



**AGENDA  
BRADENTON CITY  
COUNCIL  
September 14, 2005  
8:30 a.m.**

**1. INVOCATION AND APPROVAL OF MINUTES:**

- a) Invocation led by Richard Allshouse, Outreach Minister, Community Church of Christ, Bradenton/Sarasota Congregation.
- b) Approval of Minutes for August 10, 2005 and Minutes for September 1, 2005.

**2. PROCLAMATION:**

**3. PRESENTATION:**

- a) Bradenton Police Department - Swearing in of a new officer
- b) Bradenton Fire Department - Promotion and Recognition Awards

**4. ADMINISTERING THE OATH:**

**5. CITIZEN COMMENTS:**

**6. COUNCIL REPORTS:**

**7. BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:**

a) **CP.05.0006 WARD 3 NEIGHBORHOOD 6.01 RS**

Request of King Engineering & Associates, agent for Wares Creek Development LLC, owners for a Small Scale Comprehensive Plan Amendment changing the Future Land Use from City Residential-10 to Professional located at 1915 Manatee Avenue West. (Zoned R-1C).

**FIRST READING OF PROPOSED ORDINANCE 2795**

*AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 1915 MANATEE AVENUE WEST, 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.05.0006) CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL 10 TO PROFESSIONAL; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.*

b) **LU.05.0010 WARD 3 NEIGHBORHOOD 6.01 RS**

Request of King Engineering & Associates, agent for Wares Creek Development LLC, owners for a Land Use Atlas Amendment to change the zoning designation from Professional and R-1C to PDP for the property located at 1915 Manatee Avenue West (Zoned R-1C).

**FIRST READING OF PROPOSED ORDINANCE 2796**

*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 P AND R-1C TO PDP AND A PRELIMINARY PDP OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 1915 MANATEE AVENUE WEST AND LEGALLY DESCRIBED.*

- c) **AX.04.0005 WARD 5 NEIGHBORHOOD 7.02/8.03**  
Request of King Engineering, Agent for Mixon Fruit Farms, owner, for an annexation of 229.34 acres located at approximately 2605 26th Ave E. (Zoned County A1, RSF- 4.5, PC-C).  
**PROPOSED ORDINANCE 2779 TO SET FOR 2<sup>ND</sup> READING AND PUBLIC HEARING**  
*AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT APPROXIMATELY 2605 26<sup>th</sup> AVENUE EAST AND LEGALLY DESCRIBED.*
- d) **AX.05.0009 WARD 1 NEIGHBORHOOD 4.07 LF**  
Request of Maurice Healey, agent for Yulara 2 LLC for annexation of 1.88 acres located at 701 63rd Street West.  
**SECOND READING/PUBLIC HEARING OF PROPOSED ORDINANCE 2787**  
*AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT 701 63<sup>rd</sup> St W AND LEGALLY DESCRIBED.*
- e) **AX.05.0010 WARD 1 NEIGHBORHOOD 12.02 LF**  
Request of Clifford L. Walters, Esq. of Blalock, Walters, Held & Johnson, P.A., Agent for Paradise Pointe, LLC for annexation of 1.4 acres located at 12320 Manatee Avenue West.  
**SECOND READING/PUBLIC HEARING OF PROPOSED ORDINANCE 2790**  
*AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, 12320 MANATEE AVE W AND LEGALLY DESCRIBED.*
- f) **SA.05.0001 WARD 4 NEIGHBORHOOD 1.01 RS** **PUBLIC HEARING**  
Request of Allen Yearick, owner for Special Use approval to add outdoor seating to Le Cigar located at 425 12<sup>th</sup> Street West (Zoned C1/UCBD).
- g) **SA.05.0002 WARD 5 NEIGHBORHOOD 7.02B RS** **PUBLIC HEARING**  
Request of Earl Baden, Jr., agent for Manatee County Historical Commission, owner for Special Use approval to add 3 recently acquired parcels to the Historical Park plan located at 604 15<sup>th</sup> Street East (Zoned C1A).
- h) **SA.05.0003 WARD 2 NEIGHBORHOOD 12.02 RS** **PUBLIC HEARING**  
Request of Stephen Thompson Esq., agent for Episcopal Day Private School of Manatee County Inc, owner for Special Use approval to allow a dock to be built approximately 25 feet from the north property line on the west side of McLewis Bayou located at 315 41<sup>st</sup> Street West (Zoned C3).
- i) **LU.05.0008 LF**  
Request of the City of Bradenton for an atlas map amendment to the Land Use Regulations (LURs) regarding establishing boundaries for the Antique District Overlay.  
**SECOND READING/PUBLIC HEARING OF PROPOSED ORDINANCE 2791**  
*AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A LAND USE ATLAS AMENDMENT DELINEATING THE ANTIQUES DISTRICT OVERLAY AND LEGALLY DESCRIBED.*
- j) **PR.05.0012 WARD 4 NEIGHBORHOOD 20.04 LF** **PUBLIC HEARING continued**  
Request of Bob Attack of Kimley-Horn & Assoc, Agent for Peninsular Properties LLC and Manatee Corporation, Owners for preliminary PDP approval for a 102-unit condominium project to be known as Mira Isles located at 3700 SR 64 E. (Zoned PDP)
- k) **MA.05.0009 WARD 4 NEIGHBORHOOD 1.01 LF** **PUBLIC HEARING**  
Request of Wilson Miller Inc, agent for The Promenade at Riverwalk LLC, owners for a Major Amendment to a Preliminary Planned Development Project to modify the height of buildings 8 and 9 from eight stories to fifteen stories located at 800 3<sup>rd</sup> Avenue West. (Zoned PDP).

**8. NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:**

Carl Callahan

- a) Rich Coffey with the "Taste of Manatee" is requesting approval to hold the annual event to raise money for Meals on Wheels, November 5<sup>th</sup> and 6<sup>th</sup>, on Old Main Street from 3<sup>rd</sup> Avenue West to Barcarrota Boulevard to 15<sup>th</sup> Street West.
- b) The Old Main Street Market is requesting approval for their Open Air Market to be held every Saturday morning from 8:00 a.m. to 1:00 p.m. starting October 1, 2005 to May 13, 2006 on Old Main Street between Manatee Avenue and Barcarrota Boulevard.
- c) The Bradenton Downtown Progress is requesting approval to hold the "Get Down Downtown" event every third Thursday, starting September 15, 2005, each month to June 15, 2006.
- d) The Tree Board is requesting approval to hold a Tree Festival at Love Park on Saturday, September 17, 2005 from 11:00 a.m. to 1:00 p.m.
- e) RESOLUTION 05-54 APPOINTING **LUCIENNE GAUFILLET** TO THE ARCHITECTURAL REVIEW BOARD FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HER TERM.
- f) RESOLUTION 05-56 OF THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, DECLINING TO PROVIDE FOR EARLY VOTING IN THE CITY ELECTIONS FOR THE YEAR 2005; PROVIDING AN EFFECTIVE DATE.
- g) Approval of watertank leases for Nextel.

Larry Frey

- a) Design & Compatibility Study
- b) SHIP Annual Report

John Cumming

- a) SWFWMD Wares Creek Bridges Funding Agreement

**9. BUSINESS BY APPOINTMENT:**

**10. 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) 708-6200 EXT. 278, 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.