

JULY 25, 2000

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Tuesday, July 25, 2000, at 9:07 a.m.

Present were Commissioners:

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

Also present were:

Ernie Padgett, County Administrator
 Teddy N. Williams, Jr., County Attorney
 Susan G. Romine, Board Records Supervisor,
 representing R. B. Shore, Clerk of Circuit Court

Invocation by Mr. Stephens

All witnesses and staff giving testimony were duly sworn.

CENSUS 2000

Micky Rosado, U.S. Department of Commerce, Bureau of Census, thanked the County for participating in the Census 2000 Complete Count Program and presented a plaque to Kathleen Thompson, Planning Department, for coordinating the program.

Without objection, additional recognition will be given to other staff members who participated.

Recess/Reconvene. All members present, except Ms. Brown.

CONSENT AGENDA

CLERK'S CONSENT CALENDAR

BONDS

Accept:

Blue Heron Subdivision

Amended Performance Bond: \$5,616 (Amendment to Letter of Credit 211-97, United Bank) extending expiration date to September 1, 2001.

Nu-Gulf Industries, Inc. DRI

1. Amended Performance Bond: \$201,250 (Amendment to Letter of Credit SB30246, Credit Agricole Indosuez) extending expiration date to September 30, 2001.
2. Amended Defect Security: \$105,890 (Amendment to Letter of Credit SB30245, Credit Agricole Indosuez) extending expiration date to September 30, 2001.

Old Grove at Greenfield Plantation, Phase III-A

1. Agreement with River Road Plantation Partnership warranting required improvements (\$29,176.71).
2. Defect Security: \$29,176.71 (Letter of Credit 3026354 and Amendment 1, Bank of America).
3. Agreement with River Road Plantation Partnership warranting required improvements (\$27,767.81).
4. Defect Security: \$27,767.81 (Letter of Credit 3027408, Bank of America).
5. Agreement with River Road Plantation Partnership for Final Wearing Course of Asphalt on Roadways.

Glenn Lakes, Phase II

1. Agreement with Centex Homes guaranteeing completion of required sidewalks and bikeways (\$12,066.60).
2. Defect Security: \$12,066.60 (Surety Bond 5900943, Safeco Insurance Company).

Hawk's Harbor Subdivision

1. Agreement with Bowlees Creek Development, Inc. guaranteeing completion of required improvements and temporary construction easement for private improvements (\$63,417.20).
2. Amendment 2 to Letter of Credit 941862 (previously \$1,441,300 decreased by \$1,377,882.80).
3. Performance Bond: \$63,417.20 (Letter of Credit 941862, Amendment 2, Bank of America).
4. Agreement with Hawks Harbor Subdivision for Final Wearing Course of Asphalt on Roadways.

Release:**Glenn Lakes, Phase II**

Agreement with Centex Homes guaranteeing completion of required sidewalks and bikeways, \$12,066.60.

Hawk's Harbor Subdivision

Agreement with Bowlees Creek Development, Inc. for required improvements and temporary construction easement for private improvements, \$1,441,300.

Old Grove at Greenfield Plantation, Phase III-A

1. Agreement with River Road Plantation Partnership guaranteeing completion of required improvements (\$389,697.18).
2. Performance Bond: \$389,697.18 (Letter of Credit 3020864, Bank of America, N.A.).

Chaparral (aka Mote Ranch, Phase VI)

1. Agreement with Lennar Homes, Inc. guaranteeing completion of required sidewalks and bikeways (\$7,522.45).
2. Performance Bond: \$7,522.45 (Surety Bond 929111527, Continental Insurance Company).

Country Palms

1. Agreement with R. L. Koontz Construction, Inc. warranting required improvements (\$30,679.14).
2. Defect Security: \$30,679.14 (Letter of Credit 9718, SunTrust Bank, Gulf Coast).

Edgewater Village, Subphase A, Unit 4-B

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$5,512).
2. Performance Bond: \$5,512 (Surety Bond 108347, Frontier Insurance Company of New York).

The Greens at El Conquistador

1. Agreement with Neal Communities of Manatee, Inc. warranting required improvements (\$32,845.44).
2. Defect Security: \$32,845.44 (Letter of Credit 9930, SunTrust Bank).

Mote Ranch, Honore Avenue

1. Agreement with Lennar Mote Ranch, LTD. warranting required improvements (\$113,157.62).
2. Defect Security: \$113,157.62 (Letter of Credit 521056, NationsBank a/k/a Bank of America).

Oak Creek Subdivision

1. Agreement with Oak Creek LTD, Inc. warranting required improvements (\$37,064.93).
2. Defect Security: \$37,064.93 (Letter of Credit 1110, West Coast Bank).

River Landings Center West

1. Agreement with K & B Sarasota guaranteeing completion of required improvements and temporary construction easement for private improvements (\$51,734.55).
2. Performance Bond: \$51,734.55 (Letter of Credit 8026057326-55, Colonial Bank).

Summerfield Village, Subphase C

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$1,408.49).
2. Performance Bond: \$1,408.49 (Surety Bond 109714, Frontier Insurance Company of New York).

Summerfield Village, Subphase C, Unit 5-A

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$446.29).
2. Performance Bond: \$446.29 (Surety Bond 109716, Frontier Insurance Company of New York).

Summerfield Village, Subphase C

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required improvements (\$641.80).
2. Performance Bond: \$641.80 (Surety Bond 109715, Frontier Insurance Company of New York).

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(Continued)

Summerfield Village, Subphase C, Unit 10

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$11,644.10).
2. Performance Bond: \$11,644.10 (Surety Bond 116213, Frontier Insurance Company of New York).

Summerfield Village, Subphase D, Unit 1

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$33,291.18).
2. Performance Bond: \$33,291.18 (Surety Bond 08020139, Fidelity & Deposit of Maryland).

Summerfield Village, Subphase D, Unit 3

1. Agreement with SMR Communities Joint Venture guaranteeing completion of required sidewalks and bikeways (\$19,046.30).
2. Performance Bond: \$19,046.30 (Surety Bond 116636, Frontier Insurance Company of New York).

REFUNDS

J. David Cassilly, Inc. - Impact Fees	\$28,179.00
Rosario Davi - Impact Fees	2,672.08
Debra Shore - COBRA Payments	834.95
Consultec Inc. - Medicaid	887.91

WARRANT LIST

Approved: July 25, 2000 through July 31, 2000
 Authorize: August 1, 2000 through August 14, 2000

MINUTES

March 21 (a.m. and p.m.), 28, 2000
 April 4, 18, 25, 2000

AUTHORIZE CHAIRMAN TO SIGN**Satisfactions of Judgments:**

Charlie S. Bodden Sr. - Case 93-3145F (2)
 Cynthia Hukan - Case 00-1195F
 Webster Johnson - Case 97-251F (2)
 Dawn Nieblas - Case 99-2469JD
 Phillip Schelstrate - Cases 97-3625M and 97-3833M
 Karim Taif - Case 00-855T

Canal Road Water Main - Contract with Heuer Utility Contractors, Inc., \$878,783.50; date performance/payment bonds and power of attorney, and accept insurance certificate (approved 6/27/00).

RECORD S47-1787

98th Avenue East Sewer Line Extension - Contract with DeJonge Excavating Contractors, Inc., \$47,184.60; accept insurance certificate (approved 7/11/00).

RECORD S47-1788

APPROVE, RATIFY, AND CONFIRM**Parks and Recreation Special Interest Classes Instructor's Agreements**

James Alan Mathys - Puppy Kindergarten and Dog Obedience S47-1789
 Ruth Mazin - Financial Workshop RECORD S47-1790

ACCEPT

Bradenton Herald Advertisement - Unclaimed Monies published 7/13/00.

Manatee County Mosquito Control District - List of staff members available in emergencies pursuant to Section 10D54.46(9) FS.

Records Destruction Request

Bureau of Archives and Records Management Form Listing County Records for destruction:
 No. 500, Clerk of Circuit Court (Records Management)
 No. 507, Public Safety

AUTHORIZE FEE WAIVERS (PUBLIC WORKS)

Waive fee (\$25) for Barbara J. Willingham due to stolen mail.

COUNTY ADMINISTRATOR**INDUSTRIAL REVENUE BONDS - AMERICAN BERYLLIUM COMPANY**

Accept executed Satisfaction and Release (copy) and original executed Indemnity Agreement with Lockheed Martin Corporation in order for Lockheed, as successor to American Beryllium, to sell property previously financed with the bonds. RECORD S47-1791

LAWSUITS - DOZIER B. HILLIARD, ET AL.

Settlement and final judgment with Charles L. and Brenda K. Kennedy, \$1,027 (in addition to \$973 deposited in the Registry of the Court) for a total of \$2,000, inclusive of statutory interest, but exclusive of costs and other expenses; and award \$330 in attorney's fees pursuant to \$73.092 in the 75th Street West eminent domain matter, Dozier B. Hilliard, et al., Case 1998-CA-1534 (Parcel 35).

SUPERVISOR OF ELECTIONS - EMBEZZLEMENT SETTLEMENT

Accept \$100,000 from Hartford Insurance Company (Bond/Policy 21PEB LA0630) and execute Full Release and Assignment for settlement of employee embezzlement (Dawn Marshall-Smith). RECORD S47-1792

STATE HOUSING INITIATIVE PARTNERSHIP

Announce the availability of State Housing Initiative Partnership Program (SHIP) funds of \$2,232,264 (8/31/00 through 6/30/01).

BUDGET AMENDMENT**VARIOUS DEPARTMENTS** (B-00-030)

Transfer of Funds; Unanticipated Revenue Appropriations Supporting Description and Detail Attached RECORD S47-1793

EMERSON POINT PARK

Issue Change Order 4 to Purchase Order P9000930 for environmental restoration (additional tie down cable for observation tower) with Tampa Contracting Services, Inc., for an increase of \$27,000 and adjusted total of \$109,000.

FINANCIAL ADVISOR

Execute amendment to agreement with First Union Securities, Inc., Banc of America Securities LLC, Port Authority, and Civic Center to assign the financial advisory services agreement (8/26/97) in effect with First Union Capital Markets Corporation to Banc of America Securities LLC. RECORD S47-1794

LOCKWOOD RIDGE ROAD

Award IFB 00-5575DC to the lowest responsive, responsible bidder meeting specifications, Frederick Derr and Company, Inc., \$7,702,572.33 (which includes Alternate 1 for a credit of \$150,000 for removal and disposal of clean fill); and subsequently execute contract, date performance/payment bonds, and accept insurance certificate.

SOUTHWEST REGIONAL WASTEWATER TREATMENT PLANT

1. **R-00-159** A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, MANATEE COUNTY, FLORIDA, TENTATIVELY AWARDING CONSTRUCTION CONTRACT FOR THE EPA SPECIAL WATER INFRASTRUCTURE PROJECT SUBJECT TO REGULATORY APPROVAL (EPA ASSISTANCE ID XP994692-95-1, MANATEE COUNTY BID 99-4318MP); RECORD S47-1795
2. Award bid 99-4318MP, **Reclaimed Water Aquifer Storage and Recovery Well** to the lowest responsive, responsible bidder meeting specifications, Youngquist Brothers, Inc., for a total of \$948,400, subject to approval by the United States Environmental Protection Agency Grant Program and Southwest Florida Water Management District New Water Source Initiative Funding Program; and subsequently execute contract, date performance/payment bond and accept insurance certificate.

HOUSING FINANCE AUTHORITY

R-00-162 RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, CONCEPTUALLY APPROVING THE ISSUANCE OF HOUSING FINANCE AUTHORITY OF MANATEE COUNTY, FLORIDA, **SINGLE FAMILY MORTGAGE REVENUE BONDS** IN ONE OR MORE SERIES FOR THE PURPOSE OF IMPLEMENTING ITS 2000 SINGLE FAMILY MORTGAGE REVENUE BOND PROGRAM WITHIN THE MEANING OF MANATEE COUNTY ORDINANCES 79-6 AND 91-40 IN AN AMOUNT NOT TO EXCEED \$25,000,000; AND PROVIDING AN EFFECTIVE DATE. RECORD S47-1796

CITY OF BRADENTON BEACH - KEEP MANATEE BEAUTIFUL

Authorize the City of Bradenton Beach in cooperation with Keep Manatee Beautiful, to plant and maintain trees at **Coquina and Cortez Beaches** and select beach access points.

CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

Execute FY 1999-00 funding agreement with the Southwest Florida Regional Planning Council for the County share of the program, \$5,000. RECORD S47-1797

SARASOTA BAY NATIONAL ESTUARY PROGRAM

Execute FY 1999-00 funding agreement with the City of Sarasota for the County share of the program, \$50,000. RECORD S47-1798

KINNAN ELEMENTARY SCHOOL

Execute Interlocal Agreement with the School Board of Manatee County for utility improvements to serve the new school area (Prospect Road from Tallevast Road to Whitfield Avenue). RECORD S47-1799

DEEDS AND EASEMENTS

44th Avenue East - Deed to Carl E. and Betty Johnson reconveying right-of-way, from U.S. 41 to 15th Street East (title not clear). RECORD S47-1800

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(Continued)

STREET VACATIONS

1. **R-00-153-V** A RESOLUTION DECLARING A PUBLIC HEARING ON SEPTEMBER 5, 2000, AT 9:00 A.M. OR AS SOON THEREAFTER AS SAME MAY BE HEARD, ON APPLICATION BY WYATT ENTERPRISES, INC. TO VACATE A PORTION OF **TALLEVAST INDUSTRIAL PARK** (20-FOOT PRIVATE DRAINAGE EASEMENT AND PART OF DRAINAGE AND UTILITY EASEMENT ON TRACT 8).
RECORD S47-1801
2. **R-00-128-V** A RESOLUTION DECLARING A PUBLIC HEARING ON SEPTEMBER 5, 2000, AT 9:00 A.M. OR AS SOON THEREAFTER AS SAME MAY BE HEARD, ON APPLICATION BY THE SALVATION ARMY, INC. TO VACATE THE PLAT OF **BONNIE BRAE SUBDIVISION**.
RECORD S47-1802

RYE ROAD BRIDGE

Contract for Sale and Purchase for a Warranty Deed from Loving Hands Ministries, Inc. for right-of-way (Parcel 105), \$191.

RECORD S47-1803

(Enter Ms. Brown)

ZONING

Public hearing (continued from June 27, 2000) was opened to consider

PDR-99-19(Z)(P) PALMETTO RETIREMENT VILLAGE, PHASE II

(CONTINUED TO DATE UNCERTAIN; TO BE READVERTISED)

ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE OFFICIAL ZONING ATLAS OF MANATEE COUNTY (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 **PDR**; AND A PRELIMINARY SITE PLAN FOR EIGHT MULTIFAMILY RESIDENTIAL UNITS AND TWO EXISTING SINGLE-FAMILY RESIDENCES ON 1.59 ACRES LOCATED ON THE NORTH SIDE OF EXPERIMENTAL FARM ROAD (49TH STREET EAST), BETWEEN U.S. 41 AND U.S. 19 AT 316 49TH STREET EAST, PALMETTO.

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* on 7/14/00) was opened to consider

PDR-00-07(Z)(G) GOLD TREE COMMUNITIES

(CONTINUED TO 8/22/00 AT 9:00 A.M.)

ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM **RSMH 4.5** TO **PDR** RETAINING THE **WP/E** AND **ST OVERLAY DISTRICTS**; PROVIDING AN EFFECTIVE DATE; AND GENERAL DEVELOPMENT PLAN FOR 214 SINGLE-FAMILY LOTS AT A GROSS DENSITY OF 3.08 DWELLING UNITS PER ACRE ON 69.45 ACRES LOCATED SOUTH OF GOLD TREE MANUFACTURED HOME PARK, 1,300 FEET EAST OF 45TH STREET EAST.

Public hearing (Notices in the *Bradenton Herald* and *Sarasota Herald-Tribune* 7/14/00) was held to consider

Z-00-02 SCHROEDER-MANATEE RANCH, INC.

(CONTINUED TO 8/22/00; TO BE READVERTISED)

ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM **PDI** TO **A**; PROVIDING AN EFFECTIVE DATE; LOCATED ON 106.61 ACRES ON THE SOUTH SIDE OF S.R. 64 EAST, 1,400 FEET WEST OF LAKEWOOD RANCH BOULEVARD.

COMPREHENSIVE PLAN AMENDMENTS

Public hearings (Notices in the *Bradenton Herald* and the *Sarasota Herald-Tribune* 7/14/00) were held to consider

ORDINANCE 00-34 - CORTEZ SCHOOLHOUSE AND NATURE PRESERVE

(APPROVED TRANSMITTAL TO DEPARTMENT OF COMMUNITY AFFAIRS [DCA])

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING THE MANATEE COUNTY COMPREHENSIVE PLAN (ORDINANCE 89-01, AS AMENDED), PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP (MAP 19) FROM **RES-6** TO **R/OS** FOR CERTAIN LAND LOCATED AT 4415 119TH STREET WEST, CORTEZ, CONSISTING OF 3.95 ACRES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-00-11 - Property Owner: Manatee County)

Planning Commission recommended ADOPTION.

ORDINANCE 00-41 - CAPITAL IMPROVEMENT ELEMENT

(APPROVED TRANSMITTAL TO DCA)

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AN AMENDMENT DELETING FISCAL YEAR 2000 AND APPLICABLE DATA, AND ADDING FISCAL YEAR 2005 AND APPLICABLE DATA TO TABLES 10-1, 10-2, 10-3, AND 10-4 OF THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR AN AMENDMENT TO TABLE 10-1, SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS, FY 2000-2004, INVOLVING REVISIONS TO SCOPE, FORMAT, TIME FRAME, COSTS, FUNDING SOURCES, AND CONTENT TO TRANSPORTATION PROJECTS, DRAINAGE PROJECTS, PARKS PROJECTS, SANITARY SEWER PROJECTS, SOLID WASTE PROJECTS, POTABLE WATER PROJECTS, AND MASS TRANSIT PROJECTS; PROVIDING FOR COUNTERPART AMENDMENTS TO TABLE 10-2, GENERAL GOVERNMENT FUNDING OF CAPITAL IMPROVEMENTS, FY 2000-2004; TABLE 10-3, ENTERPRISE OPERATIONS FUNDING OF CAPITAL IMPROVEMENTS, FY 2000-2004; TABLE 10-4, SUMMARY OF REVENUE AND EXPENDITURES FOR CAPITAL PROJECTS, FY 2000-2004; PROVIDING FOR THE AMENDMENT OF RELATED INFORMATION NECESSARY TO IMPLEMENT THE CHANGES TO THE CAPITAL IMPROVEMENTS SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-00-14 - Text and Table Amendments)

Planning Commission recommended ADOPTION.

ORDINANCE 00-36 - URBAN INFILL AND REDEVELOPMENT AREA

(APPROVED TRANSMITTAL TO DCA)

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AN AMENDMENT TO THE FUTURE LAND USE MAP SERIES OF THE MANATEE COUNTY COMPREHENSIVE PLAN TO ADD THE PALMETTO/NORTH COUNTY ENTERPRISE ZONE AS THE URBAN INFILL AND REDEVELOPMENT AREA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-00-12 - PALMETTO/NORTH MANATEE COUNTY ENTERPRISE ZONE)

Planning Commission recommended ADOPTION.

ORDINANCE 00-39 - NO PARKING

Public hearing (Notice in the Bradenton Herald 7/14/00) was held to consider

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, AMENDING ORDINANCE 98-30; TO RESCIND PARKING RESTRICTIONS ON 18TH STREET EAST; AMENDING ORDINANCE 98-11; REGULATING THE STOPPING, STANDING OR PARKING OF MOTOR VEHICLES ON 16TH AVENUE EAST/CANAL ROAD (PALMETTO), 17TH STREET EAST/MEMPHIS ROAD (PALMETTO), 75TH STREET WEST, 82ND STREET EAST (PARRISH), AND MANGROVE POINT ROAD; ALL BEING COUNTY MAINTAINED STREETS LOCATED WITHIN THE UNINCORPORATED AREA OF MANATEE COUNTY, FLORIDA; REQUIRING THE ERECTION OF APPROPRIATE SIGNS; PROVIDING FOR VIOLATIONS AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE. RECORD S47-1804

Motion was made by Mr. Bruce, seconded by Mr. Harris, and carried 7 to 0, to approve the Consent Agenda dated July 25, 2000, incorporating the language as stated in the recommended motions in the staff reports and agenda memoranda with the deletion of Comprehensive Plan Amendment Ordinance 00-37, Accessory Lodging (separate action).

(End Consent Agenda)

BUILDING PERMITS

William Wheeler requested no building permits be required if replacing air conditioners or water heaters, when no improvements are made.

ZONING

Public hearing (Notices in the Bradenton Herald and Sarasota Herald-Tribune 7/14/00) was held to consider

PDPI-96-02(G)(R) SCHOOL BOARD OF MANATEE COUNTY, MANATEE COUNTY, AND MANATEE TECHNICAL INSTITUTE

Request: Revised General Development Plan to allow a 50,000-square-foot classroom building (school of special education) on 237.03 acres located 980 feet north of S.R. 70, 3.68 miles south of S.R. 64, on the west side of Lakewood Ranch Boulevard at 5500 Lakewood Ranch Boulevard.

Planning Commission recommended approval with 15 Stipulations;

Staff recommended 17 Stipulations

GRANT Special Approval for: (1) a project located within the Watershed Overlay District; and (2) a nonresidential project exceeding 30,000 square feet of gross building area located within the RES-1 Future Land Use Category (FLUC). RECORD S47-1805

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(Continued)

Lisa Barrett, Planning Department, outlined the request, locational information, and land use characteristics noting the site is east of the existing Lakewood Ranch High School and south of the County park.

Betsy Benac, representing the applicant, agreed to the Stipulations. She responded to questions regarding traffic issues.

Discussion: Student drop-off area insufficient at Lakewood Ranch High School; turn lanes; vehicles stacking on Lakewood Ranch Boulevard; better evaluation when school opens; extending road north of park to access student parking lot; discussions ongoing with the County, Schroeder-Manatee Ranch, and the School Board; revising Stipulation 17 to require traffic plan immediately to improve drop-off circulation; staff to facilitate plan; including Sheriff in discussions; etc.

William Wheeler recommended that a video be taken from a helicopter to view the traffic problems after school opens.

Based upon the staff report, evidence presented, comments made at the public hearing, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code as conditioned herein, Mrs. Glass moved to adopt the revised General Development Plan [PDPI-96-02(G)(R)] with Stipulations 1 through 17 (including a report on Stipulation 17); and GRANT Special Approval for: (1) a project located within the Watershed Overlay District; and (2) for a nonresidential project exceeding 30,000 square feet of gross building area located within the RES-1 FLUC. Motion was seconded by Mr. McClash and carried 7 to 0. RECORD S47-1806

Public hearing (Notices in the *Bradenton Herald* and *Sarasota Herald-Tribune* 7/14/00) was held to consider

PDR/PDC-00-02(Z)(G) MABEL NG

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** TO **PDR** AND **PDC**; PROVIDING AN EFFECTIVE DATE; AND A GENERAL DEVELOPMENT PLAN TO ALLOW 119,600 SQUARE FEET OF COMMERCIAL DEVELOPMENT, 180 MULTIFAMILY UNITS, AND 268 SINGLE-FAMILY LOTS ON 178.7 ACRES LOCATED SOUTH OF U.S. 301 NORTH ALONG CHIN ROAD ON BOTH SIDES OF CHIN ROAD, BETWEEN U.S. 301 AND OLD TAMPA ROAD.

Planning Commission recommended APPROVAL of Phases I and II only with 14 Stipulations;

GRANTING Special Approval for (1) a project exceeding a gross density of 1 du/per acre or net density of 3 du/per acre in the UF-3 Future Land Use Category; and (2) a project exceeding a gross density of 2 du/per acre or net density of 3 du/per acre in the RES-3 Future Land Use Category. RECORD S47-1807

Erika Barrett, Planning Department, referred to an aerial, a site plan and a zoning map to review the surrounding land uses. She advised that the applicant reduced the commercial square footage to 105,000. The applicant proposes Phase I with 142 single-family lots; Phase II with 126 lots, and Phase III with commercial development (12.2 acres) and multifamily or residential care uses with a maximum of 180 dwelling units or equivalent group care residents (26.4 acres). She noted concerns of commercial development adjacent to the single-family home at U.S. 301 and Chin Road; timing inappropriate for the scale of commercial; and of agricultural uses adjacent to residential.

(Depart Mr. Stephens; Ms. Brown presiding)

Discussion: Other multifamily units planned for area; nearest commercial at Old Tampa Road and U.S. 301; etc.

Mark Barnebey, attorney representing the developer, J & H Development, Inc., submitted a site plan stating this is a mixed-use project with commercial development at a commercial node, and a residential, gated community with a community center and tot lot. The project is sensitive to the environment, including significant open space, and will serve as an infill between the manufactured homes to the north, residential to the east and south, and non-residential to the west.

Mr. Barnebey referred to recommended changes to Stipulations: (1) the residential area south of the commercial node be limited to a maximum of 3 dwelling units per acre and limited to single-family attached or detached units with the alternative of residential care facility and nursing home option of a maximum of 150 units (**Stipulation 1**); (2) the commercial development shall not exceed 105,000 square feet (**Stipulation 15**); and (3) if the developer elects to have public streets, interneighborhood ties shall be provided to properties north and east (**Stipulation 12**).

Robert Pergolizzi, Florida Design Consultants, referred to surrounding commercial development and stated the need for a well-planned and coordinated project to accommodate a large food store. He stated that the single-family home at the intersection of U.S. 301 and Chin Road is out of character and referred to buffers and the site plan.

Jack Imperatore, proposed developer, outlined the benefits of an integrated project rather than a "strip" shopping center.

Mr. Barnebey had no objection to Stipulations 2 through 11, 13, 14; submitted revised Stipulations 1 and 12; added 15-18 (proposed to the Planning Commission by staff); and a revised motion. RECORD S47-1808

Discussion: Building height; sidewalks on Old Tampa Road; road improvements and signalization; water allowance; drainage; density of multifamily portion; clarifying **Stipulation 1** to state 79 units or a maximum of 150 beds; etc.

Jerome Gostkowski, Planning Department, addressed the Level of Service on Chin Road and U.S. 301 noting the need for an additional access west and intersection improvements. He stated that additional improvements may be necessary at the south end of Chin Road at Old Tampa Road.

Gregory Porges, attorney representing the Duke Family Ranch Ltd., adjacent property owners, supported the project with the changes regarding the commercial and multifamily aspects.

Ms. Barrett submitted two photographs of Old Tampa Road and Chin Road. She stated concerns with no General Development Plan for the commercial and multifamily, and the elimination of interneighborhood ties. She approved of the 79 units (**Stipulation 1**) unless the wetlands exceed 20 percent of the site, and recommended that only the rezone be approved (Phase III) so a plan would be brought back.

Mr. Barnebey responded that the design of Phase III would be similar to Phases I and II. He conceptually approved the additional conditions and stated that residents in the care facility would be limited to 150.

Recess/Reconvene. All members present.

Carole Clarke, Planning Director, and Jeffrey Steinsnyder, Assistant County Attorney, amended the following Stipulations:

1. The density for the residential development on the property west of Chin Road shall not exceed 3 du/acre; such residential development shall be limited to a maximum of 79 units, either single-family detached, single-family attached, or single-family semi-detached, provided that alternatively, a residential care facility or nursing home with a maximum of 150 residents may be developed on said property west of Chin Road. If developed with single-family units, the single-family units west of Chin Road shall meet the following dimensional criteria:

Single-family detached

Height - 35 feet

Lot Size - 6,000 square-foot minimum

Lot Width - 60 feet

Setbacks: Front 20 feet; Side 7.5, Rear 15

Single-family attached

Height - 35 feet

Lot Size - 3,400 square feet

Lot Width - 34 feet

Setbacks: Front 25 feet; Side 10; Rear 20

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There shall be a maximum of six single-family attached units in a grouping (row of townhouses on individual lots).

Single-family semi-detached shall be consistent with the RDD-3 zoning district generally as described below:

Height - 35 feet

Lot Size - 4,000 square feet

Lot Width - 40 feet

Setbacks: Front 25 feet; Side 10; Rear 20

12. If the Developer elects to have public streets at the time of final subdivision plat, inter-neighborhood ties shall be constructed, and provided to adjacent properties to the north and east for the properties east of Chin Road and to the south and west for the development west of Chin Road.
19. Five-foot sidewalks shall be provided from U.S. 301 to Old Tampa Road along Chin Road and from the western property boundary to Chin Road along U.S. 301; the crossover from the east side of Chin Road to the west side of Chin Road at the property transition as allowable;
20. The developer shall be responsible for the signalization of the intersection of Chin Road and U.S. 301 when it meets warrants;
21. The stormwater system shall be designed to reduce the post-development discharge rate to 50 percent of the pre-development discharge rate with a 25-year, 24-hour storm, if determined by the stormwater manager that the property drains to Slaughter Canal or the unnamed tributary that flows through River Wood and River Wilderness
22. The following commercial design standards shall apply:
 - a. The sides of the building of the main shopping center visible from U.S. 301 or Chin Road and adjacent properties shall have minimal blank wall space in order to ensure that the buildings do not project a massive blank wall, design elements, including prominently visible architectural details, e.g. bumpouts, reveals and projecting ribs, cornices, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc., shall be integrated into the overall design of the buildings. Blank walls shall be no longer than 40 feet in length or 20 feet in height for the main shopping center. Building elevations shall be submitted with future plan submittals.
 - b. All architectural façades of the outparcels shall be considered primary façades and shall employ architectural site and landscaping design elements, which are integrated with and common to those used on the primary structure in the development.
 - c. Drive-through windows for the outparcels shall incorporate coverings for service windows that are structurally and architecturally integrated into the design of the buildings.
 - d. Bicycle parking facilities with the inverted "U" style rack shall be provided for each individual site. These facilities shall be available at all structures in the development and be conveniently located to the entrances of the primary structures and in clear view of the main entries.
23. All deliveries and truck loading and unloading on the south side of the main building shall be prohibited between the hours of 10 p.m. and 7 a.m., and there shall be no commercial vehicle parking between the rear of the shopping center and the south of the property between 10 p.m. and 7 a.m.

Based upon the staff report, evidence presented, comments made at the public hearing, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, Mrs. Stein moved to adopt Manatee County Zoning Ordinance **PDR/PDC-00-02(Z)(G)**; and approve the General Development Plan with Stipulation 1, as revised at this hearing; Stipulations 2 through 11 (staff); 12, as revised at this hearing; 13-14 (staff); 15 through 18 (applicant); 19 through 23 (as read into the record by staff); GRANTING Special Approval for (1) a project exceeding a gross density of 1 du/acre or net density of 3 du/acre in the UF-3 Future Land Use Category; (2) a project exceeding a gross density of 2 du/acre or net density of 3 du/acre in the RES-3 Future Land Use Category; and (3) a project exceeding 30,000 square feet of non-residential gross floor area and finding that the commercial development, as proposed, complies with Objectives 2.6.1 and 2.10.4 of the Manatee County Comprehensive Plan. Motion was seconded by Mr. Bruce.

Ms. Clarke requested revision of **Stipulation 22** to include

- e. In order to ensure that the outparcels do not project a massive blank wall, design elements including prominently visible architectural details (e.g. bumpouts, reveals and projecting ribs, cornices, offset building planes, windows, shutters, areas of contrasting or different finish building materials, etc.) shall be integrated into the overall design of the buildings. Blank walls shall be no longer than 20 feet in length in any direction for the outparcels. Elevations shall be provided with future plan submittals.

Upon concurrence to include 22.e., the motion carried 7 to 0.

RECORD 847-1809

Public hearing (Notices in the *Bradenton Herald* and *Sarasota Herald-Tribune* 7/14/00) was held to consider

PDMU-00-01(Z)(G) LRB64, LLC/SCHROEDER MANATEE RANCH, INC./
LAKEWOOD RANCH COMMERCE PARK

ZONING ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR THE REZONING OF CERTAIN LAND FROM **PDI, LM, AND A** TO **PDMU**; PROVIDING AN EFFECTIVE DATE; AND A GENERAL DEVELOPMENT PLAN TO ALLOW AN INDUSTRIAL AND OFFICE SUBDIVISION (MAXIMUM 40,000 SQUARE FEET OF OFFICE, A MAXIMUM OF 360,000 SQUARE FEET OF INDUSTRIAL USES), AND A COMMERCIAL SUBDIVISION AND SHOPPING CENTER (MAXIMUM 230,000 SQUARE FEET OF COMMERCIAL DEVELOPMENT) ON 280.61 ACRES LOCATED ON THE SOUTH SIDE OF S.R. 64 AT LAKEWOOD RANCH BOULEVARD. Planning Commission recommended APPROVAL with 12 Stipulations; Staff recommended amended Stipulation 11; GRANTING Special Approval for: (1) a Mixed Use Development, Commercial uses in excess of 3,000 square feet in an IL Future Land Use Category; and (2) Commercial uses in excess of 50,000 square feet.

RECORD 847-1810

Laurie Suess, Planning Department, submitted a revised General Development Plan. She noted a portion of the request is part of the previously-approved Gates Creek Industrial Park.

She referred to the Site Plan and the request: (1) rezone 137.36 acres of the existing Lakewood Ranch Commerce Park, which has Final Site Plan approval, from PDI to PDMU; (2) add 5.75 acres along S.R. 64 to the project boundary and rezone from LM to PDMU; (3) add 137.5 acres south of the current Commerce Park boundaries and rezone from A to PDMU. She noted that a request is forthcoming to rezone a portion of the existing commerce park, 106.61 acres, east of Gates Creek from A to PDMU.

Ms. Suess stated there are potential issues with DRI thresholds for industrial uses and a multi-use project, which are addressed in Stipulation 11. She reviewed the site plan and a modified parking/center drive aisle plan prepared by the applicant.

Robert Lombardo, engineer representing the applicant, stated that the project would add commercial zoning to meet demands in the area.

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(Continued)

Discussions: Wetland encroachment at road on the east side connecting to SR 64; FDOT requiring road/driveway; quality of wetland/mitigation; better mix of land uses; saves car trips.

Based upon the staff report, evidence presented, comments made at the public hearing, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, Mr. Bruce moved to adopt Manatee County Zoning Ordinance **PDMU-00-01(Z)(G)**; and approve the General Development Plan with Stipulations 1 through 10, 11 (revised by staff), and 12; GRANTING Special Approval for a mixed use development, commercial uses in excess of 3,000 square feet in an IL Future Land Use Category; and commercial uses in excess of 50,000 square feet. Motion was seconded by Mr. Harris and carried 7 to 0. RECORD S47-1811

COMPREHENSIVE PLAN AMENDMENTS

Public hearing (Notices in the Bradenton Herald and Sarasota Herald-Tribune 7/14/00) was held to consider

ORDINANCE 00-33 - PORT MANATEE

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA, AMENDING MANATEE COUNTY COMPREHENSIVE PLAN (ORDINANCE 89-01, AS AMENDED); PROVIDING FOR TEXT AMENDMENTS TO THE PORT MASTER PLAN IN CHAPTER 4, COASTAL ELEMENT, TO UPDATE OBSOLETE INFORMATION REGARDING FACILITIES, SHIPPING, AND DREDGING; ELIMINATING UNNECESSARY CARGO INFORMATION; AND ADDING MORE INFORMATION REGARDING THE HENDRY TRACT ADDITION TO THE PORT; PROVIDING INFORMATION REGARDING THE FPL AND PINEY POINT TRACT ADDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-00-10 - Text Amendments)

Planning Commission recommended ADOPTION.

Ms. Suess recommended that the **Coastal Element**, Item 3, Section 1.6 **Emergency Preparedness**, Item 13, Section 2.1.1.8 (dredge disposal), and Item 24, Section 3.10 **Environmental Monitoring Program**, not be eliminated from the plan.

Ken Scarborough, Port Manatee, agreed with the recommendations.

Based upon the evidence presented, 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 Manatee County Comprehensive Plan, Mr. Harris moved to transmit Manatee County Ordinance **00-33** (Plan Amendment **PA-00-10**) with Items 3, 13, and 24, originally proposed for deletion, remaining in the Master Plan. Motion was seconded by Ms. Brown and carried 7 to 0.

Public hearing (Notices in the Bradenton Herald and Sarasota Herald Tribune 7/14/00) was held to consider

ORDINANCE 00-18 - NEOTRADITIONAL NEIGHBORHOOD DEVELOPMENT

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE AND TRANSIT ELEMENTS OF THE MANATEE COUNTY COMPREHENSIVE PLAN TO ALLOW FOR NEOTRADITIONAL DEVELOPMENT PROJECTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(PA-00-03 - Text Amendments)

Planning Commission recommended ADOPTION.

Kathleen Thompson, Planning Department, described a neotraditional neighborhood, which includes a mix of retail, office, civic buildings, churches, libraries, and recreational uses with a large spectrum of housing options and densities. Alleyways are common, streets are narrow and arranged in a grid pattern with strong pedestrian ties. Residential units are typically built on smaller lots with reduced setbacks to promote neighborliness and socializing. Garages and parking lots are at the rear to downplay the visibility of cars.

She stated that criteria would be changed to allow commercial development internal to a project. She displayed a neotraditional site plan, which requires access on a collector or higher road.

Discussion: Allowable commercial uses; number of units allowed; accesses; freight/service trucks being able to turn around; density of 3 du/acre or higher; whether neotraditional is a planned development or zoning district; current problem with neotraditional is locational criteria; public awareness of the criteria; etc.

William Wheeler, Briarwood Homeowners Association, favored the concept and recommended a stand-alone classification; however, opposed interneighborhood connections.

(Depart Ms. Brown)

Also speaking in favor of the concept were **Lawrence Page** and **Leslie Bass** referring to safety and closeness within a community.

Based upon the evidence presented, 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 Manatee County Comprehensive Plan, Mr. Harris moved to transmit Manatee County Ordinance **00-18** (Plan Amendment **PA-00-03**). Motion was seconded by Mr. Bruce and carried 6 to 0.

Recess/Reconvene. All members present, except Mrs. Glass.

EMERGENCY SHELTERS

Jim Seuffert, Financial Management Director, reported that Moody Elementary, equipped with a 1,250 KW generator, is recommended as the emergency shelter/special needs center for this year and requested approval of:

1. Funds from Reserve for Contingency to reserve an emergency generator for the special needs shelter (\$36,015 which includes one week of use; cost would be \$20,930 if generator not used) and to conduct five shelter evaluations (\$8,500).
2. Budget Amendment
PUBLIC SAFETY B-00-031
Transfer of Funds; Unanticipated Revenue Appropriations
Supporting Description and Detail Attached RECORD S47-1812
3. **Diesel Generator** - Reserve a 1,250 KW generator from Aggreko for \$20,930 for June 30 to November 1, 2000, for the designated special needs emergency shelter at Moody Elementary School; and authorization to rent the generator when necessary for \$6,542.50/40 hours per week run time or \$13,085 per week unlimited run time, plus \$2,000 for delivery and pickup, \$36,015 (includes reserve option and one week's rental with unlimited run time).

(Enter Mrs. Glass)

He stated that in previous years it has been difficult to find generators in an emergency or hurricane. Approval would assure the equipment and continued maintenance by the vendor until needed.

Motion was made by Ms. Brown and seconded by Mr. McClash to approve the request. Motion carried 7 to 0.

COMPREHENSIVE PLAN AMENDMENTS

Public hearing (Notices in the *Bradenton Herald* and the *Sarasota Herald Tribune* 7/14/00) was held to consider

ORDINANCE 00-37 - ACCESSORY LODGING

ORDINANCE OF THE COUNTY OF MANATEE, FLORIDA...; PROVIDING FOR AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE ELEMENT AND THE DEFINITION SECTION OF THE MANATEE COUNTY COMPREHENSIVE PLAN TO DEFINE AND ALLOW FOR LODGING UNITS ACCESSORY TO ENVIRONMENTAL RESOURCES AND RECREATIONAL USES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

(PA-00-13 - Text Amendments)

Planning Commission recommended ADOPTION.

Michael Woods, Planning Department, responded to concerns the amendment could allow a lodge-type motel and restaurant accessory to a ecotourism area, stating amended language for the definition "shall only be allowed within large projects and DRI's."

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(Continued)

Based upon the evidence presented, 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 Manatee County Comprehensive Plan, Mrs. Stein moved to transmit Manatee County Ordinance 00-37 (Plan Amendment PA-00-13) with the amendment as recommended by staff. Motion was seconded by Mr. McClash and carried 7 to 0.

COMMISSIONER'S COMMENTS

Lakewood Ranch Boulevard - Mr. Bruce requested that the traffic issue at Lakewood Ranch High School (addressed earlier in the meeting) be brought back before school opens.

Myakka Park - Mr. Bruce recommended that staff report back regarding property adjacent to the Park for a potential soccer field.

Metropolitan Planning Organization - Mr. McClash submitted a report from the MPO Ad Hoc Committee meeting (7/10/00) addressing priority projects in the 5-year plan through year 2011.

He also reported that staff has been advised of transportation grant funds from the 2000 legislative session (application due 9/1/00), which could be used for improvements to 43rd and 51st Street intersections at 53 Avenue West and Lockwood Ridge Road.

Water Restriction Rules - Mr. McClash questioned the difference in County water restrictions and those of counties to the north regulated by SWFWMD since the County has a large supply of water. He requested that staff report back how the County handles draught conditions and suggested that rebates or credits for conservation efforts be allowed.

Emergency Shelters - Mrs. Glass verified that shelters are being evaluated by the State throughout the County.

Canal Road/17th Street East (Palmetto) - Ms. Brown requested signalization at the intersection.

Fee Waiver - Ms. Brown relayed a request from Reverend S. D. Pollard, Mt. Raymond Full Gospel Baptist Church, requesting the application fee to vacate a 40-foot easement be waived.

Disposition: Referred to staff.

Transportation Funding - Mr. Stephens reported there will be new State programs for County transportation projects.

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:



[Signature]
Clerk

[Signature]

Chairman

11/7/00