

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
February 16, 2023**

Meeting video link: <https://www.youtube.com/channel/UCULgjuGhS-qV966RU2Z7AtA>

**Present were:**

Kevin Van Ostenbridge, Chairman  
Vanessa Baugh, First Vice-Chairman  
Mike Rahn, Second Vice-Chairman  
Amanda Ballard, Third Vice-Chairman  
Jason Bearden  
George Kruse  
James A. Satcher, III


**Also present were:**

Courtney De Pol, Development Services Director, Deputy County Administrator  
Rossina Leider, Planning Section Manager  
Sarah Schenk, Chief Assistant County Attorney  
Vicki Tessmer, Board Records Supervisor, Clerk of the Circuit Court

Chairman Van Ostenbridge called the meeting to order at 1:30 p.m.

All witnesses and staff giving testimony were duly sworn.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

 The Invocation was delivered by Pastor Andrew Mikhov, New Generation Church, followed by the Pledge of Allegiance led by Commissioner Rahn.

**AGENDA**

**Agenda Update Memorandum**


BC20230216DOC001


BC20230216DOC002


- Citizen Comments (Future Agenda Items) - Public Comments attached
- Item 10 - LDCT-22-08/Ordinance 23-14 fka 22-65 – County Initiated Land Development Code Text Amendment / Section 531.1, Agricultural Uses – Pot Belly Pigs, Public Comment attached
- Item 13 - LDA-22-01 – Local Development Agreement for Lake Flores - Item moved to Presentation Scheduled, Updated Agreement and Exhibits attached
- Item 14 - PDMU-09-04(G)(R)/SR 62 RV Park/River Woods LLC (Owner) - Item to be moved to Presentations Scheduled, Updates from the Planning Commission with revised Alternative Motion for approval, Public Comments, a revised Specific Approval Request Letter, a revised General Development Plan, a Schedule of Permitted and Prohibited Uses as voluntarily proffered by the applicant, revised Staff Report with changes highlighted, and a revised Ordinance in strikethrough/underline are attached
- Item 15 - PDR-22-10(Z)(G)/Gagne General Development Plan with Rezone/Robert H. Gagne Revocable Trust 2008 and CSR Acquisition Company 1, LLC - Item to be moved to Presentations Scheduled, Updates from Planning Commission with revised Alternative Motion for approval, and Public Comments attached
- Item 16 - Ordinance 23-35 (f/k/a 19-13)/Tara DRI 11 - Item moved to Presentations Upon Request, Updates from Planning Commission with revised Alternative Motion for approval, and Public Comments attached
- Item 17 - PDR/PDC-96-03(G)(R12)/Tara Manatee, Inc. - Item moved to Presentations Upon Request, revised Ordinance in strikethrough/underline format with changes highlighted, Updates from Planning Commission with revised Alternative Motion for approval, and Public Comments attached.

- Item 18 - PDMU/PDR-23-01(P)/Legends Cove Preliminary Site Plan (fka Sarabay)/Palmetto Town Centre, LLC – Item moved to Presentations Upon Request portion of the agenda – Updates from the Planning Commission attached with revised Alternative Motion for approval.
- Item 19 - PDR-18-27(P)(R)/Whitfield Preserve - Revised Staff Report and Ordinance to correct Specific Approval number, revised Stipulation F.1 and alternative motion in strikethrough/underline format, and updates from Planning Commission with revised Alternative Motion for approval, Public Comments attached
- Item 20 - PA 22-06/Ordinance 23-28 (fka 22-48)/East River Ranch Transportation Element Comprehensive Plan Text Amendment and Map Series Update - Public Comments, Neighborhood Meeting Summary, Revised Transmittal Letters in strikethrough/underline format and Updates from the Planning Commission with revised Alternative Motion for transmittal attached
- Item 21 - PA-22-10/Ordinance 23-27 (fka 22-73)/East River Ranch Large-Scale Comprehensive Plan Map Amendment - Public Comments, Neighborhood Meeting Summary, Revised Transmittal Letters in strikethrough/underline format and Updates from the Planning Commission with revised Alternative Motion for transmittal attached

**Announcements, Review from Tuesday**


 Chairman Van Ostenbridge noted there were discussions from Tuesday, including two options for the County day care center. The Board gave direction to staff to keep the scope of the Bishop Animal Shelter to \$8 million, and there will be a work session on the parking garage.

 Commissioner Kruse stated part of the commitment to the hotel operator at the Convention Center was that the Convention Center renovation would be complete at the same time the hotel is finished. The Beach Market should be reinstated and not run by government. As to Dream Oaks, the \$1 million is for deferred maintenance and Code issues on site. The money will be spent no matter who uses the facility. The \$10 million for Tunnel to Towers was not for the project, but was to move Utilities operations, and the Musgrave property was purchased as a location for Utilities. It is imperative to verify the funding for Bishop, these are items that the former Administrator moved forward without the Board's approval, and they can revisit items later if need be.


 Commissioner Baugh clarified the original request on the Convention Center was \$17.2 million, but they bonded \$23 million.

1. **CITIZEN COMMENTS** (Future Agenda Items)

BC20230216DOC003


 Captain Thomas Carter submitted a letter and addressed traffic concerns on 73rd Street near Cooper Creek (roundabout).


BC20230216DOC004

 Mark Vanderee asked for clarification when individuals can be allowed to speak for 10 minutes and displayed a map of Waterline Road.


BC20230216DOC005


 Joseph Figuella expressed concern with development and a petition for Trees Direct LLC.


 Sarah Schenk, Assistant County Attorney clarified the applicant had a pre-application meeting and will have a quasi-judicial item in the future.


 Discussion ensued that quasi-judicial items are presented to the Planning Commission and the Board of County of Commissioners and citizens have the ability to speak.

 Cherry Couch, Oakley Place Board of Directors, attempted to speak on a future quasi-judicial item.


 Ida Fiorella questioned how residents find out about land use projects that may affect the community.


 Andra Griffin addressed roundabouts being built where they are not needed, and cautioned the Board against installing too many.

 Carla Tralick questioned when the UF-3 Future Land Use category was created, and expressed concern for effects to her property due to future development.  
(Depart Chairman Van Ostenbridge)

 Carol Felts stressed the importance of listening to citizens, and read a letter from Operation Eco-Vets, having a home on a piece of property to farm. She encouraged the Board to have a rural citizen advisory committee.

BC20230216DOC006

 Mimi Swan addressed experiences her family witnessed living downtown, and stressed the importance of the quality of life for residents in east County.

 There being no further public comment, First Vice Chairman Baugh closed citizen comments.

## **CONSENT AGENDA**

**Citizen Comments** (Consent Agenda Items)  
(Enter Chairman Van Ostenbridge)

There being no citizen comments, Chairman Van Ostenbridge closed citizen comments.

A motion was made by Commissioner Satcher, seconded by Commissioner Ballard and carried 7-0, to approve the Consent Agenda with the changes incorporated in the Agenda Update Memorandum.

### **2. DEVELOPMENT SERVICES/RESOLUTION**

Adopted Resolution R-23-013, Budgeting and Appropriating legally available funds for Gap Loan to HTG Astoria, LTD., in the amount of \$1,200,000, approving and authorizing Loan documents consistent with Board approved Amended Loan Term Letter dated September 22, 2022

BC20230216DOC007

### **3. DEVELOPMENT SERVICES/AGREEMENT**

Executed Gap Loan Agreements with HTG Astoria LLC and HTG Astoria, Ltd., for Astoria on 9th (the Project), a 120-unit Senior Multi-family affordable housing development located at about 2116 9th Street West, Bradenton, in the principal amount of \$1,200,000

BC20230216DOC008

### **4. DEVELOPMENT SERVICES/FINAL PLAT/JACKSON CROSSING PHASE II**

- Executed and authorized recording of final plat
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements Jackson Crossing, Phase II

- Authorized the County Administrator to accept, execute, Surety Bond for Performance of Required Private Improvements, Jackson Crossing Phase II, Surety Bond 47SUR300210410484, \$698,500.40;
- Authorized the County Administrator to accept, execute, Surety Bond for Performance of Required Private Improvements, Jackson Crossing Phase II, Surety Bond 47SUR300214010503, \$228,686.25;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements Jackson Crossing, Phase II
- Authorized the County Administrator to accept, execute, Surety Bond for Performance of Required Private Improvements, Jackson Crossing Phase II, Surety Bond 47SUR300214010486, \$3,751,785.18; and
- Authorized the County Administrator to accept, execute, Surety Bond for Performance of Required Private Improvements, Jackson Crossing Phase II, Surety Bond 47SUR300210410485, \$95,888

BC20230216DOC009

(End Consent Agenda)


**PUBLIC HEARINGS** (Presentations upon Request)

**Item 5 – 10** – One reading and motion

There being no public comment, Chairman Van Ostenbridge closed public comment.

A motion was made by Commissioner Rahn, seconded by Commissioner Ballard, and carried 7-0, to adopt the Ordinances for Items 5-10 (see below).

**5. DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**

 A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22-03/Ordinance 23-13 fka 22-33 County Initiated Land Development Code Text Amendment Chapter 2, Definitions, Manufactured Building and Use, Accessory. The Planning Commission recommended adoption.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for LDC Text Amendments in Section 341 of the Land Development Code, Manatee County Ordinance 22-33, LDCT-22-03, amending the Manatee County Land Development Code, as recommended by the Planning Commission was adopted.

BC20230216DOC010

**6. DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**

A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22-04/Ordinance 23-25 fka 22-52 County Initiated Land Development Code Text Amendment Maintenance within Wetland Buffers. The Planning Commission recommended adoption.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for Land Development Code Text Amendments in Section 341 of the Land Development Code, as conditioned herein, Manatee County Ordinance 22-52, LDCT-22-04, amending the Manatee County Land Development Code, as recommended by the Planning Commission was adopted.

BC20230216DOC011

**7. DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**

A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22-09/Ordinance 23-15 fka 22-66 County-Initiated Land Development Code Text Amendment General Clean-Up and Business Process Improvements. The Planning Commission recommended adoption.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for LDC Text Amendments in Section 341 of the Land Development Code, as conditioned herein, Manatee County Ordinance 22-66/LDCT-22-09, as recommended by the Planning Commission was adopted.

BC20230216DOC012

8. **DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**

A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22-13/Ordinance 23-17 fka 22-69 County Initiated Land Development Code Text Amendment Building Height Compatibility and Building Orientation. The Planning Commission recommended adoption.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for Land Development Code Text Amendments in Section 341, Manatee County Ordinance 22-69, LDCT-22-13, amending the Manatee County Land Development Code, as recommended by the Planning Commission was adopted.

BC20230216DOC013

9. **DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**

A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22-17/Ordinance 23-18 fka 22-74 County Initiated Land Development Code Text Amendment Calculating Density and Intensity on Mixed-Use Projects at Activity Nodes and along Urban Corridors. The Planning Commission recommended adoption.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for Land Development Code Text Amendments in Section 341 Manatee County Ordinance 22-74, LDCT-22-17, amending the Manatee County Land Development Code, as recommended by the Planning Commission was adopted.

BC20230216DOC014


10 **DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**

A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22- 22-08/Ordinance 23-14 fka 22-65 – County Initiated Land Development Code Text Amendment / Section 531.1, Agricultural Uses – Pot Belly Pigs. The Planning Commission recommended adoption.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for LDC Text Amendments in Section 341 of the Land Development Code, as conditioned herein, Manatee County Ordinance 22-65, LDCT-22-08, amending the Manatee County Land Development Code, as recommended by the Planning Commission was adopted.

BC20230216DOC015

11. **DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE**


 A duly advertised public hearing was held to consider adoption of proposed Land Development Code Text Amendment LDCT-22- 07/Ordinance 23-16 fka 22-54 County Initiated Land Development Code Text Amendment Acute Care Medical Facilities and Assisted Living Facility. The Planning Commission recommended adoption.

 There being no public comment, Chairman Van Ostenbridge closed public comment.

No action necessary. This is the first of two required public hearings; the second hearing is scheduled for March 23, 2023, at 9:00 a.m., or as soon thereafter as same may be heard.

BC20230216DOC016

12. **DEVELOPMENT SERVICES/ZONING ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR-21-25(Z)(P)/Jordan Creek at Manatee/William Monroe Rowlett Academy for the Arts and Communication, Inc. (Owner).

This item was withdrawn by the applicant.

BC20230216DOC017


16. **DEVELOPMENT SERVICES/ORDINANCE**


A duly advertised public hearing was held to consider adoption of proposed Ordinance 23-35 (f/k/a 19-13). The Planning Commission recommended adoption.

and

17. **DEVELOPMENT SERVICES/ZONING ORDINANCE**


A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR/PDC-96-03(G)(R12) – Tara Manatee, Inc. The Planning Commission recommended adoption.

 There were no ex parte communications.

 There being no public comment, Chairman Van Ostenbridge closed public comment.


Commissioner Baugh thanked staff for moving this forward.

**Ordinance 23-35**

 Based upon the staff report, evidence presented, comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, the Manatee County Land Development Code, and Section 380.06, Florida Statutes, subject to the conditions of approval established in the Development Order, Commissioner Baugh moved to approve Ordinance 23-35 (f/k/a 19-13), as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse and carried 7-0.


BC20230216DOC018


**PDR/PDC-96-03(G)(R12)**


 Based upon the staff report, evidence presented, comments made at the public hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan, and the Manatee County Land Development Code, as conditioned herein, Commissioner Baugh moved to recommend adoption of Manatee County Zoning Ordinance PDR/PDC 96-03(G)(R12) with Stipulations, amending and restating Ordinance PDR/PDC-96-03(G)(R11). The motion was seconded by Commissioner Ballard and carried 7-0.


BC20230216DOC019

18. **DEVELOPMENT SERVICES/ZONING ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDMU/PDR-23-01(P) – Legends Cove Preliminary Site Plan (fka Sarabay) – Palmetto Town Centre, LLC. The Planning Commission recommended adoption.


 There were no ex parte communications.

 Scott Rudacille, Attorney representing the applicant, was available for questions.

 Eric Clopal expressed concern regarding speeding and traffic concerns in the area.




There being no further public comment, Chairman Van Ostenbridge closed public comment.

 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as stipulated herein, Commissioner Rahn moved to adopt Manatee County Zoning Ordinance PDMU/PDR-23-01(P); approve the Preliminary Site Plan with Stipulations 1.a-1.o; 2.a-2.f; 3.a; 4.a-4.c; 5.a-5.d; 6.a; 7.a-7.b; adopt the Findings for Specific Approval; and grant Specific Approval to Land Development Code Section 401.3.E.9 to reduce the required waterfront yard setback from 30 feet to 15 feet for Buildings 10-15 located on the Northern Portion of the site (Phase II), as recommended by the Planning Commission. The motion was seconded by Commissioner Baugh and carried 7-0.

BC20230216DOC020


22. **DEVELOPMENT SERVICES/COMPREHENSIVE PLAN AMENDMENT**

 A duly advertised public hearing was held to consider transmittal of proposed Ordinance PA-22-09/Ordinance 23-03 County Initiated Comprehensive Plan Large-Scale Map Amendment Evers Reservoir, Lake Manatee Reservoir, and Peace River Watershed Overlay Districts and Beneficial Reuse Area for the Evers Reservoir Watershed. The Planning Commission recommended transmittal.

and  
23.


**DEVELOPMENT SERVICES/COMPREHENSIVE PLAN AMENDMENT**

A duly advertised public hearing was held to consider transmittal of proposed Ordinance PA-22-11/Ordinance 23-02 County-Initiated Comprehensive Plan Text Amendment Evers Reservoir, Lake Manatee Reservoir, and Peace River Watershed Overlay Districts. The Planning Commission recommended transmittal.

 Judy Rudd expressed concern regarding not knowing what items are about, and concern with the watershed and water quality.


 Kevin Barron questioned what the items entail.

 Mark Vanderee displayed a map and expressed concern with pollution in the water ways.

 Carol Felts expressed concern regarding proper procedures, and the lack of public comment on agenda items.

There being no further public comment, Chairman Van Ostenbridge closed public comment.

**Ordinance 23-03 - Transmittal**

 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and in accordance with the criteria for Comprehensive Plan Large-Scale Map Amendment in Section 340 of the Land Development Code and to the applicable portions of Chapter 163, Part II, Florida Statutes, as conditioned herein, Commissioner Baugh moved to transmit Manatee County Ordinance 23-03, PA-22-09, as recommended by the Planning Commission. The motion was seconded by Commissioner Ballard and carried 7-0.

BC20230216DOC021


**Ordinance 23-02**


Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee

County Comprehensive Plan and in accordance with the criteria for Comprehensive Plan Map Amendments in Section 340 of the Land Development Code and to the applicable portions of Chapter 163, Part II, Florida Statutes, as conditioned herein, Commissioner Baugh moved to transmit Manatee County Ordinance 23-02, PA-22-11, as recommended by the Planning Commission. The motion was seconded by Chairman Van Ostenbridge and carried 7-0.

BC20230216DOC022

24. **DEVELOPMENT SERVICES/LAND DEVELOPMENT CODE AMENDMENT**


 A duly advertised public hearing was held to consider adoption of proposed Land Development Code Amendment LDCT-20-08/Ordinance. 23-01 County Initiated Land Development Code Amendment Evers Reservoir, Lake Manatee Reservoir, and Peace River Watershed Overlay Districts and Beneficial Reuse Area of The Evers Reservoir. The Planning Commission recommended adoption.

 There being no public comment, Chairman Van Ostenbridge closed public comment.

No action necessary. This is the first of two required public hearings. The second public hearing is scheduled for April 20, 2023, at 9:00 a.m., or as soon thereafter as same may be heard.


BC20230216DOC023

25. **DEVELOPMENT SERVICES/PUBLIC HEARING**

 LDCT-20-08/Ordinance 23-01 County-Initiated Land Development Code Amendment Evers Reservoir, Lake Manatee Reservoir, and Peace River Watershed Overlay Districts, and Beneficial Reuse Area of Evers Reservoir

and  
26. **DEVELOPMENT SERVICES/PUBLIC HEARING**  
LDCT-22-07/Ordinance 23-16 (fka Ord. 22-54) County Initiated Land Development Code Text Amendment Acute Care Medical Facilities and Assisted Living Facility

 Andra Griffin asked for clarification.

 Ms. Schenk explained the process to require a motion to hold the second required public hearing prior to 5:00 p.m.


There being no further public comment, Chairman Van Ostenbridge closed public comment.

**Item 25**

A motion was made by Commissioner Baugh, seconded by Commissioner Rahn, and carried 7-0, to hold the second public hearing to adopt proposed Ordinance 23-01 on April 20, 2023, at 9:00 a.m., or as soon thereafter as same may be heard (in lieu of after 5:00 p.m.), pursuant to Section 125.66(4)(b)1. Florida Statutes.

BC20230216DOC024


**Item 26**

 A motion was made by Commissioner Rahn, seconded by Commissioner Baugh, and carried 7-0, to hold the second public hearing to adopt proposed Ordinance 23-16 on March 23, 2023, at 9:00 a.m., or as soon thereafter as same may be heard (in lieu of after 5:00 p.m.), pursuant to Section 125.66(4)(b)1. Florida Statutes.


BC20230216DOC025


**PUBLIC HEARINGS (Presentations Scheduled)**


13. **DEVELOPMENT SERVICES/AGREEMENT**

 A duly advertised public hearing was held to consider LDA-22-01 – Local Development Agreement for Lake Flores.




 Caleb Grimes, Attorney representing the applicant, explained this is a proportionate share agreement in order for this project to meet the Certificate Level of Service (CLOS), so they can move forward and break ground on the project. He provided a history of the approval, and noted this is not like the developments out east, as it has a town center and public roads. There will be a multi-modal routes for all residents from 51st Street West all the way to Cortez Road and into the project, offering other means to travel around. The project is designed with thoroughfares to alleviate traffic on 75th Street. IMG can bring their students into the town center. The Comprehensive Plan amendment was approved years ago, and the GDP approval had design criteria. This development is designed for smart streets and traffic calming, and they are now ready to begin the first phase. There are three separate projects, the first of which is the area west of 75th Street and includes the town center and the lake. They are addressing all of the traffic impacts at this time. They have looked at everything that is needed, and they are going to build the improvements to the thoroughfare system. The new thoroughfares will be built and sufficient to cover the proportionate share and mitigate issues up front. They worked with staff to ensure they have done all they need to do. The agreement also addresses what is impact fee eligible. They worked with staff for years identifying how the area should be developed and widening 75th Street West. The action today is the first hearing, and the adoption hearing is set for February 28th.

 Chairman Van Ostenbridge had discussed the site plan. The Board is working ahead of the plan to address traffic impacts.

 Nicole Knapp noted the applicant provided a thorough presentation.


Erich Kippel expressed concerns regarding traffic on El Conquistador Parkway, and the type of dwellings that will be built.


 Mr. Grimes noted the design of Lake Flores is designed for interconnection, and the multi-modal trail.


No action is required at this public hearing. This is the first of two public hearings; the second public hearing is scheduled for February 28, 2023.


BC20230216DOC026

14. **DEVELOPMENT SERVICES/ZONING ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDMU-09-04(G)(R)/SR 62 RV Park/River Woods LLC (Owner). The Planning Commission recommended adoption.


 There were no ex parte communications.


 Carol Clarke, representing the applicant, used a slide presentation to review the location of the site, current zoning of Planned Development Mixed Uses (PDMU), two parcel, commercial related to RVs, three specific approval requests reducing the roadway buffer from 50 feet to 37.5 feet, perimeter buffer from 75 to 37.5 feet to allow a double loaded roadway with double landscaping, and reduce the front-yard setback on S.R. 62 from 50 to 37.5 feet with a buffer. They agreed to a fence, the types of commercial that can be used on the second parcel, and access points based on Florida Department of Transportation (FDOT) approvals. They are requesting approval.

 Dorothy Rainey, Planner, used a slide presentation to review the request, site information, Future Land Use (FLU) , surrounding uses, site plan, positive aspects, negative aspects, there are no utility connections for the property to use, and mitigating measures including utility


connections from surrounding projects. It is staff's opinion that the project is consistent with the Comprehensive Plan and Land Development Code.


Rick Davis, neighboring property owner to the east and south, expressed concern regarding compatibility, drainage, the number of RV spots, noise, and the possibility of people coming onto their property.

 Carol Felts expressed concern regarding notices to residents, timing for the hearing one week after the Planning Commission, and the condition of S.R. 62.

 Phil Upton opposed the request and expressed concern regarding the discharge from RVs.

There being no further public comment, Chairman Van Ostenbridge closed public comment.

 Ms. Clarke explained the project will connect to the County utility system, and this property requires a 50 percent reduction in the amount of stormwater runoff leaving the site. The water is kept on the property for a longer period of time. The RVs would leave if there was a need for an evacuation. They have agreed to fence in the south and east. Depending on what the Commercial is there may be further fencing. There will be no tent camping on site.

 Discussion ensued regarding up to 12 units per acre, most RV parks are in Palmetto, this is west of the Future Development Area Boundary (FDAB) line, this is a unique project that can be successful in the area, RV uses are passive, and surrounding recreational uses.,

 Mr. Rudacille noted there is no rebuttal.


Based upon the staff report, evidence presented, and comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, Commissioner Kruse moved to approve Manatee County Zoning Ordinance PDMU-09-04(G)(R); approve an amendment to the General Development Plan with Stipulations A.1-A.7; B.1-B.6; C.1-C.2; and D.1; adopt the Findings for Specific Approval; and grant Specific Approval for the following alternatives to Land Development Code Sections: 1) 402.9.D.3.b Required roadway and perimeter buffers (adjacent to residential) for RV Park of 50-feet and 75-feet respectively, to allow a reduction to 37.5-feet for both; and 2) 402.9.D.3.c Required front yard setback of 50-feet with outer 10-feet for plantings to be reduced to 37.5-feet with entire buffer to be for plantings only, as recommended by the Planning Commission. The motion was seconded by Commissioner Rahn and carried 7-0. BC20230216DOC027

**RECESS/RECONVENE:** 3:25 p.m. – 3:36 p.m. All Commissioners were present.


15. **DEVELOPMENT SERVICES/ZONING ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR-22-10(Z)(G)/Gagne General Development Plan with Rezone/Robert H. Gagne Revocable Trust 2008 and CSR Acquisition Company 1, LLC. The Planning Commission recommended adoption.

There were no ex parte communications.

 Kyle Grimes, Attorney representing the applicant, used a slide presentation to review the request, site location, FLU, the GDP, maximum gross density of 2.3 dwelling units per acre,


28.84 acres of wetland will not be impacted, Manatee County utilities will be used, three access locations to S.R. 62 and two neighborhood ties to Cone Ranch and Crosswind Ranch. There is one specific approval request for reducing a buffer from 35 feet to 20 feet that will meet the screening requirements in the event the site borders active agriculture.

 Mr. Grimes responded he is not sure of the distance to the Thundercloud Gun Club.

 Laura Gonzalez, Planner, used a slide presentation to review the request, zoning, surrounding uses, GDP for 288 single family detached units, access points, interneighborhood ties, positive aspects, negative aspects, and mitigating measures. It is staff's opinion that the project meets the requirements of the Comprehensive Plan and Land Development Code.


There being no public comment, Chairman Van Ostenbridge closed public comment.


Mr. Grimes clarified the gun club is 10.5 miles away.


 Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as stipulated herein, Commissioner Satcher moved to adopt Manatee County Zoning Ordinance PDR-22-10(Z)(G); approve the General Development Plan with Stipulations A.1-A.3; B.1-B.6; C.1-C.4; and D.1; adopt the Findings for Specific Approval; and grant Specific Approval to Land Development Code Section 401.3.E.8 to reduce the required yard adjacent to agricultural operations from 35-feet greater than otherwise required by Code to a 20-foot wide screening buffer, as recommended by the Planning Commission. The motion was seconded by Commissioner Bearden and carried 7-0.

BC20230216DOC028

19. **DEVELOPMENT SERVICES/ZONING ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR-18-27(P)(R)/Whitfield Preserve II. The Planning Commission recommended adoption.


 There were no ex parte communications.

 Richard Claybrook, representing the applicant, used a slide presentation to review the request for an affordable housing project, to take advantage of the half-dwelling units to have 192 half-dwelling units, which would equal 96 dwelling units. The FLUC is Res-6 which would allow 121 full dwelling units, or 242 half-dwelling units. They are proposing offering 1.3 parking spaces per unit. He noted a letter from the County regarding affordable housing. There are two specific approval requests (1) proposing and emergency access only onto Persimmon Place and (2) provide relief with at landscaping buffer instead of the required 20 foot buffer. He addressed the site plan, the existing development, stormwater compensation, access, going from two to six buildings, 50 percent reduction in stormwater, provide a sidewalk to Abel Elementary, no additional traffic to the north, the project is adjacent to a public park, the proposed renderings, a neighborhood meeting was held and concerns were expressed regarding affordable housing, traffic, compatibility, fencing to the east and buffers. A traffic study was done and the impacted areas of 9th Street East and 15th Street East the Level of Service would be C and D, and they are below the five percent impact. The increase in units is compliant with the Comprehensive Plan and Land Development Code, and will provide much needed affordable housing.


 Commissioner Kruse spoke to the applicant regarding affordable housing projects.

Mr. Claybrook responded that the distance between the project and residential buildings would be approximately 75-100 feet. They will provide a screening wall and landscaping to Code requirements. Exterior building lighting is proposed rather than parking-lot lighting.


 Greg Fassano stated the rents are fixed by Housing and Urban Development at \$1,295 per month, 60 percent of the Area Median Income (AMI).


 Mr. Claybrook clarified each half unit would have 1.3 parking spots (250 parking spaces proposed). The wall will be located along the north property line, set back 10 feet, and a wall is required abutting residential houses. The walls will be six feet. There is currently no plan to put a wall along the east side of the property. The property owner to the east should put up a wall if there is a danger from nearby manufacturing. There is a deep stormwater pond and a flood plain compensation area between the site and the property to the east. To the south there is an existing ditch. The property to the south and east are light industrial and the proposed access is on the Southwest corner. They will need this approval before they can get the Land Use Restriction Agreement. They plan on using the Livable Manatee program regarding impact fees. The affordable housing designation is for 50 years.

Chairman Van Ostenbridge noted this is not Section 8 housing.


 Ms. Schenk questioned if the renderings are binding.


Mr. Fassano stated the plans are binding, and they have met all County requirements. Everything is designed, but they are waiting on this approval for final drawings.


 Chris Klepek, Planner, used a slide presentation to review the request, half dwelling units, traffic counts are one car per unit, and the code requires one space per dwelling unit, history of the site, surrounding uses, FLUC Res-6, affordable housing incentives, project not in the Whitfield Overlay, building height requirements, 25-foot buffers, and specific approval requests. It is staff's opinion the project meets the Comprehensive Plan and LDC requirements.


 Gary Race, Environmental Planning Manager, stated there is a specific approval request for the lift station, and the buffers will be evaluated at Final Site Plan. Landscaping is required between the site and neighboring industrial uses. Mr. Klepek explained the lighting is a code requirement to be in full compliance with the lighting section of the LDC.


(Depart Commissioner Ballard)


 Ms. Schenk requested a presentation regarding traffic.

 Merih Wahid, Transportation Planning, stated the emergency access is required, but there is a special approval allowance to have one access. At this time there is no traffic study; however, having only one access is better for security. All of the trips would be at one access point.

 Norm Luppino used a slide presentation to express concern regarding the large buildings, traffic, reduced setbacks, the prior approval for an eight-foot wall, line of sight, traffic, and Comprehensive Plan policies regarding urban sprawl.


 Michelle Simmons, Whitfield Manor, expressed concern with the project being three stories, flooding, run-off, the width of the buffer, emergency access and an area people can go in, reduce the size of the project, parking, lack of amenities, potential crime, the lift station, reduced size of fence, inaccessible public hearing notices, the time between public hearings, the request for single story villa living, and incompatibility with neighboring uses.

 Ruth Lawler opposed the request due to the high density, impacts to the neighborhood and Abel Elementary, and lack of amenities.


 Diane Thrope opposed the project due to the safety of children, and impacts to Able Elementary.


Andra Griffin supported the project and stressed the need for affordable housing and that 750 square feet is livable.


Margarite Gafford opposed the project and expressed concern regarding nearby construction and traffic.

 William Thrope opposed the request due to the increased density, traffic, and parking.

There being no further public comment, Chairman Van Ostenbridge closed public comment.

 Discussion ensued regarding the need for affordable housing, they are making the project more affordable to accommodate more people, developer taking advantage of incentives, this fits the budget of many people, 750 feet is a good size apartment, not everything about the project is good, but it is an attempt to solve affordable housing, difficult to find rent of \$1,200 a month today, and cannot be quick to judge the character of potential renters.

 Mr. Klepek addressed that 35 feet is the maximum height available by the code, and the 401.5 requires at least a six-foot wall adjacent to single family residents. The previous eight-foot fence was on an expired plan. The Code requires a 10 percent overage of the maximum required, and for affordable housing a 30 percent overage for parking, but they can allow up to 30 percent additional.

 Mr. Claybrook stated there was no objection to not having a full board. He agreed to Stipulation D.5. He stressed they are complying with the Comprehensive Plan and LDC, and they are not asking for special density, and they want to provide affordable housing.

Based upon the staff report, evidence presented, comments made at the Public Hearing, the action of the Planning Commission, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as stipulated herein, Commissioner Kruse moved to adopt Manatee County Zoning Ordinance PDR-18-27(P)(R); approve the Preliminary Site Plan with Stipulations A.1, B.1-B.4, C.1-C.5, D.1-D.4, E.1, and F-1; adopt the Findings for Specific Approval; and grant Specific Approval of an alternative to Land Development Code Section 701.3.B.3.b.ii regarding landscaping in screening buffers, and Section 1001.1.C regarding an alternative design for the second means of access to be an emergency access only, as recommended by the Planning Commission. The motion was seconded by Commissioner Van Ostenbridge and carried 6-0, with Commissioner Ballard absent.

BC20230216DOC029

**RECESS/RECONVENE:** 5:14 p.m. – 5:26 p.m. All Commissioners present except Commissioner Ballard.


**20. DEVELOPMENT SERVICES/COMPREHENSIVE PLAN AMENDMENT**


A duly advertised public hearing was held to consider transmittal of proposed Ordinance PA 22-06/Ordinance 23-28 (fka 22-48) East River Ranch Transportation Element Comprehensive Plan Text Amendment and Map Series Update. The Planning Commission recommended transmittal.

and

**21. DEVELOPMENT SERVICES/COMPREHENSIVE PLAN AMENDMENT**


A duly advertised public hearing was held to consider transmittal of proposed Ordinance PA-22-10/Ordinance 23-27 (fka 22-73) East River Ranch Large-Scale Comprehensive Plan Map Amendment. The Planning Commission recommended transmittal.


 Scott Rudacille, Attorney for the applicant, used a slide presentation to review both applications, an aerial map, Comprehensive Plan amendments to allow for development east of the FDAB under certain conditions (contiguous to land developed west of site, master developer putting in infrastructure, amended to UF3 designation, and have an LDA addressing infrastructure improvements, and developer responsible for improvements). The applicant coordinated with Taylor Ranch to reach C.R. 675 for extension, and the dotted lines mean the County is planning a thoroughfare somewhere in the vicinity.

 Carol Clarke, representing the applicant, continued the slides to review the FLUC, current zoning on A, the plan to rezone to PDMU, wetland and streams on the property, they are working on the third traffic study for the project, an amendment to the Thoroughfare Plan showing 44th Avenue East and Rangeland Parkway through their property, and East River Ranch Boulevard, consistency with the Comprehensive plan, amending the FLUC to UF-3, have activity centers at intersections, stewardship district, water and sewer will be supplied by Manatee County and the developer will pay for this, Policies 2.1.2.2, 2.1.2.3, 2.1.2.1, and 2.1.2.8, there was a neighborhood Zoom meeting with 59 attendees, and the GDP is going to the Planning Commission on March 9.


Mr. Rudacille noted this is a transmittal hearing and they will come back to the Board for final approval.




 Charles Andrews, Planner, used a slide presentation to review amendments to the Thoroughfare Plan, and Comprehensive Plan amendment for the FLUC, large scale map amendment, change from Agriculture Rural to UF3, the existing FLU, proposed FLU, density/intensity table, 4,144 dwelling units, site has always been Agriculture Rural, Bourneside Boulevard is the FDAB, FDAB exception in Policy 2.1.2.8, surrounding development, public facilities and schools, positive aspects, logical expansion, negative aspects, currently the applicant cannot demonstrate compliance with Comprehensive Plan policies 2.1.2.8(d), 2.1.2.8(e), 2.1.2.8(f), and 2.1.2.8(G) which require that properties east of the FDAB be coterminous and contiguous with regard to the availability of public infrastructure/improvements until the neighboring development is built, and mitigating measures, and this request is for transmittal to the State.


 Discussion ensued regarding the future plan for the roads are potential routes, and C.R. 675 is where the roads would end.


 Mr. Andrews confirmed the proposed routes east of C.R. 675 were drawn 16 years ago, and there is no current plan for a specific location.


 Sarah Schenk noted transportation staff would need to provide more information and there may need to be a change to the Thoroughfare Plan.

 Clarke Davis, Deputy Director, Public Works, stated the descriptions of the Amendments, are correct, in 2007 Rangeland Parkway was extended to Verna Bethany. The County does not have a programmed improvement at this time. It could be removed from the map, and they can look at more specific alignments in the future, but he agrees it makes more sense to make a separate motion to direct staff to look at the alignment.


(Depart Chairman Van Ostenbridge, First Vice Chairman Baugh presiding during discussion)


 It is Commissioner Satcher's intent to make a motion to look at the alignment after the hearing.

 Mark Vanderee opposed the request and displayed a map of the site, citing issues with timing for approval, notifications, the FDAB, Comprehensive Plan policies, water capacity, buffers, water quality, and irrigation with well water.

 Diane Wardell expressed concern with water quality, wildlife, fear of litigation, over development, and density. She displayed photographs of 61st Avenue East and asked that the road not be effected. She also discussed a water quality report, sea grass levels, and a letter.


Philip Upton questioned if this is a topic that requires a majority vote, and questioned why there is development east of the FDAB, after telling Myakka residents there would be no change prior to 2040. He opposed the development and the number of homes in the watershed.


 Rachel Hunsader-Sliker opposed the request due to the plan for Rangeland Parkway going through their property.


 Toby Davis opposed the request due to the effects on neighborhoods near 61st Avenue East

Kimberly Seery opposed the request due to traffic concerns, wildlife, and the threat to an

existing way of life. She suggested keeping the land as it is and using it for conservation.


 Samantha Dittman requested the developer put in five-acre ranchettes, and opposed the amendments due to maintaining the current life style.

 Carol Felts noted the number of emails received regarding this project. She suggested using the current zoning to create a community, and instilling a trail at Bourneside Boulevard. She addressed the form of signage used for posting the property and the need for residents to be educated on the process for land use meetings.


 Linda Nash questioned why the meeting started at 1:30, the timing of the approval, the makeup of the Planning Commission, requested Commissioners visit the regions in east County, property rights, the need for controlled growth, proximity to the race track, the use of well water for irrigation, congestion on roads, pollution, light pollution, incompatibility, and maintaining a lifestyle.


Kellen Braren representing Myakka Elephant Ranch, expressed concern with the alignment of 44th Avenue East going through the elephant habitat. Elephants are listed as endangered species, and construction near the habitat could cause severe stress to elephants. He requested a motion that the road will not go through the habitat.

Nate Jesse opposed the amendments.


 Julia Braren, Myakka Elephant Ranch, noted these amendments are not ready to be sent to the State, due to the effects the development will have on an endangered species. If the ranch is affected, it would be a detriment to veterans services. She submitted a letter regarding endangered species.


 Tyler Jesse opposed the request due to incompatibility.


 Clair Jesse opposed the request due to the development being east of the FDAB line and incompatibility with the lifestyle of residents in the area.


 Stacey Jesse displayed a map and expressed concern regarding the race tracks, and the road alignments.


Carla Tralick opposed the request due to effects on wildlife.


 Prudence Baxter opposed the request due to the alignment of the roads, and the effects on residents.


 Anna Swan opposed the request due to effects on wildlife and over development.

 Tim Tralick opposed the request and expressed concern with the proposed road going through his property.

 There being no further public comment, Chairman Van Ostenbridge closed public comments.

 Mr. Andrews explained Taylor Ranch and East River Ranch will have LDAs regarding infrastructure. The Myakka Elephant Ranch is not effected, and the line of the map regarding the thoroughfares is not set. This is a transmittal hearing.

 Mr. Rudacille addressed comments regarding 61st Avenue East and stated they do not need to connect to that road. He referenced his power point. He stated this is the reality and why the County adopted a policy to allow consideration east of the FDAB, if there is contiguous property. This project meets the policy requirements, and is largely dependent on Taylor Ranch. He responded that he is aware a deal was made regarding the race track and Taylor Ranch.

 Discussion ensued regarding appreciating the citizens coming and speaking before the Board, the FDAB was established in 1989, and the County was growing by half the rate it is now, the effects of growth on Manatee County, need to create supply to meet demand, 2040 was set on expectations at the time, and need to adjust based on reality.

**Ordinance 23-28 - Transmittal**

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, the action of the Planning Commission, and finding the request to be consistent with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, Commissioner Kruse moved to transmit Plan Amendment PA-22-06 / Ordinance 23-28, as recommended by the Planning Commission. The motion was seconded by Commissioner Rahn and carried 5-0, with Chairman Van Ostenbridge and Commissioner Ballard absent.

BC20230216DOC030

**Ordinance 23-27 - Transmittal**

Based upon the evidence presented, comments made at the Public Hearing, the technical support documents, the action of the Planning Commission, and finding the request to be consistent with the Community Planning Act as codified in applicable portions of Chapter 163, Part II, Florida Statutes and the Manatee County Comprehensive Plan, Commissioner Kruse moved to transmit Plan Amendment PA-22-10 / Ordinance 23-27, as recommended by the Planning Commission. The motion was seconded by Commissioner Rahn and carried 5-0 with Chairman Van Ostenbridge and Commissioner Ballard absent.

Sarah Schenk – Motion to direct staff to bring back options to the plan and future thoroughfare directions for 44th Avenue East and Rangeland Parkway.

The motion as read by Ms. Schenk was made by Commissioner Satcher, seconded by Commissioner Rahn, and carried 5-0 with Chairman Van Ostenbridge and Commissioner Ballard absent.

BC20230216DOC031

**ADJOURN**

There being no further business, First Vice Chairman Baugh adjourned the meeting at 7:55 p.m.

Minutes Approved: July 25, 2023