

Subject: Regarding Petition No. 14-15 Lakepark Estates
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Date: 12/7/2014 10:47 PM
To: commissioners@scgov.net

Reclaimed Water

Appendix A page A-2 contradicts Staff Report & Proposed Ordinance Stipulation 11 which allows delays in using Reclaimed Water. Appendix A states Reuse Water will not be utilized. We would like Appendix A brought into conformity with the Staff Report Stipulation 11.

Staff Report & Proposed Ordinance Stipulation #8 is not consistent with Stipulation #11. Stipulation 11 allows a delay when the development must use reclaimed water. It does not exempt the development from using reclaimed water. Stipulation #8 should be modified as follows.

8. The owner shall operate, manage, and maintain a community wide irrigation system under a single entity or master association. Through its master covenants or deed restrictions the owner shall enforce provisions to preclude the installation and use of individual irrigation wells and employ conservation strategies including but not limited to, metering, managing supplies to limit impacts to groundwater, enforce watering schedules, monitor use, and implement best management practices to reduce irrigation demands. Community wells may be used only as a backup supply for irrigation if during periods when reclaimed water or surface water is unavailable.

Stipulation #11 does not define the length of the delay allowed before reclaimed water is to be used. An open ended period is not a delay but an invitation for an exemption. An end to the delay period must be defined. I suggest 1 year. With proper study your staff might be able to come up with a better time period. Stipulation #11 should be modified as follows.

11. The owner shall enter into a Standard Utility Agreement with Sarasota County prior to receiving Construction Authorization for the first phase of development. The Standard Utility Agreement shall outline the County's over size contributions for the extension of Water, Wastewater and Reclaimed Water systems to the development. The Standard Utility Agreement will include provisions to address the delay in the supply of reclaimed water (not to exceed 12 months) so that development is allowed to proceed.

Road Easement vs Open Space/Greenbelt

Staff Report & Proposed Ordinance Stipulation 12 states the following.

12. Prior to Construction Plan approval, a conservation easement shall be recorded in a form that is acceptable to the County Attorney for the purpose of eliminating any future density rights on lands designated open space and those lands generating Transfer of Development Rights (TDRs) within the Hamlet Master Land Use Plan. Words on Road Easement.

Staff Report p. 14 states the following.

Greenbelt: Policy VOS5.1 calls for a 500 ft. wide Greenbelt to be established around the DA to help define each Hamlet and separate it from existing development. The Greenbelt is part of the Open Space and assists with the protection of native habitats, natural vegetation, and wildlife. The proposed development provides the minimum 500 ft. Greenbelt around Hamlet's DA and exceeds this distance to a large degree around the perimeter of the DA. It should also be noted that the illustrated neighborhood plan submitted with the application depicts a residential density of 1 DU/5 acres within 1000 ft. of the perimeter property line, which is within the Rural Land Use density limitation.

Appendix C ADDITIONAL INFORMATION page C-6 states the following.

The native habitats within the Greenway designated areas are all contiguous to each other while incorporating small areas of non-native habitats (pasture agricultural lands) as well. These areas, when combined provide a formidable wildlife corridor through the western portions of the project and adjacent lands.

Appendix D COMPREHENSIVE PLAN GOALS, OBJECTIVES, AND POLICIES states the following.

Policy VOS5.1 Greenbelts: The purpose of establishing a Greenbelt around each Village and each Hamlet is to help define these as separate and compact communities. As part of the Open Space requirement for development within the Village/Open Space RMA, the Master Development Plan for each Village and each Hamlet shall establish a Greenbelt that is a minimum of 500 feet wide around the perimeter of the Developed Area that preserves Native Habitats, supplements natural vegetation, and protects wildlife within the area. Existing agricultural uses are permitted within this Greenbelt. New uses are restricted within this Greenbelt to Native Habitat and to low intensity agriculture and wetland mitigation that do not involve the conversion of Native Habitat. Land within the Greenway RMA may be included within the Greenbelt requirement. The Board of County Commissioners shall not require a Greenbelt between the Developed Area of a Village and: ...

Appendix A page A-17 states that a 100 foot easement exists on west boundary from Fruitville Rd to the northern boundary. Looking at maps you will note this easement bisects the western open space/greenbelt.

If built this road would invalidate Appendix C which states all Greenway areas are contiguous.

This easement occupies 20% of the open space/green belt area to the west of the development. If that road is built Lakepark Estates would no longer be in compliance with Appendix D as referenced in the above paragraph. To develop Lakepark Estates now and then develop the road later is in contradiction to the intent and the letter of 2050.

The package supplied by the developer does not contain a map of the proposed wildlife corridors. Looking at the maps supplied by the developer it is an easy assumption that the western 500 foot Greenbelt is a major wildlife corridor. Putting in a road through this Greenbelt will wipe out the wildlife corridor. Because of the unique aspects of Lakepark Estates it's central corridor is very dense. It would appear not to have any wildlife corridors through the center. With the design of this hamlet and putting a road through this wildlife corridor means a drastic reduction in wildlife movement..

If this easement is not wide enough for a future road (sidewalks, bike paths, etc) the extra space needed to conform to County specifications will be taken out of the Open Space/Greenbelt because the easement bisects the Greenbelt. If additional space is needed it should not be taken from an old established neighborhood like Bern Creek. This would further reduce the Open Space/Greenbelt and the wildlife corridor making the development non-conforming.

The only solution is that Stipulation 12 **must** have additional language to indicate this road easement **will** be vacated as part of the approval of Lakepark Estates.