An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding land development, amending the Official Zoning Atlas (Ordinance No. 15-17, as amended, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for the rezoning of approximately 1.54 acres from A (General Agriculture) to the PDC (Planned Development Commercial) zoning district; approving a General Development Plan for an approximately 12,000 square foot commercial establishment; a Schedule of Permitted and Prohibited Uses as voluntarily proffered by the Applicant and attached as Exhibit B; the property is generally located on the northeast corner of State Road 70 and County Road 675, Myakka City (Manatee County); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

RECOMMENDED MOTION

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to ADOPT Manatee County Zoning Ordinance No. PDC-19-08(Z)(G); APPROVE the General Development Plan with Stipulations A.1-A.6 and B.1-B.4, as recommended by the Planning Commission.

(Commissioner Baugh)

PLANNING COMMISSION ACTION:

On October 10, 2019, by a vote of 6 – 1, the Planning Commission recommended approval. Mr. Roth voted nay stating the project is incompatible with the surrounding neighborhood.

BOARD OF COUNTY COMMISSIONERS ACTION:

On November 7, 2019, by a vote of 6 – 1, 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. Commissioner Baugh voted nay.

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 10, 2019 Planning Commission

Public Comments:

Helen Birakis, area resident, suggested the applicant put in writing the intent expressed concern with the water tables due to wells in the area (would be affected by gas pumps), feasibility of a roundabout versus a traffic signal, pollution (noise, air), property rights, wildlife, school bus stops and right-of-way.

Danny Chappell, area resident, expressed concern with possible water contamination since the nearest home is 200 feet away from the site. He submitted a petition,
which was presented with the agenda memorandum.

Ronald Hunniford, area resident, has similar concerns as previous speakers. He also expressed concern with the site being rezoned to PDC (Planned Development Commercial) and asked that the request not be approved.

William Heine did not support a convenience store and/or gas station on the site. He stated the vacant land is beneficial to residents and gopher tortoise burrows do exist.

November 7, 2019 Board of County Commissioners
Public Comment:
William Heine, area resident, stated he is opposed to the request and referenced documents submitted by Jamie Schindewolf.
Ronald Hunniford, area resident, stated request is incompatible with surrounding area and lack of sewer line and drainage infrastructure.
Danny Chappell, area resident, is opposed because request isn’t needed, it is an inappropriate zoning for site, discussed wildlife on the site and request is inconsistent with the Comprehensive Plan,
Helen Birakis, area resident, is opposed to request due to aquifer pollution (she is on well water), water and sewer lines may never extend to this area. She discussed the dangers of the school bus stop and the creation of pollution in area.
Carol Felts, area resident, opposed to the request and supported Mr. Heine’s suggestions. Convenience is not part of their lifestyle and residents enjoy their rural lifestyle.

January 9, 2020 Board of County Commissioners
There was no public comment.
Nothing was entered into the record.
This Staff Report has been updated with the following information since the November 7, 2019 Board of County Commissioners meeting:

- Reduce project square footage from 15,400 square feet to 12,000 square feet.
- Delete access from the State Road 70 exit ramp.
- Revised the Schedule of Prohibited and Permitted Uses by deleting gas pumps, medical marijuana, alcoholic beverage establishment, and alcoholic beverage establishment 2COP license.

### PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE NUMBER</th>
<th>PDC-19-08(Z)(G)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT NAME</td>
<td>Manatee Ranches, Inc.</td>
</tr>
<tr>
<td>APPLICANT(S) / OWNER(S)</td>
<td>Manatee Ranches (Owner)</td>
</tr>
<tr>
<td>AGENT</td>
<td>ZNS Engineering</td>
</tr>
<tr>
<td>FUTURE LAND USE CATEGORY(S)</td>
<td>AG-R (Agricultural Rural)</td>
</tr>
<tr>
<td>PROPOSED ZONING</td>
<td>PD-C (Planned Development Commercial)</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>A (General Agriculture)</td>
</tr>
<tr>
<td>PROPOSED USE(S)</td>
<td>Schedule of Permitted and Prohibited Uses are shown in Attachment 3</td>
</tr>
<tr>
<td>CASE MANAGER</td>
<td>Jamie Schindewolf</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>APPROVAL with Stipulations</td>
</tr>
</tbody>
</table>

### DETAILED DISCUSSION

The applicant is requesting a rezone from A (General Agriculture) to PD-C (Planned Development Commercial) on an approximately 1.54-acre site. The parcel identification number for the site is 333702009 and the site is located at the northeast corner of State Road 70 and County Road 675.

The applicant has provided a General Development Plan showing the site and has voluntarily proffered a Schedule of Uses for the site (see Attachment 3). The maximum proposed square footage is 12,000 square feet with a floor to area ratio of 0.23.

The AG-R (Agricultural – Rural) Future Land Use Category allows for “neighborhood commercial”. By rezoning to PD-C (Planned Development Commercial), the site will be held to a schedule of uses that limits commercial development to neighborhood serving uses. The maximum commercial allowance in AG-R (Agricultural – Rural) is 30,000 square feet.

### Site Design Details

<table>
<thead>
<tr>
<th>Site Design Details</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Area</td>
<td>1.54 Acres</td>
<td>Roadway Buffers</td>
<td>10 feet</td>
</tr>
<tr>
<td>Total Wetlands</td>
<td>0 Acres</td>
<td>Front Yard Setback</td>
<td>30 feet along thoroughfare roads</td>
</tr>
<tr>
<td>Stormwater</td>
<td>0.10 Acres</td>
<td>Rear Yard Setback</td>
<td>20 feet</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Side Yard Setback</td>
<td>15 feet</td>
</tr>
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</table>
## Commercial Details

<table>
<thead>
<tr>
<th></th>
<th>Maximum</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floor to Area Ratio (FAR)</td>
<td>0.23</td>
<td>0.23</td>
</tr>
<tr>
<td>Square Footage</td>
<td>15,428 square feet</td>
<td>12,000 square feet</td>
</tr>
<tr>
<td>Open Space Required (20%)</td>
<td>0.38 acres</td>
<td></td>
</tr>
</tbody>
</table>

Staff recommends approval with stipulations.

## SITE CHARACTERISTICS AND SURROUNDING AREA

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ADDRESS</td>
<td>No Address Assigned</td>
</tr>
<tr>
<td>PARCEL ID</td>
<td>333702009</td>
</tr>
<tr>
<td>GENERAL LOCATION</td>
<td>Northeast corner of State Road 70 and County Road 675</td>
</tr>
<tr>
<td>ACREAGE</td>
<td>Approximately 1.54 Acres</td>
</tr>
<tr>
<td>EXISTING USE(S)</td>
<td>Vacant</td>
</tr>
<tr>
<td>FUTURE LAND USE CATEGORY(S) AND ZONING</td>
<td>Future Land Use: AG-R (Agricultural Rural)</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Zoning: A (General Agriculture)</td>
</tr>
<tr>
<td>INTENSITY</td>
<td>0.23 Floor to Area Ratio (12,000 square feet)</td>
</tr>
<tr>
<td>OVERLAY DISTRICT(S)</td>
<td>None</td>
</tr>
</tbody>
</table>

## SURROUNDING USES & ZONING

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>NORTH</td>
<td>Single Family Residential / A (General Agriculture)</td>
</tr>
<tr>
<td>SOUTH</td>
<td>Single Family Residential / PD-A (Planned Development Agriculture)</td>
</tr>
<tr>
<td>EAST</td>
<td>Single Family Residential / A (General Agriculture)</td>
</tr>
<tr>
<td>WEST</td>
<td>Single Family Residential / A (General Agriculture)</td>
</tr>
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</table>

## SITE DESIGN DETAILS

<table>
<thead>
<tr>
<th>SETBACKS PROVIDED</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>30-feet minimum</td>
</tr>
<tr>
<td>Side</td>
<td>15-feet minimum</td>
</tr>
</tbody>
</table>
Rear: 20-feet minimum

<table>
<thead>
<tr>
<th>HEIGHT</th>
<th>Commercial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Proposed: Three stories maximum</td>
</tr>
</tbody>
</table>

| OPEN SPACE PROVIDED            | 20% (0.38 Acres)            |

| ACCESS                         | A full access on County Road 675 |

| FLOOD ZONE(S)                  | Site lies in Zone X per FIRM Panel 12081C0370E, effective 3/17/2014. The project is not located in the County delineated 25-year floodplain. |

| AREA OF KNOWN FLOODING         | Project Located in Flood Prone Area: N/A |
|                                | Type of Flooding (i.e. rainfall, riverine, storm surge, etc): N/A |
|                                | Project Subject to flow reduction: N/A |
|                                | Project subject to OFW N/A |
|                                | Watershed/Basin: Cow Pen Slough |

| UTILITIES                      | No public facilities are available at this time. The project proposes to be served by a public supply well and septic system. |
|                                | The applicant has been advised as follows: |

1. Size, type and location of septic system shall be based on a site evaluation and plan review conducted by this department, a Certified OSTDS Professional or a Florida Registered Professional Engineer. Establishments with proposed domestic waste greater than or equal to 2500 gpd or establishments with proposed commercial waste greater than or equal to 1000 gpd are required to be designed by a licensed engineer. Call FL Department of Health, Environmental Health Services at (941) 748-0747, 1340 for permitting information.

2. Maximum daily sewage flow: For an establishment using a well regulated by FDEP, the maximum daily sewage flow is 3850 gallons per day (1.54 acres x 2500 gal/acre/day). For an establishment using a well regulated by FDOH, the maximum daily sewage flow is 2310 gallons per day (1.54 acres x 1500 gal/acre/day).

3. Septic systems serving high volume establishments, such as restaurants, convenience stores and service stations located near interstate type highways and similar high-traffic areas, require special sizing consideration due to expected above average sewage volume. Minimum estimated flows for these facilities shall be 3.0 times the volumes determined from the Table I figures (Florida Administrative Code, Chapter 64E-6.008). Proposed uses may be limited based on maximum sewage flow and available unobstructed area.

4. The proposed public supply well requires permits and approval from both Manatee County Natural Resources and FL Department of Health, Environmental Services OR Florida Department of Environmental Protection.
5. 75 feet separation is required between septic system and surface waters.

6. 15 feet separation is required between septic system and storm swale.

7. 100 feet separation required between public supply well and the septic system if the well serves a facility with an estimated sewage flow of 2000 gallons or less per day.

8. 200 feet separation required between public supply well and the septic system if the well serves a facility with an estimated sewage flow of more than 2000 gallons per day.

9. Businesses utilizing septic for sewage disposal are required to obtain an annual commercial operating permit, as per Chapter 64E-6, Florida Administrative Code. Contact the FL Department of Health at (941) 748-0747 ext. 1340.

### ENVIRONMENTAL INFORMATION

<table>
<thead>
<tr>
<th>Wetland Acreage</th>
<th>Overall Wetland Acreage: 0 acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Impact Acreage</td>
<td>Proposed Impact Acreage: 0 acres</td>
</tr>
</tbody>
</table>

**Wetlands:**
According to cover sheet-01, no wetlands exist on the property.

**Uplands:**
No information at this time.

**Endangered Species:**
No information at this time. It is unlikely that any listed species exist within the property boundaries due to the size and location of the parcel. Staff has added a stipulation that no formal survey is required, but that listed species are protected by law and permits are required if any are encountered.

**Trees:**
No information at this time.

**Landscaping/Buffers:**
Roadway buffers are shown as 10 feet on State Road 70, County Road 675 and State Road 70 exit lane.

### NEARBY DEVELOPMENT

<table>
<thead>
<tr>
<th>SUBDIVISION</th>
<th>FLUM</th>
<th>ZONING</th>
<th>YEAR</th>
<th>ACRES</th>
<th>DWELLING UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### POSITIVE ASPECTS

- The request will reserve an area that meets commercial locational criteria for commercial development in an area that is primarily residential. The commercial uses allowed will be neighborhood serving.

### NEGATIVE ASPECTS

- The site is not served by county water and sewer, forcing development to use septic and a public well.

### MITIGATING FACTORS

- The proposed public well requires permits from state agencies regarding septic tank design, flow, sizing, and location. These permits are included in Stipulation A.2.
- The proposed development is east of the Future Development Area Boundary, which is an area of low-density development that is not efficient for public water and sewer infrastructure. Properly regulated septic will save public funds.

### STAFF RECOMMENDED STIPULATIONS

#### A. DESIGN AND LAND USE STIPULATIONS

1. Any significant historical or archeological resources discovered during development activities shall be immediately reported to the Florida Department of State, Division of Historical Resources, and treatment of such resources shall be determined in cooperation with the Division of Historical Resources, and the County. The final determination of significance shall be made in conjunction with the Florida Department of State, Division of Historical Resources, and the County. The appropriate treatment of such resources (potentially including excavation of the site in accordance with the guidelines established by the Florida Department of State, Division of Historical Resources) must be completed before resource disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offenses Concerning Dead Bodies and Graves) shall be followed.

2. All other applicable state or federal permits shall be obtained before commencement of the development.

3. The uses approved for this project shall be as voluntarily proffered by the Applicant and are attached
to this Ordinance as Exhibit “B” and made a part hereof by reference.

4. All dumpsters, compactors, and other utility equipment shall be screened with a six-foot-high wall constructed with building materials consistent with the principal building(s). Compliance shall be verified with review of the building permit.

5. Hours of operation for any use of the property shall commence no earlier than 6:00 a.m. and cease no later than midnight.

6. Building design will be consistent with the Cracker or Florida Ranch architectural design styles as described in Section 403.4.D.2 of the Land Development Code.

B. ENVIRONMENTAL STIPULATIONS

1. No formal threatened and endangered species survey will be required for this site due to surrounding development and site conditions. However, the applicant is responsible for ensuring that no listed species, nests or burrows are located within the project area. Gopher tortoise burrows and tortoises are protected by law and require a permit for relocation. If any are encountered, all construction activity must cease until a permit is obtained.

2. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

3. There are no impacts to jurisdictional wetlands approved by the adoption of this Ordinance.

4. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
   - Digital photographs of the well along with nearby reference structures (if existing).
   - GPS coordinates (latitude/longitude) of the well.
   - The methodology used to secure the well during construction (e.g. fence, tape).
   - The final disposition of the well - used, capped, or plugged.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

None.

COMPLIANCE WITH LDC

<table>
<thead>
<tr>
<th>Standard(s) Required</th>
<th>Design Proposal</th>
<th>Compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUFFERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway Buffer</td>
<td>10 feet</td>
<td>Y</td>
<td>Meets minimum standards</td>
</tr>
<tr>
<td>SIDEWALKS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A five (5) foot sidewalk will be provided along S.R. 70 and C.R. 675 in compliance with Section 1001.6 of the Land Development Code.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

COMPLIANCE WITH THE LAND DEVELOPMENT CODE

General Development Plan (GDP) Review Criteria (LDC Section 321.3)
Criteria for Zoning Map Amendments (LDC Section 342.3)
General Design Requirements - Planned Development Site Plans (LDC Section 402.6)
PDC—Planned Development Commercial Standards (LDC Section 402.11.D)

The following represents an analysis of how the application achieves compliance with LDC Sections 321.3, 342.3, 402.6, and 402.11.D. The criteria below were used to evaluate each specific request for rezoning to
ensure compliance with the Comprehensive Plan and to establish stipulations to be adopted for Planned Development districts.

Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties / Compatibility (LDC Sections 342.3.A Criteria for Zoning Map Amendments and 402.6.D General Design Requirements for all Planned Development Site Plans):

The proposed General Development Plan is for a commercial development with a maximum square footage of 12,000 square feet. The list of potential uses is in Attachment 3. The allowable uses are meant to be neighborhood serving to provide for the surrounding residential areas.

Changes in Land Use or Conditions upon which the Original Zoning Designation was Based (LDC Section 342.3.B Criteria for Zoning Map Amendments):

The original zoning designation of the site is “A” General Agriculture. The request is to rezone the 1.54-acre parcel to PD-C (Planned Development-Commercial). The surrounding districts include A (General Agriculture) and PD-A (Planned Development Agricultural). The location of the property at an intersection of two thoroughfare roads changes the conditions upon which the original zoning designation was based. The nearest intersection of two thoroughfare roads is 2 miles to the east at Verna Bethany Road and State Road 70 and then 3 miles to the west at Bourneside Road and State Road 70, which has not been constructed.

Proposed GDP Consistent with the Comprehensive Plan and this Code / Consistency with the Current Comprehensive Plan (LDC Sections 321.1 GDP Review Criteria and 342.3.C Criteria for Zoning Map Amendments):

The historic agricultural character of this area has transitioned to suburban residential development in the last twenty years. Commercial development of the site will be designed to be in character with the surrounding developments. The comprehensive plan designation of AG-R (Agricultural – Residential) allows for an FAR of 0.23. The proposed 12,000 square feet is consistent with this FAR allowance for this site.

Health, Safety or Welfare of the Neighborhood and County (LDC Section 342.3.F Review Criteria for Zoning Map Amendments):

The proposed project will be on well and septic and will be subject to State of Florida regulations regarding septic tanks and public supply wells.

Proposed GDP Consistent with the Comprehensive Plan and this Code / Conformance with All Applicable Requirements of this Code (LDC Sections 321.3 GDP Review Criteria and 342.3.G Review Criteria for Zoning Map Amendments):

The applicant is not requesting any specific approvals to the Land Development Code. Therefore, all future development reviews will require compliance with the code as written.

Consistency with the Development Patterns in the Area and Appropriateness for Orderly Development of the Community / Physical Characteristics of the Site; Relation to Surrounding Property / Relationship to Adjacent Property (LDC Sections 342.3.H Review Criteria for Zoning Map Amendments and 402.6.A. and 402.6.G General Design Requirements for all Planned Development Site Plans):

The historic agricultural character of this area has transitioned to suburban residential development in the last twenty years. While this site is east of the FDAB (Future Development Area Boundary) line, it is in an area that has already developed with a suburban residential character. Existing roadways are sufficient to handle commercial development (as evidenced by the site meeting commercial locational criteria). Despite the residential development, few commercial uses are nearby to serve the residents, as shown below:

Nearest chain grocery store: Publix (SR 70 and Lakewood Ranch Boulevard)
Approximately 8 miles
Nearest restaurant: Dunkin Donuts and Rico’s Pizzeria (SR 70 and Lorraine Road)
Approximately 6 miles
Nearest gas station: Wawa, Shell, and Chevron (SR 70 and Lorraine Road)
Approximately 6 miles
Nearest drug store: Walgreen’s (SR 70 and Lorraine Road)

Conflicts with Existing or Planned Public Improvements / Availability of Public, Facilities / Relation to Public Utilities, Facilities and Services (LDC Sections 342.3.D and 342.3.E Review Criteria for Zoning Map Amendments and 402.6.B General Design Requirements for all Planned Development Site Plans):

The site is in an area of the County where some municipal services, utilities, and schools are existing.

There are no public sewer or water facilities available currently.

Public Safety

EMS will be provided by Manatee County Department of Emergency Medical Services and Fire Protection by the Myakka Fire Department. The Manatee County Sheriff’s Department provides law enforcement services.

Logical Expansion of Adjacent Zoning Districts (LDC Section 342.3.I Review Criteria for Zoning Map Amendments):

The surrounding area contains A and PD-A zoning districts. The area surrounding the site is residential development in an area transitioning from large lot residential properties to agricultural uses outside of the Urban Service Area. The area was originally platted for 10 to 40-acre tracts within Sections 19, 20, 21, 22, 23, 24, 26, 27, 28, 30, 31, 32, 33, and 34 and portions of Section 25, 29, 35, and 36 in Township 35 South, Range 20 East. The area was developed with large lot tracts in this area of the County. The Preserve at Panther Ridge and Concessions vacated portions of the Pomello Park plat for planned residential communities. In the original Preserve at Panther Ridge zoning approval, a 25-acre tract for 12,000 square feet of commercial development was envisioned. The proposed 12,000 square foot commercial development will utilize the existing road network and will provide neighborhood commercial services to support the existing residents.

Impact on Historic Resources (LDC Section 342.3.J Review Criteria for Zoning Map Amendments):

There are no known historic resources on the project site.

Environmental Impacts / Environmental Factors (LDC Sections 342.3.K Review Criteria for Zoning Map Amendments and 402.6.T General Design Requirements for all Planned Development Site Plans):

The project is required to provide 20% open space. There are no wetlands on site.

Types of Allowable Uses and Impact of Those on Surrounding Residential Areas (LDC Section 342.3.L Review Criteria for Zoning Map Amendments):

The proposed commercial development will provide employment opportunities and services for the existing residential uses surrounding the site. A list of proposed uses is included with this application. The proposed uses are allowable in the AG-R Future Land Use Category.

Relocation of Mobile Homeowners (LDC Section 342.3.M Review Criteria for Zoning Map Amendments):
There are no mobile homes located on this property; therefore, this is not applicable to this project.

Relation to Major Transportation Facilities (LDC Section 402.6.C General Design Requirements for all Planned Development Site Plans):

The subject property has access from County Road. County Road 675 is a four-lane collector in the Comprehensive Plan’s Future Traffic Circulation Plan. SR 70 is designated as a four-lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan. The right-of-way needs for SR 70 will be determined by FDOT as this is a state facility. Future right-of-way setbacks are shown on the General Development Plan for County Road 675.

The site is located at the intersection of two roadways classified as thoroughfares which makes it eligible for commercial development.

Transitions (LDC Section 402.6.E General Design Requirements for all Planned Development Site Plans):

The site is in an area that has transitioned from rural and agricultural use to suburban residential. As part of this transition, it is logical for neighborhood commercial to be located near the residential neighborhoods to serve residents.

Access / Streets, Drives, Parking and Service Areas (LDC Sections 402.6.H. and 402.6.I General Design Requirements for all Planned Development Site Plans):

The site will utilize a full access on County Road 675.

All streets and utilities will be designed to meet all Manatee County requirements and will require construction drawing approvals prior to construction.

Pedestrian Systems (LDC Section 402.6.J General Design Requirements for all Planned Development Site Plans):

There are no sidewalks near the site to connect to and pedestrian travel is unsafe on the roads nearby. Therefore, no sidewalks or pedestrian systems are proposed with this development.

Natural and Historic Features, Conservation and Preservation Areas (LDC Section 402.6.K General Design Requirements for all Planned Development Site Plans):

There are no known historic or archaeological resources within or adjacent to the project boundaries.

Density/Intensity (LDC Section 402.6.L General Design Requirements for all Planned Development Site Plans and 402.11.3.1 PDC – Planned Development Commercial):

The proposed GDP is consistent with the allowable intensity in the AG-R future land use category, which allows a FAR of 0.23. A square footage of 12,000 on the site is equal to a FAR of 0.23. However, NC-S (Neighborhood Commercial-Small) is the only commercial implementing zoning district in AG-R future land use (aside from Planned Development). In NC-S, square footage is limited to 3,000 square feet. The square footage limitation forces the applicant to Planned Development Commercial to achieve intensity that is aligned with the Future Land Use designation.

Height / Building Height (LDC Sections 402.6.M General Requirements for all Planned Development Site Plans and 402.7.D.9 PDR – Planned Development Residential):

The proposed height is a maximum of 3 stories, which is equal to the code allowance in NC-S (Neighborhood Commercial-Small). NC-S is an implementing zoning district in AG-R future land use and the zoning district that would be logical if the request were for a straight rezone.
Fences and Screening (LDC Section 402.6.N General Requirements for all Planned Development Site Plans):

Ten-foot landscape buffers are proposed along all roadways, as required by the LDC.


The following indicates the provided minimum dimensional standards.

Commercial:
   Front (CR 675, SR 70 and SR 70 Exit Lane): 30-feet minimum
   Side (north): 15-feet minimum

Trash and Utility Plant Screens (LDC Section 402.6.P General Design Requirements for all Planned Development Site Plans):

Since no information regarding this item is shown in this GDP, Stipulation A.4 is provided.

Signs (LDC Section 402.6.Q General Design Requirements for all Planned Development Site Plans):

Signs will be in accordance with LDC Section 600.

Landscaping (LDC Section 402.6.R General Design Requirements for all Planned Development Site Plans):

Landscaping will meet or exceed the standards stipulated within Section 701 of the Land Development Code.

Rights-of-Way and Utility Standards (LDC Section 402.6.U General Design Requirements for all Planned Development Site Plans):

All rights-of-way and utility improvements shall adhere to the requirements of the Manatee County Land Development Code and the Public Works Standards Manual.

Stormwater Management (LDC Section 402.6.V General Design Requirements for all Planned Development Site Plans):

Stormwater management facilities shall adhere to the requirements of Section 801, Stormwater Management, and the County’s administrative process. The Project is not located in the FEMA 2014 FIRM 100-year floodplain (Zone “X”). The project is not located in the County delineated 25-year floodplain.

PDC Standards (LDC Section 402.11D):

1. **Intensity.** PDC districts shall be permitted a range of floor area ratios, heights, and square footages. Review of the criteria contained in this Chapter and Chapter 3 shall provide a basis for intensity (floor area ratio, height and square footage) determinations.

   The requested square footage of 12,000 square feet represents a 0.23 FAR which is consistent with the AG-R future land use category. NC-S is the equivalent straight zoning district in the AG-R future land use category. However, NC-S is limited to 3,000 square feet while the maximum commercial size in the Agriculture-Rural future land use category is 30,000 square feet. The site is located at the intersection of two thoroughfare roads, making it ideal for commercial development and access. The project will be no higher
than 3 stories in accordance with the NC-S standards.

2. **Landscaped Open Space and Pervious Area Requirements.** For projects outside the watershed overlay districts, at least twenty (20) percent of the land area of the district shall be reserved for landscaping and permeable open space, and shall be improved and maintained accordingly. For projects within the watershed overlay districts, the requirement shall be thirty (30) percent for all non-residential projects.

The site plan indicates that 20% open space will be provided.

3. **Yards and Setbacks.** Yard and setback requirements shall be established for each PDC district which promote general health, safety, welfare, design excellence and neighborhood compatibility. A minimum front yard of thirty (30) feet shall be required along all thoroughfare streets and thirty-five (35) feet along all local streets. A side setback of fifteen (15) feet is required. A rear yard setback of twenty (20) feet is required.

The applicant has committed to the following setback standards for the site. Because there are three front yards, the remaining yard is a side yard.

- Front (CR 675, SR 70 and SR 70 Exit Lane): 30-feet minimum
- Side (north): 15-feet minimum

**Consistency with the Planned Development Districts Standards Contained in Chapter 4 – General Design Requirements for all Planned Development Site Plan and Planned Development Residential (LDC Section Review Criteria for Zoning Map Amendments 342.3.N):**

The LDC Sections for the General Design Requirements for all Planned Development Site Plans (LDC Section 402.6) and Planned Development Commercial (402.11.D. (PDC)) are contained within this Section of the Staff Report. Refer to the specific criteria for the analysis and information.

**Any Other Matters which may be Appropriate for Consideration Pursuant to this Code, the Comprehensive Plan or Applicable Law (LDC Section 342.3.O Review Criteria for Zoning Map Amendments):**

There are no other matters to be considered.

**COMPLIANCE WITH COMPREHENSIVE PLAN**

The site is in the AG-R (Agricultural-Rural) Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

**Policy 2.1.2.7 Appropriate Timing.**
The proposed rezoning with GDP is appropriately timed to provide a commercial use in an area with significant low-density residential development that is underserved by commercial. The nearest non-residential use is approximately 6 miles from the subject site. The site is two miles east of the Future Development Area Boundary.

**Policy 2.2.1.12.1 and 2.2.1.8.1 - Intent.**
The intent of the AG-R Future Land Use Category is to identify areas with a long-term agricultural or rural character. It is used for areas outside of urban services. The proposed project meets the intent by seeking to introduce a commercial use for the use of local residents.

**Policy 2.2.1.12.2 and 2.2.1.8.2 - Range of Potential Uses.**
Support neighborhood commercial is within the range of potential uses in the AG-R Future Land Use Category.

**Policy 2.6.1.1 Compatibility.**
The proposed development is in an area of primarily low density residential. The site is bordered by thoroughfare
roads and not directly adjacent to residences. However, landscaped buffers are provided on the GDP.

**Policy 2.6.5.4 Preserve/Protect Open Space.**

The GDP indicates that a minimum of 20% of the commercial area will be preserved as open space, as required by the code.

**Policy 2.1.1.4. Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.**

The proposed zoning map amendment represents an intensity that will allow for commercial development at the intersection of two thoroughfare roads and will provide non-residential services to an existing low-density, rural community that is served by some public facilities (schools and transportation).

**Policy 2.1.2.4. Limit urban sprawl through consideration of new and redevelopment when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.**

While the site is east of the Future Area Development Boundary, the site is in an area that has been developed with low-density residential which is underserved by non-residential uses. Therefore, this proposed development is a contiguous expansion of the presently built environment.

### TRANSPORTATION

**Major Transportation Facilities**

The site is located north of SR 70 in the apex of CR 675 where it intersects SR 70. CR 675 is designated as a four-lane collector roadway with a planned right of way width of 120 feet in the Comprehensive Plan’s Future Traffic Circulation Plan. SR 70 is designated as a four-lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan. The right-of-way needs for SR 70 will be determined by FDOT as this is a state facility.

**Transportation Concurrency**

The Applicant is seeking an approval for a rezoning and a General Development Plan (GDP) approval at this time and cannot obtain concurrency until Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic study to determine if any off-site concurrency-related improvements are required to mitigate the development’s impacts. The applicant did provide a Traffic Impact Statement (TIS) for the rezoning application to gauge the maximum impacts associated with allowable uses. Based on the study, it appears the potentially impacted segments of SR 70 and CR 675 will have sufficient capacity for the proposed project traffic (see Certificate of Level of Service Compliance table below).

**Access**

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

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

| CLOS APPLIED FOR: | No (A CLOS cannot be issued with a GDP) |
| TRAFFIC STUDY REQUIRED: | Yes (A traffic impact summary was submitted and reviewed; however, a traffic study will be required at PSP or FSP) |

<table>
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<th>Future LOS (W/Project)</th>
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<tr>
<td>CR 675</td>
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## OTHER CONCURRENCY COMPONENTS

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

### ATTACHMENTS
1. Staff Report Maps
2. General Development Plan
3. Schedule of Permitted and Prohibited Uses Exhibit B
4. Traffic Impact Statement
5. Project Narrative
6. Zoning Disclosure Affidavit
7. Table 4-1 - allowable uses in A zoning district
8. Newspaper Advertising
9. Ordinance PDC-19-08(Z)(G)
10. Letter from Applicant - changes since last hearing
11. Public Comments