Manatee County Ordinance

PDR-25-04(G)(R) – 5TH STREET ELMINGTON – WESTERMAN INVESTMENTS, LLC (OWNER) – PLN2603-0016

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, PROVIDING FOR THE REQUESTED APPROVAL OF AN AMENDMENT TO ORDINANCE NO. PDR-25-04(Z)(G) AND ITS ASSOCIATED GENERAL DEVELOPMENT PLAN, REQUESTING AN INCREASED DENSITY FOR UP TO 108 MULTI-FAMILY RESIDENTIAL UNITS FROM THE PREVIOUSLY APPROVED 90 MULTI-FAMILY UNITS, WITH ONE HUNDRED (100%) PERCENT OF THE UNITS REMAINING DESIGNATED AS "AFFORDABLE HOUSING" IN ACCORDANCE WITH A LAND USE RESTRICTION AGREEMENT (LURA); THE PROPERTY BEING LOCATED ON APPROXIMATELY 3.38 ACRES, RETAINING ITS PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONING, AND GENERALLY BEING LOCATED 800 FEET EAST OF THE INTERSECTION OF 1ST STREET AND 301 BOULEVARD EAST, AND COMMONLY KNOWN AS 4010 5TH STREET EAST, BRADENTON, FLORIDA (UNINCORPORATED MANATEE COUNTY); SUBJECT TO VOLUNTARILY PROFFERED CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Westerman Investments, LLC (the "Applicant") filed an application for an amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan, requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA) on approximately 3.38 acres, retaining its PDR (Planned Development Residential) zoning, as described in Exhibit "A", attached hereto, (the "Property"); and

WHEREAS, the applicant also filed a request for Specific Approval for alternatives to Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and 2) 1001.1.C, proposing an alternative design to requirement for a second separate means of access for a development containing more than 100 residential dwelling units; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 17, 2026, to consider the amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development 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 amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan and Specific Approval 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 subject to the conditions 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, 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 a revised General Development Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners, after due public notice, held a public hearing on October 8, 2026, regarding the proposed Ordinance 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 Ordinance 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.

D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code 1005.3.A. Table 10-2 - Multiple Family Dwellings, the Board of County Commissioners finds that the purpose of the LDC regulation is satisfied to an equivalent degree according to Staff's analysis above by the proposed design of the parking space requirements.

E. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 1001.1.C, the Board of County Commissioners finds that the purpose of the LDC regulation is satisfied to an equivalent degree by through compliance with fire code requirements and continued technical review to ensure public health and safety due to the alleviation of the second means of access requirement.

Section 2. AMENDED GENERAL DEVELOPMENT PLAN. The amended General Development Plan is hereby approved requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA), upon the property subject to the following Conditions:

A. DESIGN AND LAND USE

1. The Applicant shall enter into a Land Use Restriction Agreement (LURA) pursuant to Chapter 5 of the Land Development Code, in a form acceptable to Manatee County.

2. The site plan submitted with this application shall be part of the approval.

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

4. Any new or temporary use or uses proposed at this property, other than those approved with this application, shall be required to apply for a new general development permit

through Development Services-Planning & Zoning, as required by the Land Development Code.

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

6. 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.

7. 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.

B. ENVIRONMENTAL PLANNING

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

2. 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.

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

C. STORMWATER ENGINEERING

1. Pursuant to Sections 801 and 802 of the Land Development Code and Code of Federal Regulations (CFR}, Title 44, Section 60.3, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the County FEMA 1% annual chance flood hazard area

delineation pursuant to the City of Bradenton Watershed Management Plan, and post-development discharge of runoff.

2. 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 (This applies to PDR/PDC projects).

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.

3. 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 (City of Bradenton Watershed Management Plan) shall be submitted to demonstrate compliance prior to commencement of construction.

4. Any fill within the FEMA 1% annual chance flood hazard area as delineated by the City of Bradenton 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 submit drainage modeling utilizing the City of Bradenton Watershed Management Plan (submitted for review to the Public Works Department with the Construction Plan submittal) to demonstrate no adverse drainage impacts for the mean annual, 10-year, 25-year, and 100-year design storm events to a no-rise condition.

D. 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. The project will need to be built to the Manatee County Utility, Stormwater, and Highway & Traffic Standards that are current at the time of construction.

E. TRAFFIC ENGINEERING

1. The County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS). Therefore, 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.

2. Additional access may be at the request of the Fire District at the time of PSP/FSP.

Section 3. SPECIFIC APPROVAL. Specific Approval is hereby granted for alternatives to Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and 2) 1001.1.C, proposing an alternative design to requirement for a second separate means of access for a development containing more than 100 residential dwelling units.

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 8th day of October 2026.

BOARD OF COUNTY COMMISISONERS OF MANATEE COUNTY, FLORIDA.

BY: _____
Chairperson

ATTEST: **ANGELINA COLONNESO**
Clerk of the Circuit Court

BY: _____
Deputy Clerk

Exhibit "A"

BEGIN 40 RODS SOUTH AND 20 FEET WEST OF NE CORNER OF SW 1/4 OF SW 1/4, WEST 442 FEET, NORTH 336.7 FEET, EAST 442 FEET, SOUTH 336.7 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND IS THE SAME LAND AS DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION COMMITMENT NUMBER 11945730 BEARING AN EFFECTIVE DATE OF AUGUST 5, 2024.

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 9, 2026

Angelina Colonneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. PDR-25-04(G)(R), which was filed in this office on October 9, 2026.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

APPROVED in Open Session
10/8/2026
Manatee County Board of County Commissioners

October 8, 2026 - Land Use Meeting

Subject

PDR-25-04(G)(R) – 5TH Street Elmington – Westerman Investments, LLC (Owner) – PLN2603-0016- Quasi-Judicial- Lindsey Craig, Planner I- District 2

Amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan, requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as “Affordable Housing” in accordance with a Land Use Restriction Agreement (LURA); the property being located on approximately 3.38 acres, retaining its PDR (Planned Development Residential) zoning, and generally being located 800 feet east of the intersection of 1st Street and 301 Boulevard East, and commonly known as 4010 5th Street East, Bradenton (unincorporated Manatee County).

Category

ADVERTISED PUBLIC HEARINGS (Presentations Upon Request)

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Presenter: Lindsey Craig, Planner I, 941-748-4501 x3877, lindsey.craig@mymanatee.org
Contact: Abigail Bonds, Planning and Zoning Tech III, 941-748-4501 x3927, Abigail.bonds@mymanatee.org

Action Requested
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, I move to ADOPT Manatee County Zoning Ordinance Number PDR-25-04(G)(R) and APPROVE the proposed amendment to the General Development Plan with Conditions A.1-A.7, B.1-B.3, C.1-C.2, D.1-D.2, and, E.1-E.2, ADOPT the Findings for Specific Approval and GRANT Specific Approval for alternatives to Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and 2) 1001.1.C, proposing an alternative design to requirement for a second separate means of access for a development containing more than 100 residential dwelling units, 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-25-04(G)(R); DENY the proposed amendment to the General Development Plan; DENY the Findings of Specific Approval, and DENY Specific Approval for alternatives to the Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and, 2) 1001.1.C, proposing an alternative design to requirement for a separate second means of access for a development containing more than 100 residential dwelling units.

Enabling/Regulating Authority
Manatee County Comprehensive Plan
Manatee County Land Development Code

Applicable Advisory Board
PLANNING COMMISSION ACTION:
On September 17, 2026, by a vote of 6 – 0, the Planning Commission recommended adoption. Member Bower was absent.

PUBLIC COMMENT AND CORRESPONDENCE:
September 17, 2026 – Planning Commission
- There were no public comments.
- Typographical error in the staff report was entered into the record.

Background Discussion
• Request
The request is to increase the density of the approximately 3.38-acre parcel to allow for up to 108 multi-family residential units from the previously approved 90 multi-family units.

o Specific Approval
N/A

o Conditions of Approval
There are eighteen conditions; refer to staff report and ordinance for additional information.

• General Information
o Location:
The property is located approximately 800 feet east of the intersection of 1st Street and 301 Boulevard East and commonly known as 4010 5th Street East, Bradenton, Florida (unincorporated Manatee County).

o Acreage of Project:
The project site consists of a 3.38-acre parcel.

- Density/Intensity of Project:
  The project proposes a 32 DU/GA (108 dwelling units with an affordable housing bonus) which is the maximum permitted.

• Affordable Housing
  The applicant is requesting an increase to 108 dwelling units with an affordable housing bonus.

• Neighborhood Workshop
  The previous project application held a workshop on June 26, 2025, and therefore a Neighborhood Workshop Waiver was granted by the Director.

• Future Land Use Category
  Retail / Office / Residential - ROR

• Land Use History
  o The project site has been categorized with the Future Land Use Category, ROR since the adoption of the Manatee County Comprehensive Plan.
  o After the adoption of 1990 Manatee County Land Development Code the parcel was designated RMF-6 Zoning.
  oOn October 9th, 2025, a request to rezone the property from RMF-6 to PDR with a GDP for 90 multi-family dwelling units with 100% as “Affordable Housing” was approved by the BOCC.

• Surrounding Areas
  - North: Planned Development Residential; Multi-family Residential (apartment complex)
  - South: Heavy Commercial and General Commercial; Vehicle Repair / Retail
  - East: Residential Duple Districts; Single-family Residential, ROW – 5th Street East
  - West: General Commercial; Office / Dry Cleaning

• Conclusion
  The proposed rezone may be considered consistent with the Comprehensive Plan and in compliance with the applicable provisions of the Land Development Code.

PLANNING COMMISSION ACTION:
On September 17, 2026, by a vote of 6 – 0, the Planning Commission recommended adoption. Member Bower was absent.

PUBLIC COMMENT AND CORRESPONDENCE:
September 17, 2026 – Planning Commission
- There were no public comments.
- Typographical error in the staff report was entered into the record.

Attorney Review
Other (Requires explanation in field below) Soto
Camilo Soto reviewed and responded by email to Matter FY25/26-0421 on August 6, 21, and September 2, 2026.

Instructions to Board Records
Please ensure the Chairman signs page 6 of the attached Ordinance.
Please forward a copy of the executed document and letter from the Florida Department of State to bobbi.roy@mymanatee.org.

Cost and Funds Source Account Number and Name
N/A

Amount and Frequency of Recurring Costs
N/A

Board of County Commissioners: October 8, 2026

PDR-25-04(G)(R) – 5TH STREET ELMINGTON – WESTERMAN INVESTMENTS, LLC (OWNER) – PLN2603-0016

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, providing for the requested approval of an amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan, requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA); the property being located on approximately 3.38 acres, retaining its PDR (Planned Development Residential) zoning, and generally being located 800 feet east of the intersection of 1st Street and 301 Boulevard East, and commonly known as 4010 5th Street East, Bradenton, Florida (unincorporated Manatee County); subject to voluntarily proffered conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

Planning Commission: **9/17/2026**
Board of County Commissioners: **10/8/2026**

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, I move to ADOPT Manatee County Zoning Ordinance Number PDR-25-04(G)(R) and APPROVE the proposed amendment to the General Development Plan with Conditions A.1-A.7, B.1-B.3, C.1-C.2, D.1-D.2, and, E.1-E.2, ADOPT the Findings for Specific Approval and GRANT Specific Approval for alternatives to Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and 2) 1001.1.C, proposing an alternative design to requirement for a second separate means of access for a development containing more than 100 residential dwelling units, 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-25-04(G)(R); DENY the proposed amendment to the General Development Plan; DENY the Findings of Specific Approval, and DENY Specific Approval for alternatives to the Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and, 2) 1001.1.C, proposing an alternative design to requirement for a separate second means of access for a development containing more than 100 residential dwelling units.

PLANNING COMMISSION ACTION:

On September 17, 2026, by a vote of 6 – 0, the Planning Commission recommended adoption. Member Bower was absent.

PUBLIC COMMENT AND CORRESPONDENCE:

September 17, 2026 – Planning Commission

- There were no public comments.
- Typographical error in the staff report was entered into the record.

Section	
1	Project Summary
2	Maps & Discussion
3	Project Details
4	Compliance with the Land Development Code
5	Consistency with the Comprehensive Plan
6	Positive/Negative Aspects and Mitigating Measures
7	Specific Approval Requests
8	Conditions of Approval
9	Remaining Issues of Concern

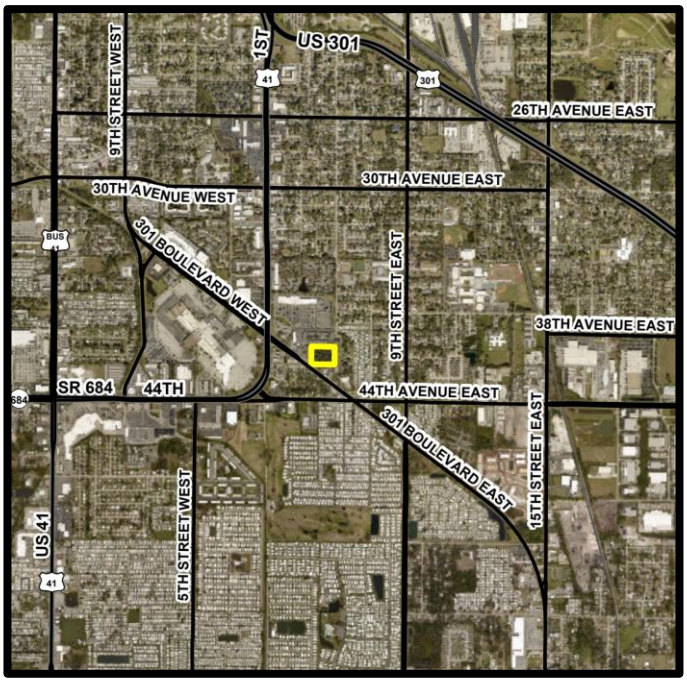
SECTION 1 PROJECT SUMMARY	
CASE NUMBER	PDR-25-04(G)(R) / PLN2603-0016
PROJECT NAME	5th Street – Elmington
SECTION / TOWNSHIP / RANGE(S)	01 / 35S / 17E
PARCEL ID / ADDRESS	4781300001; 4010 5th Street East, Bradenton (Manatee County).
GENERAL LOCATION	800 feet east of the intersection of 1st Street and 301 Boulevard East.
ACREAGE	±3.38 acres
OWNER(S) / APPLICANT(S) / AGENT	**Owner:** Westerman Investments, LLC **Applicant:** Elmington Capital Group **Agent:** Ben Miskelly, AICP, Elmington Affordable
FUTURE LAND USE CATEGORY	Retail / Office / Residential (ROR)
EXISTING ZONING	Planned Development Residential (PDR) (No Changes)
PROPOSED USE(S)	108 Multifamily Residential Dwelling Units *(no half dwelling units are proposed) – increased density from previously approved 90 Multifamily Residential Dwelling Units* (100% designated as "Affordable Housing")
DENSITY *dwelling units per gross acre (DU/GA)*	**Maximum Permitted:** 32 DU/GA (108 dwelling units with an Affordable Housing Bonus) **Proposed:** 32 DU/GA (108 dwelling units)
OVERLAYS/SPECIAL AREAS	Urban Service Area (USA) Southwest County Improvement District (SWTIF)
SPECIFIC APPROVAL REQUESTS	1. LDC Section 1005.3.A. Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings 2. LDC Section 1001.1.C, to not require a separate second means of access for a development containing more than 100 residential dwelling units
NEIGHBORHOOD WORKSHOP	Yes; See review criteria analysis for Land Development Code (LDC) Section 312.6 in Section 4 of this Staff Report
CASE MANAGER	Lindsey Craig, Planner I

SECTION 2
MAPS & DISCUSSION

History

The subject property consists of one parcel that is approximately 3.38 acres. In 1981, the property was zoned Multi Family Residential (R-3B) with the intent to provide for multifamily dwellings at a density of 16 dwelling units per acre. Since the adoption of the Manatee County Comprehensive Plan in 1989, the site has been designated within the Retail / Office / Residential (ROR) Future Land Use Category (FLUC). After the adoption of the 1990 Manatee County Land Development Code (LDC), the parcel was designated under the Residential Multifamily – 6 (RMF-6) Zoning District.

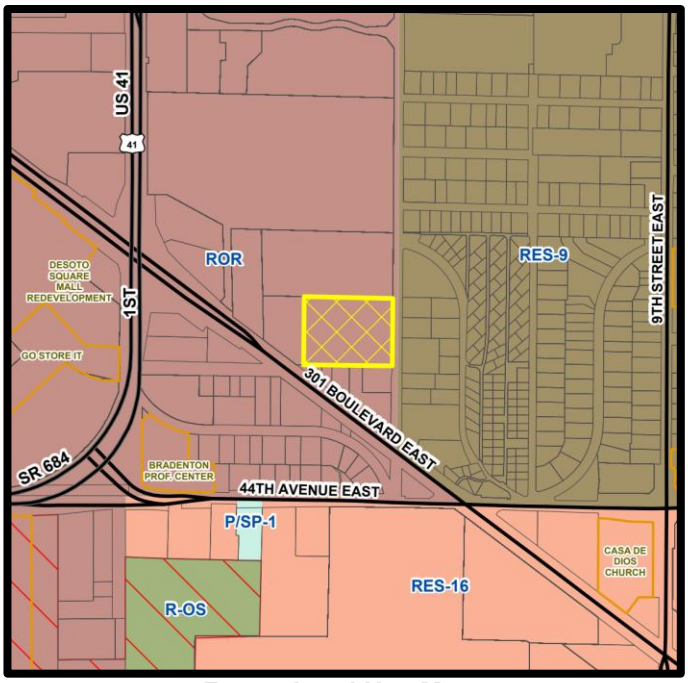
On October 9th, 2025, a request to rezone the property from Residential Multifamily – 6 (RMF-6) to Planned Development Residential (PDR) with a General Development Plan (GDP) for 90 multi-family dwelling units with 100% of as “Affordable Housing” in accordance with a Land Use and Deed Restriction Agreement (LURA) was approved by the Board of County Commissioners on October 9, 2025.



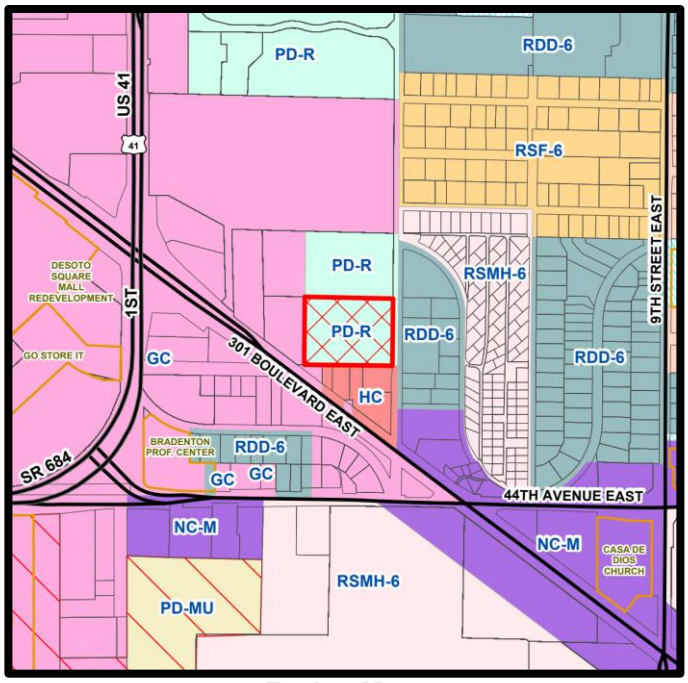
Aerial Map



Aerial Map (Magnified)



Future Land Use Map



Zoning Map

Request

The applicant is requesting an amendment to the GDP to increase the approved 90 multifamily dwelling units to 108 multifamily dwelling units with two new specific approval requests in regard to LDC Section 1005.3.A. Table 10-2, and LDC Section 1001.1.C. The proposed project provides for 100% of dwelling units as “Affordable Housing” for residential uses only, in accordance with a proposed LURA. An amended and restated LURA is necessary to reflect the proposed increase in density from 90 to 108 multifamily dwelling units and will be tied to the amended ordinance.

The applicant has applied for an Affordable Housing certificate that states the project will provide 100% of the proposed units as Affordable Housing with all of the proposed housing units will be designated within the 30-70% AMI range. The applicant requested the following under the Affordable Housing Incentive Program:

- Density Bonus: a maximum gross density of 32 DU/GA in the requested ROR FLUC, but the applicant has voluntarily limited the maximum number of dwelling units to 108, which represents a maximum density of 32 DU/GA
- Housing Rapid Response Team/ Fast Track: General Development Plan Amendment.
- Right-of-way construction
- Fee Deferral
- School Report
- Expedited Permitting – Building

The Affordable Housing Certificate confirmed that the project meets the qualifications and criteria for expedited permitting in accordance with LDC Section 545.2(A). It has been made part of this application for a GDP amendment.

If the amendment to the GDP application is approved, a request for a LURA will be submitted and evaluated for approval by the Board of County Commissioners (BCC). The following step of the development review process will be the Preliminary Site Plan (PSP) and Final Site Plan (FSP) applications.

SURROUNDING FLUC, ZONING, AND USES	
NORTH	**FLUC:** Retail / Office / Residential (ROR) **ZONING:** Planned Development Residential (PDR) **USES:** Mult-family Residential (Apartment complex)
SOUTH	**FLUC:** Retail / Office / Residential (ROR) **ZONING:** Heavy Commercial (HC), General Commercial (GC) **USES:** Vehicle Repair / Retail
EAST	**FLUC:** Residential - 9 (RES-9) **ZONING:** Residential Duplex Districts (RDD-6); **USES:** Single-Family Residential / Right-of-Way - 5th Street E
WEST	**FLUC:** Retail / Office / Residential (ROR) **ZONING:** General Commercial (GC) **USES:** Office / Dry Cleaning

SECTION 3
SITE DESIGN DETAILS



- Up to 108 multifamily residential dwelling units
- One access point on 5th Street East
- One stormwater facility to the west
- Two Specific Approvals requested with this application
- 100% Affordable Housing

SETBACKS REQUIRED	**Required:** Front: 20 feet Side: 8 feet Rear: 15 feet Waterfront: 30 feet	**Proposed:** (No Changes) Front: 20 feet Side: 8 feet Rear: 15 feet Waterfront: 30 feet
MINIMUM LOT SIZE / LOT WIDTH REQUIRED	N/A; Multi-family Development	
MAXIMUM HEIGHT ALLOWED	Maximum 4-stories or 57 feet - Subject to LDC Section 401.5-Building Height Compatibility	
OPEN SPACE	**Required:** 25% (0.85 acres) **Provided:** 30% (1.01 acres)	
ACCESS	One access to 5th Street East (ingress/egress)	
FLOOD ZONE(S)	Site lies in Flood Zone X, per FIRM Panels 12081C0308E & 1215C0050F (effective 3/17/14).	
AREA OF KNOWN FLOODING	**Project Located in Flood Prone Area:** No **Type of Flooding:** Rainfall **Project subject to flow reduction:** No **Project subject to OFW:** No **Watershed/Basin:** Bowlees Creek **Project located within Floodplain and/or Floodway:** The project area is outside of FEMA 1% annual chance flood hazard area delineation pursuant to the FEMA 2021 and 2014 effective FIRM (Zone "X")	
UTILITIES	**POTABLE WATER INFRASTRUCTURE** • 8-inch County sanitary sewer gravity main within the 5th Street East right-of-way **WASTEWATER INFRASTRUCTURE** • 6-inch County water main within the 5th Street East right-of-way **RECLAIMED WATER INFRASTRUCTURE** • No reclaimed water within the vicinity • NOTE: The use of potable water for irrigation will not be allowed	

COMPLIANCE WITH LAND DEVELOPMENT CODE STANDARDS

BUFFERS

Standard(s) Required	Design Proposal	Compliance	Comments
15-foot Greenbelt Buffer	15 feet	Yes	
20-foot Roadway Buffer	20 feet	Yes	

SIDEWALKS

Standard(s) Required	Design Proposal	Compliance	Comments
Sidewalk	Sidewalks proposed throughout project site	Yes	Will be reviewed at the time of FSP

DRIVEWAYS, ROADS AND RIGHTS-OF-WAY			
Standard(s) Required	**Design Proposal**	**Compliance**	**Comments**
24-foot Paved Roadways	24-feet	Yes	No alternative design proposed. Will be reviewed at the time of FSP

TRANSPORTATION

Major Transportation Facilities:
The proposed development is located on the west side of 5th Street East, approximately 400-feet north of 301 Boulevard East. The following roadways are adjacent to or near the project site:

- 301 Boulevard East is an existing two-lane road with a 40-mph posted speed. It is designated as a four-lane arterial roadway with a planned right-of-way width of 120-feet in the Comprehensive Plan's Future Traffic Circulation Plan. The project is adjacent to 5th Street East, which is a local roadway.

Transportation Link Capacity Analysis:
The applicant has an approved GDP for 90 multi-family dwelling units (PLN2502-0026). The applicant is proposing to amend the GDP for 108 multi-family dwelling units. Based on the narrative and site plan provided by the applicant for this application, staff have provided a traffic study waiver. Based on the narrative provided by the applicant for this application, staff have concluded that the impacted roadway segments are expected to operate at or above the level of service (LOS) performance standards.

NEAREST THOROUGHFARE	LINK	CURRENT LOS	ADOPTED LOS	FUTURE LOS (W/O PROJECT)	FUTURE LOS (W/PROJECT)
9th Street East	1130	D	D	D	D
30th Avenue East	1480	D	D	D	D
301 Boulevard East	2050	D	D	D	D

Access:
The County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS). Therefore, 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.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE

CLOS applied for: No, concurrency must be deferred with a GDP.
Solid waste landfill capacity and preliminary drainage intent will be reviewed at the time of application for concurrency. Potable water, wastewater, and school facilities will be reviewed at the time of FSP.

ENVIRONMENTAL INFORMATION

Minimum Open Space Requirements:
Required Open Space: 25% (0.85 acres) (LDC Section 402.7.D.2)
Provided Open Space: 30% (1.01 acres)
Previously Approved Open Space: 47.3% (±1.6 acres)

Wetlands:
Per the proposed amendment to the GDP, no wetlands exist onsite.

Uplands:
Per the Environmental Narrative provided by ECS Florida, LLC (dated May 28, 2025, and revised August 4, 2025) the subject site is comprised of Hardwood – Coniferous Mixed (25-50% Exotic) (FLUCCS 4340E2; 2.83 acres), Hardwood – Coniferous Mix (50-75% Exotic) (FLUCCS 4340E3; 0.35 acres), and Open Land (FLUCCS 110; 0.18 acres). There are no native upland habitats on site.

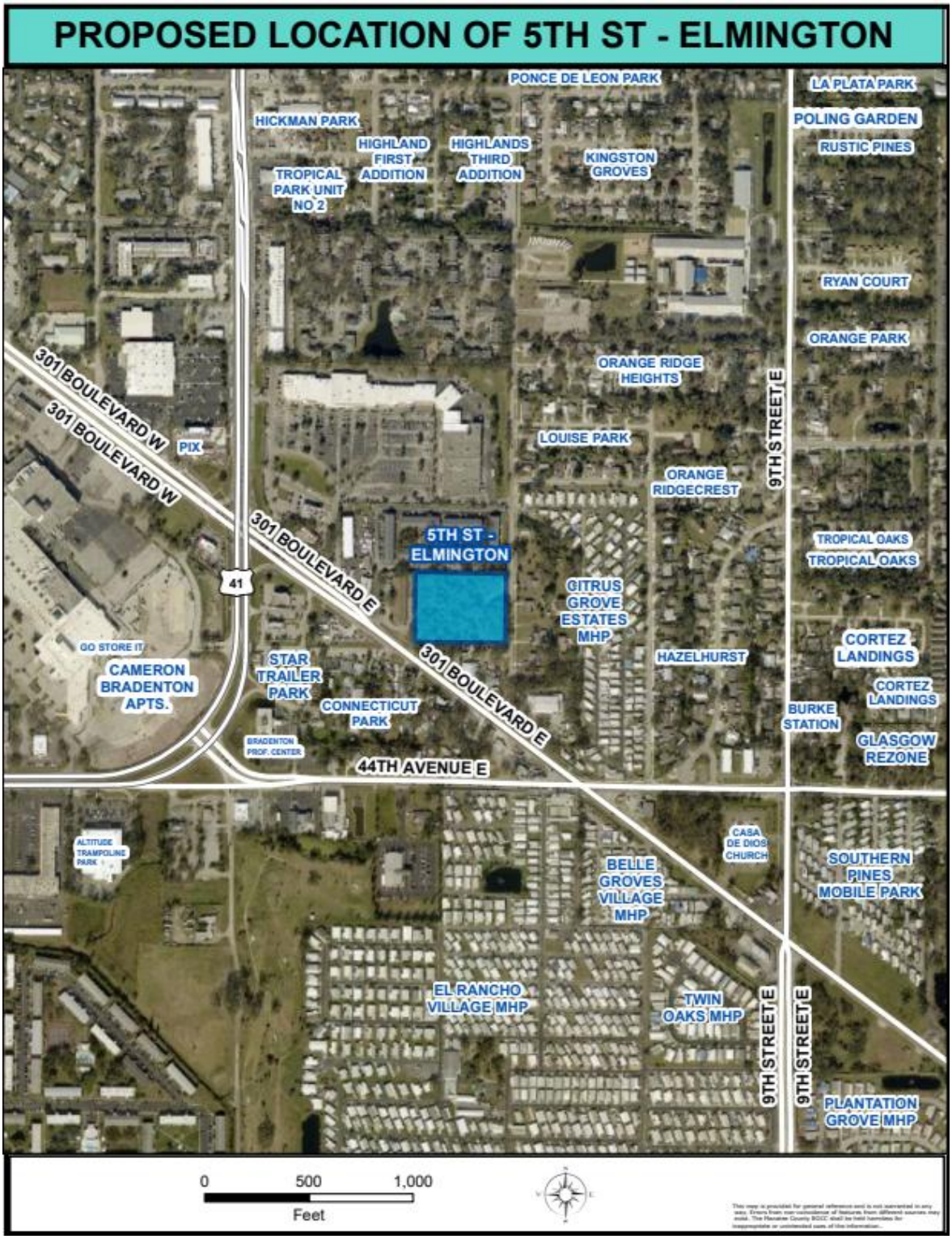
Preservation of Existing Plant Communities:
Per the Environmental Narrative provided by ECS Florida, LLC (dated May 28, 2025, and revised August 4, 2025) no native plant communities exist onsite.

Endangered Species:
Per the Environmental Narrative provided by ECS Florida, LLC (dated May 28, 2025, and revised August 4, 2025) an on-site assessment was conducted in May 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.
Based on the site assessment, no listed species were found onsite.

Trees and Landscaping:
Tree removal and replacement and landscaping will be reviewed with PSP/FSP in accordance with LDC Sections 402, 700, and 701.

LANDSCAPE BUFFERS			
	Required	**Provided**	**LDC Section**
Roadway Buffer (5th Street East)	20 feet	20 feet	402.7.D.1
Greenbelt Buffer (north, west, and south)	15 feet	15 feet	402.7.D.5

LOCATION MAP



SECTION 4
COMPLIANCE WITH THE LAND DEVELOPMENT CODE

SECTION 312.6 – NEIGHBORHOOD WORKSHOPS
SECTION 321.3 – GENERAL DEVELOPMENT PLANS (GDP) REVIEW CRITERIA
SECTION 401.5 – BUILDING HEIGHT COMPATIBILITY
SECTION 402.6 - GENERAL DESIGN REQUIREMENTS FOR ALL PLANNED DEVELOPMENT SITE PLANS
SECTION 402.7.D – PDR STANDARDS – PLANNED DEVELOPMENT RESIDENTIAL
SECTION 531.47 – RESIDENTIAL USES

The following represents an analysis of the application under the applicable review standards of the Manatee County Land Development Code.

LDC SECTION 312.6 – NEIGHBORHOOD WORKSHOPS

Required Documents	First Neighborhood Workshop
Date and Time of Workshop	Not applicable
Workshop Format	Not applicable
Workshop Summary	Neighborhood Workshop Wavier granted by Director and included as Attachment 9 of this report • The previous application held a neighborhood workshop on June 26, 2025
Workshop Requirement	• Application pre-dated July 2025 • Neighborhood workshop strongly encouraged during pre-application meeting (PLN2408-0057)
Sign-In Sheet (June 26,2025)	Not Provided; 2 members from the public attend
Issues, Suggestions, and Concerns (June 26,2025)	• Compatibility with single family residential • Dumpster pad location • Connection to County facilities • Affordability of the rental units • Security of the property • Traffic Light at the end of 5th Street • Timing of development
Mail Notice (June 26,2025)	Mailing Listed provided; mailing radius map not provided
Workshop Signage (June 26,2025)	Not provided

Refer to the Neighborhood Workshop Summary Waiver Request Attachment 9.
Note: Workshop waiver granted due to:

LDC SECTION 321.3 – GENERAL DEVELOPMENT REVIEW CRITERIA

In deciding whether to recommend approval, approval with modifications or denial of a proposed GDP, the approving authority shall consider whether the proposed plan is consistent with the Comprehensive Plan and this Code, including but not limited to the standards applicable to each PD district, contained in Chapter 4.
Analysis: See the analysis for consistency with the Comprehensive Plan in Section 5 of this staff report. See compliance with the applicable standards of the LDC in the analysis in this section.

LDC SECTION 401.5 – BUILDING HEIGHT COMPATABILITY

A. Adjacent to Single-Family Development.
Analysis: The proposed amendment to the GDP indicates a maximum building height of 4 stories for the proposed project. While there are single-family dwellings contiguous to the subject property, they are in the Residential Duplex – 6 (RDD-6) Zoning District. As the property is not adjacent to any single-family zoning, the project does not need to adhere to LDC Section 401.5.A. No changes are proposed from the previously approved GDP.

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

A. Physical Characteristics of the Site; Relation to Surrounding Property.
Analysis: The subject project area is currently vacant including heavy vegetation. The subject property is currently zoned Planned Development Residential (PDR) and is located within the Retail / Office / Residential (ROR) Future Land Use Category (FLUC). There is Planned Development Residential (PDR) zoning to the north, General Commercial (GC) zoning to the west, Heavy Commercial (HC) to the south, and Residential Duplex – 6 (RDD-6) zoning to the east. The PDR Zoning District provides for the development of residential development in areas adequately served, or which can be served, by necessary utilities and services in locations that are compatible with adjacent and surrounding land uses.

B. Relation to Public Utilities, Facilities and Services.
Analysis: The subject property is located near potable water and sewer facilities. See Utilities under Section 3 of this staff report. Additional review will be conducted by staff at time of PSP/FSP.

C. Relation to Major Transportation Facilities.
Analysis: The proposed development has one access to 9th Street East, a local road. The proposed development does not anticipate creating adverse transportation impacts on throughfare roadways analyzed in the Traffic Waiver. The affected links of 9th Street East (Link 1130), 30th Avenue East (Link 1480), and 301 Boulevard East (Link 2050) are projected to operate at or above the level of service. The subject property has extensive access to major transportation facilities, all within a half mile from the subject property. A more detailed analysis from the applicant will be required by staff at the time of PSP/FSP.

D. Compatibility.
Analysis: The existing development pattern for this area includes both residential and non-residential developments. The surrounding residential areas to the north and east are comprised of both single-family and multi-family developments. The surrounding properties are zoned Planned Development Residential (PDR), General Commercial (GC), Heavy Commercial (HC), and Residential Duplex – 6 (RDD-6). The Boulevard Apartment Homes development lies to the north of the subject property. The Connecticut Park subdivision, a mix of residential and commercial uses, is situated to the south of the subject property. To the east of the subject property are Hazelhurst and Citrus Grove Estates subdivisions each containing single-family detached, duplex, and mobile home dwelling units. The DeSoto Junction Shopping Center lies to the west of the subject property, and further west is the defunct DeSoto Square Mall, which is in the process of being redeveloped for commercial, retail, and residential uses.

E. Transitions.
Analysis: The proposed amendment to the GDP application does not change the currently approved Zoning District designation of PDR and is consistent with the current development pattern of the surrounding area. The GDP also provides a transition from the more commercial uses to the west and south into the existing residential developments to the north and east.

F. Design Quality. (Section 402.7.D.1; Section 402.7.D.4; Section 402.7.5)

Analysis: The proposed amendment to the GDP provided by the applicant does not provide staff with the specific design of the development. The GDP does, however, provide the following elements:

- Up to 108 multi-family residential dwelling units
- One access point on 5th Street East
- One stormwater facility to the west
- Two specific approvals requested with this application

G. Relationship to Adjacent Property.

Analysis: See discussion on Sections 402.6.D – Compatibility and 402.6.E - Transitions.

H. Access. (Section 402.7.D.6)

Analysis: The proposed development has one access to 9th Street East, a local road. The proposed development does not anticipate creating adverse transportation impacts on throughfare roadways analyzed in the Traffic Waiver. The affected links of 9th Street East (Link 1130), 30th Avenue East (Link 1480), and 301 Boulevard E (Link 2050) are projected to operate at or above the level of service. The subject property has extensive access to major transportation facilities, all within a half mile from the subject property. A more detailed analysis from the applicant will be required by staff at the time of PSP/FSP. A more detailed analysis from the applicant will be required by staff at the time of PSP/FSP.

The project is requesting specific approval to LDC Section 1001.1.C. in regard to a deviation for the second means of access requirement. Please see staff analysis in Section 7 of this Staff Report and the applicant's specific approval request letter attached hereto.

I. Streets, Drives, Parking and Service Areas. (Section 402.7.D.3; 402.7.D.6)

Analysis: All access points, drive-aisles, and utilities within the project site will be required to be designed per Manatee County Public Works standards. The required parking for any proposed development will be reviewed for compliance with Table 10-2 of the LDC at time of PSP/FSP.

J. Pedestrian Systems.

Analysis: The proposed amendment to the GDP provided by the applicant does not show internal pedestrian systems. Per LDC Section 1001.6.B, a 5-foot wide internal sidewalk system shall be required for the development at time of PSP/FSP.

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

Analysis: There are no known historic features within the subject project area. Any significant historical or archeological resources discovered during development activities shall be immediately reported to Florida Department of State's Division of Historical Resources. Treatment of such resources shall be determined in cooperation with the Division of Historical Resources and the County.

L. Density/Intensity.

Analysis: The ROR FLUC allows for a base density of 16 DU/AC or 32 DU/AC with an Affordable Housing bonus. The proposed development consists of 108 multi-family dwelling units located on the 3.38-acre site. The proposed development program will allow for a maximum allowable density of 32 DU/GA with 100% of the total dwelling units as Affordable Housing and can be found consistent with the maximum permitted density when providing affordable housing within the ROR FLUC.

M. Height. (Section 402.7.D.9)

Analysis: The proposed maximum height is 4-stories (or 57 feet) and is subject to Section 401.5 Building Height Compatibility. No changes are proposed from the previously approved GDP.

N. Fences and Screening.

Analysis: Twenty-foot roadway buffers are proposed along 5th Street East, and a 15-foot greenbelt buffer is proposed along all property lines. The proposed residential development shall provide fencing and screening as required by the LDC. Staff will conduct additional review for compliance at time of PSP/FSP. No changes are proposed from the previously approved GDP.

O. Yards and Setbacks. (Section 402.7.D.7)
Analysis: Section 3 of this staff report, Site Design Details, provides the setbacks for the proposed development. No changes are proposed from the previously approved GDP.

P. Trash and Utility Plant Screens.
Analysis: All trash and utility areas will be subject to requirements of LDC section 701 and will be reviewed and approved with FSP.

Q. Signs.
Analysis: Currently, no signs are shown in the proposed amendment to the GDP. However, at the time of development all signs must comply with the requirements of Chapter 6 of the LDC. Staff will review for compliance at time of PSP/FSP.

R. Landscaping. (Section 402.7.D.2; 402.7.D.5)
Analysis: As shown on the proposed amendment to the GDP, a 15-foot greenbelt buffer is required and has been provided along the north, south and west of the property boundaries. Detailed landscaping plans will be provided with the PSP/FSP. All landscaping must meet or exceed the standards in Section 701. No changes are proposed from the previously approved GDP.

S. Special Guidelines for Review of Projects with Mixed Used Plan Designations and Projects at Designated Entranceways.
Analysis: Not applicable as this development does not propose mixed-use plan designation nor is it located within an entranceway.

T. Environmental Factors.
1. *Water Conservation.*
   Analysis: There are no anticipated impacts to the conservation of water resources. See the Environmental Narrative provided by ECS Florida, LLC (dated May 28, 2025 and revised August 4, 2025) as well as the Environmental Information in Section 3 of this staff report for analysis by the Environmental Planning Section staff.
2. *Minimum Open Space Requirements.* (Section 402.7.D.2, 403.8.D.8)
   Analysis: The minimum open pace required for PDR developments is 25%. The applicant is proposing 30% (1.01 acres on the 3.38-acre site) of open space, fulfilling the minimum requirement. See Environmental Information and Open Space in Section 3 of this staff report.
3. *Preservation of Existing Plant Communities.*
   Analysis: The existing site comprised of Hardwood – Coniferous Mixed (25-50% Exotic) (2.83 acres), Hardwood – Coniferous Mix (0.35 acres), and Open Land (0.18 acres). However, there are no native upland habitats qualifying for preservation on site.

U. Rights-of-Way and Utility Standards.
Analysis: All rights-of-way and utility improvements shall adhere to the requirements of the Manatee County's Public Works Standards for all public and private rights-of-way construction. The subject project area is located along 5th Street East.

V. Stormwater Management.
Analysis: The proposed amendment to the GDP provided by the applicant is not required to show the location of and the calculation of the stormwater facilities. Compliance with LDC 801 and the Manatee County Public Works Standards, Part 2. Stormwater Management Design Manual will be reviewed at the time of the PSP/FSP.

W. Consistency with Comprehensive Plan.
Analysis: The project can be found to be consistent with the Comprehensive Plan, as discussed in Section 5.

X. Other Factors.
Analysis: The project received the Affordable Housing Certificate, confirming that the project meets the qualifications and criteria for expedited permitting in accordance with LDC 545.2(A). It is eligible to receive the incentives contained in LDC Section 545.2. – Affordable Housing Incentives, given that at least 25% of the units will be designated as affordable housing.

The project is requesting two specific approvals. Please see staff analysis in Section 7 of this Staff Report and the applicants specific approval request letter.

LDC SECTION 402.7 – PDR STANDARDS – PLANNED DEVELOPMENT RESIDENTIAL

1. **Site Planning.**
Analysis: Please see Section 4 (LDC Section 402.6.F) of this Staff Report.

2. **Landscaped Open Space and Pervious Area Requirements.**
Analysis: Section 4 (LDC Sections 402.6.R and 402.6.T.2) of this staff report provides the landscaped open space and pervious area requirements for the proposed development.

3. **Frontage and Accessibility.**
Analysis: Refer to the analysis found under LDC Section 402.6.I of this staff report which provides the frontage and accessibility for the proposed development.

4. **Neighborhoods.**
Analysis: The proposed residential development in the GDP does not provide inter-neighborhood ties with any of the current or proposed surrounding neighborhoods. Such ties will be reviewed at the time of FSP.

5. **Greenbelts.**
Analysis: Section 4 (LDC Sections 402.6.F and 402.6.R) of this staff report provides the greenbelt requirements for the proposed development. No changes are proposed from the previously approved GDP.

6. **Traffic Circulation.**
Analysis: Refer to the analysis found under LDC Sections 402.6.H and 402.6.I of this staff report provides the traffic circulation requirements for the proposed development.

7. **Yards and Setbacks.**
Analysis: Section 3 of this staff report, Site Design Details, provides the setbacks for the proposed development. No changes are proposed from the previously approved GDP.

8. **Minimum Lot Width.**
Analysis: Not Applicable.

9. **Building Height.**
Analysis: Section 4 (LDC Section 402.6.M) of this staff report provides the building height requirements for the proposed development. No changes are proposed from the previously approved GDP.

SECTION 531.47 – RESIDENTIAL USES

A. Residential Uses in the VIL Districts.
Analysis: Not Applicable. The proposed development is not located within the VIL district.

B. Multi-Family Dwellings in PR District.
Analysis: The proposed development is not located within the PR district.

C. Residential Uses in the NC, GC, MX and HC Zoning Districts.
Analysis: Not Applicable. The proposed development is not within the NC, GC, MX, and HC Zoning District. The development is for an amendment to the GDP and the current zoning district is PDR.

D. Single-Family Detached Dwellings in the Industrial Light (IL) Future Land Use Category
Analysis: Not Applicable. The proposed development is multifamily residential.

E. Waterfront Residential Structures in PDR, PDW, PDMU, PDRV, PDMH and PDA
Analysis: Not Applicable. The proposed development is not located within a waterfront nor is it proposing waterfront structures and/or water dependent uses.

F. Residential subdivisions Adjacent to Existing Kennels.
Analysis: Not Applicable. The proposed development is not located adjacent to an existing kennel.

G. Residential Uses within Designated Urban Corridors.
Analysis: Not Applicable. The proposed development is not located within an Urban Corridor.

H. Multi-Family Residential Uses within the Urban Service Area.
Analysis: The proposed development is located within the Urban Service Area. The Applicant is proposing 108 dwelling units and is not proposing half dwelling units.

SECTION 5

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the Retail / Office / Residential (ROR) FLUC. This project was specifically reviewed for compliance with the following objectives and policies:

Policy 2.1.1.4. Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.
Analysis: The subject property is located near public facilities and services. See Utilities under Section 3 of this staff report. The applicant will be required to pay their proportionate share for any improvements to public infrastructure due to the impact of the proposed development of the site.

Policy 2.1.2.2. Limit urban sprawl by prohibiting all future development in the area east of the established FDAB.
Analysis: The proposed development is consistent with this Policy as the subject property is located west of the Future Development Area Boundary (FDAB).

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: The proposed development is a contiguous expansion of existing urban residential development and is compatible with the surrounding development pattern. The subject property is bordered by the Boulevard Apartment Homes multifamily development to the north and established residential neighborhoods to the east and south. The Connecticut Park subdivision, located south of the subject property, contains a mix of residential and commercial uses. To the east, the Hazelhurst and Citrus Grove Estates subdivisions contain single-family detached, duplex, and mobile home dwelling units. To the west, the DeSoto Junction Shopping Center and the former DeSoto Square Mall site, which is currently undergoing redevelopment, contribute to an evolving pattern of commercial, retail, and residential uses in the area.

The proposed development represents a contiguous expansion of the existing multifamily residential development located immediately north of the site while remaining compatible with the adjacent single-family residential neighborhoods to the east and south. The surrounding area is characterized by a mix of residential densities and commercial uses, and development trends indicate continued infill and redevelopment activity, including medium- and high-density residential development. Accordingly, the proposed development is consistent with the established and emerging development pattern in the area.

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: As previously stated in Policy 2.1.2.3. above, the proposed development is a contiguous expansion of existing residential and can be found compatible with the surrounding multifamily-residential developments.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development. This analysis shall include the following:
- **Consideration of existing development patterns;**
- **Types of land uses;**
- **Transition between land uses;**
- **Density and intensity of land uses;**
- **Natural features;**
- **Approved development in the area;**
- **Availability of adequate roadways;**
- **Adequate centralized water and sewer facilities;**
- **Other necessary infrastructure and services;**
- **Limiting urban sprawl;**
- **Applicable specific area plans;**
- **(See also policies under Objectives 2.6.1—2.6.3).**

Analysis: The surrounding area is characterized by commercial and residential uses and is currently in a pattern of redevelopment and infill based on approved projects within the surrounding area. The site is served by existing roadway infrastructure with adequate capacity to accommodate the proposed development, consistent with other approved projects in the surrounding area. In addition, the proposed project supports efficient use of already urbanized land and infrastructure, thereby helping to limit urban sprawl by encouraging infill and redevelopment within an established development pattern. Given the development trend in the area, the timing appears to be appropriate.

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 proposed development is consistent with the Future Land Use designation and applicable Comprehensive Plan policies. While the Comprehensive Plan establishes maximum development potential. The proposed development is subject to all applicable Land Development Code requirements and compatibility standards. Section 1 (Proposed Uses) and Section 4 (the reviews of LDC Sections 402.6.B; 402.6.C, 402.6.D, 402.6.H, and 402.6.K) of this staff report provides an analysis for compatibility, public facility connection and the impact on natural resources for the proposed development.

Policy 2.2.1.17. ROR: Establish the Retail/Office/Residential Future Land Use Category as follows:

Policy 2.2.1.17.1. Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas exhibiting a broad range of commercial, office, and residential uses and to prohibit the intrusion of new industrial uses into these ROR areas. ROR areas are especially found at major community or region-serving nodes and are encouraged to develop with horizontal or vertical integration of uses, internal trip capture, and an overall high quality environment for living, working, or visiting.

Policy 2.2.1.17.2. Range of Potential Uses (see Policy 2.2.1.5): Neighborhood, community and regional serving commercial uses, mixed with medium and high density residential, lodging, office, public/semi-public, schools, and recreational uses (see also Objective 4.2.1).

Analysis: In October of 2025, the site was approved under Zoning Ordinance PDR-25-04(Z)(G) for up to 90 multifamily dwelling units. The applicant proposes to expand the multifamily residential development on the site up to 108 multifamily dwelling units. Medium to high density residential use is permitted within the ROR FLUC. The development proposed with this application is a medium to high density residential development consistent with the FLUC.

Policy 2.2.1.17.3. Range of Potential Density/Intensity:

Maximum gross residential density:

Nine (9) dwelling units per acre for properties within the CHHA or CEA.

Sixteen (16) dwelling units per acre.

Thirty-two (32) dwelling units per acre along designated Urban Corridors (forty (40) dwelling units per acre if a density bonus is approved).

Thirty-two (32) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."

Thirty-two (32) dwelling units per acre for mixed-use development that includes a commercial or office component.

Properties within the CEA and CHHA are not eligible for the additional density offered for urban corridors, mixed-use development, and/or 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:

Twenty (20) dwelling units per acre.

Thirty-six (36) dwelling units per acre for residential projects that designate a minimum of twenty-five (25) percent of the dwelling units as "Affordable Housing."

Thirty-six (36) dwelling units per acre for mixed-use developments that include a commercial or office component.

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:

0.5.

1.0 in the UIRA.

1.0 for Hotels.

1.0 for mixed-use.

1.0 along designated Urban Corridors; 2.0 along Urban Corridors if an FAR bonus is approved.

Analysis: The proposed development consists of 108 multi-family dwelling units located on the 3.38-acre site. The proposed development program will allow for a maximum allowable density of 32 DU/GA with 100% of the total dwelling units as Affordable Housing and can be found consistent with the maximum permitted density when providing affordable housing within the ROR FLUC.

Policy 2.2.1.17.4. Other Information:

(a) Generally, limit the use of the ROR future land use category on vacant land to locations adjacent to arterial or higher classification roadways (as shown on the Future Traffic Circulation: Functional Classification Map (Map 5B), or adjacent to ROR designated lands that meet the criteria.

(b)Development or redevelopment within the ROR area shall not be required to achieve compliance with the Commercial Locational Criteria described in Sections 2.10.4.1 and 2.10.4.2 of this element. However, any such development or redevelopment shall still be required to achieve compliance with other commercial development standards contained in this element, and be consistent with other goals, objectives, and policies in this Comprehensive Plan (see also Policy 2.10.4.2).

(c)No industrial uses, or uses which have a primary purpose of wholesale distribution of goods from that site shall be permitted in the Retail/Office/Residential designation.

(d)Expansion of legally established light industrial uses may be approved within the same parcel if there are no additional impacts to adjoining properties. The Land Development Code shall provide for a process to approve the expansion.

Analysis: Not applicable. The proposed development is not proposing non-residential uses.

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: The proposed development incorporates landscaping, buffering, and site design features to mitigate potential impacts and ensure compatibility with adjacent properties. Section 1 (Proposed Uses) and Section 4 (401.5.A; 402.6.L, and 402.6.M) of this staff report provides the proposed use, height and density for the proposed development.

Policy 2.6.1.2. Developments that propose a use, intensity, height, and/or density that could be found incompatible with the use on the adjacent site shall meet, at minimum, the buffer and screening standards requirements of the Land Development Code. Projects reviewed through the Planned Development or Special Permit approval processes may result in additional mitigation technique requirements in order to achieve compatibility between typically incompatible land uses.

Analysis: The proposed development meets the applicable buffer and screening requirements of the Land Development Code and incorporates additional site design and landscaping measures to promote compatibility with adjacent land uses. Section 1 (Proposed Uses) and Section 4 (401.5.A; 402.6.L, 402.6.M, 402.6.N; and 402.6.R) of this staff report provides the proposed use, height, density, buffering, screening and landscaping for the proposed development.

Objective 6.1.3 Affordable Housing

Policy 6.1.3.2. Continue the development of programs which expand opportunities for the private (for profit and non-profit) sector to develop affordable housing.

Analysis: The applicant envisions an affordable residential development within an area where services are available and improvements are in progress.

Policy 6.1.3.3 - Provide government incentives, contributions and technical assistance to the private sector and community based non-profit organizations to aid in the development of affordable housing.

Analysis: The proposed development consists of 108 multi-family dwelling units located on the 3.38-acre site. The proposed development program will allow for a maximum allowable density of 32 DU/GA with 100% of the total dwelling units as Affordable Housing and can be found consistent with the maximum permitted density when providing affordable housing within the ROR FLUC.

Policy 6.1.3.5. Maintain a density bonus system which allows density bonuses for affordable housing.

Analysis: This project is utilizing the affordable housing density bonus system offered by Manatee County. The proposed gross density of 32 DU/GA meets the maximum density allowed in the ROR for affordable housing projects.

SECTION 6
POSITIVE/NEGATIVE ASPECTS AND MITIGATING MEASURES

POSITIVE ASPECTS

- The Retail / Office / Residential (ROR) FLUC anticipates the uses and density proposed with this GDP amendment. (Planning)
- The Applicant has proposed 108 multi-family dwelling units that's 100% "Affordable Housing". (Planning)
- The proposed project provides affordable housing in the Urban Service Area. (Planning)
- The subject property is west of the FDAB. (Planning)
- The site design provides 30% open space, exceeding the required 25% open space for the project. (Environmental)
- The project is close to transit stops, which can reduce auto-dependency. (Transportation)
- The residential project is adjacent to a commercial complex, which can reduce the length and duration of home-based shopping trips. (Transportation)

NEGATIVE ASPECTS AND MITIGATING MEASURES

- Specific Approval Request 1: LDC Section 1005.3.A. Table 10-2, - Multiple Family Dwellings requires 1.8 space per dwelling unit for multiple family dwellings.
  Mitigation: The requested parking reduction is supported by the site's proximity to existing transit services, pedestrian accessibility, and nearby amenities, which are expected to reduce parking demand while adequately serving residents.
- Specific Approval Request 2: LDC Section 1001.1.C: All residential developments containing more than 100 dwelling units are required to have a second means of access.
  Mitigation: No mitigation provided at this time.

SECTION 7

SPECIFIC APPROVAL REQUESTS

1. LDC SECTION 1005.3.A. TABLE 10-2, PARKING RATIOS

Request: The Applicant is requesting approval to reduce the required 1.8 spaces per dwelling unit to 1.5 spaces per dwelling unit due to the constraints throughout the entire project site. The project site is within 500 feet from a standard bus stop and less than ¾ of a mile from a transportation hub at Desoto Station.

Staff Analysis: While the project is not providing new transit facilities, the requested parking reduction is supported by the site's urban context and the project's design characteristics. The development provides pedestrian connections to existing transit services, bicycle parking facilities, and convenient access to nearby employment, commercial services, and public transportation. These features are anticipated to reduce vehicle ownership and parking demand among residents compared to typical multifamily developments. Staff does not identify any conflicts between the alternative design and LDC 1005.3.A. Table 10-2 - Multiple Family Dwellings and has no objections to the proposed alternative design. A more detailed analysis from the applicant will be required by staff at the time of PSP/FSP.

Finding for Specific Approval: Notwithstanding the failure of this plan to comply with the requirements of LDC 1005.3.A. Table 10-2 - Multiple Family Dwellings, the BCC finds that the purpose of the LDC regulation is satisfied to an equivalent degree according to Staff's analysis above by the proposed design of the parking space requirements.

2. LDC SECTION 1001.1.C, SECOND MEANS OF ACCESS REQUIRED:

Request: The Applicant is requesting one access for the 108-unit multi-family residential development and to alleviate the second means of access requirement due to the constraints of the throughout the entire project site.

Staff Analysis: The proposed single access has been reviewed in consideration of site constraints, emergency access requirements, and overall site design. The development will be required to comply with all applicable Fire Code requirements, including emergency vehicle access and circulation standards, as determined during subsequent review by Southern Manatee Fire. While the Applicant has not proposed a separate secondary access point, the site is constrained in a manner that limits the feasibility of providing a second means of access as part of the current design.

The Applicant is not demonstrating any mitigating measures to offset this request. However, as discussed in Specific Approval No. 1, the project is located within approximately 500 feet of an existing bus stop and less than three-quarters of a mile from the Desoto Station transportation hub. The development also provides internal pedestrian connectivity, sidewalk networks, and bicycle parking facilities that enhance non-automobile travel options. These features, in combination with access to regional transit services and nearby employment and commercial destinations, support a multimodal transportation framework that reduces reliance on single-occupancy vehicle trips and encourages alternative modes of travel such as transit, walking, and bicycling.

Based on the site's physical constraints, multimodal transportation opportunities, and required compliance with applicable fire and life-safety regulations, staff does not identify adverse impacts or conflicts with LDC Section 1001.1.C that would preclude approval of the requested alternative design. A more detailed analysis from the applicant will be required by staff at the time of PSP/FSP.

The Applicant is not eligible for an administrative modification pursuant to LDC Section 365.3, as stated in the Specific Approval Request Letter. The requirement for a second means of access under LDC Section 1001.1.C is not among the provisions specifically identified in LDC Section 365.3 as eligible for administrative modification.

Accordingly, the Applicant must proceed under the Board Modification provisions of LDC Section 365.4. Section 365.4 provides that modifications exceeding ten (10) percent but not more than thirty (30) percent of a dimensional requirement listed in Section 365.3, as well as modifications to non-dimensional requirements contained within the listed sections, must be reviewed and approved by the Board without requiring rezoning to a Planned Development.

Because the requested modification concerns a requirement under LDC Section 1001.1.C, which is not included among the sections identified in LDC Section 365.3, the request does not qualify for administrative approval under Section 365.3 and should instead be subject to the applicable Board review process under LDC Section 365.4.

Finding for Specific Approval: Notwithstanding the failure of this plan to comply with the requirements of LDC Section 1001.1.C, the BCC finds that the purpose of the LDC regulation is satisfied to an equivalent degree by through compliance with fire code requirements and continued technical review to ensure public health and safety due to the alleviation of the second means of access requirement.

SECTION 8
CONDITIONS OF APPROVAL

A. DESIGN AND LAND USE

1. The Applicant shall enter into a Land Use Restriction Agreement (LURA) pursuant to Chapter 5 of the Land Development Code, in a form acceptable to Manatee County.

2. The site plan submitted with this application shall be part of the approval.

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

4. Any new or temporary use or uses proposed at this property, other than those approved with this application, shall be required to apply for a new general development permit through Development Services-Planning & Zoning, as required by the Land Development Code.

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

6. 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.

7. 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.

B. ENVIRONMENTAL PLANNING

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

2. 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.

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

C. STORMWATER ENGINEERING

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

2. Pursuant to Section 801 of the Land Development Code, Manatee County Floodplain Ordinance (Ordinance #20-22, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3,, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the County 100-year floodplain delineation pursuant to the Bowlees Creek Watershed Management Plan, and post-development discharge of runoff.

D. 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. The project will need to be built to the Manatee County Utility, Stormwater, and Highway & Traffic Standards that are current at the time of construction.

E. TRAFFIC ENGINEERING

1. The County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS). Therefore, 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.

2. Additional access may be at the request of the Fire District at the time of PSP/FSP.

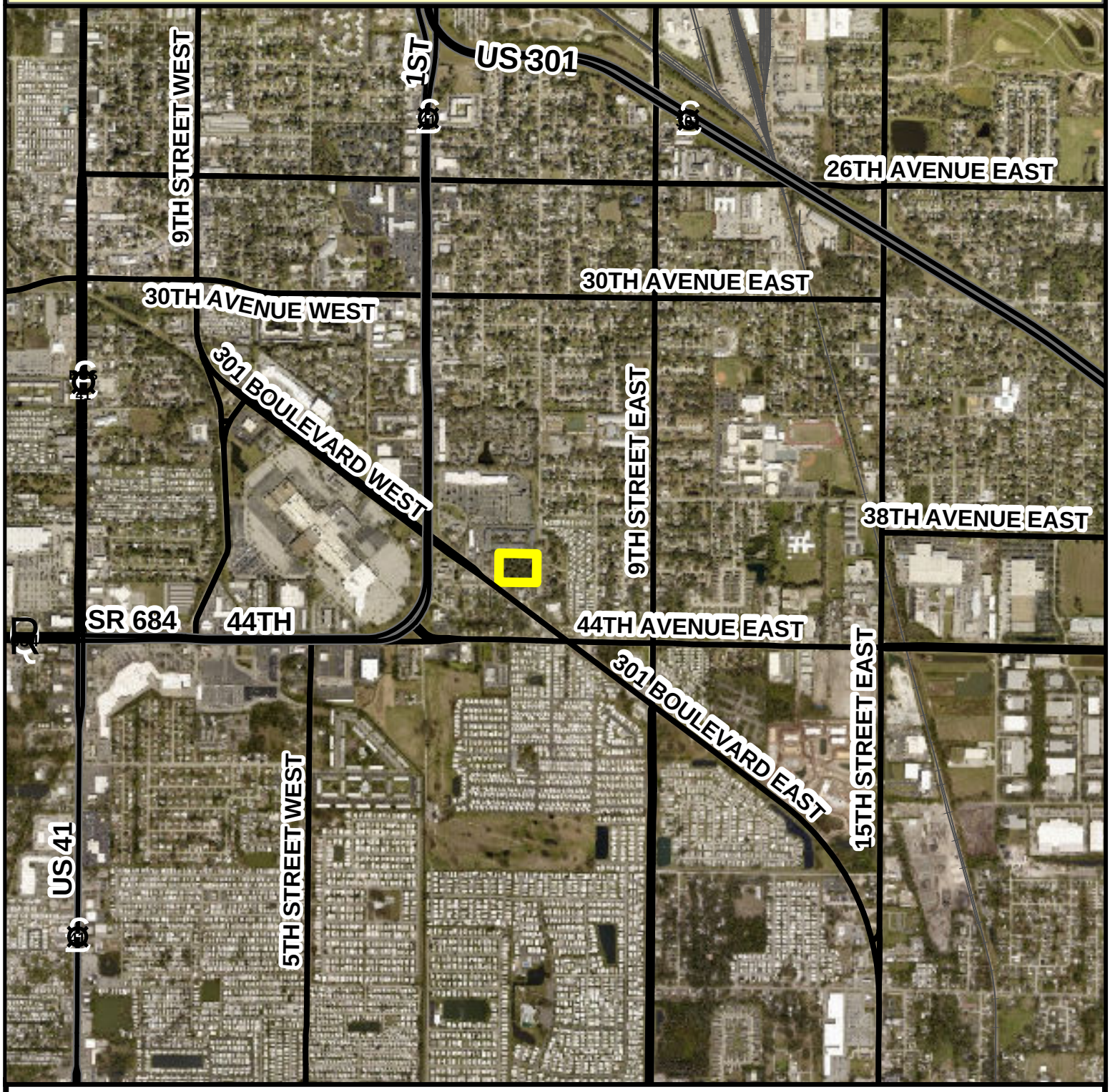
SECTION 9
REMAINING ISSUES OF CONCERN

None

ATTACHMENTS

1. Staff Report Maps and Aerials
2. General Development Plan
3. Traffic Study Waiver
4. Concurrency Deferral Form
5. Environmental Narrative
6. School Report
7. Specific Approval Request Letter
8. Affordable Housing Letter and Certificate
9. Neighborhood Workshop Waiver and July 2025 NWS
10. Previous Ordinance PDR-25-04(Z)(G)
11. Affidavit of Publishing
12. Ordinance PDR-25-04(G)(R)

AERIAL



Parcel ID #(s) 4781300001

Project Name: 5th Street - Elmington
Project #: PDR-25-04 (G)(R)
Accela #: PLN2603-0016

S/T/R: 33 34S 18E
Acreage: 3.38
Existing Zoning: PDR
Existing FLU: ROR
Overlays: NONE
Special Areas: SWTIF, USA

CHH: N
Watershed: NONE
Drainage Basin: MANATEE RIVER BL DAM
Commissioner: Amanda Ballard

Manatee County
Staff Report Map
Map Prepared 3 / 2026

Feet
0 910 1,820

AERIAL



Parcel ID #(s) 4781300001

Project Name: 5th Street - Elmington
Project #: PDR-25-04 (G)(R)
Accela #: PLN2603-0016

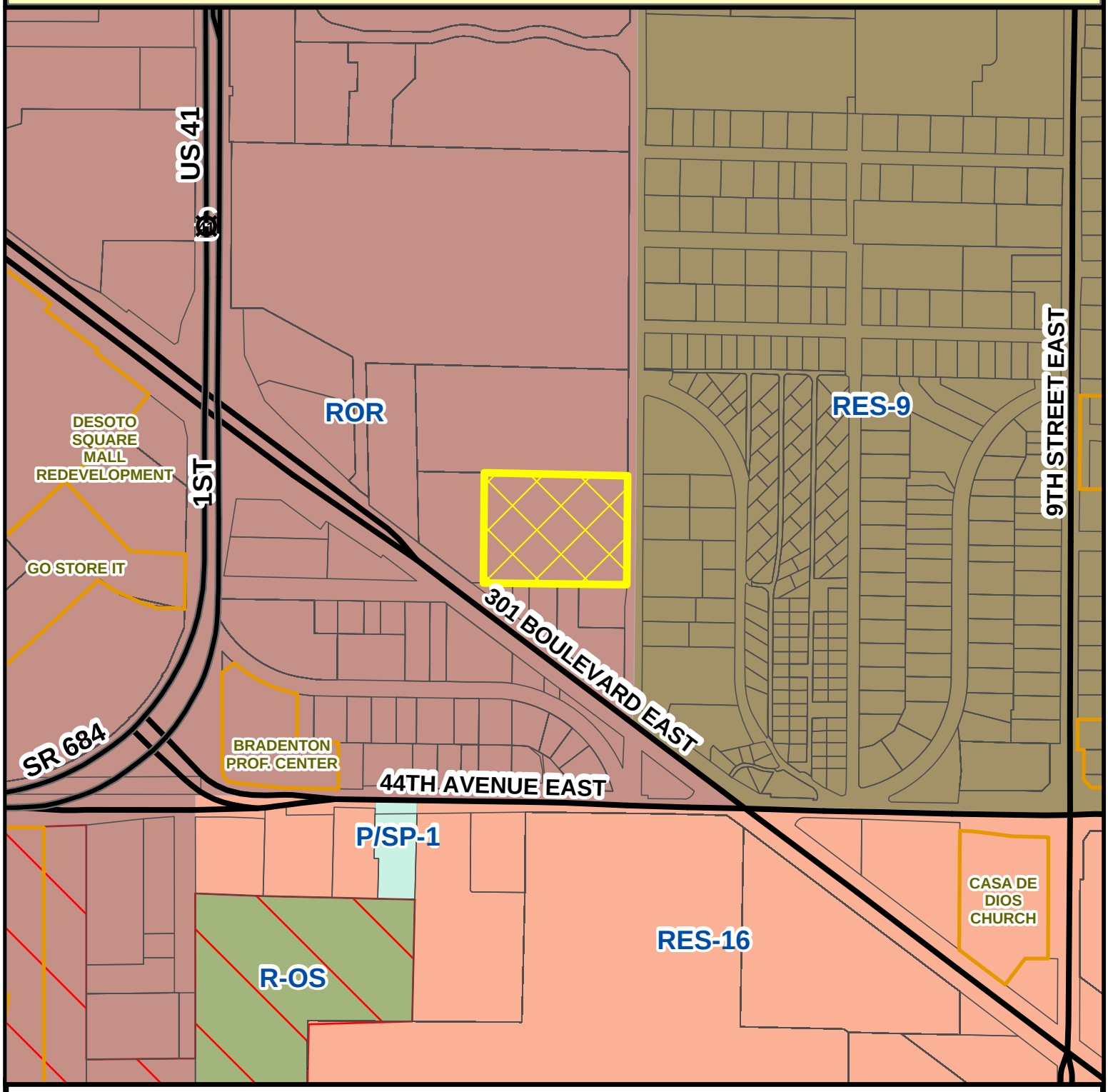
S/T/R: 33 34S 18E
Acreage: 3.38
Existing Zoning: PDR
Existing FLU: ROR
Overlays: NONE
Special Areas: SWTIF, USA

CHH: N
Watershed: NONE
Drainage Basin: MANATEE RIVER BL DAM
Commissioner: Amanda Ballard

Manatee County
Staff Report Map
Map Prepared 3 / 2026

Feet
0 50 100

FUTURE LAND USE



Parcel ID #(s) 4781300001

Project Name: 5th Street - Elmington
Project #: PDR-25-04 (G)(R)
Accela #: PLN2603-0016

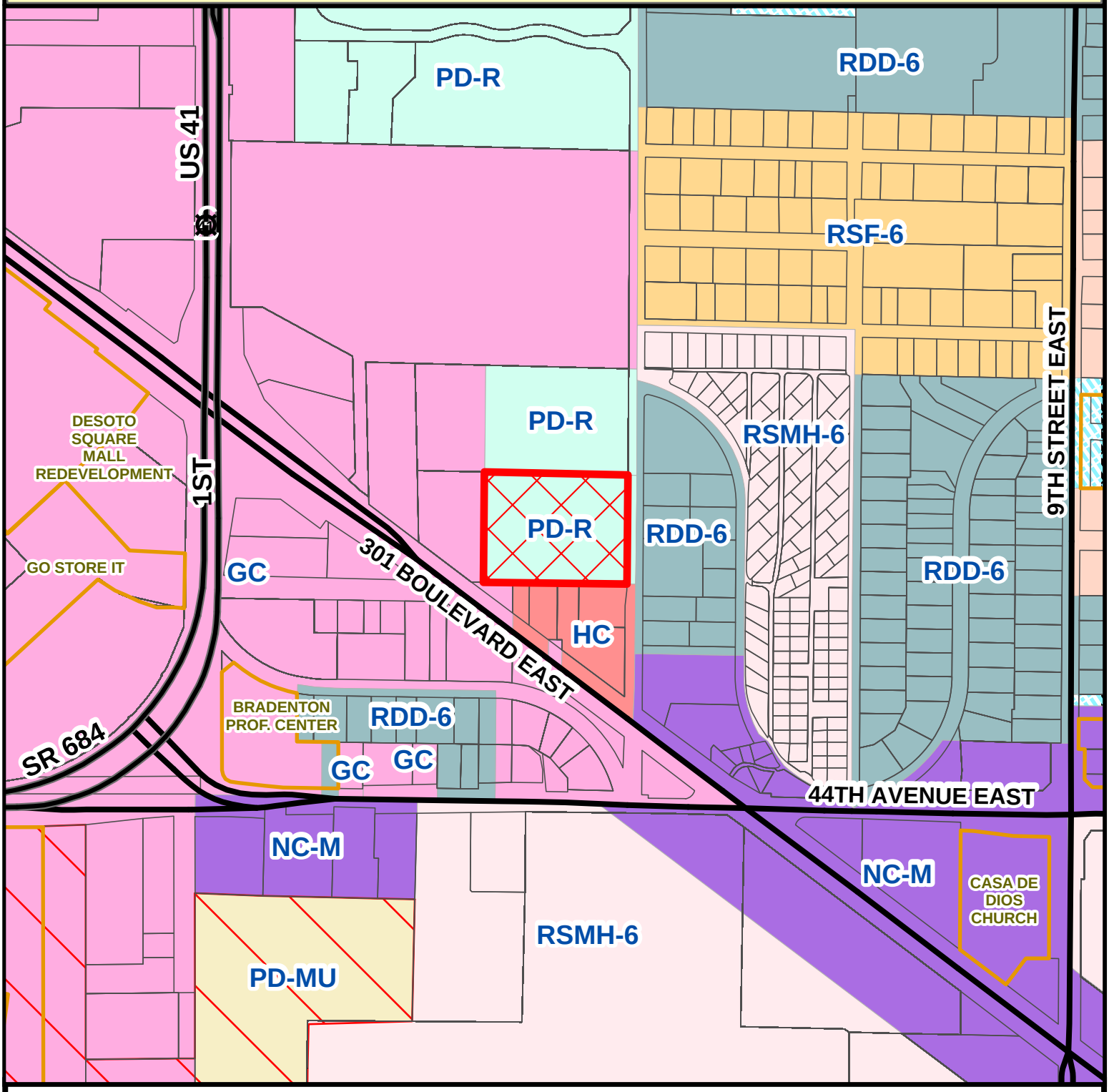
S/T/R: 33 34S 18E
Acreage: 3.38
Existing Zoning: PDR
Existing FLU: ROR
Overlays: NONE
Special Areas: SWTIF, USA

CHH: N
Watershed: NONE
Drainage Basin: MANATEE RIVER BL DAM
Commissioner: Amanda Ballard

Manatee County
Staff Report Map
Map Prepared 3 / 2026

Feet
0 240 480

ZONING



Parcel ID #(s) 4781300001

Project Name: 5th Street - Elmington
Project #: PDR-25-04 (G)(R)
Accela #: PLN2603-0016

S/T/R: 33 34S 18E
Acreage: 3.38
Existing Zoning: PDR
Existing FLU: ROR
Overlays: NONE
Special Areas: SWTIF, USA

CHH: N
Watershed: NONE
Drainage Basin: MANATEE RIVER BL DAM
Commissioner: Amanda Ballard

Manatee County
Staff Report Map
Map Prepared 3 / 2026

Feet
0 240 480

Manatee County Ordinance

PDR-25-04(G)(R) – 5TH STREET ELMINGTON – WESTERMAN INVESTMENTS, LLC (OWNER) – PLN2603-0016

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, REGARDING LAND DEVELOPMENT, PROVIDING FOR THE REQUESTED APPROVAL OF AN AMENDMENT TO ORDINANCE NO. PDR-25-04(Z)(G) AND ITS ASSOCIATED GENERAL DEVELOPMENT PLAN, REQUESTING AN INCREASED DENSITY FOR UP TO 108 MULTI-FAMILY RESIDENTIAL UNITS FROM THE PREVIOUSLY APPROVED 90 MULTI-FAMILY UNITS, WITH ONE HUNDRED (100%) PERCENT OF THE UNITS REMAINING DESIGNATED AS "AFFORDABLE HOUSING" IN ACCORDANCE WITH A LAND USE RESTRICTION AGREEMENT (LURA); THE PROPERTY BEING LOCATED ON APPROXIMATELY 3.38 ACRES, RETAINING ITS PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONING, AND GENERALLY BEING LOCATED 800 FEET EAST OF THE INTERSECTION OF 1ST STREET AND 301 BOULEVARD EAST, AND COMMONLY KNOWN AS 4010 5TH STREET EAST, BRADENTON, FLORIDA (UNINCORPORATED MANATEE COUNTY); SUBJECT TO VOLUNTARILY PROFFERED CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Westerman Investments, LLC (the "Applicant") filed an application for an amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan, requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA) on approximately 3.38 acres, retaining its PDR (Planned Development Residential) zoning, as described in Exhibit "A", attached hereto, (the "Property"); and

WHEREAS, the applicant also filed a request for Specific Approval for alternatives to Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and 2) 1001.1.C, proposing an alternative design to requirement for a second separate means of access for a development containing more than 100 residential dwelling units; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 17, 2026, to consider the amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development 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 amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan and Specific Approval 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 subject to the conditions 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, 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 a revised General Development Plan as it relates to the real property described in Exhibit "A" of this Ordinance.

B. The Board of County Commissioners, after due public notice, held a public hearing on October 8, 2026, regarding the proposed Ordinance 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 Ordinance 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.

D. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code 1005.3.A. Table 10-2 - Multiple Family Dwellings, the Board of County Commissioners finds that the purpose of the LDC regulation is satisfied to an equivalent degree according to Staff's analysis above by the proposed design of the parking space requirements.

E. Notwithstanding the failure of this plan to comply with the requirements of Land Development Code Section 1001.1.C, the Board of County Commissioners finds that the purpose of the LDC regulation is satisfied to an equivalent degree by through compliance with fire code requirements and continued technical review to ensure public health and safety due to the alleviation of the second means of access requirement.

Section 2. AMENDED GENERAL DEVELOPMENT PLAN. The amended General Development Plan is hereby approved requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA), upon the property subject to the following Conditions:

A. DESIGN AND LAND USE

1. The Applicant shall enter into a Land Use Restriction Agreement (LURA) pursuant to Chapter 5 of the Land Development Code, in a form acceptable to Manatee County.

2. The site plan submitted with this application shall be part of the approval.

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

4. Any new or temporary use or uses proposed at this property, other than those approved with this application, shall be required to apply for a new general development permit

through Development Services-Planning & Zoning, as required by the Land Development Code.

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

6. 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.

7. 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.

B. ENVIRONMENTAL PLANNING

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

2. 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.

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

C. STORMWATER ENGINEERING

1. Pursuant to Sections 801 and 802 of the Land Development Code and Code of Federal Regulations (CFR}, Title 44, Section 60.3, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the County FEMA 1% annual chance flood hazard area

delineation pursuant to the City of Bradenton Watershed Management Plan, and post-development discharge of runoff.

2. 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 (This applies to PDR/PDC projects).

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.

3. 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 (City of Bradenton Watershed Management Plan) shall be submitted to demonstrate compliance prior to commencement of construction.

4. Any fill within the FEMA 1% annual chance flood hazard area as delineated by the City of Bradenton 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 submit drainage modeling utilizing the City of Bradenton Watershed Management Plan (submitted for review to the Public Works Department with the Construction Plan submittal) to demonstrate no adverse drainage impacts for the mean annual, 10-year, 25-year, and 100-year design storm events to a no-rise condition.

D. 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. The project will need to be built to the Manatee County Utility, Stormwater, and Highway & Traffic Standards that are current at the time of construction.

E. TRAFFIC ENGINEERING

1. The County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS). Therefore, 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.

2. Additional access may be at the request of the Fire District at the time of PSP/FSP.

Section 3. SPECIFIC APPROVAL. Specific Approval is hereby granted for alternatives to Land Development Code Sections: 1) 1005.3.A., Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings; and 2) 1001.1.C, proposing an alternative design to requirement for a second separate means of access for a development containing more than 100 residential dwelling units.

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 8th day of October 2026.

BOARD OF COUNTY COMMISISONERS OF MANATEE COUNTY, FLORIDA.

BY: _____
Chairperson

ATTEST: ANGELINA COLONNESO
Clerk of the Circuit Court

BY: _____
Deputy Clerk

Exhibit "A"

BEGIN 40 RODS SOUTH AND 20 FEET WEST OF NE CORNER OF SW 1/4 OF SW 1/4, WEST 442 FEET, NORTH 336.7 FEET, EAST 442 FEET, SOUTH 336.7 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND IS THE SAME LAND AS DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION COMMITMENT NUMBER 11945730 BEARING AN EFFECTIVE DATE OF AUGUST 5, 2024.

AMENDMENT TO GENERAL DEVELOPMENT PLAN
FOR
5TH STREET ELMINGTON MULTI-FAMILY RENTAL DEVELOPMENT

FEBRUARY 2026

RAPID RESPONSE

SITE DATA
TOTAL PROPERTY AREA = ± 3.38 ACRES
STREET ADDRESS: 4010 5TH STREET E, BRADENTON, FL 34208
PARCEL IDENTIFICATION NUMBER = 4781300001
PREVIOUS APPROVAL PDR- (PLN2502-0026)

PLANNING DATA
EXISTING
LAND USE: VACANT UNPLATTED
ZONING: PD-R
FUTURE LAND USE: ROR
SPECIAL AREAS: SOUTHWEST TAX INCREMENT FINANCING (SWTIF) [ORDINANCE 14-28], URBAN SERVICE AREA (USA) [COMPREHENSIVE PLAN 2.1.3]

PROPOSED
LAND USE: 108 MULTI-FAMILY RESIDENTIAL UNITS
ZONING: PLANNED DEVELOPMENT-RESIDENTIAL (PD-R)
FUTURE LAND USE (FLU): RETAIL/OFFICE/RESIDENTIAL (ROR)

REQUIRED OPEN SPACE (LDC SECTION 402.7.D.2) = 25.0% (0.85 ACRES)
PROPOSED OPEN SPACE = 30% (1.01 AC)

RESIDENTIAL DENSITY
ALLOWABLE
MAXIMUM GROSS/NET DENSITY: 90 UNITS

PROPOSED
PROPOSED GROSS/NET DENSITY: 108 DU / 3.38 AC. = 31.95 DU/AC

BUILDING HEIGHT
4 STORIES (57 FEET)

LANDSCAPE BUFFERING

REQUIRED	PROPOSED
NORTH = 15' GREENBELT BUFFER	NORTH = 15' GREENBELT BUFFER
SOUTH = 15' GREENBELT BUFFER	SOUTH = 15' ROADWAY BUFFER
EAST = 20' ROADWAY BUFFER	EAST = 20' ROADWAY BUFFER
WEST = 15' GREENBELT BUFFER	WEST = 15' GREENBELT BUFFER

PARKING
REQUIRED = 1.0 -1.8 SPACES PER DWELLING UNIT (IF PROJECT IS LOCATED IN THE URBAN SERVICE AREA. LDC TABLE 10-2)

PROPOSED = 162 SURFACE SPACES (1.50 PER UNIT)

FLOOD HAZARD DESIGNATION
ZONE "X" FLOOD ZONE PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL 12081C0308E, EFFECTIVE 3/17/2014

UTILITY SERVICE
THIS PROJECT IS PLANNING TO CONNECT INTO COUNTY UTILITIES AND IS IN ACCORDANCE WITH THE MOST RECENT COUNTY MASTER PLAN FOR THIS AREA.

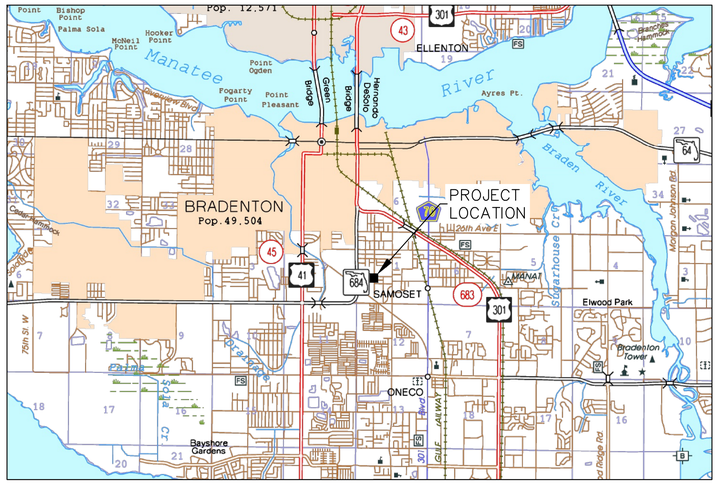
SOLID WASTE SERVICE IS PROPOSED THROUGH AN ON SITE DUMPSTER OR COMPACTOR.

WETLANDS
NO WETLANDS CURRENTLY EXIST ON THE SITE

SPECIFIC APPROVALS REQUESTED
1) REDUCE PARKING REQUIREMENT TO 1.5 SPACE PER UNIT
2) SECONDARY MEANS OF ACCESS EXEMPTION

NOTES
1) A FORMAL REQUEST FOR A 30% DESIGN DEVIATION FROM THE NUMBER OF UNITS, RESULTING IN THE REQUIREMENT OF ONLY ONE MEANS OF ACCESS, WILL BE SUBMITTED AT THE FSP STAGE. THE TECHNICAL JUSTIFICATION FOR THIS DEVIATION WILL BE REVIEWED AND FINALIZED DURING THE FSP SUBMITTAL.

LOCATED IN:
SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA



VICINITY MAP
1" = 1 MILE

APPLICANT/DEVELOPER:
ELMINGTON CAPITAL GROUP
1030 16TH AVE S, SUITE 500
NASHVILLE, TN 37212
PHONE: 813 - 358 -7671
CONTACT: AARON VARGAS

OWNER:
WESTERMAN INVESTMENTS, LLC
204 GILLIS RD
FLAG POND, TN 37657
PHONE: (941) - 730 - 9559
CONTACT: MAX WESTERMAN

CIVIL ENGINEER/LANDSCAPE ARCHITECT:
KIMLEY-HORN & ASSOCIATES, INC.
1800 2ND STREET, SUITE 900
SARASOTA, FL 34236
PHONE: 941 - 379 -7600
CONTACT: PATRICK M. HEALY, P.E.

SURVEYOR:
POLY SURVEYING
5588 JACKSON ROAD
MOBILE, AL 36619
PHONE: 251 - 666 - 2010
CONTACT: J. BRETT ORRELL, P.L.S.

LEGAL DESCRIPTION

BEGIN 40 RODS SOUTH AND 20 FEET WEST OF NE CORNER OF SW 1/4 OF SW 1/4, WEST 442 FEET, NORTH 336.7 FEET, EAST 442 FEET, SOUTH 336.7 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND IS THE SAME LAND AS DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION COMMITMENT NUMBER 11945730 BEARING AN EFFECTIVE DATE OF AUGUST 5, 2024.

SHEET LIST TABLE

SHEET NUMBER	SHEET TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	GENERAL DEVELOPMENT PLAN

PATRICK M. HEALY LICENSE No. 82351 STATE OF FLORIDA PROFESSIONAL ENGINEER

Digitally signed by Patrick M Healy
Date: 2026.06.23 15:59:40 -04'00'

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY PATRICK M. HEALY, P.E. ON THE DATE ADJACENT TO THE SEAL.

SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES

PATRICK M. HEALY, P.E.
KIMLEY-HORN AND ASSOCIATES, INC.
REGISTRY NO. 35106
1800 SECOND STREET, SUITE 900
SARASOTA, FLORIDA 34236

PREPARED BY
Kimley»Horn

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1800 2ND STREET, SUITE 900, SARASOTA, FL 34236
PHONE (941) 379-7600
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

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PATRICK M. HEALY P.E.
FLORIDA LICENSE NUMBER: 82351
DATE:

DATE FEBRUARY 2026
PROJECT NO.
SHEET NUMBER 1

Drawing name: G:\marketing\Propose\elmington capital group\5th street bradenton\GDP\CAD\plan sheets\1 - COVER SHEET.dwg 1 - COVER SHEET Jun 23, 2026 2:09pm by: Josh.Lundy
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Plotted By:Windham, Jackson Sheet Set:Kha Layout:2 - EXISTING CONDITIONS April 21, 2026 09:27:29am G:\marketing\Propose\elmington capital group\5th street bradenton\GDP\CAD\plan sheets\2 - EXISTING CONDITIONS.dwg

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30' BLVD E
PUBLIC R/W
EX. 8" SSWR
EX. 24" WM
EX. 8" SSWR (PRIVATE)
ASPHALT PARKING LOT
N 0°39'26" W
337.01' (A)
336.70' (R)
NORTH
BASE BEARING
EAST
(VACANT)
147,312.16 SQFT
3.38 ACRES
4010 5TH ST E BRADENTON, FL 34208
WESTERMAN INVESTMENT LLC
437.30'
435.79'
N 89°52'31" W
WEST
442.98' (A)
442.00' (R)
440.96' (A)
442.00' (R)
POB
POC
5.68'
5.17'
S 0°39'50" E
SOUTH
336.70' (R)
338.00' (A)
660.00'
40' ROW
50' PAVED PUBLIC R/W
5TH ST E
EX. 6" WM
EX. 8" SSWR
EX. 24" WM
EX. 6" WM
EX. 8" SSWR
EX. 8" SSWR (PRIVATE)
EX. 8" SSWR (PRIVATE)
EX. 6" WM
EX. 6" WM
EX. 8" SSWR
EX. 24" WM
EX. 6" WM
EX. 6" WM
EX. 6



NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

= DEVELOPABLE AREA

NOTES:

1. ALL IRRIGATION SHALL USE THE LOWEST QUALITY WATER AVAILABLE WHICH ADEQUATELY AND SAFELY MEETS THE NEEDS OF THE SYSTEM. STORM WATER REUSE, RECLAIMED WATER USE, GREY WATER IRRIGATION SYSTEMS AND/OR SHALLOW WELLS SHALL BE USED. THE USE OF POTABLE WATER FOR IRRIGATION WILL NOT BE ALLOWED.
2. TREE REMOVAL /REPLACEMENT AND LANDSCAPING WILL BE IN ACCORDANCE WITH LDC SECTIONS 402, 700, AND 701,
3. THERE ARE EXISTING POTABLE WATER AND SANITARY SEWER FACILITIES DIRECTLY ADJACENT TO THE PROPERTY; HOWEVER, UTILITY PLANT CAPACITY AND TRANSMISSION LINE CAPACITY ARE NOT DETERMINED AT THIS STAGE IN THE DEVELOPMENT REVIEW PROCESS. THE APPLICANT WILL BE REQUIRED TO PAY THEIR PROPORTIONATE SHARE OF THE COST TO MITIGATE IMPACTS FROM THE PROJECT ON UTILITY PLANT AND TRANSMISSION LINE CAPACITY, IN ACCORDANCE WITH APPLICABLE COUNTY CODES AND ORDINANCES.
4. PROPOSED POTABLE WATER, RECLAIMED WATER AND/OR WASTEWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 803 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
5. GREENBELT BUFFERS TO BE ESTABLISHED PER LDC SECTION 402.7.D.5.
6. THE PROPOSED DRAINAGE EASEMENTS AND STORMWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 801 OF THE MANATEE COUNTY LDC AND THE REQUIREMENTS OF MANATEE COUNTY PUBLIC WORKS STANDARDS PART 2 STORMWATER MANAGEMENT DESIGN MANUAL. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
7. THE PROPOSED ROADWAY SECTIONS, DESIGN AND DETAILS SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF MANATEE COUNTY PUBLIC WORKS STANDARDS PART 3 HIGHWAY & TRAFFIC STANDARDS MANUAL. THE DESIGN OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
8. ALL SIGNS PROPOSED WITH THIS DEVELOPMENT SHALL COMPLY WITH LDC CHAPTER 6 - SIGNS.
9. ALL OUTDOOR LIGHTING PROPOSED WITH THIS DEVELOPMENT SHALL COMPLY WITH LDC SECTION 806.
10. ANY ACCESSES SHOWN IN PROXIMITY TO INTERSECTIONS SHALL BE LOCATED OUTSIDE OF THE FUNCTIONAL AREA OF THE INTERSECTIONS.

No.	REVISIONS	DATE	BY

Kimley»Horn

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1800 2ND STREET, SUITE 900, SARASOTA, FL 34236
PHONE: 941-379-7600
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

LICENSED PROFESSIONAL
PATRICK M. HEALY, P.E.
FLORIDA LICENSE NUMBER
82351
DATE:

KHA PROJECT
DATE FEBRUARY 2026
SCALE AS SHOWN
DESIGNED BY
DRAWN BY
CHECKED BY

GENERAL DEVELOPMENT PLAN

5TH STREET ELMINGTON
PREPARED FOR
ELMINGTON CAPITAL GROUP
MANATEE COUNTY FLORIDA

SHEET NUMBER
3

Plotted By:Windham, Jackson Sheet Set:Kha Layout:3 - SITE PLAN April 21, 2026 09:29:17am G:\marketing\Proposelmington capital group\5th street tradenton\GDP\CAD\plan sheets\3 - SITE PLAN.dwg
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Development Services Department
Transportation Planning & Traffic
Engineering Division
1112 Manatee Avenue West
Bradenton, FL 34205
Phone: (941) 708-7450
www.mymanatee.org

Traffic Study Waiver – 5th Street - Elmington

April 16, 2025

Project # PDR-25-04(Z)(G) **Record # PLN2502-0026**

Manatee County Transportation Planning staff has reviewed the preliminary information provided and provided a summary of the traffic impacts to the applicant based on information submitted to Transportation Planning staff.

The applicant is requesting a rezone for a 3.45± Acre parcel from Residential Multifamily (RMF-6) to Planned Development Residential (PD-R). The applicant is also requesting a General Development Plan (GDP) for 90 Multi-family dwelling units. The property is located northwest of 5th Street East and 301 Boulevard East.

Based on the narrative provided by the applicant for this application, staff is providing a traffic study waiver for the 5th Street - Elmington (PLN2502-0026).

Disclaimer: This Traffic Study Waiver is based solely on the information provided for the 5th Street - Elmington (PLN2502-0026). In the event there is significant change, please contact Transportation Planning prior to the formal project submission to Accela to confirm if the changes require revision of the above assumption. The traffic study waiver is limited to the analysis of impacts on roadways and the access points. It does not cover the review of traffic engineering elements, such as visibility triangles, driveway spacings, road signs, road markings, etc. At the time of each Final Site Plan (FSP) application, detailed analysis of access locations and intersections within proximity to accesses should be submitted to establish the final location, geometry, and dimensions of any required safety and operational improvements.

If you have any questions or require further assistance, please contact me (941.708.7450 Ext. 7471 nafis.anwari@mymanatee.org) or Transportation Planning (941.708.7450 x7226, transportation.planning@mymanatee.org).

Sincerely,



Nafis Anwari, PhD, EIT
Transportation Planner
Manatee County Development Services Department
Transportation Planning & Traffic Engineering Division

CAROL ANN FELTS *District 1*
AMANDA BALLARD *District 2*
TAL SIDDIQUE *District 3*
MIKE RAHN *District 4*
DR. BOB MCCANN *District 5*
JASON BEARDEN *At Large*
GEORGE W. KRUSE *At Large*

Nafis Anwari

From: Nafis Anwari <nafis.anwari@mymanatee.org>
Sent: Thursday, March 12, 2026 11:05 AM
To: Concurrency Compliance
Cc: Susan Barfield; Teree Sutton; Hirenkumar Patel; Lindsey Craig
Subject: Traffic study waiver for 5th Street - Elmington PLN2603-0016_REVISED

Good morning,

Project name: 5th Street - Elmington
Project number: PDR-25-04(G)(R)
Record number: PLN2603-0016

Please take this email as a traffic study waiver for the above-mentioned project. The parcel (PID 4781300001) is located in the northwest corner of 5th Street East and 301 Boulevard East. It is currently vacant. The property was rezoned to Planned Development Residential (PD-R) in PLN2502-0026, with a General Development Plan (GDP) for 90 Multi-family dwelling units (4-storey tall). In the current application (PLN2603-0016), the applicant proposes to revise the land use schedule to 108 Multi-family dwelling units (4-storey tall).

Based on the narrative and site plan provided by the applicant for this application, staff is providing a traffic study waiver for the 5th Street - Elmington (PLN2603-0016).

The County has repealed transportation concurrency and implemented an Alternative Transportation System (ATS). Therefore, 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. Trips will be reserved at the time of submission of Final Site Plan (FSP).

Disclaimer: This Traffic Study Waiver is based solely on the information provided for the 5th Street - Elmington (PLN2502-0026). In the event there is significant change, please contact Transportation Planning prior to the formal project submission to Accela to confirm if the changes require revision of the above assumption. The traffic study waiver is limited to the analysis of impacts on roadways and the access points. It does not cover the review of traffic engineering elements, such as visibility triangles, driveway spacings, road signs, road markings, etc. At the time of each Final Site Plan (FSP) application, detailed analysis of access locations and intersections within proximity to accesses should be submitted to establish the final location, geometry, and dimensions of any required safety and operational improvements.

Nafis Anwari, PhD, EIT | Transportation Planner
Manatee County Government
Development Services
9000 Town Center Parkway
Lakewood Ranch, FL 34202.
Office (941)708-7450, ext.7471
Website:mymanatee.org

Under Public Records Act, email communications sent to and from this address may be subject to public disclosure. Please be advised that any correspondence may be retained as a public record and could be disclosed upon request.

We are officially open to welcome customers at our new office location! Stop by and see us at 9000 Town Center Parkway, Lakewood Ranch, FL 34202.
For convenience, services are also available via the Accela Online Services Portal at mymanatee.org.

Building and Development Services Department
1112 Manatee Ave West, Suite 408
Bradenton, FL 34205
Phone: (941) 749-3012
ReviewerOnCall@mymanatee.org
www.mymanatee.org

Form D3 - Concurrency Deferral & Acknowledgement

DEFERRAL AND ACKNOWLEDGMENT OF EVENTUAL REQUIREMENT FOR CONCURRENCY CERTIFICATION

NOTE: When an application for a development order defers "Concurrency" certification to a later stage of approval, the property owner(s) or authorized representative(s) must acknowledge the eventual requirement for certification. A development order that does not have a "Concurrency" Certificate of Level of Service Compliance shall not grant any rights or entitlements to certification; shall not exempt the proposed development from the eventual requirements for certification; and shall not grant any rights to commence development without certification.

Parcel No: 4781300001 Property Size (acres or sq. ft.): 3.38 Acres

Section: 01 Township: 35 S Range: 17 E TAZ:

Print Name(s) of all Property Owners:

Owner: WESTERMAN INVESTMENT LLC Authorized Representative: ECG Acquisitions, LLC (Elmington)

Being first duly sworn, depose(s) and say(s):

1. That (I am/we are) the owner(s) and record title holder(s) or authorized representative(s) of the following described property: (print legal description)

   BEGIN 40 RODS SOUTH AND 20 FEET WEST OF NE CORNER OF SW 1/4 OF SW 1/4, WEST 442 FEET, NORTH 336.7 FEET, EAST 442 FEET, SOUTH 336.7 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

   THE ABOVE DESCRIBED PARCEL OF LAND IS THE SAME LAND AS DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION COMMITMENT NUMBER 11945730 BEARING AN EFFECTIVE DATE OF AUGUST 5, 2024.

2. That this property constitutes the property for which a request for approval is sought precedent to the use or development of land and is sought through the Building & Development Services Department, an administrative agency of the Board of County Commissioners of Manatee County, Florida.
3. That (I/we) hereby recognize and acknowledge that any approval of the above-cited request shall not exempt me/us, or the successors and/or assigns of the property, when seeking further development approval(s) from Manatee County Government for the above-cited property, from the requirement for a Certificate of Level of Service which shall ensure the adequacy of public facilities to serve land development according to the adopted level-of-service standards.
4. That (I/we) hereby recognize and acknowledge that any approval of the above-cited request shall not grant me/us, or the successors and/or assigns of the property, any rights or entitlements to a Certificate of Level of Service Compliance, public facility capacities or approval to commence development.

Building and Development Services Department
1112 Manatee Ave West, Suite 408
Bradenton, FL 34205
Phone: (941) 749-3012
ReviewerOnCall@mymanatee.org
www.mymanatee.org

5. That (I/we) hereby recognize and acknowledge that any approval of the above-cited request shall not assure me/us, or the successors and/or assigns of the property, of future adequate capacities in public facilities, and that (I/we) proceed aware of the risk of future inadequate capacities.

Building and Development Services Department
1112 Manatee Ave West, Suite 408
Bradenton, FL 34205
Phone: (941) 749-3012
ReviewerOnCall@mymanatee.org
www.mymanatee.org

Affix Signatures of All Property Owner(s)/Agent(s):

Benjamin T. Miskelly
(Signature)

05/15/2025
(Date)

(Signature)

(Date)

STATE OF ~~FLORIDA~~ TENNESSEE
COUNTY OF ~~MANATEE~~ DAVIDSON

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 15 day of May (month), 2025 (year), by Benjamin Miskelly (name of person acknowledging) who is personally known to me or who has produced _____ (type of identification) as identification.



Margaret Rolfe
Signature of Notary Public – State of ~~Florida~~ Tennessee

Margaret Rolfe
(Print, Type or Stamp Commissioned Name of Notary Public to the Left of Signature)

ECS Florida, LLC

Results for Threatened & Endangered Species Assessment and Environmental Focus Document

Elmington Bradenton, FL
4010 5th Street E, Bradenton, Florida 34208

For: ECG Acquisitions LLC

503 East Jackson St, Suite 240, Tampa, Florida 33602

ECS Project Number 55:6889-C

May 28, 2025; Revised August 4, 2025

May 28, 2025; Revised August 4, 2025

Mr. Rick Estep

ECG Acquisitions LLC
503 East Jackson St, Suite 240
Tampa, Florida 33602

ECS Project No. 55:6889-C

Reference: Results for Threatened & Endangered Species Assessment and Environmental Focus Document, Elmington Bradenton, FL, 4010 5th Street E, Bradenton, Manatee County, Florida

Dear Mr. Estep:

ECS Florida, LLC (ECS) is pleased to provide ECG Acquisitions LLC with results of our Threatened & Endangered Species Assessment and Environmental Focus Document for the Elmington Bradenton, FL. ECS services were provided in general accordance with ECS Proposal No. 55:13478 authorized on May 16, 2025.

If there are questions regarding this report, or a need for further information, please contact the undersigned.

ECS Florida, LLC

Michael Ray
Environmental Senior Project Manager
msray@ecslimited.com
407-859-8378

Jason Adams
Group Manager
JAdams2@ecslimited.com
813-302-1644

INTRODUCTION

ECS completed a Threatened & Endangered Species Assessment and Environmental Focus Document for the Elmington Bradenton, FL, located at 4010 5th Street E in Bradenton, Manatee County, Florida. An aerial view of the subject property is provided in **Appendix I**. The field portion of the survey was conducted on May 27, 2025 by ECS field scientists qualified in listed species survey protocol and habitat assessment.

The purpose of the field visit was to evaluate the site for the occurrence and/or potential for occurrence of protected wildlife species (and their habitats).

The following report (and referenced exhibits) describes relevant ecological conditions observed on the site during the field investigation and the results of documented literature regarding the presence of protected wildlife species and/or habitat on the site and its relevant surroundings.

SITE LOCATION AND DESCRIPTION

The site is an approximately 3.45-acre property located at 4010 5th Street E in Bradenton, Manatee County, Florida and is identified by the Manatee County Property Appraiser as parcel identification number 4781300001 and owned by WESTERMAN INVESTMENT LLC (**Figure 1**).

The site is classified by Manatee County as vacant unplatted <10ac (Code 0010). At the time of this survey, the site was observed to be occupied by undeveloped, wooded land (**Figure 2**).

The upland canopy vegetation is dominated by live oak (*Quercus virginiana*), water oak (*Quercus nigra*), tuckeroo (*Cupaniopsis anacardioides*), queen palm (*Syagrus romanzoffiana*), and sabal palm (*Sabal palmetto*). The upland shrub layer contained saw palmetto (*Serenoa repens*). The upland herbaceous layer is dominated by cogongrass (*Imperata cylindrica*), guineagrass (*Megathyrsus maximus*), nightshade (*Solanum sp.*), muscadine (*Vitis rotundifolia*), air-potato (*Dioscorea bulbifera*), and Virginia creeper (*Parthenocissus quinquefolia*).

Site photographs taken at the time of this survey are included in **Appendix II**.

Soils

Two (2) general soil types were identified by the Natural Resource Conservation Service's (NRCS) *Soil Survey of* Manatee County*, Florida*. The following soil units and descriptions were mapped by the soil survey on the site:

- **36 - Orlando Fine Sand, Moderately Wet, 0 to 2 Percent Slopes** consists of very deep, well drained, rapidly permeable soils that formed in thick deposits of sandy marine or fluvial sediments. They are on uplands in Peninsular Florida. Slopes range from 0 to 2 percent. This soil type is classified as non-hydric. The depth to water table is about 42 to 72 inches. This soil type covers approximately 46.0% of the site by area.

- **45 - Tavares Fine Sand, 0 To 5 Percent Slopes** consists of very deep, moderately well drained soils that formed in sandy marine or eolian deposits. Tavares soils are on hills, ridges and knolls of the lower Coastal Plain. Slopes range from 0 to 5 percent. This soil type is classified as non-hydric. The depth to water table is about 18 to 42 inches. This soil type covers approximately 54.0% of the site by area.

Figure 3 shows the site and soils as mapped by the Soil Survey.

Vegetative Communities and Land Uses

Prior to the field visit, Geographic Information System (GIS) data from the Southwest Florida Water Management District (SWFWMD) was reviewed to identify documented vegetative communities and land uses on the property (**Figure 4**). These conditions are documented using the Florida Land Use, Cover and Forms Classification System (FLUCCS; Florida Department of Transportation, 1999). FLUCCS classifications for the property, as adapted from SWFWMD coverages, include 1300: Residential High Density and 1400: Commercial and Services.

Field observations determined that the site-specific land use/land cover differs from the regional mapping. The following FLUCCS codes and acreages were assigned based on onsite conditions:

- 1900: Open Land – 0.18 acres;
- 4340E2: Upland Hardwood-Coniferous Mix (25–50% Exotic) – 2.83 acres;
- and 4340E3: Upland Hardwood-Coniferous Mix (50–75% Exotic) – 0.35 acres.

Please refer to **Figure 4A** for the site-specific land use/land cover observed onsite.

HABITAT ASSESSMENT

ECS conducted field investigations on on May 27, 2025. The project area is heavily disturbed and generally observed to represent a degraded upland forest community with scattered open areas and numerous informal trails; many of which appear to have been used as transient encampments. Substantial amounts of debris, trash, and evidence of human activity were observed throughout the property.

The canopy is dominated by mature live oak (*Quercus virginiana*), laurel oak (*Quercus laurifolia*), water oak (*Quercus nigra*), and cabbage palm (*Sabal palmetto*). The understory and herbaceous layers are sparse in some areas and overtaken by exotic and invasive species in others, including guineagrass (*Megathyrsus maximus*), cogongrass (*Imperata cylindrica*), muscadine (*Vitis rotundifolia*), air-potato (*Dioscorea bulbifera*), and smilax (*Smilax* spp.).

Land cover classifications identified in the SWFWMD FLUCCS mapping for the site include 1300: Residential High Density and 1400: Commercial and Services, which are generally inconsistent with the current levels of disturbance and land use history. Ground-truthing during the onsite assessment determined the following site-specific FLUCCS classifications and acreages: 1900: Open Land – 0.18 acres; 4340E2: Upland Hardwood-Coniferous Mix (25–50% Exotic) – 2.83 acres; and 4340E3: Upland Hardwood-Coniferous Mix (50–75% Exotic) – 0.35 acres.

While portions of the site appear as a forested habitat, ecological function is limited due to a high level of disturbance and the prevalence of mixed native and exotic vegetation. No intact native plant communities were observed. The property is completely isolated by surrounding residential and commercial development and associated roadways. As a result, the habitat provides minimal value to common urban-adapted wildlife species, such as raccoons, opossums, and various birds, and offers little to no suitable habitat for listed species as detailed in the section below. Without active management, the site is expected to continue to degrade and accrue additional nuisance and exotic vegetation.

The U.S. Fish and Wildlife Service's National Wetland Inventory (NWI) online mapper does not indicate the presence of any jurisdictional wetland features within the project boundary.

PRELIMINARY THREATENED AND ENDANGERED SPECIES METHODS

A protected wildlife species survey and habitat assessment were conducted over the property on May 27, 2025. Protected wildlife species are defined as those listed as Threatened, Endangered, or Species of Special Concern by the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish and Wildlife Conservation Commission (FWC). The Project area was surveyed for potential threatened and endangered species of Manatee County, Florida.

Results of Survey

Federal and state listed threatened and endangered species for Manatee County were reviewed from the USFWS North Florida Ecological Services Office website and the Florida Natural Areas Inventory (FNAI) website prior to the site visit (**Appendix III**). Biota was broken down into six categories:

Amphibians

No threatened or endangered amphibian species or their habitats were encountered during the time of this survey.

Birds

ECS reviewed the FWC's Historical Bald Eagle Nesting Areas online database. The nearest documented bald eagle (*Haliaeetus leucodephalus*) nest is located approximately 1.22 miles southeast of the site. This nest is located outside of the FWC recommended buffer distance of 660 feet.

The site location is in the expected range of the Everglades snail kite (*Rostrhamus sociabilis plumbeus*), according to USFWS IPaC resource list. While the USFWS IPaC resource list shows "final critical habitat" for this the snail kite, the site location does not fall within the USFWS consultation area. No Everglades snail kite individuals or their habitat were observed on site.

The Eastern black rail's (*Laterallus jamaicensis ssp, jamaicensis*) expected range overlaps the site area, but no critical habitat has been designated for this species according to USFWS IPaC resource list. The Eastern black rail requires marsh habitat with dense overhead cover and soils that are moist

or saturated, which is often found along the fringe of gently sloping wetlands adjacent to higher wetland/upland areas with high vegetative cover. No Eastern black rail individuals or their habitat were encountered at the time of this survey.

ECS reviewed the USFWS' map of Wood Stork (*Mycteria americana*) Nesting Colonies and Core Foraging Areas Active Within 2010-2019. The site is within the USFWS wood stork core foraging area (**Figure 5**). However, no individuals and no suitable potential foraging habitat were observed on the site at the time of this survey.

The site is located within the USFWS consultation area of the Florida scrub jay (*Aphelocoma coerulescens*) (**Figure 6**). No individuals were directly observed, and no suitable potential habitat was present on site.

The site is located within the FWC-designated habitat range of the Florida burrowing owl (*Athene cunicularia*). This species prefers open prairies that have very little understory vegetation. They are typically found in golf courses, airports, pastures, agriculture fields, and vacant lots. Nesting occurs in burrows in the ground they dig. No suitable habitat was noted on the site and no individuals or burrows were directly observed at the time of this survey.

No additional threatened or endangered avian species or their habitats were encountered at the time of this survey.

Fish

No threatened or endangered fish species were encountered during the time of this survey.

Mammals

No threatened or endangered mammal species or their habitats were encountered during the time of this survey.

Reptiles

Limited potential habitat for the gopher tortoise (*Gopherus polyphemus*) was noted in scattered areas throughout the site where open canopy and sandy substrates were present. However, no gopher tortoises or potentially occupied burrows were observed during the time of this survey. The site is highly disturbed and ecologically isolated, with a predominance of exotic and invasive understory vegetation and heavy human activity, which significantly reduces the likelihood of this species occurring on site. A more detailed survey may be required by FWC during the regulatory permitting review cycle as the habitat is marginally suitable for this species.

The federally threatened Eastern indigo snake (*Drymarchon couperi*) is known to occupy a wide range of upland and wetland habitats across its range in Florida. It is considered to have a commensal relationship with the gopher tortoise, frequently utilizing active and inactive tortoise burrows, as well as other underground refugia, for shelter and nesting.

Although marginally, limited potential gopher tortoise habitat was observed on site, no tortoises or burrows were documented during the field evaluation. The site is highly disturbed, isolated, and supports an understory dominated by invasive vegetation, which significantly limits its suitability for the Eastern indigo snake. No individuals were observed during the time of this survey.

No other state or federally listed reptilian species or suitable habitats were observed during the survey.

CONCLUSIONS

Species

Bald Eagle

ECS did not observe any individuals or nests on-site during these site visits. The closest documented nest is approximately 1.22 miles from the project area. As a result, it is unlikely for this species to be affected by the proposed project.

Everglade Snail Kite

The project area is located within the USFWS Consultation Area. No individuals or suitable potential habitat were observed on-site during these site visits. This species is unlikely to be affected by the proposed project.

Eastern Black Rail

The project area is located within this species' range. No individuals or suitable potential habitat were observed on-site during these site visits. This species is unlikely to be affected by the proposed project.

Wood Stork

The project area falls within a Core Foraging Area (CFA). No individuals were observed on-site during these site visits. No suitable foraging habitat was observed on-site, as a result, this species has no potential to occur on-site.

Florida Scrub Jay

The project area is located within the USFWS Consultation Area. No individuals or suitable potential habitat were observed on-site during these site visits. This species is unlikely to be affected by the proposed project.

Florida Burrowing Owl

The project area is located within the species range. No suitable habitat was noted on the site and no individuals or burrows were directly observed at the time of this survey. This species is unlikely to be affected by the proposed project.

Gopher Tortoise

The project area is located within the species range. Limited potential suitable habitat was observed on-site during these site visits. However, ECS did not observe any individuals or burrows on-site during these site visits. This species has a low potential to occur on-site, but because of the site's isolation, no gopher tortoises are expected to occur.

Eastern Indigo Snake

The project area is located within the species range. Potential suitable habitat was observed on-site during these site visits. However, ECS did not observe any individuals during these site visits. This species has low potential to occur on-site due to the site's isolation.

Habitat Assessment

Based on the results of the May 27, 2025 habitat assessment and listed species evaluation, no state- or federally-listed species and no critical habitat features were observed on-site during the field survey. While limited potential habitat for a few species was noted, the site's high level of disturbance, prevalence of invasive vegetation, and isolation from larger natural systems substantially reduce its overall suitability for listed species.

At this time, no additional wildlife surveys, permitting, or coordination with state or federal wildlife agencies are recommended. If future project plans include activities that significantly expand the development footprint or involve substantial vegetation removal, updated field evaluations may be warranted to ensure continued compliance with applicable environmental regulations.

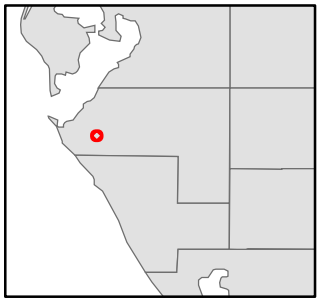
LIMITATIONS OF THIS REPORT

It is important to note that the conclusions of this report are necessarily based on the conditions observed on the day of the field investigation, as well as our scientific judgment of the site's potential to support protected species (based on each species' optimal habitat requirements). Due to this "snapshot" view of the site, the results presented in this report may not accurately reflect changing site conditions and/or potential wildlife species' temporal and spatial locations.

This report is provided for the exclusive use of the listed client. This report is not intended to be used or relied upon in conjunction with other projects or by other unidentified third parties. The use of this report by any undesignated party will be at such party's sole risk and ECS disclaims liability for any such third party use or reliance.

Appendix I: Figures





Marion County, Florida

Elmington Bradenton
PID 4781300001
4010 5th E Street
Bradenton, FL 34208
55: 6899-C

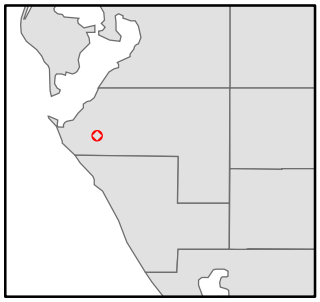
Figure 1: Location Map

0 250 500 1,000 Feet

Parcel Boundary

N
W E
S





Marion County, Florida

Elmington Bradenton
PID 4781300001
4010 5th E Street
Bradenton, FL 34208
55: 6899-C

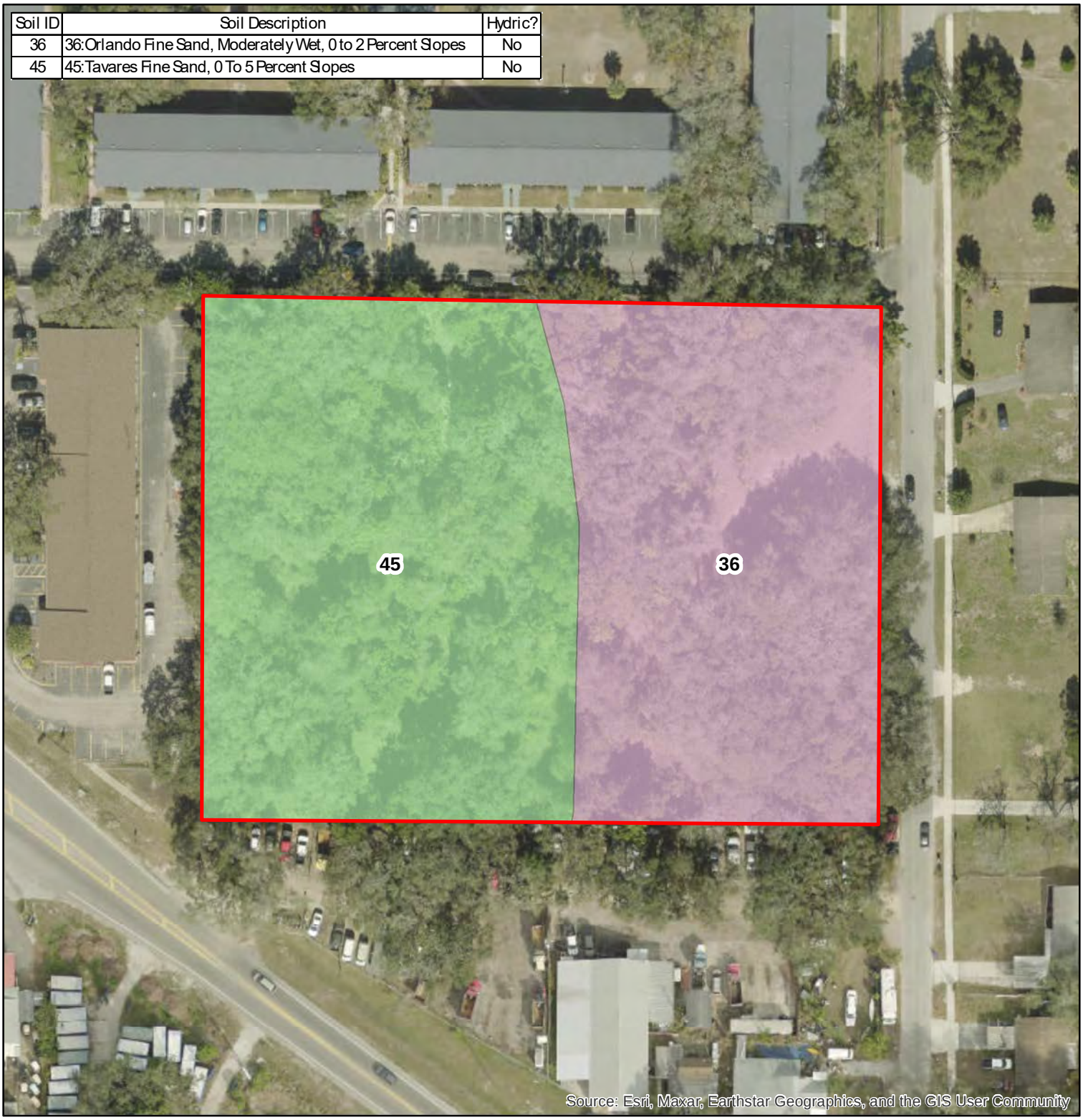
Figure 2: Aerial Map

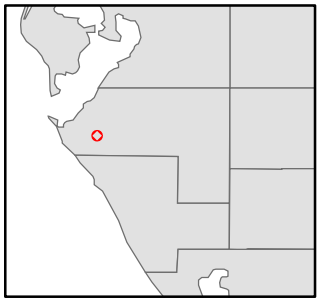
0 50 100 200 Feet

Parcel Boundary

N
W E
S

Soil ID	Soil Description	Hydric?
36	36:Orlando Fine Sand, Moderately Wet, 0 to 2 Percent Slopes	No
45	45:Tavares Fine Sand, 0 To 5 Percent Slopes	No





Marion County, Florida

Elmington Bradenton
PID 4781300001
4010 5th E Street
Bradenton, FL 34208
55: 6899-C

Figure 3: NRCS Soils Map

0 50 100 200 Feet

Parcel Boundary

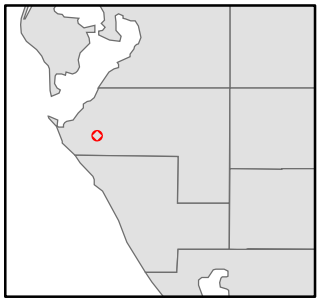
Soil ID: Soil Description

36:Orlando Fine Sand, Moderately Wet, 0 to 2 Percent Slopes

45:Tavares Fine Sand, 0 To 5 Percent Slopes

N
W E
S





Marion County, Florida

Elmington Bradenton
PID 4781300001
4010 5th E Street
Bradenton, FL 34208
55: 6899-C

Figure 4: FLUCCS Map

0 50 100 200 Feet

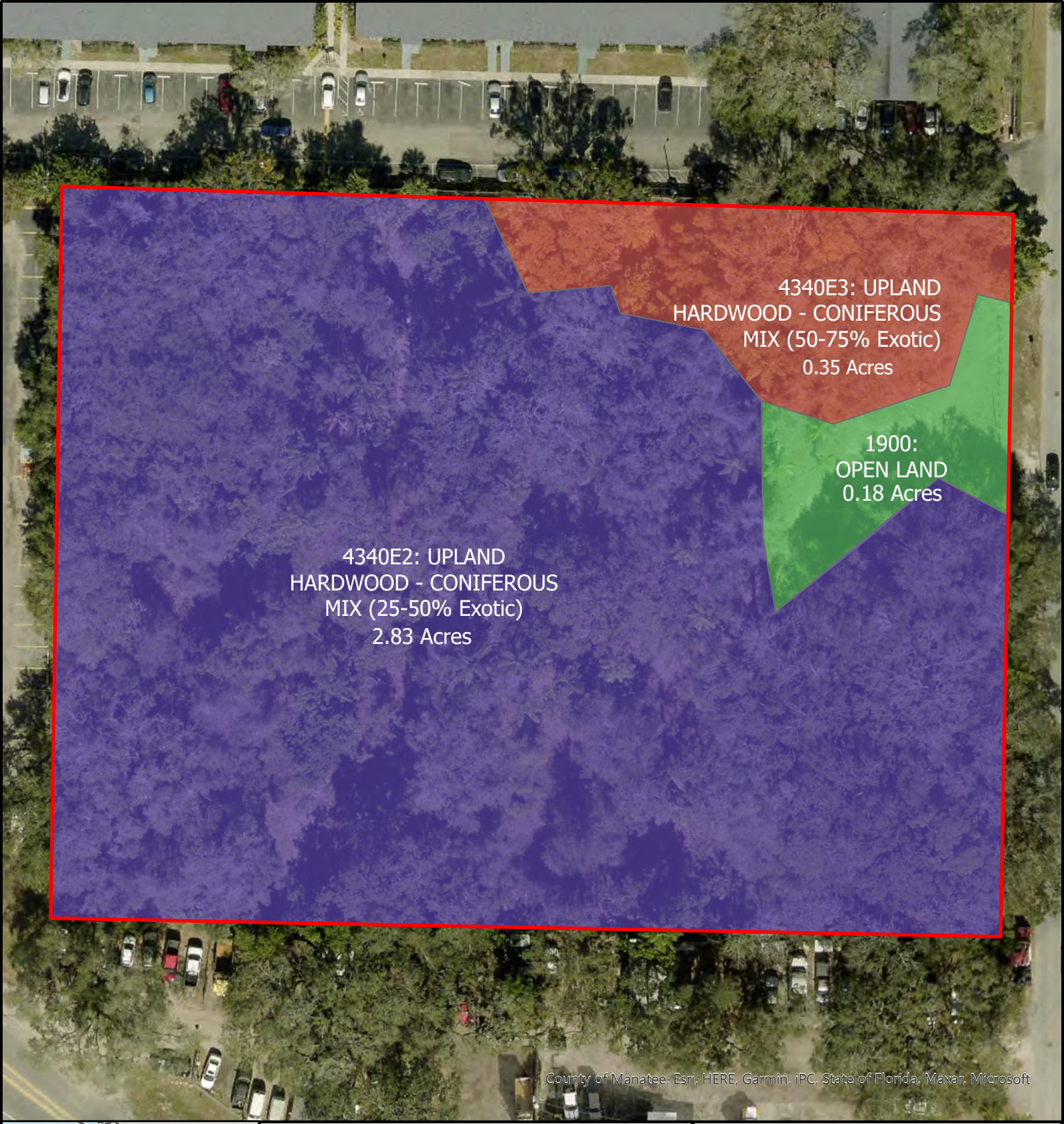
Parcel Boundary

FLUCCS ID: Description

1300: Residential High Density

1400: Commercial and Services

N
W E
S





Manatee County, Florida

N
W E
S

0 25 50 100 Feet

Figure 4A: Site-Specific FLUCCS
Elmington - Bradenton
4010 5th Street E Bradenton, Florida
55:6889-C

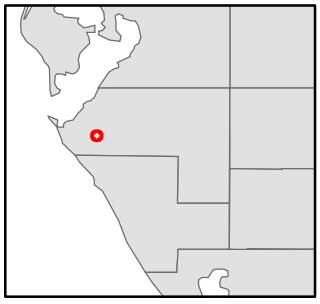
August 2025

Site-Specific Land-use /Land-cover

FLUCCS Type:

- 1900: OPEN LAND
- 4340E2: UPLAND HARDWOOD - CONIFEROUS MIX (25-50% Exotic)
- 4340E3: UPLAND HARDWOOD - CONIFEROUS MIX (50-75% Exotic)
- Parcel Boundary





Marion County, Florida

Elmington Bradenton
PID 4781300001
4010 5th E Street
Bradenton, FL 34208
55: 6899-C

Figure 5: Wood Stork Map

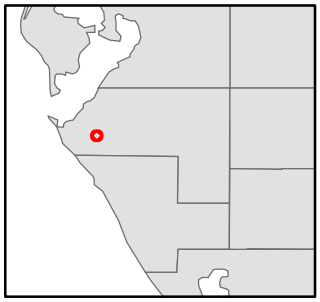
0 250 500 1,000 Feet

Parcel Boundary

Wood Stork Core Foraging Area

N
W E
S





Marion County, Florida

Elmington Bradenton
PID 4781300001
4010 5th E Street
Bradenton, FL 34208
55: 6899-C

Figure 6: Florida Scrub Jay Map

0 250 500 1,000 Feet

Parcel Boundary

Florida Scrub Jay Consultation Area

N
W E
S

Appendix II: Site Photos



1 - Central Portion of Site Debris Piles / Encampments



2 - Eastern Boundary of Site Facing East



3 - Encampment Representative Photo 1



4 - Encampment Representative Photo 2



5 - Habitat Representative Photo 1



6 - Habitat Representative Photo 2



7 - Habitat Representative Photo 3



8 - Habitat Representative Photo 4



9 - Habitat Representative Photo 5



10 - Habitat Representative Photo 6



11 - Habitat Representative Photo 7



12 - Habitat Representative Photo 8



13 - Invasive Species Understory Representative Photo 1



14 - Invasive Species Understory Representative Photo 2



15 - Invasive Species Understory Representative Photo 3



16 - Northeastern Portion of Site Facing North



17 - Northeastern Portion of Site Facing West



18 - Northern Boundary of Site Facing North



19 - Northern Boundary Representative Photo



20 - Northwest Corner of Site Facing South



21 - Northwest Corner of Site Facing West



22 - Open Space Area on Eastern Portion of Site 1



23 - Open Space Area on Eastern Portion of Site 2



24 - Open Space Area on Eastern Portion of Site 3



25 - Scattered Palms



26 - Site Open Space Areas Representative Photo 1



27 - Site Open Space Areas Representative Photo 2



28 - Southeastern Portion of Site Facing South



29 - Southern Boundary of Site Facing South 1



30 - Southern boundary of site facing South 2



31 - Southwestern Portion of Site Facing East



32 - Southwestern Portion of Site Facing North



33 - Southwestern Portion of Site Facing South



34 - Trails and Trash



35 - Trails and Trash 2



36 - Trash/Debris Piles

Appendix III: Threatened and Endangered Species Lists

1018 Thomasville Road
Suite 200-C
Tallahassee, FL 32303
850-224-8207
850-681-9364 fax
www.fnai.org

Florida Natural Areas Inventory

Biodiversity Matrix Query Results

UNOFFICIAL REPORT

Created 5/19/2025

(Contact the FNAI Data Services Coordinator at 850.224.8207 or kbrinegar@fnai.fsu.edu for information on an official Standard Data Report)

NOTE: The Biodiversity Matrix includes only rare species and natural communities tracked by FNAI.

Report for 1 Matrix Unit: 24169



Descriptions

DOCUMENTED - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit.

DOCUMENTED-HISTORIC - There is a documented occurrence in the FNAI database of the species or community within this Matrix Unit; however the occurrence has not been observed/reported within the last twenty years.

LIKELY - The species or community is *known* to occur in this vicinity, and is considered likely within this Matrix Unit because:

1. documented occurrence overlaps this and adjacent Matrix Units, but the documentation isn't precise enough to indicate which of those Units the species or community is actually located in; *or*
2. there is a documented occurrence in the vicinity and there is suitable habitat for that species or community within this Matrix Unit.

POTENTIAL - This Matrix Unit lies within the known or predicted range of the species or community based on expert knowledge and environmental variables such as climate, soils, topography, and landcover.

Matrix Unit ID: 24169

0 **Documented** Elements Found

0 **Documented-Historic** Elements Found

2 **Likely** Elements Found

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Mycteria americana Wood Stork	G4	S2	T	FT
Selonodon floridensis Florida Cebrionid Beetle	G2G4	S2S4	N	N

Matrix Unit ID: 24169

6 **Potential** Elements for Matrix Unit 24169

Scientific and Common Names	Global Rank	State Rank	Federal Status	State Listing
Copris howdeni Howden's Copris Beetle	G3?	S1S2	N	N
Drymarchon couperi Eastern Indigo Snake	G3	S2?	T	FT
Gopherus polyphemus Gopher Tortoise	G3	S3	C	ST
Lithobates capito Gopher Frog	G2G3	S3	N	N
Sciurus niger niger Southeastern Fox Squirrel	G5T5	S3	N	N
Setophaga discolor paludicola Florida Prairie Warbler	G5T3	S3	N	N

Disclaimer

The data maintained by the Florida Natural Areas Inventory represent the single most comprehensive source of information available on the locations of rare species and other significant ecological resources statewide. However, the data are not always based on comprehensive or site-specific field surveys. Therefore, this information should not be regarded as a final statement on the biological resources of the site being considered, nor should it be substituted for on-site surveys. FNAI shall not be held liable for the accuracy and completeness of these data, or opinions or conclusions drawn from these data. FNAI is not inviting reliance on these data. Inventory data are designed for the purposes of conservation planning and scientific research and are not intended for use as the primary criteria for regulatory decisions.

Unofficial Report

These results are considered unofficial. FNAI offers a Standard Data Request option for those needing certifiable data.

IPaC **U.S. Fish & Wildlife Service**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

NOT FOR CONSULTATION

Location

Manatee County, Florida



Local office

Florida Ecological Services Field Office

(352) 448-9151
(772) 562-4288
fw4flesregs@fws.gov

777 37th St
Suite D-101
Vero Beach, FL 32960-3559

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species[1] and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries[2]).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

---

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

NOT FOR CONSULTATION

The following species are potentially affected by activities in this location:

Birds

NAME	STATUS
Eastern Black Rail Laterallus jamaicensis ssp. jamaicensis Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/10477	Threatened
Everglade Snail Kite Rostrhamus sociabilis plumbeus Wherever found There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/7713	Endangered
Whooping Crane Grus americana No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/758	EXPN
Wood Stork Mycteria americana No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8477	Threatened

Reptiles

NAME	STATUS
American Crocodile Crocodylus acutus There is **final** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/6604	Threatened
Eastern Indigo Snake Drymarchon couperi Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/646	Threatened

Insects

NAME	STATUS

NOT FOR CONSULTATION

NAME	STATUS
Monarch Butterfly Danaus plexippus Wherever found There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

Flowering Plants

NAME	STATUS
Pygmy Fringe-tree Chionanthus pygmaeus No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/1084	Endangered

Lichens

NAME	STATUS
Florida Perforate Cladonia Cladonia perforata No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7516	Endangered

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

NOT FOR CONSULTATION

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2] and the Migratory Bird Treaty Act (MBTA) [1]. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The data in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the Supplemental Information on Migratory Birds and Eagles document to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Bald and Golden Eagle information is not available at this time

Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle (Bald and Golden Eagle Protection Act requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

NOT FOR CONSULTATION

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

NOT FOR CONSULTATION

Migratory birds

The Migratory Bird Treaty Act (MBTA) [1] prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (FWS). The incidental take of migratory birds

is the injury or death of birds that results from, but is not the purpose, of an activity. The FWS interprets the MBTA to prohibit incidental take.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

Migratory bird information is not available at this time

NOT FOR CONSULTATION

Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Avoidance & Minimization Measures for Birds describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the Bald and Golden Eagle Protection Act and those species marked as “Vulnerable”. See the FAQ “What are the levels of concern for migratory birds?” for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle (Bald and Golden Eagle Protection Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the Rapid Avian Information Locator (RAIL) Tool.

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the RAIL Tool and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Bald and Golden Eagle Protection Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

NOT FOR CONSULTATION

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs
Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:
The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

NOT FOR CONSULTATION

Survey Effort ()
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

NOT FOR CONSULTATION

Wetlands in the National Wetlands Inventory (NWI)

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tuberficid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

NOT FOR CONSULTATION

School District of Manatee County

School Report AMENDED

This School Report does not reserve capacity for school concurrency

This report is in response to a request for analysis of the projected demands on school facilities for the proposed land development application. This report is intended to be only information and analysis to assistthe governing board in its land-use decision.

Project Information

Local Government:	Manatee County Government	**Case Planner:**	James Rigo
Project Name:	5th Street - Elmington **RR-AH**	**Fee:**	$ 650.00
Application Type:	General Development Plan (Public Hearing)	**Date:**	03/26/26
Record Number:	PLN2603-0016	**SSA:**	3
Project Number:	PDR-25-04(G)(R)	**Acres:**	3.38
Address/PIN:	4010 5th St E, Bradenton 34208	**Version:**	CR-V2

Overview

The applicant requested General Development Plan approval for 108 dwelling units on 3.38 acres. Note: Rounding differences may occur.

Projected Students

PROPOSED	# Dwelling Units	Elementary	Middle	High	Total
GDP 03/26/26	**108**	**9**	**4**	**7**	**20**

ISSUES

None at this time.

CONDITIONS

None at this time.

NOTES

Preliminary School Concurrency Analysis

School capacity is currently available or expected to be available within the SSA or the contiguous SSA. A School Concurrency Analysis ($800) will be required upon submittal of a final site plan and the final analysis may differ from this preliminary analysis. This School Report does not reserve school capacity.

2026-27 Proposed School Attendance Zones

These are the proposed 2026-27 school year attendance zones. These zones are subject to change by the School Board.
- Rogers Garden-Bullock Elementary
- Sugg Middle
- Southeast High School

Sidewalks and Bicycle Paths

The development **is** located within the two-mile walking radius of an existing zoned high school. High school students residing at this development **will not** qualify for bussing.

The development **is not** located within the two-mile walking radius of an existing zoned elementary and middle school. Elementary and middle school students residing at this development **will** qualify for bussing.

Generally, the School District suggests sidewalks connect along both sides of entrance drives, along the property frontage and connect to existing offsite sidewalks to provide a safe route to area schools and bus stops.

Sidewalk needs will be evaluated when a more detailed site plan is submitted.

- Land Development Code Section 1001.6 requires a five foot sidewalk along all property lines abutting a street for all development within two walking miles of any public elementary or middle school.

- Land Development Code Section 1001.6 provides sidewalks may be constructed to extend a maximum distance of 1,000 feet beyond the outer limits of the proposed development to connect to existing sidewalks in the interest of safety and to extend sidewalks to existing or proposed attractors.

- Land Development Code Section 1001.6 requires pedestrian ways to provide circulation or access to schools and within 1,500 feet of a transit route to encourage pedestrian and transit intermodal travel.

Crosswalks, Traffic Signalization, School Signs & Markings

In the future, ***residents*** may request **Manatee County Government** install a crosswalk, school signs and markings for students to walk/bicycle to and from nearby schools and bus stops. The residents may also request the **Manatee Sheriff's Office (MSO) provide a school crossing guard** in this area which may create a reoccurring annual expense.

Crosswalks needs will be evaluated when a more detailed site plan is submitted.

Transportation, Bus Stops, and Bus Shelters

The development **is not** located within the two-mile walking radius of an existing zoned elementary and middle school. At this time, the School District intends to utilize the intersection of 5th St E and the entrance boulevard as student pickup and drop off for the development.

The School District has observed a growing trend of parents driving students to bus stops and parking vehicles near the bus stop. The School District generally suggests providing a wider roadway near bus stops to accommodate additional parked cars or a parking area so the bus will be able to safely load/unload students and pass parked cars on the roadway. The School District also suggests providing a bus shelter, bicycle racks and lighting in the immediate area.

The applicant may want to work with the local government to establish a No Parking Ordinance in the entrance drives due to the trend of vehicles parking in these areas for the bus stops.

Future circumstances may require a bus to enter a subdivision (i.e. special needs students). The School District recommends roundabouts and cul-de-sacs provide sufficient radius for a bus turn around. The school buses require 10 feet of roadway and have a turning radius of 30 to 42.7 feet curb to curb.

Signature: Pam Miller Mgr, School Planning & Concurrency Date: 3/26/2026
miller2p@manateeschools.net (941) 708-8800 Extension 44223

PROJECT INFORMATION

Project: 5th Street Elmington Multi-Family Rental Development

Previous Approval: PDR - (PLN2502-0026)

Address: 4010 5th Street E, Bradenton, FL 34208

Parcel ID: 4781300001

Land Use: Vacant Unplatted (1554)

Future Land Use: ROR

Zoning: PD-R

SPECIFIC APPROVALS REQUESTED

1. Reduce parking requirement to 1.5 spaces per unit (LDC Section 1005.3.A. Table 10-2)
   a. This project is an affordable housing development that has less of a parking demand than a traditional market rate deal. We've seen throughout the country that these style developments often bear a smaller demand for parking. 1.5 spaces per unit is the standard we typically use on our developments. This project is also within 500' from a standard bus stop and less than ¾ of a mile from a transportation hub at Desoto Station.
2. Second means of access exemption (LDC Section 1001.1.C)
   a. Affordable housing projects are eligible for an administrative modification per Land Development Code Section 365.3. The section states that a 30% deviation from the number of units can be provided, resulting in the requirement of only one means of access.

Development Services Department
1112 Manatee Ave West Ste 400
Bradenton, FL 34205
Phone: (941) 748-4501
www.mymanatee.org

AFFORDABLE/WORKFORCE HOUSING

A COPY OF THIS LETTER MUST BE SUBMITTED TO THE MANATEE COUNTY PLANNING AND BUILDING DEPARTMENTS WITH YOUR APPLICATION SUBMISSIONS TO RECEIVE FAST TRACKING REVIEW. THE ATTACHED CERTIFICATE SHOULD BE SUBMITTED WITH YOUR BUILDING PERMIT APPLICATION TO RECEIVE EXPEDITED PERMIT REVIEW

Sent Via Email

August 7, 2024

Elmington Capital
503 East Jackson St, Suite 240
Tampa, FL 33602

Attn: Aaron Vargas, Director of Development

Re: **Elmington Affordable Multi-Family Rental Development**
4010 5th Street E, Bradenton FL 34208 (P.I. # *4781300001*)

AFFORDABLE/WORKFORCE HOUSING DESIGNATION NUMBER **2024-23191**

Dear Mr. Vargas:

This serves as notification that the above-referenced project, *as presented to us,* ***appears*** *to be eligible* to receive Affordable Housing Designation subject to the following requirements:

1. Acknowledgement of receipt of this letter and the terms herein, please see page 2 to be returned to the Redevelopment and Economic Opportunity Department.

2. A copy of your deed of ownership or B-2 Affidavit of Ownership/Agent Authorization Affidavit.

3. Execution of a Land Use and Deed Restriction Agreement (LURA) with Manatee County under terms and conditions pursuant to Chapter 5 of the Land Development Code and Livable Manatee Incentive program. (Based on Funding Availability)

4. Acceptable documented evidence that the affordable rental units do not exceed the maximum rents as established by the Manatee County Local Housing Assistance Plan and Florida Housing Finance Corporation for 80% and below of the Area Median Income (AMI).

5. Satisfactory determination of income eligibility of the household renting the affordable unit pursuant to Chapter 5 of the Land Development Code and the Livable Manatee Incentive requirement.
6. Approval by other reviewing Departments and/or Agencies.

OPEN SEAT 1	AMANDA BALLARD	KEVIN VAN OSTENBRIDGE	MIKE RAHN	RAY TURNER	JASON BEARDON	GEORGE KRUSE
District 1	*District 2*	*District 3*	*District 4*	*District 5*	*At Large*	*At Large*

As an Affordable Housing Project that will be providing an affordable unit, the incentives you are requesting under the Affordable Housing Designation are: ***Fee Deferral or Reimbursement, Sidewalk Location, Site Improvement Incentives(up to 30% reduction) (Parking, Buffering, setbacks), CLOS Extension Request, Housing Rapid Response Team/Fast Track (Final Site Plan, and Expedited Permitting – Building***.

Upon our receipt of your acceptance and execution of this letter, you will be required to notify our office immediately when a Permit Application has been submitted for Rapid Response/Fast Tracking purposes. Also, please provide our office with evidence of the incentives granted for development and execution of your Land Use Restriction Agreement. Please note that sufficient staff time must be allowed to prepare a Land Use Restriction Agreement for execution.

As lease-up occur, we will need for you to provide our office with household income and asset documentation for the units designated as affordable housing units to ensure eligibility determination complies. Please note that adequate staff review time must be allowed to approve the tenant's eligibility prior to lease execution.

Should you have any questions or concerns regarding this matter, please feel free to contact me at (941) 748-4501, ext. 1274.

Sincerely,

Rowena Young-Gopie
Rowena Young-Gopie
Affordable Housing Development Coordinator

I HEREBY ACKNOWLEDGE, ACCEPT AND AGREE TO THE TERMS AND CONDITIONS SET FORTH HEREIN.

By: _____ 8/8/2024
Date

Personally Known
Identification Provided or Personally Known to Me

(SEAL)
NOTARY SIGNATURE

Anna Stejskal
Printed Name of Notary

ANNA STEJSKAL STATE OF TENNESSEE NOTARY PUBLIC DAVIDSON COUNTY MY COMMISSION EXPIRES OCTOBER 04, 2027

PLEASE RETURN AN ORIGINAL SIGNED ACKNOWLEDGEMENT TO:

ROWENA YOUNG-GOPIE
Affordable Housing Development Coordinator
Manatee County Development Services Department
P.O. Box 1000
Bradenton, FL 34206-1000
Email: rowena.younggopie@mymanatee.org

HOUSING RAPID RESPONSE TEAM/FAST TRACKING EXPEDITED PERMITTING CERTIFICATE

This Certifies that the Following Project(s) Meets the Qualifications and Criteria for Expedited Permitting in Accordance with LDC 545.2(A)

For Elmington Affordable Multifamily Housing Project

4010 5th Street Bradenton, FL 34208 – Elmington Capital (PI#)4781300001

DATED THIS 7TH DAY OF AUGUST 2024

Rowena Young-Gopie

SIGNATURE

Manatee County FLORIDA

2024-23191

Healy, Patrick

From: Nicole Knapp <nicole.knapp@mymanatee.org>
Sent: Wednesday, March 4, 2026 8:18 AM
To: Reed Ellis
Cc: Benjamin Sensing
Subject: RE: 5th Street Apartments - Neighborhood meeting

EXTERNAL EMAIL

Good morning Reed,

Thanks for your inquiry. After discussion with Rachel Layton, Division Manager, we agree that an additional Neighborhood Meeting is not necessary at this time.

Please let me know if there is anything else I can assist you with.

Thank you

Nicole M. Knapp, CPM | Director

Manatee County Government
Development Services Department
Mailing Address: P.O. Box 1000, Bradenton, FL 34205
Office Location: 9000 Town Center Pkwy, Lakewood Ranch, FL 34202
Office: 941-748-4501 ext. 7824
Mobile: 941-705-8542
Website: mymanatee.org

Under Public Records Act, email communications sent to and from this address may be subject to public disclosure. Please be advised that any correspondence may be retained as a public record and could be disclosed upon request.

From: Reed Ellis <rellis@elmingtoncapital.com>
Sent: Tuesday, March 3, 2026 3:05 PM
To: Nicole Knapp <nicole.knapp@mymanatee.org>
Cc: Benjamin Sensing <bsensing@elmingtoncapital.com>
Subject: 5th Street Apartments - Neighborhood meeting

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

CAUTION:This email originated from an external source.
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.

Mrs. Knapp,

Thank you for circulating the updated guidance regarding Neighborhood Workshops and the refinements to LDC Section 312.6.

We previously conducted a Neighborhood Workshop for our project on June 26, 2025, in connection with the originally approved GDP and rezoning (notes from that meeting are attached). As we prepare to resubmit another General Development Plan that includes an additional rezoning request, we would appreciate clarification as to whether a new Neighborhood Workshop will be required.

We understand that General Development Plans with rezoning, as well as projects with an affordable housing component that include a density bonus, are identified as applications generally requiring a workshop. For additional context, this project includes an affordable housing component and has already received its Livable Manatee Incentive Program affordable housing certification.

Given that our prior workshop occurred within the past 12 months, we wanted to confirm whether that meeting would satisfy the requirement for this resubmittal, or whether the County considers the current application to warrant an additional workshop.

We are happy to proceed with coordinating mailed and posted notices and scheduling a workshop promptly if required. Please let us know the County's determination so we can ensure compliance with the updated timelines.

Thank you for your time and guidance,

Reed

ELMINGTON

Reed Ellis
Director of Development
Elmington Affordable
1030 16th Ave S, Suite 500, Nashville, TN 37212
Website | LinkedIn | Instagram

Patrick C. Seidensticker, Esq.
2033 Main Street, Suite 600
Sarasota, FL 34237
941.366.8100
Fax: 941.552.0108
pseidensticker@icardmerrill.com

July 7, 2025

Camden Jenkins
Manatee County Development Services
1112 Manatee Avenue West, 4th Floor
Bradenton, FL 34205
camden.jenkins@mymanatee.org

VIA Email Only

Re: Summary of Neighborhood Workshop

Dear Mr. Jenkins,

Elmington Affordable, as Applicant, held a voluntary neighborhood workshop virtually on Zoom for discussion of Application No. PLN2502-0026 on June 26, 2025. The Neighborhood Workshop Notice and related maps, included herein as "Exhibit A", were mailed to neighbors within 500 feet of the Subject Property on June 13, 2025. A copy of the mailing list is also included as "Exhibit B".

Aaron Vargas and Ben Miskelly from Elmington Affordable, as well as Attorney Patrick Seidensticker from the Law Firm of Icard Merrill were present on behalf of the Applicant. The meeting commenced at 5:30, as indicated on the notice. There were two (2) members of the public present at the workshop.

Patrick Seidensticker began the meeting with a general introduction of the Applicant, the purpose of the voluntary workshop, and described the requested rezone and proposed multifamily project.

Aaron Vargas and Ben Miskelly made a presentation which provided specifics as to the Applicant, Applicant's history, previous projects, the proposed project and related site plan.

The meeting was then opened to members of the public for questions.

"Rick" who was present as a representative of "Stephanie," the owner of property adjacent to the subject property to the west, asked a question about the stormwater pond shown on the site plan. Ben Miskelly described the purpose of the stormwater pond and confirmed that it is not intended to be a wet pond.

Rick had a follow up question about the dumpster pad shown on the site plan. Ben Miskelly explained the intent and purpose of the area and described how the Applicant manages trash at their projects.

Rick asked a question about whether the stormwater was to connect to the County stormwater system. Ben Miskelly confirmed that the stormwater system for the project would connect to County facilities.

Rick thanked the presenters and Applicant team reiterated that they are available to discuss any concerns or questions directly throughout the process and after the project is to be constructed.

Rick asked if main access is intended from 5th Street. Ben Miskelly confirmed that the access to the project would be via 5th Street.

"John Miser," board member of the Citrus Grove Association, asked a question about security at the project and whether the project will be gated. Aaron Vargas answered that the project will not be gated and that the Applicant will assess the need for onsite security once the project was complete, but that the project is designed with security cameras throughout the site. If it is determined that the project needs security, Applicant will provide such security, which they have done at previous developments.

John Miser discussed the security in Citrus Grove. Ben Miskelly confirmed that security will be in place, beginning with security cameras and increasing as needed.

John Miser asked if Applicant performs background checks on their tenants. Ben Miskelly confirmed that Applicant performs full background checks on anyone applying for a tenancy.

John Miser asked about rent levels. Aaron Vargas described the different income level requirements between $25,000 and $90,000 and described that rents are set by HUD within their guidelines.

John Miser described certain issues within Citrus Grove. Ben Miskelly explained how adding units to the neighborhood in place of vacant land can lead to safer streets by putting additional resident eyes on bad behavior.

John Miser asked about a traffic light at the end of 5th Street. Patrick Seidensticker explained that staff provides transportation comments during rezone and site plan process after review of existing infrastructure and make determinations about any additional improvements that would be required to account for the additional units. There was further discussion about the process for rezone and traffic infrastructure review.

John Miser asked about timeline for construction. Patrick Seidensticker discussed the timing of the rezone process and the public hearings required for approval. Aaron Vargas added that they are likely 18-24 months from beginning construction, if approved.

Rick asked if Applicant has any other projects in the area. Aaron Vargas confirmed they do have an additional project under development in Manatee County and described the rest of the Applicant's project locations in Florida.

Rick followed up to ask if Applicant would be interested in purchasing the commercial parcel to the west of the project site (239 301 Boulevard E). Aaron Vargas indicated that the Applicant would consider a purchase if Rick wanted to discuss further.

There were no further questions.

The meeting was adjourned at approximately 5:56 PM.

Please do not hesitate to contact my office with any further questions or concerns.

Sincerely,

s/ *Patrick C. Seidensticker*

_____

Patrick C. Seidensticker

Exhibit "A" – Neighborhood Workshop Mailed Notice Materials

Date: June 13, 2025

Dear Adjacent Property Owner:

Re: **Application #:** **PLN2502-0026**

Filed by: **5th Street - Elmington**

Request: **Rezone Petition for Property Located at 4010 5th Street E. from Residential Multifamily-6 (RMF-6) to Planned Development Residential (PD-R) to allow for construction of a multifamily development**

Location: **(ZONING MAP ATTACHED)**

For more information please call:

AGENT: Benjamin Miskelly PHONE #: 803-230-2657

CASE PLANNER: Camden Jenkins PHONE # 941-749-3070 EXT: 6861

The property owner and agent have scheduled a **Neighborhood Workshop** for the above project. The meeting will be held:

Date: ***June 26, 2025***
Time: ***5:30 PM***
Location: ***Virtual on Zoom – See invite information below:***

Topic: 4010 5th St. E. Community Workshop
Time: Jun 26, 2025 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting
https://us02web.zoom.us/j/87626607627

Meeting ID: 876 2660 7627

One tap mobile
+13052241968,,87626607627# US
+16465588656,,87626607627# US (New York)

Meeting ID: 876 2660 7627

Find your local number: https://us02web.zoom.us/u/kdjb27Bn6J

The property owner and agent invite you and any other interested parties to attend this workshop, to discuss the nature of proposed land uses, development features and site plans, and to solicit comments. You will be notified in the future when the case is scheduled for public hearings before the Planning Commission and the Board of

County Commissioners.

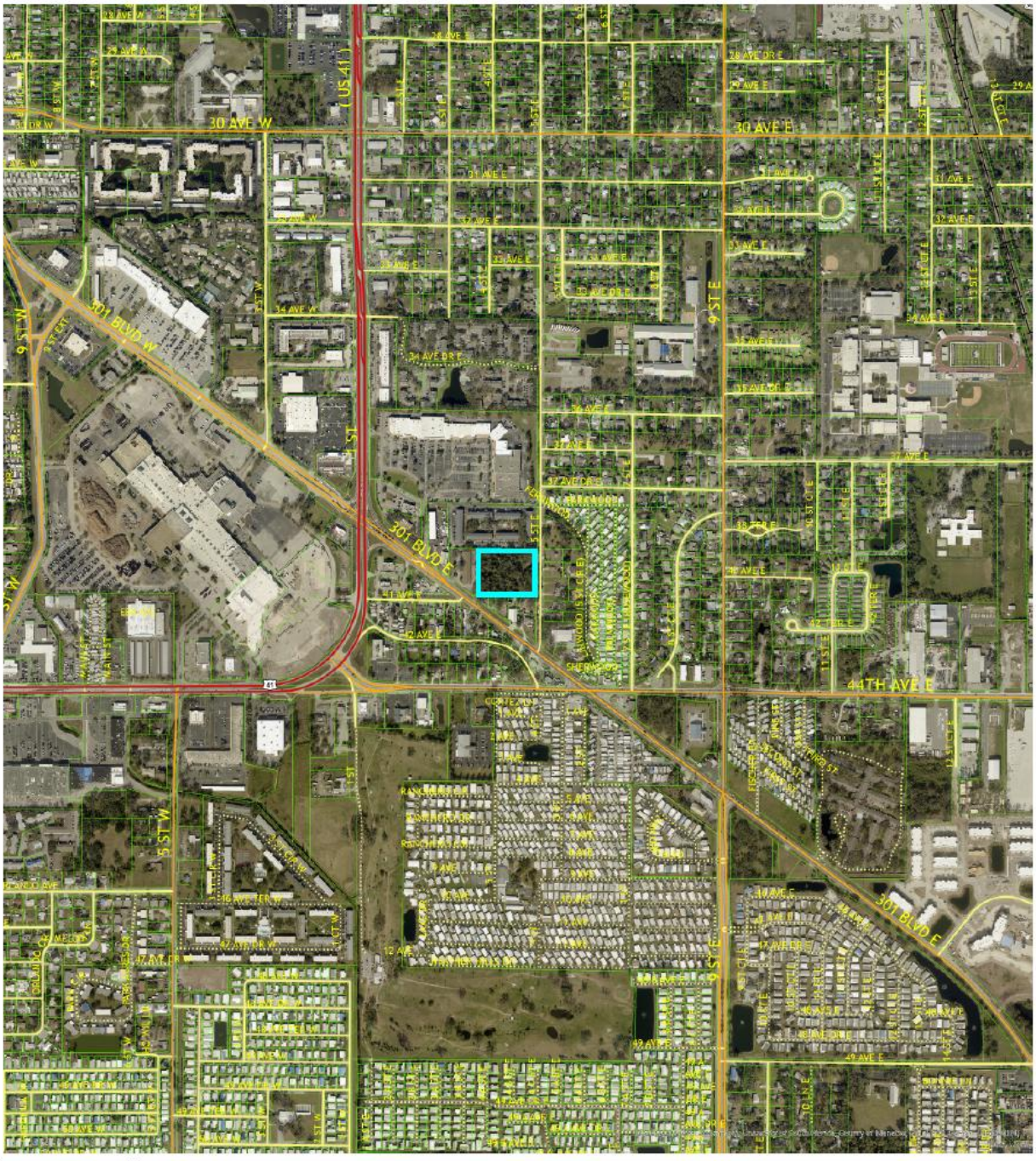
You may examine the Official Zoning Atlas, the application, and related documents and may obtain assistance regarding this matter from the Manatee County Development Services Department, 1112 Manatee Avenue West, 2nd Floor, Bradenton, Florida; telephone number (941) 748-4501x6878. Questions and comments can also be sent by e-mail to: planning.agenda@mymanatee.org.

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Carmine DeMilio at 792-8784 ext. 6016 or carmine.demilio@mymanatee.org or FAX 745-3790.

MANATEE COUNTY PLANNING COMMISSION
MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Development Services Department
Manatee County, Florida

THIS NOTICE IS GIVEN PURSUANT TO MANATEE COUNTY ORDINANCE NO. 15-17, THE MANATEE COUNTY LAND DEVELOPMENT CODE, SECTION 312.7. THIS IS A NOTICE OF ESTABLISHMENT OR CHANGE OF A REGULATION AFFECTING THE USE OF LAND IN UNINCORPORATED MANATEE COUNTY.

Manatee County Map

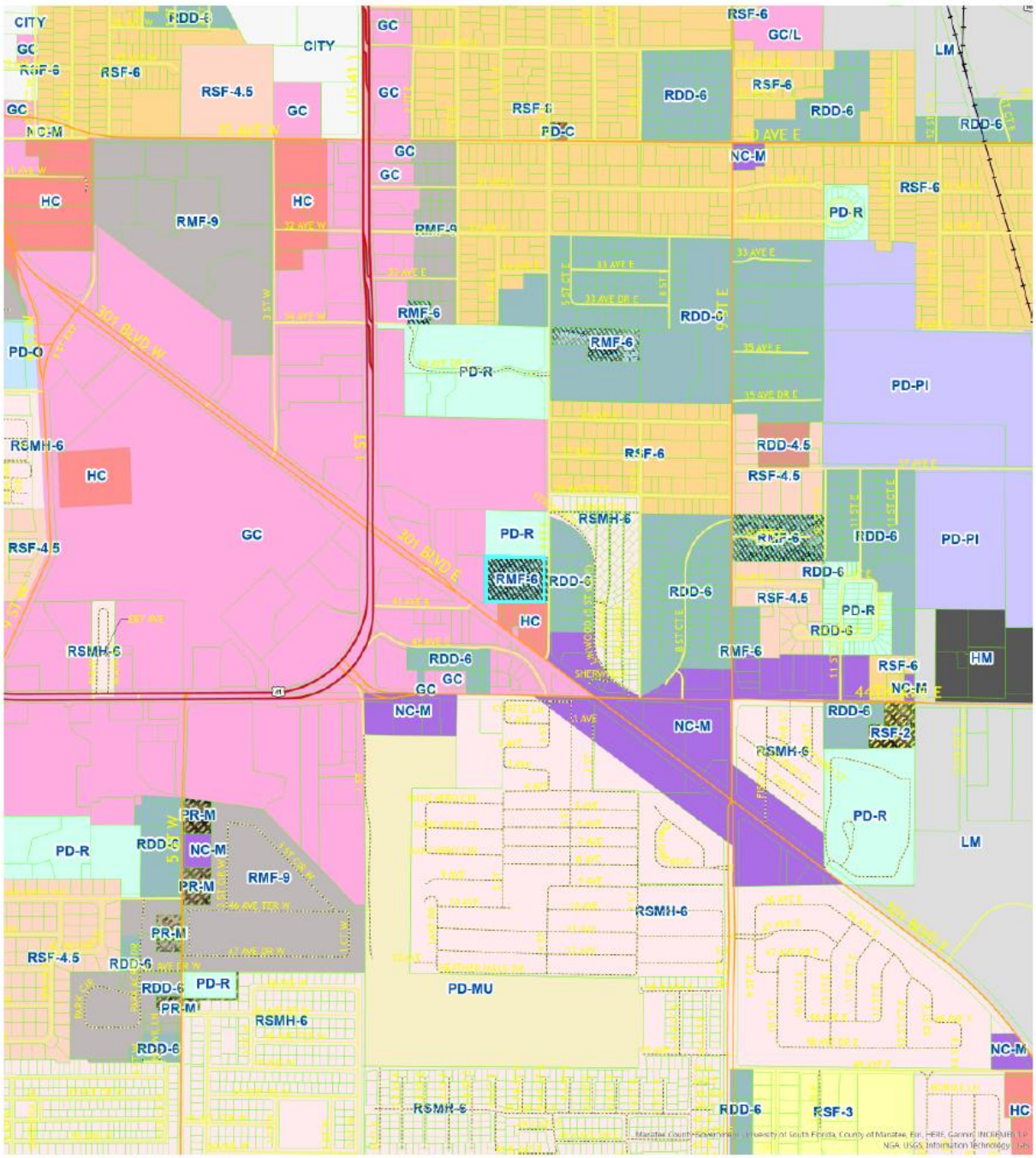


User Notes:

This map was developed using the Manatee County Geographic Information System. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. The information contained within is derived from several sources of varying quality and accuracy. Errors from non-coincidence of features from different sources may be present. The Manatee County Geographic Information Systems and the Manatee County BOCC do not warrant and are not liable for inappropiate or unintended uses of the information.

Generated on Tue Jun 10 2025 13:45:03 GMT-0400 (Eastern Daylight Time)

Manatee County Map



User Notes:

This map was developed using the Manatee County Geographic Information System. It is provided for general reference, is subject to change, and is not warranted for any particular use or purpose. The information contained within is derived from several sources of varying quality and accuracy. Errors from non-coincidence of features from different sources may be present. The Manatee County Geographic Information Systems and the Manatee County BOCC do not warrant and are not liable for inappropriate or unintended uses of the information.

Exhibit "B" – Mailing List

Addresses exempt from public disclosure per Chapter 119, Florida Statutes, are excluded.

ALLEN, DARLEEN M
208 42ND AVE E
BRADENTON FL 34208-4412

ANTRIM, THOMAS K
ANTRIM, ANDREW K
ANTRIM, BRUCE C
2511 N MAIN ST
BLUFFTON IN 46714-1199

BATISTA, VICTOR J
BATISTA, OLGA
2007 61ST ST
SARASOTA FL 34243

BIEKER, DAVID
BIEKER, TERRY
BIEKER, DAVID & TERRY REVOCABLE TRUST
5422 56TH CT E
BRADENTON FL 34203

BRADENTON US 301 BLVD LLC
67 MOUNTAIN BLVD STE 201
WARREN NJ 07059

BRONK, ROBERT A
1012 65TH AVENUE DR W
BRADENTON FL 34207-5930

CITRUS GROVE HOME OWNERS ASSN INC
4211 PALMWOOD
BRADENTON FL 34208-4961

CITRUS GROVE HOME OWNERS ASSOCIATION INC
4211 PALMWOOD
BRADENTON FL 34208-4961

DESOTO PROFESSIONAL PLAZA LLC
48-54 189TH ST
FRESH MEADOWS NY 11365

DESOTO PROPERTIES LLC
506 S DIXIE HWY
HALLANDALE FL 33009-6332

DEWITT, CHRISTINE
DEWITT, RICKY
232 41ST AVE E
BRADENTON FL 34208

DOHM, DANIEL
DOHM, LINDA
2420 W CARRIAGE HILL
TRAVERSE CITY MI 49686-5134

DORICS, ROGER
3204 61ST ST E
PALMETTO FL 34221-9344

DORICS, THEODORE G
2712 81ST AVE E
ELLENTON FL 34222-3323

DW SERVICES DBA NURSE CALL URGENT, LLC
8437 TUTTLE AVE 249
SARASOTA FL 34243

FIKE, ROBERT L II
3820 OAKWOOD
BRADENTON FL 34208-4946

FORSE, DONALD R
11055 AUDIE BROOK DR
SPRING HILL FL 34608

FURMAN'S INC
1663 MOUND ST
SARASOTA FL 34236-7743

GLASGOW, HARRIS LOYD
GLASGOW, HARRIS LOYD REVOCABLE LIVING
1209 44TH AVE E
BRADENTON FL 34203-3629

LANE, COLEEN
ICEMAN, DAVID
4570 PARNELL DR
SARASOTA FL 34232-5340

LNA FIDU INC
TRUST NO 547219 U/T/A DTD 4/17/2019
3908 26TH ST W
BRADENTON FL 34205

LOPEZ, WILMAN OSBALDO
FUENTES, EDELSA NOHELIA MIRANDA
LOPEZ, MILLIE
1015 42ND TER E
BRADENTON FL 34208

LPS TRUSTEE & MANAGEMENT SERVICES LTD
UNDER REALITY TRUST NO 122 DTD 1/8/14
2810 N CHURCH ST STE 49821
WILMINGTON DE 19802

MARQUEZ, MARIA RODRIGUEZ
202 42ND AVE E
BRADENTON FL 34208-4412

MCEVOY, THOMAS E
42 PINE ST
PERRY NY 14530-1043

MERIDA, ORLANDO M
RIVERA, DELICA R
3911 5TH ST E
BRADENTON FL 34208-4912

MICHALEK, PATSY
3815 LINWOOD
BRADENTON FL 34208

MIZER, JOHN
MIZER, VIOLA L
523 13TH ST W
DOVER OH 44622

MIZER, JOHN
MIZER, VIOLA L
3806 LINWOOD
BRADENTON FL 34208

MIZER, JOHN J
MIZER, VIOLA L
3806 LINWOOD
BRADENTON FL 34208-4952

Addresses exempt from public disclosure per Chapter 119, Florida Statutes, are excluded.

MORTON, DANIEL T
4016 OAKWOOD
BRADENTON FL 34208

OAKWOOD STAYS LLC
4009 75TH TERR E
SARASOTA FL 34243

OLIVER, DAVID D
OLIVER, DIANE
OLIVER REVOCABLE TRUST DTD 4/11/22
41114 24TH TER E
MYAKKA CITY FL 34251-2206

PARKS, JAMES E
PARKS, MARY LINDA
4908 51ST ST E
BRADENTON FL 34203-4110

PARKS, JAMES E
PARKS, LINDA
4908 51ST ST E
BRADENTON FL 34203-4110

PARKS, JAMES E
505 E 301 BLVD
BRADENTON FL 34208-4425

PARKS, JAMES E
4908 51ST ST E
BRADENTON FL 34203-4110

PARKS, JAMES E
PARKS, MARY L
4908 51ST ST E
BRADENTON FL 34203-4110

PUGSLEY, STEVEN F
74 EDSON ST
BUFFALO NY 14210

RINE, JACK E
RINE, GARY W
10587 COUNTY RD 32
GREEN SPRINGS OH 44836

RINE, MARSHA ANN
KUHNS, LAVONNE M
10587 E CR 32
GREEN SPRINGS OH 44836-9715

SALINAS, ALBERTO
1117 ANGELA MARIA RD
SARASOTA FL 34243-1133

SAUTBINE, LESTER H
SAUTBINE, JANET E
SAUTBINE, DUANE D
519 PARKWOOD
BRADENTON FL 34208-4950

SD BOULEVARD LLC
8888 KEYSTONE CROSSING STE 1000
INDIANAPOLIS IN 46240

SEXTON, DALE E
SEXTON, PATRICIA J
715 GLENWOOD DR
HOWARD OH 43028

SORTO, JENNY
SORTO, JENNY LIVING TRUST DTD 7/9/20
224 41ST AVE E
BRADENTON FL 34207

STOPPER, RICHARD J
PO BOX 29
BRADENTON FL 34206-0029

SUNSHINE NETWORK PROPERTIES LLC
5341 RUBY LANE
SARASOTA FL 34231

SUNSHINE RAYS PROPERTIES LLC
10112 KINGFISHER RD E
BRADENTON FL 34209

SWART, WILLIAM I JR
SWART, GERALDINE J
2236 BERG RD
WEST SENECA NY 14218-3780

TAYLOR, MICHAEL
TAAYLOR, MICHAEL REV TRUST DTD 5/23/2023
523 PARKWOOD
BRADENTON FL 34203

TREHAS, KRISTIN M
STECHSCHULTE, BRADLEY T
STECHSCHULTE, MICHAEL J & SUELLEN E
11165 STATE ROUTE 37
FINDLAY OH 45840

VAL & CLINT LLC
4227 FAIRFAX DR E
BRADENTON FL 34203

WESTERMAN INVESTMENT LLC
204 GILLIS RD
FLAG POND TN 37657

WOY, DWIGHT W
WOY, MARY RUTH
1346 W PITT ST BOX 222
JENNERSTOWN PA 15547

Manatee County Zoning Ordinance

PDR-25-04(Z)(G) - 5TH STREET - ELMINGTON - WESTERMAN INVESTMENTS, LLC (OWNER) PLN2502-0026

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 3.38 ACRES GENERALLY LOCATED 800 FEET EAST OF THE INTERSECTION OF 1ST STREET AND 301 BOULEVARD EAST, AND COMMONLY KNOWN AS 4010 5TH STREET EAST, BRADENTON (MANATEE COUNTY), FROM RMF-6 (RESIDENTIAL MULTIFAMILY – 6) TO THE PDR (PLANNED DEVELOPMENT RESIDENTIAL) ZONING DISTRICT; APPROVING A GENERAL DEVELOPMENT PLAN FOR 90 MULTIFAMILY UNITS WITH ONE HUNDRED (100%) PERCENT OF THE UNITS DESIGNATED AS "AFFORDABLE HOUSING" IN ACCORDANCE WITH A LAND USE RESTRICTION AGREEMENT (LURA); SUBJECT TO STIPULATIONS AS CONDITIONS OF APPROVAL; SETTING FORTH FINDINGS; PROVIDING A LEGAL DESCRIPTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Westerman Investments, LLC (the "Applicant") filed an application to rezone approximately 3.38 described in Exhibit "A", attached hereto, (the "Property") from RMF-6 (Residential Multifamily – 6) to PDR (Planned Development Residential); and

WHEREAS, the applicant also filed a General Development Plan for 5th Street – Elmington (the "project") on the property; and

WHEREAS, the Manatee County Planning Commission, after due public notice, held a public hearing on September 11, 2025, to consider the rezone and General Development Plan 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 RMF-6 (Residential Multifamily – 6) to PDR (Planned Development Residential)

B. The Board of County Commissioners, after due public notice, held a public hearing on October 9, 2025, 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. GENERAL DEVELOPMENT PLAN. The General Development Plan is hereby approved for 90 multifamily units with one hundred (100%) percent of the units designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA) upon the property subject to the following Stipulations:

A. DESIGN AND LAND USE

1. The Applicant shall enter into a Land Use Restriction Agreement (LURA) pursuant to Chapter 5 of the Land Development Code, in a form acceptable to Manatee County.

2. The site plan submitted with this application shall be part of the approval.

3. Any new or temporary use proposed at this property, other than those approved with this application, shall be required to apply for a new permit through Development Services – Planning & Zoning, as required by the Land Development Code.

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

5. 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.

6. 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.

B. ENVIRONMENTAL PLANNING

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

2. 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); &
   - The final disposition of the well - used, capped, or plugged.

3. 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. STORM WATER ENGINEERING

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

2. Pursuant to Section 801 of the Land Development Code, Manatee County Floodplain Ordinance (Ordinance #20-22, or as amended), and Code of Federal Regulations (CFR), Title 44, Section 60.3,, the subsequent Final Site Plan and Construction Plan submittal(s) and associated Drainage Modeling shall demonstrate that no adverse impacts will be created to neighboring properties surrounding the site with respect to proposed impacts to the County 100-year floodplain delineation pursuant to the Bowlees Creek Watershed Management Plan, and post-development discharge of runoff.

D. 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 construction plans review process for the project.

2. The project will need to be built to the Manatee County Utility, Stormwater, and Highway & Traffic Standards that are current at the time of construction.

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, RMF-6 (Residential Multifamily – 6) to PDR (Planned Development Residential), 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 9th day of October 2025.

MANATEE COUNTY FLORIDA

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

BEGIN 40 RODS SOUTH AND 20 FEET WEST OF NE CORNER OF SW 1/4 OF SW 1/4, WEST 442 FEET, NORTH 336.7 FEET, EAST 442 FEET, SOUTH 336.7 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND IS THE SAME LAND AS DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION COMMITMENT NUMBER 11945730 BEARING AN EFFECTIVE DATE OF AUGUST 5, 2024.

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 9, 2025

Angelina Colonneso
Clerk of the Circuit Court
Manatee County
1115 Manatee Ave W
Bradenton, FL 34205

Dear Angelina Colonneso:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Manatee County Ordinance No. PDR-25-04(Z)(G), which was filed in this office on October 9, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp

REZONE TO PLANNED DEVELOPMENT
WITH GENERAL DEVELOPMENT PLAN
FOR
5TH STREET ELMINGTON
MULTI-FAMILY RENTAL DEVELOPMENT

AUGUST 2025

RAPID RESPONSE

SITE DATA
TOTAL PROPERTY AREA = ± 3.38 ACRES
STREET ADDRESS: 4010 5TH STREET E, BRADENTON, FL 34208
PARCEL IDENTIFICATION NUMBER = 4781300001
PLN2502-0026

PLANNING DATA
EXISTING
LAND USE: VACANT UNPLATTED
ZONING: RMF-6
FUTURE LAND USE: ROR
SPECIAL AREAS: SOUTHWEST TAX INCREMENT FINANCING (SWTIF) [ORDINANCE 14-28], URBAN SERVICE AREA (USA) [COMPREHENSIVE PLAN 2.1.3]

PROPOSED
LAND USE: 90 MULTI-FAMILY RESIDENTIAL UNITS
ZONING: PLANNED DEVELOPMENT-RESIDENTIAL (PD-R)
FUTURE LAND USE (FLU): RETAIL/OFFICE/RESIDENTIAL (ROR)

REQUIRED OPEN SPACE (LDC SECTION 402.7.D.2) = 25.0% (0.85 ACRES)
PROPOSED OPEN SPACE = 47.3% (1.6 ACRES)

GENERAL LAND USE
OPEN SPACE = 1.6 ACRES
ROADWAY / SIDEWALK = 1.15 ACRES
BUILDING = 0.63 ACRES
TOTAL AREA= 3.38 ACRES

RESIDENTIAL DENSITY
ALLOWABLE
MAXIMUM GROSS DENSITY: 6 DU/AC. X 3.38 AC. = 20 UNITS
MAXIMUM NET DENSITY: 9 DU/AC. X 3.38 AC. = 30 UNITS

PROPOSED
PROPOSED GROSS/NET DENSITY: 90 DU / 3.38 AC. = 26.63 DU/AC

LANDSCAPE BUFFERING

REQUIRED	PROPOSED
NORTH = 15' GREENBELT BUFFER	NORTH = 15' GREENBELT BUFFER
SOUTH = 15' GREENBELT BUFFER	SOUTH = 15' ROADWAY BUFFER
EAST = 20' ROADWAY BUFFER	EAST = 20' ROADWAY BUFFER
WEST = 15' GREENBELT BUFFER	WEST = 15' GREENBELT BUFFER

PARKING
REQUIRED = 1.0 -1.8 SPACES PER DWELLING UNIT (IF PROJECT IS LOCATED IN THE URBAN SERVICE AREA. LDC TABLE 10-2)

PROPOSED = 138 SURFACE SPACES (1.53 PER UNIT)

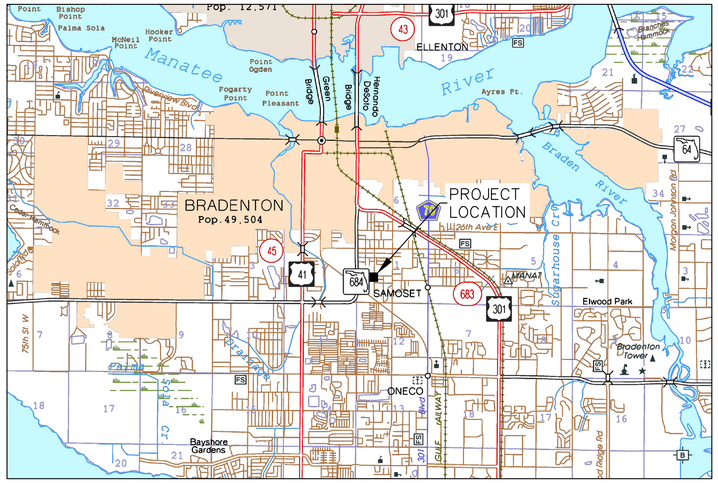
FLOOD HAZARD DESIGNATION
ZONE "X" FLOOD ZONE PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) PANEL 12081C0308E, EFFECTIVE 3/17/2014

UTILITY SERVICE
THIS PROJECT IS PLANNING TO CONNECT INTO COUNTY UTILITIES AND IS IN ACCORDANCE WITH THE MOST RECENT COUNTY MASTER PLAN FOR THIS AREA.

SOLID WASTE SERVICE IS PROPOSED THROUGH AN ON SITE DUMPSTER OR COMPACTOR.

WETLANDS
NO WETLANDS CURRENTLY EXIST ON THE SITE

LOCATED IN:
SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA



VICINITY MAP
1" = 1 MILE

APPLICANT/DEVELOPER:
ELMINGTON CAPITAL GROUP
1030 16TH AVE S, SUITE 500
NASHVILLE, TN 37212
PHONE: 813 - 358 -7671
CONTACT: AARON VARGAS

OWNER:
WESTERMAN INVESTMENTS, LLC
204 GILLIS RD
FLAG POND, TN 37657
PHONE: (941) - 730 - 9559
CONTACT: MAX WESTERMAN

CIVIL ENGINEER/LANDSCAPE ARCHITECT:
KIMLEY-HORN & ASSOCIATES, INC.
1800 2ND STREET, SUITE 900
SARASOTA, FL 34236
PHONE: 941 - 379 -7600
CONTACT: PATRICK M. HEALY, P.E.

SURVEYOR:
POLY SURVEYING
5588 JACKSON ROAD
MOBILE, AL 36619
PHONE: 251 - 666 - 2010
CONTACT: J. BRETT ORRELL, P.L.S.

LEGAL DESCRIPTION

BEGIN 40 RODS SOUTH AND 20 FEET WEST OF NE CORNER OF SW 1/4 OF SW 1/4, WEST 442 FEET, NORTH 336.7 FEET, EAST 442 FEET, SOUTH 336.7 FEET TO THE POINT OF BEGINNING. ALL LYING AND BEING IN SECTION 1, TOWNSHIP 35 SOUTH, RANGE 17 EAST, MANATEE COUNTY, FLORIDA.

THE ABOVE DESCRIBED PARCEL OF LAND IS THE SAME LAND AS DESCRIBED IN AMERICAN LAND TITLE ASSOCIATION COMMITMENT NUMBER 11945730 BEARING AN EFFECTIVE DATE OF AUGUST 5, 2024.

SHEET LIST TABLE

SHEET NUMBER	SHEET TITLE
1	COVER SHEET
2	EXISTING CONDITIONS
3	GENERAL DEVELOPMENT PLAN

PATRICK M. HEALY LICENSE No. 82351 STATE OF FLORIDA PROFESSIONAL ENGINEER

Digitally signed by Patrick M Healy
Date: 2025.08.04 09:44:30 -04'00'

THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY PATRICK M. HEALY, P.E. ON THE DATE ADJACENT TO THE SEAL.

SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES

PATRICK M. HEALY, P.E.
KIMLEY-HORN AND ASSOCIATES, INC.
REGISTRY NO. 35106
1800 SECOND STREET, SUITE 900
SARASOTA, FLORIDA 34236

PREPARED BY
Kimley»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
1800 2ND STREET, SUITE 900, SARASOTA, FL 34236
PHONE (941) 379-7600
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

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PATRICK M. HEALY P.E.
FLORIDA LICENSE NUMBER: 82351
DATE:

DATE: AUGUST 2025
PROJECT NO.
SHEET NUMBER: 1

Drawing name: G:\Marketing\Propose\Elmington Capital Group\5th Street Bradenton\GDP\CAD\Plan Sheets\1 - COVER SHEET.dwg 1 - COVER SHEET Aug 04, 2025 7:13am by Josh.Lundy
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Plotted By:Lundy, Josh Sheet Set:Kha Layout:2 - EXISTING CONDITIONS August 04, 2025 07:13:27am G:\Marketing\Propose\Elmington Capital Group\5th Street Bradenton\GDP\CAD\Plan Sheets\2 - EXISTING CONDITIONS.dwg

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CONCRETE
ASPHALT
POWER BOX
FIBER OPTIC MARKER
GRATED INLET
CAMERA & SOLAR CHARGER
OVERHEAD POWERLINE
GUY WIRE
POWERLINE / TELEPHONE POLE
POWERLINE / TELEPHONE PEDESTAL
MANHOLE
SANITARY SEWER MANHOLE
FIRE HYDRANT
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
(R) = RECORD
(M) = MEASURED
MBSL = MINIMUM BUILDING SETBACK LINE
OHW = OPEN TOP IRON FOUND
CM# = CONCRETE MONUMENT FOUND
LB# = 1/2" CAPPED REBAR IRON FOUND

GRAPHIC SCALE IN FEET
0 15 30 60

NORTH

SHEET NUMBER 2	5TH STREET ELMINGTON PREPARED FOR ELMINGTON CAPITAL GROUP MANATEE COUNTY FLORIDA	EXISTING CONDITIONS	KHA PROJECT DATE AUGUST 2025 SCALE AS SHOWN DESIGNED BY DRAWN BY CHECKED BY

LICENSED PROFESSIONAL
PATRICK M. HEALY, P.E.
FLORIDA LICENSE NUMBER 82351
DATE:

Kimley»Horn
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1800 2ND STREET, SUITE 900, SARASOTA, FL 34236
PHONE: 941-379-7600
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

No.	REVISIONS	DATE	BY



NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

= DEVELOPABLE AREA

NOTES:

1. ALL IRRIGATION SHALL USE THE LOWEST QUALITY WATER AVAILABLE WHICH ADEQUATELY AND SAFELY MEETS THE NEEDS OF THE SYSTEM. STORM WATER REUSE, RECLAIMED WATER USE, GREY WATER IRRIGATION SYSTEMS AND/OR SHALLOW WELLS SHALL BE USED. THE USE OF POTABLE WATER FOR IRRIGATION WILL NOT BE ALLOWED.
2. TREE REMOVAL /REPLACEMENT AND LANDSCAPING WILL BE IN ACCORDANCE WITH LDC SECTIONS 402, 700, AND 701,
3. THERE ARE EXISTING POTABLE WATER AND SANITARY SEWER FACILITIES DIRECTLY ADJACENT TO THE PROPERTY; HOWEVER, UTILITY PLANT CAPACITY AND TRANSMISSION LINE CAPACITY ARE NOT DETERMINED AT THIS STAGE IN THE DEVELOPMENT REVIEW PROCESS. THE APPLICANT WILL BE REQUIRED TO PAY THEIR PROPORTIONATE SHARE OF THE COST TO MITIGATE IMPACTS FROM THE PROJECT ON UTILITY PLANT AND TRANSMISSION LINE CAPACITY, IN ACCORDANCE WITH APPLICABLE COUNTY CODES AND ORDINANCES.
4. PROPOSED POTABLE WATER, RECLAIMED WATER AND/OR WASTEWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 803 OF THE MANATEE COUNTY LDC. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
5. GREENBELT BUFFERS TO BE ESTABLISHED PER LDC SECTION 402.7.D.5.
6. THE PROPOSED DRAINAGE EASEMENTS AND STORMWATER FACILITIES SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF SECTION 801 OF THE MANATEE COUNTY LDC AND THE REQUIREMENTS OF MANATEE COUNTY PUBLIC WORKS STANDARDS PART 2 STORMWATER MANAGEMENT DESIGN MANUAL. THE SIZE AND LOCATION OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
7. THE PROPOSED ROADWAY SECTIONS, DESIGN AND DETAILS SHOWN ARE CONCEPTUAL ONLY AND ARE INCLUDED TO GRAPHICALLY DEMONSTRATE THE INTENT TO COMPLY WITH THE REQUIREMENTS OF MANATEE COUNTY PUBLIC WORKS STANDARDS PART 3 HIGHWAY & TRAFFIC STANDARDS MANUAL. THE DESIGN OF THESE FACILITIES WILL BE FINALIZED DURING THE FINAL SITE/CONSTRUCTION PLAN REVIEW PROCESS.
8. ALL SIGNS PROPOSED WITH THIS DEVELOPMENT SHALL COMPLY WITH LDC CHAPTER 6 - SIGNS.
9. ALL OUTDOOR LIGHTING PROPOSED WITH THIS DEVELOPMENT SHALL COMPLY WITH LDC SECTION 806.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
1800 2ND STREET, SUITE 900, SARASOTA, FL 34236
PHONE: 941-379-7600
WWW.KIMLEY-HORN.COM REGISTRY NO. 35106

LICENSED PROFESSIONAL
PATRICK M. HEALY, P.E.
FLORIDA LICENSE NUMBER
82351
DATE:

KHA PROJECT	
DATE	AUGUST 2025
SCALE	AS SHOWN
DESIGNED BY	
DRAWN BY	
CHECKED BY	

GENERAL DEVELOPMENT PLAN

5TH STREET ELMINGTON
PREPARED FOR
ELMINGTON CAPITAL GROUP
MANATEE COUNTY FLORIDA

SHEET NUMBER
3

Plotted By:Lundy, Josh Sheet Set:Khs Layout:3 - SITE PLAN August 04, 2025 07:13:37am G:\Marketing\Propose\Elmington Capital Group\5th Street Bradenton\GDP\CAD\Plan Sheets\3 - SITE PLAN.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

MANATEE COUNTY GOVERNMENT

STATE OF FLORIDA

COUNTY OF MANATEE

Before the undersigned authority personally appeared **Quantana Acevedo,** who on oath says that she is a **County Employee of Manatee County Government, Manatee County, Florida**; that the attached copy of advertisement, being a public notice in the matters of **Notice of Development of Regional Impact and Zoning Changes in Unincorporated Manatee County** for the **Manatee County Board of Commissioner Land Use Meeting on October 8, 2026,** in Manatee County Florida, was published on the publicly accessible website of Manatee County Government, Manatee County, Florida, of www.mymanatee.org on **September 21, 2026**.

Affiant further says that the website complies with all legal requirements for publication in Chapter 50, Florida Statutes.

By: Q Acevedo
Quantana Acevedo, Planning and Zoning Tech III

Sworn to and subscribed before me this this 21st day of September 2026, by Quantana Acevedo, who is personally known to me or who has produced (type of identification) as identification.

ROBERTA JO ROY
MY COMMISSION # HH 639380
EXPIRES: February 28, 2029

Roberta Jo Roy
(Signature of Notary Public)

Roberta Jo Roy
(Print Name of Notary Public)

Notary Public
(Title)

My Commission Expires: 2/28/2029

Commission Number: HH 639380

NOTICE OF PUBLIC HEARING

NOTICE OF DEVELOPMENT OF REGIONAL IMPACT AND ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN that the **Board of County Commissioners of Manatee County** will conduct a Public Hearing on **October 8, 2026, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administration Building, 1st Floor Patricia M. Glass Chambers, 1112 Manatee Avenue West, Bradenton, Florida,** to consider and act upon the following matters:

Ordinance No. 26-15 – Parrish Lakes DRI #28 – PLN2408-0048
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending and restating Ordinance No. 17-36 and rendering an amended and restated Development Order pursuant to Chapter 380.06, Florida Statutes, for the Parrish Lakes Development of Regional Impact (DRI #28/TBRPC DRI #269); approving amendments to Map H, Table 1 (Development Totals), and the Development Order to: 1) reflect a revised development consisting of 2,444 single-family detached units, 686 single-family attached/townhome units, zero multi-family units, 302,251 square feet of commercial/retail uses, and 43,320 square feet of office uses; 2) include a public educational facility as a permitted use; 3) remove affordable housing conditions (fka Stipulations) M.1 through M.12; and 4) align Phase I and II buildout dates to 2036; on an application for an amended development approval (ADA), filed by FLM, Inc., Hawk Parrish Lakes, LLC., CNL Parrish Lakes East, LLC., and CNL Parrish Lakes West, LLC.; providing for development rights, conditions, and obligations; providing for severability; and providing an effective date.

The Parrish Lakes DRI consists of approximately 1,155 acres, is zoned Planned Development Mixed Use (PDMU), and is generally located on the south side of Moccasin Wallow Road, approximately 0.74 miles east of I-75, and north side of Erie Road, at 7205 and 8505 Moccasin Wallow Road, and 7400, 7205, 7707, and 7800 Sawgrass Road, extending from Moccasin Wallow Road to Erie Road, Palmetto and Parrish (Manatee County).

PDMU-16-16(G)(R3) – Parrish Lakes GDP Amendment – Hawk Parrish Lakes, LLC., CNL Parrish Lakes East, LLC., CNL Parrish Lakes West, LLC., and FLM Inc. (Owners) – PLN2408-0049
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Ordinance PDMU-16-16(G)(R2) to approve a land use exchange, a revised General Development Plan, and a revised Ordinance as follows: 1) Revise the development program to allow 2,444 single-family detached units, 686 single-family attached/townhome units, zero multi-family units, 302,251 square feet of commercial/retail uses, and 43,320 square feet of office uses; 2) acknowledge a public education facility and commercial/retail uses on Parcel C-7 as permitted uses; 3) eliminate Section 3.P (P1-P12) for affordable housing; 4) allow Phase I and Phase II buildout dates to be completed in 2036; and modify certain conditions consistent with current department practices and other amendments for internal consistency, subject to stipulations as conditions of approval; setting forth findings; providing legal description; providing for severability; and providing an effective date.

The Parrish Lakes DRI consist of approximately 1,155 acres, is zoned Planned Development Mixed Use (PDMU), and is generally located on the south side of Moccasin Wallow Road, approximately 0.74 miles east of I-75, and north side of Erie Road, at 7205 and 8505 Moccasin Wallow Road, and 7400, 7205, 7707, and 7800 Sawgrass Road, extending from Moccasin Wallow Road to Erie Road, Palmetto and Parrish (Manatee County).

PDC-18-14(G)(R2) – Life Storage & Hotel at Bradenton (fka Wisdom Hotel and Retail Development/I-75-SR 64 Development, Inc.) – Life Storage Largo I LLC (Owner) – PLN2607-0083
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, revising Zoning Ordinance PDC-18-14(Z)(G) by amending a previously approved General Development Plan increasing the total maximum permitted Floor Area Ratio to 0.75 from 0.46, removing a 6,500 square foot retail commercial building and reducing the room count by 75 from a 200 room hotel(s) and instead proposing a development consisting of one (1) 124-room hotel and one (1) 132,000 square foot self-storage facility on an approximately 6.20-acre site, comprised of two parcels, Parcel A (3.10 acres) and Parcel

B (3.10 acres), retaining the Planned Development Commercial (PDC) Zoning District and the Overlay Districts, generally located at the southeast corner of State Road 64 and 64th Street Court East, and commonly known as 921 64th Street and 6620 SR 64 East, Bradenton (Manatee County); retaining the previously approved Schedule of Permitted and Prohibited Uses as voluntarily proffered by the Applicant, attached hereto as Exhibit B, with no changes; subject to conditions of approval; setting forth findings; providing a legal description; providing for severability and providing an effective date.

PDC-18-21(Z)(P)(R) – Sawgrass Storage – PSI Atlantic Parrish FL 2 LLC (Owners) – PLN2511-0132

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, generally located on the south side of Moccasin Wallow Road, 0.8 miles east of Carter Road and 0.6 miles west of Sawgrass Road, and commonly known as 9435 Moccasin Wallow Road, providing for a rezone of approximately 7.71 acres from General Agriculture (A) to Planned Development Commercial (PDC) Zoning District of a total of approximately 22.45-acre site; amending Zoning Ordinance No. PDC-18-21(Z)(P); amending Preliminary Site Plan to add additional spaces for outdoor storage and accessory parking and retaining the 206,645 square feet of mini-warehouse (including RV and boat storage space); subject to voluntarily proffered conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDMU-23-27(G)(R) – Bradenton Crossings JACK 95, LLC-ROSY 95, LLC- PETER 74, LLC- TCG, LLC-SCHOOLOFHARDKNOCKS, LLC- DSHC TRANSITIONS 006, LLC-DSHC ENTERPRISES, LLC (OWNERS) – PLN2510-0160 This item to be continued to November 19, 2026 due to continuation at Planning Commission

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Zoning Ordinance No. PDMU-23-27(Z)(G) by requesting approval of a modification to the previously approved a General Development Plan: 1) adding approximately 192,649 square feet to the maximum allowable intensity of nonresidential uses of approximately 768,398 square feet for the entire proposed development; 2) reducing 100,000 square feet from the previously approved addition of 150,000 square feet in the approximately School area (Area B – approximately 11 acres) and allocating the 100,000 square feet to the Commercial/RV (Area C – approximately 20 acres); 3) allocating the additional 192,649 square feet of increased intensity of nonresidential uses to the Commercial/RV (Area C – approximately 20 acres) for a maximum of 624,899 square feet should development on overall site not reach the maximum intensity of nonresidential uses; 4) limiting possible maximum 4-story, 125-room hotel, commercial/retail use, and medical and professional office uses to the Commercial/Retail/Office area (Area A); and 5) limiting possible warehouse and outdoor storage uses to the Commercial/Retail/Office (Area A) and the Commercial/RV areas (Area C), the total property being approximately 35.28 acres and generally located at the southeast quadrant of the intersection of US 301/US41 and 13th Avenue E, and commonly known as 202 13th Avenue E, Bradenton (Manatee County); retaining without modification of the approved Schedule of Permitted and Prohibited Uses as previously voluntarily proffered by the applicant and attached herein as Exhibit B; subject to conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

PDR-04-39(G)(R4) – Concession Phase VI – PLN2603-0145

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending Zoning Ordinance No. PDR-04-39(G)(R3), and approving an amended General Development Plan to: a) reallocate two (2) previously approved residential dwelling units to 2.41± acres of an approximate 2.49±acre parcel in the PDR (Planned Development Residential) Zoning District and, b) remove alternate second means of access west of Tract 801; the total number of approved residential units remains unchanged at 255 with the approval of the Amended General Development Plan; located in the Planned Development Residential/Evers Reservoir Watershed Protection/Special Treatment Overlay Zoning District (PDR/WP-E/ST); the subject parcel is on the south side of State Road 70 East, and east of Lindrick Lane, Bradenton (unincorporated Manatee County) all within a Project known as “The Concession”; subject to amended voluntarily proffered conditions of approval (fka stipulations); setting forth findings; providing for severability; providing a legal description; and providing an effective date

PDR-25-04(G)(R) – 5TH Street Elmington – Westerman Investments, LLC (Owner) – PLN2603-0016
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, providing for the requested approval of an amendment to Ordinance No. PDR-25-04(Z)(G) and its associated General Development Plan, requesting an increased density for up to 108 multi-family residential units from the previously approved 90 multi-family units, with one hundred (100%) percent of the units remaining designated as "Affordable Housing" in accordance with a Land Use Restriction Agreement (LURA); the property being located on approximately 3.38 acres, retaining its PDR (Planned Development Residential) zoning, and generally being located 800 feet east of the intersection of 1st Street and 301 Boulevard East, and commonly known as 4010 5th Street East, Bradenton, (unincorporated Manatee County); subject to voluntarily proffered conditions of approval; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

ZL-26-02 – Gettel Bradenton Inc. Rezone – Gettel Bradenton, Inc. (Owner) – PLN2602-0134
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 1.14 acres of an approximately 11.37 acre parcel from Suburban Agriculture (A-1) to General Commercial/Limited (GC/L) Zoning District with the remaining approximately 10.23 acres of said parcel retaining the existing Planned Development – Mixed Use (PD-MU) Zoning designation; the property being generally located on the north side of SR 64 East, approximately 1,500 feet west of Cypress Creek Boulevard and 300 feet east of Morgan Johnson Road, and commonly known as SR 64 E, Bradenton (unincorporated Manatee County); approving a Schedule of Permitted and Prohibited Uses and conditions of approval, as voluntarily proffered by the applicant limiting use to outdoor storage and attached as Exhibit B; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

Interested parties may examine the proposed Ordinance and related documents and may obtain assistance regarding this matter from the Manatee County Development Services Department, 9000 Town Center Parkway, Lakewood Ranch, Florida; telephone number (941) 748-4501 x6878; e-mail to: public.comments@mymanatee.org

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinances. According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at said Public Hearing will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Rules of procedure for this public hearing are in effect pursuant to Resolution 25-013. A copy of this Resolution is available for review or purchase from the Development Services Department (see address below).

Please send comments to: Manatee County Development Services Department
Attn: Planning Coordinator
1112 Manatee Avenue West / P.O. Box 1000
Bradenton, FL 34205
public.comments@mymanatee.org

Americans with Disabilities: The Board of County Commissioners does not discriminate upon the basis of any individual's disability. Manatee County is committed to providing full access to facilities, programs, and services to all, as well as supporting the employment of qualified individuals with disabilities in its workforce in accordance with federal and state laws and regulations, including the Americans with Disabilities Acts of 1990 (ADA) and as amended ("ADAA"), and 503 and 504 of the Rehabilitation Act of 1973. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act (ADA), or assistance with accessing any of these documents, should contact Carmine DeMilio, ADA Compliance Coordinator, at (941)792-4501 ext. 6016 or carmine.demilio@mymanatee.org, as least 3 business days prior to the scheduled meeting. If you are deaf/hard of hearing and require the services of an interpreter, please contact the Florida Relay Service at 711.

THIS HEARING MAY BE CONTINUED FROM TIME-TO-TIME PENDING ADJOURNMENTS.

MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
Manatee County Development Services Department
Manatee County, Florida
Date Published: September 21, 2026



BETTER HOUSING

ADVANCING COMMUNITIES

ELMINGTON



ELMINGTON

Elmington is a national leader in the development, construction, and management of affordable, workforce, mixed-use, and mixed-income communities. We manage more than 47,000 units across twenty eight states, and we have acquired or developed over 11,000 multifamily affordable units since 2010. We currently have around 1,000 units under development in Florida.

We focus on improving communities to enhance the lives of those who inhabit them while also adding lasting value. We create better housing through development, re-positioning, effective operations, and collaborative engagement with neighbors, non-profit organizatons, elected leaders, and community advocacy groups. Our extensive experience with 4% and 9% Low-Income Housing Tax Credits (LIHTCs), tax-exempt bond-financing, tax-increment financing (TIF), HUD rental assistance programs, and an array of other development strategies make us experts and an invaluable resource to our partners.

ELMINGTON

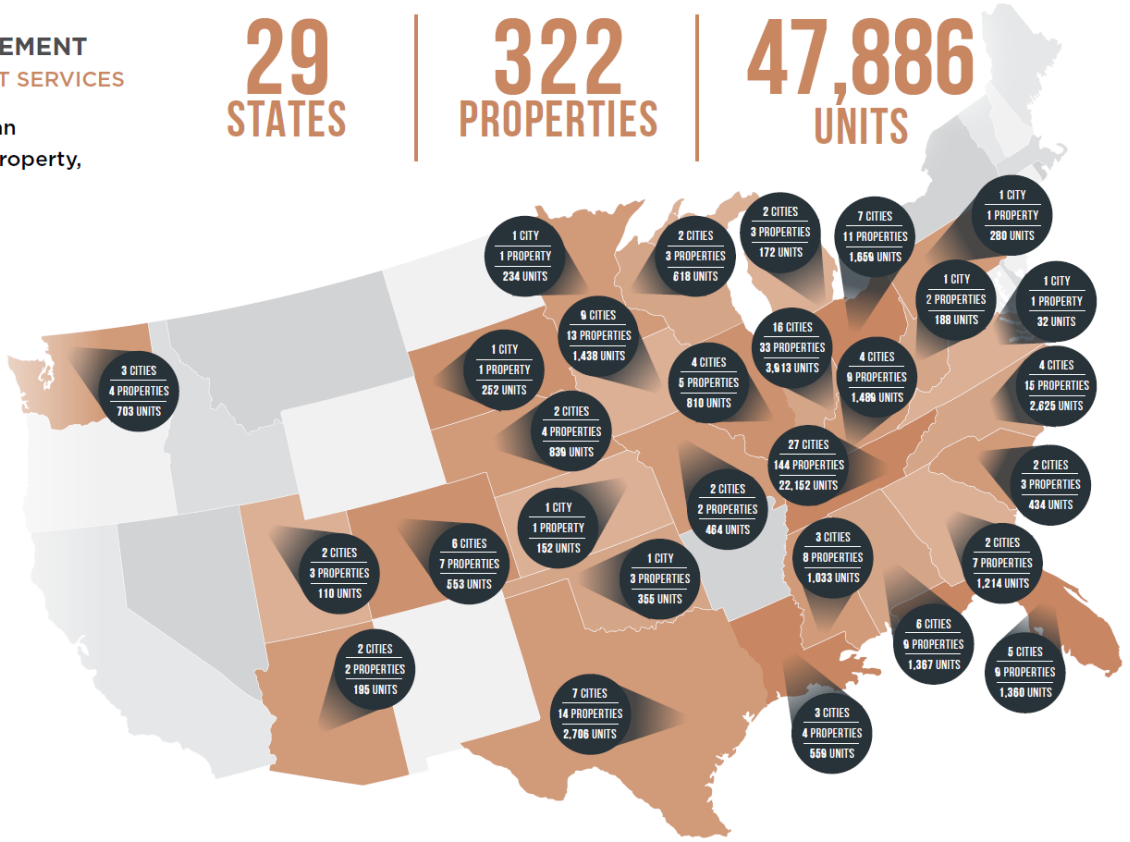
ELMINGTON PROPERTY MANAGEMENT

PROPERTY AND ASSET MANAGEMENT SERVICES

Elmington Property Management has an undisputed track record of hands-on property, asset, and facilities management, as outlined below:

- EPM alone is entrusted with over $417 Million in rent receipts per year, a number that is ever-growing with our increased footprint and client partnerships.
- Elmington manages more than 47,000 apartment units with a focus on fostering healthy communities for our residents and neighbors.
- Our property team understands the market, prospects, and residents. We want everyone to participate in the process of building community.

29 STATES | **322** PROPERTIES | **47,886** UNITS



ELMINGTON





UNION COMMONS FLATS | CINCINNATI, OH | UNIT COUNT: FAMILY: 262 | SENIOR: 126













RIDGE ROAD FLATS | TALLAHASSEE, FL | UNIT COUNT: 250









ELLINGTON

CLUBHOUSES, AMENITIES & UNIT FINISHES











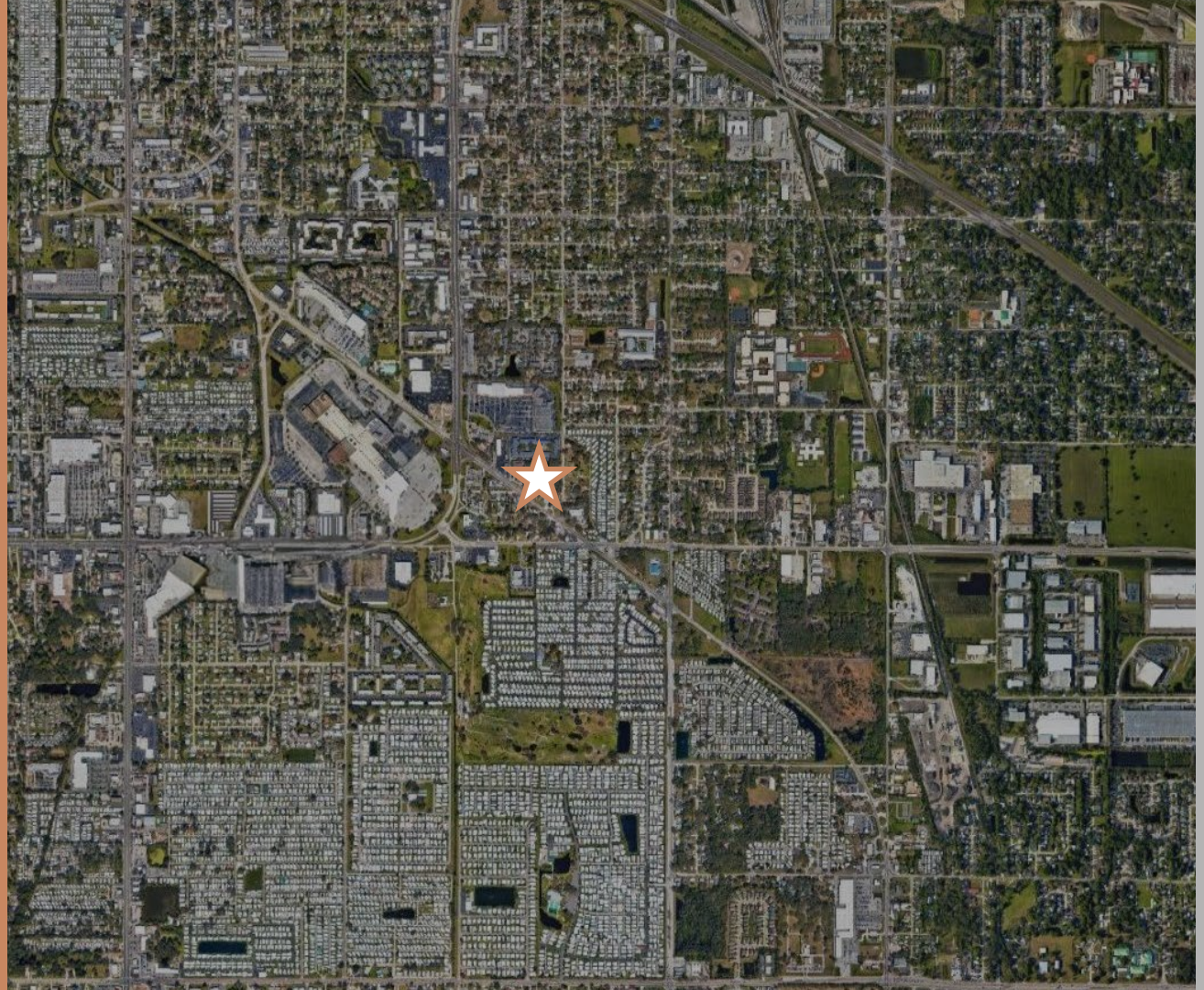




ELMINGTON


5TH STREET
APARTMENTS
108 MULTIFAMILY UNITS
Manatee County, Florida
ELMINGTON

LOCATION



ELMINGTON

AMENITY MAP

BUS STOPS

GROCERY STORES

SCHOOLS

ELMINGTON

ZONING & FUTURE LAND USE

CURRENT
Zoning: Planned Development – Residential (PD-R)
FLU: Retail/Office/Residential
Density: Vacant
PROPOSED
Zoning: Planned Development – Residential (PD-R)
FLU: Retail/Office/Residential
Density: 32 units per acre (maximum allowable is 32 du/ac)

ELMINGTON

SITE PLAN & UNIT MIX

Building 1	
Acres	3.38
Stories	4
Total Units	108
Parking Spaces	162

All units will be restricted at or below 60% AMI

AMENITIES

Stone Countertops

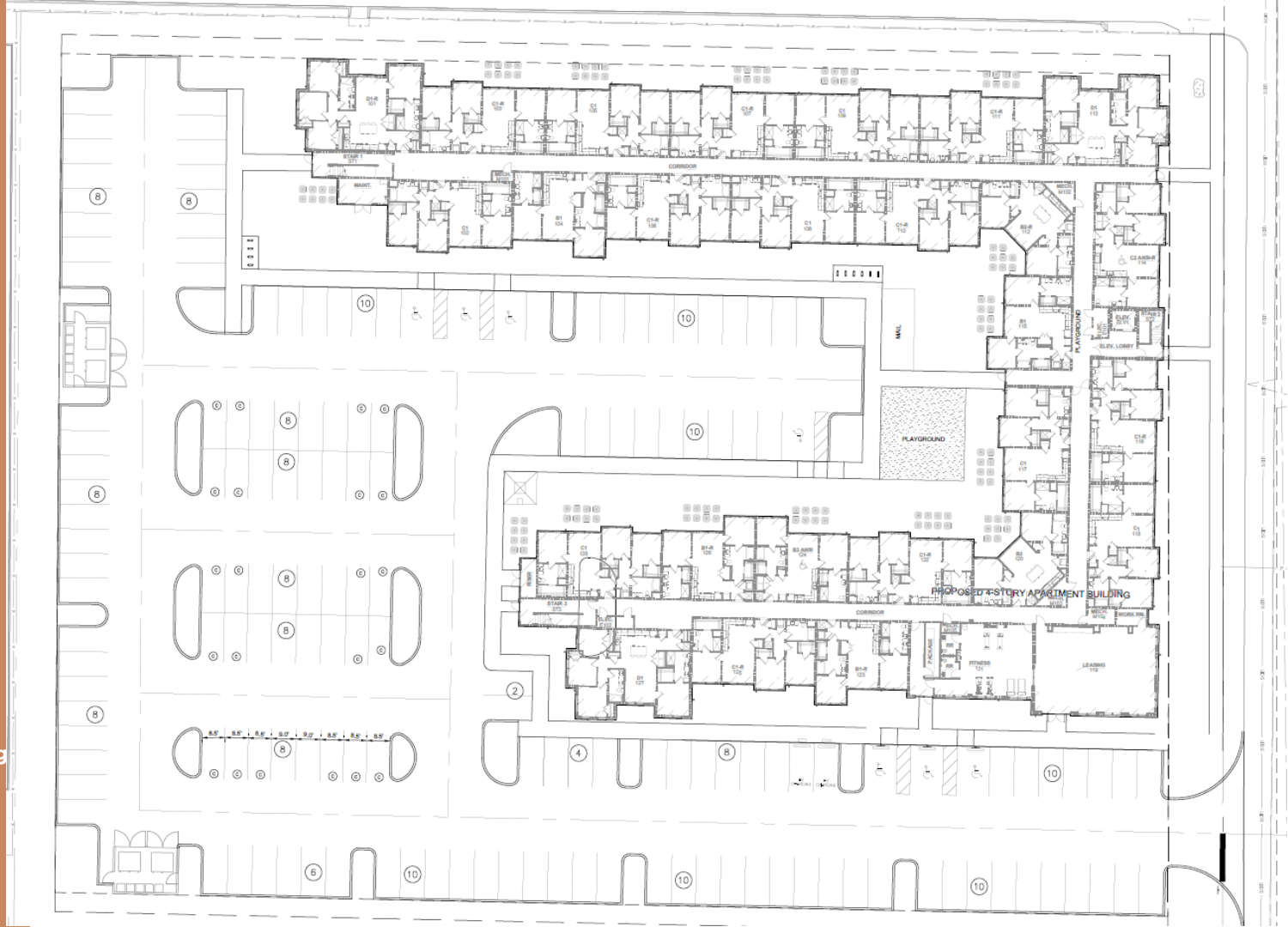
Clubhouse

Fitness Center

Energy Star Appliances

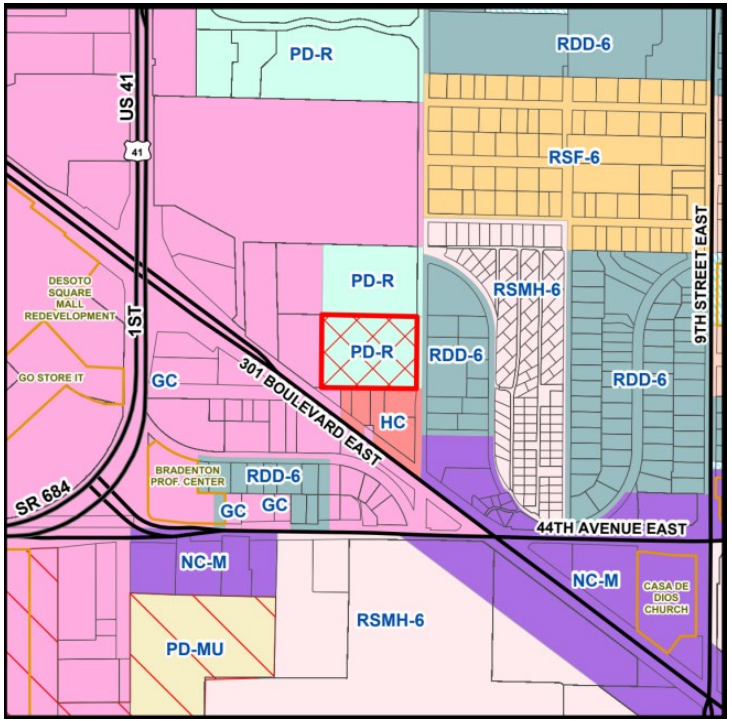
On-Site Maintenance & Leasing

Neighborhood Workshop held on June 26,2025

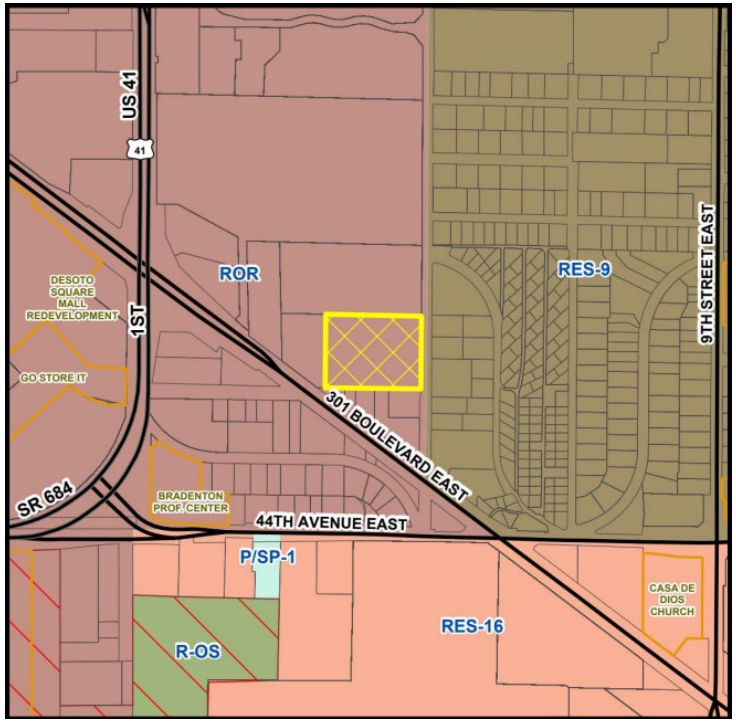


COMPATIBILITY

ZONING



FUTURE LAND USE



MANATEE COUNTY FACTS

COST-BURDENED HOUSEHOLDS

Approximately 38% of all households in Manatee County spend more than 30% of their income on housing, classifying them as cost-burdened. Among renter households, this figure rises to 52%. [1]

PROJECTED GAP BY 2030

By 2030, the housing shortage is projected to reach 9,369 units overall, with a shortage of 7,856 units for households earning below $35,000 annually. [2]

LAND USE

Currently, 89% of residential land in Manatee County is designated for single-family homes, while only 11% supports apartment homes. [3]

1. Stream Manatee
2. Florida Apartment Association
3. Florida Apartment Association

ELMINGTON

Q&A

ELMINGTON

CONTACT

ElmingtonDevelops.com

Brie Kiewath

bkiewath@elmingtoncapital.com

ELMINGTON

5th Street Elmington

PDR-25-04(G)(R)
PLN2603-0016

Lindsey Craig, MSURP
Planner I

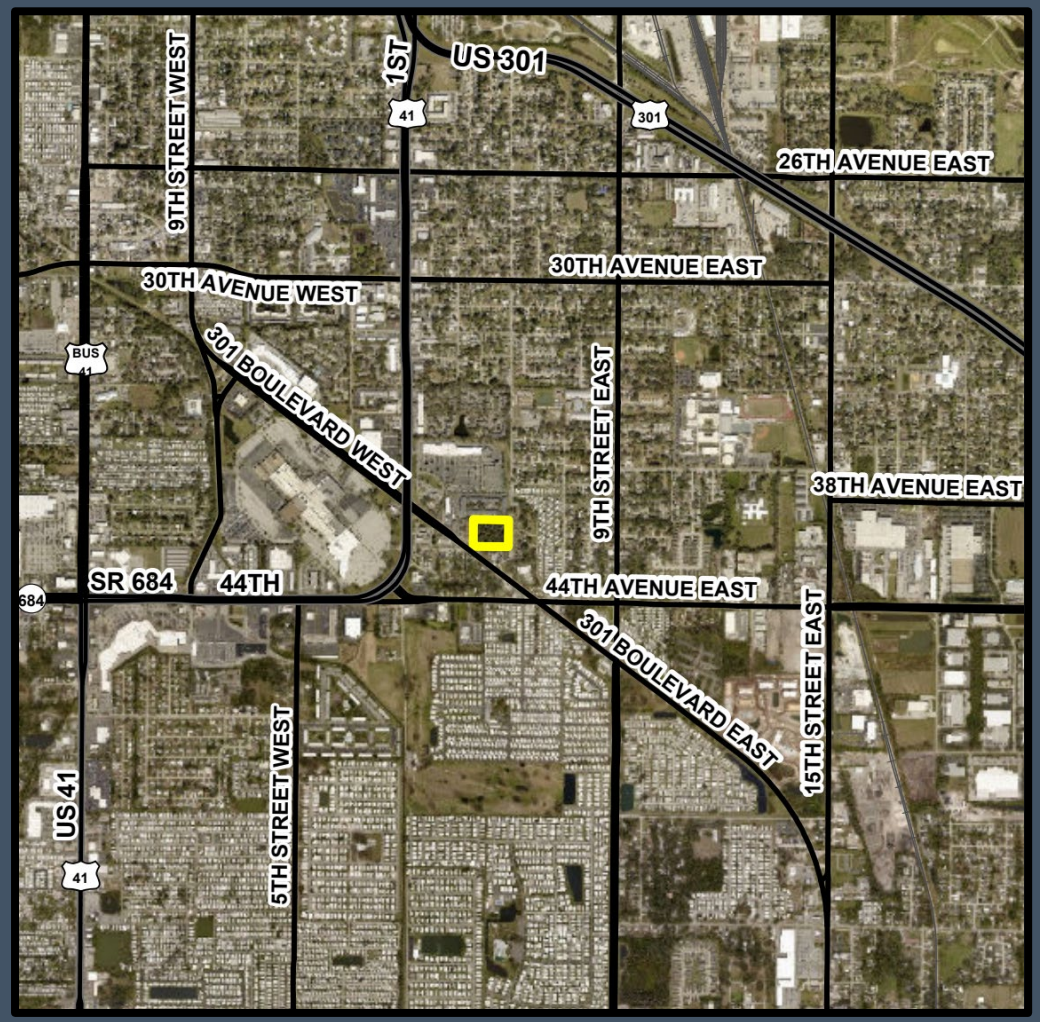
Board of County Commissioners

October 8, 2026

Site Location

General Location: approximately 800 feet east of the intersection of 1st Street and 301 Boulevard East.

Project Area: 3.38 acres





Source: Manatee County

Request

- **Site Plan:** Amendment to the General Development Plan (GDP)
- **Entitlements/Density:** 108 multifamily residential dwelling units or 32 DU/GA
  - Previous Approved Ordinance: 90 multifamily residential dwelling units or 26 DU/GA
- **Access:** 5th Street East
- **Overlays:** Urban Service Area (USA) and Southwest County Improvement District (SWTIF)
- **Schedule of Uses:** Not Applicable
- **Specific Approvals:** Two requested
- **Conditions of Approval:** Proffered



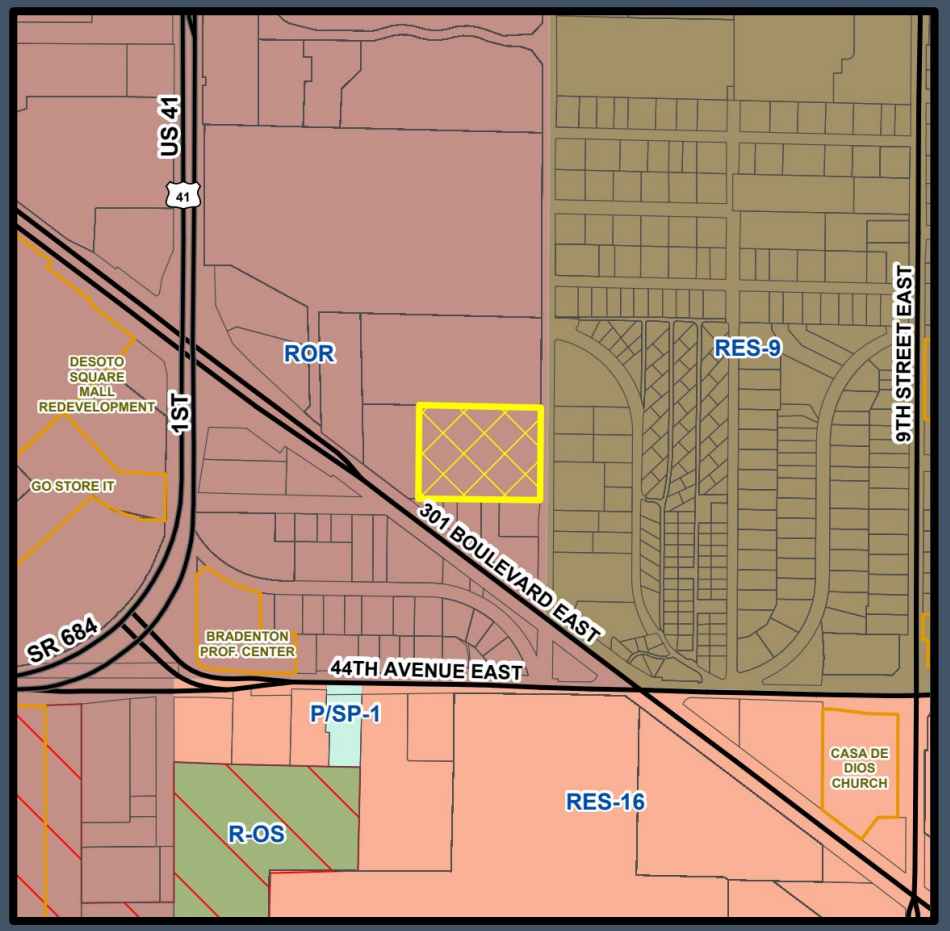
Source: Manatee County

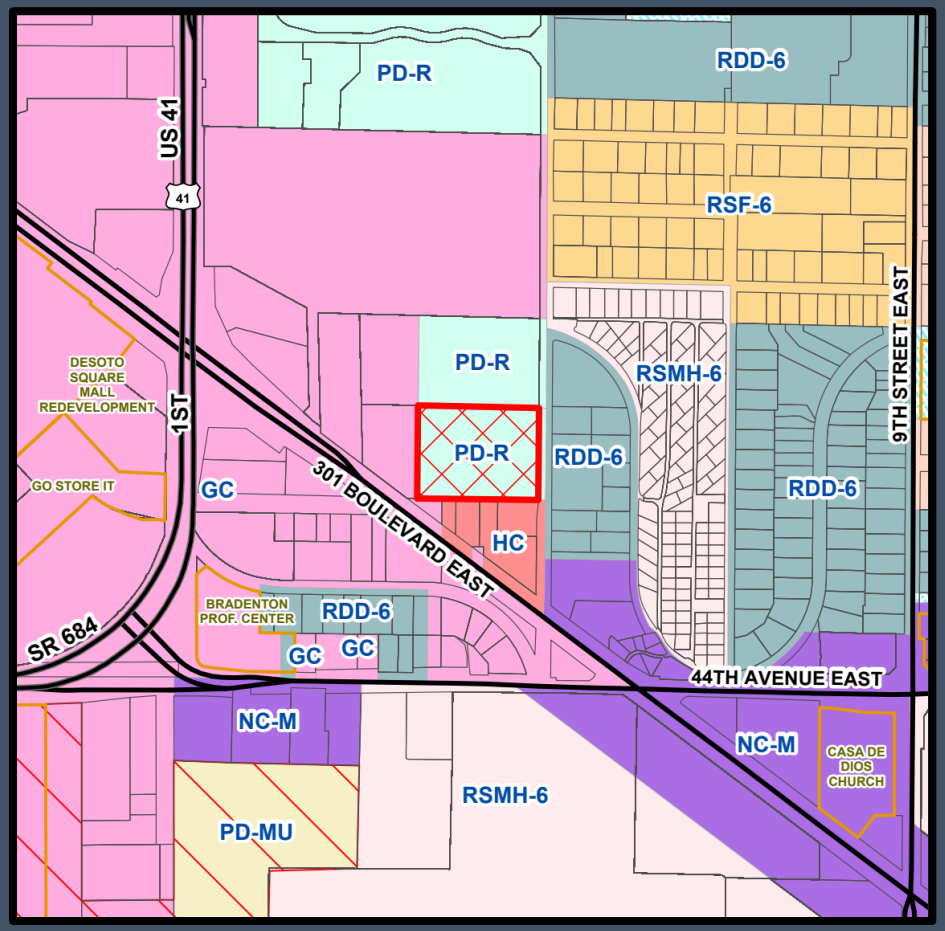


Source: Applicant

Future Land Use & Zoning District

- FLU:
  Retail / Office / Residential (ROR)
- Zoning District:
  Planned Development Residential (PDR)





Source: Manatee County

Manatee County FLORIDA

History

- Future Land Use Category
  - 1989 Comp Plan Adoption: Retail / Office / Residential (ROR)

- Zoning District
  - 1990 LDC Adoption: Residential Multifamily – 6 (RMF-6)
  - October 9, 2025: Rezone from RMF-6 to PDR with a GDP for 90 multi-family dwelling units with 100% of as “Affordable Housing” in accordance with a Land Use and Deed Restriction Agreement (LURA)

Manatee County FLORIDA

Neighborhood Workshop

- **Location:** Neighborhood Workshop Wavier granted by Development Services Director
- **Date:** Previous GDP approval held a neighborhood workshop on June 26, 2025

Summary of Issues and Concerns:

- Compatibility with single family residential
- Dumpster pad location
- Connection to County facilities
- Affordability of the rental units
- Security of the property
- Traffic Light at the end of 5th Street
- Timing of development

Manatee County FLORIDA

Public Facilities

- **County infrastructure facilities exist near the project:**
  - Potable Water
  - Wastewater
  - Reclaimed Water

Manatee County FLORIDA

Floodplain and Stormwater

- Property is NOT located within the FEMA 1% Annual Chance Flood Hazard Area

Transportation Link Capacity Analysis

NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	EXISTING LOS	FUTURE LOS *(W/O PROJECT)*	FUTURE LOS *(W/ PROJECT)*
9th Street East	1130	D	D	D	D
30th Avenue East	1480	D	D	D	D
301 Boulevard East	2050	D	D	D	D

The ordinance to repeal transportation concurrency (ORD 24-44) was adopted on August 8, 2024.

Manatee County FLORIDA

Specific Approvals Requested

1. LDC Section 1005.3.A. Table 10-2, reducing from 1.8 parking spaces to 1.5 parking spaces per dwelling unit for Multiple Family Dwellings

   Mitigating Measure: The requested parking reduction is supported by the site's proximity to existing transit services, pedestrian accessibility, and nearby amenities, which are expected to reduce parking demand while adequately serving residents.

2. LDC Section 1001.1.C, to not require a second means of access for a development containing more than 100 residential dwelling units.

   Mitigating Measure: No mitigation provided.

Manatee County FLORIDA

Positive Aspects

- The ROR FLUC anticipates the uses and density proposed with this GDP amendment.
- The proposed 108 multi-family dwelling units are 100% “Affordable Housing”.
- Provides affordable housing in the Urban Service Area.
- The subject property is west of the FDAB.
- Site design provides 30% Open Space, exceeding the required 25% Open Space for the project.
- The project is close to transit stops, which can reduce auto-dependency.
- Adjacent to a commercial complex, which can reduce the length and duration of home-based shopping trips.

Negative Aspects with Proposed Mitigating Measures

- **Two Specific Approvals Requested**
  - Mitigating Measure: See previous slide

Notable Conditions of Approval

Design and Land Use

- The Applicant shall enter into a Land Use Restriction Agreement (LURA) pursuant to Chapter 5 of the Land Development Code, in a form acceptable to Manatee County.

Traffic

- Additional access may be at the request of the Fire District at the time of PSP/FSP.

Consistency with Comprehensive Plan

- **Policy 2.1.1.4** (Promote development in currently undeveloped areas)
- **Policy 2.1.2.2.** (Limit urban sprawl east of the FDAB)
- **Policy 2.1.2.3.** (Compatibility with existing development)
- **Policy 2.1.2.4.** (Limit urban sprawl)
- **Policy 2.1.2.7** (Appropriate timing)
- **Policy 2.2.1.17.** (ROR FLUC)
- **Objective 6.1.3. Affordable Housing**

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Compliance with the Land Development Code

- Section 312.6 – Neighborhood Workshops
- Section 321.3 – Review Criteria
- Section 401.5 – Building Height Compatibility
- Section 402.6 - General Design Requirements For All Planned Development Site Plans
- Section 402.7.D - Planned Development Residential
- Section 531.47 – Residential Uses

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Planning Commission

- **Recommendation of Approval**
  - 6-0
- **Concerns**
  - **Stormwater**

Conclusion

- The request may demonstrate consistency with the goals, objectives, and policies of the Comprehensive Plan, as well as the applicable standards of the Land Development Code.
- Staff will conduct additional analysis for compliance with the requirements of the Land Development Code and Comprehensive Plan at time of the Final Site Plan submittal.

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Thank you!

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Residential Compatibility

- Definition of Compatibility in §163.3164(9), Florida Statutes:
  - *"Compatibility" means a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*
- Manatee County's Comprehensive Plan Goal 2.6 requires that developments utilize appropriate buffers, screening, setbacks, and other mitigative techniques to achieve compatibility with adjacent properties and uses.
- Planned Development process may result in additional mitigation technique requirements and limits on net residential density to achieve compatibility between adjacent residential land

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Stormwater Conditions

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

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 shall be submitted to demonstrate compliance prior to commencement of construction.

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Public Facilities

- Potable Water Infrastructure
  - 8-inch County sanitary sewer gravity main within the 5th Street East right-of-way
- Wastewater Infrastructure
  - • 6-inch County water main within the 5th Street East right-of-way
- Reclaimed Water Infrastructure
  - No reclaimed water within the vicinity
    - NOTE: The use of potable water for irrigation will not be allowed

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