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Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

November 13, 2014 Planning Commission

MEETING CALLED TO ORDER (Robert Bedford, Chairman)

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Minutes for Approval

1. October 9, 2014 Minutes for Approval

CITIZEN COMMENTS

CONSENT AGENDA

Building and Development Services Department

2. Ordinance 14-15-Robinson Gateway DRI #29-Quasi-Judicial-Stephanie Moreland

3. PDMU-13-01(Z)(G)-DTS20130229-Robinson Land Holdings, Joint Venture/Robinson Gateway-Quasi-Judicial-Stephanie Moreland

4. PDC-14-12(P)-DTS20140118-R and M Partnership/Bayshore Crossings Mini-Storage-Quasi-Judicial-Margaret Tusing * Schenk

Attachment: Maps-Future Land Use-Zoning-Aerial-PDC-14-12(P)-Bayshore Crossings Mini-Storage-11-13-14PC.pdf
Attachment: StaffReport-PDC-14-12(P)– Bayshore Crossings Mini-Storage-11-13-14PC.pdf
Attachment: Specific Approval Letter-PDC-14-12(P)–R and M General Partnership Bayshore Crossings Mini-Storage-11-13-14PC .pdf
Attachment: Traffic Impact Analysis--PDC-14-12(P)– Bayshore Crossings Mini-Storage-11-13-14PC.pdf
Attachment: Copy of Newspaper Advertising - Bayshore Crossings Mini-Storage - PDC-14-12(P) - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Bayshore Crossings Mini-

Storage - PDC-14-12(P) - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: Site Plan--PDC-14-12(P)– Bayshore Crossings Mini-Storage-11-13-14PC.pdf

REGULAR

Building and Development Services Department

5. PDMU-14-10(Z)(G)-Peerage Land Company, LLC/Hundred Acre Wood Subdivision-Quasi-Judicial-Stephanie Moreland * Schenk

Attachment: Maps-Future Land Use-Zoning-Aerial-Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf
Attachment: Staff Report-Peerage Land Company-Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf
Attachment: Zoning Disclosure Affidavit-Hundred Acre Wood Subdivision-PDMU-14-10(Z)(G).pdf
Attachment: Specific and Special Approval request letter-Hundred Acre Wood-PDMU-14-10(Z)(G) 11-13-14 PC.pdf
Attachment: School Report- Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf
Attachment: Traffic Impact Statement-Hundred Acre Wood Subdivision-PDMU-14-10(Z)(G).pdf
Attachment: Copy of Newspaper Advertising - Hundred Acre Wood - PDMU-14-10(Z)(G) - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Hundred Acre Wood - PDMU-14-10(Z)(G) - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: GDP-Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf

6. LDCT-14-05/Ordinance 14-49-DTS20140411-Manatee County Initiated Land Development Code Text Amendment-Chapter 7 Sections 714.8.7 and 715.34-Legislative-Joel Christian * Schenk

Attachment: Staff Report-LDCT-14-05-Ord. 14-49-11-13-14 PC.pdf
Attachment: Ordinance 14-49-PC11-13-14 .pdf
Attachment: Copy of Newspaper Advertising - LDC Amend. - Trees - LDCT-14-05-Ord. 14-49 - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - LDC Amend. - Trees - LDCT-14-05 - Ord. 14-49 - Sarasota Herald Tribune - 11-13-14 P.pdf

7. Ordinance 14-30-DTS20140228-Lakewood Centre-DRI #27-Quasi-Judicial-Shelley Hamilton * Schenk

Attachment: Lakewood Center DRI #27-Maps FLU-Zonning-Aerial-11-13-14 PC.pdf
Attachment: Staff Report-Ordinance 14-30- DRI #27-Lakewood Centre-11-13-14 PC.pdf
Attachment: TBRPC Staff Report-Lakewood Center DRI #27-11-13-14 PC.pdf
Attachment: Consistency with State Comprehensive Plan Report-Lakewood

Center DRI #27-11-13-14 PC.pdf
Attachment: Consistency with Manatee County Comprehensive Plan Report-Lakewood Center DRI #27-11-13-14 PC.pdf
Attachment: LDA-13-03 NW Sector Lakewood Center-11-13-14 PC .pdf
Attachment: Ordinance Lakewood Centre DRI-Ordinance 14-30-11-13-14 PC.pdf
Attachment: Traffic Impact Analysis-Ordinance 14-30-Lakewood Centre DRI-11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre DRI27 - Ord. 14-30 - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre DRI27 - Ord. 14-30 - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: Master Plan-Map H-Lakewood Center DRI #27-11-13-14 PC.pdf

8. PDMU-06-30(G)(R3)-DTS20140229-Lakewood Centre GDP-Quasi-Judicial-Shelley Hamilton * Schenk

Attachment: Maps-Future Land Use-Zoning-Aerial-PDMU0630_LakewoodCentreGDP-11-13-14 PC.pdf
Attachment: Staff Report-PDMU-06-30(G)(R3)-Lakewood Centre.pdf
Attachment: Ordinance PDMU-06-30(G)(R3)-Lakewood Centre-11-13-14 PC.pdf
Attachment: Traffic Impact Analysis-Ordinance PDMU-06-30(G)(R3)-Lakewood Centre-11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre GDP - PDMU-06-30(G)(R3) - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre GDP - PDMU-06-30(G)(R3) - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: GDP-PDMU0630_LakewoodCentre-11-13-14 PC.pdf

ADJOURN The Planning Commission of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination polity involves every aspect of the Commission's functions including one's access to, participation in, employment with, or treatment in, its programs or activities. Anyone reuiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802, wait 60 seconds; FAX 745-3790.

November 13, 2014 Planning Commission
Agenda Item #1

Subject
October 9, 2014 Minutes for Approval

Briefings
None

Contact and/or Presenter Information

Sonia Zambrano

Sr. Planning Technician

941-748-4501 ext. 6207

Action Requested

I move to approve the minutes of October 9, 2014

Enabling/Regulating Authority
N/A

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

November 13, 2014 Planning Commission
Agenda Item #2

Subject
Ordinance 14-15-Robinson Gateway DRI #29-Quasi-Judicial-Stephanie Moreland

Briefings
None

Contact and/or Presenter Information

Stephanie Moreland

Principal Planner

941-748-4501 ext. 3880

Action Requested

I move to continue the Public Hearing for Ordinance 14-45 to December 11, 2014 at 9:00 a.m. or as soon thereafter as same may be heard

Enabling/Regulating Authority
N/A

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

November 13, 2014 Planning Commission
Agenda Item #3

Subject
PDMU-13-01(Z)(G)-DTS20130229-Robinson Land Holdings, Joint Venture/Robinson Gateway-Quasi-Judicial-Stephanie Moreland

Briefings
None

Contact and/or Presenter Information

Stephanie Moreland

Principal Moreland

941-748-4501 ext. 3880

Action Requested
I move to continue the Public Hearing for PDMU-13-01(Z)(G) to December 11, 2014 at 9:00 a.m. or as soon thereafter as same may be heard

Enabling/Regulating Authority
N/A

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

November 13, 2014 Planning Commission
Agenda Item #4

Subject
PDC-14-12(P)-DTS20140118-R and M Partnership/Bayshore Crossings Mini-Storage-Quasi-Judicial-Margaret Tusing

Briefings
None

Contact and/or Presenter Information

Margaret Tusing

Principal Planner

941-748-45-01 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. PDC-14-12(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1 – A.2 and B.1; GRANTING Special Approval for a non-residential project in the RES-16 Future Land Use Category exceeding 30,000 square feet of gross building area; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to Land Development Code Sections 603.11.4.3 (PDC – Yards and Setbacks), 704.47.2 (Mini-warehouses – Setbacks), 704.47.6 (Mini-warehouses – Landscaping), and 714.8.7 (Tree Replacement Size) as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

1. Mr. Jerry Zoller, AIA, of Zoller Autrey Architects, agent for the owner, is requesting approval of a Preliminary Site Plan consisting of two phases. Phase 1 is the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of

exterior drive-up storage units. Phase 2 is adding 3,820 square feet of exterior drive-up storage units. The project total is 57,241 square feet of mini-storage. The existing 26,272 square feet of shopping center uses will remain. The total square feet of the renovated shopping center is 83,531 square feet.

2. Phase 2 will not be constructed unless the existing cross access easement with the property to the north is terminated/vacated.

3. The project is located at 6015 26th Street West and is in the RES-16 (Residential – 16 dwelling units per acre) Future Land Use Category. RES-16 allows consideration of mini-warehouse / storage at a maximum floor area ratio (FAR) of 0.35 and neighborhood retail uses at a maximum FAR of 0.25. The combined FAR is 0.25.

4. Special Approvals: Non-residential project in RES-16 exceeding 30,000 square feet of gross building area. Staff supports this Special Approval request.

5. Specific Approvals:
• PDC – Yards & Setbacks and Mini-Warehouse Setback. This request is to reduce the required side yard setback on the north property line from 20' (PDC) or 15' (Mini-Warehouse) to 10'. Staff supports this Specific Approval request.
• Mini-Warehouse Landscaping – Code requires 40 square feet of foundation landscaping per 1,000 square feet of gross floor area. The amount of landscaping will be provided in alternate locations. Staff supports this Specific Approval request.
• Tree Replacement Size – Staff is requesting and supporting this Specific Approval.

6. The project provides approximately 23% open space. No additional impervious surface is proposed as part of this project. Any new building construction will be within the existing parking lot.

7. Project access is from 26th Street West. 60th Avenue West access will be restricted to storage facility patrons only.

County Attorney Review
Other (Requires explanation in field below)

Explanation of Other
Sarah Schenk reviewed and responded by email on 10-10-14

Reviewing Attorney
Schenk

Instructions to Board Records
N/A

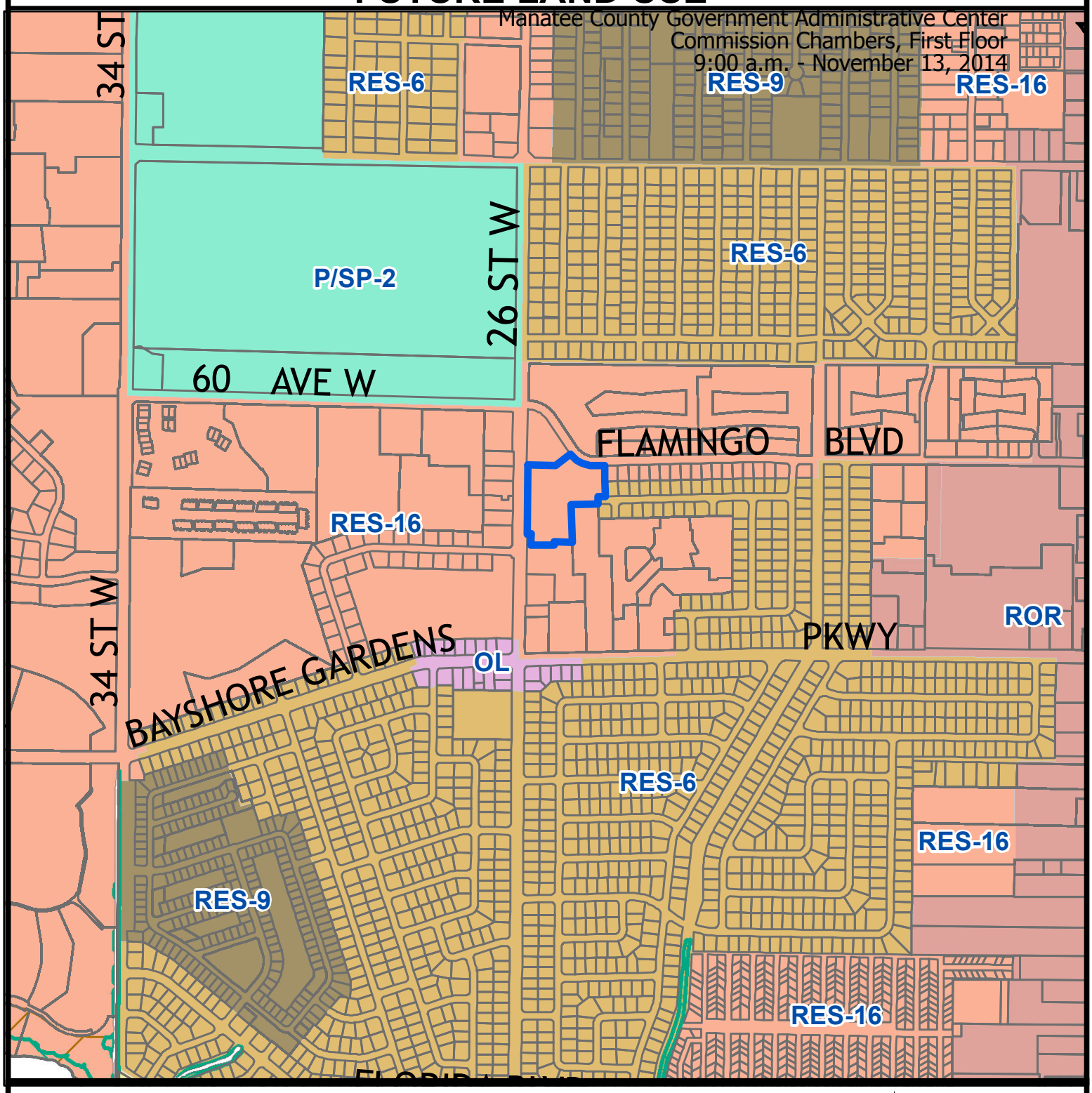
Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

Attachment: Maps-Future Land Use-Zoning-Aerial-PDC-14-12(P)-Bayshore Crossings Mini-Storage-11-13-14PC.pdf
Attachment: StaffReport-PDC-14-12(P)– Bayshore Crossings Mini-Storage-11-13-14PC.pdf
Attachment: Specific Approval Letter-PDC-14-12(P)–R and M General Partnership Bayshore Crossings Mini-Storage-11-13-14PC .pdf
Attachment: Traffic Impact Analysis--PDC-14-12(P)– Bayshore Crossings Mini-Storage-11-13-14PC.pdf
Attachment: Copy of Newspaper Advertising - Bayshore Crossings Mini-Storage - PDC-14-12(P) - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Bayshore Crossings Mini-Storage - PDC-14-12(P) - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: Site Plan--PDC-14-12(P)– Bayshore Crossings Mini-Storage-11-13-14PC.pdf

FUTURE LAND USE

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014



Parcel ID #(s) 6148500108

Manatee County
Staff Report Map
Map Prepared 4 / 2014
1 inch = 909 feet

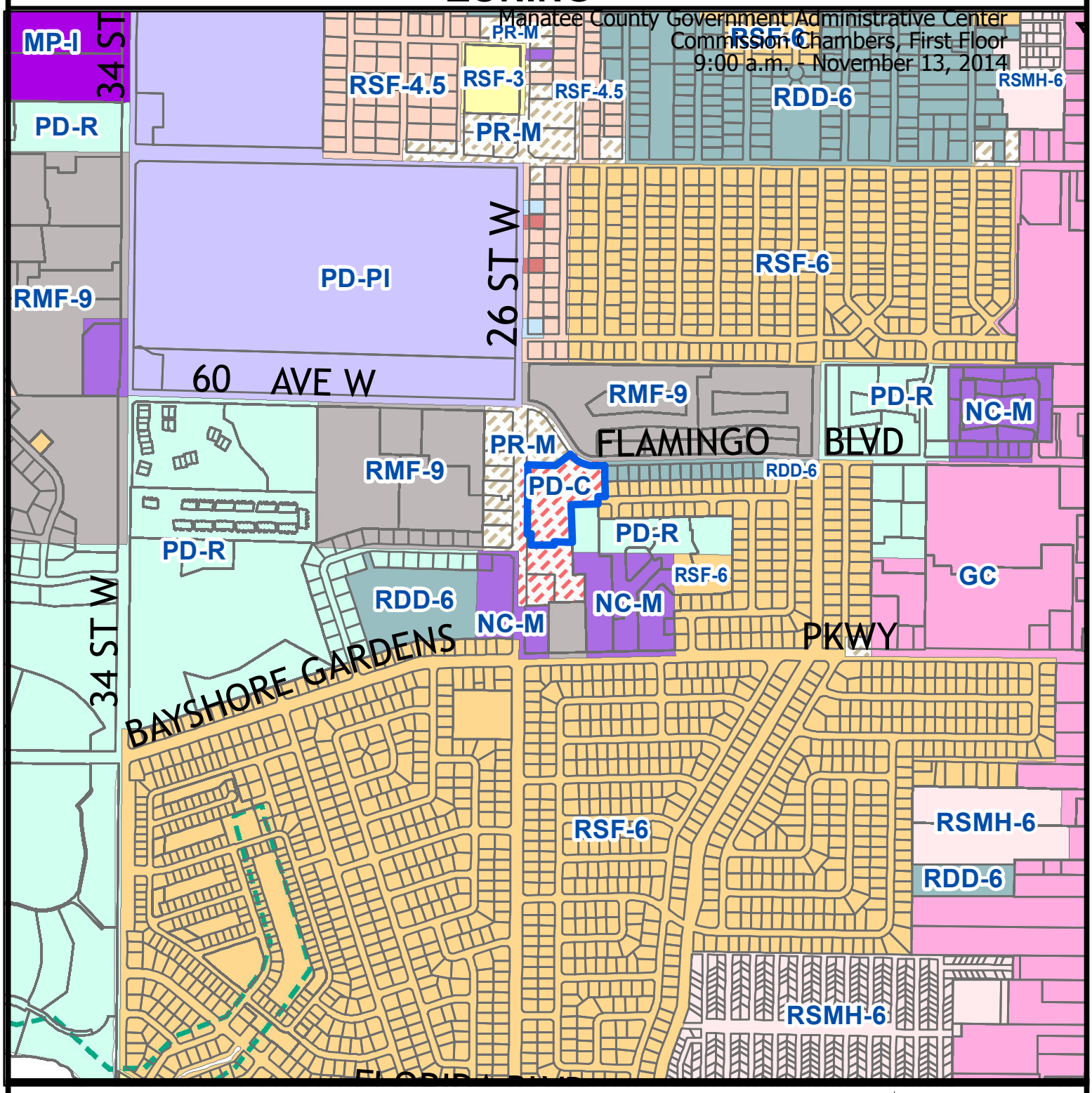
Project Name: Bayshore Crossings Mini Storage
Project #: PDC-14-12 (P)
DTS#: 20140118
Proposed Use: Commercial

S/T/R: Sec 15 Twn 35 Rng 17
Acreage: 5.07
Existing Zoning: PD-C
Existing FLU: RES-16
Overlays: NONE
Special Areas: CRA

CHH: N
Watershed: NONE
Drainage Basin: Direct runoff to bay
Commissioner: Robin DiSabatino

ZONING

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014



Parcel ID #(s) 6148500108

Manatee County
Staff Report Map

Map Prepared 4 / 2014

1 inch = 909 feet

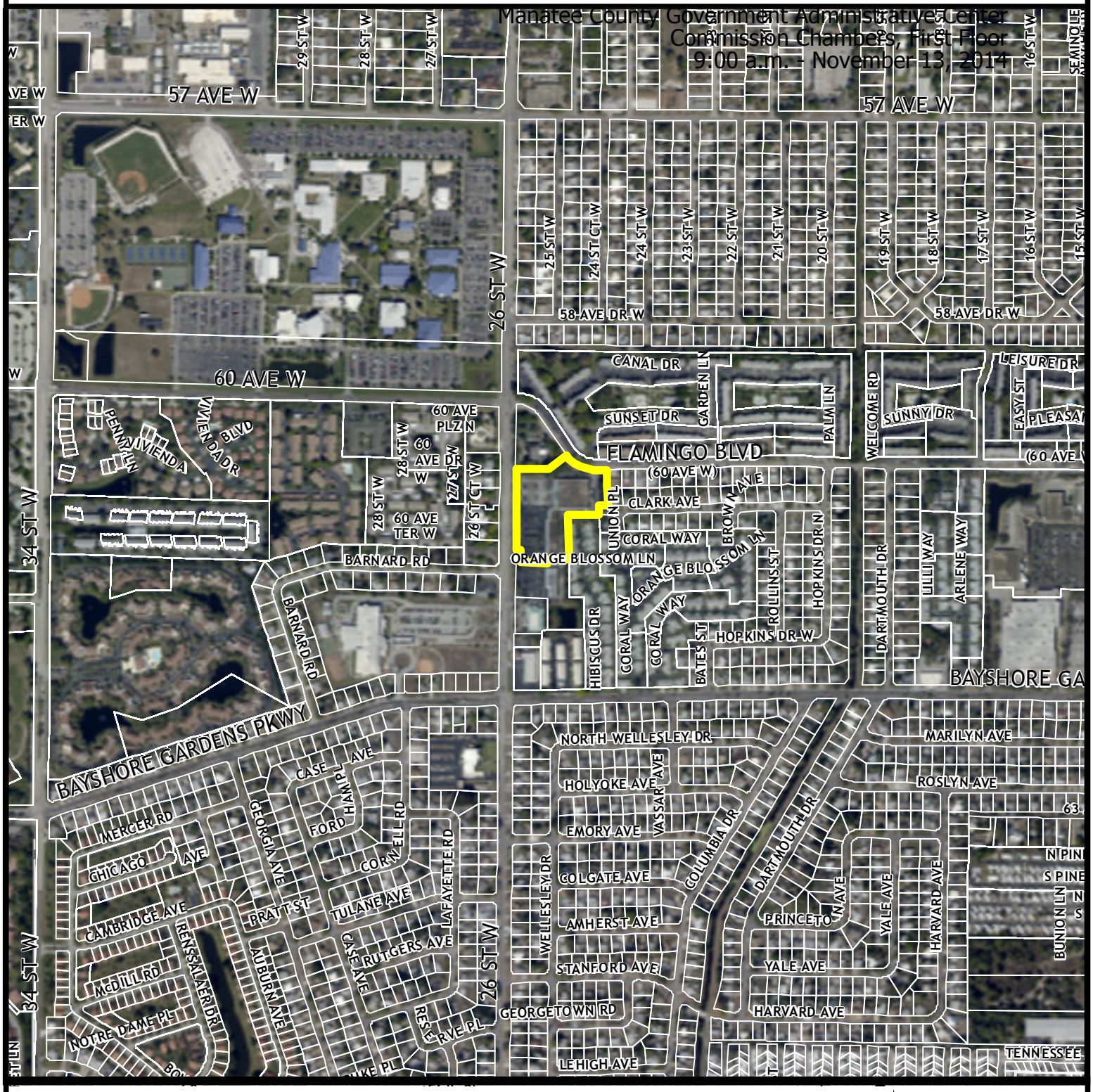
Project Name: Bayshore Crossings Mini Storage
Project #: PDC-14-12 (P)
DTS#: 20140118
Proposed Use: Commercial

S/T/R: Sec 15 Twn 35 Rng 17
Acreage: 5.07
Existing Zoning: PD-C
Existing FLU: RES-16
Overlays: NONE
Special Areas: CRA

CHH: N
Watershed: NONE
Drainage Basin: Direct runoff to bay
Commissioner: Robin DiSabatino

AERIAL

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014



Parcel ID #(s) 6148500108

Manatee County
Staff Report Map

Map Prepared 4 / 2014

1 inch = 775 feet

Project Name: Bayshore Crossings Mini Storage
Project #: PDC-14-12 (P)
DTS#: 20140118
Proposed Use: Commercial

S/T/R: Sec 15 Twn 35 Rng 17
Acreage: 5.07
Existing Zoning: PD-C
Existing FLU: RES-16
Overlays: NONE
Special Areas: CRA

CHH: N
Watershed: NONE
Drainage Basin: Direct runoff to bay
Commissioner: Robin DiSabatino

PDC-14-12(P) – R AND M GENERAL PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS 20140118

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self–storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

P.C.: 11/13/2014 **B.O.C.C.: 12/04/2014**

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. PDC-14-12(P); APPROVAL of the Preliminary Site Plan with Stipulations A.1 – A.2 and B.1; GRANTING Special Approval for a non-residential project in the RES-16 Future Land Use Category exceeding 30,000 square feet of gross building area; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval of alternatives to Land Development Code Sections 603.11.4.3 (PDC – Yards and Setbacks), 704.47.2 (Mini-warehouses – Setbacks), 704.47.6 (Mini-warehouses – Landscaping), and 714.8.7 (Tree Replacement Size) as recommended by staff.

PROJECT SUMMARY	
CASE#	PDC-14-12(P) (DTS #20140118)
PROJECT NAME	Bayshore Crossings Mini-Storage
APPLICANT(S):	R and M General Partnership
EXISTING ZONING:	PD-C (Planned Development Commercial)
PROPOSED USE(S):	A total of 57,241 square feet of mini-storage constructed in 2 phases. **Phase 1**: converting an existing vacant grocery store (32,198 sf.) to climate controlled self-storage and adding 21,223 sf. of exterior drive-up storage units in the existing shopping center parking lot for a total of 53,421 square feet. **Phase 2**: adding 3,820 sf. of exterior drive-up storage units in the existing shopping center parking lot (contingent on existing cross access easement being terminated --- refer to Stipulation B.1). Existing 26,272 square feet of shopping center uses and parking spaces will remain. Total Shopping Center Square Feet: 83,531
CASE MANAGER:	Margaret Tusing
STAFF RECOMMENDATION:	APPROVAL with Stipulations

DETAILED DISCUSSION

History

The site is developed with a 58,470 sf. shopping plaza (PDC-95-08[F]). The grocery store has been vacant for a number of years and the remaining shopping center uses include restaurants, college book store, and other neighborhood commercial uses.

Request

The current request is to develop a portion of the property in two phases. The phases will convert the existing 32,198 square foot vacant grocery store into climate controlled self-storage and add an additional 25,043 square feet of exterior drive-up storage units (Phase 1 – 21,223 SF and future Phase 2 - 3,820 SF) in the existing grocery store parking lot for a total of 57,241 square feet of mini-storage. The existing 26,272 square feet of shopping center uses and parking area will remain for a shopping center total of 83,513 square feet.

The site is located in the RES-16 (Residential – 16 dwelling units per gross acre) Future Land Use Category (FLUC). This FLUC allows consideration of mini-warehouse at a maximum Floor Area Ratio (FAR) of 0.35 and neighborhood retail uses at a maximum FAR of 0.25. Special Approval is required because the proposed gross building area exceeds 30,000 square feet. Planned Development is the process necessary to achieve Special Approval and this project is zoned PDC.

MAXIMUM SQUARE FEET WITH MIXED USES

Use	Maximum FAR	Acreage	Square Feet
Mini-Storage	0.35	2.80	42,688.8
Neighborhood Commercial	0.25	4.65	50,638.5
Combined Maximum Square Footage		7.45	93,327.3

MAXIMUM POTENTIAL MINI-STORAGE SQUARE FEET

Use	Maximum FAR	Acreage	Square Feet
Mini-Storage	0.35	7.45	113,582.7

PROPOSED PROJECT TOTALS

Use	Actual FAR	Acreage	Square Feet
Proposed Mini-Storage (Phase 1 & Phase 2)	0.46	2.80	57,241
Existing Neighborhood Commercial	0.13	4.65	26,272
Proposed Project Combined Square Footage		7.45	83,513
Combined FAR	0.25	7.45	83,513

The above tables show the maximum square feet that could be achieved for a multi-use project, for a single use project for mini-storage, and the totals for the actual project. As shown, the potential maximum allowed square footage for a multi-use project is 93,327 and the proposed total square feet for the entire site as mini-storage is 113,582. The last table shows the actual project information. The actual project total is 83,513 square feet and this square footage does not exceed either the maximum combined multi-use square footage of 93,327 nor the mini-storage square footage of 113,582. Based on this information, this project is consistent with the Comprehensive Plan Land Use Operative Provisions for intensity compliance. Additionally, the parking provided (194 spaces) exceeds the required 181 parking spaces.

Staff recommends Approval with Stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA		
ADDRESS:	6015 26th Street West, Bradenton, FL	
GENERAL LOCATION:	East of 26th Street, South of 60th Avenue West, and north of Bayshore Gardens Parkway	
ACREAGE:	7.45 acres	
EXISTING USE(S):	Neighborhood Shopping Center	
FUTURE LAND USE CATEGORY(S):	RES-16 (Residential-16 dwelling units/acre)	
INTENSITY:	0.25 Neighborhood Commercial 0.35 Mini-warehouse	
SPECIAL APPROVAL(S):	Nonresidential project in RES-16 exceeding 30,000 square feet of gross building area	
OVERLAY DISTRICT(S):	Urban Core	
SPECIFIC APPROVAL(S):	• PDC–Yards & Setbacks (LDC 603.11.4.3) • Mini-warehouse–Setbacks (LDC 704.47.2) • Mini-warehouse–Landscaping(LDC 704.47.6) • Replacement Tree Sizes (LDC 714.8.7)	
SURROUNDING USES & ZONING		
NORTH	Bank / PR-M	
SOUTH	County Library / PD-C	
EAST	Residential / RSF-6 & PD-R	
WEST	School/Commercial / PR-M	
SITE DESIGN DETAILS		
LOT SIZE:	7.45 acres	
SETBACKS:	Front Front Side Rear	30’ (26th Street West) 35’ (60th Avenue West) 10’ (Specific Approval) 20’
OPEN SPACE:	1.70-acres (22.88%)	

ACCESS:	26th Street West and 60th Avenue West (gate controlled access)
FLOOD ZONE(S)	Site lies in Zone X per FIRM Panel 12081C0312E, effective 3/17/2014
AREA OF KNOWN FLOODING	None
UTILITY CONNECTIONS	Site is currently served with County water and sewer.

ENVIRONMENTAL INFORMATION	
Overall Wetland Acreage:	No wetlands on-site as this is an existing development covered mostly with impervious surfaces.

Wetlands
No wetlands on-site, as this is an existing development covered mostly with impervious surfaces.

Uplands
No upland habitat as this is an existing development covered mostly with impervious surfaces.

Endangered Species
No threatened and endangered species on-site; this is an existing development covered mostly with impervious surfaces.

Trees
One tree is proposed for removal and tree replacements are proposed as part of the required landscaping.

Landscaping/Buffers
The site plan shows the existing roadway buffer and perimeter buffers, including the existing fence and vegetation that was originally required in these buffers. The existing improvements appear to meet LDC requirements; however, staff has stipulated that existing vegetation may be inspected for health to ensure screening is and will continue to be achieved for the project.

The applicant is requesting Specific Approval for an alternative to Section 704.47.6 of the LDC which requires 40 square feet of foundation landscaping per 1,000 square feet of gross floor area to be provided adjacent to the buildings. The applicant has provided the required amount of landscaping in alternate locations, above the amount of planting area required for perimeter and roadway buffers; therefore, staff supports the request for Specific Approval.

NEARBY DEVELOPMENT

NON-RESIDENTIAL				
PROJECT	**SQ. FT.**	**FAR**	**FLUC**	**YEAR APPROVED**
Regions Bank	10,426	0.14	RES-16	1989
County Library	13,044	0.34	RES-16	1996

POSITIVE ASPECTS

- The project is located within the Urban Core and is a redevelopment project.
- No additional impervious surface is proposed as a result of this redevelopment.

NEGATIVE ASPECTS

- None

MITIGATING MEASURES

- None required.

STAFF RECOMMENDED STIPULATIONS

A. ENVIRONMENTAL STIPULATIONS

1. Existing vegetation shown on the Preliminary Site Plan will be subject to inspection by staff at time of issuance of Certificate of Occupancy for new uses to ensure it is healthy and is achieving the screening intent of the LDC.

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

B. LAND USE STIPULATIONS

1. Prior to Phase 2 Final Site Plan Application submittal, the existing cross access easement (OR 1388, page 5089) between the property to the north and this project shall be eliminated/terminated. Evidence of this termination shall be provided to Manatee County Government with the Final Site Plan Application.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED
None

COMPLIANCE WITH LDC				
Standard(s) Required	**Design Proposal**	**Compliance**		**Comments**
		Y	**N**	
BUFFERS				
10' roadway buffer, 26th Street West	10'	Y		Provided; refer to Stipulation A.1.
10' roadway buffer, 60th Avenue West	10'	Y		Provided; refer to Stipulation A.1.
15' screening buffer on east and north property lines adjacent to residential	15'	Y		Provided; refer to Stipulation A.1.
SIDEWALKS				
5' sidewalk, exterior	Existing	Y		Existing sidewalks on 26th Street West and 60th Avenue West
ROADS & RIGHTS-OF-WAY				
13.5 ± ' Future ROW Setback on 26th Street West	13.5'	Y		Shown

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

Physical Characteristics: The site has frontage on 26th Street West and will utilize the existing driveways. The access to 60th Avenue West will be limited to users of the storage facility because the facility will have controlled access. With the exception of the additional 25,043 square feet of mini-storage buildings to be built in the existing parking lot, the remaining portions of the site exist. The proposal is to repurpose/redevelop the existing vacant grocery store and the associated parking area.

Public Utilities, Facilities and Services: The existing buildings are currently served by County water and sewer. Reclaimed water is available at 60th Avenue West. The Applicant is encouraged to utilize this source for irrigation purposes.

Major Transportation Facilities: 26th Street West is a thoroughfare and provides access to this site. The PSP shows a 13.5' future right-of-way setback for the potential widening of 26th Street West.

Compatibility: The shopping center exists and the proposed mini-warehouse is a use contemplated in the RES-16 FLUC.

Transitions: The shopping center exists and the proposed use does not revise any existing transitions.

Design Quality: The proposed redevelopment/expansion of a portion of the proposed shopping center meets the requirements of the LDC.

Adjacent Property: The residential properties located to the northeast and east are existing and the proposed PSP does not alter the existing buffers and/or setbacks.

Access: Project access is from 26th Street West. The existing access to 60th Avenue West will be restricted to storage facility patrons only.

Streets, Drives, Parking and Service Areas: The proposed PSP does not alter the drive aisles, parking and/or service areas for the remaining portions of the shopping center. The number of parking spaces provided exceeds the minimum requirements for the mini-storage and shopping center uses.

Pedestrian Systems: Sidewalks exist on 26th Street West and 60th Avenue West.

Natural and Historic Features, Conservation and Preservation Areas: This is an existing development site and none of these features exist.

Density/Intensity: The overall project FAR is 0.26 and this project is consistent with the Comprehensive Plan Land Use Operative Provisions for intensity compliance.

Height: The existing buildings do not exceed 35'; the proposed additional structures will not exceed 35'.

Fences and Screening: The PSP shows existing roadway and perimeter buffers, fencing, and vegetation as originally required and installed in these buffers. The existing improvements appear to meet LDC requirements; however, Stipulation A.1 requires existing vegetation to be inspected to ensure that the required screening is met.

Yards and Setbacks: The proposed PSP meets the minimum LDC requirements with the exception of the Specific Approval requested for the north property line (adjacent to the existing bank). The Specific Approval is to reduce the required side yard setback from 20' or 15' to 10'; staff supports this request.

Trash and Utility Plant Screens: No revisions to the existing conditions are proposed.

Signs: Any proposed additional signage is required to meet the requirements of LDC Section 724.

Landscaping: Detailed landscaping plans will be provided with the Final Site Plan. All landscaping will meet or exceed the standards in LDC Section 715 (Landscape and Screening Standards). Additionally, Stipulation A.1 requires existing vegetation to be inspected to ensure appropriate screening is provided.

Mixed Use or Entranceway Designation: Not applicable.

Water Conservation: Site design will incorporate applicable water conservation methods listed in LDC Section 715. Reclaimed water is available on 60th Avenue West, and the Applicant is encouraged to connect to the reclaimed water system.

Rights-of-Way: The PSP shows the required 13.5' future ROW setback for 26th Street West.

Utility Standards: Any required public utility construction will comply with the requirements of Manatee County. Design will be provided with the Final Site Plan and/or Construction Plans.

Stormwater Management: The Bayshore Crossings Record Drawing reflects the existing stormwater facilities and internal drainage system associated with the shopping plaza. Any modifications to the existing stormwater facilities (retention ponds) or internal drainage system will require review at the Final Site Plan stage and will be required to meet the requirements of LDC Section 717 (Stormwater Management) and Manatee County Development Standards.

Open Space: 1.70 acres of open space is provided (22.88%). This percentage of open space exceeds the minimum LDC requirement (20%).

COMPLIANCE WITH COMPREHENSIVE PLAN

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

Policy 2.1.2.7 Appropriate Timing. The timing is appropriate based on the existing shopping plaza use. The proposed mini-storage use is converting an existing vacant grocery store that will serve the needs within the surrounding community. The surrounding area is characterized by existing commercial and residential development.

Policy 2.2.1.15.1 Intent. This project complies with the intent of the RES-16 FLUC which is to provide for a complement of residential support uses utilized during the daily activities of area residents. Special Approval is required because the proposed nonresidential use exceeds the 30,000 square foot threshold in the RES-16 FLUC.

Policy 2.2.1.15.2 Range of Potential Uses. Mini-warehouse and the existing shopping center are in the range of potential uses.

Objective 2.1.3 Revitalization of the Urban Core Area. The proposed project is in the Urban Core and meets this objective by converting an existing vacant grocery store into a viable use.

Policy 2.1.3.2. Higher Floor Area Ratio in Urban Area. The proposed project is located in the Urban Core and proposes a FAR consistent with this policy (0.26).

TRANSPORTATION

Major Transportation Facilities

The site is adjacent to 26th Street West, which is designated as a four lane arterial in the Comprehensive Plan's Future Traffic Circulation Map and has a planned right of way width of 120 feet.

Transportation Concurrency

Transportation concurrency was evaluated for the project. The Applicant prepared a Traffic Impact Statement (TIS) to determine impacts on 26th Street West near the project site. The results of the TIS, which was reviewed and approved by the Transportation Planning Division, indicated a net reduction in PM peak-hour trips from the existing use; therefore, there are no level of service deficiencies on the studied roadway segment. The TIS also indicated no off-site concurrency-related improvements are required for the project (see Certificate of Level of Service Compliance table below).

Access

The site will have access via existing driveways on 26th Street West. The TIS indicated that no site-related improvements are required at this time.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

TRANSPORTATION CONCURRENCY

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

NEAREST THOROUGHFARE	LINK	ADOPTED LOS	FUTURE LOS (W/PROJECT)
26th Street West	1430	D	C

OTHER CONCURRENCY COMPONENTS

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

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Applicant Requests:

1. Alternative to LDC Section 603.11.4.3 – Required Yards and Setbacks in the PDC Zoning District and LDC Section 704.47.2 – Mini-warehouse Setback.

Staff Analysis and Recommendation
The Applicant is requesting a reduction to the required 20-foot PDC setback and the 15-foot mini-warehouse side yard setbacks on the northern property line adjacent to the existing bank property. The exterior drive-up storage units will be constructed on the existing parking lot which is located 10-feet from the north property line. The separation between the proposed storage units and the existing bank building is approximately 60-feet and the area is heavily landscaped. The location of the buildings 10-feet from the property line will not have an adverse impact on the adjacent property.

Finding for Specific Approval
Notwithstanding the failure of this plan to comply with the requirements of LDC Sections 603.11.4.3 and 704.47.2, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because adequate separation is provided.

2. Alternative to LDC 704.47.6 – Mini-warehouses – Landscaping requires 40 square feet of foundation landscaping per 1,000 square feet of gross floor area.

Staff Analysis and Recommendation
The Applicant's request is to allow the required quantity of foundation landscaping in alternative locations so that the landscaping does not interfere with access to the mini-warehouse buildings. Staff is in support of the request for an alternative to LDC Section 704.47.6 to allow the required foundation landscaping to be provided in alternative locations on-site. The required amount of landscaping area is being provided on-site in locations that do not interfere with the use of the site---mini-warehouse; therefore, the intent of the LDC is met to an equivalent degree.

Finding for Specific Approval
Notwithstanding the failure of this plan to comply with the requirements of LDC Section 704.47.6, 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 provided.

Staff Request:

1. Alternative to LDC 714.8.7 – Replacement Tree Calipers

Staff Analysis and Recommendation
The LDC requires replacement trees be sized at 3”/5”/7” depending on the size of the tree to be removed. Staff is in support of the request for Specific Approval for an alternative to Section 714.8.7 of the LDC to allow replacement tree sizes at 3”/4”/4”. Staff believes that smaller size trees typically establish and grow faster; therefore, providing 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.

SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

Comprehensive Plan Policy 2.2.1.15.4(c) – requires all projects located in the RES-16 land use category proposing any nonresidential project exceeding 30,000 square feet of gross building area to obtain Special Approval.

Staff Analysis and Recommendation
The Comprehensive Plan requires any project in the RES-16 FLUC exceeding 30,000 square feet of gross building area to have a Planned Development zoning district. This application complies with this requirement because the property is zoned Planned Development Commercial (PDC).

Finding for Special Approval
The Board finds that the purpose of the Comprehensive Plan is met because the project is zoned Planned Development Commercial.

ATTACHMENTS
1. Applicable Comprehensive Plan Policies
2. Request for Specific Approval
3. Traffic Impact Analysis
3. Copy of Newspaper Advertising

APPLICABLE COMPREHENSIVE PLAN POLICIES		
Policy:	2.2.1.15	**RES-16:** Establish the Residential-16 Dwelling Units/Acre future land use category as follows:
Policy:	2.2.1.15.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for moderate density urban residential uses. Also, to provide for a complement of residential support uses normally utilized during the daily activities residents of these moderate density urban areas. Lodging places may also be located within this future land use category (see also Objective 6.1.3).
Policy:	2.2.1.15.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, low intensity recreational facilities, public or semi-public uses, schools, lodging places, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).
Policy:	2.2.1.15.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: 16 dwelling units per acre Minimum Gross residential Density: 13.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "affordable housing". Maximum Net Residential Density: 20 dwelling units per acre 28 dwelling units per acre in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing". (except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5) Maximum Floor Area Ratio: 0.25 (0.35 for mini-warehouse uses only) 1.00 inside the CRA's and UIRA Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf)

Policy:	2.2.1.15.4	Other Information: a) All mixed and multiple-use projects, or projects containing any lodging place not consistent with the locational criteria for medium commercial uses contained in this element, shall require special approval, as defined herein, and as further defined in any development regulations developed pursuant to § 163.3202, F.S. b) All projects for which either gross residential density exceeds 9 dwelling units per acre, or for which any net residential density exceeds 12 units per acre, shall require special approval. c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval. d) Development of densities greater than 9 du/ga in areas that are not substantially or completely developed with residential uses exceeding 9 du/ga at time of plan adoption shall require approval pursuant to policy 2.6.2.5. e) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provision Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates, and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2)
Objective:	2.1.3	**Revitalization of the Urban Core Area:** Limit urban sprawl through the infill and redevelopment of residential and non-residential uses into the urban core area thereby encouraging the continued vitality and economic prosperity of these areas.
Policy:	2.1.3.2	Consider the establishment of higher floor area ratios in the urban area.

JERRY N. ZOLLER
ARCHITECT / PLANNER
AA C000557
AIA

~~March 20, 2014 Revised 6/4/2014~~

Revised August 25, 2014

Manatee County Building & Development Service
ATTN: Kathy Manning
1112 Manatee Ave. E.
P.O. Box 1000
Bradenton, FL 34205

RE: Bayshore Crossings Mini Storage - DTS Application Number 20140118

Dear Kathy,

R & M General Partnership is requesting specific approval to reduce the side setback on the north side from 20/15 feet to 10 feet. The existing setback on the north for the pavement is 10' and when the shopping center was built, the required set back was 10'. The space between the north property line and the bank building is approximately 60 feet and heavily landscaped. It contains the driveway for the bank drive thru. Taking into account the above reasons, the owner and I feel the 10' setback is reasonable.

R & M General Partnership is also requesting specific approval for an alternative to relocate landscaping to structures within the project area that won't be compromised with placement of foundation landscaping. (see letter attached from Allison Gause Engineering)

Respectfully,

Jerry N. Zoller, AIA

CC: Bob Morris

914 TAMIAMI TRAIL, BRADENTON, FL. 34205-6646 phone 941.748.4465 fax 941.747.7952

Allison · Gause
Incorporated

Engineering
Landscape Architecture
Planning
Environmental Consultants
Consulting Arborist

April 14th, 2014

Margeret Tusing
Manatee County Government
Building and Development Services Department
1112 Manatee Avenue West
Fourth Floor, Bradenton, FL 34205
P.O. Box 1000, Bradenton, Florida, 34206-1000

PROJECT NAME: **Bayshore Crossings Mini Storage**
PROJECT NUMBER: **PDR-14-12(P), 20140118(1)**

Dear Ms. Tusing;

Below, please find a copy of the responses to your request for additional information dated April 3, 2014.

The Environmental Planning Division has reviewed the referenced PDC with Preliminary Site Plan and offers the following comments:

OPEN SPACE

1. Demonstrate that the minimum open space required for the project does not contain more than 75% area in open water bodies or wetlands.
Response: 100% of the area is grass or dry ground. Please see notes on Cover Sheet.

LANDSCAPING/BUFFERS/TREES

2. Staff is recommending and providing findings to support granting of Specific Approval for Section 714.8.7 of the LDC to allow for smaller replacement tree sizes of 3"/4"/4" in lieu of 3"/5"/7". The findings are provided at the end of the comments.
Response: Per conversation with Dorothy Rainey, it is our understanding that this has been an acceptable alternative for the past few years. We believe it is allowable as a superior alternative.

3. Note that Section 704.47 of the LDC – Conditional Use Criteria for mini-warehouse uses requires 40 square feet of foundation landscaping per 1,000 square feet of gross building area to be placed somewhere around the perimeter of the buildings. Since the nature of mini-warehouse buildings is such that this would interfere with access to the units, staff is recommending the applicant consider this and request Specific Approval for an alternative to relocate landscaping to structures within the project area that won't be compromised with placement of foundation landscaping.
Response: Please see revised Landscape Data. We are providing at least 40 S.F. of

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foundation landscaping per 1,000 S.F. of the Gross Floor Area. We have included the landscaping to the West and North of the project site in our foundation calculation. It is our belief that the hedge and Canopy tree coverage is providing the same intent as foundation landscaping. We believe it is appropriate to let the hedge remain in its location rather than relocating directly next to the building because it is a mature hedge and providing screening for the structure.

Proposed stipulations (stipulations may be added, deleted or revised based on further reviews.):

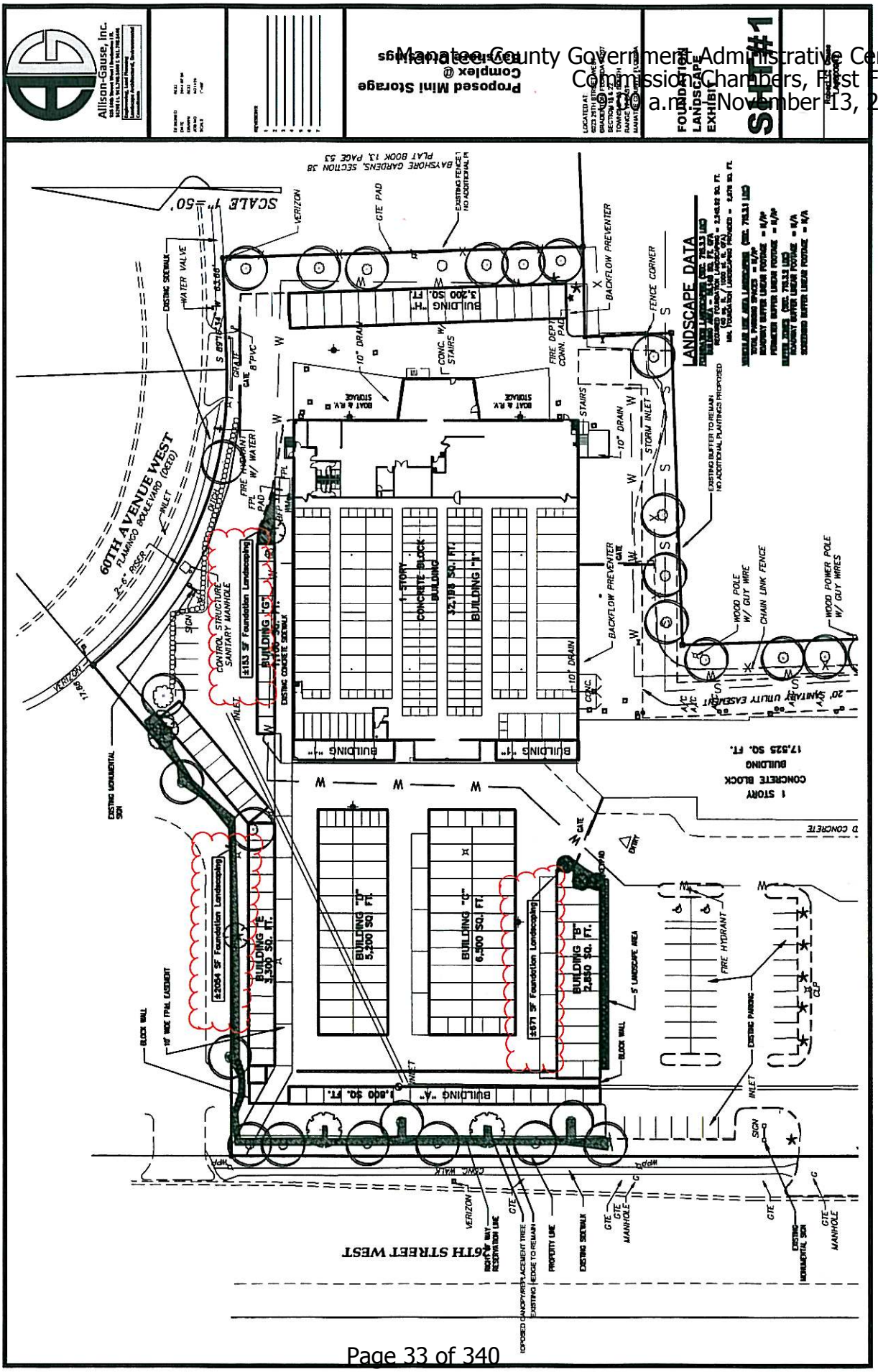
1. Existing vegetation shown on the Preliminary Site Plan may be subject to inspection by staff at time of issuance of Certificate of Occupancy for new uses, to ensure it is healthy and is achieving the screening intent of the LDC.
   Response: Acknowledged.

2. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.
   Response: We will be connecting to the existing water source that this project site is already connected to due to previous approval.

We trust the above has adequately addressed your comments at this time. Should you have any questions or require additional information, please feel free to call.

Sincerely,

Robert C. Gause RLA
Vice President
Allison-Gause, Inc.


Allison-Gause, Inc.
Proposed Mini Storage Complex @ 60th Avenue West
FOUNDATION LANDSCAPE EXHIBIT
SHT #1
SCALE 1" = 50'
60TH AVENUE WEST
FLAMINGO BOULEVARD (DEED)
LANDSCAPE DATA
BUILDING "A" 1,800 SQ. FT.
BUILDING "B" 2,850 SQ. FT.
BUILDING "C" 6,500 SQ. FT.
BUILDING "D" 5,200 SQ. FT.
BUILDING "E" 3,300 SQ. FT.
BUILDING "F" 32,198 SQ. FT.
BUILDING "G" 3,200 SQ. FT.
1 STORY CONCRETE BLOCK BUILDING 17,525 SQ. FT.
±671 SF Foundation Landscaping
±2064 SF Foundation Landscaping
±153 SF Foundation Landscaping
BACKFLOW PREVENTER
FENCE CORNER
WOOD POLE W/ GUY WIRE
CHAIN LINK FENCE
WOOD POWER POLE W/ GUY WIRES
EXISTING BUFFER TO REMAIN NO ADDITIONAL PLANTINGS PROPOSED
EXISTING FENCE TO REMAIN NO ADDITIONAL PLANTINGS
BAYSHORE GARDENS, SECTION 38 PLAT BOOK 13, PAGE 53
EXISTING MONUMENTAL SIGN
BLOCK WALL
10' WIDE FPL EASEMENT
FIRE HYDRANT
EXISTING PARKING
EXISTING SIDEWALK
WATER VALVE
VERIZON
GTE PAD
FIRE DEPT CONN. PAD
STORM INLET
10" DRAIN
CONC. W/ STAIRS
BOAT & R.V. STORAGE
CONTROL STRUCTURE SANITARY MANHOLE
20' SANITARY UTILITY EASEMENT
5' LANDSCAPE AREA
PROPOSED CANOPY/REPLACEMENT TREE
EXISTING HEDGE TO REMAIN
PROPERTY LINE
EXISTING SIDEWALK
EXISTING MONUMENTAL SIGN
60TH STREET WEST

Allison incorporated Gause

Engineering
Landscape Architecture
Planning
Environmental Consultants
Consulting Arborist

March 26, 2014

Mr. Jason Utley
Transportation System Modeler
Manatee County Government
1022 26th Ave. East
Bradenton, FL 34208

Re: Bayshore Crossings Mini-Storage
Revised Trip Generation for Change of Use/ Rezone Application
6035 26th Street West
Bradenton, FL 34207
Parcel ID: 6148500108

Dear Mr. Utley;

In response to conversations, the following is being submitted to address the trip generation as part of the change of use proposed with the Bayshore Crossings Mini-Storage project. The project proposes a change of use for "Building 1", an existing 32,198 sq. ft. shopping center grocery store, to a mini-storage and climate controlled self-storage facility. Post development conditions will also include the development of additional buildings (approximately 24,850 sq. ft.) to be used for mini-storage, for a total of approximately 57,048 sq. ft. of mini-storage area. The existing "Building 2" and "Building 3" will maintain their existing allowed use(s), thus, trips associated with these buildings are not included in this analysis.

Trip generation for the pre- and post-development use(s) are calculated based on ITE Trip Generation Manual, 9th Edition. Pre-development trips generated are established via ITE land use code 820 (shopping center) for the Weekday Peak Hour of Adjacent Street Traffic Between 4 and 6 p.m. Results are calculated using the fitted curve equation with an R^2 value of 0.81. Post-development conditions are analyzed based on ITE land use code 151 (Mini-Warehouse) for trips generated on a weekday, peak hour of adjacent street traffic between 4 and 6 p.m. Due to the lack of a fitted curve equation, post-development trips generated are based on the average rate from the studies conducted.

TABLE I – Trip Generation Comparison

Existing P.M. Peak Hour Trips				
ITE Code	**Land Use Type**	**Building Square Feet**	**Average Rate/Fitted Curve***	**PM Peak-Hour Trips of Adjacent Street Traffic (Between 4 and 6 p.m.)**
820	**Shopping Center**	**32,198 sq. ft.**	**Ln(T)=0.67 Ln(X) + 3.31**	**280.4 trips**
Proposed P.M. Peak Hour Trips				
ITE Code	**Land Use Type**	**Building Square Feet**	**Average Rate/Fitted Curve***	**PM Peak-Hour Trips of Adjacent Street Traffic (Between 4 and 6 p.m.)**
151	**Mini-Warehouse**	**57,048 sq. ft.**	**0.26 trips/ 1,000 sq. ft.**	**14.8 trips**

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* Total trip generation of the development is derived via Trip Generation, 9th edition by the Institute of Transportation Engineers. For fitted curve equation, "T" is equal to the total number of trips and "X" is equal 1000 Sq. Ft. of Gross Leasable Area.

From the table above, the proposed mini-storage facility will generate fewer weekday p.m. peak hour trips than the existing 32,198 square foot shopping center grocery store is allowed. Provided with this letter for reference are copies of the ITE Trip Generation sheets for the existing and proposed land use codes.

We trust the above information has adequately addressed any concerns at this time. Please contact me at the number below should you have any questions or concerns about this matter.

Sincerely,
ALLISON-GAUSE, INC.

M. Andrew Allison, PE

Enc: One (1) copy of the Trip Generation Sheet for a Shopping Center (ITE code 820)
One (1) copy of the Trip Generation Sheet for a Mini-Warehouse (ITE code 151)

Shopping Center
(820)

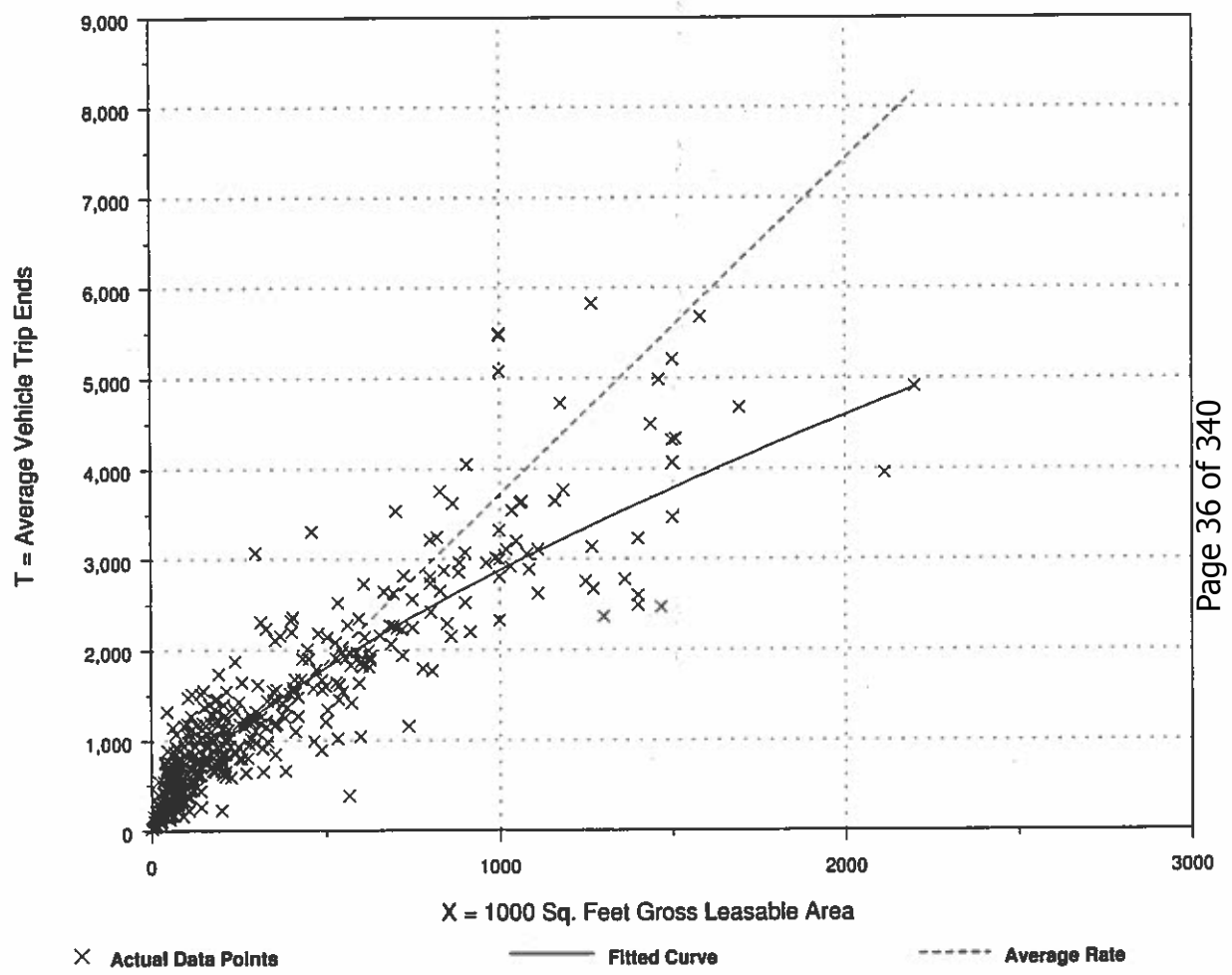
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Leasable Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 426
Average 1000 Sq. Feet GLA: 376
Directional Distribution: 48% entering, 52% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
3.71	0.68 - 29.27	2.74

Data Plot and Equation



Fitted Curve Equation: Ln(T) = 0.67 Ln(X) + 3.31 $R^2 = 0.81$

Mini-Warehouse
(151)

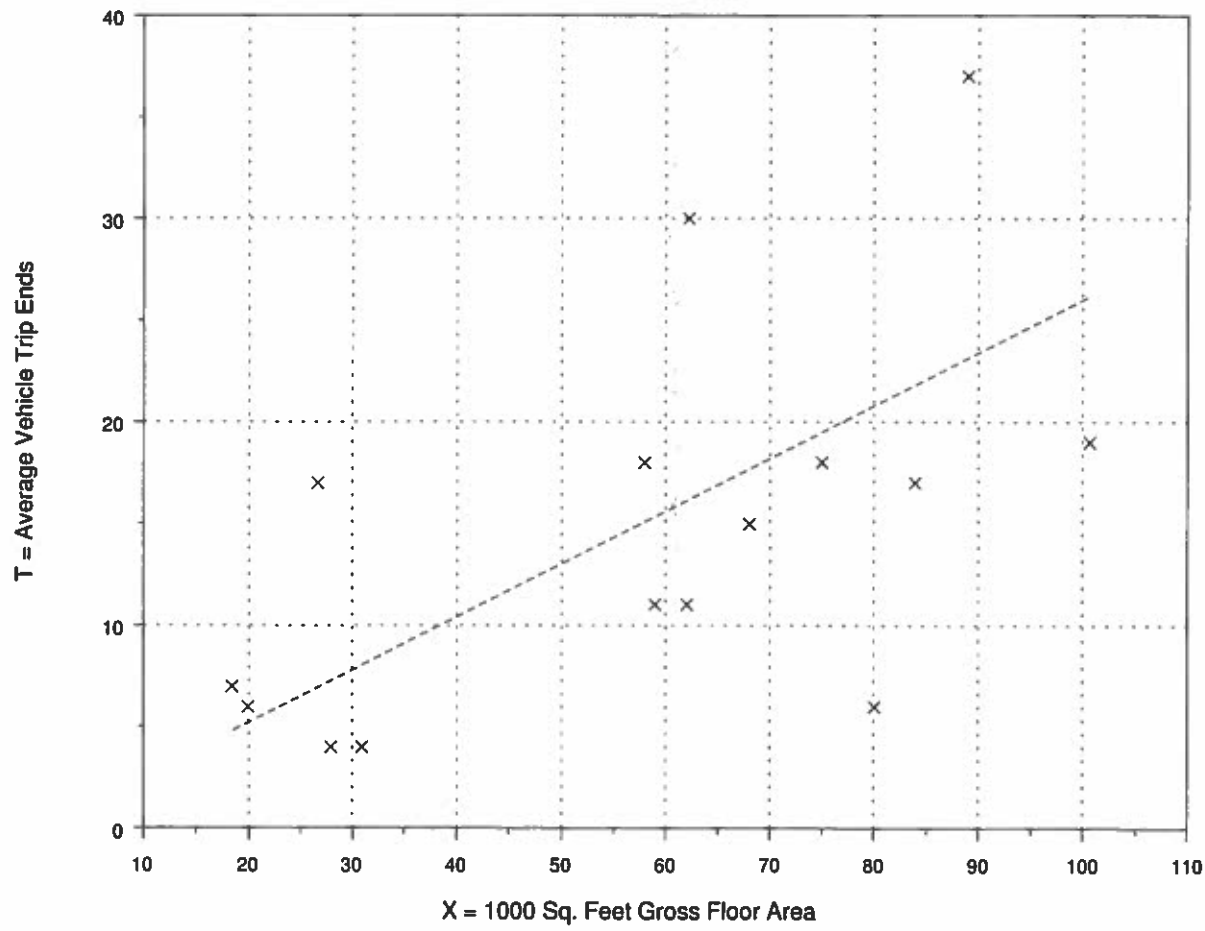
Average Vehicle Trip Ends vs: **1000 Sq. Feet Gross Floor Area**
On a: **Weekday,**
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 15
Average 1000 Sq. Feet GFA: 57
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
0.26	0.07 - 0.64	0.52

Data Plot and Equation



× Actual Data Points

------ Average Rate

Fitted Curve Equation: Not given

R^2 = ****

Bradenton Herald
Oct. 29, 2014
Miscellaneous Notices

NOTICE OF ZONING &
DRI CHANGES IN
UNINCORPORATED
MANATEE COUNTY

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

ORDINANCE 14-30
LAKEWOOD CENTRE (DRI #27) - (DTS20140228 / MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1)Add 796.22 + acres to the boundaries of the DRI;
2)Granting Specific Approval of Phases 2 and 3;
3)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4)Reflect revised development totals consistent with the previously approved land use exchange; and
5)Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 + acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) -
LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1)Provide for Specific Approval of Phases 2 and 3;
2)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3)Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;
providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) -
R AND M GENERAL
PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS 20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) -
PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78ñ acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04ñ acres from LM (Light Manufacturing) and 44.75ñ acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83ñ acres already zoned PDMU for a combined total of 99.39ñ acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34ñ miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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

Americans with Disabilities: The Board of County Commissioners of Manatee County does not

discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY
PLANNING COMMISSION
Manatee County Building
and Development Services
Department
Manatee County, Florida
10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED..
Published: 10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED MANATEE COUNTY

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

ORDINANCE 14-30 LAKEWOOD CENTRE (DRI #27) - (DTS20140228 / MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1) Add 796.22 + acres to the boundaries of the DRI;
2) Granting Specific Approval of Phases 2 and 3;
3) Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4) Reflect revised development totals consistent with the previously approved land use exchange; and
5) Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 + acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for

severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) - LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1) Provide for Specific Approval of Phases 2 and 3;
2) Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3) Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;

providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) - R AND M GENERAL PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS
20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the

PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) - PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78± acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04± acres from LM (Light Manufacturing) and 44.75± acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83± acres already zoned PDMU for a combined total of 99.39± acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34± miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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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: October 29, 2014

NOTES:

1. THE SITE IS DESIGNATED AS FLOOD ZONE X ON F.I.R.M. PANEL #12081C 0312E.
2. THERE ARE NO WETLANDS UNDER THE JURISDICTION OF SWFWMD AND FDEP WITHIN THE BOUNDARIES OF THIS PLAN.
3. THERE ARE NO KNOWN WELLS WITHIN THE BOUNDARIES OF THIS PLAN.
4. INFRASTRUCTURE CONSTRUCTION WILL COMMENCE IN 2014 AND WILL BE COMPLETED WITHIN 3 YEARS OF CONSTRUCTION PLAN APPROVAL AND CERTIFICATE OF LEVEL OF SERVICE APPROVAL.
5. SOLID WASTE DISPOSAL WILL BE PROVIDED BY MANATEE COUNTY AND GATES SHALL BE PROGRAMMED TO WASTE MANAGEMENTS FREQUENCY.

EXISTING ROW:	93 FT.
1/2 ROW:	46.5 FT.
FUTURE ROW:	120 FT.
PROPOSED SETBACK:	13.5 FT.

SITE DATA

TYPE OF APPROVAL:	PRELIMINARY SITE PLAN
PREVIOUS APPROVAL CASE NUMBER(S):	PDC-95-06
D. P. NUMBER(S):	6140560006
TOTAL SITE ACREAGE:	(324,388 SF) 7.44692 ACRES
TOTAL LIMITS OF CONSTRUCTION ACREAGE:	(122,182.68 SF) 2.80 ACRES
EXISTING ZONING:	PDC
PROPOSED ZONING (IF REZONE):	N/A
EXISTING LAND USE(S):	EXISTING SHOPPING CENTER
PROPOSED LAND USE (IN LIMITS OF CONSTRUCTION):	MINI WAREHOUSES
FUTURE LAND USE CATEGORY(FLUC):	RES-16
ADJACENT ZONING / LAND USE:	
NORTH	PR-M / BANK
SOUTH	PD-C / LIBRARY
EAST	RSF-6 & PD-R / RESIDENTIAL
WEST	PR-M / SCHOOL & COMMERCIAL
FLOOD ZONE CATEGORY:	X
FIRM PANEL NUMBER:	12081C 0312 E, EFFECTIVE 3/17/2014
SETBACKS:	
FRONT:	30'
SIDE:	10'
REAR:	20'
EXISTING GROSS FLOOR AREA(S):	58,470 SF
PROPOSED FLOOR AREA(S): PHASE I:	+ 20,093 SF (STORAGE) = 78,563 SF
PHASE II:	3,850 SF
PROPOSED GROSS FLOOR AREA(S):	82,413 SF
ALLOWABLE FAR FOR MINI-STORAGE PER PDC:	0.350
ALLOWABLE FAR FOR SHOPPING CENTER PER PDC:	0.230
FLOOR AREA RATIO (FAR): (BUILDINGS /ENTIRE SITE)	82,413 SF / 324,388 SF = 0.254
OPEN SPACE CALCULATION:	TOTAL OPEN SPACE / TOTAL SITE
TOTAL OPEN SPACE	74,229.2 SF / 324,388 SF = 22.88%
PERCENTAGE OF WATER BODIES OR WETLANDS IN OPEN SPACE	0%
EXISTING WETLANDS, PERENNIAL STREAMS:	NONE
HISTORIC SITE & STRUCTURES:	NONE
PUBLIC USE AREAS:	NONE
OUTSIDE DISPLAY AREAS:	NONE
NUMBER OF FLOORS:	ONE
MAXIMUM BUILDING HEIGHT:	35'
PARKING CALCULATION:	SEE SHEET SP-1 FOR DESCRIPTION OF BREAK-DOWN
PARKING REQUIRED (PHASE I):	122,182÷12 + 32,398.1,000÷33 + 26,272,200÷132 = 118
PARKING REQUIRED (PHASE II):	36 ADDITIONAL OUTSIDE UNITS - 36/10 = 4 + 118 = 122
PARKING PROVIDED:	138
HANDICAP PARKING REQUIRED:	6
HANDICAP PARKING PROVIDED:	12
LOADING REQUIRED:	NONE
LOADING PROVIDED:	NONE
SEWAGE DISPOSAL METHOD:	MCPUD
POTABLE WATER SUPPLY:	MCPUD
APPROXIMATE CONSTRUCTION STARTING DATE:	2014
APPROXIMATE CONSTRUCTION COMPLETION DATE:	2015

NOTE: WITH THE SUBMISSION OF THE PSP, IT CAN BE REASONABLY ASSURED THAT ALL APPLICABLE STATE AND FEDERAL PERMITS, IF ANY CAN BE OBTAINED.

PRELIMINARY SITE PLAN

TO SERVE

BAYSHORE CROSSINGS

LOCATED IN

SECTION 15, TOWNSHIP 35, RANGE 17
MANATEE COUNTY, FLORIDA
ZONED:
PD-C

PROPOSED USE:
MINI WAREHOUSES

Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

LEGAL DESCRIPTION:

PARCEL I SHOPPING CENTER PARCEL:

FROM THE SOUTHWEST CORNER OF PARKWAY VILLAS, RECORDED IN CONDOMINIUM BOOK 3, PAGE 27, RUN N00°31'44"W ALONG THE WEST LINE OF SAID PARKWAY VILLAS, A TOTAL DISTANCE OF 525.03 FEET; THENCE S89°26'52"W ALONG THE BOUNDARY OF SAID PARKWAY VILLAS, A DISTANCE OF 82.03 FEET; THENCE N00°33'50"W, ALONG THE BOUNDARY OF SAID PARKWAY VILLAS, A DISTANCE OF 216.34 FEET FOR A POINT OF BEGINNING; THENCE N88°29'15"W, A DISTANCE OF 120.50 FEET; THENCE S01°31'10"W, A DISTANCE OF 24.00 FEET; THENCE N88°28'50"W, A DISTANCE OF 151.00 FEET; THENCE N01°31'10"E, A DISTANCE OF 13.11 FEET; THENCE N88°28'50"W, A DISTANCE OF 28.00 FEET TO THE EAST RIGHT OF WAY LINE OF 26TH STREET WEST (A 93' PUBLIC RIGHT OF WAY); THENCE N01°31'10"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 461.23 FEET TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF PROPERTY DESCRIBED IN O.R. BOOK 1064, PAGE 118, THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE, THE FOLLOWING TWO COURSES: THENCE S88°28'50"E, A DISTANCE OF 187.94 FEET; THENCE N51°41'18"E, A DISTANCE OF 124.85 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF FLAMINGO BOULEVARD ALSO BEING THE POINT ON A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N51°38'04"E. A DISTANCE OF 213.10 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT ALSO BEING SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 194.30 FEET THROUGH A CENTRAL ANGLE OF 52°05'43" TO THE P.T. OF SAID CURVE; THENCE N89°32'71"E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 63.66 FEET TO THE INTERSECTION WITH THE BOUNDARY OF BAYSHORE GARDENS, SECTION 38, RECORDED IN PLAT BOOK 13, PAGE 85; THENCE SOUTHERLY THE FOLLOWING THREE COURSES ALONG SAID BAYSHORE GARDENS, SECTION 38 AND BAYSHORE GARDENS, SECTION 36, RECORDED IN PLAT BOOK 13, PAGE 53: THENCE S00°32'24"E, A DISTANCE OF 208.14 FEET; THENCE S89°27'36"W, A DISTANCE OF 52.00 FEET; THENCE S00°32'24"E, A DISTANCE OF 50.00 FEET TO THE INTERSECTION WITH THE BOUNDARY OF PARKWAY VILLAS, UNIT 6, RECORDED IN CONDOMINIUM BOOK 3, PAGE 27 THENCE WESTERLY & SOUTHERLY THE FOLLOWING TWO COURSES ALONG THE BOUNDARY OF PARKWAY VILLAS: THENCE S89°27'36"W, A DISTANCE OF 180.00 FEET; THENCE S00°33'50"E, A DISTANCE OF 255.47 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 15, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

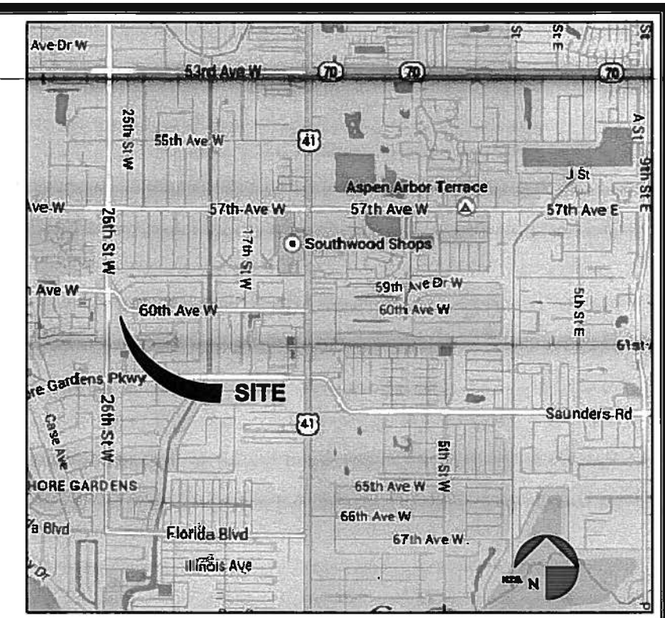
PARCEL II SHOPPING CENTER PARCEL:

FROM THE SOUTHWEST CORNER OF PARKWAY VILLAS RECORDED IN CONDOMINIUM BOOK 3, PAGE 37, THENCE RUN N00°31'44"W ALONG THE WEST LINE OF SAID PARKWAY VILLAS, A DISTANCE OF 341.71 FEET TO THE NORTHEAST CORNER OF PROPERTY DESCRIBED IN O.R. BOOK BOOK 1056, PAGE 2806 ALSO BEING THE POINT OF BEGINNING; THENCE S89°26'46"W, ALONG THE NORTH LINE OF SAID PROPERTY, A DISTANCE OF 214.04 FEET; THENCE N01°31'10"E, A DISTANCE OF 186.46 FEET; THENCE N88°28'50"W, A DISTANCE OF 188.00 FEET TO THE EAST RIGHT OF WAY LINE OF 26TH STREET WEST (A 93' PUBLIC RIGHT OF WAY); THENCE N01°31'10"E ALONG SAID RIGHT OF WAY A DISTANCE OF 266.52 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, S88°28'50"E, A DISTANCE OF 28.00 FEET; THENCE S01°31'10"W, A DISTANCE OF 13.11 FEET; THENCE S88°28'50"E, A DISTANCE OF 151.00 FEET; THENCE N01°31'10"E, A DISTANCE OF 24.00 FEET; THENCE S88°29'15"E, A DISTANCE OF 120.50 FEET TO THE INTERSECTION WITH THE WEST BOUNDARY LINE OF PARKWAY VILLAS CONDOMINIUM, UNIT 6, RECORDED IN CONDOMINIUM BOOK 3, PAGE 37; THENCE ALONG THE BOUNDARY OF SAID PARKWAY VILLAS THE FOLLOWING THREE COURSES: S00°33'50"E, A DISTANCE OF 216.34 FEET; THENCE N89°26'52"E, A DISTANCE OF 82.03 FEET; THENCE S00°31'44"E, A DISTANCE OF 183.38 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTIONS 15 AND 22, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

PARCEL I TOTAL ACREAGE: 5.07 AC.
PARCEL II TOTAL ACREAGE: 2.38 AC
TOTAL SITE ACREAGE: 7.44692 ACRES (324,388 SQ. FT.)

TOTAL SCOPE OF WORK ACREAGE: 2.80 ACRES (122,182.68 SQ. FT.)

AREA IN LIMITS OF CONSTRUCTION:	122,182 SQ. FT.
ENTIRE AREA OF SITE:	324,388 SQ. FT.
MINI STORAGE BUILDINGS (PHASE I):	52,291 SQ. FT.
MINI STORAGE BUILDINGS (PHASE II):	3,850 SQ. FT.
BUILDINGS OUTSIDE OF CONSTRUCTION:	26,272 SQ. FT.
TOTAL PROPOSED BUILDINGS ON SITE:	82,413 SQ. FT.



INDEX OF DRAWINGS

A-0	COVER SHEET
SP-1	PRELIMINARY SITE PLAN
SP-2	ENLARGED PRELIMINARY SITE PLAN - PHASE I
SP-2A	ENLARGED PRELIMINARY SITE PLAN - PHASE II
U-1	LIMITS OF CONSTRUCTION PLAN / OVERALL UTILITY PLAN
U-2	LIMITS OF CONSTRUCTION PLAN / ENLARGED UTILITY PLAN
A-2	BUILDING ELEVATIONS
A-3	STREET VIEW ELEVATIONS
LS-1	LANDSCAPE PLAN
- -	SITE SURVEY

Manatee County Building & Development Services Department Signature Block

Project Number: PDC-14-12CP Project Name: Bayshore Crossings Mini-Storage
Approval Type: Preliminary Site Plan DTS Number 20140118

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.

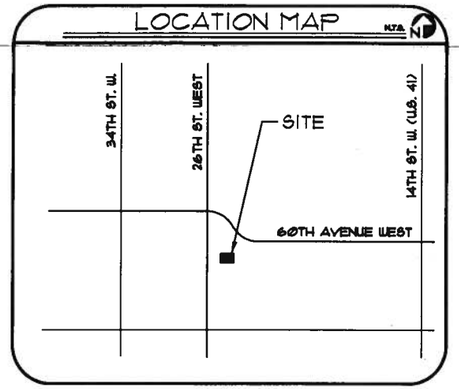
Rec'd by OWNER/AGENT: _____ DATE _____

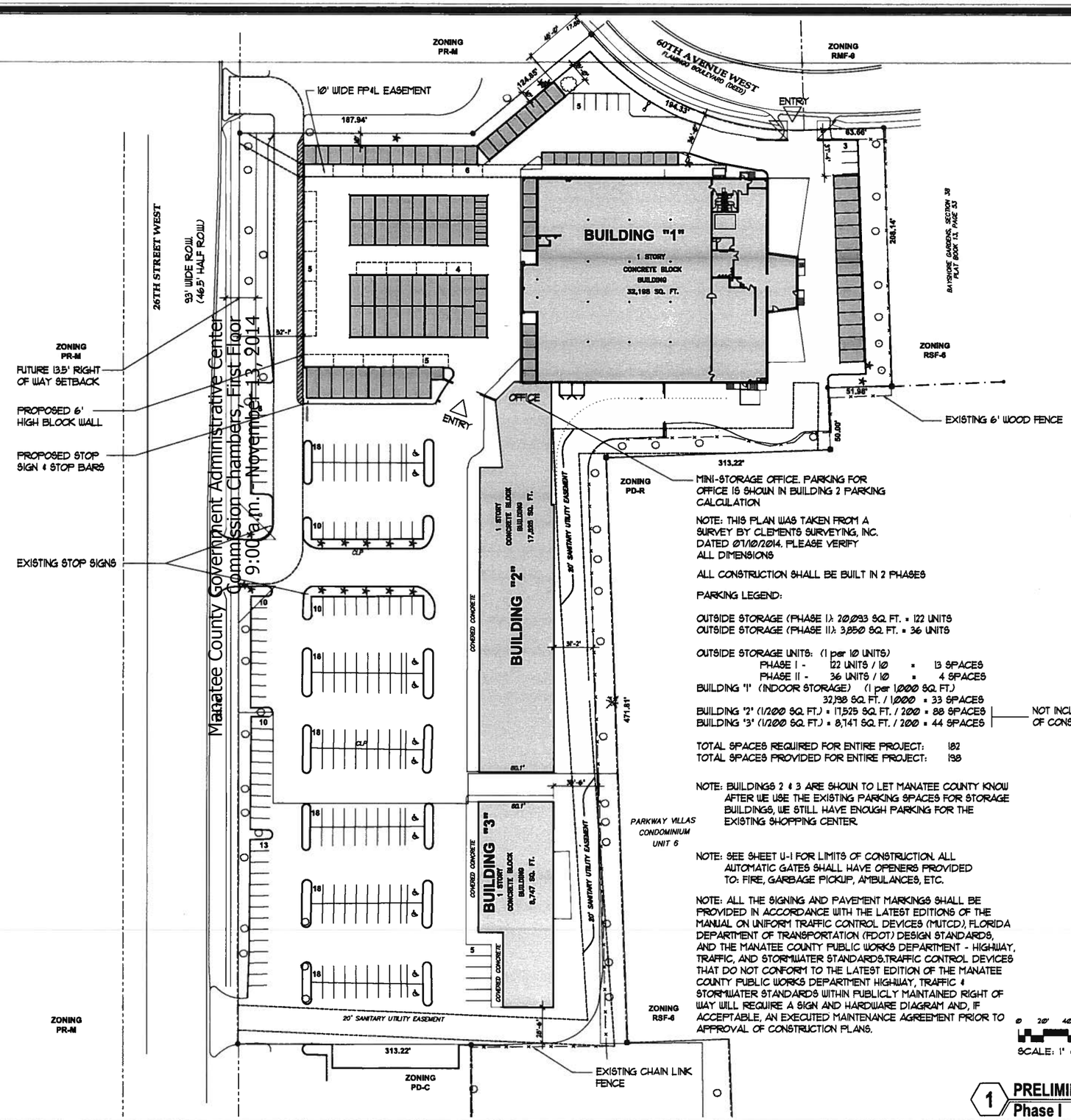
JERRY N. ZOLLER AIA
ARCHITECT / PLANNER AA C000567 P.A.
914 14th STREET W, BRADENTON, FL 34205 TEL: (941) 748-4465 FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

A-0





NOTE: THIS PLAN WAS TAKEN FROM A SURVEY BY CLEMENTS SURVEYING, INC. DATED 01/10/2014. PLEASE VERIFY ALL DIMENSIONS

ALL CONSTRUCTION SHALL BE BUILT IN 2 PHASES

PARKING LEGEND:

OUTSIDE STORAGE (PHASE I): 20093 SQ. FT. = 122 UNITS
OUTSIDE STORAGE (PHASE II): 3,850 SQ. FT. = 36 UNITS

OUTSIDE STORAGE UNITS: (1 per 10 UNITS)
PHASE I - 122 UNITS / 10 = 13 SPACES
PHASE II - 36 UNITS / 10 = 4 SPACES
BUILDING "1" (INDOOR STORAGE) (1 per 1,000 SQ. FT.)
32,198 SQ. FT. / 1,000 = 33 SPACES
BUILDING "2" (1/200 SQ. FT.) = 17,525 SQ. FT. / 200 = 88 SPACES
BUILDING "3" (1/200 SQ. FT.) = 8,747 SQ. FT. / 200 = 44 SPACES
NOT INCLUDED IN LIMITS OF CONSTRUCTION

TOTAL SPACES REQUIRED FOR ENTIRE PROJECT: 182
TOTAL SPACES PROVIDED FOR ENTIRE PROJECT: 198

NOTE: BUILDINGS 2 & 3 ARE SHOWN TO LET MANATEE COUNTY KNOW AFTER WE USE THE EXISTING PARKING SPACES FOR STORAGE BUILDINGS, WE STILL HAVE ENOUGH PARKING FOR THE EXISTING SHOPPING CENTER.

NOTE: SEE SHEET U-1 FOR LIMITS OF CONSTRUCTION. ALL AUTOMATIC GATES SHALL HAVE OPENERS PROVIDED TO: FIRE, GARBAGE PICKUP, AMBULANCES, ETC.

NOTE: ALL THE SIGNING AND PAVEMENT MARKINGS SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DESIGN STANDARDS, AND THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT - HIGHWAY, TRAFFIC, AND STORMWATER STANDARDS. TRAFFIC CONTROL DEVICES THAT DO NOT CONFORM TO THE LATEST EDITION OF THE MANATEE COUNTY PUBLIC WORKS DEPARTMENT HIGHWAY, TRAFFIC & STORMWATER STANDARDS WITHIN PUBLICLY MAINTAINED RIGHT OF WAY WILL REQUIRE A SIGN AND HARDWARE DIAGRAM AND, IF ACCEPTABLE, AN EXECUTED MAINTENANCE AGREEMENT PRIOR TO APPROVAL OF CONSTRUCTION PLANS.

0 20' 40' 80'
SCALE: 1" = 40'-0"

1 PRELIMINARY SITE PLAN
Phase I
SCALE: 1" = 40'-0"

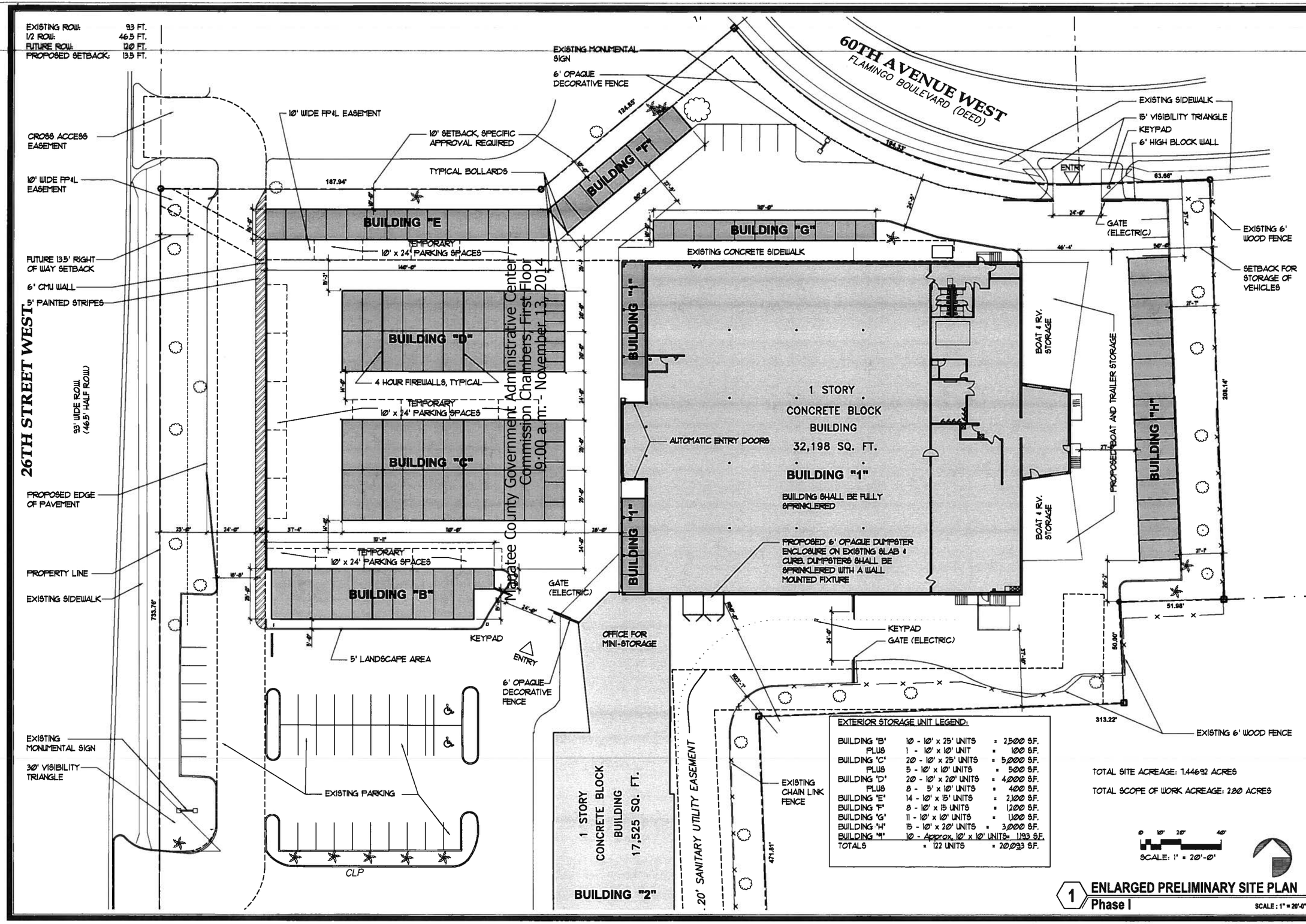
JERRY N. ZOLLER AIA
ARCHITECT / PLANNER P.A.
AA C000587
914 14th STREET W. BRADENTON, FL 34205 TEL: (941) 748-4465
FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS

6015 26th STREET WEST BRADENTON, FLORIDA

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

SP-1



EXTERIOR STORAGE UNIT LEGEND:

BUILDING 'B'	10 - 10' x 25' UNITS	=	2,500 S.F.
PLUS	1 - 10' x 10' UNIT	=	100 S.F.
BUILDING 'C'	20 - 10' x 25' UNITS	=	5,000 S.F.
PLUS	5 - 10' x 10' UNITS	=	500 S.F.
BUILDING 'D'	20 - 10' x 20' UNITS	=	4,000 S.F.
PLUS	8 - 5' x 10' UNITS	=	400 S.F.
BUILDING 'E'	14 - 10' x 15' UNITS	=	2,100 S.F.
BUILDING 'F'	8 - 10' x 15 UNITS	=	1,200 S.F.
BUILDING 'G'	11 - 10' x 10' UNITS	=	1,100 S.F.
BUILDING 'H'	15 - 10' x 20' UNITS	=	3,000 S.F.
BUILDING "1"	10 - Approx. 10' x 10' UNITS	=	1,193 S.F.
TOTALS	= 122 UNITS	=	20,093 S.F.

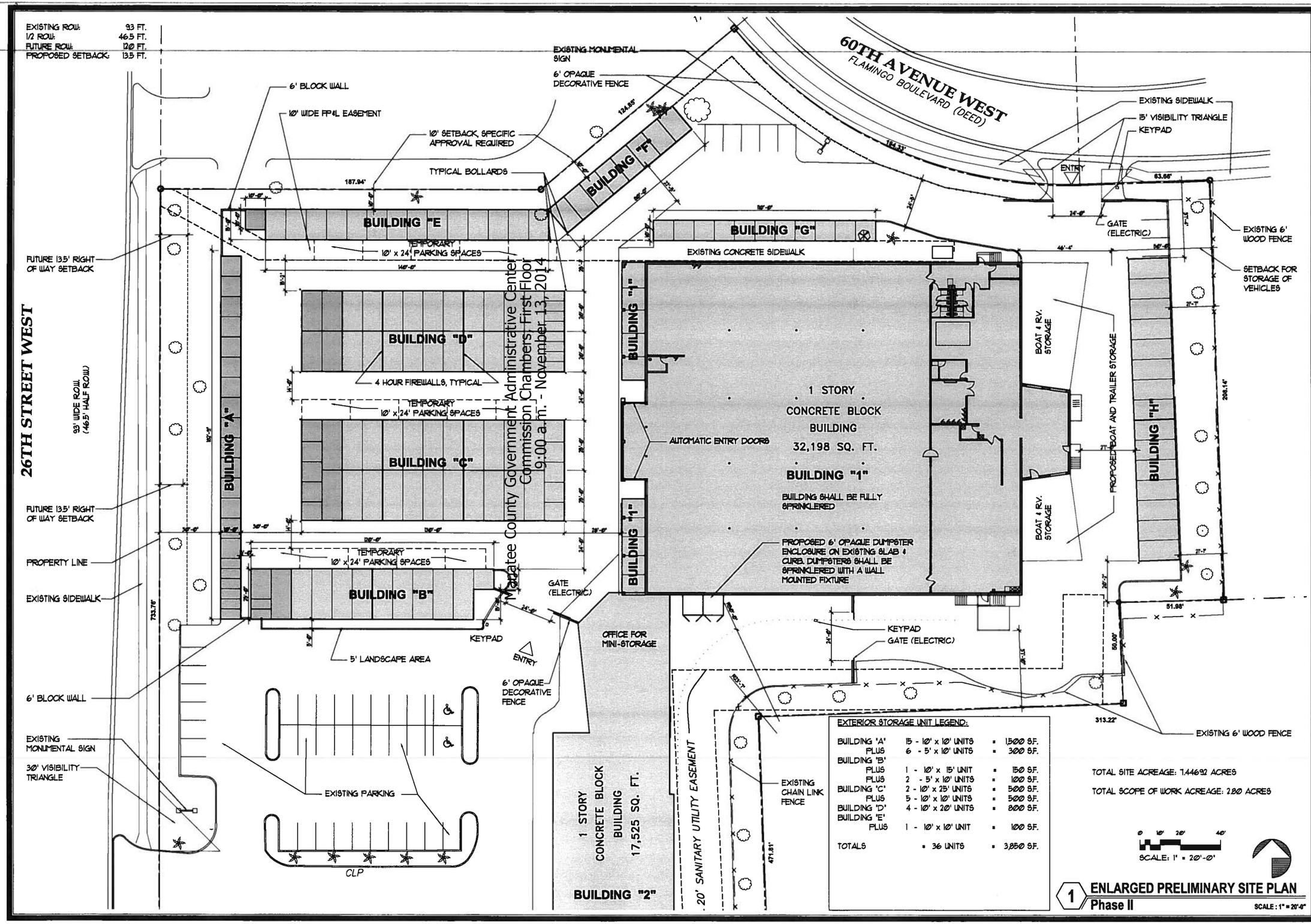
1 ENLARGED PRELIMINARY SITE PLAN
Phase I
SCALE: 1" = 20'-0"

JERRY N. ZOLLER AIA
ARCHITECT / PLANNER P.A.
AA C000667
914 14th STREET W, BRADENTON, FL 34205 TEL: (941) 748-4465 FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

SP-2



EXTERIOR STORAGE UNIT LEGEND:

BUILDING 'A'	15 - 10' x 10' UNITS	=	1,500 S.F.
PLUS	6 - 5' x 10' UNITS	=	300 S.F.
BUILDING 'B'			
PLUS	1 - 10' x 15' UNIT	=	150 S.F.
PLUS	2 - 5' x 10' UNITS	=	100 S.F.
BUILDING 'C'	2 - 10' x 25' UNITS	=	500 S.F.
PLUS	5 - 10' x 10' UNITS	=	500 S.F.
BUILDING 'D'	4 - 10' x 20' UNITS	=	800 S.F.
BUILDING 'E'			
PLUS	1 - 10' x 10' UNIT	=	100 S.F.
TOTALS	= 36 UNITS	=	3,850 S.F.

TOTAL SITE ACREAGE: 7.44692 ACRES

TOTAL SCOPE OF WORK ACREAGE: 2.80 ACRES

SCALE: 1" = 20'-0"

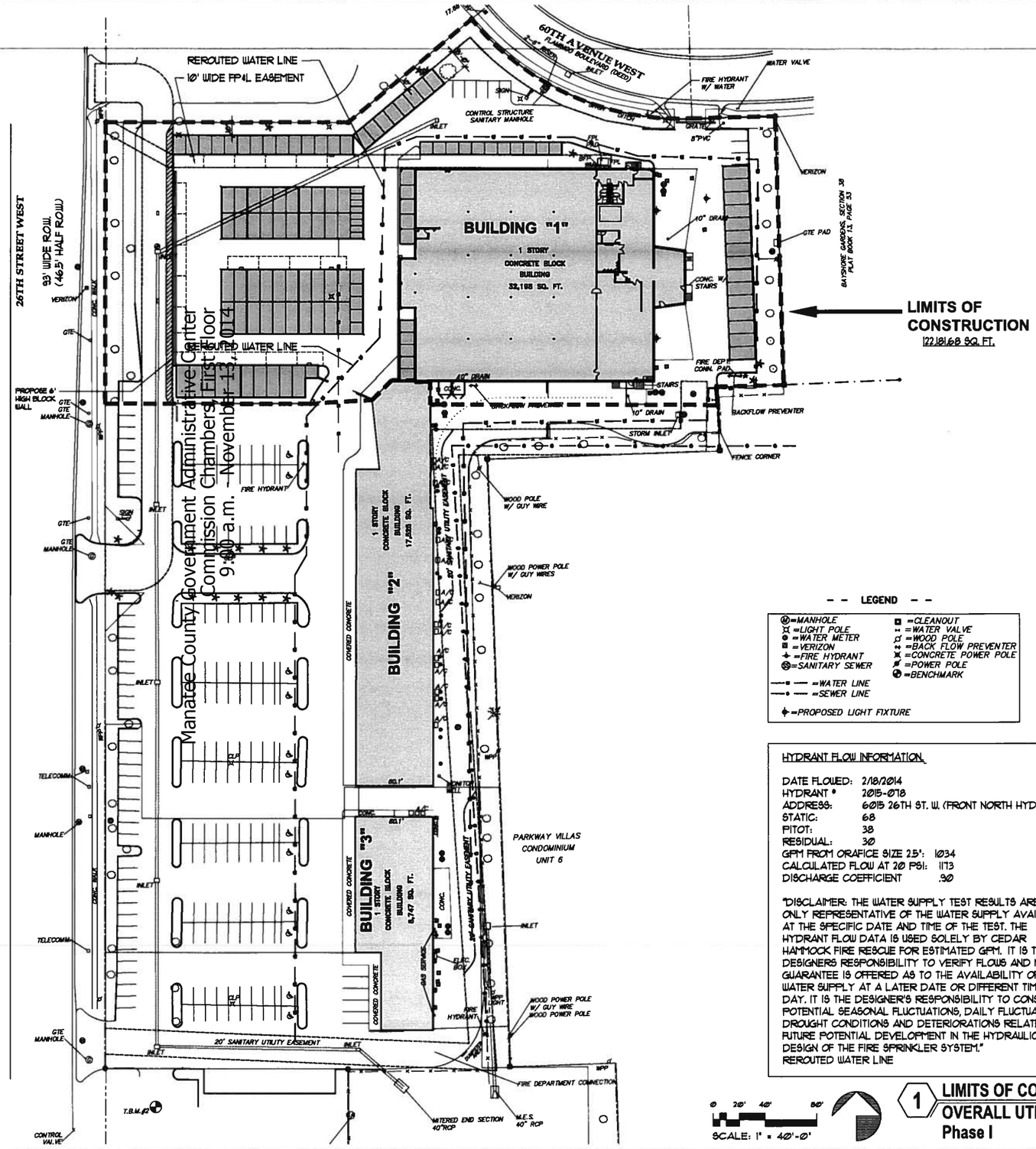
1 ENLARGED PRELIMINARY SITE PLAN
Phase II
SCALE: 1" = 20'-0"

SP-2A

JERRY N. ZOLLER AIA
ARCHITECT / PLANNER AA C000567 P.A.
914 14th STREET W. BRADENTON, FL 34205 TEL: (941) 748-4465 FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	



Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. – November 13, 2014

- - LEGEND - -

Ⓜ=MANHOLE	=CLEANOUT
=LIGHT POLE	=WATER VALVE
=WATER METER	=WOOD POLE
=VERIZON	=BACK FLOW PREVENTER
=FIRE HYDRANT	=CONCRETE POWER POLE
=SANITARY SEWER	=POWER POLE
	=BENCHMARK
=WATER LINE	
=SEWER LINE	
=PROPOSED LIGHT FIXTURE	

HYDRANT FLOW INFORMATION

DATE FLOWED: 2/18/2014
HYDRANT #: 2015-078
ADDRESS: 6015 26TH ST. W. (FRONT NORTH HYDRANT)
STATIC: 68
PITOT: 38
RESIDUAL: 30
GPM FROM ORAFICE SIZE 2.5": 1034
CALCULATED FLOW AT 20 PSI: 1173
DISCHARGE COEFFICIENT .90

"DISCLAIMER: THE WATER SUPPLY TEST RESULTS ARE ONLY REPRESENTATIVE OF THE WATER SUPPLY AVAILABLE AT THE SPECIFIC DATE AND TIME OF THE TEST. THE HYDRANT FLOW DATA IS USED SOLELY BY CEDAR HAMMOCK FIRE RESCUE FOR ESTIMATED GPM. IT IS THE DESIGNERS RESPONSIBILITY TO VERIFY FLOWS AND NO GUARANTEE IS OFFERED AS TO THE AVAILABILITY OF THIS WATER SUPPLY AT A LATER DATE OR DIFFERENT TIME OF DAY. IT IS THE DESIGNER'S RESPONSIBILITY TO CONSIDER POTENTIAL SEASONAL FLUCTUATIONS, DAILY FLUCTUATIONS, DROUGHT CONDITIONS AND DETERIORATIONS RELATED TO FUTURE POTENTIAL DEVELOPMENT IN THE HYDRAULIC DESIGN OF THE FIRE SPRINKLER SYSTEM."
REROUTED WATER LINE

1 LIMITS OF CONSTRUCTION / OVERALL UTILITY PLAN
Phase I

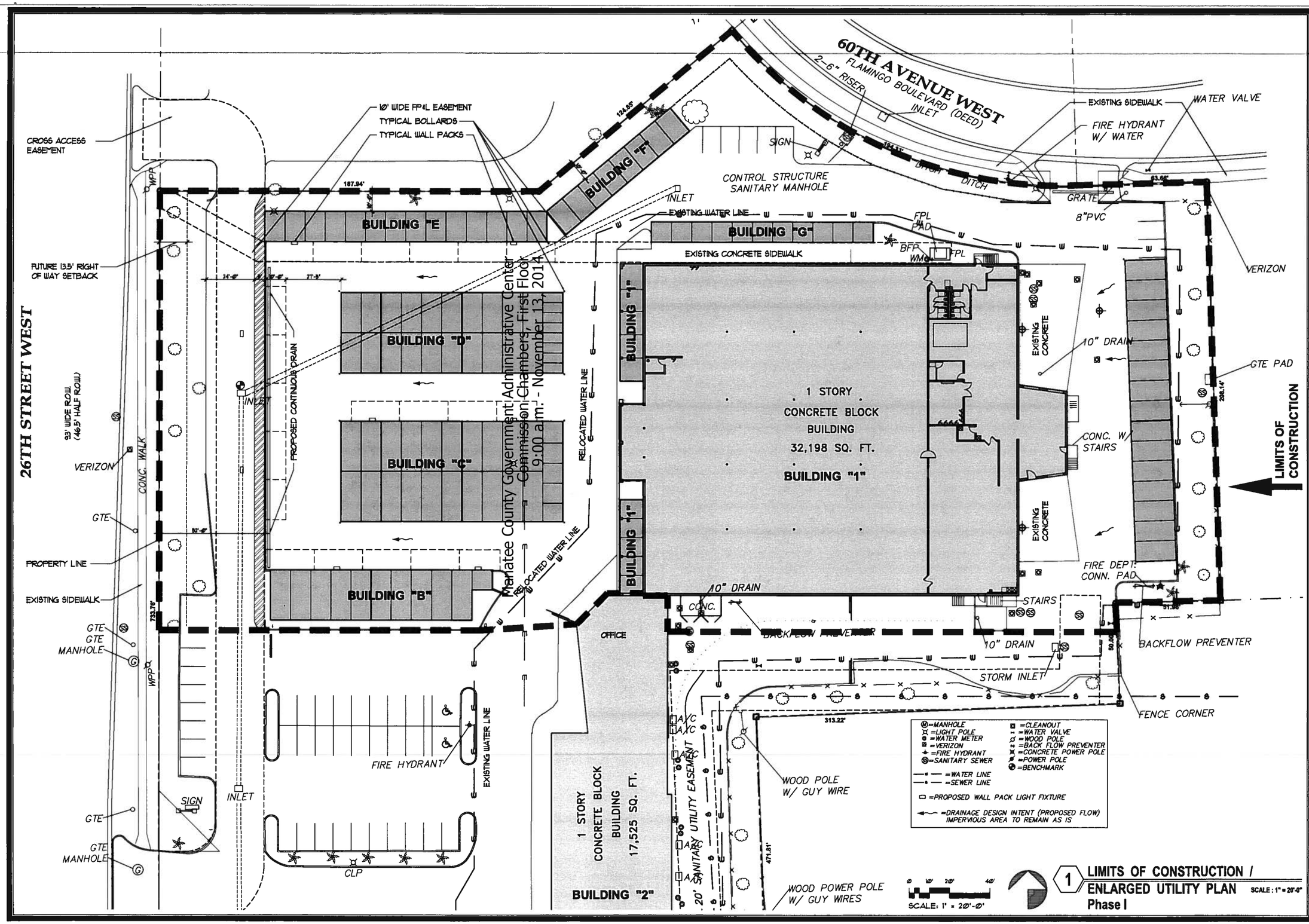
SCALE: 1" = 40'-0"

JERRY N. ZOLLER AIA
ARCHITECT / PLANNER P.A.
AA C000567
914 14th STREET W. BRADENTON, FL 34205 TEL: (941) 748-4465
FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX
@ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

U-1



1 LIMITS OF CONSTRUCTION / ENLARGED UTILITY PLAN Phase I

SCALE: 1" = 20'-0"

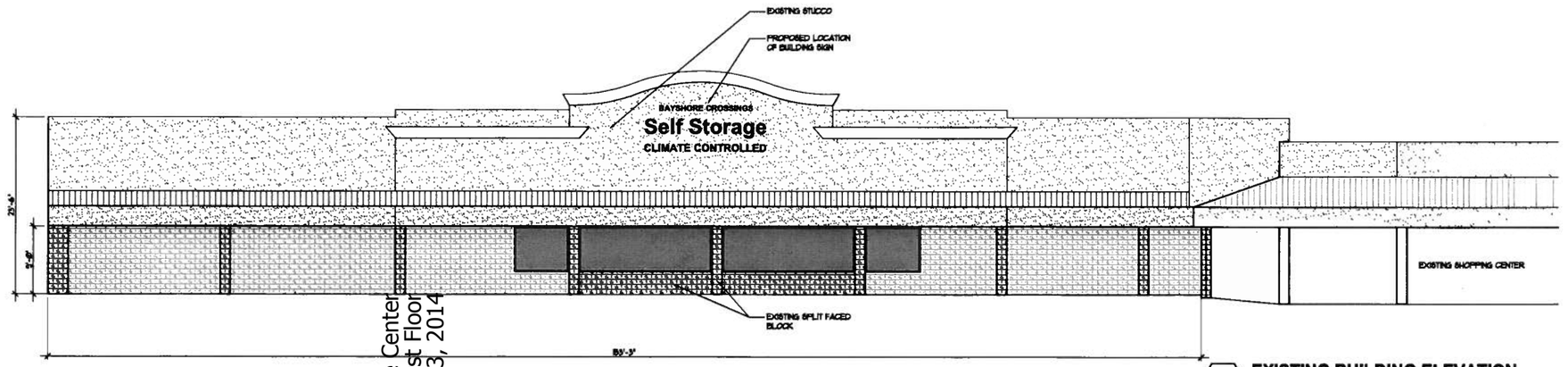
JERRY N. ZOLLER AIA
ARCHITECT / PLANNER P.A.
AA C000567
914 14th STREET W. BRADENTON, FL 34205 TEL: (941) 748-4465 FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

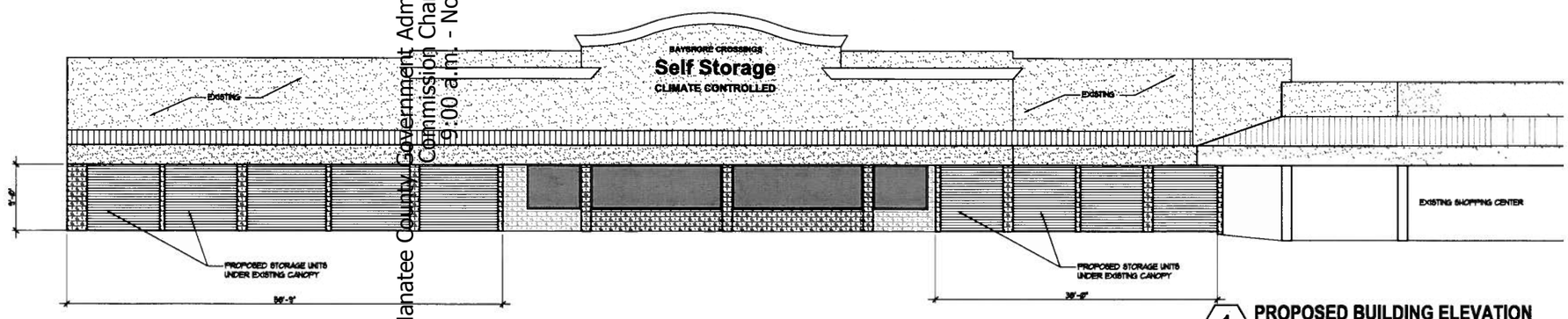
U-2

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014



2 EXISTING BUILDING ELEVATION

SCALE: 1/8" = 1'-0"



1 PROPOSED BUILDING ELEVATION

SCALE: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

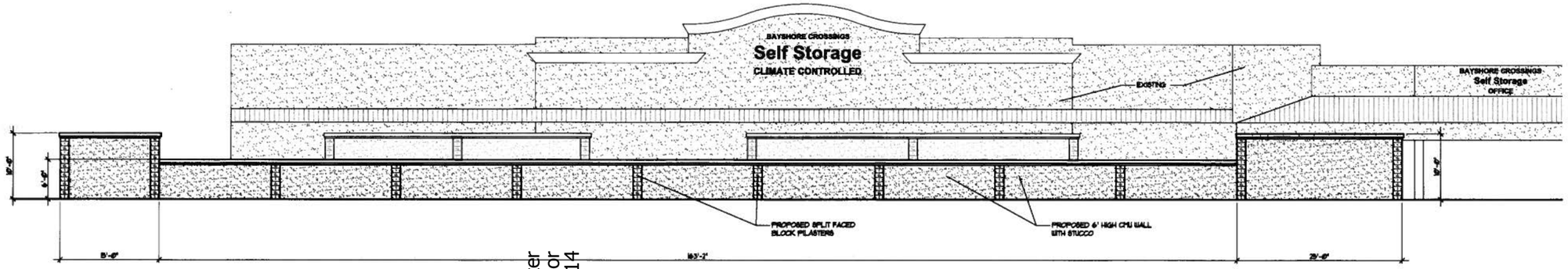
Page 51 of 340

JERRY N. ZOLLER AIA
ARCHITECT / PLANNER P.A.
AA C000557
914 14th STREET W. BRADENTON, FL 34205 TEL: (941) 748-4465
FL. REG. 5926

PROPOSED MINI STORAGE COMPLEX
@ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA

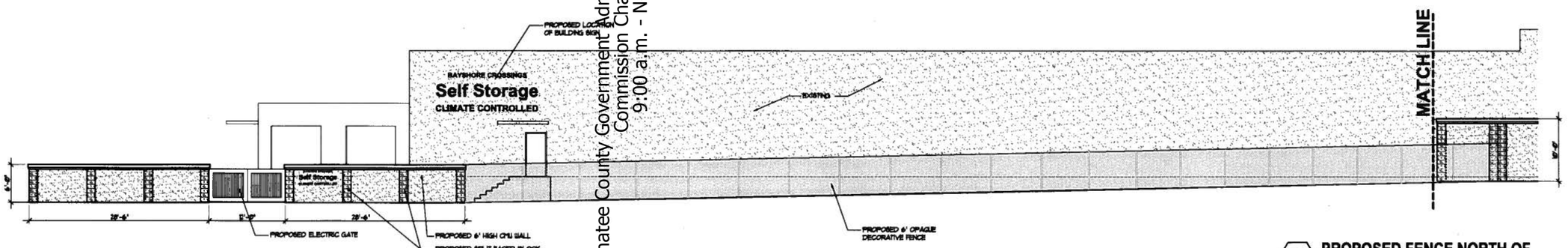
JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

A-2



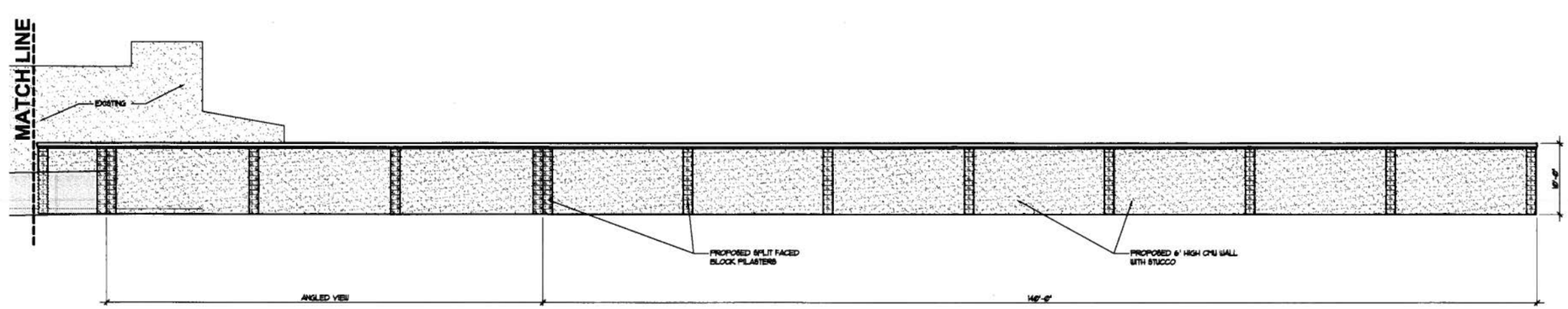
5 PROPOSED BUILDINGS WEST OF GROCERY STORE

SCALE: 1/8" = 1'-0"



4 PROPOSED FENCE NORTH OF GROCERY STORE

SCALE: 1/8" = 1'-0"



3 PROPOSED BUILDINGS NORTH OF GROCERY STORE

SCALE: 1/8" = 1'-0"

0' 4' 8' 16'

SCALE: 1/8" = 1'-0"

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

JERRY N. ZOLLER AIA
ARCHITECT / PLANNER P.A.
AA C000557
914 14th STREET W, BRADENTON, FL 34205 TEL: (941) 748-4465
FL. REG. 5928

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS
6015 26th STREET WEST BRADENTON, FLORIDA 34210

JOB NO	1334
DATE	10/21/2014
DRAWN	DAB
CHECKED	JZ
REVISIONS	

A-3

PRELIMINARY LANDSCAPE NOTES

1. IRRIGATION WILL BE CONNECTED TO EXISTING IRRIGATION SYSTEM FOR SHOPPING CENTER
2. VEHICULAR USE AREAS WILL BE LANDSCAPED IN ACCORDANCE WITH SEC. 715.3.4 LDC.
3. SCREENING BUFFERS SHALL COMPLY WITH SEC. 715.3.2 LDC.
4. ALL REQUIRED LANDSCAPING WILL MEET FLORIDA NO. 1 QUALITY STANDARDS.

TREE REMOVAL/REPLACEMENT INVENTORY *

TRUNK SIZE OF MEASURED FROM OVERALL SITE COMMON AREA TRUNKS & BRANCHES	4"-10" (1:1)	10"-20" (2:1)	21"-OVER (3:1)
DYING	0	1	0
FENCE	0	0	0
OTHER	0	0	0
TOTAL REMOVED	0	1	0
TOTAL REQUIRED REPLACEMENT TREES	0	2	0

PROPOSED REPLACEMENT TREES = 2
TOTAL NUMBER OF PALMS REMOVED = 0
PROPOSED REPLACEMENT PALMS = 0

REPLACEMENT TREE SIZES:
1 - @ 12' HEIGHT WITH 3" CAL.
2 - @ 14'-16' HEIGHT WITH 4" CAL.
3 - @ 18-20' HEIGHT WITH 4" CAL.
0 - REPLACEMENT PALMS

* - THIS INFORMATION BASED ON GPS LOCATION WITH FIELD AND AERIAL INTERPRETATION BY SHC STAFF

CONCEPT PLANT SCHEDULE

PROPOSED CANOPY/REPLACEMENT TREES	2
PROPOSED PALM	3
EXISTING CANOPY TREE	27
EXISTING PALM	5
3 GA SHRUB	35
EXISTING HEDGE SHRUB	196

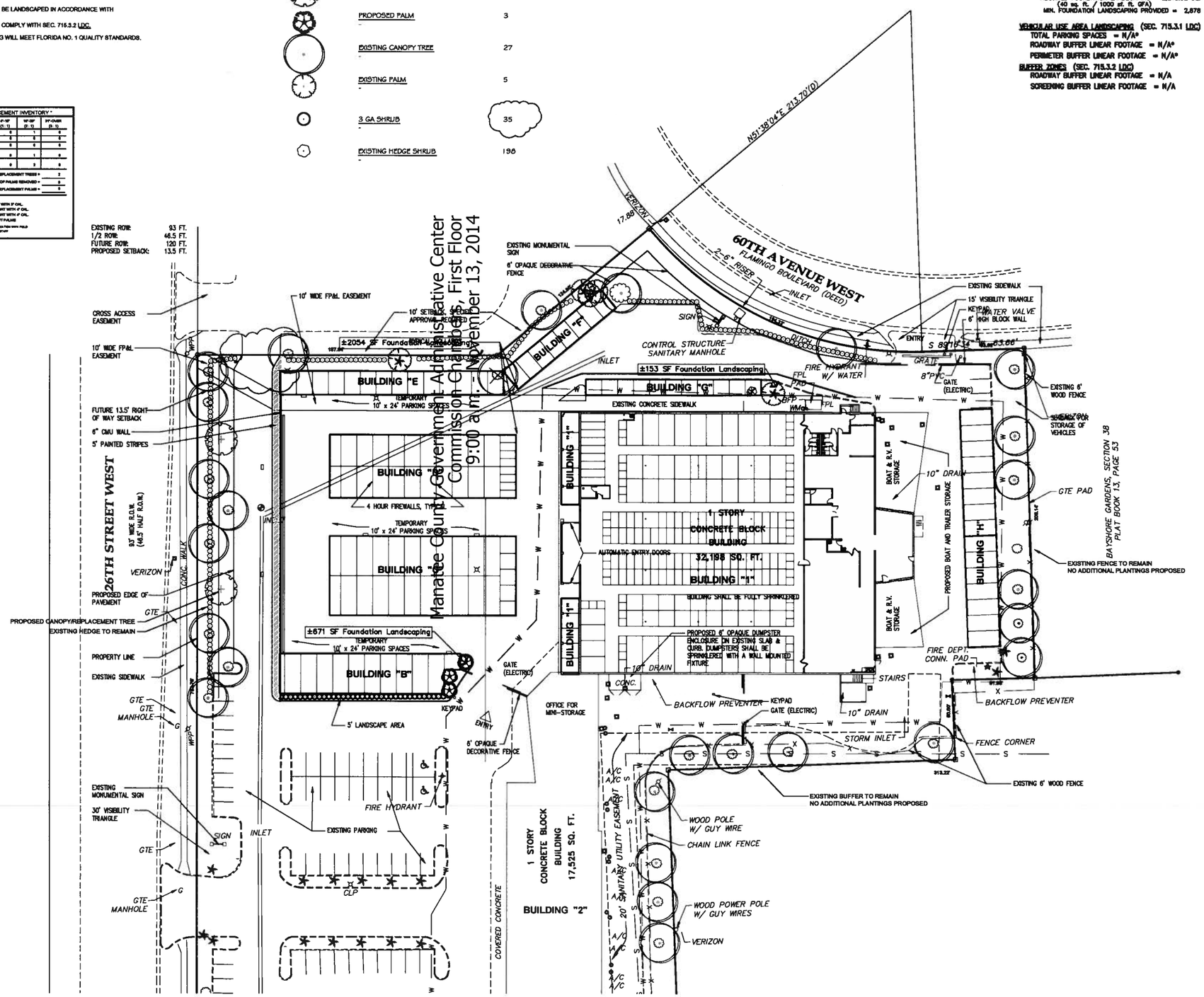
LANDSCAPE DATA

FOUNDATION LANDSCAPING (SEC. 715.3.3 LDC)
BUILDING AREA = 58,148 SQ. FT. GFA
REQUIRED FOUNDATION LANDSCAPING = 2,245.92 SQ. FT.
(40 sq. ft. / 1000 sf. ft. GFA)
MIN. FOUNDATION LANDSCAPING PROVIDED = 2,878 SQ. FT.

VEHICULAR USE AREA LANDSCAPING (SEC. 715.3.1 LDC)
TOTAL PARKING SPACES = N/A*
ROADWAY BUFFER LINEAR FOOTAGE = N/A*
PERIMETER BUFFER LINEAR FOOTAGE = N/A*

BUFFER ZONES (SEC. 715.3.2 LDC)
ROADWAY BUFFER LINEAR FOOTAGE = N/A
SCREENING BUFFER LINEAR FOOTAGE = N/A

1" = 30'



Allison-Gause, inc.
926 14th Street West I Bradenton I FL
34205 I t. 941.708.5400 f. 941.708.5405
Engineering, Land Planning
Landscape Architecture, Environmental Consultants

DESIGNED: RCG
DATE: 3/11/14
DRAWN: RCG
JOB NO.: AG1129
SCALE: 1" = 30'

REVISIONS:
1 RAI Response Revisions 6/19/2014
2 Changes due to layout rev. 10/17/2014
3
4
5
6
7

PROPOSED MINI STORAGE COMPLEX @ BAYSHORE CROSSINGS

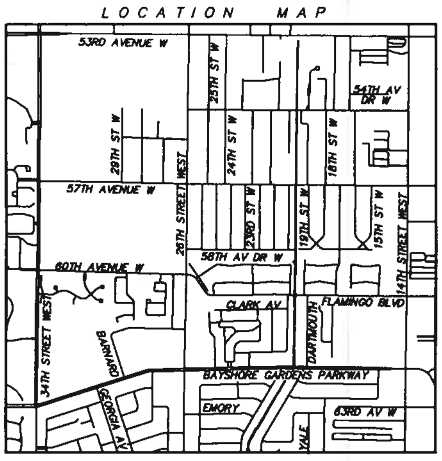
LOCATED AT:
6023 26TH STREET WEST
BRADENTON, FL 34207
SECTIONS 15 & 22
TOWNSHIP 35 SOUTH
RANGE 17 EAST
MANATEE COUNTY, FLORIDA

PRELIMINARY LANDSCAPE PLAN

PLS1

Robert C. Gause
LA#000942

BOUNDARY SURVEY OF LOTS - BLOCK - SUBDIVISION See Description Hereon
SECTION 15&22 TOWNSHIP 35 SOUTH, RANGE 17 EAST, AS RECORDED IN PLAT BOOK N/A PAGES N/A
OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA PARCEL ID # 6148500108 & 6148500207
PROPERTY ADDRESS: 6015-6071 26TH STREET WEST, BRADENTON, FLORIDA 34207

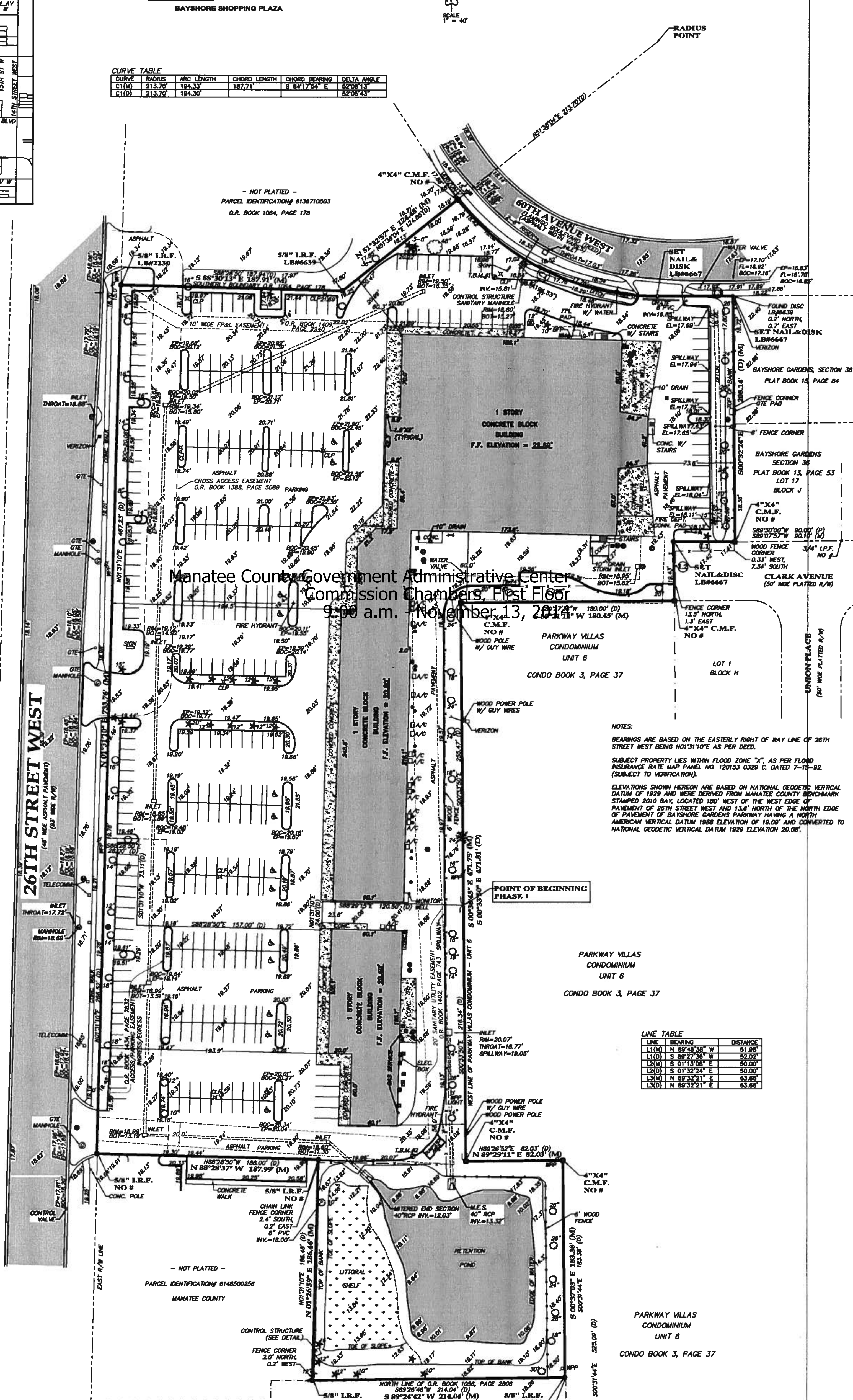


Exclusive Use Of:
BAYSHORE SHOPPING PLAZA

SCALE 1" = 40'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1(M)	213.70'	194.33'	187.71'	S 64°17'54" E	52°06'13"
C1(D)	213.70'	194.30'			52°05'43"



DESCRIPTION:

PHASE I SHOPPING CENTER PARCEL:

FROM THE SOUTHWEST CORNER OF PARKWAY VILLAS, RECORDED IN CONDOMINIUM BOOK 3, PAGE 27, RUN N00°31'44"W ALONG THE WEST LINE OF SAID PARKWAY VILLAS, A TOTAL DISTANCE OF 525.09 FEET; THENCE S89°26'52"W ALONG THE BOUNDARY OF SAID PARKWAY VILLAS, A DISTANCE OF 82.03 FEET; THENCE N00°33'50"W, ALONG THE BOUNDARY OF SAID PARKWAY VILLAS, A DISTANCE OF 216.34 FEET FOR A POINT OF BEGINNING; THENCE N88°29'15"W, A DISTANCE OF 120.50 FEET; THENCE S01°31'10"W, A DISTANCE OF 24.00 FEET; THENCE N88°28'50"W, A DISTANCE OF 157.00 FEET; THENCE N01°31'10"E, A DISTANCE OF 73.11 FEET; THENCE N88°28'50"W, A DISTANCE OF 28.00 FEET TO THE EAST RIGHT OF WAY LINE OF 26TH STREET WEST (A 93' PUBLIC RIGHT OF WAY); THENCE N01°31'10"E, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 467.23 FEET TO THE INTERSECTION WITH THE SOUTHERLY BOUNDARY LINE OF PROPERTY DESCRIBED IN O.R. BOOK 1064, PAGE 178, THENCE EASTERLY ALONG SAID SOUTHERLY BOUNDARY LINE, THE FOLLOWING TWO COURSES: THENCE S88°28'50"E, A DISTANCE OF 187.94 FEET; THENCE N51°41'18"E, A DISTANCE OF 124.85 FEET TO THE INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF FLAMINGO BOULEVARD ALSO BEING THE POINT ON A CURVE TO THE LEFT WHOSE RADIUS POINT LIES N51°38'04"E. A DISTANCE OF 213.70 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT ALSO BEING SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 194.30 FEET THROUGH A CENTRAL ANGLE OF 52°05'43" TO THE P.T. OF SAID CURVE; THENCE N89°32'21"E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 63.66 FEET TO THE INTERSECTION WITH THE BOUNDARY OF BAYSHORE GARDENS, SECTION 38, RECORDED IN PLAT BOOK 15, PAGE 85; THENCE SOUTHERLY THE FOLLOWING THREE COURSES ALONG SAID BAYSHORE GARDENS, SECTION 38 AND BAYSHORE GARDENS, SECTION 36, RECORDED IN PLAT BOOK 13, PAGE 53; THENCE S00°32'24"E, A DISTANCE OF 208.14 FEET; THENCE S89°27'36"W, A DISTANCE OF 52.02 FEET; THENCE S00°32'24"E, A DISTANCE OF 50.00 FEET TO THE INTERSECTION WITH THE BOUNDARY OF PARKWAY VILLAS, UNIT 6, RECORDED IN CONDOMINIUM BOOK 3, PAGE 27 THENCE WESTERLY & SOUTHERLY THE FOLLOWING TWO COURSES ALONG THE BOUNDARY OF PARKWAY VILLAS; THENCE S89°27'36"W, A DISTANCE OF 180.00 FEET; THENCE S00°33'50"E, A DISTANCE OF 255.47 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTION 15, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

PHASE II SHOPPING CENTER PARCEL:

FROM THE SOUTHWEST CORNER OF PARKWAY VILLAS RECORDED IN CONDOMINIUM BOOK 3, PAGE 37, THENCE RUN N00°31'44"W ALONG THE WEST LINE OF SAID PARKWAY VILLAS, A DISTANCE OF 341.71 FEET TO THE NORTHEAST CORNER OF PROPERTY DESCRIBED IN O.R. BOOK BOOK 1056, PAGE 2806 ALSO BEING THE POINT OF BEGINNING; THENCE S89°26'46"W, ALONG THE NORTH LINE OF SAID PROPERTY, A DISTANCE OF 214.04 FEET; THENCE N01°31'10"E, A DISTANCE OF 186.46 FEET; THENCE N88°28'50"W, A DISTANCE OF 188.00 FEET TO THE EAST RIGHT OF WAY LINE OF 26TH STREET WEST (A 93' PUBLIC RIGHT OF WAY); THENCE N01°31'10"E ALONG SAID RIGHT OF WAY A DISTANCE OF 266.52 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, S88°28'50"E, A DISTANCE OF 28.00 FEET; THENCE S01°31'10"W, A DISTANCE OF 73.11 FEET; THENCE S88°28'50"E, A DISTANCE OF 157.00 FEET; THENCE N01°31'10"E, A DISTANCE OF 24.00 FEET; THENCE S88°29'15"E, A DISTANCE OF 120.50 FEET TO THE INTERSECTION WITH THE WEST BOUNDARY LINE OF PARKWAY VILLAS CONDOMINIUM, UNIT 6, RECORDED IN CONDOMINIUM BOOK 3, PAGE 37; THENCE ALONG THE BOUNDARY OF SAID PARKWAY VILLAS THE FOLLOWING THREE COURSES: S00°33'50"E, A DISTANCE OF 216.34 FEET; THENCE N89°26'52"E, A DISTANCE OF 82.03 FEET; THENCE S00°31'44"E, A DISTANCE OF 183.38 FEET TO THE POINT OF BEGINNING. LYING AND BEING IN SECTIONS 15 AND 22, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

NOTES:

BEARINGS ARE BASED ON THE EASTERLY RIGHT OF WAY LINE OF 26TH STREET WEST BEING N01°31'10"E AS PER DEED.

SUBJECT PROPERTY LIES WITHIN FLOOD ZONE "X", AS PER FLOOD INSURANCE RATE MAP PANEL NO. 120153 0329 C, DATED 7-15-92. (SUBJECT TO VERIFICATION).

ELEVATIONS SHOWN HEREON ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929 AND WERE DERIVED FROM MANATEE COUNTY BENCHMARK STAMPED 2010 BAY, LOCATED 180' WEST OF THE WEST EDGE OF PAVEMENT OF 26TH STREET WEST AND 13.6' NORTH OF THE NORTH EDGE OF PAVEMENT OF BAYSHORE GARDENS PARKWAY HAVING A NORTH AMERICAN VERTICAL DATUM 1988 ELEVATION OF 19.09' AND CONVERTED TO NATIONAL GEODETIC VERTICAL DATUM 1929 ELEVATION 20.08'.

LINE TABLE

LINE	BEARING	DISTANCE
L1(M)	N 89°46'38" W	51.98'
L1(D)	S 89°27'36" W	52.02'
L2(M)	S 01°13'08" E	50.00'
L2(D)	S 01°32'24" E	50.00'
L3(M)	N 89°32'21" E	63.66'
L3(D)	N 89°32'21" E	63.66'

T.B.M. #1 = "X" CUT SET IN CURB ELEVATION=19.95'
T.B.M. #2 = "X" CUT SET IN CURB ELEVATION=20.40'

BOUNDARY and TOPOGRAPHIC SURVEY
OF
BAYSHORE PLAZA
LYING AND BEING IN
SECTIONS 15 & 22, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

CLEMENTS SURVEYING, INC.
LB #6667
509 8TH AVENUE WEST
SUITE 140
PALMETTO, FLORIDA 34221
(941) 729-6690 FAX (941) 729-7580

SCALE : 1" = 40' JOB NO. 13-336
Boundary 12-16/21-13 FB 212 PG 64-66 Other GPS:Bayshore FB ___ PG ___
Foundation ___ FB ___ PG ___ Other ___ FB ___ PG ___
Final ___ FB ___ PG ___ Revision 7-10-14:I/E Easement revised
Update ___ FB ___ PG ___ Drawn By KDH

-- LEGEND --

=Manhole
=Light Pole
=Water Meter
=Verizon
=Fire Hydrant
=Sanitary Sewer
(M)=Measured (D)=Deed
=Iron Rod Found(IRF)
=Iron Rod Set(IRS)#6667
=Iron Pipe Found (IPF)
PRC=Point of Reverse Curve
R = Radial (P)=Plat
PCC=Point of Compound Curve
CMF=Concrete Monument Found
CMS=Concrete Monument Set #6667
PRM=Permanent Reference Monument
=Ficus
=China Berry
=Fig
=Palm
=Oak
=Cleanout
=Water Valve
=Wood Pole
=Back Flow Preventor
=Concrete Power Pole
=Power Pole
=Benchmark
BOT=Bottom of Inlet
TBM=Temporary Bench Mark
POB=Point Of Beginning
R/W=Right Of Way
POC=Point Of Commencement
PC=Point Of Curve
N&D=Nail and Disc
=Proposed Elevation
0.00=Existing Elevation

CERTIFICATION OF SURVEYOR

BY:

JAMES L. CLEMENTS, P.S.M. # 4091
Licensed Business No. 6667

DATE OF CERTIFICATION

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

November 13, 2014 Planning Commission
Agenda Item #5

Subject
PDMU-14-10(Z)(G)-Peerage Land Company, LLC/Hundred Acre Wood Subdivision-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. PDMU-14-10(Z)(G); APPROVAL of a General Development Plan with Stipulations A.1-A.3, B.1-B.4, C.1-C.9; GRANTING Special Approval for a project: 1) exceeding 4.5 dwelling units per acre in the RES-6 Future Land Use Category; 2) exceeding a gross density of two dwelling units in the RES-3 FLUC; and 3) adjacent to a perennial stream(s); ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for alternative(s) to LDC Section(s) 714.8 (replacement tree option), 714.8.7 (reduce replacement tree sizes), and 715.3.4 (one canopy tree per lot), as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

• Ms. Rachel Layton, Agent requests a rezone of approximately 84.56 acres from A-1 (Suburban Agriculture – one dwelling unit per acre), LM (Light Manufacturing) and PDR (Planned Development Residential) zoning districts to the PDMU (Planned Development Mixed Use) zoning district; and approval of a General Development Plan (GDP) for 511 lots on a combined total acreage of ±99.39 (±14.83 acres already zoned PDMU) acres to allow construction of single-family attached residences with an option for single-family detached residences. Should the option become viable, lots for single-family detached residences will have a typical minimum lot size of 50'x110'. This type of flexibility is authorized as an administrative change by the Land Development Code.

• The site has approximately 827 feet of frontage on the east side of 27th Street East. The site is approximately 0.34± miles south of 26th Avenue East. Sugar House Creek traverses the easternmost part of the site, extending from north to south. Special Approval is required for a project adjacent to a perennial stream.

• A recorded platted right-of-way (30th Avenue East) and dedicated right-of-way easement run vertically through the site. These are the subject of a pending vacation request.

• The site is comprised of eleven parcels, some of which were the subject of previous plan and zoning amendments. Previous approvals are as follows:

History:

On June 21, 2005, the Board of County Commissioners (B.O.C.C.) approved a rezone of 26.9± acres from LM to PDR [PDR-03-51(Z)(P) – Fox Crossing] and a Preliminary Site Plan for 96 lots for single-family detached residences. The site was never developed and the site plan has since expired.

On May 4, 2006, the B.O.C.C. approved a rezone [PDMU-05-39(Z)(P) – Bobcat Run] of 14.83± acres from LM and A-1 zoning districts to PDMU and a Preliminary Site Plan for 40 lots for single-family detached residences. The site was never developed and the site plan has since expired.

In 2014, a Plan Amendment (PA-13-09) was approved to change the Future Land Use Category (FLUC) for parts of the site from IL and RES-1 to RES-3 and RES-6. If unchallenged, the Plan Amendment will be effective on 9/21/2014.

• Recently, the applicant acquired and added a 3.99± acre (northernmost part of site) parcel in the IL FLUC to the current zoning request. This property was not a part of the Plan Amendment.

• The subject site currently has three FLUCs; IL (Industrial Light), RES-3, and RES-6.

The IL FLUC prohibits new residential development other than individual single-family units on lots of record. Residential uses are not listed in the range of potential uses. The proposed General Development Plan shows no residential units in the IL part of the site. Only a roadway, perimeter buffer, open space and an emergency access are proposed.

• Special approval is required for a gross density exceeding 4.5 dwelling units in the RES-6 FLUC and a gross density exceeding two dwelling units per acre in RES-3 FLUC. Planned development is the process necessary to achieve Special Approval.

• Based on the formula for gross density compliance in the Comprehensive Plan Land Use Operative Provision, the project has established gross density compliance with the Future Land Use Map

• The LDC requires two means of access for a project with more than 100 units. The General Development Plan shows a boulevard road (considered second means of access) connecting 27th Street East, and an entrance connecting 29th Avenue East (industrial park) to the north, Internal streets are proposed to be public. The applicant also requests an option for private streets.

• 0.88± acres west of the Sugarhouse Creek are proposed for recreational acreage. Recreation amenities may include trails and an option for a gazebo or zip line.

• The site has 2.34± acres of wetlands and 3.32± acres of wetland buffers. There are no impacts to the wetland and wetland buffers.

• The site is within one mile of Johnson Middle School to the north and Manatee Charter School to the south. The General Development Plan indicates five-foot wide sidewalks on both sides of the internal roadways and along the east side of 27th Street East adjacent to the property's frontage.

• The applicant hosted a neighborhood meeting on July 1, 2014. Concerns raised at the meeting included traffic, drainage, and buffering along the southern boundary of the property. As a result, the design indicates a six foot tall opaque fence along the southern boundary.

• Staff supports the specific approval requests for smaller replacement tree sizes and one canopy per lot.

• Staff recommends approval with the recommended stipulations.

County Attorney Review
Other (Requires explanation in field below)

Explanation of Other
Sarah Schenk reviewed and responded by email by 10-10-14

Reviewing Attorney
Schenk

Instructions to Board Records
N/A

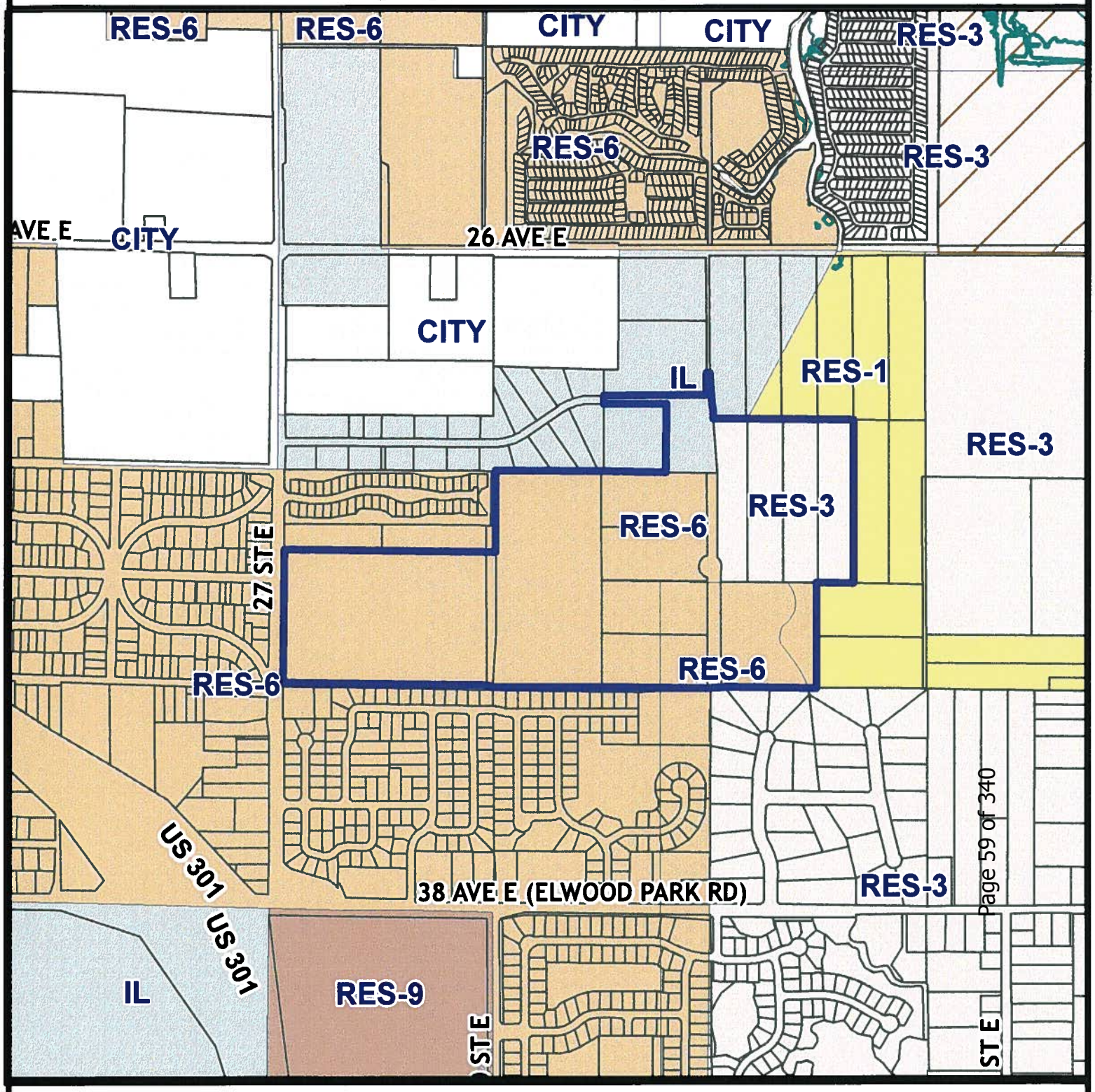
Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

Attachment: Maps-Future Land Use-Zoning-Aerial-Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf
Attachment: Staff Report-Peerage Land Company-Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf

Attachment: Zoning Disclosure Affidavit-Hundred Acre Wood Subdivision-PDMU-14-10(Z)(G).pdf
Attachment: Specific and Special Approval request letter-Hundred Acre Wood-PDMU-14-10(Z)(G) 11-13-14 PC.pdf
Attachment: School Report- Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf
Attachment: Traffic Impact Statement-Hundred Acre Wood Subdivision-PDMU-14-10(Z)(G).pdf
Attachment: Copy of Newspaper Advertising - Hundred Acre Wood - PDMU-14-10(Z)(G) - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Hundred Acre Wood - PDMU-14-10(Z)(G) - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: GDP-Hundred Acre Wood-PDMU-14-10(Z)(G)-11-13-14 PC.pdf

FUTURE LAND USE



Parcel ID #(s) Multiple

Project Name:	Peerage Land Co.
Project #:	PDMU-14-10 (Z)(G)
DTS#:	20140087
Proposed Use:	Mixed Use
S/T/R:	Sec 5 Twn 35 Rng 18
Acreage:	99.39
Existing Zoning:	PD-R, LM, A-1, PD-MU
Existing FLU:	RES-6, RES-3, IL
Overlays:	NONE
Special Areas:	NONE
CHH:	N
Watershed:	NONE
Drainage Basin:	SUGARHOUSE CREEK
Commissioner:	Michael Gallen

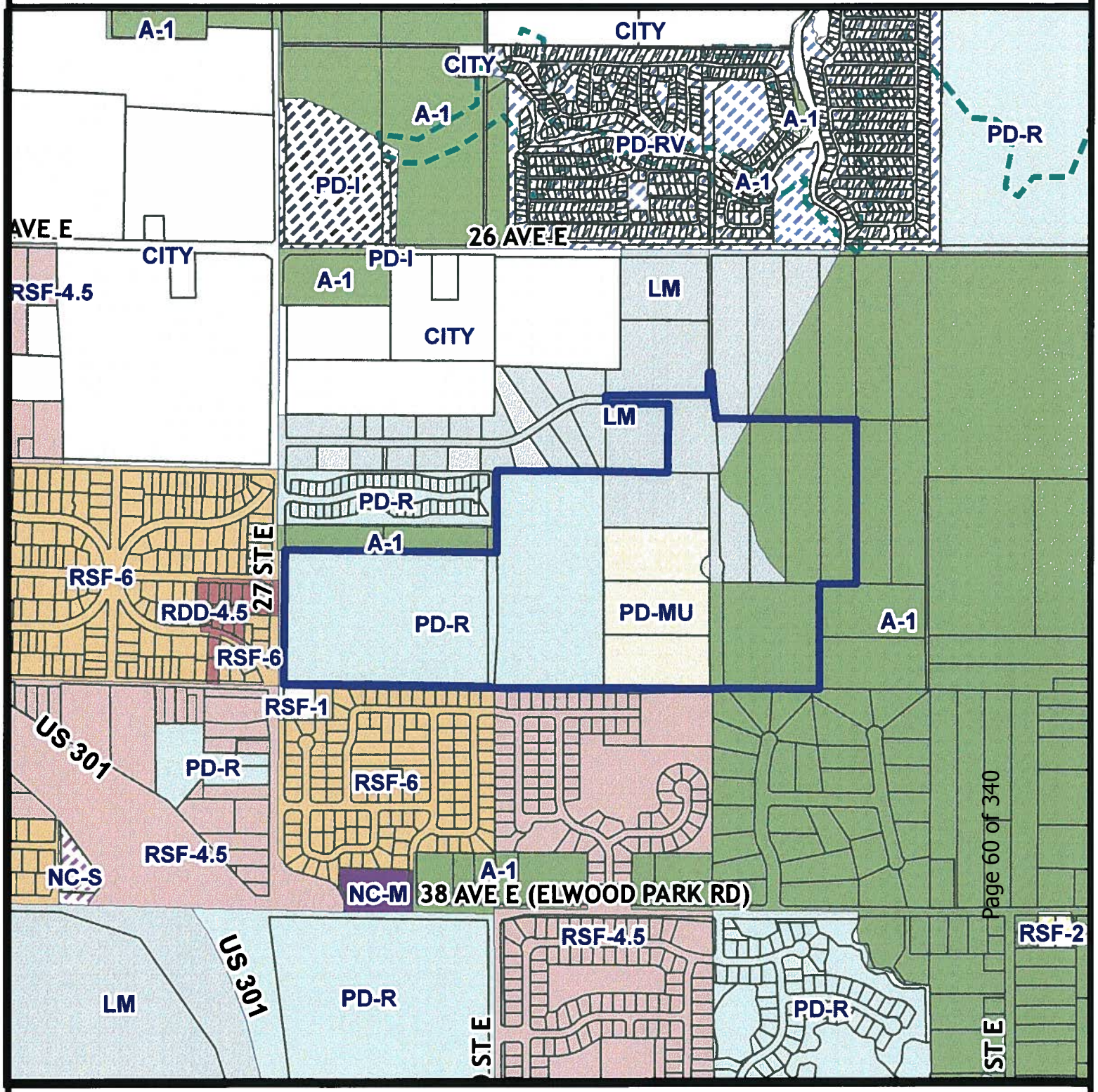
N

Manatee County
Staff Report Map

Map Prepared 5/2014

1 inch = 832 feet

ZONING



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Existing Zoning:	PD-R, LM, A-1, PD-MU
Existing FLU:	RES-6, RES-3, IL
Overlays:	NONE
Special Areas:	NONE

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

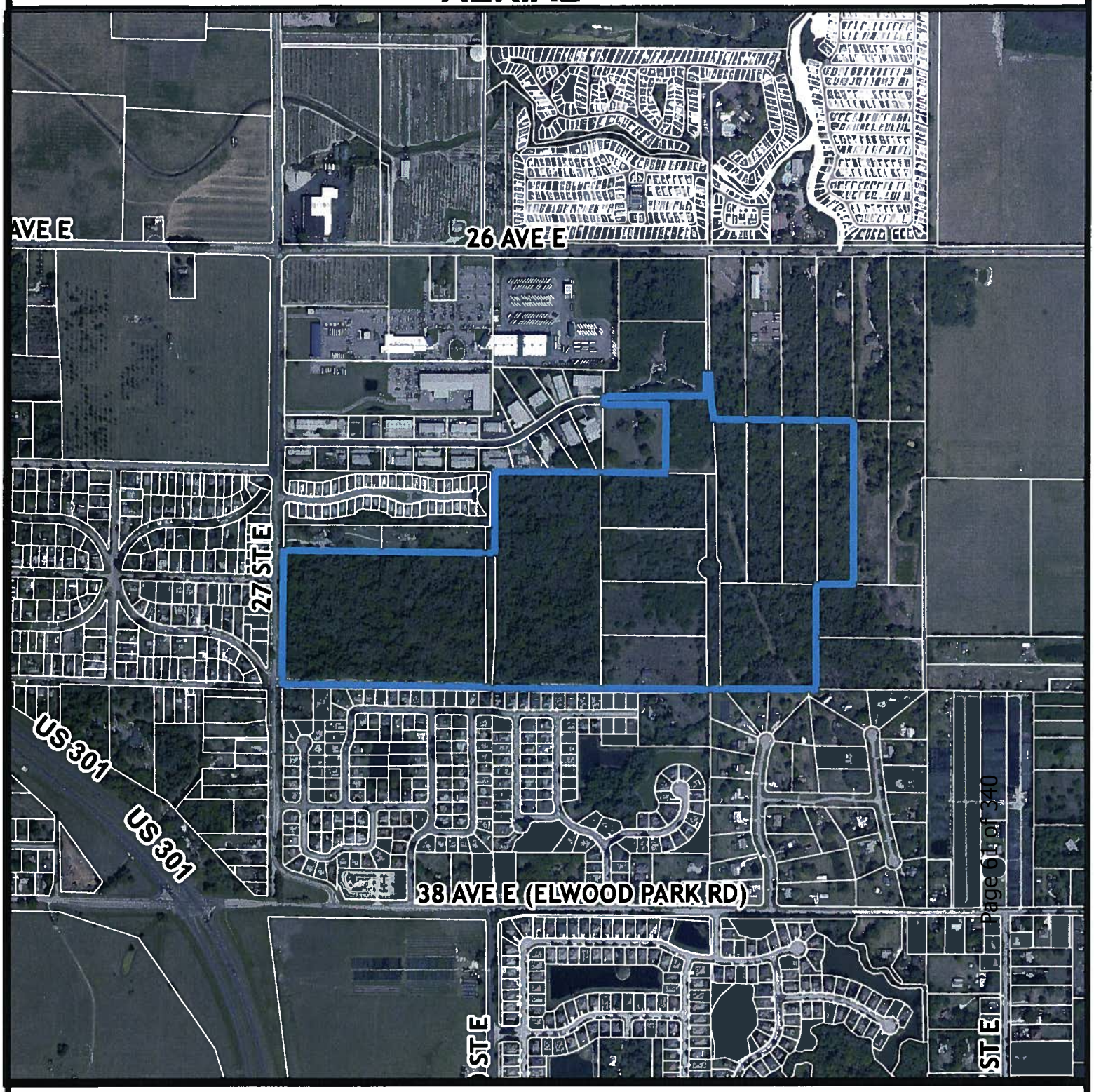
N

Manatee County
Staff Report Map

Map Prepared 5/2014

1 inch = 832 feet

AERIAL



Parcel ID #(s) Multiple

Project Name:	Peerage Land Co.
Project #:	PDMU-14-10 (Z)(G)
DTS#:	20140087
Proposed Use:	Mixed Use
S/T/R:	Sec 5 Twn 35 Rng 18
Acreage:	99.39
Existing Zoning:	PD-R, LM, A-1, PD-MU
Existing FLU:	RES-6, RES-3, IL
Overlays:	NONE
Special Areas:	NONE
CHH:	N
Watershed:	NONE
Drainage Basin:	SUGARHOUSE CREEK
Commissioner:	Michael Gallen

Manatee County
Staff Report Map

Map Prepared 5/2014

1 inch = 832 feet

PDMU-14-10(Z)(G) – Peerage Land Company, LLC/Hundred Acre Wood Subdivision
(DTS #20140087; Buzzsaw #00000235)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78± acres from A-1 (Suburban Agriculture – one dwelling unit per acre), 12.04± acres from LM (Light Manufacturing) and 44.75± acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83± acres already zoned PDMU for a combined total of 99.39± acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34± miles south of 26th Avenue East, (South County); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 11/13/14 **B.O.C.C.: 12/04/14**

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. PDMU-14-10(Z)(G); APPROVAL of a General Development Plan with Stipulations A.1-A.3, B.1-B.4, C.1-C.9; GRANTING Special Approval for a project: 1) exceeding 4.5 dwelling units per acre in the RES-6 Future Land Use Category; 2) exceeding a gross density of two dwelling units in the RES-3 FLUC; and 3) adjacent to a perennial stream(s); ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for alternative(s) to LDC Section(s) 714.8 (replacement tree option), 714.8.7 (reduce replacement tree sizes), and 715.3.4 (one canopy tree per lot), as recommended by staff.

PROJECT SUMMARY	
CASE#	**PDMU-14-10 (Z)(G) - DTS #20140087**
PROJECT NAME	**Hundred Acre Wood Subdivision**
APPLICANT(S):	**Peerage Land Company, LLC**
PROPOSED ZONING:	**PDMU (Planned Development Mixed Use)**
EXISTING ZONING:	**A-1, LM, PDMU and PDR**
PROPOSED USE(S):	**Single-family attached residences with option for detached residences**
CASE MANAGER:	**Stephanie Moreland**
STAFF RECOMMENDATION:	**APPROVAL WITH STIPULATIONS**

DETAILED DISCUSSION

The vacant 99.39± acre site has approximately 827± feet of frontage along 27th Street East. A recorded platted right-of-way, 30th Street East (V-12-333), and unnamed right-of-way (V-14-504) run vertically through the site. These are the subject of a pending vacation request.

Sugar House Creek traverses the easternmost part of the site, extending from north to south. Special Approval is required for a project adjacent to a perennial stream.

The site is comprised of eleven parcels, some of which were the subject of previous plan and zoning amendments.

History:

On June 21, 2005, the Board of County Commissioners (B.O.C.C.) approved a rezone of 26.9± acres from LM to PDR [PDR-03-51(Z)(P) – Fox Crossing] and a Preliminary Site Plan for 96 lots for single-family detached residences. The site was never developed and the site plan has since expired.

On May 4, 2006, the B.O.C.C. approved a rezone [PDMU-05-39(Z)(P) – Bobcat Run] of 14.83± acres from LM and A-1 zoning districts to PDMU and a Preliminary Site Plan for 40 lots for single-family detached residences. The site was never developed and the site plan has since expired.

In 2014, a Plan Amendment (PA-13-09) was approved to change the Future Land Use Category (FLUC) for parts of the site from IL and RES-1 to RES-3 and RES-6. The Plan Amendment became effective on 9/21/2014.

Recently, the applicant acquired and added a 3.99± acre (northernmost part of site) parcel in the IL FLUC to the current zoning request. This property was not a part of the Plan Amendment.

The subject site currently has three FLUCs; IL (Industrial Light), RES-3, and RES-6.

The IL FLUC prohibits new residential development other than individual single-family units on lots of record. Residential uses are not listed in the range of potential uses. The proposed General Development Plan shows no residential units in the IL part of the site. Only a roadway, perimeter buffer, open space and an emergency access are proposed.

Suburban or urban residential uses are listed in the range of potential uses for the RES-3 and RES-6 FLUCs. The site has 75.03± acres in RES-6 FLUC and a maximum potential of 450 dwelling units. Special approval is required for a gross density exceeding 4.5 dwelling units (5.99) in the RES-6 FLUC.

There are 20.37± acres in RES-3 FLUC, a maximum potential of 61 dwelling units. Special approval is required because the gross density (2.99) exceeds the special approval threshold of two dwelling units in the RES-3 FLUC.

To establish if a project with more than one FLUC meets gross density compliance, Land Use Operative Provision provides a formula (maximum number of residential units = maximum gross density based on the FLUC x gross residential acreage for that area). In this case, when the formula is applied, the total number of residential units proposed (511.29) for the project is equivalent to the maximum number of dwelling units permitted (511). Therefore, the project has established gross density compliance with the Future Land Use Map (Comprehensive Plan Land Use Operative Provisions).

Planned development is the process necessary to achieve Special Approval. The planned development zoning also provides greater flexibility for the project when establishing appropriate buffers and setbacks to help mitigate potential adverse impacts from surrounding agricultural and industrial neighborhoods.

The General Development Plan proposes 511 lots for single-family attached residences. The applicant proposes an option to develop single-family detached residences in lieu of some or all of the single-family attached residences. This type of flexibility is authorized as an administrative change by the Land Development Code. Should this alternative become viable, lots for single-family detached residences will have a typical minimum lot size of 50’x110’.

The LDC requires two means of access for a project with more than 100 units. The General Development Plan shows a boulevard road (considered second means of access) connecting

27th Street East, and an entrance connecting 29th Avenue East (industrial park) to the north, Internal streets are proposed to be public. The applicant also requests an option for private streets.

0.88± acres west of Sugarhouse Creek are proposed for recreational acreage. Recreation amenities may include trails and an option for a gazebo or zip line.

The site has 2.34± acres of wetlands and 3.32± acres of wetland buffers. There are no impacts to the wetland and wetland buffers.

The site is within one mile of Johnson Middle School to the north and Manatee Charter School to the south. In accordance with LDC Section 722.1.4.3, which requires sidewalks to be on both sides of the street when a project is within two miles of a school, the General Development Plan indicates five-foot wide sidewalks will be installed on both sides of the internal roadways and along the east side of 27th Street East adjacent to the property's frontage. This design furthers the intent of Manatee County Comprehensive Plan Policy 2.9.1.5 and promotes development of pedestrian friendly designs.

The applicant hosted a neighborhood meeting on July 1, 2014. Concerns raised at the meeting included traffic, drainage, and buffering along the southern boundary of the property. As a result, the design indicates a six foot tall opaque fence will be installed along the southern boundary.

Staff recommends approval with the recommended stipulations.

SITE CHARACTERISTICS AND SURROUNDING AREA

GENERAL LOCATION:	East side of 27th Street East, generally 0.34 miles south of 26th Avenue East,
ACREAGE:	99.39± acres
EXISTING USE(S):	Vacant
FUTURE LAND USE CATEGORY(S):	

FLUC	Acres	Units	Density
IL	3.99	0	N/A
RES-3	20.37	61	2.99
RES-6	75.03	450	5.99
Total	99.39	511	

GROSS DENSITY COMPLIANCE:	511 lots permitted = 5.14 dwelling units per acre (gross)
SPECIAL APPROVAL(S):	1. Project exceeding a gross density of 4.5 in RES-6 FLUC 2. Project exceeding a gross density of two dwelling units per acre in RES-3 FLUC

	3. Project adjacent to a perennial stream	
OVERLAY DISTRICT(S):	None	
SPECIFIC APPROVAL(S):	1. Replacement tree option 2. Reduce replacement tree sizes 3. To allow for one canopy tree to be planted per lot per frontage.	
SURROUNDING USES & ZONING		
NORTH	Construction Service Establishment zoned A-1, further north are single-family residences (Oak Haven Subdivision) zoned PDR, United Industrial Park, utility use and warehouse zoned LM, single-family residences zoned A-1.	
SOUTH	Across 34th Avenue East, are single family residences in Stone Creek Subdivision zoned RSF- 6 (Residential - six dwelling units per acre), Sugar Ridge Subdivision zoned RSF- 4.5 (Residential Single Family, 4.5 dwelling units per acre) and Greendale Subdivision zoned A-1.	
EAST	Vacant land zoned A-1.	
WEST	Across 27th St. E., single family residences in La Selva Park zoned RSF- 6 and RDD- 4.5 (Residential Duplex Dwelling - 4.5 dwelling units per acre)	
SITE DESIGN DETAILS		
LOT SIZE(S):	Minimum: 22'x110' = 2,420 sq. ft. (attached) 50'x110' = 5,500' sq. ft.(detached)	
MINIMUM SETBACKS:	<u>Single-family attached</u> Front: 25' Sides: 0'/15' Rear: 15' Wetland buffer 15' Waterfront: 30'	<u>Single-family detached</u> Front: 25' Sides: 5' Rear: 15' Wetland buffer 15' Waterfront 30'
OPEN SPACE REQUIRED:	25% or 24.85 ± acres	

OPEN SPACE PROVIDED:	51% or 50.69± acres
RECREATIONAL ACREAGE:	0.88± acres
ACCESS:	- Boulevard access at 27th Street East - Access in northern part of site to 29th Avenue East
FLOOD ZONE(S)	AE and X – F.I.R.M. Panel 120815C 0307E, dated 03/17/2014
AREA OF KNOWN FLOODING	Yes
UTILITY CONNECTIONS	County Water and Sewer
ENVIRONMENTAL INFORMATION	
Overall Wetland Acreage:	**2.34± acres**
Proposed Impact Acreage:	**None**

Wetlands:

According to the environmental narrative from ECO Consultants dated May 2014 there is a total of 2.34 acres of wetlands on-site as follows: 1.0 acre of Mixed Wetland Hardwoods – FLUCCS Code 617 and 1.34 acres of Vegetated Non-Forested Wetland – FLUCCS Code 640. There are no wetland impacts proposed with this request. The site plan shows the required 30 foot wetland buffers.

Uplands:

According to the environmental narrative there are 74.43 acres of Mixed Hardwoods – FLUCCS Code 438 on-site. The site plan shows 16.89 acres of native habitat preservation in the northeastern portion of the project area. This is approximately 8.55 acres more than the 8.34 acres required by the Comprehensive Plan for preservation. This excess amount may be applied towards the Specific Approval request for Section 714.8 for an alternative to tree replacement on-site.

Endangered Species:

The environmental narrative indicates there was no evidence of listed species on-site. According to E Co Consultants, the eagle's nest is more than 660 feet from the most north east corner of the project. There are no structures proposed within 660 feet of the eagle's nest that is off-site.

Trees

According to the applicant a current tree survey is not available for the project area. This information will be required to be submitted with the Final Site Plan, at which time the project will be required to meet tree removal and replacement requirements of Section 714.87 of the LDC.

For GDP level review purposes staff has asked that the applicant depict areas where possible tree preservation may occur at the Final Site Plan stage, to serve as "replacement trees" in the event the tree removal count is excessive and all the required replacement trees cannot be replaced on-site. Through a request for Specific Approval for an alternative to Section 714.8 staff has given the option for tree replacement through preservation of acreage with 100% tree cover of native trees at a rate of 40 trees @ 3" caliper per acre towards tree replacement requirements for the project, subject to evaluation by staff in the field. A stipulation to address and offer this option has been provided.

Landscaping/Buffers:

The GDP shows 20-foot wide roadway buffers along 27th Street East and 34th Avenue East and a 25-foot wide roadway buffer along the road proposed to lead out of the project and connect to 29th Avenue East to the north. The perimeter greenbelt buffers are proposed at 15 feet in width around the entire perimeter of the project except for one segment in the center of the north property line that is proposed at 20 feet in width. All the greenbelt buffers are exclusive of any existing or proposed drainage easements.

NEARBY DEVELOPMENT

RESIDENTIAL				
PROJECT	**LOTS / UNITS**	**DENSITY**	**LOT SIZE**	**YEAR APPROVED**
La Selva Park	**303**	**4.88**	**6,000 sq. ft.**	**1925**
Oak Haven	**46**	**4.6**	**4,092 sq. ft.**	**2006**
Stone Creek (1st & 2nd Addition)	**120**	**3.81**	**7,000 sq. ft.**	**1985,1986, 1987**
Sugar Ridge	**74**	**2.70**	**7,000 sq. ft.**	**1996**
Greendale Estates	**32**	**0.78**	**43,560 sq. ft.**	**1981**
NON-RESIDENTIAL				
PROJECT	**SQ. FT.**	**F.A.R.**	**FLUC**	**Year Approved**
Aliotta Warehouse	**15,000**	**0.07**	**IL & RES-1**	**2011 (Originally approved 2003)**

Braden River Kingdom Hall	**5,476**	**0.06**	**RES-6**	**2007**
Charter School USA	**76,438**	**0.18**	**RES-9**	**2012**

POSITIVE ASPECTS

- The surrounding area is developed with a mix of residential, commercial, and industrial uses.
- The site may be considered an appropriate infill residential use.
- 48% open space is proposed.
- Timing appears to be consistent with development trends in the area.

NEGATIVE ASPECTS

- The project is adjacent to the A-1 zoning district which permits agricultural uses that may be incompatible with single-family development.
- Traffic volumes will be increased along 27th Street East and nearby roadways.
- Future residents may be subject to potential adverse impacts from nearby industrial uses.

MITIGATING MEASURES

- Staff recommends the Notice to Buyers include language informing prospective buyers of the presence of adjacent agricultural and industrial uses.
- Except for a small part of the northern boundary, there appears to be adequate separation adjacent to nearby industrial uses.

STAFF RECOMMENDED STIPULATIONS

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

1. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the sales contract and in the Final Site Plan shall include language to inform prospective homeowners of:

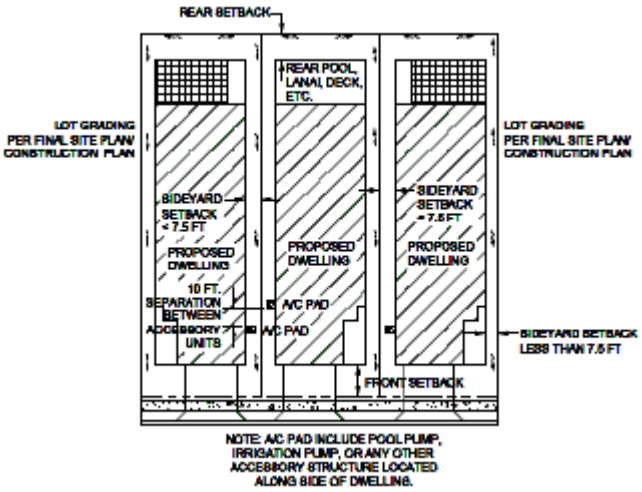
    a) The presence of neighboring agricultural and industrial uses, which may possibly include pesticides, herbicides, and may have odors and noises and other adverse impacts associated with such uses.

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

3. The approval of this General Development Plan is further conditioned upon the approval of two petitions to vacate two north-south rights-of-way through this project (Petition #V-12-333 regarding 30th Street East and Petition #V-14-504 regarding an unnamed right-of-way). The approval of these two street vacation petitions shall be within the sole and absolute discretion of the BOCC and in accordance with applicable law."

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

1. A ten-foot separation shall be provided between accessory structures along the side lot line of any dwelling with side yard setback less than 7.5 feet.



2. 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 Sugar House Creek. Modeling shall be used to determine pre-and post-development flows.

3. Any impacts (fill) within the 100-year floodplain of Pearce Drain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. 100-year floodplain impacts shall be mitigated in sole use compensation areas, not dual-use stormwater facilities (i.e., stormwater attenuation and floodplain compensation).

4. Drainage easements shall be provided from top-of-bank to top-of-bank on all existing drainage ditches along the southern property line, and northern property within the project limits. Manatee County is only responsible for maintaining the free flow of drainage through these systems.

C. ENVIRONMENTAL CONDITIONS:

1. If a nature trail is proposed for the project, the design, location and material shall be approved by the Environmental Planning Division prior to Final Site Plan approval.

2. Tree replacement for the project shall be accomplished with the Final site Plan in accordance with LDC Section 714.8.7 and with Specific Approvals for same section and section 714.8 in general. Pursuant to Specific Approval for Section 714.8 an additional option for replacement shall be tree replacement through "native habitat preservation" at a rate of 40 trees at 3" caliper for every acre of preservation with 100% tree canopy coverage, to be evaluated and approved with the Final Site Plan.

3. Any encroachment into the required 30' wetland buffer due to additional right-of-way dedication shall be compensated at a 1:1 ratio. The Final Site Plan shall clearly delineate, label and quantify all encroachment and compensation areas.

4. Prior to Final Site Plan approval the site shall be re-evaluated for the presence of threatened or endangered species.

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

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

7. Tree barricades for trees to be preserved 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.

8. 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.

9. 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.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED
None.

COMPLIANCE WITH LDC				
Standard(s) Required	**Design Proposal**	**Compliance**		**Comments**
		Y	**N**	
BUFFERS				
20' roadway buffer along roadways	**25' & 20'**	**Y**		**Shown**
15' perimeter buffer	**15'**	**Y**		**Shown**
Buffer landscaping				**To be in accordance with LDC 714 & 715 and shown with future site plans**
SIDEWALKS				
5' internal sidewalks	**5'**	**Y**		**To be shown on both sides of internal roadways as required**
5' sidewalk, exterior	**5'**	**Y**		**To be shown with future site plans**
ROADS & RIGHTS-OF-WAY				
50' internal rights-of-way	**Shown**	**Y**		**Streets to be public**
24' paved roadways	**Shown**	**Y**		**Shown**

COMPLIANCE WITH THE LAND DEVELOPMENT CODE
Factors for Reviewing Proposed Site Plans (Section 508.6)
Planned Districts - Rezone Review Criteria (Section 603.4)

Physical Characteristics:

The site has approximately 827± feet of frontage along the east side of 27th Street East. There are 2.34± acres of wetlands on-site. Sugar House Creek traverses the easternmost part of the site, extending from north to south.

The site is in Flood Zone Category X and AE with a Base Flood Elevation (BFE) of 7' NAVD 1988 per D-FIRM Panel 12081C 0307B, effective 3/17/14. Special Approval is required for a project adjacent to a perennial stream.

Public Utilities, Facilities and Services:

The site will be served by County water and sewer. There is a 20 inch water main and eight-inch gravity sewer along 27th Street East.

According to the School District of Manatee County, the site is in School Service Area 3. Schools servicing the site are Manatee Elementary, Sara Scott Harllee Middle School and Braden River High School. The site is also within one mile of Johnson Middle and Manatee Charter Schools.

Adjacent Property

To the north, is Oneco Concrete and Paving, United Industrial Park, an antenna site, and single-family residences (Oak Haven Subdivision). To the south, across 34th Avenue East (not constructed) are residential developments Stone Creek Subdivision, Sugar Ridge Subdivision, and Greendale Estates Subdivision. To the east are vacant agricultural properties and to the west, across 27th Street East, are single-family residences in La Selva Park Subdivision.

Compatibility:

The site is adjacent to the east boundary of the Urban Core area. This area of the county has grown considerably in the last three decades with various types of development but is characterized mostly with residential developments to the south, and west. Agricultural properties are to the east and a mix of industrial and residential are to the north.

Staff has a concern that future residents may experience some adverse impacts associated with industrial uses to the north. There is a large tree preservation area separating the agricultural uses to the west from proposed building areas. The General Development Plan shows a 20 foot wide perimeter buffer and separation of 115 feet between the northern boundary of the site, adjacent to Oneco Concrete and Paving, to proposed building areas.

Transitions:

The site is in an area which is transitioning from suburban agricultural uses to commercial, industrial, and residential uses. The timing of the request is appropriate and consistent with development trends in the area. Planned Development Mixed Use projects can be designed to provide a transition between the various mix of uses and existing residential uses.

Density:

Special approval is required for a gross density exceeding one dwelling unit in RES-3 FLUC and 4.5 dwelling units per acre in RES-6 FLUC. To establish if a project with more than one FLUC meets gross density compliance, Land Use Operative Provision provides a formula (maximum number of residential units = maximum gross density based on the FLUC x gross residential acreage for that area). In this case, when the formula is applied, the total number of residential units proposed (511.29 - a gross density of 5.14 dwelling units per acre) for the project is equivalent to the maximum number of dwelling units permitted (511). Therefore, the project has established gross density compliance with the Future Land Use Map (Comprehensive Plan Land Use Operative Provisions).

Design Quality:

The General Development Plan indicates proposed building areas which are intended to accommodate a maximum of 511 lots for residential development of either single-family attached or detached residences. The building areas appear to be adequately separated from the industrial uses to the north. The design incorporates existing wetlands and wetland buffers without impact and shows designated areas for lakes and stormwater facilities.

Yards and Setbacks:

The following setbacks are proposed as shown below:

Yards and Setbacks	
Single-family Attached	Single-Family Detached
Front yard : 25’ Side yard: 0/15’ Rear yard: 15’	Front yard: 25’ Side yard: 5’ Rear yard: 15’
Wetland buffer: 15’ Waterfront: 30’	

Height:

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

Trash and Utility Plant Screens:

Single-family homes will be served by individual can pick-up to be reviewed with the Final Site Plan.

Streets, Drives, Parking and Service Areas:

The General Development Plan shows the required two means of access for a project with more than 100 units in accordance with LDC standards. A boulevard road will connect 27th Street East.

Pedestrian Systems:

The General Development Plan indicates five foot wide sidewalks will be installed along internal roads. A sidewalk is required to be installed along the east side of 27th Street East, adjacent to the property’s frontage.

Natural and Historic Features, Conservation and Preservation Areas:

The site has 2.29± acres of wetlands and 30-foot wide wetland buffers. No impact to the wetlands and wetland buffers is proposed. There are no known historic or archaeological resources on the site, 17.33± acres of upland preservation will be provided.

Fences and Screening:

A six foot high opaque fence is proposed along the southern boundary of the site. In additional to the 15 foot wide perimeter buffer, the fence will help to provide additional screening from an existing drainage ditch and single-family residences to the south.

Landscaping:

The General Development Plan indicates 20-foot wide roadway buffers adjacent to 27th Street East, and 20-foot wide perimeter buffers. Landscaping is to be installed in accordance with LDC Sections 603.7.4.5, 714 and 715.

Open Space:

25% or 23.82± acres of open space are required. The site plan indicates 50.4% or 48.03± acres of open space will be provided.

Signs:

All signs will be reviewed at the building permit stage.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the IL, RES-3, and RES-6 Future Land Use Categories. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The surrounding area is characterized by a mixed of industrial, residential and agricultural zoning and uses.

1) **The Manatee Comprehensive Plan designates 20.37± acres as RES-3.**

   Policy 2.2.1.10.1 Intent. The site is intended for a low-density urban, or clustered low-moderate density urban, residential environment, generally developed through the planned unit development concept. The proposed gross density of three dwelling units per acre exceeds the Special Approval threshold (one dwelling unit per acre) in the RES-3 FLUC.

   Policy 2.2.1.10.2 Range of Potential Uses. Single-family detached homes are in the range of potential uses.

2) The Manatee Comprehensive Plan designates 75.03± acres as RES-6.

Policy 2.2.1.12.1 Intent: The site is intended for a low density urban, or a clustered low-moderate density urban, residential environment. 450 units are proposed in the RES-6 FLUC at a gross density of six dwelling units per acre which exceeds the Special Approval threshold (4.5 dwelling units per acre) in the RES-6 FLUC.

Policy 2.2.1.12.2. Range of Potential Uses. Suburban or urban residential uses are in the range of potential uses.

3) The Manatee Comprehensive Plan designates 3.99± acres as IL.

Policy 2.2.1.18.1. Intent. The site is intended for a range of light industrial and other employment oriented uses. IL prohibits new residential development other than individual single-family units on lots of record. No residential units are proposed in IL part of site.

Policy 2.6.1.1 Compatibility. Planned developments can be designed to permit development consistent with the growing residential trends in the area. In addition, planned development allows the Board to attach stipulations to ensure the project is compatible with the surrounding uses.

Policy 2.6.2.7 Require Clustering to Limit Impacts. The site design avoids any impacts to wetlands.

TRANSPORTATION

Major Transportation Facilities

The site is adjacent to 27th Street East, which is designated as a four lane collector in the Comprehensive Plan's Future Traffic Circulation Map and has a planned right of way width of 120 feet.

The site is also near 26th Avenue East, which is designated as a two lane collector in the Comprehensive Plan's Future Traffic Circulation Map and has a planned right of way width of 84 feet.

Transportation Concurrency

The application is for rezoning and General Development Plan approval only, and pursuant to Land Development Code provisions, the County cannot issue a Certificate of Level of Service Compliance (CLOS). The applicant provided a Traffic Impact Statement (TIS) to estimate additional traffic impacts associated with the proposed zoning category. Based on the approved TIS, staff anticipates the uses under the proposed zoning will result in a reduction of daily trips as compared to the uses under the adopted zoning. Results of the TIS generalized analysis are provided in the Certificate of Level of Service Compliance table below. At the

time of Preliminary Site Plan or Final Site Plan, the Applicant will be required to submit a detailed traffic analysis to determine if any off-site concurrency-related improvements are required by the project

Access

The site will have access via 27th Street East and 29th Avenue East. At the time of detailed traffic analysis, proposed access points will be evaluated to determine if any site-related improvements are required.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

TRANSPORTATION CONCURRENCY

CLOS APPLIED FOR: No (A CLOS application cannot be filed with a General Development Plan)
TRAFFIC STUDY REQ'D: Yes (A TIS was submitted and reviewed, however, a detailed study will be required at PSP of FSP)

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
27th Street East	**1470**	**D**	**D**
26th Avenue East	**1340**	**D**	**C**

In summary, the results of the traffic study review identified …

OTHER CONCURRENCY COMPONENTS

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

SPECIAL APPROVAL - ANALYSES, RECOMMENDATIONS, FINDINGS

Manatee Comprehensive Plan defines Special Approval as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners; or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC.

1. Special Approval is required for a gross density exceeding 4.5 dwelling units per acre in the RES-6 FLUC and exceeding two dwelling units per acre in RES-3 FLUC. RES-6 areas are those which are established for a low density urban, or clustered low-moderate density urban, residential environment. Densities exceeding 4.5 dwelling units per acre require Special Approval. Planned development is the process necessary to achieve Special Approval.

   The site meets the intent of the RES-6 FLUC. The vacant site is adjacent to residential subdivisions which were established since the early and mid1980's. La Selva Park was established in 1925. The gross densities of approved developments in RES-6 FLUC range from 2.70 dwelling units per acre to 4.88 dwelling units per acre. Greendale Estates (to the south) has a gross density of 0.78 dwelling units per acre in RES-3 FLUC. The proposed density is consistent with the RES-6 FLUC.

   The site is in an area where there is availability of services. Reclaimed water, water and sewer are along 27th Street East. Manatee Charter School and Johnson Middle Schools are within one mile of the site.

2. Special Approval is also required for a project adjacent to a perennial stream. The stream is in the southernmost part of the site. The design of the project avoids impacts to the stream. There are no adverse impacts from the proposed stormwater ponds which are designed to retain runoff from the development.

The planned development process allows the Board of County Commissioners to approve stipulations to ensure compatibility with surrounding zoning and land uses and address any specific issues related to the development.

The analysis in the staff report represents a true evaluation of the proposed design for potential impacts on natural resources, adjacent land uses and public facilities.

FINDING FOR SPECIAL APPROVAL IN RES-3 and RES-6 FLUC

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

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

1. **Request:**

   LDC Section 714.8 requires replacement trees to be provided through several options, however, the option the applicant is seeking is not one of them. The request is to allow the fulfillment of replacement trees through preservation of forested areas within the project area that are above and beyond the areas committed to for "upland habitat preservation".

Staff Analysis and Recommendation:

Staff is in support of the request for Specific Approval for an alternative to Section 714.8 of the LDC to allow replacement of trees to be accomplished through preservation of additional native upland habitat preservation, as this method will provide instant existing canopy preservation, in lieu of planting trees and having the canopy grow in over years-time.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 714.8, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required canopy replacement will be achieved immediately through preservation of existing canopy.

2. Request:

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

Staff Analysis and Recommendation:

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

Finding for Specific Approval:

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

3. Request:

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

Staff Analysis and Recommendation:

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

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 715.3.4, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because the required number of trees and canopy will be provided.

ATTACHMENTS

1. Applicable Comprehensive Plan Policies
2. Zoning Disclosure Affidavit
3. Request for Specific and Special Approvals
4. School Report
5. Traffic Impact Statement
6. Copy of Newspaper Advertising

APPLICABLE COMPREHENSIVE PLAN POLICIES

Policy: 2.1.2.5	Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.
Policy: 2.1.2.7	Review all proposed development for compatibility and appropriate timing. This analysis shall include: - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area,

- availability of adequate roadways,
- adequate centralized water and sewer facilities,
- other necessary infrastructure and services.
- limiting urban sprawl
- applicable specific area plans
- (See also policies under Objs. 2.6.1 - 2.6.3)

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

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

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

Policy: 2.2.1.10.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:
3 dwelling units per acre

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

Maximum Net Residential Density:
6 dwelling units per acre

9 dwelling units per acre within the CRA's and UIRA

		for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing" (except within the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5) Maximum Floor Area Ratio: 0.23 (0.35 for mini-warehouse uses only) 1.00 inside the CRA's and UIRA Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf)
Policy:	2.2.1.10.4	Other Information: a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S. b) All projects for which gross density exceeds 2.0 dwelling units per acre, or in which any net residential density exceeds 3 dwelling units per acre, shall require special approval. c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.
Policy:	2.2.1.12	**RES-6:** Establish the Residential-6 Dwelling Units/Gross Acre future land use category as follows:
Policy:	2.2.1.12.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.
Policy:	2.2.1.12.2	Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4).

Policy: 2.2.1.12.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:
6 dwelling units per acre

Minimum Gross Residential Density: 5.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "affordable housing".

Maximum Net Residential Density:
12 dwelling units per acre

16 dwelling units per acre within the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing" (except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.4 and 4.3.1.5)

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 roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

Policy: 2.2.1.18 **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: 2.6.1.1

Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity [see policy 2.6.1.3]

Policy: 2.6.1.2

Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval process in order to achieve compatibility between these large projects and adjacent existing and future land uses.

Policy: 2.6.1.3

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

Policy: 2.6.2.1

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

Objective: 2.9.1

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

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

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

Policies: 2.9.1.1	Minimize the development of residential projects which create isolated neighborhoods.
Policy: 2.9.1.2	Promote the connection and integration of community pedestrian, bicycle, and vehicular systems to the larger county systems. (See also Obj. 3.3.3)
Policy: 2.9.1.3	Provide vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more than one neighborhood.
Policy: 2.9.1.4	Encourage the development of a variety of housing options and architectural styles within a community. (See also Obj. 6.1.1)
Policy: 2.9.1.5	Promote the development of pedestrian friendly designs.
Policy: 2.9.1.6	Promote the use of unifying design elements and features.
Policy: 2.9.1.7	Encourage the development of community spaces, including usable open space and public access to water features.
Policy: 2.9.1.8	Encourage the design of residential projects providing continuous green space connecting neighborhoods.

Policy:: 2.9.1.9	Require where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Obj. 3.3.3)
Policy: 2.9.1.10	Provide for the integration and assimilation of smaller residential infill parcels into existing neighborhoods by encouraging consistency in building setbacks, lot size, dwelling unit sizes, building heights, and street patterns.
Policy: 3.2.2.1	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: 3.3.2.2	Require the preservation of native upland habitat during land development activities through the following strategies: (1) Maintenance of areas of non-exotic vegetation, or viable portions thereof, on any project site, especially when such area or viable portions of areas, are part of larger upland habitats which may extend beyond the boundaries of the development site; (2) Encourage increased preservation of native upland habitat by providing incentives, including but not limited to: (a) transfer of density/intensity out of preserved native upland habitat (b) reduced lot sizes and setbacks (c) consideration of increased building height when native upland preservation provides additional buffering and screening (3) Removal of all nuisance exotic plant species from upland development sites during construction unless Special Approval is granted. (4) Designation of upland preservation areas at time of general development plan, preliminary site plan, preliminary plat, or other preliminary development plan or similar approval.

(5) Manatee County shall consider habitat size, adjacency to other natural areas, and habitat value when reviewing site development plans for uplands preservation.

ZONING DISCLOSURE AFFIDAVIT **B4**

File Number _____

File Name Hundred Acre Wood
(FKA Peerage Land Company, Fox Crossing & Bobcat Run Subdivision)

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

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

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

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

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

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

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

NAME, ADDRESS AND OFFICER	PERCENTAGE STOCK, INTEREST OR OWNERSHIP
Check if owner (X) or contract purchaser ( )	
Peerage Land Company, LLC	100 %
P.O. Box 116, Mill Neck, NY 11765	
Vincent Crisci	

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

Signature: Vincent Crisci Mgr

(Applicant): VINCENT CRISCI, MGR

STATE OF FLORIDA
COUNTY OF Manatee

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 16 day of April, 2014 by Vincent Crisci, who is personally known to me or who has produced _____ as identification.
(type of identification)

Signature: Stephanie Schoff

My Commission Expires: _____

Commission No: _____

Stephanie Schoff
Notary

Stephanie Schoff
Print or type name of Notary

Accounts Receivable
Title or Rank

Rev.12/1/07
B-4

STEPHANIE SCHOFF
Commission # FF 007587
Expires April 14, 2017
Bonded Thru Troy Fain Insurance 800-385-7019

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

LOTS 11 AND 12, LESS THE NORTH 175 FEET THEREOF; ALL OF LOTS 13, 14, 15 AND 16; OF THE SUBDIVISION OF THE S.W. ¼ OF THE N.W. ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST; AND LOTS 2, 3, 6 AND 7 OF THE SUBDIVISION OF THE S.E. ¼ OF THE N.W. ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST; FAIR OAKS SUBDIVISION. PLAT BOOK 1, PAGE 171, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

LESS THE RIGHTS OF WAY FOR 27TH STREET EAST, 30TH STREET EAST AND 34TH AVENUE EAST.

PARCEL 2:

LOT 8 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 3:

LOT 5 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 4:

LOT 4 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 5:

LOT 1 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 6:

LOTS 6 AND 7 OF THE SW ¼ OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 7: (PARCEL G)

COMMENCE AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°11'48" W ALONG THE WEST LINE OF THE NE ¼ OF SECTION 5, 742.70 FEET; THENCE LEAVING SAID WEST LINE, RUN S 04°01'23" E, 266.02 FEET FOR A POINT OF BEGINNING; THENCE S 89°45'49" E, 200.22 FEET; THENCE S 00°08'51" W, 1008.39 FEET TO THE SOUTHERLY LINE OF LOT 3 OF THE "FAIR OAKS" SUBDIVISION OF THE SW ¼ OF THE NE ¼ OF SECTION 5; THENCE RUN N 89°39'40" W ALONG THE SOUTH LINE OF SAID LOT 3, 229.66 FEET TO THE SW CORNER THEREOF; THENCE N 00°11'48" E ALONG THE WEST LINE OF LOTS 3 & 2 (ALSO BEING THE WEST LINE OF THE NE ¼ OF SECTION 5, 660.00 FEET TO THE NW CORNER OF LOT 2; THENCE S 89°39'40" E ALONG THE NORTH LINE OF SAID LOT 2, 45.23 FEET; THENCE N 04°01'23" W, 349.02 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A PRIVATE EASEMENT FOR INGRESS AND EGRESS OVER THE EASTERLY 20.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

BEGIN AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 89°51'58" E ALONG SAID SOUTHERLY RIGHT-OF-WAY, 221.42 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, RUN S 00°10'19" W, 1008.38 FEET; THENCE N 89°45'49" W, 202.28 FEET; THENCE N 04°01'23" W, 266.02 FEET TO A POINT ON THE WEST LINE OF THE NW ¼ OF THE NE ¼ OF SECTION 5; THENCE N 00°11'48" E ALONG SAID WEST LINE OF THE NW ¼ OF THE NE ¼ OF SECTION 5, 742.70 FEET TO THE POINT OF BEGINNING.

PARCEL 8 (PARCEL H)

COMMENCE AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°11'48" W ALONG THE WEST LINE OF THE NE ¼ OF SECTION 5, 742.70 FEET; THENCE LEAVING SAID WEST LINE, RUN S 04°01'23" E, 266.02 FEET; THENCE S 89°45'49" E, 209.22 FEET FOR A POINT OF BEGINNING; THENCE S 89°45'49" E, 220.49 FEET; THENCE S 00°08'51" W, 1008.79 FEET TO THE SOUTHERLY LINE OF LOT 3 OF THE "FAIR OAKS" SUBDIVISION OF THE SW ¼ OF THE NE ¼ OF SECTION 5; THENCE RUN N 89°39'40" W ALONG THE SOUTH LINE OF SAID LOT 3, 220.49 FEET; THENCE N 00°08'51" E, 1008.39 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A PRIVATE EASEMENT FOR INGRESS AND EGRESS OVER THE EASTERLY 20.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

COMMENCE AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 89°51'58" E ALONG SAID SOUTHERLY RIGHT-OF-WAY, 221.42 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S 89°51'58" E ALONG SAID SOUTHERLY RIGHT-OF-WAY, 221.42 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, RUN S 00°08'51" W, 1008.78 FEET; THENCE N 89°45'49" W, 221.85 FEET; THENCE N 00°10'19" W, 1008.38 FEET TO THE POINT OF BEGINNING.

PARCEL 9: (PARCEL "I")

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PARCEL 10: (PARCEL "J")

COMMENCE AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°11'48" W ALONG THE WEST LINE OF THE NE ¼ OF SECTION 5, 742.70 FEET; THENCE LEAVING SAID WEST LINE, RUN S 04°01'23" E, 266.02 FEET; THENCE S 89°45'49" E, 645.98 FEET FOR A POINT OF BEGINNING; THENCE S 89°45'49" E, 220.35 FEET; THENCE S 00°04'26" W, 1009.56 FEET TO THE SOUTHERLY LINE OF LOT 4 OF THE "FAIR

OAKS" SUBDIVISION OF THE SW ¼ OF THE NE ¼ OF SECTION 5; THENCE RUN N 89°39'40" W ALONG THE SOUTH LINE OF SAID LOTS 3 & 4, 221.22 FEET; THENCE N 00°07'23" E, 1009.17 FEET TO THE POINT OF BEGINNING.

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LESS THOSE PORTIONS OF PARCELS 1, 2 AND 3 LYING WITHIN ROAD RIGHT OF WAY DEEDED TO MANATEE COUNTY AND RECORDED IN OR BOOK 2142, PAGE 3080, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 11:

BEGIN AT A POINT WHERE CENTER OF OLD DITCH INTERSECTS A FORTY FOOT ROAD 729 FEET M/L S OF NW CORNER OF NE1/4 OF NW1/4 SEC 5, THENCE WITH CENTER OF DITCH S 88 DEG 30 MIN E 1346.6 FT S 4 DEG 20 MIN E A DIST OF 609 4/5 FT TO PT IN CENTER OF CREEK, TH W 1419.6 FT TO CENTER OF ABOVE MENTIONED FORTY FT RD, N ON CENTER OF RD 650 FT TO BEG; LESS 10 AC AS DESC IN OR 1004 P 2640; LESS 3.69 AC, M/L, AS DESC IN OR 1239 P 3434 & SUBJ TO INGRESS & EGRESS EASMT AS DESC IN OR 1239 P 3436; TOGETHER WITH & SUBJ TO TEMPORARY PRIVATE ST AS DESC IN (1277/1648); LESS THAT PART INCL IN THE FOL DESC PARCEL: COM AT THE NE COR OF THE NW1/4 OF SEC 5; TH S 89 DEG 10 MIN 04 SEC W ALONG THE N LN OF SD SEC 5, A DIST OF 22.15 FT; TH S 00 DEG 00 MIN 58 SEC E, PARALLEL TO THE E LN OF THE NW1/4 OF SD SEC 5, A DIST OF 442.48 FT TO THE POB; TH CONT S 00 DEG 00 MIN 58 SEC E ALONG SD E LN A DIST OF 458.88 FT; TH S 89 DEG 44 MIN 35 SEC W A DIST OF 636.02 FT TO THE INTERSECTION WITH THE E LN OF UNITED INDUSTRIAL PARK SUB, AS PER PB 21 PGS 106-107, SD PT BEING ON THE N R/W LN OF 29TH AVE E; TH N 00 DEG 04 MIN 54 SEC E ALONG THE SD E LN A DIST OF 160.14 FT M/L TO THE C/L OF AN EXISTING DITCH; TH S 86 DEG 55 MIN 21 SEC E ALONG THE C/L OF SD DITCH A DIST OF 91.46 FT; TH N 00 DEG 01 MIN 10 SEC W A DIST OF 306.01 FT; TH N 89 DEG 57 MIN 36 SEC E, A DIST OF 545.07 FT TO THE POINT OF BEGINNING.

September 16, 2014

Board of County Commissioners
Manatee County Government
1112 Manatee Avenue West, 4th Floor
Bradenton, FL 34205

RE: Hundred Acre Wood for Peerage Land Company (FKA Fox Crossing)
Rezone/General Development Plan
B00000235; DTS 20140087; PDMU-14-10(Z)(G) (related to PDR-12-14(G) & PDMU-05-39(Z)(P)
ZNS Project No.: 42981

Honorable Commissioners:

On behalf of the Peerage Land Company, LLC, ZNS Engineering submits the following requests for Special and Specific Approvals for the rezoning application for a Planned Development Mixed Use and General Development Plan.

The Manatee County Comprehensive Plan provides that all projects proposed in the RES-6 Future Land Use Category require Special Approval pursuant to Policy 2.2.1.12.4.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." Special Approval is addressed through the rezoning of the property to Planned Development Mixed Use (PDMU). The proposed gross density is 5.36 dwelling units per acre. The proposed maximum net density is 5.74 dwelling units per acre.

The Manatee County Comprehensive Plan also provides that project adjacent to a Perennial Stream requires Special Approval pursuant to Policy 3.2.2.1. Special Approval is addressed through the rezoning of the property to Planned Development. There are no proposed impacts to the perennial stream. A thirty foot waterfront setback is proposed along Sugarhouse Creek.

Where possible, the strict application of the Land Development Code has been included in the design of the site. The proposed Planned Development Residential district includes requests 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 General Development Plan:

ZNS ENGINEERING

201 5th Avenue Drive East | Bradenton, FL 34208 | Office: 941.748.8080 | Fax: 941.748.3316 | www.znseng.com
Engineering – CA 0027476 Surveying-LB0006982 Landscape Architecture- LC0000365

1. Specific Approval for Replacement Tree Sizes, LDC Section 714.8.7

The Applicant requests a Specific Approval for an alternative to Section 714.8.7 of the LDC to provide replacement trees at 3"/4"/4" instead of 3"/5"/7". These tree sizes reflect nursery inventory. This approval will allow the installation of smaller diameter trees that will require a shorter timeframe for establishment and will ultimately provide superior tree canopy. Additionally, the Land Development Code is slated to reflect the smaller replacement tree sizes with the upcoming amendment to Section 714 – Tree Protection.

2. Street Trees – Section 715.3.4

The Applicant is requesting a Specific Approval for an alternative to Section 715.3.4 of the LDC. For the proposed Single Family Attached, one tree per two lots is proposed as the lots are 22' wide.

For the alternative for Single Family Detached lots, this approval will allow the installation of 1 street tree per roadway frontage (corner lots will have 2 trees) on Single Family Detached lots with a frontage width of 60' or less. Additionally, to be consistent, we request that even lots that are wide enough to accommodate more than one per frontage be allowed to have only one street tree to alleviate conflicts with utilities and other infrastructure.

3. Specific Approval for Alternative to Tree Replacement, LDC Section 714.8

The Applicant requests Specific Approval to Section 714.8 to allow for an alternative to replacement of trees on site. The Applicant proposes to provide the eastern 16.52 acres as conservation for Native Upland Habitat and wetland preserve, with the ability to install nature trails, an optional zip line, and a gazebo. The site design is for a clustered subdivision. Allowing clustered development reduces the overall impacts to the upland and wetland habitats on the 99.39 acres. The proposed site plan includes wetland preservation throughout the site. Upland preservation areas in the western portions of the property will be determined at Final Site Plan. Additionally, the quality and health of the trees will be determined at Final Site Plan review.

The Applicant proposes to provide the eastern 16.52 acres as Native Upland Habitat area, with the request for a complete reduction in the number of replacement trees. The preservation of habitat in this area provides a superior design and exceeds the open space requirements for this project, while mitigating tree removal in this area east of the ditch.

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We hope this justification will be sufficient to approve the request. Thank you for your consideration.

Very truly yours,
ZNS ENGINEERING, L.C.

Rachel Whitcomb Layton, AICP
Director of Planning
cc: Vincent Crisci, Peerage Land Company, LLC
Ariana Mellow, Peerage Land Company, LLC
Jeb Mulock, ZNS Engineering, LC

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EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

LOTS 11 AND 12, LESS THE NORTH 175 FEET THEREOF; ALL OF LOTS 13, 14, 15 AND 16; OF THE SUBDIVISION OF THE S.W. ¼ OF THE N.W. ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST; AND LOTS 2, 3, 6 AND 7 OF THE SUBDIVISION OF THE S.E. ¼ OF THE N.W. ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST; FAIR OAKS SUBDIVISION. PLAT BOOK 1, PAGE 171, PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

LESS THE RIGHTS OF WAY FOR 27TH STREET EAST, 30TH STREET EAST AND 34TH AVENUE EAST.

PARCEL 2:

LOT 8 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 3:

LOT 5 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 4:

LOT 4 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 5:

LOT 1 OF THE SE ¼ OF THE NW ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 6:

LOTS 6 AND 7 OF THE SW ¼ OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, FAIR OAKS, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 171, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

PARCEL 7: (PARCEL G)

COMMENCE AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°11'48" W ALONG THE WEST LINE OF THE NE ¼ OF SECTION 5, 742.70 FEET; THENCE LEAVING SAID WEST LINE, RUN S 04°01'23" E, 266.02 FEET FOR A POINT OF BEGINNING; THENCE S 89°45'49" E, 200.22 FEET; THENCE S 00°08'51" W, 1008.39 FEET TO THE SOUTHERLY LINE OF LOT 3 OF THE "FAIR OAKS" SUBDIVISION OF THE SW ¼ OF THE NE ¼ OF SECTION 5; THENCE RUN N 89°39'40" W ALONG THE SOUTH LINE OF SAID LOT 3, 229.66 FEET TO THE SW CORNER THEREOF; THENCE N 00°11'48" E ALONG THE WEST LINE OF LOTS 3 & 2 (ALSO BEING THE WEST LINE OF THE NE ¼ OF SECTION 5, 660.00 FEET TO THE NW CORNER OF LOT 2; THENCE S 89°39'40" E ALONG THE NORTH LINE OF SAID LOT 2, 45.23 FEET; THENCE N 04°01'23" W, 349.02 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A PRIVATE EASEMENT FOR INGRESS AND EGRESS OVER THE EASTERLY 20.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

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COMMENCE AT A POINT LOCATED ON THE SOUTHERLY RIGHT-OF-WAY LINE OF 26TH AVENUE EAST, SAID POINT BEING S 00°11'48" W, 33.00 FEET FROM THE NW CORNER OF THE NE ¼ OF SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE RUN S 00°11'48" W ALONG THE WEST LINE OF THE NE ¼ OF SECTION 5, 742.70 FEET; THENCE LEAVING SAID WEST LINE, RUN S 04°01'23" E, 266.02 FEET; THENCE S 89°45'49" E, 209.22 FEET FOR A POINT OF BEGINNING; THENCE S 89°45'49" E, 220.49 FEET; THENCE S 00°08'51" W, 1008.79 FEET TO THE SOUTHERLY LINE OF LOT 3 OF THE "FAIR OAKS" SUBDIVISION OF THE SW ¼ OF THE NE ¼ OF SECTION 5; THENCE RUN N 89°39'40" W ALONG THE SOUTH LINE OF SAID LOT 3, 220.49 FEET; THENCE N 00°08'51" E, 1008.39 FEET TO THE POINT OF BEGINNING.

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SCHOOL BOARD

Julie B. Aranibar
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Dave "Watchdog" Miner
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Karen Carpenter

Robert C. Gause

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SUPERINTENDENT

Rick W. Mills

Department of Capital Projects
1 Matzke Way
Bradenton, FL 34208

PH. (941) 708-8800
FAX. (941) 708-8832
www.manateeschools.net

SCHOOL DISTRICT OF MANATEE COUNTY

April 28, 2014

Ms. Stephanie Moreland
Manatee County Government, Planning Department
Post Office Box 1000
Bradenton, FL 34206-1000

RE: School Report – Peerage Land Company
PDR-14-10(Z)(G) DTS# 20140087(1) MEPS 235

Dear Ms. Moreland,

This report is in response to a request for analysis of the projected demands on school facilities for the proposed land development application Peerage Land Company. This report is intended to be only information and analysis to assist Manatee County Government in its land-use decision.

The application is regarding land development amendment pertaining to approximately 93.27 acre project located east of 27th St E, north of 34th Ave E, south of 26th Ave E, and West of 39th St E, Bradenton. The applicant has requested approval of a Rezone to Planned Development Residential (PDR) with a General Development Plan for a maximum of 511 townhome/duplex dwelling units. The development is scheduled to begin construction 2016 with an estimated completion date within two years of Construction Plan approval and of the Certificate of Level-of-Service (CLOS) approval.

The School Report Fees have been collected by Manatee County Government and remitted to the School District.

School Service Area and Current School Attendance Zones

This property is located in School Service Area 3 for school planning and concurrency purposes. The 2013-2014 school attendance zones are as follows:

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

Five Year Capital Improvements Plan (CIP)

The School Board of Manatee County's 2013-2014 Five-Year Capital Improvement Plan does not include any capacity related improvements within the next five years.

Projected Educational Facilities Impact Fee

The Board of County Commissioners (BOCC) adopted Ordinance 09-36 Impact Fee Suspension that provides a two-year temporary moratorium for Educational Facilities Impact Fees (July 27, 2009 – July 27, 2011). The BOCC has approved Ordinance 11-22 providing for a two-year extension of the temporary moratorium (July 27, 2011 – July 27, 2013).

On June 10, 2013, the School Board approved a request for a One Year Moratorium on Collection of Educational Facilities Impact Fees. On July 9, 2013, correspondence from Ed Hunzeker, County Administrator, stated the BOCC will be asked to amend Section 2-29-86 to extend the current suspension by an additional year, to July 27, 2014.

Projected Student Generation

The development application proposes a maximum of 511 townhome/duplex (TH/DUP) residential dwelling units. The proposed dwelling units could potentially generate the following projected number of students based on 511 Townhome/Duplex Dwelling Unit Student Generation Rate:

- Elementary Students: 96
- Middle Students: 50
- High School Students: 43

Total: 189

Preliminary School Concurrency Analysis

The School Board of Manatee County and Manatee County Government have adopted a school concurrency management system and this 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 functional equivalent).

This is a preliminary report of the potential effects on school capacity and does not encumber, reserve or guarantee capacity will be available. The available capacity for elementary and middle schools is analyzed by the four School Service Areas (SSA) and High Schools are analyzed district-wide. The following is a preliminary analysis of available school capacity based on the proposed dwelling units:

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.

Development Compatibility
Peerage Land Company project is not located adjacent to an existing school site and appears to be compatible with nearby school sites.

Projected School Sites
A school site is not being requested within the property boundaries.

Sidewalks and Bicycle Paths
Peerage Company is located within the two mile walking radius of an existing school. The applicant has applied for a Specific Approval for sidewalks along the north and west side of all interior roadways and along both sides of the entrance boulevard. The County has requested construction of a sidewalk along the east side of 27th St E up to existing sidewalk at Oak Haven Subdivision. The School District requests the sidewalk on the east side of 27th St E connect to the existing sidewalk to the south at Stone Creek Subdivision.

Crosswalks, Traffic Signalization, School Signs & Markings
The School District is not requesting school signs or markings for this project at this time.

Transportation, Bus Stops, and Bus Shelters
Peerage Land Company is not located within the two mile walking radius of a zoned high school. At this time, the School District intends to utilize 27th St E and the entrance boulevard as student pickup and drop off for the development.

There has been a growing trend of parents driving students to bus stops and parking vehicles near the bus stop. The School District would suggest providing a wider roadway near bus stops to accommodate additional parked cars or a parking area so the bus will be able to safely load/unload students and pass parked cars on the roadway. The School District also suggests providing bicycle racks in the immediate area.

If you have any questions regarding this School Report, feel free to contact me at 708-8800 Ext 1056.

Sincerely,

Mike Pendley
Executive Planner

June 6, 2014

Jason Utley
Manatee County Public Works Department
Transportation Planning Division
1022 26th Avenue East
Bradenton, FL 34208

RE: Revised Traffic Impact Statement for Hundred Acre Wood (fka Peerage Land Company) Rezoning

Dear Mr. Utley:

This letter report is intended to serve as a Traffic Impact Statement (TIS) for the proposed GDP and rezoning associated with the Hundred Acre Wood site (Project), which was formerly known as the Peerage Land Company site. The Project is a residential development containing up to 511 single-family, attached (SFA) units. The Project site is located south of 26th Avenue East and east of 27th Street East. As illustrated on the GDP under **Attachment 1**, the Project will have two driveways: one with direct access to 27th Street East and a second with indirect access to 27th Street East via 29th Avenue West. The Project will have a third driveway, to be used as an emergency access only, on 26th Avenue East to the north of the site. The Project site comprises thirteen parcels totaling 99.39 acres. These parcels are located in Section 5, Township 35S, Range 18E. The thirteen parcels are currently zoned with a mix of the following categories: PD-R, PD-MU, A-1, and LM. In order to support the proposed residential development, the proposed rezoning will change all thirteen parcels to PD-MU. The existing zonings and associated acreages are reported in **Table 1**.

Table 1 – Project Site Zoning Summary

Parcel	Acres	Existing Zoning	Proposed Zoning
1	43.99	PDR	PDMU
2	4.89	PDMU	PDMU
3	4.89	PDMU	PDMU
4	4.82	PDMU	PDMU
5	5.07	LM	PDMU
6	9.16	A-1	PDMU
7	2.58 2.00	A-1 LM	PDMU PDMU
8	4.64 0.47	A-1 LM	PDMU PDMU
9	5.01	A-1	PDMU
10	5.12	A-1	PDMU
11	3.99	LM	PDMU
ROW 1*	0.75	PDR	PDMU
ROW 2*	2.01	PDMU, A-1, LM	PDMU
Total	**99.39**		

***ROW 1 is for 30th St E, ROW 2 is an unnamed ROW*

Trip Generation Comparison

A TIS is generally intended to compare potential traffic conditions, based on the allowable uses/intensities/densities, of the existing zoning to those of the proposed zoning. Since the future land use for the proposed rezoning is known, this TIS tests the change in trip generation between the existing zoning configuration and the proposed residential development of 511 SFA units.

Trip Generation Under Existing Zoning

The existing zoning configuration for the Project site can be summarized as follows (on the following page), with calculations using the values from **Table 1** shown in parenthesis. Note that the acreage associated with the ROW was not included for the purpose of the trip generation calculations.

1. **PDR**: 43.99 acres
2. **PDMU**: 14.60 acres (4.89 + 4.89 + 4.82)
3. **A-1**: 26.51 acres (9.16 + 2.58 + 4.64 + 5.01 + 5.12)
4. **LM**: 11.53 acres (5.07 + 2.00 + 0.47 + 3.99)

The maximum allowable land uses for each existing zoning category are calculated below, using the most appropriate land use from Section 602 of the Manatee County Land Development Code and a maximum FAR of 0.75 (for non-residential uses). Note that a residential use was assumed for the 14.52 acres of PDMU, since this was previously rezoned on a residential basis (PDMU-05-39(Z)(P)). The maximum allowable land uses for the existing zoning configuration are as follows:

1. **PDR**: 43.99 acres x 6 units per acre = 264 single-family, detached units
2. **PDMU**: 14.60 acres x 6 units per acre = 88 single-family, detached units
3. **A-1**: 26.51 acres x 1 unit per acre = 27 single-family, detached units
4. **LM**: 11.53 acres x 43,560 s.f./acre x 0.75 FAR = 376,685 s.f. of light industrial

The trip generation for these land uses is calculated under **Attachment 2**. Based on the equations from the ITE Trip Generation Manual (9th Edition), the above land uses are estimated to generate 730 trips during the PM peak hour (266 in, 464 out).

A second, more conservative trip generation scenario for the existing zoning was also evaluated. This second scenario considers a lower FAR of 0.35, in case the maximum FAR of 0.75 is not achievable. With a FAR of 0.35, the 11.53 acres of LM would result in 175,786 s.f. of light industrial. As documented under **Attachment 2**, this would result in a total of 443 trips during the PM peak hour (231 in, 212 out).

Trip Generation Under Proposed Zoning

The trip generation associated with the proposed rezoning was determined based on the GDP under **Attachment 1**, which notes a maximum of 511 SFA units for the Project site. As documented under **Attachment 3**, these units are estimated to generate 229 trips during the PM Peak Hour (153 in, 76 out).

The proposed Project therefore represents a potential decrease of 501 PM peak hour trips, when compared to the maximum trip generation associated with the current zoning (scenario 1). Compared to the second trip generation scenario for the existing zoning, the Project represents a potential decrease of 214 PM peak hour trips.

Analysis of First-Accessed Thoroughfare Roadway

The Project site will have primary access to one thoroughfare roadway, Link #1470: 27th Street East, from 26th Avenue East to 38th Avenue East. A generalized level of service (LOS) analysis was performed for this roadway, using the existing volumes provided in the Manatee County Traffic Count spreadsheet (provided in **Attachment 4**) and the trip generation estimates from above. **Table 2** reports the results of this analysis.

Table 2
27th Street East: from 26th Avenue East to 38th Avenue East

Zoning Scenario	Existing Two-Way PM Peak Hour Trips	Additional Trips From Land Uses	Total PM Peak Hour Trips	PM Peak Hour Service Volume*	PM Peak Hour LOS
Existing - Scenario 1	787	730	1517	1152	E
Existing - Scenario 2	787	443	1230	1152	E
Proposed	787	229	1016	1152	D

*Source: 2012 FDOT Generalized Tables (Table 4, non-state arterial, no LT lanes)

As reported in the above table, the proposed Project would maintain the adopted LOS standard of "D" on 27th Street East, while the existing zoning scenarios could result in a substandard LOS.

I trust this information is sufficient to demonstrate that the proposed rezoning is consistent with the Manatee County Comprehensive Plan. Should you have any questions or require additional information, please do not hesitate to call me at 813-387-0084.

Sincerely,

GRIMAIL CRAWFORD, INC.

Richard W. Matthews, P.E.
Transportation Planning Engineer

Attachments

cc: Rachel Layton, AICP, ZNS Engineering, Inc.

ATTACHMENT 1

DEVELOPMENT DATA SUMMARY

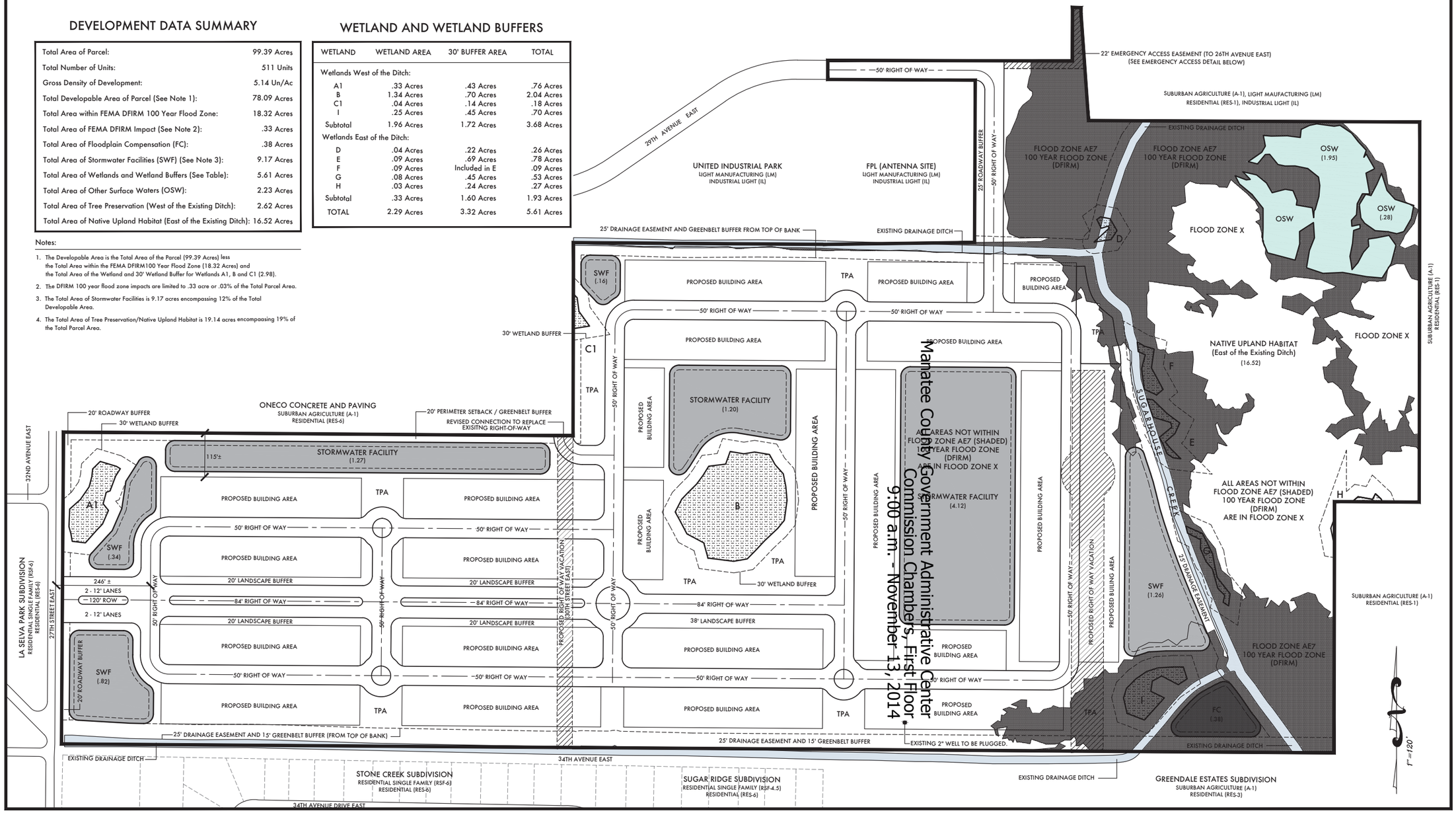
Total Area of Parcel:	99.39 Acres
Total Number of Units:	511 Units
Gross Density of Development:	5.14 Un/Ac
Total Developable Area of Parcel (See Note 1):	78.09 Acres
Total Area within FEMA DFIRM 100 Year Flood Zone:	18.32 Acres
Total Area of FEMA DFIRM Impact (See Note 2):	.33 Acres
Total Area of Floodplain Compensation (FC):	.38 Acres
Total Area of Stormwater Facilities (SWF) (See Note 3):	9.17 Acres
Total Area of Wetlands and Wetland Buffers (See Table):	5.61 Acres
Total Area of Other Surface Waters (OSW):	2.23 Acres
Total Area of Tree Preservation (West of the Existing Ditch):	2.62 Acres
Total Area of Native Upland Habitat (East of the Existing Ditch):	16.52 Acres

Notes:

1. The Developable Area is the Total Area of the Parcel (99.39 Acres) less the Total Area within the FEMA DFIRM100 Year Flood Zone (18.32 Acres) and the Total Area of the Wetland and 30' Wetland Buffer for Wetlands A1, B and C1 (2.98).
2. The DFIRM 100 year flood zone impacts are limited to .33 acre or .03% of the Total Parcel Area.
3. The Total Area of Stormwater Facilities is 9.17 acres encompassing 12% of the Total Developable Area.
4. The Total Area of Tree Preservation/Native Upland Habitat is 19.14 acres encompaasing 19% of the Total Parcel Area.

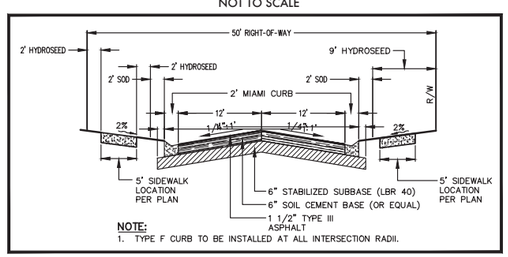
WETLAND AND WETLAND BUFFERS

WETLAND	WETLAND AREA	30' BUFFER AREA	TOTAL
Wetlands West of the Ditch:			
A1	.33 Acres	.43 Acres	.76 Acres
B	1.34 Acres	.70 Acres	2.04 Acres
C1	.04 Acres	.14 Acres	.18 Acres
I	.25 Acres	.45 Acres	.70 Acres
Subtotal	1.96 Acres	1.72 Acres	3.68 Acres
Wetlands East of the Ditch:			
D	.04 Acres	.22 Acres	.26 Acres
E	.09 Acres	.69 Acres	.78 Acres
F	.09 Acres	Included in E	.09 Acres
G	.08 Acres	.45 Acres	.53 Acres
H	.03 Acres	.24 Acres	.27 Acres
Subtotal	.33 Acres	1.60 Acres	1.93 Acres
TOTAL	2.29 Acres	3.32 Acres	5.61 Acres

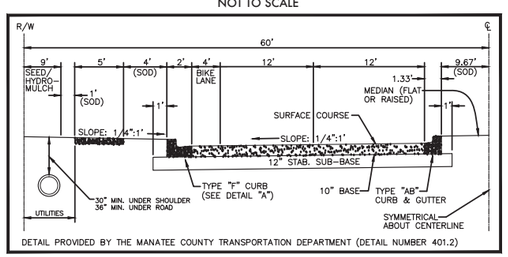


Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

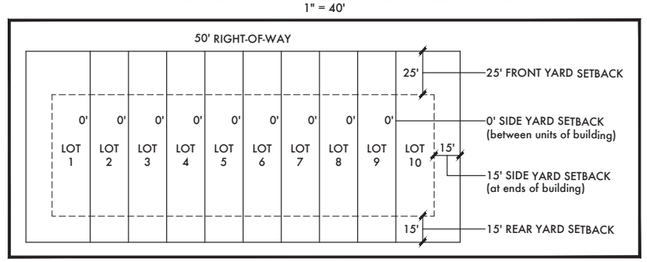
TYPICAL 50' R/W SECTION
NOT TO SCALE



TYPICAL 120' R/W SECTION
NOT TO SCALE



TYPICAL LOT LAYOUT FOR PROPOSED BUILDING AREA
1" = 40'



EMERGENCY ACCESS TO 26TH AVENUE EAST
1" = 600'

ZNS ENGINEERING
ENGINEERS | PLANNERS | SURVEYORS
LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
L.C. 0000565
201 9th AVENUE DRIVE EAST BRADENTON, FL 34208
E-MAIL: ZNS@ZNSENG.COM | TELEPHONE 941.748.8808 | FAX 941.748.3716

REVISIONS
1 12-2013 GENERAL REVISIONS PER REVIEW
2 06-2014 REVISIONS FOR MANATEE COUNTY COMMENTS
3
4
5
6
7

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GENERAL DEVELOPMENT PLAN
FOR
HUNDRED ACRE WOOD for
PEERAGE LAND COMPANY, LLC
LOCATED IN
SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: GJE
DRAWN: GJE
DATE: 02/24/2014
JOB NO: 42981
SCALE: 1"=120'

SHEET 3

Wed, 30 Apr 2014 – 2:16pm V:\acad\Fox Crossing\planning\GDP_02242014\FC-GDP SHEET 3 GDP_022414.dwg

ATTACHMENT 2

Hundred Acre Wood
Trip Generation
Existing Zoning - Scenario 1

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips		Gross PM Peak Hour Trips	
					In	Out	In	Out
Single-Family Detached (PDR, PDMU & A-1)	210	379	d.u.	3,578	69	206	220	129
Light Industrial (LM, 0.75 FAR)	710	376,685	s.f.	2,712	312	43	46	335
			Gross Trips	6,290	381	249	266	464

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

Hundred Acre Wood
Trip Generation
Existing Zoning - Scenario 2

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips		Gross PM Peak Hour Trips	
					In	Out	In	Out
Single-Family Detached (PDR, PDMU & A-1)	210	379	d.u.	3,578	69	206	220	129
Light Industrial (LM, 0.35 FAR)	710	175,786	s.f.	1,211	104	14	11	83
			Gross Trips	4,789	173	220	231	212

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

ATTACHMENT 3

Hundred Acre Wood
Trip Generation for Proposed Development

Land Use	LUC	Size	Units	Daily Trips	Gross AM Peak Hour Trips		Gross PM Peak Hour Trips	
					In	Out	In	Out
Single-Family Attached (PDMU)	210	511	d.u.	2,659	32	158	153	76
			Gross Trips	2,659	32	158	153	76

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

Comparison with Existing Zoning Scenario 1 (FAR = 0.75)

Zoning	Daily Trips	AM Peak Hour Trips		PM Peak Hour Trips	
		In	Out	In	Out
Existing	6,290	381	249	266	464
Proposed	2,659	32	158	153	76
Difference	(3,631)	-349	-91	-113	-388
Peak Hour Total		-440		-501	

Comparison with Existing Zoning Scenario 2 (FAR = 0.35)

Zoning	Daily Trips	AM Peak Hour Trips		PM Peak Hour Trips	
		In	Out	In	Out
Existing	4,789	173	220	231	212
Proposed	2,659	32	158	153	76
Difference	(2,130)	-141	-62	-78	-136
Peak Hour Total		-203		-214	

ATTACHMENT 4

Manatee County Planning Department
Concurrency Transportation Link Sheet

Report run on: September 6, 2012 7:52 AM

2012 = 8,281 AADT x0.095 = 787

787 existing (per updated count data)

Link No	Road Name	From Street	To Street	Jrs Dtn	Fnc Cls	U T R	(#1) Crs Sec	Sig/ Mile	Num Sig	Class Grp	Left Turns	5% Peak Hour LOS Vol	Los Std	Exist Los	Projected LOS	Art Plan LOS	Trf Cnt Yr	Exist AADT	K100	O C S	Peak Hour Base	Peak Hour Res	Peak Hour Total	(#2) Peak Hr LOS Vol	Avail Peak Hour Cap	3 Yr Growth Rate	Cn Yr	Con Typ	Dem Rs	Stn Num
1460	27 ST E	13 AV E	26 AV E	MC	UC	U	2U	1.33	1			55.6	D	D	F		10	10511	0.095	O	999	278	1,277	1,112	-165	0.000			0	08-11
1470	27 ST E	26 AV E	38 AV E	MC	UC	U	2U	1.33	1			55.6	D	D	D		10	8231	0.095	O	782	239	1,021	1,112	91	0.000			0	08-46
1480	30 AV E	US 41	9 ST E	MC	UC	U	2U	4.00	2			55.6	D	C	C		10	7160	0.095	O	680	2	682	1,112	430	0.000			0	05-15
1490	30 AV E	9 ST E	15 ST E	MC	UC	U	2U	4.00	2			55.6	D	C	C		10	6590	0.095	O	626	0	626	1,112	486	0.000			0	08-07
1500	30 AV W	1ST	9 ST W	MC	UC	U	2U	2.00	1			55.6	D	C	C		96	6609	0.095	O	628	5	633	1,112	479	0.000			0	05-14
1510	30 AV W	9 ST W	14 ST W	MC	UC	U	2U	0.00	0	US		55.6	D	D	D		10	11211	0.095	O	1,065	12	1,077	1,112	35	0.000			0	05-40
1520	30 AV W	14 ST W	26 ST W	MC	UC	U	2U	0.00	0	US		55.6	D	D	D		10	8622	0.095	C	819	51	870	1,112	242	0.000			0	05-41
5020	30 ST E	38 AV E	53 AV E	MC	UC	U	2U	1.00	1			55.6	D	C	F		10	5858	0.095	O	557	897	1,454	1,112	-342	0.000				07-44
2035	301 BLVD	9 ST W	US 41	MC	UC	U	4D	1.54	1		Y	147.5	D	C	C		10	9602	0.095	O	912	0	912	2,950	2,038	0.000			0	05-13
2050	301 BLVD	US 41	44 AV E	MC	MA	U	2U	2.63	1			77.5	F	D	D		10	13756	0.095	C	1,307	0	1,307	1,550	243	0.000			0	05-42
2060	301 BLVD	44 AV E	9 ST E	MC	MA	U	2U	4.00	1			77.5	F	F	F		10	17368	0.095	C	1,650	0	1,650	1,550	-100	0.000		OUT	0	05-43
2070	301 BLVD	9 ST E	15 ST E	MC	MA	U	2U	1.30	1		Y	77.5	F	D	D		10	12554	0.095	C	1,193	0	1,193	1,550	357	0.000			0	05-44
2080	301 BLVD	15 ST E	51 AV E	MC	MA	U	2U	1.67	1		Y	77.5	F	F	F		10	23340	0.095	C	2,217	0	2,217	1,550	-667	0.00007			0	05-45
2090	301 BLVD	51 AV E	53 AV E	MC	MA	U	2U	4.00	1		Y	77.5	F	F	F		10	18495	0.095	C	1,757	20	1,777	1,550	-227	0.00007			0	05-46
2100	301 BLVD	53 AV E	63RD AV E	MC	MA	U	2U	0.77	1	I	Y	80.5	E	D	D		10	15582	0.095	O	1,480	70	1,550	1,610	60	0.000			0	06-20
2101	301 BLVD	63RD AV E	WHITFIELD AV	MC	MA	U	2U	1.25	1	I	Y	80.5	E	C	C		10	9533	0.095		906	84	990	1,610	620	0.000				06-43
2102	301 BLVD	WHITFIELD AV	TALLEVAST RD	MC	MA	U	2U	1.00	1	I	Y	80.5	E	C	C		10	9533	0.095		906	119	1,025	1,610	585	0.000				06-43
2140	301 BLVD	TALLEVAST RD	UNIVERSITY PKY	MC	MA	U	2U	1.00	1		Y	80.5	E	C	C		10	9533	0.095	O	906	24	930	1,610	680	0.000			0	06-43
1525	33 ST E	51 AV E	SR 70	MC	UC	U	2D	0.00	0	US	Y	73	D	C	C		10	4874	0.095	O	463	348	811	1,460	649	0.000			0	07-43
1530	33 ST E	SR 70	63 AV E	MC	UC	U	2U	0.77	1			55.6	D	D	D		10	8007	0.095	O	761	135	896	1,112	216	0.000			0	07-09

	ROUTE NAME	DIR	DIST	CROSS ROUTE NAME	C91	C92	C93	C94	C95	C96	C97	C98	C99	C2000	C2001	C2002	C2003	C2004	C2005	C2006	C2007	C2008	C2009	C2010	C2011	C2012
07-43	33 St. E.	W	200	SR 70/ 53 Ave. E.	-	-	-	3387	6030	7362	9386	4896	3773	4244	4496	4665	5192	5369	5680	5512	5519	5354	5190	4874	4902	4782
07-44	30 St. E.	N	200	51 Ave. E.	-	-	-	1788	2005	2907	2959	4403	4575	4896	4803	5307	6394	6862	6135	6061	6016	6189	6114	5858	5821	5605
07-46	Linger Lodge Rd.	N	200	65 Ave. E.	-	-	-	667	528	1048	1186	1345	1531	1700	1922	1925	2110	2218	2445	2402	2217	2152	2171	2266	2162	2025
07-48	University Pkwy.	E	600	I-75	-	-	-	2339	1174	3169	6777	10396	12877	21017	26602	29397	32107	41150	45780	46322	43822	38837	42837	40943	43787	43022
07-49	Lockwood Ridge Rd.	S	200	SR 70/ 53 Ave. E.	-	-	-	-	-	-	-	-	-	-	-	11416	15119	17612	26809	17709	20629	19757	18879	19141	19225	19251
07-50	Lockwood Ridge Rd.	N	200	Tallevast Rd.	-	-	-	-	-	-	-	-	-	-	-	14005	16022	18281	20185	22161	20808	17979	18540	17853	18691	17315
07-51	Lorraine Rd.	N	200	University Pkwy.	-	-	-	-	-	-	-	-	-	-	-	-	-	5122	5469	5646	6530	4374	4321	4403	4170	5520
07-52	Lorraine Rd.	S	200	SR 70/ 53 Ave. E.	-	-	-	-	-	-	-	-	-	-	-	-	-	3786	5549	4757	5463	4299	4823	5085	7520	6647
07-53	Lakewood Ranch Blvd.	N	200	University Pkwy.	-	-	-	-	-	-	-	-	-	-	-		-	9298	11231	11788	11504	10014	9790	9753	10976	11317
07-54	Honore Ave.	N	200	University Pkwy.	-	-	-	-	-	-	-	-	-	-	-	-	-	7543	10898	10006	10398	11628	11435	13255	12708	14347
07-55	Honore Ave.	E	200	Old Farm Rd.	-	-	-	-	-	-	-	-	-	-	-	-	-	2990	3420	3654	4183	5466	5147	5704	6831	6444
07-56	Whitfield Ave.	E	200	Lockwood Ridge Rd.	-	-	-	-	-	-	-	-	-	-	-	-	-	7387	7477	7899	9032	6317	6587	5974	6484	5996
07-57	Cooper Creek Blvd.	E	200	Honore Ave.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2292	2675	2714	3071	3037	3505	3507
07-58	Creekwood Blvd.	N	200	SR 70/ 53 Ave. E.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	16074	15710	12932	12908	14084	13205	12102
07-59	Creekwood Blvd.	S	200	73 St. E.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3150	4462	3085	5079	5037	4940	4837
07-60	Creekwood Blvd.	S	200	76 St. E.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2373	3731	4257	4433	4096	4313	4137
07-61	Tara Blvd.	S	200	SR 70/ 53 Ave. E.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10091	8384	8060	8660	8496	8621	8290
07-62	Tara Blvd.	S	200	Stone River Rd.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	7582	7168	7170	7635	7475	7498	7316
07-63	Caruso Rd.	S	200	SR 70/ 53 Ave. E.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	5105	5066	4983
08-01	9 St. E.	N	200	26 Ave. E.	7277	7277	7832	7748	7958	6644	7738	8379	6968	6494	9736	9099	8535	8840	11459	9590	9002	7676	7571	7087	6387	6891
08-02	30 Ave. E.	E	200	SR 683/ US 301	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4460
08-03	9 St. E.	N	200	30 Ave. E.	7863	7863	7150	8403	7997	6854	9473	9517	8136	7184	8831	9953	9044	9373	10786	7622	8368	7589	7284	7013	7071	6784
08-04	9 St. E.	S	200	30 Ave. E.	7915	7915	6772	10495	8979	7218	9673	10947	9618	9799	9106	11576	9614	10258	13251	11234	8698	8241	7888	7903	7373	7165
08-05	SR 684/44 Ave/Cortez Rd.	W	200	15 St. E.	3354	3354	4195	4000	5133	4802	5139	*	4336	*	*	4652	4928	4559	*	4730	4531	4434	4252	4512	4574	4593
08-06	38 Ave. E.	E	200	15 St. E.	6128	6128	6324	6492	6547	6875	7616	7475	7327	7920	8365	8500	8489	8219	*	7913	7659	7605	6805	7220	7422	7474
08-07	30 Ave. E.	W	200	15 St. E.	4369	4369	4418	5371	5086	6010	6843	9470	5868	6285	6166	7446	6989	6964	*	9258	7943	5671	6147	6590	6540	6658
08-09	26 Ave. E.	E	200	15 St. E.	5362	5362	6168	7257	7045	7529	7077	8268	8358	7794	8298	8741	9117	6639	7460	9499	8341	6532	5395	7242	6537	7112
08-10	26 Ave. E.	W	200	15 St. E.	5426	5426	5495	5670	6317	6715	4539	7009	7214	9643	9482	9395	8291	9830	9970	8281	7332	6048	5568	6376	6603	7120
08-11	27 St. E.	N	200	26 Ave. E.	5436	5436	5483	6889	7611	7629	9368	10509	10652	10159	10757	10576	10545	10928	11198	11630	10949	10439	9967	10511	9407	10131
08-13	38 Ave. E.	W	200	37 St. E.	2822	2822	3145	2986	2892	3092	4081	3821	3491	3223	3916	3656	4920	4568	4707	4722	4190	4256	4383	4131	3802	4000
08-16	26 Ave. E.	At		Bridge # 134038	*	*	2320	1900	2230	2673	2730	2876	2828	2714	2663	3282	4643	3774	3875	3916	3240	3427	2819	3101	2981	3190
08-20	9 St. E.	N	200	SR 683/ US 301	6544	6544	6824	6740	5760	6976	6495	7458	*	*	7796	7786	6354	8056	10378	8504	8251	7559	6858	6776	6479	7088
08-40	9 St. E.	S	200	9 Ave. E.	-	-	-	5685	6219	6665	6844	7965	*	*	8667	8444	8093	8527	9436	8631	7967	8109	7407	6620	7207	7901
08-41	9 St. E.	N	200	9 Ave. E.	-	-	-	4020	8482	5218	4764	5748	*	*	5895	6764	6900	6951	7896	7075	7274	6764	6238	5980	5788	6072
08-42	9 St. E.	S	200	SR 64/ Manatee Ave.	-	-	-	2710	2804	5218	9298	3647	*	*	3610	3962	4334	4566	5348	5074	4521	4268	4012	3896	3692	4047
08-45	27 St. E.	S	200	SR 64/ Manatee Ave.	-	-	-	8458	7623	7883	8532	9768	9730	10265	9038	9579	9826	9906	10244	12899	12638	9674	8896	9171	8463	9628
08-46	27 St. E.	S	200	30 Ave. E.	-	-	-	4941	5093	5474	6939	8265	7783	7973	7948	9336	8386	8265	11467	8723	8338	8124	7749	8231	7298	8281
08-47	39 St. E.	S	1320	26 Ave. E.	-	-	-	244	238	214	250	293	252	223	226	189	404	480	483	607	521	495	536	531	451	494
08-48	34 Ave. E.	W	200	45 St. E.	-	-	-	952	1038	1246	1320	2005	1399	1194	1218	1577	1422	1376	1259	1365	1200	1190	1185	1081	951	949
08-49	44 Ave. E	W	200	Caruso Rd.	-	-	-	4332	4154	4661	5269	5324	5098	*	5701	6359	8711	7373	7550	7626	7269	7409	7217	7288	6813	7345
08-50	Morgan Johnson Rd.	N	200	18 Ave. E.	-	-	-	5308	5758	5597	6450	7200	5841	6039	6153	7160	7969	8184	8965	8400	8131	8218	8045	8107	7469	7941
08-51	Lena Rd.	S	200	SR 64/ Manatee Ave.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4171	3270	3210	2616	3100	2750	3207
08-52	Port Harbor Pkwy.	E	200	Kay Rd	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3661	4704	4586	4514	4315	4501
08-53	Pope Rd.	S	200	SR 64/ Manatee Ave.	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	175	209	215	168	133	192
09-01	17 St. E.	E	200	2 Ave. E.	4474	4474	3466	3160	4718	5796	5626	6504	7449	7700	7828	7813	8442	8766	8811	8495	9030	7395	4336	*	6903	7158
09-02	17 St. E.	W	200	Canal Rd.	*	*	2224	2352	1941	2561	3019	2896	5455	3818	5400	5480	5287	5580	5580	5411	5254	4739	*	*	5875	6440
09-03	Canal Rd.	N	200	SR 43/ US 301	1992	1992	2763	2975	3120	3435	3224	2178	3440	3948	3791	5185	4800	5010	3883	4474	4202	3922	5137	4749	4276	3994
09-04	17 St. E.	E	200	Canal Rd.	2073	2073	1809	1970	1788	1762	2377	4086	4044	4063	4866	5028	4745	4760	5453	5277	5094	4684	2743	3313	3618	3490
09-05	17 St. E.	E	200	Ellenton Gillette Rd.	1966	1966	2273	2330	2423	2871	3179	4717	3826	3677	4393	4397	5730	4650	5009	4648	4084	3802	3478	*	3932	3994
09-06	Victory Rd.	N	200	SR 43/ US 301	2366	2366	2641	3844	3454	3495	3904	3480	3009	2424	2427	2683	3126	4555	4740	4885	3623	4802	4904	5250	4891	4635
09-07	Mendoza Rd	E	200	Ellenton Gillette Rd.	1058	1058	1225	1421	1412	1883	1718	1849	2430	2728	3502	3703	3847	4094	4630	5410	5750	5543	5384	5355	5258	5199
09-08	Experimental Farm Rd.	W	200	Ellenton Gillette Rd.	1381	1381	1394	1570	1476	1953	1849	1972	1904	1838	1991	2294	2240	2363	2290	2332	2153	2274	2869	2121	2053	1885
09-09	Canal Rd.	S	200	Experimental Farm Rd.	1262	1262	1521	1676	1188	1484	1470	566	2279	*	1495	3258	2240	1849	1938	2135	2109	2018	2211	1868	1983	1826
09-10	Experimental Farm Rd.	E	200	SR 45/ US 41	2054	2054	2272	3333	2335	3054	2885	2920	2813	2691	2815	3099	3031	2901	3353	3346	3319	3360	3485	3288	2988	2933
09-11	21 St. E.	E	200	SR 45/ US 41	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1934
09-12	Palmview Rd	W	200	Ellenton Gillette Rd.	1102	1102	1148	1252	225	1484	1702	1814	1572	1490	1560	2062	1752	1562	1593	1491	1552	1548	1543	1676	1584	1524
09-13	Experimental Farm Rd.	At		Bridge # 134005	2054	2054	2272	3333	2248	3054	2885	2699	2765	2691	2630	3027	3023	3177	3570	3474	3084	3168	3425	3106	2935	2935
09-14	SR 43/Sneads Is/US 301	A		Bridge # 130007	2398	2398	*	2871	2392	3225	3192	3149	3242	2946	3400	3408	3480	3077	3620	3071	3748	3020	3010	3083	2999	2485
09-15	24 Ave. E.	N	200	SR 43/ US 301	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	838
09-42	2 Ave.E.	N	200	Memphis Rd.	-	-	-	1226	1951	2256	2332	2288	2114	2234	2625	2338	2897	2580	2485	2766	2829	2195	2405	*	1698	1590
09-43	Mendoza Rd	E	200	Canal Rd.	-	-	-	613	416	419	476	435	442	457	383	400	401	426	543	528	574	362	386	418	357	243
09-44	4 Ave. E.	N	200	23 St. E.	-	-	-	885	2337	2575	2572	3424	2472	2344	2103	2616	2371	2199	2606	2451	1447	2095	1977	1803	1791	1733
09-45	29 St. E.	W	200	Canal Rd.	-	-	-	141	878	1257	1122	*	1693	1333	1216	1533	2101	2994	1638	1886	1499	1523	1681	1620	1644	1411
09-46	33 St. W.	E	200	14 Ave. W.	-	-	-	1001	492	1241	539	507	289	356	268	276	372	323	317	258	280	187	140	118	121	104
09-47	39 St. E.	At		Rail Road Crossing # 62173	-	-	-	582	635	863	682	704	850	816	828	838	896	891	1293	1083	966	847	1012	946	938	716
09-49	49 St. E.	W	200	SR 43/ US 41	-	-	-	2378	1565	2686	2184	1944	2163	2163	2245	2567	2886	2406	3278	2577	2484	2640	2401	2278	2523	2210
09-52	Palmview Rd.	E	200	Bayshore Rd	-	-	-	431	655	675	801	755	703	703	847	993	799	915	841	821	850	864	979	724	720	657
09-53	Ellenton Gillette Rd.	N	200	49 St. E.	-	-	-	2869	2993	3895	3652	4402	3920	4467	4838	6174	5449	4957	6040	5855	5658	5821	5666	5541	5684	5603
09-55	Ellenton Gillette Rd.	N	200	Memphis Rd.	-	-	-	3106	4514	5083	5579	6691	5657	5680	6028	7151	6651	7317	8043	8336	8389	8446	8116	*	8520	7697

Legend
* UNDER CONSTRUCTION
- NO DATA COLLECTED

Bradenton Herald
Oct. 29, 2014
Miscellaneous Notices

NOTICE OF ZONING &
DRI CHANGES IN
UNINCORPORATED
MANATEE COUNTY

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

ORDINANCE 14-30
LAKEWOOD CENTRE (DRI #27) - (DTS20140228 / MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1)Add 796.22 + acres to the boundaries of the DRI;
2)Granting Specific Approval of Phases 2 and 3;
3)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4)Reflect revised development totals consistent with the previously approved land use exchange; and
5)Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 + acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) -
LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1)Provide for Specific Approval of Phases 2 and 3;
2)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3)Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;
providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) -
R AND M GENERAL
PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS 20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) -
PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78ñ acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04ñ acres from LM (Light Manufacturing) and 44.75ñ acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83ñ acres already zoned PDMU for a combined total of 99.39ñ acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34ñ miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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

Americans with Disabilities: The Board of County Commissioners of Manatee County does not

discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY
PLANNING COMMISSION
Manatee County Building
and Development Services
Department
Manatee County, Florida
10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED..
Published: 10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED MANATEE COUNTY

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

ORDINANCE 14-30 LAKEWOOD CENTRE (DRI #27) - (DTS20140228 / MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1) Add 796.22 + acres to the boundaries of the DRI;
2) Granting Specific Approval of Phases 2 and 3;
3) Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4) Reflect revised development totals consistent with the previously approved land use exchange; and
5) Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 + acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for

severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) - LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1) Provide for Specific Approval of Phases 2 and 3;
2) Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3) Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;

providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) - R AND M GENERAL PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS
20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the

PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) - PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78± acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04± acres from LM (Light Manufacturing) and 44.75± acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83± acres already zoned PDMU for a combined total of 99.39± acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34± miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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

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

or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: October 29, 2014

GENERAL DEVELOPMENT PLAN

TO SERVE

HUNDRED ACRE WOOD

FOR

PEERAGE LAND COMPANY, LLC

(FKA FOX CROSSING)

LOCATED IN

SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

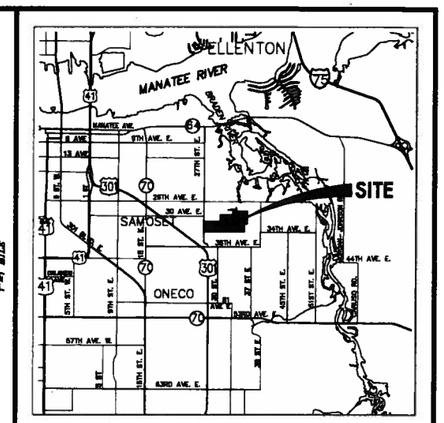
PROPOSED ZONING
PD-MU (MIXED USE)

EXISTING ZONING
PD-R (PLANNED DEVELOPMENT - RESIDENTIAL)
PD-MU (PLANNED DEVELOPMENT - MIXED USE)
A-1 (SUBURBAN AGRICULTURE)
LM (LIGHT MANUFACTURING)

PROPOSED FUTURE LAND USE
RES-6 (RESIDENTIAL - 6 DU/GA) (PA-13-09/Ordinance No.13-42) - 75.03 ACRES
RES-3 (RESIDENTIAL - 3 DU/GA) - 20.37 ACRES
IL (INDUSTRIAL LIGHT) - 3.99 ACRES

EXISTING FUTURE LAND USE
RES-6 (RESIDENTIAL - 6 DU/GA)
RES-1 (RESIDENTIAL - 1 DU/GA)
IL (INDUSTRIAL LIGHT)

PREVIOUS APPROVALS
PDR-03-51 (Z)(P)
PDMU-05-39(Z)(P)



VICINITY MAP

INDEX

COVER SHEET 1
AERIAL 2
GENERAL DEVELOPMENT PLAN 3

PROPERTY DESCRIPTION

See Sheet 2 for Property Descriptions

NOTES

1. The Site is currently zoned PD-R, PD-MU, A-1, LM and is vacant.
2. The maximum density proposed for the Site is 511 DU/GA.
3. The Site is designated as flood zones AE-7 and X on the FEMA FIRM Map Number 12081C0307E.
4. There are no known foundations, mounds or midden areas of historic origin on the Site.
5. An existing platted right-of-way, 30th Avenue East as recorded in Plat Book 1, Page 171, is located on the Site and is proposed to be vacated. There is also a dedicated right-of-way by easement, as recorded in ORB 2142, Page 30, located on the Site and is proposed to be vacated.
6. There are 2.34 acres of wetlands under the jurisdiction of SWFWMD and FDEP within the boundaries of this Site.
7. There is an existing 2" well on the site as identified on the General Development Plan that will be abandoned and plugged.
8. Common open space shall be owned and maintained by the Property Owner's or Master Developer.
9. 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.
10. Proposed signs will be consistent with Section 724 of the LDC.
11. Landscape and buffer requirements shall be in compliance with Section 715 of the Manatee County LDC, details to be provided at Preliminary or Final Site Plan.
12. Infrastructure construction will commence in 2016 and will be completed within two (2) years upon Construction Plan approval and Certificate of Level of Service approval.
13. All proposed building finished floor elevations are to be a minimum of 21" above the crown of the adjacent roadway for lots designated to drain both front and rear or 24" for lots designated from rear to front, per Manatee County details 700.3 & 700.4 or within the 100 year flood plain, a minimum of one (1) foot above the 100 year flood elevation.
14. Roads will be constructed to Manatee County standards and dedicated to Manatee County. Developer retains the option to provide Private streets designed to Manatee County standards.
15. All proposed drainage, potable water and sanitary sewer systems, including offsite sewer and water systems constructed to Manatee County standards and dedicated to Manatee County.
16. Sidewalks will be provided on both sides of all internal roadways as required.
17. Proposed uses to include Single Family Attached and Single Family Detached.
18. Proposed single family attached lots may be changed to single family detached lots at Developer's option.
19. A 6' opaque fence shall be installed along the 20' roadway buffer adjacent to the south property line beginning easterly of SWF 1and ending westerly of the proposed right-of way vacation as depicted on Sheet 3. Final location shall be determined at Final Site Plan.

REVISIONS

04.2014 REVISIONS per MANATEE COUNTY COMMENTS
06.2014 REVISIONS per MANATEE COUNTY COMMENTS
07.2014 REVISIONS per MANATEE COUNTY COMMENTS

PARCEL DATA & LAND USE SUMMARY

PARCEL DATA

Total Area of Parcel:	99.39 Acres
Total Area of Parcel zoned for non-residential uses (LM):	3.99 Acres
Total Area of Parcel to be zoned for residential uses (PD-MU):	95.40 Acres
Total Number of Proposed Units:	511 Units

UNIT SUMMARY

UNIT TYPE	GROSS/NET RESIDENTIAL ACRES	TOTAL NO. OF UNITS
SINGLE FAMILY	95.40 / 88.97 ACRES	511 UNITS
GROSS RESIDENTIAL DENSITY	*5.36 DU/GA	
NET RESIDENTIAL DENSITY	*5.74 DU/NA	

*Residential densities are calculated based on the properties that have a Future Land Use Map designation and zoning allowing for residential uses. The 3.99 acre parcel with the FLUM designation of IL is not included in the residential density calculations. (99.39 - 3.99 = 95.40)

Net Residential Density is based on the Net Residential Acres. Net Residential Acres is the Gross Residential Acreage less the area of Wetlands, Other Surface Waters (OSW) and Existing Ditches. The area of Wetlands, OSW and Existing Ditches is 6.43 Acres. (95.40 - 6.43 = 88.97)

LOT & SETBACK SUMMARY

SINGLE FAMILY ATTACHED		SINGLE FAMILY DETACHED	
LOT WIDTH	22'	LOT WIDTH	50'
LOT DEPTH	105'	LOT DEPTH	105'
FRONT SETBACK	25'	FRONT SETBACK	25'
SIDE YARD SETBACK	0'/15'	SIDE YARD SETBACK	5'
REAR YARD SETBACK	15'	REAR YARD SETBACK	15'
WETLAND BUFFER	30'	GREENBELT BUFFER	15'
WETLAND BUFFER SETBACK	15'	ROADWAY BUFFER	20'
WATERFRONT SETBACK	30'		

OPEN SPACE

OPEN SPACE SUMMARY

OPEN SPACE TYPE	ACREAGE	% of OPEN SPACE
Wetlands and Wetland Buffers	5.66 Acres	11%
Native Upland Habitat/Preservation Area (See Note 1):	17.33 Acres	35%
Other Surface Waters (OSW):	2.23 Acres	4%
Tree Preservation Areas (TPA) (See Note 2):	2.80 Acres	6%
Stormwater Facilities (SWF):	11.95 Acres	24%
Floodplain Compensation Areas (FC):	.43 Acres	1%
Greenbelt and Roadway Buffers (See Note 3):	2.73 Acres	5%
Existing Ditches/Other:	7.08 Acres	14%
TOTAL	50.21 Acres	100%
OPEN SPACE REQUIRED:	24.85 ACRES (25% OF THE TOTAL PARCEL AREA)	
OPEN SPACE PROVIDED:	50.21 ACRES (51% OF THE TOTAL PARCEL AREA)	

NOTES:

1. The area of Native Upland Habitat is located east of Sugarhouse Creek. This will be set aside as a Preservation Area to be placed in a conservation easement. In compliance with Section 603.4.20.B of the Manatee County LDC, 35% of the required open space shall be in a Preservation Area. (35% of 24.85 = 8.70 Acres). A total of 17.33 acres of Preservation Area is provided.
2. Tree Preservation Areas (TPA) are located throughout the west side of Sugarhouse Creek.
3. The acreage for Greenbelt Buffers is based on the areas west of Sugarhouse Creek. The areas identified as 15' Greenbelt Buffers on the east side of Sugarhouse creek were included in the area for Native Upland Habitat/Preservation Area.

Approval Type: GENERAL DEVELOPMENT PLAN Project Name: HUNDRED ACRE WOOD

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 0027674
LANDSCAPE ARCHITECTS | ENVIRONMENTAL CONSULTANTS
LC 0000205 LE 0000092
POST OFFICE BOX 9448 BRADENTON, FL 34206 | 201 86 AVENUE DRIVE EAST BRADENTON, FL 34208
E-MAIL: ZNS@ZNSENGINEERING.COM | TELEPHONE 941.748.8080 | FAX 941.748.3316

PREPARED FOR:
Peerage Land Company, LLC
P.O. Box 166
Mill Neck, NY 11765

AUTHORIZED AGENT/PREPARER:
ZNS ENGINEERING
201 5TH Avenue Drive East

BRADENTON, FLORIDA 34208
9417488080 EXT. 120

PROJECT DATA:
PEERAGE LAND COMPANY, LLC
42981

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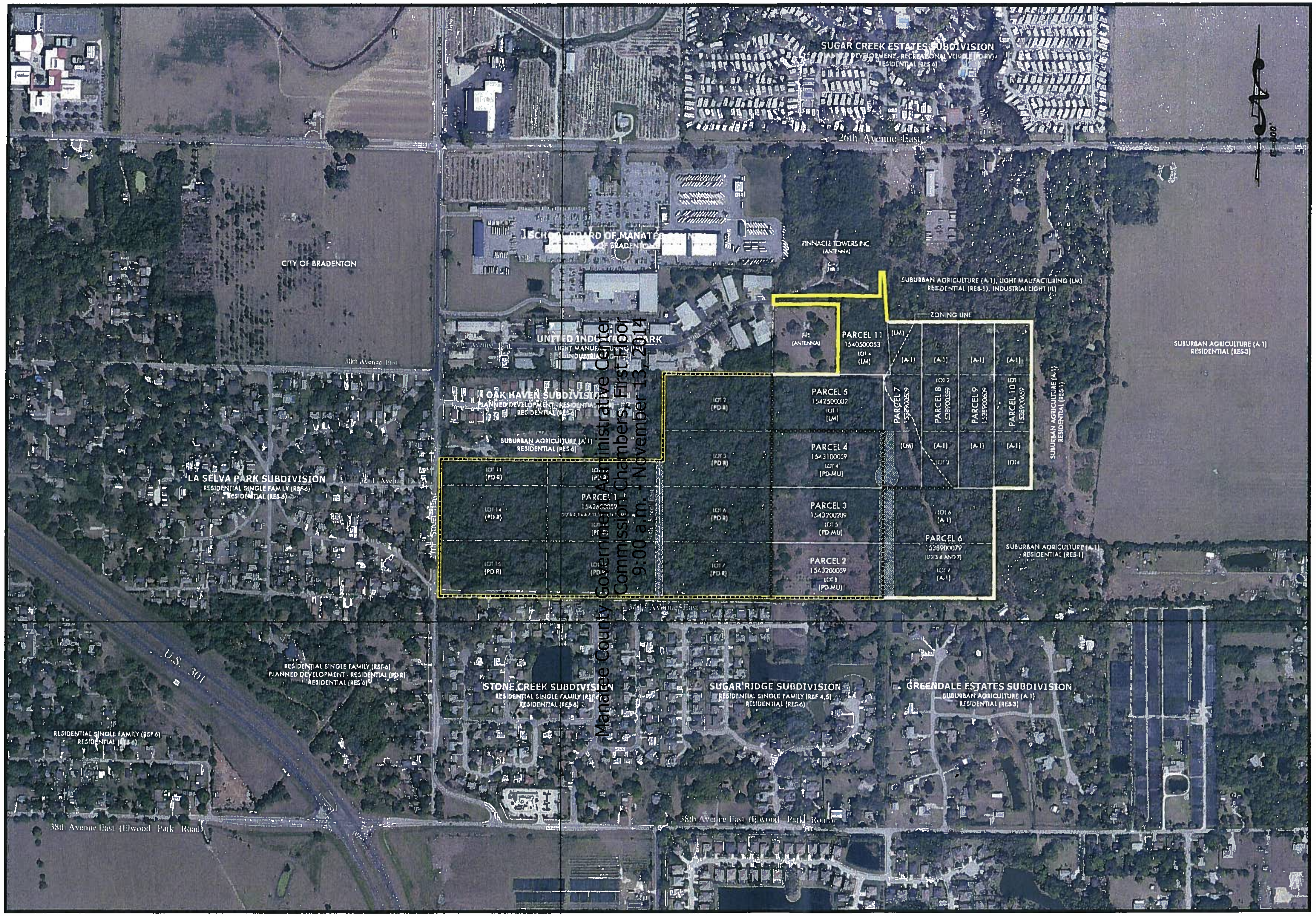
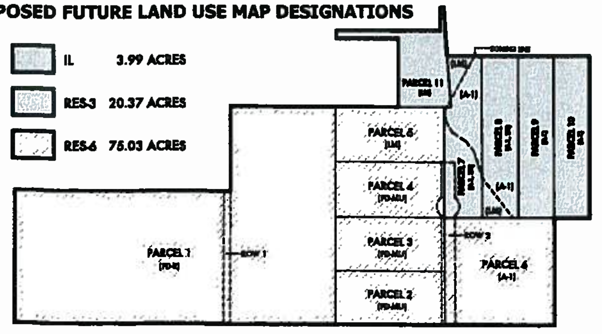
SHEET 1

Wed, 20 Aug 2014 - 8:30am V:\pcad\Fox Crossing\planning\GDP_02242014\FC-GDP SHEET 1 COVER.dwg



Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

PROPOSED FUTURE LAND USE MAP DESIGNATIONS



Note: 1.46 Acres of ROW 2 is in RES-6 and .55 Acres is in RES-3.

PARCEL INFORMATION

PARCEL	AREA	EXISTING ZONING
Parcel 1	43.99	PD-R
Parcel 2	4.89	PD-MU
Parcel 3	4.89	PD-MU
Parcel 4	4.82	PD-MU
Parcel 5	5.07	LM
Parcel 6	9.16	A-1
Parcel 7	4.58	A-1, LM
Parcel 8	5.11	A-1, LM
Parcel 9	5.01	A-1
Parcel 10	5.12	A-1
Parcel 11	3.99	LM
ROW 1*	0.75	PD-R
ROW 2*	2.01	PD-MU, A-1, LM
TOTAL	99.39	

* ROW 1 is 30th Street East.
ROW 2 is an Unnamed Right-Of Way.

LEGAL DESCRIPTIONS

PARCEL 1:
Lot 11 and 12 less the North 175 feet thereof; all of Lots 13, 14, 15, and 16; of the subdivision of the SW ¼ of the NW ¼ of Section 5, Township 35 South, Range 18 East, and Lots 2, 3, 6 and 7 of the subdivision of the SE ¼ of the NW ¼ of Section 5, Township 35 South, Range 18 East, FAIR OAKS subdivision, as per plat thereof recorded in Plat Book 1, Page 171, of the Public Records of Manatee County, Florida.

Less the rights-of-way for 27th Street East, 30th Street East and 34th Avenue East.

PARCEL 2:
Lot 8 of the SE ¼ of the NW ¼ of Section 5, Township 35 South, Range 18 East, FAIR OAKS, as per plat thereof recorded in Plat Book 1, Page 171, of the Public Records of Manatee County, Florida.

PARCEL 3:
Lot 5 of the SE ¼ of the NW ¼ of Section 5, Township 35 South, Range 18 East, FAIR OAKS, as per plat thereof recorded in Plat Book 1, Page 171, of the Public Records of Manatee County, Florida.

PARCEL 4:
Lot 4 of the SE ¼ of the NW ¼ of Section 5, Township 35 South, Range 18 East, FAIR OAKS, as per plat thereof recorded in Plat Book 1, Page 171, of the Public Records of Manatee County, Florida.

PARCEL 5:
Lot 1 of the SE ¼ of the NW ¼ of Section 5, Township 35 South, Range 18 East, FAIR OAKS, as per plat thereof recorded in Plat Book 1, Page 171, of the Public Records of Manatee County, Florida.

PARCEL 6:
Lots 6 and 7 of the SW ¼ of the NE ¼ of Section 5, Township 35 South, Range 18 East, FAIR OAKS, as per plat thereof recorded in Plat Book 1, Page 171, of the Public Records of Manatee County, Florida.

PARCEL 7:
Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 00°11'48" W along the West line of the NE ¼ of Section 5, 742.70 feet; thence leaving said West line, run S 04°01'23" E, 266.02 feet for a Point of Beginning; thence S 89°45'49" E, 200.22 feet; thence S 00°08'51" W, 1008.39 feet to the Southerly line of Lot 3 of the "FAIR OAKS" Subdivision of the SW ¼ of the NE ¼ of Section 5; thence run N 89°39'40" W along the South line of said Lot 3, 229.66 feet to the SW corner thereof; thence N 00°11'48" E along the West line of Lots 3 & 2 (also being the West line of the NE ¼ of Section 5, 660.00 feet to the NW corner of Lot 2; thence S 89°39'40" E along the North line of said Lot 2, 45.23 feet; thence N 04°01'23" W, 349.02 feet to the Point of Beginning.

Together with a Private Easement for ingress and egress over the Easterly 20.00 feet of the following described parcel:

Begin at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 89°51'58" E along said Southerly right-of-way, 221.42 feet; thence leaving said right-of-way line, run S 00°10'19" W, 1008.38 feet; thence N 89°45'49" W, 202.28 feet; thence N 04°01'23" W, 266.02 feet to a point on the West line of the NW ¼ of the NE ¼ of Section 5; thence N 00°11'48" E along said West line of the NW ¼ of the NE ¼ of Section 5, 742.70 feet to the Point of Beginning.

PARCEL 8:
Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 00°11'48" W along the West line of the NE ¼ of Section 5, 742.70 feet; thence leaving said West line, run S 04°01'23" E, 266.02 feet; thence S 89°45'49" E, 209.22 feet for a Point of Beginning; thence S 89°45'49" E, 220.49 feet; thence S 00°08'51" W, 1008.79 feet to the Southerly line of Lot 3 of the "FAIR OAKS" Subdivision of the SW ¼ of the NE ¼ of Section 5; thence run N 89°39'40" W along the South line of said Lot 3, 220.49 feet; thence N 00°08'51" E, 1008.39 feet to the Point of Beginning.
Together with a Private Easement for ingress and egress over the Easterly 20.00 feet of the following described property:

Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 89°51'58" E along said Southerly right-of-way, 221.42 feet for a Point of Beginning; thence continue S 89°51'58" E along said Southerly right-of-way, 221.42 feet; thence leaving said right-of-way line, run S 00°08'51" W, 1008.78 feet; thence N 89°45'49" W, 221.85 feet; thence N 00°10'19" W, 1008.38 feet to the Point of Beginning.

PARCEL 9:
Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 00°11'48" W along the West line of the NE ¼ of Section 5, 742.70 feet; thence leaving said West line, run S 04°01'23" E, 266.02 feet; thence S 89°45'49" E, 429.71 feet for a Point of Beginning; thence S 89°45'49" E, 216.27 feet; thence S 00°07'23" W, 1009.17 feet to the Southerly line of Lot 3 of the "FAIR OAKS" Subdivision of the SW ¼ of the NE ¼ of Section 5; thence run N 89°39'40" W along the South line of said Lot 3, 216.70 feet; thence N 00°08'51" E, 1008.79 feet to the Point of Beginning.
Together with a Private Easement for ingress and egress over the Easterly 20.00 feet of the following described property:

Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 89°51'58" E along said Southerly right-of-way, 442.84 feet for a Point of Beginning; thence continue S 89°51'58" E along said Southerly right-of-way, 221.42 feet; thence leaving said right-of-way line, run S 00°07'23" W, 1009.18 feet; thence N 89°45'49" W, 221.85 feet; thence N 00°08'51" W, 1009.78 feet to the Point of Beginning.

PARCEL 10:
Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 00°11'48" W along the West line of the NE ¼ of Section 5, 742.70 feet; thence leaving said West line, run S 04°01'23" E, 266.02 feet; thence S 89°45'49" E, 645.98 feet for a Point of Beginning; thence S 89°45'49" E, 220.35 feet; thence S 00°04'26" W, 1009.56 feet to the Southerly line of Lot 4 of the "FAIR OAKS" Subdivision of the SW ¼ of the NE ¼ of Section 5; thence run N 89°39'40" W along the South line of said Lots 3 & 4, 221.22 feet; thence N 00°07'23" E, 1009.17 feet to the Point of Beginning.

Together with Private Easement for ingress and egress over the Easterly 20.00 feet of the following described property:

Commence at a point located on the Southerly right-of-way line of 26th Avenue East, said point being S 00°11'48" W, 33.00 feet from the NW corner of the NE ¼ of Section 5, Township 35 South, Range 18 East, Manatee County, Florida; thence run S 89°51'58" E along said Southerly right-of-way, 664.26 feet for a Point of Beginning; thence continue S 89°51'58" E along said Southerly right-of-way, 221.42 feet; thence leaving said right-of-way line, run S 00°05'54" W, 1009.57 feet; thence N 89°45'49" W, 221.85 feet; thence N 00°07'23" W, 1009.18 feet to the Point of Beginning.

Less those portions of Parcels 1, 2 and 3 lying within road right of way deeded to Manatee County and recorded in OR Book 2142, Page 3080, of the Public Records of Manatee County, Florida.

PARCEL 11:
BEG AT PT WHERE CENTER OF OLD DITCH INTERSECTS A FORTY FT RD 729 FT M/L S OF NW COR OF NE1/4 OF NW1/4 SEC 5, TH WITH CENTER OF DITCH S 88 DEG 30 MIN E 1346.6 FT S 4 DEG 20 MIN E A DIST OF 609 4/5 FT TO PT IN CENTER OF CREEK, TH W 1419.6 FT TO CENTER OF ABOVE MENTIONED FORTY FT RD, N ON CENTER OF RD 650 FT TO BEG; LESS 10 AC AS DESC IN OR 1004 P 2640; LESS 3.69 AC, M/L, AS DESC IN OR 1239 P 3434 & SUBJ TO INGRESS & EGRESS EASMT AS DESC IN OR 1239 P 3436; TOGETHER WITH & SUBJ TO TEMPORARY PRIVATE ST AS DESC IN (1277/1648); LESS THAT PART INCL IN THE FOL DESC PARCEL: COM AT THE NE COR OF THE NW1/4 OF SEC 5; TH S 89 DEG 10 MIN 04 SEC W ALONG THE N LN OF SD SEC 5, A DIST OF 22.15 FT; TH S 00 DEG 00 MIN 58 SEC E, PARALLEL TO THE E LN OF THE NW1/4 OF SD SEC 5, A DIST OF 442.48 FT TO THE POB; TH CONT S 00 DEG 00 MIN 58 SEC E ALONG SD E LN A DIST OF 458.88 FT; TH S 89 DEG 44 MIN 35 SEC W A DIST OF 636.02 FT TO THE INTERSECTION WITH THE E LN OF UNITED INDUSTRIAL PARK SUB, AS PER PB 21 PGS 106-107, SD PT BEING ON THE N R/W LN OF 29TH AVE E; TH N 00 DEG 04 MIN 54 SEC E ALONG THE SD E LN A DIST OF 160.14 FT M/L TO THE C/L OF AN EXISTING DITCH; TH S 86 DEG 55 MIN 21 SEC E ALONG THE C/L OF SD DITCH A DIST OF 91.46 FT; TH N 00 DEG 01 MIN 10 SEC W A DIST OF 306.01 FT; TH N 89 DEG 57 MIN 36 SEC E, A DIST OF 545.07 FT TO THE POB

SUBJECT TO PERTINENT EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD, IF ANY.

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

REVISIONS
1 12.2013 GENERAL REVISIONS PER REVIEW
2 04.2014 REVISIONS PER MANATEE COUNTY COMMENTS
3 04.2014 REVISIONS PER MANATEE COUNTY COMMENTS
4
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6
7

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AERIAL AND LEGAL DESCRIPTIONS
FOR
HUNDRED ACRE WOOD for
PEERAGE LAND COMPANY, LLC
LOCATED IN
SECTION 5, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

DESIGNED GE
DRAWN GE
DATE 02/24/2014
JOB NO. 4208
SCALE 1"=300'
SHEET 2

Wed, 20 Aug 2014 - 9:30am V:\acad\Fox Crossing\planning\GDP_02242014\FC-GDP SHEET 2 AERIAL.dwg

DEVELOPMENT DATA SUMMARY

Total Area of Parcel:	99.39 Acres
Total Area of Parcel zoned for non-residential uses (LM):	3.99 Acres
Total Area of Parcel to be zoned for residential uses (PD-MU):	95.40 Acres
Total Number of Proposed Units:	511 Units
Gross Residential Density of Development (See Note 1):	5.36 Un/Ac
Total Developable Area of Parcel (See Note 2):	67.24 Acres
Total Area within FEMA DFIRM 100 Year Flood Zone:	18.28 Acres
Total Area of FEMA DFIRM Impact (See Note 3):	.27 Acres
Total Area of Floodplain Compensation (FC):	.29 Acres
Total Area of Stormwater Facilities (SWF) (See Note 4):	9.42 Acres
Total Area of Wetlands and Wetland Buffers (See Table):	5.66 Acres
Total Area of Other Surface Waters (OSW):	2.23 Acres
Total Area of Tree Preservation (West of Sugarhouse Creek):	2.80 Acres
Total Area of Native Upland Habitat (East of Sugarhouse Creek):	17.33 Acres

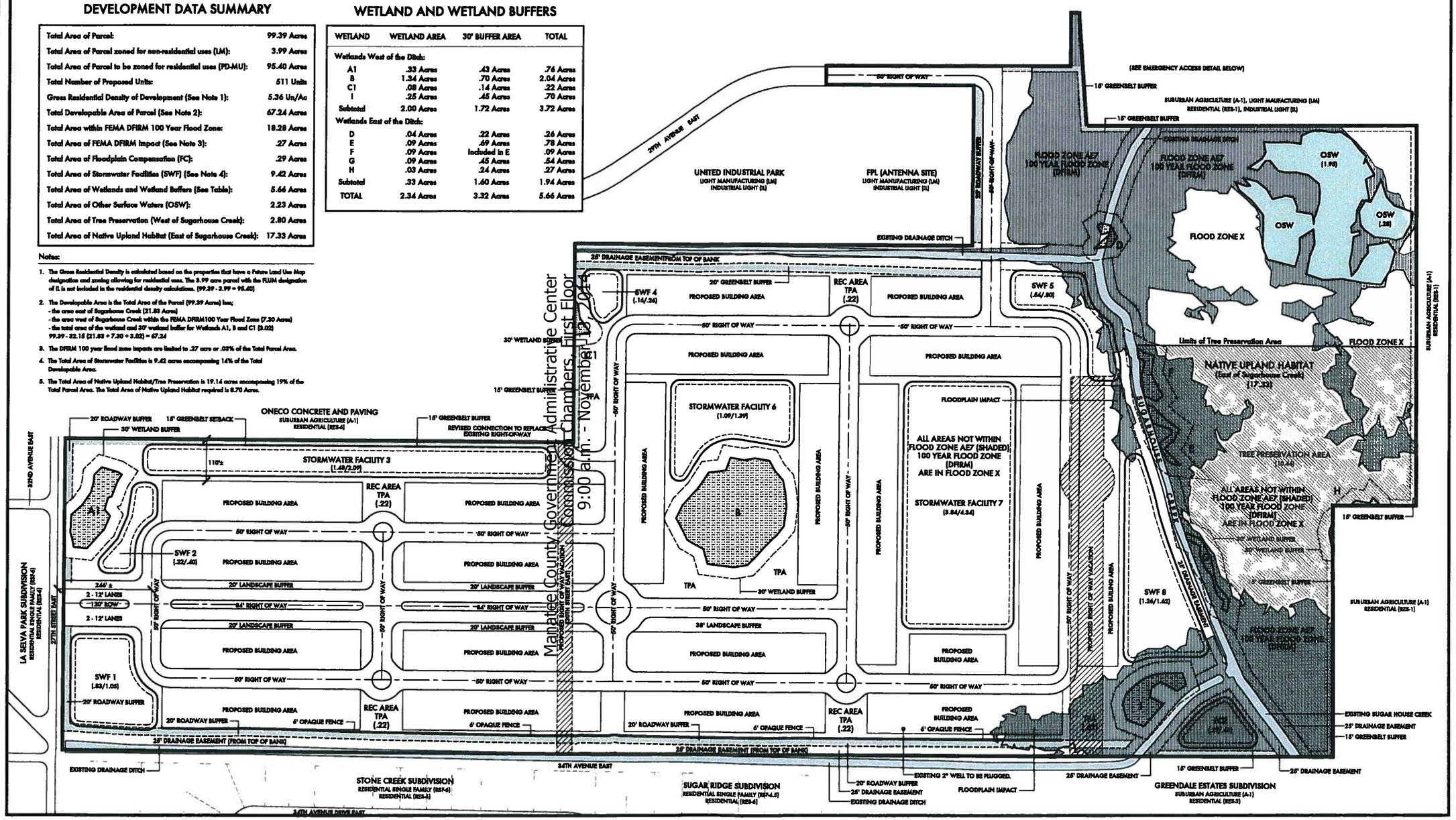
Notes:

1. The Gross Residential Density is calculated based on the properties that have a Future Land Use Map designation and zoning allowing for residential uses. The 3.99 acre parcel with the FLUM designation of IL is not included in the residential density calculations. (99.39 - 3.99 = 95.40)
2. The Developable Area is the Total Area of the Parcel (99.39 Acres) less;
   - the area east of Sugarhouse Creek (21.83 Acres)
   - the area west of Sugarhouse Creek within the FEMA DFIRM100 Year Flood Zone (7.30 Acres)
   - the total area of the wetland and 30' wetland buffer for Wetlands A1, B and C1 (3.02)

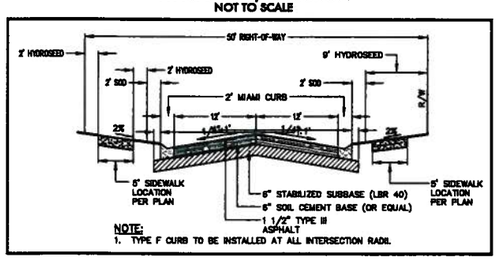
   99.39 - 32.15 (21.83 + 7.30 + 3.02) = 67.24
3. The DFIRM 100 year flood zone impacts are limited to .27 acre or .03% of the Total Parcel Area.
4. The Total Area of Stormwater Facilities is 9.42 acres encompassing 14% of the Total Developable Area.
5. The Total Area of Native Upland Habitat/Tree Preservation is 19.14 acres encompassing 19% of the Total Parcel Area. The Total Area of Native Upland Habitat required is 8.70 Acres.

WETLAND AND WETLAND BUFFERS

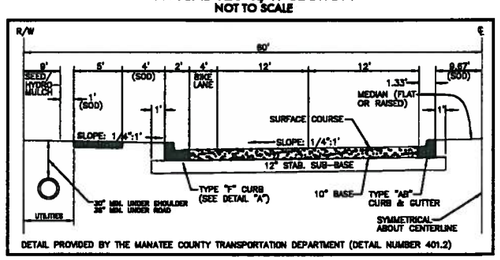
WETLAND	WETLAND AREA	30' BUFFER AREA	TOTAL
Wetlands West of the Ditch:			
A1	.33 Acres	.43 Acres	.76 Acres
B	1.34 Acres	.70 Acres	2.04 Acres
C1	.08 Acres	.14 Acres	.22 Acres
I	.25 Acres	.45 Acres	.70 Acres
Subtotal	2.00 Acres	1.72 Acres	3.72 Acres
Wetlands East of the Ditch:			
D	.04 Acres	.22 Acres	.26 Acres
E	.09 Acres	.69 Acres	.78 Acres
F	.09 Acres	Included in E	.09 Acres
G	.09 Acres	.45 Acres	.54 Acres
H	.03 Acres	.24 Acres	.27 Acres
Subtotal	.33 Acres	1.60 Acres	1.94 Acres
TOTAL	2.34 Acres	3.32 Acres	5.66 Acres



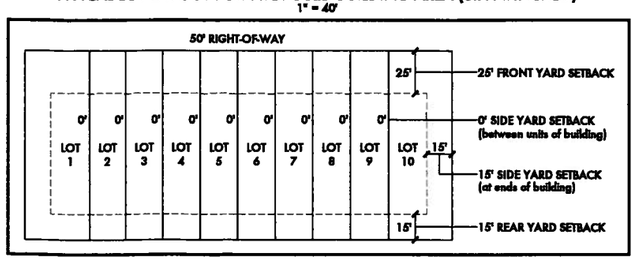
TYPICAL 50' R/W SECTION
NOT TO SCALE



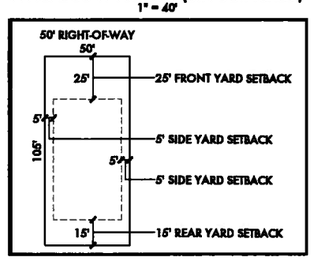
TYPICAL 120' R/W SECTION
NOT TO SCALE



TYPICAL LOT LAYOUT FOR PROPOSED BUILDING AREA (S.F. ATTACHED)
1" = 40'



TYPICAL 50' X 105' LOT (S.F. DETACHED)
1" = 40'



1" = 120'

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

REVISIONS
1. 12-2013 ORIGINAL SUBMITTAL
2. 4-14-2014 REVISIONS PER AGENCY COMMENTS
3. 5-27-2014 REVISIONS TO REF. SUBDIVISIONS AND SURROUNDING USES
4. 8-14-2014 REVISIONS TO REF. SUBDIVISIONS AND SURROUNDING USES, AND ATTACHED SUBMITTAL
5. 8-18-2014 REVISIONS TO REF. SUBDIVISIONS AND SURROUNDING USES, AND ATTACHED SUBMITTAL
6. 8-20-2014 REVISIONS TO REF. SUBDIVISIONS AND SURROUNDING USES, AND ATTACHED SUBMITTAL
7. 9-15-2014 REVISIONS TO REF. SUBDIVISIONS AND SURROUNDING USES, AND ATTACHED SUBMITTAL

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THIS DOCUMENT IS PROTECTED BY SECTION 106 OF THE UNITED STATES COPYRIGHT ACT. REPRODUCTION OR ALTERATION OF THIS DOCUMENT OR ANY PART THEREOF WITHOUT THE WRITTEN PERMISSION OF ZNS ENGINEERING, L.C. VIOLATES FEDERAL LAW AND SUBJECTS THE VIOLATOR TO LEGAL PROSECUTION. UNAUTHORIZED REVISIONS TO THIS DOCUMENT MAY ALSO VIOLATE PROFESSIONAL ENGINEERING LAWS OF THE STATE OF FLORIDA AND PROSECUTION BY REGULATORY AGENCIES WITH P.E. CHAPTER 119.

GENERAL DEVELOPMENT PLAN
FOR
HUNDRED ACRE WOOD for
PEERAGE LAND COMPANY, LLC
LOCATED IN
SECTION 6, TOWNSHIP 35 SOUTH, RANGE 18 EAST
MANATEE COUNTY, FLORIDA

DESIGNED: DR
DRAWN: DR
DATE: 12/24/2014
SCALE: 1"=120'
SHEET 2

Wed, 20 Aug 2014 - 9:30am V:\Local\Fox Crossing\Planning\GDP_02242014\FC-GDP SHEET 3 GDP.dwg

November 13, 2014 Planning Commission
Agenda Item #6

Subject
LDCT-14-05/Ordinance 14-49-DTS20140411-Manatee County Initiated Land Development Code Text Amendment-Chapter 7 Sections 714.8.7 and 715.34-Legislative-Joel Christian

Briefings
None

Contact and/or Presenter Information

Joel Christian

Principal Manager

941-748-45-01 ext. 6206

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 in accordance with Section 503 of the Land Development Code, I move to Recommend ADOPTION of Manatee County Ordinance 14-49, amending the Manatee County Land Development Code, as amended, as recommended staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion

• Revise Section 714.8.7, Required Replacement Caliper Minimums, by changing the minimum caliper replacement tree to allow replacement tree sizes at 3”/4”/4” instead of 3”/5”/7”.

• Revise Section 715.3.4, Residential Street Trees, to allow:
a. one (1) tree per lot per frontage when proposed lots have less than 100’ of frontage, and
b. lots less than 60 feet of frontage to be planted with smaller maturing canopy trees or understory trees.

• The above revisions have been made on a case by case basis with Planned Development applications through the Specific Approval process. Staff has been recommending the above revisions based on the following reasons:

? Section 714.8.7. Tree Replacement Alternatives.
The intent of this change is to reduce the size of replacement trees to match inventories that tree nurseries typically produce. The majority of plant nurseries plan to bring to market canopy trees at the average size of 3 inch caliper, with most trees sold in the 2 inch to 4 inch caliper range. This is the size range when the tree is developed for a central leader with evenly spaced branching emitting from this dominant leader. The "Plant List" publication has nurseries listing where at least 2/3 of the live oak nursery listings are for trees less than 5 inch caliper.

Additionally, the 3 and 4 inch caliper sized tree establishes in the landscape in a much shorter period of time than trees ranging in size from 5 inch to 7 inch caliper. It takes about three and one-half months per caliper inch to establish a tree in the landscape. This results in an established 3 inch tree in less than one year versus two years for a seven inch tree. Smaller trees can begin to catch up in growth to the larger trees.

? Section 715.3.4. Residential Street Trees.
A minimum of one tree is recommended to be installed on lots less than one hundred feet in width in order to allow for adequate space for the street tree to accommodate public and private sidewalks, driveways, water lines, electrical transformers, gas lines, street lights and side yard drainage and utilities easements. Healthy tree canopies will flourish and reduce impacts to the built infrastructure on residential lots. Adequate tree spacing reduces competition with neighboring tree canopies, resulting in fully developed canopies. The canopy that results with the recommended change to spacing is seen as sustainable, resulting in shading of sidewalks and at least partial shading of streets.

For proposed lots less than sixty feet in width, an intermediate sized tree may be used in order to fit within pavement and utilities and be sustainable. This is to tie into The Florida Friendly Landscaping™ principle of Right Plant, Right Place. Section 714.8.5 has language that replacement residential street trees are dependent on lot size. The recommended amendment specifies the size lot which may be planted with smaller, maturing trees.

• Staff recommends approval of the amendments as proposed.

County Attorney Review
Other (Requires explanation in field below)

Explanation of Other
Sarah Schenk reviewed and responded by email on 10-15-14

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: Staff Report-LDCT-14-05-Ord. 14-49-11-13-14 PC.pdf
Attachment: Ordinance 14-49-PC11-13-14 .pdf
Attachment: Copy of Newspaper Advertising - LDC Amend. - Trees - LDCT-14-05-Ord. 14-49 - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - LDC Amend. - Trees - LDCT-14-05 - Ord. 14-49 - Sarasota Herald Tribune - 11-13-14 P.pdf

LDCT-14-05/ORDINANCE 14-49 - LAND DEVELOPMENT CODE TEXT AMENDMENT

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; amending the Land Development Code Chapter 7, Development Standards of General Applicability, Section 714, Tree Protection; Section 714.8, Tree Replacement Alternatives; Section 714.8.7 to amend Tree Replacement Caliper Minimums; Section 715, Landscaping and Screening Standards; Section 715.3.4, Residential Street Trees; to modify the standards for trees within a residential Development; providing for other amendments as may be necessary for internal consistency; setting forth findings; providing for codification; providing for applicability; providing for severability; and providing an effective date.

P.C.: 11/13/2014 **B.O.C.C. : 12/4/2014 and 1/8/2015**

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 in accordance with Section 503 of the Land Development Code, I move to Recommend ADOPTION of Manatee County Ordinance 14-49, amending the Manatee County Land Development Code, as amended, as recommended staff.

PROPOSED AMENDMENTS:

1. **Revise Section 714.8.7, Required Replacement Caliper Minimums, by changing the minimum caliper replacement tree to allow replacement tree sizes at 3”/4”/4” instead of 3”/5”/7”.**
2. **Revise Section 715.3.4, Residential Street Trees, to allow:**
    a. **one (1) tree per lot per frontage when proposed lots have less than 100’ of frontage, and**
    b. **lots less than 60 feet of frontage to be planted with smaller maturing canopy trees or understory trees.**

SUMMARY/BACKGROUND:

The above revisions have been made on a case by case basis with Planned Development applications through the Specific Approval process. Staff has been recommending the above revisions based on the following reasons:

Section 714.8.7. Tree Replacement Alternatives.

The intent of this change is to reduce the size of replacement trees to match inventories that tree nurseries typically produce. The majority of plant nurseries plan to bring to market canopy trees at the average size of 3 inch caliper, with most trees sold in the 2 inch to 4 inch caliper range. This is the size range when the tree is developed for a central leader with evenly spaced branching emitting from this dominant leader. The “Plant List” publication has nurseries listing where at least 2/3 of the live oak nursery listings are for trees less than 5 inch caliper.

Additionally, the 3 and 4 inch caliper sized tree establishes in the landscape in a much shorter period of time than trees ranging in size from 5 inch to 7 inch caliper. It takes about three and one-half months per caliper inch to establish a tree in the landscape. This results in an established 3 inch tree in less than one year versus two years for a seven inch tree. Smaller trees can begin to catch up in growth to the larger trees.

Section 715.3.4. Residential Street Trees.

A minimum of one tree is recommended to be installed on lots less than one hundred feet in width in order to allow for adequate space for the street tree to accommodate public and private sidewalks, driveways, water lines, electrical transformers, gas lines, street lights and side yard drainage and utilities easements. Healthy tree canopies will flourish and reduce impacts to the built infrastructure on residential lots. Adequate tree spacing reduces competition with neighboring tree canopies, resulting in fully developed canopies. The canopy that results with the recommended change to spacing is seen as sustainable, resulting in shading of sidewalks and at least partial shading of streets.

For proposed lots less than sixty feet in width, an intermediate sized tree may be used in order to fit within pavement and utilities and be sustainable. This is to tie into The Florida Friendly Landscaping™ principle of Right Plant, Right Place. Section 714.8.5 has language that replacement residential street trees are dependent on lot size. The

recommended amendment specifies the size lot which may be planted with smaller, maturing trees.

RECOMMENDATION:

The proposed changes to Sections 715.3.4 and 714.8.7 have been part of specific approvals during BOCC hearings on several residential developments for the previous several years. The recommended revisions to the Land Development Code language will codify practices that have been in place during those years. Staff recommends the proposed changes be made to the Manatee County Land Development Code so the staff recommendations can be made on a County wide basis rather than on an individual, case-by-case basis.

TEXT CHANGES SHOWN IN STRIKE THRU/UNDERLINE FORMAT:

714.8.7. When trees are removed with an approved tree removal permit, such trees shall be replaced as follows:

Existing Tree Size	Required Replacement Caliper Minimum	Ratio of Replacement Trees to Removed Trees
4″—15″ D.B.H.	3″	1:1
16″—30″ D.B.H.	~~5″~~ 4”	2:1
Over 30″ D.B.H.	~~7″~~ 4”	3:1

715.3.4. *Residential Street Trees.*

- ~~Prior to C.O.,~~ ~~o~~One (1) canopy tree shall be planted within twenty-five (25) feet of the right-of-way of each local street within a residential development for every fifty (50) linear feet, or substantial fraction thereof, of right-of-way when proposed lots have a minimum of 100 feet of frontage or greater. When proposed lots have less than 100’ feet of frontage, street trees shall be limited to (1) canopy tree per frontage. None of these required trees shall be planted within a public or private utilities easement. Palm trees may not be utilized to meet this requirement, unless they are grouped with a minimum of two (2) used for each canopy tree. A maximum of twenty-five (25) per cent of all proposed residential street trees may be palm trees.

- For proposed lots with less than 60 feet of frontage smaller maturing canopy trees or understory trees may be utilized.

- The trees shall be spaced no closer together than twenty-five (25) feet, unless a decorative grouping or alternative method is chosen by the developer. Existing native trees should be used to fulfill these requirements wherever they meet the spacing and size requirements and are adequately protected during construction.

- Responsibility for installation and initial maintenance is the developer's on all common areas within the project. Responsibility for the property owner's installation and maintenance of the trees shall be placed within the Homeowner's Documents and/or Deed Restrictions governing the development. Such trees shall be installed prior to Certificate of Occupancy for each individual unit.

CONSISTENCY WITH THE MANATEE COUNTY COMPREHENSIVE PLAN

This proposed amendment is consistent with the following goals, objectives and policies of the Manatee County Comprehensive Plan:

Policy: 2.1.2.7

Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- consideration of existing development patterns,
- types of land uses,
- transition between land uses,
- density and intensity of land uses,
- natural features,
- approved development in the area,
- availability of adequate roadways,
- adequate centralized water and sewer facilities,
- other necessary infrastructure and services.
- limiting urban sprawl
- applicable specific area plans

(See also policies under Objs. 2.6.1 - 2.6.3)

Implementation Mechanism(s):

a) Planning Department review of all plan amendments and development proposals for consistency with this policy.

b) Placement of conditions, as necessary on development orders to ensure policy compliance.

Policy: 2.6.1.1

Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use

techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:

- use of undisturbed or undeveloped and landscaped buffers
- use of increased size and opacity of screening
- increased setbacks
- innovative site design (which may include planned development review)
- appropriate building design
- limits on duration/operation of uses
- noise attenuation techniques
- limits on density and/or intensity [see policy 2.6.1.3]

Implementation Mechanism(s):

a) Maintain setback, screening, buffering, and other appropriate mitigation techniques in land development regulations.

b) Planning Department review of development approvals to ensure policy compliance.

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

- connection, integration, and compatibility with surrounding land uses,
- community spaces and focal points,
- protection of the natural environment,
- connection and integration of pedestrian, bicycle, and vehicular systems,

- usable open spaces, and public access to water features,

- unifying design elements and features,

- variety of housing stock,

- pedestrian oriented structures, and pedestrian friendly design,

- connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses.

Policy: 2.9.4.3 Maintain appropriate sign regulations, landscaping requirements, special setbacks, building and site design criteria, and other appropriate limitations on the use of land, to create and maintain an aesthetically pleasing environment.

Implementation Mechanism:

a) Revision to the Land Development Code to achieve compliance with this policy as appropriate.

ATTACHMENTS:

1. **Ordinance 14-49**
2. **Copy of Newspaper Advertisement**

ORDINANCE 14-49
LAND DEVELOPMENT CODE TEXT AMENDMENT

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT; AMENDING THE LAND DEVELOPMENT CODE CHAPTER 7, DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY, SECTION 714, TREE PROTECTION; SECTION 714.8, TREE REPLACEMENT ALTERNATIVES;SECTION 714.8.7 TO AMEND TREE REPLACEMENT CALIPER MINIMUMS ;SECTION 715, LANDSCAPING AND SCREENING STANDARDS;SECTION 715.3.4, RESIDENTIAL STREET TREES; TO MODIFY THE STANDARDS FOR TREES WITHIN A RESIDENTIAL DEVELOPMENT; PROVIDING FOR OTHER AMENDMENTS AS MAY BE NECESSARY FOR INTERNAL CONSISTENCY; SETTING FORTH FINDINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in Community Planning Act, codified in the applicable portions of Chapter 163, Part II, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners relies upon the following findings in the adoption of this Ordinance:

~~1. Section 714~~

~~2.~~1. ~~1.~~ Section 714, LDC sets forth standards for trees, including the replacement of trees that have been removed due to development of property.

~~3.~~2. ~~2. S~~Section 715, LDC sets forth the requirements for the installation and maintenance of landscaping on property being developed.

~~4.~~3. ~~3.~~ The County has initiated an amendment to the LDC designated Application LDCT-14-05 to amend the LDC to update the standards for replacement trees and residential street trees.

4. ~~5~~It is in the interest of the public health, safety and welfare to amend the provisions of Sections 714.8.7 and 715.3.4 of the Code pertaining to procedures and standards required for replacement tree size and the required number and type of street trees per lot in a residential subdivision.

5. ~~6~~The Manatee County Planning Commission held a duly noticed and advertised public hearing on ~~xxx, 2014~~ 11/13/14, received public comments, the staff report and has reviewed the amendments set forth in this Ordinance and has found these amendments to be consistent with the Manatee County Comprehensive Plan and the standards for review in Section 503 of the Code, and has recommended their adoption to the Board, ~~on xxx~~12/4/~~20~~14 and ~~xxxx~~01/8/15.

Section 3. Amendment of Section 714, Tree Protection of the Land Development Code. Section 714 of the Code is hereby amended as set forth in Exhibit "A" to this Ordinance.

Section 4. Amendment of Section 715, Landscape and Screening Standards of the Land Development Code. Section 715 of the Code is hereby amended as set forth in Exhibit "B" to this Ordinance.

Section 5. Codification. The publisher of the County's Land Development Code, the Municipal Code Corporation, is directed to incorporate the amendments in Sections 2 and 3 and as shown in Exhibit A of this Ordinance into the Land Development Code.

Section 6. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 7. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 8. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the __ day of _____, 201~~4~~5.

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: _____
, Chairman

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

By: _____
Deputy Clerk

~~ORDINANCE EXHIBIT "A"~~
~~NEW OR DELETED Text FOR SECTION 714~~
~~(underline language added, strike-through language deleted)~~
Exhibit A for Ordinance No. 14-49
Section 714, Tree Replacement Alternatives
Additions to text indicated by underlining and deletions by strikeout

Section 714.8 Tree Replacement Alternatives

***

714.8.7. When trees are removed with an approved tree removal permit, such trees shall be replaced as follows:

Existing Tree Size	Required Replacement Caliper Minimum	Ratio of Replacement Trees to Removed Trees
4″—15″ D.B.H.	3″	1:1
16″—30″ D.B.H.	~~5″~~ 4"	2:1
Over 30″ D.B.H.	~~7″~~ 4"	3:1

Exhibit B for Ordinance No. 14-49

Section 715, Landscape and Screening Standards

Additions to text indicated by underlining and deletions by strikeout.

~~Section 715, Landscape and Screening Standards~~

***

715.3.4. *Residential Street Trees.*

- ~~Prior to C.O.~~ ~~O~~oOne (1) canopy tree shall be planted within twenty-five (25) feet of the right-of-way of each local street within a residential development for every fifty (50) linear feet, or substantial fraction thereof, of right-of-way when proposed lots have a minimum of 100 feet of frontage or greater. When proposed lots have less than 100' feet of frontage, street trees shall be limited to (1) canopy tree per frontage. None of these required trees shall be planted within a public or private utilities easement. Palm trees may not be utilized to meet this requirement, unless they are grouped with a minimum of two (2) used for each canopy tree. A maximum of twenty-five (25) per cent of all proposed residential street trees may be palm trees.

- For proposed lots ~~less~~ with less than 60 feet of frontage smaller maturing canopy trees or understory trees may be utilized.

- The trees shall be spaced no closer together than twenty-five (25) feet, unless a decorative grouping or alternative method is chosen by the developer. Existing native trees should be used to fulfill these requirements wherever they meet the spacing and size requirements and are adequately protected during construction.

- Responsibility for installation and initial maintenance is the developer's on all common areas within the project. A notice of ~~r~~Responsibility for the property owner's installation and maintenance of the trees shall be drafted in a notice recorded in the

public records~~. Placed within the Homeowner's Documents and/or Deed Restrictions~~ governing the development. ~~Such trees shall be installed prior to Certificate of Occupancy for each individual unit.~~

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

The Manatee County Planning Commission will hold a public hearing to consider amendments to certain provisions of the Manatee County Land Development Code (Ordinance 90-01, as amended) and make a recommendation to the Board of County Commissioners as to the consistency of the proposed Ordinances with the Comprehensive Plan and as to whether the proposed ordinance should be adopted, adopted with modifications, or denied.

Date: Thursday, November 13, 2014

Time: 9:00 AM or soon thereafter

Place: Manatee County Government
Administrative Center
1112 Manatee Avenue West,
1st Floor Chambers

LDCT-14-05/ORDINANCE 14-49 - LAND DEVELOPMENT CODE TEXT AMENDMENT

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; amending the Land Development Code Chapter 7, Development Standards of General Applicability, Section 714, Tree Protection; Section 714.8, Tree Replacement Alternatives; Section 714.8.7 to amend Tree Replacement Caliper Minimums; Section 715, Landscaping and Screening Standards; Section 715.3.4, Residential Street Trees; to modify the standards for trees within a residential Development; providing for other amendments as may be necessary for internal consistency; setting forth findings; providing for codification; providing for applicability; providing for severability; and providing an effective date.

The 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.

Interested parties may examine the proposed Ordinances and related documents and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida; telephone number (941) 748-4501 EXT. 6878; e-mail to: planning.agenda@mymanatee.org

Rules of procedure for this public hearing are in effect pursuant to Resolution 13-189(PC). A copy of this Resolution is available for review or purchase from the Building and Development Services 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 34205

All written comments will be entered into the record.

For More Information: Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 748-4501 x 6878, between 8:00 AM - 5:00 PM.

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

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

093494

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

NOTICE OF LAND DEVELOPMENT CODE CHANGES IN UNINCORPORATED MANATEE COUNTY

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For More Information: Copies of the proposed amendment will be available for review and copying at cost approximately ten (10) days prior to the public hearing. Information may also be obtained by calling 748-4501 x 6878, between 8:00 AM - 5:00 PM.

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

SAID HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

November 13, 2014 Planning Commission
Agenda Item #7

Subject
Ordinance 14-30-DTS20140228-Lakewood Centre-DRI #27-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 made at the public hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan, the Manatee County Land Development Code, and Section 380.06, Florida Statutes, and finding that the Applicant has rebutted the presumption that the proposed changes submitted as a Notification of Proposed Change (NOPC) on May 15, 2014 are a substantial deviation by submitting information that rebuts the presumption by clear and convincing evidence, subject to the conditions of approval established in the Development Order, I move to recommend APPROVAL of DRI #27 and ADOPTION of Manatee County Ordinance No. 14-30, as recommended by staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion
• The request is to:
– Add 796.22 + acres to the Lakewood Centre DRI. The additional property is located south of S.R/ 64,, east

of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of future White Eagle Boulevard. The NOPC for the DRI has been filed concurrently with an amendment to the Lakewood Centre GDP to add the additional acreage and change the zoning on the additional acreage from A (General Agriculture) to PDMU (Planned Development Mixed Use);
– Adopt Ordinance 14-30 for the following changes to the Lakewood Centre Development of Regional Impact:
• Provide Specific Approval of Phases 2 and 3 of the development;
• Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
• Add the 796.22 + acres to the boundaries of the project; and
• Other amendments for internal consistency.
• The existing Lakewood Centre DRI contains 697.4± acres and is generally located north of .S.R 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road (to the east) and south of Malachite Drive, approximately two miles south of S.R. 64.
• This DRI was approved in three phases in August, 2008 to allow the following uses:
? 3,675 residential units
? 1,774,000 sq. ft. of commercial
? 1,563,000 sq. ft. of office, and
? 300 hotel rooms
• The entitlements for the DRI are not changing.
• Staff recommends approval.

County Attorney Review
Other (Requires explanation in field below)

Explanation of Other
Sarah Schenk reviewed and responded on 10-14-14

Reviewing Attorney
Schenk

Instructions to Board Records
N/A

Cost and Funds Source Account Number and Name
N/A

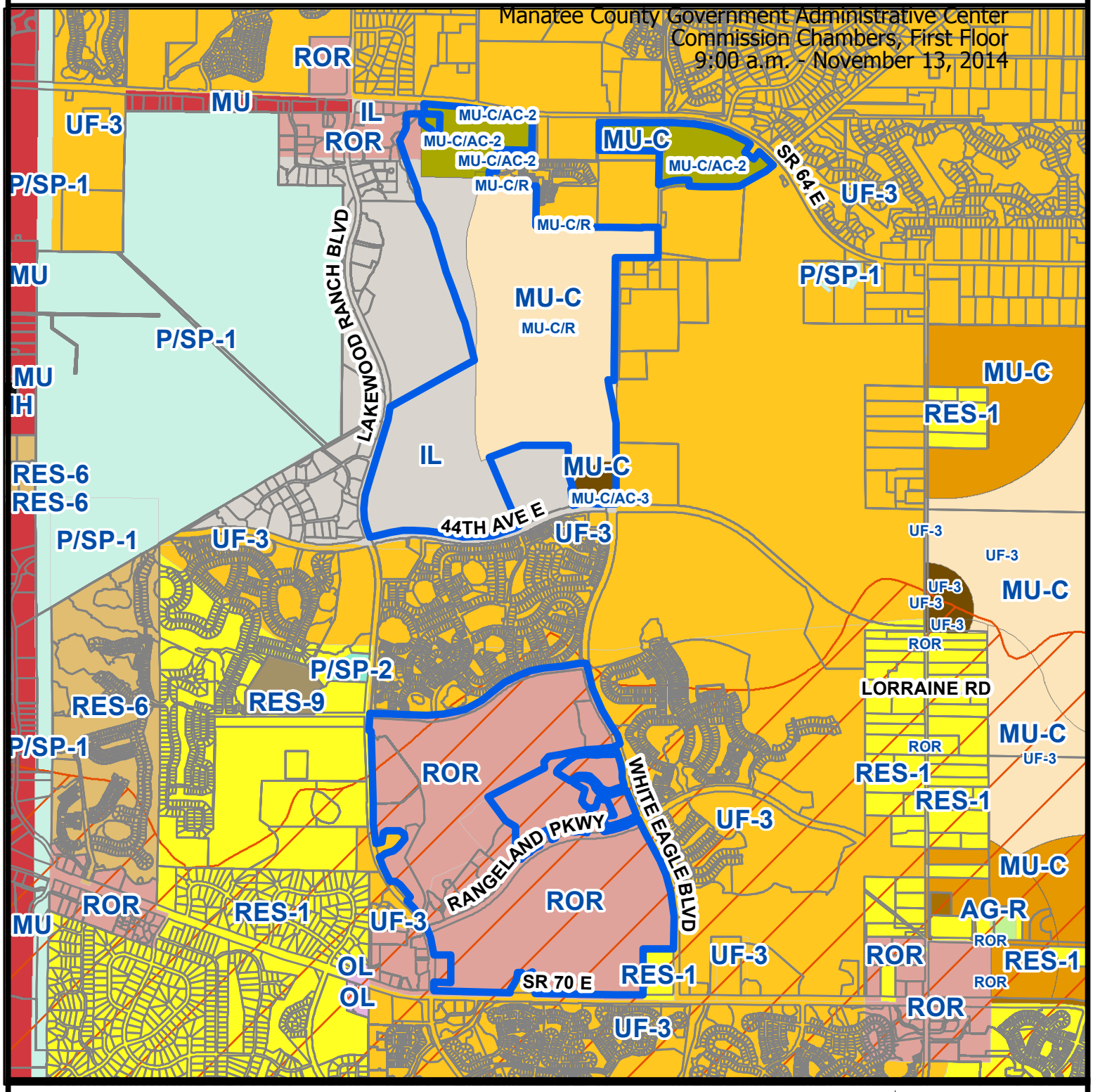
Amount and Frequency of Recurring Costs
N/A

Attachment: Lakewood Center DRI #27-Maps FLU-Zonning-Aerial-11-13-14 PC.pdf
Attachment: Staff Report-Ordinance 14-30- DRI #27-Lakewood Centre-11-13-14 PC.pdf
Attachment: TBRPC Staff Report-Lakewood Center DRI #27-11-13-14 PC.pdf
Attachment: Consistency with State Comprehensive Plan Report-Lakewood Center DRI #27-11-13-14 PC.pdf
Attachment: Consistency with Manatee County Comprehensive Plan Report-Lakewood Center DRI #27-11-13-14 PC.pdf
Attachment: LDA-13-03 NW Sector Lakewood Center-11-13-14 PC .pdf
Attachment: Ordinance Lakewood Centre DRI-Ordinance 14-30-11-13-14 PC.pdf
Attachment: Traffic Impact Analysis-Ordinance 14-30-Lakewood Centre DRI-11-13-14 PC.pdf

Attachment: Copy of Newspaper Advertising - Lakewood Centre DRI27 - Ord. 14-30 - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre DRI27 - Ord. 14-30 - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: Master Plan-Map H-Lakewood Center DRI #27-11-13-14 PC.pdf

FUTURE LAND USE

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014



Parcel ID #(s) Multiple

Manatee County
Staff Report Map

Map Prepared 4 / 2014

1 inch = 2,908 feet

Project Name: Lakewood Centre - NOPC, DO and Map H Amendment
Project #: DRI # 27 / ORD 14-30
DTS#: 20140228
Proposed Use: Mixed Use

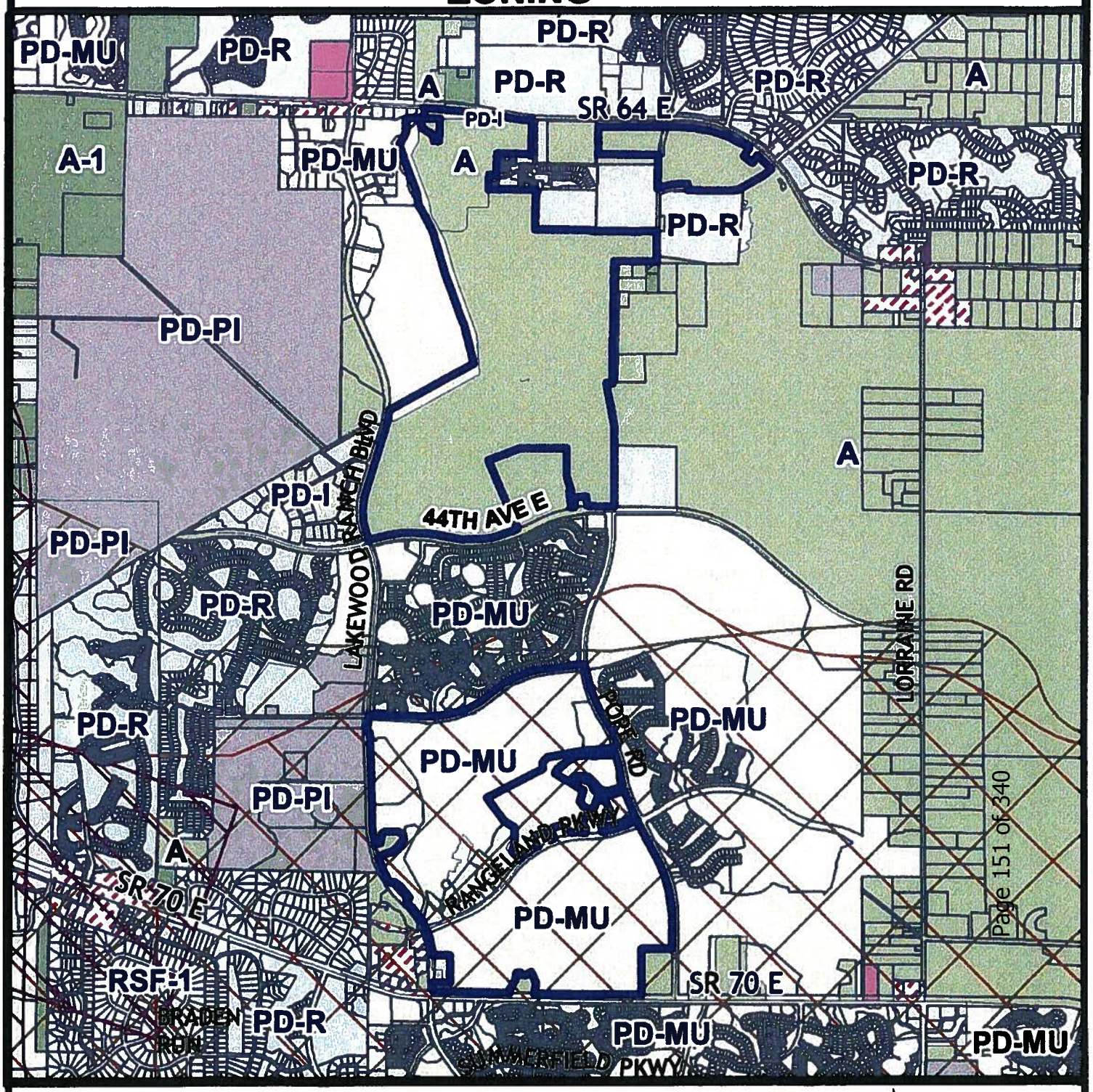
S/T/R: Sec 5,6,7,8,29,32,33 Twn 34 ,35 Rng 19
Acreage: ± 1,493.61
Existing Zoning: A, PD-MU, PD-I
Existing FLU: IL, ROR, MU-C
Overlays: ST
Special Areas: NONE

CHH: N
Watershed: WPE
Drainage Basin: Gates Creek, Williams Creek, Mill Creek, Wolf Slough
Commissioner: Vanessa Baugh

Centerline

Evers Watershed (WPE)

ZONING



Parcel ID #(s) Multiple

Manatee County
Staff Report Map
Map Prepared 4 / 2014
1 inch = 2,908 feet

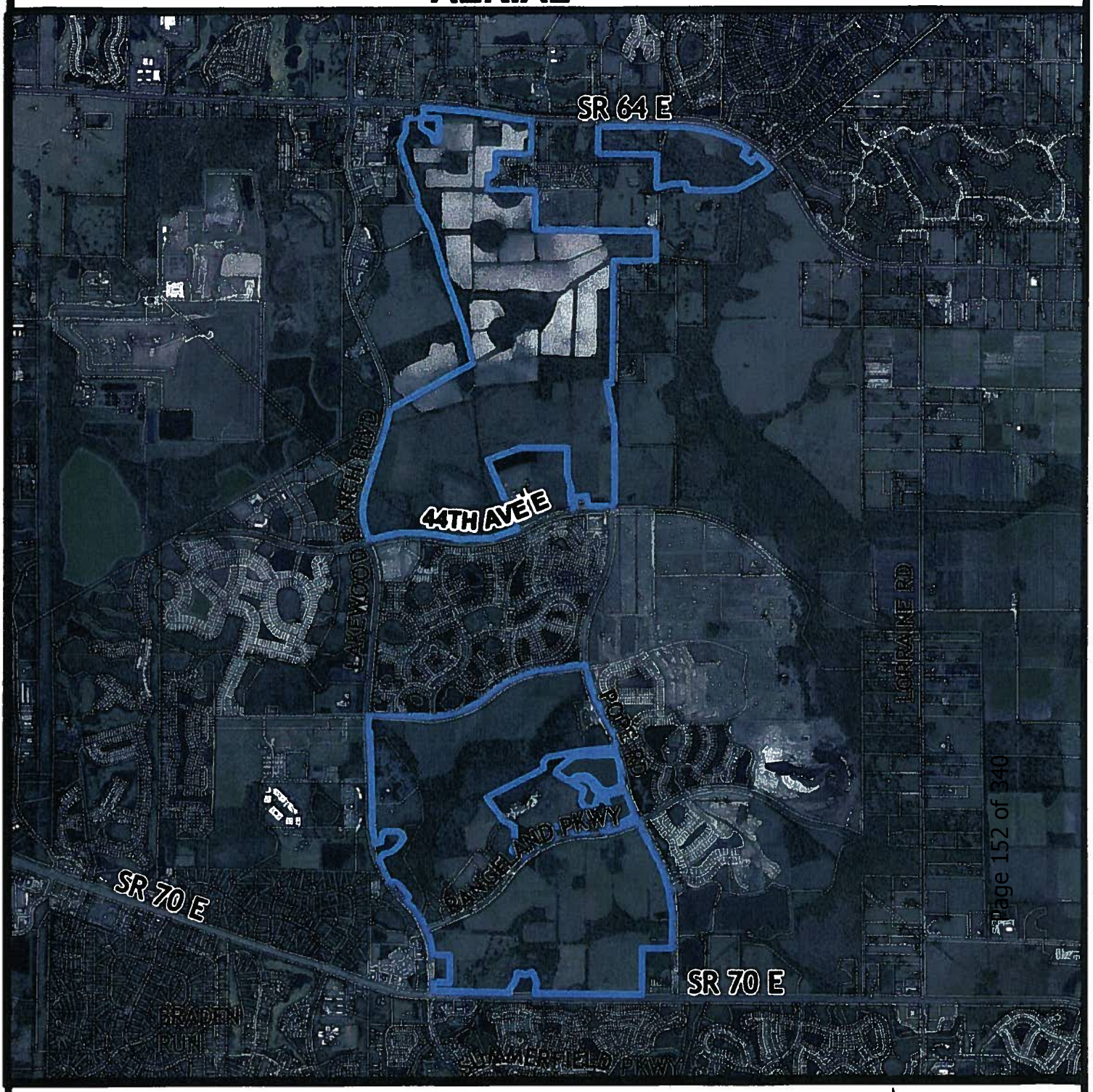
Project Name: Lakewood Centre - NOPC, DO and Map H Amendment
Project #: DRI # 27 / ORD 14-30
DTS#: 20140228
Proposed Use: Mixed Use

S/T/R: Sec 3 Twn 35 Rng 19
Acreage: ± 1,493.61
Existing Zoning: A, PD-MU, PD-I
Existing FLU: IL, ROR, MU-C
Overlays: ST
Special Areas: NONE

CHH: N
Watershed: WPE
Drainage Basin: Gates Creek, Williams Creek, Mill Creek, Wolf Slough
Commissioner: Vanessa Baugh

Special Treatment
Evers Watershed (WPE)

AERIAL



Manatee County
Staff Report Map
Map Prepared 4 / 2014
1 inch = 2,908 feet

Parcel ID #(s)	Multiple
Project Name:	Lakewood Centre - NOPC, DO and Map H Amendment
Project #:	DRI # 27 / ORD 14-30
DTS#:	20140228
Proposed Use:	Mixed Use
S/T/R:	Sec 3 Twn 35 Rng 19
Acreage:	± 1,493.61
Existing Zoning:	A, PD-MU, PD-I
Existing FLU:	IL, ROR, MU-C
Overlays:	ST
Special Areas:	NONE
CHH:	N
Watershed:	WPE
Drainage Basin:	Gates Creek, Williams Creek, Mill Creek, Wolf Slough
Commissioner:	Vanessa Baugh

ORDINANCE 14-30 LAKEWOOD CENTRE (DRI #27)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1) Add 796.22 ± acres to the boundaries of the DRI;
2) Granting Specific Approval of Phases 2 and 3;
3) Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4) Reflect revised development totals consistent with the previously approved land use exchange; and
5) Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 ± acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 ± acres). Rezoning of the 796.22 ± acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

P.C.: **11/13/2014** **B.O.C.C.:** **12/04/2014**

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, the Manatee County Land Development Code, and Section 380.06, Florida Statutes, and finding that the Applicant has rebutted the presumption that the proposed changes submitted as a Notification of Proposed Change (NOPC) on May 15, 2014 are a substantial deviation by submitting information that rebuts the presumption by clear and convincing evidence, subject to the conditions of approval established in the Development Order, I move to recommend APPROVAL of DRI #27 and ADOPTION of Manatee County Ordinance No. 14-30, as recommended by staff.

CASE SUMMARY

CASE NO.: **DRI #27, Lakewood Centre**

APPLICANT: **SMR North 70, LLC**

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

1) **Add 796.22 ± acres to the boundaries of the DRI;**
2) **Grant Specific Approval of Phases 2 and 3;**
3) **Reflect the satisfaction of Mitigation of Transportation Impacts of the project through build-out;**
4) **Reflect revised development totals consistent with the previously approved Land Use Exchange; and,**
5) **Other amendments for internal consistency.**

STAFF RECOMMENDS: **Approval**

REQUEST, LOCATIONAL INFORMATION, AND LAND USE CHARACTERISTICS

- **The existing Lakewood Centre DRI is generally north of S.R. 70 between Lakewood Ranch Boulevard (to the west), White Eagle Boulevard (fka Pope Road) to the east), south of Malachite Drive, and approximately 2 miles south of S.R. 64. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) for the existing portion of the DRI, PDI (Planned Development Industrial), and A (General Agriculture) for the additional lands.**

- **To the NORTH of the existing DRI lands, across Malachite Drive, is Northwest Sector DRI (approved November 1, 2007) zoned PDMU (Planned Development Mixed Use) and developed with a residential single family development (Central Park). To the North of the additional lands are predominantly single family developed areas, zoned PDR.**

- **To the SOUTH of the existing DRI lands, across State Road 70, is Cypress Banks DRI, zoned PDMU/WP-E/ST, and developed with single family residential development and a neighborhood commercial center. To the SOUTH of the additional lands is the Northwest Sector DRI, zoned PDMU and developed with a residential single family development (Central Park).**

- **To the EAST of the existing DRI lands, across White Eagle Boulevard (fka Pope Road), is Northwest Sector DRI zoned PDMU and developed with single family residential development and a golf course (Esplanade and Bridgewater). To the**

EAST of the additional lands are several tracts zoned PDR and are under active development as single family residential, as well as lands zoned A and are used as active agricultural properties.

- **To the WEST of the existing DRI lands, across Lakewood Ranch Blvd., are Lakewood Ranch District Park and Lakewood Ranch High School zoned PDPI, and a neighborhood commercial center, zoned PDC. To the WEST of the additional lands is Lakewood Ranch Commerce Park, zoned PDMU and developed with a variety of retail and service businesses.**

History

1) August 8, 2008 – Ordinance 08-13 was approved adopting the original Lakewood Centre DRI Development Order and the associated Zoning Ordinance to allow for the following:

   Three phases of development with:

   - 3,675 residential units;
   - 1,774,000 sq. ft. of commercial;
   - 1,563,000 sq. ft. of office; and
   - 300 hotel rooms.

2) December 6, 2012 – Ordinance 12-28 was approved with the following changes:

   - Updated phasing and build-out dates to reflect legislatively approved extensions;
   - Updated conditions to reflect compliance with conditions contained therein;
   - Removal of established minimum and maximum entitlements within the Land Use Equivalency Matrix; and
   - Modifications of affordable housing conditions.

3) October 3, 2013 – Ordinance 13-28 was approved with the following changes:

   - Updated phasing and build-out dates to reflect legislatively approved extensions;
   - Updated conditions to reflect compliance with conditions contained therein; and
   - Clarified the procedures for a land use exchange.

Request

This Notification of Proposed Change application represents the addition of 796.22 ± acres to the approved Lakewood Centre DRI, which currently contains 697.4 ± acres. There are no requests for additional entitlements for the new 1,493 ± ace boundary of the DRI. Previously approved development totals will be re-allocated to parcels within the additional lands.

The application also reflects the recognition of Manatee County's approval of a Local Development Agreement (LDA) which confers concurrency approval upon Phases 2 and 3. The LDA recognized that Specific Approval for these phases was required through this NOPC process and the granted concurrency certificate will become effective upon the approval of the amended Development Order.

There are no changes to the plan of development (other than the re-location of entitlements to parcels in the additional lands) and no changes to the phasing, build-out, commencement or termination date.

Additionally, there is recognition of the previously approved land use exchange which updates the Development Totals contained in Table 1 of the Development Order and on Map H.

This application requests approval of an amendment to the Lakewood Centre Development Order (DO) and Map H, and is accompanied by a companion revision to the Zoning Ordinance and General Development Plan (GDP) as well. The addition of lands to the boundary of the Lakewood Centre Development and the relocation of entitlements within the Lakewood Centre DRI, create the requirement for the processing of a Notification of Proposed Change (NOPC). The Tampa Bay Regional Planning Council reviews and provides a recommendation to Manatee County on the proposed NOPC. Following a decision by the Board of County Commission, the DO will be rendering a copy to the state land planning agency (Department of Economic Opportunity). The DEO then has the right to review and appeal, if necessary, the amendment if they believe the change creates a reasonable likelihood of new or additional regional impacts.

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

1) Add 796.22 ± acres to the boundaries of the DRI.

The additional lands required an amendment to the Comprehensive Plan to change the Future Land Use designation on a portion of the new property, from R/O/R (Retail/Office/Residential) and IL (Industrial Light) to MU-C (Mixed Use – Community). The Comprehensive Plan Amendment has been reviewed by the Tampa Bay Regional Planning Council and the Florida Department of Economic Opportunity (DEO) and will be considered for adoption by the Board of County Commissioners concurrently with the consideration of **this NOPC** and accompanying zoning of the property to the PDMU (Planned Development Mixed Use) district.

The lands, while currently undeveloped, are surrounded by a varied land use pattern. The northern, southern and western boundaries are dominated by either currently entitled lands or are developed with non-residential and residential land uses. While some lands along the eastern boundary remain in use as agriculture, the development of the central portion of the subject property will serve as a transitional use from the Lakewood Ranch Commerce Park.

There is a planned system of thoroughfare roadways and planned utilities that will serve the additional lands. There are also, in the immediate vicinity, an elementary school, a high school, and a post-secondary school, as well as a regional county park.

The existing Development Order contains conditions ensuring workforce housing, the provision of adequate public facilities, and the assurance, through the adopted Local Development Agreement (LDA), that those public facilities will be adequately provided for in the future.

The addition of lands to the DRI, which has not previously been reviewed, is presumed to create a substantial deviation, and such a presumption must be rebutted by clear and convincing evidence. The applicant has provided responses in the ADA questionnaire related to the additional lands and the staff recommends a finding that the applicant has rebutted the presumption that the proposed changes submitted as an Notification of Proposed Change (NOPC) on May 15, 2014, are a substantial deviation by submitting information that rebuts the presumption by clear and convincing evidence, subject to the conditions of approval in the Development Order, and that there is no likelihood of additional regional impacts.

Following adoption of the Comprehensive Plan Amendment for a portion of the additional property, staff recommends approval of the changes to the Development Order to add the 796.22 ± acres into the Lakewood Centre DRI.

2) Grant Specific Approval of Phases 2 and 3 of the DRI

The Lakewood Centre DRI initially received Specific Approval of the first phase of development and conceptual approval of the later phases of development. The Development Order requires the applicant to provide further analysis for transportation and air quality in order to receive Specific Approval of later phases. The Local Development Agreement (LDA) for Lakewood Centre and Northwest Sector was approved by the Board of County Commissioners on November 7, 2013. As a part of this LDA, the applicant submitted traffic studies which were prepared in the manner required for a DRI and analyzed the required impacts through build-out of the projects. These traffic studies set forth certain transportation improvements to be completed prior to development of the remainder of the phases in order to meet concurrency requirements. The approval of the projects and the Florida Statutes allow for flexibility in favor of broader traffic solutions to satisfy the applicant's transportation concurrency, including a proportionate share contribution to cover the project's proportionate share of the costs to construction improvements needed to mitigate the transportation impacts for not only Lakewood Centre DRI, but also the Northwest Sector DRI. The LDA recognizes that the Proportionate Share Mitigation (PSM) satisfies the requirements of Florida Statutes and the mitigation plans for the project through the agreement to construct White Eagle Boulevard (fka Pope Road). Because of the substantial private contribution to Manatee County's infrastructure made by the applicant, pursuant to the LDA, the Lakewood Centre DRI received a CLOS for the project through the build-out date of the project The LDA also recognized that an NOPC would need to be processed concurrent with the Specific Approval for the remaining two phases. Therefore, the additional analysis was completed and study reviewed and approved in 2013 to meet this requirement. The applicant also submitted an air quality analysis with this NOPC application in support of this request.

The request, which has not previously been reviewed, is presumed to create a substantial deviation and such presumption must be rebutted by clear and convincing evidence. The applicant has provided responses in the ADA questionnaire related to the additional lands and the staff recommends a finding that the applicant has rebutted the presumption that the proposed changes submitted as an Notification of Proposed Change (NOPC) on May 15, 2014, are a substantial deviation by submitting information

that rebuts the presumption by clear and convincing evidence, subject to the conditions of approval in the Development Order, and that there is no likelihood of additional regional impacts.

The amended DO reflects the recognition that the requirements for mitigation of Phases 2 and 3 transportation impacts, and therefore, staff recommends approval of Specific Approval for Phases 2 and 3 of the Lakewood Centre DRI.

3) Reflect the satisfaction of Transportation mitigation of impacts of the project through build-out.

As stated above, the LDA adopted on November 7, 2013, included a traffic study addressing traffic impacts through build-out of the project. The traffic study set forth certain transportation improvements to be completed prior to development of the remainder of the phases in order to meet concurrency requirements. Florida Statutes allow for flexibility in favor of broader traffic solutions to satisfy an applicant's transportation concurrency, including a proportionate share contribution to cover the project's share of the costs to construction improvements needed to mitigate the transportation impacts. The LDA recognizes that the Proportionate Share Mitigation (PSM) satisfies the requirements of Florida Statutes and the mitigation plans for the project through the agreement to construct White Eagle Boulevard (fka Pope Road), as well as dedication of future right-of-way satisfies the mitigation for the transportation impacts of Lakewood Centre through build-out.

As the amended DO reflects the requirements to satisfy transportation impacts through the build-out of the project, staff supports the language in the proposed amendment DO. This change may be found to not be a substantial deviation.

4) Reflect revised development totals consistent with the previously approved Land Use Exchange.

On October 3, 2013, the Board of County Commissioners approved an amendment to the Lakewood Centre Zoning Ordinance to provide for a land use exchange. The Land Use Equivalency Matrix allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications. The conversion formulas are based on p.m. peak hour trip generation factors.

The DO identifies procedures to process such land use exchanges. Specifically, in seeking approval of a specific land use exchange, an applicant shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation which have been approved and authorized in the CLOS issued for that phase or sub-phase. Additionally, the applicant shall demonstrate that a proposed land use mix will not generate the need for additional affordable housing beyond the amount for which the supply has been demonstrated to be available.

This information was provided by the applicant and was reviewed by Manatee County with the application to amend the previously approved Zoning Ordinance.

This request is to recognize the existing development totals, effective following the approval of the Land Use exchange, as identified below:

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022*	Phase 2 2009 – 2021*	Phase 3 2012-2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	**3,239**
Single-family	1,008	200	236	**1,444**
Total	**1,908**	**2,000**	**775**	**4,683**
Commercial/Office (sq. ft.)				
Retail	360,000	542,000	772,000	**1,674,000**
Office	358,000	458,000	647,000	**1,463,000**
Total	**718,000**	**1,000,000**	**1,419,000**	**3,137,000**
Hotel (rooms)	**300**	**-0-**	**-0-**	**300**

Source: WilsonMiller, April 2006
* The phasing buildout dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363).

The amended DO reflect the updated development totals, as of the last ZO amendment, and therefore, staff supports the language in the proposed amendment DO. Staff has determined that this change is not a substantial deviation.

5) Other amendments for internal consistency.

The changes to dates, department changes, and a reference to the Tampa Bay Regional Planning Council, as necessary, have been made as necessary. Staff has no objection to these changes.

<u>Consistency with State Comprehensive Plan</u>

This request to add lands to the original DRI for Lakewood Centre may be found to be consistent with the Housing, Water Resources, Natural Systems and Recreational Lands, Energy, Land Use and Public Facilities goals and policies of the State Comprehensive Plan. Consistent with Housing Goal and Policy (b) of the State Comprehensive Plan, the project's development order requires the provision of workforce housing, as defined by Manatee County, in an amount equal to 10% of the residential units constructed in all phases. Also, consistent with Water Resources Goal and Policies (a) and (b) of the State Comprehensive Plan, the development order contains conditions to ensure that water-saving and conservation systems are used through the project.

The Natural Systems and Recreational Lands Goal states that Florida shall protect and acquire unique natural habitats and ecological systems. Consistent with Policies (a) and (b) of the State Comprehensive Plan, there are no impacts to any Natural Resources of Regional Significance with either the original DRI boundaries or within the expansion lands.

The Land Use Goal of the Florida Comprehensive Plan requires that development be directed to those areas which have in place, or have agreements to provide, the land and water resources to accommodate growth. Policy (b) promotes development that encourages efficient development and the enhancement of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational areas. The Lakewood Centre DRI is a mixed use project, providing a variety of housing opportunities, employment-based non-residential development, and educational and recreational opportunities for all of its residents.

Finally, the Transportation Policy (b) of the Florida Comprehensive Plan promotes ride sharing by public and private sector employees. The developer is proposing the following condition in the amended Development Order:

"Developer shall encourage transportation system management (TSM) measures such as the use of carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion and shall provide information to residents and employers on available opportunities."

Consistency with Manatee County Comprehensive Plan/Land Development Regulations

The request to add land to the existing DRI required an amendment to the local Comprehensive Plan to change the Future Land Use Category on a portion of the expansion area from R/O/R (Retail/Office/Residential) and IL (Industrial Light) to MU-C (Mixed Use – Community, as well as a rezone of the lands from A (Agriculture) to PDMU (Planned Development Mixed Use). A re-allocation of both residential and non-residential development from the existing Lakewood Center DRI boundary to the expansion lands represents a continuation of the existing development pattern in the surrounding area. The lands which represent the expansion of the Lakewood Centre DRI, while currently undeveloped, are surrounded by a varied land use pattern. The northern, southern and western boundaries are dominated by either entitled lands or are developed with both residential and non-residential land uses. While some of the lands along the eastern boundary remain in use as agriculture, the development of the central portion of the DRI will serve as a transition use from the Lakewood Ranch Commerce Park. Also, the new DRI boundary are bordered by a planned system of thoroughfare roadways and planned utilities. In the vicinity, there is an elementary school, high school, a post-secondary school, as well as a regional county park. Employment opportunities are also located within the immediate area and the proposed development program will provide further opportunities for living and working within the Lakewood Centre DRI.

The Land Development Code Section 603.16 states that the intent of the PDMU (Planned Development Mixed Use) district is to establish a complimentary grouping of residential, commercial, office, and industrial uses. Further, these districts are to be developed at appropriate locations and in accordance with the goals, objectives and policies of the Comprehensive Plan. PDMU developments shall be scaled and balanced to reduce general

traffic congestion, and provide interdependent uses and uses which are compatible with adjacent and surrounding land uses.

Consistency with the Tampa Bay Regional Planning Council's (TBRPC) Report

The TBRPC report states that "it is the opinion of this agency that no unmitigated regional impacts would be expected upon inclusion of the 796.72 ± acres within the boundaries of the DRI, based upon the recommendations/representations… referenced in the TBRPC report. The amended Development Order contains language that ensures that the changes, as identified in the application, are adhered to.

As stated above, the Lakewood Centre DRI is a mixed use project, providing a variety of housing opportunities, employment-based non-residential development, and educational and recreational opportunities for all of its residents. This concept is consistent with the intent of the PDMU zoning district.

Conclusion

Staff finds that the proposed NOPC to the Lakewood Centre DRI is consistent with the State Comprehensive Plan, the Strategic Regional Policy Plan, the TBRPC Report, and the Manatee County Comprehensive Plan and Land Development Code. Staff also concludes that, with the assurances and conditions contained in the amended Development Order, the proposed development does not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan, and recommends approval of the amendments as shown in strike-thru/underline format in the attached ordinance.

ATTACHMENTS:

1. Tampa Bay Regional Planning Council (TBRPC) Report, including correspondence dated June 30, 2014 from Mr. Richard Stiles
2. Consistency with State Comprehensive Plan/Land Development Regulations
3. Consistency with Manatee County Comprehensive Plan
4. Northwest Sector/Lakewood Centre LDA (11/7/2013)
5. Ordinance 14-30
6. Traffic Impact Analysis
7. Copy of Newspaper Advertising

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

DOAR

Tampa Bay Regional Planning Council

Development Order Amendment Report
4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, FL 33782
Phone (727) 570-5151 / FAX (727) 570-5118
www.tbrpc.org

DRI #265 - LAKEWOOD CENTRE
MANATEE COUNTY

On October 10, 2013, Manatee County rendered Ordinance No. 13-28 to the Tampa Bay Regional Planning Council. The Ordinance reflects an amendment adopted by the Board of County Commissioners on October 3, 2013.

BACKGROUND

On August 26, 2008, the Manatee County Board of County Commissioners rendered to the Tampa Bay Regional Planning Council (TBRPC) Ordinance No. 08-13, a Development Order adopted on August 5, 2008. The Development Order granted specific approval for only the first of a three-phase project owned by SMR North 70, LLC. The 697.4-acre mixed-use development is located along the north side of S.R. 70 between Lakewood Ranch Boulevard (to the west) and Pope Road (to the east), south of Malachite Drive and approximately two miles south of S.R. 64.

The Development Order was previously amended once, on December 6, 2012 (Ordinance No. 12-28). The Amendment authorized the following modifications to the Development Order: updated buildout and Development Order expiration dates to reflect previously granted extensions; updated Development Order verbiage to reflect previously completed requirements; modified Affordable Housing conditions to reflect current Manatee County procedures; and revised the "Minimums" and "Maximums" associated with the Land Use Equivalency Matrix.

The following constitutes the approved phasing schedule:

LAND USE		PHASE 1 (11/21/2020)	PHASE 2* (11/21/2019)	PHASE 3* (11/21/2024)	TOTAL
RESIDENTIAL	(UNITS)	900	2,000	775	3,675
	(Multi-Family)	(900)	(1,800)	(539)	(3,239)
	(Single-Family/Semi-Detached & Attached)	(0)	(200)	(236)	(436)
RETAIL	(SQ. FT.)	460,000	542,000	772,000	1,774,000
OFFICE	(SQ. FT.)	458,000	458,000	647,000	1,563,000
HOTEL	(ROOMS)	300	0	0	300

* - Specific approval of Phases 2 & 3 is contingent upon further Section 380.06, F.S. transportation and air quality analyses and verification of water supply availability.

DEVELOPMENT ORDER AMENDMENT

The Ordinance authorized the following modifications to the Development Order:

- Updated the Phasing and Build-out dates to reflect previously granted extensions;
- Updated Conditions to reflect prior compliance;
- modify the Land Use Exchange provisions (i.e. Section 4.G.2.) regarding the designated timing associated with CLOS issuance and the timing associated with public utility and school availability confirmations; and
- Other amendments for internal consistency.

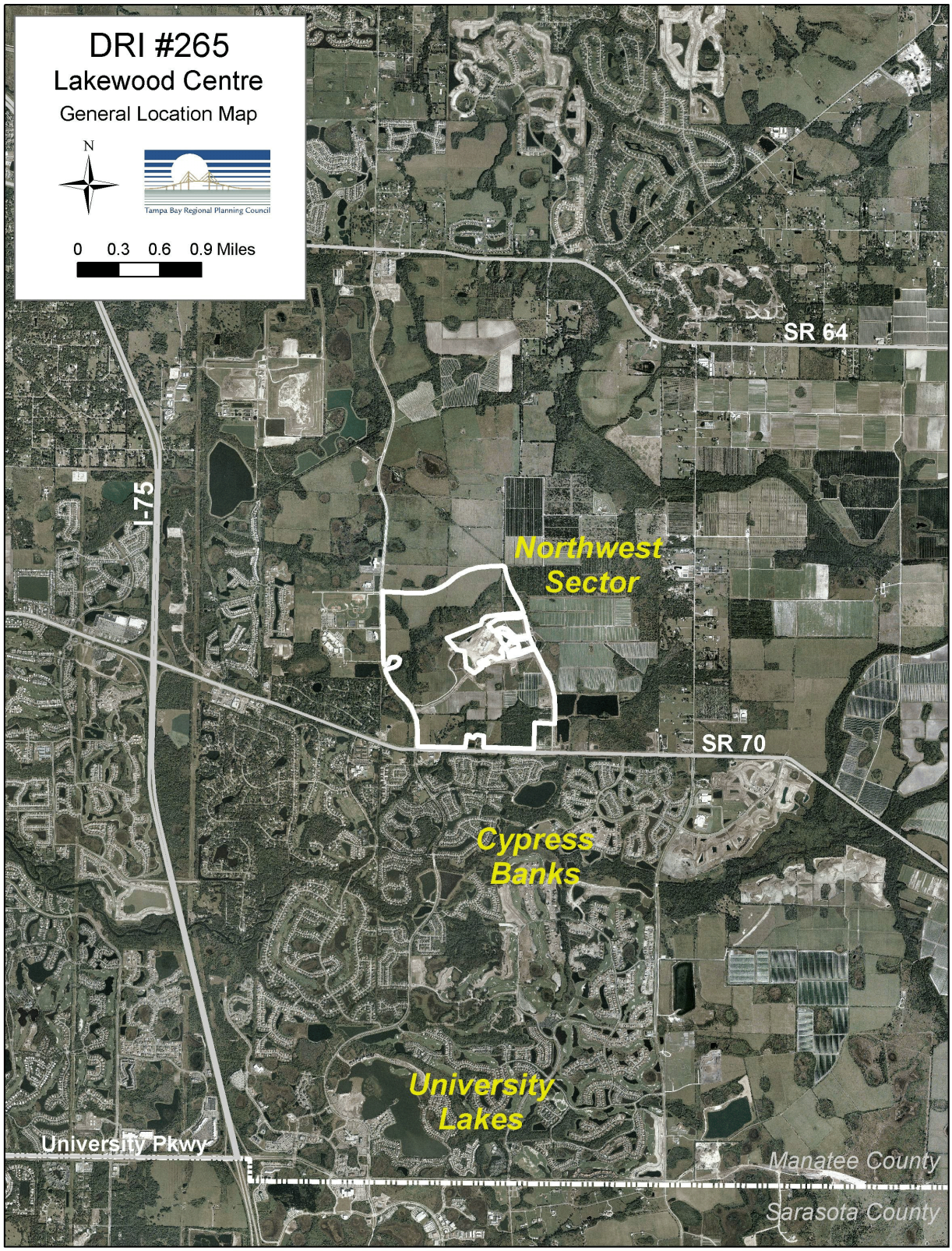
DISCUSSION

The aforementioned modifications to the Development Order were not processed through the typical Notice of Proposed Change process. Alternatively, by adopting the above-reference Amendment, Manatee County had determined that "*the proposed changes are* (were) *similar in nature, impact, or character to the changes enumerated in Subparagraphs 380.06(19)(e)2.a-j, F.S., and does not create the likelihood of any additional regional impact.*" Subsequently, Manatee County administratively incorporated the modifications into the Development Order.

FINDING

This Development Order Amendment Report has been prepared in accordance with provisions outlined in Section 380.07, F.S. By issuance of this Report, the Tampa Bay Regional Planning Council hereby finds that the referenced modifications do qualify as Section 380.06(19)(e)2., F.S. changes and, therefore, exempt from the Notice of Proposed Change process.

GENERAL LOCATION MAP



Part 2: Consistency with Comprehensive Plans

A. DEMONSTRATE HOW THE PROPOSED PROJECT IS CONSISTENT WITH THE LOCAL COMPREHENSIVE PLAN AND LAND DEVELOPMENT REGULATIONS. INDICATE WHETHER THE PROPOSED PROJECT WILL REQUIRE AN AMENDMENT TO THE ADOPTED LOCAL COMPREHENSIVE PLAN, INCLUDING THE CAPITAL IMPROVEMENTS ELEMENT. IF SO, PLEASE DESCRIBE THE NECESSARY CHANGES.

The request to add land to the existing DRI will require an amendment to the local Comprehensive Plan to change the Future Land Use Category on a portion of the expansion lands from Retail/Office/Residential and Industrial Light to Mixed Use-Community as well as a rezone of the lands from Agriculture to Planned Development Mixed Use.

There will be no amendments needed to the capital improvements element. The lands are the subject of a Local Development Agreement which addressed the concurrency components of transportation, recreation/open space, solid waste and stormwater for all development within Lakewood Centre and Manatee County has, therefore, planned for the impacts associated with the entitlements of the DRI.

The application furthers the following Goals, Objectives and Policies of the Manatee County Comprehensive Plan.

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

The re-allocation of both residential and non-residential development from the existing Lakewood Centre DRI to the expansion lands represents a continuation of the existing development pattern of the surrounding area.

> *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 lands which represent the expansion of the Lakewood Centre DRI, while undeveloped, are surrounded by a varied land use pattern. The northern, southern and western boundaries are dominated by either entitled lands or are developed with non-residential and residential land uses. While some lands along the eastern boundary remain in use as agriculture, the development of the central portion of the subject property will serve as a transitional use from the Lakewood Ranch Commerce Park.

> *Policy: 2.6.5.2. Encourage, in locations which are suited to diverse uses, mixed and multiple use projects to provide for integration and synergy between land uses. Nothing in this policy shall preclude single use or homogenous projects if mixing of uses on a*

single project, or intrusion of a different use into a homogenous area, will create inappropriate diversity or incompatibilities between adjacent land uses.

The subject expansion lands are bordered by existing development of both residential and non-residential uses as well as a planned system of thoroughfare roadways and planned utilities. In the immediate vicinity there is an elementary school, high school, and a post-secondary school as well as a regional county park. Employment opportunities are also located within the immediate area and the proposed development program will provide further opportunities for living and working within the project area.

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

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

Policy: 2.10.1.3. Allow for neo-traditional development projects that functionally mix residential and commercial (retail/office) uses.

Policy: 2.10.2.5. Allow for neo-traditional projects to have commercial (retail/office) uses that are central to the individual projects. Such projects will promote diversity of uses while not promoting strip commercial development.

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.

B. DESCRIBE HOW THE PROPOSED DEVELOPMENT WILL MEET GOALS AND POLICIES CONTAINED IN THE APPROPRIATE REGIONAL COMPREHENSIVE POLICY PLAN.

The requested amendment furthers the following goals and policies of the "Future of the Region: A Strategic Regional Policy Plan for the Tampa Bay Region, September 12, 2005"

AFFORDABLE HOUSING

Location

1.12: Site and design residential development in a way that: enhances and protects life and property from natural and man-made hazards; is compatible with the type and scale of surrounding land uses; fosters a pedestrian friendly environment; enhances connectivity with adjacent development; and protects existing residential areas from the encroachment of incompatible activities. Likewise, other land use areas should be protected from the encroachment of incompatible residential activities. The implementation or interpretation of these provisions, however, should not be seen as discouraging mixed-use development.

ECONOMIC DEVELOPMENT

Sustainable Development

2.69: Recognize that sustainable development requires adherence to the following guiding principles:

- *Creating Livable Communities: Building active, attractive communities with easy access to residential, commercial, and recreational areas;*

- *Mixed-use Development: Encouraging mixed-use development which includes a combination of compatible land uses having functional interrelationships and aesthetic features;*

- *Pedestrian-friendly Communities: Encouraging development which proceeds in a manner that encourages people to walk to obtain the things they need;*

REGIONAL TRANSPORTATION

Land Use/Transportation

5.14: Promote the implementation of programs which reduce the overall number of person and vehicle trips per mile and to promote internal capture within large developments and heavily-developed areas.

5.23: Facilitate the best use of residential, commercial, and/or industrial land uses and infrastructure systems and decrease urban sprawl by promoting infill redevelopment, rehabilitation, and/or adaptive reuse of existing areas and/or structures.

C. DESCRIBE HOW THE PROPOSED DEVELOPMENT WILL MEET GOALS AND POLICIES CONTAINED IN THE STATE COMPREHENSIVE PLAN (CHAPTER 187, F.S.), INCLUDING, BUT NOT LIMITED TO, THE GOALS ADDRESSING THE FOLLOWING ISSUES: HOUSING, WATER RESOURCES, NATURAL SYSTEMS

AND RECREATIONAL LANDS, LAND USE, PUBLIC FACILITIES, TRANSPORTATION, AND AGRICULTURE.

The proposed development will meet the following goals and policies of the State Comprehensive Plan.

(4) HOUSING.

(a.) Goal. The public and private sectors shall increase the affordability and availability of housing for low-income and moderate-income persons, including citizens in rural areas, while at the same time encouraging self-sufficiency of the individual and assuring environmental and structural quality and cost-effective operations.

(b.) Policies.

3. Increase the supply of safe, affordable, and sanitary housing for low income and moderate-income persons and elderly persons by alleviating housing shortages, recycling older houses and redeveloping residential neighborhoods, identifying housing needs, providing incentives to the private sector to build affordable housing, encouraging public-private partnerships to maximize the creation of affordable housing, and encouraging research into low-cost housing construction techniques, considering life-cycle operating costs.

The project's development order contains a condition which requires the Developer to provide workforce housing, as defined by Manatee County, in amount equal to 10% of the residential units constructed in all phases. This condition from the original adoption of the Development Order was based upon 3,675 residential units.

(7) WATER RESOURCES.

(a) Goal.—Florida shall assure the availability of an adequate supply of water for all competing uses deemed reasonable and beneficial and shall maintain the functions of natural systems and the overall present level of surface and ground water quality. Florida shall improve and restore the quality of waters not presently meeting water quality standards.

(b) Policies.

5. Ensure that new development is compatible with existing local and regional water supplies.

10. Protect surface and groundwater quality and quantity in the state.

11. Promote water conservation as an integral part of water management programs as well as the use and reuse of water of the lowest acceptable quality for the purposes intended.

Manatee County maintains a system of concurrency for potable water which grants the right of use to capacity at the time of approval of vertical construction so as not to give a false sense of utilization of water resources. Further, the DRI Development Order currently contains the following conditions which will not be modified:

- Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).
- Water saving plumbing fixtures must be used inside all buildings, including housing units.
- Water conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.
- The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots.
- The Developer* has committed to the following:
  - utilization of a non-potable water system for all landscaped areas;
  - use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
  - the re-establishment of the tree canopy previously cleared for agricultural activities, where possible

(9) NATURAL SYSTEMS AND RECREATIONAL LANDS.—

(a) Goal.—Florida shall protect and acquire unique natural habitats and ecological systems, such as wetlands, tropical hardwood hammocks, palm hammocks, and virgin longleaf pine forests, and restore degraded natural systems to a functional condition.

(b) Policies.—

1. Conserve forests, wetlands, fish, marine life, and wildlife to maintain their environmental, economic, aesthetic, and recreational values.

3. Prohibit the destruction of endangered species and protect their habitats.

4. Establish an integrated regulatory program to assure the survival of endangered and threatened species within the state.

7. Protect and restore the ecological functions of wetlands systems to ensure their long-term environmental, economic, and recreational value.

There are no impacts proposed to any Natural Resources of Regional Significance within the existing DRI boundaries or within the expansion lands. The current DRI development order only allows for unavoidable impacts to wetlands and also requires upland preservation areas which must be placed into Conservation Easements.

11) ENERGY.—

(a) Goal.—Florida shall reduce its energy requirements through enhanced conservation and efficiency measures in all end-use sectors and shall reduce atmospheric carbon dioxide by promoting an increased use of renewable energy resources and low-carbon-emitting electric power plants.

The community of Lakewood Ranch, in which this DRI is located, is the largest green community in America and uses building products and techniques that result in healthier, more energy-efficient, and environmentally responsible homes. Every home in the community meets the Florida Green Building Coalition's Green Home Standard. In addition,

Lakewood Ranch is a GEM-Friendly Community with neighborhoods, stores, schools, offices and amenities all well connected for ease of us for Global Electric Motorcars.

15) LAND USE.

(a) Goal.—In recognition of the importance of preserving the natural resources and enhancing the quality of life of the state, development shall be directed to those areas which have in place, or have agreements to provide, the land and water resources, fiscal abilities, and service capacity to accommodate growth in an environmentally acceptable manner.

(b) Policies.

1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.

3. Enhance the livability and character of urban areas through the encouragement of an attractive and functional mix of living, working, shopping, and recreational activities.

The Lakewood Centre DRI is a mixed use project providing a variety of housing opportunities, employment based non-residential development, as well as retail, educational and recreational opportunities for its residents.

(17) PUBLIC FACILITIES.

(a) Goal.—Florida shall protect the substantial investments in public facilities that already exist and shall plan for and finance new facilities to serve residents in a timely, orderly, and efficient manner.

(b) Policies.—

1. Provide incentives for developing land in a way that maximizes the uses of existing public facilities.

3. Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.

4. Create a partnership among state government, local governments, and the private sector which would identify and build needed public facilities and allocate the costs of such facilities among the partners in proportion to the benefits accruing to each of them.

5. Encourage local government financial self-sufficiency in providing public facilities.

6. Identify and implement innovative but fiscally sound and cost-effective techniques for financing public facilities.

7. Encourage the development, use, and coordination of capital improvement plans by all levels of government.

The Lakewood Centre DRI is the subject of a Local Development Agreement with Manatee County in which the project received concurrency approval for all phases of development. The County determined that the developer's contributions to public facilities would allow them to better plan for transportation needs and funding for the future.

19) TRANSPORTATION.

(b) Policies.—

10. Promote ride sharing by public and private sector employees.

The developer is proposing the following condition in the amended Development Order:

"Developer shall encourage transportation system management (TSM) measures such as the use of carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion and shall provide information to residents and employers on available opportunities."

Recorded with
Manatee County Florida Clerk
Access Official Records at
www.ManateeClerk.com

NORTHWEST SECTOR/LAKEWOOD CENTRE
LOCAL DEVELOPMENT AGREEMENT

This **LOCAL DEVELOPMENT AGREEMENT** ("Development Agreement") is made and entered into this 7th day of November 2013, by and between **MANATEE COUNTY**, a political subdivision of the State of Florida, whose address is 1112 Manatee Avenue West, Bradenton, Florida 34205 (the "County"), and **SMR North 70, LLC**, a Florida Limited Liability Company, whose address is 14400 Covenant Way, Lakewood Ranch, Florida 34202 (the "Applicant").

WITNESSETH:

WHEREAS, Applicant is the developer of two tracts located in Manatee County: (1) a 1,518.88± acre parcel of real property generally bounded by SR 70 on the south, Lakewood Ranch Boulevard and Lakewood Centre on the west, 44th Avenue Extension on the north and Lorraine Road on the east, and known as "Northwest Sector;" and (2) a 697.45 ± acre parcel of real property generally bounded by SR 70 on the south, Lakewood Ranch Boulevard on the west, Malachite Drive on the north and Pope Road on the east, and known as "Lakewood Centre"(individually a "Project Site" and collectively, the "Project Sites"), the complete legal description for each are attached hereto as **Exhibit "A;"** and

WHEREAS, Applicant has received DRI approval, zoning and general site plan approval from Manatee County pursuant to Ordinances13-24 and PDMU-05-19(G)(R7)) for Northwest Sector and Ordinances 13-28 and PDMU-06-30(G)(R2) for Lakewood Centre to allow mixed use development to be constructed on the Project Sites (individually, a "Project" and collectively, the "Projects"); and

WHEREAS, Applicant holds legal and equitable title to the lands on **Exhibit "A,"** except for lots, parcels and tracts sold in the normal course of business and development; and

WHEREAS, the Projects received specific approval of the first phase of each and conceptual approval of the later phases of each. The approved first phase of each shall be

referenced herein as the "First Phase" or collectively, the "First Phases." The remaining phases of the Projects through build-out shall be referred to individually as the "Remainder Phase" or collectively, as the "Remainder Phases." The Remainder Phases are subject to final review pursuant to the Notice of Proposed Change review process and specific approval by the County; and

WHERAS, the Applicant has submitted traffic studies through build-out of the Projects (individually, a "Build-out Study" or for both Projects, the "Build-out Studies"), which Build-out Studies have been reviewed and approved by the County; and

WHEREAS, pursuant to that certain Local Development Agreement by and between the County and the Applicant dated September 14, 2010 and recorded in Official Records Book 2352, Page 7541 of the Public Records of Manatee County, Florida, the Applicant has received a certificate of level of service for all aspects of concurrency for the First Phases (except for water and sewer), which agreement remains in full force and effect and is not amended or changed in any way by this Development Agreement; and

WHEREAS, the Build-out Studies set forth certain transportation improvements to be completed prior to development of the Remainder Phases in order to meet concurrency requirements. The County's approval of the Projects and Florida Statutes allow for flexibility in favor of broader traffic solutions to satisfy the Applicant's transportation concurrency, including a proportionate share contribution to cover the Projects' proportionate share of the costs to construct improvements needed to mitigate the transportation impacts of the Projects. The Build-out Studies determined that the Projects' proportionate share is $5,706,282.00 (the relevant portions of the Build-out Studies are set forth in **Exhibit "B"** attached hereto); and

WHEREAS, it is the intent of Applicant to design, permit and construct, or cause the construction of, Pope Road as the outside two lanes of a four-lane divided roadway in the areas depicted on **Exhibit "C"** attached hereto (the "Pope Road Improvement") as a proportionate share project to mitigate the transportation impacts of the Remainder Phases of the Projects. (The parties recognize that other developers may construct access-related improvements as small portions of the Pope Road Improvement and that Applicant will coordinate the construction of the remainder of the Pope Road Improvement, and, if necessary, the reconstruction of such

access-related improvements as part of the Pope Road Improvement, with those other developers.) The cost of the design, permitting and construction of the Pope Road Improvement, exclusive of the value of dedicated road right of way, for purposes of this Agreement is $11,463,114.00. The value of the right of way, using standard County estimation methods is $3,438,934.00 for a total of $14,902,048.00 (in the aggregate, the "Pope Road Improvement Cost").The Pope Road Improvement will serve the needs of, and address the impacts created by, the Remainder Phases; and

WHEREAS, the Pope Road Improvement contemplated hereunder has been included within this Development Agreement for the purpose of addressing all aspects of transportation concurrency for the Remainder Phases and the provision of adequate public facilities and services needed to support such new development; and

WHEREAS, the County has made a determination that a Certificate of Level of Service ("CLOS") for transportation cannot be issued for the Remainder Phases of the Projects unless certain improvements and/or a proportionate share contribution to the construction of facilities, occur in the vicinity of the Project Site as more fully specified herein; and

WHEREAS, the Land Development Code (the "LDC") provides that a CLOS for the Projects may be issued contingent upon the payment of proportionate share mitigation and/or construction of the necessary public facilities and services being guaranteed in an enforceable Development Agreement entered into pursuant to Sections 163.3220 through 163.3243, Florida Statutes; and

WHEREAS, the Applicant has proposed to enter into this Development Agreement to exchange rights, responsibilities and benefits, each of which constitutes true and valuable consideration for the other, with respect to the development of the Projects and the construction of the Pope Road Improvement, such that no obligation of the Applicant under this Development Agreement shall be construed as an "exaction" from the Applicant by the County within the meaning of any applicable constitutional or statutory provision or decisional case law regarding the same; and

WHEREAS, in accordance with the applicable Florida Statutes and Section 510.9.2.1.1 of the LDC, the County is authorized to issue a CLOS for a term greater than three (3) years subject to the required public facilities and services being guaranteed in a Development Agreement; and

WHEREAS, pursuant to Section 163.3220, Florida Statutes, et seq., the County is authorized to enter into a Development Agreement; and

WHEREAS, the first and second required public hearings on this Development Agreement were held by the Board of County Commissioners (the "Board") on November 5, 2013 and November 7, 2013, at which time the Board received the recommendation of the Planning staff, and found the Development Agreement to be consistent with the Manatee County Comprehensive Plan (the "Comprehensive Plan") and approved this Development Agreement and authorized the Chairman to execute the Development Agreement on behalf of Manatee County.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereby agree as follows:

1. **Recitals True and Correct.** The recitals set forth above are true and correct and are incorporated herein by reference.

2. **Description of Development Uses.** The Projects shall be developed including the components set forth on **Exhibit "D"** attached hereto and made a part hereof. **Exhibit "D"** also sets forth the components of the Remaining Phases of each Project and references approved land use exchanges that will maintain the same impacts on the transportation system.

3. **Ownership of Land Subject to Development Agreement.** A legal description of the land subject to this Development Agreement (i.e., the Project Sites) is attached hereto as **Exhibit "A."** The current legal and equitable owner of the Project Sites is: **SMR North 70, LLC**, a Florida limited liability company, except for those lots, parcels and tracts sold or transferred in the normal course of business and development.

4. **Definitions.** As used in this Agreement, the following words, terms, and phrases shall have the meanings ascribed to them here:

(A) "Concurrency Requirements": shall mean the dedication or conveyance of lands for public purposes and/or the design and construction of improvements to public facilities (and the payment of proportionate share mitigation in connection therewith) that the Applicant must provide to meet the concurrency requirements of the Land Development Code, the Comprehensive Plan and Florida Statutes.

(B) "County Administrator": shall mean the County Administrator or his designee.

5. **Description of Public Facilities.** The following public facilities and services will serve the Project described in Paragraph 2 above:

(A) Potable Water: The County will provide potable water to the Project Sites in sufficient quantity to serve the Projects, as and when actually constructed, via transmission lines and related facilities to be constructed by the Applicant, except to the extent otherwise agreed by County in a writing approved by the Board of County Commissioners.

(B) Sanitary Sewer: The County will provide sanitary sewer service to the Project Sites in sufficient quantity to serve the Projects, as and when actually constructed, via transmission lines and related facilities to be constructed by the Applicant, except to the extent otherwise agreed by County in a writing approved by the Board of County Commissioners.

(C) Solid Waste: The County will provide Solid Waste Management Services to the Project Sites to serve the Projects, as and when actually constructed, via facilities which are already in place.

(D) Recreation/Open Space: With the Applicant's dedication of acreage and construction of related facilities as set forth in the approved general site plans and the final site plans to be later approved, the Projects will meet concurrency requirements for recreation/open space and will not result in degradation of the adopted level of service.

(E) Storm Water Management: With the Applicant's design and construction of the proposed storm water management facilities on the Project Sites in compliance with Section 717 of the LDC, or as otherwise approved by Manatee County sufficient to meet County development standards and SWFWMD regulations, the Projects will meet concurrency requirements for storm water and will not result in degradation of the adopted level of service.

(F) Transportation: The Applicant's agreement herein to construct the Pope Road Improvement will meet concurrency requirements for transportation for the Remainder Phases.

6. **Proportionate Share Mitigation (PSM).**

(A) PSM for Concurrency Impacts. Pursuant to and in accordance with Section 163.3180, *Florida Statutes,* the Applicant shall satisfy the concurrency requirements for transportation for the Remainder Phases through the design, permitting, construction and right of way dedication of the Pope Road Improvement as provided in Section 6(B), below. The construction of the Pope Road Improvement made pursuant to this Section 6 shall fully and completely satisfy the Applicant's responsibility for providing mitigation of roadway impacts resulting in concurrency for the Remainder Phases of the Projects as required pursuant to Section 163.3180, Florida Statutes, the Comprehensive Plan and the LDC. The Applicant may be required to complete additional improvements for the purpose of providing access to the Projects and/or for safety purposes. Based upon the Pope Road Improvement Cost, the parties acknowledge that the Pope Road Improvement qualifies to meet the requirements of proportionate share mitigation as said cost exceeds the Projects' proportionate share of the road improvements needed to support the development of the Remainder Phases as set forth in the Build-out Studies. In consideration for the other obligations of the County under this Development Agreement, the Applicant hereby waives the right to receive any compensation (in the form of moneys, impact fee credits or otherwise) for the value of the Pope Road Improvement that exceeds the Projects' proportionate share.

(B) Pope Road Improvement. The Applicant shall construct, or cause to be constructed, the Pope Road Improvement as set forth in the Recitals above. The Applicant shall begin the design and permitting of the Pope Road Improvement upon the Effective Date and

shall continue with the permitting and construction thereafter to diligently pursue the construction with a target date of completion of four (4) years after the Effective Date and a required completion date of five (5) years from the County approval of the next phase of either Project, subject to reasonable extensions for events beyond the control of the Applicant. Provided Applicant diligently pursues such construction, failure to meet the target date shall not be a breach of this Development Agreement. Failure to complete the Pope Road Improvement by the required completion date shall result in a suspension of the CLOS for the Remainder Phases until completed. Upon completion of the Pope Road Improvement, the Applicant shall dedicate the right of way owned by Applicant, as improved, to the County. The obligations of the Applicant to design, permit and construct the Pope Road Improvement and dedicate the right-of–way and improvement to the County may be performed on behalf of the Applicant in whole or in part by the Lakewood Ranch Stewardship District, provided that the Applicant shall remain directly responsible to the County for the performance of such obligations under this Agreement.

7. **DRI and Zoning Compliance.** The PSM satisfies the requirements of Florida Statutes and the mitigation plans for the Projects, as such mitigation method is set forth for the First Phases in Section 6.A.(13) of the Northwest Sector Development Order and Section 6.A.(12) of the Lakewood Centre Development Order. The PSM satisfies the mitigation plans for the Projects, as such mitigation method is set forth for the First Phases in Section 4.B.(3) of the Northwest Sector Zoning Ordinance and Section 4.B.(1) of the Lakewood Centre Zoning Ordinance. As the Projects' transportation impacts will be mitigated through build-out of the Projects, the requirements in the Development Orders to monitor project traffic to determine when certain thresholds are reached that would require mitigation is rendered moot and such monitoring shall not be required.

8. **Waiver of Impact Fee Credits; Extended CLOS.**

(A) Waiver of Credits (Pope Road Improvement). By the terms of this Agreement, the Applicant has agreed to construct the Pope Road Improvement. This road improvement is to the thoroughfare network and eligible for impact fee credits. However, the Applicant hereby waives its right to receive such impact fee credits for its construction of the Pope Road Improvement and dedication of the related right-of-way so that the County can use the impact

fees such credits would otherwise offset towards other improvements needed to the thoroughfare network within the impact fee benefit district. This results in a major contribution by the Applicant to the thoroughfare network that would otherwise be paid for by the County, either in the form of construction itself or in the granting of impact fee credits.

(B) Extended CLOS. Because of the substantial private contribution to the County's infrastructure made by the Applicant pursuant to this Agreement, ample time is necessary to complete construction of the Projects to provide a return to the Applicant. Therefore, as additional consideration for the construction of the Pope Road Improvement and the waiver of impact fee credits, a CLOS for each Project with an expiration date of the earlier of i) the build-out date of each Project, as same may be extended from time to time, or ii) thirty (30) years from the Effective Date, shall be issued for the amount of development for the Remainder Phases of each Project as set forth on **Exhibit "D"** for the public facilities and services covered by this Development Agreement, including transportation, recreation/open space, solid waste, and storm water. Because the Projects are DRI level developments and are to be constructed in phases, under normal circumstances they would receive CLOS approval phase-by-phase as individual phases came forward for development. Therefore, the extension granted herein to the CLOS for each Project in its entirety results in CLOS approval of development phases that would otherwise not receive CLOS approval until later in the development process. By providing CLOS approval for each Project in its entirety in exchange for the construction of the Pope Road Improvement and the accompanying waiver of impact fee credits, the County can better plan transportation needs and funding for the future.

(C) Effect of Changes to Projects. The amount of development subject to the CLOS to be issued hereunder is the total of the two Projects. If some development rights are increased in one Project and decreased by a like amount in the other Project (subject to County approval), the CLOS entitlements shall follow such development rights from one Project to the other. Likewise, the CLOS shall follow the development rights granted for either Project if such Project's boundaries and granted development rights are extended to additional property.

(D) CLOS Conditions. Said CLOS shall be conditioned upon the Applicant complying with the terms of this Development Agreement and shall be effective for each

Remainder Phase of each Project upon approval of each such Remainder Phase. The CLOS for potable water, sanitary sewer, and schools shall be issued separately, and the expiration of a CLOS for such facilities, as well as any and all other public facilities, shall coincide with the expiration date set forth herein. The parties recognize that specific approval has not yet been granted for the Remainder Phases, which must undergo approval through the NOPC process.

(E) Waiver of Credits for Pre-2005 Contributions. The Applicant, for itself, its heirs, successors, related entities and assigns, hereby waives the right to apply for or receive any impact fee credits for any dedications of right-of-way, construction of roadway improvements, or other contribution of capital roads facilities completed prior to January 1, 2005 other than those included in the surplus credits described in Section 9.

9. **Use of Impact Fee Credits**: The Applicant has previously received approval from the County of certain impact fee credits for other improvements to the County Transportation System in the total amount of $12,229,595.00, pursuant to Credit Authorization No. CA-11-02(T), CA-11-03(T), CA-11-04(T), CA-11-05(T), CA-11-06(T), CA-11-07(T), CA-11-08(T), CA-11-09(T), CA-11-10(T), CA-11-11(T), CA-11-12(T),CA-11-13(T),CA-11-14(T) and CA-11-16(T) (the "Surplus Credits"). The use of the Surplus Credits is generally governed by Section 807.2.2 of the LDC.

(A) Waiver of Certain Uses. So long as Applicant is allowed to use the Surplus Credits in accordance with this Section 9, Applicant waives the right to use the Surplus Credits:

1. To offset impact fees due and owing for an applicable impact fee component of the Projects or other developments of the Applicant, its related business entities, or their successors or assigns, pursuant to Section 807.2.2.1 of the LDC, or to assign such Surplus Credits to another entity to be used for the same purpose pursuant to Section 807.2.2.3 of the LDC; or

2. To obtain a refund of Impact Fee funds to the Applicant for impact fees to paid in connection with the development of the Projects or any other

development projects of the Applicant, its related business entities, or their successors or assigns, pursuant to Section 807.2.2.2 of the LDC.

(B) Available Use. The County shall allow Applicant to use the Surplus Credits as proportionate fair share contributions to obtain further extensions of the CLOS for the Projects or for use of mitigation or extension of the CLOS on other development in the impact fee benefit district, pursuant to Section 807.2.2.4 of the LDC, subject to County approval of an amendment to this Agreement or through a separate agreement.

(C) Changes to Concurrency Management System. So long as the County maintains a concurrency management system ("CMS") that requires transportation concurrency approval in order to proceed with development, Applicant shall be entitled to use the Surplus Credits as provided in Section 9(B).

1. In the event the County changes its CMS (for example, through the discontinuance of impact fees in favor of mobility fees, or with a system that does not requires transportation concurrency approval in order to proceed with development) such changes shall not be used as a basis to deprive Applicant of the value of the Surplus Credits as contemplated in this Section 9, or to otherwise prevent Applicant from continuing with extended development upon paying the then impact fees or mobility fees as they then become due. The waiver of certain uses of the Surplus Credits in this Section is intended to be used to extend the time over which Applicant, or related entities, may develop their properties, and such right shall not be lost as a result of changes to the County's CMS.

2. In the event the County changes or eliminates its CMS to allow development to proceed as long as payments for fees are made ("pay-and-go"), such that the Surplus Credits would not be needed to assure the right to continue with extended development, the Surplus Credits shall not be available for the uses waived pursuant to Section 9(A), as the intended purpose would have been rendered moot. The Surplus Credits shall, however, be retained and held in reserve, to be available for the purposes

authorized under this Section 9 in the event the County changes or re-establishes its CMS that requires transportation concurrency approval in order to proceed with development.

10. **Monitoring.** During the term of this Development Agreement the Applicant shall cooperate with the Planning Director in the Planning Director's annual review as required by Chapter 10 of the LDC.

11. **Concurrency Findings.** The Planning Commission, in its capacity as the Local Planning Agency of County, found that the concurrency requirements of the Comprehensive Plan and LDC will be met for the Projects regarding the public facilities and services described in Paragraph 5, provided the terms and conditions of this Development Agreement are undertaken and performed by Applicant.

12. **Permits Required.** The following is a description of all local development permits approved or needed to be approved for the Project Sites:

- Preliminary Site Plans;
- One or more Final Site Plans;
- One or more Preliminary Plats;
- One or more Final Plats;
- One or more Access and Driveway Permits;
- One or more Construction Plan approvals;
- One or more Building Permits; and
- One or more Certificates of Occupancy or of Completion.

13. **Omission from Development Agreement.** The failure of this Development Agreement to address a particular permit, condition, term, or restriction shall not relieve the Applicant of the necessity of complying with the law, including without implied limitation the

applicable provisions of the County's Comprehensive Plan or Land Development Code, governing said permitting requirements, conditions, terms, or restrictions.

14. **Disclaimer of Joint Venture.** Applicant and County represent that by the execution of this Development Agreement it is not the intent of the parties that this Development Agreement be construed or deemed to represent a joint venture or common undertaking between County and Applicant, or either, with any third party. While engaged in carrying out and complying with the terms of this Development Agreement, Applicant is an independent principal and not a contractor for or an officer or employee of County. Applicant shall not at any time or in any manner represent that it or any of its agents or employees are employees of County.

15. **Successors in Interest.** The burdens of this Development Agreement shall be binding upon, and the benefits shall inure to, all successors in interest to the parties to the Development Agreement including all mortgagees to the parties to this Development Agreement. Notwithstanding anything in this Development Agreement to the contrary, the County shall have no responsibility or liability for any obligations of Applicant under this Development Agreement, and the County does not assume any obligations to or for Applicant.

16. **Amendments.** All amendments to this Development Agreement, including any such amendments extending the term of the Development Agreement, shall be ineffective unless reduced to writing and executed by the County and Applicant, in accordance with Sections 163.3237 and 163.3229, Florida Statutes.

17. **Applicable County Ordinances and Codes.** In accordance with Section 163.3233, Florida Statutes, and Section 518 of the LDC, the codes, policies, and ordinances of the County governing the development of the Projects upon the date of execution of this Development Agreement shall govern the development of the Projects for the duration of this Development Agreement. Prior to the termination of this Development Agreement in accordance with Paragraph 26 hereof, County may apply codes, policies, and ordinances adopted subsequent to the execution hereof to the Projects only if County has held a public hearing and made the determinations required by the above cited Florida Statute and LDC provision.

18. **Recording of this Agreement.** The Clerk of the Circuit Court of Manatee County, as Clerk to the Board of County Commissioners (the "Clerk") shall record this Development Agreement in the Public Records of Manatee County, Florida, no later than fourteen (14) days after the execution of this Agreement by all parties. Applicant shall bear the expense of recording this Agreement.

19. **Applicable Law and Venue.** This Agreement shall be construed, and the rights and obligations of the parties hereunder shall be determined, in accordance with the laws of the State of Florida. Venue for any litigation pertaining to the subject matter hereof shall be exclusive in Manatee County, Florida, unless prohibited by law.

20. **Severability.** In the event any term or provision of this Agreement shall be held invalid by a Court of competent jurisdiction, such invalid term or provision should not affect the validity of any term or provision hereof; and all such terms and provisions hereof shall be enforceable to the fullest extent permitted by law as if such invalid term or provision had never been part of this Agreement; provided, however, if any term or provision of this Agreement is held to be invalid due to the scope or extent thereof, then, to the extent permitted by law, such term or provision shall be automatically deemed modified in order that it may be enforced to the maximum scope and extent permitted by law.

21. **Entire Agreement.** This Development Agreement constitutes the entire agreement between the parties hereto as to the subject matter contained herein and supersedes any and all prior understandings, if any. There are no other oral or written promises, conditions, representations, understandings, or terms of any kind as conditions or inducements to the execution hereof, and none have been relied upon by either party. Any subsequent conditions, representations, warranties, or agreements shall not be valid and binding upon the parties unless they are in writing signed by both parties and executed in the same manner as this Development Agreement. Notwithstanding the foregoing, the parties recognize that a Local Development Agreement relative to the first phases of the Projects is in place and this Agreement is not intended to amend, change or supersede such agreement, which remains in full force and effect.

22. **Parties Drafted Equally.** The County and Applicant agree that both parties have played an equal and a reciprocal part in drafting this Agreement. Therefore no provision of this

Agreement shall be construed by a Court or judicial authority against any party hereto because such party is deemed to have drafted or structured such provisions.

23. **Notices.** All notices, demands, requests for approvals or other communications given by either party to another shall be in writing and shall be sent by registered or certified mail, postage prepaid, return receipt requested or by a recognized national overnight courier service, or by hand delivery to the office of each party indicated below and addressed as follows:

To Applicant:	**SMR North 70, LLC** 14400 Covenant Way Lakewood Ranch, Florida 34202 Attn: Rex E. Jensen
With a Copy to:	Caleb J. Grimes, Esq. Grimes Goebel Grimes Hawkins Gladfelter & Galvano P.L. 1023 Manatee Avenue West Bradenton, Florida 34205
To County:	County Administrator Manatee County P.O. Box 1000 Bradenton, FL 34206
With Copies to:	Director, Building & Development Services Department Manatee County P.O. Box 1000 Bradenton, FL 34206 County Attorney Manatee County P.O. Box 1000 Bradenton, FL 34206

24. **Survival of Warranties, Representations.** The warranties, representations, covenants and obligations of the parties hereto shall be binding upon the parties and their respective successors in interest.

25. **Effective Date.** This Agreement shall not become effective until i) it has been executed by all parties, and ii) it has been recorded in the Public Records of Manatee County, Florida, at the expense of Applicant.

26. **Termination.** This Development Agreement shall automatically terminate and expire upon the occurrence of the first of the following:

(A) The full performance by all parties hereto of each and every one of their respective obligations arising under the terms of this Development Agreement.

(B) The expiration of thirty (30) years from the effective date of this Agreement, as defined in Paragraph 25 above.

(C) The revocation of this Development Agreement by the Board in accordance with Section 163.3235, Florida Statutes, and Section 518 of the LDC.

(D) The execution of a written agreement by all parties, or their successors in interest, providing for the cancellation and termination of this Development Agreement.

WHEREFORE, the parties hereto have executed this Agreement as of the date set forth above.

MANATEE COUNTY, FLORIDA
By: Board of County Commissioners

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

By: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS SEAL MANATEE CO. FLA.

By: _____
Chairman

Date: 11/7/13

WITNESSES:

Todd J Pokrywa

Print name:

Deborah A. Furman

Print name:

SMR North 70, LLC, a Florida limited liability company

By: Schroeder-Manatee Ranch, Inc., a Delaware corporation, as its sole member

By: _____
Rex E. Jensen, President

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 1ST day of NOVEMBER, 2013, by Rex E. Jensen, as President of Schroeder-Manatee Ranch, Inc., a Delaware corporation, as the sole member of SMR North 70, LLC, a Florida limited liability company on behalf of the corporation, who is personally known to me or has produced N/A as identification.

Notary Public:

Deborah A. Cooper

DEBORAH A. COOPER
Commission # EE 835407
Expires November 28, 2016
Bonded Thru Troy Fain Insurance 800-385-7019

L:\SMR\land use\LWC\LWC LDA for Pope Road Construction and waiver of impact fees\Transportation concurrency LDA Pope Road clean 10 25 13.doc

EXHIBIT "A"

LAKEWOOD CENTRE DRI

LEGAL DESCRIPTION (as prepared by the certifying Surveyor and Mapper):
A tract of land lying in Sections 7, 8, 9, 16, 17 and 18 Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

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

S.25°50'30"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°27'42", an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 06°44'40"; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence S.12°34'36"E., along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.64°34'42"E., a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of 01°33'58", an arc length of 80.39 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 113.45 feet; thence S.63°00'45"W., a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of 18°07'32"; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence S.09°31'35"E., along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.10°12'41"W., a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of 11°39'48", an arc length of 408.55 feet to the end of said curve; thence N.79°51'15"E., along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies N.23°17'40"W., a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of 04°10'01", an arc length of 219.07 feet to the end of said curve; thence S.31°07'37"E., along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of

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

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

LESS:

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

LESS:

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

LESS:

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

LESS: Ingress-Egress Easement No. 1

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

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the

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

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

<u>LESS: Ingress-Egress Easement No. 2</u>

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

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E

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

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

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

LEGAL DESCRIPTION PARCEL 1 (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Sections 7, 8, 9, 15 and 16, Township 35 South, Range 19 East, Manatee County, Florida and described as follows:

Commence at the Southeast corner of Section 7, Township 35 South, Range 19 East ; thence S.89°34'35"E., a distance of 4,650.84 feet; thence N.00°25'25"E., a distance of 1,889.17 feet to the POINT OF BEGINNING; Thence S82°55'49"W, 912.79 feet to a point of curvature; Thence 1,287.78 feet along the arc of said curve to the left through a central angle of 34°25'49", said curve having a radius of 2,143.00 feet and being subtended by a chord which bears S65°42'55"W, 1,268.49 feet to a point of reverse curvature; Thence 1,575.57 feet along the arc of a curve to the right through a central angle of 44°37'25", said curve having a radius of 2,023.00 feet and being subtended by a chord which bears S70°48'42"W, 1,536.04 feet to the point of tangency of said curve; Thence N86°52'35"W, 1,131.57 feet to a point of curvature; Thence 79.90 feet along the arc of said curve to the right through a central angle of 91°33'16", said curve having a radius of 50.00 feet and being subtended by a chord which bears N41°05'57"W, 71.66 feet to the point of tangency of said curve; said point being a point on the east line of Lakewood Ranch Boulevard as recorded in Official Record Book 1443, Page 4980 of the Public Records of Manatee County, Florida; the following 2 calls are along said east line of Lakewood Ranch Boulevard; Thence N04°40'41"E, 2,619.78 feet to a point of curvature; Thence 933.27 feet along the arc of said curve to the left through a central angle of 25°57'27", said curve having a radius of 2,060.00 feet and being subtended by a chord which bears N08°18'02"W, 925.31 feet to a point of reverse curvature; Thence 83.52 feet along the arc of a curve to the right through a central angle of 95°42'23", said curve having a radius of 50.00 feet and being subtended by a chord which bears N26°34'26"E, 74.14 feet; Thence N 74°25'37"E, 50.78 feet to a point of curvature; Thence 721.56 feet along the arc of said curve to the right through a central angle of 14°53'05", said curve having a radius of 2,777.50 feet and being subtended by a chord which bears N81°52'09"E, 719.53 feet; Thence N00°41'18"W, 12.50 feet to a point on the arc of a curve; Thence 643.57 feet along the arc of said curve to the right through a central angle of 13°12'59", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears S84°04'49"E, 642.15 feet to a point of reverse curvature; Thence 2,117.60 feet along the arc of a curve to the left through a central angle of 41°16'07", said curve having a radius of 2,940.00 feet and being subtended by a chord which bears N81°53'37"E, 2,072.13 feet to a point of reverse curvature; Thence 805.71 feet along the arc of a curve to the right through a central angle of 16°32'46", said curve having a radius of 2,790.00 feet and being subtended by a chord which bears N69°31'57"E, 802.91 feet; Thence S12°11'41"E, 12.50 feet to a point on the arc of a curve; Thence 633.68 feet along the arc of said curve to the right through a central angle of 13°04'19", said curve having a radius of 2,777.50 feet and being subtended by a chord which bears N84°20'29"E, 632.31 feet; Thence S89°07'21"E, 354.65 feet to a point on the arc of a curve; Thence 36.14 feet along the arc of said curve to the right through a central angle of 41°24'35", said curve having a radius of 50.00 feet and being

subtended by a chord which bears N70°10'21"E, 35.36 feet; Thence S89°07'21"E, 808.68 feet; Thence N00°52'39"E, 10.36 feet to a point on the arc of a curve; Thence 127.15 feet along the arc of said curve to the left through a central angle of 02°29'11", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N88°44'06"E, 127.14 feet to the point of reverse curvature of said curve ; Thence 2,138.82 feet along the arc of said curve to the right through a central angle of 43°45'59", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears S770°37'30"E, 2,087.20 feet to the point of tangency of said curve ; Thence S48°44'31"E, 1,779.99 feet to a point of curvature; Thence 1,253.44 feet along the arc of said curve to the left through a central angle of 24°30'39", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears S60°59'50"E, 1,243.90 feet to the point of tangency of said curve; Thence S00°10'39"W, 111.78 feet; Thence continue along said line S00°10'39"W, 1,324.27 feet; Thence continue along said line S00°10'39"W, 1,324.27 feet; Thence S00°12'01"W, 1,321.71 feet; Thence S89°26'33"E, 601.98 feet; Thence S00°02'33"W, 660.46 feet; Thence S89°28'53"E, 735.80 feet; Thence S00°06'56"E, 659.98 feet; Thence N89°31'12"W, 1,343.23 feet; Thence S00°24'15"E, 1,319.40 feet; Thence S00°25'33"E, 1,253.39 feet; Thence N89°20'55"W, 129.12 feet; Thence N00°13'59"E, 756.06 feet; Thence N89°05'49"W, 353.71 feet; Thence S15°32'18"W, 181.54 feet; Thence S69°04'52"E, 191.91 feet; Thence S40°52'20"E, 174.58 feet; Thence S01°06'51"W, 127.77 feet; Thence S84°30'37"W, 241.82 feet; Thence S04°24'14"W, 231.83 feet; Thence N89°20'55"W, 644.47 feet; Thence N89°43'18"W, 1,128.10 feet; Thence N00°16'21"E, 195.76 feet; Thence N34°32'27"W, 127.88 feet; Thence N74°22'37"W, 27.04 feet; Thence N89°06'07"W, 130.35 feet; Thence N50°59'38"W, 52.87 feet; Thence N89°43'39"W, 67.72 feet; Thence S34°23'48"W, 150.71 feet; Thence N00°07'45"W, 1,045.68 feet; Thence N89°21'00"W, 672.60 feet; Thence S00°08'39"E, 1,267.67 feet; Thence N89°43'18"W, 66.35 feet; Thence N10°16'40"E, 140.44 feet; Thence N03°14'20"W, 121.92 feet; Thence N89°43'20"W, 265.15 feet; Thence N67°44'14"W, 65.42 feet; Thence N89°03'25"W, 74.89 feet; Thence South, 285.36 feet; Thence N89°43'18"W, 150.77 feet to a point of curvature; Thence 78.54 feet along the arc of said curve to the right through a central angle of 90°00'00", said curve having a radius of 50.00 feet and being subtended by a chord which bears N44°43'18"W, 70.71 feet to the point of tangency of said curve; Thence N00°16'42"E, 1,581.12 feet to a point of curvature; Thence 1,394.32 feet along the arc of said curve to the left through a central angle of 27°15'57", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N13°21'17"W, 1,381.21 feet to the point of tangency of said curve; Thence N26°59'15"W, 1,159.92 feet to a point of curvature; Thence 853.47 feet along the arc of said curve to the right through a central angle of 17°27'52", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears N18°15'19"W, 850.17 feet to a point of reverse curvature; Thence 1,194.50 feet along the arc of a curve to the left through a central angle of 23°21'30", said curve having a radius of 2,930.00 feet and being subtended by a chord which bears N21°12'08"W, 1,186.24 feet to a point of reverse curvature; Thence 1,321.41 feet along the arc of a curve to the right through a central angle of 27°02'23", said curve having a radius of 2,800.00 feet and being subtended by a chord which bears N19°21'42"W, 1,309.18 feet to the POINT OF BEGINNING.

Containing 1479.6 acres, more or less.

TOGETHER WITH:

LEGAL DESCRIPTION PARCEL 2 (as prepared by the certifying Surveyor and Mapper):

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

Commence at the Southeast corner of Section 7, Township 35 South, Range 19 East ; thence S.89°34'35"E., a distance of 4,650.84 feet; thence N.00°25'25"E., a distance of 1,889.17 feet; Thence S82°55'49"W, 912.79 feet to a point of curvature; Thence 1,287.78 feet along the arc of said curve to the left through a central angle of 34°25'49", said curve having a radius of 2,143.00 feet and being subtended by a chord which bears S65°42'55"W, 1,268.49 feet to a point of reverse curvature; Thence 1,575.57 feet along the arc of a curve to the right through a central angle of 44°37'25", said curve having a radius of 2,023.00 feet and being subtended by a chord which bears S70°48'42"W, 1,536.04 feet to the point of tangency of said curve; Thence N86°52'35"W, 1,131.57 feet to a point of curvature; Thence 79.90 feet along the arc of said curve to the right through a central angle of 91°33'16", said curve having a radius of 50.00 feet and being subtended by a chord which bears N41°05'57"W, 71.66 feet to the point of tangency of said curve; said point being a point on the east line of Lakewood Ranch Boulevard as recorded in Official Record Book 1443, Page 4980 of the Public Records of Manatee County, Florida; thence along said east line of Lakewood Ranch Boulevard, N04°40'41"E, 1649.57 feet; Thence N85°19'19"W, 120.00 feet to an intersection with the west line of said Lakewood Ranch Boulevard and the POINT OF BEGINNING; Thence S86°50'17"W, 227.27 feet; Thence S40°02'37"W, 121.13 feet; Thence S28°36'43"W, 108.34 feet; Thence S43°57'34"W, 79.62 feet; Thence S56°46'06"W, 71.21 feet; Thence N22°59'39"W, 32.80 feet; Thence S59°56'00"W, 91.50 feet; Thence S54°50'36"W, 42.43 feet; Thence S21°03'16"W, 42.67 feet; Thence S64°33'59"W, 57.70 feet; Thence S78°35'00"W, 52.83 feet; Thence S26°29'07"W, 28.22 feet; Thence S72°42'09"W, 41.01 feet; Thence N88°04'14"W, 58.26 feet; Thence N63°20'21"W, 61.49 feet; Thence N77°09'41"W, 34.90 feet; Thence N87°11'33"W, 50.79 feet; Thence N88°21'13"W, 70.97 feet; Thence N59°06'15"W, 54.56 feet; Thence S87°08'17"W, 75.46 feet; Thence N27°44'24"E, 782.09 feet; Thence N08°14'34"E, 859.88 feet; Thence N04°53'06"W, 605.45 feet to a point on the arc of a curve; Thence 552.19 feet along the arc of said curve to the left through a central angle of 10°42'56", said curve having a radius of 2,952.50 feet and being subtended by a chord which bears N79°47'05"E, 551.38 feet to the point of tangency of said curve; Thence N74°25'37"E, 69.64 feet to a point of curvature; Thence 72.98 feet along the arc of said curve to the right through a central angle of 83°37'55", said curve having a radius of 50.00 feet and being subtended by a chord which bears S63°45'26"E, 66.67 feet to a point of compound curvature; Thence 901.48 feet along the arc of said curve to the right through a central angle of 26°37'27", said curve having a radius of 1,940.00 feet and being subtended by a chord which bears S08°38'03"E, 893.39 feet; Thence S04°40'41"W, 970.22 feet to the POINT OF BEGINNING.

Containing 39.281 acres (1,711,094 square feet), more or less.

EXHIBIT "B"

Future Year Improvements
NW Sector DRI/Lakewood Centre DRI Build Out Studies (Revised)
June 13, 2012

Location	Type of Operation	2019 P.M. Peak Hour Level of Service	Improvements	Improved LOS	Improvement Costs***	Northwest Sector/Lakewood Centre All-Phases Total %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share
(13) SR 64 and Lorraine Road	Unsignalized	F	• signalize when warranted	C	$350,000	73.5%	28.7%	$100,450
(19) SR 70 and 45th Street E / Lockwood Ridge	Signalized	F	• dual NBR's (add 1 to 1 existing)	D	$343,208	62.5%	24.4%	$83,743
(28) SR 70 and Lakewood Ranch Boulevard	Signalized	F	• add 1 NBR	D	$1,408,431	86.1%	33.7%	$474,641
(29) SR 70 and "Road B"	Unsignalized	**	• signalize when warranted* Recommended Geometry on SB approach * • 1 SBL, 1 SBR	C	N/A - Project Improvement	N/A - Project Improvement	N/A - Project Improvement	N/A - Project Improvement
(46) Lakewood Ranch Boulevard and Malachite Drive	Unsignalized	C/F/F/F/F (NBL/SBL/WBT/WBR/EBR)	• signalize when warranted	D	$350,000	90.0%	35.2%	$123,200
(50) Lorraine Road and Rangeland Parkway	Unsignalized	**	• Add 1 NBL • Add 1 SBR Recommended Geometry on EB approach * • 1 EBL, 1 EBR	A/D/B (NBL/EBL/EBR)	$216,619 $352,008	83.5%	32.6%	$165,372
(56) Lorraine Road and 44th Avenue	Unsignalized	**	• Add 1 SBR Recommended Geometry on EB approach * • Add 1 EBL • Add 1 EBR	A/C (NBL/EBLR)	$352,008	83.9%	32.8%	$115,459
(11) SR 64 and Lakewood Ranch Boulevard**	Signalized	F	• Add 1 NBL • Add 1 EBR	D	$528,012 $1,302,400	81.0%	31.7%	$580,241
(25) SR 70 and 87th Street E**	Signalized	D (with EBT v/c > 1.0)	• Add 1 EBT and rcving lane	C	$1,033,339	85.2%	33.3%	$344,102
(27) SR 70 and River Club Boulevard/Forest Run**	Signalized	D (with WBL, EBT, NBL v/c > 1.0)	• Add 1 EBT and rcving lane	C	$1,236,894	87.9%	34.4%	$425,492
(28) SR 70 and Lakewood Ranch Boulevard**	Unsignalized	F	• Add 1 EBT and rcving lane • Add 1 WBT and rcving lane • Add 1 EBL • Add 1 SBR	C	$539,701 $539,701 $1,195,600 $880,000	86.1%	33.7%	$1,063,236
SR 70 and US 301	Signalized	E	Add NBT and rcving lane	D	$336,147	46.3%	18.1%	$60,843
				Total				$3,556,779
				Total Both DRIs				$3,556,779

*To be constructed by the applicant as needed for development.
**These improvements could be replaced by the alternative improvement to 44th Avenue below
***Costs provided by Manatee County.

Note: Improvements from Table 21-10 at internal roadway intersections at Pope/Malachite and Pope/Rangeland will be constructed by the applicant as needed for development.

Cost of Improvements Which Are An Alternative To The Intersection Improvements Marked "**" Above

Location	Type of Operation	2019 P.M. Peak Hour Level of Service	Improvements	Improved LOS	Improvement Costs	Northwest Sector/Lakewood Centre All-Phases Total %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share %	NW Sector and Lakewood Centre Beyond Phase I Total Prop Share
Extend 44th Avenue as 4LD from east of I-75 to Morgan Johnson					$40,022,583	29.1%	11.4%	$4,562,574
					Total Alternative Improvement			$4,562,574
					Total Prop Share with Alternative Improvement			$5,706,282

EXHIBIT "C"
The Pope Road Improvement*

*Pope Road (from 44th Avenue East to State Road 64) to be constructed as the outside two lanes of a four lane divided roadway in the general alignment reflected in the Future Thoroughfare Map of the Comprehensive Plan

EXHIBIT "D"

NORTHWEST SECTOR
TABLE 1: DEVELOPMENT TOTALS

LAND USE	PHASE I (2007- 2022)*# Base Entitlements	PHASE II (2009- 2026)*	TOTAL
RESIDENTIAL			4,422
Single-Family (s.f.)	2,650	1,422	4,072
Multi-Family (m.f)	350	0	350
RETAIL (square feet)	200,000	0	200,000
OFFICE (square feet)	105,000	0	105,000
PARK (acres)	9.2	10	19.2

* The phasing buildout dates shall be March 22nd of the years indicated and include legislatively approved extensions (SB 360 and SB 1752) for Phase I and (HB 7207 and F.S.252.363) for Phases I and II.

\# Includes the option for a group care facility as part of a land use exchange. The Land Use Equivalency Matrix allows the exchange of other approved land uses (single-family detached, multi-family, commercial, and office space) for Group Care Facility (AKA: Assisted Living Facility) beds.

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

TABLE 2: LAND USE EQUIVALENCY MATRIX

CHANGE FROM:	CHANGE TO:				
	Residential / SF Detached (Units)	Residential/ Apartment (Units)	COMMER -CIAL (Sq. Ft.)	OFFICE (Sq. Ft.)	ASSISTED LIV. FAC (Beds)
Residential/S.F. Detached (Units)		1.42	202.00	255.00	3.24
Residential/Apartment(Units)	0.65		132.00	165.00	2.11
Commercial (1,000 Sq. Ft.)	2.73	3.88		1,271.00	16.20
Office (1,000 Sq. Ft.)	0.47	0.68	176.00		3.30
Assisted Living Facility* (Beds)	0.14	0.20	51.00	79.00	

LAKEWOOD CENTRE
TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022*	Phase 2 2009 – 2021*	Phase 3 2012-2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	3,239
Single Family	-0-	200	236	436
Total	900	2,000	775	3,675
Commercial/Office (sq. ft.)				
Retail	460,000	542,000	772,000	1,774,000
Office	458,000	458,000	647,000	1,563,000
Total	918,000	1,000,000	1,419,000	3,337,000
Hotel (rooms)	300	-0-	-0-	300

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

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

TABLE 2: LAND USE EQUIVALENCY MATRIX

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

Clerk of the Circuit Court - Manatee County
R.B."Chips" Shore
P.O. Box 25400 Bradenton FL 34206
Visit our website: "www.manateeclerk.com"

INVOICE

RECEIPT
#1 of #1

001.115000

GRIMES GOEBEL GRIMES & HAWKINS
ATTN: JANET DANZIGER

BRADENTON FL 34206

AR PAYOR: AR500027 UDC Book# 2497 Page# 5037
DOC TYPE: AGR CALC AMOUNT: $0.00
PAGES: 28 FILE# 003211307
Receipt: 490096052 11/08/13 9:25AM By: HHOOEY

CODE	RECEIPT DESC.	FUND	ACCOUNT	QTY	FEES
R	RECORDING TRUST	199	000000341150	0	14.50
R	RECORDING FEES	001	000000341100	0	113.00
R	CLERK CT TECH FUND	199	000000341160	0	53.20
R	FL ASSOC COURT CLERK	001	000000208911	0	2.80
R	BD OF COUNTY COMM	001	000000208912	0	56.00

RECEIPT TOTAL: $239.50
GRAND TOTAL: $239.50

Receipt#
490096052 thru 490096052

OFFICE HOURS *****8:30 AM - 5:00 PM
ion to the Future"

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, RENDERING AN AMENDED AND RESTATED DEVELOPMENT ORDER PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, FOR THE LAKEWOOD CENTRE DEVELOPMENT OF REGIONAL IMPACT (ORDINANCE 13~~2~~-28), TO APPROVE THE FOLLOWING CHANGES TO MAP H AND THE DEVELOPMENT ORDER INCLUDING A DETERMINATION OF WHETHER THE FOLLOWING CHANGES CONSTITUTE A SUBSTANTIAL DEVIATION TO THE LAKEWOOD CENTER DEVELOPMENT OF REGIONAL IMPACT IN RESPONSE TO THE OWNER'S SUBMITTAL OF A NOTICE OF PROPOSED CHANGE: (1) ADD 796.22 +/- ACRES TO THE BOUNDARIES OF THE DRI~~UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS~~, (2) GRANT SPECIFIC APPROVAL OF PHASES 2 AND 3~~UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN,~~ (3) REFLECT THE SATISFACTION OF TRANSPORTATION MITIGATION OF IMPACTS OF THE PROJECT THROUGH BUILDOUT, ~~CLARIFY PROCEDURES FOR A LAND USE EXCHANGE,~~ (4) REFLECT REVISED DEVELOPMENT TOTALS CONSISTENT WITH THE PREVIOUSLY APPROVED LAND USE EXCHANGE AND (5~~4~~) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY; PROVIDING FOR DEVELOPMENT RIGHTS, CONDITIONS, AND OBLIGATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the Project* is proposed in three phases: Phase 1 with a buildout date of 2022~~0~~; Phase 2 with a buildout date of 2021~~19~~; and Phase 3 with a buildout date of 2026~~4~~;

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

WHEREAS, through the NOPC process and this amendment to the Development Order, specific ~~Conceptual~~ approval will~~as~~ be granted for Phases 2 and 3; ~~and in the future, Specific Approval of Phases 2 and 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S.;~~ and,

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

WHEREAS, on October 3,~~June 13,~~ 2013, the Board of County Commissioners approved an amendment to the Development Order to update the phasing and buildout dates to reflect legislatively approved extensions; updated conditions to reflect compliance with requirements contained therein; clarified procedures for a land use exchange and other amendments for internal consistency; ~~SMR North 70, LLC filed a request to amend the Development Order pursuant to Section 380.06(19)(e)2, Florida Statutes, which does not require the filing of a notice of proposed change, but, requires an application to the local government to amend the development order in accordance with the local government's procedures;~~ and

WHEREAS, on May 15, 2014, SMR North 70, LLC and SMR Northwest Land, LLC filed a Notice of Proposed Change to add 796.22 +/- acres to the boundary of the DRI, to request Specific Approval of Phases 2 and 3, to reflect the satisfaction of transportation mitigation of impacts of the project through buildout and to reflect revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency; and

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

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

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

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

WHEREAS, the Board of County Commissioners has received and considered the report and recommendation of the Tampa Bay Regional Planning Council; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ~~September 12~~XXXXX, 2014~~3~~ regarding Ordinance 14-XX~~3-28~~ and has solicited, received, and considered all testimony, reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff; and

WHEREAS, the Board of County Commissioners held a duly noticed public hearing on ~~October 3,~~ 2014~~3~~ regarding Ordinance 14-XX~~3-28~~ and has solicited, received, and considered all testimony reports, comments, evidence, and recommendations from interested citizens, County agencies, the applicant, and the review and report of Manatee County staff.

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

SECTION 1. AMENDMENT AND RESTATEMENT OF DEVELOPMENT ORDER FOR DRI #27, ORDINANCE 1~~2~~3-28.

Ordinance 13~~2~~-28 is hereby amended and restated in its entirety below. This ordinance constitutes the amended and restated Development Order for the Lakewood Centre Development of Regional Impact. The prior Development Order shall be superseded by this Ordinance, provided this amendment shall not be construed to terminate the rights of the Developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and are not specifically herein or otherwise modified or amended.

SECTION 2. FINDINGS OF FACT.

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

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

B. An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend Zoning Ordinance No.PDMU-06-30(G)(R2) and the General

Development Plan for the original ~~entire~~ 697.4+/- acre tract and the addition of a 796.22 +/- tract to the project.

An application has been submitted to Manatee County and is being processed concurrently with this amendment to the Development Order to amend the Future Land Use Category for a 245 +/- acre tract within the boundaries of the additional lands.

C. The Board of County Commissioners held a public hearing on ~~October 3~~XXXXXX, 201~~3~~4, regarding the application to amend the Development Order and the proposed Zoning Ordinance amendment and to adopt the Ordinance for a Comprehensive Plan Amendment to amend the Future Land Use Category for a portion of the additional lands in accordance with the requirements of the Manatee County Land Development Code (Ordinance 90-01, as amended) and the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and has further considered the testimony, comments, and information received at the public hearings.

D. Manatee County has adopted the Manatee County Comprehensive Plan which is in compliance with applicable state laws.

E. The Comprehensive Plan requires a Certificate of Level of Service to be issued for water, wastewater, solid waste, parks and recreation, roadways, transit, and drainage in compliance with state requirements and the Land Development Code.

F. This Development Order is issued based on information provided by the Developer* in the original ADA* (with sufficiency responses), this application to amend the Development Order; public hearing testimony; data, information, and recommendations provided by the Planning Commission and Manatee County Building and Development Services staff, and the Tampa Bay Regional Planning Council, and ensures continued compliance with the Manatee County Comprehensive Plan.

G. The real property which is the subject of this Development Order is legally described in Section 8 of this Ordinance.

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

I. The authorized agent and address for the Project* is Todd J. Pokrywa of SMR North 70, LLC, 14400 Covenant Way, Lakewood Ranch, Florida 34202.

J. The owner of the property is SMR North 70, LLC and SMR Northwest Land, LLC, their ~~its~~ heirs, assigns, designees and successors in interest as to the Project*.

SECTION 3. CONCLUSIONS OF LAW.

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

1. The Project* will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.

2. The Project* is consistent with the local land development regulations and is consistent with the State Comprehensive Plan (SCP), the Tampa Bay Regional Planning Council's Future of the Region, A Comprehensive Regional Policy Plan (FCRPP), and the 2020 Manatee County Comprehensive Plan (as amended).

3. The Project*, as conditioned by this Development Order, is consistent with the report and recommendations of the Building and Development Services Department and the report and recommendations of the Tampa Bay Regional Planning Council.

4. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record in these proceedings, the Developer* is authorized to conduct development as described herein, subject to the conditions, restrictions, and limitations set forth below.

5. The review by the County* and interested citizens reveals that impacts of the development are adequately addressed pursuant to the requirements of Section 380.06, Florida Statutes, within the terms and conditions of this Development Order, and the ADA, as amended by this request to modify the Development Order. To the extent that the ADA* is inconsistent with the terms and conditions of this Development Order, the terms and conditions of this Development Order shall prevail.

6. Pursuant to Section 380.06(19), F.S., the changes proposed pursuant to the NOPC submitted on May 15, 2014 and approved with conditions pursuant to Ordinance 14-XX are presumed to be a substantial deviation, however, the presumption has been rebutted and the changes have been determined not to constitute a substantial deviation requiring further Development of Regional Impact review.

SECTION 4. DEVELOPMENT COMPONENTS:

A. This Development Order approval shall constitute approval of the application to amend the Development Order subject to the conditions set forth herein and shall be limited to the development amounts set forth in Table 1, below.

B. Phases 1, 2 and 3 of the Development are~~is~~ Specifically Approved subject to the conditions found within the Development Order and a Certificate of Level of Service for all services, except potable water and sewer, which has been issued for the land uses listed in Phases 1, 2 and 3 as defined herein and in Zoning Ordinance PDMU-06-30(G)(R3). Potable water and sewer concurrency will be reviewed at time of each Final Site Plan submittal.

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

~~C. Approval of Phases 2 and 3 will also require review and approval of a revised Zoning Ordinance to be approved by the Board of County Commissioners.~~

C Preliminary and Final Site Plan applications shall be reviewed for compliance with this Development Order and shall be subject to the requirements of the Manatee County Comprehensive Plan and Land Development Code in effect at the time of such site plan application, as to such requirements which are not specifically addressed in this Development Order or are not inconsistent with this Development Order.

D. The build-out date for this Development Order is March 22, 2026.

E. The expiration date for this Development Order is March 22, 2027.

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022*	Phase 2 2009 – 2021*	Phase 3 2012-2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	**3,239**
Single Family	1,008~~0~~	200	236	**1,444~~436~~**
Total	**1,908~~900~~**	**2,000**	**775**	**4,683~~3,675~~**
Commercial/Office (sq. ft.)				
Retail	3~~4~~60,000	542,000	772,000	**1,~~7~~674,000**
Office	3~~4~~58,000	458,000	647,000	**1,~~5~~463,000**
Total	**7~~9~~18,000**	**1,000,000**	**1,419,000**	**3,~~3~~137,000**
Hotel (rooms)	**300**	**-0-**	**-0-**	**300**

Source: WilsonMiller, September 2005

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

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

F. Development Totals:

1. The Land Use Equivalency Matrix, below allows the developer variations in the quantity of approved land uses without the requirement to analyze such modifications through the Notice of Proposed Change process. The conversion formulas presented below are based on p.m. peak hour trip generation factors.

2. In seeking approval of a specific Land Use Exchange, the Developer* shall prepare a request which demonstrates that the impacts generated by the revised land use mix will not exceed the impacts for transportation, solid waste disposal, mass transit, drainage, and parks and recreation, which have been approved and authorized in the Certificate of Level of Service Compliance (CLOS) issued for that phase or subphase. Additionally, the Developer* shall demonstrate that the proposed land use mix will not generate the need for additional affordable housing beyond the amount for which the supply of affordable housing has been demonstrated to be available and is described in Section M of this Development Order. The Developer* must apply for a modification to the CLOS

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

3. An application for a Land Use Exchange must include a revised General Development Plan which will include a revised Land Use and Phasing Schedule and a reallocation of square footage. Each proposal for a land use exchange and revised General Development Plan shall be reviewed for compliance with the provisions of this Development Order, the Manatee County Land Development Code, and the 2020 Manatee County Comprehensive Plan and shall be subject to the approval of the Board of County Commissioners.

4. The County's review of any such request shall include a determination that the project as a whole will continue to be developed as a mixed use project with both residential and non-residential uses. As a part of such analysis, the County shall review the percentage of developed land area devoted to each land use category.

5. Upon approval of a Land Use Exchange, County staff shall provide to the Florida Department of Economic Opportunity (DEO) and TBRPC a copy of said approval.

6. The DRI biennial report shall include information indicating implementation of the matrix as well as cumulative amounts of development which have been approved by the County as of the biennial report date.

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

Land Use Equivalency Matrix:

TABLE 2: LAND USE EQUIVALENCY MATRIX

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

SECTION 5. DEFINITIONS.

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

A. "Application for Development Approval*" or "ADA*" shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval* (April 28, 2006), and the sufficiency responses submitted by the Developer* on October 23, 2006, April 20, 2007, and September 14, 2007. Certain ADA questions have been answered within the submittal dated May 15, 2014 with information related to the 796.22 +/- acre tract.

B. "Best Management Practices*" shall mean the method or combination of methods determined after problem assessment and examination of alternative practices, to be the most effective and practicable means of reducing or preventing nonpoint source pollution to levels compatible with water quality goals. These measures could include both structural (e.g., sediment/debris basins, wetland impoundment of agricultural runoff, etc.) and nonstructural (e.g., street vacuuming, deferred grazing systems, etc.) approaches to abatement of nonpoint source pollution, and may vary on a

regional and local basis depending on the nature of the problem, climate, physical characteristics, land use, soil types and conditions, and other factors.

C. "County*" shall mean Manatee County, a political subdivision of the State of Florida.

~~D. "Conceptual Approval*" shall mean general review of the proposed location, densities, intensity of use, character, and major design features of a proposed development required to undergo review under this section for the purpose of considering whether these aspects of the proposed development comply with the issuing agency's statutes and rules. A conceptual agency review approval shall be valid for up to 10 years, unless otherwise provided in a state or regional agency rule, and may be reviewed and reissued for additional periods of time under procedures established by the agency.~~

~~E.~~D. "Developer*" shall mean SMR North 70, LLC or SMR Northwest Land, LLC, their ~~its~~ heirs, assigns, designees, agents, and successors in interest as to the Project* and all conditions of approval.

~~F.~~E. "Development Approval*" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Plat, and Final Site Plan process or Construction Drawing approval where site plans or subdivision plats are not required.

~~G.~~F. "Fair Market Rent Documentation System" shall mean a system established by the Department of Housing and Urban Development (HUD) that provides complete documentation of the development of the Fair Market Rents (FMRs) for any area of the country. FMRs are developed and updated from the metropolitan Core-Based Statistical Areas (CBSAs) as established by the Office of Management and Budget.

~~H.~~G. "Funding Commitment*" shall mean projects funded for construction in the current year plus one of an adopted work program, or committed by private sources which can include the Developer*, for construction with funding provided within one year.

~~I.~~H. "Master Drainage Plan*" shall mean a plan showing the proposed stormwater management components to be constructed for the entire Project* as follows:

1. existing topography;

2. existing drainage features, both on site and off site, that will affect the drainage concept of this Development*; existing and developed drainage basins, with their direction of outfall;

3. proposed stormwater management facilities, which shall include: detention lakes, connection of lakes, and the eventual outfall for these lakes; and

4. off site areas that historically drain through the property shall be addressed as to the method the applicant proposes to use to accommodate off site stormwater.

~~J.~~I. "Project*" shall mean the land uses by area, square footage, density, and phase ~~described in the ADA*~~ to be constructed on the real property described in Section 8 herein.

~~K.~~J. "Specific Approval" shall mean ADA approval for Phases 1, 2 and 3 ~~only~~. ~~Specific Approval* of Phases 2 & 3 will be contingent upon submittal of further transportation and air quality analyses in accordance with Section 380.06, F.S., with a requirement for prior conduct of transportation methodology meetings. Reanalysis of affordable housing associated with Phases 2 & 3 shall only be required if there is a changes to the phases or Rule 73C-40.048 FAC is modified regarding affordable housing. Verification of adequate public utility and school capacity is also required.~~ Specific Approval* herein should not be confused with Specific Approval* as defined in the Manatee County Land Development Code.

~~L.~~K. "Vertical Development*" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any structure.

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

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

SECTION 6. DEVELOPMENT CONDITIONS:

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

Transportation

A.(1) Transportation mitigation improvements shall be implemented through the Local Development Agreements (LDA 10-01 and LDA-13-03) approved by Manatee County on September 14, 2010 and November 7, 2013, respectively. ~~The Lakewood Centre DRI~~

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

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

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

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

~~A.(2) Because the transportation improvements identified above have the "trip trigger", a monitoring program is necessary to verify that the actual number of trips generated accurately reflects the transportation analysis and subsequently required improvements. This monitoring program requires biennial pm peak hour project driveway counts at all project entrances with public roadways (including SR 70, Lakewood Ranch Boulevard, Center Ice Parkway, Pope Road, and Malachite Drive). The monitoring program shall commence one year after issuance of the first Certificate of Occupancy or first Final Plat, whichever occurs first, for Phase 1. Monitoring shall continue on a biennial basis for each access point until the trip improvement threshold is reached. The monitoring shall be conducted no earlier than 60 days prior to the due date of each biennial report in order to ensure relatively current traffic data and shall continue to project buildout.~~

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

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

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

~~A.(3) In the event that total external p.m. peak hour trips exceed the threshold levels described in Table 5, and the corresponding~~

~~Funding Commitments have not been provided, no further Final Site Plan approvals shall be granted unless an analysis is submitted which identifies the revised number of total external p.m. peak hour trips after which the required improvement would be required, according to the new subphase analysis. The Development Order shall be amended to reflect these revised trip levels.~~

~~A.(4)~~A.(2) With each Final Site Plan application, the Developer shall submit to the County a limited traffic study which addresses ~~the following :~~

~~External P.M. peak hour trips predicted to be generated by the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 5 are reached; and,~~

~~2. An assessment of~~ the estimated traffic operations and turning movements together with the conceptual design of the driveways, serving the ~~Project~~ project covered by the Final Site Plan application.

~~A.(5) Prior to development of Phase 2 or Phase 3, revised transportation analyses shall be required to be submitted pursuant to Section 380.06(6), Florida Statutes. This analysis shall address transportation impacts which result from the development of these phases.~~

~~A.(6)~~A.(3) ~~As part of the Phase 2 or Phase 3 approval, the Developer shall prepare a Transportation Systems Management (TSM) program. The plan shall be reviewed by Manatee County, Metropolitan Planning Organization, Florida Department of Transportation (FDOT), and TBRPC. The TSM program shall include a biennial assessment of the actual achievement of vehicle trips diverted from the peak hour as a result of the TSM measures. This assessment shall also include sufficient and appropriate documentation for all diversions claimed as a result of the TSM measures. Results of the TSM program shall be included in the Biennial Report.~~ The Developer ~~Transportation Systems Management Program~~ shall encourage transportation system management (TSM) measures such as the use of ~~evaluate~~ carpooling, vanpooling, mass transit, alternative hours of operation for employment and retail centers and other forms of transportation diversion and shall provide information to residents and employers on available opportunities.

~~A.(7)~~A.(4) Developer shall work with Manatee County Area Transit (MCAT) on identifying a potential transit stop(s) within the Project*.

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At such time that MCAT has established a plan for service to the Project and coordinated needed location(s) for a transit stop with Developer, Developer shall accommodate the requisite stop(s) within the Project.

~~A.(8)~~A.(5) The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and park sites.

~~A.(9)~~A.(6) Provisions shall be made for the construction of all internal collector roads as shown on DRI Map H (Attached as Exhibit A). Roads shall be constructed at the cost of the Developer, or other appropriate entity, prior to or in conjunction with development requiring access on that roadway. This dedication/construction shall be eligible for impact fee credits to the extent allowed by the Manatee County Land Development Code and applicable law. Right-of-way along Malachite Drive (complete) and ~~Pope Road~~White Eagle Boulevard (complete from State Road 70 to Malachite Drive) will be dedicated to Manatee County by the Developer prior to or in conjunction with any Preliminary Site Plan or Preliminary Plat approvals adjacent to or encompassing such roadways, to ensure 120 feet of right-of-way adjacent to the site, except dedication of White Eagle Boulevard from 44th Avenue East to State Road 64 will be completed in accordance with the terms of the Local Development Agreement (LDA-13-03). These~~is~~ dedications shall be impact fee creditable to the extent permitted by the Manatee County Land Development Code and applicable law.

~~A.(10)~~A.(7) There shall be bicycle or pedestrian facilities on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike paths and lanes shall be constructed in accordance with Manatee County standards

~~A.(11)~~A.(8) The Developer shall provide adequate sidewalks along both sides of all streets and roadways throughout the Project.

~~A.(12)~~A.(9) Improvements made pursuant to the Local Development Agreement (LDA-10-01) ~~proportionate fair share ordinance,~~ adopted by Manatee County Board of County Commissioners on September 14, 2010~~November 7, 2006,~~ shall satisfy the requirements for mitigation of the Project's Phase 1 transportation impacts. ~~(LDA 10-01 implements the applicant's proportionate fair share contributions for Phase 1 mitigation.)~~

A.(1~~3~~0) Improvements made pursuant to the Local Development Agreement (LDA-13-03) adopted by the Manatee County Board of County Commissioners on November 7, 2013, shall satisfy the requirements for mitigation of the Project's Phases, 2 and 3 transportation impacts.

Vegetation, Wildlife, and Wetlands

B.(1) As to the original 697.4 acre lands, ~~No~~ no impacts to Natural Resources of Regional Significance (NRRS) as defined by TBRPC are proposed by this project. Impacts to Natural Resources of Regional Significance, as delineated on Map 3 (Attached as Exhibit B) in the TBRPC's Final Report of the Lakewood Centre DRI, adopted December 10, 2007, shall only occur if justified pursuant to *Future of the Region, A Strategic Regional Policy Plan for the Tampa Bay Region* Policy 4.5.2. Mitigation for justifiable impacts to Natural Resources of Regional Significance shall meet the ratios set forth in that policy and Policy 4.5.6; i.e., 2 created: 1 impacted for Special Habitats (Strategic Habitat Conservation Areas and Priority Wetlands); 3 created: 1 impacted for Riverine Habitat; and twice that amount if mitigation is in the form of restoration of disturbed habitat of a similar nature, at minimum.

B.(2) In the event that any state or federally-listed species are discovered breeding on-site during project development, the Developer* shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.

B.(3) Nuisance and exotic plant species shall be removed from upland areas of the project site during site development. A plan shall be developed to address how preserved and conserved upland areas will be managed to limit nuisance and exotic species. The plan shall be submitted to Manatee County for approval with the first Final Site Plan or Final Plat for vertical development. (completed)

B.(4) As committed, the applicant shall preserve and protect all wetlands as shown on Map H using upland vegetated buffers managed as wildlife habitat. Unavoidable impacts to wetlands may be mitigated using credits from the Long Swamp Ecosystem Management Plan.

B.(5) Conservation Easements for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas shall be dedicated to the County prior to issuance of first Certificate of Occupancy or Final Plat for those areas within or directly adjacent to the proposed phase of development.

B.(6) Preliminary and Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission, as applicable) from the bald eagle nest shall be designed in accordance with the

current Habitat Management Guidelines for the Naples Eagle published by the U.S. Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission, as applicable, shall be provided prior to Final Site Plan approval.

B.(7) The natural wildlife corridor existing along the wetland corridor located south of Malachite Drive and north of ~~Center Ice~~Rangeland Parkway shall be maintained and protected by placing the area in a conservation easement. Wildlife passageways shall be incorporated into the roadways designed to cross this corridor if practical and approved by appropriate state, regional, and local agencies.

B.(8) The project site may continue to be used for agricultural activities during development, but at no greater intensity than at present. No new clearing of tree or preservation areas shall be permitted for any new agricultural uses.

B.(9) Prior to each Preliminary Site Plan approval, an evaluation for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), shall be performed by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation and mitigative measures shall be subject to the approval of Manatee County. Copies of a remediation and mitigation plans along with the approvals by appropriate State or Federal agencies shall be provided to the Building and Development Services Department. All remediation and mitigation activities shall be completed prior to commencement of construction. A remediation plan shall be reviewed and submitted for approval to Manatee County.

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

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

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

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

The potential upland preservation areas (consisting of Pine Flatwoods, Pine Mesic Oak and Live Oak) shown on the GDP shall be reviewed with each ~~shall be clearly delineated, labeled and quantified on the~~ Preliminary Site Plan or Final Site Plan encompassing or adjacent to the areas. Upland Preservation Areas may be reconfigured, subject to Building and Development Services Director approval, with the Preliminary Site Plan provided that the overall acreage (23.8 acres), general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. Limited impacts may be permitted for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters or significant vegetation.

B.(12) The Developer* shall provide 23.8 acres of upland preservation. Upland preservation areas, consistent with the potential Upland preservation areas identified on Map H (Attached as Exhibit A). The 23.8 acres of upland preservation shall not be inclusive of any required wetland or landscape buffers.

B.(13) The Developer* shall submit for review and approval, a Habitat Management Plan for the upland preservation areas with the first Preliminary Site Plan. (completed)

Soils

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

Air Quality

D.(1) Best Management Practices*, including those identified in the ADA*, shall be employed during site preparation and construction to minimize air quality impacts.

~~D.(2) The developer shall provide full ADA* responses for Air Quality when seeking specific approval of Phases 2 and 3. Future review shall be administered under the Notice of Proposed Change process.~~

Water Quality and Stormwater Management

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

E.(2) Development practices shall incorporate Best Management Practices*, including those which prevent construction-related turbidity.

E.(3) Because the project is partially within the Wolf Slough/Evers Reservoir basin, an integrated pest management program shall be implemented to minimize the use of fertilizers and pesticides, and the design and construction techniques listed below should be utilized:

- ensuring that ponds and swales are properly grassed; and
- implementation of a site-specific surface and groundwater quality monitoring system, through the Environmental Monitoring Plan.

E.(4) The Developer* shall encourage the use of water conserving landscapes and the responsible use of water by residents and occupants throughout the ~~p~~Project*.

E.(5) Existing native vegetation shall be preserved to meet screening requirements, where feasible, unless otherwise approved by the Building and Development Services Department.

E.(6) To prevent adverse effects to groundwater quality during construction, there shall be no excavation into or through the Floridan aquifer's confining layers.

E.(7) Stormwater management ponds shall not be constructed within wetland buffers or other natural resources of regional significance.

E.(8) The applicant shall implement resident education advocating surface water protection.

E.(9) Low impact development techniques are encouraged to be used throughout the development, particularly in areas draining to the Evers Reservoir. These techniques shall include, but are not limited to, the following:

- Retention of the maximum amount of existing native vegetation;
- Shallow vegetated swales in all areas, including parking;
- Appropriate Florida-friendly plant selections;
- Small, recessed garden areas throughout landscaped areas;
- Porous pavement and other pervious pavement technologies; and
- Stabilized grass areas for overflow parking.

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

E.(10) Prior to construction of individual parcels or portions thereof, the applicant must provide a plan at the time of Preliminary or Final Site Plan detailing the operation and maintenance of the stormwater management system. The plan shall, at a minimum, identify the responsible entity, establish a long-term funding mechanism and provide assurance through written commitments that the entity in charge of the program has the technical expertise necessary to carry out the operation and maintenance functions of the stormwater management system.

E.(11) All habitable structures shall be constructed in accordance with Manatee County's flood protection requirements.

E.(12) Compensation for the loss of 100-year flood storage capacity shall be provided.

E.(13) Manatee County has reviewed and approved the groundwater quality monitoring plan submitted for the Lakewood Centre DRI. This approval is contingent upon the following requirements:

- The Developer* shall ensure the protection of monitoring wells and access to monitoring wells through build-out of the project. Should any of the monitoring wells be destroyed the responsible entity shall provide written notification of the incident and corrective action taken to Manatee County.
- Should the land use change significantly or should the baseline monitoring reveal exceedences that would merit additional monitoring measures, Manatee County may require the monitoring plan to be modified accordingly.
- If monitoring activities do not begin in a timely manner, Manatee County may require the monitoring plan to be modified accordingly.

Historical and Archaeological Sites

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

Water

G.(1) Water-saving devices shall be required in the project as mandated by the Florida Water Conservation Act (Section 553.14, F.S.).

G.(2) The Developer* shall be required by Manatee County ordinances, to extend potable water service to each phase or subphase of the Project* to assure that adequate potable water capacity exists to accommodate the Project*.

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

G.(3) The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited throughout the project, including on individual lots. Prior to Final Site Plan approval applicant shall specify source of irrigation on site plan.

~~G.(6)~~G.(4) The Developer* has committed to the following:

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- utilization of a non-potable water system for all landscaped areas;
- use of native vegetation or drought-resistant vegetation in landscaped areas and the single-family residential portion of development; and
- the re-establishment of the tree canopy previously cleared for agricultural activities, where possible.

~~G.(7) The Developer* shall obtain verification of adequate water supply availability and service concurrent with the request for specific approval of Phase 2 and Phase 3.~~

~~G.(8)~~G.(5) Water-saving plumbing fixtures must be used inside all buildings, including housing units.

~~G.(9)~~G.(6) Water-conserving irrigation systems shall be used throughout the development. Rainfall sensors shall be placed on all systems.

~~G.(10)~~(G.(7) Irrigation time clocks shall be reset after the establishment period for new landscaping has expired.

~~G.(11~~G.(8) Florida-friendly landscaping principles shall be used throughout the development.

~~G.(12)~~G.(9) Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be irrigated.

~~G.(13)~~G.(10) Conservation education shall be provided for the residents and other users of the development.

~~G.(14) Total water use for the residential development shall not exceed 150 gallons per capita per day.~~

Wastewater

H.(1) The Developer* shall be required by Manatee County ordinances, to expand wastewater service to each phase or subphase of the Project* to assure that adequate wastewater capacity exists to accommodate the Project.*

H.(2) No septic tanks are permitted.

Solid Waste

I.(1) Commercial and office tenants shall be provided with information at

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the time of purchase or lease which identifies hazardous or medical materials and proper procedures for the handling and disposal of such materials. In the event that businesses using or producing hazardous materials or medical waste locate within the project, these materials shall be handled in a manner consistent with applicable Federal, State and Local regulations.

I.(2) The Developer* shall be required by Manatee County ordinances, to extend solid waste service to each phase or subphase of the Project* to assure that adequate solid waste capacity exists to accommodate the Project*.

Recreation and Open Space

J.(1) Greenways, environmentally-sensitive features, open space, and recreation facilities shall be maintained by the Developer* or successors such as a Home Owners Association, CDD, other legal entity and/or as directed by the permitting agencies.

J.(2) As committed, the Developer* shall provide ~~36.8~~75-acres of parks within the Project. ~~on-site at the locations indicated on Map H.~~ In conjunction with Manatee County, the Applicant may review the exact locations and configurations of such parks and these may be modified from those shown on Map H. An additional 23.5 acres of passive parks (within upland preservation areas and outside of wetland buffers) will be provided on the site, at locations to be determined by Manatee County through the development review process.

Health Care, Police, and Fire

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

impact fees in the normal course of business for all phases.)

K.(2) The Developer* shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, equipping, and staffing of emergency service facilities for police and fire services or any combination thereof. The Developer* may, with the concurrence of the County, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, as allowed by the Land Development Code, if applicable. An agreement as to pro-rata share for each Phase, mutually acceptable to the County and the Developer shall be reached prior to the issuance of the first Final Site Plan or Final Plat for Vertical Development for each Phase. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law.~~(completed for phase I only)~~ (Developer shall satisfy this condition through the payment of impact fees in the normal course of business for all phases.)

K.(3) As agreed upon, the applicant shall use applicable Fire Wise principles such as clearing around houses and structures, carefully spacing trees, and maintaining irrigation systems. Such practices shall be described on the Landscape Plans of each Final Site Plan.

Hurricane Preparedness

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

Affordable Housing

M.(1) The Developer shall provide workforce housing at a price as determined pursuant to the parameters as set forth in the definition contained within the Manatee County Land Development Code or at a rental rate as set forth in Stipulation M.(3) below, within the project, or within an adjacent project, in an amount equal to 10% of the total number of residential units (not to exceed 368 based upon the original 3,675 approved dwelling units) constructed in Lakewood Centre Phases 1, 2, and 3. The workforce housing required herein is generally designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.

M.(2) Maximum home sales prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The maximum sales price in effect at the time of the sale ~~a contract for purchase~~ of a workforce housing unit ~~is executed~~ shall apply.

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

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

M.(5) With each Biennial Report, the overall ratio of workforce housing units provided to the number of residential units constructed in the Project shall be determined.

M.(6) Should the required housing mitigation for Phase IV of the University Lakes DRI be constructed within Lakewood Centre, a separate calculation showing the overall ratio of workforce housing units provided within Lakewood Centre to the number of residential units constructed in Phase IV of University Lakes shall be included in the Biennial Report. This calculation will be for informational purposes only; any required fees for units not provided will be calculated according to the terms and conditions of the University Lakes DRI Development Order

Energy

N.(1) The Developer* shall incorporate energy conservation measures into the site design, building construction, and landscaping to the maximum extent feasible.

N.(2) As committed, the Project* shall be certified as a “green development” by the Florida Green Building Coalition (FGBC)

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under its Green Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. The "Green Development" designation requires a combination of the following six categories: Protect Ecosystem and Conserve Natural Resources; Create a Green Circulation System; Green Utility Practices; Amenities; Covenants and Deed Restrictions; and Provide Educational Information to Help Achieve and Promote Green Living Practices.

N.(3) The developer shall work with TECO/Peoples Gas to ensure that natural gas is available within the project, as committed.

General Conditions

O.(1) Should development ~~of Phase 1~~ depart from the parameters set forth in the ADA*, the Project* except for changes pursuant to Section 4.F. will be subject to Substantial Deviation review pursuant to Section 380.06, F.S.

~~O.(2) Specific Approval of Phase 2 and Phase 3 shall be contingent upon further transportation and air quality analyses submitted in accordance with Subsection 380.06, F.S., and verification of water supply availability.~~

~~O.(3)~~O.(2) Physical development shall commence within two years of Development Order adoption, in order to have reasonable expectation of achieving Phase 1 buildout by March 22, 2022. For the purpose of the Development Order, this term means construction of infrastructure, roadways, or other vertical development*. (completed)

~~O.(4)~~O.(3) In the event the Bradenton/Sarasota Arena development or parcel is reacquired by the Developers of the Lakewood Centre DRI and meet the aggregation criteria defined in 380.0651(4), F.S., the Developer shall process the addition of this parcel (and corresponding entitlements) to the Lakewood Centre DRI through the requisite process administered under Subsection 380.06(19), F.S.

~~O.(5)~~O.(4) All of the Developer's* commitments set forth in the ADA* and subsequent Sufficiency Responses shall be honored as Development Order Conditions, except as they may be superseded by specific terms of the Development Order. Such developer commitments have been summarized in Section 7 of this

Development Order.

~~O.(6)~~O.(5) The Developer*, its successors, assigns or transferees, shall submit Biennial DRI Reports in accordance with Section 380.06(18), Florida Statutes* to the County*, TBRPC, the State Land Planning Agency, and other agencies, as may be appropriate, on even number years commencing March, 2010 until such time as all terms and conditions of this Development Order are satisfied. Ten (10) copies of this report shall be submitted to the Manatee County Building and Development Services Department, who shall review the report for compliance with the terms and conditions of this Development Order and who may submit an appropriate report to the County Commission should the Building and Development Services Director decide further orders and conditions are necessary. The Developer* shall be notified of any Board of County Commissioners' hearing wherein such report is to be considered or reviewed; provided, however, that receipt and review of any such report by the Board of County Commissioners shall not be considered as a substitute, modification, or change of any conditions, or any terms or conditions of this Development Order. The Biennial Report shall contain the following:

a. Any change in the plan of development, or in the representation contained in the ADA*, or in the phasing or land uses for the reporting year and for the next year;
b. A summary comparison of development activity proposed and actually conducted for the year;
c. Undeveloped tracts of land, other than individual single family lots, that have been sold to a separate entity or Developer*;
d. Identification and intended use of lands purchased, leased, or optioned by the Developer* adjacent to the land encompassed by the Development Order for the Project*;
e. An assessment of the Developer's* and the local government's compliance with the conditions of approval contained in the DRI Development Order and the commitments that are contained in the Application for Development Approval* and which have been identified by the County*, TBRPC, or DEO, as being significant;
f. Any known incremental DRI Applications for Development Approval* or requests for a Substantial Deviation Determination that were filed in the reporting year and to be filed during the next year;
g. An indication of a change, if any, in local government jurisdiction for any portion of the Development* since the Development Order was issued;

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h. A list of significant local, state, and federal permits which have been obtained or which are pending by agency, type of permit, permit number, and purpose of each;

i. A copy of any recorded notice of the adoption of a Development Order for the subsequent modification of an adopted Development Order that was recorded by the Developer* pursuant to Subsection 380.06(14)(d), Florida Statutes;

j. A statement that all persons have been sent copies of the Biennial Report in conformance with Subsection 380.06(15) and (18), Florida Statutes;

k. Reports or information pursuant to pertinent conditions herein requiring copies of information to be provided in the Biennial Report.

l. An updated map showing the locations and acreage of upland and wetland preservation; and

m. Any other information required pursuant to general law.

SECTION 7. DEVELOPER* COMMITMENTS:

The following are developer commitments set forth in the Application for Development Approval* (ADA*) and Sufficiency Responses* (SR) which shall be honored by the Developer*, except as they may be superseded by specific terms of the Development Order or the Local Development Agreements entered into between Manatee County and the Developer. These commitments pertain to the original 697.4+/- acre tract which were the subject of the ADA* and are not applicable to the Additional Lands (the 796.22 +/- acre tract). The Developer commitments set forth below relative to Floodplains are no longer valid due to the adoption of new flood maps by Manatee County.

GENERAL

1. Ground-level shops and eateries will be located below residential housing units to emphasize pedestrian activity along the street. (ADA/Page 10.2)

2. Agricultural uses will continue on portions of the property not immediately subject to development. (ADA/Page 10.7)

3. The County's Future Land Use Map will need to be revised to change the (285.3 acre) area of Urban Fringe-3 to the Residential/Office/Retail FLU to allow the proposed amount of development (ADA/Page 10.12). The amendment area is generally north and west of the Arena outparcel, located in Sections 8 and 17, of Township 35, Range 19 (ADA/Page 10.14).

4. No amendments to the Capital Improvements Element will be required in

order for the Project to be developed as proposed. (ADA/Page 10.13)

5. The proposed Land Use Equivalency Matrix is limited to the Phase 1 entitlements for which Specific Approval is being requested. (SR3/Page 10.1)

VEGETATION AND WILDLIFE

1. Most of the isolated wetlands and wetlands associated with the headwaters and/or intermittent tributaries of the perennial stream systems (Wolf Creek, Williams Creek, unnamed drainage) found on this site will be maintained to preserve existing plant communities in the project after development, as well as provide visual amenities and wildlife habitat. (ADA/Page 12.5)

2. In order to provide sufficient protection for this species [bald eagle] a management plan for the protection of this nesting territory will be prepared in coordination with the FWS prior to any development within 1500 feet of the nest for this DRI. (ADA/Page 12.9) [Developer Clarification: the recently adopted federal management guideline is now 660 feet].

3. The land-use plan will include preservation of the significant wetland systems on site, including all of the wetlands where listed species were observed. (ADA/Page 12.12)

4. Compensatory mitigation for the proposed wetland impacts will be provided by "The Long Swamp Ecosystem Management Plan" which is an existing comprehensive wetland restoration and enhancement project, approved by the USCOE, the SWFWMD, and Manatee and Sarasota Counties to provide mitigation for wetland impacts within the boundaries of Schroeder Manatee Ranch. (ADA/Page 12.13)

5. All development planned for this DRI will be consistent with the approved current bald eagle management plan at the time of the Preliminary or Final Site Plan application. (SR1/Page 9.5)

6. The intensity of agricultural activity on the Lakewood Centre site will not be increased during development. (SR1/Page 10.2)

7. The specific configuration of the preservation areas will be determined upon further planning and will be subject to approval by the Building and Development Services Director. (SR1/Page 10.11)

8. The applicant proposes to preserve additional native upland habitats (including pine flatwoods, pine-mesic oak, and live oak) north of Center Parkway and adjacent to the following wetlands: NW-W31, NW-W33B,

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NW-W33A, NW-W35, NW-W35B and NW-W37 as depicted on the supplemental map. The applicant will remove all nuisance/exotic vegetation from upland portions of on-site communities. (SR1/Page 12.4)

9. Wildlife uses will be protected by limiting access to boardwalks or other appropriate areas (using marked trails, fenced areas, signage, etc.). (SR1/Page 26.1)

10. The 8.9-acre potential preservation area shown on Map H, contains several different types of native upland habitat. The exact amount of each habitat preserved will not be known until the Final Site Planning process is completed. (SR2/Page 10.4)

11. The developer offers the following stipulation to ensure protection of this species: "Preliminary and Final Site Plans within 1,500' of the bald eagle nest shall be designed in accordance with Habitat Management Guidelines for the Bald Eagle in the Southeast Region, as amended, or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval." (SR2/Page 12.7) [Developer Clarification: the recently adopted federal management guideline is now 660'].

12. Per the January 10, 2007 meeting between Stephanie Rousso (FWC), Alissa Powers (EAC) and Mike Burton (EAC), it was agreed that potential habitat be surveyed again for Sherman's fox squirrel prior to construction. (SR2/Page 12.10)

WETLANDS

1. Except for necessary roadway crossings and relatively minor impacts to allow sufficient development for a Town Center, the on-site wetlands will be retained in their natural state or enhanced. (ADA/Page 10.18)

2. Additional studies of wetland hydrology will be conducted for the design of the site's stormwater management system prior to Final Site Plan submittals. (ADA/Page 13/1)

3. Hydroperiods of on-site wetlands will be maintained through contributions from the proposed stormwater management system. Upland buffers of 30 feet around preserved isolated wetlands and 50 feet around wetlands contiguous with waters of the state within the Evers Reservoir Watershed Overlay District will be observed, protected and managed for wildlife habitat value in accordance with the Manatee County LDC. These buffers will remain in native vegetation where found and restored to native conditions where habitat has been degraded. (ADA/Page 13.2)

4. Wetland areas will be clearly identified in the field prior to initiating

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construction. Silt fence, or other appropriate erosion control devices will be placed at the limit of the wetland buffers to prohibit encroachment and sedimentation. (ADA/Page 13.6)

5. Stormwater lake littoral shelves within the project area will be planted with at least three species of desirable herbaceous emergent vegetation. Plant materials will be bare root sized and installed on three-foot centers. (ADA/Page 13.6)

6. The majority of these wetlands will remain undisturbed as important amenities to the site plan and will be incorporated into the surface water management plan and dedicated as Wetland Conservation Areas. (ADA/Page 15.2)

7. The wetlands will be enhanced by incorporating them into the stormwater management system. This will improve wetland hydroperiods to mimic pre-agricultural impact functions and values. Wetland impacts will be mitigated using credits from the Long Swamp Ecosystem Management Plan. (SR1/Page 10.21)

8. Conservation easement and wetland buffer signage will be installed at key locations to advise those utilizing the area or performing maintenance activities of appropriate restrictions. (SR1/Page 13.1)

9. The only wetland impacts are proposed in the high intensity commercial development (MU area) portion of the project. (SR1/Page 13.3)

10. The water quality and quantity functions of the wetlands will be replaced on site as part of the stormwater management system. (SR1/Page 13.9)

11. Wetlands and wetland buffers will be placed under a conservation easement to Manatee County. During construction, Best Management Practices, such as silt fencing, will protect the wetland and buffers from potential secondary impacts. Post-construction, the installation of conservation easement/wetland buffer signage will educate and inform residents of the protected nature of these areas. (SR1/Page 26.1)

12. The Lakewood Ranch Stewardship District will be responsible for the management of all conservation lands after project buildout. (SR2/Page 13.2)

WATER QUALITY

1. Water quality monitoring will be continued in accordance with Manatee County's "Ambient Surface Water Monitoring for Developments" if additional monitoring is deemed necessary or if the applicant is requested to participate in a basin management study in order to meet the state's

reasonable assurance criteria for a total maximum daily load analyses for impaired and potentially impaired water bodies. (ADA/Page 14.4)

2. Construction water quality monitoring for turbidity will be accomplished with the implementation of a sediment control program... The "Sediment Control Program" and documentation as well as the construction manager's daytime and emergency contact information shall be provided to the Manatee County. (ADA/Page 14.6)

3. The applicant intends to propose and perform baseline water quality monitoring for ambient groundwater conditions, in order to meet Development Order stipulations and in accordance with Manatee County's Ambient Groundwater Monitoring Plan requirements. A groundwater monitoring plan will be submitted to Manatee County for their approval prior to startup of site development activities. The groundwater monitoring program will continue throughout the site development activities to ensure that these activities do not pose any potential adverse effects to the surficial aquifer resources... (ADA/Page 14.5)

4. Soil borings will be performed at the time of design to verify the Seasonal High Water Level at the specific sites as well as any elevations of any confining layers. (SR2/Page 14.2)

SOILS

1. Flexible roadways and building foundations will also be utilized to offset swelling and shrinking of soils. (ADA/Page 15.3)

2. Lake bank stabilization will be achieved through the use of temporary seed and mulch until final stabilization can be achieved by means of sodding. Within the Littoral zones of the lakes, below normal water level, native aquatic plants will be utilized. (ADA/Page 15.3)

3. A conservation easement covering the wetlands and wetland buffers will be dedicated to Manatee County through the final subdivision plat process or by separate legal instrument. (SR1/Page 15.2)

FLOODPLAINS

1. There will be no floodplain impacts. (ADA/Page 10.21)

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

WATER SUPPLY

1. The Project will use the lowest quality water available for irrigation

purposes, including non-potable quality groundwater and stormwater. (ADA/Page 10.15)

2. Water wells will be proposed on-site, and the future needs will be determined through studies not yet completed. (ADA/Page 17.5)

3. The applicant will operate and maintain the non-potable water supply system via Braden River Utilities. (ADA/Page 17.5)

4. The development will encourage responsible use of water by the occupants. The developer will implement non-potable (irrigation) restrictions to limit the use of non-potable water to conserve water. The Developer will also encourage the use of native, drought tolerant landscape within the single-family residential portion of the project. (ADA/Page 17.6 & SR1/Page 10.20)

5. The applicant has taken several steps to minimize the use of water including the following (SR1/Page 10.14):

   - the utilization of a non-potable water system for all landscaped areas;
   - the use of native vegetation or drought-resistant vegetation in landscaped areas; and
   - the re-establishment of tree canopy that has been previously cleared for agricultural activities where possible.

6. The [proposed] water wells will be used exclusively for irrigation purposes. (SR1/Page 17.2)

7. In regards to commercial/office areas, rainfall shutoff valves will be implemented in order to regulate the irrigation times, durations and quantities. (SR2/Page 17.2)

WASTEWATER MANAGEMENT

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

STORMWATER MANAGEMENT

1. The post-development stormwater management system will be designed to avoid adverse impacts to property and environmentally sensitive areas, upstream and downstream of the site. Water quality and quantity standards will be achieved through the stormwater management system which will be designed in accordance with state and local criteria and will utilize ponds, lakes, littoral zones, wetlands, and control structures with

skimmers to achieve the following (ADA/Page 19.5):

- no de-hydration or flooding of existing wetland systems
- post-developed flows will be attenuated so that no upstream or downstream adverse impacts are created
- stormwater treatment to ensure water quality criteria is met in accordance with State and Manatee County standards.

2. The development area within the watershed overlay will be designed with the knowledge that it is located within the Evers Reservoir Watershed and will be submitted to the appropriate agencies for the proper review and approval process. (ADA/Page 19.5)

3. The stormwater management system will be owned and maintained by the applicant or assignee. Potentially, the ownership and maintenance could be assigned to the Lakewood Ranch Stewardship District. A regular maintenance program will be developed for the site. (ADA/Page 19.5)

TRANSPORTATION

1. Pope Road will be extended from its existing endpoint at the northern entrance to the Bradenton/Sarasota Arena site contemporaneously with the construction of the western portion of the Northwest Sector DRI. (SR1/Page 9.1)

2. No age-restricted units were assumed in the transportation analysis. (SR1/Page 10.9)

3. Transportation improvements to serve the Lakewood Centre project do not encourage or subsidize increased development in environmentally sensitive areas such as wetlands, floodways, or productive marine areas. (SR1/Page 10.22)

4. The Applicant will meet with MCAT (Manatee County Area Transit) [to discuss locations of transit stops] during the detailed planning stage of the project. (SR2/Page 9.2)

5. Manatee County will require external trip monitoring as a condition of approval of Phase 1. Further, any development beyond Phase 1 will require additional transportation analysis. This will provide an opportunity to confirm the assumptions used in the ADA analysis, or change them, as appropriate. (SR3/Page 9.2)

AIR QUALITY

1. In order to minimize the amount of fugitive dust, only the individual parcels of land where construction is schedule to proceed will be cleared.

Additional measure to be employed to minimize fugitive dust include sodding, seeding, mulching, or planting of landscaped materials in cleared and disturbed areas. Watering procedures will be employed as necessary to minimize fugitive dust. (ADA/Page 22.1)

HURRICANE PREPAREDNESS

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

AFFORDABLE HOUSING

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

RECREATION AND OPEN SPACE

1. The development will include passive and active recreation facilities including pedestrian and bicycle systems throughout the Project. (ADA/Page 10.13)

2. All open space and recreation facilities within the Project will be maintained by the Developer or successors such as a Homeowner's Association(s), a Community Development District or the Lakewood Ranch Stewardship District. (ADA/Page 26.2)

3. The Project will include a variety of recreational opportunities in the form of pocket parks, linear parks, and esplanades. (ADA/Page 26.2)

4. At least 4.6 acres [Developer Clarification: 4.3 acres] of parks will be developed on-site at the locations indicated on the revised Map H. An additional 6.6 acres [Developer Clarification: 8.9 acres] of passive parks (located in upland preservation areas outside of wetland buffers) will be provided on the site, at locations to be determined later. (SR1/Pages 10.16 & 10.20)

ENERGY

1. The developer will encourage the identified energy conservation methods [i.e. increased insulation, high efficiency mechanical devices, cross ventilation, solar heating and cooling, and low pressure sodium lamps for external lighting] be used by builders in the Lakewood Centre DRI. (SR1/Page 29.1)

2. The Lakewood Centre Project will be certified as a "green development" by the Florida Green Building Coalition (FGBC) under its Green

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Development Standard. To ensure the continuance of green development, Lakewood Centre builders will be required to construct energy- and resource-efficient facilities and receive certification from the FGBC. (SR1/Page 29.1)

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

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

SECTION 8. LEGAL DESCRIPTION:

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

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

Commence at the Southeast corner of said Section 7, also being the Northeast corner of the above mentioned Section 18; thence N.88°45'31"W., along the north line of said Section 18 a distance of 21.43 feet to the POINT OF BEGINNING, said point being a point on the easterly right-of-way line of Lakewood Ranch Boulevard, a 120-foot wide Public Right-of-way; the following two (2) calls are along said easterly right-of-way line; (1) thence N.02°18'37"W., a distance of 346.71 feet to the point of curvature of a curve to the right having a radius of 3,940.00 feet and a central angle of 03°48'48"; (2) thence northerly along the arc of said curve, an arc length of 262.23 feet to the point of compound curvature of a curve to the right having a radius of 50.00 feet and a central angle of 91°37'13"; thence northeasterly along the arc of said curve, an arc length of 79.95 feet to the point of tangency of said curve; thence S.86°52'35"E., a distance of 1,131.57 feet to the point of curvature of a curve to the left having a radius of 2,143.00 feet and a central angle of 44°37'24"; thence easterly along the arc of said curve, an arc length of 1,669.02 feet to the point of reverse curvature of a curve to the right having a radius of 2,023.00 feet and a central angle of 34°25'49"; thence northeasterly along the arc of said curve, a distance of 1,215.67 feet to the point of tangency of said curve; thence N.82°55'49"E., a distance of 734.17 feet to the point of curvature of a curve to the right having a radius of 50.00 feet and a central angle of 87°53'04"; thence southeasterly along the arc of said curve, an arc length of 76.69 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 23°41'47"; thence southerly along the arc of said curve, a distance of 1,211.79

feet to the point of reverse curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 11°22'52"; thence southeasterly along the arc of said curve, a distance of 556.19 feet to the point of tangency of said curve; thence S.68°29'59"W., a distance of 11.00 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.68°29'59"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 03°46'14", an arc length of 183.54 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°58'18", an arc length of 28.69 feet to the point of compound curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 07°40'51"; thence southerly along the arc of said curve, an arc length of 375.36 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 01°04'12"; thence southerly along the arc of said curve, a distance of 54.72 feet to the end of said curve; thence S.01°18'11"W., along a line non-tangent to the last described curve, a distance of 51.28 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.78°25'45"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 05°37'54", an arc length of 289.07 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.25°50'30"W., a radial distance of 35.00 feet; thence southeasterly along the arc of said curve, through a central angle of 46°27'42", an arc length of 28.38 feet to the point of reverse curvature of a curve to the left having a radius of 2,930.00 feet and a central angle of 06°44'40"; thence southerly along the arc of said curve, a distance of 344.90 feet to the end of said curve; thence S.12°34'36"E., along a line non-tangent to the last described curve, a distance of 51.41 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.64°34'42"E., a radial distance of 2,941.00 feet; thence southeasterly along the arc of said curve, through a central angle of 01°33'58", an arc length of 80.39 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 113.45 feet; thence S.63°00'45"W., a distance of 90.22 feet to the point of curvature of a curve to the right having a radius of 1943.00 feet and a central angle of 18°07'32"; thence along the arc in a southwesterly direction, a distance of 614.67 feet to the end of said curve; thence S.09°31'35"E., along a line non-tangent to the last described curve, a distance of 78.62 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.10°12'41"W., a radial distance of 2007.00 feet; thence along the arc in a northeasterly direction, passing through a central angle of 11°39'48", an arc length of 408.55 feet to the end of said curve; thence N.79°51'15"E., along a line non-tangent to the last described curve, a distance of 51.06 feet to the point of curvature of a curve to the left, of which the radius point lies N.23°17'40"W., a radial distance of 3,012.26 feet; thence along the arc in a northeasterly direction, passing through a central angle of 04°10'01", an arc length of 219.07 feet to the end of said curve; thence S.31°07'37"E., along a line non-tangent to the last described curve, a distance of 152.40 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.26°59'16"E., a radial distance of 50.00 feet; thence easterly along the arc of

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said curve, through a central angle of 90°00'00", an arc length of 78.54 feet to the point of tangency of said curve; thence S.26°59'15"E., a distance of 769.47 feet to the point of curvature of a curve to the right having a radius of 2,800.00 feet and a central angle of 27°15'57"; thence southerly along the arc of said curve, an arc length of 1,332.47 feet to the point of tangency of said curve; thence S.00°16'42"W., a distance of 641.12 feet; thence N.89°43'18"W., a distance of 670.00 feet; thence S.00°16'42"W., a distance of 990.00 feet to the north right-of-way line of State Road 70, a 200-foot wide Public Right-of-way; the following two (2) calls are along said northerly right-of-way line; (1) thence N.89°43'18"W., a distance of 527.20 feet; (2) thence N.88°46'44"W., a distance of 3,950.87 feet to the east right-of-way line of said Lakewood Ranch Boulevard; thence N.01°13'16"E., along said east right-of-way line, a distance of 100.01 feet; thence S.88°46'44"E., a distance of 210.34 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 108°00'50"; thence northeasterly along the arc of said curve, an arc length of 94.26 feet to the point of tangency of said curve; thence N.16°47'34"W., a distance of 69.44 feet to the point of curvature of a curve to the right having a radius of 300.00 feet and a central angle of 18°19'57"; thence northerly along the arc of said curve, an arc length of 95.99 feet to the point of tangency of said curve; thence N.01°32'24"E., a distance of 131.00 feet to the point of curvature of a curve to the left having a radius of 30.00 feet and a central angle of 89°19'08"; thence northwesterly along the arc of said curve, an arc length of 46.77 feet to the point of tangency of said curve; thence N.87°46'44"W., a distance of 193.00 feet to the east right-of-way line of said Lakewood Ranch Boulevard; the following three (3) calls are along said east right-of-way line; (1) thence N.01°13'16"E., a distance of 71.50 feet to the point of curvature of a curve to the left having a radius of 1,810.00 feet and a central angle of 47°18'07"; (2) thence northerly along the arc of said curve, an arc length of 1,494.29 feet to the point of tangency of said curve; (3) thence N.46°04'51"W., a distance of 88.50 feet; thence N.43°55'10"E., a distance of 93.66 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 124°16'00"; thence northerly along the arc of said curve, an arc length of 43.38 feet to the point of reverse curvature of a curve to the right having a radius of 71.00 feet and a central angle of 44°08'56"; thence northwesterly along the arc of said curve, a distance of 54.71 feet to the point of tangency of said curve; thence N.36°11'54"W., a distance of 225.82 feet; thence N.48°58'07"W., a distance of 84.68 feet; thence N.69°43'32"W., a distance of 99.20 feet to the point of curvature of a curve to the left having a radius of 20.00 feet and a central angle of 54°19'36"; thence westerly along the arc of said curve, an arc length of 18.96 feet to the point of tangency of said curve; thence S.55°56'52"W., a distance of 32.09 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies N.55°56'52"E., a radial distance of 2,190.00 feet, said point also being a point on the east right-of-way line of said Lakewood Ranch Boulevard; the following two (2) calls are along said east right-of-way line; (1) thence northerly along the arc of said curve, through a central angle of 31°44'31", an arc length of 1,213.27 feet to the point of tangency of said curve; (2) thence N.02°18'37"W., a distance of 1,728.76 feet to the POINT OF BEGINNING.

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

LESS:

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

LESS:

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

LESS:

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

LESS: Ingress-Egress Easement No. 1

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

Commence at the Northwest corner of said Section 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 3985.93 feet; thence S.00°25'25"W a distance of 487.63 feet to the POINT OF BEGINNING; said point being the point of curvature of a curve to the right, of which the radius point lies S.69°39'59"E., a radial distance of 325.00 feet; thence northeasterly along the arc of said curve, through a central angle of 33°08'49", an arc length of 188.02 feet to the point of tangency of said curve; thence N.53°28'49"E., a distance of 370.60 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 30°41'48"; thence easterly along the arc of said curve, an arc length of 174.12 feet to the point of tangency of said curve; thence N.84°10'37"E., a distance of 374.39 feet to the point of curvature of a curve to the right having a radius of 325.00 feet and a central angle of 24°43'08"; thence easterly along the arc of said curve, an arc length of 140.21 feet to the point of reverse curvature of a curve to the left having a radius of 275.00 feet and a central angle of 37°11'49"; thence easterly along the arc of said curve, a distance of 178.53 feet to the point of compound curvature of a curve to the left having a radius of 35.00 feet and a central angle of 91°38'36"; thence northeasterly along the arc of said curve, an arc length of 55.98 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.70°03'20"W., a radial distance of 2,789.00 feet; thence southerly along the arc of said curve, through a central angle of 02°12'54", an arc length of 107.82 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies S.25°49'28"W., a radial distance of 35.00 feet; thence westerly along the arc

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of said curve, through a central angle of 44°31'14", an arc length of 37.26 feet to the point of tangency of said curve; thence S.71°18'14"W., a distance of 9.06 feet to the point of curvature of a curve to the right having a radius of 337.00 feet and a central angle of 37°35'30"; thence westerly along the arc of said curve, an arc length of 221.11 feet to the point of reverse curvature of a curve to the left having a radius of 263.00 feet and a central angle of 01°53'10"; thence westerly along the arc of said curve, a distance of 8.66 feet to the point of tangency of said curve; thence N.72°59'26"W., a distance of 56.37 feet to the point of curvature of a curve to the left having a radius of 137.00 feet and a central angle of 22°49'57"; thence westerly along the arc of said curve, an arc length of 54.60 feet to the point of tangency of said curve; thence S.84°10'37"W., a distance of 371.34 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 30°41'48"; thence westerly along the arc of said curve, an arc length of 147.33 feet to the point of tangency of said curve; thence S.53°28'49"W., a distance of 370.60 feet to the point of curvature of a curve to the left having a radius of 275.00 feet and a central angle of 34°54'45"; thence southwesterly along the arc of said curve, an arc length of 167.57 feet to the end of said curve; thence N.60°04'23"W., a distance of 50.84 feet to the POINT OF BEGINNING.

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

<u>LESS: Ingress-Egress Easement No. 2</u>

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

Commence at the Northwest corner of said Sections 16 and 17; thence S.89°34'35"E along the North line of said Section 17 a distance of 4291.01 feet; thence S.00°25'25"W a distance of 654.77 feet to the POINT OF BEGINNING; thence S.60°04'23"E., a distance of 25.14 feet to the point of curvature of a non-tangent curve to the right, of which the radius point lies S.46°57'50"E., a radial distance of 325.00 feet; thence easterly along the arc of said curve, through a central angle of 113°10'48", an arc length of 641.99 feet to the point of reverse curvature of a curve to the left having a radius of 255.00 feet and a central angle of 85°25'10"; thence southeasterly along the arc of said curve, a distance of 380.17 feet to the point of tangency of said curve; thence N.70°47'48"E., a distance of 283.99 feet to the point of curvature of a curve to the left having a radius of 35.00 feet and a central angle of 85°57'17"; thence northeasterly along the arc of said curve, an arc length of 52.51 feet to the point of curvature of a non-tangent curve to the left, of which the radius point lies N.74°50'32"E., a radial distance of 2,941.00 feet; thence southerly along the arc of said curve, through a central angle of 02°02'41", an arc length of 104.95 feet to the end of said curve; thence N.72°51'02"W., along a line non-tangent to the last described curve, a distance of 10.58 feet; thence S.70°47'48"W., a distance of 226.06 feet to the point of curvature of a curve to the right having a radius of 167.00 feet and a central angle of 08°40'50"; thence westerly along the arc of said curve, an arc

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

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

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

Together with:

TRACT "A" - DESCRIPTION (as prepared by the certifying Surveyor and Mapper):
A tract of land lying in Sections 4, 5, 6, 7 and 8, Township 35 South, Range 19 East, as well as Section 32 and 33, Township 34 South, Range 19 East, Manatee County, Florida and being more particularly described as follows:

Commence at the southeast corner of the above mentioned Section 5; thence N.00°14'47"E., along the east line of the southeast 1/4 of the southeast 1/4 of said Section 5, a distance of 1,327.41 feet to the northeast corner of said southeast 1/4 of the southeast 1/4 of Section 5 for the POINT OF BEGINNING; thence S.89°06'39"E., a distance of 12.50 feet; thence S.00°14'47"W., a distance of 601.57 feet; thence S.89°44'59"E., a distance of 12.50 feet; thence S.00°14'47"W., a distance of 664.02 feet; thence N.88°45'43"W., a distance of

175.03 feet to the point of curvature of a non-tangent curve to the right, having a radius of 50.00 feet and a central angle of 90°37'36"; thence southwesterly along the arc of said curve, a distance of 79.09 feet, said curve having a chord bearing and distance of S.45°33'33"W., 71.10 feet to the point of tangency of said curve, said point being a point on the northerly right-of-way line of 44th Avenue East, recorded in Official Record Book 2254, Page 4605 of the Public Records of Manatee County, Florida; thence N.89°07'21"W., along said northerly right-of-way line, a distance of 134.84 feet to the point of curvature of a curve to the left, having a radius of 2,952.50 feet and a central angle of 04°44'43"; thence continue along said northerly right-of-way line, westerly along the arc of said curve, a distance of 244.53 feet, said curve having a chord bearing and distance of S.88°30'17"W., 244.46 feet to the southeast corner of the Lift Station Site, recorded in Official Record Book 2254, Page 4605 of said Public Records; the following three (3) calls are along the boundary of said Lift Station Site; (1) thence N.06°30'49"W., a distance of 216.21 feet; (2) thence S.83°29'26"W., a distance of 267.67 feet; (3) thence S.06°30'49"E., a distance of 216.01 feet to a point on the aforementioned northerly right-of-way line of 44th Avenue East, said point be the point on a curvature of a non-tangent curve to the left, having a radius of 2952.50 feet and a central angle of 01°33'18"; thence southwesterly along the arc of said curve and the northerly right-of-way line of 44th Avenue East, a distance of 80.13 feet, said curve having a chord bearing and distance of S.80°09'31"W, 80.12 feet to the southeast corner of premises described in Official Record Book 2120, Page 5551 of said Public Records; the following eight (8) calls are along the boundary of said premises described in Official Record Book 2120, Page 5551; (1) thence N.06°30'49"W., a distance of 359.22 feet; (2) thence N.73°58'08"E., a distance of 50.00 feet; (3) thence N.18°19'08"W., a distance of 349.30 feet; (4) thence N.00°15'03"E., a distance of 600.00 feet; (5) thence N.89°44'57"W., a distance of 1,003.64 feet; (6) thence S.69°26'29"W., a distance of 748.93 feet to the point of curvature of a non-tangent curve to the left, having a radius of 2,345.00 feet and a central angle of 05°26'29"; (7) thence southerly along the arc of said curve, a distance of 222.71 feet, said curve having a chord bearing and distance of S.21°06'59"E., 222.63 feet, to the point of tangency of said curve; (8) thence S.23°50'14"E., a distance of 1,355.79 feet to the point of curvature of a curve to the left having a radius of 50.00 feet and a central angle of 89°28'58", said point being a point on the northerly line of premises described in Official Record Book 2242, Page 3289 of said Public Records; thence easterly along the arc of said curve and along said northerly line, a distance of 78.09 feet to the northerly line of 44th Avenue East as described in Official Record Book 2254, Page 4605 of said Public Records, said point being a point of curvature of a non-tangent curve to the right, having a radius of 2,779.00 feet and a central angle of 04°09'56"; the following eight (8) calls are along said northerly line of 44th Avenue East; (1) thence westerly along the arc of said curve, a distance of 202.04 feet, said curve having a chord bearing and distance of S.68°45'46"W., 202.00 feet, to the point of curvature of a non-tangent curve to the right, having a radius of 50.00 feet and a central angle of 39°03'55"; (2) thence southwesterly along the arc of said curve, a distance of 34.09 feet, said curve having a chord bearing and distance of S.51°57'45"W.,

33.43 feet, to the point of compound curvature of a curve to the right having a radius of 2,790.00 feet and a central angle of 31°01'58"; (3) thence westerly along the arc of said curve, a distance of 1,511.14 feet to the point of reverse curvature of a curve to the left having a radius of 2,940.00 feet and a central angle of 13°12'59"; (4) thence westerly along the arc of said curve, a distance of 678.17 feet to the end of said curve; (5) thence N.00°41'18"W., along a line radial with the previously described curve, a distance of 12.50 feet to the point of curvature of a non-tangent curve to the left, having a radius of 2,952.50 feet and a central angle of 14°53'05"; (6) thence westerly along the arc of said curve, a distance of 767.02 feet, said curve having a chord bearing and distance of S.81°52'10"W., 764.87 feet, to the point of tangency of said curve; (7) thence S.74°25'37"W., a distance of 92.58 feet to the point of curvature of a non-tangent curve to the right, having a radius of 50.00 feet and a central angle of 82°23'45"; (8) thence northwesterly along the arc of said curve, a distance of 71.90 feet, said curve having a chord bearing and distance of N.64°22'30"W., 65.86 feet, to a point on the easterly right-of-way line of Lakewood Ranch Boulevard, as recorded in Official Record Book 1429, Page 3703, of said Public Records, said point being the point of compound curvature of a curve to the right having a radius of 1,440.00 feet and a central angle of 40°25'52"; the following three (3) calls are along said easterly right-of-way line of Lakewood Ranch Boulevard; (1) thence northerly along the arc of said curve, a distance of 1,016.14 feet to the point of tangency of said curve; (2) thence N.17°15'14"E., a distance of 1,423.28 feet to the point of curvature of a curve to the left, having a radius of 2,060.00 feet and a central angle of 11°47'45"; (3) thence northerly along the arc of said curve, a distance of 424.10 feet to the end of said curve, said point being a point on the southerly line of Lakewood Ranch Commerce Park, as described in Manatee County Ordinance PDMU-06-80(G)(R); the following twelve (12) calls are along the southerly and easterly lines of said Lakewood Ranch Commerce Park; (1) thence N.61°02'42"E., along a line non-tangent with the previously described curve, a distance of 2,088.67 feet; (2) thence N.14°17'16"W., a distance of 840.19 feet; (3) thence N.20°19'58"W., a distance of 1,184.94 feet; (4) thence N.16°21'47"W., a distance of 320.17 feet to a point on the north line of said Section 5; (5) thence continue N.16°21'47"W., a distance of 679.83 feet; (6) thence N.28°41'33"W., a distance of 600.00 feet; (7) thence N.10°04'31"W., a distance of 274.45 feet; (8) thence N.20°42'52"W., a distance of 1,101.03 feet; (9) thence N.27°29'58"E., a distance of 330.00 feet; (10) thence N.00°36'37"E., a distance of 272.82 feet; (11) thence N.70°02'17"E., a distance of 77.35 feet; (12) thence S.89°23'24"E., a distance of 247.79 feet to a point on the westerly line of premises described in Official Record Book 2101, Page 1228 of said Public Records; the following eight (8) calls are along the westerly, southerly and easterly lines of said premises described in Official Record Book 2101, Page 1228; (1) thence S.01°15'44"E., a distance of 204.78 feet; (2) thence S.57°24'16"E., a distance of 266.11 feet; (3) thence S.22°14'47"E., a distance of 91.66 feet; (4) thence S.00°00'00"E., a distance of 54.55 feet; (5) thence S.89°10'48"E., a distance of 120.89 feet; (6) thence N.00°42'03"E., a distance of 484.97 feet; (7) thence N.89°23'27"W., a distance of 330.29 feet; (8) thence N.01°15'44"W., a distance of 218.18 feet to a point on the southerly right-of-way

line of State Road 64; the following two (2) calls are along the southerly right-of-way line of said State Road 64; (1) thence S.87°45'55"E., a distance of 399.62 feet to the point of curvature of a non-tangent curve to the right, having a radius of 5,679.61 feet and a central angle of 06°28'34"; (2) thence easterly along the arc of said curve, a distance of 641.96 feet, said curve having a chord bearing and distance of S.84°31'39"E., 641.62 feet, to the easterly most corner of Parcel 102, as described in Official Record Book 2101, Page 1228 of said Public Records; the following five (5) calls are along the southerly line of said Parcel 102; (1) thence S.08°42'38"W., along a line non-tangent with the previously described curve, a distance of 21.02 feet; (2) thence S.78°52'20"E., a distance of 14.99 feet; (3) thence S.33°22'39"E., a distance of 40.84 feet; (4) thence S.78°22'39"E., a distance of 811.85 feet to the point of curvature of a curve to the left having a radius of 5,114.77 feet and a central angle of 05°23'26"; (5) thence easterly along the arc of said curve, a distance of 481.22 feet to the northwest corner of Eagle Trace, Phase 1, record in Plat Book 56, Page 61 of said Public Records; the following seven (7) calls are along the westerly line of said plat; (1) thence S.00°39'08"W., along a line non-tangent with the previously described curve, a distance of 633.70 feet; (2) thence N.89°34'13"W., a distance of 756.96 feet; (3) thence S.00°41'24"W., a distance of 466.91 feet; (4) thence N.89°35'35"W., a distance of 176.03 feet; (5) thence S.00°39'20"W., a distance of 299.62 feet; (6) thence S.89°36'13"E., a distance of 1,033.72 feet; (7) thence S.00°46'58"W., a distance of 819.55 feet to a point on the south line of premises described in Official Record Book 1407, Page 3313 of said Public Records; thence S.89°27'53"E., along said southerly line, a distance of 1,267.02 feet; thence S.00°58'06"W., a distance of 12.70 feet; thence S.89°27'53"E., a distance of 1,397.64 feet to a point on the east line of west 1/2 of southwest 1/4 of the above mentioned Section 33; thence S.00°30'22"W., along said east line, a distance of 711.39 feet to a point on the south line of said Section 33; thence N.89°09'43"W., along said south line, a distance of 916.33 feet to the northeast corner of said Section 5; thence S.00°15'47"W., along the east line of the northeast 1/4 of said Section 5, a distance of 2,604.52 feet to a point on the westerly extension of the southerly line of premises described in Official Record Book 2504, Page 3613 of said Public Records; thence N.89°44'25"W., along said westerly extension, a distance of 257.36 feet to the easterly right-of-way line of White Eagle Boulevard (proposed 150-foot wide), said point being a point on a curve to the left, having a radius of 2,790.00 feet and a central angle of 01°13'29"; the following three (3) calls are along said easterly right-of-way line (1) thence southerly along the arc of said curve, a distance of 59.64 feet, said curve having a chord bearing and distance of S.22°45'44"E. 59.64 feet to the point of reverse curvature of a curve to the right having a radius of 2,940.00 feet and a central angle of 23°37'14"; (2) thence southerly along the arc of said curve, a distance of 1,212.05 feet, said curve having a chord bearing and distance of S.11°33'51"E. 1,203.48 feet to the point of tangency of said curve; (3) thence S.00°14'47"W. a distance of 148.24 feet to the POINT OF BEGINNING.

Said tract containing 31,348,868 square feet or 719.6710 acres, more or less.

TRACT "B" DESCRIPTION (as prepared by the certifying Surveyor and Mapper):

A tract of land lying in Section 33, Township 34 South, Range 19 East, Manatee County, Florida and being more particularly described as follows:

Commence at the southeast corner of Section 5, Township 35 South, Range 19 East in Manatee County, Florida; thence N.00°14'47"E., along the east line of the southeast 1/4 of said Section 5, a distance of 2,643.82 feet to the northeast corner of said southeast 1/4 of said Section 5; thence N.00°15'47"E., along the east line of the northeast 1/4 of said Section 5, a distance of 2657.92 feet to the northeast corner of said Section 5, said point also being a point on the southerly line of Section 33, Township 34 South, Range 19 East; thence S.89°09'43"E., along said south line of the above mentioned Section 33, a distance of 916.33 feet to the southeast corner of the southwest 1/4 of the southwest 1/4 of said Section 33; thence N.00°30'22"E., along the east line of the west 1/2 of the southwest 1/4 of said Section 33, a distance of 1,610.44 feet to a point on the northerly right-of-way line of White Eagle Boulevard (Proposed 150-feet Wide), for the POINT OF BEGINNING, said point being a point on a curve to the left, having a radius of 1030.00 feet and a central angle of 01°13'13"; thence southwesterly along the arc of said curve and the northerly right-of-way line of White Eagle Boulevard, a distance of 21.94 feet, said curve having a chord bearing and distance of S.65°35'06"W., 21.94 feet to the westerly maintained right-of-way line of Pope Road, recorded in Road Plat Book 8, Page 138, of the Public Records of Manatee County, Florida; the following two (2) calls are along said westerly line; (1) thence N.00°47'19"E., a distance of 498.89 feet; (2) thence N.00°33'54"E., a distance of 222.05 feet to the north line of a Boundary Line Agreement, recorded in Official Record Book 1407, Page 3304 of said Public Records; thence N.89°19'56"W., along said north line, a distance of 1,305.18 feet to the west line of said Boundary Line Agreement; thence N.00°42'36"E., along said west line, a distance of 595.51 feet to the south right-of-way line of State Road 64 (variable width public right-of-way); the following two (2) calls are along said south right-of-way line; (1) thence S.89°38'16"E., a distance of 1,764.54 feet to the point of curvature of a curve to the right having a radius of 2,706.79 feet and a central angle of 32°23'53"; (2) thence easterly along the arc of said curve, a distance of 1,530.56 feet to the end of said curve; thence S.35°39'02"W., along a line non-tangent with the previously described curve, a distance of 214.97 feet; thence S.54°03'45"E., a distance of 300.00 feet; thence N.35°39'02"E., a distance of 199.94 feet to the point of curvature of a non-tangent curve to the right, having a radius of 2,691.79 feet and a central angle of 09°46'00" also, being a point on said south right-of-way line of State Road 64; the following three (3) calls are along said south right-of-way line; (1) thence southeasterly along the arc of said curve, a distance of 458.84 feet, said curve having a chord bearing and distance of S.45°59'00"E., 458.29 feet, to the end of said curve; (2) thence N.48°54'00"E., along a line non-tangent with the previously described curve, a distance of 15.00 feet to the point of curvature of a non-tangent curve to the right having a radius of 2706.79 feet and a central angle of 00°35'58"; (3) thence

easterly along the arc of said curve a distance of 28.32 feet, said curve having a chord bearing and distance of S.40°48'01"E., 28.32 feet to a point on the south right-of-way line of White Eagle Boulevard (proposed variable width); the following five (5) calls are along said south right-of-way line of White Eagle Boulevard; (1) thence S.49°29'58"W., a distance of 16.48 feet to the point of curvature of a non-tangent curve to the left, having a radius of 50.00 feet and a central angle of 89°16'21"; (2) thence westerly along the arc of said curve, a distance of 77.91 feet, said curve having a chord bearing and distance of N.85°08'23"W., 70.26 feet, to the point of tangency of said curve; (3) thence S.50°13'27"W., a distance of 360.28 feet to the point of curvature of a non-tangent curve to the right, having a radius of 962.52 feet and a central angle of 10°53'12"; 4) thence southwesterly along the arc of said curve, a distance of 182.89 feet, said curve having a chord bearing and distance of S.57°31'41"W., 182.61 feet to the point of curvature of a non-tangent curve to the right, having a radius of 1042.00 feet and a central angle of 11°12'32"; 5) thence southwesterly along the arc of said curve, a distance of 203.85 feet, said curve having a chord bearing and distance of S.67°56'46"W., 203.53 feet to the easterly line of Serenity Creek, recorded in Official Record Book 2434, Page 7332 of said Public Records; thence N.16°24'22"W., along said easterly line, a distance of 21.85 feet to the northerly line of said Serenity Creek, said point being the point of curvature of a non-tangent curve to the right, having a radius of 1,020.00 feet and a central angle of 17°10'41"; the following two (2) calls are along said northerly line; (1) thence westerly along the arc of said curve, a distance of 305.81 feet, said curve having a chord bearing and distance of S.82°10'59"W., 304.67 feet, to the point of tangency of said curve; (2) thence N.89°13'40"W., a distance of 863.00 feet to the easterly line of a Warranty Deed to Manatee County, recorded in Official Record Book 2485, Page 7322 of said Public Records; thence N.00°09'50"E., along said easterly line, a distance of 130.01 feet to the northerly line of said Warranty Deed to Manatee County; the following two (2) calls are along said northerly line; (1) thence N.89°13'40"W., a distance of 194.98 feet to the point of curvature of a curve to the left, having a radius of 1,020.00 feet and a central angle of 26°16'21"; (2) thence westerly along the arc of said curve, a distance of 414.30 feet, said curve having a chord bearing and distance of S.79°08'10"W., 411.46 feet, to the end of said curve; thence N.00°41'14"E., along the northerly extension of the westerly line of said Warranty Deed, a distance of 11.75 feet to a point on the above mentioned north right-of-way line of White Eagle Boulevard (Proposed 150-foot Wide), said point being a point of curvature of a non-tangent curve to the left, having a radius of 1030.00 feet and a central angle of 01°32'05"; thence southwesterly along the arc of said curve and said northerly right-of-way line, a distance of 27.59 feet, said curve having a chord bearing and distance of S.66°57'45"W., 27.59 feet to the POINT OF BEGINNING.

Said tract containing 3,330,566 square feet or 76.4593 acres, more or less.

TOTAL ACREAGE: 1493.61 +/- ACRES

SECTION 9. DEADLINE FOR COMMENCEMENT OF DEVELOPMENT:

Physical development of the Project* shall commence within two years of the effective date of this Ordinance, as amended, unless the time period for commencement is extended by the Board of County Commissioners. If more than two years elapse between the effective date of this Order and commencement of actual development, or if construction of a phase is not begun or completed by the timeframe contained in Section 4 above, or if any three year period shall expire without significant development activity on the site, the Board of County Commissioners may conduct a public hearing in accordance with the Land Development Code and may, at its option, rescind any and all approvals granted herein. Any delay in construction commencement shall not be deemed to extend any timeframe for completion of construction, commencement of subsequent phases, or the termination date of this Development Order. For the purpose of this provision, "significant development" shall be the actual construction of site improvements or buildings as part of an ongoing effort to prepare improved land or buildings for sale, lease, or use.

SECTION 10. RESTRICTIONS ON DOWN-ZONING:

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

A. Substantial changes in the condition underlying the approval of the Order have occurred; or

B. The Order was based upon substantially inaccurate information provided by the` Developer*; or

C. The change is clearly established by the County* to be essential for the public health, safety, or welfare.

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

For the purposes of this Order, the term "down-zone" shall refer only to changes in zoning, land use, or development regulations that decrease the development rights approved by this Order, and nothing in this paragraph shall be construed to prohibit legally enacted changes in zoning regulations which do not decrease the development rights granted to the Developer* by this Order. The inclusion of this section is not to be construed as evidencing any present or foreseeable intent on the part of

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. November 13, 2014

the County* to down-zone or alter the density of the Project* per 13 included herein to comply with paragraph 380.06(15)(c)3, Florida Statutes.

SECTION 11. ORDER BINDING UPON DEVELOPER*:

This Order shall be binding upon the Developer*.

SECTION 12. RENDITION:

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

SECTION 13. NOTICE OF RECORDING:

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

SECTION 14. SEVERABILITY:

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

SECTION 15. EFFECTIVE DATE:

This Ordinance, Ordinance ~~13-XX~~14-XX, shall become effective upon the later of (1) the filing of a certified copy of the executed Ordinance with the Department of State and (2) the effective date of the associated Comprehensive Plan Amendment No. PA-14-27; and provided, however, that ~~(a)~~ the filing of a Notice of Appeal pursuant to Section 380.07, Florida Statutes, shall suspend development authorization granted for this Development Order until the resolution of the appeal.

ADOPTED AND APPROVED WITH A QUORUM PRESENT AND VOTING THIS insert date ~~3rd DAY OF October~~, 201~~43~~

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY,
FLORIDA

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

BY: _____
~~Larry Bustle~~, Chairman

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

BY: _____
Deputy Clerk

Attachments to Ordinance 1~~3-28~~4-XX

TO BE DETERMINED
Exhibit A – Map H
Exhibit B – Natural Resources of Regional Significance, as delineated on Map 3

Stantec

April 21, 2014

Mr. Steve Kollar
Manatee County Public Works
1022 26th Avenue East
Bradenton, FL 34208

Reference: Lakewood Centre North
Comprehensive Plan Amendment

Dear Mr. Kollar:

This letter report summarizes an analysis of a proposed comprehensive plan amendment affecting approximately 245.91 acres of vacant land located north of 44th Avenue East, south of SR 64, and east of Lakewood Ranch Boulevard (see Attachment A). Of this 245.91 acres, 8.32 acres are currently designated ROR, and 237.59 acres are designated IL. The proposed designations are approximately 8.32 acres of MU-C/AC-2 in the north, 154.66 acres of MU-C/AC-2 in the south, with the remaining 82.63 acres designated as MU-C/R. Attachment A shows the locations of the three land use areas under the proposed designations.

To assess the potential transportation impact of the proposed comprehensive plan amendment, a comparison of the potential trip generation of the existing designations versus the proposed designation was completed. This comparison is described below.

Trip Generation of Existing Designations

The current land use designations of ROR and IL allow a variety of development types at specific maximum FARs. The ROR land use designation includes neighborhood, community, and regional retail, office, and residential uses, among others. The maximum FAR for non-residential uses is 0.35. A typical use in ROR is neighborhood and community retail. Using the 0.35 FAR with the 8.32 acres of ROR results in a development square footage of 126,847 square feet. This is a

Design with community in mind

reasonable assumption for this land use designation and size of parcel. Therefore, for trip generation purposes 126,847 square feet of retail (ITE Land Use Code 820) was assumed for the ROR trip generation.

The IL land use designation allows office, light industry, corporate parks, and "intensive commercial uses", among other uses. The maximum FAR allowed for non-residential uses is 0.75. Office land uses would be a reasonable expectation for this site. Using a 0.75 FAR with the 237.59 acres of IL results in a development size of 7,762,065 square feet. This would likely be well above any actual development that would occur. Therefore, to arrive at a reasonable estimate of development, an FAR of 0.35 was assumed, with a resulting office development size of 3,622,297 square feet. Thus, 3,622,297 square feet of office was assumed for the acreage designated IL.

The resulting PM peak hour trip generation for the existing land use designations of ROR and IL is reported in the table "Existing" in Attachment B. As reported in that table, the existing land use designations would potentially generate 4,838 PM peak hour trips.

Trip Generation of Proposed Designation

The proposed land use designation of MU-C allows several development types, including neighborhood retail and office, light industrial, and planned residential, among others. As part of the planning for the subject parcels, a general development plan (GDP) has been prepared and will be considered concurrently with the comprehensive plan amendment. Because it is based on an extensive review of the development potential of the subject parcels, the GDP provides the best estimate of likely development on these under the proposed land use designations.

The resulting PM peak hour trip generation for the proposed land use designations of MU-C/R and MU-C/AC-2 is reported in the table "Proposed (Under MU-C)" in

Reference: LWC Comprehensive Plan Amendment

Attachment B. The densities/intensities shown in this table generally reflect those in the GDP, and in some cases are slightly higher than the GDP. As reported in that table, the existing land use designations would potentially generate 1,160 PM peak hour trips, or 3,678 trips less than the existing land use designations. Thus, the proposed land use designation of MU-C would not result in any additional or modified transportation impacts.

Conclusion

Pursuant to a proposed change in land use designations for approximately 245.91 acres of vacant land from ROR and IL to MU-C/R and MU-C/AC-2, a potential trip generation comparison was completed. The results of this comparison show that the proposed land use designations will result in an estimated reduction of 3,678 PM peak hour trips, with no additional or modified transportation impacts. The proposed land use designations of MU-C/R and MU-C/AC-2 are therefore consistent with the Manatee County Comprehensive Plan.

Should you have any questions, please call me at (813) 223-9500.

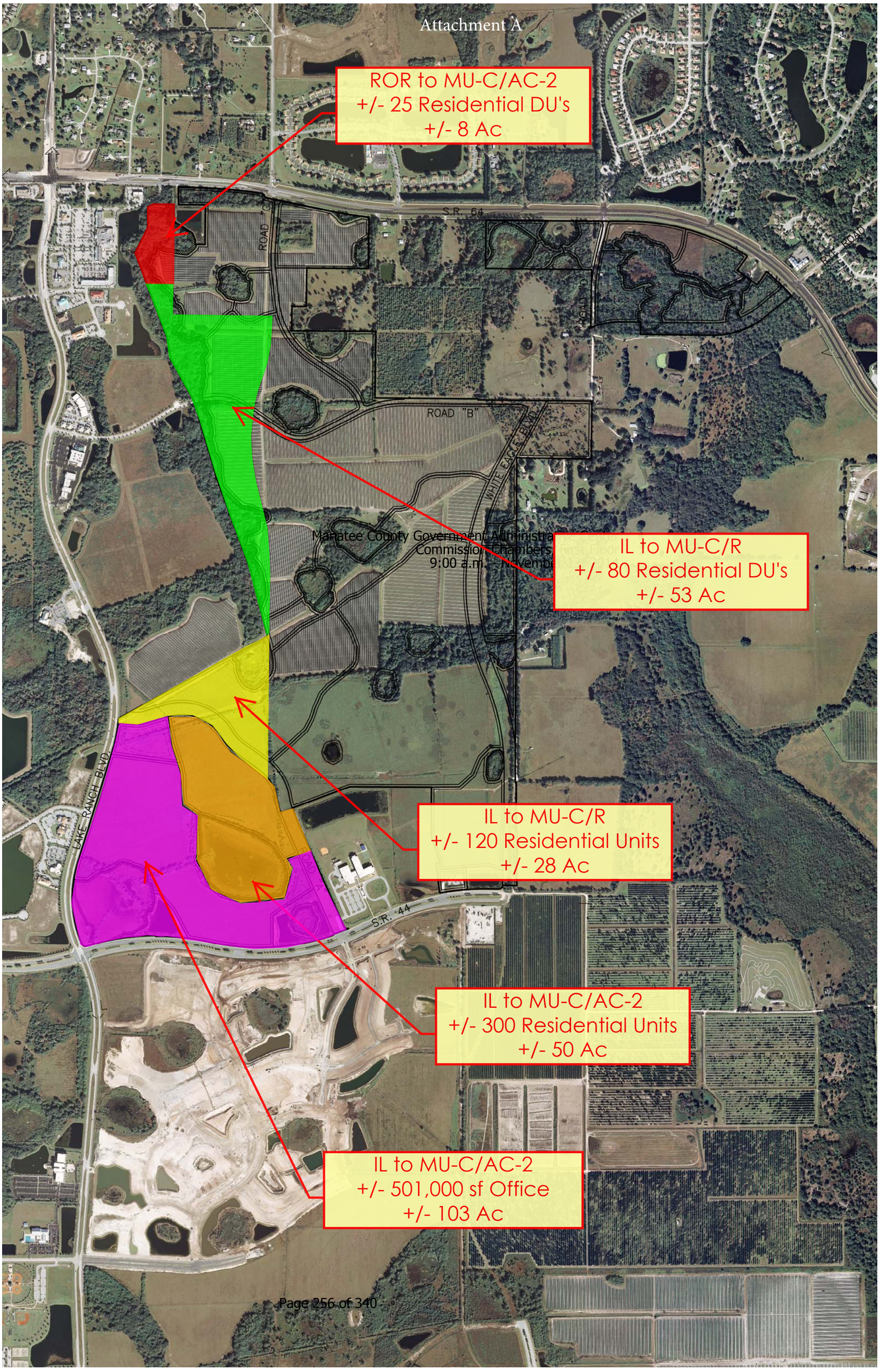
Sincerely,

Stantec

Richard A. Stiles

Richard A. Stiles, AICP
Senior Project Manager

Attachments


ROR to MU-C/AC-2
+/- 25 Residential DU's
+/- 8 Ac
IL to MU-C/R
+/- 80 Residential DU's
+/- 53 Ac
IL to MU-C/R
+/- 120 Residential Units
+/- 28 Ac
IL to MU-C/AC-2
+/- 300 Residential Units
+/- 50 Ac
IL to MU-C/AC-2
+/- 501,000 sf Office
+/- 103 Ac
S.R. 64
ROAD "C"
ROAD "D"
ROAD "B"
WHITE EAGLE BLVD.
LAKE RANCH BLVD.
S.R. 44

Attachment B

Lakewood Centre DRI Comp. Plan Amendment Trip Generation Comparison

Existing

FLU	ITE Land Use Category	Units	Acres	Max FAR	Development Size	PM Peak Trip Rate/ Equation	PM Peak Total Trips
IL	Office - 710	Per 1,000 SF	237.59	0.75*	3,622,297	T = 1.12(x) + 78.45	4,135
R/O/R	Retail - 820	Per 1,000 SF	8.32	0.35	126,847	ln(T) = 0.67 x ln(X) + 3.31	703
	Total Existing LUC						**4,838**

Proposed (under MU-C)

FLU	ITE Land Use Category	Units	Acres	Estimated Development FAR/Density	Development Size	PM Peak Trip Rate/ Equation	PM Peak Total Trips
MU-C/AC-2 (North)	Single-Family Detached - 210	Per Dwelling Unit	8.32	3 units/acre	25	ln(T) = 0.90 x ln(X) + 0.51	30
MU-C/R	Single-Family Detached - 210	Per Dwelling Unit	82.63	2.5 units/acre	206	ln(T) = 0.90 x ln(X) + 0.51	201
MU-C/AC-2 (South)	Single-Family Detached - 210	Per Dwelling Unit	51.03	6 units/acre	306	ln(T) = 0.90 x ln(X) + 0.51	288
MU-C/AC-2 (South)	Office - 710	Per 1,000 SF	103.93	0.111	502,518	T = 1.12(x) + 78.45	641
	Total Proposed LUC						**1,160**
				Net Change			**-3,678**

*For reasonable estimate of actual development, used FAR of 0.35 for calculations

Bradenton Herald
Oct. 29, 2014
Miscellaneous Notices

NOTICE OF ZONING &
DRI CHANGES IN
UNINCORPORATED
MANATEE COUNTY

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

ORDINANCE 14-30
LAKEWOOD CENTRE (DRI #27) - (DTS20140228 / MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1)Add 796.22 + acres to the boundaries of the DRI;
2)Granting Specific Approval of Phases 2 and 3;
3)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4)Reflect revised development totals consistent with the previously approved land use exchange; and
5)Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 + acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) -
LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1)Provide for Specific Approval of Phases 2 and 3;
2)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3)Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;
providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) -
R AND M GENERAL
PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS 20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) -
PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78ñ acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04ñ acres from LM (Light Manufacturing) and 44.75ñ acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83ñ acres already zoned PDMU for a combined total of 99.39ñ acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34ñ miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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

Americans with Disabilities: The Board of County Commissioners of Manatee County does not

discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY
PLANNING COMMISSION
Manatee County Building
and Development Services
Department
Manatee County, Florida
10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED..
Published: 10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED MANATEE COUNTY

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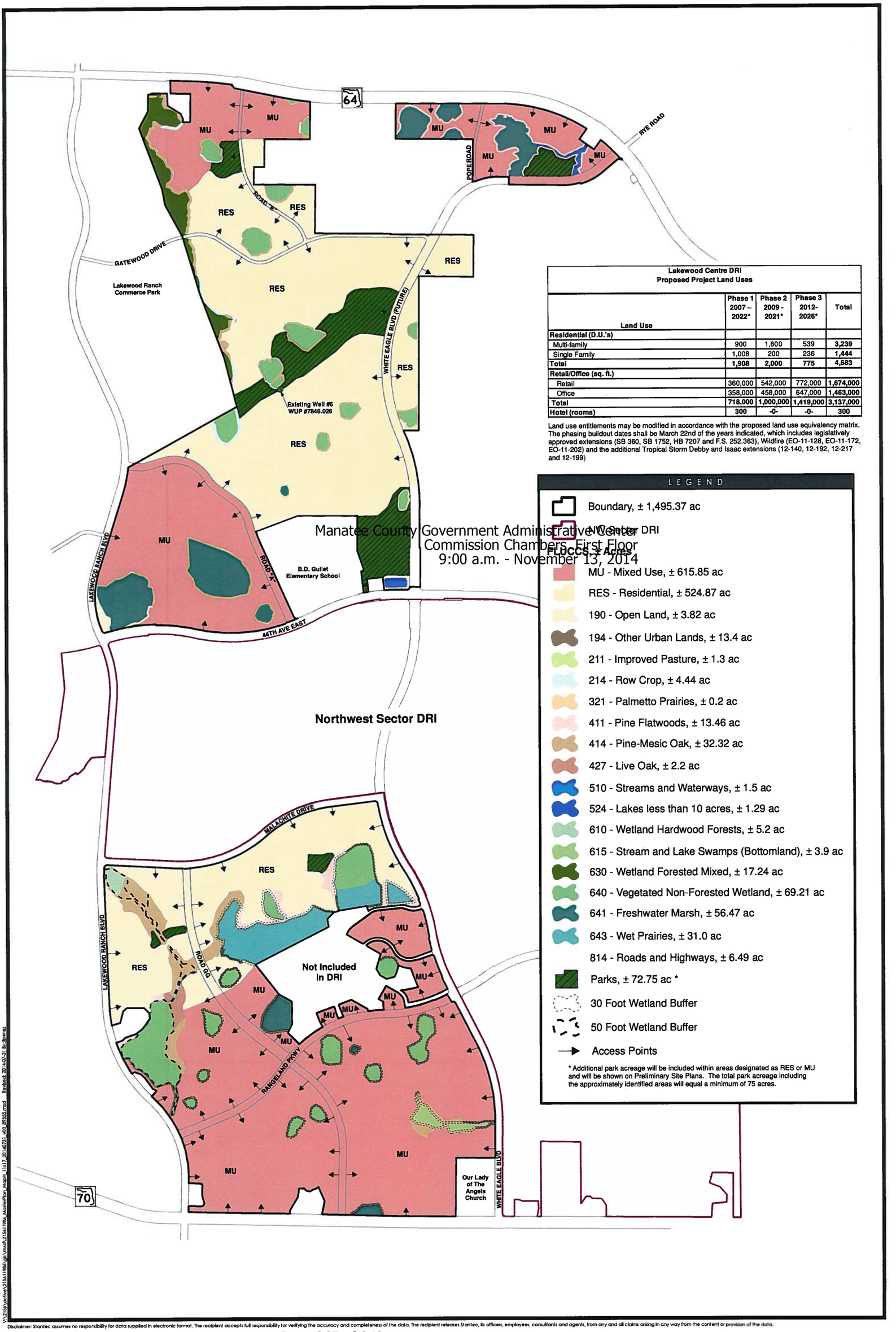
MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: October 29, 2014



Lakewood Centre DRI
Proposed Project Land Uses

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

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

Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data.

Stantec

LAKEWOOD CENTRE
MASTER PLAN - MAP H
JULY 2014

Stantec Consulting Services Inc.
6900 Professional Pkwy East, Suite 100
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

N

0 700 1,400 Feet

November 13, 2014 Planning Commission
Agenda Item #8

Subject
PDMU-06-30(G)(R3)-DTS20140229-Lakewood Centre GDP-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 made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. PDMU-06-30(G)(R3); recommend APPROVAL of the amended General Development Plan with Stipulations; making a finding that the criteria in LDC Section 603.7.4.9. are satisfied; for a project that was previously granted Special Approval for: 1) a mixed use project in the R/O/R Future Land Use Category; 2) exceeding a non-residential FAR of 0.25; and 3) in the Evers Reservoir Watershed; and GRANTING Special Approval for a project in MU-C Future Land Use Category; as recommended by the staff.

Enabling/Regulating Authority

Manatee County Comprehensive Plan

Manatee County Land Development Code

Background Discussion
• The request is to:
– Change the zoning of 796.22 + acres located south of S.R/ 64,, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of future White Eagle Boulevard, from A (General Agriculture) to PDMU (Planned Development Mixed Use);
– Amend the Zoning Ordinance and General Development Plan for the Lakewood Centre Development of

Regional Impact to:
• Provide Specific Approval of Phases 2 and 3 of the development;
• Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
• Add the 796.22 + acres to the boundaries of the project; and
• Other amendments for internal consistency.
• The existing Lakewood Centre DRI contains 697.4± acres and is generally located north of .S.R 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road (to the east) and south of Malachite Drive, approximately two miles south of S.R. 64.
• This DRI was approved in three phases in August, 2008 to allow the following uses:
? 3,675 residential units
? 1,774,000 sq. ft. of commercial
? 1,563,000 sq. ft. of office, and
? 300 hotel rooms
• The entitlements for the DRI are not changing.
• Staff recommends approval.

County Attorney Review
Other (Requires explanation in field below)

Explanation of Other
Sarah Schenk reviewed and responded by email on 10-10-14

Reviewing Attorney
Schenk

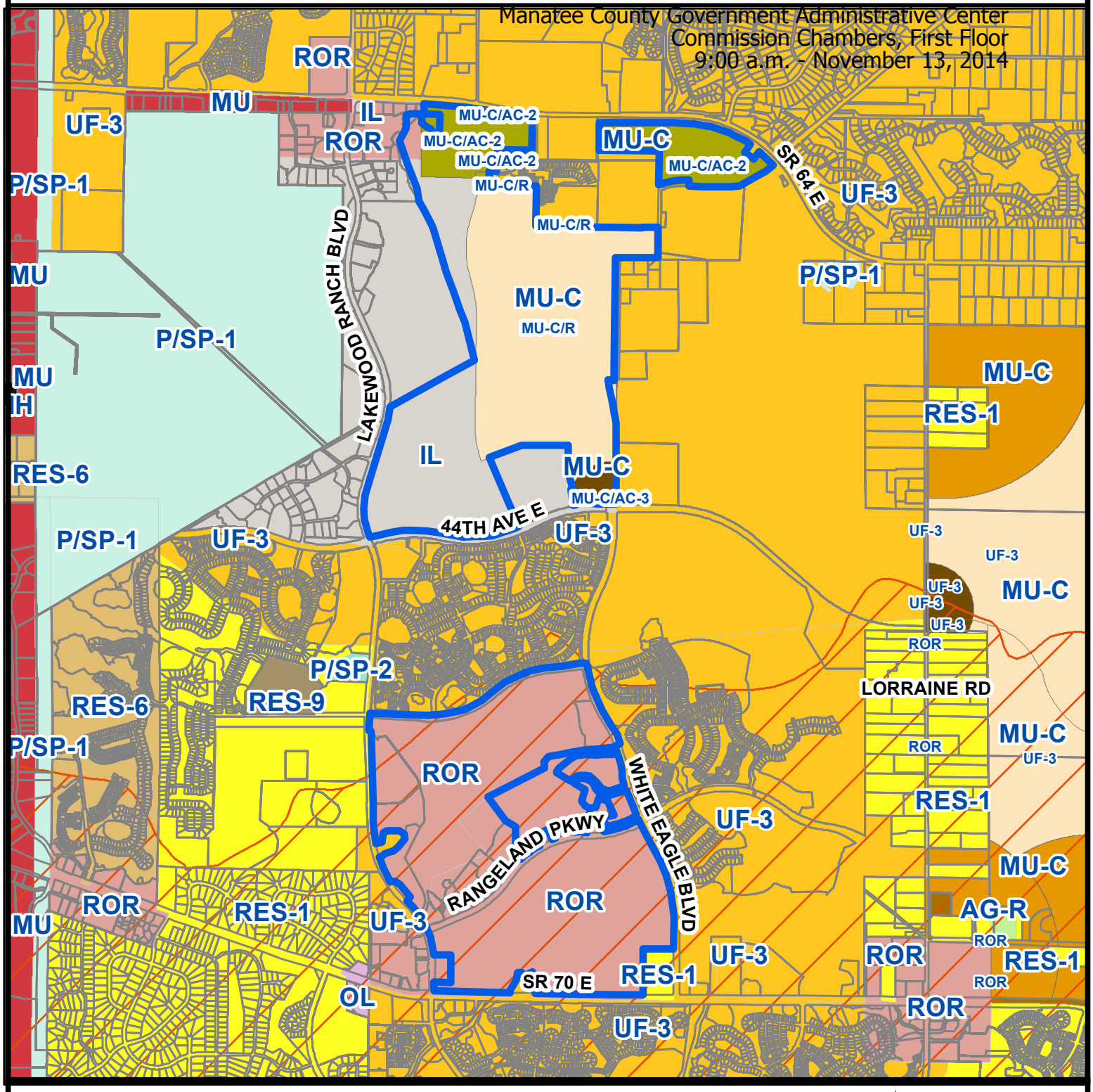
Instructions to Board Records
N/A

Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

Attachment: Maps-Future Land Use-Zoning-Aerial-PDMU0630_LakewoodCentreGDP-11-13-14 PC.pdf
Attachment: Staff Report-PDMU-06-30(G)(R3)-Lakewood Centre.pdf
Attachment: Ordinance PDMU-06-30(G)(R3)-Lakewood Centre-11-13-14 PC.pdf
Attachment: Traffic Impact Analysis-Ordinance PDMU-06-30(G)(R3)-Lakewood Centre-11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre GDP - PDMU-06-30(G)(R3) - Bradenton Herald - 11-13-14 PC.pdf
Attachment: Copy of Newspaper Advertising - Lakewood Centre GDP - PDMU-06-30(G)(R3) - Sarasota Herald Tribune - 11-13-14 PC.pdf
Attachment: GDP-PDMU0630_LakewoodCentre-11-13-14 PC.pdf

FUTURE LAND USE



Parcel ID #(s) Multiple

Manatee County
Staff Report Map

Map Prepared 4 / 2014

1 inch = 2,908 feet

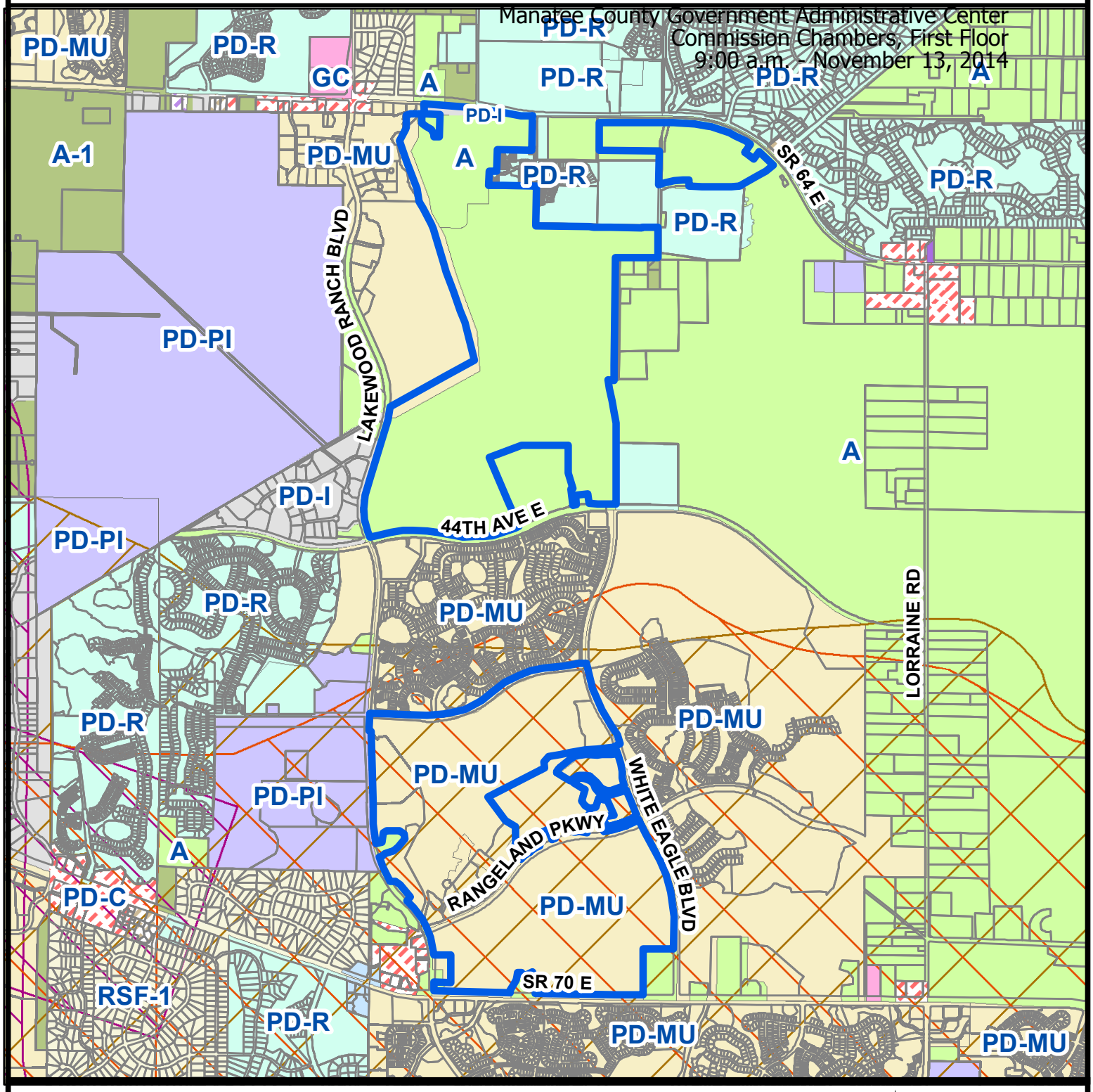
Project Name: Lakewood Centre Rezone GDP
Project #: PDMU-06-30(G)(R3)
DTS#: 20140229
Proposed Use: Mixed Use

Evers Watershed (WPE)

S/T/R: Sec 5,6,7,8,29,32,33 Twn 34 ,35 Rng 19
Acreage: ± 1,493.61
Existing Zoning: A, PD-MU, PD-I
Existing FLU: IL, ROR, MU-C
Overlays: ST
Special Areas: NONE

CHH: N
Watershed: WPE
Drainage Basin: Gates Creek, Williams Creek, Mill Creek, Wolf Slough
Commissioner: Vanessa Baugh

ZONING



Parcel ID #(s) Multiple

Manatee County
Staff Report Map

Map Prepared 4 / 2014

1 inch = 2,908 feet

Project Name: Lakewood Centre Rezone GDP
Project #: PDMU-06-30(G)(R3)
DTS#: 20140229
Proposed Use: Mixed Use

Special Treatment

Evers Watershed (WPE)

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Acreage: ± 1,493.61
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Existing FLU: IL, ROR, MU-C
Overlays: ST
Special Areas: NONE

CHH: N
Watershed: WPE
Drainage Basin: Gates Creek, Williams Creek, Mill Creek, Wolf Slough
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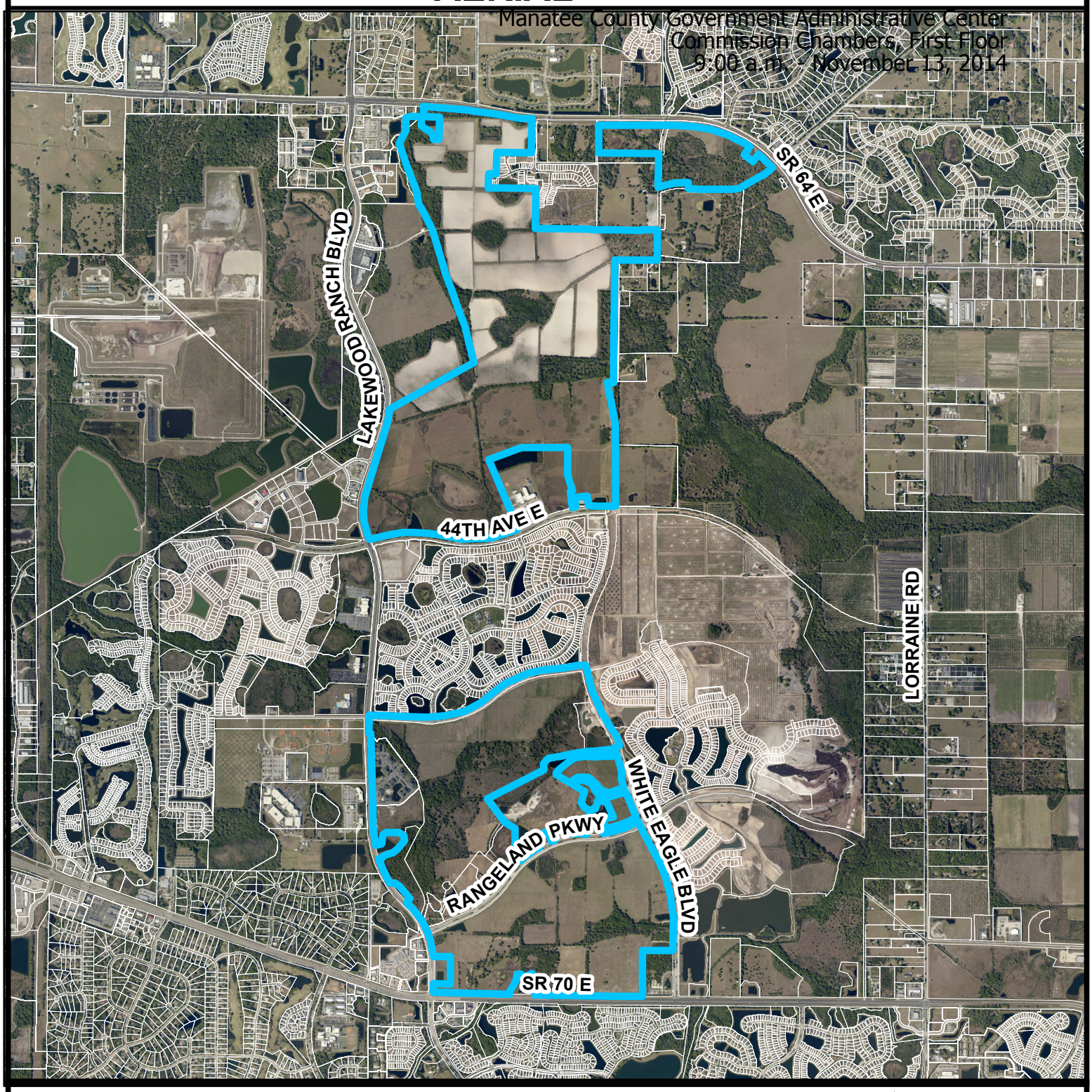
AERIAL



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CHH: N
Watershed: WPE
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Commissioner: Vanessa Baugh

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P.C.: 11/13/2014 **B.O.C.C.: 12/04/2014**

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. PDMU-06-30(G)(R3); recommend APPROVAL of the amended General Development Plan with Stipulations; making a finding that the criteria in LDC Section 603.7.4.9. are satisfied; for a project that was previously granted Special Approval for: 1) a mixed use project in the R/O/R Future Land Use Category; 2) exceeding a non-residential FAR of 0.25; and 3) in the Evers Reservoir Watershed; and GRANTING Special Approval for a project in MU-C Future Land Use Category; as recommended by the staff.

PROJECT SUMMARY	
CASE#	**PDMU-06-30(G)(R3) / (DTS # 20140229)**
PROJECT NAME	**Lakewood Centre**
APPLICANT(S):	**SMR North 70, LLC and SMR Northwest Land, LLC**
FUTURE LAND USE CATEGORY(S):	**R/O/R/WP-E/ST (Retail/Office/Residential/Evers Watershed Overlay/Special Treatment Overlay) and MU-C (Mixed Use – Community)**
PROPOSED ZONING:	**PDMU/WP-E/ST and PDMU**
EXISTING ZONING:	**PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District), "A" (General Agriculture) and PDI (Planned Development Industrial)**
DENSITY/INTENSITY:	**3.14 units per acre gross** **5.06 units per acre net**
GENERAL LOCATION:	**North of S.R. 70, South of S.R. 64, West of White Eagle Boulevard (fka Pope Road) and East of Lakewood Ranch Boulevard**
ACREAGE	**1,493.61 ± acres (697.4 ± acres existing; 796.22 ± acres being added)**
APPROVED USE(S):	• **4,683 dwelling units (including 3,239 multi-family, 1,444 single-family attached and semi-detached units);** • **1,674,000 sq. ft. of commercial space;** • **1,463,000 sq. ft. of office space; and** • **300 hotel rooms.**
SPECIAL APPROVAL(S):	**Approved with original application:** **1) A Mixed-Use project in the R/O/R/ Future Land Use Category;** **2) Exceeding a net density of 9.0 dwelling units per acre gross (no longer necessary);** **3) Exceeding a non-residential FAR of 0.25; and** **4) A project in the Evers Watershed** **New approval being requested:** **1) A Mixed-Use project in the MU-C Future Land Use Category**
OVERLAY DISTRICT(S):	**ST (Special Treatment)** **WP-E (Watershed Protection – Evers)**
SPECIFIC APPROVAL(S):	**None**

CASE MANAGER:	**Shelley Hamilton, Principal Planner**
STAFF RECOMMENDATION:	**APPROVAL**

DETAILED DISCUSSION

History

1) August 8, 2008 – Ordinance 08-13 was approved adopting the original Lakewood Centre DRI Development Order. Both the ADA and the GDP (General Development Plan) were granted at that time to allow for the following:

Three phases of development with:

- 3,675 residential units;
- 1,774,000 sq. ft. of commercial;
- 1,563,000 sq. ft. of office; and
- 300 hotel rooms.

2) December 6, 2012 – Ordinance 12-28 was approved with the following changes:

- Updated phasing and build-out dates to reflect legislatively approved extensions;
- Updated conditions to reflect compliance with conditions contained therein;
- Removal of established minimum and maximum entitlements within the Land Use Equivalency Matrix; and
- Modifications of affordable housing conditions.

3) October 3, 2013 – Ordinance 13-28 was approved with the following changes:

- Updated phasing and build-out dates to reflect legislatively approved extensions;
- Updated conditions to reflect compliance with conditions contained therein; and
- Clarified the procedures for a land use exchange.

Request

This application reflects an amendment to the Lakewood Centre Development Order (DO) and Map H, and is accompanied by a companion revision to the Zoning Ordinance and General Development Plan (GDP) as well. The addition of lands to the boundary of the Lakewood Centre Development and the relocation of entitlements within the Lakewood Centre DRI, create the requirement for the processing of a Notification of Proposed Change (NOPC). The Tampa Bay Regional Planning Council reviews and provides a recommendation to Manatee County on the proposed NOPC. Following a decision by the Board of County Commission, the DO will be rendering a copy to the state land planning agency (Department of Economic Opportunity). The DEO then has the right to review and appeal, if necessary, the amendment if they believe the change creates a reasonable likelihood of new or additional regional impacts.

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

1) Provide for Specific Approval of Phases 2 and 3 of the DRI

The Lakewood Centre DRI initially received Specific Approval of the first phase of development and conceptual approval of the later phases of development. The Zoning Ordinance, as well as the Development Order for the DRI, requires the applicant to provide further analysis for transportation to receive approval of the later phases of the development. The Local Development Agreement (LDA) for Lakewood Centre and Northwest Sector was approved by the Board of County Commissioners on November 7, 2013. As a part of this LDA, the applicant submitted traffic studies which were prepared consistent with the requirements of the ZO and DO and analyzed the required impacts through build-out of the projects. These traffic studies set forth certain transportation improvements to be completed prior to development of the remainder of the phases in order to meet concurrency requirements. The approval of the projects and the Florida Statutes allow for flexibility in favor of broader traffic solutions to satisfy the applicant's transportation concurrency, including a proportionate share contribution to cover the project's proportionate share of the costs to construction improvements needed to mitigate the transportation impacts for not only Lakewood Centre DRI, but also the Northwest Sector DRI. The LDA recognizes that the Proportionate Share Mitigation (PSM) satisfies the requirements of Florida Statutes and the mitigation plans for the project through the agreement to construct White Eagle Boulevard (fka Pope Road). Because of the substantial private contribution to Manatee County's infrastructure made by the applicant, pursuant to the LDA, the Lakewood Centre DRI received a CLOS for the project through the build-out date of the project. The LDA also recognized that a zoning amendment would need to be processed concurrent with the Specific Approval for the remaining two phases.

The amended ZO reflects the recognition that the transportation impact mitigation requirements have been satisfied for Phases 2 and 3, and therefore, staff finds the proposed zoning amendment can support the Specific Approval requirements for Phases 2 and 3 of the Lakewood Centre DRI.

2) Reflect the satisfaction of Transportation mitigation of impacts of the project through build-out.

As stated above, the LDA adopted on November 7, 2013, included a traffic study addressing traffic impacts through build-out of the project. The traffic study set forth certain transportation improvements to be completed prior to development of the remainder of the phases in order to meet concurrency requirements. The approval of the project and the Florida Statutes allow for flexibility in favor of broader traffic solutions to satisfy the applicant's transportation concurrency, including a proportionate share contribution to cover the project's share of the costs to construction improvements needed to mitigate the transportation impacts for the Lakewood Centre DRI. The LDA recognizes that the Proportionate Share Mitigation (PSM) satisfies the requirements of Florida Statutes and the mitigation plans for the project through the agreement to construct White Eagle Boulevard (fka Pope Road), as well as dedication of future right-of-way.

The amended DO reflects the requirements to satisfy transportation impacts through the build-out of the project, and therefore, staff supports the language in the proposed amendment DO.

3) Add 796.22 ± acres to the boundaries of the DRI.

The additional lands required an amendment to the Comprehensive Plan to change the Future Land Use designation on a portion of the new property, from R/O/R (Retail/Office/Residential) and IL (Industrial Light) to MU-C (Mixed Use – Community). The Comprehensive Plan Amendment has been reviewed by the Tampa Bay Regional Planning Council and the Florida Department of Economic Opportunity (DEO) and will be considered for adoption by the Board of County Commissioners concurrently with the consideration of **this NOPC** and accompanying zoning of the property to the PDMU (Planned Development Mixed Use) district.

The lands, while currently undeveloped, are surrounded by a varied land use pattern. The northern, southern and western boundaries are dominated by either currently entitled lands or are developed with non-residential and residential land uses. While some lands along the eastern boundary remain in use as agriculture, the development of the central portion of the subject property will serve as a transitional use from the Lakewood Ranch Commerce Park.

There is a planned system of thoroughfare roadways and planned utilities that will serve the additional lands. There are also, in the immediate vicinity, an elementary school, a high school, and a post-secondary school, as well as a regional county park.

The existing Development Order contains conditions ensuring workforce housing, the provision of adequate public facilities, and the assurance, through the adopted Local Development Agreement (LDA), that those public facilities will be adequately provided for in the future.

Following adoption of the Comprehensive Plan Amendment for a portion of the additional property, staff recommends approval of the changes to the Development Order to add the 796.22 ± acres into the Lakewood Centre DRI.

4) Other amendments for internal consistency.

The changes to dates, department changes, and a reference to the Tampa Bay Regional Planning Council, as necessary, have been made as necessary. Staff has no objection to these changes.

Conclusion

Staff recommends approval of the changes to the Zoning Ordinance as identified in strike-thru/underline format attached to this report, as well as the changes to the General Development Plan.

SURROUNDING USES & ZONING	
NORTH	**Land Use: Agricultural and residential** **Zoning: A (General Agriculture) and PDR (Planned Development Residential)**
SOUTH	**Land Use: Residential /Commercial (Cypress Banks DRI and Northwest Sector DRI)** **Zoning: PDMU/WP-E/ST (Planned Development Mixed Use/ Watershed Protection Evers/Special Treatment Overlay District)**
EAST	**Land Use: Agriculture/Residential** **Zoning: A (General Agriculture) and PDR (Planned Development Residential)**
WEST	**Land Use: Agriculture, Commercial, Industrial, and Community Uses (Park, and High School)** **Zoning: A (General Agriculture)/WP-E/ST, PD-PI (Planned Development – Public Interest)/WP-E/ST, PDC (Planned Development Commercial)/WP-E/ST, PDI (Planned Development Industrial)**

DESIGN DETAILS	
OPEN SPACE:	**568 acres – 38%**
RECREATIONAL ACREAGE:	**75.6 ± acres**
ACCESS:	**Access is on Lakewood Ranch Blvd, White Eagle Boulevard, Malachite Drive, S.R. 70, and S.R. 64, and Rangeland Pkwy.**
WETLAND ACREAGE & IMPACTS	**Total wetland acreage: 103.7 acres** **Wetland Impacts: Minimal, for road crossings and to facilitate the town center development.**
FLOOD ZONE(S)	**"X," "A," and "AE," per Firm Panels 12081C0331E and 12081C0345E.**
AREA OF KNOWN FLOODING	**Yes, partially within the Mill Creek Watershed**

ENVIRONMENTAL INFORMATION
No changes to the Environmental Planning Issues with this request.
POSITIVE ASPECTS
• **The is a growing area of the County; and the project will continue to provide to provide the services for the area;** • **The project provides an urban "downtown" employment center east of I-75 which will capture trips east of I-75 and reduce trips west of I-75; and** • **No additional entitlements are being added as a result of the additional property being added to the Lakewood Centre DRI.**
NEGATIVE ASPECTS
N/A
MITIGATING MEASURES
N/A
STAFF RECOMMENDED STIPULATIONS
See attached Zoning Ordinance
REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED
None
COMPLIANCE WITH THE LAND DEVELOPMENT CODE **Factors for Reviewing Proposed Site Plans (Section 508.6)** **Planned Districts - Rezone Review Criteria (Section 603.4)**
<u>Physical Characteristics</u> **The property is suitable for development without hazard to persons or property in relation to erosion, subsidence, slipping of the soil, flood hazard, destruction of wetlands or other dangers. There are small portions of the property that are within the X500, A and AE designated flood zones, however, those concerns will be alleviated at the time of Final Site plan submittal.**

Public Utilities, Facilities and Services

Adequate public facilities are available to support the request. Schroeder-Manatee Ranch, Inc. has completed Master Plans for both Potable Water and Sanitary Sewer.

The SMR Water Master Plan Final Report, updated June 2004, shall be updated to reflect the new DRI expansion and shall be reviewed and approved by Manatee County. Potable water infrastructure facilities shall be constructed in accordance with the updated master plan.

The Developer will be required to participate in the oversizing of any mains of potable water service to each phase or sub-phase of the project to assure that adequate capacity exists to accommodate the master planned area. The cost-sharing for any oversizing of any mains necessary shall be as determined by written agreement between the developer and the County.

The SMR Wastewater Master Plan, updated December 2005, shall be updated to reflect the new DRI expansion and shall be reviewed and approved by Manatee County. Wastewater infrastructure facilities shall be constructed in accordance with the updated master plan.

Developer will be required to participate in the oversizing of any wastewater mains to each phase or sub-phase of the project to assure that adequate capacity exists to accommodate the master planned area. Cost-sharing for oversizing of any wastewater mains shall be as determined by written agreement between the developer and the County.

Stipulations will be included in any adopting ordinance for the amended DRI and the amended GDP to address the Water and Wastewater concerns.

Major Transportation Facilities

The site is bordered by S.R. 64 to the north, 44th Avenue East to the south, Lakewood Ranch Boulevard to the west and the future White Eagle Boulevard to the east. There are two additional thoroughfares internal to the project, 117th Street East (from S.R. 64 to Gatewood Drive) and Gatewood Drive (from Lakewood Ranch Boulevard to White Eagle Boulevard). A planned local road will also connect Lakewood Ranch Boulevard and 44th Avenue East, thereby reducing the number of vehicles passing through the intersection of these two roadways. The project is not designed to create excessive traffic along minor streets outside of the project. As the development contains a mixture of residential and non-residential uses, it is expended to have a high rate of internal capture.

Compatibility

Surrounding development includes a variety of land uses. Residential development is located to the north, east and south and the property to the west is partially developed with the Lakewood Ranch Commerce Park and a neighborhood shopping center, with the remainder of the land being used for agricultural activities, but zoned and entitled for future non-residential uses. Also, located to the east of the project are agriculturally zoned and used lands, with some low density residential, and are separated by the future White Eagle Boulevard. The submittal includes a proposed list of conditions which will ensure that specific parcels will meet certain design criteria (i.e., additional building setback, wider buffers, height limitations) and will have no adverse impacts on surrounding property.

Transitions

The project is an extension of the existing mixed-use development pattern in the surrounding area.

Design Quality

There are no new Specific Approvals requested with this application. As this land will become a part of the Lakewood Centre DRI, and be subject to the associated Zoning Ordinance, there are a number of design-related conditions for both residential and non-residential land uses.

Adjacent Property

The borders of the property are largely comprised of external thoroughfare roadways, with the western boundary dominated by a major environmental system of both forested and vegetated wetlands.

Access

The property has access to both external thoroughfare roadways (S.R. 64, 44th Avenue East and the future White Eagle Boulevard) and planned internal thoroughfare and local roadways. The access points from parcels are illustrated on the General Development Plan.

Streets, Drives, Parking and Service Areas

The General Development Plan illustrates a transportation network of both local and thoroughfare roadways, however, design details of drives, parking, and service areas are not known at this time.

Pedestrian Systems

Internal pedestrian systems have been addressed with a condition in the existing Zoning Ordinance for the provision of dual sidewalks and a master trail system. External pedestrian systems will be designed and constructed with the planned thoroughfare roadways.

Natural and Historic Features, Conservation and Preservation Areas

There are no known historic or archaeological features. The project design meets or exceeds the required amount of conservation and preservation areas in both the wetland and upland areas.

Density/Intensity

The density does not exceed the maximum established in the Comprehensive Plan and is consistent with the existing development pattern.

Height

The height in a Planned Development district is determined on a case-by-case basis, after a review of surrounding land uses to ensure that the proposed development will not create any external impacts that would adversely affect surrounding development, existing or proposed. The existing Zoning Ordinance allows for the following height limits for uses in the development:

Land Use	Traditional Neighborhood Design Standards	Conventional Design Standards
S.F. Detached	35 feet	35 feet
S.F. Semi-Detached	35 feet	35 feet
S.F. Attached	4 stories/50 feet	35 feet
Multi-Family	5 stories/75 feet*	3 stories/40 feet
Commercial	5 stories/75 feet*	5 stories/75 feet*
Office	12 stories(including parking structure)/140 feet	12 stories (including parking structure)/140 feet

***Height of single use buildings. A building with a vertical mix of land uses may be up to 12 stories or 140 feet in height.**

It is the applicant's intention to carry forward these same height limits to the expansion portion of the Lakewood Centre DRI. Section 3.E. of the adopting ordinance recognizes the height limits and specifically identifies parcels in the expansion portion of the subject property where additional height is being requested. A height in excess of 35 feet and up to 75 feet for residential structures is being requested for Parcels EE, JJ and V (see General Development Plan), and for non-residential structures on Parcel U a height up to 140 feet. The General Development Plan has been color-coded in order for clarification regarding these requests. These requested heights are consistent with the approved heights in the existing portion of the Lakewood Centre DRI, and it is staff's opinion that these heights be carried forward to the new expansion portion.

The GDP indicates a continued mix-use form of development allowing commercial, office and residential uses to be placed along the major thoroughfares of the site. Taller structures for hotels, office and retain uses are shown primarily along S.R. 64, S.R. 70 and Lakewood Ranch Boulevard. According to LDC Section 603.7.4.9, increases in residential height, above 35 feet, must be made by a finding by the Board of County Commissioners that the request meets the standards of this section, regarding the use of articulated rooflines, added architectural elements, and façade design. The specifics of architectural elements are reviewed at the PSP/FSP stage of development. Given that, however, the following review was conducted for the proposed buildings greater than 35 feet tall which have a residential component:

The Schroeder-Manatee Ranch, LLC developments are areas where mixed use and residential development continue to occur. The proposal to continue the existing approved heights in the Lakewood Centre DRI is consistent with the development already occurring within the Lakewood Centre DRI.

The 40 to 60 foot height of some of the buildings should not create ant external impacts that would adversely affect surrounding existing development on S.R. 70 or S.R. 64 in the area. Additional criteria is contained in the ZO for Lakewood Centre that regulates landscaping, setbacks and signage. During the time of PSP/FSP reviews, the design of all proposed buildings, relating to varied setbacks and appropriate transitions to adjacent property and from any proposed buildings to public streets, can be assured.

As stated above, architectural designs will be reviewed at later stages of development, however, the applicant has indicated in this application that the buildings will be designed with articulated and varied rooflines, façade modulations and compatible building materials. Staff believes that the proposed buildings can be designed to be compatible with existing buildings in the nearby developments.

Based on the design provided on the GDP, the buildings are arranged to provide a desirable transition from the street, pedestrian areas, and parking areas to any proposed buildings.

SPECIFIC FINDING FOR STRUCTURES EXCEEDING 35 FEET IN HEIGHT
Based on a review of the factors to be considered under LDC Section 603.7.4.9, the Board of County Commissioners has a factual basis in the record to find that the proposed residential development, as approved and stipulated, is compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, or waterfront because nearby properties will contain buildings of similar heights and appropriate setbacks will be provided.

Fences and Screening
Any such facilities associated with the non-residential development will provide the required details with a Final Site Plan.

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

Trash and Utility Plant Screens
There are no central trash facilities in the residential development. Any such facilities associated with the non-residential development will provide the required details with a Final Site Plan. Any utility facilities, such a lift station, will be screened in accordance with the Land Development Code.

Signs
Sign details will be reviewed with the Final Site Plan.

Landscaping
The project shall meet or exceed the standard zoning requirements of the LDC.

Mixed Use or Entranceway Designation
N/A

Water Conservation
Creative site development concepts have been proposed to promote water conservation such as preservation of existing plant communities and upland habitats and the use of shade trees. There are additional conditions contained within the existing Zoning Ordinance with which this project will be required to comply

Rights-of-Way
No right-of-way reservation has been requested for any roadway thoroughfares throughout the project.

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

Stormwater Management
All stormwater provisions/improvements will be determined in conjunction with future Final Site Plans.

Open Space
The site plan shows 38% open space (568 ± acres).

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is in the R/O/R and MU-C Future Land Use Categories. This project was specifically reviewed for compliance with the following policies:

Policy 2.1.2.7 Appropriate Timing. The property is located within an area of the County that has approval as a mixed-use development, providing a variety of housing opportunities, employment-based non-residential development, and educational and recreational opportunities for all of its residents. This concept is consistent with the intent of the PDMU zoning district. Buffering, site design, and density limitations are ensured, with conditions with both the Zoning Ordinance and the Development Order for the DRI.

Policy 2.2.1.17.1 Intent. The intent of the R/O/R FLUC is to provide for orderly transition from, or re-development of, existing and new multi-use areas. The Lakewood Centre DRI area is a multi-use area.

Policy 2.2.1.17.2 Range of Potential Uses includes retail, wholesale or office and commercial uses which function in the market place as neighborhood, community or region-serving. Also residential uses, lodging place, public or semi-public uses, school, and recreational uses.

Policy 2.2.1.17.3 The R/O/R/ FLUC allows a maximum gross residential density of 9 dwelling units per acre. The proposed gross density is much lower at 3.14 du/acre.

Policy 2.2.1.28.1 Intent. The majority of the proposed development is designated MU-C FLUC, which provides for density of 9 dwelling units, the proposed gross density is much lower at 3.14 du/acre. The surrounding uses will be protected with the lower density and the landscaping, design standards, and setbacks that will be provided with the development.

Further, the intent is to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within MU-C areas, achieving internal trip capture, and the development of a high quality environment for living, working, and visiting. Potential Uses include residential, commercial/professional, industrial/distribution, recreational/open space and public/semi-public. As stated above, the overall density of 3.14 du/acre will provided compatibility assurance with adjacent agricultural uses.

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

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

CONCURRENCY

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

NEAREST ROADWAY	LINK(S)	ADOPTED LOS	EXISTING LOS
S.R. 70	I-75 to Braden Run Braden Run to River Club River Club to Lakewood Ranch Blvd Lakewood Ranch Blvd to Lorraine Road	C C C C	D B D B
Lakewood Ranch Blvd	S.R. 64 to S.R. 70	D	D
S.R. 64	Lakewood Range Boulevard to Rye Road	C	C
White Eagle Boulevard	Gatewood Drive to 44th Avenue	N/A	N/A
44th Avenue East	Lakewood Ranch Boulevard to White Eagle Boulevard	A	A

Phase 1:
CLOS-08-036 was originally issued on 8/5/2008, expiring on 12/31/2011 per PDMU-06-30(Z)(G).
2009 - Extended for 2 years to reflect approval of Resolution 09-089, new expiration of 12/31/2013.
2010 - LDA-10-01 was approved and extended the CLOS until 12/31/2019.
2011 - 4 yr extension per HB 7207 and 326 day extension per F.S. 252.363. Extended until 11/21/2024.
2013 – 1 year and 121 day extension per F.S. 252-363. Current expiration date of 3/22/2026.
Phase 2 and 3:
CLOS-13-023 was issued on 11/8/2013, expiring 3/22/2026 per LDA-13-03.

SPECIAL APPROVAL – ANALYSES, RECOMMENDATIONS, FINDINGS

Manatee Comprehensive Plan defines Special Approval as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners; or the specific delegation of any specific review and approval process, or part thereof, to one of more County departments with option for appear to the BOCC.

The project was submitted, reviewed and approved by the Tampa Bay Regional Planning Council (TBRPC – approved 10/13/2014) as an amendment to an approved Development of Regional Impact (DRI). A DRI is a development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. The DRI process is governed by Chapter 380.06, Florida Statutes, and Florida Administrative Code.

Special Approval is required for a project in the MU-C Future Land Use Category (FLUC). In order to grant a Special Approval for a project, a Planned Development zoning is required. The Lakewood Centre project is a planned mixed-use project with residential, commercial retail and office uses. The project will continue to serve the residents and visitors of the area. The project will utilize existing major thoroughfares and roadways, and will provide adequate buffers, landscaping, signage and lighting. 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 proposed development. The analysis in the staff report represents a true evaluation of the proposed deign for potential impacts on natural resources, adjacent land uses and public facilities.

SPECIFIC FINDING FOR SPECIAL APPROVAL IN THE MU-C FLUC

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

ATTACHMENTS

1. Applicable Comprehensive Plan Policies
2. Ordinance PDMU-06-30(G)(R3)
3. Traffic Impact Analysis
4. Copy of Newspaper Advertising

APPLICABLE COMPREHENSIVE PLAN POLICIES	
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	Review all proposed development for compatibility and appropriate timing. This analysis shall include: - consideration of existing development patterns, - types of land uses, - transition between land uses, - density and intensity of land uses, - natural features, - approved development in the area, - availability of adequate roadways, - adequate centralized water and sewer facilities, - other necessary infrastructure and services. - limiting urban sprawl - (See also policies under Objs. 2.6.1 – 2.6.3)
Objective 2.2.1	**Future Land Use Categories:** Establish and define a suitable number, and range, of future land use categories to be shown on the Future Land Use Map to guide the location of land uses, limit the general range of uses, and to provide limits on densities and intensities.
Policy: 2.2.1.17	**R/O/R:** Establish the Retail/Office/Residential future land use category as follows:
Policy: 2.2.1.17.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established and developed areas exhibiting a broad range of commercial, residential and, in certain cases, light industrial uses, and to recognize the continued existence of such areas through the long range planning timeframe. Also, to provide for orderly transition from, or redevelopment of, these existing and developed multiple-use areas. Also, to prohibit the intrusion of new industrial areas into these ROR areas, which typically fail to exhibit a planned or integrated approach to multiple use development, and instead exhibit an incremental or unplanned history of multiple use development. Also to establish at a few major and highly accessible, but currently undeveloped,

sites for the development of major future community or region-serving commercial uses with a variety and permitted intensity of use which allows for a multi-purpose commercial and office node, with residential uses. Also to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.

Policy: 2.2.1.17.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving. Also residential uses, lodging places, public or semi-public uses, schools, recreational uses, appropriate water-dependent/ water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4), and short-term agricultural uses.

Policy: 2.2.1.17.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:

For development existing at time of plan adoption or treated as a special exception under this Comprehensive Plan - 16 dwelling units per acre
For new development - 9 dwelling units per acre

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

For new development - 16 dwelling units per acre

Maximum Floor Area Ratio: 0.35
Maximum Floor Area Ratio in the Urban Area: 0.50
Maximum Square Footage for Neighborhood,
Community, or Region-Serving Uses: Large 300,000 sf

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

Objective 2.6.1	Compatibility Through Screening, Buffering, Setbacks, and Other Mitigative Measures. Require suitable separation between adjacent land uses to reduce the possibility of adverse impacts to residents and visitors, to protect the public health, and to provide for strong communities.
Objective 2.6.5	Quality in Project Design: Promote appropriate diversity within and between existing and future development projects to achieve high quality, efficient functioning design.
Policy: 2.6.5.4	Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas. Land uses within the Watershed Overlay District shall meet additional requirements required by the Comprehensive Plan (See also Policy 2.2.2.2.5)
Objective 2.9.1.3	Provide vehicular access between neighborhoods, particularly (but not exclusively) when part of a planned unit development containing more than one neighborhood.
Policy 2.9.1.5	Promote the development of pedestrian friendly designs.
Policy 2.9.1.6	Promote the use of unifying design elements and features.
Policy 2.9.1.9	Require where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Obj. 3.3.3).
Policy: 2.10.1.4	Allow DRI's and Large Project developments that meet commercial locational criteria or have a future land us category that allows for commercial square footage, the option of reallocating commercial square footage internally within neighborhoods if the following criteria is met: (a) must have a mixed use with a residential component. (b) must meet minimum development characteristics such as greater internal automobile trip capture, increased pedestrian and bike routes facilities, architectural design criteria which reinforces pedestrian scale and orientation and built on a neighborhood scale. Such neighborhoods will promote diversity of uses, while not promoting strip commercial development.

Commercial uses located internally to neighborhoods shall be limited to “medium” commercial uses.

Policy 2.10.3.1 Require that access to commercial uses be established on at least one roadway, operating at, or better than, the adopted level of service. Access which is limited only to roadways that carry traffic within residential neighborhoods shall be considered unacceptable for commercial uses.

Policy 2.10.3.2 Require that all proposed small and medium commercial uses can be directly accessed from at least one roadway shown on the Roadway Functional Classification Map as collector or higher, at time of issuance of a development order.

Policy 3.2.3.2 Require all water users to use the lowest quality of available water which adequately and safely meets their water use needs by requiring stormwater reuse, alternative irrigation sources, reclaimed water use, and gray water irrigation systems where feasible. [See Policies 9.4.1.11, 9.6.1.2, and policies under objective 9.1.5]

MANATEE COUNTY ORDINANCE NO.
PDMU-06-30(G)(R)(3~~2~~)
LAKEWOOD CENTRE

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS(ORDINANCE 90-01, ~~THE MANATEE COUNTY LAND DEVELOPMENT CODE),~~ FROM A (GENERAL AGRICULTURE) TO PDMU (PLANNED DEVELOPMENT MIXED USE) FOR 796.22 ACRES, AMENDING ORDINANCE PDMU-06-30(G)(R2) TO APPROVE CHANGES TO THE GENERAL DEVELOPMENT PLAN AND ORDINANCE AS FOLLOWS: (1)PROVIDE FOR SPECIFIC APPROVAL OF PHASES 2 AND 3 (2) REFLECT THE SATISFACTION OF TRANSPORTATION MITIGATION OF IMPACTS OF THE PROJECT THROUGH BUILDOUT (3) ADD 796.22 +/- ACRES TO THE BOUNDARIES OF THE PROJECT ~~(1) UPDATE THE PHASING AND BUILDOUT DATES TO REFLECT LEGISLATIVELY APPROVED EXTENSIONS, (2) UPDATE CONDITIONS TO REFLECT COMPLIANCE WITH REQUIREMENTS CONTAINED THEREIN, (3) EXCHANGE 100,000 SQUARE FEET OF COMMERCIAL AND 100,000 SQUARE FEET OF OFFICE FOR 1,008 SINGLE FAMILY UNITS IN PHASE 1,~~ (4) OTHER AMENDMENTS FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. THE LAKEWOOD CENTRE DRI IS GENERALLY LOCATED EAST OF LAKEWOOD RANCH BLVD, SOUTH OF STATE ROAD 64, ~~MALACHITE DRIVE~~, WEST OF WHITE EAGLE BOULEVARD (F/K/A POPE ROAD), AND NORTH OF STATE~~.~~ R~~.~~OAD 70 (~~697.4~~1493.61+/- ACRES).

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

SECTION 1. AMENDMENT AND RESTATEMENT OF ORDINANCE NO. PDMU-06-30(G)(R2). Ordinance PDMU-06-30(G)(R2) is hereby amended and restated in its entirety below. All prior zoning ordinances (and any site plans approved pursuant thereto) shall be superseded by this Ordinance.

SECTION 2. DEFINITIONS. All capitalized terms used herein shall have the meanings set forth in the Lakewood Centre DRI Ordinance ~~13-28~~14-xx, Section 380.06 F.S., the

Manatee County Comprehensive Plan, or the Manatee County Land Development Code, in that order of precedence.

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

A. The Planning Commission held a duly noticed public hearing on insert new date ~~September 12, 2013~~ and found the proposed amendments to the Official Zoning Atlas, Zoning Ordinance and General Development Plan consistent with the Manatee County Comprehensive Plan (Ordinance 89-01, as amended) and recommended approval of the application and General Development Plan by the adoption of Ordinance No. PDMU-06-30(G)(R3~~2~~).

B. The BOCC held a public hearing on insert new date ~~October 2, 2013~~ regarding the proposed amendments to the Official Zoning Atlas for the additional 796.22 +/- acre tract, zoning ordinance and General Development Plan described herein in accordance with the requirements of the Manatee County Land Development Code (Ordinance No. 90-01) and further considered the information received at the public hearing.

C. On August 5, 2008, the BOCC found that, based upon a review of the surrounding uses and the criteria listed in LDC Section 603.7.4.9, residential structures on the Property in excess of 35 feet and up to 75 feet on Parcel A, C, D, H, R, S, and S-1, and EE, JJ and V and up to 140 feet on Parcels G, I, and J are compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, existing or proposed, waterfront vistas or entranceways.

D. On December 6, 2012, the BOCC found that ~~B~~based upon a review of the surrounding uses and the criteria listed in LDC Section 603.7.4.9, ~~the Board finds~~ that as conditioned herein residential structures on the Property in excess of 35 feet and up to 75 feet on Parcel K are compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, existing or proposed, waterfront vistas or entranceways.

E. On XXXX, 2014, the BOCC found that based upon a review of the surrounding uses and the criteria listed in LDC Section 603.7.4.9, that as conditioned herein residential structures on the Property in excess of 35 feet and up to 75 feet on Parcels EE, JJ and V and non-residential structures up to 140 feet on Parcel U are compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development, existing or proposed, waterfront vistas or entranceways.

F.E. The proposed amendment to the Official Zoning Atlas, the Lakewood Centre Zoning Ordinance and General Development Plan regarding the property described in Section 6 herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan (Ordinance No. 89-01), as amended.

G.F. On August 5, 2008, the BOCC found thatconsidered the Special Approval for (1) a mixed-use project in the ROR Future Land Use Category; (2) a project exceeding a net density of 9.0 gross dwelling units per acre in the ROR Future Land Use Category; (3) a project exceeding a non-residential floor area ratio of 0.25; and (4) a project in the Evers Reservoir Watershed. The Board hereby finds that the project as conditioned herein, with the above described Special Approvals, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

H. On XXXXXXXX, 2014, the BOCC considered the Special Approval for a project located in the MU-C Future Land Use Category. The Board hereby finds that the project as conditioned herein, with the above described Special Approval, will have no significant detrimental impacts on natural resources, adjacent land uses, or public facilities.

I.G. The Lakewood Centre Zoning Ordinance was originally approved on August 5, 2008 and consisted . The approved project consists of 3,675 residences, 1,744,000 square feet of commercial space, 1,563,000 square feet of office space, and 300 hotel rooms. The development totals were modified through the exercise of a land use exchange approved by the Board on October 3, 2013 and the approved project consists of 4,683 residences, 1,674,000 square feet of commercial space, 1,463,000 square feet of office space and 300 hotel rooms.

J.H. On December 6, 2012 the Board of County Commissioners approved an amendment to the Zoning Ordinance and the General Development Plan to update the Phasing, Buildout, Expiration and CLOS dates to reflect legislatively approved extensions, update Transportation Conditions to reflect compliance with conditions contained therein, modify Affordable Housing Conditions, modify Design Conditions, clarification of allowable uses, allow for the transfer of residential units to Parcel K, update the Zoning Ordinance to reflect departmental references and other minor changes for internal consistency.

K. On June 13October 3, 2013, the Board of County Commissioners approved an amendment to SMR North 70, LLC submitted an application to amend the Zoning Ordinance and the General Development Plan to update the phasing and buildout dates to reflect legislatively approved extensions, update conditions to reflect compliance with requirements contained therein, exchange 100,000 square feet of commercial and 100,000 square feet of office for 1,008 single family units in Phase 1 and other amendments for internal consistency.

L.~~J.~~ On May 15, 2014 SMR North 70, LLC and SMR Northwest Land, LLC filed an application to amend the Official Zoning Atlas for a 796.22 +/- acre parcel from A to PDMU, amend the Zoning Ordinance and the General Development Plan to re-allocate existing Development Totals contained within the original approval to the additional lands.

SECTION 4. GENERAL DEVELOPMENT PLAN

A. The General Development Plan dated ~~June, 2013~~ May, 2014 is hereby APPROVED to allow a maximum of 4,683 residences, 1,674,000 square feet of commercial space, 1,463,000 square feet of office space, and a 300-room hotel, with the following conditions and modifications, included herein in Section 4.

B. The previous Zoning Ordinance for Lakewood Centre, which was adopted on ~~December 6, 2012~~October 3, 2013, is hereby replaced in its entirety, provided this amendment shall not be construed to terminate the rights of the developer, if any, granted under Section 163.3167(5), Florida Statutes, to the extent such rights have been previously granted and not specifically herein otherwise modified or amended.

A. DEVELOPMENT APPROVAL

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

TABLE 1: DEVELOPMENT TOTALS

Land Use	Phase 1 2008 – 2022*	Phase 2 2009 – 2021*	Phase 3 2012-2026*	Total
Residential (dwelling units)				
Multi-family	900	1,800	539	**3,239**
Single-family	1,008	200	236	**1,444**
Total	**1,908**	**2,000**	**775**	**4,683**
Commercial/Office (sq. ft.)				
Retail	360,000	542,000	772,000	**1,674,000**
Office	358,000	458,000	647,000	**1,463,000**
Total	**718,000**	**1,000,000**	**1,419,000**	**3,1~~2~~37,000**
Hotel (rooms)	**300**	**-0-**	**-0-**	**300**

Source: WilsonMiller, April 2006
* The phasing buildout dates shall be March 22nd of the years indicated, which includes legislatively approved extensions (SB 360, SB 1752, HB 7207 and F.S. 252.363).

A(2). For Phases 1, 2 and 3, the Developer has demonstrated the availability of adequate infrastructure and the ability to meet Acceptable Levels of Service for roadways, mass transit, drainage, and parks and recreation. The Certificate of Level of Service for Phase 1 shall be valid until March 22, 2026 or to such date as may be extended from time to time, pursuant to LDA-10-01~~, subject to the limitations set forth in Stipulation B(2) and B(19~~). The Certificate of Level of Service for Phases 2 and 3 will become effective upon approval of this amended Development Order granting specific approval to such phases and shall be valid until March 22, 2026, the buildout date, or to such buildout date as may be extended from time to time, pursuant to LDA-13-03.

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

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

B. TRANSPORATION

B(1). Transportation mitigation improvements shall be implemented through the Local Development Agreements (LDA 10-01 and LDA-13-03) approved by Manatee County on September 14, 2010 and November 7, 2013, respectively. ~~The following intersection improvements are determined to be required intersection improvements for the Project due to the percentage of development traffic impacting the intersection and the resulting Level of Service (LOS). (LDA 10-01 implements the applicant's proportionate fair share contributions for Phase 1 mitigation)~~

~~TABLE 2~~

~~**PHASE 1 INTERSECTION/ROADWAY IMPROVEMENTS**~~

~~**Roadway/ Intersection**~~	~~@~~	~~**Improvement**~~	~~**External Trip Threshold**~~	~~**ERU Threshold**~~
~~SR 64~~	~~Lena Rd~~	~~Add 1 eastbound through lane~~	~~2,312~~	~~2,335~~
~~SR 70~~	~~US 301~~	~~Add 1 through lane to each approach, add 1 eastbound left turn lane and 1 eastbound right turn lane~~	~~2,312~~	~~2,335~~

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

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

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

~~B(2). The improvements listed above are triggered by stated "External Trip Thresholds" based upon the traffic study submitted in the record in support of this ordinance. At present, the County has funded and scheduled construction for the improvements to SR 64 from Lena Road to Lakewood Ranch Boulevard and including the intersection referenced above, which will provide sufficient transportation infrastructure to support the development up to the threshold triggering additional improvements ("post-SR 64 threshold"). Accordingly, development that does not trigger a post-SR 64 threshold may be permitted at the time of adoption of this development order subject to the requirements of stipulation B(19) and the conditions set forth in the CLOS to be issued pursuant to the County's Comprehensive Plan and LDC.~~

~~B(3). In the event that Funding Commitments for transportation improvements are only adequate to permit approval of a portion (subphase) of the development, the capacity and loading of transportation facilities in the Transportation Impact Area, shall be limiting factors in any subsequent approvals (a subphase analysis has been performed and cumulative subphases have been identified in Transportation Conditions Tables 2 and 3). An initial subphase of 417 external p.m. peak hour trips has been identified as requiring no transportation improvements.~~

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

B(2~~4~~). With each Final Site Plan application, the Developer shall submit to the County a limited traffic study to provide ~~which addresses the following:~~

~~a. External P.M. peak hour trips predicted to be generated by the submitted subphase, plus all previously approved subphases, to demonstrate whether any improvement thresholds reported in Table 2 are reached; and~~

~~b~~. ~~An assessment of~~ the estimated traffic operations and turning movements together with the conceptual design of the driveways serving the project covered by the Final Site Plan application.

~~In the event that the total external p.m. peak hour trips projected to be generated exceeds the threshold levels described in Table 2, and the corresponding Funding~~

~~Commitments have not been provided, no further Final Site Plan approvals shall be granted unless the Developer prepares an analysis which identifies the revised total external p.m. peak hour trips after which the road improvement would be required under the new subphase analysis. The Zoning Ordinance shall be amended to reflect these revised trip levels.~~

B(3~~5~~). All improvements to state roadways will require FDOT approval and all improvements to County roads will require Manatee County Transportation Department approval.

B(4~~6~~). Access to and from the site shall be in accordance with state and local access regulations and as generally shown on the General Development Plan (GDP).

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

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

~~a. Pope Road~~

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

~~b. Malachite Drive~~

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

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

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

~~B(9). Beginning one year after the first Final Plat or Certificate of Occupancy has been issued, a biennial monitoring program to provide peak hour counts at the Project entrances shall be instituted to verify that external trip improvement thresholds specified in Table 2 for Phase 1 of the Project are not exceeded. Counts shall continue on a biennial basis through buildout of Phase 1. The methodology for the biennial monitoring program shall be approved by staff.~~

~~B(10). Prior to development of Phase 2 and Phase 3, a revised transportation analysis shall be submitted, pursuant to Section 380.06(6), Florida Statutes and the Land Development Code. This analysis shall address potential transportation impacts which might result from the development of these phases.~~

B(5~~11~~). Bicycle and pedestrian facilities shall be constructed on both sides of any road designated as a collector or higher, in accordance with the LDC. All bike lanes shall be constructed in accordance with Manatee County standards.

B(6~~12~~). The Developer shall provide sidewalks along both sides of all streets throughout the Project.

B(7~~13~~). The Developer shall provide roadways and pedestrian connections to perimeter roads, schools, and parks, as determined at time of Preliminary Site Plan approval.

B(8~~14~~). The Developer shall work with Manatee County Area Transit (MCAT) to identify a potential transit stop(s) within the Project. At such time that MCAT has established a plan for service to the project, the applicant shall coordinate to provide the needed location(s) for a transit stops within the Project.

B(9~~15~~). The Developer shall grant to appropriate agency or agencies, a non-ingress/egress easement prohibiting vehicular access to and from the development via SR 70, Lakewood Ranch Boulevard, ~~Center Ice~~Rangeland Parkway, Malachite Drive and ~~Pope Road~~White Eagle Boulevard, except as generally depicted on the General Development Plan for permitted road and driveway crossings.

B(10~~16~~). The Developer shall dedicate sufficient right-of-way at all roadway intersections to accommodate the future buildout design for each intersection. This shall be determined and shown on all Preliminary and Final Site Plans.

~~B(17). Manatee County is in the process of developing performance standards to mitigate noise generated along multi-lane thoroughfares. If such standards are adopted by the Board of County Commissioners prior to the submission of the first Preliminary Site Plan or Final Site Plan with residences nearby a planned multi-lane~~

~~thoroughfare, that and all other subsequent Preliminary Site Plans and Final Site Plan shall comply with those adopted standards.~~

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

B(11~~18~~). At the time of Preliminary Site Plan, Final Site Plan, and Construction Plan approval for each phase of the Project the Developer shall be responsible for any additional on-site or off-site transportation operational and safety improvements attributable to this Project, as determined by the Public Works Department, and in accordance with LDC Section 722.1.3.4., as well as any capacity improvements associated with the issuance of a Certificate of Level of Service.

~~B(19) Notwithstanding the foregoing, the bowling center and 45,000 square feet of commercial approved pursuant to Ordinance PDMU-06-23(Z)(P) have a Certificate of Level of Service (CLOS) approval and the provisions herein are not intended to supersede such CLOS which remains in effect.~~

C. WETLANDS

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

C(2). Except for Wetland restoration and enhancement and naturally occurring fluctuations, no hydroperiod alteration shall be permitted in Preservation Areas. Natural annual hydroperiods, normal pool elevations, and seasonal high water elevations shall be substantially maintained or improved.

C(3). Any allowable Wetland losses shall require compensation in accordance with the Manatee County Land Development Code (LDC Section 719), as specified in permits issued under 40D-4 FAC, or under 62-340, FAC, as appropriate. Mitigation for Wetland losses shall be implemented prior to, or concurrent with, the Wetlands being disturbed. Mitigation may be provided by withdrawal of available mitigation credits from the Long Swamp Ecosystem Management Plan, if approved by appropriate agencies. Any on-site Wetland compensation areas shall require

monitoring and maintenance activities. Percent coverage of desirable plant species in the on-site created Wetlands and enhanced Wetlands shall meet or exceed eighty-five percent (85%) planting survival rate for at least two (2) years for herbaceous Wetland systems and for at least five (5) years for forested Wetlands. Yearly replanting and maintenance of the mitigation areas shall be required, if necessary, to ensure compliance with the conditions of the Zoning Ordinance.

C(4). The Developer shall provide natural buffering around all Post Development Wetlands to provide an upland transition into the Wetland areas and to protect natural systems from development impact. All buffers, buffer restoration, and setbacks shall be in compliance with the Manatee County Land Development Code.

C(5). A Conservation Easement for the areas defined as post-development jurisdictional Wetlands and Wetland buffers and Upland Preservation areas shall be dedicated to Manatee County, prior to or concurrently with Final Plat approval (or 1st C.O. if platting is not required), for those areas within or directly adjacent to the proposed phase of development.

C(6). The Developer shall provide signs adjacent to Wetland buffers and conservation easements indicating that the area is a "Conservation Area", as required pursuant to Section 719.11.1.3.3 of the LDC. The type and location of such signs shall be shown and approved by the Building and Development Services Department with the Final Site Plan.

C(7). No lot shall be platted through a Wetland, stormwater pond, or Wetland buffer.

D. VEGETATION AND WILDLIFE

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

D(2). ~~The following Pine Mesic Oak (414), Pine Flatwood (411), and Live Oak (427) Communities shall be preserved:~~

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

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

The potential upland preservation areas shown on the General Development Plan shall be reviewed with each shall be clearly delineated, labeled, and quantified on the Preliminary Site Plan or Final Site Plan encompassing or adjacent to the areas. Upland Preservation areas may be reconfigured, subject to Planning Director approval, with the Preliminary Site Plan provided that the overall acreage (23.8 acres), general location, and quality of preserved habitat remain consistent with those shown on the approved GDP. The Building and Development Services Department may allow limited impacts for suitable recreational areas (passive parks, pocket parks, etc.). Recreation improvements shall be designed in a manner that minimizes impacts to mature trees, dense tree clusters, or significant vegetation.

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

D(4). The Developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to the first Final Site Plan approval for each development pod. A Management Plan, approved by the appropriate State or Federal agency, shall be provided to the Planning Department for any listed species found on-site, prior to Final Site Plan

approval for each development pod. (completed for Parcels C and E)

D(5). Final Site Plans within management guideline distances (as prescribed by US Fish and Wildlife Service) from the bald eagle nest shall be designed in accordance with the current Habitat Management Guidelines for the Bald Eagle or a Habitat Management Plan for Bald Eagles, approved by the U.S. Fish and Wildlife Service, shall be provided prior to Final Site Plan approval.

D(6). In the event that any state- or federally-listed species are discovered breeding on-site during Project development, the Developer shall immediately notify the Florida Fish and Wildlife Conservation Commission and implement the recommended measures for species protection.

D(7). Wildlife passageways shall be incorporated into the roadways designed to cross the north-south Wetland corridor located north of ~~Center Ice~~Rangeland Parkway and east of Lakewood Ranch Boulevard and the upland corridor located south of Malachite Drive and east of Road GG, if approved by appropriate state, regional, and local agencies.

D(8). Prior to construction, grading, or tree removal from the site, required protective barriers within each area of construction shall be installed to protect all 4" DBH (trunk diameter measured at 4.5 feet from the ground) and greater trees identified for protection, that is, not shown on the Preliminary Site Plan as proposed to be removed, replaced, or relocated. Specific tree protective measures shall be approved by the Planning Department with the Final Site Plan and Construction Plan submittal. Tree barricades for trees to be preserved shall be located at the drip line, unless otherwise approved by the Planning Department. The drip line shall be defined as the outer branch edge of the tree canopy. The area within the drip line shall remain undisturbed unless specifically approved and shall be clearly shown on the Final Site Plan. The following activities are prohibited within the drip line of preserved trees unless otherwise approved by the Planning Department: machinery and vehicle travel or parking; underground utilities; filling or excavation; storage of construction materials.

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

E. LAND

E(1). The Developer shall limit site work and construction to areas needed for immediate development or stockpiling, if shown on the Final Site Plan.

E(2). An Integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides, and herbicides shall be submitted to the Building and Development Services Department for review and approval prior to Final Site Plan approval.

Where practical, native or drought tolerant landscape materials shall be utilized in common areas. (completed)

E(3). A Construction Water Quality Monitoring Program and proposed sampling locations shall be submitted to the county for review and approval prior to any land clearing activities, or Final Site Plan approval, whichever occurs first. (completed, but, shall be updated as to the additional lands identified as the 796.22 acre tract.)

E(4). The entire site shall be evaluated for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative measures.

E(5). A Well Management Plan for the proper rehabilitation or abandonment of existing wells shall be submitted to the county for review and approval prior to Final Site Plan approval. (completed)

F. AIR QUALITY

F(1). The Developer shall institute the following procedures to ensure dust control during development of the Project:

a. Implement a watering program during excavation, and dredge and fill operations;

b. Apply water or chemical stabilization to dirt roads and heavily traveled primary haul route sections as necessary;

c. Treat disturbed areas after clearing, grading, earth moving, or excavation is completed by watering, revegetation, spreading soil binders, or compacting fill material until areas are paved or developed;

d. Keep soil stockpiles moist, or treat with soil binders or cover;

e. Suspend dust producing activities during gusting or constant wind conditions of 39 mph or more;

f. Remove dust producing materials as soon as possible; and

g. Clean (sweep) paved roads adjacent to site as necessary;

~~F(2). Prior to development of Phase 2 and Phase 3, air quality impacts must be analyzed as required by Section 380.06, Florida Statutes. If mitigation is required based upon this analysis, the Development Order must be amended to incorporate those mitigative measures~~.

F(2~~3~~). The open burning of trees or branches for land clearing shall be done in compliance with applicable regulations.

G. WATER QUALITY AND DRAINAGE

G(1). The stormwater management systems shall be designed, constructed, and maintained to meet or exceed Chapter 62-25, Florida Administrative Code, and 40D-4, Rules of SWFWMD, the County and Building and Development Services Department, whichever is more stringent; to provide retention, or detention with filtration /assimilation treatment per SWFWMD and County approved methods during the 25-year, 24-hour design storm; and such that maximum post-development flow rates do not exceed pre-development flow rated for the same design storm. Nothing in this paragraph shall be construed as a waiver by the Developer of any vested rights, if any, pertaining to approved and constructed stormwater drainage facilities. With the exception of any such vested rights, if any, any valid requirements of general law pertaining to retrofitting which shall apply to landowners in Manatee County, however, shall apply to the Developer.

G(2). Best Management Practices (BMP) for reducing water quality impacts, as recommended by the County and SWFWMD in accordance with adopted regulations of these agencies, shall be implemented. Low impact development techniques shall be used, where feasible.

G(3). The Developer shall be the entity responsible for maintaining the stormwater management system. The Developer's obligations may be assumed by an appropriate agency or association.

G(4). Stormwater management system design shall, to the maximum extent possible, incorporate and utilize isolated Wetlands.

G(5). The applicant submitted an Ambient Surface Water Quality Monitoring Report to Manatee County in April, 2006. The report contained the surface water quality data representing the site specific ambient conditions to meet the one year pre-construction monitoring requirement, as specified in the "Ambient Surface Water Monitoring for Developments" Guidance document. On March 20, 2007, the Ambient Surface Water Quality Monitoring Plan was approved by the Manatee County.

G(6). Within one year of initiating vertical construction, the Developer shall submit the results of surface water quality monitoring to Manatee County for review. The results shall be reviewed by Manatee County for consistency with the County's "Ambient Surface Water Monitoring for Developments" (Guidance) document.

a. The results of the monitoring shall be submitted to the County with each DRI Biennial Report and shall include an official laboratory report.

b. The Developer will incorporate additional water quality treatment or water management methods into the Project's surface water drainage system to correct or mitigate any degradation if the measures implemented by the Developer are found to be ineffective or adversely impact water quality downstream of the Project site.

c. Any violation of Rule 62-302, Florida Administrative Code, determined to be caused by this development, shall require corrective measures, as set forth by the DEP and shall be reported to the County and all work which is determined by the County to be contributing to the problem will be halted until the problem is resolved.

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

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

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

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

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

G(12). Stormwater management ponds shall not be constructed within Wetland buffers or other natural resources of regional significance.

G(13). All fill within the 25-year and 100-year floodplains shall be compensated by the creation of an equal or greater storage volume above the seasonal high water table. 100-year and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). The available storage volume above the 25-year Design High Water Level of any proposed stormwater attenuation ponds can be calculated toward compliance with the flood plain compensation requirement. In lieu of the above cup-for-cup compensation, the applicant may perform hydraulic analysis that reflect a No-Rise to the FEMA base flood elevation and receive a CLOMR from FEMA for the affected area. The hydraulic model is subject to approval by Manatee County.

G(14). Education advocating surface water protection shall be provided to all residents and tenants in the Project.

G(15).This Project shall be required to reduce the calculated pre-development flow rate by up to twenty five percent (25%) for all stormwater outfall flow directly or indirectly into the Braden River basin. Modeling shall be used to determine pre- and post-development flows. As to the additional lands (the 796.22 acre portion) the project shall be required to reduce the calculated pre-development flow rate by up to fifty percent (50%) for all stormwater outfall flow directly or indirectly into Mill Creek unless a watershed model is utilized to demonstrate no adverse impacts. Modeling shall be used to determine pre- and post-development flows.

G(16).The Drainage Model and Construction Plan shall demonstrate that no adverse impacts will be created to neighboring residents surrounding the site in respect to drainage routing, grading, and runoff.

G(17). Drainage Easements shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along any drainage systems conveying public drainage. In addition, Drainage Maintenance/Access Easements shall be dedicated along the banks of these systems in accordance with Manatee County Public Work standards. Manatee County is only responsible for maintaining the free flow of drainage through these systems. Manatee County has no obligation relative to these systems to maintain, change, improve, clean, repair erosion, or restore the natural changes in the course of stream beds.

G(18). The Developer shall provide a drainage easement to Manatee County to accept stormwater for that portion of the following planned thoroughfare roadways that are located immediately adjacent to the Project to accommodate the following planned build-out conditions. The Developer shall design and construct the stormwater capacity for that portion of the following planned thoroughfare roadways within the Project area and such design and construction shall be included in the SWFWMD permit documentation.

Lakewood Ranch Boulevard ~~4~~6 lanes (complete)

~~Center Ice~~Rangeland Parkway 4 lanes (complete)
~~Pope Road~~White Eagle Boulevard 4 lanes
S.R. 70 6 lanes (complete)

H. HISTORICAL AND ARCHAEOLOGICAL SITES

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

I. WATER

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

The County has accepted the Developer Master Plan (concurrently recognized as "Schroeder-Manatee Ranch Water Master Plan Final Report updated June 2004").

The "Schroeder-Manatee Ranch Water Manster Plan Final Report, updated June 2004" shall be updated to reflect the 796.22 + acre expansion and shall be reviewe4d and approved by Manatee County. Potable Water infrastructure facilities shall be constructed in accordance with the County-approved master plan when updated as reference herein.

The Developer shall participate, as required by Manatee County ordinances, for oversizing any mains of potable water service to each phase or sub-phase of the project to assure that adequate capacity exists to accommodate the mater planned area. Cost sharing for oversizing any mains shall be determined by written agreement between the developer and the County.

I(2). The Developer shall be responsible for maintenance and operation of any on-site wells. These wells shall be operated in accordance with SWFWMD rules and regulations. Any existing on site wells not intended for potable or nonpotable uses shall be plugged and abandoned in accordance with Rule 40D-3.531, Florida Administrative Code.

I(3). The Developer shall require the installation of high efficiency (low volume) plumbing

fixtures, appliances, and other water conserving devices, as mandated by the Florida Water Conservation Act (Section 553.14, Florida Statutes). This will include the use of toilets requiring no more than 1.6 gallons per flush in all areas, and installation of self-closing or metered water faucets shall be required in all public and commercial restroom facilities.

I(4). The Developer shall maintain all water lines and fire hydrants not dedicated to the County. The Developer's obligations may be assumed by an appropriate agency or association.

I(5). The Developer shall use only nonpotable water to meet nonpotable (irrigation) water demands. For purposes of this Approval, "nonpotable" water is defined as water emanating from any source other than a public potable water utility.

I(6). Adequate fire flow and water pressure shall be maintained within the Project's water supply system.

I(7). The Developer shall conform to and further the applicable rules and adopted guidelines of SWFWMD in regard to protection of the groundwater resources in the Southwest Tampa Bay Water Use Caution Area.

I(8). The Developer shall use the lowest quality of water available for irrigation purposes. Consideration shall be given to meeting the irrigation needs of the Project with the following sources, in order of preference: stormwater, reclaimed water when available for use, and (s) non-potable quality groundwater. Prior to Final Site Plan approval(s), the Developer shall identify the irrigation source which will be utilized. Use of Manatee County public potable water supply shall be prohibited for in-ground irrigation systems, including on individual lots.

I(9). For the purpose of potable or reclaimed water conservation, utilization of xeriscape principles is required in landscaped areas, in accordance with Policy 3.2.3.3. Ecologically viable portions of existing native vegetation shall be incorporated into the landscape design to the greatest extent practicable and shall not be purposely irrigated. Native vegetation or drought-resistant vegetation shall be used in common and non-residential landscaped areas. Non-native vegetation may be used, consistent with xeriscape principles.

~~I(10). The average total potable water use for the development shall not exceed 110 gallons per capita per day.~~

I(10~~1~~). A pre-design conference between the Developer and County staff shall be held prior to submittal of Construction Drawings for the Project to discuss the points of connection for potable water and wastewater service and the configuration of the potable water and sanitary sewer systems.

I(11~~2~~) The Developer shall submit a Master Plan for potable water, wastewater, and fire

protection simultaneously with construction plan submittal for each area covered by the construction plan. The Developer shall also be responsible for determining if upgrading of offsite potable water and wastewater facilities is necessary to provide adequate potable water, sanitary sewer, or fire protection service to the portion of the development for which such service is being requested. Oversizing of potable water and wastewater facilities may be necessary to provide for future development in or adjacent to the Project and the Developer shall participate in such oversizing in accordance with applicable County ordinances or policies. (for compliance with the County master plan referenced in Conditions I(1) and J(1) of this ordinance. Any upgrading of onsite or offsite potable water and wastewater facilities necessary to provide adequate potable water, sanitary sewer, or fire protection service to the portion of the development for which such service is being requested and the surrounding area shall be as determined by a County approved master plan.) – wasn't sure what this language went with – not included in the review e-mail.

J. WASTEWATER

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

The County has accepted the Developer Master Plan (concurrently recognized as "Schroeder-Manatee Ranch Water Master Plan Final Report updated June 2004").

The "Schroeder-Manatee Ranch Water Manster Plan Final Report, updated June 2004" shall be updated to reflect the 796.22 + acre expansion and shall be reviewe4d and approved by Manatee County. Potable Water infrastructure facilities shall be constructed in accordance with the County-approved master plan when updated as reference herein.

The Developer shall participate, as required by Manatee County ordinances, for oversizing any mains of potable water service to each phase or sub-phase of the project to assure that adequate capacity exists to accommodate the mater planned area. Cost sharing for oversizing any mains shall be determined by written agreement between the developer and the County.

~~J~~(2). No septic system shall be permitted within the Project.

J(3). Sewer lift stations shall be designed and equipped in accordance with County regulations.

J(4). The disposal of waste into the sewer system shall comply with the Manatee County Sewer Use Ordinance (Ordinance No. 98-28).

K. SOLID WASTE

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

At a minimum, the plan shall:

a. Advise of applicable statutes and regulations regarding hazardous wastes and substances, including Title III (Community Right-to-Know Law) of the Superfund Amendment and Reauthorization Act (SARA Title III) and the requirement to comply with these rules;

b. Indicate the types, sources, and volumes of waste and substances that are considered under the applicable statutes and agency rules to be hazardous and which must be stored or disposed of in specially designed containers;

c. Describe generally improper disposal methods;

d. Describe generally appropriate disposal methods;

e. Provide a list of agencies which can be consulted regarding the proper handling and disposal of hazardous substances;

f. Describe a program to inform owners and tenants of the information contained in the plan;

g. Describe construction requirements for hazardous waste holding areas; and

h. Describe typical spill clean up methods.

K(2). All Project tenants that generate hazardous waste shall be encouraged to utilize waste exchanges to the extent feasible. A report of such use, if any, shall be included in each Biennial Report.

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

L. RECREATION AND OPEN SPACE

L(1). The Project shall contain a minimum of 36.8 acres of usable uplands for recreation open space/parks which is a minimum of 1 acre of recreation open space per 100

dwelling units and a minimum of one Neighborhood Park per 500 units. Parks shall be distributed throughout the Project to serve all residents and shall be reviewed for distribution based on locations defined by major roadways (~~Center Ice~~Rangeland Parkway and Road GG) and Wetland/upland habitat systems.

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

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

L(2). A Community Park may be built in lieu of Neighborhood Parks within a given Parcel or group of Parcels, provided the total acreage and the sufficient distribution of recreation area/park land is met.

L(3). Parks shall provide facilities appropriate for all ages, including a playground with outdoor play equipment, where appropriate.

L(4). Parcels with multi-family units shall include active and passive recreation facilities that meet the needs of future residents based on projected demographics.

L(5). For the purpose of this section, parks shall be characterized as:

(a). Pocket Parks shall be a minimum of 1 – 4 acres containing uses that may include playground with seating, water fountain and shade structure, an open play field and shade trees. Other amenities may include picnic pavilions, tables, benches and grills, depending on neighborhood demographics. Pocket Parks may be connected to the overall recreation area/park system via trails/greenways and sidewalks

(b). Neighborhood Parks shall be a minimum of 5 -10 acres containing uses that may include active and passive recreation facilities. Typical recreation amenities include, at a minimum, a playground with shaded seating, restroom, and water fountain; formal or informal “athletic fields” suitable for team sports (baseball, football, soccer, volleyball, etc.); multi-use trail with benches and/or exercise stations; and picnic pavilions, tables, benches and grills. Optional facilities include hard court facilities (tennis, racquetball, shuffleboard, etc) and a “club house” with swimming pool, depending on demographics of future residents. Neighborhood Parks shall be connected to the overall recreation area/park system via trails/greenways and sidewalks.

(c). Community Parks shall be a minimum of 20 – 25 acres containing uses that may include active and passive recreation facilities. Typical recreation amenities include, at a minimum, a playground with shaded seating, restroom, and water fountain; formal or informal “athletic fields” suitable for

team sports (baseball, football, soccer, volleyball, etc.); hard court facilities (tennis, racquetball, shuffleboard, etc.); a "club house" with swimming pool; multi-use trail with benches and/or exercise stations; and picnic area with pavilions, tables, benches and grills. Actual recreation facilities built are dependent on demographics of future residents. The specific size of each recreation area/park shall be determined by the Developer (as approved by the Planning Department in consultation with the Parks and Recreation Department) at time of Preliminary Site Plan approval based on the lot size(s) or unit types in the area being served. All parks shall be distributed accordingly so residents can safely walk/bike from their home to the park (generally not more than ½ mile). Community Parks shall be connected to the overall recreation area/park system via trails/greenways and sidewalks.

L(6). Trails/Greenways

(a) A conceptual plan for trails/greenways shall be approved by the Manatee County Building and Development Services Department (in consultation with the Parks and Recreation Department) prior to the first residential Preliminary Site Plans north and south of ~~Center Ice~~ Rangeland Parkway. (completed)

(b) At a minimum, the trail/greenway system shall include a trail/greenway adjacent or proximate to the Wetlands and preserved uplands with "collector" trails from residential neighborhoods connecting with the "Wetland/preserve" trail. Trails/greenways shall contain benches with shade (architectural or vegetation) along the trail system in appropriate locations (i.e., rest stops for nature observation, etc.). Other recreation facilities such as gazebos may also be located in appropriate locations along the trail system. Trails/greenways shall, as much as practical, be ADA compliant with an emphasis on accessing the most significant natural and built landscape components (i.e., beautiful vistas and fishing/observation piers, among others). Improvements shall be completed concurrent with adjacent plat approvals.

(c) All nature trails, board walks, and other recreation amenities that may be permitted by the Building and Development Services Department in Wetlands, Wetland buffers, or upland preservation areas shall be designed to minimize impacts to trees, other significant vegetation and natural habitats in accordance with Section 719 of the Manatee County Land Development Code. Management plans shall be written and implemented to ensure the long term maintenance and ecological viability of these areas.

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

L(7). All recreation and open space areas not deeded to the County or other state agencies shall be owned and maintained as common open space through a property owners association, or other similar entity for the Project.

L(8). Prior to the first Preliminary/Final Site Plan for Parcels A, C, S or R, the Developer shall provide an exhibit to the Building and Development Services Department to illustrate the location and size of parks identified as parcels B, E and T on the General Development Plan. Staff may administratively approve minor relocations of such parks if such relocations are deemed appropriate during design of the residential parcels. The minimum acreage identified on the plan shall be maintained.

M. EDUCATION

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

N. HEALTH CARE, POLICE, AND FIRE

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

N(2). The Developer shall be responsible for contributing a pro-rata share of the cost of land acquisition, construction, and equipping of fire protection service facilities for fire protection services. The Developer may, with the concurrence of the County, satisfy this obligation in whole or in part by conveyance of land deemed suitable for the intended use by the County or payment of impact fees, as applicable. The pro-rata share shall not exceed the total sum of impact fees anticipated from the Project and any pro-rata lump sum payment shall be creditable against the payment of impact fees, in accordance with applicable law. ~~(completed for Phase I only)~~(Developer shall satisfy this condition through the payment of impact fees in the normal course of business for all phases.)

N(3). The Project shall be designed and constructed to meet or exceed specifications of

the State Fire Code, Rule 4A-3.012., Florida Administrative Code. The Project shall use, as applicable, Fire Wise principles, such as clearing around houses, carefully spacing trees, and maintaining irrigation systems.

N(4). The maximum height of buildings in the Project shall not exceed that appropriate for the available water pressure and fire flows, or exceed the reach of available fire fighting equipment at the time of any Preliminary Site Plan approval for any phase or subphase.

N(5). Prior to approval of all Preliminary Site Plans, the Developer shall provide assurance for each increment of development that the site will be supplied to the extent required by applicable code with water lines of adequate size, and functioning fire hydrants in sufficient number and appropriate locations to accommodate fire fighting operations. Additionally, the Developer shall provide calculations by a Florida registered engineer to the County indicating that fire flow and water pressure to the site are adequate for fire protection purposes and written assurance from the Braden River Fire District that the proposed locations of all fire hydrants and appurtenances are adequate prior to the issuance of any Final Plat or Certificate of Occupancy in the Project.

O. ECONOMICS

O(1). Excess infrastructure capacity constructed by the Developer shall be at the Developer's risk and shall not vest later development rights not addressed in this approval.

O(2). The Project shall promote entrepreneurship and small and minority owned business start-up, and encourage nondiscriminatory employment opportunities, pursuant to policies 21.2, SCP and 21.5.3, FCRPP, respectively.

O(3). The development and promotion of a day care system should be encouraged on site, and any such day care system shall be in compliance with the Manatee County Land Development Code and any other applicable regulations.

P. ENERGY

P(1). Issuance of development approvals for each phase or subphase shall be dependent upon the ability of electrical or gas utilities to meet the energy requirements of the development.

P(2). All Project tenants, businesses, residents, etc. shall be notified in writing by the Developer prior to occupancy that the following energy related practices are encouraged:

a. Use energy alternatives, such as solar energy, resource recovery, waste heat recovery, and co-generation, where economically feasible;

b. Obtain energy audits provided by energy companies or other qualified agencies;

c. Install water heater timers and set water heaters at 130 degrees Fahrenheit or lower;

d. Use landscaping and building orientation to reduce heat gain, where feasible, for all Project construction;

e. Promote energy conservation by employees, buyers, suppliers, and the public, as appropriate;

f. Reduce levels of operation of all air conditioning, heating, and lighting systems during nonbusiness hours, as appropriate;

g. Institute and utilize recycling programs;

h. Utilize energy efficient packaging or recyclable materials;

i. Install total energy systems on large facilities when cost effective; and

j. Elimination of advertising requiring lighting after business hours where feasible.

Q. AFFORDABLE HOUSING

Q(1). The Developer shall provide workforce housing at a price as determined pursuant to the parameters as set forth in the definition contained within the Manatee County Land Development Code or at a rental rate as set forth in Stipulation Q(3) below, within the Project, or within an adjacent Project in an amount equal to 10% of the total number of residential units (not to exceed 368 based upon the originally approved 3,675 dwelling units) constructed in Lakewood Centre, Phases 1, 2, and 3. The workforce housing required herein is generally designed to provide housing for essential workers such as local government employees, quasi-governmental employees, and private sector employees.

Q(2). Maximum home sale prices shall correspond to values as provided in the Manatee County Maximum Income Limits Table. These limits are updated periodically by Manatee County and shall be utilized accordingly. The maximum sales price in effect at the time of the sale ~~a contract for purchase~~ of a workforce housing unit ~~is executed~~ shall apply.

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

is constructed and available for ~~a~~ lease is executed shall apply.

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

R. HURRICANE PREPAREDNESS

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

S. DESIGN STANDARDS

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

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

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

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

a. Traditional Neighborhood Design Standards:

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

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

b. Conventional Design Standards:

Type	Min. Lot Size (Sq. Ft.)	Min. Lot Width (Ft.)[3]	Front Setback (Ft.)[1]	Side Setback (Ft.)	Rear Setback (Ft.)	Maximum Height (Ft.)
SF Detached	4,950	42	25/20	6	15	35
SF Semi-Detached	3,700	37	25/20	0/ 6	15	35
SF- Attached	2,500	25	25/20	0/ 6	15	35
Multi-Family	NA	NA	25	15/25[2]	15	3 stories/ 40
Commercial	5,000	N/A	40	15/20[5]	20[5]	5 stories/75'[4]
Office	5,000	N/A	40	15/20[5]	20[5]	12 stories (including parking structures)/1 40'
Park	NA	NA	25	15	15	35

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

S(5). Non Residential

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

b. Building Appearance

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

1) The sides of all buildings shall have minimal blank walls no longer than 30 feet in length or 20' in height. In order to insure that the buildings do not Project a massive blank wall, design elements with distinctive color variation shall include prominently visible architectural details [e.g., bump-outs, reveals and projecting ribs, cornice, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc.] or other methods, as approved by the Building and Development Services Director. Facades greater than 75 feet in length shall have varying roof lines through varying the height of the cornice, or the use of 2 or more roof types (parapet, dormers, and sloped, etc.).

2) Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, or corrugated metal shall not be permitted, Architectural metals in conjunction with other permitted building materials shall be allowed, provided that at least seventy five percent (75%) of the building face is constructed from other permitted materials.

3) All rooftop mechanical equipment shall be screened from view from abutting roadways or adjacent residential properties. Screening shall be provided by materials consistent with the building. Details shall be shown prior to Final Site Plan approval.

c. Service Areas

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

d. Exhaust and other filtering systems in Food Service Establishments or uses shall adhere to the Best Available Control Technology to eliminate or reduce the emission of smoke, grease, and odor from cooking facilities. This system shall be approved by the County with each Final Site Plan containing a food service establishment or use.

e. Exterior loud speakers, bells, or similar audio-communication shall not be permitted; however, directed (non broadcast) communication devices and intercoms shall not be restricted. “Directed (non broadcast)” shall mean not plainly audible to a person greater than 10 feet from the source.

f. A vertical mix of land uses is permitted on Parcels G, I, and J. If a vertical mix is designed on these parcels, it will include office or commercial land uses on the first floor and residential or office land uses on the upper floors.

g. Signs shall meet the requirements of Section 724 of the Land Development Code.

h. Each parcel shall include a pedestrian connection, where applicable, to abutting parcels, to be determined at time of Preliminary Site Plan approval.

i. Prior to approval of any Preliminary Site Plan containing a communication antenna or tower (as listed on Table 6-1 of the LDC) an appropriate application shall be submitted, per Section 704.59.2, of the LDC. The approval of the GDP with those uses listed does not assure approval of the PSP containing such uses or approval of those uses. In addition to this criterion, all lattice towers shall maintain a minimum setback of 300% the height of the tower from any parcel (on and off site) approved for only a residential use.

j. Increased setbacks and enhanced site and building design may be required by the County when commercial or office buildings exceeding 35-feet are proposed adjacent to a parcel approved for residential development.

k. Structures in excess of 35' in height in the commercial and mixed use parcels adjacent to ~~Pope Road~~White Eagle Boulevard shall maintain an additional foot beyond the 40' setback for each foot over 35'.

S(6). Residential

a. The maximum number of units for each residential parcel, as identified on the General Development Plan, may be increased provided there is a simultaneous decrease on another residential parcel. ~~,~~ This shall not authorize an overall increase in residential units for the Project. Such modification does not require the submittal or review of an amended General Development Plan, but may be approved with a Preliminary Site Plan or Final Site Plan. Such Preliminary or Final Site Plan shall include a tracking chart and exhibit giving location of additions and deletions to assure Manatee County that there has been no increase in units. Development totals shall be updated with each biennial report.

b. The minimum size for a dwelling unit shall be nine hundred (900) square feet or three hundred (300) square feet for multi-family units.

c. Prior to Final Plat approval, the applicant shall post a sign at each inter-neighborhood tie to inform perspective purchasers and residents of the

future inter-neighborhood tie. The size, placement, and materials for the sign shall be determined with the Final Site Plan.

d. Residential structures on Parcel S and R which are located within 400 feet of Malachite Drive or ~~Pope Road~~White Eagle Boulevard shall not exceed 52 feet. At the time of Preliminary/Final Site Plan approval, the applicant shall provide to the staff of the Building and Development Services Department, building design elevations that are in compliance with Section 603.7.4.9 of the LDC. Should the applicant and staff not come to an agreement, the applicant may appeal staff's decision to the Board of County Commissioners at an advertised public hearing.

e. Residential structures in excess of 35 feet in height and up to 75 feet on Parcel A, C, D, H, K, R, S, ~~and~~ S-1, EE, JJ and V, and up to 140 feet on Parcels G, I, ~~and~~ J and U shall be built in substantial compliance with the building design exhibits entered into the record at the August 5, 2008, public hearing (Exhibit 3). At the time of Preliminary/Final Site Plan, if the applicant proposes elevations that are not in substantial compliance with the elevations entered into the record, staff may review and administratively approve the new elevations, provided they are consistent with LDC Section 603.7.4.9, Building Height. The applicant may appeal staff's decision regarding the proposed elevations to the Board of County Commissioners at an advertised public hearing.

f. Tree farms in the residential parcels shall cease operation prior to the first Final Plat (or FSP if platting is not required) approval in each parcel shown on the GDP.

g. The Notice to Buyers or Tenants shall be included in the Declaration of Covenants and Restrictions and in a separate addendum to the sales contract, and in the Final Site Plan and shall include language informing prospective homeowners of the following:

1). The location of the inter-neighborhood ties and the potential for future traffic through the subdivision, where applicable;

2). The potential uses associated with surrounding agriculture zoning which may have a negative impact on residences (e.g., noise and odor);

3). Residents may experience increase noise impacts from the following roads:

- Lakewood Ranch Blvd, a minor arterial facility planned to be ~~6~~4-lanes;
- ~~Pope Road~~White Eagle Boulevard, a collector facility planned to be 4-lanes;

- Center Ice Pky,Rangeland Parkway a collector facility planned to be 4-lanes; and
- 117th Street East, a collector facility planned to be 2-lanes; and
- Gatewood Drive, a collector facility planned to be 2-lanes; and

- Malachite Drive and Road "GG," major local streets planned to be 4 lanes.

4) The location and size (including potential height) of future commercial and office developments in the Project.

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

S(7). Prior to commencement of Phase 2 the developer shall donate at the County's option within the project or within 10 miles of the project boundary a 2 acre upland site or other appropriate accommodations as may be acceptable to Manatee County for public community use or public use facility.

T. DEFINITIONS

1. "Acceptable Level of Service" shall, for links and intersections in Manatee County, Florida, be "D" on a peak hour basis, as provided in the Land Development Code. Level of Service "D" shall be measured on a peak hour basis as determined by the Highway Capacity Manual (1994), TRB Special Report 209 or the most current manual and computer software version in accordance with guidelines acceptable to Manatee County.

2. "Application for Development Approval" (or ADA) shall mean the Lakewood Centre Development of Regional Impact Application for Development Approval (Submitted on April 28, 2006); the First Sufficiency Response submitted by the Developer on October 23, 2006; the Second Sufficiency Response submitted on April 19, 2007; the Third Sufficiency Response submitted on September 13, 2007. Certain ADA questions have been answered within the submittal dated May 15, 2014 with information related to the 796.22+/- acre tract.

3. "Conventional Development" shall mean development that is characterized by a clear separation of land uses and housing types into specified geographic areas. Typically the setbacks and residential lot sizes are larger

with a focus for usable space being within the rear yard. Commercial buildings are set farther from the street and contain parking in front of the building.

4. "Developer" shall mean SMR North 70, LLC or SMR Northwest Land, LLC~~,~~ ~~its~~ their heirs, assigns, designees, and successors in interest as to the Project.

5. "Development Approval" shall mean any approval for development granted through the Preliminary Site Plan, Preliminary Plat, Final Site Plan, Final Plat, or Construction Drawing approval where site plans or subdivision plats are not required.

6. “Fair Market Rent Documentation System” shall mean a system established by the Department of Housing and Urban Development (HUD) that provides complete documentation of the development of the Fair Market Rents (FMRs) for any area of the country. FMRs are developed and updated from the metropolitan Core-Based Statistical Areas (CBSAs) as established by the Office of Management and Budget.

7. "Funding Commitments" shall mean any combination of the following to assure the completion of any improvements required by this Development Order: 1) binding commitments for the actual construction with the posting of a cash bond, or irrevocable letter of credit in a form satisfactory to the County for construction of the improvements required as referenced in Tables 2 and 3 of this Ordinance; 2) actual construction; 3) the placement of the improvements in the current year plus one year of the Capital Improvements Element of the appropriate County or the current year plus the first two years (or current plus first four years for FIHS facilities) of the Adopted Five-Year Work Program of the Florida Department of Transportation; or 4) a commitment for construction and completion of the required roadway improvements, pursuant to a Local Development agreement entered into between the Developer and the County. This Agreement shall include a construction timetable which will set forth the completion of the required improvements consistent with the time frames specified in Tables 2 and 3.

8. "General Development Plan" shall be defined as the site plan for PDMU-06-30(G)(R3~~2~~), last revised May, ~~June,~~ 201~~3~~4, and attached as Exhibit 1. Development on the General Development Plan shall be limited to the total number of dwelling units and non-residential development in Table 1.

9. "Post-Development Wetlands" shall mean any lands determined to be within jurisdictional limits defined by Chapter 62-301, Florida Administrative Code (F.A.C.) and implemented by the Florida Department of Environmental Protection (FDEP), or as defined within Chapter 40D-4, F.A.C., and

implemented by the Southwest Florida Water Management District (SWFWMD), including any wetland mitigation areas approved as part of development of this Project.

10 "Preliminary Site Plan" (PSP) shall mean a Master Preliminary Plan or a Preliminary Site Plan for a Phase or Subphase, as defined in The Manatee County Land Development Code.

11 "Project" shall mean the land uses, phasing, and improvements described in Table 1 which are attributable to development on that property described in Section 4 herein and set forth on the General Development Plan attached hereto as Exhibit 1.

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

13. "Transportation Impact Area" shall be defined as the roadway segments and intersections receiving transportation impacts where the traffic generated by the proposed phase or subphase shown on a proposed Preliminary Site Plan in combination with prior approvals of the Project will be five percent (5%) (or whatever greater percentage may be employed from time to time by DEO, TBRPC, or the County, provided the more restrictive percentage of such greater percentage shall be used) or more of the applicable Peak Hour Level of Service volumes. This area is generally depicted on Map J of the Development Order, dated April, 2006.

14. "Vertical Development" shall mean and shall be deemed to include the construction of new residential units and non-residential units or the reconstruction or addition to any such units.

15. "Wetland" shall mean any wetland under the jurisdictional limits defined by Chapter 62-340, Florida Administrative Code, and implemented by the Florida Department of Environmental Protection, or as defined by Chapter 40D-4, FAC, and implemented by the Southwest Florida Water Management District.

SECTION 5. SPECIAL APPROVAL Special approval is hereby granted for a project that:

(1) is mixed-use in the ROR Future Land Use Category; (2) exceeds a net density of 9.0 gross dwelling units per acre in the ROR Future Land Use Category; (3) exceeds a non-residential floor area ratio of 0.25; and (4) is in the Evers Reservoir Watershed; and (4) is located in the MU-C Future Land Use Category..

SECTION 6. LEGAL DESCRIPTION. Legal description and sketch of the Project is attached as Exhibit 2.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect upon the later of: 1) the date of the filing of this ordinance with the Department of State, State of Florida, (2) the effective date of the associated Comprehensive Plan Amendment Ordinance No. PA-14-27, and (3) the effective date of DRI Ordinance (Ordinance No. 14-xxxx) (insert Ordinance No. for DRI DO). ~~, and 2) the expiration of 45 days after the filing of Ordinance 13-28, the Development Order for Lakewood Centre, with the Department of Economic Opportunity, unless a notice of appeal is filed pursuant to Section 380.07.F.S.~~

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida this the ~~3rd day of October, 3013.~~Insert Date

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

BY:_____
~~Larry Bustle~~, Chairman

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

BY:_____
Deputy Clerk

EXHIBITS to be determined

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

Stantec

April 21, 2014

Mr. Steve Kollar
Manatee County Public Works
1022 26th Avenue East
Bradenton, FL 34208

Reference: Lakewood Centre North
Comprehensive Plan Amendment

Dear Mr. Kollar:

This letter report summarizes an analysis of a proposed comprehensive plan amendment affecting approximately 245.91 acres of vacant land located north of 44th Avenue East, south of SR 64, and east of Lakewood Ranch Boulevard (see Attachment A). Of this 245.91 acres, 8.32 acres are currently designated ROR, and 237.59 acres are designated IL. The proposed designations are approximately 8.32 acres of MU-C/AC-2 in the north, 154.66 acres of MU-C/AC-2 in the south, with the remaining 82.63 acres designated as MU-C/R. Attachment A shows the locations of the three land use areas under the proposed designations.

To assess the potential transportation impact of the proposed comprehensive plan amendment, a comparison of the potential trip generation of the existing designations versus the proposed designation was completed. This comparison is described below.

Trip Generation of Existing Designations

The current land use designations of ROR and IL allow a variety of development types at specific maximum FARs. The ROR land use designation includes neighborhood, community, and regional retail, office, and residential uses, among others. The maximum FAR for non-residential uses is 0.35. A typical use in ROR is neighborhood and community retail. Using the 0.35 FAR with the 8.32 acres of ROR results in a development square footage of 126,847 square feet. This is a

Design with community in mind

reasonable assumption for this land use designation and size of parcel. Therefore, for trip generation purposes 126,847 square feet of retail (ITE Land Use Code 820) was assumed for the ROR trip generation.

The IL land use designation allows office, light industry, corporate parks, and "intensive commercial uses", among other uses. The maximum FAR allowed for non-residential uses is 0.75. Office land uses would be a reasonable expectation for this site. Using a 0.75 FAR with the 237.59 acres of IL results in a development size of 7,762,065 square feet. This would likely be well above any actual development that would occur. Therefore, to arrive at a reasonable estimate of development, an FAR of 0.35 was assumed, with a resulting office development size of 3,622,297 square feet. Thus, 3,622,297 square feet of office was assumed for the acreage designated IL.

The resulting PM peak hour trip generation for the existing land use designations of ROR and IL is reported in the table "Existing" in Attachment B. As reported in that table, the existing land use designations would potentially generate 4,838 PM peak hour trips.

Trip Generation of Proposed Designation

The proposed land use designation of MU-C allows several development types, including neighborhood retail and office, light industrial, and planned residential, among others. As part of the planning for the subject parcels, a general development plan (GDP) has been prepared and will be considered concurrently with the comprehensive plan amendment. Because it is based on an extensive review of the development potential of the subject parcels, the GDP provides the best estimate of likely development on these under the proposed land use designations.

The resulting PM peak hour trip generation for the proposed land use designations of MU-C/R and MU-C/AC-2 is reported in the table "Proposed (Under MU-C)" in

Reference: LWC Comprehensive Plan Amendment

Attachment B. The densities/intensities shown in this table generally reflect those in the GDP, and in some cases are slightly higher than the GDP. As reported in that table, the existing land use designations would potentially generate 1,160 PM peak hour trips, or 3,678 trips less than the existing land use designations. Thus, the proposed land use designation of MU-C would not result in any additional or modified transportation impacts.

Conclusion

Pursuant to a proposed change in land use designations for approximately 245.91 acres of vacant land from ROR and IL to MU-C/R and MU-C/AC-2, a potential trip generation comparison was completed. The results of this comparison show that the proposed land use designations will result in an estimated reduction of 3,678 PM peak hour trips, with no additional or modified transportation impacts. The proposed land use designations of MU-C/R and MU-C/AC-2 are therefore consistent with the Manatee County Comprehensive Plan.

Should you have any questions, please call me at (813) 223-9500.

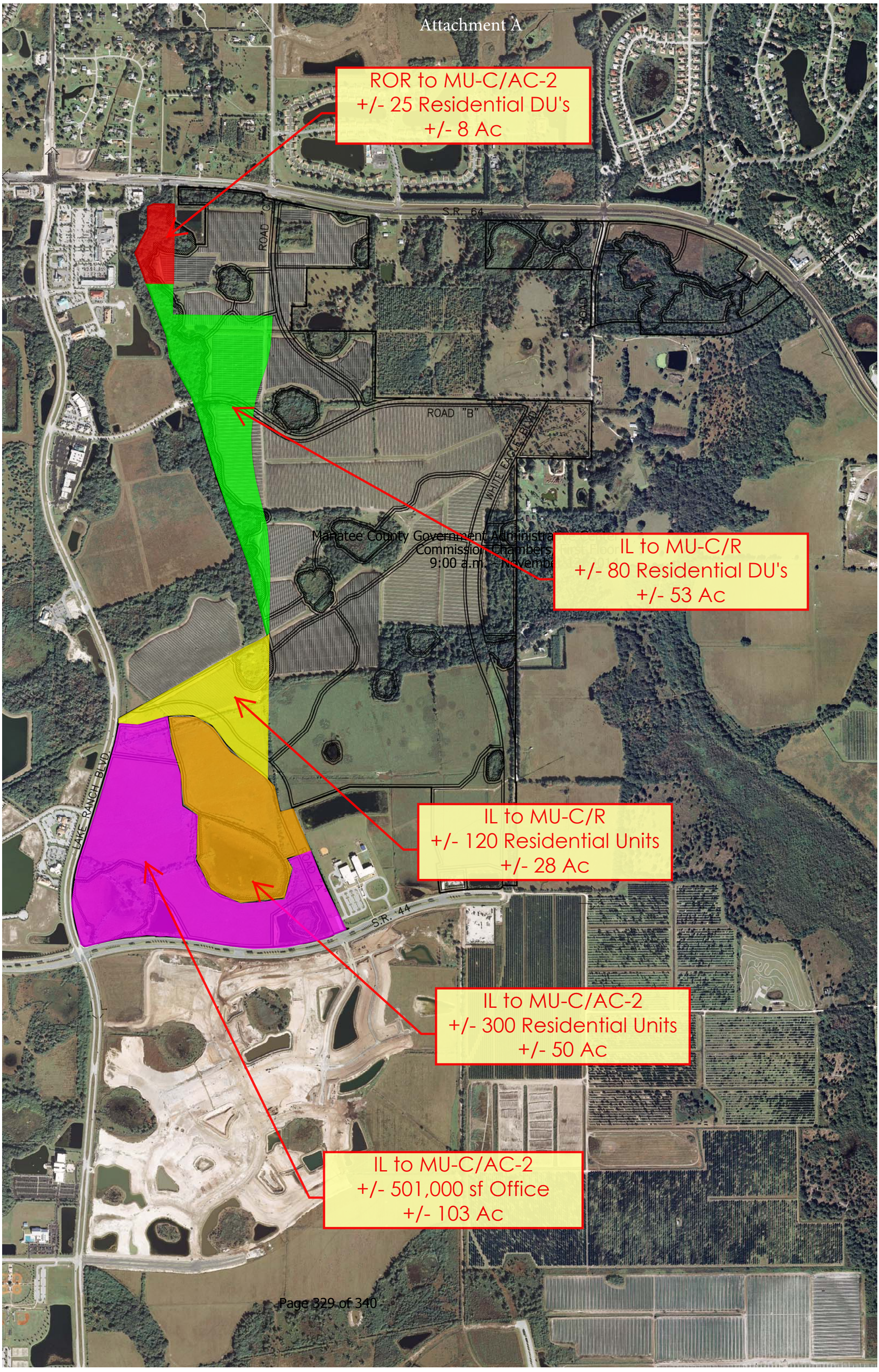
Sincerely,

Stantec

Richard A. Stiles

Richard A. Stiles, AICP
Senior Project Manager

Attachments


ROR to MU-C/AC-2
+/- 25 Residential DU's
+/- 8 Ac
IL to MU-C/R
+/- 80 Residential DU's
+/- 53 Ac
IL to MU-C/R
+/- 120 Residential Units
+/- 28 Ac
IL to MU-C/AC-2
+/- 300 Residential Units
+/- 50 Ac
IL to MU-C/AC-2
+/- 501,000 sf Office
+/- 103 Ac
S.R. 64
ROAD "C"
ROAD "D"
ROAD "B"
WHITE EAGLE BLVD.
LAKE RANCH BLVD.
S.R. 44

Attachment B

Lakewood Centre DRI Comp. Plan Amendment Trip Generation Comparison

Existing

FLU	ITE Land Use Category	Units	Acres	Max FAR	Development Size	PM Peak Trip Rate/ Equation	PM Peak Total Trips
IL	Office - 710	Per 1,000 SF	237.59	0.75*	3,622,297	T = 1.12(x) + 78.45	4,135
R/O/R	Retail - 820	Per 1,000 SF	8.32	0.35	126,847	ln(T) = 0.67 x ln(X) + 3.31	703
	Total Existing LUC						**4,838**

Proposed (under MU-C)

FLU	ITE Land Use Category	Units	Acres	Estimated Development FAR/Density	Development Size	PM Peak Trip Rate/ Equation	PM Peak Total Trips
MU-C/AC-2 (North)	Single-Family Detached - 210	Per Dwelling Unit	8.32	3 units/acre	25	ln(T) = 0.90 x ln(X) + 0.51	30
MU-C/R	Single-Family Detached - 210	Per Dwelling Unit	82.63	2.5 units/acre	206	ln(T) = 0.90 x ln(X) + 0.51	201
MU-C/AC-2 (South)	Single-Family Detached - 210	Per Dwelling Unit	51.03	6 units/acre	306	ln(T) = 0.90 x ln(X) + 0.51	288
MU-C/AC-2 (South)	Office - 710	Per 1,000 SF	103.93	0.111	502,518	T = 1.12(x) + 78.45	641
	Total Proposed LUC						**1,160**
				Net Change			**-3,678**

*For reasonable estimate of actual development, used FAR of 0.35 for calculations

Bradenton Herald
Oct. 29, 2014
Miscellaneous Notices

NOTICE OF ZONING &
DRI CHANGES IN
UNINCORPORATED
MANATEE COUNTY

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

ORDINANCE 14-30
LAKEWOOD CENTRE (DRI #27) - (DTS20140228 / MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Lakewood Centre Development of Regional Impact (Ordinance 13-28), to approve the following changes to Map H and the Development Order, including a determination of whether the changes constitute a Substantial Deviation to the Lakewood Centre Development of Regional Impact in response the submittal of a Notification of Propose Change (NOPC):

Modifications to Map H and the Development Order with the following changes:

1)Add 796.22 + acres to the boundaries of the DRI;
2)Granting Specific Approval of Phases 2 and 3;
3)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
4)Reflect revised development totals consistent with the previously approved land use exchange; and
5)Other amendments to reflect internal consistency.

This Lakewood Centre DRI is approved to be developed in three phases. Specific Approval was granted for Phase 1 for 900 residential units, 460,000 square feet of retail space, 458,000 square feet of office space, 300 hotel rooms, and 36.8 + acres of parks. Through the NOPC process and this amendment to the Development Order, Specific Approval will be granted for Phases 2 and 3. Manatee County and the applicant entered into a Local Development (LDA-13-03) which demonstrates the satisfaction of mitigation of transportation impacts for the project through build-out. That agreement is reflected in the revised Development Order along with revised development totals consistent with the previously approved land use exchange and other amendments for internal consistency.

The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) -
LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1)Provide for Specific Approval of Phases 2 and 3;
2)Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3)Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;
providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) -
R AND M GENERAL
PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS 20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) -
PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78ñ acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04ñ acres from LM (Light Manufacturing) and 44.75ñ acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83ñ acres already zoned PDMU for a combined total of 99.39ñ acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34ñ miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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

Americans with Disabilities: The Board of County Commissioners of Manatee County does not

discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds, or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY
PLANNING COMMISSION
Manatee County Building
and Development Services
Department
Manatee County, Florida
10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED..
Published: 10/29/2014

NOTICE OF ZONING & DRI CHANGES IN UNINCORPORATED MANATEE COUNTY

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The ordinance amends, replaces, and supersedes Ordinance 13-28, DRI #27, providing for

severability, and an effective date.

The current Lakewood Centre DRI is generally located north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and White Eagle Boulevard (fka Pope Road) to the east, south of Malachite Drive, and approximately 2 miles south of S.R. 64. Present zoning: PDMU/WP-E/ST (Planned Development Mixed Use/Evers Reservoir Watershed Protection Overlay District/Special Treatment Overlay District) 697.4 + acres). Rezoning of the 796.22 + acres to be added to the DRI with this application has been filed concurrently with the DRI NOPC and will be considered by the Planning Commission and Board of County Commissioners along with this application. The additional lands are located south of S.R. 64, east of Lakewood Ranch Boulevard, north of 44th Avenue East and both east and west of the future White Eagle Boulevard.

PDMU-06-30(G)(R3) - LAKEWOOD CENTRE (DTS #20140229/MEPS00000303)
Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding Land Development, amending the Official Zoning Atlas from A (General Agriculture) and PDI (Planned Development Industrial) to the PDMU (Planned Development Mixed Use) for 796.22 + acres; amending Ordinance PDMU-06-30(G)(R2) to approve changes to the General Development Plan as follows:

1) Provide for Specific Approval of Phases 2 and 3;
2) Reflect the satisfaction of transportation mitigation of impacts of the project through build-out;
3) Add 796.22 + acres to the boundaries of the project; and
4) Other amendments for internal consistency;

providing for severability; and providing for an effective date. The Lakewood Centre DRI is generally east of Lakewood Ranch Boulevard, south of S.R. 64, west of White Eagle Boulevard (fka Pope Road), and north of S.R. 70.

PDC-14-12(P) - R AND M GENERAL PARTNERSHIP/BAYSHORE CROSSINGS MINI-STORAGE / DTS
20140118
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for Phase 1 consisting of the conversion of an existing 32,198 square foot vacant grocery store and parking lot to a climate controlled self-storage and adding 21,223 square feet of exterior drive-up storage units for a Phase 1 total of 53,421 square feet and Phase 2 consisting of adding 3,820 square feet of exterior drive-up storage units for a proposed total of 57,241 square feet of mini-storage (Phase 1 and Phase 2) on a total project site of approximately 7.45 acres located at 6015 26th Street West, Bradenton in the

PDC (Planned Development Commercial) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-14-10(Z)(G) - PEERAGE LAND COMPANY, LLC/HUNDRED ACRE WOOD SUBDIVISION
(DTS #20140087; Buzzsaw #00000235)
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 84.56 acres to PDMU (Planned Development Mixed Use) zoning district [27.78± acres from A-1 (Suburban Agriculture - one dwelling unit per acre), 12.04± acres from LM (Light Manufacturing) and 44.75± acres from PDR (Planned Development Residential) zoning district]; and add to existing 14.83± acres already zoned PDMU for a combined total of 99.39± acres zoned PDMU; approval of a General Development Plan (GDP) for 511 single-family attached lots with an option for single-family detached residences; the site is on the east side of 27th Street East, 0.34± miles south of 26th Avenue East, (South County); 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, Local Development Agreements, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to: planning.agenda@mymanatee.org

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

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

or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida

Date of pub: October 29, 2014

NOTES

EXISTING CONDITION:

1. PROJECT ACREAGE IS 1,493.6 ACRES (±).
2. PROPERTY IS CURRENTLY USED FOR AGRICULTURAL, RESIDENTIAL, & COMMERCIAL PURPOSES.
3. TOPOGRAPHIC CONTOURS AND ELEVATIONS FROM FLORIDA GEOGRAPHIC DATA LIBRARY, VERSION 3 (2000).
4. THE SITE LIES WITHIN FLOOD ZONE X, A, & AE, PANEL 12081C0221E AND 1201C0333E MANATEE COUNTY FLOOD ZONE MAP 2014.
5. THERE ARE NO KNOWN HISTORIC RESOURCES OR BUILDINGS ON-SITE.
6. PERMITTED USES ON NON-RESIDENTIAL PARCELS SHALL BE THOSE IDENTIFIED AS "P", "P*", "AP", OR "SP" IN THE PDMU ZONING DISTRICT PER FIGURE 6-1 OF THE LDC.

   Exclude:
   Breeding Facility
   Stockyards and feedlots
   Sawmills
   Slaughterhouses
   Auction House, Open
   Junkyards
   Manufactured Home Parks and Subdivisions
   Hazardous Waste Transfer Facility
   Bus RR/Maintenance Facility
   Motor Freight Terminals
   Motor Pool Facilities
   RR Switching Yard
   Correctional Facilities
   Resource Recovery
   Manufacturing

   Exclude from Parcels G, I, and J only:
   All of above, plus:
   Construction Services
   Fleamarkets, open or closed
   Lumberyards
   Towing Service and Storage Establishment

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

DEVELOPMENT DESCRIPTION:

7. CURRENT ZONING IS PDMU/WP-E/ST., A, PDI
   CURRENT FUTURE LAND USE IS ROR/WO-E, MUC/IL, ROR
8. THE DEVELOPMENT WILL INCLUDE A MAXIMUM OF 4,683 RESIDENTIAL UNITS (1,444 SINGLE FAMILY AND 3,239 MULTIFAMILY), 1,674,000 SQUARE FEET OF RETAIL, 1,463,000 SQUARE FEET OF OFFICE USES, AND 300 HOTEL ROOMS.
9. THE DEVELOPMENT SHALL COMPLY WITH THE FOLLOWING DIMENSIONAL CRITERIA:

TRADITIONAL NEGHBORHOOD DESIGN STANDARDS:

TYPE	MIN. LOT SIZE (Sq. Ft.)	MIN. LOT WIDTH (Ft.)	FRONT SETBACK (FT)		SIDE SETBACK (FT)	REAR SETBACK (FT)	MAXIMUM HEIGHT (FT)
			FRONT LOADED	ALLEY LOADED			
SF – DETACHED	3,200	27	10/25/15[1]	10	6/1[2]	15/5[3]	35
SF – SEMI-DETACHED	2,300	23	10/25/15[1]	10	0/6	15/5[3]	35
SF – ATTACHED	2,000	20	5/25/15[1]	5	0/6	5	4 STORIES/50
MULTI-FAMILY	–	–	10	10	15/25[1]	10	5 STORIES/75[7]
COMMERCIAL	–	–	40/25[1]		0/5[5]	0/5[5]	5 STORIES/75[7]
OFFICE	–	–	40/25[1]		0/5[5]	0/5[5]	12 STORIES (INCLDING PARKING STRUCTURES)/ 140
PARK	–	–	10		10	10	35

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

CONVENTIONAL DESIGN STANDARDS:

TYPE	MIN. LOT SIZE (Sq. Ft.)	MIN. LOT WIDTH (Ft.)[1]	FRONT SETBACK (FT)[1]	SIDE SETBACK (FT)	REAR SETBACK (FT)	MAXIMUM HEIGHT (FT)
SF – DETACHED	4,950	42	25/20	6	15	35
SF – SEMI-DETACHED	3,700	37	25/20	0/6	15	35
SF – ATTACHED	2,500	25	25/20	0/6	15	35
MULTI-FAMILY	NA	NA	25	15/25[2]	15	3 STORIES/40
COMMERCIAL	5,000	NA	40	15/20[3]	20[3]	5 STORIES/75[7]
OFFICE	5,000	NA	40	15/20[3]	20[3]	12 STORIES (INCLDING PARKING STRUCTURES)/ 140
PARK	NA	NA	25	15	15	35

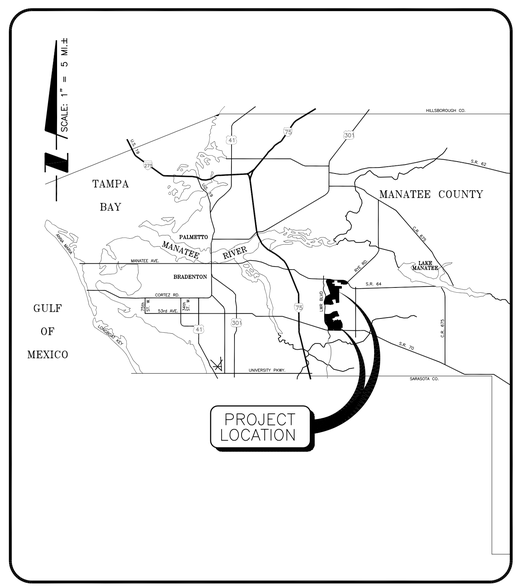
1. The front yard setback for all single-family residences shall be 25' to the garage portion of the structure. The remaining habitatble portion of the structure may be setback 20'. The front yard setback for structures with side-loaded garages shall be 20'.
2. This distance is not a side yard setback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

GENERAL DEVELOPMENT PLAN

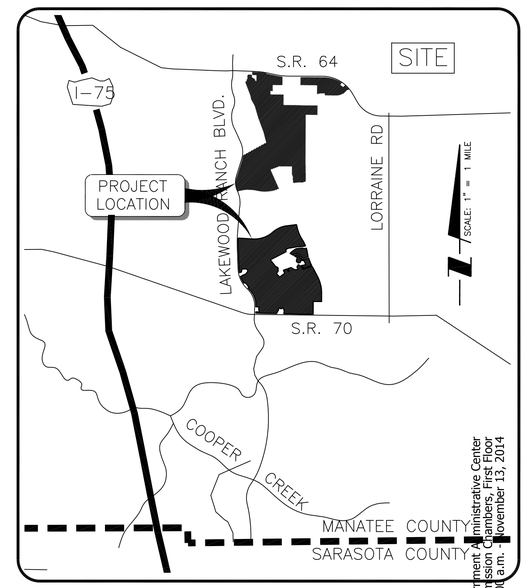
LAKEWOOD CENTRE DRI

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

CLIENT:
SMR North 70, LLC
SMR NORTHWEST LAND, LLC



LOCATION MAP



VICINITY MAP

Manatee County Government Administrative Center
Commission Chambers, 1st Floor
9:00 a.m. November 13, 2014

10. A VERTICAL MIX OF LAND USES IS PERMITTED ON PARCELS G, I & J.
11. PROPOSED GROSS RESIDENTIAL DENSITY IS 3.14 DU/ACRE. THE NET DENSITY IS 5.06 UNITS/ACRE.
12. THE MAXIMUM ALLOWED FLOOR AREA RATIO IS 0.35.
13. A PORTION OF SITE IS LOCATED WITHIN THE WATERSHED OVERLAY
    THE REQUIRED OPEN SPACE IS:

RESIDENTIAL:	508.0 ACRES	
COMMERCIAL:	408.6 ACRES	
TOTAL:	916.6 ACRES	
PROPOSED OPEN SPACE:		
WETLANDS:	185.3 ACRES	
WETLAND BUFFERS:	65.0 ACRES	(INCLUDES 4.0 AC UPLAND PRESERVATION ADJACENT TO GATE CREEK – SEE SHEET 3)
EXISTING LAKE:	15.4 ACRES	
STORMWATER PONDS:	114.6 ACRES	
PARKS & REC:	74.6 ACRES	
OTHER OPEN SPACE:	18.5 ACRES	
UPLAND PRESERVATION:	23.8 ACRES	(EXCLUDES 4.0 AC UPLAND PRESERVATION ADJACENT TO GATE CREEK – SEE SHEET 3)
ROADWAY BUFFER:	31.4 ACRES	
TOTAL	528.7 ACRES	OR 35.4% OF THE ENTIRE PROJECT

    OPEN SPACE MAY ALSO INCLUDE RECREATION AMENITIES AND WATER FEATURES TO BE DESIGNED WITH INDIVIDUAL PARCEL DEVELOPMENT.

14. SCREENING AND GREENBELT BUFFERS WILL BE PROVIDED PURSUANT TO SECTION 715 OF THE LAND EVELOPMENT CODE. DETAILED PLANS WILL BE PROVIDED WITH THE INDIVIDUAL PRELIMINARY AND FINAL SITE PLANS, AS APPLICABLE.
15. PERIMETER ROADWAY BUFFERS WILL BE PROVIDED PURSUANT TO SECTION 715 OF THE LAND DEVELOPMENT CODE. DETAILED PLANS WILL BE PROVIDED WITH THE INDIVIDUAL PRELIMINARY AND FINAL SITE PLANS, AS APPLICABLE. RIGHT OF WAY BUFFERS FOR INTERNAL STREETS DEPENDENT ON DETAILED SITE DESIGN. THE DESIGN AND MAINTENANCE OF THE ROADWAY BUFFERS WILL BE BASED ON A UNIFIED LANDSCAPE PLAN TO BE UNDER THE CONTROL OF THE PROPERTY OWNER.
16. UTILITY EASEMENTS SHALL BE PLACED IN ACCORDANCE WITH SECTION 907.10 OF THE LAND DEVELOPMENT CODE.
17. SIDEWALKS SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 722.1.4 OF THE LAND DEVELOPMENT CODE.
18. SIGNAGE WILL MEET THE REQUIREMENTS OF SECTION 724 OF THE LAND DEVELOPMENT CODE.
19. LIGHTING WILL MEET THE REQUIREMENTS OF SECTION 709 OF THE LAND DEVELOPMENT CODE.
20. BACKFLOW PREVENTORS ARE REQUIRED ON ALL POTABLE WATER SERVICES AND ARE TO BE PROVIDED BY THE DEVELOPER.
21. THE IRRIGATION SOURCE WILL BE NON-POTABLE. NON-POTABLE WATER LINES WILL BE PURPLE IN COLOR.
22. SANITARY SEWER AND POTABLE WATER WILL BE PROVIDED THROUGH CONNECTIONS TO THE APPLICABLE PUBLIC SYSTEMS. SOLID WASTE SERVICES WILL BE PROVIDED BY MANATEE COUNTY.
23. THERE ARE NO KNOWN EXISTING COVENANTS OR DEED RESTRICTIONS THAT WOULD AT THIS TIME AFFECT THE PROPOSED DEVELOPMENT.
24. PARCELS HAVE NOT BEEN SURVEYED AND ACREAGES SHOWN ARE APPROXIMATE. PARCELS ARE SUBJECT TO FUTURE SUBDIVISION PLATTING IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE.
25. STORMWATER MANAGEMENT FACILITIES WILL MEET SECTION 717 OF THE LDC, THE MANATEE COUNTY DEVELOPMENT STANDARDS AND SWFWMD REQUIREMENTS. THOSE PORTIONS OF THE STORMWATER SYSTEM DESIGNED TO DISCHARGE INTO THE WATERSHED OVERLAY DISTRICT SHALL MEET OR EXCEED THE DESIGN STANDARDS OF CHAPTERS 62-3, 62-4 AND 62-25 AND LOCAL DESIGN STANDARDS FOR DISCHARGE INTO OUTSTANDING FLORIDA WATERS.
26. WATER, WASTEWATER AND IRRIGATION LINES ARE PROPOSED WITHIN THE RIGHTS OF WAY FOR 44TH AVE., MALACHITE DRIVE AND POPE ROAD. THESE FACILITIES EXIST WITHIN THE RIGHT OF WAY FOR LAKEWOOD RANCH BOULEVARD.
27. ALL DEVELOPMENT PARCELS ADJACENT TO AGRICULTURAL USES AT THE TIME OF FINAL SITE PLAN APPROVAL SHALL PROVIDE A 35' SETBACK AS REQUIRED BY SECTION 702.6.7.
28. THE DEVELOPER RESERVES THE RIGHT TO UTILIZE STREET NAMES AS PER LAND DEVELOPMENT CODE SECTION 742.5.

INDEX TO SHEETS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	GENERAL DEVELOPMENT PLAN (SOUTH)
3	GENERAL DEVELOPMENT PLAN (NORTH)

NO.	DATE	DESCRIPTION	BY
9			
8			
7			
6	10/30/14	REVISED NOTE TO INCLUDE PDI IN EXISTING ZONING	SAB/89406
5	06/26/14	REVISED PER COMMENTS	PFB/101523
4	04/30/14	EXPANSION	PFB/101523
3	06/06/13	UPDATED PER CURRENT PARCEL VALUES, NOTES, DATES	HER/98419
2	05/25/12	UPDATED PER CURRENT DATES / ROAD NAMES	RTD/89450
1	8/11/06	REVISED PER COMMENTS	RRP/2362

STATUS : REVISIONS

PROJECT SURVEYOR	PROJECT ENGINEER	PROJECT MANAGER
	ROBERT ENGEL, PE	SCOTT BUTTARI

GENERAL DEVELOPMENT PLAN
LAKEWOOD CENTRE

APPROVED _____ Date _____ File Number

Project Planner (PD)
Project Engineer (PD)
Concurrency (PD)
Natural Resource (PD)
Environmental Health
Fire District
Owner/Agent

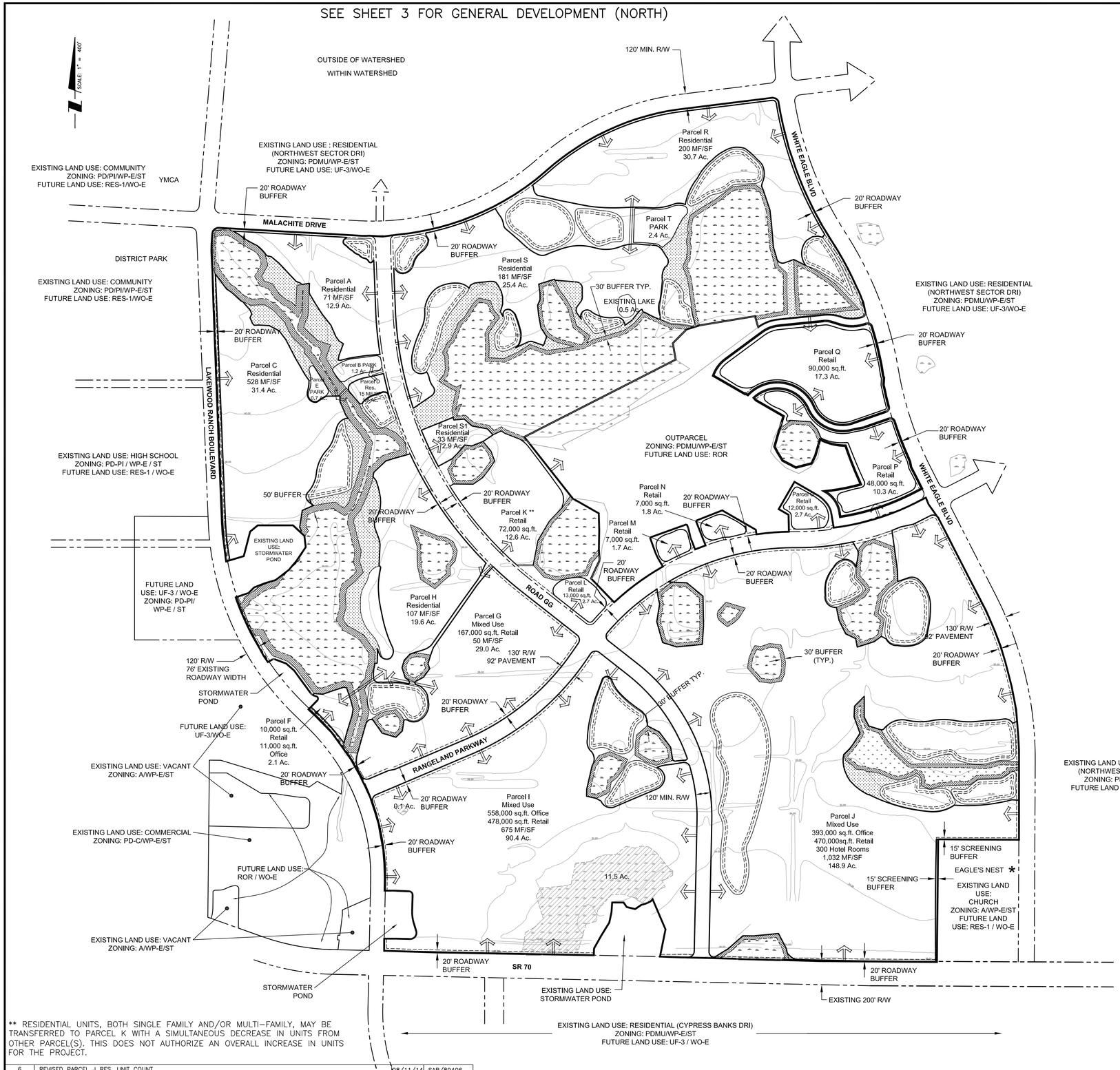
Attention: A copy of this approved plan and the approval letter must be provided to the contractor and submitted with your application for a building permit.

PROJECT NUMBER
215911986

DATE
APRIL 2014

INDEX NUMBER

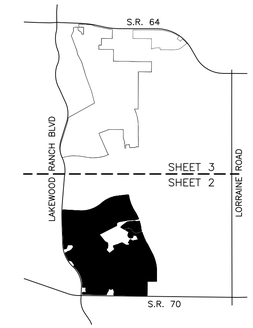
Stantec
6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • *Fax* 941-907-6910
Certificate of Authorization #27013 • www.stantec.com



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

LEGEND

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



KEY MAP

LAND USE AND PHASING TABLE

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

Source: WilsonMiller, September 2005

* The Phasing buildout dates shall be March 22nd of the years indicated which includes legislatively approved extensions (SB 360,SB 1752, HB 7207 and F.S. 252.363), Wildfire (EO-11-128, EO-11-172, EO-11-202) and the additional Tropical Storm Debby and Isaac extensions (12-140, 12-192, 12-217 and 12-199)

ACREAGE BY LAND USE (NORTH & SOUTH)

RESIDENTIAL (ONLY)	508.0	AC.
MIXED USE, & RETAIL & OFFICE	313.6	AC.
RETAIL (ONLY)	95.0	AC.
RECREATION	74.7	AC.
RIGHT-OF-WAY	79.7	AC.
WETLANDS	185.3	AC.
WETLAND BUFFERS	65.0	AC.
UPLAND PRESERVATION	23.8	AC.
EXISTING LAKE	15.4	AC.
STORMWATER PONDS	114.6	AC.
OTHER SPACE	18.5	AC.
TOTAL SITE AREA	1493.6	AC.

Manatee County Government Administrative Center
Commission Chambers, 1st Floor
9:00 a.m. - November 13, 2014

△REV NO.	REVISION	DATE	DRAWN BY / EMP. NO.	CHECKED BY / EMP. NO.
6	REVISED PARCEL J RES. UNIT COUNT	08/11/14	SAB/89406	
5	CHANGED ROAD NAMES	06/19/14	PFB/101523	
4	UPDATED NOTES AND PARCEL INFORMATION	04/19/14	PFB/101523	
3	UPDATED NOTES AND PARCEL INFORMATION	06/06/13	HER/98419	
2	UPDATED NOTES, DATES AND ROAD NAMES	05/25/12	RTD/89450	
1	REVISED PER COMMENTS	12/12/07	MMP/2458	

ACTIVITY	INITIALS/EMP. NO.	DATE
DESIGNED BY:	CVO/1995	10/07/05
DRAWN BY:	CVO/1995	10/07/05
CHECKED BY:		
CONTRACT ADMIN. BY:		
WM APPROVED BY:		

Stantec
6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

CLIENT: SMR NORTHWEST LAND, LLC

PROJECT: LAKEWOOD CENTRE DRI

DATE: 5/14
HORIZONTAL SCALE: 1"=400'
VERTICAL SCALE:
SEC: TWP: RGE: CROSS REFERENCE FILE NO.:

TITLE: GENERAL DEVELOPMENT PLAN (SOUTH)

PROJECT NUMBER: 04333-013-000

INDEX NUMBER:

SHEET NUMBER: 2 OF 3

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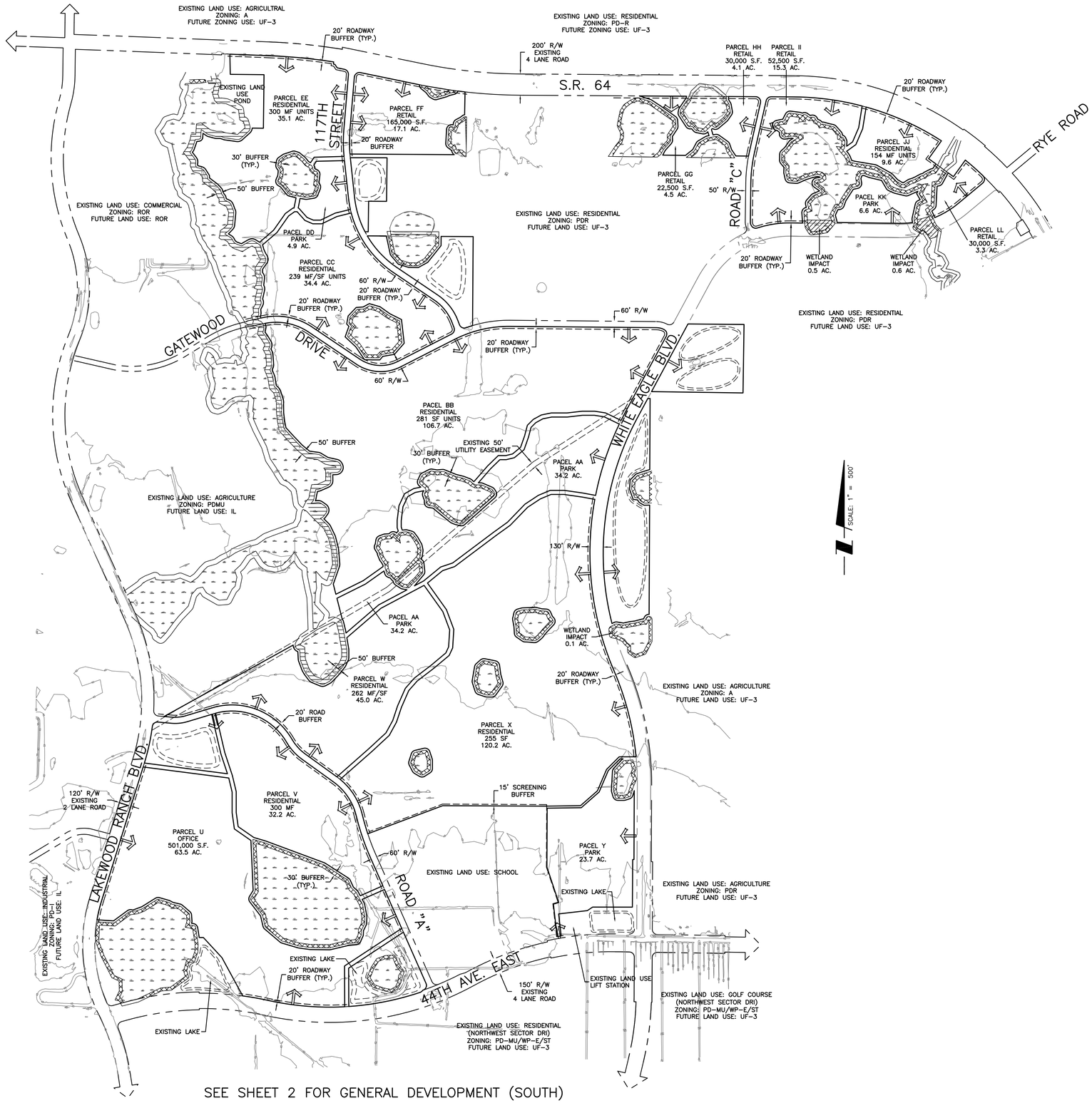
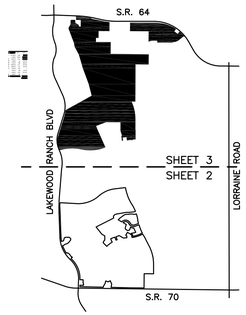


SEE SHEET 2 FOR GENERAL DEVELOPMENT (SOUTH)

LEGEND

- Project Boundary
- Parcel Boundary
- Wetland Buffer
- 50' Wetland Buffer - SWFWMD
  30' Wetland Buffer + 20' Potential Upland Preservation - Manatee County
- Lake/Stormwater Pond
- Access Arrows
- Wetlands
- Wetlands Impact
- 20 Topographic Contours



KEY MAP

Manatee County Government Administrative Center
Commission Chambers, First Floor
9:00 a.m. - November 13, 2014

△REV NO.	REVISION	DATE	DRAWN BY / EMP. NO.	CHECKED BY / EMP. NO.
2	REVISED PARCEL II AND U OFFICE/RETAIL S.F.	08/11/14	SAB/89406	
1	ADDED WETLAND IMPACT AREA	06/09/14	PFB/101523	

ACTIVITY	INITIALS/EMP. NO.	DATE
DESIGNED BY:		
DRAWN BY:		
CHECKED BY:		
CONTRACT ADMIN. BY:		
WM APPROVED BY:		

Stantec
6900 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • Fax 941-907-6910
Certificate of Authorization #27013 • www.stantec.com

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CLIENT: SMR NORTHWEST LAND, LLC

PROJECT: LAKEWOOD CENTRE DRI

DATE: 6/14
HORIZONTAL SCALE: 1"=500'
VERTICAL SCALE:
SEC: TWP: RGE:
CROSS REFERENCE FILE NO.:

TITLE: GENERAL DEVELOPMENNT PLAN (NORTH)

PROJECT NUMBER: 215611986
INDEX NUMBER:
SHEET NUMBER: 3 OF 3

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