

**MANATEE COUNTY BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
COUNTY ADMINISTRATION CENTER, HONORABLE PATRICIA M. GLASS CHAMBERS
1112 Manatee Avenue West
Bradenton, Florida
May 23, 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
Jason Bearden (Entered during meeting)
George Kruse
Kevin Van Ostenbridge

District 1 seat is vacant.

Also present were:

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

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


All witnesses and staff giving testimony were duly sworn.

INVOCATION AND PLEDGE OF ALLEGIANCE

 The Invocation was delivered by Pastor Franklin Crockett, Bayside Community Church, followed by the Pledge of Allegiance led by Commissioner Van Ostenbridge.

AGENDA

BC20240523DOC001

 Agenda Update Memorandum:

BC20240523DOC002


- Item 2- PDC-16-04(P)(R3)/Gateway Commons/Gateway Commons Manatee, LLC- Updates from Planning Commission attached;
- Item 3- PDMU-23-29(Z)(G)/Ellenton Gillette Rezone/Christenson LLC/EGTHS LLC (Owner)- Updates from Planning Commission attached;
- Item 5- PDR-23-46(G)- Hidden Harbor Park - Manatee County (Owner)- Updates from Planning Commission attached;
- Item 6- Ordinance 24-67 (fka 23-71 and 23-35)/Tara DRI #11- Updates from Planning Commission attached;
- Item 7- PDR/PDC/PDMU-96-03(Z)(G)(R-13)/Tara Amended General Development Plan/Micron Investments LLC (Owner)-Updates from the Planning Commission, Traffic Study Acceptance Letter and revisions to staff report in strikethrough/underline format see attached;
- Item 8- PDR-23-19 (Z)(P)/The Oaks at Rutland Ranch/Johnson & Stinson/Brett C. Johnson and Brenda J. Johnson/Robert H. Stinson and Gail M. Stinson (Owners)/Oak Development Group LLC (Contract Purchaser- Updates from the Planning Commission and Public Comments see attached.

CITIZEN COMMENTS (Future Agenda Items)

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


PUBLIC HEARINGS (Presentations upon Request)

1. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDC/PDR-23-43(Z)(P)/Savanna at Lakewood Ranch/Meritage Homes of Florida, Inc. (Owner). To be continued to August 22, 2024, at 9:00 a.m., or as soon thereafter as same may be heard.

There were no ex parte communications.

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


 Commissioner Turner moved to continue the public hearing for PDC/PDR-23-43(Z)(P) to August 22, 2024 at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, 1112 Manatee Avenue West, 1st Floor, Patricia M. Glass Chambers. The motion was seconded by Commissioner Kruse, and carried 5-0, with Commissioner Bearden absent. BC20240523DOC003

2. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDC-16-04(P)(R3)/Gateway Commons/Gateway Commons Manatee, LLC. 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 in compliance with the applicable review standards in the Manatee County Land Development Code, as stipulated herein, Commissioner Ballard moved to adopt Manatee County Zoning Ordinance PDC-16-04(P)(R3); and approve the Revised Preliminary Site Plan with Stipulations A.1 – A.6, B.1 – B.9, C.1 – C.2, D.1 – D.2, and E.1. The motion was seconded by Commissioner Turner, and carried 5-0, with Commissioner Bearden absent. BC20240523DOC004

3. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDMU-23-29(Z)(G)/Ellenton Gillette Rezone/Christenson LLC/EGTHS, 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, and finding the request to be consistent with the Manatee County Comprehensive Plan and in compliance with the applicable review standards in the Manatee County Land Development Code, as conditioned herein, Commissioner Kruse moved to adopt Manatee County Zoning Ordinance PDMU-23-29(Z)(G); approve the General Development Plan with Stipulations A.1, A.11, B.1 – B.4, C.1, D.1, E.1 – E.3, and F.1; adopt the Findings for Specific Approval; and grant Specific Approval for an alternative to Land Development Code Sections: 1) 401.3.E.4 – modifying the secondary front yard for corner lots from twenty (20) feet to ten (10) feet; 2) 1005.7.D.2 - allowing backing onto a public or private travel lane for multi-family units; 3) 1005.7.E - allowing vehicle stacking of spaces for multifamily units. The motion was seconded by Commissioner Turner, and carried 5-0, with Commissioner Bearden absent. BC20240523DOC005

4. **DEVELOPMENT SERVICES/ORDINANCE**


 A duly advertised public hearing was held to consider adoption of proposed Ordinance 24-42 - Establishment of Paddocks Community Development District.

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

 Based on the record of the public hearing, and having evaluated the criteria for the establishment of a Community Development District in Chapter 190, Florida Statutes, Commissioner Kruse moved to approve the petition establishing the Paddocks Community Development District; to adopt Ordinance 24-42 and to consent to the request exercise of special powers for parks and recreation and security. The motion was seconded by Commissioner Van Ostenbridge, and carried 5-0, with Commissioner Bearden absent.


BC20240523DOC006

5. **DEVELOPMENT SERVICES/ORDINANCE**

 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDR-23-46(G)/Hidden Harbor Park/Manatee County (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, as conditioned herein, Commissioner Turner moved to adopt Manatee County Zoning Ordinance PDR-23-46(G); and approve the General Development Plan with Stipulations A.1 - A.3, B.1 - B.5, C.1, D.1, and E.1 - E.5. The motion was seconded by Commissioner Ballard, and carried 5-0, with Commissioner Bearden absent.

BC20240523DOC007

(Enter Commissioner Bearden)


PUBLIC HEARINGS (Presentations Scheduled)

6. **ORDINANCE/ZONING**


 A duly advertised public hearing was held to consider recommending adoption of proposed Zoning Ordinance 24-67 (fka 23-71 and 23-35)/Tara DRI #11. The Planning Commission recommended adoption.

and

7. **ORDINANCE/ZONING**


 A duly advertised public hearing was held to consider recommending adoption of proposed Zoning Ordinance PDR/PDC/PDMU-96-03(Z)(G)(R-13)/Tara Amended General Development Plan-Micron Investments LLC (Owner). The Planning Commission recommended adoption.


No ex-parte communications were disclosed.


 Commissioner Turner stated he generally discussed this project with Tara Master Association Member, Cathy Wooley.


 Commissioner Kruse held a town hall meeting in the Tara community, though this project


was not discussed.


 Scott Rudacille, representing the applicant, utilized a slide presentation to review the request to approve an amendment of the Zoning Ordinance and General Development Plan of Tara DRI, a mixed-use project located at the southwest corner of S.R. 70 and I-75. The proposed changes consist of rezoning the subject site from PDC (Planned Development-Commercial) to PDMU (Planned Development-Mixed Use), and amending the Zoning Ordinance, and the General Development Plan to allow the multi-family use up to 72 units.

 Laura Gonzalez, Planner, utilized 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.


 Nelson Galliano, Transportation Planning, spoke on the traffic analysis, and there are no significant impacts on the land use equivalence matrix.


 Tara Master Association Members (Robert Lincoln, George Deakin, Deb Mazzaferro, Christine Hoskinson, Joe Di Bartolomeo, Glenda Wolfe, Cathy Wooley, Doug Zimmerman, Karen Clark, and Mike Krasnoff) expressed their concern regarding traffic congestion, problematic intersections, decreased property value, overdevelopment, land use incompatibility, quality of life, safety hazards, stormwater management, and wildlife endangerment.


 Mike Rufino, Applicant, spoke on the changes previously made to the project to appease Tara residents.

 Shay Hockenberry supports the project, and believes young professionals can benefit from this type of housing.


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

 Discussion ensued regarding height compatibility, number of units, traffic reduction, traffic connectivity impacts, development of regional impact (DRI) process, a north entrance would be problematic for the site, 28,000 square-foot of commercial can be built with the current zoning which would generate more traffic than the proposed project, and schedule of permitted uses.

 Mr. Rudacille addressed the commercial uses that are allowed on the site, land use compatibility, mitigating transportation impacts, the applicants are not asking for any variation nor intending to add commercial use, and neighborhood meetings have been held with the Tara community.


 Discussion ensued regarding DRI positives and negatives, and preferring this project compared to other allowable commercial uses.

Ordinance 24-67


 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 Land Development Code, and Section 380.06, Florida Statutes, subject to the conditions of approval established in the Development Order, Commissioner Kruse moved to

approve Ordinance 24-67 (fka 23-71 and 23-35). The motion was seconded by Chairman Rahn, and failed 3-3, with Commissioners Turner, Van Ostenbridge, and Bearden voting nay. BC20240523DOC008


PDR/PDC/PDMU-96-03(Z)(G)(R-13)


 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 and finding the request to be consistent with the Manatee County Comprehensive Plan, and in compliance with the applicable standards for review in the Land Development Code, as conditioned herein, Commissioner Ballard moved to adopt Manatee County Zoning Ordinance PDR/PDC/PDMU-96-03(Z)(G)(R-13); and approve the revised General Development Plan with Stipulations. The motion was seconded by Commissioner Kruse, and failed 3-3, with Commissioners Turner, Van Ostenbridge, and Bearden voting nay. BC20240523DOC009


8. DEVELOPMENT SERVICES/ORDINANCE


 A duly advertised public hearing was held to consider adoption of proposed Ordinance PDR-23-19 (Z)(P)/The Oaks at Rutland Ranch/Johnson & Stinson/Brett C. Johnson and Brenda J. Johnson/Robert H. Stinson and Gail M. Stinson (Owners)/Oak Development Group LLC (Contract Purchaser). The Planning Commission recommended adoption.


There were no ex parte communications.

 Scott Rudacille, representing the applicant, utilized a slide presentation to review the request for a rezone of 53.08 acres from A-1 (Agriculture Suburban) to the PDR (Planned Development Residential) Zoning District, and approving a Preliminary Site Plan for 108 single-family detached dwelling units.


 Laura Gonzalez, Planner, utilized 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.


 Denise Greer, Deputy Director of Development Services, displayed a graph of the location of the proposed emergency access points, a tee-turnaround would be located on the site, and both Manatee Sheriff's Office (MSO) and Fire Department supports it.


 Kyle Grimes, representing current owners, supports the project due to the area rapidly transitioning to residential housing.

 Wendy Roland expressed concern regarding traffic, wildlife endangerment, and land use incompatibility.

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


 Discussion ensued regarding flooding concerns, floodplain impacts, and applicants will have to adhere to South Florida Water Management District (SFWMD) standards, and reduce post development runoff.

 Discussion continued regarding the long drive could be dangerous due to potential flooding.

 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 not in compliance with the applicable standards for review in the Land Development Code, Commissioner Kruse moved to deny Manatee County Zoning Ordinance PDR-23-19(Z)(P); deny the Preliminary Site Plan; deny the Findings for Specific Approval; and deny Specific Approval for alternatives to Land Development Code Sections: 1) 402.7.D.7 reducing secondary front yard for corner lots from 20-feet to 15-feet; 2) 1001.1.C allowing the secondary means of access to be for emergency access only; and 3) 1001.4.D.1 allowing Street A that will function like a cul-de-sac to exceed 800-feet in length. The motion was seconded by Commissioner Ballard, and carried 6-0. BC20240523DOC010

ADJOURN

 There being no further business, Chairman Rahn adjourned the meeting at 12:26 p.m.

Minutes Approved: July 30, 2024