PDR-19-13(Z)(G) – WHITFIELD-LOCKWOOD RESIDENTIAL – PARKWAY LAND TRUST #1 AND LT INVESTMENT 2, LLC – PLN1908-0013

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 37.27 acres generally located at the northeast and northwest corners of Whitfield Avenue and Lockwood Ridge Road, and commonly known as 4831 Whitfield Avenue and 6824 Lockwood Ridge Road, from A-1/WP-E/ST (Suburban Agriculture/Watershed Protection Evers/Special Treatment Overlay Districts - 4.62-acres) and RMF-6/WP-E/ST (Residential Multi-Family-6/Watershed Protection Evers/Special Treatment Overlay Districts - 32.65-acres) to the PDR (Planned Development Residential) zoning district, retaining the WP-E/ST (Watershed Protection Evers/Special Treatment) Overlay Districts; approving a General Development Plan for a maximum of 315 multi-family residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

Planning Commission: 07/24/2020
Board of County Commissioners: 08/20/2020

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 stipulated herein, I move to ADOPT Manatee County Zoning Ordinance Number PDR-19-13(Z)(G); APPROVE the General Development Plan with Stipulations A.1–A.25, B.1–B.3, C.1–C.7, D.1-D.4 and E-1; ADOPT the Findings for Specific Approval; and GRANT Specific Approval of an alternative to Land Development Code Sections 401.5.A.2. (to eliminate a six-foot solid decorative wall required for a project of three-stories or more, along a property line abutting a single-family residential development), 401.5.B.4. (to eliminate the requirement to have the main entrance of the building facing the street), and 402.7.D.5 (to reduce the width of the greenbelt buffer adjacent to the north property line from 15 feet to 10 feet); as recommended by the Planning Commission.

(Commissioner’s Baugh and Servia)

PLANNING COMMISSION ACTION:
On July 24, 2020, by a vote of 5 – 1, the Planning Commission recommended approval. Mr. Roth voted nay, and Mr. Conerly was absent.
PUBLIC COMMENT AND CORRESPONDENCE:
July 24, 2020 Planning Commission

Public Comments

Beth Boyce, Avalon resident, opposed the request due to concern with area flooding. She inquired if the Southwest Florida Water Management District (SWFWMD) was involved and new regulations should be tested on the watershed.

David Woodhouse, Palm Aire resident, spoke about area drainage and flooding.

Robert Bennett, Palm Aire resident, stated what could be built on site would be more intense than what is being proposed, and questions if it would matter if the entire site was utilized for retention.

Barbara Robinson, Palm Aire resident, stated her stormwater questions were addressed by the presentations, and the proposed use would be less intensive than what could be built on this site.

Leslie Benzing, Palm Aire resident, expressed concern with the number of proposed units and whether the fire district could adequately serve the site.

Dan Freed stated he is concerned with the condition of Lockwood Ridge Road, the proposed building heights and density.

Judy Carson, Palm Aire resident, read her submitted comments in opposition to the request.

Larry Grossman asked about the parking reduction, impervious surface, and tree coverage for parking.

Gary Thompson pointed out there has been traffic accidents at the intersection, and expressed concern with preservation, maintenance of Rattlesnake Slough, and how the gate across Rattlesnake Slough hinders water flow.
PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE NUMBER</th>
<th>PDR-19-13(Z)(G) / PLN1908-0013</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT NAME</td>
<td>Whitfield-Lockwood Residential</td>
</tr>
<tr>
<td>APPLICANT(S) / AGENT</td>
<td>Parkway Land Trust #1 and LT Investment 2, LLC (Applicant) Clint Cuffle, P.E., WRA (Agent)</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>RMF-6 (Residential Multi-Family - 6 dwelling units/acre) – 37.27 acres A-1 (Agriculture Suburban District – 1 dwelling unit/acre) - 4.62 acres</td>
</tr>
<tr>
<td>PROPOSED USE(S)</td>
<td>Residential (Multi-Family)</td>
</tr>
<tr>
<td>SPECIFIC APPROVAL REQUESTS</td>
<td>An Alternative to Land Development Code (LDC) Sections:</td>
</tr>
<tr>
<td></td>
<td>1) 401.5.A.2: To eliminate a six-foot solid decorative wall required for a project of three-stories or more, along a property line abutting a single-family residential development,</td>
</tr>
<tr>
<td></td>
<td>2) 401.5.B.4: To eliminate the requirement to have the main entrance of the building facing the street,</td>
</tr>
<tr>
<td></td>
<td>3) 402.7.D.5: To reduce the width of the greenbelt buffer along to the north project boundary from 15 feet to 10 feet.</td>
</tr>
<tr>
<td>CASE MANAGER</td>
<td>Achaia Brown, Planner II</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>Approval with stipulations</td>
</tr>
</tbody>
</table>

DETAILED DISCUSSION

The subject site consists of two parcels; one parcel is 4.62 acres and the other is 32.65 acres, for a total project site of 37.27 acres. The parcels are located at the northeast and northwest corners of Whitfield Avenue and Lockwood Ridge Road. The northwest parcel (4.62-acres) is currently zoned A-1 (Agricultural Suburban), and the northeast parcel (32.65-acre) is zoned RMF-6 (Residential Multi-Family- 6 dwelling units per acre). The two parcels are in the WP-E (Evers Watershed) and ST (Special Treatment) Overlay districts. All units will be located on the 32.65-acre tract; the smaller tract will have a wetland, floodplain compensation and wetland mitigation.

The current A-1 zoning district allows one dwelling unit per acre with a maximum building height of two stories. The RMF-6 zoning district allows a maximum gross density of six dwelling units per acre with a maximum building height of four stories.

History
The 32.65-acre parcel was originally part of a larger tract of land (1,374 acres) owned by Florida Palm-Aire Corporation in the 1960’s. On September 9, 1969, the parcel was rezoned from A (General Agriculture) to R-3 (Multiple Family Residential) by Resolution R-373 approved by the Board of County Commissioners. This zoning permitted sixteen dwelling units per acre.
Palm Aire was the first large master planned community in Manatee County. The project received a “Binding Letter of Vested Rights” (BLVR) from the State of Florida in 1977. The determination by the State Planning Director:

- Vested the project from Development of Regional Impact (DRI) requirements;
- Noted the zoning would accommodate 19,632 units; and
- Anticipated a minimum of 6,122 dwelling units.

The development of Palm Aire has proceeded in accordance with the plan originally outlined with the zoning and the BLVR. The community has a variety of housing choices including large lot single-family development, villas, condominiums and apartments. While the eastern parcel has had multi-family zoning since 1969, in 1990, the zoning of the 32.65 acres changed to RMF-6 with the implementation of the Land Development Code (LDC) and the western parcel received an A-1 (Suburban Agriculture) designation.

Request

The applicant is seeking a rezone of the two parcels (37.27 acres) from A-1 (4.62 acres) and RMF-6 (32.65 acres) to Planned Development Residential (PDR) and approval of a General Development Plan (GDP) for 315 residential multi-family units.

The subject site has two Future Land Use Categories (FLUC) - RES-6 (4.62 acres) and RES-9 (32.65 acres).

RES-6 is intended for the following uses and densities (Policies 2.2.1.12.1, 2.2.1.12.2, and 2.2.1.12.3):

- Medium density urban residential and clustered development, with support uses such as neighborhood commercial, office, public/semi-public, recreation and school uses, and
- Maximum Residential Density: 6 dwelling units per gross acre, and 12 dwelling units per net acre.

RES-9 is intended for the following uses and densities (Policies 2.2.1.13.1, 2.2.1.13.2, and 2.2.1.13.3):

- Medium density residential and high density clustered residential development, with support uses such as neighborhood commercial, office, public/semi-public, recreation and school uses, and
- Maximum Residential Density: 9 dwelling units per gross acre, and 16 dwelling units per net acre.

To determine project density, LDC Section 400.6.I. – Planned Development Projects with Multiple Future Land Use Categories provides guidance on how to calculate density. Additionally, the LDC definition of “adjacent” needs to be considered since the properties are separated by Lockwood Ridge Road. The “Adjacent” definition reads as follows:

Adjacent shall mean to have property lines, or portions thereof, in common or facing each other across a street, right-of-way or narrow water body.

Based on this definition and LDC Section 400.6.I, the following is the density calculation:

RES-9 Parcel = 32.65-acres x 9 dwelling units per gross acre = 293.85 units
RES-6 Parcel = 4.62 acres x 6 dwelling units per gross acre = 27.72 units

Total = 321 units

As result, the proposed 315 residential units (8.45 dwelling units/acre) complies with the density provisions of both the Comprehensive Plan and the Land Development Code.
The GDP (Figure 1) shows the following:

- Seven proposed buildings on the 32.65-acre parcel. A wetland, floodplain compensation and wetland mitigation are proposed for the 4.62-acre parcel. At time of Preliminary/Final Site plan submittal, the location and number of buildings shown on the General Development Plan may change subject to conformance with the LDC and the stipulations listed herein.

- Applicant proposes a gated community. (See note number 38 on the coversheet of the General Develop Plan)

- Maximum height on the south side of Rattlesnake Slough is 3 stories (45-feet).

- Maximum height on the north side of Rattlesnake Slough is 4 stories (60-feet).

- Maximum number of units on the south side of Rattlesnake Slough is limited to 99 units.

- Minimum multi-family structure setback from Lockwood Ridge Road and Whitfield Avenue is 50-feet.

- Minimum structure setback from the north property line is 20-feet.

- A residential building setback of 370’ to the eastern boundary (adjacent to Carlyle Subdivision).

- Minimum 20-foot wide roadway buffers adjacent to Lockwood Ridge Road and Whitfield Avenue.

- Minimum required open space is 35% (WPE) of project acreage or 13.04 acres. The maximum open space consisting of waterbodies (stormwater, wetlands, etc.) is limited to 75% or 9.78 acres of the required 13.04 acres.

- A 5-foot sidewalk will be provided adjacent to Whitfield Avenue and will connect to the existing sidewalk on Lockwood Ridge Road. GDP Cover Sheet Note #32 states the project will have internal sidewalks to provide connectivity throughout the project and these sidewalks will connect to the sidewalks within the public right-of-way. The applicant is agreeing to an eight (8) foot wide sidewalk if adequate right-of-way is made available.

- A parking reduction of approximately 15 percent from 2.1 spaces per unit to 1.8 spaces per unit is proposed. LDC section 1005.4.E. allows properties in the Watershed Overlay District to reduce parking up to 20 percent.

- There are full access points on both Lockwood Ridge Road and Whitfield Avenue. Internally there is an optional bridge for internal pedestrian and vehicular traffic across Rattlesnake Slough to connect the north and south sections of the site. There are also optional right-in/ right outs on both Lockwood Ridge Road and Whitfield Avenue. These may be required to meet two means of access standards.
The neighboring areas adjacent to the subject site are zoned Planned Development Residential. The current proposal contemplates the same use (residential) and zoning (PDR) of the surrounding area. In order to show that the proposed project heights (3 and 4 stories) and density (8.45 dwelling units per acre) are compatible with the surrounding area, the applicant has prepared the following graphics illustrating the site distances of the nearest building to existing subdivisions.
Building 1 is located parallel to Lockwood Ridge Road. There is a fifty (50) foot setback from the western property line. A twenty (20) foot roadway buffer is included in this setback area which will provide visual screening for the driving public. Additionally, the Woodridge Oaks Homeowners Association has an extensive vegetative buffer along Lockwood Ridge Road. This buffer will provide additional view protection from 67th Avenue Circle East. Woodridge Oaks Homeowners Association’s stormwater facility is adjacent to the roadway and the closest single-family home is at 4206 67th Avenue Circle East. This home is approximately 225 feet from proposed Building 1.

Carlyle Subdivision is the only subdivision that is not separated from the subject property by a roadway. Carlyle Subdivision’s backyards have over 400 feet of separation between their property lines and Building 6. Additionally, the applicant has agreed that there will be no buildings or parking in the eastern-most 350 feet of the property. Finally, building height south of the Slough is limited to 3-stories.
The above illustration shows a perspective from the closest residence on Treymore Court to Building 6. There is approximately 385 feet of separation. The Treymore Community Association property located at the intersection of Treymore Court and Whitfield Avenue is heavily vegetated.

The proposed medium density (8.45 dwelling units per acre) multi-family residential development with 3- and 4-story structures needs to be evaluated for compatibility with the characteristics of adjacent and nearby lower density single-family and limited multi-family developments. Policy 2.6.1.1. of the Comprehensive Plan establishes techniques to mitigate potential incompatibilities. These techniques include the use of undisturbed or undeveloped land as landscape buffers, increased size and opacity of screening buffers, increased building setbacks, innovative site and building designs. The proposed project utilizes the following techniques to mitigate any perceived incompatibilities:

- The project is located within the Evers Watershed Protection Overlay. One means of protecting the watershed is to reduce the amount of impervious surface within the development. The applicant proposes reducing the required parking by approximately 15 percent from 662 spaces (2.1 spaces per unit) to 567 spaces (1.8 spaces per unit). LDC Section 1005.4.E allows properties within the Evers Watershed Protection Overlay to decrease parking by 20 percent.

- A minimum front setback area of 50-feet for multi-family structures is being provided adjacent to Lockwood Ridge and Whitfield Avenue to provide a transition, both physical and visual, from the street to the building(s) (refer to Stipulation A.2).

- Carlyle Subdivision is the only subdivision adjacent to the site that is not separated by a roadway; therefore, the developer must comply with LDC Section 401.5. Building Height Compatibility. Carlyle has an approximately 100-foot buffer separating it from the subject property. The developer has located its closest multi-family building south of the Slough 384’ from its eastern property boundary. The developer has also committed that the easternmost 350’ south of the Slough will be limited to wetlands, wetland mitigation, floodplain compensation and landscaping. All buildings south of the Slough are limited to three (3) stories with a maximum height of forty-five (45) feet.

- The developer has proposed construction of a twenty (20) foot wide berm between the southeasterly stormwater pond and the adjacent floodplain compensation/wetland mitigation area. This berm will be planted with hardwood trees. Additionally, wet-tolerant trees such as bald cypress and red maple will be planted in the wetland mitigation area to provide screening for the Carlyle neighbors. (Stipulation A.5)
- The Treymore Subdivision is located on the east side of Whitfield Avenue. The closest single-family home is approximately 325 feet away from the proposed Building 7.

The Woodridge Oaks Subdivision is located on the west side of Lockwood Ridge Road. The closet single-family home adjacent to Lockwood Ridge Road is approximately 225 feet away from the proposed four-story Building 1. The applicant scheduled “Neighborhood Meetings” with various groups of citizen associations of the nearby area. As a result of the meetings, the applicant committed to include additional development stipulations (e.g. setbacks, screening, time of improvements) to address the neighbors' concerns.

Staff recommends Approval with Stipulations.

| SITE CHARACTERISTICS AND SURROUNDING AREA |
|----------------|------------------|
| ADDRESS | 4831 Whitfield Avenue  |
| | 6824 Lockwood Ridge Road |
| GENERAL LOCATION | Northeast and Northwest corners of Whitfield Avenue and Lockwood Ridge Road |
| ACREAGE | Approximately 37.27 acres |
| EXISTING USE(S) | Agriculture and Residential |
| FUTURE LAND USE CATEGORY(S) | Residential 6 (RES-6 – 4.62 acres) |
| | Residential 9 (RES-9 – 32.65 acres) |
| DENSITY | **Allowed Density and Units (Maximum)** |
| | Residential 6 (RES-6) |
| | **Gross** |
| | 6 dwelling units x 4.62 gross acres = 27.72 units |
| | **Net** |
| | 12 dwelling units x 4.62 net acres = 55.44 |
| | Residential 9 (RES-9) |
| | **Gross** |
| | 9 dwelling units x 32.65 gross acres = 293.85 |
| | **Net** |
| | 16 dwelling units x 32.65 net acres = 522.4 |
| OVERLAYS | - Special Treatment (ST) |
| | - Watershed Overlay (WP-E) |

The total proposed units (315) will be constructed within the RES-9 portion of the site (East Parcel). The West Parcel will have an existing wetland, as well as floodplain compensation and wetland mitigation. Overall Gross Density: 8.45 dwelling units/acre.
<table>
<thead>
<tr>
<th>SURROUNDING USES AND ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>4.62-acre site (West Parcel)</strong></td>
</tr>
<tr>
<td>SOUTH: Whitfield Avenue / SaraPalms Subdivision - Planned Development Residential (PD-R)</td>
</tr>
<tr>
<td>EAST: Lockwood Ridge Road</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SITE DESIGN DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SETBACKS</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>32.65-acre site (East Parcel)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (Whitfield Avenue): 50-feet</td>
</tr>
<tr>
<td>Front (Lockwood Ridge Road): 50-feet</td>
</tr>
<tr>
<td>Side (North): 20-feet</td>
</tr>
<tr>
<td>Side (East): 370-feet</td>
</tr>
<tr>
<td>Separation between buildings: 20-feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.62-acre site (West Parcel)</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A. The 4.62-acre parcel is proposed to contain the existing wetland and an area of floodplain compensation and wetland mitigation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>HEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>North of Rattlesnake Slough: Maximum 4 stories (60-feet)</td>
</tr>
<tr>
<td>South of Rattlesnake Slough: Maximum 3 stories (45-feet)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPEN SPACE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required</td>
</tr>
<tr>
<td>35 percent (13.04 Acres)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ACCESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockwood Ridge Road and Whitfield Avenue – one full access point and optional right-in/right-out on each road. The right-in/right-outs may be required depending on unit count and status of the optional pedestrian/vehicular crossing of Rattlesnake Slough</td>
</tr>
</tbody>
</table>
### FLOOD ZONE(S)

The project area lies in Zones "X" (areas outside of 100-year floodplain delineation) and "AE" (areas within 100-year floodplain delineation, Base Flood Elevation Determined); and the regulatory floodway of Rattlesnake Slough per FIRM Panel 12081C0317E, effective 3/17/2014. In addition, this project is located within the County 25-year floodplain.

### STORMWATER/AREA OF KNOWN FLOODING

<table>
<thead>
<tr>
<th>Project Located in Flood Prone Area</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of Flooding (i.e. rainfall, riverine, storm surge, etc.)</td>
<td>Rainfall</td>
</tr>
<tr>
<td>Project Subject to Flow Reduction</td>
<td>Yes, 50 percent reduction in allowable pre-development runoff rate for Rattlesnake Slough/Braden River Watershed.</td>
</tr>
<tr>
<td>Project subject to OFW</td>
<td>Yes, 150 percent water quality treatment required for Evers Watershed Protection Overlay (WP-E)</td>
</tr>
<tr>
<td>Watershed/Basin</td>
<td>Rattlesnake Slough/Braden River Watershed.</td>
</tr>
<tr>
<td>Project located within Floodplain and/or Floodway (Present FIRM)</td>
<td>A majority of the project area resides within the FEMA 2014 FIRM 100-year floodplain (Zone AE). The project area is partially located within the FEMA floodway associated with Rattlesnake Slough. In addition, the project area is partially located within the County 25-year floodplain.</td>
</tr>
<tr>
<td>Drainage Easements/Access Easements required for existing system(s)</td>
<td>A top-of-bank to top-of-bank Drainage Easement and a Drainage Maintenance-Access Easement is required for Rattlesnake Slough (Stipulation C-6).</td>
</tr>
</tbody>
</table>

### UTILITIES

The following facilities are near this development project:

**Water:** 20 inch DIP (Ductal Iron Pipe) county owned potable water main south along Whitfield Avenue and 30 inch DIP potable water main west along 45th Street East.

**Sewer:** 16 inch sanitary force main south along Whitfield Avenue and West along 45 Street East, 10 inch sanitary force main south along Whitfield Ave.

**Reclaimed:** There is no reclaimed service near this development project.
### ENVIRONMENTAL INFORMATION

<table>
<thead>
<tr>
<th>Description</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Wetland/Other Surface Water Acreage</td>
<td>16.84</td>
</tr>
<tr>
<td>Previously Approved Wetland Impacts¹</td>
<td>9.98</td>
</tr>
<tr>
<td>Impacts to Enhanced Wetland</td>
<td>0.06</td>
</tr>
</tbody>
</table>

### Previously Approved Mitigation By Type¹

<table>
<thead>
<tr>
<th>Type</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-Site Herbaceous Enhancement</td>
<td>1.65</td>
</tr>
<tr>
<td>On-site Forested Enhancement</td>
<td>2.00</td>
</tr>
<tr>
<td>On-site Upland Preservation</td>
<td>1.38</td>
</tr>
<tr>
<td>On-Site Forested Creation</td>
<td>2.63</td>
</tr>
<tr>
<td>On-site Herbaceous Creation</td>
<td>2.00</td>
</tr>
<tr>
<td>Off-site Herbaceous Enhancement</td>
<td>11.44</td>
</tr>
<tr>
<td>Off-site Upland Enhancement</td>
<td>1.64</td>
</tr>
</tbody>
</table>

### Mitigation Modifications

<table>
<thead>
<tr>
<th>Type and Size</th>
<th>Proposed Modification</th>
<th>Environmental Review Section Objection</th>
</tr>
</thead>
<tbody>
<tr>
<td>Herbaceous wetland creation (0.48 acre)</td>
<td>Relocation of 0.48 acre of herbaceous wetland creation on-site</td>
<td>No</td>
</tr>
<tr>
<td>Upland preservation (0.03 acre)</td>
<td>Either relocate 0.03 acre of upland preservation on-site or provide wetland creation of equivalent wetland lift</td>
<td>No</td>
</tr>
<tr>
<td>Forested wetland enhancement (0.06 acre)</td>
<td>On-site creation of equivalent wetland lift</td>
<td>No</td>
</tr>
</tbody>
</table>

¹ SWFWMD Permit # 43023591.020

### Wetlands

This property has an approved mass grading SWFWMD permit (No. 43023591.020) issued in 2016 allowing impact to 9.98 acres of jurisdictional wetlands. The Table above identifies the approved mitigation by type. Mitigation for the approved impacts has not yet been completed. The Table also outlines the changes being made to the approved mitigation in the permit. The only new wetland impact associated with the project is a 0.06 impact to a wetland scheduled for enhancement. There will be on-site creation of equivalent wetland lift.
Uplands
Considerable amount of native upland areas have been historically altered on the 32.65-acre site. In 2016, as part of the SWFWMD permit, some of the approved 9.98-acres of wetlands were impacted; the rest are still pasture. Most remaining native uplands along Rattlesnake Slough will be preserved in the required 50’ wetland buffer.

Endangered Species
No listed species were noted during site visits as reported in a WRA Environmental Considerations Report dated July 2019.

Trees
Trees throughout most of the site have been removed under agricultural exemptions. Most of the remaining forested uplands along Rattlesnake Slough will be preserved in the required 50’ wetland buffer. There is a tree line (mostly oaks) along a drainage ditch on the eastern boundary with a residential subdivision. The applicant has surveyed the boundary and determined most of the trees are located on the adjacent property. Trees on the applicant’s property are located in a 100-foot-wide buffer and the applicant represents, though it is not required, that the trees on-site will remain.

Landscaping/ Buffers
The applicant has shown on the GDP that landscaping will be in accordance with Sections 700/701 of the Land Development Code with the exception of a specific approval to reduce the greenbelt buffer from 15 feet to 10 feet along the north property line of the project site.

Plans also show a 100-foot-wide buffer on the eastern boundary that is included in an area identified as floodplain compensation/wetland mitigation. Plantings will be allowed in these floodplain compensation areas as long as it does not inhibit drainage flow.

<table>
<thead>
<tr>
<th>NEARBY RESIDENTIAL DEVELOPMENT</th>
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<tbody>
<tr>
<td><strong>SUBDIVISION</strong></td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td>Villages of Palm Aire</td>
</tr>
<tr>
<td>Cascades</td>
</tr>
<tr>
<td>Woodridge Oaks</td>
</tr>
<tr>
<td>Woodbrook</td>
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<tr>
<td>Villa Amalfi</td>
</tr>
<tr>
<td>The Heights / Evers Reservoir</td>
</tr>
</tbody>
</table>

(*) Multi-family units are allowed within the development  
(**) (Single-attached lots)
### POSITIVE ASPECTS

- Locating more intense development at the intersection of two thoroughfares.
- Developing property with existing available infrastructure (water, sewer, roadways) at a higher density.
- Developing an infill piece of property.
- The eastern portion of the site has been zoned for multi-family development since 1969. It is currently zoned RMF-6 which permits four story buildings.

### NEGATIVE ASPECTS

- Wetlands previously approved for impact have not yet been mitigated.
- Additional wetland impacts of 0.06 acres are proposed.
- Higher density when compared to the immediate area density can be perceived as a negative aspect. Building heights of 3- and 4-stories when compared to existing heights ranging from one, two-, and three-stories can be perceived as a negative aspect.
- Development in the Watershed Overlay.

### MITIGATING MEASURES

- Wetland mitigation has been proposed and will be detailed and reviewed during Preliminary/Final Site Plan submittal.
- The applicant is reducing the amount of impervious surface within the Evers Watershed Overlay by reducing the required parking by approximately 12% from 662 spaces (2.1 spaces per unit) to 586 spaces (1.8 spaces per unit).
- The applicant is proposing design/land use stipulations (A.1 through A.25) to reduce the visual and physical impact of the proposed density and height of 3- and 4-stories.

### STAFF RECOMMENDED STIPULATIONS

#### A. DESIGN AND LAND USE

1. The location and number of buildings shown on the General Development Plan reflects the applicant's conceptual intent. The number and location of structures may change subject to conformance with the LDC and the stipulations listed herein. The maximum number of residential units is limited to 315.

2. A minimum front setback of 50-feet for multi-family buildings shall be provided adjacent to Lockwood Ridge Road and Whitfield Avenue to provide a transition, both physical and visual, from the streets to the building(s). An amenity building, if greater than one story, shall comply with the fifty-foot setback. The minimum setback for other structures including an amenity center of one story or less, carports, garages and maintenance buildings shall be twenty-five (25) feet.

3. The minimum setback from the east property shall be 370 feet.

4. The easternmost 350’ of the site may only be used for: floodplain compensation, stormwater management, wetlands, wetland mitigation and landscaping. Buildings and vehicle use areas are prohibited in this area.
5. There shall be a twenty (20) foot wide berm between the southeastern stormwater pond and the floodplain compensation/wetland mitigation area. In order to provide additional screening, hardwood trees shall be planted on the proposed twenty (20) foot wide berm.

6. Wet tolerant trees such as red maples and bald cypress shall be planted down the western bank of the southeastern floodplain compensation area to provide additional screening.

7. The minimum separation between buildings shall be 20 feet.

8. A maximum of 99 units can be constructed south of the Slough; additional structures such as garages, carports, an amenity center or maintenance buildings may be provided.

9. The maximum height of the multi-family units located on the south side of Rattlesnake Slough is limited to 3 stories (45-feet).

10. The maximum height of the multi-family units located on the north side of Rattlesnake Slough is limited to 4 stories (60-feet).

11. Structures such as carports, garages, and maintenance buildings shall be limited to one (1) story. An amenity center is limited to three (3) stories, if it is part of a multi-family structure. If it is a separate structure the amenity center shall be limited to two (2) stories. The setback for the amenity center shall be as provided for in Stipulation A.2.

12. The roadway buffers shall contain enhanced landscaping and a six-foot high decorative opaque wall or fence. Landscaping shall be installed on the exterior side of the wall or fence, and shall contain a combination of understory trees, palms, shrubs, and ground cover. This shall be reviewed with the Final Site Plan.

13. Cantilevered balconies, bay windows, and roof overhangs are encouraged as design elements and may encroach into the front setback area.

14. Porches may be one (1) or two (2) stories. Porches that are open or screened (not air conditioned) may encroach into the front setback area.

15. Buildings shall have varied setbacks of at least three (3) feet in depth every seventy-five (75) horizontal feet to give the appearance of less bulk to the street frontage and adjacent buildings.

16. Buildings shall have an articulated roofline.

17. Mechanical equipment (heating, ventilation, or air conditioning unit placed outside of a building) that is visible from the street or adjacent properties shall be screened by a wall, fence or vegetative matter.

18. Roof-top mechanical equipment shall be enclosed by parapets or screen walls of the minimum height necessary to conceal it, and a maximum height of five (5) feet. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the Final Site Plan.

19. Final Site Plan (FSP) review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the LDC requirements for parking, screening buffer (recreational use to single family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20-feet from property lines and/or structures.
20. All dumpsters, compactors, and other utility equipment shall be screened with a six-foot-high wall constructed with building materials consistent with the principal building(s). Compliance shall be verified with review of the Final Site Plan.

21. Paved pedestrian walks interconnecting principal structures, parking areas, recreational facilities, and adjoining sidewalks shall be provided. The minimum width of these sidewalks shall be five feet.

22. The southern tract shall have a minimum of two parking spaces per residential unit. The entire project shall have a minimum parking ratio of 1.8 spaces per unit overall.

23. If the project is gated, stacking lanes shall be provided in accordance with County requirements.

24. Vehicle Use Areas shall be landscaped in accordance with Section 701.3.A of the Land Development Code.

25. Exterior light poles shall be limited to a maximum fixture height of 20’. All fixtures shall be shielded in accordance with Figure 8-1 of the Land Development Code.

B. ENVIRONMENTAL

1. New wetland impacts are limited to 0.06 acres.

2. All other applicable local, state or federal permits shall be obtained prior to commencement of construction.

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

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

C. STORMWATER

1. Pursuant to Section 801 and 802 of the Land Development Code and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling (utilizing the Braden River Watershed Management Plan available through the Public Works Department) shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the FEMA 2014 FIRM 100-year floodplain, 100-year floodway, county 25-year floodplain, and post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

<table>
<thead>
<tr>
<th>Storm Frequency:</th>
<th>Cumulative Rainfall:</th>
<th>Rainfall Distribution:</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-year/24-hour</td>
<td>7 inches</td>
<td>FLMOD</td>
</tr>
<tr>
<td>25-year/24-hour</td>
<td>8 inches</td>
<td>FLMOD</td>
</tr>
<tr>
<td>100-year/24-hour</td>
<td>10 inches</td>
<td>FLMOD</td>
</tr>
<tr>
<td>100-year/72-hour</td>
<td>18 inches</td>
<td>FDOT-72</td>
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</table>
The comparison of existing pre-development condition versus the proposed post-development condition shall include results in terms of runoff and staging. Drainage Modeling shall be submitted to demonstrate compliance prior to commencement of construction.

2. The Engineer of Record (EOR) shall submit drainage modeling to demonstrate the allowable pre-development rate of discharge has been reduced by fifty (50) percent for Rattlesnake Slough/Braden River Watershed.

3. All fill within the 100-year and 25-year floodplains shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. 100-year and 25-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).

4. A no-rise permit will be required prior to Final Site Plan approval for all proposed impacts, encroachment, or crossings over or within the FEMA floodway associated with Rattlesnake Slough. Any proposed structures (such as residential dwellings, accessory structures, amenity buildings, bridges, decks, etc.) shall be modeled.

5. 150% water quality treatment is required for Evers Watershed Protection Overlay (WP-E).

6. A Drainage Easement shall be dedicated to Manatee County and be provided within the project boundaries for Rattlesnake Slough (county designated maintenance system “E-193”). In addition, a twenty-five (25) feet Drainage-Maintenance Access Easement shall be provided along both sides of this drainage system. Manatee County is only responsible for maintaining the free flow of drainage through this system.

7. All proposed habitable structures shall be located outside of post-development 25-year and 100-year floodplain delineation; and proposed finish floor elevated, at minimum, one (1) foot above 100-year Base Flood Elevation (B.F.E.).

**D. TRANSPORTATION**

1. If a right-in/right-out is provided on Whitfield Avenue, it shall be located to the west of the full intersection at Treymore Court. It shall be a minimum of 300 feet from the access at Treymore Court and 425 feet from the intersection of Lockwood Ridge Road and Whitfield Avenue.

2. If a right-in/right-out is provided on Lockwood Ridge Road, it shall be located south of the full intersection on the road and separated from the full access location by a minimum of 300 feet. It shall be located north of Rattlesnake Slough.

3. The developer shall also have the option of providing a vehicular and/or pedestrian connection between the northern and southern portions of the site as shown on the General Development Plan:

   i. If a vehicular connection across Rattlesnake Slough is not provided and the southern portion of the project has one-hundred or more dwelling units, the right-in/right-out on Whitfield Avenue must be provided.

   ii. If a vehicular connection across Rattlesnake Slough is not provided and the northern portion of the site has 100 or more dwelling units, the right-in/right-out on Lockwood Ridge Road shall be required.

4. A detailed traffic analysis will be required at Final Site Plan to determine all required site-related improvements. If demonstrated to be needed safety or traffic circulation improvements by the traffic analysis, the following improvements shall be required:

   - The developer shall cause to have constructed to County standards a westbound left-turn lane on Whitfield Avenue into Treymore Court. The improvement shall be included in project construction plans. The improvement shall be constructed concurrently with connection to the project access point.
• The developer shall work with staff to ensure adequate design of all proposed access locations and any required improvements with future plan submittals.

• The developer shall construct a sidewalk to connect the existing sidewalk at the intersection of Lockwood Ridge and Whitfield Avenue to the sidewalk in front of Carlyle Subdivision in accordance with County regulations. If the developer is able to use County right-of-way, the sidewalk shall be eight (8) feet wide.

E. INFRASTRUCTURE

1. Connection to the County water and wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the applicable County Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

No remaining issues.

<table>
<thead>
<tr>
<th>Standard(s) Required</th>
<th>Design Proposal</th>
<th>Compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUFFERS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway Buffers – Whitfield Avenue and Lockwood Ridge Road</td>
<td>20 feet</td>
<td>Yes</td>
<td>Meets Standard</td>
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<tr>
<td>15 feet Greenbelt Buffer (East)</td>
<td>100 feet</td>
<td>Yes</td>
<td>Exceeds Standard. Per stipulation A.4, the easternmost 350' of the site may only be used for: floodplain compensation, stormwater management, wetlands, wetland mitigation and landscaping.</td>
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<tr>
<td>15 feet Greenbelt Buffer (North)</td>
<td>10 feet</td>
<td>No</td>
<td>Specific Approval request to reduce greenbelt buffer width adjacent to vacant are and stormwater facility</td>
</tr>
<tr>
<td>6-foot Wall (LDC Section 401.5.A.2)</td>
<td></td>
<td>No</td>
<td>Specific Approval to delete wall; Stipulation A.5 provides for a berm and plantings between the stormwater pond and the floodplain compensation/wetland mitigation area in the project’s southeast.</td>
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<tr>
<td>SIDEWALKS</td>
<td>Whitfield Avenue</td>
<td>5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------------</td>
<td>--------</td>
<td>-----</td>
</tr>
<tr>
<td></td>
<td>Lockwood Ridge Road</td>
<td>5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Internal Sidewalks (or walkways)</td>
<td>5 feet</td>
<td>Yes</td>
</tr>
<tr>
<td>HEIGHT</td>
<td>North Side of Rattlesnake Slough</td>
<td>4 stories</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>South Side of Rattlesnake Slough</td>
<td>3 stories</td>
<td>Yes</td>
</tr>
</tbody>
</table>
## LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS

### A. Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties.

The requested rezone from RMF-6 and A-1 to PDR is compatible with the existing development and zoning patterns of the area. The zoning of nearby properties is PDR and the existing development pattern is a mixture of residential housing types – both single family and multi-family development.

### B. Changes in Land Use or Conditions Upon Which the Original Zoning Designation was Based.

In the 1960's, the 32.65-acre parcel was originally part of a larger tract of land owned by Florida Palm-Aire Corporation. On 09/09/1969, the parcel was rezoned from A (General Agriculture) to R-3 (Multiple Family Residential) by Resolution R-373 approved by the Board of County Commissioners. The Florida Palm Aire rezoning included a total of 1,374 acres and the R-3 zoning district permitted sixteen dwelling units per acre.

The project received a “Binding Letter of Vested Rights” (BLVR) from the State of Florida in 1977. The determination by the State Planning Director:

- Vested the project from Development of Regional Impact (DRI) requirements;
- Noted the zoning would accommodate 19,632 units; and
- Anticipated a minimum of 6,122 dwelling units.

The development of Palm Aire has proceeded in accordance with the plan originally outlined with the zoning and the BLVR. The community has a variety of housing choices including large lot single-family development, villas, condominiums and apartments. While the eastern parcel has had multi-family zoning since 1969, in 1990, the zoning of the 32.65 acres changed to RMF-6 with the implementation of the 1990 Land Development Code (LDC). The western parcel received its designation of A-1 in 1990 as well.

This is an infill parcel located at the intersection of two thoroughfares. The proposed zoning of PDR and development proposal for multi-family units is consistent with both the existing zoning within the immediate area (primarily PDR) and the FLUC categories of RES-9 and RES-6.

### C. Consistency with the Current Comprehensive Plan.

The proposed rezoning to PDR better conforms to the objectives identified textually in the Comprehensive Plan future land use category Residential-9 (RES-9). The RES-9 range of potential uses of primarily medium- and high-density clustered development is indicative of a multi-family, multi-story project. The proposed density of 8.45 dwelling units per acre is consistent with the RES-9 FLUC. Please refer to the Compliance with the Comprehensive Plan Section of this Staff Report for a more detailed discussion.

### D. Conflicts with Existing or Planned Public Improvements.

There are no known conflicts with existing or planned public improvements. If the project warrants the need for additional infrastructure improvements, the applicant will be responsible for their proportionate fair share of the improvement cost.

### E. Availability of Public Facilities.

1. **Impact on the Traffic Characteristics – Specifically Trip Generation Potential.**

   The property is adjacent to two thoroughfare roadways (Whitfield Avenue and Lockwood Ridge Road). Lockwood Ridge Road is an existing 4-lane roadway and is designated as a four-lane arterial roadway with a planned right of way width of 120 feet. Whitfield Avenue is an existing 2-lane roadway designated as a collector (2-lane) with a planned right of way width of 120 feet. The portion of the site south of...
Rattlesnake Slough will be limited to 99 units (refer to Stipulation A.8) and will have one full access aligning with the Treymore Subdivision access and an optional right-in / right-out access. The portion of the site north of Rattlesnake Slough will have one full access across from the northern 67th Avenue Circle East. If units exceed 100 and there is not a vehicular bridge crossing the Slough (the plan provides for an optional pedestrian/vehicular crossing) the optional right-in/right-out access on Lockwood Ridge Road will be required. A Traffic Impact Statement (TIS) was prepared for this GDP review; however, when the PSP/FSP review takes place a more detailed Traffic Analysis will be required, and any warranted improvements will be identified.

2. Impact on Population Density or Development Intensity Demand for Schools, Sewers, Streets, Recreational Areas and Facilities and Other Public Facilities.
There are no known impacts.

3. Impact on Public Facilities Planned and Funded to Support Any Change in Density or Intensity.
There are existing potable water and sanitary sewer facilities directly adjacent to the property; however, utility plant capacity and transmission line capacity are not determined at this stage in the development review process. The applicant will be required to pay their proportionate share of the cost to mitigate impacts from the project on utility plant and transmission line capacity, in accordance with applicable County Codes and ordinances.

F. Health, Safety or Welfare of the Neighborhood and County.
It is staff’s opinion that the health, safety and welfare of the surrounding neighborhood and county will not be impacted by this multi-family residential development.

G. Conformance with All Applicable Requirements of this Code.
The project is proposed to be designed and is shown to be designed to meet all aspects and applicable requirements of Manatee County’s Land Development Code. As permitted by the Land Development Code, the applicant is requesting Specific Approval for the following:
• Elimination of a requirement for six (6) foot decorative wall on the eastern property boundary pursuant to Section 401.5.A.2;
• Elimination of Section 401.5.B.4. requiring the main building entrance to face the street and the site shall be designed to provide clear and safe pedestrian access from the public sidewalk to that entrance.
• Reduction of the greenbelt buffer on the north property line from 15-feet to 10-feet.

As detailed elsewhere in the Staff Report, except for the above referenced Specific Approvals, the applicant is meeting or exceeding the LDC requirements.

H. Consistency with the Development Patterns in the Area.
The development pattern in the immediate area consists of residential developments ranging in density from 2.09 to 4.45 dwelling units per acre. The types of residential development include single and multi-family developments with heights of 1-, 2-, and 3-stories.

I. Logical Expansion of Adjacent Zoning Districts.
With the exception of three lots located along Whitfield Avenue adjacent to the western parcel proposed for an existing wetland, floodplain compensation and wetland mitigation, all surrounding developments are zoned planned development residential.

J. Impact on Historic Resources.
There is no evidence presented that this site has any historic significance.

K. Environmental Impacts.
The General Development Plan shows some wetland impacts under permits previously approved and issued by SWFWMD. If the bridge is constructed an additional 0.06 acres of wetlands will be impacted, please see environmental report attached.
L. **Types of Allowable Uses and Impact of those on Surrounding Residential Areas.**
   The uses permitted in the PDR zoning district are fundamentally residential, or residential support in nature, and as such are consistent with the uses existing in surrounding developments. The request is for multifamily residential units, in staff’s opinion this contributes to the diversification of the available housing stock without negatively impacting the surrounding PDR, PDMU, and RSF developments as the proposed uses are the same (residential).

M. **Relocation of Mobile Homeowners.**
   There are no mobile homes on the property.

N. **Consistency with the Planned Development District Standards.**
   As discussed in detail elsewhere in this staff report, the proposed development meets or exceeds the PDR standards.

O. **Any Other Matters Which May Be Appropriate.**
   None at this time.

LDC SECTION 402.6 – **GENERAL REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS**

A. **Physical Characteristics of the Site; Relation to Surrounding Property.**
   To the north of the project site is a vacant strip of land less than seventy (70) feet wide, owned by Manatee Fruit. Immediately to the north of that strip, is an 18.95-acre County-owned stormwater facility and wetland mitigation area. Rattlesnake Slough bisects the property into a north and south side. To the south and west the project is adjacent to roadways and then single-family one- and two-story homes. To the east are single-family detached units. The site will have access from Whitfield Avenue and Lockwood Ridge Road.

B. **Relation to Public Utilities, Facilities and Services.**
   The proposed project is bordered on two sides by thoroughfare roadways (Whitfield Avenue and Lockwood Ridge Road). Connection to public potable water and sanitary sewer is available adjacent to Whitfield Avenue and Lockwood Ridge Road as noted below:

   **Water:** 20 inch DIP county owned potable water main south along Whitfield Avenue and 30 inch DIP potable water main west along 45th Street East.

   **Sewer:** 16 inch sanitary force main south along Whitfield Avenue and West along 45 Street East, 10 inch sanitary force main south along Whitfield Ave

   **Reclaimed:** There is no reclaimed service near this development project.

C. **Relation to Major Transportation Facilities.**
   The property is adjacent to two thoroughfare roadways (Whitfield Avenue and Lockwood Ridge Road). The portion of the site south of Rattlesnake Slough will be limited to 99 units (refer to Stipulation A.8) and will have one full access aligning with the Treymore Subdivision access and an optional right-in / right-out access. The portion of the site north of Rattlesnake Slough will have one full access and one optional right-in/right-out access on Lockwood Ridge Road. There is also an optional pedestrian and vehicular bridge crossing the Slough that would connect the north and south sides of the property.

D. **Compatibility.**
   This is an infill piece of property. The project is at the corner of two major roadways which is an appropriate location for medium- to high-density development such as multi-family. The proposed density of 8.45 dwelling units per acre is higher to the immediately adjacent residential densities ranging from 2.09 to 4.95 dwelling units to the acre. The Future Land Use Categories (FLUC) for this project are RES-6 (4.62-acres) and RES-9 (32.65-acres) and the applicant is proposing 315 units. Except for the subdivision located on the
east property line, the other subdivisions are separated from the development by either Whitfield Avenue, Lockwood Ridge Road, or a 1.68 vacant Manatee Fruit parcel and an 18.95-acre County-owned stormwater pond and wetland mitigation area.

The following information was reviewed as part of staff’s Compatibility Analysis.

**Special Treatment (WO) and Evers Watershed Protection (WP-E) Overlays**

The project is located within the Evers Watershed Protection Overlay. One means of protecting the watershed is to reduce the amount of impervious surface within the development. The applicant proposes reducing the required parking by approximately 15 percent from 662 spaces (2.1 spaces per unit) to 567 spaces (1.8 spaces per unit).

In addition, this project will be required to comply with the Stormwater Conditions C.1 through C.7 with respect to additional water quality treatment, reduce allowable rate of discharge, floodplain mitigation, and dedication of a Drainage Easement for maintenance of Rattlesnake Slough.

**Increased Setbacks**

A minimum front setback area of 50-feet shall be provided adjacent to Lockwood Ridge and Whitfield Avenue to provide a transition, both physical and visual, from the street to the building(s).

Carlyle Subdivision is the only subdivision adjacent to the site that is not separated by a roadway; therefore, the developer must comply with LDC Section 401.5. Building Height Compatibility. Carlyle has an approximately 100-foot buffer separating it from the subject property; the developer is limiting the easterly 350 feet of the site to wetlands, wetland mitigation, floodplain compensation, stormwater management and landscaping. Building 6 is the nearest building adjacent to Carlyle and will be limited to 3-stories in height and has a minimum structure setback of approximately 384-feet from Carlyle.

The Woodridge Oaks Subdivision is located on the west side of Lockwood Ridge Road. The closest single-family home adjacent to Lockwood Ridge Road is approximately 225 feet away from the proposed Building 1 which is limited to 4-stories in height.

The Treymore Subdivision is located on the south side of Whitfield Avenue. The closest single-family home is approximately 255 feet away from the proposed Building 7 which is limited to 3-stories in height.

**Building Height**

Maximum building heights south of Rattlesnake Slough are limited to 3-stories (45-feet). The existing RMF-6 zoning allows 4-stories, subject to the provisions of LDC Section 401.5. Height Compatibility.

Maximum building heights north of Rattlesnake Slough are limited to 4-stories (60-feet). The existing RMF-6 zoning allows 4-stories in this location.

**Building Mass**

Buildings shall have varied setbacks of at least three (3) feet in depth every seventy-five (75) horizontal feet to give the appearance of less bulk to the street frontage and adjacent buildings.

**Buffering**

The portion of the site south of the Slough and adjacent to Carlyle is the most sensitive portion of the site in terms of potential impact to neighbors as shown below:
As previously mentioned, Carlyle has an approximately 100-foot buffer separating it from the subject property. For much of this distance, there is a heavy stand of trees which serves as a buffer. Virtually all these trees are located on Carlyle property. In the southeast corner of the site, there is an existing pond that is shared between Carlyle and the site.

The applicant has proposed limiting the easterly 350’ south of the Slough to wetlands, wetland mitigation, stormwater management, floodplain compensation, and landscaping (See Stipulation A.4). To provide a visual buffer, the applicant is proposing a twenty (20) foot berm be located between the stormwater pond and the floodplain compensation/wetland mitigation area planned for the southeast corner of the property, as shown in the following conceptual illustration (See Stipulation A.5). There will be hardwoods planted on top of the berm and wet tolerant trees such as bald cypress and red maple planted in the wetland mitigation area. These proposals will provide a significantly greater degree of buffering than a six –foot fence or hedge.
General Development Plan
Southeast Portion of the Site

Southeast Portion of the Site
Proposed 20 feet wide berm
(Conceptual Design)
Transitions.

E. Transitions
As previously stated, the minimum closest residential structure to the west is 225-feet and to the south is 255-feet. To the north of the subject site is a vacant strip of less than 70’ in width owned by Manatee Fruit; immediately north of the strip is an 18.95-acre County-owned stormwater facility and wetland mitigation area providing adequate buffering to the single-family residences north of the County-owned property. A floodplain compensation and wetland mitigation area and an enhanced buffer is proposed on the eastern portion of the property. The nearest structure is shown 384-feet from the eastern property line on the General Development Plan. The applicant has agreed there will be no buildings or parking on the easterly 350-feet portion of the site.

F. Design Quality.
The applicant is proposing a maximum of 3- and 4-stories. As indicated on the General Development Plan, there is a 100-foot buffer and floodplain compensation area located along the eastern property boundary adjacent to the Carlyle Subdivision. The applicant has agreed to limit the easterly 350-feet portion of the site to wetlands, wetland mitigation, stormwater management, floodplain compensation and landscaping. Additionally, Building 6 is shown on the General Development Plan as 384-feet from the east property line.

The applicant is requesting specific approval to remove the requirement for a solid, decorative wall required per LDC Section 401.5.A. Staff supports this request due to the limitation on buildings and parking in the easterly 350-feet south of the Slough, the building setback, and the plantings proposed for the berm between the stormwater pond and floodplain compensation/wetland mitigation area and the plantings proposed for the wetland mitigation area.

G. Relationship to Adjacent Property.
As previously discussed, the proposed building layout will provide increased residential structure setbacks of 50-feet from adjacent roadways and a minimum of 370-feet from the east property line.

H. Access.
Project access will be a full access from Whitfield Avenue at Treymore Court and an optional right-in/right-out access further to the west. The second means of access is not required on Whitfield Avenue because the residential units are limited to 99 units (refer to Stipulation A.8). Lockwood Ridge Road will provide both a full access and an optional right-in/right-out access. There is also the option to provide a pedestrian/vehicular bridge crossing Rattlesnake Slough. If a vehicular bridge crossing of Rattlesnake Slough is not provided and there are more than 100 units on the north tract, the right-in/right-out will need to be provided to meet two means of access requirements.

I. Streets, Drives, Parking and Service Areas.
Internal driveways will provide access to the proposed multi-family and amenity structures. The service areas such as solid waste collection and mail kiosks will be reviewed at the PSP/FSP stage. The code requires 2.1 parking spaces per unit for multifamily development projects. The parcels are located in the Watershed Overlay District which encourages the reduction of impervious surface within the Watershed. The applicant is proposing 1.8 parking space per unit which reduces the amount of parking by approximately 15 percent.

J. Pedestrian Systems.
Internal sidewalks or walkways throughout the project will provide connectivity between residential buildings, amenities, and public sidewalks. There is an existing sidewalk on Lockwood Ridge Road and a 5-foot sidewalk is required to be constructed adjacent to Whitfield Avenue.

K. Natural and Historic Features, Conservation and Preservation Areas.
The proposed project is not anticipated to adversely affect historical and/or archeological resources within the project and project vicinity. The natural drainage corridor of Rattlesnake Slough will be maintained through the property and a drainage/maintenance easement will be provided.
L. Density/Intensity.
The proposed density is 8.45 dwelling units per acre and when compared to the immediately adjacent residential densities ranging from 2.09 to 4.95 dwelling units per acre there may be some initial concern with compatibility. However, as previously discussed, the project is located at the intersection of two thoroughfare roadways. Additionally, the increased setbacks, enhanced landscape buffers, reduction in impervious surface within the Watershed Protection Overlay, and limitations on building height and massing result in an opinion of by staff that the proposed density is consistent with the RES-9 FLUC.

M. Height.
The proposed height is 3- and 4-stories. Where adjacent to single family, a project is required to comply with LDC Section 401.5 Building Height Compatibility. The developer is proposing building setbacks exceeding the requirements of the Building Height Compatibility provisions of the Code. Additionally, rezoning to PDR results in more stringent requirements than in the existing RMF-6 zoning which permits four (4) story structures.

N. Fences and Screening.
A minimum 20-foot roadway buffer is being provided adjacent to Whitfield Avenue and Lockwood Ridge Road. Enhanced landscaping or a six-foot high decorative opaque wall or fence shall be installed within the required roadway buffers.

The applicant requests specific approval to remove the requirement for a solid, decorative wall required of projects three stories or greater adjacent to single-family development per LDC Section 401.5.A. To provide for additional screening, the applicant is proposing a twenty-foot wide berm between the southeasterly stormwater pond and floodplain compensation/wetland mitigation area. The berm will be planted with hardwoods; wet tolerant trees such as bald cypress and red maple will be located in the wetland mitigation area.

O. Yards and Setbacks.
The table below are the proposed setbacks.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Front (Whitfield Avenue)</td>
<td>50-feet</td>
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<td>370-feet</td>
<td></td>
</tr>
<tr>
<td>Between Buildings</td>
<td>20-feet</td>
<td></td>
</tr>
</tbody>
</table>

P. Trash and Utility Plant Screens.
All trash and utility areas will be screened with a combination of landscaping and enclosures to ensure the proper screening from all public areas (refer to Stipulation A.20).

Q. Signs.
Signage has not been reviewed as part of this analysis. All project signage shall comply with LDC Chapter 6 and will be reviewed at the PSP/FSP and/or Building Permit.

R. Landscaping.
A minimum 20-foot roadway buffer is provided adjacent to Whitfield Avenue and Lockwood Ridge Road. Additionally, enhanced buffering will be provided on the eastern portion of the property to provide better screening between the Carlyle Subdivision and this project.

S. Special Guidelines for Review of Projects with Mixed Used Plan Designations and Projects at Designated Entranceways.
This project is not located in an entranceway nor is it mixed-use.
T. Environmental Factors.

Water Conservation. The development will be required to conform to Manatee County Land Development Code and Engineering Standards for water conservation measures. Irrigation for landscaping will use the lowest water quality source available. Non-potable water will be used for irrigation.

Minimum Open Space Requirements. The GDP states that the project will meet the required 35% minimum (13.04 acres) for open space. Waterbodies (wetlands, stormwater ponds, etc.) are limited to 75% (9.78-acres) of the required open space.

Preservation of Existing Plant Communities. The site has been mostly cleared and mass graded under an existing SWFWMD agricultural permit. Additional wooded areas will be cleared for the construction of a floodplain compensation area. The vegetation in the Rattlesnake Slough corridor will remain.


Lockwood Ridge Road is an existing 4-lane roadway and is designated as a four-lane arterial roadway with a planned right of way width of 120 feet. Whitfield Avenue is an existing 2-lane roadway and is designated as a four-lane arterial roadway with a planned right of way width of 120 feet west of Lockwood Ridge Road. The portion of Whitfield Avenue east of Lockwood Ridge Road is designated a two –lane collector.

The following utilities are near this development project:

Water: 20 inch DIP county owned potable water main south along Whitfield Avenue and 30 inch DIP potable water main west along 45th Street East.

Sewer: 16 inch sanitary force main south along Whitfield Avenue and West along 45 Street East, 10 inch sanitary force main south along Whitfield Ave

Reclaimed: There is no reclaimed service near this development project.

V. Stormwater Management.

Based upon the Preliminary Site Plan, the project area is bisected by Rattlesnake Slough. This drainage system flows from west to east through the project area. Rattlesnake Slough is a tributary of the upper portion of the Braden River. The upper portion of the Braden River is comprised of a total watershed area of 57 square miles (36,498 acres) which ultimately drains to the Evers Reservoir, the potable water source for the City of Bradenton. Rattlesnake Sough is a 3.8 square mile (2,406 acres) sub-watershed tributary of the upper portion of the Braden River. Rattlesnake Slough originates north of the country line and east of Lockwood Ridge Road; flows northward and then northwestward under Lockwood Ridge Road; turns north and easterly under Whitfield Avenue and Lockwood Ridge Road; and ultimately under Honore Avenue and drains into the southern end of Evers Reservoir. Refer to watershed map below.
Rattlesnake Slough is identified by the County as a flood prone area. There has been a history of flooding including reported flood claims in Sarapalms Subdivision due to a Tropical Depression #1 in June of 1992 and Tropical Storm Gabrielle in September of 2001. There was also a flood fatality in Sarapalms Subdivision due to flooding caused by the 2017 storm event prior to Hurricane Irma.

In addition, there are reported flood claims in Palm-Aire Country Club due to a Tropical Depression #1 in June of 1992, Tropical Storm Gabrielle in September of 2001, and the August 2017 storm event prior to Hurricane Irma.

Rattlesnake Slough has the most stringent stormwater design requirements of any watershed in the county. The design requirements contained within the Stormwater Conditions in the staff report coincide with or exceed those contained within the Land Development Code or the Stormwater Design Manual.

As the potable water source for the City of Bradenton, runoff into Evers Reservoir is subject to 150% water quality treatment requirement in conjunction with the Evers Watershed Protection Overlay (WP-E). Refer to Stormwater Condition C.5. This requirement is associated with Section 801.3.C of the Land Development Code.
Rattlesnake Slough has been subject to 50% reduction of the allowable pre-development rate of discharge since April 29, 1998. Refer to Stormwater Condition C.2. This requirement is associated with Section 801.3.E of the Land Development Code.

There is extensive coverage of 25- and 100-year floodplain within the project area. This project will be required to provide mitigation for impacts (fill) within the 25-year floodplain and the FEMA 2014 FIRM 100-year floodplain through compensatory storage and demonstration of no adverse impacts pursuant to Sections 801 and 802 of the Land Development Code and Stormwater Conditions C.1 and C.3. This requirement is associated with Sections 801.3.L, 801.3.M, and 802.6.A.9 of the Land Development Code.

Included below is the percent coverage of the total project area within the 25-year and 100-year floodplain, and the 25-year and 100-year flood stages with respect to the project area.

**Floodplain/Floodway Coverage (Total Project Area of 37.27 acres):**
- 25-year Floodplain: 96%
- 100-year Floodplain (FEMA): 98%

**Note:** Percent coverage is based upon flood/floodway coverage versus the total project area of 37.27 acres pursuant to notation on the General Development Plan.

**Flood Stages:**
- Storm Event: Upstream Flood Stage: Downstream Flood Stage:
  - 25-year: 13.37 feet, 13.18 feet
  - FEMA 100-year: 14.0 feet, ~13.25 feet

**Note:** All stages are identified in North American Vertical Datum (NAVD) from notation on the General Development Plan.

Notation on the General Development Plan reflects 95% of the proposed residential units and 100% of the proposed residential units reside in the pre-development 25-year and 100-year floodplain respectively. All proposed habitable structures shall be located outside of post-development 25-year and 100-year floodplain delineation; and proposed finish floor elevated, at minimum, one (1) foot above 100-year Base Flood Elevation (B.F.E.) pursuant to Stormwater Condition C.7. This requirement is associated with Sections 801.3.P and 802.6.A.10 of the Land Development Code.

The General Development Plan reflects the FEMA Floodway associated with Rattlesnake Slough bisecting the project area. Based upon County GIS mapping, approximately 31% of the eastern parcel is located within the floodway. The General Development Plan reflects no proposed residential development including, structures, parking, or drive aisles within the floodway. However, an optional vehicular crossing is shown the General Development Plan over Rattlesnake Slough within the floodway. Pursuant to Stormwater Condition C.4, a no-rise permit will be required prior to Final Site Plan approval for all proposed impacts, encroachment, or crossings over or within the FEMA floodway associated with Rattlesnake Slough. This requirement is associated with Section 802.6.B.3 of the Land Development Code.

Rattlesnake Slough is identified as a county maintained drainage system. A Drainage Easement shall be dedicated to Manatee County and be provided within the project boundaries for Rattlesnake Slough (county designated maintenance system “E-193”) pursuant to Stormwater Condition C.6. This requirement is associated with Section 801.3.V of the Land Development Code.

The detail study limits associated with the existing county 25-year floodplain delineation and FEMA 100-year floodplain and floodway delineation cease at the western project limits. Rattlesnake Slough was included within the Braden River Watershed Management Plan, which was adopted by Southwest Florida Water Management District (SWFWMD) on May 21, 2013. The Watershed Management Plan included detailed drainage modeling utilizing a detailed hydraulic network to generate floodplain delineation for the
entire Braden River Watershed, including all of the Rattlesnake Slough sub-watershed. Pursuant to Stormwater Condition C.1, the applicant shall utilize the Braden River Watershed Management Plan to demonstrate no adverse drainage impacts are created to neighboring proposed for specified storm frequency events.

In summary, the design and corresponding drainage modeling of the proposed stormwater management facilities and floodplain compensation areas will be required to meet or exceed the design requirements of the Stormwater Engineering Conditions contained in this staff report, Sections 801 and 802 of the Land Development Code, in addition to the Stormwater Design Manual. Final stormwater engineering design and drainage modeling will be provided and reviewed with the Final Site Plan and Construction Plan submittals.

W. Consistency with Comprehensive Plan.
It is staff's opinion that with the proposed Stipulations, the proposed project is consistent with the Comprehensive Plan. Refer to the Compliance with Comprehensive Plan portion of this Staff Report for more detailed analysis.

X. Other Factors.
None.

LDC SECTION 402.7.D. – PDR – PLANNED DEVELOPMENT RESIDENTIAL

A. Site Planning.
The proposed project will meet the standards required in Section 401.5 of the Land Development Code for varied setbacks and articulated rooflines to give the appearance of less bulk and massing. The parcel to the west of Lockwood Ridge Road will be used for floodplain compensation, wetland mitigation and an existing wetland. The project site has an optional bridge linking pedestrian and/or vehicular traffic throughout the parcel. Sidewalks will be constructed in accordance with Manatee County LDC and Public Works Standards and internal sidewalks or walkways will be provided to provide connectivity between residential structures, amenity facilities, and service areas.

B. Landscaped Open Space and Pervious Area Requirements.
The GDP states that the project will meet the required 35% minimum (13.04 acres) for open space in the Watershed. The applicant is also proposing to reduce the number of required parking spaces by approximately 15 percent.

C. Frontage and Accessibility.
The property is adjacent to two thoroughfare roadways (Whitfield Avenue and Lockwood Ridge Road). The portion of the site south of Rattlesnake Slough will be limited to 99 units (refer to Stipulation A-4) and will have one full access aligning with Treymore Court and an optional right-in / right-out access. The portion of the site north of Rattlesnake Slough will have a full access at the northerly 67th Avenue Circle East. If the optional pedestrian/vehicular connection between north and south does not have vehicular access, the optional right-in/right-out access on Lockwood Ridge Road will be required.

D. Neighborhoods.
The neighborhoods within the immediate area include single family and multi-family development with a range of densities from 2.09 to 4.95 dwelling units per acre and heights ranging from 1 to 3-stories.

E. Greenbelts.
The applicant is proposing to limit the easterly 350’ of the site to wetlands, wetland mitigation, floodplain compensation, stormwater management and landscaping (no buildings or parking). Additionally, there will be hardwoods planted on a 20-foot wide berm between the stormwater pond and floodplain compensation/wetland mitigation area south of the Slough.

The applicant is requesting a reduction from 15-feet to 10-feet for the required Greenbelt Buffer on the north property line (refer to the Specific Approval Section of this Staff Report). The property adjacent to the north
property line is a less than seventy-(70) foot wide strip of vacant land owned by Manatee Fruit and an 18.95-acre County-owned stormwater facility and wetland mitigation area.

Required Roadway buffers will be located on Whitfield Avenue and Lockwood Ridge Road. Enhanced landscaping or a six-foot high decorative opaque wall or fence shall be installed within the required roadway buffers (refer to Stipulation A.12).

F. Traffic Circulation.
The property is adjacent to two thoroughfare roadways (Whitfield Avenue and Lockwood Ridge Road). The portion of the site south of Rattlesnake Slough will be limited to 99 units (refer to Stipulation A-4) and will have one full access aligning with Treymore Court and an optional right-in / right-out access. The portion of the site north of Rattlesnake Slough will have a full access at the northerly 67th Avenue Circle East. If the optional pedestrian/vehicular connection between north and south does not have vehicular access, the optional right-in/right-out access on Lockwood Ridge Road will be required. Internal circulation will be provided by private driveways connecting the various buildings and parking areas to one another.

G. Yards and Setbacks.
The table below are the proposed setbacks for residential buildings.

<table>
<thead>
<tr>
<th>Orientation</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (Whitfield Avenue)</td>
<td>50-feet</td>
</tr>
<tr>
<td>Front (Lockwood Ridge Road)</td>
<td>50-feet</td>
</tr>
<tr>
<td>Side (North)</td>
<td>20-feet</td>
</tr>
<tr>
<td>Side (East)</td>
<td>370-feet</td>
</tr>
<tr>
<td>Between Structures</td>
<td>20-feet</td>
</tr>
</tbody>
</table>

H. Minimum Lot Width.
The proposal is multi-family; there are no individual lots within the development.

I. Building Height.
The project is proposing a maximum height of 3- and 4-stories. The existing RMF-6 zoning parcel currently permits four-stories in height. All buildings will be located on the property east of Lockwood Ridge Road. The building heights on the south side of Rattlesnake Slough will be limited to 3-stories and a total of 99 units. The remaining units will be constructed on the north side of the Slough and the building heights will be 4-stories.

**LDC SECTION 401.5 BUILDING HEIGHT COMPATIBILITY**

A. Adjacent to Single Family Development

LDC Section 401.5.A places additional requirements on developments of three stories or more abutting a single family residential or directly across the street (excluding major arterials) from a single-family residential zoning district. The following table outlines the applicability of this section to the project:

<table>
<thead>
<tr>
<th>Orientation</th>
<th>Applicability</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Not Applicable. Zoning is A-1.</td>
</tr>
<tr>
<td>South – Whitfield Avenue</td>
<td>Applicable. Treymore is a single-family development. Whitfield Avenue is a collector roadway – not an arterial.</td>
</tr>
<tr>
<td>East – Carlyle</td>
<td>Applicable. Carlyle is a single-family development.</td>
</tr>
<tr>
<td>West – Lockwood Ridge Road</td>
<td>Not Applicable. Although the zoning is single-family, Lockwood Ridge is an arterial.</td>
</tr>
</tbody>
</table>

LDC Section 401.5.A.1. An additional building setback of twenty (20) feet is required for each floor above three (3) stories. The following outlines the applicability of this provision in the relevant directions.
The structures located south of Rattlesnake Slough are limited to three (3) stories. While no additional setback is required, the three (3) story buildings will have a minimum setback from Whitfield Avenue of fifty (50) feet (See Stipulation A.2). This exceeds the minimum setback of twenty (20) feet.

As noted above, the structures south of Rattlesnake Slough are limited to three (3) stories. North of the Slough, the multi-family buildings may be four (4) stories. The minimum setback from the eastern boundary is 370-feet, far exceeding any minimum required setback.

A six (6) foot solid decorative wall is required along the property line abutting a single-family site.

A wall is not required if the uses are separated by a public or private street.

The applicant is requesting a Specific Approval to eliminate the wall. Staff supports this request and is requiring the applicant to create a twenty (20) foot wide berm between the southeastern stormwater pond and the floodplain compensation/wetland mitigation area. The berm will be planted with hardwoods. Additionally, wet tolerant trees will be located on the downslope of the floodplain compensation/wetland mitigation area. These measures will provide greater screening than a six (6) foot fence at the property line.

B. Through Special Permit or Planned Development

LDC Section 401.5.B places additional requirements on Planned Development projects of three stories or greater. Staff has reviewed this Section of the Code and offers the following analysis:

1. Height shall not adversely affect surrounding development or waterfront vistas.
   As previously stated, the project is limiting height to three (3) stories adjacent to Whitfield Avenue and is providing setbacks exceeding the minimum requirements. The height adjacent to Lockwood Ridge Road is limited to four (4) stories and the GDP shows a minimum setback of 50-feet when a minimum setback of 40-feet is required. There are no waterfront vistas in the vicinity of this property.

2. Buildings shall have varied setbacks of at least three (3) feet in depth every seventy-five (75) horizontal feet.
   Stipulation A.15 requires any structures within this project meets this requirement. This will be evaluated with the PSP/FSP/Building Permit.

3. Proposed building(s) shall have an articulated roofline.
   This is required by Stipulation A.16; this will be evaluated for compliance as part of the PSP/FSP/Building Permit.

4. Main entrance to the building shall face the street and site shall be designed to provide clear and safe pedestrian access from the public sidewalk to that entrance.
   The applicant is requesting a Specific Approval to eliminate this requirement. Staff is in support of this request to remove this requirement since it was determined that this language is a carry-over from the Urban Corridor portion of the LDC and is not applicable to properties outside of the Urban Corridor.
5. Building materials shall be complementary with the adjacent existing construction. This requirement will be reviewed as part of the PSP/FSP.

LDC SECTION 706.6 CRITERIA FOR APPROVAL OF WETLANDS IMPACTS

A. Impacts to Non-Viable Wetlands: None of the proposed impacts are to wetlands which meet the definition of Non-viable wetlands.

B. Impacts to Wetlands. No Practical Alternative: The applicant is proposing a vehicular and pedestrian path across Rattlesnake Slough to provide a linkage between the north and south sections of the property. Since the slough runs diagonally across the entire length of the property, there is no alternative to a crossing. This is the only new wetland impact due to this project. Other impacts were permitted under an existing SWFWMD Permit issued in 2016.

C. Impacts to Wetlands, Overriding Public Benefit: The applicant is not claiming public benefit.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-6 and RES-9 Future Land Use Categories. This project was specifically reviewed for compliance with the following objectives and policies:

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development. The timing is appropriate given that the property is an infill parcel and is located at the intersection of two thoroughfares. Multi-family development is a more appropriate housing type at this location rather than a single-family subdivision. The surrounding neighborhoods include a mixture of single family detached and multi-family residential uses.

Policy 2.2.2.2.5. Development Restriction/Conditions.
The site is in the Watershed Protection Overlay that requires a minimum open space of 35%. The project site is providing 13.04 acres achieving the minimum open space requirement for the Watershed. The project is also proposing to reduce the number of required parking spaces by approximately 15%; thereby reducing the amount of impervious surface within the Evers Watershed Protection Overlay. Additionally, Stipulations have been proposed to ensure compatibility with the surrounding residential uses.

Objective 2.6.1 Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures. The General Development Plan zoning is compatible with the surrounding development because it too is a planned development residential use proposed. The applicant is proposing enhanced landscape buffers, increased building setbacks, building massing stipulations, limiting height and number of units on the parcel south of Rattlesnake Slough, reducing impervious surfaces in the watershed, and floodplain mitigation.

Policy 2.6.5.5. Ensure urban infill projects are compatible to their setting and design to contribute to the overall enhancement of the existing neighborhood. Compatibility considerations include building massing, vertical character and setbacks with the existing urban neighborhood. The proposed buildings have increased setbacks, building massing stipulations, enhanced buffers, and limitations on height and number of units dependent upon location within the site.

Policy 3.3.1.1. Prohibit removal, alteration, or encroachment within wetlands except in cases where no other practical alternatives exist that will permit a reasonable use of the land or where there is an overriding public benefit. Such determination will require completion of impact avoidance and minimization analyses which clearly demonstrate the necessity of the proposed impact.

The proposal is for a wetland impact of 0.06 acres to wetlands that were part of a wetland enhancement for a previously issued permit. The impact is due to a vehicular and pedestrian path across Rattlesnake Slough to provide a linkage between the north and south sections of the property. Since the slough runs diagonally across the entire
length of the property, there is no alternative to a crossing. There is also a modification to a 0.48 acre herbaceous wetland creation area that was required for the previous permit. The wetland creation area will be relocated to one of the floodplain compensation areas.

Policy 3.3.1.3. When development related impacts are unavoidable (see Policy 3.3.1.1), require that all development-related impacts to wetlands be mitigated. (1) When mitigation is required by the State, the type and quantity of mitigation shall be determined by the Uniform Wetland Mitigation Assessment Method (UMAM) as outlined in Chapter 62-345, F.A.C., as amended. The SWFWMD permit provides mitigation using a mixture of on-site wetland creation, wetland enhancement and upland preservation. The final design will be required to meet or exceed the functional loss of the impacted areas as determined by the Uniform Wetland Mitigation Assessment Method (UMAM).

STORMWATER POLICY PROVISIONS:

Policy 2.3.3.1. Prohibit any new development (but not redevelopment) within the floodway of any perennial stream, except for water-dependent uses and except for projects which generally would not result in an increase in flood levels in the community during the occurrence of the base (one hundred (100) years) flood discharge. [See Policy 2.3.1.2]

The subsequent design and drainage modeling of this project is required to comply specifically with Section 802.6.B.3 of the Land Development Code and Public Works Standards Manual. In addition, this project shall demonstrate compliance with Stormwater Condition C.4. The General Development Plan reflects a proposed optional vehicular crossing over Rattlesnake Slough. Should this vehicular crossing be included on the subsequent Final Site Plan submittal, then a no-rise permit would be required prior to Final Site Plan approval.

Policy 2.3.3.2. Require that all fill within the 100-year floodplain shall be compensated by creation of storage of an equal or greater volume, with such compensatory storage also located within the 100-year floodplain. Areas within the 100-year floodplain adjacent to a tidally-influenced water body shall not be subject to this level of service performance standard.

The subsequent design and drainage modeling of this project is required to comply specifically with Sections 801.3.L and 802.6.A.9 of the Land Development Code and Public Works Standards Manual. In addition, this project shall demonstrate compliance with Stormwater Conditions C.1 and C.3. The General Development Plan reflects three (3) proposed areas which would provide floodplain compensation storage, totaling 7.82 acres. The subsequent Final Site Plan and Construction Plan submittals shall include Drainage Modeling to demonstrate compliance with no adverse drainage impacts to neighboring properties and creation of floodplain compensatory storage.

Policy 2.3.3.3. Require that all proposed residential buildings within the 100-year floodplain are constructed so that finished floor elevations are above the elevation of the 100-year flood.

Require that all proposed nonresidential buildings or nonresidential components of mixed use buildings within the 100-year floodplain are constructed to meet the finished floor elevation, or meet and/or exceed the performance standards established by the Federal Emergency Management Agency.

The subsequent design and drainage modeling of this project is required to comply with Sections 801 and 802 of the Land Development Code and Public Works Standards Manual. In particular, all habitable structures shall be at minimum one (1) foot above the Base Flood Elevation (B.F.E.) as identified by the FEMA Flood Insurance Study (FIS) for Rattlesnake Slough; and as noted on the General Development Plan from 14.0 feet to approximately 13.25 feet, west to east.

Policy 2.3.3.4. Prohibit habitable structures and major public and private investment within the existing/pre-development 25-year flood plain, except where a finding of overriding public interest has been reached by the Board. This policy shall not preclude the development of water-dependent uses, water-related and water-enhanced uses, stormwater management structures, non-habitable structures, and passive recreational uses where appropriate. Any such development shall:

- Minimize impervious surface in the 25-year floodplain;
- Cluster structures and uses outside of the 25-year floodplain, whenever possible [see Policy 2.3.1.2];
- Protect perennial lakes and streams by encouraging the dedication of conservation easements not subject to any land alteration within the 25-year floodplain; and
• Provide mitigation for floodplain impacts and establish finish floor elevation for habitable structures in accordance with the Land Development Code and the floodplain ordinance. This policy applies only for the purposes of reviewing projects for which mapping of the 25-year floodplain has been accomplished, or where interpolation or use of an existing water surface profile for the watercourse(s) permits the identification of the 25-year flood elevation.

The subsequent design and drainage modeling of this project is required to comply specifically with Sections 801.3.P and 802.6.A.10 of the Land Development Code and Public Works Standards Manual. In addition, this project shall demonstrate compliance with Stormwater Condition C.7. All proposed habitable structures shall be located outside of post-development 25-year and 100-year floodplain delineation; and proposed finish floor elevated, at minimum, one (1) foot above the 100-year Base Flood Elevation (B.F.E.) pursuant to FEMA Flood Insurance Rate Maps (FIRM) and the corresponding Flood Insurance Study (FIS) for Rattlesnake Slough. The subsequent Final Site Plan and Construction Plan shall demonstrate through drainage modeling that no adverse drainage impacts are created to neighboring properties; and floodplain mitigation is provided for encroachment (fill) within the 25-year and 100-year floodplain by equivalent or greater compensatory storage.

<table>
<thead>
<tr>
<th>TRANSPORTATION</th>
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<tbody>
<tr>
<td><strong>Major Transportation Facilities</strong></td>
</tr>
<tr>
<td>The site is located in the northeast quadrant of Lockwood Ridge Road (aka 45th Street East) and Whitfield Avenue. In the Future Traffic Circulation Plan, Lockwood Ridge Road is an existing four-lane road with 40 mph posted speed, and it is designated as a four-lane arterial roadway with a planned right of way width of 120 feet. Whitfield Avenue is an existing two-lane road with 30 mph posted speed, and it is designated as a two-lane collector roadway with a planned right of way width of 120 feet.</td>
</tr>
<tr>
<td><strong>Transportation Concurrency</strong></td>
</tr>
<tr>
<td>The Applicant is seeking an approval for a rezoning and a General Development Plan (GDP) approval at this time, and, thus cannot obtain concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic study to determine if any off-site concurrency-related improvements are required by the project. The applicant did provide a Traffic Impact Statement (TIS) for the rezoning to gauge the maximum impacts associated with allowable uses. Based on the study, it appears the potentially impacted segments of Lockwood Ridge Road and Whitfield Avenue will have sufficient capacity for the proposed project traffic (see Certificate of Level of Service Compliance table below).</td>
</tr>
<tr>
<td><strong>Access</strong></td>
</tr>
<tr>
<td>At the time of future site plan submittal and accompanying traffic impact review, all proposed access points will be evaluated to determine if any site-related improvements are required.</td>
</tr>
</tbody>
</table>
CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE
TRANSPORTATION CONCURRENCY

CLOS APPLIED FOR: No (A CLOS application cannot be issued with a rezone)
TRAFFIC STUDY REQUIRED: Yes (A traffic impact summary was prepared; however, a traffic study will be required at PSP/FSP)

<table>
<thead>
<tr>
<th>NEAREST THOROUGHFARE</th>
<th>LINK(S)</th>
<th>ADOPTED LOS</th>
<th>FUTURE LOS (W/PROJECT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockwood Ridge Road</td>
<td>2642</td>
<td>D</td>
<td>C</td>
</tr>
<tr>
<td>Whitfield Avenue</td>
<td>3490</td>
<td>D</td>
<td>D</td>
</tr>
</tbody>
</table>

OTHER CONCURRENCY COMPONENTS

Solid waste landfill capacity and preliminary drainage intent will be reviewed at the time of application for concurrency. Potable water, waste water, and school facilities will be reviewed at the time of FSP.

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

1. **Request**: Alternative to LDC Section 401.5.A.2 to eliminate a six-foot solid decorative wall required for projects of three-stories or more, along a property line abutting a single-family site if the uses are not separated by a public or private street.

   **Staff Analysis and Recommendation**: Carlyle is the only adjacent subdivision that is not separated by a public or private street. The site plan shows the nearest building will be positioned 384-feet away from the subdivision’s property line. The installation of a wall or fence can potentially disrupt the drainage floodway, since the east project area is shown as Floodplain Compensation/Wetland Mitigation area. The applicant is proposing a twenty (20) foot wide berm between the southeasterly stormwater pond and the floodplain compensation/wetland mitigation area. The berm will be planted with hardwoods; the wetland mitigation area will have wet tolerant trees such as bald cypress and red maple.

   **Finding for Specific Approval**: Notwithstanding the failure of this plan to comply with the requirements of LDC Section 401.5.A.2, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design because it includes a 100-foot buffer containing healthy existing vegetation, greenbelt buffer, as well as the planted berm and wetland mitigation area and significant setback.

2. **Request**: Alternative to LDC Section 401.5.B.4, to eliminate the requirement that Planned Development Residential structures greater than three stories have the main entrance to the building face the street and the site shall be designed to provide clear and safe pedestrian access from the public sidewalk to that entrance.

   **Staff Analysis and Recommendation**: Staff is in support of this request to remove this requirement since it was determined building orientation is not necessarily tied to the street frontage and project access can be limited to its residents and their guests. Internal pedestrian walkways will interconnect principal structures, parking areas, recreational facilities and adjoining sidewalks on the public rights-of-way.

   **Finding for Specific Approval**: Notwithstanding the failure of this plan to comply with the requirements of LDC Section 401.5.B.4, the Board finds the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design since compliance with walkway regulations will be provided.
3. **Request:** Alternative to LDC Section 402.7.D.5 to reduce the width of the greenbelt buffer along to the north project boundary from 15 feet to 10 feet.

   **Staff Analysis and Recommendation:** Staff is in support of the request to allow a reduction of the greenbelt buffer along the north property boundary from 15 feet to 10 feet given that this portion of the project is adjacent to a vacant strip less than seventy-feet wide owned by Manatee Fruit. Immediately north of the strip is a County-owned 18.95-acre stormwater pond/wetland mitigation area. The applicant will provide the same quantity of required landscaping material within the 10-foot buffer (one canopy tree every thirty feet on center for length of the perimeter of the project), which still meets the intent of the Land Development Code requirement.

   **Finding for Specific Approval:** Notwithstanding the failure of this plan to comply with the requirements of LDC Section 402.7.D.5, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree by the proposed design since the same quantity of required landscaping will be provided within the 10-foot buffer.

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**Attachments**

1. Staff Report Maps/Aerials
2. General Development Plan
3. Zoning Disclosure Affidavits
4. Traffic Impact Statement and Acceptance Letter
5. Applicant Environmental Report
6. School Report
7. Building Height Compatibility Analysis
8. Specific Approval Request
9. Newspaper Advertising
10. ExParte Communication
11. Ordinance PDR-19-13(Z)(G)
12. Public Comment