



MEMORANDUM

To: Rossina Leider, Planning Section Manager
 From: Bobbi Roy, Senior Planning and Zoning Technician
 Date: August 19, 2020
 Subject: Agenda Update for August 20, 2020 Board of County Commissioners

THIS MEMO AND THE CHANGES INDICATED BELOW ARE REFLECTED IN THE ELECTRONIC AGENDA (E-AGENDA)

3. PDR-19-13(Z)(G) Whitfield Lockwood Residential Parkway Land Trust #1 and LT Investment 2, LLC PLN1908-0013 – Quasi-Judicial – Achaia Brown, Planner II – Letter from the applicant requesting additional presentations and rebuttal time, public comment letters attached and revisions to staff report in strikethrough/underline format under Project Summary, Site Characteristics and Surrounding Area to read:

Project Summary

EXISTING ZONING	RMF-6 (Residential Multi-Family - 6 dwelling units/acre) – 37.27 acres <u>32.65 acres</u> A-1 (Agriculture Suburban District – 1 dwelling unit/acre) - 4.62 acres
PROPOSED ZONING/PROPOSED USE(S)	PDR (Planned Development Residential)/Residential

Site Characteristics and Surrounding Area

DENSITY *(Net Density will be calculated at Final Site Plan)	Allowed Density and Units (Maximum)	
	Residential 6 (RES-6) <u>Gross</u> 6 dwelling units x 4.62 gross acres = 27.72 units <u>Net (*)</u> 12 dwelling units x 4.62 net acres = 55.44	Residential 9 (RES-9) <u>Gross</u> 9 dwelling units x 32.65 gross acres = 293.85 <u>Net (*)</u> 16 dwelling units x 32.65 net acres = 522.4
	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	

August 18, 2020

Via E-mail Delivery (fred.goodrich@mymanatee.org)
Fred Goodrich, Division Manager and Zoning Official
Building and Development Services
Manatee County Government

Re: PDR-19-13(Z)(G) – Whitfield-Lockwood Residential
Request for Additional Time

Dear Mr. Goodrich:

On behalf of the applicants, Parkway Land Trust #1 and LT Investments 2, LLC, please consider this request for additional time pursuant to Section 5.5.5.6 of the Board's Rules of Procedure. The applicants request an additional 10 minutes for the initial presentation, for a total of 25 minutes. The applicants wish to maintain 15 minutes for rebuttal.

If you have any questions or wish to discuss the foregoing, please do not hesitate to contact me.

Sincerely,



Scott E. Rudacille

BRADENTON
802 11th Street West
Bradenton, FL 34205

SARASOTA
2 North Tamiami Trail
Suite 400
Sarasota, FL 34236

941.748.0100 tel
941.745.2093 fax

BlalockWalters.com

Additional Public Comments – Whitfield Lockwood Residential PDR-19-13(Z)(G) PLN1908-0013

From: Jack Thinnnes <pjtir7@aol.com>
Sent: Wednesday, August 19, 2020 12:24 PM
To: Achaia Brown <achaia.brown@mymanatee.org>
Subject: New Construction at Whitfield and Lockwood Ridge

Let me begin by saying I'm not sending this to you for political reasons. Even though Mr. Beruf has stated that the rental units he wants to build will NOT be "affordable housing," we believe there is a good possibility that that's exactly what they will become. Supporting that possibility is the fact that Mr. Beruf has also stated that he has no intention of owning, managing, etc. these properties once they are built. He intends to sell them, take his money, and run!

I just recently received this email from a friend in New York State and, after reading it, made comparisons between it and what Palm Aire is facing. This article clearly has political overtones. However, if you read it from the standpoint of Big Government once again sticking its nose into local community business, along with attendant threats, you too might see the similarities. Perhaps you can use this with the County Commissioners as one more reason why Mr. Beruf's proposed plans are totally unreasonable for our community.

Be sure to click on the links -- (11) and (12) -- below to get a fuller understanding of what this is all about.

We wish you luck with the upcoming hearing. And, express our thanks to you for all your efforts.

Jack & Mary Ellen Thinnnes

From: Cynthia Bydlinski <cbydlinski@gmail.com>
Sent: Wednesday, August 19, 2020 10:15 AM
To: Bobbi Roy <bobbi.roy@mymanatee.org>
Subject: Zoning Objection: Whitfield + Lockwood Ridge Development

Dear Commissioner Roy,

We have grave concerns about future flooding in this section of Manatee County and object to the rezoning and development of a large apartment complex on this corner replacing the current and much needed wetland. **We have serious concerns about Manatee's watershed mitigation and resources. These are our homes. Our sense of safety and security are in the balance.**

1) When we experienced the *great rain* a few weeks prior to hurricane Irma in 2017, houses in the Center Lakes neighborhood flooded and were nearly destroyed. This had not previously happened in the neighborhood until Fiddler's Creek was developed adjacent to Center Lakes. Houses there were elevated about 12 feet with dirt brought in to build them up. While there was a retention pond built and approved by the county, water will find its way to lower ground, and that's what happened. This was the first cause for mistrust of Beruff/Medallion and the planning commission of Manatee County—neither having foresight of flooding problems caused by developing housing in or nearby low lying areas. This area is less than 2 miles from the Whitfield Corner. See this link.

<https://www.wfla.com/news/centre-lake-neighborhood-submerged-homeowners-dealing-with-ongoing-nightmare/>

2) Manatee County did contract to do a watershed study in 2018 to learn more about the flooding problem but the study has still not been completed, let alone implemented. Unfortunately, Manatee is the only county in the state that doesn't have dedicated income to offset expenses associated with water/flooding issues and prevention. As far as we know, nothing major has been done to mitigate flooding, though some minor things like cleaning of ditches are much improved.

3.) During heavy rain events, Treymore is very close to experiencing home flooding with water flooding in the streets all the way into Carrington Circle. When this development is built the water will only have inches until it is a big problem—another Center Lakes flood with \$500k homes.

4) When Beruff/Medallion bought the property at Whitfield and Lockwood Ridge and cleared it, it was a horrible eyesore for nearly 2 years until he was ordered by the County to make improvements. This is not a good sign of a good neighbor.

We oppose the rezoning to a high density apartment complex that will take away the much needed wetlands to absorb water. (Just look at all the planned asphalt parking places!) The Watershed study needs to be completed, read, understood and implemented before the county approves major developments. This property is currently low lying wetland and collects and holds an enormous amount of water during heavy rains.

We urge you to vote no to the rezoning. You and all commissioners are to be held accountable for future flooding should you approve this rezoning. Yes, it will bring in tax revenue for the county and Medallion has made compromises on their plan. But, we also know that their first proposal was intended to make everyone feel better about this modified one.

Again, these are our homes, a place where we have made our greatest single financial and emotional investments, and this is our neighborhood. Please do the right thing by us on Thursday, 8/20/20.

Cynthia Bydlinski + Richard Russell
4715 Carrington Circle/Treymore
Sarasota, FL 34243

From: Joe Smith <psjoeboxer@icloud.com>

Sent: **Wednesday, August 19, 2020 7:38 AM**

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia

<misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: I am against complex corner of Whitfield Avenue and Lockwood Ridge Road

J. Smith. Palm Aire

Sent from my iPhone

From: Dan Lobeck <dlobeck@lobeckhanson.com>

Sent: Wednesday, August 19, 2020 2:19 AM

To: Betsy Benac <betsy.benac@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Achaia Brown <achaia.brown@mymanatee.org>; Vida Gordon <vida.gordon@mymanatee.org>; Sarah Schenk <sarah.schenk@mymanatee.org>; Building Department <building.department@mymanatee.org>

Cc: BETH BOYCE <bethboyce@msn.com>; Judy Florey <judyflorey@gmail.com>; Kevin Coleman <kcoleman@lobeckhanson.com>

Subject: Please Deny PDR-19-13 (Z)(G) (Whitfield-Lockwood Ridge Apartments)

Importance: High

Commissioners:

This firm represents numerous resident homeowners close to the site subject to proposed Ordinance PDR-19-13(Z)(G), in resolved and well-founded opposition to that proposed rezoning and General Development Plan which are presently scheduled for public hearing before you on Thursday, August 20.

They include the following homeowners, with the address and distance of each to the site by driving distance according to Google maps. Their proximity is substantially closer as the crow flies, including the two properties noted below which are directly adjacent to the subject site:

Beth Boyce: 6945 Mystic Lane, Sarasota, FL. 34243 - .6 miles

Susan Nachand: 6927 Mystic Lane, Sarasota, FL. 34243 - .5 miles

Merv and Nora Hess: 6945 Mystic Lane, Sarasota, FL. 34243

Judy and Mike Florey: 7143 Fairway Bend Lane, Sarasota, FL. 34243 - 1.3 miles

Robert Nicolella: 4331 67th Ave Circle E., Sarasota, FL 34243 - .6 miles

Dave and Susan Guise: 5332 Creekside Trail, Sarasota, FL. 34243 - .6 miles (zero distance from the lots lines, as their property abuts the site)

Stacey and Rick Ridenour : 4744 Carrington Circle, Sarasota, FL.34243 - .6 miles

Susan and Frank McGowan: 4802 Lake Breeze Terrace, Sarasota, FL 34243 - .7 miles (zero distance from the lots lines, as their property abuts the site)

Pete Lento: 4958 Lakescene, Sarasota, FL. 34243 - .6 miles

Dr. Joel Feder: 6969 Mystic Lane, Sarasota, FL. 34243 - .6 miles

The proposed ordinance seeks a rezoning of two parcels located at the corner of Whitfield Avenue and Lockwood Ridge Road to increase density to allow for the construction of seven apartment buildings with 315 units.

The present zoning on 32.65 acres (the Northeast Lot) is RMF-6, allowing 6 units per acre and the other 4.62 acres (the Northwest Lot) is currently zoned A-1, allowing one unit per acre. That's a maximum (if applicable restraints did not limit that number to less) of 195 units on the Northeast Lot and four units on the Northwest Lot or a total of 199 units.

The proposed ordinance would fully abandon present constraints to allow 8.5 units an acre on the 37.27 combined acres, for a total of 315 units. (Actually that could allow 316 units, but apparently 315 is the number set in the General Development Plan).

That's a density increase of over 58%!

On one of the most flood prone properties in Manatee County!

And surrounded by five neighborhoods with zoning of only three units per acre or less and one with 4.95units per acre! (See page 13 of the Staff Report)

The site is predominantly surrounded by one story, single family homes. To the south of the Northeast Lot, on the south side of Whitfield Avenue, is Treymore at The Villages of Palm-Aire. To the east of the Property is Carlyle at The Villages of Palm-Aire. On the north side of the Northwest Lot, and the west of the Northeast Lot is Woodbridge Oaks. To the south of the Northwest Lot is Sara Palms.

Essentially, this is the remnant parcel of the Palm-Aire community. It has remained undeveloped since the 1960's, as building occurred around it, because it is almost undevelopable, as explained herein.

As such, it is astonishing that the applicant now not only seeks to develop it but also to dramatically increase the density of the development over what is now allowed.

There is a game to be played in buying land cheap because of its development constraints and then applying political influence to obtain a big increase in its development entitlements and by that its value. That is not a game which honorable County Commissioners should play, when to do so betrays the trust and interests of the affected public.

The Petition Violates Restrictions on Residential Development in the Twenty-Five-Year Floodplain

It is uncontested, as reported on p. 30 of the Staff Report, that 96% of the total project area is within the 25-year floodplain.

Policy 2.3.3.4 of the Manatee County Comprehensive Plan prohibits habitable structures and major private investment within the existing/pre-development 25-year floodplain, except where a finding of overriding public interest has been reached by the Board. It provides in pertinent part as follows:

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. ...

Remarkably, the Staff Report on p. 34 states, in discussing additional adverse wetland impacts, “The Applicant is not claiming public benefit.”

And no public benefit is evident from the proposed land use change – certainly not an overriding public benefit or public interest, that is a gain to the public interest which outweigh the gains achieved by prohibiting or severely restricting the development as required by Comprehensive Plan Policy 2.3.3.4, as recited above.

This Board earlier this year bemoaned the development which has been occurring in 25-year floodplains, and the flooding problems that are being created in neighborhoods, and members advocated new restrictions on development to address that problem.

Well, the first thing to do is to enforce the restrictions that are now in place, even when a politically powerful developer stands to profit handsomely when you don’t.

The phrase “overriding public interest” appears 12 times in your Comprehensive Plan and 11 times in your Land Development Regulations. For example, Comprehensive Plan Policy 4.1.2.2 specifically prohibits the alteration of coastal wetland habitat except for water-dependent uses or when it’s necessary to avoid the taking of private property or in “Cases of overriding public interest, such as natural resource restoration activities, the location of public access facilities for public recreational facilities, or deep water port facilities.”

Typically, as in that instance, an overriding gain to the public interest involves increased access for the general public consistent with the purpose of the restriction or a net environmental gain, again compared with enforcing the restriction.

The phrase is not just whatever a majority of the Board thinks is a good thing, certainly not something like, “Well, if we allow extensive residential development in this 25-year floodplain, it could be done worse than Mr. Beruff is now proposing,” or “all new development is an overriding public benefit because of the jobs it creates.” It must be a rational gain for an identifiable public interest which overrides the gains created by enforcing the restriction as written.

This proposition was tested, for example in the case, Davis Island Civic Association v. City of Tampa, Fla. Circuit Court, Thirteenth Judicial Circuit, Hillsborough County, January 25, 2006. (2006 WL 408058). The Tampa Comprehensive Plan provided, “No park land shall be diverted to other uses except in instances of overriding public interest.”

The Circuit Court found that there was an “overriding public interest” in the City allowing .4 acres of parkland to be used for expanded parking for a hospital because of “extensive evidence demonstrating the importance and need for Tampa General Hospital’s services in the community” and because the hospital replaced the .4 acres with .7 acres of new lineal park in that area which is more susceptible to public use.

Can we say that – consistent with the facts of the Davis Island case -- there is extensive evidence demonstrating the importance and need for Mr. Beruff’s proposed market-rate apartment complex? Hardly. And is he proposing also that the extensive acreage being taken away from receiving floodwaters -- which otherwise deluge adjacent neighborhoods and roads in one of the most flood prone areas of the entire County -- will be replaced with almost double that land for that same purpose in that same area, like the hospital did in providing almost twice the parkland they removed? Certainly not. The General Development Plan which the ordinance would approve includes relatively scant stormwater ponds.

So what is the “overriding public benefit” being obtained by the people of Manatee County in return for a waiver of the prohibition of homes being built in the 25-year floodplain – and a 58% increase in density to boot?

Very similar to the Comprehensive Plan policy which prohibits residential development in the 25-year flood plain, sections 801.3.P and 802.6.A.10 of the Manatee County Land Development Code require new habitable structures to be located outside the 25-five year-floodplain, if reasonably possible.

Of course it is reasonably possible for apartments to be built in other places than in the subject site, or even for some multifamily construction to occur on the 4% of the property outside the 25-year flood plain. There is simply no justification for greatly increasing the total number of units allowed on the property under current zoning, even disregarding the effective prohibition of the apartments under the Comprehensive Plan, to allow seven apartment buildings containing a total of 315 units.

Even the limited cap on building heights, which remains inadequate to achieve compatibility with the surrounding one-story homes, will cause the buildings to spread out and create more impervious surface and as such more adverse flood plain impacts.

Further, even if the challenging test of impossibility of avoidance is achieved, the LDC policies cited allow building permits in the predevelopment 25-year flood plain only “upon finding that the proposed structure is located and designed to minimize and mitigate property damage in the event of a Twenty-five-Year Storm Event.” Increasing the amount of permissible construction by greatly increasing the number of dwellings allowed (while capping heights) does not minimize or mitigate flooding and other damage from a storm.

While a popular saying suggests that “Less Is More,” no one can claim in an instance such as this that “More is Less.”

Noncompliance with Hundred-Year Floodplain Requirements

Again, it is uncontested that 98% of the subject property is in the 100-year floodplain, as stated on p. 30 of the Staff Report.

The applicant has failed to demonstrate compliance with Comprehensive Plan Policy 2.3.3.2 and Sections 801.3.L and 802.6.A.6 of the LDC, which require all fill within the 100-year floodplain to be

compensated by the creation of storage of an equal or greater volume located within the 100-year floodplain.

The Proposed development will of course require fill within the 100-year floodplain, to bring the homes up out of the floodwaters, to some degree if not (as required) entirely, even though that must displace the floodwaters somewhere else. Therein is the concern, with surrounding homes and neighborhoods placed at risk of increased flooding by the displaced stormwater.

Section 2.3.3.2 of the Manatee County Comprehensive Plan states:

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.

Similarly, Section 801.3.L of the LDC provides:

Floodplain Requirements within 25- and 100-year Floodplain. All fill within the twenty-five-year or one hundred-year floodplains shall be compensated by creation of storage of an equal or greater volume, credited above the seasonal high water table, with such compensatory storage also located within the twenty-five-year and one hundred-year floodplains. Stormwater retention/detention volumes below the seasonal high water table shall not be used to compensate for the placement of fill within the one hundred-year floodplain.

Section 802.6.A.6 of the LDC states:

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

However, the applicant has yet to demonstrate compliance with these requirements. The Staff Report notes that three sections of the proposed development totaling 7.82 acres will provide floodplain compensation storage. However, that hardly seems sufficient as the present undeveloped 37.27 acre property is today insufficient to store the runoff from Rattlesnake Slough.

Instead, the applicant asks to put off all demonstration of compliance with these requirements of the Comprehensive Plan and LDC until later, during the Final Site Plan and Construction Plan approvals.

Page 29 of the Staff Report states, "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."

The applicant is effectively telling you: Trust me, I'll tackle this later.

The County and the affected public cannot afford that deferral of assurance, and increase the allowable density and as such increase the allowable fill and development on this property without first obtaining certain and reliable assurances that a flooding problem will not result.

That is particularly true in this instance, where Rattlesnake Slough, which runs through this property, is treated as the most problematic and challenging in any watershed in Manatee County in addressing the necessary stringency of stormwater management design. (See page 29 of the Staff Report).

Also to be considered is that the stormwater management requirements, such as that cited above in 802.6.A.6 of the LDC, address the rate of stormwater runoff, not the total volume over time.

Proposal Violates Stormwater Policy Provisions of the Comprehensive Plan and LDC

The proposed Ordinance will exacerbate a flooding problem in the immediate vicinity of the subject property. Rattlesnake Slough bisects the northeastern lot as it flows from west to east across Lockwood Ridge Road through the Northwestern Lot to ultimately drain into the southern end of Evers Reservoir.

Rattlesnake Slough has a history of serious flooding. The Staff Report prepared by Manatee County Planner Achaia Brown documents the frequent flooding in the area surrounding Rattlesnake Slough during tropical storms and hurricanes, including during Tropical Depression #1 in June of 1992, Tropical Storm Gabrielle in September of 2001, and the August 2017 storm event prior to Hurricane Irma. (See page 29 of the Staff Report).

In light of the history of flooding surrounding Rattlesnake Slough, the Board of County Commissioners cannot ignore the proposed Ordinance's violations of the Manatee County Comprehensive Plan and Land Development Code (LDC) concerning stormwater management.

The proposed increase in allowable land use and General Development Plan are contrary to the requirement of Objective 2.3.3 of the Comprehensive Plan to 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. The Proposed Development is also in violation of Section 802.6.B.6.b of the LDC that requires that all development proposals be consistent with the need to minimize flood damage and shall not increase runoff so as to adversely impact adjacent properties. Section 402.6.A. of the LDC also requires the tract for the proposed development be suitable for development in a manner without the risk of flood hazard to persons or property, which this is not. The proposed development is directly in an area subject to severe flooding, which will increase the risks to life and property of the residents in the Proposed Development, as well as the surrounding communities.

The Proposal is Incompatible with Surrounding Neighborhoods

The proposed development of seven apartment buildings to house 315 units is incompatible with the surrounding single-family, one and two-story homes or paired villas and is therefore contrary to the LDC and Comprehensive Plan. Sections 342.3.A and H of the LDC require the Board to consider whether a zoning map amendment is compatible with the existing development pattern and the zoning of nearby properties. Additionally, Section 402.7 of the LDC requires that development in Planned Development Residential areas be compatible with adjacent and surrounding land uses. Policy 2.1.2.7 of the Comprehensive Plan requires proposed development to be reviewed for compatibility, and that existing development patterns and approved development in the area be considered.

The Proposed Development will have buildings three and four stories high, with a density of 8.45 dwelling units per acre. That is in stark contrast to the nearby residential developments, which are between 2.09 dwelling units per acre and 4.95 dwelling units per acre. The Villages of Palm Aire have a density of 2.09 du/acre; Cascades has a density of 2.8 du/acre; Woodridge Oaks has a density of 3.0 du/acre; Woodbrook has a density of 2.38 du/acre; Villa Amalfi has a density of 4.95 du/acre; The Heights/Evers Reservoir has a density of 2.99 du/acre. (Page 12 of Staff Report). Of the six surrounding subdivisions, only two allow multi-family units within the development. (See page 13 of the Staff Report).

The Staff Report notes that “The zoning of nearby properties is PDR and the existing development pattern is a mixture of residential housing types – both single and multi-family development.” (Page 21 of the Staff Report). However, this is a mischaracterization of the surrounding neighborhoods, which are overwhelmingly single family.

The Board must also consider the types of allowable uses and the impact of those uses on surrounding residential areas pursuant to Section 342.3.L of the LDC. An apartment complex replacing an area which for decades has served as wetlands to receive area stormwater is unlikely to have anything but a negative impact on surrounding neighborhoods.

Because the proposed development would be three stories or greater, it must also comply with the requirements of 401.5.B.1 of the LDC that the height of the proposed development shall not adversely affect surrounding development. The three and four story buildings will tower over the single story neighboring homes, and as such negatively affect the views and privacy of those homeowners.

Further, overmuch has been made of the stipulated limits on building heights to supposedly achieve neighborhood compatibility. Again, the surrounding homes are generally one-story single-family homes. It is proposed that 99 of the 315 units be in three story buildings but the remaining 216 (69% of all units) will be in four story buildings. That is hardly different than the maximum four story building height under the current zoning.

Even more important is that under the PDR zoning district the building heights should be less than is proposed because Section 402.6.M of the LDC, in the standards for the PDR district, provides as follows (*emphasis added*):

Height. Height in a specific Planned Development district shall be determined after review of the nature of surrounding land uses to ensure that the proposed development will not create any external impacts that would adversely affect surrounding development, existing or proposed.

Increased Traffic

Section 402.6.D of the LDC requires planned development districts to be located and designed so as to minimize the negative effects of external impacts resulting from factors such as traffic, noise or lights. An additional 315 units will have a negative impact on traffic in the surrounding area, including an anticipated exacerbation of the congestion at Honore Avenue and Old Farm Road during season.

Summary

It will be represented to you by some that the surrounding homeowners have settled with the applicant for some setbacks, limited buffers and less building height than the applicant might otherwise seek. While that is true as to some, particularly the handful of people who led the discussions with the applicant, that is more generally false than not. By and large, the stipulations now included in the proposal are rejected by surrounding homeowners as grossly inadequate and by no means a justification for the increases in development rights being sought in the proposed ordinance.

Indeed, some of the few homeowners who may have withdrawn their active opposition to the project seem to have been swayed by a letter by Mr. Beruff describing the stipulations and then adding a list of agreements to which he falsely states he and any successor owner of the property will be legally bound. It includes a promise that the apartments will not be for "affordable housing", the applicant's repeated threat if his proposal is not approved. In fact, however, Mr. Beruff refused to put those additional promises into a covenant running with the land or even into an enforceable contract.

Empty promises and entreaties for "trust" in place of certain results are not the basis for concurrence, either by the homeowners or more importantly in this instance for the County in matters such as prevention of flooding.

And certainly, a 58% increase in density and other added development entitlements which so thoroughly and clearly violate the Comprehensive Plan and Land Development Code, as detailed herein, on a site so extraordinarily unsuitable for that increase as is this, should without question be rejected.

My clients vigorously oppose Proposed Ordinance PDR-19-13(Z)(G) and respectfully request that you deny approval of the Ordinance.

Thank you for your considerations.

Dan Lobeck, Esq.
Florida Bar Board Certified in
Condominium and Planned Development Law
Law Offices of Lobeck & Hanson, P.A.
2033 Main Street, Suite 403
Sarasota, FL 34237

Telephone: (941) 955-5622

Facsimile: (941) 951-1469

www.lobekhanson.com

From: Kathy Sweeney <okisweeney84@yahoo.com>

Sent: Wednesday, August 19, 2020 12:17 AM

To: Vida Gordon <vida.gordon@mymanatee.org>

Subject: Whitfield and Lockwood Ridge Zoning

Dear Zoning & Public Hearing Officials, I again am asking you to please not allow Carlos Beruff to develop his 3-4 story

apartment buildings on the corner of Whitfield and Lockwood Ridge. Please keep in your mind that this area of Manatee County is a single family home neighborhood, mostly one story houses. Maybe you could ask him to move his apartment idea and build in your neighborhood and forget ours.

Thanks ahead for making the right decision of denial to his building.

Sincerely,
Kathy Sweeney

From: Linda Adsitt <ladsitt@me.com>

Sent: Tuesday, August 18, 2020 10:52 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Cc: Adsitt LA Adsitt <ladsitt@gmail.com>

Subject: VOTE NO

A letter to Manatee County Commissioners.....please read the attached letter.

Vote NO on the proposed development of the Whitfield-Lockwood Ridge.

August 18, 2020

TO: Manatee County Commissioners

RE: The Whitfield-Lockwood Ridge Property

Dear Commissioners,

I am STRONGLY OPPOSED to the proposed development of the Whitfield-Lockwood Ridge property.

This property contains on 1.3 acres of upland, which can be built on.

98% of the property is designated as a Special Flood Area by FEMA.

The property is designated in a 25 year flood plain by Manatee County. Manatee County Policy 2.3.3.4 prohibits habitable dwellings on a 25 year flood plain.

Large multiunit apartment buildings with impervious surfaces will prevent this area from absorbing storm water, which cause disastrous flooding!

The majority of the Palm Aire area residents are **STRONGLY OPPOSED** to the development of the Whitfield-Lockwood Ridge property. It is an environmentally sensitive area, which is designated as a flood plain.

I urge you to **VOTE NO** on the developer's plan to build high density apartment buildings on a flood plain.

VOTE NO! on the development that Carlos Beruff is proposing.

Sincerely,
Linda Adsitt Email: ladsitt@me.com

From: Dan Lobeck <dlobeck@lobeckhanson.com>

Sent: Tuesday, August 18, 2020 7:39 PM

To: Sarah Schenk <sarah.schenk@mymanatee.org>; Building Department <building.department@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Achaia Brown <achaia.brown@mymanatee.org>; Vida Gordon <vida.gordon@mymanatee.org>; Ed Vogler, Esq. <edvogler@voglerashon.com>

Cc: BETH BOYCE <bethboyce@msn.com>; Judy Florey <judyflorey@gmail.com>; Kevin Coleman <kcoleman@lobeckhanson.com>

Subject: Motion for Continuance/ PDR-19-13 (Z)(G)

Importance: High

I and my firm represent Beth Boyce and numerous other homeowners in opposition to PDR-19-13 (Z)(G), the rezoning and General Development Plan now scheduled for public hearing before the BCC this Thursday, August 20.

Attached for your consideration and requested action is my Motion for Continuance of the hearing for reason of one or more substantial violations of Section 312.7.D of the Manatee County Land Development Code with regard to the posting of public hearing notice signs on the subject property.

The LDC requires the applicant to post “weatherproof signs” with the required information and to maintain them “until completion of the final action on the application.”

Here is a typical sign, today and as it has been for some time. This and additional photos of the signs are included with the Motion. Apparently the applicant failed to use permanent marker, then it rained and nothing was done to restore or replace it.



And look at how very teeny-tiny the meeting location is printed, virtually illegible even if it wasn't so blurred.

I would think that both the applicant and County would want to continue the hearing and correct this violation in order to proceed properly at a later date. Why instead perpetuate an easy appealable issue for my clients and the many other homeowners who object to this land use change?

There are certainly other problems with this application, an extraordinary attempt to greatly increase density on an extremely flood-prone parcel in the 25-year flood plain, with other neighborhood compatibility issues. (Attempts to pacify neighbors with some setbacks and height limits have largely been to naught).

But why give the opponents a sure-fire violation such as this?

If there is concurrence on granting the requested relief, at least as to the August 20 BCC hearing date, please let me know.

Otherwise, this is to request an evidentiary hearing on the Motion at the outset of the hearing on that date and a ruling before the hearing proceeds further.

I will shortly provide you a request for extended time at the hearing if it proceeds and a preliminary statement of our objections.

Thank you very much for your considerations.

Dan Lobeck, Esq.
Florida Bar Board Certified in
Condominium and Planned Development Law
Law Offices of Lobeck & Hanson, P.A.
2033 Main Street, Suite 403
Sarasota, FL 34237

Telephone: (941) 955-5622
Facsimile: (941) 951-1469
www.lobeckhanson.com

BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR MANATEE COUNTY, FLORIDA

MANATEE COUNTY BOARD
OF COUNTY COMMISSIONERS,

and

CASE NO. PDR-19-13(Z)(G)

PARKWAY LAND TRUST #1 and
LT INVESTMENT 2, LLC

Applicant.

**MOTION TO CONTINUE AUGUST 20, 2020 SPECIAL LAND USE MEETING
AND TO HOLD A NEW PLANNING COMMISSION HEARING**

COME NOW, Beth Boyce, Susan Nachand, Merv and Nora Hess, Judy and Mike Florey, Robert Nicolella, Dave and Susan Guise, Stacey and Rick Ridenour, Susan and Frank McGowan, Pete Lento and Dr. Joel Feder ("Affected Homeowners"), by and through their undersigned counsel, and request this

Commission to enter an Order to Continue the Special Land Use Meeting of the Board of County Commissioners for August 20, 2020 and to Hold a New Planning Commission hearing in the above-referenced case and as grounds therefor state the following:

1. Affected Homeowners own their homes and reside in close proximity to the subject property and as stand to be adversely affected by the subject rezoning due to the increases in flood risk by the proposed development, neighborhood incompatibility and otherwise as previously expressed and as will be further presented at the public hearing of the Board of County Commissioners on Manatee County Zoning Ordinance Number PDR-19-13(Z)(G). Specifically, their addresses and approximate proximity of the house addresses to the subject parcel as provided by Google Maps (although the property lines are closer) are as follows:

Beth Boyce: 6945 Mystic Lane, Sarasota, FL. 34243 - .6 miles

Susan Nachand: 6927 Mystic Lane, Sarasota, FL. 34243 - .5 miles

Merv and Nora Hess: 6945 Mystic Lane, Sarasota, FL. 34243

Judy and Mike Florey: 7143 Fairway Bend Lane, Sarasota, FL. 34243 - 1.3 miles

Robert Nicolella: 4331 67th Ave Circle E., Sarasota, FL 34243 - .6 miles

Dave and Susan Guise: 5332 Creekside Trail, Sarasota, FL. 34243 - .6 miles (zero distance from the lots lines, as their property abuts the parcel)

Stacey and Rick Ridenour : 4744 Carrington Circle, Sarasota, FL.34243 - .6 miles

Susan and Frank McGowan: 4802 Lake Breeze Terrace, Sarasota, FL 34243 - .7 miles (zero distance from the lots lines, as their property abuts the parcel)

Pete Lento: 4958 Lakescene, Sarasota, FL. 34243 - .6 miles

Dr. Joel Feder: 6969 Mystic Lane, Sarasota, FL. 34243 - .6 miles

2. On July 24, 2020, the Manatee County Planning Commission recommended adoption of Manatee County Zoning Ordinance Number PDR-19-13(Z)(G).

3. Manatee County Zoning Ordinance Number PDR-19-13(Z)(G) is scheduled to be considered by the Manatee County Board of County Commissioners on August 20, 2020.

4. The Board of County Commissioners may not lawfully consider Zoning Ordinance Number PDR-19-13(Z)(G) on August 20, 2020 because the notice requirements of the Manatee County Land Development Code (“LDC”) and the due process requirements of the United States and Florida Constitutions have been violated by substantial violations of the LDC requirements for posted signs for notice of the public hearings.

5. The right to due process is conferred by constitutional guarantee by the Fifth and Fourteenth Amendments to the United States Constitution and Article I, Section 9 of the Florida Constitution. The core of due process is the right to notice and an opportunity to be heard. LaChance v. Erickson, 522 U.S. 262, 118 S. Ct. 753, 139 L.Ed.2d 695 (1998). A participant in a quasi-judicial proceeding is clearly entitled to some measure of due process. Florida Water Services Corp. v. Robinson, 856 So. 2d 1035, 1039 (Fla. 5th DCA 2003) (citation omitted).

6. Approval of a land use change such as sought in PDR-19-13(Z)(G) in a quasi-judicial proceeding may not depart from the essential requirements of law and shall be quashed upon certiorari appeal if it does. Alvey v. City of North Miami Beach, 206 So. 3d 67 (3d DCA Fla. 2016). That same case also holds that the burden is upon the landowner who is seeking a rezoning, special exception, conditional use permit, variance, site plan approval, etc. to demonstrate that his petition or application complies with the reasonable procedural requirements of the applicable ordinance and that the use sought is consistent.

7. The essential requirements of law in the instant proceedings include the LDC requirements cited herein with regard to the posting of public hearing notice signs.

8. Posted notice is required for all meetings of the Manatee County Board of County Commissioners and the Manatee County Planning Commission to consider an application for rezoning.

See Table 3-2 in Section 312.7 of the LDC. Specifically, Section 312.7.D of the LDC requires the following for each such public hearing, in addition to certain notice by publication and by mail (*emphasis added*):.

Posted Notices. Signs shall be posted by the applicant as instructed by the Department Director. Notice shall be posted on weather resistant signs in a form established by the Department Director.

1. *Timing of Posted Notice.* The sign shall be posted not less than ten (10) days nor more than forty (40) days in advance of the scheduled hearing date, unless the Department Director requires earlier notice.
2. *Maintenance.* The applicant shall ensure that the signs are maintained and remain on the site until completion of the final action on the application.
3. *Location of Signs.* Notice shall be posted no more than fifteen (15) feet from the front lot line, so as to be clearly visible from the public way.
4. *Lack of Street Frontage.* If the land does not have frontage on a street, at least one (1) sign shall be placed on the property at the access point and additional signs shall be placed on the nearest public right-of-way with an indication of the location of the subject property.
5. *Additional Signage Required.* More than one (1) sign and/or a larger sign may be required to be posted by the Department Director, if it is determined to be necessary to ensure adequate public notice. Such additional signs shall be posted in a number and location determined by the Department Director.
6. *Removal of Posted Signs.* The applicant shall remove all posted signs within ten (10) days after final action on the application.

9. Section 312.7.H. of the LDC provides as follows:

Defects in Notice. If a defect in notice not caused by an intentional or negligent act or omission of the applicant is discovered after the conclusion of the hearing, it shall not in any way affect the action taken at such hearing. In accordance with applicable law, if a substantial defect in notice is discovered prior to the hearing, then such notice shall be redone and the hearing rescheduled.

10. There is a substantial defect in the Posted Notice of the July 24, 2020 Planning Commission's meeting and the August 20, 2020 Board of County Commissioners' meeting to consider Zoning Ordinance Number PDR-19-13(Z)(G). The writing on the signs is illegible, or more accurately in almost every instance completely missing. It appears that this is because even if the sign boards themselves are waterproof the signs were not because waterproof markers were not used to write in the information and therefore the content of the signs washed away by rain after they were posted. Also, the applicant failed to maintain the signs "until completion of the final action on the application," as required by the LDC, by restoring the

markings on the signs, as well as to reinstall a sign which fell over. Further, the printed location of the hearings on the signs, on a tape covering the usual hearing location in Commission Chambers on Manatee Avenue West, is so very small as to be extremely difficult or impossible to read, to the extent it was not washed away or smeared so as to effectively be absent anyway. Additionally, one of the signs lacked the tape correction for some period of time and instead stated the incorrect location as the Commission Chambers on Manatee Avenue West. As such, or in any event, the posted signs have failed to provide the notice required by the LDC of the Planning Commission and Board of County Commissioners' meetings.

11. Photographs depicting all of the Posted Notices are attached as Exhibit A. The photographs were taken August 13, 2020 and then again on August 16, 2020, as noted, and accurately reflect the appearance and condition of all of the signs on both dates and to date, as well as substantially before.

12. The failure to use a permanent marker or to otherwise ensure that the writing on the signs will survive rain, or to otherwise provide and maintain the required content and legibility of the signs, as well as the failure of the applicant to reinstall the fallen sign, was of necessity caused by an intentional act or negligent act or omission of the applicant. As such, because the signs were and are not weather resistant, did not provide legible notice the public hearings and were not maintained by the applicant in proper condition, the public hearing of the Planning Commission must vacated and such public hearing again be noticed, reconvened and conducted anew, and a new recommendation provided to the Board of County Commissioners on PDR-19-13(Z)(G), and the August 20, 2020 public hearing of the Board of County Commissioner must be canceled or continued until it can be convened on a new date in compliance with the signage and other notice requirements of the LDC.

13. The signage defects described and referenced in Paragraphs 10 through 12 above were discovered prior to at least the public hearing of the Board of County Commissioners and as such that hearing must be continued and rescheduled until all required notices are provided, without any need to consider any intentional act or negligent act or omission of the applicant.

14. The undersigned attorney early on the morning of August 17 requested by email to Manatee County as appropriate the additional sign posting instructions to the applicant by the Department Director as required by Section 312.7.D of the LDC. Although the request was promptly acknowledged, despite follow-up requests and an expression of urgency in light of the August 20 hearing date, that public record has not yet been received..

15. To the extent any of the Affected Homeowners participate in the August 20, 2020 hearing, if it is not canceled or continued, either directly or through counsel, they do so subject to their objection to the signage violations cited herein – which requires no demonstration of prejudice -and under an objection to denial of due process because earlier notice by the signage would have allowed one or more of them additional and sufficient opportunity to prepare for the public hearings and to otherwise protect their interests.

WHEREFORE, Affected Homeowners respectfully request this Board or its agents to award the following relief:

- A. Cancel or continue the Board of County Commissioners' hearing set for August 20, 2020 on Manatee County Zoning Ordinance Number PDR-19-13(Z)(G) and reschedule that hearing with full compliance with all proper notices, including posted notices, required by the LDC as well as by Florida statutes.
- B. Vacate and reset the Planning Commission hearing on Manatee County Zoning Ordinance Number PDR-19-13(Z)(G) and to continue or cancel and reschedule the Board of County Commissioners' public hearing on the Ordinance now scheduled for August 20, 2020, with all proper notices, including posted notices, required by the LDC as well as by Florida statutes.

/S/

DANIEL J. LOBECK, ESQUIRE

Florida Bar No. 291323

The Law Offices of Lobeck & Hanson, P.A.

2033 Main Street, Suite 403

Sarasota, Florida 34237-6063

(941) 955-5622 / Fax: (941) 951-1469

Primary E-Mail: dlobeck@lobeckhanson.com

Attorneys for Affected Homeowners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the forgoing has been furnished by Electronic Mail to the Manatee County Board of County Commissioners c/o Sarah Schenk, Esq. at sarah.schenk@mymanatee.org; and to 'John Barnott' building.department@mymanatee.org; betsy.benac@mymanatee.org; priscilla.trace@mymanatee.org; reggie.bellamy@mymanatee.org; steve.jonsson@mymanatee.org; misty.servia@mymanatee.org; vanessa.baugh@mymanatee.org; carol.whitmore@mymanatee.org; 'Bobbi Roy' <bobbi.roy@mymanatee.org>; 'Achaia Brown' achaia.brown@mymanatee.org; 'Vida Gordon' <vida.gordon@mymanatee.org>; 'Sarah Schenk' sarah.schenk@mymanatee.org; and to the Applicant, Parkway Land Trust #1 and LT Investment 2, LLC c/o Ed Vogler, Esq. at edvogler@voglerashton.com ,

this 20th day of August, 2020

/S/

DANIEL J. LOBECK, ESQUIRE

Exhibit A

Photos taken August 16, 2020, close ups:



Sign 1 - front on Whitfield - Northside



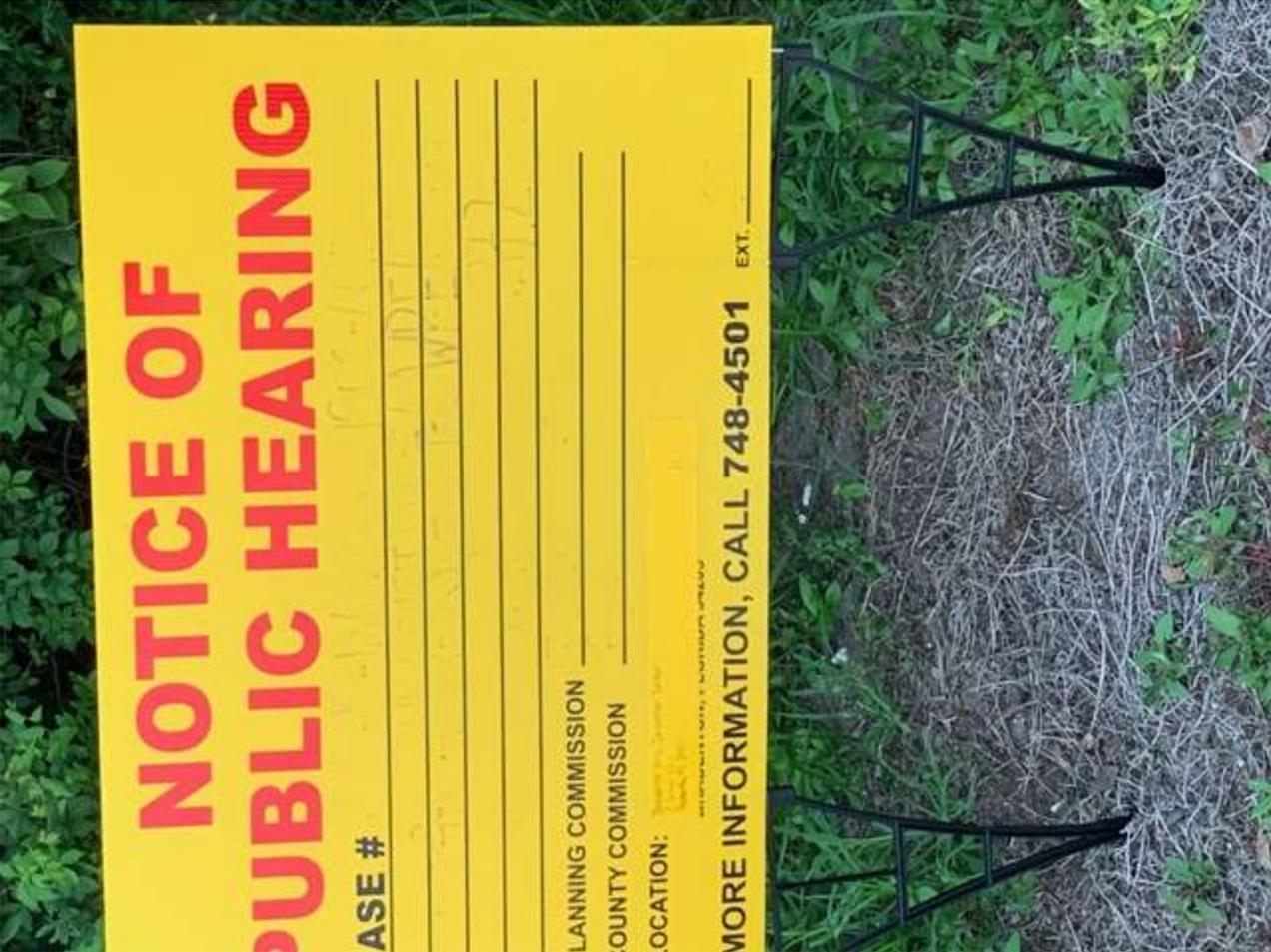
Sign 1 Back



Sign 2 Front - NE corner of Lockwood Ridge



Sign 2 Back



Sign 3 front - NW corner of Lockwood Ridge

August 16, 2020 – Same signs, mostly taken at a greater distance:















August 13, 2020 (absent one of the signs, on Lockwood Ridge Road, which was also blank).

Note the third of these photos, which is the same as Sign 1 – Front on Whitfield, in the August 16 photos, but this time stating the incorrect meeting location (Commission Chambers on Manatee Avenue West), which was apparently taped over within the following three days but without adding the missing information on the sign:







From: Teri <sagevirtualoffice@gmail.com>

Sent: Tuesday, August 18, 2020 6:50 PM

To: Geezil <mikridd@aol.com>

Cc: Betsy Benac <betsy.benac@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Celeste McDuffie <celeste.mcduffie@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>; Vida Gordon <vida.gordon@mymanatee.org>; whitepalm1@verizon.net

Subject: Re: CASE # PDR-19-13(Z) (G) PLN1908-0013

Well said! I hope for all our sakes they don't pass it.

On Tue, Aug 18, 2020 at 6:27 PM Geezil <mikridd@aol.com> wrote:

Tuesday,

August

18, 2020

RE: CASE # PDR-19-13(Z) (G) PLN1908-0013

Dear

Manatee

County Commissioner,

I implore you to

not allow the referenced proposed zoning change for accommodation of the Medallion Homes - corner of Whitfield and Lockwood Ridge development project to proceed.

I am very concerned and disapprove of the density of the

proposed development within the Palm Aire community as I believe it will be an

irrevocable negative alteration of the residential Palm Aire community. Increased density is inconsistent with the

thoughtfully planned community as designed in the 1960s. For decades residents who have invested in

and chose to reside in the Palm Aire community expected and continue to expect allegiance to the original concept for development of Palm Aire.

I also implore you to consider the irrevocable negative

environmental impact to this ecologically fragile area by construction of the increased density housing. It undoubtedly will negatively

impact adjacent residences, watershed, drainage, and wildlife habitat.

I implore each commissioner to seriously consider the numerous objections by residents of the Palm Aire community who fear being personally impacted by such a drastic negative alteration of their residential community.

I implore each commissioner to seriously weigh the benefit to

the entire Palm Aire community to be gained by rejection of the zoning change against

the financial benefit solely to the developer to be gained by approval of the zoning change.

I implore the commission to rule in favor of the community to maintain the existing zoning to preserve the integrity of this fragile environment and residential community as originally designed.

Kathleen Geezil

[7461 W. Country Club Dr. N.](#)

[Unit 403](#)

[Sarasota, Florida 34243](#)

From: Geezil <mikridd@aol.com>

Sent: Tuesday, August 18, 2020 6:27 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Vida Gordon <vida.gordon@mymanatee.org>; Celeste McDuffie <celeste.mcduffie@mymanatee.org>

Cc: whitepalm1@verizon.net

Subject: RE: CASE # PDR-19-13(Z) (G) PLN1908-0013

Tuesday, August 18, 2020

RE: CASE # PDR-19-13(Z) (G) PLN1908-0013

Dear Manatee County Commissioner,

I implore you to not allow the referenced proposed zoning change for accommodation of the Medallion Homes - corner of Whitfield and Lockwood Ridge development project to proceed.

I am very concerned and disapprove of the density of the proposed development within the Palm Aire community as I believe it will be an irrevocable negative alteration of the residential Palm Aire community. Increased density is inconsistent with the thoughtfully planned community as designed in the 1960s. For decades residents who have invested in and chose to reside in the Palm Aire community expected and continue to expect allegiance to the original concept for development of Palm Aire.

I also implore you to consider the irrevocable negative environmental impact to this ecologically fragile area by construction of the increased density housing. It undoubtedly will negatively impact adjacent residences, watershed, drainage, and wildlife habitat.

I implore each commissioner to seriously consider the numerous objections by residents of the Palm Aire community who fear being personally impacted by such a drastic negative alteration of their residential community.

I implore each commissioner to seriously weigh the benefit to the entire Palm Aire community to be gained by rejection of the zoning change against the financial benefit solely to the developer to be gained by approval of the zoning change.

I implore the commission to rule in favor of the community to maintain the existing zoning to preserve the integrity of this fragile environment and residential community as originally designed.

**Kathleen Geezil
7461 W. Country Club Dr. N.
Unit 403
Sarasota, Florida 34243**

From: Daniel Harbert <websail7@yahoo.com>
Sent: Tuesday, August 18, 2020 5:41 PM
To: Vanessa Baugh <vanessa.baugh@mymanatee.org>
Cc: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: PDR-19-13(ZO(G) PLN 1908-0013

I am requesting that the request for approval of the subject zoning change be delayed until an adequate review has been done showing the environmental impact and the consequences to the surrounding residents in the event of a 100 year flood. Following such I am requesting that the board provide the basis for approval of the proposed change showing the benefits to the surrounding residents and the county in General. The current owner, based on the current zoning must have had a basis for believing that the board would grant an approval for this proposed change. Has the board made similar changes regarding Properties in flood plains before? I am trying to understand the boards motivation for approving this request which appears to violate several zoning guidelines. How does this change in the zoning benefit the surrounding residents? How does this change in zoning conform with best practices for zoning in a flood plain? The basis in detail for the boards approval of this change in every area where conflict with the current zoning, zoning guidance and conformance with the surrounding residences is lacking. If I am mistaken please provide it. Lastly what would be needed for the board to flat-out deny this request for a change in zoning?

Daniel Harbert
5746 Carriage Drive

Sarasota, FL 34243-3862

From: Pat Poirier <lanpoire26@gmail.com>

Sent: Tuesday, August 18, 2020 4:56 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield/Lockwood Ridge development rezoning

If you could please take in consideration the concern that building apartments at the corner of Whitfield/Lockwood Ridge would bring.

This is a single family home community and a golf community. Apartments does not belong there and will bring a big increase of traffic on Whitfield. Already the traffic has increased a lot since they opened Whitfield thru Lockwood Ridge. There should be a lot of concern for the people on their golf cart and others. Safety should really be a concern for everyone. I am also very concern about flooding in that area.

I trust that you will make the right decision.

Thank you,
Patricia Poirier
Carlyle community

From: Lynnell Haverkamp <lynnell_haverkamp@icloud.com>

Sent: Tuesday, August 18, 2020 4:43 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Building at Whitfield and Lockwood Ridge

Dear Commissioners,

Please be good stewards of the fragile piece of land at the corner of Whitfield and Lockwood Ridge. Flooding has been a problem through the years and with overdevelopment of this land, it will become a larger issue.

County policy 2.3.3.4 prohibits development in a 25 year floodplain except upon a finding by you the there is an "overriding public interest" to allow it. There is not an "overriding public interest" in allowing such extreme development in such a flood-prone area, at densities and heights which are incompatible with the neighborhoods in the area. This land is 96% within the 25 year floodplain.

Adding over 300 units and a 600 space parking lot is incompatible with the surrounding Palm Aire community. Urban sprawl is incompatible with our residential neighborhood.

Please vote AGAINST this zone change.

Thank you,
Lynnell Havercamp
7078 Fairway Bend Circle

From: bobbgjones@aol.com <bobbgjones@aol.com>

Sent: Tuesday, August 18, 2020 4:40 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>

Cc: Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Fwd: Whitfield and Lockwood Ridge Rezoning Consideration PLN1908-0013

Dear Commissioners:

SUBJECT: Whitfield and Lockwood Ridge Rezoning Consideration PLN1908-0013

I have been informed that Carlos Beruff, the owner of the property at the corner of Lockwood Ridge and Whitfield has applied for a zoning change to permit in excess of 320 units in mid rise (four story) buildings with parking, sidewalks and roads.

This is **an unheard of request** since it is totally at odds with all the mostly one and rarely two storey single family homes in this area, one of which I own on West Country Club Lane, right off of Whitfield.

I am very concerned with this suggested development of this property and its negative effect on everything including:

- 1) 1) **The corner of Whitfield and Lockwood Ridge is a FLOOD ZONE!**
- 2) 2) **The environment. The property is a wetland, incapable of draining and drying out.**
- 3) 3) **It is at odds with the single family homes for miles around.**
- 4) 4) **Storm water runoff, flooding, the inability of this region to manage large storms already;**
- 5) 5) **Traffic on Whitfield, a single lane road in the middle of a golf course and already overburdened by traffic going and coming from the new UTC mall, etc.**
- 6) 6) **The greatly increased potential for accidents getting into and out of such a development and at the already busy intersection with Lockwood Ridge Rd.**

Please think what you would want if you live in this area.

Thank you very much

Please address this at the public hearing on August 20, 2020 at 9AM.

Robert G Jones

6730 West Country Club Lane

Sarasota, FL 34243

Home # 941-706-4977

Cell 631 - 764-1511

From: Judith Sullivan <basenjymoon@yahoo.com>

Sent: Tuesday, August 18, 2020 2:56 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>

Subject: Medallion Homes Proposed Development, Whitfield Avenue/Lockwood Ridge Road

Neil and Judith Sullivan
7012 Treymore Court
Sarasota, Florida 34243
sullnj@yahoo.com

August 18, 2020

To:

Priscilla Trace, Manatee County Board of Supervisors
priscilla.trace@mymanatee.org

Reggie Bellamy, Manatee County Board of Supervisors
reggie.bellamy@mymanatee.org

Stephen R. Jonsson, Manatee County Board of Supervisors
steve.jonsson@mymanatee.org

Misty Servia, Manatee County Board of Supervisors
misty.servia@mymanatee.org

Vanessa Baugh, Manatee County Board of Supervisors
vanessa.baugh@mymanatee.org

Carol Whitmore, Manatee County Board of Supervisors
carol.whitmore@mymanatee.org

Betsy Benac, Manatee County Board of Supervisors
betsy.benac@mymanatee.org

Re: Proposed Development, Whitfield Avenue/Lockwood Ridge Road Residential Plan PDR-19-13 (Z)(G) PLN1908-0013

We are writing in total opposition to Medallion Homes/Carlos Beruff's development application to rezone the subject property from A-1/WP-E/ST and RMF-61WP-E/ST to PDR and GDP for the following reasons:

1) The property under consideration is part of a designated watershed district, with severe surface waters and drainage waters moving through it. We have witnessed first-hand the consequences of a four-inch rainfall in 2017, a few weeks before Hurricane Irma, when Whitfield Avenue was blocked with water at its intersection of Lockwood Ridge Road. There were several cars floating on the drainage side of the road by 43rd Ct. East, and unfortunately an individual in a wheelchair drowned when the water overcame him. We ourselves attempted to traverse Whitfield Avenue to West Country Club Drive North by automobile and were blocked due to the flooding in the streets; we could no longer pass. The water was also completely obstructing through-traffic on West Country Club Drive North - it had absolutely nowhere

to go, and this was with just four inches of rain! Whitfield Avenue was also flooded farther south of West Country Club Drive North, and we saw at least three cars in the drainage ditches. We can only imagine what the disastrous effects of rainfall from a hurricane would be like.

2) Any existing multi-unit buildings in the area were constructed prior to 1990, when there was minimal development in this district. The project approved by the Manatee County Planning Commission proposes a density of 99 units with close to 200 parking spaces; this would cause major traffic congestion such that a left turn out of Treymore Court would be almost impossible, even considering the left-turn lane which Mr. Beruff has agreed to construct. Other neighborhoods such as Avalon, Carlisle, and Country Lakes would also be adversely affected by the traffic gridlock.

3) There is no desire on the developer's part to preserve the residential, ecological, and aesthetic aspects of the area. Such an increase in density would produce no benefit to current area residents and would be a serious blow to the existing natural habitat of ducks, otters, and bobcats, as well as other varieties of birds (such as roseate spoonbills, hawks, wood storks, herons, anhingas, and limpkins, to name only a few). There is a glaring lack of concern on the developer's part for these and other environmental issues.

Once again, we would like to state that we are totally against this proposed development of the property on the corner of Lockwood Ridge Road and Whitfield Avenue. This is our permanent year-round residence, and we have witnessed first-hand what the rain can do as stated above. Increasing the density of the property under consideration is unsafe and would adversely impact residents for miles. In addition, and most importantly, the conditions promised by Mr. Beruff to alleviate traffic hazards and flooding are legally nonbinding, in addition to being nontransferable to any subsequent developers to whom Mr. Beruff could sell the project; therefore, there are no guarantees that any mitigation promises with respect to residents' concerns will be honored. For these reasons we strongly urge you to vote against this development proposal.

Sincerely,

Neil and Judith Sullivan
7012 Treymore Court

From: vbeach3@verizon.net <vbeach3@verizon.net>

Sent: Tuesday, August 18, 2020 2:41 PM

To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Subject: Development Of Parcel: Whitefield and Lockwood Ridge Roads, OWNER: Parkway Land Trust 1 and LT Investments 2, LLC

Date: August 19, 2020

Dear Manatee County Board of Commissioners,

I am a resident of **Treymore Community Association at the Villages of Palm Aire.**

As abutting residents of the proposed development on Whitfield and Lockwood Ridge Roads, I am delighted to see the revised scope and commitment letter submitted by Carlos Beruff.

I strongly SUPPORT the proposed development application referencing 315 units on the parcel that includes up to 99 across the street (3-3 story buildings on the Whitfield side adjacent to the Treymore Community) and the balance on the Lockwood Ridge side.

This is a much more cohesive option that will fit in with the overall landscape and beauty of the Palm Aire Country Club villages.

Vickie Beach
4847 Carrington Cir
Sarasota FL 34243
vbeach3@verizon.net

From: Stephanie Kaufman <snkaufman@aol.com>
Sent: Tuesday, August 18, 2020 2:32 PM
To: Betsy Benac <betsy.benac@mymanatee.org>
Subject: Harmful Proposed Construction

Dear Betsy,

I am writing again in protest of the possible development at Whitfield Avenue and Lockwood Ridge.

It will result in increased flooding and other hardships to the owners in Palm Aire.

Please demonstrate caring and foresight on our behalf.

I am a full time resident. I am not sure I could continue to live here if the construction goes forward.

Thank you for your consideration.

Stephanie Kaufman
owner
6934 West Country Club Drive N
Sarasota, FL 34243

From: berrjones@aol.com <berrjones@aol.com>
Sent: Tuesday, August 18, 2020 1:08 PM
To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: Whitfield and Lockwood Ridge Rezoning Consideration PLN1908-0013

Dear Commissioners:

SUBJECT: Whitfield and Lockwood Ridge Rezoning Consideration PLN1908-0013

I have been informed that Carlos Beruff, the owner of the property at the corner of Lockwood Ridge and Whitfield has applied for a zoning change to permit in excess of 320 units in mid rise (four story) buildings with parking, sidewalks and roads.

This is **an unheard of request** since it is totally at odds with all the mostly one and rarely two storey single family homes in this area, one of which I own on West Country Club Lane, right off of Whitfield.

I am very concerned with this suggested development of this property and its negative effect on everything including:

- 1) **1) The corner of Whitfield and Lockwood Ridge is a FLOOD ZONE!**
- 2) **2) The environment. The property is a wetland, incapable of draining and drying out**
- 3) **3) It is at odds with the single family homes for miles around.**
- 4) **4) Storm water runoff, flooding, the inability of this region to manage large storms already;**
- 5) **5) Traffic on Whitfield, a single lane road in the middle of a golf course and already overburdened by traffic going and coming from the new UTC mall, etc.**

- 6) **6) The greatly increased potential for accidents getting into and out of such a development and at the already busy intersection with Lockwood Ridge Rd.**

Please address this at the public hearing on August 20, 2020 at 9AM.

Thank you,

Dr. Bernice Jones

6730 West Country Club Lane

Sarasota, FL 34243

Home (941) 706-4977

Cell (631) 764-1533

From: Susan McGowan <suemcguu@gmail.com>

Sent: Tuesday, August 18, 2020 12:12 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia

<misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield Project

They may not be great images, but I hope they convey, in some way, what happened during and after Irma. It was a lake. The water came close to Whitfield although that is not visible in these pictures. I hope the rent -a- cows were removed in time. Where will all the water go in the next storm? Into our backyards? We live directly behind this land. And, were it not for our ages and fear from the virus, my husband and I would have been at this meeting. Susan and Frank McGowan 4802 Lake Breeze Terrace Woodbrook







From: MICHELLE MARQUIS <marquism_208@msn.com>

Sent: Tuesday, August 18, 2020 10:29 AM

To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenantrace@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>

Subject: Whitfield-Lockwood Ridge Development

Ladies and gentlemen,

I would just like to reiterate my position that allowing a 315-unit development at the corner of Whitfield and Lockwood Ridge is a disaster waiting to happen!! **I remain strongly opposed!** Not only is it not in-keeping with the residential design of the entire surrounding area, it is a **flood zone!!** Rattlesnake Slough runs right through that corner property and during every heavy rainstorm, the entire area floods!! With 7-8 large buildings, plus parking for nearly 600 cars, any mitigation efforts the developer puts in will not prevent an increase in flooding.

Please, please do not approve this development!!!

Thank you,
Michelle Marquis
Fairway Bend

From: Paul DuWors <pduw@yahoo.com>

Sent: Tuesday, August 18, 2020 10:08 AM

To: Achaia Brown <achaia.brown@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Priscilla

WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Re: Development at Whitfield Av & Lockwood Ridge

County Commissioners,

I sent the email below on March 30. Subsequently I attended the project overview at Palm Aire Country Club where the developers presentation lacked definite plans and provided too many "what-ifs, we might do this and we might do that".

My primary concerns are traffic, property value, and quality of life. If traffic studies are to be believe there must be more credible evidence that the low projections for increased traffic along Whitfield Av, are valid. I believe they're a total manipulation of fact. When were they taken - peak season? How realistic is it that only a small percentage of residents will come and go during morning and evening commuting hours?

I have spent a considerable amount of money, as an investment renovating my villa. I have spent more than the market will bear in terms of resale value because I love my community of Golf Pointe. I believe this proposed development will erode my investment and that of the entire area,

Finally, quality of life will be diminished with traffic increasing and property values decreasing. A pleasant walk along Whitfield Av won't be the same with the addition of 600 cars, delivery vehicles, etc accessing the development throughout the day. Simply trying to exit and enter my neighborhood will be challenging. Although the speed limit is 30 mph on Whitfield, it is a rarity to see someone actually maintaining the speed limit, golf carts are already at risk, and hundreds of commuters rushing to and from work and school will only further endanger them and any pedestrian attempting to cross Whitfield Av with its few stop signs and traffic signals.

I request you deny the application for this development.

Sincerely,
Paul M. DuWors
7267 Golf Pointe Way
Sarasota, FL 34243-3615

On Monday, March 30, 2020, 05:40:44 PM EDT, Paul DuWors <pduw@yahoo.com> wrote:

As a Sarasota homeowner, taxpayer, and voter I am writing to express my opposition to the planned development at the corner of Lockwood Ridge and Whitfield Av. I believe the development will affect traffic, my quality of life, safety, and property values.

Sincerely,
Paul M. DuWors
7267 Golf Pointe Way

Sarasota, FL 34243-3615

[Sent from Yahoo Mail on Android](#)

From: Kenneth Goebel <kgoebel51@gmail.com>

Sent: Tuesday, August 18, 2020 10:02 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield Lockwood project

Commissioners:

I realize you have been flooded w letters and email regarding this project. I would add my opposition to the project as proposed but would support a smaller project that is more in keeping with the neighborhood and property size.

Thank you.
Ken Goebel
7155 Fairway Bend La
Sarasota

From: Susan Nachand <snachand6927@aol.com>

Sent: Tuesday, August 18, 2020 9:59 AM

To: Betsy Benac <betsy.benac@mymanatee.org>

Subject: Fwd: Lockwood Ridge Rd. and Whitfield Ave.

Dear Commissioner Benac:

Later this week, 8/20/20, you will be in the tricky position of having to choose between making a prominent, dollar-driven developer happy OR doing what is just and best for 1,000's of people who live in southern Manatee County. I pray you fully understand the gravity of this situation.

I urge you to SUPPORT THE RESIDENTS of this area and vote against the developer's plan to build 315 units on a parcel of land that has, historically, flooded after every storm.

No amount of mitigation can alter the flood prone nature of this fragile property. Over-development will only worsen the flooding. Thirty-five acres of new concrete are not the remedy for a flood plain!

Please put the needs of the current residents before the plans of a developer who does not care about residents' quality of life or their property values.

Thank you for your time in reading this letter.

Sincerely,
Susan Nachand
6927 Mystic Lane at Avalon
Sarasota, FL 34243
941-355-8664

From: Marie Sciocchetti <mls8383@gmail.com>
Sent: Tuesday, August 18, 2020 9:54 AM
To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>
Subject: Proposed development at Whitfield Ave and Lockwood Ridge

Unfortunately, we are in New York so we are unable to attend the meeting this Thursday. I had requested that a virtual meeting be set up and was told that due to Florida law it cannot. However, I have found that Leon County in Tallahassee held a virtual County Commissioner meeting. You can view the info here: <http://m.leoncountyfl.gov/News-Highlights/county-to-hold-virtual-leon-county-board-of-county-commissioners-meeting>

Due to Covid-19, no one should be forced to appear in person. Also, many elderly people are unable to make the trek through the convention center. I understand it's quite a long walk. I've had several neighbors state this.

Since we are unable to travel at this time to attend, we are writing to voice our opposition for the development at the corner of Whitfield and Lockwood Ridge for the following reasons:

1. This area currently has flooding issues. Over 95% of the property is designated 25 year flood plain. Policy prohibits this development. The flood plain restrictions must be adhered to. FEMA has designated this a Flood Zone Hazard Area.
2. Policy 706.9 deals with transferring density from a wetland to the upland portion of the property. It states there shall be a 50% deduction in the amount of units that can be transferred. Mr. Beruff is being given 100%.
3. Adding 600 vehicles to the already increased traffic in this area will most definitely create a hazard as well as increase noise exponentially. Whitfield is a 30 mph one lane road, in each direction, created for the Palm Aire community not a true thoroughfare like University Parkway.
4. This development does not conform to the surrounding area. This is a quiet residential community not a multi-level rental property community.
5. There is no public purpose or need for this development. It will have a negative impact not a positive impact!

Approving this will violate policies and objectives of Manatee County. Also, Please do not ignore FEMA's designation. We ask you to please make the responsible decision to not allow this development.

Thank you for your consideration.

Respectfully,

Peter and Marie Sciocchetti

From: Karen Burke <karen.burkesweetie@gmail.com>

Sent: Tuesday, August 18, 2020 9:53 AM

To: MARY ALICE SEEMEYER <seemeyer@comcast.net>

Cc: 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>; Bobbi Roy <bobbi.roy@mymanatee.org>

Subject: Re: Zoning Proposal for Whitfield/Lockwood Ridge

Excellent! I also suggested to Susan that we remind them that the County has a yellow sign directly across from the proposed development that warns drivers of nesting Sandhill Cranes, which are a protected species and much beloved by Floridians. This will destroy their habitat and nursing areas.

Great job, Mary Alice, thank you!

God Bless America, land that I love!

Karen Burke

On Aug 18, 2020, at 9:50 AM, MARY ALICE SEEMEYER <seemeyer@comcast.net> wrote:

Dear Manatee County Commissioners,

I am a full-time resident of the Villages of Avalon in Palm-Aire. I am writing to express my strong objection to Parkway Land Trust and LT Investment's request to rezone and increase density of the Whitfield/Lockwood Ridge Properties.

This is the wrong location for the proposed development.

My principal objections relate to likely flooding, increased density, and new construction that does not conform with existing architectural standards in this area.

Nearly all of this property is designated as a Special Flood Hazard Area by FEMA. It is my understanding that Manatee County has never allowed habitable dwellings to be built on a flood plain, and I sincerely hope that you will not allow this to happen at the Whitfield/Lockwood Ridge intersection. Water runoff and flooding will impact my neighborhood and others well beyond Palm-Aire.

With increased density come a host of unintended consequences: traffic, congestion, noise, and more. Every day, bicyclists, runners, and walkers pass through this intersection. Adults with children in strollers and dogs on leashes walk here throughout the day. The proposal to sharply increase the density of people and vehicles at Whitfield and Lockwood Ridge would unnecessarily put pedestrian traffic at risk.

The buildings as proposed in the zoning application are incompatible with existing structures near and around the Whitfield/Lockwood Ridge intersection. The architectural standards in the proposed zoning ordinance do not conform with existing homes and, if built, would forever diminish our beautiful, peaceful neighborhoods.

Please read this article from the *Bradenton Times*. It provides an excellent summary of the issues.

<https://thebradentontimes.com/bocc-to-hear-controversial-beruff-project-on-flood-prone-parcel-p22082-158.htm>

I also refer you to the Website www.ProtectOurCorner.com for a succinct summary of why many Palm-Aire residents oppose this zoning proposal.

Please vote **NO** to this development proposal.

Thank you for your time and consideration.

Sincerely,

Mary Alice Seemeyer
6965 Mystic Lane
Sarasota, FL 34243

Phone: 941-358-0198

Email: Seemeyer@comcast.net

From: MARY ALICE SEEMEYER <seemeyer@comcast.net>

Sent: Tuesday, August 18, 2020 9:51 AM

To: 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>

Cc: Bobbi Roy <bobbi.roy@mymanatee.org>

Subject: Zoning Proposal for Whitfield/Lockwood Ridge

Dear Manatee County Commissioners,

I am a full-time resident of the Villages of Avalon in Palm-Aire. I am writing to express my strong objection to Parkway Land Trust and LT Investment's request to rezone and increase density of the Whitfield/Lockwood Ridge Properties.

This is the wrong location for the proposed development.

My principal objections relate to likely flooding, increased density, and new construction that does not conform with existing architectural standards in this area.

Nearly all of this property is designated as a Special Flood Hazard Area by FEMA. It is my understanding that Manatee County has never allowed habitable dwellings to be built on a flood plain, and I sincerely hope that you will not allow this to happen at the Whitfield/Lockwood Ridge intersection. Water runoff and flooding will impact my neighborhood and others well beyond Palm-Aire.

With increased density come a host of unintended consequences: traffic, congestion, noise, and more. Every day, bicyclists, runners, and walkers pass through this intersection. Adults with children in strollers and dogs on leashes walk here throughout the day. The proposal to sharply increase the density of people and vehicles at Whitfield and Lockwood Ridge would unnecessarily put pedestrian traffic at risk.

The buildings as proposed in the zoning application are incompatible with existing structures near and around the Whitfield/Lockwood Ridge intersection. The architectural standards in the proposed zoning ordinance do not conform with existing homes and, if built, would forever diminish our beautiful, peaceful neighborhoods.

Please read this article from the *Bradenton Times*. It provides an excellent summary of the issues.

<https://thebradentontimes.com/bocc-to-hear-controversial-beruff-project-on-flood-prone-parcel-p22082-158.htm>

I also refer you to the Website www.ProtectOurCorner.com for a succinct summary of why many Palm-Aire residents oppose this zoning proposal.

Please vote **NO** to this development proposal.

Thank you for your time and consideration.

Sincerely,

Mary Alice Seemeyer
6965 Mystic Lane

Sarasota, FL 34243

Phone: 941-358-0198

Email: Seemeyer@comcast.net

From: Kathy Martin <wkathym@yahoo.com>

Sent: Tuesday, August 18, 2020 9:46 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield Lockwood Ridge Development

Hi,

I am writing to protest the modified zoning request for the Whitfield Lockwood Ridge Development.

Way too dense for the area. Too much concrete. Compromising a natural flood plain drainage area. This is an environmentally sensitive area.

Scale the development down--dramatically! At least to match the smaller footprint of the existing developments in that area.

Personally, I would like to prevent any development of what is a very important buffer area for flood control and, of course, birds and animals.

But, when have birds and animals been any criteria in the development plans for Sarasota/Bradenton.

Thank you,

W. Kathy Martin
7271 W. Country Club Road N., Unit 124
Sarasota, FL 34243

-----Original Message-----

From: Kindra Koeck-Nyberg <kknyberg@me.com>

Sent: Tuesday, August 18, 2020 9:41 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Proposed development on Whitfield and Lockwood Ridge

Dear commissioners,

I would like you to please consider the true seriousness of the flooding and water issues already in the area of the propose development on the corner of Lockwood Ridge and Whitfield. The developer is known for destroying preserves and conservation areas. This area has been plagued by flooding and draining issues.

As an owner in Fairway Bend, Palm Aire, since 2005, we have seen many issues of flooding. Some issues alleviated by county dredging and some not(many homes flooded just a few years ago).

Manatee County used to care about the environment. What happened?

This corridor has seen too much growth, and at one point many empty new homes that sat for years.

Palm Aire can just simply can not absorb any more runoff displacement from a huge construction project.

Please vote against this development destroying more of Manatee County. Don't let the dollars get in the way of a solid NO vote.

Thank you for time,
Kindra Koeck-Nyberg

From: mdia3153 <mdia3153@comcast.net>

Sent: Tuesday, August 18, 2020 9:38 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Building

Dear commissioners,

It saddens me to see what is happening to our beautiful area. Everywhere you look there is building going on. The animals are being forced out of there habitats and becoming road kill.

The density of the buildings are unbelievable and are not pleasing to the eye. We tend to over build our areas with the excuse that it's needed. The roads are overcrowded and we are becoming a state of cement not a place to vacation. There is no more snow birds leaving and giving us a break. It is a constant.

Now you are tasked with allowing another build on the corner of Whitefield and Lockwood Ridge Road, when is enough enough.

Thank you for your consideration in this matter.

Marie Diamond
President, Woodlake Condominium Association

From: Alan Saabye <asaabye@live.com>

Sent: Tuesday, August 18, 2020 9:36 AM

To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>

Subject: Development of Parcel: Whitfield and Lockwood Ridge Roads Owner: Parkway Land Trust 1 and LT Investments 2, LLC

Dear Ms. Baugh, Ms. Trace, Mr. Bellamy, Mr. Johnson, Ms. Servia, Ms. Whitmore and Ms. Benac,

We live in the Treymore neighborhood at the southeast corner of Whitfield Avenue and Lockwood Ridge Road. We have lived here for about 12 years and have enjoyed the open space near our neighborhood. We would rather not have the land developed, but we know that owners of real estate have rights to use their property.

During the last 3 or 4 months, several homeowners associations have worked with Carlos Beruff/Land Experts Inc., the property owner, regarding what will be built on that land, along with many other development criteria. Carlos Beruff has signed an agreement that commits to a reasonable development for the property. It has addressed many of the concerns that the HOA's have brought to his attention.

We support the currently proposed plan as outlined in the July 23 commitment letter between Carlos Beruff and the Palm Aire communities to develop the land with multi-family housing, and to make specified road upgrades, and light, noise, site-property border restrictions, and other considerations as agreed in the document.

Sincerely,

Alan and Barbara Saabye
4917 Woodhurst Drive
Treymore Neighborhood
Manatee County
Sarasota, FL 34243

Home phone: 941.351.4983

Email: asaabye@live.com

From: Margaret Keffer <mmjkeffer@aol.com>

Sent: Tuesday, August 18, 2020 8:24 AM

To: Reggie.bellamy@mymanatee.org

Subject: Fwd: Whitfield Lockwood Ridge Development

I live at 7091 Fairway Bend Circle. The property being developed at Whitfield and Lockwood Ridge is inconsistent with the surroundings and would increase the traffic on both Whitfield and Lockwood Ridge to a high degree which is not in the public interest. The standing water behind the end house at that end of Whitfield is a definite health hazard and it's been that way since I moved here. Frankly I don't know how those people stand it.

I moved here because it is a primarily residential area with no larger than 2 story one family dwellings. It is a great residential area and we want to keep it that way. Whoever owns the property and whoever the builder is have one concern and that's to make money. They don't live here and I understand the builder hired a member of the zoning board to work for him. This whole thing looks bad for Bradenton as well as the county.

Consider these things and put a stop this rezoning and building. Do it for the 2,000+ surrounding residents.

Marge Keffer

From: ccoons@twcny.rr.com <ccoons@twcny.rr.com>

Sent: Monday, August 17, 2020 9:53 PM

To: 'priscilla.trace@mymanatee.com' <priscilla.trace@mymanatee.com>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield - Lockwood Ridge Development

Dear Commissioners,

I disagree with the plan to change the zoning to allow 3 and 4 story apartment buildings at the above location.

The flooding and traffic are bad enough now without making it worse with buildings and parking lots. Please give this plan a lot of adult conscientious consideration.

It is not all about the money!

Carolyn Coons

From: nevius harden <neviuse@tampabay.rr.com>

Sent: Monday, August 17, 2020 8:38 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Rezoning Lockwood Ridge & Whitfield

Vote to reject this proposal and save our community.

Sent from my iPhone

From: frankposa27@gmail.com <frankposa27@gmail.com>

Sent: Monday, August 17, 2020 8:37 PM

To: Achaia Brown <achaia.brown@mymanatee.org>

Cc: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; steve.johnson@mymanatee.org; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Raquel Silva <raquel.silva@mymanatee.org>; Barbara Posa <barbposa@gmail.com>; FrankPosa27@gmail.com

Subject: Whitfield Lockwood Residential Development PLN 1908-0013

We are aware that there was a proposed settlement agreement reached by members of the Palm-Aire communities. That agreement was very favorable to Palm-Aire but not so favorable to those of us who use Lockwood Ridge road as our primary exit and entry to our subdivision. I believe that all the 4-story residences will front Lockwood Ridge Road and there will be 2 entry/exit points to Lockwood Ridge and one to Whitfield Ave. This will increase traffic demands on Lockwood Ridge substantially and Lockwood Ridge is already overloaded with North/South traffic. For those of us who live on the west side of Lockwood Ridge, it is already very dangerous to attempt to cross southbound traffic in order to head north. There are also three new subdivisions on Honore near Lockwood Ridge including the Heights which will increase traffic on Lockwood Ridge and congest Honore even further.

This proposed development plan of three- and four-story apartment buildings is completely out-of-character with the existing one- and two-story single family homes that are on Lockwood Ridge road. The infrastructure on Lockwood Ridge, Whitfield, and Honore will not support the increased traffic this plan will bring. I see no reason to grant the developer additional relief from existing zoning restrictions to enable him to pursue this project.

Frank Posa

Barbara Posa

(847) 732-5957

(847) 732-5958

FrankPosa27@gmail.com

BarbPosa@gmail.com

4219 64th Drive East (Cascades)

Sarasota, FL 34243-7940

From: Valerie Segal <segal.valerie@gmail.com>

Sent: Monday, August 17, 2020 8:27 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy

<reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Carlos Beruff Whitfield Development

I am a resident of Quail Run. I am very opposed to the proposed Whitfield/Lockwood Ridge development.

The traffic on LR road is already horrific.

I am also concerned about flooding in our area.

As a 30+yr resident of Quail Run I can tell you Beruff is not to be trusted. He lies as he did with our community.

Please reject this project.

Valerie A Segal

7305 43rd St E, Sarasota FL 34243

From: Stephanie Kaufman <snkaufman@aol.com>

Sent: Monday, August 17, 2020 4:20 PM

To: Misty Servia <misty.servia@mymanatee.org>

Subject: Harmful Proposed Construction

Dear Misty,

I am writing in protest of the possible development at Whitfield Avenue and Lockwood Ridge.

It will result in increased flooding and other hardships to the owners in Palm Aire.

Please demonstrate caring and foresight on our behalf.

Thank you for your consideration.

Stephanie Kaufman

owner

6934 West Country Club Drive N

Sarasota, FL 34243

From: Marty <mphelstein@gmail.com>

Sent: Monday, August 17, 2020 1:38 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Lockwood Ridge/Whitfield development

As a two property owner in the PalmAire neighborhood I wish to register my objection the the proposed development of the corner of Whitfield and Lockwood Ridge by Medallion Homes. A mistake was made years ago when the zoning for that parcel was changed. The existing zoning was conforming as it stood, one story single family homes and condos. The proposed development will significantly change the character of the neighborhood, likely reducing home values and causing flooding, noise and other

issues. All development is not good development. I hope you will weight the benefits the county apparently sees from tax revenue against the the wishes of the residents of this area who will see the negative impact of allowing this non conforming change to their reason for picking this area to live in. Please don't be shortsighted and allow continued construction on every available vacant parcel of land. In the end, this will make people chose to NOT live here. Flooding is an issue already and this proposal will surely make the problem worse.

Martin Helstein
4855 Carrington Circle (Trey more)
7141 Fairway Bend Circle (Fairway Bend)
440-476-1066

From: Kathy Sweeney <okisweeney84@yahoo.com>

Sent: Monday, August 17, 2020 12:00 PM

To: Achaia Brown <achaia.brown@mymanatee.org>; Robert Sweeney <robert.sweeney@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>

Subject: Zoning At Whitfield and Lockwood Ridge/Palm Aire

Dear County Zoning & Public Hearing officials,

As a Manatee County homeowner and **taxpayer** I am hoping that all of you officials will not allow the developer, Carlos Beruff, to construct anything but single family homes on the corner of Whitfield and Lockwood Ridge. He and his company have plenty of money and they can find other places to build on rather than this corner which is surrounded by existing single family home developments.

Do you officials really feel it necessary to agree with a builder who is trying to ruin this well-established single family neighborhood just to line his pockets with dollars he doesn't need? Carlos doesn't even live in this area and most likely won't be moving in.

Homeowners are worried about flooding in the next 5-10 years not a 100 years from now and putting in the structures he wants will only increase our possibilities of flooding more and ruin our lovely neighborhoods. Would each of you like him building these apartments in your neighborhood? If so you would just be lining his pockets and with more money so he can ruin other existing neighborhoods here in Florida and Manatee County.

Thank you for saying no to his Zoning request and just Zone it for single family homes.

Sincerely,

Kathleen Sweeney

5054 Lakescene Place

Sarasota, FL 34243

From: Robert Nicolella <rrnicol@verizon.net>

Sent: Monday, August 17, 2020 11:30 AM

To: Carol Whitmore <carol.whitmore@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>

Subject: Land Use Concerns, Corner of Lockwood Ridge Road and Whitfield Avenue

I am Robert Nicolella and plan on speaking at the land use meeting on Thursday. Below is a copy of my speech. Please excuse the abridged version with condensed sentences due to the 3 minute limit.

I am an 8 year Woodridge Oaks resident which is directly across Lockwood Ridge Road from the site. I consulted in technology driving progress for over 40 years and had many opportunities to analyze problematic systems.

The storm water retention site, my community's backyard, with its stagnant water pools, hatching tadpoles and mosquitos is less interesting than my experience. Living on Long Island for decades we had no knowledge of an underground stream under some homes. After weeks of heavy rain my neighbor who dug his foundation down awoke to a flood, the lucky ones only had inches. The saturated ground with the back pressure

from the street run-off pond more than a block away raised the stream level. I decided not to use my experience with torrential rains, a very high water table, an exceptionally high tide and cesspools.

Traffic is also a concern. I wrote a program that simulated Right-Turn-On-Red for the City of New York. Multiple intersections, parameters to adjust both traffic and pedestrian patterns, blocked lanes etc., were simulated. I found this project's traffic study amusing. No projections due to additional developments and no description of rush hour: when you slow down to turn off Lockwood the commuter traffic barreling down at 50 or better either tries to push you through your turn or jockeys for position. A major concern of the NYC study was Infrastructure, it is a hell of a lot more expensive to correct than to erect.

The split between the north and south sites is quite interesting. Only the south site requires concessions. North site: Twice the number of residences, less than 1.8 parking spaces for each and taller structures. Doesn't take much analysis to calculate that the north site gets about 1.7 parking spaces per residence. My community is not gated, our towing company will be grateful.

I grew up in a Brooklyn brownstone. I did not buy a home in Manatee County because I wanted to look at urban sprawl especially 4 story buildings. Communities surrounding the intersection contain no 3 or 4 story buildings and there were very few in my Brooklyn neighborhood.

My remaining time will be a quick study on progress in the area. Assume that on nearby sites we build high density complexes. Think that will be a pretty picture? Between interstate 75 and 301., 4+ miles, only Lockwood Ridge and Tuttle directly connect University and SR70. Tuttle is one lane for part of the stretch. Both Whitfield and Honore/Saunders are one lane roads going west to 301. Honore currently backs up more than a half mile during rush hour at the stop sign by Mote Ranch. With high density developments being scattered here and there in the area what is your relief valve? Will you vote yes for every high density complex on available sites? If not then why would you vote for one on one of the worst if not the worst possible environmental site in the area?

Out of time, can't cover more issues. I need some information. We have a lift station at the back of our community. Will the new development connect to it? I saw a waste system fail with just 2 story buildings, wasn't pretty. I would hate to be around during a failure with 4 story buildings.

Your choice, do you support the legitimate concerns of the constituents in surrounding communities or a developer who has shown his only concern is to maximize profit on a less than desirable site?

Thank you for your consideration in this matter.

From: Laurie Stoner <mlstoner52@gmail.com>

Sent: Monday, August 17, 2020 10:21 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Upcoming Vote re: development of Whitfield/Lockwood corner

Dear Manatee County Commissioners,

Since the public hearing held on July 24, 2020, I have learned that 98% of the property on the corner of Whitfield-Lockwood is designated as a Special Flood Hazard Area by FEMA. I am not surprised. I have resided in Country Lakes for over 20 years and witnessed substantial flood damage in my neighborhood, throughout Palm-Aire, and particularly in this water shed area.

I am strongly opposed to the Whitfield-Lockwood Ridge Development Carlos Beruff is proposing.

Manatee County has never allowed habitable dwellings to be built on a flood plain before. Please don't start now! Too much is at stake.

Please Vote NO to this development proposal this Thursday.

Sincerely,

**Mary Stoner
5648 Country Lakes Drive
Sarasota, FL 34243
mlstoner52@gmail.com**

Sent from [Mail](#) for Windows 10

From: Laurie Stoner <mlstoner52@gmail.com>

Sent: Monday, August 17, 2020 10:21 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy

<reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Upcoming Vote re: development of Whitfield/Lockwood corner

Dear Manatee County Commissioners,

Since the public hearing held on July 24, 2020, I have learned that 98% of the property on the corner of Whitfield-Lockwood is designated as a Special Flood Hazard Area by FEMA. I am not surprised. I have resided in Country Lakes for over 20 years and witnessed substantial flood damage in my neighborhood, throughout Palm-Aire, and particularly in this water shed area.

I am strongly opposed to the Whitfield-Lockwood Ridge Development Carlos Beruff is proposing.

Manatee County has never allowed habitable dwellings to be built on a flood plain before. Please don't start now! Too much is at stake.

Please Vote **NO** to this development proposal this Thursday.

Sincerely,

Mary Stoner
5648 Country Lakes Drive
Sarasota, FL 34243
Mlstoner52@gmail.com

Sent from [Mail](#) for Windows 10

From: Linda Adsitt <ladsitt@gmail.com>

Sent: Sunday, August 16, 2020 6:32 PM

To: Priscilla Trace <priscilla.trace@mymanatee.com>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: BOCC to Hear Controversial Beruff Project on Flood Prone Parcel

Dear Manatee County Commissioners,

I am strongly opposed to the Whitfield-Lockwood Ridge Development that Carlos Beruff is proposing!

98% of this property is designated as a Special Flood Hazard Area by FEMA.

Manatee County has Never allowed habitable dwellings to be built on a flood plain!

Please Vote NO to this development proposal.

Please read this article from the Bradenton Times. It tells it all.

<https://thebradentontimes.com/bocc-to-hear-controversial-beruff-project-on-flood-prone-parcel-p22082-158.htm>

**Sincerely,
Linda Adsitt
7090 Fairway Bend Lane #177
Sarasota, FL 34243**

Email: lad sitt@gmail.com

From: Bonnie Nutkis <bnutkis@hotmail.com>

Sent: Sunday, August 16, 2020 3:57 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Corner of Lockwood Ridge/Whitfield

Commissioners:

Please oppose the plan presented by Mr.Beuff for the development of the corner of Lockwood Ridge/Whitfield. This plan does not conform to our existing community as it proposes four to five story buildings.. The proposed property is designated a 25 year flood plain by Manatee County and this development will increase flooding in the area. Traffic will increase and make living in the area unbearable.

Save our corner and do the right thing.

Bonnie Gelber Nutkis

7137 Fairway Bend Circle

From: Charles Daniel <chasnotes@aol.com>

Sent: Sunday, August 16, 2020 3:53 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy

<reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield Avenue/Lockwood Ridge Road Apartment-House Development

Proposed Whitfield Avenue/Lockwood Ridge Road Apartment-House Development

Seventeen years ago, I moved into Woodridge Oaks as one of the first property owners while the community was still under development.

As I expected, the area has changed significantly in the past sixteen years. Lockwood Ridge Road had just been opened to the north of Whitfield Road. Since then, Reasoner Nursery has been replaced by several large housing developments on the east side of Lockwood Ridge and 3 large developments have been added on the west side of Lockwood Ridge. All of these communities have been single-family one- or two-story houses or villas. The proposed Beruff development does not fit with this now-established area.

Other major concerns:

- . The 4-story buildings are proposed to have a set-back of only 50 feet, casting a morning shadow on our development.
- . There will be a major traffic hazard at the entrance to our development; conflicting left-turn lanes and no right-turn lane.
- . The planned parking is inadequate for the anticipated occupancy.
- . The potential for major flooding of our development is a very serious concern.

A recent home buyer told me, “If I had known this development was being considered, I would *not* have bought a house in Woodridge Oaks.”

I am sure if you lived in Woodridge Oaks or owned property here, you would not approve of this development.

Charles & Judy Daniel

4226 67th Avenue Circle East

34243

941-755-0220

From: HAHLaw at Comcast <HAHeimanLaw@comcast.net>

Sent: Sunday, August 16, 2020 3:37 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Cc: 'Charleen Gorbet' <charleen.gorbet@sympatico.ca>; tinaheiman@comcast.net

Subject: Lockwood Ridge & Whitfield Corner

Commissioners:

Any decision which does not require “Covenants which run with the Land” to bind successors and assigns, consistent with any agreement that the developer has or may accept is of limited value.

If the developer is acting in good faith, this should not be a problem, merely memorializing what is the understanding. To the extent that the developer does not agree without reservation, it calls into question the developer’s motivation.

I hope that I am correct that the commission, with the knowledge of the flood plain issues, will insist that a compromise that benefits all parties may be in the best interest of all those involved, including the commission.

You can be sure that those of us who live in the abutting communities, will be affected by the decision in the future and have advised you of our concerns will be aware of the commission’s attention to our concerns.

Henry A. Heiman, Esq.
6825 Country Lakes Circle

From: Maureen Hyde <maureen.hyde99@gmail.com>

Sent: Sunday, August 16, 2020 2:51 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia

<misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: TIMELY ? regarding 8/20 Hearing - Protect Our Corner!

I don't do social media other than emails which I can control to some extent! Social media is, in my humble opinion, a scourge of today's rabid technology!

That said, I have plenty to say about the Beruff development opposite Treymore -

My name is Maureen Hyde and I have lived in Treymore since 2000; I previously lived in Fairway six in Palm Aire 1984-2000.

I am a US citizen (came in through the "front door" ie legally so we are citizens "by choice not by birth")

The land that Beruff proposes to build on was acquired inexpensively and it has been used - for tax purposes? - as an inhospitable (to the animals) cow field, horse field etc from time to time! It floods when there is heavy rain.

Quite a few of the approx 34 acres are not buildable for various reasons.

The number of "units" proposed has gone up and down to suit Beruff's arguments; the latest figure is STILL over what the land was originally slated for!

The close proximity of entrances/exits on Whitfield and Lockwood Ridge to Treymore (an established community of homes ranging between \$350k-\$700k and thereby paying substantial property taxes to the Manatee property appraiser!) and Carlyle neighborhood are way too close to the traffic lights and busy junction of Whitfield and Lockwood Ridge and represent "an accident waiting to happen - cyclists, pedestrians and motorists! Beruff knows it, the county knows it and we long-standing residents surely know it!

Medallion Homes built University Village on cheap land on Tallevast I believe? On land close to contaminated land on the opposite side of the road I believe?

That development is single storey homes and in fact a member of my family owns one so I know the type of builder Beruff is - and the price bracket!

At the meeting at Palm Aire which I attended and spoke at, and I finished my speech with "it ain't happenin'" it was met with a ripple of applause!

There should NOT be three and four storey buildings allowed on that site for numerous reasons - flooding, overcrowding of the lot, rental properties with the related problems, devaluing of adjacent neighborhood properties, inappropriate height of buildings in that location!

I have every intention of encouraging a groundswell of applications for substantial reductions in our property taxes which at \$7/8,000 p.a. are not peanuts for the location - unless you count the "water view" that we will have when the wretched development proposed leads to Whitfield being awash in water each time it rains!

The only rainfall that Beruff is concerned about is in fact the "windfall" that he hopes to get when collecting rents from his tenants who according to his slick presenters will have an annual income of \$60k!!!

As I pointed out to him sheriffs deputies in Sarasota start on \$40-45k and if they ain't eligible for his storied apartments where is he going to find "tenants" other than through government payment schemes?

I repeat "it ain't happenin'" - I sincerely hope! Maureen Hyde

[4867 Carrington Circle](mailto:maureen.hyde99@gmail.com)

[Sarasota Fl 34243](mailto:maureen.hyde99@gmail.com)

From: Maureen Hyde <maureen.hyde99@gmail.com>

Sent: Sunday, August 16, 2020 2:50 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: 5 Days Till Hearing! Protect Our Corner!

> I said right from the start of Beruff's plans to build - it is not credible and these people will duck and dive "until the cows come home" to their waterlogged disgusting mud patch!
> These are not straightforward honorable people that you are dealing with - they will say anything and everything, pocket their money and disappear into the night. Do NOT take anything that is said as honest - as Judge Judy says "... how do I know when --- is lying to me? Their lips are moving!"
> Commissioners also have agendas and that is the reason that developers are often in cahoots! It's unpleasant to hear but it's worse to know it's true!
> You don't need another attorney you need someone who speaks in street lingo that everyone understands and asks questions that need "yes" or "no" answers! We do not need to hear or heed some slick Smart Alec "presenter" who is Beruff's "expert".
> The only thing Beruff is expert in is making a buck or two and the --- with anyone who dares to put questions to him! Maureen Hyde

From: Susan Romine <susanromine@gmail.com>
Sent: Sunday, August 16, 2020 1:56 PM
To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>
Subject: Whitfield-Lockwood Ridge PDMU-19-13(Z)(G)

Commissioner Baugh,

I stand in support of Whitfield-Lockwood Ridge PDMU-19-13(Z)(G) to be heard August 20th.

There are those who want nothing on the site, but that is not realistic. What has been negotiated with the developer, Mr. Beruff, is fair and equitable. He should not have to pay for flood mitigation for the entire flood plain.

As the daughter of a man who helped develop Florida from the 1950s to his death in the 70s, I understand that growth happens, but it must be good growth.

Let this happen,
Susan Romine
Palm Aire Resident

cc: All Commissioners

From: TC <tcshapiama@yahoo.com>
Sent: Sunday, August 16, 2020 1:41 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: Whitfield/Lockwood Ridge Rezoning Development

As homeowners in Cascades for the past 15 years, we have seen what development has done to this area. More people means more cars, and traffic has gotten worse. Flooding has been a problem as well and will continue if Beruff's project is approved. Also, his plan to build highrise buildings does not fit with the surrounding one- and two-story homes.

Beruff took over Cascades' development after Levitt's bankruptcy, and he was trouble from the beginning. He tried to use Cascades reserves instead of his own money.

We strongly OPPOSE Beruff's development project at Whitfield & Lockwood Ridge. Negotiating a deal with him should not be an option!

Thank you,

Antoinette & Carlos Shapiama

From: Ray Nutkis <rnutkis@icloud.com>
Sent: Sunday, August 16, 2020 12:16 PM
To: Reggie Bellamy <reggie.bellamy@mymanatee.org>
Subject: Whitfield / Lockwood Ridge Development

Dear Mr. Bellamy,
Please oppose the inappropriate redevelopment at Whitfield / Lockwood Ridge. This project will increase traffic and water management problems which will lead to flooding. We live in a warming climate and rain fall is increasing. The development does not resemble the low rise structures in the area. It is time for the Manatee County Government to put Manatee County residents ahead of irresponsible land development.
Thank you for your support,
Ray Nutkis 7137 Fairway Bend Circle

From: nmilligan1465@comcast.net <nmilligan1465@comcast.net>
Sent: Sunday, August 16, 2020 12:13 PM
To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; stephen.jonsson@mymanatee.org; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>
Subject: Development at the Corner of Whitfield and Lockwood Ridge

Please be advised that I am a resident of Palm Aire, Fairway Bend, and would like to voice my opposition of the development by Mr. Beruff of a multi-level apartment complex on the corner of Whitfield and Lockwood Ridge. Unfortunately, because of my work schedule, I will not be able to attend the Thursday, August 20, 2020 commissioners meeting, but would like my opposition made known to all.

Although I feel the building of such a complex is not in compliance with current neighboring communities as to aesthetics, of most concern are wetland, flooding, and traffic issues. This area has been known to flood in the past, with major flooding taking place in August 2017, a week prior to Hurricane Irma. Although I am unsure of rules and regulations concerning wetlands (i.e. rattlesnake slough) in Manatee County, I do know that wetlands are on the most part protected areas. I feel that Mr. Beruff's building on the aforementioned property will encroach on surrounding wetlands and would cause more flooding issues. Traffic is a whole other issue. Adding more that 350 units onto an already busy intersection can only lead to more accidents and congestion.

It is my understanding that some of the commissioners were originally opposed to this construction, but in the last 3-4 months have changed their views. In watching the last commissioners meeting on TV, it was evident that many had already made up their minds to approve Mr. Beruff's requests, albeit with restrictions. Unfortunately, it has come to my attention that these conditions under the law are not enforceable, which means that Mr. Beruff can pretty much do as he pleases, within reason, with the property. It is quite obvious that this project is for monetary reasons that favor Mr. Beruff, and the only reason he is pursuing it.

I would ask that you listen carefully and take into consideration the concerns of all neighboring residents. It is important to keep our residential community as it is, single family homes.

Although I cannot personally attend Thursday's meeting, it is my hope that you don't simply disregard this email and toss it away. I have strong concerns and feel it is my right to have them heard and considered.

From: Frank English <f.english.r@gmail.com>

Sent: Sunday, August 16, 2020 10:15 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield/Lockwood Ridge Rd Project

Dear Commissioners,

As residents of our beautiful Palm Aire community. Let me be clear. We will watch the vote for this project which jams 335-770 new residents on that corner.

There is no apartment complex anywhere near this location. It doesn't fit. However, Mr Beruff has deep pockets. Has some of

what is in those deep pockets ending up in your pocket. You all have little credibility with us. the voter.

Should you do the right thing, you will prove the previous opinions false.

It's your call.

Frank English
Board of Directors
Mote Ranch 800+ homes

From: Jane Carnevale <janecarnevale123@gmail.com>

Sent: Saturday, August 15, 2020 11:13 PM

To: 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: Projects Whitfield

This will be an absolute nightmare for all the older folks who live in this community!!!! And trust me, this area is mostly 70+ year olds! STOP this project please. Imagine if your mom or dad was still driving and had to deal w all the additional traffic that will becoming our way! Not good!!!! Thanks. J Carnevale

-----Original Message-----

From: Tina Heiman <tinaheiman@comcast.net>

Sent: Saturday, August 15, 2020 7:06 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: The corner of Lockwood Ridge and Whitfield

PLEASE VOTE NO.

There is already a serious water flow problem. It is truly irresponsible to build on that land. I have seen close up what water damage can do to a home since we have had it happen. I understand how government works, but also know how it is supposed to work. More people, constituents, will be hurt by this than helped.

Please think of Manatee County and the residents within a mile of that intersection. Think of the future residents, perhaps your children and grandchildren.

Thank you.

Tina Heiman

Sent from my iPad

From: Lillian McKeown <snowwhite1609@icloud.com>

Sent: Saturday, August 15, 2020 6:39 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Medallion Homes Whitfield and Lockwood

As a resident of Palm Aire I want to register my VERY STRONG OPPOSITION to the development in question. Please do not allow this horrendous development to ruin our peaceful area. Thank you for your consideration. Lillian McKeown Sent from my iPhone

From: Lori Sutton <lorisutton13@icloud.com>

Sent: Saturday, August 15, 2020 4:57 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Lockwood Ridge Road and Whitfield

I vote NO!

Please this project must be stopped!

I have lived in this neighborhood for 20 years. We maintain a quiet peaceful neighborhood!

This will change our neighborhood Forever! Traffic, flooding, noise pollution to name a few of the things that will suddenly change. We do not have the infrastructure for this type of development! Mr. Baruff is a not concerned with our lives, only lining his pockets!

Thank you for stopping this project!

Lori Sutton

Doral Dr.

Fairway Six

Sent from my iPad

From: Craig Phair <cbphair@gmail.com>

Sent: Saturday, August 15, 2020 4:06 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Lockwood Ridge and Whitfield development

I am a homeowner in Fairway Bend. I am asking you to consider the negative impact Mr. Beruff's proposed development will have on our community. This proposal not only doesn't conform to the surrounding area it would stand out in a negative way. The site of the proposed development is in a 25 year flood plane and with the additional buildings and parking lots the added rainwater runoff will flood the surrounding roads and homes.

I urge you to vote "NO" on the proposal.

Thank you for your consideration.

Craig B. Phair
7115 Fairway Bend Lane
Sarasota, FL 34243

From: Barbara Wieland <blwflowers@aol.com>

Sent: Saturday, August 15, 2020 3:58 PM

To: achahabrown@mymanatee.com; Bobbi Roy <bobbi.roy@mymanatee.org>;
priscillatrace@manatee.org; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson
<steve.jonsson@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Betsy Benac
<betsy.benac@mymanatee.org>

Subject: Whitfield and Lockwood Ridge

NO! NO! NO! NO! NO!

NO!

PROTECT OUR

CORNER!!!!!!!!!!!!

From: Margaret Isherwood <pegish@icloud.com>

Sent: Saturday, August 15, 2020 3:45 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy
<reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia

<misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: Save Our Corner

Say no to developing the land at Whitfield and Lockwood Ridge!

Margaret Isherwood

Sent from my iPhone

From: ROBERT BENOIT <robert-a-benoit@outlook.com>
Sent: Saturday, August 15, 2020 3:23 PM
To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Cc: Michelle Marquis <marquism_208@msn.com>; Judy Florey <judyflorey@gmail.com>; Sheril Armstrong <armstrong.sheril@sympatico.ca>; bethboyce+@man.com
Subject: Re: Proposed Development - Lockwood Ridge/Whitfield

Dear Commissioners:

Unfortunately, as Canadian citizens in this time of COVID-19, we are unable to cross the Canada-US border and as such will not be attending the meeting. Nevertheless, the email below, originally sent February 24, 2020, quite clearly and adequately states our position.

Please...PROTECT OUR CORNER!!

Sheril Armstrong and Bob Benoit

From: ROBERT BENOIT
Sent: February 24, 2020 10:46 AM
To: priscilla.trace@mymanatee.org <priscilla.trace@mymanatee.org>; reggie.bellamy@mymanatee.org <reggie.bellamy@mymanatee.org>; steve.jonsson@mymanatee.org <steve.jonsson@mymanatee.org>; misty.servia@mymanatee.org <misty.servia@mymanatee.org>; vanessa.baugh@mymanatee.org <vanessa.baugh@mymanatee.org>; carol.whitmore@mymanatee.org <carol.whitmore@mymanatee.org>; betsy.benac@mymanatee.org <betsy.benac@mymanatee.org>
Cc: Michelle Marquis <marquism_208@msn.com>; Judy Florey <judyflorey@gmail.com>; Sheril Armstrong <armstrong.sheril@sympatico.ca>
Subject: Proposed Development - Lockwood Ridge/Whitfield

Dear Commissioners,

In February, 2015, after considerable research into properties in and around Sarasota-Bradenton, we purchased a property in the Fairway Bend community of Palm Aire. Like most people, we had "done our homework" to ensure we were moving into an area that was secure and well-established. In Palm Aire, we discovered a community of villas, two-story buildings and single homes that was both welcoming and a pleasant place to live.

Yet five years later, we find ourselves in a situation where consideration is being given to the construction of high-rise, high-density rental units that are simply incompatible with the existing neighborhood. This project is not only inconsistent from a design-build perspective, it will create added traffic in an already heavy-traffic area (speeding is a problem along Whitfield Ave.) and potential flooding from the adjacent Rattlesnake Slough (flooding in our community has been an issue).

For most people purchasing a property represents a significant investment. So while sunny Florida is a great place to spend the winter, most people are also looking for a property that is safe, secure and a solid long-term investment. For local government to simply change zoning that has been established and approved is not only poor governance, it is unfair to existing residents who had purchased a property believing they were in a neighborhood that protected property values and quality of life.

Construction of high-rise high-density apartments at the corner of Lockwood Ridge and Whitfield will simply down-grade a community that people have worked long and hard to establish and maintain.

Please do not approve the plan currently under consideration for the intersection of Lockwood Ridge and Whitfield Avenue.

Sincerely,

Robert Benoit and Sheril Armstrong

7130 Fairway Bend Ln, Unit 194

Sarasota, FL 34243

-----Original Message-----

From: lenglish.lisa@gmail.com <lenglish.lisa@gmail.com>

Sent: Saturday, August 15, 2020 3:18 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield and Lockwood Ridge Roads

Please do not build in this area, as it is an important wetland that helps distribute rain waters when it swells.

Also, what is planned to go there looks like something that would be in a downtown area, very tall and walled, an urban monstrosity plunked in the middle of a quite tranquil single family area of dwellings. The traffic would completely change the nature of our neighborhood in and of itself.

We have a lot of wildlife here too, that would be affected by such an increase in traffic, two deers were just slaughtered by a car on that corner the other day, and we have Sandhill cranes that get run over a lot as is.

Show some mercy to our amazingly wonderful area, filled with nature preserves and golf courses, and let us be.

Lisa English

“The earth laughs in flowers”

Walt Emerson

From: Tina Price <hcp0990@icloud.com>

Sent: Saturday, August 15, 2020 3:14 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Lockwood Ridge & Whitfield project

Please vote Against this project! It is NOT in the best interests of our community and will increase already overwhelming traffic congestion and speed issues in the area.

Vote AGAINST this development!

From: MICHELLE MARQUIS <marquism_208@msn.com>

Sent: Saturday, August 15, 2020 2:11 PM

To: Priscilla Trace <priscilla.trace@mymanatee.com>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield-Lockwood Ridge Development

Dear Commissioners,

As you prepare for the Land Use Meeting on August 20, 2020, I want to tell you **how strongly I oppose** the Whitfield-Lockwood Ridge Development! I have lived in Fairway Bend for over 18 years, and have watched how the area has grown over the past many years. However, nothing has been built within at least a mile of the Whitfield-Lockwood Ridge intersection that is over 2 stories high. Just about everything that has been built has been single-family homes. And as I've heard from our own Commissioner, Vanessa Baugh, the Palm Aire Community is already one of the most densely populated areas in all of Manatee County. Why, then would you want to increase the density even more, especially with 3 and 4-story apartment buildings, which are totally non-conforming and incompatible with the rest of the community??

I disagree with the Planning Staff, who shared information publicly at the July 24, 2020 Planning Meeting, that the intersection at Whitfield and Lockwood Ridge is an intersection of two thoroughfare roadways. Yes, Lockwood Ridge is a 4-lane thoroughfare with speed limits of 40 and 45 MPH. However, Whitfield is just a two-lane road with a speed limit of 30 MPH, due to the high number of walkers, bike-riders, and golf carts along the way. Even so, many vehicles can be seen daily speeding along Whitfield at 40-50 MPH. With an increase of 315 units on the corner, I can't imagine how many more vehicles and speeders there will be travelling down our country road!

The most egregious impact to the area is what the development would do to the site's floodplain and water management efforts. 100% of the residential units proposed in this project will reside within the existing FEMA 100-year floodplain; and 95% of the proposed residential units will reside within the existing Manatee County 25-year floodplain. (These statistics were provided to the Planning Commission by their own staff, and frankly, I can't understand at all how they could vote to approve this project!!) Manatee County's own policy 2.3.3.4 prohibits habitable dwellings in a 25-year floodplain!! In addition, the policy states that impervious surfaces must be minimized; but this project plans to have parking spaces for nearly 600 cars!! Planning Commissioner David Roth voted "NO" on this development at the July 24, 2020 Planning Meeting and said afterward that, "in his memory, no developer has ever requested to build in a Manatee County floodplain!"

The bottom line for me is that there is no overriding public benefit to building 315 units on this parcel. We have plenty of high-rise apartment complexes already built or in process of being built less than 3 miles away, on Lockwood Ridge, on University, on Tuttle, and now just off University, between Tuttle and Shade. All these high-rise complexes are close to University Parkway and are close to mixed-use or retail complexes, which is as it should be!!

Please vote "NO" on increasing the density for this proposed development. It is not practical, nor desirable to any of the surrounding communities, nor would it benefit anyone, especially with the increase in traffic and flooding. The only beneficiary here is the developer, who has already indicated he will turn around and sell it shortly after completion.

Sincerely,

Michelle Marquis

From: Susan Flavin <s.l.flavin26@gmail.com>

Sent: Saturday, August 15, 2020 2:04 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Whitfield/Lockwood Ridge Development/Rezoning Meeting 8/20/20

Hello, I am a resident in the Cascades Community off of Lockwood Ridge.

I am very concerned about the planned development at the corner of Whitfield & Lockwood. I am opposed to the project for many reasons. Your responsibilities are numerous and your conclusions affect many in our communities. I sincerely hope you will support our communities and preserve the environment, and value of our residential homes.

I moved to Sarasota in 2007. I was so impressed with the fact that Sarasota/Bradenton area was not over grown like Tampa and Ft. Myers. When we purchased our lot, there was a cow field behind the wall of our home. You could not see the field from Lockwood because of the wooded area. It was very beautiful.

Since then, that field was cleared and paired villas (Amalfi) were built. The houses are so close to our home that could look into their kitchen & easily see them making & eating dinner. Needless to say this was disturbing. We invested approximately \$4,000 to add landscaping to give us some privacy. It has helped but we can hear them when on their patios and I'm sure they can hear us as well.

Next was the development across the street from Cascades (Poinciana) which affected turning left out of our community and added traffic. Then we had to endure the noise and construction at the corner of Honoree & Lockwood (Woodbrook) That's 3 new development in our area. But there are more. There were new homes built behind our development off Tuttle (Woodcliff), where eagles used to nest. The developers had to leave the tree where the eagles nested every year, but homes were built all around the tree.

I was so disappointed when I learned of the Taylor Morrison development of 227 acres west of Evers Reservoir. Another 600 homes which will devastate the infrastructure. The safety of bikers on Honoree will now be jeopardized. This will also be a problem for golf carts and bikers on Whitfield if Mr. Beruff's proposed project is approved.

The infrastructure is over burdened. Our water faucets dribble water, our properties flood, & we cannot safely ride our bikes along beautiful scenery. Building in a 25 year flood plain is irresponsible. There is documentation proving this is and it continues to be a problem. Please help us save our neighborhoods. You have a fiduciary responsibility to protect the people in communities NOT the builders who are overdeveloping Sarasota/Bradenton.

Thank you for the opportunity to voice our concerns.

Respectfully,

Susan & John Flavin
6307 43rd. Court East
Cascades
Sarasota, FL 34243

From: Judith Florey <judith.florey@icloud.com>

Sent: Saturday, August 15, 2020 9:56 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Protect our Corner!

To the Manatee Board of County Commissioners:

I am writing this letter to express my concerns about the proposed development by Carlos Beruff on the corner of Lockwood Ridge Road and Whitfield Ave. The proposal does not conform to existing development, would increase traffic congestion on Lockwood Ridge and Whitfield, and would acerbate the existing flooding problems in our area.

As you are aware, Palm Aire was a pioneer in Master Planned Communities when it began in 1969. The zoning was much the same as it is now, allowing more density and multi-family units that were built. Palm Aire Country Club was established as developments do to attract retirees in the winter. A four-story condo building was built on West Country Club Road. **ONLY ONE.** The developer moved on to two-story buildings and eventually added attached villas. Some single family homes were built along the golf course and eventually more down Whitfield. The pattern of single homes, pared villas and two-story condos continued throughout Palm Aire with various developers even though the higher density was permissible with the existing zoning.

Behind the retail area at University and Whitfield, 15 buildings of two and three-story rental apartments were built with amenities. They are shielded from view from Whitfield and have many trees around them for privacy.

Lockwood Ridge more recently has been developed into single family homes and paired villas which conform to existing properties that were established over the last 50 years. As developers moved in and cleared wooded areas, **building conformity was always considered**, but the traffic congestion increased becoming more difficult to navigate especially "in season."

As our area developed, flooding also became an issue. Each development is a little higher than the last, and a system of drainage and retention ponds became the norm. The water from most neighborhoods eventually make their way to Rattlesnake Slough on on to Ward Lake off of Honore Road. As experienced in the flooding caused by the "No Name" storm in 2017, many homes throughout Palm Aire and beyond were flooded creating thousands of dollars of repairs for homeowners. Many cars were flooded or ruined and one man died in the high water by Sara Palms.

For many of us who have lived in this area less than 10 years, that flood was a wake-up call for our drainage system. My husband, a civil engineer, spent hours trying to figure out how the water was supposed to flow and why didn't the system work. He talked to county workers, studied maps, and determined that system flows to Rattlesnake Slough and beyond was not properly maintained by the County which would have allowed large amounts of water to pass through quickly. Drainage was overgrown with vegetation causing the channel to silt in and back up to restrict the flow if culverts.

The Herald Tribune investigated and asked residents if they would pay an extra fee for the maintenance and we responded we would as maintenance was badly needed. I heard our Commissioner say she rejected that assessment as residents already paid too many fees, even though the assessment would be minimal to remedy that issue.

I tell this story to show that residents like me are worried about this project; first of all **it does not conform at all with the existing neighborhoods** even though the same zoning has been in place for over 30 years. We know now that this parcel of land is 98% designated a Special Flood Hazard Area by FEMA and our flood insurance could be affected. 96% of this property is designated 25-year food plain and that impervious surfaces shall be minimized which would rule out this project with the high density buildings and parking for 600 cars. We know the County is unable to adequately maintain the storm water drainage system following the part to Rattlesnake Slough and Ward Lake.

This project will be a headache for residents of our area due to: adding non-conforming buildings to existing neighborhood, increased traffic from 600 cars using Whitfield and Lockwood Ridge where we already have congestion, and the threat and probability of repeated flooding from the reduction of wetlands surrounding Rattlesnake Slough.

I urge the County Commissioners to consider the surrounding neighborhoods along Lockwood Ridge and Whitfield and the changes to the quality of life this high-density project will cause. Mr. Beruff knew the water issues associated with that property when he purchased it. Current and future residents should not have to bear the consequences of Mr. Beruff's actions so that he can make money. **Responsible development has never been questioned. This is not responsible.** Vote **NO** on Mr. Beruff's proposed development.

Thank you for your consideration,

Judy Florey
7143 Fairway Bend Lane
Sarasota, FL. 34243

From: MARLENA HUDSON <marlenahudson@verizon.net>

Sent: Friday, August 14, 2020 4:57 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Lockwood Ridge and Whitfield Development

Dear Commissioners,

This letter is to request that you deny the development being considered at Lockwood Ridge and Whitfield Ave. I have been a resident of the Palm Aire Community for about 18 yrs. I moved here because it was a golfing community. It has open areas, green spaces and was not a bustling community. I wanted a neighborhood that was calm, peaceful and space where I can walk or ride my bike. This is no longer the case. I can no longer safely ride my bike due to the traffic. And now more traffic will be added. Not only traffic but very large high occupancy buildings will be added to my once peaceful golfing community. I moved out of the city for a reason. Only to have the city follow me and my County Commissioners are allowing it. Please STOP IT. I want my golfing community to remain the sanctuary it can and once was. This high occupancy development does not belong in a neighborhood of mostly single family homes. Please give us back our safe and quiet community. This development will not benefit my golfing community. Please keep my neighborhood a neighborhood - I Do Not Want Multiple City Skyscraper in my community.

Thank you for your time and consideration, Marlena Hudson Palm Aire resident

From: katherine diluzio <chakathdiluz@yahoo.com>

Sent: Friday, August 14, 2020 4:33 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: New Development

Commissioners:

We wish to express our concerns with development on the corner of Whitfield and Lockwood Ridge:

1. Inadequate rain fall retention
2. Traffic congestion
3. Non-conforming with existing residents

We believe the existing plan will not be enforced or functional.

Thank you for your attention in this matter for the upcoming meeting on August 20, 2020.

Charles DiLuzio and Katherine DiLuzio
7142 Fairway Bend Circle
Sarasota, FL 34243

From: Susan Grossman <sgml88@yahoo.com>

Sent: Friday, August 14, 2020 4:05 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia

<misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: Whitfield-Lockwood

As a resident of Palm Aire I am vehemently opposed to building plans in the flood plain area. It is a travesty of responsibility to permit a high density construction project to proceed in this area. In this time of Covid you should not even consider going ahead with a meeting where seniors and others are put at risk to attend. Take responsibility and support your constituents who will only support a smaller and lower footprint than this horrific proposal

Sent from my iPhone

From: Helen George <helenlilygeorge@gmail.com>
Sent: Friday, August 14, 2020 12:52 PM
To: Reggie Bellamy <reggie.bellamy@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; carol.whitmore@my.manatee.org; stephen.jonson@mymanayee.org
Subject: Development

Hello commisioners,

I would have sent to Priscill.trace and Betsy.benac as well but seems I have the incorrect address..please foward.

My name is Helen George. I've lived in Manatte county for 27 yrs and specifically in the Palm Aire area. I am very concerned about the development on the corner of Whitfield Ave and Lockwood ridge rd.

Truly, there is much information and professional opinion and sound argument against this development, as im sure you are all aware and have been sent this information already.

Anyone that drives through there and has a little sense can see that this land is not suitable for buildings,.. especially high story, (over 2) ...this is a wet land..can we keep a place for wildlife? Ive saved so many turtles crossing the street right there.

Also, there are NO other buildings in the area that are as tall as they plan to go...this whole area has restrained itself from disgustingly large buildings all through it's growth period..and for a reason..besides aesthetics.

Not to mention, but i will, Traffic. already is terribly!! congested!! there as well. Especially in snow bird season..but all the time really.

I find it appalling that with all the counter information about this site, that this project hasn't been stopped or at least scaled down..

Weren't any of you people, I notice alot of ladies on this list, a hippie back in the day? ..how did everyone become so easily swayed by the dollar . Us commoners are sick of it. Aren't you?

I also think more people would attend the meeting on the 20th of this month to oppose the construction, if they weren't so scared from the Covid. It's not the best time, besides many people that love and stay in this area during cooler months most likely are not going to be there in mid August? As I'm sure you are aware.

Please consider stopping altogether or at least scaling down dramatically, this development on Lockwood Ridge rd and Whitfield Ave.

Thank you for your time and consideration.

From: Bob Warseck <rwarseck@gmail.com>

Sent: Friday, August 14, 2020 11:12 AM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>

Subject: Corner of Lockwood Ridge and Whitfield

Please don't allow this ridiculous over-development of the corner of Whitfield and Lockwood Ridge. Traffic is already too heavy and this would bring chaos and a loss of property values to every association in the Palm Aire Country Club area. This project must not be allowed to continue, as it is in a flood plain that must not be disturbed. There is NOT OVERRIDING PUBLIC INTEREST in this project.

If this decision is allowed to go through, I will not forget on election day.

Bob Warseck-----

*****e Oaks board and community members who donated to the initiative want all references to the Woodridge Oaks Community removed from the letter. Please convey our request to Land Experts Inc.

Both the Woodridge Oaks Board and I want an updated copy of the commitment letter with our community name removed and all letters on file with the Woodridge Oaks Association name destroyed. Feel free to contact the Woodridge Oaks Board President, Chuck Marose en4cer21@yahoo.com, if you find my response unacceptable, but the board due to their lack of involvement preferred their response being delivered from a community member associated with the initiative.

Thank You
Robert Nicolella

From: Bob Webb <webb4250@gmail.com>

Sent: Friday, August 14, 2020 10:33 AM

To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: Support for the planned development at Lockwood Ridge and Whitfield

Please find my attached support letter for the above mentioned development which will be discussed by the County Commissioners 20 August.

I hope the Commitment Letter which Carlos sent to various abutting communities will be entered into your data collection and be considered with your decision.

Regards
Bob Webb
6730 Carlyle Lane
Sarasota, Fl. 34243

13 August 2020

To:
vanessa.baugh@mymanatee.org
priscilla.trace@mymanatee.org
reggie.bellamy@mymanatee.org
steve.jonsson@mymanatee.org
misty.servia@mymanatee.org
carol.whitmore@mymanatee.org
betsy.benac@mymanatee.org

Subject: The planned development on the corner of Whitfield and Lockwood Ridge
I would like to take a moment and express my support to the efforts undertaken to meet with Carlos Beruff of Medallion Homes and to work with him to shape the planned development currently under consideration at the corner of Whitfield and Lockwood Ridge.

This development was originally considered non-conforming, with a lot of assumptions as to what it could look like, how tall and large the buildings were to be, the assumption of affordable housing, an ungated community just planted amidst various communities of single family houses, large traffic jams and a changing environment.

What a small group of residents accomplished was something I believe had not been done in the past with this developer – meet with him and actually work out a development plan that could work, albeit with an increase in density, but a reduction in elevation for all 7 buildings, 3- three story and four 4- story buildings, a gated, walled community, upscale in nature and one that can attractively be positioned on a difficult piece of land. This and other stipulations were agreed to at the Zoning Commission meeting.

In fact, in order to meet 25 year flood events, the developer acquired land to the west of Lockwood Ridge and will create a large storm water retention pond in order to reduce

the storm water pressure on Rattlesnake Slough – not to mention other efforts to mitigate any additional storm water runoff and conservation of flood plain control areas. While there may be critics amongst us who would prefer to see a “park” or single-family homes built, that is not the reality.

Hence, I am sending this note to all the County Commissioners with my support and hope that the Commitment Letter which was signed by Carlos Beruff (to the communities) will be entered into consideration at the Commissioner's meeting, 20 August and if passed, is made part of the legal documentation.

Regards

Bob Webb

6730 Carlyle Lane

Sarasota, Fl. 34243

From: Jack LaGue <jacklague@gmail.com>

Sent: Wednesday, August 12, 2020 1:34 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>

Subject: Whitfield Lockwood Residential PDR-19-13(Z)(G) PLN1908-0013

Dear Manatee County Board of County Commissioners:

I am writing to oppose the proposed development by Carlos Beruff at the intersection of Lockwood Ridge and Whitfield Avenue (Whitfield Lockwood Residential PDR-19-13(Z)(G) PLN1908-0013)

My main objection to the proposed development is that 3-4 story apartment buildings that will be rental units are out of character with the neighborhood, which is all 1-2 story condominiums, villas or single family homes that are owner-occupied or rented by small mom-and-pop real estate investors.

The proposed development will be a blight on the adjoining neighborhoods and out of character with any buildings for miles. To my knowledge, other than some 3 to 4-story multi-unit buildings along the northern edge of University Parkway there is only one building over 2 stories within a mile of the subject property in any direction.

In my experience, zoning variances are granted to provide relief where existing zoning regulations make it impossible to use the property so some small measure of relief is appropriate in the circumstances. The site could be developed consistent with the existing zoning, so no variance or change in zoning is warranted in the circumstances. The proposed change in zoning is solely to improve the profitability of the development since more units result in more rental income and more rental income results in higher resale value. If the Commission approves this proposal it is effectively cow-towing to a wealthy and influential developer's desire to make more profits developing the site over widespread neighborhood opposition. The developer knew, or should have known, the limitations of the site before buying it. Please don't force neighboring residents to put up with more traffic and higher

risk of flooding in the name of the developer maximizing his profits.. reject this proposal and send a message that he needs to live within the bounds of the zoning regulations that were in place when he bought the property.

While my principal objection is that the proposed development is totally out of character with the adjacent neighborhoods for over a mile in any direction, I also have concerns about stormwater flooding, building within the floodplain, the huge increase in impervious surface and the increase in traffic, especially on Whitfield Avenue.

Sincerely,

John L. LaGue, Jr.
7130 Fairway Bend Ln, Unit #289
Sarasota, FL 34243

From: Stefani Fine <skfine99@yahoo.com>

Sent: Wednesday, August 12, 2020 1:05 PM

To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; steve.johnson@mymanatee.org; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Bobbi Roy <bobbi.roy@mymanatee.org>; Raquel Silva <raquel.silva@mymanatee.org>

Subject: Whitfield Lockwood Residential Development PLN 1908-0013

I am aware that there was a proposed settlement agreement reached by members of the Palm-Aire communities. This agreement is unsafe for those of us who use Lockwood Ridge road as our primary exit and entry to our subdivision. I believe that all the 4-story residences will front Lockwood Ridge Road and there will be 2 entry/exit points to Lockwood Ridge and one to Whitfield Ave. This will increase traffic demands on Lockwood Ridge substantially and Lockwood Ridge is already overloaded with North/South traffic. For those of us who live on the west side of Lockwood Ridge, it is already very dangerous to attempt to cross southbound traffic in order to head north. There are also three new subdivisions on Honore near Lockwood Ridge including the Heights which will increase traffic on Lockwood Ridge and congest Honore even further.

This proposed development plan of three- and four-story apartment buildings is completely out-of-character with the existing one- and two-story single family homes that are on Lockwood Ridge road. The infrastructure on Lockwood Ridge, Whitfield, and Honore will not support the increased traffic this plan will bring. I see no reason to grant the developer additional relief from existing zoning restrictions to enable him to pursue this project.

Sincerely,
Stefanie Fine
6611 41st Street, Circle East
Sarasota, Florida 34243
609 792-9696

From: Stephen Fleischman <fletch27@comcast.net>
Sent: Wednesday, August 12, 2020 11:08 AM
To: Vanessa Baugh <vanessa.baugh@mymanatee.org>
Subject: Support for proposed development Whitfield and Lockwood Ridge

I am a resident of Mote Ranch and wanted to let you know that I am in favor of the proposed development at the corner of Whitfield and Lockwood Ridge.
I would appreciate your vote of support on this matter.

Cordially,
Stephen Fleischman
5940 Sandstone Ave
Sarasota, FL 34243

From: BETH BOYCE <bethboyce@msn.com>
Sent: Tuesday, August 11, 2020 2:54 PM
To: Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Vanessa Baugh <vanessa.baugh@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Cc: judyflorey@gmail.com; Susan Nachand <snachand6927@aol.com>
Subject: THE OVER-DEVELOPMENT OF WHITFIELD-LOCKWOOD RIDGE from member of "Protect Our Corner"

THE OVER-DEVELOPMENT OF WHITFIELD & LOCKWOOD RIDGE
PROTECT OUR CORNER!



August 11, 2020

To Commissioner Baugh and All Commissioners of Manatee County:

I fear you have been EXTREMELY MISDIRECTED regarding the proposed development of this property. Please keep your eyes, ears, and minds open to the FACTS of this case, not just the WISHFUL SPIN of the developer.

The VAST MAJORITY of Palm Aire area residents and THEIR WISHES were NOT REPRESENTED in the multiple private negotiation meetings between five residents and the developer himself, Carlos Beruff.

MAY 12TH and again on MAY 25th, after months of no communications with the communities, these five residents announced that WE would be SUPPORTING the developer's rezoning request, with STIPULATIONS.

JUNE 24th, all but one of the Planning Commissioners voted to SUPPORT the rezoning as well. It appeared as though it was a foregone conclusion even before the vote.

AUGUST 6th, it was discovered that these "COMMITMENTS", "NON STIPULATIONS", ARE "LEGALLY UNENFORCABLE."

CURRENTLY we are still in the fight to **PROTECT OUR CORNER!** ESQ. DAN LOBECK., a talented attorney, is standing up to this developer and fighting with us.

[CLICK HERE](#) TO VISIT OUR WEBSITE FOR THE FACTS OF THIS STORY.
REVISIT it for UPDATES and BREAKING NEWS.

Thank You,
Beth Boyce,
PROTECT OUR CORNER!

BETH BOYCE
6945 Mystic Lane
The Villages of Avalon
Sarasota, FL 34243
941.840.3549

From: billritaezgoing@aol.com <billritaezgoing@aol.com>
Sent: Tuesday, August 11, 2020 11:33 AM
To: Vanessa Baugh <vanessa.baugh@mymanatee.org>; Priscilla WhisenantTrace <priscilla.whisenanttrace@mymanatee.org>; Reggie Bellamy <reggie.bellamy@mymanatee.org>; Stephen R Jonsson <steve.jonsson@mymanatee.org>; Misty Servia <misty.servia@mymanatee.org>; Carol Whitmore <carol.whitmore@mymanatee.org>; Betsy Benac <betsy.benac@mymanatee.org>
Subject: Development Of Parcel Whitfield and Lockwood Ridge Rds

Dear Ms.Baugh, Ms Trace, Mr Bellamy, Mr Jonsson, Ms Servia, Ms Whitmore and Ms Benac

As a 20 year resident in the Carlyle Community at the northeast corner of Lockwood Ridge Road and Whitfield Avenue, we have enjoyed the open fields and grazing cows west of our community. Consequently we are disappointed in the developing of that land.

We are aware that the local home owners associations have been working with Carlos Beruff / Land Experts Inc., the property owner on development plans and have negotiated a proposal for 3 - 3 story midrise buildings on the southern portion of the property boarding Whitfield Avenue. The proposed plan is a compromise that reduces the proposed housing density and is a reasonable solution that satisfies the current Palm Aire and Carlyle homeowners and the property developer.

As such we fully support the currently proposed plan as outlined in the July 23, 2020 commitment letter between Carlos Beruff and the Palm Aire communities to develop the land with multi-family housing and to make specified road upgrades (Turning Lanes) as well as light/noise/site-property border restrictions as outlined in the commitment letter.

Rita and William Probst
4928 Creekside Trail
Sarasota FL 34243 (Carlyle Community)

(E-Mail) billritaezgoing@aol.com

From: Betty Wiechec <travcam@earthlink.net>
Sent: Wednesday, July 15, 2020 11:50 AM
To: Achaia Brown <achaia.brown@mymanatee.org>
Subject: testimony: 7/24/20 Planning Commission meeting

I strongly oppose this zone change. I'm a national expert in mitigation with 20 years' experience as a land use professional.. As the Executive Director of a non-profit land trust in Malibu, I was the primary practitioner implementing the State of California's Transfer of Development program in the Malibu Coastal Zone. It was the second largest program in the country. Over 1,050 small lots were permanently retired plus 800 acres of resource lands and I personally performed the majority of that work.

Carlos Beruff has said he needs this zone change to confer a 50% density bonus or 100 extra units to pay for all the stormwater infrastructure this project requires. It needs a great deal of engineering because **98% of it is designated a Special Flood Hazard Area by FEMA.**

It is bisected diagonally by Rattlesnake Slough and Rattlesnake Slough floods just about every time there is a heavy rain. That flooding affects more than just the subject property. It endangers the neighboring homes and caused flooding as far away as Tara Golf and Country Club less than two years ago.

This property contains only 1.3 acres of upland. Yet Mr.Beruff is seeking to build an urban complex of 315 rental apartments. You are being told by staff that he has more than 20 acres of buildable land. That number reflects his wish to have FEMA revise his floodplain map. It is not the official DFIRM map currently in effect. **To consider Mr. Beruff's map over FEMA's would be negligent on your part. (Expand)** I do not understand why your staff gives it credence. You should be provided with the official base maps to make a responsible decision in this matter.

This is a heavily opposed project that will likely be litigated. Your decision and that of the Board of County Commissioners will be reviewed in light of adherence to your policies and that of affected agencies, both regional and federal.

I believe FEMA can exclude this entire region from its National Flood Insurance Program for your mishandling of this permit. That would affect thousands of Manatee County residents. So, not only can Rattlesnake Slough flood the region, homeowners will have no insurance to help them recover from that damage.

Carlos Beruff's proposal violates several Manatee County policies and should be denied on that basis. Violating any one of these policies has serious and significant negative impacts.

1) **96% of this property is designated 25 year flood plain by Manatee County. Policy 2.3.3.4 prohibits building habitable dwellings in a 25 year flood plain. Your same policy further states impervious surfaces shall be minimized.** This policy alone should rule out the zone change and any proposal to develop high density apartments.

The subject property should only be permitted to build in the actual upland area of 1.3 acres. The remainder of the property should be designated a sending site for wetland mitigation.

This project also calls for uncovered parking to accommodate 600 cars. If you wonder what that looks like, the Publix parking lot on University has spaces for 400 cars. That's the entire parking lot, not just the six aisles Publix uses. This project would create a Publix-and-a-half of parking. In a flood plain, this is the very definition of impervious.

2) **Policy 706.9 deals with transferring density from a wetland to the upland portion of the property. It states there shall be a 50% deduction in the amount of units that can be transferred. Mr. Beruff is being given 100%.** I have been told by staff that this policy does not apply, but no reason was given.

Your policy further states that if the wetland exceeds 20% of the gross project area, there will be a second deduction of units made in addition to the 50%. This floodway or wetland is 31% of the project so the second deduction should be in force. It, too, is not being applied by staff. Again, no explanation for that interpretation was given.

3) **This zone change encourages urban sprawl. Manatee County has stated Goal 2.1 to limit urban sprawl.**

The project is 1.7 miles distant from the Urban Service Area as shown in the county's Map K and 1 mile from the Urban Core, as shown on Map H.

It would build seven mid-rise apartment buildings that are inconsistent with the existing adjacent Palm Aire community. In fact, it is the very entrance to this community from Lockwood Ridge Road. These neighborhoods mainly consist of single family, single story homes. They are established and stable.

There is no public purpose to build rental apartments at this location,. Mr. Beruff assured the community they are not affordable units or workforce housing, but are luxury rentals.

4) It is one thing to violate your own objectives and policies, which approving this zone change will do. It is quite another to countermand federal guidelines. **In addition to ignoring the operating FEMA designations, you are not being informed of the blue line stream located just over the northern property line. In some places, the blue line stream touches the line. As delineated by the USGS, a blue line stream has a required 30' setback from its outer edges. Here, it is being ignored as a ditch.**

It is not a ditch. It has federal standing and therefore, supremacy. Manatee County cannot overrule or ignore its designation.

5) I am concerned that this project is planned for a rental apartment complex that relies heavily on engineered stormwater ponds to store runoff after each intensive rainfall.

SWFWMD states in its brochure "The Floodplain Facts:

_____ "Problems in stormwater management systems can cause short-term localized flooding. This happens when heavy rains occur in a short time period and exceed the stormwater management system's design capacity. Flooding problems can be compounded if the system has not been maintained."

Buildings are planned just 10' from the floodway and stormwater ponds. Six hundred cars will be parked in the paved parking lots. All buildings will rely on elevators with their electronics in subterranean pits.

How will that "short-term localized flooding" affect future residents? Again, in the words of SWFWMD:

_____ "The simplest and best way to protect your home from flood damage is to avoid building or buying in a floodplain."

FEMA states that the odds of a structure built in the 25 year floodplain being damaged is 71% over 30 years. That's more than a 2 out of 3 chance. Not very good odds.

Here, one should perhaps add...avoid renting in a floodplain. Have you ever driven through high water? I did that earlier this year. It wasn't very high and I didn't have to go very far. And I drive an SUV with higher wheels. But soon thereafter, my headlights starting shutting off in the dark and when I brought it to the dealer, I found I needed to replace the computer. It cost me \$3,400 out of pocket.

So consider renters in this apartment complex. They may have two cars. Those cars may be stuck in a flooded parking lot for an extended period of time. What is their likely damage? And then, do they stick around for the next big rain or do they move out? What happens when the vacancy rate climbs? That is a major component of the rating of the apartment complex.

Mr. Beruff stated he does not intend to build, own or maintain this property. It will be sold off and in its 40 year lifespan, it is likely to be bought and sold several times. By whom? A REIT, offshore speculative investors? As a small part in a bundle of other apartment projects? There will not be a Homeowners Association. There will be an entity interested in its balance sheet, its cash flow and bottom line. Maintaining these ponds is an ongoing expense. It is an outflow of money just as it is an outflow of floodwater.

This property should be required from the outset to guarantee the maintenance and repair of its stormwater systems by a bond or through a special taxing district. Neither the public nor Palm Aire should have to pay for Mr. Beruff's "improvements" or their long-term care and upkeep.

No one is forcing him to build in this floodplain and no one should be forced to rescue this project when it has problems.

That's your job to ask these questions, right here and right now. It is your responsibility to see that this proposed development is in accordance with your policies and will not cause harm.

To be 98% in a Special Flood Hazard Area should catch your attention. It certainly does mine.

Thank you for this consideration,

Betty Wiechec

I am sending maps under separate cover.

From: Judy Florey <judyflorey@gmail.com>

Sent: Sunday, July 12, 2020 2:25 PM

To: Achaia Brown <achaia.brown@mymanatee.org>

Subject: Non conforming proposed development at Lockwood Ridge and Whitfield

I am a resident of a Palm Aire community in Fairway Bend.

I have many concerns about the proposed development at Lockwood Ridge and Whitfield adjacent to Palm Aire. All buildings along Lockwood Ridge are one and two stories both directions from Whitfield.

Along Lockwood Ridge, Neal Communities have gone in during the last several years and all are one and two stories - some single homes and many villas. Older communities include gated communities and larger single homes.

The parcel along Whitfield is the last piece of land yet to be developed in Palm Aire. It is directly adjacent to and across from larger single homes.

I understand that undeveloped neighborhoods in Lakewood Ranch include higher apartments and more density, but our community and surrounding neighborhoods are well established and consist of one and two stories.

Please do not allow Mr. Beruff to change our existing surroundings to include high density apartments. We know we can not stop growth and every piece of land is developed, but new building within an established community should be required to conform to the surroundings.

Judy Florey
7143 Fairway Bend
Sarasota, FL. 34243

From: Judy Florey <judyflorey@gmail.com>

Sent: Saturday, July 11, 2020 3:36 PM

To: Achaia Brown <achaia.brown@mymanatee.org>

Subject: Proposed community

I live in a Palm Aire Community and strongly oppose the proposed development at Whitfield and Lockwood Ridge by Carlos Beruff. The proposed 3 and 4 story buildings are not compatible with Palm Aire or communities along Lockwood Ridge.

When Palm Aire was first developed in 1969, the zoning allowed for high density building. One 4 story building was constructed at the beginning, but the developers then discontinued that density. All future development consisted of one and two stories in Palm Aire and along Lockwood Ridge between SR 70 and University Parkway.

I have many concerns of increased traffic that has become an issue over the last several years with traffic using Whitfield Avenue as a cut through or alternative to University or SR 70. Adding 315 units, and the possibility of another 600 cars will add to the increased traffic

Flooding has been an issue at the intersection of Whitfield and Lockwood Ridge. Eliminating the wetlands with high density, will not help. I know Mr. Beruff has hired experienced water advisors, but all of our areas had good advisors and in time, we have flooding.

I know development of all land will eventually happen, and I am not opposed to building. I would urge the County to limit building to one and two story buildings as other recent developers along Longwood Ridge have. Neal has put in several conforming developments along Lockwood Ridge. I would ask that Mr. Beruff does the same.

I urge you to consider development that conforms to our surrounding communities. I am only asking that compatibility be considered.

Thank you,

Judy Florey
7143 Fairway Bend Lane
Sarasota, FL. 34243