January 28, 2020

Mrs. Betsy Benac, Chairwoman  
Manatee Board of County Commissioners  
County Administration Building  
1112 Manatee Ave. W., Suite 903  
Bradenton, FL 34205  


Dear Mrs. Benac:

Please enter this letter into the record showing me to be in favor of the above referenced application regarding the Cox dealership and I hope it is approved at your Feb. 20th meeting.

I listened to the issues presented at the Planning Commission by those opposed to the application, and they seemed to focus on light pollution, water quality and traffic. I have developed two large commercial properties on S.R. 64 east of I-75, and I know from experience that many of the nearby residents concerns are not based on fact. For instance:

- Under existing regulations, all new developments must conform to photometric requirements that keep light from “spilling” from a commercial property into residential areas.
- The engineering requirements for storm water treatment and retention mean that the water quality exiting the site will not harm nearby waterways or the environment regardless of the type of development.
- The traffic from this proposed dealership will be less than what a modestly active shopping center would generate.

For all of these reasons I believe the Board should approve this application.

Sincerely,

Steve Wilson  
Founder Hide-Away Storage
Ms. Vanessa Baugh, County Commissioner, District 5
Manatee County Administration Building
1112 Manatee Ave West
Bradenton, FL 34205

Re: Proposed Auto Dealership - SR 64 and 117th St E

Dear Commissioner Baugh,

On behalf of the 269 homes of Eagle Trace we are writing to you today to express our concerns about the proposed rezoning of the property at the corner of State Route 64 and 117th Street East, which would allow a for a car dealership. Existing and approved commercial developments in this area have been compatible with our residential areas and welcomed by us and our neighbors, however a car dealership brings extensive 24 hour lighting, vehicle transport trucks on site at any hour of the day, promotional lighting, flags, banners and other advertising displays, and the noise of mechanical and body repair work.

We also have concern about additional traffic on SR 64. The traffic to which we refer is beyond the typical traffic on this road which is already quite heavy. Specifically, we refer to vehicle owners bringing and picking up their cars before and after service, deliveries to the dealership, test drives by prospective owners and any other traffic generated to operate and/or serve the dealership. A traffic signal at the SR 64 and 117th Street intersection will only slow and further congest traffic over significant lengths of SR 64 and 117th Street East.

Although we understand that the developers are proposing infrastructure that they believe exceeds standards for stormwater management, an auto dealership necessitates the use of many pollutants that, if an accident occurs, could seriously affect the surrounding neighborhoods, possibly including ours. Further, there are many recent examples of stormwater exceeding the capacity of approved management structures which, if such a storm happens, will most likely affect surrounding residential areas first.

We are hoping that the County Commissioners will effectively respond to the adverse impacts that an auto dealership will have on the quality of life that we currently enjoy in our neighborhood.

Sincerely yours,

Keeves Fairey, President, Eagle Trace Board of Directors, 1923 Crystal Lake Trail
Steve Jarolin, Vice President, Eagle Trace Board of Directors,
John Hagerty, Treasurer, Eagle Trace Board of Directors, 1924 Orange Lake Cove
Kristina Kaplan, Secretary, Eagle Trace Board of Directors, 12315 Halfmoon Lake Terrace, Bradenton
Bill Harris, Eagle Trace Board of Directors, 12332 Whisper Lake Drive

pc: Priscilla Trace, District 1
Reggie Bellamy, District 2
Stephen R. Jonsson, District 3
Misty Servia, District 4
Carol Whitmore, At Large
Betsy Benac, At Large
January 8, 2020

Betsy Benac
PO Box 1000
Bradenton, FL

Dear Commissioner Benac:

We are writing to ask you to oppose the proposed Cox dealership at 1112 Manatee Avenue for the following reasons.

1. The operation of a car dealership is not compatible with the surrounding properties which are residential neighborhoods.

2. Changes to the existing waterway and floodplain will create additional flooding that have a high potential for imparting property damage during significant rainfall events.

3. A car dealership will increase and adversely affect traffic flow at the intersection of SR-64 and 117th Street East (already heavily used by 5 communities), and require access for large car carrier vehicles that together create an unsafe environment for residents and potential customers alike.

There are many sites closer to I-75 that are much more appropriate for a car dealership. We are asking for your support for our community’s safety.

Thank you for your support.

Sincerely,
David and Arlene Ratner
554 Chantilly Trail
Bradenton, FL 34212
From: Vida Gordon  
Sent: Wednesday, January 8, 2020 9:52 AM  
To: dalehubbard@verizon.net  
Cc: Debbie Bassett <debbie.bassett@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>  
Subject: FW: Proposed Cox Dealership

Mr. Hibbard,

Thank you for writing to share your concerns. Please accept this email as acknowledgment that your message was received by the Board of County Commissioners and will be shared with staff of Building & Development Services and the County Attorney’s Office and included as public comment for this hearing.

Since this is a quasi-judicial matter, Commissioners must refrain from discussing this project outside the public hearing setting and must refrain from otherwise prejudging the project. As well as your written correspondence, you are welcome to attend the hearing, currently scheduled for **January 16, 2020 at 9:00 a.m.**, to offer your comments and opinions.

On behalf of Chairman Benac and the other Commissioners, thank you for your interest and participation.

**Vida Gordon**  
Executive Administrative Assistant  
Board of County Commissioners  
Phone: 941-745-3721  
Fax: 941-745-3790  
E-mail: vida.gordon@mymanatee.org
January 7, 2020

Hon. Betsy Benac
At Large Commissioner
Manatee County Commission
betsy.benac@mymanatee.org

Dear Commissioner Benac:

We are writing to voice our objection to the proposed establishment of a car dealership on the corner of 117th St. East and SR 64. A car dealership is an inappropriate and not a compatible use of the land at that location. There are private residences and developments in each direction of the proposed use. A car dealership that operates seven days a week and is illuminated throughout the night will have a profound deleterious effect on all the surrounding neighborhoods.

We reside at 1027 Calico Glen in the Greyhawk Landing development. The closest access to our home is from 117th St. East. This is our primary route of ingress and egress. We have witnessed the dramatic increase in traffic on 117th St. as developments have been established and grown. The developments, including Greyhawk Landing, are still growing which will result in further increased traffic volume on this two-lane roadway that has no shoulder. A proposed use of a car dealership with anticipated high volume of customer traffic and large trucks will create an untenable safety risk to vehicle and pedestrian traffic as well as the residents of the five surrounding communities.

The proposed car dealership will create a large macadam area that alters the natural drainage of rainfall in that area. The necessary changes to the waterway and floodplain to accommodate the proposed use will create a high likelihood of flooding whenever there is the typical downpour that occurs on a regular basis. Substantial property damage is a foreseeable result if the car dealership is allowed at this location.

Even a cursory examination of SR 64 west of Lakewood Ranch Blvd. or east of Lorraine Rd. reveals multiple locations that are more suitable for a car dealership that would not severely impact surrounding property owners as does the current proposal.

We are requesting that you exercise your authority to deny the necessary alteration of the Master Plan and zoning designation for this location.

Respectfully,

Dale & Elizabeth Hibbards
December 6, 2019

Manatee County Building and Development Services
112 Manatee Avenue West, 4th Floor
Bradenton, FL 34205
Attn: Dorothy Rainey, Case Manager

RE: Gidden/Commercial Development/Cox Chevrolet
PDC-18-115(Z)(G)
PLN1807-0022

Dorothy, please include the following information in the review package being submitted to the Planning Commission and the Board of Commissioners concerning the proposed Gidden/Commercial Development/Cox Chevrolet development.

John Rhodes and I represent a large group (thousands) of concerned residents in Osprey Landing, CopperLeaf, Greyhawk Landing, Gates Creek, Bradenton Missionary Village, and Windsong Acres that oppose this type of development in this location, and we would like to present our issues of concern.

It should be noted that the community has no issues with Cox Chevrolet as a business, and in fact, there are residents that have purchased vehicles from Cox. We also have no direct issues with their engineering firm, ZNS Engineers. The core issue is that a car dealership, for multiple reasons, is not a compatible use for the site from a practical and regulatory basis.

A car dealership at the proposed location should not be approved for multiple reasons, including the following:

1. The type of operations of a car dealership are not compatible with the surrounding properties of residential neighborhoods.
2. Changes to the existing waterway and floodplain will create additional flooding that have a high potential for imparting property damage during significant storm events.
3. A car dealership will increase traffic flow, adversely affect traffic flow at the intersection of SR-64 and 117th Street East, and require access for large car carrier vehicles that together create an unsafe environment for residents and potential customers alike.

**Incompatible with the surrounding residential neighborhoods**

The property is directly adjacent to Osprey Landing subdivision (to the North), Villagio Village (to the East across 117th Street East), and private property designated as agricultural (to the West). South of this property and across SR-64 are Eagle Trace and Serenity Creek subdivisions. CopperLeaf, Greyhawk Landing, and Windsong Acres subdivisions surround the previously mentioned properties. Gates Creek subdivision is North and adjacent to CopperLeaf subdivision. As you can see, this property is totally adjacent and/or surrounded by residential development.
According to the Manatee County’s Comprehensive Plan a car dealership is a Commercial-Heavy operation. We contend that a car dealership is regional-serving, not just community-serving. And, with the proposed Service and Body Shop facilities, this commercial use will be intense.

Cox Chevrolet, as well as other dealerships in the region, is currently identified as Commercial-Heavy land use.

The following definitions are from the Comprehensive Plan, Future Land Use. I have highlighted the words/phrases that support the claim that a car dealership is a Commercial-Heavy, regional-serving, intense business, incompatible with the surrounding properties.

**Compatible**: A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.

**Commercial Use—Region-Serving**: Commercial establishments or groupings thereof which serve any or all commercial needs of a broadly distributed population and work force (e.g., regional malls, major recreational facilities) in addition to including community-serving and other commercial uses. Certain region-serving commercial uses may also be considered as intensive commercial uses. The uses may also include wholesale trade uses, all office uses, and office showroom uses or similar uses. However, region serving commercial uses shall not include bulk warehousing or uses for which distribution of goods to other than a residential end-user is a primary or major use.

**Commercial Use, Intensive**: A commercial use which is either:

- Carrying out the sale of large or bulky items (e.g., building supplies or heavy equipment), or

- Providing services other than those usually associated with the normally recurrent needs of a residential area (e.g., automobile body repair shops), or

- Engaging in a commercial activity normally associated with significant outdoor storage, adverse noise or other adverse sensory impact (all-night lighting, outdoor intercom systems, tool noise, truck noise, etc.), or large amounts of heavy vehicular traffic.

Intensive commercial uses are typically community or region-serving in nature. However, many community- or region-serving commercial uses are not intensive commercial uses.

Intensive commercial uses may include certain retail trade, wholesale trade, personal service, or professional service uses which, by nature of either the customary operation of the use, or the manner in which such uses customarily utilize a site, are likely to have adverse impacts on adjacent or nearby residential uses. Retail or office uses may not be determined to be intensive solely on the basis of gross building area or level of traffic impact, or building height.

The following policies are from the Comprehensive Plan, Future Land Use:

**Policy 2.8.2.1.** Prohibit designations on the Future Land Use Map which reflect zoning districts, or existing uses which are inconsistent with prevalent community character, or inconsistent with adopted goals, objectives, and policies in this Comprehensive Plan from serving as precedents for plan amendment(s) and other development order approvals which are inconsistent with this Comprehensive Plan or prevalent community character.
Policy 2.10.4.3. Require that all proposed commercial uses meet, in addition to commercial locational criteria, the following commercial development standards.

(3) No proposed commercial site shall represent an intrusion into any residential area.

Essentially, the site is currently designated as ‘agriculture’ and now surrounded by residential neighborhoods. The most practical and probable use of the site is for a light commercial establishment that serves the neighborhoods of several thousand dwellings not a regional intense commercial operation serving the region.

Changes to the existing waterway and floodplain will create additional flooding causing property damage

A critical issue that needs to be fundamentally addressed is that nearly 50% of the site is within a 25-year flood plain and any filling of the site will directly impact flooding potential to adjacent neighborhoods. The drainage basin has seen historic flooding and it will only get worse with any filling of the site. In fact, maybe its best usage with minimal impact is what it was before; a tree farm/nursery.

Gates Creek tributary runs through the property as well as a wetland located in the Southeast corner. During an average Florida summertime rain event, this property experiences flooding. In fact, the private property to the West has experienced additional flooding since Osprey Landing was built.

So, if flooding already occurs, it seems inconceivable to pave nearly 80% of this property. This will increase the stormwater runoff and reduce the overall capacity of the floodplain creating even more flooding. The engineering solution proposed is to “pipe” Gates Creek tributary, build a retention pond capturing the property runoff, floodplain compensation area, and retain the wetland as is.

The retention pond will retain the runoff until it exceeds capacity, which can be a relatively short period during some of Florida’s typical rain events. Thus, it will overflow and potentially flood neighborhoods to the North causing property damage.

The following policies are from the Comprehensive Plan, Future Land Use. I have highlighted the words/phrases that support the claim that development of this site for a car dealership is in violation of county standards/requirements.

Objective 2.3.3. - Floodplain Management.

Direct development away from areas subject to flooding to reduce risks to life and property and to minimize costs to County residents for replacing damaged infrastructure.
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.

- Minimize impervious surface in the 25-year floodplain;

Adding thousands of yards of fill to the site to make it at grade with SR 64 and paving nearly 80% of this property will reduce the capacity of the floodplain and increase “impervious surface in the 25-year floodplain”, not minimize impervious surface.

From the Manatee County Land Development Code, Chapter 8 - Engineering Design and Utilities:

802.6. Floodplain Management Standards. A. General Standards. All proposed development and construction activities in the one hundred (100) year floodplain shall meet the following requirements, in addition to the applicable standards identified elsewhere in this code.

6. Improvements to or construction on a given property shall not increase the rate of runoff so as to adversely impact adjacent property owners.

11. No storage area for hazardous or acutely hazardous waste material and no other hazardous substance material including fuel storage tanks may be located within a Floodway.

Again, because of the increase in impervious surface and reduction of the floodplain capacity, this development will “increase the rate of runoff” and will “adversely impact adjacent property owners”.

Also, according to previous site plans, the dealership will construct a Service/Body Shop on the site, and if that’s the case, “hazardous waste material” (fuels, solvents, paints, etc.) will be present.

**Excessively increase traffic and adversely affect traffic flow will cause vehicular accidents**

A car dealership will increase traffic (from the region) and adversely affect traffic flow at the intersection of SR-64 and 117th Street East which will create an unsafe environment causing vehicular accidents.

Please note, that at this location, the speed limit on SR-64 is 50 miles per hour.

In previous submittals, 117th Street East is referred to as a thoroughfare. 117th Street East is not a thoroughfare. It is currently classified as a rural collector that basically dead-ends. In fact, when you turn on 117th Street East from SR-64 there is a “NO OUTLET” sign posted. 117th Street East serves as access to/from the following residential neighborhoods: Osprey Landing, Greyhawk Landing, CopperLeaf, and Gates Creek subdivisions. Approximately 700 dwellings within these subdivisions utilize 117th Street East on a daily basis.
As part of ZNS Engineering's submittal, ZNS conducted a Traffic Impact Statement – Rezone, dated May 31, 2018. The Traffic Impact Statement does not appear to address the impact of traffic on 117th Street East, which again, is exclusively used by many residents within Osprey Landing, Greyhawk Landing, CopperLeaf, and Gates Creek subdivisions.

John Rhodes and I conducted a traffic count study, August 29, 2018 during morning peak hours (7:00 to 9:00 am) and late afternoon peak hours (3:00 to 6:00 pm) to determine the amount of traffic entering and leaving 117th Street East from SR 64. We observed over 1,700 vehicles entering or leaving 117th Street East. Keep in mind, we just observed traffic for 5 hours and that the subdivisions previously mentioned are not built-out. Thus, the actual number of residential vehicles using 117th Street East on a daily basis are more than we counted and will be increasing. In addition, since our study, northbound traffic on 117th Street East, South of SR-64 has been opened which has increased traffic at this intersection.

The following policies are from the Comprehensive Plan, Future Land Use. I have highlighted the words/phrases that support the claim that development of this site for a car dealership is in violation of county standards/requirements.

**Policy 2.1.4.2.** Continue enforcing the LDC provisions to mitigate the impact of light industrial uses on neighboring residential uses through the utilization of appropriate measures such as transition/landscape buffering, building design, setbacks, noise barriers, exterior lighting controls, operating hour limits, vibration limits, truck access/routing limits, binding agreements to benefit and protect the community, and other practices as necessary to protect and enhance neighborhoods and community character.

**Objective 2.10.3. - Required Access to Commercial Uses.**

Adequate, safe and appropriate access to new commercial uses is required.

**Policy 2.10.3.1.** Require that access to commercial uses be established on at least one (1) roadway classified as a collector or higher and operating at, or better than, the adopted level of service. Access through single family residential neighborhoods shall not be allowed. An exception shall be made for projects on roadways under the State jurisdiction not allowing access from such road, and for projects that are approved with commercial uses located internally to the project and whose main project access is located on a road designated as a collector or higher.

I want to make special note to Policy 2.10.3.1. Prior to a recent Future Land Use, Comprehensive Plan change, it read as follows:

**Policy 2.10.3.1.** Require that access to commercial uses be established on at least one (1) roadway, operating at, or better than, the adopted level of service. Access which is limited only to roadways that carry traffic within residential neighborhoods shall be considered unacceptable for commercial uses. An exception shall be made for neotraditional projects that have commercial uses located internally to the project and whose main project access is located on a road designated as a collector or higher. An exception shall be made for DRIs and Large Project developments that have mixed uses with a residential component and meet minimum development characteristics to have commercial uses located internally to neighborhoods if the main neighborhood access is located on a road designated as a collector or higher.
As proposed, access to the property will be from SR-64 and 117th Street East. Policy 2.10.3. should apply and the use of 117th Street East should “be considered unacceptable for commercial use”, especially Commercial-Heavy. And, as far as “neotraditional projects” are concerned, according to the Comprehensive Plan, Element 1 – Definitions for UF-3 Future Land Use designation, “Neo-traditional development is limited to Small Neighborhood Retail Uses – wholesale uses not allowed”.

Regardless of where access to the property comes from. If I’m going eastbound on SR-64, how will I access the property? Will I turn onto 117th Street East with all of the residential traffic coming/go ing and access the rear entry? If so, I will have to drive through the car dealership to the Auto Dealer, Large Facility, or main building. This does not seem practical. Or, will I make a U-turn on SR-64 to access the main entrance? Nothing could be more dangerous than a U-turn at a busy intersection with traffic going 50 mph. In fact, during the traffic count study conducted, we witnessed more than 140 U-turns (eastbound to westbound) at this intersection, and a number of them nearly caused an accident.

According to a Site Plan submitted, there does not appear to be a median cut proposed for a left turn into the front entrance of the property off SR-64 for eastbound traffic. If that’s the case, then using 117th Street East or a U-turn will be required. Based upon a quick review of FDOT Turn Lanes Standards, we don’t think the distance between an existing westbound median cut (on SR-64) for a left turn into the Publix complex and the proposed main entrance of the dealership will accommodate a median cut for a left turn going eastbound on SR-64.

Another concern is exactly how will a 65-foot+ car carrier going eastbound (typically east coming from I-75) access the property to unload their cars? They won’t be making a U-turn. They will have to use 117th Street East. Again, 117th Street East is a small, narrow rural collector exclusively used by over 1,700 residents daily. Thus, creating very unsafe traffic environment. The Gettel car dealer on SR 64, just west of I-75, has a four-lane access road to their site. Route 117 St East is a narrow two-lane (dead end) road used only for residential traffic.
According to the Manatee County Comprehensive Plan, "safety of the neighborhood" is cited throughout. If the Planning Commission and the Board of County Commissions truly want to ensure safety to its citizens and not increase the potential for property damage due to additional flooding, a car dealership is not the "appropriate development" for this property.

Sincerely,

Rex Cowden
(407) 902-4569
Greyhawk Landing

John Rhodes
(941) 708-3164
Greyhawk Landing