An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for a 75-lot single-family residential subdivision; the property is approximately 25 acres and is generally located south of Upper Manatee River Road and east of Greyhawk Boulevard and is commonly known as 12420 and 12310 Upper Manatee River Road, Bradenton (Manatee County); subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

RECOMMENDED MOTION

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as stipulated herein, I move to ADOPT Manatee County Zoning Ordinance Number PDR-19-18(P); APPROVE the Preliminary Site Plan with Stipulations A.1-A.5; B.1-B.8; C.1-C.3; and D.1; ADOPT the Findings for Specific Approval; and GRANT Specific Approval to Land Development Code Sections 402.7.D.7 to allow a reduction to the front yard setback from 25-feet to 23-feet; and 701.4.B.2.b, to allow placement of the proposed fence at the wetland buffer line; as recommended by the Planning Commission.

(Commissioner Trace)

PLANNING COMMISSION ACTION:
On May 14, 2020, by a vote of 6 – 0, the Planning Commission recommended approval. Mr. Rutledge was absent.

PUBLIC COMMENT AND CORRESPONDENCE:
May 14, 2020 Planning Commission
Public Comments:

   Jeannie Cody, resident of Greyhawk Landing stated:
   • Regarding a lift station at northwest corner of proposal – 3 bus stops there which will cause a toxic problem for kids and asks that lift station be moved.
   • Met with Colin with Pulte Homes he agreed to a wall not a PVC fence along Greyhawk Landing Boulevard with heavy foliage.
Karen Ciemnicki, adjacent property owner,
- Does not agree with staff recommendation
- Density larger than surrounding area
- This infill project affecting people live here tiny lots next to larger lots.
- Currently splintered sidewalks in area
- No place for project to go
- Upper Manatee River Road is a Level F, road can’t handle additional traffic, and nothing can be done soon to make improvements
- Drainage impacts – displayed pictures of flooding of property that floods from Greyhawk and removal of trees on subject property will cause more flooding.

Mark Bush, stated:
- Met with Colin and Pulte and stated privacy fence along front, side and back to protect Greyhawk Landings recreation area.
- Concerned residents of subject property will come in Greyhawk and utilize their amenities
- Please make sure there is landscaping.

Walter Wulziak, resident of Greyhawk Landing stated:
- Level of Service on Upper Manatee River Road and Rye Road are currently unacceptable by County Standards. Adding 75 homes on an already congested Upper Manatee River Road will lead to accidents and fatalities.
- The traffic study provided by Whitehorse Group is intentionally inadequate only look at portions of Upper Manatee River Road. It is signed by Vicki Castro who works for Palm Traffic not Whitehouse Group, so study is invalid.
- Traffic was discussed at March 3 Transportation Workshop about how Upper Manatee River Road failing and in need of expansion.
- Greyhawk Boulevard is spite of being gated is constantly being utilized by people tailgating and using other methods to go through the Greyhawk development. This subject development is right next to Greyhawk Development even though it is private.

Additional Public Comments were entered into the record.
PROJECT SUMMARY

<table>
<thead>
<tr>
<th>CASE NUMBER</th>
<th>PDR-19-18(P) - PLN1909-0066</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT NAME</td>
<td>Pulte Upper Manatee</td>
</tr>
<tr>
<td>LAND OWNERS</td>
<td></td>
</tr>
<tr>
<td>APPLICANT(S) / AGENT</td>
<td>Kenneth Harold Griffin and Kathy Logue (owners)</td>
</tr>
<tr>
<td></td>
<td>Rachel Layton @ ZNS Engineering (agent)</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
<td>PDR (Planned Development Residential)</td>
</tr>
<tr>
<td>PROPOSED USE(S)</td>
<td>Residential single-family subdivision</td>
</tr>
</tbody>
</table>
| SPECIFIC APPROVAL REQUEST(S) | 1. Section 402.7.D.7 – Yards and Setbacks  
2. Section 701.4.B.2.b – Fences |
| CASE MANAGER      | Dorothy Rainey, AICP        |
| STAFF RECOMMENDATION | Approval of Preliminary Site Plan with stipulations. |

DETAILED DISCUSSION

History

It appears the two parcels were open land and were vacant until around the late 1960’s or early 1970’s, when homes were built on both parcels. According to the Property Appraiser records the two homes were rebuilt around 1998 and are still currently on the parcels.

The current zoning of PDR (Planned Development Residential) was granted by approval of ordinance Z-90-05(C), which included a conceptual plan for the development of the 740 acres with 784 single-family dwelling units, a 27-hole golf course, a 25,000 square foot clubhouse and associated uses. The conceptual project never went forward and much of the original 740 acres were developed into the Greyhawk Landings community, leaving the subject parcels and many others out of the development process.

Request

The request is to approve a Preliminary Site Plan to develop the PDR zoned site with a 75-lot residential subdivision and related infrastructure.
As mentioned previously, the two parcels that make up the project area currently each have a residence on them. Since the parcels, along with much of the surrounding properties, totaling 740 acres, were rezoned to the PDR (Planned Development Residential) zoning district through the previously mentioned rezone with conceptual plan, it was anticipated that the rezoned property would be developed with higher density residential development than what the agriculture zoning districts would have allowed.

The applicant is proposing a 75-lot residential single-family subdivision on the two parcels. As shown on the site plan, the 75 lots are arranged fronting on a rectangular road system with one of the two storm water ponds in the middle of the rectangular road system. There are also stub-outs that provide road frontage for additional lots shown in the four corners of the project area. The remainder of the storm water system is proposed at the south end of the project area, to the north and east of the wetland and wetland mitigation in the southwest corner of the project.

The access into the subdivision is through a boulevard entrance onto Upper Manatee River Road. There is a lift station proposed in the northwest corner of the subdivision to provide sewer service for the development. Sidewalks are required and have been depicted on the preliminary site plan on the north and west sides of all the internal roads.

The applicant has requested two Specific Approvals for the project. One is to reduce the front yard setbacks for residences with front loaded garages from 25-feet to 23-feet. The second request is to allow placement of the fence that is proposed along the west property line in the area of the wetland buffer, to be placed on the property line for approximately 255 feet of the west property line to allow protection of the wetland buffer area in that location.
Staff recommends approval of the Preliminary Site Plan and requests for Specific Approval with stipulations.

<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</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</strong></td>
</tr>
<tr>
<td><strong>EAST</strong></td>
</tr>
<tr>
<td><strong>WEST</strong></td>
</tr>
</tbody>
</table>
## SITE DESIGN DETAILS

### SETBACKS

<table>
<thead>
<tr>
<th></th>
<th>Front: 23*/20 feet (front/side load garage)</th>
<th>Rear: 15 feet</th>
<th>Side: 5 feet</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(Corner lots)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Front (home fronts on it): 23*-feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Front (other front): 20-feet</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Side: 5-feet</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Specific Approval Section 402.7.D.7 of LDC

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

<table>
<thead>
<tr>
<th></th>
<th>6,250 square feet (50-feet by 125-feet)</th>
</tr>
</thead>
</table>

### HEIGHT

<table>
<thead>
<tr>
<th></th>
<th>Maximum: 2-story</th>
</tr>
</thead>
</table>

### OPEN SPACE

<table>
<thead>
<tr>
<th></th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25% percent (6.25 Acres)</td>
<td>39% percent (9.73 Acres)</td>
</tr>
</tbody>
</table>

### ACCESS

<table>
<thead>
<tr>
<th></th>
<th>Entrance is on Upper Manatee River Road</th>
</tr>
</thead>
</table>

### FLOOD ZONE(S)

<table>
<thead>
<tr>
<th></th>
<th>Site lies in Zones X and AE per FIRM Panel 12081C0195E, effective 3/17/2014.</th>
</tr>
</thead>
</table>

### AREA OF KNOWN FLOODING

<table>
<thead>
<tr>
<th></th>
<th>Project Located in Flood Prone Area: Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Type of Flooding (i.e. rainfall, riverine, storm surge, etc): Rainfall/Storm Surge.</td>
</tr>
<tr>
<td></td>
<td>Project Subject to flow reduction: N/A.</td>
</tr>
<tr>
<td></td>
<td>Watershed/Basin: Gates Creek and Manatee River.</td>
</tr>
<tr>
<td></td>
<td>Project located within Floodplain and/or Floodway: Project is partially located in the FEMA 2014 FIRM 100-year floodplain (Zone “AE”) with a Base Flood Elevation (B.F.E.) of 10.5 feet (NAVD). In addition, the project is partially located within the County 25-year floodplain associated with Gates Creek.</td>
</tr>
</tbody>
</table>

### UTILITIES

<table>
<thead>
<tr>
<th></th>
<th>Water: 6-inch County-owned potable water main on the south side of Upper Manatee River Road.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>*42-inch County-owned potable water main on the north side of Upper Manatee River Road.</td>
</tr>
<tr>
<td></td>
<td>Sewer: 3-inch County-owned force main along the south side of Upper Manatee River Road.</td>
</tr>
</tbody>
</table>
development. As such, off-site upgrades may be required. **The above mentioned 3-inch force main connects to an existing Greyhawk Landing sewer system that includes gravity sewer mains, lift stations, and force mains. Reclaimed: No county-owned reclaimed water infrastructure at the project location.

## ENVIRONMENTAL INFORMATION

<table>
<thead>
<tr>
<th>OVERALL WETLAND ACREAGE</th>
<th>1.73</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROPOSED WETLAND IMPACT ACREAGE</td>
<td>0.28</td>
</tr>
</tbody>
</table>

<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 OBSESSION</th>
<th>EXPLANATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0.25</td>
<td>0.25</td>
<td>Littoral Shelf</td>
<td>Low (0.27)</td>
<td>Lots</td>
<td>No</td>
<td>Non-viable wetland</td>
</tr>
<tr>
<td>2</td>
<td>0.02</td>
<td>0.02</td>
<td>Herbaceous</td>
<td>Low (0.27)</td>
<td>Lots</td>
<td>No</td>
<td>Non-viable wetland</td>
</tr>
<tr>
<td>3</td>
<td>0.01</td>
<td>0.01</td>
<td>Herbaceous</td>
<td>Low (0.27)</td>
<td>Lots</td>
<td>No</td>
<td>Non-viable wetland</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0.28</td>
<td>0.28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Wetlands**
ECO Consultants Incorporated identified 1.73 acres of wetlands on the reference parcel. The applicant is proposing an impact of 0.28 acres. It is the intent of the applicant to mitigate at time of final site plan. Staff has provided an analysis of how the impacts meet criteria for approval per Section 706.6 of the LDC, under the applicable LDC sections portion of the staff report.

**Uplands**
No information at this time.

**Endangered Species**
An environmental Narrative was prepared for the Pulte Group by E Co Consultants Inc. of Palmetto, FL. Preliminary wildlife and habitat assessments were conducted on the proposed site in April 2019. No threatened or endangered species were seen onsite the day the assessment was conducted.

**Trees**
No information at this time, PSP Notes, Sheet 10 #2, states a tree survey will be completed for FSP.

**Landscaping/Buffers**
The applicant is providing the minimum fifteen-foot (15 ft.) greenway screening buffer on the perimeters of the project and a twenty-foot (20 ft.) roadway buffer along Upper Manatee River Road.
<table>
<thead>
<tr>
<th>PROJECT</th>
<th>LOTS/UNITS</th>
<th>DENSITY</th>
<th>MINIMUM LOT SIZE (SQUARE FEET)</th>
<th>APPROVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greyhawk Landing</td>
<td>789</td>
<td>1.22</td>
<td>7,500</td>
<td>2001</td>
</tr>
<tr>
<td>Greyhawk Landing West</td>
<td>501</td>
<td>1.60</td>
<td>7,200</td>
<td>2005</td>
</tr>
<tr>
<td>Country Meadows</td>
<td>247</td>
<td>0.96</td>
<td>15,200</td>
<td>2001</td>
</tr>
<tr>
<td>Mill Creek IV</td>
<td>38</td>
<td>0.83</td>
<td>18,000</td>
<td>1998</td>
</tr>
<tr>
<td>Mill Creek VII</td>
<td>259</td>
<td>0.82</td>
<td>18,200</td>
<td>2002</td>
</tr>
<tr>
<td>Hidden Oaks</td>
<td>81</td>
<td>0.98</td>
<td>19,200</td>
<td>1988</td>
</tr>
<tr>
<td>Waterlefe Golf &amp; River Club</td>
<td>623</td>
<td>1.0</td>
<td>7,020</td>
<td>2001</td>
</tr>
<tr>
<td>Greenfield Plantation</td>
<td>616</td>
<td>1.35</td>
<td>5,200</td>
<td>1995</td>
</tr>
<tr>
<td>Gates Creek</td>
<td>184</td>
<td>2.30</td>
<td>6,600</td>
<td>1995</td>
</tr>
<tr>
<td>Wilderness Crossings</td>
<td>68</td>
<td>1.83</td>
<td>14,000</td>
<td>2011</td>
</tr>
<tr>
<td>Raven Crest</td>
<td>38</td>
<td>2.10</td>
<td>7,800</td>
<td>2013</td>
</tr>
</tbody>
</table>

**POSITIVE ASPECTS**

- The project already has PDR (Planned Development Residential) zoning and is surrounded by PDR zoned property, with Greyhawk Landing property to the west and south of this site.

**NEGATIVE ASPECTS**

- The development may produce additional traffic on Upper Manatee River Road.
- There are no recreational facilities proposed with the development.

**MITIGATING MEASURES**

- Necessary improvements to mitigate the impacts by the project to surrounding road network will be required as conditions of the Certificate of Level of Service which the developer will be required to obtain prior to construction of the project.
## STAFF RECOMMENDED STIPULATIONS

### A. DESIGN AND LAND USE

1. No lots shall be platted through any landscape buffers, retention ponds, wetlands, wetland buffers, or upland preservation areas.

2. 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.

3. In the event the internal roads are private, any gates shall be accessible to emergency providers in accordance with the requirements of all applicable County ordinances and regulations.

4. The Notice to Buyers shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the Sales Contract, and in the Final Site Plan, and shall include language informing prospective homeowners in the project of the following:
   a. In the event the internal roads are private, the internal streets will be maintained by the Homeowner’s Association or other appropriate legal entity.

5. If proposed at a later date, Final Site Plan (FSP) review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the LDC requirements for parking, screening buffer (recreational use to single family), structure height, signage, etc. Recreation Area structure(s) shall have a minimum setback of 20-feet from property lines.

### B. ENVIRONMENTAL

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

2. 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, per LDC Section 706.2. A substantial modification shall require approval from the BOCC.

3. A 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.

4. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas. Before Final Site Plan approval, lots will need to be drawn so they do not encroach into the wetlands or wetland buffers. Buffer encroachments and buffer restoration plans will be addressed during Final Site Plan to ensure consistency with the County’s variable width buffer requirement per LDC Section 706.4.C and buffer restoration requirements per LDC Section 706.4.D.
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 Erosion and Sediment Control Plan (ESCP) information on the Final Site Plan in accordance with Section 353.3 of the LDC.

7. 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.

8. Street Trees:
   • Canopy trees within 10’ of a public sidewalk shall meet Manatee County Public Works Standard Section 301.1, and Exhibit 301.1, entitled “Sidewalk Location Close to Trees”. All sidewalks in the Right of Way within (10’) ft. of an existing or proposed tree that will exceed 6” in diameter at maturity shall be 5” thick and contain 2-#3 rebar entered vertically and spaced 3’ on center. Palms are not considered trees. If within ten (10’) ft. of the tree trunk, potable water service line shall have 48 inches of cover from top of pipe from the meter to the home connection; or, as an alternative, the water line may be installed at 18 inches with a polyethylene service pipe conforming with AWWA C-901.

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 Construction Plans 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 25- and 100-year floodplain delineation and post-development discharge of runoff.

2. Any fill within the 25- and 100-year floodplains associated with Gates Creek and Manatee River Watersheds shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. 25- and 100-year floodplain compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., storm water attenuation and floodplain compensation). Alternatively, the applicant can utilize drainage modeling (submitted for review to the Public Works Department with the Construction Plan submittal) to demonstrate no adverse drainage impacts for the mean annual, 10-year, 25-year, and 100-year design storm events to a no-rise condition.

3. All residential lots/units shall be located outside of the post-development 25-year floodplain.

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.
### COMPLIANCE WITH LAND DEVELOPMENT CODE STANDARDS

<table>
<thead>
<tr>
<th>Standard(s) Required</th>
<th>Design Proposal</th>
<th>Compliance</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUFFERS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roadway Buffers:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Manatee River Road:</td>
<td>20-feet</td>
<td>X</td>
<td>Meets LDC requirements.</td>
</tr>
<tr>
<td>Perimeter Buffer:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>east, west and south property lines.</td>
<td>15-feet</td>
<td>X</td>
<td>Meets LDC requirements.</td>
</tr>
<tr>
<td><strong>SIDEWALKS</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Internal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upper Manatee River Road</td>
<td>5-foot wide on north and west sides of all internal roads</td>
<td>X</td>
<td>Meets LDC requirements.</td>
</tr>
<tr>
<td></td>
<td>5-foot existing sidewalk</td>
<td>X</td>
<td>Meets LDC requirements.</td>
</tr>
</tbody>
</table>

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

The Preliminary Site Plan shows the proposed boulevard entrance onto Upper Manatee River Road as well as the internal roads that will serve the subdivision. They are currently proposed as public roads, however, there is a note on the PSP indicating that the developer may decide to gate the subdivision, which will result in private roads.

### COMPLIANCE WITH THE LAND DEVELOPMENT CODE

**LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA**

**LDC SECTION 402.6 - GENERAL DESIGN REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS**

**LDC SECTION 402.7 - PLANNED DEVELOPMENT RESIDENTIAL**

The following represents an analysis of how the application achieves compliance with LDC Sections 322.22 – Preliminary Site Plan Review Criteria; 402.6 – Planned Development General Design Requirements; 402.7 – Planned Development Residential Criteria. 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 current zoning of PDR (Planned Development Residential) was granted by approval of ordinance Z-90-05(C), which included a conceptual plan for the development of the 740 acres with 784 single-family dwelling units, a 27-hole golf course, a 25,000 square foot clubhouse and associated uses. The conceptual project never went forward and much of the original 740 acres were developed into the Greyhawk Landings community, leaving the subject parcels and many others out of the development process.

B. **Comprehensive Plan.**

**Analysis:** The previously approved rezone to PDR with conceptual plan, mentioned above, was in compliance with the UF-3 (Urban Fringe-3 dwelling units per acre) Future Land Use Category, as it is the intent of the UF-3 to allow low and medium density residential development. The applicant is requesting three dwelling units per acre, which is in compliance with the Comprehensive Plan.
C. Land Development Code.

Analysis: The request to obtain approval of a Preliminary Site Plan for a 75-lot residential subdivision is in compliance with the Land Development Code, as the PDR zoning category allows this use as well as the density proposed by the applicant.

D. Use and District Requirements.

Analysis: The proposed residential subdivision is allowed in the PDR zoning district. The project is also required to demonstrate compliance with the Planned Development criteria as well as the PDR (Planned Development Residential) district criteria, of which the analyses are provided in a later section of this staff report.

E. Environment.

Analysis: There are wetlands on-site in the amount of 1.73 acres of which 0.28 acres are proposed for impact. The applicant has provided both an Environmental Narrative to address all natural resources on-site as well as a Wetland Impact Study to address the impacts and demonstrate that the project will be in compliance with wetland protection requirements of the Land Development Code.

F. Circulation.

Analysis: The roads internal to the subdivision are configured in a rectangular layout with stub-outs extending north on the northwest and northeast corners of the road system that serve as “frontage” for lots, as well as stub-outs extending east and west at the southwest and southeast corners of the site. The main entrance to the subdivision is a boulevard entrance off Upper Manatee River Road.

G. Concurrency.

Analysis: The applicant has applied for Concurrency with this Preliminary Site Plan approval process.

LDC SECTION 402.6 – GENERAL REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS

A. Physical Characteristics of the Site; Relation to Surrounding Property.

Analysis: The property is currently improved pasture. There are 1.73 acres of wetlands on-site, with only 0.28 acres proposed to be impacted. The applicant has provided information regarding the wetland mitigation that will be provided for the proposed impacts, should they be approved. The site is suitable for development with the proposed residential subdivision, as the preliminary design of the project indicates the project will be in compliance with all the requirements of both the Comprehensive Plan and the Land Development Code.

The proposed residential subdivision in this location should not pose any hazard to persons or property, as the surrounding developments are also residential in nature and the requirements of the Land Development Code as well as County Public Works Standards will require that the project be designed and constructed to contain all runoff on-site and to provide the required buffering and screening from surrounding uses.

B. Relation to Public Utilities, Facilities and Services.

Analysis: The project is located in an area of the County where municipal services, utilities, and schools are existing. The project will be required to connect to the available services. All necessary services to support the project should be available at time of development, including fire and emergency services.
C. Relation to Major Transportation Facilities.

**Analysis:** The project is located on the south side of Upper Manatee River Road and approximately 20-feet east of Greyhawk Boulevard. Upper Manatee River Road is an Urban Collector according to the Comprehensive Plan Map 5-A, Existing Roadways Functional Classification Map. The applicant has provided a Traffic Impact Statement prepared by Whitehouse Group, for staff’s review for Concurrency application purposes.

D. Compatibility.

**Analysis:** Through the Planned Development approval process, the project will be required to be designed and buffered to achieve compatibility between districts. The site has been designed with perimeter buffers to minimize the negative effects of external impacts resulting from factors such as traffic, noise, and lights. There is a 15-foot perimeter greenbelt buffer proposed along the south, east, and west property boundaries. The project also shows a 20-foot roadway buffer along Upper Manatee River Road. Thirty-foot wetland buffers are proposed adjacent to the southerly wetland and wetland mitigation area. The site design, height limitations and density will be in accordance with the Land Development Code.

E. Transitions.

**Analysis:** The site is in an area surrounded by residential development that is transitioning from larger lots to higher density developments. As mentioned earlier in the staff report, the current zoning of PDR (Planned Development Residential) was granted by approval of ordinance Z-90-05(C), which included a conceptual plan for the development of the 740 acres with 784 single-family dwelling units, a 27-hole golf course, a 25,000 square foot clubhouse and associated uses. The conceptual project never went forward, however a large part of the 740 acres was later developed into the Greyhawk Landings community, leaving the subject parcels and many others out of the development process.

F. Design Quality.

**Analysis:** The proposed development has been designed to meet or exceed the criteria in the Land Development Code and to be consistent with the Comprehensive Plan. The open space is proposed at 39% (9.75 acres) which exceeds the minimum of 25% (6.25 acres). The two requests for Specific Approval will not have any impact on the surrounding communities. The reduction to the front yard setback by two feet will be noticed internal to the project and the separation between the garage fronts and the sidewalk will still be 25-feet. The request to allow placement of the fence at the property line along the south boundary of the project, in lieu of at the inner edge of the perimeter buffer, which would have the fence in the wetland buffer, will not have any impact to adjacent properties, as the south end of the project area will contain the preserved wetland, the wetland mitigation area and the storm water pond for the subdivision, which will provide a significant separation between the proposed residential development and the existing Greyhawk Landing community. The wetland on the south edge of the project area also extends off-site, which also provides more buffering by the vegetation within the wetland buffer as well as the wetland.

G. Relationship to Adjacent Property.

**Analysis:** The property to the west and south is the existing Greyhawk Landing development, with the open space and main boulevard into the subdivision on the west side and residences on the south side. The east side is a large lot residence. The project will provide the required 15-foot perimeter greenbelt buffer for compatibility. Should the east property develop with a similar residential subdivision, they will also be required to provide the 15-foot greenbelt buffer. As mentioned previously, the south end of the project area will have wetland mitigation area, the existing preserved wetland as well as the storm water facility for the project, which will provide approximately 250-feet of separation between the lots and the south property line of the development.

The proposed subdivision will connect to Upper Manatee River Road with one full access point. There is an opportunity for this project to provide an inter-neighborhood tie to the large lot residence to the east, which may be utilized should the property be developed with a similar residential subdivision. However, the applicant has provided a note on the Preliminary Site Plan indicating that the project may be developed as a “gated” community and that decision will be made at the Final Site Plan stage. Should the project be gated, the inter-neighborhood tie
would not be open to the public to use. Also, this project as well as any future development to the east will likely be small scale and not benefit as much from an inter-neighborhood tie.

H. Access.

Analysis: In addition to information provided under items C & D above, the following is also provided. The proposed project will have one full access point to connect to Upper Manatee River Road. Access and connection to this road will be through internal County roads, unless the developer opts to gate the project, then the roads may be private. Also, no inter-neighborhood tie will be proposed, as the developer has indicated by note on the Preliminary Site Plan that they may opt to gate the project, thus prohibiting the public from using the internal roads, as they will be required to be “private” roads.

Pedestrian access for the project will be provided by sidewalks along the west and north sides of all internal roads. These sidewalks will connect to the existing sidewalk along the southern edge of the Upper Manatee River Road right-of-way.

I. Streets, Drives, Parking and Service Areas.

Analysis: The site plan proposes infrastructure designed to provide safe and convenient access to residences for vehicular as well as pedestrian traffic. All roads and infrastructure within the subdivision will be designed to Manatee County Standards. As mentioned previously, no inter-neighborhood tie is being proposed, as the project may be developed as a gated community with private roads, which would prohibit use by the public of the internal private roads.

J. Pedestrian Systems.

Analysis: The development will be required to provide sidewalks on the west and north sides of all internal roads. There will also be a connection from the internal sidewalks to the existing sidewalk along the south edge of the Upper Manatee River Road right-of-way. This sidewalk network, with marked and controlled crossing points, will provide safe circulation for both pedestrians and bicyclists.

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

Analysis: There are no known archaeological or historic sites. The two parcels currently each have a home on them. The majority of the site is improved pasture. There are 1.73 acres of wetland with proposed impacts to three small wetlands totaling 0.28 acres of impact. The project as designed, includes 0.49 acres of wetland mitigation, as detailed in the Environmental Narrative provided as an attachment to the staff report.

L. Density/Intensity.

Analysis: The gross density for the project is proposed at 3 dwelling units per acre, which is the maximum gross density allowed under the UF-3 Future Land Use Category, therefore the project is in compliance with the Comprehensive Plan.

M. Height.

Analysis: The PDR (Planned Development Residential) zoning district allows a height of up to three stories for structures, with anything above that required to be approved by the Board. The Preliminary Site Plan contains a note indicating the homes will not exceed two stories. This limitation and requirement for approval by the Board applies to any amenity buildings as well. If a greater height is approved by the Board, the structures will be required to be in compliance with Section 401.5 of the Land Development Code.
N. Fences and Screening.

**Analysis:** The project has been designed with perimeter greenbelt buffers 15-feet in width along the east, west and south property boundaries. A majority of the southern boundary buffer is wetland or wetland buffer, where there is either existing vegetation to serve as screening, or, in the case of the wetland buffer areas, if existing vegetation is present, it will also serve as screening landscaping. If there is no existing native vegetation, the wetland buffer will be required to be planted with native vegetation, which will provide the required screening material along this southern boundary.

The project also proposes a 20-foot wide roadway buffer with the required screening materials to be planted within the buffer. There is a lift station proposed on-site in the northwest corner of the subdivision, which also will be required to provide screening around the perimeter of the fenced facility.

O. Yards and Setbacks.

**Analysis:** Setbacks are proposed on the Preliminary Site Plan as follows:

<table>
<thead>
<tr>
<th>Setbacks:</th>
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<tbody>
<tr>
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* Specific Approval requested for an alternative to Section 402.7.D.7 of LDC to reduce front setback by 2-feet for front loaded garage.

P. Trash and Utility Plant Screens.

**Analysis:** Trash pick-up will be provided to individual residences. There will be no non-residential service needed within the subdivision unless amenity buildings are constructed. None are proposed with this Preliminary Site Plan.

Q. Signs.

**Analysis:** Signs for the project will consist of entrance signs for the development/subdivision and directional type signs and will be required to be in compliance with Section 605 of the Land Development Code. All signs proposed for the project will be required to be permitted separately.

R. Landscaping.

**Analysis:** All landscaping proposed on the Preliminary Site Plan meets the minimum requirements of the LDC. At final site plan stage staff will review a more detailed landscape plan for compliance with LDC requirements and stipulations, if any, that require additional landscape materials.

S. Special Guidelines for Review of Projects with Mixed Use Plan Designations and Projects at Designated Entranceways.

**Analysis:** The project is not located in the Mixed Use Future Land Use Designation or in an Entranceway.
T. Environmental Factors.

Water Conservation.

Analysis: There is no reclaimed water available for the project to connect to. Creative site development concepts for water conservation will be provided as part of the Final Site Plan construction drawings. The 1.45 acre wetland will be preserved with a thirty-foot wetland buffer. The stormwater system that will serve the development will be designed to retain stormwater on-site.

Minimum Open Space Requirements.

Analysis: The proposed amount of open space for the project is 9.73 acres or 39% which exceeds the 6.25 acres or 25% minimum open space required for the project.

Preservation of Existing Plant Communities.

Analysis: The only native plant communities on-site are the vegetation within the wetland buffer and the wetland that is on-site. These areas will be preserved through the LDC requirement to preserve vegetation in the wetland buffers for post-development (unimpacted) wetlands.


Analysis: The project will be designed to meet Manatee County Standards for infrastructure including roads and utilities through submittal of Construction Plans with the Final Site Plan approval process.

V. Stormwater Management.

Analysis: The project site is located in the Middle Manatee River Watershed. Drainage runoff from the development is divided into two drainage basins which either drains north directly into the Manatee River, or south into Gates Creek, which ultimately drains into the Manatee River. The northern approximate 15.59 acres of the development drains directly into the Manatee River, whereas the southern approximate 9.41 acres drains into Gates Creek. Please refer to the Overall Basin Plan with respect to the project outfall and drainage basin delineation.

The proposed stormwater system will consist of detention ponds to provide water quality treatment and attenuation of runoff from the proposed streets and residential lots.

The project area is partially located within FEMA 2014 FIRM 100-year floodplain (Zone “AE”). According to the FEMA Flood Insurance Study (FIS), the Base Flood Elevation (B.F.E.) is 10.5 feet (NAVD) at Section “G-G” which bisects through the project area. The flood stage includes both storm surge component at 10.5 feet and a lower freshwater component flood stage at 9.8 feet (NAVD). The project area is partially located within 25-year floodplain delineation as determined by a 1998 25-year study of Gates Creek Watershed.

This project will be required to mitigate for impacts (fill) within the 100-year floodplain as delineated by the FEMA 2014 FIRM and County 25-year floodplain delineation of Gates Creek through compensatory floodplain storage, or alternatively, demonstration of no adverse impacts are created through drainage modeling. Refer to Stormwater Conditions C.1 and C.2.

Proposed stormwater management facilities will be required to meet including stormwater engineering stipulations, Sections 801 and 802 of the Land Development Code, in addition to the Stormwater Design Manual. Final stormwater engineering design and drainage calculations will be provided and reviewed with the Final Site Plan and Construction Plan submittals.
W. Consistency with Comprehensive Plan.

Analysis: The historic agricultural character of this area has transitioned to suburban residential development over the last thirty years. Residential development of the site will be designed to be in character with the surrounding developments and will provide a mixture of housing types within the area. Due to the unique nature of the “PDR” zoning category, which allows the developer to propose development conditions, the proposed Preliminary Site Plan conforms to the surrounding area and current Comprehensive Plan. The Future Land Use Map designation is UF-3. The gross residential density is proposed at 3.0 dwelling units per acre.

X. Other Factors.

1. **Address views from interstates and major connectors.**
   Analysis: The site is not adjacent to an interstate. A twenty-foot roadway buffer is proposed along Upper Manatee River Road, a major connector.

2. **Generally require greater open space than permitted in standard districts**
   Analysis: The minimum open space required in the PDR zoning district is 25% or 6.25 acres. The project exceeds this requirement with 39% or 9.73 acres.

3. **Prohibit visible exterior storage.**
   Analysis: There is no outdoor storage proposed with the Preliminary Site Plan, as this is a residential subdivision.

4. **Prohibit parking and loading areas adjacent to interstate and connectors.**
   Analysis: There are no parking and loading areas proposed with the Preliminary Site Plan.

5. **Provide quality construction material and superior design.**
   Analysis: The project will propose quality construction and superior design.

6. **Maximize use of buffers and berms, and**
   Analysis: The project is providing the minimum Code requirements for buffers. Also, there is additional distance and buffering provided by the wetland, wetland mitigation area and stormwater facility proposed along the south boundary of the project. The property to the west is open space or common area and Greyhawk Landing’s entrance road, which also provides buffering and an area that will not be impacted by this project being adjacent to it.

LDC SECTION 402.7.D. – PDR – PLANNED DEVELOPMENT RESIDENTIAL (Use if Applicable, if not, delete)

A. Site Planning.
   Analysis: The project proposes a 20-foot wide roadway buffer as required for developments within the PDR (Planned Development Residential) district. Also, the 15-foot perimeter greenbelt buffer is being provided around the rest of the project boundaries.

B. Landscaped Open Space and Pervious Area Requirements.
   Analysis: The minimum open space required for the proposed PDR zoning district is 25% or 6.25 acres. The project is proposed with 39% open space or 9.73 acres. The storm water ponds proposed for the project total 3.19 acres or 51% of the minimum required open space.
C. Frontage and Accessibility.

Analysis: The project is designed so that every residential lot has the required frontage on a road. The internal roads are proposed as “public” however the developer has provided a note on the Preliminary Site Plan indicating that they may change to private roads. The subdivision will contain 75 lots, therefore, a second means of access for emergency vehicular access is not required. The access point onto Upper Manatee River Road will be constructed as a boulevard access, which will provide some measure of access in the event the ingress or egress lane of the entrance is compromised.

D. Neighborhoods.

Analysis: The project has been designed to feature the storm water pond internally with homes backing up to it. It is visible from the boulevard entrance road as residents enter the subdivision. There is also an internal sidewalk network for pedestrian circulation within the subdivision.

E. Greenbelts.

Analysis: The project is proposed with a 15-foot perimeter greenbelt buffer around all project boundaries except the north, which is proposed with a 20-foot roadway buffer. The LDC required plantings will be placed within the greenbelt buffer. Note that the west boundary abuts Greyhawk Landing open space and the south end of the project area contains the proposed storm water facility and a large wetland and wetland mitigation area that are to be preserved with the required 30-foot wetland buffer.

F. Traffic Circulation.

Analysis: As mentioned previously, there is an opportunity for this project to provide an inter-neighborhood tie to the large lot residence to the east, which may be utilized, should the property be developed with a similar residential subdivision. However, the applicant has provided a note on the Preliminary Site Plan indicating that the project may be developed as a “gated” community and that decision will be made at the Final Site Plan stage. Should the project be gated, the inter-neighborhood tie would not be open to the public to use. Also, this project as well as any future development to the east will likely be small scale and not benefit as much from an inter-neighborhood tie.

G. Yards and Setbacks.

Analysis: The PDR (Planned Development Residential) zoning district allows the applicant to propose setbacks that promote compatibility with surrounding developments. The process of obtaining Board approval for the project also allows alterations to the recommended setbacks through the Specific Approval process. The project proposes a reduction of 2-feet to the front setback for front loaded garage residences. All other setbacks are in accordance with those minimum recommended setbacks for the PDR zoning district.

Setbacks:

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* Specific Approval requested for an alternative to Section 402.7.D.7 of LDC to reduce front setback by 2-feet for front loaded garage.
H. Minimum Lot Width.

Analysis: The minimum lot width for the project is proposed at 50-feet, as indicated on the cover sheet of the Preliminary Site Plan.

I. Building Height.

Analysis: The Preliminary Site Plan indicates that the maximum height of residences within the proposed subdivision will not exceed two-stories.

706.6 Criteria for Approval of Wetlands Impacts.

A. Impacts to Non-Viable Wetlands: Impacts to Wetlands 1, 2 and 3 are consistent with LDC Section 706.5.A as they meet the definition of a Non-Viable Wetland defined as less than 0.5 acres in size, wholly contained within the project limits, and with a predevelopment UMAM score of 0.4 or less. Wetland 1 is 0.25 ac with a 0.27 UMAM, wetland 2 is 0.02 ac with a 0.27 UMAM and wetland 3 is 0.01 ac with a 0.27 UMAM. These are all isolated, not connected by standing or flowing water at seasonal high water level to other larger wetland systems and are completely contained within the project boundaries.

COMPLIANCE WITH COMPREHENSIVE PLAN

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

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

Analysis: The subject property includes approximately 25 acres with a Future Land Use designation of UF-3 (Urban Fringe-3 dwelling units per acre). This Preliminary Site Plan application represents a density that will allow for a variety of housing types within an area of existing residential development, which is primarily designated UF-3 as well as an appropriate request for area developing west to east as anticipated by the Comprehensive Plan and is consistent with the Future Land Use Map and development trends in the area. Further, the subject property is in an area with existing public facilities (water, schools, and transportation) and planned sewer infrastructure.

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, and compatible with future areas of development.

Analysis: The subject property is proposed for new residential development that will be designed with characteristics compatible with the existing development in the surrounding area. There are numerous residential subdivisions in close proximity to the subject 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 site is within an area identified for growth in the UF-3 (Urban Fringe-3 dwelling units per acre) Future Land Use Category. The area surrounding the property has primarily been developed with single-family detached residential subdivisions. This area is transitioning from larger lot residential tracts to residential subdivisions with utilities available for connection.

Policy 2.1.2.5 – Permit the consideration of new residential and non-residential development in areas which are currently undeveloped, which are suitable for new residential or non-residential uses.

Analysis: The subject property is located on the south side of Upper Manatee River Road. There is an established road network and several schools located in proximity of the site. Water is available in the right-of-way of Upper Manatee River Road. A gravity sewer line exists in the right-of-way of Upper Manatee River Road. There is no reclaimed water service available for the project.

Policy 2.1.2.6 – Limit urban sprawl through the consideration of new development when deemed compatible with future growth, in areas which are currently undeveloped yet suitable for improvements.

Analysis: The subject site is located along Upper Manatee River Road, approximately 3,600 feet east of Fort Hamer Road in an area transitioning from agricultural to residential. The site is suitable for development. Residential subdivisions have been approved throughout this area of the County. The Preliminary Site Plan proposes the appropriate expansion of planned development residential, which will promote Policy 2.9.1.4 for a variety of housing in the area.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development. This analysis shall include:

- 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)

Analysis: Approval of the proposed Preliminary Site Plan will allow for the potential increase in density in an area with existing and planned infrastructure services. The site is west of the FDAB (Future Development Area Boundary) and is not considered Urban Sprawl. The requested Preliminary Site Plan is appropriate within the PDR (Planned Development Residential) zoning district.

Policy 2.2.1.11
Policy 2.2.1.11.1

UF-3: Establish the Urban Fringe - 3 future land use category as follows:

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, extent, 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)

Policy 2.2.1.11.2

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.

Policy 2.2.1.11.3

Range of Potential Density/Intensity:

- Maximum gross residential density:
  - 3 dwelling units per acre;
  - 9 dwelling units per acre at activity nodes (see Policy 2.2.1.11.4).
  - 9 dwelling units per acre for residential projects that designate a minimum of 25% of the total dwelling units as “Affordable Housing.”
  - Properties within the CEA and CHHA are not eligible for the additional density offered for activity nodes and affordable housing.

- Maximum net residential density:
  - 9 dwelling units per acre;
  - 12 dwelling units per acre for mixed-use developments at activity nodes (see Policy 2.2.1.11.4).
  - 12 dwelling units per acre for residential projects that designate a minimum of 25% of the total dwelling units as “Affordable Housing.”
  - Clustered developments in the WO or CHHA Overlay Districts may exceed the maximum net density pursuant to Policies 2.3.1.5 and 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...
Objective 2.6.1 Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures.

Policy 2.6.1.1. An application for development order that proposes a use, intensity, height, and/or density that could be found incompatible with the use on the adjacent site shall utilize techniques to mitigate potential incompatible with the use on the adjacent site shall utilize techniques to mitigate potential incompatible characteristics of the proposed use. Such techniques shall include but not be limited to:

- **Use of undisturbed or undeveloped and landscaped buffers;**
  
  **Analysis:** The project is proposed with the large wetland at the south end of the project area to be preserved as well as a wetland mitigation area that is proposed in that area as well. The storm water facility that will serve the subdivision is also proposed in this southern portion of the project area, all of which will provide additional screening and buffering for the development to the south. Other than the wetland and wetland buffer areas, there is no native existing vegetation to preserve for buffering and screening purposes. The required 15-foot greenbelt buffer will be provided on the west and east sides of the project with the required plantings.

- **Use of increased size and opacity of screening;**
  
  **Analysis:** The project is proposed with the minimum required screening and greenbelt buffer width. The proposed height of residences will be two-stories, therefore, there won’t be any additional impact to surrounding properties to warrant additional screening. As mentioned previously, to the south are the wetland and wetland mitigation area, both of which will have a vegetated 30-foot wetland buffer around them. To the west is open space and the entrance road to Greyhawk Landing, with no uses in need of screening from this development.

- **Building setbacks;**
  
  **Analysis:** The setbacks for residences in the proposed subdivision are similar to those of surrounding subdivisions. There are no non-residential buildings proposed with this Preliminary Site Plan. Should the developer choose to provide an amenity center in the future, the center will be required to be approved through the Final Site Plan approval process, at which time compliance with the LDC for setbacks and other issues will be required to be met.

- **Innovative site design (which may include planned development review);**
  
  **Analysis:** Since the proposed project is on property already zoned PDR (Planned Development Residential) it is subject to review for compliance with all the criteria for both the general Planned Development as well as Planned Development Residential. This will ensure innovative site design.

- **Appropriate building design;**
  
  **Analysis:** The proposed project is a residential subdivision therefore the design of the homes will be what the home builder decides. The residences will be required to meet the building permitting standards.

- **Operational restrictions on the proposed use;**
  
  **Analysis:** The proposed residential subdivision should not be subject to any “operational restrictions”.

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.
• **Noise attenuation techniques; and**
  **Analysis:** The proposed residential subdivision should not produce any excessive noise that would adversely impact surrounding uses, therefore, there should be no need for noise attenuation techniques for the subdivision.

• **A density and/or intensity below the maximum allowed.**
  **Analysis:** The project is proposed at a gross density of three dwelling units per acre. Although the Greyhawk Landing residential community was developed at a lower density of approximately 1.22 dwelling units per acre, there is a wide buffer or separation between the backs of the southernmost lots proposed for development within this project and the northernmost residences in the Greyhawk Landing community.

**Policy 2.9.1.4 Encourage the development of a variety of housing options and architectural styles within a community.**

**Analysis:** The project proposes single-family detached housing in an area of varying residential densities and will be designed in accordance with County Land Development Code regulations.

### TRANSPORTATION

**Major Transportation Facilities**

The site is located on the east-west portion of Upper Manatee River Road, east of Greyhawk Boulevard. Upper Manatee River Road is an existing two-lane road with 45 mph posted speed. In the Future Traffic Circulation Plan, it is designated as a two-lane collector roadway with a planned right of way width of 120 feet.

**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 Statement (TIS) to determine impacts to the segment of Upper Manatee River Road adjacent to the project site. The results of the traffic study, which were reviewed and accepted by the Transportation Planning Division, indicated that the impacted roadway segment is expected to operate at or above the level of service (LOS) D performance standard 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 access via one full access driveway on Upper Manatee River Road. The TIS identified two access related improvements which were directly attributed to project impacts. These site-related improvements, which will improve traffic ingress and egress to the proposed site, are listed below:

1. Construct a 12-foot wide westbound left-turn lane for the full access on Upper Manatee River Road. The westbound left-turn lane shall be 340 feet in length, which includes a 50-foot taper and constructed in accordance with FDOT Design Standards (Index 301).

2. Construct a 12-foot wide eastbound right-turn lane for the full access on Upper Manatee River Road. The eastbound right-turn lane shall be 290 feet in length, which includes a 50-foot taper and constructed in accordance with FDOT Design Standards (Index 301).
CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE
TRANSPORTATION CONCURRENCY

<table>
<thead>
<tr>
<th>NEAREST THOROUGHFARE</th>
<th>LINK(S)</th>
<th>ADOPTED LOS</th>
<th>FUTURE LOS (W/PROJECT)</th>
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<tbody>
<tr>
<td>Upper Manatee River Road</td>
<td>3250</td>
<td>D</td>
<td>C</td>
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OTHER CURRENCY COMPONENTS

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

SPECIFIC APPROVALS – ANALYSES, RECOMMENDATIONS, FINDINGS

1. Specific Approval Request:

The applicant is requesting Specific Approval for an alternative to Section 402.7.D.7 of the Land Development Code. This request will allow for a two-foot reduction to the front yard setback from twenty-five feet, as required by Code, to twenty-three-feet.

Staff Analysis and Recommendation:

Staff is in support of the request for Specific Approval for an alternative to Section 402.7.D.7 to allow a reduction in the front yard setback from twenty-five feet to twenty-three feet, as the reduction will not have any impact on surrounding residential communities. Also, the distance from the sidewalk to the garage will be twenty-five feet for the units.

Finding for Specific Approval:

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 402.7.D.7, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree as the reduction does not impact surrounding residential communities.

2. Specific Approval Request:

The applicant is requesting a Specific Approval for an alternate to LDC Section 701.4.B.2.b, which requires that if fences are used, required landscaping shall be located on the exterior, facing the roadway, or adjacent property. The abutting property of the subject site is part of the roadway buffer for Greyhawk Boulevard, as shown in Plat Book 40, Page 162 (Tract 641 Common Area and Drainage Easement). This Specific Approval will allow for an opaque six-foot fence to be located along the southern 255.7 feet of the western property line, abutting the thirty-foot wetland buffer. The fence will serve to protect the wetland buffer and wetland mitigation area.

Staff Analysis and Recommendation:

Staff is in support of the request for Specific Approval for an alternative to Section 701.4.B.2.b to allow placement of the fence along the southern 255.7 feet of the western property line. The fence will serve to protect the wetland...
buffer and wetland mitigation area, and there is currently screening in place from the roadway buffer for Greyhawk Boulevard, which also serves as a drainage easement.

**Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 701.4.B.2.b, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent degree because there is already a roadway screening buffer in place along Greyhawk Boulevard, which also serves as a drainage easement. The opaque six-foot fence will be located along the southern 255.7 feet of the western property line, abutting the thirty-foot wetland buffer.

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<tr>
<th>Attachments</th>
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<tbody>
<tr>
<td>1. Staff Report Maps/Aerials</td>
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<td>2. Preliminary Site Plan</td>
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<td>3. Ordinance Z-90-05(C)</td>
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<td>4. Traffic Impact Statement and Acceptance Letter</td>
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<td>5. Certificate of Level of Service Application</td>
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<td>6. Environmental Narrative</td>
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<td>7. Wetland Impact Study</td>
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<td>8. School Report</td>
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<td>9. Specific Approval Request</td>
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<td>10. Newspaper Advertising</td>
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<td>11. Ordinance PDR-19-18(P)</td>
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<td>12. Public Comment</td>
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