

**Z-84-76(R11) – Creekwood Investors, LTD / Creekwood (DTS #20130502)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance Z-84-76(R10) to amend the General Development Plan to:

1. Allow Group Care Home (assisted living facility) as an allowable use in Parcel MU;
2. Rezone Lots 8 - 15 of Creekwood East Subdivision within Parcel MU from PDI/WP-E/ST (Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts) to PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts);
3. Add 150-bed group care home and decrease commercial square footage by 10,000 square feet in Parcel MU;
4. Allow a maximum building height of 40 feet for group care home in Parcel MU;
5. Stipulate a Master Sign Plan for Parcel MU; and

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

Creekwood is located at the northwest and northeast intersections of State Road 70 and I-75 (±818.26 acres) and the present zoning is PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts). Parcel MU is located on the north side of SR 70, and east of I-75. Lots 8 - 15 of Creekwood East Subdivision are east and west of Lena Road at 5403, 5404, 5414, 5424, 5425, 5434, 5444, and 5455 Lena Road, Bradenton (±34.31 acres) and the present zoning is PDI/WP-E/ST (Planned Development Industrial/ Watershed Protection/Special Treatment Overlay Districts).

**P.C.: 03/13/2014**

**B.O.C.C.: 04/03/2014**

**RECOMMENDED MOTION:**

**Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, 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 APPROVE Manatee County Zoning Ordinance No. Z-84-76(R11) for a project that was previously granted Special Approval for a project in: 1) the Entranceway; 2) the Watershed Protection – Evers Overlay District; 3) the Special Treatment Overlay District, and 4) the MU (Mixed Use) FLUC; and for a project that previously granted Specific Approval for alternatives to LDC Sections 710.1.6, 710.2.1, and 737.4.1.2.g of the Land Development Code, as recommended by the Planning Commission.**

**(COMMISSIONER BAUGH)**

**PLANNING COMMISSION ACTION:**

On March 13, 2014, by a vote of 7 – 0, the Planning Commission recommended approval.

**PUBLIC COMMENT AND CORRESPONDENCE:**

There was no public comment and nothing was entered into the record at the March 13, 2014 Planning Commission public hearing.

<b>PROJECT SUMMARY</b>	
<b>CASE#:</b>	<b>Z-89-76(Z)(R11) (DTS # 20130502)</b>
<b>PROJECT NAME:</b>	<b>Creekwood</b>
<b>APPLICANT(S):</b>	<b>Creekwood Investors, LTD</b>
<b>EXISTING ZONING:</b>	<b>PDR/PDC/PDI/WP-E/ST (Planned Development Residential, Planned Development Commercial, and Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts)</b>
<b>REQUEST:</b>	<p><b>Amend the Zoning Ordinance and General Development Plan to:</b></p> <ol style="list-style-type: none"> <li><b>1) Allow Group Care Home (assisted living facility) as an allowable use in Parcel MU;</b></li> <li><b>2) Rezone Lots 8 - 15 of Creekwood East Subdivision within Parcel MU from PDI/WP-E/ST (Planned Development Industrial/Watershed Protection/Special Treatment Overlay Districts) to PDC/WP-E/ST (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts);</b></li> <li><b>3) Add 150-bed group care home and decrease commercial square footage by 10,000 square feet in Parcel MU;</b></li> <li><b>4) Allow a maximum building height of 40 feet for group care home in Parcel MU;</b></li> <li><b>5) Stipulate a Master Sign Plan for Parcel MU.</b></li> </ol>
<b>CASE PLANNER:</b>	<b>Rossina Leider</b>
<b>STAFF RECOMMENDATION:</b>	<b>APPROVAL</b>

## DETAILED DISCUSSION

### History

Creekwood DRI is a mixed-use development, located at the NE and NW quadrants of the intersection of State Road 70 and I-75. The development was approved in 1985, and has been amended a number of times to reduce the total project acreage, decrease amount of development and modify and redistribute project entitlements. The most recent amendment was in 2013.

Creekwood DRI is currently approved for 1,362 residential units, 603,000 square feet of commercial space, 800,000 square feet of industrial space, 100,000 square feet of office space which includes up to 85,000 square feet of medical offices, 80,000 square feet of mini-warehouse space, and 100 hotel rooms. The total project acreage is  $\pm$  818.26 acres.

Creekwood Zoning Ordinance (Z-84-76) was originally approved on September 3, 1985 with a General Development Plan for 4,081 units, 435,000 square feet of commercial space, 2,000,000 square feet of industrial space, and 184,000 square feet of office space. The total project acreage was  $\pm$ 1,090 acres.

The following amendments to the Creekwood Zoning Ordinance and General Development Plan were approved by the BOCC:

- April 22, 1993: Allow 2,805 units, 427,500 square feet of commercial space, 2,000,000 square feet of industrial space, and 184,000 square feet of office space. The total project acreage was reduced to  $\pm$ 818.26 acres [Z-84-76(R)].
- December 16, 1997: Change various land uses and buffers conditions [(Z-84-76(R2))].
- December 15, 1998: Exchange the land use designation for Parcel G (General Commercial) with Parcel O-1 (Office), increase total commercial floor area (69,500 sq. ft.) and land area, decrease total office floor area (44,000 sq. ft.) and land area, decrease residential development (500 units), and change the designation of Parcels C-1, C-2, and O-1 and combine them to a re-designated Parcel C [(Z-84-76(R3))].
- March 28, 2000: Delete 25,000 square feet of office space and add 25,000 square feet of commercial on Parcel C, adjust the overall total of development in Parcel C (522,000 sq. ft. of commercial and 115,000 sq. ft. of office), modify the project phasing deadlines, and modify land use, environmental, and transportation conditions [(Z-84-76(R4))].

- **January 6, 2004:** Re-designate parcel identification, add an additional roadway connection to the west, modify the Project Phasing Table to eliminate and redistribute approved development (reduce industrial to 950,000 sq. ft., clarify allocation of commercial approved in the industrial category, expand the range of commercial and industrial uses permitted east of I-75, decrease residential from 2,305 to 1,617 units), modify land use, park and recreation, and transportation conditions [(Z-84-76(R5))].
- **January 5, 2006:** Decrease residential units from 1,617 to 1,250 units, increase office use from 160,000 to 225,000 square feet, and transfer residential units from Phase I and II to Phase IV [(Z-84-76(R6))].
- **December 4, 2008:** Allow telecommunication towers east of I-75 within Parcel I, and to update various provisions [(Z-84-76(R7))].
- **December 4, 2008:** Decrease industrial entitlements from 950,000 to 800,000 square feet, delete phasing and buildout condition regarding development limitations east of I-75 until completion of SR 70 improvements, delete transportation conditions, and update various provisions [(Z-84-76(R8))]. The referenced reduction of industrial entitlement (150,000 square feet) was voluntarily requested by the developer to reflect the amount of industrial space that will be constructed.
- **August 2, 2012:** Add 30,000 square feet of mini-warehouse space for a total of 80,000 square feet of mini-warehouse to an existing 50,000 square feet facility (equivalent to 24,000 square feet of commercial space) located on Parcel C-5, increase allowable building height on Parcel C-5, and revise the land use conditions applicable to the mini-warehouse project [(Z-84-76(R9))].
- **December 17, 2013:** Modify land use of Parcel G from office to residential, add 112 residential units and decrease office space by 125,000 square feet, delete conditions related to maximum density allowed in the watershed, and remove references to non-residential development in Parcel G [(Z-84-76(R10))].

The total amount of development authorized within the latest GDP amendment is:

USE	DEVELOPMENT TOTALS
Residential	1,362 d.u.
Commercial	603,000 sq. ft.
Industrial	800,000 sq. ft. <sup>(1)</sup>
Office	100,000 sq. ft. <sup>(2)</sup>
Mini-warehouse	80,000 sq. ft
Hotel	100 rooms

<sup>(1)</sup> Includes telecommunication towers

<sup>(2)</sup> Office space may include up to 85,000 sq. ft. of medical office

Additionally, on May 21, 2002 was approved a Final Site Plan identified as Creekwood East (Z-84-76(R4)/FSP-01-131) for a 17-lot commercial and industrial subdivision on ±60.53 acres which includes Parcel MU and C4 of the Creekwood GDP and Map H of Creekwood DRI. A CLOS has been issued (CLOS-04-110) and will expire on 02/24/2018.

### Request

The request is for an amendment to the General Development Plan (GDP) and Zoning Ordinance for the Creekwood DRI. The current request specifically proposed changes related to Parcel MU only, and in general includes the following modifications: allow group care home as an allowable use, rezone Lots 8 - 15 of Creekwood East Subdivision from industrial to commercial zoning, add 150 group care home beds with a simultaneous reduction of 10,000 square feet of commercial space, allow a maximum height of 40 feet for group care home, and approve a master sign plan.

A companion application to amend the Development Order and Map H to the Creekwood DRI is being reviewed under a separate application with separate review criteria.

### Request #1 and # 2:

- Allow group care home in Parcel MU and rezone Lots 8 - 15 of Creekwood East Subdivision from PDI/WP-E/ST (Planned Development Industrial/ Watershed Protection/Special Treatment Overlay Districts) to PDC (Planned Development Commercial) retaining the overlay districts.

The applicant requests to rezone a total of ±34.31 acres from PDI/WP-E/ST (Planned Development Industrial/ Watershed Protection/Special Treatment Overlay Districts) to PDC (Planned Development Commercial) retaining the overlay districts, and to allow “Group Care Home” (assisted living facility) in Parcel MU which is a residential use not allowed in the currently zoning district (PDI) nor in Parcel MU.

The area subject to rezone corresponds to Lots 8 - 15 of Creekwood East, a 17-lot platted subdivision with entitlements for commercial and office uses according to the Creekwood Development Order (Ord. 13-25) and Zoning Ordinance [Z-84-76(R10)].

The referenced subdivision was originally part of Parcel I and C-4, and approved for a total of 12,100 square feet of commercial space and 208,700 square feet of industrial space. However, in 2004 with the approval of Ord. 04-28 and Z-84-76(R5) to re-designate the DRI parcels identification, reduce industrial entitlements, and redistribute the allocation of commercial entitlements, the Creekwood East Subdivision was not part anymore of Parcel I and became part of a new parcel designated as Parcel MU with entitlements for commercial and offices uses.

Parcel MU is within the MU (Mixed Use) Future Land Use Category which allow for consideration for non-residential uses (retail, wholesale, office uses, light industrial uses, lodging places, etc.) with a maximum Floor Area Ratio of 1.0, and suburban or urban residential uses with a maximum gross density of 9 du/acre. The east portion of

**Parcel MU (part of Lot 13, 14, and 15 of Creekwood East Subdivision) is within P/SP-1 [Public/Semi-Public(1)] Future Land Use Category which allow for consideration primarily those facilities associated with public or private utilities (existing F.P.&L easement).**

**The proposed PDC zoning appears to be appropriate since:**

- **Parcel MU does not have industrial entitlements,**
- **The built-out lots of Creekwood East Subdivision (Lots 1, 2, 3, 6, 7 and 17) are developed with commercial and office uses, including 100-room hotel, 18,233 square feet of office space (including medical offices), 15,725 square feet of commercial space, and Lots 4 and 5 will be developed with 4,333 square feet of commercial retail use (eating establishment recently approved by Z-84-76/FSP-13-36), and**
- **Group Care Home is an allowed use in PDC zoning district, and an amendment to the Creekwood Development Order to allow this type of use in Parcel MU is reviewed concurrently.**

**Staff has no objection to the request since the zoning district (PDC) and use (group care home) are consistent with the FLUC provisions of the Comprehensive Plan (See Rezone Criteria Analysis of LDC Section 504.5 for further discussion).**

**Request # 3:**

- **Add 150-bed group care home and decrease commercial square footage by 10,000 square feet in Parcel MU.**

**The applicant requests to allow the addition of 150 group care home beds with a simultaneous decrease of 10,000 square feet of commercial space. The proposed group care home will be located on Parcel MU, specifically in Lots 8 thru 12 of Creekwood East Subdivision (±13.3 acres), which are subject to rezone as part of this application from PDI/WP-E/SP (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts) to PDC (Planned Development Commercial/Watershed Protection/Special Treatment Overlay Districts).**

**The proposed 150-bed assisted living facility is equivalent to 25 residential units (6 residents = one unit) for a gross density of 1.88 dwelling units per acre, which is below to the maximum density allowed in MU FLUC (nine dwelling units per acre).**

**As mentioned previously, Creekwood East Subdivision has a valid Certificate Level of Service (CLOS-04-110 issued on 04/14/2005) that will expire on 02/24/2018, and the traffic analysis provided by the applicant indicates that the proposal to change the use from retail commercial to residential (150-bed group care home) will reduce the number of PM peak-hour trips generated from 69.90 to 43.5 and will not create any additional transportation impacts.**

**Table 1 of the Zoning Ordinance (Development by Parcels) and Table 2 (Phasing by Uses) are revised accordingly to reflect the proposed changes on Parcel MU as follow:**

- **111,000 square feet of commercial space (121,000 sq. ft. previously approved**

minus 10,000 sq. ft. reduction as part of this application),

- 150 group care home beds.
- Table 1 and Table 2 are modified as follows:

**PROJECT PHASING AND BUILDOUT CONDITIONS**

1. Table 1 enumerates, by parcel, the allocation of development described in Section 4:

**Table 1 - Development by Parcels**

<u>LAND USE</u>	<u>PARCEL</u>	<u>SQUARE FOOTAGE</u>
Commercial	C	447,000
	C-6	20,000
	C-7	15,000
	MU/C-4/C-5	<del>421,000</del> <u>111,000*</u>
Mini-Warehouse	C-5	80,000*
Office	MU/C-4	100,000*
Industrial	I	800,000***
Hotel	MU	100 rooms
Residential	A	170 units
	B	322 units
	C	106 units
	D	520 units
	E	132 units
	G	112 units
<u>Group Care Home</u>	<u>MU</u>	<u>150 beds</u>

\* The distribution of commercial square footage among the parcels shall also be subject to the following maximum square footages per parcel:

- Parcel MU ~~400,000~~ 90,000 square feet
- Parcel C-4 10,000 square feet
- Parcel C-5 16,000 square feet west of the wetland

The distribution of mini-warehouse square footage among the parcels shall be subject to the following maximum square footage per parcel:

- Parcel C-5 80,000 square feet east of the wetland

The distribution of office square footage among the parcels shall also be subject to the following maximum square footages per parcel:

- Parcel MU 100,000 square feet



**Parcel C-4 6,000 square feet**

In no event shall the total square footage on parcels MU, C-4 and C-5 (west of the wetland) exceed ~~421,000~~ **111,000** for commercial uses or **100,000** for office uses and **80,000** of mini-warehouse on Parcel C-5 (east of the wetland).

**\*\* Office space may include up to 85,000 square feet of medical office.**

**\*\*\* Including telecommunication towers**

2. The developer shall comply with the deadlines contained in the revised phasing schedule, listed in Table 2 below:

**Table 2 - Phasing By Use**

<b>PHASES</b>				
	I, II (Complete)	III (1996-11/22/2018)* <sup>1</sup>	IV (2001-11/22/2019)* <sup>1</sup>	Total
RESIDENTIAL	592	140	630	1,362
COMMERCIAL	455,048	55,000	<del>92,952</del> <u>82,952</u>	<del>603,000</del> <u>593,000</u> <sup>3</sup>
MINI-WAREHOUSE			80,000	80,000
HOTEL			100 rooms	100 rooms
OFFICE		60,000	40,000	100,000 <sup>2</sup>
INDUSTRIAL		230,000	570,000	800,000
GROUP CARE HOME			<u>150 beds</u>	<u>150 beds</u> <sup>4</sup>

\* Dates are reflective of Buildout Dates contained below within this Development Order. Preliminary Site Plans shall be submitted 1 year prior to such buildout dates.

<sup>1</sup> Phases III and IV Buildout Dates include the time extensions authorized by the Florida Legislature and Manatee County.

<sup>2</sup> Office entitlements have been removed from Parcel G for a total reduction of 125,000 sq. ft. of office space. The reduction of office entitlements was requested by the owner of Parcel G and approved by the Board of County Commissioners on December 17, 2013 (Ordinance 13-25). No entitlements have been taken from any other Parcel in the DRI at that time.

<sup>3</sup> A total of 10,000 sq. ft. of commercial space has been removed from the commercial entitlements in Parcel MU. The reduction of commercial entitlements was requested by the owner of Parcel MU and approved by the Board of County Commissioners on April 3, 2014 (Ordinance 14-04). No entitlements have been taken from any other Parcel in the DRI at that time.

<sup>4</sup> Group Care Home has been included as an allowable use in Parcel MU (Ordinance 14-04).

**Staff has no objection to the request with the above modifications to the Table 1 (Development by Parcels) and Table 2 (Phasing by Use) since:**

- The proposed use and gross residential density are allowed in the MU FLUCs,
- No increase in the generation of PM peak-hours trips will occur with this modification of land use from commercial to residential,

- No impacts to the conservation areas and open spaces within the Creekwood DRI and GDP will be created with the proposed change of use.

**Request # 4:**

- Allow a maximum building height of 40 feet for group care home in Parcel MU.

The applicant proposes a maximum building height of 40 feet for the “Group Care Home Facility”, maintaining the maximum number of stories (3 stories) allowed for all types of residential uses according to the Creekwood zoning ordinance which establishes the following height regulations:

- Multi-family use: 35 feet and 3 stories,
- All other residential uses: 3 stories.
- Commercial uses in Parcel MU: 40 feet west of Lena Road, and
- Hotels in Parcel MU: 45 feet west of Lena Road.

In Creekwood, the maximum height allowed for “all other residential uses” is 35 feet, since the current zoning ordinance only considered residential uses in areas zoned PDR (Planned Development Residential), in which the maximum height allowed is 35 feet according to the regulations of the Land Development Code (Section 603.7.4.9).

The following language will be added to Land Use Conditions #1.b of the Section 5:

- b. All other residential uses including Group Care Home - 3 stories. The maximum height for Group Care Home in Parcel MU shall be 40 feet.

Since the proposed residential facility (group care home) will be located as a “permitted use” in a commercial zoning district (area subject to be rezoned to PDC as part of this application), the applicant’s proposal is to maintain the same height allowed for commercial uses on Parcel MU along the west side of Lena Road (40 feet).

No concerns regarding this proposal have been raised by the staff since:

- The proposed height is consistent with the approved regulations for the area in which the facility will be located (commercial uses along the west side of Lena Road).
- The proposed building height will not create any additional impacts to the surrounding developments or entranceway areas, since to the south of the future facility there are commercial (hotel) and office buildings with a maximum height of 45 feet and 40 feet respectively.
- No changes have been proposed to the landscape roadway buffer width (50 feet wide) or the minimum setback required for buildings (100 feet) along the I-75.
- There are stipulations that:
  - a) Ensure the attractive appearance of all building facades (materials, design, architectural details, etc.), including measures to not allow massive blank walls.

- b) **Building elevations shall be submitted at time of Final Site Plan for review and approval by the Building and Development Services Department to assure compliance with regulations related to building appearance.**

**Request #5:**

- **Stipulate a Master Sign Plan for Parcel MU.**

**The applicant proposes a Master Sign Plan for Parcel MU [Exhibit B of the Z-84-76(R11)] that provides specifications related to locations, types, and sizes of signage along the I-75 and SR 70 in order to maximize the retail exposure for this mixed use parcel of Creekwood DRI.**

**Per the approved Zoning Ordinance for Creekwood, only one pole sign is allowed for Parcel MU along I-75 and SR 70. With this amendment, the applicant proposes a Master Sign Plan that complies with the current regulations of Sections 724 and 737 (Signs and Entranceways respectively) of the Land Development Code, and at the same time response to the increment of passers-by along the I-75 and SR 70, and to the growth dynamic of business and residential communities in the nearby area.**

**The Master Sign Plan for Parcel MU includes a total of five (5) signs as follows:**

- **one (1) existing monument sign to remain at the intersection of SR 70 and Lena Road, and**
- **four (4) proposed pylon/pole signs (one sign structure per two platted lots along I-75), separated at least 200 linear feet apart and with a maximum height of 25 feet. The pylon/pole signs may be substituted for 12-foot height monument signs to enhance visibility.**

**Land Use Conditions #2.c of Section 5 of the Zoning Ordinance will be modified as follows:**

**c. S.R. 70 and I-75**

**Signs along S.R. 70 and I-75 shall be limited to one pole sign per parcel, per street frontage, as identified on the GDP. Additional permitted signs shall be limited to ground signs. All signage must provide concealment of main support structure (e.g., pole) between 20 and 100% of sign width with materials consistent with those in the development.**

**Notwithstanding the above, Parcel C-4 shall be limited to one pole sign, 20 feet in height at the intersection of Lena Road, and Parcel C-5 shall be limited to one pole sign for all developments on Parcel C-5, 20 feet in height and two ground signs (one for the development on the west side of the wetland and one for the development on the east side of the wetland), as regulated by the LDC.**

**Signage for the Parcel MU shall be permitted as shown on the attached Master Sign Plan (Exhibit “B”) with no more than one pylon structure allowed per two**

platted lots along I-75 with a minimum spacing of 200 linear feet (four signs in total), and one existing monument sign at the intersection of Lena Road, as listed below:

P-1: Freestanding Pylon Sign (for Lots 8-12 Creekwood East)

P-2: Freestanding Pylon Sign (for Lots 6 and 7 Creekwood East)

P-3: Freestanding Pole/Pylon Sign (for Lots 13, 14, and 15 Creekwood East)

P-4: Freestanding Pole/Pylon Sign (for Lots 4, and 5 Creekwood East)

P-5: Monument Sign (to remain at intersection of SR 70 and Lena Road)

Any additional sign proposed other than those shown on the approved Master Sign Plan for Parcel MU (attached as Exhibit B) shall require an amendment to the Creekwood General Development Plan and Zoning Ordinance at an advertised public hearing, unless otherwise permitted in the LDC.

In addition to the above, the following shall be applicable:

- (1) Pylon or pole signs may be substituted with a monument sign to enhance visibility as noted on Exhibit "B".
- (2) All pylon, pole or alternative monument signs shall have a maximum of four businesses identified on any individual sign, similar design in look and materials, and conform to current LDC sign regulations.
- (3) Pylon or pole signs shall be 25 feet height maximum and the alternative monument sign shall not exceed 12 feet in height.
- (4) No signs shall be permitted within public rights-of-way, and shall be setback a minimum of 5 feet from the property line.
- (5) To the maximum extent possible, proposed signs shall not conflict with existing and proposed landscaping. Environmental Planning Division (EPD) shall review individual sign permits to assist in determining optimal location for signs:
  - 5.a. within roadway buffers to allow maximize visibility of signs, while minimizing removal of existing trees,
  - 5.b. internal, wall, and perimeter signs to ensure placement of signs and to give consideration to existing landscaping to prevent unnecessary pruning or trimming of vegetation to maintain sign visibility, and
  - 5.c. sign footers to ensure minimal impacts to root zones.
- (6) No signs shall be permitted in the floodways, conservation areas, or wetlands, other than those signs permitted elsewhere in the LDC (i.e., conservation signs).
- (7) Signage shall be placed so it does not conflict with vehicular clear zones. FDOT indices and clear zone requirements shall be met."

**Staff has no objection to the proposed modification since:**

- The proposed sign plan is consistent with the LDC regulations related to signs and with previously approved signage plan for other DRI's of Manatee County (Cooper Creek and River Club Park of Commerce).
- The new signs will be architecturally integrated and with a unified design concept.
- Stipulations have been provided in order to avoid any conflicts with existing or proposed landscaping, floodways and conservation areas, and visibility.

**Staff recommends approval of the request as shown in strike-thru/underline format of the attached Zoning Ordinance.**

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS:</b>	Various
<b>GENERAL LOCATION:</b>	Northwest and northeast intersections of State Road 70 and I-75
<b>SIZE:</b>	± 818.26 acres Creekwood DRI ± 34.31 acres area subject to rezone (Lots 8-15 of Creekwood East Subdivision)
<b>EXISTING USE(S):</b>	Residential, commercial, office, industrial, and mini-warehouse
<b>FUTURE LAND USE CATEGORY:</b>	RES-6 (Residential, 6 dwelling units per acre) MU (Mixed Use) R/O/R (Retail/Office/Residential) P/SP-1 (Public/Semi-Public(1))

<b>SPECIAL APPROVAL(S):</b>	<p>Previously granted for:</p> <ul style="list-style-type: none"> <li>• Entranceway</li> <li>• Watershed Protection – Evers Overlay District</li> <li>• Special Treatment Overlay District</li> <li>• MU (Mixed Use) FLUC</li> </ul>
<b>OVERLAY DISTRICT(S):</b>	<ul style="list-style-type: none"> <li>• WP-E (Watershed Protection – Evers Overlay District)</li> <li>• SP (Special Treatment Overlay District)</li> </ul>
<b>SPECIFIC APPROVAL:</b>	<p>Previously granted for:</p> <ul style="list-style-type: none"> <li>• Reduce parking space requirements –</li> </ul>

	<p><b>LDC Section 710.1.6</b></p> <ul style="list-style-type: none"> <li>• <b>Reduce off-street loading space – LDC Section 710.2.1</b></li> <li>• <b>Elimination of foundation landscaping on Parcel C-5 (mini-warehouse expansion) – LDC 737.4.1.2.g</b></li> </ul>
<p><b>SURROUNDING USES &amp; ZONING</b></p>	
<p><b>NORTH</b></p>	<ul style="list-style-type: none"> <li>• <b>To the north, west and east of I-75, are single-family homes on large lots (Braden River Ranchettes Subdivision) zoned A-1 (Suburban Agriculture). To the northeast is the Manatee County wastewater treatment plant and landfill zoned PD-PI (Planned Development Public Interest).</b></li> </ul>
<p><b>SOUTH</b></p>	<ul style="list-style-type: none"> <li>• <b>West of I-75, across SR 70, are commercial developments in the Tara DRI zoned PDC/WP-E/ST (Planned Development Commercial/Watershed Protection Evers and Special Treatment Overlay Districts).</b></li> <li>• <b>East of I-75, across SR 70, are commercial developments in the River Club Park of Commerce DRI (Wal-Mart) zoned PDMU/WP-E/ST (Planned Development Mixed Use/Watershed Protection Evers and Special Treatment Overlay Districts) and in Ranch Lake Plaza and Ranch Lake Business Center Subdivisions zoned PDC/WP-E/ST (Planned Development Commercial/Watershed Protection Evers and Special Treatment Overlay Districts) and PR-M/WP-E/ST (Professional-Medium/Watershed Protection Evers and Special Treatment Overlay Districts).</b></li> </ul>
<p><b>EAST</b></p>	<ul style="list-style-type: none"> <li>• <b>Single-family homes (Rosedale Subdivision) zoned PDR/WP-E (Planned Development Residential/ Watershed Protection Evers Overlay District), and a church (Woodland Baptist Church) zoned A-1/WP-E/ST (Suburban Agriculture/Watershed Protection Evers and Special Treatment Overlay Districts).</b></li> </ul>

<b>WEST</b>	<ul style="list-style-type: none"> <li>• <b>Is an RV park (Pleasant Lakes RV) zoned PD-RV/ST (Planned Development Recreational Vehicle/Special Treatment Overlay District), Crossing Creek Subdivision and vacant land zoned PDR, and Campbell Commercial zoned GC/WP-E/ST (General Commercial/Watershed Protection Evers and Special Treatment Overlay Districts.</b></li> </ul>
<b>POSITIVE ASPECTS</b>	
<ul style="list-style-type: none"> <li>• <b>The addition of 150-bed group care home will generate less PM peak-hour trips than the proposed reduction of 10,000 square feet of commercial use, and will not impact the traffic pattern of the surrounding area.</b></li> <li>• <b>No increase in the range of maximum density allowed for a project within MU FLUC.</b></li> <li>• <b>No impacts to the overall open space and conservation areas of the Creekwood DRI will take place with this proposal.</b></li> </ul>	
<b>NEGATIVE ASPECTS</b>	
<ul style="list-style-type: none"> <li>• <b>Future residents of the proposed group care home may be impacted by noise since the site facility is adjacent to I-75.</b></li> </ul>	
<b>MITIGATING MEASURES</b>	
<ul style="list-style-type: none"> <li>• <b>A 50-foot wide roadway buffer is in placed along the I-75.</b></li> <li>• <b>The minimum setback for building along the east side of I-75 in Parcel MU is 100 feet.</b></li> <li>• <b>A Noise Analysis shall be provided before approval of the subsequent Final Site Plan.</b></li> </ul>	
<b>STIPULATIONS</b>	
<b>See attached Zoning Ordinance</b>	

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE  
SECTION 504.5 - REZONE CRITERIA**

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

To the north, there are office, light industrial, and warehouse uses within the PDI (Planned Development Industrial) zoning. To the south and south east, there are office and commercial uses, including a hotel, within the PDI (Planned Development Industrial) and PDC (Planned Development Commercial) zoning districts. To the east, there is open space zoned PDR (Planned Development Residential). To the west is the interstate.

The requested change, from PDI (Planned Development Industrial) to PDC (Planned Development Commercial), is compatible with the existing development pattern and zoning of nearby properties along the south segment of Lena Road and SR 70.

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

The area subject to rezone (Lots 8 - 15 of Creekwood East Subdivision) was originally part of Parcel I of the Creekwood DRI and zoned PDI (Planned Development Industrial). This zoning district was established with the approval of the DRI in 1985, when the Manatee County zoning regulations did not have a mixed use category; therefore, each parcel within a mixed use project, was given an individual category based upon its intended use, which in this case was light industrial.

However, in 2004 with the approval of Ord. 04-28 and Z-84-76(R5) to re-designate the DRI parcels identification, reduce industrial entitlements, and redistribute the allocation of commercial entitlements, the Creekwood East Subdivision was not part anymore of Parcel I and became part of a new parcel designated as Parcel MU with entitlements for commercial and offices uses.

The proposed amendment to PDC zoning is consistent with the entitlements of Parcel MU and with the development trend of properties along the south segment of Lena Road and SR 70 which is characterized by commercial and office uses.

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

The majority of the area subject to rezone is within the MU (Mixed Use) FLUC. PDI and PDC zoning districts are appropriate for the above mentioned Future Land Use Category. However, the proposed PDC zoning better conforms to the approved entitlements of the Parcel MU of Creekwood DRI, which considered commercial and offices uses.

PDC zoning district allows a variety of retail, commercial services, and offices uses. The MU FLUCs take in consideration wholesale, retail, and office in the range of potential uses.

The east portion of the area subject to rezone (east side of Lots 13, 14, and 15 of Creekwood East Subdivision) is within the P/SP(1) [Public/Semi-Public(1)] FLUC, and the only use allowed in this area according to the Master Development Plan is a 330'



wide F.P.&L easement.
<p><b>4. <u>Conflicts with Public Improvements.</u> Will the proposed change conflict with existing or planned public improvements?</b></p> <p>The proposed change will not conflict with any existing or planned public improvements Any required improvement will be determined with future site plan submittal.</p>
<p><b>5. <u>Sufficient Public Facilities.</u> Whether the proposed change will be supported by sufficient public facilities, based upon a consideration of the following factors:</b></p> <p>(i) <b>Will the proposed change adversely affect traffic patterns or congestion?</b> Based on the traffic analysis provided by the applicant the proposed change will not adversely affect traffic patterns or congestion. The current application proposes to reduce the commercial entitlements of Parcel MU by 10,000 square feet and add 150-bed group care home that will generate less PM peak-hour trips than the referenced commercial space. No increase in the entitlement for offices or hotel space has been proposed.</p> <p>(ii) <b>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?</b> PDC zoning is intended for a variety of commercial uses and allows some residential uses, as group care home and residential care facilities. The proposal of 150-bed of group care home facility is equivalent to 25 residential units (6 residents = one dwelling unit) for a density of 1.88 du/acre, well below to the maximum density allowed in MU FLUC (9 du/acre). The proposed change will not significantly impact population density, create any additional demand for schools or recreational facilities, or increase the future demand of utilities (water and sewer).</p> <p>(iii) <b>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?</b> Yes. Insufficient public facilities issues have not been raised by staff during review process. There are water and sewer available to support the proposed change and development on site.</p>
<p><b>6. <u>Neighborhood Changes.</u> Will the proposed change adversely affect the health, safety or welfare of the neighborhood?</b></p> <p>The proposed zoning amendment should have no adverse impact on the health, safety or welfare on the neighborhood in this location.</p>
<p><b>7. <u>Compliance with LDC.</u> Is the proposed amendment in conformance with all applicable requirements of this Code?</b></p> <p>The proposed amendment is in conformance with all applicable requirements of the LDC. Compliance with the standards of the PDC zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approval for this site.</p>

<p><b>8. <u>Orderly Development.</u> 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.</b></p> <p>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 south and southeast is developed with commercial and offices uses within PDI and PDC zoning designations. To the west is the Interstate. The property will be developed with commercial, offices, and allowed residential uses as group care home. Any transitional issues, such as buffers will be addressed with the future site plan submittals.</p>
<p><b>9. <u>Expanding Districts.</u> Is the proposed amendment the logical expansion of adjacent zoning districts?</b></p> <p>The proposed amendment is a logical expansion of the adjacent commercial zoning district to the southeast (PDC), and the appropriate zoning category for an area with commercial and office entitlements.</p>
<p><b>10. <u>Trends.</u> Is the timing of the request appropriate given the development trends in the area?</b></p> <p>The timing is appropriate given development trends in the area. The surrounding area, within the Creekwood DRI, has developed throughout the last twenty years.</p>
<p><b>11. <u>Historic Resources.</u> Will the proposed change adversely impact historic resources?</b></p> <p>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.</p>
<p><b>12. <u>Environmental Impacts.</u> Will the proposed change have an adverse environmental impact on the vicinity?</b></p> <p>If there are any environmental impacts, they will be addressed with the future site plan submittals.</p>
<p><b>13. <u>Lighting.</u> 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?</b></p> <p>No adverse outdoor lighting is proposed with this zoning change. However, during the future site plan submittal any proposed outdoor lighting will be required to meet LDC Section 709.</p>
<p><b>14. <u>County Wide Changes.</u> Will the proposed change adversely affect the health, safety and welfare of the County as a whole?</b></p> <p>The rezone should have no negative impact to the health, safety and welfare of the County in this location.</p>
<p><b>15. <u>Mobile Homes.</u> 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</b></p>

<p><b>to, Section 723.083, Florida Statutes.</b> Not applicable.</p>
<p><b>16. <u>Other Matters.</u> Any other matters which may be appropriate for consideration pursuant to this Code, the Comprehensive Plan or applicable law.</b> Future development will require site plan review.</p>
<p><b>COMPLIANCE WITH LDC</b> (Note: Compliance with the standards of the PDC zoning district and all other requirements of the LDC will be reviewed and verified with future site plan approvals for this site.)</p>

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

None

**TRANSPORTATION**

**Major Transportation Facilities**  
The project site (i.e. Lots 8 – 15 Creekwood East Subdivision within Parcel MU) will have access onto Lena Road, a two-lane collector roadway.

**Transportation Concurrency**  
This project site is part of the Creekwood DRI which was initially approved for transportation concurrency during the 1980’s. This current request by the Applicant involves a change in land uses for this specific parcel (from commercial development to a 150 bed assisted living facility) which translates to a decrease in PM Peak-Hour project trips as accepted and approved by the Transportation Planning Division of the Public Works Department. Based upon the above, no further review of transportation concurrency-related issues was required at this time.

**Access**  
The Applicant is not changing the location or configuration of the original access point for the project site. Thus, no further review was required at this time.

**CONCURRENCY**

**CLOS APPLIED FOR:** Y (Existing CLOS still in effect)  
**TRAFFIC STUDY REQ'D:** N

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	EXISTING LOS
Lena Road	S.R. 70 to Northern Terminus of Lena (does not connect to S.R. 64)	D	N/A

The project has an existing Certificate of Level of Service that will expire on 03/14/2015.

**Wastewater and potable water determined with FSP/Construction Plans**

**SPECIFIC APPROVAL – ANALYSES, RECOMMENDATIONS, FINDINGS**

**N/A**

**ATTACHMENTS**

- 1. Applicable Comprehensive Plan Policies**
- 2. Zoning Ordinance Z-84-76(R11)**
- 3. General Development Plan (GDP)**
- 4. Master Sign Plan for Parcel MU**
- 5. Traffic Impact Statement**
- 6. Copy of Newspaper Advertising**

### APPLICABLE COMP PLAN POLICIES

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>- (See also policies under Objs. 2.6.1 - 2.6.3)</li> </ul>
Policy: 2.2.1.12	<p><b>RES-6:</b> Establish the Residential-6 Dwelling Units/Gross Acre future land use category as follows:</p>
Policy: 2.2.1.12.1	<p>Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for a low density urban, or a clustered low-moderate density urban, residential environment. Also, to provide for a complement of residential support uses normally utilized during the daily activities of residents of these low or low-moderate density urban areas.</p>
Policy: 2.2.1.12.2	<p>Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, public or semi-public uses, schools, low intensity recreational uses, and appropriate water-dependent/water-related/water- nhanced uses (see also Objectives 4.2.1 and 2.10.4).</p>
Policy: 2.2.1.12.3	<p>Range of Potential Density/Intensity:</p> <p>Maximum Gross Residential Density: 6 dwelling units per acre</p> <p>Maximum Net Residential Density: 12 dwelling units per acre (except within the WO or CSVA Overlay Districts pursuant to Policies 2.3.1.4 and 4.3.1.5)</p>

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

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

Policy: 2.2.1.12.4 Other Information:

- a) All mixed and multiple-use projects require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.
- b) All projects for which gross residential density exceeds 4.5 dwelling units per acre, or in which any net residential density exceeds 6 dwelling units per acre shall require special approval.
- c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.
- d) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provisions Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).

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

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

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

Policy: 2.2.1.17.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale or office commercial uses which function in the market place as neighborhood, community, or region-serving. Also residential uses, lodging places, public or semi-public uses, schools, recreational uses, appropriate water-dependent/ water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4), and short-term agricultural uses.

Policy: 2.2.1.17.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:

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

For new development -

9 dwelling units per acre

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

Maximum Net Residential Density:

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

For new development -

16 dwelling units per acre

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

Maximum Floor Area Ratio: 0.35

1.0 inside the CRA's and UIRA

Maximum Floor Area Ration for Hotels: 1.0

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

Policy: 2.2.1.17.4 Other Information:

a) All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.

- b) All projects for which either gross residential density exceeds 6 dwelling units per acre, or for which any net residential density exceeds 9 units per acre, shall require special approval.
- c) All non-residential projects, or part thereof, exceeding 0.25 FAR shall also require special approval except mini-warehouse.
- d) Non-residential projects exceeding 150,000 square feet gross building area may be considered only if consistent with the requirements for large commercial uses, as described in this element.
- e) In areas where existing development is recognized utilizing the Retail/Office/Residential category, or where the spatial form of the Retail/Office/Residential designation on the Future Land Use map is accordingly inconsistent with the commercial locational criteria contained in this element; development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Sections 2.10.4.1 and 2.10.4.2 of this element. However, any such development or redevelopment shall still be required to achieve compliance with other commercial development standards contained in this element, and be consistent with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2).
- f) In areas where the Retail/Office/Residential category is designated in a manner entirely consistent with the commercial locational criteria, all commercial development or redevelopment shall be conducted in a manner consistent with the commercial location criteria and development standards contained in this element.
- g) In order to distinguish between uses which may be permitted in the R/O/R category, as compared to those which require siting within an industrial category, the following guidelines shall be utilized:
  - I. No uses which have a primary purpose of distribution of goods from that site shall be permitted in the Retail/ Office/ Residential designation.
  - II. No new areas (a new area, for the purposes of this policy, shall be defined as property beyond those parcel configurations as of May 11, 1989 which had light industrial uses established upon them) engaging in the manufacturing, processing, and assembly of goods shall be permitted in the Retail/Office/ Residential designation except as provided



below:

- III. Legally established light industrial uses existing prior to the adoption of this Comprehensive Plan shall be considered legally conforming uses, limited to their approved location. With special approval, other light industrial uses and additional square footage within the same parcel may be approved if there are no additional impacts to adjoining properties and all special approval criteria are met.
- iv. If a legally established light industrial use ceases operation for over six months with no action to re-establish and/or continue such use, the use shall now be prohibited from development within the R/O/R designation.

Policy: 2.2.1.21 **MU:** Establish the Mixed-Use future land use category as follows:

Policy: 2.2.1.21.1 Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Map, areas which are established as major centers of suburban/urban activity and are limited to areas with a high level of public facility availability along expressways. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and non-residential uses within these areas, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.

Policy: 2.2.1.21.2 Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Retail, wholesale, office uses, light industrial uses, research/corporate uses, warehouse/ distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses.

Policy: 2.2.1.21.3 Range of Potential Density/Intensity:

Maximum Gross Residential Density:  
9 dwelling units per acre

Maximum Net Residential Density:  
20 dwelling units per acre

Maximum Floor Area Ratio: 1.0  
Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses:  
Large (300,000sf)

Policy: 2.2.1.21.4 Other Information:

- a) All projects require special approval and are subject to the criteria within b, c, d below, unless all the following are applicable:
  - 1. The proposed project consists of a single family dwelling unit located on a lot of record which is not subject to any change in property boundary lines during the development of the proposed land use, and
  - 2. The proposed project is to be developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.
- b) Non-Residential uses exceeding 150,000 square feet of gross building area (region-serving uses) may be considered only if consistent with the requirements for large commercial uses, as described in this element.
- c) Development in each area designated with the Mixed Use category shall:

contain the minimum percentage of at least three of the following general categories of land uses;

  - 10 %Residential,
  - 10 %Commercial / Professional,
  - 10 %Light Industrial / Distribution.
  - 5 %Recreation / Open Space,
  - 3 %Public / Semi Public,
- d) Access between these uses shall be provided by roads other than those shown on the Major Thoroughfare Map Series of this Comprehensive Plan or alternative vehicular and pedestrian access methods acceptable to the County:
- (e) Development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Objectives 2.10.4.1 and 2.10.4.2 of this element.

Policy: 2.2.1.22

**P/SP (1):** Establish the Public/Semi-Public (1) future land use category as follows:

Policy: 2.2.1.22.1 Intent: To recognize major existing and programmed public/quasi-public facilities, primarily those facilities associated with public or private utilities, including electrical transmission corridors occupied by transmission lines of 240KV or more. Also, to recognize, and provide a unique designation within the Future Land Use Element, for those public or semi-public facilities which have adverse aesthetic or health, safety, or welfare impacts on adjacent property or residents. Additional areas under this category may be recognized by amendments to the Future Land Use Map, if appropriate, and why such uses are programmed.

Policy: 2.2.1.22.2 General Range of Potential Uses: Recreational uses, sanitary landfills, permanent water and wastewater treatment/storage/disposal facilities and other major public facilities including, but not limited to, airports owned or operated by a public entity, major maintenance facilities, solid waste transfer stations, major utility transmission corridors. Also, when the P/SP (1) designation is an easement on privately-held property, other uses consistent with the adjacent future land use category or categories, where consistent with the purpose of the easement and consistent with all other goals, objectives, and policies of this Comprehensive Plan, may also be considered. (See also Policy 2.1.1.5)

Policy: 2.2.1.22.3 Range of potential Density/Intensity:

Maximum Net Residential Density:  
0 dwelling units per acre

except where the area designated as P/SP (1) is utility easement on property owned by applicants for a proposed project. Under this exception, property designated as P/SP (1) shall, during the development review process, be counted toward gross residential acreage, as defined herein, and the limits on gross density associated with the category adjacent to the P/SP (1) designation shall be applied to the area shown as P/SP (1). When there are different future land use categories designated adjacent to the P/SP (1) category, the area shown on the Future Land Use Map as P/SP (1) shall be reviewed as being designated under both adjacent future land use categories, with the centerline of the easement utilized as the line separating both adjacent categories.

Maximum Net Residential Density:  
0 dwelling units per acre

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

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

Policy: 2.2.1.22.4 Other Information:

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

Policy: 2.3.1.4 Prohibit the clustering of development through the transfer of density/intensity credits from property located outside of the Watershed Overlay District to property located within this district, unless a finding of overriding public interest is determined by the Board of County Commissioners.

	Implementation Mechanism:
	a) Planning Departments review of projects for compliance with this policy.
Policy: 2.6.1.1	<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: 2.6.5.1.	Provide incentives for, and otherwise encourage the use of the planned unit development procedure to achieve quality, highly functional, and well-integrated project designs.
Policy: 2.6.5.2	Encourage, in locations which are suited to diverse uses, mixed and multiple use projects to provide for integration and synergy between land uses. Nothing in this policy shall preclude single use or homogenous projects if mixing of uses on a single project, or intrusion of a different use into a homogenous area, will create inappropriate diversity or incompatibilities between adjacent land uses.
Policy: 2.6.5.5	Maximize the conservation and/or protection of public or private open space, including common open space, through the land development process by requiring that minimum percentages of the upland area on any project be maintained as undisturbed or landscaped areas.
Policy: 2.9.1.9	Require where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Obj. 3.3.3)
Policy: 2.10.1.2	Promote the development of commercial uses in planned commercial centers, and discourage scattered, incremental commercial development.