

**B.C.C.:** 03/01/2018

**PDR-17-21(Z)(G)**  
**MANATEE PALMS**  
**(DTS #20170415 / MEPS #728)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; amending the official zoning atlas (Ordinance 15-17, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of three adjacent parcels totaling approximately 2.66 acres on the east side of 65<sup>th</sup> Street East approximately 750 feet north of State Road 64 East, Bradenton (Manatee County), from PR-M (Professional - Medium) and A-1 (Suburban Agriculture – 1 dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a General Development Plan for a residential project with 24 multi-family units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

**P.C.:** 02/08/2018

**B.O.C.C.:** 03/01/2018

**RECOMMENDED MOTION**

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, I move to APPROVE Manatee County Ordinance No. PDR-17-21(Z)(G); APPROVE a rezone and General Development Plan with Stipulations A.1-A.2, B.1-B.2 and C.1; GRANT Special Approval for: 1) a project in the Residential/Office/Retail Future Land Use Category exceeding a gross density of 6 dwelling units per acre and a net density of 9 dwelling units per acre, and 2) a project in an entranceway; ADOPT the Findings for Specific Approvals; and GRANT Specific Approval for an alternative to Land Development Code Section 1005.3 (reduced parking for a multifamily residential use) and Land Development Code Section 402.7.D.1 (a decreased roadway buffer), as recommended by staff.

(Commissioner Baugh)

**PLANNING COMMISSION ACTION:**

On February 8, 2018, by a vote of 6 – 0, the Planning Commission recommended approval. Mr. Rhoades was absent.

**PUBLIC COMMENT AND CORRESPONDENCE:**

February 8, 2018 Planning Commission:

There was no public comment at the hearing.  
Nothing was entered into the record at the hearing.

**PROJECT SUMMARY**

<b>CASE#</b>	PDR 17-21(Z)(G) (DTS #20170415 / MEPS # 728)
<b>PROJECT NAME</b>	Manatee Palms
<b>LAND OWNER</b>	MPRE, LLC.
<b>AGENT(S)</b>	Hough Engineering, Inc.
<b>PROPOSED ZONING</b>	PDR (Planned Development Residential)
<b>EXISTING ZONING</b>	PR-M (Professional - Medium) and A-1 (Suburban Agriculture – 1 du/ac)
<b>PROPOSED USE(S)</b>	24 multifamily units
<b>CASE MANAGER</b>	Tia Boyd
<b>STAFF RECOMMENDATION</b>	APPROVAL, with Stipulations

**DETAILED DISCUSSION**

**Request**

The request is for approval of a rezone for three adjacent properties totaling 2.66± acres from PR-M and A-1 to PDR and a General Development Plan. The site is on the east side of 65<sup>th</sup> Street East approximately 750 feet north of SR 64 East and located within the Coastal Planning Area and the SR 64 at I-75 Entranceway.

The site is in the R/O/R FLUC. The intent of the R/O/R (Residential/Office/Retail) Future Land Use Category is to identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established and developed areas exhibiting a broad range of commercial, residential and, in certain cases, light industrial uses, and to recognize the continued existence of such areas through the long range planning timeframe; to prohibit the intrusion of new industrial areas into these R/O/R areas, which typically fail to exhibit a planned or integrated approach to multiple use development; to allow the development of major future community or region-serving commercial multi-use nodes; to provide incentives for the horizontal or vertical integration of uses, achieving internal trip capture; and to encourage the development of a high quality environment for living, working, or visiting.

Policy 2.2.1.17.2 of the Manatee County Comprehensive Plan lists the range of potential uses for a property in the R/O/R FLUC as neighborhood, community and regional serving commercial uses, mixed with residential, lodging, office, public or semi-public, schools, and recreational uses, and appropriate water-dependent, water-related, and water-enhanced uses, and short-term agricultural uses.

The R/O/R FLUC has a maximum gross residential density of 9 dwelling units per acre and a maximum net residential density of 16 dwelling units per acre. Development with gross residential density exceeding 6 dwelling units per acre or net residential density exceeding 9 dwelling units per acre requires Special Approval.

The intended use of the PDR (Planned Development Residential) zoning district is to provide for development of residential areas in areas adequately served, or in areas which can be served by necessary utilities and services, in locations that are compatible with adjacent surrounding uses in accord with the goals, objectives, and policies of the Comprehensive Plan and in compliance with the Land Development Code.

The densities for PDR development are set forth by the Manatee County Comprehensive Plan. The R/O/R FLUC has a maximum gross residential density of 9 dwelling units per acre and a maximum net residential density of 16 dwelling units per acre. The applicant proposes a gross residential density of 9.0 dwelling units per acre and a net residential density of 12.9 dwelling units per acre which meets the maximum gross density threshold (9) and net density threshold

(16) for the R/O/R FLUC.

The surrounding properties have a mix of uses including single family and multifamily dwelling units, commercial uses, community service uses, and warehousing.

Staff recommends APPROVAL.

**SITE CHARACTERISTICS AND SURROUNDING AREA**

<b>ADDRESS</b>	407 65 <sup>th</sup> Street East, 403 65 <sup>th</sup> Street East, 315 65 <sup>th</sup> Street East	
<b>GENERAL LOCATION</b>	On the east side of 65 <sup>th</sup> Street East approximately 750 feet north of State Road 64 East Bradenton (Manatee County)	
<b>ACREAGE</b>	2.66± acres	
<b>EXISTING USE(S)</b>	Single family residential and mobile home	
<b>FUTURE LAND USE CATEGORY(S)</b>	R/O/R (Residential/Office/Retail)	
<b>OVERLAY DISTRICT</b>	Coastal Planning Area, SR64 at I-75 Entranceway	
<b>DENSITY</b>	Gross density max = 9 dwelling units per acre	Gross density proposed = 9.0 dwelling units per acre
	Net density max = 16 dwelling units per acre	Net density proposed = 12.9 dwelling units per acre
<b>SPECIAL APPROVAL(S) REQUIRED</b>	<ul style="list-style-type: none"> <li>• A project with a gross density exceeding 6 dwelling units per acre and a net density exceeding 9 dwelling units per acre.</li> <li>• A project located in the Entranceway.</li> </ul>	
<b>SPECIFIC APPROVAL(S) REQUESTED</b>	<ul style="list-style-type: none"> <li>• LDC Section 1005.3 to allow for a reduction in the number of required parking spaces.</li> <li>• LDC Section 402.7.D.1 to allow for a reduced roadway buffer.</li> </ul>	

**SURROUNDING USES & ZONING**

<b>NORTH</b>	North of the site is single family residential zoned RSF-6 (Residential Single Family – 6 dwelling units per acre).
<b>SOUTH</b>	South of the site is retail, restaurant (McDonald’s) and vacant property zoned GC (General Commercial).
<b>EAST</b>	East of the site is the Sherriff’s office zoned GC (General Commercial)
<b>WEST</b>	West of 65 <sup>th</sup> St E is warehousing zoned PDC (Planned Development Commercial)

**SITE DESIGN DETAILS**

<b>SETBACKS (MINIMUM)</b>	Front	25'
	Side	8'
	Rear	15'
	Waterfront	30'
<b>OPEN SPACE</b>	Required minimum = 25% (PDR)+ 5% (Entranceway) = 30%	Proposed = 47.37%
<b>ACCESS</b>	One (1) off 65 <sup>th</sup> Street East	

<b>PARKING MINIMUMS</b>	Two (2) spaces per dwelling unit plus one (1) space per 10 units for guest parking. (LDC Section 1005.4 permits reductions in vehicular parking spaces for bicycle parking and tree preservation. The Applicant has proposed bicycle spaces allowing for a 5% reduction in vehicular parking spaces, and tree preservation allowing for another 5% reduction in vehicular parking spaces. The Applicant has <u>also</u> requested specific approval for a deviation from the minimum requirements.)
<b>RECREATION AREA</b>	0.37±acres
<b>FLOOD ZONE(S)</b>	Site lies in Zones X per FIRM Panel 12081C0326E, effective 3/17/2014.
<b>AREA OF KNOWN FLOODING</b>	N/A
<b>UTILITY CONNECTIONS</b>	<p>The following water and wastewater facilities are in the vicinity of this development project:</p> <p>Water: 8" ACP potable water main along 65<sup>th</sup> Street E (Manatee Palms Dr. E)</p> <p>Sewer: 8" PVC sanitary gravity sewer along 65<sup>th</sup> Street E (Manatee Palms Dr. E)</p> <p>Reclaimed: According to the Manatee County GIS, there is not any County reclaimed water main along 65<sup>th</sup> Street E (Manatee Palms Dr. E)</p>
<b>ENVIRONMENTAL INFORMATION</b>	
<b>Overall Wetland Acreage</b>	None
<b>Proposed Wetland Impacts</b>	None
<p><u>Wetlands:</u> The notes on the General Development Plan indicate there are no wetlands within the project area.</p> <p><u>Uplands:</u> There appears to be no upland native habitat as this site has been developed with what appear to be single-family structures.</p> <p><u>Endangered Species:</u> Since there is no native habitat on-site, it is not likely that the site would support listed species.</p> <p><u>Trees</u> No information has been provided with the GDP except bubbling of estimated tree lines on-site. Staff has requested a note on the GDP indicating the project will be in accordance with Section 700 – Tree Protection, which will be required to be met at Final Site Plan review.</p> <p><u>Landscaping/Buffers:</u> The GDP shows 15' wide greenbelt buffers around the entire perimeter of the project area, with the exception of the west boundary, which requires a roadway buffer of 20'. The applicant is proposing a 10' wide roadway buffer and has requested Specific Approval for Section 402.7.D.1 of the LDC. Staff findings for this request are that the narrower roadway buffer will still accommodate the minimum required landscape screening materials in this buffer, therefore, staff has recommended approval of this request. The project is also in the Entranceway and the applicant has also noted the project will be in compliance with Section 900 of the LDC for Entranceway requirements with Special Approval as required by LDC Table 3-4 for projects not meeting all standards of LDC Section 900.5 (LDC Section 900.5.C.4 &amp; LDC Section 900.5.C.7)</p>	

**NEARBY APPROVED DEVELOPMENT**

**RESIDENTIAL**

SUBDIVISION	YEAR	FLUC	ZONING	ACREAGE	DWELLING UNITS	DENSITY
Manatee Palms Units 1-6	1966-1981	RES-6	RSF-4.5 & RSF-6	54.2±	248	4.5
Lighthouse Cove at Heritage Harbour Unit 1	2003	MU	PDMU	48.6	30	0.6
Lighthouse Cove at Heritage Harbour Unit 2	2004	MU	PDMU	18.5	105	5.6
The Townhomes at Lighthouse Cove	2006	MU	PDMU	25.9	255	9.8
Townhomes at Regatta Landing	2015	MU	PDMU	6.3	44	6.9

**NON-RESIDENTIAL**

USE	YEAR	FLUC	ZONING	ACREAGE	BUILDING SIZE	INTENSITY
Hotel	1994	R/O/R	GC	3.4	14,821	0.10
Multiple Unit Stores	1977	R/O/R	GC	0.9	2,400	0.06
Warehousing/Ministor age	2003	R/O/R	PDC	6.1	91,517	0.35
Car Wash	2007	R/O/R	GC	1.0	6,796	0.16
Fast Food/Drive in Restaurants	1986	R/O/R	GC	1.0	6,796	0.16
Sherriff's Office	2004	R/O/R	GC	2.1	18,400	0.21

COMPLIANCE WITH LDC				
Standard(s) Required	Design Proposal	Compliance		Comments
		Y	N	
<b>BUFFERS</b>				
15' greenbelt buffer – North – Single Family Residential	15'	Y		Shown
15' perimeter buffer – South – Retail	15'	Y		Shown
10' perimeter buffer – East – Community Service	15'	Y		Shown
20' roadway buffer – West – 65 <sup>th</sup> St E	10'		N	Specific Approval Requested
Waterfront	30'	Y		Shown
<b>TREES</b>				
N/A	N/A	N/A	N/A	No tree information has been provided at this time. All landscaping shall be in compliance with LDC Section 700 and 701.
<b>SIDEWALKS</b>				
5' external sidewalks	5' external sidewalks	Y		Sidewalks provided abutting property along 65 <sup>th</sup> Street East.
<b>TRANSPORTATION</b>				
<b><u>Major Transportation Facilities</u></b>				
<p>The site is located on 65<sup>th</sup> Street East, which is a local road, and north of SR 64, which is a thoroughfare. SR 64 is designated as a six lane arterial in the Comprehensive Plan's Future Traffic Circulation Plan and has a planned right of way width of 200 feet.</p>				
<b><u>Transportation Concurrency</u></b>				
<p>The Applicant is seeking a proposed rezoning and General Development Plan (GDP) approval at this time, and, thus, cannot obtain concurrency until the Preliminary Site Plan (PSP)/Final Site Plan (FSP) review stage(s) of this project. At that time, the Applicant will be required to submit a traffic analysis to determine if any off-site concurrency-related improvements are required by the project. However, the applicant provided a Traffic Impact Statement (TIS) for the rezoning to gauge the maximum impacts associated with allowable uses. Based on the study, it appears the potentially impacted segment of SR 64 will have sufficient capacity for proposed project traffic (see Certificate of Level of Service Compliance table below).</p>				
<b><u>Access</u></b>				
<p>At the time of future site plan submittal and accompanying traffic analysis review, all proposed access points will be evaluated to determine if any site-related improvements will be required for the site.</p>				
<b>CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE TRANSPORTATION CONCURRENCY</b>				
<p><b>CLOS APPLIED FOR:</b> No  <b>TRAFFIC STUDY REQ'D:</b> Yes (A TIS was submitted and reviewed; however, a traffic study will be required at PSP or FSP submittal).</p>				
<b>NEAREST THOROUGHFARE</b>	<b>LINK</b>	<b>ADOPTED LOS</b>	<b>FUTURE LOS (W/PROJECT)</b>	
SR 64	3053	D	C	

### OTHER CONCURRENCY COMPONENTS

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

### POSITIVE ASPECTS

- The proposed design exceeds minimum open space requirements in the PDR zoning district and entranceway.
- The surrounding area is developed with a mix of uses including residential, commercial, and warehousing.
- 0.37± acres is proposed for a recreation area.

### NEGATIVE ASPECTS

- Proposed parking does not meet the required 2 parking spaces per unit, plus 1 space per 10 units for guest parking.

### MITIGATING MEASURES

- The Applicant proposes bicycle spaces to replace some parking spaces and proposes to preserve trees where possible. The Applicant has requested specific approval to allow reduced parking for a multifamily development.

### REMAINING ISSUES OF CONCERN (NOT RESOLVED OR CONDITIONED WITH RECOMMENDATION OF APPROVAL)

No remaining issues.

### SPECIAL APPROVALS – FINDINGS

Manatee Comprehensive Plan defines Special Approval as a development order review and approval process entailing, at a minimum, project review and approval by the Manatee County Board of County Commissioners; or the specific delegation of any specific review and approval process, or part thereof, to one or more County departments with option for appeal to the BOCC.

1. Special Approval is required for a project in the R/O/R FLUC with a gross density exceeding 6 dwelling units per acre and a net density exceeding 9 dwelling units per acre. The proposed design has a gross density of 9.0 dwelling units per acre and a net density of 12.9 dwelling units per acre.

The proposed design meets the intent of the R/O/R FLUC which is to exhibit a broad range of commercial and residential uses and to encourage the development of a high quality environment for living, working, or visiting.

The residential uses in the vicinity of this project have densities ranging from 0.6 du/ac to 6.9 du/ac. Although the proposed density of 9.0 du/ac is higher than that of the surrounding area, it still meets the maximum gross density (9 du/ac) for residential development in the R/O/R FLUC.

2. Special Approval is required for projects in the entranceway not meeting the standards of Section 900.5.

The Project does not meet the criteria for administrative approval under the Entranceway criteria in LDC Section 900.5.

The proposed project meets all other applicable requirements for the Entranceway.

Planned Development is the mechanism for granting Special Approval. The proposed zoning district is PDR (Planned Development Residential).

### SPECIFIC APPROVAL(S)

The Manatee County Land Development Code identifies Specific Approval as a finding by the Board that a proposed action, design, or solution proposed by the applicant that is not literally in accord with the applicable Planned Development regulations either meets or exceeds the regulations as outlined by the Code.

Requests:

1. LDC Section 1005.3 Table 10-2 requires multiple family dwellings to have 2 spaces per dwelling units plus one space per 10 units for guest parking.

#### **Staff Analysis and Recommendation:**

Staff supports the request for Specific Approval for an alternative to Section 1005.3 of the LDC to allow for 1.6 parking spaces per dwelling unit. LDC Section 1005.4 permits reductions in vehicular parking spaces up to 5 percent when bicycle, motorbikes and/or motorcycle parking spaces are provided and up to 10 percent where necessary to protect existing trees and/or existing plant communities. The Applicant is proposing bicycle parking for a 5 percent reduction in vehicular parking spaces and is proposing to preserve existing trees where possible for a 5 percent reduction in vehicular parking spaces (the proposed number of bicycle spaces and number of trees to be preserved will be reviewed at the time of Final Site Plan submittal). These reductions amount to a 10 percent reduction in vehicular parking spaces resulting in a required 1.8 parking spaces per dwelling unit. A parking study has been provided demonstrating standard occupancy rates, transit facilities near the site, and sidewalk availability which further supports the requested reduction of 1.6 parking spaces per dwelling unit.

#### **Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 1005.3, the Board finds that the intent of Section 1005.3 is met by the project's design and proposed stipulations to an equal or greater degree to further the intent of the Planned Development Residential zoning district provisions.

2. LDC Section 402.7.D.1 requires a 20' wide roadway buffer where a PDR districts abuts a public road right-of-way. The request is to allow a reduction to 10' for the roadway buffer along the west project boundary adjacent to the 65<sup>th</sup> Street East right-of-way. The applicant indicated that the right-of-way is wider at 90' than the typical 50' right of way. Also, there is a landscaped median in the middle of the right-of-way.

#### **Staff Analysis and Recommendation:**

Staff is in support of the request for Specific Approval for an alternative to Section 402.7.D.1 of the LDC to allow the reduction of the 20' roadway buffer to 10', as the narrower buffer area will still accommodate the minimum landscape screening materials required by the LDC.

#### **Finding for Specific Approval:**

Notwithstanding the failure of this plan to comply with the requirements of LDC Section 402.7.D.1, the Board finds that the purpose of the LDC regulation is satisfied to an equivalent as the same amount of screening will be provided in the narrower roadway buffer.

### COMPLIANCE WITH THE LAND DEVELOPMENT CODE

#### **321.3 General Development Plan (GDP) Review Criteria**

The proposed plan is consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, including criteria for the Planned Development Residential zoning district, contained in Chapter 4.

#### **342.3 Criteria for Zoning Map Amendments**

##### **A. Compatibility with the existing development pattern and the zoning of nearby properties.**

The surrounding area consists of a mix of zoning districts: A-1 (Suburban Agriculture – 1 dwelling unit per acre), RSF-6 (Residential – 6 dwelling units per acre), PDC (Planned Development Commercial), GC (General Commercial), PDMU (Planned Development – Mixed Use), and PDPI (Planned Development - Public Interest).



The PDR zoning district is compatible with the residential zoning district directly to the north of the site and the Planned Development zoning districts west of the site and in the surrounding area.

**B. Changes in land use or conditions upon which the original zoning designation was based.**

There have been no changes in the land use upon which the original zoning designation was based.

**C. Consistency with the current comprehensive plan.**

The site is in the R/O/R/ FLUC. The proposed zoning of PDR is consistent with the R/O/R FLUC.

**D. Conflicts with existing or planned public improvements.**

The proposed rezone does not appear to present any anticipated conflicts with existing or planned public improvements.

**E. Availability of public facilities, based upon a consideration of the following factors:**

- 1. Impact on the traffic characteristics related to the site, specifically trip generation potential.**
- 2. Impact on population density or development intensity such that the demand for schools, sewers, streets, recreational areas and facilities, and other public facilities and services are adversely affected.**
- 3. Impact on public facilities planned and funded to support any change in density or intensity pursuant to the requirements of the comprehensive plan and applicable law.**

The site is located in in school service area 3. The school attendance zones are Gullett Elementary, Haile Middle, and Braden River High School which were determined to have available capacity at the time of review.

The project will be served by county water and sewerage. The proposed project is in the vicinity of 8" ACP Potable water main, and 8" PVC sanitary gravity sewer.

**F. Health, safety or welfare of the neighborhood and County.**

The proposed rezone will not have any adverse impact on the health safety or welfare of the neighborhood and County.

**G. Conformance with all applicable requirements of this Code.**

The request conforms to all applicable requirements of the Manatee County LDC.

**H. Consistency with the development patterns in the area and appropriateness for orderly development of the community. The cost of land or other economic considerations pertaining to the applicant shall not be a consideration in reviewing the request.**

The proposed rezone to PDR is consistent with the development patterns in the area. The surrounding area consists of a mix of residential single family and multifamily uses, commercial uses, and community serving uses.

**I. Logical expansion of adjacent zoning districts.**

There are a mix of zoning districts adjacent to the site. North of the project site is zoned RSF-6 (Residential Single Family – 6 dwelling units per acre), south of the site is zoned GC (General Commercial), east of the site is also zoned GC (General Commercial), and west of the site is zoned PDC (Planned Development Commercial). The rezone to PDR is a logical expansion of the residential zoning district to the north and the Planned Development zoning districts to the west.

**J. Impact on historic resources.**

There are no known historic resources on or adjacent to the subject property.

**K. Environmental impacts.**

There are no wetlands within the project area and no native habitat on-site.

**L. Types of allowable uses and impact of those on surrounding residential areas.**

The allowable uses in the PDR zoning district are specified in LDC Table 4-9 Schedule of Uses for PD Districts. The multifamily residential use proposed in the PDR district is compatible with the RSF zoning district to the

north and impose no impact on the surrounding residential area.

**M. Relocation of mobile home owners, if applicable, within the meaning of, and pursuant to, F.S. § 723.083.**

Not applicable.

**N. In the case of rezones to Planned Development, consistency with the Planned Development District standards contained in [Chapter 4](#).**

The proposed rezone to PDR and accompanying GDP is consistent with the Planned Development District standards contained in LDC Chapter 4.

**O. Any other matters which may be appropriate for consideration pursuant to this Code, the comprehensive plan or applicable law.**

Not Applicable.

**402.6 General Design Requirements for all Planned Development Site Plans**

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

The physical characteristics and conditions of the site are suitable for residential development. The proposed site design minimizes the potential for environmental impacts. There is an offsite existing lake that intrudes on a small portion to the south of the site; to mitigate any potential impact to this lake, the Applicant proposes a 30' buffer.

**B. Relation to Public Utilities, Facilities and Services.**

The project will be served by County water and County sewer.

**C. Relation to Major Transportation Facilities.**

The site is on the east side of 65<sup>th</sup> Street East approximately 750 feet north of State Road 64 East Bradenton (Manatee County). The site's access will be off 65<sup>th</sup> Street East which is a local street that connects to SR 64 E.

**D. Compatibility.**

The Applicant proposes to develop multifamily residential units at a density of 9.0 dwelling units per acre. North of the site is single family residential development in Manatee Palms Subdivision Units 1-6 with a density of 5.1 dwelling units per acre.

To further ensure compatibility with surrounding uses, the Applicant proposes one story units abutting the single family residential dwelling units north of the project site and two story units abutting the retail use to the south of the project site. This proposed maximum height for this project is 35 feet and proposed design appears to be compatible with surrounding uses.

**E. Transitions.**

The proposed design is responsive to the character of the area, and provides for gradual changes in density or intensity.

Uses south of the site include retail, restaurant and lodging. The addition of multifamily residential dwellings provides appropriate transition between these uses and the single family residential use to the north. Additionally, the proposed design includes one story units adjacent to the single family residential use to the north and two story units adjacent to the retail use to the south. The transition between uses and heights appear to appropriate in this area.

**F. Design Quality.**

The proposed General Development Plan addresses the criteria set forth in the Manatee County Land Development Code Section 402.

The Applicant proposes a 24 unit multifamily development. The northern portion of the site which abuts the single family residential units will consist of one story structures, while the southern portion of the site which abuts parcels designated for retail use will contain two story structures.

**G. Relationship to Adjacent Property.**

The proposed development provides adequate buffers and screening. A 15 foot perimeter buffer is provided to the north, south and east. A request for specific approval is requested for 10 foot roadway buffer along 65<sup>th</sup> Street East.

**H. Access.**

Access to the site is proposed on 65<sup>th</sup> Street East.

**I. Streets, Drives, Parking and Service Areas.**

The Applicant will design all streets and utilities to meet Manatee County requirements. Construction drawings will be submitted prior to construction.

The General Development Plan shows a 24 foot wide private drive aisle.

**J. Pedestrian Systems.**

A 5 foot wide sidewalk is proposed along 65<sup>th</sup> Street East.

No sidewalks are proposed along the private drive aisle.

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

There are no known archaeological or historic sites on the property.

**L. Density/Intensity.**

The Future Land Use Category of the site is R/O/R (Residential/Office/Retail) which permits a maximum gross residential density of 9 dwelling units per acre; the Applicant proposes a density of 9.0 dwelling units per acre. The maximum net density in the R/O/R FLUC is 16 dwelling units per acre; the applicant proposes a net density of 12.9 units per acre.

**M. Height.**

The maximum height permitted in the PDR zoning district is 35 feet. The applicant proposes a maximum building height of 35 feet.

**N. Fences and Screening.**

The applicant proposes a 15 foot greenbelt buffer along the north, south and east of the site, and a 10 foot roadway buffer to the west along 65<sup>th</sup> Street East.

**O. Yards and Setbacks.**

The General Development Plan lists the proposed minimum setbacks as 25 feet for the front yard, 8 feet for the side yard and 15 feet for the rear yard.

**P. Trash and Utility Plant Screens.**

The applicant proposes individual can pick up for residents.

**Q. Signs.**

Signs are proposed at the entrance of the development as approved by Manatee County in accordance with LDC Chapter 6 and LDC Section 900.

**R. Landscaping.**

Landscaping is proposed to meet or exceed the standards in LDC Section 701.

A 15 foot greenbelt buffer is provided to the north, south, and east of the site providing for separation between the proposed development and existing and proposed neighborhoods. Additionally, a 10 foot roadway buffer is provided between the site and 65<sup>th</sup> Street East to protect the development from potentially adverse surrounding influences.

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

The site, as proposed, meets the entranceway requirements as set forth in LDC Section 900

**T. Environmental Factors.**

1. Water Conservation
2. Minimum Open Space Requirements
3. Preservation of Existing Plant Communities

The proposed project will be in compliance with LDC Section 700.

The minimum open space required for Planned Development Residential is 25% plus an additional 5% for development in the Entranceway, for a total of 30% required open space. A total of 47% of open space is proposed

**U. Rights-of-Way and Utility Standards. All improvements shall adhere to the requirements of the County's administrative procedures for all public and private rights-of-way construction.**

The applicant proposes to adhere to all applicable requirements of the County's administrative procedures for all public and private rights-of-way construction.

**V. Stormwater Management.**

The applicant proposes to adhere to all applicable requirements of LDC Section 801, Stormwater Management and the County's administrative procedures.

**402.7 Planned Development Residential Standards**

1. Intent
2. Permitted Uses.
3. Density.
4. PDR Standards.
  1. Site Planning.
  2. Landscaped Open Space and Pervious Area Requirements.
  3. Frontage and Accessibility.
  4. Neighborhoods.
  5. Greenbelts.
  6. Traffic Circulation.
  7. Yards and Setbacks.
  8. Minimum Lot Width.
  9. Building Height.

The proposed design meets all applicable requirements of the PDR zoning district.

**900.6 Entranceway Standards for Development**

- A. Landscaping and Buffers.
  1. *Landscaping*
  2. *Required Buffer*
  3. *Buffer Landscaping*
  4. *Landscaping Easements*
- B. Access
  1. *Frontage Road Requirements*
  2. *Cross Access Easements*
- C. Signs
- D. Open Space

The proposed design meets all applicable requirements of the Entranceway.

### COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the R/O/R (Residential/Office/Retail) Future Land Use Category. A list of Comprehensive Plan Policies applicable to this request is attached. This project was specifically reviewed for compliance with the following policies:

**Policy 2.1.2.7. Appropriate Timing.**

The surrounding area includes a mix of residential, commercial, and warehousing. Therefore timing is appropriate.

**Policy 2.6.1.1 Compatibility:**

The surrounding uses consist of single family detached residential uses with densities ranging from 0.6 dwelling units per acre to 6.9 dwelling units per acre. The project's proposed use of multifamily residential units with a density of 9 dwelling units per acre is considered compatible with surrounding uses and meets the requirements of the R/O/R FLUC.

To further ensure compatibility with surrounding uses, the Applicant proposes one story units abutting the single family residential dwelling units north of the project site and two story units abutting the retail use to the south of the project site. This proposed maximum height for this project is 35 feet and proposed design appears to be compatible with surrounding uses.

PDR developments can be designed to permit development consistent with the growing residential trends in the area. In addition, PDR allows the Board to attach stipulations to ensure the project is compatible with the surrounding uses.

The following policies are applicable for the R/O/R FLUC:

**Policy 2.2.1.17.1. Intent:**

The proposed design meets the intent of the R/O/R FLUC.

**Policy: 2.2.1.17.2. Range of Potential Uses (see Policy 2.2.1.5):**

Neighborhood, community and regional serving commercial uses, mixed with residential, lodging, office, public or semi-public, schools, and recreational uses, and appropriate water-dependent, water-related, and water-enhanced uses (see also Objective 4.2.1), and short-term agricultural uses. The proposed residential use is consistent with the range of potential uses in the R/O/R FLUC.

**Policy 2.2.1.17.3. Potential Density/Intensity:**

The R/O/R Future Land Use allows a maximum gross density of 9 dwelling units per acre and a maximum net density of 16 dwelling units per acre. The applicant proposes a gross density of 9.0 dwelling units per acre and a net density of 12.9 dwelling units per acre.

### STAFF RECOMMENDED STIPULATIONS

**A. PLANNING**

1. All applicable design standards for LDC Section 900 Entranceway criteria shall apply to this project.
2. Elevations of the proposed design shall be provided with Final Site Plan submittal to ensure compliance with LDC Section 900 Entranceway criteria.

**B. ENVIRONMENTAL**

1. If wells are encountered during construction a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the County for review and approval prior commencing construction. 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.

2. 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. UTILITIES**

1. Connection to the County wastewater system is required pursuant to the Manatee County Comprehensive Plan. The cost of connection, including the design, permitting and construction of off-site extensions of lines, shall be the responsibility of the Applicant. Such off-site extension shall be designed and constructed in accordance with the County's Wastewater System Master Plan. The connection shall be designed, engineered and permitted by the Applicant consistent with Manatee County Public Works Standards and approved by County Engineer through the construction plans review process for the project.

**ATTACHMENTS**

1. **Applicable Comprehensive Plan Policies**
2. **Staff Report Maps**
3. **General Development Plan**
4. **Parking Study**
5. **School Report**
6. **Applicant's Special/Specific Approval Request Letter**
7. **Zoning Disclosure Affidavit**
8. **Newspaper Advertising**
9. **Ordinance PDR-17-21(Z)(G)**
10. **Public Comment**

**APPLICABLE COMPREHENSIVE PLAN POLICIES**

Policy:	2.1.2.7	Review all proposed development for compatibility and appropriate timing. This analysis shall include: <ul style="list-style-type: none"> <li>- consideration of existing development patterns,</li> <li>- types of land uses,</li> <li>- transition between land uses,</li> <li>- density and intensity of land uses,</li> <li>- natural features,</li> <li>- approved development in the area,</li> <li>- availability of adequate roadways,</li> <li>- adequate centralized water and sewer facilities,</li> <li>- other necessary infrastructure and services.</li> <li>- limiting urban sprawl</li> <li>- applicable specific area plans</li> <li>- (See also policies under Objs. 2.6.1 - 2.6.3)</li> </ul>
Policy:	4.3.1.8	Maintain the minimum construction setback line for all areas of the Coastal Planning Area which have not been delineated for a Coastal Control Construction Line.
Policy:	2.2.1.17	<b>R/O/R:</b> Establish the Residential/Office/Retail future land use category as follows:
Policy:	2.2.1.17.1	Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas which are established and developed areas exhibiting a broad range of commercial, residential and, in certain cases, light industrial uses, and to recognize the continued existence of such areas through the long range planning timeframe; to prohibit the intrusion of new industrial areas into these R/O/R areas, which typically fail to exhibit a planned or integrated approach to multiple use development; to allow the development of major future community or region-serving commercial multi-use nodes; to provide incentives for the horizontal or vertical integration of uses, achieving internal trip capture; and to encourage the development of a high quality environment for living, working, or visiting.
Policy:	2.2.1.17.2	Range of Potential Uses (see Policy 2.2.1.5): Neighborhood, community and regional serving commercial uses, mixed with residential, lodging, office, public or semi-public, schools, and recreational uses, and appropriate water-dependent, water-related, and water-enhanced uses (see also Objective 4.2.1), and short-term agricultural uses.
Policy	2.2.1.17.3	Range of Potential Density/Intensity: Maximum Gross Residential Density: Nine (9) dwelling units per acre. Minimum Gross Residential Density: Maximum Net Residential Density: Sixteen (16) dwelling units per acre.

<b>Policy</b>	<b>2.2.1.17.4</b>	<p><b>Other Information:</b></p> <p>(a) All mixed and multiple-use projects shall require special approval, as defined herein, and as further defined in any land development regulations developed pursuant to § 163.3202, F.S.</p> <p>(b) All projects for which either gross residential density exceeds six (6) dwelling units per acre, or for which any net residential density exceeds nine (9) units per acre, shall require special approval.</p> <p>(c) All nonresidential projects, or part thereof, exceeding 0.25 FAR shall require special approval except mini-warehouse.</p> <p>(d) The Special Approval requirements listed above ((a) through (c)) shall not apply to development along the designated Urban Corridors or within the UIRA.</p> <p>(e) Nonresidential projects exceeding one hundred fifty (150,000) square feet gross building area may be considered only if consistent with the requirements for large commercial uses, as described in this element, except if located along an Urban Corridor.</p> <p>(f) In Urban Corridors, or in areas where existing development is recognized utilizing the Retail/Office/Residential category, or where the spatial form of the Retail/Office/Residential designation on the Future Land Use map is accordingly inconsistent with the commercial locational criteria contained in this element; development or redevelopment within the area designated under this category shall not be required to achieve compliance with the commercial locational criteria described in Sections 2.10.4.1 and 2.10.4.2 of this element. However, any such development or redevelopment shall still be required to achieve compliance with other commercial development standards contained in this element, and be consistent with other goals, objectives, and policies in this Comprehensive Plan (see also Policy 2.10.4.2).</p> <p>(g) In areas where the Retail/Office/Residential category is designated in a manner entirely consistent with the commercial locational criteria, all commercial development or redevelopment shall be conducted in a manner consistent with the commercial location criteria and development standards contained in this element. Urban Corridors within R/O/R are exempt from the commercial locational criteria.</p> <p>(h) No uses which have a primary purpose of distribution of goods from that site shall be permitted in the Retail/Office/Residential designation.</p> <p>(i) No new areas (a new area, for the purposes of this policy, shall be defined as property beyond those parcel configurations as of May 11, 1989 which had light industrial uses established upon them) engaging in the manufacturing, processing, and assembly of goods shall be permitted in the Retail/Office/Residential designation except as provided in this section.</p> <p>(j) Legally established light industrial uses existing prior to the adoption of this Comprehensive Plan (May 11, 1989) shall be considered legally conforming uses, limited to their approved location.</p> <p>(k) Expansion of legally established light industrial uses may be approved within the same parcel if there are no additional impacts to adjoining properties and the expansion obtains special approval.</p> <p>(l) If a legally established light industrial use ceases operation for over six (6) months with no action to re-establish and/or continue such use, the use shall become prohibited.</p>
<b>Policy</b>	<b>2.9.4.1</b>	<p>Maintain all interstate connectors as "Entranceways" to permit implementation of special landscaping, project design, and signage control criteria to achieve a boulevard image and positive sense of place.</p> <p><b>Implementation Mechanism:</b></p>
<b>Policy</b>	<b>2.9.4.2</b>	<p>Develop Corridor Plans on primary travel routes into and through the urban area of Manatee County to create a positive sense of place.</p> <p><b>Implementation Mechanism(s):</b></p> <p>(a) Adoption of Entranceway Plans.</p> <p>(b) County revisions to the land development regulations as appropriate to</p>



<b>Policy</b>	<b>2.9.4.3</b>	<p>implement Entranceway Plans. (c) Capital improvement programming consistent with adopted Entranceway Plans.</p> <p>Maintain appropriate sign regulations, landscaping requirements, special setbacks, building and site design criteria, and other appropriate limitations on the use of land, to create and maintain an aesthetically pleasing environment.</p> <p><b>Implementation Mechanism:</b> (a) Revision to the Land Development Code to achieve compliance with this policy as appropriate.</p>
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