

B.O.C.C. 09/05/19

PDC-03-16(G)(R) – SMR/COMMERCIALSUBDIVISION
AT SR 70 AND LORRAINE ROAD
PLN1907-0126

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, relating to zoning within the unincorporated of Manatee County; approving a County-Initiated amendment to Zoning Ordinance PDC-03-16(Z)(G) to amend various stipulations as set forth herein; the site is zoned Planning Development Commercial (PDC) and is generally located at the northwest corner of SR 70 and Lorraine Road, Bradenton (Manatee County); subject to stipulations as conditions of approval; setting forth findings; providing for severability, providing a legal description, and an effective date.

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RECOMMENDED MOTION:

Based on the staff report, evidence presented, comments made at the Public hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein; I move to **ADOPT** Manatee County-Initiated Amendment to Zoning Ordinance No. PDC-03-16(Z)(G) with changes to Stipulations #6 and elimination of Stipulation #8, as recommended by staff.

(Commissioner Baugh)

PROJECT SUMMARY	
Case #:	PDC-03-16(G)(R), PLN1907-0126
Project Name:	SMR/Commercial Subdivision at SR 70 and Lorraine Road (n/k/a Lorraine Corners Northwest)
Applicant(s):	County initiated
Existing Zoning:	PDC/WPE/ST
Proposed Use(s):	To revise stipulation #6 and eliminate stipulation #8.
Case Manager:	Stephanie Moreland/Lisa Barrett
Staff Recommendation:	Approval
DETAILED DISCUSSION	

Lorraine Corners Northwest, A Commercial Subdivision (Plat Book 45, Page 56), is at the northwest corner of SR 70 and Lorraine Road, Bradenton (south Manatee County). The platted commercial subdivision has three lots. Lots 2 and 3 are developed with a commercial building.

Lorraine Corners Northwest Subdivision is adjacent to a five (5) acre parcel to the north (owned by AC-DC 2 LLC, aka Cohens). To the south is SR 70. Across Lorraine Road, to the east, is a pending development (Publix Shopping Center) and to the west is Lot 1, also developed within Lorraine Corners Northwest.

History:

On October 28, 2003, the Board of County Commissioners approved a Rezone [PDC-03-16(Z)(G), SMR/Commercial Subdivision at SR 70 and Lorraine Road] from the AWP-E/ST to PDC/WP-E/ST zoning district and a General development Plan to allow a total of 25,000 square feet of retail commercial and office uses.

Request:

- The request is county-initiated and seeks approval of an amendment to Manatee County Zoning Ordinance [PDC-03-16(Z)(G)]. The amendment includes revisions to Stipulation 6 and elimination of Stipulation 8 which currently reads as follows:

6. The buffer along the north and west property line shall incorporate the existing trees and shall be enhanced with canopy trees planted 30' on center with a 6' hedge. The buffer along the western property line shall contain 2 1/2 canopy trees per 100' and a 6' hedge. The hedge along the west property line shall extend from the north property line to the front façade of any building on Parcel 1.
8. The 5 oak trees located on the north side of the site shall be preserved, and a landscape easement providing for the protection of these trees shall be recorded with the Final Plat or prior to issuance of the first Certificate of Occupancy, whichever occurs first. The landscape easement shall be in a form acceptable to the County Attorney. A tree protection plan prepared by a certified arborist shall be submitted to the Planning Department prior to first Final Site Plan approval to ensure the safety and protection of the trees. The proposed stormwater pond shall be located outside of the landscape easement.

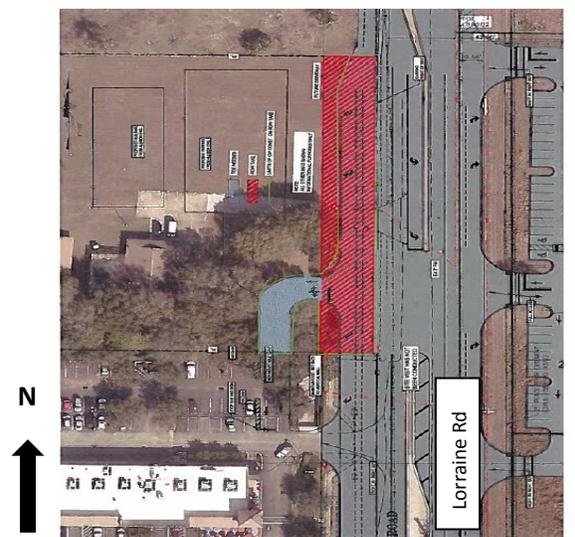
Staff Analysis:

According to the Public Works Department, the County is in the process of working with adjacent owners and developers to facilitate the permitting, construction and funding of the Lorraine Road improvements north of SR 70.

To address operation and safety issues associated with the improved Lorraine Road/SR 70 intersection, a driveway in the southeast corner of the Cohens' site is required and will provide cross access to Lorraine Road and the Lorraine Corners Northwest Subdivision (similar to the illustration shown below):

Location Map

Cross Access Illustration



To construct the cross-access driveway, a part of the existing 15-foot wide landscaped buffer and tree preservation easement along the north side of Lot 2 and Lot 3 (Lorraine Corners Northwest Subdivision) will need to be removed to allow construction and alignment with a future proposed new median cut as part of the planned Lorraine Road widening and improvements. The exact

number of trees to be removed is not yet determined. Only trees in the area designated to construct the proposed driveway will be removed.

To accomplish the removal of trees in the existing buffer, Stipulation #6 (shown above) will be revised and Stipulation 8 eliminated from the previous development order. Revisions are shown below in strike-thru and underline format:

6. The buffer along the ~~north and west~~ property line of Lot 1 and along the north property lines of Lots 1 and 2, of the plat of Lorraine Corners Northwest (per Plat Book 45, Page 53, Manatee County, Florida) shall incorporate the existing trees and shall be enhanced with canopy trees planted 30' on center with a 6' hedge [COMPLETED]. The buffer along the western property line shall contain 2 1/2 canopy trees per 100' and a 6' hedge [COMPLETED]. The hedge along the west property line shall extend from the north property line to the front façade of any building on ~~Parcel~~ Lot 1 [COMPLETED].
8. ~~The 5 oak trees located on the north side of the site shall be preserved, and a landscape easement providing for the protection of these trees shall be recorded with the Final Plat or prior to issuance of the first Certificate of Occupancy, whichever occurs first. The landscape easement shall be in a form acceptable to the County Attorney. A tree protection plan prepared by a certified arborist shall be submitted to the Planning Department prior to first Final Site Plan approval to ensure the safety and protection of the trees. The proposed stormwater pond shall be located outside of the landscape easement.~~

Lot 2 and Lot 3 are owned by Lorraine Corners NW, LLC. Lakewood Ranch Commerce Park, LLC controls the property owner's association for Lorraine Corners Northwest Subdivision. A letter from Schroeder-Manatee Ranch, Inc., on behalf of both such entities, was submitted in support of the proposed amendment to the Manatee County Zoning Ordinance for Lorraine Corners Northwest to remove the requirements for a landscape butter and a tree preservation easement along the north side of Lot 3 to facilitate a cross access easement driveway to extend to the adjacent Cohen's property.

LDC Section 1001 – Street Standards addresses required access to lots and developments.

1001.1. Required Access.

- A. **Intent.** It is the intent of this section to provide for adequate access to lots for egress and ingress, emergency vehicle access, proper maintenance of streets, inspection, related governmental functions, and for the protection of public safety, health and welfare.
- B. **Primary Access Requirements.** Primary access to lots and developments shall be provided as follows.
 2. *Private Commercial Access.* A private internal roadway utilizing cross-access easements with an adjacent parcel or parcels, which meets the commercial node frontage requirements stipulated in the Manatee County Comprehensive Plan. The private internal roadway shall be specifically identified and designated on a plan as an easement for vehicular travel of the public and the easement(s) shall be duly recorded with the Clerk of the Circuit Court.
 - a. The joint use of the private internal roadway(s) shall be strictly limited to small and medium commercial subdivisions or individual commercial or industrial lots of record that can utilize the private internal roadway provision.

- b. Approved access shall be restricted to a site where the proposed use, though located on a parcel that is within the distance criteria of a small or medium commercial node, as defined in the Manatee County Comprehensive Plan, does not have frontage on a roadway classified as a collector or arterial shown on Map 5B of the Manatee County Comprehensive Plan. Each private internal roadway shall be specifically identified and designated on a plan as an easement for vehicular travel of the public, and the easement(s) shall be duly recorded with the Clerk of the Circuit Court.

The site meets commercial locational criteria as identified within the Manatee County Comprehensive Plan as the site is at the intersection of two functionally classified thoroughfares.

Staff Recommendation:

Modification of the above stipulations contained in the Zoning Ordinance would facilitate the necessary access easement agreement and the construction of a driveway to address the County's operation and safety issues associated with the Lorraine/SR 70 intersection CIP project. Staff recommends approval.

Attachments:

1. **Staff Report Maps**
2. **Cohen Property SR 70 at Lorraine Rd. ROW Acquisition Exhibit**
3. **Cross Access Option 4 Cross Access Exhibit**
4. **Memorandum from Sia Mollanazar, P.E.**
5. **Plat Book 45 Page 53 – Lorraine Corners Northwest**
6. **Signed Plan PDC-03-16/FSP-06-113(R)**
7. **Support Letter from Schroeder-Manatee Ranch, Inc.**
8. **Newspaper Advertising**
9. **Ordinance PDC-03-16(G)(R)**