

REVISED PRELIMINARY SITE PLAN
PDC-95-05(P)(R) - R.I. WATERMAN PROPERTIES, INC. (WAL-MART)

THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, having specifically considered the criteria set forth in Manatee County Ordinance No. 90-01, the Manatee County Land Development Code; and finding the amendments to PDC-95-05(P) consistent with Manatee County Ordinance No. 89-01, the Manatee County Comprehensive Plan, Preliminary Site Plan No. PDC-95-05(P)(R) - R.I. Waterman Properties, Inc. (Wal-Mart) is hereby approved to allow the increase of the building area from 199,288 square feet to 205,184 square feet and the modification of stipulations, subject to the following stipulations and specific approvals:

STIPULATIONS:

1. All existing platted rights-of-way, easements, and lots shall be vacated prior to the issuance of a building permit.
2. A commitment to replace the eliminated affordable housing stock from this site shall be approved by the Director of Community Affairs/Intergovernmental Relations prior to final site plan approval.
3. Landscape screening shall consist of the following:
 - a. Canopy trees, evenly distributed so as to screen the proposed building from the residences to the north, shall be provided within the buffer area between 51st Avenue East and the loading/service area prior to Certificate of Occupancy. The maximum horizontal spacing (east/west direction) shall be 30 feet. Said trees shall be located a minimum distance of 15 feet from the loading drive aisle and shall be a minimum of 12 feet high and 3 inch DBH at time of installation.
 - b. Existing oak trees within the existing wetland and the wetland buffers shall be preserved.
 - c. The proposed mitigation areas behind the building shall be designed to preserve oak trees with significant tree canopy in order to provide additional screening for the residences to the north.
 - d. Trees planted in the mitigation area north of the building shall include the largest trees required for replacement on site by the Land Development Code.
4. Prior to Certificate of Occupancy, the applicant shall erect an eight foot high masonry wall shall be erected north of the loading/service areas for the western pavement of the loading area west of the TBO facility to the northeast corner of the paved loading area nearest the intersection of 30th Street East and 51st Avenue East and then a hedge, six foot high at maturity, shall continue to 30th Street East.

In addition, the loading areas shall be completely screened from 51st Avenue East and 30th Street East. This shall be completed prior to issuance of a Certificate of Occupancy.
5. Any pole sign located along 51st Avenue East shall be located west of the proposed drive entrance on 51st Avenue East.
6. All roof top mechanical equipment shall be screened with sound deflecting materials from the residences in Candlewood.
7. The developer shall provide for the construction of intersection and road improvements over and above current FDOT construction proposals for State Road 70 as follows:
 - a. Construct 30th Street East from its current terminus south to SR 70 complete with northbound left turn storage into the development;
 - b. At the intersection of State Road 70 and 30th Street East, construct dual eastbound left-turn lanes on SR 70 along with two lanes on 30th Street East to receive the dual left turn movements;
 - c. The six laning of SR 70 between U.S. 301 and 30th Street East and its transition;
 - d. Improvements to the existing intersection of U.S. 301 and State Road 70, which are not included in the State Road 70 project, to include:
 - i. Dual westbound left-turn lanes, dual southbound left-turn lanes, dual northbound left-turn lanes.
 - ii. Extend the length of the northbound right-turn lane.

- iii. Extend the length of the westbound right-turn lane.
- iv. Signalization design to accommodate the proposed improvements.
- e. At the intersection of State Road 70 and 30th Street East, the following improvements shall be provided:
 - i. Signalization of the intersection.
 - ii. Dual southbound right-turn lanes.
 - iii. A southbound left-turn lane.
 - iv. Dual eastbound left-turn lanes.
 - v. An exclusive westbound right-turn lane.
 - vi. A westbound left-turn lane.

The dual left and right-turn lanes mentioned above shall include guiding pavement markings to provide turning lanes separation (2 foot long dashed lines with 4 foot gaps to channelize turning traffic).

Prior to the issuance of Certificate of Occupancy, the improvements identified above and the six (6) laning of State Road 70 between U.S. 301 and 30th Street East shall be completed.

- 8. Semi-trailer trucks involved in deliveries to the project shall not utilize 51st Avenue East and shall be restricted to the hours between 7:00 a.m. and 10 p.m. Upon entry to the site from 30th Street East, the refrigeration units on any truck servicing the project shall be turned off immediately upon entry to the designated area of the project site (as identified on the plan) and shall remain off until such time as the truck leaves the designated area.
- 9. The removal and installation of tires at the motor vehicle repair facility shall be limited to the hours between 8:00 a.m. and 9:00 p.m. Monday through Saturday, and 9:00 a.m. and 6:00 p.m. on Sunday.
- 10. The colors used on the rear building facades facing 51st Avenue East shall be muted. The use of decorative accent striping and signage shall not be permitted on the rear facade.
- 11. External speakers, bells, buzzers and similar devices shall not be permitted with the establishment, with the exception of alarms and one external intercom at the garden center.
- 12. In addition to the 233 trees proposed to be transplanted on site which range in size from 2.5 dbh to 4" caliper, the applicant shall be responsible for mitigating the removal of 372 of the 867 trees proposed for removal from this site, pursuant to Section 714.5 of the LDC. Any additional trees removed from this site shall be mitigated at a one to one ratio.
- 13. The lighting on the rear side of the building shall be designed with zero trespass at the rear property line.
- 14. Prior to Certificate of Occupancy, the applicant shall demonstrate that the existing landscaping located within the required roadway buffer is sufficient to maintain a continuous hedge, a minimum of 36 inches in height.
- 15. If approved by the Fire District, the proposed emergency access to 51st Avenue East shall be relocated to 30th Street East. The vacated 29th Street East ROW shall be landscaped with trees to effectively screen the Wal-Mart store from the residences to the north.
- 16. Unless specifically granted "specific approval" with this Preliminary Site Plan, the Final Site Plan shall comply with all requirements of the Land Development Code.

SPECIFIC APPROVALS:

- 1. Specific Approval for an alternative to Section 714.8 of the Land Development Code, tree replacement.
- 2. Specific Approval for an alternative to Section 715.6.1 of the Land Development Code, location of interior landscape islands and number of canopy trees in parking lot (minimum 12 sq. ft. per 1,000 sq. ft. gross floor area).
- 3. Specific Approval for an alternative to Section 715.5.1 of the Land Development Code, roadway buffer.
- 4. Specific Approval for an alternative to Section 715.7 of the Land Development Code, foundation landscaping (one tree per 10 spaces plus one tree per island).

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 22nd day of August, 1996.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

BY: _____

Stan Stephen

Chairman

ATTEST:

R. B. SHORE

Clerk of the Circuit Court

R. B. Shore

