

BOARD OF COUNTY COMMISSIONERS
PORT AUTHORITY
CIVIC CENTER AUTHORITY
COMMUNITY REDEVELOPMENT AGENCY
MANATEE COUNTY, FLORIDA

WEBSITE: WWW.MYMANATEE.ORG

Manatee County Administrative Center
Commission Chambers - First Floor - 1112 Manatee Avenue West
Bradenton, Florida 34205

Commission Office: (941) 745-3700
Commission Fax: (941) 745-3790

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

- AGENDA -

9:00 a.m. LAND USE MEETING August 6, 2009
MEETING CALLED TO ORDER: *Dr. Gwendolyn Y. Brown, Chairman*
INVOCATION: Pastor Gene Brock, Full Gospel Tabernacle
PLEDGE OF ALLEGIANCE

CONSENT AGENDA

PLANNING

1. **Post Disaster Redevelopment Plan** – Adopt Post Disaster Redevelopment Plan

ADVERTISED PUBLIC HEARINGS

9:00 a.m. or as soon thereafter as same may be heard

SWEARING IN OF STAFF AND PUBLIC WHO WILL GIVE TESTIMONY

PRESENTATIONS UPON REQUEST - ITEMS 2-9

PLANNING

2. **PDR-06-66(Z)(P) KEMICK PROPERTIES, LLC/BAYOU POINTE ESTATES**
(Miles Gentry, Principal Planner) **(Continued from 6/04/09) (To be continued to 10/01/09)**
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 22 acres on the south side of 25th Street East (Lyntnor Road), approximately 1,800 feet east of 80th Avenue East (Royal Palm Way), and North of the Manatee River at 8923 & 8955 25th Street East (Lyntnor Road), Parrish from A/NCO (General Agriculture/North Central Overlay District) and A/CH/NCO (General Agriculture/Coastal High Hazard Overlay/North Central Overlay District) to the PDR/NCO and PDR/CH/NCO (Planned Development Residential) zoning district, retaining the North Central Overlay and Coastal High Hazard Overlay Districts; approve a Preliminary Site Plan for 10 single-family detached residences; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.
3. **PDMU-09-09(Z)(G) MCGUIRE**
(Miles Gentry, Principal Planner)
An Ordinance of the Board of County of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of 74± acres on the north side of Erie Road and the railroad 0.8 mile west of US Hwy 301 in Parrish, from A-1 / NCO (Suburban Agriculture / North Central Overlay) to the PDMU / NCO (Planned Development Mixed Use) zoning district, retaining the North Central Overlay; and approval of a General Development Plan for 201 residential dwellings (single family, multi-family, and group care homes) on 67± acres and 58,000 square feet of gross floor area among several uses (retail, restaurants, offices, financial, health) to serve the commercial needs of the neighborhood on 7± acres; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Gwendolyn Y. Brown, District 2, Chairman

Carol Whitmore, District 6 County-wide, 1st Vice-Chairman; Donna Hayes, District 5, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
John R. Chappie, District 3; Ron Getman, District 4; Joe McClash, District 7 County-wide

4. **ORDINANCE 09-38 DAY CARE CENTER LAND DEVELOPMENT CODE AMENDMENT**

(Katie LaBarr, Principal Planner)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the Manatee County Land Development Code regarding day care centers; amending Figure 6-1, residential support uses to revise development approvals required for day care centers and various zone districts; amending Section 704.18, development standards for day care centers; amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

5. **ORDINANCE 09-25 ALCOHOLIC BEVERAGES LAND DEVELOPMENT CODE AMENDMENT**

(Katie LaBarr, Principal Planner)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the Manatee County Land Development Code; amending Section 708, Land Development Code to revise requirements regarding the sale and consumption on premises of alcoholic beverages at restaurants, outdoor and mixed-use drinking establishments; amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

6. **PDR-07-05(Z)(P) YARON DIVALD/ON THE CREEK**

(Stephanie Moreland, Planner)

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 24.36 acres on the east side of 33rd St. E., Bradenton from A-1 (Suburban Agriculture-1 dwelling unit per acre) to the PDR (Planned Development Residential) zoning district; approving a Preliminary Site Plan for a multi-family project consisting of 59 single units and 40 attached units with at least 14% of the units designated as workforce housing; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

7. **PLAN AMENDMENT 09-07 TRAFFIC MAP SERIES UPDATE**

(Kathleen Thompson, Planning Manager)

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, amending Ordinance 89-01, as amended, (the Manatee County Comprehensive Plan); providing for an amendment to the Traffic Circulation Sub-element, providing for an update of the Traffic Circulation Map Series; (Map 5-B, Future Traffic Circulation Functional Classification; Map 5-C, Future Traffic Circulation Right-of-Way Protection Reservation; Map 5-D, Future Traffic Circulation Number of Lanes; Map 5-E, Designated Controlled Access Facilities and Map 5-F, Strategic Intermodal System (SIS) and Emerging Strategic Intermodal System); and associated Table 5-1; providing for severability; and providing an effective date.

8. **PLAN AMENDMENT 09-02 COUNTY INITIATED LAND USE MAP CORRECTIONS & UPDATES**

(Kathleen Thompson, Planning Manager)

Request: Transmittal of a Plan Amendment of Manatee County, Florida, regarding Comprehensive Planning, amending Manatee County Ordinance No. 89-01, as amended the Manatee County Comprehensive Plan; providing purpose and intent, providing findings; and providing for an amendment to the Future Land Use Map from AG-R (Agricultural/Rural) to R/OS (Recreation/Open Space) (Area D3), CON (Conservation) to R/OS (Recreation/Open Space) (Area D10), MU (Mixed Use) to CON (Conservation) (Area E7, E8, E9, E10, E11, E12, E13), P/SP-1 (Public/Semi-Public 1) (Area D11), RES-1 (Residential 1 dwelling unit per acre) to CON (Conservation) (Area E2, E3, E4, E5, E6), RES-1 (Residential 1 dwelling unit per acre) to P/SP-1 (Public/Semi-Public 1) (Areas C1, C2, C3), RES-1 (Residential 1 dwelling unit per acre) to RO/S (Recreation/Open Space) (Areas D1, D2, D18), RES-3 (Residential 3 dwelling units per acre) to R/OS (Recreation/Open Space) (Areas D7, D17, D21), RES-6 (Residential 6 dwelling units per gross acre) to CON (Conservation) (Areas D12, D19, D20, E14, E15), RES-6 (Residential 6 dwelling units per gross acre) to P/SP-1 (Public/Semi-Public 1) (Area C4), RES-6 (Residential 6 dwelling units per gross acre) to P/SP-2 (Public/Semi-Public 2) (Areas B1, B2, B3), RES-6 (Residential 6 dwelling units per gross acre) to R/OS (Recreation/Open Space) (Areas D6, D9, D13, D14, D15, D16, D22), RES-9 (Residential 9

Gwendolyn Y. Brown, District 2, Chairman

dwelling units per gross acre) to OL (Low Intensity Office) (Areas A2, A3), RES-9 (Residential 9 dwelling units per gross acre) to P/SP-1 (Public/Semi-Public 1) (Areas C7, C8) RES-9 (Residential 9 dwelling units per gross acre) to ROR (Retail/Office/Residential) (Area A1), RES-16 (Residential 16 dwelling units per gross acre) to P/SP-1 (Public/Semi-Public 1) (Area C9), RES-16 (Residential 16 dwelling units per gross acre) to ROR (Retail/Office/Residential) (Area A4), ROR (Retail/Office/Residential) to P/SP-1 (Public/Semi-Public 1) (Areas C5, C6), ROR (Retail/Office/Residential) to R/OS (Recreation/Open Space) (Area D8), UF-3 (Urban Fringe-3 dwelling units per gross acre) to CON (Conservation) (Area E1), UF-3 (Urban Fringe – 3 dwelling units per gross acre) to R/OS (Recreation/Open Space) (Areas C10, D4, D5), and UF-3 (Urban Fringe – 3 dwelling units per gross acre) to P/SP-1 (Public Semi-Public 1) (Area C10) as assigned, and retaining all overlays as appropriate; providing for severability; and providing for an effective date (610.3 ± acres).

9. PLAN AMENDMENT 09-03 ERRORS AND OMISSIONS

(Kathleen Thompson, Planning Manager)

Transmittal of a Plan Amendment of the Board of County Commissioners of Manatee County, Florida, amending Ordinance 89-01, as amended, (The Manatee County Comprehensive Plan), providing for a text amendment to update portions of the Comprehensive Plan text clarification, name update, and internal consistency updates; providing for severability; and providing for an effective date.

RECOMMENDED MOTION: I MOVE TO APPROVE THE PRESENTATIONS UPON REQUEST AGENDA INCORPORATING THE LANGUAGE AS STATED IN THE RECOMMENDED MOTIONS IN THE AGENDA MEMORANDA (AS MAY HAVE BEEN AMENDED IN THE SUPPLEMENTAL AGENDA).

PRESENTATIONS SCHEDULED - ITEMS 10-12

PLANNING

10. PDR-05-60(Z)(P) NAP DUKE RANCH, LLC, MML I, LLC, and PGCI I, LLC/SILVERLEAF
 (Miles Gentry, Principal Planner) **(Continued from 6/04/09 and 6/23/09)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code) relating to zoning within the unincorporated area; providing for a rezone of approximately 263.35 acres at the northwest corner of Old Tampa Road and Chin Road from A/NCO (General Agricultural/North Central Overlay) to the PDR/NCO (Planned Development Residential) zoning district, retaining the North Central Overlay; approving a Preliminary Site Plan for 621 single-family detached units; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

11. PDC-09-07(P) BANK OF COMMERCE/RACETRAC - PEARL AVENUE
 (Lisa Barrett, Principal Planner) **(Continued from 7/28/09)**

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for a 4,997 square foot convenience store with 24 gas pumps and a 11,525 square foot canopy on approximately 1.99 acres at the northeast corner of North Tamiami Trail and Pearl Avenue at 7259 North Tamiami Trail; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

12. **PLAN AMENDMENT 09-06 SCHROEDER-MANATEE RANCH (SMR) NORTHEAST QUADRANT**
 (Kathleen Thompson, Planning Manager)
 Transmittal public hearing of an amendment to the text of the Future Land Use Element of the Manatee County Comprehensive Plan to establish a new Future Land Use Category known as the MU-C (Mixed Use – Community) along with associated subareas; amending the Future Land Use Map of the Future Land Use Element to designate specific real property to MU-C (Mixed Use – Community) Future Land Use Classification from 3 existing Future Land Use Classification: ER (Estate Rural) (2,085 ± acres), RES-1 (Residential-1) (4,498 ± acres), and UF-3 (Urban Fringe-3) (12 ± acres) Comprising a total of 6,595 ± acres; said property begin generally located west of Lorraine Road, with the future extension of Dam Road serving as the eastern boundary, SR 64 east to the north and Masters Avenue to the south; amending Table 5.1, addendum, in the thoroughfare plan; amending related text provision of the Comprehensive Plan for internal consistency, additional guiding principles and development limitations; providing for severability, and providing for an effective date.

AND

PLAN AMENDMENT 09-05 SCHROEDER-MANATEE RANCH (SMR) NORTHWEST QUADRANT
 (Kathleen Thompson, Planning Manager)
 Transmittal public hearing of an amendment to the text of the Future Land Use Element of the Manatee County Comprehensive Plan to establish a new Future Land Use Category known as the MU-C (Mixed Use – Community) along with associated subareas; amending the Future Land Use Map of the Future Land Use Element to designate specific real property to MU-C (Mixed Use Community) Future Land Use Classification from 2 existing Future Land Use Classification: UF-3 (Urban Fringe-Residential) (96 ± acres) and IL (Industrial – Light) (462 ± acres) comprising a total of 558 ± acres; said property being generally located as bordered by the future extension of Pope Road on the east, SR 64 east on the north, the future extension of 117TH Street East on the west, and north of 44TH Avenue East; Amending related text provision of the Comprehensive Plan for internal consistency, Additional guiding principles and development limitations; providing for severability, and providing for an effective date.

REGULAR AGENDA

ADJOURN

* Documents have been reviewed by County Attorney's Office

The Board of County Commissioners of Manatee County, the Manatee County Port Authority, the Manatee County Civic Center Authority, and the Manatee County Community Redevelopment Agency may take action on any matter during this meeting, including but not limited to, those items as set forth within this agenda. The Chair at his/her option may take business out of order if he/she determines that such a change in the agenda's schedule will expedite the business of the Commission.

The Board of County Commissioners of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to, participation in, employment with, or treatment in, its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802, wait 60 seconds; FAX 745-3790.

PUBLIC NOTICE: According to Florida Statutes, Section 286.0105, any person desiring to appeal any decision made by the Board of County Commissioners (or the other entities that are meeting) with respect to any matter considered at said public hearing/meeting will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

Prepared/Revised on 7/30/2009