



Planning Commission
July 8, 2021

SUBJECT

Z-21-01 - ROY-FRANCO REZONE / ROY GERARD J JR (OWNER) - PLN2102-0038 – QUASI-JUDICIAL, KEVIN OATMAN, PLANNER I

A REZONE OF APPROXIMATELY 0.56 ACRES GENERALLY LOCATED ON THE NORTH SIDE OF 53RD AVENUE EAST (S.R.70) AND APPROXIMATELY 700 FEET WEST OF 45TH STREET EAST, COMMONLY KNOWN AS 4223 53RD AVENUE EAST, BRADENTON (MANATEE COUNTY) FROM AGRICULTURAL SUBURBAN (A-1) TO THE GENERAL COMMERCIAL (GC) ZONING DISTRICT.

Category

ADVERTISED PUBLIC HEARINGS (Presentation Upon Request)

Briefings

Briefing Provided Upon Request

Contact and/or Presenter Information

Presenter: Kevin Oatman, Planner I, 941-748-4501 ext. 6841, kevin.oatman@mymanatee.org
Contact: Natalie Chiapusio, Planning & Zoning Technician, 941-748-4501 ext. 6839, natalie.chiapusio@mymanatee.org

Action Requested

ALTERNATIVE MOTION

APPROVAL

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be CONSISTENT with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to recommend ADOPTION of Manatee County Zoning Ordinance No. Z-21-01.

DENIAL

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be INCONSISTENT with the Manatee County Comprehensive Plan and the

ITEM 1

Manatee County Land Development Code, I move to recommend DENIAL of Manatee County Zoning Ordinance No. Z-21-01.

Enabling/Regulating Authority

Manatee County Land Development Code
Manatee County Comprehensive Plan

Background Discussion

EXISTING ZONING	Agricultural Suburban (A-1)
PROPOSED ZONING	General Commercial (GC)
SPECIAL AREAS	Southwest County Improvement District (SWTIF) Urban Service Area (USA)
OVERLAY DISTRICTS	NONE
ADDRESS	4223 53rd Avenue East, Bradenton, FL 34203
GENERAL LOCATION	North side of 53rd Avenue East (S.R.70) and approximately 700 feet west of 45th Street East, commonly known as 4223 53rd Avenue East, Bradenton in the unincorporated area of Manatee County.
ACREAGE	0.56-acres
EXISTING USE(S)	Single Family Dwelling
FUTURE LAND USE	Retail/Office/Residential (ROR)

Request

- The request is a rezoning of 0.56-acres from Agricultural Suburban (A-1) to General Commercial (GC). The approximately site is located approximately 700 feet west of 45th Street East, specifically on the north side of 53rd Avenue East (Arterial Road), otherwise known as State Road 70, Bradenton.
- The proposed GC zoning district, aside from other LDC requirements, provides implementation of the ROR FLUC policies by permitting a range of potential uses consistent with those deemed suitable for development in the ROR designation of the Comprehensive Plan. The purpose of the GC zoning district is to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district may also facilitate attached dwellings, multifamily residential, and mixed-use (including multi-family residential).

Attorney Review

Other (Requires explanation in field below)

Other (if applicable)

Sarah Schenk reviewed and responded by email to Matter2021-0257 on June 14, 2021.

Reviewing Attorney

Schenk

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Instructions to Board Records

N/A

Cost and Funds Source Account Number and Name

N/A

Amount and Frequency of Recurring Costs

N/A

Planning Commission: 07/08/2021

Z-21-01 – Roy-Franco Rezone/ Roy Gerard J JR (Owner) – PLN2102-0038

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezone of approximately 0.56 acres generally located on the north side of 53rd Avenue East (S.R.70) and approximately 700 feet west of 45th Street East, commonly known as 4223 53rd Avenue East, Bradenton (Manatee County); from Agricultural Suburban (A-1) to the General Commercial (GC) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

Planning Commission: 07/08/2021

Board of County Commissioners: 08/05/2021



ALTERNATIVE MOTION

APPROVAL

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **CONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to recommend **ADOPTION** of Manatee County Zoning Ordinance No. Z-21-01.

DENIAL

Based upon the staff report, evidence presented, comments made at the Public Hearing, and finding the request to be **INCONSISTENT** with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, I move to recommend **DENIAL** of Manatee County Zoning Ordinance No. Z-21-01.

PROJECT SUMMARY	
CASE NUMBER	Z-21-01 (PLN2102-0038)
PROJECT NAME	Roy-Franco Rezone
APPLICANT(S) / AGENT	Roy Gerard Jr / Grimes Hawkins Gladfelter & Galvano P.L.
EXISTING ZONING	Agricultural Suburban (A-1)
PROPOSED ZONING	General Commercial (GC)
PROPOSED FUTURE LAND USE	Residential/Office/Retail (ROR)
CASE MANAGER	Kevin Oatman , Planner I
DETAILED DISCUSSION	
<p><u>History</u></p> <p>With the adoption of the Manatee County Comprehensive Plan (1989) and the Land Development Code (1990), the site was designated within the R/O/R (Retail/Office/Residential) Future Land Use Category (FLUC) and the A-1 (Agricultural Suburban) Zoning District, respectively. No changes in FLUC and/or zoning classification have occurred in the last 30 years. The site is developed with a single-family detached dwelling.</p> <p><u>Request</u></p> <p>The applicant requests to rezone approximately 0.56 acres of land from A-1 to GC and lies within the R/O/R FLUC. The subject property is located on the north side of 53rd Avenue East (S.R.70) (Arterial Road) and approximately 700 feet west of 45th Street East.</p> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p>Aerial</p>  </div> <div style="text-align: center;"> <p>Aerial Zoom</p>  </div> </div>	

Analysis:

The future land use designation for the site is R/O/R. Table 4-1, Future Land Use Categories and Zoning Districts, Section 400.8 of the Land Development Code (LDC) indicates that GC is an implementing zoning district of the R/O/R future land use designation. The site is eligible to be considered for commercial development since the R/O/R FLUC lists neighborhood, community and regional serving commercial uses to be within the range of potential uses. Comprehensive Plan Policies 2.10.4.2 and 2.10.4.3 state that commercial projects within the R/O/R FLUC are exempted to comply with commercial locational criteria requirements (within 1,500 feet of two functionally classified roadways) and are not required to be separated from adjacent residential uses by the right-of-way of any roadway functionally classified as collector or higher.

The land development code defines Agricultural Suburban (A-1) and General Commercial (GC) districts as follows:

Agricultural Suburban District (A-1). The purpose of this district is to permit short-term agricultural and related uses and to provide for areas transitioning from rural to suburban character.

General Commercial District (GC). The purpose of this district is to provide for a variety of retail use and services in free-standing parcels or shopping centers to serve the community's general commercial needs. This district may also facilitate attached dwellings, multifamily residential, and mixed-use (including multi-family residential).

The A-1 zoning district allows limited permitted commercial services such as funeral chapels, and offices, and a Special Permit is required for uses such as bed and breakfasts, funeral homes, veterinary clinics, and equipment sales, rental, storing and repair. Retail commercial, single-family semi-detached, single-family attached and multi-family residential uses are not permitted within the A-1 zoning district.

The GC zoning district allows a variety range of commercial retail, commercial services, and residential uses, as well as residential support, community services, and recreational uses. However, within this zoning category there are permitted uses, non-permitted uses, and uses that requires Special Permit as follows:

- Commercial uses not permitted in GC: lumberyard, bed and breakfast, hospital, intense services (extermination, pest control, printing heavy) boatel, recreational vehicle parks and subdivisions, and wholesale trade establishment.
- Commercial uses that require Special Permit: veterinary hospitals, various vehicle sales, rentals, and vehicle major repairs, and emergency shelters.
- Residential Support Uses: environmental education facilities are not allowed, and high school and middle schools are allowed via Special Permit.
- Residential uses not allowed in GC: mobile homes, mobile homes parks, and mobile homes subdivisions, as well as single-family semi-detached dwelling units, and multi-family waterfront structures.

Zoning



Future Land Use



With a future land use category of R/O/R, more intensive uses are appropriate including a variety of commercial retail and commercial services uses, which could be mixed with medium and high density residential as is allowed in the GC zoning district. See attachment 4 for a chart comparing the allowable uses in A-1 and GC zoning districts.

The site is large enough to accommodate buildings (residential and non-residential) and provide adequate setbacks, buffers, access, parking, and loading areas as is required for commercial sites according to Policies 2.10.4.3(1) and 2.10.4.3(2) of the Comprehensive Plan. The subject property exceeds the minimum lot area (7,500 square feet) required for the GC zoning district, and at time of Final Site Plan review, all development will be required to comply with GC zoning district requirements, including LDC Table 4-8 (Schedule of Bulk and Dimensional Standards for Office, Commercial, and Mixed-Use Districts) and any other applicable regulation.

Staff finds the proposed rezoning appears to be in compliance with LDC requirements and consistent with the Comprehensive Plan. The proposed rezone to GC is consistent with the intent and purpose of the R/O/R FLUC. During the Final Site Plan review, LDC requirements will mitigate any potential incompatibilities with adjacent uses by providing the required setbacks, screening, landscape buffering, building height, parking, access management and site design under Final Site Plan review.

In the opinion of the staff, the rezone application could be found to be consistent with the Comprehensive Plan and in compliance with the criteria in the LDC for approval of a rezone.

SITE CHARACTERISTICS AND SURROUNDING AREA

ADDRESS	4223 53rd Avenue E., Bradenton (Manatee County)
GENERAL LOCATION	North side of 53 rd Avenue East, approximately 700 feet west of 45 th Street East
ACREAGE	Approximately 0.56 acres
EXISTING USE(S)	Single-family Detached Residential
FUTURE LAND USE CATEGORY(S)	R/O/R (Retail/Office/Residential)
OVERLAY DISTRICT(S)	N/A

SURROUNDING USES AND ZONING

NORTH	Residential (single-family detached dwelling) zoned A-1. To the northeast, residential (single-family detached dwelling) zoned A-1
SOUTH (across 53rd Avenue East/ SR 70)	Commercial services (Bank of America and Lockwood Commons Shopping Center) zoned Planned Development Commercial (PDC)
EAST	Residential (single-family detached dwelling) zoned A-1
WEST	Commercial retail (Wendy's restaurant with drive-thru) zoned PDC

SITE DESIGN DETAILS	
MAXIMUM FAR	Max. within R/O/R FLUC (0.5/1.0 for hotel or mixed-use)
MAXIMUM BUILDING SIZE (square feet)	Limited by R/O/R FAR (Potential Max.): 12,197 (0.5 FAR) / 24,394(1.0 FAR)
MAXIMUM GROSS DENSITY / MAXIMUM NUMBER OF RESIDENTIAL UNITS	Max. within R/O/R FLUC: <ul style="list-style-type: none"> • 16 dwelling units per acre / 8 units • 32 dwelling units per acre for residential projects that designate a minimum of 25% of the dwelling units as “Affordable Housing” / 17 units • 32 dwelling units per acre for mixed-use development that includes a commercial or office component / 17 units
MINIMUM SETBACKS FOR GC ZONING DISTRICT *20 feet for non-residential use adjacent to single-family residential zoning)	Front: 25 feet Rear: 15 feet (*) Side: 10 feet (*)
MINIMUM LOT SIZE FOR GC ZONING DISTRICT/ MINIMUM LOT WIDTH	7,500 square feet (Site: approximately 24,510 square feet) 75-foot lot width (Site: minimum 163.4 feet along SR 70)
HEIGHT	Maximum 4 Stories Maximum 6 Stories with Special Permit
REQUIRED OPEN SPACE	15 percent (15%)
ACCESS (*) The Florida Department of Transportation (FDOT) will be the entity responsible for the approval of access points location and roadway improvements along 53 rd Avenue East	Potential access points along: <ul style="list-style-type: none"> - A private drive adjacent to the west side of the parcel - 53rd Avenue East / SR 70 (*) to be determined by FDOT (*)
MINIMUM REQUIRED PARKING (Off-Street & Loading)	Required parking will be provided in accordance with LDC Section 1005 at the time of Final Site Plan review
FLOOD ZONE(S) (*) At time of site plan submittal delineation of floodplain and Base Flood Elevation (B.F.E) will be required	<ul style="list-style-type: none"> - Site lies in Zone X (areas outside of 100-year floodplain delineation) and AE (areas within 100-year floodplain delineation) per FIRM Panel 12081C0309E, effective 3/17/2014. (*) - The project area is not located within the FEMA 2014 FIRM 100-year floodplain and/or the County 25-year floodplain of Pearce Drain/Gap Creek
AREA OF KNOWN FLOODING	Project Located in Flood Prone Area: Yes Type of Flooding: Rainfall Watershed/basin: Pearce Drain/Gap Creek (50% reduction in pre-development allowable runoff will be required at time of project submittal)
UTILITIES (*) Manatee County ownership of this service will end at the State Road 70 right-of-way.	The following water and wastewater facilities are in the vicinity of this development project: <ul style="list-style-type: none"> • Water: 6-inch potable water main along the north side of SR 70 and a 1-inch potable water service on the north side of SR 70 with meter to the site

		<ul style="list-style-type: none">• Sewer: Existing sanitary gravity sewer service stubbed to the property.• Reclaimed: No County-owned reclaimed water infrastructure available at the project location			
ENVIRONMENTAL INFORMATION					
OVERALL WETLAND ACREAGE		An environmental report indicated that on March 3, 2020, no wetland areas were identified.			
PROPOSED WETLAND IMPACT ACREAGE		No wetland areas were identified. Additional comments will be provided upon review of subsequent site plan submittals.			
NEARBY DEVELOPMENT					
NON-RESIDENTIAL					
PROJECT	FLUC	ZONING	ACRES	SQUARE FEET	INTENSITY (FAR)
Wendy's Store (Restaurant w/drive-thru)	R/O/R	PDC	1.10	2,426	0.05
ALDI (Grocery Store)	R/O/R	PDC	3.87	17,018	0.10
Paley Place (Shopping Center)	R/O/R	PDC	23.5	180,000	0.18
CVS Pharmacy	R/O/R & RES-6	PDC	1.70	15,523	0.29
7-Eleven	R/O/R	GC	1.02	3,200	0.07
Car Dealership	R/O/R	GC	1.03	1,225	0.03
US Post Office	RES-6	NC-M	5.18	12,758	0.06
RESIDENTIAL					
SUBDIVISION	FLUC	ZONING	ACRES	DWELLING UNITS	DENSITY (DU/ACRE)
The Terrace at Peridia	RES-6	PDR	8.56	61 multi-family	7.3
Westport Subdivision	RES-6	PDR	43.74	158 single-family	3.6
Peridia Subdivision	RES-6	PDR	220	723 single-family	3.2
POSITIVE ASPECTS					
<ul style="list-style-type: none">• GC is a logical expansion of adjacent and nearby commercial zoning districts (PDC, NC-M, and GC).• The site has frontage along a classified arterial roadway (SR 70).• GC allows for greater variety and intensity of commercial uses than A-1, providing more of a wide range of residential opportunities including retail, banking services, restaurants, offices, and many other various commercial uses.					

<ul style="list-style-type: none"> GC allows a wide range of residential uses including single-family attached, multi-family, duplexes, group housing, community residential homes, assisted living facilities, and various residential support uses which will make the potential density more consistent with the future land use designation of R/O/R.
NEGATIVE ASPECTS
<ul style="list-style-type: none"> GC zoning districts will introduce the potential for commercial uses near residential uses, which may come with additional light and noise impacts.
MITIGATING MEASURES
<ul style="list-style-type: none"> The Land Development Code provides standards for specific uses that may have negative externalities and has requirements for additional landscaping and buffering for certain commercial uses next to residential uses. At the time of future site plan submittal and accompanying traffic impact review, all proposed access points will be evaluated to determine if any site-related improvements are required.
COMPLIANCE WITH THE LAND DEVELOPMENT CODE LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS
<p>The following represents an analysis of how the application achieves compliance with LDC Section 342.3. The criteria listed below were used to evaluate each specific request for rezoning to ensure compliance with the Comprehensive Plan and Land Development Code.</p> <p>LDC SECTION 342.3 – REVIEW CRITERIA FOR ZONING MAP AMENDMENTS</p> <p>A. Compatibility with the Existing Development Pattern and the Zoning of Nearby Properties. Analysis: The rezoning represents an expansion of existing commercial zoning districts along SR 70 (53rd Avenue East). The project site is surrounded to the north, northeast, and east with single-family residences zoned A-1. To the south, across SR70, and to the west, there are a variety of established commercial retail and commercial services zoned PDC, NC-M, and GC. In the opinion of staff, the proposed GC zoning district is compatible and consistent with the commercial development pattern and trends of the nearby area along SR 70. The proposed rezoning the proposed rezoning does not appear to represent any intrusion into the nearby residential areas per provisions of Policy 2.10.4.3.3 (sites exempted to comply with the “Commercial Locational Criteria” are not required to be separated from adjacent residential uses by the right-of-way of any roadway functionally classified as collector or higher).</p> <p>B. Changes in Land Use or Conditions Upon Which the Original Zoning Designation was Based. Analysis: The site has been zoned A-1 since the adoption of the Land Development Code in 1990. In the last few years there have been changes to the conditions upon which the original zoning designation was based. The site is located along the north side of an arterial thoroughfare (SR 70) within an area which has been transitioning from residential uses to commercial and service areas. Adjacent and nearby properties to the west and south have been rezoned to PDC, NC-M, as well as GC, and developed with a variety of commercial uses including restaurant with drive-thru (Wendy’s), professional office, car dealership, gas station with convenience store (7-11), U.S. Post Office, financial institution (Bank of America), and a commercial center (Lockwood Commons Shopping Center). Further east, across 45th Street East, there is a grocery store (ALDI), and the West Lake Plaza Shopping Center. LDC requirements provide for mitigation of any potential incompatibilities presented at the project boundary with surrounding uses.</p> <p>C. Consistency with the Current Comprehensive Plan. Analysis: The intent of the R/O/R FLUC is to allow a broad range of commercial, office, and residential uses, and to prohibit the intrusion of new industrial uses. Per the LDC (Table 4-1), GC is an implementing zoning district of R/O/R and uses allowed within the GC zoning district are consistent with the intent of</p>

the R/O/R land use designation. Commercial projects within the R/O/R FLUC are exempted to comply with commercial locational criteria and are not considered an intrusion into residential areas per Policies 2.10.4.2 and 2.10.4.3. of the Comprehensive Plan.

The GC zoning district provides for a variety of commercial retail and commercial services in free-standing parcels or shopping centers to serve the community's general commercial needs, as well as facilitate attached dwellings, multifamily residential, and mixed-use (including multi-family residential). The R/O/R includes neighborhood, community and regional serving commercial uses, mixed with medium and high density residential in the range of potential uses.

D. Conflicts with Existing or Planned Public Improvements.

Analysis: Staff does not anticipate that this rezone will conflict with existing or planned public improvements. Public facilities already exist in the area.

E. Availability of Public Facilities.

1. Impact on the Traffic Characteristics – Specifically Trip Generation Potential.

Analysis: The applicant provided a Traffic Impact Statement (TIS) dated March 18, 2021 to evaluate maximum potential traffic impacts associated with the rezone of the site. Based on the trip generation calculations according to the Institute of Transportation Engineers Trip Generation Manual (10th Edition), a "worst case scenario" for the proposed zoning designation would yield a net new PM Peak hour trips of 117. The proposed rezone does not appear to create significant adverse transportation impacts on the thoroughfare roadways. (See Attachment 2 - Traffic impact Statement and TIS Acceptance Letter dated 04/15/2021).

The above referenced TIS addressed the Comprehensive Plan and Land Development Code requirements and provided appropriate traffic-related information to substantiate the findings. However, currently, the future use of the property is unknown. When a request for Final Site Plan/Concurrency is submitted, an assessment will be required for a known use and factual data will be considered according to the Manatee County Standards.

2. Impact on Population Density or Development Intensity Demand for Schools, Sewers, Streets, Recreational Areas and Facilities and Other Public Facilities.

Analysis: Staff does not anticipate any impacts on demand for public facilities. There are existing sewer and potable water lines, public transportation, recreational facilities (John H. Marble Recreational Complex, Kellogg Park, and Braden River Park), a public library (Braden River Library), as well as schools to serve School Service Area 3 (Tara Elementary, King Middle, and Braden River High School) in the vicinity.

3. Impact on Public Facilities Planned and Funded to Support Any Change in Density or Intensity.

Analysis: The zoning change does not appear to have a significant impact on demand for these public facilities. In the event that existing infrastructure requires upgrading to serve this project, the applicant would be required to comply with all applicable Code requirements and fee schedules.

F. Health, Safety or Welfare of the Neighborhood and County.

Analysis: It is staff's opinion that it appears that the proposed rezone is consistent with the development patterns of the surrounding area and does not anticipate having a negative effect on the health, safety, or welfare of the neighborhood or county.

G. Conformance with All Applicable Requirements of this Code.

Analysis: It is staff's opinion that the proposed rezone is in conformance with the requirements of the Land Development Code. The GC district is an implementing zone district of the R/O/R Future Land Use Designation. The GC zoning district allows a minimum lot size of 7,500 square feet, a minimum lot width of 75 feet, and a maximum building size of 12,196 for 0.5 FAR or 24,450 for 1.0 FAR (hotel or mixed use).

Compliance with the standards of the GC zoning district and all other requirements of the Land Development Code will be required for all future development approvals.

H. Consistency with the Development Patterns in the Area.

Analysis: It's staff's opinion that the GC zoning is consistent with the development trends and patterns in the area. The adjacent and nearby area to the south, east, and west along SR 70 have been developed with a mixture of retail and commercial uses, and the area to the north has been developed with residential use. Therefore, either a commercial development or a residential development is consistent with the existing development patterns in the area.

I. Logical Expansion of Adjacent Zoning Districts.

Analysis: It is staff's opinion that the proposed rezone may be considered a logical expansion of adjacent and surrounding commercial zoning districts including PDC, NC-M, and GC to the west and south of the subject property.

J. Impact on Historic Resources.

Analysis: There does not appear to be known historic resources on the site. If any historic resources are found at time of development, the applicant will be required to immediately report discoveries of historical or archaeological resources to the Florida Division of Historical Resources.

K. Environmental Impacts.

Analysis: Environmental impacts, if any, will be assessed at the time of FSP review.

L. Types of Allowable Uses and Impact of those on Surrounding Residential Areas.

Analysis: GC zoning allows a variety of uses including retail commercial, commercial services, community service uses, single-family (detached, semi-detached, attached) and multifamily residential. The site is already adjacent to a significant amount of commercially-zoned properties and uses, although the current suburban agriculture zoning only allows a limited range of permitted commercial services uses (funeral chapels, and offices) and residential uses (single-family detached), as well as uses that require a "special permit" (bed and breakfasts, funeral homes, veterinary clinics, and equipment sales, rental, storing and repair).

No specific use has been taken into consideration for this site as part of the current rezone process. Most uses have specific use criteria outlined in Section 531, which helps address any potential compatibility concerns with residential areas, and some uses would be required to obtain a special permit at a separate public hearing. Compliance with specific standards and regulations will be required at time of future project submittal.

M. Relocation of Mobile Homeowners.

Analysis: There are no mobile homes on site.

N. Consistency with the Planned Development District Standards.

Analysis: This request is for a rezone to GC, therefore the planned development district standards do not apply.

O. Any Other Matters Which May Be Appropriate.

Analysis: Further development will require site plan review. There are no other known matters to be considered pursuant to the LDC, Comprehensive Plan or applicable law.

COMPLIANCE WITH COMPREHENSIVE PLAN

The site is in the R/O/R (Retail/Office/Residential) Future Land Use Category. This project was specifically reviewed for compliance with the following objectives and policies:

Policy 2.1.1.4. Promote development in currently undeveloped areas which have the greatest level of public facility availability and investment.

Analysis: The proposed rezone will allow for a broader range of allowable uses on an infill parcel along an arterial roadway (SR 70). This is an area that is already significantly developed with a combination of a variety of commercial and residential development. This is an infill site in a location where public facilities are in place.

Policy 2.1.1.6 Encourage growth and redevelopment to concentrate within the Urban Service Area.

Analysis: The proposed rezone is within the Urban Service Area.

Policy 2.1.2.2 Limit urban sprawl by prohibiting all future development in the area east of the established Future Development Area Boundary (FDAB).

Analysis: This rezone request is west of the FDAB. The rezoning limits urban sprawl because it is an infill parcel.

Policy 2.1.2.4. Limit urban sprawl through consideration of new and redevelopment when deemed compatible with existing and future development, in areas which are internal to, or are contiguous expansions of the built environment.

Analysis: Any development on this site would be contiguous and internal to the existing built environment. The site is an infill site. Further, site development is already permitted in the current zoning designation, and a rezone will change the character of the allowed development.

Policy 2.1.2.7. Review all proposed development for compatibility and appropriate timing of development.

Analysis: It is staff's opinion that the proposed rezone to General Commercial is appropriate given the existing development pattern, which characterized by a mix of retail commercial, offices, services, and residential uses. Adjacent and nearby to the site, there are a significant number of properties zoned PDC, NC-M, and GC with similar development limitations. Future development review will determine potential access points, environmental protection of natural features, and stormwater requirements. Water and sewer services are available. At this time, there are no site plans attached to the rezone request, and detail site design will be reviewed at later development stages.

Objective 2.6.1 Compatibility through Screening, Buffering, Setbacks, and Other Mitigative Measures.

Analysis: There is no site plan associated with this straight rezoning request. However, many of the potential uses permitted in GC zoning will be compatible with surrounding land uses. Also, GC zoning establishes lot sizes, setbacks, height, open space requirements and Floor Area Ratio, and any applicable specific use criteria in Section 531 will address compatibility concerns. Future site plan will be reviewed for compliance with these code standards.

Policy 2.6.5.5. Ensure urban infill projects are compatible to their setting and design to contribute to the overall enhancement of the existing neighborhood. Compatibility considerations include building massing, vertical character and setbacks with the existing urban neighborhood.

Analysis: There is no site plan associated with this straight rezone request. The site design will be reviewed for compatibility when a site plan is submitted.

Policy 2.10.1.2. Promote the development of commercial uses in nodes, and discourage scattered, incremental commercial development.

Analysis: The site is exempted to meet commercial locational criteria; however, the site is located along an arterial roadway (SR 70), within 700 feet of a collector roadway (45th Street East), and adjacent to existing commercial zoning and use.

Policy 2.10.1.3. Encourage development projects that functionally mix residential and commercial (retail/office) uses, either vertically or horizontally.

Analysis: The site is located in an area that is horizontally mixed with a combination of residential and commercial uses. General Commercial zoning allows the flexibility for the site to develop either as commercial or as a residential development. Either will contribute to a horizontally mixed use environment.

Policy 2.10.4.1. Limit the location of all new commercial development to well-defined nodes.

Analysis: The site is located within a well-defined commercial node of the County (intersection of SR 70 and 45th Street East); however, a project within the R/O/R FLUC is exempted to meet commercial locational criteria.

The following policies refer to the R/O/R Future Land Use Category:

Policy 2.2.1.17.1. Intent: To identify, textually in the Comprehensive Plan's goals, objectives, and policies, or graphically on the Future Land Use Map, areas exhibiting a broad range of commercial, office, and residential uses and to prohibit the intrusion of new industrial uses into these ROR areas. ROR areas are especially found at major community or region-serving nodes and are encouraged to develop with horizontal or vertical integration of uses, internal trip capture, and an overall high quality environment for living, working, or visiting.

Analysis: The proposed rezoning to the GC zoning district meets the intent of the R/O/R Future Land Use Category. The existing zoning only allows limited commercial services and single-family residential uses, which is not consistent with the intention of "a broad range of commercial, office, and residential uses". Because GC will allow single-family and multi-family development, in addition to a variety of retail and commercial services uses, it better fits the intent of R/O/R than the existing A-1 zoning.

Policy 2.2.1.17.2. Range of Potential Uses: Neighborhood, community and regional serving commercial uses, mixed with medium and high density residential, lodging, office, public/semi-public, schools, and recreational uses

Analysis: The wider range of uses allowable in GC instead of A-1 fits the range of potential uses in R/O/R FLUC.

Policy 2.2.1.15.3. Range of Potential Density/Intensity:

Analysis: The site design will be reviewed for compliance with the density and intensity maximums set out in the R/O/R FLUC at further site plan review stages. There is no site plan associated with this straight rezone.

TRANSPORTATION

Major Transportation Facilities

The project is located on the north side of SR 70, approximately 800 feet west of 45th Street East. SR 70 is an existing six-lane arterial roadway with 45 mph posted speed. It is designated as a six-lane arterial roadway in the Comprehensive Plan's Future Traffic Circulation Plan and has a planned right-of-way width determined by FDOT.

Transportation Concurrency

The Applicant is seeking a rezone approval at this time and cannot obtain concurrency until Preliminary Site Plan/Final Site Plan review stage(s) of the project. At that time, the Applicant will be required to submit a traffic study to determine if any off-site concurrency-related improvements are required to mitigate the development's impacts.

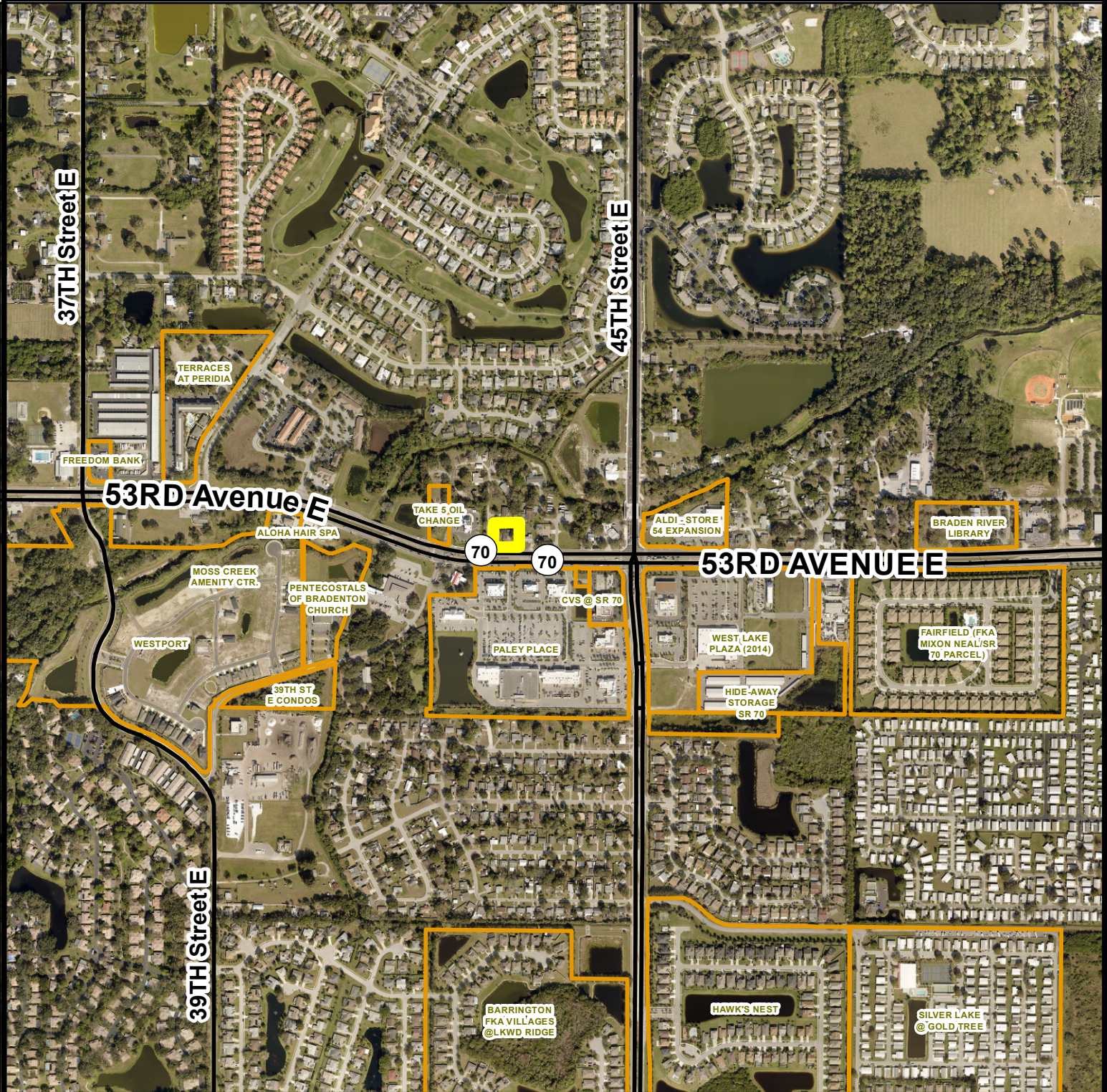
The applicant did provide a Traffic Impact Statement (TIS) for the rezoning application to gauge the maximum impacts associated with allowable uses. Based on the accepted study, it appears the potentially impacted segment of SR 70 will have sufficient capacity for the proposed project traffic (see Certificate of Level of Service Compliance table below).

Access

At the time of future site plan submittal and accompanying traffic impact review, all proposed access points will be evaluated to determine if any site-related improvements are required.

CERTIFICATE OF LEVEL OF SERVICE (CLOS) COMPLIANCE TRANSPORTATION CONCURRENCY			
CLOS APPLIED FOR: No (A CLOS cannot be issued with a rezone) TRAFFIC STUDY REQUIRED: Yes (A TIS was reviewed and accepted; however, a traffic study will be required at PSP/FSP)			
NEAREST THOROUGHFARE	LINK(S)	ADOPTED LOS	FUTURE CLOS (W/PROJECT)
SR 70	3104	D	C
OTHER CONCURRENCY COMPONENTS			
Solid waste landfill capacity and preliminary drainage intent will be reviewed at the time of application for concurrency. Potable water, wastewater, and school facilities will be reviewed at the time of FSP.			
ATTACHMENTS			
1. Staff Report Maps/Aerials 2. Traffic Impact Statement and Acceptance Letter 3. Use Chart Comparison (A-1 versus GC) 4. Environmental Narrative 5. Zoning Disclosure Affidavit 6. Newspaper Advertising			

AERIAL



Parcel ID #(s) 1699110100

Project Name: Roy-Franco Rezone

Project #: Z-21-01

Accela #: PLN2102-0038

S/T/R: 16 35S 18E

Acreage: 0.56

Existing Zoning: A-1

Existing FLU: ROR

Overlays: NONE

Special Areas: NONE

CHH: N

Watershed: NONE

Drainage Basin: GAP CREEK

Commissioner: Vanessa Baugh

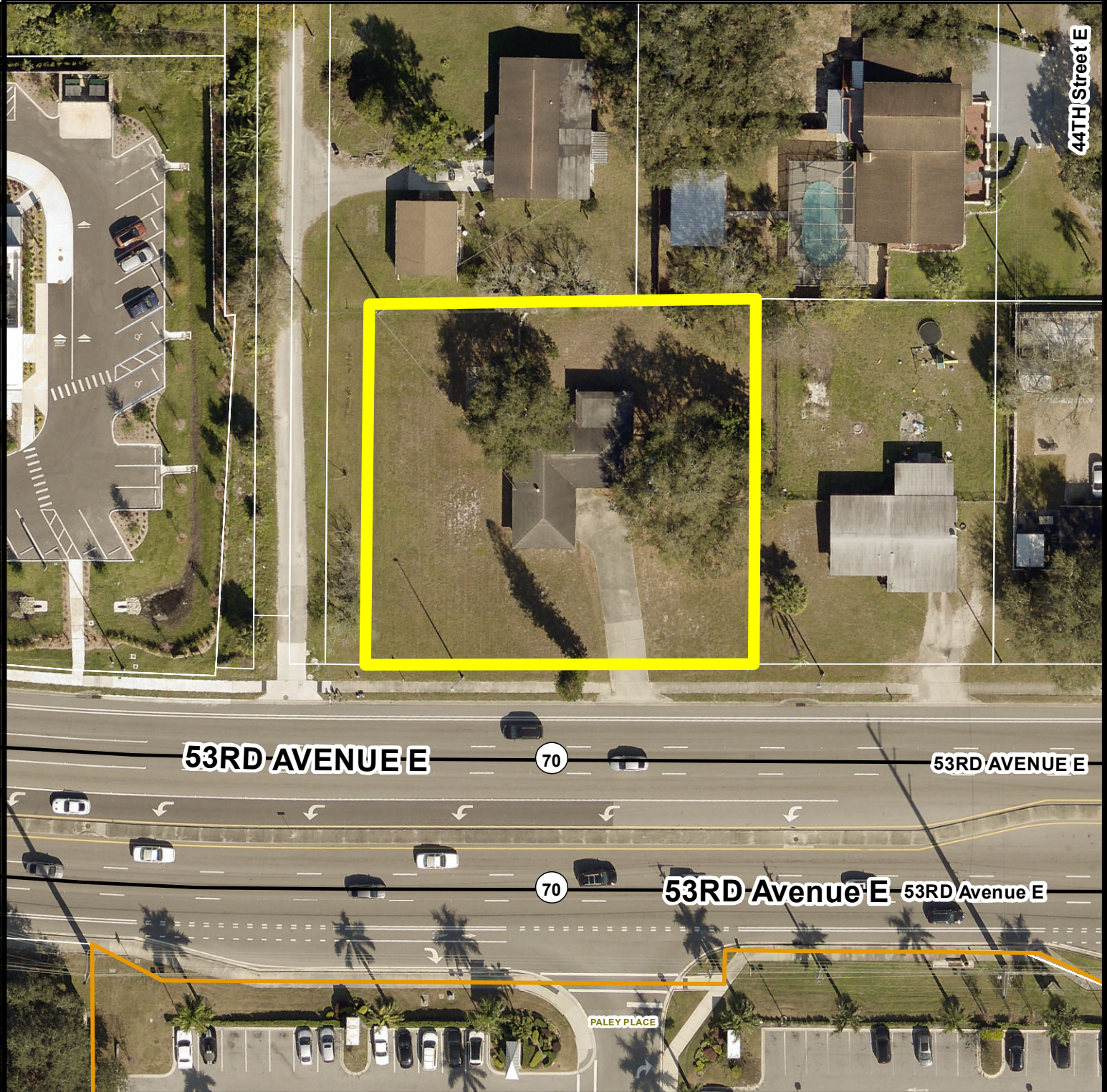


Manatee County
Staff Report Map

Map Prepared 3 / 2021

1 inch = 859 feet

AERIAL



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Commissioner: Vanessa Baugh

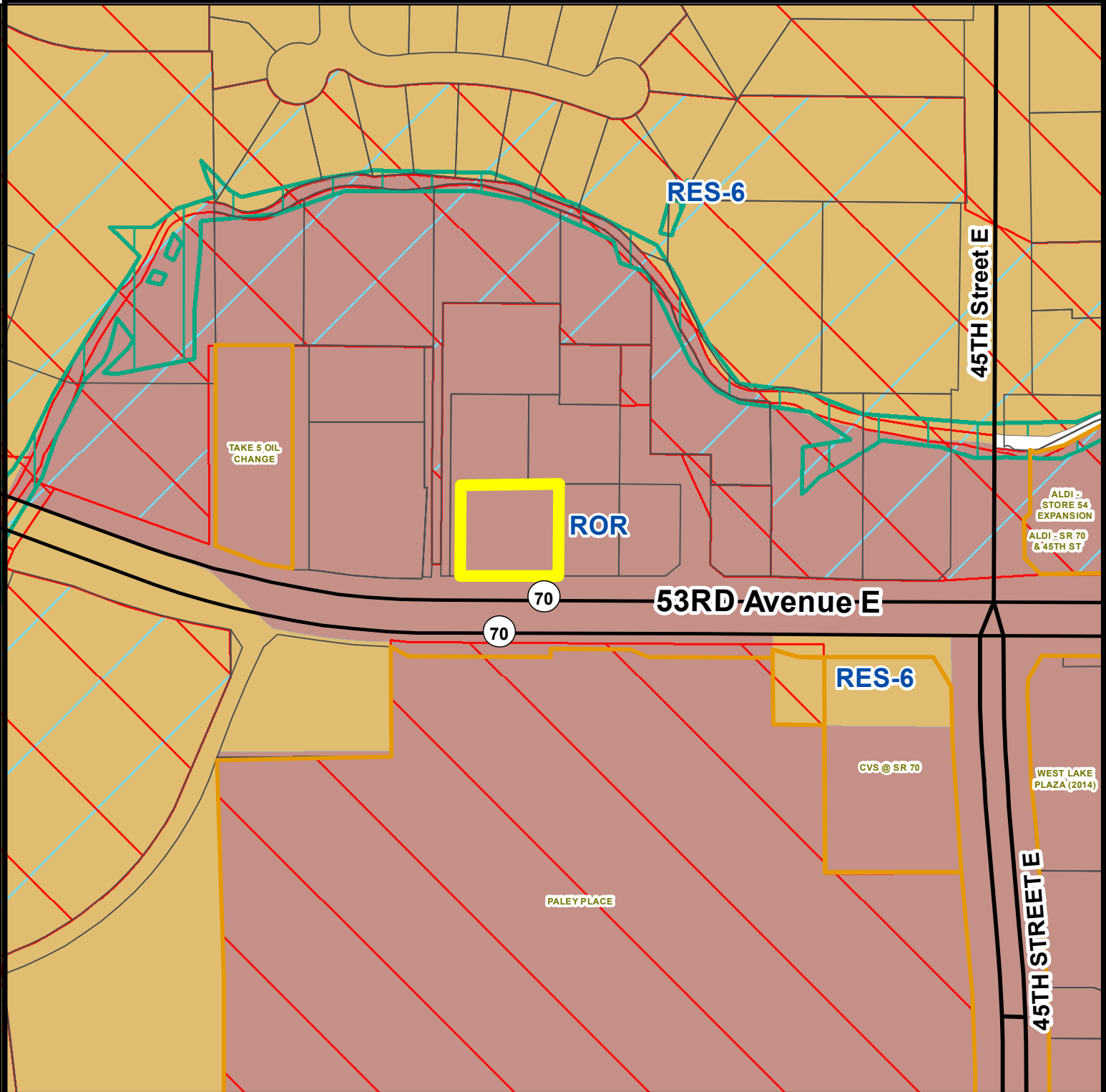


Manatee County
Staff Report Map

Map Prepared 3 / 2021

1 inch = 57 feet

FUTURE LAND USE



Parcel ID #(s) 1699110100

Project Name: Roy-Franco Rezone

Project #: Z-21-01

Accela #: PLN2102-0038

S/T/R: 16 35S 18E

Acreage: 0.56

Existing Zoning: A-1

Existing FLU: ROR

Overlays: NONE

Special Areas: NONE

CHH: N

Watershed: NONE

Drainage Basin: GAP CREEK

Commissioner: Vanessa Baugh

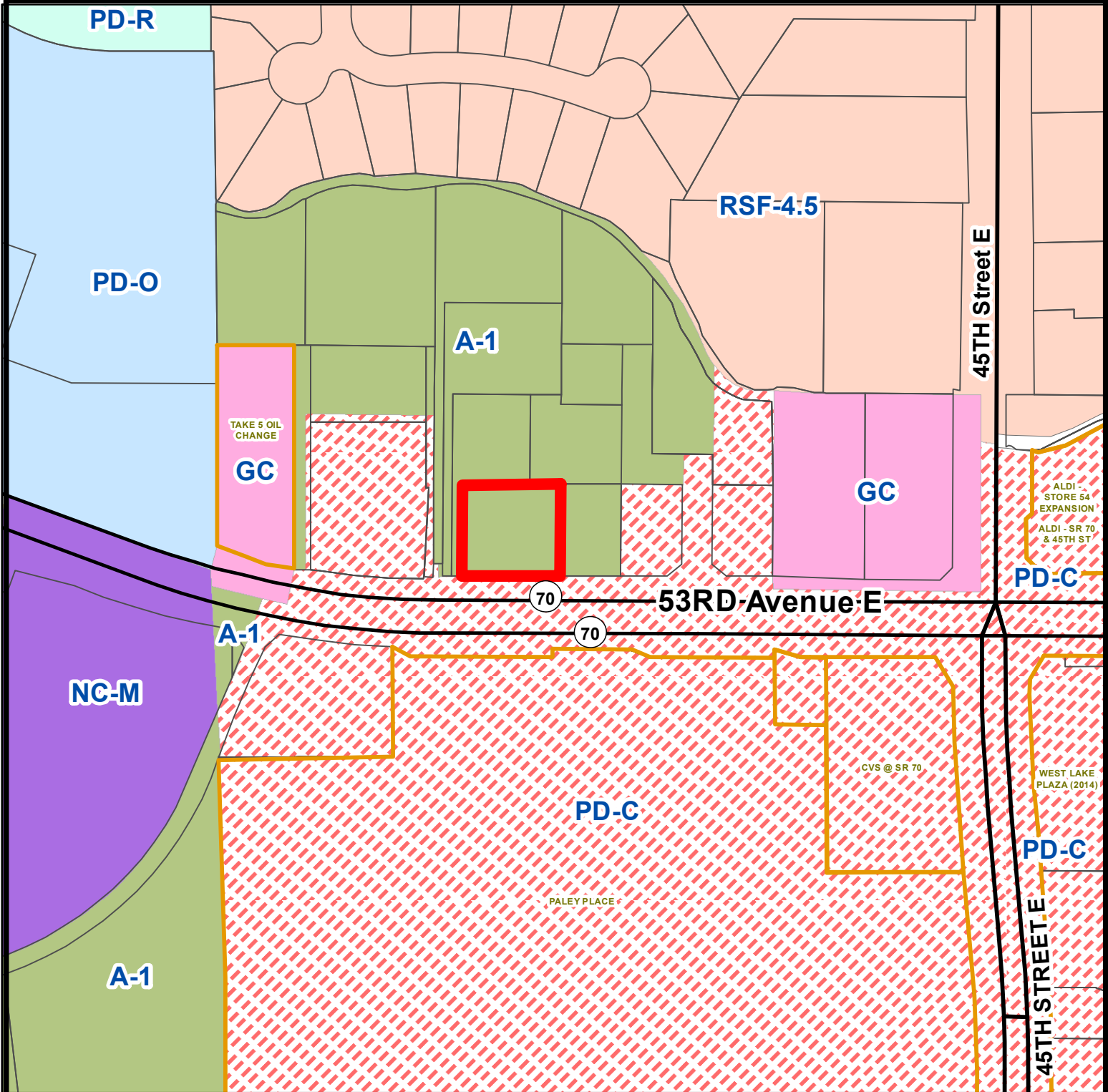


Manatee County
Staff Report Map

Map Prepared 3 / 2021

1 inch = 226 feet

ZONING



Parcel ID #(s) 1699110100

Project Name: Roy-Franco Rezone

Project #: Z-21-01

Accela #: PLN2102-0038

S/T/R: 16 35S 18E

Acreage: 0.56

Existing Zoning: A-1

Existing FLU: ROR

Overlays: NONE

Special Areas: NONE

CHH: N

Watershed: NONE

Drainage Basin: GAP CREEK

Commissioner: Vanessa Baugh



Manatee County
Staff Report Map

Map Prepared 3 / 2021

1 inch = 226 feet



Public Works Department
Transportation Planning Division
1022 26th Avenue East
Bradenton, FL 34208
Phone: (941) 708-7450
www.mymanatee.org

April 15, 2021

Vicki L Castro, PE
Palm Traffic, LLC
400 North Tampa Street, Suite 308
Tampa, FL 33602

Roy-Franco Rezone - Traffic Impact Statement Review Comments
Project # Z-21-01 Record # PLN2102-0038

Dear Ms. Castro,

Traffic study reviews are conducted by two Public Works divisions. The first is the Traffic Design Division, whose staff review design, safety, and operational aspects of access points and intersections in proximity to access points. Traffic Design Division review will be provided under separate cover.

The second is the Transportation Planning Division, whose review of site impact mitigation is the subject of this letter. Manatee County Transportation Planning Division staff have reviewed and accepted the Traffic Impact Statement (TIS) dated March 18, 2021 for Roy-Franco Rezone. The TIS was based on a proposal to rezone 0.56 +/- acres land from General Agriculture (A) to General Commercial (GC). The Applicant has addressed the Comprehensive Plan requirements and provided appropriate traffic-related information to substantiate the findings.

Concurrency may not be granted with a Rezone application; therefore, a Certificate of Level of Service Compliance (CLOS) will not be issued until the PSP/FSP application. With a request for a CLOS, a Traffic Study will be required to establish any required mitigation and access improvements, if applicable.

If you have any questions or require further assistance, please contact Merih Wahid (941.708.7450 x7442, merih.wahid@mymanatee.org) or Sandeep Kotala (941.708.7450 x7433, Sandeep.kotala@mymanatee.org).

Sincerely,

Sandeep Kotala
Multimodal Transportation Planner
Manatee County Public Works Department
Transportation Planning Division

CC: Kevin Oatman
Merih Wahid

JAMES
SATCHER
District 1

REGGIE
BELLAMY
District 2

KEVIN
VAN OSTENBRIDGE
District 3

MISTY
SERVIA
District 4

VANESSA
BAUGH
District 5

CAROL
WHITMORE
At Large

GEORGE W.
KRUSE
At Large

Grimes Hawkins Gladfleter & Galvano, P.L. Roy-Franco Rezone

ACCEPTED

TRAFFIC IMPACT STATEMENT - REZONE Draft October 7, 2020 Revised March 18, 2021

Record Number: PLN2102-0038 / Project Number: Z-21-01

Narrative

This project is located north of 53rd Avenue East (SR 70) and west of Lockwood Ridge Road. The property is currently occupied by one single family dwelling unit. The proposed project is to rezone the 0.56 +/- acre parcel of land from Agriculture-1 (A-1) to General Commercial (GC). This Traffic Impact Statement (TIS) is supporting a rezone application. This TIS will evaluate the trip generation potential associated with the existing parcel conditions to the maximum "worst case scenario" allowed under the proposed zoning.

Trip Generation – Existing Conditions (Current Zoning)

Table 1a below indicates the estimated trips using ITE Trip Generation 10th Edition for the existing site conditions under the current zoning.

TABLE 1a. Trip Generation – Existing Conditions

ITE Code	Land Use Type	Size	PM Peak-Hour Trips In	PM Peak-Hour Trips Out	PM Peak-Hour Total Trips
210	Single Family	1 DU	1	0	1

Trip Generation – Proposed Conditions (Proposed Zoning)

Table 1b below indicates the estimated trips using ITE Trip Generation 10th Edition for a "worst case scenario" of maximum development under the proposed zoning conditions.

TABLE 1b. Trip Generation – Proposed Zoning

ITE Code	Land Use Type	Size	PM Peak-Hour Trips In	PM Peak-Hour Trips Out	PM Peak-Hour Total Trips
820	Retail	12,632 SF	57	61	118

Based on the trip generation calculations, the proposed "worst case scenario" rezoning would have an increase of 117 new PM Peak Hour trips to the adjacent thoroughfare network.

Impact Area

To gauge the impacts of a "worst case scenario" of maximum development under the proposed zoning conditions the significant impact area includes the first-impacted thoroughfares. Once a site plan is available and actual impacts of the project are known, further analysis will be conducted to determine the full impacts of the proposed development.

SR 70 is the first-impacted thoroughfare and is included in the analysis. Table 2 below indicates the impacted roadway links and the project traffic impacts on the impacted links and the capacity of those facilities.

Table 2. Impact Area

Link No	Road	From	To	Lanes	Adopted LOS	PM Peak Service Volume	Peak Hour Project Traffic	Project Traffic as % of Svc Vol
3104	SR 70	39 th St E	Lockwood Ridge	6D	D	5,650	118	2.1%

As shown in Table 2, the development's traffic does not meet the five percent threshold on the first-impacted road segment. This segment is expected to carry the most project traffic, and because the five percent test is not met for it, it is assumed not to be met for any other road segments.

Level of Service Analysis

Table 3 below summarizes the generalized level of service analysis on the impacted roadways under the proposed conditions.

Table 3. Level of Service Analysis

Road	From	To	PM Peak Hour Base Volume	Peak Hour Reserved	Estimated Project Traffic	Peak Hour Total Traffic	LOS
SR 70	39 th St E	Lockwood Ridge	4,140	464	118	4,722	C

Based on the analysis, the impacted segment of SR 70 is expected to operate at or above the adopted LOS C standard.

Access

The project will have access to the thoroughfare network via SR 70. A more detailed access analysis will be required at the time of application for concurrency with the Preliminary Site Plan (PSP) or Final Site Plan (FSP) submittal.

Right of Way

This is not a determination of right of way. The Applicant will coordinate with Manatee County and/or FDOT regarding right of way needs.

Multi-Modal Transportation

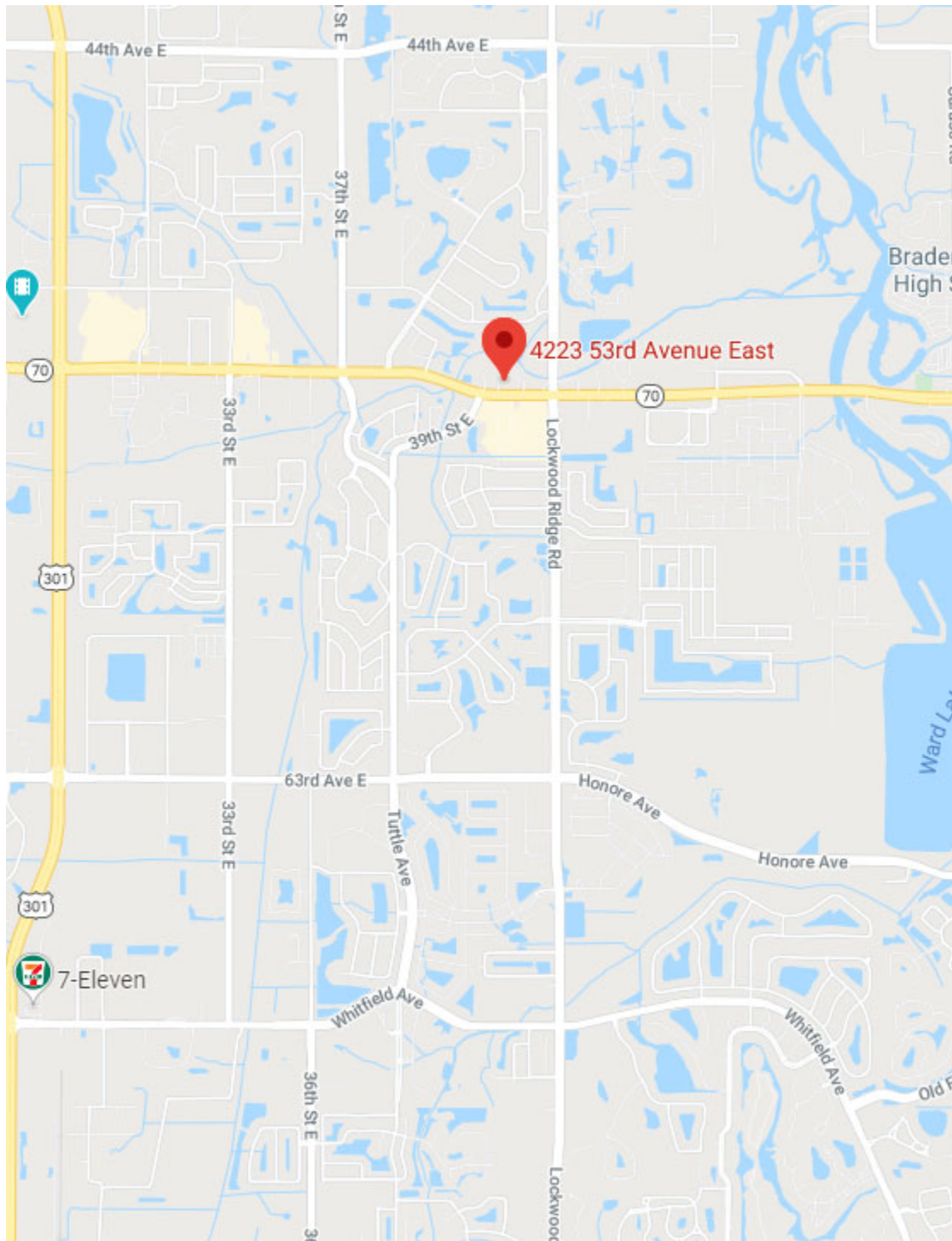
Sidewalks and bicycle lanes currently exist on both sides of SR 70 adjacent to the site. Bus route 12 provides service along SR 70 from Desoto Square Mall to Lakewood Ranch Walmart on Monday through Saturday. There is an eastbound bus stop directly across from the project site and a westbound bus stop approximately 600 feet to the west of the project site.

Given the multi-modal access on the adjacent roadway network, internal sidewalks and bicycle parking will be considered during the site development process.

Conclusion

The proposed rezoning is not projected to create adverse transportation impacts on significantly impacted thoroughfare roadways under a "worst case scenario" as demonstrated in the level of service analysis conducted in this report. A more detailed analysis may be required as part of the Preliminary Site Plan (PSP) or Final Site Plan (FSP) submittal.

Site Location



APPENDIX

APPENDIX

TRIP GENERATION - PROPOSED

PERIOD SETTING

Analysis Name :	PM Peak Hour	
Project Name :	4223 53rd Ave E	No :
Date:	2/21/2020	City:
State/Province:		Zip/Postal Code:
Country:		Client Name:
Analyst's Name:		Edition: Trip Gen Manual, 10th Ed

Land Use	Independent Variable	Size	Time Period	Method	Entry	Exit	Total
820 - Shopping Center (General Urban/Suburban)	1000 Sq. Ft. GLA	12.64	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	Best Fit (LOG) $\ln(T) = 0.74\ln(X) + 2.89$	57 48%	61 52%	118

TRAFFIC REDUCTIONS

Land Use	Entry Reduction	Adjusted Entry	Exit Reduction	Adjusted Exit
820 - Shopping Center	0 %	57	0 %	61

EXTERNAL TRIPS

Land Use	External Trips	Pass-by%	Pass-by Trips	Non-pass-by Trips
820 - Shopping Center	118	34	40	78

ITE DEVIATION DETAILS

Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.

Landuse No deviations from ITE.

Methods No deviations from ITE.

External Trips No deviations from ITE.

SUMMARY

Total Entering	57
Total Exiting	61
Total Entering Reduction	0
Total Exiting Reduction	0
Total Entering Internal Capture Reduction	0
Total Exiting Internal Capture Reduction	0
Total Entering Pass-by Reduction	19
Total Exiting Pass-by Reduction	21
Total Entering Non-Pass-by Trips	38
Total Exiting Non-Pass-by Trips	40

APPENDIX

MANATEE COUNTY CONCURRENCY TRANSPORTATION LINK SHEET

Manatee County Planning Department
Concurrency Transportation Link Sheet

Report run on: September 1, 2020 3:59 PM

Link No	Road Name	From Street	To Street	Jrs Dtn	Fnc Cls	U T R	(#1) Crs Sec	Sig/ Mile	Nu m Sig	Cl ass Gr p	Le ft Tu ms	5% Peak Hour Vol	Los Std	Exist Los	Proje cted LOS	Art Plan LOS	Trf Cnt Yr	Exist AADT	K100	O C S	Peak Hour Base	Peak Hour Res	Peak Hour Total	#2) Peak Hr LOS Vol	Avail Peak Hour Cap	3 Yr Growth Rate	Cn Yr	Con Typ	De Im Rs	Stn Num
3053	SR 64	CYPRESS CREEK BVD	66 ST CT E	ST	PA	U	6D	2.70	1	II	Y	282.5	D	C	F	19	54000	0.090		4,860	1,101	5,961	5,650	-311	0.000					0049
3054	SR 64	66 ST CT E	I-75	ST	PA	U	6D	3.57	1	II	Y	282.5	D	C	F	19	54000	0.090		4,860	982	5,842	5,650	-192	0.000					0049
3055	SR 64	I-75	GRAND HARBOUR PKY	ST	PA	U	6D	4.00	1	II	Y	282.5	D	C	F	19	54000	0.090		4,860	1,021	5,881	5,650	-231	0.000					0049
3060	SR 64	GRAND HARBOUR PKY	LENA RD	ST	PA	U	6D	1.12	1	I	Y	282.5	D	C	F	19	46500	0.090	O	4,185	1,987	6,172	5,650	-522	0.000		0			0050
3061	SR 64	LENA RD	LAKEWOOD RANCH BLVD	ST	PA	U	6D	0.71	1	I	Y	282.5	D	C	F	19	47000	0.090		4,230	2,051	6,281	5,650	-631	0.000					0072
3062	SR 64	LAKEWOOD RANCH BL	RYE RD	ST	PA	U	4D	0.00	0	I	Y	187.5	D	C	D	19	32000	0.090		2,880	810	3,690	3,750	60	0.000					0073
3063	SR 64	RYE RD	LORRAINE RD	ST	PA	U	4D	0.00	0	I	Y	187.5	D	C	C	19	13900	0.090		1,251	604	1,855	3,750	1,895	0.000					5076
3070	SR 64	LORRAINE RD	CR 675/RUTLAND RD	ST	PA	T	2U	0.00	0		Y	81	C	B	C	19	5984	0.090	O	539	392	931	1,620	689	0.000		0			0146
3080	SR 64	CR 675/RUTLAND RD	HARDEE CO	ST	PA	R	2U	0.00	0		Y	41	C	C	C	19	6000	0.095	C	570	52	622	820	198	0.000		0			0021
3090	SR 70	301 BLVD	US 301	ST	PA	U	6D	1.01	1	I	Y	282.5	D	C	C	19	33500	0.090	O	3,015	204	3,219	5,650	2,431	0.000		0			0017
3100	SR 70	US 301	30TH ST EAST	ST	PA	U	6D	4.35	1	II	Y	282.5	D	C	C	19	46000	0.090	C	4,140	412	4,552	5,650	1,098	0.000		0			0061
3101	SR 70	30TH ST E	33RD ST E	ST	PA	U	6D	3.57	1	II	Y	282.5	D	C	C	19	46000	0.090		4,140	453	4,593	5,650	1,057	0.000					0061
3102	SR 70	33RD ST E	37TH ST E	ST	PA	U	6D	2.86	1	II	Y	282.5	D	C	C	19	46000	0.090		4,140	528	4,668	5,650	982	0.000					0061
3103	SR 70	37TH ST E	39TH ST E	ST	PA	U	6D	2.27	1	II	Y	282.5	D	C	C	19	46000	0.090		4,140	522	4,662	5,650	988	0.000					0061
3104	SR 70	39TH ST E	LOCKWOOD RIDGE RD	ST	PA	U	6D	4.55	1	II	Y	282.5	D	C	C	19	46000	0.090		4,140	464	4,604	5,650	1,046	0.000					0061
3105	SR 70	LOCKWOOD RIDGE	NATALIE WAY	ST	PA	U	6D	1.32	1	I	Y	282.5	D	C	D	19	50604	0.090		4,554	1,087	5,641	5,650	9	0.000					0061
3110	SR 70	NATALIE WAY	CARUSO RD	ST	PA	U	6D	2.04	1	I	Y	282.5	D	C	C	19	50604	0.090	O	4,554	877	5,431	5,650	219	0.000		0			0061
3111	SR 70	CARUSO RD	TARA BLVD	ST	PA	U	6D	0.99	1	I	Y	282.5	D	C	C	19	50604	0.090		4,554	853	5,407	5,650	243	0.000					0333
3112	SR 70	TARA BLVD	I-75	ST	PA	U	6D	1.64	1	II	Y	282.5	D	C	F	19	61000	0.090		5,490	1,229	6,719	5,650	-1,069	0.000					0047
3120	SR 70	I-75	87TH ST E	ST	PA	U	6D	1.96	1	II	Y	275.5	C	C	F	19	45500	0.090	O	4,095	2,119	6,214	5,510	-704	0.000		0			0048

LAND USE CHART COMPARISON: A-1 versus GC

Land Use	See Sec #	A-1	GC
AGRICULTURAL USES			
Agricultural Research Facilities	--	P	X
Agricultural Uses	531.1	P	P
Agricultural Products Processing Plants	531.1	X	X
Animal Products Processing Facility	531.1	X	X
Short Term Agricultural Uses	531.1	P	P
Stables or Equestrian Centers: Private	531.41	P	X
Stables or Equestrian Centers: Public	531.41	P	X
Tree Farm	531.1	P	P
Animal Services (Wild and Exotic)	531.5	P	P
Breeding Facility (Non-Wild & Exotic)	531.8	SP	X
Farming Service Establishments	531.18	SP	P
Farm Worker Housing	531.19	SP	X
Pet Service (Kennel) Establishments	531.38	SP	P
Sawmills	531.1	X	X
Slaughterhouses	531.1	X	X
Stockyards and Feedlots	531.1	X	X
Veterinary Hospitals	531.58	SP	SP
COMMERCIAL - RETAIL		A-1	GC
Alcoholic Beverage Establishment	531.4	X	SP
Alcoholic Beverage Establishment - 2 COP License	531.4	X	P
Auction Houses, Enclosed	--	X	P
Auction Houses, Open	531.6	X	SP
Building Materials Sales Establishment	531.9	X	P
Lumberyard	531.9	X	X
Drive- Through Establishments	531.16	X	P
Gas Pumps	531.51	X	P
Recreational Vehicle/Mobile Home Sales, Rental & Leasing	531.43	X	P
Restaurant	531.48	X	P
Retail Sales, Neighborhood Convenience	531.49	X	P
Medical Marijuana Treatment Center Dispensing Facility	531.49	X	P
Retail Sales, General	531.49	X	P
Service Station	531.51	X	P
Vehicle Sales, Rental, Leasing	531.57	X	P/SP

COMMERCIAL - SERVICES		A-1	GC
Banking: Bank	--	X	P
Banking: Bank/Drive-through	531.16	X	P
Bed and Breakfast	531.7	SP	X
Business Services	--	X	P
Printing, Medium	--	X	P
Printing, Small	--	X	P
Car Wash: Full Service	531.10	X	P
Car Wash: Incidental	531.10	X	P
Car Wash: Self-Service	531.10	X	P
Clinics	--	X	P
Equipment sales, rental, leasing, storing and repair - heavy	531.18	SP	P
Construction equipment	531.18	X	SP
Equipment Sales, rental, leasing, storage and repair - light	--	SP	P
Food Catering Service Establishment	531.21	X	P
Funeral Chapel	531.22	P	P
Funeral Home	531.22	SP	P
Hospital ²	--	X	X
Intensive Services: All Others	531.26	X	SP
Intensive Services: Exterminating and Pest Control	531.26	X	X
Intensive Services: Printing, Heavy	--	X	X
Intensive Services: Industrial Service Establishment	531.26	X	SP
Intensive Services: Sign Painting Service	531.26	X	P
Intensive Services: Taxi-Cab, Limousine Service	531.26	X	P
Laboratories, Medical and Dental	--	X	P
Lodging Places: Boarding House	531.28	X	P
Lodging Places: Boatel	531.28	X	X
Lodging Places: Dormitories	531.28	X	P
Lodging Places: Hospital Guest House	531.28	X	P
Lodging Places: Hotel/motel	531.28	X	P
Office	531.61	P	Not in Use Table (See Below)
Office, Medical or Professional		P	P
Miscellaneous Services: Office		X	P
Personal Service Establishment	--	X	P
Dry Cleaners: General		X	P
Dry Cleaners: Pick-up	--	X	P
Rental Service Establishment	--	X	P

Repair Service Establishment	--	X	P
Recreational Vehicle Parks and subdivisions	531.42	X	X
Vehicle Repair: Major	531.56	X	SP
Vehicle Repair: Community Serving	--	X	P
Vehicle Repair: Neighborhood Serving	--	X	P
Veterinary Clinic	531.58	SP	P
Wholesale Trade Establishment	--	X	X
INDUSTRIAL		A-1	GC
Industrial, Heavy	531.25	X	X
Firework/Sparkler Manufacture	531.25	X	X
Industrial, Light	531.25	X	X
Research and Development Activities	--	X	X
COMMUNITY SERVICE USES		A-1	GC
Civic, Social, and Fraternal Organizations/Clubs	531.14	P/SP	P
Correctional Facilities: Community	--	X	X
Correctional Facilities: Major	--	X	X
Cultural Facilities	531.15	P	P
Emergency Shelters	531.45	P/SP	P/SP
Emergency Shelter Home	531.45	P	P/SP
Personal Wireless Service Facilities	531.37		
Public Community Uses	531.39	P/SP	P
Public Use Facilities	531.40	P	P
Post Offices	--	P	P
Radio, TV, Communications, Microwave Facilities	--	SP	P/SP
Rehabilitation Center	531.44	SP	SP
Utility Use	531.54	P	P
MISCELLANEOUS USES		A-1	GC
Flea Markets: Enclosed	531.20	X	P
Flea Markets: Open	531.20	X	P
Intensive Services: Towing Service and Storage Establishment	531.26	X	SP
Outdoor Advertising Signs	--	X	P
Outdoor Storage (Principal Use)	531.36	X	P
Parking, Commercial (Principal Use)	--	X	P
Sexually Oriented Businesses	531.52		
Water Dependent Uses	531.60	X	X
OPEN USE OF LAND - LIGHT		A-1	GC
Cemetery: Human and Pet	531.11	SP	P
Earthmoving, Minor	702	P	P

Game Preserve	--	SP	X
OPEN USE OF LAND - HEAVY		A-1	GC
Earthmoving, Major	702	SP	X
Junkyards	531.27	X	X
Mining	531.30	X	X
Solid Waste Management Facilities	531.53	X	X
Landfills	531.53	X	X
RECREATION USES		A-1	GC
Environmental Land Preserves, Public and Private	531.17	P	P
Recreation, High Intensity	531.41	X	SP
Recreation, Low Intensity	531.41	P	P
Recreation, Medium Intensity	531.41	X	P
Recreation, Passive	531.41	P	P
Recreation, Rural	531.41	SP	X
RESIDENTIAL USES		A-1	GC
Assisted Living Facility, Large ²	531.45	SP	P
Assisted Living Facility, Small ²	531.45	P	P
Community Residential Homes	531.45	P	P
Group Housing	531.23	SP	P
Mobile Homes, Individual	531.32	X	X
Mobile Home Parks	531.32	X	X
Mobile Home Subdivisions	531.32-	X	X
Nursing Homes ²	531.35	X	P
Recovery Home, Large	531.45	X	P
Recovery Home, Small	531.45	SP	P
Residential Treatment Facilities	531.46	SP	SP
Residential Use: Duplexes	531.47	X	X
Residential Use: Multiple Family Dwellings	531.47	X	P
Residential Use: Single Family, Attached Dwellings (3 to 9 units)	531.47	X	P
Residential Use: Single Family, Detached Dwellings	531.47	P	P
Residential Use: Single Family, Semi-Detached Dwellings	531.47	X	X
Residential Use: Triplex and Quadruplex Dwellings (Multifamily, four (4) units maximum)	531.47	X	P
Residential Use: Waterfront Structures (Residential other than multi-family)	531.47	P	X
Residential Use: Waterfront Structures (Multi-Family)	531.47	X	X

RESIDENTIAL SUPPORT USES		A-1	GC
Adult Day Care Center	--	P	P
Child Care Center, Accessory	511.2	P/SP	P
Child Care Center, Small	531.12	P/SP	P
Child Care Center, Large	531.12	P/SP	P
Churches /Places of Worship	531.13	P/SP	P
Environmental Education Facilities	--	P	X
Family Day Care Home	--	P	X
Schools, College/Universities	531.50	X	X
Schools, Elementary	531.50	P	P
Schools, High and Middle	531.50	SP	SP
Schools of Special Education	531.50	P	P
Schools, Public	531.50	P	P
TRANSPORTATION USES		A-1	GC
Aircraft Landing Field	531.2	X	X
Airport, Commercial	531.3	X	X
Airport, Private or Public	531.3	X	X
Bus and Train Passenger Station	--	P	P
Hazardous Waste Transfer Facility	--	X	X
Heliport	531.24	X	X
Helistop	531.24	X	SP
Intensive Services: Motor Pool Facilities	531.26	X	X
Intermodal Terminal	--	X	X
Motor Freight Terminal/Maintenance	531.34	X	X
Bus RR/Maintenance Facility		X	X
Railroad Switching/Classification Yard	--	X	X
WAREHOUSING		A-1	GC
Mini Warehouses, Self-storage	531.31	X	P
Warehouses	531.59	X	X



January 5, 2021

Mr. Kyle Grimes, Esquire
Grimes Goebel Grimes Hawkins
Gladfelter & Galvano, P.L.
1023 Manatee Avenue West
Bradenton, FL 34205

RE: Environmental Study
Parcel ID: 1699110100
Address: 4223 53rd Avenue E, Bradenton, FL 34203

Mr. Grimes,

Ardurra Group, Inc. (f.k.a. E Co Consultants) has prepared the following environmental study report for the rezone of parcel ID #1699110100 in Manatee County, FL, from A-1 to general commercial zoning.

Client

Ramon Franco
Mariette T. Roy Franco

Introduction

The project area is located in Section 16, Township 35 South, Range 18 East in the City of Bradenton, Manatee County. The project site, which contains approximately 0.56 acres, is a residential property. No wetland or upland habitats are located on the subject parcel. Please see the attached FLUCCS Habitat Map for existing on-site land use.

Methodology

The following methods were employed to assess the referenced parcel:

- Field inspection of the site for identification of habitats, protected species, or other sensitive environmental features.
- Listed species evaluations of the site were conducted in accordance with appropriate State or Federal agency requirements. Gopher Tortoise Survey was conducted under the supervision of Danielle Puls, Authorized Gopher Tortoise Agent GTA-19-00009A. Methodology utilized to evaluate the site for gopher tortoise was consistent with FFWCC Gopher Tortoise Permitting Guidelines Appendix 4.
- Recent and historical aerial photograph interpretation of the subject property.
- Research of Manatee County, and various State and Federal databases regarding protected wildlife species.



Existing Conditions

The existing conditions of the project including upland and wetland plant communities were mapped in accordance with Florida Land Use Cover Forms and Classification System (FLUCCS, Florida Department of Transportation 1999).

FLUCCS Code: 120 Residential, medium density

The property was residential with a single-family unit on site. The site contained laurel oaks (*Quercus laurifolia*) and cabbage palms (*Sabal palmetto*). A utility pole was located at the northwest corner of the property.

Listed Species

An assessment was conducted by Ardurra on March 3, 2020. The assessment included a site visit and data research.

Ardurra environmental scientists reviewed online listed species databases to identify species known to exist within the project's geographic area, including the Florida Native Areas Inventory (FNAI) Biodiversity Matrix and the Florida Fish and Wildlife Conservation Commission (FWC) Eagle Nest Locator.

FNAI Biodiversity Matrix

In addition to the listed species evaluation conducted on the site, the FNAI Biodiversity Matrix was consulted to determine documented, likely, and/or potentially occurring rare animals in the vicinity of the project area. The most "likely" species to occur in the vicinity of the project as listed by FNAI (Matrix Unit 24945 attached) is the Wood Stork (*Mycteria americana*) and the West Indian Manatee (*Trichechus manatus*).

The table below lists both the species that are likely and or have a potential to utilize the project area, results of the preliminary surveys, and results from the updated survey.

Common Name	Scientific Name	Federal/State Status	Likelihood of Occurrence	Survey Results
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Migratory Bird/X	Not Observed.	No nests identified by FWCC or during site visit.
Wood Stork	<i>Mycteria americana</i>	T/FT	Likely (FNAI)	Not observed.
West Indian Manatee	<i>Trichechus manatus</i>	E/FE	Likely (FNAI)	No habitat exists onsite.
Gopher Tortoise	<i>Gopherus polyphemus</i>	X/ST	Potential (FNAI)	No active burrows identified.
Eastern Indigo Snake	<i>Drymarchon couperi</i>	T/FT	Potential (FNAI)	Not observed.
Hawksbill Sea Turtle	<i>Eretmochelys imbricata</i>	E/FE	Potential (FNAI)	No habitat exists onsite.
Gulf Sturgeon	<i>Acipenser oxyrinchus desotoi</i>	T/FT	Potential (FNAI)	No habitat exists on site.



Bald Eagle (*Haliaeetus leucocephalus*)

A search of the Florida Fish and Wildlife Conservation Commission (FWC) bald eagle database was completed to determine whether any known bald eagle nests occur within the vicinity of the subject parcel. The database revealed that no known bald eagle nest is located within 660 feet of the parcel, the closest eagle nest MN023 is located approximately 1.59 miles northeast of the property in Manatee County. Should a bald eagle nest be located within 660 feet of the project area, the appropriate U.S. Fish & Wildlife Service (USFWS) consultation will occur, and permits acquired, if necessary.

Wood Stork (*Mycteria americana*) and Wading Birds

The wood stork is listed as “Endangered” by the USFWS. According to USFWS data, the project does fall within the Ayers Point Core Foraging Area (CFA). The Ayers Point colony is located approximately 3.8 miles northwest from the project boundary. There are no wetlands onsite and no evidence of breeding or foraging occurring within the project area. There are no anticipated impacts to the Wood Stork or foraging areas as result of the proposed project

West Indian Manatee (*Trichechus manatus*)

The West Indian Manatee inhabit rivers, bays, canals, estuaries and coastal areas. No habitat for the West Indian Manatee exists within the proposed project boundaries. It is likely that the FNAI Matrix includes this species as potential due to the property’s proximity to the Braden River.

Gopher Tortoise (*Gopherus polyphemus*)

Ardurra scientist conducted a survey of the potential gopher tortoise habitat. During this survey no evidence of Gopher Tortoise or burrows were observed on site. Due to the habitat and surrounding areas present, utilization is very unlikely. If gopher tortoise burrows are found during construction, appropriate efforts should be taken to relocate gopher tortoises before any construction continues.

Eastern Indigo Snake (*Drymarchon corais couperi*)

The eastern indigo snake is listed as “Threatened” by both the FWS and FWC. The snake occurs in a range of habitats, including pine flatwoods, scrubby flatwoods, dry prairie, edges of freshwater marshes, agricultural fields, and human-altered habitats. According to FNAI data, potential habitat for the eastern indigo snake may be present within the project area. During the field review, no eastern indigo snakes were observed within or adjacent to the project area. The project will likely implement the U.S. Fish and Wildlife Service's (USFWS) 'Standard Protection Measures for the Eastern Indigo Snake' (revised August 12, 2013) in order to prevent any adverse impacts to this species.

Gulf Sturgeon (*Acipenser oxyrinchus desotoi*)

The Gulf Sturgeon inhabit similar habitats as the West Indian Manatee and are identified as a potential species due to the presence of the nearby Braden River.



Results

During the site visit and wildlife survey conducted by Danielle Puls with Ardurra on March 3, 2020, no listed wildlife species were observed within the project boundary. No bald eagle nests and no bald eagle activity was observed. No wetland or upland habitats were identified on site.

If you have any questions or concerns, please feel free to email back or call anytime at (941) 722-0901.

Sincerely,

Danielle Puls
Environmental Scientist II



- LEGEND -

Approximate Project Boundary

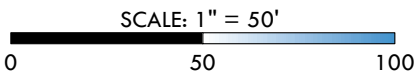
Approximate FLUCCS Habitat Lines

FLUCCS Code	Description	± Acreage
120	Residential, Medium Density	0.56
Total Project Acreage		0.56



Client: Ramon and Mariette Franco
Project: 4223 53rd Ave East (PID 1699110100)
Location: Manatee County, Florida
TRS: Sec: 16 Twp: 35S Rng: 18E
Title: FLUCCS Habitat Map
Source: Manatee County Imagery (2019)

Drawn By: KS
Date: 3/4/2020
Sheet: 1



**MANATEE COUNTY GOVERNMENT
BUILDING AND DEVELOPMENT SERVICES DEPARTMENT
B-4 Zoning Disclosure Affidavit**

Name of the Project: Roy-Franco Rezone

The Manatee County Land Development Code, as amended requires that all applications for Zoning Atlas Amendments shall include public disclosure of applicants and their percentage of interest.

If the property is owned by a CORPORATION, list the principal officers and principal stockholders and the percentage of stock owned by each.

If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

If the property is in the name of a PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the principals below, including general and limited partners.

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. This is in addition to the list of owners.

FOR ANY CHANGES OF OWNERSHIP OR CHANGES IN CONTRACTS FOR PURCHASE SUBSEQUENT TO THE DATE OF THE APPLICATION, BUT PRIOR TO THE DATE OF FINAL PUBLIC HEARING, A SUPPLEMENTAL DISCLOSURE OF INTEREST SHALL BE FILED.

Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

Name, Address and Officer

☒ Owner ☐ Contract Purchaser

Percentage Stock,
Interest or Ownership

Hien Roy, an individual

N/A

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: Hien Roy

(Applicant): Hien Roy

STATE OF INDIANA
COUNTY OF MARION

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online

notarization, this November 5, 2020 by Hien Roy

(Date)

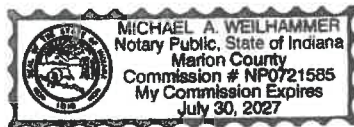
(Name of person acknowledging)

who is ☐ personally known to me or who has produced

IN

DRIVER LICENSE

as identification.



[Signature]
Signature of Notary Public – State of INDIANA
(Print, Type or Stamp Commissioned Name
Of Notary Public to the Left of Signature)

MANATEE COUNTY GOVERNMENT
BUILDING AND DEVELOPMENT SERVICES DEPARTMENT
B-4 Zoning Disclosure Affidavit

Name of the Project: Roy-Franco Rezone

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Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

Name, Address and Officer

☒ Owner ☐ Contract Purchaser

Mariette T. Roy Franco, an individual

Percentage Stock,
Interest or Ownership

N/A

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: Mariette Roy Franco

(Applicant): Mariette T. Roy Franco

STATE OF TX

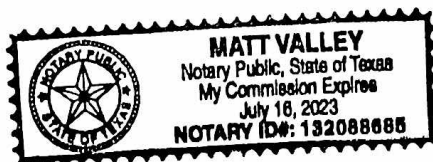
COUNTY OF Cassidy

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online

notarization, this March 17, 2021 by Mariette T. Roy Franco
(Date) (Name of person acknowledging)

who is ☐ personally known to me or who has produced TX Drivers License
(Type of identification)

as identification.



Matt Valley
Signature of Notary Public – State of TX
(Print, Type or Stamp Commissioned Name
Of Notary Public to the Left of Signature)

**MANATEE COUNTY GOVERNMENT
BUILDING AND DEVELOPMENT SERVICES DEPARTMENT
B-4 Zoning Disclosure Affidavit**

Name of the Project: Roy-Franco Rezone

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If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust. This is in addition to the list of owners.

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Disclosure shall not be required of any entity whose interests are solely equity interest which are regularly traded on an established securities market in the United State or another country.

Name, Address and Officer

☒ Owner ☐ Contract Purchaser

Percentage Stock,
Interest or Ownership

Gerard J. Roy, Jr., an individual

N/A

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

Signature: Gerard J. Roy Jr.

(Applicant): Gerard J. Roy Jr.

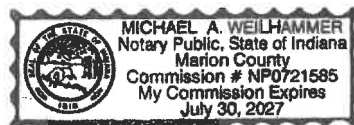
STATE OF INDIANA
COUNTY OF MARIAN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online

notarization, this November 5, 2020 by Gerard J. Roy Jr.

who is ☐ personally known to me or who has produced IN DRIVER LICENSE

as identification.



[Signature]

Signature of Notary Public – State of INDIANA
(Print, Type or Stamp Commissioned Name
Of Notary Public to the Left of Signature)



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Bobbi Roy
Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
33903	85859	Print Legal Ad - IPL0029093		\$198.90	2	8.41

Attention: Bobbi Roy
Manatee County Planning Department
PO BOX 1000
BRADENTON, FL 34206

Bobbi Roy
June 24, 2021 107-0006401

NOTICE OF PUBLIC HEARING NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the **Planning Commission of Manatee County will conduct a Public Hearing on July 8, 2021 at 9:00 a.m. or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Honorable Patricia M. Glass Chambers, 1112 Manatee Avenue West, Bradenton Florida** to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

PDR-10-11(Z)(P)(R2), Gamble Creek Ranch RBGJAG Holdings LLC Rezoning/Canoe Creek Phase IV, -- PLN2010-0105

An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding land development, amending and restating Ordinance PDR-10-11(P) (R) to add 72.65+ acres; providing for the rezoning of approximately 72.65 acres on the south side of Golf Course Road, Parrish (Manatee County) from the A/ NCO (General Agriculture - One dwelling unit per five acres/North Central Overlay District) to the PDR (Planned Development Residential) zoning district (72.65 acres to be added to the already rezoned 304.09 acres, for a total acreage of 376.74 acres); retaining the North Central Overlay District; approving an amended Preliminary Site Plan to add 152 lots for Phase IV to the existing Canoe Creek development already approved for 896 residences (637 lots used - 259 lots remaining) which includes single-family attached, detached, and semi-detached residences; generally located on the south side of Golf Course Road, Parrish (Manatee County) and commonly known as 3780, 3939, 4249 and 4250 Gamble Creek Road, Parrish (Manatee County); subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, repealing ordinances in conflict; and providing an effective date.

Z-21-01 - Roy-Franco Rezoning/ Roy Gerard J JR (Owner) - PLN2102-0038

An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 0.56 acres generally located on the north side of 53rd Avenue East (S.R.70) and approximately 700 feet west of 45th Street East, commonly known as 4223 53rd Avenue East, Bradenton (Manatee County); from Agricultural Suburban (A-1) to the General Commercial (GC) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinances, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Building and Development Services Department will be heard and considered by the Planning Commission. It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners.

Interested parties may examine the Official Zoning Atlas, Ordinances, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4501x6878; e-mail to planning.agenda@mymanatee.org.

Rules of procedure for this public hearing are in effect pursuant to Resolution 13-189(PC). A copy of this Resolution is available for review or purchase from the Building and Development Services Department (see address below).

Please send comments to: Manatee County Building and Development Services Department

Attn: Agenda Coordinator
1112 Manatee Ave. West 4th Floor
Bradenton, FL 34205

planning.agenda@mymanatee.org

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

Americans with Disabilities: The Board of County Commissioners of Manatee County 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 and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Carmine DeMillo 941-792-8784 ext. 8303 or carmine.demillo@mymanatee.org or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION
Manatee County Building and Development Services Department
Manatee County, Florida
IPL0029093
Jun 23 2021

THE STATE OF TEXAS COUNTY OF DALLAS

Before the undersigned authority personally appeared Ryan Dixon, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of Public Notice, was published in said newspaper in the issue(s) of:

No. of Insertions: 1

Beginning Issue of: 06/23/2021

Ending Issue of: 06/23/2021

THE STATE OF FLORIDA COUNTY OF MANATEE

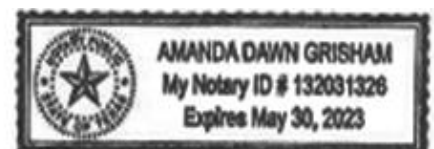
Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Ryan Dixon

Sworn to and subscribed before me this 23rd day of June in the year of 2021

Amanda Grisham

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

LOCALiQ

The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

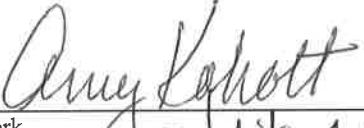
Manatee Co. Planning Dept/Lg *
1112 MANATEE W AVE ATTN: BOBBI ROY
FL 4TH
BRADENTON FL 34205

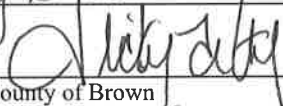
STATE OF FLORIDA, COUNTY OF Sarasota

The Herald-Tribune, a newspaper printed and published in the city of Sarasota, and of general circulation in the Counties of Sarasota, Manatee, and Charlotte, State of Florida and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

06/24/2021

and that the fees charged are legal.
Sworn to and subscribed before on 06/24/2021



Legal Clerk


Notary, State of WI, County of Brown
9/19/21

My commission expires

Publication Cost: \$247.50

Order No: 5978756

of Copies:

Customer No: 528884

-1

PO #:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

VICKY FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING NOTICE OF ZONING CHANGES IN UNINCORPORATED MANATEE COUNTY

NOTICE IS HEREBY GIVEN, that the Planning Commission of Manatee County will conduct a Public Hearing on July 8, 2021 at 9:00 a.m. or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1st Floor Honorable Patricia M. Glass Chambers, 1112 Manatee Avenue West, Bradenton Florida to consider, act upon, and forward a recommendation to the Board of County Commissioners on the following matters:

PDR-10-111(P)(R2), Gamble Creek Ranch, RBGJAG Holdings LLC, Rezone Canoe Creek Phase IV, - PLN2102-0038
An Ordinance of the Board of County Commissioners of Manatee County, Florida regarding land development, amending and restating Ordinance PDR-10-111(P)(R) to add 72.85± acres; providing for the rezoning of approximately 72.85 acres on the south side of Golf Course Road, Parrish (Manatee County) from the A/NCU (General Agriculture - One dwelling unit per five acres North Central Overlay District) to the PDR (Planned Development Residential) zoning district (72.85 acres to be added to the already rezoned 304.09 acres, for a total acreage of 376.74 acres); retaining the North Central Overlay District; approving an amended Preliminary Site Plan to add 152 lots for Phase IV to the existing Canoe Creek development already approved for 896 residences (637 lots used - 259 lots remaining) which includes single-family attached, detached, and semi-detached residences; generally located on the south side of Golf Course Road, Parrish (Manatee County) and commonly known as 3780, 3939, 4249 and 4250 Gamble Creek Road, Parrish (Manatee County); subject to stipulations as conditions of approval; setting forth findings; providing for severability; providing a legal description, repealing ordinances in conflict; and providing an effective date.

Z-21-01 - Roy-Franco Bezone/ Roy Gerard J JR (Owner) - PLN2102-0038
An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, amending the Official Zoning Atlas (Ordinance 15-17, as amended, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for a rezoning of approximately 0.56 acres generally located on the north side of 53rd Avenue East (S.R.70) and approximately 700 feet west of 45th Street East, commonly known as 4223 53rd Avenue East, Bradenton (Manatee County); from Agricultural Suburban (A-1) to the General Commercial (GC) zoning district; setting forth findings; providing a legal description; providing for severability; and providing an effective date.

All interested parties may appear and be heard at the meeting with respect to the proposed Ordinance, subject to proper rules of conduct. Additionally, any written comments filed with the Director of the Building and Development Services Department will be heard and considered by the Planning Commission.

It is important that all parties present their concerns to the Planning Commission in as much detail as possible. The issues identified at the Planning Commission hearing will be the primary basis for the final decision by the Board of County Commissioners.

Interested parties may examine the Official Zoning Atlas, Ordinances, the applications, related documents, and may obtain assistance regarding these matters from the Manatee County Building and Development Services Department, 1112 Manatee Avenue West, 4th Floor, Bradenton, Florida, telephone number (941) 748-4301x6878; e-mail to planning@co.manatee.fl.us

Rules of procedure for this public hearing are in effect pursuant to Resolution 13-189(P.C.). A copy of this Resolution is available for review or purchase from the Building and Development Services Department (see address below).

Please send comments to:
Manatee County Building and Development Services Department
Attn: Agenda Coordinator
1112 Manatee Ave. West 4th Floor
Bradenton, FL 34205
Planning@co.manatee.fl.us

According to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made with respect to any matters considered at such meetings or hearings, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record would include any testimony or evidence upon which the appeal is to be based.

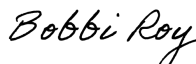
Americans with Disabilities: The Board of County Commissioners of Manatee County does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Board's functions including one's access to and participation in public hearings. Anyone requiring reasonable accommodation for this meeting as provided for in the ADA, should contact Carmine DeMilio 941-792-5784 ext. 8303 or carmine.deMilio@co.manatee.fl.us or FAX 745-3790.

THIS HEARING MAY BE CONTINUED FROM TIME TO TIME PENDING ADJOURNMENTS.

MANATEE COUNTY PLANNING COMMISSION

Manatee County Building and Development Services Department

Manatee County, Florida
11- 674/21 (5978756)


June 30, 2021 107-0006401

**AFFIDAVIT OF POSTING OF PUBLIC NOTICE SIGN, AND
NOTIFICATION BY U.S. MAIL TO CONTIGUOUS PROPERTY OWNERS**

STATE OF FL

COUNTY OF Manatee

BEFORE ME, the undersigned authority, personally appeared William Galvano, who, after having first been duly sworn and put upon oath, says as follows:

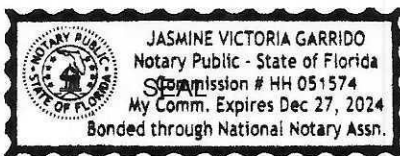
1. That he/she is the agent (owner, agent for owner, attorney in fact for owner, etc.) of the property identified in the application for Z-21-01 PLN2102-0038 – Roy-Franco Rezone/ Roy Gerard J JR (Owner) be heard before the Manatee County Planning Commission at a public hearing to be held on July 8, 2021 and to be heard before the Manatee County Board of County Commissioners at a public hearing to be held on August 5, 2021 and as such, is authorized to execute and make this Affidavit and is familiar with the matters set forth herein, and they are true to the best of his/her knowledge, information, and belief.
2. That the Affiant has caused the required public notice sign to be posted pursuant to Manatee County Ordinance No. 15-17, on the property identified in the application, and the sign(s) was conspicuously posted 5 feet from the front property line on the 25th day of June, 2021.
3. That the Affiant has caused the mailing of the required letter of notification to property owners within five hundred (500) feet of the project boundary pursuant to Manatee County Ordinance No. 15-17, as amended, by U.S. Mail, on the 25th day of June, 2021, and attaches hereto, as a part of and incorporated herein, a complete list of the names and addresses of the persons entitled to notice.
4. That Affiant is aware of and understands that failure to adhere to the provisions of Manatee County Ordinance No. 15-17, as it relates to the required public notice, may cause the above identified hearing to be postponed and rescheduled only upon compliance with the public notice requirements.

FURTHER YOUR AFFIANT SAITH NOT.

William Galvano

Property Owner/Agent Signature

The foregoing instrument was acknowledged before me by means of ✓ physical presence or online notarization, this 25th day of June, 2021 (date) by William Galvano (name of person acknowledging). He/she is personally known to me or has produced identification (type of identification) as identification and who did take an oath.



Jasmine Garrido

Signature of Person Taking Acknowledgment

Jasmine Garrido

Type Name

Legal Assistant

Title or Rank

My Commission Expires: 12/27/24

Commission No.: HH 051574

Serial Number, if any

[illegible]

[illegible]

[illegible]

LOCKWOOD 70 I LLC	LOCKWOOD 70 II LLC	7978 COOPER CREEK BLVD STE 100	UNIVERSITY PARK	FL	34201-2141
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MANATEE COUNTY	MANATEE COUNTY	PO BOX 1000	BRADENTON	FL	34205
MANATEE WALK LLC		1 CVS DRIVE	WOONSOCKET	RI	02895
MANNING GARY		5211 42ND STREET CT E	BRADENTON	FL	34203-3419
MANNING GARY	MANNING, CATHY	5211 42ND STREET CT E	BRADENTON	FL	34203-3419
NEWCOMER DEREK		4315 53RD AVE E	BRADENTON	FL	34203-5567
PERIDIA OFFICE PARK ASSOCIATION INC		5291 OFFICE PARK BLVD	BRADENTON	FL	34203
PUGLIESE JAMES P		394 VICTORY HWY	GREENE	RI	02827-1615
SANDERS RITA LOUISE		4303 53RD AVE E	BRADENTON	FL	34203-5597

SOUTHERN MANATEE FIRE & RESCUE DISTRICT		PO BOX 20216	BRADENTON	FL	34204-0216
THOMPSON CHARLOTTE A		4307 53RD AVE E	BRADENTON	FL	34203-5567
TRAN KRITSANONG		4305 53RD AVE E	BRADENTON	FL	34203-5597
UNITED STATES POSTAL SERVICE		2245 PERIMETER PK DR SUITE 17	ATLANTA	GA	30341-1310
VAN SR 70 WEST LLC		400 CARILLON PKWY SUITE 230	SAINT PETERSBURG	FL	33716
VENTRONE JOHN M	VENTRONE, SUZETTE A	5138 WEDGE CT E	BRADENTON	FL	34203-4028
WENDY BRADY POOH LLC		101 W 55TH ST	NEW YORK	NY	10019
WENDY BRADY POOH LLC		101 W 55TH ST	NEW YORK	NY	10019
WENDY BRADY POOH LLC		101 W 55TH ST	NEW YORK	NY	10019
WENDY BRADY POOH LLC		101 W 55TH ST	NEW YORK	NY	10019
WORLEY CHRISTIAN L	WORLEY, KAREN P	3710 PRO AM AVE E	BRADENTON	FL	34203
WORLEY CHRISTIAN L	WORLEY, KAREN P	3710 PRO AM AVE E	BRADENTON	FL	34203
WORLEY CHRISTIAN L	WORLEY, KAREN P	3710 PRO AM AVE E	BRADENTON	FL	34203
WORLEY CHRISTIAN L	WORLEY, KAREN P	3710 PRO AM AVE E	BRADENTON	FL	34203
ZAPATA FERNANDO BAEZA		5308 44TH ST E	BRADENTON	FL	34203

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