

REVISED GENERAL DEVELOPMENT PLAN
PDC-00-11(G)(R-3) - UNIVERSITY PARK CENTER

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the recommendation of the Planning Commission, the criteria set forth in Manatee County Ordinance No. 90-01 (the Manatee County Land Development Code); and finding PDC-00-11(G)(R-3) consistent with Manatee County Ordinance No. 89-01 (the Manatee County Comprehensive Plan), REVISED GENERAL DEVELOPMENT PLAN PDC-00-11(G)(R-3) - UNIVERSITY PARK CENTER is hereby approved to change the timing for required transportation improvements, and GRANTING Special Approval for being: 1) within the Ever Watershed Overlay District; 2) within the entranceway; and 3) in a Mixed Use Future Land Use Category subject to the following stipulations:

STIPULATIONS:

1. With each Final Site Plan submittal, a Development Land Use Summary Table shall be provided to include the square feet approved with each Final Site Plan approval and cumulative totals.
2. All building facades shall exhibit an aesthetically attractive appearance. Design shall be subject to the following criteria and reviewed for compliance by the Planning Department with future Final Site Plan and building permit submittals.
 - A. The sides of all buildings shall have minimal blank walls no longer than 40 feet in length or 20' in height. In order to insure that the buildings do not project a massive blank wall, design elements shall include prominently visible architectural details [e.g. bumpouts, reveals and projecting ribs, cornice, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc.] or other methods, as approved by the Planning Director. Facades greater than 100 feet in length shall have varying roof lines through varying the height of the cornice, or the use of 2 or more roof types (parapet, dormers, and sloped, etc.).
 - B. Exterior building materials shall consist of brick, architectural precast concrete panels, architectural masonry units, split face block, glass, stucco, ceramic tile, stone, wood, or similar materials. Painted or exposed concrete block, or corrugated metal shall not be permitted, except that painted concrete block shall be permitted on the rear of that portion of the shopping center building which is not directly visible from the driveway extending north from this site, but only if the berm and landscaping buffer acceptable to Manatee County are installed prior to Certificate of Occupancy. Architectural metals in conjunction with other permitted building materials shall be allowed, provided that at least fifty percent (50%) of the building face is constructed from other permitted materials.
 - C. All rooftop mechanical equipment shall be screened from view from abutting roadways or adjacent residential properties. Screening shall be provided by materials consistent with the building. Details shall be shown prior to Final Site Plan approval.
3. Service Areas
 - A. All truck loading, service areas, and outside storage, shall not be visible from University Parkway or Honore Avenue.
 - B. Trash and garbage receptacles shall be screened with materials similar to the adjacent building facade.
 - C. Tractor trailer or semi- trucks involved in deliveries on the west side of Honore Avenue shall be restricted to the hours between 7:00 a.m. and 10:00 p.m. For the property located west of Honore Avenue, and during the period of time between 10:00 p.m. and 7:00 a.m., there shall be no:

- delivery, loading or unloading of tractor trailer or semi-trucks;
 - use of forklifts or other loading or unloading devices; and
 - running of truck or trailer motors, or other refrigeration devices installed thereon.
4. One freestanding pole sign, in compliance with Section 737.5.3.3 shall be allowed along University Parkway and one along Honore Avenue for the entire shopping center. Any additional signs that may be permitted along these street frontages shall be limited to ground signs, in compliance with Section 737.5.3.3, and all other signs permitted by the Land Development Code.
 5. Unless otherwise approved by the Planning Department, existing native trees, shrubs, and ground covers within the buffers along University Parkway and Honore Avenue shall be preserved. Sufficient area around the trees and appropriately designed tree wells shall be required as determined by a registered Landscape Architect to reasonably guarantee their survival.
 6. To further enhance the preservation of existing trees and buffer areas, a trade-off mechanism may be approved by the Planning Director to reduce the number of landscape islands in the parking areas of the development in exchange for the preservation of existing trees or wooded areas that may otherwise be cleared.
 7. Prior to and as part of Final Site Plan approval, the driveway extending north from this site to Honore Avenue at a location approximately one fourth (1/4) mile north of University Parkway, shall be included in the Final Site Plan approval, or as part of a Final Site Plan approval for the pending residential projects to the north. Prior to June 30, 2003, this driveway shall be constructed to Honore Avenue and a cross- access easement recorded.
 8. An ingress/egress easement extending from the driveway in the multi-family parcel located north of this site to Honore Avenue through this project shall be recorded prior to the first Certificate of Occupancy west of Honore Avenue.
 9. Specific locations and restrictions for access into the outparcels shall be determined at time of Final Site Plan approval for Outparcels. Safe and efficient cross access for automobiles, bicycles, and pedestrians shall be provided to and through all parcels. A minimum of 5 foot wide sidewalks, pedestrian ways, or pedestrian/bikeway corridors shall be provided to facilitate internal pedestrian circulation within the development, including outparcels. Travel routes for semi-truck traffic shall be designed with proper turning radius. The PSP approved with this ordinance generally satisfies the requirement of this paragraph except for (i) and interconnected sidewalk to the multifamily property north of the shopping center, and (ii) driveway spacing on Outparcel A.
 10. Outparcel uses shall be limited to retail sales establishments, eating establishments (including drive-thru), banks (including drive-thru), business service establishments, health services, hotels, offices, car washes, dry cleaners, personal service establishments, repair service establishments, and neighborhood serving motor vehicle repair establishments, except that:
 - a. drive-thru eating establishments and motor vehicle repair establishments shall not be permitted on property west of Honore Avenue;
 - b. any car wash located west of Honore Avenue shall be full service, located on Outparcels B, C, or F only and include an architectural design similar to the shopping center improvements as limited by Stipulation 2 hereof; and
 - c. no gas stations or gas pumps shall be located on the property west of Honore Avenue except for gas pumping only facilities located on Outparcels B, C, and F only, and only in conjunction with a larger retailer (in excess of 10,000 square feet) whose primary business is not the sale of gasoline.

11. Exhaust and other filtering systems in Food Service Establishments shall adhere to the Best Available Control Technology to eliminate or reduce the emission of smoke, grease, and odor from cooking facilities. This system shall be approved by the Environmental Management Department Air Quality Section with each Final Site Plan containing a Food Service Establishment. At its option the applicant may defer compliance with this stipulation to receipt of a building permit, following approval by the Planning Department.
12. The southern-most access on Honore Avenue and the access on University Parkway are limited to right-turn in and out only. The University Parkway access is subject to approval of an amendment to Section 741 of the Land Development Code.
13. This project shall provide an eight foot high wall along the north property line from the FP&L substation to the cross access drive to the north prior to the first Certificate of Occupancy west of Honore Avenue, excluding outparcels. If a 6 foot high berm is installed on the property to the north prior to Certificate of Occupancy of the shopping center, staff shall waive this requirement.
14. The following transportation improvements shall be completed prior to June 30, 2003:
 - A. The intersection of University Parkway & Honore Avenue:
 - (1) Dual eastbound left-turn lanes.
 - (2) Westbound right-turn lane.
 - (3) Dual southbound left-turn lanes.
 - (4) Exclusive southbound right-turn lane.
 - (5) Southbound through lane.
 - B. The intersection of Honore Avenue and the northern-most access (shared with the approved Colonial Trace project):
 - (1) Signalize when warranted.
 - (2) Northbound left-turn lane.
 - C. The intersection of Honore Avenue and the second access (approximately 720 feet north of University Parkway)

Shall remain as a full access intersection until such future date, as it shall meet one of the following criteria:

 - (1) five or more correctable type vehicular crashes within any consecutive 12 month period, or
 - (2) meets the FDOT/MUTCD intersection delay signal warrant, as determined by Manatee County, or
 - (3) where a traffic conflict study indicates a significant number of conflicts occurring at the intersection. Upon meeting one of the following warrants, median access restrictions shall then be installed, at the discretion of Manatee County, in lieu of other types of traffic control devices.

The applicant shall notify all purchasers that this access may be restricted in the future by recording a Notice to Buyers of this stipulation in the public records of Manatee County. Closure of full access movements and removal of any improvements that utilize full access shall not be considered a taking.
 - D. The proposed right in/out only access driveway on University Parkway
 - (1) Provide a westbound right-turn lane.

(2) Provide a westbound acceleration lane.

No Building Permits, except for Outparcels A, B, or G, shall be issued until these improvements are complete.

The Certificate of Occupancy for Outparcels A, B, or G shall only be issued after the Environment Resource Permits necessary for these improvements are issued by the Southwest Florida Water Management District. A Temporary Certificate of Occupancy may be issued for stocking purposes for these outparcels.

Prior to Certificate of Occupancy for Out-Parcels A, B, or G, these transportation improvements (14.A thru D) shall be guaranteed with performance security pursuant to Manatee County standards.

15. Documentation demonstrating additional treatment of stormwater or compliance with OFW criteria shall be submitted to the EMD for review prior to Final Site Plan approval.
16. Exterior loud speakers, bells, or similar audio-communication shall not be permitted west of Honore Avenue, provided however, directed (non broadcast) communication devices and intercoms shall not be restricted.
17. All external lights shall be "box lighting," directed downward to the ground, shall not be in excess of 20 feet high within 200 feet of the western property line of the shopping center and 35 feet high on the balance of the shopping center site and shall not allow more than 1 foot candle of spill light measured in the horizontal or vertical plane at a point 5 feet inside the adjacent residential property. Provided however, the planning staff may permit all external lights to be 35 feet high if sufficient canopy trees or and other appropriately irrigated landscaping installed along the western boundary demonstrates comparable performance with the stipulation provided for herein. The applicant shall submit a Photometric Plan at time of Final Site Plan approval for any plan east of Honore Avenue. Building security lighting shall be mounted and directed downward.
18. A CLOS shall be obtained prior to each Final Site Plan approval.

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 4th day of February, 2003.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

BY: _____

Chairman

ATTEST: R. B. SHORE
Clerk of the Circuit Court

B. J. Shore
B. J. Shore
d.c.

