

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
and
NOTICE OF PUBLIC MEETING

9:00 a.m. LAND USE MEETING January 7, 2010

MEETING CALLED TO ORDER: Donna G. Hayes, Chairman
INVOCATION: Pastor Gene Brock, Full Gospel Tabernacle
PLEDGE OF ALLEGIANCE

CITIZEN'S COMMENTS

*Comments should be limited to two minutes per person and should concern items on **Consent Agenda**.*

CONSENT AGENDA

THE FOLLOWING ITEMS ARE DETERMINED TO BE ROUTINE IN NATURE AND SHOULD BE CONSIDERED IN A SINGLE MOTION. ITEMS DETERMINED TO WARRANT INDIVIDUAL DISCUSSION SHOULD BE REMOVED FROM THIS LIST PRIOR TO THE MOTION TO ADOPT. SUCH ITEMS SHOULD BE DISCUSSED SEPARATELY.

CLERK OF CIRCUIT COURT

- Clerk's Consent Calendar: Approval

PLANNING

1. **Final Plat: Cypress Pond Estates** – Approve, execute, and record
2. **The Four Corners Mine, Altman Addition (Parcel #4) – Ordinance 08-32 DRI Condition #E.3 – Texaco Contract Execution**

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

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 3-6

PLANNING

3. **ORDINANCE 09-64 (DRI # 11) TARA-MANATEE, INCORPORATED**
(Katie LaBarr, Principal Planner) **(To be continued to March 4, 2010)**
An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending a Development Order pursuant to Chapter 380.06, Florida Statutes, and a determination of whether the following changes constitute a Substantial Deviation to the Tara-Manatee Development of Regional Impact:

Donna G. Hayes, District 5, Chairman

Carol Whitmore, District 6 At-Large, 1st Vice-Chairman; John R. Chapple, District 3, 2nd Vice-Chairman; Larry Bustle, District 1, 3rd Vice-Chairman
Dr. Gwendolyn Y. Brown, District 2; Ron Getman, District 4; Joe McClash, District 7 At-Large

1. Amend Map H to redistribute approved development as follows:
 - A. Add Subphase III-BB to allow for the transfer of 19,500 square feet of commercial from Subphase III-R, or III-Z and III-V, or available residential units (or combination thereof), to the southwest corner of State Road 70 and Tara Boulevard
 - B. Add Adult Assisted Living Facility use to Subphases III-R, III-U, III-AA, III-V, and III-Z
 - C. Add Monopole Telecommunication Tower to Subphase III-R, III-U, III-V, and III-Z
2. Add Exhibit D, an updated table of Permitted Commercial Uses by Parcel;
3. Add Exhibit E, a proposed Land Use Equivalency Table;
4. Amend the Development Order to reflect the two year extension of the Phase III buildout date to coincide with provisions of SB 360, approved during the 2009 legislative session;
5. Clarify locations where mini-warehouse can be located, and to limit the use to a storage-only facility; and
6. Update terminology and departmental references; and other changes for internal consistency.

The Tara DRI is located at the southwest corner of SR 70 and I-75 Interchange, extending westward to Braden River Road (1,124.21 ± acres).

4. **PDR/PDC-96-03(G)(R9) TARA-MANATEE, INC.**

(Katie LaBarr, Principal Planner) DTS#20090243 **(To be continued to March 4, 2010)**

Request: Approval of a revised General Development Plan and Zoning Ordinance to:

1. Amend Map H to redistribute approved development as follows:
 - A. Add Subphase III-BB to allow for the transfer of 19,500 square feet of commercial from Subphase III-R, or III-Z and III-V, or available residential units (or combination thereof), to the southwest corner of State Road 70 and Tara Boulevard
 - B. Add Adult Assisted Living Facility use to Subphases III-R, III-U, III-AA, III-V, and III-Z.
 - C. Add Monopole Telecommunication Tower to Subphase III-R, III-U, III-V, and III-Z.
2. Add Exhibit F, a proposed Land Use Equivalency Table;
3. Amend the GDP to reflect the above changes;
4. Amend the Zoning Ordinance to reflect the two year extension of Phase III buildout date to coincide with provisions of SB 360, approved during the 2009 legislative session;
5. Clarify locations where mini-warehouse can be located, and to limit the use to a storage-only facility; and
6. Update terminology and departmental references, and other changes.

The Tara DRI is located at the southwest corner of SR 70 and I-75 Interchange, extending westward to Braden River Road (1,124.21 ± acres).

5. **ORDINANCE 09-56 HIGH INTENSITY RECREATION LAND DEVELOPMENT CODE AMENDMENT**

(Lisa Barrett, Principal Planner) DTS#20090209

An Ordinance of the Board of County Commissioners of Manatee County, Florida amending the Manatee County Land Development Code Section 704.44, conditional use criteria for high intensity recreation facilities; amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

6. **PDMU-06-16(P)(R3) UNIVERSITY GROVES**

(Stephanie Moreland, Planner) DTS#20090267

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving an amended Zoning Ordinance and Preliminary Site Plan revising Stipulation 4B to reduce side yard setbacks from 7.5 to 5 feet for three additional lots in The Residences at University Groves subdivision on approximately 142.15 acres on the north side of University Parkway, west of Tuttle Avenue, extending approximately 1,000 feet west of Shade Avenue and northward to the Oak Grove subdivision in the PDMU (Planned Development Mixed Use) zoning district; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

RECOMMENDED MOTION: 1 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).

Donna G. Hayes, District 5, Chairman

PRESENTATIONS SCHEDULED - ITEMS 7-8

PLANNING

7. **ORDINANCE 09-55 STORMWATER DESIGN CRITERIA LAND DEVELOPMENT CODE TEXT AMENDMENT**
 (Thomas Gerstenberger, Project Engineering Supervisor) DTS#20090217
 An Ordinance of the Board of County Commissioners of Manatee County, Florida amending the Manatee County Land Development Code regarding stormwater management plans; amending Section 717.3.13.2, Stormwater Management; amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

8. **ORDINANCE 09-60 PERSONAL COMMUNICATIONS SERVICES**
 (Sharon Tarman, Planner) (Sarah Schenk, Deputy County Attorney)
[THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS; THE SECOND PUBLIC HEARING IS FEBRUARY 4, 2010]
 An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development; providing findings; amending Chapter 7 of the Land Development Code, development standards of general applicability; amending Section 704.59 and renaming it Personal Communication Services (PCS); amending definitions; amending development standards and establishing siting preferences regarding personal communication services; providing for consistency with the Florida Statutes; amending Figure 6.1 community service uses and Section 603.6, changes in approved General Development Plans, to clarify the development process required for personal communication services; amending other provisions as necessary for internal consistency; providing for codification; providing for severability; and providing an effective date.

REGULAR AGENDA

COMMISSIONERS' COMMENTS

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 12/30/2009