

B.O.C.C.: 6/2/2016

PDR-15-13(Z)(P) – MANASARA CORP / TENNESSEE STREET PROPERTY, LLC
/THE OASIS AT UNIVERSITY
(DTS #20150244)

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 25.6 acres of land on the north side of University Parkway between Florida Street on the east and the S.C.L. Railroad on the west, and south of Broadway Avenue, Sarasota (Manatee County), from PDC (Planned Development – Commercial) and LM (Light Manufacturing) to the PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for 324 multi-family residential units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

P.C.: 03/10/16

B.O.C.C.: 4/7/16, 5/5/16,
6/2/16

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. PDR-15-13(Z)(P) subject to Ordinance No. 16-15 (fka 15-32) amending the Comprehensive Plan becoming effective; **APPROVE** the Preliminary Site Plan with Stipulations A.1–A.4, B.1, C.1–C.-4 , D.1–D.7, E.1, and F.1; **MAKE** a Specific Finding that the multi-family buildings exceeding 35-feet in height are consistent with Land Development Code Section 402.7.D.9. in that the development, as approved and stipulated, is compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development or the entranceway; **GRANT** Special Approval for: 1) a project exceeding a gross density of 9 dwelling units per acre in the RES-16 Future Land Use Category; 2) a project adjacent to a perennial stream; and 3) for a project located within the Entranceway; subject to Plan Amendment PA-15-02/Ordinance No. 16-15 (fka 15-32) becoming effective, as recommended by the Planning Commission.

(Commissioner DiSabatino)

PLANNING COMMISSION ACTION:

On March 10, 2016, by a vote of 6 – 1, the Planning Commission recommended approval. Mr. Bower voted nay stating he is not comfortable with the Specific Finding that the multi-family building exceeding 35 feet in height are consistent with Land Development Code Section 402.7.D.9.

BOARD OF COUNTY COMMISSIONERS ACTION:

On April 7, 2016, by a vote of 7 – 0, the Board of County Commissioners continued the public hearing to May 5, 2016.

On May 5, 2016, by a vote of 6 – 0, the Board of County Commissioners continued the public hearing to June 2, 2016.

PUBLIC COMMENT AND CORRESPONDENCE:

The following people spoke at the March 10, 2016 Planning Commission public hearing:

Laurie Galle, stated this will be a good infill project but was concerned with the traffic on Florida Street.

Katherine Edwards questioned the number of units and open space if the Making of a Specific Finding for height is not granted, if the project will take Section 8 housing vouchers, gate locations, water main and pressure, the total number of parking spaces, and the number of covered parking spaces.

Catherine Craft commented on the impact of development on the community.

There was no public comment and nothing was entered into the record at the April 7 and May 5, 2016 Board of County Commissioners public hearings.

| PROJECT SUMMARY | |
|-----------------------------|--|
| CASE# | PDR-15-13(Z)(P) (DTS #20150244) |
| PROJECT NAME | The Oasis at University |
| APPLICANT(S) | Manasara Corporation Tennessee Street Property, LLC |
| PROPOSED ZONING | PDR (Planned Development Residential) |
| EXISTING ZONING | PDC (Planned Development Commercial) LM (Light Manufacturing) |
| PROPOSED USE(S) | 324 Multi-Family Residential Units |
| CASE MANAGER | Margaret Tusing |
| STAFF RECOMMENDATION | APPROVAL with Stipulations |

DETAILED DISCUSSION

History

The property is currently zoned PDC (Planned Development Commercial) and LM (Light Manufacturing). The property was rezoned to an industrial zoning in the 1980's and at the 1990 County-wide rezoning, the LM (Light Manufacturing) district was applied to the property. A portion of the property was rezoned from LM to PDC in 1992 (PDC-92-05(Z)(P)). This rezoning allowed a 140-room hotel and a 176,400 square foot office complex; the site plan has expired.

Request

The current request is to rezone from PDC (Planned Development Commercial) and LM (Light Manufacturing) to PDR to allow 324 multi-family residential units. The property was the subject of a Plan Amendment (PA-15-02/Ordinance No. 16-15 (fka 15-32)) to change the Future Land Use Category (FLUC) from MU (Mixed Use) to RES-16 (Residential, 16 dwelling units/acre). RES-16 allows consideration of suburban or urban residential uses and neighborhood retail uses. Special Approval is required because the proposed gross density of 12.7 dwelling units per acre exceeds the Special Approval threshold (9 dwelling unit per acre) in RES-16, the project is adjacent to a perennial stream, and the project is located within the Entranceway.

Planned Development is the process necessary to achieve Special Approval. PDR zoning provides greater flexibility for the project when establishing appropriate buffers and setbacks to help mitigate potential adverse impacts to surrounding properties.

The project provides a main access from University Parkway via Kentucky Street and secondary access from University Parkway via Florida Street.

The recreational amenities shown on the proposed Preliminary Site Plan (PSP) include a clubhouse, a resort-style beach entry pool, a dog park, and open space throughout the multi-family project. In addition to the required surface parking, detached garages are also proposed.

According to the Wetland Delineation Summary provided by Universal Engineering, there are no jurisdictional wetland acres on the project site.

Staff recommends Approval with Stipulations.

| SITE CHARACTERISTICS AND SURROUNDING AREA | | | |
|--|---|--|---------|
| ADDRESS | No assigned address | | |
| GENERAL LOCATION | North side of University Parkway between Florida Street on the east and the S.C.L. Railroad on the west, and south of Broadway | | |
| ACREAGE | 25.6 ± acres | | |
| EXISTING USE(S) | Vacant | | |
| FUTURE LAND USE CATEGORY(S) | RES-16 (Residential – 16 dwelling units/acre) | | |
| DENSITY | 12.7 du/ac (gross) – 13.7 du/ac (net) | | |
| SPECIAL APPROVAL(S) | <ul style="list-style-type: none"> • Gross Density exceeds 9 dwelling units per acre in RES-16 FLUC • Adjacent to a perennial stream (Pearce Drain/Gap Creek) • Located within the Entranceway | | |
| SPECIFIC APPROVAL(S) | None Requested | | |
| SURROUNDING USES & ZONING | | | |
| NORTH | Single family detached and attached residential (Soleil West and Soleil Condominium) / PDR | | |
| SOUTH | University Parkway Various non-residential uses zoned LM and PDI | | |
| EAST | Vacant / LM | | |
| WEST | S. C. L. Railroad Concrete Plant / HM SRQ Park of Commerce / LM | | |
| SITE DESIGN DETAILS | | | |
| SETBACKS – MULTI-FAMILY | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;">Minimum Building Separation, Minimum Setback from Property Line to Parking Areas, Accessory Structures, and Building</td> <td style="width: 30%; text-align: center;">20-feet</td> </tr> </table> | Minimum Building Separation, Minimum Setback from Property Line to Parking Areas, Accessory Structures, and Building | 20-feet |
| Minimum Building Separation, Minimum Setback from Property Line to Parking Areas, Accessory Structures, and Building | 20-feet | | |
| OPEN SPACE | 12.3 ± acres – 48% (30% is required for a Planned Development in the Entranceway) | | |
| RECREATIONAL AMENITIES | Clubhouse with resort-style entry pool and dog park | | |
| RECREATIONAL ACREAGE | 1.26-acres | | |
| ACCESS | Main access from University Parkway via Kentucky Street Secondary access from University Parkway via Florida Street | | |

| | |
|-------------------------------|--|
| FLOOD ZONE(S) | Project site lies in Zones X and A with no Base Flood Elevation determined per FIRM Panel 12081C0319E, effective 03/17/2014. Developer to establish the base flood elevation in NAVD 1988 at Final Site Plan. |
| AREA OF KNOWN FLOODING | Yes, rainfall. |
| UTILITY CONNECTIONS | County Water and Sewer |

ENVIRONMENTAL INFORMATION

| | |
|--------------------------------|---|
| Overall Wetland Acreage | There are no jurisdiction wetlands on the site according to the Wetland Delineation Summary provided by Universal Engineering |
|--------------------------------|---|

Wetlands

According to the Wetland Delineation Summary provided by Universal Engineering dated April 23, 2015, there are no jurisdictional wetlands on-site.

Uplands

According to the environmental narrative provided by Universal Engineering dated April 20, 2015, there is no native habitat on-site.

Endangered Species

According to the environmental narrative, no listed species were observed on-site and none were indicated to be likely to be on-site when various databases were checked.

Trees

The applicant has not provided any information at this time. The Final Site Plan will be required to meet the requirements of Section 700 for Tree Protection (removal and replacement requirements).

Landscaping/Buffers

The preliminary landscape plan sheets provided for the project demonstrate that the project will meet the requirements of LDC Sections 701 and 900 for Landscaping and Entranceway requirements. No landscaping information was provided.

NEARBY RESIDENTIAL DEVELOPMENT

| PROJECT | LOTS / UNITS | DENSITY | FLUC |
|---|--------------|---------|-------|
| Soleil West (SFD) | 133 | 2.73 | MU |
| Residences at University Groves (SFD) | 71 | 3.4 | RES-6 |
| Soleil West Condominiums (SFA) | 184 | 6.3 | MU |
| Townhouse Residences at University Groves (SFA) | 47 | 3.4 | RES-6 |
| San Michele at University Groves (SFA) | 130 | 6.45 | ROR |
| University Groves Apartments (MF) | 180 | 18.75 | RES-6 |
| Serenata Sarasota (MF) | 240 | 12.8 | ROR |

| POSITIVE ASPECTS |
|--|
| <ul style="list-style-type: none">● PDR zoning allows the Board to stipulate development to ensure compatibility.● The design shows 48% open space (12.3± acres).● Sanitary sewer and potable water facilities are available by connection.● The surrounding area includes a variety of uses: commercial, industrial, single family residential, and multi-family.● The proposed PSP shows buffering exceeding the minimum standards on the north property line (adjacent to the Soleil West Subdivision). |
| NEGATIVE ASPECTS |
| <ul style="list-style-type: none">● S.C.L. Railroad and concrete batch plant adjacent to western property line. |
| MITIGATING MEASURES |
| <ul style="list-style-type: none">● The Oasis at University provides screening buffers that meet or exceed the minimum LDC requirements.● The proposed PSP provides a minimum apartment structure setback from any property line of 99-feet; the western property line (adjacent to railroad) minimum apartment structure setback is 200-feet. |
| STAFF RECOMMENDED STIPULATIONS |
| <p>A. <u>DESIGN AND LAND USE STIPULATIONS</u></p> <ol style="list-style-type: none">1. At the time of Final Site Plan, the applicant shall demonstrate that the vegetation within areas identified as Natural Vegetation Buffers on the Preliminary Site Plan are adequately protected during construction and that the vegetation remaining after nuisance, exotic species removal will meet or exceed the buffering requirements of the Land Development Code. Areas not meeting the minimum buffer/screening requirements shall be planted with vegetation as necessary to meet Land Development Code standards.2. All dumpsters, compactors, and other utility equipment shall be screened from view from adjacent residential property with a six-foot high wall constructed with building materials matching the principal structures.3. All project buffers (width and vegetation) shall be provided as shown on the PSP Landscaping Plan. The location and details of the proposed berms within the buffer shall be reviewed and approved concurrent with the Final Site Plan. Buffers shall meet the minimum requirements of LDC Section 900.6.A (Entranceway Landscaping and Buffers).4. Proposed buildings shall be in conformance with the elevations entered into the records (Attachment 6). Building elevations shall be provided with the Final Site Plan for review and approval. <p>B. <u>INFRASTRUCTURE STIPULATIONS</u></p> <ol style="list-style-type: none">1. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the County's Wastewater System Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project. |

C. STORMWATER STIPULATIONS

1. This project shall be required to reduce the calculated pre-development flow rate by a full fifty percent (50%) for all stormwater outfall flow directly or indirectly into Pearce Drain/Gap Creek. The discharge reduction requirement does not apply for runoff contribution from public right-of-way. Modeling shall be used to determine pre- and post- development flows.
2. Any impacts (fill) within the 100-year floodplain of Pearce Drain/Gap Creek shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. 100-year floodplain impacts shall be mitigated in sole use compensation areas, not dual-use stormwater facilities (i.e., stormwater attenuation and floodplain compensation). Compensatory floodplain storage shall be located on site. No credit will be given for existing floodplain storage within existing drainage ditches between Seasonal High Water Table (SHWT) and 100-year flood stage.
3. A Drainage Easement and a minimum twenty (20) feet wide Drainage Maintenance Access Easement shall be shown on the Final Site Plan/Construction Plan submittal for the existing drainage ditch along the western boundary of the project (County Maintained System "E-1"). Manatee County is only responsible for maintaining the free flow of drainage through these systems. The 20 feet Drainage Maintenance-Access Easement shall be located along the east top-of-bank of the drainage ditch. The Drainage Maintenance-Access Easement shall be on level ground, free of vegetation associated with landscape buffers.
4. Existing perimeter drainage conveyance systems shall remain undisturbed or an equivalent replacement collection/conveyance system shall be provided along the northern, eastern, and southern perimeter of the project.

D. ENVIRONMENTAL STIPULATIONS

1. The developer shall provide an updated study, consistent with Policy 3.3.2.1 of the Comprehensive Plan, for threatened and endangered plant and animal species prior to Final Site Plan approval. A Management Plan, approved by the appropriate State or federal agency, shall be provided to the County for any listed species found on-site, prior to Final Site Plan approval.
2. Prior to Final Site Plan approval, the entire site should be evaluated for potential hazardous material locations (i.e., historical cattle dipping vats, underground/above ground storage tanks, or buried drums) by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative measures.
3. Landscape plant material details including species and quantities shown on the Preliminary Site Plan are not approved at this time and shall be reviewed for consistency with the LDC at the time of Final Site Plan.
4. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on the Final Site Plan in accordance with Section 519 of the LDC.
5. 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.
6. 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.

7. Landscape plant material details including species and quantities, shown on the Preliminary Site Plan are not approved at this time and shall be reviewed for consistency with the Land Development Code at the time of Final Site Plan.

E. FLOODPLAIN MANAGEMENT STIPULATIONS

1. Developer to establish the Base Flood Elevation at the Final Site Plan submittal.

F. FLORIDA DEPARTMENT OF HEALTH STIPULATIONS

1. Public swimming pools and spas shall meet the standards in Chapter 64E-9, Florida Administrative Code, and require an Initial and an Annual operating permit from FL Department of Health.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

No remaining issues.

COMPLIANCE WITH LDC

| Standard(s) Required | Design Proposal | Compliance | | Comments |
|--|--|------------|---|--|
| | | Y | N | |
| BUFFERS | | | | |
| 20' roadway buffer – University Parkway | 20' | Y | | Shown |
| 10' roadway buffer – Kentucky Street | 12' minimum | Y | | Shown |
| 10' roadway buffer - Broadway | 20' – 25' | Y | | Shown (Stipulation A.3) |
| 15' greenbelt buffer | 15' | Y | | Provided as part of the screening buffers |
| 10' screening buffer on northern property line | 50' | Y | | Shown (Stipulation A.3) |
| 20' screening buffer on northwestern property line | 20' | Y | | Shown |
| 10' screening buffer on eastern property line | 20' | Y | | Shown (Stipulation A.3) |
| 20' screening buffer on southwestern property line | 20' | Y | | Shown |
| SIDEWALKS | | | | |
| 5' internal sidewalks | 5' | Y | | Sidewalks located throughout the apartment complex |
| 5' exterior sidewalk – Kentucky Street | 5' | Y | | Shown on both sides of Kentucky Street |
| 5' exterior sidewalk – Broadway Avenue | 5' | Y | | Shown on both sides of Broadway |
| 5' exterior sidewalk – University Parkway | 5' | Y | | Existing |
| DRIVEWAYS, ROADS & RIGHTS-OF-WAY | | | | |
| Kentucky Street Broadway Avenue | 50' ROW 24' Minimum Pavement width | Y | | Shown |
| 24' paved drive aisles | 24' | Y | | Shown |

COMPLIANCE WITH THE LAND DEVELOPMENT CODE
Preliminary Site Plan Review Criteria (LDC Section 322.2)
Review Criteria for Zoning Map Amendments (LDC Section 342.3)
General Design Requirements for all Planned Development Site Plans (LDC Section 402.6)
PDR - Planned Development Residential (LDC Section 402.7)

The following represents a demonstration of how the application will achieve compliance with LDC Sections 322.2, 342.3, 402.6, and 402.7. The criteria listed below are 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 / Physical Characteristics of the Site; Relation to Surrounding Property / Compatibility / Transitions / Relationship to Adjacent Property / Site Planning (Review Criteria for Zoning Map Amendments LDC Section 342.3.A.; General Design Requirements for all Planned Development Site Plans LDC Sections 402.6.A., 402.6.D., 402.6.E. and 402.6.G; and PDR – Planned Development Residential LDC Section 402.7.1.): The site is located in an area that has a mixture of existing uses: commercial, residential – both single family and multi-family - and industrial. The PSP meets or exceeds the minimum screening buffer requirements for adjacent uses (LDC Section 701.3.B.3.b). Additionally, the nearest apartment unit is separated from the industrial uses to the west by 200-feet. Soleil West Subdivision is 128-feet from the nearest multi-family structure. This separation also includes a screening buffer of 50-feet exceeding the LDC requirement of 10-feet.

Changes in Land Use or Conditions since Original Zoning Designation (Review Criteria for Zoning Map Amendments LDC Section 342.3.B.): The original zoning designation was established in 1992. In the subsequent 23 years, the University Parkway corridor has undergone considerable change. Previously vacant parcels have developed with commercial, single family detached and attached and multi-family residential uses, service uses, and offices. The proposed multi-family development is an extension of the recent development trends in this area.

Previous Approvals (Preliminary Site Plan Review Criteria LDC Section 322.2.A): There are no previous approvals associated with the proposed Preliminary Site Plan.

Comprehensive Plan (Preliminary Site Plan Review Criteria LDC Section 322.2.B): The proposed PDR zoning and the proposed PSP are consistent with the RES-16 FLUC (PA15-02, Ordinance No. 16-15 (fka 15-32)).

Consistency with Comprehensive Plan (Review Criteria for Zoning Map Amendments LDC Section 342.3.C and General Design Requirements for all Planned Development Site Plans LDC Section 402.6.W): The proposed PDR zoning and the proposed PSP are consistent with the RES-16 FLUC (PA15-02, Ordinance No. 16-15 (15-32)).

Health, Safety or Welfare of the Neighborhood and County (Review Criteria for Zoning Map Amendments LDC Section 342.3.F.): The proposed PDR zoning and multi-family development should not have any adverse impact on the health, safety, or welfare of the neighborhood and County.

Land Development Code (Preliminary Site Plan Review Criteria LDC Section 322.2.C.): The proposed multi-family development will meet the requirements of the Land Development Code and all applicable Manatee County Design Manuals.

Conformance with Applicable Requirements of LDC (Review Criteria for Zoning Map Amendments LDC Sections 342.3.G.): The Oasis at University development will meet the requirements of the Land Development Code and all applicable Manatee County Design Manuals.

Orderly Development (Review Criteria for Zoning Map Amendments LDC Section 342.3.H.): This area of Manatee County has a mixture of residential, commercial, and industrial developments. The subject property is adjacent to University Parkway and a variety of commercial/industrial uses to the south, Soleil West Subdivision to the north, S.C.L. Railroad and industrial uses to the west, and a variety of commercial/vacant uses to the east. The proposed multi-family project is compatible with the development patterns in the area.

Public Utilities, Facilities and Services / Rights-of-Way and Utility Standards (Review Criteria for Zoning Map Amendments LDC Sections 342.3.D. and 342.3.E and General Design Requirements for all Planned Development Site Plans LDC Sections 402.6.B and 402.6.U):

Utilities

There are existing potable water and sanitary sewer facilities in the vicinity of The Oasis at University; however, utility plant capacity and transmission line capacity are not determined at this stage in the development review process. The applicant will be required to pay their proportionate share of the costs to mitigate impacts from the project on utility plant and transmission capacity, in accordance with applicable County Codes and ordinances. The following water and wastewater facilities are in the vicinity of this development project:

| | |
|------------|---|
| Water: | 16" potable water main along University Parkway |
| Sewer: | 2" sanitary force main along Kentucky Street and University Parkway, and 6" sanitary force main, approximate 6400' from the proposed project site, at Tuttle Avenue and Broadway Avenue |
| Reclaimed: | No County reclaimed water in the vicinity of this development Project. |

Schools

The Interlocal Agreement for Public School Facility Planning provides for the coordination between the four municipalities in Manatee County, the County and the School Board in regard to certain types of applications for residential development: Comprehensive Plan amendments providing for any increase in residential density; zoning map amendments regarding permissible residential development and approvals for or amendments to development plans for residential development that authorize the new construction of 10 or more residential units.

The School Board is required to provide through their staff a written report that addresses specific items regarding school planning (included with this Staff Report as Attachment 5). This property is located in School Service Area 3 and the attendance zone schools are: Kinnan Elementary, Harllee Middle, and Southeast High School.

The local government is required to enter the School Report containing a preliminary statement of available and projected school capacity, among other matters, into the public hearing record for the application.

The Interlocal Agreement provides that unless the application is for a DRI development order or a local development agreement, the proposed residential development shall be eligible to receive a concurrency determination, as defined in the Interlocal Agreement, concurrent with authorization for commencement of horizontal construction or vertical construction, whichever occurs first.

Public Safety

Law enforcement will be provided by the Manatee County Sheriff's Office, Public Safety will be provided by the Manatee County Public Safety Department, and fire protection will be provided by Southern Manatee Fire & Rescue.

Rights-of-Way

No right-of-way is required for University Parkway.

Expansion of Adjacent Zoning Districts (Review Criteria for Zoning Map Amendments LDC Section 342.3.I.): The zoning to the north of project is PD-MU and is approved for single family detached and attached, multi-family residential, and commercial/office development. To the east and south the zoning is LM and to the west is HM. According to LDC Section 402.16.C.1, the PD-MU zoning district shall not be used when other single use districts can accommodate the proposed use. The Oasis at University is a single use project; therefore, the PDR zoning was selected and is appropriate for this use and location.

Environment (Preliminary Site Plan Review Criteria LDC Section 322.2.E): According to the Wetland Delineation Summary provided by Universal Engineering dated April 23, 2015, there are no jurisdictional wetlands on-site. For additional information, please refer to the Environmental Section of this Staff Report.

Environmental Impacts / Environmental Factors (Review Criteria for Zoning Map Amendments LDC Section 342.3.K. and General Design Requirements for all Planned Development Site Plans LDC Section 402.6.T.): According to the Wetland Delineation Summary provided by Universal Engineering dated April 23, 2015, there are no jurisdictional wetlands on-site. For additional information, please refer to the Environmental Section of this Staff Report.

Impact on Historic Resources / Natural and Historic Features, Conservation and Preservation Areas (Review Criteria for Zoning Map Amendments LDC Section 342.3.J and General Design Requirements for all Planned Development Site Plans LDC Section 402.6.K.): According to the narrative provided by the Applicant, there are no known historic or archaeological resources or conservation or preservation areas within or adjacent to the project boundaries.

Use and District Requirements (Preliminary Site Plan Review Criteria LDC Section 322.2.D): The proposed multi-family use is consistent with the PDR zoning district and is required to meet the minimum standards of the Land Development Code.

Allowable Uses (Review Criteria for Zoning Map Amendments LDC Section 342.3.L): The proposed use is multi-family residential with associated amenities and required infrastructure. This use is compatible with adjacent uses.

Relocation of Mobile Home Owners (Review Criteria for Zoning Map Amendments LDC Section 342.3.M): Not applicable.

Stormwater Management (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.V): Stormwater management facilities will meet the requirements of LDC Section 801 and the Stormwater Design Manual. Designs will be provided with the Final Site Plans for each construction phase.

Landscaped Open Space and Pervious Area Requirements (PDR – Planned Development Residential LDC Section 402.7.2): The proposed screening buffers meet or exceed the minimum LDC requirements.

Detailed landscaping plans will be provided with the Final Site Plans for each construction phase. All landscaping will meet or exceed the standards in LDC Section 701. The design and maintenance of the roadway and greenbelt buffers will be based on a unified landscape plan.

The Oasis at University provides 12.3 ± acres (48%) of open space (30% is required for a Planned Development in the Entranceway). The recreational amenities proposed for the project include: a health and fitness center, clubroom with resident kitchen, gaming room, resort-style beach entry pool, and centralized lake with a walking/jogging trail and lighted fountains.

Relation to Major Transportation Facilities / Access / Frontage and Accessibility (General Design Requirements for all Planned Development Site Plans LDC Sections 402.6.C and 402.6.H and PDR – Planned Development Residential LDC Section 402.7.3): Access is available from University Parkway via Kentucky Street (primary access) and Florida Street (secondary access). Internal access is from drive aisles with surface parking and/or garages. The proposed PSP meets the minimum parking requirements for the multi-family units as well as the clubhouse area.

Neighborhoods (PDR – Planned Development Residential LDC Section 402.7.4): The design of this project promotes a neighborhood. The focal point of this development is the clubhouse, pool, and cabana area that overlooks a retention pond that includes two lighted fountains. The pedestrian circulation within the project connects the individual buildings with recreational amenities, open spaces areas, and required service areas such as the mail kiosk.

Greenbelts (PDR – Planned Development Residential LDC Section 402.7.5): This project is required to have a 15-foot greenbelt buffer adjacent to the project perimeters. This greenbelt buffer is provided in combination with screening buffers (refer to the LDC Compliance Section of this Staff Report).

Traffic Circulation (PDR – Planned Development Residential LDC Section 402.7.6): The property has access from University Parkway at Kentucky Street (primary entrance) and Florida Street (secondary entrance). Internal circulation is from drive aisles with surface parking and/or garages.

Yards and Setbacks (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.O and PDR – Planned Development Residential LDC Section 402.7.7): The following chart shows the minimum proposed setbacks for The Oasis at University.

| Use/Type | Between Parking Areas and Structures | Between Structures |
|--------------------|--------------------------------------|--------------------|
| Multi-family Units | Minimum 20-feet | Minimum 20-feet |

Minimum Lot Width (PDR – Planned Development Residential LDC Section 402.7.8): The Oasis at University is a multi-family development and minimum lot widths are not applicable.

Height / Building Height (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.M and PDR – Planned Development Residential LDC Section 402.7.9): The following is an analysis and specific finding for structures exceeding 35-feet in height.

Compatibility. The proposed PSP provides a minimum separation between the single family uses to the north (which are permitted a maximum height of 35-feet) of 128-feet; the least amount of separation is 99-feet adjacent to the eastern property boundary which is adjacent to vacant LM zoned property (which has a permitted maximum height of 45-feet). The proposed height of 45-feet will not create any adverse impacts to adjacent properties.

Relationship to Adjacent Properties. The minimum setback of the principal buildings to any property line is 99-feet which occurs adjacent to the eastern property boundary (LM zoning). The nearest residential use is Soleil West Subdivision on the northern property boundary. The minimum setback in this location is 128-feet. This northern property boundary is currently heavily vegetated both on The Oasis property and the Soleil West property. The intent of The Oasis development is to maintain this natural vegetation to the greatest extent possible.

Roofline Design. The proposed design incorporates a significant amount of articulation with architectural elements including balconies and varying roof lines.

Façade Design. The façade provides modulation and varied rooflines through the use of windows, balconies, pedestrian scale entry features that project out from the main structure, and varied paint and exterior finishes.

Building Materials. A variety of building materials are proposed: stucco, Hardie board and stone.

Open Space. The LDC requires 30% minimum open space; the project proposes approximately 48%.

Comprehensive Plan. The proposed height (3 stories/45-feet) is consistent with the Comprehensive Plan Land Use Operative Provision G. – Community Design and Compatibility and the Joint Character Compatibility Study – Suggested Heights which identified the University Parkway Corridor for heights ranging between 5 and 10 stories. Additionally, the development proposes a multi-family residential project which is consistent with Policies 2.2.1.15.1 and 2.2.1.15.2 (RES-16 Intent and Range of Potential Uses), Policy 2.6.1.1 (compatibility through screening, buffering, and setbacks), Policy 2.6.1.2 (requiring the zoning of planned development), 2.9.1.9 (pedestrian and bicycle access to community spaces); Goal 6.1 (variety of housing opportunities near employment, shopping, services and alternative transportation), Policy 6.1.1.1 (variety of dwelling unit types).

SPECIFIC FINDING FOR STRUCTURES EXCEEDING 35-FEET IN HEIGHT

Based on a review of the factors to be considered under LDC Section 402.7.D.9, the Board of County Commissioners finds that the development, as approved and stipulated, is compatible with the surrounding area and will not create any external impacts that would adversely affect surrounding development or the entranceway because the required building setbacks provide adequate separation from the Soleil West

Subdivision to the north, the roofline design is sufficiently articulated, and the project provides adequate open space.

Design Quality (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.F): The Oasis at University PSP shows screening buffers and/or roadway buffers that either meet or exceed the LDC requirements. The structure setbacks from property lines are:

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|---------------------------------|--|
| North (Soleil West) | 50-feet to parking/garage areas; 128-feet to apartment structure |
| South (University Pkway) | 300-feet to apartment structure |
| East | 20-feet to parking/garage areas; 99-feet to apartment structure |
| West | 122-feet to parking/garage structures; 200-feet to apartment structure |

As stated in the Height Analysis, the apartment structures will have a significant amount of articulation with architectural elements including balconies, the façade provides modulation and varied rooflines through the use of windows, balconies, pedestrian scale entry features that project out from the main structure, and varied paint and exterior finishes, and the structures will have a variety of building materials including stucco, Hardie board and stone. Recreational amenities may include: a health and fitness center, clubroom with resident kitchen, gaming room, resort-style beach entry pool, and centralized lake with a walking/jogging trail and lighted fountains.

Circulation (Preliminary Site Plan Review Criteria LDC Section 322.2.F): The proposed PSP provides adequate driveways, parking, and service areas for the multi-family development. The project has access from University Parkway via Kentucky Street with secondary access from University Parkway via Florida Street. Internal access is from drive aisles with surface parking and/or garages.

In addition to vehicular circulation, pedestrian circulation is also provided. The project provides internal sidewalks adjacent to parking areas that connect the parking areas to the apartment structures. A network of internal sidewalks are provided throughout the development tying the residential units to the amenity areas and service areas such as the mail kiosk.

Concurrency (Preliminary Site Plan Review Criteria LDC Section 322.2.G): Please refer to the Concurrency Section of this Staff Report.

Streets, Drives, Parking and Service Areas (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.I): Primary access to the site is from University Parkway via Kentucky Street; secondary access is from University Parkway via Florida Street. Internal access is from drive aisles with surface parking and/or garages. The proposed PSP meets the minimum parking requirements for the multi-family units as well as the clubhouse area.

Pedestrian Systems (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.J): There is an existing 5' sidewalk on University Parkway. Sidewalks are provided on the east and west sides of Kentucky Street and on the north and south sides of Broadway Avenue. The multi-family development provides internal sidewalks adjacent to parking areas connecting the parking areas to the apartment structures. A network of internal sidewalks are provided throughout the development tying the residential units to the amenity areas and service areas such as the mail kiosk.

Density/Intensity (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.L): The gross density is 12.7 du/ac and the net density is 13.7 du/ac. The average density of multi-family development in the area is 15.8 du/ac.

Fences and Screening (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.N): The Oasis at University PSP shows screening buffers and/or roadway buffers that either meet or exceed the LDC requirements.

Trash and Utility Plant Screens (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.P): Compactor/Dumpster enclosures will be constructed of the same building materials as the apartment structures.

Signs (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.Q): All signs will meet the requirements of LDC Chapter 6 and LDC Section 900.6.C. (Entranceway).

Entranceway Designation (General Design Requirements for all Planned Development Site Plans LDC Section 402.6.S): The Oasis at University will meet or exceed the minimum requirements of the LDC Section 900 – Entranceways.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the RES-16 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 surrounding area is characterized by residential, commercial, industrial, and limited agricultural uses. Utilities are in the vicinity of this project.

Policy 2.2.1.15.1 Intent. The site is intended for moderate density urban residential uses. The proposed multi-family development is consistent with this intent. The proposed gross density of 12.7 du/ac is within the range of moderate density. The proposed gross density exceeds the Special Approval threshold of 9 du/ac; therefore, Special Approval is requested for this project.

Policy 2.2.1.15.2 Range of Potential Uses. Multi-family units are in the range of potential uses.

Policy 2.6.1.1 Compatibility. PDR developments can be designed so that development is compatible with the existing residential and non-residential uses in the area. The proposed project provides screening buffers that either meet or exceed the minimum requirements of the Land Development Code.

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| Average Area Densities: | 15.8 | du/ac multi-family projects |
| | 9.54 | du/ac multi-family and single family attached projects |
| | 7.69 | du/ac multi-family, single family attached and detached projects |

The proposed gross density of 12.7 du/ac and the proposed net density of 13.7 du/ac is compatible with the existing developments surrounding this project.

Policy 2.6.5.4 Preserve/Protect Open Space. The site plan shows 48% open space (12.3 acres). 30% open is required (Entranceway).

TRANSPORTATION

Major Transportation Facilities

The site is located north of University Parkway, which is designated as a six-lane arterial roadway in the Comprehensive Plan's Future Traffic Circulation Map and has a planned right of way width of 200 feet.

Transportation Concurrency

Transportation concurrency was evaluated for the project. The applicant prepared a Traffic Impact Analysis (TIA) to determine impacts to University Parkway and associated intersections. The results of the TIA indicated that there are no off-site concurrency-related improvements required for the project (see Certificate of Level of Service Compliance table below).

Access

The site will have access to the thoroughfare roadway network via one driveway connection on Kentucky Street. The TIA identified the following site related improvements at the project access location:

1. Kentucky Street (Project Driveway) and University Parkway
 - a. Extend the eastbound left-turn lane by 130 feet.
 - b. Construct a westbound right-turn taper with a length of 125 feet.

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

CLOS APPLIED FOR: **YES**
TRAFFIC STUDY REQ'D: **YES**

| NEAREST ROADWAY | LINK(S) | ADOPTED LOS | EXISTING LOS |
|--------------------|---------|-------------|--------------|
| University Parkway | 3205 | D | C |

Solid waste landfill capacity, park needs, and preliminary drainage intent have been reviewed with this Preliminary Site Plan. School capacity, potable water and waste water will be reviewed at the time of Final Site Plan/Construction Drawings.

SPECIAL APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

- 1. Comprehensive Plan Policy 2.2.1.15.4(b) - requires all projects located in the RES-16 land use category proposing a gross residential density exceeding 9 dwelling unit per acre to obtain Special Approval.**

Staff Analysis and Recommendation

The Comprehensive Plan requires any project in the RES-16 land use category exceeding 9 dwelling unit per gross acre to rezone to a Planned Development zoning district. This application complies with this requirement by rezoning to Planned Development Residential (PDR).

Finding for Special Approval

The Board finds that the purpose of the Comprehensive Plan, specifically the intent of the RES-16 Future Land Use designation which states that the development of these lands shall follow a logical expansion of the urban environment, typically growing from the west to the east, consistent with the availability of services and the nature, extent, location of development, and the availability of services have been reviewed to ensure the transitioning of these lands is consistent with the intent of this policy and has been met by the proposed design.

- 2. Comprehensive Plan Policy 3.2.2.1 requires projects adjacent to a perennial lake or stream to obtain Special Approval.**

Staff Analysis and Recommendation

The purpose of the Special Approval is to ensure that water quality of the perennial lake or stream will not be affected by the development, which will be accomplished through the runoff treatment requirements for storm water facilities.

Finding for Special Approval

The Board finds that this application meets or exceeds the requirements of the Comprehensive Plan for Perennial Lakes or Streams, as conditions of approval for the Planned Development project include requirements to provide storm water facilities that provide extra treatment for runoff that will protect water quality of the perennial lake or stream.

- 3. Project Located within the Entranceway**

The Comprehensive Plan requires projects located within the Entranceway to obtain Special Approval. LDC Section 345, Table 3-4 requires projects within the Entranceway to meet the requirements of LDC Section 900.

Staff Analysis and Recommendation

This project meets or exceeds the requirements established in LDC Section 900 – Entranceway.

Finding for Special Approval

The Board finds that this Application meets the requirements of the Comprehensive Plan for Entranceways by meeting or exceeding the requirements of LDC Section 900.

ATTACHMENTS

- 1. Applicable Comprehensive Plan Policies**
- 2. Zoning Disclosure Affidavits**
- 3. Traffic Impact Analysis**
- 4. Maps – Future Land Use, Zoning and Aerials**
- 5. School Report**
- 6. Height Analysis and Renderings**
- 7. Public Comment**
- 8. Affidavits of Publishing**
- 9. Preliminary Site Plan**
- 10. Ordinance PDR-15-13(Z)(P)**
- 11. Ex-Parte Communication**
- 12. Request from Applicant for additional presentation time**

APPLICABLE COMP PLAN POLICIES

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| Policy: 2.1.2.3 | Permit the consideration of new residential and non-residential development with characteristics compatible with existing development, in areas which are internal to, or are contiguous expansions of existing development if compatible with future areas of development. |
| Policy: 2.1.2.4 | Limit urban sprawl through the consideration of new development and redevelopment, when deemed compatible with existing and future development, and redevelopment area planning efforts when applicable in areas which are internal to, or are contiguous expansions of the built environment. |
| Policy: 2.1.2.7 | Review all proposed development for compatibility and appropriate timing. This analysis shall include: <ul style="list-style-type: none">- consideration of existing development patterns,- types of land uses,- transition between land uses,- density and intensity of land uses,- natural features,- approved development in the area,- availability of adequate roadways,- adequate centralized water and sewer facilities,- other necessary infrastructure and services.- limiting urban sprawl- applicable specific area plans- (See also policies under Objs. 2.6.1 - 2.6.3) |
| Policy 2.2.1.6 | Require that a specific project's maximum potential be established only through the application of the implementing land development regulations, including zoning districts, which may restrict development potential to less than the maximum provided for in this Comprehensive Plan in response to appropriate land use, public facility and natural resource considerations as identified in this Comprehensive Plan. Furthermore, nothing in this Comprehensive Plan shall guarantee the achievement of maximum development potential, as shown on the Future Land Use Map. (See also Objectives 2.6.1, 2.6.2, 2.6.3) |
| Policy 2.2.1.15 | RES-16: Establish the Residential-16 Dwelling Units/Acre future land use category as follows: |
| Policy 2.2.1.15.1 | Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established for moderate density urban residential uses. Also, to provide for a complement of residential support uses normally utilized during the daily activities residents of these moderate density urban areas. Lodging places may also be located within this future land use category (see also Objective 6.1.3). |
| Policy 2.2.1.15.2 | Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Suburban or urban residential uses, neighborhood retail uses, short-term agricultural uses other than special agricultural uses, agriculturally-compatible residential uses, low intensity recreational facilities, public or semi-public uses, schools, lodging places, and appropriate water-dependent/water-related/water-enhanced uses (see also Objectives 4.2.1 and 2.10.4). |

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| Policy 2.2.1.15.3 | <p>Range of Potential Density/Intensity:</p> <p>Maximum Gross Residential Density: 16 dwelling units per acre</p> <p>Minimum Gross residential Density: 13.0 only in UIRA for residential projects that designate a minimum of 25% of the dwelling units as “affordable housing”.</p> <p>Maximum Net Residential Density: 20 dwelling units per acre</p> <p>28 dwelling units per acre in UIRA for residential projects that designate a minimum of 25% of the dwelling units as “Affordable Housing”. (except within the WO or CHHA Overlay Districts pursuant to Policies 2.3.1.5 and 4.3.1.5)</p> <p>Maximum Floor Area Ratio: 0.25 (0.35 for mini-warehouse uses only) 1.00 inside the UIRA</p> <p>Maximum Square Footage for Neighborhood Retail Uses: Medium (150,000sf)</p> |
| Policy 2.2.1.15.4 | <p>Other Information:</p> <ul style="list-style-type: none">a) All mixed and multiple-use projects, or projects containing any lodging place not consistent with the locational criteria for medium commercial uses contained in this element, shall require special approval, as defined herein, and as further defined in any development regulations developed pursuant to § 163.3202, F.S.b) All projects for which either gross residential density exceeds 9 dwelling units per acre, or for which any net residential density exceeds 12 units per acre, shall require special approval.c) Any nonresidential project exceeding 30,000 square feet of gross building area shall require special approval.d) Development of densities greater than 9 du/ga in areas that are not substantially or completely developed with residential uses exceeding 9 du/ga at time of plan adoption shall require approval pursuant to policy 2.6.2.5.e) Professional office uses not exceeding 3,000 square feet in gross floor area within this category may be exempted from compliance with any locational criteria specified under Policies 2.10.4.1 and 2.10.4.2, and detailed in the Land Use Operative Provision Section E (1) provided such office is located on a roadway classified as a minor or principal arterial, however, not including interstates, and shall still be consistent with other commercial development standards and with other goals, objectives, and policies in this Comprehensive Plan (see also 2.10.4.2) |
| Policy 2.6.1.1 | <p>Require all adjacent development that differs in use, intensity, height, and/or density to utilize land use techniques to mitigate potential incompatibilities. Such techniques shall include but not be limited to:</p> <ul style="list-style-type: none">- use of undisturbed or undeveloped and landscaped buffers- use of increased size and opacity of screening- increased setbacks |

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| | <ul style="list-style-type: none">- innovative site design (which may include planned development review)- appropriate building design- limits on duration/operation of uses- noise attenuation techniques- limits on density and/or intensity [see policy 2.6.1.3] |
| Policy 2.6.1.2 | Require the use of planned unit development, in conjunction with the mitigation techniques described in policy 2.6.1.1, for projects where project size requires the submittal of a site development plan in conformance with the special approval process in order to achieve compatibility between these large projects and adjacent existing and future land uses. |
| Policy 2.6.1.3 | Require appropriate limits on net residential density to achieve compatibility between adjacent residential land uses. Limits on net density may reduce net density on a project, or part thereof, into less than the maximum net density associated with the future land use category or categories on the project site (see also policy 2.6.1.1). |
| Objective 2.9.1 | <p>Strong Communities: Create and maintain communities which are characterized by their:</p> <ul style="list-style-type: none">- connection, integration, and compatibility with surrounding land uses,- community spaces and focal points,- protection of the natural environment,- connection and integration of pedestrian, bicycle, and vehicular systems,- usable open spaces, and public access to water features,- unifying design elements and features,- variety of housing stock,- pedestrian oriented structures, and pedestrian friendly design,- connection to recreational facilities, schools, adjacent neighborhoods, employment opportunities and commercial uses. |
| Policy 2.9.1.1 | Minimize the development of residential projects which create isolated neighborhoods. |
| Policy 2.9.1.2 | Promote the connection and integration of community pedestrian, bicycle, and vehicular systems to the larger county systems. (See also Obj. 3.3.3) |
| Policy 2.9.1.5 | Promote the development of pedestrian friendly designs. |
| Policy 2.9.1.6 | Promote the use of unifying design elements and features. |
| Policy 6.1.1.1 | Permit a variety of appropriate dwelling unit types and sizes in all residential future land use categories, subject to compliance with other goals, objectives, and policies of this Comprehensive Plan. |
| Policy 6.1.3.4. | Encourage the development of a variety of dwelling units of varying cost or rent within a single development. |