

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

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-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.I. Waterman Properties, Inc. (Wal-Mart) is hereby approved to allow a 199,288 square foot commercial establishment, subject to the following stipulations and Specific Approval:

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, an eight foot high masonry wall shall be erected north of the loading/service areas from 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 be continued to 30th Street East.
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 either the construction or funding of intersection and road improvements over and above current FDOT construction proposals for State Road 70 as follows: (1) Construct 30th Street East from its current terminus south to SR 70 complete with left turn storage; (2) Construct dual left turn lanes on SR 70 eastbound to northbound along with two lanes on 30th Street East to receive the left turn movements; (3) Construct a right turn lane on SR 70 for westbound to northbound movements; and (4) Provide for signalization of the intersection of SR 70 and 30th Street

East. Said improvements shall be operational prior to the issuance of a Certificate of Occupancy. Prior to issuance of a Certificate of Occupancy, the improvements identified in this condition #7 and the six laning of SR 70 between U.S. 301 and 33rd Street East shall be completed. The applicant may request the Board to modify this stipulation if agreements between the parties cannot be achieved.

8. Trucks involved in deliveries to the project shall not utilize 51st Avenue East and shall be limited to a monthly average of five (5) deliveries per day and restricted to the hours between 7 a.m. and 10 p.m.
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. Prior to the issuance of the first building permit, the applicant shall plant canopy trees, with a minimum DBH of 3" and height of 12 feet, 40 feet on center, adjacent to the northern right-of-way line of 51st Avenue East, just south of the wall in Candlewood.
13. The lighting on the rear side of the building shall be designed with zero trespass at the rear property line.

SPECIFIC APPROVAL:

1. Specific Approval for an alternative to Section 715.6.1 of the Land Development Code, interior landscaping requirements.

APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 24th day of August, 1995.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

BY: Stan Stephen  
Chairman

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

B. B. Shore  
B. B. Shore