

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING  
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS  
1112 Manatee Avenue West  
Bradenton, Florida  
March 7, 2024**

Meeting video link: [https://youtu.be/kCXTala\\_IEU?feature=shared](https://youtu.be/kCXTala_IEU?feature=shared) and <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 (entered during meeting)  
Jason Bearden  
George Kruse  
Kevin Van Ostenbridge

Also present were:

Denise Greer, Development Services Deputy Director  
Rachel Layton, Division Manager and Impact Fee Administrator  
Sarah Schenk, Chief Assistant County Attorney  
Julissa Santana, Deputy Clerk, Clerk of Circuit Court



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

**INVOCATION**

The Invocation was delivered by Pastor Tucker Owen, Bayside Community Church.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Charles Harmon Cook, U.S. Army Reserves Medical Service Corps Veteran.

**RECESS/RECONVENE:** 9:04 a.m. – 9:08 a.m. All Commissioners present except Commissioner Satcher.

**AGENDA**

Agenda Update Memorandum 1 (dated 3/5/24):

BC20240307DOC001

BC20240307DOC002

- Item 7 - Adoption of Resolution 24-066, appointing Chief Litigator Chris De Carlo as Interim County Attorney;
- Item 8 - Authorization for contract negotiations with Pamela D'Agostino for County Attorney
- Future Agenda Items - Public Comment attached;
- Item 2 - DRI#22 Ordinance 24-26/University Lakes DRI Amendment/Schroeder-Manatee, Inc. (Owner) – Public Comment attached;
- Item 3 - PDMU-92-01(G)(R19)/University Lakes General Development Plan Amendment/Schroeder-Manatee, Inc. (Owner) – Public Comment attached;
- Item 4 - PDC-23-50(P)/University Carwash/ (BW University Shade, LLC, (Owner)– Public Comment attached.

Agenda Update Memorandum 2 (dated 3/6/24):

BC20240307DOC003

- Item 4- PDC-23-50(P) – University Carwash – (BW University Shade, LLC, (Owner)– Public Comments attached.




Denise Greer, Development Services Deputy Director, noted a revised motion was added for Item 8.

CITIZEN COMMENTS (Future Agenda Items)

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

CONSENT AGENDA

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

 A motion was made by Commissioner Ballard, seconded by Commissioner Bearden, and carried 6-0 with Commissioner Satcher absent, to approve the Consent Agenda with the changes incorporated in the Agenda Update Memorandum.

1. DEVELOPMENT SERVICES/FINAL PLAT/STONEGATE PRESERVE PHASE III

- Executed and authorized recording of Final Subdivision Plat;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Public Improvements Stonegate Preserve Phase III;
- Authorized the County Administrator to accept Letter of Credit for Performance Securities of Required Public Improvements, Stonegate Preserve Phase III, Letter of Credit FGAC-24068, \$2,537,609.91;
- Authorized the County Administrator to accept Letter of Credit for Performance Securities of Required Public Improvements, Stonegate Preserve Phase III, Letter of Credit FGAC-24066, for \$82,716.92;
- Authorized the County Administrator to accept, execute, and record Agreement for Public Subdivision with Private Improvements Stonegate Preserve Phase III; and
- Authorized the County Administrator to accept Letter of Credit for Performance Securities of Required Public Improvements, Stonegate Preserve Phase III, Letter of Credit FGAC-24067, \$127,916.88.

BC20240307DOC004

7. COUNTY ATTORNEY/RESOLUTION

Adopted Resolution R-24-066, appointing Chief Litigator Chris DeCarlo as Interim County Attorney

BC20240307DOC005

(End Consent Agenda)

All witnesses and staff giving testimony were duly sworn.

PUBLIC HEARINGS (Presentations Upon Request)

2. DEVELOPMENT SERVICES/ORDINANCE


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance DRI#22 Ordinance 24-26/University Lakes DRI Amendment/Schroeder-Manatee, Inc. (Owner). The Planning Commission recommended adoption.

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 Kruse moved to adopt DRI# 22 with conditions; and adopt Manatee County Ordinance 24-26, as recommended by the Planning Commission. The motion was seconded by Commissioner Bearden, and carried 6-0 with Commissioner Satcher absent.

BC20240307DOC006

3. DEVELOPMENT SERVICES/ORDINANCE

 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDMU-92-01 (G)(R19)/University Lakes General Development Plan

Amendment/Schroeder-Manatee, Inc. (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 standards for review in the Manatee County Land Development Code, Commissioner Kruse moved to adopt Manatee County Zoning Ordinance PDMU-92-01(G)(R19), and approve the revised General Development Plan with Stipulations, as recommended by the Planning Commission. The motion was seconded by Commissioner Turner, and carried 6-0 with Commissioner Satcher absent.

BC20240307DOC007


(Enter Commissioner Satcher)

**PUBLIC HEARINGS** (Presentations Scheduled)


4. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDC-23-50(P)/University Carwash/BW University Shade, LLC, (Owner). The Planning Commission recommended adoption.


There were no ex parte communications.


 Scott Rudacille, representing the applicant, utilized a slide presentation to introduce the request for a Preliminary Site Plan for a carwash facility of 3,825 square-feet on 0.82 acres. The site is currently zoned PDC/AI (Planned Development Commercial/Airport Impact Overlay), and lies within the University at 301 Entranceway special district, and the MU (Mixed-Use) Future Land Use Category located at the northwest corner of University Parkway and Shade Avenue, site map, previously approved site plan which is expired, and a new preliminary site plan. Specific approval requests are related to the car wash dryer setback from residential, drive-through lane setback, and entranceway cross access. The access point is the only one on site, they exceed the requirements for stacking with three lanes going into the kiosk, and additional lanes going into the tunnel.


Michael Yates, Palm Traffic, stated it is 235-250 feet from the entrance, and they will be performing additional analysis. They will most likely have to add a left land turn lane on Shade Avenue.

 Discussion continued regarding getting the cars into the site, especially on weekends, they will have the same number of trips as the bank related to the previous approval, pm peak hour trips is 78, and they took that into consideration.


 Rosina Leider, Planning Section Manager, used a slide presentation to review the request including site location, Future Land Use Category, zoning, site plan, Specific Approval requests, separation of 150 feet between the car wash and the closest building in the proposed residential project, and staff supports the request.


 Discussion ensued regarding car wash regulations were approved after the application was originally submitted, and the car wash is enclosed.


 Nelson Galeano, Traffic Engineering Division Manager, responded to questions and noted Shade Avenue is a thoroughfare. There will need to be a southbound right-turn lane for stacking. He displayed a map to address the approach and a private drive, and many items will be addressed at final site plan.


 Discussion ensued regarding conformity with the Land Development Code “LDC”, multiple specific approvals to put a car wash on a small lot, moving the vacuum machine to add an extra lane, preferable to have one access into the property, have two lanes coming in would create a conflict, Take-5 (aerial submitted) has intake lanes were the vacuums are and the site is bigger, and stormwater systems will be under parking.

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

 Mr. Rudacille reiterated the peak hour pm trips have not changed with the new site plan, and the site is commercial zoning.

 Discussion continued that stacking is the biggest concern.

 Mr. Rudacille requested a continuance.

 A motion was made by Commission Van Ostenbridge, seconded by Commissioner Satcher, and carried 7-0, to continue PDC-23-50(P)/University Carwash/BW University Shade, LLC, (Owner) at the applicants request, to a date uncertain and to be readvertised.

BC20240307DOC008

5. **DEVELOPMENT SERVICES/ORDINANCE**


A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PA-23-10/Ordinance 24-10 Buchanan/Small Scale Comprehensive Plan Map Amendment. The Planning Commission recommended adoption.

and

6. **DEVELOPMENT SERVICES/ORDINANCE**


A duly advertised public hearing was held to consider adoption of proposed Zoning Ordinance PDR-23-30(Z)(G)/Buchanan Rezone/1099 Management Co. LLC/1099 Management Co. LLC (Owner). The Planning Commission recommended adoption.

There were no ex parte communications.

 Scott Rudacille, attorney representing the applicant, utilized a slide presentation to introduce the request for a privately-initiated small-scale Map Amendment to the Future Land Use Map of the Future Land Use Element to designate specific real property located on the north side of 21st Street Court East from the RES-6 (Residential – 6 dwelling units/acre) Future Land Use Classification to the RES-9 (Residential – 9 dwelling units/acre) (21.29±) Future Land Use Classification, an aerial map, development trends in area, and meets redevelopment trends. He continued to discuss the zoning request for a rezone of 21.29 acres located North of 21st Street Court E, from A-1 (Agriculture Suburban)/CPA (Coastal Planning Area) to PDR (Planned Development Residential) Zoning District, retaining the Coastal Planning Area Overlay District, and approving a General Development Plan (GDP) for a residential subdivision of up to 191 dwelling units, GDP allows for flexibility, specific approval request for second means of access on 22nd Street East to be for emergency use only if the site is developed as multifamily. He responded the client is not looking at affordable housing at this time.

Discussion ensued regarding neighborhood connectivity, and could there be a pedestrian path for interconnectivity.

Dan Greenberg, Planner, used a slide presentation to review the zoning request including the location, plan amendment, compatibility, positive and negative aspects, mitigation measures, and the request appears to meet Comprehensive Plan and LDC requirements.

 Laura Gonzalez, Planner, used a slide presentation to address compatibility of the GDP, buffers including between the site and industrial to the south, complies with the LDC, the project is in an area set for development, and is consistent with the Comprehensive Plan and LDC.

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

 Discussion ensued this is a good infill development and close to employment centers.

Ordinance 24-10

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 applicable portions of Chapter 163, Part II, Florida Statutes, Commissioner Turner moved to adopt Plan Amendment PA-23-10 / Ordinance 24-10, as recommended by the Planning Commission. The motion was seconded by Commissioner Ballard and carried 6-1 with Commissioner Satcher voting nay. BC20240307DOC009

PDR-23-30(Z)(G)


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 adopt Manatee County Zoning Ordinance PDR-23-30(Z)(G), approve a General Development Plan with Stipulations A.1-A.4; B.1-B.5; C.1-C.3 and D.1; adopt the Findings for Specific Approval; and grant Specific Approval for an alternative to Land Development Code Section 1001.1.C to allow the second means of access to be for emergency access only if the site is developed as a multi-family development, subject to Comprehensive Plan Amendment PA-23-05/Ordinance 23-31 being adopted by the Board and becoming effective, as recommended by the Planning Commission. The motion was seconded by Commissioner Ballard, and carried 6-1 with Commissioner Satcher voting nay. BC20240307DOC010

**COMMISSIONERS AGENDA**

8. **COUNTY ATTORNEY NEGOTIATIONS – CHAIRMAN RAHN**

Chairman Rahn requested authorization to begin contract negotiations with Pamela D'Agostino for County Attorney.

A motion was made by Commissioner Ballard, and seconded by Commissioner Van Ostenbridge to authorize Chairman Rahn to discuss with Pamela D'Agostino contract proposals for her employment as County Attorney and to bring back to the Board for consideration. The motion carried 7-0.

 Discussion ensued that the County went out for applications, this is a different process than the search for County Administrator, and need someone familiar with local law.

There being no public comment, Chairman Rahn closed public comment. BC20240307DOC011

**ADJOURN**

There being no further business, Chairman Rahn adjourned the meeting at 10:25 a.m.

Minutes Approved: April 23, 2024