

Ords 2974 + 2975



City of Bradenton, Florida

City Council Agenda Memorandum

Agenda Item:	CP.15.3629 and LU.15.3630 Lapidus	Agenda Date:	Jan 27, 2016
Originated by:	Christopher M. Gratz, AICP	Agenda Placement:	Ordinance-1st Reading <i>2nd reading</i>
Authorized by:	Tim Polk		

Explanation

ORDINANCE 2974 *1st reading*
CP.15.3629 Ward 4, Neighborhood 20.12: Request by Allison-Gause, Inc., agent, for Saul Lapidus, owner, for a Comprehensive Plan Map Amendment from RES-3 (County) to SCC, Suburban Commercial Corridor on 9.4 acres located at 1016 64th Street Court East.

ORDINANCE 2975 *FIRST READING*
LU.15.15.3630 Ward 4, Neighborhood 20.12: Request by Allison-Gause, Inc., agent, for Saul Lapidus, owner, for a Zoning Atlas Amendment from A-1 (County) to SCC, Suburban Commercial Corridor on 9.4 acres located at 1016 64th Street Court East.

Financial Impact

Requested action to be taken by Council

Approval

Staff Recommendation

Approval

Attachments

Ordinance 2974 & 2975, PCD Staff Report

CITY OF BRADENTON, FLORIDA
ORDINANCE NO. 2974

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 1016 64TH 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.15.3629 LAPIDUS) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL-3 TO CITY SUBURBAN COMMERCIAL CORRIDOR; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2, Constitution of the State of Florida, as revised in 1968, provides for and establishes municipalities and grants to those municipalities governmental, corporate and proprietary powers to enable them to conduct municipal government, perform municipal functions and render municipal services and authorizes said municipalities to exercise any power for municipal purposes, except as otherwise provided by law; and,

WHEREAS, Chapter 166, Florida Statutes, The Municipal Home Rule Powers Act, implements by general law the authority and jurisdiction granted to municipalities by the Florida Constitution and establishes home rule for said municipalities; and,

WHEREAS, Chapter 163, Florida Statutes, Part II, Local Government Comprehensive Planning/Land Development Regulation, requires, authorizes and empowers municipalities to prepare, adopt, amend and enforce Comprehensive Plans for the development of the City and empowering the City Council of the City of Bradenton to plan for the City's future development and growth in order to responsibly guide the future growth and development of the City, to implement adopted or amended Comprehensive Plans by the adoption of appropriate land development regulations and to establish, support and maintain procedures to carry out the provisions and purposes of said Statute; and,

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the City Council of the City of Bradenton duly designated its Planning Commission as the Local Planning Agency (LPA) for the City of Bradenton; and,

WHEREAS, the LPA and the City Council have in the preparation of the Amendment to the City's Comprehensive Plan performed or caused to be performed, the necessary studies and surveys, the collection of appropriate data, the holding of such public hearings, work shops and meetings, as necessary, and have effectively provided for public participation, notice, opportunity for oral or written comments; and,

WHEREAS, pursuant to Section 163.3184 and Section 163.3187(1), Florida Statutes, the City of Bradenton's LPA held the required public hearing on January 20, 2016, for the proposed Small Scale Comprehensive Plan Amendment with public notice; and,

WHEREAS, the LPA having reviewed and considered all comments received during said hearing and recommended said Amendment to the City Council for approval; and,

WHEREAS, based on the matters of record received by the City Council at the required public hearing pursuant to Section 163.3187(2), Florida Statutes, held on February 10, 2016 after proper notice, and finding the proposed Amendment meets the requirements of Section 163.3187(1), Florida Statutes, the City Council, in the exercise of its home rule and statutory authority, has determined it necessary and desirable, in order to protect the public health, safety and welfare, to adopt said Amendment to the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AS FOLLOWS:

1. The recitals set forth above are true and correct and are hereby adopted as findings by the City Council for the adoption of this Ordinance. Based on such findings the City Council determines that the City of Bradenton Comprehensive Plan should be amended as described in Sections 2 and 3 below.
2. The Small Scale Development Map Amendment to the City of Bradenton Comprehensive Plan, changing the Future Land Use Designation of the property located at 1016 64th Street Court East from County Residential-3 to Suburban Commercial Corridor as illustrated and shown on the attachment hereto which is incorporated herein as Attachment "A," is hereby adopted as amending the Comprehensive Plan for the City of Bradenton.
3. The Small Scale Development Amendment to the City Comprehensive Plan Future Land Use Element and Future Land Use Map, as set forth in Attachment "A," is incorporated by reference in its entirety as if fully set forth.
4. The applicability and effect of the City of Bradenton Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance. Except to the extent as amended hereby, the Comprehensive Plan is hereby ratified, confirmed and remains in full force and effect.

5. In the event any provision or portion of this Ordinance is declared by any Court of competent jurisdiction to be void, unconstitutional or unenforceable, then, and in that event, all remaining provisions and portions of this Ordinance shall remain in full force and effect.

6. This Ordinance adopting the Small Scale Development Amendment shall not become effective, as provided by law, pursuant to Section 163.3187(5)(c), F.S., until thirty-one (31) days after adoption. If challenged, within thirty (30) days after adoption, this Small Scale Development Amendment shall not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining the adopted Small Scale Development Amendment is in compliance.

PASSED AND DULY ADOPTED, BY AN AFFIRMATIVE VOTE OF NOT LESS THAN A MAJORITY OF THE TOTAL MEMBERSHIP OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, THIS 10th DAY OF FEBRUARY 2016.

ATTEST: CARL CALLAHAN
City Administrator

CITY OF BRADENTON, FLORIDA, BY AND
THROUGH THE CITY COUNCIL OF THE CITY
OF BRADENTON

By: 
City Administrator

By: 
Wayne H. Poston, Mayor

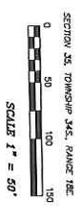
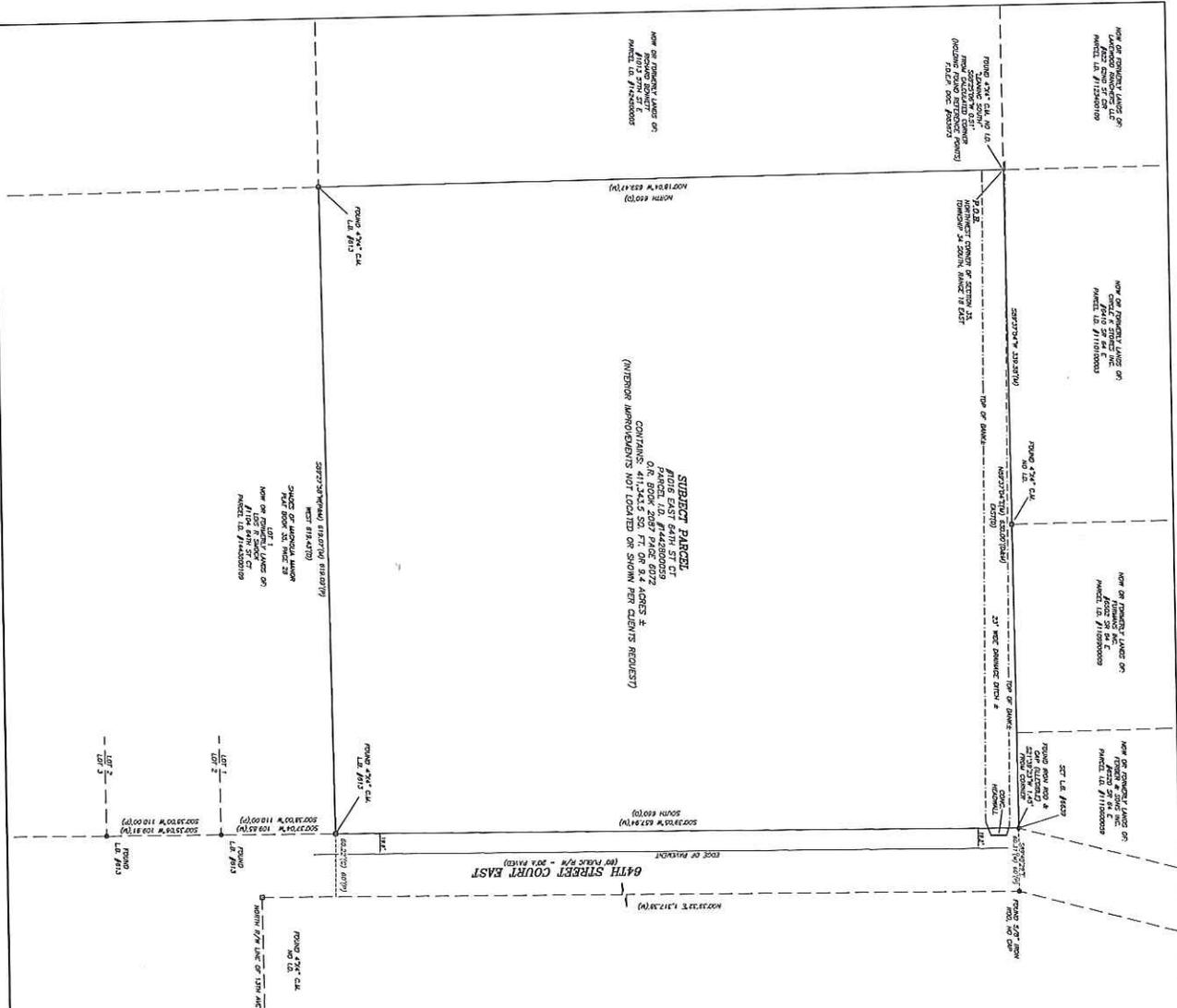
Planning Commission: January 20, 2016
City Council First Reading: January 27, 2016
City Council Second Reading: February 10, 2016

LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance No. 2974:


WILLIAM R. LISCH, CITY ATTORNEY





- LEGEND**
- 1. BOUNDARY SURVEY
 - 2. EXISTING IMPROVEMENTS
 - 3. PROPOSED IMPROVEMENTS
 - 4. EASEMENTS
 - 5. RIGHT-OF-WAY
 - 6. ADJACENT PARCELS
 - 7. WATER BODIES
 - 8. UTILITIES
 - 9. OTHER FEATURES

SURVEY NOTES

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT, CHAPTER 87, STATUTES AT LARGE OF THE STATE OF MARYLAND, AND THE REGULATIONS THEREUNDER, AND THE PRACTICES AND CUSTOMS OF THE SURVEYING PROFESSION IN MARYLAND.

2. THE SURVEY WAS MADE BY MEASUREMENT OF ANGLES AND DISTANCES, AND BY THE USE OF A TOTAL STATION INSTRUMENT.

3. THE SURVEY WAS MADE ON THE DAY AND DATE HEREIN SPECIFIED, AND THE WEATHER WAS FAIR AND CLEAR.

4. THE SURVEY WAS MADE BY MEASUREMENT OF ANGLES AND DISTANCES, AND BY THE USE OF A TOTAL STATION INSTRUMENT.

5. THE SURVEY WAS MADE ON THE DAY AND DATE HEREIN SPECIFIED, AND THE WEATHER WAS FAIR AND CLEAR.

BOUNDARY SURVEY OF:

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THE SURVEY WAS MADE BY MEASUREMENT OF ANGLES AND DISTANCES, AND BY THE USE OF A TOTAL STATION INSTRUMENT.

THE SURVEY WAS MADE ON THE DAY AND DATE HEREIN SPECIFIED, AND THE WEATHER WAS FAIR AND CLEAR.

STRAYER
 1,511
 1800 FARM ROAD
 SUITE 100
 SILVER SPRING, MARYLAND 20910
 WWW.STRAYERINC.COM

STRAYER
 15-08-18
 1800 FARM ROAD
 SUITE 100
 SILVER SPRING, MARYLAND 20910

DATE OF FIELD SURVEY: 8/22/18
FIELD BOOK: 00
PLAT: 00
DATE: 8/25

NOT MADE WITHOUT THE SIGNATURE AND THE ORIGINAL WAXED SEAL OF A LICENSED SURVEYOR AND ENGINEER.

STRAYER
 15-08-18
 1800 FARM ROAD
 SUITE 100
 SILVER SPRING, MARYLAND 20910

CITY OF BRADENTON, FLORIDA
ORDINANCE NO. 2975

AN ORDINANCE AMENDING ORDINANCE NO. 2960, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING MAP AMENDMENT (LU.15.3630 LAPIDUS) TO CHANGE THE DESIGNATION FROM A-1 (COUNTY) TO SCC, SUBURBAN COMMERCIAL CORRIDOR FOR THE PROPERTY LOCATED AT 1016 64TH STREET COURT EAST, IDENTIFIED AS PARCEL #1442800059 AND LEGALLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NW CORNER OF SECTION 35, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE EAST 630 FEET; SOUTH 660 FEET; WEST 619.43 FEET; NORTH 660 FEET TO THE POINT OF BEGINNING, BEING FURTHER IDENTIFIED AS TRACTS 1 AND 2 OF MAGNOLIA MANOR UNRECORDED AND IS THE SAME LAND AS DESCRIBED IN O.R. BOOK 300, PAGE 369 AND O.R. BOOK 327, PAGE 265, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, CONTAINING 411,343.5 SQUARE FEET OR 9.4 ACRES MORE OR LESS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA:

Section 1: Ordinance No. 2960, Code of Ordinances of the City of Bradenton, Florida, is hereby amended by a Zoning Atlas Amendment of the following described property from County A-1 to SCC, Suburban Commercial Corridor.

LEGAL DESCRIPTION:

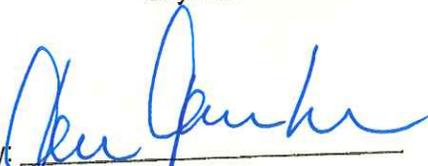
BEGIN AT THE NW CORNER OF SECTION 35, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE EAST 630 FEET; SOUTH 660 FEET; WEST 619.43 FEET; NORTH 660 FEET TO THE POINT OF BEGINNING, BEING FURTHER IDENTIFIED AS TRACTS 1 AND 2 OF MAGNOLIA MANOR UNRECORDED AND IS THE SAME LAND AS DESCRIBED IN O.R. BOOK 300, PAGE 369 AND O.R. BOOK 327, PAGE 265, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, CONTAINING 411,343.5 SQUARE FEET OR 9.4 ACRES MORE OR LESS.

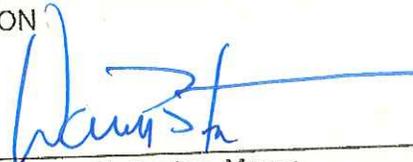
Section 2: This Ordinance shall take effect as provided by law.

PASSED IN REGULAR SESSION, this 10th day of February 2016.

ATTEST: CARL CALLAHAN
City Administrator

CITY OF BRADENTON, FLORIDA, BY AND
THROUGH THE CITY COUNCIL OF THE CITY
OF BRADENTON

By: 
City Administrator

By: 
Wayne H. Poston, Mayor

Planning Commission:
City Council First Reading:

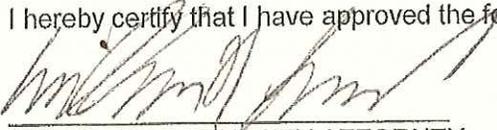
January 20, 2016
January 27, 2016



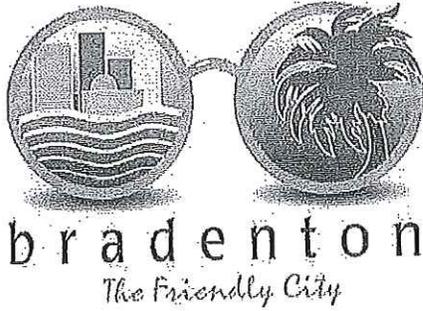
City Council Second Reading: February 10, 2016

LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance No. 2975:

A handwritten signature in black ink, appearing to read 'William R. Lisch', written over a horizontal line.

WILLIAM R. LISCH, CITY ATTORNEY



EVALUATION AND REPORT
Department of Planning & Community Development

TO: City Council
FROM: Christopher M. Gratz, AICP, Development Services & Zoning Manager
DATE: 1/20/2016, revised for 1/27/2016
APPLICANT: Allison-Gause, Inc., agent, for Saul Lapidus, owners
WARD: 4 – Bemis Smith
PROJECT #: CP.15.3629 and LU.15.3630 Lapidus

CASE SYNOPSIS:

Applicant's Request: Future Land Use Map Amendment (from County Residential-3 to SCC, Suburban Commercial Corridor)
 Zoning Atlas Amendment (from A-1 (County) to SCC, Suburban Commercial Corridor)
Location: 1016 64th Street Court East
Staff Recommendation: Approval
Planning Commission: Approval – January 20, 2016
City Council Action: TBD – January 27, 2016 (1st Reading)
 TBD – February 10, 2016 (2nd Reading)

FINDINGS OF FACT

APPLICANT'S REQUESTS:

CP.15.3629 Small Scale Comprehensive Plan Map Amendment from County Residential-3 to SCC, Suburban Commercial Corridor.

LU.15.3630 Zoning Atlas Amendment from A-1 (County) to SCC, Suburban Commercial Corridor.

COMPLETE APPLICATION REMARKS: The application is adequately complete for consideration.

LOCATION OF SUBJECT PROPERTY: 1016 64th Street Court East, less than 400 feet south of State Road 64 East on the west side of 64th Street Court East. Identified as Parcel ID #1442800059. A legal description is included in the application. The subject property is also located in Neighborhood 20.12.

ACREAGE: 9.4 ±

FLOOD ZONE: A, X

CHARACTERISTICS OF THE SUBJECT PROPERTY: The subject property is vacant and heavily vegetated.

EXISTING LAND USE / CURRENT FUTURE LAND USE/ CURRENT ZONING:
 Vacant / RES-3 (County)/ A-1 (County)

PROPOSED FUTURE LAND USE/ZONING: SCC, Suburban Commercial Corridor

SURROUNDING USES AND DESIGNATIONS:

Existing: Commercial Zoning: GC (County) FLU: ROR (County)	Existing: Commercial Zoning: GC (County) FLU: ROR (County)	Existing: Commercial Zoning: GC (County) FLU: ROR (County)
Existing: Vacant Zoning: SCC (City) FLU: SCC (City)	SUBJECT PROPERTY	Existing: Vacant, Residential Zoning: A-1 (County) FLU: RES-3 (County)
Existing: Vacant, Residential Zoning: A-1 (County) FLU: RES-3 (County)	Existing: Residential Zoning: A-1 (County) FLU: RES-3 (County)	Existing: Residential Zoning: A-1 (County) FLU: RES-3 (County)

HISTORY OF PREVIOUS ACTION RELEVANT TO THIS REQUEST: N/A

ANALYSIS

EVALUATION OF THE COMPREHENSIVE PLAN AMENDMENT CP.15.3629:

This is an application for a Small Scale (10 acres or less) Comprehensive Plan Amendment which, if approved by the City Council, will be adopted by Ordinance and submitted to the State Department of Economic Opportunity in final form within 10 days of City Council approval. State review and approval of the request is not required.

The proposed Small Scale Comprehensive Plan Future Land Use Amendment appears to be consistent with the Comprehensive Plan. The following Comprehensive Plan Goals, Objectives, and Policies are applicable to the request.

Future Land Use Element

Objective 1.2 Future Land Use Map

To guide the location of new development and redevelopment in a manner conducive to compatibility of land uses, sensitive to natural resources and natural hazards and consistent with the availability of public facilities.

Policy 1.2.1 Establish a Future Land Use Map, Suburban Commercial Corridor

Commercial uses commensurate with suburban arterial roadways, retail, office, automotive sales, automotive repair and service, hotel, motel, restaurants, social services. Maximum floor area ratio: 0.50

Objective 1.3 Implementation of the FLUE: Land Use Regulations

To utilize the Future Land Use Map and all other relevant policies in this Comprehensive Plan as a basis for the revision of the Land Use Regulations, including the Zoning Atlas.

Objective 1.4 Adequate Public Facilities

To ensure adequate public facilities concurrent with development.

Policy 1.4.1 Level of Service

The City adopts the level of service standards contained in the policies throughout this Comprehensive Plan as standards for all development.

Policy 1.4.2. Concurrent Public Facilities

The City shall grant development approvals only if all utilities and roadways to serve the proposed development are existing or committed as required by the level of service policies in this Comprehensive Plan. Committed shall mean that a capital project is underway to correct the deficiency and is scheduled to be completed concurrent with the demand created by the development or that the developer bonds or makes the necessary improvements prior to the issuance of permits for the development.

- **Potable Water and Sanitary Sewer** – These services are available from the City if extended through the property to the west or from Manatee County through 64th Street Court East. Regardless of the provider, the owner is responsible for efforts and costs to have utilities provided to the property.
- **Solid Waste** – City service is available and there is adequate landfill capacity.
- **Roads** – 64th Street Court East is a County roadway and the owner will be required to pay a proportional fair share for any improvements needed to it as determined by Manatee County.
- **Public Services and Facilities** – City Police and Fire service are available and development of the property will not lower the level of service. Emergency Medical services are provided County-wide by Manatee County.

SUMMARY OF OUTSIDE AGENCY/PUBLIC NOTIFICATION RESPONSE:

The School District of Manatee County has not provided comment to the application, however since the application is for non-residential use there is no school impact.

COMMUNITY IMPACT REPORT

A. Visual Impact Analysis

Changing the Future Land Use from County Residential-3 to SCC will result in the development of the property with a transitional use between the General Commercial uses to the north along State Road 64, fast-food restaurants and a service-station, and the low density residential uses to the south and east; the property to the west already has the SCC designation.

B. Land Use Assessment

Future Land Use Element, Policy 1.2.1 Suburban Commercial Corridor

Commercial uses commensurate with suburban arterial roadways, retail, office, automotive sales, automotive repair and service, hotel, motel, restaurants, social services. Maximum floor area ratio: 0.50

The scale of the context of the type of development possible with the SCC designation on this property can coexist without negatively impacting the adjacent uses.

C. Traffic Study

Access to the property is exclusively through 64th Street Court East which is a Manatee County roadway; therefore impacts are the County's responsibility to assess at the time a right-of-way use permit for any development is sought.

D. Environmental Impact Assessment

The property is heavily vegetated and there are wetlands present on the property. A detailed environment assessment, including wetlands, wildlife, and other environmental resources will be required by the Southwest Florida Water Management District in order to develop the property.

E. Area Impact Assessment

The location of the property is well suited for non-residential development that does not rely on pass-by traffic. It is less than 400 feet from State Road 64 and less than 1,000 feet from the I-75 Interchange, and adjacent to commercial uses on State Road 64, with 64th Street Court East at State Road 64 being a signalized intersection.

F. Hurricane Evacuation Analysis

The project is less than 400 feet away from a signalized intersection on State Road 64, a primary hurricane evacuation route that connects to I-75.

EVALUATION OF THE ZONING ATLAS AMENDMENT LU.15.3630:

3.1.2 Mixed-use and non-residential districts. Suburban Commercial Corridor district.

This district is designed to permit the development of commercial areas along major highways in predominantly developed areas and is intended to meet the needs of motorists and other consumers through the provision of automobile-oriented commercial development.

The location of this property meets the intent of the SSC district. It is near State Road 64 an arterial and I-75 a primary interstate, and the type development that would be economically viable here will be automobile oriented.

3.1.5 Criteria for land use atlas district designations. Land within the city shall be assigned a land use atlas district designation from the list of standard land use atlas districts in section A. [sections 3.1.1 through 3.1.3] above. The following criteria shall be used to make such assignments and to make changes in assignments, whether initiated by the city or by a property owner pursuant to section 2.2.5 land use atlas amendment.

3.1.5.1 Consistency with the comprehensive plan. All land use atlas district assignments shall be consistent with the comprehensive plan, including the future land use map and future land use element goals, objectives and policies. The land use atlas district assigned shall be consistent with the land use category of the future land use map.

The SCC, Suburban Commercial Corridor zoning designation is the only designation that implements the SCC Future Land Use category, and is therefore consistent with the land use category on the future land use plan map.

3.1.5.2 Land use compatibility. The assigning of land use atlas districts shall promote the compatibility of adjacent land uses.

The SCC zoning designation is designed to be compatible with both non-residential and residential land uses. Designating this property as SCC provides a transitional use transitional use between the General Commercial uses to the north along SR 64, fast-food restaurants and a service-station, and the single family residential uses to the south and east; the property to the west already has the SCC designation.

- In the SCC district, the development standards require 35 foot setbacks from residential uses, with buildings not to exceed two (2) stories and a maximum F.A.R. of 0.50.*
- Use allowed by the SCC district include automotive uses, amusement establishments, transportation uses, service and equipment establishments, light manufacturing, public facilities, eating/drinking establishments, service establishments, educational and religious uses, offices, health care and social services. Within these categories, Special Use permits are required for any use that has potential of disturbing other land uses in the zoning district.*

3.1.5.3 Adequate public facilities. The assigning of land use atlas districts shall be consistent with the public facilities available to set the types of uses allowed in the proposed zoning district. The level of service standards set forth in section 4.1.1.5 shall be considered in assigning land use atlas districts and there shall be reasonable assurance that the demand for services allowed in the proposed land use atlas district can be met.

There are adequate water and sewer facilities that may be connected to within both the City and Manatee County. Adequate solid waste capacity is available. Any development will be required to be designed so that discharges will meet applicable state water quality standards pursuant to Policy 4.1.2 of the Public Facilities Element. Any roadway storm water discharge is the responsibility of Manatee County since 64th Street Court East is a County roadway.

3.1.5.4 Public interest. Land use atlas district designations shall not be in conflict with the public interest and will promote the public health, safety and welfare.

Designating this property SCC will not adversely impact the public interest of allowing property owners to develop property for economic benefit with the compatible development standards and uses allowed by the SCC zoning designation; development with SCC uses and standards will not cause unreasonable dangerous conditions that pose risk or injury to the surrounding properties, and will not degrade the quality of life for others.

ATTACHMENTS:

Pre-Application Meeting Comments
Development Review Committee Comments
Permitted and Special Uses
Dimensional and Area Standards
Maps
Applications

STAFF RECOMMENDATION:

APPROVAL of CP.15.3629 based on the Findings of Fact and Analysis of the proposed Small Scale Comprehensive Land Use Plan Amendment.

APPROVAL of LU.15.3630 based on the Findings of Fact and Analysis of the proposed Zoning Atlas Amendment.

PLANNING COMMISSION RECOMMENDATION (January 20, 2016):

APPROVAL of CP.15.3629 with a 5-0 vote.

APPROVAL of LU.15.3630 with a 5-0 vote.

CITY COUNCIL ACTIONS:

January 27, 2016(1st Reading)

February 10, 2016 (2nd Reading)



CITY OF BRADENTON
PRE-APPLICATION MEETING
COMMENT SHEET

Application # PM.15.0103 Pre-App Date: Jan 27, 2015
Applicant: Andy Allison - Annexation 1016 64th St Ct E

PUBLIC WORKS DEPARTMENT:	<u>Jim McLellan, PE 708-6300</u>
FIRE DEPARTMENT:	<u>Fire Marshal K. Langston 932-9603</u>
POLICE DEPARTMENT:	<u>Officer K. Camacho 741-3041</u>
PCD DEPARTMENT:	<u>Tim Polk 932-9408</u>
BUILDING DIVISION:	<u>Jeff Camden, CBO 932-9405</u>

COMMENTS

Potential annexation of 9.46 acres into City. Property presently undeveloped, heavily vegetated. Current city limit immediately west of property.

Current County Zoning: GC/A-1. Current County FLU: ROR

Applicant intends to develop the property with commercial uses.

No City utilities in the area. Provision of water/sewer services must be obtained via agreement from Manatee County.

Primary access to property is via 64th St Ct E, an undivided 20ft paved local County road. ROW use permits from Manatee County will be required. Intensity of proposed commercial may require significant improvements to roadway capacity.

Compatible City Zoning: SCC. Compatible City FLU: SCC.

Annexation/Comp Plan/Rezone applications to be processed concurrently but approved respectively.



CITY OF BRADENTON
DEVELOPMENT REVIEW COMMITTEE
COMMENT SHEET

Application # AX.15.3628, LU.15.3630, CP.15. DRC Date: September 8, 2015

Project Name: (Owner: Saul Lapidus Agent: Andy Allison)- Request for Annexation of 9.46 acres, Zoning Atlas Amendment, and Small Scale Comp Plan Map Amendment 1014 64th Street Ct East.

PUBLIC WORKS DEPARTMENT	Official: Kim Clayback, P.E.
Detailed comments regarding utilities will be made when a use is decided upon. City utilities are preferred. Agreements must be obtained for water/sewer use from Manatee County. City water lines are accessible, and there are lift stations nearby at SR64/Morgan Johnson Rd and at 4 th Ave Court.	

FIRE DEPARTMENT	Official: Fire Marshal K.Langston
Provide locations of fire hydrants.	

POLICE DEPARTMENT	Official: Officer Kim Camacho
PD will need contact information in case of any problems.	

PCD DEPARTMENT	Official: Tim Polk, Chris Gatz, M.Schwarz
Parcel is not within the UDZ. Will require Joint Planning Committee review and recommendation (to be scheduled by City Staff).	
Requested Land Use is from (MC) <u>Res-3 to SCC</u> , <u>Zoning from A-1 to SCC</u> . Request is appropriate to adjoining uses and zoning.	
New survey will be required prior to public hearing.	
Please provide an Annexation Feasibility Study (AFS), outlining the property's	

compliance with the specific policies of Objective 1.7 of the City of Bradenton Comprehensive Plan. At a minimum, the AFS will include:

- A statement addressing the requirements of annexations outlined in Ch. 171, FS.
- A statement addressing the potential creation of an enclave.
- A statement addressing the potential creation of a “leap-frog” extension.
- A statement addressing the potential creation of a nearly surrounded pocket of unincorporated land.
- A statement addressing the potential creation of an overly irregular City Boundary.
- An inventory of existing public services provided to the proposed annexation by the County or others.
- An inventory of public services to be provided by the City upon annexation.
- A statement from the City Engineer noting if the provision of public services to the proposed property will adversely affect the provision of services to existing City residents.
- The results of a fiscal impact assessment of the proposed annexation.

DRC Determination: Approve Deny **Forward to Joint Planning
Commission Review X**

Professional Office/Medical

Offices, medical facilities, public facilities, limited commercial and educational facilities.

Maximum floor area ratio: 0.35

Urban Commercial Corridor

Commercial uses with moderate residential density, offices, light commercial, retail, hotel, restaurant, educational, social services, automobiles sales

Residential – 10 DU/ acre or 13 DU/acre (Dwelling units proposed above the base density threshold must meet the City's moderate income housing guidelines as established in the City of Bradenton Local Housing Agency Plan (LHAP) as may be amended from time to time, as well as Policies 1.2.1 – 1.2.4 of the Housing Element.)

Maximum floor area ratio: 0.7

Suburban Commercial Corridor

Commercial uses commensurate with suburban arterial roadways, retail, office, automotive sales, automotive repair and service, hotel, motel, restaurants, social services

Maximum floor area ratio: 0.50

Recreational/Open Space

Parks, and designated open areas.

Maximum floor area ratio: N/A

Conservation

All land below the two-foot contour line or otherwise designated by documented tidal wetland delineation. Docks, boardwalks, or passive recreational uses only.

Urban Central Business District (UCBD)

The UCBD is the most intensely developed area of the City. It includes the Central Business District, Riverwalk, and West Historic District. Together, these sub-areas form the downtown of the City and provide a vital place for social, cultural, and economic interchange. The Urban Core is also a hub for governmental and civic uses.

The purpose of the UCBD category is to establish, define, promote, and facilitate the redevelopment and enhancement of the City's primary and historical urban center. The UBDC land use category is further intended to implement the downtown and general redevelopment goals, objectives, and policies of the Future Land Use Element as well as to promote the accomplishment of the City's Community Redevelopment Area

(CRA) designation for the downtown area and the implementation of redevelopment plans, studies, and regulations.

The UCBD allows and encourages a mixture and range of uses generally associated with or considered compatible with traditional urban core central business districts, particularly those that are pedestrian friendly, and not necessarily catering to automobile traffic. Proposed uses within the area encourage the development of a lively, mixed-use, walkable downtown that effectively serves Bradenton residents, merchants, visitors, and employees. Uses include: offices, personal and professional services, commercial, retail, public and semi-public facilities, educational, institutional, restaurants, parks, recreation, and entertainment venues, and medium to high density residential uses are desired subject to compatibility with and appropriate transition considerations to adjacent low density residential uses.

Maximum floor area ratio: 5.0

Maximum base density: 40 dwelling units per acre

Maximum Density with moderate income housing bonus: 50 dwelling units per acre (Dwelling units proposed above the base

SCHEDULE 3.2.1.2 - continued												
PERMITTED AND SPECIAL USES/MIXED-USE AND NON-RESIDENTIAL LAND USE ATLAS												
DISTRICTS												
USE ⁽¹⁾⁽⁶⁾	UV ⁽⁶⁾		UC/UCBD ⁽³⁾		UCC		SCC		P		I	
	P	SU	P	SU	P	SU	P	SU	P	SU	P	SU
AUTOMOTIVE USES												
Service Station/Repair		X				X		X				X
Car Wash						X		X				X
Auto Sales/Rental						X	X					X
Parking Lot/Garage	X		X		X		X		X			X
Automotive Specialty				X		X	X					X
AMUSEMENT ESTABLISHMENTS												
Adult Entertainment*				X		X		X				
Indoor		X		X		X		X				
Outdoor		X				X		X				
Parks	X		X			X		X		X		X
Clubs		X		X		X		X		X		
TRANSPORTATION USES												
Public Transportation Terminal		X		X		X	X					X
Marinas				X		X						X
Motor Freight Terminals												X
Marine Establishments				X		X	X					X
Heliports ⁽¹¹⁾				X		X		X		X		X
Docks and Piers ⁽⁴⁾			X		X		X		X			X
SERVICE AND EQUIPMENT ESTABLISHMENTS												
Testing Laboratories				X		X	X			X		X
Heating and Fuel								X				X
Ice Plant				X		X		X				X
Building Materials				X		X		X				X
Construction Service				X		X	X					X
Farm/Marine Supplies				X		X		X				X
Laundry/Dry Cleaning Plant								X				X
Wholesale								X				X
Storage Establishments				X	X		X					X
Plant Nurseries						X	X					X
Communication Towers*				X		X		X		X		X
MANUFACTURING												
Light						X		X				X
Heavy												X
RESIDENTIAL USES												
Single-Family	X		X		X							
Multi-Family	X		X									
Mixed Use/Home Occupation	X		X		X							
Dwelling Unit w/ Principal bldg	X		X		X		X		X			
Garage Apartment	X											
PUBLIC FACILITIES		X		X		X		X		X		X
Seasonal Sales ⁽²⁾			X		X		X					
PRIVATE EVENTS	X		X		X		X		X			X
PUBLIC EVENTS REQUIRE CITY COUNCIL APPROVAL												
Convenience, Grocery, Drugs		X		X		X		X				X
Comparison Goods	X		X		X		X					
Secondhand Stores			X		X		X					
Auction Houses*		X		X		X		X				

P = Permitted Use S = Special Use Blank = Not Permitted

Continued

SCHEDULE 3.2.1.2 - continued														
PERMITTED AND SPECIAL USES/MIXED-USE AND NON-RESIDENTIAL LAND USE ATLAS DISTRICTS														
USE ⁽¹⁾⁽⁵⁾	UV ⁽⁶⁾		UC/UCBD ⁽³⁾		UCC		SCC		P				I	
	P	SU	P	SU	P	SU	P	SU	P	SU			P	SU
EATING/DRINKING ESTABLISHMENTS⁽⁷⁾														
Restaurants – over 20 seats	X		X			X		X						
Shopping Center Restaurants			X		X		X							
Lounges		X	X	X	X	X	X							
Catering			X		X		X							X
Take Out/Delivery/Drive Through		X		X	X		X							
Café/Sidewalk Café < 20 seats ⁽⁷⁾	X		X		X		X		X					
NEWSRACKS, MODULAR*	X		X		X		X		X				X	
SERVICE ESTABLISHMENTS														
Personal Service	X		X		X		X		X					
Business/Domestic Service	X		X		X		X							
Kennels, Animal Boarding						X		X						X
Free Standing Ice Vending Machine								X						
EDUCATIONAL AND RELIGIOUS														
Schools, Public and Private ⁽⁸⁾		X				X		X		X				
Business, Training Schools	X		X		X		X		X					
Educational		X		X		X		X		X				
Cultural	X			X		X		X		X				
Dormitories				X		X	X							
Religious Establishments ⁽⁹⁾					X		X							
Cemeteries						X		X						
Mortuaries, Funeral Homes, Crematories		X		X	X		X							
Day Care Centers ^{*(8)(9)}		X		X		X		X	X					
OFFICES – NON-MEDICAL	X		X		X		X		X				X	
LODGING														
Hotels		X		X		X		X						
Motels						X		X						
Bed and Breakfast	X		X			X		X						
Boarding Houses*						X		X						
HEALTH CARE & SOCIAL SERVICE FACILITIES														
Hospitals ⁽¹¹⁾				X		X		X		X				
Nursing Homes*				X		X		X	X					
Health Services	X		X		X		X		X					
Group Care Homes ¹²				X		X		X	X					
Group Care Facilities ^{**12}				X		X		X	X				X	
Social Services Establishment						X		X		X				
Veterinarian/Animal Hospital				X	X		X		X				X	

P = Permitted Use SU = Special Use Permit Blank = Not Permitted

* Indicates that there are specific use regulations pertaining to the use (Section 4.3).

(1) Outdoor storage and/or display in conjunction with any use is not permitted unless specifically approved by Special Use Permit.

(2) Limited to four per year, maximum two weeks duration each, except Christmas Tree Lots which are limited to once yearly for 30 days.

(3) Refer to Section 3.4.6, Special District Regulations, for use permissions in the Antique District Overlay.

(4) Docks and piers proposed for public waterfront and those not meeting the criteria in Section 5.1.2.14 shall require a Special Use Permit.

(5) Retail establishments providing modeling services require 1,000 square feet per room.

(6) Buildings within 40 feet of a local street abutting a residential land use district must be residential in use and character and oriented to the local street. Neighborhood-serving retail uses may be allowed for corner parcels at local and minor collector street intersections if approved as a Planned Development Project with a positive recommendation from the Architectural Review Board.

(7) City Council approval may be required. Refer to Sections 2.2.9 and 4.3.1 for alcoholic beverage sales and approval requirements.

(8) Adult and child day care centers with six or less clients and "Family Day Care Home" as defined and licensed by HRS are exempt from zoning requirements.

(9) Day care centers, schools, churches, and other religious establishments can not be located within 500 feet of any Adult Entertainment Establishment.

(10) Permitted use inside the Urban Central Business District Overlay.

(11) Helicopter pads shall be a permitted accessory use to hospitals and public safety facilities.

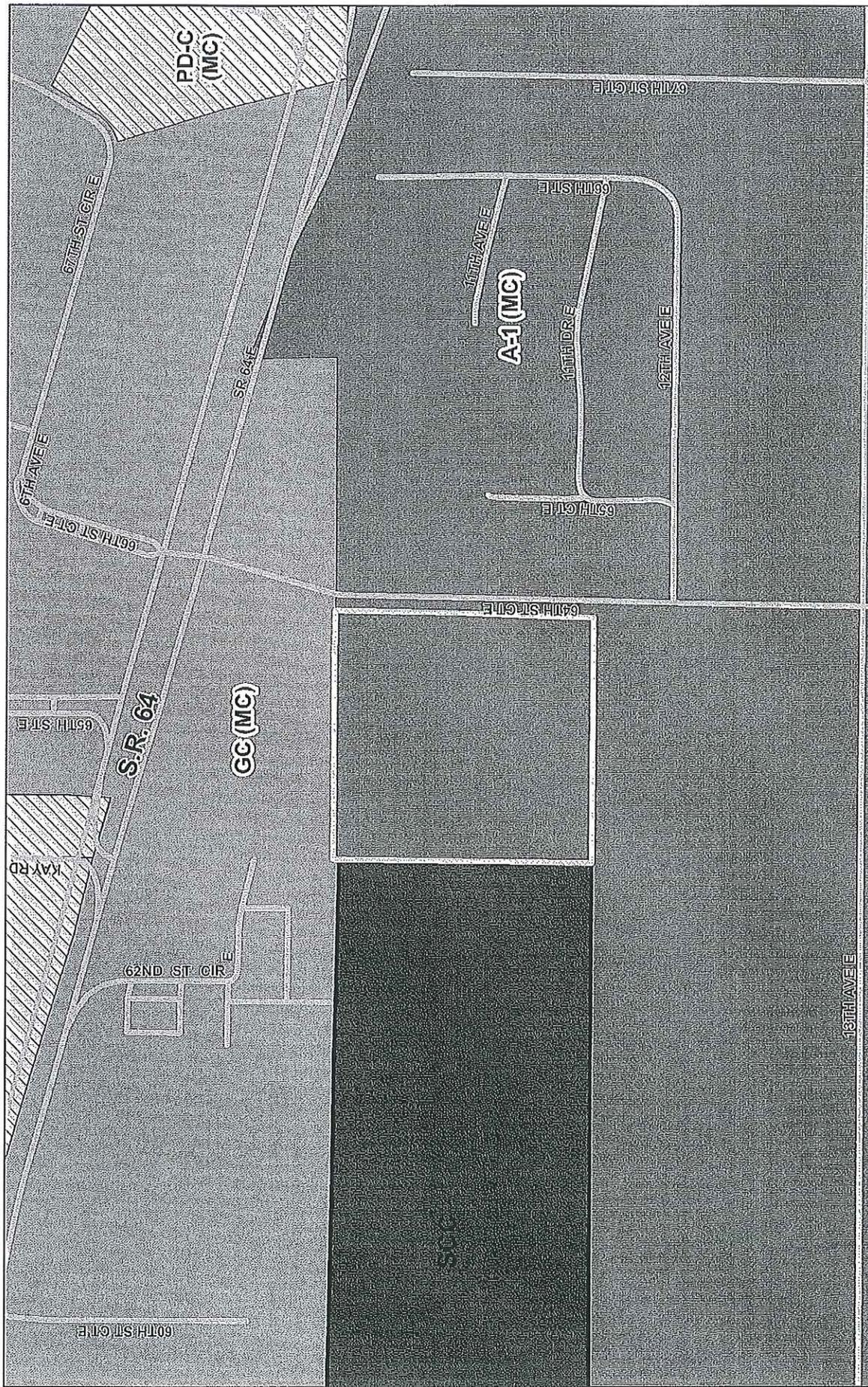
(12) Shall be a state licensed facility.

SCHEDULE 3.2.2.2

DIMENSIONS AND AREA STANDARDS FOR MIXED USE AND NON-RESIDENTIAL DISTRICTS

STANDARD	MIXED-USE			COMMERCIAL	PROFESSIONAL	INDUSTRIAL
	LV	UC	UCBD			
NON-RESIDENTIAL BUILDINGS (Building Setbacks in Feet) ⁽⁶⁾	Arterial ⁽¹⁾	UC	UCBD	UCC	P	I
Front	5 ⁽³⁾	10	none	20	35	25
Side	0	5	none	10	10	20
Rear	0	15	none	15	25	25
Side or rear adjacent to residential district ⁽¹⁰⁾	n/a	n/a	35	35	35	35
Accessory building/structure setback in feet, side or rear ⁽¹¹⁾	none	none	none	10	10	10
Maximum floor area ratio ⁽¹²⁾	0.7	0.7	5	0.5	0.35	1
Maximum building height (in feet) ⁽¹³⁾	60 ⁽⁴⁾	35 ⁽⁵⁾	95	35	35	45
Maximum building height (in stories)	5	3	8	2	2	4
MAXIMUM RESIDENTIAL DENSITY IN DWELLINGS UNITS PER ACRE (where permitted)	25 ⁽⁶⁾⁽⁷⁾	60 ⁽⁶⁾⁽⁸⁾	40 ⁽⁵⁾⁽³⁾	10 ⁽⁶⁾⁽⁸⁾		

- (1) Standards apply to buildings fronting arterial roadways listed in Section 4.1.3.
- (2) Standards apply to buildings fronting local or collector streets listed in Section 4.1.3.
- (3) Maximum building setback of fifteen (15) feet.
- (4) Within 125 feet of parcel boundary fronting arterial roadway. Within 125 feet of parcel boundary fronting arterial roadway and local or minor collector street (corner parcel), height may be increased to 85 feet.
- (5) Within 85 feet of parcel boundary fronting local street or minor collector.
- (6) A density bonus of up to ten (10) dwelling units per acre may be granted for Planned Development Project applications subject to Architectural Review Board (ARB) design and compatibility review if such unit(s) meet the following conditions: (1) remains owner occupied with homestead tax exemption status; (2) the initial sales price does not exceed the purchase price limit set forth in the adopted City of Bradenton Local Housing Agency Plan, as may be amended from time to time; and (3) said unit does not exceed said purchase price limit for a time period of not less than five (5) years from date of first occupancy.
- (7) See Schedule 3.2.2.1 for Urban Village Residential Standards.
- (8) Areas inside the Coastal High Hazard Area being the Category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm model are limited to dimensional and area standards and density limitations set forth in the R-3C District.
- (9) An overhang of up to three (3) feet is permitted to extend into the required setback unless the overhang would extend into a public facilities easement or right-of-way. No footings or structural supports shall be located in an public facilities easement, drainage easement or right-of-way.
- (10) A five (5) foot separation strip shall be provided along all property lines abutting a residential zone. Within the strip, a permanent buffer, such as a wall or evergreen hedge, with a minimum height of six (6) feet shall be provided.
- (11) Pervious wood decks for outdoor seating may extend to side and rear property lines at the discretion of the PCD Director. No deck or structure pursuant to this allowance may extend over any water body or wetland. Additional standards may apply for such approval.
- (12) Floor area ratio is defined as the total building area divided by the total land area of the site and is limited to non-residential uses not including parking, public atriums, and/or indoor plazas and courtyards.
- (13) The maximum building height permitted, except in the UV, UC or UCBD zone, may be increased provided one additional foot is added to each required setback for each additional foot to building height. In UV, UC or UCBD Districts, increased height may be permitted with the approval of the City Council upon the recommendation of the ARB, provided adjoining properties would not be adversely affected based on visual impact and design and compatibility analysis and consistency with the Tamiami Trail Revitalization Strategy.
- (14) Gasoline pumps and propane tanks shall meet a 25 foot front setback and shall be landscaped.



**EXHIBIT G
ZONING**

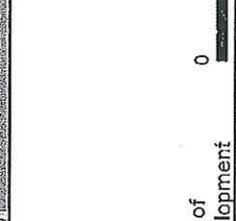
Prepared by Department of
Planning and Community Development

0 295 590
Feet

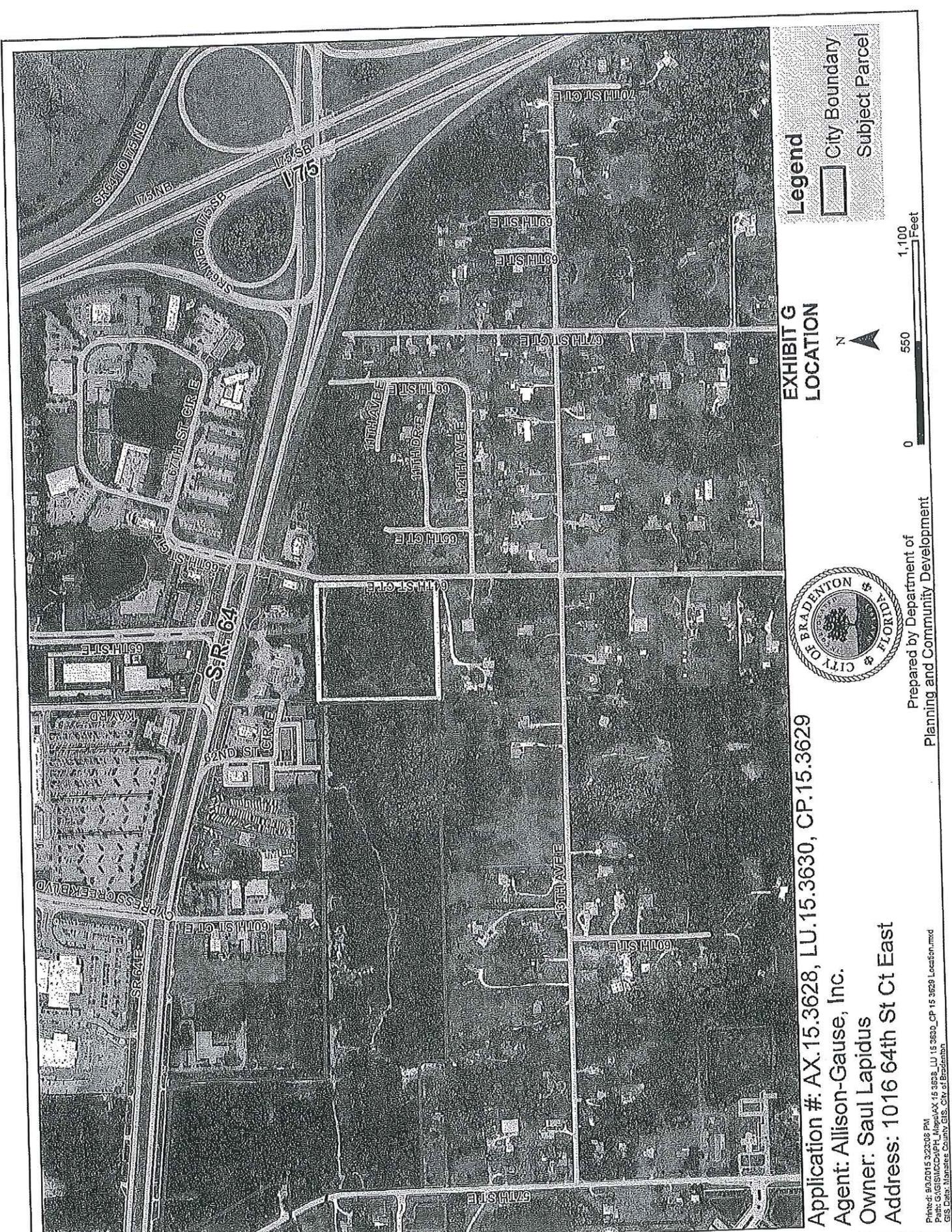
Legend

- City Boundary
- Subject Parcel

Application #: AX.15.3628, LU.15.3630, CP.15.3629
 Agent: Allison-Gause, Inc.
 Owner: Saul Lapidus
 Address: 1016 64th St Ct East



Printed: 9/22/15 3:16:21 PM
 Path: G:\GIS\AX\CP\15_3628_LU_15_3630_CP_15_3629_Location.mxd
 GIS Data: Manatee County GIS, City of Bradenton



Legend
 [City Boundary] City Boundary
 [Subject Parcel] Subject Parcel

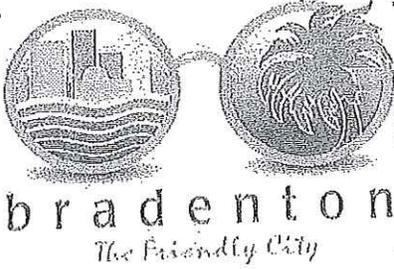
**EXHIBIT G
 LOCATION**



Application #: AX.15.3628, LU.15.3630, CP.15.3629
 Agent: Allison-Gause, Inc.
 Owner: Saul Lapidus
 Address: 1016 64th St Ct East

Prepared by Department of
 Planning and Community Development

RM



Comprehensive Plan Map Amendment Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

CONTACT INFORMATION

Name of Property Owner: Saul Lapidus

Owner Address: 5430 Eagles Point Circle Sarasota, FL Telephone: 941-923-0535

Name of Agent: Allison-Gause, Inc.

Agent Address: 926 14th Street West Bradenton, FL Telephone: 941-708-5400

Owner/Agent Email: Andy@allisongause.com, Bob@allisongause.com

REQUIRED

PROPERTY INFORMATION

Property Address: 1016 64th Street Court East Bradenton, FL 34208

Parcel ID: 1442800059 Total Acreage: 9.46

Existing Future Land Use: Suburban Commercial Corridor Proposed Future Land Use: Suburban Commercial
*click to view city FLU map *click to view city FLU map

(Manatee County Future Land Use information can be obtained by contacting 941-748-4501 or www.invmanatee.org)

REQUIRED

CPA

Type of Amendment Requested: Large Scale (10 acre or more) Small Scale (9.99 acres or less)

MATERIALS FOR REVIEW

Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.

- ▶ Comprehensive Plan Map Amendment Application
- ▶ Application Fee: (Tampa Bay Regional Planning Council fee will as be charged, as applicable)
 - Large Scale - \$6,020
 - Small Scale - \$4,020
- ▶ Notarized Agent Authorization Form, if applicable
- ▶ Letter of Request
- ▶ Community Impact Report (CIR) (see page 2 for CIR requirements)
- ▶ Comparison of City and County Comprehensive Plans, if applicable
- ▶ Property Survey (signed & sealed within the last three years)

REQUIRED

SIGNATURE

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

[Signature] Date: 7/28/2015

Signature of Owner/Applicant

REQUIRED

CITY STAFF ONLY

Application Fees:
 Fee Required: **\$6,020 Large Scale CPA**
\$4,020 Small Scale CPA
*Additional TBRPC fees may apply

FEE COLLECTED: \$4,020.00

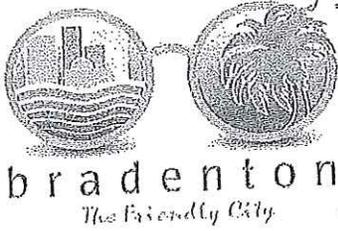
RECEIPT #: 004237-0003

Application Sufficiency:
 Sufficient:
 Incomplete:

CP. APPLICATION #: 153629

CITY STAFF ONLY

2nd CC READ: 12/16/15
 1st CC READ: 11/18/15
 PC: 10/21/15
 DR: 9/8/15
 REVIEW DATES - TO BE COMPLETED BY CITY STAFF



Agent Authorization Form

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

PLANNING & ZONING AGENT AUTHORIZATION FORM

Property Address: 1016 64th Street Court East Bradenton, Florida 34208

I, Saul Lapidus, the registered property owner(s) of the above noted property, do hereby authorize

Allison-Gause, Inc.
Print Name of Agent Company Name

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standards and conditions applicable.

[Signature] 5430 Eagles Pt Circle Sarasota FL
Signature of Owner(s) Owner(s) Address (If different than property above)

[Signature] 926 14th Street West Bradenton, FL 34205 (941)708-5400
Signature of Agent Agent Address and Phone

AGENT AUTHORIZATION

REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing Instrument was acknowledged before me this 27th day of July, 2015.

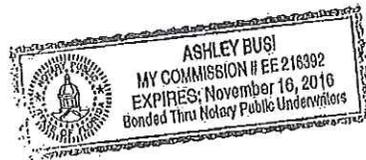
produced Saul Lapidus respectively, as

as identification and who did (did not) take an oath:

[Signature]
Signature

Ashley Busi, Notary Public
Print Name

State of Florida
My Commission Expires: 11/16/2016



NOTARY

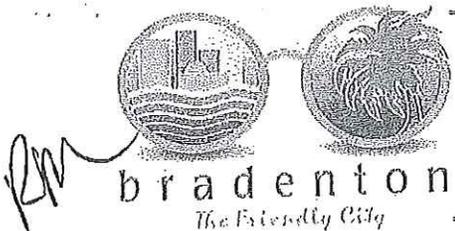
REQUIRED



CP. 15. 3629

City Of Bradenton

EXHIBIT C



Zoning Atlas Amendment Application



Department of Planning & Community Development
 101 Old Main Street, Bradenton, FL 34205
 Ph: (941) 932-9400
 www.cityofbradenton.com

CONTACT INFORMATION

Name of Property Owner: Saul Lapides

Owner Address: 5430 Eagles Point Circle Sarasota, FL Telephone: 941-923-0535

Name of Agent: Allison-Gause, Inc.

Agent Address: 926 14th Street West, Bradenton, FL Telephone: 941-708-5400

Owner/Agent Email: Andy@allisongause.com, Bob@allisongause.com

REQUIRED

PROPERTY INFORMATION

Property Address: 1016 64th Street Court East Bradenton, Florida 34208

Parcel ID: 1442800059 Acreage: 9.46

Current Use of Property: Vacant

Proposed Use of Property: Commercial

Current Zoning: Suburban Commercial Corridor Proposed Zoning: Suburban Commercial Corrid
*click to view Zoning map

REQUIRED

MATERIALS FOR REVIEW

- Before submitting an application to the City of Bradenton, please check with the Planning & Community Development Department to verify all essential information for review is present. Incomplete applications will delay the review process.
- ▼ Zoning Atlas Amendment Application
 - ▼ Application Fee: \$4,020 (\$3,270 if submitted with a Future Land Use Map Amendment application)
 - ▼ Notarized Property Disclosure of Interest Affidavit (see page 2 for Property Disclosure of Interest Affidavit)
 - ▼ Letter of Request
 - ▼ Notarized Agent Authorization Form, if applicable
 - ▼ Findings of Fact/Review Criteria (see page 3 for Zoning Atlas Amendment Review Criteria)
 - ▼ Thirty (30) copies of Conceptual Plans of Proposed Development, if applicable
 - ▼ Legal Description of Property

REQUIRED

SIGNATURE

The owner of this property and/or the undersigned agree to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Saul Lapides Date: 7/25/2015

Signature of Owner/Applicant

REQUIRED

CITY STAFF ONLY

Application Fees:
 Fee Required: \$4,020
\$3,270 (if submitted with FLUM Amendment)

Application Sufficiency:
 Sufficient:
 Incomplete:

FEE COLLECTED: \$ 4,020.00

RECEIPT #: 004237-0003

APPLICATION #: LU. 153030

CITY STAFF ONLY

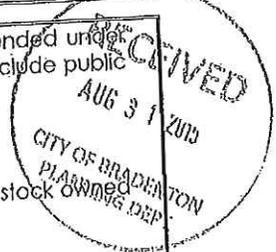
DRC: 9/8/15 PC: 10/21/15 1ST CC READ: 11/18/15 2ND CC READ: 12/16/15
 REVIEW DATES - TO BE COMPLETED BY CITY STAFF



Zoning Atlas Amendment Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

The City of Bradenton Land Use Regulations adopted as Ordinance No. 2627, and amended under Ordinance No. 2926 requires that all applications for Land Use Atlas Amendments shall include public disclosure of applicants and their percentage of interest.



If the subject property is owned by:

A CORPORATION, list the principal officers, principal stockholders, and the percentage of stock by each; or

A TRUSTEE, list the beneficiaries of the trust with percentage of interest; or

A PARTNERSHIP or LIMITED PARTNERSHIP, list the name of the principals including general and limited partners; and

If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the principal officers, stockholders, beneficiaries, or partners. If any contingency clause or contract terms involve additional parties, list all individuals or officers if a corporation, trust, or partnership. This is in addition to the list of owners.

NOTE: 1) Changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental Disclosure of Interest shall be filed. 2) Disclosure shall not be required of any entity whose interests is solely equity interest which are traded on an established securities market in the United States or another country.

DISCLOSURE AFFIDAVIT

REQUIRED

NAME, ADDRESS, TITLE PERCENTAGE INTEREST, STOCK, OR OWNERSHIP

(owner contract purchaser)

(owner contract purchaser)

(owner contract purchaser)

Under penalties of perjury, I declare that I have read the foregoing affidavit and that the facts stated in it are true.

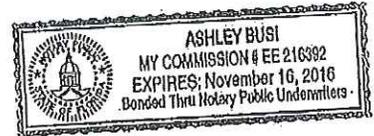
Signature: [Signature] (Applicant): _____

STATE OF FLORIDA
COUNTY OF Sarasota

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 20th day of July 2015 by Saul Lapidus, who is personally known to me or who has produced _____ as identification.

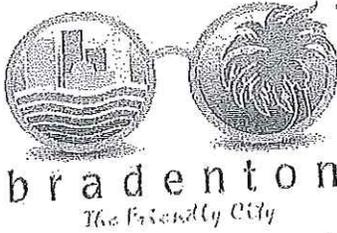
NOTARY

Signature [Signature]
Print Name Ashley Busi, Notary Public



State of Florida - My Commission Expires: 11/16/2016

LU. 15. 3030



Agent Authorization Form

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400
www.cityofbradenton.com

PLANNING & ZONING AGENT AUTHORIZATION FORM

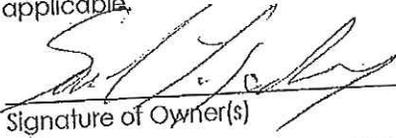
Property Address: 1016 64th Street Court East Bradenton, FL 34208

I, Saul Lapidus, the registered property owner(s) noted property, do hereby authorize

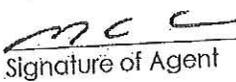
Allison-Gause, Inc
Print Name of Agent

Company Name

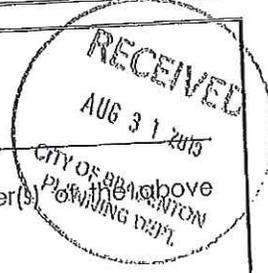
to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standards and conditions applicable.


Signature of Owner(s)

5430 Eagles Pt Circle Sarasota FL
Owner(s) Address (if different than property above)


Signature of Agent

926 14th Street West Bradenton, FL 34205 (941)708-5400
Agent Address and Phone



AGENT AUTHORIZATION

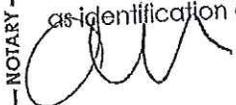
REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me this 28th day of July, 2015

produced Saul Lapidus respectively, as

as identification and who did (did not) take an oath:

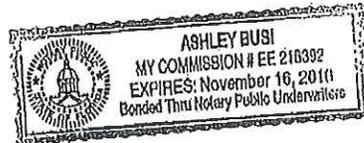


Signature

Ashley Busi

Notary Public

Print Name



State of Florida

My Commission Expires: 11/16/2016

NOTARY

REQUIRED

City Of Bradenton

EXHIBIT C

LU. 15. 3630

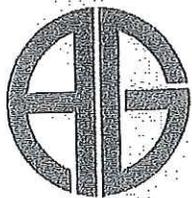
FULL LEGAL- 1442800059

BEG AT THE NW COR OF SEC 35, TWN 34 S, RNG 18 E; TH E 630 FT; S 660 FT; W 619.43 FT; N 660 FT TO THE POB; BEING FURTHER IDENTIFIED AS TRACTS 1 & 2 MAGNOLIA MANOR UNRECORDED & IS THE SAME LAND AS DESC IN OR BK 300, P 389 & OR BK 327, P 265 OF THE PRMCF. (2087/6072) PI#14428.0005/9

City Of Bradenton
EXHIBIT J

LU. 15. 3630





Allison

Gause

LU. 15. 3630

City of Bradenton

EXHIBIT F

City/County Impact Analysis
for

Lapidus Annexation Parcel ID: 1442800059
Bradenton, FL
August 27, 2015



Engineering

Landscape
Architecture

Planning

Environmental
Consultants

Consulting
Arborist

Visual Impact:

- A. The proposed annexation and zoning of this 9.46 acre parcel is consistent with the adjoining property located to the west of the subject site. It is similar in visual character to the property located both east and west of it.
- B. The property serves as a buffer between the general commercial uses located to the north of the site and the residential uses south of the site.

2. Land Use Assessment:

- A. The allowable uses for the proposed annexation and SCC zoning are consistent with the allowable uses on the City of Bradenton incorporated property located to the west of the site which has the same zoning. The parcels north of the site are all zoned GC and are developed as non-residential commercial uses including two fast food restaurants and a convenience store/Gas station. The property to the south is zoned A1 but appears to have been developed with multiple detached residential units.
- B. The proposed annexation will allow uses such as Shopping Centers, personal service, small restaurants <20 seats, Offices, Health Services, etc.

3. Traffic Study

- A. Access will be addressed per the pre application meeting minutes. Primary access to the property is via 64th St. Ct. East. Which is an undivided road. The property will have direct access to 64th Street Court East. Adequate access is provided for emergency services, mass transit and other essential services. The roadway is currently operating at a Level of Service C. ROW use permits from Manatee County will be required to address access.

4. Environmental Impact Analysis

- A. Currently, the property is a vacant wooded site that appears to contain both uplands and wetland jurisdictional areas. A man made drainage ditch is located on the northern boundary of the property to provide drainage. At such time as the property is developed, a detailed environmental assessment will need to be done to establish the jurisdictional limits of the wetlands as well as to determine if there are any listed species utilizing the property.

5. Area Impact Assessment

- A. The rezone from A-1 to SCC has the effect of changing a parcel within an identified "Manatee County Commercial Node" from a residential site to a non-residential site. Given its location within the I-75/SR 64 commercial node, Manatee County Entranceway overlay district along with the adjacent

non-residential uses and zonings that border the site to the north and west, the proposed zoning is compatible and appropriate.

6. Hurricane Evacuation Analysis

- A. The property is located within 350' of SR 64 and within a half of a mile from I-75. Both of these roads are designated evacuation routes.

LU. 15. 3630





Allison Gause

Incorporated

City Comprehensive Plan and Infrastructure Impact Analysis for Lapidus Annexation Parcel ID: 1442800059 Bradenton, FL

This analysis serves to address the impact to the infrastructure that this Annexation and Zoning Amendment will have on City services and facilities. Also included is a comparison of the applicable goals, policies and objectives of the City and County Comprehensive Plans.

An application for annexation into the City of Bradenton has been made concurrent with this Comprehensive Plan Amendment. The application area encompasses one tax parcel number. This parcel is identified as parcel 1442800059. Parcel 1442800059 is currently owned by Saul Lapidus. The Lapidus parcel is 9.46 acres in size with the entirety of the land located in Section 35,34,26,27 of Township 34 South, Range 18 East. The Lapidus Parcel is currently vacant.

The Lapidus Parcel is currently located in an ROR, RES-3 Future Land Use Category (FLUC). A County Future Land Use map is attached for reference.

This application is requesting approval of a Comprehensive Plan Amendment to the City of Bradenton SCC (Suburban Commercial Corridor) Future Land Use Category for the entire 9.4 +/- acres. Once established, the SCC FLUC will allow a subsequent application for Rezone to uses allowed in SCC with a General Development Plan depicting the proposed development layout. In reviewing the criteria for the rezone, the following findings of fact must be reviewed:

A. Consistency with the Comprehensive Plan.

A Primary goal of the Comprehensive Plan is for the City of Bradenton to protect and enhance its identity as a true city. This will require a proactive effort to maintain the economic and ethnic diversity of the City; to promote land use diversity; and to provide an exceptional place to live, work, and play through livable community practices.

Goal 1 specifically supports a land use pattern which promotes the well being of the community in regard to compatibility of adjacent uses, building types and residential densities, efficiency of utilities and roadways, harmony with the natural environment and protection from natural hazards.

Policies associated with annexation/rezoning requests are as follows:

Policy 1.7.2 AFS- The proposed annexation request appears to be consistent with Bradenton's Comprehensive Plan as it applies to the Suburban Commercial Corridor.

The proposed request appears consistent with the criteria outlined in Ch. 171 F.S. Specifically, the area to be annexed is contiguous to the City of Bradenton's boundary and no part of the property will remain within another incorporated municipality. Additionally, 60 percent of the property either abuts the municipal boundary or other urban areas containing either non-residential uses or zoned for at least one unit per acre allowing for at least two people per acre. The property to the south, though zoned A-1,

is also used as a Construction Service establishment. In effect, the property is surrounded by non-residential uses.

Policy 1.7.3 –Public Services: The project will not cause a decrease in the City's ability to provide adequate public services to existing City residents at approved LOS standards. Public services currently provided to the property by the County and other agencies includes water, law enforcement, emergency medical services, fire protection. There currently is no centralized sanitary sewer service to the site although a force main is located on the south side of SR 64. Following annexation, law enforcement and fire protection services will become the responsibility of the City. Emergency medical services will remain as a County responsibility. Water may continue to be provided by the County. A Manatee County Force main is located along the south side of SR 64. As noted by the Public Works Department, once the future use is known, utility service needs can be better determined.

The project is on a County maintained roadway and will not have an impact on the City's maintenance costs given the relatively small amount of total roadway impact that would be attributed to this site when compared with the other users. Garbage collection is not considered an issue. As a non-residential zoning, there will be no impact to parks and recreation.

Water and sewer service extensions, if needed, will be at the property owner's expense.

Policy 1.7.4 Fiscal Impact - The fiscal impact of the annexation is expected to a net positive for the City of Bradenton. The annexation will not significantly increase the costs of services already provided by the City, but will increase revenue. The property has a 2014 assessed value of \$187,308. Using the city millage rate of 5.8976, the subject property will generate approximately \$1,100 / yr. in its undeveloped condition. Once developed, the site will generate additional revenue for the City, while still having a limited impact on services.

Policy 1.7.5 Assignment of Future Land Use – The applicant is requesting the Suburban Commercial Corridor (SCC) zoning which is consistent with the adjoining City zoning and is the most consistent with the adjoining County zoning and current land uses adjoining the property.

Policy 1.7.6 Public Facilities Efficiency – The proposed annexation is currently on a public roadway and will not require extension of roadways. The property is currently served by County Water and does not currently receive sewer service. If City utility extensions are necessary, they will be at the owners expense.

Policy 1.7.7 Avoid Enclaves - The proposed annexation will not create an enclave. The parcel abuts City of Bradenton jurisdiction. Other adjoining parcels within County jurisdiction will retain access through County streets with County facilities.

Policy 1.7.8 Incorporation of Enclaves – Not applicable

Policy 1.7.9 Logical City Boundary – The subject parcel abuts existing City jurisdiction. Annexation will not create an overly irregular City Boundary.



Policy 1.7.10 Leap Frog Annexation - The request is not for a leap frog extension. The subject property currently abuts City jurisdiction on the west. As the boundaries currently exist, a large rectangular piece of property extends nearly to 64th St. E. The proposed expansion extends City jurisdiction further east representing a continuous extension of the City's jurisdiction.

B. Consistency with Land Use Regulations

- a. The SCC zoning was created to combine many uses into one zoning category. Some are permitted outright while others require special permits and City Council approval. The intent of the Suburban Corridor Commercial zoning is to allow for commercial uses commensurate with suburban arterial roadways. The location of the property in close proximity to SR 64 and I-75 makes this property suitable for the SCC zoning.

C. Land Use Compatibility.

- a. The subject property abuts SCC zoning on its western boundary. The property to the north is zoned commercial and the property to the south is zoned residential A-1, but is also utilized as a Construction Service Establishment for a large plumbing contractor. The change from a residential zoning to a non-residential zoning is consistent with existing zoning and trends in the area.

D. Provision of Adequate Public Facilities.

- a. The City has adequate facilities and capacity to support the requested use. Manatee County currently provides water service down 64th Street Court East and Sewer service down State Road 64 East. The City of Bradenton does not have water and sewer adjacent to this site. The City routinely works with the County to supply water and sewer services based on proximity to facilities. Regardless, if water and sewer services must be extended to support the facility. Emergency services, waste services are adequate to service the site. There will be no impact on park facilities. Access will be addressed per the pre application meeting minutes. Primary access to the property is via 64th St. Ct. East. Which is an undivided road. The property will have direct access to 64th Street Court East. Adequate access is provided for emergency services, mass transit and other essential services. The roadway is currently operating at a Level of Service C. ROW use permits from Manatee County will be required to address access.

E. Public Interest

- a. The requested zoning will not be in conflict with public interest and will promote the public health safety and welfare. The subject site has not been developed as a residential use because it is not an appropriate location for a residential use given its proximity to non-residential uses as well as the proximity to a commercial node. The site is believed to contain wetlands although no approved delineations from The Southwest Florida Water Management District exist.

In summary, requests contained in this proposed Annexation and Comprehensive Plan Zoning Amendment are not anticipated to create any adverse impact to public facilities or services.



SAUL LAPIDUS

7750 South Tamiami Trail
Sarasota, Florida 34231

December 21, 2015

Mr. Tim Polk
Planning Director
City of Bradenton
101 12th St. W.
Bradenton, Fl. 34205

Re: Lapidus Annexation

Dear Mr. Polk,

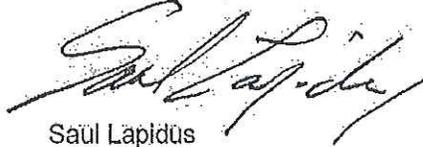
I appreciate the willingness of the City of Bradenton to annex my property. It is my understanding that there have been questions and rumors about the intended use of the property once annexed. As you know, the SCC zoning represents a combination of previous zonings and as such, allows a wide range of uses. Many of those uses are not suitable to the location for a variety of reasons for which I fully agree.

The uses that I am marketing to include the following: Car wash, self-storage, medical office park, construction service establishment, day care center, professional office park, small retail uses, dry cleaner, plant nursery, veterinary clinic and possibly a nursing home or assisted living facility. My intention is for the site to be a taxable property within the City of Bradenton. I am willing to commit that if the City must extend utility services to the site, the property owner will be responsible for a funding mechanism to allow the City to recoup its cost.

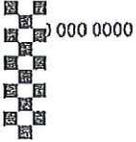
Because the location is not directly on SR 64, I do not anticipate, nor would it make economic sense for any developer to use the property for it becoming uses like restaurants, personal services, hotels, motels, boarding houses, cemeteries, social services etc. Most of those uses require special use permits and would be brought back before the City staff and City Council if I or any future landowner were to make that request.

I hope that this addresses the concerns that have been raised.

Sincerely yours,



Saul Lapidus



January 19, 2016

City of Bradenton

PLANNING COMMISSION

101 Old Main Street

Bradenton, FL 34208

Via fax 932-9534

Re: CP.15.3629 WARD 4, NEIGHBORHOOD 20.12 and LU.15.3630 WARD 4, NEIGHBORHOOD 20.12

Attention Planning Commission:

My family and I are concerned about the plans for re-zoning of 64th Street Court East in Manatee County. We live at 1421 70th Street Court East and use this street as an entry into and an exit from our neighborhood. My first concern is that we do not want more commercial development on this south side on SR64. These are family homes in this area, it is not desirable or safe for commercial development to occur here. Secondly, re-zoning for commercial development means there will be much heavier vehicle volume in this area. There is already congestion and traffic backups at the light for SR 64 due to three commercial enterprises already using this road (Wendy's, Long John Silvers, and the car wash). On any given day you will find glass and metal in the middle of SR64 at this intersection because so many traffic accidents happen here.

I do not know what commercial enterprise Mr. Lapidus is planning, but I strongly feel that this is not the right place for anything but residences. I certainly would not want my family's home to back up against a parking lot or a commercial structure with the noise and traffic that would come with it.

Please consider the people who live in this neighborhood's best interest before you allow for re-zoning.

Thank you for listening,



Eirinn Camphire

1421 70th Street Ct East

Bradenton, FL 34208

(16 years at this address)

BRADENTON HERALD

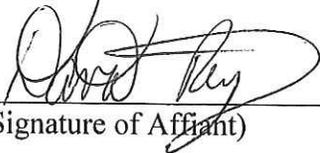
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Bradenton, FL 34205-8894
941-745-7066

Bradenton Herald
Published Daily
Bradenton, Manatee County, Florida

STATE OF FLORIDA
COUNTY OF MANATEE

Before the undersigned authority personally appeared Dava Reyes, who, on oath, says that she is a Legal Advertising Representative of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of **Notice Of Hearing, Ordinance No. 2974 & 2975**, was published in said newspaper in the issue(s) of **01/20/2016 & 02/05/2016**.

Affidavit further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Manatee County, Florida, each day and has been entered as second-class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



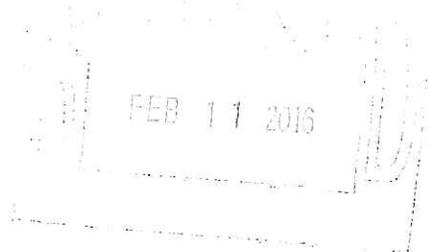
(Signature of Affiant)

Sworn to and subscribed before me this
5 Day of Feb, 2016



SEAL & Notary Public

Personally Known 1 OR Produced Identification _____
Type of Identification Produced _____



**CITY OF BRADENTON,
FLORIDA
NOTICE OF SMALL
SCALE COMPREHENSIVE
PLAN MAP CHANGE
AND ZONING ATLAS
AMENDMENT**

**NOTICE OF PUBLIC
HEARINGS**

The Bradenton City Council will meet in regular session on Wednesday, January 27 at 6:00 P.M. and Wednesday February 10, 2016 at 8:30 A.M. in City Council Chambers, 101 Old Main Street, Bradenton to consider the following items for public hearing:

ORDINANCE NO. 2974

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 1016 64TH 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.15.3629 LAPIDUS) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL-3 TO SUBURBAN COMMERCIAL CORRIDOR; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2975

AN ORDINANCE AMENDING ORDINANCE NO. 2960, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING MAP AMENDMENT (LU.15.3630 LAPIDUS) TO CHANGE THE DESIGNATION FROM A-1 (COUNTY) TO SCC, SUBURBAN COMMERCIAL CORRIDOR FOR THE PROPERTY LOCATED AT 1016 64TH STREET COURT EAST, IDENTIFIED AS PARCEL #1442800059 AND LEGALLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NW CORNER OF SECTION 35, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA; THENCE EAST 630 FEET; SOUTH 660 FEET; WEST 619.43 FEET; NORTH 660 FEET TO THE POINT OF BEGINNING, BEING FURTHER IDENTIFIED AS TRACTS 1 AND 2 OF MAGNOLIA MANOR UNRECORDED AND IS THE SAME LAND AS DESCRIBED IN O.R. BOOK 300, PAGE 369 AND O.R. BOOK 327, PAGE 265, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, CONTAINING 411,343.5 SQUARE FEET OR 9.4 ACRES MORE OR LESS.

All interested persons and parties may appear either in person or submit written comments regarding the above matter, and they will be heard and considered. Copies of the proposed amendments are on file at the City of Bradenton City Hall and may be reviewed by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday through Thursday, exclusive of holidays. Further information may be obtained from Christopher M. Gratz, AICP, Development Services & Zoning Manager, Department of Planning and Community Development, 101 Old Main Street, Bradenton, Florida, 34205, or by calling (941) 932-9400.

Be advised that, in accordance with the Americans with Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk Office of the City of Bradenton, 101 Old Main Street, Bradenton, Florida 34205, telephone (941) 932-9447, not later than seven (7) days prior to the proceeding.

Pursuant to Florida Statute 286.0105, if any 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 insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

