

**Board of County Commissioners.:** 01/09/2020

**PA-19-02 / ORDINANCE 19-21**  
**OUR LIVES / PARRISH LAND INVESTMENTS LLC**  
**(LARGE SCALE MAP AMENDMENT)**  
**(PLN1902-0234)/DEO#19-03ESR**

Adoption of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, regarding Comprehensive Planning, amending Manatee County Ordinance No. 89-01, as amended (the Manatee County Comprehensive Plan); providing a purpose and intent; providing findings; providing for a privately-initiated map amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the RES-3 (Residential 3 du/acre) (approximately 40 acres) Future Land Use Classification to the MU (Mixed Use) Future Land Use Classification; said property is generally located south of 29<sup>th</sup> Street East approximately 1400 feet east of Ellenton Gillette Road, Palmetto (Manatee County); providing for severability and providing for an effective date.

**Planning Commission:** 09/12/2019  
**Board of County Commission Transmittal:** 10/03/2019  
**Board of County Commission Adoption:** 12/05/2019, 01/09/2020

**RECOMMENDED MOTION:**

Based on the evidence presented, comments made at the Public Hearing, the technical support documents, the action of the Planning Commission, and finding the request to be **CONSISTENT** with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, I move to **ADOPT** Plan Amendment PA-19-02/Ordinance 19-21, as recommended by the Planning Commission.

**(Commissioner Trace)**

**PLANNING COMMISSION ACTION:**

On September 12, 2019, by a vote of 7 – 0, the Planning Commission recommended transmittal.

**BOARD OF COUNTY COMMISSIONERS ACTION:**

On October 3, 2019, by a vote of 6 – 1, the Board of County Commissioners transmitted to the Florida Department of Economic Opportunity. Commissioner Trace voted nay because she is not in favor of the high density on this site.

On December 5, 2019 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 at the Manatee County Government Administration Building, First Floor, Patricia M. Glass Chambers.

**PUBLIC COMMENT AND CORRESPONDENCE:**

**September 12, 2019 Planning Commission**

**There was no public comment.**

**Revisions to staff report and school report were entered into the record.**

**October 3, 2019 Board of County Commissioners**

**Public Comment:**

**Felicia Silpa, 29<sup>th</sup> Street East resident, expressed concerns with 29<sup>th</sup> Street East and archeological aspects.**

**Kathy Whitlow, area resident, expressed concern with the site being sold, Big Chimney Drain Watershed Study was completed, the condition of Ellenton-Gillette Road, lack of reorganization, burden of proof, lack of impact statement, design of the project, empty office spaces on Ellenton-Gillette and lack of safe road facilities.**

**December 5, 2019 Board of County Commissioners**

**There was no public comment. A revised School Report and Traffic Impact Statement was entered into the record.**

**AGENCY COMMENTS:**

**The Florida Department of Economic Opportunity, by a letter dated October 23, 2019 had no comments.**

**The Florida Department of Agriculture and Consumer Services, by a letter dated November 8, 2019 had no comment regarding any potential adverse impact to important state resources or facilities related to agricultural, aquacultural, or forestry resources.**

**The Florida Department of Historical Resources by a letter dated November 8, 2019 offered comments to the County.**

**The Florida Department of Transportation by a letter dated October 25, 2019, offered three Technical Assistance Statements.**

**The Florida Department of Environmental Protection, by email dates November 6, 2019, found no provision that would result in adverse impacts to important state resources.**

**The Southwest Florida Water Management District, by a letter dated November 8, 2019, offered three technical assistance comments.**

**Tampa Bay Regional Planning Council, by a report sent October 24, 2019 had no comments or technical assistance comments.**

## **PLAN AMENDMENT SUMMARY SHEET**

**Name/Applicant:** Parrish Land Investments LLC

**Case Number:** PA-19-02 / Ordinance 19-12 (PLN1902-0234)

**Request:** Amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from the RES-3 (Residential 3 du/acre) (approximately 40 acres), Future Land Use Classification to the MU (Mixed Use) Future Land Use Classification].

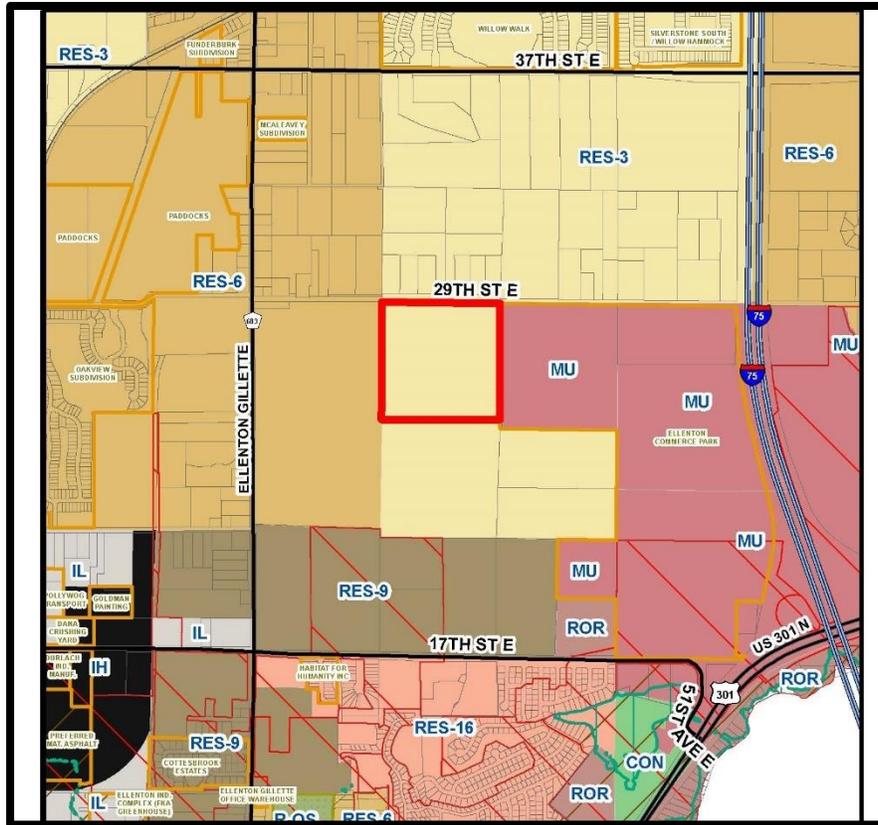
**Location:** South of 29<sup>th</sup> Street East, approximately 1400 feet east of Ellenton Gillette Road, Palmetto

**Type:** Large Scale Map

**Recommendation:** ADOPTION

## **REQUESTED PLAN AMENDMENT**

The Applicant (Parrish Land Investments, LLC) is requesting a Comprehensive Plan Map Amendment from the existing Future Land Use Categories of Res-3 (Residential-3 dwelling units per acre/ 40 acres), to MU (Mixed Use) (large scale map amendment), The site is located South of 29th Street East, approximately 1400 feet east of Ellenton Gillette Road, Palmetto.



The site is currently vacant and was the subject of a rezone in 2006 from A-1 (Suburban Agriculture) to PDR (Planned Development Residential) and had an associated plan approved with 457 residential dwelling units. The property is zoned PDR but the associated site plan has expired.

With the adoption of the 1989 Comprehensive Plan, the RES-3 future land use designation was impressed on this property. Refer to Table 1 for existing and proposed FLUC and site and adjacent properties FLUC / Zoning / and Uses.

The MU FLUC has been used sparingly throughout Manatee County. The reluctance to use this FLUC has centered on the fact that this category allows for the most intense floor area ratio and a higher residential density. A review of developed areas throughout Manatee County will show that these increased floor areas and increased densities have not materialized. It has been used, in fact, to merely achieve a planned area with horizontally and vertically integrated land uses.

The subject lands are presently mapped as residential. While the FLUC would allow a minor amount of non-residential development, its location and size are restricted (i.e. meeting commercial locational criteria). Expanding the area mapped as MU to include the subject lands will allow for a mixture of uses consistent with the stated goals found elsewhere in the Comprehensive Plan. Any future development under the MU FLUC would be subject to all policies of the Comprehensive Plan, including those found in Goal 2.10 (Policy 2.10.3.3) which would limit the square footage and type of commercial development based upon the project's lack of frontage on an arterial roadway.

The area presently mapped as MU, covering the northwest and the northeast quadrant of Interstate 75 and US 301, is dominated by regional commercial and highway oriented commercial development. The recently adopted Ordinance, 18-39, expanded the MU lands to accommodate an employment-based land use. In order to achieve the goals and implement the policies of the MU, land for residential development should be included in the quadrant of MU.

**TABLE 1  
EXISTING FLUCS –VS- PROPOSED FLUC**

	<b>Existing FLUC</b>	<b>% of Total Site</b>	<b>Proposed FLUC</b>	<b>% of Total Site</b>
<b>RES-3 (Residential – 3)</b>	40 acres	25%	-	-
<b>MU (Mixed Use)</b>	-	-	40 acres	25%
<b>Total Site (Acreage)</b>	160 acres			

**RES-3 (RESIDENTIAL-3) - Existing Future Land Use Designation**

**Policy 2.2.1.10.** RES-3: Establish the Residential-3 future land use category as follows:

**Policy 2.2.1.10.1.** Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas primarily developed with low density suburban uses, preferably clustered to protect the environment, preserve open space, and/or to allow the continued operation of short-term agricultural activities.

**Policy 2.2.1.10.2.** Range of Potential Uses (see Policies 2.2.1.5, 2.1.2.3—2.1.2.7): Primarily low density suburban residential and short-term agriculture uses, with support neighborhood commercial, public/semi-public, recreation and school uses.

**Policy 2.2.1.10.3.** Range of Potential Density/Intensity:

Maximum gross residential density:

3 dwelling units per acre.

6 dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the total dwelling units as "Affordable Housing." Properties within the CEA and CHHA are not eligible for this additional density.

Minimum gross residential density:

2.5 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:

6 dwelling units per acre.

9 dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."

Maximum "net" densities shall not apply to clustered development in the WO or CHHA Overlay Districts (see Policies 2.3.1.5 and 4.3.1.5).

Maximum floor area ratio:

0.35.

1.00 inside the UIRA.

Maximum Square Footage for Neighborhood Commercial Uses:

Medium (150,000 square feet), subject to the Commercial Locational Criteria (see Objective 2.10.4 and Land Use Operative Provisions chapter).

### **MU (MIXED USE) – Proposed Future Land Use Designation**

**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, areas which are established as major centers of suburban/urban activity and are limited to areas with a high level of public facility availability along functionally classified roadways. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and nonresidential uses within these areas, 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): Retail, wholesale, office uses, light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses.

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

Maximum Gross Residential Density:

9 dwelling units per acre; thirty (30) along Urban Corridors (forty (40) dwelling units per acre if a density bonus is approved).

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 (20) dwelling units per acre

Twenty-four (24) dwelling units per acre within the UIRA for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."

Net densities shall not apply along Urban Corridors.

Maximum Floor Area Ratio:

1.0 (2.0 along designated Urban Corridors if a FAR bonus is approved).

2.0 inside the UIRA.

Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses:

Large (three hundred thousand (300,000) square feet), except along Urban Corridors where the size of development shall be limited by the FAR noted above.

Policy 2.2.1.21.4. Other Information:

(a) All projects require special approval, unless the project is located within a designated Urban Corridor or the UIRA.

(b) All projects are subject to the following criteria, except for:

(1) Individual single family dwellings located on a lot of record; and

(2) Developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

(c) Nonresidential uses exceeding one hundred thousand (150,000) square feet of gross building area (region-serving uses) may be considered only if consistent with the requirements for large commercial uses, as described in this element.

(1) 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:

- 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.

(2) 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.

## LEGISLATIVE POLICY DECISION

The legislative policy decision of the Board of County Commissioners is to determine whether the Proposed Map Amendment to MU (Mixed Use) is in the best interest of the public considering:

- Is the proposed Map Amendment compatible with the development trends in the area of consideration?
- Is the proposed Map Amendment compatible with surrounding uses and densities or intensities?

The Board of County Commissioners should make this decision based upon a comparison of the range of uses allowed in each Future Land Use designation.

An amendment of any part of the Comprehensive Plan is a legislative decision by the Board of County Commissioners, which shall be reviewed first by the Planning Commission (Policy C.2.3.2)

The immediate area contains two major transportation routes, Interstate 75 and US 301.



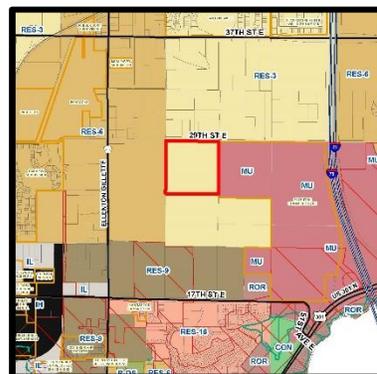
portions of Manatee County.

While these roadways are designed as major arterials, they carry a substantial amount of local traffic. The transportation network in the immediate area is constrained on the south by the Manatee River and in the east/west by the location of the Interstate. As both of these features (the river and Interstate) are difficult and expensive to cross, there are limited locations for parallel facilities. As shown in the graphic of existing thoroughfare roadways, while 29<sup>th</sup> Street East exists on both sides of the Interstate, there is no connection. Residents or employees within the northwest quadrant must travel south to US 301 or north to Mendoza Road to reach the commercial opportunities located east of the Interstate and often travel south on Interstate 75 to reach central and southern

In testimony given at the public hearing for the recently adopted Ordinance 18-39, a FLUM amendment to MU, it was stated that the employment creation would be 800 jobs. Introduction of major employment in this area is cause to review the existing FLUM and determine changes that may be more appropriate for future development. The lack of transportation infrastructure is a driving force in this evaluation. Interstate 75

experiences substantial congestion especially in the am and pm peak hours. In the most recent report from the Office of Economic and Demographic Research for the State of Florida, the mean travel time to work for residents of Manatee County is over 25 minutes.

The current FLUM designations in the northwest quadrant, outside of the recently expanded MU, do not exhibit a desirable land use pattern that will reduce vehicle trips on US 301 and Interstate 75. Low density residential development with limited non-residential development opportunities only in areas meeting locational criteria creates an undesirable pattern.



The area currently mapped as MU is dominated by regional commercial uses with some community serving uses that also serve the traveling public (e.g. restaurants, gas stations) at this interstate interchange. The recently adopted Ordinance 18-39 intends to add to this MU area employment-based land uses such as warehouses and distribution centers. Policy 2.2.1.21.4. (c)(1) requires that MU designated areas contain at least three land use categories. At present, this MU area (both east and west of Interstate 75) contains no residential development.

One of the challenges in adopting a Comprehensive Plan FLUM is trying to reach the right balance between recognizing an established land use pattern and creating a desirable pattern for future development that accomplishes the goals of the County. This is one of the reasons we must periodically evaluate a Comprehensive Plan. Traditionally in Manatee County, amendments to the FLUM have been privately initiated, whereas, the County's evaluation has been more policy focused.

*Staff recommends transmittal of this amendment request.*

**LAND USE CHARACTERISTICS AND DEVELOPMENT TRENDS**

**TABLE 2  
CURRENT LAND USES**

	<b>Zoning</b>	<b>FLUC</b>	<b>Use</b>
SITE	PDR	RES-3	Vacant
NORTH	A-1	RES-3	Vacant and residential
SOUTH	PDR	RES-3	Vacant
EAST	PDMU	MU	Industrial
WEST	PDR	RES-6	Vacant

**DEVELOPMENT HISTORY**

**1990 Land Development Code Zoning Designation**

A-1 Suburban Agriculture

**1989 Comprehensive Plan Future Land Use Designation**

RES-3 (Residential-3)

**Existing Zoning and Future Land Use Designation**

Zoning PDR (2006 Planned Development Residential)

FLUC RES-3 (Residential-3)

**SUMMARY**

<b>POSITIVE ASPECTS</b>
<ul style="list-style-type: none"> <li>Expanding the area mapped as MU to include the subject lands will allow for a mixture of uses consistent with the stated goals found elsewhere in the Comprehensive Plan.</li> <li>Applying the MU designation in a broader area may be a better option for a flexible land use pattern on not only the subject 40 acres, but the entire quadrant.</li> </ul>
<b>NEGATIVE ASPECTS</b>
<ul style="list-style-type: none"> <li>The intensity and range of uses allowable under the MU FLUC may be incompatible with adjacent residential activities, including potential negative impacts as light, glare, and noise.</li> <li>The proposed change has the potential to increase public utilities usage.</li> </ul>

### MITIGATING FACTORS

- Any future development under the MU FLUC would be subject to all policies of the Comprehensive Plan, including those found in Goal 2.10 (Policy 2.10.3.3) which would limit the square footage and type of commercial development based upon the project's location.

## PLAN AMENDMENT DETAILED REVIEW / LAND PLANNING ANALYSIS

### TRANSPORTATION

#### Major Transportation Facilities

The site is located east of Ellenton Gillette Road, north of 17<sup>th</sup> Street East (Memphis Road), on the south side of 29<sup>th</sup> Street East. In the Comprehensive Plan's Future Traffic Circulation Plan, the adjacent thoroughfares are designated as follows:

- 29<sup>th</sup> Street East: two-lane collector with a planned right of way width of 84 feet.

#### Transportation Concurrency

The Applicant is seeking a Plan Amendment (PA) approval at this time and cannot obtain concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project.

For the plan amendment, the applicant submitted a generalized analysis of additional transportation impacts potentially arising from the change in land use. The analysis was based on a short-range scenario that considers existing and fully funded roads within the impact area and a long-range analysis that considers all planned roads.

The short-range analysis results, which are comparable to a preliminary transportation concurrency summary, are presented in the Certificate of Level of Service Compliance table below. Conclusions of the short-range analysis indicated improving Ellenton Gillette Road from a two-lane roadway to a four-lane roadway may be needed.

The long-range analysis indicated US 301 may operate with capacity deficiencies as a four-lane roadway and transportation system management (TSM) measures and additional non-vehicular mobility options may be needed.

For both scenarios, the approved study conclusions are that the potentially impacted segments of 29<sup>th</sup> Street East will have sufficient capacity for proposed project traffic as a two-lane roadway. When a future application includes a request for transportation concurrency approval, the applicant shall submit a detailed traffic analysis to determine if any off-site improvements are required to mitigate project impacts.

If approved, the amendment will allow for a mix of residential, commercial, and industrial uses in an area with previously approved industrial uses. In addition to capacity analysis, future transportation studies should include consideration of safe and operational efficient multi-modal transportation in this environment. Often expressed as a balance between “livability and freight mobility,” a point of emphasis is how pedestrians and bicyclists can safely operate in the same transportation space as commercial and industrial heavy vehicles.

**Access**

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

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

**CLOS APPLIED FOR:** No (A CLOS cannot be issued with a PA)  
**TRAFFIC STUDY REQUIRED:** Yes (A TIS was submitted and reviewed; however, a detailed study will be required at PSP or FSP)

<b>NEAREST THOROUGHFARE</b>	<b>LINK</b>	<b>ADOPTED LOS</b>	<b>FUTURE LOS</b>
Canal Road (16 <sup>th</sup> Avenue East)	2260	D	D
Ellenton Gillette Road	2240	D	F
Ellenton Gillette Road	2435	D	F
Ellenton Gillette Road	2436	D	D
17 <sup>th</sup> Street East (Memphis Road)	2670	D	C
17 <sup>th</sup> Street East (Memphis Road)	2680	D	C
17 <sup>th</sup> Street East (Memphis Road)	2690	D	C
Mendoza Road (37 <sup>th</sup> Street East)	2710	D	C
Mendoza Road (37 <sup>th</sup> Street East)	2720	D	C
US 301	3390	D	D
US 301	3391	D	C
US 301	3392	D	D

**OTHER CONCURRENCY COMPONENTS**

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

## UTILITIES

As shown below in Tables 3 and 4, a change in Future Land Use designation from RES-3 to MU has the potential to increase the demand of water and the amount of wastewater collection and treatment, as well as the waste generation as shown below. Utilities will need to be extended to the project site.

**TABLE 3  
CURRENT FUTURE LAND USE (RES-3) ANALYSIS**

FLUC	Acres	Dwelling units/ FAR	Maximum Dwelling Units (DU) / Square Feet	PPH	Total Capita	GPD Potable Water	TOTAL GPD Potable Water	GDP S/S <sup>1</sup>	TOTAL GPD S/S	TOTAL CYPD Solid Waste
RES-3 (Residential 3)	40.0	3 du/ ac	120 du	3	360	32.5	23,400	32.5	23,400	1.35
		0.35 FAR	150,000 Square Feet			0.24	36,000	0.2	30,000	1.25
TOTAL ALLOWABLE UNDER CURRENT LAND USE GPD/CYPD							<b>59,400</b>		<b>53,400</b>	<b>2.6</b>

<sup>1</sup>Sanitary Sewer

**TABLE 4  
PROPOSED MIXED USE (MU) ANALYSIS**

FLUC (calculated at 25% for each use)	Acres	Density/ Intensity	Max. Dwelling Units / Square Feet	PPH	Total Capita	GPD Potable Water	TOTAL GPD Potable Water	GDP S/S <sup>1</sup>	TOTAL GPD S/S	TOTAL CYPD Solid Waste
Residential (25%)	10.0	12.0 du/ac	120 units	3	360	16.25	23,790	16.25	23,790	1.37
Office (25%)	10.0	1.00 FAR	435,600 Square Feet			0.06	104,544	0.05	87,120	3.63
Retail (25%)	10.0	1.00 FAR	435,600 Square Feet			0.03	52,272	0.025	43,560	14.52
Industrial (25%)	10.0	1.00 FAR	435,600 Square Feet			0.125	217,800	0.1	174,240	7.26

TOTAL	40.0	-	120 units 1,306,800 Square Feet				398,406		328,710	26.78
<b>TOTAL <u>POTENTIAL</u> GPD/CYPD</b>							<b>398,406</b>		<b>328,710</b>	<b>26.78</b>
<b>TOTAL <u>CURRENT</u> GPD/CYPD BASED ON HIGHEST POTENTIAL</b>							<b>59,400</b>		<b>53,400</b>	<b>2.6</b>

**TABLE 5  
PROJECTED STUDENTS FOR PLAN AMENDMENT ACREAGE<sup>1</sup>**

LAND USE	DWELLING UNITS PER ACRE	TOTAL DWELLING UNITS	Elementary Students	Middle Students	High Students	TOTAL STUDENTS
Current-RES-3 (Residential-3) 40-acres	3.0	120	23	10	7	40
Proposed-MU (Mixed Use) 40-acres	12.00	480	93	40	28	161
<b>TOTAL INCREASE / (DECREASE)</b>		<b>360</b>	<b>70</b>	<b>30</b>	<b>21</b>	<b>121</b>

<sup>1</sup>Projected student population provided by the Manatee County School District

The 2019-20 School Attendance Zones for this property are: Blackburn Elementary, Buffalo Creek Middle and Palmetto High School. The site is located within School Service Area 1. In addition to previously mentioned schools, the following schools are located within School Service Area 1:

Elementary

- Barbara Harvey Elementary
- James Tillman
- Palm View
- Virgil Mills
- Palmetto

Middle

- Buffalo Creek

High

- Palmetto High School
- Parrish Community High School

Conversion Charter Middle School

- Lincoln Middle

### Miscellaneous

- Manatee School for the Arts
- Palmetto Charter
- Imagine Charter School at North Manatee

The School Board of Manatee County and Manatee County Government have adopted a school concurrency management system and the development is required to obtain a Certificate of Level of Service for Public School Facilities upon submission of an application for horizontal or vertical construction approval (Final Site Plan or equivalent).

### **TRANSIT**

Service to this area is currently available via Route 1 with a bus stop located at the intersection of US 301 and Ellenton Gillette Road, approximately  $\frac{3}{4}$  mile from the project site. The route serves downtown Bradenton and Ellenton Outlet Mall with several locations between.

### **PARKS**

Manatee County has established a Level of Service in its Comprehensive Plan of one local park per 10,000 residents, one district park per 100,000 residents and one regional park per 500,000 residents.

Parks within a five-mile radius of the site include the following state, county or city owned and maintained parks:

- Gamble Plantation Historic State Park
- Blackburn Tennis Courts
- Lincoln Community Park
- Sylvan Oaks Park
- Bennett Park
- Heritage Harbour Park
- Felts Audubon Preserve
- Palmetto Estuary Preserve (City of Palmetto)
- Lamb and Sutton Parks (City of Palmetto)
- Blackstone Park
- Hidden Lake Park (City of Palmetto)
- Hydrant Park (City of Palmetto)
- Taylor Park (City of Palmetto)
- Palmetto Tennis Courts
- Buffalo Creek Park
- Buffalo Creek Golf Course
- Bradenton Waterfront Rossi Park
- Manatee Mineral Springs
- Manatee Village Historic Park
- Riverside Park / Boat Ramp (City of Palmetto)

## **NATURAL FEATURES**

**Soils.** According to the current Natural Resources Conservation Service (NRCS) web soil survey <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx> for Manatee County, there are seven (7) soil types found within the project boundary. Please see the attached NRCS Soils Map. Soils found on site are listed below:

- 5 Bradenton fine sand, limestone substratum
- 13 Chobee loamy fine sand, frequently ponded, 0 to 1% slopes
- 14 Chobee variant sandy clay loam
- 20 EauGallie fine sand, 0 to 2 percent slopes
- 26 Floridana-Immokalee-Okeelanta association
- 42 Pomello fine sand, 0 to 2 percent slope
- 48 Wabasso fine sand

## **WETLANDS/NATURAL RESOURCES**

**Freshwater Marsh (FLUCCS 640) – less than 1 acre.** The site contains approximately 19.96 acres of freshwater marsh. Vegetation in these wetlands is comprised of soft rush (*Juncus effusus*), smartweed (*Polygonium* sp), primrose willow (*Ludwigia peruviana*), maidencane (*Panicum hemitomon*), fire flag (*Thalia geniculata*), and tropical soda apple (*Solanum viarum*).

## **STORMWATER / DRAINAGE / FLOODPLAIN**

**Project Located in Flood Prone Area:** Yes

**Type of Flooding (i.e. rainfall, riverine, storm surge, etc.):** Rainfall

**Project Subject to flow reduction:** Yes, a 50% reduction in the allowable pre-development rate of discharge is required for this proposed development.

**Project subject to OFW:** N/A

**Watershed/Basin:** Big Chimney Drain; Ellenton Cemetery (Mansion Memorial Park) Drain

**Project located within Floodplain and/or Floodway:** Project area is partially located within the FEMA 2014 FIRM 100-year floodplain (Zone “A”). The Base Flood Elevation shall be determined for areas designated as Zone “A”. Project area is outside of the limits of the County 25-year Floodplain Study for Big Chimney Drain.

## **BEACH ACCESSIBILITY EVALUATION**

The plan amendment site is located inland; therefore, beach access considerations are not applicable.

## **HISTORIC RESOURCES**

There are no known historic features or archaeological resources on the property.

If any significant historical or archaeological resource is discovered in the future, during development activities, the findings shall be immediately reported to the Florida Division

of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities can continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statutes (Offences Concerning Dead Bodies and Graves) shall be followed.

**HABITAT FOR ENDANGERED, THREATENED, OR SPECIAL CONCERN SPECIES**

**Listed Species.** Original preliminary wildlife and habitat assessments was conducted on this property in both the summer and winter months of 2003. An updated assessment was conducted by E Co Consultants, Inc. in May 15, 2018. The updated assessment included site visits and data research.

E Co environmental scientists reviewed online listed species databases to identify species known to exist within the project's geographic area, including the Florida Native Areas Inventory (FNAI) Biodiversity Matrix and the Florida Fish and Wildlife Conservation Commission (FWC) Eagle Nest Locator.

FNAI Biodiversity Matrix

In addition to the previous listed species evaluations conducted on the site, the FNAI Biodiversity Matrix was consulted to determine documented, likely, and/or potentially occurring rare plants, animals, and natural communities in the vicinity of the project area. The most “likely” species to occur in the vicinity of the project as listed by FNAI (Matrix Unit 24688) is the Wood Stork (*Mycteria americana*).

The table below lists both the species that are likely and or have a potential to utilize the project area, results of the preliminary surveys, and results from the updated survey.

**TABLE 6  
LISTED SPECIES**

Common Name	Scientific Name	Federal/State Status	Likelihood of Occurrence	Results of Updated Survey
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Migratory Bird/X	Not Observed.	No nests identified by FWCC or during site visit.
Wood Stork	<i>Mycteria americana</i>	E/T	Likely (FNAI)	Not observed.
Gopher Tortoise	<i>Gopherus polyphemus</i>	X/T	Potential; One active and one abandoned burrow previously identified.	Not observed.
Eastern Indigo	<i>Drymarchon couperi</i>	T/T	Potential (FNAI)	Not observed.
Sherman's Fox Squirrel	<i>Sciurus niger sbermani</i>	X/SSC	Potential (FNAI)	Not observed.
Sandhill Crane	<i>Grus canadensis pratensis</i>	X/T	Inactive nest identified during previous evaluation.	Not observed.

**URBAN DEVELOPMENT CONSIDERATIONS**

**Urban Sprawl Analysis.** The current Future Land Use Categories RES-3 (Residential-3) have the potential for up to 3 du/acre (120 residential units and 360 persons) and

0.35 FAR (maximum of 150,000 square feet) of non-residential uses to be located on the overall property using the maximum allowable density and intensity within each portion of the site as is shown on the chart below.

The proposed MU future land use designation has the potential for up to 12 du/acre (480 residential units [40 acres x 12] and 1440 persons [480 units x 3 persons/unit) and 1.00 FAR (1,742,400 square feet) of non-residential uses. For purposes of Population Projections, both the number of residential uses and the square footage of non-residential uses assumes that the entire 40-acres are developed only with residential uses or only with non-residential uses (see Table 7 below).

**TABLE 7  
URBAN SPRAWL ANALYSIS**

<b>Existing FLU designation</b>		<b>Maximum Dwelling Units (3 persons/DU)</b>
RES-3	40 acres x 3 du/ac	120 units (360 persons)
		120 units (360 persons)
<b>Proposed FLU designation</b>		
MU	¼ of the parcel (10 acres x 12 du/acre)	120 units (360 persons)
	½ of the parcel (20 acres x 12 du/acre)	240 units (720 persons)
	100% of the parcel 40 acres x 12 du/acre)	480 units (1,440persons)
Maximum Potential Increase in Dwelling units		<b>360 units (1080 persons)</b>

<b>Existing FLU designation</b>		<b>Maximum Square Footage</b>
RES-3	40 acres x 43,560 x 0.35	609,840 square feet
<b>Proposed FLU designation</b>		
MU	40 acres x 43,560 x 1.00 (office, retail, and industrial)	1,742,400 square feet
Maximum Potential Increase in Square Footage		<b>1,132,560 square feet</b>

Given that the site could be entirely developed with residential uses, the maximum number of allowable residential units will be 480 units (1,440 persons) equivalent to an increase of 360 units (1,080 persons).

The project site is located within Subarea 1 which has a 2020 estimated population projection of 24,240 residents, and a projected population of 28,389 by year 2035. The potential population increase of 1,080 persons if the proposed plan amendment request from RES-3 to MU is approved represents 26% of the total projected population for the Subarea 1 in 2035. The proposed population can be accommodated in the Subarea 1 and is consistent with the overall projection of the subarea.

The proposed plan amendment may have the impact of reducing urban sprawl by:

- Discouraging “leap frog” development by concentrating urban development at locations adjacent to existing development.
- Maximizing the use of existing infrastructure, and
- Timing of potential development.

## **CONSISTENCY OF THE PROPOSED AMENDMENT WITH THE MANATEE COUNTY COMPREHENSIVE PLAN**

**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, areas which are established as major centers of suburban/urban activity and are limited to areas with a high level of public facility availability along functionally classified roadways. Also, to provide incentives for, encourage, or require the horizontal or vertical integration of various residential and nonresidential uses within these areas, 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):**

Retail, wholesale, office uses, light industrial uses, research/corporate uses, warehouse/distribution, suburban or urban residential uses, lodging places, recreational uses, public or semi-public uses, schools, hospitals, short-term agricultural uses, other than special agricultural uses, agriculturally-compatible residential uses, and water-dependent uses.

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

Maximum Gross Residential Density:

9 dwelling units per acre; thirty (30) along Urban Corridors (forty (40) dwelling units per acre if a density bonus is approved).

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 (20) dwelling units per acre

Twenty-four (24) dwelling units per acre within the UIRA for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."

Net densities shall not apply along Urban Corridors.

Maximum Floor Area Ratio:

1.0 (2.0 along designated Urban Corridors if a FAR bonus is approved).

2.0 inside the UIRA.

Maximum Square Footage for Neighborhood, Community, or Region-Serving Uses:

Large (three hundred thousand (300,000) square feet), except along Urban Corridors where the size of development shall be limited by the FAR noted above.

**Policy 2.2.1.21.4. Other Information:**

(a) All projects require special approval, unless the project is located within a designated Urban Corridor or the UIRA.

(b) All projects are subject to the following criteria, except for:

(1) Individual single family dwellings located on a lot of record; and

(2) Developed without generating a requirement for either subdivision review, or final site or development plan review, or equivalent development order review.

(c) Nonresidential uses exceeding one hundred thousand (150,000) square feet of gross building area (region-serving uses) may be considered only if consistent with the requirements for large commercial uses, as described in this element.

(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:

- 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.

(2) 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.

**Applicant Response:** The area presently mapped as MU, covering the northwest and the northeast quadrant of Interstate 75 and US 301, is dominated by regional commercial and highway oriented commercial development. The recently adopted Ordinance, 18-39, expanded the MU lands to accommodate an employment-based land use. In order to achieve the goals and implement the policies of the MU, land for residential development should be included in the quadrant of MU. The 40 acre parcel is included in a 160 acre that is under single ownership and has the opportunity to create a transition of uses to the west and to provide complimentary support uses within the northwest quadrant that will serve to reduce trips along US 301 and Interstate 75.

**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.

**Applicant Response:** The area presently mapped as MU, covering the northwest and the northeast quadrant of Interstate 75 and US 301, is dominated by regional commercial and highway oriented commercial development. The recently adopted Ordinance, 18-39, expanded the MU lands to accommodate an employment-based land use. Expansion of this MU area will further the above noted policy by allowing the introduction of residential development along with support and complementary uses.

**Policy 2.11.1.2.** Permit the development of office uses or mixed office/traditional industrial uses within all categories permitting industrial development to accommodate projected increases in industrial, and service employment.

**Applicant Response:** The MU FLUC is the only land use category, outside of Industrial Light (“IL”) and Industrial Heavy (“IH”) that will allow the mixture of these land uses. This area is not well suited for traditional industrial but the expansion of the MU in this quadrant provides an opportunity for additional mixed office/industrial in conjunction with the needed residential development.

**Policy 2.11.1.3.** Provide for Industrial and Mixed Use designations in a variety of geographic locations, containing a range of raw land values, with a variety of road and rail access scenarios, and with a variety of property ownership scenarios to accommodate a broad range of end-user requirements with regard to per-unit costs, size of parcel, context of parcel (i.e., freestanding or within an improved industrial/office park setting), level of road or rail access, level of required visibility or image, and need for proximate support, or related, industries.

**Applicant Response:** The area presently mapped as MU, covering the northwest and the northeast quadrant of Interstate 75 and US 301, is dominated by regional commercial and highway oriented commercial development. The majority of the land in the northeast quadrant is developed with a regional commercial property and smaller commercial properties including hotels, restaurants, and retail uses. Likewise, the recently adopted Ordinance 18-39 is a large parcel planned for light industrial, distribution, warehousing, commercial and/or office uses. The expansion of the MU in the northwest quadrant, coupled with the text language limiting the geographic extent of its planned uses, will provide the County with additional opportunities for mixed use projects.

The application can be found consistent with the following goals of the Tampa Bay Regional Planning Council (“TBRPC”) Strategic Policy Plan.

Location

1.12: Site and design residential development in a way that: enhances and protects life and property from natural and man-made hazards; is compatible with the type and scale of surrounding land uses; fosters a pedestrian friendly environment; enhances connectivity with adjacent development; and protects existing residential

areas from the encroachment of incompatible activities. Likewise, other land use areas should be protected from the encroachment of incompatible residential activities. The implementation or interpretation of these provisions, however, should not be seen as discouraging mixed-use development.

#### Sustainable Development

2.69: Recognize that sustainable development requires adherence to the following guiding principles:

- Creating Livable Communities: Building active, attractive communities with easy access to residential, commercial, and recreational areas;
- Mixed-use Development: Encouraging mixed-use development which includes a combination of compatible land uses having functional interrelationships and aesthetic features;
- Pedestrian-friendly Communities: Encouraging development which proceeds in a manner that encourages people to walk to obtain the things they need;

Goals:

#### Land Use/Transportation

5.14: Promote the implementation of programs which reduce the overall number of person and vehicle trips per mile and to promote internal capture within large developments and heavily developed areas.

5.23: Facilitate the best use of residential, commercial, and/or industrial land uses and infrastructure systems and decrease urban sprawl by promoting infill redevelopment, rehabilitation, and/or adaptive reuse of existing areas and/or structures.

## Attachments

1. Consistency with State Comprehensive Plan, Florida Administrative Code, and Florida Statutes
2. Maps/Aerials
3. Legal Description
4. Traffic Impact Statement (TIS)
5. School Report
6. Applicant Project Narrative (updated 11/15/2019)
7. Applicant Response to Review Comments (dated 05/06/2019)
8. Newspaper Advertising
9. Agency Review Comments
  - Department of Economic Opportunity (10/23/2019)
  - Department of Agriculture and Consumer Services (11/8/2019)
  - Department of State – Division of Historical Resources (11/8/2019)
  - Department of Transportation (10/25/2019)
  - Department of Environmental Protection (11/6/2019)
  - Southwest Florida Water Management District (11/8/2019)
  - Tampa Bay Regional Planning Council (10/24/2019)
10. Ordinance 19-21
11. Public Comments

PA-18-09/Ordinance 19-12 fka 18-35

The proposed amendment is consistent with Florida Statutes 163 Part II

163.3184 Process for adoption of comprehensive plan or plan amendment states “in compliance” means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245 and 163.3248

163.3177 Required and optional elements of comprehensive plan; studies and surveys  
**This plan amendment request maintains the structure of the Comprehensive Plan.**

163.3178 Coastal Management  
**This plan amendment request maintains the structure of the Comprehensive Plan.**

163.3180 Concurrency  
**This plan amendment request maintains the structure of the Comprehensive Plan.**

163.3191 Evaluation and appraisal of comprehensive plan  
**The county has determined there is no need to amend the Comprehensive Plan through the Evaluation and Appraisal process (December 2013)**

163.3245 Sector plans  
**There are no sector plans established at this time.**

163.3248 Rural Land Stewardship areas  
**There are no Rural Land Stewardship areas established at this time.**

The proposed amendment is consistent with the following goal(s) and policy(ies) of the State Comprehensive Plan:

187.201 (14) (a)

187.201 (15) (a)

187.201 (21) (a)