

NOVEMBER 9, 2006

The Planning Commission, Manatee County, Florida, met in REGULAR SESSION in the Administrative Center, 1112 Manatee Avenue West, Bradenton, Florida, Thursday, November 9, 2006, at 9:00 a.m.

Present were Commissioners:

Richard Bedford
Steve Belack
Joseph Guyton
Mary Sheppard
Marilyn Stasica
David Wick
Michael Pendley (non-voting member representing the School Board)

Absent was Commissioner:

Marie Hastings

Also present were:

Jason Henbest, Associate County Attorney
Susan Romine, Board Records Manager,
representing R. B. Shore, Clerk of Circuit Court

All witnesses and staff giving testimony were duly sworn.

AGENDA

Agenda of November 9, 2006, and agenda update memorandum.

[PC20061109DOC001](#)

ELECTION OF OFFICERS

Chairman – Richard Bedford

Motion was made by Mr. Belack and seconded by Mr. Guyton to re-elect **Richard Bedford** as Chairman of the Planning Commission.

Ms. Sheppard nominated Joseph Guyton for Chairman. Mr. Guyton declined the nomination, and the motion carried 6 to 0.

First Vice-Chairman – Steve Belack

Motion was made by Mr. Wick, seconded by Mrs. Stasica, and carried 6 to 0, to elect **Steve Belack** as First Vice-Chairman.

Second Vice-Chairman – Joseph Guyton

Motion was made by Ms. Sheppard, seconded by Mrs. Stasica, and carried 6 to 0, to elect **Joseph Guyton** as Second Vice-Chairman.

Third Vice-Chairman – David Wick

Motion was made by Mr. Belack, seconded by Mr. Guyton, and carried 6 to 0, to elect **David Wick** as Third Vice-Chairman.

[PC20061109DOC002](#)

MINUTES

Mr. Wick moved to approve the minutes of August 25, 2006, and September 14, 2006. The motion was seconded by Mr. Belack and carried 6 to 0.

[PC20061109DOC003](#)

CONSENT AGENDA

ZONING

Public hearing (continued from 10/12/06) was opened to consider

PDR-04-48(Z)(P) CHAPMAN/THE WELLINGTONS

(CONTINUED TO NO DATE SET; TO BE RE-ADVERTISED)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the Official Zoning Atlas (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of certain land from **A-1** to **PDR**; providing an effective date; and a Preliminary Site Plan for 63 Single-Family Detached Residences; on 30.27 acres located 550 feet north of the intersection of 121st Avenue East and 73rd Street East at 7505 121st Avenue East.

[PC20061109DOC004](#)

Public hearing (continued from 10/12/06 and Notices published) was opened to consider

PDC-05-40(P) EAST ELLENTON ENTERPRISES, INC./HUNGRY HOWIE'S

(CONTINUED TO DECEMBER 14, 2006, AT 9:00 A.M.)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for a 120-seat, 3,500-square-foot restaurant on approximately 1.265 acres; generally on the south side of U. S. 301 at 5912 28th Street East and 1812 60th Avenue East, Ellenton; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

[PC20061109DOC005](#)

Public hearing (continued from 10/12/06 and Notices published) was opened to consider

PDMU-05-70(Z)(P) MARONDA HOMES, INC., OF FLORIDA/OAKWOOD APARTMENTS LLC

(CONTINUED TO DECEMBER 14, 2006, AT 9:00 A.M.)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida...; providing for the rezoning of approximately 15.46 acres generally 0.25 miles north of Whitfield Avenue on the west side of 15th Street East, at 6720 15th Street East, Bradenton, with 1.26 acres from **LM** zoning district; 0.18 acres from **GC** zoning district;

5.56 acres from **PDR** zoning district; 6.05 acres from **RMF-9** zoning district; 1.12 acres from **RSF-3** zoning district, and 1.29 acres from **RSF-4.5** zoning district; all to be rezoned to the **PDMU** zoning district; approving a Preliminary Site Plan for 91 lots for single-family attached residences with at least ten percent of the units designated as workforce housing subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability and providing an effective date. [PC20061109DOC006](#)

NORTHWEST SECTOR

Public hearing (continued from 10/12/06 and Notices published) was opened to consider

PDMU-05-19(Z)(G) SMR NORTH 70 LLC, EQUITABLE NATIONAL PROPERTY COMPANY LLC, PARK VISTA APARTMENTS, INC., FC, LLC, AND PRESIDENTIAL APARTMENTS AND HOUSING, INC. (NORTHWEST SECTOR)

(CONTINUED TO JANUARY 11, 2007, AT 9:00 A.M.)

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida...; providing for the rezoning of certain land from **A** to **PDMU**, retaining the **WP-E** and **ST** Overlay Districts where appropriate; providing an effective date; and approval of a General Development Plan for 4,096 lots for single-family residences (including detached, attached, and semi-detached), 350 multifamily units, 200,000 square feet of commercial space, 105,000 square feet of office space, and an option to exchange other land uses for a 120-bed group care facility; providing for severability; providing a legal description; and setting forth findings. The site is generally east of Lakewood Ranch Boulevard, south of the future extension of 44th Avenue East, west of Lorraine Road, and north of S.R. 70. A 39.3 acre parcel is west of Lakewood Ranch Boulevard. (Total project: \pm 1,518.9 acres). [PC20061109DOC007](#)

Public hearing (continued from 10/12/06) was opened to consider

ORDINANCE 06-44 NORTHWEST SECTOR DRI (DRI #26)

(CONTINUED TO JANUARY 11, 2007, AT 9:00 A.M.)

Request: Approval of a new Development of Regional Impact to allow:

- a. 4,446 residential units;
- b. 200,000 square feet of retail;
- c. 105,000 square feet of office;
- d. a \pm 10-acre neighborhood park; and
- e. a 120-bed group care home (aka assisted living facility).

The applicant also requests approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses, within specific ranges. The DRI is proposed in two phases: Phase I with a build out date of 2011, and Phase II with a build out date of 2019. Specific approval is requested for Phase I for 3,000 residential units, 200,000 square feet of retail, 105,000 square feet of office, and a 10-acre park. Conceptual approval is requested for Phase II. In the future, specific approval of Phase II will be contingent upon submittal of further transportation and air quality analysis in accordance with *Section 380.06, Florida Statutes*.

The Northwest Sector DRI is located on 1,518.9 acres generally north of S.R. 70 between Lakewood Ranch Boulevard (to the west) and Lorraine Road (to the east) and slightly more than 1.5 miles south of S.R. 64. [PC20061109DOC008](#)

IMC PHOSPHATES COMPANY – FOUR CORNERS MINE

Public hearings (continued from 8/10/06) were opened to consider

Z-03-01 (fka Z-02-11) IMC PHOSPHATES COMPANY/FOUR CORNERS MINE NORTHEAST TRACT – PARCEL 4

(CONTINUED TO MARCH 8, 2007, AT 9:00 A.M.; TO BE RE-ADVERTISED)

Request: Zoning Ordinance of the County of Manatee, Florida, amending the Official Zoning Atlas of Manatee County (Ordinance 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area of Manatee County; providing for the rezoning of certain land from **A**, **A/WP-M**, and **A/WP-M/ST** to **EX**; and providing an effective date.

The proposed addition to the Four Corners Phosphate Mine is located on a total of 2,048 acres in the northeast corner of Manatee County, north of S.R. 62, east of S.R. 37, and extending to the Manatee County/Hardee County line. The parcel is located within Sections 11, 12, 13, 14, and 24, Township 33 South, Range 22 East. [PC20061109DOC009](#)

and

ORDINANCE 05-25 (fka 03-21, 02-58, and 02-49) IMC PHOSPHATES COMPANY/FOUR CORNERS MINE SUBSTANTIAL DEVIATION NORTHEAST TRACT ADDITION – PARCEL 4 (CONTINUED TO MARCH 8, 2007, AT 9:00 A.M.; TO BE RE-ADVERTISED)

Request: Substantial Deviation to the Four Corners Mine Development of Regional Impact to:

1. Amend Section 7 – Legal description for the addition of Parcel 4, 2,048 acres (also known as the Altman Tract) to this DRI;
2. Allow the mining of phosphate ore on the 2,048-acre addition to the mine;
3. Amend the Development Order (D.O.) to increase the rate of mining and number of acres to be mined or disturbed within Parcel 4;
4. Amend Sections 4 – Development Components, 5 – Definitions, and 6 – Development Conditions, to reflect the 2,048 acres to be added to this DRI, and to establish new or modified conditions of approval for mining within Parcel 4, and to ensure the Development Order will be internally consistent with all changes proposed by the applicant; and
5. Amend Map H to reflect the above changes.

The proposed addition (Parcel 4) to the Four Corners Phosphate Mine is located north of S.R. 62, east of S.R. 37, extending eastward to the Hardee County line. Parcel 4 is 2,048 acres. The existing Four Corners Phosphate Mine is located north of S.R. 62 and along both sides of S.R. 37 and C.R. 39, extending north into Hillsborough County. [PC20061109DOC010](#)

Public hearing (continued from 8/10/06) was opened to consider

RESOLUTION R-05-039 (fka R-04-275) MASTER MINE PLAN

(CONTINUED TO MARCH 8, 2007, AT 9:00 A.M.)

R-05-039 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, AMENDING IMC PHOSPHATES COMPANY'S EXISTING MASTER MINING PLAN FOR **THE FOUR CORNERS MINE** TO AUTHORIZE MINING ON PARCEL 4 (2,048 ACRES); TO ESTABLISH NEW OR MODIFIED CONDITIONS OF APPROVAL FOR MINING WITHIN PARCEL 4 TO INSURE THAT THE MASTER MINING PLAN WILL BE CONSISTENT WITH ALL CHANGES PROPOSED BY THE APPLICANT AND THE DRI DEVELOPMENT ORDER FOR THIS PROJECT; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

[PC20061109DOC011](#)

Motion was made by Mr. Wick, seconded by Mr. Belack, and carried 6 to 0, to approve the Consent Agenda incorporating the language as stated in the recommended motions in the staff reports.

(End Consent Agenda)

ZONING

Public hearing (Notices published) was opened to consider

PDR-04-19(P) MONTLEA DUNNE LLC/HOLIDAY HEIGHTS CONDOMINIUMS

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 28 multifamily units on approximately 3.79 acres; generally on the south side of 51st Avenue West, approximately 470 feet west of 20th Street West, at 2108 51st Avenue West, Bradenton; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

If approved, staff recommended 14 Stipulations; GRANTING Special Approval for a project: (1) adjacent to a perennial stream and (2) exceeding a gross density of six dwelling units per acre in the RES-9 Future Land Use Category; ADOPTION of the Findings for Specific Approval; and GRANTING Specific Approval for an alternative to Section 715.3.2 of the Land Development Code.

Robert Pederson, Planning Department, recommended this public hearing be continued to December 14, 2006. He noted a public comment letter (e-mail from **Debby LaMontaine**) was submitted with the agenda update memorandum.

Motion was made by Mr. Wick, seconded by Mr. Guyton, and carried 6 to 0, to continue the public hearing for **PDR-04-19(P)** to December 14, 2006, at 9:00 a.m., or as soon thereafter as same may be heard at the Manatee County Government Administrative Center, First Floor Chambers.

[PC20061109DOC012](#)

Public hearing (continued from 10/12/06 and Notices published) was held to consider

PDR-06-17(P) PALMETTO RETIREMENT VILLAGE, PHASE II

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, regarding land development, approving a Preliminary Site Plan for 14 attached and semi-attached residential units with associated recreational area on approximately 9.95 acres; generally at 5104 2nd Avenue East, Palmetto; subject to stipulations as conditions of approval; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

If approved, staff recommended 16 Stipulations.

School Board review comments were submitted with the agenda update memorandum.

Marie McCaughan, representing the applicant, advised this project was previously approved (PDR-96-14[F]); however the site plan expired. The only changes are a reduction in density, and there will now be a swimming pool where the tennis courts were approved. All infrastructure improvements have been completed.

Barney Salmon, Planning Department, reviewed the site plan.

Speaking in favor of this request were **Steven Green** and **Mary Lynah**.

Based upon the staff report, evidence presented, comments made at the public hearing, and finding the request to be consistent with the Manatee County Comprehensive Plan and the Manatee County Land Development Code, as conditioned herein, Mr. Belack moved to recommend APPROVAL of Preliminary Site Plan **PDR-06-17(P)** with Stipulations 1 through 16, as recommended by staff. The motion was seconded by Mr. Wick.

Mr. Pendley recommended they file an application with the Secretary of State for an age-restricted community in order to be exempt from School Impact Fees.

The motion carried 6 to 0.

[PC20061109DOC013](#)

MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Adj: 9:17 a.m.
/dev

Minutes Approved: January 11, 2007