



[www.mymanatee.org](http://www.mymanatee.org)

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West  
First Floor, Commission Chambers, 9:00 A.M.

April 10, 2014 - Planning Commission Meeting

MEETING CALLED TO ORDER (Richard Bedford)

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Minutes for Approval

1. March 13, 2014 - Minutes for Approval

CITIZEN COMMENTS

CONSENT AGENDA

Building and Development Services Department

2. PDPI-06-45(G)(R) – MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY- INITIATED) - QUASI - JUDICIAL - ROSSINA LEIDER \* Schenk

Attachment: Maps - Future Land Use, Zoning and Aerial - North County Fuel Depot - PDPI-06-45(G)(R) - 4-10-14 PC.pdf

Attachment: Staff Report - North County Fuel Depot - PDPI-06-45(G)(R) - 04-10-14 PC.pdf

Attachment: Copy of Newspaper Advertising - North County Fuel Depot - PDPI-06-45(G)(R) - 4-10-14 PC.pdf

Attachment: Site Plan - North County Fuel Depot - PDPI-06-45(G)(R) - 4-10-14 PC.pdf

Attachment: Request for Specific Approval - North County Fuel Depot - PDPI-06-45(G)(R) - 04-10-14 PC.pdf

REGULAR

Building and Development Services Department

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

3. PA-13-09 / ORDINANCE 14-10 fka 13-42 - PEERAGE LAND COMPANY LLC -  
LEGISLATIVE - KATHLEEN THOMPSON \* Schenk

Attachment: Maps - Future Land Use, Zoning and Aerial - PA-13-09 - ORD-  
14-10 - Peerage Land Company - 140410 PC.pdf  
Attachment: Copy of Newspaper Advertising - Peerage Land Company, LLC  
- PA-13-09 - Ordinance 14-10 fka 13-42 - 4-10-14 PC.pdf  
Attachment: Staff Report - PA-13-09 - ORD-14-10 - Peerage Land Company  
- 140410 PC.pdf

4. PDR-13-40(Z)(G) – 615 UPPER MANATEE RIVER ROAD - DTS 20130458 -  
B00000253 - QUASI - JUDICIAL - MARGARET TUSING \* Clague

Attachment: Maps - Future Land Use, Zoning and Aerial - 615 Upper  
Manatee River Road Rezone - PDR-13-40(Z)(G) - 4-10-14 PC.pdf  
Attachment: Copy of Newspaper Advertising - 615 Upper Manatee River  
Road Rezone - PDR-13-40(Z)(G) - 4-10-14 PC.pdf  
Attachment: Site Plan - 615 Upper Manatee River Road Rezone - PDR-13-40  
(Z)(G) - 4-10-14 PC.pdf  
Attachment: Staff Report - PDR-13-40(Z)(G) - 615 Upper Manatee River Rd  
- DTS20130458 - 20140410 PC.pdf

5. PDR-06-72(P)(R2) – WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE  
SUBDIVISION - DTS 20130402 - QUASI - JUDICIAL - STEPHANIE MORELAND \*  
Clague

Attachment: Request for Specific Approval - Tillett Bayou - PDR0672 - 04-  
10-2014 PC.pdf  
Attachment: Traffic Impact Statement - Tillett Bayou - PDR0672 - 04-10-  
2014 PC.pdf  
Attachment: Copy of Newspaper Advertising - Tillett Bayou Preserve - PDR-  
06-72(P)(R2) - 4-10-14 PC.pdf  
Attachment: Public Comment - Tillett Bayou - PDR0672 - 4-10-2014 PC.pdf  
Attachment: Site Plan - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf  
Attachment: Staff Report - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf  
Attachment: Maps-Future Land Use, Zoning, Aerial - Tillett Bayou -  
PDR0672 - 04-10-2014 PC.pdf

6. PDC-12-15(P)R) – U.S. 41 @ PEARL AVENUE - DTS 20130493 - QUASI - JUDICIAL  
- SHELLEY HAMILTON \* Schenk

Attachment: Maps-Future Land Use, Zoning and Aerial - Race Trac US41  
and Pearl Ave - PDC1215 - 04-10-2014 PC.pdf  
Attachment: Specific Approval Request Letter - Race Trac US41 and Pearl  
Ave - PDC1215 - 04-10-2014 PC.pdf  
Attachment: Traffic Analysis - Race Trac US41 and Pearl Ave - PDC1215 -  
04-10-2014 PC -.pdf  
Attachment: Rendering - Race Trac US41 and Pearl Ave - PDC1215 - 04-  
10-2014 PC.pdf  
Attachment: Copy of Newspaper Advertising - US 41 and Pearl Avenue -

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

PDC-12-15(P)(R) - 4-10-14 PC.pdf

Attachment: Public Comments - Race Trac US 41 and Pearl Ave - PDC1215  
- 04-10-2014 PC.pdf

Attachment: Site Plan - Race Trac US41 and Pearl Ave - PDC1215 - 04-10-  
2014 PC.pdf

Attachment: Staff Report - RaceTrac US41-Pearl Ave - PDC-12-15(P)(R) -  
20140410 PC.pdf

April 10, 2014 - Planning Commission Meeting  
Agenda Item #1

Subject

March 13, 2014 - Minutes for Approval

Briefings

None

Contact and/or Presenter Information

Glenna K. Campana

Senior Planning Tech

941-748-4501, ext. 6847

Action Requested

Recommended Motion:

I move to approve the minutes for March 13, 2014.

Enabling/Regulating Authority

Manatee County Land Development Code

Manatee County Comprehensive Plan

Background Discussion

n/a

County Attorney Review

Not Reviewed (No apparent legal issues)

Explanation of Other

Reviewing Attorney

N/A

Instructions to Board Records

n/a

Cost and Funds Source Account Number and Name

n/a

Amount and Frequency of Recurring Costs

n/a

April 10, 2014 - Planning Commission Meeting  
Agenda Item #2

Subject

PDPI-06-45(G)(R) – MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY- INITIATED) - QUASI - JUDICIAL - ROSSINA LEIDER

Briefings

None

Contact and/or Presenter Information

Rossina Leider

Principal Planner

941-748-4501, ext. 6859

Action Requested

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. PDPI-06-45(G)(R); APPROVAL of the General Development Plan with Stipulations A.1 – A.2, and B.1 – B.3; for a project that previously granted Special Approval for a project adjacent to a perennial stream; for a project that previously granted Specific Approval for an alternative to Section 604.10 of the Land Development Code; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of an alternative to Section 704.66.4 of the Land Development Code, as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

- The current request is for an amendment to the General Development Plan of the existing North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility.
- The NWRP is generally located north and east of 69th Street East and north of Erie Road, extending north

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

more than 5,500 feet. The 647 acres facility shares the site with recreational uses (Buffalo Creek Golf Course, ball fields, and community center).

• The proposed "fuel depot" will be located in the southeast portion of the existing facility in a 2.08-acre site. The fuel depot will be operated by the County and includes the following:

-Three (3) fuel pumps to accommodate two (2) diesel and one (1) gasoline vehicles at the same time.

-One (1) "Diesel Exhaust Fluid" (urea) Dispenser for compliance with EPA emissions.

-Two (2) above ground tanks:

1. a 20,000 gallon tank with two compartments, one for gasoline (5,000 gallons), and one for diesel (15,000 gallons), and

2. a 1,000 gallon DEF tank to support EPA compliance.

-Two driveways, from an existing private driveway, will allow the access to the facility and will connect to a perimeter asphalt turning area with center concrete island. Associate stormwater will be provided.

• No building has been included as part of this proposal. The site plan shows the general layout of the facility, and the separation of gasoline pumps, tanks, and pump island to property lines (108' feet to the west and 120' to the south) which exceeds the minimum required setback (25 feet per LDC Section 704.66.3). At this time, no other changes have been proposed to the previous approved plan for the overall NWRf facility.

• The proposed fuel depot lies within Zone X per D-FIRM Panel 12081C0178E, effective 3/17/14. No floodplain management requirement or substantial improvements will be required.

• There are no impacts to jurisdictional wetlands with this proposal. At time of Preliminary Site Plan/Final Site Plan the fuel depot facility shall comply with LDC requirements for wetland protection (Section 719), tree protection (Section 714), Landscaping (Section 715). Specific approval for Section 604.10 (North Central Overlay) was previously granted for the NWRf [PDPI-06-45(Z)(G)] to eliminate the required roadway buffer (50 feet) and greenbelt buffer (20 feet), and permit flexibility in quantity, type, and placement of plantings within the buffers.

• The fuel depot facility shall comply with LDC Sections 723 (Adverse Impacts Performance Standards) and 704.72 (Utility Uses) and compliance with the referenced regulations will be reviewed at Preliminary Site Plan/Final Site Plan stage.

• Specific Approval has been requested to allow above ground position for storage tanks of flammable liquids products in excess of 500 gallon quantities (LDC Section 704.66.4). Staff, including the Fire Department, supports the requested Specific Approval. Any environmental and containment concerns will be addressed at the time of permitting and must meet all applicable state regulations for pollutant storage tanks. Safety parameters will be enforced by the Fire Marshal according to following applicable fire codes.

• Staff recommends approval of this request. Original stipulations will carry forward.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded via email on 03/14/2014.

Reviewing Attorney

Schenk

Instructions to Board Records

n/a

Cost and Funds Source Account Number and Name

n/a

Amount and Frequency of Recurring Costs

n/a

Attachment: Maps - Future Land Use, Zoning and Aerial - North County Fuel Depot - PDPI-06-45(G)(R) - 4-10-14 PC.pdf

Attachment: Staff Report - North County Fuel Depot - PDPI-06-45(G)(R) - 04-10-14 PC.pdf

Attachment: Copy of Newspaper Advertising - North County Fuel Depot - PDPI-06-45(G)(R) - 4-10-14 PC.pdf

Attachment: Site Plan - North County Fuel Depot - PDPI-06-45(G)(R) - 4-10-14 PC.pdf

Attachment: Request for Specific Approval - North County Fuel Depot - PDPI-06-45(G)(R) - 04-10-14 PC.pdf

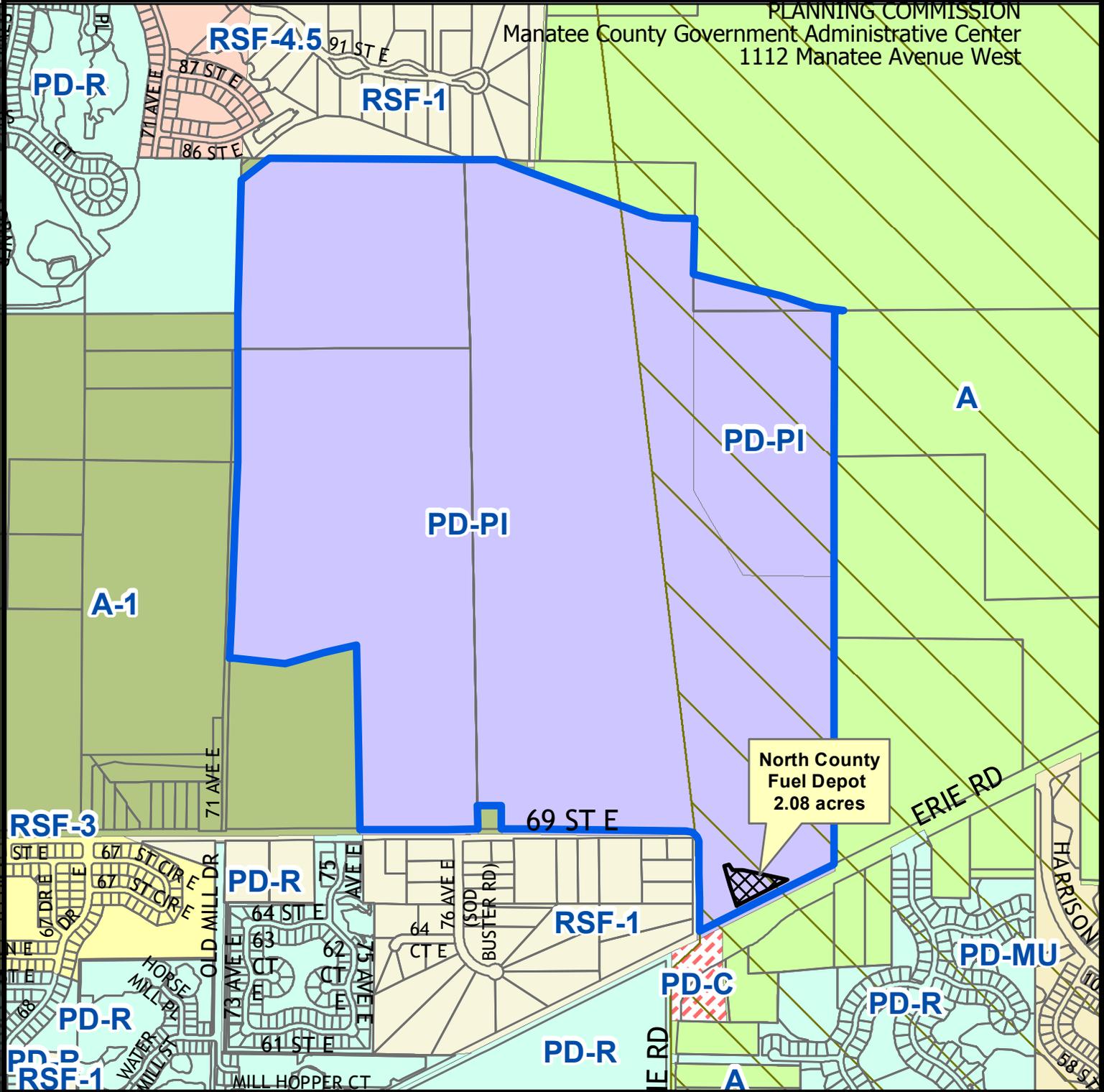


# ZONING

PLANNING COMMISSION

Manatee County Government Administrative Center

1112 Manatee Avenue West



Parcel ID #(s) 655700109 (part of)

Project Name: Manatee County / NWRP & Water Supply / Treatment (North County Fuel Depot) (County Initiated)  
 Project #: PDPI-06-45 (G)(R)  
 DTS#: 20140063  
 Proposed Use:

 North Central Overlay

S/T/R: Sec 35,22,23,26,27 Twn 33 Rng 18  
 Acreage: Total - 647, Project Area - 2.08  
 Existing Zoning: PD-PI  
 Existing FLU: P/SP-1  
 Overlays: NCO  
 Special Areas: Greenway

Page 10 of 274

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: FROG CREEK,BUFFALO CREEK  
 Commissioner: Larry Bustle



Manatee County  
 Staff Report Map

Map Prepared 3/3/2014  
 1 inch = 1,209 feet



P.C. 04/10/2014

**PDPI-06-45(G)(R) – MANATEE COUNTY NWRF & WATER SUPPLY/TREATMENT  
(NORTH COUNTY FUEL DEPOT) (COUNTY- INITIATED)  
DTS #20140063**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDPI-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

The NWRP is located north and east of 69<sup>th</sup> Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69<sup>th</sup> Street East and Erie Road at 7550, 7920, 8100, and 8500 69<sup>th</sup> Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69<sup>th</sup> Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**P.C.: 04/10/2014**

**B.O.C.C.: 05/01/2014**

**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. PDPI-06-45(G)(R); **APPROVAL** of the General Development Plan with Stipulations A.1 – A.2, and B.1 – B.3; for a project that previously granted Special Approval for a project adjacent to a perennial stream; for a project that previously granted Specific Approval for an alternative to Section 604.10 of the Land Development Code; **ADOPTION** of the Findings for Specific Approval; and **GRANTING** Specific Approval of an alternative to Section 704.66.4 of the Land Development Code, as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	<b>PDPI-06-45(G)(R) (DTS # 20140063)</b>
<b>PROJECT NAME:</b>	<b>Manatee County NWRf &amp; Water Supply/Treatment (North County Fuel Depot) (County-Initiated)</b>
<b>APPLICANT(S):</b>	<b>Manatee County</b>
<b>EXISTING ZONING:</b>	<b>PDPI (Planned Development Public Interest) &amp; PDPI/NCO (Planned Development Public Interest/North Central Overlay)</b>
<b>PROPOSED USE(S):</b>	<b>Fuel Depot Facility</b>
<b>CASE PLANNER:</b>	<b>Rossina Leider</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL</b>

**DETAILED DISCUSSION**

**History**

Since 1980's, recreational and utility uses shared a 647-acre site generally located north and east of 69th Street East and north of Erie Road, extending north more than 5,500 feet. The Buffalo Creek Golf Course was approved in 1986, the North Regional Wastewater Treatment Plan was constructed in 1987, and a community center just northeast of the ball fields received approval in 2007.

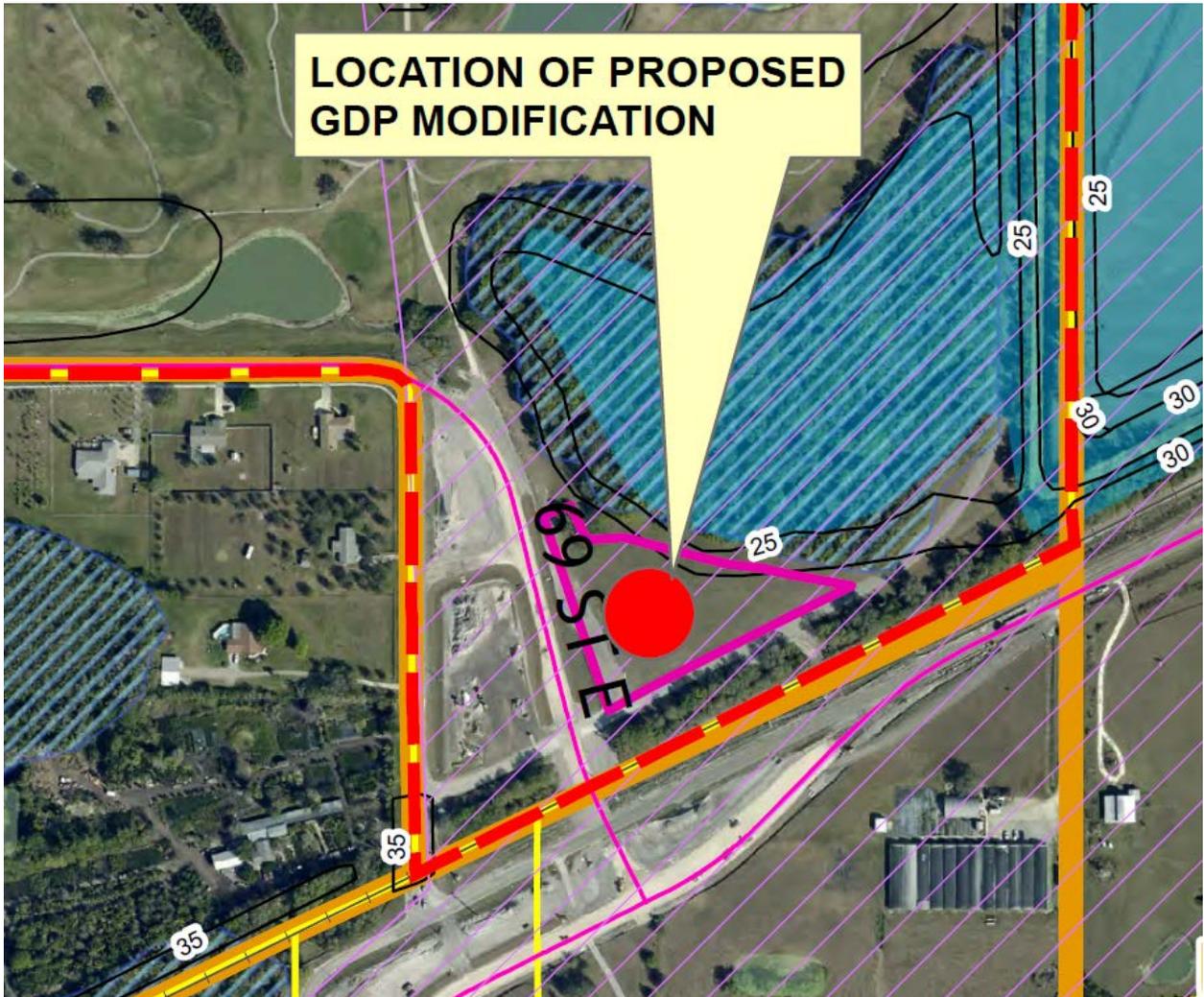
On 12/01/2005 was approved an application [PDPI-04-30(Z)(G) – Manatee County North Regional Wastewater Treatment Plan] to rezone 62.5 acres located on the northeast corner of the actual overall facility and approved a General Development Plan for the existing plant facilities and future expansion.

In 2008, the Board of County Commissioners authorized the expansion of the North Water Reclamation Facility to 11.25 million gallons per day, and on May 7th, 2009, the Board approved an application that includes:

- rezone ± 584 acres from A/NCO (General Agriculture/North Central Overlay) and A-1/NCO (Suburban Agriculture/ North Central Overlay to PDPI (Planned Development Public Interest) retaining the North Central Overlay where appropriate, and
- approval of a General Development Plan for the expansion of the North Water Reclamation Facility, raw water well fields and associate pipelines, a maintenance building, and future utility expansion projects (water, wastewater, reclaimed water storage, and mitigation) (± 647 acres).

### Request

The current request is for an amendment to the General Development Plan in order to include a fuel depot facility as part of the existing North Water Reclamation Facility and Water Treatment Plant (NWRF). The proposed “fuel depot” will be located in the southeast portion of the existing facility in a 2.08-acre site.



The proposed facility will be operated by the County and includes the following:

- Three (3) fuel pumps to accommodate two (2) diesel and one (1) gasoline vehicles at the same time,
- One (1) “Diesel Exhaust Fluid” (urea) Dispenser for compliance with EPA emissions,
- Two (2) above ground tanks:
  - a 20,000 gallon tank with two compartments, one for gasoline (5,000 gallons), and one for diesel (15,000 gallons), and
  - a 1,000 gallon DEF tank to support EPA compliance.

- Two driveways, from an existing private driveway, will allow the access to the facility and will connect to a perimeter asphalt turning area with center concrete island. Associate stormwater will be provided.

The site plan shows the project boundary of the “fuel depot facility” and the proposed separation from gasoline pumps, tanks, and pump island to property lines (108’ feet to the west and 120’ to the south) which exceeds the minimum required setback (25 feet per LDC Section 704.66.3). No building has been included as part of this proposal. At this time, no other changes have been proposed to the previous approved plan for the overall NWRP facility.

The proposed fuel depot is within Zone X per FIRM panel 120153 0205C, revised 7/15/92, and D-FIRM Panel 12081C0178E, effective 3/17/14. No floodplain management requirement or substantial improvements will be required.

There are no impacts to jurisdictional wetlands with this proposal. At time of Preliminary Site Plan/Final Site Plan the fuel depot facility shall comply with LDC requirements for wetland protection (Section 719), tree protection (Section 714), Landscaping (Section 715). Specific approval for Section 604.10 (North Central Overlay) was previously granted for the NWRP [PDPI-06-45(Z)(G)] to eliminate the required roadway buffer (50 feet) and greenbelt buffer (20 feet), and permit flexibility in quantity, type, and placement of plantings within the buffers.

The fuel depot facility shall comply with LDC Sections 723 (Adverse Impacts Performance Standards) and 704.72 (Utility Uses) and compliance with the referenced regulations will be reviewed at Preliminary Site Plan/Final Site Plan stage. Specific Approval has been requested to:

- Allow above ground position for storage tanks of flammable liquids products in excess of 500 gallon quantities (LDC Section 704.66.4).

Staff, including the Fire Department, supports the requested Specific Approval. Any environmental and containment concerns will be addressed at the time of permitting and must meet all applicable state regulations for pollutant storage tanks. Safety parameters will be enforced by the Fire Marshal according to following applicable fire codes:

- Florida Fire Prevention Code (2010 Edition),
- NFPA 1 - Chapter 66 “Flammable & Combustible liquids”
- NFPA 70 – National Electric Code (NFPA 1-66.7.3.2: “all electrical utilization equipment and wiring shall be of a type specified by and installed in accordance with NFPA 70”),
- NFPA 30 – “Flammable & Combustible Liquids Code”, and
- NFPA 10 – Fire Extinguishers.

Staff recommends approval of this request. Original stipulations will carry forward.

<b>SITE CHARACTERISTICS AND SURROUNDING AREA</b>	
<b>ADDRESS:</b>	7550, 7920, 8100 and 8500 69 <sup>th</sup> Street East, Ellenton
<b>GENERAL LOCATION:</b>	<u>NWRf</u> : North and east of 69 <sup>th</sup> Street East, and north of Erie Road: <u>Proposed fuel depot</u> : southeast portion of the property
<b>SIZE:</b>	± 647 acres total acreage NWRf ± 2.08 acres proposed fuel depot
<b>EXISTING USE(S):</b>	North Water Reclamation Facility & Water Supply/Treatment Facility, effluent storage pond, golf course, ball fields, water tower, and maintenance facilities
<b>FUTURE LAND USE CATEGORY:</b>	P/SP-1 (Public/Semi-Public 1)
<b>FAR:</b>	± .024 (Proposed fuel depot facility will not increment the Floor Area Ratio of the overall existing facility)
<b>SPECIAL APPROVAL(S):</b>	Adjacent to a Perennial Stream (previously granted)
<b>OVERLAY DISTRICT(S):</b>	North Central Overlay
<b>SPECIFIC APPROVAL(S):</b>	<ul style="list-style-type: none"> <li>• Flexibility in North Central Overlay buffer requirements (LDC Section 604.10) (previously granted)</li> <li>• Reduce minimum setback from property line (LDC Section 704.66.3)</li> <li>• Allow above ground position for storage tanks in excess of 500 gallon (LDC Section 704.66.4)</li> </ul>
<b>SURROUNDING USES &amp; ZONING</b>	
<b>NORTH</b>	Vacant residential tract and single-family homes in Regency Oaks Preserve zoned RSF-1 (Residential Single- Family – one du/acre) and citrus groves zoned A (General Agriculture)
<b>SOUTH</b>	Single-family homes (Stevens Subdivision, Sodbuster Farms, and Goyings Subdivision) zoned RSF-1 (Residential Single- Family – one du/acre) Single-family residential, vacant residential and wholesale greenhouse zoned A (General Agriculture), and vacant land

	<b>zoned PDC (Planned Development Commercial)</b>		
<b>EAST</b>	<b>Vacant land (Manatee County School District) and grazing area zoned A (General Agriculture)</b>		
<b>WEST</b>	<b>Vacant residential tract (Imperial Lake Woods Golf Club Subdivision) zoned PDR (Planned Development Residential), utility facility (Manatee County Radio Controllers), vacant land, Mills Elementary School, and Buffalo Creek Middle School zoned A-1 (Suburban Agriculture), single-family homes (Jamanac Subdivision) and nursery (Sodbuster Farms) zoned RSF-1 (Residential Single- Family – one du/acre)</b>		
<b>SITE DESIGN DETAILS</b>			
<b>SETBACKS:</b> (* ) 25' required for LDC Section 704.66.3		<u>Existing NWRf</u>	<u>Proposed Fuel Depot</u>
	<b>Front</b>	100'	120' (*)
	<b>Side</b>	West 25' East 60'	West 108' East > 625' (*)
	<b>Rear</b>	230'	> 4,800 (*)
	<b>Waterfront</b>	30'	30'
	<b>Wetland</b>	15'	15'
<b>OPEN SPACE:</b>	> 580 Acres or ± 90% open space provided for the overall NWRf		
<b>BUFFERS:</b> (* ) Specific approval has been previously granted to eliminate 50' roadway buffer and 20' greenbelt buffer (LDC Section 604.10.3) with flexibility in planting requirements)	Buffers are already in place for the overall site (NWRf) (*)		
<b>ACCESS:</b>	Existing driveway entrances on 69 <sup>th</sup> St. East		
<b>FLOOD ZONE(S):</b>	Zones X, AE and regulatory floodway of Buffalo Canal and Wade Canal per FIRM panel 120153 0205C, revised 7/15/92. D-FIRM Panel 12081C0178E, effective 3/17/14, shows changes in the flood zones. The site is now in Zones X, AE with BFEs 21.8'-33.8' NAVD 1988 and A no BFE determined. Proposed fuel depot is within Zone X.		

<b>AREA OF KNOWN FLOODING:</b>	<b>Yes</b>			
<b>UTILITY CONNECTIONS:</b>	<b>Water and sewer are available</b>			
<b>WETLAND ACREAGE &amp; IMPACTS</b>				
<b>Overall Wetland Acreage:</b>	<b>± 73.49 acres (overall NWRf)</b>			
<b>Proposed Impact Acreage: (* ) ± 33.40 acres previously impacted</b>	<b>None at this time (* )</b>			
<b><u>Wetlands, Uplands, Endangered Species, and Trees:</u></b> No change to previous information.				
<b><u>Landscaping/Buffers:</u></b> No information at this time.				
<b>NEARBY DEVELOPMENT</b>				
<b>PROJECT</b>	<b>LOTS / UNITS</b>	<b>DENSITY</b>	<b>FLUC</b>	<b>APPROVED</b>
Fairways at Imperial Lake Woods	358	1.15	RES-6	1998
Regency Oaks Preserve	28	0.37	UF-3	2002
Regency Oaks Ph I	154	1.8	ROR/RES-6	1990
Regency Oaks Ph II	25	2.3	RES-6	1995
Sheffield Glen	108	2.4	UF-3	2004
Ancient Oaks	231	1.2	RES-3/UF-3	2006

<b>POSITIVE ASPECTS</b>
<ul style="list-style-type: none"><li>• <b>The County owns and manages the overall parcel and the specific land in which will be located the fuel depot facility.</b></li><li>• <b>The proposed fuel depot will facilitate the County’s operational activities on the North Area.</b></li><li>• <b>The use of the fuel depot is limited to Manatee County employees and will not be open to the general public.</b></li><li>• <b>The overall NWRf provides more than 90 percent open space.</b></li><li>• <b>No impacts to wetlands have been proposed.</b></li><li>• <b>The proposed facility will be located at least 300 feet away from the nearest residential area.</b></li></ul>
<b>NEGATIVE ASPECTS</b>
<ul style="list-style-type: none"><li>• <b>This type of use has potential to create environmental and safety issues.</b></li></ul>
<b>MITIGATING MEASURES</b>
<ul style="list-style-type: none"><li>• <b>Current State regulations do not contain sitting preferences as to whether fuel tanks should be underground or above ground.</b></li><li>• <b>The above ground fuel storage tanks are envisioned by the declared use for the site in the P/SP(1) FLUC.</b></li><li>• <b>Any potential environmental and safety issues are addressed through the design, installation, and maintenance of the tanks in accordance with all applicable EPA, and FDEP regulations, and fire codes.</b></li><li>• <b>The Fire Department will enforce the applicable safety regulations.</b></li><li>• <b>All requirements of the PDPI zoning district and LDC provisions regarding buffering, access, tree preservation, and specific conditional use criteria for public utility uses, etc. will be assessed with future site plan.</b></li></ul>

**STAFF RECOMMENDED STIPULATIONS**  
 (Original stipulations will carry forward. No new stipulations have been proposed at this time)

**A. 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 Buffalo Canal. Modeling shall be used to determine pre- and post- development flows.
2. Stormwater facilities are required for new impervious areas only.

**B. ENVIRONMENTAL CONDITIONS:**

1. A copy of the Environmental Resource Permit (ERP) approved by SWFWMD shall be submitted to the Planning Department for review prior to Final Site Plan approval.
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 LDC, are required in areas that contain native desirable vegetation. This shall be reviewed and approved by the Planning Department with Final Site Plan.
3. There is a Bald Eagle nest adjacent to this project. Final Site Plans shall be designed in accordance with the “Bald Eagle Management Plan”, as adopted April 2008 by the Florida Fish and Wildlife Conservation Commission, or copies of applicable permits shall be provided to the Planning Department for review prior to Final Site Plan approval.

**REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED**

None

**COMPLIANCE WITH LDC**

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
50' NCO roadway buffer, Erie Rd. & 69 <sup>th</sup> St. E	Existing		N	Specific Approval previously granted
20' perimeter buffer	Existing	Y		Existing
<b>TREES</b>				
Tree replacement Trees removed Req'd. replacement		Y		To be determined with PSP/FSP

<b>SIDEWALKS</b>			
<b>5' sidewalk, exterior, along 69<sup>th</sup> St. E. and Erie Rd.</b>	<b>5'</b>	<b>Y</b>	<b>Existing</b>
<b>ROADS &amp; RIGHTS-OF-WAY</b>			
<b>24' paved drive aisles</b>	<b>24'</b>	<b>Y</b>	<b>Existing</b>
<b>Interneighborhood Ties</b>	<b>N/A</b>		<b>None required</b>
<b>Visibility triangles</b>		<b>Y</b>	<b>To be verified with PSP/FSP</b>
<b>DRAINAGE/FLOODING</b>			
<b>FFE no applicable requirement for structures within Zone X</b>		<b>Y</b>	<b>To be verified with PSP/FSP</b>
<b>ENVIRONMENTAL ISSUES</b>			
<b>Exotic species removal</b>		<b>Y</b>	<b>To be verified with PSP/FSP</b>
<b>Wetland buffer signs</b>		<b>Y</b>	<b>To be verified with PSP/FSP</b>
<b>Open space</b>	<b>&gt;90%</b>	<b>Y</b>	<b>Existing</b>

**COMPLIANCE WITH COMPREHENSIVE PLAN**

**The site is in the P/SP 1 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 primarily characterized by agricultural land and residential development. The “North County” has been experimented a transitioning from agriculture to suburban and urban residential development, and has the potential for future additional growth which will require more public and quasi-public facilities that can be located on this site.

**Policy 2.2.1.22.1 Intent.** The use is consistent with the intent of the P/SP-1 FLUC which recognizes major existing and programmed public/quasi-public facilities, primarily associated with public utilities. The proposed Floor Area Ratio of 0.024 (no increment from the previous approval) complies with the Comprehensive Plan, because all structures are reasonably related to the operation of this facility.

**Policy 2.2.1.22.2 Range of Potential Uses.** The proposed use (fuel depot facility) is included in the range of potential uses for this FLUC, which take in consideration 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 are in the range of potential uses.

**Policy 2.6.1.1 Compatibility.** The proposed facility will be located at least 300 feet away from the closest residential areas and separated to the west by the new alignment of the 69<sup>th</sup> Street East and the south by the FP&L railroad right-of-way. To the east there is vacant

agriculture land property and to the north the proposed use will be separated more than 4,800 feet to the property line. Standard operating procedures associated with County owned maintenance facilities, and the proposed buffers and setbacks will mitigate concerns regarding incompatibility.

**Policy 2.6.5.5 Preserve/Protect Open Space.** For projects within the PDPI zoning district and outside of the watershed overlay, no minimum standard of required open space is specified in the Land Development Code, however, an appropriate proportion of the project area shall be reserved for landscaping and permeable areas. Approximately 90% of open space is provided (± 580 acres).

**CONCURRENCY**

**Major Transportation Facilities**

The site will have access onto 69<sup>th</sup> Street East, a two-lane urban collector roadway.

**Transportation Concurrency**

The Applicant is only seeking General Development Plan (GDP) approval at this time, and, thus, cannot obtain transportation concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant may be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project (see Certificate of Level of Service Compliance table below).

**Access**

As previously stated, the site will have access onto 69<sup>th</sup> Street East. Please note that all vehicle and pedestrian access points will meet the minimum LDC standards. At the time of a traffic study, all access points will be re-evaluated to determine if any further site-related improvements will be required for the site.

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

The Applicant may be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project at the time of PSP/FSP submittal.

AFFECTED ROADWAY	LINK(S)	ADOPTED LOS	CURRENT LOS
69 <sup>th</sup> Street East	2470 from I-75 to Erie Rd (CR 75)	D	C

**REQUIRED IMPROVEMENTS:**

This is a General Development Plan and the applicant applied for a Deferral of Concurrency.

Any needed improvements will be addressed with further site plan submittals.

## SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

### Applicant Request(s):

1. **Alternative to LDC Section 704.66.4. - Service Stations and other Gas Pumps Locations. Flammable Liquids Products Storage**

LDC Section 704.66.4 requires that all receptacles, tanks or facilities for the storage of flammable liquids in excess of 500 gallon quantities shall be located underground. The request is to allow above ground position of the fuel storage tanks instead of the required below ground position.

#### **Staff Analysis and Recommendation**

Current State pollutant storage tank codes include no language with regard to placement of tanks, either aboveground or underground. Both are allowable in any situation, and siting restrictions near potable wells apply to both types.

There are many existing fuel depot facilities in surrounding counties that have aboveground gasoline tanks, including seven (7) of the eight (8) fueling depots operated by Manatee County. Above ground tanks are subject to ease and low maintenance programs and provide for portability in case that relocation is required.

The proposed facility will be designed, installed, and maintained according to the applicable EPA, FDEP, and fire codes regulations. North River Fire District approved the proposed aboveground fuel tanks. Safety regulations will be enforced by the Fire Marshal.

#### **Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the LDC Section 704.66.4, the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree because the facility will be designed to provide adequate environmental and safety operation level.

## ATTACHMENTS

1. **Applicable Comprehensive Plan Policies**
2. **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: <ul style="list-style-type: none"><li>- consideration of existing development patterns,</li><li>- types of land uses,</li><li>- transition between land uses,</li><li>- density and intensity of land uses,</li><li>- natural features,</li><li>- approved development in the area,</li><li>- availability of adequate roadways,</li><li>- adequate centralized water and sewer facilities,</li><li>- other necessary infrastructure and services.</li><li>- limiting urban sprawl</li><li>- applicable specific area plans</li><li>- (See also policies under Objs. 2.6.1 - 2.6.3)</li></ul>
Policy:	2.2.1.22	<b>P/SP (1):</b> 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

Policy:	2.2.1.22.3	Comprehensive Plan, may also be considered. (See also Policy 2.1.1.5)
		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 §

1631.31.87, 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: 2.6.1.1

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.
---------	---------	---

**Copy of newspaper advertising**

**Bradenton Herald**

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION / DTS #20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated

between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility;

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

The NWRP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision.

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](mailto: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; TD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS. MANATEE COUNTY PLANNING COMMISSION**  
Manatee County Building and Development Services Department  
Manatee County, Florida  
03/28/2014

**Sarasota Herald - Tribune**

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**  
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

The NWRP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: [planning.agenda@mymanatee.org](mailto: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; TD 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: March 28, 2014

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

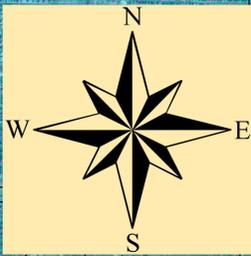
**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION DTS #20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing a legal description, and providing an effective date.





1 inch = 400 feet

ORIGINAL PDPI -06-45 (Z)(G)  
PROJECT LIMITS

LOCATION OF PROPOSED  
GDP MODIFICATION

**Legend**

	Bald Eagle Nests		Zoning		Future Land Use
	Project Boundary		Ponds		Lakes
	Original Project Limits		Wetlands		100 YEAR FLOOD
	North Central Overlay		Contours Five Feet		Interstate
	Contours Five Feet		U.S. Highway		State Road
	U.S. Highway		State Road		County Road
	State Road		County Road		Business Road
	County Road		Business Road		Built
	Business Road		Built		Under Construction
	Built		Under Construction		Proposed
	Under Construction		Proposed		Built
	Proposed		Built		Under Construction
	Built		Under Construction		Proposed
	Under Construction		Proposed		Railroad
	Proposed		Railroad		

# North County Fuel Depot Modification To General Development Plan

APPROVED BY:  
  
**CHRISTOPHER LEE MOWBRAY**  
 FLORIDA P.E. # 46777  
 MANATEE COUNTY GOVERNMENT  
 PUBLIC WORKS DEPARTMENT  
 1022 26TH AVENUE EAST  
 BRADENTON, FL. 34208  
  
 DATE

# MEMORANDUM

To: Building and Development Services

From: Chris Mowbray, P.E. Division Manager Highway Engineering  
*Chris Mowbray*

Through: Chad Butzow, P.E., Deputy Director Field Operations  
*Chad Butzow*

Date: April 3, 2014

Subject: North County Fuel Depot – Request for Specific Approval



Manatee County Public Works Department is requesting Specific Approval to Land Development Code (LDC) Section 704.66.4, which requires that all receptacles, tanks or facilities for the storage of flammable liquids in excess of 500 gallon quantities shall be located underground. The request is to allow aboveground position of the fuel storage tanks instead of the required below ground position.

In fact, current State pollutant storage tank codes include no language with regard to placement of tanks, either aboveground or underground. Both are allowable in any situation, and siting restrictions near potable wells apply to both types.

In addition, there are many existing fuel depot facilities in surrounding counties that have aboveground gasoline tanks, including seven (7) of the eight (8) fueling depots operated by Manatee County. Aboveground ground tanks are subject to ease and low maintenance programs and provide for portability in case that relocation is required. The proposed facility will be designed, installed, and maintained according to the applicable EPA, FDEP, and fire codes regulations. North River Fire District approved the proposed aboveground fuel tanks. Safety regulations will be enforced by the Fire Marshal.

We respectfully request that the Specific Approval be granted to the project.

If you have any questions, please do not hesitate to call at (941) 708-7450, Ext. 7605

CM/pbf

Cc: Sia Mollanazar, P.E, Deputy Director Engineering Services  
Ron Schulhofer, Director of Public Works  
John Barnott, Director of Building and Development Services  
John Osborne, AICP, County Planning/Zoning Official

Page 31 of 274

Public Works  
Administration  
1022 26<sup>th</sup> Ave E

Phone number: (941)708-7480

April 10, 2014 - Planning Commission Meeting  
Agenda Item #3

Subject

PA-13-09 / ORDINANCE 14-10 fka 13-42 - PEERAGE LAND COMPANY LLC - LEGISLATIVE - KATHLEEN THOMPSON

Briefings

None

Contact and/or Presenter Information

Kathleen Thompson, AICP

Planning Manager

941-748-4501, ext. 6841

Action Requested

RECOMMENDED MOTION:

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents and finding the request to be CONSISTENT with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to recommend TRANSMITTAL of Plan Amendment PA-13-09, as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

The applicant is requesting a map amendment on 32.5+/- acres, from IL and RES-1 to RES-6 and RES-3.

The site is generally located within the southeast quadrant of the intersection of 30th Avenue East and 27th Street East,

The site consists of 7 parcels. The parcels are adjacent to the Fox Crossings [(PDR-12-14(G))] proposal that is under review. It is anticipated that the 7 parcels will be incorporated into the Fox Crossings proposal.

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

There are several residential subdivisions within close proximity to the amendment site. Stone Creek and Sugar Ridge subdivisions are to the south of the Fox Crossing proposal with LaSelva Park subdivision to the west and Oak Haven to the north of the proposed Fox Crossing site.

This is a transmittal hearing.

Staff recommends approval.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded via email on 03/07/2014.

Reviewing Attorney

Schenk

Instructions to Board Records

n/a

Cost and Funds Source Account Number and Name

n/a

Amount and Frequency of Recurring Costs

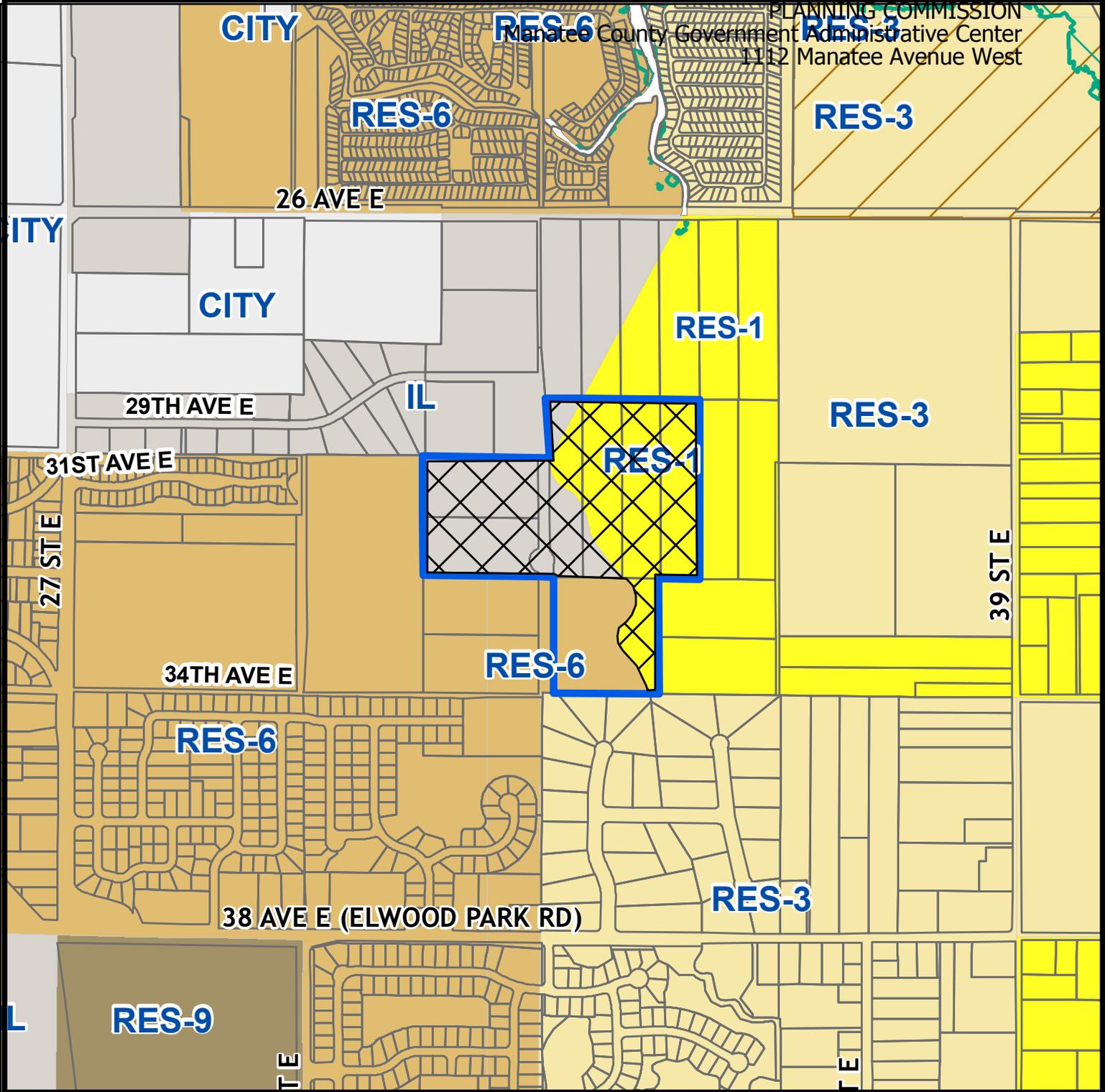
n/a

Attachment: Maps - Future Land Use, Zoning and Aerial - PA-13-09 - ORD-14-10 - Peerage Land Company - 140410 PC.pdf

Attachment: Copy of Newspaper Advertising - Peerage Land Company, LLC - PA-13-09 - Ordinance 14-10 fka 13-42 - 4-10-14 PC.pdf

Attachment: Staff Report - PA-13-09 - ORD-14-10 - Peerage Land Company - 140410 PC.pdf

# FUTURE LAND USE



PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Parcel ID #(s) 1538900559,1538900079,1538900509,1538900609,1538900659,1543100059, 1542500002

Project Name: Peerage Land Co.  
Project #: PA-13-09 / ORD-14-10  
DTS#: 20130385  
Proposed Use:



**PLAN AMENDMENT AREA**

S/T/R: Sec 5 Twn 35 Rng 18  
Acreage: 38.6 total ( Plan Amend. = 32.5 )  
Existing Zoning: LM, A-1 ,PD-MU  
Existing FLU: RES-6, RES-1, IL  
Overlays: NONE  
Special Areas: NONE

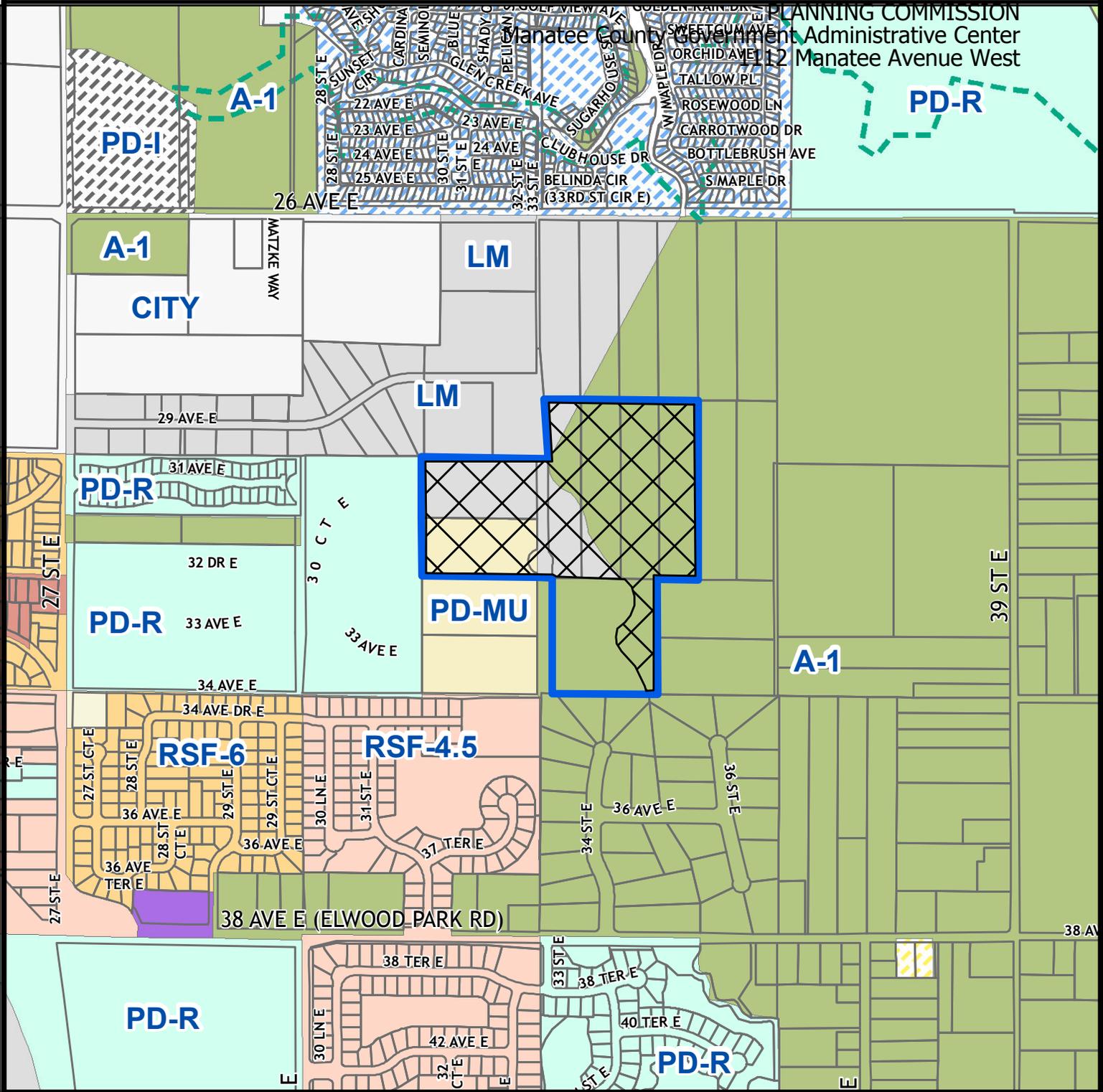
CHH: N  
Watershed: NONE  
Drainage Basin: SUGARHOUSE CREEK  
Commissioner: Michael Gallen



Manatee County  
Staff Report Map

Map Prepared 11/15/2013  
1 inch = 770 feet

# ZONING



Parcel ID #(s) 1538900559,1538900079,1538900509,1538900609,1538900659,1543100059, 1542500002

Project Name: Peerage Land Co.  
 Project #: PA-13-09 / ORD-14-10  
 DTS#: 20130385  
 Proposed Use:



**PLAN AMENDMENT AREA**

S/T/R: Sec 5 Twn 35 Rng 18  
 Acreage: 38.6 total ( Plan Amend. = 32.5 )  
 Existing Zoning: LM, A-1, PD-MU  
 Existing FLU: RES-6, RES-1, IL  
 Overlays: NONE  
 Special Areas: NONE

CHH: N  
 Watershed: NONE  
 Drainage Basin: SUGARHOUSE CREEK  
 Commissioner: Michael Gallen

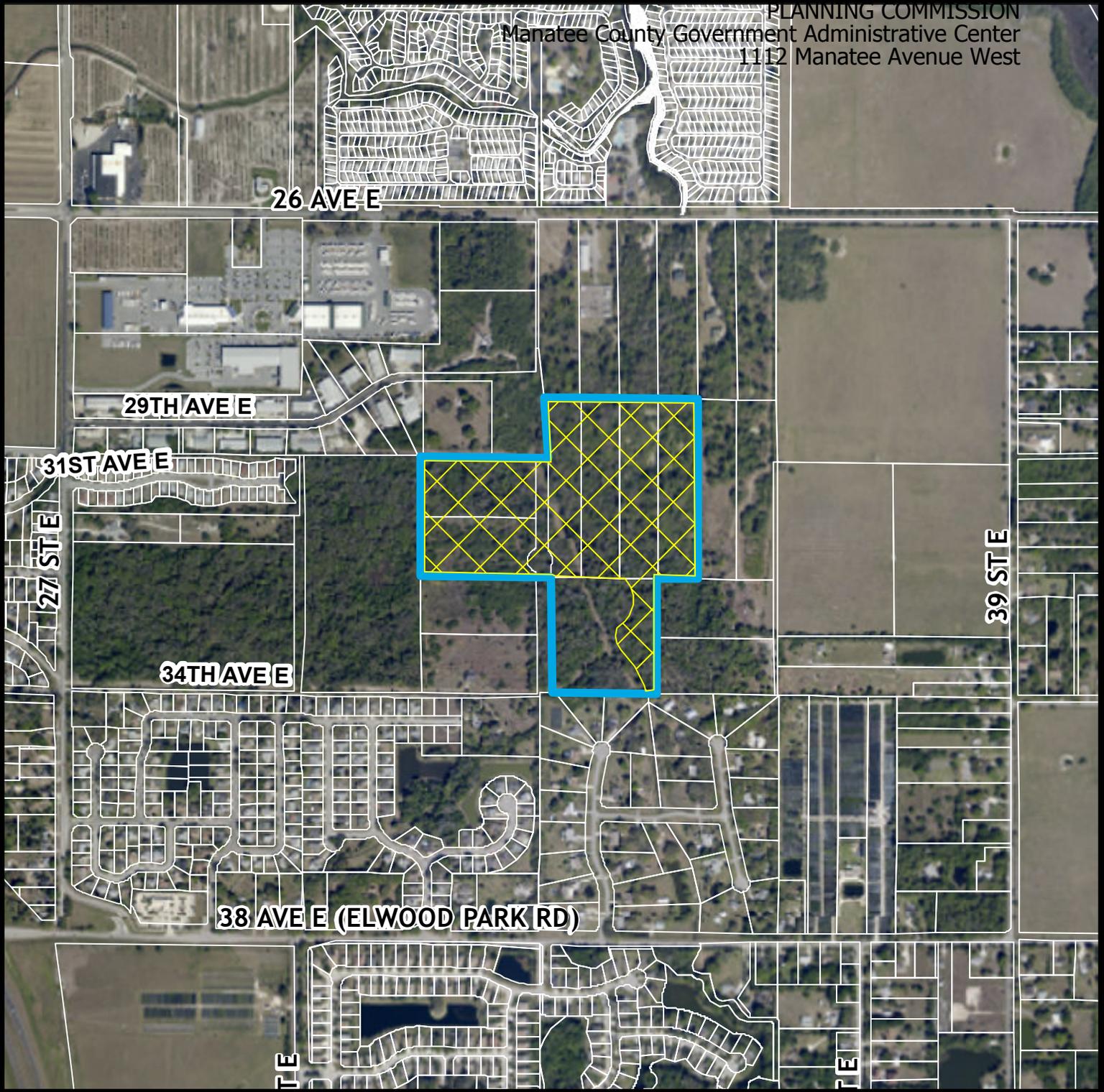


Manatee County  
 Staff Report Map

Map Prepared 11/15/2013  
 1 inch = 770 feet

# AERIAL

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West



Parcel ID #(s) 1538900559,1538900079,1538900509,1538900609,1538900659,1543100059, 1542500002

Project Name: Peerage Land Co.  
Project #: PA-13-09 / ORD-14-10  
DTS#: 20130385  
Proposed Use:



**PLAN AMENDMENT AREA**

S/T/R: Sec 5 Twn 35 Rng 18  
Acreage: 38.6 total ( Plan Amend. = 32.5 )  
Existing Zoning: LM, A-1 ,PD-MU  
Existing FLU: RES-6, RES-1, IL  
Overlays: NONE  
Special Areas: NONE

Page 36 of 274

CHH: N  
Watershed: NONE  
Drainage Basin: SUGARHOUSE CREEK  
Commissioner: Michael Gallen



Manatee County  
Staff Report Map

Map Prepared 11/15/2013  
1 inch = 770 feet

# NOTICE OF LAND USE CHANGE

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

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

**Date:** Thursday, April 10, 2014  
**Time:** 9:00 A.M. or soon thereafter  
**Place:** Manatee County Government Administrative Center  
1112 Manatee Ave. West; Board Chambers (1st Floor)

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

### PA-13-09 / ORDINANCE 14-10 fka 13-42 - PEERAGE LAND COMPANY, LLC

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, amending Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan); providing a purpose and intent; providing findings; providing for an amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the IL (Light Industrial) Future Land Use Classification (13± acres) and RES-1 (Residential – 1 dwelling unit per gross acres) Future Land Use Classification (19.5± acres) to the RES-6 (Residential - 6 dwelling units per gross acre) for a total of 13.3± acres and to the RES-3 (Residential – 3 dwelling units per gross acre) Future Land Use Classification for a total of 19.2± acres; totaling 32.5± acres, said property being generally located within the southeast quadrant of the intersection of 30<sup>th</sup> Avenue East and 27<sup>th</sup> Street East, Bradenton; providing for severability and providing for an effective date.

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

Rules of Procedure for this public hearing are in effect pursuant to Resolution 13-189(PC). Copies of this Resolution may be obtained from the Planning Department (See address below).

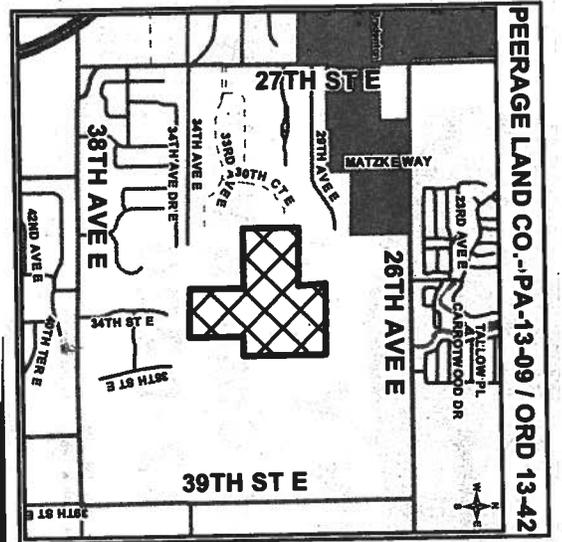
**Please Send Comments To:** Manatee County Building and Development Services Department  
Attn: Project Coordinator  
1112 Manatee Ave. West, 4<sup>th</sup> Floor  
Bradenton, FL 34208  
[planning.agenda@mymanatee.org](mailto:planning.agenda@mymanatee.org)

All written comments will be entered into the record.

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

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

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



Bradenton Herald

NOTICE OF LAND USE CHANGE

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

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

Date: Thursday, April 10, 2014
Time: 9:00 A.M. or soon thereafter
Place: Manatee County Government Administrative Center
1112 Manatee Ave. West; Board Chambers (1st Floor)

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

PA-13-09 / ORDINANCE 14-10 aka 13-42 - PEERAGE LAND COMPANY, LLC

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, amending Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan); providing a purpose and intent; providing findings; providing for an amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the IL (Light Industrial) Future Land Use Classification (13± acres) and RES-1 (Residential - 1 dwelling unit per gross acres) Future Land Use Classification (19.5± acres) to the RES-6 (Residential - 6 dwelling units per gross acre) for a total of 13.3± acres and to the RES-3 (Residential - 3 dwelling units per gross acre) Future Land Use Classifications for a total of 19.2± acres; totaling 32.5± acres, said property being generally located within the southeast quadrant of the intersection of 30th Avenue East and 27th Street East, Bradenton; providing for severability and providing for an effective date.

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

Rules of Procedure for this public hearing are in effect pursuant to Resolution 13-189(PC). Copies of this Resolution may be obtained from the Planning Department (See address below).

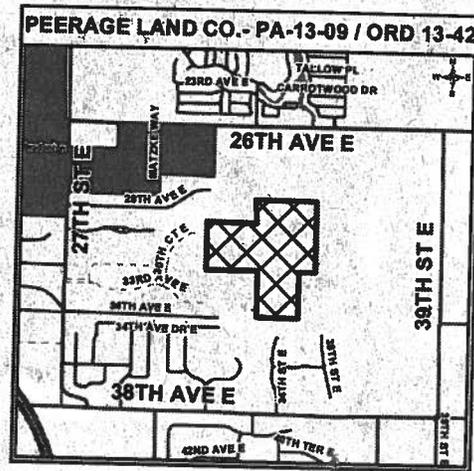
Please Send Comments To: Manatee County Building and Development Services Department
Attn: Project Coordinator
1112 Manatee Ave. West, 4th Floor
Bradenton, FL 34206
planning.agenda@mymanatee.org

All written comments will be entered into the record.

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

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

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



4/2/2014 5:00

**PA-13-09 / ORDINANCE 14-10 fka 13-42 -  
 PEERAGE LAND COMPANY, LLC**

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, amending Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan); providing a purpose and intent; providing findings; providing for an amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the IL (Light Industrial) Future Land Use Classification (13± acres) and RES-1 (Residential – 1 dwelling unit per gross acres) Future Land Use Classification (19.5± acres) to the RES-6 (Residential - 6 dwelling units per gross acre) for a total of 13.3± acres and to the RES-3 (Residential – 3 dwelling units per gross acre) Future Land Use Classifications for a total of 19.2± acres; totaling 32.5± acres, said property being generally located within the southeast quadrant of the intersection of 30<sup>th</sup> Avenue East and 27th Street East, Bradenton; providing for severability and providing for an effective date.

<b>P.C.:</b>	<b>04/10/2014</b>	<b>B.O.C.C.: 05/01/2014</b>	<b>– Transmittal – Adoption</b>
<b>App. Rec’d:</b>		<b>Type of Amendment:</b>	<b>Large Scale Map</b>

**RECOMMENDED MOTION:**

**Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, and finding the request to be CONSISTENT with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to recommend TRANSMITTAL of Plan Amendment PA-13-09, as recommended by staff.**

## PLAN AMENDMENT SUMMARY SHEET

**Name/Applicant:** Peerage Land Company, LLC

**Case Numbers:** PA-13-09 / Ordinance 14-10 (DTS# 20130385)

**Request:** Amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the IL (Light Industrial – 13± acres) future land use classification and RES-1 (Residential/ 1 du/ga – 19.5± acres) to RES-6 (Residential / 6 du/ga – 13.3± acres) and RES-3 (Residential – 3du/ga – 19.2± acres) future land use classification (32.5+/- acres)

**Location:** Generally located within the southeast quadrant of the intersection of 30<sup>th</sup> Avenue East and 27<sup>th</sup> Street East, approximately 2000’ west of 27<sup>th</sup> Street East extending 3,500± feet west of 27<sup>th</sup> Street East.

**Type:** Large Scale Map Amendment

**Recommendation:** TRANSMITTAL  
RES-6 = 13.3 acres Parcels A, B & G amended to RES-6  
RES-3 = 19.2 +/- acres Parcels C, D, E and F amended to RES-3

### Requested Plan Amendment

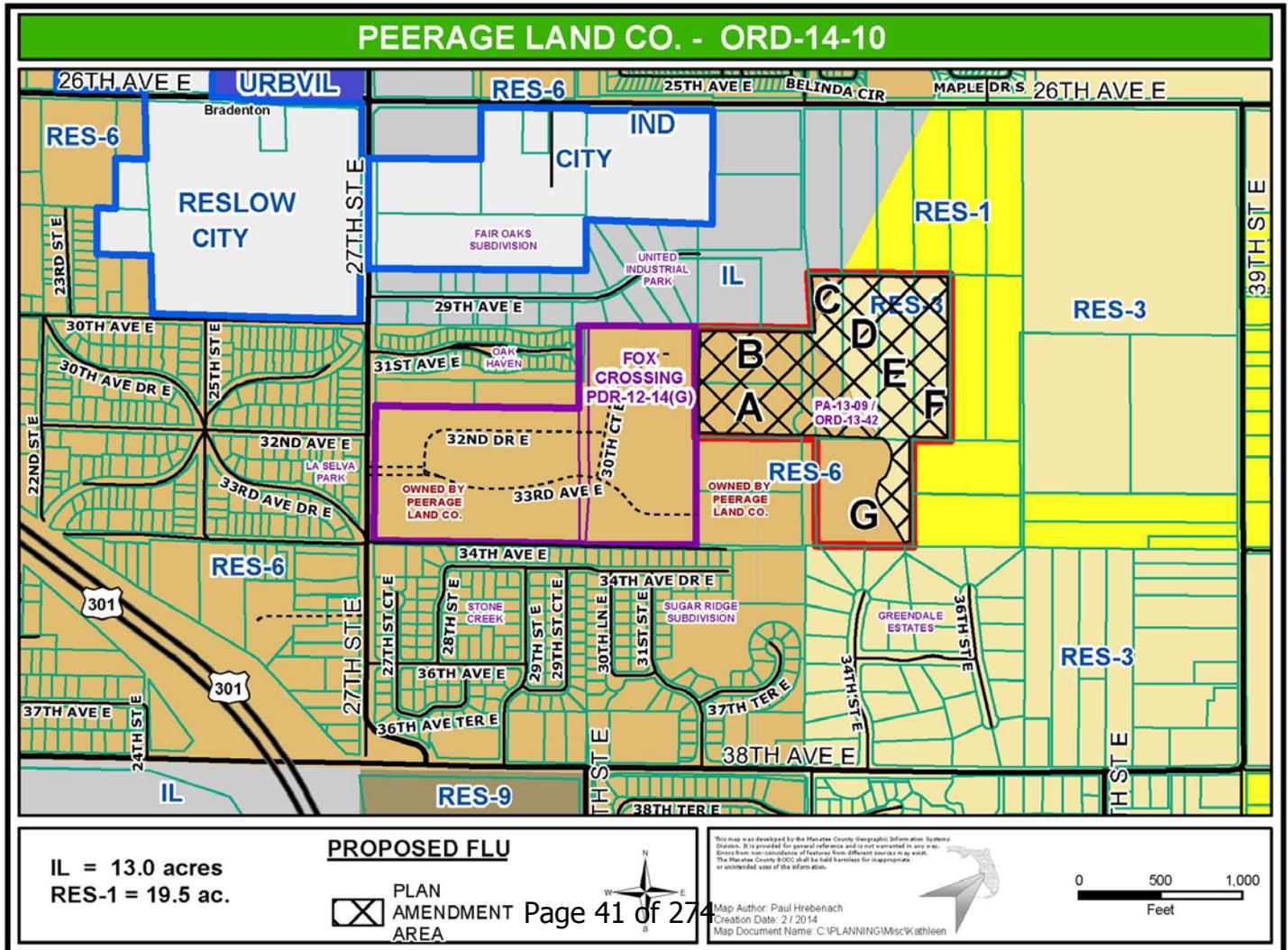
The applicant originally requested a Comprehensive Plan Future Land Use Map amendment from the existing future land use category of IL (Light Industrial) and RES-1 (Residential 1du/ga) to RES-6 (Residential – 6 dwelling units/gross acre) for seven parcels totaling approximately 32.5 acres. However, after discussion with staff, the applicant is in agreement to request approximately 13.3+ acres to RES-6 and 19.2+ acres to RES-3. This will provide a lower density impact adjacent to the existing RES-1 designation to the north and east.

The recommendation therefore is Parcels A (5+/- acres), B (5.2+/- acres) and G (3.1+/- acres) be amended to RES-6 (parcels A & B are adjacent to RES-6 to the west; 2/3rds of parcel G already has a RES-6 designation) and parcels C, D, E and F (with existing IL and RES-1 designations) be amended to RES-3.

The parcels will be identified as Parcel A, Parcel B, etc. for better identification.

	Acreage of Each Parcel	Future Land Use Designation	Map Amendment existing IL acreage	Map Amendment existing RES-1 acreage	PROPOSED RES-6 acreage	PROPOSED RES-3 acreage
Parcel A	5.0	IL	5.0		5.0	
Parcel B	5.2	IL	5.2		5.2	
Parcel C	4.3	IL/RES-1	2.3	2.0		4.3
Parcel D	5	IL/RES-1	.5	4.5		5.0
Parcel E	4.9	RES-1		4.9		4.9
Parcel F	5.0	RES-1		5.0		5.0
Parcel G*	9.1	RES-6/RES-1		3.1	3.1	
			<b>EXISTING FLU</b>		<b>PROPOSED FLU</b>	
			13± acres IL	19.5± acres RES-1	13.3± acres to RES-6	19.2 ±acres to RES-3
<b>TOTAL ACREAGE</b>			<b>32.5± acres</b>		<b>32.5+/- acres</b>	

\*Approximately 1/3 of Parcel G, east of Sugar House Creek, is the area of the map amendment request. The remaining 2/3rds of Parcel G, west of Sugar House Creek, has an existing RES-6 future land use designation.



The closest western boundary of the site is located 2,000± feet west of 27<sup>th</sup> Street West extending 3,500± feet west of 27<sup>th</sup> Street East. Several parcels are on the north side of 34<sup>th</sup> Avenue East/34<sup>th</sup> Avenue East extended. The right-of-way for 34<sup>th</sup> Avenue East was dedicated to the County through the recording of the final plat for Fair Oaks subdivision. The segment of 34<sup>th</sup> Avenue East that is constructed lies on the south side of a large ditch. The segment is approximately 2000 feet long. There appears to be an access drive to a single family home along the north side of the ditch on Peerage Land Company property.

There are several residential subdivisions within close proximity to the amendment site. Stone Creek and Sugar Ridge subdivisions are to the south of the Fox Crossing proposal with LaSelva Park subdivision to the west and Oak Haven to the north of the proposed Fox Crossing site. These subdivisions have an existing residential density of 2.7 to 4.8 units per acre. Greendale Estates, a low density subdivision at less than one unit per acre, is immediately south of the proposed amendment site.

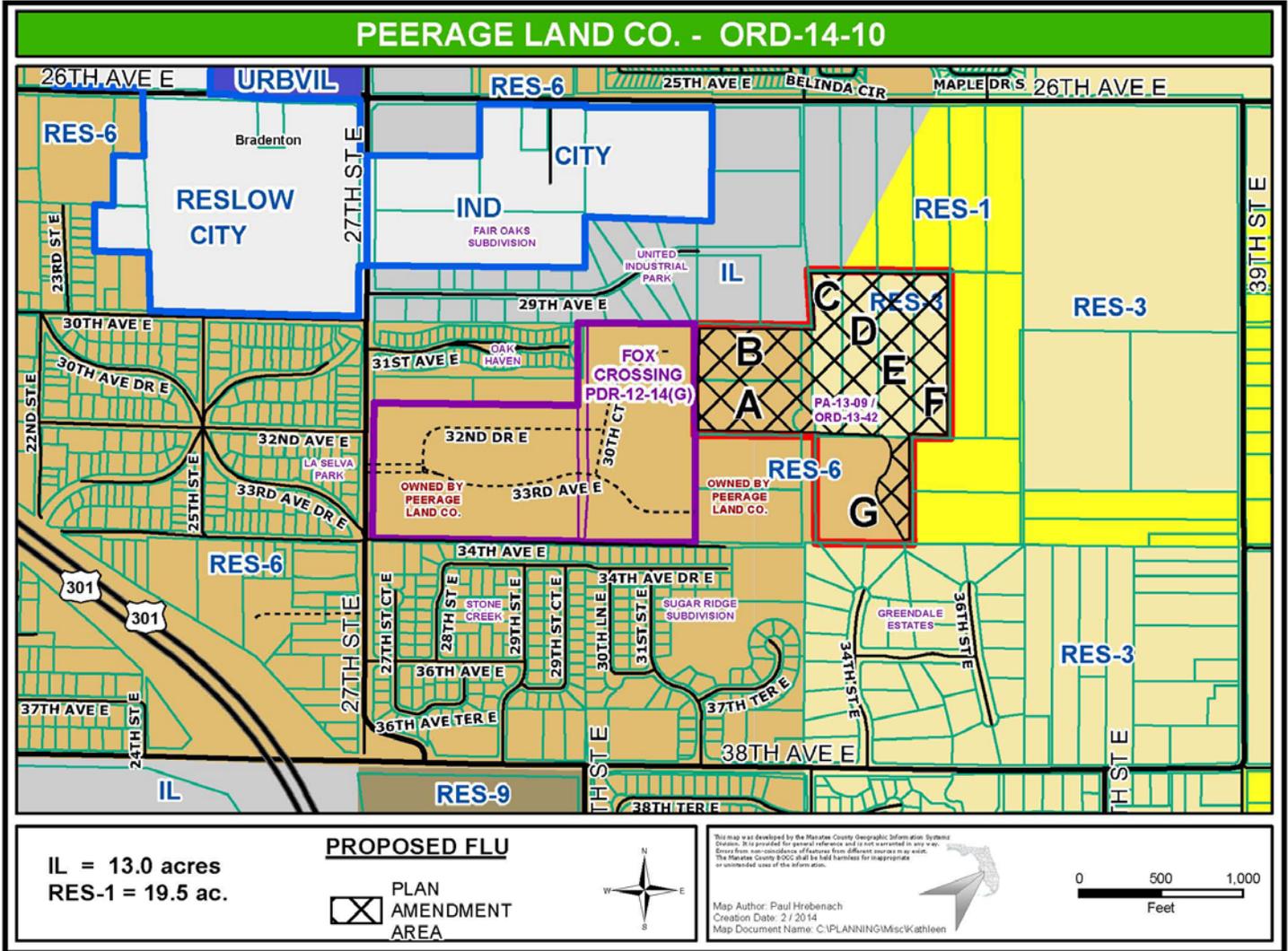
North of 26<sup>th</sup> Avenue East are three mobile home parks, Sugar Creek Estates Co-Op, Sugar Creek Resort and Sugar Creek Country Club. The amendment site and the parks are separated by large parcels and a roadway.

There are several large vacant RES-3 parcels east of the amendment site. These parcels, close to 100 acres, were amended from RES-1 to RES-3 in 2010 (PA-10-18). Continuing eastward, the residential lots are typically 1 to 5 acres in size.

The densities in this area tend to decrease moving west to east, from RES-6 to RES-3 to RES-1. This provides a transition between higher and lower density properties.

The existing IL (Industrial Light) future land use designation has been designated IL since adoption of the Comprehensive Plan in 1989. This subject property and several adjacent parcels have remained vacant. The industrial development in this area has been slow to develop.

PROPOSED FUTURE LAND USE DESIGNATIONS



## **Existing FLU –vs- Proposed FLU**

### **IL – Light Industrial Existing Future Land Use Designation**

Policy 2.2.1.18.1 of the Comprehensive Plan states that the intent of the existing IL designation is “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 range of light industrial and other employment-oriented uses. Also, to prohibit the development or use of these areas for locating heavy industries which have objectionable impacts with regard to height of accessory or incidental structures (e.g., smokestacks), noise, smoke, dust, vibration, or glare.

Policy 2.2.1.18.2 of the Comprehensive Plan states that the range of potential uses for the IL designation include “light industrial uses, offices, research/corporate uses, warehouse/distribution uses, intensive commercial uses, wholesale commercial uses, neighborhood retail uses, service uses, selected residential uses, short-term agricultural uses, recreational uses, public or semi-public uses, schools, privately-operated airports, appropriate water-dependent/water-related/water-enhanced uses and hotels.

The IL designation allows the following:

- a maximum floor area ratio (FAR) of .75
- a maximum floor area ration (FAR) of 1.0 for hotels
- a maximum square footage of Small Neighborhood Retail 30,000 square feet.

### **RES-1 – Residential (1 dwelling unit per acre) Existing Future Land Use Designation**

Policy 2.2.1.9.1 of the Comprehensive plan states that the intent of the existing RES-1 designation is “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 suburban residential environment or a clustered low density urban residential environment where appropriate”.

Policy 2.2.1.9.2 of the Comprehensive Plan states that the range of potential uses for the RES-1 include “suburban or urban residential uses, neighborhood retail uses, short term agricultural uses, agriculturally-compatible residential uses, farmworker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses”.

The RES-1 designation allows the following:

- a maximum gross residential density of 1 dwelling unit;
- a maximum floor area ratio (FAR) of .23; and
- a maximum square footage of Neighborhood Retail 150,000 square feet.

## **RES-3 and RES-6 Future Land Use Designation – Proposed Future Land Use Designations**

### **RES-3**

Policy 2.2.1.10.1 of the Comprehensive plan states that the intent of the existing RES-3 designation is “to identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a moderate-density suburban, or a clustered low density urban, residential environment”.

Policy 2.2.1.10.2 of the Comprehensive Plan states that the range of potential uses for the RES-3 include “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”.

The RES-3 designation allows the following:

- a maximum gross residential density of 3 dwelling units;
- a maximum floor area ratio (FAR) of .23; and
- a maximum square footage of Neighborhood Retail 150,000 square feet.

### **RES-6**

Policy 2.2.1.12.1 of the Comprehensive plan states that the intent of the existing RES-6 designation is “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. .

Policy 2.2.1.12.2 of the Comprehensive Plan states that the range of potential uses for the RES-6 include “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.

The RES-6 designation allows the following:

- a maximum gross residential density of 6 dwelling units;
- a maximum floor area ratio (FAR) of .23; and
- a maximum square footage of Neighborhood Retail 150,000 square feet.

### **Legislative Policy Decision**

The legislative policy decision of the Board of County Commissioners is to determine whether the Proposed Map Amendment to RES-3 and RES-6 are in the best interest of the public considering:

- Is the proposed Map Amendment compatible with the development trends in the area of consideration?

- Is the proposed Map Amendment compatible with surrounding land use intensities?

The Board of County Commissioners should make this decision based upon a comparison of the range of uses allowed in each Future Land Use designation.

The existing IL and RES-1 designations allow for the potential of light industrial uses and low density residential, respectively.

The proposed RES-3 and RES-6 designations allow for the potential of moderate-density suburban, low density urban or a clustered low-moderate density urban residential environment. Although neighborhood retail is permitted in RES-3 and RES-6 FLUC's, the site does not meet commercial locations criteria of the Comprehensive Plan and therefore commercial uses would not be permitted.

**Staff recommends adoption of this amendment request**

Background

Parcel “A” was part of an approval Fraley/Bob Cat Run [(PDMU-05-39(Z)(P)] received on February 6, 2007 for 40 lots on 15± acres. Parcel A was the stormwater pond). The site was never developed and the site plan has since expired.

At the northeast intersection of 27<sup>th</sup> Street East and 34<sup>th</sup> Avenue East, west of the amendment site, a site called Fox Crossing [(PDR-03-51(Z)(P)] received approval on June 21, 2005 for 96 lots on approximately 45 acres. The site was never developed and the site plan has since expired.

The owners of the Fox Crossing site recently submitted a new general development plan [(PDR-12-14(G)] proposing 5-6 ½ dwelling units on the 45± acres. If the proposed future land use map amendment is adopted, the applicant for Fox Crossing will revise the GDP application to include the amended parcels.

<b>RESIDENTIAL</b>				
PROJECT	LOTS / UNITS	DENSITY	FLUC	YEAR APPROVED
La Selva Park	303	4.88	RES-6	1925
Oak Haven	46	4.6	RES-6	2001
Stone Creek (1 <sup>st</sup> & 2 <sup>nd</sup> addition)	120	3.81	RES-6	1985, 1986, 1987
Sugar Ridge	74	2.70	RES-6	1995
Greendale Estates	32	0.78	RES-3	1981
Fox Crossing	292	5.34 - 6.50	RES-6	Pending
Bobcat Run	40	2.7	RES-6 & IL	2007
<b>NON-RESIDENTIAL</b>				
PROJECT	SQ. FT.	F.A.R.	FLUC	YEAR APPROVED
Aliotta Warehouse	15,000	0.07	IL & RES-1	2011 (Originally approved 2003)
Brandon River Kingdom Hall	5,476	0.06	RES-6	2007
Charter School USA	76,438	0.18	RES-9	2012

**Land Use Characteristics and Development Trends**

<i>Category/Zoning/Land Use Summary Table</i>			
	Existing FLUC	Zoning	Present Land Use
Site	IL/RES-1/RES-6	A-1, LM and PDMU	Vacant
North	IL/RES-1	A-1 and LM	Vacant, industrial use, single family dwelling unit
South	RES-6/ RES-1/ RES-3	PDMU and A-1	Vacant, residential subdivision
East	IL/RES-1	LM and A-1	Vacant
West	IL/RES-6	LM and PDR	Vacant

**Summary**

Positive Aspects

- Surrounding area is developed with residential subdivisions south of 34<sup>th</sup> Avenue East and west of 27<sup>th</sup> Street East.
- This is a logical extension of the Fox Crossing proposal.
- Roadway networks, utilities and other services exist in the area.
- This request discourages “leap frog” development by concentrating development at locations close to existing urban development.

Negative Aspects

- The northern boundary of the property is adjacent to a light industrial future land use designation.
- The proposed RES-6 density does not provide a transition between higher (RES-6) and lower (RES-1) density.
- Proposed density exceeds surrounding build out.
- A portion of the site is situated between the Sugar House Creek drain.
- The only access is from 27<sup>th</sup> Street East which requires traversing several parcels to get to amendment site.

Mitigating Factors

- Amending Parcels C, D, E and F to RES-3 (instead of RES-6) will provide a transition between higher (RES-6) and lower (RES-1) future land use designations.
- Significant buffers will be necessary to screen the property from the light industrial properties to the north.
- Proposed future development of the site will be required to comply with the Manatee County Land Development Code.
- Access from 27<sup>th</sup> Street East will be through parcels owned by same owner as requesting the map amendment.

**Plan Amendment Justification**

.

**Development History**

1981 Comprehensive Zoning and Land Development Code Zoning Designation  
A -1 Suburban Agriculture

1990 Land Development Code Zoning Designation  
A-1 Suburban Agriculture

1989 Comprehensive Plan Future Land Use Designation  
IL – Light Industrial and RES-1 – Residential 1 du/ga

**Plan Amendment Detailed Review Land Planning Analysis**

**SERVICES**

**Roadways**

The Traffic Impact Statement (TIS) compares the maximum traffic impacts possible resulting from the development of the subject parcel at maximum densities/intensities allowed in the existing approved future land use designations versus those densities/intensities anticipated in the proposed future land designation.

The existing land use designations are: 13.01 acres of Light Industrial (IL) uses with an assumed build out of 425,037 square feet and 19.58 acres of Residential (RES 1 – 1 dwelling unit per acre) uses with an assumed build out of 20 single-family homes. This will generate 475 pm peak hour trips.

Based upon the maximum density/intensity expected by the proposed future land use designation for 32.59 acres of Residential (RES 6 – 6 dwelling units per acre) uses with an assumed a build out of 196 single family homes, it is estimated that 193 PM Peak-Hour trips will be generated by this scenario.

A comparison of the land use scenarios indicates the proposed future land use designation will reduce potential PM Peak-Hour trips by 282 vehicles.

- Estimated Existing = 495 pm peak hour trips
- Estimated Proposed = 193 pm peak hour trips
- Potential decrease = 282 pm peak hour vehicle trips

Roadway Name	Description	Adopted Level of Service	Operating Level of Service
27 <sup>th</sup> Street East	13 <sup>th</sup> Avenue E – 26 <sup>th</sup> Avenue E	D	D (without concurrency reservations)
	26 <sup>th</sup> Avenue E – 38 <sup>th</sup> Avenue E	D	D

**Utilities**

A change in future land use from IL and RES-1 to RES-3 and RES-6 has the potential to **decrease** water and wastewater impacts. A more detailed analysis may be required prior to issuance of a Certificate of Level of Service for utilities.

Any necessary upgrades to the existing wastewater lines, downstream lift stations or potable water lines due to the additional flows required to serve this development shall be at the expense of the developer.

ALLOWABLE UNDER CURRENT LAND USE OF IL and RES-1	Acres	Dwelling units/ FAR	Max. # Dwelling Units/Sq Ft	PP H	Total Capita	GPD Potable Water	TOTAL GPD Potable Water	GDP Sanitary Sewer	TOTAL GPD S/S	TOTAL CYPD Solid Waste
IL - Manufacturing/Warehouse*	13.01	.75	425,037			.12	51,004	.40	170,015	7.08
RES-1 - Single Family	19.58	1	20	3	60	65	3,900	65	3,900	.23
<b>TOTAL</b>	<b>32.59</b>						<b>54,904</b>		<b>173,915</b>	<b>7.31</b>
TOTAL ALLOWABLE UNDER CURRENT LAND USE GPD/CYPD							<b>54,904</b>		<b>173,915</b>	<b>7.31</b>

\*Manufacturing/warehouse used as office and neighborhood retail uses do not meet commercial locational criteria.

PROPOSED LAND USE OF RES-6 and RES-3	Acres	Dwelling units GA	Max. Intensity/ FAR	PPH	Total Capita	GPD Potable Water	TOTAL GPD Potable Water	GDP Sanitary Sewer	TOTAL GPD S/S	TOTAL CYPD Solid Waste
Single Family (RES-6)	13.3	6	80	3	239	65	15,561	65	15,561	2.21
Single Family (RES-3)	19.2	3	58	3	174	65	11,310	65	11,310	2.21
<b>TOTAL</b>	<b>32.5</b>		<b>138</b>				<b>26,871</b>		<b>26,871</b>	<b>2.21</b>
TOTAL <b>PROPOSED</b> GPD/CYPD							<b>26,871</b>		<b>26,871</b>	<b>2.21</b>

**Schools**

ALLOWABLE UNDER CURRENT LAND USE	Total Dwelling Units	Max. Intensity FAR	Elementary Students Generated*	Middle Students Generated*	High Students Generated*
IL – Manufacturing/Warehouse	0		0	0	0
RES-1 – Single family	20		3	2	2
<b>TOTAL (rounded)</b>	<b>20</b>		<b>3</b>	<b>2</b>	<b>2</b>
TOTAL ALLOWABLE UNDER CURRENT LAND USE STUDENTS			<b>3</b>	<b>2</b>	<b>2</b>

PROPOSED LAND USE	Total Dwelling Units	Elementary Students Generated*	Middle Students Generated*	High Students Generated*
RES-6 – Single family (13.3 acres)	80	13	7	9
RES-3 – Single Family (19.2 acres)	58	10	5	6
<b>TOTAL (rounded)</b>	<b>138</b>	<b>23</b>	<b>12</b>	<b>15</b>
TOTAL <b>PROPOSED</b> STUDENTS		<b>23</b>	<b>12</b>	<b>15</b>

The proposed change in FLUC's from IL and RES-1 to RES-6 and RES-3 does increase the number of school students

The site is located within School Service Area 3. The school attendance zones are as follows:

1. Manatee Elementary
2. Sara Scott Harlee Middle School
3. Braden River High School

The School Board of Manatee County and Manatee County Government have adopted a school concurrency management system and the development is required to obtain a Certificate of Level of Service for Public School Facilities upon submission of an application for horizontal or vertical construction approval (Final Site Plan or equivalent).

The School Board of Manatee County provided a preliminary report of the potential effects on school capacity. Their report was based on the original request to amend the entire site to RES-6. However, with staff's recommendation to amend a portion of the site to RES-3, the potential effects on school capacity will be less than reported. The available capacity for elementary and middle schools is analyzed by the four School Service Areas (SSA) and High Schools are analyzed district-wide. Based on the original request, the School Board reports:

1. Elementary Schools do have sufficient capacity to support the proposed land development application in School Service Area 3.
2. Middle Schools do not have sufficient capacity to support the proposed land development application in School Service Area 3.
  - a. The contiguous School Service Area 2 does have middle school capacity to support the proposed land development application.
  - b. The available capacity in the contiguous School Service Area may be utilized to support the proposed land development application in accordance with the Interlocal Agreement for Public School Facility Planning.
3. High Schools do have sufficient capacity to support the proposed land development application.

**Reclaimed Water**

Manatee County reclaimed water facilities are not available in this area.

**Transit**

The closest bus stop appears to be approximately 2000 feet to the west on 27<sup>th</sup> Street East.

**Parks**

The maximum potential increase in dwelling units is 119 units. Norma Lloyd Park and East Bradenton Park are located approximately one mile north of the site. John H. Mable Recreation Complex and Braden River Park are within two miles south of the site on SR 70. There appears to be sufficient recreational facilities to service this site.

<b>Existing FLU designation</b>		<b>Max. Dwelling Units</b>
RES-1	19.5 acres x 1 du/ga	19
<b>Proposed FLU designation</b>		
RES-3	19.2 acres x 3 du/ga	58
RES-6	13.3 acres x 6 du/ga	80
Total Proposed		138
Potential Increase in Dwelling units		<b>119</b>

**Natural Features**

Soils and Topography

There are several soil types on this site. The soil types, based on the 1983 Soil Survey of Manatee County, on the plan amendment site consist of:

Type 5 – **Bradenton fine sand, limestone** is a nearly level, poorly drained soil on low lying ridges and hammocks.

Type 13 – **Chobee loamy fine sand** is a nearly level, very poorly drained soil that is in small to large depressions, poorly defined drainageways and on broad low flats.

Type 41 – **Pits and Dumps** consist of areas which large excavations were made in mining for phosphate.

The general topography of the land is flat with a gradual fall from west to east toward the drainage canal which runs north-south through the site.

Flood Prone Areas/S.L.O.S.H./Hurricane Evacuation

Project Located in Flood Prone Area: **Yes**

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

Project Subject to flow reduction: **Yes; 50% reduction in allowable runoff.**

Project subject to OFW: **N/A**

Watershed/Basin: **Sugarhouse Creek**

Project located within Floodplain and/or Floodway: Portions of the project lies within the FEMA FIRM Map 100-year floodplain. The DFRIM 100-year floodplain delineation modifies areas of 100-year floodplain delineation.

**NOTE:** Please be advised the FEMA DFIRM floodplain delineation is scheduled to be effective March 17, 2014. Beyond the effective date, 100-year floodplain delineation shall incorporate new delineation data.

Current flood zones on this property is B, C, and A8 with a Base Flood Elevation of 8' NGVD 1929 per FIRM Panel 120153 0332B, revised 3/15/84. Digital maps (D-FIRMS) effective have modified the flood zones placing the property in X and AE with a BFE of 7' NAVD 1988, Panel 120810307E, effective date 3/17/14. Future submitalls will be reviewed for compliance with floodplain management regulations.

The proposed site is located outside the Hurricane Evacuation Zone.

Beach Accessibility Evaluation

The plan amendment site is located inland; therefore beach access considerations are not applicable.

Historic Resources

According to the report titled: *An Archaeological Resource Inventory and Archaeological Site Predictive Model for Manatee County, Florida*, by Piper Archaeology/Janus Research (1992), the parcel is in an area of potential for archaeological sites. However, there are no known structures or other cultural resources on the site. If any significant historical or archaeological resource is discovered in the future, during development activities, the findings shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offences Concerning Dead Bodies and Graves) shall be followed.

Habitat for Endangered, Threatened, or Special Concern Species

The Florida Fish and Wildlife Conservation Commission Biodiversity Hot Spot Map series (1998) does indicate the potential for endangered, threatened or species of special concern on the subject parcel. However, prior to construction, in accordance with Comprehensive Plan Policy 3.3.2.1, the developer will be required to submit an evaluation for the presence of listed species.

Other Natural Resources

Sugar House Creek, a perennial stream, runs through the project area.

**Urban Development Considerations**

Urban Sprawl Analysis

The existing IL future land use category does not allow for residential units (unless a recorded lot of record) so the potential is -0- dwelling units. The existing RES-1 future land use category, approximately 19.5 acres, if the site is developed at a maximum of 1 du per acre, the total potential population increase could be an additional 501 persons and 218 dwelling units.

EXISTING FUTURE LAND USE DESIGNATIONS

Existing FLUC	Acreage	Maximum number of units	Persons (2.3/DU)
IL	13.0	- 0 -	- 0 -
RES-1	19.5	19	43
TOTAL existing potential population			43

PROPOSED FUTURE LAND USE DESIGNATIONS

Proposed FLUC	Acreage	Maximum number of units	Persons (2.3/DU)
RES-3	19.2	58	133
RES-6	13.3	80	184
TOTAL proposed potential population			317

Based on the population projections for Subarea 10, the population can easily be accommodated in the Subarea which has a projected population of approximately 59,000 by 2020 and just under 76,000 by year 2035.

The potential population increase as a result of the RES-3 and RES-6 (FLUD) will not affect the overall population projection for the subarea.

The proposed plan amendment may have the impact of reducing urban sprawl by:

- discouraging “leap frog” development by concentrating urban development at locations adjacent to existing urban development
- maximizing the use of existing adjacent infrastructure, and future infrastructure relating to other development – existing and proposed
- timing of potential development and compatibility to adjacent uses
- the proposed plan amendment may have the impact of reducing urban sprawl because it increased density where public facilities are existing and adequate.

**Consistency of the Proposed Amendment with the Comprehensive Plan**

The proposed plan amendment is anticipated to assist in attaining the following cited goals and objectives, and appears to be consistent with the following cited policies of the Comprehensive Plan.

**Objective 2.1.1** - Mapping Methodology for the Future Land Use Map: Follow a mapping methodology limiting urban sprawl which recognizes existing development; projected growth areas; projected population and employment growth; and a possible development density and intensity less than the maximum specified on the Future Land Use Map.

**Policy 2.1.1.1** Maintain the Future Land Use Map with Reserve Capacity West to accommodate the projected population and employment base through 2025.

Based on the population projections for Subarea 10, the population can easily be accommodated. This subarea has a projected population of approximately 59,000 by 2020, 63,500 by 2025 and just under 76,000 by year 2035.

**Policy 2.1.1.2** - Designate on the Future Land Use Map land within existing developed areas at densities and intensities which are compatible with the existing development.

**The requested RES-3 and RES-6 future land use designations are compatible with existing development in the area.**

**Policy 2.1.1.3** - Designate on the Future Land Use Map, land within currently undeveloped growth areas at densities and intensities which permit significant increases over current land use designations without creating urban sprawl.

**The plan amendment site is located west of the Future Development Area Boundary (FDAB) and in an area that is served by existing infrastructure. The site fronts a 4 lane collector roadway.**

**Policy 2.1.1.4** - Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.

**The plan amendment site is in an area with existing public facilities (water, sewer and transportation) and available capacity.**

**Objective 2.1.2 - Geographic Extent of Future Development:** Limit urban sprawl through provision of locations for new residential and non-residential development consistent with the adopted Land Use Concept, to that area west of the Future Development Area Boundary (FDAB) thereby, preserving agriculture as the primary land use east of the FDAB through 2020.

**Policy 2.1.2.2** - Limit urban sprawl by prohibiting all future development to the area east of the established FDAB.

**The plan amendment site is located west of the Future Development Area Boundary.**

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

**Policy 2.1.2.4** - Limit urban sprawl through the consideration of new development, when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

**The plan amendment will allow for consideration of new residential development that will be designed to be compatible with the existing development in the area. There are several well established residential subdivisions east and south of the plan amendment site.**

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

**The site is within an area of existing development (residential, middle school and light industrial uses) and is suitable for new 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)

**Approval of the map amendment will allow for the potential increase in density in an area that is supported by existing infrastructure and services. Sugar House Creek is a natural feature which runs along the eastern boundary of the amendment site. The site is west of the Future Development Area Boundary and is not considered Urban Sprawl.**

**Policy 2.10.3.1** Require that access to commercial uses be established on at least one roadway, operating at, or better than, the adopted level of service.

**Access will be provided via 27<sup>th</sup> Street East, through assemblage of land owned by Peerage Land Company to the west. 27<sup>th</sup> Street East is designated as an urban collector and has an adopted level of service standard of “D”.**

**EXISTING FUTURE LAND USE DESIGNATION (IL)**

**Policy 2.2.1.18 IL:** Establish the Industrial-Light future land use category as follows:

**Policy 2.2.1.18.1** 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 range of light industrial and other employment-oriented uses. Also, to prohibit new residential development other than individual single-family units on lots of record in areas transitioning from agriculture to urban uses. This prohibition is intended to avoid adverse impacts on such uses and minimize the intrusion of residential uses in an industrial area. Also, to prohibit the development or use of these areas for locating heavy industries which have objectionable impacts with regard to height of accessory or incidental structures (e.g., smokestacks), noise, smoke, dust, vibration, or glare. Also, to establish areas for intensive commercial development which would have significant adverse impacts if located adjacent to expansive residential use areas. Also, to provide for the development of neighborhood retail uses which would provide for the needs of workers in, or visitors to, or residents nearby, any area designated under this category. Also, to provide for lodging places to accommodate visitors to IL areas and to nearby areas.

**Policy 2.2.1.18.2** Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Light industrial uses, offices, research/corporate uses, warehouse/distribution uses, intensive commercial uses, wholesale commercial uses, neighborhood retail uses, service uses, selected residential uses, short-term agricultural uses, recreational uses, public or semi-public uses, schools, privately-operated airports, appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4), and hotels/motels.

**Policy 2.2.1.18.3** Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
1 dwelling unit per acre

Maximum Net Residential Density:  
1 dwelling unit per acre

Maximum Floor Area Ratio: 0.75  
1.0 inside the CRA's and UIRA

Maximum Floor Area Ratio for Hotels: 1.0

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

**Policy 2.2.1.18.4** Other Information:

- a) Any project exceeding a floor area ratio of 0.35 shall require special approval, except for projects which contain a single industrial user and for which use of the project site is primarily for a manufacturing, processing, or assembly use.
- b) Wholesale commercial uses, intensive commercial uses, and those small commercial uses which are located or proposed within an office or industrial park which has received special approval, as defined herein, are exempt from any commercial locational criteria contained in this element.
- c) Light industrial uses are differentiated from heavy industrial uses not permitted within this category by definition of "objectional impact," as referenced and further defined in Policy 2.2.1.18.1 above. Additional clarification on means of measuring and determining "objectionable impact" is found in Policy 2.6.3.1.
- d) New residential uses shall be limited to individual single family dwelling units that are:
  - I. 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
  - II. developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

Policy: 2.2.1.9 **RES-1**: Establish the Residential-1 Dwelling Unit/Gross Acre future land use category as follows:

Policy: 2.2.1.9.1 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 suburban residential environment, or a clustered low density urban residential environment where appropriate, and which may be utilized for compatible agricultural activities in the short-term, while recognizing that suburban or clustered urban uses are the preferred long-term land use for these areas. Also, to provide for a complement of

Manatee County Government Administrative Center  
residential support uses normally utilized during the work  
activities of residents of these suburban or urban areas.

Policy: 2.2.1.9.2 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, 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: 2.2.1.9.3 Range of Potential Density/Intensity:  
  
Maximum Gross Residential Density:  
1 dwelling unit per acre  
  
Maximum Net Residential Density:  
2 dwelling units per acre  
or  
6 dwelling units per acres (see 2.2.1.9.4(b) and (c) for explanation)

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

Maximum Square Footage for Neighborhood  
Retail Uses: Medium (150,000sf)

Policy: 2.2.1.9.4 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) Maximum net residential density within areas which are predominantly developed at a net residential density of 2 du/ga or less, or where existing development has not utilized "clustering" to achieve a net density which is significantly greater than gross density, shall be limited to a 2 dwelling units/acre on any part, or all, of a proposed project.  
  
c) Maximum net residential density within areas which are generally undeveloped, or which have experienced development which has predominantly utilized "clustering" to achieve net densities which are significantly greater than gross densities of the same

Manatee County Government Administrative Center projects(s), shall be limited to 6 dwelling units per acre on any part, or all of any proposed project. Net densities greater than 6 dwelling units per net acre may be considered within the WO (Evers) or CHHA Overlay Districts, pursuant to policies 2.3.1.5 and 4.3.1.5, to maximize protection of natural resources and to maximize reserved open space.

- d) Any project containing any net density in excess of 1 dwelling unit per acre shall require special approval.
- e) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.

**PROPOSED FUTURE LAND USE DESIGNATIONS RES-3 and RES-6**

**Policy: 2.2.1.10 RES-3:** Establish the Residential-3 Dwelling Units/Gross Acre future land use category as follows:

**Policy: 2.2.1.10.1 Intent:** To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a moderate-density suburban, or a clustered low density urban, residential environment. Also, to provide a complement of residential support uses normally utilized during the daily activities of residents of these moderate density suburban, or low density urban areas.

**Policy: 2.2.1.10.2 Range of Potential Uses (see Policies 2.2.1.5, 2.1.2.3 - 2.1.2.7):** Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low-intensity recreational uses, and appropriate water-dependent/water-related/water enhanced uses (see also Objectives 4.2.1 and 2.10.4).

**Policy: 2.2.1.10.3 Range of Potential Density/Intensity:**

Maximum Gross Residential Density:  
3 dwelling units per acre

Minimum Gross Residential Density: 2.5 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing"

Maximum Net Residential Density:  
6 dwelling units per acre

9 dwelling units per acre within the CRA's and UIRA for residential projects that designate a minimum of

Manatee County Government Administrative Center  
25% of the dwelling units as "Affordable Housing"  
1112 Manatee Avenue West  
(except within the WO or CHHA Overlay  
Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5)

Maximum Floor Area Ratio:  
0.23 (0.35 for mini-warehouse uses only)  
1.00 inside the CRA's and UIRA

Maximum Square Footage for Neighborhood  
Retail Uses: Medium (150,000sf)

**Policy: 2.2.1.10.4** Other Information:

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

**Policy 2.2.1.12 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).

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 4.3.1.5)

Maximum Floor Area Ratio:  
0.23 (0.35 for mini-warehouse uses only)  
1.00 inside the CRA's and UIRA

Maximum Square Footage for Neighborhood  
Retail Uses: Medium (150,000sf)

**Policy 2.2.1.12.4** 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

Manatee County Government Administrative Center roadway classified as a 1112 Manatee Avenue West 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).

**Attachments:**

1. Consistency with State Comprehensive Plan, Florida Administrative Code, and Florida Statutes
2. Copy of Newspaper Advertising

The proposed amendment is consistent with  
Florida Statutes 163 Part II

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

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

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

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

163.3191 Evaluation and appraisal of comprehensive plan  
**The county has determined there is no need to amend the Comprehensive Plan through the Evaluation and Appraisal process (December 2013)**

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

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

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

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

- 187.201 (15) (a)
- 187.201 (17) (a)
- 187.201 (17) (b) 2

April 10, 2014 - Planning Commission Meeting  
Agenda Item #4

Subject

PDR-13-40(Z)(G) – 615 UPPER MANATEE RIVER ROAD - DTS 20130458 - B00000253 - QUASI - JUDICIAL - MARGARET TUSING

Briefings

None

Contact and/or Presenter Information

Margaret Tusing

Principal Planner

941-748-4501, ext. 6828

Action Requested

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-13-40(Z)(G); APPROVAL of the General Development Plan with Stipulations A.1 – A.2, B.1 - B.3, C.1 - C.5, D.1 - D.7, E.1 - E.8; GRANTING Special Approval for a project: 1) in the UF-3 FLUC with a gross residential density exceeding one (1) dwelling unit per acre and 2) adjacent to a perennial lake or stream; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to Land Development Code Sections 714.8.7 (replacement trees) and 715.3.4 (one canopy tree every 50-linear feet) as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

• Ms. Darena Marvin, AICP, with Grimes Goebel Grimes Hawkins Gladfelter & Galvano PL, is requested approval of a Rezone and General Development Plan for 163 single family detached residences. The site is

approximately 64 acres located at 615 Upper Manatee River Road.

- The site is located in UF-3 (Establish the Urban Fringe – 3 dwelling units per gross acre).
- Special Approvals are required because the site is located adjacent to a perennial lake or stream (Gates Creek) and the project exceeds the gross residential density of 1 du/ac (2.54 du/ac).
- The minimum lot size is 50'x120' (6000 SF); the rear yard width for the four (4) lots adjacent to the southern property line are approximately 100-feet wide, consistent with the larger lot A-1 development.
- The Applicant is meeting the minimum standards of the LDC with respect to roadway width (24') and cul-de-sacs not exceed 800' in length.
- Notes 18 and 20 on the Cover Sheet state that 5' sidewalks will be constructed adjacent to Upper Manatee River Road and 117th Street East as well as sidewalks on both sides of the internal roadways.
- 27.11 acres (42%) are proposed for open space with open space/preservation areas scattered throughout the project.
- The site has 1.85 acres of wetlands and approximately 200 square feet are proposed for impact (roadway crossing Gates Creek).
- The subdivision proposes three points of access: Upper Manatee River Road, 116th Street East (interneighborhood tie with Gates Creek Subdivision), and 117th Street East. At this GDP stage, the Applicant is not certain
- Staff requested and supports the Specific Approvals to reduce tree replacement sizes and one canopy tree per lot frontage.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

William Clague reviewed and responded via email on 3/21/2014.

Reviewing Attorney

Clague

Instructions to Board Records

n/a

Cost and Funds Source Account Number and Name

n/a

Amount and Frequency of Recurring Costs

n/a

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

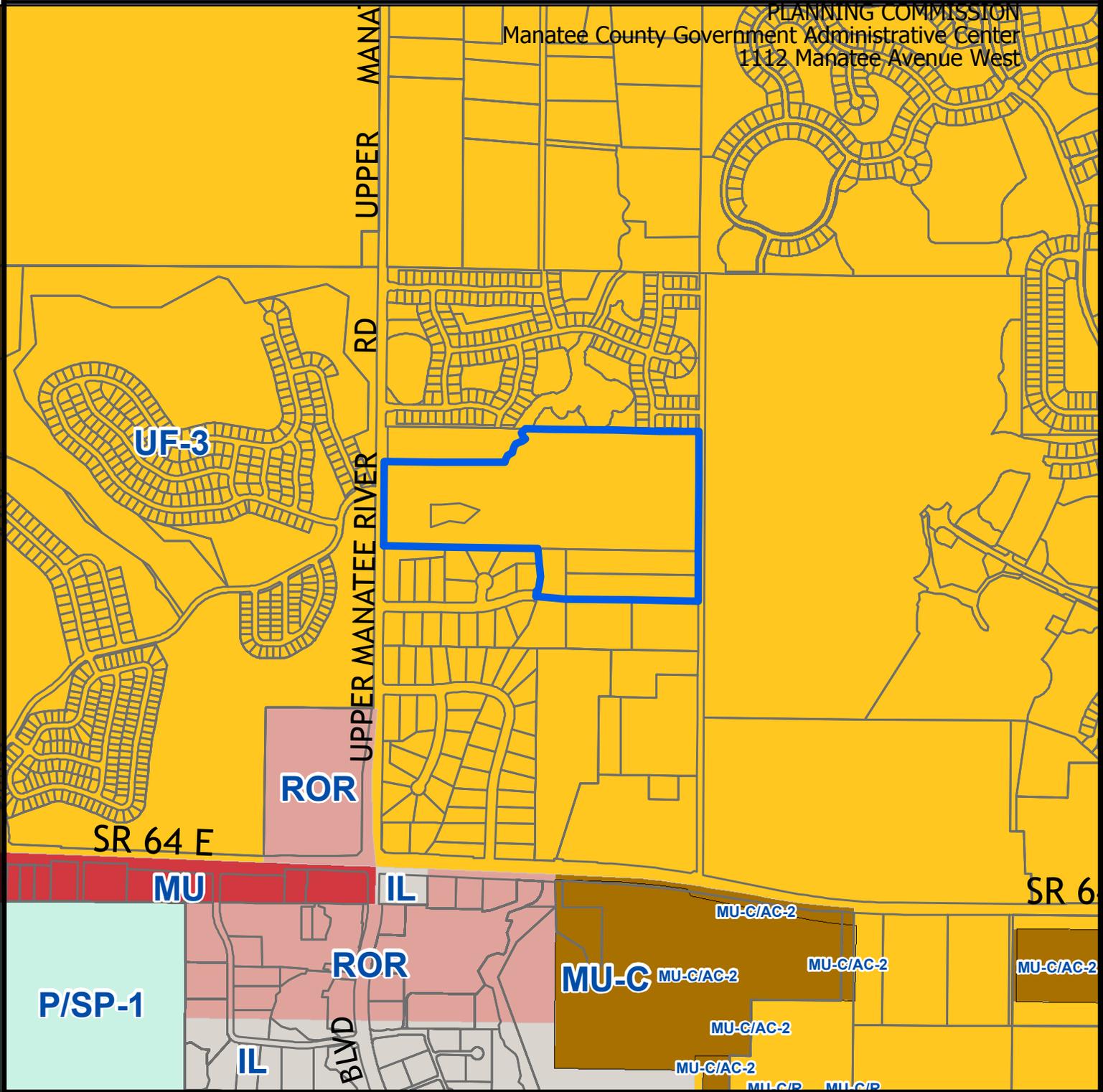
Attachment: Maps - Future Land Use, Zoning and Aerial - 615 Upper Manatee River Road Rezone - PDR-13-40(Z)(G) - 4-10-14 PC.pdf

Attachment: Copy of Newspaper Advertising - 615 Upper Manatee River Road Rezone - PDR-13-40(Z)(G) - 4-10-14 PC.pdf

Attachment: Site Plan - 615 Upper Manatee River Road Rezone - PDR-13-40(Z)(G) - 4-10-14 PC.pdf

Attachment: Staff Report - PDR-13-40(Z)(G) - 615 Upper Manatee River Rd - DTS20130458 - 20140410 PC.pdf

# FUTURE LAND USE



Parcel ID #(s) 564710127,564715209,564710019,564715050

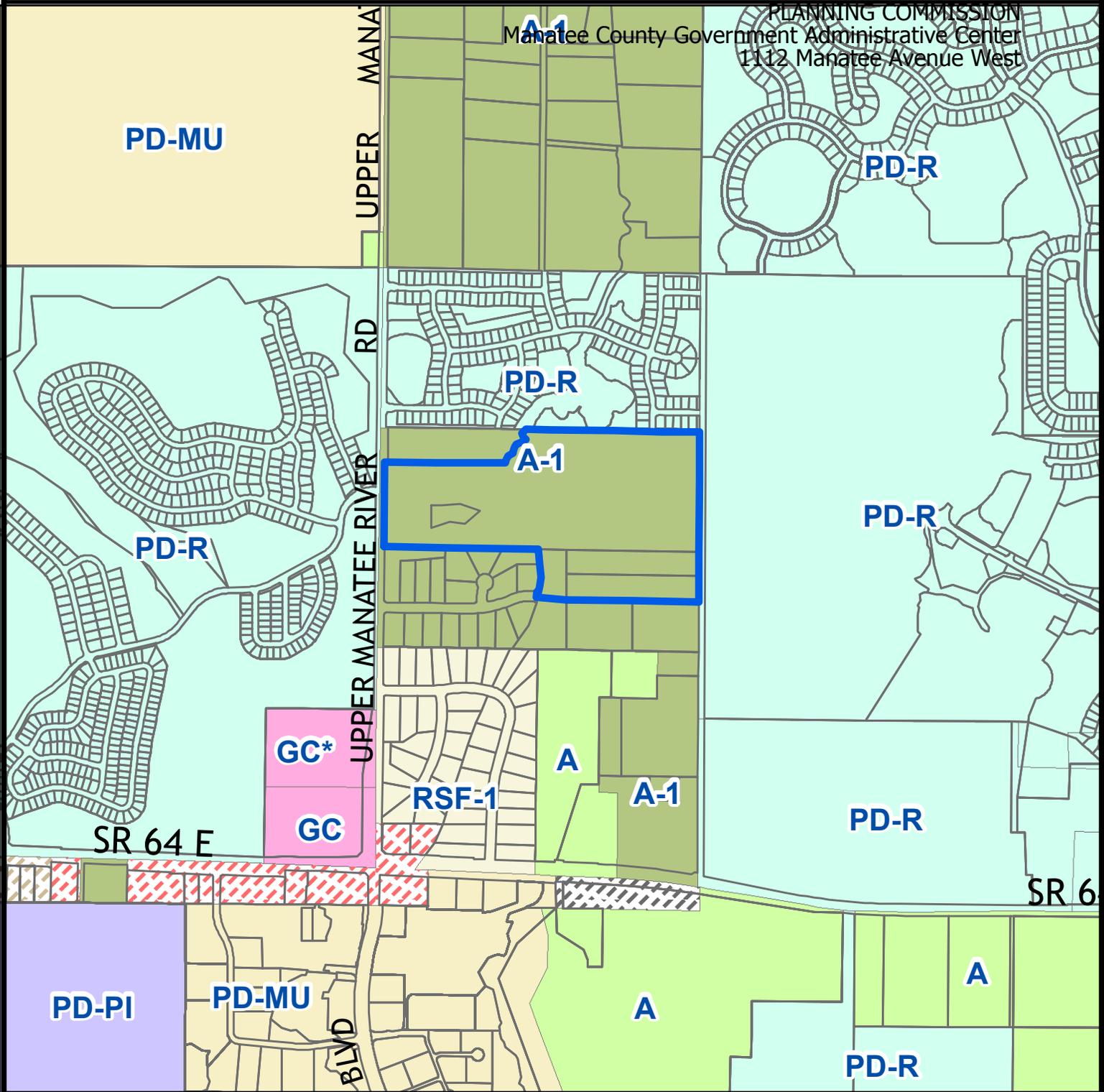
Project Name: 615 Upper Manatee River Rd Rezone  
 Project #: PDR-13-40 (Z)(G)  
 DTS#: 02130458  
 Proposed Use: Residential

S/T/R: Sec 29 Twn 34 Rng 19  
 Acreage: 64.07  
 Existing Zoning: A-1  
 Existing FLU: UF-3  
 Overlays: NONE  
 Special Areas: NONE

Page 69 of 274  
 CHH: NONE  
 Watershed: NONE  
 Drainage Basin: MANATEE RIVER BL DAM,GATES CREEK  
 Commissioner: Larry Bustle

Manatee County  
 Staff Report Map  
 Map Prepared 1/8/2014  
 1 inch = 1,138 feet

# ZONING



Parcel ID #(s) 564710127,564715209,564710019,564715050



Manatee County  
Staff Report Map

Map Prepared 1/8/2014  
1 inch = 1,138 feet

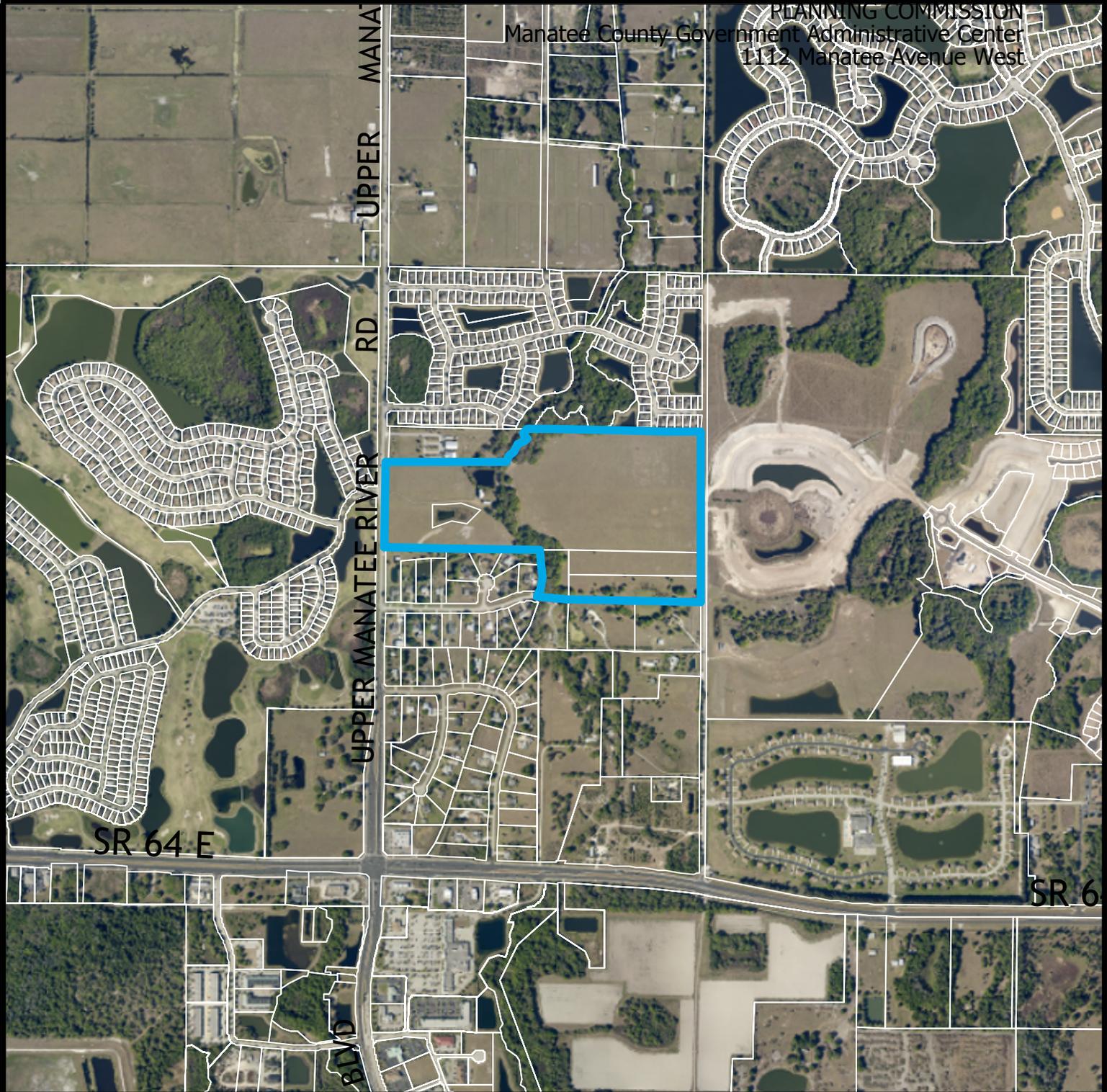
Project Name: 615 Upper Manatee River Rd Rezoning  
 Project #: PDR-13-40 (Z)(G)  
 DTS#: 02130458  
 Proposed Use: Residential

S/T/R: Sec 29 Twn 34 Rng 19  
 Acreage: 64.07  
 Existing Zoning: A-1  
 Existing FLU: UF-3  
 Overlays: NONE  
 Special Areas: NONE

Page 70 of 274

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: MANATEE RIVER BL DAM, GATES CREEK  
 Commissioner: Larry Bustle

# AERIAL



Parcel ID #(s) 564710127,564715209,564710019,564715050



Manatee County  
Staff Report Map

Map Prepared 1/8/2014  
1 inch = 1,138 feet

Project Name: 615 Upper Manatee River Rd Rezone  
Project #: PDR-13-40 (Z)(G)  
DTS#: 02130458  
Proposed Use: Residential

S/T/R: Sec 29 Twn 34 Rng 19  
Acreage: 64.07  
Existing Zoning: A-1  
Existing FLU: UF-3  
Overlays: NONE  
Special Areas: NONE

Page 71 of 274

CHH: NONE  
Watershed: NONE  
Drainage Basin: MANATEE RIVER BL DAM, GATES CREEK  
Commissioner: Larry Bustle

**Copy of newspaper advertising**

**Bradenton Herald**

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION / DTS #20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated

between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description; and providing an effective date.

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility;

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

The NWRP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision.

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](mailto: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; TD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS. MANATEE COUNTY PLANNING COMMISSION**  
Manatee County Building and Development Services Department  
Manatee County, Florida  
03/28/2014

**Sarasota Herald - Tribune**

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**  
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

The NWRP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: [planning.agenda@mymanatee.org](mailto: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; TD 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: March 28, 2014

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION DTS #20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

# INDEX

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

## NOTES:

- THE SITE IS CURRENTLY ZONED A-1 (AGRICULTURAL SUBURBAN DISTRICT). THE EXISTING LAND USE IS VACANT/SINGLE FAMILY RESIDENTIAL.
- THE SITE IS DESIGNATED AS FLOOD ZONE AE10 & X ON FIRM PANEL NO. 120153-0360-C, WITH AN EFFECTIVE DATE OF 7/15/92.
- THERE ARE NO KNOWN FOUNDATIONS, MOUNDS OR MIDDEN AREAS OF HISTORIC ORIGIN, EXISTING EASEMENTS, PLATTED STREETS LOCATED ON THIS SITE.
- THERE ARE WETLANDS UNDER THE JURISDICTION OF SWFWMD AND FDEP WITHIN THE PROJECT.
- THERE ARE NO KNOWN WELLS WITHIN THE BOUNDARIES OF THIS PLAN WITH THE EXCEPTION OF THE 4" WELL IDENTIFIED ON THE BOUNDARY SURVEY.
- COMMON OPEN SPACE SHALL BE OWNED AND MAINTAINED BY PROPERTY OWNERS OR THE MASTER DEVELOPER.
- STREET LIGHTS MAY BE INSTALLED AT THE DEVELOPER'S OPTION. STREET AND SECURITY LIGHTING WILL MEET OR EXCEED REQUIREMENTS OF SECTION 709 OF THE MANATEE COUNTY LDC.
- THERE ARE PROPOSED SIGNS TO IDENTIFY THE DEVELOPMENT TO SATISFY SECTIONS 603.4 AND 724 OF THE LDC.
- INFRASTRUCTURE CONSTRUCTION WILL COMMENCE IN 2014 AND WILL BE COMPLETED WITHIN FOUR YEARS UPON CONSTRUCTION PLAN APPROVAL AND CERTIFICATE OF LEVEL OF SERVICE APPROVAL.
- ALL PROPOSED BUILDING FINISHED FLOOR ELEVATIONS ARE TO BE A MINIMUM OF 21" ABOVE THE CROWN OF THE ADJACENT ROADWAY FOR LOTS DESIGNED TO DRAIN TO BOTH FRONT & REAR OR 24" FOR LOTS DESIGNED TO DRAIN FROM REAR TO FRONT, PER MANATEE COUNTY DETAILS 700.3 & 700.4 OR IF WITHIN THE 100 YEAR FLOOD PLAIN, A MINIMUM OF ONE FOOT ABOVE THE 100 YEAR FLOOD ELEVATION.
- GATES CREEK IS A PERENNIAL STREAM THAT IS ADJACENT TO THE SITE. A 50' SETBACK FROM THE TOP OF BANK WILL BE PROVIDED.
- THE PROJECT IS IN THE GATES CREEK DRAINAGE BASIN, AND WILL REQUIRE A 50% REDUCTION FROM THE STANDARD ALLOWABLE POST DEVELOPMENT DISCHARGE RATE FOR A 25 YEAR - 24 HOUR STORM.
- EFFLUENT REUSE IS AVAILABLE, AND WILL BE PROVIDED FOR IRRIGATION.
- ALL PROPOSED DRAINAGE, POTABLE WATER AND SANITARY SEWER SYSTEMS, INCLUDING OFFSITE SEWER AND WATER SYSTEMS, SHALL BE CONSTRUCTED TO MANATEE COUNTY STANDARDS AND SHALL BE DEDICATED TO MANATEE COUNTY.
- PHASING: CONSTRUCTION IS EXPECTED TO COMMENCE WITHIN 5 YEARS FROM APPROVAL OF THIS GENERAL DEVELOPMENT PLAN AND WILL CONTINUE UNTIL INFRASTRUCTURE TO SERVE THE DEVELOPMENT IS COMPLETE. IT IS ANTICIPATED THAT THE PROJECT WILL ALSO BE PHASED. SPECIFIC PHASING CANNOT BE DETERMINED AT THIS TIME. PHASING WILL TAKE INTO ACCOUNT MAINTAINING A SECOND MEANS OF ACCESS FOR 100 OR MORE UNITS.
- ALL STRUCTURES WILL BE LIMITED TO A MAXIMUM HEIGHT OF 35FT.
- ROADS & UTILITIES WILL BE BUILT TO MANATEE COUNTY STANDARD AND PUBLICLY OWNED UNLESS A GATED COMMUNITY IS PLANNED AT THE FINAL SITE PLAN STAGE OF THE PROJECT. IF GATES ARE UTILIZED THEN ROADS WILL BE PRIVATELY OWNED AND UTILITIES WILL BE PUBLICLY OWNED WITH A DEDICATED PUBLIC UTILITY EASEMENT.
- A 5FT SIDEWALK WILL BE CONSTRUCTED ON THE WEST SIDE OF 117TH STREET EAST AND ON THE EAST SIDE OF UPPER MANATEE RIVER ROAD FROM THE SOUTH TO NORTH LIMITS OF THE PROJECT PROPERTY LINE.
- POTABLE AND FIRE PROTECTION WATER SUPPLIES WILL BE PROVIDED BY CONNECTIONS TO MANATEE COUNTY SYSTEMS LOCATED AT UPPER MANATEE RIVER ROAD AND 117th STREET EAST.
- PROJECT IS WITHIN 2 MILES OF A SCHOOL THEREFORE IT'S REQUIRED TO HAVE SIDEWALK ON BOTH SIDES OF THE INTERNAL ROADWAYS.

# GENERAL DEVELOPMENT PLAN

TO SERVE  
**615 UPPER MANATEE RIVER ROAD**  
 LOCATED IN  
**SECTIONS 29, AND 35, TOWNSHIP 34 SOUTH, RANGE 19 EAST  
 MANATEE COUNTY, FLORIDA**

**PROPOSED ZONING  
 PD-R (RESIDENTIAL)**

**ZONED:  
 A-1 (AGRICULTURE)**

**FUTURE LAND USE:  
 UF-3**

## LAND USE SUMMARY

	<u>AREAS</u>	<u>UNITS</u>
- SINGLE FAMILY DETACHED	63.24 AC	163
- RECREATION AREA	0.83 AC	
TOTAL	64.07 AC	163
GROSS DWELLING UNIT DENSITY	163 / 64.07 =	2.54
NET RESIDENTIAL DENSITY	163 / 56.16 =	2.90

## OPEN SPACE

Open Space Required: 22.42 AC (35% of Site Area)  
 Open Space Proposed: 27.11 AC (42.3% of Site Area)

## HABITAT PRESERVATION AREAS

WETLAND	AREA	WETLAND BUFFER	AREA
Wetland 1	.98 Acres	Wetland 1	.44 Acres
Wetland 2	.18 Acres	Wetland 2	1.29 Acres
Wetland 3	.69 Acres	Wetland 3	.38 Acres
TOTAL	1.85 Acres	TOTAL	2.11 Acres
TOTAL AREA OF WETLANDS		1.85 Acres	
TOTAL AREA OF WETLAND BUFFERS		2.11 Acres	
TOTAL AREA OF TREE PRESERVATION		1.83 Acres	
TOTAL AREA OF HABITAT PRESERVATION		5.79 Acres	

## STORMWATER FACILITY AREAS

13.10 AC (20.4% of Site Area)

## LOT & SETBACK SUMMARY

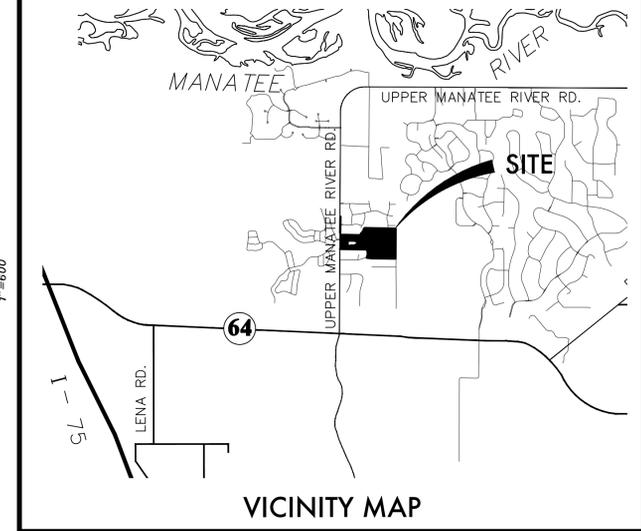
<u>SINGLE FAMILY DETACHED</u>	6,000 SQFT
LOT WIDTH	50'
LOT DEPTH	120'
FRONT SETBACK	25', UNLESS SIDE OR REAR GARAGE THEN 20'
SIDE YARD SETBACK	5'
REAR YARD SETBACK	15'
WETLAND BUFFER SETBACK	15'
WATERFRONT SETBACK	30'
WETLAND BUFFER	30'

## NOTE:

- WATER FRONT SETBACK - MINIMUM 30', AN ADDITIONAL 15' WETLAND BUFFER SETBACK WILL BE PROVIDED ADJACENT TO JURISDICTIONAL WETLANDS.
- 10FT UTILITY EASEMENTS WILL BE LOCATED ALONG ALL LOT FRONTS.
- 5FT UTILITY EASEMENT WILL BE LOCATED ALONG ALL SIDE AND REAR LOT LINES.

## UNIT SUMMARY

UNIT BY TYPE	NUMBER OF UNITS
SINGLE FAMILY DETACHED	163
TOTAL	163



## DESCRIPTION:

SEE SHEET 2 FOR PROPERTY DESCRIPTION.

## REVISIONS:

02-24-2014 MODIFIED HABITAT PRESERVATION ACREAGE.  
 03-25-2014 REVISED NOTE 18 TO INCLUDE 117TH STREET EAST.

Approval Type: GENERAL DEVELOPMENT PLAN Project Name: 615 UPPER MANATEE RIVER ROAD

APPROVED: \_\_\_\_\_ Date \_\_\_\_\_ File Number \_\_\_\_\_

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

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

**ZNS ENGINEERING**  
 ENGINEERS | PLANNERS | SURVEYORS  
 EB 0007479  
 LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS  
 LC 0000365 LB 0006962  
 POST OFFICE BOX 9448 BRADENTON, FL 34206 | 201 5th AVENUE DRIVE EAST BRADENTON, FL 34208  
 E-MAIL: ZNS@ZNSENG.COM | TELEPHONE 941.748.8080 | FAX 941.748.3316

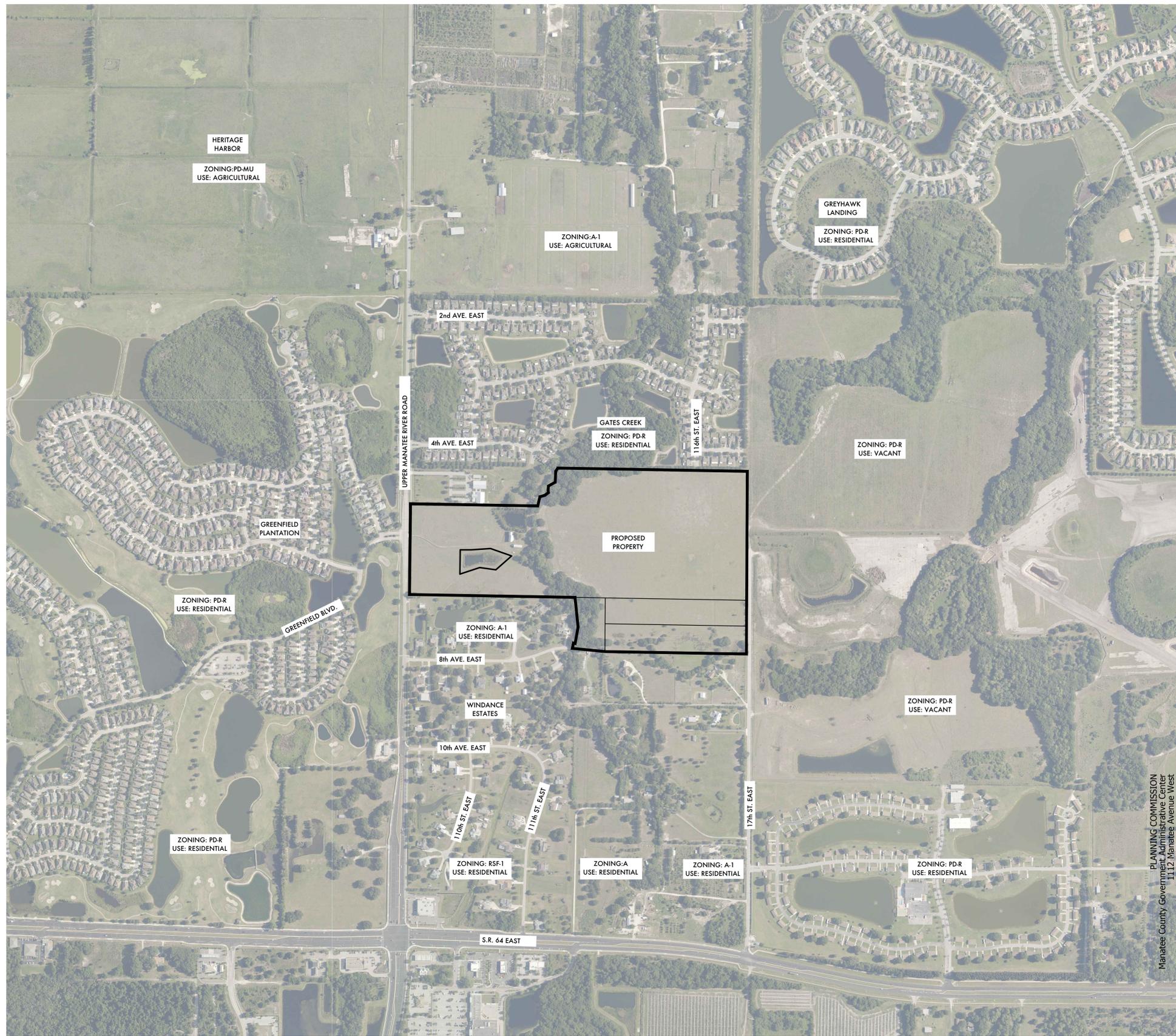
PREPARED FOR: JOHN CLENDENON

AUTHORIZED AGENT/PREPARER:  
 ZNS ENGINEERING  
 BOX 9449  
 BRADENTON FLORIDA  
 9417488080 AGENT EXT.

PROJECT DATA:  
 615 UPPER MANATEE RIVER ROAD  
 43485

© ZNS ENGINEERING, L.C.  
 THIS DOCUMENT IS PROTECTED BY SECTION 100 OF THE UNITED STATES COPYRIGHT ACT. REPRODUCTION OR ALTERATION OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREON BY ANY MEANS WHATSOEVER IS STRICTLY PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF ZNS ENGINEERING, L.C. CONSENT IS HEREBY GRANTED SPECIFICALLY TO GOVERNMENTAL AGENCIES TO REPRODUCE THIS DOCUMENT IN COMPLIANCE WITH F.S. CHAPTER 119.

SHEET 1



**PROPERTY DESCRIPTION:**

PARCEL 1:  
 COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 33.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY OF "UPPER MANATEE RIVER ROAD"; PARALLEL TO THE WEST LINE OF SAID SECTION 29, AND 33.00 FEET EASTERLY THEREFROM, 997.95 FEET; THENCE S89°41'10" E, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 1287.58 FEET TO THE NORTHEAST CORNER OF "WINDANCE ESTATES" SUBDIVISION, AS RECORDED IN PLAT BOOK 21, PAGES 94 THRU 96, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, FOR A POINT OF BEGINNING; THENCE S06°30'00" E, ALONG THE EASTERLY LINE OF SAID WINDANCE ESTATES SUBDIVISION, 230.88 FEET; THENCE S09°30'00" W, ALONG THE EASTERLY LINE OF SAID SUBDIVISION, 128.44 FEET; THENCE N80°00'00" W, ALONG SAID EASTERLY LINE, 13.64 FEET; THENCE S10°00'00" W, ALONG SAID EASTERLY LINE, 43.00 FEET; THENCE S85°16'04" E, 254.42 FEET TO THE EAST LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AND RECORDED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 957, PAGE 1761, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N00°24'36" W, ALONG SAID EAST LINE, 414.80 FEET TO THE NORTHEAST CORNER OF SAID PARCEL; THENCE S89°41'10" W, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 235.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS (EASEMENT NO. 1) DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHWEST CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 33.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY OF "UPPER MANATEE RIVER ROAD"; THENCE SOUTH, ALONG THE EAST RIGHT-OF-WAY OF SAID "UPPER MANATEE RIVER ROAD", PARALLEL TO THE WEST LINE OF SAID SECTION 29, AND 33.00 FEET EASTERLY THEREFROM, 997.95 FEET; THENCE S89°41'10" E, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 1287.58 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED AND RECORDED AS PARCEL 1 IN OFFICIAL RECORDS BOOK 957, PAGE 1761, OF SAID PUBLIC RECORDS; THENCE S00°24'36" E, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, 239.60 FEET TO THE SOUTHEAST CORNER OF SAID CERTAIN PARCEL; THENCE N 89°41'10" W, ALONG THE SOUTH LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 957, PAGE 1761, 450.01 FEET TO THE SOUTHWEST CORNER OF SAID "WINDANCE ESTATES" SUBDIVISION; THENCE N55°00'00" E, ALONG THE EASTERLY LINE OF SAID "WINDANCE ESTATES" SUBDIVISION, 24.42 FEET; THENCE S89°41'10" E, PARALLEL TO THE SOUTH LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 957, PAGE 1761, AND 200 FEET NORTHERLY THEREFROM, 415.74 FEET; THENCE N00°24'36" W, PARALLEL TO THE EAST LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 957, PAGE 1761, AND 30.00 FEET WESTERLY THEREFROM, 386.31 FEET; THENCE N85°16'04" W, 236.36 FEET TO THE INTERSECTION WITH THE EASTERLY LINE OF SAID "WINDANCE ESTATES" SUBDIVISION, ALSO BEING THE EASTERLY RIGHT-OF-WAY OF 8TH AVENUE EAST; THENCE N10°00'00" E, ALONG THE EASTERLY LINE OF SAID "WINDANCE ESTATES" SUBDIVISION, 20.08 FEET; THENCE S85°16'04" W, 232.72 FEET; THENCE N00°24'36" W, PARALLEL TO THE EAST LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 957, PAGE 1761, AND 20.00 FEET WESTERLY THEREFROM, 383.21 FEET; THENCE S89°41'10" W, PARALLEL TO THE NORTH LINE OF SAID CERTAIN PARCEL IN OFFICIAL RECORDS BOOK 957, PAGE 1761, 212.87 FEET TO THE INTERSECTION WITH THE EASTERLY LINE OF SAID "WINDANCE ESTATES" SUBDIVISION; THENCE N06°30'00" W, ALONG THE EASTERLY LINE OF SAID "WINDANCE ESTATES" SUBDIVISION, 20.14 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

PARCEL 2:  
 COMMENCE AT THE NW CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 33.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY OF "UPPER MANATEE RIVER ROAD"; THENCE SOUTH, ALONG THE EAST RIGHT-OF-WAY OF SAID "UPPER MANATEE RIVER ROAD", PARALLEL TO THE WEST LINE OF SAID SECTION 29, AND 33.00 FEET EASTERLY THEREFROM, 997.95 FEET; THENCE S89°41'10" E, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 1222.58 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S89°41'10" E, 1100.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 29; THENCE S00°24'36" E, ALONG THE EAST LINE OF THE SAID WEST 1/2, 200.00 FEET; THENCE S89°41'10" W, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 1100.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 957, PAGE 1761, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N00°24'36" W, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, 200.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO PRIVATE STREET NO. PS-83-8  
 ALSO TOGETHER WITH AND SUBJECT TO A 20 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN OFFICIAL RECORDS BOOK 957, PAGES 1761 AND 1762, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 3:  
 COMMENCE AT THE NW CORNER OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 33.00 FEET TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY OF "UPPER MANATEE RIVER ROAD"; THENCE SOUTH, ALONG THE EAST RIGHT-OF-WAY OF SAID "UPPER MANATEE RIVER ROAD", PARALLEL TO THE WEST LINE OF SAID SECTION 29, AND 33.00 FEET EASTERLY THEREFROM, 997.95 FEET; THENCE S89°41'10" E, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 1222.58 FEET TO THE INTERSECTION WITH THE EAST LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 957, PAGE 1761, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE CONTINUE S00°24'36" E, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, 200.00 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S00°24'36" E, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, 214.80 FEET; THENCE S89°41'10" E, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NORTHWEST 1/4, 1100.00 FEET TO THE INTERSECTION WITH THE EAST LINE OF THAT CERTAIN PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 957, PAGE 1761, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE N00°24'36" W, ALONG THE EAST LINE OF SAID CERTAIN PARCEL, 200.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO PRIVATE STREET NO. PS-83-8  
 ALSO TOGETHER WITH AND SUBJECT TO A 20 FOOT WIDE EASEMENT FOR INGRESS AND EGRESS AS DESCRIBED IN OFFICIAL RECORDS BOOK 957, PAGES 1761 AND 1762, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 4:  
 COMMENCE AT A R.R. SPIKE, MARKING THE NW CORNER OF THE SOUTH HALF OF THE NW 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF SAID NW 1/4, 33.00 FEET TO A CONCRETE MONUMENT, MARKING THE INTERSECTION WITH THE EAST R/W OF "UPPER MANATEE RIVER ROAD", FOR A P.O.B.; THENCE CONTINUE S89°41'10" E, ALONG SAID NORTH LINE 2614.44 FEET TO A CONCRETE MONUMENT MARKING THE NW CORNER THEREOF; THENCE S00°24'36" E, ALONG THE EAST LINE OF SAID NW 1/4, 998.02 FEET TO A CONCRETE MONUMENT; THENCE S89°41'10" W, PARALLEL TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID NW 1/4, 6522.58 FEET TO A CONCRETE MONUMENT MARKING THE INTERSECTION WITH THE EAST R/W OF SAID "UPPER MANATEE RIVER ROAD"; THENCE NORTH, ALONG SAID EAST R/W, PARALLEL TO THE WEST LINE OF SAID SECTION 29 AND 33.00 FEET EASTERLY THEREFROM, 997.95 FEET TO THE P.O.B., BEING AND LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA; TOGETHER WITH A NON-EXCLUSIVE EASEMENT AND RIGHT OF WAY FOR INGRESS AND EGRESS TO AND FROM STATE ROAD 864 OVER AND ACROSS A STRIP OF LAND 20 FEET IN WIDTH LYING IMMEDIATELY EAST OF AND CONTIGUOUS TO THE EAST LINE AND SOUTHERLY EXTENSION THEREOF, OF THE AFORE DESCRIBED PROPERTY, SAID STRIP BEING FURTHER DESCRIBED AS A STRIP OF LAND 20 FEET WIDE OFF THE WEST SIDE OF THE SW 1/4 OF THE NE 1/4 AND OFF THE WEST SIDE OF THAT PORTION OF THE SE 1/4 OF SAID SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, LYING NORTH OF SAID STATE ROAD 864.

LESS AND EXCEPT THE FOLLOWING PARCEL:  
 COMMENCE AT THE NW CORNER OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 29, A DISTANCE OF 33.00 FEET TO A CONCRETE MONUMENT AT THE INTERSECTION OF SAID NORTH LINE AND THE EASTERLY RIGHT-OF-WAY OF UPPER MANATEE RIVER ROAD FOR A POINT OF BEGINNING; THENCE CONTINUE S89°41'10" E, ALONG SAID NORTH LINE, A DISTANCE OF 966.64 FEET; THENCE S32°26'38" W, A DISTANCE OF 340.53 FEET; THENCE N89°41'10" W, PARALLEL TO SAID NORTH LINE, A DISTANCE OF 197.29 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY AND PARALLEL TO THE WEST LINE OF SOUTH 1/2 OF THE NW 1/4 OF SAID SECTION 29, A DISTANCE OF 296.00 FEET TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE FOLLOWING PARCEL:  
 COMMENCE AT THE NW CORNER OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST; THENCE S89°41'10" E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE NW 1/4 OF SECTION 29, A DISTANCE OF 999.64 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S89°41'10" E, ALONG SAID NORTH LINE, A DISTANCE OF PLUS OR MINUS 197.32 FEET TO THE "THREAD OF GATES CREEK"; THENCE SOUTHWESTERLY, ALONG THE "THREAD OF GATES CREEK", PLUS OR MINUS 40 FEET; THENCE S89°41'10" W, PARALLEL TO SAID NORTH LINE, A DISTANCE OF PLUS OR MINUS 197.37 FEET; THENCE N32°26'38" E, A DISTANCE OF 349.53 FEET TO THE POINT OF BEGINNING.

ALL BEING AND LYING IN SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, MANATEE COUNTY, FLORIDA.

ALSO LESS AND EXCEPT THE FOLLOWING PARCEL: (ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 2109, PAGE 6420, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA)  
 THAT PORTION OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA,  
 BEING DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 29, SAID CORNER BEING ON THE SURVEY BASE LINE OF UPPER MANATEE RIVER ROAD; THENCE ALONG THE WEST LINE OF SAID SECTION 29, SOUTH 00°42'12" WEST A DISTANCE OF 1,979.25 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 423.43 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE NORTH 90°00'00" EAST A DISTANCE OF 85.01 FEET; THENCE NORTH 86°06'37" EAST A DISTANCE OF 150.77 FEET; THENCE SOUTH 70°46'31" EAST A DISTANCE OF 174.12 FEET; THENCE SOUTH 48°43'36" WEST A DISTANCE OF 162.94 FEET; THENCE NORTH 82°06'51" WEST A DISTANCE OF 126.70 FEET; THENCE SOUTH 71°40'08" WEST A DISTANCE OF 162.41 FEET; THENCE NORTH 00°41'58" EAST A DISTANCE OF 188.30 FEET TO THE POINT OF BEGINNING.

AND SUBJECT TO (EASEMENT UNDER SAID ORDER OF TAKING)  
 THAT PORTION OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA,  
 BEING DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 29, SAID CORNER BEING ON THE SURVEY BASE LINE OF UPPER MANATEE RIVER ROAD; THENCE ALONG THE WEST LINE OF SAID SECTION 29, SOUTH 00°42'12" WEST A DISTANCE OF 1,979.25 FEET; THENCE NORTH 90°00'00" EAST A DISTANCE OF 508.44 FEET; THENCE NORTH 86°06'37" EAST A DISTANCE OF 150.77 FEET; THENCE SOUTH 70°46'31" EAST A DISTANCE OF 174.12 FEET; THENCE SOUTH 48°43'36" EAST A DISTANCE OF 162.94 FEET; THENCE SOUTH 65°16'17" WEST A DISTANCE OF 177.65 FEET; THENCE NORTH 48°43'36" EAST A DISTANCE OF 17.30 FEET; THENCE NORTH 70°46'31" WEST A DISTANCE OF 50.53 FEET TO THE POINT OF BEGINNING.

**ZNS ENGINEERING**  
 ENGINEERS | PLANNERS | SURVEYORS  
 LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS

1201 56 AVENUE DRIVE EAST BRADENTON, FL 34208  
 TEL: 941.748.8000 FAX: 941.748.8000

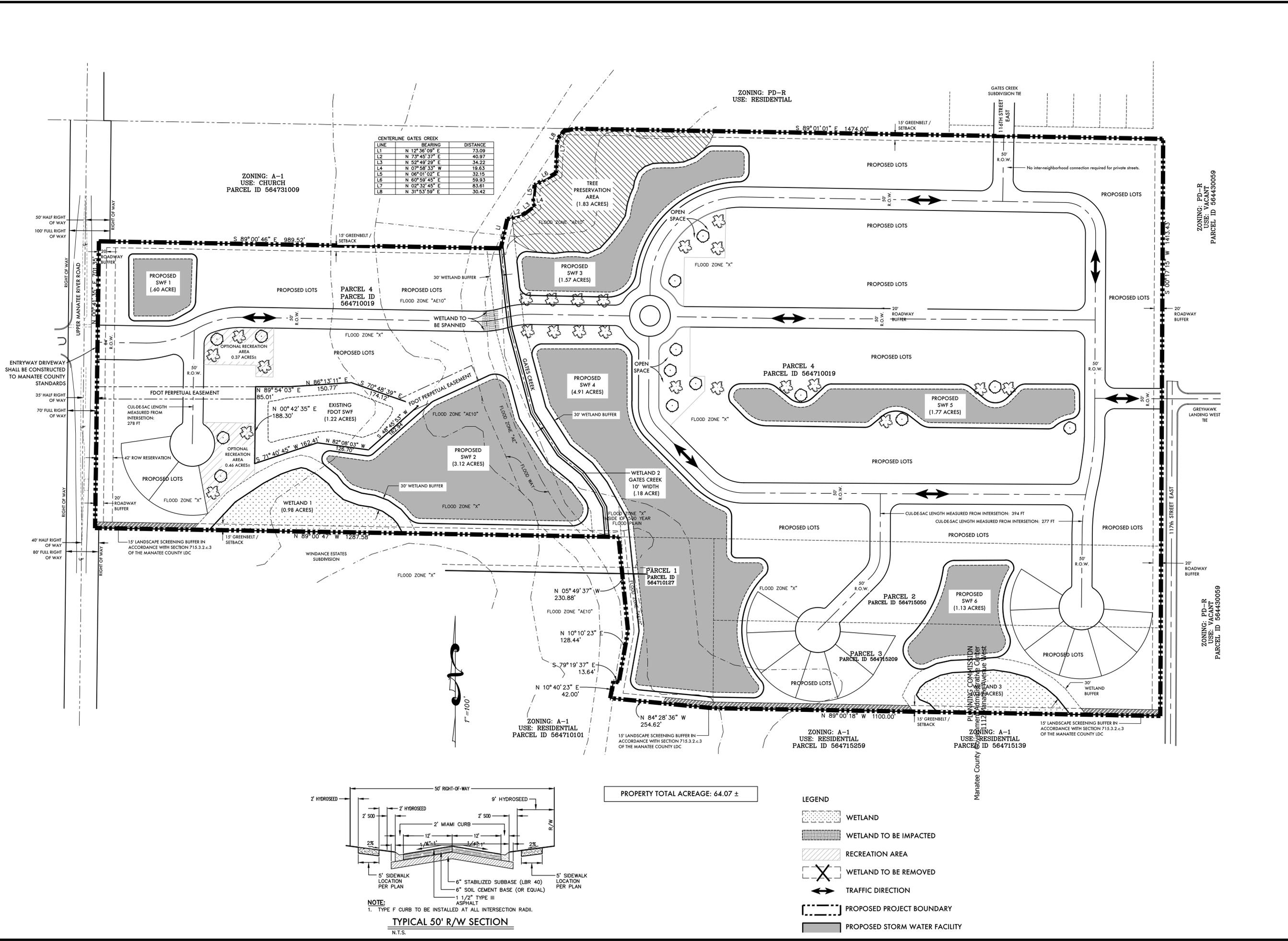


REVISIONS	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		

© ZNS ENGINEERING, L.L.C.  
 THE DOCUMENT IS UNLESS OTHERWISE INDICATED BY SECTION 1.0 OF THE UNIFORM CONSTRUCTION ACT, REPRODUCED FROM THE ORIGINAL DRAWING OR MEANS WHATSOEVER WITHOUT THE WRITTEN CONSENT OF ZNS ENGINEERING, L.L.C. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN CONSENT OF ZNS ENGINEERING, L.L.C. CHAPTER 11.19.

**AERIAL AND PROPERTY DESCRIPTION**  
 FOR  
**615 UPPER MANATEE RIVER ROAD**  
 LOCATED IN  
 SECTION 29, TOWNSHIP 34 SOUTH, RANGE 19 EAST  
 MANATEE COUNTY, FLORIDA

DESIGNED: \_\_\_\_\_  
 DRAWN: \_\_\_\_\_  
 DATE: 10.20.11  
 JOB NO.: 43485  
 SCALE: 1"=400'  
 SHEET: 2



LINE	BEARING	DISTANCE
L1	N 12° 36' 09" E	73.09
L2	N 73° 45' 37" E	40.97
L3	N 52° 49' 29" E	34.22
L4	N 07° 58' 33" W	19.63
L5	N 06° 01' 02" E	32.15
L6	N 60° 59' 45" E	59.53
L7	N 02° 32' 45" E	83.61
L8	N 31° 53' 59" E	30.42

ZONING: A-1  
USE: CHURCH  
PARCEL ID 564731009

PARCEL 4  
PARCEL ID 564710019

PARCEL 1  
PARCEL ID 564710127

PARCEL 2  
PARCEL ID 564715050

PARCEL 3  
PARCEL ID 564715209

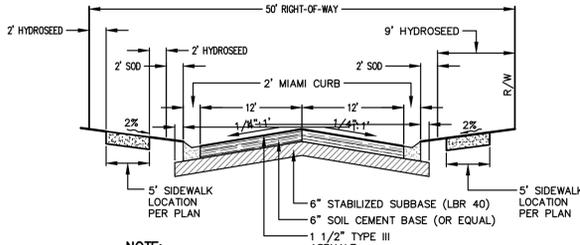
ZONING: A-1  
USE: RESIDENTIAL  
PARCEL ID 564715259

ZONING: A-1  
USE: RESIDENTIAL  
PARCEL ID 564715139

ZONING: PD-R  
USE: VACANT  
PARCEL ID 564430059

ZONING: PD-R  
USE: VACANT  
PARCEL ID 564430059

PROPERTY TOTAL ACREAGE: 64.07 ±



**TYPICAL 50' R/W SECTION**  
N.T.S.

- LEGEND**
- WETLAND
  - WETLAND TO BE IMPACTED
  - RECREATION AREA
  - WETLAND TO BE REMOVED
  - TRAFFIC DIRECTION
  - PROPOSED PROJECT BOUNDARY
  - PROPOSED STORM WATER FACILITY



REVISIONS

NO.	DATE	DESCRIPTION
1	12/2011	ORIGINAL SUBMITTED FOR REVIEW
2		
3		
4		
5		
6		
7		

© ZNS ENGINEERING, L.L.C.  
THIS DOCUMENT IS UNLESS OTHERWISE SPECIFIED BY SECTION 1.04 OF THE MANATEE COUNTY LDC. ANY REPRODUCTION OR ALTERATION OF THIS DOCUMENT OR THE INFORMATION CONTAINED HEREIN WITHOUT THE WRITTEN CONSENT OF ZNS ENGINEERING, L.L.C. IS STRICTLY PROHIBITED AND WILL BE CONSIDERED A VIOLATION OF THE PROFESSIONAL ETHICS OF THE ENGINEER. TO REPRODUCE THIS DOCUMENT IN COMPLIANCE WITH F.S. CHAPTER 119.

**GENERAL DEVELOPMENT PLAN**  
FOR  
**615 UPPER MANATEE RIVER ROAD**  
LOCATED IN SECTION 15, TOWNSHIP 34 SOUTH, RANGE 19 EAST  
MANATEE COUNTY, FLORIDA

DESIGNED: JMK	ED	3
DRAWN: ED	01/27/2014	
DATE: 01/27/2014	00-41465	1"=100'
JOB NO. 00-41465		
SCALE: 1"=100'		
SHEET: 3		

P.C.: 04/10/2014

**PDR-13-40(Z)(G) – 615 UPPER MANATEE RIVER ROAD**  
**DTS #20130458; Buzzsaw # B0000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.:** 04/10/2014

**B.O.C.C.:** 05/01/2014

**RECOMMENDED MOTION:**

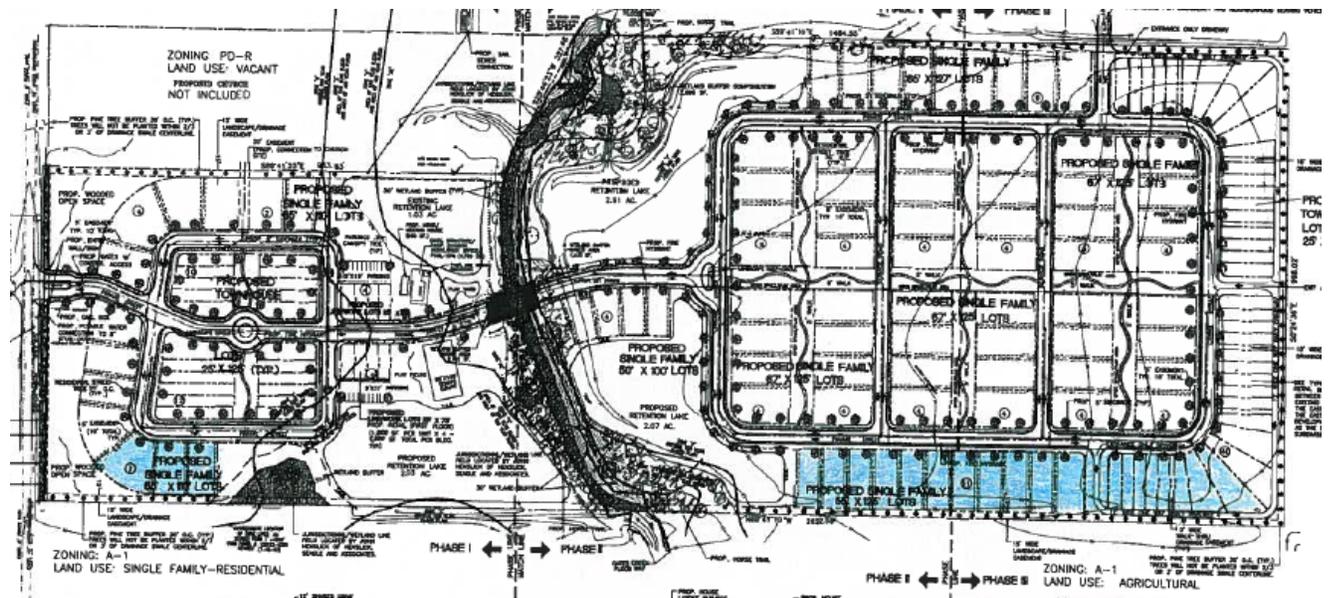
Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. PDR-13-40(Z)(G); **APPROVAL** of the General Development Plan with Stipulations A.1 – A.2, B.1 - B.3, C.1 - C.5, D.1 - D.7, E.1 - E.8; **GRANTING** Special Approval for a project: 1) in the UF-3 FLUC with a gross residential density exceeding one (1) dwelling unit per acre and 2) adjacent to a perennial lake or stream; **ADOPTION** of the Findings for Specific Approval; and **GRANTING** Specific Approval of alternatives to Land Development Code Sections 714.8.7 (replacement trees) and 715.3.4 (one canopy tree every 50-linear feet) as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	PDR-13-40(Z)(G) DTS #20130458 Buzzsaw # B00000253
<b>PROJECT NAME</b>	615 Upper Manatee River Road
<b>APPLICANT(S):</b>	John Clendenon, Leslie Bass, and Heidi May
<b>APPLICANT(S) REPRESENTATIVE:</b>	Darenda Marvin, AICP Grimes Goebel Grimes Hawkins Gladfelter & Galvano, PL
<b>PROPOSED ZONING:</b>	PDR (Planned Development Residential)
<b>EXISTING ZONING:</b>	A-1
<b>PROPOSED USE(S):</b>	Single Family Detached Residential Units
<b>CASE MANAGER:</b>	Margaret Tusing
<b>STAFF RECOMMENDATION:</b>	APPROVAL with Stipulations

**DETAILED DISCUSSION**

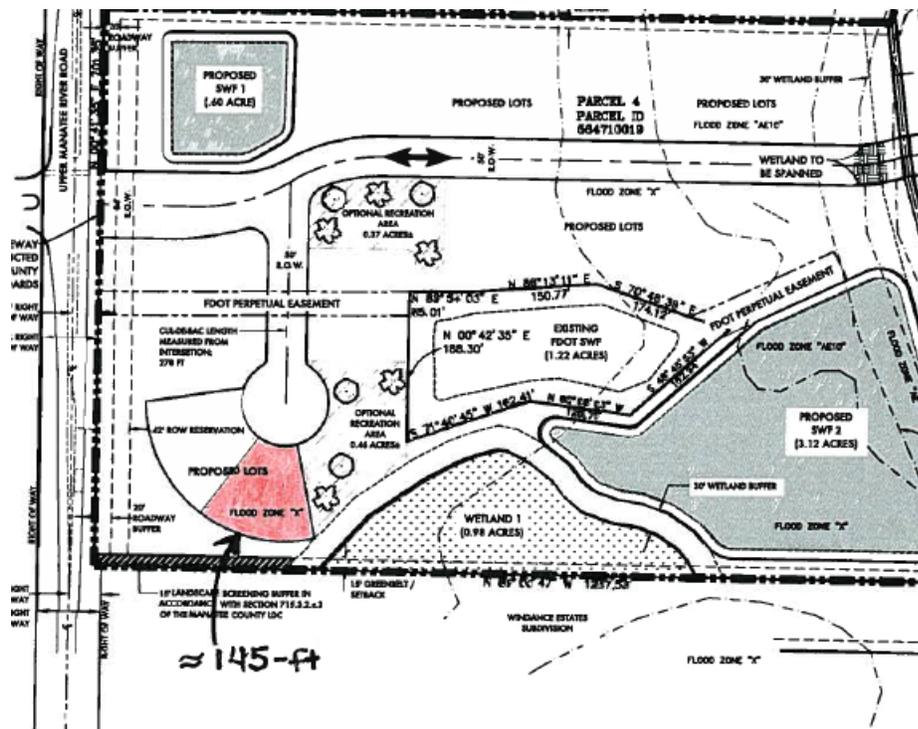
**History:** In April 2002 an application [Sweetwater Village - PDMU-02-14(Z)(P)] was made to develop 52.72 acres of the subject property as a neotraditional residential community with 85 single family detached lots, 62 single family attached lots and 8,000 SF of neighborhood commercial uses on eight mixed use lots. The mixed use lots proposed to have businesses on the ground floor and housing on the second story. The southern property boundary (adjacent to existing large lot single family residential) consisted of 24 single family and single family attached lots, ranging in width from 65-feet to 25-feet. The project was heard by the Planning Commission on June 10, 2004 and the Planning Commission recommended approval. The Board of County Commissioners heard the application on June 22, 2004 and Denied the application. The areas of concern were attached units on the east side of Upper Manatee River Road, density and 55-foot wide lots adjacent to the one-acre lots to the south (refer to Graphic Exhibit 1).

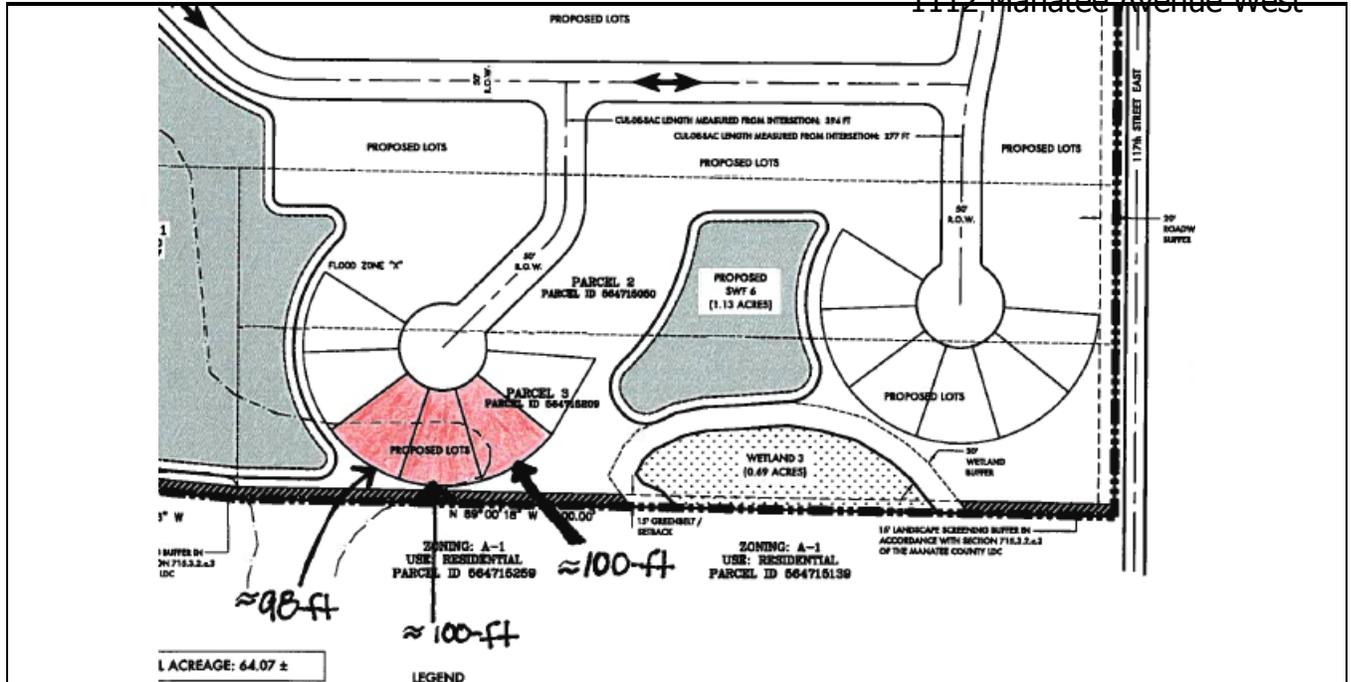
**GRAPHIC EXHIBIT 1  
SWEETWATER VILLAGE SITE PLAN**



**Current Request:** Approval for a General Development Plan (GDP) for 163 single family detached residential units on 64.07 acres. The proposed minimum lot size is 50'x120' (6000 square feet). The current application does not include commercial uses or attached residential uses. The southern boundary of the property consists primarily of wetlands and stormwater treatment facilities with a limited number (4) of residential lots (refer to Graphic Exhibit 2). The residential lots are at the end of cul-de-sacs which results in rear lot widths of approximately 100-feet.

**GRAPHIC EXHIBIT 2  
CUL-DE-SAC LOTS ABUTTING SOUTHERN PROPERTY BOUNDARY  
615 UPPER MANATEE RIVER ROAD [PDR-13-40(Z)(G)]**





The entire 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 2.54 dwelling units per acre exceeds the Special Approval threshold (one dwelling unit per acre) in the UF-3 FLUC. 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 large lot (1-acre +) subdivision and the A-1 zoning to the south.

The General Development Plan (GDP) shows three points of access: one (1) on Upper Manatee River Road, one (1) on 117<sup>th</sup> Street East and one (1) inter-neighborhood tie on 116<sup>th</sup> Avenue East (Gates Creek Subdivision). The Applicant is requesting the option to determine whether the internal roadways will be public or private at the Final Site Plan stage. If the roadways are private, then the interneighborhood tie at 116<sup>th</sup> Avenue East will not be constructed and there will be two points of access: Upper Manatee River Road and 117<sup>th</sup> Street East. The internal roadways will meet the minimum requirements of the LDC and Public Works Standards (24-feet of pavement; minimum 50-feet of ROW; cul-de-sacs not exceeding 800-feet in length).

There are 1.85 acres of wetlands on the project site and approximately 200 square feet are proposed for impact.

Staff recommends Approval with Stipulations.

<b>SITE CHARACTERISTICS AND SURROUNDING AREA</b>															
<b>ADDRESS:</b>	615 Upper Manatee River Road														
<b>GENERAL LOCATION:</b>	East side of Upper Manatee River Road and west side of 117 <sup>th</sup> Street East, approximately 2600-feet north of S.R. 64														
<b>ACREAGE:</b>	64.07 acres														
<b>EXISTING USE(S):</b>	Vacant & single family detached (to be removed with development)														
<b>FUTURE LAND USE CATEGORY(S):</b>	<ul style="list-style-type: none"> <li>• UF-3</li> </ul>														
<b>DENSITY:</b>	2.54± du/ac (gross) 2.90± du/ac (net)														
<b>SPECIAL APPROVAL(S):</b>	<ul style="list-style-type: none"> <li>• Projects in UF-3 exceeding 1 du/ac (gross)</li> <li>• Project adjacent to a perennial lake or stream</li> </ul>														
<b>OVERLAY DISTRICT(S):</b>	N/A														
<b>SPECIFIC APPROVAL(S):</b>	<ul style="list-style-type: none"> <li>• LDC Section 714.8.7 (tree replacement sizes)</li> <li>• LDC Section 715.3.4 (one canopy tree per lot frontage)</li> </ul>														
<b>SURROUNDING USES &amp; ZONING</b>															
<b>NORTH</b>	Church & Residential (Gates Creek Subdivision)														
<b>SOUTH</b>	Residential (Windance Estates Subdivision and 5-acre tracts not within a subdivision)														
<b>EAST</b>	117 <sup>th</sup> Street East & Vacant (Greyhawk Landing Subdivision under construction)														
<b>WEST</b>	Upper Manatee River Road & Residential (Greenfield Subdivision)														
<b>SITE DESIGN DETAILS</b>															
<b>MINIMUM LOT SIZE(S):</b>	50-feet x 120-feet = 6,000 square feet														
<b>SETBACKS:</b>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Front:</td> <td style="text-align: right;">25' front garage</td> </tr> <tr> <td>Front:</td> <td style="text-align: right;">20' side/rear garage</td> </tr> <tr> <td>Side:</td> <td style="text-align: right;">5'</td> </tr> <tr> <td>Rear:</td> <td style="text-align: right;">15'</td> </tr> <tr> <td>Wetland Buffer Setback:</td> <td style="text-align: right;">15'</td> </tr> <tr> <td>Waterfront Setback:</td> <td style="text-align: right;">30'</td> </tr> <tr> <td>Wetland Buffer:</td> <td style="text-align: right;">30'</td> </tr> </table>	Front:	25' front garage	Front:	20' side/rear garage	Side:	5'	Rear:	15'	Wetland Buffer Setback:	15'	Waterfront Setback:	30'	Wetland Buffer:	30'
Front:	25' front garage														
Front:	20' side/rear garage														
Side:	5'														
Rear:	15'														
Wetland Buffer Setback:	15'														
Waterfront Setback:	30'														
Wetland Buffer:	30'														

<b>OPEN SPACE:</b>		27.11 acres – 42.3% (35% is required)			
<b>ACCESS:</b>		The project has three (3) access points: one (1) on Upper Manatee River Road, one (1) on 117 <sup>th</sup> Street East, and one (1) on 116 <sup>th</sup> Street East (inter-neighborhood tie; unless private streets requested at FSP).			
<b>FLOOD ZONE(S):</b>		Site lies in Zones X, AE with a BFE between 20'-22.4' NGVD 1929 and the regulatory floodway of Gates Creek per FIRM Panel 120153 0360C, revised 7/15/92. There is no change in flood zones per D-FIRM Panel 12081C0331E, effective 3/17/14. Datum changed to NAVD 1988, BFE 19'-21.4'.			
<b>AREA OF KNOWN FLOODING:</b>		Yes, rainfall			
<b>UTILITY CONNECTIONS:</b>		Potable water, sanitary sewer, and reclaimed water are available by extension or connection			
<b>ENVIRONMENTAL INFORMATION</b>					
<b>Overall Wetland Acreage:</b>		1.85 acres			
<b>Proposed Impact Acreage:</b>		Approximately 200 square feet			
<b>Wetland I.D.</b>	<b>Acres Impacted</b>	<b>Type</b>	<b>Reason for Impact</b>	<b>EPD Objection</b>	<b>Explanation</b>
#2	±200 SF	Wetland Stream	Road Crossing	No	Road crossing necessary to access rest of property
<p>According to the environmental narrative provided by Eco Consultants dated April 15, 2013 there are 3 wetlands on-site. Wetland #2 is the Gates Creek wetland and is approximately 0.69 acres FLUCCS Code 615 – Stream Bottomland Swamp. Wetlands #1 and #3 are 0.98 and 0.18 acres respectively and are 641 – Freshwater Marsh. Total wetland acreage on-site is 1.85.</p> <p>The applicant proposes a roadway crossing for Gates Creek which, according to the Land Development Code, is considered development within a wetland. Wetland mitigation will be provided for the crossing in accordance with LDC Section 719.6. Wetland mitigation details will be reviewed and approved with the Final Site Plan.</p> <p><b><u>Uplands</u></b>          According to the update to the environmental narrative through the response to comments, there is no native upland habitat on-site. The applicant is proposing a tree preservation area</p>					

which totals 1.83 acres and is coded as 213 – Woodland Pasture.

Native habitat preservation will be met through preservation of the 2 herbaceous wetlands on-site that total 1.85 acres as well as their required 30’ wetland buffers, which totals 3.96 acres. A “tree preservation” area is also being provided, as there is no native upland habitat on-site. The total habitat preservation is 5.79 acres.

**Endangered Species**

According to the environmental narrative there are no areas known to be used by listed species for nesting or breeding purposes.

**Trees**

No information at this time.

**Landscaping/Buffers**

The GDP shows a 20’ roadway buffer along Upper Manatee River Road and the future 117<sup>th</sup> Street East. Greenbelt buffers are shown at 15’ wide. The Applicant is providing required landscaping in the buffers.

**NEARBY DEVELOPMENT**

RESIDENTIAL					
Project/Subdivision	Lots/ Units	Density	Minimum Lot Size	FLUC	Year Approved
Gates Creek	184	2.3	6,600 sq.ft.	UF-3	1995
Windance Estates	18	1.0	43,560 sq.ft.	UF-3	1982
Greyhawk Landing	789	1.22	7,500 sq.ft.	UF-3	2001
Greyhawk Landing West	501	1.60	7,200 sq.ft.	UF-3	2005
Greenfield Plantation	616	1.35	5,200 sq.ft.	UF-3	1995

**POSITIVE ASPECTS**

- The proposed use of single family detached is consistent with the surrounding properties.
- The design shows 42% open space.

**NEGATIVE ASPECTS**

- Proposed lot sizes (a minimum of 6,000 square feet) are smaller than surrounding lots, particularly the 1-acre and 5-acre lots to the south.

**MITIGATING MEASURES**

- A large portion of the southern property boundary is wetlands and stormwater ponds. The four (4) lots that abut this boundary are at the end of cul-de-sacs and are approximately of 100-feet wide.
- Perimeter buffers are provided.

**STAFF RECOMMENDED STIPULATIONS****A. DESIGN AND LAND USE STIPULATIONS:**

1. The Notice to Buyer shall be included in the Declaration of Covenants and Restricts. The following language shall be included in the Notice to Buyers and also in a separate addendum to the sales contract.
  - a) The presence of neighboring agricultural zoning (A-1) may possibly include uses that have odors and noises or the use of pesticides and herbicides associated with such agricultural uses.
2. Lots adjacent to the southern property boundary shall maintain an average rear lot width of 100-feet. The Preliminary Site Plan and/or Final Site Plan shall maintain this average lot width regardless of site design changes.

**B. TRANSPORTATION STIPULATIONS:**

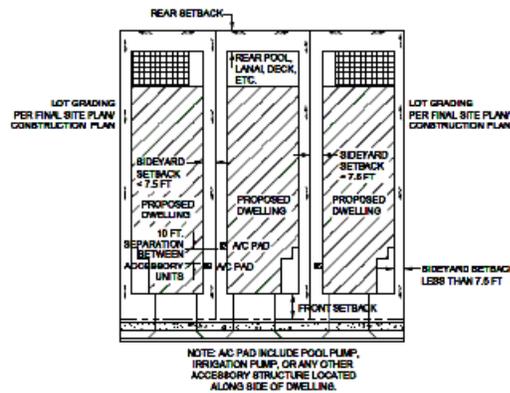
1. A detailed traffic analysis will be required prior to Final Site Plan approval. Additional on-site and/or off-site improvements may be required as the property is developed.
2. Any required right-of-way reservation or dedication to accommodate necessary roadway improvements will be determined during review of the preliminary and final site plan, as applicable. If a right-of-way reservation or dedication is required, the additional right-of-way shall be shown on the preliminary site plan, final site plan, and final plat(s) and shall be dedicated prior to approval of the first Final Plat.
3. The internal roadways have the option to be public or private. The three (3) access points shown on the GDP (Upper Manatee River Road, 116<sup>th</sup> Street East, and 117<sup>th</sup> Street East) shall be shown on all future submittals. If it is determined that the internal roadways are to be private, the interneighborhood tie at 116<sup>th</sup> Street East shall not be required.

**C. STORMWATER STIPULATIONS:**

1. No-rise Certification will be required for any encroachment within the regulatory floodway prior to Final Site Plan approval.
2. This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Gates Creek.

Modeling shall be used to determine pre- and post-development flows. Over-attenuation is not required for open space areas, upland preservation areas, wetlands and their buffers, landscape buffers, stormwater reservation for adjacent thoroughfares, or undisturbed areas. Attenuation is not required on the stormwater flows that discharge onto and through this property from adjacent roadways, subdivisions, lands, etc.

3. Any fill within the 100-year floodplain of the Gates Creek shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. 100-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).
4. There shall be a minimum of ten (10) foot separation between accessory equipment and structures alongside adjoining houses with 5-foot side yard setbacks.



5. Flowage Easements shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along Gates Creek within the project boundaries. In addition, a twenty (20) foot Drainage-Maintenance Access Easement shall be provided along at least one side of these systems. Drainage-Maintenance Access Easements shall be on clear and level ground, free of obstructions including landscaping. Manatee County is only responsible for maintaining the free flow of drainage through these systems. The Homeowner's Association(s) or Community Development District(s) (CDD) shall be responsible for routine maintenance. A maintenance schedule and an engineer's cost estimate for maintenance shall be included in the homeowner's documents.

#### **D. ENVIRONMENTAL STIPULATIONS:**

1. Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material. A permit is required from the Florida Department of Health unless work is approved by Manatee County Public Works. Abandonment permit information can be obtained by call 941-748-0747, x1340.
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. Wetland mitigation shall be provided for the proposed wetland crossing in accordance with LDC Section 719.6. Details of wetland mitigation shall be reviewed and approved with the Final Site Plan.
4. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.
5. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.
6. 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.
7. 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.

**E. PUBLIC SAFETY/FIRE DISTRICT STIPULATIONS:**

1. Review and approval of roadway interconnects and water distribution systems will be made with final site plan submittal.
2. GDP does not indicate required fire protection equipment or water supply information. This information will be required with the Preliminary Site Plan submittal.
3. Where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to any construction work taking place.
4. East Manatee Fire District is opposed to cul-de-sacs with raised curb landscaping in the center. This does not allow fire equipment to use the cul-de-sacs when there are cars parked around the cul-de-sac.
5. Fire hydrants shall be installed within 400-feet of main entrance of all principal buildings and shall be no more than 800-feet apart as measured from normal access routes. Fire hydrants shall be installed on a minimum of a six (6) inch line. The location of hydrants shall be approved by the East Manatee Fire District. The base of the hydrant shall be at finish grade.

6. Florida Fire Prevention Code requires a minimum of 1000 gpm for single family homes less than 5000 square feet.
7. East Manatee Fire District will not accept temporary water supplies such as water tanks as a water source during construction.
8. East Manatee Fire District recommends the contractor/developer follow the Fire Wise guidelines for landscaping.

**REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED**

No remaining issues.

**COMPLIANCE WITH LDC**

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
20' roadway buffer – Upper Manatee River Road & 117 <sup>th</sup> Street East	20'	Y		Shown
15' Greenbelt Buffer	15'	Y		Shown
<b>SIDEWALKS</b>				
5' internal sidewalks both sides of internal roadways	5'	Y		Shown in Note #20
5' sidewalk – Upper Manatee River Road	5'	Y		Shown in Note #18
5' sidewalk – 117 <sup>th</sup> Street East	5'	Y		Shown in Note #18
<b>ROADS &amp; RIGHTS-OF-WAY</b>				
50-foot internal rights-of-way	50'	Y		Shown; option for private or public internal roads
24-foot paved internal roadways	24'	Y		Shown
Interneighborhood Ties		Y		116 <sup>th</sup> Avenue East (unless private roadways)
<b>COMPLIANCE WITH THE LAND DEVELOPMENT CODE</b>				
<b>Factors for Reviewing Proposed Site Plans (Section 508.6)</b>				
<p><b>Physical Characteristics:</b> The site has one single family structure (that will be demolished) and the remaining portions of the 64-acres are vacant. According to the Community Development Manager, the value of the parcel exceeds the affordable housing stock threshold of \$176,000 and, therefore, this Applicant is not required to mitigate for the loss of this structure. The property has residential development to the north (Gates Creek</p>				

Subdivision), south (Windance Estates, 1-acre parcels) and 5-acre parcels, and Greyhawk Landing to the east. The west property boundary is Upper Manatee River Road.

**Public Utilities, Facilities and Services:** The following public facilities are available for the project: a 42-inch potable water line on Upper Manatee River Road, an 8-inch potable water line on 117<sup>th</sup> Street East to loop into, a 6-inch sanitary sewer force main (increasing to 8-inch just south of Greenfield Boulevard) on Upper Manatee River Road, and a possible sanitary sewer gravity main within Greyhawk Landing. Additionally, there is a 16-inch reclaimed water line on 117<sup>th</sup> Street East available for irrigation.

The site is located within the two (2) miles of Freedom Elementary School and internal streets will have sidewalks on both sides; the other schools serving the site are Haile Middle School and Lakewood Ranch High School. The Statement of School Needs is not required at the General Development Plan review stage; therefore, school needs are not known at this time.

Emergency Services are provided by the East Manatee Fire District, Manatee County EMS, and the Sheriff's Office.

**Major Transportation Facilities:** The site is east of Upper Manatee River Road and approximately 2600-feet north of S.R. 64. Upper Manatee River Road will provide access to the project. There are two other access points: 117<sup>th</sup> Street East and an interneighborhood tie at 116<sup>th</sup> Street East (connecting to the Gates Creek Subdivision to the north).

**Compatibility:** This site is bordered on three sides by residential development. The project is compatible with the existing residential developments by proposing the same housing type, single family detached; compatible lot sizes and densities; and the required greenbelt buffers. The compatibility of lot sizes on the southern property boundary are realized by the fact that the cul-de-sac rear yard lots are approximately 100-feet in width and the limited number of lots abutting the southern property boundary. Stipulation A.2. ensures that this compatibility will be maintained even though the cul-de-sac lot design may change with the PSP/FSP submittal.

This project serves as infill development in an area of the county that has the necessary infrastructure to support the development.

**Transitions:** The site is located within an area that has transitioned from suburban agriculture 1- and 5-acre lots to smaller lot size single-family development.

**Design Quality:** The project proposes 163 single family detached lots fronting on internal roadways. Sidewalks will be provided on both sides of the internal roadways and adjacent to Upper Manatee River Road and 117<sup>th</sup> Street East. Open space areas will provide opportunities for passive recreation opportunities.

**Relationship to Adjacent Property:** Properties to the south are zoned A-1; however, they are developed with single family homes on 1- and 5-acre tracts. The 15-foot greenbelt buffer and limited number of lots (4) adjacent to the southern property line limit the impacts to the

existing larger lot development.

**Access, Streets, Drives, Parking and Service Areas:** Three access points are proposed: Upper Manatee River Road, 117<sup>th</sup> Street East, and 116<sup>th</sup> Street East (an interneighborhood tie with Gates Creek). The Applicant is uncertain if the internal roadways will be public or private. If the internal roadways are private, the interneighborhood tie to 116<sup>th</sup> Street East will not occur. The Applicant is meeting all LDC and Public Works Standards with respect to pavement and ROW widths.

Residential parking will be provided on individual lots.

**Pedestrian Systems:** Internal five-foot sidewalks are proposed on both side of the street within the project. A five-foot sidewalk will be constructed on Upper Manatee River Road and on 117<sup>th</sup> Street East adjacent to the property boundaries. This is consistent with LDC 722.1.4.3 requirements (within 2 walking miles of a public elementary or middle school).

**Natural and Historic Features - Conservation and Preservation Areas:** There are no known historic or archaeological resources within or adjacent to the project boundaries.

**Density/Intensity:** A gross density of 2.54 dwelling units per acre and a net density of 2.90 dwelling units per acre are proposed.

**Height:** The proposed maximum 35-foot building height should not create any external impacts that would adversely affect the surrounding developments.

**Fences and Screening:** A 20-foot roadway buffer is provided adjacent to Upper Manatee River Road and 117<sup>th</sup> Street East. Additionally, a 15-foot greenbelt buffer is proposed for the remainder of the site.

**Yards and Setbacks:** The following chart indicates minimum proposed setbacks for the project:

Use/Type	Front	Side	Rear
Single-family detached	25'/20' <sup>1</sup>	5'/10' <sup>2</sup>	15'
Wetland buffer setback	15'		
Wetland Buffer	30'		
Waterfront	30'		

<sup>1</sup>20-feet to structure or side loaded garage/25-feet to front loaded garage. Corner lots shall provide a 20-foot setback from the structure (non-garage) to the property line adjacent to the other street.

<sup>2</sup>Ten feet separation between accessory equipment and adjacent structures.

**Trash and Utility Plant Screens:** Single family units will be served by individual can pick up and served by the Manatee County franchisee in the area.

**Signs:** All signs within the project will meet the requirements of Section 724.

**Landscaping:** Detailed landscaping plans will be provided with the Final Site Plans for each construction phase. All landscaping will meet or exceed the standards in Section 715. The

design and maintenance of the roadway and greenbelt buffers will be based on a unified landscape plan.

**Water Conservation:** Site design will incorporate the water conservation methods listed in Section 715 of the LDC as applicable. Specific designs and methods will be submitted with the Final Site Plans for specific construction phases. Reclaimed water is available to the project and will be used for irrigation.

**Rights-of-Way:** The internal streets provide a minimum of 50-feet of right-of-way, 24-feet of pavement, and cul-de-sacs shall not exceed 800-feet in length.

**Utility Standards:** All public utilities construction will comply with the requirements of the Manatee County and will be owned and maintained by Manatee County.

Sewer and potable water service will be provided through connections to public sewer and water systems.

**Stormwater Management:** Stormwater management facilities will meet the requirements of Section 717 and the Manatee County Development Standards. Designs will be provided with Final Site Plans for each construction phase.

**Open Space:** The open space provided is 27.11 acres (42.3%) of the site.

#### COMPLIANCE WITH COMPREHENSIVE PLAN

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

**Policy 2.1.2.7 Appropriate Timing.** The timing is appropriate given development trends in the area. The surrounding area has residential developments of various lot sizes, ranging from 1- to 5-acre lots south of the project to 5,200 square feet to the west (Greenfield Plantation), 6,600 square feet to the north (Gates Creek Subdivision), and 7,200 square feet and 7,500 square feet to the east (Greyhawk Landing). Public utilities are available to serve the project, including reclaimed water.

**Policy 2.2.1.12.1 Intent.** This project complies with the intent of the UF-3 category, which is for development to follow a logical expansion of the urban environment, typically growing from west to east, consistent with the availability of services. The UF-3 category also anticipates low density or clustered low to moderate density residential.

**Policy 2.2.1.12.2 Range of Potential Uses.** Residential is in the range of potential uses.

**Policy 2.6.1.1 Compatibility.** The General Development Site Plan design is **compatible** with surrounding development.

**Policy 2.6.5.4 Preserve/Protect Open Space.** The site plan shows 27.11 acres (42.3% open space). 35% open space is required.

**CONCURRENCY**

**Major Transportation Facilities**

The site will have access onto Upper Manatee River Road, a two-lane urban collector roadway.

**Transportation Concurrency**

The Applicant is only seeking a General Development Plan and Rezoning approval at this time, and thus, cannot obtain transportation concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant may be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project (see Certificate of Level of Service Compliance table below).

**Access**

As previously stated, the site will have access onto Upper Manatee River Road. Please note that all vehicle and pedestrian access points will meet the minimum LDC standards. At the time of a traffic study, all access points will be re-evaluated to determine if any further site-related improvements will be required for the site.

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

The Applicant may be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project at the time of PSP/FSP submittal.

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	EXISTING LOS
Upper Manatee River Road	3240 from SR 64 to the Curve	D	D

**REQUIRED IMPROVEMENTS:**

This is a General Development Plan and the applicant applied for a Deferral of Concurrency. Any needed improvements will be addressed with further site plan submittals.

**SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS**

**1. Alternative to LDC Section 714.8.7 - Replacement Trees**

The LDC requires replacement trees be sized at 3"/5"/7" depending on the size of the tree to be removed. However, County staff requests the Applicant replace trees at smaller sizes of 3"/4"/4". The Applicant concurs with staff's recommendation and requests this Specific Approval to reduce replacement tree sizes due to the fact that

planting smaller trees will allow better performance for the new trees and will increase their survival rate. Therefore, the Applicant seeks the reduced sizes for replacement trees as requested by County staff.

**Staff Analysis and Recommendation**

Staff has determined that the smaller size trees typically establish and grow faster; thereby, providing more tree canopy sooner. The LDC is slated to reflect the smaller replacement tree sizes with the upcoming amendments to Section 714 – Tree Protection.

**Finding for Specific Approval**

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

**2. Alternative to LDC Section 715.3.4 – Tree per Lot Frontage**

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

**Finding for Specific Approval**

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

**SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS**

**1. Comprehensive Plan Policy 2.2.1.11.4(b) – requiring all projects located in the UF-3 land use category proposing a gross residential density exceeding 1 dwelling unit per acre, or proposing a net residential density exceeding 3 dwelling units per acre.**

**Staff Analysis and Recommendation**

The Comprehensive Plan requires any project in the UF-3 land use category exceeding 1 dwelling unit per gross acre to rezone to the Planned Development Residential (PDR) zoning district. This application meets this requirement.

**Finding for Special Approval**

Notwithstanding the requirements of Comprehensive Plan Policy 2.2.1.11.4(b), the Board finds that the purpose of the Comprehensive Plan, specifically the intent of the UF-3 Future Land Use designation which states that 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. The nature, extent, location of development, and the availability of services have been reviewed to ensure the transitioning of these lands is consistent with the intent of this policy, is satisfied to an equivalent degree by the proposed design.

**2. Comprehensive Plan Policy 3.2.2.1 requiring projects adjacent to a perennial lake or stream to obtain Special Approval.**

This project is bisected by Gates Creek, a perennial stream. The creek is delineated on the General Development Plan as jurisdictional wetland including the 30-foot wetland buffer along the banks of the Creek.

**Staff Analysis and Recommendation**

This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all stormwater outfall flow directly or indirectly into Gates Creek. In addition, a Public Flowage Easement and Drainage-Maintenance Access Easement shall be dedicated along Gates Creek. These requirements are stipulated and will be reviewed and approved by staff as part of the Construction Drawing process.

**Finding for Special Approval**

The Board finds that this Application meets the requirements of Comprehensive Plan Policy 3.2.2.1 by requiring this project to reduce the calculated pre-development flow rate by fifty percent (50%), to dedicate a Public Flowage Easement and Drainage-Maintenance Access Easement, and to provide jurisdictional delineation of wetland and buffers along Gates Creek.

**ATTACHMENTS**

**1. Applicable Comprehensive Plan Policies**  
**2. Copy of Newspaper Advertising**

**APPLICABLE COMPREHENSIVE 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:	2.1.2.4	Limit urban sprawl through the consideration of new development, when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.
Policy:	2.1.2.7	<p>Review all proposed development for compatibility and appropriate timing. This analysis shall include:</p> <ul style="list-style-type: none"> <li>- consideration of existing development patterns,</li> <li>- types of land uses,</li> <li>- transition between land uses,</li> <li>- density and intensity of land uses,</li> <li>- natural features,</li> <li>- approved development in the area,</li> <li>- availability of adequate roadways,</li> <li>- adequate centralized water and sewer facilities,</li> <li>- other necessary infrastructure and services.</li> <li>- limiting urban sprawl</li> <li>- applicable specific area plans</li> <li>- (See also policies under Objs. 2.6.1 - 2.6.3)</li> </ul>
Policy:	2.2.1.11	<b>UF-3:</b> Establish the Urban Fringe - 3 Dwelling Units/Gross Acre future land use category as follows:
Policy:	2.2.1.11.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future growth (and growth beyond the long-term planning period) is projected to occur at the appropriate time in a responsible manner. The development of these lands shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services. At a minimum, the nature, extent,

		location of development, and availability of services will be reviewed to ensure the transitioning of these lands is conducted consistent with the intent of this policy. These UF-3 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low- or low-moderate density urban environments.
Policy:	2.2.1.11.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban density planned residential development with integrated residential support uses as part of such developments, medium retail and office commercial uses, short-term agricultural uses, agriculturally-compatible residential uses, farmworker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhances 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 du/acre  Maximum Net Residential Density: 9 du/acre  Maximum Floor Area Ratio: 0.23 (0.35 for mini-warehouse uses only)
Policy:	2.2.1.11.4	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 1 dwelling unit per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval. (c) Any nonresidential project exceeding 30,000 square feet shall require special approval.
Objective	2.6.1	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:	2.6.1.1	<p>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:</p> <ul style="list-style-type: none"> <li>- use of undisturbed or undeveloped and landscaped buffers</li> <li>- use of increased size and opacity of screening</li> <li>- increased setbacks</li> <li>- innovative site design (which may include planned development review)</li> <li>- appropriate building design</li> <li>- limits on duration/operation of uses</li> <li>- noise attenuation techniques</li> <li>- limits on density and/or intensity [see policy 2.6.1.3]</li> </ul>
Policy:	2.6.2.7	Require clustering, as appropriate, to limit impacts of residential development on adjacent agricultural, conservation, open space, or environmentally sensitive uses.
Policy:	2.6.2.8	Utilize the techniques of policy 2.6.1.1, as appropriate, to mitigate noise and/or other traffic impacts for residential development adjacent to roadways classified as arterials and limited access facilities.
Objective:	2.6.5	<b>Quality in Project Design:</b> Promote appropriate diversity within and between existing and future development projects to achieve high quality, efficient functioning design.
Policy:	2.6.5.1	Provide incentives for, and otherwise encourage the use of the planned unit development procedure to achieve quality, highly functional, and well-integrated project designs.
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.
Objective:	2.9.1	<p><b>Strong Communities:</b> Create and maintain communities which are characterized by their:</p> <ul style="list-style-type: none"> <li>- connection, integration, and compatibility with surrounding land uses,</li> </ul>

		<ul style="list-style-type: none"> <li>- community spaces and focal points,</li> <li>- protection of the natural environment,</li> <li>- connection and integration of pedestrian, bicycle, and vehicular systems,</li> <li>- usable open spaces, and public access to water features,</li> <li>- unifying design elements and features,</li> <li>- variety of housing stock,</li> <li>- pedestrian oriented structures, and pedestrian friendly design,</li> <li>- connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.</li> </ul>
Policy:	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:	2.9.1.5	Promote the development of pedestrian friendly designs.
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).
Objective:	2.9.4	<b>Community Image:</b> Develop an aesthetically pleasing environment which enhances the image of Manatee County as a high quality community in which to live, work, and visit.
Policy:	3.2.3.2	Require all water used for irrigation in new development to be the lowest quality of available water which adequately and safely meets their water use needs by requiring stormwater reuse, alternative irrigation sources, reclaimed

water use, and gray water irrigation systems. Priority to **receive reclaimed water** shall be given to users who transfer groundwater withdrawal or other permitted quantities to Manatee County. Potable water from County utilities shall not be utilized for landscape irrigation. [See Policies 9.6.1.3, and policies under Objective 9.1.5]

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: 3.3.1.2

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

Policy: 3.3.1.3

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

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

amended.

- (2) In those instances where wetland mitigation is not required by the State wetland mitigation shall be provided in accordance with Subparagraphs (a) through (d) below. The type of wetland mitigation or combination thereof as described in subparagraphs (a) through (d) below shall be determined by the County based on site conditions. The order of preference considered by the County shall be as follows:
  - (a) **Wetland Enhancement/Restoration:** Five acres of enhanced or restored on site wetlands shall be provided for every one acre of wetland to be impacted.
  - (b) **Upland Preservation:** In the event there is inability to create viable wetland enhancement/restoration on the site, five acres of native upland habitat shall be preserved for every one acre of wetland to be impacted. Preserved uplands utilized for wetland mitigation shall be on site of the proposed development and shall be in excess of the requirement of Policy 3.3.2.2
  - (c) **Payment in Lieu of Mitigation:** In lieu of the mitigation requirements in subparagraphs (a) and (b) above, the County may collect a mitigation fee. The fee charged shall be based on the acreage of impact and shall be an amount sufficient to achieve full and complete compensation for the impact.
  - (d) **Wetland Creation:** Two acres of herbaceous wetlands shall be or created for every acre of herbaceous wetlands altered. Four acres of forested or mangrove wetlands shall be created for every acre of such wetlands altered, unless other requirements are enforced pursuant to (3) below.
- 3) Wetland mitigation provided in accordance with Section (2) above shall also be subject to the following:
  - (a) All approved mitigation shall be required to demonstrate, through appropriate monitoring and reporting by the project's developer, at least an 85% coverage of desirable wetland species for a period of at least two years for herbaceous wetland communities, and an 85%

planting survival rate for at least five years for forested and mangrove communities.

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

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 recreation and enhanced quality of life;
- large pervious areas for improved water quality and groundwater recharge;
- species biodiversity; and
- natural area greenways.

Policy: 3.3.3.1

Participate in the development and preservation of natural area greenways which should include wildlife corridors, recreation areas, environmentally sensitive lands, and other cultural and historic resources which may serve the passive recreational needs of residents and visitors.

Policy: 5.2.1.5

Implement, through this Comprehensive Plan and land use regulations, standards which shall limit or prohibit development of structures, parking areas, or drainage facilities within the location of future transportation corridors and rights-of-way as generally configured and indicated on the Future Traffic Circulation: Right of Way Needs Map, (Map 5C) and specified on Table 5.1. Other thoroughfare uses may be allowed within designated Future Transportation Corridors, including temporary uses.

Future transportation corridors and rights-of-way to be protected shall be established during the review of each individual proposed project in proximity to the future transportation corridors generally located on the Future Traffic Circulation Map Series. These transportation corridors shall be designed so as to provide for a continuous travel corridor of sufficient width to accommodate an appropriate cross-section as required for facility types specified on the Major Thoroughfare Map Series. Protected future transportation corridors rights-of-way shall be identified during project review for development order approval. Dedication, where required, shall occur on or before issuance of a Certificate of Level of Service

Compliance unless a development order specifies a later dedication date.

Mitigation measure shall be utilized to preclude the taking of private property without compensation. These measures shall address properties which are located in a manner, or exhibit characteristics, which preclude the reasonable use of such property if the protected right-of-way is dedicated or maintained free of structures, drainage facilities, or parking areas during development of the property. These measures also shall consider the transportation impacts of the specific development being proposed on the roadway. Mitigation measures may include, but not be limited to:

- granting of impact fee credits in accordance with land development regulations;
- repositioning the roadway through the land to maximize development potential
- transferring of development rights which may be considered pursuant to the Future Land Use Map from the area within the protected right-of-way to an area outside the protected right-of-way on the project site;
- granting alternative and more valuable land uses;
- offering development opportunities for clustering the increasing densities at key nodes and parcels within the project site off the protected transportation corridors;
- altering or changing the road pattern; and
- reduce the building setbacks, required buffers, and other requirements otherwise contained in this Comprehensive Plan or contained in other local land development regulations, if such requirement is considered on a case-by-case basis.

Policy: 6.1.1.1 Permit a variety of appropriate dwelling unit types and sizes in all residential future land use categories, subject to compliance with other goals, objectives, and policies of this Comprehensive Plan.

Policy: 6.1.3.4. Encourage the development of a variety of dwelling units of varying cost or rent within a single development.

April 10, 2014 - Planning Commission Meeting  
Agenda Item #5

Subject

PDR-06-72(P)(R2) – WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION - DTS  
20130402 - QUASI - JUDICIAL - STEPHANIE MORELAND

Briefings

None

Contact and/or Presenter Information

Stephanie Moreland

Principal Planner

941-748-4501, ext. 3880

Action Requested

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-06-72(P)(R2); amending and restating Ordinance No. PDR-06-72(P); and APPROVAL of the Revised Preliminary Site Plan [PDR-06-72(P)(R2)] with stipulations A.1, B.1-B.12, C.1-C.13, D.1–D.5 and E.1-E.3; GRANTING Special Approval for a project: 1) adjacent to a perennial stream; 2) in the Coastal Evacuation Area; 3) Coastal High Hazard Overlay District; 4) utilizing septic tank systems in the North County Wastewater Treatment Collection Area; ADOPTING the Findings for Specific Approval; and GRANTING Specific Approval for an alternative to LDC Sections 603.7.4.1 (buffers), 603.7.4.5 (trees in greenbelt buffers), 715.3.2.c-3 (residential greenbelts), 722.1.4.2 (sidewalks), and 740.2.6.18 (Private Streets), as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Bob Gause, Allison Gause Inc., Agent for William Briggs McClatchy/Tillett Bayou Preserve requests a revision to a previously approved Preliminary Site Plan (PDR-06-72(P)) to: decrease the total number of lots from 34 to 15 lots for single-family detached residences; retain existing proposed docking facilities; realign interior roadways and designate as private streets; modify the gross density from 0.84 to 0.36 dwelling units per acre; change sanitary service from sewer to septic tank systems; and extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is situated between Bayshore Drive and Center Road and includes a strip of land between Bayshore Drive and Tillett Bayou at 1631 Center Road in North County.

History:

In 1991, parts of Terra Ceia were rezoned from RSF-1 to PDR (PDR-91-08) to acknowledge lots less than 30,000 sq. ft. At that time, a minimum 6,000 square foot lot size was established.

In 2008, the Board of County Commissioners approved Ordinance PDR-06-72 but no action on the proposed 37 lots was taken. Instead, the Ordinance included a series of stipulations for future submittal of the Preliminary Site Plan relative to project design requiring substantial site plan modifications & reduction in project density and fewer lots with an average lot size of one acre.

On May 12, 2009, a Preliminary Site Plan [PDR-06-72(P)] was approved by the Board of County Commissioners for 34 lots for single-family residences and docking facilities.

On June, 2009, there was a request [PDR-06-72(P)(R)] to amend stipulations to delete the access from the project site onto Bayshore Drive. The motion for this request failed and stipulations from PDR-06-72(P) remained unchanged.

The 2020 Manatee County Comprehensive Plan currently designates the site as RES-1/HR/CEA/CHHA (Residential-one dwelling unit per acre/Historical Resources/Coastal Evacuation Area/Coastal High Hazard Area) on the Future Land Use Map. Suburban or urban residential uses are listed in the range of potential uses for consideration (Policy 2.2.1.9.2).

The site is zoned PDR/CH/HA (Planned Development Residential/Coastal High Hazard/Historical and Archaeological Overlay District).

There are two existing residences on the site. A Certificate of Appropriateness (HPB/COA-14-01) for removal or alteration of one of the existing structures in the HA (Historical and Archaeological) Overlay District is being reviewed by planning staff. There are no known historic resources on the site. The archaeological survey identified one archaeological site (8MA1453) within the boundaries of the project area. According to the survey, the site was not considered regionally or locally significant and is ineligible for listing in the NRHP (National Registry of Historic Places).

The site lies in Zone A11 with Base Flood Elevations of 9', 10' and 11' NGVD 1929 per FIRM Panel 120153 0179C, revised 7/15/92. The only change with new D-FIRMs is the zone which is now called AE and Base Flood Elevations will be 8', 9', and 10' NAVD 1988, Panel 12081C0154E, effective 3/17/14.

The site is within the Coastal Planning Area (CPA), Coastal Evacuation Areas (CEA) and Coastal High Hazard Area (CHHA). The representative tracts of native upland communities on-site are not being preserved in open space. Special Approval is required for a project in CEA and CHHA.

The Hurricane Evacuation Plan was previously approved by Manatee County Public Safety Department. Staff

recommends the Plan be updated prior to Final Site Plan approval.

The site is in the North County Wastewater Treatment Collection Area. The current request proposes to change from sanitary sewer (previously approved) for 34 lots to individual septic tank systems for 15 lots. There are no wastewater facilities immediately adjacent to the site. The nearest facility is on the east side of U.S. 19 at Terra Ceia Road, approximately 2,300 feet from the project via public roadways.

The applicant is requesting Special Approval for the alternative use of individual septic tanks for sewage disposal. The total cost to utilize septic tank systems is estimated to be \$150,000.00. The cost to connect to the existing county wastewater collection system is approximately \$439,670.00. Special Approval for the installation of any new septic systems within the proposed development requires approval by the Board of County Commissioners or connection to the County sewer must be utilized (Policy 9.2.1.2). The analysis for Special Approval is in the staff report.

Each residence septic tank system in the proposed subdivision will be reviewed on a case by case basis. In this way, the Department of Health (DOH)-Manatee ensures that the systems are designed, constructed and installed in compliance with State regulations.

The proposed design indicates proposed lot sizes ranging from 0.88± acres to 5.42± acres. The site is zoned PDR (PDR-91-06). The proposed lot sizes are consistent with the minimum lot size (6,000 sq. ft.) previously established for this part of Terra Ceia.

Two lots have frontage and access on Bayshore Drive. Two lots have frontage and access on Center Road. The remaining lots will front and have access to newly created private roadways connecting Bayshore Drive, and Center Road. Lot 12 will utilize an existing access easement connecting Boyd Lane.

The applicant requests extending the PSP two years, expiring May 12, 2016. According to LDC Section 508.8.2, Preliminary Site Plans may be extended two years beyond the original expiration date. Board approval is required to allow extension of the Preliminary Site Plan.

Staff have the following concerns:

- Parks & Natural Resources Department (PNRD) staff has an environmental issue relative to nitrogen loading with the proposal. Tillett Bayou Preserve project is adjacent to lower Tampa Bay and is subject to the conditions associated with the federal EPA Total Maximum Daily Load (TMDL) for Tampa Bay and its watershed. It is also adjacent to the Tillett Bayou, an Outstanding Florida Water (OFW).
- To develop a comprehensive baywide nitrogen management strategy, the Tampa Bay Nitrogen Management Consortium (TBNMC) was formed in 1996 and developed an Action Plan to implement the Tampa Bay "hold-the-line" nitrogen target loads from the 1992-1994 time period.
- To meet the nitrogen target loads into the future, allocations were assigned to all TBNMC members (including Manatee County). It was determined that future growth will require projects and/or transfers to offset any nitrogen increases.
- In order to be consistent with this goal, the Tillett Bayou Preserve development should be required to ensure that its post-development nitrogen loads from all sources (i.e. septic systems, landscaping, stormwater, etc.) do not exceed its pre-development loads. If not, the developer could propose to provide the offsets.

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Staff supports the Specific Approval requests for elimination of the 20' buffer abutting Center Road and Bayshore Drive, reduced road width for a private street, elimination of the required 10-foot wide perimeter buffers in areas where there are wetlands or wetland buffers, platting through the greenbelts, and elimination of sidewalks.

Staff recommend approval subject to the recommended stipulations.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

William Clague reviewed and responded via email on 03/21/2014.

Reviewing Attorney

Clague

Instructions to Board Records

n/a

Cost and Funds Source Account Number and Name

n/a

Amount and Frequency of Recurring Costs

n/a

Attachment: Request for Specific Approval - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf

Attachment: Traffic Impact Statement - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf

Attachment: Copy of Newspaper Advertising - Tillett Bayou Preserve - PDR-06-72(P)(R2) - 4-10-14 PC.pdf

Attachment: Public Comment - Tillett Bayou - PDR0672 - 4-10-2014 PC.pdf

Attachment: Site Plan - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf

Attachment: Staff Report - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf

Attachment: Maps-Future Land Use, Zoning, Aerial - Tillett Bayou - PDR0672 - 04-10-2014 PC.pdf



# Allison Gause

incorporated

Engineering

Landscape Architecture

Planning

Environmental Consultants

Consulting Arborist

## Request for Specific Approval

February 10, 2014

Project: Tillet Bayou Preserve

MCB&D File #: Application ID: 20130402

Specific Approvals are requested to provide relief from the following LDC Chapter/Sections:

### Preamble:

Section 102. "...this Land Development Code is adopted in order to foster and preserve public health, safety, comfort and welfare in the unincorporated areas of the County. It is the intent of this Code that the development process in Manatee County be efficient, in terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and the consideration of the interests of the citizens of the County."

Listed below are the current LDC Sections for which approvals are requested to provide relief. Each Issue is identified below and the LDC sections addressing it identified. Section is listed and followed by the justification for Specific Approval.

### Wastewater

1. **LDC Section 722.1.8.1.3 Factors for consideration include: proposed wastewater impacts, accessibility of the central system, proposed infrastructure improvements, environmental sensitivity, development trends and timing, compatibility of development, proposed mitigation measures, telecommunication facilities, and location in areas subject to flooding.** The Applicant seeks Specific approval by providing a cost estimate acceptable to Manatee County demonstrating the cost to connect to public sewer is cost prohibitive when compared to septic tanks" (Section 722.1.8.1.3). Please see the cost analysis provided in the Response Letter indicating the cost to connect to sewer versus the cost to connect to septic systems as well as the Special Approval request which addresses the same issues as required to address the specific approval. It is our opinion that while the proposed solution is not literally in accordance with the regulations, it is equivalent in meeting the public purpose of the LDC and we request that the BOCC grant a waiver of this requirement. In addition, this project will comply with all Florida Department of Health requirements.

### Greenbelts/Open Space

2. **LDC Section 603.7.4.2 requiring 25% open space:** The applicant is providing 6 % common open space along Bayshore road where the common docks are proposed as well as the internal shell road/private streets.. Sec. 603.4.24 provides that open space shall be as approved with each planned development project. Typically, Planned Developments

contain a large number (100 +) of relatively small lots. Lakewood ranch, Harrison Ranch, University Place all are examples of typical PDR subdivisions with large numbers of lots and developed common open spaces. The currently approved plan has lots that average 24,244 sq. ft. The common open space on the currently approved plan is found within the wetlands, wetland buffers, stormwater ponds and upland preservation areas. Though it meets the requirements of the LDC, most of it is of little use for common activities similar to the club houses and pool areas often found within larger PDR subdivisions. . By comparison, the smallest lot on the proposed 15 lot plan is 1.13 acres. Each lot contains a minimum of 42,000 sq. ft. of upland lot area outside of the wetlands and wetland buffers. The wetland, wetland buffer areas and upland preservation areas are all proposed to be protected by conservation easements with the HOA granted authority to enforce protection of these areas. The low density large lot nature of this project is more consistent with RSF-1 zoning which encumbers most of the island and will also provide significantly more upland green space, albeit privately owned within lots. The large lots, combined with the proposed protection of the environmentally sensitive areas provides an equivalent public benefit of common open space when compared to the currently approved plan. It should be noted that an additional issue in Homeowners Associations is the need to find volunteers to serve on the HOA Board. In a low density subdivision, that becomes increasingly difficult. As previously noted, most PDR subdivisions have higher densities and significantly more lots. In a small 15 lot subdivision, there is a possibility that the HOA becomes non-functioning for any real purpose. In that event, common open space becomes a liability for maintenance and enforcement purposes. Placing the conservation areas within lots and granting the HOA enforcement powers will have the same net benefit of protecting resources, making sure that the County always has someone to hold accountable for violations should it become necessary . It is the applicants position that while the proposed solution is not literally in accordance with the PDR regulations it would meet the RSF-1 zoning requirements which is typical of development on Terra Ceia Island. It is the applicants position that the proposed plan is equivalent in meeting the public purpose of the LDC and we request that the BOCC grant a waiver of this requirement.

- 3. LDC Sections 603.7.4.5 and 715.3.2 C.3 –Greenbelts and the Prohibition on platting through greenbelt buffers.”** Justification: Manatee County placed a PDR zoning designation over most of Terra Ceia Island and RSF-1 over the remainder. It is unclear why the County placed the PDR zoning, but is probably to allow for creative solutions to developing property in this unique location. The purpose of greenbelts as described in 603.7.4.5 LDC is “to promote and enhance the creation of unique neighborhood units”. The currently approved plan utilizing smaller lots and standard subdivision design is unique on Terra Ceia Island, hence the neighborhood objection to it in the first place. The proposed plan is intended to blend in with the neighborhood and is more similar to an RSF-1 development which is consistent with the remainder of Terra Ceia Island. As such, the applicant would like to eliminate required greenbelts. Most of the buffer is wetland areas that cannot be planted, nor does it need to be. The Landscape plan submitted with this approval requires the planting of the trees normally required in a greenbelt, however, the maintenance will fall to the individual lot owner since that is the only feasible way to address the irrigation needs of the trees. The lots that abut the project boundaries not encompassed by wetlands are large lots, similar to the neighbors and as such, do not need to be buffered or separated by a strip of land. An additional concern has to do with the long term viability of



a HOA for a 15 lot subdivision. As previously noted above, the applicant is concerned that the greenbelt will become an un-maintained and attractive nuisance should it not lie within a lot of record. It is the applicant's position that while the proposed solution is not literally in accordance with the regulations for PDR, it is very similar to the RSF-1 zoning criteria and is equivalent in meeting the public purpose of the LDC. We request that the BOCC grant a waiver of this requirement.

### **Private Streets**

**4. LDC Section 740.2.6.18: "The minimum street width shall be fifty (50) feet."**

It should be noted that this project is a Planned Development and as such, is required to comply with Ch. 740.3.1 LDC which specifically states:

*Specific Design Requirements For Private Streets In Planned Developments.* The design and construction shall adhere to the criteria set forth in Section 603.4, 740.2.5 through 740.2.7, 740.2.6.12 through 740.2.6.17, and 740.2.6.19. In addition, when the applicant proposes that the width of the private street or any element thereof, to be less than the required standards for public streets; the design must clearly reflect adequate, appropriate, and safe accommodations and space for all utilities, slopes, setbacks, drainage and highway design elements.

Ch. 740.3.1 requirements do not include Ch. 740.2.6.18 LDC. However, staff is concerned that it should be addressed to avoid confusion in the future. In order to comply with Staff's request, following is our justification for the 40' Private Street Right of Way accessing Bayshore Road on the west end of our property.

Justification: The existing *public* street right of ways on Terra Ceia Island are currently only 30' wide in the vicinity of the project. The proposed Private Street right of way off of Bayshore Road is proposed to be 40' wide. This is because of the existing residence on the property. We request Specific Approval in this case because of the existing residence on Lot 8. The applicant has worked with County staff to assure compliance with all other chapters of the LDC that are referenced in Ch. 740.3.1 LDC. More specifically, the applicant has worked with emergency service providers and utilities staff to assure the safe ingress/egress of both residents and emergency responders as well as the provision of public utilities as appropriate.

It is the applicants contention that the specific approval is not required, but regardless, it is also the applicants opinion that the public purpose of the LDC regulations are met to an equivalent or greater degree and that the Board of County Commissioners should waive the requirement for a 50' private street right of way width where it is shown to be less on the Preliminary Site Plan.

### **Site Planning**

**5. LDC Section 603.7.4.1 Required buffer along Center Road and Bayshore Road**

Justification: The applicant requests specific approval to waive the requirement of a 20' buffer along Center Road and Bayshore Road. As currently written in the LDC, the rules anticipate that residential developments will face residential units away from the existing



public roads. On Terra Ceia Island, that is counter to the feel of the island and the goal of the developer. The applicant wishes to maintain consistency with the neighborhood feel of other residences along Center Road.

As currently developed, residences along Center Road and Bayshore Road, front onto said roads without a landscape buffer. The developer has proposed that the building setbacks along Center Road be 40' from the existing right of way. The setback from Bayshore Road is proposed as 50' from the existing Right of Way. This is more consistent with the look and feel of other residences on the island and on these roads. It also allows for this development to be a part of the island as opposed to an enclave within the community. It is our opinion that the request meets the intent of the LDC regulations to an equivalent or greater degree as they relate to this project in this location.

The Applicant appreciates Staff diligence in seeking clarification on Specific Approvals requested as well as the justification necessary to allow the Board of County Commissioners to approve the Specific Approval Request.

If there are any questions or a need for additional information, please feel free to contact us.

Sincerely,  
*Allison-Gause, Inc.*



Robert C. Gause, RLA  
Vice President



Received  
OCT 09 2013  
ZONING

**TRAFFIC IMPACT STATEMENT**

**Tillett Bayou Preserve**

**Application Number: 20130402(1)**

**Prepared By:  
AllisonGause Inc.  
926 Tamiami Trail  
Bradenton, FL 34205**

**October 8, 2013**



M. Andrew Allison

P.E. # 53966

~~9-2-13~~

10-9-13

**Narrative**

Work is to be performed within parcels 2146400052, 2146400102, 2155100109, & 2155800109 totaling approximately 41.50 acres, The project is located in Section 27, Township 33 South, Range 17 East bordering the Tillett Bayou water body. There are various existing local roads that will provide access to the proposed 15 lot single family subdivision, including: Ken Hubbard Road (69<sup>th</sup> St W.), Center Road, Bayshore Drive, and Boyd Lane. However, the nearest concurrency regulated roadway to the site will be from US 19 (Link 3260 from US 41 to I-275). As illustrated by table 1 below, this segment of US 19 does not have any "existing" concurrency issues pertaining to current traffic conditions. The following report will show that the development meets Manatee County criteria for a traffic impact statement and is expected to have minimal impact, in terms of vehicle trips, to the immediate adjacent public roadway network.

**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 (US 19) 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 Standard Service Volume	LOS Standard	Existing LOS
3260	US 19	US 41	I-275	4D	3,390	169.5	D	B

**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 9<sup>th</sup> Edition. The trips generated by this project alone will not exceed the 50 P.M. peak-hour trip threshold.

**TABLE 2**

<b>ITE Code</b>	<b>Land Use Type</b>	<b>Dwelling Units</b>	<b>Time Period</b>	<b>ITE Formula</b>	<b>PM Peak-Hour Trips In</b>	<b>PM Peak-Hour Trip Out</b>	<b>PM Peak-Hour Total Trips</b>
<b>210</b>	<b>Single Family Detached Homes</b>	<b>15 Units</b>	<b>PM Peak</b>	<b><math>\ln(T)=0.90\ln(x)+0.51</math></b>	<b>12</b>	<b>7</b>	<b>19</b>

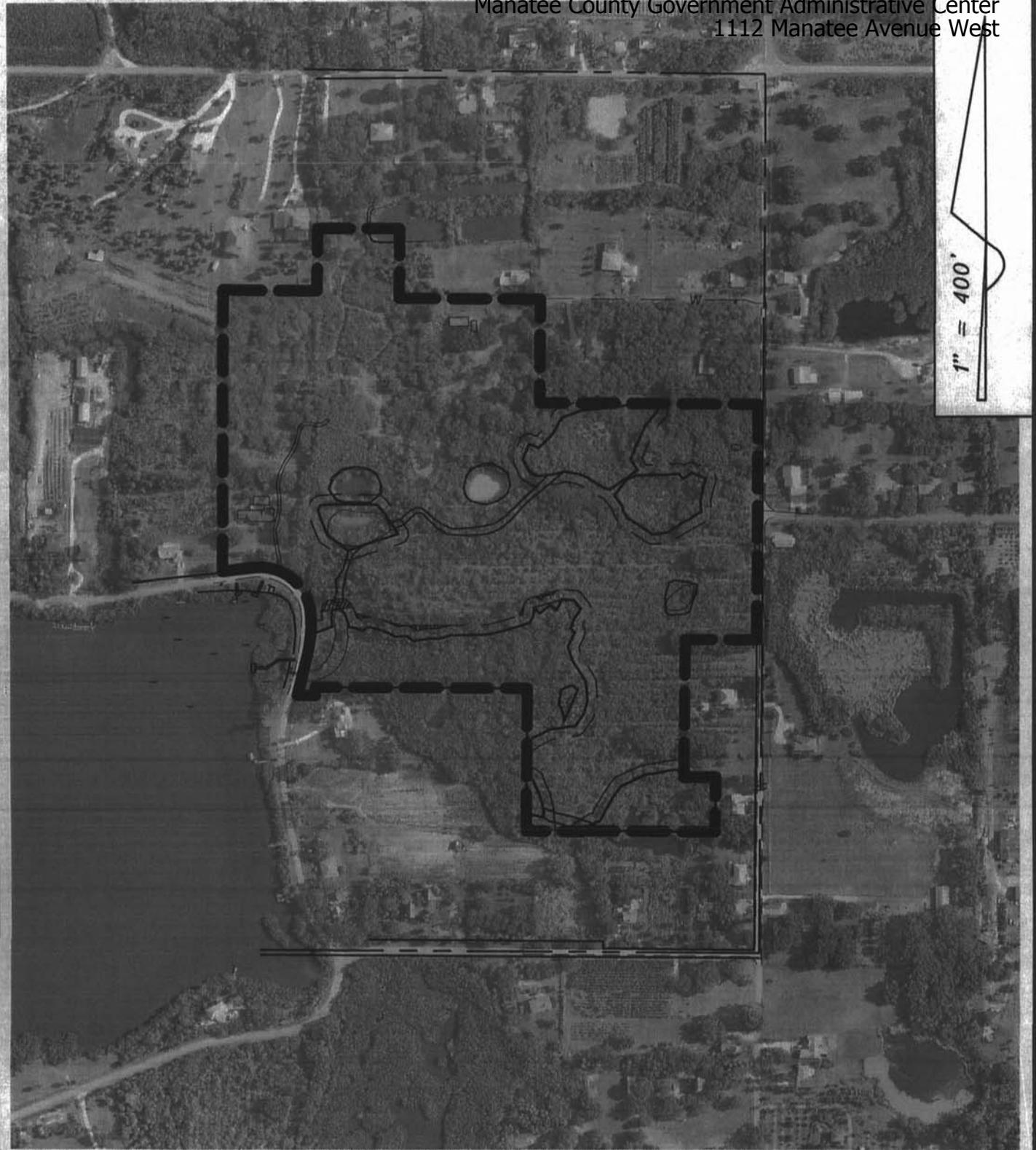
**Criteria 2**

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 19 trips. Based upon the information shown in Table 2, this number does not exceed 5% peak-hour LOS standard service volume of 169.5 as 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, the segment of US 19 from US 41 to I-275 Link Number 3260, 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.

**Appendix A**  
**"Exhibits"**



1" = 400'

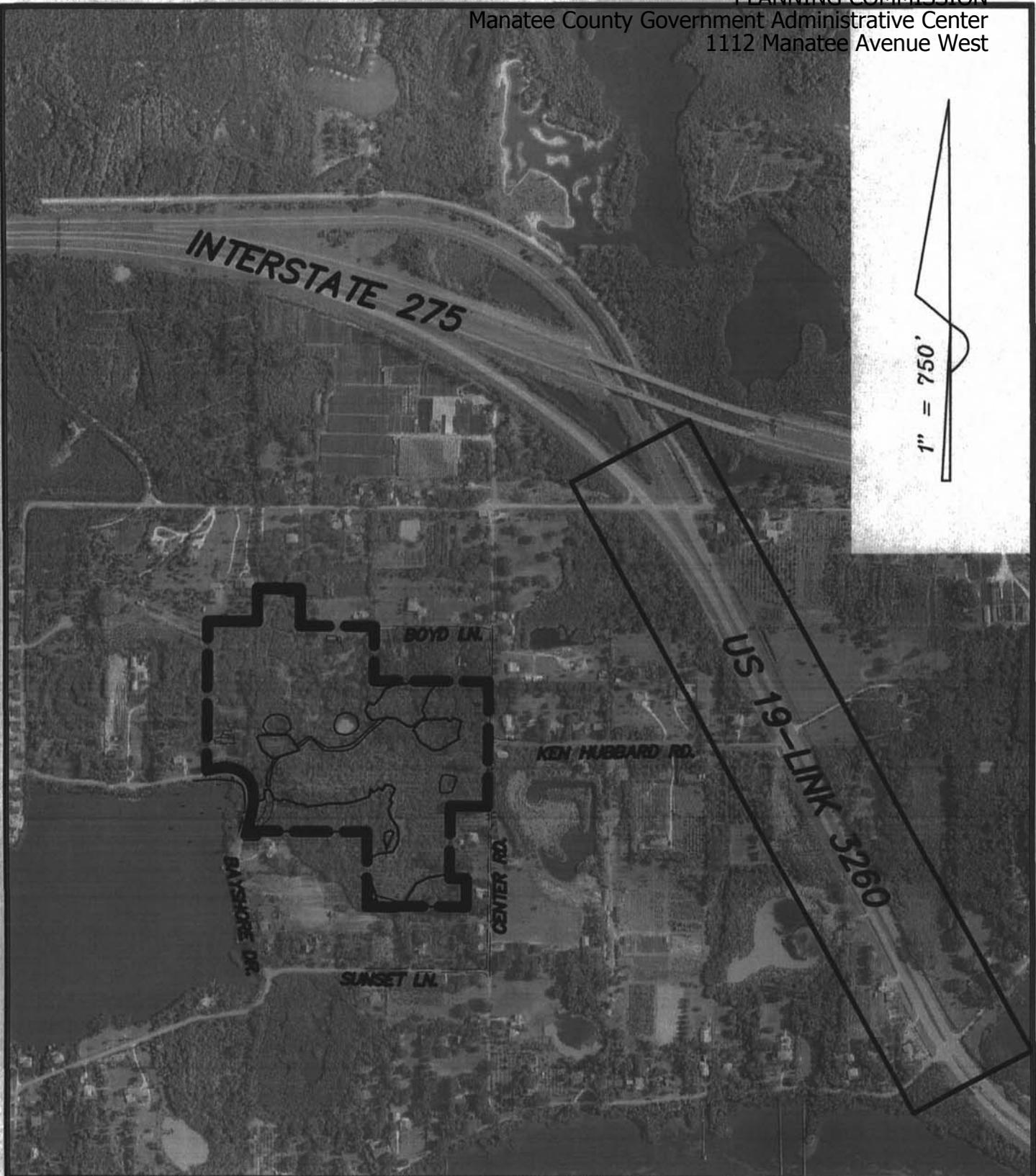
**TILLET BAYOU  
PRESERVE**

LOCATED IN:  
SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST  
MANATEE COUNTY, FLORIDA

**PROJECT AERIAL**



Engineering, Land Planning, Landscape Architectural, Environmental  
Consultants, Consulting Arborists  
200 Leeman Tr., Bradenton, FL 34209 | P. 941.766.8400 | F. 941.766.8400  
CA 39276, LCH0000429



**TILLETT BAYOU  
PRESERVE**

LOCATED IN:  
SECTION 27, TOWNSHIP 33 SOUTH, RANGE 17 EAST  
MANATEE COUNTY, FLORIDA

**PROJECT AERIAL**



Engineering, Land Planning, Landscape Architectural, Environmental  
Consultants, Consulting Arborists  
509 Townsend Tr., Bradenton, FL 34208 | P: 941.708.8400 | F: 941.708.8401  
CA 00275, 07-20080275



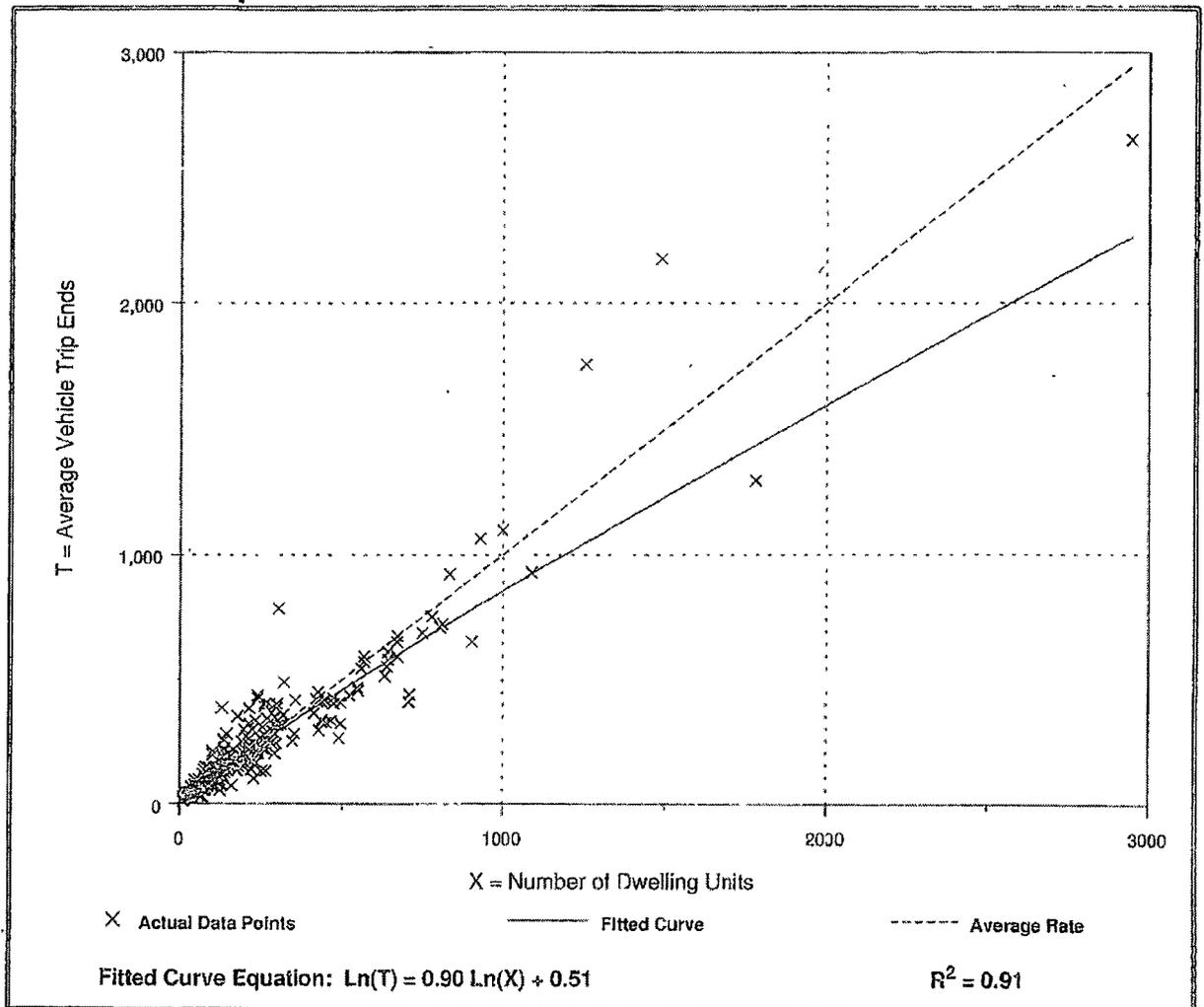
**Average Vehicle Trip Ends vs: Dwelling Units**  
**On a: Weekday,**  
**Peak Hour of Adjacent Street Traffic,**  
**One Hour Between 4 and 6 p.m.**

Number of Studies: 321  
 Avg. Number of Dwelling Units: 207  
 Directional Distribution: 63% entering, 37% exiting

**Trip Generation per Dwelling Unit**

Average Rate	Range of Rates	Standard Deviation
1.00	0.42 - 2.98	1.05

**Data Plot and Equation**



**Copy of newspaper advertising**

**Bradenton Herald**

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION / DTS#20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated

between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRFP) to include a fuel depot facility;

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

The NWRFP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision.

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](mailto: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; TD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS. MANATEE COUNTY PLANNING COMMISSION**  
Manatee County Building and Development Services Department  
Manatee County, Florida  
03/28/2014

**Sarasota Herald - Tribune**

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRFP) to include a fuel depot facility; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

The NWRFP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: [planning.agenda@mymanatee.org](mailto: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; TD 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: March 28, 2014

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION DTS#20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing a legal description, and providing an effective date.



# Allison Gause

Incorporated

December 9, 2013

**Reference: Tillett Bayou Preserve-15 lot subdivision**

To the Residents of Terra Ceia,

In 2009 Manatee County approved "Tillet Bayou Estates," a high density 34-lot development on 44 acres which would expand county sewer service onto Center St. and create new paved public streets. That approval is still valid.

This year the property was sold. The newly proposed "Tillett Bayou Preserve" layout contains 15 large lots. Such low-density is made economically feasible in part by utilizing septic tank systems and other waivers of provisions in the Land Development Code (LDC). We submit that the "Preserve" is more in harmony with established patterns and residents' wishes on Terra Ceia than the currently approved "Estates". Attached is a comparison of the two plans.

The Board of County Commissioners does not approve waivers lightly nor do we expect full staff support. We ask you to sign the petition we have placed at your post office. In addition, we encourage you to call and write letters to County Commissioners and Planning staff explaining your views. To assist you, we have included the contact information for the County Commissioners.

Please note that due to the costs required to extend a forcemain down Ken Hubbard Road, the 34 lot "Estates" project becomes the only feasible development option if the low-density 15 lot "Preserve" request is rejected. Please feel free to contact this office with any comments or questions. The Terra Ceia community vigorously fought the 34 lot "Estate" project. We ask that you now support the reduced density "Preserve" project.

Thank you,

Allison-Gause, Inc.

*Robert C. Gause*

Robert C. Gause, RLA  
Vice President  
Ph. 941.708.5400

*COMMISSIONER BUSTE,*

*WOULDN'T A 15 LOT SUBDIVISION  
THAT MEETS THE CURRENT LDC ALSO  
BE AN OPTION, WHAT KIND OF  
TRICKERY IS THIS?*

Hugh and Christine Holmes, Jr.  
P.O. Box 438  
Terra Ceia, Florida 34250

January 8, 2014

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

Dear Mr Bustle:

My wife, Christine, and I reside at 1655 Center Road, Terra Ceia Island, which is immediately adjacent to the north of the Tillet Bayou Estates project. The project is again before the Manatee County Commission for review and consideration as a revised development plan called Tillet Bayou Preserve.

My grandfather was the founder of Holmes Beach. I resided in Holmes Beach from 1949 (birth year) until we purchased our home here on Terra Ceia Island four years ago. Growing up on Anna Maria Island was wonderful, and it was a great place to live and raise my family. However, that has changed drastically with all the tourist development and basic disregard of permanent residents by greedy developers.

The first house I built on Terra Ceia Island was in 1980. Terra Ceia was then, and still is, a peaceful residential place catering to permanent residents with large yards and fairly rural in nature. Christine and I moved here to get back to old Florida roots, where there are year round residents who take care of each other in a close community atmosphere.

As I understand it, the former Tillet Bayou Estates project went through many discussions before final approval, with concessions by both the county and the residents of Terra Ceia. That project allowed 34 residential homes, but with narrower streets, no curbs, no gutters, and no formal entrance signs or gates, keeping it somewhat rural in nature. Since this was a dense project, it did require the developer to connect to the county sewer system. In connecting to the sewer system, Ken Hubbard Road would have been torn up, sewer lines installed and then re-paved to county specs.

This new proposed plan reduces the number of residential homes to only 15. The lots will be much larger and the project less than half as dense. There will be more open space and more preserve area allocated to wildlife, birds, etc. Since the lots are much larger than previously approved, there will be more than adequate area on the lots to utilize separate septic tanks, preventing the total destruction and rebuilding of Ken Hubbard Road.

The revised project is much, much more in keeping with Terra Ceia Island as it is now and should remain into the future. I am asking you to vote in favor of the new proposed Tillet Bayou Preserve revisions and say "yes" to plans allowing the developer to utilize septic systems on each individual lot.

I came to Terra Ceia Island to live in a natural Florida environment and I do not want to see this special place become another Florida cookie cutter development; please leave it as it is now. Thank you for your time and consideration.

Sincerely,

Hugh G. Holmes, Jr.

Page 120 of 274

Tillet Bayou Preserve  
Hugh Holmes  
to:  
stephanie.moreland  
01/09/2014 10:52 AM  
Show Details

Dear Ms. Moreland:

I am a resident on Terra Ceia Island and want to express my view about the Tillet Bayou Preserve revised proposal.

My wife and I strongly hope you recommend approval of the new project comprised of only 15 lots as opposed to the original 34 lot project.

We also are in favor to allow the project to utilize separate septic tanks for the individual lots as the project will be much less dense than to original project.

I have attached a copy of a letter I sent to all commissioners for your review.

Thank you very much for your time.

Sincerely,

Hugh Holmes, Jr.

Holmes Construction Co. Inc.  
5343 Gulf Drive, #800  
P.O. Box 1537  
Holmes Beach, FL 34218

T: (941) 778-2924

F: (941) 778-7081

[hugh@holmes-construction-co.com](mailto:hugh@holmes-construction-co.com)



CGC012233

<http://www.holmes-construction-co.com>">[www.holmes-construction-co.com](http://www.holmes-construction-co.com)

PLA 12/30/13 RG

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Project: Tillet's Bayou Preserve- 15 lots

To the residents of Terra Ceia Island,

We, the undersigned residents of Terra Ceia Island, support the proposed amendment to the existing approval for the property formally known as the 'Estates on Tillet Bayou' to allow development of 'Tillet Bayou Preserve' proposed to have 15 lots.

NAME	ADDRESS	EMAIL/PHONE#
Beverly Arkitt/David Williams	91 Liles St. Terra Ceia, FL	813-363-5436
late Tom Caplan	K.K. Ogden @ AOL.com	
Don/Sue Carby	115 Bayshore Dr.	
Carl Conroy	440 Horseshoe Loop Rd,	
Tara Anderson Scudder	1561 Center Road	tara.scudder@gmail.com
Randy Scudder	1561 Center Rd	SAM8
Stanley Partridge	2223 Signal Bay Dr	941-721-4494
Norina Williams	1561 Center Rd.	722-3638
Alva Anderson	1561 Center Rd.	722-3638
E Lou Perry	1 Boats Pt Rd	722-7604
Stanley Balsing	1 Boats Point Rd	722-7604
MARY ANN ENGLERT	898 Bayshore DR	722-8064
George Wm Englert	898 Bayshore Dr.	722-8064
Wren Brady	1471 Center Rd	850-258-0384

Project: Tillet's Bayou Preserve- 15 lots

To the residents of Terra Ceia Island,

We, the undersigned residents of Terra Ceia Island, support the proposed amendment to the existing approval for the property formally known as the 'Estates on Tillet Bayou' to allow development of 'Tillet Bayou Preserve' proposed to have 15 lots.

*with the*

NAME	PO Box ADDRESS	EMAIL/PHONE#	729-2328
Janet Thoren	136	JETHOR@TAMPABAY.RR.COM	
Dandra & Steve Jank	40	sjsj@tampabay,rr.com	
MATT MCKEE	388	ICE33_19@YAHOO.COM	
Kandee Steigner	395	ksteigner@yahoo.com	
Casey Ingram III	95	CINGRAM12@TAMPABAY.RR.COM	
Kathy Stasko		KathyStasko@gmail.com	
Mark Wakebe		727 468 9683	
Ren Martino	POB194	Rmartino7ataal.com	
Terry Turber	354	tturber@bestbayreality.com	
Colin R Bayles	724 Bayshore Dr.	rbayles@tampabay,rr.com	
Diane Yarger	POB 143	941-545-5006	
Stephanie Szejda	P.O. Box 213	Szeczix@yahoo.com	
Joseph R. Hony	PO Box 261	1-941-773-9795	
Cynthia Kaleski	BOX 295	Crolensk@gmail.com	
Jami Zonies	PO Box 358	fzonies@yahoo.com	
RICK GIBSON-DEE	PO BOX 244	941-928-0613 RICK@TRIGUNAS.COM	
<del>Julia Appl...</del>	<del>PO Box 189</del>	<del>Julia@JuliaAppl...</del>	
→ Sarah Rusby	PO Box 145	941-729-3961	
George Waller	Box 454	721-1839	
Susan Elliott	133	729-9497	
Brian Elliott	133	729-9497	
Mary Helen Legrande	247	722 5921	
Ernest Krock	132	729 7171	

Picked up: 12/19/13

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Project: Tillet's Bayou Preserve- 15 lots

To the residents of Terra Ceia Island, *Neither one will happen. \$\$\$*

We, the undersigned residents of Terra Ceia Island, support the proposed amendment to the existing approval for the property formally known as the 'Estates on Tillet Bayou' to allow development of 'Tillet Bayou Preserve' proposed to have 15 lots.

NAME	ADDRESS	EMAIL/PHONE#
Thomas Lauritsen	470 Horseshoe Loop Rd	tdlbgl@yahoo.com
Paula Brodeur	728 Bayshore Dr, Terra Ceia	
Jo Lewen	1703 Center Rd, Terra Ceia	34250
EVERETT	905 Bayshore Dr	Terra Ceia 34250
DOUGLAS SHAW	1495 BAYSHORE DR	"
Sandra Milley	282 Bayshore Dr	Terra Ceia 34250
Ken Miller	" " "	" " "
Patty + Tom Greenwood	901 Bayshore Dr, Terra Ceia	34250
Barbara Conner	505 Ken Hubbard Pt. Terra Ceia	34250 frank.barb@verizon.net



Picked up

Project: Tillet's Bayou Preserve- 15 lots

To the residents of Terra Ceia Island,

We, the undersigned residents of Terra Ceia Island, support the proposed amendment to the existing approval for the property formally known as the 'Estates on Tillet Bayou' to allow development of 'Tillet Bayou Preserve' proposed to have 15 lots.

NAME	ADDRESS	EMAIL/PHONE#
Marquerite Bascom	384 Terra Ceia Rd. actual home address	
4615	Dink Rd Sarasota FL 34245	(941) 955-6673 / (941) 713
Larry & Sandra Rhodes	118 Burns Rd	941-721-0288 9133
Mike & Cristina Koufman	1525 Center Rd	Mkoufman@Tapebay.com



Project: Tillet's Bayou Preserve- 15 lots

To the residents of Terra Ceia Island,

We, the undersigned residents of Terra Ceia Island, support the proposed amendment to the existing approval for the property formally known as the 'Estates on Tillet Bayou' to allow development of 'Tillet Bayou Preserve' proposed to have 15 lots.

NAME	ADDRESS	EMAIL/PHONE#
Alicia Sebecher	B1 Burns Rd	737-6456
Joc Dougherty	B1 Burns Rd	812-4083
Kathleen Gibson-Ded	73 Sunset Lane	Kathleen@trigunas.com
Natalia Gibson	73 Sunset Lane	<del>natasha@trigunas.com</del> natasha@trigunas.com
Rick Gibson-Ded	73 SUNSET LANE	RICK@TRIGUNAS.COM
JAMES BRADY	1474 CENTER RD	721-8405



It is not an either-or choice!!

P.V.  
2014.01.03

I don't want either <sup>more</sup> development  
T.C.I.  
Then leave

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Project: Tillet's Bayou Preserve- 15 lots

To the residents of Terra Ceia Island,

DO YOU THINK THEY WILL JUST GO AWAY?

We, the undersigned residents of Terra Ceia Island, support the proposed amendment to the existing approval for the property formally known as the 'Estates on Tillet Bayou' to allow development of 'Tillet Bayou Preserve' proposed to have 15 lots.

NAME ADDRESS EMAIL/PHONE#

NAME	ADDRESS	EMAIL/PHONE#
C. CHAMPAGNE	160 BAYSHORE DR.	SGYVER@GMAIL.COM 722-429
Pat & Kenny Robertson	1100 Bayshore Dr.	723-3331
A. Morrow	768 Bayshore Dr.	723-0772
Cristina Koughan	1525 Center Rd	mkoughan@t-ncbay-nn.c
Paula & Mike Maddox	1274 Bayshore Dr.	723-9983
DR ANGELICA DR HERINGHAUS		DO NOT APPROVE THIS 744-7014

yes - ! I ACCEPT



**Fw: Tillett Bayou Preserve 15 lot subdivision**  
**Stephanie Moreland** to: Bobbi Roy  
Cc: Lisa Barrett

12/19/2013 01:56 PM

Bobbi,  
public comment below

Stephanie Moreland, Principal Planner  
(941) 748-4501 Ext. 3880  
Building and Development Services

----- Forwarded by Stephanie Moreland/MCG on 12/19/2013 01:54 PM -----

From: "Lou Perry" <lperry01@tampabay.rr.com>  
To: <betsy.benac@mymanatee.org>, <carol.whitmore@mymanatee.org>,  
<vanessa.baugh@mymanatee.org>, <robin.disabatino@mymanatee.org>,  
<john.chappie@mymanatee.org>, <michael.gallen@mymanatee.org>,  
<larry.bustle@mymanatee.org>, <stephanie.moreland@mymanatee.org>  
Date: 12/19/2013 01:48 PM  
Subject: Tillett Bayou Preserve 15 lot subdivision

We are asking that you approve the Tillett Bayou Preserve as presented to you.

The 15-lot subdivision is more in keeping with established patterns and residents' wishes and desires than the currently approved "Estates" plan.

We have studied a comparison of the two plans and we find the "Preserve Plan" more in harmony with our island atmosphere and ambiance. As a Terra Ceia resident for most of my life, I feel strongly that the "Preserve Plan" will adjust to our island life style much more effectively than the "Estates" plan.

We thank you for your attention to this matter and to the residents' request. We hope you will approve the new plan.

Sincerely,

E. Lou Perry  
1 Boots Point Road  
PO Box 44

Terra Ceia, FL 34250

941-722-7604

---

This email is free from viruses and malware because [avast! Antivirus](#) protection is active.



**Re: Tillet bayou Preserve**

**Larry Bustle** to: Joy Robertson

12/30/2013 09:07 AM

Sent by: **Marianne Lopata**

Cc: "betsy.benac@mymanatee.org",  
"carol.whitmore@mymanatee.org",  
"john.chappie@mymanatee.org",

History: This message has been forwarded.

Dear Ms. Robertson:

On behalf of the Board of County Commissioners, thank you for your email. Because you have indicated your position on a quasi-judicial land use question that will be considered by the Board at a future public hearing, it is subject to the County's restriction and disclosure requirements for ex-parte communication. Copies of your your comments will be entered into the record for the Board of County Commissioners public hearings for their consideration. Please know that your input is very important to the commissioners and your active participation in the political process is always welcome.

Marianne Lopata  
Executive Administrative Assistant  
Board of County Commissioners  
Phone: (941) 745-3707; Fax: (941) 745-3790  
E-mail: marianne.lopata@mymanatee.org

Joy Robertson      Dear County Commissioners: I am a resident o...      12/29/2013 07:29:27 AM



### Tilley bayou Preserve

**Joy Robertson** to: larry.bustle@mymanatee.org,  
michael.gallen@mymanatee.org,  
john.chappie@mymanatee.org,  
robin.disabatino@mymanatee.org,  
vanessa.baugh@mymanatee.org,  
carol.whitmore@mymanatee.org,  
betsy.benac@mymanatee.org

12/29/2013 07:29 AM

Dear County Commissioners:

I am a resident of Terra Ceia. There was and is a development planned for our island. The original developer ( Tillet Bayou Estates) sought and was approved by the county commissioners a high density development with an LDC. This approval went against the majority of residents wishes.

Since then, the property has been sold to a different developer (Tillet Bayou Preserve) that plans a much less dense development. This is much more in keeping with the density of the island and will be more in preserving our history. It's my understanding the board would need to consider waivers for the current planned an passed usage which is why I'm writing to you. I hope you will think long and hard regarding Tillet Bayou Preserve a much better solution that will keep the integrity of our very special area. It's a winning solution for everyone.

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

If you have not been to Terra Ceia (or not recently) you might consider a Sunday drive to experience the beauty and nature of our island. Then read about the past...with the Indians, the port and the interesting history of Terra Ceia. This area is unique and belongs to Manatee County I hope you'll agree it needs to be preserved as best it can be.

I thank you for your considerations and I wish you a happy 2014!

Sent from my iPad



**Re: Tillett Bayou Preserve 15 lot subdivision** 

**Larry Bustle** to: Lou Perry

12/19/2013 03:55 PM

Sent by: **Yvonne Tryon**

Cc: betsy.benac, carol.whitmore, john.chappie, larry.bustle,  
michael.gallen, robin.disabatino, stephanie.moreland,  
vanessa.baugh, bobbi.roy, debbie.bassett

---

Dear Mr. Perry,

On behalf of the Board of County Commissioners, thank you for your email. Because you have indicated your position on a quasi-judicial land use question that will be considered by the Board at a future public hearing, it is subject to the County's restriction and disclosure requirements for ex-parte communication. Copies of your your comments will be entered into the record for the Board of County Commissioners public hearings for their consideration. Please know that your input is very important to the commissioners and your active participation in the political process is always welcome.

Yvonne C. Tryon, Executive Assistant  
Manatee County Government  
Board of County Commissioners  
1112 Manatee Avenue West, Suite 903  
Post Office Box 1000  
Bradenton, FL 34206-1000  
Telephone: 941-745-3708  
yvonne.tryon@mymanatee.org

**Tillett Bayou Preserve 15 lot subdivision**

**Lou Perry** to betsy.benac, carol.whitmore, vanessa.baugh, robin.disabatino, john.chappie,  
: michael.gallen, larry.bustle, stephanie.moreland

12/19/2013  
01:48 PM

---

We are asking that you approve the Tillett Bayou Preserve as presented to you.

The 15-lot subdivision is more in keeping with established patterns and

residents'  
wishes and desires than the currently approved "Estates" plan.

We have studied a comparison of the two plans and we find the "Preserve Plan" more in harmony with our island atmosphere and ambiance. As a Terra Ceia resident for most of my life, I feel strongly that the "Preserve Plan" will adjust to our island life style much more effectively than the "Estates" plan.

We thank you for your attention to this matter and to the residents' request. We hope you will approve the new plan.

Sincerely,

E. Lou Perry  
1 Boots Point Road  
PO Box 44  
Terra Ceia, FL 34250

941-722-7604

---

This email is free from viruses and malware because [avast! Antivirus](#) protection is active.



**Re: Tillett Bayou Preserve**

**Larry Bustle** to: dollymcpeek

12/30/2013 09:06 AM

Sent by: **Marianne Lopata**

Cc: betsy.benac, carol.whitmore, john.chappie, michael.gallen,  
robin.disabatino, vanessa.baugh, Bobbi Roy, Debbie Bassett

History: This message has been forwarded.

Dear Ms. Maley,

On behalf of the Board of County Commissioners, thank you for your email. Because you have indicated your position on a quasi-judicial land use question that will be considered by the Board at a future public hearing, it is subject to the County's restriction and disclosure requirements for ex-parte communication. Copies of your your comments will be entered into the record for the Board of County Commissioners public hearings for their consideration. Please know that your input is very important to the commissioners and your active participation in the political process is always welcome.

Marianne Lopata  
Executive Administrative Assistant  
Board of County Commissioners  
Phone: (941) 745-3707; Fax: (941) 745-3790  
E-mail: marianne.lopata@mymanatee.org

dollymcpeek

Please register my vote of support for the Tillett...

12/29/2013 11:56:33 AM



### Tillett Bayou Preserve

**dollymcpeek** to: larry.bustle, michael.gallen, john.chappie, robin.disabatino,  
vanessa.baugh, carol.whitmore, betsy.benac,  
stepanie.moreland

12/29/2013 11:56 AM

Please register my vote of support for the Tillett Bayou Preserve Project plan with the 15 restricted lots. There is already too much dense building on Terra Ceia, and that has already damaged so much of the natural setting where there used to be endangered species of birds, snakes such as the Indigo, and even the plant life they need for survival; when I bought my property at 2508 57th St. Ct. W. on old Miller Place back in 1980's, the Island held natural beauty and much undeveloped swamplands; I was told the area was restricted to very little development, but obviously, that has not been the case, as the mangroves were cut, some deep channels of canals were added where million dollar homes and boats could be navigated, etc.

I feel somehow cheated out of the beautiful setting of the "Old Florida" look as old trees were removed and nothing but lawns and naked waterfronts ere created on lots that were never supposed to be "buildable".

If you really want to increase tax revenue, just raise taxes on existing real estate and stop the devaluation of Terra Ceia property that accompanies the dense subdivisions that leave practically no part of the county as nature intended!!!!

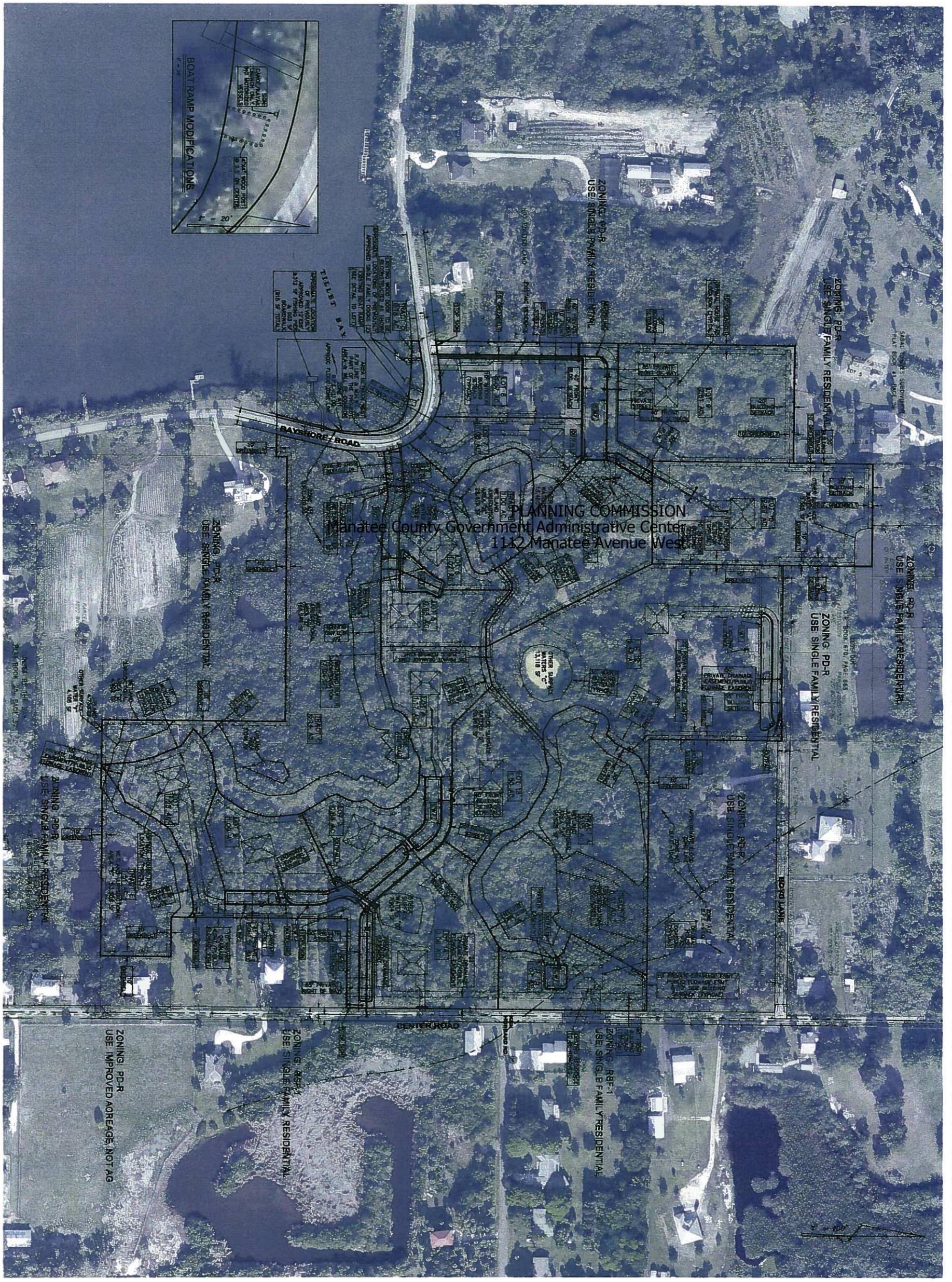
Thanks for any help you can offer,

Dolly Maley  
dollymcpeek@charter.com









**Allison-Gause, Inc.**  
 302 East Shore West Boulevard, Ft.  
 Pierce, FL 34647  
 888.282.2800  
 888.282.2800  
 Engineering, Land Planning  
 Landscape Architectural, Environmental

DESIGNED BY: MAA  
 DATE: 08/13  
 DRAWN BY: BRT  
 JOB NO.: AC1105  
 SCALE: 1" = 100'

REVISIONS:

1	
2	
3	
4	
5	
6	
7	

**TILLET BAYOU PRESERVE**

LOCATED IN:  
 SECTION 27  
 TOWNSHIP 33 SOUTH  
 RANGE 17 EAST  
 TERRA CEIA, FLORIDA

**SITE AERIAL**

**3**

M. Andrew Allison  
 PE#33966





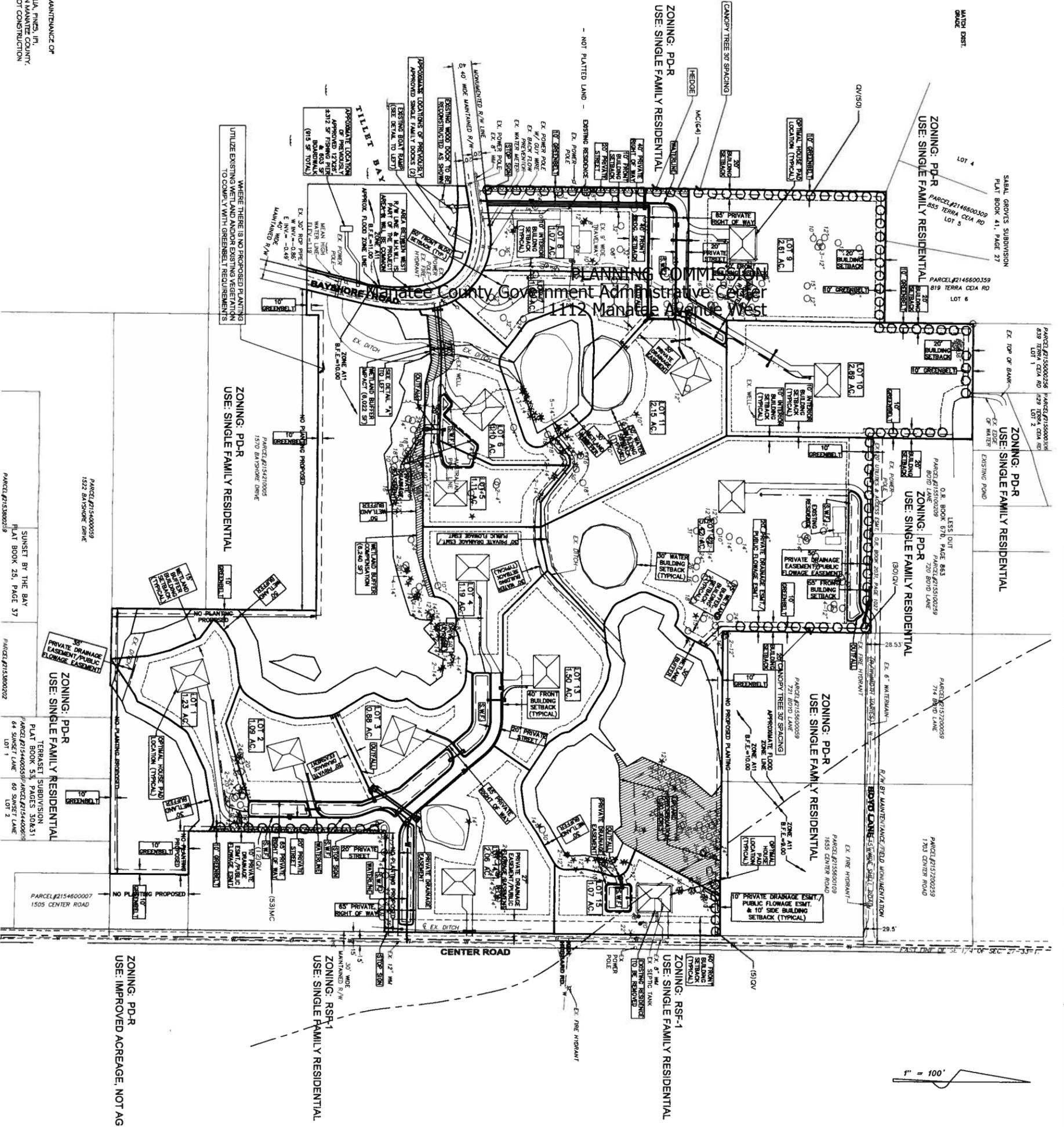
**PLANT SCHEDULE**

TREES	CODE	QTY	COMMON NAME	CONT.	REMARKS
○	OV	97	Canopy Tree	30 gal	OAK, PINE, MAGNOLIA, HOLLY, ELM OR SHRUBBING CANOPY TREE
○	MC	117	Large Shrub	5 gal	Wax Myrtle or similar

**EXISTING TREE LEGEND**

○	Oak
○	Magnolia
○	Holly
○	Elm
○	Shrub
○	Other

PRELIMINARY LANDSCAPE NOTES:  
 - LOT OWNERS ARE RESPONSIBLE FOR IRRIGATION AND MAINTENANCE OF PLANTED GREENBELT  
 - PROPOSED CANOPY TREES MAY UTILIZE OAKS, MAGNOLIA, PINES, JUNOLIA AND OTHER CANOPY TREES COMMONLY USED IN MANATEE COUNTY.  
 - GREENBELTS ARE TO BE PLANTED DURING INDIVIDUAL LOT CONSTRUCTION



1" = 100'

Revised 3/28/14

**TILLETT BAYOU PRESERVE**

LOCATED IN:  
 SECTION 27  
 TOWNSHIP 33 SOUTH  
 RANGE 17 EAST  
 TERRA CEIA, FLORIDA

**PRELIMINARY LANDSCAPE PLAN**  
**LS-1**

Robert C. Gause  
 LA#00942

**Allison-Gause, Inc.**  
 222 East Central Expressway, Suite 100  
 Tallahassee, Florida 32309  
 Phone: 904.433.4444  
 Fax: 904.433.4445  
 Website: www.allison-gause.com

P.C. 4/10/2014

**PDR-06-72(P)(R2) – WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE**  
**SUBDIVISION DTS#20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems;
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Development Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, North County; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

**P.C.: 04/10/2014**

**B.O.C.C.: 05/01/2014**

**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-06-72(P)(R2); amending and restating Ordinance No. PDR-06-72(P); and **APPROVAL** of the Revised Preliminary Site Plan [PDR-06-72(P)(R2)] with stipulations A.1, B.1-B.12, C.1-C.13, D.1–D.5 and E.1-E.3; **GRANTING** Special Approval for a project: 1) adjacent to a perennial stream; 2) in the Coastal Evacuation Area; 3) Coastal High Hazard Overlay District; 4) utilizing septic tank systems in the North County Wastewater Treatment Collection Area; **ADOPTING** the Findings for Specific Approval; and **GRANTING** Specific Approval for an alternative to LDC Sections 603.7.4.1 (buffers), 603.7.4.5 (trees in greenbelt buffers), 715.3.2.c-3 (*residential greenbelts*), 722.1.4.2 (sidewalks), and 740.2.6.18 (Private Streets), as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	<b>PDR-06-72(P)(R2), dts#20130402</b>
<b>PROJECT NAME</b>	<b>Tillett Bayou Preserve</b>
<b>APPLICANT(S):</b>	<b>William Briggs McClatchy</b>
<b>GENERAL LOCATION:</b>	<b>Between Center Road and Bayshore Drive in North County</b>
<b>ACREAGE:</b>	<b>41.61± acres</b>
<b>EXISTING ZONING:</b>	<b>PDR/CH/HA (Planned Development Residential/Coastal High Hazard/ Historical and Archaeological)</b>
<b>FUTURE LAND USE CATEGORY:</b>	<b>RES-1 (Residential, one dwelling unit per acre)</b>
<b>PROPOSED USE(S):</b>	<b>15-lots for single-family detached residences</b>
<b>CASE MANAGER:</b>	<b>Stephanie Moreland</b>
<b>STAFF RECOMMENDATION:</b>	<b>Approval with Stipulations</b>

**The following is a comparison between the proposed Preliminary Site Plan and the previously approved Preliminary Site Plan:**

SFD- single-family detached

<b>Project Design- (Residential)</b>	<b>Proposed Preliminary Site Plan [PDR-06-72(P)(R2)]</b>	<b>Previous Preliminary Site Plans [PDR-06-72(P), approved on 5/12/2009.</b>
Number of Units/lots	<b>15 lots</b> - single-family detached residences and accessory docking facilities	<b>34 lots</b> - single-family detached residences and accessory docking facilities.
Site acreage	41.61± acres	41.61± acres
Lot Size(s)	Range from 0.88± acres to 5.42± acres(excludes wetlands and wetland buffers)	12,008 sq. ft. (0.27± acres) to 34,943 sq. ft.(0.80± acres) excludes conservation areas
Gross Density	0.36 dwelling units per acre	0.84 dwelling units per acre
Net Density	0.54 dwelling units per acre	1.28 dwelling units per acre

Setbacks	Use/Type	Front	Side	Rear		Use/Type	Front	Side	Rear
	SFD	40'	10'	10'		SFD	20'	8'	15'
	Wetland buffer	15'				Wetland buffer	15'		
	Waterfront	30'				Waterfront	30'		
Height	35 feet				35 feet				
Open Space	0.31% or 12.90± acres				29% or 13.95± acres				
Recreation Acreage	0.17± acres				0.90± acres				
Recreation Amenities	Two docks, boat ramp, fishing pier & boardwalk				Park with playground structure, trails, two docks, fishing & observation piers				
Access	<ul style="list-style-type: none"> <li>• <b>Two lots</b> will front on existing Bayshore Drive;</li> <li>• <b>Two lots</b> will front on existing Center Road;</li> <li>• <b>Eleven lots</b> will front either new private roads connecting Bayshore Drive, Center Road, or a driveway to Boyd Lane.</li> </ul>				<ul style="list-style-type: none"> <li>• Entrances off Center Road and Bayshore Drive</li> </ul>				
Special Approvals	<ul style="list-style-type: none"> <li>• Project adjacent to a Perennial Stream</li> <li>• Coastal Evacuation Area</li> <li>• Coastal High Hazard Overlay District</li> <li>• Project utilizing septic tank systems in the Wastewater Treatment Collection Area</li> </ul>				<ul style="list-style-type: none"> <li>• Project adjacent to a Perennial Stream.</li> <li>• Coastal Evacuation Area</li> <li>• Coastal Storm Vulnerability Areas</li> <li>• Coastal Planning Area</li> <li>• Coastal High Hazard Overlay District</li> <li>• Exceeding a net density of one dwelling unit per acre</li> </ul>				
Specific Approvals	<ul style="list-style-type: none"> <li>• LDC Section 603.7.4.1 – elimination of 20' buffer abutting public roads</li> <li>• LDC Section 722.1.4.2 - No sidewalks along local streets</li> <li>• LDC Section 603.7.4.5 – Trees planted every 30' in greenbelt buffers</li> <li>• 715.3.2.c-3 – platting through <i>residential greenbelts</i></li> <li>• 740.2.6.18 reduced road width for private street</li> </ul>				<ul style="list-style-type: none"> <li>• LDC Section 603.7.4.1- elimination of 20' buffer abutting public roads</li> <li>• LDC Section 722.1.4.2 – 5' sidewalk along local streets</li> <li>• LDC Section 907.9.2.4 – Design of local streets</li> <li>• LDC Section 603.7.4.5 – Trees planted every 30' in greenbelt buffers</li> <li>• LDC Section 907.9.3 – R.O.W. for local street</li> </ul>				

Flood Zone (s)	Zone A11 per FIRM Panel 120153 0179C, revised 7/15/92 –Base Flood Elevations of 9', 10', & 11' – <b>New D-FIRMs</b> Zone AE, BFE 8',9' and 10' NAVD 1988 Panel 12081C0154E (3/17/14).	Zone A11 per FIRM Panel 120153 00179 C, revised 7/15/92
Wetland	7.85± acres	7.72± acres
Wetland buffer impact	0.16± acres or 6,852 sq. ft.	0.04± acres
Utility Connections	Individual septic tank systems Central water (existing mains on Center Road and Bayshore Drive).	Private sanitary sewer and potable water distribution systems (12" waterline in Center Road). Sewer service extended from US 19.

**DETAILED DISCUSSION**

History:

In 1991, parts of Terra Ceia were rezoned from RSF-1 to PDR (PDR-91-08) to acknowledge lots less than 30,000 sq. ft. At that time, a minimum 6,000 square foot lot size was established.

In 2008, the Board of County Commissioners approved Ordinance PDR-06-72 but no action on the proposed 37 lots was taken. Instead, the Ordinance included a series of stipulations for future submittal of the Preliminary Site Plan relative to project design requiring substantial site plan modifications & reduction in project density and fewer lots with an average lot size of one acre.

On May 12, 2009, a Preliminary Site Plan [PDR-06-72(P)] was approved by the Board of County Commissioners for 34 lots for single-family residences and docking facilities.

On June, 2009, there was a request [PDR-06-72(P)(R)] to amend stipulations to delete the access from the project site onto Bayshore Drive. The motion for this request failed and stipulations from PDR-06-72(P) remained unchanged.

Request:

The current request to revise the approved Preliminary Site Plan decreases the total number of lots from 34 to 15 for single-family detached residences; retains the proposal for docking facilities; realigns interior roadways within the subdivision and designates internal roads as private streets; modifies the overall gross density from 0.84 dwelling units per acre to 0.36 dwelling units per acre; changes the previously proposed sanitary service from sewer to septic tank systems; and extends the expiration date for two years, from May 12, 2014 to May 12, 2016.

The 2020 Manatee County Comprehensive Plan currently designates the 41.61± acre site as RES-1/HR/CEA/CHHA (Residential-one dwelling unit per acre/Historical Resources/Coastal

Evacuation Area/Coastal High Hazard Area) on the Future Land Use Map. Suburban or urban residential uses are listed in the range of potential uses for consideration (Policy 2.2.1.9.2).

There are two existing residences on the site. A Certificate of Appropriateness (HPB/COA-14-01) for removal or alteration of one of the existing structures in the HA (Historical and Archaeological) Overlay District is being reviewed by planning staff. There are no known historic resources on the site. The archaeological survey identified one archaeological site (8MA1453) within the boundaries of the project area. According to the survey, the site was not considered regionally or locally significant and is ineligible for listing in the NRHP (National Registry of Historic Places).

The site lies in Zone A11 with Base Flood Elevations of 9', 10' and 11' NGVD 1929 per FIRM Panel 120153 0179C, revised 7/15/92. The only change with new D-FIRMs is the zone which is now called AE and Base Flood Elevations will be 8', 9', and 10' NAVD 1988, Panel 12081C0154E, effective 3/17/14.

The site is within the Coastal Planning Area (CPA), Coastal Evacuation Areas (CEA) and Coastal High Hazard Area (CHHA). The representative tracts of native upland communities on-site are not being preserved in open space. Special Approval is required for a project in CEA and CHHA.

The Hurricane Evacuation Plan was previously approved by Manatee County Public Safety Department. Staff recommends the Plan be updated prior to Final Site Plan approval.

The site is in the North County Wastewater Treatment Collection Area. The current request proposes to change from sanitary sewer (previously approved) for 34 lots to individual septic tank systems for 15 lots. There are no wastewater facilities immediately adjacent to the site. The nearest facility is on the east side of U.S. 19 at Terra Ceia Road, approximately 2,300 feet from the project via public roadways.

The applicant is requesting Special Approval for the alternative use of individual septic tanks for sewage disposal. The total cost to utilize septic tank systems is estimated to be \$150,000.00. The cost to connect to the existing county wastewater collection system is approximately \$439,670.00. Special Approval for the installation of any new septic systems within the proposed development requires approval by the Board of County Commissioners or connection to the County sewer must be utilized (Policy 9.2.1.2). The analysis for Special Approval is included further in the staff report.

Each residence septic tank system in the proposed subdivision will be reviewed on a case by case basis. In this way, the Department of Health (DOH)-Manatee ensures that the systems are designed, constructed and installed in compliance with State regulations.

The proposed design indicates proposed lot sizes ranging from 0.88± acres to 5.42± acres. The site is zoned PDR (PDR-91-06). The proposed lot sizes are consistent with the minimum lot size (6,000 sq. ft.) previously established for this part of Terra Ceia.

Two lots have frontage and access on Bayshore Drive. Two lots have frontage and access on Center Road. The remaining lots will front and have access to newly created private roadways connecting Bayshore Drive, and Center Road. Lot 12 will utilize an existing access easement connecting Boyd Lane.

The applicant requests extending the PSP two years, expiring May 12, 2016. According to LDC Section 508.8.2, Preliminary Site Plans may be extended two years beyond the original expiration date. Board approval is required to allow extension of the Preliminary Site Plan.

Staff have the following concerns:

- Parks & Natural Resources Department (PNRD) staff has an environmental issue relative to nitrogen loading with the proposal. Tillett Bayou Preserve project is adjacent to lower Tampa Bay and is subject to the conditions associated with the federal EPA Total Maximum Daily Load (TMDL) for Tampa Bay and its watershed. It is also adjacent to the Tillett Bayou, an Outstanding Florida Water (OFW).
- To develop a comprehensive baywide nitrogen management strategy, the Tampa Bay Nitrogen Management Consortium (TBNMC) was formed in 1996 and developed an Action Plan to implement the Tampa Bay “hold-the-line” nitrogen target loads from the 1992-1994 time periods.
- To meet the nitrogen target loads into the future, allocations were assigned to all TBNMC members (including Manatee County). It was determined that future growth will require projects and/or transfers to offset any nitrogen increases.
- In order to be consistent with this goal, the Tillett Bayou Preserve development should be required to ensure that its post-development nitrogen loads from all sources (i.e. septic systems, landscaping, stormwater, etc.) do not exceed its pre-development loads. If not, the developer could propose to provide the offsets.

Staff supports the Specific Approval requests for elimination of the 20’ buffer abutting Center Road and Bayshore Drive, reduced road width for a private street, elimination of the required 10-foot wide perimeter buffers in areas where there are wetlands or wetland buffers, platting through the greenbelts, and elimination of sidewalks.

Staff recommends approval subject to the recommended stipulations.

<b>SURROUNDING USES &amp; ZONING</b>	
<b>NORTH and SOUTH</b>	<b>Single-family residences zoned PDR</b>
<b>EAST</b>	<b>Single-family residences and a Church zoned RSF-1 (Residential Single-Family, one dwelling unit per acre) and PDR</b>

<b>WEST</b>	<b>Single-family residences zoned PDR. Across Bayshore Drive is Tillett Bay</b>			
<b>ENVIRONMENTAL INFORMATION</b>				
<b>Overall Wetland Acreage:</b>	<b>7.85 ± acres of wetlands</b>			
<b>Proposed Impact Acreage:</b>	<b>0.16± acres</b>			
<b>NEARBY DEVELOPMENT</b>				
<b>Project</b>	<b>Lots/units</b>	<b>Density</b>	<b>Minimum Lot/Unit size</b>	<b>Approved</b>
Terraset Subdivision	2	0.94 du/acre	38,916 sq. ft.	2007
Bayside Subdivision	8	0.87 du/acre	20,065 sq. ft.	2004
Blue Heron	12	0.96 du/acre	8,400 sq. ft.	1993
Sabal Groves	6	0.53 du/acre	71,249 sq. ft.	2003
Live Oaks	3	0.75 du/acre	54,450 sq. ft.	1992
<b>POSITIVE ASPECTS</b>				
<ul style="list-style-type: none"> <li>• Consistency with the existing rural character of Terra Ceia is maintained with reduced roadway widths and no sidewalks.</li> <li>• Density proposed is less than maximum potential density proposed in RSF-1.</li> <li>• Density is being reduced in the Coastal Planning Area.</li> </ul>				
<b>NEGATIVE ASPECTS</b>				
<ul style="list-style-type: none"> <li>• Sanitary sewer will not be extended to site.</li> <li>• The site is in the Coastal Evacuation Area, and Coastal High Hazard Area.</li> </ul>				
<b>MITIGATING MEASURES</b>				
<ul style="list-style-type: none"> <li>• Special Approval is required to utilize septic tank systems and not connect to sewer in the Wastewater Treatment Collection Area.</li> <li>• A Hurricane Evacuation Plan has been previously approved by Manatee County Public Safety Department and is required to be updated prior to Final Site Plan approval.</li> </ul>				

### STAFF RECOMMENDED STIPULATIONS

**Original Stipulations (approved 5/12/09) with revisions in strike through and underline format.**

#### **A. DRAINAGE STIPULATIONS:**

1. ~~All internal streets shall be constructed to be above the 100 year design storm elevation based upon rainfall. The design elevation must be approved by the Public Works Department.~~
2. ~~The Finished Floor elevation for all structures shall be a minimum of 1' above the Base Floor elevation (BFE) on FEMA FIRM Map elevation.~~
3. ~~Existing storage volume in existing wetlands and drainage ditches that are proposed to be permanently impacted shall be compensated with equal or greater volume in the proposed stormwater retention pond.~~
4. ~~Routing and modeling of the existing conditions shall be provided with the Drainage Model and Construction Plan for all natural drainage systems within and surrounding this project taking into consideration all wetland storage and ground depressions.~~
5. ~~The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.~~
6. 1. ~~The final design for the site is required to provide 150% water quality treatment for Terra Ceia Aquatic Preserve, an Outstanding Florida Water.~~
7. 2. ~~Prior to Final Plat approval, the existing culvert under Bayshore Drive shall be replaced, as approved by the Public Works Department.~~  
  
~~(This stipulation is to address a specific design requirement)~~
8. 3. ~~All lots shall be graded at a minimum to provide positive drainage to the internal drainage system designed to provide equivalent treatment for Terra Ceia Aquatic Preserve.~~
9. 4. ~~The habitable structures shall drain into the internal drainage system by a single or combination of means including grading, yard drainage inlets, roof gutters, and swales.~~

#### **B. PLANNING STIPULATIONS:**

1. ~~The applicant shall contribute the cost of a 5' concrete sidewalk (measured along the~~

~~Bayshore Drive and Center Road frontages of this site) to the sidewalk fund. The money collected shall be used on Terra Ceia Island or within a two mile radius of Palm View Elementary School for pedestrian or bicycling improvements. If the money has not been used within 60 months of its contribution, then the Applicant or its successors in interest shall have the right to request and receive a refund of the contribution.~~

- ~~2.~~ 1. Prior to the issuance of Building Permits for any new docks approved with this project, the applicant shall obtain approval of a Certificate of Appropriateness from the Historic Preservation Board, pursuant to Section 514.2.2 of the LDC.
- ~~3.~~ 2. If, prior to FSP approval, the applicant desires to remove the 1926 house that fronts on Center Road, the applicant shall obtain approval of a Certificate of Appropriateness from the Historic Preservation Board, pursuant to Section 514.2.2 of the LDC.
- ~~4.~~ 3. Canopy trees, spaced 30 feet apart, shall be planted within the buffer on the north side of Wetland D in lieu of required tree planting in the adjacent greenbelt buffer.
- ~~5.~~ 4. No lot shall be platted through any post-development wetlands, wetland buffers, upland preservation areas, submerged lands, ~~greenbelt buffer~~, or between Bayshore Drive and Tillette Bayou. These areas shall be designated as conservation or common open spaces on all future site plans and plat submittals.
- ~~6.~~ 5. Residences on Lots ~~12 and 13~~ 7 & 8 shall be oriented with their front facades facing Bayshore Drive. Accessory uses, such as pools shall not be on the side of the residence that faces Bayshore Drive.
- ~~7.~~ All pedestrian trails shall have a 5 foot wide paved surfaces except in instances where the trail is located within required wetland buffers. Trail construction within the wetland buffers shall be consistent with Section 719 of the LDC.
- ~~8.~~ 6. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions and in a separate addendum to the sales contract and in the Final Site Plan and shall include language informing prospective homeowners of the following:
  - a. The Hurricane Evacuation Plan is shall be updated and approved by the Public Safety Department for this project prior to Final Site Plan approval. The applicant and their heirs, assigns, or transferees are hereby notified that a payment of an impact fee for emergency shelter facilities shall be required if such impact fee is adopted by the Board of County Commissioners.
  - b. The homes are in a flood prone area and within the Coastal High Hazard Overlay Area, and Coastal Evacuation Area and ~~Coastal Storm Vulnerability Area.~~

- c. The use of special assessments within the CH Overlay to recoup expenditures for repair of storm related damage to public and private infrastructure within a reasonable time may occur.
  - d. A hazard disclosure statement generally describing the property's relative probability of damage from floodwaters and undermining or erosion due to wave action. This disclosure shall also list potential mitigation.
  - e. Mangrove trimming or cutting is prohibited throughout the project except for those mangroves located between Bayshore Drive and Tillette Bayou, in an area bounded on the west by the project boundary and on the south at a point ten feet south of the community pier. Mangrove trimming within this area shall be conducted by a professional mangrove trimmer and in accordance with the Mangrove Trimming and Preservation Act, ~~Section 403.9326~~, Fla. Stat., etseq. and other regulatory requirements.
  - f. All landscaping within the boundaries of the project, including individual lots, shall be in accordance with the Florida Friendly Yards and Neighborhoods Program.
  - g. Lots containing a 10' greenbelt buffer are responsible for the maintenance of the greenbelt buffer including irrigation and mowing. Trees located within the greenbelt buffer may not be removed without a Tree Removal Permit approved by the County. Trees that die within the greenbelt buffer shall be replaced within 30 days with a 2.5" caliper canopy tree. Alternate species may be utilized with County approval. A Landscape Easement shall be provided over the area of the required 10' Greenbelt Buffer at the time of Final Plat.
  - g- h. No motorized boats may be moored at the fishing pier.
9. 7. The discovery of any significant historical or archaeological resources shall be reported to the Florida Division of Historical Resources and the disposition of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County in accordance with Rule Chapter 9J-2FAC. Archaeological test excavations by a professional archaeologist shall be conducted on each such building site to provide sufficient data to make a determination of significance prior to the commencement of ground-disturbing activities at the site. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource-disturbing activities are allowed to continue.

~~10. Prior to submittal of the Final Site Plan and Construction Drawing approval for the sewer line along Terra Ceia and Center Roads, short interval archaeological test excavations by a professional archaeologist shall be conducted to provide sufficient data to make a determination of significance. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. Based on these findings, the county may require that the sewer extension be relocated to U.S. 19 and Ken Hubbard Road.~~

~~Throughout construction, the appropriate treatment (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) of discovered archaeological resources must be completed before resource-disturbing activities are allowed to continue.~~

~~If the sewer extension is permitted to run down Center Road, the line shall be located to avoid impacts to trees.~~

41. 8. The use of potable water for irrigation is not permitted.

42. 9. The maximum number of lots shall be ~~34~~ 15.

43. ~~Prior to Final Plat approval, the existing shell surface (about 16-18 feet in width) on Ken Hubbard Road between U.S. 19 and Center Road shall be paved. The County shall determine whether speed tables or other traffic calming devices are required on Ken Hubbard Road prior to paving.~~

44. ~~Construction traffic from the project site shall not utilize Ken Hubbard Road until this road is paved. Signs to this effect shall be posted at Ken Hubbard Road on U.S. 19. The developer shall include these provisions in all construction contracts.~~

45. ~~The front yard setback from Bayshore Drive shall be 50 feet.~~

46. 10. All home construction shall use stem walls and footers or similar methods to meet Finished Floor elevation requirements. No fill dirt shall be used to elevate the lots to meet Finished Floor elevation requirements.

47. 11. Building setbacks shall be ~~25~~ 40' front, 10' side, and 20' rear except as otherwise shown on the Preliminary Site Plan.

48. ~~The greenbelt shall be increased from 15 to 30 feet behind Lots 4-12.~~

49. ~~The following plantings are required in the 30 foot greenbelt buffer:~~

(a) ~~Canopy trees. Three (3) canopy trees per one hundred (100) linear feet of buffer, or fraction thereof, whichever occurs first, which meet the following minimum standards:~~

- ~~(i) Three inch caliper as measured six (6) inches from the base of the tree;~~
  - ~~(ii) Twelve (12) feet in height;~~
  - ~~(iii) Five (5) feet spread.~~
  - ~~(b) Understory evergreen trees. Four (4) understory evergreen trees per 100 linear feet of buffer, or fraction thereof, which meet the following minimum standards:~~
    - ~~(i) Two-inch caliper as measured six (6) inches from the base of the tree;~~
    - ~~(ii) Six (6) feet in height;~~
    - ~~(iii) Three (3) feet spread.~~
  - ~~(c) Evergreen shrubs. Thirty-three (33) evergreen shrubs per one hundred (100) linear feet of buffer, or fraction thereof, which meet the following minimum standards:~~
    - ~~(i) Thirty (30) inches in height. Buffers shall be planted in an informal, staggered manner. Buffers shall be entirely planted prior to the first Final Plat approval.~~

~~This greenbelt buffers shall be planted in an informal, staggered arrangement and shall be completed prior to first Final Plat approval.~~

~~The buffer shall provide eighty-five (85) percent opacity to a height of six (6) feet within three (3) years from the date of the first Final Plat.~~
- ~~20. The entrance street on Bayshore Drive shall be redesigned as an undivided road and shifted southward to the greatest extent possible while maintaining consistency with other county regulations in order to provide sufficient space to preserve the 37" oak tree shown adjacent to the west bound travel lane of this entrance street. This shall be shown and approved with the Final Site Plan.~~
- ~~21. Lots 1 and 2 and Lake "E" shall be designed for purposes of protecting existing trees as follows:~~
- ~~a. The greenbelt on the south side of Lot 1 shall be increased from 15 to 30 feet.~~
  - ~~b. Lot 2 and Lake E shall be reconfigured to preserve the cluster of trees shown to straddle Lot 2 and Pond E. These trees shall be in an area designated as common open space.~~
- ~~These modifications shall result in the loss of either Lots 1 and 22 on the east side of Street "D".~~

~~22. 12.~~ To retain the rural character of Terra Ceia, a subdivision entrance sign is not permitted.

~~23. Specific Approval for Section 603.7.4.5 for planting of trees in the greenbelt shall apply only to segments of buffers that are entirely wetlands and Lots 12, 13, and 35.~~

~~24. Prior to Final Plat approval, the house that straddles Lots 13 and 14 shall be removed.~~

~~25. The 20' buffer along Center Road, exclusive of the areas granted Specific Approval, shall include the following minimum landscaping per 100 linear feet or fraction thereof:~~

~~a. Two canopy trees (three inch caliper, twelve feet high),~~

~~b. Two evergreen understory trees (two inch caliper, six feet high), and~~

~~c. 33 evergreen shrubs (three gallons).~~

~~The buffer shall be planted in an informal, staggered arrangement to provide a natural appearance.~~

~~26. The roads in the Estates on Tillett Bayou shall not be gated.~~

### **C. ENVIRONMENTAL STIPULATIONS**

~~1. A copy of the approved Environmental resource Permit (ERP of the Southwest Florida Water Management District [SWFWMD]) shall be submitted to the Planning Department for review prior to Final Site Plan approval.~~

~~2. 1.~~ The Final Site Plan shall be designed to show a 50' wetland buffer adjacent to Wetland C.

~~3. 2.~~ Mangroves trimming shall be conducted in accordance with Section Stipulation B.8.6.e. above within this project. Language shall be incorporated into the required Conservation Easements, Homeowners Association documents, and Notice to Buyers. The Specific language shall be reviewed by the Planning Department Environmental Planning Division with the Final Site Plan.

~~4. 3.~~ Two boat docks and one fishing/observation pier are approved as depicted on the Preliminary Site Plan and exhibits presented in the prior public hearings, subject to receiving all applicable Federal and State permits. Boats shall be limited in size and draft not to exceed -18 inches at this location. No motorized boats may be moored at the fishing pier.

~~5. The Final Site Plan shall identify wildlife connections between preservation areas severed by roadway construction. Oversized culverts, rumble strips, or wildlife crossing signage may be required for wildlife connections and shall be approved with the Final Site Plan.~~

- ~~6. The project shall be designed so that no temporary wetland buffer impacts, other than those allowed by Section 719.11.1.2 of the LDC, are required in areas that contain native desirable vegetation. This shall be reviewed and approved with Final Site Plan.~~
7. 4. 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.
8. 5. Existing native vegetation within any required landscape buffer shall be preserved to the greatest extent possible. Conflicts with utilities, including overhead lines within any proposed landscape buffer containing desirable native vegetation shall be avoided.
9. 6. A minimum of 1.5 acres of Upland Preservation shall be provided and approved with on the Final Site Plan. Upland preservation areas shall be located within common open spaces of the subdivision.
- ~~10.~~ 7. All proposed mulch nature trails, board walks, and shade structures in wetland buffers and areas where native vegetation is to remain shall be designed in a manner that minimizes impacts to trees or areas of significant vegetation and in accordance with Section 719 of the LDC.
- ~~11.~~ 8. Tree barricades for trees to be preserved, including those specifically identified on the Preliminary Site Plan within individual lots, shall be located at the drip line, unless approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. 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 Planning Department.
- ~~12. The proposed Plant Materials Schedule shown on the Preliminary Site Plan contains several species which may not be appropriate as proposed for various reasons. Specific tree and shrub varieties shall be reviewed and approved with the Final Site Plan/Construction Plans.~~
- ~~13.~~ 9. The existing boat ramp proposed waterfront structures are only intended for canoes and kayaks. shall be modified to permit canoe and kayak access. ~~The Preliminary Final Site Plan shall provide details on the limitation of this area to motorized vessels.~~
- ~~14.~~ 10. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the Erosion Sediment and Control Plan information on the Final Site Plan in accordance with Section 519 of the LDC.

~~15-11.~~ 11. A Well Management Plan for the proper protection and abandonment of existing wells shall be submitted 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.

~~16-12.~~ 12. All landscaping within the boundaries of the project, including individual lots, shall be in accordance with the Florida Friendly Yards & Neighborhoods Program. In addition to this being included in the Homeowners Association and Notice to Buyer documents, the developer shall disseminate program information to individual lot owners.

13. Lots containing a 10' greenbelt buffer are responsible for the maintenance of the greenbelt buffer including irrigation and mowing. Trees located within the greenbelt buffer may not be removed without a Tree Removal Permit approved by the County. Trees that die within the greenbelt buffer shall be replaced within 30 days with a 2.5" caliper canopy tree. Alternate species may be utilized with County approval.

#### **D. Environmental Health**

1. Abandoned septic tanks shall be pumped out, bottoms ruptured, and filled with clean sand or other suitable material. A permit is required from FL Department of Health unless work is approved by County Public Works. Abandonment permit information can be obtained by calling 941-748-0747, x1340.
2. Size, type and location of septic system shall be based on a site evaluation and plan review conducted by this department, a Certified OSTDS Professional or a Florida Registered Professional Engineer. Call FL Department of Health, Environmental Health Services at (941) 748-0747, 1340 for permitting information.
3. 75 feet separation is required between private potable well and septic system.
4. 75 feet separation is required between septic system and surface waters
5. 15 feet separation is required between septic system and storm swale.

As per Florida Statute 381.0065(4) (b) Subdivisions and lots using a public water system as defined in s. 403.852 may use onsite sewage treatment and disposal systems, provided there are no more than four lots per acre, provided the projected daily sewage flow does not exceed an average of 2,500 gallons per acre per day, and

provided that all distance and setback, soil condition, water table elevation, and other related requirements that are generally applicable to the use of onsite sewage treatment and disposal systems are met.

**E. Utilities**

1. The location of the potable water facilities are considered to be conceptual. The location and size of the potable water facilities shall be determined at the time of Final Site Plan/Construction Plan review process.
  
2. The majority of this project is within the Coastal High Hazard Area. Thus, in accordance the Objective 4.3.2 of the Comprehensive Plan all new on site potable water facilities shall be privately owned and maintained. Therefore, unless this development is proposing to be master metered, in ground potable water meters for each dwelling unit shall be located in the existing public right-of-way at the property line.
  
3. It shall be the responsibility of the engineer of record to determine that the existing potable water distribution system is sufficient for any proposed fire protection improvements. If it is determined that the existing potable water distribution system does not have an adequate supply of water at the required pressure, then the developer shall provide any necessary system upgrades.

**REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED**

None.

**COMPLIANCE WITH LDC**

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
20' wide roadway buffers	No buffers		N	Specific approval requested
10' wide perimeter buffers	10'		N	Shown on lots
<b>SIDEWALKS</b>				
5' internal sidewalks both sides			N	Specific approval recommended by staff to eliminate sidewalks

<b>ROADS &amp; RIGHTS-OF-WAY</b>				
<b>50' R/W for private roads and 24' pavement widths.</b>	<b>65' &amp; 40' R/W and 20' pavement width</b>	<b>Y (pavement width ok)</b>	<b>N</b>	<b>Specific Approval requested for reduced right-of-way width</b>

<b>COMPLIANCE WITH THE LAND DEVELOPMENT CODE</b> <b>Factors for Reviewing Proposed Site Plans (Section 508.6)</b>
--

**Physical Characteristics:**

The site is on the west side of Center Road and east side of Bayshore Drive. There are 7.85± acres of wetlands. Approximately 0.16± acres of wetlands will be impacted to provide access.

There are no known historical resources on the site. The archaeological survey identified one archaeological site (8MA1453) within the boundaries of the project area. According to the survey, the site was not considered regionally or locally significant and is ineligible for listing in the NRHP (National Registry of Historic Places).

**Relation to Public Utilities, Facilities and Services:**

Potable water will be provided from an existing twelve (12) inch water main on Center Road and an eight (8) inch water main on Bayshore Drive.

The site is in the North County Wastewater Treatment Collection Area. Policy 9.2.1.2 of the Manatee County Comprehensive Plan requires “all wastewater from any project located within the wastewater treatment collection area as shown on Potable Water/Waste Water Service Area map, to be collected and treated through Manatee County’s public sanitary sewer system, except as allowed by special approval which must demonstrate a hardship”. The analysis is included in the Special Approval Section of the staff report.

**Access, Streets, Drives, Parking and Service Areas:**

The design shows three proposed private roads and an existing access easement for ingress and egress to the lots: One private road is designed to connect to Center Road, to serve five lots. Center Road is paved and has 30 feet of right-of-way.

The other two private roads are designed to connect to Bayshore Drive to serve five lots (5 & 6 and 9, 10, & 11). Bayshore Drive is paved and is 40 feet wide.

An existing access easement connects Boyd Lane and serves one lot. Boyd Lane is an unpaved shell road, 29.5 feet wide.

Because the remaining four lots have frontage on Center Road or Bayshore Drive, they will have direct access from the road providing frontage.

The proposed project will not adversely affect traffic patterns, congestion, population density, or development intensity.

**Pedestrian Systems:**

To maintain the historic rural village character already existing in Terra Ceia, the applicant proposes a sidewalk deferral. Staff recommends Specific Approval for the elimination of sidewalks.

**Design Quality:**

The revised design shows a reduction in the number of lots from 34 to 15. The minimum lot area is 0.88± acres. Building setbacks are shown in the chart below or except as otherwise shown on the Preliminary Site Plan.

<b>Setbacks</b>			
<b>Use/Type</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>
Single-family detached	40'	10'	20'
Wetland buffer	15'		
Waterfront	30'		

**Density:**

The density was reduced from 0.84 dwelling units per acre to 0.36 dwelling units per acre. The reduced density of 0.36 dwelling units per acre is below and consistent with the maximum potential density for the RES-1 Future Land Use Category and the PDR zoning district.

**Height:**

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

**Fences and Screening:**

No fences are proposed for screening. A 10-foot wide perimeter buffer is proposed along the boundaries of the site within the platted lots.

**Trash and Utility Plant Screens:**

Single-family units will be served by individual can pick-up. Screening will be provided with all common trash containers and will be reviewed with the Final Site Plan.

**Signs:**

To retain the rural character of Terra Ceia, staff recommends no subdivision entrance sign.

**Landscaping:**

The applicant requests Specific Approval for the elimination of the required 20-foot wide roadway buffers adjacent to Center Road and Bayshore Drive. Specific Approval is also requested for elimination of the required 10-foot wide perimeter buffers in areas where there are wetlands or wetland buffers and for platting through greenbelt buffers.

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

**The site is in the RES-1 Future Land Use Category. This project was specifically reviewed for compliance with the following policies:**

**Policy 2.1.2.7 Appropriate Timing.** The site is in an area which is transitioning from agriculture to residential and mixed use properties. The timing is appropriate given development trends in the area.

**Policy 2.2.1.9.1 Intent.** The use is consistent with the intent of the RES-1 FLUC which provides for residential uses.

**Policy 2.2.1.9.2 Range of Potential Uses includes;** Suburban or urban residential uses, neighborhood retail uses, short term agricultural uses, agriculturally-compatible residential uses, farmworker housing, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses.

**Policy 2.6.1.1 Compatibility.** The Preliminary Site Plan design is compatible with surrounding development because the uses proposed, lot sizes, and setbacks are comparable with surrounding development. Appropriate buffers are provided for compatibility and transition between existing developments.

**Policy 2.6.2.7 Require Clustering to Limit Impacts and Policy 2.6.5.5 Preserve/Protect Open Space.** The site plan shows 0.31% or 12.90± acres of open space to be provided. 25% (10.37± acres) open space is required.

**TRANSPORTATION**

**Major Transportation Facilities**

The site will have access to U.S. 19, a four-lane arterial roadway.

**Transportation Concurrency**

Transportation concurrency was evaluated as part of the review of this project. The applicant prepared a Traffic Impact Statement (TIS) to determine impacts to the segment of U.S. 19 adjacent to the project site. The results of the traffic study, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segment is expected to operate above the adopted level of service (LOS) D performance standard with project-related traffic and with no off-site concurrency-related improvements being required for the project (see Certificate of Level of Service Compliance table below).

**Access**

In conjunction with transportation concurrency, a review of access issues was undertaken by County staff. As a result of a conversation with staff at the DRC meeting on January 15, 2014, the applicant shall include a note on the approved site plan that states that “all minimum distances for driveways from intersections and all minimum distances between driveways shall comply with Section 711 of the Manatee County Land Development Code”.

**CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE**

**TRANSPORTATION CONCURRENCY**

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

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	IMPROVEMENTS REQUIRED Y/N
U.S.19	3260	D	N

**In summary, the results of the TIA review identified no off-site concurrency or site related improvements are required.**

Solid waste landfill capacity, park’s 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 APPROVALS – 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.

Special Approval is required for:

- 1) A project adjacent to a perennial stream; Tillett Bay and Tampa Bay. Stormwater management systems which discharge directly into an Outstanding Florida Water (OFW) or Aquatic Preserve are required to provide a minimum of 150% treatment. The storm water management system is designed to accommodate runoff from the site into the proposed retention ponds and treatment swales.
- 2) A site in the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA). The representative tracts of native upland communities on-site are not being preserved in open space.

A Hurricane Evacuation Plan is required for projects in the Coastal Evacuation Area. The Hurricane Evacuation Plan was previously approved by Manatee County Public Safety Department. Staff recommends the Plan be updated prior to Final Site Plan approval.

- 3) The utilization of septic tank systems in the North County Wastewater Treatment Collection Area. The current request proposes to change from sanitary sewer (previously approved) for 34 lots to individual septic tank systems for 15 lots. There are no wastewater facilities immediately adjacent to the site. The nearest facility is on the east side of U.S. 19 at Terra Ceia Road, approximately 2,300 feet from the project via public roadways. The following factors are required to be considered by the Board of County Commissioners (Policies 9.2.1.2 and LDC Section 722.1.8.1.3):

- **Proposed Wastewater Impact:** According to Project Management, it is estimated that 1475 gallons of waste (285 Gallons per home) will be produced from this 15-lot single-family residential development.
- **Accessibility of the Central System:** The site is within the North County Wastewater Treatment Plant's service area (2020 Manatee County Comprehensive Plan Wastewater Treatment Collection Area Map). The following are approximate distances to connection points:
  - The nearest sanitary sewer is a 6" force main on the east side of US 19 at Terra Ceia Road, approximately 2,300' from the project via public roadways.

According to the Manatee County Public Works Department, the cost to connect to public sewer is approximately \$439,670.00. The Florida Department of Health indicates a cost of \$10,000.00 for each septic tank system. The applicant estimates a total cost of \$150,000.00 for connection of 15 individual septic tank systems.

LDC Section 722.1.8.1.3, requires the installation of dry-lines to readily permit connection to the public sanitary sewer system. Dry-lines will not be required for this development because the proposal of 0.36 dwelling units per acre is less than the required one or greater dwelling units per acre.

- **Proposed Infrastructure Improvements:** Currently Center Road and Bayshore Drive are paved public roadways. Boyd Lane is an unpaved public shell road.
- **Environmental sensitivity:** Tillett Bayou Preserve project is located adjacent to lower Tampa Bay and is therefore subject to the conditions associated with the federal EPA Total Maximum Daily Load (TMDL) for Tampa Bay and its watershed. It is also adjacent to Tillett Bayou, an Outstanding Florida Water (OFW) body.

In an effort to develop a comprehensive baywide nitrogen management strategy, the Tampa Bay Nitrogen Management Consortium (TBNMC) was formed in 1996 and developed an Action Plan to implement the Tampa Bay “hold-the-line” nitrogen target loads from the 1992-1994 time period.

In order to meet the nitrogen target loads into the future, allocations were assigned to all TBNMC members (including Manatee County) and it was determined that future growth will require projects and/or transfers to offset any nitrogen increases. In order to be consistent with this goal, the Tillett Bayou Preserve development should be required to ensure that its post-development nitrogen loads from all sources (i.e. septic systems, landscaping, stormwater, etc.) do not exceed its pre-development loads. If not, the developer could be proposed to provide the offsets.

- **Compatibility of Development:** The site is on the west side of Center Road and east side of Bayshore Drive. Manatee County Comprehensive Plan designates this site as RES-1/HR/CEA/CHHA (Residential – one dwelling unit per acre/Historical Resources/Coastal Evacuation Area/Coastal High Hazard Area) on the Future Land Use Map. The RES-1 FLUC lists suburban or urban residential uses in the range of potential uses for consideration.

The site is zoned PDR. The surrounding area is comprised mostly of single-family residences and residential support uses (church, community center and post office). The utilization of 15 individual septic tank systems is consistent with the surrounding single-family homes and other developments in Terra Ceia. For example, Blue Herron Subdivision received approval for septic tank systems for 12 single-family lots. The timing of the request is appropriate and consistent with development trends in the area of Terra Ceia.

- **Proposed Mitigation Measures:** The State of Florida has enacted regulations pertaining to Onsite Sewage Treatment and Disposal Systems (OSTDS) (septics) as a measure to protect public health and to protect ground and surface water.

The Florida Department of Health in Manatee County (DOH-Manatee) issues the OSTDS construction permits. Construction permits are only issued when the applicant meets the regulations in place, which include the provided setbacks from drinking water wells, water lines, and surface water; the drainfield must meet strict size and placement requirements with regards to the Estimated Wet Season Water Table (which is calculated by DOH-Manatee).

Each residence system in the proposed subdivision will be reviewed on a case by case basis. In this way, DOH-Manatee ensures that the systems are designed, constructed and installed in compliance with state regulations.

- **Telecommunication Facilities:** Not applicable.
- **Location in Areas Subject to Flooding:** The site lies in Zone A11 with Base Flood Elevations of 9', 10' and 11' NGVD 1929 per FIRM Panel 120153 0179C, revised 7/15/92. The only change with the new D-FIRMs is the zone is now called AE and Base Flood Elevations will be 8', 9', and 10' NAVD 1988, Panel 12081C0154E, effective 3/17/14. These Flood Categories are due to storm surge effect and not related to fresh water flooding. The storm water management system is designed to accommodate runoff from the site into the proposed retention ponds and treatment swales.

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**

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**

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

**1. Request:**

LDC Section 603.7.4.1, requires a buffer of a minimum of twenty (20) feet wide to be provided along district boundaries which abut and run parallel to any public road in the PDR District. The applicant requests elimination of the buffer along Center Road and Bayshore Drive.

**Staff Analysis and Recommendation:**

Staff supports this request. According to the design, Lots 14 and 15 will have access and frontage along Center Road. Lots 7 and 8 will have access and frontage along Bayshore Drive. The elimination of the buffers in these areas blends well with the existing character of the island and should not cause any adverse impacts that would alter the existing unique character of the area.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 603.7.4.1, the Board finds the intent of the regulation is satisfied because this design is consistent with the character of Terra Ceia Island.

**2. Request:**

LDC Section 722.1.4.2 requires five-foot wide sidewalks along the north and west sides of all new or existing public streets contiguous to or within the development. The applicant requests a deferral of sidewalks which could add sidewalks to the area at a later time. Staff requests the elimination of sidewalks to be consistent with development trends in Terra Ceia.

**Staff Analysis and Recommendation:**

Staff requests the elimination of sidewalks to maintain the unique character of Terra Ceia Island. In the past, the Terra Ceia residents have indicated a desire to retain this character which minimizes impervious surfaces. The established trend for the island is to have no sidewalks.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 722.1.4.2, the Board finds the intent of the regulation is satisfied because this design is consistent with the character of Terra Ceia Island.

**3. Request:**

LDC Section 740.2.6.18 requires minimum street width to be fifty (50) feet. The applicant requests a minimum street width of 40 feet for a segment of the roadway adjacent to Lot 8.

**Staff Analysis and Recommendation:**

The design shows the reduced roadway width is adjacent to the west side of Lot 8 which has an existing residence. Because of the location of the existing residence and to maintain adequate setbacks for Lot 8, there is insufficient land area to provide a 50-foot wide roadway. A 40-foot wide roadway is proposed for the segment of road adjacent to the residence. The northern segment of the road increases to a 65-foot right-of-way width. Staff supports the request and believes the private road provides safe and adequate ingress and egress to Lots 9, 10, and 11.

**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 the intent of the regulation is satisfied because the design allows for adequate setbacks for the existing residence and safe and adequate ingress and egress for the proposed lots.

**4. Request:**

LDC Section 603.7.4.5 requires trees to be planted 30 feet on center in the perimeter greenbelt. The applicant requests no trees to be planted along the southern and part of the northern boundaries of the site.

**Staff Analysis and Recommendation:**

Except for a small area of upland (4,730 sq. ft.), most of the southern perimeters of the site are occupied by wetlands and wetland buffers. The northern perimeters of Lot 15 and a part of Lot 12 are also occupied by wetland and an upland preservation area.

To avoid impacts to these areas, staff agrees that planting of trees should not occur within the perimeters of lots affected by a wetland or wetland buffer.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 603.7.4.5, the Board finds the intent of the regulation is satisfied because the design provides for preservation of wetlands and wetland buffers.

**5. Request:**

LDC Section 715.3.2.c-3 requires that greenbelt buffers not be included within the boundaries of single family lots. The applicant has requested specific approval to allow the greenbelt buffers to be included within the boundaries of the proposed single family lots so that the project better fits the existing character of Terra Ceia.

**Staff Analysis and Recommendation:**

Staff is in support of the request for Specific Approval for an alternative to Section 715.3.2.c-3 of the LDC to allow the greenbelt buffers to be located within the boundaries of the proposed single-family lots.

Granting of the Specific Approval will reduce the requirement for installation of infrastructure (irrigation) and maintenance of small common areas that would not otherwise be required for this subdivision. Given the low number of lots proposed and the configuration of lots, access for maintenance of irrigation and mowing to the 10' greenbelt would be difficult.

Staff recommends a Development Order condition and the Notice to Buyers contain language notifying future residents of the existence of greenbelt trees, the requirement for maintenance, and that trees may not be removed without a Tree Removal Permit from the County. Additionally, a Landscape Easement will be provided over the area of the required 10' Greenbelt Buffer at the time of Final Plat.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.2.c-3, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree, as the proposal is consistent with the existing character of Terra Ceia.

**ATTACHMENTS**

- 1. Applicable Comprehensive Plan Policies**
- 2. Request for Specific Approval**
- 3. Traffic Impact Statement**
- 4. Copy of Newspaper Advertising**
- 5. Public Comment**

### 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: 2.1.2.4

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

Policy: 2.1.2.7

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

- consideration of existing development patterns,
- types of land uses,
- transition between land uses,
- density and intensity of land uses,
- natural features,
- approved development in the area,
- availability of adequate roadways,
- adequate centralized water and sewer facilities, other necessary infrastructure and services.
- limiting urban sprawl
- applicable specific area plans
- (See also policies under Objs. 2.6.1 - 2.6.3)

Policy: 2.2.1.9

**RES-1:** Establish the Residential-1 Dwelling Unit/Gross Acre future land use category as follows:

Policy: 2.2.1.9.1

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 suburban residential environment, or a clustered low density urban residential environment where appropriate, and which may be utilized for compatible agricultural activities in the short-term, while recognizing that suburban or clustered urban uses are the preferred long-term land use for these areas. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these suburban or urban areas.

Policy: 2.2.1.9.2

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, 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: 2.2.1.9.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:

1 dwelling unit per acre

Maximum Net Residential Density:

2 dwelling units per acre

or

6 dwelling units per acres (see 2.2.1.9.4(b) and (c) for explanation)

Maximum Floor Area Ratio:

0.23 (0.35 for mini-warehouse uses only)

Maximum Square Footage for Neighborhood

Retail Uses: Medium (150,000sf)

Policy: 2.2.1.9.4

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) Maximum net residential density within areas which are predominantly developed at a net residential

density of 2 du/ga or less, or where existing development has not utilized "clustering" to achieve a net density which is significantly greater than gross density, shall be limited to a 2 dwelling units/acre on any part, or all, of a proposed project.

- c) Maximum net residential density within areas which are generally undeveloped, or which have experienced development which has predominantly utilized "clustering" to achieve net densities which are significantly greater than gross densities of the same projects(s), shall be limited to 6 dwelling units per acre on any part, or all of any proposed project. Net densities greater than 6 dwelling units per net acre may be considered within the WO (Evers) or CHHA Overlay Districts, pursuant to policies 2.3.1.5 and 4.3.1.5, to maximize protection of natural resources and to maximize reserved open space.
- d) Any project containing any net density in excess of 1 dwelling unit per acre shall require special approval.
- e) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.

Policy: 2.2.2.4

**CEA:** Establish the Coastal Evacuation Area Overlay District as follows:

Policy: 2.2.2.4.1

Definition: The geographic area which lies within the evacuation area for a Category 1 hurricane as established by the Manatee County Emergency Management Division of the Public Safety Department in conjunction with the Tampa Bay Regional Planning Council, as updated on a periodic basis.

Policy: 2.2.2.4.2

Purpose:

- a) To limit population in the Category 1 hurricane evacuation area requiring evacuation during storm events.
- b) To limit the amount of infrastructure, both private and public, within the CEA Overlay District and thereby limit magnitude of public loss and involvement in mitigating for loss of private infrastructure to Manatee County residents.

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

Policy: 2.2.2.4.3

Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the CEA Overlay District are contained under Objectives 4.3.1, 4.3.2, 4.4.2 and 4.4.3 of the Coastal Management Element.

Compliance with all goals, objectives, and policies listed in this subsection, and with other applicable goals, objectives, policies, and development regulations is required for all activity within the CEA Overlay District.

Policy: 2.2.2.4.4

Effect of Mapping:

- a) Any project which is at least partially within the CEA Overlay District shall be submitted for approval under the special approval process, except in the instance of any project on lands owned, leased or operated by the Manatee County Port Authority. The area designated under the CEA Overlay District on the Future Land Use Map shall also be subject to all goals, objectives and policies for any future land use category overlaid by the CEA District, except where policies associated with the CEA Overlay conflict with such goals, objectives and policies. In this event, policies associated with the CEA Overlay shall override other goals, objectives and policies.

Policy: 2.2.2.4.5

Development Restrictions/conditions

- a) Prohibit any amendment to the Future Land Use Map which would result in an increase in allowable residential density on sites within the Coastal Evacuation Area.

Policy: 2.6.1.1

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: 2.9.1.4

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: 2.9.4.4	<p>Protect natural waterfront vistas as a defining characteristic of Manatee County. Protection measures may include, but not be limited to the following:</p> <ul style="list-style-type: none"><li>- increased waterfront setbacks and buffers,</li><li>- additional plantings of native vegetation,</li><li>- maintaining conservation areas in public or joint ownership arrangements,</li><li>- provisions for joint boat docking facilities,</li><li>- limitations on height and size of structures.</li></ul> <p>(Refer to Obj. 4.1.2 and associated policies)</p>
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]
Policy: 3.2.3.2	Require all water used for irrigation in new development to be the lowest quality of available water which adequately and safely meets their water use needs by requiring stormwater reuse, alternative irrigation sources, reclaimed water use, and gray water irrigation systems. Priority <b>to receive reclaimed water</b> shall be given to users who transfer groundwater withdrawal or other permitted quantities to Manatee County. Potable water from County utilities shall not be utilized for landscape irrigation. [See Policies 9.6.1.3, and policies under Objective 9.1.5]

Policy: 3.2.3.3	Require the use of native xeric plants in post-development landscaping. [See Policies 3.3.2.2 and 3.2.3.4]
Policy: 3.2.3.4	Develop incentives to promote the use of the Florida Yards and Neighborhoods Program when landscaping is required in development projects.
Policy: 3.3.1.1	Prohibit removal, alteration, or encroachment within wetlands except in cases where no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrate the necessity of the proposed impact. [See policy 4.1.2.2 of the Coastal Management Element for coastal wetlands.]
Policy: 3.3.1.3	<p>When development related impacts are unavoidable (see policy 3.3.1.1), require that all development-related impacts to wetlands be mitigated.</p> <ol style="list-style-type: none"><li>(1) When mitigation is required by the State, the type and quantity of mitigation shall be determined by the Uniform Wetland Mitigation Assessment Method (UMAM) as outlined in Chapter 62-345 F.A.C., as amended.</li><li>(2) In those instances where wetland mitigation is not required by the State wetland mitigation shall be provided in accordance with Subparagraphs (a) through (d) below. The type of wetland mitigation or combination thereof as described in subparagraphs (a) through (d) below shall be determined by the County based on site conditions. The order of preference considered by the County shall be as follows:<ol style="list-style-type: none"><li>(a) <b><u>Wetland Enhancement/Restoration:</u></b> Five acres of enhanced or restored on site wetlands shall be provided for every one acre of wetland to be impacted.</li><li>(b) <b><u>Upland Preservation:</u></b> In the event there is inability to create viable wetland enhancement/restoration on the site, five acres of native upland habitat shall be preserved for every one acre of wetland to be impacted. Preserved uplands utilized for wetland</li></ol></li></ol>

mitigation shall be on site of the proposed development and shall be in excess of the requirement of Policy 3.3.2.2

(c) **Payment in Lieu of Mitigation:** In lieu of the mitigation requirements in subparagraphs (a) and (b) above, the County may collect a mitigation fee. The fee charged shall be based on the acreage of impact and shall be an amount sufficient to achieve full and complete compensation for the impact.

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

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

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

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

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)

Policy: 3.3.1.6

Under limited circumstances a variable width wetland buffer may be approved. These circumstances shall be:

- (a) Where site specific conditions and physical constraints, which are not self-created, do not allow the application of a uniform-width wetland buffer.

To ensure protection of the wetland resources on the site:

- (1) the reduction in the buffer width shall be minimized to the greatest extent practicable, and
- (2) wetland quality and function shall be maintained or enhanced, and
- (3) the variable width buffer shall not be narrower than the DEP and SWFWMD standards for Environmental Resource Permitting as outlined in Chapter 40D-4 and 62-330, F.A.C, and
- (4) total land area encompassed by the variable width buffer shall, at a minimum, equal in area and type that would otherwise have been encompassed by a uniform width buffer configured parallel to the wetland.

Policy: 4.1.2.1

Require developments within the Coastal Planning Area to preserve representative tracts of native upland communities. [See policies under objective 3.3.2]

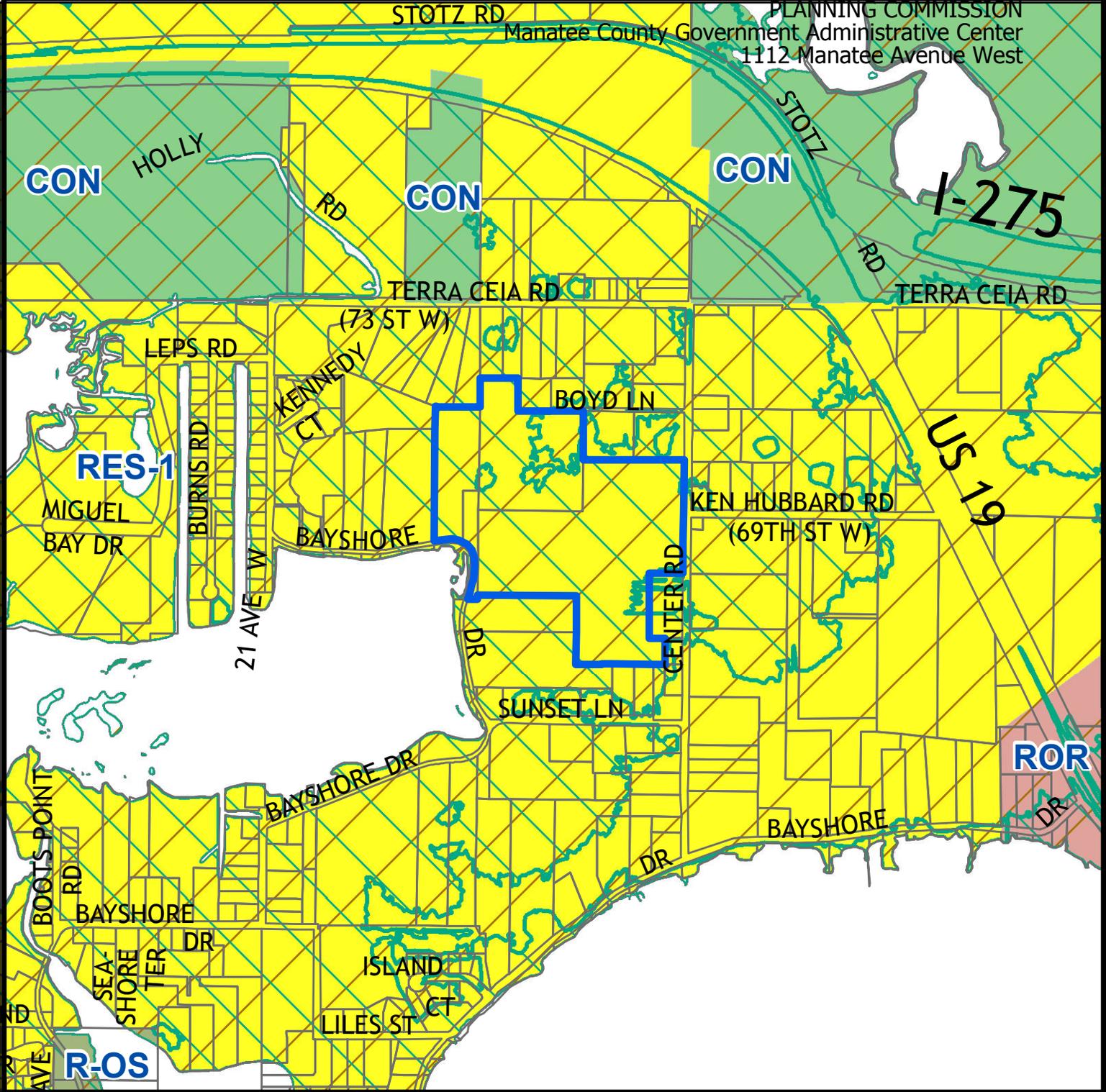
Policy: 4.1.2.2	Prohibit the alteration of coastal wetland habitat except for:  <ol style="list-style-type: none"><li>1) instances of proposed water-dependent uses;</li><li>2) cases of overriding public interest, such as natural resource restoration activities, the location of public access facilities for public recreational facilities, or deep water port facilities; or</li><li>3) when necessary to avoid the taking of private property.</li></ol>
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.
Policy: 4.1.3.2	Require that all proposed development adjacent to the boundaries of the Terra Ceia Aquatic Preserve ensure that no significant degradation of water quality, shoreline or estuarine habitat occurs either attributable to the development alone or in combination with other developments.
Policy: 4.2.1.1	Shoreline uses shall be prioritized according to the following list. Uses are prioritized in descending order with most preferable uses listed first and least preferable uses listed last.  <ol style="list-style-type: none"><li>1) Water dependent conservation uses such as fish, shellfish, and marine resource production, natural coastal habitat protection, shoreline stabilization, compatible passive recreational facilities and projects that enhance public safety and water dependent industrial uses associated with port facilities;</li><li>2) Water-related uses such as certain utilities, commercial, and industrial uses;</li><li>3) Water-enhanced uses such as certain recreation and commercial uses;</li><li>4) Non-water dependent and non-water enhanced uses which result in an irretrievable commitment of coastal resources.</li></ol>
Policy: 4.2.1.3	Prohibit the siting of new wastewater treatment plants within the Coastal Planning Area and ensure that expansion of existing facilities will not degrade water quality in coastal

	receiving waters.
Policy: 4.2.1.4	Establish buffer zones from all state designated Aquatic Preserves and Outstanding Florida Waters.
Policy: 4.3.1.1	Direct population concentrations away from the Coastal Evacuation Area (CEA).
Policy: 4.3.1.5	Maximize the clustering of uses in the Coastal High Hazard Area.  <ol style="list-style-type: none"><li>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.</li><li>2) Net density limits may be waived for appropriate clustered projects.</li><li>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]</li></ol>
Policy: 4.3.2.1	Limit the placement of County-funded infrastructure within the Coastal Planning Area which exceeds the demands generated by approved development except to provide for hurricane evacuation needs and as allowed in policy 4.3.2.2.
Policy: 4.3.2.2	Prohibit the construction of County-funded public facilities within the CHHA except for the following:  <ul style="list-style-type: none"><li>- public recreation consistent with natural resource preservation;</li><li>- maintenance of hurricane evacuation times;</li><li>- facilities which are necessary for public health, safety, or resource restoration;</li><li>- roadways shown on the Future Traffic Circulation Map or the Major Thoroughfare Map contained in the Traffic Circulation Element of the Comprehensive Plan;</li><li>- improvements required to maintain Level of Service</li></ul>

	standards;
	<ul style="list-style-type: none"><li>- Port facilities consistent with the Port Manatee Master Plan and this Comprehensive Plan;</li><li>- projects which are of an overriding public interest as determined by the Board of County Commissioners.</li></ul>
Policy: 4.3.2.3	Prohibit Manatee County from accepting responsibility for maintaining new roadways within the CHHA except for those which are consistent with policies 4.4.2.1 and 4.3.2.4.
Policy: 4.4.1.1	Develop and implement provisions for increasing the rate of evacuee mobilization, in coordination with other local governments within Manatee County and other adjacent counties.
Policy: 4.4.1.2	Maintain adequate capacity on all identified major evacuation routes.
Policy: 4.4.2.2	Require new development in the Coastal Planning Area to provide hurricane evacuation plans for the project in coordination with the County's Emergency Management Division, and require the implementation of such plans with funding for such planning and implementation provided by the developers of the project or their successors.
Policy: 4.4.2.3	Minimize the location of development within areas of the CEA which have sustained recurring hurricane related damage.
Policy: 4.4.2.5	Minimize the disturbance of natural shoreline resources that provide shoreline stabilization and protect landward areas from the effects of storm events.
Policy: 9.2.1.2	Require all wastewater from any project located within the wastewater treatment collection area as shown on Potable Water/Waste Water Service Area map, to be collected and treated through Manatee County's public sanitary sewer system, except as allowed by special approval which must demonstrate a hardship. Special approval under this policy shall include analysis of the following factors; <ul style="list-style-type: none"><li>- Proposed wastewater impacts,</li><li>- Accessibility of the central system,</li></ul>

- Proposed infrastructure improvements,
- Environmental sensitivity,
- Development trends and timing,
- Compatibility of development, and
- Proposed mitigation measures.

# FUTURE LAND USE



PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

Parcel ID #(s) 2155100109,2155800109,2146400052,2146400102

Manatee County  
Staff Report Map  
Map Prepared 11/13/2013  
1 inch = 868 feet

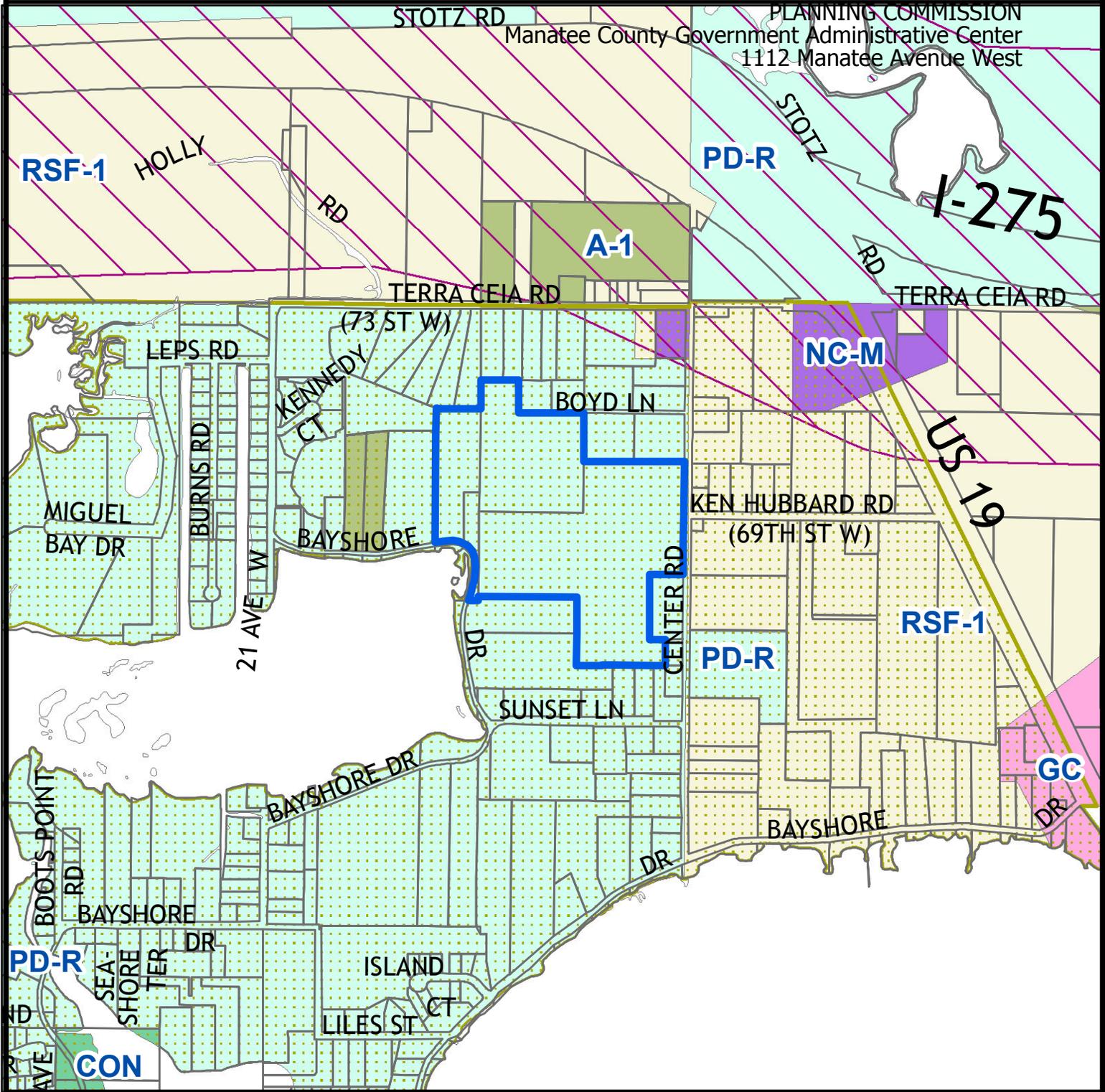
Project Name: Tillett Bayou Preserve  
Project #: PDR-06-72 (P)(R)  
DTS#: 20130402  
Proposed Use: Residential

 CHHA 2012  
 Coastal Evacuation Area

S/T/R: Sec 26,27 Twn 33 Rng 17  
Acreage: 41.61  
Existing Zoning: PD-R  
Existing FLU: RES-1  
Overlays: HA  
Special Areas: NONE

Page 184 of 274  
CHH: Y  
Watershed: NONE  
Drainage Basin: TERRA CEIA BAY  
Commissioner: Larry Bustle

# ZONING



Parcel ID #(s) 2155100109,2155800109,2146400052,2146400102

Manatee County  
Staff Report Map  
Map Prepared 11/13/2013  
1 inch = 868 feet

Project Name: Tillett Bayou Preserve  
Project #: PDR-06-72 (P)(R)  
DTS#: 20130402  
Proposed Use: Residential

 Historical/Archaeological

S/T/R: Sec 26,27 Twn 33 Rng 17  
Acreage: 41.61  
Existing Zoning: PD-R  
Existing FLU: RES-1  
Overlays: HA  
Special Areas: NONE

CHH: Y  
Watershed: NONE  
Drainage Basin: TERRA CEIA BAY  
Commissioner: Larry Bustle

# AERIAL

STOTZ RD

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

HOLLY RD

STOTZ RD

I-275

TERRA CEIA RD

TERRA CEIA RD

(73 ST W)

LEPS RD

KENNEDY CT

BOYD LN

MIGUEL BAY DR

BURNS RD

21 AVE W

BAYSHORE DR

KEN HUBBARD RD  
(69TH ST W)

US 19

CENTER RD

SUNSET LN

BAYSHORE DR

BAYSHORE DR

BOOTS POINT RD

BAYSHORE DR

SEA SHORE TER DR

ISLAND CT

LILES ST

Parcel ID #(s) 2155100109,2155800109,2146400052,2146400102



Manatee County  
Staff Report Map

Map Prepared 11/13/2013  
1 inch = 868 feet

Project Name: Tillett Bayou Preserve  
Project #: PDR-06-72 (P)(R)  
DTS#: 20130402  
Proposed Use: Residential

S/T/R: Sec 26,27 Twn 33 Rng 17  
Acreage: 41.61  
Existing Zoning: PD-R  
Existing FLU: RES-1  
Overlays: HA  
Special Areas: NONE

Page 186 of 274

CHH: Y  
Watershed: NONE  
Drainage Basin: TERRA CEIA BAY  
Commissioner: Larry Bustle

April 10, 2014 - Planning Commission Meeting  
Agenda Item #6

Subject

PDC-12-15(P)R) – U.S. 41 @ PEARL AVENUE - DTS 20130493 - QUASI - JUDICIAL - SHELLEY HAMILTON

Briefings

None

Contact and/or Presenter Information

Shelley Hamilton

Principal Planner

941-748-4501, ext. 6863

Action Requested

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments, 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. PDC-12-15(P)R); and APPROVAL of the revised Preliminary Site Plan with Stipulations A.1 - A.12; B.1; C.1 - C.2; and D.1 - D.2, ADOPTION of the Findings for Specific Approval for: 1) an alternative to LDC Section 714.8.7 of the Land Development Code to allow the installation of smaller diameter trees, and 2) an alternative to LDC Section 715.3.3 for Foundation Landscaping; as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

- Bonus Properties, Inc. has filed a Preliminary Site Plan application for commercial development on approximately 2.08 + acres zoned PDC (Planned Development\Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, to develop with s 5,928 square foot convenience store, with 8 pumps (16 fueling stations) and an 8,773 square foot dispenser canopy;

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

- Previously approved to allow a 4,400 sq. ft. convenience store with 8 pumps (16 fueling stations), and a 4,720 sq. ft. canopy for the fueling stations. Also proposed, is an additional 7,250 sq. ft. free-standing building.
- The site is designated R/O/R (Retail/Office/Residential) on the Future Land Use Map. The property is also located Whitfield Residential Overlay; the Historical and Archaeological Overlay District; and Airport Impact Overlay District;
- The site is in an "A-1" Flood Zone, and in the Bowless Creek Flood Insurance Study Profile area;
- Water and Sanitary Sewer will be provided; and
- Staff recommends approval with stipulations.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded via email on 3/10/2014.

Reviewing Attorney

Schenk

Instructions to Board Records

n/a

Cost and Funds Source Account Number and Name

n/a

Amount and Frequency of Recurring Costs

n/a

Attachment: Maps-Future Land Use, Zoning and Aerial - Race Trac US41 and Pearl Ave - PDC1215 - 04-10-2014 PC.pdf

Attachment: Specific Approval Request Letter - Race Trac US41 and Pearl Ave - PDC1215 - 04-10-2014 PC.pdf

Attachment: Traffic Analysis - Race Trac US41 and Pearl Ave - PDC1215 - 04-10-2014 PC -.pdf

Attachment: Rendering - Race Trac US41 and Pearl Ave - PDC1215 - 04-10-2014 PC.pdf

Attachment: Copy of Newspaper Advertising - US 41 and Pearl Avenue - PDC-12-15(P)(R) - 4-10-14 PC.pdf

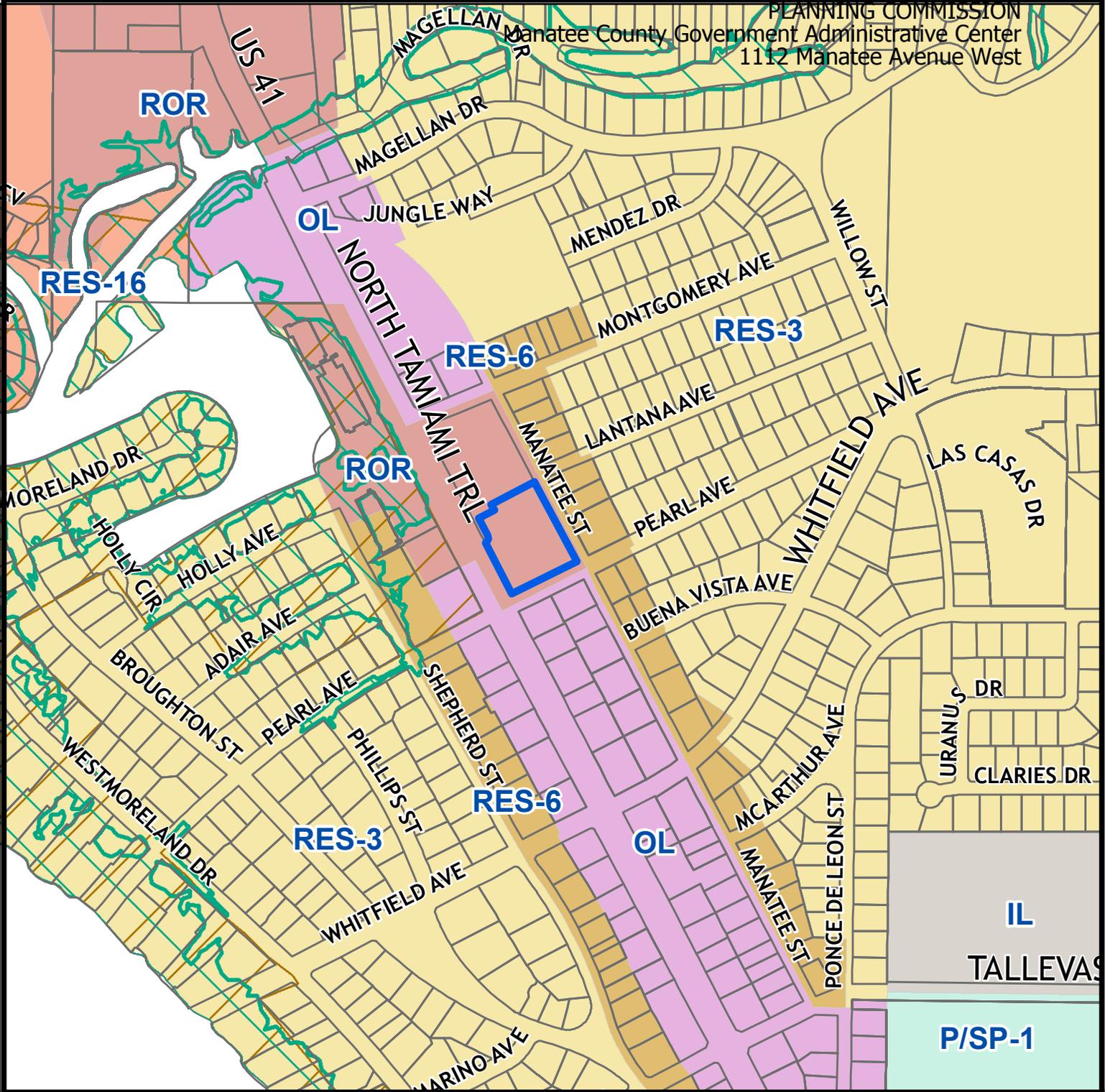
Attachment: Public Comments - Race Trac US 41 and Pearl Ave - PDC1215 - 04-10-2014 PC.pdf

Attachment: Site Plan - Race Trac US41 and Pearl Ave - PDC1215 - 04-10-2014 PC.pdf

Attachment: Staff Report - RaceTrac US41-Pearl Ave - PDC-12-15(P)(R) - 20140410 PC.pdf

# FUTURE LAND USE

PLANNING COMMISSION  
 Manatee County Government Administrative Center  
 1112 Manatee Avenue West



Parcel ID #(s) 6714100150

Project Name: RaceTrac US 41 & Pearl Ave  
 Project #: PDC-12-15 (P)(R)  
 DTS#: 20130493  
 Proposed Use: Commercial

S/T/R: Sec 26 Twn 35 Rng 17  
 Acreage: 1.99  
 Existing Zoning: PD-C  
 Existing FLU: ROR  
 Overlays: AI, HA, WR  
 Special Areas: Greenway

 CHHA 2012

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

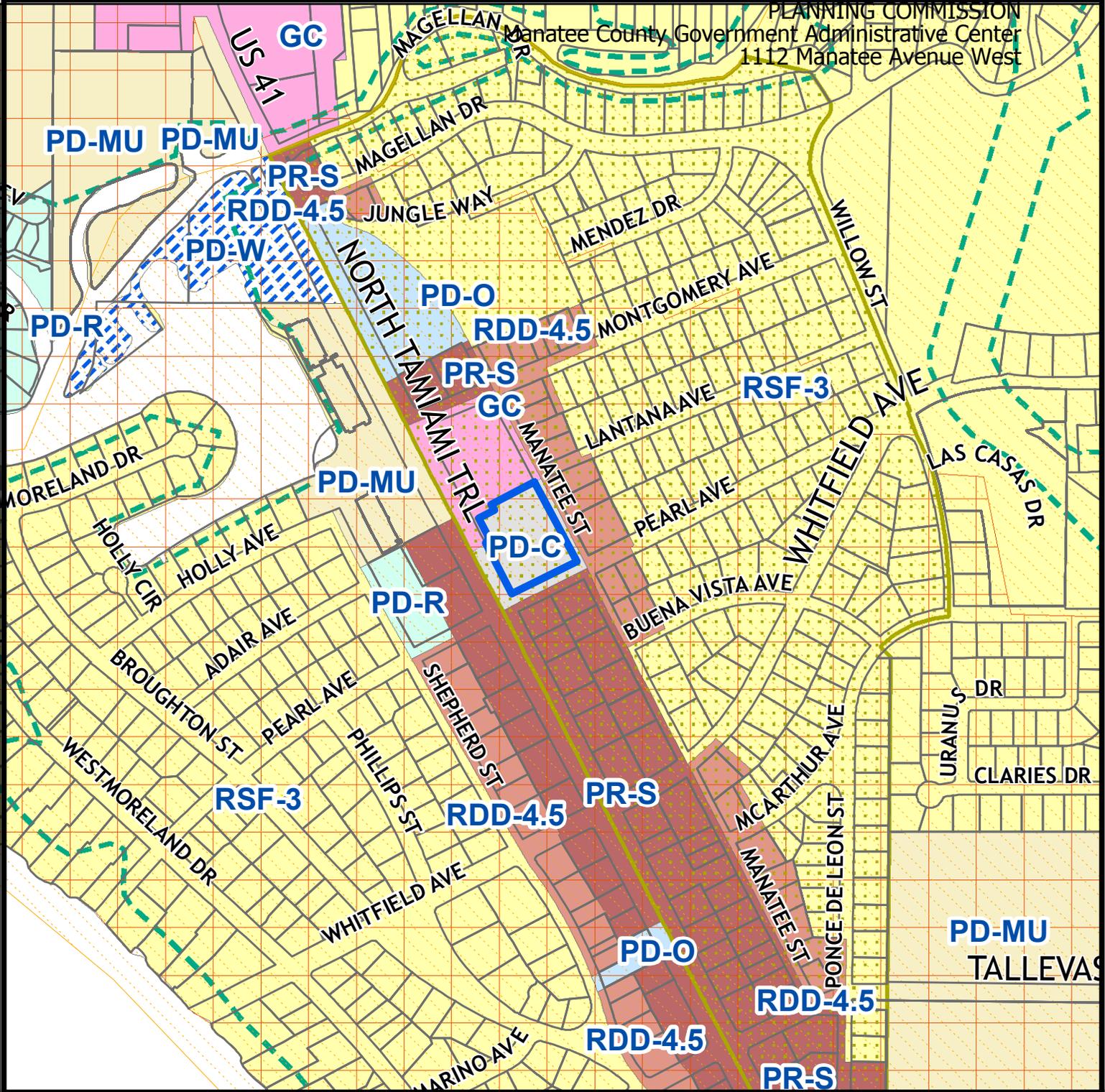
 Manatee County  
 Staff Report Map  
 Map Prepared 1/28/2014  
 1 inch = 517 feet

# ZONING

PLANNING COMMISSION

Manatee County Government Administrative Center

1112 Manatee Avenue West



Parcel ID #(s) 6714100150

Project Name: RaceTrac US 41 & Pearl Ave  
 Project #: PDC-12-15 (P)(R)  
 DTS#: 20130493  
 Proposed Use: Commercial

S/T/R: Sec 26 Twn 35 Rng 17  
 Acreage: 1.99  
 Existing Zoning: PD-C  
 Existing FLU: ROR  
 Overlays: AI, HA, WR  
 Special Areas: Greenway

-  Whitfield Residential
-  Historical/Archaeological
-  Airport Impact

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

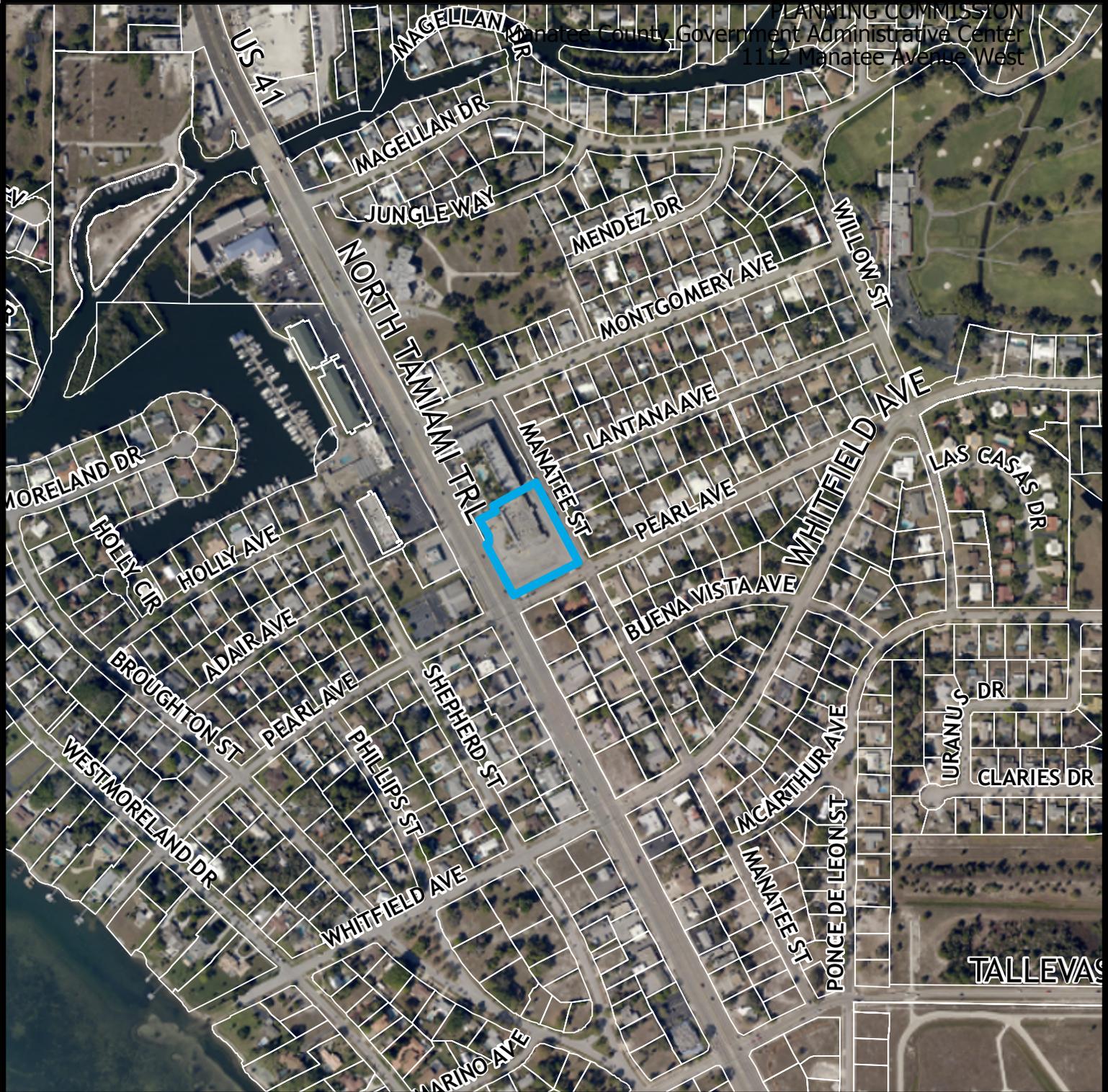


Manatee County  
 Staff Report Map

Map Prepared 1/28/2014  
 1 inch = 517 feet

# AERIAL

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West



Parcel ID #(s) 6714100150

Project Name: RaceTrac US 41 & Pearl Ave  
Project #: PDC-12-15 (P)(R)  
DTS#: 20130493  
Proposed Use: Commercial

S/T/R: Sec 26 Twn 35 Rng 17  
Acreage: 1.99  
Existing Zoning: PD-C  
Existing FLU: ROR  
Overlays: AI, HA, WR  
Special Areas: Greenway

Page 191 of 274  
CHH: NONE  
Watershed: NONE  
Drainage Basin: BOWLEES CREEK  
Commissioner: Robin DiSabatino



Manatee County  
Staff Report Map

Map Prepared 1/28/2014  
1 inch = 517 feet

November 14, 2013

Ms. Shelley Hamilton  
Manatee County Government  
Building & Development Services  
1112 Manatee Avenue West, 4<sup>th</sup> Floor  
Bradenton, Florida 34205

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

Re: RaceTrac – U.S. 41 and Pearl Avenue  
Request for Preliminary Site Plan Approval  
Request for Specific Approvals

Dear Ms. Hamilton:

On behalf of RaceTrac Petroleum, Inc., we are respectfully requesting Manatee County's approval of the following Specific Approvals with the Request to approve a Preliminary Site Plan for a convenience market with gas pumps.

Where possible, the strict application of the Land Development Code has been included in the design of the site. The proposed convenience store with gas pumps includes a request for specific approval of requirements for development under standard district regulations that shall be designed so as to be sensitive to the impacts of the specific approval requested.

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

1. Foundation Landscaping – Section 715.3.3

Section 715.3.3 requires foundation landscaping in the amount of twenty (20) square feet per one thousand (1,000) square feet of gross floor area, contiguous to the building. Due to the design and functional use of the property as a convenience store with gas pumps, the applicant is respectfully requesting a Specific Approval to allow the foundation landscaping to be placed within the landscaping buffers. This request to relocate the foundation landscaping will allow for a superior landscaping design. It is RaceTrac's experience that foundation landscaping is difficult to maintain in a convenience store facility. While pedestrian paths are well defined, the practical use of the facility reveals that most foundation landscaping at a convenience store becomes traversed by the customers. RaceTrac

Ms. Shelley Hamilton

Re: RaceTrac – U.S. 41 and Palmetto Ave

November 14, 2013

Page 2 of 2

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

does regular (hourly) litter maintenance and proper landscaping maintenance at their facilities. However, historically, the challenges presented with foundation landscaping would result in an undesirable and unmanageable condition and would thus defeat the purpose of the foundation landscaping requirement. The proposed specific approval will result in superior landscaping for the site as a whole and will be much less likely to be tread upon by pedestrian traffic, which would defeat the purpose of the landscaping.

2. Tree Replacement Size – Section 714.8.7

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

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

Very truly yours,

Mark P. Barnebey

MPB:lc

# RACETRAC MARKET

*with Fuel Service*

**SITE No. 1124: U.S. HIGHWAY 41 AT PEARL AVENUE**

## SITE ACCESS TRAFFIC ANALYSIS

*Prepared For:*

**RaceTrac Petroleum, Inc.**  
3225 Cumberland Blvd, Suite 100  
Atlanta, Georgia 30339



*Prepared By:*



**RAYSOR Transportation Consulting, LLC.**  
19046 Bruce B. Downs Boulevard, Suite 308  
Tampa, Florida 33647  
(813) 625-1699 | (813) 413-7432 fx  
ENB No. 27789

PROFESSIONAL ENGINEERING CERTIFICATE

I hereby certify that I am a registered professional engineer in the State of Florida, practicing with Raysor Transportation Consulting, LLC., a corporation authorized to operate as an engineering business (ENB No. 27789), by the State of Florida Department of Professional Regulation, Board of Professional Engineers, and I have prepared or approved the evaluation, findings, opinions, conclusions, or technical advice hereby reported for:

PROJECT: RaceTrac Market with Fuel Service, Site No. 1124 – Site Access Traffic Analysis  
LOCATION: US-41 at Pearl Avenue, Manatee County, Florida  
REPORT DATE: November 6, 2013  
PREPARED FOR: RaceTrac Petroleum, Inc.

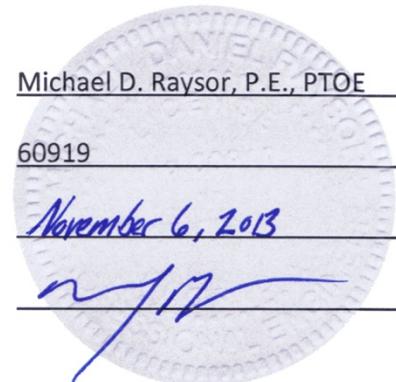
I acknowledge that the procedures and references used to develop the results contained in this report are standard to the professional practice of transportation engineering as applied through professional judgment and experience.

NAME: Michael D. Raysor, P.E., PTOE

P.E. NO.: 60919

DATE: November 6, 2013

SIGNATURE: 



# RACETRAC MARKET

*with Fuel Service*

**SITE NO. 1124: US-41 AT PEARL AVENUE**

## SITE ACCESS ANALYSIS

### CONTENTS

SECTION 1.0 Introduction .....	1
SECTION 2.0 Project Description .....	1
SECTION 3.0 Project Site Trip Generation .....	1
SECTION 4.0 Project Site Trip Distribution & Assignment.....	4
SECTION 5.0 Study Area .....	4
SECTION 6.0 Traffic Volumes .....	4
SECTION 7.0 Intersection Operational Analysis .....	11
SECTION 8.0 Turn Lane Warrant & Length Evaluation.....	11
SECTION 9.0 Queue Analysis.....	12
SECTION 10.0 Summary and Conclusion.....	12

### TABLES

TABLE 1.0 Trip Generation Summary .....	4
TABLE 2.0 Intersection Analysis Summary .....	11

### FIGURES

FIGURE 1.0 Project Site Location .....	2
FIGURE 2.0 Preliminary Site Plan .....	3
FIGURE 3.0 2013 Existing Traffic Volumes .....	5
FIGURE 4.0 2014 Background Traffic Volumes .....	7
FIGURE 5.0 2014 Total Traffic Volumes .....	9

### APPENDICES

- APPENDIX A: Project Traffic
- APPENDIX B: Traffic Counts
- APPENDIX C: Historical Traffic
- APPENDIX D: Intersection Analysis
- APPENDIX E: Existing Signal Timings
- APPENDIX F: Turn Lane Warrant & Length Evaluation
- APPENDIX G: Queue Observations

# RACE TRAC MARKET

*with Fuel Service*

**SITE NO. 1124: US-41 AT PEARL AVENUE**

## SITE ACCESS TRAFFIC ANALYSIS

### **SECTION 1.0 INTRODUCTION**

This report documents a site access traffic analysis undertaken to analyze the proposed development of a RaceTrac market with fuel service, proposed to be located at the northeast corner of the intersection of U.S. Highway 41 at Pearl Avenue, in Manatee County, Florida; as shown on the project location map (Figure 1.0).

### **SECTION 2.0 PROJECT DESCRIPTION**

The project site is located at the northeast corner of the intersection of U.S. Highway 41 at Pearl Avenue, in Manatee County, Florida. The project site is currently developed with an approximately 20,000 square foot building which formerly operated as a furniture store, which is currently vacant and non-operational. The subject site is proposed to be developed as a RaceTrac market (6,000± square feet) with fueling service (16 vehicle fueling positions). Access to the project site is proposed to be provided via connections to U.S. Highway 41 and Pearl Avenue, as shown in the preliminary site plan (refer to Figure 2.0), noting that the connection to U.S. Highway 41 will be shared with the adjacent property to the north. The project site is expected to buildout prior to the end of 2014.

### **SECTION 3.0 PROJECT SITE TRIP GENERATION**

The daily and peak hour trip generation of the project site was estimated using trip characteristic data in accordance with *Trip Generation* (Institute of Transportation Engineers [ITE], 9<sup>th</sup> edition, 2012) and *Trip Generation Handbook* (ITE, 2<sup>nd</sup> edition, 2004). Table 1.0 summarizes the resulting trip generation estimate.

FIGURE 1.0 PROJECT SITE LOCATION





**TABLE 1.0 TRIP GENERATION SUMMARY**

ITE LUC	Land Use Description	Size	Daily				AM Peak Hour				PM Peak Hour			
			Trip Rate	Trips	Enter	Exit	Trip Rate	Trips	Enter	Exit	Trip Rate	Trips	Enter	Exit
945	Gasoline Station w/ Convenience Store	16 vfp	162.78	2604	1302	1302	10.16	164	82	82	13.51	216	108	108
<b>Driveway Trips</b>			--	<b>2,604</b>	<b>1,302</b>	<b>1,302</b>	--	<b>164</b>	<b>82</b>	<b>82</b>	--	<b>216</b>	<b>108</b>	<b>108</b>
Percent Pass-By Trips <sup>[1]</sup>			--	59.0%	--	--	--	62.0%	--	--	--	56.0%	--	--
Pass-By Trips			--	1,536	768	768	--	102	51	51	--	122	61	61
<b>New External Trips</b>			--	<b>1,068</b>	<b>534</b>	<b>534</b>	--	<b>62</b>	<b>31</b>	<b>31</b>	--	<b>94</b>	<b>47</b>	<b>47</b>

[1] Source: ITE Trip Generation Handbook (2nd Edition, 2004). Daily estimated as average of AM & PM.

**SECTION 4.0 PROJECT SITE TRIP DISTRIBUTION & ASSIGNMENT**

The distribution and assignment of project traffic was estimated based on existing traffic patterns as determined from peak hour traffic counts. The estimated distribution and assignment of project traffic is documented in Appendix A.

**SECTION 5.0 STUDY AREA**

The study area for the site access analysis was determined to consist of the project site access connections to the adjacent roadway network, and the adjacent intersection of U.S. Highway 41 at Pearl Avenue.

**SECTION 6.0 TRAFFIC VOLUMES**

Existing traffic volumes were obtained from manual intersection turning movement counts performed in October 2013. The counts were adjusted to reflect peak season conditions using FDOT 2012 seasonal adjustment factors. It is noted that during the periods of traffic data collection, oversaturation of the study intersections was not observed, thus adjustments to reflect demand volumes were not necessary. Traffic count data for existing conditions is provided in Appendix B. Future year background traffic volumes for the study area were calculated by applying a 1% annual growth rate to the existing 2013 traffic volumes for the one year buildout period. The 1% annual growth rate was determined to be reasonable for use in this study due to the stable traffic volumes exhibited by the adjacent segment of U.S. Highway over the past few years, as documented in Appendix C; and in consideration that this analysis was not undertaken for the purposes of evaluating transportation concurrency. Total traffic volumes were calculated by adding project traffic to background traffic. Figures 3.0 through 5.0 illustrate the traffic volumes used in this analysis.

FIGURE 3.1 2013 EXISTING TRAFFIC VOLUMES (AM PEAK HOUR)

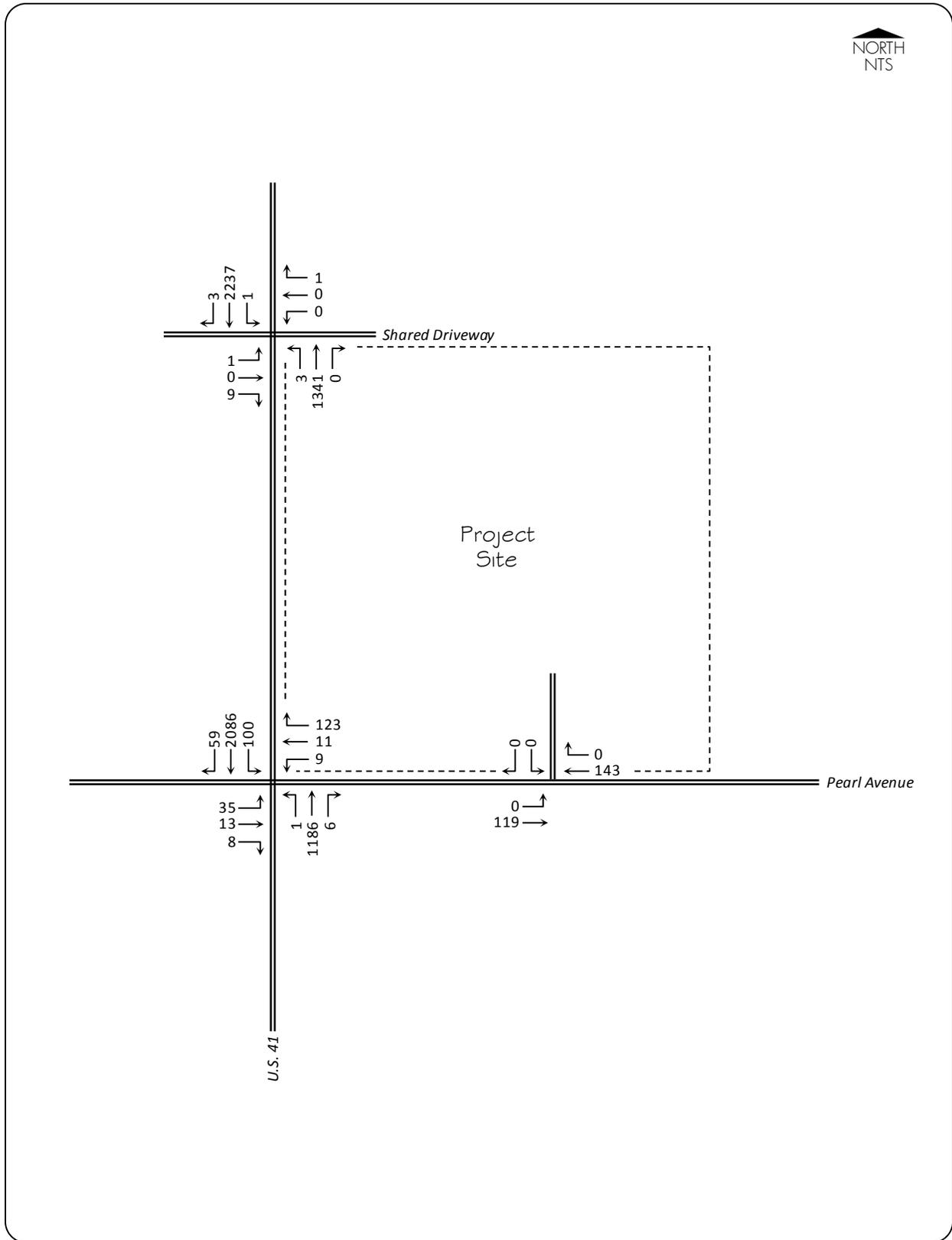


FIGURE 3.2 2013 EXISTING TRAFFIC VOLUMES (PM PEAK HOUR)

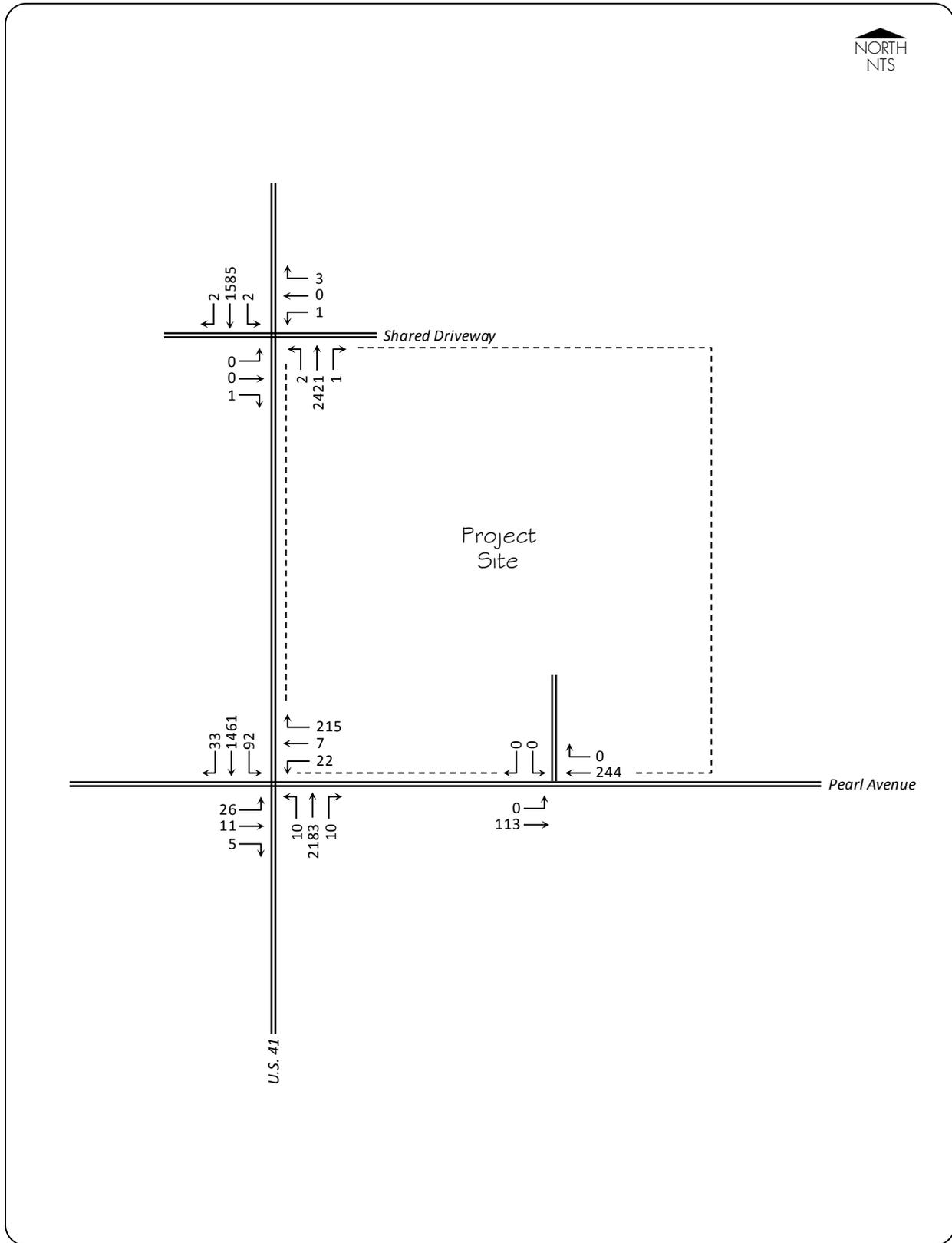


FIGURE 4.1 2014 BACKGROUND TRAFFIC VOLUMES (AM PEAK HOUR)

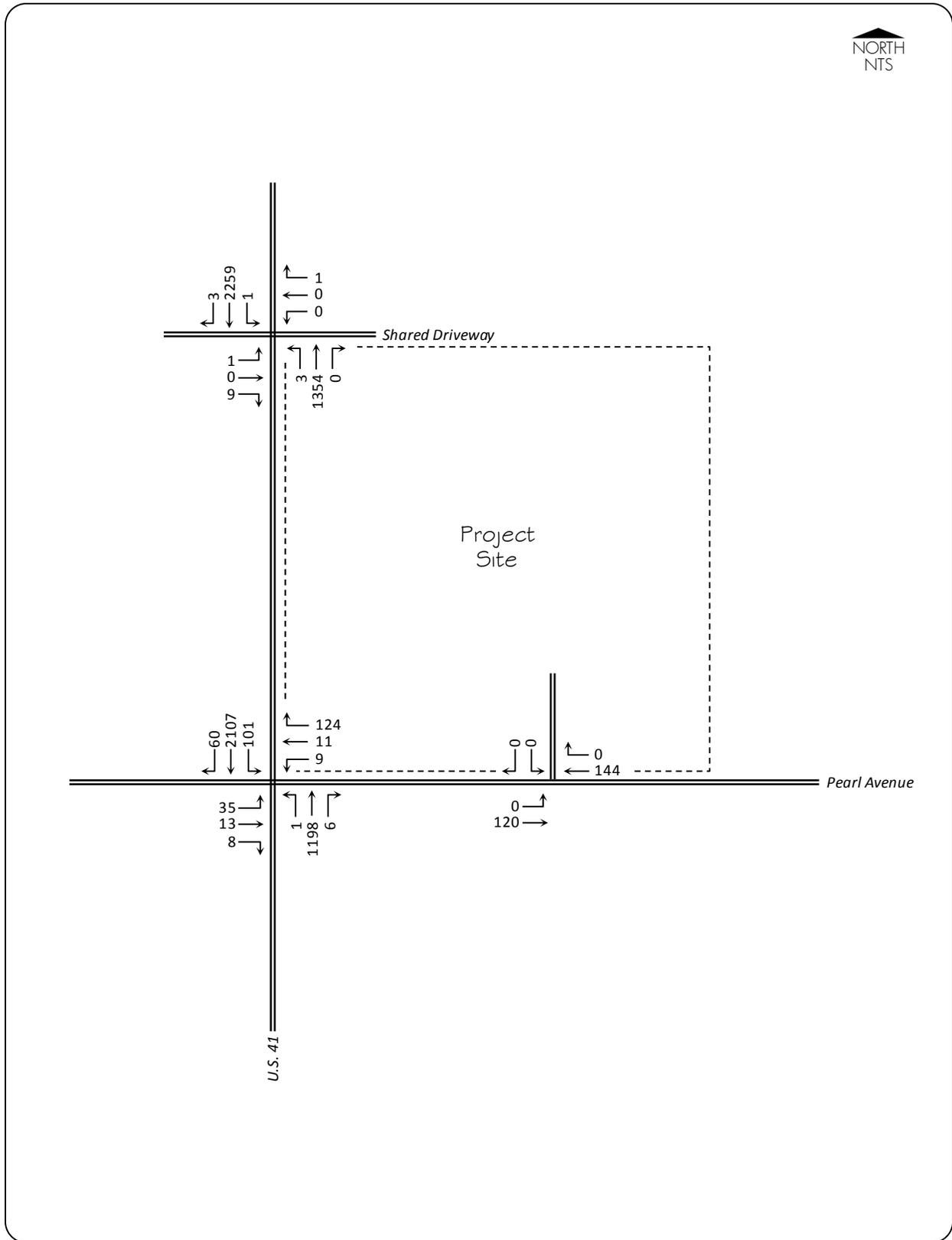


FIGURE 4.2 2014 BACKGROUND TRAFFIC VOLUMES (PM PEAK HOUR)

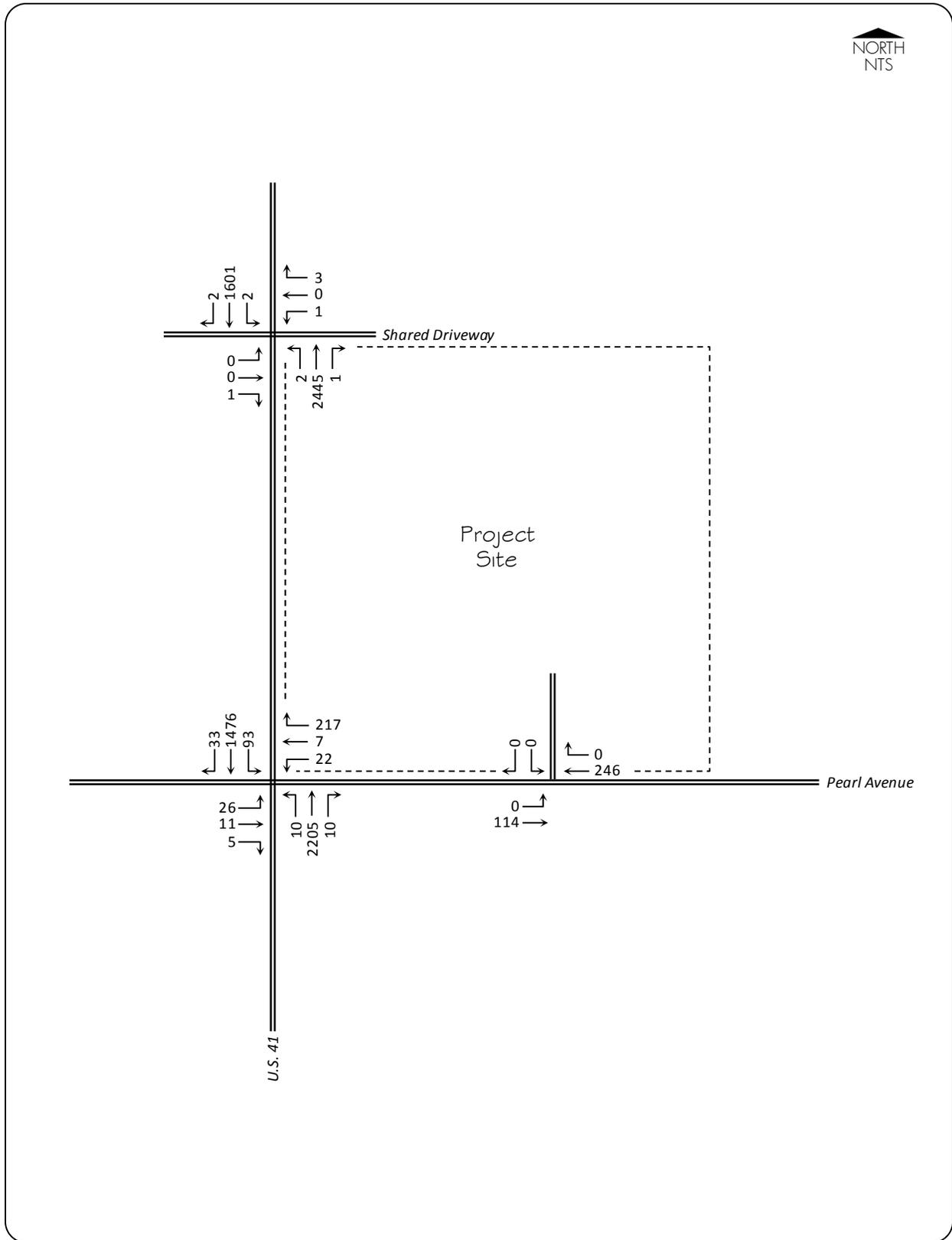


FIGURE 5.1 2014 TOTAL TRAFFIC VOLUMES (AM PEAK HOUR)

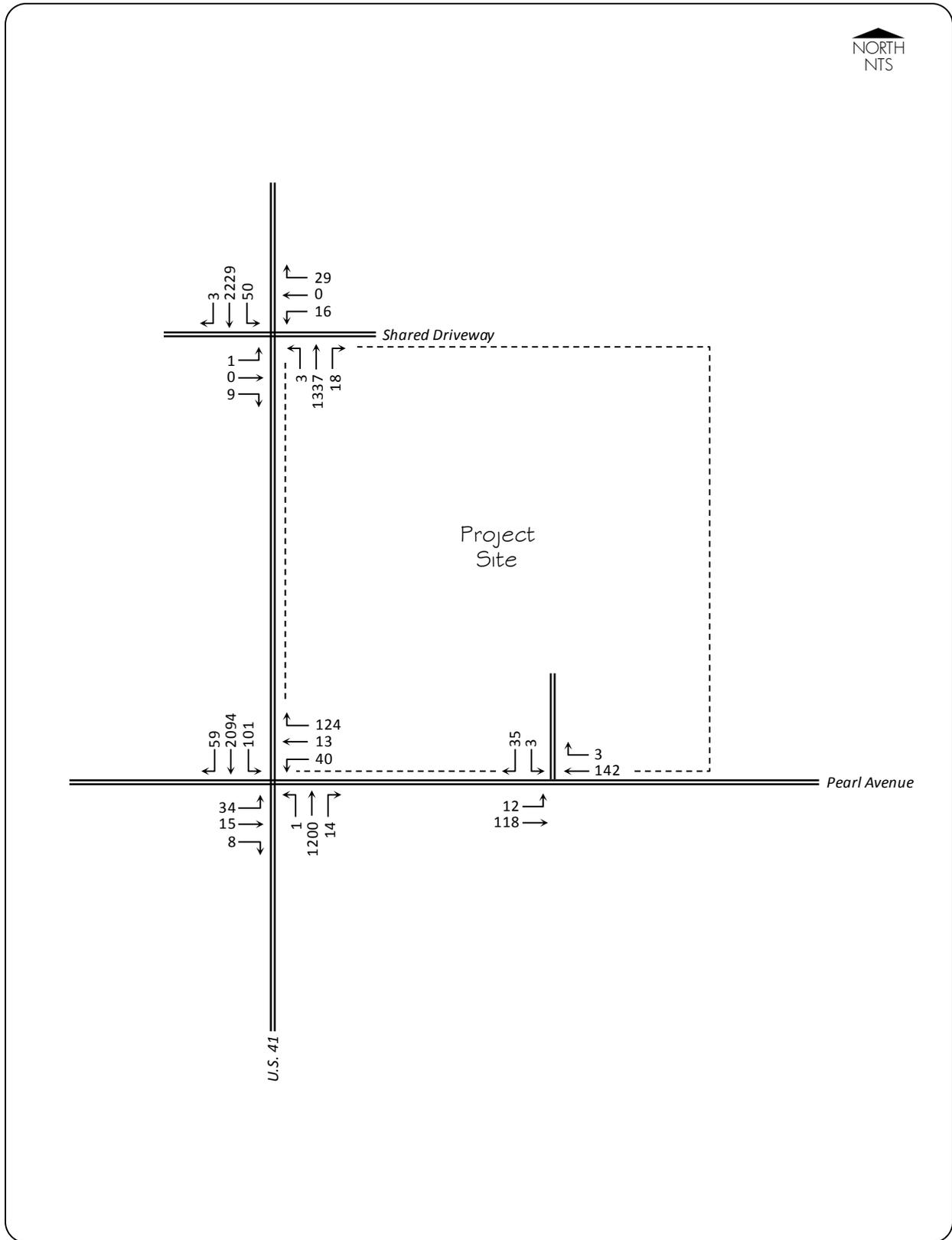
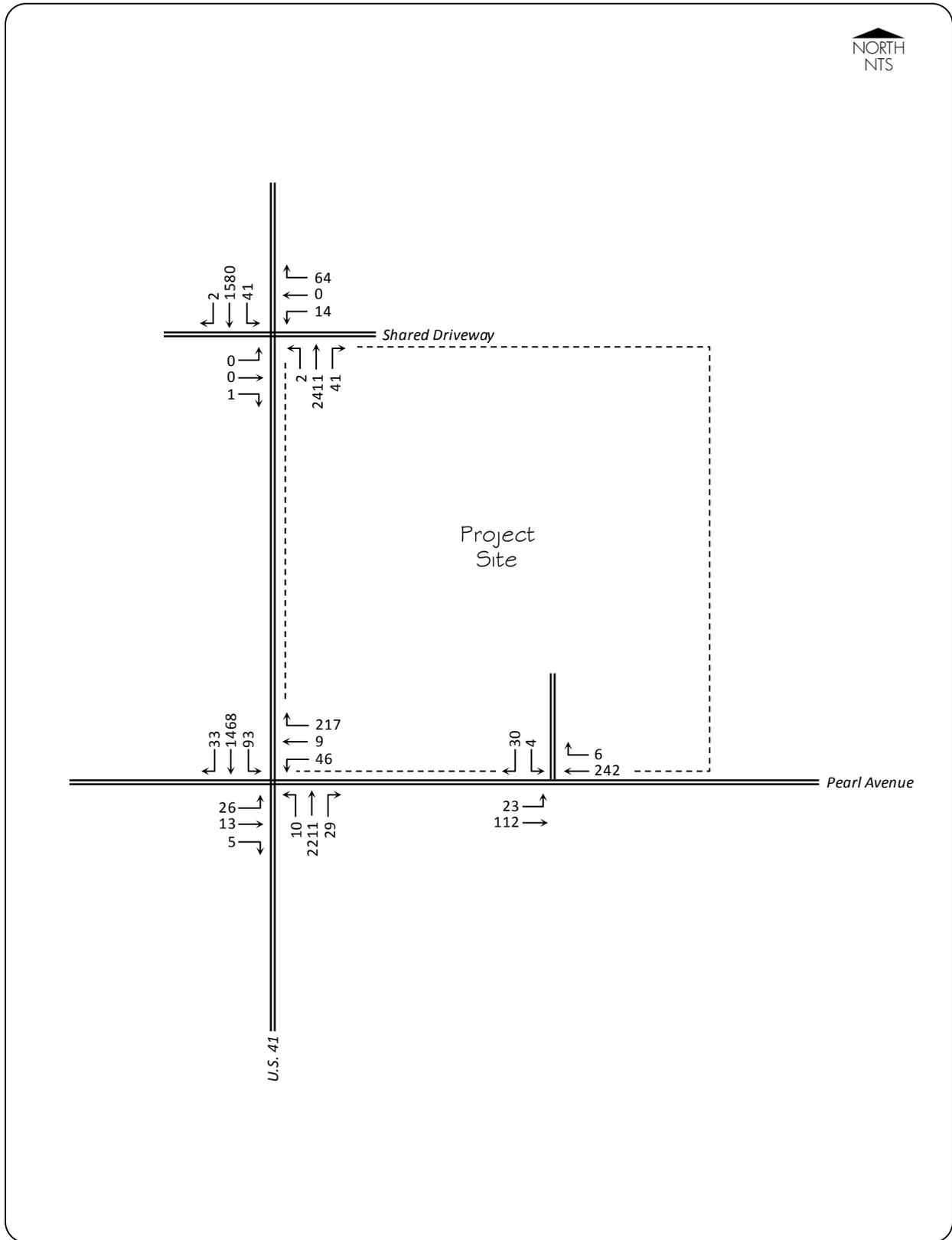


FIGURE 5.2 2014 TOTAL TRAFFIC VOLUMES (PM PEAK HOUR)



**SECTION 7.0 INTERSECTION OPERATIONAL ANALYSIS**

Operational analyses for the study intersections were undertaken for total traffic conditions. The intersection analyses were performed using Synchro analysis software for both AM and PM peak hour conditions, using existing signal timings where applicable. The results of the intersection analyses are summarized in Table 2.0 and worksheets documenting the analysis are provided in Appendix D (existing signal timings are provided in Appendix E).

As shown in Table 2.0, each of the study intersections, including the site access driveway connections, are anticipated to operate acceptably in consideration of the buildout of the proposed RaceTrac site.

**TABLE 2.0 INTERSECTION ANALYSIS SUMMARY**

Location	Peak Hour	Overall Intersection		Individual Movement V/C Ratios											
		LOS Std.	LOS	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
US-41 at Pearl Avenue	AM	D	B	[1]	0.79	[1]	0.34	0.19	[1]	0.01	0.38	[1]	0.36	0.59	[1]
	PM	D	C	[1]	0.28	[1]	0.22	0.61	[1]	0.06	0.75	[1]	0.75	0.44	[1]
US-41 at Project Driveway	AM	n/a	n/a	[1]	0.08	[1]	[1]	0.16	[1]	0.02	[2]	[2]	0.10	[2]	[2]
	PM	n/a	n/a	[1]	0.00	[1]	[1]	0.33	[1]	0.01	[2]	[2]	0.17	[2]	[2]
Pearl Avenue at Project Driveway	AM	n/a	n/a	[1]	0.01	n/a	n/a	[2]	[2]	n/a	n/a	n/a	0.05	n/a	[1]
	PM	n/a	n/a	[1]	0.02	n/a	n/a	[2]	[2]	n/a	n/a	n/a	0.05	n/a	[1]

[1] Shared Lane; [2] Unopposed Movement

**SECTION 8.0 TURN LANE WARRANT & LENGTH EVALUATION**

A turn lane warrant evaluation was undertaken to identify if new turn lanes would be needed at the project site driveway connections to U.S. Highway 41 and Pearl Avenue, as documented in Appendix F. The need for right turn lanes was evaluated in consideration of warranting criteria documented in the Florida Department of Transportation’s *Driveway Handbook* (March, 2005). The need for left turn lanes was evaluated in consideration of warranting criteria documented in the 2011 AASHTO Green Book (Table 9-23). The results of the turn lane warrant evaluation concluded that new turn lanes are not warranted at either of the project site driveways. In addition, as documented in Appendix F, the lengths of existing turn lanes adjacent to the site (that will accommodate project traffic) were found to be adequate.

**SECTION 9.0 QUEUE ANALYSIS**

A queue analysis was performed for the westbound approach of Pearl Avenue at U.S. Highway 41 to evaluate existing and potential queuing. Observations of existing queuing were undertaken during AM and PM peak hour periods in October 2013; as documented in Appendix G and summarized below.

<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
Average Queue: 1.9 vehicles	Average Queue: 4.5 vehicles
Maximum Queue: 5 vehicles	Maximum Queue: 8 vehicles

Assuming a length of 25 feet for each vehicle, as is the generally accepted practice, existing queuing would periodically extend past the subject project site driveway connection to Pearl Avenue, which is proposed to be located approximately 100 feet east of the stop line at U.S. Highway 41. However, the field observations indicated that any queuing to this extent (i.e., 100 feet or more) occurs in the shared through/right-turn lane, and only as a result of the occasional "through" vehicle blocking the major movement (i.e., right-turning vehicles) from making right-turns on red; whereas for existing conditions the westbound through movement was identified as 11 vph during the AM peak hour and 7 vph during the PM peak hour, as compared to westbound-to-northbound right turn volumes of 123 vph during the AM peak hour and 215 vph during the PM peak hour. Furthermore, due these characteristics, the frequency/duration with which the queue currently extends past the proposed driveway location is relatively low, and that any additional queuing that would result from the development of the proposed RaceTrac would be incurred on the RaceTrac site and not increase the duration or frequency of the queue past the subject driveway. Therefore, it is anticipated that the subject driveway will operate in a queue-free state for the majority of time during peak traffic hours which would allow it to be implemented as a full access connection, allowing all traffic movements.

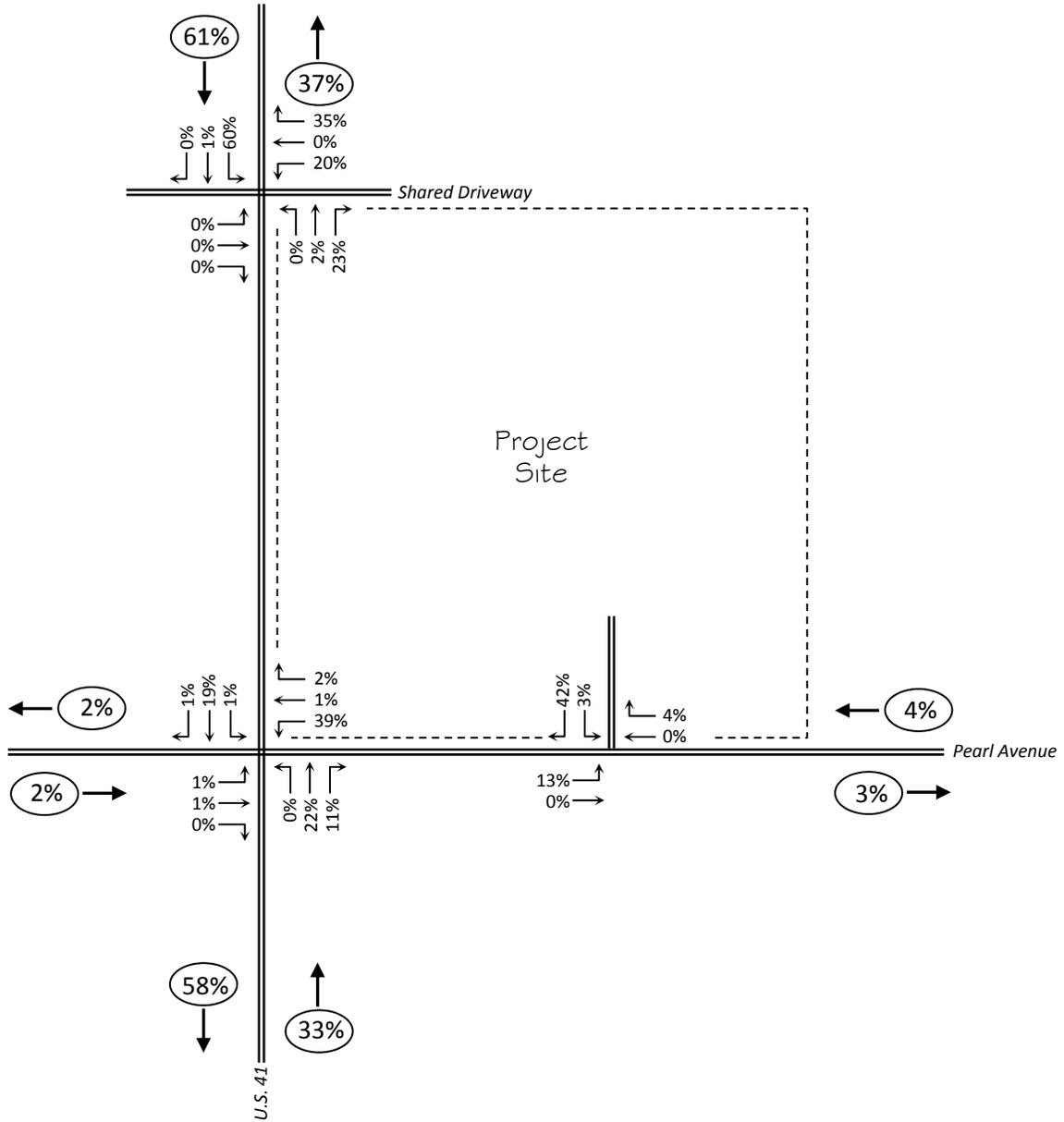
**SECTION 10.0 SUMMARY AND CONCLUSION**

Based on the data, analyses and findings contained herein, the following is concluded in consideration of the development of the subject RaceTrac site:

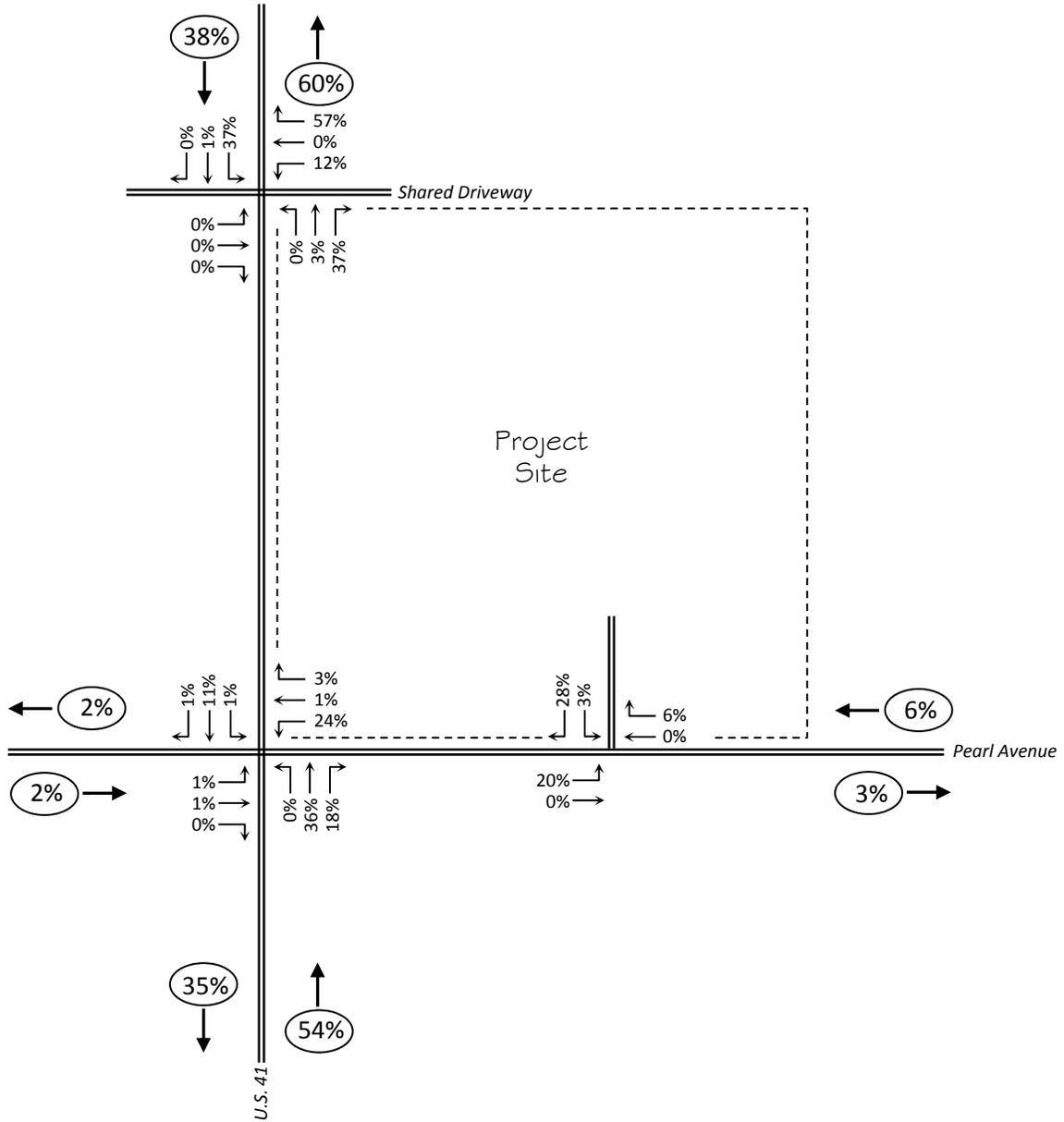
- ❖ Each of the study intersections, including the site access driveway connections, are anticipated to operate acceptably in consideration of the buildout of the proposed RaceTrac site.
- ❖ New turn lanes were found to not be warranted at either of the project site driveways.
- ❖ The lengths of existing turn lanes adjacent to the site (that will accommodate project traffic) were found to be adequate.
- ❖ It is anticipated that the project site driveway connection to Pearl Avenue will operate in a queue-free state for the majority of time during peak traffic hours which would allow it to be implemented as a full access connection, allowing all traffic movements.

# **APPENDIX A**

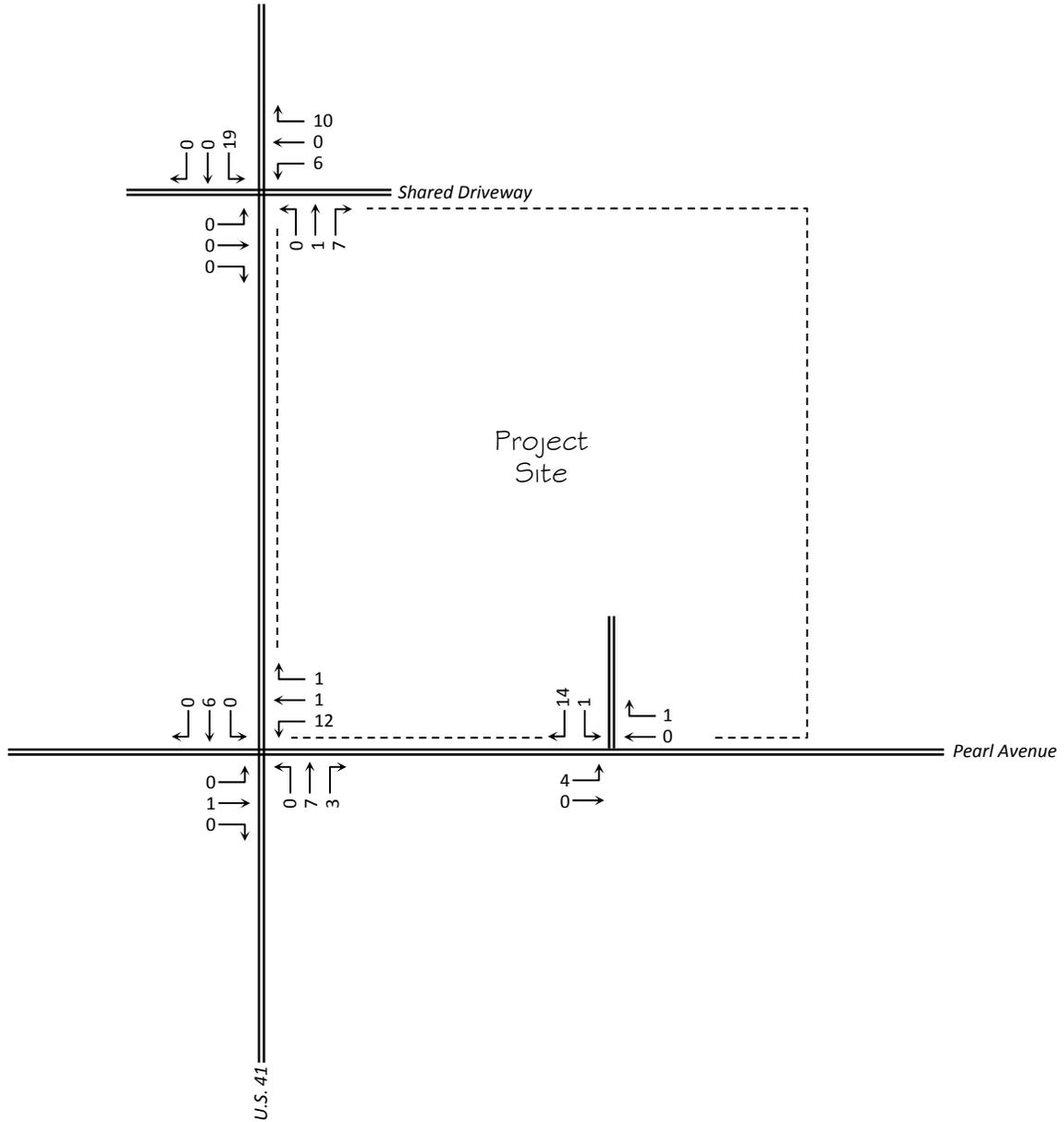
## **Project Traffic**



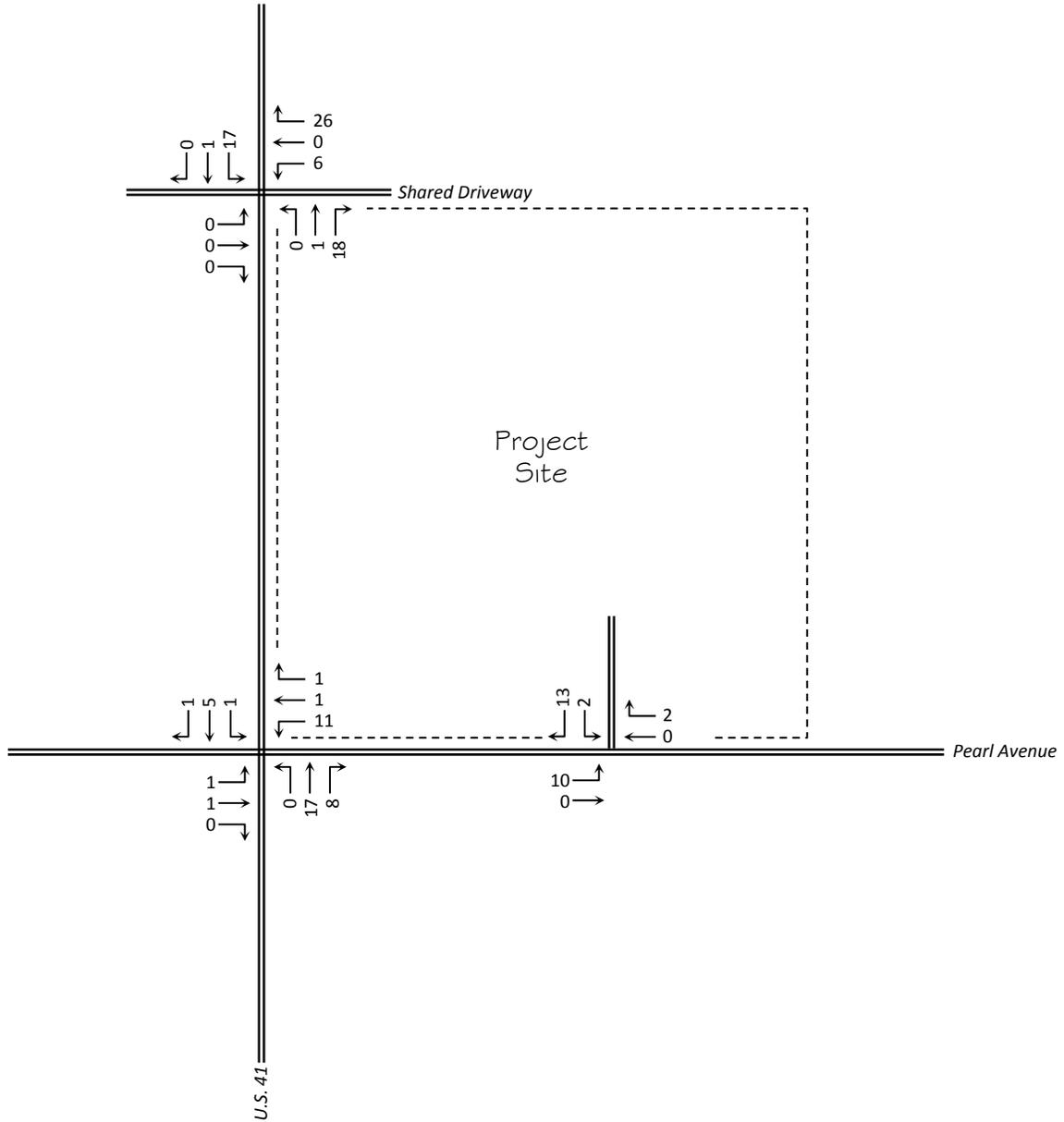
**RACETRAC MARKET WITH FUEL SERVICE**  
AM Peak Hour Project Traffic Distribution  
Page 210 of 274  
U.S. Highway 41 at Pearl Avenue



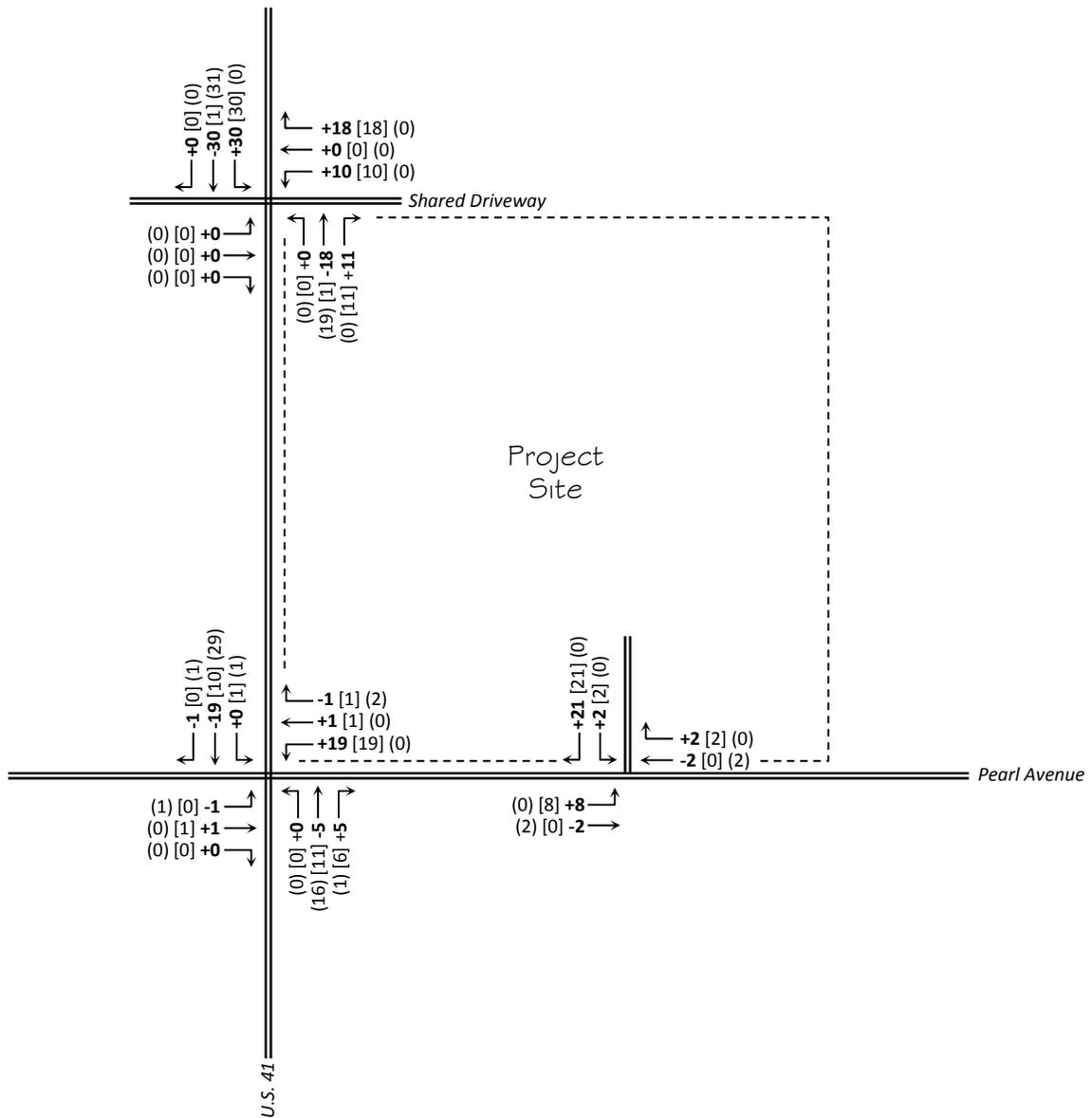
**RACETRAC MARKET WITH FUEL SERVICE**  
PM Peak Hour Project Traffic Distribution  
Page 211 of 274  
U.S. Highway 41 at Pearl Avenue



**RACETRAC MARKET WITH FUEL SERVICE**  
AM Peak Hour Project Traffic Assignment (New External Trips)  
Page 212 of 274  
U.S. Highway 41 at Pearl Avenue



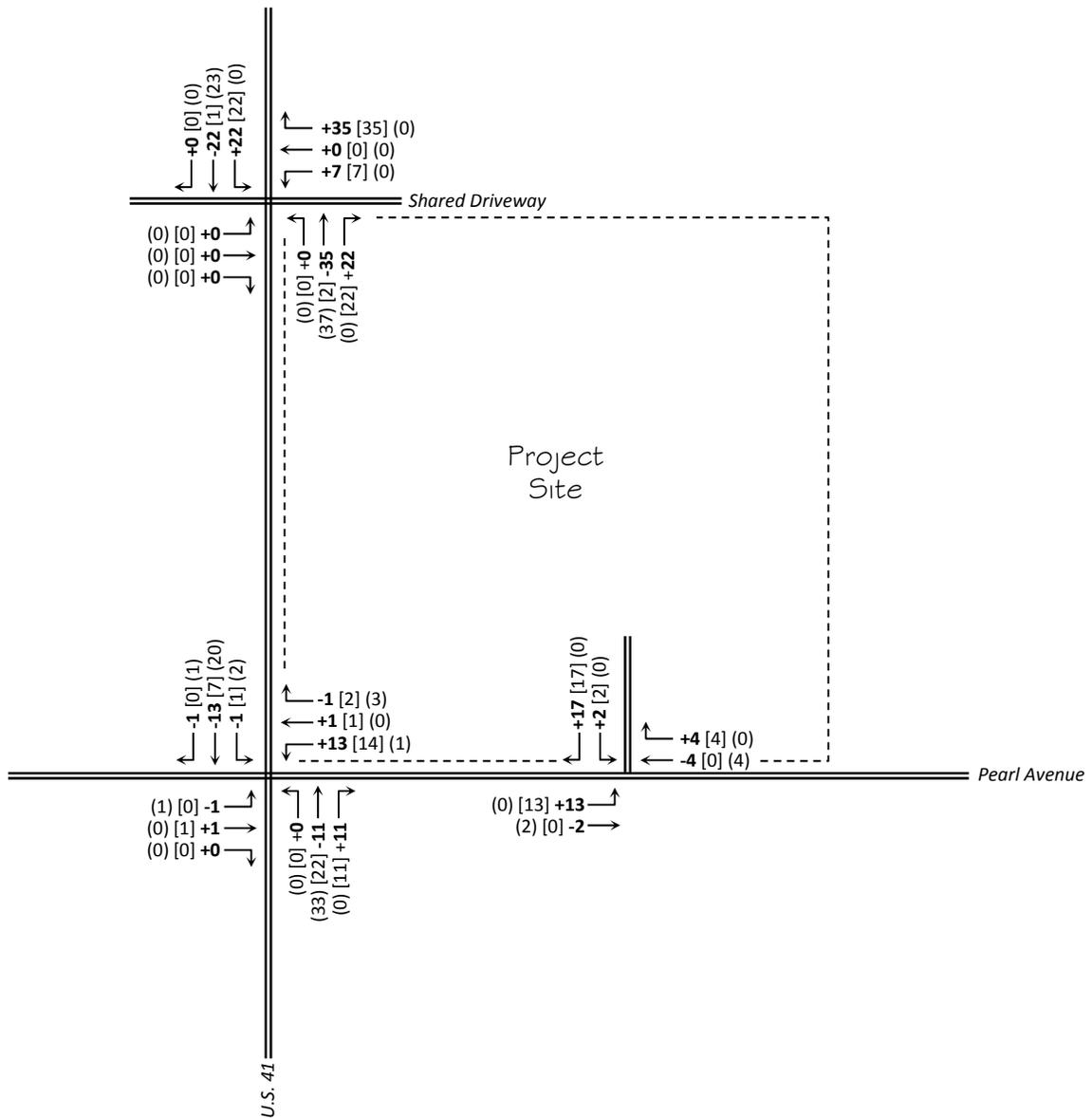
**RACETRAC MARKET WITH FUEL SERVICE**  
*PM Peak Hour Project Traffic Assignment (New External Trips)*  
Page 213 of 274  
**U.S. Highway 41 at Pearl Avenue**



**LEGEND**

- (00) Unaltered Vehicle Movements - Original (Based on Existing Traffic)
- [00] Captured Vehicle Movements - PassBy
- 00 Net Vehicle Movements - Resulting Differential

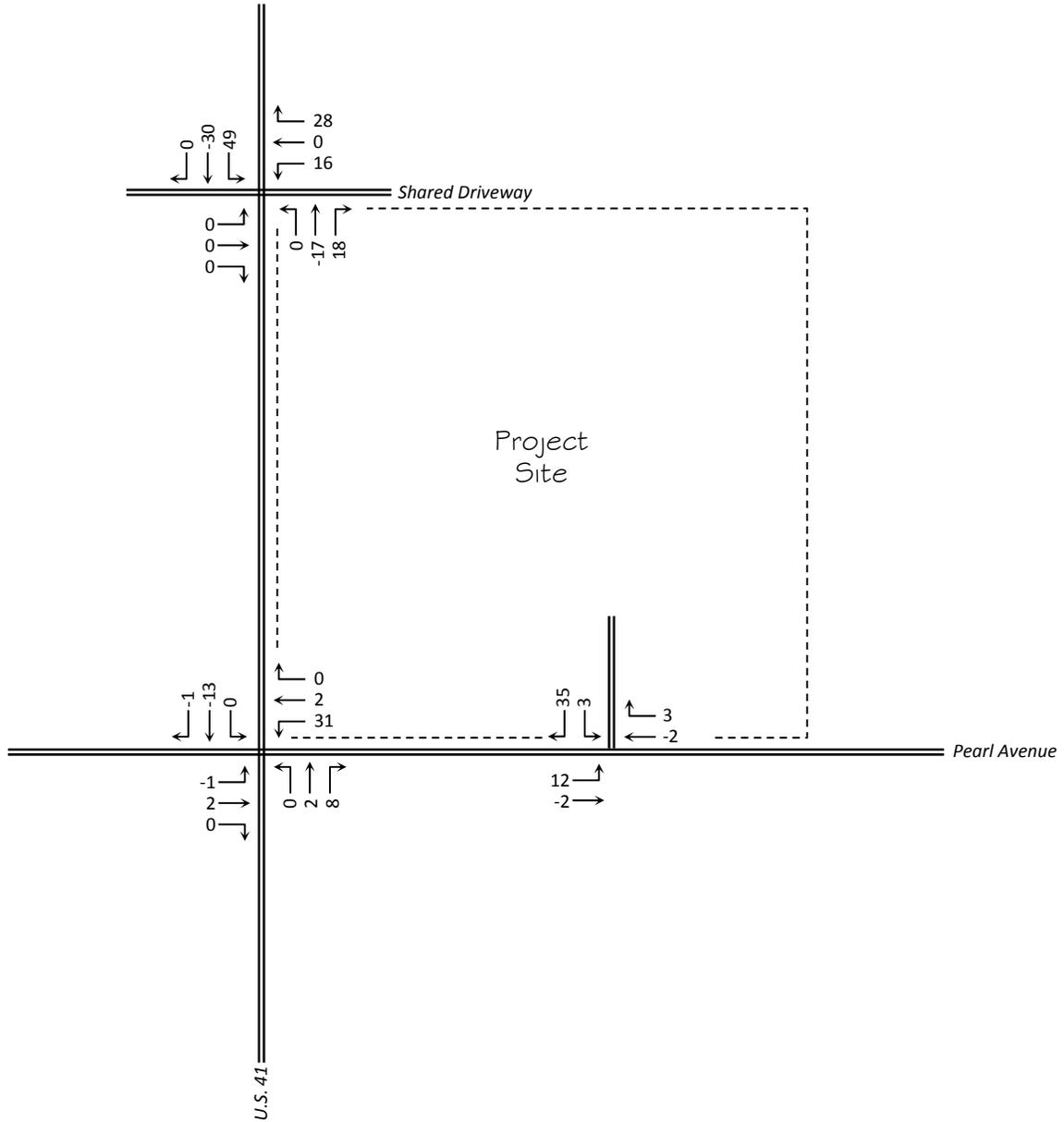
**RACETRAC MARKET WITH FUEL SERVICE**  
AM Peak Hour Project Traffic Assignment (Pass-By Trips)  
Page 214 of 274  
U.S. Highway 41 at Pearl Avenue



**LEGEND**

- (00) Unaltered Vehicle Movements - Original (Based on Existing Traffic)
- [00] Captured Vehicle Movements - PassBy
- 00 Net Vehicle Movements - Resulting Differential

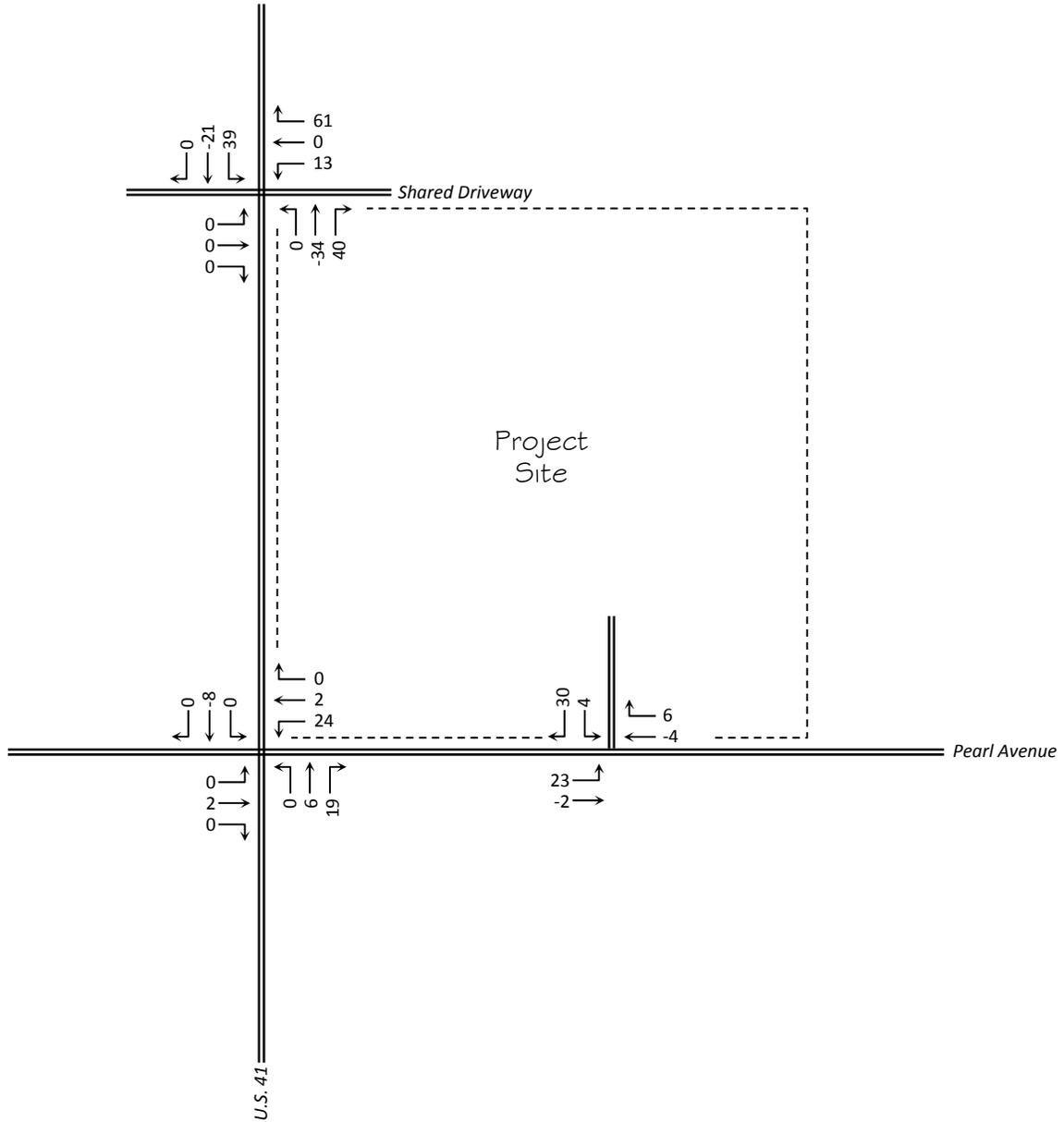
**RACETRAC MARKET WITH FUEL SERVICE**  
PM Peak Hour Project Traffic Assignment (Pass-By Trips)  
Page 215 of 274  
U.S. Highway 41 at Pearl Avenue



**RACETRAC MARKET WITH FUEL SERVICE**

AM Peak Hour Project Traffic Assignment (Total Trips)

Page 216 of 274  
U.S. Highway 41 at Pearl Avenue



**RACETRAC MARKET WITH FUEL SERVICE**  
PM Peak Hour Project Traffic Assignment (Total Trips)

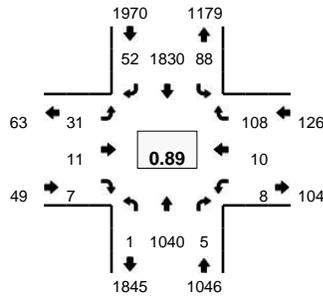
Page 217 of 274  
U.S. Highway 41 at Pearl Avenue

# **APPENDIX B**

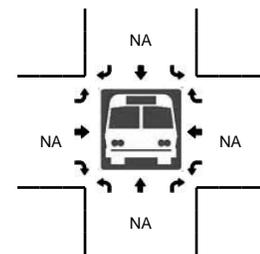
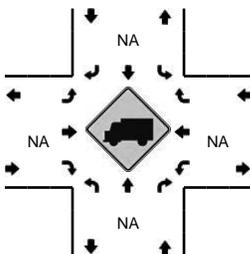
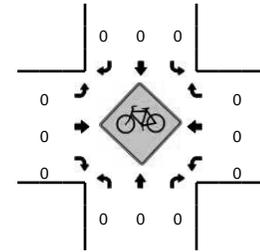
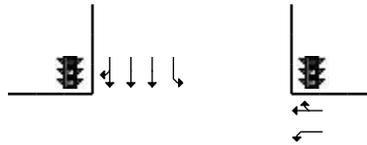
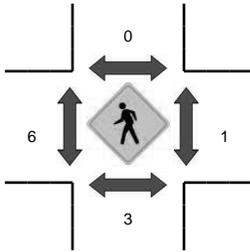
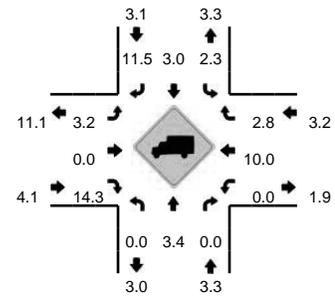
## **Traffic Counts**

LOCATION: US 41 -- Pearl Ave  
CITY/STATE: Bradenton, FL

Manatee County Government Administrative Center  
1112 Manatee Avenue West



Peak-Hour: 7:15 AM -- 8:15 AM  
Peak 15-Min: 7:30 AM -- 7:45 AM



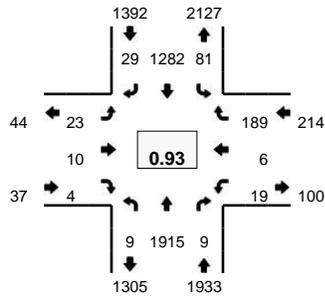
R\* = RTOR

15-Min Count Period Beginning At	US 41 (Northbound)					US 41 (Southbound)					Pearl Ave (Eastbound)					Pearl Ave (Westbound)					Total	Hourly Totals
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
7:00 AM	0	168	0	0	0	16	293	14	0	1	1	1	0	0	0	2	4	7	0	14	521	
7:15 AM	1	230	3	0	0	17	440	11	0	0	10	3	1	0	0	2	1	2	0	30	751	
7:30 AM	0	334	0	0	0	15	496	9	0	0	7	4	1	0	0	2	5	13	0	10	896	
7:45 AM	0	280	1	0	0	38	467	18	0	0	9	0	0	0	1	1	2	2	0	26	845	3013
8:00 AM	0	196	1	0	0	18	427	14	0	0	5	4	3	0	1	3	2	9	0	16	699	3191
8:15 AM	2	222	1	0	0	16	413	14	0	0	9	1	0	0	1	7	6	18	0	14	724	3164
8:30 AM	2	258	1	0	0	14	446	9	0	0	5	5	0	0	2	2	1	11	0	28	784	3052
8:45 AM	3	225	2	0	0	14	354	15	0	0	12	1	1	0	2	3	4	10	0	16	662	2869
Peak 15-Min Flowrates	Northbound					Southbound					Eastbound					Westbound					Total	
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
All Vehicles	0	1336	0	0	0	60	1984	36	0	0	28	16	4	0	0	8	20	52	0	40	3584	
Heavy Trucks	0	44	0			0	68	12			0	0	4			0	4	4			136	
Pedestrians		4					0					8					4				16	
Bicycles	0	0	0			0	0	0			0	0	0			0	0	0			0	
Railroad																						
Stopped Buses																						

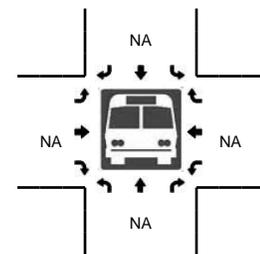
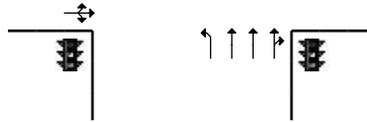
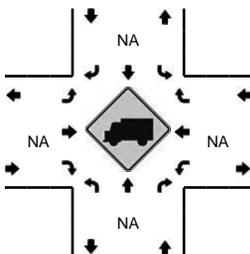
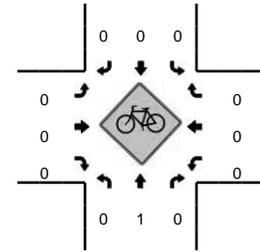
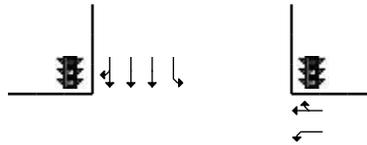
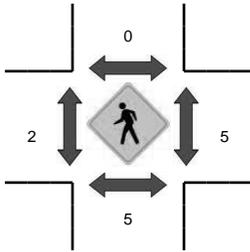
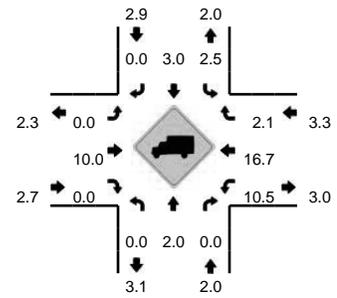
Comments:

LOCATION: US 41 -- Pearl Ave  
CITY/STATE: Bradenton, FL

Manatee County Government Administrative Center  
1112 Manatee Avenue West



Peak-Hour: 4:45 PM -- 5:45 PM  
Peak 15-Min: 5:15 PM -- 5:30 PM



R\* = RTOR

15-Min Count Period Beginning At	US 41 (Northbound)					US 41 (Southbound)					Pearl Ave (Eastbound)					Pearl Ave (Westbound)					Total	Hourly Totals
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
4:00 PM	6	368	2	0	0	18	278	10	0	0	8	4	2	0	3	4	0	12	0	21	736	
4:15 PM	3	451	0	0	0	14	289	2	0	0	6	0	0	0	1	6	1	7	0	17	797	
4:30 PM	1	431	2	0	0	19	302	7	0	0	3	0	0	0	0	3	2	14	0	27	811	
4:45 PM	5	447	2	0	0	16	310	6	0	1	8	2	0	0	1	6	1	15	0	25	845	3189
5:00 PM	3	410	2	0	0	19	345	10	0	0	1	0	0	0	1	3	0	16	0	32	842	3295
5:15 PM	0	519	4	0	0	28	331	4	0	1	10	5	1	0	0	5	2	32	0	20	962	3460
5:30 PM	1	539	1	0	0	18	296	7	0	0	4	3	0	0	1	5	3	18	0	31	927	3576
5:45 PM	2	434	2	0	0	18	281	6	0	0	3	3	0	0	1	4	6	25	0	11	796	3527
Peak 15-Min Flowrates	Northbound					Southbound					Eastbound					Westbound					Total	
	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*	Left	Thru	Right	U	R*		
All Vehicles	0	2076	16	0	0	112	1324	16	0	4	40	20	4	0	0	20	8	128	0	80	3848	
Heavy Trucks	0	28	0			4	12	0			0	0	0			0	0	12			56	
Pedestrians		20					0					4					12				36	
Bicycles	0	0	0			0	0	0			0	0	0			0	0	0			0	
Railroad																						
Stopped Buses																						

Comments:

**TOTAL VEHICLES**

Start Time	U.S. 41 From North				Driveway From East				U.S. 41 From South				Driveway From West				Inter-section Total
	Right	Thru	Left	Total													
7:00 AM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
7:15 AM	0	466	0	466	0	0	0	0	0	271	1	272	2	0	0	2	740
7:30 AM	1	517	0	518	0	0	0	0	0	364	0	364	3	0	0	3	885
7:45 AM	2	522	1	525	0	0	0	0	0	315	2	317	1	0	1	2	844
Total	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

8:00 AM	0	457	0	457	1	0	0	1	0	226	0	226	2	0	0	2	686
8:15 AM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
8:30 AM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
8:45 AM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Total	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

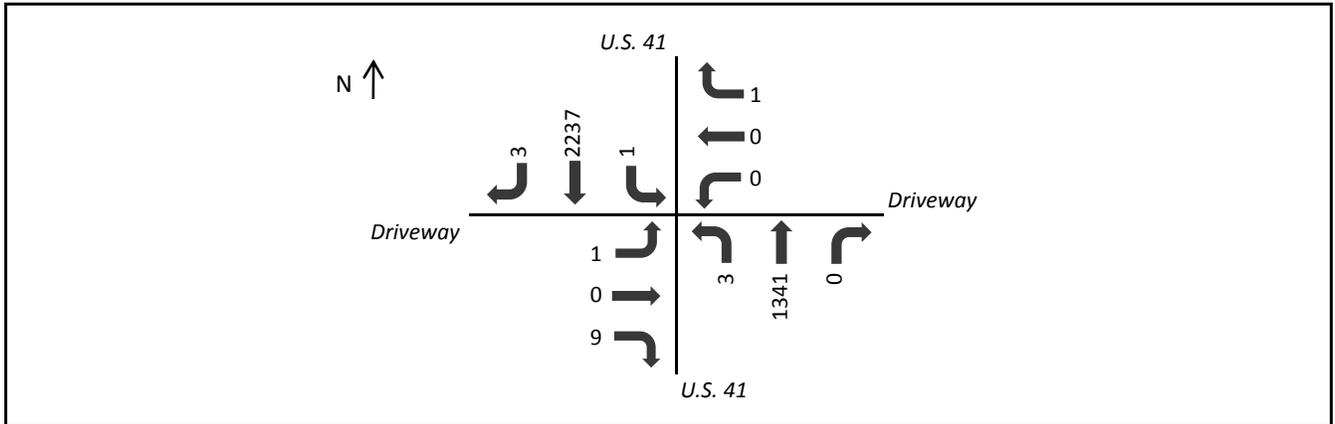
Peak Hour Volume (peak hour determined from intersection of US-41 at Pearl)

7:15 AM	3	1962	1	1966	1	0	0	1	0	1176	3	1179	8	0	1	9	3155
---------	---	------	---	------	---	---	---	---	---	------	---	------	---	---	---	---	------

Peak Hour, Peak Season Volume (PSCF: 1.14)

7:15 AM	3	2237	1	2241	1	0	0	1	0	1341	3	1344	9	0	1	10	3596
---------	---	------	---	------	---	---	---	---	---	------	---	------	---	---	---	----	------

Peak Hour Factor: 0.89



**TOTAL VEHICLES**

Start Time	U.S. 41 From North				Driveway From East				U.S. 41 From South				Driveway From West				Inter-section Total
	Right	Thru	Left	Total													
4:00 PM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4:15 PM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4:30 PM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
4:45 PM	1	333	0	334	2	0	0	2	0	495	0	495	0	0	0	0	831
Total	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

5:00 PM	0	373	1	374	0	0	0	0	0	458	1	459	1	0	0	1	834
5:15 PM	0	363	0	363	0	0	1	1	1	579	1	581	0	0	0	0	945
5:30 PM	1	321	1	323	1	0	0	1	0	592	0	592	0	0	0	0	916
5:45 PM	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Total	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

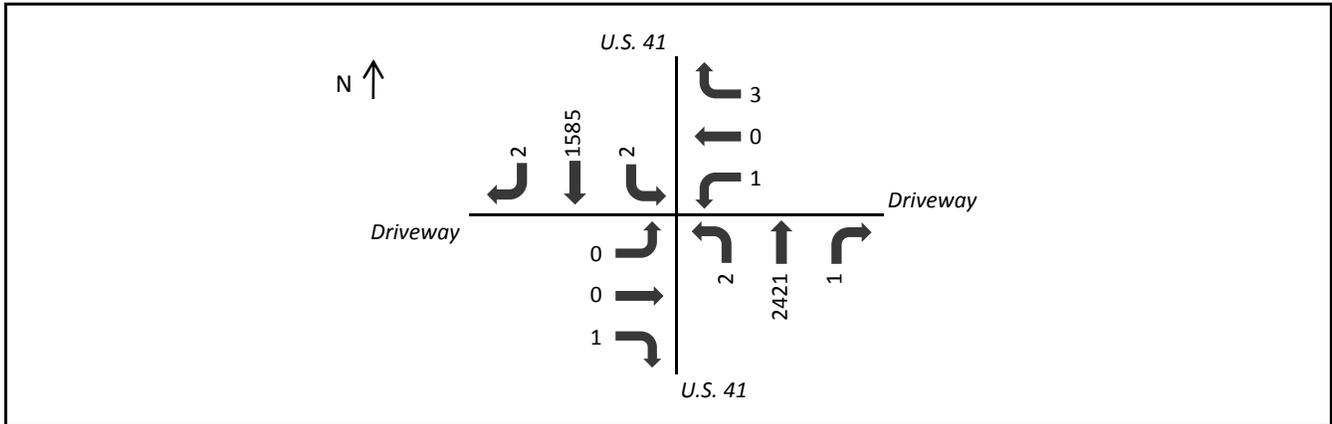
Peak Hour Volume (*peak hour determined from intersection of US-41 at Pearl*)

4:45 PM	2	1390	2	1394	3	0	1	4	1	2124	2	2127	1	0	0	1	3526
---------	---	------	---	------	---	---	---	---	---	------	---	------	---	---	---	---	------

Peak Hour, Peak Season Volume (*PSCF: 1.14*)

4:45 PM	2	1585	2	1589	3	0	1	4	1	2421	2	2424	1	0	0	1	4018
---------	---	------	---	------	---	---	---	---	---	------	---	------	---	---	---	---	------

Peak Hour Factor: 0.93



PLANNING COMMISSION  
 Manatee County Government Administrative Center  
 1112 Manatee Avenue West

2012 Peak Season Factor Category Report - Report Type: ALL  
 Category: 1302 US 41, 19 & 301

Week	Dates	SF	MOCF: 0.92 PSCF
1	01/01/2012 - 01/07/2012	0.94	1.02
2	01/08/2012 - 01/14/2012	0.95	1.03
* 3	01/15/2012 - 01/21/2012	0.96	1.04
* 4	01/22/2012 - 01/28/2012	0.95	1.03
* 5	01/29/2012 - 02/04/2012	0.94	1.02
* 6	02/05/2012 - 02/11/2012	0.92	1.00
* 7	02/12/2012 - 02/18/2012	0.91	0.99
* 8	02/19/2012 - 02/25/2012	0.91	0.99
* 9	02/26/2012 - 03/03/2012	0.90	0.98
*10	03/04/2012 - 03/10/2012	0.90	0.98
*11	03/11/2012 - 03/17/2012	0.89	0.97
*12	03/18/2012 - 03/24/2012	0.91	0.99
*13	03/25/2012 - 03/31/2012	0.92	1.00
*14	04/01/2012 - 04/07/2012	0.93	1.01
*15	04/08/2012 - 04/14/2012	0.94	1.02
16	04/15/2012 - 04/21/2012	0.96	1.04
17	04/22/2012 - 04/28/2012	0.97	1.05
18	04/29/2012 - 05/05/2012	0.99	1.07
19	05/06/2012 - 05/12/2012	1.01	1.10
20	05/13/2012 - 05/19/2012	1.02	1.11
21	05/20/2012 - 05/26/2012	1.04	1.13
22	05/27/2012 - 06/02/2012	1.06	1.15
23	06/03/2012 - 06/09/2012	1.08	1.17
24	06/10/2012 - 06/16/2012	1.10	1.19
25	06/17/2012 - 06/23/2012	1.10	1.19
26	06/24/2012 - 06/30/2012	1.10	1.19
27	07/01/2012 - 07/07/2012	1.10	1.19
28	07/08/2012 - 07/14/2012	1.10	1.19
29	07/15/2012 - 07/21/2012	1.10	1.19
30	07/22/2012 - 07/28/2012	1.10	1.19
31	07/29/2012 - 08/04/2012	1.10	1.19
32	08/05/2012 - 08/11/2012	1.10	1.19
33	08/12/2012 - 08/18/2012	1.10	1.19
34	08/19/2012 - 08/25/2012	1.10	1.19
35	08/26/2012 - 09/01/2012	1.10	1.19
36	09/02/2012 - 09/08/2012	1.10	1.19
37	09/09/2012 - 09/15/2012	1.10	1.19
38	09/16/2012 - 09/22/2012	1.08	1.17
39	09/23/2012 - 09/29/2012	1.07	1.16
40	09/30/2012 - 10/06/2012	1.05	1.14
41	10/07/2012 - 10/13/2012	1.03	1.12
42	10/14/2012 - 10/20/2012	1.02	1.11
43	10/21/2012 - 10/27/2012	1.01	1.10
44	10/28/2012 - 11/03/2012	1.00	1.09
45	11/04/2012 - 11/10/2012	0.99	1.07
46	11/11/2012 - 11/17/2012	0.98	1.06
47	11/18/2012 - 11/24/2012	0.97	1.05
48	11/25/2012 - 12/01/2012	0.96	1.04
49	12/02/2012 - 12/08/2012	0.95	1.03
50	12/09/2012 - 12/15/2012	0.94	1.02
51	12/16/2012 - 12/22/2012	0.95	1.03
52	12/23/2012 - 12/29/2012	0.96	1.04
53	12/30/2012 - 12/31/2012	0.96	1.04

\* Peak Season

# **APPENDIX C**

## **Historical Traffic**

PLANNING COMMISSION  
 Manatee County Government Administrative Center  
 1112 Manatee Avenue West

Florida Department of Transportation  
 Transportation Statistics Office  
 2012 Historical AADT Report

County: 13 - MANATEE

Site: 5035 - SR-45/US-41B, S OF GAINES AVE/TALLEVAST RD

Year	AADT	Direction 1	Direction 2	*K Factor	D Factor	T Factor
2012	36500 C	N 18500	S 18000	9.00	55.50	2.90
2011	35000 C	N 17000	S 18000	9.00	55.50	2.90
2010	38500 C	N 19000	S 19500	9.85	54.33	2.90

AADT Flags: C = Computed; E = Manual Estimate; F = First Year Estimate  
 S = Second Year Estimate; T = Third Year Estimate; X = Unknown  
 \*K Factor: Starting with Year 2011 is StandardK, Prior years are K30 values

# **APPENDIX D**

## **Intersection Analysis**

HCM Signalized Intersection Capacity Analysis

1: Pearl Avenue & US-41

1112 Manatee Avenue West



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕		↙	↘		↙	↑↑↑		↙	↑↑↑	
Volume (vph)	34	15	8	40	13	124	1	1200	14	101	2094	59
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		8.0		8.0	8.0		6.5	6.5		7.0	6.5	
Lane Util. Factor		1.00		1.00	1.00		1.00	0.91		1.00	0.91	
Frt		0.98		1.00	0.86		1.00	1.00		1.00	1.00	
Flt Protected		0.97		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1745		1805	1584		1805	5029		1770	5003	
Flt Permitted		0.47		0.77	1.00		0.06	1.00		0.16	1.00	
Satd. Flow (perm)		845		1467	1584		108	5029		297	5003	
Peak-hour factor, PHF	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Adj. Flow (vph)	38	17	9	45	15	139	1	1348	16	113	2353	66
RTOR Reduction (vph)	0	5	0	0	127	0	0	1	0	0	1	0
Lane Group Flow (vph)	0	59	0	45	27	0	1	1363	0	113	2418	0
Heavy Vehicles (%)	3%	0%	14%	0%	10%	3%	0%	3%	0%	2%	3%	12%
Turn Type	Perm			Perm			Perm			pm+pt		
Protected Phases		4			8			2		1	6	
Permitted Phases	4			8			2			6		
Actuated Green, G (s)		13.4		13.4	13.4		107.3	107.3		122.1	122.1	
Effective Green, g (s)		13.4		13.4	13.4		107.3	107.3		122.1	122.1	
Actuated g/C Ratio		0.09		0.09	0.09		0.72	0.72		0.81	0.81	
Clearance Time (s)		8.0		8.0	8.0		6.5	6.5		7.0	6.5	
Vehicle Extension (s)		3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)		75		131	142		77	3597		318	4072	
v/s Ratio Prot					0.02			0.27		0.02	c0.48	
v/s Ratio Perm		c0.07		0.03			0.01			0.27		
v/c Ratio		0.79		0.34	0.19		0.01	0.38		0.36	0.59	
Uniform Delay, d1		66.9		64.2	63.3		6.1	8.3		4.2	5.0	
Progression Factor		1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		42.1		1.6	0.7		0.3	0.3		0.7	0.6	
Delay (s)		109.0		65.7	64.0		6.4	8.6		4.9	5.7	
Level of Service		F		E	E		A	A		A	A	
Approach Delay (s)		109.0			64.4			8.6			5.6	
Approach LOS		F			E			A			A	

Intersection Summary		
HCM Average Control Delay	11.0	HCM Level of Service
HCM Volume to Capacity ratio	0.61	B
Actuated Cycle Length (s)	150.0	Sum of lost time (s)
Intersection Capacity Utilization	96.8%	14.5
Analysis Period (min)	15	ICU Level of Service
		F

c Critical Lane Group

HCM Signalized Intersection Capacity Analysis

1: Pearl Avenue & US-41



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕		↙	↘		↙	↑↑↑		↙	↑↑↑	
Volume (vph)	26	13	5	46	9	217	10	2211	29	93	1468	33
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)		8.0		8.0	8.0		6.5	6.5		7.0	6.5	
Lane Util. Factor		1.00		1.00	1.00		1.00	0.91		1.00	0.91	
Flt		0.99		1.00	0.86		1.00	1.00		1.00	1.00	
Flt Protected		0.97		0.95	1.00		0.95	1.00		0.95	1.00	
Satd. Flow (prot)		1766		1626	1585		1805	5077		1752	5023	
Flt Permitted		0.49		0.73	1.00		0.14	1.00		0.04	1.00	
Satd. Flow (perm)		882		1243	1585		273	5077		68	5023	
Peak-hour factor, PHF	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Adj. Flow (vph)	28	14	5	49	10	233	11	2377	31	100	1578	35
RTOR Reduction (vph)	0	2	0	0	67	0	0	1	0	0	2	0
Lane Group Flow (vph)	0	45	0	49	176	0	11	2407	0	100	1611	0
Heavy Vehicles (%)	0%	10%	0%	11%	17%	2%	0%	2%	0%	3%	3%	0%
Turn Type	Perm			Perm			Perm			pm+pt		
Protected Phases		4			8			2		1	6	
Permitted Phases	4			8			2			6		
Actuated Green, G (s)		28.9		28.9	28.9		101.6	101.6		116.6	116.6	
Effective Green, g (s)		28.9		28.9	28.9		101.6	101.6		116.6	116.6	
Actuated g/C Ratio		0.18		0.18	0.18		0.63	0.63		0.73	0.73	
Clearance Time (s)		8.0		8.0	8.0		6.5	6.5		7.0	6.5	
Vehicle Extension (s)		3.0		3.0	3.0		3.0	3.0		3.0	3.0	
Lane Grp Cap (vph)		159		225	286		173	3224		134	3661	
v/s Ratio Prot					c0.11			0.47		c0.04	0.32	
v/s Ratio Perm		0.05		0.04			0.04			c0.51		
v/c Ratio		0.28		0.22	0.61		0.06	0.75		0.75	0.44	
Uniform Delay, d1		56.6		55.9	60.4		11.1	20.3		41.4	8.7	
Progression Factor		1.00		1.00	1.00		1.00	1.00		1.00	1.00	
Incremental Delay, d2		1.0		0.5	3.9		0.7	1.6		20.0	0.4	
Delay (s)		57.5		56.4	64.3		11.8	21.9		61.4	9.1	
Level of Service		E		E	E		B	C		E	A	
Approach Delay (s)		57.5			63.0			21.8			12.1	
Approach LOS		E			E			C			B	

Intersection Summary		
HCM Average Control Delay	21.2	HCM Level of Service C
HCM Volume to Capacity ratio	0.70	
Actuated Cycle Length (s)	160.0	Sum of lost time (s) 15.0
Intersection Capacity Utilization	91.6%	ICU Level of Service F
Analysis Period (min)	15	

c Critical Lane Group

HCM Unsignalized Intersection Capacity Analysis

3: Project Driveway & US-41



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↑↑↑		↘	↑↑↑	
Volume (veh/h)	1	0	9	16	0	29	3	1337	18	50	2229	3
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Hourly flow rate (vph)	1	0	10	18	0	33	3	1502	20	56	2504	3
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								TWLTL			TWLTL	
Median storage (veh)								2			2	
Upstream signal (ft)								345				
pX, platoon unblocked	0.90	0.90		0.90	0.90	0.90				0.90		
vC, conflicting volume	3159	4148	837	2476	4139	511	2508			1522		
vC1, stage 1 conf vol	2619	2619		1519	1519							
vC2, stage 2 conf vol	540	1529		957	2620							
vCu, unblocked vol	3002	4107	837	2241	4097	46	2508			1175		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)	6.5	5.5		6.5	5.5							
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	95	100	97	87	100	96	98			90		
cM capacity (veh/h)	22	42	314	140	40	914	184			539		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	SB 1	SB 2	SB 3	SB 4
Volume Total	11	51	379	751	396	56	1002	1002	504
Volume Left	1	18	3	0	0	56	0	0	0
Volume Right	10	33	0	0	20	0	0	0	3
cSH	135	308	184	1700	1700	539	1700	1700	1700
Volume to Capacity	0.08	0.16	0.02	0.44	0.23	0.10	0.59	0.59	0.30
Queue Length 95th (ft)	7	14	1	0	0	9	0	0	0
Control Delay (s)	34.1	19.0	0.8	0.0	0.0	12.5	0.0	0.0	0.0
Lane LOS	D	C	A			B			
Approach Delay (s)	34.1	19.0	0.2			0.3			
Approach LOS	D	C							

Intersection Summary		
Average Delay		0.6
Intersection Capacity Utilization	56.4%	ICU Level of Service
Analysis Period (min)		15
		B

HCM Unsignalized Intersection Capacity Analysis

4: Pearl Avenue & Project Driveway

Manatee County Government Administrative Center

PLANNING COMMISSION  
 RaceTrac No. 1124  
 AM Peak Total Traffic  
 1112 Manatee Avenue West



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↶	↷		↷	
Volume (veh/h)	12	118	142	3	3	35
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Hourly flow rate (vph)	13	133	160	3	3	39
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)		200				
pX, platoon unblocked					1.00	
vC, conflicting volume	163				321	161
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	163				318	161
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	99				99	96
cM capacity (veh/h)	1428				671	889

Direction, Lane #	EB 1	WB 1	SB 1
Volume Total	146	163	43
Volume Left	13	0	3
Volume Right	0	3	39
cSH	1428	1700	867
Volume to Capacity	0.01	0.10	0.05
Queue Length 95th (ft)	1	0	4
Control Delay (s)	0.8	0.0	9.4
Lane LOS	A		A
Approach Delay (s)	0.8	0.0	9.4
Approach LOS			A

Intersection Summary			
Average Delay		1.5	
Intersection Capacity Utilization		26.2%	ICU Level of Service A
Analysis Period (min)		15	

HCM Unsignalized Intersection Capacity Analysis

3: Project Driveway & US-41



Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↑↑↑		↕	↑↑↑	
Volume (veh/h)	0	0	1	14	0	64	2	2411	41	41	1580	2
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	0	0	1	15	0	69	2	2592	44	44	1699	2
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								TWLTL			TWLTL	
Median storage (veh)								2			2	
Upstream signal (ft)								345				
pX, platoon unblocked	0.67	0.67		0.67	0.67	0.67				0.67		
vC, conflicting volume	2725	4429	567	3274	4408	886	1701			2637		
vC1, stage 1 conf vol	1788	1788		2619	2619							
vC2, stage 2 conf vol	937	2641		656	1789							
vCu, unblocked vol	1832	4393	567	2657	4362	0	1701			1698		
tC, single (s)	7.5	6.5	6.9	7.5	6.5	6.9	4.1			4.1		
tC, 2 stage (s)	6.5	5.5		6.5	5.5							
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	100	100	100	77	100	91	99			83		
cM capacity (veh/h)	69	46	472	64	69	726	379			253		

Direction, Lane #	EB 1	WB 1	NB 1	NB 2	NB 3	NB 4	SB 1	SB 2	SB 3	SB 4
Volume Total	1	84	2	1037	1037	563	44	680	680	342
Volume Left	0	15	2	0	0	0	44	0	0	0
Volume Right	1	69	0	0	0	44	0	0	0	2
cSH	472	255	379	1700	1700	1700	253	1700	1700	1700
Volume to Capacity	0.00	0.33	0.01	0.61	0.61	0.33	0.17	0.40	0.40	0.20
Queue Length 95th (ft)	0	35	0	0	0	0	15	0	0	0
Control Delay (s)	12.7	25.9	14.5	0.0	0.0	0.0	22.2	0.0	0.0	0.0
Lane LOS	B	D	B				C			
Approach Delay (s)	12.7	25.9	0.0				0.6			
Approach LOS	B	D								

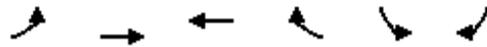
Intersection Summary	
Average Delay	0.7
Intersection Capacity Utilization	65.6%
ICU Level of Service	C
Analysis Period (min)	15

HCM Unsignalized Intersection Capacity Analysis

4: Pearl Avenue & Project Driveway

Manatee County Government Administrative Center

PLANNING COMMISSION  
 RaceTrac No. 1124  
 PM Peak Total Traffic  
 1112 Manatee Avenue West



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↗		↙	
Volume (veh/h)	23	112	242	6	4	30
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93
Hourly flow rate (vph)	25	120	260	6	4	32
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)		200				
pX, platoon unblocked					0.99	
vC, conflicting volume	267				433	263
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	267				424	263
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	98				99	96
cM capacity (veh/h)	1309				574	780

Direction, Lane #	EB 1	WB 1	SB 1
Volume Total	145	267	37
Volume Left	25	0	4
Volume Right	0	6	32
cSH	1309	1700	749
Volume to Capacity	0.02	0.16	0.05
Queue Length 95th (ft)	1	0	4
Control Delay (s)	1.5	0.0	10.1
Lane LOS	A		B
Approach Delay (s)	1.5	0.0	10.1
Approach LOS			B

Intersection Summary			
Average Delay		1.3	
Intersection Capacity Utilization		33.6%	ICU Level of Service A
Analysis Period (min)		15	

# **APPENDIX E**

## **Existing Signal Timings**

**Time of Day Plan**

Designed By:	N/A
Date:	12/12/12
Checked By:	OSP
Date:	12/12/12

System ID: **13010A**  
 Section: **13010**  
 From: **Tallevast Rd/Gaines Ave**  
 To: **Florida Blvd**

**ALL SEASON PLAN**

Day	Time	Pattern	C/S/O	Cycle Length
Monday Thru Friday	0000 - 0630	-	-	FREE
	0630 - 1000	5	5/5/5	150
	1000 - 1400	2	2/2/2	100
	1400 - 1900	6	6/6/6	160
	1900 - 2200	1	1/1/1	90
	2200 - 0000	-	-	FREE
Saturday	0000 - 0700	-	-	FREE
	0700 - 1000	1	1/1/1	90
	1000 - 1400	3	3/3/3	130
	1400 - 2300	1	1/1/1	90
	2300 - 0000	-	-	FREE
Sunday	0000 - 0800	-	-	FREE
	0800 - 1000	1	1/1/1	90
	1000 - 1400	4	4/4/4	130
	1400 - 2100	1	1/1/1	90
	2100 - 0000	-	-	FREE

Note:

1) This system is in cross coordination with the following systems: 13010B, 13160A, 13160B, 13040A, 13130A, and 53rd Ave. Extreme care should be taken while making timing adjustments so that cross coordination between the systems is not affected.



# **APPENDIX F**

## **Turn Lane Warrant & Length Evaluation**

Location: Pearl Avenue at Project Drive (Eastbound Left-Turn Lane)

**AM Peak Hour**

Advancing Volume: 130 vph  
 Opposing Volume: 145 vph  
 Left-Turn Volume: 12 vph  
 Percent Left Turns: 9%

**PM Peak Hour**

Advancing Volume: 135 vph  
 Opposing Volume: 248 vph  
 Left-Turn Volume: 23 vph  
 Percent Left Turns: 17%

9-132 | A Policy on Geometric Design of Highways and Streets

**Table 9-23. Guide for Left-Turn Lanes on Two-Lane Highways (10)**

Metric					U.S. Customary				
Opposing Volume (veh/h)	Advancing Volume (veh/h)				Opposing Volume (veh/h)	Advancing Volume (veh/h)			
	5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns		5% Left Turns	10% Left Turns	20% Left Turns	30% Left Turns
<b>60-km/h Operating Speed</b>					<b>40-mph Operating Speed</b>				
800	330	240	180	160	800	330	240	180	160
600	410	305	225	200	600	410	305	225	200
400	510	380	275	245	400	510	380	275	245
200	640	470	350	305	200	640	470	350	305
100	720	515	390	340	100	720	515	390	340
<b>80-km/h Operating Speed</b>					<b>50-mph Operating Speed</b>				
800	280	210	165	135	800	280	210	165	135
600	350	260	195	170	600	350	260	195	170
400	430	320	240	210	400	430	320	240	210
200	550	400	300	270	200	550	400	300	270
100	615	445	335	295	100	615	445	335	295
<b>100-km/h Operating Speed</b>					<b>60-mph Operating Speed</b>				
800	230	170	125	115	800	230	170	125	115
600	290	210	160	140	600	290	210	160	140
400	365	270	200	175	400	365	270	200	175
200	450	330	250	215	200	450	330	250	215
100	505	370	275	240	100	505	370	275	240

**RESULT: Not Warranted**

*SOURCE: A Policy on Geometric Design of Highways and Streets (AASHTO, 2011)*

**RACETRAC No. 1124**

*Turn Lane Warrant Evaluation*

RAYSOR Transportation Consulting

Location: Pearl Avenue at Project Drive (Westbound Right-Turn Lane)

**AM Peak Hour**

Right-Turn Volume: 3 vph  
 Warrant Threshold: 125 vph

**PM Peak Hour**

Right-Turn Volume: 6 vph  
 Warrant Threshold: 125 vph

Chapter 7 Right Turn Lanes

**7.2**

**WHEN SHOULD WE BUILD RIGHT TURN LANES?**

Exhibit 44  
**RECOMMENDED GUIDELINES FOR EXCLUSIVE RIGHT TURN LANES TO UNSIGNALIZED\* DRIVEWAY**

Roadway Posted Speed Limit	Number of Right Turns Per Hour
45 mph or less	80-125 <sup>1</sup>
Over 45 mph	35-55 <sup>2</sup>

\*May not be appropriate for signalized locations where signal phasing plays an important role in determining the need for right turn lanes.

1. The lower threshold of 80 right turn vehicles per hour would be most used for higher volume (greater than 600 vehicles per hour, per lane in one direction on the major roadway) or two-lane roads where lateral movement is restricted. The 125 right turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with a large entry radius (50 feet or greater).
2. The lower threshold of 35 right turn vehicles per hour would be most appropriately used on higher volume two-lane roadways where lateral movement is restricted. The 55 right turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with large entry radius (50 feet or greater).

**Note:** A posted speed limit of 45 mph may be used with these thresholds if the operating speeds are known to be over 45 mph during the time of peak right turn demand.

**Note on Traffic projections:** Projecting turn volumes is at best a knowledgeable guess. Keep this in mind especially if the projections of right turns are close to meeting the guidelines. In that case you may want to require construction.

FDOT Driveway Handbook

60

March 2005

**RESULT: Not Warranted**

*SOURCE: FDOT Driveway Handbook (March 2005)*

**RACETrac No. 1124**

*Turn Lane Warrant Evaluation*

RAYSOR Transportation Consulting

Location: US-41 at Project Drive (Northbound Right-Turn Lane)

**AM Peak Hour**

Right-Turn Volume: 18 vph  
 Warrant Threshold: 55 vph

**PM Peak Hour**

Right-Turn Volume: 41 vph  
 Warrant Threshold: 55 vph

Chapter 7 Right Turn Lanes

**7.2**

**WHEN SHOULD WE BUILD RIGHT TURN LANES?**

Exhibit 44  
**RECOMMENDED GUIDELINES FOR EXCLUSIVE RIGHT TURN LANES TO UNSIGNALIZED\* DRIVEWAY**

Roadway Posted Speed Limit	Number of Right Turns Per Hour
45 mph or less	80-125 <sup>1</sup>
Over 45 mph	35-55 <sup>2</sup>

\*May not be appropriate for signalized locations where signal phasing plays an important role in determining the need for right turn lanes.

1. The lower threshold of 80 right turn vehicles per hour would be most used for higher volume (greater than 600 vehicles per hour, per lane in one direction on the major roadway) or two-lane roads where lateral movement is restricted. The 125 right turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with a large entry radius (50 feet or greater).
2. The lower threshold of 35 right turn vehicles per hour would be most appropriately used on higher volume two-lane roadways where lateral movement is restricted. The 55 right turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with large entry radius (50 feet or greater).

**Note:** A posted speed limit of 45 mph may be used with these thresholds if the operating speeds are known to be over 45 mph during the time of peak right turn demand.

**Note on Traffic projections:** Projecting turn volumes is at best a knowledgeable guess. Keep this in mind especially if the projections of right turns are close to meeting the guidelines. In that case you may want to require construction.

FDOT Driveway Handbook

60

March 2005

**RESULT: Not Warranted**

*SOURCE: FDOT Driveway Handbook (March 2005)*

**RACETrac No. 1124**

*Turn Lane Warrant Evaluation*

RAYSOR Transportation Consulting

Location: US-41 at Pearl Avenue (project movements only)

**RaceTrac No. 1124**

US-41 at Pearl Avenue Turn Lane Length Analysis

Movement	AM Peak Hour				PM Peak Hour				Existing Length (ft)
	Queue Length (raw) <sup>[1]</sup>	Queue Length (adj) <sup>[1]</sup>	Decel/Taper Distance <sup>[2]</sup> (ft)	Total Length	Queue Length (raw) <sup>[1]</sup>	Queue Length (adj) <sup>[1]</sup>	Decel/Taper Distance <sup>[2]</sup> (ft)	Total Length	
SBL	40'	50'	350'	400'	142'	150'	350'	500'	[3]
WBL	81'	100'	145'	245'	95'	100'	145'	245'	250'

[1] Raw queue length directly from analysis file. Adjusted queue length rounded up to 25 foot increment.

[2] Deceleration distance pursuant to FDOT Index 301, assuming posted speed + 5 mph.

[3] A continuous two-way-left-turn-lane terminates as the southbound left-turn lane.

**RESULT: No Lengthening Required**

**RACETrac No. 1124**

*Turn Lane Length Evaluation*

# **APPENDIX G**

## **Queue Observations**

**U.S. Highway 41 at Pearl Avenue**

*Westbound Approach Queue Observations (October 1, 2013)*

AM Peak Hour (7:15 am to 8:15 am)

Cycle	Vehicular Queue
1	2
2	2
3	1
4	2
5	1
6	2
7	1
8	2
9	1
10	4
11	0
12	5
13	2
14	3
15	1
16	1
17	2
18	2
19	1
20	2
21	3
22	2
23	1
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	

Cycle	Vehicular Queue
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	

Cycle	Vehicular Queue
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	
101	
102	
103	
104	
105	
106	
107	
108	
109	
110	
111	
112	
113	
114	
115	
116	
117	
118	
119	
120	

*\*Trucks and/or vehicles pulling trailers were considered as two vehicles.*

**U.S. Highway 41 at Pearl Avenue**

*Westbound Approach Queue Observations (October 1, 2013)*

PM Peak Hour (4:45 pm to 5:45 pm)

Cycle	Vehicular Queue
1	2
2	4
3	5
4	4
5	1
6	2
7	3
8	6
9	6
10	8
11	4
12	4
13	6
14	8
15	4
16	5
17	4
18	6
19	3
20	6
21	3
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	

Cycle	Vehicular Queue
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	

Cycle	Vehicular Queue
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	
101	
102	
103	
104	
105	
106	
107	
108	
109	
110	
111	
112	
113	
114	
115	
116	
117	
118	
119	
120	

*\*Trucks and/or vehicles pulling trailers were considered as two vehicles.*



**Copy of newspaper advertising**

**Bradenton Herald**

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION / DTS#20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated

between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility;

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

The NWRP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision.

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](mailto: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; TD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS. MANATEE COUNTY PLANNING COMMISSION**  
Manatee County Building and Development Services Department  
Manatee County, Florida  
03/28/2014

**Sarasota Herald - Tribune**

**PDP1-06-45(G)(R) - MANATEE COUNTY NWRP & WATER SUPPLY/TREATMENT (NORTH COUNTY FUEL DEPOT) (COUNTY - INITIATED) DTS #20140063**  
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDP1-06-45(Z)(G) and the General Development Plan for the North Water Reclamation Facility and Water Treatment Plant (NWRP) to include a fuel depot facility; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

The NWRP is located north and east of 69th Street East, and north of Erie Road, extending north 5,500 feet north from the intersection of 69th Street East and Erie Road at 7550, 7920, 8100, and 8500 69th Street East, Ellenton (647± acres). The proposed fuel depot facility (2.08± acres) is east of 69th Street East on the southeast portion of the property (2.08± acre fuel depot facility; 647± total acreage).

**PDR-13-40(Z)(G) - 615 UPPER MANATEE RIVER ROAD DTS #20130458; BUZZSAW # B00000253**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 64.07 acres at 615 Upper Manatee River Road, Bradenton from A-1 (Suburban Agriculture, one dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for 163 single family detached residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners. Interested parties may examine the Official Zoning Atlas, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: [planning.agenda@mymanatee.org](mailto: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; TD 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: March 28, 2014

**NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY**

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on **Thursday, April 10, 2014 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:

**PDC-12-15(P)(R) - U.S. 41 @ PEARL AVENUE / DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development/Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, Sarasota (Manatee County) to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**PDR-06-72(P)(R2) - WILLIAM BRIGGS MCCLATCHY/TILLET BAYOU PRESERVE SUBDIVISION DTS#20130402**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Revised Preliminary Site Plan to:

- Decrease the total number of lots from 34 to 15 lots for single-family detached residences;
- Retain existing proposed docking facilities;
- Realign interior roadways and designate as private streets;
- Modify the gross density from 0.84 to 0.36 dwelling units per acre;
- Change sanitary service from sewer to septic tank systems; and
- Extend the expiration date two years, from May 12, 2014 to May 12, 2016.

The 41.61± acre site is in the PDR/CH/HA (Planned Residential/Coastal High Hazard/Historical and Archaeological Overlay) zoning district. The site is situated between Center Road and Bayshore Drive and includes a strip of land between Bayshore Drive and Tillett Bayou, at 1631 Center Road, Terra Ceia, North County; subject to stipulations as conditions of approval; setting forth findings; providing a legal description, and providing an effective date.



**Fw: Development of land at Route 41 and Pearl Street**  
**Shelley Hamilton** to: Bobbi Roy

02/05/2014 10:52 AM

For Pearl Avenue/U.S. 41 Race Trac.

Shelley E. Hamilton, Principal Planner  
Manatee County Government  
Building and Development Services  
1112 Manatee Avenue West  
Bradenton, FL 34205  
941-748-4501, Ext. 6863  
shelley.hamilton@mymanatee.org

----- Forwarded by Shelley Hamilton/MCG on 02/05/2014 10:51 AM -----

From: Robert Schmitt/MCG  
To: Shelley Hamilton/MCG@MCG  
Date: 02/04/2014 03:34 PM  
Subject: Fw: Development of land at Route 41 and Pearl Street

fyi

----- Forwarded by Robert Schmitt/MCG on 02/04/2014 03:34 PM -----

From: Robin DiSabatino/MCG  
To: "Brenda suffield" <bmsuffield@gmail.com>, Sarah Schenk/MCG, Robert Schmitt/MCG  
Cc: Shirley Talley/MCG  
Date: 02/04/2014 02:36 PM  
Subject: Re: Development of land at Route 41 and Pearl Street

Dear Brenda,

Thank you for this information. I am including Staff, so that they can brief me of the proposals to this site. I know I had voted against the project about a year ago.

Robin DiSabatino  
Manatee County Commissioner  
District 4  
941-685-5368

Sent from my iPad

On Feb 4, 2014, at 12:35 PM, "Brenda suffield" <[bmsuffield@gmail.com](mailto:bmsuffield@gmail.com)> wrote:

Dear Robin,

Recently I have learned that the now vacant land on the corner of Route 41 and Pearl Street, Sarasota, Manatee County might be developed as a "monster" gas station. I find it hard to believe that the Manatee government would grant the necessary permits for such an unsightly development in a residential area. Nothing good can come out of this and the negative impact on the existing convenience stores and gas stations in the area would be serious and irreversible.

PLANNING COMMISSION  
Manatee County Government Administrative Center  
1112 Manatee Avenue West

To encourage the development of businesses that glorify fossil fuels in a time when the country is desperately trying to "go green" to save and re- build the economy and our future is simply devastating. We cannot prosper with the same old attitude and bigger IS NOT BETTER.

Couldn't you have thought of a better use for this land; a YMCA, a Community Center, a Library Annex, an Artisan Area of small businesses, a homeless shelter, an office development.or some type of industry that actually EMPLOYS people?

Should you wish to discuss this further, I would be interested in attending a Town Hall Meeting on the subject. I can be reached by telephone at 941-351-5882 or my email at [bmsuffield@gmail.com](mailto:bmsuffield@gmail.com).

Regards,

Brenda Murphy Suffield  
7122 Westmoreland Ave.  
Sarasota, Florida 34243



**Fw: Two concerns - 41 and Pearl**

**Shirley Talley** to: Larry Bustle, Michael Gallen, John Chappie,  
Robin DiSabatino, Carol Whitmore, Vanessa  
Baugh, Betsy Benac, Bobbi Roy, Debbie 02/05/2014 10:54 AM

----- Forwarded by Shirley Talley/MCG on 02/05/2014 10:53 AM -----

From: Robin DiSabatino/MCG  
To: Mike Holderness <donzimize38@gmail.com>, Shirley Talley/MCG@MCG  
Cc: Robert Schmitt/MCG@MCG, Sarah Schenk/MCG@MCG, John Barnott/MCG@MCG, Ron Schulhofer/MCG@MCG, William Clague/MCG@MCG  
Date: 02/05/2014 10:49 AM  
Subject: Re: Two concerns- 41 and Pearl

Shirley, Please share this email with the other Commissioners.

Evidently, this item will be coming back before us.

Initially, I was confused with the questions, as we had already voted on this item, but apparently, there are changes being put forth again.

Robin S. DiSabatino  
County Commissioner, District 4

Manatee County Government  
Board of County Commissioners  
Post Office Box 1000  
Bradenton, FL 34206-1000  
Telephone: 941-745-3713  
Facsimile: 941-745-3790  
[Robin.DiSabatino@mymanatee.org](mailto:Robin.DiSabatino@mymanatee.org)

Mike Holderness Dear Robin-There has been no work on the Pear... 02/05/2014 09:25:53 AM

From: Mike Holderness <donzimize38@gmail.com>  
To: Robin Disabatino <robin.disabatino@mymanatee.org>  
Date: 02/05/2014 09:25 AM  
Subject: Two concerns

Dear Robin-There has been no work on the Pearl and US 41 intersection in the past two days-This backs up traffic on Whitfield and US 41 because the light duration is to short-Secondly I was in the BP station in the 68 hundred block an I was asked about the Race Track gas station proposed on US 41 at Pearl Ave-The deep concern on his face and in his voice really effected me-I know it is not the commissions concern but all the "little Guy" that makes up this corrode will be gone then we have to contend with empty stores-I hope that every commissioner will take the time to visit this proposed site-On the way down to the site take a look at the Race Track station in the 54 hundred block of 41 and see what is proposed-Imagine an even Longer canopy over the gas pumps and how tall it-Are there any regulations governing the height of these signs and size?-Thank you for your time-

--

Sincerely,  
Mike Holderness, Sr.  
Broker/President

FIVE STAR BEST in Client Satisfaction

*Around the corner or around the globe, I can help you find a home!*

*Referrals are always appreciated!*

**Want information about the area, events, and other real estate news?**

Check out our blog!

**"LIKE" Us on Facebook**

SaraBay Real Estate, Inc.  
7333 N. Tamiami Trail  
Sarasota, FL 34243  
Office: 941-355-7696  
Cell: 941-356-0685  
Email: [donzimike38@gmail.com](mailto:donzimike38@gmail.com)  
[www.sarabay.com](http://www.sarabay.com)

**LEGAL DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MANATEE COUNTY, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:  
 A PARCEL OF LAND LOCATED IN A PART OF THE NORTH 1/2 OF SECTION 26, TOWNSHIP 35 SOUTH, RANGE 17 EAST, AND A PART OF BLOCK 45, WHITFIELD ESTATES ON SARASOTA BAY AS RECORDED IN PLAT BOOK 6, PAGE 33 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA TO WIT:  
 BEGINNING AT THE SOUTHERNMOST CORNER OF SAID BLOCK 45; THENCE ALONG THE EAST RIGHT OF WAY LINE OF TAMAMI TRAIL AND THE WEST BLOCK LINE OF SAID BLOCK 45, N.27°43'58"W, 214.54 FEET TO A POINT OF A CURVE; THENCE NORTHEASTERLY 34.69 FEET ALONG THE ARC OF A CURVE TO THE LEFT WHICH HAS A RADIUS OF 24.42 FEET AND A CENTRAL ANGLE OF 81°23'39" AND A CHORD WHICH BEARS N.15°11'12"E, A DISTANCE OF 31.85 FEET; THENCE N.28°34'05"W, 70.97 FEET; THENCE N.62°01'41"E, 67.09 FEET; THENCE N.27°58'19"W, 24.07 FEET TO THE NORTH LINE OF SUBJECT SITE; THENCE ALONG SAID NORTH LINE N.62°01'41"E, 182.32 FEET TO THE EAST LINE OF BLOCK 45; THENCE ALONG THE EAST LINE OF BLOCK 45, S.27°44'30"E, 337.38 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 45; THENCE S.63°00'00"W, 270.00 FEET TO THE POINT OF BEGINNING.

**TRANSPORTATION NOTES:**

- THE APPLICANT SHALL BE RESPONSIBLE FOR ANY ADDITIONAL ON-SITE OR OFF-SITE TRANSPORTATION SAFETY IMPROVEMENTS ATTRIBUTABLE TO THIS PROJECT, AS DETERMINED BY THE PLANNING DEPARTMENT AND/OR TRAFFIC STUDY.
- THE APPLICANT SHALL BE RESPONSIBLE FOR ANY ADDITIONAL ON-SITE OR OFF-SITE CAPACITY RELATED TRANSPORTATION IMPROVEMENTS REQUIRED AS PART OF CLOS FOR THIS PROJECT.
- ALL TRAFFIC CONTROL SIGNAGE AND PAVEMENT MARKINGS, IF WARRANTED, SHALL CONFORM TO FDOT AND MUTCD STANDARDS.

**UTILITY NOTES:**

- PROPOSED IMPROVEMENTS TO CONNECT TO EXISTING SANITARY AND POTABLE WATER LINES ON SITE (ALONG MANATEE STREET).

**GENERAL NOTES:**

- THERE ARE NO WETLANDS ON OR WITHIN 50' OF THE SUBJECT PROPERTY.
- THERE ARE NO PERENNIAL STREAMS ON OR ADJACENT TO THE SUBJECT PROPERTY.
- THERE ARE NO FOUNDATIONS, MOUNDS, OR AREA OF HISTORIC ORIGIN ON SITE.
- THERE ARE NO EXISTING DEPARTMENT OF ENVIRONMENTAL PROTECTION OR JURISDICTIONAL AREAS ON SITE.
- THERE ARE NO EXISTING PLATTED STREETS OR DRAINAGE WAYS ON SITE.
- THERE ARE NO DESIGNATED PUBLIC USE AREAS ON THIS SITE.
- LANDSCAPE AREAS TO BE IRRIGATED BY PROPOSED WELL, THERE ARE NO EXISTING ACTIVE OR INACTIVE WELLS ON SITE.
- THE SITE LIES WITHIN THE AIRPORT IMPACT (AI), HISTORICAL & ARCHAEOLOGICAL (HA) AND WHITFIELD RESIDENTIAL (WR) OVERLAY DISTRICTS.
- ALL DUMPSTER ENCLOSURES SHALL BE CONSTRUCTED OF SIMILAR MATERIALS AS THE MAIN BUILDING, THE ENCLOSURE AND GATE OR FENCE SHALL BE PAINTED A SIMILAR COLOR TO THE MAIN BUILDING ELEVATIONS OF THE DUMPSTER ENCLOSURE AND GATE OR FENCE SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO FINAL SITE PLAN APPROVAL.
- ANY NEW HVAC EQUIPMENT AND MECHANICAL EQUIPMENT (INCLUDING ROOF MOUNTED) SHALL BE SCREENED FROM VIEW FROM US 41, PEARL AVENUE AND MANATEE STREET, THE RIGHT-OF-WAY WHERE THE EXISTING DRIVES ARE PEARL AVENUE AND US 41 ARE BEING REMOVED SHALL BE RESTORED TO TYPICAL CONDITIONS.
- THE PROPOSED IMPROVEMENTS WILL OCCUR IN ONE PHASE.
- NO GROUND DISTURBING ACTIVITIES OR VEHICULAR TRAVEL WILL OCCUR WITHIN THE DRIP LINE OF EXISTING TREES TO REMAIN.
- THERE ARE NO PROPOSED OR EXISTING UTILITIES ON THIS SITE.
- THERE ARE NO PROPOSED OR REQUESTED BONUS PROVISIONS FOR ADDITIONAL DENSITY OR FLOOR AREA.
- THE APPLICANT SHALL ADHERE TO THE SECTION 728 SOLID WASTE REQUIREMENTS OF LAND DEVELOPMENT CODE.
- SIGNAGE WILL COMPLY WITH LDC 724 (SIGNAGE), SIGNAGE TO BE REVIEWED DURING FINAL SITE REVIEW.
- HVAC UNITS SHALL BE ROOF MOUNTED.
- LANDSCAPING TO BE PROVIDED IN SUBSTANTIAL CONFORMANCE AS SHOWN ON THE PRELIMINARY SITE PLAN.
- RACETRAC AGREES WITH THE CITY'S PERMISSION TO REPLANT APPROVED PLANT MATERIAL WITHIN THE GAPS OF THE EXISTING HEDGE ALONG MANATEE STREET, ADJACENT TO THE EXISTING HOTEL ABUTTING THE SITE AND IN THE ROW ALONG THE RACETRAC PROPERTY.
- THE PROJECT AS PROPOSED SHALL NOT INCLUDE A PAY PHONE.
- RACETRAC SHALL REQUEST A WAIVER TO THE SIDEWALK REQUIREMENT ALONG MANATEE STREET.
- RACETRAC'S ORIGINAL PROPOSAL FOR A FLAT ROOF CANOPY HAS BEEN MODIFIED TO A MANSARD PARAPET CANOPY WITH STACK-STONE COLUMNS.
- THE DRIVEWAY TO MANATEE STREET, AS ORIGINALLY PROPOSED, HAS BEEN REMOVED.
- RACETRAC PROPOSES TWO (2) EIGHT FOOT TALL GROUND SIGNS WITH LED PRICE LETTERS.
- RACETRAC WILL INSTALL CPTED FENCING ALONG MANATEE STREET. FINAL HEIGHT & LOCATION TO BE DETERMINED AT FINAL SITE PLAN APPROVAL.
- THE PROJECT WILL UTILIZE TWO (2) GROUND MOUNTED SIGNS. NO POLE SIGNS ARE PROPOSED.
- THE PROPOSED RETAINING WALL WILL BE CONSTRUCTED OF SIMILAR MATERIAL AS THE BUILDING STACK-STONE AND THE INTEGRATED METAL FENCING WILL HAVE STONE COLUMNS AT REGULAR INTERVALS. THE FINAL SIZE AND LOCATION TO BE DETERMINED DURING PSP REVIEW.
- THERE ARE NO KNOWN WELLS LOCATED ON THE PROPERTY, ANY WELL FOUND WILL BE ABANDONED AND CAPPED PER COUNTY & SWFWMD REGULATIONS.

**STORMWATER NOTES:**

- IF THE PROPOSED BUILDING IS DESIGNED TO BE BELOW THE 100 YEAR BASE FLOOD ELEVATION, THE FINAL SITE PLAN AND/OR CONSTRUCTION PLANS SHALL DEMONSTRATE THAT NO ADVERSE IMPACTS WILL BE CREATED TO NEIGHBORING PROPERTY SURROUNDING THE SITE IN RESPECT TO DRAINAGE ROUTING, GRADING, AND RUNOFF.

**LANDSCAPE NOTE:**

- SITE WILL COMPLY WITH LANDSCAPING SHOWN HEREON.

**CROSS ACCESS AGREEMENT:**

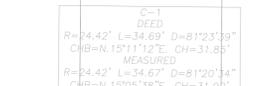
- TERMS AND CONDITIONS OF THE COOPERATIVE PARKING SIGN MAINTENANCE AND ACCESS EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1497, PAGE 3769 AFFECTS THE SUBJECT SITE AND IS BLANKET IN NATURE. THE SIGN EASEMENT IS SHOWN HEREON.

**VICINITY MAP**

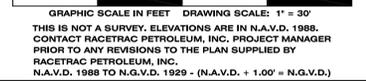


**LANDSCAPE MATERIALS LIST**

QTY	KEY	COMMON NAME
2	QV	Live Oak
3	LI	Crape Myrtle
11	LJ	Tree Ligustrum
9	TD	Bald Cypress
6	UA	Winged Elm
411	VO	Walter's Viburnum
50	RI	Dwarf Indian Hawthorn
36	RP	Double Red Knockout Roses
80	ZK	Coolite Palm
16	MU	Muhly Grass
6	TF	Dwarf Fakahathee Grass
180	TA	Minima Jasmine
-	Sod1	Empire Zoysia Sod
-	Sod2	Bahia Sod
	MULCH	Hardwood mulch



**RaceTrac PEARL AVENUE**



**SITE DATA**

TOTAL SITE AREA	86,460 SF / 1.99 AC
PROJECT SITE AREA	86,460 SF / 1.99 AC
EXISTING IMPERVIOUS AREA	80,787 SF / 1.85 AC (93.44%)
PROPOSED IMPERVIOUS AREA	60,790 SF / 1.40 AC (70.35%)
EXISTING "GREEN" AREA	5,673 SF / 0.13 AC (6.56%)
PROPOSED "GREEN" AREA	25,670 SF / 0.59 AC (31.05%)
PROPOSED POND AREA	TBD @ TIME OF PERMITTING
EXISTING BUILDING S.F.	19,518 S.F.
PROPOSED BUILDING S.F.	5,928 S.F. RETAIL
PROPOSED CANOPY AREA	8,773 S.F. / 0.20 AC.
PROPOSED BUILDING HEIGHT	25' MAXIMUM
PARKING REQUIRED	0.17 INCLUDING CANOPY GAS STATION - 1/2 PUMPS (16 PUMPS) = 8 SPACES CONVENIENCE STORE - 1/200 SF (5,928 SF) = 30 SPACES 38 TOTAL SPACES
PARKING PROVIDED	50 SPACES INCLUDING 2 HANDICAPPED (34 @ CONVENIENCE STORE, 16 UNDER GAS STATION CANOPY)
H/C PARKING REQUIRED	122.12' (N) ; 99.78' (S) ; 43.75' (E) ; 174.28' (W)
PROPOSED BLDG SETBACKS	2 SPACES
POTABLE WATER	MANATEE COUNTY
SANITARY SEWER	MANATEE COUNTY
FIRE PROTECTION	PROP. HYDRANT
REFUSE COLLECTION	DUMPSTER PICK-UP
CURRENT ZONING	PDC (PDC-12-15(P)) / HA/WR/AI
LAND USE	CH USE
FUTURE LAND USE	ROR
PARCEL ID	6714100150
S/T/R	26/355/17E
CONSTRUCTION SCHEDULE	START MAY 14, END JAN 15

**LEGEND**

CLEAN OUT	INVERT	LICENSED BUSINESS
STEEL POST	CONCRETE BLOCK STRUCTURE	FLORIDA DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY	PLAT BOOK	DEED
WOOD	IDENTIFICATION	PAGE
METAL POWER POLE	EDGE OF PAVEMENT	PROFESSIONAL SURVEYOR AND MAPPER
CONCRETE POWER POLE	OVERHEAD ELECTRIC	OPTIONAL RECORDS BOOK
WEATHERPROOF ELECTRICAL OUTLET	EMERGENCY SHUT OFF SWITCH	
AREA LIGHT LOCATION	ALT. PRICE SIGN DOWNLIGHT TO ILLUMINATE TANK AREA	
SPIDER LIGHTS (WHERE APPLICABLE)		

**BENCHMARK DATUM**

FDOT BM 11Δ EL. 8.719'	N.G.V.D. 1929
------------------------	---------------

**FLOOD ZONE PANEL #**

A11	120153 0337B
100 YR BFE	12.40' N.G.V.D. 1929

**LANDSCAPE REQUIREMENTS** As per Manatee County landscape code (chapter 7, section 715 and 737)

**LANDSCAPE CALCULATIONS**

**RIGHT-OF-WAY BUFFERS REQUIREMENTS**

10' wide landscape buffer  
 (2) canopy trees and (33) shrubs per 100 sf  
 Tamiami Trail  
 300 III 100' = 3 x 2 = (6) canopy trees req'd  
 3 x 33 = (99) shrubs req'd  
 Pearl Ave.  
 194 III 100' = 1.94 x 2 = (4) canopy trees req'd  
 1.94 x 33 = (64) shrubs req'd  
 Manatee Ave.  
 337 III 100' = 3.4 x 2 = (7) canopy trees req'd  
 3.4 x 33 = (112) shrubs req'd

**REQUIRED FOUNDATION LANDSCAPE**

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

**TOTAL REQUIRED TREES**

Proposed required trees = (31) trees  
 Native species required - 31 x 30% = (9) trees req'd  
 No more than 30% of total required trees can be understory trees = 31 x 30 = (9) trees  
 existing trees to remain credited

No more than 40% of total required trees can be palms = 31 x 40 = (12) trees

**ADDITIONAL NOTES**

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

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

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

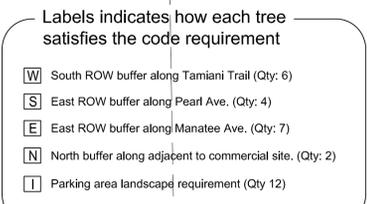
Plant type = Plant type  
 Count = Plant count

**MANATEE COUNTY BUILDING & SERVICES 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 \_\_\_\_\_



2-10-14

UPDATED PER MANATEE COUNTY PSP COMMENTS

E.C.	NO.	BY	DATE

1

NO.	NO.
-----	-----

BRADLEY W. KUHL, P.E.  
 LICENSE # 60591

HAMILTON  
 ENGINEERING & SURVEYING, INC.  
 7800 W. 133RD AVE. #1774  
 TAMPA, FL 33613

THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS. ANY USE OF SAME WITHOUT THE EXPRESS WRITTEN PERMISSION OF RACETRAC PETROLEUM, INC. IS PROHIBITED.

**RaceTrac**

RACETRAC PETROLEUM, INC.  
 3225 CUMBERLAND BOULEVARD  
 SUITE 100 ATLANTA, GA 30339

**PRELIMINARY SITE PLAN**

RACETRAC MARKET  
 TAMAMI TRAIL AT PEARL AVE  
 SARASOTA, FL

DATE: DECEMBER, 2013  
 SCALE: 1" = 30'  
 DRAWN: E-CRUZ  
 JOB NO.: 08276.0038

SHEET 1 OF 1

SHEET NO.	REV.
P1	1

P.C. 04/10/2014

**PDC-12-15(P)R) – U.S. 41 @ PEARL AVENUE**  
**DTS # 20130493**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising a Preliminary Site Plan for commercial development on approximately 2.08 acres zoned PDC (Planned Development Commercial) on the northeast corner of U.S. 41 and Pearl Avenue, to develop the entire parcel with a commercial use (a 5,928 square foot convenience store with 8 gas pumps (with 16 fueling stations and an 8,773 square foot dispenser canopy); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.: 04/10/2014**

**B.O.C.C.: 05/01/2014**

**RECOMMENDED MOTION:**

Based upon the staff report, evidence presented, comments, 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. PDC-12-15(P)R); and **APPROVAL** of the revised Preliminary Site Plan with Stipulations A.1 - A.12; B.1; C.1 - C.2; and D.1 - D.2, **ADOPTION** of the Findings for Specific Approval for: 1) an alternative to LDC Section 714.8.7 of the Land Development Code to allow the installation of smaller diameter trees, and 2) an alternative to LDC Section 715.3.3 for Foundation Landscaping; as recommended by staff.

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	PDC-12-15(P)(R) (DTS # 20130493)
<b>PROJECT NAME</b>	U.S. 41 @ Pearl Avenue
<b>APPLICANT(S):</b>	SLD- Sarasota LP (Joseph H. Harman) and Bonus Properties, Inc.
<b>EXISTING ZONING:</b>	PDC/WR/HA/AI (Planned Development, Commercial/Whitfield Residential Overlay/Historical and Archaeological Overlay/Airport Impact Overlay)
<b>PROPOSED USE(S):</b>	Convenience Store (5,928 sq. ft.) w/8 multi-pump dispensers w/16 fueling stations and an 8,773 sq. ft. canopy
<b>CASE MANAGER:</b>	Shelley Hamilton
<b>STAFF RECOMMENDATION:</b>	APPROVAL
<b>DETAILED DISCUSSION</b>	
<p><b><u>Future Land Use</u></b> The site is in the R/O/R (Retail/Office/Residential) Future Land Use Category. The intent of the R/O/R designation is to identify areas which are established and developed with 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. The designation is also to provide for orderly transition from, or redevelopment, of these existing and developed multiple-use areas. The range of potential uses include retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving. The maximum floor area ratio for properties in the R/O/R designation is 0.35 (1.0 inside the CRA's and UIRA), while the maximum square footage for neighborhood, community, or region-serving uses is 300,000 square feet.</p> <p><b><u>Zoning</u></b> The site is currently zoned PDC (Planned Development Commercial). The site fronts on U.S. 41, with Pearl Avenue to the south, and Manatee Street to the east. There are currently four driveways to the site; two onto U.S. 41, one of which is shared with the motel to the north, and two on Pearl Avenue, both of which will be closed and a new entry driveway will be created. That new driveway on Pearl Avenue will allow for the restriping of Pearl Avenue to ensure that traffic safety measures are addressed in the U.S. 41/Pearl Avenue intersection. The new driveway will also line up with the driveway across from the site, on Pearl Avenue. The shared driveway on U.S. 41 will remain.</p>	

The site meets commercial locational criteria (at the intersection of two functionally classified roadways), as it is on U.S. (seven-lane, principal arterial roadway) and approximately 850 feet north of Whitfield Avenue. The R/O/R FLUC allows for medium commercial, for up to 30,000 square feet without Special Approval.

### **History**

The rezoning from GC (General Commercial) occurred in 2005 when the prior owner of the furniture store requested an expansion to the building. That GC zoning remained until it was rezoned in 2005 to PDC. At that time, the furniture store requested an expansion.

A previous application (PDC-09-07(P) – DTS #20090100), was filed on the subject property to allow a 4,997 sq. ft. convenience store with 12 gas pumps (24 fueling stations and an 11,525 sq. ft. canopy). Staff recommended approval of the original request to allow the convenience store with gas pumps. Staff cited the following positive aspects of the proposed application:

- 1) The proposed development would aid in redevelopment along the Tamiami Trail (U.S. 41);
- 2) Based on building elevations provided, the new construction would be a significant improvement over the existing abandoned structure; and
- 3) The FAR (Floor Area Ratio) would be decreased and the open space increased as compared to the existing abandoned structure.

The Board of County Commissioners originally heard the request on 6/4/2009. On 8/6/2009, the Board of County Commissioners denied the application with a vote of 5/2, citing testimony from surrounding residents with their concerns about increased noise, lighting, traffic, and potential crime.

In June 2013, the subject property received approval of a Preliminary Site Plan for a 4,400 sq. ft. convenience store with 8 pumps (16 fueling stations), and a 4,720 sq. ft. canopy for the fueling stations. Also proposed, is an additional 7,250 sq. ft. free-standing building. The maximum heights of the proposed structures are 21.8' and 22', respectively. The canopy for the pump stations is proposed to be 22' high.

### **New Request**

This new request is for a Preliminary Site Plan relative to the entire parcel. The property is currently vacant, as the furniture store previously on-site was demolished to accommodate the new planned development.

LDC Section 704.66 regulates the placement of Service Stations and their associated gas pumps. Specifically, this section regulates the location, lot dimensions, setbacks, the storage of flammable liquids and products, and screening. Sufficient distance from any church, playground, playfield, park, hospital, school, public library, theater, auditorium, stadium, public assembly hall or similar facility shall be provided to minimize hazards to pedestrians or vehicles, to minimize congestions, and to protect the attractiveness of the immediate area. There is a church across the U.S. 41 corridor. The U.S. corridor is a 7-lane arterial. The church sits back off of the corridor a very large distance. U.S. 41, in this area, also offers a

signalized, pedestrian crossing. It is not anticipated that the proposed convenience store with gas pumps will interfere with the church activities or provide any hazards to pedestrians or vehicles; and meets the requirements of all other portions of this section.

During the review of the original site plan, Planning staff cited concerns regarding the size and the possible use of the building on Parcel "A," since the applicant had not indicated a list of potential end-users. Staff also had concerns with the parallel parking spaces, the location of the dumpster/turn around area, and the overall circulation for Parcel "A." The neighborhood also voiced concerns regarding the potential for a second vehicle-related use that could be allowed on the site (i.e., vehicle sales and service). The second building, which was to be located on Parcel "A," is no longer under consideration. Instead, RaceTrac Petroleum, Inc., as the applicant for this project, has revised the configuration of the subject property. The second building is being removed and instead, the proposed convenience store and fueling canopy has been increased slightly. There is no increase in the number of pumps that are currently approved for the site.

As a result of this proposed redevelopment of the site, the overall intensity and FAR are being reduced; and the open space is being increased over the furniture store that previously existed on the site. Also, as previously stipulated, the access, to both U.S. 41 and Pearl Avenue, will be improved with the reconfiguration of the two accesses on Pearl Avenue to one access that will line up with the driveway across Pearl Avenue. The U.S. 41 access will be shared with the hotel to the north. The applicant has been actively working with the surrounding neighborhood, as well as the Manatee County Sheriff's office, Public Works, Public Safety, Planning, and the Florida Department of Transportation to ensure that the access, traffic, intensity, building design, and safety are adequately addressed. All of these commitments, as well as the demonstration of cooperation with Manatee County, FDOT, and the surrounding neighborhood, provide support for a staff recommendation of approval of the proposed development.

### **Compliance with Overlay Designations**

#### **Whitfield Residential and Historical and Archaeological Overlay**

The site is within the Whitfield Residential and Historical and Archaeological Overlay Districts. LDC Section 514.2.1. of the Land Development Code states that no person may remove, relocate, alter, restore, or renovate using a change in exterior façade materials, destroy, or build on any site in the Whitfield Estates and Archaeological Overlay District that contains a principal building built prior to 1932 without first obtaining a Certificate of Appropriateness. According to the Property's Appraiser's records, the previous structure on the property was demolished in January 2014, and therefore, a Certificate of Appropriateness is not required.

The remaining provisions of LDC Section 604.7, relating to the Whitfield Residential Overlay District, apply to residential uses, and specifically relate to setbacks, buffers, accessory uses, and parking of vehicles on residential properties. As stated in Section 604.7, the district was established to apply to lands "used and developed for residential dwelling units on individual lots."

**Airport Impact Overlay District**

The site is also within the Airport Impact (AI) Overlay District and falls within the 70 to 75 Ldn noise contour lines as Map 8-1 of the Comprehensive Plan. LDC Table 1, Land Use Compatibility Guidelines, lists a convenience store with gas pumps (retail trade) within the 70 to 75 Ldn as a permitted use requiring special consideration (i.e., requiring an acoustical analysis to show that the structure's design will limit exterior noise to the prescribed allowable interior level). LDC Section 604.5.4 addresses allowable interior noise limits within the Airport Impact Overlay District. Evidence of compliance with allowable interior noise levels is required prior to issuance of a Building Permit. Evidence of compliance shall consist of submittal of an acoustical analysis report.

LDC Section 725 provides for the prevention of airport obstruction hazardous to aeronautical operations. Staff looked at the approach slope to the Sarasota Bradenton International Airport's Runway 14 and calculated the 20:1 slope height requirement for the location of the proposed convenience store with gas pumps at the northeast corner of Pearl Avenue and U.S. 41, resulting in a maximum vertical height allowable for development on the site of 25 feet. The building and canopy heights will not exceed 25 feet.

The lighting of the fuel station should not shine directly upward or outward to create a visual distraction to aircraft pilots on final approach to the runway. This consideration should also apply to any on-site signs and canopy frontages. The applicant will be required to comply with LDC Section 709, relating to lighting, prior to Final Site Plan approval.

**Existing Conditions**

The existing PDC zone district remains. The existing F.A.R. is 0.23; and the F.A.R. will be decreased to 0.19 with the new proposal.

<b>SITE CHARACTERISTICS AND SURROUNDING AREA</b>	
<b>ADDRESS:</b>	7259 N. Tamiami Trail
<b>GENERAL LOCATION:</b>	Northeast corner of U.S. 41 and Pearl Avenue
<b>ACREAGE:</b>	2.08 ± acres
<b>EXISTING USE(S):</b>	Vacant property (former Furniture Store)
<b>FUTURE LAND USE CATEGORY(S):</b>	R/O/R (Retail, Office, Residential)
<b>FLOOR AREA RATIO (F.A.R.):</b>	Required - 35% Provided – 17%
<b>SPECIAL APPROVAL(S):</b>	None
<b>OVERLAY DISTRICT(S):</b>	Whitfield Residential Overlay; Historical and Archaeological Overlay District;

<b>SPECIFIC APPROVAL(S):</b>	1) LDC Section 714.8.7 – Tree Replacement Size 2) LDC Section 715.3.3 – Foundation Landscaping	
<b>SURROUNDING USES &amp; ZONING</b>		
<b>NORTH</b>	Hotel, zoned GC/WR/HA/AI (General Commercial/Whitfield Residential Overlay/Historical and Archaeological/Airport Impact Overlay)	
<b>SOUTH</b>	Across Pearl Avenue, an office building and vacant land zoned PR-S/WR/HA/AI (Professional – Small/Whitfield Residential Overlay/Historical and Archaeological/Airport Impact Overlay)	
<b>EAST</b>	Across Manatee Street, duplexes zoned RDD-5/WR/HA/AI (Residential Duplex District, 4.5 du/ac/ Whitfield Residential Overlay/Historical and Archaeological/Airport Impact Overlay)	
<b>WEST</b>	Across North Tamiami Trail, a church and a restaurant zoned PR-S/WR/HA/AI (Professional – Small/Whitfield Residential Overlay/Historical and Archaeological/Airport Impact Overlay)	
<b>SITE DESIGN DETAILS</b>		
<b>BUILDING SIZE:</b>	Convenience Store (5,928 sq. ft.) w/8 gas pumps (16 fueling stations and an 8,773 sq. ft. canopy)	
<b>SETBACKS:</b>	Fronts U.S. 41 Pearl Avenue Manatee Street Side	30 feet 35 feet 35 feet 15 feet
<b>ACCESS:</b>	Driveway to U.S. 41 and Driveway to Pearl Avenue	
<b>FLOOD ZONE(S):</b>	A-11 (Base Flood Elevation of 12.4' NGVD 1929 per FIRM Panel 120153 0337B, revised 3/15/84; and the Flood Insurance Study profile for Bowlees Creek)	
<b>AREA OF KNOWN FLOODING:</b>	Yes, rainfall and storm surge	
<b>UTILITY CONNECTIONS:</b>	Water and sewer are available	

**ENVIRONMENTAL INFORMATION**

**Wetlands**

There are no jurisdictional wetlands or wetland buffers located within the project area.

**Uplands**

No native upland habitats exist within the project boundaries

**Endangered Species**

No listed species are expected to utilize the site.

**Trees**

There are 3 palms and 1 canopy tree proposed for removal. Replacements for these trees and palms will be provided through the required landscaping for the project, in accordance with LDC Section 714.8.7.

**NEARBY DEVELOPMENT**

PROJECT	SQ. FT.	F.A.R.	FLUC	APPROVED
<b>Lionel Center (commercial services and retail space)</b>	<b>13,825 sq. ft.</b>	<b>0.28</b>	<b>R/O/R</b>	<b>2008</b>
<b>Hilton Garden Inn (Entire Site)</b>	<ul style="list-style-type: none"> <li>• 115 Room Hotel</li> <li>• 11,995 sq. ft. restaurant, retail, and/or office</li> </ul>	<b>0.34</b>	<b>R/O/R</b>	<b>1999 2007</b>

**POSITIVE ASPECTS**

- The site has been zoned for commercial for many years (previously a drinking establishment and then a furniture store);
- Ongoing redevelopment occurring along Tamiami Trail (U.S. 41). The timing appears to be consistent with other development trends in the southern part of Manatee County, along U.S. 41;
- The site is on an arterial roadway;
- The new construction will be a significant improvement compared to the existing abandoned structure;
- The F.A.R. will be decreased when compared to the existing use of the property;
- Commitment by applicant to a limitation of uses for Parcel “A,” including the prohibition of vehicle-related uses on the property; and
- One shared access onto U.S. 41; two access driveways onto Pearl Avenue will be closed and a new access driveway will be constructed to line up with driveway across from the site onto Pearl Avenue.

**NEGATIVE ASPECTS**

- There may be potential adverse impacts relative to lights, glare and noise to the homes east of the site (along Manatee Street).

**MITIGATING MEASURES**

- Section 709 of the Land Development Code limits the height of light fixtures to 20 feet when located within 100 feet of residential uses or 16 feet in height when located 50' from a public right-of-way.
- Section 709 of the Land Development Code also requires prevention of direct illumination off-site, to the maximum extent possible, from lighting of gas pumps and canopy area.

**STAFF RECOMMENDED STIPULATIONS**

**A. DESIGN AND LAND USE CONDITIONS:**

- ~~1. The total square footage for the site shall be limited to 16,870 14,701.33 square feet (4,400 5,928 sq. ft. convenience store, and 4,720 8,773.33 sq. ft. gas pump canopy, and a 7,250 sq. ft. free-standing building). The building and gas pump canopy shall be constructed in substantial conformance with the elevations, attached hereto as Exhibit "A."~~
- ~~2. The uses approved for Parcel "A" are as follows:~~
  - ~~a) General Retail Sales~~
  - ~~b) Professional Offices~~
  - ~~c) Banks with or without drive-thru~~
  - ~~d) Eating Establishments provided adequate parking is provided, pursuant to the Land Development Code~~
  - ~~e) Drive-Thru Eating Establishments~~
  - ~~f) Personal Service Establishments~~
- ~~3. The use allowed on Parcel "B" is limited to a 4,400 square foot convenience store with 8 gas pumps (16 fueling stations) and a 4,720 dispenser canopy area.~~
- ~~4. The building façades (including the rear façades) shall be designed to reduce the mass, scale and uniform monolithic appearance of large unadorned walls.~~

~~To achieve this objective, the design features may shall include at a minimum, pronounced reveals, multiple building materials and distinguishable colors, decorative light fixtures, applied ornamentation (such as shutters, etc.), cornices, and two or more wall projections (awnings, Bermuda shutters, etc.~~

~~The facades facing U.S. 41 and Pearl Avenue shall have pronounced variations in the roof lines which may be accomplished by incorporating different roof styles (parapet, hip, pyramidal, gable, etc.)~~

~~The fuel canopy shall have a mansard roof and incorporate the same materials and colors as Building “B.” Any stackstone column treatment, provided in conjunction with the canopy, shall extend from the ground a minimum of 8 feet high to the canopy ceiling.~~

~~Building elevations shall be submitted with the respective Final Site Plan approvals for Parcels A and B, to ensure compliance with this stipulation.~~

5.2. The dumpster enclosures shall be constructed of similar materials as the main buildings. The enclosure and gate or fence shall be painted a similar color to the main buildings. Elevations of the dumpster enclosures and gate or fence shall be submitted for review and approval by the Building and Development Services/Planning Division prior to the approval of Final Site Plan.

6.3. HVAC equipment and mechanical equipment (including roof-mounted) for uses on both Parcel “A” and Parcel “B” shall be screened from view from Pearl Avenue and Manatee Street, and adjacent residential properties east of Manatee Street. Screening shall be provided with sound deflecting materials and color consistent with the construction of the exterior finish of the buildings. Compliance shall be determined by comparing the building elevations and the placement of the HVAC equipment prior to Final Site Plan approval and field-verified prior to issuance of Certificate of Occupancies.

~~5. The applicant may modify the configuration of the building, circulation, and parking layout for Parcel “A,” subject to administrative approval in conjunction with the Preliminary/Final Site Plan. The specific use (as limited by Stipulation No. 2 above) for Parcel “A,” including required parking and circulation, consistent with the LDC, shall be reviewed and approved by staff with the Preliminary/Final Site Plan for Parcel “A.”~~

8.4. In conjunction with the first Final Site Plan submittal, documentation shall be provided that a cross-access agreement exists with the property to the north (currently developed as a hotel). Also, with the first Final Site Plan submittal, an internal cross-access between the two parcels (Parcel “A” and “B”) shall be provided in the form of an executed agreement, signed and sealed by the owners/lessees of the two parcels.

- 9.5.** A 6-foot high solid beige vinyl fence or wall, measured from the finished floor of the adjacent building, ~~will~~ shall be constructed within the eastern landscape buffer along the Manatee Street property frontage. The wall shall be angled at the corner of Pearl Avenue and Manatee Street to establish a 30-foot visibility triangle. In addition to the proposed landscaping shown on the site, the buffer shall also incorporate the preservation of the existing vegetation (except exotic species) within the Manatee Street right-of-way, adjacent to, and outside, the fence to aid in deterring vandalism and to visually screen the project from the residential lots across Manatee Street.
- ~~10.6.~~ The required perimeter buffers for both Parcel “A” and Parcel “B” shall be installed prior to the issuance of the Certificate of Occupancy for either parcel Construction Plan approval.
- ~~11.7.~~ Prior to the first Final Site Plan submittal, the applicant shall have a professional trained in Crime Prevention through Environmental Design (CPTED) principles, acceptable to Manatee County, review proposed fence and/or landscaping on the rear property boundary, along Manatee Street, and shall incorporate such recommendations as are feasible and not inconsistent with specific conditions contained in this development order.
- ~~12.8.~~ Free-standing signs shall be limited to directional signs along Pearl Avenue, and shall require the submittal of a building permit. No free-standing or wall signs shall be permitted along or facing Manatee Street. All other signs shall be consistent with LDC Section 724.
- ~~13.9.~~ Prior to the issuance of a Building Permit, written evidence, from a professional, and acceptable to the Manatee County Building and Development Services Department, shall be provided that ensures that the proposed development is in compliance with LDC Section 605.5.4, relating to prescribed allowable interior noise limits within the Airport Impact Overlay District.
- ~~14.10.~~ To the maximum extent possible, existing cabbage palms within the buffer along Pearl Avenue shall be incorporated in the landscape design.
- ~~15.~~ Parcel “A” shall not be utilized for sexually-oriented businesses or pawn shops as defined in the Land Development Code and as proffered voluntarily by the applicant at the public hearing on June 6, 2013.
- ~~16.11.~~ The monument sign shall be of the same architectural design as the main building.
- ~~17.12.~~ No outdoor speakers shall be permitted in the rear of the building~~s~~ except for drive-thru call boxes that shall only be oriented to the north, south or west and located no closer than 35 feet from the rear property line.

**B. TRANSPORTATION CONDITIONS:**

1. No vehicular access shall be permitted to Manatee Street.

**C. INFRASTRUCTURE CONDITIONS:**

1. In accordance with LDC Section 722.1.4.7, at the time of Final Site Plan submittal, the applicant shall process an “Agreement to Defer Completion of the Required Sidewalk,” for the sidewalk along Manatee Street. If it is determined by Manatee County Public Works ~~or the applicant~~, at the time of Construction Plan submittal, that the sidewalk is essential, said sidewalk will be constructed.
2. At the time of Final Site Plan submittal, the applicant shall provide fire hydrant flow information, and the applicant shall demonstrate that the fire hydrant location has been moved within the 400 feet distance to the main entrance of Parcel “A.”

**D. ENVIRONMENTAL CONDITIONS:**

1. Tree barricades for trees to be preserved shall be located at the drip line, unless approved by the Environmental Planning Division. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed. The following activities are prohibited within the drip line of preserved trees: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials. Tree protection methodology shall be approved with the Final Site Plan.
2. A “Well Management Plan” for the proper protection and abandonment of existing wells shall be submitted to the Environmental Planning Division for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
  - a) Digital photographs of the well along with nearby reference structures (if existing);
  - b) GPS coordinates (latitude and longitude) of the well;
  - c) The methodology (latitude/longitude) used to secure the well during construction (e.g., fence, tape); and
  - d) The final disposition of the well – used, capped or plugged.

**REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED**

None remaining.

COMPLIANCE WITH LDC				
Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
BUFFERS				
10' roadway buffer, U.S. 41	10'	√		Shown on Site Plan
10' roadway buffer, Pearl Avenue	10'	√		Shown on Site Plan
10' roadway buffer, Manatee Street	10'	√		Shown on Site Plan
Interior buffer adjacent to hotel/motel	5'	√		Shown on Site Plan
Buffer landscaping		√		Shown on Site Plan
SIDEWALKS				
5' sidewalk along U.S. 41		√		Shown on Site Plan
5' sidewalk along Pearl Avenue		√		Shown on Site Plan
5' sidewalk along Manatee Street			√	Shown on east side of Manatee Street; deferral request will be processed for the west side of street
ROADS & RIGHTS-OF-WAY				
Existing 120' ROW U.S. 41	120'	√		Shown on Site Plan
Existing 70' ROW Pearl Avenue	70'	√		Shown on Site Plan
Existing 50' ROW Manatee Street	50'	√		Shown on Site Plan
COMPLIANCE WITH THE LAND DEVELOPMENT CODE Factors for Reviewing Proposed Site Plans (Section 508.6)				
<p><b><u>Physical Characteristics</u></b>                      The site is currently vacant.</p> <p><b><u>Public Utilities, Facilities and Services</u></b>                      The site is located on U.S. 41, which is a 7-lane, major arterial highway. Public facilities are available to the site. The site is currently approved for a gas station and convenience store pursuant to PDC-12-15(P).</p>				

**Major Transportation Facilities**

The project is designed to minimize traffic onto Manatee Street and Pearl Avenue. The proposed access points are consistent with those currently approved for the site in PDC-12.15(P).

**Compatibility**

The project proposes significant buffering, architectural design to be compatible with the surrounding neighborhood, height limitations significantly lower than required for commercial projects, and intensity that is well below the maximum FAR for the R/O/R Future Land Use category.

**Transitions**

The project site is located on U.S. 41, which is a 7-lane arterial highway in this location, and within the 70 LDN noise contour for the Sarasota-Bradenton International Airport. The only property directly adjacent to the site contains a 3-story motel. Transition is provided to the east of the site, with Manatee Street and then a row of duplexes before reaching the single-family residences.

**Design Quality**

The project proposes no Specific Approval requests, and thus meets all the standards of the Land Development Code. The project meets all architectural standards, has increased setbacks and buffering, and reduced project intensity from the project, as approved.

**Adjacent Property**

The only property directly adjacent to this site contains a 3-story motel, and the applicant is proposing vehicular and pedestrian cross access, as well as a shared access point onto U.S. 41. East of the site is Manatee Street, and then a row of duplexes which do not face the subject property. The applicant is providing a landscaped buffer and 35-foot building setback in this location. Also, consistent with the existing stipulation approved for site in PDC-13-15(P), the applicant will provide a 6-foot vinyl fence and will preserve the existing, mature vegetation within the Manatee Street right-of-way.

**Access**

Consistent with the existing approval for the site, the applicant is proposing a single access point onto U.S. 41, which is shared with the adjacent motel, and a single access point onto Pearl Avenue. The proposed access on Pearl Avenue is located approximately 20 feet further west than the proposed Pearl Avenue access on the previously approved Preliminary Site Plan. Vehicular and pedestrian cross access will be provided to the adjacent motel property. No vehicular access is proposed to Manatee Street.

**Pedestrian Sidewalks**

Consistent with the existing approval for the site, the applicant is proposing a single access point to U.S. 41, which is shared with the adjacent motel and a single access point onto Pearl Avenue. Vehicular and pedestrian cross access is provided to the adjacent motel property. No vehicular access is proposed to Manatee Street.

**Streets, Drives, Parking and Service Areas**

Consistent with the currently approved site plan, the project is designed with an access point onto U.S. 41 that is shared with the adjoining motel parcel and an access point onto Pearl Avenue. Parking areas, access points, internal drives, and pedestrian ways are designed to provide for safe internal circulation on the site.

**Pedestrian Systems**

Pedestrian access to the site is provided through existing sidewalks along U.S. 41 and Pearl Avenue.

**Natural and Historic Features, Conservation and Preservation Areas**

The site is currently developed with a large retail building and asphalt parking lot. There are not known natural resources associated with the site. The applicant has agreed to the existing stipulations which provide for the preservation of existing trees located in buffer areas and right-of-way.

**Density/Intensity**

The proposed FAR of 0.17 is well below the maximum of 0.35 allowed in the R/O/R district, and also below the current approval in PDC-13-15(P), which was approved at 0.19.

**Height**

The convenience store is proposed at one story in height and is limited to a maximum of 25 feet. The fuel canopy is limited to a maximum of 24 feet. Both of these are less than the 35 foot maximum height otherwise allowed by Code.

**Fences and Screening**

A 6-foot high vinyl fence will be constructed within the eastern landscape buffer along the Manatee Street property frontage in order to visually screen the project from the residential lots across the street. The site and building layout is designed to concentrate activity internal to the site in order to maximize the transition effect of the development.

**Yards and Setbacks**

The applicant is proposing a building setback of more than 43 feet from Manatee Street, and approximately 100 feet from Pearl Avenue.

**Trash and Utility Plant Screens**

The applicant has agreed to comply with the current stipulation regarding the screening of dumpsters.

**Signs**

Signage will meet the requirements of the Land Development Code Section 724.

**Landscaping**

Landscaping as proposed, will exceed the standards in the Land Development Code Section 715.

**Utility Standards**

The project will comply with the County’s utility construction standards and procedures.

**Stormwater Management**

The project will comply with the County and SWFWMD standards for stormwater management. As noted above, the redevelopment project will be increasing the amount of pervious and open space area, as shown on the plan.

Project Located in Flood Area: Yes  
Type of Flooding (i.e., rainfall, riverine, storm surge, etc.): Rainfall, storm surge  
Project Subject to flow reduction: 50% reduction  
Project Subject to OFW: No  
Watershed/Basin: Bowless Creek  
Project located within Floodplain and/or Floodway: FEMA 100-year Floodplain  
Drainage Easements/Access Easements required for existing system(s): No

**Open Space**

The project provides for a reduction in impervious coverage of the site, going from 6% open space to 31%.

**COMPLIANCE WITH COMPREHENSIVE PLAN**

**The site is in the R/O/R 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.** This site is within the Urban Core and meets Commercial Locational Criteria as it is located approximately 850 feet from the intersection of Whitfield Avenue and U.S. 41 (a commercial node).

Commercial development may have a negative impact visually, lighting and noise impacts on the adjacent residential areas to the east. The applicant has worked with County staff to ensure any impacts are mitigated.

The timing of this proposed development appears to be appropriate.

**Policy 2.2.1.12.1 Intent.** The site is intended for areas which are established and currently developed, 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. This category also provides for orderly transition from, or redevelopment of, these existing and developed multiple-use areas. The proposed floor area ratio (0.17, including the canopy) is in compliance, and actually below, the Special Approval threshold (0.25) in the R/O/R FLUC.

**Policy 2.2.1.12.2 Range of Potential Uses.** A convenience store with gas pumps is in the range of potential uses.

**Policy 2.6.1.1 Compatibility.** The Preliminary Site Plan design is compatible with surrounding development. This design, with the proposed buffers and setbacks, help to insure compatibility with surrounding development.

The site is surrounded by GC to the north, RDD-5 to the east, PRS to the south, and PRS and PDMU to the west. Staff has concerns with possible negative impacts that commercial development may have on the residential properties to the east. However, the site was developed with a retail use (furniture store), however, if not vacant and if zoned PDC (Planned Development Commercial).

PDC is intended to provide a well-planned development which minimizes negative impacts, such as noise and glare to neighboring properties. Stipulations can be attached to any site plan approval to mitigate impacts, compatibility and transition concerns.

The proposed use is considered appropriate for orderly development of the community and can be found to be compatible and consistent with the development patterns in the area, along U.S. 41.

**Policy 2.6.5.4 Preserve/Protect Open Space.**

The site plan shows 31% open space (25,670 sq. ft). The existing open space is 6% and the required open space is 20%..

**TRANSPORTATION**

**Major Transportation Facilities**

The site will have access onto U.S. 41, a six-lane arterial roadway, and Pearl Avenue, a two-lane local roadway.

**Transportation Concurrency**

Transportation Concurrency was evaluated as part of a previous project (PDC-12-15(P)). The previous Traffic Impact Analysis (TIA) was used to determine impacts to the segment of U.S. 41 adjacent to the project site, including adjacent intersections. The results of the TIA, which were reviewed and approved by the Transportation Planning Division, indicated that the impacted roadway segment is expected to operate above the adopted level of service (LOS) “D” performance with project-related traffic and with no off-site concurrency-related improvements being required for the project (see Certificate of Level of Service Compliance table below). However, with the resubmittal of this project, the Transportation Planning Division requested that a trip generation statement be submitted to verify the proposed use would not exceed the previously approved trip thresholds. As indicated above, there are no off-site concurrency-related improvements required for this project.

**Access**

In conjunction with transportation concurrency, a review of access issues was undertaken by County staff. The project will have one driveway onto U.S. 41 and one driveway onto Pearl Avenue. Both access points are expected to provide for full turning movements.

The proposed access on Pearl Avenue is located approximately 20 feet further west than the proposed Pearl Avenue access on the previously approved Preliminary Site Plan.

The results of the access review indicated that a site-related improvement will be required. This improvement, which will involve the restriping of Pearl Avenue to provide for a two-way left-turn lane along this roadway, is required to address safety and operations concerns. The improvement will provide a refuge for eastbound left-turning vehicles accessing the site from Pearl Avenue, and, thus, minimize conflicts with through traffic traveling to the east.

**CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE**

**TRANSPORTATION CONCURRENCY**

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

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
U.S. 41	Whitfield Avenue to 63rd Avenue West (Link #3272)	“D”	“B”

In summary, the results of the traffic study review identified no off-site concurrency improvements. However, a site-related improvement (i.e., restriping of Pearl Avenue to provide for a two-way left-turn lane), is required.

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity, park’s needs, and preliminary drainage intent have been reviewed with this Preliminary Site Plan. School capacity, potable water and wastewater will be reviewed at Final Site Plan/Construction Drawings.

**SPECIFIC APPROVALS**

**1. Request**

Land Development Code 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 LDC Section 714.8.7 to allow replacement tree sizes at 3”/4”/4” instead of 3”/5”/7”. Staff believes that smaller trees typically establish and grow faster. Therefore, they provide more tree canopy sooner.

**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**

Land Development Code Section 715.3.3 requires foundation landscaping in the amount of twenty (20) square feet per one thousand (1,000) square feet of gross floor area, continuous to the building. Due to the design and functional use of the property as a convenience store with gas pumps, the applicant is requesting an alternative to allow the foundation landscaping to be placed within the landscaping buffers. This request will allow for an alternative landscaping design, as the applicant has stated in their justification that foundation landscaping is difficult to maintain in a convenience store facility.

**Staff Analysis and Recommendation**

Staff is in support of the request for Specific Approval for an alternative to Section 7.5.3.3 of the LDC to allow placement of the foundation landscaping in the perimeter landscaping buffers, as the landscape area will be better maintained while still providing the required square footage of landscaped area.

**Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.3, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required amount of foundation landscaping is still being provided, in a location where it is easier to be maintained.

**ATTACHMENTS**

- 1. Applicable Comprehensive Plan Policies**
- 2. Specific Approval Requests**
- 3. Traffic Impact Analysis**
- 4. Copy of Newspaper Advertising**
- 5. Public Comment**

**ATTACHMENT #1  
 APPLICABLE COMPREHENSIVE PLAN POLICIES**

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

- **Consideration of existing development patterns;**
- **Types of land uses;**
- **Transition between land uses;**
- **Density and intensity of land uses;**
- **Natural Features;**
- **Approved development in the area;**
- **Availability of adequate roadways;**
- **Adequate centralized water and sewer facilities;**
- **Other necessary infrastructure and services;**
- **Limiting urban sprawl;**
- **Applicable specific area plans**
- **(See also policies under Objectives 2.6.1 – 2.6.3)**

**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 exhibiting a broad range of commercial, residential and, in certain cases, light industrial 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 R/O/R 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 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-enhances uses (see also Objective 4.2.1. and 2.10.4) and short-term agricultural uses.**

**Policy 2.2.1.17.3 Range of Potential Density/Intensity:**

**Maximum Gross Residential Density:**

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

**For new development – 9 dwelling units per acre**

**Maximum Net Residential Density:**

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

**For new development – 16 dwelling units per acre**

**Maximum Floor Area Ratio: 0.35**

**Maximum Floor Area Ratio in the Urban Area: .50**

**Maximum Square Footage for Neighborhood:**  
**Community or Regional-Service Uses: Large 300,000 sq. ft.**

**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 F.A.R. shall also require special approval except mini-warehouse;
  - d) Non-residential projects exceeding 150,000 sq. ft. 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 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 impact 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 2.2.2.7 AI: Establish the Airport Impact Overlay District as follows:**

**Policy 2.2.2.7.1. Definition: The geographic area subject to current or future projected noise exposure from any aviation facility of 65 Ldn or greater. This area is defined as the area contained within the 65 Ldn noise contour, as shown on the official noise exposure maps for the aviation facility (Map contained in the Aviation section of the Transportation Element).**

**Policy 2.2.2.7.2 Purpose:**

- a) **To define geographic areas which will be subject to special review or regulation pursuant to Policy 5.11.1.2. and Objective 5.11.2.**

**Policy 2.2.2.7.3 Applicable Goals, Objectives, and Policies: Goals, objectives and policies pertaining to AI Overlay District are contained under Objectives 5.11.1 and 5.11.2 of the Aviation Sub-element, and Policy 2.9.2.1 of the Future Land Use Element.**

**Policy 2.2.2.7.4 Effect of Mapping:**

- a) **Any project which is at least partially within the AI Overlay District shall be subject to the applicable requirements listed under Policies 2.2.2.7.2 and 2.2.2.7.3, above.**
- b) **The area designated under the AI Overlay District on the Future Land Use Map shall also be subject to all goals, objectives, and policies for any future land use category under AI Overlay.**

**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 uses;
- 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 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.

**Policy 3.2.3.2**      **Require all water used for irrigation in new development to be the**

	<p><b>lowest quality of available water which adequately and safely meets their water use needs by requiring stormwater reuse, alternative irrigation sources, reclaimed water use, and gray water irrigation systems. Priority to receive reclaimed water shall be given to users who transfer groundwater withdrawal or other permitted quantities to Manatee County. Potable water from County utilities shall not be utilized for landscape irrigation. (See Policies 9.6.1.3. and policies under Objective 9.1.5.)</b></p>
<b>Policy 2.2.2.6</b>	<b>HR: Establish the Historic Resources Overlay District as follows:</b>
<b>Policy 2.2.2.6.1</b>	<b>Definition: The historic sites and neighborhoods established by Manatee County as priority areas for the protection of historic resources.</b>
<b>Policy 2.2.2.6.2</b>	<b>Purpose:</b> <b>a) To recognize the approximate geographic boundaries of significant historical and archaeological areas and sites.</b> <b>b) Specific protection mechanism for historical and archaeological resources are located on this Historic and Cultural Element of this Comprehensive Plan.</b>
<b>Policy 2.2.2.6.3</b>	<b>Applicable Goals, Objectives, and Policies: Goals, objectives, and policies pertaining to the HR Overlay District are contained in the Historical and Cultural Element of this Comprehensive Plan. Compliance with all goals, objectives, and policies, and development regulations is required for all activity within the HR Overlay.</b>
<b>Policy 2.2.2.6.4</b>	<b>Effect of Mapping:</b> <b>a) The areas designated under the HR 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 HR District. Supplement #20 Future Land Use Element Page 66</b> <b>b) Recognize existing and new significant historic districts or sites as designated by Manatee County.</b> <b>c) See also goals, objectives and policies contained in the Historical and Cultural Element.</b>