



**AGENDA**  
**BRADENTON CITY COUNCIL**  
**June 13, 2007**  
**8:30 a.m.**

**1. INVOCATION AND PLEDGE:**

Invocation led by Councilman Golden, City Chaplain.

**2. PROCLAMATION:**

**3. PRESENTATION:**

- a) Bradenton Police Department  
Officer of the Month

**4. ADMINISTERING THE OATH:**

**5. CITIZEN COMMENTS:**

**6. COUNCIL REPORTS:**

**7. CONSENT AGENDA:**

- a) Approval of Minutes of May 23, 2007.

b) **MB.07.0014 WARD 4 NEIGHBORHOOD 7.03**

Request of R. Scott Tibbitts, owner, for a one-year PDP Extension for the future Tarpon Pointe project at property located at 234 6<sup>th</sup> Street Northeast. (Zoned PDP)

- c) Budget Adjustments over \$10,000.

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

- a) **SECOND READING OF PROPOSED ORDINANCE NO. 2865** **PUBLIC HEARING**  
AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE INCORPORATED AREAS OF THE CITY OF BRADENTON, FLORIDA; IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN THE CITY OF BRADENTON FOR PROVIDING NEW ROADS AND RELATED FACILITIES NECESSITATED BY SUCH NEW DEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE CITY COUNCIL; PROVIDING FOR THE PAYMENT AND TIME OF PAYMENT OF A ROADS IMPACT FEE; PROVIDING FOR REVIEW OF ROADS IMPACT FEES AND THE FEE SCHEDULES; PROVIDING FOR THE ESTABLISHMENT OF A ROADS IMPACT FEE DISTRICT; PROVIDING FOR THE PLACEMENT OF REVENUE COLLECTED FROM ROADS IMPACT FEES INTO THE ROADS IMPACT FEE TRUST FUND ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM ROADS IMPACT FEES; PROVIDING THAT ROADS IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

b) **RV.06.0014 WARD 4 NEIGHBORHOOD 7.02A RS**

Request of E. Blake Melhuish, Esquire, agent for Manatee Property Investments, LLC, owner, for Right-of-Way Vacation of Hubbel Road and removal of bridge for a project known as Hidden Lagoon Subdivision located at 701 Oak Street. (Zoned PDP)

**RESOLUTION NO. 07-30**

**PUBLIC HEARING**

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHT-OF-WAY" legally described.

c) **CP.07.0019 WARD 3 NEIGHBORHOOD 6.01 TC**

Request of Kim Mills, realtor, agent for Stamatis and Sharon Zeris, et al, owners, for approval of a Comprehensive Plan Amendment Application (Large Scale) to change the Future Land Use designation from Res-10 to UCBD (Urban Central Business District) for property located at 1503 to 1625 9th Avenue West. (Zoned R-3A)

**RESOLUTION NO. 07-27**

**PUBLIC HEARING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.07.0019, Stamatis and Sharon Zeris, et al**, AMENDING THE FUTURE LAND USE ELEMENT (FUTURE LAND USE MAP); PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

d) **CP.07.0020 WARD 4 NEIGHBORHOOD 20.04 TC**

Request of Barbara Levin, Esquire, agent for Morgan Johnson Associates, LLC, and Bradenton Baptist Church, Inc., owners, for approval of a Comprehensive Plan Amendment Application (Large Scale) to change the Future Land Use designation from County Res-6 to City Commercial for property located at 5412, 5520, 5526 and 5530 SR 64 East.

**RESOLUTION NO. 07-28**

**PUBLIC HEARING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.07.0020, Morgan Johnson Associates, et al**, AMENDING THE FUTURE LAND USE ELEMENT (FUTURE LAND USE MAP); PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

e) **PR.07.0033 WARD 4 NEIGHBORHOOD 7.02A RS**

**PUBLIC HEARING**

Request of M. Andrew Allison, P.E., agent for 1935 Partners, LLC, Russell Tilton, owners, for preliminary approval of a Planned Development Project for a professional park for property located at 1935 Manatee Avenue East. (Zoned C-2)

f) **RV.07.0015 WARD 5 NEIGHBORHOOD 7.03 RS**

Request of Benson Engineering, Inc., agent for Manatee Village Historical Park, owner, for Right-of-Way Vacation for property located at 1404 Manatee Avenue East (Zoned C-1A)

**RESOLUTION NO. 07-29**

**PUBLIC HEARING**

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHT-OF-WAY" legally described.

- g) **SU.07.0035 WARD 5 NEIGHBORHOOD 1.03/1.04 RS** **PUBLIC HEARING**  
Request of Klaus Doranth, agent, for Power Properties, Inc., owner, for outdoor storage of pavers and stone behind a fence for property located at 2118 9th Street West (Zoned C-3).

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

- a) Request by Manatee Glens to hold a 5k "Walk for Life" on Saturday, September 15, 2007.
- b) CDBG Program - Notice of Funds Availability

**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 from 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 Beverly Rhodes, CMC Deputy City Clerk at City Hall, by phone 941-932-9445, email: [bev.rhodes@cityofbradenton.com](mailto:bev.rhodes@cityofbradenton.com) or fax 941-932-9547 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 per the Mayor or Council person in charge of the meeting. NOTE: The Mayor may ask a city department to look into the issue prior to the meeting to see if the issue can be resolved. If the Mayor or Councilperson in charge of the meeting feels 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, they shall first complete a comment card available at the back of the Chamber. To discuss items listed on the agenda, the *Public Hearing Comment* (green) card should be completed. *(Please circle "In Favor" or "Opposed" on the card as you will be summoned by that category.)* To discuss non-agenda items, the *Citizen Comment* (yellow) card should be completed. *(Please state topic you would like to comment on.)* Submit the card to the Deputy City Clerk, who will then forward it to the Mayor. At the appropriate portion of the meeting, under *Citizen Comment* or at the time of the *Public Hearing* the Mayor will call your name to come forward. After being recognized by the Mayor, the person should come to the podium and, for the public record, state their name, address, whether they are a resident taxpayer of the City of Bradenton, and whether they are in favor of or against the item they wish to address. In the case of an agent, they shall identify themselves, then identify their clients by name, their clients' address, whether their clients are resident taxpayers of the City of Bradenton, and whether their clients are in favor of or against the topic they wish to address. They should then proceed to state their position or present their information. Appearance on all items will be limited to three (3) minutes unless the Mayor rules otherwise. (Note: If handouts are being distributed please provide a minimum of ten (10) copies to the City Clerk. If you wish to display a drawing or rendering contact the Deputy City Clerk prior to the meeting.) Any submissions commented on, photographs, letters, renderings, etc. will be kept by the City Clerk for the record.

**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.