

PRELIMINARY SITE PLAN
PDR-03-32(P) – LONG BAR POINTE, PHASE 1, PARCEL F

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 PDR-03-32(P) consistent with Manatee County Ordinance No. 89-01 (the 2020 Manatee County Comprehensive Plan), PRELIMINARY SITE PLAN PDR-03-32(P) – LONG BAR POINTE, PHASE 1, PARCEL F is hereby approved to allow 258 dwelling units consisting of: 2, 2-story buildings each containing 6-units; twenty-three, 2-story buildings each containing 4 units; and seven, 4-story buildings over parking each containing 22 units at an overall gross density of 4.86 dwelling units per acre, including accessory recreational facilities, and GRANTING Special Approval for a project: 1) located partially within the Coastal Storm Vulnerability Area, and 2) involving the transfer of wetland density from part of the wetland site to another part of the same project site subject to the following stipulations and specific findings for structures in excess of 35':

STIPULATIONS:

1. Design and Planning

- A. The design of the buildings shall be in substantial conformance with the elevations and renderings entered into the record for this case. Alternative roof materials may be approved at the discretion of the Planning Director. The main exterior veneer (including the roofing) shall utilize a soft muted color pallet and shall preclude the use of strong shades of color.
- B. The design and shielding of any on-site lighting shall comply with Section 709.2.2 of the Land Development Code. In addition, pole mounted lights shall be limited to 20' in height and directed to the interior of the development using horizontal cut-off fixtures, unless street lamp posts or carriage style lights are used. All pole lights in each phase shall maintain a consistent style. The pole light style shall be determined prior to the first Final Site Plan for each phase.
- C. In addition to the setbacks shown on the plan, the following setbacks shall be provided and shown on the Final Site Plan:
 - (1) A minimum setback of 20 feet shall be provided from the primary driveways.
 - (2) The minimum distance between Buildings 30, 31, and 32 shall be 30 feet.
 - (3) The minimum separation between the 4-unit buildings shall be 20 feet, provided the minimum separation between the portion of the buildings where the garages are located shall be 30 feet.
- D. Dumpsters shall be not be visible from El Conquistador Parkway.
- E. The Notice to Buyers or Tenants shall be included in the Declaration of Covenants and Restrictions, and in a separate addendum to the sales contract, and in the Final Site Plan shall include language informing prospective homeowners of the following:
 - (1) The presence of neighboring agricultural uses, including possible use of pesticides and herbicides and of odor and noises associated with agricultural uses;
 - (2) The future extension of El Conquistador Parkway as an arterial roadway to the east;

(3) The site being located with the Coastal Storm Vulnerability Area and Coastal Evacuation Areas; and

(4) The prohibition imposed by Manatee County from trimming or cutting mangroves within the conservation easement of the project.

(5) The Hurricane Evacuation Plan and Disaster Plan approved by the Director of Public Safety.

The Condominium or Homeowner's Association shall ensure that all subsequent purchasers and tenants receive copies of the approved plan.

- F. The applicant and their heirs, assigns, or transferees are hereby notified that a payment of an impact fee for emergency shelter facilities shall be required if such impact fee is adopted by the Board of County Commissioners.
- G. No docks shall be constructed in Sarasota Bay.
- H. Residential street trees, in accordance with Section 715.3.4 of the Land Development Code, shall be planted along all primary drive aisles.
- I. Any significant historical or archaeological resources discovered during development activities shall be immediately reported to the Florida Division of Historical Resources and treatment of such resources shall be determined in cooperation with the Division of Historical Resources and Manatee County. Treatment of the resources must be completed before resource-disturbing activities are allowed to continue. If human remains are encountered, the provisions contained in Section 872.05, Florida Statutes, shall be followed.
- J. The 30 foot wide buffer along El Conquistador Parkway shall be consistent with the buffer Exhibit entered into the record with this case. Design shall consist of a berm, varying in height from 2-3 feet, a continuous hedge on top of the berm, and 11 canopy trees, 5 palm trees, and 3 understory trees per each 200 linear feet.
- K. On the landside of the wetland adjacent to Sarasota Bay, the applicant shall plant palm trees to soften the view of the buildings from Sarasota Bay. At time of planting, the clear trunk height of these trees shall vary from a minimum of 30 feet and shall be spaced no further than 40 feet apart the entire waterfront of side of the property where buildings are proposed.
- L. Prior to Final Site Plan approval, the applicant shall gain approval of a Hurricane Evacuation Plan and Disaster Plan from the Director of Public Safety.
- M. The median strip on the extension of El Conquistador Parkway from 53rd Avenue West and 75th Street West to the end of construction shall be landscaped with 2 rows of canopy trees spaced 30' on center, and to include a hedge that will achieve a height of 42" and 80% opacity within 2 years of planting. Palm trees may be used in the median landscaping provided the palms are in addition to the required canopy trees. This landscaping shall be installed prior to the first Certificate of Occupancy on this site. The median landscaping shall utilize the reclaimed water system for irrigation if available and approved by the Manatee County Utilities Operations Department. Should reclaimed lines not be available, then the lowest quality water available shall be used for on-site irrigation.

- N. Prior to the first Certificate of Occupancy for a dwelling unit, a commercial grade tot lot with benches and shade trees shall be provided.
- O. The developer shall prepay all educational facilities impact fees prior to obtaining the first building permit for a dwelling unit. Payment shall be made at the prevailing educational facilities impact fee rate as of the day of payment.
- P. The seven buildings fronting the bay shall consist of 3 and 4 stories over parking, to be constructed in substantial conformance with the elevations and renderings entered into the record for this case (Attachment #1). The maximum height of the seven buildings shall not exceed 59' above the base flood elevation as defined by the Land Development Code. The three story segment shall step down with a maximum height of 47' 6" above base flood elevation as measured by the Land Development Code.

2. Transportation

- A. Prior to Final Site Plan approval, additional right-of-way adjacent to the site to achieve a 60 foot half right-of-way for El Conquistador Parkway shall be dedicated to Manatee County.
- B. Prior to the first Certificate of Occupancy for a residential unit, El Conquistador Parkway shall be constructed as a 4-lane divided roadway from the intersection of 53rd Avenue West and 75th Street West to the south of the project entrance to accommodate the required westbound left turn lane into the project. This roadway shall include:

(1) The applicant shall construct El Conquistador Boulevard from 53rd Avenue West, south and east to its current terminus.

The road shall be constructed as a 4-lane divided thoroughfare configuration with sidewalks and bike lanes on both sides of the road. The applicant shall enter into a participation agreement with Manatee County for construction of the roadway. The applicant will be responsible for costs associated with the 4-lane section of the road to the easterly end of the project. The participation agreement shall provide for reimbursement to the applicant of that portion of the project for which the county is responsible. The participation agreement shall also identify any appropriate impact fee credits.

As an alternative to the 4-lane divided configuration discussed above, the applicant may be required to construct El Conquistador Boulevard as a 2-lane or 4-lane boulevard roadway with roundabouts as traffic calming devices. The configuration shall also include sidewalks and bike lanes on both sides of the road.

A determination regarding the appropriate design shall be made by Manatee County prior to execution of the participation agreement.

All designs must be reviewed and approved by Manatee County. If right-of-way is not available, the County will use it's eminent domain power to obtain same, if required.

The participation agreement may be expanded to include construction of the SW area roads (covering that area generally south of Cortez Road and North of El Conquistador Boulevard from 86th Street West to 34th Avenue). Additionally, the participation agreement may also include other area property owners and may include an assessment program or MSBU. If others are included in the participation agreement, the share of the cost of improvements shall be mutually agreed upon.

(2) The design of the intersection of 53rd Avenue, 75th Street and El Conquistador Boulevard shall be as required by Manatee County. To facilitate the appropriate design of the intersection, the entrance to the project may be required to be relocated or designed in such a way as to facilitate cross access with the land to the north. The applicant shall participate with the County in the design of the intersection, including the "testing" of a roundabout at the location if requested by the County.

(3) No certificate of level of service shall be issued until a design for the intersection and roadway has been selected by Manatee County.

(4) No certificate of occupancy shall be issued until all road improvements required by these stipulations and any Certificate of Level of Service are completed. Temporary certificates of occupancy may be issued provided performance security is posted and the remaining improvements are considered minimal by the Planning Director and the Transportation Director (e.g. final lift of asphalt in areas where there will be ongoing construction traffic).

- C. All proposed roads, including El Conquistador Parkway, and driveways shall be constructed so as to be above the 100 year design storm elevation. The design elevation must be approved by and coordinated with the Project Management and Transportation Departments.
- D. Any approved gates or emergency access points within or to the project shall be accessible to emergency service providers by either a remote control or siren activated system. Prior to Final Site Plan approval, the applicant shall receive written approval from EMS and the Fire Marshall approving the proposed system.
- E. The outside lane on the south side of the El Conquistador Parkway extension shall be constructed as a 1 lane paved roadway from the end of the 4 lane section to provide a connection to the emergency access road at the southeastern corner of the site. This emergency access road shall be constructed prior to the first Certificate of Occupancy for any of the 64 units in the southeast portion of the site. In the alternative the 64 units shall not be constructed until the 4 lane El Conquistador Parkway is extended to the southeast property line of the site.
- F. The cul-de-sac south of Building 32 shall be eliminated and the driveway shall be extended to El Conquistador Parkway.

3. Environmental

- A. All exotic nuisance plant species shall be removed from upland portions of the site prior to the issuance of the first Certificate of Occupancy, in accordance with Section 715.4 of the LDC.
- B. The developer shall use the lowest quality of water available for irrigation purposes. Consideration shall be given to meeting the irrigation needs of the Project with the following sources, in order of preference: (1) reuse water; (2) treated stormwater; and (3) non-potable quality groundwater. Prior to Final Site Plan approval, the Developer shall identify the irrigation source which will be utilized. Use of Manatee County public potable water supply shall be prohibited for in-ground irrigation systems.
- C. Unless otherwise approved by the Environmental Management Department, native or drought tolerant landscape materials shall be utilized. The developer and future owners

of the site shall be required to participate in the Florida Yards and Neighborhood Program.

- D. The applicant shall install wetland information signs at representative sites within common areas readily viewed by residents. Wetland information signs are in addition to the "Conservation Area" signs required by Section 719.11.1.3.3. of the Land Development Code. The signs should explain the purpose, importance, and need for preserving wetlands and wetland buffers. The location and details of such signs shall be shown and approved by the EMD with the Final Site Plan.
- E. Prior to the first Certificate of Occupancy, a Conservation Easement for the areas defined as post-development jurisdictional wetlands and wetland buffers shall be dedicated to the County in accordance with Section 719.11.1.3 of the LDC. The conservation easement shall include language which clearly prohibits the trimming or cutting of mangroves.
- F. Prior to commencement of construction or land clearing, an Erosion and Sediment Control Plan (ESCP) shall be submitted to the EMD for review and approval pursuant to Section 508.3.4.7.j. of the LDC. Final Site Plans, Construction Plans, ERP, and NPDES permit approvals must be obtained prior to submittal of the ESCP.
- G. An integrated Pest Management Plan (IPM) for the application of fertilizers, pesticides, and herbicides shall be submitted to the EMD for review and approval prior to Final Site Plan approval. Where practical, native or drought tolerant landscape materials shall be utilized in common areas. In addition, the developer shall encourage individual homeowners to participate in the Florida Yards and Neighborhood Program by disseminating program information to individual lot owners.
- H. A Construction Water Quality Monitoring Program and proposed sampling locations shall be submitted to the EMD for review and approval prior to any land clearing activities, or Final Site Plan approval, whichever occurs first.
- I. The entire site shall be evaluated for potential hazardous material locations (i.e., historical cattle dipping vats, underground/aboveground storage tanks, or buried drums), by a qualified environmental consultant. Should evidence of contamination be discovered, further investigation will be required to determine the level of contamination and appropriate remediation/mitigative measures.
- J. The development shall comply with all FEMA regulations.

SPECIFIC FINDINGS:

- 2. Specific Findings for an alternative to Section 603.7.4.9 of the Land Development Code to allow the seven 4-story buildings to be a maximum of 59' above base flood elevation as defined by the Land Development Code and the 3-story segment to step down with a maximum of 47' 6" above base flood elevation as measure by the Land Development Code, provided:
 - a. Each 4-story component maintains a minimum separation of 100 feet from the 4-story component of another building;
 - b. All 4-story components maintain setbacks ranging from 140 to 1,150 feet from El Conquistador Parkway;
 - c. The 4-story components of each building maintain setbacks ranging from 370 to 650 feet from the mean high water line of Sarasota Bay; and

- d. Only four of the upper units in each building are 4-stories. Two of the upper units in each building are 3-stories.

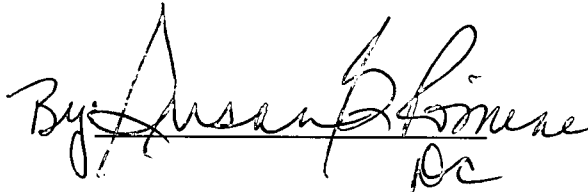
APPROVED AND HEREBY GRANTED, by the Board of County Commissioners of Manatee County, Florida this 2nd day of November, 2004.

BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA

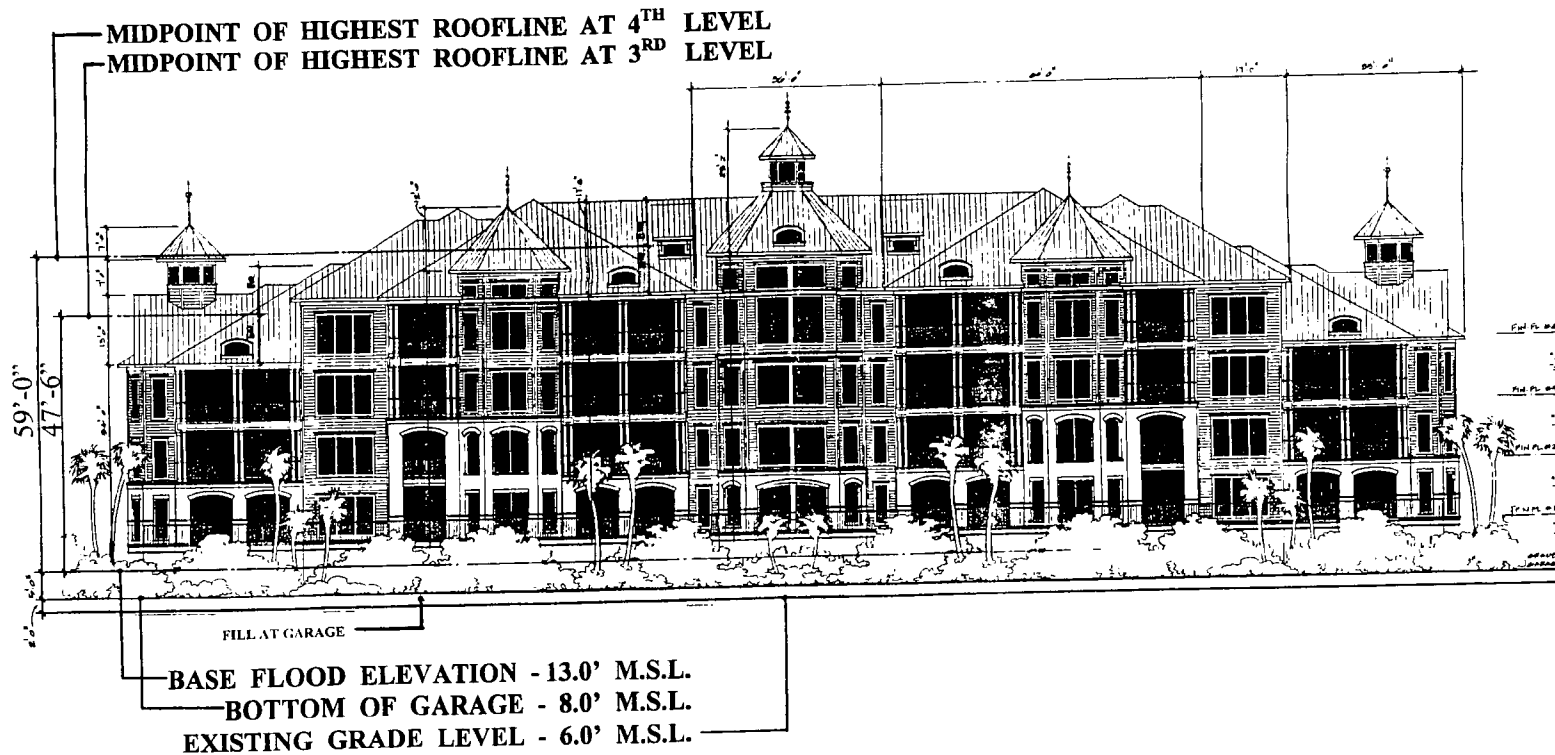


ATTEST: R. B. SHORE
Clerk of the Circuit Court

BY: 
Chairman

By: 
DC

Attachment #1



PROPOSED MODIFICATION



MUCASEY
Associates
Architects
1801 N. W. 11th St.
Fort Lauderdale, FL 33311
Tel: (754) 571-1111
Fax: (754) 571-1112

LONG BAR POINTE
A Community

DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	
CHECKED	
DATE	
BY	

D.1