

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 March 4, 2010

MEETING CALLED TO ORDER:

Donna G. Hayes, Chairman

INVOCATION:

Pastor Al Yusko, More Than Conquerors

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

FINANCIAL MANAGEMENT

1. **Credit Authorization (Cora Parker Trust)** – Execute Credit Authorization CA-09-02-(T) and Final Authorization of Road Impact Fee Credit in the amount of \$11,528 for eligible right-of-way dedication

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 2-8

PLANNING

2. **ORDINANCE 09-64 (DRI # 11) TARA-MANATEE, INCORPORATED**
(Katie LaBarr, Principal Planner) **(Continued from 1/07/10) (To be continued to 4/27/10)**
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).

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

(Katie LaBarr, Principal Planner) DTS#20090243

(Continued from 1/07/10) (To be continued to 4/27/10)

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).

4. **PA-10-02 (PROPOSED ORDINANCE 10-02) ROBINSON FARMS**

(Stephanie Moreland, Planner) DTS#20090177 **(To be continued to 3/16/10)**

Transmittal of an amendment to the Comprehensive Plan amending the Manatee County Comprehensive Plan; providing a purpose and intent; providing for an amendment to the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan to designate specific real property to RES-3 (Residential - 3 dwelling units per Gross Acre) from the RES-1 (Residential - 1 dwelling unit per Gross Acre) Future Land Use Classification; said property being generally located north of 9th Avenue Northwest, approximately 600 feet east of 99th Street Northwest and south of 17th Avenue Northwest at 9400 9th Avenue NW and 9523 17th Avenue NW (49± acres); providing for severability; and providing for an effective date.

5. **Z-08-07 MANATEE COUNTY/MOODY BRANCH**
 (Dorothy Rainey, Environmental Planner) DTS#20080297
[THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS; THE SECOND PUBLIC HEARING IS SCHEDULED FOR MARCH 30, 2010.]
 An Ordinance of the Board of County Commissioners of Manatee County, Florida, 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 945.97 acres located on Taylor Grade Road, Bradenton from the A (General Agriculture) to the CON (Conservation) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

6. **Z-08-08 MANATEE COUNTY/RIVERVIEW POINTE**
 (Dorothy Rainey, Environmental Planner) DTS#20080298
[THIS IS THE FIRST OF TWO REQUIRED PUBLIC HEARINGS; THE SECOND PUBLIC HEARING IS SCHEDULED FOR MARCH 30, 2010.]
 An Ordinance of the Board of County Commissioners of Manatee County, Florida, 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 11.4 acres at 8250 & 8280 Desoto Memorial Highway, Bradenton from the RSF-2 (Residential Single-Family, 2 dwelling units per acre) to the CON (Conservation) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

7. **PDR-05-60(Z)(P) NAP DUKE RANCH, LLC, MML I, LLC, and PGCI I, LLC/SILVERLEAF**
 (Miles Gentry, Principal Planner) DTS #20050460
(Continued from 6/04/09, 6/23/09, 8/06/09, 10/01/09, 11/17/09, 12/15/09, and 1/26/10)
 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.

8. **LDA-09-03 LOCAL DEVELOPMENT AGREEMENT FOR SILVERLEAF DEVELOPMENT**
 (Miles Gentry, Planning Manager) DTS#20090096
(Continued from 11/17/09, 12/15/09, and 1/26/10)
 Request: Approval of a Local Development Agreement providing for the issuance of an extended certificate of level of service compliance; providing for dedication of right-of-way and the payment of a proportionate share of the cost to mitigate impacts on public facilities; providing for design, permitting and construction of project entrance improvements including turn lanes; providing for severability, and providing for an effective date. The Local Development Agreement applies to Silverleaf for which approval is sought pursuant to pending application known as PDR-05-60(Z)(P) (263.35 ± acres). The proposed use of the properties is residential development. Pursuant to the pending zoning request, Silverleaf is seeking approval for 713 residential units, each with a maximum height of 35 feet.

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).

REGULAR AGENDA

NOTHING SCHEDULED

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 elect not to convene, if no business is scheduled; however, each reserves the right to take action on any matter during its meeting, including items not set forth within this agenda. The Chair of each governing body at his/her option may take business out of order if he/she determines that such a change in the schedule will expedite the business of the governing body.

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 2/26/2010

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