An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending and restating Ordinance PDMU-92-01(G)(R16) and the General Development Plan to: exercise a land use exchange utilizing a portion of commercial and office entitlements for multi-family and hotel units; update the phasing and buildout dates to reflect legislatively approved extensions; other minor amendments for internal consistency; setting forth findings; subject to stipulations as conditions of approval; providing for severability, and providing an effective date.

The University Lakes DRI is east of the intersection of I-75 and University Parkway and located on the north side of University Parkway. The present zoning is PDMU (Planned Development Mixed Use) (±4,101.17 acres).

RECOMMENDED MOTION:

Based upon the staff report, evidence presented, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to APPROVE Manatee County Zoning Ordinance PDMU-92-01(G)(R17); ADOPT the Findings for Specific Approval; and GRANT Specific Approval for an alternative to Land Development Codes Section: 1001.1.C.2. (allow only one means of access to 175-unit multi-family building); with Stipulations, amending and restating Ordinance No. PDMU-92-01(G)(R16), as recommended by the Planning Commission.

(Commissioner Baugh)

PLANNING COMMISSION ACTION:
On October 12, 2019, by a vote of 7 – 0, the Planning Commission continued the public hearing to December 12, 2019 at 9:00 a.m., or as soon thereafter as same may be heard.
On December 12, 2019, by a vote of 5 – 0, the Planning Commission recommended approval. Mr. Rahn and Mr. Rutledge were absent.

BOARD OF COUNTY COMMISSIONERS ACTION:
On November 7, 2019, by a vote of 6 – 0, the Board of County Commissioners continued the public hearing to January 9, 2020 at 9:00 a.m., or as soon thereafter as same may be heard.
On January 9, 2020, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to January 24, 2020 at 9:00 a.m., or as soon thereafter as same may be heard.

PUBLIC COMMENT AND CORRESPONDENCE:
October 12, 2019 Planning Commission
There was no public comment.
Nothing was entered into the record.
November 7, 2019 Board of County Commissioners  
   There was no public comment.  
   Nothing was entered into the record.

December 12, 2019 Planning Commission  
   There was no public comment.  
   Updated Traffic Impact Information, Updated Land Use Exchange information and changes to the 
   staff report in strikethrough/underline format were entered into the record.

January 9, 2020 Board of County Commissioners  
   There was no public comment.  
   Nothing was entered into the record.
PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE#</th>
<th>PDMU-92-01(G)(R17)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT NAME</td>
<td>University Lakes</td>
</tr>
<tr>
<td>APPLICANT(S)</td>
<td>Schroeder Manatee Ranch, Inc.</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>PDMU (Planned Development Mixed Use)</td>
</tr>
<tr>
<td>PROPOSED USE(S)</td>
<td>Residential, Commercial, Office, Industrial, and Hotel/Motel</td>
</tr>
<tr>
<td>CASE PLANNER</td>
<td>Dorothy Rainey, AICP</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>Approval</td>
</tr>
</tbody>
</table>

DETAILED DISCUSSION

HISTORY:
The University Lakes DRI is a mixed-use development located east of the intersection of I-75 and University Parkway and located on the north side of University Parkway. The development was originally approved on June 1, 1992, and has been amended a number of times (10/28/1993, 12/21/1995, 10/26/1997, 12/16/1997, 10/27/1998, 02/22/2000, 10/23/2001, 12/18/2001, 08/26/2003, 10/19/2004, 10/16/2007, 08/07/2008, 10/25/2011, 12/06/2012, 11/06/2014, and 05/04/17) concurrent with the DRI Development Order to:
- Amend the total acreage of the project,
- Extend the build-out dates and commencement dates,
- Modify parcels acreage,
- Adjust and relocate land use allocations,
- Modify open space, commercial and residential counts, and
- Transfer entitlements from adjacent DRI project to this DRI

The University Lakes DRI* is currently approved for a maximum of 4,137** residential units, 677,506 square feet (which also includes 150 hospital beds) of General Commercial (Regional), 158,735 square feet of Neighborhood Commercial (Community), 1,040,572 square feet of Business, 250,000 square feet of General Commercial (Highway), 620 hotel rooms and recreational facilities including a Tennis & Boat Club, a Park, and a Golf Course & Park. These entitlements are to be developed in four (4) phases, the Phasing Schedule is provided below.

*Information is reflective of the development totals for the General Development Plan and Zoning Ordinance following the exercise of a Land Use Exchange with PDMU-92-01(G)(R16). At the next opportunity for amendment, the Development Order will be updated as required by Section 4.B. of the Development Order.

**Additionally, with the approval of FSP-16-05(R) 265 dwelling units originally identified as multi-family dwellings were converted to 154 single family detached dwellings resulting in a decrease in total units by 111 (4,026 as shown in the applicant’s analysis for the land use exchange). This was done in accordance with the following language found within PDR-92-01(G)(R16):

Exchanges in approved land uses may be made within the Project* or each phase in accordance with the approved Development Order for University Lakes DRI (Ordinance 17-06, as amended) if said development order allows exchanges in land uses in phases. Any exchanges in land use must comply with the Comprehensive Plan, including the limitations of each Future Land Use Category. Any such exchange shall require an amendment to the General Development Plan and a public hearing by the County* to determine if the modification is in compliance with the planned development criteria unless the modification is of such type that administrative approval by the Director of Building and Development Services is authorized by the Land Development Code. The amended General Development Plan shall describe the proposed exchange, as well
as provide a history of all previous exchanges in addition to any other required information. The Developer*
must also apply for a modification to the Certificate of Level of Service and will be granted approval, only if and
when capacity is available.

A Certificate Level of Service (CLOS #04-116) was issued on 11/03/2004 with an expiration date of 11/30/2024.
Through extensions granted per Executive Orders: 17-146, 17-177, 17-178, 17-230, 17-285, 17-329, 18-47, 18-110, 18-177, 18-235, 18-279, 18-362, and 19-36 the expiration date has been extended to 5/25/2032.

To date, a large amount of the entitlements have been utilized for both residential and non-residential
development. In regards to residential development, within the University Lakes DRI the following have been
constructed: 1,619 single family detached dwelling units, 88 single family attached dwelling units, and 1,361
multi-family residential units have been constructed. Non-residential development to date includes, 615,695
square feet of General/Regional Commercial, 129,825 square feet of Neighborhood/Community Commercial,
811,993 square feet of Office, 18,603 square feet of industrial, as well as 215 hotel rooms in the
General/highway Commercial and a 150-bed hospital.

REQUEST:
The request is for an amendment to the General Development Plan (GDP) and the Zoning Ordinance for
the University Lakes DRI to reflect previously granted legislative extensions, to allow the addition of 175 residential
dwelling units and 75 hotel units in exchange for a reduction of 36,250 square feet of Community Commercial
and 178,256 square feet of Business through the equivalency matrix formulas set forth for the DRI, make the
necessary amendments to the GDP and the Zoning Ordinance to reflect these changes, and any other revisions
deemed necessary or appropriate during the public hearing process.

Phasing Buildout Dates - Legislative Extensions

Update the Zoning Ordinance and General Development Plan to reflect previously granted legislative
extensions granted by Executive Orders 17-146, 17-177, 17-178, 17-230, 17-285, 17-329, 18-47, 18-110, 18-177, 18-235, 18-279, 18-362, and 19-36 as pursuant to F.S. 252.363 as follows:

- Phase II build-out date was extended to May 24, 2030
- Phase III build-out date was extended to May 24, 2030
- Phase IV build-out date was extended to May 24, 2038

TABLE D
UNIVERSITY LAKES PHASING SCHEDULE

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Dwelling Units</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single Family</td>
<td>970</td>
<td>364</td>
<td>450</td>
<td>598</td>
<td>2,379 2,533*</td>
</tr>
<tr>
<td>Single Family Attached</td>
<td>88</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>88</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>449</td>
<td>412</td>
<td>301</td>
<td>508 683</td>
<td>1,670 1,580*</td>
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<tr>
<td>Total Residential</td>
<td>1,507</td>
<td>773</td>
<td>751</td>
<td>1,106 1,281</td>
<td>4,137 4,201*</td>
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<tr>
<td>General Commercial* s.f. (Regional)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td>275,557</td>
<td>114,543</td>
<td>287,406</td>
<td>0</td>
<td>677,506</td>
</tr>
<tr>
<td>Hospital</td>
<td>0</td>
<td>150</td>
<td>0</td>
<td>0</td>
<td>150 beds</td>
</tr>
<tr>
<td>Total General Commercial</td>
<td>275,557</td>
<td>114,543</td>
<td>287,406</td>
<td>677,506</td>
<td>150 beds</td>
</tr>
<tr>
<td>--------------------------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
<td>---------</td>
</tr>
<tr>
<td><strong>Neighborhood Commercial</strong>&lt;sup&gt;**&lt;/sup&gt; s.f. (Community)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td>52,764</td>
<td>0</td>
<td>0</td>
<td>69,721</td>
<td>122,485</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>105,971</td>
<td>158,735</td>
</tr>
<tr>
<td>Total Neighborhood Commercial</td>
<td>52,764</td>
<td>0</td>
<td>0</td>
<td>69,721</td>
<td>122,485</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>105,971</td>
<td>158,735</td>
</tr>
<tr>
<td><strong>Business s.f.</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>323,318</td>
<td>381,700</td>
<td>191,677</td>
<td>138,695</td>
<td>843,713</td>
</tr>
<tr>
<td>Industrial</td>
<td>0</td>
<td>0</td>
<td>18,603</td>
<td>0</td>
<td>18,603</td>
</tr>
<tr>
<td>Total Business</td>
<td>323,318</td>
<td>381,700</td>
<td>210,280</td>
<td>125,274</td>
<td>1,040,572</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>138,695</td>
<td>862,316</td>
</tr>
<tr>
<td><strong>General Commercial</strong>&lt;sup&gt;***&lt;/sup&gt; s.f. (Highway)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hotel and Motel</td>
<td>250,000/</td>
<td>215 rooms</td>
<td>0</td>
<td>0</td>
<td>250,000/</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>405 rooms</td>
<td>620 rooms</td>
</tr>
<tr>
<td>Total General Commercial</td>
<td>250,000</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>250,000</td>
</tr>
<tr>
<td><strong>Recreational Facilities</strong>****</td>
<td>Tennis &amp; Boat Club+, Park, Golf Course &amp; Park</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Acreage and square footage are referred to as Regional Commercial in the ADA*  
** Acreage and square footage are referred to as Community Commercial in the ADA*  
*** Acreage and square footage are referred to as Highway Commercial in the ADA*  
**** Phasing of recreational facilities may be accelerated in accordance with the provisions of Sections 4.B., C., and E.

+ The Boat Club shall be located on the ±160-acre manmade lake and shall contain facilities for launching and dockage for wet storage of not more than 20 watercraft and dry storage for not more than 30 watercraft. Small craft not commonly moored, such as sailboats, canoes, paddle boats, and similar non-motorized craft, and assorted storage facilities for such small craft shall not count against this limitation and may be used on the manmade lake.  
+ Buildout date is November 30<sup>th</sup> May 24<sup>th</sup> of each year indicated.

# With the approval of FSP-16-05(R) 265 dwelling units originally identified as multi-family dwellings were converted to 154 single family detached dwellings resulting in a decrease in total units by 111. This was done in accordance with the following language below.
Exchanges in approved land uses may be made within the Project* or each phase in accordance with the approved Development Order for University Lakes DRI (Ordinance 17-06, as amended) if said development order allows exchanges in land uses in phases. Any exchanges in land use must comply with the Comprehensive Plan, including the limitations of each Future Land Use Category. Any such exchange shall require an amendment to the General Development Plan and a public hearing by the County* to determine if the modification is in compliance with the planned development criteria unless the modification is of such type that administrative approval by the Director of Building and Development Services is authorized by the Land Development Code. The amended General Development Plan shall describe the proposed exchange, as well as provide a history of all previous exchanges in addition to any other required information. The Developer* must also apply for a modification to the Certificate of Level of Service and will be granted approval, only if and when capacity is available.

**Land Use Exchange for Entitlements**

The request is to allow the addition of 175 residential dwelling units and 75 hotel units in exchange for a reduction of 36,250 square feet of Community Commercial and 178,256 square feet of Business. Table 1 below provides a strikethrough, underline version of the Development Totals.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Number of Units or Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential*</td>
<td>4026 4201 units**</td>
</tr>
<tr>
<td>Regional Commercial</td>
<td>677,506 square feet</td>
</tr>
<tr>
<td>Community Commercial</td>
<td>158,735 122,485 square feet</td>
</tr>
<tr>
<td>Highway Commercial</td>
<td>250,000 square feet</td>
</tr>
<tr>
<td>Business</td>
<td>1,040,572 862,316 square feet</td>
</tr>
</tbody>
</table>

*For residential dwelling units, no distinction is made between unit types on the General Development Plan.

The Development Order requires the Developer to demonstrate that the impact generated by the revised land use mix will not exceed the impact for transportation, potable water, wastewater treatment, solid waste, mass transit, drainage and parks and recreation which have been approved and authorized in the Certificate of Level of Service (CLOS) issued for that phase.

The Applicant has submitted an analysis completed by Richard Stiles of Stantec Consulting Services, and staff has reviewed the analysis and issued a “GDP Amendment Acceptance Letter” indicating that the proposed land use exchanges will modify the land use interactions within the DRI but will not generate additional external trips on the thoroughfare network, and will not increase the overall number of trips approved in the DRI, and as previously approved and authorized in the issued CLOS.

**STAFF RECOMMENDATION:**

Staff has no objection to the above referenced modifications to the University Lakes Zoning Ordinance since the updated phase and project buildout dates are merely a reflection of previously granted legislative extensions. Staff also has no objection to the proposed exchange of entitlements which will allow the addition of 175 residential dwelling units and 75 hotel units in exchange for a reduction of 36,250 square feet of Community Commercial and 178,256 square feet of Business. Transportation Staff has also determined, based upon the analysis submitted by the Applicant, that the proposed land use exchange will not result in an increase of the DRI's net new external traffic impacts, and therefore, no changes to traffic mitigation are required.

Staff recommends approval of the request as shown in the revised GDP and strike-thru/underline format of the attached Zoning Ordinance.
**Comprehensive Plan - Density and Intensity Compliance Analysis**

University Lakes DRI covers 4,090 acres. There are three different Future Land Use Categories covering the property, each carrying with it a density limitation. The current categories, their maximum density and corresponding units are:

<table>
<thead>
<tr>
<th>FUTURE LAND USE CATEGORY</th>
<th>ACREAGE</th>
<th>MAX DENSITY</th>
<th>MAX UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>RES-1 (Residential- 1/du acre)</td>
<td>2551</td>
<td>1</td>
<td>2551</td>
</tr>
<tr>
<td>ER (Estate Rural)</td>
<td>906</td>
<td>0.2</td>
<td>181</td>
</tr>
<tr>
<td>MU (Mixed Use)</td>
<td>227*</td>
<td>12</td>
<td>2724</td>
</tr>
<tr>
<td><strong>TOTAL UNITS ALLOWED UNDER COMP PLAN</strong></td>
<td></td>
<td></td>
<td><strong>5,456</strong></td>
</tr>
</tbody>
</table>

*Portion of MU area devoted to residential (including open space)*

The requested MU exchange would allow for 4,201 residential dwelling units. The density is therefore compliant.

While some limited commercial uses are located outside of the MU FLUC, for intensity compliance purposes, the remainder of the 633 MU classified acreage can be used to determine compliance. 406 acres x 43,560 SF = 17,685,360 SF. The MU category permits a floor area ratio of 1.0. The total SF permitted in the project, after the exchange, would be 1,912,307 equating to an FAR of 0.108, only 10% of the allowable FAR.

**Table 1: Development Totals per GDP Land Use Schedule**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Number of Units or Square Footage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential*</td>
<td>4201 units**</td>
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<td>Highway Commercial</td>
<td>250,000 square feet</td>
</tr>
<tr>
<td>Business</td>
<td>862,316 square feet</td>
</tr>
</tbody>
</table>

**Land Development Code – Section 402.7 Planned Development Residential Criteria**

**402.7. D PDR Standards.**

1. **Site Planning.** Site planning within the district shall provide protection of the development from potentially adverse surrounding influences. The orientation of the development shall generally be toward internal streets and pedestrian systems and away from adjacent local streets and other adjacent land uses. In particular, a buffer of a minimum of twenty (20) feet wide shall be provided along district boundaries which abut and run parallel to any public road in the PDR District.

*No changes proposed from previous approval.*
2. **Landscaped Open Space and Pervious Area Requirements.** For projects outside the watershed overlay districts, an area equal to at least twenty-five (25) percent of the land area of the district shall be reserved for landscaping and permeable open areas, for projects developed under common ownership, and shall be improved and maintained by the developer/homeowner’s association. For projects within the watershed overlay districts, the percentage of open space shall increase to thirty-five (35) percent for new residential projects. Single family residential subdivision projects shall have an area equal to at least twenty-five (25) percent of the land area of the district for landscaping and open areas, and may utilize the area of water bodies contained entirely within the site, not to exceed seventy-five (75) percent of the total open space requirement, or a portion of the total open space proposed for the site, with all such open space improved and maintained by the developer/homeowner’s association. (See the definition of Open Space.)

*No changes proposed from previous approval.*

3. **Frontage and Accessibility.** Every dwelling unit or other use permitted in the Planned Development shall have vehicular access to a public street either directly or via an approved private street, pedestrian way, court, or other area dedicated to public use or private use, or common element guaranteeing access. Permitted uses are not required to front on a publicly dedicated road. Adequate emergency vehicular access is required to every dwelling unit.

*No changes proposed from previous approval.*

4. **Neighborhoods.** All Planned Residential Developments shall be designed in such a manner as to promote neighborhoods. This shall be done by creating a neighborhood focal point within the development such as water bodies, recreation areas or community centers. Other methods of achieving neighborhood unity include: use of natural features, unified theme, use of greenbelts and pedestrian/bikeway corridors.

*No changes proposed from previous approval.*

5. **Greenbelts.** In order to promote and enhance the creation of unique neighborhood units, each distinct neighborhood shall be bordered by a continuous greenbelt buffer measuring fifteen (15) feet in width and containing one (1) shade tree, meeting minimum planting size standards in Section 715, planted every thirty (30) feet on center. Greenbelts are to be so planned that where two (2) PDR districts abut one another, the greenbelt buffer areas are contiguous. Streets and utilities providing inter-neighborhood ties may be permitted to pass through greenbelt buffer areas. In PDR Districts consisting entirely of fifteen (15) or less single-family lots, greenbelt width may be reduced to ten (10) feet.

*No changes proposed from previous approval.*

6. **Traffic Circulation.** Provide for inter-neighborhood ties; however, the neighborhood focal points shall not be located, when possible, along collector/connector roads.

*No changes proposed from previous approval.*

7. **Yards and Setbacks.** For each PDR District yard and setback requirements shall be established which promote general health, safety, welfare, design excellence and neighborhood compatibility. Yard and setback standards shall be consistent within each Planned Development district or “phase.” Each new planned development project may propose specific setbacks for that project. Unless otherwise specified within the development approvals, the following minimum yard requirements shall apply to all previously approved projects:

- Minimum front yard of twenty (20) feet, except that all front loaded garages and carports shall have minimum setbacks of twenty-five (25) feet; Minimum side yard of eight (8) feet; Minimum rear yard of fifteen (15) feet; If no minimum setbacks are established for the project at the General Development Plan stage, the minimum standards shall be: Minimum front yard—twenty-five (25) feet; Minimum side yard—eight (8) feet; Minimum rear yard—fifteen (15) feet

*No changes proposed from previous approval.*
8. Minimum Lot Width. If no minimum lot width is established at the General Development Plan stage, then the minimum lot width shall be sixty (60) feet for single-family residences.

_No changes proposed from previous approval._

9. Building Height. Building heights above three (3) stories may be approved by the Board and, if approved, shall comply with the requirements of Section 401.5.A if the development is adjacent or directly across the street from a single family residential zoning district and Section 401.5.B. 1 through 5 if adjacent to other uses.

_No changes proposed from previous approval._

**SPECIFIC APPROVAL**

Specific Approval Request:

LDC Section 1001.1.C.2 states the following: Second Means of Access Required. All residential developments or parts of phases thereof, containing more than one hundred residential dwelling units; and all professional, commercial and manufacturing development or parts of phases thereof, containing more than fifty lots shall have a second means of access (street). Secondary access roads must meet the following standard:

1. The second means of access (street) shall have access to a through street, either public or private, constructed to County standards, and other than that street on which the primary access is located.

2. If a second means of access is not available to another street, another direct access street to the same primary access street is acceptable if the primary access street is a public bi-directional thoroughfare and separated from the other access by a minimum of three hundred feet. The three-hundred-foot separation may be reduced subject to other design considerations addressing fire protection, public safety, traffic, storm water management and other Manatee County Public Works Standards.

3. Where a specific design incorporates site security elements for a residential planned development; the Board and the Department Director may consider an alternative design for the construction of the secondary means of access, subject to the following:

   a) The alternative design shall incorporate specific security provisions to allow satisfactory ingress by emergency vehicles.
   b) The right-of-way design standards for width and radii shall be adhered to.
   c) The design shall retain the construction of appropriate utilities and drainage requirements.
   d) The security components shall include the construction of and maintenance criteria for security gates and signage. In addition to the road base and surface stability for emergency vehicles.

The area above the ground surface shall remain free and unobstructed to allow ready access by emergency vehicles to the planned development.

Applicant Request:

The proposed project is on 3.5 acres of Parcel 15 located within the University Lakes DRI. The site is located at a mid-block location on Health Park Way directly north of Lakewood Ranch Medical Center. The applicant is proposing to construct a 175-unit multi-family complex that will have a parking garage on the first two floors wrapped with multi-family units and three stories of multi-family units above. The applicant’s contention is that by providing one point of entry into the parking garage and one point of entry to the rental office, amenity area, and cargo elevator the design meets the requirements of LDC Section 1001.1.C.2 and therefore, protects the health, safety, and welfare of the residents residing in the
multi-family development. However, County staff determined that the site design does not meet the intent of LDC Section 1001.1.C.2 and a Specific Approval is necessary.

Staff Analysis and Recommendation:

Staff has reviewed the information provided by the Applicant. This request is unique, insofar as Manatee County has not previously reviewed a multi-family project with a parking structure. Parcel 15 has a maximum permitted height of nine stories; the proposed project is five stories. In our review, we looked at the proposed layout of the parking structure, on-street parking, fire/emergency zone, loading zone, and the frontage on and the curvature of Health Park Way. Based on the limited frontage of Health Park Way and the existing design of the roadway, providing a second access to the parking structure would not provide a large enough separation between the garage entrances (less than 300-feet). The proposed primary entrance to the parking garage shall be aligned with the driveway for the Lakewood Ranch Medical Center. Staff finds that the parking structure entrance, the secondary driveway access, the on-street parking, the fire/emergency access, and the loading zone in proximity to the cargo elevator, meets the intent of LDC Section 1001.1.C.2. to an equivalent degree.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 1001.1.C.2. the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree because the 175 dwelling units will be contained within one building and a second access drive is being provided to access the rental office and amenity area for first responders. A stipulation is provided to require the second access drive.

<table>
<thead>
<tr>
<th>SITE CHARACTERISTICS AND SURROUNDING AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL LOCATION:</td>
</tr>
<tr>
<td>The University Lakes DRI is generally located east of the intersection of I-75 and University Parkway and located on the north side of University Parkway.</td>
</tr>
<tr>
<td>SIZE:</td>
</tr>
<tr>
<td>±4,101.17 acres</td>
</tr>
<tr>
<td>EXISTING USE(S):</td>
</tr>
<tr>
<td>University Lakes DRI is a mixed-use development consisting residential, commercial, office, industrial, and hotel/motel development.</td>
</tr>
<tr>
<td>FUTURE LAND USE CATEGORY:</td>
</tr>
<tr>
<td>RES-1 (Residential 1 dwelling units per gross acre), MU (Mixed-Use), ER (Estate Rural)</td>
</tr>
<tr>
<td>DENSITY:</td>
</tr>
<tr>
<td>Gross: 1.0 dwelling units per acre</td>
</tr>
<tr>
<td>Net: 2.86 dwelling units per acre</td>
</tr>
<tr>
<td>SPECIAL APPROVAL(S):</td>
</tr>
<tr>
<td>No Special Approvals Noted on Previously Approved Zoning Ordinances</td>
</tr>
<tr>
<td>OVERLAY DISTRICT(S):</td>
</tr>
<tr>
<td>Special Treatment Overlay and Evers Watershed Protection Overlay</td>
</tr>
<tr>
<td>SPECIFIC APPROVAL(S):</td>
</tr>
<tr>
<td>Section 1001.1.C.2. – two means of access for more than 100 residential units.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SURROUNDING USES &amp; ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH</td>
</tr>
<tr>
<td>North is the Cypress Banks DRI which is also zoned PDMU (Planned Development Mixed Use) and consists of a similar mixture of residential and commercial uses.</td>
</tr>
<tr>
<td>SOUTH</td>
</tr>
<tr>
<td>South is University Parkway, south of University Parkway is Unincorporated Sarasota County including the Village of Lakewood Ranch South DRI.</td>
</tr>
<tr>
<td>EAST</td>
</tr>
</tbody>
</table>
| East is residential development consisting of the Concession and Panther Ridge Projects which is zoned PDR (Planned
Development Residential) and PDA (Planned Development Agriculture), respectively.

**WEST**

West is I75, on the western side of I75 is the Cooper Creek DRI which is zoned PDMU (Planned Development Mixed Use) and consists of commercial and residential development.

### POSITIVE ASPECTS

- The request to allow the addition of 175 residential dwelling units and 75 hotel units in exchange for a reduction of 36,250 square feet of Community Commercial and 178,256 square feet of Business representing an exchange based on the equivalency matrix which ensures that there are no unmitigated impacted for the University Lakes DRI.
- The proposal does not create unmitigated regional impacts.

### NEGATIVE ASPECTS

- It is Staff’s opinion that there are no apparent or notable negative aspects.

### STAFF RECOMMENDED STIPULATIONS

See attached Zoning Ordinance in strike-thru/underline format.

### REMAINING ISSUES OR CONCERNS – NOT RESOLVED OR STIPULATED

None

### TRANSPORTATION

**Major Transportation Facilities**

University Lakes DRI is generally located north of University Parkway, east of Interstate 75 (I-75), west of Bourneside Boulevard, south of The Masters Avenue, with Lakewood Ranch Boulevard and Lorraine Road traversing through the site.

The following thoroughfares are within or adjacent to the DRI:

I-75 is designated as a ten lane limited access roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 500 feet.

University Parkway, west of Lakewood Ranch Boulevard, is designated as a six lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 150 feet.

University Parkway, east of Lakewood Ranch Boulevard and west of Lorraine Road, is designated as a four lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 150 feet.

University Parkway, east of Lorraine Road, is designated as a six lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 200 feet.

Lakewood Ranch Boulevard is designated as a four lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 120 feet.
Lorraine Road is designated as a four lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 120 feet.

The Masters Avenue is designated as a four lane collector roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 120 feet.

Bourneside Boulevard is designated as a four lane collector roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 120 feet.

**Transportation Concurrency**

The University Lakes DRI has an approved Certificate of Level of Service Compliance that identifies required mitigation of external traffic impacts, and the developers have been providing mitigation consistent with the DRI’s schedule of improvements. The application includes a request for the addition of 175 residential dwelling units and 75 hotel units in exchange for a reduction of 36,250 square feet of Community Commercial and 178,256 square feet of Business. The Applicant prepared an analysis of the currently approved General Development Plan (GDP) land uses compared to the proposed GDP land uses. The conclusion of the approved analysis is that the proposed change will not result in an increase of the DRI’s net new external traffic impacts, and therefore, no changes to traffic mitigation are required.

**Access**

At the time of future site plan submittal and traffic analysis review, all proposed access points will be evaluated to determine if any further site-related improvements will be required for the site.

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**CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE**

**TRANSPORTATION CONCURRENCY**

**CLOS APPLIED FOR:** No. Project has an existing CLOS.

**TRAFFIC STUDY REQ’D:** Yes

University Lakes DRI has an existing Certificate of Level of Service. Potable water and sanitary sewer will be reviewed at the time of Final Site Plan.

**ATTACHMENTS**

1. Applicable Comprehensive Plan Policies
2. Staff Report Maps
3. Revised General Development Plan
4. Specific Approval letter
5. Impact Statement (TIS)
6. Land Use Exchange Information
7. CLOS-04-116
8. School Report
9. Newspaper Advertising
10. Ordinance PDMU-92-01(G)(R17)
Policy: 2.1.2.3 Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development and compatible with future areas of development.

Policy: 2.1.2.5 Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.

Policy: 2.1.2.7 Review all proposed development for compatibility and appropriate timing. This analysis shall include:
- consideration of existing development patterns,
- types of land uses,
- transition between land uses,
- density and intensity of land uses,
- natural features,
- approved development in the area,
- availability of adequate roadways,
- adequate centralized water and sewer facilities,
- other necessary infrastructure and services.
- limiting urban sprawl
- applicable specific area plans
- (See also policies under Objs. 2.6.1 - 2.6.3)

Policy: 2.2.1.9 RES-1: Establish the Residential-1 Dwelling Units/Gross Acre future land use category as follows:

Policy: 2.2.1.9.1 Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas comprised primarily of low density suburban residential development, preferably clustered, where appropriate, to protect the environment, preserve open space, and/or to allow the continued operation of short-term agricultural activities as the area transitions from rural to suburban uses.

Policy: 2.2.1.9.2 Range of Potential Uses (see Policies 2.1.2.3—2.1.2.7, 2.2.1.5): Primarily low density suburban residential and short-term agriculture with support neighborhood commercial, public/semi-public, recreation and school uses.

Policy: 2.2.1.9.3 Range of Potential Density/Intensity:

Maximum gross residential density:

1 dwelling unit per acre.

Maximum net residential density:

6 dwelling units per acre; clustered development in the WO or CHHA Overlay Districts may exceed the maximum net density pursuant to Policies 2.3.1.5 and 4.3.1.5.

Maximum floor area ratio:

0.23; 0.35 for developments at activity nodes meeting the Commercial Locational Criteria (see Land Use Operative Provisions chapter).

Maximum Square Footage for Neighborhood Commercial Uses:

Medium (one hundred fifty thousand (150,000) s.f.), subject to the Commercial Locational Criteria (see Objective 2.10.4 and Land Use Operative Provisions chapter).
**Policy: 2.2.1.21 MU:** Establish the Mixed-Use future land use category as follows:

**Policy: 2.2.1.21.1 Intent:** To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Map, major centers of suburban or urban activity in areas with a high level of public facility availability, and intended (but not required) to develop with a horizontal or vertical mix of residential and nonresidential uses, achieving internal trip capture, and the development of a high quality environment for living, working, or visiting.

**Policy: 2.2.1.21.2 Range of Potential Uses (see Policies 2.1.2.3—2.1.2.7, 2.2.1.5):** Commercial, office, and light industrial uses mixed with suburban or urban residential uses and support uses such as recreational uses, public or semi-public uses, and schools. Hospitals are also appropriate in this future land use category.

**Policy: 2.2.1.21.3 Range of Potential Density/Intensity:**

<table>
<thead>
<tr>
<th>Density/Intensity</th>
<th>Maximum Gross Residential Density</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nine (9) dwelling units per acre for properties located within the CHHA or CEA.</td>
</tr>
<tr>
<td></td>
<td>Twelve (12) dwelling units per acre.</td>
</tr>
<tr>
<td></td>
<td>Thirty (30) dwelling units per acre along Urban Corridors (forty (40) dwelling units per acre if a density bonus is approved).</td>
</tr>
<tr>
<td></td>
<td>Thirty (30) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as &quot;Affordable Housing.&quot;</td>
</tr>
<tr>
<td></td>
<td>Thirty (30) dwelling units per acre for mixed-use development that includes a commercial or office component.</td>
</tr>
<tr>
<td></td>
<td>Properties within the CEA and CHHA are not eligible for the additional density offered for urban corridors, affordable housing, and/or mixed-use.</td>
</tr>
</tbody>
</table>

**Minimum Gross Residential Density:**

- 7.0 only in UIRA for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing".

**Maximum Net Residential Density:**

- Twenty dwelling units per acre.
- Thirty-six dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."
- Thirty-six dwelling units per acre for mixed-use developments that include a commercial or office component.

Net densities shall not apply along Urban Corridors and may not apply to clustered development in the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5.

**Maximum Floor Area Ratio:**

- 1.0 (2.0 along designated Urban Corridors if an FAR bonus is approved).
- 2.0 inside the UIRA.
Policy: 2.2.1.21.4 Other Information:

(a) Generally, limit the use of the MU future land use category on vacant land to locations adjacent to arterial or higher classification roadways (as shown on the Future Traffic Circulation: Functional Classification Map (Map 5B)), or adjacent to MU designated lands that meet the criteria.

(b) All projects are subject to the following criteria, except for individual single family dwellings located on a lot of record and developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

1. Non-residential uses exceeding one hundred fifty thousand (150,000) square feet of gross building area (region-servicing uses) may be considered only if consistent with the requirements for large commercial uses, as described in this element (see Table 2-2, and Policies 2.10.2.1 and 2.10.3.3).

2. Development in areas designated with the Mixed Use category shall contain the minimum percentage of at least three (3) of the following general categories of land uses (measured in acres district-wide, not per development site):

   • Ten (10) percent Residential.
   • Ten (10) percent Commercial/Professional.
   • Ten (10) percent Light Industrial/Distribution.
   • Five (5) percent Recreation/Open Space.
   • Three (3) percent Public/Semi-Public.

3. Access between these uses shall be provided by roads other than those shown on the Major Thoroughfare Map Series of this Comprehensive Plan or alternative vehicular and pedestrian access methods acceptable to the County.

(d) Development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Objectives 2.10.4.1 and 2.10.4.2 of this element.

Policy: 2.2.1.26 ER: Establish the Estate Rural future land use category as follows:

Policy: 2.2.1.26.1 Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on Future Land Use Map, areas of low density rural residential development interspersed with large tracts of open space used for compatible agricultural activities, low intensity recreational use, environmental protection or other open space uses. The ER category serves as a transitional area between suburban development and rural/agricultural development. Also, to provide for a complement of residential support uses normally utilized during the daily activities of the residents of these areas.

Policy: 2.2.1.26.2 Range of potential uses: (See Policies 2.1.2.3—2.1.2.7, 2.2.1.5): Low density residential, agricultural uses, agriculturally compatible residential uses, neighborhood retail, public or semi-public uses, schools, and low intensity recreational uses (see Objective 2.3.1 and 2.10.4).

Policy: 2.2.1.26.3 Range of Potential Density/Intensity:

Maximum gross residential density:

0.2 dwelling units per acre.

Maximum net residential density:
One (1) dwelling unit per acre (except for clustered developments in the WO and CHHA Overlay Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5).

Maximum floor area ratio:

0.23.

Maximum Square Footage for Neighborhood Commercial Uses Small (thirty thousand (30,000) s.f.), subject to the commercial locational criteria (see Objective 2.10.4 and Land Use Operative Provisions chapter).

Policy: 2.6.1.1 An application for a development order that proposes a use, intensity, height, and/or density that could be found incompatible with the use on the adjacent site shall utilize techniques to mitigate potential incompatible characteristics of the proposed use. Such techniques shall include but not be limited to:

• Use of undisturbed or undeveloped and landscaped buffers;
• Use of increased size and opacity of screening;
• Building setbacks;
• Innovative site design (which may include planned development review);
• Appropriate building design;
• Operational restrictions on the proposed use;
• Noise attenuation techniques; and
• A density and/or intensity below the maximum allowed.

Policy: 2.6.1.2 Developments that propose a use, intensity, height, and/or density that could be found incompatible with the use on the adjacent site shall meet, at minimum, the buffer and screening standards requirements of the Land Development Code. Projects reviewed through the Planned Development or Special Permit approval processes may result in additional mitigation technique requirements in order to achieve compatibility between typically incompatible land uses.

Policy: 2.6.2.6 Allow a mix of attached and detached housing types utilizing the mitigation techniques described in Policy 2.6.1.1 or where prior planning provides for a logical transition in net residential densities between different residential unit types.

Policy: 2.6.2.7 Promote clustering to limit impacts of residential development on adjacent agricultural, conservation, open space, or environmentally sensitive uses.

Policy: 2.6.2.9 Require a gradual transition in density and utilize the mitigation techniques under objective 2.6.1 when siting residential development adjacent to non-residential uses.

Policy: 2.6.5.2 Encourage, in locations which are suited to diverse uses, mixed and multiple use projects to provide for integration and synergy between land uses. Nothing in this policy shall preclude single use or homogenous projects if mixing of uses on a single project, or intrusion of a different use into a homogenous area, will create inappropriate diversity or incompatibilities between adjacent land uses.

Policies: 2.9.1.1 Minimize the development of residential projects which create isolated neighborhoods.
Policy: 2.9.1.2 Promote the connection and integration of community pedestrian, bicycle, and vehicular systems to the larger county systems. (See also Obj. 3.3.3)

Policy: 2.9.1.3 Provide vehicular access between neighborhoods.

Policy: 2.9.1.4 Encourage the development of a variety of housing options and architectural styles within a community. (See also Obj. 6.1.1)

Policy: 2.9.1.5 Promote the development of pedestrian friendly designs.

Policy: 2.9.1.6 Promote the use of unifying design elements and features.

Policy: 2.9.1.7 Encourage the development of community spaces, including usable open space and public access to water features.

Policy: 2.9.1.8 Encourage the design of residential projects providing continuous green space connecting neighborhoods.

Policies: 2.9.1.9 Require where feasible, pedestrian and bicycle access to community spaces, schools, recreational facilities, adjacent neighborhoods, employment opportunities, professional and commercial uses. (See also Obj. 3.3.3)