

MAY 23, 1996

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, May 23, 1996, at 9:00 a.m.

Present were Commissioners:

Stan Stephens, Chairman
Patricia M. Glass, First Vice-Chairman
Gwendolyn Y. Brown, Second Vice-Chairman, entered during meeting
John R. Gause
Maxine M. Hooper
Joe McClash

Absent was:

Lari Ann Harris, Third Vice-Chairman (out of town)

Also present were:

Ernie Padgett, County Administrator
H. Hamilton Rice, Jr., County Attorney
Susan G. Romine, Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Invocation by Rev. Tom Erwin, Manatee United Methodist Church.

The meeting was called to order by Chairman Stephens.

All witnesses/staff giving testimony were duly sworn.

AWARDS

Julie Yard, Immediate Past Chairperson of the City, County and Local Government Law Section of the Florida Bar, presented the **Paul S. Buchman Award** to County Attorney H. Hamilton Rice, Jr., in recognition of his outstanding accomplishments in the practice of local government law.

CONSENT AGENDA

Motion was made by Mrs. Glass, seconded by Mr. Gause and carried 5 to 0, to approve the Consent Agenda dated May 23, 1996. Items APPROVED:

PROCLAMATION

Adoption of Proclamation designating May 23, 1996, as **Drowning Prevention Awareness Day**. RECORD S45-118

ZONING

Public hearing (Notice in the Bradenton Herald 5/10/96) was held to consider

PDC-96-02(F) (as part of PDC-91-07) THE KIMCO CORP./CARRABBA'S RESTAURANT (APPROVED)

Request: Final Site Plan to allow a 6,238-square-foot eating establishment on 1.18 acres located on the north side of Cortez Road West, 300 feet west of the intersection of Cortez Road West and 20th Street West.

Planning Commission recommended APPROVAL with three stipulations; RECORD S45-119

ADOPT the Findings for Specific Approval and GRANT Specific Approval for reduced open space as required by Section 603.11.4.2 of the Land Development Code (LDC). RECORD S45-120

Public hearing (Notice in the Bradenton Herald 5/10/96) was held to consider

PDMU-96-02(P) GULF COAST FACTORY SHOPS (APPROVED)

Request: Preliminary Site Plan to allow a 30,030-square-foot expansion of a shopping center on 47.46 acres located on the west side of 60th Avenue East, 117 feet north of U.S. 301.

Planning Commission recommended APPROVAL with four stipulations; RECORD S45-121

GRANT Special Approval for a project located in the MU Future Land Use Category, ADOPT the Findings for Specific Approval and GRANT Specific Approval to reduce the number of parking spaces as required by Section 710, Table B, Parking Ratios from 1,818 to 1,802; a reduction of 13 spaces total. RECORD S45-122

MAY 23, 1996

(Cont'd)

Public hearing (Notice in the Bradenton Herald 5/10/96) was opened to consider

Z-96-05 ROY AND MARY SMYTHERS (CONTINUED TO 6/20/96)
ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY ORDINANCE 90-01, THE MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM **RSF-4.5** to **PR-8**; PROVIDING AN EFFECTIVE DATE; ON .23 ACRE LOCATED ON THE EAST SIDE OF 26TH STREET WEST, 412 FEET NORTH OF THE INTERSECTION OF 58TH AVENUE DRIVE WEST.

Public hearing (continued from 5/14/96) was held to consider
COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT

Adoption of

R-96-129 A RESOLUTION OF THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF THE MANATEE COUNTY COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT, and authorization for the Chairman to execute a letter of transmittal to Department of Community Affairs. **RECORD** S45-123

STREET NUMBERING WAIVER REQUEST - RIVER BEND SUBDIVISION

Approval of the street number waiver request by the developers of River Bend Subdivision.

FINAL PLAT - PERICO ISLES

1. Final Plat.
2. Mortgagee's Joinder with SouthTrust Bank of Florida, N.A., f/k/a SouthTrust Bank of West Florida.
3. Declaration of Covenants, Conditions and Restrictions by Perico Joint Venture.
4. Agreement with Perico Joint Venture to Defer Completion of Required Sidewalks. **RECORD** S45-124

HOME AND SHIP HOUSING REPLACEMENT PROGRAM - NEW CONSTRUCTION

Approval/execution of contractual agreements with David P. Lewis for construction of two new homes (Rosetta Carnes, 1811 2nd Avenue East, Palmetto, \$27,750; Gladys Vasquez, 1024 Franklin Avenue, Ellenton, \$37,565) utilizing SHIP and HOME Program funding in the amount of \$65,315 (SHIP \$45,415; HOME \$19,900). **RECORD** S45-125

PARRISH COMMUNITY CENTER

Authorization for the Chairman to execute a letter to the Manatee County School Board requesting the School Board consider conveyance by donation of the Parrish Community Center to the Board of County Commissioners (request approved 5/14/96). S45-126

CLERK OF CIRCUIT COURT

CONSENT CALENDAR

BONDS

Banyan Bay Utilities, Inc.

Accept:

1. Surety Bond (Bond 30471399 Fidelity and Deposit Company of Maryland, surety) in the amount of \$20,000, authorizing utilization of a County right-of-way to perform work (with an expiration date of 5/6/97).

Winter Quarters RV Resorts, Phase III (PDRV-92-02/90-T-01)

Accept:

1. Agreement with Winter Quarters, Inc., Guaranteeing Completion of Required Improvements, \$33,874.62.
2. Performance Bond: \$33,874.62 (Letter of Credit 93-3, SouthTrust Bank of West Florida).

Rosedale-1 (PDR-89-07/89-S-22)

Rescind Release (approved 4/2/96):

1. Agreement with Richard E. Ross, as Trustee, Warranting Required Improvements, \$6,138.
2. Defect Security: \$6,138 (Cashier's Check 801724, Nations Bank of Florida, N.A.).

Rosedale-1 (PDR-89-07/89-S-22)

Release:

1. Agreement with Richard E. Ross, as Trustee, Warranting Required Improvements, \$6,138.
2. Defect Security: \$6,138 (Cashier's Check 801724, Nations Bank of Florida, N.A.) to Hunt Realty & Development Corporation.

WARRANT LIST

Approve: May 14, 1996 through May 22, 1996

Authorize: May 23, 1996 through June 3, 1996

MINUTES FOR APPROVAL

April 16 and 25, 1996 - Regular

April 30, 1996 - Special

AUTHORIZE CHAIRMAN TO SIGN**Partial Releases of Special Improvement Assessment Liens:**

Projects 3005; 3007; 3009 (2); 3102 (2); 3106; 5028; 5144; 5147 (3);
 Corrective Partial Release 301-5147 (correcting legal description on
 release recorded in O.R. Book 1242, Page 553)

Library Materials - Contract with W.T. Cox Subscriptions, Inc., for the
 purchase of Subscription Reading Materials (approved 3/19/96).

RECORD S45-127

Satisfactions of Judgment:

John L. Brangwynne, Case 91-3466F (\$100)

John L. Brangwynne, Case 91-319JP (\$154.30)

Jose Terrero, Case 95-3989T (\$50), Manatee and Collier Counties

Maria Bouris, Case 94-2525F (\$250), Manatee and Pinellas Counties

Continuation Letter of Engagement - Letter (3/27/96) extending contract
 with Deloitte & Touche LLP as independent accountants for year ending
 September 30, 1996.

RECORD S45-128

NPDES Permit - Municipal Separate Storm Sewer Systems, Part 2 -

Interlocal Agreement with City of Holmes Beach providing Joint
 Application for NPDES Permit (approved 3/19/96 by R-96-57).

RECORD S45-129

ACCEPT

Records Destruction Request - Bureau of Archives & Records Management
 Form listing County records for destruction:

No. 260 - Clerk of Circuit Court/County.

Lakewood Ranch Community Development Districts - Minutes of the Board
 of Supervisors for District 1 (4/4/96) and for District 2 (4/4/96).

Library In-Kind Services - Agreements executed by John VanBerkel,
 Library Services Manager (approved 3/19/96 by R-96-49):

Friends of the South Manatee Library, Inc., dated 4/25/96. S45-130

Friends of the Braden River Library, Inc., dated 4/25/96. S45-131

Friends of the Rocky Bluff Library, Inc., dated 5/2/96. S45-132

Friends of the Palmetto Library, Inc., dated 5/18/96. S45-133

Friends of the Central Library, Inc., dated 5/3/96. S45-134

Friends of the Island Library, Inc., dated 4/25/96. RECORD S45-135

(End Consent Agenda)

ZONING

Public hearing (Notice in the Bradenton Herald 5/10/96) was held to
 consider

Z-95-13 COUNTY INITIATED/DURHAM L. ALTMAN TRUST (CONTINUED)

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE
 OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE 90-01, THE
 MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE
 UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING
 OF CERTAIN LAND FROM A TO EX; PROVIDING AN EFFECTIVE DATE; ON 310
 ACRES LOCATED ON THE EAST OF STATE ROAD 37 AT THE INTERSECTION OF
 MANATEE, HILLSBOROUGH, HARDEE AND POLK COUNTIES.

Motion was made by Mr. Gause, seconded by Mrs. Glass and carried 5 to 0,
 to continue Z-95-13 to June 20, 1996 (at 9:00 a.m., or as soon
 thereafter as may be heard).

(Enter Ms. Brown)

Public hearing (Notice in the Bradenton Herald 5/10/96) was held to
 consider

Z-95-12 COUNTY INITIATED/IMC-AGRICO COMPANY (CONTINUED)

Request: AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING
 THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY, ORDINANCE 90-01, THE
 MANATEE COUNTY LAND DEVELOPMENT CODE, RELATING TO ZONING WITHIN THE
 UNINCORPORATED AREA OF MANATEE COUNTY; PROVIDING FOR THE REZONING
 OF CERTAIN LAND FROM EX/WP-M/ST TO A/WP-M/ST; PROVIDING AN
 EFFECTIVE DATE; ON 316 ACRES LOCATED SOUTHEAST OF STATE ROAD 37 AND
 NORTH OF STATE ROAD 62 AT THE INTERSECTION OF SAID ROADS.

Motion was made by Mr. McClash, seconded by Mr. Gause and carried
 6 to 0, to continue Z-95-12 to June 20, 1996 (at 9:00 a.m., or as soon
 thereafter as may be heard).

MAY 23, 1996

(Cont'd)

MYAKKA HISTORICAL SCHOOLHOUSE - GRANT FUNDS

On behalf of Secretary of State Sandra Mortham, the first quarterly installment check of state grant funds in the amount of \$3,375 was presented to Emily Putnal, Myakka Historical Society, by Representative Mark Ogles's office for the renovation of the old Myakka schoolhouse.

ZONING (Cont'd)

Public hearing (notice in the Bradenton Herald 5/10/96) was held to consider

(Court Reporter, Carol Cason, present)

PDC-87-01(P)(R) HEARTLAND/BRADEN WOODS PLAZA (APPROVED)

Request: Revised Preliminary Site Plan to allow a 193,300-square foot-shopping center on 28.34 acres located on the south side of State Route (SR) 70, ½ mile east of I-75.

Planning Commission recommended APPROVAL with 15 Stipulations; and Special Approval for a project within the Evers Watershed and exceeding 50,000 square feet in the ROR Future Land Use Category.

Staff submitted 15 Stipulations as revised pursuant to recommendations by the Planning Commission and the applicant's resubmittal. RECORD S45-136
RECORD S45-137

Norm Luppino, Planning Department, displayed a location map and reviewed surrounding land uses. The applicant is proposing a 193,300-square-foot shopping center including five outparcels.

The property was rezoned to PDC and a conceptual site plan was approved for a 193,300-square-foot shopping center on April 10, 1986 (Z-86-40). In 1993 a preliminary site plan was approved administratively, which required submittal of a final site plan and construction drawings by June 18, 1996. As an alternative to submitting the final site plan, the applicant has requested to revise the preliminary site plan.

He displayed a revised site plan^{CS/15/96} and outlined the proposed changes. An aerial map and an elevation of the proposed auto repair shop were also displayed.

Mr. Luppino stated that based on concerns of the Planning Commission, the applicant has reconfigured the building to increase setbacks from 50 to 100 feet on the southern property line. The anchor store has been relocated to the eastern portion of the center, and the applicant has deleted a farm supply and equipment establishment and a helistop from the range of potential uses on site (Note 19 on the plan).

The applicant plans to develop several outparcels prior to the main shopping center and requested construction of the wall be deferred until the shopping center is built. Staff supports the requirement to install the wall and additional buffering prior to the first Certificate of Occupancy.

Mr. Luppino entered 55 letters in opposition and one letter in favor of the request. A letter of opposition from Karen Lowder was also submitted.

Discussion: Access; sidewalks along SR 70; environmental impact study; on-site wetlands to be impacted; on-site/off-site mitigation; proposed auxiliary access roads; cross access provision; size/location of the nearby shopping center.

Mark Barnebey, Assistant County Attorney, stated the off-site mitigation requires specific approval pursuant to Section 719.8.5 of the Code.

Diane Chadwick, Lombardo and Skipper, displayed an aerial of the 1993 plan and provided a smaller version based on the stipulations recommended by the Planning Commission. She reviewed the request and outlined changes proposed by the revised preliminary site plan:

- Redistribution of square footage from the main body of the shopping center: transfer of 4,300 square feet to Parcel 3, and the transfer of 18,000 square feet to Parcel 4;

- Addition of Outparcel 5 which is limited to an office use or day-care center (Stipulation 10).
- Building height of 35 feet.
- Reconfiguration of the mitigation area.

All buildings, except on Parcel 5, will have 100-foot setbacks from the southern property line. A grocery store, planned for the southernmost parcel, has been shifted further to the east, and a pedestrian access to Braden Woods Subdivision has been eliminated.

Bob Lombardo, Lombardo and Skipper, stated that a traffic analysis was performed indicating concurrency requirements have been met. An environmental report indicates the removal of a 1.55-acre, moderately disturbed freshwater marsh and delineation of a mitigation area on the site plan. As previously approved in 1993, additional mitigation is proposed southwest of the site.

Caleb Grimes, attorney for applicant, requested approval of a revised preliminary site plan in conformance with PDC zoning since 1986. He agreed with the stipulations and to prohibit a major motor vehicle repair on site. In order to eliminate concern of proximity of the day-care center (Parcel 5) to adjacent homesites to the south, he suggested Parcel 5 be shifted 20 feet to the north.

Barbara Levin, representing Braden Woods Homeowners' Association, submitted a letter (5/23/96) of objection on behalf of the Association, a copy of the original zoning approval (Z-86-40) and original conceptual site plan. The Association bases its opposition on compatibility issues and asserts the 1993 preliminary site plan was administratively approved notwithstanding the developer's failure to comply with Stipulations 3, 4, and 5 of Z-86-40.

Francis Wozniak, President of Braden Woods Homeowners' Association, requested the buffer wall be installed prior to any construction.

Richard Hamilton stated the proposed center will deteriorate the area and **Steve Barrow** stated the development will have negative impact on a designated entranceway (SR 70).

Aurel Dobrin submitted a packet with pictures showing SR 70 East as it currently appears and views of the existing gateway to the west. He also played an audio tape of noise generated by an enclosed vehicle repair establishment.

Wayne Emery expressed concern over vagrancy. **Jonathan Bruce** and **Ron Voorhes** opposed the project due to inadequate traffic signalization.

Kathryn Boudreaux urged the Board to deny access to Braden Run to insure the safety of the residents. **Roberta Maloney** concurred.

Wilhelmina McFee, Vice-President of Braden Woods Homeowners' Association, stated the applicant has failed to submit a valid market study as required by the 1986 approval. She submitted her resume, a letter of opposition from the Federation of Manatee County Community Associations (5/22/96), and Findings/Conclusions (5/23/96) regarding PDC-87-01(P) (R).

R. J. Calhoun and **Laurian Damok** opposed an additional access via the Braden Woods office park. **Stephanie Crist** stated the project will disturb wildlife and the environment.

Mark Temple, **Paul Jakob**, and **Fred Hartmann** requested denial based on existing wetlands, aesthetics, noise and access.

(Depart Mrs. Glass and Mr. Gause)

Wesley George expressed concern that the Braden Run access will create a north-south roadway parallel to I-75 as an alternate route to Sarasota.

MAY 23, 1996

(Cont'd)

(Enter Mrs. Glass)

Joyce Gross submitted a petition from residents of Braden Woods, River Club, Braden Pines, Lakewood Ranch and Rosedale Subdivisions in opposition to the proposed shopping center.

William Gross entered into the record, photographs (7) showing vacant, neglected outparcels. He also submitted a Dun & Bradstreet Business Information Report on the Heartland Partnership.

Dick Sulick distributed a letter of opposition and stated that an independent comprehensive market analysis is necessary.

Also speaking in opposition were:

John Smelser	Alice Cutrona	Glenn Shackelford
Paul Stedman	Susan Young	Debra Baldwin
Francis Flynn		

Mr. Barnebey advised that the applicant may proceed with the 1993 site plan if the revised preliminary site plan is denied.

(Enter Mr. Gause)

Carol Clarke, Planning Director, distributed changes to the recommended stipulations and additional stipulations (total 23), and a list of PDC land use restrictions to achieve greater compatibility. RECORD S45-138

Mr. Grimes submitted a letter (5/23/96) from Parker Associates, Real Estate Development/Marketing Consultants, outlining population growth information from a 1994 Retail Market Analysis for the Heartland development, and a copy of the January 1994 Retail Market Analysis. He also displayed a rendering of the Braden Woods Plaza.

Mr. Grimes submitted a response with recommended alternate language to several of the stipulations presented by Ms. Clarke. RECORD S45-139

Jerome Gostkowski, Planning Department, stated that a conditional Level of Service Certificate has been issued for the project.

Recess/Reconvene. All members present except Mrs. Harris and Mrs. Brown.

Ms. Clarke outlined added written changes to the stipulations she submitted earlier in the meeting. RECORD S45-140

Discussion: Prohibit drive-through eating establishments; service stations and gas pumps; appropriateness of certain uses under ROR category; 1986 site plan listed specific uses for the outparcels; whether proposed uses change the character of the area; property values; development trends/timing; validity of the market analysis; aesthetics/entranceway requirements; etc.

(Enter Ms. Brown during discussion)

Mr. Luppino displayed a perimeter buffer/landscape plan showing a 20-foot-wide roadway buffer, spaced canopy trees, and a continuous five-foot hedge fronting SR 70.

Discussion: Specifics of the 24-foot-wide drive aisle through Braden Run; ownership of cross-access; if additional uses are restricted on the site, the applicant can withdraw request and proceed with the 1993 plan.

Following discussion, Ms. Clarke recommended the following language be added to Stipulation 23 and additional Stipulation 24:

23. A copy of the elevations shall be submitted to the designated Braden Woods Association representative at the time of submission to staff for review and comment.
24. No outdoor bells at any service station or convenience store with gas pumps.

Recess/Reconvene. All members present except Mrs. Harris.

The public hearing was continued to later in the meeting.

MAY 23, 1996

(Cont'd)

ORDINANCE 96-06: COMPREHENSIVE PLAN AMENDMENT

Public hearing (Notice in the Bradenton Herald 5/10/96) was held to consider

ORDINANCE 96-06 AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A **SMALL SCALE AMENDMENT** TO THE FUTURE LAND USE MAP (SHEET 19) FROM IL TO IH FOR CERTAIN LAND LOCATED EAST OF THE SEABOARD AIR LINE RAILROAD AND NORTH OF 59TH AVENUE EAST, WITHIN SECTION 18, TOWNSHIP 35 SOUTH, RANGE 18 EAST, CONSISTING OF 10.0 ACRES OR LESS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Plan Amendment PA-96-01(A); Property Owner: Dan S. Blalock, Tr.)
Planning Commission recommended ADOPTION.

Janet Hoffman, Planning Department, stated adjacent future land uses consist of IH on the south and west and IL on the north and east. The parcel was initially submitted as a 28-acre parcel and was considered a large scale plan amendment; however, the parcel was broken into two parts. An 18.75-acre parcel (PA-96-01-B) will be processed as a large scale plan amendment. This 10-acre parcel is considered a small scale amendment and is requested as the applicant has a buyer for the land.

She referred to a land use category map and a zoning map and stated the property is 1,000 feet from the closest residential use. The distance appears to be sufficient to mitigate any potential off-site impacts. Undeveloped right-of-way at 57th Avenue East runs along the south side of the residential development. In order to develop the site, the applicant will be required to extend 21st Street East northward.

Bill Blalock, speaking for the applicant, submitted exhibits:

- Rezoning Resolution (R-659) (dated 3/12/74).
- Agreement (3/1/70) by and between Marshall W. DeSear, as Trustee, and Community Christian Private Schools, Inc.
- Property Appraiser Map (Section 18, Township 35 South, Range 18 East, known as Sheet 5C, N-18 and S-18).
- Comprehensive Plan Future Land Use Map (Sheet 19 for Township 35 South, Range 18 East).
- Portion of Comprehensive Plan Future Land Use Map (Sheet 18 for Township 35 South, Range 18 East).

He stated the property lies within the industrial corridor along U.S. 301 and is adjacent to the Seaboard Air Line Railroad to the west, which is zoned HM.

Ed Vogler, attorney for the applicant, stated the amendment would result in a potential decrease of floor area ratio to be offset by an increase in the intensity of use. A small version of a 1989 land use map of the area near 44th Avenue East, showing IL on the property was shown.

Mr. Stephens submitted a letter (5/23/96) from the residents of the Meadow Lakes East Subdivision, in opposition to Ordinance 96-06.

Based upon the evidence presented and comments made at the public hearing, the action of the Planning Commission, upon the technical support documents and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the Manatee County Comprehensive Plan, motion was made by Mr. McClash, seconded by Mrs. Hooper and carried 6 to 0, to adopt Manatee County Ordinance 96-06 (PA-96-01[A]), as recommended by the Planning Commission. **RECORD** S45-141

ORDINANCE 96-32: FLORIDA LAND USE AND ENVIRONMENTAL DISPUTE RESOLUTION ACT

In accordance with enactment of the Florida Land Use and Environmental Dispute Resolution Act, Section 70.51(28), Florida Statutes, motion was made by Mrs. Glass, seconded by Mr. Gause and carried 6 to 0, to authorize the County Attorney to advertise a public hearing (6/4/96) for Ordinance 96-32, establishing Dispute Resolution proceedings, the filing of claims, selection and payment of the Special Master, holding of hearings, payment of costs and other matters related to proceedings under the Act.

MAY 23, 1996

(Cont'd)

PALMA SOLA BAY CLUB AND D.B. ASSOCIATES - DISPUTE RESOLUTION PROCEEDINGS

Mr. Barnebey requested authorization for the County Attorney to enter into an agreement on behalf of Manatee County with recommended persons to act as Special Master for the Dispute Resolution proceedings filed by Palma Sola Bay Club and D.B. Associates. Recommended to act as Special Master were: F. Craig Richardson, Jr.; William Merrill, Jr.; Georgianne Ratliff; Steve Seibert; Dave Mechnik; Rick Davis; and Dave Persson.

Motion was made by Mrs. Glass and seconded by Mr. Gause, to approve the request as recommended. Motion carried 5 to 0, with Mrs. Hooper declaring a conflict of interest.

BRADEN CROSSINGS SUBDIVISION - STREET NUMBER WAIVER

Vicki Warner, Address Coordinator, stated the developers of Braden Crossings Subdivision have requested a waiver of the street numbering requirement. Staff has determined this development does not meet requirements of Section 742 of the Code, therefore, recommended denial. A letter (4/16/96) from Southern Manatee Fire & Rescue District and comments from the Traffic Division recommending denial were submitted.

Motion was made by Mr. McClash, seconded by Ms. Brown and carried 6 to 0, to support the recommendation of denial.

LAND USE GUIDELINES AND PUBLIC HEARING INFORMATION

Ms. Clarke distributed a copy of Land Use Approval Guidelines and a pamphlet providing public hearing information to be available to the public in the Planning Department, and through the Chamber of Commerce.

RECORD S45-142

ZONING (Cont'd)

PDC-87-01(P)(R) HEARTLAND/BRADEN WOODS PLAZA

Ms. Clarke outlined further changes to the recommended stipulations with written additions she submitted earlier in the meeting:

Reword language added to Stipulation 23:

23. A copy of the elevation shall be submitted to the Braden Woods Association Presidents (1-4, 5, and 6) at the time of submission to staff for review and comment.

Reword Stipulation 24:

24. There shall be no outdoor bells, intercoms or outdoor music at any service station or convenience store with gas pumps.

Added Stipulations 25, 26, and 27:

25. There shall be only one service station or convenience store with gas pumps. It shall be located on either Parcel 1 or 2. There shall be no more than four gas islands with a maximum of eight dispensers. Gross floor area not to exceed 7,000 square feet may be transferred to Parcel 1 or 2 for canopy only.

26. Gross building area for Parcels 1 and 2 may be a maximum of 6,500 square feet. The total square footage of the outparcels on SR 70 shall not be increased (41,300 square feet).

27. A relocation of the grocery store to the west side of the site facing easterly shall not be considered a major modification.

Based on the staff report, evidence presented and comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, Mr. McClash moved to **APPROVE** Preliminary Site Plan No. PDC-87-01(P)(R) with Stipulations 2 through 5, and 8 through 15 as presented in the staff report; Stipulations 1, 6, and 7 as amended during this meeting by staff; Stipulation 16, 17, 18, 19, 20, 21, 22, 23 as read by staff; and Stipulation 24, 25, 26 and 27, as staff presented during this hearing. Motion was seconded by Ms. Brown and carried 6 to 0.

RECORD S45-143

MEETING ADJOURNED


There being no further business, the meeting was adjourned.

Attest:



Clerk

APPROVED:



Chairman 7/2/96

Adj: 3:56 p.m./rll