

MARCH 23, 1999

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, March, 23, 1999, at 9:05 a.m.

## Present were Commissioners:

Stan Stephens, Chairman  
 Gwendolyn Y. Brown, First Vice-Chairman  
 Joe McClash, Second Vice-Chairman  
 Jonathan Bruce, Third Vice-Chairman  
 Patricia M. Glass  
 Lari Ann Harris  
 Amy Stein

## Also present were:

David Rothfuss, Assistant County Administrator  
 Mark Barnebey, Chief Assistant County Attorney  
 Susan G. Romine, Board Records Supervisor,  
 representing R. B. Shore, Clerk of Circuit Court

Invocation by Reverend Father William E. Gerhart, St. Phillip's Anglican Church.

MYAKKA RIVER STATE PARK MANAGEMENT PLAN

Carol Clarke, Planning Director, stated the Florida Department of Environmental Protection, Division of Recreation and Parks, will be conducting a workshop on March 31, 1999, 7:00 p.m. at the Gamble Plantation State Historic Site Visitor Center to present the Myakka River State Park Management Plan.

CELEBRATE 2000

Bill Hansen requested the Board participate as a Celebrate 2000 Millennium Partner in anticipation of the approach of the year 2000.

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried unanimously to adopt

R-99-76 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AGREEING TO BECOME A MILLENNIUM PARTNER OF CELEBRATE 2000; PROVIDING FOR AN EFFECTIVE DATE.

RECORD S46-1872

PROCLAMATION

Motion was made by Mrs. Glass, seconded by Ms. Brown and carried unanimously, to adopt a Proclamation designating March 26, 1999, as **Deane Carroll Allyn Day**, in recognition of her work with the Sarasota Opera Association.

RECORD S46-1873

Joanne Chetlain, wife of former Commissioner Kent Chetlain, accepted the Proclamation.

CONSENT AGENDA

Upon motion by Ms. Brown and second by Mrs. Glass, the Consent Agenda was approved unanimously, incorporating the language as stated in the recommended motions in the staff reports and agenda memoranda. Items APPROVED:

ZONING

Public hearing (Notice in the Bradenton Herald 3/12/99) was opened to consider

PDC-98-13(Z)(P) CRAIG AND ATHENA FRIELER - PDC (CONTINUED TO 4/27/99, 9:00 A.M.)

A 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 A-1 TO PDC; PROVIDING AN EFFECTIVE DATE; AND PRELIMINARY SITE PLAN FOR A 11,000-SQUARE-FOOT COMMERCIAL RETAIL CENTER ON 1.19 ACRES, LOCATED ON THE NORTH SIDE OF S.R. 70, NORTH OF 39TH STREET EAST AT 4201 AND 4203 53RD AVENUE EAST AND 5221 42ND COURT EAST.

Public hearing (Notice in the Bradenton Herald 3/12/99) was held to consider

Z-98-21 PURSLEY, INC. - NC-S (APPROVED)

A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA,....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM PDR TO NC-S; PROVIDING AN EFFECTIVE DATE; ON 2.36 ACRES, LOCATED NORTHEAST OF THE INTERSECTION OF STATE ROAD 64 AND RYE ROAD.

Planning Commission recommended APPROVAL. RECORD S46-1874

Public hearings (Notices in the Bradenton Herald 2/12/99) was opened to consider

PDMU-92-01(Z)(G)(R6) SCHROEDER MANATEE RANCH, INC. (UNIVERSITY LAKES DRI 22) (CONTINUED, NO DATE CERTAIN; TO BE RE-ADVERTISED)

Request: Revised General Development Plan to relocate the Town Center area, relocate an approved access point, amend certain notes on the General Development Plan regarding development of the Town Center area, and redistribute acreage between Regional Commercial and Business uses, on 2,421.7 acres, located at the northeast intersection of University Parkway and I-75 interchange.

and

ORDINANCE 99-05 SCHROEDER MANATEE RANCH, INC. (UNIVERSITY LAKES DRI 22) (CONTINUED, NO DATE CERTAIN; TO BE RE-ADVERTISED)

Request: Determination of whether the following proposed modifications to DRI 22 constitute a substantial deviation to the University Lakes DRI Development Order pursuant to Chapter 380.06, Florida Statutes:

1. Amend certain conditions of the Development Order;
2. Initiate Phase 2 development;
3. Relocate the Town Center area;
4. Relocate an approved access point;
5. Redistribute acreage between Regional Commercial and Business uses; and,
6. Adjust the boundaries between this DRI and the adjoining Cypress Banks DRI.

Public hearing (Notice in the Bradenton Herald 3/12/99) was held to consider

PDC-98-15(Z) JUNG S. LUCK - PDC (APPROVED)

A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA....; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 TO PDC; PROVIDING AN EFFECTIVE DATE; ON 21.13 ACRES, LOCATED ON THE NORTHWEST CORNER OF STATE ROAD 64 AND KAY ROAD.

Planning Commission recommended APPROVAL with Stipulation:

1. No approval for a specific land use, density or intensity is being granted at this time. Land uses, density and intensity shall be approved with conditions, or denied based on Section 603.4 of the Land Development Code at time of General Development or Preliminary Site Plan review.

and, with the revised legal description contained in Attachment 4 of the staff report to contain 13.65 acres, which was revised from 15.75 acres; and

GRANTING Special Approval for a project located within an Entranceway. RECORD S46-1875

Lisa Kranz, Planning Department, displayed a zoning map. She outlined the original request for 21.13 acres, with 792.25 feet of frontage on Kay Road. Based on staff concern of the impacts to the residential area to the north and the lack of transitioning, the request was revised to decrease the frontage on Kay Road to 550 feet, thereby reducing the total acreage to 15.13 acres. Ms. Kranz identified the original alignment request and the revised request.

Staff concurred with the revised request to 15.13 acres, but residents of Manatee Palms have concern of increased traffic, large semi-trucks at Kay Road/S.R. 64, aesthetics, and buffering, which could be addressed at final site plan.

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(Continued)

Public hearing (Notice in the Bradenton Herald 3/12/99) was opened consider

**PDR-98-22(Z)(P) UPPER MANATEE RIVER FARMS/OAK LAKE ESTATES**  
(CONTINUED TO 4/27/99, 9:00 A.M.)

A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 TO PDR; PROVIDING AN EFFECTIVE DATE; AND PRELIMINARY SITE PLAN TO ALLOW 349 DWELLING UNITS AT A GROSS DENSITY OF 1.33 DWELLING UNITS PER ACRE ON 261.8 ACRES, LOCATED ON THE SOUTH SIDE OF UPPER MANATEE RIVER ROAD, 1,800 FEET EAST OF 137TH STREET N.E.

Ms. Clarke stated this item is continued to April 27, 1999, at the request of the applicant (letter 3/22/99).

Public hearing (Notice in the Bradenton Herald 3/12/99) was held to consider

**PDO-98-02(Z)(G) ASHVILLE PARTNERS, LTD/PERIDIA OFFICE PARK (APPR)**  
A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM A-1 AND PDR TO PDO; PROVIDING AN EFFECTIVE DATE; AND GENERAL DEVELOPMENT PLAN TO ALLOW 119,827 SQUARE FEET (ADVERTISED AS 123,418 SQUARE FEET) OF HEALTH SERVICES AND OFFICE DEVELOPMENT (17 LOTS), AND PROPOSED USES TO INCLUDE THREE DRIVE-THROUGH BANKS ON 18.36 ACRES, LOCATED AT THE NORTHEAST CORNER OF STATE ROAD 70 AND PERIDIA BOULEVARD EAST.

Planning Commission recommended APPROVAL with 25 stipulations, as amended, deleted, and added at the meeting. RECORD S46-1876

GRANTING Special Approval for (1) a project proposing non-residential uses exceeding 30,000 square feet of gross building area, and (2) a project adjacent to a perennial stream (Gap Creek); and,

GRANTING a waiver of Section 742 of the Land Development Code to allow the use of street names.

Ms. Clarke submitted revised Stipulations 10 and 16. RECORD S46-1877  
S46-1878

**STREET VACATION: WHITFIELD ESTATES EASEMENT**

Public hearing (Notice in the Bradenton Herald 2/19, 26/99) was held to consider

**R-99-50-V A RESOLUTION ON APPLICATION BY EUGENE H. AND ANNABELLE N. BECKSTEIN, VACATING A FIVE-FOOT DRAINAGE AND UTILITY EASEMENT AT THE REAR PROPERTY LINES OF LOTS 6,7,8,9, AND 10 OF BLOCK 18 OF WHITFIELD ESTATES.** RECORD S46-1879

**COUNTY ADMINISTRATOR**

**CHILDREN'S SERVICES TAX FUND**

Set public hearing on April 6, 1999, (at 9:00 a.m., or soon thereafter) to consider a recommendation from the Children's Services Advisory Board to provide match funding of \$15,000 through the Children's Services Dedicated Millage to the Manatee Opportunity Council/Project Child Care for the **Healthy Families Initiative Program.**

**CHILDREN'S SERVICES ADVISORY BOARD**

Set public hearing on April 6, 1999, (at 9:00 a.m., or soon thereafter) to consider amending Manatee County Ordinance 91-42, Children's Services Dedicated Millage, revising the term dates of Children's Services Advisory Board members to commence annually on October 1.

**FINAL PLAT - LAKEWOOD RANCH CORPORATE PARK, MANATEE EDITION**

1. Final Plat.
2. Mortgagee's Joinder in Ratification of Subdivision Plat from Northern Trust Bank of Florida, N.A.
3. Mortgagee's Joinder in Ratification of Subdivision Plat from Lakewood Ranch Community Development District 3.
4. Agreement with Lakewood Ranch Corporate Park, Inc., guaranteeing completion of required improvements, \$74,973.60.
5. Performance Bond: \$74,973.60 (Surety Bond 135935, Frontier Insurance Company).

**FINAL PLAT - BAILEY'S CORNER**

1. Final Plat.
2. Mortgagee's Joinder in Ratification of Subdivision Plat from NationsBank, N.A.

**FINAL PLAT - SABAL HARBOUR, PHASE IB**

1. Final Plat.
2. Agreement with Pulte Home Corporation, warranting required improvements, \$12,059.13.
3. Defect Security: \$12,059.13 (Letter of Credit P600693, SunTrust Bank, Atlanta, with Amendment 1, dated March 10, 1999, from SunTrust Bank, Gulf Coast).
4. Agreement with Pulte Home Corporation to defer completion of required sidewalks for private subdivisions. RECORD S46-1880
5. Supplement 1 to Declaration of Covenants, Conditions and Restrictions of Sabal Harbour by Pulte Home Corporation.

**MANATEE PUBLIC BEACH - EROSION GROIN IMPROVEMENT**

Execute Change Order 1 to IFB 98-6791DC with M & J Construction Company of Pinellas County, Inc., for a net increase of \$17,271 and nine additional construction days; adjusted contract of \$190,349 and revised completion date of April 2, 1999.

RECORD S46-1881

**TIME PAYMENT AGREEMENTS**

Time Payment Agreements for water/sewer facility investment fees, connection fees, and line extension charges with The Gospel Crusade, Inc. (5 agreements); Mercedes V. Loeffler; John Henry Custer and James Lawrence Custer; Thomas L. Sr. and Rosa L. Cox; and Nina L. Shafer-Wise.

RECORD S46-1882 -

**STREET VACATION: TERRA CEIA BAY ESTATES**

R-99-62-V A RESOLUTION DECLARING PUBLIC HEARING ON APRIL 27, 1999, AT 9:00 A.M., OR AS SOON THEREAFTER AS POSSIBLE, ON APPLICATION BY E. WAYNE SEIFRIED/TCBE, INC., GEORGE TOCCALINO, PHYLLIS E. HAMM AND LARRY HAMM, TO VACATE THE FIVE-FOOT, SIDE LOT DRAINAGE AND UTILITY EASEMENTS FOR LOTS 1 THROUGH 5.

S46-1890

RECORD S46-1891

**FLORIDA FOREVER ACT**

R-99-77 A RESOLUTION BY THE MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS IN SUPPORT OF THE ESTABLISHMENT OF THE FLORIDA FOREVER PROGRAM AS A SUCCESSOR PROGRAM TO PRESERVATION 2000. (supporting CS/CS/SB 908 and HB 641, and requesting the Legislature to prioritize expenditures for water resource development in the water use caution areas of the State).

RECORD S46-1892

**REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 1999 AND 2000**

R-99-75 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING AND RESTATING RESOLUTION NO. R-99-54 ENTITLED "A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE NEGOTIATED SALE OF MANATEE COUNTY, FLORIDA, REVENUE REFUNDING AND IMPROVEMENT BONDS, SERIES 1999, IN THE INITIAL AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$14,000,000; AUTHORIZING THE NEGOTIATED SALE OF MANATEE COUNTY, FLORIDA, REVENUE REFUNDING BONDS, SERIES 2000, IN THE INITIAL AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$23,000,000; DETERMINING CERTAIN DETAILS OF SAID BONDS; APPROVING THE FORM OF, AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE CONTRACT FOR EACH SERIES OF BONDS TO EFFECT THE NEGOTIATED SALE OF THE BONDS; SETTING FORTH THE PARAMETERS THAT ARE REQUIRED TO BE SATISFIED PRIOR TO THE EXECUTION OF SUCH PURCHASE CONTRACTS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF THE BONDS AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT BY THE UNDERWRITERS; AWARDED THE BONDS TO THE UNDERWRITERS; APPOINTING AN ESCROW AGENT; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF ESCROW DEPOSIT AGREEMENTS; APPOINTING A PAYING AGENT; APPOINTING A REGISTRAR; PROVIDING FOR A BOND INSURANCE POLICY AND SURETY BOND FOR THE BONDS PROVIDED BY MBIA INSURANCE CORPORATION; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINANCIAL GUARANTY AGREEMENT IN CONNECTION WITH ITS ISSUANCE OF THE SURETY BOND BY MBIA INSURANCE CORPORATION; AUTHORIZING THE REGISTRATION OF THE BONDS UNDER A BOOK-ENTRY SYSTEM; AUTHORIZING THE PROPER OFFICERS OF THE COUNTY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE AS TO THE SALE AND DELIVERY OF THE BONDS; AND PROVIDING FOR AN EFFECTIVE DATE," AND PROVIDING FOR AN EFFECTIVE DATE.

(amending the maturity dates upon which principal payments due on bonds are required).

RECORD S46-1893

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(Continued)

CLERK'S CONSENT CALENDARBONDSAccept:Braden Crossings, Phase I-A

1. Agreement with Pulte Home Corporation, guaranteeing completion of required sidewalks and bikeways, \$943.80.
2. Performance Bond: \$943.80 (Amendment 3 to Letter of Credit P600234 from SunTrust) **reducing** bond amount from \$14,943.50.

Inlets of Riverdale (Halyard Drive)

1. Agreement with Wilson Excavators, warranting required improvements (underground utilities and drainage), \$8,728.10.
2. Defect Security: \$8,728.10 (Surety Bond B2767558, Reliance Surety Company).

Inlets of Riverdale (Compass Drive)

1. Agreement with Gator Asphalt Paving, Inc., warranting required improvements (paving and curb work), \$3,500.
2. Defect Security: \$3,500 (Surety Bond 190434462, National Fire Insurance Company of Hartford).

Inlets of Riverdale (Compass Drive)

1. Agreement with Gator Asphalt Paving, Inc., warranting required improvements (underground sewer lines, water lines and drainage facilities), \$4,760.65.
2. Defect Security: \$4,760.65 (Surety Bond B2767557, Reliance Insurance Company).

River Woods, Phase I

1. Agreement with Edmar Industries, Inc. and Sawair Enterprises, Inc., guaranteeing completion of required sidewalks and bikeways, \$1,390.
2. Performance Bond: \$1,390 (Certificate of Deposit and Assignment 0477014781, Republic Bank).

Release:Braden Crossings, Phase I-A

1. Agreement with Pulte Home Corporation, guaranteeing completion of required sidewalks and bikeways, \$14,943.50.

Summerfield Village, Subphase A, Tracts 301, 303, 304, and 305

1. Agreement with SMR Communities Joint Venture, warranting required improvements, \$3,877.30.
2. Defect Security: \$3,877.30 (Surety Bond 8019462, Fidelity and Deposit Company of Maryland).

Summerfield Village, Subphase A and B, Tracts 302, 320, and 321

1. Agreement with SMR Communities Joint Venture, warranting required improvements, \$665.84.
2. Defect Security: \$665.84 (Surety Bond 8019463, Fidelity and Deposit Company of Maryland).

River Woods, Phase I

1. Agreement with Edmar Industries, Inc. and Sawair Enterprises, Inc., guaranteeing completion of required sidewalks and bikeways, \$2,780.
2. Performance Bond: \$2,780 (Certificate of Deposit and Assignment 0477014781, Republic Bank).

BILLS FOR PAYMENT

Municipal Code Corporation - Supplemental 41 \$4,971.26

REFUNDS

Anchor Builders - Impact fee \$1,525.00  
K & C Remodeling, Inc. - Impact fee \$844.56

WARRANT LIST

Approve: March 16, 1999, through March 22, 1999  
Authorize: March 23, 1999, through April 5, 1999

MINUTES

January 5 and 19, 1999

AUTHORIZE CHAIRMAN TO SIGNSatisfaction of Judgment:

James Borababy, Case 98-311M  
Tim Burns and Julie Cline, Case 95-1272JD

Duette Park (Project 12-00369) - Amendment to Agreement with Department of Environmental Protection extending completion date to July 31, 1999 (authorized by Resolution R94-58, adopted 6/7/94). RECORD s46-1894

Intangible Tax and Revenue Sharing - Letter to Legislative Delegation

APPROVE, RATIFY, AND CONFIRM

Parks & Recreation Special Interest Classes Instructor's Agreement

Jane A. Pavich - Creating a Simple, Satisfying Life

RECORD s46-1895

**ACCEPT**

**Records Destruction Request** - Bureau of Archives and Records Management  
Form listing records:  
Form 443, Tax (all areas)  
Form 449, Community Services (all areas)

**Resume** - Lisa Kranz, Planning Department  
(End Consent Agenda)

**CITIZENS' COMMENTS**

**Frank Madar** reported being harassed while fishing off of Liles Street (Terra Ceia). Residents indicated there was no parking allowed and that the property was private. Land Acquisition staff advised that the property was County right-of-way; however, he is still being harassed.  
**Disposition:** Referred to the County Administrator.

**Stella Burnett** spoke out against the public nudity Ordinance (99-18).

**Cheryl Clark** presented a diagram and stated that over three years ago, the developer of Panther Ridge promised an access road to her property within 60 days so she could build a home. As of this date, there is no road and she cannot build on the land. She stated the adjoining neighbors are willing to participate in an assessment project to have approximately 1,200 feet of road constructed.

**Disposition:** Mr. Stephens requested the Transportation Department return with a report and contact Ms. Clark with a deadline for getting the project underway. Mr. McClash requested a report on the April 6 agenda regarding other assessment projects in this area.

**William Wolf**, representing the Tampa Area Naturists, requested existing County Code Sections 2-21-5, 2-24-34 (1)(d), and 2-24-35 (14) be deleted and replaced with substitute language to allow designated areas for nudity within the County.

(Court Reporter, Elsa Rohow, was present)

**ORDINANCE 99-18 (F/K/A 98-51) - PUBLIC NUDITY**

Public hearing (continued from 3/16/99) was held to consider

**ORDINANCE 99-18** AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MANATEE, STATE OF FLORIDA, TO BE KNOWN AS THE MANATEE COUNTY PUBLIC NUDITY ORDINANCE; STATING THE INTENT OF THE ORDINANCE; PROVIDING THE DEFINITION OF NUDITY AS PROHIBITED BY THIS ORDINANCE AND PROVIDING OTHER DEFINITIONS; PROVIDING LEGISLATIVE FINDINGS; PROHIBITING NUDITY IN CERTAIN PUBLIC PLACES; PROVIDING FOR ENFORCEMENT AND PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR INJUNCTIVE RELIEF; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mrs. Stein stated she reviewed the tapes of the March 16, 1999 public hearing.

James Minix, Assistant County Attorney, stated it was the opinion of legal staff that Ordinance 99-18 will withstand legal challenge, based upon recent federal and state court opinions. Mr. Minix stated the purpose of Ordinance 99-18 was to prohibit nudity in the unincorporated area of Manatee County, to prevent litigation concerning procedural matters that were not relevant to the subject matter of the Ordinance, and to enact the Ordinance under the effective use of land procedure as well as under the general procedure for ordinances that regulate conduct.

Mark Barnebey, Chief Assistant County Attorney, stated the Ordinance went before the Planning Commission so as to be used as an effective basis for a potential challenge.

Discussion: The Ordinance sets a standard for the community; Planning Commission action taken to preserve the integrity and public rights of individuals; concern that the Ordinance will not serve to eliminate undesirable conduct; concern of not applying the Ordinance to the existing establishments.

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(Continued)

Motion

Motion was made by Mr. Bruce to adopt Ordinance 99-18. Motion was seconded by Mr. McClash.

Mr. Bruce stated his motion is to adopt the version of the ordinance that does not include Section 5.d exempting licensed adult entertainment businesses (as recommended by the Planning Commission).

Mrs. Harris stated concern of a uniform understanding of the methods of enforcement. She requested staff come back with a plan of action.

Motion - Amended

Inasmuch as the effective date of the Ordinance was not until January 1, 2000, Mr. McClash made a friendly amendment to the motion to include the request to have staff come back with a plan for enforcement and also any other communicational pieces that would be necessary to educate the public and the parties involved prior to July 1, 1999. Mr. Bruce agreed.

The plan of action would include the County Attorney's office coordinating with the Sheriff and State's Attorney Office by July 1, 1999, in developing a plan of action for enforcement.

Mr. McClash stated the amendment was to provide a communication piece to the public so there is a better understanding of the ordinance.

Discussion: Ordinance does not cover adult movies or cable television.

Motion, as amended, carried 4 to 3, with Mr. Stephens, Mrs. Glass and Ms. Brown voting nay. RECORD S46-1896

Recess/Reconvene. All members present.

ZONING

Public hearing (Notice in the Bradenton Herald 3/12/99) was opened to consider

PDR-98-20 (Z) (G) ROBINSON FARMS, INC., ET AL./THE ESTUARY - PDR/CH  
A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...;  
PROVIDING FOR THE REZONING OF CERTAIN LAND (85.11 ACRES) FROM  
A-1/CH AND RSF-1/CH TO PDR/CH; PROVIDING AN EFFECTIVE DATE; AND  
GENERAL DEVELOPMENT PLAN TO ALLOW 448 RESIDENTIAL UNITS, A GOLF  
COURSE, CLUBHOUSE, RESTAURANT AND BAR, PRO SHOP, ADMINISTRATIVE  
OFFICES, CART STORAGE AND OTHER ACCESSORY USES ON 692.9 ACRES,  
LOCATED ON THE WEST SIDE OF 99TH STREET WEST, BOUNDED TO THE  
NORTH BY TAMPA BAY AND TO THE WEST BY PERICO BAYOU.  
Planning Commission recommend APPROVAL with stipulations;

RECORD S46-1897  
GRANTING Special Approval for a project located in the Coastal  
High Hazard Overlay;  
ADOPTION of the Findings for Specific Approval; and,  
GRANTING an alternative to Section 907.9.4.2 of the Land  
Development Code regarding cul-de-sac lengths.

Robert Pederson, Planning Department, submitted the following items:

- . 11 letters of opposition;
- . approximately 200 letters in support of the project; and,
- . Memorandum (3/18/99) from John Zimmerman, Water Manager, regarding the reclaimed water lines.

Mr. Pederson stated the staff report reflected the stipulations as recommended by the Planning Commission, with underline and strikethrough to indicate the changes recommended by staff subsequent to the Planning Commission hearing. The applicant agreed to the shaded stipulations. RECORD S46-1898  
S46-1899

Mr. Pederson also distributed substitute Stipulations E(18), T(5), T(6), and T(7), one of which addressed the environmental proposals and the restoration of wetland flow/function as explained in an attached report from Biological Research Associates. RECORD S46-1900

He displayed an aerial map of the site, and a colored version of the General Development Plan. He noted the 318 lots for single-family detached units, 130 lots for single-family attached units, and an 18-hole, semi-private golf course. Golf holes 12, 13, and 14 will be located in the coastal fringe of Tampa Bay.

(Depart Ms. Brown)

Mr. Pederson noted that access to the site is planned from 9th and 17th Avenues Northwest. He stated 323 acres (47 percent) are wetlands, of which no more than 21 acres of wetlands will be impacted and mitigated. The project has a gross density of 0.65 dwelling units per acre and a net density of 4.32 units per acre. He stated 83 percent of the site will remain open space.

He showed directional views (22) of the site and stated the golf course and associated facilities will be for patrons, with limited public play. No docks or waterfront structures are proposed. Site characteristics include a substantial mangrove fringe around the north and west boundaries that will be preserved. The applicant intends to provide 50-foot wetland buffers throughout most of the plan. Archaeological sites exist along the fringes of the property.

The applicant intends to restore the historical wetland flow in the interior of the site that has been negatively impacted by historical ditching, draining and agricultural activities.

Mr. Pederson stated the developer does not propose a roadway connection to Manatee Avenue. He stated two public rights-of-way could make the connection from the south end of 103rd Street, one lining up with the entrance to Flamingo Cay, and the other over the Palma Sola Causeway.

Mr. Pederson stated the project is dependent upon the vacation of several public rights-of-way and displayed a map showing areas that will have to be vacated to accommodate the design. He stated the appropriateness of the vacation will have to be determined before a site plan is considered.

(Enter Ms. Brown)

Major concerns involve traffic increases on 9th and 17th Avenues Northwest; that the development will exacerbate an existing concurrency problem at 75th Street and Manatee Avenue West; and, environmental concerns regarding the location of golf holes 12, 13, and 14.

He stated 9th and 17th Avenues Northwest and 99th Street West are classified as collector roads and meet concurrency standards. He stated the traffic levels on these roads are not at a level that create a concurrency problem, but have potential to affect the quality of life and the character of the neighborhood.

Mr. Pederson addressed improvements to 9th Avenue Northwest [T(5)]. He stated the same requirement applies to 17th Avenue Northwest, from the entrance of The Loop Subdivision out to 99th Street West [T(6)].

Staff and the applicant subsequently revised the improvements to 99th Street Northwest from a four-foot bike lane on one side to an eight-foot multipurpose lane for both pedestrians and bicycles on one side of the road. The improvements may require piping the ditch. Discussion followed regarding County acquisition of the right-of-way and a time frame for acquisition.

As to the location of golf holes 12, 13, and 14, Mr. Pederson stated Environmental Management staff has concern regarding Code requirements for a 50-foot buffer from Outstanding Florida Waters (OFW) on the north shore, and concern regarding the flow of pesticides and fertilizers into OFW waters. Staff recommended golf holes 12, 13, and 14 be relocated to the interior of the project, and that the project be redesigned.

**Ed Vogler**, attorney for the applicant, introduced members of the project team. With exception of the existing, open cut ditches, he stated only nine wetland acres will be impacted. He stated the



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proposal is less than the maximum permitted density. The applicant agreed to perform significant off-site improvements to 99th Street and 9th and 17th Avenues Northwest and construction of a multipurpose path.

Mr. Vogler noted the property was approved in 1983 for a project known as Riverbay (Z-83-36) with a density of 4.5 dwelling units per acre under the previous Comprehensive Plan, but was never constructed. He addressed the amount of environmental review required for approval.

Mr. Vogler submitted a letter of support (3/21/99) from **Roy "Chick" Parker**, and an index of exhibits to support his testimony. He also distributed a summary of the applicant's recommended Stipulations for E(1), T(5), T(6), T(7), T(8), T(9), and, T(12). RECORD S46-1901

He stated the costs to construct the multipurpose path along the right-of-way on 103rd Street to Manatee Avenue are significant. He stated that access to Manatee Avenue via 103rd Street could alleviate concurrency problems at Manatee Avenue and 75th Street West, but the project is not designed for construction to this intersection.

He requested the applicant be relieved from constructing the multipurpose path because the Metropolitan Planning Organization (MPO) Project Priority list identified a connection between 17th Avenue and the Causeway as an ISTEPA funded project. Rather than construct the path, the applicant agreed to connect the existing sidewalks along 9th and 17th Avenues Northwest and 75th Street Northwest to provide an eight-foot-wide sidewalk from 75th Street along the entire loop.

**Tom McCollum**, Zoller, Najjar & Shroyer, stated that stormwater facilities have been developed to act as buffers and defining features for the golf holes and to provide a large amount of on-site fill. Homes will be clustered within the upland areas. The applicant has agreed not to exceed 1,600 feet for cul-de-sac A to the north and to provide 110-foot diameter turnarounds at 800-foot intervals. Cul-de-sac B (south) will not exceed 800 feet in length to meet the fire district's concerns relating to emergency vehicle access.

**Dana West**, Biological Research Associates, presented cross sectional drawings by JMP Golf Design Group for golf holes 12, 13, and 14. He stated holes 12, 13, and 14 were designed in a manner that will pose no threat to the environment.

He stated the upland areas will be reestablished with native plantings along the mangrove edges. Stormwater retention around golf holes 12, 13, and 14 are designed to ensure no discharge into the Bay and to retain nearly any rainfall event. He stated golf holes 12, 13, and 14 will be constructed in compliance with local, state, and federal requirements for stormwater treatment, as they relate to OFW waters.

With regard to the connection of 103rd Street Northwest to Manatee Avenue, Mr. West stated the chances of obtaining permits to construct a vehicular connection over the mangrove area is virtually impossible.

**Bill Robinson**, Robinson Farms (developer), stated the project plans have been revised to accommodate the concerns of surrounding residents. He stated J. Michael Poellet (JMP) has been secured to design the world class championship golf course facility. A series of conceptual images (15) for Tampa Bay Golf Course were shown.

Speaking in favor of the development were: **Bill Nowak; Jay Heagerty; Stuart Gregory; Charles Morse; Bill Galvano; Wilbur Boyd; Carl Morreale; Don Lewis**, realtor with Michael Saunders and Company; **Darrell Turner; Kemp Reichman; Pat Neal; Jonathan Greenlaw**, and **Tom Howze**.

**Holly Mayotte** voiced concern of traffic on 75th Street Northwest. Other concerns involve inadequate school and emergency shelter capacity. She read Sections 909.4.4 and 909.4.2 of the Land Development Code and urged the Board to uphold staff's Stipulation E(1).

**Ina Baden** spoke in support, but with concern regarding traffic impact.

Speaking against the project due to quality of life degradation; safety; traffic increases; incompatibility of the proposed clubhouse facility in a neighborhood community and in proximity to a school; school overcrowding; emergency evacuation; access and road connections; right-of-way acquisition, and environmental impacts were: **Michele Senseman; Anna Geraldson** presented a petition containing over 300 signatures; **Pete Kelegian; Arlene Greene; Lee Senseman; Steven Davis; Norman Meissner; Greg Geraldson; Bob Powers; Bill Greenwalt, and Gene Cantwell.**

Recess/Reconvene. All members present.

**Mary Sheppard**, representing the Sierra Club, submitted Comprehensive Plan maps to show the property is located in the Coastal Evacuation Area (CEA) and Coastal Storm Vulnerability Area (CSVA). She recommended approval of staff's Stipulation E(1) and reviewed Comprehensive Plan Policy 3.3.1.5 regarding buffering. She recommended a stipulation to require a golf course association and homeowners organization to oversee landscaping using the Florida Yard Program, and stressing the use of native plants and integrated pest management to reduce pollution into the Manatee River and Perico Bayou.

She spoke in support of Stipulation E(8) regarding water quality monitoring and suggested adding an enforcement mechanism. She suggested amending Stipulation E(12) to require restoration of representative coastal uplands, pursuant to Comprehensive Policies 4.1.2.1 and 4.1.2.7.

Ms. Sheppard stated the Sierra Club suggested that the Southwest Florida Water Management District (SWFWMD) be consulted to determine the effects of using a well water irrigation system versus gray water.

Ms. Sheppard stated she did not speak as a Planning Commission member. She stated her comments were also on behalf of the Audubon Society.

**Jerry Messick** stated concern regarding notification to homeowners about neighboring agricultural uses [D(2)] and school impact fees [S(1)].

**Ralph Nelson**, property owner across from the project entrance, presented a diagram illustrating the comparison of proposed lot widths to surrounding residential development. He referenced a joint letter of objection with the Geraldsons (2/4/99; in staff report) and requested addressing the noncurrency issue regarding traffic on 75th Street and Manatee Avenue.

**Elarie Nelson** stated Mr. Robinson did not notify property owners near the project. She suggested primary access to the project be from Manatee Avenue to eliminate the impact to residents along 99th Street and 9th and 17th Avenues Northwest. She stated concern that a bikepath is not being constructed on both sides of 99th Street. She requested the matter be continued so residents can obtain legal counsel.

**Arlene Geraldson** spoke against the project and read into the record, a letter of opposition (3/22/99) from **Dr. and Mrs. Jack Zislis.**

(Depart Mrs. Stein)

**Angelo Mantanes**, resident of Pine Meadows, questioned if all aspects of the development have been thoroughly considered.

Mr. McClash stated concern that the General Development Plan did not provide the specifics of the project. He distributed a series of maps showing the Palma Sola Causeway and the alignment of the greenway as part of MPO's plans, and the access point onto Manatee Avenue and access over Perico Bayou. He submitted a 1995 preliminary cost estimate from staff to construct an eight-foot bicycle/pedestrian sidewalk along 99th Street Northwest at 9th Avenue to Manatee Avenue.

(Enter Mrs. Stein)

Mr. McClash presented a copy of a 1995 report from Dr. David Tomasko, formerly with the Sarasota Bay National Estuary Program (SBNEP) entitled "The Voyage to Paradise Reclaimed," addressing the need to

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(Continued)

improve water circulation, water sediment, and water quality in Palma Sola Bay. He stated Dr. Tomasko, presently with SWFWMD's Surface Water Improvement Management (SWIM) Division, examined the Estuary site and the potential to construct a connection from the on-site canal system to Palma Sola Bay and over to the Perico Bayou. Dr. Tomasko forwarded a letter (3/23/99) outlining his findings.

Mr. McClash also showed a video taken from Manatee Avenue, across Palma Sola Causeway, along County right-of-way on 103rd Street and onto 9th Avenue Northwest to where it meets 99th Street up to the Botanical Park. He stated the video depicted the availability of land to develop the public right-of-way into a greenway connection by removing exotic plant species.

Discussion: Raising property elevation; design of stormwater retention lakes; direction of stormwater flow; serving of alcohol and liability; amount of acreage reserved for the golf course; owner of the property to the south; compatibility of single-family attached units; private roads; gated community; a connection to Manatee Avenue using 103rd Street right-of-way; estimated costs for improvements to 9th and 17th

Avenues Northwest versus the estimated cost for a bridge to connect to Manatee Avenue; drainage plan and impacts to adjacent property; proximity of the nearest multifamily development; pursuing access via 103rd Street, etc.

Mark Barnébey, Chief Assistant County Attorney, spoke on the issue of County liability and the serving alcohol in a country club setting, or any alcohol-related activity associated with the country club.

Discussion: Impact to area schools; if the developer has offered to contribute funds to the School Board; nitrogen emission into Tampa Bay; nitrogen management plan; proof by applicant that golf holes 12, 13, and 14 will not impact OFW waters; similar projects that are comparable distance from a bay estuary and where reclaimed water is used, etc.

Mr. McClash submitted a report of the findings and recommendations of the Technical Advisory Committee for the acquisition of Emerson Point, Riverbay and Perico Island. He requested staff verify if the condition still exists and how it could be monitored and preserved.

Mr. McClash stated he toured the site with Mr. Robinson before the rezone application was submitted.

Mr. Pederson stated staff agrees with the applicant's T(12). Should the Board agree with the applicant's T(5), T(6), and T(7), he recommended it be subject to the stipulations relative to the level of service and concurrency [Stipulations T(3) and T(4)]. Staff feels the two-year period to acquire necessary right-of-way is a conservative time frame.

Mr. Pederson reviewed the Stipulations: staff does not support the request to exceed the 800-foot length of cul-de-sacs [applicant's T(9)]; mangrove trimming [E(14)]; native plantings within the wetland buffers [E(15)]; Stipulation E(16) addresses the applicant's commitment to restore historic wetland flows and functions and would apply to the canal connection from the Palma Sola Bay to the Perico Bayou; the requirement for the connection could be written into Stipulation E(16); Stipulation E(17) requiring a stormwater retention system design for golf holes 12, 13, and 14 only applies if the Board approves of the location of golf holes 12, 13, and 14; staff concurs with the language of Stipulation E(5) requiring notification to buyers with the final site plan documents.

Mr. Pederson stated the applicant has not submitted evidence to show federal and state review and acceptance of the environmental plan and the design of golf holes 12, 13, and 14. As to the issue of alcohol sales, he stated the application does not identify the clubhouse as a restaurant/bar and it will be limited to the patrons and guests. He stated Stipulation D(5) addressed the size and maximum seating capacity of the clubhouse, which is considered an accessory activity.

As to the lack of traffic study information, Mr. Pederson stated the applicant is precluded at the General Development Plan stage from seeking a Certificate of Level of Service for traffic concurrency. He stated the traffic figures in the staff report were developed based on information contained in the application.

Discussion: Integrated Pest Management Plan; continue to March 30th to allow staff to return with the additional information requested by Board members and for the district Commissioner to be present.

Motion was made by Mrs. Glass, seconded by Mrs. Stein and carried unanimously, to continue the public hearing to March 30, 1999, at 9:00 a.m.

(Note: Additional comments under Commissioners' Comments.)

(Depart Mr. Stephens and Mrs. Glass; Ms. Brown presiding)

Public hearing (Notice in the Bradenton Herald 3/12/99) was held to consider

PDR-98-21(Z) (G) ANGELES MORTGAGE INVESTMENT TRUST/CREEKSIDE OAKS

A ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM RSMH-6 AND GC TO PDR; PROVIDING AN EFFECTIVE DATE; AND GENERAL DEVELOPMENT PLAN FOR 401 SINGLE-FAMILY UNITS AND 90 MULTIFAMILY UNITS ON 220.47 ACRES, LOCATED AT THE NORTHEAST CORNER OF U.S. 301 SAND ERIE ROAD.

Planning Commission recommend APPROVAL with 22 Stipulations; GRANTING Special Approval for a project (1) transferring density from wetlands; and (2) located adjacent to a perennial stream in the RES-9 Future Land Use Category.

Erika Barrett, Planning Department, displayed a zoning category map and reviewed surrounding land uses. The property was zoned R-4B in 1981 and a site plan for Tiberon Mobile Home Park (82-T-1) was approved in 1982, but was never constructed and expired.

(Enter Mrs. Glass)

The property is presently a pasture. Site features include a small creek across the northwest corner of the site, an oak hammock, and eleven disturbed wetlands totaling 46 acres. Less than one acre of wetlands will be impacted under the proposed site plan, and a 40-foot buffer will surround the remaining wetlands. The applicant has agreed to redesign the area along Wetland K into a cul-de-sac in order to avoid impacts to the wetland.

(Depart Mr. McClash)

Ms. Barrett displayed a General Development Plan and stated the project proposes 401 single-family and 90 multifamily units at an overall density of 2.29 dwelling units per acre. The project will be developed in three phases.

Minimum lot size is proposed at 6,600 square feet, with a minimum lot width of 60 feet. The applicant requested six-foot side yard setbacks in the single-family area; however, staff recommended a stipulation requiring minimum 7½-foot side yard setbacks.

(Enter Mr. McClash)

The applicant proposed a Habitat Preserve Area adjacent to the creek running across the northwest end of the parcel, which will preserve much of the existing oak hammock.

The applicant proposed three access points on Erie Road; however, staff recommended the center access be eliminated to make the northwest section more useful as a recreational area.

(Depart Mr. Bruce)

Ms. Barrett displayed an aerial map of the site and stated the surrounding area is transitioning from rural and agricultural uses to suburban-oriented uses.

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(Continued)

Ms. Barrett stated a neighborhood meeting was held in Parrish during which the owner of the citrus grove to the north (Marlers) raised concern about an unconstructed right-of-way on the plat of Tamiami Farms, which has not been vacated. She stated staff has been unable to confirm the status of the right-of-way, therefore, Stipulation 9 addresses the issue. She stated property owners to the north also expressed concern of the inter-neighborhood tie at the northeast end of the site and the possibility of construction traffic on the unpaved road. Staff has stipulated a temporary turn-around with a barricade to the access easement to 94th Avenue East to provide for an inter-neighborhood tie if the property is developed.

(Enter Mr. Bruce)

Ms. Barrett stated another concern pertained to the existence of a cattle dipping vat on the property. She stated Stipulation 22 addresses the potential historical cattle dipping vat locations and appropriate mitigative measures.

She submitted 36 letters in opposition to the project, the majority of which are from residents of the Terra Siesta Mobile Home Park citing concerns of stormwater runoff and traffic.

**James Hersten**, Hersten Engineering, representing the applicant, distributed a reduced copy of the general development plan. He emphasized that all but 1/3 acre of the wetlands will be preserved including the upland habitat areas. He stated the easement on the

Tamiami Farms plat is not signed by the County Commission. He concurred with the recommended stipulations, but requested approval of six-foot minimum side yard setbacks.

**Marcia Snyder**, General Manager of Colony Cove Mobile Home Park, questioned if the tot-lot will include playground equipment. Inasmuch as the stormwater from Slaughter Creek runs under Hague Bridge in Colony Cove and floods the streets, she requested stormwater discharge be limited to 50 percent of pre-development runoff.

**Raymond Bradley**, resident of Terra Siesta Mobile Home Park, spoke of existing traffic problems at Erie Road. He also stated the ditch between the old and new portion of Terra Siesta is not deep enough to accommodate stormwater runoff and should be deepened.

**Carole Marler** stated her family owns the property to the north and has known about the right-of-way easement since purchasing the property in the 1960's. The family has concern that if the easement is vacated, it will deprive them of future access via Erie Road and prevent installation of electricity or a waterline for their well system.

**Larry Hall**, Colony Cove Mobile Home Park, requested the County and Army Corps of Engineers perform a study of Slaughter Creek.

**Buck Marler** presented a plat of Tamiami Farms (Plat Book 5, Page 9).

Mark Barnebey, Chief Assistant County Attorney, pointed out that the right-of-way would significantly impact the project if not vacated. He stated it is not unusual for old plats to be unsigned. He recommended the matter be deferred so legal staff can determine whether the right-of-way actually exists before action is taken.

**Tim Hix**, resident near the proposed inter-neighborhood tie to the north, spoke against the project because of incompatible lot sizes and because stormwater from the site presently flows onto his property and surrounding property, which causes flooding. He presented diagrams showing the directional flow of stormwater and pictures of Slaughter Creek and stated the drainage ditches cannot handle the runoff.

**C.E. Schoonejongen**, President of Terra Siesta Cooperative, stated the project will disrupt traffic on Erie Road and U.S. 301 and create stormwater runoff problems to the nearby creek, which runs through the Terra Siesta property.

Wayne Metsman, Colony Cove resident, expressed concern that vehicles will cut through Colony Cove to access the North River Village Shopping Center and the Prime Outlet Mall.

Jerome Gostkowski, Planning Department, stated the project access was aligned with Colony Cove with the intent to have a full intersection. He stated the only design option would be to misalign the accesses by a minimum of 400 feet. With regard to drainage, he stated that a 50 percent reduction of current pre-development discharge rate for each phase is stipulated.

If it is determined the right-of-way on the old plat exists, Mr. Gostkowski stated appropriate measures will be taken to assure that the Marler family concerns are addressed before the easement is vacated. However, he stated the applicant has agreed to provide the Marler property access for electricity if the easement does not exist.

Discussion: Re-evaluate the alignment at the entrance to Colony Cove; development allowed under the current zoning versus what is presented.

Mike Singletary, project surveyor, addressed the easement on the Tamiami Farms plat.

Mr. Hersten stated the stormwater discharge rate will meet the 50 percent criteria of pre-development runoff. He agreed to modify the Colony Cove intersection as required in coordination with staff, the engineering department, and the residents of Colony Cove.

Bill Allard, Allard Investment Realty, stated the project is designed to preserve wetlands and open space.

Carol Clarke, Planning Director, stated the School Board did not respond to this project.

Motion was made by Mrs. Glass to continue this item to March 30, 1999, at 1:30 p.m. Motion was seconded by Mrs. Harris and carried 6 to 0. (Note: Additional comments under Commissioners' Comments.)

WATERFRONTS FLORIDA PROGRAM (CORTEZ VILLAGE)

Motion was made by Mrs. Glass, seconded by Mrs. Harris and carried 6 to 0, to adopt

R-99-74 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR CORTEZ VILLAGE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, COASTAL MANAGEMENT PROGRAM, TO PARTICIPATE IN THE WATERFRONTS FLORIDA PROGRAM.

(authorizing execution of a completed and corrected application and related documents for submission to the Florida Department of Community Affairs, Coastal Management Program to accept the Cortez National Register Historic District as a Waterfronts Florida Program for waterfront revitalization).

RECORD S46-1902  
S46-1903

COMMISSIONERS' COMMENTS

Traffic Signal at S.R. 64/48th Street East

Mr. Bruce stated the Florida Department of Transportation (FDOT) approved a traffic signal at the intersection of S.R. 64/48th Street East, which is in front of the Braden River Lakes Subdivision. He stated the subdivision is in the City of Bradenton, and the intersection is in the County. He stated there may be an opportunity for the County to obtain the equipment from FDOT to install the traffic light. He requested staff review the matter and report on expediting the installation of the signal. There were no objections.

TRAVEL AUTHORIZATION

Motion was made by Mrs. Glass, seconded by Mr. McClash and carried 6 to 0, to approve request by Ms. Brown to travel to Washington, D.C. and/or Miami, Florida, regarding Wares Creek and the Roger's Gardens revitalization plan.

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(Continued)

COMMISSIONERS' COMMENTS (Continued)PDR-98-21(Z) (G) Angeles Mortgage Investment Trust/Creekside Oaks

Mrs. Glass requested Sia Mollanazar, Transportation Department, explain the designations of 25- and 100-year flood events during the public hearing on March 30th regarding the Creekside Oaks Project.

As a basis for comparison, Mr. Bruce requested Mr. Mollanazar also address the impacts to the stormwater system if the project is built at its current zoning designation.

PDR-98-20(Z) (G) Robinson Farms, Inc., et al./The Estuary

Mr. McClash requested Mr. Mollanazar attend the 9:00 a.m. public hearing on March 30th regarding The Estuary. He also asked that a representative from the Sarasota National Estuary Program be present to address the greenway connection.

U.S. 301/Canal Road

Ms. Brown stated that a portion of Canal Road is damaged near the new Winn-Dixie store in Palmetto. Inasmuch as the City of Palmetto has annexed the area, she questioned who will be responsible for repairs as well as the signalization of the intersection. Mrs. Glass offered to raise the issue during a meeting with Palmetto officials on March 24. She also suggested the whole intersection be examined.

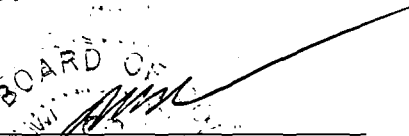
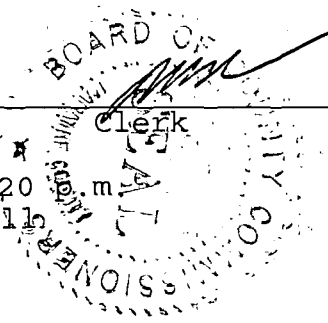
**Disposition:** Staff will return with a report.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:

  
 Clerk  


  
 Chairman

6/15/99

Adj: 5:20  
/rlh