An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for an approximately 4,634 square foot convenience store, 8 gas pumps (16 fueling stations) and a 980 square foot free-standing car wash and associated infrastructure; the property is approximately 3.4 acres and is generally located at the northwest corner of SR 64 and 145th Street East, and is commonly known as 14427 SR 64 East, Bradenton (Manatee County) subject to stipulations as conditions of approval; providing a legal description; providing for severability; and providing an effective date.

RECOMMENDED MOTION

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as stipulated herein, I move to ADOPT Manatee County Zoning Ordinance Number PDC-19-14(P); APPROVE the Preliminary Site Plan with Stipulations A.1. – A.6.; B.1. - B.8.; C.1 – C.3.; and D.1.; as recommended by the Planning Commission.

(Commissioner Trace)

PLANNING COMMISSION ACTION:
On June 11, 2020, by a vote of 6 – 0, the Planning Commission recommended approval.

PUBLIC COMMENT AND CORRESPONDENCE:
June 11, 2020 Planning Commission
There were no public comments.
Revisions to Stipulations B.3 and B.4 were entered into the record and are incorporated into this report.
### PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE NUMBER</th>
<th>PDC-19-14(P)/ PLN1909-0021</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT NAME</td>
<td>Convenience store, gas pumps and car wash at SR 64 and 145th Street East</td>
</tr>
<tr>
<td>APPLICANT(S) / AGENT</td>
<td>James K. and Loriann M. Toomey and Coast Development of Bradenton, Inc. (owner) / SERED 64 LR, LLC (contract purchaser) and Wade Cobb - Infrastructure Solution Services, LLC (agent)</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>PDC (Planned Development Commercial)</td>
</tr>
<tr>
<td>PROPOSED USE(S)</td>
<td>Convenience Store, Gas Pumps and Car Wash</td>
</tr>
<tr>
<td>SPECIFIC APPROVAL REQUEST(S)</td>
<td>None requested.</td>
</tr>
<tr>
<td>CASE MANAGER</td>
<td>Dorothy Rainey, AICP Senior Planner</td>
</tr>
<tr>
<td>STAFF RECOMMENDATION</td>
<td>Approval of Preliminary Site Plan with stipulations.</td>
</tr>
</tbody>
</table>

### DETAILED DISCUSSION

#### History

The proposed project area is comprised of one entire parcel and a part of a second parcel. Both parcels have been vacant/open land until around the early 1970’s when a residence was built on each parcel, and both residences remain today. The site received PDC zoning and approval of a Preliminary Site Plan on February 28, 2008 with Ordinance PDC-07-01(Z)(P). The Site Plan, which totaled 8.65 acres, proposed 58,670 square feet of retail uses. The prior zoning was A (General Agriculture) and PDR (Planned Development Residential) the latter of which was part of the original rezoning of the Mill Creek development to the north. According to Section 322 of the LDC the preliminary site plan expired with no Final Site Plan approved, so the land remained undeveloped.

#### Request

The request is to develop approximately 3.4 acres of the two parcels with convenience store, gas pumps and accessory car wash uses and associated infrastructure. The applicant will be meeting all the requirements of the Comprehensive Plan and Land Development Code.

The applicant was required to have the two homes assessed by the Redevelopment & Economic Opportunity Department to determine whether they qualify as “affordable housing stock”. The Department issued a letter stating that neither residence qualifies and that no payment for mitigation will be required.

#### Detailed Discussion:

The request is for approval of a convenience store, gas pumps and car wash with associated infrastructure on 3.4 acres in the PDC (Planned Development Commercial).

The property is located at the northwest corner of the intersection of SR 64 and 145th Street East in Bradenton and is within the UF-3 (Urban Fringe – 3 du/acre) Future Land Use Category (FLUC).

The applicant submitted a Preliminary Site Plan (see below) which includes the following:
The convenience store building is proposed in the middle of the project area with the main pond of the storm water system north of the site improvements. The car wash building is proposed at the west end of the project area.

- 24 parking spaces (including 2 handicap spaces) are provided around the south and east sides of the convenience store building. A bicycle rack (6 spaces) is also provided.
- The FAR for the project (excluding canopy) is 0.62 with a proposed building height of 25 feet.
- Access off SR 64 (right-in/right-out in easement shared with adjacent property to west) and full access off 145th Street East.
- A large forested wetland and the required 30-foot wide wetland buffer are located between the project area and the residential community to the north.
- Additional storm water ponds are provided east and west of the main building.

**PRELIMINARY SITE PLAN**

The site is eligible to be considered for the requested Preliminary Site Plan to develop a convenient store with fuel pumps because it is located at the intersection of two arterials (SR 64 E and 145th Street East/Lorraine Road) and is therefore, in compliance with the commercial locational criteria requirements. Additionally, the UF-3 FLUC lists neighborhood and community serving commercial in the range of potential uses.
The project is subject to the requirements of LDC Section 531.10 – Car Washes; 531.16–Drive-Through Establishments; 531.51–Service Stations/Gas Pumps, all three of which require that compatibility be addressed through various standards that are required to be met for each of the “specific uses”.

The applicant has requested a reduction of the parking requirements from 32 to 24 spaces. A parking study conducted at a similar currently operating facility was submitted to staff to support the request for a reduction through the provision provided in Section 1005.3.A. of the Land Development Code. Staff has reviewed the parking study and finds it demonstrates the reduction to the minimum number of parking spaces will not cause a shortage in parking for the uses proposed in compliance with Section 1005.4.D.

The request can be found to be in compliance with the applicable regulations of the LDC and the Comprehensive Plan. Staff recommends approval of this request with stipulations.

Staff recommends approval of the Preliminary Site Plan with the stipulations provided by staff.

<table>
<thead>
<tr>
<th>SITE CHARACTERISTICS AND SURROUNDING AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ADDRESS</strong></td>
</tr>
<tr>
<td><strong>GENERAL LOCATION</strong></td>
</tr>
<tr>
<td><strong>ACREAGE</strong></td>
</tr>
<tr>
<td><strong>EXISTING USE(S)</strong></td>
</tr>
<tr>
<td><strong>FUTURE LAND USE CATEGORY(S)</strong></td>
</tr>
<tr>
<td><strong>DENSITY</strong></td>
</tr>
<tr>
<td><strong>INTENSITY: Maximum/Proposed</strong></td>
</tr>
<tr>
<td><strong>OVERLAYS</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>SURROUNDING USES AND ZONING</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>NORTH</strong></td>
</tr>
<tr>
<td><strong>SOUTH (across SR 64)</strong></td>
</tr>
<tr>
<td><strong>EAST (across 145th Street East)</strong></td>
</tr>
<tr>
<td><strong>WEST</strong></td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>SITE DESIGN DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SETBACKS (minimum required by LDC Section 402.11 - PDC):</strong></td>
</tr>
</tbody>
</table>
### SETBACKS (proposed):

<table>
<thead>
<tr>
<th></th>
<th>Front (local road):</th>
<th>35-feet</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>Side:</td>
<td>15-feet</td>
</tr>
<tr>
<td></td>
<td>Rear:</td>
<td>20-feet (corner lot – not applicable)</td>
</tr>
<tr>
<td>Wetland Buffer:</td>
<td>30-feet (Section 706 of LDC)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Front (collector road):</th>
<th>169-feet (SR 64)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front (local road):</td>
<td>114-feet (145th Street East)</td>
</tr>
<tr>
<td>Side (north/west):</td>
<td>216-feet/73-feet</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rear:</td>
<td>20-feet (corner lot – not applicable)</td>
</tr>
<tr>
<td>Wetland Buffer:</td>
<td>15-feet (Section 706 of LDC)</td>
<td></td>
</tr>
</tbody>
</table>

### MINIMUM LOT SIZE(S) / LOT TYPE(S)

Not applicable – non-residential uses and no commercial subdivision proposed at this time.

### HEIGHT (allowed)

Maximum: 3-stories

For more than 3-stories compliance with Section 401.5 of LDC.

### HEIGHT (proposed)

25-feet (all structures)

### OPEN SPACE

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20 percent (0.68 acres)</td>
<td>26 percent (0.89 acres)</td>
</tr>
</tbody>
</table>

### ACCESS

- One full access on 145th Street East
- One right-in/right-out on SR 64 East

### PARKING (required):

- 1 space per 200 square feet (store) – 24 spaces
- 1 space per 2 fueling stations – 8 spaces
- 1 bicycle space per 1,000 square feet (store) – 5 spaces

### PARKING (proposed):

(*Reduction of the required parking for fueling stations could be administratively approved according to the provision of LDC Section 1005.4.D. A Parking study has been provided)

- 1 space per 200 square feet (store) – 24
- 1 space per 2 fueling stations – 0 spaces(*)
- 1 bicycle space per 1,000 square feet (store) – 6 spaces

### FLOOD ZONE(S)

Site lies in Zones X and A per FIRM Panel 12081C0332E, effective 3/17/2024.

### AREA OF KNOWN FLOODING

Project Located in Flood Prone Area: Yes
Type of Flooding (i.e. rainfall, riverine, storm surge, etc): Rainfall
Project Subject to flow reduction: Yes. Mill Creek Watershed is subject to 50% reduction in pre-developed runoff rate for the design 25-year/24-hour storm event.
Project subject to OFW: N/A
Watershed/Basin: Mill Creek Watershed
Project located within Floodplain and/or Floodway: Project is partially located within the FEMA 2014 FIRM 100-year floodplain (Zone “A”). Project area is partially located within 100-year floodplain delineation pursuant to preliminary Mill Creek Watershed Management Plan (WMP). Project area is not located within county 25-year floodplain delineation.

Drainage Easements/Access Easements required for existing system(s): Refer to final design comment below.
The following water and wastewater facilities are in the vicinity of this development project:

**Water:** 8-inch water main on the west side of 145th Street East

**Sewer:** 8-inch gravity sewer main at the northeast property corner.

**Reclaimed:** 4-inch reclaimed water main at the northeast property corner

### UTILITIES

<table>
<thead>
<tr>
<th>WETLAND I.D.</th>
<th>WETLAND ACREAGE</th>
<th>ACRES IMPACTED</th>
<th>TYPE</th>
<th>QUALITY (UMAM SCORE)</th>
<th>REASON FOR IMPACT</th>
<th>ERS OBJECTION</th>
<th>EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0.612</td>
<td>0.018</td>
<td>Mixed Hardwoods</td>
<td>N/A</td>
<td>Utilities</td>
<td>NO</td>
<td>Sewer Main (will be returned to grade)</td>
</tr>
<tr>
<td></td>
<td>0.612</td>
<td>0.018</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Wetlands**

Wetland A will have a temporary impact of 0.018 acres to accommodate installation of a sewer main. The impacted area, including the wetland buffer adjacent to the installation site, will be returned to grade and planted. An additional impact to the wetland buffer will be necessary for installation of a storm water management system outfall structure as permitted in LDC Section 706.7.B.1. This temporary temporarily impacted buffer area will be returned to grade and restored through plantings. The temporary impact for the outfall structure will be 153 square feet and for the wastewater connection will be 529 square feet, for a total buffer impact of 0.016 acres.

**Uplands**

There are some mixed hardwoods with disturbed areas and older homesites on the proposed site.

**Endangered Species**

The site was investigated for listed species through both direct observation and data review according to the March 2019 Steinbaum and Associates, Inc. Environmental Narrative report. No protected nor listed wildlife species were observed on site. An updated survey is required prior to Final Site Plan per stipulation B.5 of the ordinance.

**Trees**

The applicant has provided a tree removal and replacement matrix indicating the project will be in compliance with Section 700 and 701 of the LDC.

**Landscaping/Buffers**

The Preliminary Site Plan landscape plan delineates a 10-foot wide roadway buffer along the roadways on the south and east sides of the project area as required. The buffer to the north with residential includes the existing wetland, 30-foot wetland buffer and a retention pond with planted trees. The north western project area property line is adjacent to a Tract 2 future storm water pond and is buffered by a storm water retention pond with planted trees. The southern portion of the west project line is an entrance road that will service this project and future commercial development on the adjacent tract.
### 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>
</tr>
</thead>
<tbody>
<tr>
<td>Xpress Storage at Portal Crossing 2014</td>
<td>MU</td>
<td>PDC</td>
<td>3.12</td>
<td>43,881</td>
<td>0.32</td>
</tr>
<tr>
<td>Mobile Gas Station 2009</td>
<td>MU</td>
<td>PDC</td>
<td>1.48</td>
<td>5,252</td>
<td>0.08</td>
</tr>
<tr>
<td>Imagine School 2008</td>
<td>R/O/R</td>
<td>PDC</td>
<td>1.625</td>
<td>4,800</td>
<td>0.07</td>
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<tr>
<td>CVS Pharmacy 2005</td>
<td>MU</td>
<td>PDC</td>
<td>2.63</td>
<td>15,879</td>
<td>0.14</td>
</tr>
</tbody>
</table>

### POSITIVE ASPECTS

- The site is located at a commercial node and already has PDC (Planned Development Commercial) zoning, which is appropriate for commercial/retail development.
- The project fronts on and will have direct access from a major thoroughfare (SR 64).
- Commercial development is occurring along the SR 64 corridor and this intersection and location may be considered appropriate for commercial development.

### NEGATIVE ASPECTS

- The site abuts residential uses to the north (Mill Creek VII). There may be potential negative impacts relative to lights, glare and noise to residential areas.

### MITIGATING MEASURES

- A lighting plan in compliance with the LDC regulations will be submitted at Final Site Plan stage.
- The proposed site design will be providing more than the minimum required buffering and screening for residential development to the north by the forested wetland and wetland buffer, which will also provide approximately 160-feet of separation.

### STAFF RECOMMENDED STIPULATIONS

#### A. DESIGN AND LAND USE

1. The total square footage of the site shall be limited to 5,614 square feet (4,634 square foot convenience store, and 980 square foot car wash). The maximum height of the structures is limited to 25-feet as shown on the Preliminary Site Plan.
2. All roof mounted mechanical equipment (e.g., HVAC) shall be screened with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s).

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

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

5. The use of outdoor speakers are not allowed within the project facilities.

6. The applicant shall submit an easement agreement providing for nonexclusive ingress and egress for vehicular and pedestrian access from the project site to State Road 64 as generally depicted on the preliminary site plan. The easement agreement shall be duly executed and recorded in the public records at the time of final site plan approval.

B. ENVIRONMENTAL

1. All other applicable state or federal permits shall be obtained prior to commencement of construction.

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

3. Manatee County may suspend any development orders, issue stop work orders and otherwise take enforcement actions pursuant to Chapter 1, LDC, where the difference between an estimate of wetland areas and functions shown on preliminary plans and the approved ERP are determined to be significant enough to warrant substantial project revisions, per LDC Section 706.2. A substantial modification shall require approval from the BOCC.

4. Conservation Easement for the areas defined as post-development jurisdictional wetlands, wetland buffers, and upland preservation areas that will serve as wetland mitigation areas shall be dedicated to Manatee County prior to, or concurrent with Final Plat approval.

5. 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. The Management Plan, and correspondence and permits, approved by the State (Florida Fish and Wildlife Conservation Commission) shall be submitted prior to the commencement of development for any listed species found on site. Evaluation of the proposed development site shall contain dates of field review, name and qualifications of individual(s) conducting the field review – including authorized Gopher Tortoise Agents, a statement of the methodology used to conduct the habitat assessment and biological survey, a map indicating where listed species (or nests or burrows) were observed on the site, a list of all species observed on site, and a habitat management plan describing measures proposed by the applicant to ensure non-disturbance, relocation or other acceptable mitigative measures.

6. 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 353.3 of the LDC.
7. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior to Final Site Plan approval. The Well Management Plan shall include the following information:
   • Digital photographs of the well along with nearby reference structures (if existing).
   • GPS coordinates (latitude/longitude) of the well.
   • The methodology used to secure the well during construction (e.g. fence, tape).
   • The final disposition of the well - used, capped, or plugged.
   Please contact Manatee County Environmental Protection Division at 941-742-5980 for questions regarding wells.

8. 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.

C. STORMWATER

1. Pursuant to Section 801 and 802 of the Land Development Code and Code of Federal Regulations (CFR), Title 44, Section 60.3, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the 100-year floodplain as delineated by the FEMA 2014 FIRM or preliminary Mill Creek Watershed Management Plan (available from Public Works Department) and post-development discharge of runoff.

2. This project shall be required to reduce the calculated pre-development flow rate by fifty percent (50%) for all storm water outfall flow directly or indirectly into Mill Creek Watershed. Modeling shall be used to determine pre- and post-development flows.

3. All fill within the 100-year Floodplain shall be compensated by the creation of an equal or greater storage volume above seasonal high water table. Drainage modeling shall utilize preliminary Mill Creek Watershed Study (available from Public Works Department) to demonstrate, in post-development condition, that no adverse impacts are created to adjacent property based upon a “no-rise” flood stage condition.

D. INFRASTRUCTURE

1. Connection to the County potable water and wastewater systems 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 appropriate County 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.

REMAINING ISSUES OF CONCERN – NOT RESOLVED OR STIPULATED

No remaining issues.

<table>
<thead>
<tr>
<th>Standard(s) Required</th>
<th>Design Proposal</th>
<th>Compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>BUFFERS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway Buffers:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South (SR 64) – 10-feet</td>
<td>10-feet</td>
<td>X</td>
<td>Meets LDC standards</td>
</tr>
<tr>
<td></td>
<td>10-feet</td>
<td>X</td>
<td>Meets LDC standards</td>
</tr>
</tbody>
</table>

**COMPLIANCE WITH LAND DEVELOPMENT CODE STANDARDS**
<table>
<thead>
<tr>
<th>East (145&lt;sup&gt;th&lt;/sup&gt; Street East – 10-feet)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Perimeter Buffers:</td>
<td></td>
</tr>
<tr>
<td>North: (next to residential)</td>
<td>30-feet X</td>
</tr>
<tr>
<td>West: (access easement along part of boundary)</td>
<td>None needed X</td>
</tr>
<tr>
<td></td>
<td>30-foot wetland buffer, wetland, and retention pond road/access easement on south half of west property line</td>
</tr>
</tbody>
</table>

**SIDEWALKS**

<table>
<thead>
<tr>
<th>Sidewalks:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>SR 64:</td>
<td>8-foot wide sidewalk proposed X Shown on PSP.</td>
</tr>
<tr>
<td>145&lt;sup&gt;th&lt;/sup&gt; Street East:</td>
<td>5-foot wide sidewalk proposed X Shown on PSP.</td>
</tr>
</tbody>
</table>

**DRIVEWAYS, ROADS AND RIGHTS-OF-WAY**

<table>
<thead>
<tr>
<th>Required:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15-foot internal driveways (one-way)</td>
<td>Provided:</td>
</tr>
<tr>
<td>24-foot internal driveways (two-way)</td>
<td>15-foot Shown on PSP</td>
</tr>
<tr>
<td>36-foot driveway entrances (both accesses to site)</td>
<td>28-foot and 41-foot on either side of canopy Shown on PSP</td>
</tr>
<tr>
<td></td>
<td>36-foot Shown on PSP</td>
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</tbody>
</table>

**ENTRANCEWAY COMPLIANCE**

<table>
<thead>
<tr>
<th>Open Space</th>
<th>% required</th>
<th>Not in Entranceway</th>
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</table>

**COMPLIANCE WITH THE LAND DEVELOPMENT CODE**

LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA
LDC SECTION 402.6 - GENERAL DESIGN REQUIREMENTS FOR PLANNED DEVELOPMENT SITE PLANS
LDC SECTION 402.11 – PLANNED DEVELOPMENT COMMERCIAL
LDC SECTION 531.10 – CAR WASHES
LDC SECTION 531.16 DRIVE THROUGH ESTABLISHMENTS
LDC SECTION 531.51 SERVICE STATIONS/GAS PUMPS

The following represents an analysis of how the application achieves compliance with LDC Sections 322.2, 402.6, 402.11, 531.10, 531.16, and 531.51. The criteria listed below were used to evaluate each specific request for rezoning to ensure compliance with the Comprehensive Plan and to establish stipulations to be adopted for Planned Development districts.
LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA

A. Previous Approvals.
Analysis: The proposed project area is comprised of one entire parcel and a part of a second parcel. Both parcels have been vacant/open land until around the early 1970’s when a residence was built on each parcel, and both residences remain today. The site received PDC zoning and approval of a Preliminary Site Plan on February 28, 2008 with Ordinance PDC-07-01(Z)(P). The Site Plan, which totaled 8.65 acres, proposed 58,670 square feet of retail uses. The prior zoning was A (General Agriculture) and PDR (Planned Development Residential) the latter of which was part of the original rezoning of the Mill Creek development to the north. The Preliminary Site Plan expired before a Final Site Plan could be submitted for approval, so the land remained undeveloped. Since the previously approved Preliminary Site Plan expired, the current site plan does not have to be consistent with the expired site plan.

B. Comprehensive Plan.
Analysis: The proposal is in compliance with all the applicable Comprehensive Plan Policies to obtain approval of a Preliminary Site Plan. The applicable policies have been provided later in the staff report with analyses on how the project meets them.

C. Land Development Code.
Analysis: This section as well as the other sections of the Land Development Code are addressed through analyses for each criterion for the current request for approval of a Preliminary Site Plan.

D. Use and District Requirements.
Analysis: Sections 402.6 – Planned Developments and 402.11 – Planned Development Commercial districts are addressed in the staff report as follows. Also, Sections 531.10 – Car Washes; 531.16 – Drive Through Establishments; and 531.51 – Service Stations/Gas Pumps are addressed for each criterion in the sections of the staff report that follow.

E. Environment.
Analysis: According to the Environmental Review Section’s comments there are a total of 0.162 acres of wetlands on-site with proposed temporary wetland impacts of 0.018 acres. The applicant is also proposing 0.016 acres of temporary wetland buffer impacts. The impacts to wetland and wetland buffer for Wetland “A” are for utilities and storm water outfall installations, respectively. Mitigation for both impacts are addressed within the environmental narrative, including scoring of the wetlands for quality and determining mitigation that may be required for impacts.

According to the narrative there were no Endangered Species observed on-site. However, a Gopher Tortoise survey will be required prior to commencement of construction on-site.

F. Circulation.
Analysis: The access point from SR 64 is regulated by FDOT and is proposed as a right-in/right-out on the Preliminary Site Plan. The access point from 145th Street East is regulated by the County and is required to meet all the County standards including separation requirement from nearest intersection and evaluation of the area for any required roadway improvements to accommodate the establishment of the proposed uses on-site.

Internal as well as external sidewalks are required for the project, if not already existing. The two systems will be required to be connected to provide safe pedestrian and bicycle ingress and egress.

G. Concurrency.
Analysis: The applicant for the project has filed an application for deferral of Concurrency and will be required to obtain a Certificate of Level of Service with the Final Site Plan and Construction Plans.
**LDC SECTION 402.6 – GENERAL REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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</thead>
</table>
| A. | Physical Characteristics of the Site; Relation to Surrounding Property.  
*Analysis:* The 3.4-acre site consists of two parcels, one (1) with frontage along SR 64 and one with frontage on both SR 64 and 145th Street East (Lorraine Road). There is also a wetland at the north end of the two parcels which will be preserved along with the required 30-foot wetland buffer.  
The project has been designed to have minimal impact to natural resources as well as surrounding properties. The storm water system is proposed adjacent to the wetland, as is customary, to provide continued hydration to the wetland after the project is constructed. The system will be required to be designed to retain all rainfall on-site and in the storm water system, thus preventing any adverse impacts to surrounding properties. Requiring that the project be in compliance with the LDC and Manatee County Public Works Standards will ensure there will be no risk of erosion, subsidence, flood hazard, destruction of wetlands or other dangers. |
| B. | Relation to Public Utilities, Facilities and Services.  
*Analysis:* According to information provided by the Utilities Department water, sewer and reclaimed water are all available for the project to connect to. Reclaimed water may be used for irrigation. Other services, such as transportation systems, emergency services, schools, public safety, are available in this already developed area. |
| C. | Relation to Major Transportation Facilities.  
*Analysis:* The site fronts on SR 64, a major arterial roadway. As part of the approval process, the applicant will be required to provide a Traffic Impact Analysis before obtaining approval of specific uses and intensities, which will allow staff to evaluate and determine whether roadway improvements will be required to be provided by the developer to mitigate traffic generation by this project. |
| D. | Compatibility.  
*Analysis:* The site is located on the northwest corner of the intersection of SR 64 and 145th Street East (Lorraine Road), which is a commercial node. The site was rezone to the current PDC zoning district in 2008. Recent commercial development on the south side of SR 64 includes the Mobil Gas Station and Xpress Storage, approved in 2009 and 2014 respectively. The proposed development is compatible with the commercial development pattern and trends of the nearby area, and the establishment of proposed convenience store/gas station and automated car wash will provide additional services for nearby residents, commercial establishments, passerby motorists, and visitors to the area.  
The site will also be required to be designed to provide compatibility with surrounding uses. The site abuts residential uses to the north, however, the subdivision (Mill Creek VII) has common area/open space between the backs of the homesites and the north edge of the proposed project. The proposal contemplates to increase the separation of the uses from the north property line (approximately 160-feet) by the forested wetland and wetland buffer, to ensure compatibility of the uses with the adjacent residential development. The proposal also includes placement of the proposed storm water system between the wetland and the buildable portion of the site, which will provide additional separation, screening and noise mitigation by the distance created by the forested wetland and wetland buffer and the storm water system.  
Building height and intensity (Floor Area Ratio) will be in compliance with the limitations of both the Comprehensive Plan Future Land Use Category (UF-3) and the Land Development Code (PDC district bulk and dimensional requirements).  
Any lighting proposed for the project will require submittal of a lighting plan at time of Final Site Plan review and approval, which will require compliance with the Lighting section of the Land Development Code. |
| E. | Transitions.  
*Analysis:* The project area to be developed is a part of a larger PDC (Planned Development Commercial) zoning district and the uses proposed on the site are located to provide for compatibility and transition to surrounding uses that differ from the commercial/retail uses. The site is located at the northwest corner of SR 64 and 145th Street East. This intersection is a commercial node. Most of the corridor of SR 64, where residential development has not occurred, has or will be developed with commercial/retail uses. On the
other side of the commercial/retail development is where residential development has occurred. This arrangement provides a transition from the residential uses to the commercial/retail and ultimately to the major thoroughfare of SR 64. Additionally, transition is also provided through increased setbacks, buffers, and screening.

Transition should be provided through increased setbacks, buffers, and screening. As discussed earlier under “compatibility” the site is laid out with a large on-site wetland and the proposed storm water system between the proposed uses and the residential neighborhood to the north (Mill Creek VII). This arrangement provides a transition from the residential uses to the commercial/retail and ultimately to the major thoroughfare of SR 64.

F. Design Quality.
Analysis: The proposed preliminary site plan includes a total of 9,254 square feet of commercial/retail uses (4,634 square foot convenience store with 3,640 square foot canopy, 16 fuel pumping stations and 980 square foot automated car wash). Associated parking spaces are provided in a reduced amount based on a parking study conducted at a similar currently operating facility, and in accordance with the provision in Section 1005.3.A of the LDC. The main storm water pond will be located on the north portion of the site.

The project has been designed to provide compatibility and transition between differing uses and intensities of the surrounding area. The uses to the north are residential and the design addresses compatibility and transition. The remaining surrounding properties are vacant at this time so some of these criteria will be addressed by the surrounding projects as they come forward for approvals.

The request to reduce the minimum number of parking spaces will not have any adverse impact on surrounding properties, as it will only result in a reduction to paved area within the project limits.

G. Relationship to Adjacent Property.
Analysis: As mentioned, the abutting properties to the east and west are vacant. The property to the north is the Mill Creek VII residential subdivision and the discussions of project design and layout in prior analyses of criteria address this criterion as well. The distance from this north property line to the nearest improvements is approximately 160-feet and contains a forested wetland, the 30-foot wetland buffer required to be provided around the wetland, as well as the proposed storm water pond that will serve the site.

The project is utilizing a shared access with the parcel to the west which will eventually develop with commercial/retail uses, thus addressing connectivity and cross-access between projects. It should be noted that this arrangement for access from SR 64 is regulated and required by FDOT.

H. Access.
Analysis: The project is required to be designed to meet County standards for access points from County roads, including separation from nearest intersections. The pedestrian and bicycle circulation improvements or sidewalks are also required to be in compliance with County standards and to provide ingress and egress for the site that is safe and efficient. The access on SR 64 as well as sidewalks within SR 64 right-of-way are regulated by FDOT standards and requirements.

Vehicular ingress/egress for the site will be provided through a shared easement at the southwest corner of the site in the form of a right-in/right-out to SR 64. A second ingress/egress to 145th Street East (Lorraine Road) is proposed as a full access. The access easement will be required to be recorded in the public records, as per the stipulation provided.

I. Streets, Drives, Parking and Service Areas.
Analysis: No new streets are proposed. The site plan shows internal driveways (28-feet wide for two-way, 15-feet wide for one-way and 41-feet on either side of pump canopy) as well as 36-foot wide access drives for ingress/egress to SR 64 and 145th Street East (Lorraine Road).

One of the access points (to SR 64) is provided in the form of a cross-access easement for use by the property to the west when it develops, providing cross-access, thus limiting access points onto SR 64.
Both this access and the access to 145th Street East will be required to be designed to meet FDOT and Manatee County safety standards, respectively.

The internal drive aisles and travel lanes are designed to provide vehicular access and circulation on-site with safety for both vehicles and pedestrians and will meet the County standards for structural stability of construction materials. The parking for the convenience store is mostly abutting the sidewalk around the building. The one row of parking that does not abut the building sidewalk has a cross walk feature to allow pedestrians to safely cross the drive aisle parallel to the east side of the convenience store building.

The drive aisle for the car wash as well as the bypass lane are both located on the west side of the building and there are no pedestrian paths to be impacted by the vehicles using these drive aisles and lanes. The access points onto the site from both SR 64 and 145th Street East have pedestrian cross walks to allow safe crossing by pedestrians.

A total of 32 parking spaces and a five-space bicycle rack are required (24 spaces for the store and 8 spaces for the gas pumps and 5 space bicycle rack). According to the Preliminary Site Plan a total of 24 spaces is proposed with a 6-space bicycle rack. The applicant has requested a reduction of the parking requirements from 32 to 24 spaces. A parking study conducted at a similar currently operating facility was submitted to staff to support the request for a reduction through the provision provided in Section 1005.3.A. of the Land Development Code. Staff has reviewed the parking study and finds it demonstrates the reduction to the minimum number of parking spaces will not cause a shortage in parking for the uses proposed.

Loading zones and service areas, such as the location for gas tankers to refill tanks are provided to ensure safety and not impede operation and circulation of customers on-site. The site plan provides a 15 by 35-foot loading zone (one space) to the southwest of the building.

Necessary infrastructure such as Utility distribution, power, sewer, cable, potable water and fire protection routing, location, and sizing will all be subject to meeting Manatee County standards and reviewed and approved with the Final Site Plan for the project.

### J. Pedestrian Systems.

**Analysis:** Pedestrian circulation within the site is designed for safety with cross walks to connect outer parking with the sidewalk around the convenience store building. The parking for the convenience store is mostly abutting the sidewalk around the building so the customers can get to this sidewalk without crossing vehicular traffic. The one row of parking that does not abut the building sidewalk has a cross walk feature to allow pedestrians to safely cross the drive aisle parallel to the east side of the convenience store building.

There are also connections provided between on-site and off-site sidewalks. The design shows adequate pedestrian circulation externally along SR 64, with the proposed 8-foot wide sidewalk and for 145th Street East with the proposed 5-foot sidewalk. The driveways into the site from both SR 64 and 145th Street East have pedestrian cross walks to allow safe crossing by pedestrians.

### K. Natural and Historic Features, Conservation and Preservation Areas.

**Analysis:** According to the applicant there are no known historic features on-site. If any historic resources are found during time of development, the applicant will be required to immediately report discoveries of historical or archaeological resources to the Florida Division of Historical Resources.

There are areas of existing native habitat that are in the wetland or wetland buffer on-site that will be preserved after development of the site.

### L. Intensity.

**Analysis:** The applicant proposes a maximum of 9,254 square feet of commercial area (4,634 square foot convenience store, 3,640 square foot canopy, and 980 square foot car wash) for an overall project FAR (Floor Area Ratio) of 0.06, which is well below the maximum allowable FAR of 0.35 under the UF-3 FLUC (Future Land Use Category).
Density is not proposed with this project.

**M. Height.**

**Analysis:** The buildings within the project are proposed at one-story or 25-feet in height, which is below the maximum allowable height in the PDC zoning district (guided by the GC district height limitation of 3-stories). Heights of more than this must be approved by the Board and are subject to Section 401.5 – Building Height Compatibility in the LDC.

The proposed height should not create any external negative impact that would affect surrounding developments and is below the maximum height allowed for the project.

**N. Fences and Screening.**

**Analysis:** The Preliminary Site Plan indicates that the project will be in compliance with all the screening and buffering requirements of the Land Development Code. The Preliminary Site Plan shows the following:

- Roadway Buffer: 10-foot wide along SR 64 (south boundary) and 10-foot wide along 145th Street East (east boundary) and required planting materials.
- Proposed perimeter buffers and plantings (according to LDC Fig. 7-3):
  - North: Existing forested wetland and 30-foot wetland buffer will serve as buffer and screening from residential uses to the north.
  - West: Proposed storm water facility with planted trees will serve as buffer along northern half of this property line. South half of west boundary abuts ingress/egress easement that provides access to SR 64, where the project area abuts additional PDC zoned vacant property which will eventually be developed with non-residential uses.
  - Foundation landscaping: 20 square feet per 1,000 square feet of gross floor area per LDC Section 701.5 will be provided with the Final Site Plan.

A fence or wall is an option for buffering and screening, however, it is not proposed for the project.

**O. Yards and Setbacks.**

**Analysis:** The site plan complies with or exceeds all applicable setbacks 402.11, 531.10, 531.16, and 531.51 LDC sections. Minimum required setbacks and proposed setbacks are shown below:

<table>
<thead>
<tr>
<th>Required:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (south):</td>
<td>35 feet (SR 64 East)</td>
</tr>
<tr>
<td>Front (east):</td>
<td>35 feet (145th Street East)</td>
</tr>
<tr>
<td>Side (north):</td>
<td>15 feet</td>
</tr>
<tr>
<td>Side (west):</td>
<td>15 feet</td>
</tr>
<tr>
<td>Waterfront:</td>
<td>30 feet</td>
</tr>
<tr>
<td>Wetland Buffer:</td>
<td>15 feet</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proposed:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Front (south):</td>
<td>169-feet (SR 64)</td>
</tr>
<tr>
<td>Front (east):</td>
<td>35-feet (145th Street East)</td>
</tr>
<tr>
<td>Side (north/west):</td>
<td>73-feet/216-feet</td>
</tr>
<tr>
<td>Rear:</td>
<td>20-feet (corner lot – not applicable)</td>
</tr>
<tr>
<td>Wetland Buffer:</td>
<td>5-feet (Section 706 of LDC)</td>
</tr>
</tbody>
</table>

It should be noted that the project only abuts residential uses or zoning districts along the north property line. The distance from this north property line to the nearest improvements is approximately 160-feet and contains a forested wetland, the 30-foot wetland buffer required to be provided around the wetland as well as the proposed storm water pond that will serve the site.
P. Trash and Utility Plant Screens.
   Analysis: The site plan shows a designated area for the location of a dumpster immediately north of the convenience store building. (northwest corner of the main building) which will be required to be screened in accordance with Sections 701 and 803.3 of the Land Development Code. To the north of the dumpster area, between the proposed on-site uses and the residential uses, is a heavily forested wetland and the 30-foot wetland buffer that will provide buffering and screening as well. There are no other facilities such as lift stations that will need to be screened.

Q. Signs.
   Analysis: Signs for the project will be required to be shown on the Final Site Plan and will be administratively approved with building permits. All signs required to be in compliance with Chapter 600 of the Land Development Code.

R. Landscaping.
   Analysis: The project will provide all required landscaping and screening materials in accordance with Section 701 – Landscaping and Screening Standards of the LDC. The applicant has not requested any Specific Approvals for alternatives to any sections of the Code.

S. Special Guidelines for Review of Projects with Mixed Use Plan Designations and Projects at Designated Entranceways.
   Analysis: The project is not in either the Mixed-Use Future Land Use Category or a designated Entranceway.

T. Environmental Factors.
   Water Conservation.
   Analysis: The development will be required to conform to Manatee County Land Development Code and Engineering Standards for water conservation measures. The Utilities Department has provided information regarding availability of reclaimed water for the project to connect to for irrigation use. This will promote conservation of potable water.

   The landscaping required by Code for the project encourages the use of native plant species that are drought tolerant and establish more easily. Other design considerations for the proposed project, including the storm water system design, will promote water conservation, retention of runoff on-site and use of pervious areas to reduce flooding.

   Minimum Open Space Requirements.
   Analysis: The minimum requirement for open space is 20% or 0.68 acres. The project is proposed with 26% open space or 0.89 acres, exceeding the minimum required. The total minimum requirement does not include more than 75% in open water bodies (storm water ponds) or wetlands. The additional proposed pervious area will assist with allowing rainfall to soak in instead of running off the land.

   Preservation of Existing Plant Communities.
   Analysis: The only intact areas of native plant communities on the identified project area are within the wetland and adjacent forested upland. The 0.612-acre wetland will be preserved and is included in the open space requirement. The adjacent 30-foot wide native upland buffer runs along the nearly 600-foot perimeter of the wetland providing additional protection of existing native plant communities. Preservation of the wetland and wetland buffer exceeds the requirements of LDC Section 402.6.T.3.b

   Analysis: Connection to Manatee County utilities is required and will be reviewed in greater detail with the Final Site Plan submittal. Details of rights-of-way and utility improvements will be required to be provided to demonstrate compliance with the requirements of the Manatee County Public Works Standards.
V. Stormwater Management.
  
  Analysis: Per FIRM Panel 12081C0332E, effective 3/17/2014, the project area lies in Zones X and A. The project will be required to design the storm water system to comply with all the requirements of the Land Development Code as well as the Manatee County Standards for Storm water.

W. Consistency with Comprehensive Plan.
  
  Analysis: The project is required to be consistent with the applicable Comprehensive Plan policies. Analyses are provided for the policies addressed later in the staff report.

X. Other Factors.
  
  Analysis: The project fronts on SR 64, a major thoroughfare. Although this is not considered an Entranceway, this is an area that warrants a well designed project with adequate design factors and buffering and screening to give a quality appearance to passersby.

  The minimum open space requirement for the PDC (Planned Development Commercial) district is 20%, 5% more than the standard GC (General Commercial) zoning district. The project is proposing 26% open space (0.89 acres) where the minimum is 20% or 0.68 acres.

  There is no “outdoor storage” component with the proposal for convenience store with gas pumps and car wash. Parking and loading areas are proposed away from the front yard area of the project and are not adjacent to the main roadway the project fronts on.

  The project will also be required to meet the criteria for the following Specific Use sections: 531.10 – Car Washes, which requires that certain services associated with the car wash facility be contained inside the building, and 531.16 – Drive Through Facilities, which requires additional screening by a wall or fence for the drive through area of the use. These extra requirements for both sections contribute to additional screening and buffering for adjacent properties. The requirements of Section 531.51 – Service Stations/Gas Pumps requires additional setbacks for all associated structures, including underground storage tanks, to promote safety for surrounding properties. The analyses for the three sections are provided below in the staff report.

LDC SECTION 402.11 – PDC – PLANNED DEVELOPMENT COMMERCIAL
- Intensity.
  Analysis: The maximum intensity or FAR (Floor Area Ratio) is determined by the FLUC (Future Land Use Category). The project is in the UF-3 (Urban Fringe-3 dwelling units per acre). The maximum allowable FAR is 0.35. The project is proposed with a FAR of 0.62, which is well below the maximum allowed. The total square footage for buildings proposed is 9,254 square feet.

- Landscaped Open Space and Pervious Area Requirements.
  Analysis: The project is proposed with 26% open space or 0.89 acres which exceeds the minimum requirement of 20% or 0.73. The total minimum open space required may include up to 75% in water bodies or wetlands. There is a wetland on-site

- Yards and Setbacks.
  Analysis: Setbacks are proposed as shown below:

  Front (south): 35 feet (SR 64 East)
  Front (east): 35 feet (145th Street East/Lorraine Road)
  Side (north): 15 feet
  Side (west): 15 feet
  Waterfront: 30 feet
  Wetland Buffer: 15 feet
The project will be in compliance with all the criteria of Section 402.11 – Planned Development Commercial as demonstrated in the analyses under Section 402.6 – Planned Development Criteria.

LDC SECTION 531.10. Car Washes.

A. All principal car washing machinery shall be within a completely enclosed building behind opaque exterior walls, except for necessary entrances and exits.
The car wash facility proposed with this project will be incidental, therefore, this criterion will not apply.

B. Car washes in GC and NC shall not use outdoor speakers if abutting a residential district.
The project is proposed in a PDC (Planned Development Commercial) zoning district and only abuts residential uses to the north. A stipulation prohibiting the use of outdoor speakers is provided to ensure this criterion is complied with.

C. All self-serve car wash, drying/vacuum areas shall be set back fifty (50) feet from any adjacent residential use/zoning.
The car wash proposed is considered an “incidental” car wash, not a self-serve. The car wash structure will be at least 160-feet away from the residential uses to the north of the project area.

D. All full serve and incidental car wash structures shall be set back at least thirty-five (35) feet from any adjacent residential use/zoning.
As indicated previously, the car wash used proposed with the project is considered “incidental” with a minimum setback of 35-feet from residential. The proposal exceeds the minimum required setback since the setback proposed is at least 160-feet from the residential uses to the north.

E. All car wash establishments shall meet the drive through stacking requirements of this Section.
See 531.16 Drive-Through write-up below.

LDC SECTION 531.16 Drive-Through Establishments

The following standards shall apply to all drive-through facilities, including but not limited to restaurants, banks, drug stores, car washes, and dry cleaners.

A. All vehicular stacking areas associated with drive through facilities shall be set back at least thirty (30) feet from adjacent residential zoning/uses.
The car wash vehicular stacking area is proposed to the west of the convenience store building abutting future commercial development. There are no residential uses or zoning districts adjacent to the project area along the west property line.

B. Drive through drive aisles shall be screened from adjacent residential zoning/uses by a six (6) foot solid fence and landscaping equal to sixty (60) percent opacity on the outside of the fence.
As mentioned previously, there are no residential uses or zoning districts adjacent to the proposed location of the car wash. Therefore, this requirement will not apply.

C. On-site traffic circulation shall be designed in such a manner so that no cars are stacked on any rights-of-way, drive aisle or blocking any parking or loading space.
The site plan shows a four-car stacking area which does not encroach on any rights-of-way, drive aisles or block parking or loading spaces.

D. Each stacking lane shall have a minimum width of nine (9) feet. Each stacking space shall have a minimum length of nineteen (19) feet and shall be consistent with the requirements in the Manatee County Public Works Standards Manual.
The four car stack space sizes are 9’ x 19’, which is consistent with the Manatee County Public Works Standards Manual.
E. All drive-through facilities shall provide a by-pass lane, or safe means of egress around drive-through lanes, unless waived by the Department Director due to specific mitigating site or operational conditions.  
There is a safe means of egress around the drive-through lanes.

F. One-way drive aisles which serve automobile-oriented uses may be reduced to eight (8) feet in width when adequate access for emergency vehicles is provided to the principal entrance of the building by other drives and when not encroaching upon a fire lane or walkway.  
There is no request to reduce the width of any drive aisles.

G. Drive-through restaurants within the PDRP or PDI District shall be located on a collector or higher and oriented towards the exterior of the project.  
Not applicable as no restaurant is proposed.

LDC SECTION 531.51. Service Stations/Gas Pumps.

A. Location. A service station shall be so located to provide sufficient distance from any church, playground, playfield, park, hospital, public or private school, public library, theatre, auditorium, stadium, public assembly hall or similar facility to minimize hazards to pedestrians or vehicles, minimize congestion, and to protect the attractiveness of the immediate area of such facilities.  
The project is proposed within a commercial node at the northwest corner of SR 64 and 145th Street East.  
To the west is undeveloped land in PDC (Planned Development Commercial) zoning district.  
To the east, across 145th Street East, there is undeveloped land zoned NC-M (Neighborhood Commercial-Medium).  
None of the facilities or uses mentioned above would be likely to be located on these properties.

B. Lot Dimensions. A service station lot shall be of adequate width and depth to meet the setback requirements of the district regulations and as set forth below, but in no case shall the minimum frontage on any street be less than one hundred fifty (150) feet.  
The lot meets all setback requirements.  
The frontage along SR 64 is approximately 550 linear feet and the frontage along 145th Street East is approximately 448 linear feet, both of which easily exceed the 150’ minimum requirement.

C. Setbacks. No main or accessory building, gasoline pump, tank, vent, pump island, or pump island canopy shall be located within twenty-five (25) feet of any property line.  
All of the above-mentioned features are located more than 25 feet from the property line in compliance with the above regulations.

D. Service Bays. The number of service bays shall be limited to four (4) per site. Facilities that include more than four (4) service bays shall be classified as Major Vehicle Repair.  
There are no proposed service bays on this project.

E. Flammable Liquids Products Storage. All receptacles, tanks or facilities for the storage of flammable liquids in excess of five hundred (500) gallon quantities shall be located underground.  
Liquefied Petroleum Gas (LPG) tanks over five hundred (500) gallons may be installed above ground.  
The storage, utilization, or manufacture of flammable, combustible liquids, or gases shall comply with 540.7.J.1, Fire and Explosive Hazards, Florida Department of Environmental Protection 17-761 and 17-762.  
The gas storage tanks are proposed to be located underground.
### F. Interior Traffic Circulation

When a service station is established in conjunction with a retail sales establishment, such as the sale of convenience goods, the retail use shall be adequately separated from the sale of gasoline or servicing of vehicles to provide safe and efficient on-site traffic circulation. The area containing the gas pumps and the circulation around these pumps shall be considered vehicle use area and shall provide landscaping meeting the standards of Section 701.

The retail use area is separated from the gas pump area, and the landscape requirements for same will be addressed during the Final Site Plan process.

### G. Neighborhood Commercial (NCS and NCM) Districts

The following additional regulations shall apply in the Neighborhood Commercial Districts.

1. There shall be a maximum of four (4) gas pumps per premise.
2. Vehicle repair services accessory to the gasoline station shall be limited to tune-ups, oil changes, and tire repair.
3. Convenience stores and car washes with gas pumps shall be limited to one (1) island with two (2) gas pumps, as defined in Chapter 11. Any such convenience store with gas pumps located in an area with a Future Land Use Designation of AG/R shall be allowed one (1) additional pump island.

Not applicable since the site is not located in NCS or NCM.

### H. Cortez Fishing Village HA Overlay District

Service stations in the Cortez Fishing Village HA Overlay District shall meet the following standards:

1. There shall be a maximum of one (1) island with two (2) gas pumps per island.
2. There shall be a maximum of two (2) service bays.
3. Canopy lighting may not include drop down light bulbs or bulbs that extend below the surface of the canopy.

Not applicable since the site is not located in the Cortez Fishing Village HA Overlay District.

### I. Planned Development Districts

Service Stations or accessory gas pumps within the PDRP, PDI, PDC, PDPI, or PDMU District shall be located on a collector or higher and follow the requirements of this section.

The gas station component of the proposed development is the principal use, and it is located at the intersection of two Arterial roadways, therefore, it complies with this requirement.

### J. Non-Retail Pumps

Non-retail gas pumps accessory to an agricultural use or boat docking/storage facility are allowed regardless of the zoning district requirements.

Not applicable as the gas pumps are retail oriented.

### K. Urban Corridors

Service stations not taking advantage of the additional development intensity offered in Chapter 4 are not required to meet the standards of Section 902. However, a street wall meeting the standards of Section 902.4.G. (Street Walls) shall be provided to screen vehicular use areas.

Not applicable as the project is not in an Urban Corridor.
## COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the **UF-3 (Urban Fringe-3 dwelling units per acre)** FLUC (Future Land Use Category). This project was specifically reviewed for compliance with the following objectives and policies:

<table>
<thead>
<tr>
<th>Policy 2.2.1.11</th>
<th>UF-3: Establish the Urban Fringe - 3 future land use category as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy 2.2.1.11.1</td>
<td>Intent: To identify, textually, in the Comprehensive Plan’s goals, objectives, and policies, or graphically on the Future Land Use Map, areas limited to the urban fringe within which future low density residential and support uses are projected to develop following a logical expansion of the urban environment growing from west to east, consistent with the availability of services. The nature, location of development, and availability of services shall be reviewed to ensure the development of these lands is conducted consistent with the intent of this policy. The UF-3 land use category includes areas of low density urban residential development, generally developed through an integrated master plan approach. The UF-3 category also provides for a complement of residential support uses normally utilized during the daily activities of residents of these low density environments, and in limited circumstances non-residential uses of a community serving nature to allow for a variety of uses within these areas which serve more than the day to day needs of the community. (See further policies under 2.2.1.11.4)</td>
</tr>
<tr>
<td>Policy 2.2.1.11.2</td>
<td>Range of Potential Uses (see Policies 2.1.2.3 - 2.1.2.7, 2.2.1.5): Low density residential and medium-density clustered residential uses, short-term agriculture, neighborhood and community-serving commercial and office uses, and public/semi-public uses, recreation and schools, See Objectives 4.2.1 and 2.10.4.</td>
</tr>
<tr>
<td>Policy 2.2.1.11.3</td>
<td>Range of Potential Density/Intensity:</td>
</tr>
<tr>
<td></td>
<td>- Maximum gross residential density:</td>
</tr>
<tr>
<td></td>
<td>• 3 dwelling units per acre;</td>
</tr>
<tr>
<td></td>
<td>• 9 dwelling units per acre at activity nodes (see Policy 2.2.1.11.4).</td>
</tr>
<tr>
<td></td>
<td>• 9 dwelling units per acre for residential projects that designate a minimum of 25% of the total dwelling units as “Affordable Housing.”</td>
</tr>
<tr>
<td></td>
<td>• Properties within the CEA and CHHA are not eligible for the additional density offered for activity nodes and affordable housing.</td>
</tr>
<tr>
<td></td>
<td>- Maximum net residential density:</td>
</tr>
<tr>
<td></td>
<td>• 9 dwelling units per acre;</td>
</tr>
<tr>
<td></td>
<td>• 12 dwelling units per acre for mixed-use developments at activity nodes (see Policy 2.2.1.11.4).</td>
</tr>
<tr>
<td></td>
<td>• 12 dwelling units per acre for residential projects that designate a minimum of 25% of the total dwelling units as “Affordable Housing.”</td>
</tr>
<tr>
<td></td>
<td>• Clustered developments in the WO or CHHA Overlay Districts may exceed the maximum net density pursuant to Policies 2.3.1.5 and</td>
</tr>
</tbody>
</table>
4.3.1.5.

- Maximum floor area ratio:
  - 0.35;
  - 0.5 at activity nodes (see Policy 2.2.1.11.4).

- Maximum Square Footage for Neighborhood Commercial Uses:
  - Medium (150,000 sf), subject to the Commercial Locational Criteria (see Policy 2.2.1.11.4).
  - Large (300,000 sf), subject to the Commercial Locational Criteria (see Policy 2.2.1.11.4).

Policy 2.2.1.11.4

Other Information:

a) Schools in the UF-3 future land use category may only be permitted in areas where residential development has created demand or is projected to create demand within a reasonable planning timeframe.

b) In order to serve more than day to day needs within the UF-3 suburban environment, activity nodes with neighborhood and community-serving commercial uses may be permitted if consistent with the Commercial Locational Criteria (see Objective 2.10.4 and Land Use Operative Provisions chapter). Residential uses may also be permitted at nodes, but the higher densities noted in Table 2-1 and Policy 2.2.1.11.3 are only allowed in conjunction with a mixed-use development that includes a commercial component.

c) Professional office uses within this category are exempt 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 Provisions provided such office is located on a roadway classified as a minor or principal arterial (not including interstates) and it meets all other commercial development standards and the goals, objectives, and policies in this Comprehensive Plan.

Policy 2.2.1.11.5

RESERVED

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

Analysis: The project is proposed in an area that is developing from west to east, with all the infrastructure already provided for the project. The majority of the development occurring along the SR 64 corridor has been residential developments, which will now need commercial retail uses such as this project.

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: The project is proposed in an area that is developing from west to east and will provide complimentary non-residential uses for the residential development that has been occurring further in from the SR 64 corridor.

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

Analysis: As mentioned before, the project is proposed along the SR 64 corridor where non-residential uses are anticipated to be located. It should also be noted that most of the properties located within the commercial
Objective 2.6.1 Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures.
Analysis: As is common with non-residential development locating adjacent to residential communities, the project is laid out to maximize screening and buffering for compatibility. The project has a wetland and wetland buffer along most of the north project boundary. The storm water system is proposed adjacent and to the south of the wetland area. Together, the wetland, wetland buffer and storm water pond provide screening and separation from the residential uses of approximately 160-feet. The wooded wetland and wetland buffer that are to be preserved

Policy 2.10.1.2. Promote the development of commercial uses in nodes, and discourage scattered, incremental commercial development.
Analysis: As discussed previously, most of the property located within the commercial node at SR 64 and 145th Street East has been rezoned to PDC (Planned Development Commercial) and some of the PDC property has been developed with commercial/retail uses.

Policy 2.10.4.1. Limit the location of all new commercial development to well-defined nodes.
Analysis: As was mentioned previously, the project is being proposed within a commercial node, at the intersection of SR 64 and 145th Street East.

**TRANSPORTATION**

**Major Transportation Facilities**

The site is located in the northwest corner of SR 64 and 145th Street East, north of 145th Street East (Lorraine Road). One-hundred forty-fifth Street East is a local road.

The following thoroughfares are within or adjacent to the project site:

- SR 64 East from Pope Road to 145th Street East (Lorraine Road) is an existing four-lane road with 45 mph posted speed and is designated as a six-lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 200 feet, or as determined by FDOT.
- SR 64 East from 145th Street East (Lorraine Road) to Hardee County is an existing two-lane road with 50 mph posted speed and is designated as a four-lane arterial roadway in the Comprehensive Plan’s Future Traffic Circulation Plan and has a planned right of way width of 200 feet, or as determined by FDOT.

**Transportation Concurrency**

The application includes a proposed Preliminary Site Plan (PSP). Transportation concurrency was evaluated as part of the review of this project. The Applicant prepared a Traffic Impact Analysis (TIA) to determine the impacts to the segments of SR 64 and 145th Street East (Lorraine Road) adjacent to the project site. The results of the TIA, which were reviewed and accepted by the Transportation Planning Division, indicated that the impacted roadway segments, with the exception of SR 64 from Lakewood Ranch Blvd to Rye Road, are expected to operate at or above the level of service (LOS) performance standards with no off-site concurrency-related improvements required to mitigate project impacts (see Certificate of Level of Service Compliance table below).

**Access**

In conjunction with transportation concurrency, a review of site access issues was undertaken by County staff. The site has a right-in/right-out access driveway on SR 64. The TIA identified one access related improvement...
which was directly attributed to project impacts. This site-related improvement, which will improve traffic ingress and egress to the proposed site, is listed below:

Construct a 12-foot-wide westbound right-turn lane at the project driveway on SR 64. This access is within FDOT jurisdiction; therefore, FDOT will decide the appropriate mitigation, design, and construction standards. In addition, coordination to occur between the site civil EOR and FDOT for the design of the subject turn lane and the roundabout planned for construction at the intersection of SR 64 and 145th Street East (Lorraine Road).

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

**TRANSPORTATION CONCURRENCE**

<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 64</td>
<td>3062</td>
<td>D</td>
<td>F</td>
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<tr>
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<td>3063</td>
<td>D</td>
<td>C</td>
</tr>
<tr>
<td>SR 64</td>
<td>3070</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>145th Street East (Lorraine Road)</td>
<td>2650</td>
<td>D</td>
<td>D</td>
</tr>
</tbody>
</table>

**OTHER CONCURRENCY COMPONENTS**

Solid waste landfill capacity and preliminary drainage intent have been reviewed with the preliminary site plan. Potable water and waste water will be reviewed at the time of final site plan.

**SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS**

None requested.

**Attachments**

1. Staff Report Maps/Aerials
2. Preliminary Site Plan
3. Landscape Plan
4. Deferral of Concurrency
5. Traffic Impact Statement
6. Environmental Narrative
7. Parking Study
8. Affordable Housing Stock Letter
9. Newspaper Advertising
10. Ordinance PDC-19-14(P)