



**AGENDA
BRADENTON CITY
COUNCIL
November 19, 2003
6:00 P.M.**

1. ECUMENICAL PRAYER AND APPROVAL OF MINUTES:

- a) Ecumenical prayer was led by Rabbi Barbara Aiello, Temple Bethel.
- b) Approval of Minutes for September 24, 2003, October 8, 2003, October 22, 2003 and November 5, 2003.

2. PROCLAMATION:

3. PRESENTATION:

- a) Bradenton Police Department – Oath of Office for new officers

4. ADMINISTERING THE OATH:

5. PUBLIC COMMENTS:

6. COUNCIL REPORTS:

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

- a) **SECOND READING OF ORDINANCE** **PUBLIC HEARING**
An ordinance annexing to the City of Bradenton, Florida, certain land contiguous thereto, located at 7208 Manatee Avenue West and legally described.

PROPOSED ORDINANCE # 2727

AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT 7208 MANATEE AVENUE WEST AND LEGALLY DESCRIBED.

- b) **SE-03-16 WARD 5 NEIGHBORHOOD 7.03 RS** **PUBLIC HEARING**
Request of Ella Powell and Phyllis Mays, agent for Church of Christ for Special Exception approval to operate a daycare center for the property located at 201 10th Avenue East. (Zoned R2-A)

- c) **CPA-M-03-04 WARD 4 NEIGHBORHOOD 20.04 JB** **FIRST READING**
Request of Robert Schmitt, AICP, agent for Braden River Animal Hospital, owner, for a small scale Comprehensive Plan Map Amendment to change the Future Land Use Map Designation from County Res-6 to City Commercial for the property located at 5012 State Road 64 East. (Zoned A-1 and Res 6)

PROPOSED ORDINANCE # 2728

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 5012 STATE ROAD EAST, 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 CPA-M-03-04) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL 6 TO CITY COMMERCIAL; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- d) **LUR-AA-03-07 WARD 4 NEIGHBORHOOD 20.04 JB** **FIRST READING**
Request of Robert Schmitt, AICP, agent for Braden River Animal Hospital, owner, for a Zoning Atlas Amendment to change the designation from County A-1 to City Commercial -3 for the property located at 5012 State Road 64 East.

PROPOSED ORDINANCE # 2729

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING ATLAS AMENDMENT TO CHANGE THE ZONING DESIGNATION FROM MANATEE COUNTY A-1 TO CITY COMMERCIAL-3 FOR THE PROPERTY LOCATED AT 5012 STATE ROAD 64 EAST AND LEGALLY DESCRIBED.

- e) **CPA-M-03-05 WARD 4 NEIGHBORHOOD 20.03 JB** **FIRST READING**
Request of Caleb Grimes, agent for McClure Properties Limited, owner, for a large scale Comprehensive Plan Map Amendment to change the Future Land Use Map Designation from County Residential 6 and Agricultural/Rural to City Residential 6 and Conservation for the property located at 101 48th Street Court N.E.

PROPOSED ORDINANCE # 2730

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 101 48TH STREET COURT NORTHEAST, 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 CPA-M-03-05) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL - 6 AND AGRICULTURAL/RURAL TO CITY RESIDENTIAL 6 AND CONSERVATION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- f) **LUR-AA-03-08 WARD 4 NEIGHBORHOOD 20.03 JB** **FIRST READING**
Request of Caleb Grimes, agent for McClure Properties Limited, owner, for a Zoning Atlas Amendment to change the designation from County PDMU, PDR, and A-1 to City PDP for the property located at 101 48th Street Court N.E.

PROPOSED ORDINANCE # 2731

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OR ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING ATLAS AMENDMENT TO CHANGE THE ZONING DESIGNATION FROM MANATEE COUNTY PDMU-MIXED USE (PRIMARY) TO CITY PLANNED DEVELOPMENT PROJECT (PDP) FOR THE PROPERTY LOCATED AT 101 48TH STREET COURT NORTHEAST AND LEGALLY DESCRIBED.

- g) **CPA-M-03-06 WARD 4 NEIGHBORHOOD 20.03 JB** **FIRST READING**
Request of Stephen Thompson, agent for Aurora Foundation, owner, for a large scale Comprehensive Plan Amendment to change the Future Land Use Designation from County Res 6 to City Residential 6 for the property located at 415 48th Street Court East.

PROPOSED ORDINANCE # 2732

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 415 48TH STREET COURT EAST, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (LARGE SCALE DEVELOPMENT ACTIVITY AMENDMENT CPA-M-03-06) 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) **LUR-AA-03-09 WARD 4 NEIGHBORHOOD 20.03 JB** **FIRST READING**

Request of Stephen Thompson, agent for Aurora Foundation, owner, for a Zoning Atlas Amendment to change the designation from County A-1 to City PDP for the property located at 415 48th Street Court East.

PROPOSED ORDINANCE # 2733

AN ORDINANCE AMENDING ORDINANCE NO 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING ATLAS AMENDMENT TO CHANGE THE ZONING DESIGNATION FROM MANATEE COUNTY A-1 (AGRICULTURE SUBURBAN) TO CITY PDP (PLANNED DEVELOPMENT PROJECT) FOR THE PROPERTY LOCATED AT 415 48TH STREET COURT EAST AND LEGALLY DESCRIBED.

i) **FIRST READING OF AN ORDINANCE**

PROPOSED ORDINANCE # 2734

AN ORDINANCE OF THE CITY OF BRADENTON, MANATEE COUNTY, FLORIDA, AMENDING CHAPTER 62, ARTICLE IV, PARKS AND RECREATION AREAS OF THE CITY OF BRADENTON BY ADDING THERETO A NEW SECTION 62-88 PROHIBITING SKATEBOARDING WITHIN THAT PARK KNOWN AS THE ANTHONY B. ROSSI WATERFRONT PARK; PROVIDING AN EFFECTIVE DATE.

j) **CPA-T-03-07 LF** **FIRST READING**

Request of the City of Bradenton for a text amendment to the City of Bradenton Comprehensive Plan to address transfer of density and clarification of the Conservation District.

PROPOSED ORDINANCE # 2735

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 2436, AS AMENDED BY ORDINANCE 2619; PERTAINING TO THE FUTURE LAND USE ELEMENT AND THE COASTAL MANAGEMENT CONSERVATION ELEMENT REGARDING TRANSFER OF DENSITY AND CLARIFICATION OF THE CONSERVATION DISTRICT TO THE FUTURE LAND USE ELEMENT, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT (CITY OF BRADENTON, CPA-T-03-07); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

k) **CPA-T-03-08 JB** **FIRST READING**

Request of the City of Bradenton for an amendment to the City of Bradenton Comprehensive Plan to include text changes.

PROPOSED ORDINANCE # 2736

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 2436, AS AMENDED BY ORDINANCE 2619; REGARDING CLARIFICATION OF EXISTING LANGUAGE TO THE FUTURE LAND USE ELEMENT, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT (CITY OF BRADENTON, CPA-T-03-08); PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

1) **LUR-T-03-04 LF**

FIRST READING

Request of the City of Bradenton for amendments to the Land Use and Development Regulations to include major and minor amendments.

PROPOSED ORDINANCE # 2737

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENTS TO THE CITY OF BRADENTON LAND USE AND DEVELOPMENT REGULATIONS PERTAINING TO TRANSFER OF DENSITY AND CLARIFICATION OF THE CONSERVATION DISTRICT TEXT; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Carl Callahan

- a) 2004 City Council Meeting Dates
- b) 2004 Proposed City Holidays
- c) 2003 Final Budget Adjustments
- d) Amendment to Bradenton Riverfront Partners Ground Lease for the Mainstreet Apartments

Bill Lisch

- a) Manatee County Interlocal Agreement for News Racks

Larry Frey

- a) Demolition located at 211 8th Avenue Drive West
- b) Impact Fee Report
- c) Austin Properties Report
- d) Community Rating System and Fair Housing Report
- e) Density Transfer Discussion
- f) Building Permit Application Fees
- g) CDBG Budget Adjustments

9. 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.