September 3, 2026 - Land Use Meeting

Subject
Updates to Agenda- September 2, 2026

Category
ANNOUNCEMENTS

Briefings
None

Contact and/or Presenter Information
Bobbi Roy, Agenda Division Supervisor, ext 6878

Action Requested
Updates incorporated appropriately

Enabling/Regulating Authority
N/A

Applicable Advisory Board
N/A

Background Discussion
Below are agenda updates (dated 9/2/2026) for the meeting of 9/3/2026 9:00 AM - September 3, 2026 - Land Use Meeting

D. ANNOUNCEMENTS

Generic Public comments added for Future Agenda items.

I. ADVERTISED PUBLIC HEARINGS - QUASI-JUDICIAL

Presentations Upon Request
Item 10.PDR-25-06(Z)(P) – Ivy Run – 16TH Drive Associates LLC; Craig Walter Purcell; James C Drao and Heather D Drao (Owners) – PLN2503-0127- Quasi-Judicial - Lindsey Craig, Planner I - District 1-APPLICANT REQUEST CONTINUANCE TO NOVEMBER 19, 2026 - Updated Continuance motion on coversheet, Ex-Parte communication and additional public comment.

Item 7. Ordinance 26-29 / PA-25-08 – Vineyard Creek CPA – Small-Scale Comprehensive Plan Map Amendment – PLN2508-0053- Legislative-Loretta Merrill, Principal Planner- District 2- Moved to Presentations upon request add a request for continuance and additional public comment

Item 8.PDR-25-16(Z)(G) – Vineyard Creek – Almena Properties LLC, and Manatee County, (Owners) – PLN2508-0052-Quasi-Judicial - Loretta Merrill, Principal Planner - District 2- Moved to Presentations upon request, add a request for continuance and additional public comment.

Item 9. PDMU-18-06(Z)(G)(R2)–Rezone with Amended GDP for Villages of Amazon South/Woolridge Investments LLC; Blackhawk Capital Management LLC; Lasalle Holding Partners LLC; Seneca Real Holdings LLC;WHK Invest LLC; University Park Partners IV LLC(Owners)–PLN2411-0096-Quasi-Judicial-Alyssa Grove, Planner I-District 1- Moved to Presentations Upon Request and add a request for continuance.

Presentations Scheduled

Item 4.PDR-25-25(Z)(P) - Guardian Angels US 19 - Guardian Angels of SW Florida, Inc. (Owner) – PLN2511-0044 - Quasi-Judicial - CJ Mills, Planner II, District 2- Revised conditions on staff report and revised Ordinance in strikethrough underline format.

Item 6.PDMU-07-07(Z)(P)(R2) – Crosswind Point F.K.A. Parrish Plantation – Belleair Capital Group Parrish Plantation LLC (Owner) – PLN2406-0119- Quasi-Judicial-James J. McDevitt III, MURP, Development Services Team Leader-District 1 - Updated Ordinance and additional public comment.

Attorney Review
Not Reviewed (No apparent legal issues)

Instructions to Board Records
N/A

Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

Public Comment

Manatee County Government

Submitted On:
Aug 28, 2026, 04:39PM EDT

Full Name	**First Name:** Glen **Last Name:** Gibellina
Email	Glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	September 03, 2026
Topic/Agenda Item	PART 2 FUTURE AGENDA ITEMS
Comment	5. Specific Requests for Board Action For the reasons above, I respectfully request that the Board take the following actions before proceeding with Ordinance No. 26-19 / PA-25-03: 1. Continue or remove the ordinance from the current agenda. Do not transmit, adopt, or otherwise advance the Comprehensive Plan rewrite until the concerns described in this objection have been addressed in a public and documented manner. 2. Order an independent conflict-of-interest and procurement review. Require a written public report addressing the consultant's role, relevant private-client relationships, disclosure procedures, and safeguards against actual or perceived preferential treatment. 3. Require a complete change analysis. Direct staff to publish a searchable, side-by-side comparison of every proposed revision against the currently adopted Comprehensive Plan, including a plain-language explanation of each change's intended purpose and anticipated effect. 4. Publish all relevant records. Make readily accessible the consultant contract, scope of work, amendments, invoices, work products, staff directions, correspondence regarding substantive policy choices, meeting materials, version histories, and any conflict disclosures or screening protocols, subject to lawful exemptions. 5. Conduct independent public workshops. Hold multiple publicly noticed workshops in accessible locations and at varied times, including evening opportunities, before any final hearing. The workshops should allow residents to review each element, ask questions, and provide detailed comments. 6. Provide adequate review time after final revisions. Do not schedule a final action until the public has had a meaningful period to review the complete final text, including all exhibits and late changes. Any material alteration should restart or extend the public review period. 7. Create a formal response-to-comments record. Require staff to identify and respond to substantive public comments, explaining whether each concern resulted in a revision, was rejected, or requires further analysis. 8. Preserve the complete administrative record. Ensure that all written

public comments, exhibits, staff memoranda, consultant analyses, recordings, minutes, and materials considered by the Board are retained and clearly included in the record for this ordinance.

Conclusion

The Comprehensive Plan is the blueprint for Manatee County's future. It should reflect the public interest—not merely the interests of those best positioned to navigate or benefit from development regulations. Residents deserve a planning process that is transparent, independent, carefully documented, and open to meaningful participation. Where a consultant's public work may overlap with private development representation, the Board has an obligation to address the appearance of conflict directly and openly. Failure to do so will undermine public confidence in both this ordinance and future land-use decisions made under it.

Accordingly, I respectfully urge the Board to continue Ordinance No. 26-19 / PA-25-03, commission an independent review, provide complete public access to the proposed revisions and supporting records, and conduct sufficient public workshops before any further action is taken.

Please enter this letter into the official record for Ordinance No. 26-19 / PA-25-03 / PLN2506-0044. I request written confirmation that it has been received and included in the record.

Respectfully submitted,

Glen GADFLY Gibellina

Public Comment

Manatee County Government

Submitted On:
Aug 28, 2026, 04:38PM EDT

Full Name	**First Name:** Glen **Last Name:** Gibellina
Email	Glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	September 03, 2026
Topic/Agenda Item	PART 1 FUTURE AGENDA ITEMS COMP/TEXT PLAN
Comment	Regarding: Ordinance No. 26-19 / PA-25-03 Comprehensive Plan Rewrite — County-Initiated Comprehensive Plan Text Amendment Project No. PLN2506-0044 Subject: Formal Objection, Request for Continuance, and Demand for Independent Conflict Review and Meaningful Public Participation Dear Chair and Members of the Manatee County Board of County Commissioners: I submit this written objection to the continued consideration, transmission, adoption, or other action on Ordinance No. 26-19 / PA-25-03, Comprehensive Plan Rewrite, PLN2506-0044. I respectfully request that the Board remove this item from the agenda or continue it to a date certain until the County completes an independent review of the process, consultant relationships, proposed text, public-notice record, and public-engagement opportunities. This is not a routine text amendment. It is a County-initiated restructuring of the policy framework that will guide land use, conservation, coastal protection, mobility, infrastructure capacity, housing, recreation, historic resources, and intergovernmental coordination in unincorporated Manatee County for years or decades to come. The County's published notice identifies eleven Comprehensive Plan elements proposed to be amended and restated. Such a far-reaching rewrite requires an exceptionally transparent, independent, and deliberative process. My objection is based on concerns regarding the appearance and potential reality of a structural conflict of interest, insufficient disclosure, inadequate opportunity for residents to evaluate complex and evolving materials, and the resulting risk that the public process will not satisfy the level of fairness expected for legislation of this magnitude. 1. Appearance of Conflict Requires Independent Review

The County retained Kimley-Horn & Associates in connection with the Comprehensive Plan rewrite. At the same time, Kimley-Horn is widely known to provide engineering, planning, entitlement, and land-development consulting services for private-sector clients, including entities seeking development approvals in local jurisdictions.

That circumstance does not, by itself, establish wrongdoing, bias, or an actual legal conflict. However, it creates a serious appearance-of-conflict concern when a firm involved in preparing the County's long-range land-use rules may also represent private clients whose development proposals could be affected by, interpreted under, or benefit from those same rules.

The issue is not whether private consultants may work for public agencies. The issue is whether the County has established adequate safeguards to assure the public that:

The consultant's work was directed solely by the County's public-interest objectives.

No private client influenced proposed policies, definitions, maps, standards, or implementation language.

No language was drafted, revised, omitted, or structured to create a future advantage for a category of development, landowner, applicant, or client.

County staff and the Board received complete disclosure of any actual, potential, or perceived conflicts related to the consultant's local private-development work.

The public has access to a meaningful explanation of the process used to protect the independence of the rewrite.

A Comprehensive Plan is the County's basic constitutional and policy framework for growth and resource protection. It should not merely be impartial; it must also appear impartial to the residents whose quality of life, property, water resources, coastal environment, roads, public facilities, and neighborhoods are governed by it.

The Board should not ask the public to accept assurances alone. It should require a documented, independent conflict review and place that review in the public record before taking further legislative action.
2. This Rewrite Governs Core Public Interests

The proposed ordinance is unusually consequential because it proposes to amend and restate eleven elements of the Manatee County Comprehensive Plan, including Future Land Use, Conservation,

Coastal Management, Transportation, Housing, Recreation and Open Space, Public Facilities, and Intergovernmental Coordination.

Those elements are not technical housekeeping provisions. They establish the long-term public-policy direction for questions such as:

Where and at what intensity future growth may occur.

How wetlands, wildlife habitat, water resources, flood-prone areas, and coastal systems are protected.

Whether roads, drainage, potable water, wastewater, schools, parks, and emergency services can support growth.

How the County addresses housing availability, affordability, and compatibility with established communities.

How development decisions account for storm vulnerability, sea-level and flooding concerns, evacuation, and coastal resilience.

How the County coordinates with municipalities, school districts, state agencies, and neighboring governments.

Changes to definitions, goals, objectives, policies, standards, and internal cross-references can materially affect future decisions even when the impact is not immediately obvious to the average resident. A seemingly narrow revision to a definition, an exception, a level-of-service provision, a concurrency standard, a conservation policy, or a future-land-use criterion can later shape whether a proposed development is approved, conditioned, denied, or entitled to additional density or intensity.

For that reason, the Board should not proceed with a compressed or unclear review process. It should ensure that each material change is specifically identified, explained in plain language, and evaluated for its impact on residents, infrastructure, natural resources, and future land-use decisions.

3. Due Process and Meaningful Participation Require More Time

The proposed rewrite involves a substantial volume of technical material, including multiple Comprehensive Plan elements and related revisions needed for internal consistency. The County's notice expressly recognizes that additional amendments to supportive materials may be necessary to implement the changes and maintain internal consistency.

That acknowledgment underscores why residents need sufficient time and accessible materials to understand the proposal as a whole—not merely as isolated chapters or redlined excerpts.

Meaningful public participation requires more than making documents technically available shortly before a hearing. Residents should have a reasonable opportunity to:

Obtain the complete proposed ordinance, exhibits, staff reports, and supporting materials.

Compare the adopted Comprehensive Plan language with every proposed revision.

Understand the purpose and practical effect of each change.

Identify whether any prior public comments or Planning Commission recommendations were incorporated, rejected, or altered.

Review versions of the proposal in a clear, searchable, side-by-side format.

Ask questions of County staff, the consultant, and independent subject-matter experts in workshops that are separate from the final legislative hearing.

Submit written comments early enough for staff and the Board to consider and respond to substantive issues.

The County's public notice states that interested parties may submit written comments and that those comments will be entered into the record. It also provides that the hearing may be continued. The Board should use that authority to provide a genuine opportunity for public review rather than treating continuation as a procedural inconvenience.

A hearing should not become the public's first realistic opportunity to understand a proposal of this scale. By the time of a final legislative vote, the Board should have before it a transparent record demonstrating that the public had adequate notice, access to the materials, and a meaningful chance to comment on all material revisions.

4. Need for an Independent Technical and Ethics Review

Before this ordinance is considered further, the Board should direct an independent party—one with no current or recent financial involvement in local development entitlements that may be affected by the rewrite—to conduct a written review addressing the following:

The scope of Kimley-Horn's role in drafting, editing, analyzing, or recommending Comprehensive Plan language.

The County's consultant-selection process, contract scope,

deliverables, and oversight procedures.

Any disclosures concerning Kimley-Horn’s representation of private development applicants, landowners, or related interests in Manatee County during the period of the rewrite.

Any conflict-management measures, screening procedures, non-disclosure safeguards, or County review protocols used to prevent improper influence.

A policy-by-policy analysis identifying all substantive changes from the current Comprehensive Plan.

An analysis of whether any changes disproportionately benefit particular development types, geographic areas, land classifications, or applicant categories.

A review of the consistency of the proposed text with adopted County policies, state requirements, environmental protections, infrastructure planning, and public-facility capacity.

A public-facing summary written in plain language that explains the practical effect of every major change.

The independent reviewer should be selected through a transparent process and should report directly to the Board or an appropriate independent County authority, not solely through the consultant whose work is under review.

From: srnsemmer@aol.com <srnsemmer@aol.com>
Sent: Wednesday, August 5, 2026 10:33 PM
To: Charlie Bishop <charlie.bishop@mymanatee.org>
Subject: Legacy Village 2

> You don't often get email from srnsemmer@aol.com. Learn why this is important

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Dear Mr. Bishop,

I have been attempting to submit a statement for the Land Use Meeting being held at 9am tomorrow! I am not the only one who has attempted to do so. Thus I am submitting to you as the person in charge and can only hope you will read and respond!

I thank you in advance and look forward to hearing from you.

My name is Sharon Semmer and I live in Whitfield Ballentine. I am writing to ask for your help in enforcing our Whitfield Residential Overlay which has been openly disregarded in the administrative approval of Legacy Village 2.

The land development code is absolutely clear: All residential units in the WRO must be 950 square feet. Yet Legacy Village 2 proposes 72 units with units barely 638 square feet . Certainly not big enough for two people or anyone with children. There has not been a single meeting to discuss this point or many others. ADUs and similar undersized plans are prohibited in the Overlay. LV2 is a multi-family residential building on a single lot , exactly as defined in Section 200 of the LDC, and must be held to the Overlay language.

This is not a matter of interpretation, it is a matter of compliance!

If the County can ignore the overlay here - despite clear language, clear boundaries, and clear public concern- then every neighborhood overlay in Manatee County is at risk. What protects Whitfield today protects your neighborhood tomorrow!

I respectfully ask the Commission to enforce the WRO, require compliance with the 950 square foot minimum and restore trust in the integrity of our land use process.

Sincerely,

Sharon Semmer

630-951-0110

Public Comment

Manatee County Government

Submitted On:
Aug 4, 2026, 05:43PM EDT

Full Name	**First Name:** Tamara **Last Name:** Harte
Email	tamara4manatee@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	August 06, 2026
Topic/Agenda Item	Long Bay Pointe - Sarasota Bay
Comment	Please Commissioners Protect the last strong hold of mangroves at Long Bay Pointe on Sarasota Bay. Do not let the developers destroy what is left of the mangroves. We need the mangroves to make our communities along Sarasota bay resilient, protecting habitat and our quality of life. Once YOU let these mangroves get bulldozed down - they won't come back. Concerned Florida Voter and grandma Tamara Harte

From: Gary Greene <garygreene55@yahoo.com>
Sent: Tuesday, September 1, 2026 2:58 PM
To: BCC Agenda <bcc.agenda@mymanatee.org>
Cc: Kelli OMalley <kelli.omalley@mymanatee.org>
Subject: Subject: IVY RUN- PDR-25-06(ZXP)

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Hello,

Wishing you and your staff a wonderful day. My name is Gary T. Greene, I reside directly adjacent to the proposed development. My address and contacts are listed below. . .

I am writing to oppose rezoning for the subject planned development. I have read all the public comments submitted to your office and do not feel the need to repeat them. While I support development in most cases, the current single lane conditions on Rye Road must be expanded before I would consider voting in favor of rezoning. I also do not think adding a traffic light or circle at the intersection of Rye Road and Waterline will improve and allow acceptable traffic flow. What are the results of the traffic analysis for additing a traffic light at that intersection.

Eastern Manatee County lacks north/south corridors to accomodate the current traffic as we all know. I really appreciate the major renovations currently taking place on Upper Manatee River Road between Fort Hammer Bridge and SR64. A similar expansion from CR675 to SR64 is needed on Rye Road to allow for current traffic loads. I strongly ask the Commisioners to not approve additional developments along Rye Road until major improvements are made. I too fear as many of my neighbors have noted the impact on emergency service (fire, police and EMS services).

In addition to a Rye Road expansion, the dense concentration of homes for the proposed project seems out of line with most developments in the immediate vicinity. I am sure this will have a negative impact on water usage and availability especially during drought conditions. Flooding along Rye Road adjacent to the proposed site is also a major concern that must be mitigated. As stated earlier, I will not repeat all of the good comments submitted by my neighbors in opposition to the proposed project.

I really appreciate you taking the time to read my comments. I sincerely hope that your team will seriously consider the comments from area residents because we know and travel the area daily. Please deny the new proposed project until proper infrastructure is in place and other concerns raised by my neighbors have been taken into consideration.

Sincerely,

Gary T. Greene

14817 17th Ave. E

Bradenton FL, 34212 / Cell: 941 779 8317.

From: JOHN SIMON <jlsimon2001@aol.com>
Sent: Wednesday, September 2, 2026 1:27 PM
To: Public Comments <public.comments@mymanatee.org>
Cc: Lindsey Craig <lindsey.craig@mymanatee.org>; Pamelar Wright <pamelarwright@gmail.com>; Charlie Bishop <charlie.bishop@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; Nicole Knapp <nicole.knapp@mymanatee.org>
Subject: Attention Agenda Coordinator for PLN2503-0127,PDR-25-06(Z)(P)

You don't often get email from jlsimon2001@aol.com. Learn why this is important

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My name is John Simon, I writing am at the request of the Mill Creek VII Home Owners Association Board of Directors, but also representing myself, my wife, Mary Anne Servian , and neighbors Gary Green, and Katie and Corey Supple.

We steadfastly oppose this project and respectfully request that no postponements occur and that the County Commission Deny the application, as did the Planning Commission earlier this year. Many of the issues listed below will not change based upon the basis that the developer has asked for a postponement.

1. From a land use perspective the project density is incompatible and inconsistent with any and all residential developments within a half mile to the west, northwest, south and north to Waterline road.

2. The Rye Road corridor is running at near capacity today, without the traffic of hundreds of already approved, yet to be constructed housing and commercial units, which will be reliant solely on Rye Road for access. No more development pressure should be approved that would impact Rye Road until it is improved to accommodate not only the currently approved projects, but until a major transportation study is embarked upon. Rye Road is unique. It is six miles east of I75 and 6 miles west of a huge surge of residential and commercial growth. While the county has multiple east-west collector roads east of I75, Rye Road It and Lorraine Road are the only means of continuous north south travel to University and Fruitville roads in the heaviest growth areas of the County. Both are encumbered by a substantial number of developments already approved, including a new High School, and yet both are only two lanes wide. There is a growing need for north south corridors east of I75 through the county to sustain growth. To potentially exacerbate the situation further, if amendment 3 passes this November, the decreased taxes collected by the County will affect the amount of money to the Capital Improvement Budget.

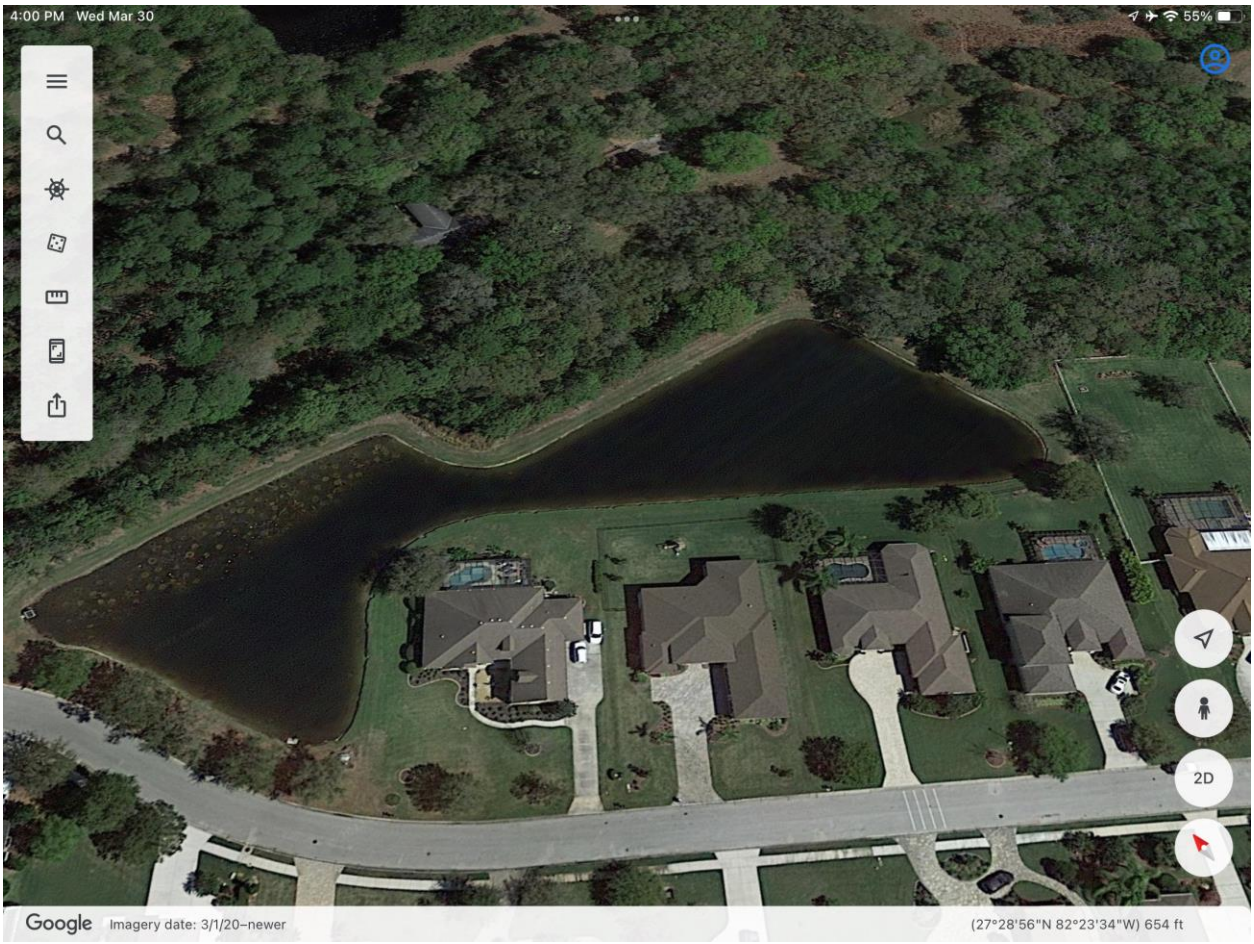
3. The proposed project plans indicate three points of storm water outfalls into our subdivision pond. Currently there is no drainage from that property into Mill Creek VII. That project should, through detention and retention systems, control their own runoff.

4. The project size is comprised of 51.87 acres. However, to derive the actual buildable acreage one has to deduct 3.43 acres in the gas easement, 2.46 acres of freshwater marshes, 3.11 acres of reservoirs, and 1.98 acres of streams and waterways, and .49 acres of mixed

wetland hardwoods. That total of currently of generally unbuildable acreage is 12.47 acres- nearly 25% of the entire development site. The remainder is significant because more than half of that acreage is a 22 acre stand of magnificent hardwood trees. The last remaining stand of hardwoods between Mill Creek VII and waterline roads. That and existing farms.

5. On a more personal note, four homes, including ours, the Greens, the Supple's, and the Wrights, all are located on the southern shore of the pond and the proposed development is astride the northern shore of the pond. The entire northern shoreline will be comprised of a linear row 41, 40 foot wide lots with minimum building side yard dimensions for two story homes.

Each of our four homes would have unobstructed views of, and they us, anywhere from 15 to 20 homes in the spring and summer and many more in the fall and winter. Those homes will come with multiplied activities, noises, and lights. Absolutely incompatible with single family homes in quarter acre lots. Our quiet enjoyment as well as our property values will be severely affected.



JOHN SIMON

August 31, 2026

Manatee County Administration Building
1112 Manatee Ave. West
Bradenton, FL 34205

To: County Attorney Pamela D'Agostino; County Clerk Angelina Colonneso (1115 Manatee Ave. West); BoCC Chair Commissioner Tal Siddique; Commissioners George Kruse, Bob McCann, Jason Bearden, Amanda Ballard, Mike Rahn; Director Nicole Knapp:

Subject: OFFICIAL FILING: Response to Continuance Request & Motion for Date Certain - APPLICATION NO. PDR-25-06(Z)(P)/PLN2503-0127] IVY RUN- September 3, 2026 Board Hearing

BEFORE THE BOARD OF COUNTY COMMISSIONERS MANATEE COUNTY, FLORIDA

RE: APPLICATION NO. PDR-25-06(Z)(P)/PLN2503-0127] IVY RUN

ADVERSELY AFFECTED PARTY'S RESPONSE TO APPLICANT'S REQUEST FOR CONTINUANCE AND CONDITIONAL MOTION FOR DATE CERTAIN

COMES NOW, Gregory Marino and Mark VanDeRee, as officially documented Adversely Affected Parties of Record, and files this Response to the Applicant's late-filed Request for Continuance and Motion for Date Certain regarding the land use hearing scheduled for September 3, 2026. In support thereof, Objectors states as follows:

I. DOCUMENTED STANDING & PROCEDURAL POSTURE

1. Objectors are a documented "Adversely Affected Party of Record" with an established history of participating in good faith civic advocacy and technical reviews concerning development impacts within Manatee County.
2. The quasi-judicial hearing for the above-referenced application was formally noticed and scheduled for the Board of County Commissioners (BOCC) Land Use Meeting on September 3, 2026.

II. DETRIMENTAL RELIANCE & DUE PROCESS PREJUDICE

3. On Thursday, August 27, 2026—exactly one calendar week (4 working days) prior to the scheduled hearing and after public notices and agenda packages were finalized—the Applicant unilaterally submitted a request to continue the hearing for nearly three months, to the November 19, 2026 Land Use Meeting.
4. In reliance on the Applicant's official filing, the Objector's technical experts, legal counsel, and key witnesses were instructed to stand down and were released from attending the September 3, 2026 hearing.
5. In quasi-judicial proceedings, procedural due process guarantees all affected parties a fair, impartial, and meaningful opportunity to present evidence and cross-examine witnesses (*Jennings v. Dade County*, 589 So. 2d 1337). Forcing Objectors to proceed on September 3, 2026, without their technical team—after relying in good faith on the Applicant's continuance submittal—would violate Objector's fundamental constitutional due process rights.

III. OBJECTION TO UNREASONABLE DURATION (90-DAY DELAY)

6. While the Objectors do not object to a brief pause to accommodate proper scheduling, the Objectors strongly object to the Applicant's requested 90-day delay to November 19, 2026.
7. Pushing this hearing out a quarter of a year on four working days' notice severely prejudices the affected community, prolongs administrative uncertainty, and drains public opposition resources.
8. The Board maintains a regularly scheduled Land Use Meeting on **October 8, 2026**. A continuance to October 8, 2026 (approximately 35 days) provides ample time for all parties while maintaining efficient resolution of public land use matters.

RELIEF REQUESTED / CONDITIONAL MOTION

WHEREFORE, Objectors respectfully request that the Board of County Commissioners enter an Order taking the following actions:

1. **PRIMARY REQUEST (LIMIT TO OCTOBER 8, 2026):** Grant the Applicant's continuance *only* to a Date Certain at the next regularly scheduled BOCC Land Use Meeting on **October 8, 2026**, denying the requested extension to November 19, 2026.
2. **CONDITIONAL ALTERNATIVE MOTION (RECIPROCAL CONTINUANCE):** In the event the Board denies the Applicant's continuance request and elects to proceed on September 3, 2026, Objectors formally move for an immediate **30-day reciprocal continuance** to the October 8, 2026 meeting to cure the due process prejudice caused by Objector's detrimental reliance on the Applicant's last-minute filing.

Respectfully submitted this 31st day of August, 2026.

Gregory Marino

Mark VanDeRee

Adversely Affected Party of Record
Gregorymarino77@gmail.com
2007 154th St. Bradenton
941-281-5563

Mark VanDeRee
17515 Waterline Road, Manatee County Florida
vanderee2@gmail.com
941-302-0069

Kimley»Horn

September 1, 2026

Loretta Merrill, CEP
Principal Planner
Manatee County, Development Services
9000 Town Center Parkway
Lakewood Ranch, FL 34202

Re: Vineyard Creek Continuance Request September 2026

Dear Ms. Merrill:

On behalf of the applicant for the Vineyard Creek project, we respectfully request that the upcoming Board of County Commissioners hearing be continued to a future date.

This request is being made due to unavoidable scheduling conflicts affecting several significant members of the development team whose participation is essential to a meaningful and productive hearing. These individuals include project professionals who possess specialized knowledge regarding the technical and operational aspects of the project and who would ordinarily be present to provide testimony, address questions, and respond to comments from the Board, County staff, and members of the public.

The applicant believes that the full participation of these team members is important to ensuring that all issues raised during the hearing can be thoroughly and accurately addressed. Given the complexity of the project and the likelihood of detailed discussion regarding technical matters, proceeding without the availability of these representatives could limit the Board's ability to receive complete information and could impede the applicant's ability to fully respond to questions or concerns that may arise.

The requested continuance is intended to ensure that the hearing proceeds in a manner that allows for a comprehensive presentation of the project and a complete evaluation of the issues before the Board. We believe that rescheduling the hearing to a future date will promote a more informed and productive discussion, provide all participants with the opportunity to fully engage in the proceedings, and ultimately assist the Board in making its decision based upon the most complete and thorough record possible.

We appreciate staff's consideration of this request and respectfully ask that the Board grant the continuance. Thank you for your time.

Sincerely,

Philip G. DiMaria, Jr., AICP, CNU-A
Senior Planner

Taylor DiPietro
Planner

Public Comment

Manatee County Government

Submitted On:
Aug 28, 2026, 04:02PM EDT

Full Name	**First Name:** Glen **Last Name:** Gibellina
Email	Glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	September 03, 2026
Topic/Agenda Item	PDR-25-16(Z)(G) – Vineyard Creek – Almena Properties LLC, and Manatee County, (Owners) – PLN2508-0052-Quasi-Judicial - Loretta Merrill, Principal Planner - District 2

Comment

Write a scathing letter in opposition This is a bad idea to many homes goes from ag to res 9 or more no road capacity water shortage and sewer capacity https://agendaonline.mymanatee.org/OnBaseAgendaOnline/Documents/DownloadFile/PDR-25-16(Z)(G)%20%E2%80%93%20Vineyard%20Creek%20%E2%80%93%20Almena%20Properties%20LLC%2c%20and%20Ma.pdf?documentType=1&meetingId=793&itemId=68697&publishId=197586&isSection=False&isAttachment=True

I strongly oppose PDR-25-16(Z)(G), the proposed Vineyard Creek rezoning and associated change from agricultural/low-density residential uses to a Planned Development Residential project of up to 204 homes on roughly 29.83 acres near 28th Street Court East, 16th Avenue East, and 24th Avenue East in Palmetto. This proposal is not responsible growth—it is an excessive increase in density that will worsen already strained roads, water resources, and sewer infrastructure.
Draft letter

Subject: Deny PDR-25-16(Z)(G) — Vineyard Creek / Almena Properties

Dear Chair and Members of the Manatee County Board of County Commissioners,

I am writing in strong opposition to PDR-25-16(Z)(G), Vineyard Creek, proposed by Almena Properties LLC and Manatee County.

This application seeks to rezone property currently designated Suburban Agriculture and Residential Single Family-1 to Planned Development Residential, while changing the future land-use designation from Residential-3 to Residential-9. That is a dramatic increase in permitted density—turning land intended for lower-intensity development into a project allowing up to 204 attached and semi-attached single-family homes on approximately 29.83 acres.

This is the wrong project, in the wrong place, at the wrong time.

First, the proposal represents excessive density. A change to RES-9 is not a minor adjustment or a compatibility measure; it is a substantial intensification of development rights. It would place roughly 204 homes into an area that was not planned, designed, or adequately served for that level of residential concentration. The County should not use a Planned Development designation as a mechanism to override the character and capacity assumptions that underlie the existing agricultural and low-density residential zoning.

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From: Glen Gibellina <glengibellina@gmail.com>
Sent: Friday, August 28, 2026 4:32 PM
To: Tal Siddique <tal@mymanatee.org>; Amanda Ballard <amanda.ballard@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; Robert McCann <drbob.mccann@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>; Mike Rahn <mike.rahn@mymanatee.org>
Cc: GADFLY <glengibellina@gmail.com>; Pamela DAgostino <pamela.dagostino@mymanatee.org>; Abigail Bonds <Abigail.bonds@mymanatee.org>; Loretta Merrill <Loretta.Merrill@mymanatee.org>
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Be suspicious of Attachments, Links and Request for Login Information and utilize the REPORT MESSAGE Button in Outlook if you feel this is a Phishing email.

Subject: Deny PDR-25-16(Z)(G) — Vineyard Creek / Almena Properties

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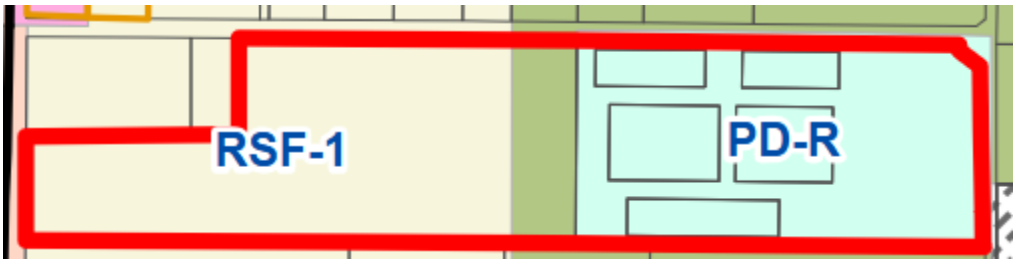

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EX PARTE COMMUNICATION, MUNICIPAL ORDINANCE

Number: INFORMAL
Issued March 12, 2007
Subject: Ex parte communication, municipal ordinance

https://www.myfloridalegal.com/ag-opinions/ex-parte-communication-municipal-ordinance#:~:text=%22local%20elected%20public%20officials%20have%20been%20obstructed,the%20Third%20District%20Court%20of%20Appeal%5B.%5D%22%5B%202%5D

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Subject: Objection to Concurrency Deferral — PDR-25-16(Z)(G), Vineyard Creek

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A concurrency deferral must not become a rubber stamp for a development proposal whose impacts are already apparent: excessive new housing density, inadequate roadway capacity, legitimate concerns about water availability, and unresolved sewer-system capacity. The County's own Development Services materials recognize a "Concurrency Deferral and Acknowledgement" as a formal development-review document—not a substitute for proving that essential public facilities can actually serve a project when its impacts occur.mymanatee

Manatee County should not approve more density first and ask infrastructure questions later. Existing residents deserve safe roads, reliable water, functioning sewer service, and a government willing to enforce concurrency rather than defer it away.

From: Manatee County Board of County Commissioners <noreply@seamlessdocs.com>
Sent: Friday, August 28, 2026 1:02 PM
To: Glengibellina@gmail.com <Glengibellina@gmail.com>
Subject: Thank you for submitting your comment.

Manatee County FLORIDA

Submission Receipt

Form name	Public Comment
Date submitted	Aug 28, 2026, 04:02PM EDT

Submission Details:

Full Name
First Name
Glen

Last Name
Gibellina

Email
Glengibellina@gmail.com

Which meeting is this public comment for? (Please select date of meeting)
September 03, 2026

Topic/Agenda Item
PDR-25-16(Z)(G) – Vineyard Creek – Almena Properties LLC, and Manatee County, (Owners) – PLN2508-0052-Quasi-Judicial - Loretta Merrill, Principal Planner - District 2

Comment
True I strongly oppose PDR-25-16(Z)(G), the proposed Vineyard Creek rezoning and associated change from agricultural/low-density residential uses to a Planned Development Residential project of up to 204 homes on roughly 29.83 acres near 28th Street Court East, 16th Avenue East, and 24th Avenue East in Palmetto. This proposal is not responsible growth—it is an excessive increase in density that will worsen already strained roads, water resources, and sewer infrastructure. Draft letter Subject: Deny PDR-25-16(Z)(G) — Vineyard Creek / Almena Properties Dear Chair and Members of the Manatee County Board of County Commissioners,

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View the submission and any attachments by following the link below and using this unique access code: cNV7ggMJ0LYcOXMC

Kimley»Horn

September 1, 2026

Loretta Merrill, CEP
Principal Planner
Manatee County, Development Services
9000 Town Center Parkway
Lakewood Ranch, FL 34202

Re: Vineyard Creek Continuance Request September 2026

Dear Ms. Merrill:

On behalf of the applicant for the Vineyard Creek project, we respectfully request that the upcoming Board of County Commissioners hearing be continued to a future date.

This request is being made due to unavoidable scheduling conflicts affecting several significant members of the development team whose participation is essential to a meaningful and productive hearing. These individuals include project professionals who possess specialized knowledge regarding the technical and operational aspects of the project and who would ordinarily be present to provide testimony, address questions, and respond to comments from the Board, County staff, and members of the public.

The applicant believes that the full participation of these team members is important to ensuring that all issues raised during the hearing can be thoroughly and accurately addressed. Given the complexity of the project and the likelihood of detailed discussion regarding technical matters, proceeding without the availability of these representatives could limit the Board's ability to receive complete information and could impede the applicant's ability to fully respond to questions or concerns that may arise.

The requested continuance is intended to ensure that the hearing proceeds in a manner that allows for a comprehensive presentation of the project and a complete evaluation of the issues before the Board. We believe that rescheduling the hearing to a future date will promote a more informed and productive discussion, provide all participants with the opportunity to fully engage in the proceedings, and ultimately assist the Board in making its decision based upon the most complete and thorough record possible.

We appreciate staff's consideration of this request and respectfully ask that the Board grant the continuance. Thank you for your time.

Sincerely,

Philip G. DiMaria, Jr., AICP, CNU-A
Senior Planner

Taylor DiPietro
Planner

Public Comment

Manatee County Government

Submitted On:
Aug 28, 2026, 04:02PM EDT

Full Name	**First Name:** Glen **Last Name:** Gibellina
Email	Glengibellina@gmail.com
Which meeting is this public comment for? (Please select date of meeting)	September 03, 2026
Topic/Agenda Item	PDR-25-16(Z)(G) – Vineyard Creek – Almena Properties LLC, and Manatee County, (Owners) – PLN2508-0052-Quasi-Judicial - Loretta Merrill, Principal Planner - District 2

Comment

Write a scathing letter in opposition This is a bad idea to many homes goes from ag to res 9 or more no road capacity water shortage and sewer capacity https://agendaonline.mymanatee.org/OnBaseAgendaOnline/Documents/DownloadFile/PDR-25-16(Z)(G)%20%E2%80%93%20Vineyard%20Creek%20%E2%80%93%20Almena%20Properties%20LLC%2c%20and%20Ma.pdf?documentType=1&meetingId=793&itemId=68697&publishId=197586&isSection=False&isAttachment=True

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Draft letter

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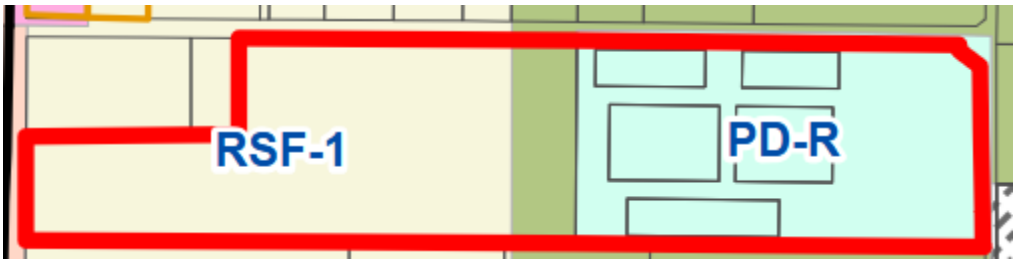

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Topic/Agenda Item
PDR-25-16(Z)(G) – Vineyard Creek – Almena Properties LLC, and Manatee County, (Owners) – PLN2508-0052-Quasi-Judicial - Loretta Merrill, Principal Planner - District 2

Comment
True I strongly oppose PDR-25-16(Z)(G), the proposed Vineyard Creek rezoning and associated change from agricultural/low-density residential uses to a Planned Development Residential project of up to 204 homes on roughly 29.83 acres near 28th Street Court East, 16th Avenue East, and 24th Avenue East in Palmetto. This proposal is not responsible growth—it is an excessive increase in density that will worsen already strained roads, water resources, and sewer infrastructure. Draft letter Subject: Deny PDR-25-16(Z)(G) — Vineyard Creek / Almena Properties Dear Chair and Members of the Manatee County Board of County Commissioners,

I am writing in strong opposition to PDR-25-16(Z)(G), Vineyard Creek, proposed by Almena Properties LLC and Manatee County. This application seeks to rezone property currently designated Suburban Agriculture and Residential Single Family-

1 to Planned Development Residential, while changing the future land-use designation from Residential-3 to Residential-9. That is a dramatic increase in permitted density—turning land intended for lower-intensity development into a project allowing up to 204 attached and semi-attached single-family homes on approximately 29.83 acres. This is the wrong project, in the wrong place, at the wrong time. First, the proposal represents excessive density. A change to RES-9 is not a minor adjustment or a compatibility measure; it is a substantial intensification of development rights. It would place roughly 204 homes into an area that was not planned, designed, or adequately served for that level of residential concentration. The County should not use a Planned Development designation as a mechanism to override the character and capacity assumptions that underlie the existing agricultural and low-density residential zoning. Second, the road network does not have the capacity for this project. The surrounding local-road system—including 28th Street Court East and nearby connections between 16th Avenue East and 24th Avenue East—is not built to absorb the daily traffic generated by more than 200 additional homes. Residents will bear the consequences through longer travel times, congestion, cut-through traffic, reduced emergency response reliability, more difficult school and work commutes, and increased hazards for pedestrians, bicyclists, and nearby homeowners. The application should not be approved based merely on projections, future promises, or generic traffic conclusions. Before approving this increase in density, the County should require clear, current, independently verifiable evidence that every affected roadway, intersection, turning movement, and evacuation route has sufficient capacity—not just on paper, but under real-world conditions. Third, this proposal ignores the community's serious concerns about water availability. Manatee County and the region cannot keep approving higher-density residential projects while residents face recurring concerns about reliable water supply, drought resilience, irrigation demand, and the long-term burden placed on public utilities. Adding 204 homes increases potable-water demand permanently. The question is not whether a connection can theoretically be made; the question is whether the County can responsibly commit additional capacity without compromising existing customers or forcing future ratepayers to finance the consequences. Fourth, sewer capacity must be addressed before—not after—approval. Higher-density development creates a substantial and lasting wastewater demand. The Board should not assume that existing or planned sewer facilities can absorb another large residential project without requiring specific, enforceable proof of available treatment, transmission, and collection-system capacity. If downstream improvements are needed, they must be funded, designed, and completed before certificates of occupancy—not deferred until residents and taxpayers are left to deal with overloaded infrastructure. This proposal also

raises a broader issue of fairness. Existing residents should not be asked to accept more traffic, greater utility strain, diminished rural or low-density character, and additional public-service demands simply because a landowner seeks a more profitable development entitlement. Growth must be coordinated with infrastructure. It must be compatible with surrounding areas. And it must be based on demonstrated public capacity—not on hope, exemptions, or promises that infrastructure may someday catch up. The Board has an obligation to protect the public interest, not merely facilitate the maximum possible development of every parcel. Approving this rezoning and the RES-9 change would set a harmful precedent for continued overdevelopment in areas where roads, water supply, and sewer systems are already under pressure. For these reasons,

I respectfully urge you to deny PDR-25-16(Z)(G), Vineyard Creek, including the associated rezoning, General Development Plan, and future land-use amendment. At a minimum, the application should be deferred until the applicant provides binding, independently verified proof that road capacity, water availability, sewer treatment and collection capacity, and all necessary infrastructure improvements are available and will be completed at the developer’s expense before any homes are occupied. Sincerely, GLEN GADFLY GIBELLINA

View the submission and any attachments by following the link below and using this unique access code: cNV7ggMJ0LYcOXMC

Stantec Consulting Services Inc.
6920 Professional Parkway
Sarasota, Florida 34240
Tel: 941-907-6900

September 1, 2026

Via: Email

File: 215618464

Manatee County Government
Development Services Department
9000 Town Center Parkway Lakewood Ranch, FL 34202

Attention: Rachel W. Layton, AICP, Division Manager/Impact Fee Administrator

Reference: Request for Continuance – Villages of Amazon South Scheduled Public Hearing: September 3, 2026

Dear Ms. Layton,

On behalf of Lansdowne Partners Group, LLC, we respectfully request a continuance of the scheduled public hearing for the above-mentioned application, currently set for September 3, 2026, to no date set.

Since the application was initiated, additional planning for Phase 2 of the Villages of Amazon has advanced, providing a clearer understanding of what may ultimately be developed within this portion of the project.

The requested continuance will allow the applicant additional time to ensure that the application and proposed General Development Plan reflect those anticipated development needs as accurately and comprehensively as possible. Postponing the hearing at this time will support a more complete planning effort and ensure we present our vision effectively to staff and ultimately, the Board of County Commissioners.

The applicant consents to the continuance and waives statutory timeframe limitations.

We appreciate your consideration and assistance.

Sincerely,

Katie LaBarr

Katie M. LaBarr, AICP

cc: Alyssa Grove, Manatee County Development Services
John Neal, President, Neal Land & Neighborhoods
Ed Vogler, Esq., Vogler Ashton, PLLC

Board of County Commissioners: **9/3/2026**

PDR-25-25(Z)(P) - GUARDIAN ANGELS US 19 - GUARDIAN ANGELS OF SW FLORIDA INC. (OWNER) – PLN2511-0044

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area, providing for a rezone of approximately 2.73 acres generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL (Manatee County) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR) Zoning District; approving a Preliminary Site Plan for eight single-family semi-detached dwelling units; subject to conditions of approval voluntarily proffered by the applicant; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

Planning Commission: **8/13/2026**

Board of County Commissioners: **9/3/2026**

Alternative Motions

APPROVAL

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 in compliance with the applicable review standards in the Manatee County Land Development Code, subject to conditions of approval voluntarily proffered by the Applicant, I move to ADOPT Manatee County Zoning Ordinance Number PDR-25-25(Z)(P); and APPROVE the Preliminary Site Plan with Conditions A.1 – A.8, B.1 – B.6, , C.1 – C.2, and D.1 - D.3 as recommended by the Planning Commission.

DENIAL

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 INCONSISTENT with the Manatee County Comprehensive Plan and not in compliance with the applicable review standards in the Manatee County Land Development Code, I move to DENY Manatee County Zoning Ordinance Number PDR-25-25(Z)(P); and DENY the Preliminary Site Plan and direct the County Attorney's Office along with staff to prepare written Findings of Denial and to bring back before the Board of County Commissioners on the _____ day of _____, 2026.

PLANNING COMMISSION ACTION:

- **On August 13, 2026, by a vote of 6-0, the Planning Commission voted to recommend Approval with Member Ziegler absent.**

PUBLIC COMMENT AND CORRESPONDENCE:

August 13, 2026 – Planning Commission

- **Glen Gibellina questioned the program requirements and the coastal evacuation timeline.**
- **Andra Griffin addressed traffic conditions in the surrounding area of the project.**
- **Nothing was entered into the record.**

Section	
1	Project Summary
2	Maps & Discussion
3	Project Details
4	Land Development Code Analysis
5	Comprehensive Plan Analysis
6	Positive/Negative Aspects/Mitigating Measures
7	Specific Approval Requests
8	Conditions of Approval

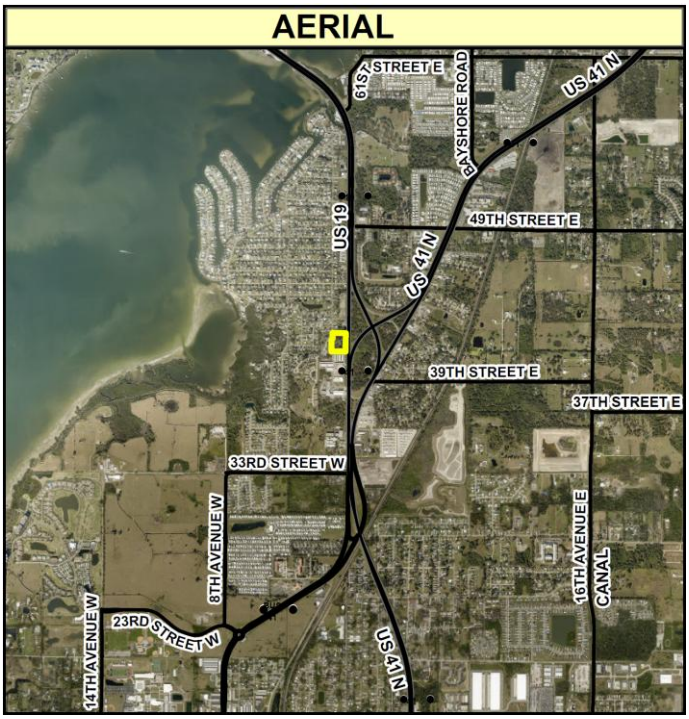
SECTION 1	
PROJECT SUMMARY	
CASE NUMBER	PDR-25-25(Z)(P) / PLN2511-0044
PROJECT NAME	Guardian Angels US 19
PARCEL ID / ADDRESS	2380700001 / 4150 3rd Avenue West, Palmetto FL 34221
GENERAL LOCATION	0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19.
SECTION / TOWNSHIP / RANGE	02 / 34S / 17E
ACRES	2.73
APPLICANT(S) / AGENT	Paige Estigarribia, ZNS Engineering
FUTURE LAND USE CATEGORY	Residential-9 (RES-9)
EXISTING ZONING / USE(S)	**Zoning:** Neighborhood Commercial Medium (NC-M) **Use:** Vacant Commercial
PROPOSED ZONING	Planned Development Residential (PDR)
PROPOSED USE	Single-Family Residential
DENSITY *Dwelling units per Gross Acre (DU/GA)*	**Proposed:** 2.93 DU/GA (8 dwelling units) **Maximum:** 9 DU/GA (24 dwelling units)
INTENSITY *Floor Area Ratio (FAR)*	Not applicable as only residential uses are proposed.
OVERLAYS/SPECIAL AREAS	Coastal Evacuation Area (CEA), Coastal High Hazard (CHH), and Coastal Planning Area (CPA)
SPECIFIC APPROVAL REQUEST(S)	No Specific Approvals requested
CASE MANAGER	CJ Mills, Planner II

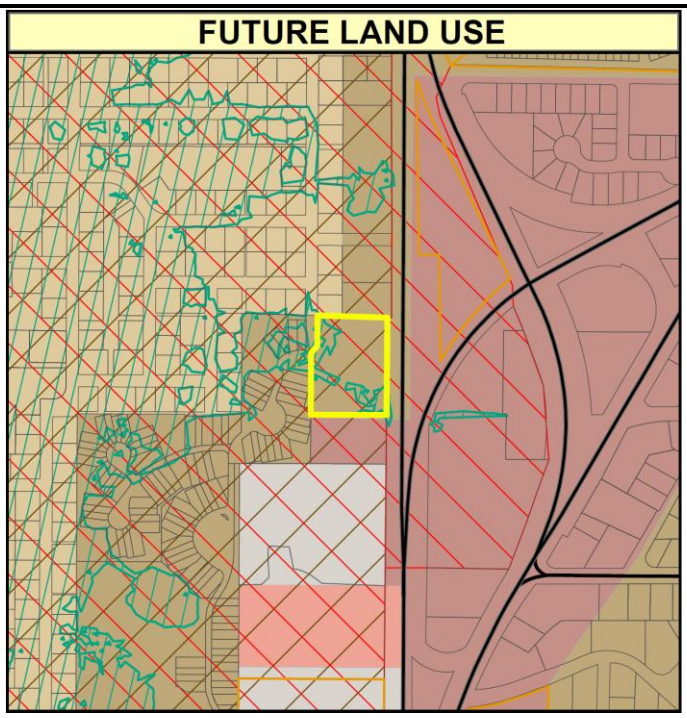
SECTION 2

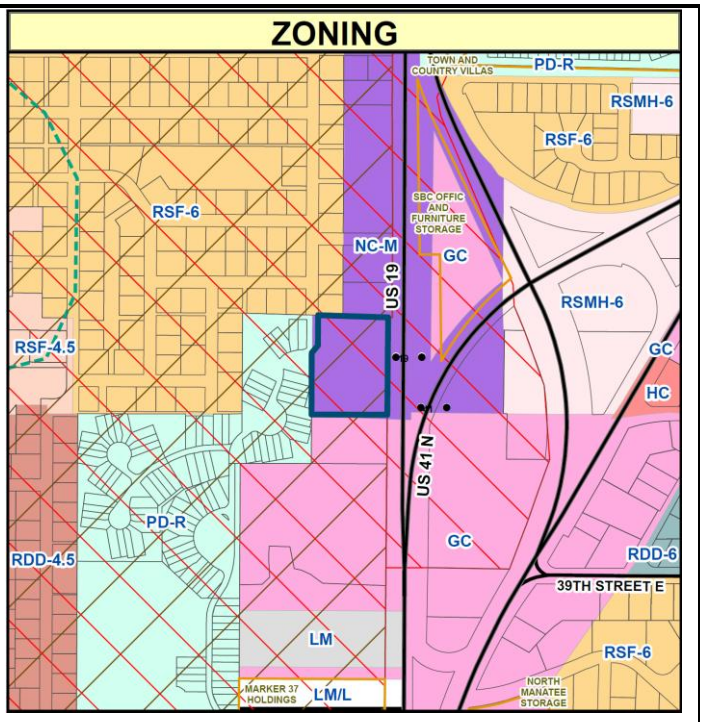
MAPS & DISCUSSION

History

The subject property is approximately 2.73 acres and generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL 34221 (Manatee County). Since the adoption of the Manatee County Comprehensive Plan (1989) and the Land Development Code (1990), the site has been designated within the Residential-9 (RES-9) Future Land Use Category (FLUC) and Neighborhood Commercial-Medium (NC-M) Zoning District. Guardian Angels of SW Florida, Inc. purchased the property in August 2024 from First Baptist Church of Palmetto, LLC. Per historical GIS imagery, the property has been vacant dating back to 1984.







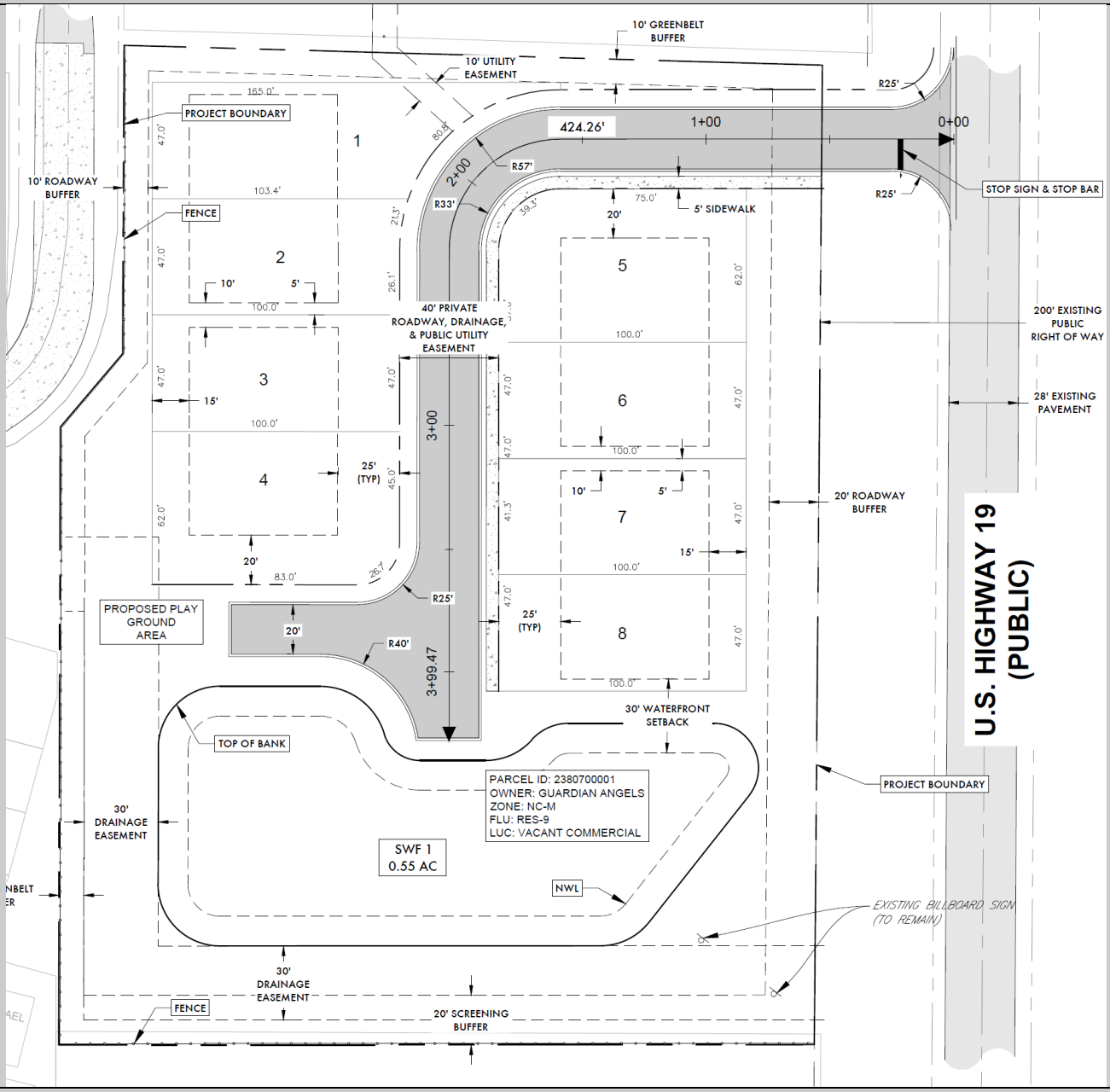
Request

The applicant is requesting to rezone the subject property from the NC-M to PDR Zoning District with an accompanying PSP for eight single-family semi-detached residential dwelling units. Due to the project's requirement for site plan approval the proposed development is not permitted in the current zoning district pursuant to LDC Section 531.47.C. The restriction of the NC-M Zoning District requires a rezone request. The request to develop eight dwelling units on the 2.73-acre property results in a gross density of 2.93 dwelling units per gross acre (DU/GA).

SURROUNDING FLUC, ZONING, AND USES	
NORTH	RES-9 and RES-6 / NC-M / vacant commercial and single-family residential
SOUTH	RES-9 / General Commercial (GC) / mini-warehouse
EAST	Residential/Office/Retail (ROR) / NC-M / US 19 and vacant commercial
WEST	ROR / PDR / single-family residential

SECTION 3

PROJECT DETAILS



- Eight single-family semi-detached dwelling units for a gross density of 2.93 DU/GA
- One access point from US 19 (requires Florida Department of Transportation review and approval)
- 44.7% open space (35% required)
- No Specific Approvals requested
- 40-foot wide private right-of-way (ROW), including 5-foot sidewalks on both sides (Design Exception approved)
- 0.55 acre stormwater pond
- Playground area proposed on the west side of the project

SITE DESIGN DETAILS	
SETBACKS PROPOSED	Front: 25 feet (20 feet for secondary front) Rear: 15 feet Side: 5 feet (0 feet for attached side) Waterfront: 30 feet
MINIMUM LOT SIZE(S) / LOT TYPE(S)	Minimum of 4,800 square feet / single-family semi-detached
HEIGHT	Maximum 1 story
OPEN SPACE	**Required:** 35% (0.95 acres) **Provided:** 44.7% (1.22 acres)
ACCESS	Proposed ingress/egress from US 19
FLOOD ZONE(S)	The site lies in Flood Zone X, Panel 12081C0162F (8/10/21)
AREA OF KNOWN FLOODING	**Project Located in Flood Prone Area:** Yes. **Type of Flooding:** Rainfall. **Project Subject to flow reduction:** N/A **Watershed/Basin:** Tampa Bay Direct Watershed. **Project located within Floodplain and/or Floodway:** Project IS NOT located in the FEMA 1% Annual Chance Flood Hazard. **Methodology Meeting:** A methodology meeting may be requested separately with Stormwater Engineering staff with respect to drainage modeling. **Drainage Easements/Access Easements required for existing system(s):** N/A **Impairment:** Please contact FDEP/SWFWMD regarding impairment and any required net improvement.
UTILITIES	POTABLE WATER INFRASTRUCTURE • 16-inch County water main within the US 19 ROW WASTEWATER INFRASTRUCTURE • 2-inch County force main within the US 19 ROW (see approved record PLN2103-0045.FC02) RECLAIMED WATER INFRASTRUCTURE • No reclaimed water within the vicinity

COMPLIANCE WITH LAND DEVELOPMENT CODE STANDARDS			
Standard(s) Required	**Design Proposal**	**Compliance**	**Comments**
BUFFERS			
Roadway Buffers	• 10 feet (West/3rd Ave W) • 20 feet (East/US 19)	Yes	LDC § 701
Perimeter Buffer	• 10 feet (North) • 20 feet (South)	Yes	LDC § 701

SIDEWALKS			
5-foot Sidewalks	5-foot sidewalks proposed throughout project site.	Yes	LDC § 1001.6

DRIVEWAYS, ROADS AND RIGHTS-OF-WAY			
Standard(s) Required	**Design Proposal**	**Compliance**	**Comments**
24-foot Paved Roadways	24 feet	Yes	
40-foot Private ROW	40 feet	No	The minimum ROW width required per the Manatee County Public Works Standards Manual is 50 feet. A design exception has been submitted and approved to deviate from the minimum required ROW width.

TRANSPORTATION

Major Transportation Facilities
The proposed development is located west of US 19, approximately 0.5 miles north of 33rd Street West. The following roadways are adjacent to or near the project site:

- US 19 is an existing four-lane road with a 50-mph posted speed. It is designated as a six-lane arterial roadway with a planned right of way width of 200-feet in the Comprehensive Plan's Future Traffic Circulation Plan, or as determined by FDOT.
- 3rd Avenue West is a local roadway.

Transportation Link Capacity Analysis
The application includes a Rezone and Preliminary Site Plan (PSP) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR). The PSP will allow for the construction of eight single-family attached dwelling units. The PSP will generate 4 PM peak hour trips. Staff have waived the requirements for the traffic study for this application, which is considered as De Minimis.

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	EXISTING LOS	FUTURE LOS WITHOUT PROJECT	FUTURE LOS WITH PROJECT
US 19	3260	D	B	B	B

Access
As the County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS), at the time of future site plan submittal and accompanying Trip Reservation Report (TRR) and Operational Analysis (OA) review, all proposed access points will be evaluated to determine if any site and safety related improvements will be required for the site.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

CLOS APPLIED FOR: No, the applicant has elected to defer concurrency.
TRAFFIC STUDY REQ'D: A Traffic Study Waiver has been issued.

OTHER CONCURRENCY COMPONENTS

Solid waste landfill capacity, preliminary drainage intent, potable water, wastewater, and school facilities will be reviewed at the time of FSP/application for Concurrency.

ENVIRONMENTAL INFORMATION

Minimum Open Space Requirements
Required Open Space: 35% (0.95 acres) (LDC § 403.8.D.8)
Provided Open Space: 44.7% (1.22 acres)

Uplands
Per the Environmental Narrative provided by Monarch Ecology Group (April 2026) the subject site is comprised of Australian Pine (FLUCFCS 437; 1.04 acres), Brazilian Pepper (FLUCFCS 422; 1.32 acres), Disturbed Lands Previously Cleared (FLUCFCS 748; 0.33 acre) and an other surface waters ditch (FLUCFCS 513; 0.09 acre). There are no native upland habitats on site.

Endangered Species
Per the Environmental Narrative provided by Monarch Ecology Group (April 2026) an on-site assessment was conducted in March and September 2025 for listed floral and faunal species. The assessment included both direct and indirect observations such as tracks, burrows, tree markings, and vocalizations which would indicate the presence of listed species. Monarch Ecology Group also conducted a preliminary gopher tortoise survey that was conducted in accordance with FWC's *Gopher Tortoise Permitting Guidelines.*

Based on the site assessment, no listed species or gopher tortoise burrows were found on the site.

Trees and Landscaping
Tree removal and replacement will be reviewed with FSP, in accordance with LDC § 700 and 701.

LANDSCAPE BUFFERS			
	Required	Provided	LDC Section
Roadway Buffer (U.S. Highway 19)	20 feet	20 feet	402.7.D.1
Roadway Buffer (3rd Avenue West)	10 feet	10 feet	701.4.B.2
Greenbelt Buffer (North and West)	10 feet	10 feet	402.7.D.5
Screening Buffer (South)	20 feet	20 feet	701.4, Figure 7-4

Landscaping will be reviewed with FSP, in accordance with LDC Section 701.

PROJECT LOCATION

SECTION 4

COMPLIANCE WITH THE LAND DEVELOPMENT CODE

LDC SECTION 312.6 – NEIGHBORHOOD WORKSHOPS

LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA

LDC SECTION 342.4 – REVIEW CRITERIA FOR ALL ZONING MAP AMENDMENTS

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

LDC SECTION 402.7 - PLANNED DEVELOPMENT RESIDENTIAL

LDC SECTION 403.8 – COASTAL OVERLAY DISTRICTS

The following represents an analysis of how the application achieves compliance with LDC Sections 312.6, 322.2, 342.4, 402.6, 402.7, and 403.8. The criteria listed below were used to evaluate each specific request for rezoning to ensure compliance with the Comprehensive Plan and to establish conditions to be adopted for Planned Development districts.

SECTION 312.6 – NEIGHBORHOOD WORKSHOPS

Neighborhood Workshop Details*	
Required Documents	**Requirement Met**
Date and Time of Workshop	February 25, 2026, at 5:30 p.m.
Workshop Format	Virtual
Workshop Requirement	• Application received after July 2025 • Neighborhood Workshop was recommended during Pre-Application process (PLN2501-0038)
Citizen Attendees	8
Sign-In Sheet	Provided
Summary	Provided
Issues, Suggestions, and Concerns	See Attachment 7. Neighborhood Workshop summary
Mail Notice	• Notice mailed to 241 addresses • Mailing distance/radius: 500 feet northeast, east, southeast, and south. 1400 feet in all other directions.
Workshop Signage	• 2 signs posted (one on US 19 and the second along 3rd Avenue West) • Map and photos provided of signage locations

*For further details, please see attachment 7. Neighborhood Workshop Summary.

LDC SECTION 322.2 – PRELIMINARY SITE PLAN REVIEW CRITERIA

A. **Previous Approvals. The site plan substantially conforms and is consistent with prior approvals such as a General Development Plan, rezoning, Special Permit, variance, etc.**
Analysis: There are no prior approvals associated with the subject property.

B. **Comprehensive Plan. The proposed plan must be consistent with all applicable provisions of the Manatee County Comprehensive Plan.**
Analysis: The proposed development may be found to be consistent with all applicable Comprehensive Plan Policies. For a detailed analysis of Comprehensive Plan Policies, refer to Section 5 of this staff report.

C. **Land Development Code. The proposed plan must be in conformance with all applicable provisions of the Land Development Code.**
Analysis: The application has been reviewed for conformance with all applicable LDC Sections. In addition, there are no Specific Approvals requested with the proposed development.

D. **Use and District Requirements. The proposal must conform to the requirements of the zoning district(s) in which it is located and, where applicable, to the requirements of Chapter 5 for the particular use or activity under consideration.**
Analysis: Per LDC Section 531.47.C, single-family development is allowed in NC-M Zoning Districts if the site can be developed without generating a requirement for site plan review. The current rezone request results from the restrictions on single-family development in the NC-M Zoning District. The application meets the applicable land use and district requirements for the PDR Zoning District. For full analysis, see below analysis for LDC Sections 402.6 and 402.7.D.

E. **Environment. The proposal shall not adversely impact environmentally sensitive lands or natural resources.**
Analysis: Per the Environmental Narrative provided by Monarch Ecology Group, there were no native upland habitats, listed species, or gopher tortoises on site. Any tree removal and landscaping requirements shall be in compliance with LDC Sections 700 and 701.

F. **Circulation. Ingress and egress to the property and internal traffic patterns must be designed to protect and promote motorized vehicle and pedestrian/bicycle safety and convenience, allow for desirable traffic flow and control, and provide adequate access in case of fire or catastrophe.**
Analysis: The project proposed one access point from US 19 with sufficient traffic circulation for emergency vehicles (see auto turn within PSP plan set) and the eight single-family dwelling units. There is also a 5-foot-wide sidewalk along the east side of the project to provide safe maneuverability for pedestrians. Per the Manatee County Public Works Standards Manual all rights-of-way shall be required to have a minimum width of 50 feet. Because the applicant is proposing a 40-foot wide private ROW, a Design Exception has been submitted and approved with the PSP.

G. **Concurrency. The site plan must meet the requirements of Section 360, Certificate of Level of Service, or the site plan must be conditioned upon a Certificate of Level of Service being granted prior to Construction Drawing approval (this second option is available only where the applicant is required to obtain Construction Drawing approval).**
Analysis: The Applicant has elected to defer concurrency and will be reviewed at FSP.

LDC SECTION 342.4 – REVIEW CRITERIA FOR ALL ZONING MAP AMENDMENTS

A. **Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties.**
Analysis: The proposed rezone from NC-M to PDC can be found to be compatible with the existing development patterns and zoning in the area. The Melwood Oaks Subdivision, also zoned PDR, is on the west side of the subject property along with the mixed residential Palmetto Point to the northwest. There is a mini-warehouse use to the south and vacant commercial to the north, both of which provide minimal compatibility issues with the

proposed development. In addition, the proposed gross density of 2.93 DU/GA is well below the 9 du/a permitted within the RES-9 FLUC.

B. Changes in Land Use or Conditions Upon Which the Original Zoning Designation was Based.
Analysis: There is a mixture of commercial and residential uses in the area with higher densities in the neighboring subdivision. The NC-M Zoning District permits residential development and the RES-9 FLUC allows for higher densities than what is being proposed; however, because the development requires site plan review, the subject property is required to rezone. Per LDC Section 531.47.C, single-family development is allowed in NC-M Zoning Districts if the site can be developed without generating a requirement for site plan review. Due to the requirement for site pan approval, the site must rezone from NC-M in order for the single-family units to be developed.

C. Consistency with the Current Comprehensive Plan.
Analysis: The proposed development can be found to be consistent with applicable Comprehensive Plan Policies. See Section 5 of this staff report for a detailed analysis of applicable Comprehensive Plan Policies.

D. Conflicts with Existing or Planned Public Improvements.
Analysis: there are no planned or anticipated CIP projects in the area that would conflict with the development proposal.

E. Availability of Public Facilities.

1. **Impact on the Traffic Characteristics – Specifically Trip Generation Potential.**
Analysis: There is no negative impact anticipated on the area's traffic characteristics. The addition of eight single-family semi-detached dwelling units is projected to add four p.m. peak hour trips to the roadway network. Transportation Planning has found no negative impacts resulting from the proposed development.

2. **Impact on Population Density or Development Intensity Demand for Schools, Sewers, Streets, Recreational Areas and Facilities and Other Public Facilities.**
Analysis: The project is not anticipated to affect population density, or require additional demand for schools, sewers, streets, recreational areas, and other public facilities. There are existing potable water and wastewater facilities; Manatee County School Board review is not required for developments of 10 dwelling units or less.

3. **Impact on Public Facilities Planned and Funded to Support Any Change in Density or Intensity.**
Analysis: Emergency services, school capacity, and utilities are anticipated to be available at time of CLOS issuance. As previously mentioned, the additional eight dwelling units result in a gross density of 2.93 DU/GA and is well below the maximum permitted and anticipated when the subject property was designated with its current FLUC.

F. Health, Safety or Welfare of the Neighborhood and County.
Analysis: The proposed development is not anticipated to negatively impact the health, safety, or welfare of the neighborhood and County. The current request is compatible and a continuation of the mixed residential development to the north, northwest, west, and southwest.

G. Conformance with All Applicable Requirements of this Code.
Analysis: The PSP has been reviewed for compliance with all applicable sections of the LDC. No Specific Approvals have been requested, and no apparent negative factors have been identified. Upon FSP submittal, additional review will be provided to ensure further compliance with the applicable provisions.

H. Consistency with the Development Patterns in the Area.
Analysis: The residential development patterns in this area consist of medium-density residential development with a mixture of attached, semi-attached, and detached dwelling unit types. The lot sizes are comparable with the Melwood Oaks Subdivision and is compatible with 2.67 DU/GA found in the Palmetto Point Subdivision.

I. Logical Expansion of Adjacent Zoning Districts.
Analysis: As previously mentioned, the Melwood Oaks Subdivision is zoned PDR and the other Euclidean residential zoning districts in the area support the similar density that is proposed with this project. A rezone to RSF-4.5 or RSF-6 (Palmetto Point's Zoning Districts) would also be logical, but a rezone with a PSP allows for a detailed review, ensuring compatibility with the adjacent land uses.

J. Impact on Historic Resources.
Analysis: There have been no known historic resources located on the subject property.

K. Environmental Impacts.
Analysis: Per the Environmental Narrative provided by Monarch Ecology Group, there are no known native upland habitats, listed species, or gopher tortoise burrows on site. For a detailed environmental analysis, refer to the environmental information found in Section 3 of this staff report or Attachment 5 - Environmental Narrative.

L. Types of Allowable Uses and Impact of those on Surrounding Residential Areas.
Analysis: The only permitted use being proposed with this request is single-family semi-detached residential. If additional uses are proposed at a later date, the applicant will be required to submit a PSP amendment and receive BCC approval.

M. Relocation of Mobile Homeowners.
Analysis: N/A. There are no mobile homes currently occupying the project area.

N. Consistency with the Planned Development District Standards.
Analysis: The application has been reviewed for consistency with LDC Sections 402.6 and 402.7.D, see below sections for a detailed analysis.

O. Any Other Matters Which May Be Appropriate.
Analysis: No other matters have been identified to analyze.

P. Transportation Impact Review pursuant to Section 343.
Analysis: The proposed project will generate an additional 4 p.m. peak-hour trips, a negligible amount that has qualified for a traffic study waiver.

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 may be found to be suitable for development without hazard to persons or property, on or off the tract, without risk of erosion, subsidence, flood hazard, destruction of wetlands or other dangers. There are no wetlands on site, it is within Flood Zone X, and stormwater facilities shall be constructed in accordance with the applicable Manatee County requirements.

B. Relation to Public Utilities, Facilities and Services.
Analysis: The property is serviced by existing potable and wastewater facilities. There is adequate roadway infrastructure in place with this segment of US 19 operating at a B level of service with, the adopted level of service is D.

C. Relation to Major Transportation Facilities.
Analysis: The project has one access point to US 19, a functionally classified arterial roadway operating below the adopted level of service. At time of FSP submittal, FDOT will be required to review and approve the proposed access point.

D. Compatibility.
Analysis: As previously mentioned, the proposed single-family development can be found to be compatible with the existing residential development to the north, northwest, west, and southwest. There are comparable densities and lot sizes with the existing Melwood Oaks and Palmetto Point subdivisions in the area.

E. Transitions.
Analysis: The PSP has been reviewed and provides the adequate buffer requirements required by LDC Section 701. In addition, there is a gradual decrease in density from the subdivision to the west, adequately reducing possible traffic constraints when accessing US 19.

F. Design Quality.
Analysis: The proposed PSP may be found to implement superior design quality in certain areas when including almost 10% additional open space and a playground/recreational area. A Design Exception has been submitted and approved to reduce the private ROW width from 50 feet to 40 feet due to specific site constraints.

G. Relationship to Adjacent Property.
Analysis: The required landscape and roadway buffers have been reviewed in accordance with the applicable LDC sections. In addition, there is a proposed fence along the south and west perimeter to further reduce incompatibilities with the surrounding uses.

H. Access.
Analysis: There is one access point along US 19 that shall be reviewed by FDOT at time of FSP submittal. The project is designed with sufficient traffic circulation that provides maneuverability for domestic and emergency vehicles.

I. Streets, Drives, Parking and Service Areas.
Analysis: The 40-foot ROW width has been approved via the attached Design Exception (Attachment #10). The Auto Turn exhibit provided by the applicant in Attachment #2-Preliminary Site Plan, Sheet 04A, shows adequate maneuverability for emergency vehicles. The parking requirements shall comply with LDC Section 1005 and there is 5-foot sidewalk along the east side of the project site.

J. Pedestrian Systems.
Analysis: As previously mentioned, the 5-foot sidewalk provides adequate internal circulation for pedestrians to safely traverse the project site. At time of FSP submittal a more detailed review will be required to ensure required pedestrian crossings are designed in accordance with LDC requirements.

K. Natural and Historic Features, Conservation and Preservation Areas.
Analysis: There is no known historical or archaeological significance associated with the subject property. Per the previously mentioned environmental report, there are no known species to preserve, and the majority of the site consists of Australian Pine and Brazilian Pepper, common nuisance exotic plant species that require removal within the coastal overlays.

L. Density/Intensity.
Analysis: The project proposes a gross residential density of 2.93 DU/GA (8 dwellings ÷ 2.73 acres = 2.93 DU/GA), less than the maximum 9 DU/GA permitted within the RES-9 FLUC. There are no non-residential uses proposed with this application, resulting in a FAR (intensity) of zero.

M. Height.
Analysis: The maximum proposed building height is one story and is consistent with the residential development patterns in the area.

N. Fences and Screening.
Analysis: The PSP provides adequate roadway, screening, and greenbelt buffers on the perimeter of the subject property. In addition, a fence is proposed along the southern and western edges of the development to further reduce possible incompatibilities with the adjacent uses.

O. Yards and Setbacks.
Analysis: The PDR Zoning District is afforded the opportunity to provide specific setbacks that will provide adequate separation between structures and property lines. See Section 3 of this staff report for specific setback information.

P. Trash and Utility Plant Screens.
Analysis: The Applicant intends to have individual can service provided by the County's contract hauler. Any required utility screening shall be reviewed at time of FSP submittal.

Q. Signs.
Analysis: Any signs proposed at time of FSP submittal shall comply with LDC Chapter 6 – Signs. There is an existing billboard located on the southeast corner of the property that will remain.

R. Landscaping.
Analysis: The proposed landscaping shall be provided in accordance with LDC § 701. Refer to the environmental information found in Section 3 of this staff report for additional analysis.

S. Special Guidelines for Review of Projects with Mixed Used Plan Designations and Projects at Designated Entranceways.
Analysis: N/A. The proposed project does not include a mixed use component and is not located within any designated entranceways.

T. Environmental Factors.

Water Conservation.
Analysis: Site development concepts for water conservation will be provided as a part of FSP/Construction Plan (CP), and the site design will retain stormwater runoff onsite.

Minimum Open Space Requirements.
Analysis: The Applicant is providing 44.7% open space, nearly 10% more than the 35% required for residential projects within the Coastal Overlay Districts. All open space shall be approved and maintained by the developer/homeowner's association.

Preservation of Existing Plant Communities.
Analysis: There are no on-site existing native plant communities. Refer to Attachment 5, Environmental Narrative, for a full analysis.

U. Rights-of-Way and Utility Standards.
Analysis: There is a proposed 40-foot private ROW with an Auto Turn Exhibit (Attachment #2-Preliminary Site Plan, Sheet 04A) to show adequate maneuverability for domestic and emergency vehicles. A Design Exception has been approved for the reduced ROW width. Additional review of the ROW standards shall occur to ensure adherence to applicable County and FDOT standards.

V. Stormwater Management.
Analysis: Stormwater and floodplain management design and engineering shall be in accordance with Section 801 of the LDC and Part 2, Stormwater Management Design Manual of the Public Works Standards.

W. Consistency with Comprehensive Plan.
Analysis: The proposed project may be found to be consistent with all applicable Comprehensive Plan Policies. See Section 5 of this staff report for a detailed consistency analysis.

X. Other Factors.
Analysis: No other factors are applicable.

LDC SECTION 402.7.D. – PDR – PLANNED DEVELOPMENT RESIDENTIAL

A. Site Planning.
Analysis: The project proposes adequate 20-foot buffers along the east and south side of the property lines, as well as 10-foot greenbelt and roadway buffers on the north and western perimeters. The development's orientation includes an internal ROW and pedestrian system that connects to US 19. There is additional separation between the mini-warehouse uses to the south by the proposed stormwater pond.

B. Landscaped Open Space and Pervious Area Requirements.
Analysis: The Applicant is providing 44.7% open space, nearly 10% more than the 35% required for residential projects within the Coastal Overlay Districts. All open space shall be approved and maintained by the developer/homeowner's association.

C. Frontage and Accessibility.
Analysis: The proposed development provides adequate frontage and accessibility to each of the eight dwelling units. As previously mentioned, the 40-foot private ROW allows for internal connectivity and maneuverability for domestic and emergency vehicles.

D. Neighborhoods.
Analysis: The proposed development is designed to promote neighborhoods by having pedestrian systems, buffers, a neighborhood focal point, and a playground/recreational area to the west.

E. Greenbelts.
Analysis: As previously mentioned, the proposed development provides adequate screening, greenbelt, and landscape buffers in compliance with the applicable Sections of the LDC.

F. Traffic Circulation.
Analysis: The applicant attempted to create a neighborhood tie and access with the Melwood Oaks Subdivision (3rd avenue West); however, the homeowner's association holding the final determination declined the proposal. As a result, no neighborhood ties are proposed and a single access point is proposed along US 19.

G. Yards and Setbacks.
Analysis: See Section 3 – Project Design Details for specific setback information.

H. Minimum Lot Width.
Analysis: the project proposes a minimum lot size of 4,800 square feet with a minimum lot width of 47 feet. The PDR Zoning District is afforded the opportunity to implement independent minimum lot sizes specific to the site and accompanying Zoning Ordinance.

I. Building Height.
Analysis: The maximum proposed building height is one story and is consistent with the residential development patterns in the area.

LDC SECTION 403.8 – COASTAL OVERLAY DISTRICTS

Analysis: There are many requirements for specialized review within the Coastal Overlay Districts that apply to land uses other than residential. The applicable requirements regarding the proposed development are: 1) removal of nuisance and exotics plant species, 2) 35% required open space, 3) preserving native plant species, and 4) providing a Hurricane Evacuation Plan. The project proposes to meet and/or exceed these additional requirements, therefore making the request consistent with the additional requirements of the coastal overlays.

SECTION 5

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the Residential-9 (Res-9) Future Land Use Category. This project was specifically reviewed for compliance with the following objectives and policies:

Policy 2.2.1.13. RES-9: Establish the Residential-9 future land use category as follows:

Policy 2.2.1.13.1. Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas of medium density residential development and complementary support uses normally utilized during the daily activities of residents of these urban areas.

Policy 2.2.1.13.2. Range of Potential Uses (see Policies 2.1.2.3—2.1.2.7, 2.2.1.5): Primarily medium density residential and high density clustered residential development, with support uses such as neighborhood commercial, office, public/semi-public, recreation and school uses. See also Objectives 4.2.1 and 2.10.4.

Analysis: The proposed development consists of eight single-family semi-detached dwelling residential dwelling units with a total gross density of 2.93 du/a. The proposed medium density residential development can be found to be consistent with the RES-9 range of potential uses.

Policy 2.2.1.13.3. Range of Potential Density/Intensity:
Maximum gross residential density:
- **Nine (9) dwelling units per acre.**
- **Twenty (20) dwelling units per acre along designated Urban Corridors if a density bonus is approved.**
- **Twenty (20) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."**
- **Twenty (20) dwelling units per acre for mixed-use developments at activity nodes (see Policy 2.2.1.13.4). Properties within the CEA and CHHA are not eligible for the additional density offered for urban corridors, activity nodes and affordable housing.**

Minimum gross residential density:
- **7.0 only in UIRA for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "affordable housing".**

Maximum net residential density:
- **Sixteen (16) dwelling units per acre.**
- **Twenty-four (24) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."**
- **Twenty-four (24) dwelling units per acre for mixed-use developments at activity nodes (see Policy 2.2.1.13.4).**
- **Maximum "net" densities shall not apply to projects within designated Urban Corridors and may not apply to clustered development in the WO or CHHA Overlay Districts, pursuant to Policies 2.3.1.5 and 4.3.1.5.**

Maximum floor area ratio:
- **0.35.**
- **1.00 inside the UIRA and within designated Urban Corridors.**
- **1.00 at activity nodes (see Policy 2.2.1.13.4).**

Maximum Square Footage for Neighborhood Commercial Uses:
- **Medium (One hundred fifty thousand (150,000) s.f.), subject to the Commercial Locational Criteria (see Policy 2.2.1.13.4).**

Analysis: The proposed 2.93 DU/GA is within the maximum 9 DU/GA permitted within the RES-9 FLUC. There are no proposed non-residential uses with this project, resulting in an FAR of zero.

Policy 2.2.1.13.4. Other Information:
(a) Generally, limit the use of the RES-9 future land use category on vacant land to locations that are adjacent to the roadways shown on the Future Traffic Circulation: Functional Classification Map (Map 5B) as collector or higher.
(b) In order to serve the neighborhood commercial needs within the RES-9 future land use category, activity nodes with neighborhood-serving commercial uses may be allowed subject to the Commercial Locational Criteria (see Land Use Operative Provisions and Objective 2.10.1). Residential uses may also be permitted at nodes, but the higher densities noted in Table 2-1 and Policy 2.2.1.13.3 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, provided such office is located on a roadway classified as a minor or principal arterial (not including interstates), and meets all other commercial development standards and the goals, objectives, and policies in this Comprehensive Plan.
Analysis: The proposed development is located and takes access from US 19, a functionally classified arterial roadway owned and maintained by FDOT. No other information is applicable to the proposed project.

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 has been vacant and underutilized but is located on a major thoroughfare with adequate public facilities available. The request to rezone and develop eight residential dwelling units is more compatible and consistent with the other residential uses in the area.

Policy 2.1.2.3 - Permit the consideration of new residential and nonresidential 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: There is existing single-family residential development in the area. This application provides compatibility with the proposed development.

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 located west of the FDAB and limits urban sprawl by allowing a contiguous expansion of the existing residential uses to the west.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development.
Analysis: It is not anticipated that the proposed single-family development will have any negative impacts to existing development in the area. The rezone request can be found compatible with the existing single-family uses to the north, west, and southwest of the subject property. There is a mixture of uses to the north and south, but the adjacent and surrounding areas are predominately comprised of different single-family dwelling types. The density of 2.93 DU/GA proposed with this development is comparable or less dense than the subdivisions to the west, providing a gradual transition of densities toward US 19. The area is serviced by existing roadway and utility infrastructure that will support the additional residential uses and there are no proposed CIP projects that would conflict with the development.

Policy 2.6.1.1. An application for a 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 characteristics of the proposed use.
Analysis: While the project may not be considered incompatible with the surrounding uses, there are certain mitigating factors in place to mitigate for any possible incompatibility. The project proposes more open space than is required in addition to the increased open space requirements of the coastal overlay districts. There are adequate buffers in place in accordance with LDC Section 701, as well as appropriate building setbacks providing space between buildings and boundary lines. Innovative site design locates the stormwater facilities on the southern portion of the site, providing additional separation between the mini-warehouse off-site and the proposed residential uses. Finally, the proposed density is less than the approximate 5.5 DU/GA found in the Melwood Oaks Subdivision to the west.

Policy 2.2.1.6. The land development regulations may restrict development potential to less than the maximum provided for in this Comprehensive Plan, to address land use compatibility, public facility and natural resource considerations as identified in this Comprehensive Plan. Furthermore, nothing in this Comprehensive Plan shall guarantee the achievement of maximum development potential, noted in this element and the Future Land Use Map.
Analysis: The applicant is proposing a density of 2.93 DU/GA, which is well within the maximum density permitted of 9 DU/GA in the RES-9 FLUC.

Policy 2.9.1.4. Encourage the development of a variety of housing options and architectural styles within a community.
Analysis: The proposed development consists of eight single-family semi-detached residential dwelling units. The proposed dwelling types provide further compatibility with the mixture of existing single-family semi-detached, attached, and detached units in the surrounding subdivisions.

SECTION 6
POSITIVE ASPECTS
• Site design provides 44.7% open space, exceeding the required 35% open space for the project. • No State or Federally listed species were observed on site. • The project is a very low trip generator. • The first impacted thoroughfare level of service is within the standard.
NEGATIVE ASPECTS
• No apparent negative aspects have been identified with the proposed project.
MITIGATING FACTORS
• There are no known negative aspects to mitigate for.

SECTION 7
SPECIFIC APPROVAL REQUESTS
No specific approvals are proposed with this application.

SECTION 8

CONDITIONS OF APPROVAL

A. DESIGN AND LAND USE

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

2. All roof mounted mechanical equipment (e.g., HVAC) shall be screened with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the building permit.

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

4. Final Site Plan review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the Land Development Code 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.

5. ~~At time of FSP submittal a non-access~~Prior to any CO issuance, a non-vehicular ingress/egress easement ~~agreement~~ shall be recorded with the Manatee County Clerk of Courts, prohibiting cross access to 3rd Avenue West, as well as limiting ingress/egress from US 19 to the approved access point.

6. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statues (Offences Concerning Dead Bodies and Graves) shall be followed.

7. A Hurricane Evacuation Plan shall be provided at time of FSP submittal in accordance with the Division of Emergency Management.

8. The setbacks along 3rd Avenue West and US 19 shall be considered rear setbacks with a minimum distance of 15 feet.

B. ENVIRONMENTAL

1. There are no impacts to jurisdictional wetlands or wetland buffers being approved by the adoption of this Ordinance.

2. The landward extent of wetlands shall be determined in accordance with Chapter 62-340 of the Florida Administrative Code. If the Southwest Florida Water Management District's (SWFWMD) Formal Determination of Wetlands and Other Surface Waters identifies a greater wetland acreage than indicated in the Preliminary Site Plan, the project's maximum density may be subject to a reduction at time of Final Site Plan submittal in accordance with the Comprehensive Plan and Land Development Code. The project's maximum density shall be contingent upon SWFWMD's Formal Determination of Wetlands and Other Surface Waters for the site.

3. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.

4. Pursuant to the April 2026 Environmental Narrative prepared by Monarch Ecology Group, a 100% pre-construction survey will be required within 90-days of any future clearing or construction in accordance with FWC's *Gopher Tortoise Permitting Guidelines.* If gopher tortoises (or burrows) are found, a relocation permit will be required (from FWC) to relocate tortoises to an FWC-approved recipient site before any clearing or construction occurs.

5. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the EPS for review and approval prior to recommencing construction activities. 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); and
    - The final disposition of the well - used, capped, or plugged.

6. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

C. DEVELOPMENT REVIEW

1. Connection to the County water and 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 applicable 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 Development Services review process for the project.

2. If this project is in the Coastal High Hazard Area, the potable water and reclaimed water shall be master metered. All potable water and reclaimed water facilities downstream of the master meter and all sanitary sewer facilities within the development shall be privately owned and maintained. Furthermore, the applicant shall adhere to any special construction requirements for utilities within the Coastal High Hazard Area that are in place at the time of Final Site Plan submittal. Such special construction requirements may include but are not limited to installation of leak proof manhole covers, and/or controlling the elevation that any at or above grade potable water, reclaimed water, or sanitary sewer facility or appurtenance is installed.

D. STORMWATER ENGINEERING

1. Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Chapter 2-10 - Drainage and Flood Control, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

    NOAA Atlas 14 rainfall data shall be used for stormwater modeling

Storm Frequency	Cumulative Rainfall	Rainfall Distribution
2.33-year/24-hour	4.5 inches	FLMOD
10-year/24-hour	NOAA Atlas 14	FLMOD
25-year/24-hour	NOAA Atlas 14	FLMOD
50-year/24 hour	NOAA Atlas 14	FLMOD
100-year/24-hour	NOAA Atlas 14	FLMOD
100-year/72-hour	18 inches	FDOT-72

50-year storm event modeling applies to thoroughfare drainage systems only.

The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging.

2. Any fill within the FEMA 1% annual chance flood hazard area (or as otherwise known as 100-year floodplain) as delineated by the Tampa Bay Direct Watershed Management Plan (WMP) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. FEMA 1% annual chance flood hazard area compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). Alternatively, the applicant can utilize drainage modeling (using best available county watershed studies as tailwater conditions) to demonstrate no adverse drainage impacts to a no-rise condition.

3. A Public Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan for the existing ditch reroute along the southern property line within the project boundaries as needed. In addition, a Drainage-Maintenance Access Easement shall be provided along the top-of-bank of the system. Manatee County is only responsible for maintaining the public free flow of drainage through these systems.

ATTACHMENTS

1. Staff Report Maps and Aerials
2. Preliminary Site Plan
3. Traffic Study Waiver
4. Environmental Report
5. Zoning Disclosure Affidavit
6. Concurrency Deferral Form
7. Neighborhood Workshop Summary
8. Affidavit of Publishing
9. Ordinance PDR-25-25(Z)(P)
10. Design Exception

Manatee County Zoning Ordinance

PDR-25-25(Z)(P) - GUARDIAN ANGELS US 19 - GUARDIAN ANGELS OF SW FLORIDA INC. (OWNER) – PLN2511-0044

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area, providing for a rezone of approximately 2.73 acres generally located 0.21 miles south of 45th Street Court West, 0.5 miles north of 33rd Street West, on the west side of US 19, and commonly known as 4150 3rd Avenue West, Palmetto, FL (Manatee County) from Neighborhood Commercial-Medium (NC-M) to Planned Development Residential (PDR) Zoning District; approving a Preliminary Site Plan for eight single-family semi-detached dwelling units; subject to conditions of approval voluntarily proffered by the applicant; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

WHEREAS, Guardian Angels Of SW Florida Inc (the "Applicant") filed an application to rezone approximately 2.73 acres described in Exhibit "A", attached hereto, (the "Property") from Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district; and

WHEREAS, the applicant also filed a Preliminary Site Plan for for eight single-family semi-detached dwelling units (the "project") on the property; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 13, 2026 to consider the rezone, Preliminary Site Plan and Specific Approval applications and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the applications consistent with the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Manatee County Land Development Code and recommended approval of the applications subject to the stipulations contained in the staff report.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, application for amendment of the Official Zoning Atlas, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A. The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from

Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district.

B. The Board of County Commissioners, after due public notice, held a public hearing on September 3, 2026 regarding the proposed Official Zoning Atlas Amendment described herein in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at said public hearing.

C. The proposed amendment to the Official Zoning Atlas regarding the property described in Exhibit "A" herein is found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan is hereby approved for eight single-family semi-detached dwelling units upon the property subject to the following Conditions:

A. DESIGN AND LAND USE

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

2. All roof mounted mechanical equipment (e.g., HVAC) shall be screened with a solid parapet wall or other visual and noise deflecting materials. The materials shall be consistent with the construction of the principal building(s). Compliance shall be verified with review of the building permit.

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

4. Final Site Plan review and approval is required for recreational area(s) and any proposed amenities. Any structures and/or uses shall comply with the Land Development Code 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.

5. Prior to any CO issuance, a non-vehicular ingress/egress easement shall be recorded with the Manatee County Clerk of Courts, prohibiting cross access to 3rd Avenue West, as well as limiting ingress/egress from US 19 to the approved access point.

6. Any significant historical or archaeological resource discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Chapter 872, Florida Statues (Offences Concerning Dead Bodies and Graves) shall be followed.

7. A Hurricane Evacuation Plan shall be provided at time of FSP submittal in accordance with the Division of Emergency Management.

8. The setbacks along 3rd Avenue West and US 19 shall be considered rear setbacks with a minimum distance of 15 feet.

B. ENVIRONMENTAL

1. There are no impacts to jurisdictional wetlands or wetland buffers being approved by the adoption of this Ordinance.

2. The landward extent of wetlands shall be determined in accordance with Chapter 62-340 of the Florida Administrative Code. If the Southwest Florida Water Management District's (SWFWMD) Formal Determination of Wetlands and Other Surface Waters identifies a greater wetland acreage than indicated in the Preliminary Site Plan, the project's maximum density may be subject to a reduction at time of Final Site Plan submittal in accordance with the Comprehensive Plan and Land Development Code. The project's maximum density shall be contingent upon SWFWMD's Formal Determination of Wetlands and Other Surface Waters for the site.

3. No lots shall be platted through post-development wetlands, wetland buffers, or upland preservation areas.

4. Pursuant to the April 2026 Environmental Narrative prepared by Monarch Ecology Group, a 100% pre-construction survey will be required within 90-days of any future clearing or construction in accordance with FWC's *Gopher Tortoise Permitting Guidelines.* If gopher tortoises (or burrows) are found, a relocation permit will be required (from FWC) to relocate tortoises to an FWC-approved recipient site before any clearing or construction occurs.

5. If wells are encountered, a Well Management Plan for the proper protection and abandonment of existing wells shall be submitted to the EPS for review and approval prior to recommencing construction activities. 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); and
    - The final disposition of the well - used, capped, or plugged.

6. Irrigation for landscaping shall use the lowest water quality source available, which shall be identified on the Final Site Plan. Use of Manatee County public potable water supply shall be prohibited.

C. DEVELOPMENT REVIEW

1. Connection to the County water and 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 applicable 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 Development Services review process for the project.

2. If this project is in the Coastal High Hazard Area, the potable water and reclaimed water shall be master metered. All potable water and reclaimed water facilities downstream of the master meter and all sanitary sewer facilities within the development shall be privately owned and maintained. Furthermore, the applicant shall adhere to any special construction requirements for utilities within the Coastal High Hazard Area that are in place at the time of Final Site Plan submittal. Such special construction requirements may include but are not limited to installation of leak proof manhole covers, and/or controlling the elevation that any at or above grade potable water, reclaimed water, or sanitary sewer facility or appurtenance is installed.

D. STORMWATER ENGINEERING

1. Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Chapter 2-10 - Drainage and Flood Control, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

   NOAA Atlas 14 rainfall data shall be used for stormwater modeling

Storm Frequency	Cumulative Rainfall	Rainfall Distribution
2.33-year/24-hour	4.5 inches	FLMOD
10-year/24-hour	NOAA Atlas 14	FLMOD
25-year/24-hour	NOAA Atlas 14	FLMOD
50-year/24 hour	NOAA Atlas 14	FLMOD
100-year/24-hour	NOAA Atlas 14	FLMOD
100-year/72-hour	18 inches	FDOT-72

   50-year storm event modeling applies to thoroughfare drainage systems only.

   The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging.

2. Any fill within the FEMA 1% annual chance flood hazard area (or as otherwise known as 100-year floodplain) as delineated by the Tampa Bay Direct Watershed Management Plan (WMP) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. FEMA 1% annual chance flood hazard area compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation). Alternatively, the applicant can utilize drainage modeling (using best available county watershed studies as tailwater conditions) to demonstrate no adverse drainage impacts to a no-rise condition.

3. A Public Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan for the existing ditch along the southern property line within the project boundaries as needed. In addition, a Drainage-Maintenance Access Easement shall be provided along the top-of-bank of the system. Manatee County is only responsible for maintaining the free flow of drainage through these systems.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County (Ordinance No. 15-17, the Manatee County Land Development Code) is hereby amended by changing the zoning district classification of the property described in Exhibit “A”, incorporated by reference herein, from Neighborhood Commercial Medium (NC-M) to Planned Development Residential (PDR) zoning district, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 4. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. CODIFICATION. Pursuant to § 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 6. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 7. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the ____ day of _____, 2026.

BOARD OF COUNTY COMMISISONERS OF MANATEE COUNTY, FLORIDA.

BY: _____
Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: _____
Deputy Clerk

Exhibit “A”

Legal Description

DESCRIPTION PER ORI 202441086545

Parcel Number 1:

Begin at the SW corner of the E 1/2 of SE 1/4 of NE 1/4 of Section 2, Township 34 South, Range 17 East; thence North 132 yards, thence East 220 yards, thence South 132 yards, thence West 220 yards to Point of Beginning, less a strip of land off the East side of the above-described land, said strip being 69.76 feet wide at the South end and 70.66 feet wide at the North end to State for highway right of way, and LESS that part included in O.R. Book 1111, Page 2150, Public Records of Manatee County, Florida.

Parcel Number 2:

Begin at the S.E. comer of Lot 946, PALMETTO POINT SUBDIVISION, as per Plat thereof, as recorded in Plat Book 8, at Pages 145, 146 and 147, of the Public Records of Manatee County, Florida, thence S 88° 40' 24" East, 182,29 feet; thence South 1.81 feet to the Northeast corner of land described as Parcel "II" in that certain Deed recorded in Official Records Bock 611, at Page 869 of the Public Records of Manatee County, Florida; thence in a Westerly direction along the Northern boundary of said Parcel II to the Northwest corner thereof; thence North 15.67 feet to the Southerly line of Lot 970, PALMETTO POINT SUBDIVISION, if extended, thence S 88°40' 24" East to the Point of Beginning.

From: Brian Nicholas <bncozzie@gmail.com>

Sent: Thursday, August 27, 2026 11:34 AM

To: Robert McCann <drbob.mccann@mymanatee.org>; Tal Siddique <tal@mymanatee.org>; George Kruse <george.kruse@mymanatee.org>; Jason Bearden <jason.bearden@mymanatee.org>; Mike Rahn <mike.rahn@mymanatee.org>; Amanda Ballard <amanda.ballard@mymanatee.org>

Subject: Cell Tower and Parrish Town Center concerns PDMU-07-07(Z)(P)(R2) Crosswind Point.

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Dear Commisioners

I am a Crosswind Point / manatee county resident and homeowner writing ahead of your September 3 consideration of PDMU-07-07(Z)(P)(R2) Crosswind Point. I would have love to have been there but work prevents me from presenting my case before you all.

While the bulk focus of this agenda for the community has been focused on preventing the cell tower, I am afraid concerns about the actual development of the Town Center have not had the proper time to be discussed with the community. When these concerns were discussed during the workshop they basically said “the pioneer drive access is already approved since 2010, traffic studies have been done”

That’s all well and good but my bedroom window points to that exit already and it’s ALREADY backed up with normal residents, without going traffic from the town center it will take even longer to leave and an increased amount of accidents not only in that intersection but probably throughout our own community as people will start using it as a shortcut.

I want to emphasize that I am not opposed to the Town Center, I knew about it before we moved here and been researching it since 2021. (What was not there back then was a cell tower). I very much look forward to finally having a pond view from my bedroom window.

The Planning Commission voted 5–1 to recommend denial on August 13, mostly due to the cell tower. I reviewed the September 3 materials and was concerned to see that several of the issues raised at that hearing remain unresolved.

I respectfully ask however that you consider the following:

• What has actually changed since the Planning Commission’s denial?

The September packet still identifies unresolved issues involving the FDOT parcel, internal commercial roadway, Pioneer Drive buffering, and the cell tower. If the BOCC is considering overturning the Planning Commission’s recommendation, I hope you will ask what has materially changed and whether those concerns have actually been addressed.

• Pioneer Drive and Oak Hill Way traffic and safety These are existing public residential roads WITHIN our residential community where residents already experience speeding and traffic-safety concerns. We've raised these issues with our CDD and the county several times, and the BOCC already DENIED the "Crosswinds South" residential homes project on Oak Hill Way due to similar concerns in May2025:
https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.bradenton.com%2Fnews%2Flocal%2Farticle306075276.html&data=05%7C02%7Cbobbi.roy%40mymanatee.org%7C3090a28907084486e8d808df06a1366b%7Ccbf18587742240f2a8f2eaa3a4ea4240%7C0%7C0%7C639236961650800662%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOiIwLjAuMDAwMCIsIlAiOiJXaW4zMiIsIkFOIjoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=u7hhDJw%2Flw1r44x%2F8JuQdtZ0oPvQaTxetxpRBWDxBr8%3D&reserved=0

This new project proposes an access point from Pioneer Drive, yet detailed traffic/access analysis is deferred to later stages. The issue isn't simply the number of trips generated by the project, it's where those vehicles will travel. I ask that commercial, delivery, construction and service traffic be prevented from using Pioneer Drive as a routine route AND that potential cut-through traffic on Pioneer Drive and Oak Hill Way (to Spencer Parrrish, etc) be specifically evaluated.

• The Pioneer Drive buffer

I appreciate that staff has now added a 20-foot screening buffer as Condition F.8. However, it is still not shown on the Preliminary Site Plan and is deferred to Final Site Plan. Since the County itself identified the missing buffer as a potential source of noise and light impacts to existing homes, I ask that the buffer be incorporated into the approved plan now, with clear landscaping and maintenance requirements.

• The 190-foot cell tower

The Verizon Cell Tower expert at the planning meeting used fear mongering and people's lack of technology expertise to explain why we need a cell tower. "What if someone wants to call to say they are late for dinner, how will his wife ever know to keep his dinner warm"

95% of modern phones today have WiFi Calling on their phones. Which means as long as they have a WiFi signal they can make and take calls, no matter the cell signal without ANY issues. The cell tower does not benefit WiFi calling and texting at all, those lines are buried underground. Even with that said we have cell service in the neighborhood. We did our due diligence before moving here there was no cell tower plan. With so much empty land to the east of us, could we really not move it to a less populated area where people would have at least knowledge before hand before investing money into their first homes.

• The FDOT parcel and internal roadway

The September staff report continues to identify missing FDOT ownership/authorization documentation, while the internal commercial roadway and utility details remain unresolved. They affect access, traffic, parking, deliveries and the project's impact on neighboring residents.

I respectfully ask the Board to deny the amendment in its current form, consistent with the Planning Commission's recommendation, unless these issues are adequately resolved.

If the Board chooses to approve it, I ask that these protections be incorporated into the binding development approval, rather than left to future site-plan review.

We are not asking the County to stop growth. We are asking that growth be done responsibly and that the neighborhood already here be protected.

Thank you for your consideration.

Sincerely,

Brian Cozzie

Crosswind Point Resident

Sent from my iPhone

PDMU-07-07(Z)(P)(R2) – CROSSWIND POINT F.K.A. PARRISH PLANTATION – BELLEAIR CAPITAL GROUP PARRISH PLANTATION LLC (OWNER) – PLN2406-0119

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, AMENDING THE OFFICIAL ZONING ATLAS (ORDINANCE 15-17, AS AMENDED, THE MANATEE COUNTY LAND DEVELOPMENT CODE), RELATING TO ZONING WITHIN THE UNINCORPORATED AREA; PROVIDING FOR A REZONE OF APPROXIMATELY 9.65 ACRES FROM VILLAGE (VIL) TO PLANNED DEVELOPMENT MIXED USE (PDMU) ZONING DISTRICT FOR A TOTAL OF APPROXIMATELY 274.71 ACRES OF A PROJECT SITE; AMENDING ZONING ORDINANCE NO. PDMU-07-07(P)(R); APPROVING AN AMENDMENT TO THE PRELIMINARY SITE PLAN TO 1) REMOVE 83,000 SQUARE FEET OF OFFICE, 2) INCREASE COMMERCIAL FROM 116,100 TO 174,000 SQUARE FEET, 3) ADD A PERSONAL WIRELESS SERVICE FACILITY (PWSF), 4) MAINTAIN THE MAXIMUM OF UP TO 488 SINGLE-FAMILY RESIDENTIAL UNITS, AND 5) MODIFY CERTAIN CONDITIONS CONSISTENT WITH CURRENT DEPARTMENTAL PRACTICES AND OTHER AMENDMENTS FOR INTERNAL CONSISTENCY AND OBLIGATIONS; GENERALLY LOCATED AT THE SOUTHEAST CORNER OF STATE ROAD 62 AND U.S. 301, PARRISH (UNINCORPORATED MANATEE COUNTY); SUBJECT TO CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Belleair Capital Group Parrish Plantation LLC (the "Applicant") filed an application to rezone approximately 9.65 acres described in Exhibit "A", attached hereto, (the "Property") from Village (VIL) to Planned Development Mixed Use (PDMU) Zoning District; and

WHEREAS, the applicant also filed amendment to a Preliminary Site Plan to: 1) remove 83,000 square feet of Office, 2) increase Commercial from 116,100 to 174,000 square feet, 3) add a Personal Wireless Service Facility (PWSF), 4) maintain the maximum of up to 488 single-family residential units, and 5) modify certain conditions consistent with current departmental practices and other amendments for internal consistency and obligations (the "project") on the property; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on August 13, 2026, to consider the Initial Amended Application (i.e., rezone, ~~and~~ Preliminary Site Plan ~~applications~~ inclusive of a proposed Personal Wireless Service ~~Faciltiy~~Facility (PWSF) and considered the criteria for approval in the Manatee County Comprehensive Plan and the Land Development Code; and

WHEREAS, the Manatee County Planning Commission, as the County's Local Planning Agency, found the Initial Amended ~~a~~Applications not consistent with the Manatee County Comprehensive Plan and does ~~to~~ not satisfy the criteria for approval in the Manatee County Land Development Code and recommended denial of the Initial Amended ~~a~~Applications; and ~~,~~

WHEREAS, following the meeting of the Planning Commission on August 13, 2026, the ~~a~~Applicant revised the Initial Amended Application (i.e., Preliminary Site Plan ~~application~~ to remove the proposed ~~addition of a~~ Personal Wireless Service Facility (PWSF)~~-~~, with the remainder of the Preliminary Site Plan and rezone application unchanged (~~"~~collectively the "Second Amended Application") ~~from the Preliminary Site Plan.~~

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA;

Section 1. FINDINGS OF FACT. The recitals set forth above are true and correct and are hereby adopted as findings by the Board of County Commissioners.

The Board of County Commissioners, after considering the testimony, evidence, documentation, the Second Amended ~~a~~Application for amendment of the Official Zoning Atlas, request for Preliminary Site Plan Approval, the recommendation and findings of the Planning Commission, as well as all other matters presented to the Board at the public hearing hereinafter referenced, hereby makes the following findings of fact:

A.The Board of County Commissioners has received and considered the report of the Manatee County Planning Commission concerning the application for Official Zoning Atlas Amendment as it relates to the real property described in Exhibit "A" of this Ordinance from Village (VIL) to Planned Development Mixed Use (PDMU) Zoning District

B.The Board of County Commissioners, after due public notice, held a public hearing on September 3, 2026, regarding the proposed Official Zoning Atlas Amendment and Second Amended Preliminary Site Plan Application described herein (i.e., Second Amended Application) in accordance with the requirements of the Manatee County Land Development Code and has further considered the information received at said public hearing.

C.The proposed Second Amended Application~~amendment~~ (to amend the Official Zoning Atlas and the proposed Second Amended Preliminary Site Plan without the proposed Personal Wireless Services Facility (PWSF)) regarding the property described in Exhibit "A" herein ~~is~~are found to be consistent with the requirements of the Manatee County Comprehensive Plan and to satisfy the criteria for approval in the Land Development Code.

~~D. The Board of County Commissioners acknowlegedhas accepted the removal of the Personal Wireless Service Facility (PWSF) from the proposed Preliminary Site Plan.~~

~~S~~

Section 2. PRELIMINARY SITE PLAN. The Preliminary Site Plan in the Second Amended Application is hereby approved to 1) remove 83,000 square feet of Office, 2) increase Commercial from 116,100 to 174,000 square feet, ~~3) add a Personal Wireless Service Facility (PWSF), 4~~3) maintain the maximum of up to 488 single-family residential units, and ~~5~~4) modify certain conditions consistent with current departmental practices and other amendments for internal consistency and obligations upon the property subject to the following Conditions:

A. TRANSPORTATION CONDITIONS

1. The applicant shall provide drainage easements in favor of Manatee County over all storm water ponds to facilitate their use for additional capacity. The developer and future ~~Home~~

~~Owners~~Homeowners Association(s) shall consent to permit applications by the County to modify these storm water ponds. Manatee County shall be responsible for any and all permitting or modification of outfall structures.

2. Prior to or in conjunction with the first Final Site Plan, the applicant shall dedicate right-of-way to Manatee County, as shown on the right-of-way dedication exhibit dated March 20, 2007, and prepared by Heidt and Associates. [Completed pursuant to terms of LDA-08-05]

3. Two means of access shall be provided for the single-family attached component (consisting of greater than 100 units) shown on Master Site Plan Version "A". The applicant shall have the option to provide second means of access to Street "B" or S.R. 62. Any other portions of the project that utilize Street "D" for access, consisting of more than 100 units, shall include two means of access. The location of any proposed second means of access shall be approved with the Final Site Plan/Construction Plan submittal through the Public Works Department, Building and Development Services Department, and Public Safety Department.

4. The access to Spencer Parrish Road shall be open to the public; it is not an emergency only access. For the residential development that has been approved pursuant to CLOS 09-001, improvements to Spencer Parrish Road shall be limited to those required to create the access point and shall include a culvert crossing for access and turn lanes at the access location if warranted by traffic conditions at the time the access is constructed and the right of way necessary to construct such turn lanes without piping the existing ditch is available. Improvements associated with development that has not been approved pursuant to CLOS 09-001 may be required to ensure no degradation of the adopted level of service occurs to the public roadway network, based on approval of a new Traffic Study by the Public Works Department.

5. At present, the area of the County in which the project is located lacks sufficient public transportation infrastructure to support the majority of proposed new development projects. This project, however, is queued in the County's concurrency management system to use available road capacity that, according to the traffic analysis, is sufficient to support the project, so long as the Developer undertakes the following mitigation measures:

   A. Dedication of right of way to the County for U.S. 301, dedication of right-of-way for both the realignment and widening of State Road 62 and dedication of right-of-way for Spencer Parrish Road, all as shown on the right-of-way dedication exhibit dated March 20, 2007 and prepared by Heidt and Associates;

   B. Posting a bond, letter of credit, or other similar surety acceptable to the County to assure the prepayment of transportation impact fees for the residential portion of the project with the first Final Plat, which amount has been determined to be sufficient to cover the costs of roadway improvements required to satisfy the concurrency improvements triggered by the current capacity reservation of this Project. At the request of the County, the actual payment shall be made with each Final Plat for the lots platted with each such Final Plat, provided the roadway improvements are being constructed by the County or others;

C. Waiver of impact fee credits for such dedications except to the extent of the projected carrying costs of prepaying the impact fees. In return developer shall be entitled to a Certificate of Level of Service (CLOS) for seven years from the date of the posting of the surety.

The Developer shall file an application for a Local Development Agreement (LDA) in order to obtain an extended CLOS for the project and detail the terms under which the above mitigation measures will be performed. Such LDA shall be entered into with the County prior to approval of the first Final Site Plan.

By adopting this zoning ordinance, the Board of County Commissioners does not confer upon the Developer any entitlement to an extended CLOS beyond the term that is allowed without an LDA pursuant to Section 360 of the Land Development Code. The Board of County Commissioners reserves the discretion to approve, approve with modifications, or deny approval of the LDA. The Developer, in turn, reserves the right to withhold performance of the above mitigation measures unless and until a mutually satisfactory LDA is approved. In the event no such LDA is approved, no development may proceed, and none of the mitigation measures shall be performed, unless and until the Developer applies for and receives a modification to this zoning ordinance.

Based upon the traffic analysis, the Developer and County anticipate that a CLOS may be issued for the proposed 488 residential units and the library, this amount having been determined to be sufficiently mitigated through the measures detailed above. Such mitigation measures exceed the mitigation requirements for the residential portion of the project (though the Developer has nonetheless agreed to perform such measures).

However, the Developer's reservation of trips may or may not allow for capacity for the YMCA or the commercial uses included within the project at the County's request. Accordingly, the CLOS may include some or all of such non-residential development, or alternatively, the County and Developer may pursue a separate CLOS for one or more of those non-residential uses that require additional traffic impact mitigation. [Completed pursuant to LDA-08-05; Applicant has applied for an amendment to LDA-08-05 to be consistent with this Zoning Ordinance and Preliminary Site Plan.]

6. At the time of future site plan submittal, all proposed access points will be evaluated with a Trip Reservation Report and Operational Analysis (TRR & OA) to determine if any site and safety related improvements will be required for the site.

7. Future applications are required to analyze impacts on roadways and intersections with a Multimodal Site Access and Safety Analysis (MSASA), and provide mitigation measures as required.

8. Access on SR 62 and US 301 need to be approved by FDOT.

B. INFRASTRUCTURE CONDITIONS

1. The lowest quality water possible shall be used for irrigation. In-ground irrigation using Manatee County public potable water supply shall be prohibited, including on individual lots.

2. As an alternative to the required sidewalk adjacent to the thoroughfare roadways for residential development,, the applicant shall provide payment to the County in the amount of $62,700.00 (the estimated cost of installation of a five-foot wide sidewalk located (1) on the south side of SR 62 from the proposed entrance east to the intersection with Spencer Parrish Road, a distance of approximately 3,000 linear feet, and (2) on the west side of Spencer Parrish Road from the intersection with SR 62 south to the property boundary, a distance of approximately 2,700 linear feet). Such payment shall be made the later of (1) approval of the first final plat within the project or (2) upon request from the county in preparation for roadway improvements which will include construction of such sidewalks but in no event shall the payment be made later than the approval of the final plat for the last phase of the project. However, should sidewalks be installed by others prior to the developer seeking final plat approval, the amount of such payment shall be proportionately reduced.

3. The Developer shall be responsible for all costs to extend to the Property water, sewer and reclaimed water lines, and other associated facilities including permitting, engineering, design, construction and installation and any easement or right of way, if needed, to ensure that the public facilities needed to support this development are available concurrent with the impacts of such development.

4. The provisions of the Manatee County Comprehensive Plan and Land Development Code require that adequate capacity exist with respect to sewer line collection capacity, sewer plant treatment capacity, potable water distribution line capacity and potable water treatment plant capacity to obtain concurrency approvals for wastewater and potable water. By the adoption of this ordinance, the County has not assumed the obligation, either expressly or by implication, to bear any of the expenses to provide water, sewer or reclaimed water to the Property. Any new water or wastewater facilities shall be located and constructed in accordance with the most recent version of the applicable Master Plan in effect at the time of such design however, this shall not require the developer to size any water, wastewater or reclaimed mains greater than necessary to serve the development unless requested to do so by Manatee County, in which event any cost associated with such oversize shall require participation or reimbursement by the County as further detailed in a written agreement. The Developer shall notify Manatee County prior to undertaking design of potable water and wastewater infrastructure in preparation of submitting a Final Site Plan/Construction Drawings. Within 30 days of providing such notice Manatee County shall determine whether there exists a need to oversize such infrastructure to provide additional capacity for future development of the area.

5. The applicant shall be required to construct a sidewalk along State Road 62 from US 301 to Pioneer Drive.

C. STORMWATER CONDITIONS

1. This project shall be required to reduce the calculated pre-development flow rate 50% for all stormwater outfall flow directly or indirectly into Gamble Creek. Modeling shall be used to determine pre- and post-development flows.

2. A Drainage Easement shall be dedicated to Manatee County and be shown on the Final Site Plan and Final Plats along all drainage conveyance ditches within the project boundaries. In addition, a 20-foot Drainage-Maintenance Access Easement shall be provided along all drainage conveyance ditches. Drainage-Maintenance Access

Easements shall be on clear and level ground and free of obstructions, including landscaping. Manatee County is responsible for maintaining only the free flow of drainage through these systems.

3. Landscaping shall not be installed within drainage ditch systems or Drainage Maintenance and Access Easements.

4. Any fill within the FEMA 1% annual chance flood hazard area (or as otherwise known as 100-year floodplain) as delineated by the Gamble Creek Watershed Management Plan (WMP) shall be compensated by the creation of an equal or greater storage volume above seasonal high-water table. FEMA 1% annual chance flood hazard area compensation shall be compensated in sole use compensation areas, not dual use facilities (i.e., stormwater attenuation and floodplain compensation).

5. For the Commercial Parcels only: Pursuant to Section 801 Land Development Code, Manatee County Floodplain Ordinance (Chapter 2-10 - Drainage and Flood Control, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3, the Construction Plan and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect post-development discharge of runoff. The following storm frequency events, corresponding cumulative rainfall, and rainfall distribution shall be provided as a comparison of the existing pre-development condition versus the proposed post-development development condition:

   NOAA Atlas 14 rainfall data shall be used for stormwater modeling
   Storm Frequency Cumulative Rainfall Rainfall Distribution
   2.33-year/24-hour 4.5 inches FLMOD
   10-year/24-hour NOAA Atlas 14 FLMOD
   25-year/24-hour NOAA Atlas 14 FLMOD
   50-year/~~24-hour~~24-hour NOAA Atlas 14 FLMOD
   100-year/24-hour NOAA Atlas 14 FLMOD
   100-year/72-hour 18 inches FDOT-72

   50-year storm event modeling applies to thoroughfare drainage systems only.

   The comparison of existing pre-development condition versus the proposed post-development development condition shall include results in terms of runoff and staging. Drainage Modeling (utilizing best available information from Gamble Creek Watershed Management Plan) shall be submitted to demonstrate compliance prior to commencement of construction.

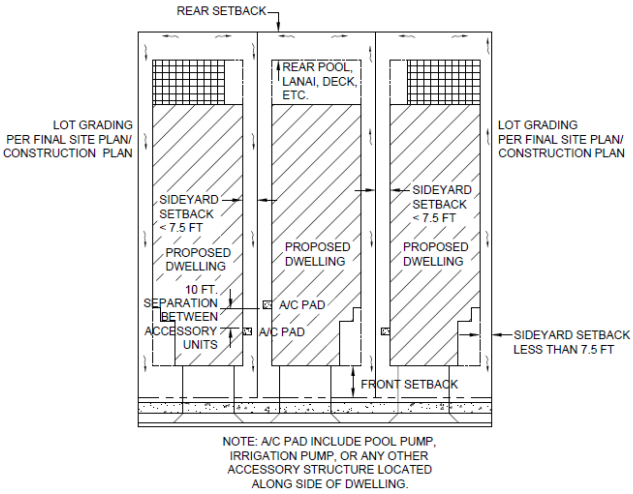
D. RESIDENTIAL DESIGN AND LAND USE CONDITIONS

1. Residential Setbacks shall be as follows (setback dimensions in feet):

Minimum Lot Width	Front	Side	Rear
45 feet*	20/25**	5***	15
55 feet	20/25**	7.5	15

65 feet	20/25**	7.5	15
80 feet	20/25**	7.5	15
100 feet	20/25**	7.5	15
SFA (24 end /16 interior)	25’	7.5 (15 between buildings)	15

* Lots with a width of 54 feet or less shall be permitted to have a side yard setback of 5 feet
**20 feet to structure, 25 feet to the garage.
***Minimum 10 feet of separation between structures



2. All structures shall meet the required 30-foot waterfront setback.

3. At time of Final Site Plan approval, signs shall be shown to be posted indicating the location of future inter-neighborhood ties to the property to the south.

4. Development of single family attached units shall be limited to the area shown on Master Site Plan A, unless otherwise approved by the Board of County Commissioners.

5. At time of Final Site Plan, the applicant shall select from the development options provided on the Preliminary Site Plan for residential development and submit a tracking chart showing the total number of units approved with each Final Site Plan to assure Manatee County that the total number of residential dwelling units approved (488) will not be exceeded as this project is developed. Any changes which are consistent with the development options presented within this Preliminary Site Plan shall be reviewed and approved administratively with the Final Site Plan and shall not require further approval from the Board of County Commissioners.

6. Additional off-street parking shall be provided in the single-family attached component of the project at a ratio of one space per 10 units. The design and location shall be approved with the FSP.

E. COMMERCIAL AND OFFICE DESIGN LAND USE CONDITIONS

1. The applicant has agreed to comply with the requirements of the Parrish Commercial Village Overlay District, Land Development Code Section 403.4, with the exception to the following sections –403.4.D.1.c.i. – Building Footprint, and 403.4.D.1.c.ii. Setbacks. Building footprint and setbacks shall be governed by the site plan and the Development Order. The applicant shall demonstrate compliance with PCV Overlay requirements at time of Final Site Plan approval for commercial development for those commercial building located along US 301 and S.R. 62, specifically excluding the internal Commercial Parcels K, L, and M.

2. Setbacks are as follows for non-residential development (setback dimensions in feet):

	U.S. 301	S.R. 62	Front	Side	Rear

* a)A porch or gallery is provided that extends across forty (40) percent or more of the building frontage and is at least ten (10) feet wide or deep, or
b)An outdoor gathering space is provided between U.S. 301 and the building or on the side of the building that includes frontage along U.S. 301 equal to forty (40) percent of the building's frontage and is a minimum of ten (10) feet deep, and the design includes street furniture such as benches, tables, or resting area for customers or the general public or a fountain, public art, or other visual focal point for the enjoyment of customers and the general public.
**c)25 feet when adjacent to residential uses.

3. All structures shall meet the required 30-foot waterfront setback.

4. At time of Final Site Plan, the applicant shall select from the development options provided on the Preliminary Site Plan for commercial development and submit a tracking chart showing the floor area approved with each Final Site Plan to assure Manatee County that total approved floor area (174,000 square feet) will not be exceeded as this project is developed. Any changes which are consistent with the development options presented within this Preliminary Site Plan shall be reviewed and approved administratively with the Final Site Plan and shall not require further approval from the Board of County Commissioners.

5. All roof mounted HVAC and mechanical equipment shall be screened from view from surrounding residential property and rights-of-way. Screening shall be provided by materials consistent with the construction of the exterior finish materials of the buildings.

6. Loading areas, outdoor storage, dumpsters, and compactors shall not be in front of any building and shall meet all setback requirements, unless they are not visible from any collector or arterial roadway or residential property. For determining visibility of the loading areas, the height of the overhead doors and trucks shall be considered.

7. Commercial uses within this project shall be those allowed pursuant to Comprehensive Plan Policy 2.2.1.11.2.

8. No retail sales display areas shall be permitted outside any building.

9. Bicycle parking facilities with the inverted "U" style rack shall be provided for all commercial buildings and recreational areas. These racks shall be conveniently located to entrances of the primary structures and in clear view of the main entries.

10. Exhaust and other filtering systems in restaurants shall adhere to the Best Available Control Technology to eliminate or reduce the emission of smoke, grease, and odor from cooking facilities.

11. All outparcels shall provide internal cross access with adjacent outparcels. This shall be accomplished by the use of cross access easements, internal drive aisles, or frontage roads.

12. Access points for each outparcel shall be approved by the Public Works Department at time of Final Site Plan approval.

13. If residential units are developed adjacent to non-residential uses, as shown on the Preliminary Site Plan, appropriate screening buffers, consistent with LDC requirements, shall be installed.

14. Signage within the commercial parcels shall comply with Chapter 6 and the Parrish Commercial Village in Section 403.4 of the Land Development Code.

15. All commercial buildings shall have a minimum separation of 250 feet from any residential dwelling unit within Crosswind Point.

16. Commercial Parcel's K, L, and M shall have a maximum building size of 55,000 square feet per building.

17. Deliveries involving tractor trailer semi-trucks, trucks, the use of forklifts or other loading or unloading devices, running of truck or trailer motors or other refrigeration devices installed thereon at the rear of the non-residential buildings adjacent to residential development shall be prohibited between 10:00pm and 7:00am.

18. All commercial buildings shall have a maximum building height limited to thirty-five (35) feet.

~~19. The Applicant shall demonstrate compliance with the applicable provisions of Section 531.37 of the Manatee County Land Development Code at the time of submission of a final site plan application for the proposed Personal Wireless Service Facility (PWSF).~~

~~20.~~19. The County shall have no responsibility to resolve disputes between the owners of the stormwater pond (FDOT), located within the parcel commonly known as 12275 US 301 North and which is within the boundaries of the Preliminary Site Plan. and owners of the Project regarding the use of the stormwater pond.

~~21.~~20. All applicable federal and state permits shall be obtained prior to commencement of construction.

F. ENVIRONMENTAL CONDITIONS

1. Prior to Final Site Plan approval, the site shall be reevaluated for the presence of listed species in accordance with Comprehensive Plan Policy 3.3.2.1(1).

2. The 50-foot roadway buffer adjacent to residential development shall be planted with a minimum of 3 canopy trees, 6 understory trees, and 33 shrubs per 100 linear feet. Landscape material shall be subject to the following criteria:

   - Minimum sizes for landscape planting shall be in accordance with Land Development Code Section 715.4.B & C.

   - Plantings shall be with plant species that are native and/or naturalized to Florida. All required landscape areas shall retain existing native trees, shrubs, ground cover, and grasses to the greatest extent possible. Existing trees and shrubs may be counted towards fulfilling planting requirements.

   - In addition to prohibited plant species listed in Land Development Code Section 715.4.D, the following coastal plant species shall not be planted in required landscape areas: beach sunflower; buttonwood; seagrape; and sea oxide daisy.

   - A minimum of three (3) different species for each plant category (e.g., canopy tree, understory tree, and shrub) shall be planted.

   - When palm trees are used as canopy trees, a minimum of two (2) palms in a grouping will serve as the equivalent of one (1) canopy tree pursuant to LDC Section 715. Use of palms as canopy trees shall be subject to limitations on total percentage of palms in LDC Section 715.

   - In required landscape areas, tree plantings shall be staggered and clustered in natural arrangements rather than in long, straight formal arrangements.

3. At time of Final Site Plan approval for the neighborhood adjacent to SR 62, if SR 62 has not been redesigned and relocated away from this project as shown in Manatee County's Future Traffic Circulation Map of the adopted Comprehensive Plan in effect at that time, the roadway buffer adjacent to SR 62 shall utilize noise mitigating features, such as a berm, a minimum ~~6-foot-high~~6-foot-high wall, or combination of both to reduce noise impacts to adjacent residential units. All required landscaping shall be planted on the exterior side of the wall. If SR 62 is redesigned and relocated away from this project to connect with Moccasin Wallow Road as shown in the Future Traffic Circulation Map of the adopted Comprehensive Plan in effect at that time, and if the section of road located adjacent to this project is not classified as a thoroughfare in the Comprehensive Plan, noise mitigating features (i.e. berm/wall) shall not be required.

4. No lots shall be platted through post-development wetlands, wetland buffers or upland preservation areas.

5. A Conservation Easement for the areas defined as post-development jurisdictional wetlands/wetland buffers and upland preservation areas shall be dedicated to the County prior to or concurrent with each Final Plat approval.

6. A Construction Water Quality Monitoring Program and proposed sampling locations are required to be included in the ESCP information on each Final Site Plan in accordance with Section 519 of the Land Development Code.

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

~~8. The applicant shall provide a 20-foot screening buffer to the east of the commercial portion along Pioneer Drive in compliance with the Land Development Code at time of Final Site Plan.~~

G. RECREATIONAL

1. Parks shown on the site plan shall be developed concurrently with the platting of adjacent residential units.

H. NOTICES

1. The Notice to Buyer 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 home buyers of:

    - The presence of neighboring agricultural uses, including possible use of pesticides and herbicides and of odors and noises associated with agricultural uses.

    - The presence of inter-neighborhood ties in the project which will connect to future roadways when development occurs on the adjacent property.

    - The future realignment of S.R. 62 with Erie Road.

    - Potential noise impacts from the future widening of U.S. 301 and S.R. 62.

Section 3. AMENDMENT OF THE OFFICIAL ZONING ATLAS. The Official Zoning Atlas of Manatee County (Ordinance No. 15-17, the Manatee County Land Development Code) is hereby amended by changing the zoning district classification of the property described in Exhibit “A”, incorporated by reference herein, from Village (VIL) to Planned Development Mixed Use (PDMU) Zoning District, and the Clerk of the Circuit Court, as Clerk to the Board of County Commissioners, as well as the Development Services Department, are hereby instructed to cause such amendment to the Official Zoning Atlas.

Section 4. SEVERABILITY. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

Section 5. CODIFICATION. Pursuant to Section 125.68(1), Florida Statutes, this ordinance is not required to be codified. Therefore, the Clerk shall not transmit the ordinance for codification.

Section 6. STATE AND FEDERAL PERMITTING. The issuance of the local development permit by the County shall not create any liability on the part of the County in the event the applicant fails to obtain the required state or federal agency approvals or permits or fails to fulfill the obligations imposed by any state or federal agency or undertakes actions that result in a violation of state or federal law.

Section 7. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing with the Office of the Secretary of State, Florida Department of State.

PASSED AND DULY ADOPTED, by the Board of County Commissioners of Manatee County, Florida on the 3rd day of September 2026.

BOARD OF COUNTY

~~**COMMISISONERS**~~**COMMISSIONERS**

OF MANATEE COUNTY, FLORIDA~~.~~

_____**BY:** _____
Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: _____
_____**Deputy Clerk**

Exhibit "A"

Legal Description

DESCRIPTION: A parcel of land lying in the NW 1/4 less South 330 feet of SE 1/4 and Less Parrish-Wauchula road off North and less 27 acres to King as described in O.R. Book 70, page 313, less 20 acres to Parrish as described in O.R. Book 76, page 54, of the Public Records of Manatee County, Florida, Section 28, Township 33 South, Range 19 East.

E1/2 of NE 1/4 and NW 1/4 of NE 1/4 less Lot 4, Subdivision of Tract 840 feet square in NW corner of NW 1/4 of NE 1/4 and less begin 40 feet East and 30 Feet North of SW corner of NW 1/4 of NE 1/4; thence North 58.8 feet, East 120 feet, South 59 feet, West 120 feet, to point of beginning or Lots 19 and 20, Block 4, Parrish City Manor - vacated plat. Also begin at NE corner of SW 1/4 of NE 1/4; West 884.4 feet, South 42.4 feet, thence East 884.4 feet, North 41 feet, to beginning and less S 1/2 of SE 1/4 of NE 1/4 deeded to King as described in

O.R. Book 70, page 313, all in Section 29, Township 33 South, Range 19 East.

TOTAL 195 acres, more or less.

Parcel 1:

Lots 3, 6 and 7, Subdivision of a Tract 840 feet square in the Northwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida.

Parcel 2:

The Northwest 1/4 of Section 28, Township 33 South, Range 19 East, Manatee County, Florida, 1ess the South 330 feet of the Southeast 1/4 of the Northwest 1/4 less Parrish-Wauchula Road off the North and less 27 acres to King as described in O.R. Book 70, Page 313, less 20 acres to Parrish as described in O.R. Book 76, Page 54, Public Records of Manatee County, F1orida, also subject to FPL easement as described in O.R. Book 829, Page 576, Public Records of Manatee County, Florida, all lying South of State Road 62.

Parcel 4:

The East 1/2 of the Northeast 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, Less Lots 3, 4, 6 and 7 Subdivision of a Tract 840 feet square in the Northwest corner of the Northwest 1/4 of the Northeast 1/4, and Less begin 40 feet East and 30 feet North of the Southwest corner of the Northwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, thence North 58.8 feet; thence East 120 feet; thence South 59 feet; thence West 120 feet to the Point of Beginning, Or Lots 19 and 20, Block 4, Parrish City Manor, vacated plat, also begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida; West 884.4 feet, South 42.4 feet, thence East 884.4 feet, North 41 feet, to Point of Beginning; and less the South 1/4 of the Southeast 1/4 of the Northeast 1/4 to King as described in O.R. Book 70, Page 313, Public Records of Manatee County, Florida, Less right-of-way for State Road 62.

HYSMITH PARCEL (taken from Chicago Title Insurance Company, Commitment for Title Insurance, Commitment No. 04-1493-L, dated May 13, 2004):

Parcel 1:

Commence at the Northeast corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 33 South,. Range 19 East, Manatee County, Florida; thence S88°20'29"E, along the Easterly extension of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 29, a distance of 528.06 feet for a Point of Beginning; thence continue S88°20'29"E, along said North line 801.87 feet to the East line of the Southwest 1/4 of the Northwest 1/4 of Section 28, Township 33 South, Range 19 East; thence

S00°28'45"W, 921.92 feet to the Southeast comer of the Southwest 1/4 of the Northwest 1/4 of said Section 28; thence N89°24'00"W, along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 28, 803.13 feet; thence N00°34'00"E, 936.73 feet to the Point of Beginning.

Parcel 2:

Begin at the Northeast corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida; thence S88°20'29"E, along the Easterly extension of the North line of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of said Section 29, a distance of 528.06 feet; thence S00°34'00"W, 468.37 feet; thence

S88°52'14"W, 527.99 feet to the West line of Section 28, Township 33 South, Range 19 East, thence N00°34'00"E, along said West line 473.25 feet to the Point of Beginning.

Parcel 3:

Commence at the Northeast corner of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida, thence S00°34'00"W, along the West line of Section 28, Township 33 South, Range 19 East, a distance of 473.25 feet for a Point of Beginning; thence continue S00°34'00"W, along said West line 473.25 feet to the Southwest corner of the Southwest 1/4 of the Northwest 1/4 of said Section 28; thence S89°24'00E, along the South line of the Southwest 1/4 of the Northwest 1/4 of said Section 28, 527.97 feet; thence N00°34'00"E, 468.37 feet; thence N88°52'14"W, 527.99 feet to the Point of Beginning.

Together with an easement for ingress and egress lying and being in the Southeastern 1/4 of Section 29, Township 33 South, Range 19 East, Manatee County, Florida., more particular1y described as follows: The East 20 feet of that portion of the Southeast 1/4 of Section 29, Township 33 South, Range 19 East, Lying North of State Road 675.

PARRISH PARCEL (taken from Chicago Title Insurance Company, Commitment for Title Insurance, Commitment No. 04-370-L, dated April 28, 2004):

Beginning at a point found by measuring from the Southeast corner of the Northwest ¼ of Section 28, Township 33 Sou-th, Range 19 East; North along the East line of said Northwest ¼, 330 feet more or less to the Northeast corner of Preston Parrish 10 acre tract; this being the above mentioned Point of Beginning; thence continue along said East line of the Northwest ¼, 660 feet;

thence Westerly along a line parallel to the North line of Preston Parrish said 10 acre tract, 1320 feet; thence southerly 660 feet to the Northwest corner of said

Preston Parrish tract; thence Easterly along the North line of said Preston Parrish tract 1320 feet more or less to the Point of Beginning, Less road right-of-way on East, all lying and being in Manatee County, Florida.

and

the South 330 feet of the Southeast ¼ of the Northwest ¼: less Road right-of-way on East, Section 28, Township 33 South, Range 19 East, Manatee County, Florida.

Combined to contain 264.44 Ac. more or less.