

DECEMBER 15, 1999

The Board of County Commissioners, Manatee County, Florida, met in SPECIAL SESSION at the Manatee Civic Center, One Haben Boulevard, Palmetto, Florida, Wednesday, December 15, 1999, at 9:09 a.m.

Present were Commissioners:

Stan Stephens, Chairman
Gwendolyn Y. Brown, First Vice-Chairman (entered during meeting)
Joe McClash, Second Vice-Chairman
Jonathan Bruce, Third Vice-Chairman
Patricia M. Glass
Lari Ann Harris (participated via telephone)
Amy Stein

Also present were:

Ernie Padgett, County Administrator
Jeffrey Steinsnyder, Assistant County Attorney
Susan G. Romine, Board Records Supervisor,
representing R. B. Shore, Clerk of Circuit Court

SARASOTA BRADENTON AIRPORT

Public hearing (continued from 12/9/99; readvertised in the Bradenton Herald 12/7/99) was held to consider

ORDINANCE 99-49 - SARASOTA BRADENTON AIRPORT PLAN AMENDMENT

AN ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY ORDINANCE 89-01, AS AMENDED, THE MANATEE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAPS 22A AND 22B) FROM P/SP-1 TO ROR FUTURE LAND USE CATEGORY FOR CERTAIN LAND CONSISTING OF 13.61 ACRES LOCATED WITHIN OUTPARCEL 4 AT THE SARASOTA BRADENTON INTERNATIONAL AIRPORT, LOCATED AT 8281 THROUGH 8301 NORTH TAMiami TRAIL (U.S. 41) WITHIN SECTION 36 OF TOWNSHIP 35 SOUTH, RANGE 17 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-99-19; Property Owner - Sarasota Manatee Airport Authority)

Public hearing (continued from 12/9/99) was held to consider

PDMU-99-07(Z)(G) SARASOTA BRADENTON AIRPORT EXPANSION

Request: 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 lands, comprising three outparcels on 79.10 acres, as follows:

1. A rezone of Outparcel 1 (21.31 acres) from **NCS, LM, and HC** to **PDMU**;
2. A rezone of Outparcel 2 (50.79 acres) from **LM and A-1** to **PDMU**; and
3. A rezone of Outparcel 3 (7.00 acres) from **GC/AI** to **PDMU/AI**;

and a General Development Plan (GDP) for airport-related development, including a runway expansion, terminal expansion, a parking structure, noise barriers, and related utility and infrastructure improvements; and development on airport outparcels 1, 2, 3, and 4, to include a variety of recreational, general and heavy commercial, warehouse, light industrial, research office park, food service, automotive service, office, hotel, and airport related retail sales uses, the specific uses proposed for each parcel are listed below. The total area covered by the GDP is approximately 771 acres in Manatee County, with approximately 96.45 acres in the four outparcels (additional acreage not included in the Manatee County GDP is located in Sarasota County).

1. **Airport** - A 2,500 foot extension to Runway 14/32 (1,150 feet on the southeast end and 1,350 feet on the northwest end, two noise barriers for the northern extension of the runway, a 175,000 square-foot terminal expansion (up to nine additional air carrier or commuter gates), a parking garage for 800 vehicles, and utility and infrastructure improvements to serve the airport and all outparcels. The runway extension also includes associated taxiways, runway approaches, runway and taxiway safety areas, navigational aides, and ancillary facilities.

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(Continued)

2. **Outparcel 1** - A new golf driving range, a Par-3 golf course, a 1,200 square-foot accessory pro-shop (recreational use), and an existing 33,380 square-foot commercial and warehouse building. Outparcel 1 is located at the northeastern corner of the airport, on the east side of 15th Street East (7741 through 7881 15th Street East) and approximately 220 feet south of Tallevast Road on approximately 21.32 acres.
3. **Outparcel 2** - Up to 315,000 square feet of general commercial, heavy commercial, research and office park space, light industrial, and warehouse uses. Five structures of approximately 125,000 square feet are present on site and will be incorporated into the GDP. Existing structures are used for retail sales, automotive-related retail sales, storage, warehousing, and light industrial use. Outparcel 2 is located at the southeastern corner of the airport, on the east side of 15th Street East and north of University Parkway West (8237 through 8451 15th Street East and 1349 through 1361 University Parkway West), immediately west of the railroad, along the Manatee/Sarasota County line on approximately 50.79 acres.
4. **Outparcel 3** - Up to 25,000 square feet of general commercial use, airport-related retail, warehouse, office, and restaurant uses. Outparcel 3 is located between the west side of the airport and U.S. 41, in the 8100 block of North Tamiami Trail on approximately 7 acres.
5. **Outparcel 4** - Up to 50,000 square feet of professional office, automotive sales, fast food restaurant, and an existing 7,000 square-foot quality restaurant, in addition to a 200-room hotel. Outparcel 4 is located between the west side of the airport and U.S. 41 (8281 through 8301 North Tamiami Trail) on approximately 17.35 acres.

Public hearing (continued from 12/9/99) was held to consider

ORDINANCE 99-50 - SARASOTA BRADENTON AIRPORT (DRI 15)

APPROVAL OF A SUBSTANTIAL DEVIATION TO AN EXISTING DEVELOPMENT OF REGIONAL IMPACT (DRI) TO ALLOW:

1. The following items approved under a 1995 Preliminary Development Agreement and already constructed or allowed to be constructed subject to future DRI review:
 - 144 new sheltered aviation spaces, consisting of 123 new general aviation "T" hangar spaces, corporate hangars for 21 aircraft, and elimination of 25 existing tie-down spaces.
 - 10,000 square-foot picnic shelter to replace an existing shelter.
 - Washing facilities for equipment and vehicles.
 - Signs.
2. New development and expansion of airport facilities consisting of:
 - A 2,500-foot extension to Runway 14/32 (1,150 feet to the southeast end and 1,350 feet at the northwest end), including associated taxiways, runway approaches, runway and taxiway safety areas, navigational aides, and ancillary facilities.
 - Two noise barriers for the northern extension of Runway 14/32.
 - A 175,000 square-foot terminal expansion with up to 9 additional air carrier or commuter gates.
 - A parking garage for 800 vehicles.
 - Utility and infrastructure improvements to serve the airport and outparcel expansion.
3. New development on four outparcels, as follows:

Outparcel 1

 - A Par-3 golf course, driving range, including a 1,200 square-foot pro shop.
 - Commercial or warehouse development in an existing 33,380 square-foot structure.

Outparcel 2

Not to exceed an aggregate total of 315,000 square feet of the following uses, including 125,000 square feet of existing structures:

- 100,000 - Light Industrial
- 120,000 - Warehouse
- 100,000 - Heavy Commercial
- 80,000 - Research/Office Park
- 60,000 - General Commercial

Outparcel 3

Not to exceed an aggregate total of 25,000 square feet of the following uses:

- 20,000 Office
- 3,000 Convenience Market, Gas Pumps
- 3,000 Fast Food Restaurant
- 22,000 Airport Related Retail or Warehousing
- 7,000 Quality Restaurant

Outparcel 4

- Hotel - 200 Rooms
- 40,000 - Professional Office
- 25,000 - Automotive Sales
- 7,000 - Quality Restaurant (Existing)
- 3,000 - Fast Food Restaurant

The Sarasota Bradenton International Airport proper is located north of University Parkway and the Manatee/Sarasota County line, south of Tallevast Road, east of U.S. 41, and west of 15th Street East in unincorporated Manatee County. The outparcels are located at the perimeter of the airport proper as noted herein (approximately 1,122.31 acres, including the outparcels [approximately 96.45 acres] in Manatee and Sarasota Counties, the total acreage in Manatee County is approximately 771 acres).

(Enter Ms. Brown)

The Chairman announced that letters have been received to request the Airport Authority establish the Harris Nature Area (for Commissioner Lari Ann Harris); however, that is not part of these applications.

Robert Pederson, Planning Department, submitted a packet consisting of:

1. Introduction;
2. Project Summary - Airport (Including Noise and Traffic Issues);
3. Project Summary - Airport Outparcels;
4. Comprehensive Plan Amendment Staff Report - Ordinance 99-49;
5. DRI Substantial Deviation Staff Report;
6. Recommended DRI Development Order - Ordinance 99-50;
7. Rezone and GDP staff report;
8. Recommended Rezone and GDP Ordinance - PDMU-97-02(Z)(G);
9. Recommended Motions;
10. List of documents entered into the record for this hearing;
11. Written public comment received to date; and
12. Maps and Site Plans.

He submitted an addendum to the staff report consisting of: (1) General Information; (2) Packet Page 104 (relating to noise barriers at T. F. Green Airport and La Guardia Airport); and (3) Changes to Development Order and Zoning Ordinance Stipulations proposed by the applicant. He also submitted correspondence (approximately 114 letters).

Mr. Pederson reviewed the list of documents entered (Tab 10 in packet). He displayed a map of Phases 1 and 2 of the Expansion Improvements. He stated the application includes a rezone and general development plan approval involving four outparcels. He reported that the airport is proposing two noise barriers that will mitigate noise to the point of having no impact.

He displayed the following sketches/maps (reduced copies provided):

Sketches

North Berm Along Tallevast Road Concept

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West Noise Wall Along U.S. 41, Concept Two
 West Noise Wall Along U.S. 41, Concept Two (night view)
 General Development Plan Noise Barriers (West Noise Wall along U.S. 41)
 General Development Plan Noise Barriers (North Berm along Tallevast Road, Concept Sections)
 General Development Plan Noise Barriers (North Berm along Tallevast Road, Landscape Concept Two)
 General Development Plan Noise Barriers (West Noise Wall along U.S. 41, Landscape Concept Two)

Maps

Map H - DRI Proposed Projects Substantial Deviation
 Outparcel 1
 Outparcel 2
 Outparcel 3
 Outparcel 4

He addressed the 270-degree turn, which was part of the 1986 approval for the terminal expansion. He noted the airport has pursued approval of the turn by the Federal Aviation Authority (FAA), but it has not yet been approved by the FAA. He emphasized that extending the runway has no bearing on the FAA approval of the 270-degree turn.

Senator John McKay submitted a memorandum (12/7/99) requesting that all agreements of the 1986 DRI be fulfilled prior to additional projects.

Joseph M. Cuschieri, noise consultant for the County, stated the integrated noise model, a tool required by the FAA, was used to predict noise levels from the proposed operations. He stated the accuracy of the model is successful within one decibel in Day Night Noise Level (dnl). He reported the dnl at residences to the west of the runway extension increased by more than 1.5 decibels, consequently, mitigation procedures were developed. The noise barriers can mitigate the impact on the community to the point of having no impact. He reviewed the noise barriers, the field testing of traffic and operations noise, and methodology used.

He addressed the 270-degree turn, which he stated was a separate issue from the runway extension. He pointed out the extension may put the airplanes at a higher altitude, which would be a benefit.

Recess/Reconvene. All members present except Mr. Stephens; Ms. Brown presiding.

S. Don Potter and **George Trudeau** spoke in opposition.

Speaking in favor of the request were **Alex Chavez**, Gulf Coast Latin Chamber of Commerce, who submitted a position statement (12/14/99); and **Brian Murphy**, Manatee Chamber of Commerce, who submitted a position statement (8/24/99) and an endorsement (12/3/99) signed by executives of the 15 largest employers in Manatee County.
 (Enter Mr. Stephens, presiding)

Myra Wahlberg questioned if there were plans for night flights.

Bob Headlee, former Airport Authority member, spoke in opposition.

Speaking in favor were **Mike Evans**, Tampa Bay Partnership; and **Greg Porges**, speaking as an individual and representing the law firm of Harllee, Porges, et al., who also submitted memorandum (12/1/99) from Economic Development Council in favor.

Caleb Grimes, representing the Sarasota Manatee Airport Authority (SMAA), addressed the operations and importance of the airport.

Greg Young, Chairman of the SMAA, spoke in favor of the request noting that the runway extension is in the best interest of the community.

Recess/Reconvene. All members present except Ms. Brown and Mr. McClash.

Fred Piccolo, Executive Director of the SMAA, stated the Airport receives grants through user fees from the State and Federal government.
 (Enter Mr. McClash)

He reviewed the following charts:

Purpose and Need for Runway Extension
Air Carrier Airport - Runway Lengths in Florida
Economic Impact

(Enter Ms. Brown)

Mr. Piccolo reported that the Development Order for the terminal expansion was signed in 1986 and stipulated that the Airport shall implement all elements of the noise compatibility program once the plan was approved by the FAA. One element was the 270-degree turn, which has not been implemented; however, he emphasized the final authority on the turn rests with the FAA.

He referenced his letter (9/22/99) to the FAA (Tab 11, pages 92 and 93) expressing his dissatisfaction with the way the FAA has handled the implementation of the turn. He submitted a letter (12/9/99) he received from the FAA acknowledging that the runway extension has a positive noise benefit for the community.

Mr. Piccolo pointed out that the Sara Bay Woods and Whitfield Ballentine Manor areas, which are impacted by airport operations more than any other residential area, have endorsed the development proposals.

He emphasized the runway extension will allow for better air service and better fares. He stated the existing fleet, which consists of 737, 727 and MD80 aircraft, takes a weight penalty resulting in some seats being left empty. He referenced correspondence from Continental Airlines (1/7/99) and Spirit Airlines (5/10/99) under tab 11, pages 95 and 96, in favor of the runway extension.

Mr. Piccolo reviewed the "Air Carrier Airport Runway Lengths" table pointing out that compared with 12 other airports in the area, Sarasota Bradenton has the shortest runway.

Richard Alberts, noise consultant for the SMAA, displayed:
Existing (1995) Noise Exposure Map
Future (2000) Noise Exposure Map
Future (2000) Noise Exposure Map with Runway 14-32 Extensions

He reported that legislation has been established to reduce noisier aircraft by phasing out Stage 2 aircraft by January 1, 2000.

Mr. Alberts stated the runway extension would allow for departing aircraft to rotate sooner and reach a higher altitude sooner. He noted that the location of arrivals into the airport will be maintained.

He stated that the Palm Beach, Fort Lauderdale and Miami airports, which have constructed noise barriers, all indicated significant benefits. He reported that T. F. Green Airport in Rhode Island built a noise berm in proximity to a runway. He displayed a sketch entitled "Location of Barrier Attenuation Measurements."

Noah Lagos, Director of Aviation, referenced the following charts:
Existing Noise Program Summary
Expanded Noise Program Summary
Noise Exposure Contour Areas at SRQ

He stated that in March 1990 the FAA approved the Airport noise compatibility program (NCP). He outlined the four measures in the NCP: (1) Land Acquisition and Relocation; (2) Purchase and Resale with Avigation Easement and Sound Insulation; (3) Sound Insulation; and (4) Avigation Easements. Mr. Lagos reported that the Airport has been working to extend the dates of eligibility for participation in the Purchase and Resale, Sound Insulation and Avigation Easement programs.

Martin Conlon expressed concern regarding "bounce back" noise from the berm; spoke in opposition to the runway extension; and spoke in favor of those aspects of the plan that will provide revenue to the airport by development of outparcels that have little effect on traffic and other county services.

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(Continued)

Speaking in favor were **Ron Hines**, West Bay Neighborhood Association, who submitted a copy of their Articles of Incorporation; **Bill Theroux**, representing the Downtown Development Authority, who submitted memorandum (12/1/99) in support of the application; and **Alan Prather**, representing Tropicana Products, who read correspondence (12/14/99) from Mark Gutchie in favor (copy not submitted for the record).

Carol Clarke, Planning Director, suggested modifications:

- Ordinance 99-50** - N(8) e., f., g., and h. - Change the word "expedite" if timing is a concern.
Ordinance 99-50 - N(8) - Requiring the SMAA to make an annual presentation to the Board regarding noise abatement issues.

Discussion: Making certain there is a time line for directives; include specific landscaping; mechanism to solve noise problems in future; etc.

Mrs. Harris stated she would support the requests with stipulations (submitted via fax). Jeffrey Steinsnyder, Assistant County Attorney, formulated language for those stipulations:

1. The SMAA, upon approval of the 270-degree turn, may utilize the runway extension. Until that time, takeoff rolls shall begin at the current runway threshold.
2. Southbound aircraft on Runway 14 which do not require the extended runway shall begin their takeoff roll at the current runway threshold.
3. SMAA shall immediately study the possibility of arriving flights not flying approaches to the airport over the six existing schools within the 26th and 34th Street area. Should it be determined to be feasible, SMAA shall take all steps necessary to implement the new approach.
4. Appraisals done pursuant to this section shall use comparables in like areas outside the area of airport impacts.

Mr. Steinsnyder stated that Stipulation 1 ties the runway extension to the 270-degree turn, which is an FAA issue; Stipulation 2 is a noise issue for which the Board is probably preempted from imposing; Stipulation 3 attempts to regulate inbound flights; Stipulation 4 is not clear as to whether an appraiser could go outside the airport area as a comparable; and Stipulation 5 (for which he did not develop language) requesting appointment of an advisory board to oversee this application, is not necessary as part of the approval since the Board already has the authority to appoint such a board to be the enforcement authority.

Mr. Grimes stated the airport agrees with expeditiously seeking approval of the 270-degree turn and has provided a recommended stipulation addressing that matter (submitted earlier by Mr. Pederson). He would agree with tying it to expansion of the terminal and parking garage.

Recess/Reconvene. All members present.

Revised stipulations for those items for which changes were recommended and for which there is general consensus, were read by Mr. Steinsnyder, Mr. Pederson or Ms. Clarke:

A(8) in PDMU-99-07(Z)(G):

All SBA facilities, at the external boundaries of the airport including the perimeter fence, shall comply with Land Development Code, Section 715, Landscaping and Screening Standard requirements, and those mean vehicle use area, roadway buffers, and screening and perimeter buffers except where these requirements conflict with FAA limitations. Individual areas shall be in compliance with adjacent construction, new projects, or when upgrades are completed. Total compliance shall be achieved by the end of Phase II.

K(3) in PDMU-99-07(Z)(G); N(3) in Ordinance 99-50:

The SMAA shall continue to expeditiously and without further delay seek approval from FAA of the 270-degree radial turn for planes departing on Runway 32. In the event the approval is not received prior to the start of Phase II, construction of expansion of the terminal building and parking garage shall not

be authorized until either (i) the 270 degree radial turn departure procedure is approved and operational, or (ii) the SMAA has demonstrated to the County through a Notice of Proposed Change pursuant to Section 380.06 Florida Statutes, that the SMAA has exerted good faith, continued effort to gain approval of said turn. Such good faith effort shall be determined solely in the reasonable discretion of the Board of County Commissioners of Manatee County.

K(8)(h) in PDMU-99-07(Z)(G); N(8)(h) in Ordinance 99-50:

Modify the NCP subject to FAA approval to allow for expanded participation by impacted residents in the SMAA's land use program." We would be adding language that would say, "This request shall be made within one year of adoption of this ordinance." The remaining language remains the same with the addition at the end of that paragraph, "The SMAA shall tender offers for participation to all eligible homeowners within five years of receipt of FAA approval or shall provide documentation acceptable to Manatee County of good faith effort to meet this requirement.

K(8)(j) and N(8)(j):

Add at the end, "The report shall specifically include a tabulation of the number of units in each category (e) (f) (g) and (h) and the status of implementation including offers made, offers accepted, and offers rejected. The report shall also include any unresolved noise complaints which have occurred within each quarter."

K(8)(k) and N(8)(k):

The Airport Authority shall work cooperatively with Manatee County to resolve any noise problems which may be identified in the future.

Based upon the staff report, evidence presented, the action of the Planning Commission, comments made at the public hearing, the technical support documents and finding the request to be consistent with the provisions of Chapter 163, Florida Statutes, and the 2020 Manatee County Comprehensive Plan, Mrs. Harris moved to adopt Manatee County **Ordinance 99-49 (Plan Amendment PA-99-19)**. Motion was seconded by Mr. McClash and carried unanimously. RECORD S47-937

Based upon the staff report, evidence presented, the action of the Planning Commission, comments made at the public hearing, and finding the request to be consistent with the Manatee County Comprehensive Plan, the Manatee County Land Development Code, Chapter 380, Florida Statutes, and Rule 9J-2.025 F.A.C. subject to the conditions of approval established in the Development Order, Mr. McClash moved to approve the **Substantial Deviation to DRI Number 15** and adoption of **Manatee County Ordinance 99-50** with amendments to conditions N(3), N(8)(h), N(8)(j), and N(8)(k). Motion was seconded by Mrs. Glass and carried unanimously. RECORD S47-938

Based upon the staff report, evidence presented, the action of the Planning Commission, 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, as conditioned herein, Mr. McClash moved to adopt Manatee County **Ordinance PDMU 97-02(Z)(G)** with amendments read at this meeting to conditions A(8) on landscaping, K(3), K(8)(k), K(8)(h) and K(8)(j). Motion was seconded by Mr. Bruce and carried unanimously. RECORD S47-939

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

Clerk

APPROVED:

Sean Stephen
Chairman 3/28/00

Adj: 4:45 p.m. 2 emls