An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 2.78 acres generally located at the northeast intersection of Cortez Road and Palma Sola Boulevard and commonly known as 8510 Cortez Road West and 4332 Palma Sola Boulevard, Bradenton (Manatee County), from Neighborhood Commercial Medium (NC-M) to the General Commercial (GC) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Planning Commission: 07/09/2020
Board of County Commissioners: 07/22/2020

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, I move to ADOPT Manatee County Zoning Ordinance No. Z-19-31, as recommended by the Planning Commission.

(Commissioner Jonsson)

PLANNING COMMISSION ACTION:
On July 9, 2020, by a vote of 6 – 0, the Planning Commission recommended approval. Mr. Smock was absent.

PUBLIC COMMENT AND CORRESPONDENCE:
July 9, 2020 Planning Commission
There were no public comments.
Nothing was entered into the record.
### PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE NUMBER</th>
<th>Z-19-31</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT NAME</td>
<td>Palma Sola Commercial</td>
</tr>
<tr>
<td>LAND OWNER(S)</td>
<td>Palma Sola Development, LLC and GCB Design &amp; Construction, LLC</td>
</tr>
<tr>
<td>APPLICANT(S) / AGENT</td>
<td>Palma Sola, LLC/Kim Binkley Seyer</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>Neighborhood Commercial Medium (NC-M)</td>
</tr>
<tr>
<td>PROPOSED ZONING</td>
<td>General Commercial (GC)</td>
</tr>
<tr>
<td>CASE MANAGER</td>
<td>Jake Bibler, Planner I</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>Approval</td>
</tr>
</tbody>
</table>

### DETAILED DISCUSSION

#### History

The approximately 2.78-acre project site is comprised of two parcels, an approximately 2.30-acre parcel fronting Cortez Road (an arterial) and an approximately 0.48-acre parcel fronting Palma Sola Boulevard (local road). Both parcels have frontage on 43rd Avenue Terrace West, a local residential road. With the adoption of the Manatee County Comprehensive Plan (1989) and the Land Development Code (1990), the site was designated within the Retail/Office/Residential (R/O/R) Future Land Use Category (FLUC) and the Neighborhood Commercial Medium (NC-M) Zoning District, respectively. No changes in FLUC and/or zoning classification have occurred in the last 30 years. The larger parcel is vacant and the smaller parcel contains a 3,268 square foot building, currently vacant but was previously used as a Night Club/Bar facility.

The subject site is within the Coastal Planning Area (CPA), Coastal High Hazard Area (CHHA), Coastal Evacuation Area (CEA) and the Airport Impact Overlay. Some development types, density and intensity will be limited based on Objective 4.3.1 of the Comprehensive Plan and Section 403.80 of the Land Development Code (LDC).

#### Request

The applicant is requesting to rezone the subject site from NC-M to GC.

The FLUC for the subject site is ROR. This FLUC is intended to provide areas exhibiting a broad range of commercial, office and residential uses and to prohibit the intrusion of new industrial uses. ROR areas are typically found at major community or region-serving nodes (Policy 2.2.1.17.1). It offers a range of potential uses including Neighborhood, community and regional serving commercial uses, mixed with medium and high density residential, lodging, and recreational uses. The intent and uses of the R/O/R are consistent with the uses and intensity allowed in the requested GC zoning district.

**Neighborhood Commercial Small and Medium Districts (NC-S and NC-M).** The purpose of these districts is to provide for limited retail uses, personal services and offices in free-standing parcels or small shopping centers to serve residential neighborhoods. This district shall only be applied at appropriate locations to supply the daily retail and service needs of such neighborhoods. These districts may also facilitate mixed-use, including attached dwellings and multi-family residential, within Urban Corridors and activity nodes.

**General Commercial District (GC).** The purpose of this district is to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community’s general commercial needs. This district may also facilitate attached dwellings, multifamily residential, and mixed-use (including multi-family residential).
The Schedule of Uses has a broader range of possibilities in GC than in NC-M, as may be seen in the attachment. This will allow the property owner a wider range of development opportunities to meet market demand. The intent of both is to provide commercial uses for the general community and some residential uses. Based on the location of the subject site within the CHHA and CEA, an Emergency Preparedness Plan will be required at the time of site plan approval.

Staff recommends approval of this rezone.

<table>
<thead>
<tr>
<th>SITE CHARACTERISTICS AND SURROUNDING AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ADDRESS</strong></td>
</tr>
<tr>
<td>8510 Cortez Road and 4332 Palma Sola Boulevard, Bradenton (Manatee County)</td>
</tr>
<tr>
<td><strong>GENERAL LOCATION</strong></td>
</tr>
<tr>
<td>The northeast corner at the intersection of Cortez Road and Palma Sola Boulevard</td>
</tr>
<tr>
<td><strong>ACREAGE</strong></td>
</tr>
<tr>
<td>Approximately 2.78 acres</td>
</tr>
<tr>
<td><strong>EXISTING USE(S)</strong></td>
</tr>
<tr>
<td>Parcel 1 (approximately 2.30-acre) is vacant</td>
</tr>
<tr>
<td>Parcel 2 (approximately 0.48-acre) has a vacant structure previously used as a night club/bar.</td>
</tr>
<tr>
<td><strong>FUTURE LAND USE CATEGORY(S)</strong></td>
</tr>
<tr>
<td>Retail/Office/Residential (R/O/R)</td>
</tr>
<tr>
<td><strong>OVERLAY DISTRICT(S)</strong></td>
</tr>
<tr>
<td>- Coastal Planning Area (CPA)</td>
</tr>
<tr>
<td>- Coastal High Hazard Area (CHHA)</td>
</tr>
<tr>
<td>- Coastal Evacuation Area (CEA)</td>
</tr>
<tr>
<td>- Airport Impact Overlay (Horizontal Surface)</td>
</tr>
<tr>
<td><strong>SPECIAL AREA(S)</strong></td>
</tr>
<tr>
<td>- Southwest Tax Increment Financing (SWTIF)</td>
</tr>
<tr>
<td>- Urban Service Area</td>
</tr>
</tbody>
</table>

| SURROUNDING USES AND ZONING               |
| **NORTH**                                |
| Residential Single-Family Use/Residential Single Family Six Dwelling Units per Acre (RSF-6) Zoning |
| **SOUTH**                                |
| Vacant Use/Planned Development Mixed Use (PD-MU) Zoning |
| **EAST**                                 |
| Wireless Tower Use/NC-M Zoning and Mini-Storage Use/Planned Development Commercial (PD-C) Zoning |
| **WEST**                                 |
| Retail Sales and Service Establishment Uses/NC-M Zoning |

| SITE DESIGN DETAILS                     |
| **MAXIMUM NON-RESIDENTIAL FAR**         |
| Maximum within R/O/R FLUC (0.5/1.0 for hotel or mixed-use) |
| **MAXIMUM BUILDING SIZE (square feet)** |
| Limited by FAR (Potential Maximum): 59,863 (0.5 FAR) / 119,727 (1.0 FAR) |
| **MAXIMUM DENSITY (Gross)/MAXIMUM NUMBER OF RESIDENTIAL UNITS** |
| Maximum within R/O/R FLUC within CEA: 9 dwelling units per acre / 24 units |
| **MINIMUM SETBACKS FOR GC ZONING DISTRICT** |
| Front: 25 feet |
| Rear: 15 feet* |
| Side: 10 feet* |
**MINIMUM LOT SIZE FOR GC ZONING DISTRICT**
7,500 square feet (Parcel 1 approximately 100,188 square feet, Parcel 2 approximately 20,909 square feet)
75 feet wide (Parcel 1 approximately 273 feet wide, Parcel 2 approximately 178 feet wide)

**HEIGHT**
Maximum 4 stories (6 stories with special permit)

**REQUIRED OPEN SPACE**
15 percent (15%)%)

**ACCESS**
The site has access on Cortez Road and Palma Sola Boulevard.
Per Policy 2.10.3.1, access to commercial uses through single family residential neighborhoods shall not be allowed. This prohibits access from 43rd Avenue Terrace West if commercial use is proposed.

**MINIMUM REQUIRED PARKING**
Dependent upon use, see Table 10-2 of the Land Development Code

**FLOOD ZONE(S)**
Site lies in Zone AE per FIRM Panel 12081C0284E, effective 3/17/2014.

**AREA OF KNOWN FLOODING**
Project Located in Flood Prone Area: Yes
Type of Flooding: Storm Surge

The project area is located entirely within the FEMA2014 FIRM 100-year floodplain. Base Floor Elevation (B.F.E.) 11 feet NAVD. The 100-year floodplain delineation is a result of storm surge inundation; therefore, floodplain compensation is not required. Project area is not located within county 25-year floodplain delineation.

**UTILITIES**
Water: 20-inches potable water main along 44th Ave W and 3-inch potable water main along 43rd Ave Ter W
Sewer: 18-inch sanitary gravity sewer along 44th Ave W, 8-inch* sanitary gravity sewer along 43rd Ave Ter W and 24-inches sanitary force main along 44th Ave W
Reclaimed: 30-inches county reclaimed water main along 44th Ave W and 2-inches private reclaimed watermain along 44th Ave W

Project appears to be located at least partially within the FEMA 100-year flood zone and/or County’s Coastal High Hazard Area (CHHA). As such, additional utility requirements may apply.

* Non-residential use adjacent to single family residential zoning:  20 feet
ENIRONMENTAL INFORMATION

OVERALL WETLAND ACREAGE

There does not appear to be any perennial lakes, streams, or wetlands within or adjacent to the parcel.

PROPOSED ACRESAGE WETLAND IMPACT

No wetland impacts are approved with this rezone. Any potential wetland impacts are to be assessed at further stages of the development review process.

NEARBY DEVELOPMENT

NON-RESIDENTIAL

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>FLUC</th>
<th>ZONING</th>
<th>ACRES</th>
<th>SQUARE FEET</th>
<th>INTENSITY (FAR)</th>
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<tbody>
<tr>
<td>Hide Away Storage</td>
<td>ROR</td>
<td>PD-C</td>
<td>4.22</td>
<td>67,188</td>
<td>0.37</td>
</tr>
<tr>
<td>Cortez Sprinkler and Pump</td>
<td>ROR</td>
<td>NC-M</td>
<td>0.33</td>
<td>3,220</td>
<td>0.22</td>
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<tr>
<td>7-Eleven</td>
<td>ROR</td>
<td>NC-M</td>
<td>0.70</td>
<td>2,585</td>
<td>0.08</td>
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<tr>
<td>Repair Shop</td>
<td>ROR</td>
<td>NC-M</td>
<td>0.85</td>
<td>6,000</td>
<td>0.16</td>
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<tr>
<td>Beach’N Rides &amp; Rentals</td>
<td>ROR</td>
<td>GC</td>
<td>0.95</td>
<td>1,736</td>
<td>0.04</td>
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</table>

RESIDENTIAL

<table>
<thead>
<tr>
<th>SUBDIVISION</th>
<th>FLUC</th>
<th>ZONING</th>
<th>ACRES</th>
<th>DWELLING UNITS</th>
<th>DENSITY</th>
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<tbody>
<tr>
<td>Cutrona Subdivision</td>
<td>RES-6</td>
<td>RSF-6</td>
<td>21</td>
<td>87</td>
<td>4.14</td>
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<tr>
<td>Sand Lake Subdivision</td>
<td>RES-9</td>
<td>RDD-6</td>
<td>6</td>
<td>24</td>
<td>4</td>
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<tr>
<td>Frank E Kimball Subdivision</td>
<td>ROR/RES-9</td>
<td>RDD-6/RMF-6</td>
<td>17</td>
<td>118</td>
<td>6.94</td>
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</table>

POSITIVE ASPECTS

- GC is consistent with the adjacent and nearby commercial zoning districts (PDC, NC-M, and GC).
- The site has frontage along a classified arterial roadway (Cortez Road West).
- GC allows a diversity of residential uses including single-family attached and multi-family, which will make the potential density more consistent with the future land use designation of R/O/R.
- The subject parcel is an infill project located on a major thoroughfare, already served by county water and sewer.

NEGATIVE ASPECTS

- General Commercial zoning will introduce the potential for commercial uses near residential uses, which may come with additional light and noise impacts.

MITIGATING MEASURES

- The Land Development Code provides standards for specific uses that may have negative externalities and has requirements for additional landscaping and buffering for
certain commercial uses next to residential uses. Mitigation measures will be administratively reviewed at the time of submittal for a Final Site Plan.

### COMPLIANCE WITH THE LAND DEVELOPMENT CODE

LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS

The following represents an analysis of how the application achieves compliance with LDC Section 342.3. The criteria listed below were used to evaluate each specific request for rezoning to ensure compliance with the Comprehensive Plan and Land Development Code.

#### LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS

**A. Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties.**

Analysis: The rezoning represents an expansion of existing commercial and residential along Cortez Road West. The project site is surrounded to the north, and northeast by single-family residences zoned A-1. To the east, south, and further east, there are a variety of established commercial retail and commercial service uses zoned PDC, NC-M, and GC. The subject property is zoned Neighborhood Commercial Medium. Cortez Road is the service corridor for area residents and has a collection of typical retail, restaurant, service uses and mini storage. A rezone to General Commercial (GC) will be compatible with existing development patterns at this site located along a principal arterial roadway. It is an infill site that will serve the residents, passing traffic and neighboring commercial properties.

The proposed GC zoning is compatible, and consistent with the commercial development pattern and trends of the nearby area along Cortez Road, and does not represent an intrusion into the residential area per provisions of Policy 2.10.4.3.(3)

**B. Changes in Land Use or Conditions Upon Which the Original Zoning Designation was Based.**

Analysis: The site has been zoned NC-M since the adoption of the Land Development Code in 1990. In the last few years there have not been changes to the conditions upon which the original zoning designation was based. The site is located along the north side of an arterial thoroughfare Cortez Road within an area which has been developing with a variety of residential and commercial uses. Adjacent and nearby properties to east and south have been rezoned to GC, NC-M, PD-C and PD-MU, and developed with a variety of commercial uses including self-storage, retail and service establishments and a wireless tower.

**C. Consistency with the Current Comprehensive Plan.**

Analysis: The proposed zoning of General Commercial is consistent with the Comprehensive Plan designation of R/O/R. Per the Land Development Code (Table 4-1), GC is an implementing zoning district of the R/O/R FLUC which requires projects to meet commercial locational criteria; however, projects within the R/O/R FLUC are exempted from compliance with commercial locational criteria. It is the opinion of staff that the proposed commercial development is not considered an intrusion into any residential area.

The purpose of the GC zoning district conforms with the intent and range of potential uses of the R/O/R FLUC. GC provides for a variety of retail use and services in free-standing parcels or shopping centers to serve the community’s general commercial needs, as well as facilitate attached dwellings, multifamily residential, and mixed-use (including multi-family residential). The R/O/R includes neighborhood, community and regional serving commercial uses, mixed with medium and high density residential in the range of potential uses.

**D. Conflicts with Existing or Planned Public Improvements.**

Analysis: There are existing potable water and sanitary sewer facilities in the immediate vicinity of the parcel. The parcel has frontage along Cortez Road, a designated 6 lane thoroughfare arterial roadway. Staff does not anticipate that this rezone will conflict with existing or planned public improvements. Public facilities already exist in the area.
E. Available of Public Facilities.

   Analysis: The applicant provided a Traffic Impact Statement (TIS) dated February 21, 2020 to evaluate maximum potential traffic impacts associated with the rezone of the site. Based on the trip generation calculations according to the Institute of Transportation Engineers Trip Generation Manual (10th Edition), a “worst case scenario” for the proposed zoning designation would yield a net new PM Peak hour trips of 163. The proposed rezone does not appear to create significant adverse transportation impacts on the thoroughfare roadways. (See Attachment 2 - Traffic impact Statement and TIS Acceptance Letter dated 03/16/2020).
   
The above referenced TIS addressed the Comprehensive Plan and Land Development Code requirements and provided appropriate traffic-related information to substantiate the findings. However, currently, the future use of the property is unknown. When a request for Final Site Plan/Concurrency is submitted, an assessment will be required for a known use and factual data will be considered according to the Manatee County Standards.

2. Impact on Population Density or Development Intensity Demand for Schools, Sewers, Streets, Recreational Areas and Facilities and Other Public Facilities.
   Analysis: A rezone from Neighborhood Commercial to General Commercial will not adversely affect demand for infrastructure, schools or County facilities. This will be an infill redevelopment. There is a cell tower and mini warehouse to the east and to the west are properties occupied by Cortez Pump and Sprinkler and Tom’s Automotive on the west side of 86th Street West would hinder development of this nature.

   The change in zoning will not adversely affect traffic patterns or add to congestion. Future development applications will be required to study traffic in detail and apply for a Certificate of Level of Service. Commercial at this location will likely be capture pass by trips as people travel to work, home or beach.

   Any future development proposal will be required to reconfirm the existing adjacent potable water and wastewater systems, including lift stations, to ensure that they are adequate for the additional flows from this development. Depending on the findings of the evaluation, the County potable water and/or sewer systems may require off-site improvements.

3. Impact on Public Facilities Planned and Funded to Support Any Change in Density or Intensity.
   Analysis: The zoning change does not have a significant impact on demand for these public facilities.

F. Health, Safety or Welfare of the Neighborhood and County.
   Analysis: In the opinion of staff, it appears that the proposed rezone will not have a negative effect on the health, safety, and welfare of the neighborhood and County. All proposed commercial development will follow the Land Development Code to maintain required screening and buffering between the property and the adjacent neighborhoods. In addition, the code does not allow commercial traffic on a residential road.

G. Conformance with All Applicable Requirements of this Code.
   Analysis: The proposed rezone is in conformance with the requirements of the Land Development Code. The GC district is an implementing zone district of the R/O/R Future Land Use Designation. The GC zoning district allows a minimum lot size of 7,500 square feet, a minimum lot width of 75 feet, and a maximum building size of 59,863 for 0.5 FAR or 119,727 for 1.0 FAR (hotel or mixed use).

   Compliance with the standards of the GC zoning district, and all other requirements of the LDC will be reviewed and verified with future development approvals for this site.

H. Consistency with the Development Patterns in the Area.
   Analysis: The proposed rezone to GC is consistent with the development patterns in the community. The uses in the Neighborhood Commercial and General Commercial zoning districts have similar land use standards, especially given the size of the site. The adjacent and nearby area to the south, east, and west along the Cortez Road West have
been developed with a mixture of retail and commercial uses, and the area to the north has been developed with residential use. Therefore, either a commercial development or a residential development is consistent with the existing development patterns in the area.

I. Logical Expansion of Adjacent Zoning Districts.
Analysis: Neighborhood Commercial and General Commercial have similar development standards. Their density and intensity still rely on the future land use category Residential Office Retail (ROR). A rezone from Neighborhood Commercial to General Commercial will not disrupt the compatibility of the subject parcel with the surrounding area. The adjacent Planned Development Commercial allowable uses are comparable to a General Commercial zoning district. This request consolidates zoning in the immediate area to facilitate compliant and cohesive future development.

J. Impact on Historic Resources.
Analysis: There do not appear to be known historic resources on the site. If any historic resources are found at time of development, the applicant will be required to immediately report discoveries of historical or archaeological resources to the Florida Division of Historical Resources.

K. Environmental Impacts.
Analysis: There does not appear to be any perennial lakes, streams, or wetlands within or adjacent to the parcel. Environmental impacts, if any, will be assessed at future development application submittals.

L. Types of Allowable Uses and Impact of those on Surrounding Residential Areas.
Analysis: General Commercial zoning allows a variety of uses including retail commercial, commercial services, community service uses, single-family (detached, semi-detached, attached) and multifamily residential. The site is already adjacent to a significant amount of commercially zoned properties and uses. The compatibility of the development of the site with the surrounding existing uses may be achieved through the requirements of the LDC, including building orientation, location of outdoor activities or other nonresidential characteristics to be sensitive to the adjacent residential development to the north.

No specific use has been taken into consideration for this site as part of the current rezone process. Most uses have specific use criteria outlined in Section 531, which helps address any potential compatibility concerns with residential areas, and some uses would be required to obtain a special permit at a separate public hearing. Compliance with specific standards and regulations will be required at time of future project submittal.

M. Relocation of Mobile Homeowners.
Analysis: There are no mobile homes on site.

N. Consistency with the Planned Development District Standards.
Analysis: This request is for a rezone to GC Zoning District; therefore, the planned development district standards do not apply.

O. Any Other Matters Which May Be Appropriate.
Analysis: Further development will require site plan review. There are no other known matters to be considered pursuant to the LDC, Comprehensive Plan or applicable law.


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**COMPLIANCE WITH COMPREHENSIVE PLAN**

The site is in the ROR Future Land Use Category. This project was specifically reviewed for compliance with the following objectives and policies:

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

Analysis: The proposed rezone will allow for a broader range of allowable uses on an infill parcel along an arterial roadway (Cortez Road). This is an area that is already significantly developed.
with a combination of a variety of commercial and residential development. This is an infill site in a location where public facilities are in place.

**Policy 2.1.1.6 Encourage growth and redevelopment to concentrate within the Urban Service Area.**

Analysis: The timing of this rezone is appropriate given the trends in the area. The surrounding area is characterized by commercial uses. Cortez Road is a state road and commercial uses are located on this route. There is an adjacent communications tower, mini storage, plumbing supply and a convenience store in the immediate area. This is the main corridor to the beaches and heavily traveled by residents and guest outside of the immediate area.

**Policy 2.1.2.2 Limit urban sprawl by prohibiting all future development in the area east of the established Future Development Area Boundary (FDAB).**

Analysis: This rezone request is west of the FDAB. The rezoning limits urban sprawl because it is an infill parcel.

**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.**

Analysis: Any development on this site would be contiguous and internal to the existing built environment. The site is an infill site. Further, site development is already permitted in the current zoning designation, and a rezone will change the character of the allowed development.

**Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development.**

Analysis: This is an infill project with a proposed zoning district that has a similar land use to the current zoning district and the FLUC is consistent. There is existing county water and sewer and all necessary infrastructure and services. There are no site specific plans attached to this rezoning request. Site design will be reviewed at later development stages.

**Objective 2.6.1 Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures.**

Analysis: There is no site plan associated with this straight rezoning request. However, many of the potential uses permitted in GC zoning will be compatible with surrounding land uses. Also, GC zoning establishes lot sizes, setbacks, height, open space requirements and Floor Area Ratio, and any applicable specific use criteria in Section 531 will address compatibility concerns. Future site plan will be reviewed for compliance with these code standards.

**Policy 2.10.1.2. Promote the development of commercial uses in nodes, and discourage scattered, incremental commercial development.**

Analysis: The proposed rezone property fronts on Cortez Road, a major arterial and there is existing commercial development to the east of and west of the parcel.

**Policy 2.10.1.3. Encourage development projects that functionally mix residential and commercial (retail/office) uses, either vertically or horizontally.**

Analysis: The site is located in an area that is horizontally mixed with a combination of residential and commercial uses. General Commercial zoning allows the flexibility for the site to develop either as commercial or as a residential development. Either will contribute to a horizontally mixed-use environment.

**Policy 2.10.4.1. Limit the location of all new commercial development to well-defined nodes.**

Analysis: The site is located within a well-defined commercial node of the County (intersection of Cortez Road West and Palma Sola Boulevard); however, a project within the R/O/R FLUC is exempted to meet commercial locational criteria.
Objective 2.10.3.1 Required Access to Commercial Uses.
Analysis: The proposed rezone will have access on Cortez Road and Palma Sola Boulevard. Access to the residential road to the north, 43rd Avenue Terrace West will not be permitted.

The following policies refer to the R/O/R Future Land Use Category:

Policy 2.2.1.17.1. Intent: To identify, textually in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas exhibiting a broad range of commercial, office, and residential uses and to prohibit the intrusion of new industrial uses into these ROR areas. ROR areas are especially found at major community or region-serving nodes and are encouraged to develop with horizontal or vertical integration of uses, internal trip capture, and an overall high-quality environment for living, working, or visiting.
Analysis: The rezoning supports the intent of the R/O/R Future Land Use category. GC will allow single-family and multi-family development, in addition to a variety of retail and commercial services uses.

Policy 2.2.1.17.2. Range of Potential Uses: Neighborhood, community and regional serving commercial uses, mixed with medium and high density residential, lodging, office, public/semi-public, schools, and recreational uses
Analysis: There is a wider range of uses allowable in GC than NC-M which fits the range of potential uses in R/O/R FLUC.

Policy 2.2.1.15.3. Range of Potential Density/Intensity:
Analysis: The site design will be reviewed for compliance with the density and intensity maximums set out in the R/O/R FLUC at further site plan review stages. There is no site plan associated with this straight rezone.

TRANSPORTATION

Major Transportation Facilities
The site is located in the northeast quadrant of Palma Sola Boulevard and SR 684 (Cortez Road). SR 684 (Cortez Road) is an existing four-lane road with 45 mph posted speed. In the Future Traffic Circulation Plan, it is designated as a four-lane arterial roadway and has a planned right of way width of 150 feet, or as determined by FDOT.

Transportation Concurrency
The Applicant is seeking a rezone only and cannot obtain concurrency until Preliminary Site Plan or Final Site Plan review stage. 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 provided a Traffic Impact Statement (TIS) for the rezoning application to gauge the maximum impacts associated with allowable uses. Based on the accepted study, it appears the potentially impacted segments of SR 684 (Cortez Road) and Palma Sola Boulevard 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
TRANSPORTATION CONCURRENCY

CLOS APPLIED FOR:  No (A CLOS application cannot be issued with a rezone)
TRAFFIC STUDY REQUIRED:  Yes  (A traffic impact summary was prepared; however, a traffic study will be required at PSP/FSP)

<table>
<thead>
<tr>
<th>NEAREST THOROUGHFARE</th>
<th>LINK(S)</th>
<th>ADOPTED LOS</th>
<th>FUTURE LOS (W/PROJECT)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 684 (Cortez Road)</td>
<td>2320</td>
<td>D</td>
<td>C</td>
</tr>
<tr>
<td>Palma Sola Boulevard</td>
<td>2850</td>
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</table>

OTHER CONCURRENCY COMPONENTS

Solid waste and preliminary drainage intent have been reviewed with this Preliminary Site Plan. Potable water and wastewater will be reviewed at the time of Final Site Plan/Construction Drawings.

ATTACHMENTS

1. Staff Report Maps/Aerials
2. Traffic Impact Statement and Acceptance Letter
3. School Report
4. Zoning Disclosure Affidavit
5. Comparison List of Zoning Districts
6. Newspaper Advertising
7. Ordinance Z-19-31