



AGENDA
BRADENTON CITY COUNCIL
May 24, 2006
6:00 p.m.

1. INVOCATION AND PLEDGE

Invocation led by Rev. James Golden, Councilman Ward V.

2. PROCLAMATION

None scheduled.

3. PRESENTATION

None scheduled.

4. ADMINISTERING THE OATH

5. CITIZEN COMMENTS

6. COUNCIL REPORTS

7. CONSENT AGENDA

- a) Approval of minutes for May 10, 2006.
- b) Approval of budget adjustments for Bradenton Fire Department.

8. BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

- a) **CP.06.0014 WARD 4 NEIGHBORHOOD 20.03 RS** **FIRST READING**
Request of Stephen W. Thompson, Esquire, agent for Southern Hospitality Association, LLC, owner, to change the Future Land Use Designation from County Res-6 to City Res-6 for a 20' strip of property located at 245 48th Street Court East.

FIRST READING OF PROPOSED ORDINANCE 2827

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 245 48TH STREET COURT EAST, BRADENTON, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (SMALL SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.06.0014) CHANGING THE FUTURE LAND USE DESIGNATION FROM RES-6 (COUNTY) TO RES-6 (CITY); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- b) **LU.06.0026 WARD 4 NEIGHBORHOOD 20.03 RS** **FIRST READING**
Request of Stephen W. Thompson, Esquire, agent for Southern Hospitality Association, LLC, owner, to change the Land Use Atlas Designation from County A-1 to City PDP for a 20' strip of property located at 245 48th Street Court East.

FIRST READING OF PROPOSED ORDINANCE 2828

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA, BY A LAND USE ATLAS AMENDMENT TO CHANGE THE DESIGNATION FROM A-1 (COUNTY) TO PDP (CITY) FOR THE PROPERTY LOCATED AT 245 48TH STREET COURT EAST AND LEGALLY DESCRIBED AS FOLLOWS:

A STRIP 20 FEET WIDE ENTIRELY ACROSS THE NORTH SIDE OF THE SE ¼ OF THE NE ¼ OF SECTION 28, TOWNSHIP 34 SOUTH, RANGE 18 EAST MANATEE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR 48TH STREET COURT EAST ON WESTERN SIDE OF DESCRIBED PROPERTY IN MANATEE COUNTY, FLORIDA

- c) **FIRST READING OF PROPOSED ORDINANCE 2830**
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, ESTABLISHING THE TIDEWATER PRESERVE COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO CHAPTER 190, FLORIDA STATUTES, SPECIFYING GENERAL AND SPECIAL POWERS OF THE DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; PROVIDING FOR THE ADMINISTRATION, OPERATION, MAINTENANCE, AND FINANCING OF THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR ACKNOWLEDGEMENT AND AGREEMENT BY THE PETITIONER; AND PROVIDING FOR AN EFFECTIVE DATE.
- d) **PR.06.0022 WARD 4 NEIGHBORHOOD 7.02A RS** **PUBLIC HEARING** (Continued)
Request of George F. Young, Inc., agent for James Wood, Thorwald III, LLC, c/o Dolphin Equity, owners, for preliminary approval of a Planned Development Project known as Thorwald located at 208 & 210 22nd St. Ct. N.E. & 327 Riverpoint Dr. N.E. (Zoned R1B)
- e) **SP.06.0004 WARD 4 NEIGHBORHOOD 7.02A RS** (Continued)
Request of George F. Young, Inc., agent for James Wood, Thorwald III, LLC, c/o Dolphin Equity, owners, for preliminary approval of a Subdivision known as Thorwald located at 208 & 210 22nd St. Ct. N.E. & 327 Riverpoint Dr. N.E. (Zoned R1B)
- f) **AP.06.0001 WARD 4 NEIGHBORHOOD 7.03 RS** **PUBLIC HEARING**
Appeal of Dale Johnson, agent for Riviera Southshore, owner, from decision of Architectural Review Board pertaining to property located at 1203 Manatee Avenue East (Zoned R1B/C1A).
- g) **CP.05.0010 WARD 5 NEIGHBORHOOD 7.02/8.03 MM** **PUBLIC HEARING**
Request of King Engineering Assoc., Inc., agent for Mixon Fruit Farms, owner, to amend the City's Comprehensive Plan by changing the Future Land Use Designation from County Res-6 to City Res-6 for property located at 2605 26th Avenue East.

SECOND READING OF PROPOSED ORDINANCE 2831 / PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 2605 26TH AVENUE EAST, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (LARGE SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.05.0010) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL 6 TO CITY RESIDENTIAL 6; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- h) **LU.05.0022 WARD5 NEIGHBORHOOD 7.02/8.03 MM** **PUBLIC HEARING**
Request of King Engineering Assoc., Inc., agent for Mixon Fruit Farms, owner, for Land Use Atlas Amendment from County A-1 to City PDP for property located at 2605 26th Avenue East.

SECOND READING OF PROPOSED ORDINANCE 2832 / PUBLIC HEARING

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A LAND USE ATLAS AMENDMENT TO CHANGE THE DESIGNATION FROM COUNTY A-1 TO CITY PDP OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 2605 26TH AVENUE EAST AND LEGALLY DESCRIBED.

- i) **CP.05.0012 WARD 4 NEIGHBORHOOD 20.03 RS** **PUBLIC HEARING**
Request of Marcus Helmuth and David McNabb, White Oak Development, Ltd., agent for Steven, Tonya and Johnny Rice, owners, to change Land Use Atlas Amendment from County Res-6 to City Res-6 for property located at 5050 1st Avenue East.

SECOND READING OF PROPOSED ORDINANCE 2833 / PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 5050 1ST AVENUE EAST, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (LARGE SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.05.0012) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL 6 TO CITY RESIDENTIAL 6; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- j) **LU.05.0024 WARD 4 NEIGHBORHOOD 20.03 RS** **PUBLIC HEARING**
Request of Marcus Helmuth and David McNabb, White Oak Development, Ltd., agent for Steven, Tonya and Johnny Rice, owners, for Land Use Atlas Amendment from County A-1 to City PDP for property located at 5050 1st Avenue East.

SECOND READING OF PROPOSED ORDINANCE 2834 / PUBLIC HEARING

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A LAND USE ATLAS AMENDMENT TO CHANGE THE DESIGNATION FROM COUNTY A-1 TO CITY PDP OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 5050 1ST AVENUE EAST AND LEGALLY DESCRIBED.

- k) **CP.05.0007 WARDS 3&5 NEIGHBORHOODS 1.03/1.04, 6.01, 6.02 MM** **PUBLIC HEARING**
Request of City of Bradenton for Large Scale Comprehensive Plan Amendment Application to change Future Land Use Designation from Commercial Res-10 and Res-15 to Urban Village for property located on Tamiami Trail from approximately 9th Ave. W. to 18th Ave. W. between 13th St. W. and 15th St. W. and make policy changes to the Future Land Use and Housing Elements relating to desired uses, density and intensity limits, moderate income housing incentives, establishment of design guidelines and architectural controls in the Urban Village and Urban Central Business District and incorporating as a reference the Tamiami Trail Revitalization Strategy and amend the Capital Improvement Element to incorporate changes of scheduled public facilities.

SECOND READING PROPOSED ORDINANCE 2835 / PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTIES GENERALLY LOCATED IMMEDIATELY SOUTH OF 9TH AVENUE WEST TO 18TH AVENUE WEST (NORTH TO SOUTH) AND 13TH STREET WEST TO 15TH STREET WEST (EAST TO WEST) FROM CURRENT FUTURE LAND USE DESIGNATIONS TO URBAN VILLAGE; PROVIDING FOR INCREASE IN DENSITY; PROVIDING FOR POTENTIAL DENSITY BONUSES FOR AFFORDABLE HOUSING; PROVIDING FOR INCREASED RESIDENTIAL DENSITY IN THE URBAN CENTRAL BUSINESS DISTRICT FUTURE LAND USE DESIGNATION WITH POTENTIAL BONUSES FOR AFFORDABLE HOUSING, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE

PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (LARGE SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.05.0007); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- 1) **LU.06.0027 WARDS 3&5 NEIGHBORHOODS 1.03/1.04, 6.01, 6.02 MM PUBLIC HEARING**
Request of City of Bradenton to amend Land Use Atlas from C-1, C-3, R-3A, R-2B, and R3-B to Urban Village for properties identified in Map Exhibit, generally located immediately south of 9th Avenue West to 18th Avenue West (north to south) and 13th Street West to 15th Street West (east to west) in the City of Bradenton, Florida. The Urban Village district will provide for a mixture of land uses as recommended in the City's adopted Future Land Use Element with a maximum residential density of 30 dwelling units per acre and a potential density bonus of up to 10 dwelling units per acre contingent upon certain requirements being met relating to the creation of affordable housing. Non-residential land uses will be limited to a maximum floor area ratio of 0.70. In addition, the City proposes to increase the maximum residential density inside the currently adopted Urban Central Business District overlay, as shown on Map Exhibit, from 25 dwelling units per acre to 40 dwelling units per acre plus a potential density bonus of up to 10 dwelling units per acre contingent upon certain requirements being met relating to the creation of affordable housing. Concurrently, the floor area ratio for non-residential land uses in the C-1 district is proposed to be reduced from its current maximum of 10.0 to 5.0.

SECOND READING OF PROPOSED ORDINANCE 2836 **FIRST PUBLIC HEARING**
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA AND AMENDING ITS LAND USE ATLAS FOR PROPERTIES GENERALLY LOCATED IMMEDIATELY SOUTH OF 9TH AVENUE WEST TO 18TH AVENUE WEST (NORTH TO SOUTH) AND 13TH STREET WEST TO 15TH STREET WEST (EAST TO WEST) FROM CURRENT LAND USE DESIGNATIONS TO URBAN VILLAGE; PROVIDING FOR INCREASE IN DENSITY; PROVIDING FOR POTENTIAL DENSITY BONUS FOR AFFORDABLE HOUSING; PROVIDING FOR INCREASED RESIDENTIAL DENSITY IN THE URBAN CENTRAL BUSINESS DISTRICT OVERLAY WITH POTENTIAL BONUS FOR AFFORDABLE HOUSING; REDUCING FLOOR AREA RATIOS FOR NON-RESIDENTIAL USES IN THE C-1 DISTRICT; AMENDING PERMITTED AND SPECIAL USES; AND PROVIDING AN EFFECTIVE DATE.

- m) **SF.06.0005 WARD 4 NEIGHBORHOOD 20.03 RS**
Request of Wilson Miller, agent for WCI Communities, Inc., owner, for final plat approval for subdivision known as Tidewater Preserve, Phase I located at 501 48th Street Court N.E.

9. NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Carl Callahan

- a) Orlando Special Effects, Inc. is requesting to put on a fireworks display for the Manatee High School's graduation ceremony on Saturday, May 27, 2006 at 8:30 p.m. at the high school football stadium.
- b) Foundation for Dreams is requesting permission to hold a run on Saturday, June 17, 2006, beginning at 7:30 a.m. at Lifestyle Family Fitness located at 4901 Cortez Rd. West.

Tim Polk

Building demolition at 1921 10th Avenue East

10. BUSINESS BY APPOINTMENT

11. DEPARTMENT HEADS

***RULES OF PROCEDURE FOR AGENDA AND PUBLIC
APPEARANCES BEFORE CITY COUNCIL***

PLEASE PLACE CELL PHONES ON SILENT MODE

PRIOR TO COUNCIL MEETING: Agenda will be prepared and available to the public by 5:00 p.m. of the Friday preceding the Council meeting. Appointments on the agenda, all items for Department Heads, and all other interested parties must be submitted before 5:00 p.m. on the Thursday preceding the Council meeting. Anyone wishing to be placed on the agenda must contact the City Clerk's Office at City Hall, giving their name, business name (if applicable), whether they are resident taxpayers of the City and must state their business. Appearances before Council will be scheduled to last five (5) minutes. If more time is needed, the Mayor or Council person in charge of the Ward involved should be contacted. If they feel the request is justified, they will instruct the City Clerk as to how much time to allow on the agenda. Be advised that, in accordance with the American With Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk & Treasurer of the City of Bradenton at 101 Old Main Street, Bradenton, Florida 34205, telephone (941) 932-9445, not later than seven (7) days prior to the proceeding.

AT COUNCIL MEETING: If a person (or agent) wishes to address the City Council, he shall first request recognition by the Mayor. After being recognized, he should approach the City Clerk, giving his name and address and stating whether he is a resident taxpayer of the City of Bradenton (in the case of an agent, he shall then identify his clients by name, give their address and whether they are resident taxpayers of Bradenton) and identify the agenda item with which he is concerned, state whether he is in favor of or against the item and then proceed to state his position or present his information. A maximum of five (5) minutes will be allowed unless the Mayor rules otherwise. If it appears the matter about which the person wishes to speak is not on the agenda, he shall clearly state the emergency circumstances justifying Council consideration at this time, and the Council shall determine whether he shall be permitted to proceed. (Note: If handouts are being distributed please provide a minimum of ten (10) copies.)

PURSUANT TO FLORIDA STATUTE 286.0105: If a person decides to appeal any decision made by the board, council, agency, or commission at this meeting, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

PLEDGE OF PUBLIC CONDUCT: We, the Mayor, City Council and Employees of the City of Bradenton agree to: * Establish a process to promote positive interaction among ourselves and the citizens of Bradenton in a positive and non-threatening environment. * Encourage visible, involved and active participation among all. * Promote improved communication through active listening, providing feedback and honest expression of ideas. * Utilize consensus for decision making. We realized that though we may disagree, we will be respectful of each other. We will direct all comments to the issues and will avoid personal attacks.