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June 11, 2015 Planning Commission Meeting

WORKSESSION CALLED TO ORDER (Bill Conerly, Chairman)

1. Worksession- Planning Officials Training Part 2 by the University of Florida- to be held after the public hearing is adjourned

MEETING CALLED TO ORDER (Bill Conerly, Chairman)

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

Minutes for Approval

2. May 14, 2015 Minutes for Approval

CITIZEN COMMENTS

CONSENT AGENDA

Building and Development Services Department

3. Z-14-05-24/7 Development Holdings, LLC/ SR 70 and 66th Rezone- MEPS360-DTS20140473- Quasi-Judicial- Rossina Leider- Continued from May 14, 2015 \* Schenk

Attachment: Maps Future Land Use, Zoning, Aerial- SR 70 & 66th Z1405- 6-11-15.pdf

Attachment: Staff Report SR 70 and 66TH ST Rezone 6-11-15.pdf

Attachment: Zoning Disclosure Affidavit- SR 70 and 66TH ST rezone-Z-14-05- 6-11-15 PC .pdf

Attachment: Affidavit of Publishing - SR 70 and 66th St. Rezone - Z-14-05 - Sarasota Herald Tribune - 6-11-15PC.pdf

Attachment: Affidavit of Publishing - SR 70 and 66th Street Rezone - Z-14-05 - Bradenton Herald - 6-11-15 PC.pdf

Attachment: Traffic Impact Statment - SR 70 & 66th St. Rezone - Z-14-05 -

6-11-15 PC.pdf

4. PDPI-15-06(Z)(G) Manatee County- Lake Manatee Water Treatment Plant (County-Initiated)-DTS20150055-Quasi-Judicial- Margaret Tusing \* Schenk

Attachment: Maps Future Land Use, Zoning, Aerial- Manatee County Lake Manatee Water Treatment Plant- PDPI-15-06(Z)(G)-6-11-15.pdf

Attachment: Staff Report Lake Manatee Water Treatment Plant -6-11-15 PC.pdf

Attachment: Affidavit of Publishing - Lake Manatee Water Treatment Plant - PDPI-15-06(Z)(G) - Sarasota Herald Tribune - 6-11-15 PC.pdf

Attachment: Affidavit of Publishing- Lake Manatee Water Treatment Plant- PDPI-15-06(Z)(G)- Bradenton Herald- 6-11-15 PC.pdf

Attachment: Specific Approval Response Letter Final.pdf

Attachment: Zoning Disclosure Affidavit- Lake Manatee Water Treatment Plant.pdf

Attachment: GDP- Lake Manatee WTP-6-11-15 PC - dated 5-6-15.pdf

REGULAR

ADJOURN

The Planning Commission of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission's functions including one's access to, participation in, employment with, or treatment in, its programs or activities. Anyone requiring 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.

June 11, 2015 Planning Commission Meeting  
Agenda Item #1

Subject

Worksession- Planning Officials Training Part 2 by the University of Florida- to be held after the public hearing is adjourned

Briefings

None

Contact and/or Presenter Information

Contact:

John Osborne, AICP, Planning Official

941-748-4501 ext.6825

or

Danielle Walker

941-748-4501 ext.6936

Action Requested

N/A

Enabling/Regulating Authority

N/A

Background Discussion

The worksession will begin after the public hearing has adjourned.

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

June 11, 2015 Planning Commission Meeting  
Agenda Item #2

Subject

May 14, 2015 Minutes for Approval

Briefings

None

Contact and/or Presenter Information

Danielle Walker

941-748-4501 ext.6936

Action Requested

RECOMMENDED MOTION:

I move to approve the minutes from May 14, 2015 Planning Commission Public Hearing.

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



June 11, 2015 Planning Commission Meeting  
Agenda Item #3

Subject

Z-14-05-24/7 Development Holdings, LLC/ SR 70 and 66th Rezone- MEPS360- DTS20140473- Quasi-Judicial-  
Rossina Leider- Continued from May 14, 2015

Briefings

None

Contact and/or Presenter Information

Presenter:

Rossina Leider, Planner

941-748-4501 ext.6859

Contact:

Danielle Walker, Planning Tech II

941-748-4501 ext.6936

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, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. Z-14-05, as recommended by staff.

Enabling/Regulating Authority

Manatee County Land Development Code

Manatee County Comprehensive Plan

Background Discussion

- This is a straight rezone request for a 2.75± acre vacant site (120,000 square feet) from A (General

Agriculture) to GC (General Commercial). The site is within the R/O/R (Retail/Office/Residential) FLUC.

- The site is located on the northwest corner of SR 70 and 66th Street East, and until 2014 was part of a bigger property partially developed with educational uses (Braden River High School and Manatee Technical Institute) owns by the Manatee County School Board.
- The R/O/R FLUC list retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving in the range of potential uses, with a maximum Floor Area Ratio (FAR) of 0.35 and 1.0 for hotels only (special approval is required for projects exceeding 0.25 FAR except for mini-warehouse). R/O/R FLUC exempts commercial projects from commercial locational criteria requirements (i.e. within 1,500 feet of two functionally classified roadways designated as Collector or higher).
- The range of uses permitted in the GC zoning district include retail sales, eating establishment, bank, hotel, office, gas pumps, convenience stores, etc. Developments within the GC zoning district are limited to a maximum building size of 50,000 square feet, with a minimum lot width of 75 feet and lot size of 7,500 square feet, and a maximum FAR of 0.25 (without Special Approval) except for a mini-warehouse (0.35).
- The site exceeds the minimum lot width and lot size for the GC zoning district. The maximum potential building area will be 30,000± square foot, except for a mini-warehouse use which allows a maximum of 42,000± square foot building.
- The site will have direct access to 66th Street East, a two lane local street that provides connection to Braden River High School & Manatee Technical Institute to the north and west, and to Pleasant Lake RV Resort & Campbell Commercial Subdivision to the east. Any potential access point along SR 70 shall be determined by the FDOT at the time of Final Site Plan submittal.
- Compliance with the standards of the GC zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approval for this site.
- Staff recommends approval.
- On May 14, 2015, by a vote of 3-0, the Planning Commission continued the Public Hearing to June 11, 2015, 9:00 AM or as soon thereafter as same may be heard; with Mr. Rutledge abstaining.
- A summary of the public comment from the May 14, 2015, Planning Commission public hearing is in the staff report attached to this memo.
- On June 4, 2015, by a vote of 6-0, the Board of County Commissioners continued the public hearing to August 6, 2015.

County Attorney Review

Other (Requires explanation in field below)

Explanation of Other

Sarah Schenk reviewed and responded by email.

Reviewing Attorney

Schenk

Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

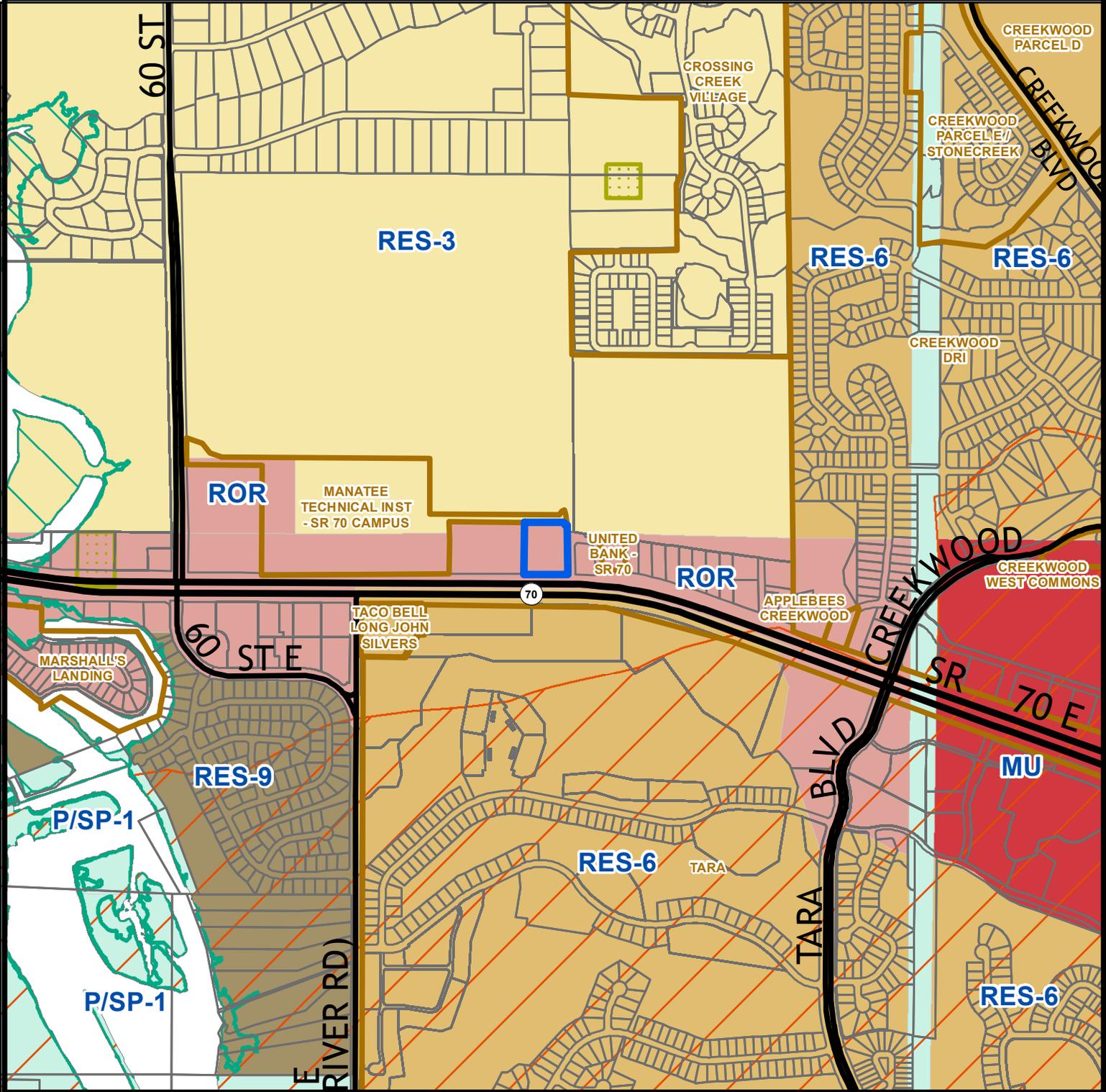
N/A

Amount and Frequency of Recurring Costs

N/A

Attachment: Maps Future Land Use, Zoning, Aerial- SR 70 & 66th Z1405- 6-11-15.pdf  
Attachment: Staff Report SR 70 and 66TH ST Rezone 6-11-15.pdf  
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Attachment: Traffic Impact Statment - SR 70 & 66th St. Rezone - Z-14-05 -6-11-15 PC.pdf

# FUTURE LAND USE



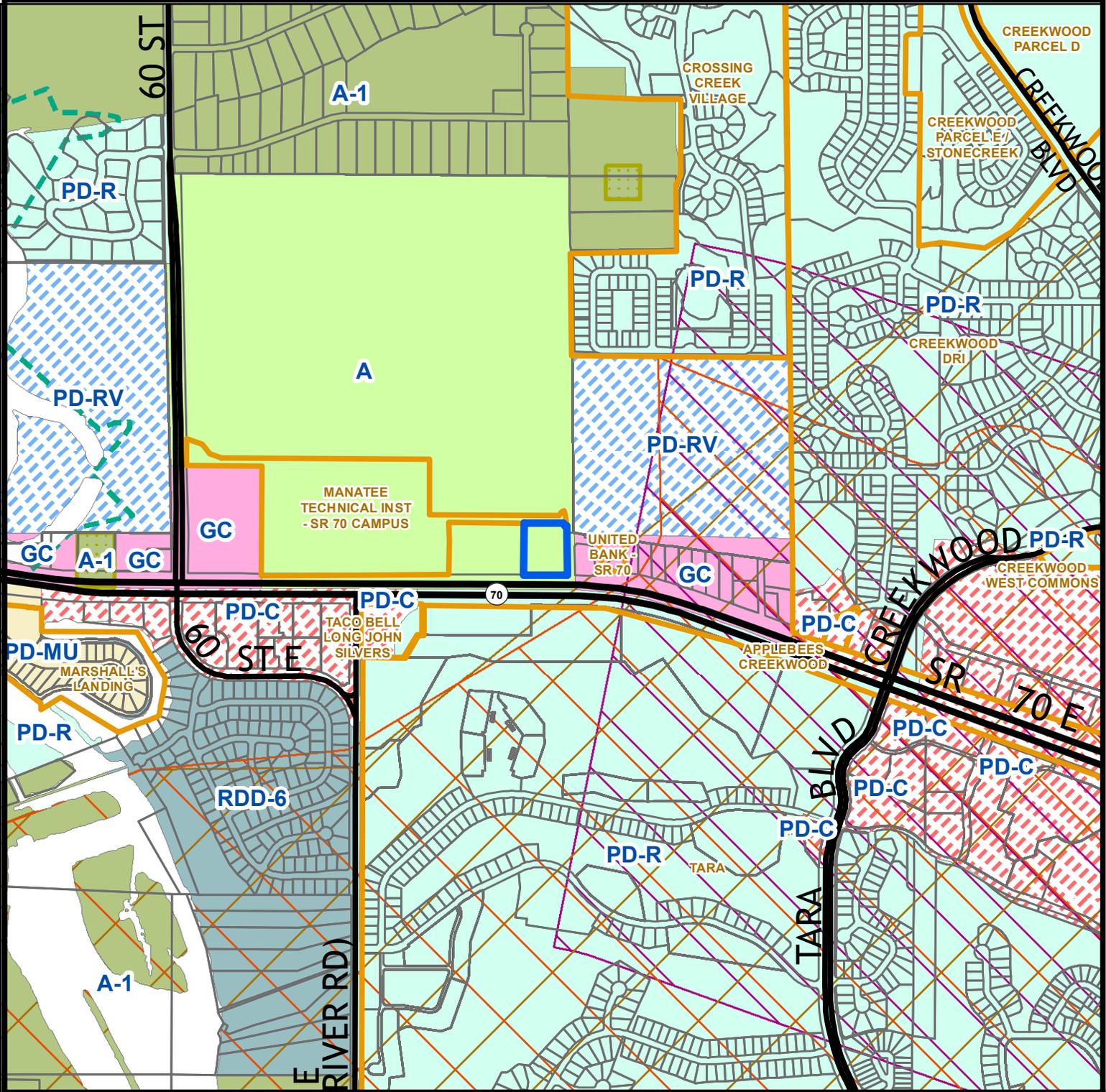
Parcel ID #(s) 1729200259

Project Name: SR 70 & 66th  
 Project #: Z-14-05  
 DTS#: 20140473  
 Proposed Use: Commercial

S/T/R: Sec 14,11 Twn 35 Rng 18  
 Acreage: 2.75  
 Existing Zoning: A  
 Existing FLU: ROR  
 Overlays: NONE  
 Special Areas: NONE

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: BRADEN RIVER BL WARD L  
 Commissioner: Vanessa Baugh

# ZONING



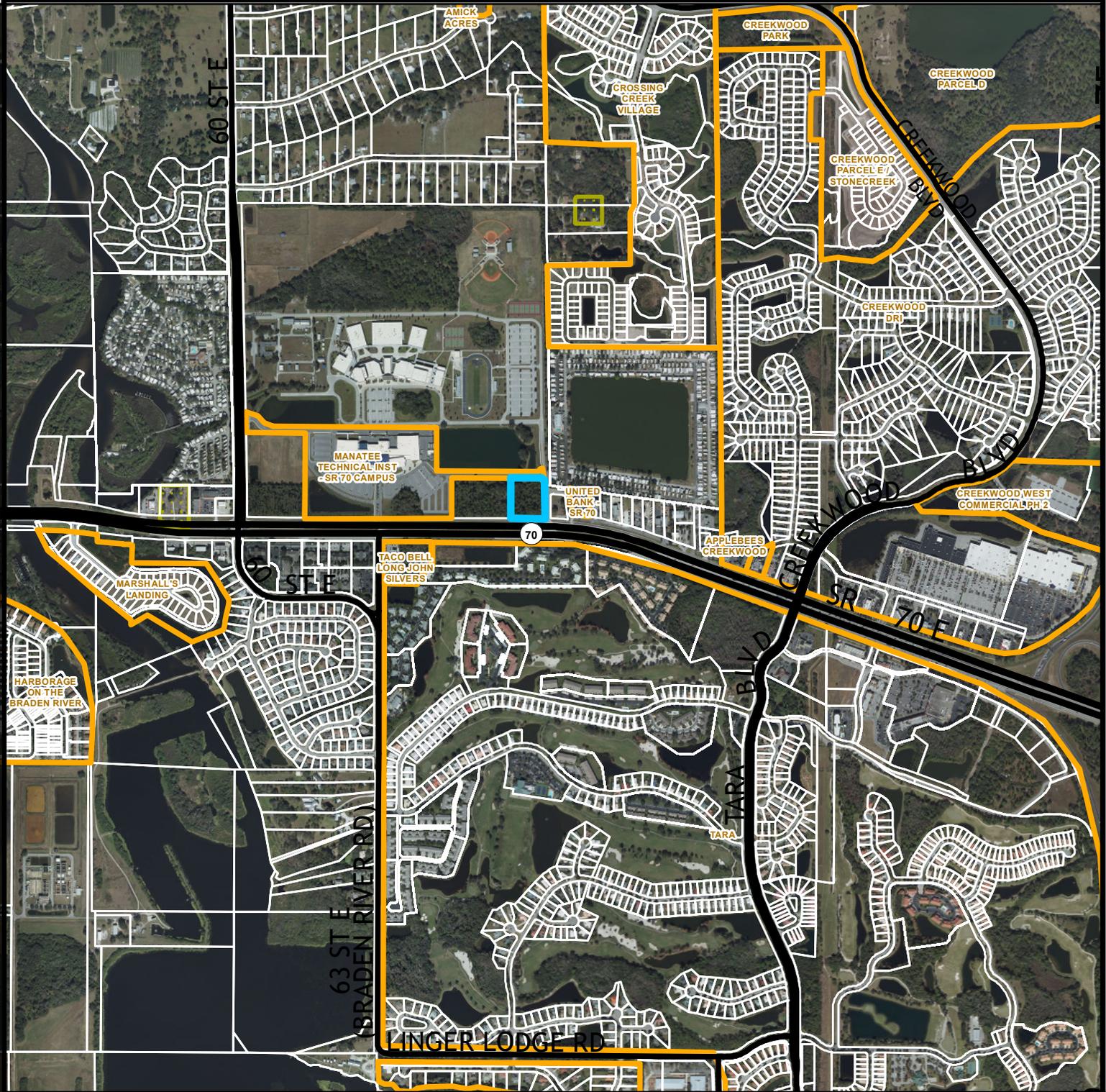
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S/T/R: Sec 14,11 Twn 35 Rng 18  
 Acreage: 2.75  
 Existing Zoning: A  
 Existing FLU: ROR  
 Overlays: NONE  
 Special Areas: NONE

CHH: NONE  
 Watershed: NONE  
 Drainage Basin: BRADEN RIVER BL WARD L  
 Commissioner: Vanessa Baugh

# AERIAL



Parcel ID #(s) 1729200259

Project Name: SR 70 & 66th  
 Project #: Z-14-05  
 DTS#: 20140473  
 Proposed Use: Commercial

S/T/R: Sec 14,11 Twn 35 Rng 18  
 Acreage: 2.75  
 Existing Zoning: A  
 Existing FLU: ROR  
 Overlays: NONE  
 Special Areas: NONE

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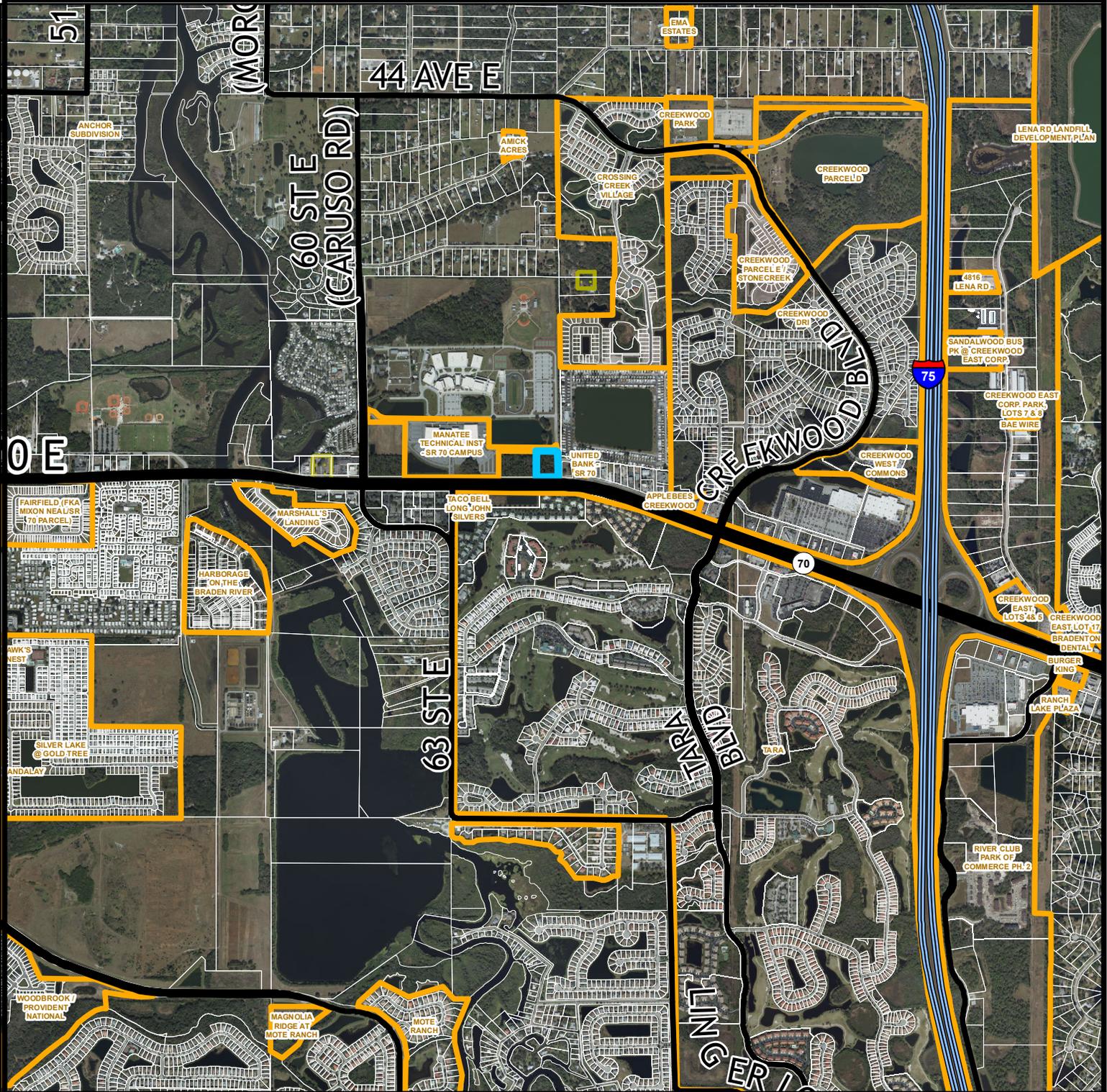
CHH: NONE  
 Watershed: NONE  
 Drainage Basin: BRADEN RIVER BL WARD L  
 Commissioner: Vanessa Baugh



Manatee County  
 Staff Report Map

Map Prepared 1/13/2015  
 1 inch = 1,287 feet

# AERIAL



Parcel ID #(s) 1729200259

Project Name: SR 70 & 66th  
 Project #: Z-14-05  
 DTS#: 20140473  
 Proposed Use: Commercial

S/T/R: Sec 14,11 Twn 35 Rng 18  
 Acreage: 2.75  
 Existing Zoning: A  
 Existing FLU: ROR  
 Overlays: NONE  
 Special Areas: NONE

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CHH: NONE  
 Watershed: NONE  
 Drainage Basin: BRADEN RIVER BL WARD L  
 Commissioner: Vanessa Baugh



Manatee County  
 Staff Report Map

Map Prepared 1/13/2015  
 1 inch = 2,016 feet

**Z-14-05 – 24/7 DEVELOPMENT HOLDINGS, LLC/SR 70 & 66<sup>th</sup> REZONE  
(MEPS00000360, DTS #20140473)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 2.75 acres on the northwest corner of SR 70 East and 66<sup>th</sup> Street East, Bradenton from A (General Agriculture) to GC (General Commercial) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.:** 5/14/2015, 06/11/2015

**B.O.C.C.:** 06/04/2015, 08/06/2015

**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 the Manatee County Land Development Code, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. Z-14-05, as recommended by staff.

**PLANNING COMMISSION ACTION:**

On May 14, 2015, by a vote of 3-0, the Planning Commission continued the Public Hearing to June 11, 2015, 9:00 AM or as soon thereafter as same may be heard; with Mr. Rutledge abstaining.

**BOARD OF COUNTY COMMISSIONERS ACTION:**

On June 4, 2015, by a vote of 6-0, the Board of County Commissioners continued the Public Hearing to August 6, 2015.

**PUBLIC COMMENT AND CORRESPONDENCE:**

**The following person spoke at the May 14, 2015 Planning Commission public hearing: Roberta Fernandez, area resident, opposed the request due to increase in traffic, noise pollution, and development concerns. She noted the map she received in the mail depicts the intersection incorrectly.**

**A traffic impact statement was entered into the record at the May 14, 2015 Planning Commission public hearing.**

**There was no public comment and nothing was entered into the record at the June 4, 2015 Board of County Commissioners public hearing.**

<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	<b>Z-14-05 (MEPS00000360, DTS #20140473)</b>
<b>PROJECT NAME</b>	<b>24/7 Development Holdings, LLC/SR 70 &amp; 66<sup>th</sup></b>
<b>APPLICANT(S):</b>	<b>24/7 Development Holdings, LLC</b>
<b>PROPOSED ZONING:</b>	<b>GC (General Commercial)</b>
<b>EXISTING ZONING:</b>	<b>A (General Agriculture)</b>
<b>CASE MANAGER:</b>	<b>Rossina Leider</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL</b>

<b>DETAILED DISCUSSION</b>	
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The request is for a rezone of a vacant site, approximately 2.75 acres (±120,000 square feet) from A (General Agriculture) to GC (General Commercial). The site is located on the northwest corner of SR 70 and 66<sup>th</sup> Street East, and until 2014 was part of a bigger property partially developed with educational uses (Braden River High School and Manatee Technical Institute) owns by the Manatee County School Board.

The site is within the R/O/R FLUC which list retail, wholesale or office commercial uses that function in the market place as neighborhood, community, or region-serving in the range of potential uses, with a maximum Floor Area Ratio (FAR) of 0.35 and 1.0 for hotels only (special approval is required for projects exceeding 0.25 FAR except for mini-warehouse). Also, R/O/R FLUC exempts commercial projects from commercial locational criteria requirements (i.e. within 1,500 feet of two functionally classified roadways designated as Collector or higher).

The current A zoning district is intended to preserve agricultural lands and allow for other uses consistent with agricultural operations. The A zoning district limits commercial retail uses to farm equipment and supply establishments, while commercial service uses are limited to medical professional offices, veterinary clinics, bed and breakfast, funeral home/chapel and lawn care /landscaping establishments.

The GC zoning district is intended to provide a variety of retail uses and services in free-standing parcels or shopping centers to serve the community’s general commercial needs. The proposed GC zoning is consistent with the R/O/R FLUC designation, the existing GC zoning east of the site, and development trends and timing within the nearby area.

The site is large enough to accommodate the building(s) and provide adequate setbacks, buffers, access points, parking, and loading areas as is required for commercial sites according to Policies 2.10.4.3.(1) and (2) of the Comprehensive Plan. In addition, the subject property exceeds the minimum lot area (7,500 sq. ft.) required for the GC zoning district, and at time of development, future structures will be required to comply with LDC Figure 6-2 (Schedule of Area, Height, Bulk and Placement Regulations).

The site will have direct access to 66<sup>th</sup> Street East, a two lane local street that provides connection to educational sites to the north and west (Braden River High School & Manatee Technical Institute), and to commercial areas to the east (Pleasant Lake RV Resort & Campbell Commercial Subdivision). Any potential access point along SR 70 shall be determined by the FDOT at the time of Final Site Plan submittal.

Staff recommends approval.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS:</b>	<b>SR 70 East &amp; 66<sup>th</sup> Street East, Bradenton</b>
<b>GENERAL LOCATION:</b>	<b>Northwest corner of SR 70 &amp; 66<sup>th</sup> Street East</b>
<b>ACREAGE:</b>	<b>2.75± acres (approximately 120,000 sq. ft.)</b>
<b>EXISTING USE(S):</b>	<b>Vacant</b>
<b>FUTURE LAND USE CATEGORY(S):</b>	<b>R/O/R (Retail/Office/Residential)</b>
<b>INTENSITY</b>	<b>Max F.A.R. permitted:</b> <ul style="list-style-type: none"> <li>- .25 (.35 with Special Approval in GC Zoning District and R/O/R FLUC)</li> <li>- .35 for mini-warehouse use without Special Approval in GC Zoning District</li> </ul>
<b>OVERLAY DISTRICT(S):</b>	<b>N/A</b>

**SURROUNDING USES & ZONING**

<b>NORTH</b>	<b>Access driveway &amp; stormwater facility of the Braden River High School zoned A (General Agriculture)</b>
<b>WEST</b>	<b>Vacant parcel of the Manatee Technical Institute zoned A (General Agriculture)</b>
<b>SOUTH</b>	<b>Across SR 70, single-family residential units and stormwater facility at Fairway Gardens subdivision (Tara DRI) zoned PDR (Planned Development Residential)</b>
<b>EAST</b>	<b>Across 66<sup>th</sup> Street East, vacant property (Campbell Commercial Subdivision), and further east, financial institution (Synovus Bank) zoned GC</b>

	<b>(General Commercial). To the northeast, recreational vehicle park (Pleasant Lake RV resort) zoned PDRV (Planned Development Recreational Vehicle)</b>
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<b>SITE DESIGN DETAILS</b>
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<b>LOT SIZE(S):</b>	<b>±120,000 sq. ft. Exceeds minimum lot size (7,500 sq. ft.) and lot width (75 feet) required for the GC Zoning District</b>	
<b>SETBACKS: (min. required in GC Zoning District)</b>	<b>Front</b>	<b>25'</b>
	<b>Side</b>	<b>10'/20' (adjacent to residential use or zoning)</b>
	<b>Rear</b>	<b>15'/20' (adjacent to residential use or zoning)</b>
<b>OPEN SPACE:</b>	<b>15% (18,000 sq. ft.) required in GC Zoning District. No site plan submitted at this time</b>	
<b>ACCESS:</b> (* Potential access along SR 70 will be determined by FDOT at the time of future Final Site Plan submittal)	<b>One access point along 66<sup>th</sup> Street East. (*)</b>	
<b>FLOOD ZONE(S):</b>	<b>X per FIRM Panel 12081C0328E, effective 3/17/2014.</b>	
<b>AREA OF KNOWN FLOODING:</b>	<b>N/A Watershed/Basin: Lower Braden River. Downstream of Evers Reservoir</b>	
<b>UTILITY CONNECTIONS:</b>	<b>Water and sewer available</b>	

<b>ENVIRONMENTAL INFORMATION</b>
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<b>Overall Wetland Acreage:</b>	<b>No site plan submitted; unable to determine at this time</b>
<b>Proposed Impact Acreage:</b>	<b>No site plan submitted; unable to determine at this time</b>

NEARBY DEVELOPMENT				
NON-RESIDENTIAL				
PROJECT	SQ. FT.	FAR	FLUC	YEAR APPROVED
Manatee County School Board Rezone from A to GC (Blackrock Commercial)	Max. Potential: 108,900/ 152,460 for mini-warehouse	Max. Potential: 0.25 max. /0.35 mini-warehouse	R/O/R	2014
Taco Bell	3,000	0.02	RES-6	2006
Synovus Bank (fka United Bank)	4,130	0.097	R/O/R	2006
POSITIVE ASPECTS				
<ul style="list-style-type: none"> <li>• The site has frontage along an arterial roadway (SR 70).</li> <li>• Logical expansion of the adjacent GC zoning district to the east.</li> <li>• The surrounding area to the east consist of established commercial and services uses (commercial subdivision and RV Park).</li> <li>• Sewer and water are available in this area.</li> <li>• The commercial zoning will allow for a variety of retail and service uses to serve surrounding residences and visitors to the area.</li> </ul>				
NEGATIVE ASPECTS				
<ul style="list-style-type: none"> <li>• Access will be provided via a local street (66<sup>th</sup> Street East).</li> </ul>				
MITIGATING MEASURES				
<ul style="list-style-type: none"> <li>• All requirements of GC zoning and LDC provisions regarding access, traffic mitigation measurements, parking, buffering, stormwater management, etc. will be assessed at future site plan submittal.</li> <li>• A potential access point along SR 70 shall be determined by FDOT at Final Site Plan submittal. At that time, the applicant shall be required to apply for a permit with FDOT.</li> </ul>				
STAFF RECOMMENDED STIPULATIONS				
<p>Not applicable. <b>This is a “straight rezone” from A to GC.</b> Stipulations are not attached to a straight rezone. All requirements of GC zoning district will be reviewed with future site plan or building permit approvals. These requirements include the range of permitted uses and the size of the project (gross building area and F.A.R), setbacks, building height, buffers, parking, access, adverse impacts, etc.</p>				

**REMAINING ISSUES OF CONCERN**

None

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE  
SECTION 504.5 - REZONE CRITERIA  
*Factors for Review and Adoption of Proposed Amendments***

**1. Compatibility. Is the requested change compatible with the existing development pattern and the zoning of nearby properties?**

To the north is Braden River High School. To the west, there is the Manatee Technical Institute - SR 70 Campus zoned A (General Agriculture), and further west, is a vacant commercial property recently zoned GC (General Commercial). To the east, there is a vacant commercial property and a financial office zoned GC. To the northeast, is a residential use (Pleasant Lake RV Resort - recreational vehicle park) within the PDRV (Planned Development Recreational Vehicle) zoning district. To the south, across SR 70, there is a residential subdivision (Fairway Gardens at Tara) zoned PDR (Planned Development Residential).

The proposed zoning (GC) is compatible with the existing development pattern and zoning of nearby properties along the SR 70 corridor and a logical expansion of adjacent commercial zoning district.

**2. Changes from Original Conditions. Has there been a change in the conditions upon which the original zoning designation was based? Have major land uses or conditions changed since the zoning was established?**

Until 2014, the site was part (southeast corner) of a ±180 acre overall property owned by the Manatee County School Board, zoned A (General Agriculture), and partially developed with educational uses (Manatee Technical Institute and Braden River High School). The southwest corner of the above referenced property (±10 acres) was sold as well in 2014 and has been rezoned to GC (Blackrock rezone).

Also, SR 70 has changed to a six lane divided road and a segment of 66<sup>th</sup> Street east (adjacent to the site) is now a two lane road leading to the school sites. The proposed amendment to GC zoning is consistent with the development trend in this segment of the SR 70 since its development pattern is characterized by commercial, residential, and educational uses.

**3. Comprehensive Plan. Does the current zoning or the proposed zoning better conform to the current Comprehensive Plan?**

The R/O/R FLUC permits retail, wholesale, or office commercial uses that function in the marketplace as neighborhood, community, or region-serving, as well considered short-term agricultural uses.

According to LDC Section 602.1.2.1, the intent of the current A zoning district is to “preserve agricultural lands and promote general agricultural economic activity, and allow for the co-existence of other uses generally consistent with agricultural activities.” Also, per LDC Section 602.1.5.3 the purpose of the GC District is to provide for a variety of retail and service

uses in free-standing parcels or shopping centers to serve the community's general commercial needs (i.e. retail sales, eating establishments, banking, professional offices, gas pumps, convenience stores, etc.).

GC and A zoning districts are appropriate for the R/O/R FLUC. However, the proposed GC zoning better conforms the Comprehensive Plan since adjacent parcels to the east are zoned GC, and there is a broad range of established commercial uses along the nearby segments of the SR 70.

**4. Conflicts with Public Improvements. Will the proposed change conflict with existing or planned public improvements?**

No, it does not appear that this rezone change will conflict with existing or planned public improvements.

**5. Sufficient Public Facilities. Whether the proposed change will be supported by sufficient public facilities, based upon a consideration of the following factors:**

**(i) Will the proposed change adversely affect traffic patterns or congestion?**

The applicant provided a Traffic Impact Statement (TIS) dated March 13, 2015 to evaluate maximum potential traffic impacts associated with the rezone of the site.

Based on the data provided in this document, the Manatee County Public Works Department, Transportation Planning Division recommends approval of the Traffic Impact Statement. The applicant has addressed the Comprehensive Plan requirements, and provided appropriate traffic-related information to substantiate the findings. At the time of Final Site Plan a complete Traffic Analysis will be required when a use is established for this site.

**(ii) Will the proposed change adversely impact population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are adversely affected?**

GC zoning is intended to provide for various retail uses and services on freestanding parcels or shopping centers serving the general needs of the community. This is a commercial development that will not create a demand for schools, streets, recreational areas or facilities, and non-impacts to population are expected. Any CLOS requirements will be reviewed with future submittals when a specific use is proposed.

**(iii) Are sufficient public facilities planned and funded to support any change in density or intensity pursuant to the requirements of the Comprehensive Plan and applicable law?**

The site is on the northwest corner of SR 70 and 66<sup>th</sup> Street east. This area of the County counts with existing public facilities and infrastructure to support the proposed zoning amendment as follows:

Water: 36" potable water main along SR 70

Sewer: 6" sanitary force main along SR 70

Reclaimed: 12" reclaimed water main at SR 70 and 60<sup>th</sup> Street East ½ mile west

No insufficient public facilities issues have been raised by staff during review process; however, a public facility analysis will be performed by staff when the applicant submits a Final Site Plan specifying the intensity of the use proposed.

**6. Changes to Surrounding Area. Will the proposed change adversely affect the public health, safety or welfare of the surrounding area?**

It appears that the proposed zoning amendment should have no adverse impact on the health, safety, or welfare of the neighborhood. At Final Site Plan stage, staff will review in detail any potential adverse impacts when a particular use is proposed.

**7. Compliance with LDC. Is the proposed amendment in conformance with all applicable requirements of this Code?**

The GC zoning district allows a minimum lot size of 7,500 square feet, a minimum lot width of 75 feet, and a maximum building size of 50,000 square feet. The range of uses permitted in the GC zoning district include retail sales, eating establishment, bank, hotel, and office.

The maximum Floor Area Ratio (FAR) in the GC zoning district is 0.25 (without Special Approval) allowing a maximum of 30,000 ± square foot of building area, except for a mini-warehouse use which allows a maximum 0.35 FAR (42,000 ± square foot building area).

Compliance with the standards of the GC zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approval for this site.

**8. Orderly Development. Is the proposed amendment consistent with the development patterns in the area and appropriate for orderly development of the community? The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

The proposed amendment is consistent with the development patterns in the area and appropriate for orderly development of the community. The surrounding area to the east of the site has commercial designation compatible with the R/O/R FLUC.

**9. Expanding Districts. Is the proposed amendment the logical expansion of adjacent zoning districts?**

The proposed amendment may be considered a logical expansion of adjacent commercial zoning districts to the east, and will reflect the development commercial pattern of the north side of SR 70 corridor.

**10. Trends. Is the timing of the request appropriate given the development trends in the area?**

The timing is appropriate given development trends in the area. The immediate surrounding area along the north side of SR 70 is characterized by commercial, office, residential and residential support uses.

**11. Historic Resources. Will the proposed change adversely impact historic resources?**

No, there do not appear to be any known or recorded historic resources on the site. If any historic resources are found at the time of development, the applicant will be required to immediately report discoveries of historical or archaeological resources to the Florida Division of Historical Resources.

**12. Environmental Impacts. Will the proposed change have an adverse environmental impact on the vicinity?**

Environmental impacts, if any, will be determined and appropriately addressed during the review process of future Final Site Plan.

- 13. Lighting. Will the proposed change allow uses that require so much outdoor lighting that even the light from shielded fixtures may reflect off-site with potentially adverse effects on residential areas?**  
Lighting is specifically regulated by LDC Section 709 and a “Lighting Plan” shall be reviewed and approved as part of the Final Site Plan submittal in order to address any potential adverse impacts.
- 14. County Wide Changes. Will the proposed change adversely affect the health, safety and welfare of the County as a whole?**  
The proposed change should not adversely affect the safety, and welfare of the County as a whole. The commercial zoning will allow for a variety of retail and service uses for surrounding residences and visitors to the area.
- 15. Mobile Homes. For any rezoning that would result in the removal or relocation of mobile home owners residing in a mobile home park, has the applicant demonstrated that adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners, within the meaning of, and pursuant to, Section 723.083, Florida Statutes.**  
Not applicable.
- 16. Other Matters. Any other matters which may be appropriate for consideration pursuant to this Code, the Comprehensive Plan or applicable law.**  
Further development will require site plan review.

**COMPLIANCE WITH MANATEE COUNTY LAND DEVELOPMENT CODE (LDC)**

**Note: Compliance with the standards of the GC zoning district and all other applicable requirements of the LDC will be reviewed and verified with future site plan approvals for this site.**

**COMPLIANCE WITH COMPREHENSIVE PLAN**

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

**Policy 2.1.2.7 Appropriate Timing.**  
The timing of this rezone is appropriate given development trends in the area. Along the north side of SR 70, the surrounding area to the east of the site is characterized by a mix of commercial uses zoned GC. Further to the west, at the intersection of SR 70 and Caruso Road, there is a mix of commercial retail and commercial services uses zoned GC and PDC.

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**Policy 2.2.1.17.2 Range of Potential Uses.**

Uses permitted in the R/O/R Future Land Use Category include retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region serving.

Uses permitted in the GC zoning district are consistent with the R/O/R Future Land Use Category.

**Policy 2.2.1.17.3 Range of Potential Density/Intensity.**

The maximum Floor Area Ratio in the R/O/R FLUC is 0.35 (0.25 without Special Approval). The maximum building area for neighborhood, community, or region-serving uses is large – 300,000 square feet. Special Approval is required for building area that exceeds 50,000 square feet.

The site has potential for a total of 30,000± square foot of gross building area (without Special Approval) and 42,000± square foot gross building area for a mini-warehouse use.

**Policy 2.6.1.1 Compatibility.**

As previously detailed in this staff report, the range of land uses permitted in GC zoning will be compatible with surrounding land uses and zoning in the nearby area to east along the north side of SR 70. The GC zoning district also establishes lot sizes, setbacks, open space requirements, and Floor Area Ratio that will be comparable with surrounding development and zoning districts, thereby assuring compatibility.

**TRANSPORTATION**

**Major Transportation Facilities**

The site is adjacent to SR 70, which is designated as a six (6) lane arterial in the Comprehensive Plan’s Future Traffic Circulation Map and has a planned right of way width which is determined by the Florida Department of Transportation.

**Transportation Concurrency**

The Applicant is only seeking Rezoning approval at this time, and thus, cannot obtain transportation concurrency until the Preliminary Site Plan (PSF)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project (see Certificate of Level of Service Compliance table below). However, the applicant did provide a Traffic Impact Statement (TIS) for the rezone to evaluate maximum potential traffic impacts associated with the rezoning of the property.

**Access**

The site will have access onto 66<sup>th</sup> Street East. Any potential access point along SR 70 shall be permitted by FDOT at Final Site Plan stage. At the time of the TIA review, all proposed access points will be evaluated to determine if any site-related improvements will be required for the site.

<b>CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE TRANSPORTATION CONCURRENCY</b>			
<b>CLOS APPLIED FOR:</b> No (A CLOS application cannot be filed with a straight rezone)			
<b>TRAFFIC STUDY REQ'D:</b> Yes (A TIS was submitted and reviewed, however, a detailed study will be required at PSP or FSP)			
NEAREST ROADWAY	LINK(S)	ADOPTED LOS	FUTURE LOS (W/PROJECT)
SR 70	3111	D	D
<b>OTHER CONCURRENCY COMPONENTS</b>			
Solid waste landfill capacity, transportation and preliminary drainage intent will be reviewed at the time of application for concurrency. Potable water and waste water will be reviewed at the time of FSP/Construction Drawings.			
<b>ATTACHMENTS</b>			
<ol style="list-style-type: none"> <li>1. Applicable Comprehensive Plan Policies</li> <li>2. Zoning Disclosure Affidavit</li> <li>3. Copy of Newspaper Advertising</li> <li>4. Traffic Impact Statement</li> </ol>			

**APPLICABLE COMPREHENSIVE PLAN POLICIES**

Policy: 2.1.2.7 Review all proposed development for compatibility and appropriate timing. This analysis shall include:

- consideration of existing development patterns,
- types of land uses,
- transition between land uses,
- density and intensity of land uses,
- natural features,
- approved development in the area,
- availability of adequate roadways,
- adequate centralized water and sewer facilities,
- other necessary infrastructure and services.
- limiting urban sprawl
- applicable specific area plans
- (See also policies under Objs. 2.6.1 - 2.6.3)Policy:

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

Policy: 2.2.1.17.1 Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established and developed areas exhibiting a broad range of commercial, residential and, in certain cases, light industrial uses, and to recognize the continued existence of such areas through the long range planning timeframe. Also, to provide for orderly transition from, or redevelopment of, these existing and developed multiple-use areas. Also, to prohibit the intrusion of new industrial areas into these ROR areas, which typically fail to exhibit a planned or integrated approach to multiple use development, and instead exhibit an incremental or unplanned history of multiple use development. Also to establish at a few major and highly accessible, but currently undeveloped, sites for the development of major future community or region-serving commercial uses with a variety and permitted intensity of use which allows for a multi-purpose commercial and office node,

with residential uses. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.

Policy: 2.2.1.17.2

Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving. Also residential uses, lodging places, public or semi-public uses, schools, recreational uses, appropriate water-dependent/ water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4), and short-term agricultural uses.

Policy: 2.2.1.17.3

Range of Potential Density/Intensity:

Maximum Gross Residential Density:

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

For new development -  
9 dwelling units per acre

Minimum Gross Residential Density: 7.0 only in CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing".

Maximum Net Residential Density:

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

For new development -  
16 dwelling units per acre

24 dwelling units per acre inside the CRA's and UIRA for residential projects that designate a minimum of 25% of the dwelling units as "Affordable Housing".

Maximum Floor Area Ratio: 0.35  
1.0 inside the CRA's and UIRA

Maximum Floor Area Ration for Hotels: 1.0

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

Policy: 2.2.1.17.4

Other Information:

- a) All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which either gross residential density exceeds 6 dwelling units per acre, or for which any net residential density exceeds 9 units per acre, shall require special approval.
- c) All non-residential projects, or part thereof, exceeding 0.25 FAR shall also require special approval except mini-warehouse.
- d) Non-residential projects exceeding 150,000 square feet gross building area may be considered only if consistent with the requirements for large commercial uses, as described in this element.
- e) In areas where existing development is recognized utilizing the Retail/Office/Residential category, or where the spatial form of the Retail/Office/Residential designation on the Future Land Use map is accordingly inconsistent with the commercial locational criteria contained in this element; development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Sections 2.10.4.1 and 2.10.4.2 of this element. However, any such development or redevelopment shall still be required to achieve compliance with other commercial development standards contained in this element, and be consistent with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).
- f) In areas where the Retail/Office/Residential category is designated in a manner entirely consistent with the commercial locational criteria, all commercial development or redevelopment shall be conducted in a manner consistent with the commercial location criteria and development standards contained in this element.

- g) In order to distinguish between uses which may be permitted in the R/O/R category, as compared to those which require siting within an industrial category, the following guidelines shall be utilized:
- I. No uses which have a primary purpose of distribution of goods from that site shall be permitted in the Retail/ Office/ Residential designation.
  - II. No new areas (a new area, for the purposes of this policy, shall be defined as property beyond those parcel configurations as of May 11, 1989 which had light industrial uses established upon them) engaging in the manufacturing, processing, and assembly of goods shall be permitted in the Retail/Office/ Residential designation except as provided below:
  - III. Legally established light industrial uses existing prior to the adoption of this Comprehensive Plan shall be considered legally conforming uses, limited to their approved location. With special approval, other light industrial uses and additional square footage within the same parcel may be approved if there are no additional impacts to adjoining properties and all special approval criteria are met.
  - IV. If a legally established light industrial use ceases operation for over six months with no action to re-establish and/or continue such use, the use shall now be prohibited from development within the R/O/R designation.

Policy: 2.10.4.2

Prohibit the consideration of any development order establishing the potential for commercial development, where the proposed project site is inconsistent with commercial locational criteria. Consistency shall be determined through the application of the commercial location review process described in the operative provisions contained in this Element. Permitted exceptions to these requirements are limited to:

- existing commercial uses that are legally permitted, and that are in place at time of comprehensive plan adoption. However, where such uses are nonconforming to other development regulations, nothing in this policy shall render those uses conforming to the subject regulations.

- redevelopment of an existing commercial use which does not meet the commercial locational criteria, subject to the finding by the Board of County Commissioners that the proposed project is consistent with the general welfare of Manatee County residents.
- locations designated as Retail/Office/ Residential or Low Intensity Office (OL), Medium Intensity Office (OM) or Mixed Use (MU) or within the MU-C Mixed Use Community and its Sub Areas which are inconsistent with commercial locational criteria [see 2.2.1.16.4(b) and 2.2.1.17.4(e)].
- Recreational vehicle parks. However, compliance with Policy 2.10.5.2 shall be required.
- Establishments providing nursing services as described in Chapter 464, F.S.
- Sale of agricultural produce at roadside stands.
- Small commercial uses associated with a permanent roadside agricultural stand. Maximum commercial square footage shall be 3,500 square feet of the project. Development must be located on functionally classified rural arterial or rural collector roadway. Planned development approval required.
- Agricultural service establishments (e.g. farm equipment sales and service).
- Low intensity commercial recreational facilities (e.g., driving range).
- rural recreational facilities located in the Ag/R future land use category meeting adverse impact standards as established within the Manatee County Land Development Code. All such uses must receive Special Approval.
- Appropriate water-dependent, water -related, and water-enhanced commercial uses, as described under Objective 4.2.1.
- Commercial uses located within Port Manatee.
- Professional office uses not exceeding 3,000 square feet per gross floor area within the Res-6, Res-9, RES-12, and

Res-16 future land use categories may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and detailed in the operative provisions provided such office is located on a roadway classified as a minor or principal arterial on the roadway functional classification map, 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 2.2.1.12.4, 2.2.1.13.4, 2.2.1.15.4).

- commercial uses located within the rural community of Myakka City which is designated as those lands on Sheet 29 f the Future Land Use Map shown as Res-3 or Res-1 on May 11, 1989, provided that they are located along State Road 70 within 1,500 feet from its intersection with Wauchula Road, and located within 1,000 feet along Wauchula Road from its intersection with State Road 70. Further, properties developed commercially, or having commercial zoning in place at the time of adoption of this Comprehensive Plan if they have frontage on State Road 70 and are within three-quarters mile of the State Road 70 and Wauchula Road intersection are also exceptions. Furthermore, all commercial uses allowable under this provision will be exempt from the one-half mile spacing requirement denoted in Policy 2.10.4.3(4).
- Small commercial (professional) office uses which operate as an accessory use to a residential religious development. Such accessory office uses which do not serve the general public but which serve the residential religious development may locate in residential future land use categories (RES-1, RES-3, UF-3, RES-6, RES-9, RES-12 and RES-16)
- and may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and detailed in the operative provisions (see also 2.2.1.9, 2.2.1.10, 2.2.1.11, 2.2.1.12.4, 2.2.1.13.4, 2.2.1.14.4 and 2.2.1.15.2).
- Neotraditional developments that have commercial and office developments located internal to the project and whose main project access is located on a road designated as a collector or higher.
- DRI's and Large Project developments that have mixed uses with a residential component and meet minimum

development characteristics (see Neo-Traditional Development definition for development characteristics), have commercial uses located internal to neighborhoods and whose main neighborhood access is located on a road designated as a collector or higher.

- Commercial uses located within the Parrish area for properties fronting US 301, from Moccasin Wallow Road to the realigned Fort Hamer Road. These commercial uses are limited to a building footprint of 5,000 square feet except at nodes.

No exception to commercial locational criteria provided for under this policy shall be used as a precedent for establishing other commercial development inconsistent with this Comprehensive Plan.

Nothing in this policy shall require the issuance of a development order solely on the basis of compliance with commercial locational criteria. Compliance with other commercial development standards contained in Policy 2.10.4.3 below, and with all other goals, objectives, and policies of this Comprehensive Plan is also required for issuance of a development order approving commercial uses. In particular, compliance with the policies of Objectives 2.6.1 and 2.6.2 is mandatory for approval of any commercial use within a residential designation.

Policy: 2.10.4.3

Require that all proposed commercial uses meet, in addition to commercial locational criteria, the following commercial development standards:

- 1) Any proposed commercial site must be sized and configured to provide for adequate setbacks, and buffers from any adjacent existing or future residential uses.
- 2) Any proposed commercial site must be configured and sized to allow for orientation of structures, site access points, parking areas, and loading areas on the site in a manner which minimizes any adverse impact on any adjacent residential use.
- 3) No proposed commercial site shall represent an intrusion into any residential area. As used in this standard, "intrusion" means located between two residential uses or sites which are not separated by the right-of-way of any roadway functionally classified as collector or higher,

unless the proposed commercial use meets the definition of "infill commercial development," demonstrated through evaluation of existing land use patterns in this vicinity of the proposed use, and pursuant to guidelines contained in commercial locational criteria found in the operative provisions of this Element. Permitted exceptions listed in Policy 2.10.4.2 shall not be required to meet this development standard. No such intrusion shall be found in neotraditional developments approved as such by the County, as a mixture of uses are encouraged within those projects. No such intrusion shall be found in DRI and Large Project developments where commercial uses are internal to neighborhoods, approved as such by the County, as a mixture of uses are encouraged within those neighborhoods.

- 4) Commercial nodes meeting the requirements specified in the operative provisions of this Element shall, additionally, be spaced at least one-half mile apart, as measured between the center of two nodes. However, where two commercial nodes have been established by the development of commercial uses prior to plan adoption, and are spaced less than the minimum required one-half mile, then a waiver of this commercial development standard may be considered. Preferentially, in instances where previous development has not established a pattern of land uses inconsistent with commercial locational criteria or development standards, nodes shall be spaced no less than one mile apart. Neotraditional projects shall be exempt from this requirement. DRI and Large Project developments that have mixed uses with a residential component that receive approval to locate commercial uses internal to neighborhoods shall be exempt from this requirement.

**MANATEE COUNTY GOVERNMENT  
BUILDING & DEVELOPMENT SERVICES DEPARTMENT  
ZONING DISCLOSURE AFFIDAVIT**

Project name: S.R. 70566<sup>th</sup> (MEPS 360 2-14-05)

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.

<u>NAME, ADDRESS AND OFFICER</u>	<u>PERCENTAGE STOCK, INTEREST OR OWNERSHIP</u>
Check if owner (X) or contract purchaser ( )	
<u>Nicholas Reader</u>	<u>Over 20%</u>
<u>4343 Anchor Plaza Parkway</u>	
<u>Tampa FL 33634</u>	

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

Signature: [Signature]

(Applicant): Nicholas Reader

STATE OF FLORIDA  
COUNTY OF Hillsborough

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 14<sup>th</sup> day of November 2014 by Nicholas Reader, who is personally known to me or who has produced NA as identification.  
(type of identification)

Robin A. Ahlquist  
Notary Signature

My Commission Expires: 9-27-2016

ROBIN A. AHLQUIST  
Print or type name of Notary

Commission No: EK 202446

NOTARY PUBLIC OF FLORIDA  
Title or Rank

Revised 11/6/12  
B-4



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# AFFIDAVIT OF PUBLICATION

**SARASOTA HERALD-TRIBUNE  
PUBLISHED DAILY  
SARASOTA, SARASOTA COUNTY, FLORIDA**

**STATE OF FLORIDA  
COUNTY OF MANATEE**

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED SHARI BRICKLEY, WHO ON OATH SAID SHE IS DIRECTOR OF ADVERTISING FOR THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTEE DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT BEING A NOTICE IN THE MATTER OF:

Legal description documented below:

IN THE COURT WAS PUBLISHED IN THE MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

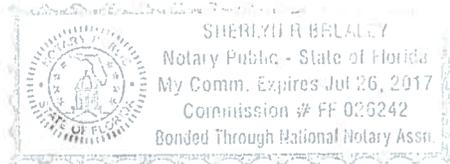
*4/29 1x*

AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

SIGNED \_\_\_\_\_

SWORN OR AFFIRMED TO, AND SUBSCRIBED BEFORE ME THIS 29 DAY OF April, A.D., 2015  
BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

Shirley Brudley  
Notary Public



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

Manatee County Building and  
Development Services Department  
Manatee County, Florida

Date of pub: April 29, 2015

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, May 14, 2015 at 9:00 a.m. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

**PDR-15-01(ZXP) - SOHO MENDOZA, LLC/WILLOW HAMMOCK / DTS# 20150012 MEPS #387**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area, providing for the rezoning of approximately 147.93 acres from A-1 (Suburban Agriculture-One dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 299 lots for single-family detached residences on the west side of I-75 and north side of Mendoza Road, at 5000 37th Street East, Ellenton; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

**Z-14-05 - 24/7 DEVELOPMENT HOLDINGS, LLC/SR 70 & 66th REZONE (MEPS00000360, DTS20140473)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 2.75 acres on the northwest corner of SR 70 East and 66th Street East, Bradenton from A (General Agriculture) to the GC (General Commercial) zoning district; 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](mailto:planning.agenda@mymanatee.org)

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

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

# BRADENTON HERALD

WWW.BRADENTON.COM  
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Bradenton, FL 34206-0921  
102 Manatee Avenue West  
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Bradenton Herald  
Published Daily  
Bradenton, Manatee County, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE

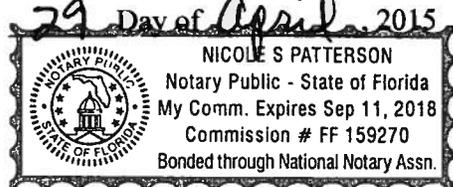
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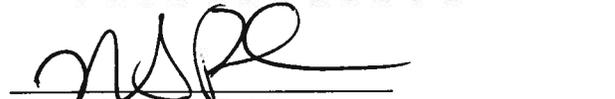
Before the undersigned authority personally appeared Steve Mansfield, who, on oath, says that he is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Notice of Zoning Changes in Unincorporated Manatee County, Public Hearing, May 14, 2015 was published in said newspaper in the issue(s) of 04/29/2015.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this



  
SEAL & Notary Public  
Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

## NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, May 14, 2015 at 9:00 a.m. at the Manatee County Government Administrative Center, 1st Floor Chambers, 1112 Manatee Avenue West, Bradenton, Florida to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

### PDR-15-01(Z/P) - SOHO MENDOZA, LLC/WILLOW HAMMOCK/ DTS# 20150012 MEPS #387

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area, providing for the rezoning of approximately 147.93 acres from A-1 (Suburban Agriculture-One dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 299 lots for single-family detached residences on the west side of I-75 and north side of Mendoza Road, at 5000 37th Street East, Ellenton; subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, and providing an effective date.

### Z-14-05 - 24/7 DEVELOPMENT HOLDINGS, LLC/SR 70 & 68th REZONE (MEPS00000380, DTS20140473)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 2.75 acres on the northwest corner of SR 70 East and 68th Street East, Bradenton from A (General Agriculture) to the GC (General Commercial) zoning district; 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](mailto:planning.agenda@mymanatee.org)

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

**Americans with Disabilities:** The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Kaycee Ellis at 742-5800; 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  
04/29/2015

**From:** Jason Utley  
**To:** ["groth@bohlereng.com"](mailto:groth@bohlereng.com)  
**Cc:** [Nelson Galeano](#); [Steve Kollar](#); [Susan Barfield](#); [Mark Mayer](#); [Rossina Leider](#)  
**Subject:** SR 70 & 66th Street East Rezone - Traffic Impact Statement Approval Letter  
**Date:** Monday, March 23, 2015 12:13:00 PM  
**Attachments:** [2015-03-13\\_SR70\\_ & 66th Street E\\_TIS\\_AJ15022tis.pdf](#)

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RE: SR 70 & 66<sup>th</sup> Street East Rezone - Traffic Impact Statement Approval Letter  
Petition # Z-14-05/MEPS-360/DTS#20140473  
Consultant: Bohler Engineering

Dear Mr. Roth,

Manatee County Transportation Planning Division staff have reviewed and approved the Traffic Impact Statement (TIS), dated March 13, 2015, to rezone a 2.76 +/- acre parcel of land from Agricultural (A) to Commercial General (CG). The TIS was prepared by Atlantic Traffic & Design Engineers, Inc. Based on the data provided in this document the Applicant has addressed the Comprehensive Plan requirements, and provided appropriate traffic-related information to substantiate the findings.

Please note that concurrency has not been granted as a part of this approval letter and prior to preparation of a Traffic Impact Analysis (TIA) for the subject project at the Preliminary Site Plan (PSP) or Final Site Plan (FSP) stage, the Applicant will need to coordinate with Manatee County Transportation Planning staff for an updated methodology.

If you have any questions or require further assistance, please contact Clarke Davis (941.708.7450 x7272, [clarke.davis@mymanatee.org](mailto:clarke.davis@mymanatee.org)) or me at the number below.

Thanks,

Jason Utley, AICP  
Transportation Systems Modeler  
Manatee County Government  
941.708.7478  
[jason.utley@mymanatee.org](mailto:jason.utley@mymanatee.org)  
1022 26th Avenue East  
Bradenton, FL 34208



**TRAFFIC IMPACT STATEMENT  
FOR  
BLACKROCK DEVELOPMENT HOLDINGS**

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**PROJECT NO. Z-14-05/MEPS-360  
DTS NO. 20140473**

**PROPOSED REZONING  
SR 70 & 66<sup>TH</sup> STREET  
MANATEE COUNTY, FLORIDA**



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**JOHN R. HARTER, P.E.  
FL License No. 78212**



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**COREY M. CHASE, P.E.  
PROJECT MANAGER**

**DATE:** March 13, 2015  
K:\2015\AJ15022\Reports\AJ15022tis.doc\CC\jm

*Other Office Location:*  
2929 Expressway Drive North, Hauppauge, NY 11749  
631.738.1919

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## INTRODUCTION

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Atlantic Traffic & Design Engineers, Inc. (ATDE) has prepared this Traffic Impact Statement to examine the rezoning of an approximately 2.76 acre parcel located on the northwest corner of the SR 70 intersection with 66<sup>th</sup> Street East in Manatee County. The subject property is currently zoned Agricultural (A). As the parcel is proposed to be developed with a commercial use, the applicant has requested a rezone from Agricultural (A) to Commercial General (CG).

The site is located on the northwest corner of the unsignalized SR 70 intersection with 66<sup>th</sup> Street East and is currently undeveloped, as shown on **Figure 1** in the Appendix. A variety of commercial uses are located to the east of the subject property along SR 70 and the Manatee Technical Institute is located to the west of the property. Along the site frontage, SR 70 provides three lanes to accommodate each direction of travel and is separated by a grass median.

This Traffic Impact Statement has been prepared to compare the projected traffic generation of the allowable land uses of the existing property zoning and the proposed zoning/FLUC. The proposed zoning/FLUC anticipates the development of 11,000 square feet of retail space and a 3,000 square foot fast-food restaurant with drive-thru at this time.

## EXISTING CONCURRENCY REGULATED ROADWAY SEGMENT DATA

The subject property is located along westbound SR 70 (from 66<sup>th</sup> Street East to 63<sup>rd</sup> Street East) and southbound 66<sup>th</sup> Street East (from SR 70 to 52<sup>nd</sup> Avenue East). Information for the adjacent roadways has been obtained from the 2012 Florida Department of Transportation (FDOT) Quality/Level of Service Handbook Tables and the most current Manatee County Concurrency Transportation Link sheet located in the Appendix. **Table I** summarizes the existing conditions of the concurrency regulated SR 70 roadway segment. As 66<sup>th</sup> Street East is not a concurrency regulated roadway, it was not given further consideration in this Traffic Impact Statement. Note, the existing roadway segment is functioning at or above the Level of Service Standard for the roadway segment.

**TABLE I  
EXISTING ROADWAY LINK INFORMATION**

Link	Street	From	To	Existing Traffic Volume	Vested Traffic Volume	Peak Hour Total	Cross Section	Peak Hour Two-Way LOS Standard Service Volume	5% Peak Hour Two-Way LOS Standard Service Volume
3111	SR 70	66 <sup>th</sup> Street	63 <sup>rd</sup> Street East	3,886	1,376	5,262	6D	5,660*	283
<b>LOS Standard</b>				<b>D</b>			<b>Existing LOS</b>		<b>C</b>

\*5% adjustment included for right-turn lane

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## FUTURE LAND USE CATEGORY

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The subject property is currently zoned Agricultural (A). Given the nature of the intended uses for this FLUC which include farming establishments, limited trip generation can be expected. Therefore, in efforts to perform a conservative analysis, no allowable development was assumed for the subject property.

The proposed zoning for the subject property is Commercial General (CG) and the anticipated uses at this time include 11,000 square feet of retail space and a 3,000 square foot fast-food restaurant with drive-thru. The maximum FAR for the proposed zoning without special approval is 0.25. Therefore in efforts to perform a maximum of maximums analysis for the proposed zoning, 30,000 square feet of retail space was considered.

### TRIP GENERATION

Trip generation projections were prepared based on data published by the Institute of Transportation Engineers (ITE) in the 9<sup>th</sup> Edition of *Trip Generation*. Specifically, ITE Land Use Code 820: “Shopping Center” was utilized for the retail space and ITE Land Use Code 934: “Fast-Food Restaurant with Drive-Thru” was utilized for the fast-food restaurant with drive-thru. The ITE trip generation summaries are provided in the Appendix. **Table II** compares the total weekday evening peak hour trip generation for each of the proposed land uses with the maximum square footage allowable considered under the rezoning.

**TABLE II  
ITE TRIP GENERATION  
WEEKDAY EVENING PEAK HOUR**

ITE LUC	Land Use	Estimated Gross Floor Area	Total PM Peak Hour Trips
<b>820</b>	<b>Shopping Center</b>	<b>11,000 SF</b>	<b>137</b>
<b>934</b>	<b>Fast-Food Restaurant with Drive-Thru</b>	<b>3,000 SF</b>	<b>98</b>
<b>Total Anticipated Rezoning Trip Generation</b>			<b>235</b>

As can be seen in **Table II**, the proposed rezoning of the subject property is calculated to generate a maximum of 235 trips during the evening peak hour with consideration of the anticipated development.

**Table III** summarizes the weekday evening peak hour trip generation for the maximum of maximums analysis of the proposed zoning utilizing 30,000 square feet of retail space.

**TABLE III  
ITE TRIP GENERATION  
WEEKDAY EVENING PEAK HOUR**

ITE LUC	Land Use	Estimated Gross Floor Area	Total PM Peak Hour Trips
820	Shopping Center	30,000 SF	267

**TRIP ASSIGNMENT**

No access is currently provided to the subject property as it is undeveloped. Under the proposed conditions, this analysis assumes ingress and egress would be provided to the development along both of the property frontages. The trip assignment for the proposed daily traffic volumes has been assumed to be 100% oriented to SR 70. **Table IV** summarizes the evening peak hour trips for the proposed development on each of the adjacent concurrency regulated roadway.

**TABLE IV  
PROPOSED TRIP DISTRIBUTION TO ROADWAY SEGMENTS  
EVENING PEAK HOUR**

Link	Street	From	To	Cross Section	Number of Total Trips (% distribution)	5% Peak Hour Two-Way LOS Standard Service Volume
3111	SR 70	66 <sup>th</sup> Street East	63 <sup>rd</sup> Street East	6D	267 (100%)	283

**ANALYSIS**

The proposed FLUC change is projected to generate an increase in evening peak hour trips oriented to the roadway segments is not expected to exceed 5% of the two-way LOS standard service volume for either roadway segment. **Table V** summarizes the existing and proposed evening peak hour traffic volumes for the SR 70 roadway segment and provides a comparison to the proposed peak hour service volume. As previously noted, 66<sup>th</sup> Street East is not a regulated roadway, and therefore it is assumed the future land use change would have minimal impact on the roadway.

**TABLE V  
LAND USE COMPARISON  
EVENING PEAK HOUR**

<b>Zoning Designation</b>	<b>Peak Hour Total</b>	<b>Site Generated Trips</b>	<b>Total Trips</b>	<b>LOS Standard Service Volume</b>	<b>Available Capacity</b>
<b>Agricultural (A)</b>	<b>5,262</b>	<b>0</b>	<b>5,262</b>	<b>5,660</b>	<b>398</b>
<b>Commercial General (CG)</b>	<b>5,262</b>	<b>267</b>	<b>5,529</b>	<b>5,660</b>	<b>131</b>

It should be noted no passerby trip credits were applied to the projected trips generated by the retail space.

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## CONCLUSIONS

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In summary, the proposed change in FLUC for Agricultural (A) to Commercial General (CG) is not expected to have any negative traffic related impacts on the SR 70 roadway segments adjacent to the subject property. This Traffic Impact Statement has been prepared for the purposes of rezoning only, and it is understood by the applicant that a more detailed Traffic Impact Statement or Traffic Impact Analysis may be required as part of the Site Plan submission.

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## TECHNICAL APPENDIX

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**Generalized Peak Hour Two-Way Volumes for Florida's Urbanized Areas<sup>1</sup>**

**TABLE 4**

12/18/12

INTERRUPTED FLOW FACILITIES					UNINTERRUPTED FLOW FACILITIES					
<b>STATE SIGNALIZED ARTERIALS</b>					<b>FREEWAYS</b>					
<b>Class I (40 mph or higher posted speed limit)</b>					Lanes	B	C	D	E	
Lanes	Median	B	C	D	E	4	4,120	5,540	6,700	7,190
2	Undivided	*	1,510	1,600	**	6	6,130	8,370	10,060	11,100
4	Divided	*	3,420	3,580	**	8	8,230	11,100	13,390	15,010
6	Divided	*	5,250	5,390	**	10	10,330	14,040	16,840	18,930
8	Divided	*	7,090	7,210	**	12	14,450	18,880	22,030	22,860
<b>Class II (35 mph or slower posted speed limit)</b>					<b>Freeway Adjustments</b>					
Lanes	Median	B	C	D	E	Auxiliary Lanes Present in Both Directions + 1,800		Ramp Metering + 5%		
2	Undivided	*	660	1,330	1,410					
4	Divided	*	1,310	2,920	3,040					
6	Divided	*	2,090	4,500	4,590					
8	Divided	*	2,880	6,060	6,130					
<b>Non-State Signalized Roadway Adjustments</b> (Alter corresponding state volumes by the indicated percent.) Non-State Signalized Roadways - 10%					<b>UNINTERRUPTED FLOW HIGHWAYS</b>					
<b>Median &amp; Turn Lane Adjustments</b>					Lanes	Median	B	C	D	E
Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors	2	Undivided	770	1,530	2,170	2,990
2	Divided	Yes	No	+5%	4	Divided	3,300	4,660	5,900	6,530
2	Undivided	No	No	-20%	6	Divided	4,950	6,990	8,840	9,790
Multi	Undivided	Yes	No	-5%	<b>Uninterrupted Flow Highway Adjustments</b>					
Multi	Undivided	No	No	-25%	Lanes	Median	Exclusive left lanes	Adjustment factors		
-	-	-	Yes	+ 5%	2	Divided	Yes	+5%		
<b>One-Way Facility Adjustment</b> Multiply the corresponding two-directional volumes in this table by 0.6					Multi	Undivided	Yes	-5%		
					Multi	Undivided	No	-25%		
<b>BICYCLE MODE<sup>2</sup></b> (Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)					<sup>1</sup> Values shown are presented as peak hour two-way volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.					
Paved Shoulder/Bicycle					<sup>2</sup> Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.					
Lane Coverage	B	C	D	E	<sup>3</sup> Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.					
0-49%	*	260	680	1,770	* Cannot be achieved using table input value defaults.					
50-84%	190	600	1,770	>1,770	** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.					
85-100%	830	1,770	>1,770	**						
<b>PEDESTRIAN MODE<sup>2</sup></b> (Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)										
Sidewalk Coverage	B	C	D	E						
0-49%	*	*	250	850						
50-84%	*	150	780	1,420						
85-100%	340	960	1,560	>1,770						
<b>BUS MODE (Scheduled Fixed Route)<sup>3</sup></b> (Buses in peak hour in peak direction)										
Sidewalk Coverage	B	C	D	E						
0-84%	> 5	≥ 4	≥ 3	≥ 2						
85-100%	> 4	≥ 3	≥ 2							

Source:  
Florida Department of Transportation  
Systems Planning Office  
[www.dot.state.fl.us/planning/systems/sm/los/default.shtm](http://www.dot.state.fl.us/planning/systems/sm/los/default.shtm)

# Manatee County Planning Department Concurrency Transportation Link Sheet

Report run on: February 2, 2015 5:57 PM

Link No	Road Name	From Street	To Street	Jrs Dtn	Fnc Cls	U T R	(#1) Crs Sec	Sig/ Mile	Nu m Sig	Cl ass Grp	Le ft Tu rms	5% Peak Hour Vol	Los Std	Exist Los	Proje cted LOS	Art Plan LOS	Trf Cnt Yr	Exist AADT	K100	O C S	Peak Hour Base	Peak Hour Res	Peak Hour Pend	Peak Hour Total	(#2) Peak Hr LOS Vol	Avail Peak Hour Cap	3 Yr Growth Rate	Cn Yr	Con Typ	De Im Rs	Stn Num
3105	SR 70	LOCKWOOD RIDGE	NATALIE WAY	ST	PA	U	6D	1.32	1	I	Y	269.5	D	C	F	12	46500	0.090		4,185	1,280	196	5,661	5,390	-271	0.000				0061	
3110	SR 70	NATALIE WAY	CARUSO RD	ST	PA	U	6D	1.96	1	I	Y	269.5	D	C	F	12	46500	0.090	O	4,185	1,382	118	5,685	5,390	-295	0.000			0	0061	
<b>3111</b>	<b>SR 70</b>	<b>CARUSO RD</b>	<b>TARA BLVD</b>	<b>ST</b>	<b>PA</b>	<b>U</b>	<b>6D</b>	<b>1.00</b>	<b>1</b>	<b>I</b>	<b>Y</b>	<b>269.5</b>	<b>D</b>	<b>C</b>	<b>D</b>	<b>12</b>	<b>43177</b>	<b>0.090</b>		<b>3,886</b>	<b>1,376</b>	<b>120</b>	<b>5,382</b>	<b>5,390</b>	<b>8</b>	<b>0.000</b>			<b>0333</b>		
3112	SR 70	TARA BLVD	I-75	ST	PA	U	6D	2.17	1	II	Y	269.5	D	C	F	12	43177	0.090		3,886	1,773	140	5,799	5,390	-409	0.000				0333	
3120	SR 70	I-75	87TH ST E	ST	PA	U	6D	2.50	1	II	Y	262.5	C	C	F	12	34500	0.090	O	3,105	2,697	437	6,239	5,250	-989	0.000			0	0048	
3121	SR 70	87TH ST E	BRADEN RUN	ST	PA	U	6D	2.78	1	II	Y	262.5	C	C	F	12	34500	0.090		3,105	2,456	74	5,635	5,250	-385	0.000				0048	
3122	SR 70	BRADEN RUN	RIVER CLUB BLVD	ST	PA	U	6D	0.49	1	I	Y	262.5	C	C	C	12	34500	0.090	0	3,105	778	214	4,097	5,250	1,153	0.000			0	0048	
3123	SR 70	RIVER CLUB BLVD	LAKWOOD RANCH BLVD	ST	PA	U	6D	1.45	1	I	Y	262.5	C	C	F	12	34500	0.090		3,105	2,474	0	5,579	5,250	-329	0.000				0048	
3124	SR 70	LAKWOOD RANCH BL	LORRAINE RD	ST	PA	U	6D	2.27	1	II	Y	262.5	C	C	C	12	21500	0.090		1,935	2,615	0	4,550	5,250	700	0.000				5083	
3130	SR 70	LORRAINE RD	CR 675	ST	PA	T	2U	0.00	0		Y	43	B	C	C	12	11400	0.090	O	1,026	117	342	1,485	860	-625	0.000			0	5082	
3140	SR 70	CR 675	DESOTO CO	ST	PA	R	2U	0.00	0		Y	22	B	C	C	12	6300	0.095	0	599	69	8	676	440	-236	0.000			0	0030	
3150	SUGAR BOWL RD	SR 70	SARASOTA CO LINE	MC	MIC	R	2U	0.00	0	55	N	39.5	C	B	B	12	326	0.095	O	31	0	0	31	790	759	0.000			0	12-03	
3160	TALLEVAST RD	US 41	301 BLVD	MC	UC	U	2U	0.00	0	US	Y	72	D	C	C	12	8602	0.090	S	774	98	0	872	1,440	568	0.000			0	06-44	
3170	TALLEVAST RD	301 BLVD	US 301	MC	UC	U	2U	1.05	1		Y	59.5	D	C	D	12	6335	0.090	O	570	514	0	1,084	1,190	106	0.000			0	07-03	
3180	TALLEVAST RD	US 301	LOCKWOOD RIDGE RD	MC	UC	U	4D	0.00	0	US	Y	161	D	C	C	12	7858	0.090	O	707	378	27	1,112	3,220	2,108	0.000			0	07-21	
5070	TARA BLVD	SR 70	STONE RIVER RD	MC	UC	U	4D	0.00	0	US	Y	131	D	C	D	12	8290	0.090		746	474	0	1,220	2,620	1,400	0.000				07-61	
5071	TARA BLVD	STONE RIVER RD	TARA PRESERVE LANE	MC	UC	U	4D	0.00		US	N	131	D	C	C	12	7316	0.090		658	232	0	890	2,620	1,730	0.000				07-62	
5072	TARA BLVD	TARA PRESERVE LN	LINGER LODGE RD	MC	UC	U	2U	0.00			Y	63		C	C	12	2025	0.090		182	0	0	182	1,260	1,078	0.000				07-46	
3190	TARPON RD	SNEAD ISLAND RD	EMERSON POINT RD	MC	UC	U	2U	0.00	0	US	N	59.5	D	C	C	12	2485	0.090	C	224	0	0	224	1,190	966	0.000			0	09-14	
6010	TAYLOR GRADE RD	BUNKER HILL RD	HILLSBOROUGH CO	MC	MIC	R	2U	0.00	0	55	N	39.5	C	B	B	12	294	0.095		28	0	0	28	790	762	0.000			0	12-13	

Trip Generation Summary - Phase 1  
Average Weekday Driveway Volumes

Project: AJ15022  
Alternative: Alternative 1

Open Date: 2/16/2015  
Analysis 2/16/2015

ITE	Land Use	Average Daily Trips			AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
820	CENTERSHOPPING 1							66	71	137
	11 Gross Leasable Area 1000 SF									
934	FASTFOODDT 1							51	47	98
	3 Gross Floor Area 1000 SF									
Unadjusted Driveway Volume		0	0	0	0	0	0	117	118	235
Unadjusted Pass-By Trips		0	0	0	0	0	0	48	48	96
Internal Capture Trips		0	0	0	0	0	0	34	34	68
Adjusted Driveway Volume		0	0	0	0	0	0	83	84	167
Adjusted Pass-By Trips		0	0	0	0	0	0	34	34	68
Adjusted Volume Added to Adjacent Streets		0	0	0	0	0	0	49	50	99

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 29 Percent

Trip Generation Summary - Phase 2  
Average Weekday Driveway Volumes

Project: AJ15022  
Alternative: Alternative 1

Open Date: 2/16/2015  
Analysis 2/16/2015

ITE	Land Use	Average Daily Trips			AM Peak Hour Adjacent Street Traffic			PM Peak Hour Adjacent Street Traffic		
		Enter	Exit	Total	Enter	Exit	Total	Enter	Exit	Total
820	CENTERSHOPPING 2							128	139	267
	30 Gross Leasable Area 1000 SF									
Unadjusted Driveway Volume		0	0	0	0	0	0	128	139	267
Unadjusted Pass-By Trips		0	0	0	0	0	0	44	47	91
Internal Capture Trips		0	0	0	0	0	0	0	0	0
Adjusted Driveway Volume		0	0	0	0	0	0	128	139	267
Adjusted Pass-By Trips		0	0	0	0	0	0	44	47	91
Adjusted Volume Added to Adjacent Streets		0	0	0	0	0	0	84	92	176

Total AM Peak Hour Internal Capture = 0 Percent

Total PM Peak Hour Internal Capture = 0 Percent

June 11, 2015 Planning Commission Meeting  
Agenda Item #4

Subject

PDPI-15-06(Z)(G) Manatee County- Lake Manatee Water Treatment Plant (County-Initiated)-DTS20150055-  
Quasi-Judicial- Margaret Tusing

Briefings

None

Contact and/or Presenter Information

Presenter:

Margaret Tusing, Principal Planner

941-748-4501 ext.6828

Contact:

Danielle Walker, Planning Tech II

941-748-4501 ext.6936

Action Requested

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. PDPI-15-06(Z)(G); APPROVAL of the General Development Plan with Stipulation A-1; for a project that was previously granted Special Approval for a project in the Lake Manatee Watershed Overlay; ADOPTION of the Findings for Specific Approval to LDC Sections 704.72.4.2 (Screening of Utility Uses) and 715 (Landscape & Screening); as recommended by staff.

Enabling/Regulating Authority

Manatee County Land Development Code

Manatee County Comprehensive Plan

## Background Discussion

- Phillip Locke, P.E., McKim & Creed, agent for the owner, is requesting approval of a rezoning of a 4.52 acre parcel from A (General Agriculture – 1 dwelling unit per 5 acres) to PDPI (Planned Development Public Interest) and approval of a General Development Plan for the 137 acre Lake Manatee Water Treatment Plant.
- The General Development Plan is for the entire Lake Manatee Water Treatment Plant facility and includes the following improvements over a 15-year period:
  - Biological filter building, plant drain pump station, and backwash pond/tank;
  - Chemical feed building and neutralization tank
  - Sludge pond, drying bed, ground storage tank or maintenance facility, pump station, and ground water treatment expansion.
- The proposed improvement are to enhance the quality of the potable water delivered to Manatee County customers. The proposed improvements will not increase plant capacity or staffing requirements.
- Specific Approval - LDC Section 704.72.4.2 – Screening of Equipment, Machinery and Facilities not located within an enclosed building and LDC Section 715 Landscaping and Screening. The justifications for these Specific Approvals include:
  - Security of the water treatment plant
  - Conflicts with existing underground utility lines
  - Existing buffers to adjacent properties
    - Staff has reviewed the requests for Specific Approval and recommends the requests.
- The project currently provides 83% open space (128.5± acres); the minimum established open space is 30%.
- The Floor Area Ratio (FAR) for the project is 0.063 which is an appropriate FAR for the area.

## County Attorney Review

Other (Requires explanation in field below)

## Explanation of Other

Sarah Schenk reviewed and responded by email on April 30, 2015.

## 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- Manatee County Lake Manatee Water Treatment Plant- PDPI-15-06(Z)(G)-6-11-15.pdf

Attachment: Staff Report Lake Manatee Water Treatment Plant -6-11-15 PC.pdf

Attachment: Affidavit of Publishing - Lake Manatee Water Treatment Plant - PDPI-15-06(Z)(G) - Sarasota Herald Tribune - 6-11-15 PC.pdf

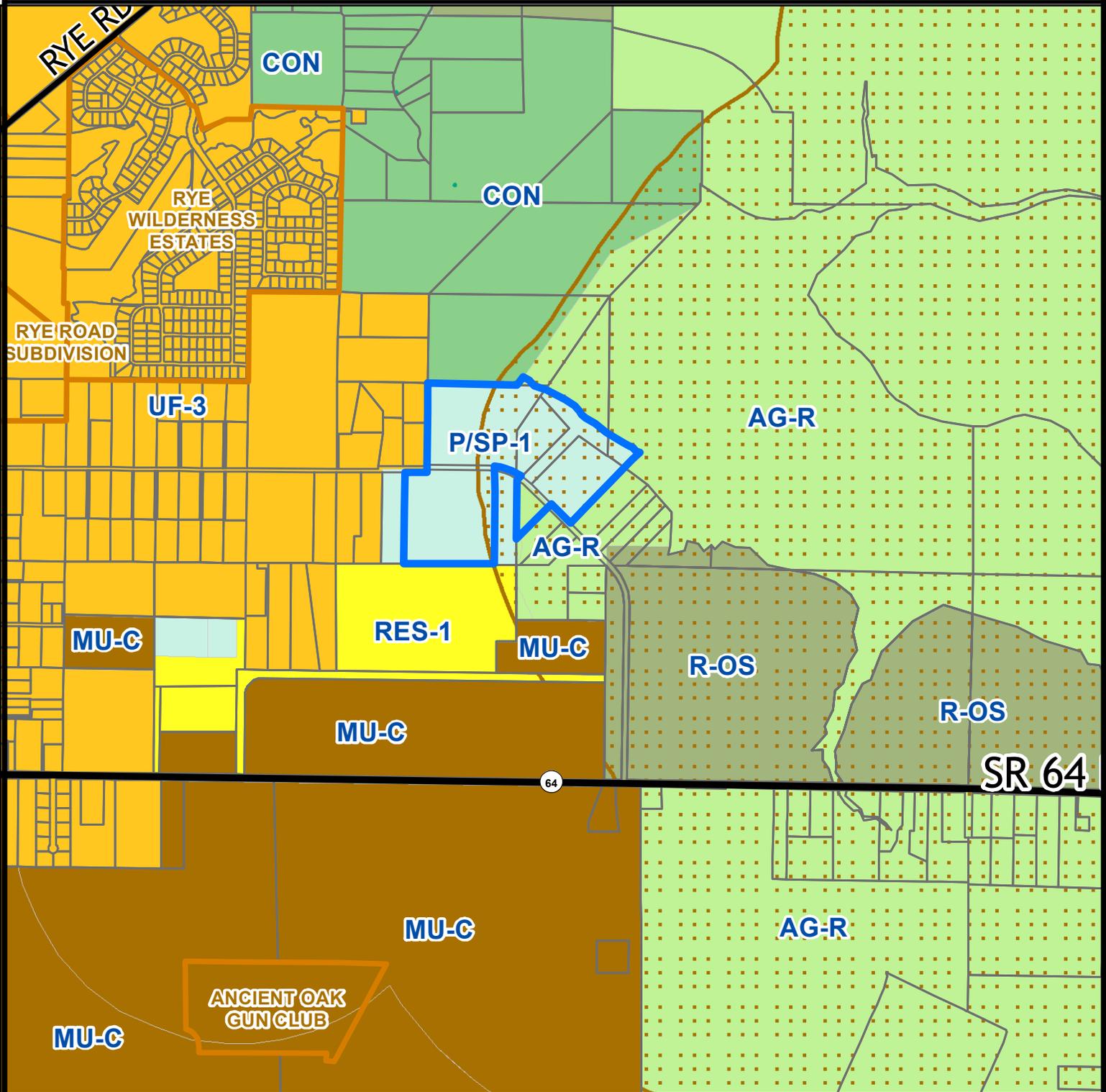
Attachment: Affidavit of Publishing- Lake Manatee Water Treatment Plant-PDPI-15-06(Z)(G)- Bradenton Herald- 6-11-15 PC.pdf

Attachment: Specific Approval Response Letter Final.pdf

Attachment: Zoning Disclosure Affidavit- Lake Manatee Water Treatment Plant.pdf

Attachment: GDP- Lake Manatee WTP-6-11-15 PC - dated 5-6-15.pdf

# FUTURE LAND USE



Parcel ID #(s) 560410359, 560420002, 560700007, 560410359

Project Name: Lake Manatee Water Treatment Plant (Rezone)  
 Project #: PDPI-15-06(Z)(G)  
 DTS#: 20150055  
 Proposed Use: Water Treatment Plant

Manatee Watershed (WPM)

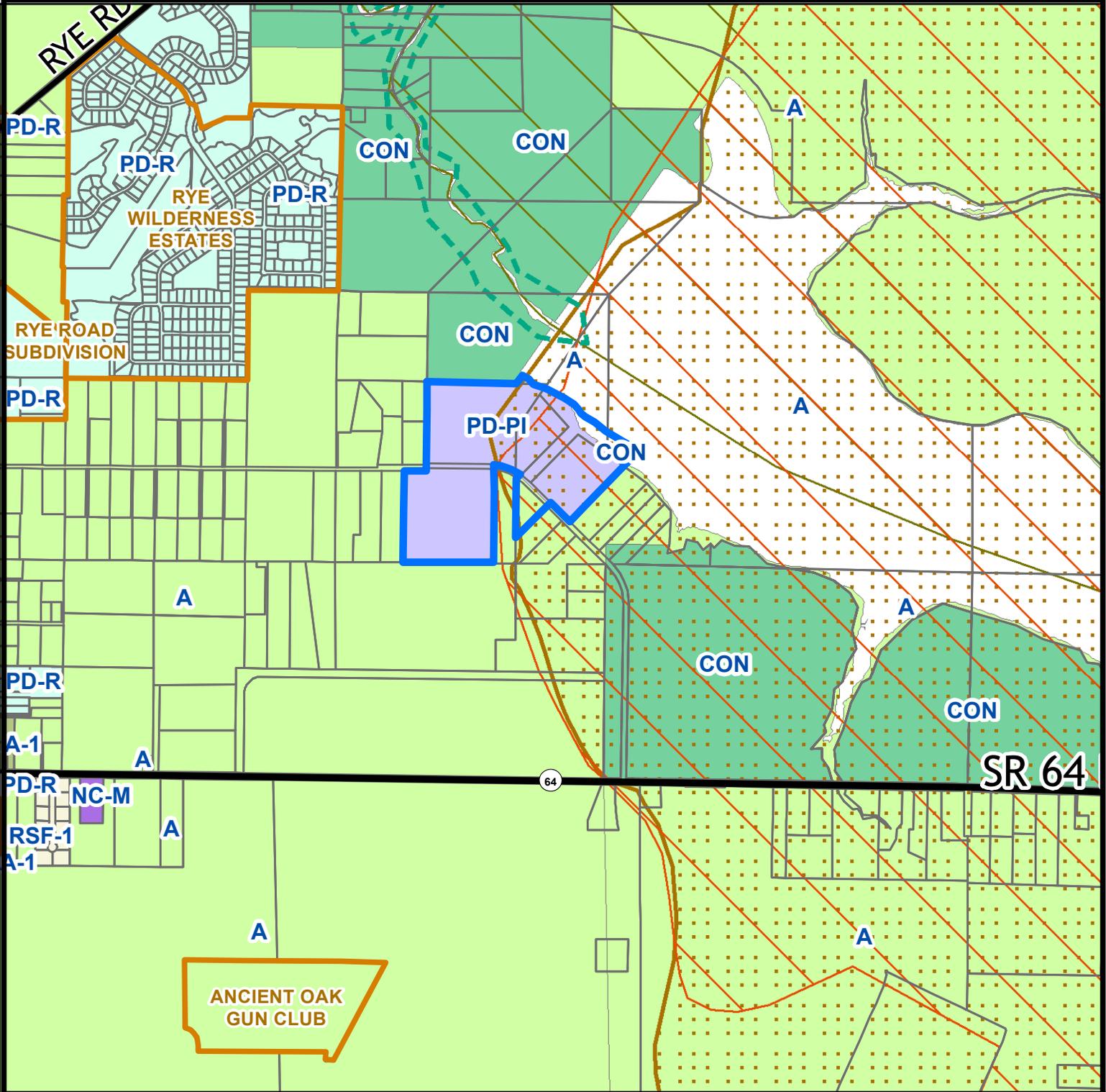
S/T/R: Sec 30,25 Twn 34 Rng 20,19  
 Acreage: 136.8  
 Existing Zoning: A, PD-PI, CON  
 Existing FLU: AG-R, P/SP-1  
 Overlays: ST  
 Special Areas: Greenway

CHH: **Page 55 of 89**  
 Watershed: WPM  
 Drainage Basin: SAND BRANCH, MANATEE RIVER BL DAM, MANATEE RIVER AB DAM  
 Commissioner: Larry Bustle

Manatee County  
 Staff Report Map  
 Map Prepared 3/18/2015  
 1 inch = 1,996 feet



# ZONING



Parcel ID #(s) 560410359, 560420002, 560700007, 560410359

Project Name: Lake Manatee Water Treatment Plant (Rezone)  
 Project #: PDPI-15-06(Z)(G)  
 DTS#: 20150055  
 Proposed Use: Water Treatment Plant

S/T/R: Sec 30,25 Twn 34 Rng 20,19  
 Acreage: 136.8  
 Existing Zoning: A, PD-PI, CON  
 Existing FLU: AG-R, P/SP-1  
 Overlays: ST  
 Special Areas: Greenway

CHH: Page 56 of 89  
 Watershed: WPM  
 Drainage Basin: SAND BRANCH, MANATEE RIVER BL DAM, MANATEE RIVER AB DAM  
 Commissioner: Larry Bustle

-  Special Treatment
-  Manatee Watershed (WPM)

Manatee County  
 Staff Report Map  
 Map Prepared 3/18/2015  
 1 inch = 1,996 feet



# AERIAL



Parcel ID #(s) 560410359, 560420002, 560700007, 560410359

Project Name: Lake Manatee Water Treatment Plant (Rezone)  
 Project #: PDPI-15-06(Z)(G)  
 DTS#: 20150055  
 Proposed Use: Water Treatment Plant

S/T/R: Sec 30,25 Twn 34 Rng 20,19  
 Acreage: 136.8  
 Existing Zoning: A, PD-PI, CON  
 Existing FLU: AG-R, P/SP-1  
 Overlays: ST  
 Special Areas: Greenway

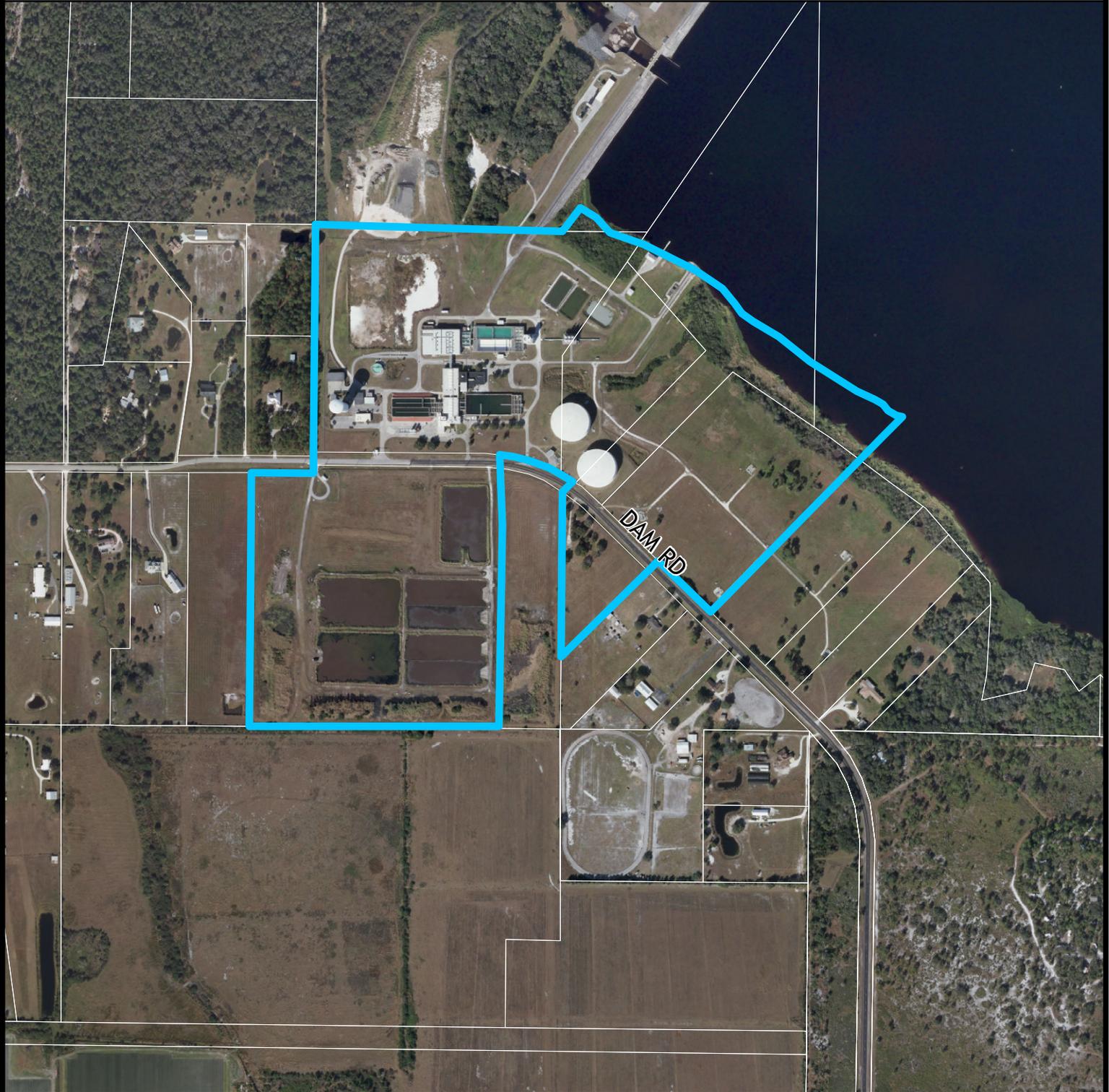
CHH: **Page 57 of 89**  
 Watershed: WPM  
 Drainage Basin: SAND BRANCH, MANATEE RIVER BL DAM, MANATEE RIVER AB DAM  
 Commissioner: Larry Bustle

Manatee County  
 Staff Report Map

Map Prepared 3/18/2015  
 1 inch = 2,990 feet



# AERIAL



Parcel ID #(s) 560410359, 560420002, 560700007, 560410359

Project Name: Lake Manatee Water Treatment Plant (Rezoning)  
Project #: PDPI-15-06(Z)(G)  
DTS#: 20150055  
Proposed Use: Water Treatment Plant

S/T/R: Sec 30,25 Twn 34 Rng 20,19  
Acreage: 136.8  
Existing Zoning: A, PD-PI, CON  
Existing FLU: AG-R, P/SP-1  
Overlays: ST  
Special Areas: Greenway

CHH: **Page 58 of 85**  
Watershed: WPM  
Drainage Basin: SAND BRANCH, MANATEE RIVER BL DAM,  
MANATEE RIVER AB DAM  
Commissioner: Larry Bustle

Manatee County  
Staff Report Map

Map Prepared 3/18/2015

1 inch = 724 feet

P.C. 06/11/2015

**PDPI-15-06(Z)(G) – MANATEE COUNTY - LAKE MANATEE WATER  
TREATMENT PLANT (COUNTY- INITIATED)  
DTS #20150055**

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 4.52 acres located south of Dam Road at 1350 Dam Road, Bradenton from A (General Agriculture – 1 dwelling unit per 5 acres) to the PDPI (Planned Development Public Interest) zoning district; approving a General Development Plan for the 136.9± acre Lake Manatee Water Treatment Plant to include biological filter, drain pump station, generator, and chemical feed structures and other uses necessary for plant operations; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.: 06/11/2015**

**B.O.C.C.: 08/06/2015**

**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 the Manatee County Land Development Code, as conditioned herein, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. PDPI-15-06(Z)(G); APPROVAL of the General Development Plan with Stipulation A-1; for a project that was previously granted Special Approval for a project in the Lake Manatee Watershed Overlay; ADOPTION of the Findings for Specific Approval to LDC Sections 704.72.4.2 (Screening of Utility Uses) and 715 (Landscape & Screening); as recommended by staff.**

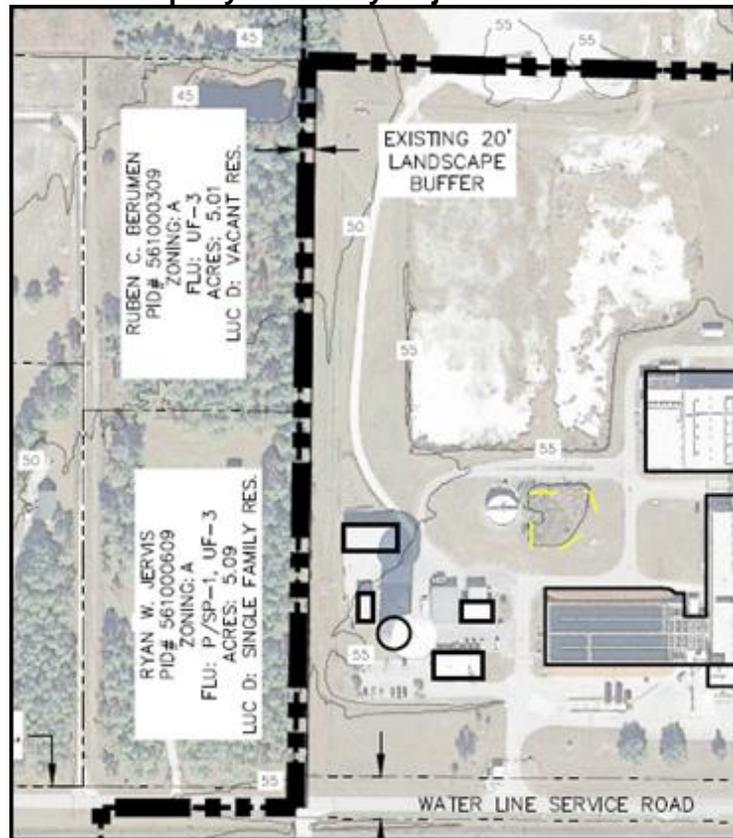
<b>PROJECT SUMMARY</b>	
<b>CASE#</b>	PDPI-15-06(Z)(G) (DTS # 20150055)
<b>PROJECT NAME</b>	Manatee County - Lake Manatee Water Treatment Plant (County-Initiated)
<b>APPLICANT(S)</b>	Manatee County
<b>EXISTING ZONING</b>	A (General Agriculture - Rezoning) PDPI (Planned Development Public Interest – Site Plan Approval)
<b>PROPOSED USE(S)</b>	Phase 1 includes: a biological filter building, backwash ponds, and plant drain pump station and equalization (EQ) tank. Future Phases include: ground water treatment expansion and generator building, chemical feed building, neutralization tank, sludge pond, ground storage tank or maintenance facility or storage facility, stormwater pond, and pump station
<b>CASE PLANNER</b>	Margaret C. Tusing
<b>STAFF RECOMMENDATION</b>	APPROVAL WITH STIPULATIONS
<b>DETAILED DISCUSSION</b>	
<p>The current request is to rezone an approximately 4.52± acre parcel that the County purchased in order to provide additional buffering for the Lake Manatee Water Treatment Plant. There are no improvements proposed for this property. The property was purchased to serve as a buffer to adjacent residential uses.</p> <p>Additionally, the Utilities Department is requesting approval of a General Development Plan for the entire Lake Manatee Water Treatment Plant (136.9± acres) that includes improvements to the Plant to both reduce operating costs and to enhance the quality of the potable water delivered to Manatee County customers. The proposed improvements do not increase plant capacity or staffing requirements.</p> <p>The proposed facility will be operated by the County and includes the following improvements:</p> <ul style="list-style-type: none"> <li>– Biological filter building, plant drain pump station and backwash pond. Anticipated construction: December 2015 – December 2017</li> <li>– Chemical feed building and neutralization tank. Anticipated construction: 2018 – 2020.</li> <li>– Sludge pond, drying bed, ground storage tank or maintenance facility, pump station, and ground water treatment expansion. Anticipated construction: 2020 – 2030.</li> </ul>	

The Applicant is requesting Specific Approval to LDC Sections 704.72.4.2 *Screening of equipment, machinery and facilities not located within an enclosed building* and 715 *Landscaping and Screening*. The reasons for requesting these Specific Approvals include:

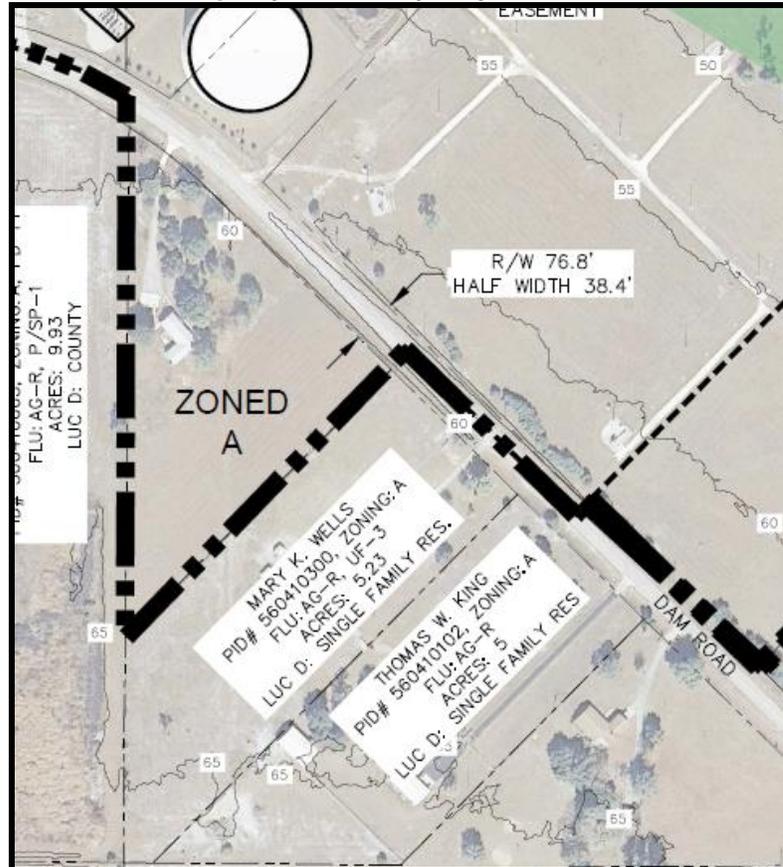
- security of the water treatment plant,
- conflicts with existing underground utility lines, and
- existing buffers on adjacent properties (refer to Graphic Exhibit 1).

### GRAPHIC EXHIBIT 1 EXISTING BUFFERS

#### West Property Boundary Adjacent to Residential



**Southern Property Boundary Adjacent to Residential<sup>1</sup>**



<sup>1</sup>The residential structure has been demolished on the property owned by Manatee County.

Staff supports the request for Specific Approvals.

Staff recommends approval.

<b>SITE CHARACTERISTICS AND SURROUNDING AREA</b>	
<b>ADDRESS</b>	17915 Waterline Road, 1451 Dam Road, 1350 Dam Road - Bradenton
<b>GENERAL LOCATION</b>	North and south sides of Water Line Service Road and Dam Road
<b>SIZE</b>	4.52± acres (rezone parcel) 136.9± acres total facility
<b>EXISTING USE(S)</b>	Water treatment plant for potable public water supply
<b>FUTURE LAND USE CATEGORY</b>	P/SP-1 (Public/Semi-Public 1)

<b>FAR</b>	0.046 FAR (existing) 0.063 FAR (proposed)
<b>SPECIAL APPROVAL(S)</b>	Partially within the Lake Manatee Watershed Protection (previously granted)
<b>OVERLAY DISTRICT(S)</b>	Lake Manatee Watershed Protection
<b>SPECIFIC APPROVAL(S)</b>	<ul style="list-style-type: none"> <li>• LDC Section 704.72.4.2 – Screening of Utility Uses</li> <li>• LDC Section 715 – Landscape and Screening</li> </ul>
<b>SURROUNDING USES &amp; ZONING</b>	
<b>NORTH</b>	Vacant / Conservation
<b>SOUTH</b>	Vacant (Manatee County School Board) / A (General Agriculture)
<b>EAST</b>	Lake Manatee / A (General Agriculture)
<b>WEST</b>	Single Family and Vacant / A (General Agriculture)
<b>SITE DESIGN DETAILS</b>	
<b>SETBACKS</b>	25' to any property line
<b>OPEN SPACE</b>	30% minimum (83% is currently provided; 128.5 acres)
<b>HEIGHT</b>	LDC Section 702.5.2 provides for height exclusions including public utility facilities/uses; the water treatment facility structure heights are determined by the need of the facility and the type of structure to be built.
<b>BUFFERS</b>	20-foot landscape buffer on the west side. All other property boundaries provide buffers with County owned property.
<b>ACCESS</b>	Access to the property is not changing with this request; access is provided with driveways on Waterline and/or Dam Road.
<b>FLOOD ZONE(S)</b>	Zones X and AE with a Base Flood Elevation of 44' NAVD 1988, per FIRM Panel 12081C0355E, effective 3/17/2014.
<b>UTILITY CONNECTIONS</b>	Potable water is available to the site. Part of the Phase 1 project is to connect to the County's waste water system at Rye Road (approximately 2 miles).

## ENVIRONMENTAL INFORMATION

### Wetlands

No overall wetland acreage has been provided within the parcels proposed for rezone. The wetlands within the boundaries of the General Development Plan appear to be limited to the fringe areas adjacent to Lake Manatee. While no impacts are anticipated for the most immediate improvements, a future pump station is included for approval with this plan. The wetland impact associated with the future pump station is not anticipated to exceed 0.5 acres. Due to the nature of operation for the Water Treatment Facility the pump station is required to be located immediately adjacent to Lake Manatee and therefore the proposed wetland impacts are unavoidable and are consistent with LDC Section 719.5.3(d). Mitigation for the proposed wetland impact will be addressed at the time of Final Site Plan and will be required to be consistent with the LDC.

### Uplands

No native upland habitats are anticipated to be impacted within the boundaries of the General Development Plan.

### Endangered Species

No listed threatened and endangered species have been located within the boundary of the General Development Plan. There is a documented Eagle Nest, MN021, in the vicinity of the project. The proposed improvements appear to be outside the regulated area of the nest. Should it be determined that the proposed improvements fall within the regulated area of the nest the project will be required to comply with the Florida Fish and Wildlife Conservation Commission's "Bald Eagle Management Plan" (April 2008). A stipulation has been provided stating this requirement.

### Landscaping/Buffers

The applicant has requested specific approval from LDC Section 704.72.4.2 which requires that all equipment, machinery and facilities not located within an enclosed building be adequately screened in accordance with the requirements of Section 715, Landscaping. Specific approval has also been requested for LDC Section 715 which requires the installation and maintenance of landscaping and screening. Staff has no objection to either request because the facility requires security and screening will prevent visual inspections and security checks that are performed by the Sheriff's Department, there are significant numbers of large diameter underground pipes within the facility and screening will interfere with those pipes.

## POSITIVE ASPECTS

- The County owns and manages the overall parcel and provides buffering to adjacent properties that are not under Manatee County or Manatee County School Board ownership.
- The overall Lake Manatee Water Treatment Facility provides more than 83 percent open space.

## NEGATIVE ASPECTS

- Wetland impacts will likely be necessary in order to construct the future pump station.

## MITIGATING MEASURES

- Wetland impacts resulting from the future pump station are not anticipated to exceed 0.5 acres. Due to the nature of operation for the Water Treatment Facility the pump station is required to be located immediately adjacent to Lake Manatee and therefore the proposed wetland impacts are unavoidable. Mitigation for the proposed wetland impact will be addressed at the time of Final Site Plan and will be required to be consistent with the LDC.

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

**Physical Characteristics:** The proposed project does not pose any hazard either on- or off-site. The proposed project is an expansion of the existing Lake Manatee Water Treatment Plant.

**Public Utilities, Facilities and Services:** The site is currently served by County water and part of the expansion plans is to extend County sewer to the site.

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

**Major Transportation Facilities:** The site is adjacent to Waterline Road, which is a designated two-lane collector roadway with a planned right-of-width of 84 feet in the Comprehensive Plan's Future Traffic Circulation Plan.

**Compatibility:** Manatee County has purchased several parcels adjacent to the water treatment plant in order to provide buffers to adjacent residential uses. A 20-foot perimeter buffer is provided on the west site of the treatment plant which is adjacent to an existing residential uses.

**Transitions:** The rezone parcel will provide a transition and serve as a buffer to the residential properties to the south. The Floor Area Ratio (FAR) which exists and the proposed future FAR (0.063) is minimal and the project will provide a minimum open space of 30% (83% is currently provided).

**Design Quality:** The proposed project meets all of the criteria of the Comprehensive Plan and LDC Section 603.15.3 – PDPI – Planned Development Public Interest. The proposed improvements to the water treatment plant will enhance the quality of the potable water delivered to Manatee County customers.

**Relationship to Adjacent Property:** The project is adjacent to properties either owned by Manatee County or the Manatee County School Board with the exception of the western property boundary. There is an existing 20-foot landscape buffer on this property boundary to provided screening to the residential use

**Access, Streets, Drives, Parking and Service Areas:** Access to the project is from Waterline Road. At the time of the future site plan submittals, proposed access point(s) will be evaluated to determine if site-related improvements are required. The proposed expansion will not increase plant capacity or staffing requirements.

**Natural and Historic Features - Conservation and Preservation Areas:** According to the narrative provided by the Applicant, there are no known historic or archaeological resources within or adjacent to the project boundaries.

**Density/Intensity:** LDC Section 603.15.3 requires that an appropriate Floor Area Ratio (FAR) be established as part of project approval. The proposed FAR is 0.063 which is an appropriate FAR for the area.

**Height:** LDC Section 702.5.2 provides for height exclusions including public utility facilities/uses; the water treatment facility structure heights are determined by the need of the facility and the type of structure to be built.

**Fences and Screening:** The applicant has requested Specific Approval from LDC Section 704.72.4.2 which requires that all equipment, machinery and facilities not located within an enclosed building be adequately screened. The applicant also requested Specific Approval to LDC Section 15 – Landscaping & Screening. The justification for these Specific Approvals is that the facility requires security and the required screening will prevent visual inspections and security checks that are performed by the Sheriff's Department and there are a significant number of large diameter underground pipes within the facility and any screening would interfere with those pipes.

**Yards and Setbacks:** A minimum setback of 25' from any property lines has been established.

**Trash and Utility Plant Screens:** A Specific Approval request has been made and staff does not object to the requested specific approval.

**Signs:** All signs within the project will meet the requirements of LDC Sections 724 (Signs).

**Landscaping:** The Applicant has requested Specific Approval to not meet LDC Section 715 – Landscaping & Screening because of security issues. Staff recommends approval of the request.

**Water Conservation:** No additional facilities are proposed that will utilize potable water.

**Rights-of-Way:** No additional right-of-way is required for Waterline Road.

**Utility Standards:** All public utilities construction will comply with the requirements of the Manatee County. Sewer and potable water service will be provided through connections to the public sewer and water systems.

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

**Open Space:** The open space provided is 128.5± acres (83%) of the site. The established open space is 30%.

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**  
**Factors for Reviewing PDPI – Planned Development Public Interest (603.15.3)**

**603.15.3.1 Dimensional/Intensity Regulations.** PDPI districts shall be permitted a range of densities floor area ratios, heights and square footage. In evaluating proposals, the following factors shall be considered; in addition to the general criteria of this Chapter and the criteria in Chapter 5.

1. **The nature of surrounding land uses shall be considered in order to ensure that the intensity of the proposed public/semi-public development will not create external impacts that adversely affect surrounding uses, and to ensure that the intensity of the proposed public/semi-public development provides, where appropriate, a transition between surrounding uses.**

As previously discussed, the County has purchased several adjacent properties in order to provide a buffer to the water treatment facility. Additionally, the County will maintain a minimum 30% open space on the project site; the current open space is 83% (128.5 acres). The intensity of the project is less 0.063 FAR at project build-out which is an extremely low intensity.

**2. Long Term Expansion and Operational Requirements. The long term needs and operational requirements of the public/semi-public development shall be considered to ensure long term viability of the development.**

The GDP that was submitted with the application is a 15-year build-out which addresses the long-term expansion and operational requirements of the water treatment facility.

**Appropriate floor area ratios, height, bulk, setback and square footage shall be established as part of the conditions of approval, based on evaluation of the above factors.**

Established Floor Area Ratio: 0.063 FAR  
 Established Height: LDC Section 702.5.2 General Height Exclusions a maximum height limitation is not proposed. The height of structure is dependent upon the type of structure being built and the needs of the facility.  
 Established Setback: 25' to any property line.  
 The bulk and square footage are factors of the floor area ratio.

**STAFF RECOMMENDED STIPULATIONS**

**A. ENVIRONMENTAL STIPULATIONS**

1. There is a bald eagle’s nest within or in close proximity to the boundaries of this project. The project shall be designed in accordance with the Florida Fish and Wildlife Conservation Commission’s “Bald Eagle Management Plan” (April 2008).

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

None

**COMPLIANCE WITH LDC**

Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
20’ perimeter buffer adjacent to residential uses where Water Treatment Facilities are proposed or existing (west side)	20’ perimeter buffer on west side	Y		Shown
<b>ROADS &amp; RIGHTS-OF-WAY</b>				
Dam Road (ROW)	N/A			None Required
Waterline Road (ROW)	N/A			None Required
Interneighborhood Ties	N/A			None required
Visibility triangles		Y		To be verified with PSP/FSP

ENVIRONMENTAL ISSUES				
Open space	30%	Y		Minimum Open Space of 30% will be maintained; 83% is currently provided

**COMPLIANCE WITH COMPREHENSIVE PLAN**

**The site is in the P/SP 1 Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:**

**Policy 2.1.2.7 Appropriate Timing.** The timing is appropriate to reduce the operating costs of the Water Treatment Plant and to enhance the quality of the potable water delivered to Manatee County customers, including wholesale customers – Cities of Bradenton, Longboat Key, and Palmetto.

**Policy 2.2.1.22.1 Intent.** The use is consistent with the intent of the P/SP-1 FLUC which recognizes major existing and programmed public/quasi-public facilities, primarily associated with public utilities. The proposed Floor Area Ratio of 0.063 complies with the Comprehensive Plan, because all structures are related to the operation of this facility.

**Policy 2.2.1.22.2 Range of Potential Uses.** The proposed uses are included in the range of potential uses for this FLUC, which take in consideration recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors are in the range of potential uses.

**Policy 2.6.1.1 Compatibility.** The proposed facility is existing and is compatible with surrounding properties. The facility is adjacent to other properties owned by either Manatee County or the Manatee County School Board (north and east boundaries). Where adjacent to residential uses, a 20' landscape buffer exists or will be provided. Standard operating procedures associated with County owned facilities and the proposed buffers will mitigate concerns regarding incompatibility.

**Policy 2.6.5.5 Preserve/Protect Open Space.** For projects within the PDPI zoning district and within the watershed overlay, minimum standard of 30% open space is required. Approximately 83% of open space is provided (± 128 acres).

**TRANSPORTATION / CONCURRENCY**

**TRANSPORTATION**

**Major Transportation Facilities**

The site is adjacent to Waterline Road, which is a designated two-lane collector roadway with a planned right-of-width of 84 feet in the Comprehensive Plan's Future Traffic Circulation Plan.

**Transportation Concurrency**

The application is a request for General Development Plan (GDP) approval, and a GDP may not be issued a Certificate of Level of Service Compliance for any facility type. At the time concurrency is reviewed for a Preliminary or Final Site Plan, the impacts of the proposed land uses will be evaluated to determine if concurrency-related improvements are required (see Certificate of Level of Service Compliance table below).

**Access**

The site will have access to Waterline Road. At the time of the future site plan submittals, proposed access point(s) will be evaluated to determine if site-related improvements are required.

<b>CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE</b>			
<b>CLOS APPLIED FOR:</b>		<b>No</b>	
<b>TRAFFIC STUDY REQ'D:</b>		<b>No</b>	
<b>NEAREST THOROUGHFARE</b>	<b>LINK(S)</b>	<b>ADOPTED LOS</b>	<b>FUTURE LOS (W/PROJECT)</b>
Waterline Road	3435	D	C

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity and preliminary drainage intent will be reviewed at the time of PSP. Potable water, waste water, and school facilities will be reviewed at the time of FSP/Construction Drawings.

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

**Applicant Request(s):**

**1. Alternative to LDC Section 704.72.4.2 – Screening of Utility Uses**

LDC Section 704.72.4.2 requires that all equipment, machinery and facilities not located within an enclosed building be adequately screened in accordance with the requirements of Section 715, Landscaping.

**Staff Analysis and Recommendation**

The Applicant submitted justifications for not meeting this screening requirement. The justifications include: water treatment plant security, conflicts with existing on-site utilities, and the fact that the County owns all of the adjacent land to the north, south, and east of the plant property which serves as a buffer. A tree buffer currently exists on the west side of the property between the plant and residential property.

**Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the LDC Section 704.72.4.2, the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree because the facility requires security and screening will prevent visual inspections and security checks that are performed by the Sheriff's Department, there are significant numbers of large diameter underground pipes within the facility and screening will interfere with those pipes, and the County owns all the adjacent land to the north, south, and east of the Plant property which will serve as a land buffer.

**2. Alternative to LDC Section 715 – Landscape and Screening Standards**

LDC Section 715 requires the installation and maintenance of landscaping and screening to protect and enhance the community's environmental, economic and aesthetic quality.

**Staff Analysis and Recommendation**

The Applicant submitted justifications for not meeting this screening requirement. The justifications include: water treatment plant security, conflicts with existing on-site utilities, and the fact that the

County owns all of the adjacent land to the north, south, and east of the plant property which serves as a buffer. A tree buffer currently exists on the west side of the property between the plant and residential property.

**Finding for Specific Approval**

Notwithstanding the failure of this plan to comply with the LDC Section 704.72.4.2, the Board finds that the public purpose and intent of the Land Development Code regulations will be satisfied to an equivalent degree because the facility requires security and screening will prevent visual inspections and security checks that are performed by the Sheriff's Department, there are significant numbers of large diameter underground pipes within the facility and screening will interfere with those pipes, and the County owns all the adjacent land to the north, south, and east of the Plant property which will serve as a land buffer.

**ATTACHMENTS**

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

<b>APPLICABLE COMP PLAN POLICIES</b>	
Policy 2.1.2.7	<p>Review all proposed development for compatibility and appropriate timing. This analysis shall include:</p> <ul style="list-style-type: none"> <li>- consideration of existing development patterns,</li> <li>- types of land uses,</li> <li>- transition between land uses,</li> <li>- density and intensity of land uses,</li> <li>- natural features,</li> <li>- approved development in the area,</li> <li>- availability of adequate roadways,</li> <li>- adequate centralized water and sewer facilities,</li> <li>- other necessary infrastructure and services.</li> <li>- limiting urban sprawl</li> <li>- applicable specific area plans</li> <li>- (See also policies under Objs. 2.6.1 - 2.6.3)</li> </ul>
Policy 2.2.1.22	<p><b>P/SP (1):</b> Establish the Public/Semi-Public (1) future land use category as follows:</p>
Policy 2.2.1.22.1	<p>Intent: To recognize major existing and programmed public/quasi-public facilities, primarily those facilities associated with public or private utilities, including electrical transmission corridors occupied by transmission lines of 240KV or more. Also, to recognize, and provide a unique designation within the Future Land Use Element, for those public or semi-public facilities which have adverse aesthetic or health, safety, or welfare impacts on adjacent property or residents. Additional areas under this category may be recognized by amendments to the Future Land Use Map, if appropriate, and why such uses are programmed.</p>
Policy 2.2.1.22.2	<p>General Range of Potential Uses: Recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors. Also, when the P/SP (1) designation is an easement on privately-held property, other uses consistent with the adjacent future land use category or categories, where consistent with the purpose of the easement and consistent with all other goals, objectives, and policies of this Comprehensive Plan, may also be considered. (See also Policy 2.1.1.5)</p>
Policy 2.2.1.22.3	<p>Range of potential Density/Intensity:</p> <p style="padding-left: 40px;">Maximum Net Residential Density:</p> <p style="padding-left: 80px;">0 dwelling units per acre except where the area designated as P/SP (1) is utility easement on property owned by applicants for a proposed project. Under this exception, property designated as P/SP (1) shall, during the development review process, be counted toward gross residential acreage, as defined herein, and the limits on gross density associated with the category adjacent to the P/SP (1) designation shall be applied to the area shown as P/SP (1). When there are different future land use categories designated adjacent to the P/SP (1) category, the area shown on the Future Land Use Map as P/SP (1) shall be reviewed as being designated under both adjacent future land use categories, with the centerline of the easement utilized as the line separating both</p>

adjacent categories.

Maximum Net Residential Density:  
0 dwelling units per acre

Maximum Floor Area Ratio:  
0 FAR (except for structures reasonably related to the operation  
of the public or quasi-public facilities)

However, where P/SP (1) is an easement on privately-held property, the property designated as P/SP (1) shall be counted toward gross non-residential acreage, as defined herein, and the Maximum Floor Area Ratio associated with adjacent category or categories shall be applied to the area designated as P/SP (1), and included in the definition of Gross Non-residential Acreage.

Policy 2.2.1.22.4

Other Information:

- a) Recognizing that the relocation of any utility transmission corridor may occur to the benefit of current and future Manatee County residents, or visitors, any such relocation within the boundaries of a proposed project site may be considered without the approval of a plan amendment, as defined in § 163l.31.87, F.S., only if such relocation is determined, during the review of a proposed project through the special approval process, to reduce any adverse impact of such corridor on adjacent existing and future land uses. Where such proposed relocation generates an increased adverse impact on adjacent land uses, a plan amendment would be required unless mitigation of such increase in adverse impact is successfully accomplished through the special approval process.
- b) In all instances where the P/SP(1) future land use category is applied, except regarding utility easements as is provided in Policy 2.2.1.22.3 above, the following shall apply:
  - i) An applicant shall be required to declare a specific use or uses for a specific piece of property for which the applicant is proposing to amend the existing future land use category to P/SP(1).
  - ii) At such time the applicant is proposing to amend the existing future land use category of a specific piece of property to P/SP(1), the applicant shall provide information and analysis on the compatibility of the proposed use or uses, as specified according to paragraph (ii) above, with surrounding development.
  - iii) Property with the future land use category of P/SP(1), shall require Planned Development zoning to be developed.

Objective 2.3.4

**Land Use Consistent with Watershed Protection:** Limit land use in the Lake Manatee, Evers Reservoir, and Peace River WO Districts to maintain and improve water quality and the natural environment and resources within those watersheds which contribute to filtration.

Policy 2.3.4.1	<p>Prohibit any new development which does not meet all applicable requirements in policies 3.2.1.7, 3.2.1.8, and 3.2.1.9.</p> <p>Implementation Mechanism:</p> <p>a) Review by the Planning, Natural Resources, and Agriculture and Resource Conservation Departments to ensure policy compliance.</p>
Policy 2.3.4.2	<p>Require that impervious surface within the Watershed Overlay District be minimized through the use of one or more of the following strategies:</p> <ul style="list-style-type: none"><li>- the appropriate use of pervious materials for pedestrian pathways and driveways,</li><li>- site design which utilizes the joint or shared use of parking areas or access roads where appropriate,</li><li>- clustering of uses within single instead of multiple structures,</li><li>- transfer of density/intensity out of watersheds and away from inflowing watercourses [see policies under objective 2.3.1],</li><li>- use of increased setbacks and buffers from reservoirs and inflowing watercourses and the use of native vegetation within such buffers and setbacks, and</li><li>- through the clustering of uses to maximize the preservation of vegetated open space areas in their natural state.</li></ul> <p>Implementation Mechanism(s):</p> <p>a) Conditioning of development orders consistent with this policy.</p> <p>b) Consideration, and adoption by the BOCC where appropriate, of special allowances for reduced off-street parking requirements, use of shared parking, and modifications to roadway and sidewalk design criteria to promote limitations on impervious surface consistent with this policy.</p>
Policy 2.6.1.1	<p>Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:</p> <ul style="list-style-type: none"><li>- use of undisturbed or undeveloped and landscaped buffers</li><li>- use of increased size and opacity of screening</li><li>- increased setbacks</li><li>- innovative site design (which may include planned development review)</li><li>- appropriate building design</li><li>- limits on duration/operation of uses</li><li>- noise attenuation techniques</li><li>- limits on density and/or intensity [see policy 2.6.1.3]</li></ul>
Policy 2.6.1.2	<p>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.</p>

Objective 9.5.2	<b>Potable Water Reservoir:</b> Preserve the Manatee River Reservoir as a long-term source of potable water.
Policy 9.5.2.1	Continue to develop economically feasible water conservation techniques to preserve the Lake Manatee Reservoir and to minimize competition between agricultural, commercial, and residential users of surface water resources.  Implementation Mechanism:  (a) Manatee County Utilities implementation of water conservation plans and programs consistent with Objective 3.2.1.
Policy 9.5.2.2	Continue the program of public acquisition of sensitive lands within the Lake Manatee Watershed Overlay (WO).  Implementation Mechanism(s):  (a) Manatee County Utilities investment in the Lake Manatee impoundment area as the primary source of potable water for Manatee County.  (b) Land acquisition strategy in the Lake Manatee WO District to protect water quality.

# AFFIDAVIT OF PUBLICATION

**SARASOTA HERALD-TRIBUNE  
PUBLISHED DAILY  
SARASOTA, SARASOTA COUNTY, FLORIDA**

**STATE OF FLORIDA  
COUNTY OF MANATEE**

BEFORE THE UNDERSIGNED AUTHORITY PERSONALLY APPEARED SHARI BRICKLEY, WHO ON OATH SAID SHE IS DIRECTOR OF ADVERTISING FOR THE SARASOTA HERALD-TRIBUNE, A DAILY NEWSPAPER PUBLISHED AT SARASOTA, IN SARASOTA COUNTY FLORIDA; AND CIRCULATED IN MANATEE COUNTEE DAILY; THAT THE ATTACHED COPY OF ADVERTISEMENT BEING A NOTICE IN THE MATTER OF:

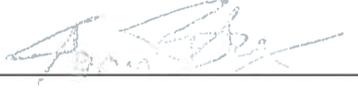
Legal description documented below:

IN THE COURT WAS PUBLISHED IN THE MANATEE EDITION OF SAID NEWSPAPER IN THE ISSUES OF:

5/28 1x

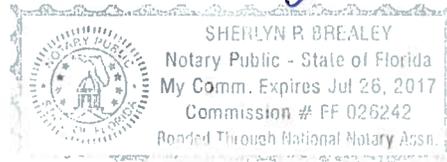
AFFIANT FURTHER SAYS THAT THE SAID SARASOTA HERALD-TRIBUNE IS A NEWSPAPER PUBLISHED AT SARASOTA, IN SAID SARASOTA COUNTY, FLORIDA, AND THAT THE SAID NEWSPAPER HAS THERETOFORE BEEN CONTINUOUSLY PUBLISHED IN SAID SARASOTA COUNTY, FLORIDA, EACH DAY, AND HAS BEEN ENTERED AS SECOND CLASS MAIL MATTER AT THE POST OFFICE IN BRADENTON, IN SAID MANATEE COUNTY, FLORIDA, FOR A PERIOD OF ONE YEAR NEXT PRECEDING THE FIRST PUBLICATION OF THE ATTACHED COPY OF ADVERTISEMENT; AND AFFIANT FURTHER SAYS THAT SHE HAS NEITHER PAID NOR PROMISED ANY PERSON, FIRM OR CORPORATION ANY DISCOUNT, REBATE, COMMISSION OR REFUND FOR THE PURPOSE OF SECURING THIS ADVERTISEMENT FOR PUBLICATION IN THE SAID NEWSPAPER.

SIGNED \_\_\_\_\_



SWORN OR AFFIRMED TO, AND SUBSCRIBED BEFORE ME THIS 28 DAY OF May, A.D., 2015  
BY SHARI BRICKLEY WHO IS PERSONALLY KNOWN TO ME.

Notary Public



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

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, June 11, 2015 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 matter:

**PDPI-15-06(Z)(G) – MANATEE COUNTY -  
LAKE MANATEE WATER TREATMENT  
PLANT (COUNTY- INITIATED) DTS  
#20150055**

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 4.52 acres located south of Dam Road at 1350 Dam Road, Bradenton from A (General Agriculture - 1 dwelling unit per 5 acres) to the PDPI (Planned Development Public Interest) zoning district; approving a General Development Plan for the 136.9± acre Lake Manatee Water Treatment Plant to include biological filter, drain pump station, generator, and chemical feed structures and other uses necessary for plant operations; 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](mailto:planning.agenda@mymanatee.org)

According to Section 288.0105, 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: May 28, 2015

# BRADENTON HERALD

WWW.BRADENTON.COM  
P.O. Box 921  
Bradenton, FL 34206-0921  
102 Manatee Avenue West  
Bradenton, FL 34205-8894  
941-745-7066

Bradenton Herald  
Published Daily  
Bradenton, Manatee County, Florida

STATE OF FLORIDA  
COUNTY OF MANATEE

Before the undersigned authority personally appeared Dava Reyes, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice of Zoning Changes In Unincorporated Manatee County**, was published in said newspaper in the issue(s) of **05/27/2015**.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature of Affiant)

Sworn to and subscribed before me this

20 Day of May, 2015



SEAL & Notary Public

Personally Known                      OR Produced Identification                       
Type of Identification Produced                     

## NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on Thursday, June 11, 2015 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 matter:

### **PDPI-15-08(Z)(G) - MANATEE COUNTY - LAKE MANATEE WATER TREATMENT PLANT (COUNTY-INITIATED) DTS #20150055**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 4.52 acres located south of Dam Road at 1350 Dam Road, Bradenton from A (General Agriculture - 1 dwelling unit per 5 acres) to the PDPI (Planned Development Public Interest) zoning district; approving a General Development Plan for the 136.9± acre Lake Manatee Water Treatment Plant to include biological filter, drain pump station, generator, and chemical feed structures and other uses necessary for plant operations; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

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**THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS. MANATEE COUNTY PLANNING COMMISSION**  
Manatee County Building and Development Services Department  
Manatee County, Florida  
**05/27/2015**

April 20, 2015

Margaret C. Tusing, Principal Planner  
Manatee County  
Building and Development Services  
1112 Manatee Avenue West, 4<sup>th</sup> Floor  
Bradenton, Florida 34205

RE: Lake Manatee Water Treatment Plant – PDPI-15-06(Z)(G)  
Request for Specific Approvals – LDC Sections 704.72.4.2 and 715

Dear Ms. Tusing:

The Applicant respectfully requests Specific Approvals to the following Land Development Code (LDC) Sections. The justification for the request follows the request.

***1. Specific Approval Request to LDC Section 704.72.4.2 Screening. All equipment, machinery and facilities not located within an enclosed building shall be adequately screened in accordance with LDC Section 715, Landscaping.***

**A specific approval to this requirement is requested for the following reasons:**

- 1) **Water Treatment Plant Security:** The County Sherriff's Department assists with plant security by driving by the plant site on a regular basis and has specifically requested that no hedges or other means of limiting visibility be planted. Screening of any kind will prevent visual inspections and security checks.
- 2) **Conflicts with Existing Utilities:** The potential screening areas contain a significant number of large diameter underground pipes and it is not feasible to move these existing underground utilities.
- 3) **Existing Land Buffers:** The County owns all the adjacent land to the North, South and East of the plant property for a land buffer. A tree buffer currently exists on the West side of the property between the plant and residential property.

1365 Hamlet Avenue  
Clearwater, FL 33765

727.442.7196.

Fax 727.461.3827

www.mckimcreed.com

**2. Specific Approval Request to LDC Section 715 Landscaping and Screening Standards.**

**A specific approval to this requirement is requested for the following reasons:**

- 1) Water Treatment Plant Security: The County Sherriff's Department assists with plant security by driving by the plant site on a regular basis and has specifically requested that no hedges or other means of limiting visibility be planted. Screening of any kind will prevent visual inspections and security checks.
- 2) Conflicts with Existing Utilities: The potential screening areas contain a significant number of large diameter underground pipes and it is not feasible to move these existing underground utilities.
- 3) Existing Land Buffers: The County owns all the adjacent land to the North, South and East of the plant property for a land buffer. A tree buffer currently exists on the West side of the property between the plant and residential property.

We appreciate your assistance with this matter. Please contact me if you have any questions or need any additional information.

Sincerely,  
McKIM & CREED

Phillip Locke, PE  
Sr. Project Manager  
Enc.

Sincerely,  
McKIM & CREED



Phillip J. Locke, P.E.  
Senior Project Manager

ZONING DISCLOSURE AFFIDAVIT

B4

File Number \_\_\_\_\_

File Name \_\_\_\_\_

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

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

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

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

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

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

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

<u>NAME, ADDRESS AND OFFICER</u>	<u>PERCENTAGE STOCK, INTEREST OR OWNERSHIP</u>
Check if owner ( X ) or contract purchaser ( )	
<u>Manatee County</u>	100%
<u>Mike Gore, Manatee County Utilities Director</u>	_____
<u>4410 66<sup>th</sup> Street West, Bradenton, FL</u>	_____
_____	_____

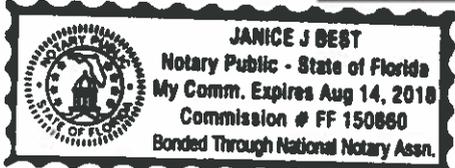
Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: [Handwritten Signature]  
(Applicant): Mike Gore

STATE OF FLORIDA  
COUNTY OF \_\_\_\_\_

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 17<sup>th</sup> day of February 2015 by C. Mike Gore, who is personally known to me or who has produced \_\_\_\_\_ as identification.  
(type of identification)

Signature: [Handwritten Signature]  
My Commission Expires: 8/14/18  
Commission No: # FF 150860  
Notary Public - State of Florida  
Print or type name of Notary: JANICE J. BEST  
Title or Rank: NOTARY



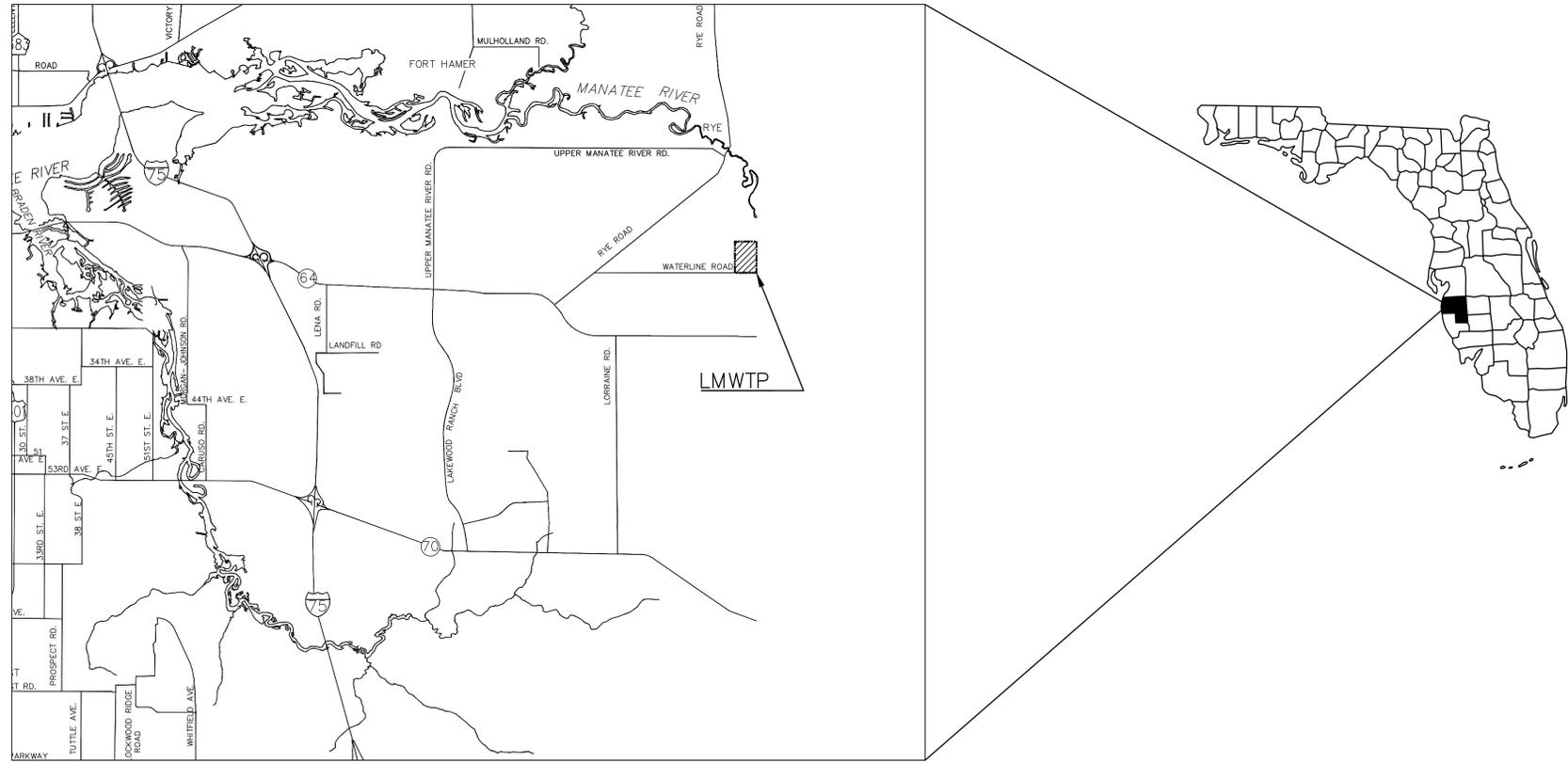
Page 80 of 85

# LAKE MANATEE WATER TREATMENT PLANT GENERAL DEVELOPMENT PLAN WITH REZONE

APRIL 2015



## MANATEE COUNTY, FLORIDA



VICINITY MAP  
SECTION 25, TOWNSHIP 34S, RANGE 19E  
SCALE: 1" = 6000'



GENERAL SITE INFORMATION

SITE ZONING-	PD-PI, A
ZONING WITHIN 200FT-	A, A-1, LM, NC-S, PD-C, PD-I, PD-MU, PD-PI, PD-R, PR-M
LAND USE WITHIN 200FT-	SINGLE FAMILY RESIDENTIAL, VACANT COUNTY, STATE PARK, VACANT ACREAGE NOT AGR, VACANT RESIDENTIAL, GRASSING-CLASS 1 IMPROVEMENTS.
FUTURE LAND USE-	P/SP-1, AGR, UF-3
PROPERTY AREA-	136.9 ACRES
FEMA FLOOD ZONE-	ZONE X, AE
FEMA 100YR FLOOD EL.-	AE: 44' NAVD
PROPOSED WETLANDS IMPACTS-	N/A

GENERAL NOTES

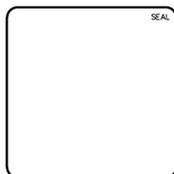
1. NONE OF THE PROPOSED PROJECTS INCLUDE DWELLING UNITS. THEREFORE, DENSITIES ARE NOT SHOWN.
2. SITE LIGHTING WILL BE SHOWN ON THE FINAL SITE PLANS AND WILL MEET THE MINIMUM REQUIREMENTS OF LDC SECTION 709.
3. A MINIMUM OF 30% IN LANDSCAPED OPEN SPACE WILL BE MAINTAINED ON THE PROPERTY WITHIN THE LAKE MANATEE WATERSHED IN ACCORDANCE WITH LDC SECTION 603.15.4 AND 604.2.2.12.
4. SETBACK: MINIMUM 25' SETBACK FROM ANY PROPERTY LINE.

PROPOSED DEVELOPMENT INFORMATION

DESCRIPTION	PROJECT LIMITS (AC)	BUILDING AREA (SF)	CONSTRUCTION SCHEDULE	
			STARTING DATE	COMPLETION DATE
<b>PROPOSED</b>				
BIOLOGICAL FILTER BLDG., PLANT DRAIN PUMP STATION AND BACKWASH POND	3.5	8,750	DEC 2015	DEC 2017
CHEMICAL FEED BLDG. & NEUTRALIZATION TANK	1	4,500	2018	2020
SLUDGE POND	6 (EST.)	N/A	2020-2030 (EST.)	2020-2030 (EST.)
DRYING BED	3 (EST.)	N/A	2020-2030 (EST.)	2020-2030 (EST.)
GROUND STORAGE TANK OR MAINT. FACILITY	4 (EST.)	31,500 (EST.)	2020-2030 (EST.)	2020-2030 (EST.)
PUMP STATION	0.5 (EST.)	5,000 (EST.)	2020-2030 (EST.)	2020-2030 (EST.)
GROUND WATER TREATMENT EXPANSION	3 (EST.)	50,000 (EST.)	2020-2030 (EST.)	2020-2030 (EST.)
<b>EXISTING</b>				
GROUND WATER TREATMENT FACILITY		75,300		
SURFACE WATER TREATMENT FACILITY		95,330		
GROUND STORAGE TANKS		65,820		
HIGH SERVICE PUMP STATION		3210		
OPERATIONS BUILDING		5230		
LAB		10650		
MAINTENANCE BUILDING		3,520		
ELEVATED WATER TANK		2,290		
TRUCK WASH DOWN AREA		1,160		
STORAGE BUILDINGS		5,880		
STRIPPING TOWERS		3,920		
LAKE PUMP STATION		4,400		
TOTAL -		376,460		
EXISTING F.A.R. - 267,710 EXISTING SQ. FT. / 5,959,010 OVERALL SITE SQ. FT. -		0.046		
PROPOSED F.A.R. - 99,750 PROPOSED SQ. FT. + 267,710 EXISTING SQ. FT. / 5,959,010 OVERALL SITE SQ. FT. -		0.063		

S:\1024\1017\1017-drawings\0172\_Site\_Info\_10242018.dwg, 4/27/2018 9:10:01 AM, Quin Shilton

REV. NO.	DESCRIPTIONS	DATE



**MCKIM & CREED**  
 1365 Hamlet Avenue  
 Clearwater, Florida 33756  
 Phone: (727)442-7196, Fax: (727)461-3827  
 CA Lic. No. 29588  
 www.mckimcreed.com



**LAKE MANATEE WTP  
 GENERAL DEVELOPMENT PLAN  
 WITH REZONE**

---

**SITE INFORMATION**

DATE: APRIL 2015	SCALE	DRAWING NUMBER
MCE PROJ. # 1024-0167	HORIZONTAL: N/A	2
DRAWN QES	VERTICAL: N/A	
DESIGNED		
CHECKED MAC		
PROJ. MGR. P.J.		
STATUS: GENERAL DEVELOPMENT PLAN		REVISION

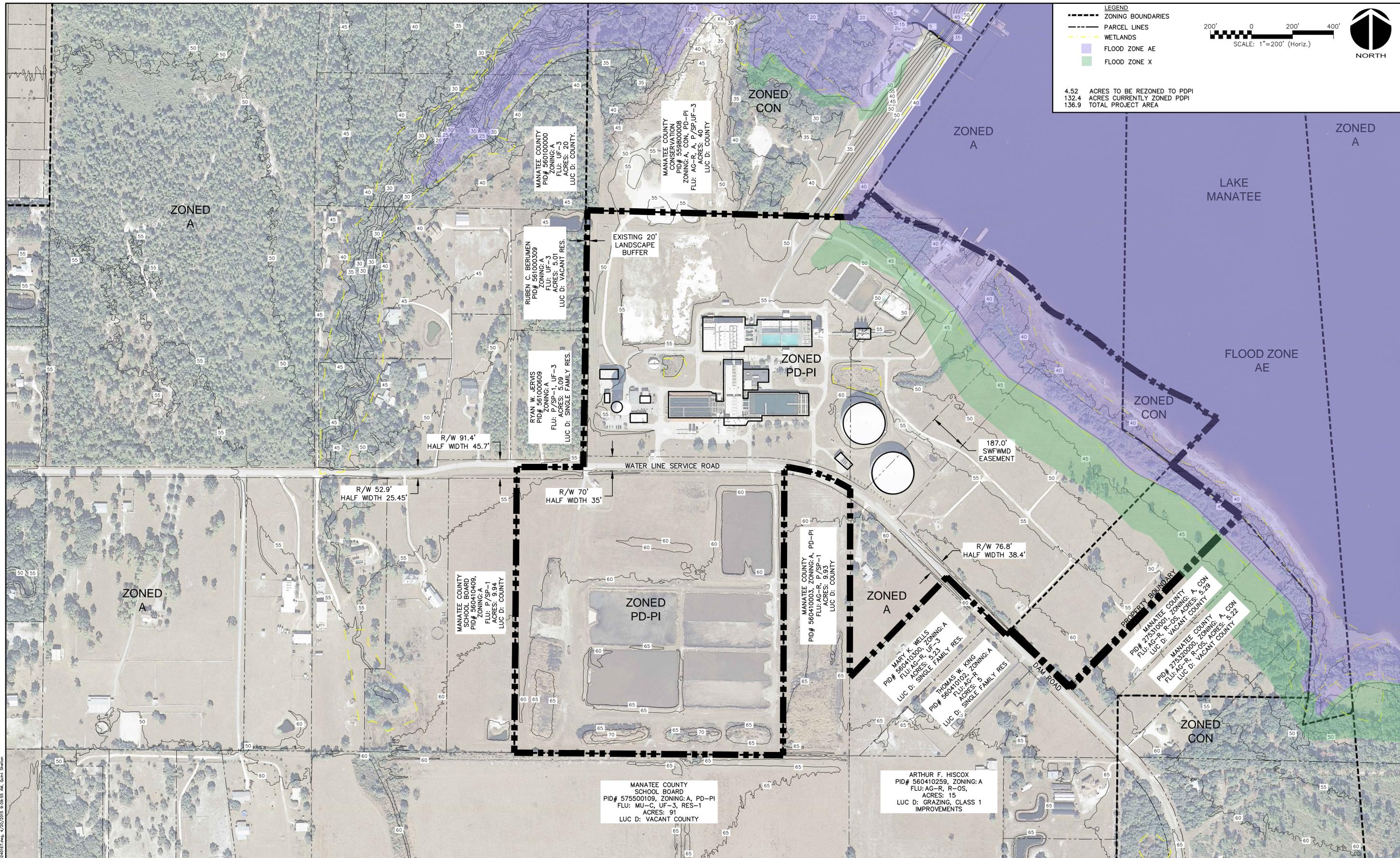
**LEGEND**

- ZONING BOUNDARIES
- PARCEL LINES
- WETLANDS
- FLOOD ZONE AE
- FLOOD ZONE X

200' 0 200' 400'  
SCALE: 1"=200' (Horiz.)

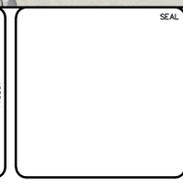
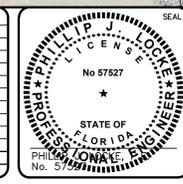
**NORTH**

4.52 ACRES TO BE REZONED TO PD-PI  
132.4 ACRES CURRENTLY ZONED PD-PI  
136.9 TOTAL PROJECT AREA



REV. NO.	DESCRIPTIONS	DATE

Page 83 of 85



**MCKIM & CREED**

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Clearwater, Florida 33756  
Phone: (727)442-7196, Fax: (727)461-3827  
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www.mckimcreed.com



**LAKE MANATEE WTP  
GENERAL DEVELOPMENT PLAN  
WITH REZONE**

**EXISTING SITE CONDITIONS**

DATE: APRIL 2015	SCALE: N/A	DRAWING NUMBER: 3
MCE PROJ. # 1024-0167	HORIZONTAL: N/A	REVISION:
DRAWN: QES	VERTICAL: N/A	
DESIGNED:		
CHECKED: MAC		
PROJ. MGR. P.J.		
STATUS: GENERAL DEVELOPMENT PLAN		

S:\1024\0167\00-drawings\GDP\GDP\_Site1\_L0240167.dwg, 4/20/2015 9:06:58 AM, Quini Shinton

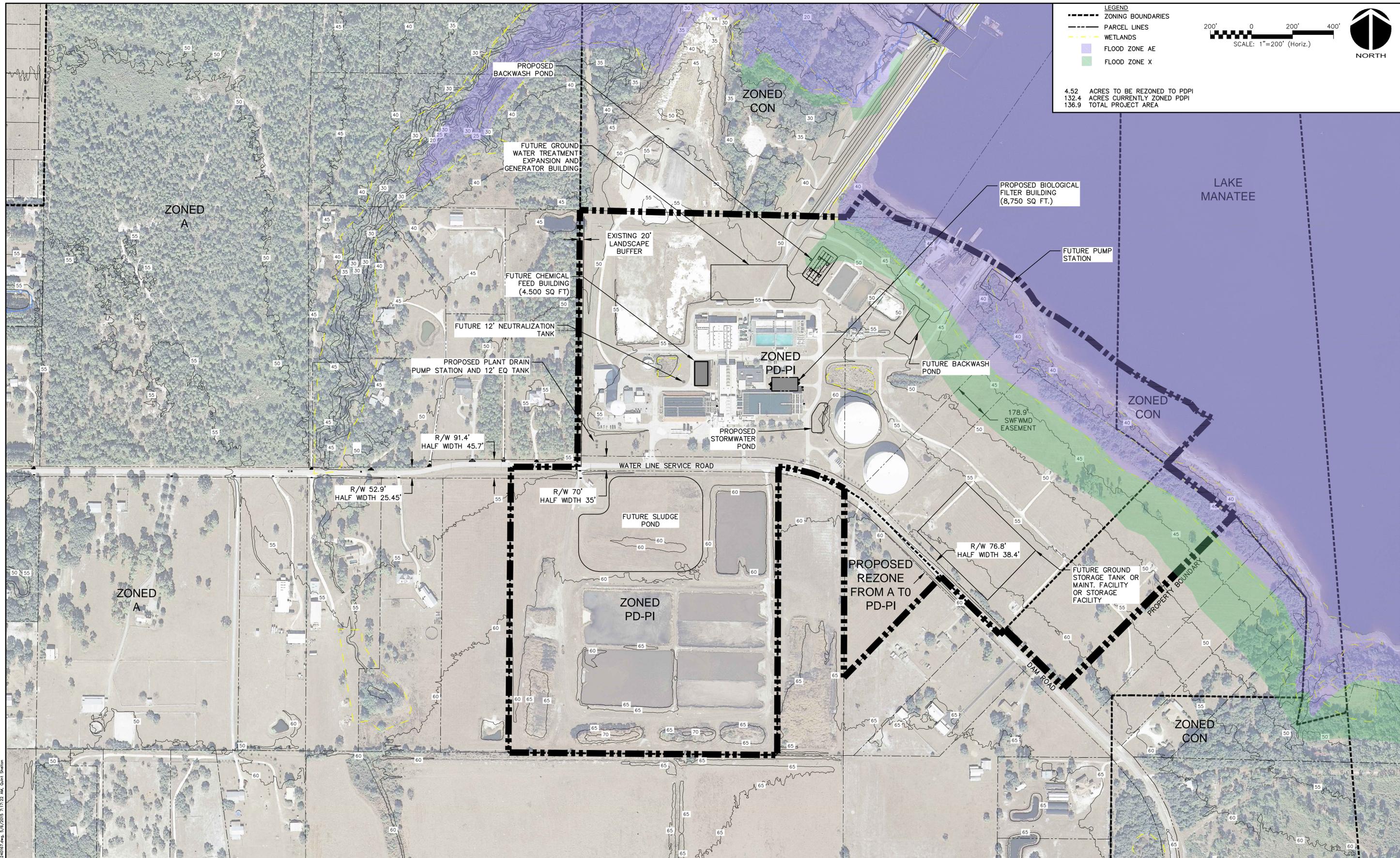
**LEGEND**

- ZONING BOUNDARIES
- PARCEL LINES
- WETLANDS
- FLOOD ZONE AE
- FLOOD ZONE X

200' 0 200' 400'  
SCALE: 1"=200' (Horiz.)

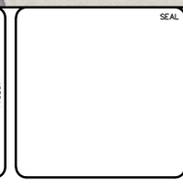
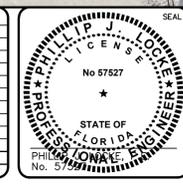
**NORTH**

4.52 ACRES TO BE REZONED TO PD-PI  
132.4 ACRES CURRENTLY ZONED PD-PI  
136.9 TOTAL PROJECT AREA



REV. NO.	DESCRIPTION	DATE

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**MCKIM & CREED**

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**LAKE MANATEE WTP  
GENERAL DEVELOPMENT PLAN  
WITH REZONE**

**PROPOSED SITE PLAN**

DATE: APRIL 2015	SCALE:	DRAWING NUMBER:
MCE PROJ. # 1024-0167	HORIZONTAL: N/A	4
DRAWN: QES	VERTICAL: N/A	
DESIGNED: MAC		
CHECKED: MAC		
PROJ. MGR: P.J.		
STATUS: GENERAL DEVELOPMENT PLAN	REVISION:	

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