PRV	99	1	1	291100006	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PRV	99	1	1	291500007	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PRV	99	1	1	291700052	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PRV	99	1	1	291710002	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99

Records 1 to 8 of 33

Next Last ReQuery Count

Query New

- **Return Links**
  - Administrative Notes

Annotation

FileType	File Year	File Seq.	File Ext.	Parcel Id	Annotation
PRV	99	1	1	291720001	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PRV	99	1	1	292000007	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PRV	99	1	1	292100005	PDRV-99-01(G)/LAKE MANATEE RV PARK/FLD 11-8-99
PDC	98	14	1	647211002	PDC-98-14/JACK & ADA TOLAR/HAPPY TRAILS RV PARK/FLD 11-25-98
AD	94	20	1	676910052	MODULAR ROOMS, 2/23/94, TREELAKE RV PARK PICK UP AND GO ROOMS FOR R.V.'S
FSP	87	50	1	1101020004	MANATEE RIVER RV PARK REC BLDG,ZONE R-5 FLZ A8,BP#87041344, CO ISSUED 4/15/88
T	90	1	1	1101020004	WINTER QUARTERS RV PARK, ZONE R-5, FLU UF3
T	88	6	1	1463200004	TIMBERLANE RV PARK, ZONE AF/R-5, FLZ C APP 1/12/89 BOCC

Records 9 to 16

First Previous Next Last ReQuery Count

Query New

- **Return Links**
  - Administrative Notes

Annotation

FileType	File Year	File Seq.	File Ext.	Parcel Id	Annotation
PDR	96	1	1	1463210300	PDRV-96-01(F)/TIMBERLANE RV PARK/FLD 1-17-96
PDR	96	1	2	1463210300	PDRV-96-01(F)(R)/TIMBERLANE RV PARK PH 1,2,3,/FLD2-8-99/APPR3-12-99/EXP3-12-02
AD	94	60	1	1729000008	ZOLLERS/HORSESHOE/6-13-94/EXPANSION OF RV PARK IN RES-3 FLUC
TU	12	85	1	1730500004	TU-1285 /PLEASANT LAKE RV PARK/APP 11-5-85/EXP 11-5-87/5 MODELS
AP	87	18	1	1730500053	AP-87-18/PLEASANT LAKE RV PARK - MODEL CENTER(FORMERLY F/K/A FSP-87-103) ZONE AF/C-1/FLZ C
FSP	87	18	1	1730500152	PLEASANT LAKES RV PARK, ZONE AF/C-1 FLZ C, CR#1730500202
FSP	87	18	1	1730500202	PLEASANT LAKES RV PARK, ZONE AF/C-1 FLZ C, CR#1730500152
PDR	7	29	1	1902500006	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK

Records 17 to 24

First Previous Next Last Requery Count

Query New

- **Return Links**
  - Administrative Notes

Annotation

FileType	File Year	File Seq.	File Ext.	Parcel Id	Annotation
PDR	7	29	1	1903400305	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK
PDR	7	29	1	1916100009	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK
PDR	7	29	1	1916400003	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK
PDR	7	29	1	1916700006	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK
PDR	7	29	1	1916710054	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK
PDR	7	29	1	1918300003	PDRV-07-29(Z)(G)/LINGER LODGE RV, LLC/LINGER LODGE RV RESORT/DTS #20070459/LISA/REZONE TO PDRV FOR RV PARK
FSP	91	36	1	2244510000	FSP-91-36/FISHERMAN'S COVE RV PARK (FKA SOUTH SEAS OF TERRA CEIA BAY)/FLD 4-15-92/100 PALM VIEW ROAD
FSP	10	29	1	7616700159	FSP-10-29/KEY WAY RV PARK EXPANSION/FLD 11-10-2010/DTS #20100329/12316 CORTEZ ROAD WEST, CORTEZ, FLORIDA/TO EXPAND EXISITNG RV PARK BY 29 SPACES/APPROVED 4-19-2011/EXPIRES 4-19-2015

Records 25 to 32

First Previous Next Last ReQuery Counts

Query New

- **Return Links**
  - Administrative Notes

Annotation

FileType	File Year	File Seq.	File Ext.	Parcel Id	Annotation
S	84	13	1	9999999999	84-S-13(C)/WINTERSET SOUTH RV PARK/FLD 3-14-84/LOCATION: US HIGHWAY 41 NORTH, PALMETTO

Record 33

First Previous ReQuery Count

Query New

- **Return Links**
  - Administrative Notes

MANATEE COUNTY GOVERNMENT
BUILDING AND DEVELOPMENT SERVICES DEPARTMENT

1112 Manatee Avenue West
Fourth Floor, Bradenton, FL 34205
P. O. Box 1000, Bradenton, Florida, 34206-3189
Tel: (941) 749-3070 Fax: (941) 741-3189

Application Notice of Completeness Letter

DTS Application Number: 20120287 Date: August 9, 2012 Time:

Project Name: Cone & Graham, Inc./The Cone Corporation
Owner's Name: CONE & GRAHAM INC

Project Number: AD-12-11
Agent's Name: Greene Hamrick Perry Quinlan & Shermer,P.A.

Dear Applicant/Agent:

Your application has been accepted as complete. Listed below are the quantities of each document required for review. Please make any noted modifications and submit the following quantities of documents, along with this letter, to start the review of your application. Failure to submit the required number of documents will result in a delay for receiving written review comments, and may affect subsequent Public Hearing dates. This application shall be considered abandoned should the required documents not be received by this office within thirty (30) days of the date of this letter. Site Plans shall be folded into an 8 ½" x 11" format. **If you have any questions regarding this completeness letter please, contact the Reviewer on Call at 941-749-3070.**

Required Number of copies	Quantity
Application Completeness Acceptance Letter	0
Land Development Application	0
Affidavit of Ownership/Agent Authorization	0
Receipt for fees (Application, Preapp, and PZI)	0
Pre-Application Comments Report and fee receipt	0
Concurrency Forms	0
Boundary Survey	0
Historic Preservation Certificate of Appropriateness	0
Traffic Impact Statement	0
Zoning Disclosure Affidavit	0
Aerial Photograph	0
Criteria for a Zoning Atlas Amendment Narrative	0
Site Plan Standards Checklist	0
Site Plan (signed and sealed)	0
Statement of School Needs	0
Telecommunication Facility Standards Checklist	0
Affordable Housing Documents	0
Previous Development Order	0
"Wetland and Wildlife Issues Report" Environmental Reports/Wetlands	0
SWFMD Applications/Approvals	0
Stormwater Drainage Calculations	0
Compact Disk CD (Application Packet* (*all paper work) and Plans in PDF only)	0

PLEASE BE ADVISED ROUTING SUBMITTALS MUST BE DELIVERED TO THIS OFFICE BY 4:00 PM THURSDAY!

Written comments will be available after 1:00 P.M. on the comment due date. You are encouraged to discuss any comments with the individual reviewers. If you have any questions or wish to schedule an appointment with your assigned Planner, please call 748-4501 and ask for their extension.

Reviewer: Phyllis Strong, Development Services Supervisor

MANATEE COUNTY GOVERNMENT

BUILDING AND DEVELOPMENT SERVICES DEPARTMENT

1112 Manatee Avenue West
Fourth Floor, Bradenton, FL 34205
P.O. Box 1000, Bradenton, Florida, 34206-1000
Tel: (941) 749-3070 Fax: (941) 741-3189

Development Application Check-In

Application Number: 20120287
Project Name: Cone & Graham, Inc./The Cone Corporation
Application Type: Administrative Determination

Date: August 9, 2012
Owner's Name: CONE & GRAHAM INC
Agent's Name: Greene Hamrick Perry Quinlan & Shermer,P.A.

This acknowledges that the Planning Department has received one copy of your request for a/an Administrative Determination approval. Your check has been processed by the Clerk of the Circuit Court. Applicant is advised that the development application may require additional fees not presently identified (i.e. advertising, signs). All fees must be paid prior to final development approval.

Completeness Review is conducted to determine whether an application includes all the necessary material for review. This is not complete review of the merits of the application or an exhaustive review of the requirements in the MANATEE COUNTY LAND DEVELOPMENT CODE or the MANATEE COUNTY COMPREHENSIVE PLAN. If any of the items that pertain to your application are not included with this submittal, the application will not be accepted.

The completeness reviewer's comments will be faxed on August 9, 2012. The comments will be held for thirty (30) days awaiting your response. **If we do not receive the requested information at the end of this time, your application will be considered void.** Please be advised that your original submittal application will not be returned. Please insure you maintain copies for your records.

Additional copies of the application documents and site plan will be required after the application is deemed complete. Site Plans shall be folded into an 8 ½" by 11" format.

Documents Received:

Application

Received by: Phyllis Strong, Development Services Supervisor

MANATEE COUNTY

ITEM 1 OF 1 MISC FEES INVOICE

Thank You - Rec.# 5659677 - 5659677
Case No: -
Bk./Pg./Doc.# -
08/09/2012 10:43:17

BCC	36353	600.00
Total Receipt(s) Amount		600.00
Change		600.00
		0.00

INVOICE # : 01000659677
INVOICE DATE : 08/09/2012

PRINT DATE : 08/09/2012
PRINT TIME : 10:43:17
OPERATOR : pstrong
COPY # : 1

RECEIVED BY : PS
REC'D. FROM : GREENE HAMRICK

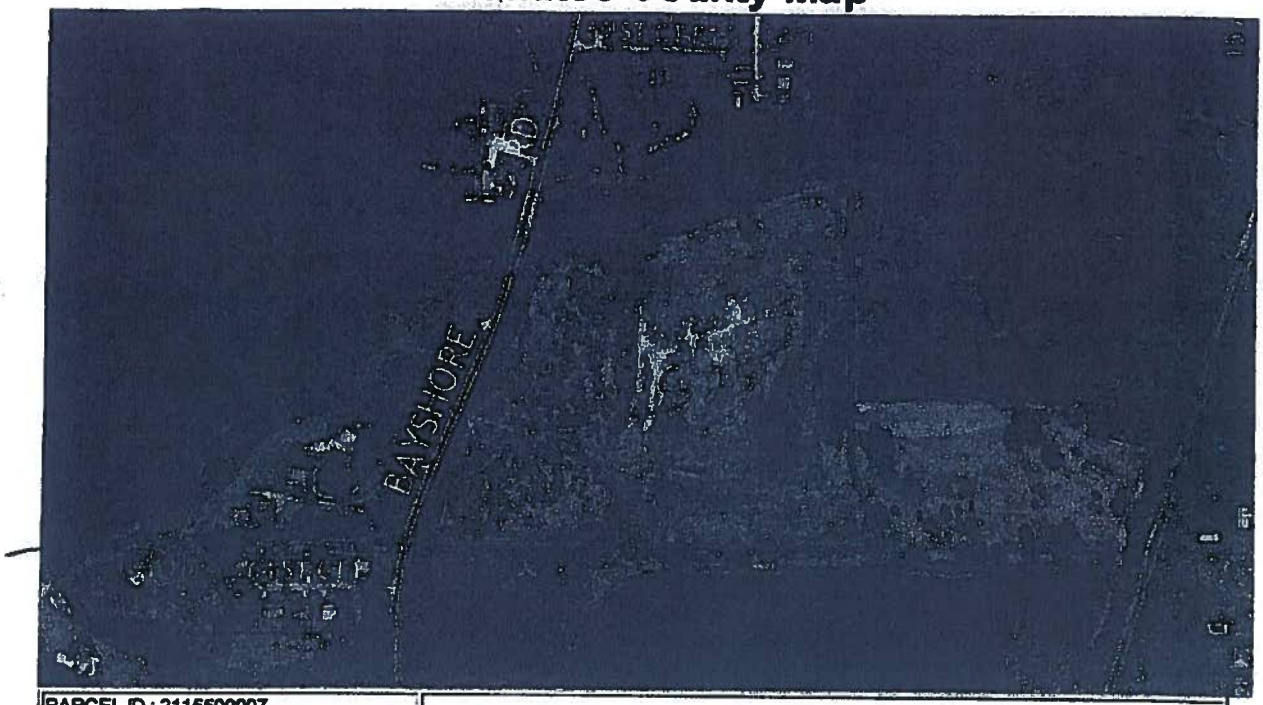
CASH DRAWER: 01

Notes .....: AD-12-11 Cone & Graham Inc
Graham RV Park

FEE ID	DESCRIPTION	PAYMENT
AD	ADMIN DETERMINATION	600.00
TOTAL		600.00

METHOD OF PAYMENT	AMOUNT	REFERENCE NUMBER
CHECK	600.00	36353
TOTAL INVOICE :	600.00	

Manatee County Map



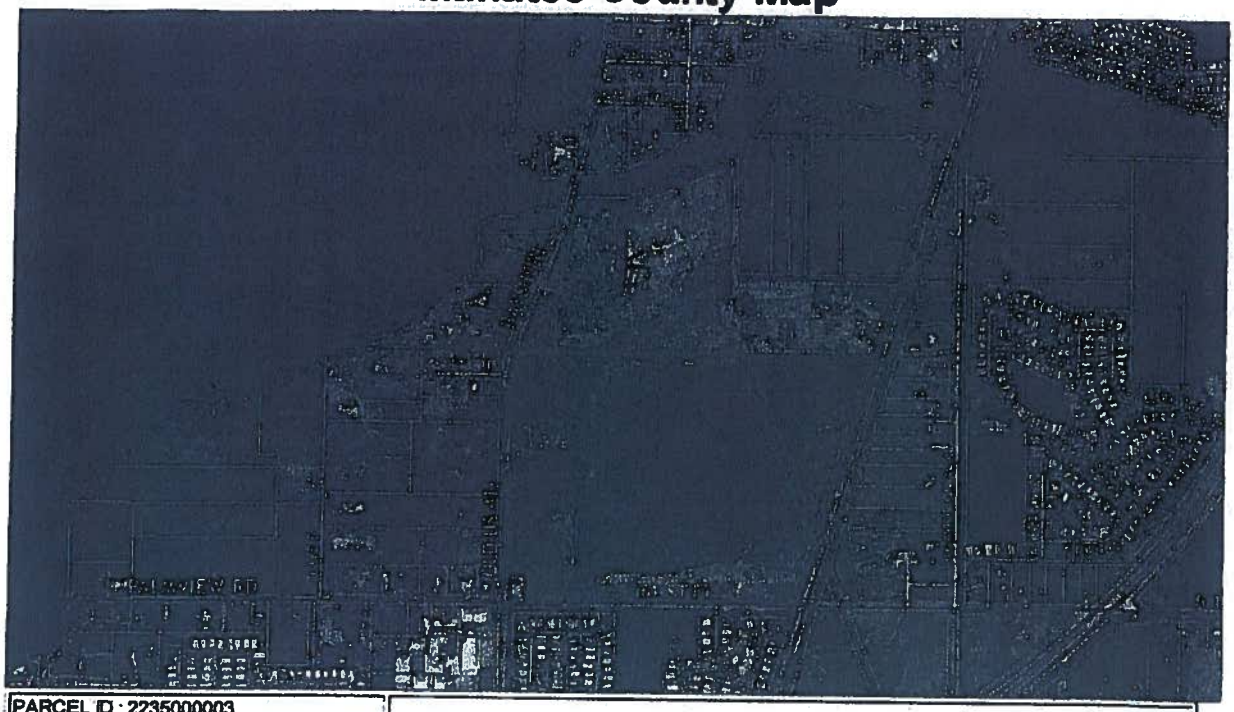
PARCEL ID : 2115500007

PRIMARY ADDR:	6850 BAYSHORE RD NCT
OWNER:	DONE & GRAHAM INC
COMMISSIONER:	Michael Gallen
SUBDIVISION:	NOT IN SUBDIVISION 0/0
LOT BLOCK:	N/A N/A
ACRES:	26.49
LUC:	6000
LUC DESCR:	Grazing,Class I (1565)
ZONING:	PI,PD-RV
FUTURE LANDUSE:	RES-6
SECTION INDEX:	S25 T33 R17
FLOOD ZONE:	X5,AE
FLOODWAY:	N
FLOOD MAP:	183_C
IMPACT FEE DIST:	B - NW
HISTORIC:	SUBURBAN-B
OVERLAYS:	NONE
WATERSHED:	NONE
FIRE DISTRICT:	North River
EVAC ZONE:	A
SPECIAL_AREAS:	NONE
SCHOOL SV AREA:	SSA-1
OWN ADDR:	PO BOX 310167
OWN CITY:	TAMPA
OWN ST:	FL
OWN ZIP:	33680
PARENT PIN:	2115500007

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.

Printed on Mon Aug 20 2012 14 44 44 GMT-0400 (Eastern Daylight Time)

Manatee County Map



PARCEL ID : 2235000003

PRIMARY ADDR:	6200 BAYSHORE RD NCT
OWNER:	CONE CORPORATION THE
COMMISSIONER:	Michael Gallen
SUBDIVISION:	FLEMINGS SUB J T PB2/72
LOT BLOCK:	V001 N/A
ACRES.	16
LUC:	6000
LUC DESCR:	Grazing,Class I (1655)
ZONING:	A-1,RSF-4,5,[illegible],NC-M
FUTURE LANDUSE:	RES-6,[illegible]
SECTION INDEX:	[illegible] T33 R17
FLOOD ZONE:	X5,AE,X
FLOODWAY:	N
FLOOD MAP:	183_C
IMPACT FEE DIST:	B - NW
HISTORIC:	SUBURBAN-B,URBAN-B
OVERLAYS:	NONE
WATERSHED:	NONE
FIRE DISTRICT:	North River
EVAC ZONE:	A
SPECIAL_AREAS:	NONE
SCHOOL SV AREA:	SSA-1
OWN ADDR:	P O BOX 310167
OWN CITY:	TAMPA
OWN ST:	FL
OWN ZIP:	33680
PARENT PIN:	2235000003

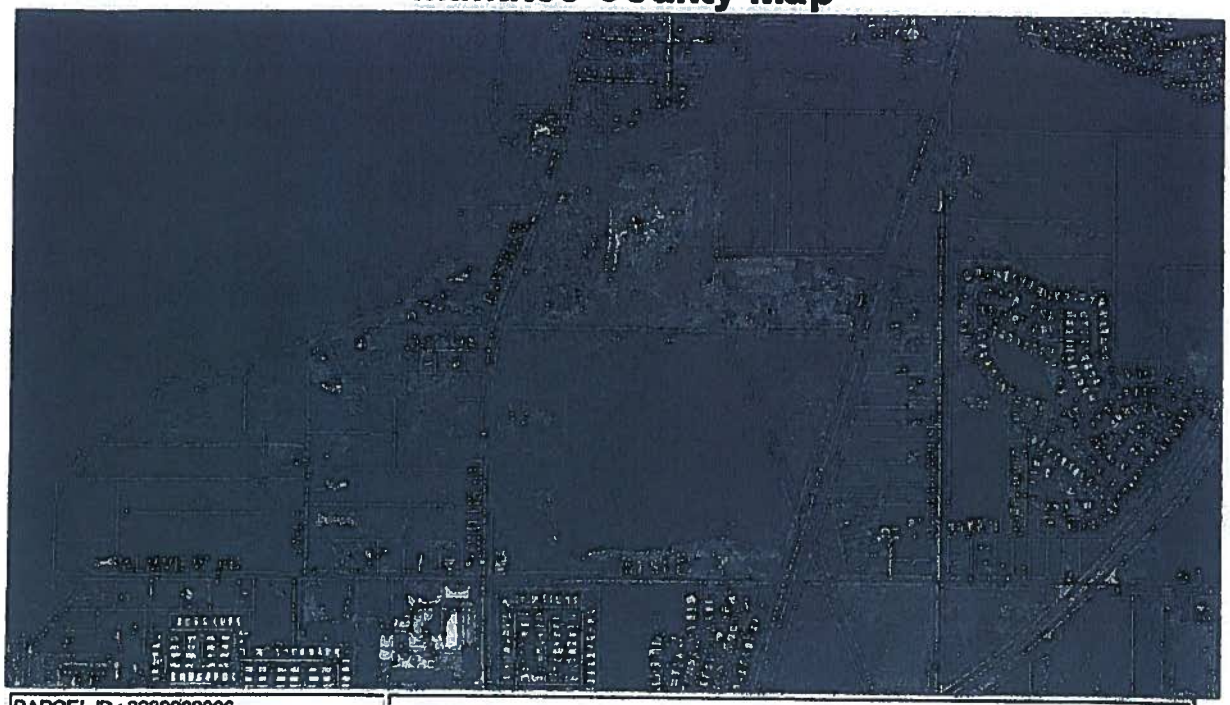
S36

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.

GIS

Printed on Mon Aug 20 2012 14:47:21 GMT-0400 (Eastern Daylight Time)

Manatee County Map



PARCEL ID : 2233900006

PRIMARY ADDR:	6308 BAYSHORE RD NCT
OWNER:	CONE CORPORATION THE
COMMISSIONER:	Michael Gallen
SUBDIVISION:	NOT IN SUBDIVISION 0/0
LOT BLOCK:	N/A N/A
ACRES:	3
LUC:	0100
LUC DESCR:	Single Family Residential (1554)
ZONING:	A-1,RSF-4.5,NC-M
FUTURE LANDUSE:	RES-6
SECTION INDEX:	536 T33 R17
FLOOD ZONE:	X5
FLOODWAY:	N
FLOOD MAP:	163_C
IMPACT FEE DIST:	8 - NW
HISTORIC:	URBAN-B
OVERLAYS:	NONE
WATERSHED:	NONE
FIRE DISTRICT:	North River
EVAC ZONE:	A
SPECIAL_AREAS:	NONE
SCHOOL SV AREA:	SSA-1
OWN ADDR:	P O BOX 310187
OWN CITY:	TAMPA
OWN ST:	FL
OWN ZIP:	33680
PARENT PIN:	2233900006

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.

Printed on Mon Aug 20 2012 14:56:56 GMT-0400 (Eastern Daylight Time)

Manatee County Map

PARCEL ID : 2233900006

PRIMARY ADDR:	6308 BAYSHORE RD NCT
OWNER:	CONE CORPORATION THE
COMMISSIONER:	Michael Gallen
SUBDIVISION:	NOT IN SUBDIVISION 0/0
LOT BLOCK:	N/A N/A
ACRES:	3
LUC:	0100
LUC DESCR:	Single Family Residential (1554)
ZONING:	A-1,RSF-4.5,NC-M
FUTURE LANDUSE:	RES-6
SECTION INDEX:	S36 T33 R17
FLOOD ZONE:	X5
FLOODWAY:	N
FLOOD MAP:	163_C
IMPACT FEE DIST:	B - NW
HISTORIC:	URBAN-B
OVERLAYS:	NONE
WATERSHED:	NONE
FIRE DISTRICT:	North River
EVAC ZONE:	A
SPECIAL_AREAS:	NONE
SCHOOL SV AREA:	SSA-1
OWN ADDR:	P O BOX 310167
OWN CITY:	TAMPA
OWN ST:	FL
OWN ZIP:	33680
PARENT PIN:	2233900005

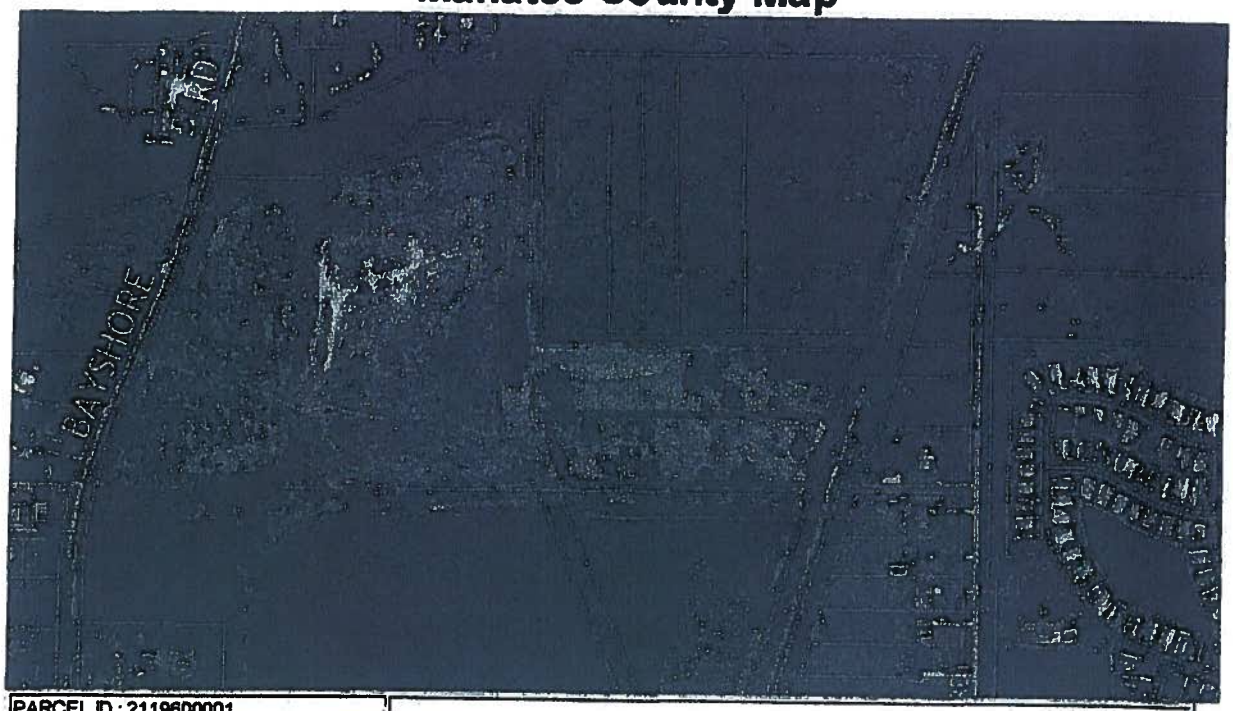
This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.

GIS

Printed on : Mon Aug 20 2012 14:59:40 GMT-0400 (Eastern Daylight Time)

PD-R
PD-RV
RSF-4.5
RSF-4.5
RSMH-6
A-1
PD-R
RSF-4.5
RDD-6
A-1
RDD-6
A-1
RSMH-6
NC-M
A-1
RSF-4.5
CRV

Manatee County Map

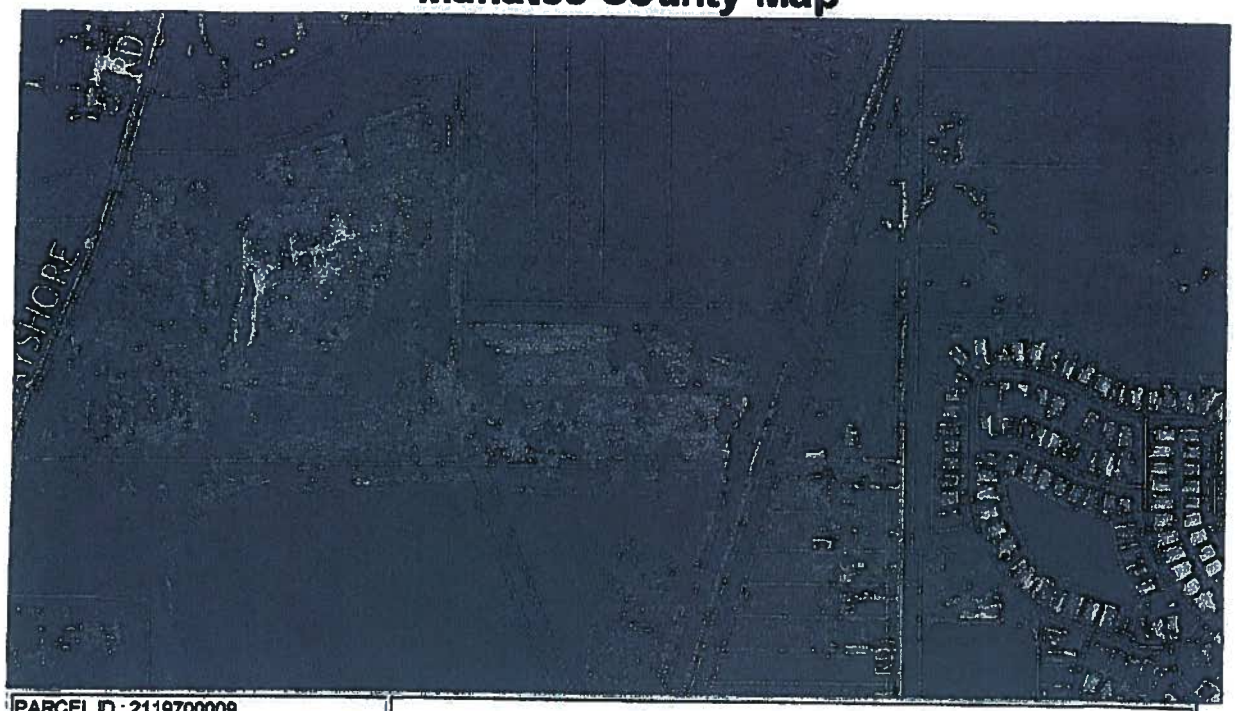


PARCEL ID : 2119600001	
PRIMARY ADDR:	1326 65TH ST E NCT
OWNER:	CONE CORPORATION THE
COMMISSIONER:	Michael Gallen
SUBDIVISION:	MEAD SMITHS ADD TO RUBONIA PB7/60
LOT BLOCK:	2 N/A
ACRES:	3.62
LUC:	0000
LUC DESCR:	Vacant Residential (1554)
ZONING:	PDMU-1
FUTURE LANDUSE:	RES-6
SECTION INDEX:	S25 T33 R17
FLOOD ZONE:	X5,AE
FLOODWAY:	N
FLOOD MAP:	183_C
IMPACT FEE DIST:	S - NW
HISTORIC:	SUBURBAN-S
OVERLAYS:	NONE
WATERSHED:	NONE
FIRE DISTRICT:	North River
EVAC ZONE:	A
SPECIAL_AREAS:	NONE
SCHOOL SV AREA:	SSA-1
OWN ADDR:	5201 CONE RD
OWN CITY:	TAMPA
OWN ST:	FL
OWN ZIP:	33610
PARENT PIN:	2119600001

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.

Printed on Mon Aug 20 2012 14:50:18 GMT-0400 (Eastern Daylight Time)

Manatee County Map



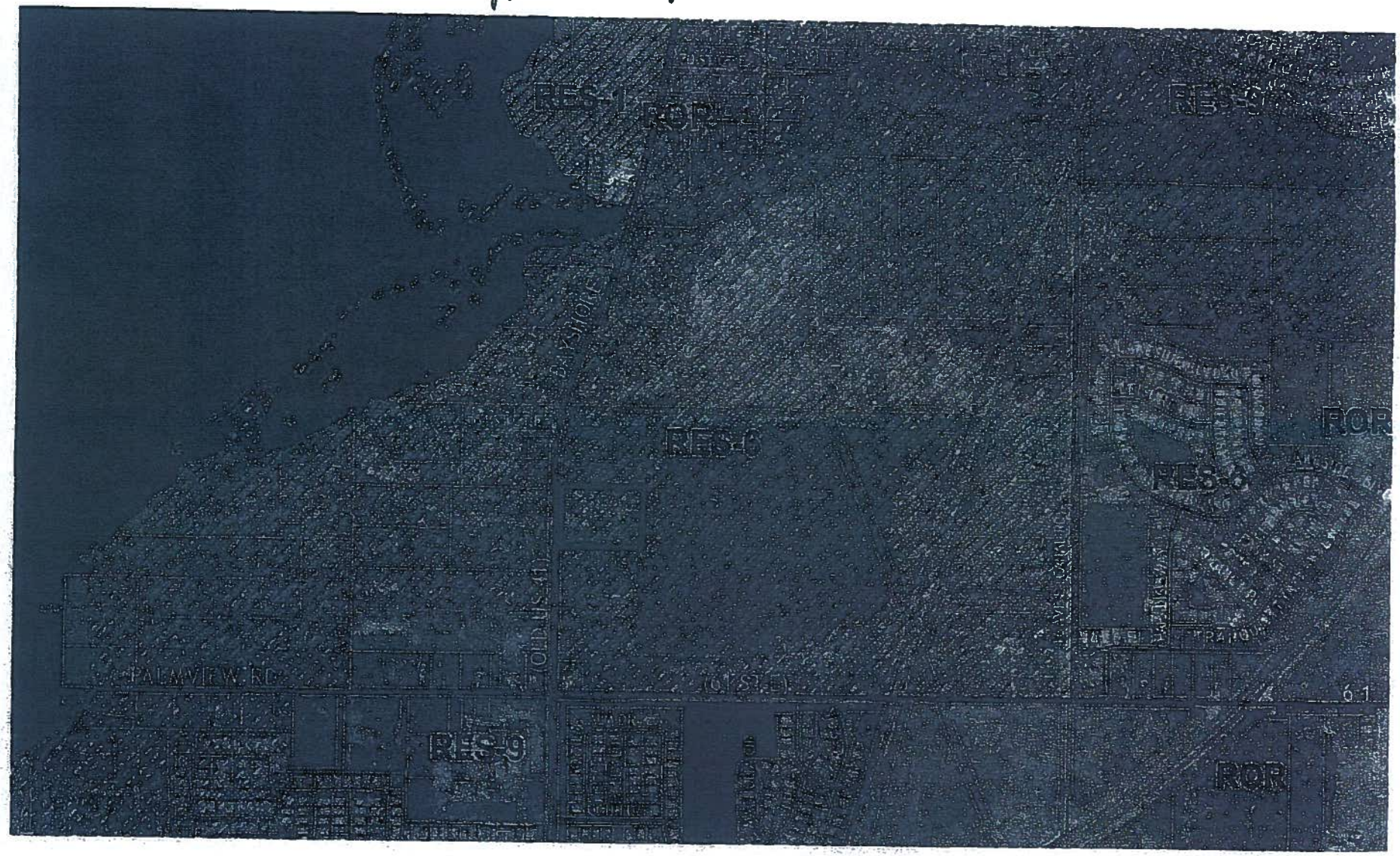
PARCEL ID : 2119700009

PRIMARY ADDR:	1323 66TH ST CT E NCT
OWNER:	CONE CORPORATION THE
COMMISSIONER:	Michael Gallen
SUBDIVISION:	MEAD SMITHS ADD TO RUBONIA PB7/60
LOT BLOCK:	3 N/A
ACRES:	4.14
LUC:	0000
LUC DESCR:	Vacant Residential (1554)
ZONING:	RMFA-1
FUTURE LANDUSE:	RES-6
SECTION INDEX:	S25 T33 R17
FLOOD ZONE:	AE
FLOODWAY:	N
FLOOD MAP:	183_C
IMPACT FEE DIST:	8 - NW
HISTORIC:	SUBURBAN-B
OVERLAYS:	NONE
WATERSHED:	NONE
FIRE DISTRICT:	North River
EVAC ZONE:	A
SPECIAL_AREAS:	NONE
SCHOOL SV AREA:	SSA-1
OWN ADDR:	5201 CONE RD
OWN CITY:	TAMPA
OWN ST:	FL
OWN ZIP:	33610
PARENT PIN:	2119700008

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.

Printed on Mon Aug 20 2012 14:53:14 GMT-0400 (Eastern Daylight Time)

appears all parcels are RES-6



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333 for project review information.

May 9, 2013

Florida Master Site File

Cathy Slusser
Manatee County Historic Records Library
1405 4th Avenue West
Bradenton, Florida 34205
Phone: 941.741.4070
Email: cathy.slusser@ManateeClerk.com

Dear Ms. Slusser,

In response to your inquiry of May 6th, 2013, the Florida Master Site File lists the following state assigned site ID number for the historical structure recorded at **6308 Bayshore Road** in Palmetto, Manatee County, Florida:

MA0428

When interpreting the results of this search, please consider the following information:

- **This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.**
- **Federal, State and local laws require formal environmental review for most projects. This search DOES NOT constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at 850-245-6333.**

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Kind Regards,

Chris Fowler
Assistant Supervisor
Florida Master Site File
cgfowler@dos.state.fl.us

FLORIDA MASTER SITE FILE
SITE INVENTORY FORM

Site No. MA 428

Site Name Strickland, S.W. House

Survey Date 0685 1778

Address of Site 6308 Bayshore Road

Instructions for locating

Location metes and bounds

Subdivision name block no. lot no.

County Manatee

District name if applicable

Owner of Site: Name McKelvin, Lowe and Ruth

Address

Palmetto, FL Fl 33561

Type of ownership private

Recording date

Recorder: Name & Title Werndli, Phillip A.

Address

PO Box 13092 Tallahassee, Fl 32317

Condition of Site:
Check One
| |Excellent
|x|Good
| |Fair
| |Deteriorated

Integrity of Site:
Check One or More
|x|Altered
| |Unaltered
|x|Original Use
| |Restored/Date
| |Moved/Date

Original Use private residence

Present Use private residence

Dates +1927

Cutural/Phase American

Period

NR Classification Category Building

Date Listed on NR

Threats to Site:
Check one or more
| |Zoning
| |Development
| |Deterioration
| |Borrowing
| |Other(See Remarks Below)
| |Transportation
| |Fill
| |Dredge

Areas of Significance: Architecture

Significance:

This house is a combination of Mediterranean Revival, Colonial Revival and Prairie School influences. This type house was a fairly common structure in Florida in the 1920s.. The tile work, stucco fin typify the Mediterranean influence. The columns and dormers are typical of the Colonial influence and the fenestration and large eaves typical of the Prairie School. The house was built in 1927 by T T.G. Earle for S.W. Strickland.

SEE SITE FILE STAFF FOR ORIGINAL PHOTO(S) OR MAP(S)

Architect

Builder Earle, T.G.

Style and/or Period Colonial Revival

Plan Type rectangluar

Exterior Fabric stucco

Structural System(s)

Porches W/open porch with round stucco columns@S/enclosed sun porch

Orientation W

Foundation continuous

Roof Type hip

Secondary Roof Structure(s) hip dormer@flat on porch

Roof Surfacing barrel tile

Window Type DHS,1/1,wood,paired@awning,4 light,metal

Ornament Exterior tile

Chimney brick

Chimney Location S:end,exterior,lateral slope

No. of Chimneys 1

No. of Stories 2

No. of Dormers 3

Outbuildings 1

Surroundings Urban, Residential

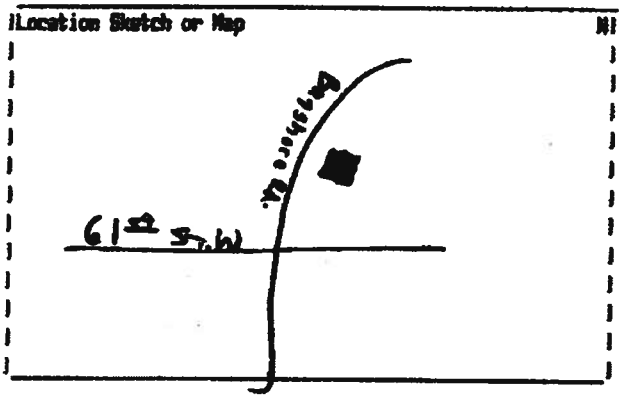
Map Reference (inc. scale & date) USGS Palmetto, Fla 7.5 min 1964 (PR 1981)

Latitude and Longitude:

° ' " ° ' "

Site Size (Approx. Acreage of Property) LT 1

Location Sketch or Map



Township	Range	Section
34 S	17 E	25

UTM Coordinates:

Zone Easting Northing

Photographic Records Number

Please attach Photographic Print

RE: McMullen Creek RV Park
Cathy Slusser to: shelley.hamilton@mymanatee.org 05/07/2013 12:24 PM
Cc: "lisa.barrett@mymanatee.org", "mhough@hougheng.com"

History: This message has been replied to.

Yes, I talked to both Nick and an engineer for the property owner. I am concerned that they are making some assumptions of the historic value and condition of the house that led them to believe that the house no longer is restorable.

However, I also understand that the property is not within the Terra Ceia overlay and not subject to the standards there. This is why we need a Historic Preservation Ordinance that allows us to designate individual properties outside of the overlay.

I advised Nick to bring photographs of the condition of the house as well as the report that his contractor did. There may be members of the public who attend the public hearing who will want to speak to that and it would be good for him to have documentation.

I have also asked the State of Florida to let me know if the house was listed on the Florida Master Site File. While it may not apply in this case since the building is outside of the overlay, we need to have a way to begin flagging historic properties for the future once the Historic Preservation Ordinance is passed.

I have some research on the history of the house and a photograph of it. Would you like those for your files? Cathy

Cathy Slusser, Director, Historical Resources
For R.B. "Chips" Shore, Manatee County Clerk of Circuit Court and Comptroller
Manatee County Historical Records Library
1405 4th Avenue West
Bradenton, Florida 34205
(941) 741-4070

From: shelley.hamilton@mymanatee.org [mailto:shelley.hamilton@mymanatee.org]
Sent: Tuesday, May 07, 2013 10:55 AM
To: Cathy Slusser
Cc: lisa.barrett@mymanatee.org; mhough@hougheng.com
Subject: Re: McMullen Creek RV Park

Cathy,

Some additional information - I am case planner assigned for this case. I have notified the agent for the case to put them on alert. They were aware of the house and have done some research on their end. Their report is that the house was originally built in the 1920's with some major revisions to the house in

the 1960's. They (Nick Easterling) were going to call you to discuss further.

While they are in the Terra Ceia District, they are not within the area described in our code (southwest of US 19, in Township 33, Range 17. Additionally, the code states, "Only districts for which specific standards have been developed are addressed in this section..."

The Terra Ceia District does not have any specific standards developed.

Shelley E. Hamilton, Planner
Manatee County Government
Building and Development Services
1112 Manatee Avenue West
Bradenton, FL 34205
941-748-4501, Ext. 6863
shelley.hamilton@mymanatee.org

From: Lisa Barrett/MCG
To: Cathy Slusser <cathy.slusser@ManateeClerk.com>
Cc: "lisa.barrett@mymanatee.org" <lisa.barrett@mymanatee.org>, Shelley Hamilton/MCG@MCG
Date: 05/07/2013 10:47 AM
Subject: Re: McMullen Creek RV Park

Cathy:

Shelley is discussing with the applicant. It is my understanding there is a house that they are planning on demolishing. I believe they are under the impression that the house was built in the 1970s. Regardless, I am not sure that we have any regulations within our Code to make them preserve the house if they are not in the HA overlay.

After she discusses further we will get back to you.

Thank You,
Lisa Barrett, Planning Division Manager
Manatee County Building and Development Services
Comprehensive Planning - Public Hearings Division
(941) 748-4501 ext. 6884
lisa.barrett@mymanatee.org

From: Cathy Slusser <cathy.slusser@ManateeClerk.com>
To: "lisa.barrett@mymanatee.org" <lisa.barrett@mymanatee.org>

Date: 05/07/2013 08:42 AM

Subject: McMullen Creek RV Park

Lisa, someone called me about a planning commission meeting on Thursday regarding the proposed McMullen Creek RV Park on Bayshore Road between Palm View and Rubonia. The planned development includes a historic home that dates back to at least 1920. Because it is not part of an overlay district the house may not have caught your attention. Do you know what the plans are for that building? If not, can you put me in touch with the staff person working on that plan? Thanks, Cathy

Cathy Slusser, Director, Historical Resources
For R.B. "Chips" Shore, Manatee County Clerk of Circuit Court and Comptroller
Manatee County Historical Records Library
1405 4th Avenue West
Bradenton, Florida 34205
(941) 741-4070

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

Q: Can a building recorded at the Florida Master Site File be demolished?
A: Yes, but a complete answer to the question may require consultation of local ordinances. The Florida Master Site File has no active role in local governmental matters like zoning or permitting decisions. Please notify the Site File if a building in our inventory is demolished or destroyed so we may update our records to reflect the change.

Q: What is the difference between the National Register of Historic Places and the Florida Master Site File?

A: The National Register of Historic Places (NRHP) is an active list of U.S. properties that have been determined through a formal process to be historically significant by the National Park Service, U.S. Department of the Interior. Projects involving federal or state revenue, licensing, or permitting, must account for effects to resources that are listed in, or eligible for listing in, the NRHP. The Florida Master Site File is an active inventory of Florida's historical cultural resources that are over 50 years old, without regard to historical significance. The NRHP is maintained by the National Park Service, although Florida's Bureau of Historic Preservation within the Division of Historical Resources has an office (the Survey and Registration Section) charged with giving technical assistance to agencies and private individuals who seek to have properties listed in the NRHP. Properties that are listed in the NRHP are also recorded at the Site File, and the Site File has copies of the federal nomination forms and sometimes other information as well. However, most properties recorded at the Site File are not listed in the NRHP because many Site File properties do not meet criteria of the NRHP for historical significance and because the NRHP nomination process can be complicated and require professional assistance. For further information and assistance relating to the federal NRHP program, refer to the National Register of Historic Places website maintained by the National Park Service. For information on the NRHP specific to Florida resources, visit the Florida Division of Historical Resources website or call the Florida Bureau of Historic Preservation at 850.245.6333.

Listing in the National Register does not, in itself, impose any obligation on the property owner, or restrict the owner's basic right to use and dispose of the property as he or she sees fit. It does, however, encourage the preservation of significant historic resources in three ways.:

1. by providing official recognition of the historic significance of the property and encouraging consideration of its historic value in future development planning,
2. by imposing limited protection from activities involving funding, licensing, or assistance by Federal agencies that could result in damage or loss of its historic values, and
3. by making the property eligible for Federal financial incentives for historic preservation

6308 Bayshore Road\PI 22339

Deed Book 67 page 383 Sale from Richmond Trust and Savings Co 15 Apr 1922 NE ¼ of section 160 acres to F Emory Sharp

Deed Book 65 page 595 Sale from Sharp to Francis S Howell 10 May 1922 piece of NE ¼

Deed Book 263 page 527 Sale out of Chancery Court to J Henderson Brock 16 Jan 1950 same.

Postcard of building

Sketch from PAO

1961 to 1971 confirming date built 1922 for main house

Quarter section maps showing property 1961 to 1972?

D367

STATE OF FLORIDA.

COUNTY OF HILLSBOROUGH.

I HEREBY CERTIFY, That on this 28th day of March A.D. 1922, before me, the undersigned authority, personally appeared H. T. MONTGOMERY and JESSIE E. MONTGOMERY his wife known to me to be the persons described in and who executed the foregoing instrument and severally acknowledged the execution thereof to be their free act and deed for the uses and purposes therein mentioned. And the said Jessie E. Montgomery, the wife of the said H. T. Montgomery on an examination taken and made separately and apart from her said husband acknowledged that she made herself a party to the said deed for the purpose of renouncing and relinquishing her dower and rights of dower and conveying her separate estate in and to the lands, tenements and hereditaments herein described and thereby granted and released, and that she executed said deed freely and voluntarily, and without any compulsion, constraint, apprehension or fear of or from her said husband;

WITNESS my hand and official seal the date aforesaid.

Minnie B. Covode.
Notary Public State at large.
My commission expires April 2, 1922.

(NOTARIAL SEAL)

I hereby certify that the above and foregoing is a true and correct copy of the Original, filed for record April 24th 1922 and recorded May 1st, 1922.

RECORD VERIFIED

(Clerk)

— 19586 —

This Indenture made this 15th day of April A.D. 1922, between RICHMOND TRUST AND SAVINGS COMPANY, which by certificate of amendment of its charter duly lodged in the office of the Secretary of State of the Commonwealth of Virginia, on the 2nd day of April A.D. 1919, changed its name from RICHMOND TRUST ANDSAVINGS COMPANY TO RICHMOND TRUST COMPENY, a corporation of Virginia, of the City of Richmond, State of Virginia, party of the first part, and F. EMORY SHARP of the County of Manatee State of Florida, party of the second part,

Witnesseth, that the said party of the first part for and in consideration of the sum of One Dollar and other valuable considerations, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part, his heirs and assigns, forever, the following described land in Manatee County, Florida, to-wit:

The North East Quarter of Section Thirty six (36) Township Thirty three (33) South, Range Seventeen (17) East, containing 160 acres, more or less; save and except right of way to United States and West Indies Railroad and Steamship Company as described in Deed Book No. 5 page 142, and right of way to Tampa Southern Railroad Company as described in Deed Book No. 56, page 254 of the Public Records of Manatee County, Florida. ($[illegible].00 revenue stamps attached and candeled)

State and County taxes for the year 1922 to be pro-rated, the party of the first part to be responsible for that portion of said taxes to and including the date of this deed, and the party of the second part for the balance of said taxes.

And the said party of the first part does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever.

In testimony whereof said RICHMOND TRUST COMPANY by its President has executed this deed and has caused the same to be attested by its Secretary and its corporate seal aff-

15 Apr 1922
+ F Emory Sharp

D365

595

-19746-

This Indenture, Made this 10th day of May A. D. 1922, between P. C. mory Sharp and Kathryn C. Sharp, his wife

of the County of Manatee and State of Florida, part ies of the first, and

Frances A. Harrell part y of the second part,

WITNESSETH: That the said part ies of the first part for and in consideration of the sum of One Dollar and other valuable considerations DOLLARS, to them in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold to the said part y of the second part her heirs and assigns, forever, the following described land in Manatee County, Florida, to-wit:

Beginning at the North West corner of the North East Quarter of Section 36 Township 32 South Range 17 East thence East on the West line of said North East Quarter of said Section 36 the distance of 1463.5 feet, more or less, to a public road; thence East along said road to a point in said road which is due South of the North East corner of the North West Quarter of the North East Quarter of said Section 36; thence North to the North East corner of the North West Quarter of the North East Quarter of said Section 36; thence West to the point of beginning. Containing 44 acres, more or less.

State and County taxes for the year 1922 to be pro rated the grantors to pay to the date of this date, and the grantee the remaining portion of said taxes.

($3.50 Revenue stamps properly attached and cancelled).

And the said part ies of the first part do hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, The said part ies of the first part ha ve hereunto set their hand s and seal s, the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Elsmore O. Fisher — P. C. mory Sharp (SEAL)

C. C. Bales — Kathryn C. Sharp (SEAL)

STATE OF FLORIDA, COUNTY OF MANATEE. I hereby certify that on this 10th day of May A. D. 1922 before me, a Notary Public in and for the State of Florida at large, personally came P. C. mory Sharp and said Kathryn C. Sharp his wife, who are each to me well known and known to me to be persons described in and who executed the foregoing deed, and they severally acknowledged that they executed the same for the uses and purposes therein mentioned: and the said Kathryn C. Sharp the wife of the said P. C. mory Sharp upon an examination taken and made by me separate and apart from her said husband, acknowledged that she executed said deed freely and voluntarily and without compulsion, apprehension, fear or constraint of or from her said husband.

IN TESTIMONY WHEREOF, Witness my hand and official seal at Bradentown in the County aforesaid, the day and year above written. (Notarial Seal)

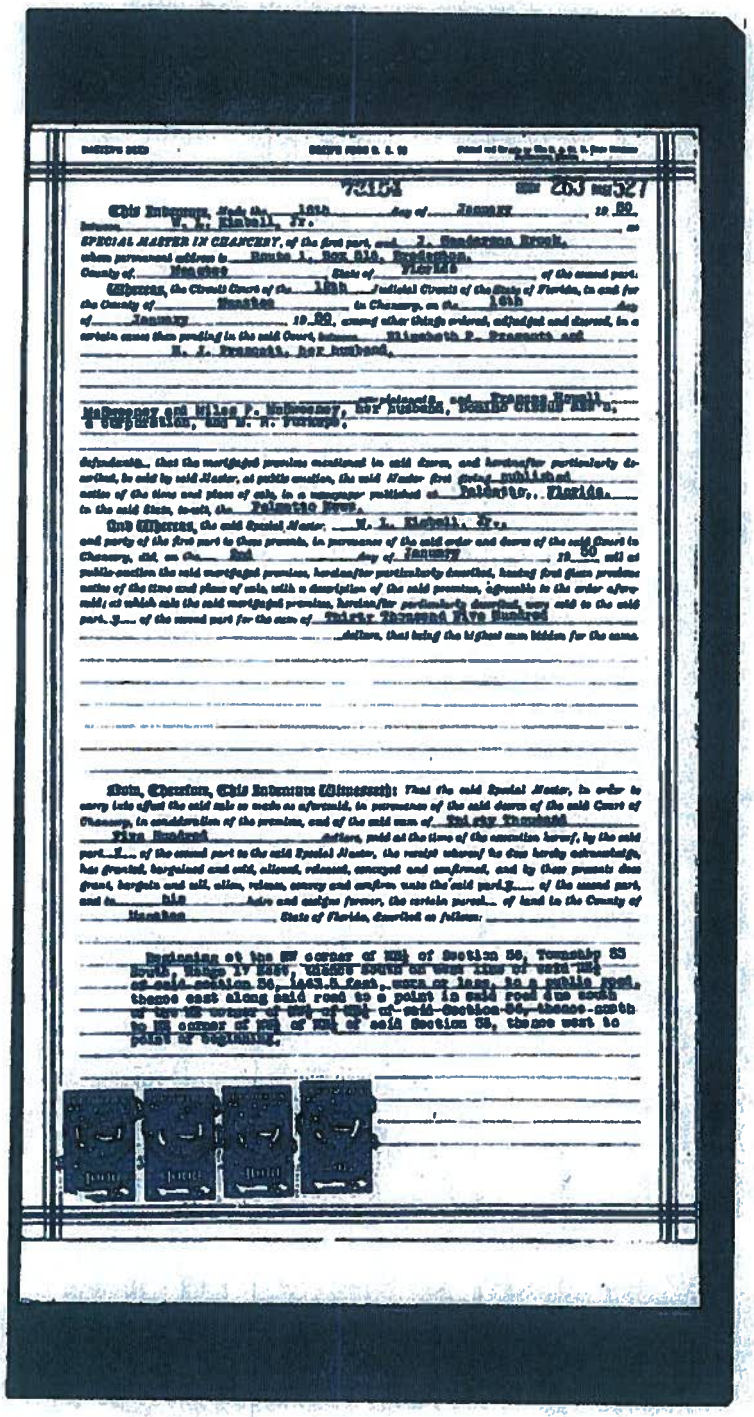
Elsmore O. Fisher Notary Public.

My Commission expires 11 Feb 1923

The above is a true copy of original deed which was filed on the 11 day of May 192 2 and was recorded on 12 day of May 192 2

Clerk.

By Deputy Clerk.



7215A

OR 263 PG 527

This Indenture, Made the 16th day of January in the year A.D. 1950 between W. L. Kimbell, Jr. as SPECIAL MASTER IN CHANCERY, of the first part, and J. Henderson Brush, whose permanent address is House 1, Box 810, Bradenton, County of Manatee, State of Florida, of the second part.

Whereas, the Circuit Court of the 12th Judicial Circuit of the State of Florida, in and for the County of Manatee in Chancery, on the 16th day of January, 19 50, among other things ordered, adjudged and decreed, in a certain cause then pending in the said Court, between Elizabeth P. Prescott and H. L. Prescott, her husband, complainants, and Eugene Kimball, Mary Kimball, Dorothy Kimball, McDougall and Miles P. McDougall, his wife, Manatee Citrus Fruit Co., a corporation, and W. H. Turnage, defendants, that the mortgaged premises mentioned in said decree, and hereinafter particularly described, be sold by said Master, at public auction, the said Master first giving notice of the time and place of sale, in a newspaper published at Palmetto, Florida, in the said State, to-wit, the Palmetto News.

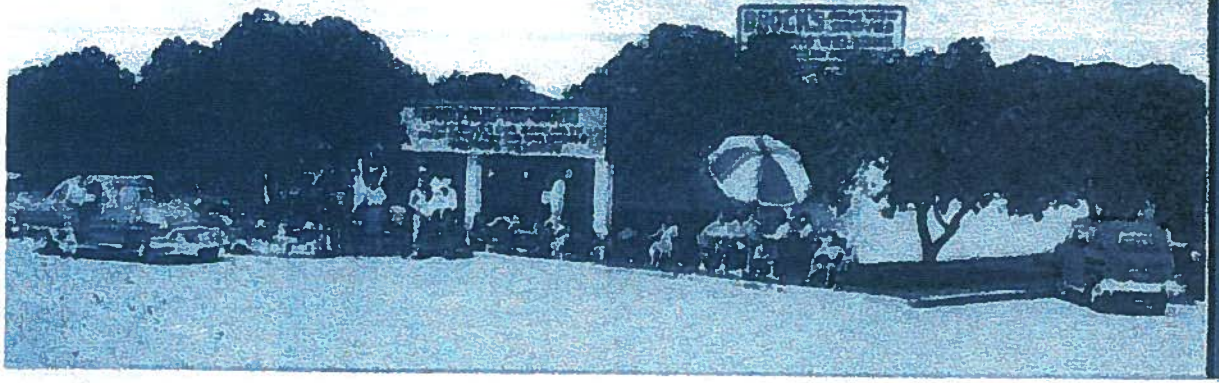
And Whereas, the said Special Master, W. L. Kimbell, Jr., and party of the first part to these presents, in pursuance of the said order and decree of the said Court in Chancery, did, on the 2nd day of January, 19 50, sell at public auction the said mortgaged premises, hereinafter particularly described, having first given proper notice of the time and place of sale, with a description of the said premises, agreeable to the order aforesaid; at which sale the said mortgaged premises, hereinafter particularly described, were sold to the said party of the second part for the sum of Thirty Thousand Five Hundred dollars, that being the highest sum bidden for the same.

Now, Therefore, This Indenture Witnesseth: That the said Special Master, in order to carry into effect the said sale so made as aforesaid, in pursuance of the said decree of the said Court of Chancery, in consideration of the premises, and of the said sum of Thirty Thousand Five Hundred dollars, paid at the time of the execution hereof, by the said party of the second part to the said Special Master, the receipt whereof he does hereby acknowledge, has granted, bargained and sold, aliened, released, conveyed and confirmed, and by these presents does grant, bargain and sell, alien, release, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, the certain parcel of land in the County of Manatee, State of Florida, described as follows:

Beginning at the NW corner of NE¼ of Section 36, Township 33 South, Range 17 East, which point is 660 feet West of the NE corner of said Section 36, less & except public road, thence East along said road to a point in said road due South of the NW corner of NE¼ of NE¼ of said Section 36, thence North to NW corner of NE¼ of NE¼ of said Section 36, thence West to point of beginning.

Approximately 5,000 ft. floor space. Main building insulated. All modern machinery, stainless steel equipment for extracting the juices.

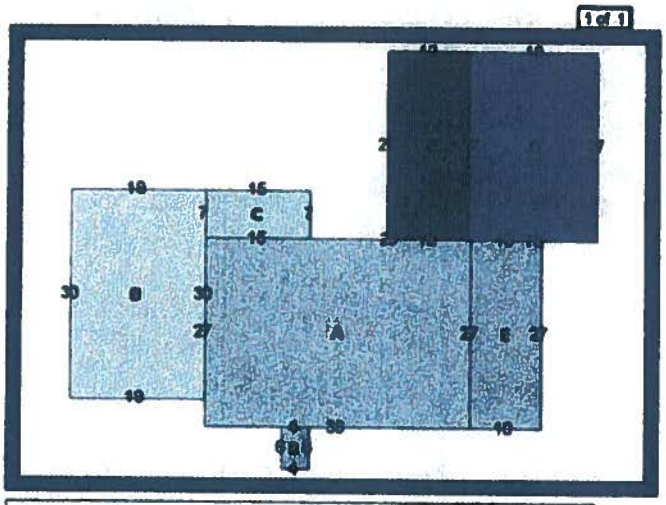
BROCK'S
PALM VIEW GROVES
Palmetto, Florida



Our Home In The Grove

PARID: 2233900006
CONE CORPORATION THE

6308 BAYSHORE RD



A	MAIN BA BASE, 1026 sqft	B	P3 CARPO, 570 sqft
C	U5 UTILI, 105 sqft	D	03 O OPE, 24 sqft
E	R8 C POR, 270 sqft	F	BA BASE , 324 sqft
G	S6 SCREE, 486 sqft		

22339
1/2

1

36 33 17 43.6 1-1 7
BEG AT NW COR OF NEW SEC 36, S 1465.6
FT, E TO POINT DUE S OF NE COR OF NW¼
OF NEW SEC 36, N TO NE COR OF NW¼ OF
NEW SAID SEC, W TO BEGIN LESS (CTD 1

TYPE OF PROP. Res + Rentals 11561
NAME
BY RH
DATE APPRAISED 7-18-61

NOTES

① Cl-[illegible] - A = 3116 P = 184 T/P = 11.5 = $50

IV -79

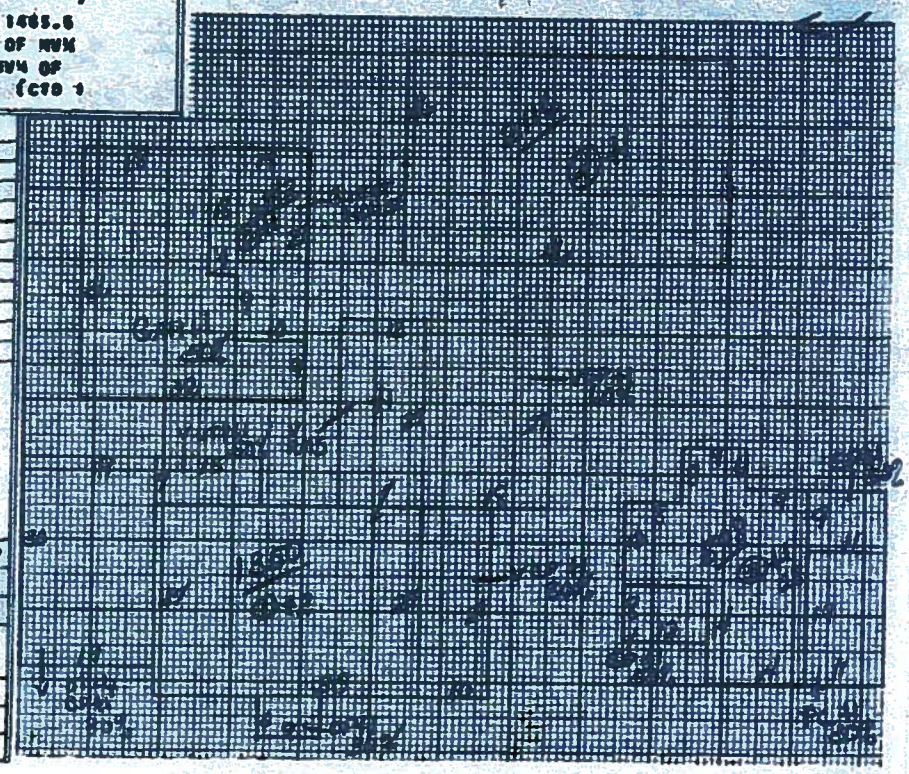
64
[illegible]
[illegible]

① P+160
T+160
260

② P+40

	1965	1966	1969	1971
LAND	34560	35610	39790	40690
BLDG.	14880	14880	16370	16370
TOTAL	49440	50490	56160	57060

	196__	196__	196__	196__
LAND				
BLDG.				
TOTAL				



CONSTRUCTION DATA

BUILDING	1	2	3	4
SUB-STRUCTURE				
SLABS				
PIERS				
CONTINUOUS WALL				
SEMI-FIN. BSM'T				
FINISH BSM'T				
WALL-FRAME				
WOOD				
CONC. BLOCK				
HOLLOW TILE				
BRICK				
STEEL				
REINF. CONC.				
STONE				
ALUM.				
WOOD POST				
STEEL POST				
EXTERIOR WALLS				
C.B. PAINTED				
C.B. STUCCO COMC		10	0	
C.B. SPEC-CRETE				
COMMON BRICK				
FACE BRICK				
BRICK VENEER				
STONE				
SCALA BLOCK				
FRAME		8		
FRAME STUCCO				
ASBESTOS SIDING				
HOMASOTE				
ALUM.				
CORR. METAL			0	
COMP. SHINGLE				
COMP. ROLL				
STEEL				
PLYWOOD				
Hollow tile				
	0			
SHEATHING				
YES				
NONE				

BUILDING	1	2	3	4
ROOF FRAME				
WOOD				
STEEL				
REINF. CONC.				
ROOF TYPE				
FLAT		0	0	
SHED				
GABLE				0
HIP	0			
GAMBREL				
OTHER				
ROOFING				
ROLL				
SHEET				
SHINGLES				
COMP.				
METAL				
WOOD				
ASBESTOS				
FLAT-TILE				
BARREL TILE	0			
BLT-UP COMP.		0	0	
CORR. METAL				0
FLOORS				
WOOD, PINE		0		
WOOD, HARD	0			
CONC., PLAIN			½	
TERRAZZO				
VINYL TILE			½	
WOOD PARQUE				
W/W CARPET				
DIRT				0
INTERIOR WALLS				
UNFINISHED			½	0
PLASTER PLAIN	0	0	½	
PLASTER FURRED				
WALL BOARD			½	
WOOD PANEL				
CEILING				
DRY-WALL				

BUILDING	1	2	3	4
ROOMS				
STORE UNITS				
OFFICE UNITS				
ROOMS				
EFFICIENCY APTS.				
RM. APTS.				
RM. APTS.				
RM. APTS.				
PLUMBING				
NONE				0
1-FIXTURE				
2-FIXTURE				
3-FIXTURE			1	
4-FIXTURE				
5-FIXTURE				
FIXTURES				
TILE FLOOR				
½ TILE WALL				
FULL TILE WALL	2			
HEATING				
NONE				
CHIMNEY			0	0
FIRE PLACE				
FORCE HOT AIR				
HEAT PUMP				
ELECTRIC				
STEAM				0
GAS	0			
ELECTRICITY				
YES	1	0	0	
NONE				0
EQUIPMENT				
VENT. FAN				
SPRINKLERS				0
ELEVATORS				
AIR COND.				
INSULATION				
NOTES				

IMPROVEMENTS

No.	STY	SH	CLASS	AREA	RATE	ADDITN'S	REPL. COST	DATE BUILT	DEP	CND	VALUE
1	2	S	R 6	2771	6 82	520	19 418	1922		05	10 680
2	1	S	R 1	747	4 84	80	3 471	1922±		35	1 220
3	1	S	R 2+	7[illegible]	5 86		4 063	1922±		35	1 420
4	1		[illegible] SM	2 116	1 -		2 116	[illegible] 1924		40	850
5											
6											
7											
8											

LAND

QUANTITY-TYPE-DESCRIPTION	SIZE-AREA	UNIT PRICE	D.F.	C.F.	PRICE PER FRONT FOOT	VALUE
	45	100				4500
Homesite	200	4 -				800
		5 -				1000

CITRUS

TYPE	APPROX. AGE	COND.	ACRES	UNIT VALUE	VALUE
GF -17-3 NC 1971 GF		60	2.15	400	17 200
				880	18 920
NC -17-3-) 1971 NC		60	1.65	1040	17 160
				1150	18 970

MARKET DATA

YEAR	Deed Bk.	Page	W/O	Date	Total Price	Price Per Ac.	Price Per Lot	Price Per F.F.
19								
19								
19								
19								

22339

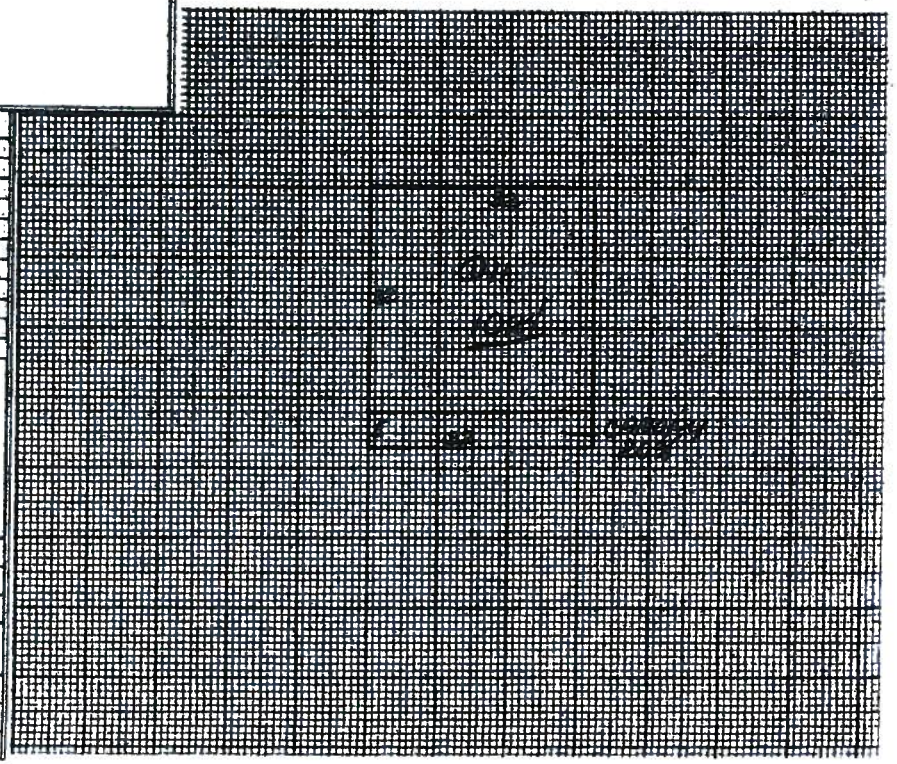
1

TYPE OF PROP. Fruit Shed
NAME
BY NLW
DATE APPRAISED 1-18-63

NOTES

Supplement Card
Brock's Fruit
Approx. cost $800 - says Mr. Brock
32 X32
5X32

	196__	196__	196__	196__
LAND				
BLDG.				
TOTAL				
	196__	196__	196__	196__
LAND				
BLDG.				
TOTAL				



McMullen Creek RV Park
Marla Hough
to:
Nick Easterling
05/07/2013 11:22 AM
Cc:
"Bob Graham", "Shelley Hamilton"
Show Details

Nick,

Archaeologist Bill Burger, who contacted the County Historical department about the historical nature of the house, lives approximately a mile away from the site, across Terra Ceia Bay (see attached map.)

Marla M. Hough, P.E.
President
Hough Engineering, Inc.
Celebrating 16 Years in Business 3/3/13!
1771 Manatee Ave. West
Bradenton, FL 34205
Phone: (941) 747-4838
Fax: (941) 747-4072
e-mail: mhough@hougheng.com
Web: www.hougheng.com

Burger Property

This map was developed by the Manatee County Geographic Information Systems division. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. Errors from non-coincidence of features from different sources may be present.
Printed at 10:49 on 2013-05-07

Section 514. - Certificate of Appropriateness.

514.1. Purpose and Intent. It is the intent of this Section to regulate alterations, restorations, renovations, excavations, movement, demolition and erection of historic buildings, structures, improvements, architectural features, landscape features or archaeological sites within the County in order to preserve, protect and enhance the valuable historic and archaeological features.

514.2. Applicability. No person may remove, relocate, alter, restore, renovate, demolish, destroy excavate or build on an historic landmark, or in an Historical and Archaeological Overlay District or Historic Vista Protection Area without first obtaining a Certificate of Appropriateness. Sections

514.2.1 through 514.2.3 are applicable in the Whitfield, Cortez Fishing Village, and Terra Ceia Historic and Archaeological Overlay Districts.

514.2.1. Whitfield Estates Historical and Archaeological Overlay District. No person may remove, relocate, alter, restore, or renovate using a change in exterior facade materials, destroy or build on any site in the Whitfield Estates Historic and Archaeological Overlay District that contains a principal building built prior to 1932, without first obtaining a Certificate of Appropriateness.

514.2.2. Terra Ceia Historical and Archaeological Overlay District. No person may remove, relocate, alter, restore or renovate using a change in exterior facade materials, or destroy any exterior portion of a building built prior to 1942; or build any waterfront structure in excess of two hundred (200) square feet in area without first obtaining a Certificate of Appropriateness.

514.2.3. Cortez Fishing Village Historical and Archaeological Overlay District. No person may remove, relocate, alter, restore, renovate, destroy or build any structure or excavate any site in the Cortez Village Overlay District, except for mobile homes and Recreational Vehicles located in the Cortez Trailer Park, without first obtaining a Certificate of Appropriateness.

HOUGH ENGINEERING, INC. - CONSULTING ENGINEERS
1771 MANATEE AVENUE WEST, BRADENTON, FLORIDA 34205
PHONE: (941) 747-4838 • FAX: (941) 747-4072
www.hougheng.com

December 12, 2012

Steve Kollar and/or Jason Utley
Manatee County
Building & Development Services
1112 Manatee Avenue West
Bradenton, FL 34205

Re: McMullen Creek RV Park Rezone to PDRV to GDP Standards

Dear Steve and/or Jason:

Please accept this as my **Traffic Impact Statement** pertaining to the subject project:

Project Location: Access off Bayshore Road

Link 2170: US 41S to US 41N
Existing LOS C satisfies LOS D Criteria 1

(see site location map on GDP Plans)

Proposed Project: 93.35 acre site to be developed as 572 unit Recreational Vehicle Park

Proposed Traffic: per ITE 8th Edition, code 416 Recreational Vehicle Park (pg.702)

PM Pk Hr: (.37)(572 sites) = **212 PM Pk Hr (more than 50 trips) Criteria 2;**
69% Enter = 146; 31% Exit = 66

212 PM Pk Hr is more than 5% Pk Hr LOS of 55.6 Criteria 3 for project study area for the first concurrency-regulated roadway segment the project connects to.

Criteria One is satisfied for a Traffic Impact Statement, but Criteria 2 & 3 trigger a Traffic Impact Analysis requirement. Since this project is presently seeking a GDP which does not obtain concurrency, the TIA will be undertaken in the future when concurrency is pursued for the project.

To summarize, the following items are attached:

1. Link 2170 Concurrency Sheet dated July 26, 2012
2. ITE page 702

Please let me know if you have any questions on the traffic impact statement.

Sincerely,

HOUGH ENGINEERING, INC.

Marla M. Hough, P.E.
President

cc Bob Graham, Nick Easterling, Bob Greene, Esquire

C:/reception/documents/rv-r/trafficimpactstatement

HOUGH

Manatee County Planning Department
Concurrency Transportation Link Sheet

Report run on: July 26, 2012 11:21 AM

Link No	Road Name	From Street	To Street	Jrs Dtn	Fnc Cls	U T R	(#1) Cns Sec	Sig/ Mile	Num Sig	Class Grp	Left Turns	5% Hour Peak Vol	LOS Std	Exist LOS	Projected LOS	Art Plan LOS	Trf Cnt Yr	Exist AADT	K100	OCS	Peak Hour Base	Peak Hour Res	Peak Hour Total	(#2) Peak Hr LOS Vol	Avail Peak Hour Cap	3 Yr Growth Rate	Cn Yr	Con Typ	Delm Rs	Stn Num
2150	BAYSHORE GDNS PKY	US 41	26 ST W	MC	UC	U	4D	2.63	2			154.8	D	C	C		10	15097	0.095	O	1,434	40	1,474	3,096	1,622	0.000			0	03-14/15
2160	BAYSHORE GDNS PKY	26 ST W	34 ST W	MC	UC	U	4D	1.85	1			154.8	D	C	C		10	7084	0.095	O	673	73	746	3,096	2,350	0.000			0	03-05/06
2170	BAYSHORE RD	US 41(S)	US 41(N)	MC	UC	U	2U	0.00	0	US		55.8	D	C	C		10	1669	0.095	O	178	19	197	1,112	915	0.000			0	10-16
6030	BETTS RD	SARASOTA CO	SR 70	MC	MIC	R	2U	0.00	0	55		34.8	C	A	A		10	987	0.098		95	0	95	696	601	0.000			0	12-01
2180	BRADEN RIVER RD	SR 70	LINGER LODGE RD	MC	UC	U	2U	0.00	0	US	Y	69.5	D	C	C		10	3960	0.095	O	376	232	608	1,390	782	0.000			0	07-13
2190	BUCKEYE RD	US 41	BUD RHODEN RD	MC	UC	U	2U	0.00	0	US	N	55.6	D	C	F		10	1002	0.096	O	98	1,603	1,699	1,112	-587	0.000			0	10-09
2200	BUCKEYE RD	BUD RHODEN RD	CARTER RD	MC	MAC	T	2U	0.00	0	US	N	81.6	D	A	F		10	1002	0.096	S	96	3,038	3,134	1,632	-1,502	0.000			0	10-09
2210	BUCKEYE RD	CARTER RD	US 301(PARRISH)	MC	MAC	T	2U	0.00	0	55	N	57.6	C	A	D		10	444	0.098	O	44	1,135	1,179	1,152	-27	0.000			0	10-11
2220	BUD RHODEN RD	BUCKEYE RD	MOCASSIN WALLOW	MC	UC	U	2U	0.00	0	US	Y	55.6	D	C	C		10	478	0.096	O	46	529	575	1,112	537	0.000			0	10-42
2230	BUFFALO RD	69TH ST E	MOCASSIN WALLOW RD	MC	UC	U	2U	0.00			N	55.6	D	C	C		09	2465	0.095		234	80	314	1,112	798	0.000				10-19
6020	BUNKER HILL RD	SR 62(W)	SR 62(E)	MC	MIC	R	2U	0.00	0	55		34.8	C	A	A		10	32	0.098	O	3	0	3	696	693	0.000				12-15
2260	CANAL RD / 16 AV E	US 41	MENDOZA RD	MC	UC	U	2U	0.00	0	US		55.6	D	C	C		10	1868	0.095	O	177	215	392	1,112	720	0.000			0	09-09
2270	CANAL RD / 16 AV E	MENDOZA RD	US 301	MC	UC	U	2U	0.00	0	US		55.6	D	C	D		10	4749	0.095	O	451	379	830	1,112	282	0.000		OUT	0	09-03
2280	CARUSO RD	44 AV E	SR 70	MC	UC	U	2U	0.85	1		Y	69.5	D	C	C		10	6882	0.095	O	654	89	743	1,390	647	0.000			0	07-28
4070	CHIN RD	OLD TAMPA RD	US 301	MC	UC	U	2U	0.00	0	US	Y	69.5	D	C	C		10	2247	0.096	O	216	48	264	1,390	1,126	0.000				10-55
2290	CLAY GULLEY RD	SUGAR BOWL RD	SARASOTA CO LINE	MC	MIC	R	2U	0.00	0	55		34.8	C	A	A		10	314	0.098	O	31	26	57	696	639	0.000			0	12-02
6100	COOPER CREEK BLVD	UNIVERSITY PKY	.37 mi. N.	MC	UC	U	4D	2.70	1		Y	154.8	D	C	C		10	3037	0.095		289	68	357	3,096	2,739	0.000				07-57
6101	COOPER CREEK BLVD	.37 mi. N.	HONORE AV	MC	UC	U	2D	0.00			Y	73	D	C	C		10	3037	0.095		289	24	313	1,460	1,147	0.000				07-57
2350	CR 39	SR 62	HILLSBOROUGH CO	MC	MAC	R	2U	0.00	0	55		34.8	C	B	B		10	2864	0.098	O	281	22	303	696	393	0.000			0	12-10
2360	CR 675	US 301	SR 64	MC	MAC	R	2U	0.00	0	US	N	34.8	C	B	E		10	3837	0.096	O	368	876	1,244	696	-548	0.000			0	11-16

Campground/Recreational Vehicle Park
(416)

Average Vehicle Trip Ends vs: **Occupied Camp Sites**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

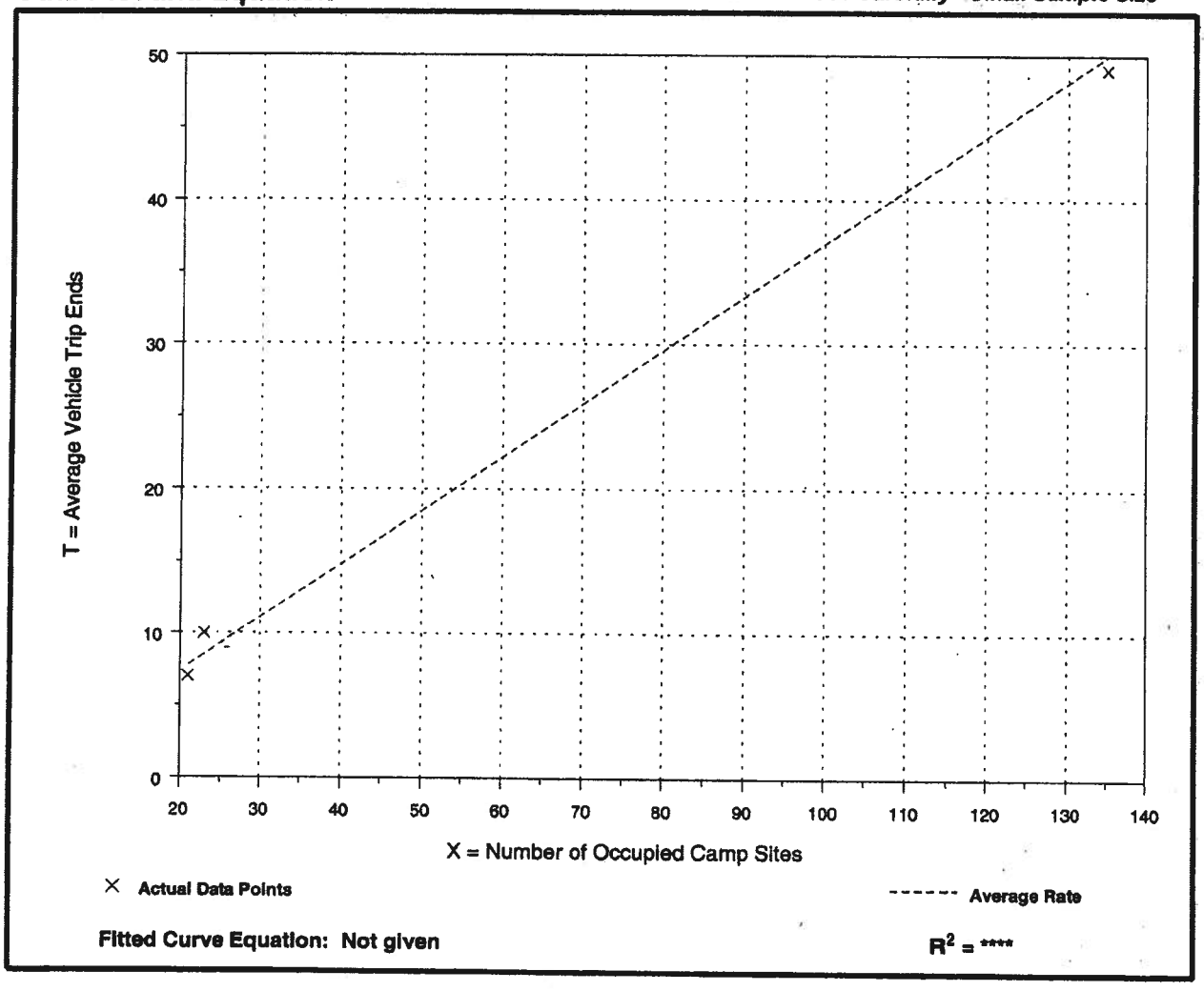
Number of Studies: 3
Average Number of Occupied Camp Sites: 60
Directional Distribution: 69% entering, 31% exiting

Trip Generation per Occupied Camp Site

Average Rate	Range of Rates	Standard Deviation
0.37	0.33 - 0.43	0.60

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Fitted Curve Equation: Not given

R^2 = ****

McMullen Creek RV Park PDRV 12-16 (Z)(G) DTS 20120453
Steve Kollar to: Marla Hough 01/07/2013 01:14 PM
Cc: Jason Utley, Bob Agrusa, Susan Barfield

RE: McMullen Creek RV Park - Traffic Impact Statement
Petition # PDRV 12-16 (Z)(G) DTS 20120453
Consultant: Hough Engineering Inc.

Dear Ms. Hough,

The Manatee County Public Works Department, Transportation Planning Division, has reviewed and approved the Traffic Impact Statement (TIS), dated December 2012, as prepared by Hough Engineering Inc. Based on the data provided in this document, the Applicant has addressed the Comprehensive Plan requirements, and provided appropriate traffic-related information to substantiate the findings.

Please note that prior to approval at the Preliminary Site Plan (PSP) or Final Site Plan (FSP) stage, the Applicant will be required to prepare and submit a Traffic Impact Analysis (TIA) for the subject project. As part of this process, and prior to submitting the TIA, the Applicant will need to coordinate with the Manatee County Transportation Planning Division regarding an updated traffic methodology statement to be used for the TIA.

Please do not hesitate to contact me at (941) 748-4501 extension 7604, if you have any questions or require further assistance.

Sincerley,

Steve Kollar
Transportation Systems Modeler
AutoDesk Contract Administrator
Manatee County Public Works Department
Transportation Planning Division
1022 26th Avenue East Bradenton Fl. 34208
Phone (941) 748-4501 Ext. 7604
steve.kollar@mymanatee.org

MANATEE COUNTY GOVERNMENT
BUILDING & DEVELOPMENT SERVICES DEPARTMENT
ZONING DISCLOSURE AFFIDAVIT

Project name: RV Park rezone for DP# 21155000007 owned by Cone & Graham, Inc.)

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

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

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

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

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

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

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

NAME, ADDRESS AND OFFICER	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
Check if owner (X) or contract purchaser ( )	
Robert G. Graham, PTD	75
David J. Tozlosky, EVPS	25
5101 Cone Road, Tampa, FL 33610	

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

Signature: _____

(Applicant): David J. Tozlosky

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 22nd day of October 2012 by DAVID J. TOZLOSKY, who is personally known to me or who has produced NA as identification.

(type of identification)

Pamela A Moore
Notary Signature

My Commission Expires: 9-11-2016

PAMELA A. MOORE
Print or type name of Notary

Commission No: _____

Notary Public
Title or Rank

PAMELA A. MOORE
Notary Public - State of Florida
My Comm. Expires Sep 11, 2016
Commission # EE 205752

Revised 2/8/10
B-4

MANATEE COUNTY GOVERNMENT
BUILDING & DEVELOPMENT SERVICES DEPARTMENT
ZONING DISCLOSURE AFFIDAVIT

Project name: RV Park rezone for DP# 2115500007 owned by Cone & Graham, Inc.

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

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

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

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

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

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

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

NAME, ADDRESS AND OFFICER	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
Check if owner (X) or contract purchaser ( )	
Robert G. Graham, PTD	75%
David J. Tozlosky, EVPS	25%
5101 Cone Road, Tampa, FL 33610	

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

Signature: _____

(Applicant): Robert G. Graham

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 17TH day of October 2012 by Robert G. Graham, who is personally known to me or who has produced _____ NA _____ as identification.
(type of identification)

_____
Notary Signature

My Commission Expires: 9/11/2016

PAMELA A. MOORE
Print or type name of Notary

Commission No: _____

Notary Public
Title or Rank

PAMELA A. MOORE
Notary Public - State of Florida
My Comm. Expires Sep 11, 2016
Commission # EE 205752

Revised 2/8/10
B-4

Copy of Newspaper Advertising

Bradenton Herald

NOTICE OF ZONING IANGES IN UNINCORPO-RATED MANATEE COUNTY

ICE IS HEREBY GIVEN, the **Planning Commission lanatee County** will con- a Public Hearing on **sday, December 12, 2013 :00 a.m. at the Manatee nty Government ıinistrative Center, 1st r Chambers, 1112 Manatee nue West, Bradenton, ida** to consider, act upon, forward a recommendation ıe Board of County ımissioners on the following ters:

IV-12-16(Z)(G) – THE IE CORPORATION/CONE) GRAHAM, INC. MULLEN CREEK PARK (DTS#20120453)
Ordinance of the Board of ınty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land elopment Code), relating to ing within the unincorporat- area; providing for a rezone ıpproximately 92.13 acres, ated on Bayshore Road and m View Road (61st Street) in denton, from A-1 (Suburban iculture), PD-RV (Planned elopment – Recreational icle), RSF-4.5 (Residential gle Family, 4.5 dwelling units acre), NC/M (Neighborhood mmercial - Medium), and R (Planned Development – sidential) zoning districts to PDRV (Planned elopment – Recreational icle) zoning district; and prove a General elopment Plan for 499 reational vehicle sites, a mmunity recreational area, ce, and shower areas; sub- t to stipulations as condi- ıs of approval; setting forth dings; providing a legal scription; providing for sever- lity, and providing an effec- e date.

R-13-24(Z)(P) – LAWRENCE AGAN, ESTHER R. FERGU- N REAL ESTATE TRUST D RESIDUAL TRUST UNDER LL OF ESTELLE L. REAGAN ZONE/DEL TIERRA SUBDI- SION (F.K.A. REAGAN NCH) (DTS #20130188; ZZSAW #00000209)
Ordinance of the Board of unty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning s (Ordinance 90-01, the ıatee County Land elopment Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)
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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)
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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.
This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parce G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
3. Add 112 residential units and decrease office square footag by 125,000 square feet;
4. Delete Land Use Condition related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEK-WOOD COMMONS WEST (DTS #20130206)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately _ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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) 748-4501 x6878; 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 nondiscrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.
MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
11/27/2013

Copy of Newspaper Advertising

Sarasota Herald Tribune

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, December 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:

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)
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 92.13 acres, located on Bayshore Road and Palm View Road (61st Street) in Bradenton, from A-1 (Suburban Agriculture), PD-RV (Planned Development – Recreational Vehicle), RSF-4.5 Residential Single Family, 4.5 dwelling units per acre), NC/M (Neighborhood Commercial - Medium), and PDR (Planned Development – Residential) zoning districts to the PDRV (Planned Development – Recreational Vehicle) zoning district; and approve a General Development Plan for 499 recreational vehicle sites, a community recreational area, office, and shower areas; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-24(Z)(P) – LAWRENCE REAGAN, ESTHER R. FERGUSON REAL ESTATE TRUST AND RESIDUAL TRUST UNDER WILL OF ESTELLE L. REAGAN REZONE/DEL TIERRA SUBDIVISION (F.K.A. REAGAN RANCH) (DTS #20130188; BUZZSAW #00000209)
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 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)
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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEKWOOD (DRI # 13)
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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,382 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parcel G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatmegt Overlay Districts);
3. Add 112 residential units and decrease office square footage by 125,000 square feet;
4. Delete Land Use Condition 1 related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
7. Amend the stipulations related to the I-75 bridge approach;
8. Update the Zoning Ordinance to reflect department references; and

subject to stipulations as conditions of approval; providing a legal description; providing for severability, and providing an effective date.

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately ½ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEKWOOD COMMONS WEST (DTS #20130206)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately ½ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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

Date of pub: November 27, 2013

1. In the past when developers applied to build on this property, it was voted down. Why now? Is it because this will be a retirement community, to provide a retreat for the influx of our northern visitors. The original developers wanted to provide low cost housing for single family homeowners. The original properties on that site provided homes for low income families until they were all moved by the county, so the soil could be used to build the new highway 41 extension.

2. Question as to how this new development along the McMullen Creek will affect the original flow of the creek. The same creek that overflows yearly flooding into Rubonia.

3. What prevention will be put forth to prevent further flooding of the creek into the Rubonia area.

4. We are sure that your planners will have some type plan for drainage of the new development. The county has yet to provide Rubonia a plan for drainage. (so far we've gotten no drainage plan, just sandbags to try and keep the water out. It's great that the county will depend on a private developer to perform this task.

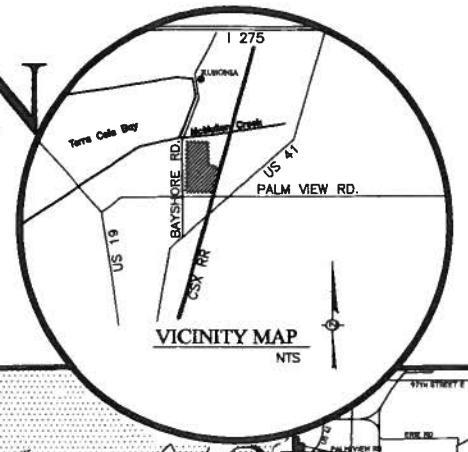
5. To build in Rubonia you either build on stilts or so many feet above sea level for approval the county, will these mobile homes have the same requirements?

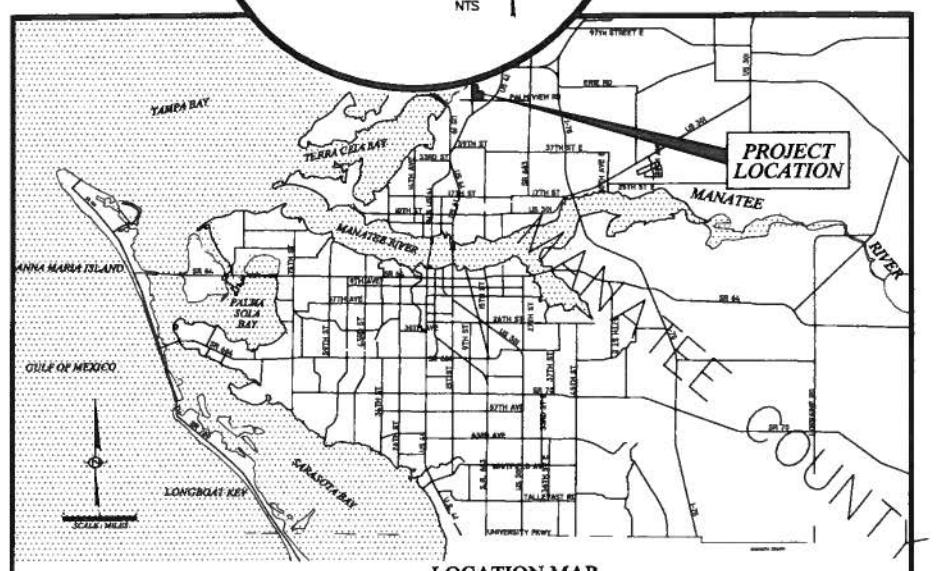
6. This once proud community of Rubonia is gradually being consumed by mobile home sites with their middle incomes, leaving the few original Rubonia homeowners without any type of community development support, mainly because of these developments, we are not qualified as a target area for any CDC grants.

David L. Miller SR. 5/9/2013

McMULLEN CREEK RV PARK
PD-RV REZONE to GENERAL DEVELOPMENT PLAN

LOCATED IN
SECTION 25 & 36, TOWNSHIP 33 SOUTH, RANGE 17 EAST
MANATEE COUNTY , FLORIDA





LOCATION MAP

PD-RV REZONE TO GENERAL DEVELOPMENT PLAN STANDARDS CHECK LIST RESPONSES:

FUTURE LAND USE CATEGORY :
RES-6 & RES-9, 6 & 9 UNITS PER ACRE

PROPOSED ZONING:
PD-RV

PROPERTY LINE LOCATIONS:
SEE SHEET 2

TOTAL PROJECT ACREAGE:
TOTAL PROJECT AREA: 93.35 ACRES;
92.13 ACRES AFTER R/W DEDICATION

EXISTING ZONING AND ADJACENT LAND USE:

ONSITE:	A-1, PD-RV, RSF-4.5, NC-M & PD-R	VACANT WITH SOME INFRASTRUCTURE FROM 8 ACRES VESTED PD-RV
NORTH:	PD-R, PDR-VIL	SINGLE FAMILY RESIDENTIAL
SOUTH:	RDD-6, RSMH-6 & A-1	MOBILE HOME PARK
EAST:	PD-R & A-1	SINGLE FAMILY RESIDENTIAL
WEST:	A-1, RSF-6, RSF-4.5 & NC-M	SINGLE FAMILY RESIDENTIAL

EXISTING EASEMENTS AND PLATTED STREETS ONSITE AND ADJACENT.
SEE SHEET 2 & 3

HISTORIC SITES OR INDIAN MOUNDS ON SITE:
NO KNOWN HISTORIC SITES OR INDIAN MOUNDS EXCEPT HISTORIC RESIDENCE – SEE SHEET 2

UTILITY INFORMATION:
SEE SHEETS 2 & 3

FLOOD ZONE:
ZONE AE(EL9&10) & X
COMMUNITY PANEL NUMBER:
120153 0183C, MAP REVISED JULY 15, 1992

PROPOSED SITE DESIGN:
499 RV SITES & COMMON AREA AMENITIES

GROSS RESIDENTIAL ACREAGE:
92.13 ACRES

LOT WIDTHS/YARDS:
LOT WIDTH: 30' REQ'D
YARD: 5' REQ'D
WATERFRONT: N/A

RV SITE AREA:
1,200 SF MINIMUM

PROPOSED SITE CONDITION TABLE

AVG. 30'X50' RV SITE X 499 LOTS	17.18 AC.	18.65%
RECREATIONAL/SHELTER BUILDING 16,124 SF	0.37 AC.	.4%
ROADWAYS & OPEN SPACE	74.58 AC.	80.95%
TOTAL :	92.13 AC.	100.00%

NOTES:
1.) STORMWATER FACILITIES TO BE PRIVATELY MAINTAINED.
2.) SINGLE OWNERSHIP IS ASSUMED AT PRESENT, BUT IT IS POSSIBLE THAT MARKETING CONDITIONS COULD CHANGE THAT; IF SO, THE PROJECT WOULD DO A CONDO PLAT WITH THE STATE OF FLORIDA.

RECREATIONAL BUILDING CALCULATIONS:
REQUIRED: 20 SF/ SPACE X 499 SPACES = 9,980 SF
12,300 SF RECREATION HALL & SHOWERS SHOWN ON GDP.

TOILETS & SHOWERS REQUIRED = 1/40 SPACES X 499 SPACES = 13 TOILETS & SHOWERS

UPLAND OPEN SPACE

TOTAL IN 15' LANDSCAPE BUFFER	1.92 AC.
TOTAL IN 50' LANDSCAPE BUFFER	3.27 AC.
TOTAL IN 75' LANDSCAPE BUFFER	2.51 AC.
TOTAL IN WETLAND BUFFER	1.61 AC.
DRY PONDS	2.31 AC.
WET LAKE (ABOVE NWL)	10.13 AC.
	21.75 AC. TOTAL UPLAND OPEN SPACE

21.75 AC. TOTAL UPLAND OPEN SPACE + WET RETENTION POND (BELOW NWL)
30.61 AC = 52.36 AC TOTAL OPEN SPACE/92.13 TOTAL ACRES
= 56.83% OPEN SPACE PROVIDED, 20.00% OPEN SPACE REQUIRED. (PD-RV)
% WET = 30.61/ 52.36 = 58.46.%; THIS FALLS BELOW THE 75% MAXIMUM ALLOWED.

SCREENING AND BUFFERING:
LANDSCAPE BUFFERS TO BE MAINTAINED PER SECTION 603.9.4.3.2 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE; SPECIFICALLY,

ALONG STREETS:	50'
ALONG RESIDENTIAL ZONING:	75'
OTHER:	15'

BUILDING HEIGHT :
35'-0" MAXIMUM

GROSS DENSITY:
499 SITES / 92.13 ACRES = **5.42 DU / ACRE PROPOSED**
MAXIMUM ALLOWED BASED UPON FLUC's OF RES-6 & RES-9:
[(85.24 ac)(6 du/ac) + (6.89 ac)(9 du/ac)] / 92.13 ac
= **6.22 DU**
12 DU/AC MAXIMUM GROSS DENSITY **ALLOWED IN PDRV** ZONING

NET DENSITY:

OSW & JURISDICTIONAL AREAS	2.46 AC
RECREATIONAL, OFFICE & SHOWER AREAS	.37 AC
POND (WET) BELOW NWL	33.80 AC
TOTAL	**36.63 AC**

NET DENSITY = 499 SITES/92.13 AC – 36.87 AC =
499 SITES/55.26 ACRES = **9.03 du/ac**

WATER & SEWER OWNERSHIP:
TO BE PRIVATELY MAINTAINED

PROPOSED EASEMENTS, RESERVATIONS & DEDICATIONS:
OWNERSHIP AND MAINTENANCE AGREEMENTS WILL BE PROVIDED BY THE RV PARK ASSOCIATION.

COMMON SPACE:
COMMUNITY RECREATION AREA SHALL BE OWNED & MAINTAINED BY THE RV PARK ASSOCIATION.

CONSTRUCTION SCHEDULE
BEGIN JUNE 2014; COMPLETE DECEMBER 2017
PROJECT MAY BE PHASED WITH AMENITIES IN FIRST PHASE.

WETLANDS:
PRELIMINARY WETLAND DELINEATIONS BY DICK SEAGLE & ASSOCIATES

PROPOSED LIGHTING:
ENTRANCE SIGNS ARE PROPOSED AT BAYSHORE ROAD ENTRANCE DRIVEWAY ONLY. STREET LIGHTS MAY BE AT DEVELOPER'S OPTION. IF INSTALLED, THE ILLUMINATION OF ADJACENT PREMISES BY SPILL LIGHT SHALL NOT EXCEED A VALUE OF ONE (1) FOOT CANDLE MEASURED IN THE HORIZONTAL OR VERTICAL PLAN AT A POINT FIVE FEET INSIDE ANY ADJACENT RESIDENTIAL PROPERTY.
PROJECT SHALL COMPLY WITH LDC SECTIONS 723.3.5 AND 709.2.3

SCHOOL NEEDS: N/A

WELLS:
THERE IS A CAPPED WELL ONSITE.

PERENNIAL STREAMS:
MCMULLEN CREEK IS A PERENIAL STREAM AND ABUTTS THE SITE ALONG THE NORTH PROPERTY LINE.

SOLID WASTE:
INDIVIDUAL GARBAGE BAGS TO BE PICKED UP FROM RV LOTS BY PARK MANAGEMENT AND DISPOSED OF IN DUMPSTERS FOR COUNTY PICKUP.

PRIVATE:
PROPOSED DRIVEWAYS & UTILITIES TO BE PRIVATE.

A MINIMUM 10' UTILITY EASEMENT SHALL BE LOCATED ALONG THE FRONT LOT LINES & A 5' UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES.

INDEX
PROJECT NO. RV-R

SHEET	DESCRIPTION
1.)	COVER SHEET
2. & 3.)	GENERAL DEVELOPMENT PLANS
4.)	CONCEPTUAL LAYOUT PLAN

PREPARED FOR:

CONE & GRAHAM, INC.
P.O. Box 310167
Tampa, FL 33680

PREPARED BY:

HOUGH ENGINEERING, INC.
CONSULTING ENGINEERS
1771 MANATEE AVE W., BRADENTON FLORIDA 34205
PHONE : (941) 747-4838 • FAX : (941) 747-4072

Manatee County Planning Department Signature Block

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

PROJECT PLANNER	_____	DATE _____
PROJECT ENGINEER	_____	DATE _____
CONCURRENCY	_____	DATE _____
NATURAL RESOURCES	_____	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 _____

Approved: _____
Maria M. Hough, P.E. # 38664
Certificate of Authorization #7654
DATE

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ZONING:
PDR-VIL

WETLAND 1
(612) ± 1.54 Acres

McMULLEN CREEK (D)

PROPOSED CONTROL STRUCTURES

CONC. BRIDGE

TOP OF BANKS

50' WETLAND BUFFER

APPROXIMATE SHORELINE

DRY RETENTION AREA

COASTAL HIGH HAZARD AREA
(OUTSIDE 50' WETLAND BUFFER = 2.83 AC)

PROPOSED OUTFALL SWALE

OSW4

75' LANDSCAPE BUFFER

ZONING:
PD-R

ZONING:
A-1

50' WETLAND BUFFER

DRY RETENTION AREA

15' LANDSCAPE BUFFER

WALKWAY TO CANOE LAUNCH

OSW5
(TO BE FILLED IN)

APPROXIMATE LOCATION OF SEABOARD AIRLINE RAILROAD RIGHT-OF-WAY AS SHOWN ON THE PLAT OF MEAD SMITH ADDITION, CONVEYED TO PAUL JONES AS PER DEED RECORDED IN OFFICIAL RECORD BOOK 80, PAGE 205.

Bayshore Rd.

DRY RETENTION AREA

45' EX. 1/2 R/W

E DIRT DRIVE INTO PROPERTY

PROPOSED ACCESS @ EXISTING ACCESS LOCATION

ZONING:
PD-RV

RESTROOMS, SHOWERS & LAUNDRY 4,200 sf

8 ACRES GRANDFATHERED PDRV ZONING

COASTAL HIGH HAZARD AREA
(OUTSIDE 50' WETLAND BUFFER = 2.83 AC)

FUTURE FEMA IMPACT LINE TO BE IN EFFECT 9-4-2013. (REDUCING FLOOD ZONE AREA WITHIN PROJECT ±13 ACRES)

FILMORE AVENUE (P) (NOT DEVELOPED)

15' LANDSCAPE BUFFER

N. 12' (NOT INCLUDED BY DEED)

PROPOSED PERIMETER SWALE

OSW2

TOP OF BANKS

SEABOARD AIRLINE RAILROAD

ZONING:
PD-R

ZONING:
A-1

1' (NOT INCLUDED BY DEED)

15' LANDSCAPE BUFFER (UPLAND VEGETATION TO BE PRESERVED)

RUSKIN DRIVE

30'S WIDE PVMT

NOT INCLUDED

S. 36' (NOT INCLUDED BY DEED)

15' LANDSCAPE BUFFER

LINCOLN AVENUE (P) (NOT DEVELOPED)

15' LANDSCAPE BUFFER

APPROX. LOCATION OF EXISTING CAPPED WELL

FLOOD ZONE AE

CURRENT AE FLOOD ZONE LINE

FLOOD ZONE X

OSW3

TOP OF BANKS

PROPOSED CONTROL STRUCTURE

APPROXIMATE LOCATION ABANDONED SEABOARD AIRLINE RAILROAD RIGHT-OF-WAY. NO DOCUMENTATION REGARDING OWNERSHIP FOR THIS R/W PROVIDED.

FISHING DOCK

ZONING:
RSF-6

ZONING:
RSF-4.5

50' LANDSCAPE BUFFER

SITE DATA SUMMARY

499 SITES
30' X 50' MINIMUM LOT SIZE.

TOB = 40.74 AC

NWL = 30.61 AC

APPROXIMATE NWL FROM GOOGLE EARTH AERIAL.

APPROXIMATE NWL FROM GOOGLE EARTH AERIAL.

42' 1/2 R/W PROPOSED

33' EX. 1/2 R/W

R/W DEDICATION

OFFICE 3,824 sf

REC. HALL LAUNDRY RESTROOMS & SHOWERS 5,100 sf

MATCH LINE

APPROX. LOCATION OF EXISTING HISTORIC RESIDENCE

PROPOSED ACCESS @ EXISTING ACCESS LOCATION

FLOATING DOCK & POOL

FLOOD ZONE X

CURRENT X FLOOD ZONE LINE

ZONING:
NC-M

ZONING:
A-1

LIVE OAK (427)
± 6.94 Acres

EXISTING LAKE

(EFFORTS TO BE MADE TO PRESERVE AS MANY TREES AS POSSIBLE IN LIVE OAK AREA OUTSIDE LANDSCAPE BUFFERS DURING CONSTRUCTION STAGE)

6.13 ac

SEABOARD AIRLINE RAILROAD

ZONING:
NC-M

(UPLAND VEGETATION TO BE PRESERVED BY 25' CLOSEST TO ROADWAY. EFFORT TO BE MADE TO PRESERVE HIGHLY TREES IN EASTERNMOST PORTION OF THE BUFFER)

25' EX. 1/2 R/W

25' 1/2 R/W PROPOSED

1490.27' (D)
N 17°53'21" E

TOP OF BANKS

ZONING:
A-1

ZONING: LEGEND

- PROPERTY LINE
- CHHA
- WETLAND BUFFER
- 100 YR FLOOD ZONE (CURRENT)
- LANDSCAPE BUFFER
- LIVE OAK (427)
- WETLAND I (612)

EXISTING TREE GROUPINGS (FROM GOOGLE EARTH)

SCALE: 1" = 100'

EXISTING PLAN SOURCES

1. EXISTING BOUNDARY SURVEY PREPARED BY LEO MILLS & ASSOCIATES, INC. DATED 8/19/2011.
2. EXISTING CONTOURS PER SWFWMD CONTOUR MAP FROM ONLINE 08/09/2012.
3. PRELIMINARY WETLAND DELINEATION BY DICK SEAGLE AND ASSOCIATES PER REPORT DATED 8-18-11.
4. EXISTING TREE GROUPINGS FROM GOOGLE EARTH

HOUGH ENGINEERING, INC.
CONSULTING ENGINEERS
1771 MANATEE AVE. W. BRADENTON FLORIDA 34205
PHONE : (941) 747-4838 • FAX : (941) 747-4072

DESCRIPTION	DATE
ADD. STORMWATER CALLOUTS, NEW FEMA IMPACT AREAS, ENVIRONMENTAL AREAS 427 & 612, EAGLE'S NEST & WELL NOTE	1/07/13
UNGATED ACCESS POINTS, CHHA ACREAGE, SITE DATA, ADD PRESERVATION AREAS (MC)	2/05/13
REDUCE SITE UNITS TO 499 (MC)	7/17/13
ADD HISTORIC RESIDENCE, REDUCE UNITS TO 499. (MC)	10/28/13

REVISIONS

TASK	INITIAL SUBMITTAL
DESIGN	08/09/12
DRAWN	C.H.F.
CHECKED	
HORZ. SCALE	1" = 100'
VERT. SCALE	

PROJECT NO.
RV-R

RV PARK
GENERAL DEVELOPMENT PLAN

LOCATED IN
SECTIONS 25 & 36, TOWNSHIP 33 S. RANGE 17 E.
MANATEE COUNTY, FLORIDA

Melis M. Hough, P.E. # 38664
Certificate of Authorization #1154

DATE

SHEET NO. 2

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ZONING: A-1

ZONING: PD-RV

ZONING: PD-R

ZONING: A-1

ZONING: RSF-6

ZONING: RSF-4.5

ZONING: NC-M

ZONING: A-1

ZONING: RDD-6

ZONING: RSMH-6

ZONING: A-1

ADDITION, CONVEYED TO PAUL JONES AS PER DEED RECORDED IN OFFICIAL RECORD BOOK 80, PAGE 205.

DRY RETENTION AREA

43' EX 1/2 R/W

8' DIRT DRIVE INTO PROPERTY

PROPOSED ACCESS @ EXISTING ACCESS LOCATION

COASTAL HIGH HAZARD AREA (OUTSIDE 50' WETLAND BUFFER = 2.83 AC)

RESTROOMS, SHOWERS & LAUNDRY 4,200 sf

8 ACRES GRANDFATHERED PORV ZONING

FUTURE FEMA IMPACT LINE TO BE IN EFFECT 9-4-2013. (REDUCING FLOOD ZONE AREA WITHIN PROJECT ±13 ACRES)

OSW3

APPROX. LOCATION OF EXISTING CAPPED WELL

FLOOD ZONE AE

CURRENT AE FLOOD ZONE LINE

FLOOD ZONE X

50' LANDSCAPE BUFFER

TOP OF BANKS

PROPOSED CONTROL STRUCTURE

FILMORE AVENUE (P) (NOT DEVELOPED)

15' LANDSCAPE BUFFER

30' WIDE ROAD

RUBONIA DRIVE

PROPOSED PERMEVER SWALE

OSW2

TOP OF BANKS

1' (NOT INCLUDED BY DEED)

SEABOARD AIRLINE RAILROAD

15' LANDSCAPE BUFFER (UPLAND VEGETATION TO BE PRESERVED)

NOT INCLUDED

S. 30' (NOT INCLUDED BY DEED)

LINCOLN AVENUE (P) (NOT DEVELOPED)

15' LANDSCAPE BUFFER

FISHING DOCK

APPROXIMATE LOCATION ABANDONED SEABOARD AIRLINE RAILROAD RIGHT-OF-WAY. NO DOCUMENTATION REGARDING OWNERSHIP FOR THIS R/W PROVIDED.

TOB = 40.74 AC

NWL = 30.61 AC

APPROXIMATE NWL FROM GOOGLE EARTH AERIAL.

SCALE: 1" = 100'

SITE DATA SUMMARY

499 SITES

30' X 50' MINIMUM LOT SIZE.

EXISTING PLAN SOURCES

1. EXISTING BOUNDARY SURVEY PREPARED BY LEO MILLS & ASSOCIATES, INC. DATED 8/19/2011.
2. EXISTING CONTOURS PER SWFWMD CONTOUR MAP FROM ONLINE 08/09/2012.
3. PRELIMINARY WETLAND DELINEATION BY DICK SEAGLE AND ASSOCIATES PER REPORT DATED 8-18-11.
4. EXISTING TREE GROUPINGS FROM GOOGLE EARTH

MATCH LINE

APPROX. LOCATION OF EXISTING HISTORIC RESIDENCE

PROPOSED ACCESS @ EXISTING ACCESS LOCATION

OFFICE 3,824 sf

REC. HALL, LAUNDRY RESTROOMS & POOL 4,100 sf

TOP OF BANKS

FLOATING DOCK & POOL

FLOOD ZONE X

CURRENT X FLOOD ZONE LINE

APPROXIMATE NWL FROM GOOGLE EARTH AERIAL.

LIVE OAK (427)

± 6.94 Acres

(EFFORTS TO BE MADE TO PRESERVE AS MANY TREES AS POSSIBLE IN LIVE OAK AREA OUTSIDE LANDSCAPE BUFFERS DURING CONSTRUCTION STAGE)

EXISTING LAKE

6.13 ac

50' LANDSCAPE BUFFER (UPLAND VEGETATION TO BE PRESERVED) 25' EASTERNMOST PORTION OF THE BUFFER)

42' 1/2 R/W PROPOSED

33' EX 1/2 R/W

8' R/W DEDICATION

Bayshore Rd.

FUTURE FEMA IMPACT LINE TO BE IN EFFECT 9-4-2013.

FISHING DOCK

TOP OF BANKS

15' LANDSCAPE BUFFER UPLAND VEGETATION TO BE PRESERVED)

EX COUNTRY LAKES SALES OFFICE

PROPOSED ACCESS

EXISTING ACCESS

Palm View Rd.

17' R/W DEDICATION

42' 1/2 R/W PROPOSED

25' EX 1/2 R/W

50' LANDSCAPE BUFFER

Eagles nest MN024 approx. 2,100 feet S.E. of site. (Across US41)

LEGEND

- PROPERTY LINE
- CHHA
- WETLAND BUFFER
- 100 YR FLOOD ZONE (CURRENT)
- LANDSCAPE BUFFER
- LIVE OAK (427)
- WETLAND 1 (612)

EXISTING TREE GROUPINGS (FROM GOOGLE EARTH)

HOUGH ENGINEERING, INC.
CONSULTING ENGINEERS
1771 MANATEE AVE. W. BRADENTON FLORIDA 34205
PHONE : (941) 747-4838 • FAX : (941) 747-4072

DESCRIPTION	DATE
ADD STORMWATER CALLOUTS, NEW FEMA IMPACT AREAS, ENVIRONMENTAL ASESS 427 & 612, EAGLE'S NEST & WELL NOTE	1/07/13
LABELED ACCESS POINTS, CHHA ACREAGE, SITE DATA, ADD PRESERVATION AREAS, (MC)	2/05/13
REDUCE 572 UNITS TO 499, (MC)	10/28/13
ADD HISTORIC RESIDENCE, REDUCE UNITS TO 499, (MC)	10/28/13

TASK	INITIALS	DATE
DESIGN	M.M.H.	06/09/12
DRAWN	G.M.F.	06/09/12
CHECKED		
HORZ. SCALE	1"= 100'	
VERT. SCALE		

PROJECT NO. RV-R

RV PARK GENERAL DEVELOPMENT PLAN

LOCATED IN SECTIONS 25 & 36, TOWNSHIP 33 S. RANGE 17 E. MANATEE COUNTY, FLORIDA

Mark M. Hough, P.E. # 38664
Certificate of Authorization #7654

DATE

SHEET NO. 3

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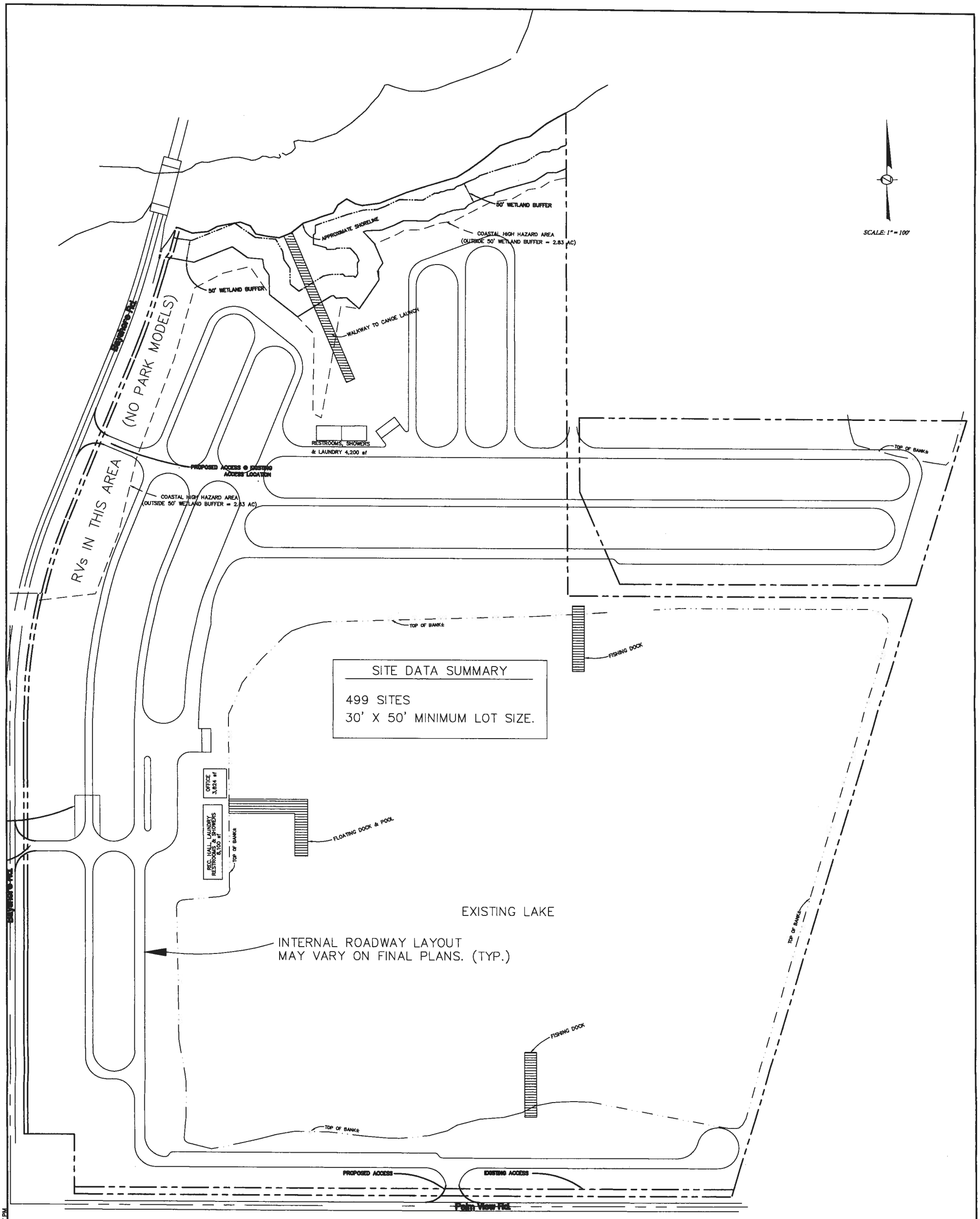

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Maria M. Hough, P.E. # 38664 DATE
Certificate of Authorization #7654

SHEET NO. 4

McMULLEN CREEK RV PARK
CONCEPTUAL LAYOUT PLAN

LOCATED IN
SECTIONS 25 & 36, TOWNSHIP 33 S. RANGE 17 E.
MANATEE COUNTY, FLORIDA

TASK	INITIALS	DATE
DESIGN	M.M.H.	01/30/13
DRAWN	G.H.F.	01/30/13
CHECKED		
QUALITY CHK.		
HORZ. SCALE: VERT. SCALE:	1"= 100'	

PROJECT NO.
RV-R

REVISIONS

DESCRIPTION	DATE
REDUCE 572 UNITS TO 500, (MC)	8/11/13

HOUGH ENGINEERING, INC.
CONSULTING ENGINEERS
1771 MANATEE AVE. W., BRADENTON FLORIDA 34205
PHONE : (941) 747-4838 • FAX : (941) 747-4072

MANATEE COUNTY GOVERNMENT
AGENDA MEMORANDUM

SUBJECT	PDR-13-24(Z)(P) – Del Tierra (dts – 20130188)	**TYPE AGENDA ITEM**	Advertised Public Hearing – Regular
DATE REQUESTED	12/12/13 PC	**DATE SUBMITTED/REVISED**	12/02/13
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
CONTACT PERSON TELEPHONE/EXTENSION	Stephanie Moreland, Principal Planner 941-748-4501, ext. 3880	**PRESENTER/TITLE TELEPHONE/EXTENSION**	Stephanie Moreland, Principal Planner 941-748-4501, ext. 3880
ADMINISTRATIVE APPROVAL			

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

I move to recommend approval of PDR-13-24(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

- Ms. Rachel Layton, Director of Planning , ZNS Engineering, L.C., (agent), requests approval of a Rezone and approval of a Preliminary Site Plan for 610 lots for single-family detached residences. The site has approximately 233.25 acres (vacant) and 750 feet of frontage on the west side of Rye Road, south of Upper Manatee River Road.
- The site is in the UF-3 (Urban Fringe-three dwelling units per acre) Future Land Use Category (FLUC). Special Approval is required because the proposed gross density exceeds one dwelling unit per acre (2.62) and the project is adjacent to a perennial stream. Planned development is the process necessary to achieve Special Approval.
- 4.80 acres are proposed for recreational acreage. Recreational amenities are proposed to include one or more of the following; a recreation center with a pool and fitness center, outdoor seating, a tot lot, and passive recreation open space and trails.
- The site has 16.15± acres of wetlands. 7.37± acres of wetlands will be impacted. The proposed 7.37± acres of wetland impacts are to highly degraded remnant wetlands.
- The site is within one mile of Gene Witt Elementary School. The site plan shows sidewalks on the west side of Rye Road, adjacent to the property's frontage, and on both sides of the internal roadways within the proposed subdivision.
- LDC Section 712.2.8 requires a second means of access for residential development or parts of phases containing more than one hundred residential dwelling units. The project's main access is designed to have a boulevard entrance connecting Rye Road, extending to the limits of Phase One. A two-lane road connects the boulevard road and extends to the north and west property lines.
- During the review period, the applicant initially proposed private internal roadways with a gated access at Rye Road, an emergency access inter-neighborhood tie connecting Country Meadows to the west, two future inter-neighborhood ties connecting the vacant property to the north, and a temporary emergency access along Rye Road.
- Staff raised concerns that private streets did not encourage connectivity and reciprocal access of adjacent and future developments. LDC Section 740.2.6.7, states that "private streets shall not be used for inter-neighborhood ties". LDC Section 740.2.6.19 states further; "where inter-neighborhood ties are needed by Manatee County, private streets shall not be allowed". Staff also raised concerns that the boulevard access provided only two means of access for the 147 lots proposed in Phase One.
- The applicant considered staff's concerns, and revised the plans to show the proposed internal roadways as public streets with an inter-neighborhood tie connecting a public road in Country Meadows to the west, a connection anticipated when Country Meadows was approved in 2001.
- In addition to the inter-neighborhood tie at Country Meadows, the design shows two additional inter-neighborhood ties to the north and a temporary emergency access (to be removed with construction of Phase two) along Rye Road. Staff believes public roadways extending through the project from Rye Road to the northern property boundaries provide connectivity of potential future development of the northern property (400± acres - which has potential for 1,200± homes under UF-3 FLUC and PDR zoning).

- Staff has the following concerns:

  1. Staff's recommendation for public roads and a connection to an existing inter-neighborhood tie stub out to the west, may cause a small volume (7%) of traffic to utilize public roads in Country Meadows Subdivision. At the neighborhood meeting held on August 15, 2013, the residents strongly objected to the utilization of the existing inter-neighborhood tie to the west. However, staff believes this connection would allow traffic from the proposed development to disperse to Upper Manatee River Road, relieving some potential traffic volume on Rye Road, as well as, provide connectivity and a second means of access for the 610 lots proposed. If the inter-neighborhood tie is eliminated, staff believes the proposed number of lots (610) for this subdivision will have limited access to a single point along a thoroughfare roadway creating a choke point and funneling of ingress and egress traffic from the subdivision.

  2. The design shows a considerable amount of homes will front on the two-lane roadway connecting the boulevard road. Residents will be required to back onto a main local street. To provide safety for residences, reverse frontage lots (as shown in Phase One) are encouraged along with the extension of the boulevard road. The applicant proposes four-way stop intersections for traffic calming which will control speeds along Road "A".

  3. Staff has a concern that future residents residing on lots adjacent to Rye Road may be subject to potential noise from vehicles traveling along this roadway.

     To address any potential noise impacts from Rye Road, the design shows a 20-foot wide landscaped roadway buffer on the Preliminary Site Plan with a wall or fence in the buffer along Rye Road. Additionally, staff recommends the installation of a six-foot high solid decorative wall or fence and landscaping on the exterior side of the fence.

- Staff recommended and supports the applicant's requests for Specific Approval to reduce tree replacement sizes and for the allowance of one canopy tree to be planted per lot per frontage. Public Safety staff and the Fire Department are not in support of cul-de-sacs exceeding 800 feet. Staff recommends Road 'F' be extended northward to connect Road 'A'.

- In summary, the proposal provides for integration, and compatibility with surrounding land uses and eliminates the creation of an isolated neighborhood, as well as, provides reciprocal access of existing adjacent developments.

- The proposal to provide inter-neighborhood ties furthers the intent of the Manatee County Comprehensive Plan, Policy 2.9.1 (Strong Communities) because it encourages connectivity and vehicular access between neighborhoods.

- The design meets the intent of LDC Section 907.9.1.3, which requires local streets to be extended to the property limits of the subdivision to allow for the logical future extension of the streets into adjacent undeveloped land and to new and existing adjacent developments to complete the inter-neighborhood road system ties.

- Staff also believes the proposal for public streets furthers the objectives of Policies 2.9.1(*Strong Communities*), 2.9.1.1 (*minimization of isolated neighborhoods*), 2.9.1.2 (*community connection and integration*) and 2.9.1.3 (*vehicular access between neighborhoods*) of the Manatee Comprehensive Plan.

- Staff recommends approval with the recommended stipulations.

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

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

AERIAL

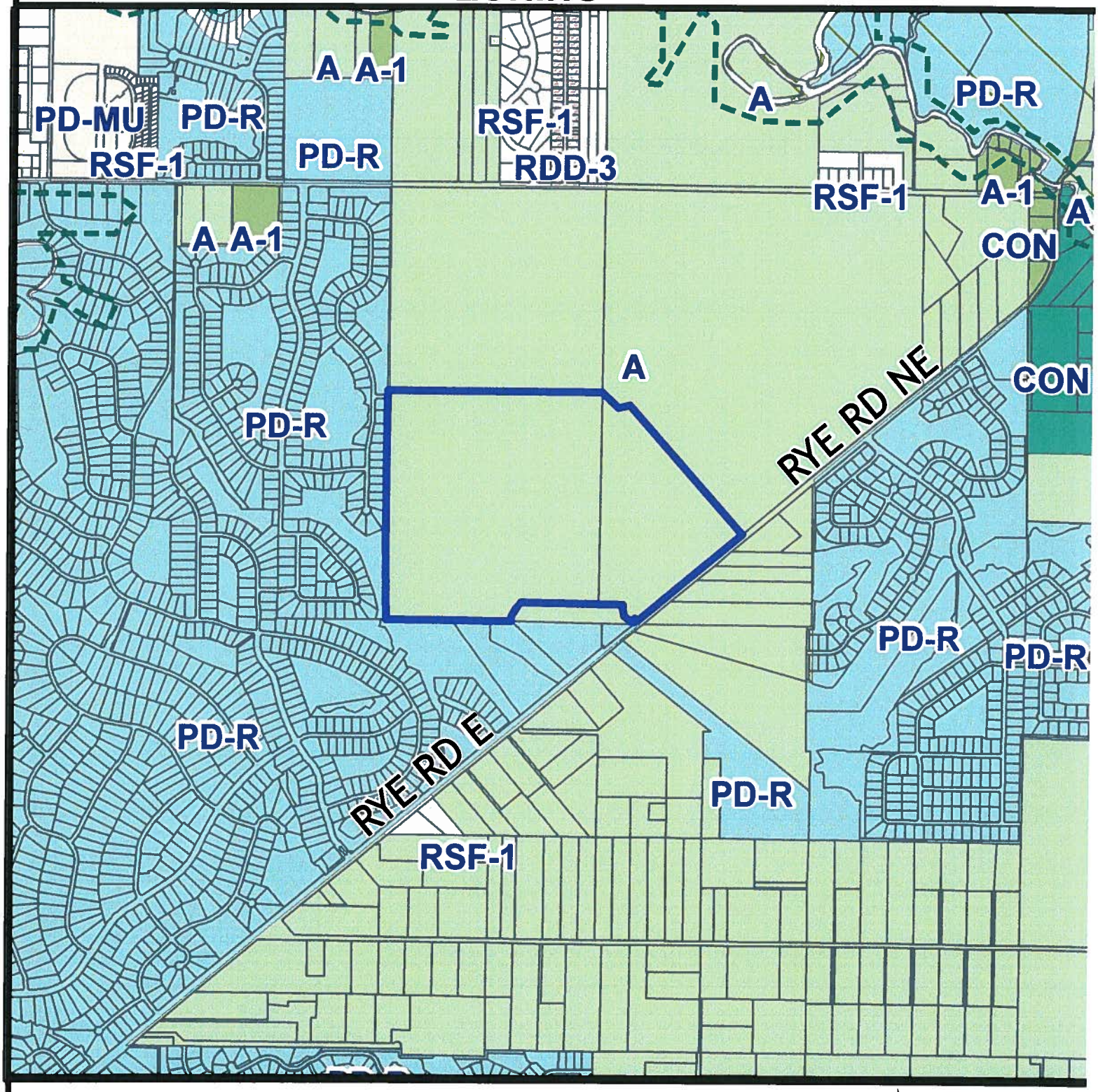
Parcel ID #(s) 556200059 (part of) ,556700059 (part of)

Manatee County
Staff Report Map

Map Prepared 8/13/2013
1 inch = 1,667 feet

Project Name:	Del Tierra Subdivision
Project #:	PDR-13-24 (Z)(P)
DTS#:	20130188
Proposed Use:	Residential
S/T/R:	Sec 22,23 Twn 34 Rng 19
Acreage:	233.25
Existing Zoning:	A
Existing FLU:	UF-3
Overlays:	NONE
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	MILL CREEK,MANATEE RIVER BL DAM
Commissioner:	Larry Bustle

ZONING



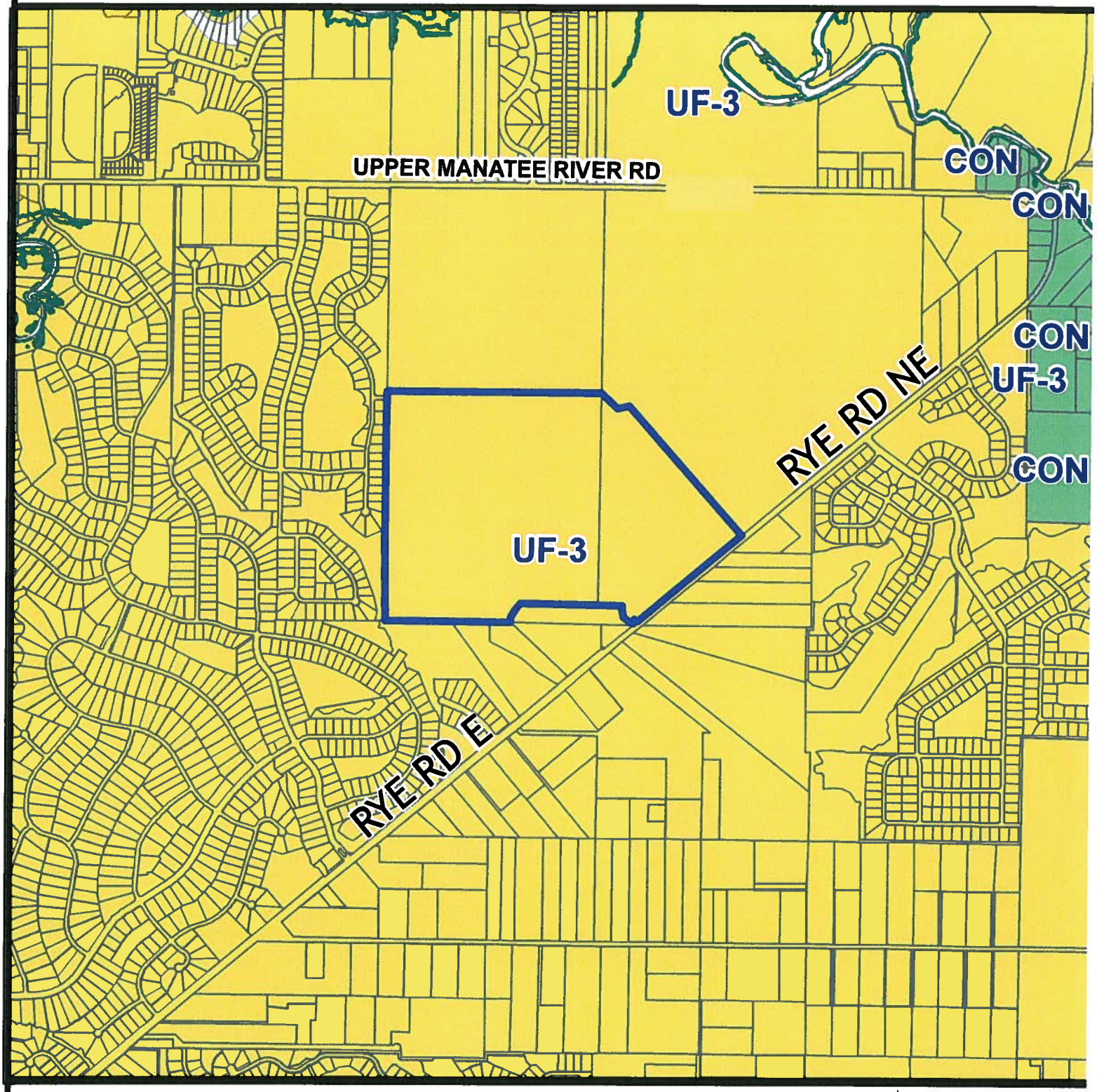
Parcel ID #(s) 556200059 (part of) ,556700059 (part of)

Manatee County
Staff Report Map

Map Prepared 8/13/2013
1 inch = 1,667 feet

Project Name:	Del Tierra Subdivision
Project #:	PDR-13-24 (Z)(P)
DTS#:	20130188
Proposed Use:	Residential
S/T/R:	Sec 22,23 Twn 34 Rng 19
Acreage:	233.25
Existing Zoning:	A
Existing FLU:	UF-3
Overlays:	NONE
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	MILL CREEK,MANATEE RIVER BL DAM
Commissioner:	Larry Bustle

FUTURE LAND USE



Parcel ID #(s) 556200059 (part of) ,556700059 (part of)

Manatee County
Staff Report Map

Map Prepared 8/13/2013
1 inch = 1,667 feet

Project Name:	Del Tierra Subdivision
Project #:	PDR-13-24 (Z)(P)
DTS#:	20130188
Proposed Use:	Residential
S/T/R:	Sec 22,23 Twn 34 Rng 19
Acreage:	233.25
Existing Zoning:	A
Existing FLU:	UF-3
Overlays:	NONE
Special Areas:	NONE
CHH:	NONE
Watershed:	NONE
Drainage Basin:	MILL CREEK,MANATEE RIVER BL DAM
Commissioner:	Larry Bustle

P.C. 12/12/13

PDR-13-24(Z)(P) – Lawrence Reagan, Esther R. Ferguson Real Estate Trust and Residual Trust under Will of Estelle L. Reagan Rezone/Del Tierra Subdivision (f.k.a. Reagan Ranch)
(DTS #20130188; Buzzsaw #00000209)

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 233.25 acres on the west side of Rye Road, south of Upper Manatee River Road, Bradenton from A (General Agriculture – One dwelling unit per five acres) to PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 610 lots for single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 12/12/13 **B.O.C.C.: 01/09/14**

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-13-24(Z)(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1-A.7, B.1-B.2, C.1-C.5; GRANTING Special Approval for a project exceeding one dwelling unit per acre in the UF-3 Future Land Use Category; and 2) adjacent to a perennial stream; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for alternative(s) to LDC Section(s) 714.8.7, and 715.3.4 and DENIAL of LDC Section 907.9.4.2, as recommended by staff.

PROJECT SUMMARY	
CASE#	**PDR-13-24(Z)(P) - DTS #20130188**
PROJECT NAME	**Del Tierra (f.k.a. Reagan Ranch)**
APPLICANT(S):	**Lawrence Reagan, Esther R. Ferguson Real Estate Trust and Residual Trust under Will of Estelle L. Reagan**
PROPOSED ZONING:	**PDR (Planned Development Residential)**
EXISTING ZONING:	**A (General Agriculture – One dwelling unit per five acres)**
PROPOSED USE(S):	**Single-Family Detached Residences**
CASE MANAGER:	**Stephanie Moreland**
STAFF RECOMMENDATION:	**APPROVAL WITH STIPULATIONS**

DETAILED DISCUSSION

The vacant 233.25± acre site has approximately 750± feet of frontage along Rye Road.

The site is in the UF-3 (Urban Fringe- three dwelling units per acre) Future Land Use Category (FLUC). This FLUC allows consideration of suburban or urban planned residential development with integrated residential support uses in its range of potential uses. Special Approval is required because the proposed gross density of 2.62 dwelling units per acre exceeds the Special Approval threshold (one dwelling unit per acre) in the UF-3 FLUC.

Special Approval is also required for a project adjacent to a perennial stream. Planned development is the process necessary to achieve Special Approval. PDR zoning provides greater flexibility for the project when establishing appropriate buffers and setbacks to help mitigate potential adverse impacts on the surrounding residential and agricultural neighborhood.

4.80± acres are proposed for recreational acreage. Recreational amenities are proposed to include one or more of the following; a recreation center with a pool and fitness center, outdoor seating, a tot lot, and passive recreation open space and trails.

The site has 16.15± acres of wetlands. 7.37± acres of wetlands will be impacted. The

proposed 7.37 acres of wetland impacts are to highly degraded remnant wetlands.

The site is within one mile of Gene Witt Elementary School. In accordance with LDC Section 722.1.4.3, which requires sidewalks to be on both sides of the street when a project is within two miles of a school, the site plan shows five-foot wide sidewalks on both sides of the internal roadways and along the west side of Rye Road, adjacent to the property's frontage. This design furthers the intent of Manatee County Comprehensive Plan Policy 2.9.1.5 and promotes development of pedestrian friendly designs.

LDC Section 712.2.8, requires a second means of access for residential developments or parts of phases containing more than one hundred residential dwelling units. The four-phased development includes 610 lots for single-family detached residences. The project's main access is designed to have a boulevard entrance connecting Rye Road, extending to the limits of Phase One. A two-lane road connects the boulevard road and extends to the north and west property lines.

During the review period, the applicant initially proposed private internal roadways with a gated access at Rye Road, an emergency access inter-neighborhood tie connecting Country Meadows to the west, two future inter-neighborhood ties connecting the vacant property to the north, and a temporary emergency access along Rye Road.

Staff raised concerns that private streets did not encourage connectivity and reciprocal access of adjacent and future developments. LDC Section 740.2.6.7, states that "private streets shall not be used for inter-neighborhood ties". LDC Section 740.2.6.19 states further; "where inter-neighborhood ties are needed by Manatee County, private streets shall not be allowed". Staff also raised concerns that the boulevard access provided only two means of access for the 147 lots proposed in Phase One.

The applicant considered staff's concerns, and revised the plans to show the proposed internal roadways as public streets with an inter-neighborhood tie connecting a public road in Country Meadows to the west, a connection anticipated when Country Meadows was approved in 2001.

In addition to the inter-neighborhood tie at Country Meadows, the design shows two additional inter-neighborhood ties to the north and a temporary emergency access (to be removed with construction of Phase two) along Rye Road. Staff believes public roadways extending through the project from Rye Road to the northern property boundaries provide connectivity of potential future development of the northern property (400± acres - which has potential for 1,200± homes under UF-3 FLUC and PDR zoning).

Staff has the following concerns:

1. Staff's recommendation for public roads and a connection to an existing inter-neighborhood tie stub out to the west, may cause a small volume (7%) of traffic to utilize public roads in Country Meadows Subdivision. At the neighborhood meeting held on August 15, 2013, the residents strongly objected to the utilization of the

existing inter-neighborhood tie to the west. However, staff believes this connection would allow traffic from the proposed development to disperse to Upper Manatee River Road, relieving some potential traffic volume on Rye Road, as well as, provide connectivity and a second means of access for the 610 lots proposed. If the inter-neighborhood tie is eliminated, staff believes the proposed number of lots (610) for this subdivision will have limited access to a single point along a thoroughfare roadway creating a choke point and funneling of ingress and egress traffic from the subdivision.

2. The design shows a considerable amount of homes will front on the two-lane roadway connecting the boulevard road. Residents will be required to back onto a main local street. To provide safety for residences, reverse frontage lots (as shown in Phase One) are encouraged along with the extension of the boulevard road. The applicant proposes four-way stop intersections for traffic calming which will control speeds along Road "A".

3. Staff has a concern that future residents residing on lots adjacent to Rye Road may be subject to potential noise from vehicles traveling along this roadway.

   To address any potential noise impacts from Rye Road, the design shows a 20-foot wide landscaped roadway buffer on the Preliminary Site Plan with a wall or fence in the buffer along Rye Road. Additionally, staff recommends the installation of a six-foot high solid decorative wall or fence and landscaping on the exterior side of the fence.

Staff recommended and supports the applicant's requests for Specific Approval to reduce tree replacement sizes and for the allowance of one canopy tree to be planted per lot per frontage. Public Safety staff and the Fire Department are not in support of cul-de-sacs exceeding 800 feet. Staff recommends Road 'F' be extended northward to connect Road 'A'.

In summary, the proposal provides for integration, and compatibility with surrounding land uses and eliminates the creation of an isolated neighborhood, as well as, provides reciprocal access of existing adjacent developments.

The proposal to provide inter-neighborhood ties furthers the intent of the Manatee County Comprehensive Plan, Policy 2.9.1 (Strong Communities) because it encourages connectivity and vehicular access between neighborhoods.

The design meets the intent of LDC Section 907.9.1.3, which requires local streets to be extended to the property limits of the subdivision to allow for the logical future extension of the streets into adjacent undeveloped land and to new and existing adjacent developments to complete the inter-neighborhood road system ties.

Staff also believes the proposal for public streets furthers the objectives of Policies 2.9.1(*Strong Communities*), 2.9.1.1 (*minimization of isolated neighborhoods*), 2.9.1.2 (*community connection and integration*) and 2.9.1.3 (*vehicular access between neighborhoods*) of the Manatee Comprehensive Plan.

Staff recommends approval with the recommended stipulations.	
SITE CHARACTERISTICS AND SURROUNDING AREA	
GENERAL LOCATION:	**South of Upper Manatee River Road, west side of Rye Road**
ACREAGE:	**233.25± acres**
EXISTING USE(S):	**Vacant**
FUTURE LAND USE CATEGORY(S):	**UF-3 (Urban Fringe, 3 dwelling units per acre)**
DENSITY:	**2.62 gross – 2.97 net**
SPECIAL APPROVAL(S):	**1. Project exceeding one dwelling unit per acre in UF-3 FLUC 2. Project adjacent to a perennial stream**
OVERLAY DISTRICT(S):	**None**
SPECIFIC APPROVAL(S):	**1. Reduce replacement tree sizes 2. Cul de sac exceeding 800 feet. 3. To allow for one canopy tree to be planted per lot per frontage.**
SURROUNDING USES & ZONING	
NORTH	**Vacant land zoned A (General Agriculture)**
SOUTH and SOUTHWEST	**Fire Station and Gene Witt Elementary School zoned PDR.**
EAST	**Across Rye Road is recently approved Rye Road Subdivision and Rye Wilderness Estates zoned PDR and vacant land zoned A**
WEST	**Residential Subdivision (Country Meadows) zoned PDR.**
SITE DESIGN DETAILS	
LOT SIZE(S):	**Minimum - 50'x120' = 6,000 sq. ft. 60'x125' = 7,500 sq. ft.**
MINIMUM SETBACKS:	**Front: 23'* Sides: 5'/10'** Rear: 12' Waterfront: 30' *25' separation required between garage and edge of sidewalks**

	****10' for lots with drainage easements**
OPEN SPACE REQUIRED:	**25% - 58.31± acres**
OPEN SPACE PROVIDED:	**37% - 88.18± acres**
RECREATIONAL AMENITIES:	**Amenities may include but shall not be limited to the following: recreation center with pool & fitness center, outdoor seating, tot lot and passive recreation space.**
RECREATIONAL ACREAGE:	**4.80± acres**
ACCESS:	• **Boulevard access at Rye Road.** • **Temporary emergency access to be constructed with Phase One.** • **Three inter-neighborhood ties proposed:** - **One inter-neighborhood tie to Country Meadows.** - **Two additional inter-neighborhood ties are proposed to vacant property to the north and northeast.**
FLOOD ZONE(S)	**X – F.I.R.M. Panel 1201530220 C (Dated, 7/15/92). Per Stormwater, project is outside of the 100-year pursuant to existing FIRM Maps; Project is partially in the 100-year floodplain according to preliminary DFIRM Maps.**
AREA OF KNOWN FLOODING	**No**
UTILITY CONNECTIONS	**County Water and Sewer**

ENVIRONMENTAL INFORMATION	
Overall Wetland Acreage:	**16.15± acres**
Proposed Impact Acreage:	**7.37± acres**

Wetland I.D.	Acres Impacted	Type	Quality	EPD Objection	Explanation
D	0.33	Herbaceous	Low (0.27)	No	Non viable
G	4.75	Herbaceous	Low (0.33)	No	Overriding Public Benefit , Ecosystem Management Plan
I	1.92	Herbaceous	Low (0.33)	No	Overriding Public Benefit, Ecosystem Management Plan
J	0.20	Herbaceous	Low (0.33)	No	Non viable
K	0.17	Herbaceous	Low (0.33)	No	Non viable

The proposed 7.37 acres of wetland impacts are to highly degraded remnant wetlands. Historic ditching, excavation, filling, and cattle grazing within these wetlands have resulted in severely altered hydroperiods and encroachment of upland grasses and nuisance vegetation. Wetlands D, J, and K are all considered non-viable wetlands in accordance with LDC Section 719.5.1 because they are less than 0.5 acres in size and have a UMAM score of less than 0.4. Wetlands G and I are proposed for impact as part of an Ecosystems Management Plan consistent with LDC Section 719.5.3.

Ecosystems Management Plan

The LDC defines an Ecosystems Management Plan as a plan for significant, cumulative improvement to the ecological function of the drainage basin in which wetlands are proposed to be impacted by development. The Ecosystems Management Plan shall demonstrate no net loss of wetland quality and function.

To mitigate impacts, a combination of restoration, creation, enhancement, and upland preservation may be considered depending on the size, type, function, viability, and historic status of the wetlands proposed to be altered.

The applicant is proposing to preserve a total of 15.4 acres of forested Pine/Oak habitat. Upland habitats to be preserved are dominated by a mix of slash pine and live oak canopy with an understory containing saw palmetto, cabbage palm, wild coffee, and beautyberry. The preservation of approximately 13.5 acres of native upland habitat along an unnamed

tributary to Mill Creek is significant in that it provides a corridor for wildlife movement by connecting to existing offsite conservation easements. The additional 1.5 acres of upland habitat is located adjacent to Wetland P in the northern portion of the site. This preservation area provides upland support to this isolated wetland and is in addition to the required minimum 30' wetland buffer.

The applicant is also proposing enhancement of the remaining on-site wetlands in addition to the 15.4 acres of upland preservation as a part of the Ecosystems Management Plan. Enhancement will include removal of nuisance/exotic vegetation and replanting of native species where appropriate. Hydrologic restoration may also be conducted where appropriate, however final determination will be made based on stormwater/flood studies along with guidance from the Southwest Florida Water Management District.

Additionally, all wetland and upland areas to be preserved and enhanced will be maintained in perpetuity through dedication of a Conservation Easement to Manatee County and the implementation of the proposed Ecosystem Management Plan, which will include the removal of nuisance/exotic plant species, as identified by the Florida Exotic Pest Plant Council's List of Invasive Plant Species as Category I or Category II nuisance exotic plants, that currently exist or become re-established for the life of the project.

Mitigation

Wetland Mitigation will likely be required by the Southwest Florida Water Management District and therefore will be determined through the issuance of an Environmental Resource Permit by the State in accordance with LDC Section 719.6.1. A combination of wetland enhancement and upland preservation is currently proposed as mitigation for the proposed wetland impacts. Any wetland impacts that do not require mitigation by the State will be mitigated in accordance with the County standards outlined in LDC Section 719.6.2.

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

Threatened and Endangered Species

The subject parcel has been surveyed for the presence of listed species in accordance with the Florida Fish and Wildlife Conservation Commission standards. No impacts to listed species are anticipated as a result of the proposed project. Staff is recommending a stipulation that requires an updated study, consistent with Policy 3.3.2.3 1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to the first Final Site Plan approval.

NEARBY DEVELOPMENT

RESIDENTIAL				
PROJECT	**LOTS / UNITS**	**DENSITY**	**LOT SIZE**	**YEAR APPROVED**
Country Meadows	247	0.96	15,200 sq. ft.	2001
Country Creek Ph 3	82	1.13	18,600 sq. ft.	2000
Rye Wilderness Estates	298	0.87	21,780 sq. ft.	2004
Wilderness Crossing	68	1.82	14,000 sq. ft.	2011
Winding River	97	0.88	16,000 sq. ft.	2000
Rye Road Subdivision	152	2.6	6,325 sq. ft.	2012
Mill Creek (Phase 1-VII)	745	0.87	18,000 sq. ft.	1985-2002
Greyhawk Landing	789	1.22	7,500 sq. ft.	2001
Greyhawk Landing West	501	1.60	7,200 sq. ft.	2005

POSITIVE ASPECTS

- **The proposed amendment is the logical expansion of adjacent zoning districts to the west and across Rye Road.**
- **The surrounding area is transitioning from agricultural uses to single-family residential developments.**
- **The proposed inter-neighborhood ties encourage connectivity and reciprocal access of adjacent and future developments.**
- **Growth is occurring from west to east consistent with availability of services.**
- **Timing appears to be consistent with development trends in the area.**

NEGATIVE ASPECTS

- **The project is adjacent to the A zoning district which permits agricultural uses that may be incompatible with single-family development.**
- **Proposed lots are significantly smaller than allowed in the adjacent agricultural properties in the A zoning district and smaller than Country Meadows to the west.**

- **Future residents (residing on lots adjacent to Rye Road) may be subject to potential noise from vehicles traveling along this segment of Rye Road.**

MITIGATING MEASURES

- **Staff recommends the Notice to Buyers include language informing prospective buyers of the presence of adjacent agricultural operations.**
- **35-foot wide perimeter buffers are proposed and larger lot sizes along the west perimeter of the project.**
- **Staff recommends the installation of a six-foot high decorative wall or fence along Rye Road.**

STAFF RECOMMENDED STIPULATIONS

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

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

    a) The presence of neighboring agricultural uses, which may possibly include pesticides and herbicides and may have odors and noises associated with such uses.
    b) Permitted access through the inter-neighborhood connection to the west and future connections to the north.

2. Prior to Final Plat approval for Phase one, a six foot high decorative opaque wall or fence shall be installed along the interior edge of the roadway buffers along Rye Road adjacent to residential lots having reverse frontages. Landscaping shall be installed on the exterior sides of the fence.

3. Walls or fences within the roadway or perimeter buffers shall be measured from the finished grade of the adjacent roadway or lot (exclusive of any swales), whichever elevation is greater. This requirement shall be verified with a cross-section detail on the Final Site Plan.

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

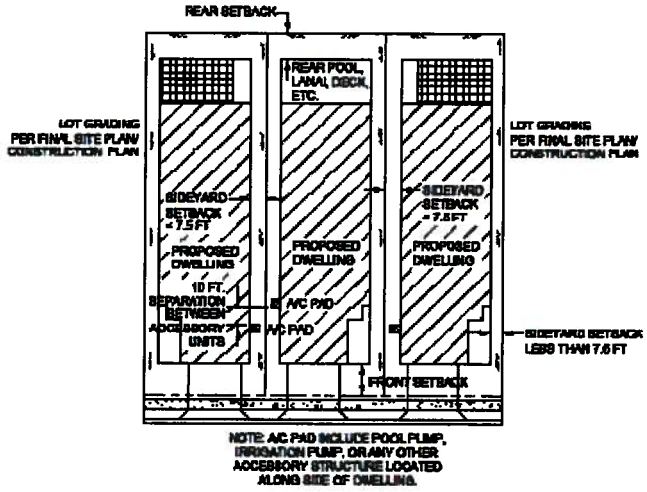
5. All roads shall be public and shall not be gated, including inter-neighborhood ties.

6. The southern part of Phase three shall be revised to extend "Road F" northward to connect "Road A". The affected lots in phase three shall be reconfigured to accommodate the road extension. The revision shall be reviewed and approved administratively with the Final Site Plan.

7. Adequate traffic calming measures shall be provided along the two-lane segment of Road 'A'. The traffic calming measures shall be indicated and reviewed with the Final Site Plan.

B. STORMWATER CONDITIONS:

1. A ten-foot separation shall be provided between accessory structures along the side lot line of any dwelling with side yard setback less than 7.5 feet.



2. The applicant shall obtain all state and federal permits for roadway improvements associated with this project along Rye Road.

C. ENVIRONMENTAL CONDITIONS:

1. All wetlands proposed to remain shall have nuisance exotic/vegetation removed and shall be re-vegetated with appropriate native wetland vegetation. Details shall be included in an Ecosystems Management Plan. The Ecosystems Management Plan shall be submitted for review and approval at the time of Final Site Plan. The Ecosystems Management Plan shall, at minimum include the following information:

    a. Nuisance/Exotic Vegetation Removal Plan should describe the target species and methodology for initial removal and those that become reestablished in the upland portions of the site, including upland preservation areas. This plan should also include a long term Maintenance Plan that includes monitoring and

removal frequency and methodology.

b. Wetland Enhancement Plan should include details for nuisance/exotic vegetation removal, any grading that may be necessary to restore hydrology and the species, spacing and location for all new plantings. This plan should also include a Monitoring /Maintenance Plan that will detail the steps to be taken to ensure success. Please note that Mitigation Security may be required pursuant to LDC Section 719.6.7.

c. An integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides, and herbicides shall be submitted for review and approval prior to Final Site Plan approval.

d. The Ecosystems Management Plan should also identify any passive recreation uses that will be allowed within the boundaries of preserve areas. Any proposed uses should be located in areas where minimal vegetation will be impacted and constructed in a manner that maintains the conservation values of the area. Maintenance guidelines for passive recreation uses should be included in the plan.

The copy of the approved Ecosystems Management Plan shall be included in the HOA documents.

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

3. The developer shall provide an updated study, consistent with Policy 3.3.2.3 1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to the first Final Site Plan approval. A Management Plan, approved by the appropriate State or Federal agency, for any listed species found on-site shall be provided to the County prior to commencement of construction activities.

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

5. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the County. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. The tree protection barricades shall consist of chain link fence (new or used) with a minimum 5' height, unless otherwise approved by the County.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED				
None.				
COMPLIANCE WITH LDC				
Standard(s) Required	**Design Proposal**	**Compliance**		**Comments**
		Y	**N**	
BUFFERS				
20' roadway buffer along Rye Road	20'	Y		Shown
15' perimeter buffer	35'			(exceeds minimum)
35' perimeter next to active agricultural	35'	Y		Shown
Buffer landscaping	Shown			To be in accordance with LDC
SIDEWALKS				
5' internal sidewalks	5'	Y		Shown
5' sidewalk, exterior	5'	Y		Shown
ROADS & RIGHTS-OF-WAY				
50' internal rights-of-way	Shown	Y		Streets to be public
24' paved roadways	Shown	Y		Shown
Inter-neighborhood Ties	three connections			Shown

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 has approximately 750± feet of frontage along the west side of Rye Road. There are wetlands on-site.

Public Utilities, Facilities and Services:

The site will be served by County water and sewer. There is a 10" potable water main along the east side of Rye Road and 30" line for reclaimed water. There is a 6" sanitary force main running along the west side of Rye Road

Schools servicing the site are Gene Witt Elementary, Carlos E. Haile Middle School and Lakewood Ranch High School. According to information received from the School Board, there is sufficient capacity to support the proposed request.

Adjacent Property

The site is surrounded by large agricultural properties consisting of five acres or more to the north. Gene Witt Elementary School is to the south. Rye Wilderness and Rye Road subdivisions are to the east, across Rye Road. Country Meadows Subdivision is to the west.

Compatibility:

The site is in an area which has a mix of agriculture and residential zoned properties. This area of the county has grown considerably in the last two decades. North of the site is a single-family residence and vacant pasture land zoned 'A'. Single-family residences are to the south and west and across Rye Road to the northeast. Given this area of the county is developing mostly with residential single-family developments, the site is considered compatible for residential developments.

Proposed minimum lot sizes (6,000 square feet and 7,500 square feet) are significantly smaller than allowed in the adjacent agricultural properties in the A zoning district which has a minimum lot size of five acres. Country Meadows, to the west, has a minimum lot size of 15,200 square feet. The design shows proposed lot sizes adjacent to Country Meadows ranging from 7,103 square feet to 13,216 square feet. A minimum lot size of 6,325 square feet was approved for Rye Road Subdivision, to the east, across Rye Road.

Transitions:

The rezone of the site is a logical expansion of planned development to the west. Development in this area is typically growing from the west to the east, consistent with the availability of services. The nature, extent, location of development, and availability of services ensure the transitioning of these lands is conducted consistent with the intent of the UF-3 FLUC in Manatee Comprehensive Plan Policy 2.2.1.11.1.

Major land uses and conditions have changed since the zoning was established. The site has been zoned A since the adoption of the 1990 Land Development Code. Growth is occurring in the area at a low to moderate density. Some surrounding developments include: Rye Road Subdivision (recently approved - not yet constructed), Rye Wilderness Estates to the east, across Rye Road, and Country Meadows on the west side of Rye Road. Development trends appear to be moving towards smaller lots in planned residential developments.

Density:

The gross densities of approved surrounding developments range from 0.87 dwelling units per acre to 2.6 dwelling units per acre. Although, a gross density of 2.62 dwelling units per acre is above the special approval threshold (one dwelling unit per acre) in UF-3 FLUC, the proposed density is comparable to the density of the recently approved Rye Road Subdivision to the east. The trend for smaller lots has potential to trigger a higher density.

Design Quality:

The four phased development includes 610 lots for single-family detached residences.

Phasing table		
Phase	Start Date	Number of lots = 610
Phase One	2014	147
Phase Two	2015	145
Phase Three	2016	153
Phase Four	2017	165

The project proposes public internal roads and a boulevard entrance connecting Rye Road with three inter-neighborhood ties at various locations in the subdivision. The design shows a temporary emergency access to be constructed with Phase One and removed when the inter-neighborhood tie is constructed and connects Country Meadows to the west.

4.8± acres are proposed for recreational acreage. Recreational amenities may include but shall not be limited to a recreation center with a pool and fitness center, outdoor seating, a tot lot, and passive recreation space.

Yards and Setbacks:

The following chart indicates minimum proposed setbacks for the project:

Use/Type	Front	Side	Rear
Single-family detached	23'/20*	5'/10**	15'/12'***
Wetland buffer	15'		
Waterfront	30'		

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

** Ten feet required if side yard has a ten foot wide drainage easement.
*** 12' setback for smaller lots (50'x120')

Height:

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

Trash and Utility Plant Screens:

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

Streets, Drives, Parking and Service Areas:

The project is designed to have public internal roadways and a boulevard entrance connecting Rye Road. The boulevard extends to the limits of Phase One. A two-lane road connects the boulevard road and extends to the north and west property lines. The boulevard alternative, serving as two means of access, is permitted by the Land Development Code but is the least favorable for two means of access. However, the inter-neighborhood tie to 5th Avenue Northeast (a public road), in Country Meadows satisfies the required two means of access. In addition, a temporary emergency access is provided in Phase One from Rye Road through Lot 34.

Pedestrian Systems:

The site is within one mile of Gene Witt Elementary School. In accordance with LDC Section 722.1.4.3 which requires sidewalks to be on both sides of the street when a project is within two miles of a school, the site plan shows 5' wide sidewalks on both sides of the internal roadways and along the west side of Rye Road, adjacent to the property's frontage. This design furthers the intent of Manatee Comprehensive Plan Policy 2.9.1.5 and promotes development of pedestrian friendly designs.

Natural and Historic Features, Conservation and Preservation Areas:

The site has 16.15± acres of wetlands including 30-foot wide wetland buffers. 7.37± acres of wetlands will be impacted. The proposed 7.37 acres of wetland impacts are to highly degraded remnant wetlands. There are no known historic or archaeological resources on the site. 15.40± acres of upland preservation will be provided.

Fences and Screening:

The design shows a fence or wall will be installed in the 20-foot wide roadway buffer along Rye Road. 35-foot wide perimeter buffers will be installed along the perimeters of the subdivision.

Landscaping:

The Preliminary Site Plan indicates 20-foot wide roadway buffers adjacent to Rye Road, and 35-foot wide perimeter buffers. Landscaping is to be installed in accordance with LDC Sections 603.7.4.5, 714 and 715.

Open Space:

25% or 58.31± acres of open space is required. The site plan indicates 37% or 88.18± acres of open space will be provided.

Signs:

All signs will be reviewed at the building permit stage.

COMPLIANCE WITH COMPREHENSIVE PLAN

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

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

Policy 2.2.1.11.1 Intent. The site is intended for a low-density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. The proposed gross density of 2.62 exceeds the Special Approval threshold (one dwelling unit per acre) in the UF-3 FLUC.

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

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

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

TRANSPORTATION

Major Transportation Facilities

The site is adjacent to Rye Road, which is an existing two-lane arterial roadway and is designated as a six-lane arterial roadway in the adopted Future Traffic Circulation Maps.

Transportation Concurrency

Transportation concurrency compliance was evaluated for the project.. The Applicant prepared a Traffic Impact Analysis (TIA) to determine impacts on Rye Road and SR 64 near the project site. The results of the traffic study, which Transportation Planning staff reviewed, indicated there was no level of service deficiencies on roadway segments within the impact area.

The Rye Road at State Road 64 intersection is within the impact area. While there are no deficiencies attributable to impacts of the proposed development at this intersection, it is

expected to operate at level of service "F" due to impacts of existing and previously approved development. Under the transportation concurrency provisions of the State Community Planning Act, new proposed development cannot be required to mitigate adverse impacts of background traffic. Therefore, no off-site concurrency-related improvements are 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 only one driveway onto Rye Road. This access point is expected to provide full turning movement access.

The results of the access review indicated that several site-related improvements will be required for the project. These improvements, which are required to address safety and operations concerns, will involve an exclusive northbound left-turn lane and an exclusive southbound right-turn lane along Rye Road at the project driveway.

With a single access point, the proposed development will generate traffic that is comparable to that of a minor collector road at its main entrance. The main entrance is a local road which is not required to have bicycle lanes. When bicycle lanes are not provided, lower traffic volumes will improve bicycle and pedestrian quality of service. The applicant proposes to provide bicycle lanes on the boulevard roadway.

Approximately 25 percent of project traffic is expected to use various connections to access Upper Manatee River Road, Fort Hamer Bridge, and Rye Road north of the project. Providing public through-connections to Upper Manatee River Road will improve mobility by not requiring traffic to use more circuitous routes.

Therefore, to keep traffic volume at the main entrance closer to neighborhood street scale and to improve traffic circulation, Transportation Planning staff recommend that a public road system with inter-connections to existing and future adjacent residential development be provided.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

TRANSPORTATION CONCURRENCY

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

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
Rye Road	Upper Manatee River Road to SR 64 (Link #2922)	D	D
SR 64	Lakewood Ranch Boulevard to Rye Road (Link #3062)	D	D

In summary, the results of the traffic study review identified no off-site concurrency improvements. However, several site-related improvements (i.e. a northbound left-turn lane and a southbound right-turn lane on Rye Road at the project driveway) are required.

OTHER CONCURRENCY COMPONENTS

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

SPECIAL APPROVAL - ANALYSES, RECOMMENDATIONS, FINDINGS

Manatee Comprehensive Plan defines Special Approval as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners; or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC.

1. Special Approval is required for a density exceeding one dwelling unit per acre in the UF-3. FLUC. The intent of the UF-3 FLUC in Policy 2.2.1.11.1, indicates, "development in the UF-3 FLUC shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. 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."

The site meets the intent of the UF-3 FLUC. The site is in an area where development is occurring from west to east. Mill Creek, Country Creek, and Country Meadows are all developments on the west side of Rye Road. Development is also occurring on the east side of Rye Road. Rye Wilderness Estates and Rye Road subdivisions are to the east.

The site is in an area where there is availability of services. Reclaimed water, water and sewer are along Rye Road. An elementary school and fire station are to the south

The gross densities of the approved developments range from 0.87 dwelling units per acre to 2.6 dwelling units per acre. Although, a gross density of 2.62 dwelling units per acre is above the special approval threshold in UF-3 FLUC, the proposed density is consistent with recent approved densities in the area.

2. Special Approval is also required for a project adjacent to a perennial stream. The stream is in the southernmost part of the site. The design of the project avoids impacts to the stream. There are no adverse impacts from the proposed stormwater ponds which are designed to retain runoff from the development.

The planned development process allows the Board of County Commissioners to approve stipulations to ensure compatibility with surrounding zoning and land uses and address any specific issues related to the development.

The analysis in the staff report represents a true evaluation of the proposed design for potential impacts on natural resources, adjacent land uses and public facilities.

FINDING FOR SPECIAL APPROVAL IN UF-3 FLUC

The Board finds that the purpose of the Special Approval regulation is satisfied by the analysis provided in the staff report and proposed design which indicates the proposed project will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

1. **Request:**

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

Staff Analysis and Recommendation:

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

Finding for Specific Approval:

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

2. **Request:**
LDC Section 715.3.4 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 is in support of the request for Specific Approval for an alternative to LDC Section 715.3.4 to allow only one 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 by the proposed design because the required number of trees and canopy will be provided.

3. **Request:**

According to LDC Section 907.9.4.2., "Where a road is not intended to extend beyond the limits of a subdivision in accordance with this Section, a cul-de-sac or turn-around shall be constructed. For greater convenience to traffic, and more efficient police and fire protection, a cul-de-sac or turn-around street shall not exceed eight hundred (800) feet in length. Cul-de-sac and turn-arounds shall be constructed to the Manatee County Public Works Standards and paved with a minimum unobstructed, diameter of ninety (90) feet, unless specifically approved by the Fire District."

The applicant requests a cul-de-sac (Road E) exceeding 800 feet in length in Phase three.

Staff Analysis and Recommendation:

The site plan shows a street design with an eye brow where the cul-de-sac exceeds 800 feet. The proposed alternative will allow for the project design to avoid impacts to wetland and upland habitat designated as a preserve area within the project. This preserve area is part of the Ecosystem Management Plan proposed for the project.

Based upon the Preliminary Site Plan, the overall length of "Road E" is 1,244 feet and "Road F" is 1,150 feet, measured from the intersection with "Road A". The plan reflects an "eyebrow" turnaround at a distance 716 feet from the intersection of "Road A". In addition, the intersection of "Road E" and "Road F" creates another possible turnaround at a distance 902 feet from the intersection of "Road A". As stated above, the cul-de-sac length is predicated by the preservation area located to the west.

Public Safety Department opposes the specific approval request because if the intersection of "Road A" and "Road E" becomes impassible, the distance beyond 800 feet would cause a delay. Public Safety Department supports LDC 907.4.2 which states a cul-de-sac shall not exceed eight hundred feet in length. Even though the Fire Department does not directly enforce the LDC, they support Public Safety's position on this issue.

Public Works staff has requested the applicant revisit the cul-de-sac length. However, the applicant wishes to leave the design length as shown on the plan through specific approval request.

Finding Against Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 907.9.4.2, the Board finds that the request does not address regulations of the LDC with respect to cul-de-sac length exceeding 800 feet with possibility of extended Public safety and fire response time.

ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **Zoning Disclosure Affidavit**
3. **Request for Specific Approval**
4. **Public Safety and Fire Department's Comments**
5. **Traffic Impact Analysis (TIA)**
6. **Copy of Newspaper Advertising**

APPLICABLE COMP PLAN POLICIES	
Policy: 2.1.2.5	Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.
Policy: 2.1.2.7	Review all proposed development for compatibility and appropriate timing. This analysis shall include: - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area, - availability of adequate roadways, - adequate centralized water and sewer facilities, - other necessary infrastructure and services. - limiting urban sprawl - applicable specific area plans - (See also policies under Objs. 2.6.1 - 2.6.3)
Policy: 2.2.1.11	**UF-3:** Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:
Policy: 2.2.1.11.1	Intent: To identify, textually, in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future growth (and growth beyond the long term planning period) is projected to occur at the appropriate time in a responsible manner. The development of these lands shall

	follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. At a minimum, the nature, extent, location of development, and availability of services will be reviewed to ensure the transitioning of these lands is conducted consistent with the intent of this policy. These UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community. (See further policies under 2.2.1.11.5 for guidelines)
Policy: 2.2.1.11.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban density planned residential development with integrated residential support uses as part of such developments, retail wholesale or office commercial uses which function in the marketplace as neighborhood or community serving, short-term agricultural uses, agriculturally-compatible residential uses, farmworker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).
Policy: 2.2.1.11.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: 3 dwelling units per acre Maximum Net Residential Density: 9 dwelling units per acre (except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5) Maximum Floor Area Ratio: 0.23 (0.35 for mini-warehouse uses only) Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf) Large (300,000)*

	*With Limitations (See Policy 2.2.1.11.5)
Policy: 2.2.1.11.4	Other Information: a) All mixed, multiple-use, and community serving non-residential projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S. b) All projects for which gross residential density exceeds 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval. c) Any nonresidential project exceeding 30,000 square feet shall require special approval.
Policy: 2.2.1.11.5	In order to serve more than day to day needs within the low-moderate density urban environment, properties meeting the following criteria may be developed with land uses which are defined as community serving non-residential uses: a) Located at the intersection of an arterial and a collector roadway as defined in the Chapter 5 of this plan.
Policy: 2.6.1.1	Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to: - use of undisturbed or undeveloped and landscaped buffers - use of increased size and opacity of screening - increased setbacks - innovative site design (which may include planned development review) - appropriate building design - limits on duration/operation of uses - noise attenuation techniques - limits on density and/or intensity [see policy 2.6.1.3]

Policy: 2.6.1.2	Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval process in order to achieve compatibility between these large projects and adjacent existing and future land uses.
Policy: 2.6.1.3	Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on the project site (see also policy 2.6.1.1).
Policy: 2.6.2.1	Limit location of new residential development and residential support uses adjacent to intensive and incompatible agricultural operations.
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.
Policies: 2.9.1.1	Minimize the development of residential projects which

	create isolated neighborhoods.
Policy: 2.9.1.2	Promote the connection and integration of community pedestrian, bicycle, and vehicular systems to the larger county systems. (See also Obj. 3.3.3)
Policy: 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: 2.9.1.4	Encourage the development of a variety of housing options and architectural styles within a community. (See also Obj. 6.1.1)
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: 2.9.1.7	Encourage the development of community spaces, including usable open space and public access to water features.
Policy: 2.9.1.8	Encourage the design of residential projects providing continuous green space connecting neighborhoods.
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: 2.9.1.10	Provide for the integration and assimilation of smaller residential infill parcels into existing neighborhoods by encouraging consistency in building setbacks, lot size, dwelling unit sizes, building heights, and street patterns.
Policy: 3.3.2.2	Require the preservation of native upland habitat during land development activities through the following strategies: (1) Maintenance of areas of non-exotic vegetation, or viable portions thereof, on any project site, especially when such area or viable portions of areas, are part of larger upland habitats which may extend beyond the boundaries of the development site; (2) Encourage increased preservation of native upland habitat by providing incentives, including but not

	limited to: (a) Transfer of density/intensity out of preserved native upland habitat (b) reduced lot sizes and setbacks (c) consideration of increased building height when native upland preservation provides additional buffering and screening (3) Removal of all nuisance exotic plant species from upland development sites during construction unless Special Approval is granted. (4) Designation of upland preservation areas at time of general development plan, preliminary site plan, preliminary plat, or other preliminary development plan or similar approval. (5) Manatee County shall consider habitat size, adjacency to other natural areas, and habitat value when reviewing site development plans for uplands preservation.
Policy: 5.2.2.12	Create greater transportation mobility through the requirement for cross access between adjacent properties impacting thoroughfare roadways during development. Allow exceptions to this policy by Special Approval where: - no logical connection(s) can be established which would improve system mobility or - compatibility concerns are created due to creation of undesirable travel routes.

MANATEE COUNTY GOVERNMENT
BUILDING & DEVELOPMENT SERVICES DEPARTMENT
ZONING DISCLOSURE AFFIDAVIT

Project name: Reagan Ranch

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

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

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

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

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

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

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

NAME, ADDRESS AND OFFICER	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
Check if owner ( ) or contract purchaser (X)	
D. R. Horton, Inc.	

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

Signature: _____

(Applicant): Anne Mize for D.R. Horton, Inc.

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 18TH day of April 2013 by Anne Mize, who is personally known to me or who has produced _____ as identification.

(type of identification)

_____
Notary Signature

My Commission Expires: _____

Nandra R Ramnarine
Print or type name of Notary

Commission No: _____

Notary Public
Title or Rank

Revised 2/8/10
B-4

Notary Public State of Florida
Nandra R Ramnarine
My Commission DD935688
Expires 01/10/2014

MANATEE COUNTY GOVERNMENT
BUILDING & DEVELOPMENT SERVICES DEPARTMENT
ZONING DISCLOSURE AFFIDAVIT

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

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

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

NAME, ADDRESS AND OFFICER Check if owner (X) or contract purchaser ( )	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
Residual Trust under Will of Estell L. Reagan	100 %
Esther R. Ferguson Real Estate Trust	100 %

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

Signature: Lawrence Reagan

(Applicant): Lawrence Reagan

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 19th day of APRIL 2013
by LAWRENCE REAGAN, who is personally known to me or who has produced FL D.L.#
R250-212-32-391-0 as identification.
(type of identification)

Notary Signature

My Commission Expires: _____

Nandra R Ramnarine
Print or type name of Notary

Commission No: _____

NOTARY PUBLIC
Title or Rank

Revised 2/8/10
B-4

Notary Public State of Florida
Nandra R Ramnarine
My Commission DD935688
Expires 01/10/2014

July 18, 2013

Ms. Stephanie Moreland
Manatee County Planning Department
1112 Manatee Avenue West, 4th Floor
Bradenton, Florida 34205

RE: Specific Approval Requests
Lawrence Reagan/Del Tierra (F.K.A. Lawrence Reagan Ranch)
County No.: B00000209, DTS 20130188, PDR-13-24(Z)(P)
ZNS No.: 00-43331

Dear Ms. Moreland:

On behalf of the Applicant, we are respectfully requesting Manatee County's approval of the following Special and Specific Approvals with the request to rezone the subject parcel to Planned Development Residential to Preliminary Site plan standards.

The Manatee County Comprehensive Plan provides that all projects proposed in the UF-3 Future Land Use Category require Special Approval pursuant to Policy 2.2.1.11.4.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." Special Approval is addressed through the rezoning of the property to Planned Development Residential (PDR). The proposed residential use does not exceed 3 dwelling units per acre.

Where possible, the strict application of the Land Development Code has been included in the design of the site. The proposed Planned Development Residential district includes a request for Specific Approval of requirements for development under standard district regulations that shall be designed so as to be sensitive to the impacts of the specific approval requested.

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

1. Tree Replacement Size – Section 714.8.7

   The Applicant is requesting a Specific Approval for an alternative to Section 714.8.7 of the LDC. This approval will allow the installation of smaller diameter trees that will require a shorter timeframe for establishment and will ultimately provide superior tree canopy. Additionally, the Land Development Code is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.

ZNS ENGINEERING

This request is in accordance with staff recommendations.

2. Street Trees – Section 715.3.4

   The Applicant is requesting a Specific Approval for an alternative to Section 715.3.4 of the LDC. This approval will allow the installation of 1 street tree per roadway frontage (corner lots will have 2 trees) on lots with a frontage width of 60' or less. Additionally, to be consistent, we request that even lots that are wide enough to accommodate more than one per frontage be allowed to have only one street tree to alleviate conflicts with utilities and other infrastructure.

3. Sidewalks – Section 722.1.4.3

   The Applicant is requesting a Specific Approval to allow flexibility in LDC Section 722.1.4.3 for sidewalks on both sides of internal streets. The proposed design provides sidewalks on both sides of the spine road that runs through the project from Rye Road to Country Meadows. At Rye Road there will be a sidewalk connecting through to the school site just south of the proposed project. Due to continuing sidewalk maintenance issues caused by street trees on lots with a frontage of 60 feet or less, we propose to limit the sidewalks to a single side on neighborhood streets that connect to the main spine road. Sidewalks are provided for the cul-de-sacs as required by Manatee County Transportation Department Highway, Traffic & Stormwater Standards, 2007, Index #401.11.

4. Cul-de-sacs – Section 907.9.4.2

   As part of our application, we would like to formally request a Specific Approval for an alternative to Section 907.9.4.2 to provide for cul-de-sac exceeding 800 feet in length. Any cul-de-sacs greater than 800 feet incorporate a street design with an eye brow. The proposed alternative will allow for the project design to avoid impacts to wetland and upland habitat designated as a preserve area within the project. This preserve area is part of the ecosystem management plan proposed for the project.

Thank you for your consideration. Please do not hesitate to contact me with any questions regarding the Special Approval request and Specific Approval requests.

Sincerely,
ZNS Engineering, L.C.

Rachel W. Layton, AICP
Director of Planning
cc: Anne Mize
Hal Lutz

ZNS ENGINEERING

P.O. Box 9448 | Bradenton, FL 34206 | Office: 941.748.8080 | Fax: 941.748.3316 | www.znseng.com
Engineering – EB 0027476 Surveying-LB0006982 Landscape Architecture- LC0000365

MEMORANDUM

Department of Public Safety
Emergency Medical Services 2101 47th Terrace East
Bradenton, FL 34203

MANATEE COUNTY
FLORIDA

Phone: 941.749.3563
Fax: 941.741.3539
www.mymanatee.org

To: Stephanie Moreland, Principal Planner
Lisa Barrett, Planning Manager

From: Lawrence J. Luh, Acting EMS Chief

Date: November 19, 2013

Subject: **Del Tierra Subdivision**

The site plan shows a street design with an eye brow where the cul-de-sac exceeds 800 feet. The proposed alternative will allow for the project design to avoid impacts to wetland and upland habitat designated as a preserve area within the project. This preserve area is part of the Ecosystem Management Plan proposed for the project.

Based upon the Preliminary Site Plan, the overall length of "Road E" is 1,244 feet and "Road F" is 1,150 feet, measured from the intersection with "Road A". The plan reflects an "eyebrow" turnaround at a distance 716 feet from the intersection of "Road A". In addition, the intersection of "Road E" and "Road F" creates another possible turnaround at a distance 902 feet from the intersection of "Road A". As stated above, the cul-de-sac length is predicated by the preservation area located to the west.

Public Safety Department opposes the specific approval request because if the intersections of "Road A" and "Road E" becomes impassible, the distance beyond 800 feet would cause a delay. Because of the potential for an impassable road a response from responders may occur thus lengthening the time to the call. Distances greater than 800 feet create a longer response time and if responders are required to walk this distance the response times will be that much greater. Public Safety Department supports LDC 907.4.2 which states a cul-de-sac shall not exceed eight hundred feet in length. Even though the Fire Department does not directly enforce the LDC, they support Public Safety's position on this issue.

Public Works staff has requested the applicant revisit the cul-de-sac length. However, the applicant wishes to leave the design length as shown on the plan through specific approval request.

cc: Ronald Koper, JR Director Public Safety

LARRY BUSTLE * MICHAEL GALLEN * JOHN R. CHAPPIE * ROBIN DiSABATINO * VANESSA BAUGH * CAROL WHITMORE * BETSY BENAC
District 1 District 2 District 3 District 4 District 5 District 6 District 7

EAST MANATEE FIRE RESCUE DISTRICT

3200 LAKEWOOD RANCH BLVD. • BRADENTON, FL 34211

Office 941-751-5611 • Fax 941-751-5910

EMFR

November 20, 2013

Ms. Stephanie Moreland
Manatee County Planner

RE: Del Tierra Cul De Sac

Ms. Moreland,

At your request East Manatee Fire Rescue offers the following regarding the cul de sac length:

The Preliminary Site Plan indicates the overall length of "Road E" is 1,244 feet and "Road F" is 1,150 feet, measured from the intersection with "Road A". The plan reflects an "eyebrow" turnaround at a distance 716 feet from the intersection of "Road A". The Manatee County Land Development Code states that cul de sac lengths "shall not exceed 800 feet".

Increasing the length could potentially affect emergency response times to any or all portions of the roadway leading to the cul de sac.

As you stated, Fire cannot enforce the LDC requirements. We do support Public Safety in their interpretation of this portion of the LDC.

Please let me know if you have any questions or if I can be of any further assistance.

George Ellington
Deputy Chief/ Fire Marshal
East Manatee Fire Rescue

EMFR

TRAFFIC IMPACT ANALYSIS

DEL TIERRA
Manatee County, Florida

Prepared For:
D.R. Horton, Inc.

Prepared By:

ADEASQ
TRANSPORTATION ENGINEERING + PLANNING

446 Second Street North
Suite 100
St. Petersburg, FL 33701

September 30, 2013
Update

TRAFFIC IMPACT ANALYSIS

DEL TIERRA
Manatee County, Florida

Prepared For:
D.R. Horton, Inc.

Prepared By:

ADEASQ
TRANSPORTATION ENGINEERING • PLANNING

446 Second Street North
Suite 100
St. Petersburg, FL 33701

September 30, 2013
Update

TRAFFIC IMPACT ANALYSIS
DEL TIERRA
Manatee County, Florida

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I. INTRODUCTION

ADEAS-Q has completed a Traffic Impact Analysis (TIA) for the Del Tierra residential project located on the west side of Rye Road north of SR 64 in Manatee County, Florida. This report has been prepared in accordance with the "Traffic Impact Analysis Requirements and Procedures" dated November 2012 by the Manatee County Transportation Planning Division.

The one phase development program for the rezone CLOS application consists of 612 single family homes with a proposed build out year of 2019. Since the build out date of the project is beyond the typical three-year CLOS certificate, this project is expected to be accompanied by a Local Development Agreement (LDA) with Manatee County. The LDA is expected to follow the Traffic Impact Analysis at a later time. The following sections of this report detail the project description, site traffic generation, and traffic analysis tasks completed.

II. METHODOLOGY AGREEMENT

ADEAS-Q had a meeting with the Manatee County Transportation Planning Division on April 30, 2013 regarding the methodology to be conducted for this traffic impact analysis, including consideration of any unique characteristics or issues regarding the Del Tierra residential project, such as trip generation and distribution, existing and/or background traffic that may need to be incorporated into the study. The results of this methodology agreement were documented in a letter, which was approved by the County on May 22, 2013. A copy of the methodology agreement and approval is provided in **Appendix A**.

The methodology agreement originally identified 632 single family homes. However, this TIA is being submitted for 612 homes, which is 20 units fewer than what was approved in the methodology. The same study area has been applied from the original agreement, which can be considered a conservative analysis. Also, since the time of the methodology, the TIA now assumes only one full access driveway on Rye Road.

III. CONTACT INFORMATION

Contact Information for Applicant

Anne Mize
D.R. Horton, Inc.
14055 Riveredge Drive, Suite 150
Tampa, FL 33637
Phone: (813) 549-1938

Authorized Traffic Study Agent Contact Information

Jason Collins, Ph.D., P.E., AICP
ADEAS-Q, LLC
446 Second Street North, Suite 100
St. Petersburg, FL 33701
Phone: (813) 495-7382
www.adeas-q.com

County Project/DTS Number & Case Number

The proposed residential project is located on the west side of Rye Road north of SR 64 in Manatee County. The project is a Planned Development – Rezone with Preliminary Site Plan (PSP).

DTS #20130188 Buzzsaw #00000209 Project #PDR-13-24(Z)(P)

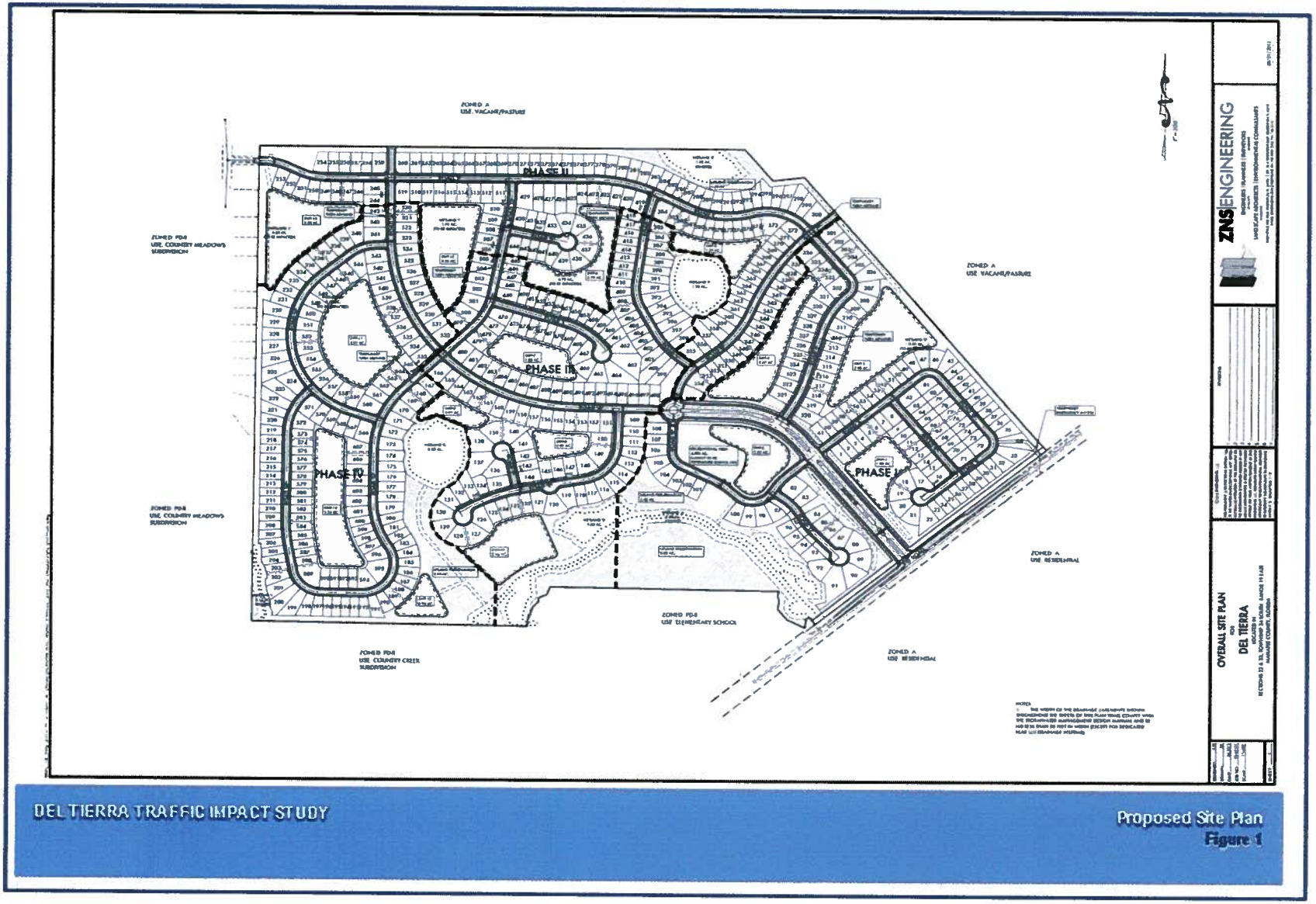
This project was previously referred to as "Reagan Ranch" during the methodology review period.

IV. PROJECT DESCRIPTION/PROJECT LOCATION

The one phase development program for the rezone consists of 612 single family homes with a proposed build out year of 2019. The proposed residential project is located on the west side of Rye Road north of SR 64 in Manatee County. Since the build out date of the project is beyond the typical three-year CLOS certificate, this project is expected to be accompanied by a Local Development Agreement (LDA) with Manatee County at a later time. A copy of the proposed site plan for the project is presented in **Figure 1.**

V. PROJECT TRIP GENERATION

Traffic volumes generated by the project were estimated using the trip generation rates provided in the ITE, *Trip Generation, 9th Edition.* The results from the trip generation calculations for the p.m. peak hour are provided in Table 1.



DEL TIERRA TRAFFIC IMPACT STUDY

Proposed Site Plan
Figure 1

TABLE 1 – PROJECT TRIP GENERATION POTENTIAL

Land Use	ITE Land Use Code	Number of Units	PM Peak Hour Trips	
			In	Out
Single-Family Homes	210	612	338	199

Source: ITE Trip Generation Manual, 9th Edition.

The published fitted curve equation correlates to a PM peak trip generation of 338 inbound trips and 199 outbound trips, for a total of 537 PM peak hour trips. Since this is a residential project only, no internal capture was assumed. A copy of the trip generation formula printout is presented in **Appendix B.**

VI. PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

The estimate of project traffic to the regional roadway network were prepared using the recently adopted Sarasota-Manatee-Charlotte Existing Plus Committed improvements FSUTMS travel demand model (SMC E+C network model) for Manatee County. A printout of the FSUTMS select-zone plot of trip distribution percentages is presented in **Appendix C.** In addition, existing travel patterns were used as supplemental information in the review of the model toward verifying the data.

VII. STUDY AREA OF IMPACT

The study area includes all roads in which project traffic is expected to meet or exceed 5.0% of the peak-hour LOS standard service volume (two-way) for that specific roadway segment. A copy of the study area determination summary is provided in Table 2.

TABLE 2 – DETERMINATION OF STUDY AREA

Road Name	Link No.	From	To	Lanes	Percent Project Trip Distribution	Peak Hour Project Volume	PM Peak Two-way Service Volume	Percent Impact	Study Area (Yes/No)
Rye Rd	**2920**	**SR-64**	**Waterline Rd**	**2UU**	**70%**	**376**	**2,170**	**17%**	**Yes**
Rye Rd	**2920**	**Waterline Rd**	**147th Street**	**2UU**	**70%**	**376**	**2,170**	**17%**	**Yes**
Rye Rd	**2920**	**147th Street**	**Project**	**2UU**	**78%**	**419**	**2,170**	**19%**	**Yes**
Rye Rd	**2920**	**Project**	**Upper Manatee River Rd**	**2UU**	**22%**	**121**	**2,170**	**5.6%**	**Yes**
Rye Rd	2920	Upper Manatee River Rd	Golf Course Rd	2UU	18%	97	2,170	4.6%	No
Rye Rd	2920	Golf Course Rd	Rutland Rd	2UU	7%	38	2,170	1.7%	No
Upper Manatee River Rd	3250	Curve	Rye Rd	2UU	2%	11	2,170	0.5%	No
SR-64	3061	Lena Rd	Lakewood Ranch Blvd	6DS	39%	209	5,390	3.9%	No
SR-64	**3062**	**Lakewood Ranch Blvd**	**Rye Rd**	**4DU**	**62%**	**333**	**3,580**	**9.3%**	**Yes**
SR-64	3063	Rye Rd	Lorraine Rd	4DU	6%	33	5,900	1.0%	No
Lorraine Rd	2650	SR 64	SR 70	2UU	4%	22	2,170	1.0%	No
Lakewood Ranch Blvd	3239	SR 64	Gatewood Drive	4DS	17%	94	3,222	2.9%	No

Note: PM Peak Two-way service volumes identified from Table 4 of the 2012 FDOT Q/LOS Handbook Tables.

VIII. EXISTING TRAFFIC CONDITIONS

The existing PM peak hour conditions were evaluated based on peak hour turning movement counts from 4:00 to 6:00 p.m. at the required study intersections. Traffic counts are less than 12 months old and were adjusted to the most recent available (2012) Peak Season Correction Factor (PSCF) provided by FDOT to obtain the 100th highest hour volumes. It should be noted that this TIS applied a conservative countywide PSCF factor of 1.23 for all intersection counts. This means that the traffic volume data was increased by 23% before being evaluated for capacity. If needed, this TIA can reconsider and apply a lower PSCF that is more specific to this study area.

Field inventory was also collected. Existing and historical traffic count information maintained by Manatee County and FDOT was also reviewed. Due to the various driveway locations, the long distance in between the analyzed intersections, and minor daily fluctuations in travel patterns the roadway segment volumes may not be equivalent from one study intersection to the next study intersection. **Figure 2** illustrates the existing traffic volumes at the intersections located within the study area. Turning movement counts collected from field observations are provided in **Appendix F**.

IX. FUTURE BACKGROUND (Non-Project) TRAFFIC

This scenario adds existing plus non-project traffic based upon adding reserved trips and also a background growth rate within the study area of the Project. Manatee County provided a summary of reserve trips for approved developments that do not have an expired CLOS by referencing the Manatee County Concurrency Transportation Link Sheets dated April 30, 2013. Per the methodology agreement, 75 percent of the reserve trips within the study area were added to the existing peak-season traffic volumes. Furthermore, a background growth rate was applied in addition to the reserve trips for each study road segment. A 1.0% annual background growth rate was applied for each year until 2019 in addition to the reserve trips. The data used to develop the future year non-project traffic volumes is provided in **Appendix D**. **Figure 3** summarizes the future background (non-project) traffic volumes.

The combination of reserve trips and the background growth rate resulted in the increase of traffic volumes by more than 80 percent when compared to existing volumes at some study locations, such as the intersection of SR 64 & Rye Road. This 80 percent increase in traffic was applied before the Del Tierra project traffic was even factored into the evaluation.

X. FUTURE TOTAL TRAFFIC

To develop the 2019 future total traffic volumes used in this study, the 2019 no-build volumes (Figure 3) were added together with the project trips presented in **Figure 4**. The future total traffic volume is the sum of the non-project background trips and the project trips. Future total traffic volumes are illustrated in **Figure 5**.

Figure 2 – 2013 Existing Traffic Volumes

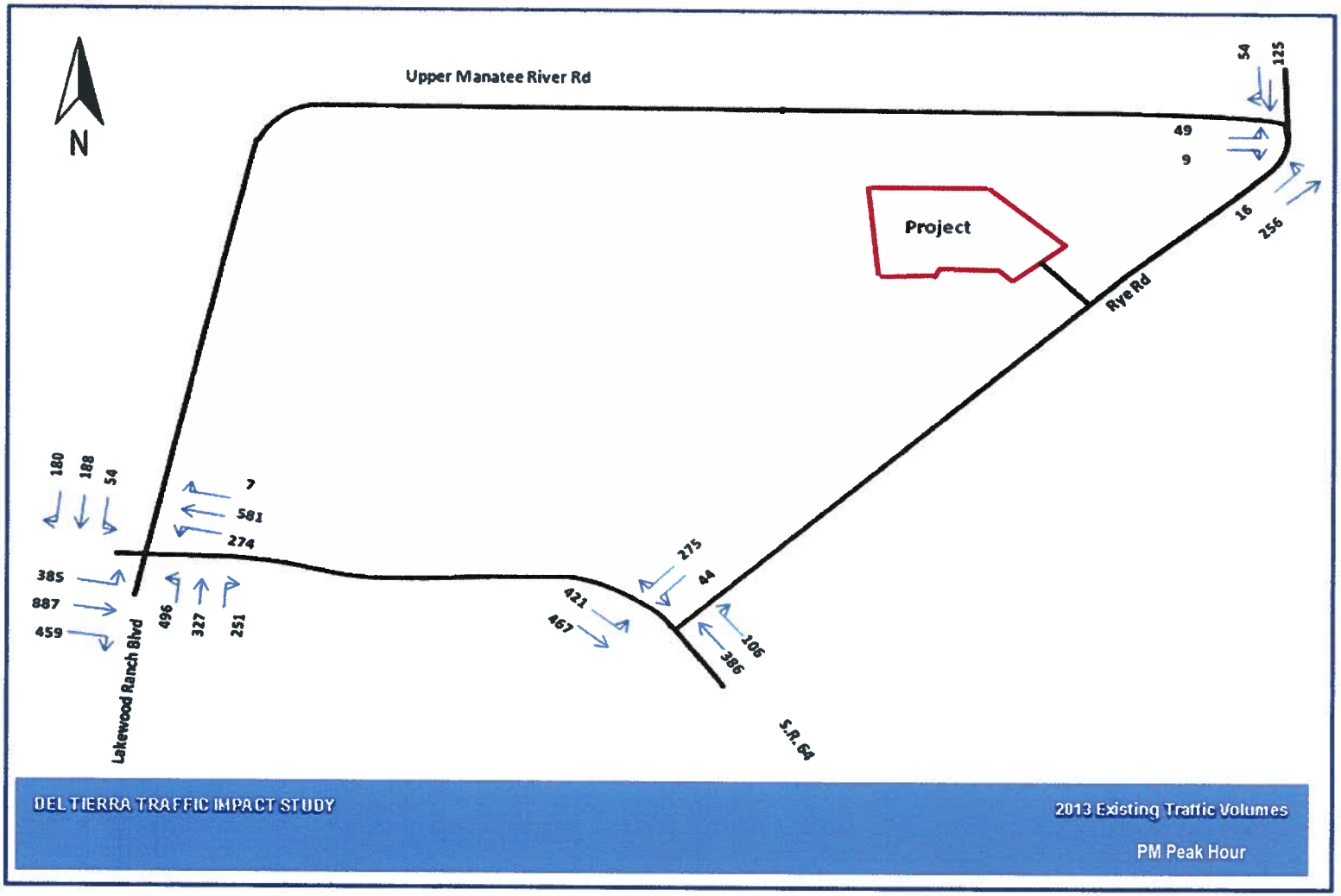


Figure 3 – 2019 Future No-Build Traffic Volumes

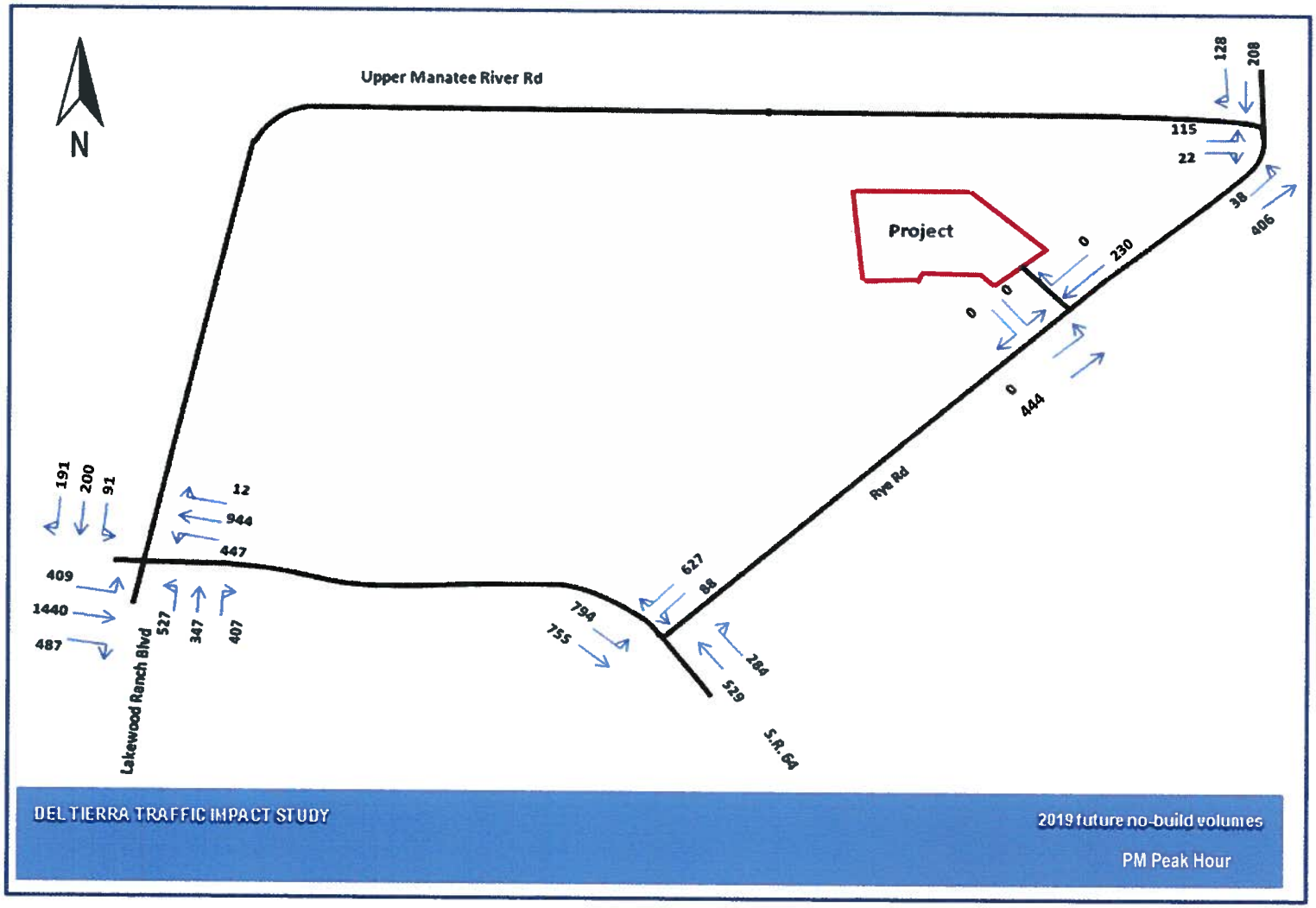


Figure 4 – Project Traffic Volumes

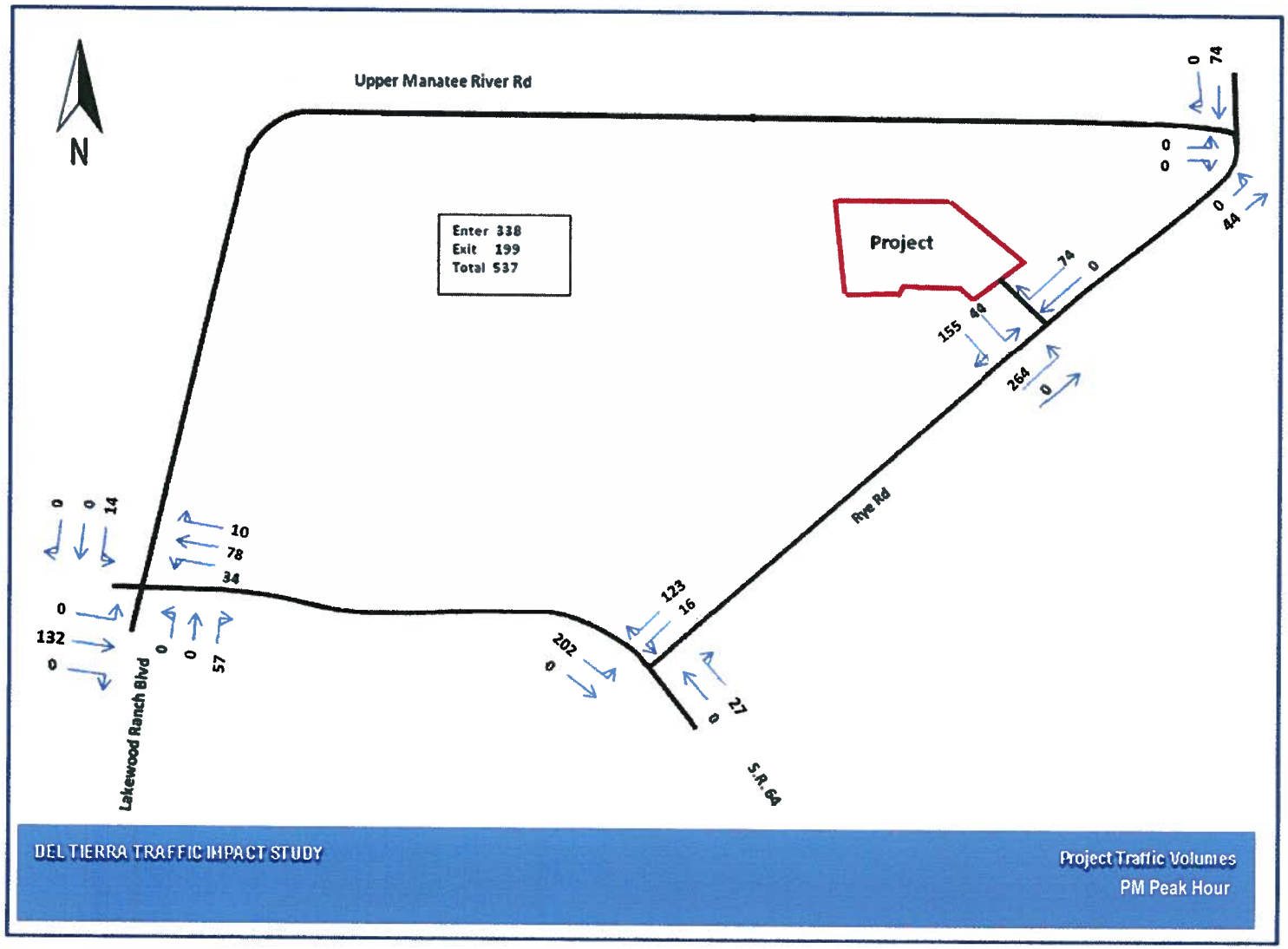
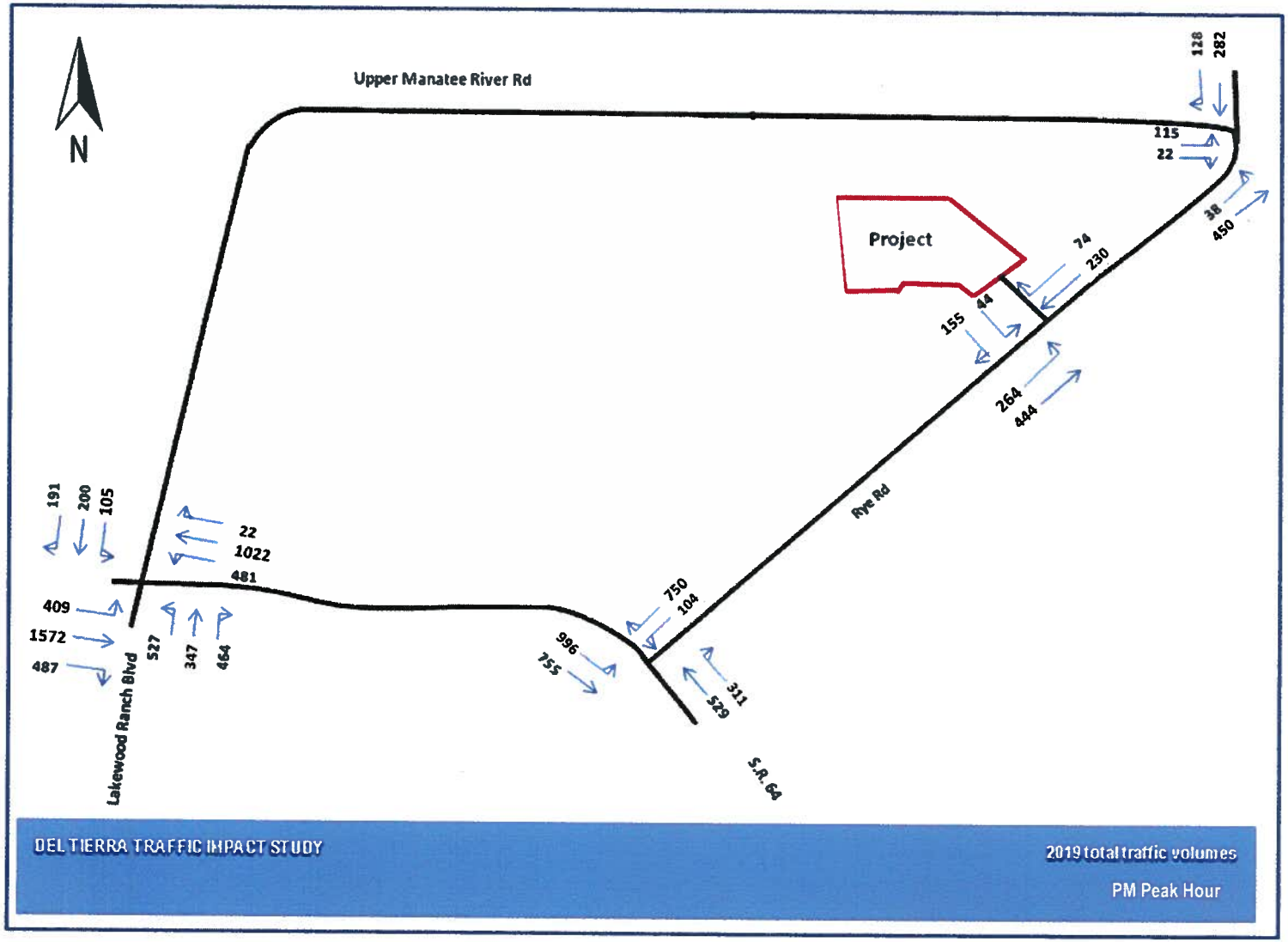


Figure 5 – 2019 Total Traffic Volumes



XI. TRAFFIC ANALYSIS

Capacity analysis of the roadway segments and the intersections within the study area has been completed to estimate the operating level of service. The proposed project has an anticipated build-out year of 2019.

The anticipated Level-of-Service for each roadway segment and signalized intersection located in the study area has been analyzed using methodologies consistent with the Highway Capacity Manual (HCM) and FDOT transportation planning software.

Intersection Capacity Analysis

Detailed intersection level of service analysis was conducted using SYNCHRO traffic signal analysis software per methodologies consistent with the most recent published Highway Capacity Manual (HCM). Intersection capacity analyses were performed for the following three conditions:

- 2013 existing conditions
- 2019 no build conditions without project traffic
- 2019 build conditions with project traffic

Results of the SYNCHRO intersection level of service analysis for all study area intersections are presented in **Table 3**. Detailed SYNCHRO intersection analysis results are presented in **Appendix E.**

TABLE 3 - SIGNALIZED INTERSECTION CAPACITY ANALYSIS SUMMARY

INTERSECTION	2013 Existing			2019 No-Build				2019 Build		
	LOS	Avg Delay (sec)	Needed Capacity	LOS	Avg Delay (sec)	Needed Capacity	LOS/Delay without Needed Capacity	LOS	Avg Delay (sec)	Needed Capacity
SR 64 & Lakewood Ranch Blvd/Upper Manatee River Rd	D	39.3	None	D	50.8	None	--	D	54.2	None
SR 64 & Rye	A	7.7	None	C	29.0	-Signal -SB RT Lane	F/100+	D	35.4	Same as No-Build
Rye & Upper Manatee River	A	1.6	None	A	3.4	None	--	A	3.7	None
Rye & Project Driveway	--	--	--	--	--	--	--	A	5.6	Safety Improvements - NB LT Lane - SB RT Lane

2013 Existing Condition – The existing intersection geometry, existing traffic volumes from Figure 2, and signal timing parameters were used for this analysis. All the intersections in the study area have been observed to currently operate at a Level of Service (LOS) D or better. Moreover, all the movements at the study area intersections are also observed to operate with a volume/capacity (v/c) ratio of less than 1.0.

2019 No-Build Condition – The existing intersection geometry, future background traffic volumes from Figure 3, and signal timing parameters were used for this analysis. The following mitigations were identified to maintain the Level of Service D standards of the study area intersections:

- SR 64 & Rye Rd
  - Install signal
  - Southbound Right-Turn lane required for future background no-build traffic conditions

All other intersections in the study area were found to operate at a Level of Service (LOS) D or better. Moreover, all the movements at the study area intersections are also observed to operate with a volume/capacity (v/c) ratio of less than 1.0.

2019 Build Condition – Modified intersection geometry from the 2019 No-Build Condition, future total traffic volumes from Figure 5, and updated signal timing parameters were used for this analysis. The following mitigation was identified, not as a capacity requirement, but as a suggested safety consideration:

- Rye & Project Driveway
  - Northbound Left-Turn lane provided as safety improvement
  - Southbound Right-Turn Lane provided as safety improvement

Roadway Segment Capacity Analysis

A roadway segment capacity analysis was also completed for the same existing, future no-build, and future total traffic conditions with the proposed development. Traffic volumes used for evaluation were obtained by averaging the peak direction from the adjacent study area intersections. The Generalized Peak-Hour Directional Service Volumes from the 2012 FDOT Quality/Level of Service Handbook Tables were referenced. For the segments without traffic signals, the 2012 Florida DOT Q/LOS Manual was referenced. The results are summarized below in **Table 4**.

TABLE 4 – ROADWAY SEGMENT CAPACITY ANALYSIS SUMMARY

SEGMENT	LOS D Peak Direction Service Volume	2013 Existing			2019 No-Build			2019 Build		
			LOS	Needed Capacity		LOS	Needed Capacity		LOS	Needed Capacity
SR 64 – Lakewood Ranch Blvd to Rye Road	2,000	1,040	C	None	1,744	D	None	1,946	D	None
Rye Road – SR 64 to Upper Man River Rd	1,250	401	C	None	761	C	None	898	D	None

SOURCE: 2012 FDOT QUALITY/LEVEL OF SERVICE HANDBOOK TABLES. MORE DETAILED SYNCHRO ARTERIAL ANALYSIS ALSO AVAILABLE IN APPENDIX FOR REFERENCE.

XII. CONCLUSION

The purpose of this study was to identify the potential travel demand impacts associated with the proposed project and, if necessary, to develop mitigation measures that would provide satisfactory access to the site while maintaining acceptable traffic operations within the study area. A traffic analysis satisfying the criteria within the November 2012 "Traffic Impact Analysis Requirements and Procedures" by the Manatee County Transportation Planning Division for a CLOS certificate has been completed.

A trip generation analysis for the proposed development program was completed. A capacity analysis of the study area intersections and roadway segments was conducted. Reserved trips and a background growth rate were applied toward a 2019 build out date. Signalization and southbound right turn lane improvements at the intersection of SR 64 & Rye Road are suggested by the County to accommodate the reserved trips associated with previously approved development.

Results of the capacity analysis demonstrate that all the intersections and roadways in the study area are then anticipated to maintain the adopted Level of Service standards with the proposed project. However, the following stipulations are suggested:

Recommended Stipulations:

1) Dedicate a public right-of-way setback along the property line to accommodate a potential long-range widening of Rye Road.

2) Design and construct a northbound left-turn lane at the intersection of Rye Road & Project Driveway at a preferred length of 375 feet.

3) Design and construct a southbound right-turn lane at the intersection of Rye Road & Project Driveway at a preferred length of 350 feet.

4) Design and construct project driveways in accordance with Manatee County design standards.

Del Tierra PDR-13-24(Z)(P) - DTS# 20130188

Jason Utley to: Jason

10/02/2013 05:14 PM

Cc: Stephanie Moreland, Steve Kollar, Susan Barfield, Clarke Davis, Bob Agrusa, Paul Villaluz

RE: Del Tierra FKA Reagan Ranch - Traffic Impact Analysis
Petition # PDR-13-24(Z)(P) - DTS# 20130188
Consultant: ADEASQ

Dear Mr. Collins,

The Manatee County Public Works Department, Transportation Planning Division, has reviewed and approved the Traffic Impact Analysis (TIA) by ADEASQ, dated September 30, 2013, for the above referenced project. This project is expected to consist of 612 single-family detached homes. Based upon the data provided in this document, the Applicant has addressed the Comprehensive Plan requirements and provided appropriate traffic related information to substantiate the findings. In conjunction with this outcome, the Transportation Planning Division recommends transportation concurrency approval.

Please note that the project will directly impact Link # 2920 (Rye Road from CR 675 to SR 64) with an increase of 537 PM Peak-Hour trips. However, there are no off-site transportation concurrency improvements required for this project.

The TIA for this development did identify two site-related transportation improvements which will need to be shown on the applicable Final Site Plan and/or Construction Plans (the improvements must be labeled with dimensions) that shall be submitted as part of the future permit applications/packages. In addition, the improvements shall be installed, certified, inspected and accepted, and consistent with the applicable Final Site Plans and/or Construction Plans, prior to approval of the first final plat.

The site-related transportation improvements, which will improve traffic flow into and out of the project site, will involve the construction of a northbound left-turn lane and a southbound right-turn lane at the project entrance on Rye Road. The left and right turn lanes shall be constructed in accordance with the FDOT Design Standard (Index 301). The total left-turn length shall be 375 feet, which includes a 50-foot taper. The right-turn lane length shall be a total length of 350 feet, which includes a 50-foot taper.

If development plans are modified in the future, which require a re-analysis of transportation impacts that results in off-site transportation improvements, the County reserves the right to require these off-site improvements to be satisfied by either installation or mitigation alternatives acceptable by Manatee County Public Works Department, Transportation Planning Division, and may require BOCC (Board of County Commissioners) approval.

Note that your analysis was based on a 2019 buildout. A purpose of the traffic study is to make transportation concurrency findings and reserve capacity. These are approved through a Certificate of Level of Service Compliance (CLOS). A CLOS is issued for three years from the date of development approval, which means the associated CLOS is unlikely to cover the entire period analyzed. However, there is a process to request one extension of up to two years, and a later expiration date can be approved under the terms of a local development agreement. If you need additional information about either of these options, please let us know.

Jason Utley, AICP
Transportation Systems Modeler
Manatee County Government
941.708.7478
jason.utley@mymanatee.org
1022 26th Avenue East
Bradenton, FL 34208

Bradenton Herald

NOTICE OF ZONING IANGES IN UNINCORPO-RATED MANATEE COUNTY

ICE IS HEREBY GIVEN, the **Planning Commission lanatee County** will con- a Public Hearing on **sday, December 12, 2013 :00 a.m. at the Manatee nty Government ılinistrative Center, 1st r Chambers, 1112 Manatee nue West, Bradenton,** ida to consider, act upon, forward a recommendation ıe Board of County ımissioners on the following ters:

IV-12-16(Z)(G) – THE NE CORPORATION/CONE) GRAHAM, INC. MULLEN CREEK PARK (DTS#20120453)
Ordinance of the Board of ınty Commissioners of ıatee County, Florida, ırding land development, ending the official zoning ıs (Ordinance 90-01, the ıatee County Land elopment Code), relating to ing within the unincorporat- ırea; providing for a rezone ıpproximately 92.13 acres, ated on Bayshore Road and m View Road (61st Street) in denton, from A-1 (Suburban iculture), PD-RV (Planned velopment – Recreational ıicle), RSF-4.5 (Residential gle Family, 4.5 dwelling units acre), NC/M (Neighborhood nmercial - Medium), and R (Planned Development – ıidential) zoning districts to PDRV (Planned velopment – Recreational ıicle) zoning district; and ɔrove a General velopment Plan for 499 reational vehicle sites, a nmunity recreational area, ce, and shower areas; sub- t to stipulations as condi- ıs of approval; setting forth dings; providing a legal scription; providing for sever- lity, and providing an effec- e date.

R-13-24(Z)(P) – LAWRENCE AGAN, ESTHER R. FERGU- N REAL ESTATE TRUST D RESIDUAL TRUST UNDER LL OF ESTELLE L. REAGAN ZONE/DEL TIERRA SUBDI- SION (F.K.A. REAGAN NCH) (DTS #20130188; ZZSAW #00000209)
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PDR-13-34(Z) (P) – FOUNTAIN LAKE APARTMENTS, LLC / FOUNTAIN LAKE (DTS #20130327)
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 5.07 acres north and west of the existing Fountain Lake Apartments at 5620 Fountain Lake Circle, ± 800 feet north of 57th Avenue West, Bradenton from RMF-9 (Residential Multi-Family, 9 dwelling units per acre) to the PDR (Planned Development Residential) zoning district; approval of a Preliminary Site Plan for 80 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

ORDINANCE 13-25 – CREEK-WOOD (DRI # 13)
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, Florida Statutes, for the Creekwood Development of Regional Impact, (Ordinance 12-15) to approve the following changes to Map H and the Ordinance: 1) modify the land use of Parcel G from office to residential; 2) increase the total number of residential units by 112 for a total of 1,362 units and decrease the office square footage by 125,000 square feet for a total of 100,000 square feet; 3) delete land use condition #1 regarding maximum density in the watershed; 4) amend the stipulations related to the I-75 bridge approach; and 5) update the development order to reflect terminology changes, current land development code and comprehensive plan amendments, and department references; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.
This DRI is approved in four phases for 1,250 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 225,000 square feet of office space, 80,000 square feet of mini-warehouse space, and 100 hotel rooms.
Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel G is located on the north side of SR 70, west of I-75, and east of Creekwood Boulevard, approximately _ mile northeast of the intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton (±20.75 acres) and the present zoning is PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts).

Z-84-76(R10) – WELLS FARGO BANK, NA / CREEKWOOD (DTS #20130202)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R9) to amend the General Development Plan to:

1. Modify the land use of Parce G from office to residential;
2. Rezone Parcel G from PDC/WP-E/ST (Planned Development Commercial/ Watershed Protection/Special Treatment Overlay Districts) to PDR/WP-E/ST (Planned Development Residential/Watershed Protection/Special Treatment Overlay Districts);
3. Add 112 residential units and decrease office square footag by 125,000 square feet;
4. Delete Land Use Condition related to maximum density in the Watershed;
5. Remove references to Parcel G related to non-residential development;
6. Revise Land Use Condition 7, related to the width of a bicycle and pedestrian path along Lena Road, to be consistent with previously approved Land Use Conditions 5 of the Ordinance 12-15 (Creekwood - DRI # 13);
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Z-84-76/PSP-13-21(P) – WELLS FARGO BANK/CREEK-WOOD COMMONS WEST (DTS #20130206)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 112 lots for single-family attached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date. The ±20.75-acre site is located on the east side of Creekwood Boulevard, approximately _ mile northeast of intersection of SR 70 and Creekwood Boulevard at 7715 52nd Terrace E, Bradenton, and the present zoning is PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts), and is the subject of a rezone request to PDR/WP-E/ST.

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) 748-4501 x6878; 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.

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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
11/27/2013

Copy of Newspaper Advertising

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Sarasota Herald Tribune

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, December 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:

PDRV-12-16(Z)(G) – THE CONE CORPORATION/CONE AND GRAHAM, INC. MCMULLEN CREEK RV PARK (DTS#20120453)
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MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: November 27, 2013

INDEX

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☒ OVERALL KEY MAP 4
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☒ OVERALL PRELIMINARY ENGINEERING PLAN 16
☒ PRELIMINARY ENGINEERING PLAN 17-27
☒ PRELIMINARY SECTIONS AND DETAILS 28
☒ PRELIMINARY LANDSCAPE PLAN PLS01-PLS11

☒ INCLUDED IN THIS SET

PRELIMINARY SITE PLAN

TO SERVE

DEL TIERRA

LOCATED IN

SECTION 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

ZONED:
A

NOTES:

1. THE SITE IS CURRENTLY ZONED A AND IS VACANT.
2. PROPOSED ZONING IS PD-R.
3. THE SITE IS DESIGNATED AS FLOOD ZONE X ON F.I.R.M. PANELS #1201530220C & #1201530360C, DATED 7/15/92, AND IS NOT LOCATED WITHIN A FLOODWAY.
4. THERE ARE NO KNOWN FOUNDATIONS, MOUNDS OR MIDDEN AREAS OF HISTORIC ORIGIN, EXISTING EASEMENTS, PLATTED STREETS LOCATED ON THIS SITE.
5. THERE ARE WETLANDS UNDER THE JURISDICTION OF SWFWMD AND FDEP WITHIN THE BOUNDARIES OF THIS PLAN.
6. THERE ARE NO KNOWN WELLS WITHIN THE BOUNDARIES OF THIS PLAN.
7. COMMON OPEN SPACE SHALL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION.
8. THE RESIDENCES WILL BE SINGLE FAMILY DETACHED, WITH A MAXIMUM HEIGHT OF 35'.
9. STREET LIGHTS MAY BE INSTALLED AT THE DEVELOPER'S OPTION CONSISTENT WITH LDC SECTION 709.
10. THERE ARE PROPOSED SIGNS TO IDENTIFY THE SUBDIVISION CONSISTENT WITH LDC SECTION 724.
11. INFRASTRUCTURE CONSTRUCTION WILL COMMENCE MARCH, 2014 AND WILL BE COMPLETED WITHIN 7 YEARS UPON CONSTRUCTION PLAN APPROVAL AND CERTIFICATE OF LEVEL OF SERVICE APPROVAL.
12. SANITARY SEWER AND POTABLE WATER WILL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS AND PUBLICLY MAINTAINED.
13. A 10' MINIMUM UTILITY EASEMENT WILL BE LOCATED ALONG ALL FRONT LOT LINES AND A 5' UTILITY EASEMENT ALONG ALL SIDE AND REAR LOT LINES.
14. SUBDIVISION STREETS WILL BE CONSTRUCTED TO MANATEE COUNTY TRANSPORTATION DEPARTMENT STANDARDS LATEST REVISED DATE AT TIME OF CONSTRUCTION DRAWING APPROVAL. ROADWAYS CONSTRUCTED WITHIN THE 50 FOOT RIGHT-OF-WAY ARE PUBLICLY OWNED AND MAINTAINED.
15. SOLID WASTE DISPOSAL WILL BE PROVIDED BY MANATEE COUNTY BY INDIVIDUAL CAN PICK-UP.
16. A SCHOOL NEED ASSESSMENT WILL BE REQUIRED BY THE DEVELOPER WHEN THE 50 SCHOOL CHILDREN THRESHOLD IS REACHED FOR THE OVERALL PROJECT.
17. STREET TREE LANDSCAPING SHALL BE ACCOMPLISHED THROUGH THE INSTALLATION OF (1) TEN FOOT (10') CANOPY TREE HAVING A 2 1/2" CALIPER AND SPACED NO LESS THAN 25' AND AN AVERAGE 50'. TREES SHALL BE LOCATED WITHIN THE FIRST 20' OF THE FRONT YARD BUT NOT WITHIN THE RIGHT-OF-WAY. PLANTING SHALL TAKE PLACE PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR EACH DWELLING UNIT. LANDSCAPE BUFFER AREAS SHALL BE 100% AUTOMATICALLY IRRIGATED.
18. PREVIOUS APPROVALS: NONE.
19. ALL PROPOSED BUILDING FINISHED FLOOR ELEVATIONS ARE TO BE A MINIMUM OF 21" ABOVE THE CROWN OF THE ADJACENT ROADWAY OR IF WITHIN THE 100 YEAR FLOOD PLAIN, A MINIMUM OF ONE FOOT ABOVE THE 100 YEAR FLOOD ELEVATION.
20. THERE ARE KNOWN PERENNIAL STREAMS WITHIN THE SITE, AS ILLUSTRATED.
21. THE SITE IS LOCATED WITHIN TWO DRAINAGE BASINS, MILL CREEK (NORTH OF SR64) AND MANATEE RIVER. NEITHER BASIN REQUIRES A 50% REDUCTION IN THE ALLOWABLE POST DEVELOPMENT DISCHARGE RATE FOR A 25-YEAR 24-HOUR STORM EVENT.
22. WETLAND BUFFER BUILDING SETBACK IS 15'.
23. NEIGHBORHOOD PARK AMENITIES WILL INCLUDE THE APPROPRIATE COMMERCIAL GRADE PLAYGROUND EQUIPMENT, TO BE DEFINED AND SPECIFICATIONS PROVIDED AT FINAL SITE PLAN.
24. BOUNDARIES OF WETLAND BUFFERS SHALL BE MARKED WITH SIGNS INDICATING CONSERVATION AREA.
25. THE SITE IS BEING USED FOR LIVESTOCK GRAZING AND WILL CONTINUE TO BE USED FOR THIS PURPOSE UNTIL CONSTRUCTION BEGINS.
26. SEDIMENTATION AND EROSION CONTROL MEASURES WILL BE IN COMPLIANCE WITH SECTION 717 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE. 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 CONTROL IMMEDIATELY. THE CONTRACTOR IS RESPONSIBLE FOR REMOVING TEMPORARY EROSION CONTROL DEVICES FOLLOWING COMPLETION OF ALL CONSTRUCTION AND FINAL STABILIZATION.
27. NOTIFY MANATEE COUNTY ENVIRONMENTAL MANAGEMENT DEPARTMENT (EMD) 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 EMD STAFF.
28. EXOTIC, NUISANCE VEGETATION SHALL BE REMOVED FROM THE WETLAND BUFFERS PRIOR TO FINAL PLAT APPROVAL.
29. CONTRACTOR SHALL LOCATE EROSION CONTROL MEASURES (ECM'S) ALONG WETLAND BUFFERS AS IDENTIFIED ON PLAN. 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 MAKE MANUAL REMOVAL UNFEASIBLE, THE CONTRACTOR SHALL PROVIDE PROJECT ENGINEER AND MANATEE COUNTY ENVIRONMENTAL MANAGEMENT DIVISION SHOP DRAWING SHOWING LIMITS OF ADDITIONAL ECHANIZED CLEARING WITHIN BUFFER, PLANS TO RELOCATE ECM'S AND PROPOSED STABILIZATION OF CLEARING WITHIN WETLAND BUFFERS. ALL PROPOSED MODIFICATIONS TO LOCATIONS OF ECM'S, SOIL STABILIZATION, SHOP DRAWINGS AND PROCESSING FOR APPROVAL SHALL BE THE FINANCIAL RESPONSIBILITY OF THE CONTRACTOR.

SITE DATA:

TOTAL PROJECT AREA:	233.25 AC
TOTAL LOTS:	610 LOTS
OPEN SPACE:	
REQUIRED (25%):	58.31 AC.
PROVIDED:	88.18 AC. (37.8%)
EX. WETLAND AREA:	16.15 AC.
IMPACTED WETLAND AREA:	7.37 AC.
PRESERVED WETLAND AREA:	8.78 AC.
REC. AREA:	4.80 AC.
UPLAND PRESERVATION:	15.40 AC.
NET AREA: (TOTAL AREA-WETLANDS-REC. AREA -CONSERVATION EASEMENTS)	204.27 AC.
GROSS DENSITY: (TOTAL LOTS/TOTAL AREA)	610/233.25 = 2.62 DU/AC.
NET DENSITY: (TOTAL LOTS/NET AREA)	610/204.27 = 2.99 DU/AC.

SETBACKS:

FRONT*:	23'
REAR:	12'
SIDE**:	5'
WATERFRONT:	30'
WETLAND BUFFER:	15'

*23' FOR FRONT-LOADED GARAGES, 20' FOR SIDE LOADED GARAGES. REQUIRED MIN. OF 25 FOOT SEPARATION BETWEEN GARAGE AND EDGE OF WALK.
**10' SEPARATION REQUIRED BETWEEN ACCESSORY STRUCTURES ALONG SIDE YARD.

BUFFERS:

	MINIMUM REQUIRED	PROVIDED
SOUTHEAST (ALONG RYE ROAD):	20'	20'
NORTH/NORTHEAST:	35'	35'
WEST:	15'	35'
SOUTH:	15'	35'

LOT SIZES

LOT SIZES	
LOT SIZE	NO. OF LOTS
50' X 120'	304
60' X 125'	306
TOTAL	610

PHASING:

PHASE TABLE		
PHASE	START DATE	NO. OF LOTS
PHASE I	2014	147
PHASE II	2015	145
PHASE III	2016	153
PHASE IV	2017	165

VICINITY MAP

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTIONS 22 AND 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 22; THENCE N 89°08'39" W, ALONG THE SOUTH LINE OF SAID SECTION 22, A DISTANCE OF 1127.23 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE, N 89°08'39" W, ALONG SAID SOUTH LINE, A DISTANCE OF 197.63 FEET; THENCE N 89°12'23" W, A DISTANCE OF 1325.57 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 22; THENCE N 00°37'11" E, ALONG THE WEST LINE OF THE EAST 1/2 OF SAID SECTION 22, A DISTANCE OF 2850.00 FEET; THENCE S 89°59'58" E, A DISTANCE OF 2682.36 FEET; THENCE S 39°59'27" E, A DISTANCE OF 241.57 FEET; THENCE N 82°57'16" E, A DISTANCE OF 175.72 FEET; THENCE S 39°29'23" E, A DISTANCE OF 2112.60 FEET TO AN INTERSECTION WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF RYE ROAD; THENCE S 50°18'20" W, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1653.34 FEET; THENCE ALONG THE NORTHERLY LINE OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORD BOOK 2279, PAGE 7846 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA THE FOLLOWING EIGHTEEN (18) COURSES: (1) N 33°14'08" W, A DISTANCE OF 47.15 FEET; (2) S 80°36'39" W, A DISTANCE OF 22.72 FEET; (3) S 08°38'31" W, A DISTANCE OF 57.50 FEET; (4) N 64°37'11" W, A DISTANCE OF 44.96 FEET; (5) N 63°36'00" W, A DISTANCE OF 51.47 FEET; (6) N 73°17'53" W, A DISTANCE OF 9.90 FEET; (7) N 39°30'10" W, A DISTANCE OF 85.22 FEET; (8) N 08°31'23" E, A DISTANCE OF 46.95 FEET; (9) N 11°05'49" W, A DISTANCE OF 37.34 FEET; (10) N 16°53'22" E, A DISTANCE OF 25.44 FEET; (11) S 89°08'46" W, A DISTANCE OF 1266.65 FEET; (12) S 20°32'29" W, A DISTANCE OF 50.03 FEET; (13) S 15°56'05" W, A DISTANCE OF 50.27 FEET; (14) S 02°56'00" E, A DISTANCE OF 20.18 FEET; (15) S 43°36'03" W, A DISTANCE OF 46.48 FEET; (16) S 18°50'14" W, A DISTANCE OF 50.02 FEET; (17) S 23°46'18" W, A DISTANCE OF 32.31 FEET; (18) S 01°01'36" W, A DISTANCE OF 39.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 233.25 ACRES, MORE OR LESS.

MANATEE COUNTY BUILDING & DEVELOPMENT SERVICES SIGNATURE BLOCK

PROJECT NUMBER: ________ PROJECT NAME: DEL TIERRA

APPROVAL TYPE: PRELIMINARY SITE PLAN DTS NUMBER: ________

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

Attention: The combination of this signed plan and accompanying 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 affects this project approval

Rec'd by OWNER/AGENT ________ DATE ________

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PREPARED FOR:
DR HORTON
14055 RIVEREDGE DRIVE
SUITE 150
TAMPA, FLORIDA 33637
813.549.1936

PREPARED BY:
ZNS ENGINEERING, LLC
P.O. BOX 9448
BRADENTON, FLORIDA 34206
941.748.8080
FAX: 941.748.8316

PROJECT DATA:
DEL TIERRA
00-43331

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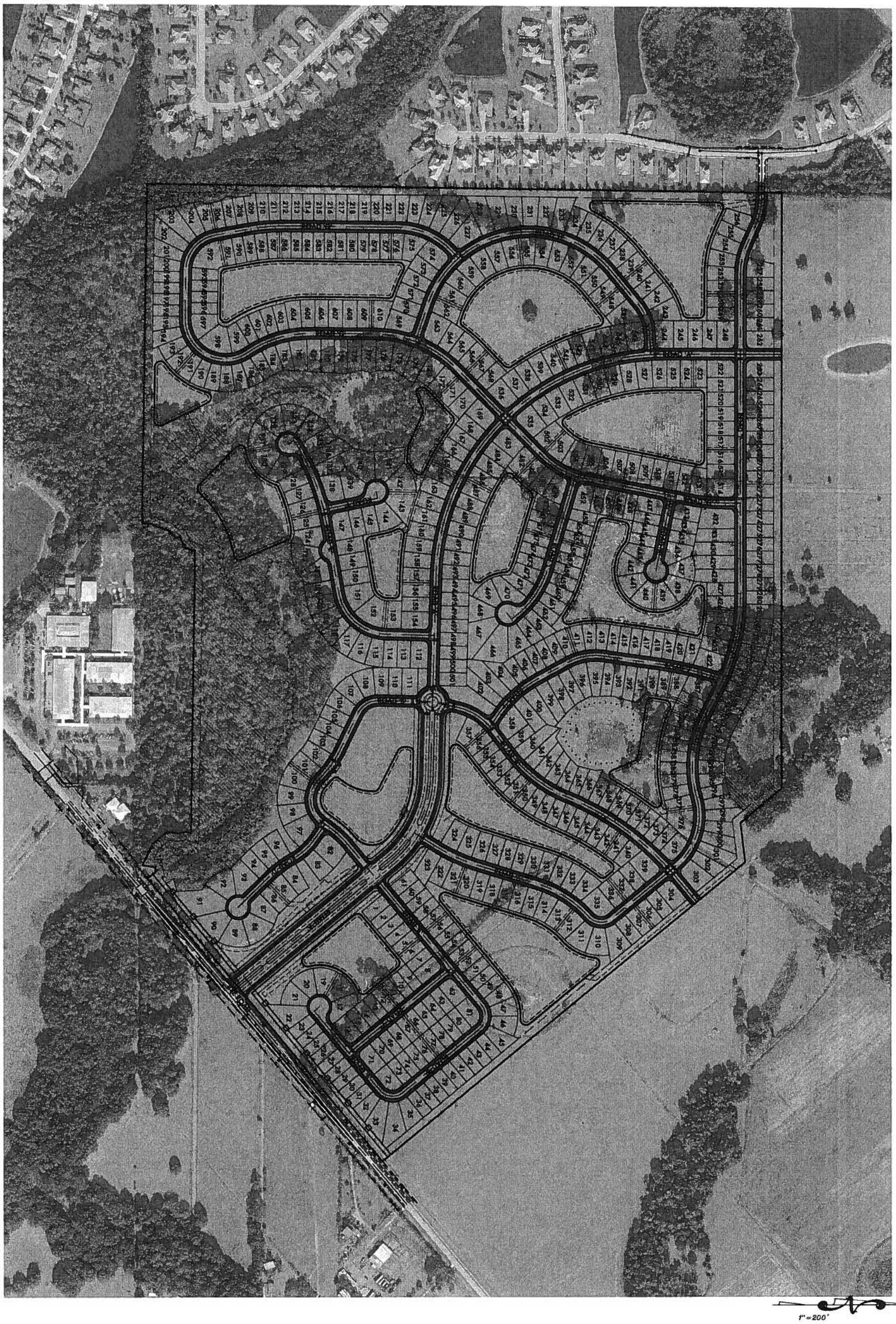

1"=200'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=200'
SHEET 2

AERIAL SITE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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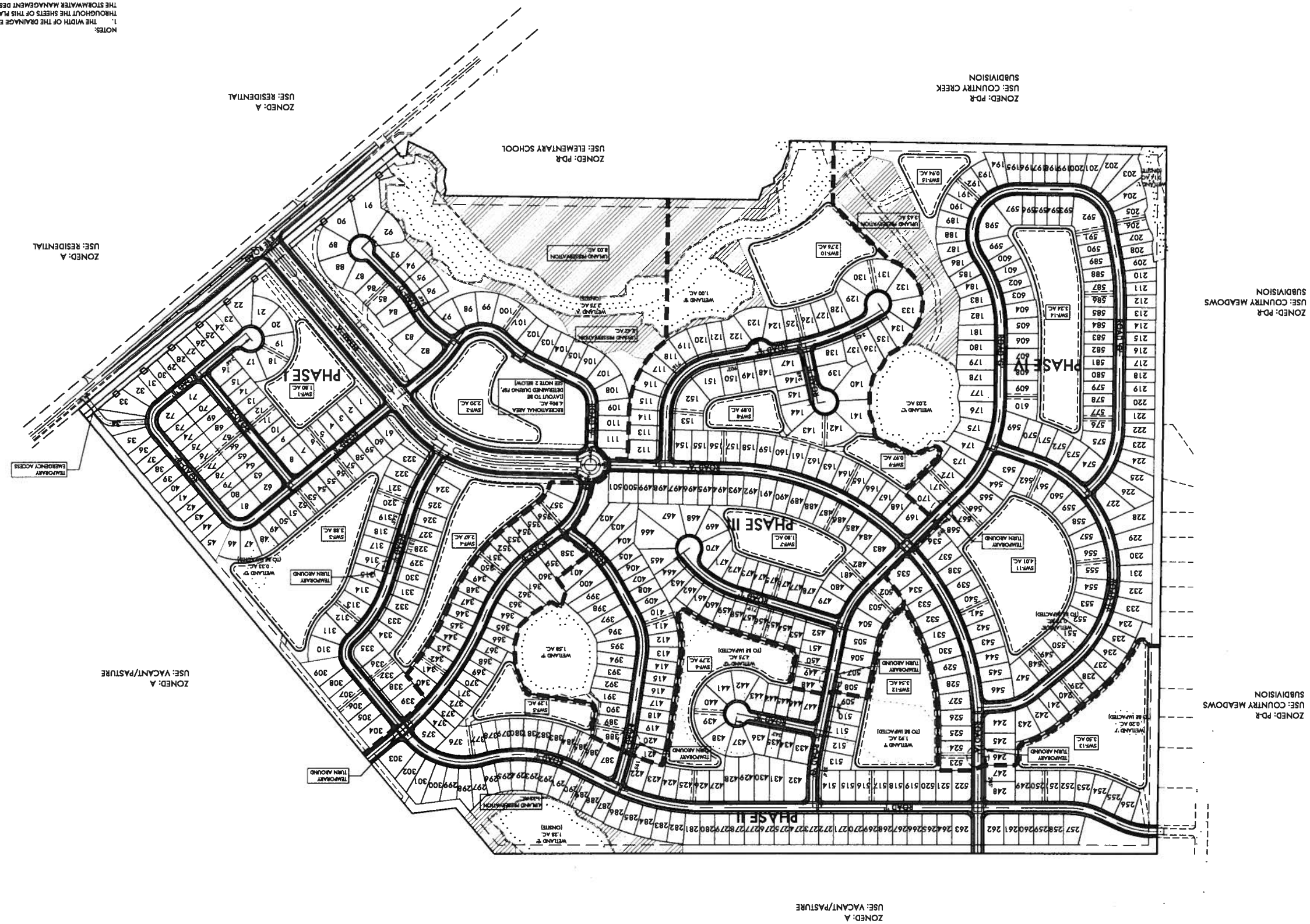

NOTES:

1. THE WIDTH OF THE DRAINAGE EASEMENTS SHOWN THROUGHOUT THE SHEETS OF THIS PLAN SHALL COMPLY WITH THE STORMWATER MANAGEMENT DESIGN MANUAL AND BE NO LESS THAN 20 FEET IN WIDTH (EXCEPT FOR DEDICATED REAR LOT DRAINAGE SYSTEMS).
2. RECREATIONAL AMENITIES MAY INCLUDE, BUT SHALL NOT BE LIMITED TO A RECREATION CENTER WITH A POOL AND FITNESS CENTER, OUTDOOR SEATING, A TOT LOT, AND PASSIVE RECREATION SPACE.

OVERALL SITE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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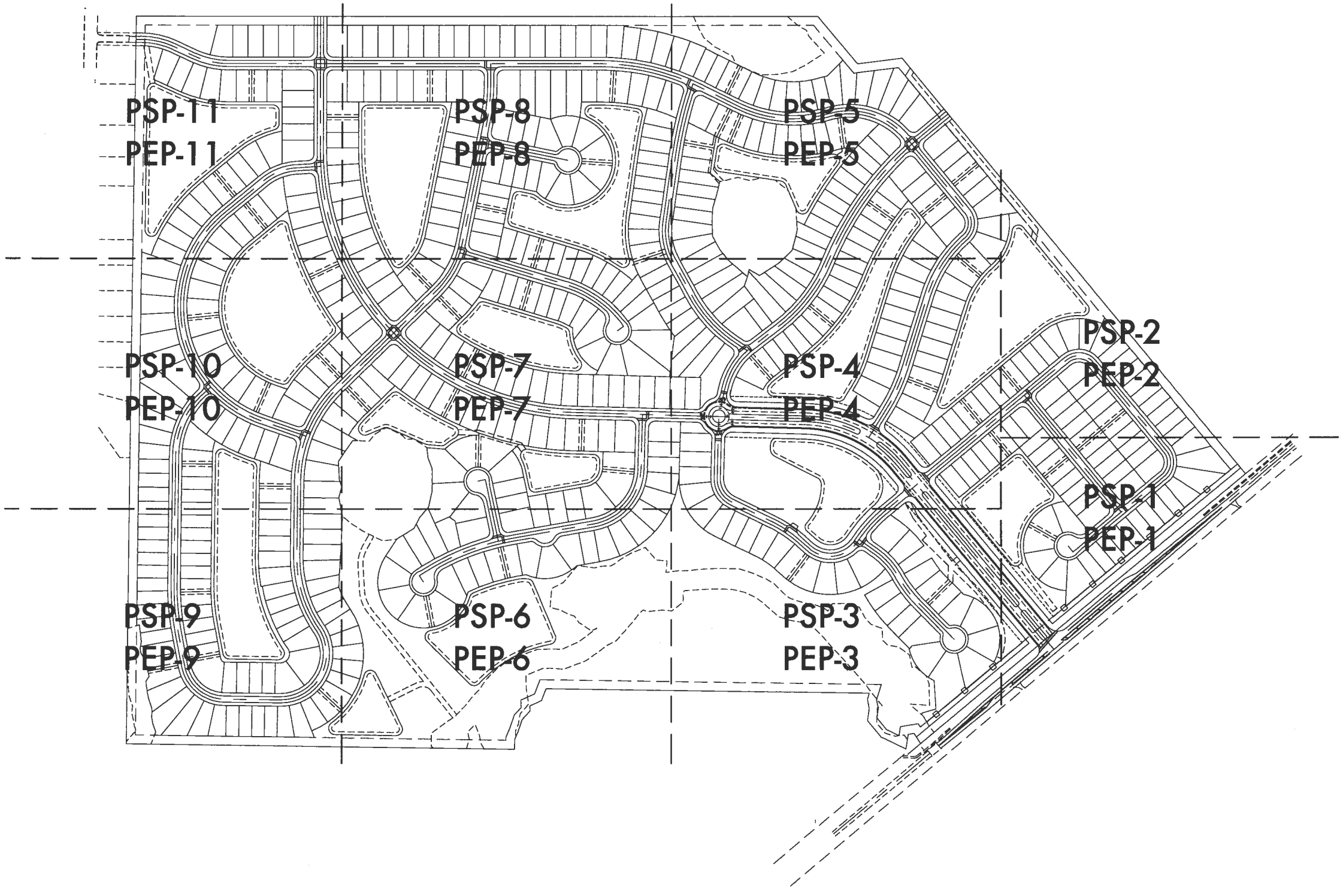
DESIGNED: JCA
DRAWN: MF
DATE: 04-2013
JOB NO: 00-43331
SCALE: 1"=200'
SHEET 3



1" = 200'

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OVERALL KEY MAP
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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DATE	04.2013
JOB NO.	09-4331
SCALE	1"=200'

SHEET 4

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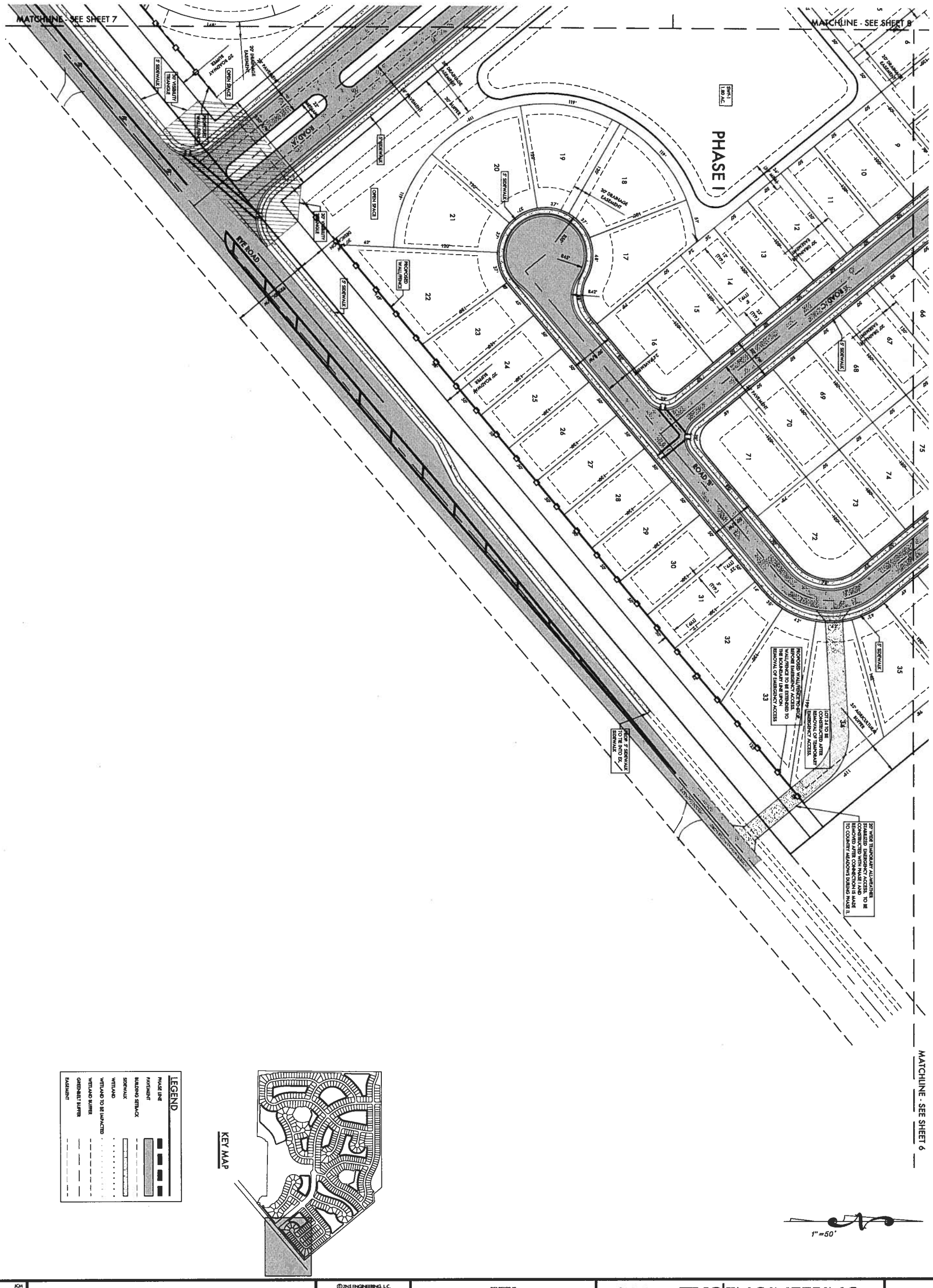

DESIGNED JCM
DRAWN MF
DATE 04 2013
JOB NO. 00-4333
SCALE 1"=50'
PSP
SHEET 5

PRELIMINARY SITE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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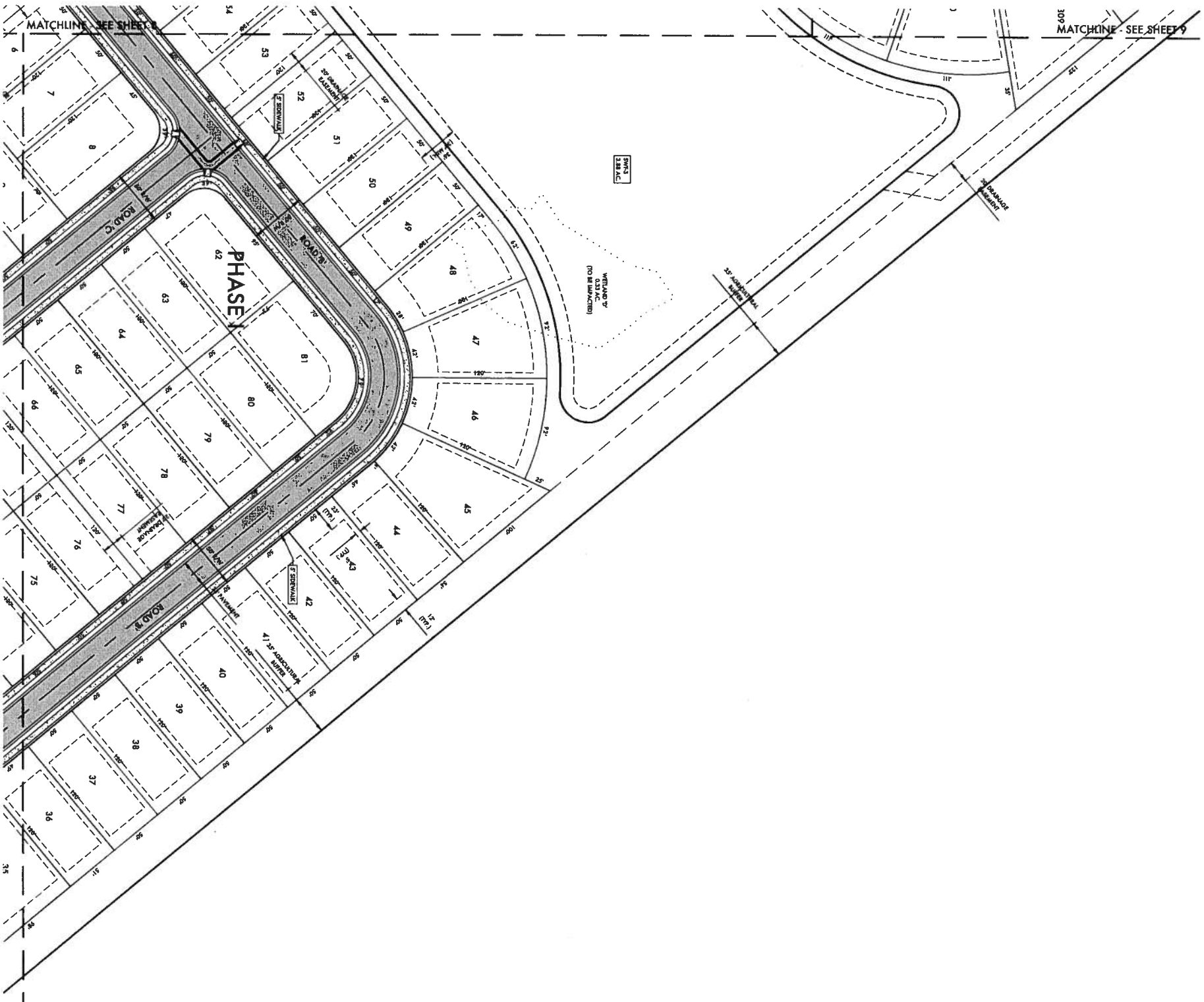
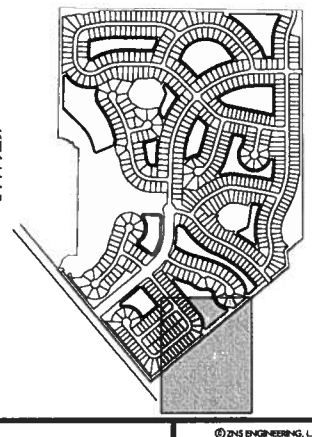


LEGEND

- PHASE LINE
- PAVEMENT
- BUILDING SETBACK
- SIDEWALK
- WETLAND
- WETLAND TO BE IMPACTED
- WETLAND BUFFER
- GREENBELT BUFFER
- EASEMENT

KEY MAP



1" = 50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO 00-43331
SCALE 1"=50'
PSP-2
SHEET 6

PRELIMINARY SITE PLAN
FOR
DEL TIERRA
LOCATED IN
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MANATEE COUNTY, FLORIDA

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MATCHLINE - SEE SHEET 10

UPLAND PRESERVATION 8.03 AC.

UPLAND PRESERVATION 2.42 AC.

WETLAND 'A' 2.75 AC. (ONSITE)

PEDESTRIAN TRAIL TO RUN THROUGHOUT UPLAND PRESERVATION AREA (LAYOUT TO BE DETERMINED DURING PDP)

35' GREENBELT BUFFER

30' WETLAND BUFFER

30' WETLAND BUFFER

30' WETLAND BUFFER

WETLAND 'A' 2.75 AC. (ONSITE)

WETLAND 'A' 2.75 AC. (ONSITE)

PHASE I

ROAD 'B'

ROAD 'D'

ROAD 'A'

SWPA 2.30 AC.

SWPA 1.80 AC.

OPEN SPACE

OPEN SPACE

RYE ROAD

MATCHLINE - SEE SHEET 8

MATCHLINE - SEE SHEET 5

LEGEND

PHASE LINE
PAVEMENT
BUILDING SETBACK
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT

KEY MAP

1"=50'

DESIGNED JCM
DRAWN ME
DATE 04 2013
JOB NO. 00-43331
SCALE 1"=50'
PSP-3
SHEET 7

PRELIMINARY SITE PLAN
FOR
DEL TIERRA
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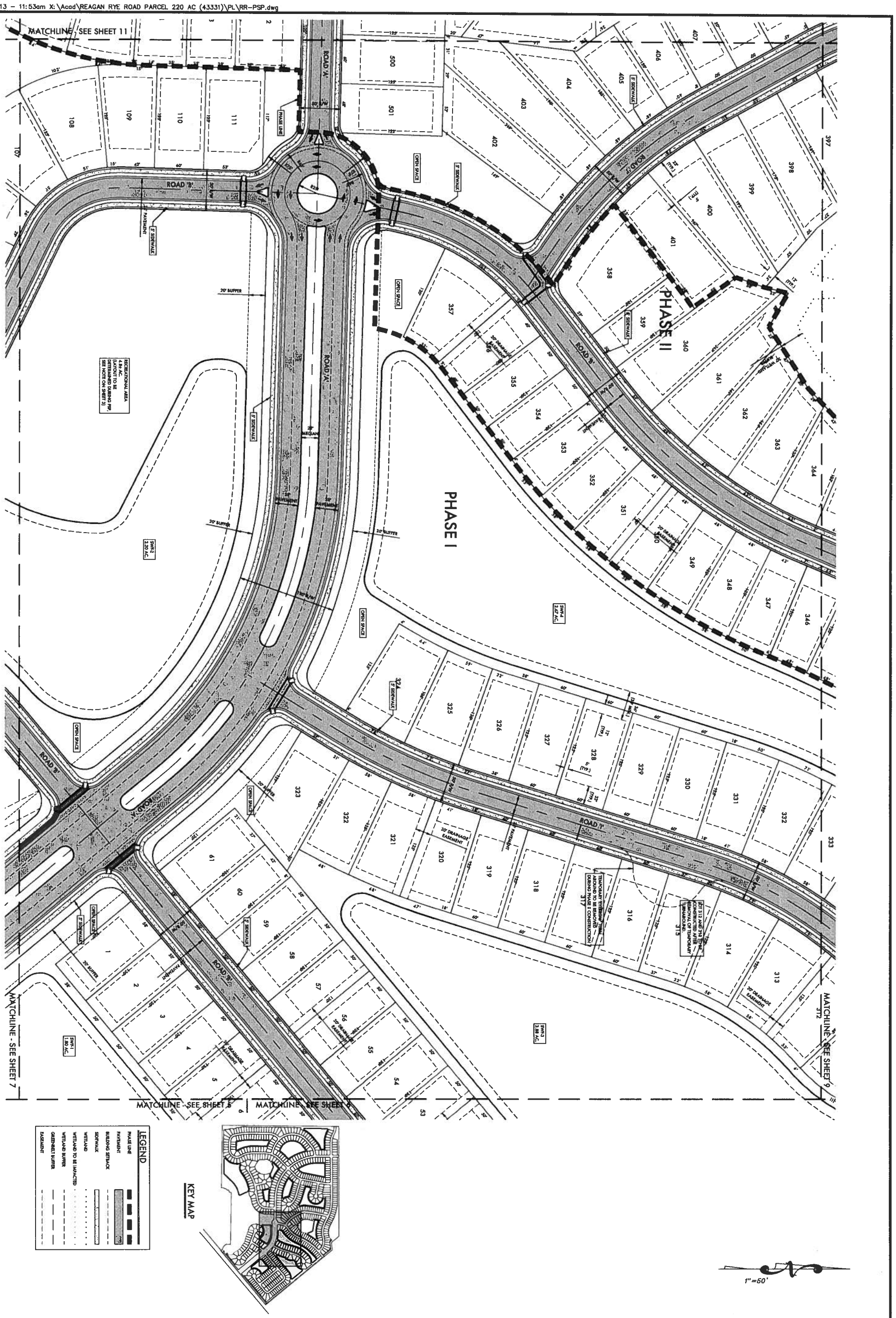

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DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PSP-4
SHEET 8

PRELIMINARY SITE PLAN
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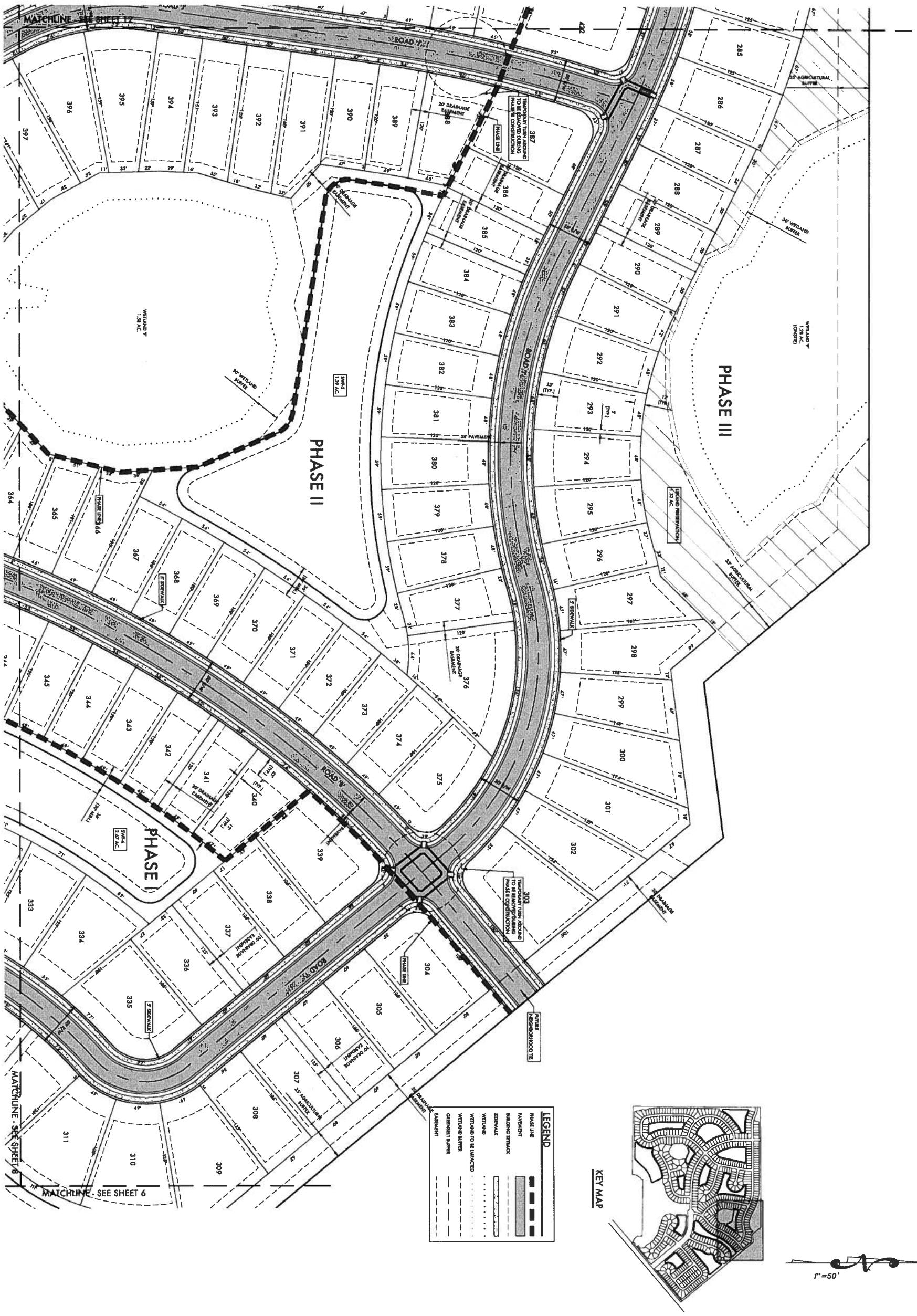

DESIGNED	JCM
DRAWN	MF
DATE	04.2013
JOB NO	00-43331
SCALE	1"=50'
	PSP-5
SHEET	9

PRELIMINARY SITE PLAN
FOR
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LOCATED IN
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MANATEE COUNTY, FLORIDA

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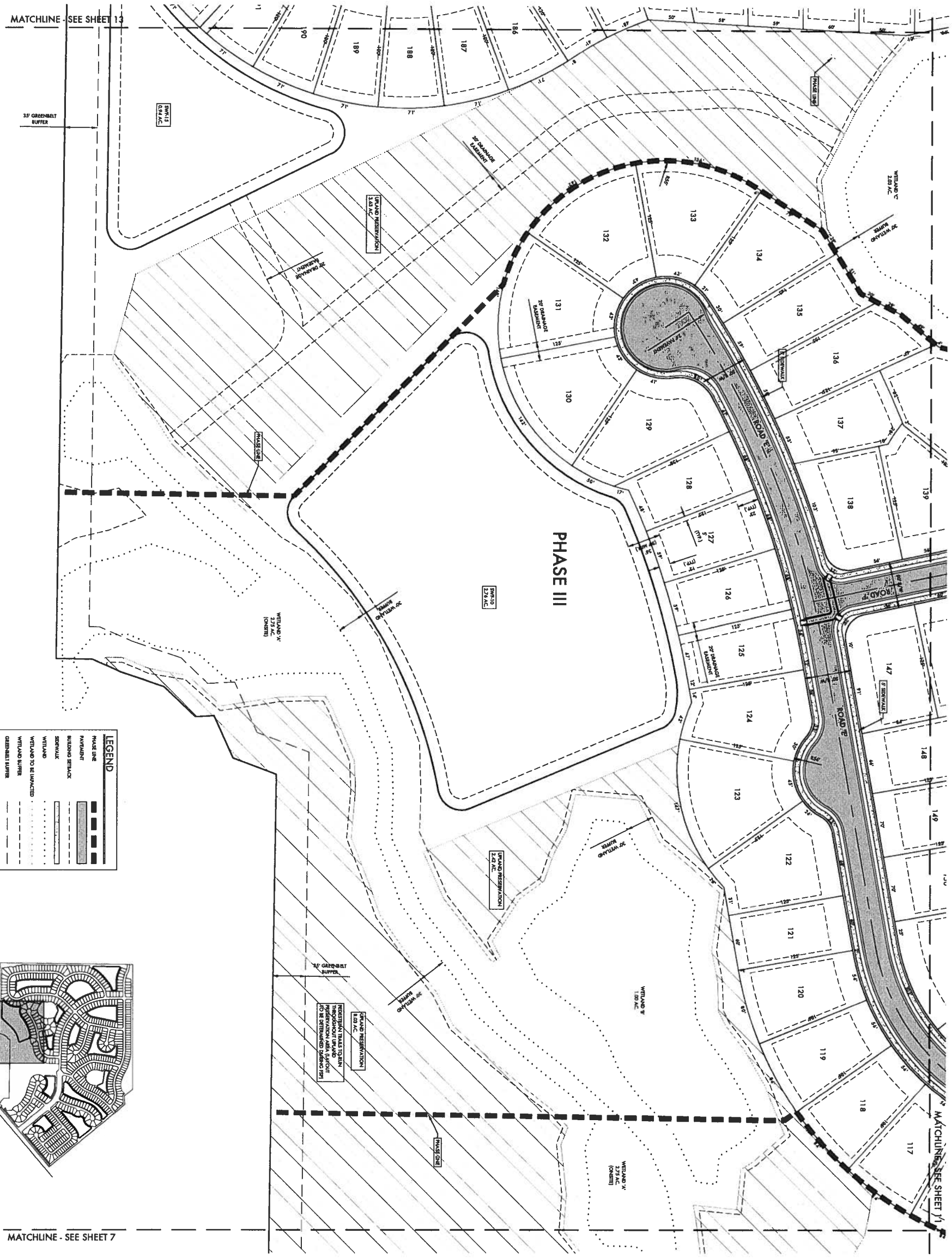

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DATE 04 2013
JOB NO. 00-43331
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PSP-6
SHEET 10

PRELIMINARY SITE PLAN
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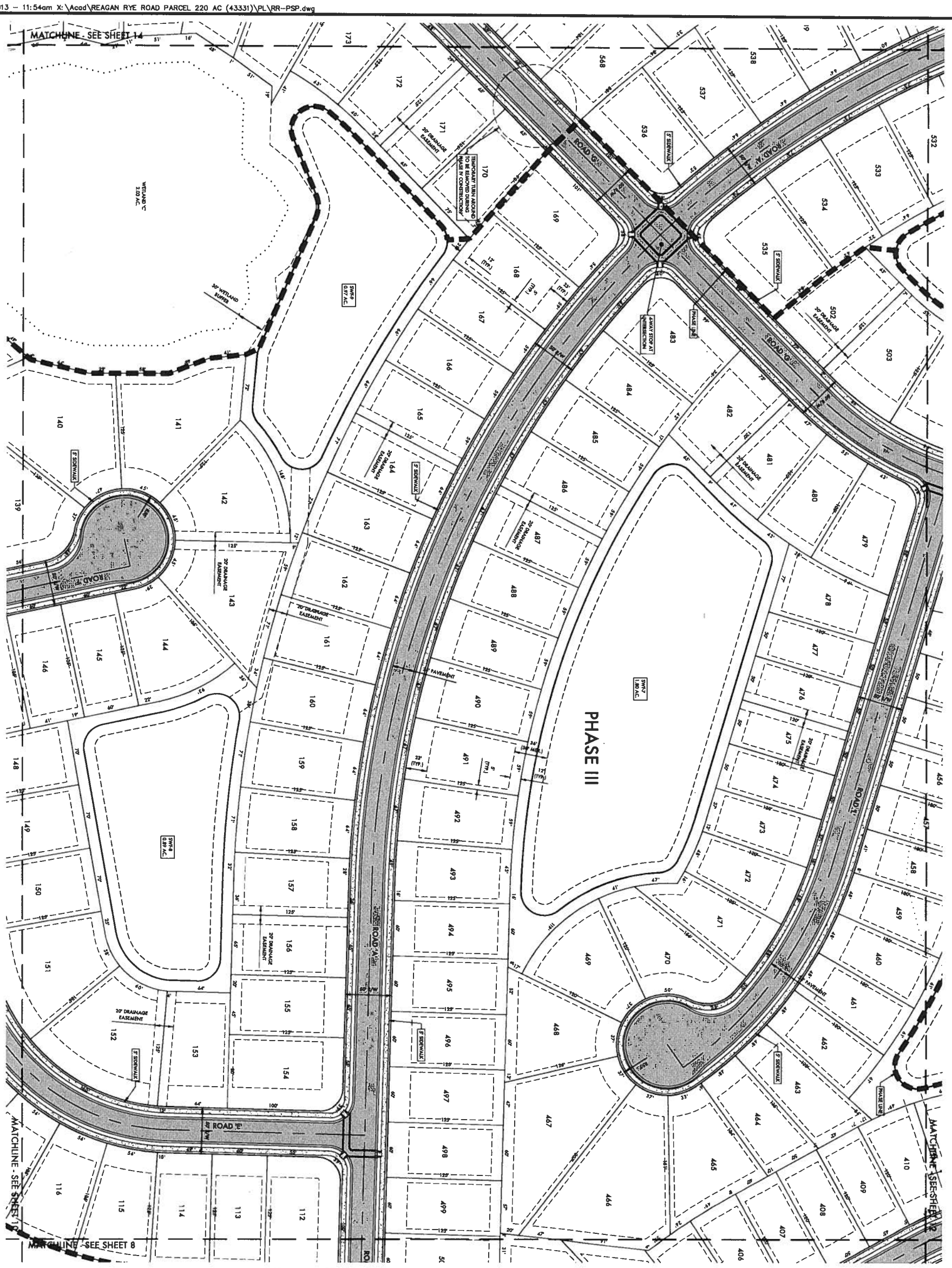

DESIGNED JCM
DRAWN MF
DATE 04 2013
JOB NO. 00-43331
SCALE 1"=50'
PSP-7
SHEET 11

PRELIMINARY SITE PLAN
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MATCHLINE - SEE SHEET 15

PHASE III

PHASE II

ROAD 'F'

ROAD 'G'

ROAD 'J'

ROAD 'K'

20' DRAINAGE EASEMENT

SWF-12 3.54 AC.

WETLAND 'F' 1.92 AC. (TO BE IMPACTED)

WETLAND 'G' 4.21 AC. (TO BE IMPACTED)

SWF-6 2.79 AC.

TEMPORARY TURN AROUND TO BE REMOVED DURING PHASE II CONSTRUCTION

5' SIDEWALK

35' AGRICULTURAL BUFFER

UPLAND PRESERVATION 1.32 AC.

MATCHLINE - SEE SHEET 9

LEGEND

PHASE LINE
PAVEMENT
BUILDING SETBACK
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT

KEY MAP

1"=50'

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JOB NO. 00-43331
SCALE 1"=50'
PSP-8
SHEET 12

PRELIMINARY SITE PLAN
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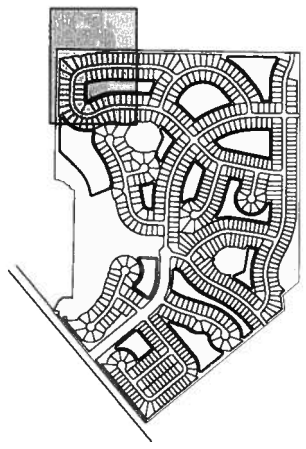
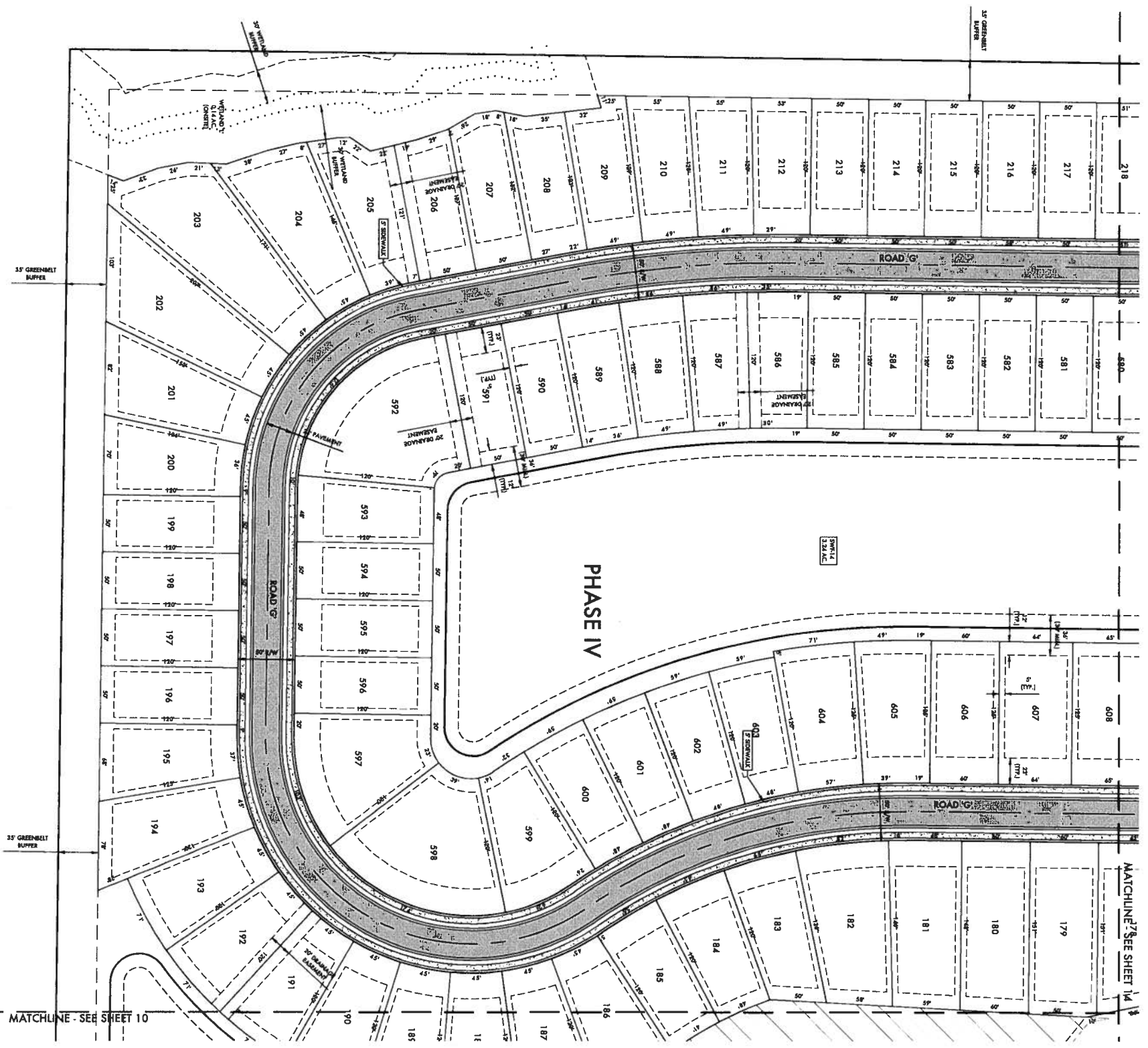
LEGEND

- PHASE LINE
- PAVEMENT
- BUILDING SETBACK
- SIDEWALK
- WETLAND
- WETLAND TO BE IMPACTED
- WETLAND BUFFER
- GREENBELT BUFFER
- EASEMENT

KEY MAP





1"=50'

DESIGNED JCM
DRAWN MF
DATE 04 2013
JOB NO. 00-43331
SCALE 1"=50'
PSP-9
SHEET 13

PRELIMINARY SITE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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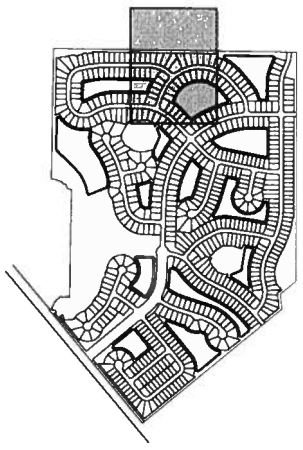
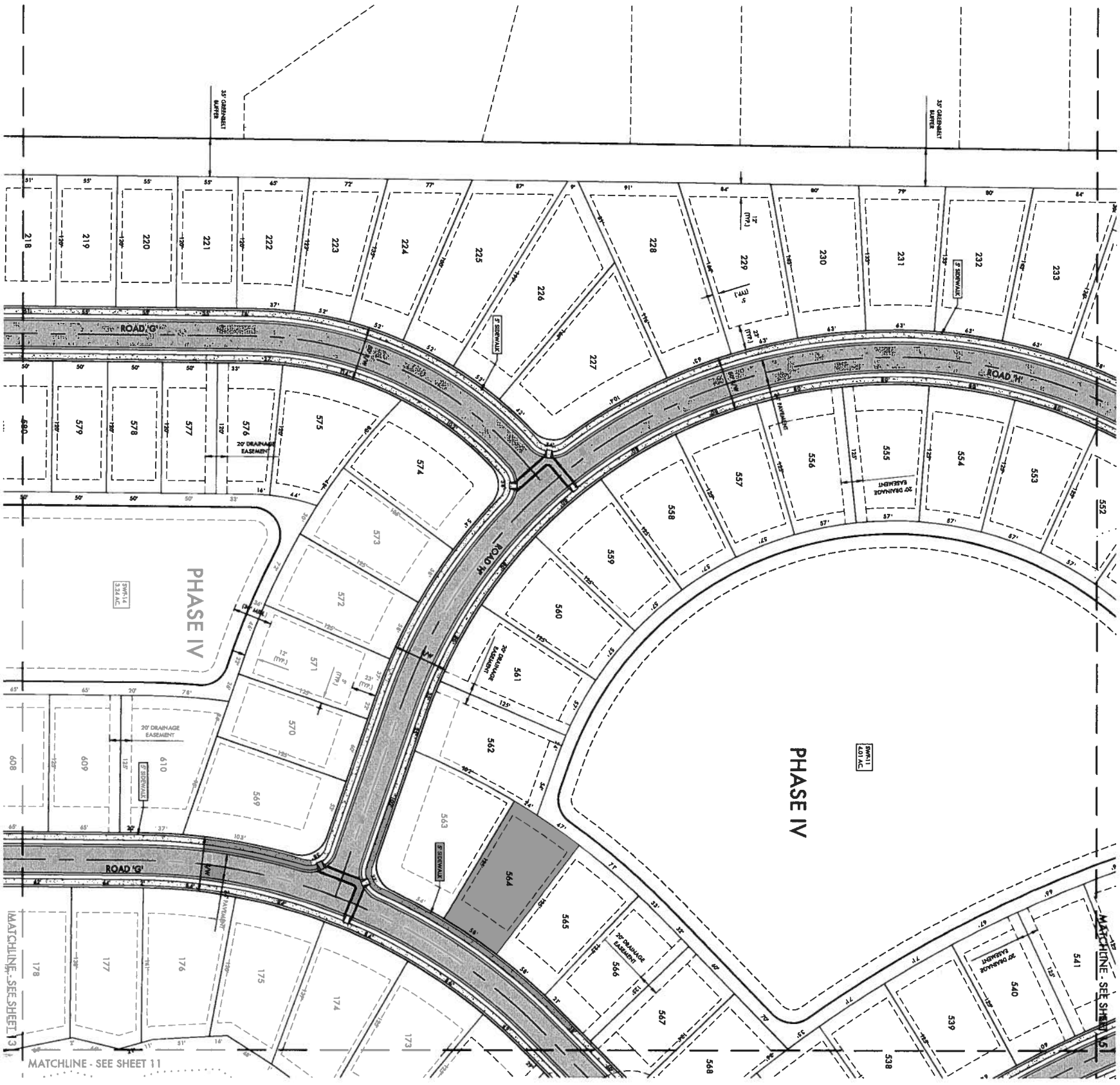
LEGEND

- PHASE LINE
- PAVEMENT
- BUILDING SETBACK
- SIDEWALK
- WETLAND
- WETLAND TO BE IMPACTED
- WETLAND BUFFER
- GREENBELT BUFFER
- EASEMENT

KEY MAP





1"=50'

DESIGNED	JGM
DRAWN	MF
DATE	04.2013
JOB NO.	00-43331
SCALE	1"=50'
	PSP-10
SHEET	14

PRELIMINARY SITE PLAN
FOR
DEL TIERRA
LOCATED IN
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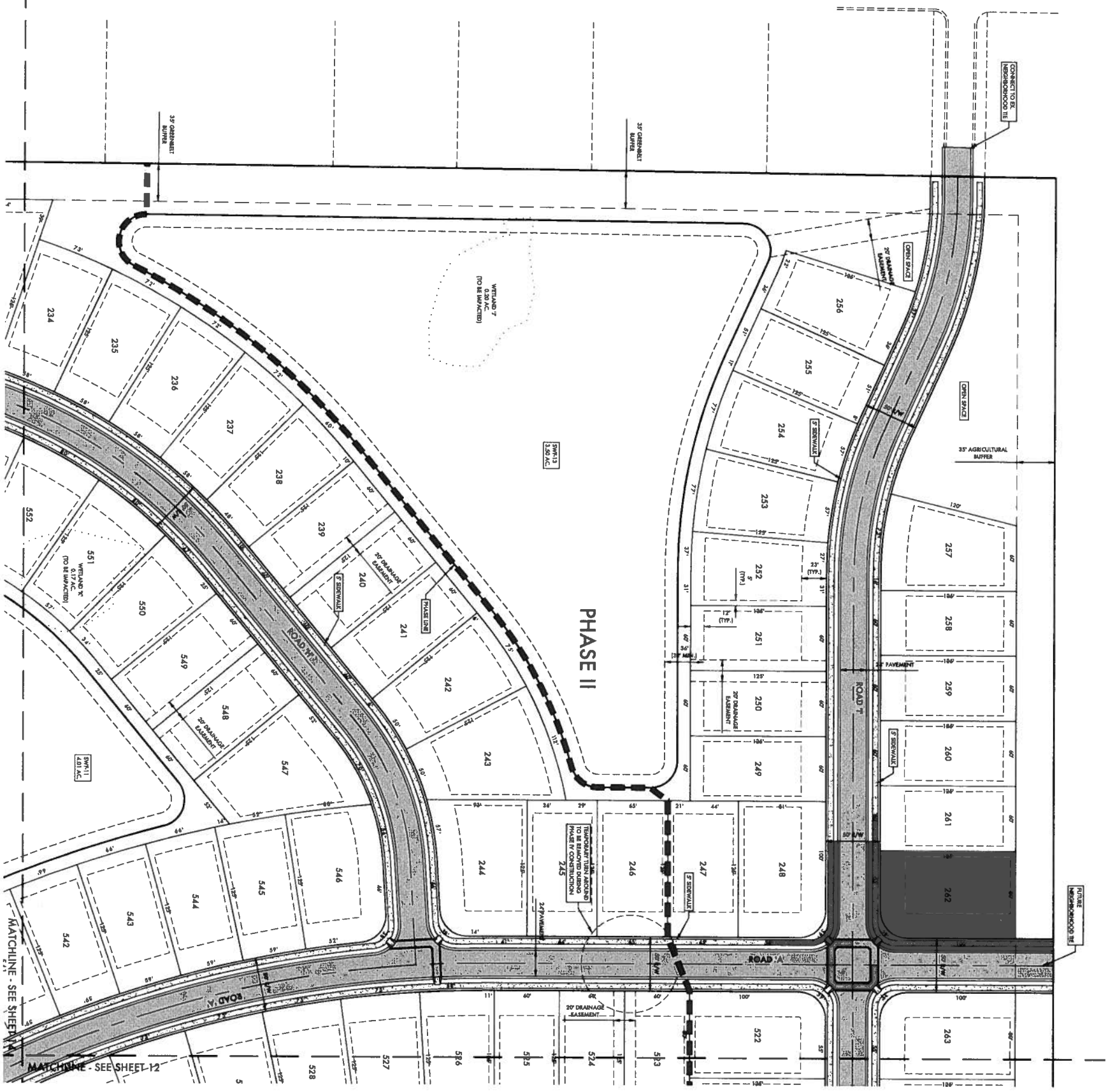
Tue, 22 Oct 2013 – 11:56am X:\Acad\REAGAN RYE ROAD PARCEL 220 AC (43331)\PL\RR-PSP.dwg

LEGEND

PHASE LINE
PAVEMENT
BUILDING SETBACK
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT

KEY MAP



1"=50'

DESIGNED JCM
DRAWN ME
DATE 04 2013
JOB NO. 00-43331
SCALE 1"=50'
PSP-11
SHEET 15

PRELIMINARY SITE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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PHASE IV

PHASE III

PHASE II

PHASE I

NOTE:
SEE SECTIONS AND DETAILS SHEET FOR SERVICE CONNECTIONS.

1" = 200'

DESIGNED JGM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=200'
SHEET 16

OVERALL PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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MATCHLINE - SEE SHEET 19

MATCHLINE - SEE SHEET 20

MATCHLINE - SEE SHEET 18

RYE ROAD

ROAD 'A'

ROAD 'B'

NOTE:
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 REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.

LEGEND

PHASE LINE
PAVEMENT
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT
DRAINAGE PIPE
WATERMAIN
RECLAIM WATERMAIN
FORCEMAIN
SWALE
CI — CURB INLET
JB — JUNCTION BOX
CS — CONTROL STRUCTURE
MES — MITERED END SECTION
GI — GRATE INLET
FH — FIRE HYDRANT
MH — MANHOLE

KEY MAP

1" =50'

DESIGNED	JCM
DRAWN	MF
DATE	04.2013
JOB NO.	00-43331
SCALE	1"=50'
	PEP-1
SHEET	17

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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MATCHLINE - SEE SHEET 20

MATCHLINE - SEE SHEET 21

MATCHLINE - SEE SHEET 17

ROAD 'B'

ROAD 'A'

20' DRAINAGE EASEMENT

RECLAIM WATERMAIN

WATERMAIN

SWMA 3.88 AC.

WETLAND 'D' 0.50 AC. (TO BE IMPACTED)

LANDSCAPING TO BE PLANTED OUTSIDE OF THE DRAINAGE EASEMENT

NOTE:
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 REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.

LEGEND

PHASE LINE
PAVEMENT
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT
DRAINAGE PIPE
WATERMAIN
RECLAIM WATERMAIN
FORCEMAIN
SWALE
CI — CURB INLET
JB — JUNCTION BOX
CS — CONTROL STRUCTURE
MES — MITERED END SECTION
GI — GRATE INLET
FH — FIRE HYDRANT
MH — MANHOLE

KEY MAP

1" = 50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-2
SHEET 18

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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MATCHLINE - SEE SHEET 22

MATCHLINE - SEE SHEET 17

MATCHLINE - SEE SHEET 20

RYE ROAD

ROAD 'B'

ROAD 'A'

WETLAND 'A' 2.75 AC. (ONSITE)

WETLAND 'B' 2.62 AC. (OFFSITE)

SWM 1 1.80 AC.

SWM 2 1.30 AC.

20' DRAINAGE EASEMENT

30' DRAINAGE EASEMENT

WATER AND RECLAIM FOR REC. AREA TO BE DETERMINED DURING SDP

NOTE:
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 REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.

LEGEND

PHASE LINE
PAVEMENT
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT
DRAINAGE PIPE
WATERMAIN
RECLAIM WATERMAIN
FORCEMAIN
SWALE
CI — CURB INLET
JB — JUNCTION BOX
CS — CONTROL STRUCTURE
MES — MITERED END SECTION
GI — GRATE INLET
FH — FIRE HYDRANT
MH — MANHOLE

KEY MAP

1"=50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-3
SHEET 19

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
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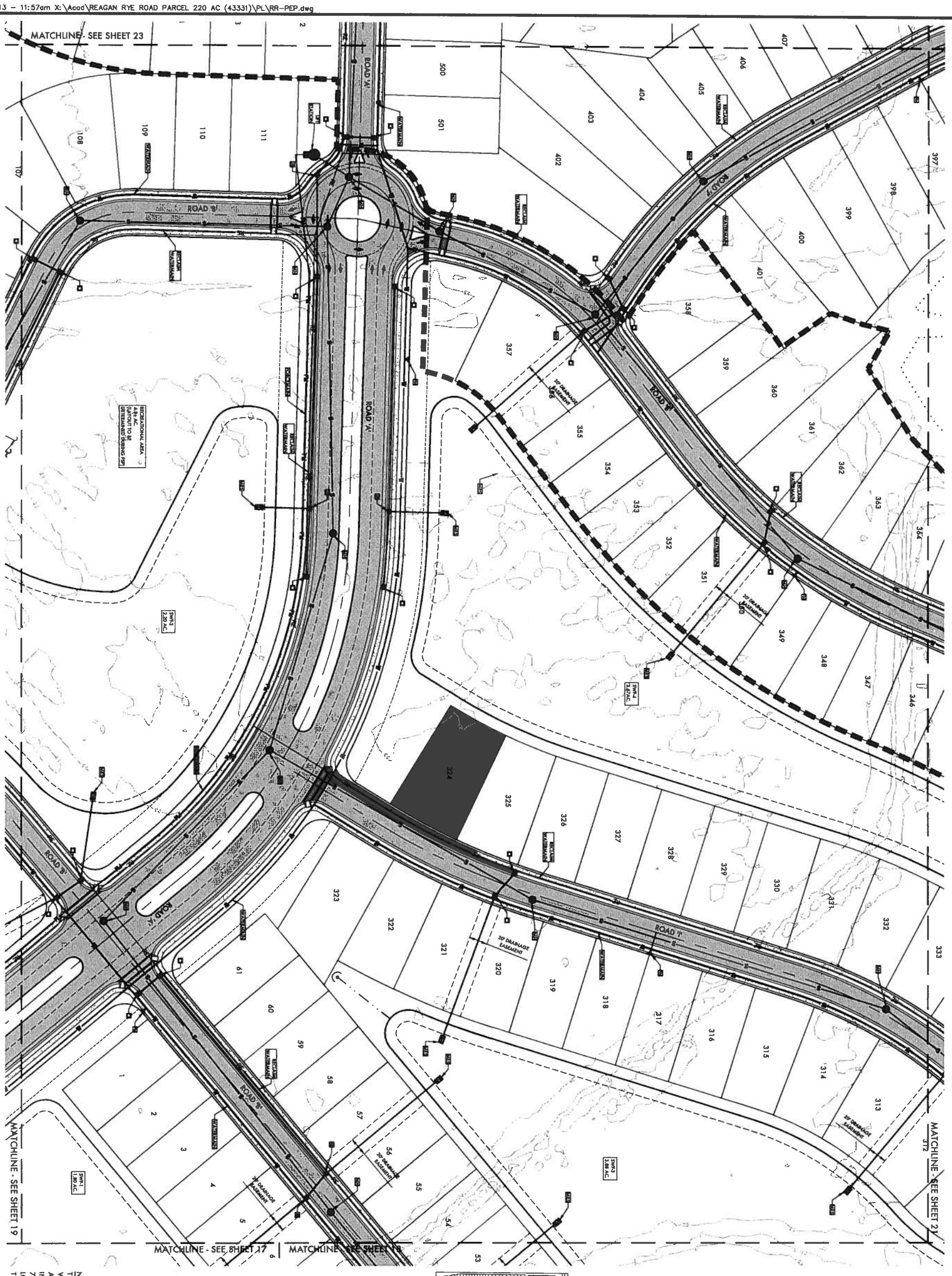

NOTE:
THE PROPOSED POTABLE WATER, RECLAIMED WATER AND/OR WASTEWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 722 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.

LEGEND

PHASE LINE
PAVEMENT
SIDEWALK
WETLAND
WETLAND TO BE IMPACTED
WETLAND BUFFER
GREENBELT BUFFER
EASEMENT
DRAINAGE PIPE
WATERMAIN
RECLAIM WATERMAIN
FORCEMAIN
SWALE
CI — CURB INLET
JB — JUNCTION BOX
CS — CONTROL STRUCTURE
MES — MITERED END SECTION
GI — GRATE INLET
FH — FIRE HYDRANT
MH — MANHOLE

KEY MAP

1"=50'

DESIGNED	JCM
DRAWN	MF
DATE	04.2013
JOB NO.	00-43331
SCALE	1"=50'
	PEP-4
SHEET	20

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
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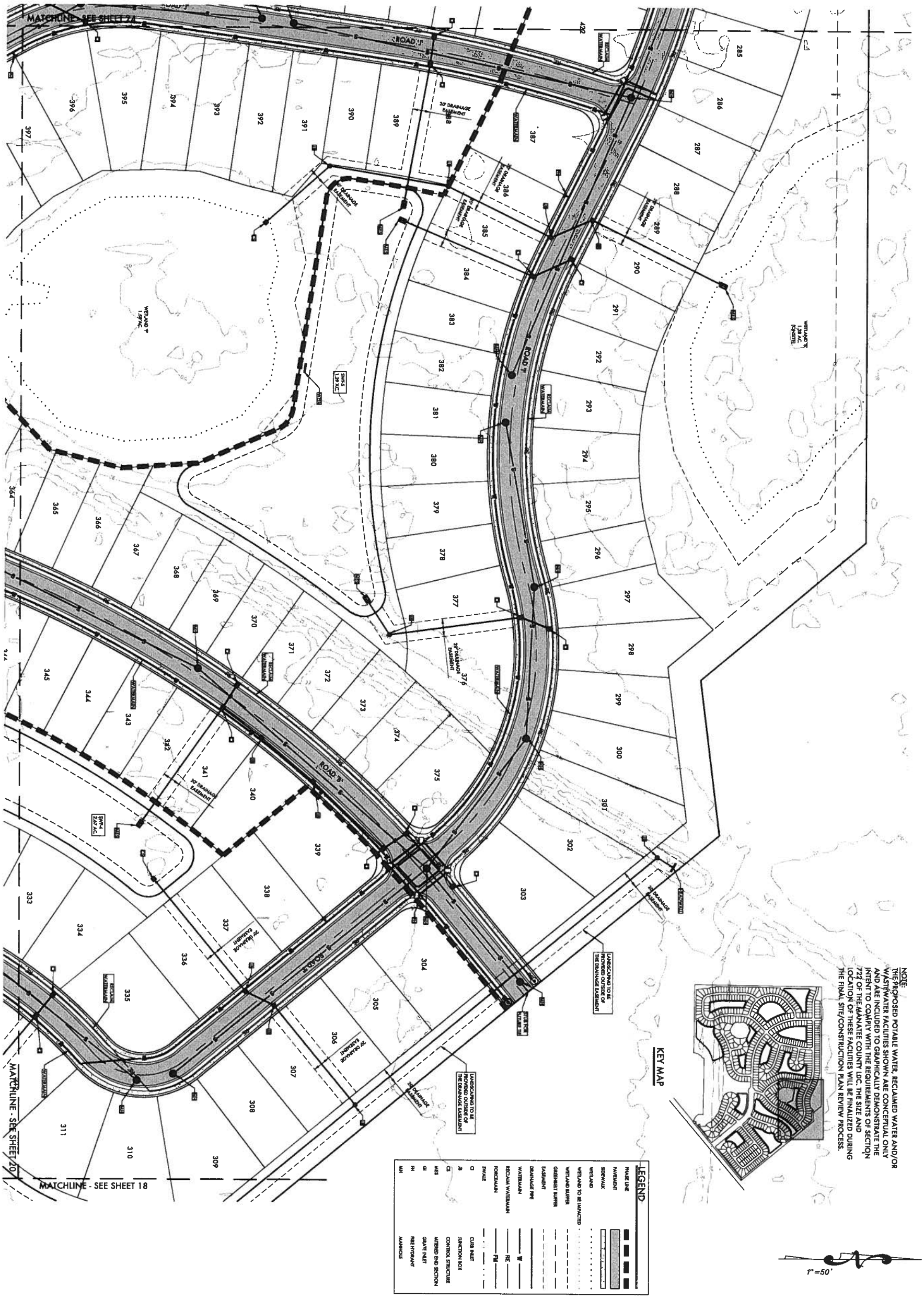

NOTE:
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DESIGNED JCM
DRAWN MF
DATE 04 2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-5
SHEET 21

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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DESIGNED	JCM
DRAWN	MF
DATE	04.2013
JOB NO.	00-43331
SCALE	1"=50'
	PEP-6
SHEET	22

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
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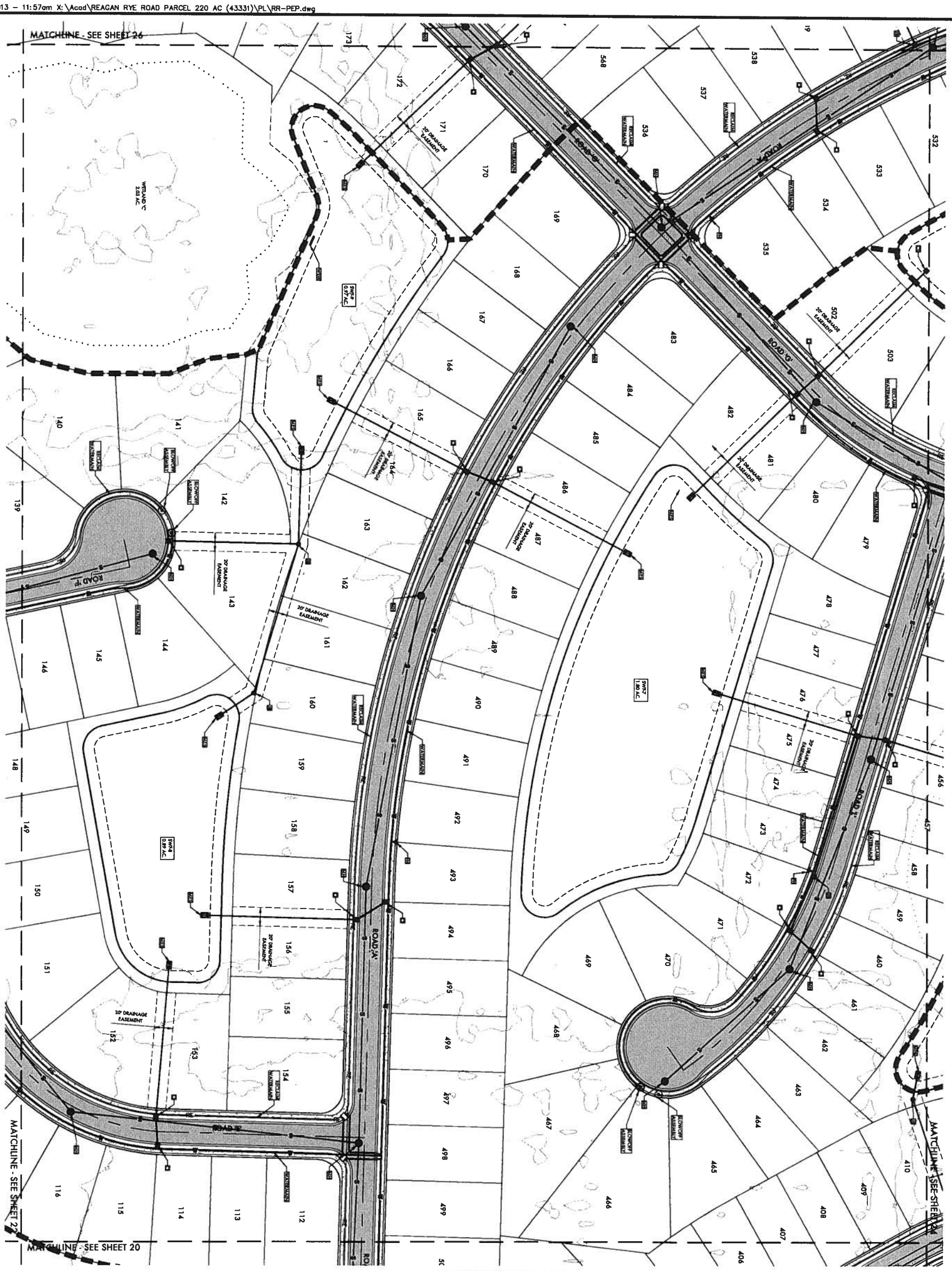

NOTE:
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LEGEND

PHASE LINE	
PAVEMENT	
SIDEWALK	
WETLAND	
WETLAND TO BE IMPACTED	
WETLAND BUFFER	
GREENBELT BUFFER	
EASEMENT	
DRAINAGE PIPE	
WATERMAIN	W
RECLAIM WATERMAIN	RE
FORCEMAIN	FM
SWALE	
CI	CURB INLET
JB	JUNCTION BOX
CS	CONTROL STRUCTURE
MES	MITERED END SECTION
GI	GRATE INLET
FH	FIRE HYDRANT
MH	MANHOLE

KEY MAP

1" = 50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-7
SHEET 23

PRELIMINARY ENGINEERING PLAN
FOR
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LOCATED IN
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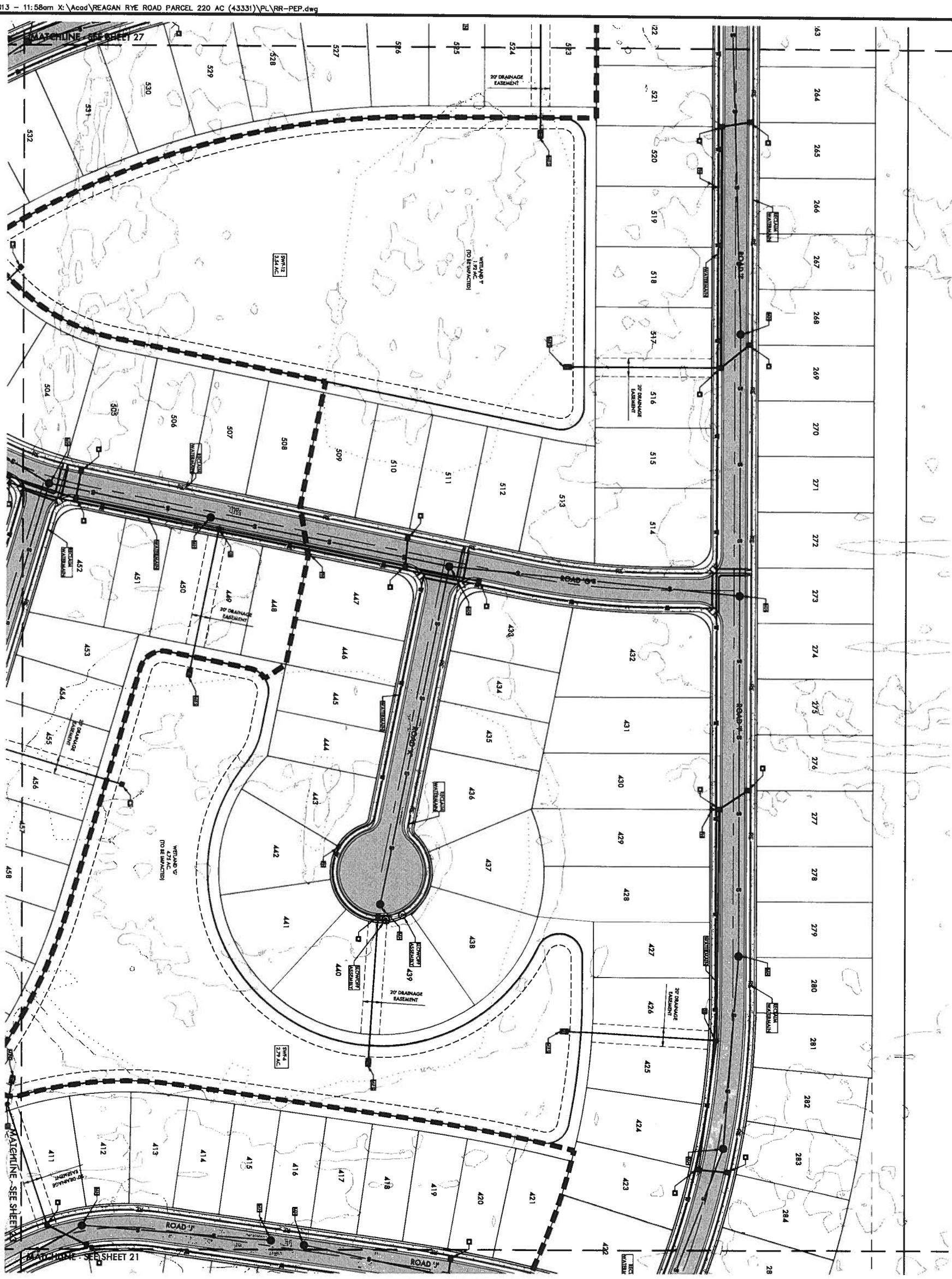

NOTE:
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LEGEND

- PHASE LINE
- PAVEMENT
- SIDEWALK
- WETLAND
- WETLAND TO BE IMPACTED
- WETLAND BUFFER
- GREENBELT BUFFER
- EASEMENT
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- RECLAIM WATERMAIN
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- SWALE
- CI — CURB INLET
- JB — JUNCTION BOX
- CS — CONTROL STRUCTURE
- MES — MITERED END SECTION
- GI — GRATE INLET
- FH — FIRE HYDRANT
- MH — MANHOLE

KEY MAP

1" =50'

DESIGNED JCM
DRAWN MF
DATE 04 2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-1
SHEET 24

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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NOTE:
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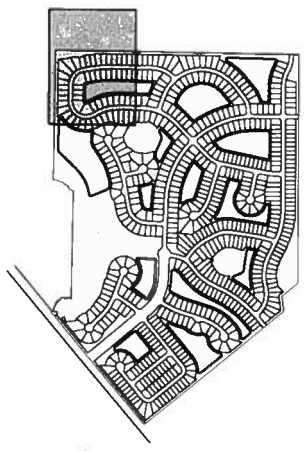
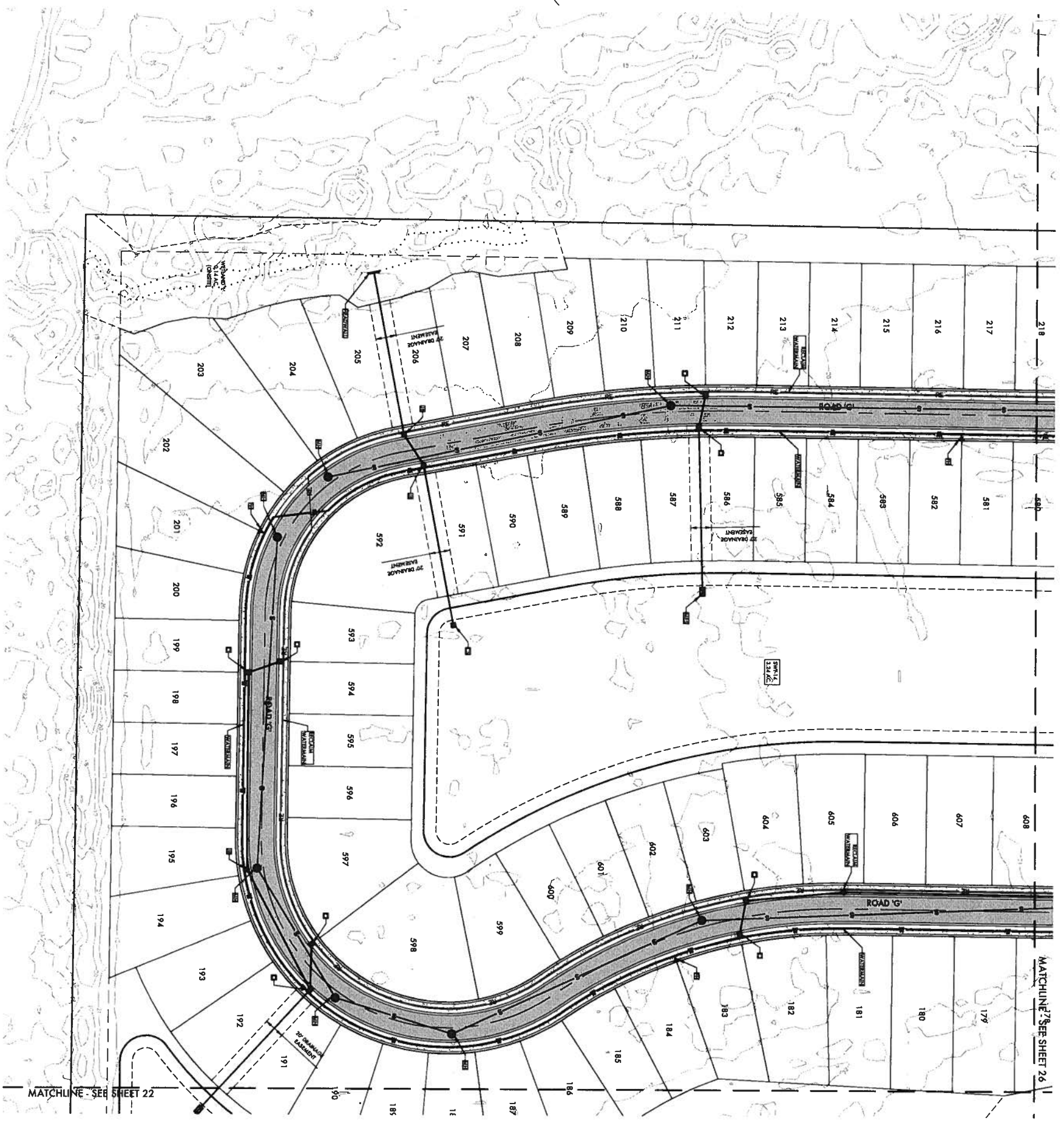
LEGEND

PHASE LINE	
PAVEMENT	
SIDEWALK	
WETLAND	
WETLAND TO BE IMPACTED	
WETLAND BUFFER	
GREENBELT BUFFER	
EASEMENT	
DRAINAGE PIPE	
WATERMAIN	W
RECLAIM WATERMAIN	RC
FORCEMAIN	FM
SWALE	
CI	CURB INLET
JB	JUNCTION BOX
CS	CONTROL STRUCTURE
MES	MITERED END SECTION
GI	GRATE INLET
FH	FIRE HYDRANT
MH	MANHOLE

KEY MAP





1"=50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-9
SHEET 25

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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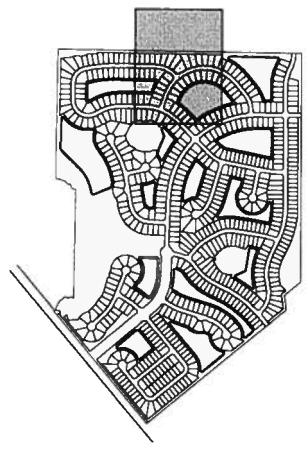
KEY MAP



LEGEND

PHASE LINE	
PAVEMENT	
SIDEWALK	
WETLAND	
WETLAND TO BE IMPACTED	
WETLAND BUFFER	
GREENBELT BUFFER	
EASEMENT	
DRAINAGE PIPE	
WATERMAIN	W
RECLAIM WATERMAIN	RW
FORCEMAIN	FM
SWALE	
CI	CURB INLET
JB	JUNCTION BOX
CS	CONTROL STRUCTURE
MES	MITERED END SECTION
GI	GRATE INLET
FH	FIRE HYDRANT
MH	MANHOLE

NOTE:
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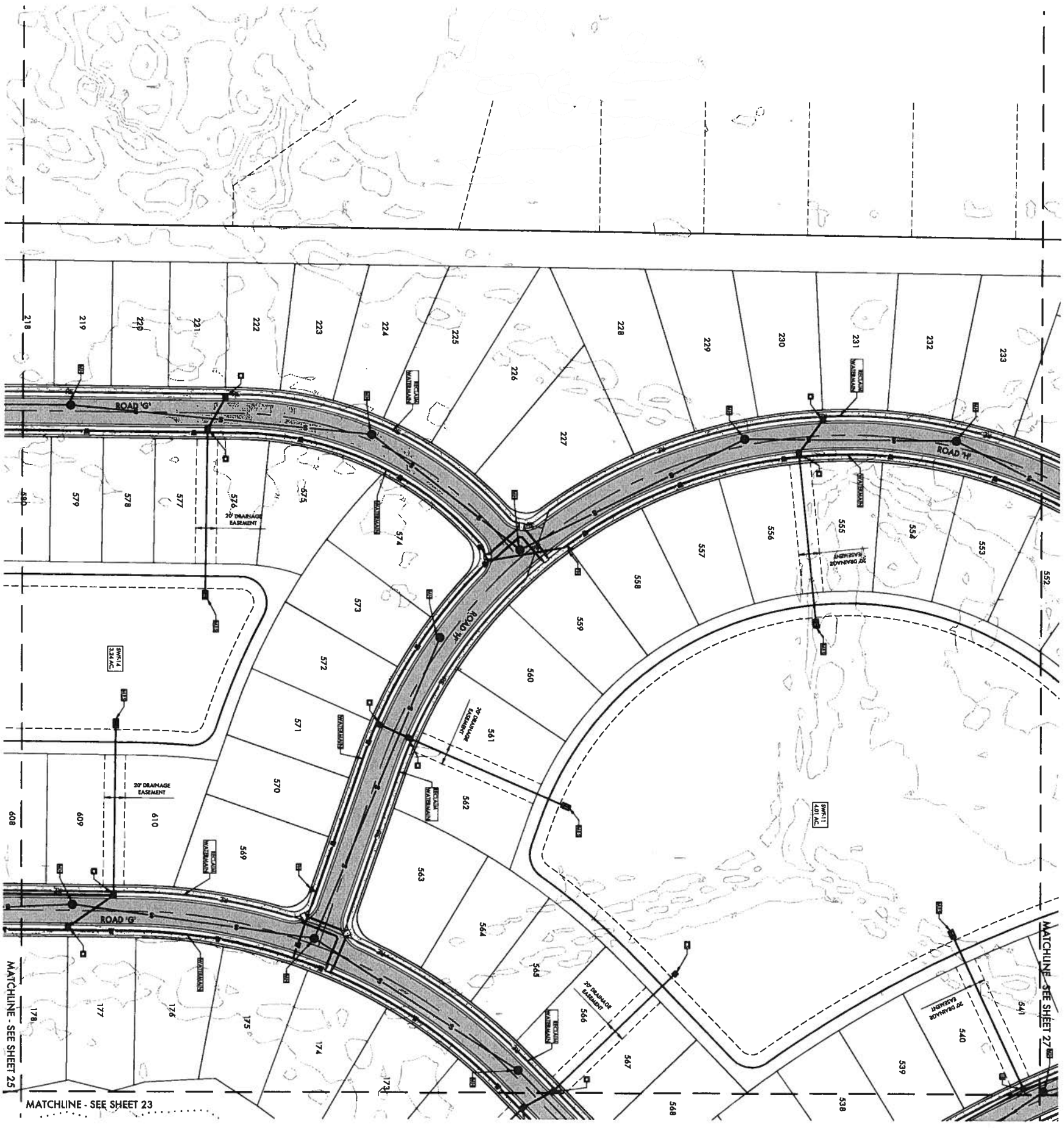

1" = 50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-10
SHEET 26

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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NOTE:
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LEGEND

PHASE LINE	
PAVEMENT	
SIDEWALK	
WETLAND	
WETLAND TO BE IMPACTED	
WETLAND BUFFER	
GREENBELT BUFFER	
EASEMENT	
DRAINAGE PIPE	
WATERMAIN	W
RECLAIM WATERMAIN	RE
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SWALE	
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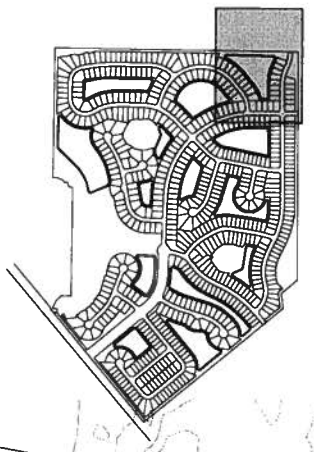
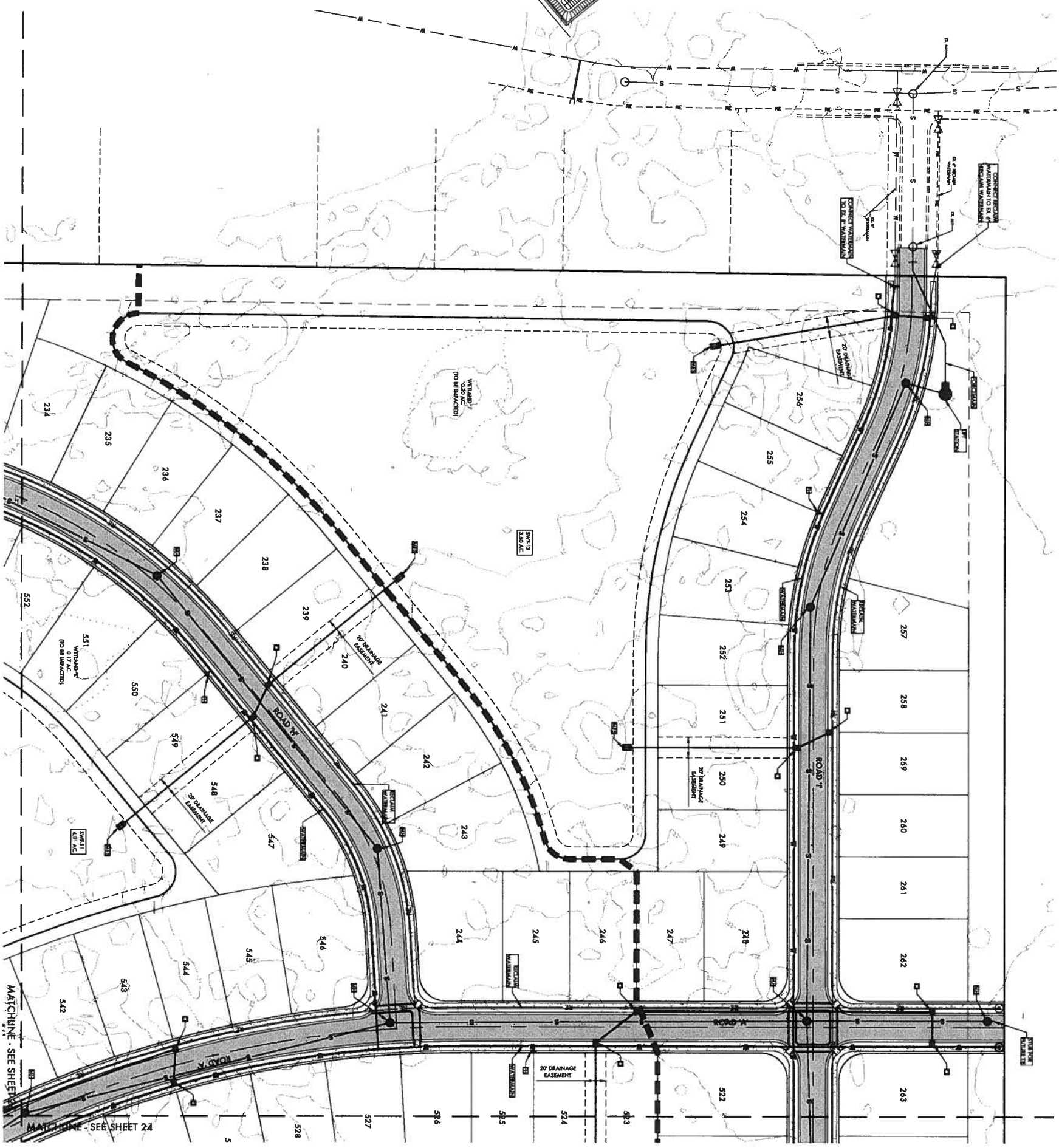
KEY MAP





1"=50'

DESIGNED JCM
DRAWN MF
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
PEP-11
SHEET 27

PRELIMINARY ENGINEERING PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

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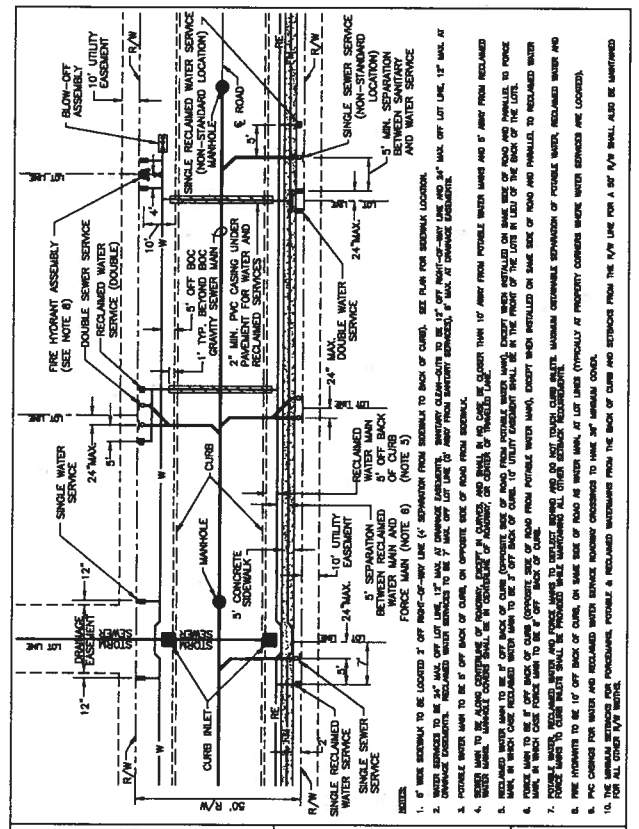
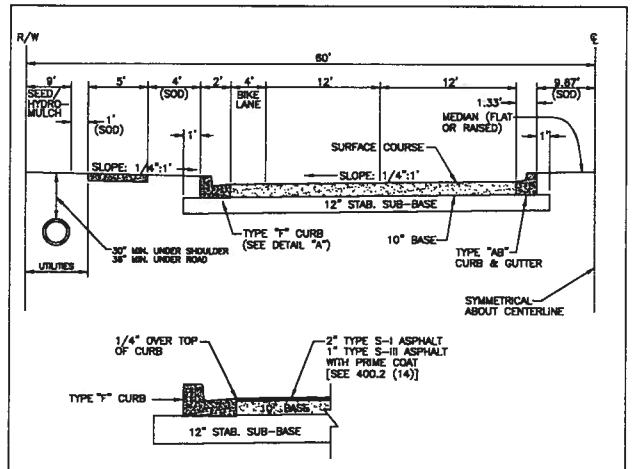


MANATEE COUNTY PUBLIC WORKS DEPARTMENT			
REV.BY	DATE		
CLB/BR	11/10	MARY 100, 2011 DATE OF APPROVAL	UTILITY LAYOUT FOR 50' R/W
			UG-17
			PAGE 117



DETAIL "A"

NOTES:

A) Asphaltic concrete surface course shall be 2" Type S-I and 1" Type S-III. Two lifts of asphalt shall be required. A performance bond shall be required if the second lift is delayed beyond initial road acceptance.

B) 10" base course 850 lbs. per sq. yd. limerock* compacted to 98% T180 AASHTO, or 8" soil cement.*

C) 12" stabilized sub-base shell marl blended with sandy sub-grade minimum LBR 50, 98% T180 AASHTO.

D) Median is to be sodded.

E) See section 201.0 for curb and gutter types.

F) Laboratory tests are required to substantiate structural section design. Specifications shown on this sheet are minimum requirements.

G) No portion of pipe to be into sub-base.

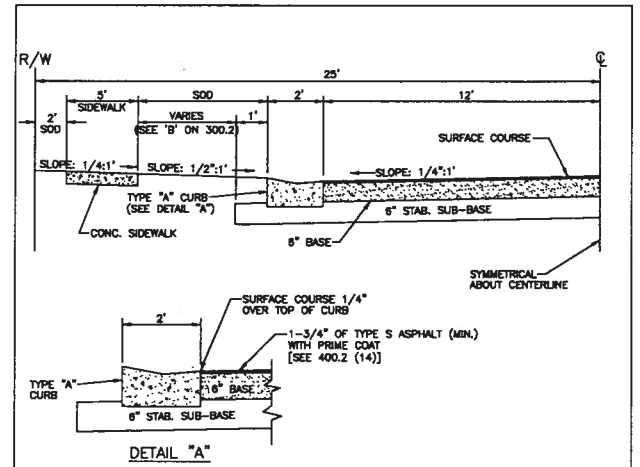
H) Sidewalk to be constructed per section 300.

I) Sodding to be installed per section 400.1 (8).

J) When the first 2 lanes of an ultimate 4-lane need is approved, the outside 2 lanes shall be constructed first. In addition, left turn lanes must be constructed at all intersections at the time of initial construction unless exempted by the Transportation Director.

* Or approved equal, meeting same structural number.

MANATEE COUNTY TRANSPORTATION DEPARTMENT			
REV.BY	DATE		
		6/12/07 DATE OF B.O.C.C. APPROVAL	TYPICAL 4-LANE DIVIDED ROADWAY
			401.2



DETAIL "A"

NOTES:

A) Asphaltic concrete surface course shall be layed 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. A performance bond shall be required if the second lift is delayed beyond acceptance of the road.

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 AASHTO.

D) On new construction, sanitary sewer may be placed on centerline of R/W if desired. All laterals to be installed at the same time as sanitary sewer main line.

E) See section 201.0 for curb and gutter types.

F) No portion of drainage pipe shall be allowed in sub-base. 12"minimum cover is required on storm drain.

G) Sidewalk shall be 1'or 2' inside R/W line, with 2' preferable. To be constructed per section 300.1

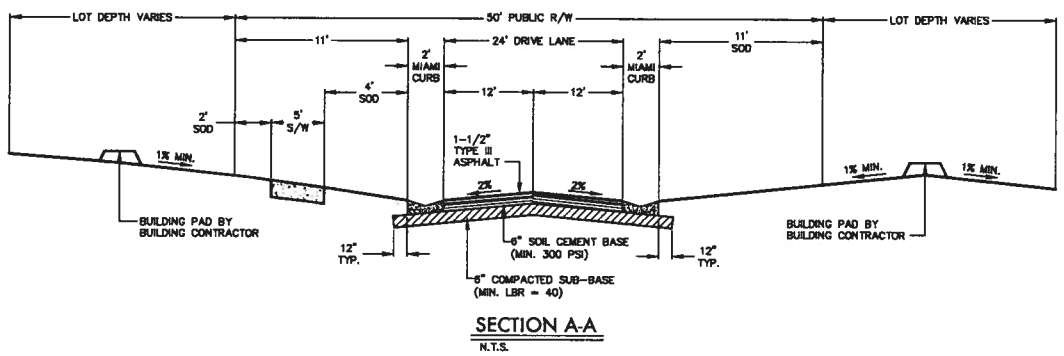
H) Laboratory tests are required to substantiate structural section design. Specifications shown on this sheet are minimum requirements.

I) If sidewalks are not required, only 2' of sod is required back of curb. Hydromulch balance of right-of-way.

J) Sodding shall be installed per section 400.1 (8)

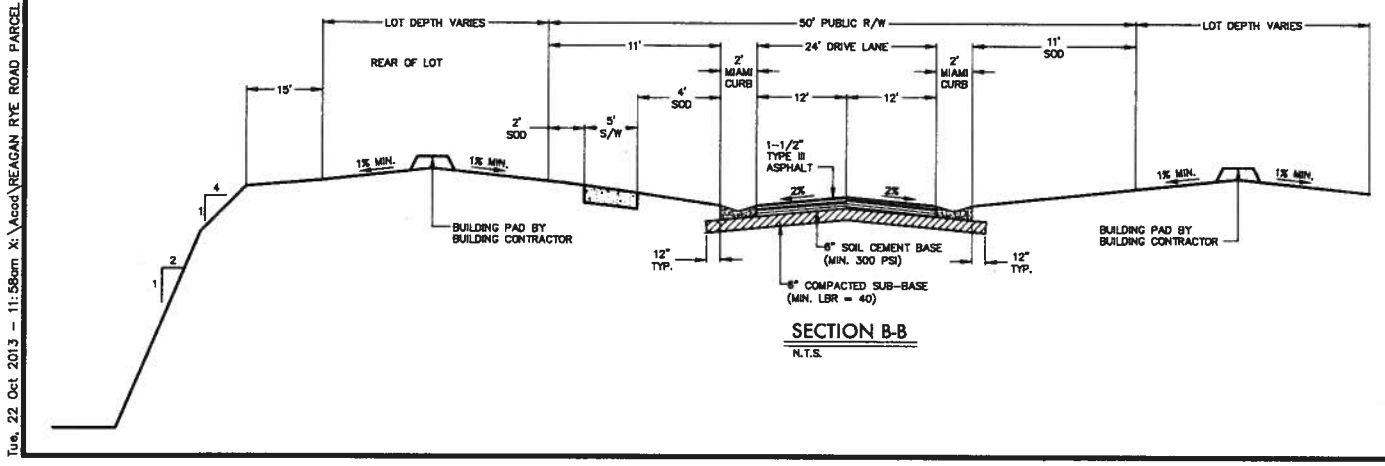
* Or approved equal, meeting same structural number.

MANATEE COUNTY TRANSPORTATION DEPARTMENT			
REV.BY	DATE		
		6/12/07 DATE OF B.O.C.C. APPROVAL	LOCAL URBAN RESIDENTIAL
			401.8



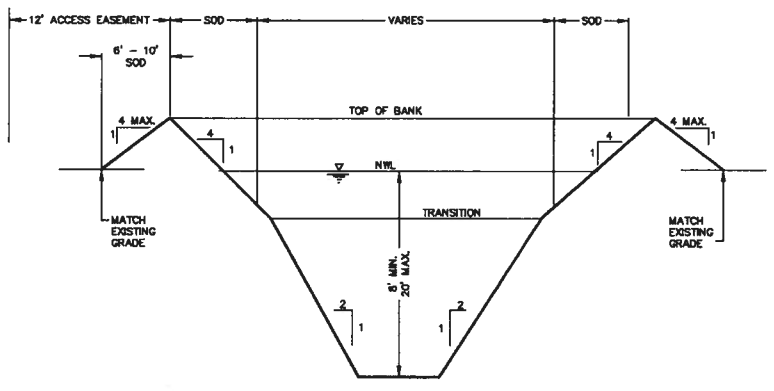
SECTION A-A

N.T.S.



SECTION B-B

N.T.S.



TYPICAL SWF DETAIL

N.T.S.

Tue, 22 Oct 2013 - 11:58am X:\Acad\REAGAN RYE ROAD PARCEL 220 AC (4333)\PL\RR-DET.dwg

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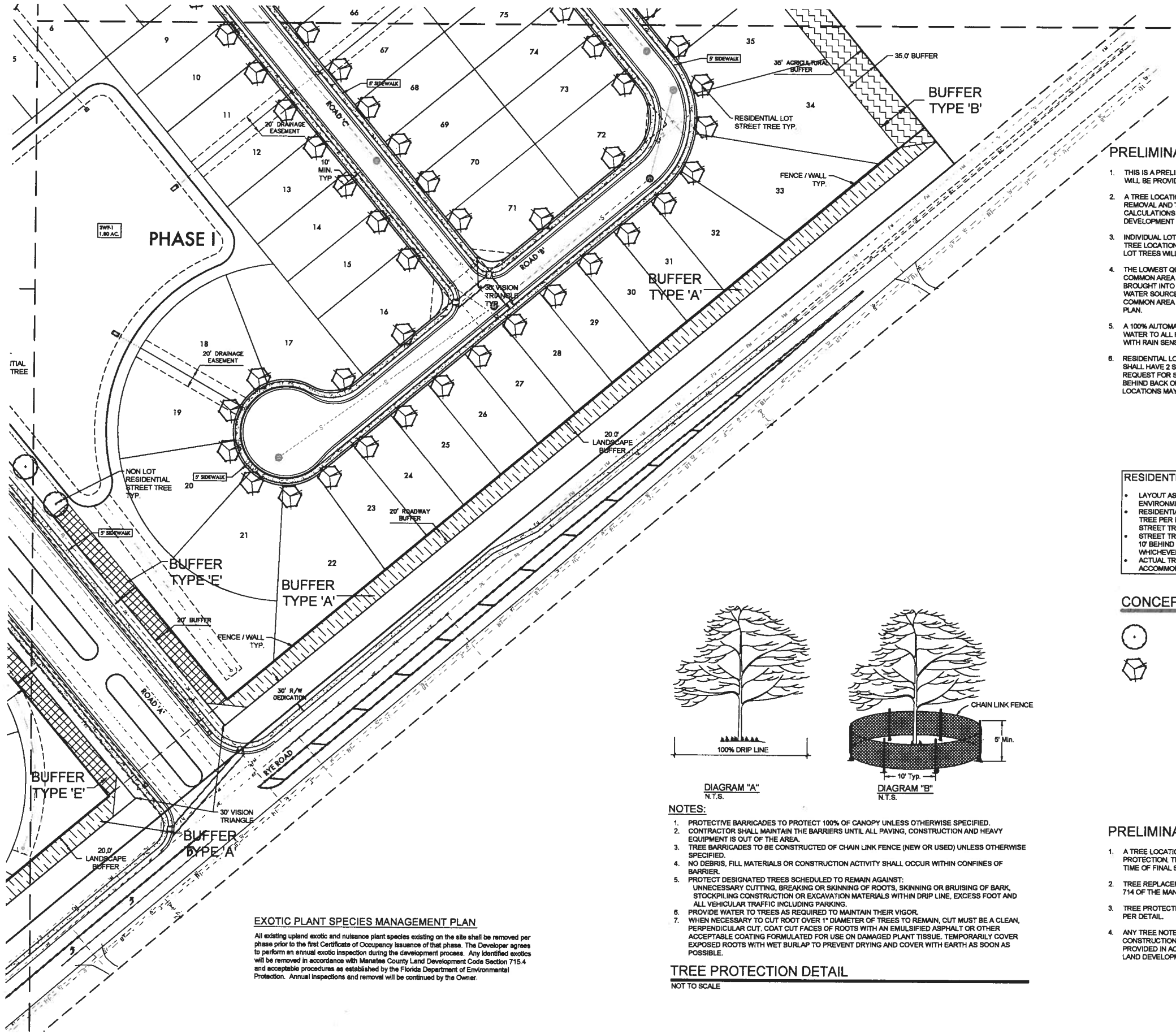
PRELIMINARY SECTIONS AND DETAILS
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: JOA
DRAWN: MF
DATE: 10.2013
JOB NO.: 00-4333
SCALE: AS SHOWN

SHEET: 28



PRELIMINARY SITE PLAN NOTES

1. THIS IS A PRELIMINARY LANDSCAPE PLAN. ADDITIONAL AND MORE SPECIFIED INFORMATION WILL BE PROVIDED AT TIME OF FINAL SITE PLAN SUBMITTAL.
2. A TREE LOCATION SURVEY WILL BE COMPLETED ALONG WITH TREE PROTECTION, TREE REMOVAL AND TREE REPLACEMENT CALCULATIONS AT TIME OF FINAL SITE PLAN SUBMITTAL. CALCULATIONS WILL BE IN ACCORDANCE WITH SECTION 714 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
3. INDIVIDUAL LOT STREET TREES SHALL BE INSTALLED BY BUILDER PRIOR TO HOME OCCUPANCY TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE UTILITIES AND ACCESS. INDIVIDUAL LOT TREES WILL BE IRRIGATION BY THE INDIVIDUAL LOT IRRIGATION SYSTEMS.
4. THE LOWEST QUALITY WATER SOURCE SHALL BE USED AS AN IRRIGATION WATER SOURCE FOR COMMON AREA PLANTINGS. RECLAIMED WATER IS AVAILABLE VIA RYE ROAD AND WILL BE BROUGHT INTO THE COMMUNITY. RECLAIMED WATER SHALL BE USED AS THE IRRIGATION WATER SOURCE. MULTIPLE TAPS WILL BE REQUIRED THROUGHOUT THE DEVELOPMENT FOR COMMON AREA IRRIGATION SUPPLY. TAP LOCATIONS TO BE COORDINATED WITH FINAL SITE PLAN.
5. A 100% AUTOMATIC UNDERGROUND IRRIGATION SYSTEM SHALL BE INSTALLED TO SUPPLY WATER TO ALL REQUIRED LANDSCAPE MATERIAL. THE SYSTEM SHALL INCLUDE CONTROLLERS WITH RAIN SENSORS.
6. RESIDENTIAL LOT STREET TREE LAYOUT REVISED TO 1 STREET TREE PER LOT - CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE) IN ACCORDANCE WITH THE REQUEST FOR SPECIFIC APPROVAL. STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER. ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 80' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE
-

RESIDENTIAL LOT STREET TREE
-

EXOTIC PLANT SPECIES MANAGEMENT PLAN

All existing upland exotic and nuisance plant species existing on the site shall be removed per phase prior to the first Certificate of Occupancy issuance of that phase. The Developer agrees to perform an annual exotic inspection during the development process. Any identified exotics will be removed in accordance with Manatee County Land Development Code Section 715.4 and acceptable procedures as established by the Florida Department of Environmental Protection. Annual inspections and removal will be continued by the Owner.

DIAGRAM "A"
N.T.S.

DIAGRAM "B"
N.T.S.

NOTES:

1. PROTECTIVE BARRICADES TO PROTECT 100% OF CANOPY UNLESS OTHERWISE SPECIFIED.
2. CONTRACTOR SHALL MAINTAIN THE BARRIERS UNTIL ALL PAVING, CONSTRUCTION AND HEAVY EQUIPMENT IS OUT OF THE AREA.
3. TREE BARRICADES TO BE CONSTRUCTED OF CHAIN LINK FENCE (NEW OR USED) UNLESS OTHERWISE SPECIFIED.
4. NO DEBRIS, FILL MATERIALS OR CONSTRUCTION ACTIVITY SHALL OCCUR WITHIN CONFINES OF BARRIER.
5. PROTECT DESIGNATED TREES SCHEDULED TO REMAIN AGAINST: UNNECESSARY CUTTING, BREAKING OR SKINNING OF ROOTS, SKINNING OR BRUISING OF BARK, STOCKPILING CONSTRUCTION OR EXCAVATION MATERIALS WITHIN DRIP LINE, EXCESS FOOT AND ALL VEHICULAR TRAFFIC INCLUDING PARKING.
6. PROVIDE WATER TO TREES AS REQUIRED TO MAINTAIN THEIR VIGOR.
7. WHEN NECESSARY TO CUT ROOT OVER 1" DIAMETER OF TREES TO REMAIN, CUT MUST BE A CLEAN, PERPENDICULAR CUT. COAT CUT FACES OF ROOTS WITH AN EMULSIFIED ASPHALT OR OTHER ACCEPTABLE COATING FORMULATED FOR USE ON DAMAGED PLANT TISSUE. TEMPORARILY COVER EXPOSED ROOTS WITH WET BURLAP TO PREVENT DRYING AND COVER WITH EARTH AS SOON AS POSSIBLE.

TREE PROTECTION DETAIL

NOT TO SCALE

PRELIMINARY TREE PROTECTION NOTES

1. A TREE LOCATION SURVEY WILL BE COMPLETED ALONG WITH TREE PROTECTION, TREE REMOVAL AND TREE REPLACEMENT CALCULATIONS AT TIME OF FINAL SITE PLAN SUBMITTAL.
2. TREE REPLACEMENT CALCULATIONS WILL BE IN ACCORDANCE WITH SECTION 714 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.
3. TREE PROTECTION BARRIER SHALL BE INSTALLED FOR TREES TO REMAIN AS PER DETAIL.
4. ANY TREE NOTED TO REMAIN WITH A > 15% IMPACT TO THE CANOPY (DUE TO CONSTRUCTION/DEVELOPMENT) SHALL HAVE REPLACEMENT TREES PROVIDED IN ACCORDANCE WITH SECTION 714 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE.

KIMBERLY L. BERGSTEN
LANDSCAPE ARCHITECT FL #0001695
SIGNATURE

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REVISIONS
1. PSP SUBMITTAL 2013.05.10 KLB
2. RESPONSE TO MC COMMENTS 1 2013.07.17 KLB
3. RESPONSE TO MC COMMENTS 2 2013.08.20 KLB
4. REVISED AFTER MEETINGS W/ MC STAFF 2013.09.19 KLB
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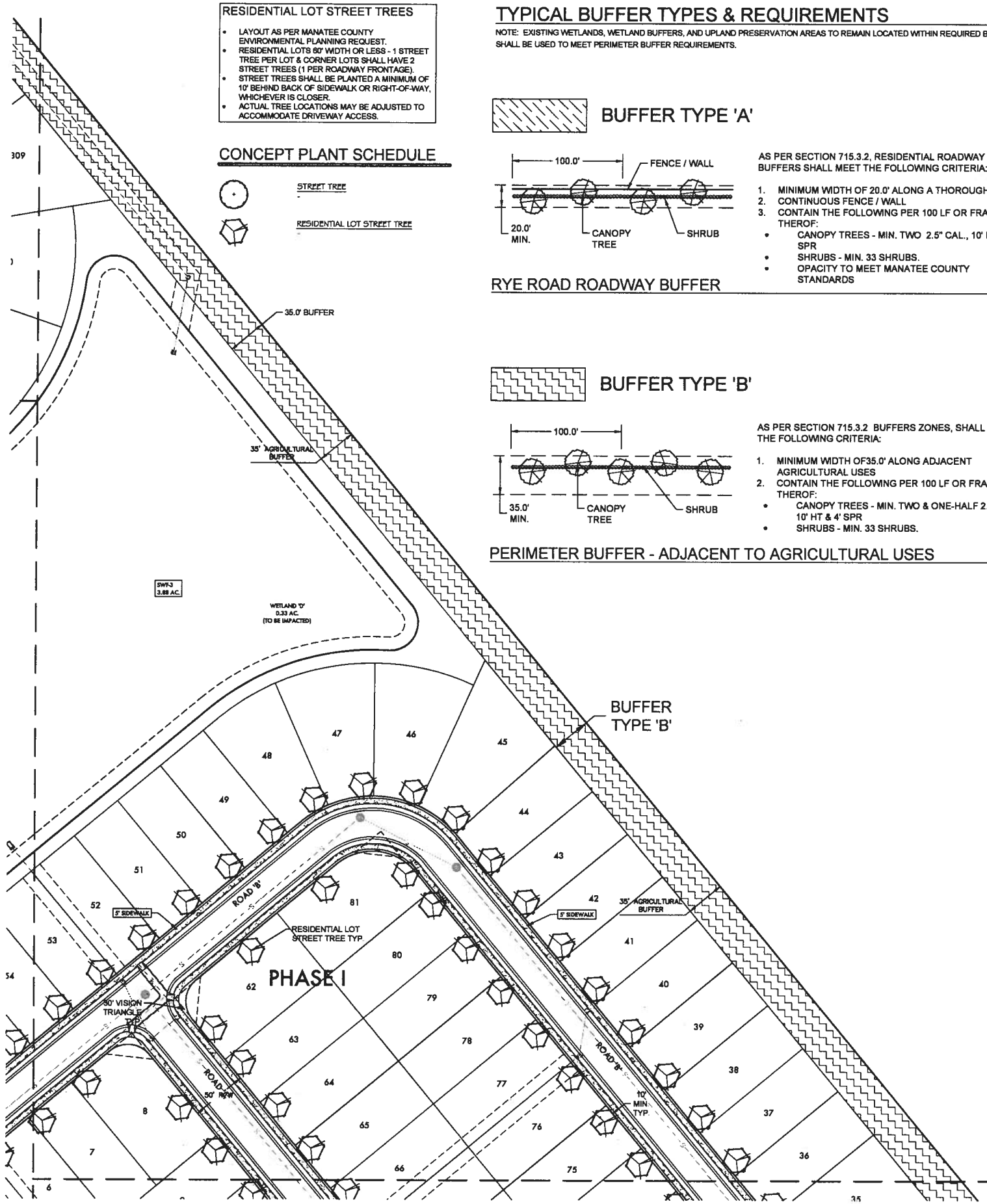
PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: KB
DRAWN: KB
DATE: 04.2013
JOB NO.: 09-3331
SCALE: 1"=50'
SHEET: #/##

Tue, 22 Oct 2013 - 11:58am X:\Acad\REAGAN RYE ROAD PARCEL 220 AC (4333)\LS\PSP\RR-PSP-LS.dwg



RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 80' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE

RESIDENTIAL LOT STREET TREE

TYPICAL BUFFER TYPES & REQUIREMENTS

NOTE: EXISTING WETLANDS, WETLAND BUFFERS, AND UPLAND PRESERVATION AREAS TO REMAIN LOCATED WITHIN REQUIRED BUFFERS SHALL BE USED TO MEET PERIMETER BUFFER REQUIREMENTS.

BUFFER TYPE 'A'

AS PER SECTION 715.3.2, RESIDENTIAL ROADWAY BUFFERS SHALL MEET THE FOLLOWING CRITERIA:

1. MINIMUM WIDTH OF 20.0' ALONG A THOROUGHFARE
2. CONTINUOUS FENCE / WALL
3. CONTAIN THE FOLLOWING PER 100 LF OR FRACTION THEROF:
   - CANOPY TREES - MIN. TWO 2.5" CAL., 10' HT & 4' SPR
   - SHRUBS - MIN. 33 SHRUBS.
   - OPACITY TO MEET MANATEE COUNTY STANDARDS

RYE ROAD ROADWAY BUFFER

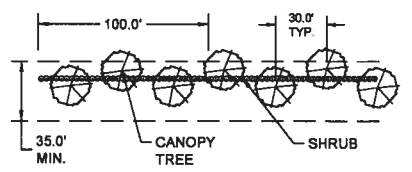
BUFFER TYPE 'B'

AS PER SECTION 715.3.2 BUFFERS ZONES, SHALL MEET THE FOLLOWING CRITERIA:

1. MINIMUM WIDTH OF35.0' ALONG ADJACENT AGRICULTURAL USES
2. CONTAIN THE FOLLOWING PER 100 LF OR FRACTION THEROF:
   - CANOPY TREES - MIN. TWO & ONE-HALF 2.5" CAL., 10' HT & 4' SPR
   - SHRUBS - MIN. 33 SHRUBS.

PERIMETER BUFFER - ADJACENT TO AGRICULTURAL USES

BUFFER TYPE 'C'

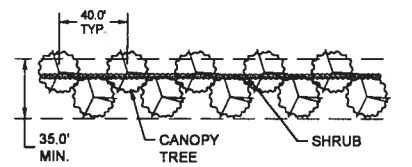


AS PER SECTION 715.3.2, RESIDENTIAL GREENBELT BUFFERS SHALL MEET THE FOLLOWING CRITERIA:

1. MINIMUM WIDTH OF35.0' ALONG ADJACENT RESIDENTIAL USES
2. CONTAIN THE FOLLOWING:
   - CANOPY TREES - ONE 2.5" CAL., 10' HT & 4' SPR, PER 30' LF OF GREENBELT BUFFER
   - SHRUBS - MIN. 33 SHRUBS.

PERIMETER BUFFER - ADJACENT TO RESIDENTIAL WITH GREENBELT

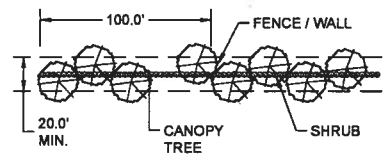
BUFFER TYPE 'D'



1. MINIMUM WIDTH OF 35.0' ALONG ADJACENT RESIDENTIAL USES
2. CONTAIN THE FOLLOWING:
   - CANOPY TREES - TWO OFFSET ROWS
     - SPACED 40' LF ON CENTER
     - 4" CAL., 14'-16' HT. X 5' SPR.
     - MAY COUNT AS REPLACEMENT TREES
   - SHRUBS - 33 PER 100' LF OR FRACTION THEREOF

ENHANCED BUFFER - ADJACENT TO RESIDENTIAL WITH GREENBELT

BUFFER TYPE 'E'



WHERE BOULEVARD IS IMMEDIATELY ADJACENT TO RESIDENTIAL REAR LOT LINES

1. MINIMUM BUFFER WIDTH OF 20.0'
2. CONTAIN THE FOLLOWING PER 100 LF OR FRACTION THEROF:
   - CANOPY TREES - MIN. FOUR 2.5" CAL., 10' HT & 4' SPR , STAGGERED AND/OR CLUSTERED IN 'NATURAL' ARRANGEMENTS
   - SHRUBS - MIN. 33 SHRUBS.

INTERIOR BOULEVARD ROADWAY BUFFER

0' 25' 50' 100'
SCALE: 1"=50'

KEVIN L. BERGSTEN
LANDSCAPE ARCHITECT FLA#1660
SIGNATURE

ZNS ENGINEERING
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POST OFFICE BOX 1445 BRADENTON, FL 34206 | 301 9th AVENUE EAST BRADENTON, FL 34208
PHONE 941.748.8080 | FAX 941.748.3316

REVISIONS	
1. PSP SUBMITTAL	2013.05.10 KVLB
2. RESPONSE TO MC COMMENTS 1	2013.07.17 KVLB
3. RESPONSE TO MC COMMENTS 2	2013.08.20 KVLB
4. REVISED AFTER MEETINGS W/ MC STAFF	2013.09.19 KVLB
5.	
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PRELIMINARY LANDSCAPE PLAN

FOR

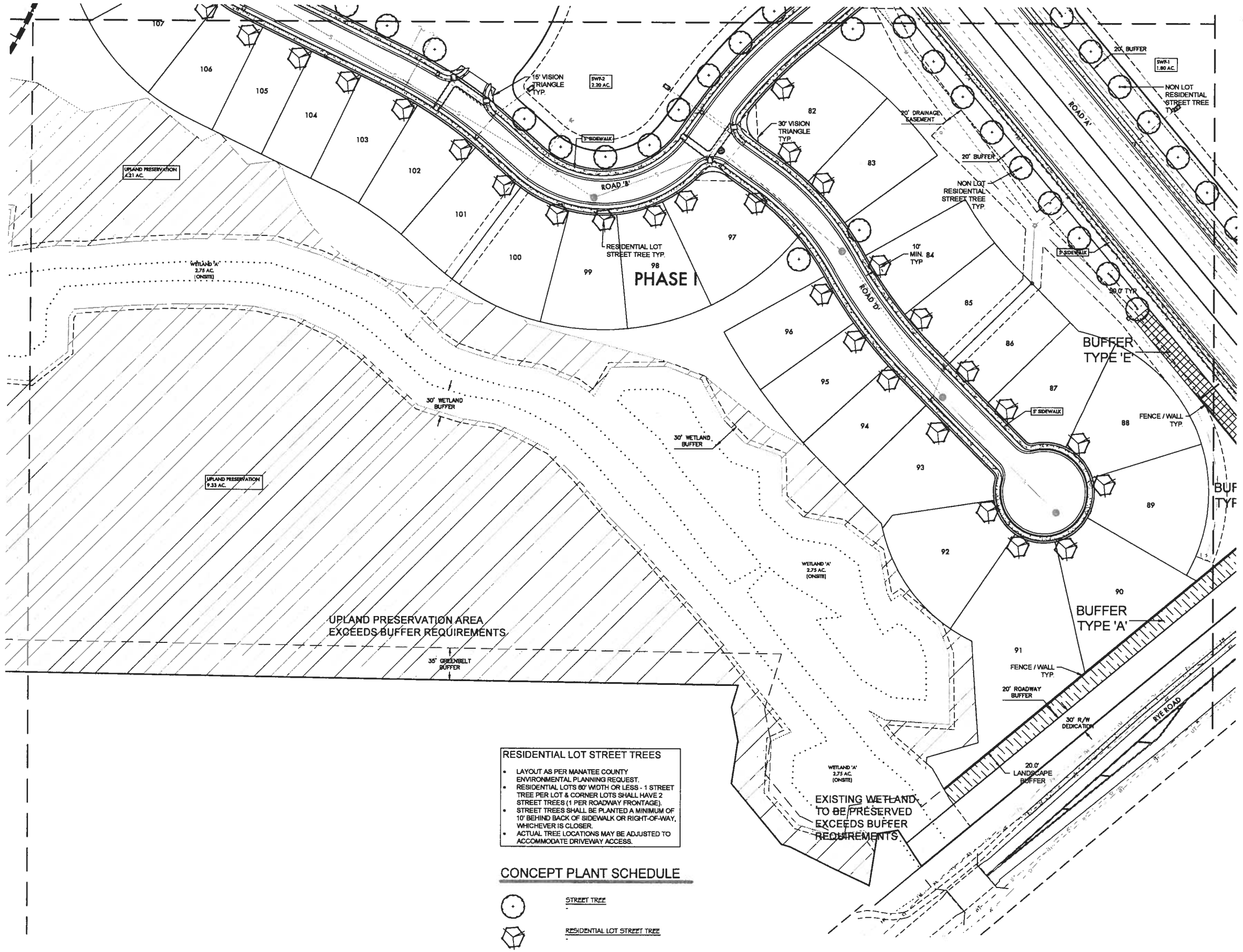
DEL TIERRA

LOCATED IN

SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED	KVLB
DRAWN	KVLB
DATE	04.2013
JOB NO.	03-4333
SCALE	1"=50'
	PSP
SHEET	PLS01

Tue, 22 Oct 2013 - 11:59am X:\Acad\REAGAN RYE ROAD PARCEL 220 AC (4333)\LS\PSP\RR-PSP-LS.dwg



RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 60' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE

RESIDENTIAL LOT STREET TREE

KIMBER L. BERETTER
LANDSCAPE ARCHITECT #001680

SIGNATURE

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REVISIONS

1	PSP SUBMITTAL	2013.05.10 KLB
2	RESPONSE TO MC COMMENTS 1	2013.07.17 KLB
3	RESPONSE TO MC COMMENTS 2	2013.08.20 KLB
4	REVISED AFTER MEETINGS W/ MC STAFF	2013.09.19 KLB
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PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED KB
DRAWN KB
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
SHEET PSP-LS

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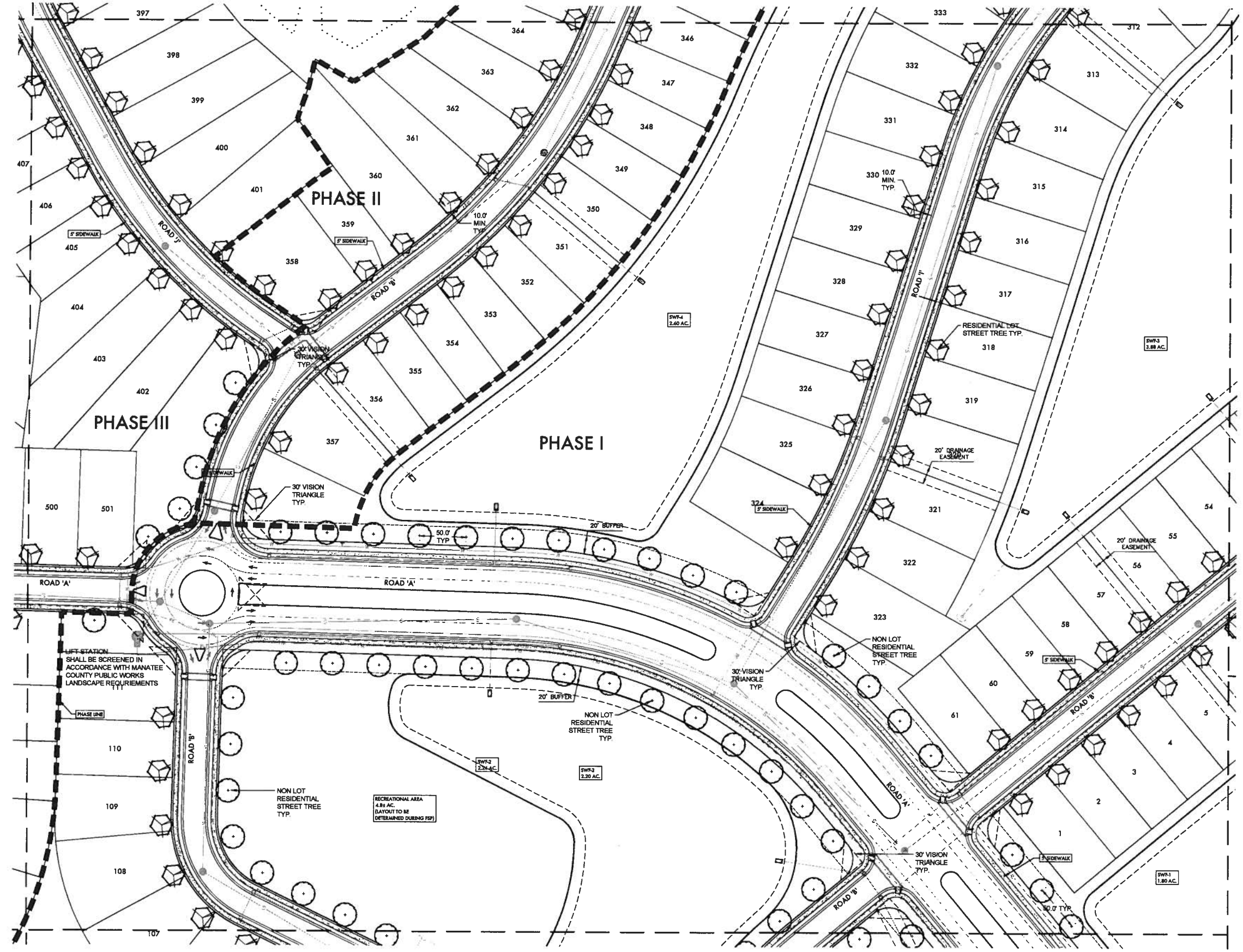

0' 25' 50' 100'
SCALE: 1"=50'

RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 80' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE

RESIDENTIAL LOT STREET TREE

KIMBER L. BERETER
LANDSCAPE ARCHITECT #001880
SIGNATURE

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E-MAIL: ZNSENGINEERING.COM | TELEPHONE 941.748.8080 | FAX 941.748.3316

REVISIONS

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PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED KLB
DRAWN KLB
DATE 04/2013
JOB NO. 00-43331
SCALE 1"=50'
SHEET PSP-

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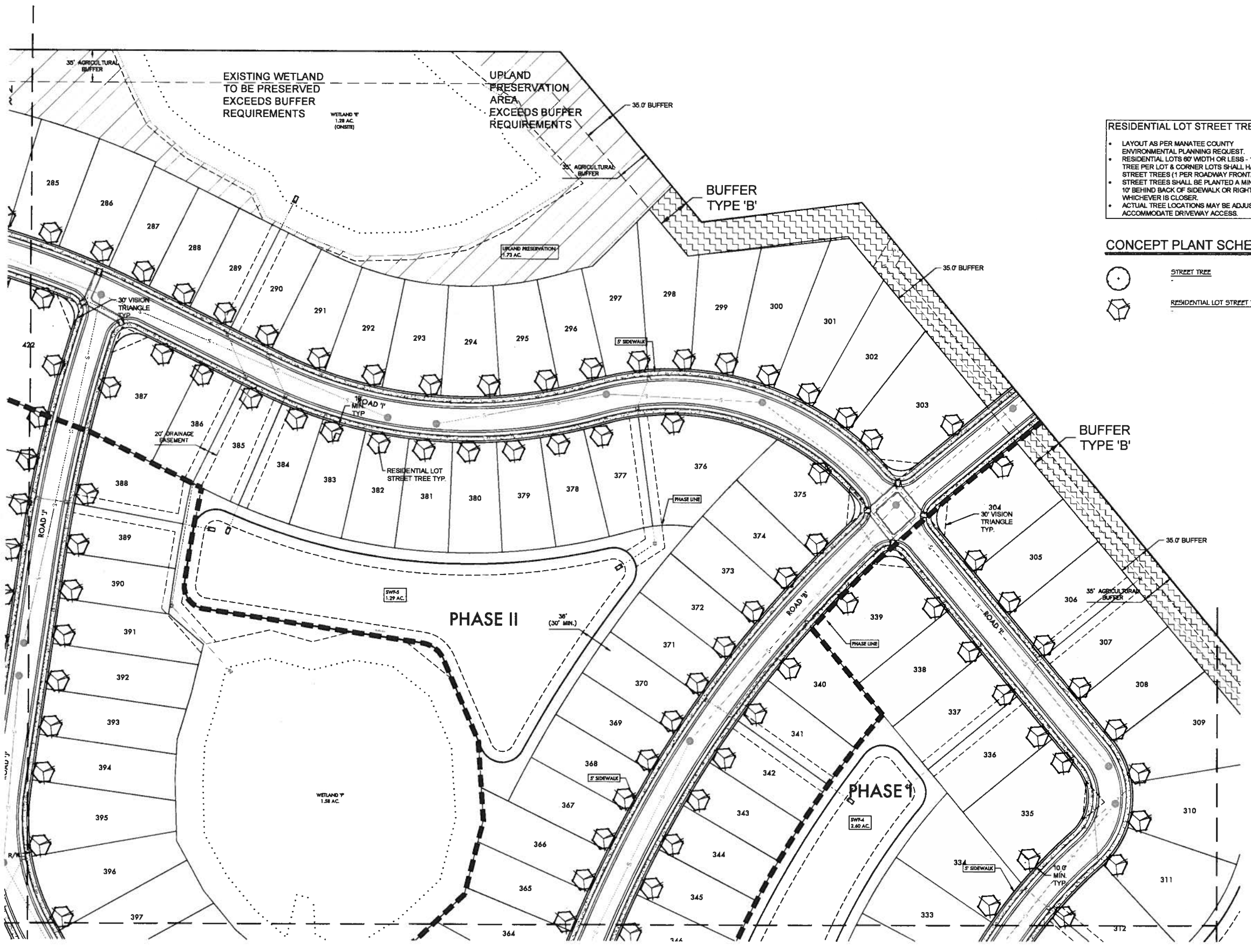

RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 60' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE

RESIDENTIAL LOT STREET TREE

KIMBER L. BENDER
LANDSCAPE ARCHITECT FL# 0001666
SIGNATURE

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FAX# 941.748.8089 | WEBSITE znsengineering.com

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PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED KLB
DRAWN BEB
DATE 08.2013
JOB NO. 004331
SCALE 1"=50'
SHEET L500

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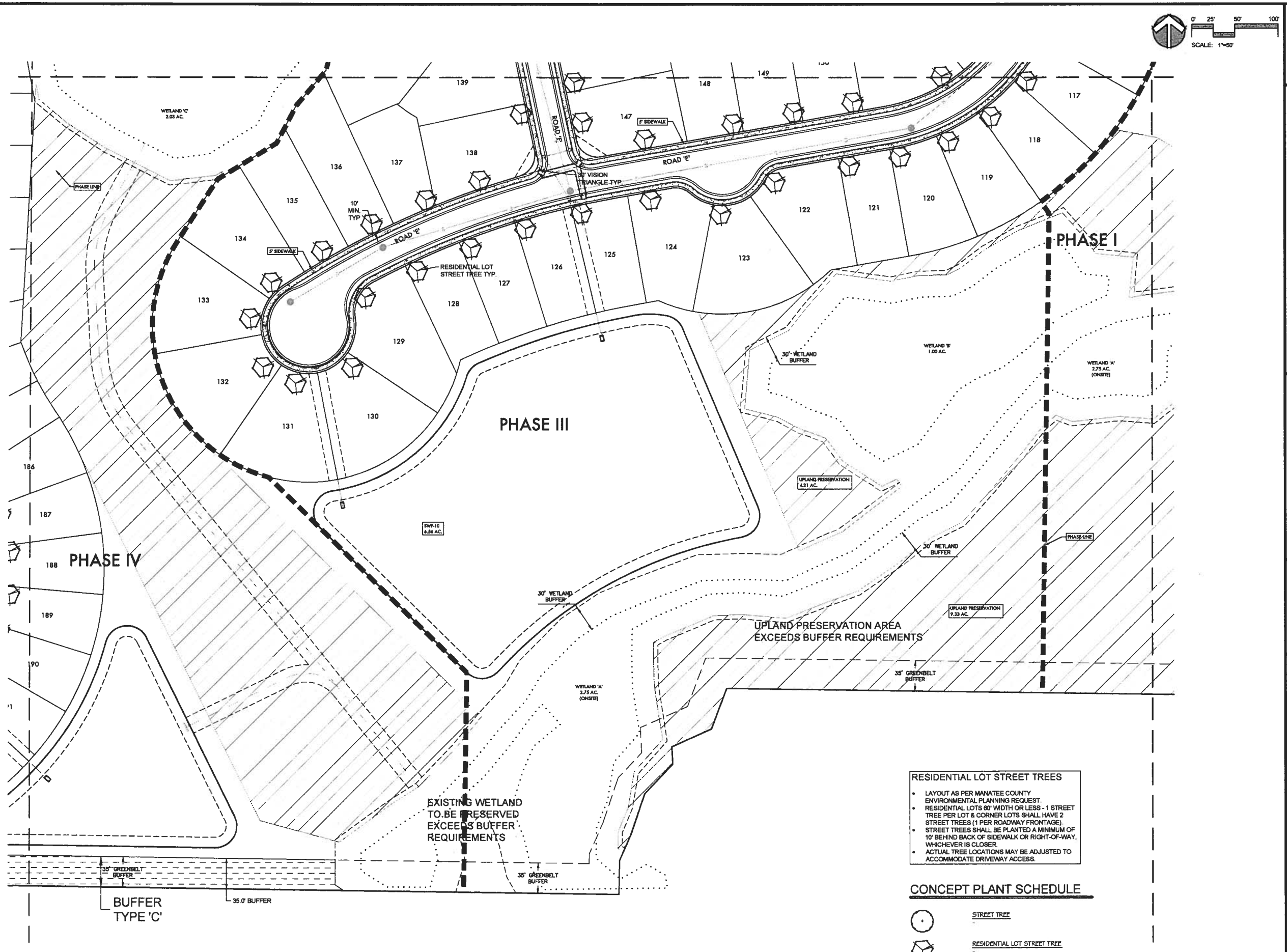

RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 60' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE

RESIDENTIAL LOT STREET TREE

KIMBER L. BERETTER
LANDSCAPE ARCHITECT #001680

SIGNATURE

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3	RESPONSE TO MC COMMENTS 2	2013.08.20 KLB
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PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED KLB
DRAWN KLB
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
SHEET PSP-1

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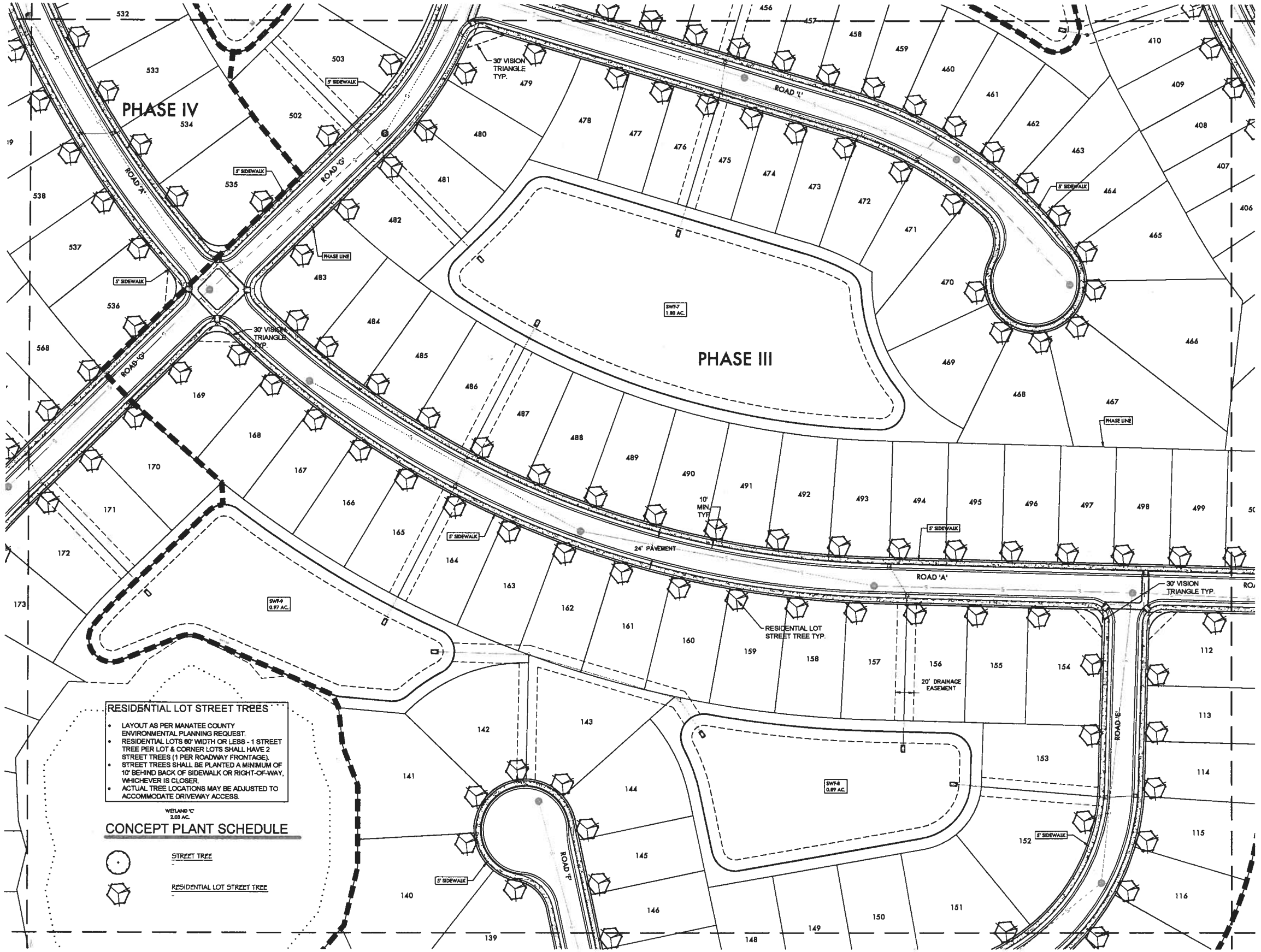

0' 25' 50' 100'
SCALE: 1"=50'

KIMBER L. BERGTER
LANDSCAPE ARCHITECT (FL001880)
SIGNATURE

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LC-0000264
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E-MAIL: ZNS@ZNSENG.COM | TELEPHONE: 941.748.8080 | FAX: 941.748.8014

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1 DRC SUBMITTAL 2013.05.10 KLB
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4 REVISED AFTER MEETINGS W/ MC STAFF 2013.09.19 KLB
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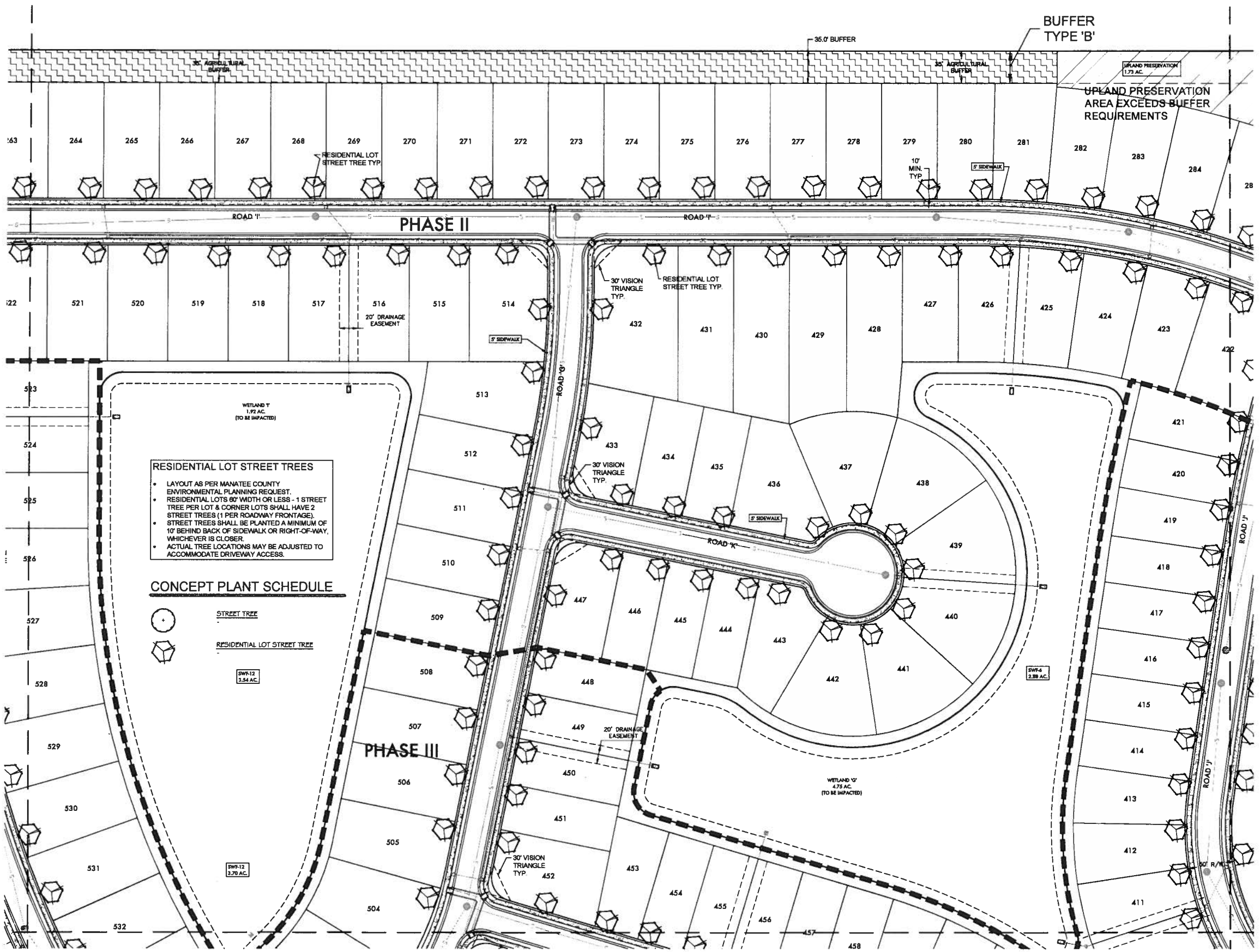
PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: KLB
DRAWN: KLB
DATE: 04.2013
JOB NO.: 00-4331
SCALE: 1"=50'
PSP
SHEET: PSP

Tue, 22 Oct 2013 - 11:59am X:\Acad\REAGAN RYE ROAD PARCEL 220 AC (4331)\LS\PSP\VR-PSP-LS.dwg



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KIMBER L. BERETTER
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1 PSP SUBMITTAL 2013.05.10 KLB
2 RESPONSE TO MC COMMENTS 1 2013.07.17 KLB
3 RESPONSE TO MC COMMENTS 2 2013.08.20 KLB
4 REVISED AFTER MEETINGS W/ MC STAFF 2013.09.19 KLB
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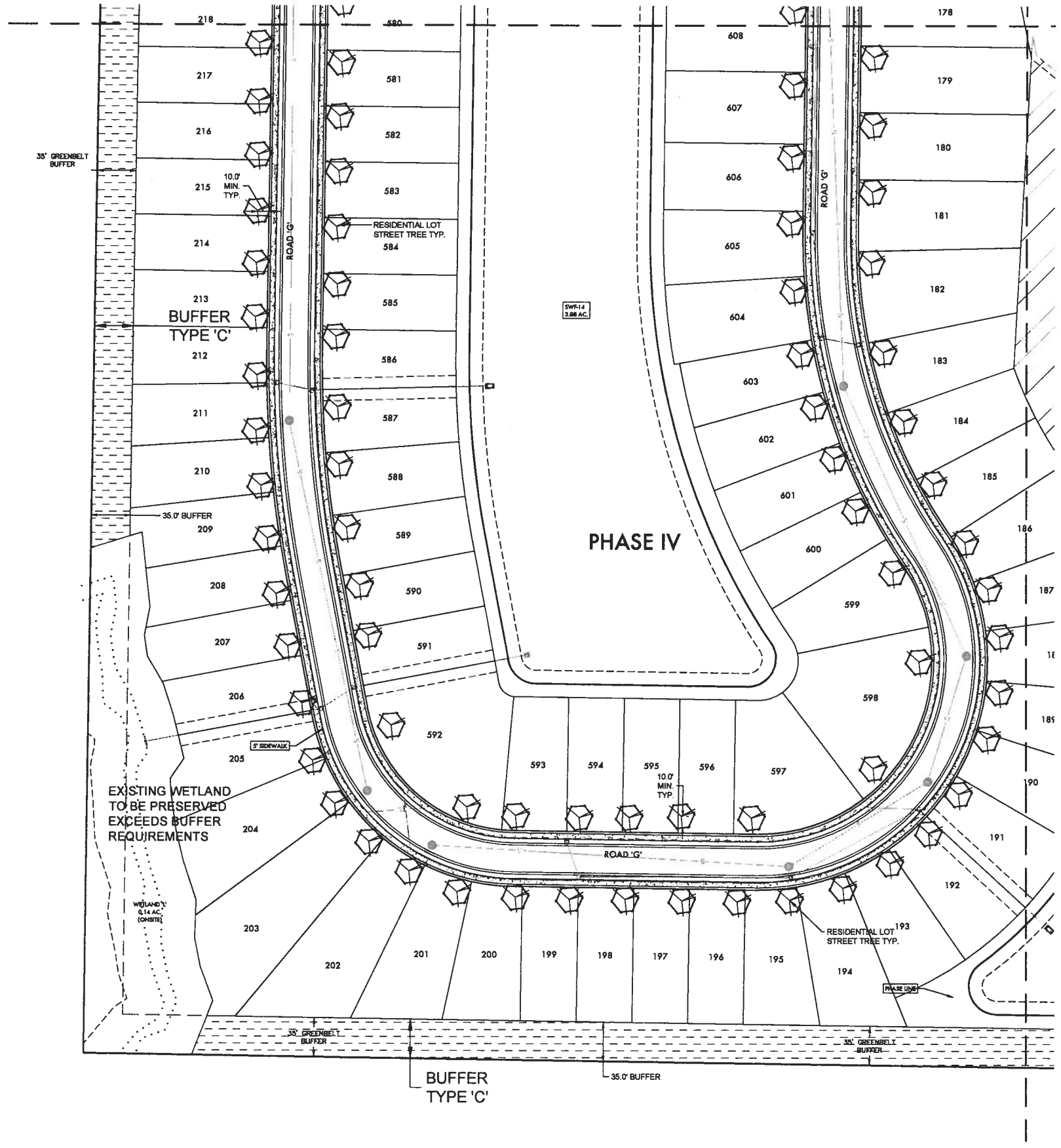
PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED KLB
DRAWN KLB
DATE 04.2013
JOB NO. 00-43331
SCALE 1"=50'
SHEET PSP-LS



0' 25' 50' 100'

SCALE: 1"=50'

RESIDENTIAL LOT STREET TREES

- LAYOUT AS PER MANATEE COUNTY ENVIRONMENTAL PLANNING REQUEST.
- RESIDENTIAL LOTS 60' WIDTH OR LESS - 1 STREET TREE PER LOT & CORNER LOTS SHALL HAVE 2 STREET TREES (1 PER ROADWAY FRONTAGE).
- STREET TREES SHALL BE PLANTED A MINIMUM OF 10' BEHIND BACK OF SIDEWALK OR RIGHT-OF-WAY, WHICHEVER IS CLOSER.
- ACTUAL TREE LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE DRIVEWAY ACCESS.

CONCEPT PLANT SCHEDULE

STREET TREE

RESIDENTIAL LOT STREET TREE

PLANTING GENERAL NOTES

1. LANDSCAPE NOTES ARE ALL INCLUSIVE. ALL QUESTIONS CONCERNING THE LANDSCAPE PLAN, DETAILS, AND SPECIFICATIONS SHALL BE DIRECTED TO THE LANDSCAPE ARCHITECT (941) 748-8080.
2. REVIEW THE GENERAL NOTES, PLANT MATERIAL LIST, PLANS, DETAILS, AND WRITTEN SPECIFICATIONS (IF PROVIDED). THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR IMPLEMENTING THE LANDSCAPE PLAN AS DRAWN AND DIRECTED BY THE NOTES AND SPECIFICATIONS. CONTACT THE LANDSCAPE ARCHITECT WHEN SIGNIFICANT FIELD CHANGES REQUIRE PLAN REVISIONS.
3. NO SUBSTITUTIONS SHALL BE MADE WITHOUT THE WRITTEN CONSENT OF THE OWNER OR LANDSCAPE ARCHITECT.
4. PLANT COUNT TOTALS IN THE PLANT MATERIALS LIST ARE FOR THE CONVENIENCE OF THE LANDSCAPE CONTRACTOR. IN THE EVENT OF VARIATION BETWEEN QUANTITIES SHOWN ON THE PLANT LIST AND THE PLANS, THE PLANS SHALL CONTROL. IMPROVISATIONS MADE BY THE LANDSCAPE CONTRACTOR SHALL BE NO CAUSE FOR ADDITIONAL COSTS TO THE OWNER.
5. SOD, MULCH, AND TOPSOIL QUANTITIES SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. SODDING OF SWALES SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR; HOWEVER, SOD FOR RETENTION AREAS (LAKE BANKS AND DRY RETENTION PONDS) SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR.
6. PRIOR TO SUBMITTING THE BID, THE LANDSCAPE CONTRACTOR SHALL VISIT THE SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS. SEE ENGINEERING (CIVIL) PLANS FOR ADDITIONAL SITE INFORMATION.
7. ALL PLANTS FURNISHED BY THE LANDSCAPE CONTRACTOR SHALL BE FLORIDA NO. 1 QUALITY OR BETTER IN ACCORDANCE WITH GRADES AND STANDARDS FOR NURSERY PLANTS, STATE OF FLORIDA 2ND EDITION (FEB. 1998 & UPDATED MAY 2005) & AS AMENDED. THE OWNER AND/OR LANDSCAPE ARCHITECT SHALL DETERMINE THE ACCEPTABILITY OF ALL PLANT MATERIAL SUPPLIED BY THE LANDSCAPE CONTRACTOR. SPECIMEN MATERIAL SHALL BE APPROVED BEFORE INSTALLATION.
8. ALL B&B OR "FIELD GROWN" MATERIAL (EXCEPT PALMS) SHALL BE OBTAINED FROM "ROOTS PLUS" CERTIFIED NURSERIES.
9. ALL PLANT MATERIAL THAT HAS BEEN FIELD TAGGED BY THE LANDSCAPE ARCHITECT SHALL REMAIN TAGGED UNTIL FINAL ACCEPTANCE OF THE PROJECT. ALL MATERIAL NOT TAGGED BY LANDSCAPE ARCHITECT IS SUBJECT TO REJECTION. REJECTED PLANT MATERIAL SHALL BE REPLACED AT CONTRACTORS EXPENSE UNTIL ACCEPTABLE MATERIAL IS PROVIDED.
10. IT SHALL BE THE LANDSCAPE CONTRACTORS 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 OVER FOR SUSTAINED WINDS OF LESS THAN 85 MPH.
11. MAINTENANCE SHALL BEGIN AFTER EACH PLANT HAS BEEN INSTALLED AND CONTINUE UNTIL FINAL ACCEPTANCE BY THE LANDSCAPE ARCHITECT. MAINTENANCE SHALL INCLUDE: PRUNING, MULCHING, WEEDING, REPLACEMENT OF STICKS OR DEAD PLANTS, WATERING (INCLUDING THE COST OF EQUIPMENT SUCH AS A WATER TRUCK), AND ANY OTHER CARE WHICH IS NECESSARY FOR PROPER GROWTH OF PLANT MATERIAL.
12. ALL PLANT MATERIAL SHALL BE FULLY GUARANTEED FOR A PERIOD OF ONE (1) YEAR FOLLOWING FINAL ACCEPTANCE BY THE OWNER. RELOCATED MATERIALS AND OWNER SUPPLIED MATERIALS ARE EXEMPT. DURING THE WARRANTY PERIOD THE LANDSCAPE CONTRACTOR WILL NOT BE HELD RESPONSIBLE FOR THEFT, VANDALISM, OR UNUSUAL ACTS OF GOD
13. ALL TRIMMING OF EXISTING TREES SHALL BE CONDUCTED OR OVERSEEN BY A CERTIFIED ARBORIST.
14. TOPSOIL MATERIAL, WHEN CALLED FOR ON THE PLANT LIST, SHALL BE FREE OF STICKS, STONES AND DEBRIS LARGER THAN 1" IN DIAMETER, AS WELL AS, ANY OTHER MATERIAL THAT MAY BE TOXIC OR OTHERWISE HARMFUL TO PLANT GROWTH. TOPSOIL SHALL BE FERTILE, AND HAVE A PH LEVEL BETWEEN 6.5 AND 7.5.
15. ALL BACKFILL SOIL MIXTURES SHALL CONTAIN BEST ON-SITE TOPSOIL, 20% PEAT, AND AMENDMENTS AS PER NOTES AND DETAILS. PH LEVELS SHALL BE BETWEEN 6.5 AND 7.5. IT SHALL BE THE LANDSCAPE CONTRACTOR'S RESPONSIBILITY TO ACHIEVETHE PROPER PH LEVEL. MIX ORGANIC SOIL AMENDMENTS THOROUGHLY WITH THE NATIVE SOIL BEFORE BACKFILLING PLANTS.
16. STAKE ALL TREES. SEE TREE PLANTING DETAIL.
17. PROVIDE ARBORGARD+ FLEXIBLE BARK PROTECTORS (MODEL A69-4) AROUND BASE OF TRUNK FOR ALL SINGLE TRUNK TREES FREESTANDING IN SODDED AREAS. THEY ARE AVAILABLE AT ARBORIST SUPPLY HOUSE, INC., (FT. LAUDERDALE, FL: 1-800-749-9526).
18. ALL TREES SHALL BE PLANTED WITH MYCOR TREE SAVER (3oz PER 1" CAL.) AND PHC HEALTHY START MACRO TABLETS (21 GRAM - 4 PER 1" CAL.) - SEE MANUFACTURERS SPECIFICATIONS FOR INSTALLATION METHOD (PLANT HEALTH CARE, INC. 941-751-8455, JOHN DEERE LANDSCAPES 941-721-8882,SOUTHEAST PARTNERS 239-267-0158, PROFESSIONAL SUPPLY (561) 289-4511 AND UNIVERSAL SUPPLY 954-979-060) - OR APPROVED EQUAL.
19. ALL PALMS SHALL BE PLANTED WITH MYCOR PALM SAVER - SEE MANUFACTURERS SPECIFICATIONS FOR APPLICATION RATE AND INSTALLATION METHOD (PLANT HEALTH CARE, INC. 1-800-421-9051) - OR APPROVED EQUAL.
20. ON NON-IRRIGATED SITES OR AREAS, TREES AND PALMS SHALL ALSO RECEIVE TERRA-SORB HYDRO GEL (PLANT HEALTH CARE INC.) AS PER MANUFACTURER SPECIFICATIONS - OR APPROVED EQUAL.
21. ALL SHRUBS SHALL RECEIVE 1/2 LB. OF MILORGANITE PER FOOT OF HEIGHT; TREES SHALL RECEIVE 5 LBS. PER INCH OF CALIPER; AND GROUND COVERS SHALL BE FERTILIZED AS PER LABEL INSTRUCTIONS - OR APPROVED EQUAL. IN ALL INSTANCES FERTILIZER SHALL BE MIXED IN EVENLY WITH BACKFILL MATERIAL
22. ALL SHRUBS AND GROUNDCOVER SHALL ALSO RECEIVE PHC HEALTHY START MACRO TABLETS (21 GRAM - 1 PER 1 GAL., 3 PER 5 GAL., 4 PER 10 GAL., AND 5 PER 15 GAL.). INSTALL AS PER MANUFACTURERS DIRECTIONS.
23. ONLY PRUNE TREES AND SHRUBS TO REMOVE DEAD OR DAMAGED FOLIAGE - OR TO COMPENSATE FOR ROOT LOSS CAUSED BY TRANSPLANTING. MAKE CERTAIN TO RETAIN THE PLANT MATERIAL'S NATURAL FORM WHEN PRUNING. NEVER CUT THE CENTRAL GROWTH LEADER OF A TREE, OR INSTALL ANY TREE THAT HAS HAD THE CENTRAL GROWTH LEADER CUT. ALL TREES SHALL BE TRIMMED FOR CLEAR TRUNK UNLESS OTHERWISE SPECIFIED.
24. WHERE PLANTING AREAS ABUT PAVEMENT, FINISHED SOIL LEVEL SHALL BE THREE INCHES (3") BELOW TOP OF PAVEMENT.
25. ALL PLANTING AREAS SHALL RECEIVE MULCH AT THE RATE OF 1 CUBIC YARD PER 110 SF. OF AREA (THIS EQUALS A 3" MULCH DEPTH) - UNLESS OTHERWISE NOTED. SEE PLANT MATERIALS LIST FOR SPECIFICATIONS. KEEP MULCH SIX INCHES (6") BACK FROM ALL TREE TRUNKS.
26. SOD SHALL BE INSTALLED WITH TIGHT JOINTS, ROLLED AND FERTILIZED AT TIME OF INSTALLATION. ALL SOD SHALL BE FREE OF NUISANCE SPECIES, INVASIVE AND EXOTIC WEEDS OR THEIR SEED.
27. THE LANDSCAPE CONTRACTOR SHALL CALL 811 OR WWW.CALL811.COM TO FIELD LOCATE EXISTING UTILITIES AND SECURE A PERMIT NUMBER PRIOR TO BEGINNING WORK. USE DUE CAUTION AROUND THE UTILITIES. THE LANDSCAPE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE DONE TO EXISTING UTILITIES.
28. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION OF ACTIVITIES WILL ALL OTHER CONTRACTORS ON THE JOB SITE.
29. ALL LANDSCAPE MATERIALS INSTALLED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE INSTALLED TO MEET STATE AND LOCAL CODES AND REGULATIONS.
30. THE LANDSCAPE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL EXISTING STRUCTURES AND VEGETATION ON SITE THAT IS TO REMAIN AND SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE CAUSED BY HIS OPERATIONS.
31. THE JOB SITE IS TO REMAIN ORGANIZED. EXCESS WASTE MATERIAL SHALL BE REMOVED DAILY FROM THE SITE AND DISPOSED OF IN A LEGAL MANNER.

KIMBER L. DEROTIER (FL# 0001680)
LANDSCAPE ARCHITECT
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REVISIONS
1 PSP SUBMITTAL 2013.05.10 KLB
2 RESPONSE TO MC COMMENTS 1 2013.07.17 KLB
3 RESPONSE TO MC COMMENTS 2 2013.08.20 KLB
4 REVISED AFTER MEETINGS W/ MC STAFF 2013.09.18 KLB
5 --- ---
6 --- ---
7 --- ---

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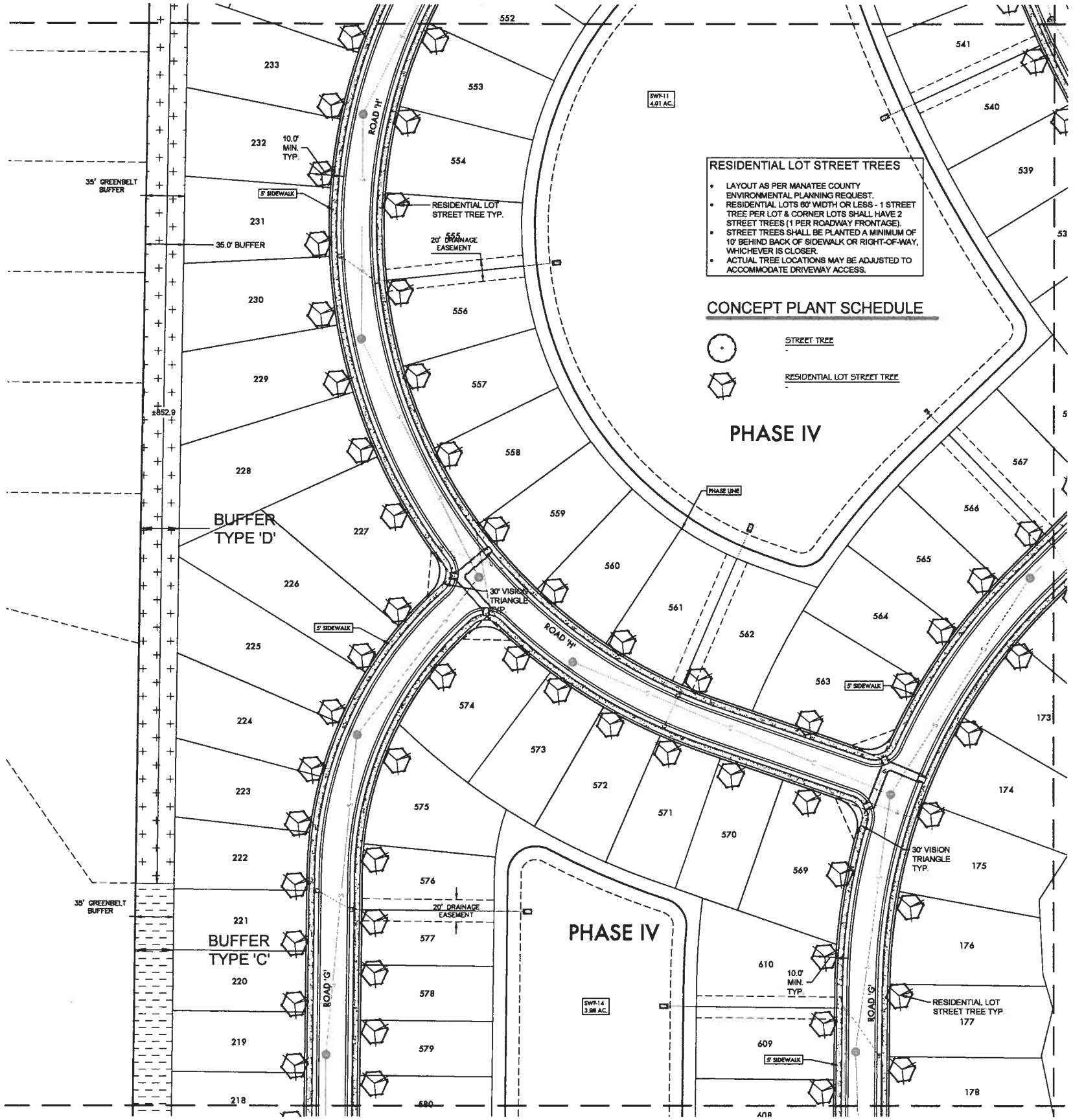
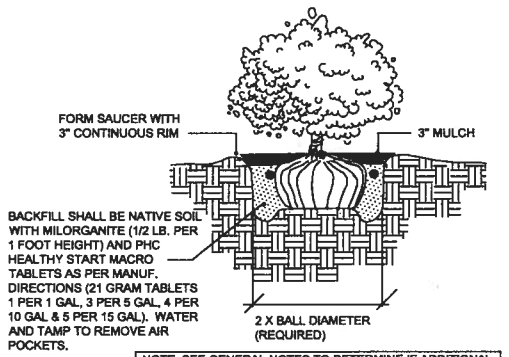
PRELIMINARY LANDSCAPE PLAN
FOR
DEL TIERRA
LOCATED IN
SECTIONS 22 & 23, TOWNSHIP 34 SOUTH, RANGE 19 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: KLB
DRAWN: AS
DATE: 04.2013
JOB NO.: 00-13331
SCALE: 1"=50'
PSP
SHEET: 1 OF 1

Tue, 22 Oct 2013 - 12:00pm X:\Acad\REAGAN RYE ROAD PARCEL 220 AC (13331)\LS\PSP\RR-PSP-LS.dwg

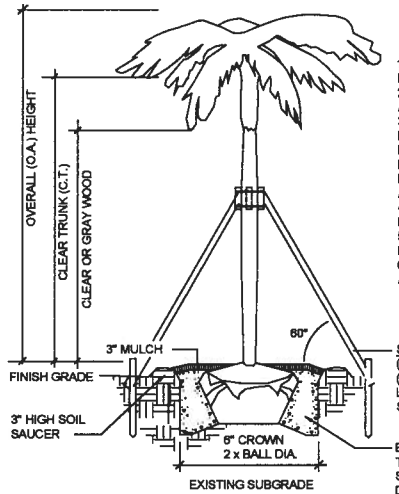




NOTE: SEE GENERAL NOTES TO DETERMINE IF ADDITIONAL SOIL AMENDMENTS ARE REQUIRED.

SHRUB & GROUNDCOVER PLANTING DETAIL

NOT TO SCALE



1. IF BURLAP IS PRESENT ROLL TO 1/3 OF FABRIC INTO PIT.
2. ROOTBALL SHALL BE AT SAME GRADE AS IT'S ORIGINAL SETTING AND PLUMB.
3. FRONDS SHALL BE TIED UP FOR PROTECTION OF BUDS. LARGE DATE PALMS AND ALL FAN PALMS SHALL REMAIN TIED FOR 1 MONTH MINIMUM. PALMS WITH DAMAGED BUDS WILL NOT BE ACCEPTED.
4. TRUNK SHALL BE FREE OF SCARS, BURNS, HOLES, ETC.
5. ROOTBALL SHALL HAVE 16" MINIMUM RADIUS FROM TRUNK.
6. INSTALL 4' DIAMETER MULCH RING AROUND ALL PALMS IN SOD AREAS.

STAKING DIRECTIONS:
(3) 2"x4"x8" BRACES 120° APART NAILED TO (3) 2"x4"x12" SEATS WIRE-BANDED OVER 5 LAYERS OF BURLAP WRAP (1) 2"x4"x30" STAKE EACH.

BACKFILL SHALL BE CLEAN IMPORT TOPSOIL AMENDED WITH MYCOR PALM SAVER AND SAND, IF REQUIRED, FOR DRAINAGE. WATER AND TAMP TO REMOVE AIR POCKETS

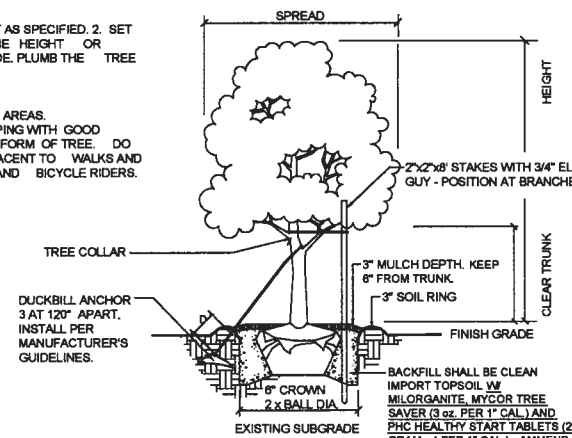
PALM PLANTING DETAIL

NOT TO SCALE

PLANTING DIRECTIONS
1. EXCAVATE PLANTING HOLE AND SET TREE IN PIT AS SPECIFIED. 2. SET TOP-MOST ROOT IN THE ROOT BALL AT THE SAME HEIGHT OR SLIGHTLY (2 INCHES) HIGHER THAN FINISH GRADE. PLUMB THE TREE SO THE TRUNK IS VERTICAL.
3. BACKFILL AS DIRECTED BELOW.
4. INSTALL 3" SOIL RING FOR HAND WATERING.
5. PROVIDE 4' DIA. MULCH RING FOR TREES IN SOD AREAS.
6. PRUNE DEAD AND DAMAGED BRANCHES IN KEEPING WITH GOOD HORTICULTURAL PRACTICES. RETAIN NATURAL FORM OF TREE. DO NOT CUT CENTRAL LEADER. PRUNE LIMBS ADJACENT TO WALKS AND CURBS TO PREVENT INJURY TO PEDESTRIANS AND BICYCLE RIDERS.

STAKING DIRECTIONS (TREES 0"-<2" CAL.)
1. ALL TREES TO BE STAKED UNLESS OTHERWISE NOTED IN GENERAL OR SPECIFIC NOTES.
2. STAKE TREES ACCORDING TO CALIPER SIZE OR (UNLESS OTHERWISE SPECIFIED.) 0-1": 1 VERTICAL STAKE. TIE TRUNK TO STAKE WITH GREEN NURSERY TAPE. 1"-2": 2 VERTICAL STAKES. SECURE WITH GUY AS SHOWN.

DUCKBILL ANCHOR DIRECTIONS (TREES > 2" CAL.)
1. 2"-3" CALIPER TREES: MODEL 40 DTS KIT D = 18-20"
2. 3"-6" CALIPER TREES: MODEL 88 DTS KIT D = 2' - 2-1/2'
3. 6"-10" CALIPER TREES: MODEL 88 DTS KIT D = 3' - 3-1/2'



BACKFILL SHALL BE CLEAN IMPORT TOPSOIL W/ MILORGANITE, MYCOR TREE SAVER (3 oz. PER 1" CAL.) AND PHC HEALTHY START TABLETS (21 GRAM - 4 PER 1" CAL.). AMMEND WITH SAND IF NECESSARY. WATER AND TAMP TO REMOVE AIR POCKETS.

NOTE: SEE NOTES TO DETERMINE IF ORGANIC OR OTHER UNLISTED SOIL AMENDMENTS ARE REQUIRED AND PLANT MATERIALS LIST FOR STAKING AND TREEWRAP REQUIREMENTS.

TREE PLANTING DETAIL

NOT TO SCALE

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MANATEE COUNTY, FLORIDA

DESIGNED KB
DRAWN KB
DATE 09.2013
JOB NO. 09-3331
SCALE 1"=50'
PP
SHEET L-1.0

Tue, 22 Oct 2013 – 12:00pm N:\Acad\REAGAN RYE ROAD PARCEL 220 AC (43331)\LS\PSP\RR-PSP-LS.dwg