

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
February 1, 2024**


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

Present were:

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

Also present were:

Rossina Leider, Planning Section Manager
Sarah Schenk, Chief Assistant County Attorney
Nicole Knapp, Development Services Director
Julissa Santana, Deputy Clerk, Clerk of Circuit Court

 Chairman Rahn called the meeting to order at 9:00 a.m.

All witnesses and staff giving testimony were duly sworn.

INVOCATION

 The Invocation was delivered by Pastor Jeff Holton, West Bradenton Baptist Church Southside Campus & Executive Director of Anchor House Inc. at Seaport Manatee.

PLEDGE OF ALLEGIANCE

 The Pledge of Allegiance was led by Commissioner Turner.

AGENDA

BC20240201DOC001

 Agenda Update Memorandum:

BC20240201DOC002


- Item 13 - Approval and Execution of Land Use Restriction Agreement between Manatee County, Advanta IRA Services, LLC fbo (Steven DuToit IRA 8003882/Owner), and William Manfull (Developer) for a Single-Family Affordable Housing Unit located at 5634 24th Street East, Bradenton, - Item has been added to the agenda
- Item 4 - PDO-23-41(Z)(P)/Pace Center for Girls Bradenton/PACE-THC INC - PACE-THC INC (OWNERS)- Move item to Presentations Scheduled. Revised Preliminary Site Plan, Revised Alternative Motion for approval, Planning Commission action and a summary of the public comments heard at the January 26, 2024, Planning Commission are attached
- Item 5 - ZL-23-24/Solid Rock Construction Rezone/Solid Rock Construction Group LLC (Owner) - Planning Commission action and revised Alternative Motion to Approve attached
- Item 6 - PDMU-16-16(G)(R2)/Parrish Lakes General Development Plan Amendment- Planning Commission action and revised Alternative Motion for approval attached
- Item 7 - PDR-23-13(Z)(P)/Eastlyn/411 Rye Road Holdings LLC/411 Rye Road Holdings LLC; Donald F. and Lynda Temple; Donna L. King; Donna L. King and Sharon A. Lanier (Owners) - Weekley Homes, LLC (Contract Purchaser) - Planning Commission updates and summary of public comment heard at the January 26, 2024 Planning Commission, changes to staff report deleting Stipulations D.1-D.5 and re-lettering rest of Stipulations; revised Alternative Motion for Approval, revised Ordinance to reflect changes to Stipulations and revised Preliminary Site Plan (Sheet C-100) attached

- Item 8 - LDCT-23-17/Ordinance 24-02 - County-Initiated Land Development Code Text Amendment Electric Vehicle (EV) Charging- Item to be continued to no date set and readvertised.
- Item 11 - Planning Commission Advisory Board Appointment - Additional Application for Appointment - Monaca Onstad attached.

CITIZEN COMMENTS (Future Agenda Items)

There being no public comments, Chairman Rahn closed public comments.

CONSENT AGENDA

 Denise Greer, Deputy Director Development Services, passed out a document highlighting the strikethroughs, and revisions made on Items 3 and 13.

 A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Bearden, and carried 7-0, to approve the Consent Agenda.

There being no public comments, Chairman Rahn closed public comments.

13. **DEVELOPMENT SERVICES/AGREEMENT**

Approved and Executed Land Use Restriction Agreement between Manatee County, Advanta IRA Services, LLC fbo (Steven DuToit IRA 8003882/Owner), and William Manfull (Developer) for a Single-Family Affordable Housing Unit located at 5634 24th Street East, Bradenton, FL 34203

BC20240201DOC015

1. **DEVELOPMENT SERVICES/AGREEMENT**

Executed Agreement to Terminate Land Use and Deed Restriction Agreement (LURA) with two Amendments, between Manatee County and Manatee Ventures, Inc., "Successor in Interest" for Avignon Holdings, LLC (Previous Owner) for the Monteux at the Villages of Avignon Project

BC20240201DOC003

2. **DEVELOPMENT SERVICES/AGREEMENT**

Executed Agreement to Terminate Land Use Restriction Agreement (LURA) between Manatee County and Manatee Ventures, Inc., for Maple Ridge Project

BC20240201DOC004

3. **DEVELOPMENT SERVICES/AGREEMENT**


Executed Land Use Restriction Agreement between Manatee County and Manatee Ventures, Inc., for Maple Ridge Homeownership Project

BC20240201DOC005

(End Consent Agenda)

PUBLIC HEARINGS (Presentations Upon Request)

5. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance ZL-23-24/Solid Rock Construction Rezone/Solid Rock Construction Group LLC (Owner). The Planning Commission recommended adoption.

There were no ex parte communications.

There being no public comments, Chairman Rahn closed public comments.


 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 compliance with the applicable review standards of the Manatee County Land Development Code, Commissioner Van Ostenbridge

moved to adopt Manatee County Zoning Ordinance ZL-23-24; with Stipulations 1 and 2. The motion was seconded by Commissioner Ballard and carried 7-0. BC20240201DOC007


PUBLIC HEARINGS (Presentations Scheduled Continued)


4. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDO-23-41(Z)(P)/Pace Center for Girls Bradenton/PACE-THC INC - PACE-THC INC. The Planning Commission recommended adoption.


 Commissioner Van Ostenbridge stated he communicated with John Horne, Board Member for Pace Center, to discuss ways to relive traffic on 35th Street West.

There were no ex parte communications.


 Steven Reese, representing the applicant, utilized a slide presentation to review the request for a rezone of 0.66 acres from RSF-6 (Residential Single-Family-6) to the PDO (Planned Development Office) Zoning District, and approving a Preliminary Site Plan for a 16,800 square-foot facility for private school use and associated infrastructure.

 Rosina Leider, Planning Section Manager, stated staff is in agreement with the information provided by the applicant, and she was available to answer any questions.


There being no public comments, Chairman Rahn closed public comments.


 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 compliance with the applicable standards for review in the Manatee County Land Development Code, as stipulated herein, Commissioner Van Ostenbridge moved to adopt Manatee County Zoning Ordinance PDO-23-41(Z)(P); approve the Preliminary Site Plan with Stipulations A.1 – A.5, B.1 – B.4, and C.1; adopt the Findings for Specific Approval; and grant Specific Approval to Land Development Code Section 701.4.B.3 “Table 7-3, Option E – Screening Buffers, to allow a solid six-foot fence along the west property boundary, with the landscaping on the interior side of the fence. The motion was seconded by Commissioner Turner, and carried 7-0. BC20240201DOC006


6. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDMU-16-16(G)(R2)/Parrish Lakes General Development Plan Amendment. The Planning Commission recommended adoption.


There were no ex parte communications.


 Clint Cuffle, representing the applicant, utilized an aerial map to review the request for approval of a land use exchange, a revised General Development Plan (GDP) and Ordinance. The Parrish Lakes Development of Regional Impact (DRI) consists of 1,155 acres and is zoned PDMU (Planned Development Mixed Use). The request includes modifying the GDP with increasing the total number of residential units from 3,300 units to 3,401 units, decreasing the number of multifamily units from 1,100 to 400, and increasing the number of single-family units from 2,200 units to 3,001 units, removing the North Central Overlay standards, increasing the maximum height of commercial buildings from 35-feet to 45-feet, and adjusting access points to match current planned access points.

 Laura Gonzalez, Planner, displayed a slide presentation to review the request, Future Land Use Category, zoning, aerial of the site, surrounding uses, site plan information, positive and negative aspects, and mitigating measures.


 Discussion ensued regarding commercial use, and looking toward the future to assure the County supports commercial development.

There being no public comments, Chairman Rahn closed public comments.


 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 compliance with the applicable standards for review in the Manatee County Land Development Code, as conditioned herein, Commissioner Turner moved to approve Manatee County Zoning Ordinance PDMU-16-16(G)(R2); and approve of the revised General Development Plan with stipulations. The motion was seconded by Commissioner Ballard and carried 7-0. BC20240201DOC008


 RECESS/RECONVENE - 9:30 a.m. - 9:35 a.m. All Commissioner were present.

7. DEVELOPMENT SERVICES/ORDINANCE


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR-23-13(Z)(P)/Eastlyn/411 Rye Road Holdings LLC/411 Rye Road Holdings LLC; Donald F. and Lynda Temple; Donna L. King; Donna L. King and Sharon A. Lanier- (Owners)/Weekley Homes, LLC (Contract Purchaser). The Planning Commission recommended approval.

There were no ex parte communications.


 Scott Rudacille and Clint Cuffle, representing the applicant, utilized a slide presentation to review the request for a rezone of 25 acres from A (General Agriculture) to PDR (Planned Development Residential) zoning district, and approving a Preliminary Site Plan for a proposed development of 75 single-family residential lots.

 Rosina Leider, Planning Section Manager, stated staff is in agreement with the information provided by the applicant, and she was available to answer any questions.


There being no public comments, Chairman Rahn closed public comments.

 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 compliance with the applicable standards for review in the Manatee County Land Development Code, Commissioner Ballard moved to adopt Manatee County Zoning Ordinance PDR-23-13(Z)(P); approve a Preliminary Site Plan with Stipulations A.1 - A.3; B.1 - B.4; C.1 - C.4; D.1 - D.5; and E.1; adopt the Findings for Specific Approval; and grant Specific Approval for an alternative to Land Development Code Sections: 1) 402.7.D.7 to allow a reduction to the secondary front yard setback of a corner lot from 20-feet to 10-feet; and 2) 401.3.E.8 to allow the required yard adjacent to agricultural operations to be reduced from 35-feet to 25-feet greater than otherwise required by Code. The motion was seconded by Commissioner Satcher and carried 7-0. BC20240201DOC009

8. DEVELOPMENT SERVICES/ORDINANCE


 A duly advertised public hearing was opened to consider adoption of Zoning Ordinance LDCT-23-17/Ordinance 24-02, County-Initiated Land Development Code Text Amendment Electric Vehicle (EV) Charging Stations. The public hearing is to be continued to no date set and readvertised.

There being no public comments, Chairman Rahn closed public comments.

 Commissioner Bearden moved to continue the public hearing for LDCT-23-17/Ordinance 24-02 to no date set and to be readvertised. The motion was seconded by Commissioner Ballard and carried 7-0.


BC20240201 DOC010

9. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PA-23-05/Ordinance 24-03/Landsman Large-Scale Comprehensive Plan Map Amendment.


and
10.


DEVELOPMENT SERVICES/ORDINANCE


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR-23-10(Z)(P)/18th Avenue East/Landsman/Yoder Land Holdings LLC/Yoder Land Holdings LLC/Matthew Landsman and Paul Yoder.


There were no ex parte communications.


 Mark Barnebey, representing the applicant, utilized a slide presentation to introduce the request for a Privately-Initiated, Large-Scale Map Amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property from RES-1 (Residential - 1 dwelling unit/acre) to the RES-3 (Residential - 3 dwelling units/acre) (85.9± acres) Future Land Use Classification and retaining the P/SP (1) (Public/Semi-Public (1). The applicants are also requesting a rezone of 80.70 acres from A-1/ CPA (Agricultural Suburban/ Coastal Planning Area) to the PDR/CPA (Planned Development Residential) zoning district, retaining the Coastal Planning Area Overlay District, and approving a Preliminary Site Plan for 234 single-family detached units and associated infrastructure.


 Charles Andrews, Planner, displayed a slide presentation to review the request, future land use category, zoning, aerial of the site, surrounding uses, site plan information, positive and negative aspects, and mitigating measures.


 Discussion ensued regarding market rate development, trends in the area, traffic concerns on 57th Street, and the nearest bus stop being one mile away.


 Nelson Galeano, Transportation Planning, spoke on traffic projections and estimates there will be reductions by 20 percent on State Road 70, Morgan Johnson Road, and Manatee Avenue due to the new extension of 44th Avenue.


 Discussion ensued regarding the level of service on Morgan Johnson Road is a Level D, the need for traffic signals, and improvements on Morgan Johnson between 44th Avenue and State Road 64.


 Brian Kendzior presented an aerial map to speak against the proposed lot sizes, traffic concerns, and land use incompatibility.


 Jason Merritt expressed concern regarding 18th Street.


 Dale Eason stated the applicants should develop one home per acre to maintain the established farm-like community.

 **RECESS/RECONVENE**- 10:30 a.m. - 10:45 a.m. All Commissioners were present except Commissioner Turner


 Peggy Jackson opposed the project due to flooding concerns and criminal activity.

 Victoria Pence expressed concern with the RES-3 zoning.


 John Zimmerman utilized a slide presentation to express concern regarding flood zones, and drainage plans.

 Shirley Allen opposed the request due to infrastructure issues and traffic.


 Karlee Hudson expressed concern regarding traffic, flooding, and drainage.


 Kelley O'Neal stated he has a petition signed by over 100 neighbors in the area opposing the project, and utilized a slide presentation to address concerns.


 James Iovino spoke on hardcore overdevelopment and the project not being in line with the community.

 Patricia Eastin advocated for families and children in the neighborhood, and requested sidewalks be installed.


There being no further public comments, Chairman Rahn closed public comments.

 Mr. Barnebey stated the neighborhood is surrounded by high-density development, and the applicants are willing to work with the neighborhood.

 Adam Wolfson, Applicant, stated he would be happy to address citizens' concerns, and work with the County to pay for traffic lights or roundabouts.


 Discussion ensued regarding future land use zoning, and protecting the agricultural heritage.

Ordinance 24-03 - Denial

 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 inconsistent with the Manatee County Comprehensive Plan and the applicable portions of Chapter 163, Part II, Florida Statutes, Commissioner Ballard moved to not transmit Plan Amendment PA-23-05 / Ordinance 24-03, as recommended by the Planning Commission. The motion was seconded by Commissioner Kruse, and carried 5-1, with Commissioner Turner absent, and Commissioner Satcher voting nay.

BC20240201DOC011


PDR-23-10(Z)(P) - No Action


 There will be no action on Ordinance PDR-23-10(Z)(P) at this hearing. The public hearing

will be on March 21, 2024.

BC20240201DOC012


11. **DEVELOPMENT SERVICES/SEAT VACANCY/PLANNING COMMISSION ADVISORY BOARD**

 Chairman Rahn opened the floor to nominations.

 **Nominations – Seat One**

Monaca Onstad by Commissioner Van Ostenbridge

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, and carried 6-0, with Commissioner Turner absent, to close nominations. Monaca Onstad was appointed to the Planning Commission by unanimous vote.

 **Nominations – Seat Two**


Jeffery Eslinger by Commissioner Rahn
Andrew Fisher by Commissioner Kruse
Mike Campbell by Commissioner Ballard

 Discussion ensued regarding the candidates.

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, and carried 6-0, with Commissioner Turner absent, to close nominations. Jeffery Eslinger was appointed to the Planning Commission by majority vote.

BC20240201DOC013

12. **DEVELOPMENT SERVICES/SEAT VACANCY/HISTORIC PRESERVATION BOARD**

 Chairman Rahn opened the floor to nominations.


 **Nominations – Seat One**

Craig Fisher – by Commissioner Van Ostenbridge

A motion was made by Commissioner Van Ostenbridge, seconded by Commissioner Kruse, and carried 6-0, with Commissioner Turner absent, to close nominations. Craig Fisher was appointed to the Historic Preservation Board by unanimous vote.

BC20240201DOC014

ADJOURN

 There being no further business, Chairman Rahn adjourned the meeting at 11:40 a.m.

Minutes Approved: May 14, 2024