



City of Bradenton, Florida

City Council Agenda Memorandum

Agenda Item:

CP.16.0144 and LU.16.0145 Home Improvement

Agenda Date:

3-9-16

Originated by:

Christopher M. Gratz, AICP

Agenda Placement:

Ordinance *2nd reading*

Authorized by:

Christopher M. Gratz, AICP

Explanation

Ordinance 2978 I

CP.16.0144, WARD 4, NEIGHBORHOOD 20.12

Request by GreenbergFarrow Architecture, agent, for MIMCO Properties, LLC / Kathy & Jack McKendree, owners, for a Comprehensive Plan Map Amendment from RES-6 (County) to SCC, Suburban Commercial Corridor on 2.35 acres located at 5700 State Road 64, 711 Morgan Johnson Road (57th Street East) and two (2) contiguous parcels with no addresses on the east side of Morgan Johnson Road; Assessor Parcel Numbers (APN): 1120300056, 1120900004, 1121700059, 1121710209.

Ordinance 2979

LU.16.0145, WARD 4, NEIGHBORHOOD 20.12

Request by GreenbergFarrow Architecture, agent, for MIMCO Properties, LLC / Kathy & Jack McKendree, owners, for a Zoning Atlas Amendment from PDC and A-1 (County) to SCC, Suburban Commercial Corridor on 2.35 acres located at 5700 State Road 64, 711 Morgan Johnson Road (57th Street East) and two (2) contiguous parcels with no addresses on the east side of Morgan Johnson Road; Assessor Parcel Numbers (APN): 1120300056, 1120900004, 1121700059, 1121710209.

Financial Impact

Requested action to be taken by Council

Approval

Staff Recommendation

Approval

Attachments

Ordinance 2978, Ordinance 2979, Staff Report, Application

CITY OF BRADENTON, FLORIDA
ORDINANCE NO. 2978

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTIES LOCATED AT 5700 STATE ROAD 64, 711 MORGAN JOHNSON ROAD AND TWO (2) CONTIGUOUS PARCELS WITH NO ADDRESSES ON THE EAST SIDE OF MORGAN JOHNSON ROAD, 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.16.0144 HOME IMPROVEMENT) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL-6 TO 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 February 17, 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 March 9, 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 5700 State Road 64, 711 Morgan Johnson road and two (2) contiguous parcels with no addresses on the east side of Morgan Johnson road from County Residential-6 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

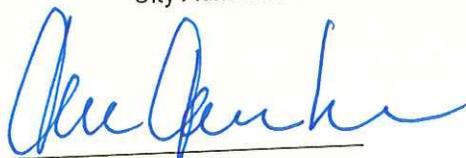
163.3161 through 163.3215, Florida Statutes, and this Ordinance. Except to the extent as amended hereby, the Comprehensive Plan is hereby ratified, confirmed and remains in full force and effect.

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.

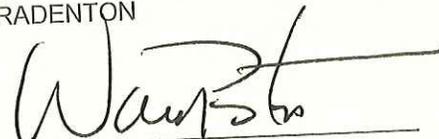
6. This Ordinance adopting the Small Scale Development Amendment shall not become effective, as provided by law, pursuant to Section 163.3187(5)(c), F.S., until thirty-one (31) days after adoption. If challenged, within thirty (30) days after adoption, this Small Scale Development Amendment shall not 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 9th DAY OF MARCH 2016.

ATTEST: CARL CALLAHAN
City Administrator

By: 
City Administrator

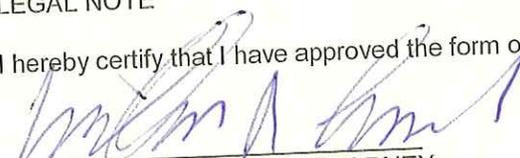
CITY OF BRADENTON, FLORIDA, BY AND
THROUGH THE CITY COUNCIL OF THE CITY
OF BRADENTON

By: 
Wayne H. Poston, Mayor

Planning Commission: February 17, 2016
City Council First Reading: February 24, 2016
City Council Second Reading: March 9, 2016

LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance No. 2978:


WILLIAM R. LISCH, CITY ATTORNEY



**CITY OF BRADENTON, FLORIDA
ORDINANCE NO. 2979**

AN AN ORDINANCE AMENDING ORDINANCE NO. 2975, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING MAP AMENDMENT (LU.16.0145 HOME IMPROVEMENT) TO CHANGE THE DESIGNATIONS FROM PDC AND A-1 (COUNTY) TO SCC, SUBURBAN COMMERCIAL CORRIDOR FOR THE PROPERTIES LOCATED AT 5700 STATE ROAD 64, 711 MORGAN JOHNSON ROAD (57TH STREET EAST) AND TWO (2) CONTIGUOUS PARCELS WITH NO ADDRESSES ON THE EAST SIDE OF MORGAN JOHNSON ROAD, IDENTIFIED AS PARCELS #1120300056, 1120900004, 1121700059, 1121710209 AND LEGALLY DESCRIBED AS FOLLOWS:

PARCEL 1:

TRACT 1: BEGIN 30 FEET EAST OF THE INTERSECTION OF CENTERLINE OF EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH CENTERLINE OF OLD ONECO ROAD, AND RUN SOUTHEASTERLY PARALLEL TO SAID CENTERLINE OF OLD ONECO ROAD, 483 FEET; THENCE EAST 175 FEET; THENCE NORTHWESTERLY 411 FEET TO POINT OF CENTERLINE OF EAST AND WEST COAST RAILROAD RIGHT OF WAY 200 FEET EASTERLY FROM POINT OF BEGINNING; THENCE WESTERLY 200 FEET TO POINT OF BEGINNING ALL IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. LESS RIGHT OF WAY FOR STATE ROAD 64 AS DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1149, PAGE 3935, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TRACT 2: ALL THAT PART OF THE ABANDONED RIGHT OF WAY OF THE EAST AND WEST COAST RAILWAY LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD #64 AND LYING EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD, SAID ROAD BEING 60 FEET WIDE), AND WESTERLY OF A LINE 200 FEET EASTERLY OF AND PARALLEL TO SAID EASTERLY RIGHT OF WAY LINE OF OLD ONECO ROAD, IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. LESS RIGHT OF WAY FOR STATE ROAD 64 AS DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1149, PAGE 3935 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

LESS AND EXCEPT FROM SAID PARCEL 1 LANDS CONVEYED IN WARRANTY DEED RECORDED IN BOOK 2096, PAGE 6189.

PARCEL 2:

BEGIN 30 FEET EAST OF THE INTERSECTION OF THE CENTERLINE OF THE EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH THE CENTERLINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD), THENCE RUN SOUTHEASTERLY PARALLEL TO SAID CENTERLINE OF THE OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD) 483 FEET TO POINT OF BEGINNING; THENCE SOUTH 100 FEET, THENCE EAST 175 FEET, THENCE NORTHWESTERLY 100 FEET TO A POINT 180 FEET MORE OR LESS WESTERLY FROM POINT OF BEGINNING; THENCE WESTERLY 180 FEET MORE OR LESS TO POINT OF BEGINNING; IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

LESS AND EXCEPT FROM SAID PARCEL 2 LANDS CONVEYED IN WARRANTY DEED RECORDED IN BOOK 2096, PAGE 6189.

PARCEL 3:

COMMENCE AT THE POINT 30 EAST OF THE INTERSECTION OF THE CENTERLINE OF OLD EAST AND WEST COAST RAILROAD RIGHT OF WAY, LONG SINCE ABANDONED, WITH THE INTERSECTION OF OLD ONECO ROAD CENTERLINE, FREQUENTLY REFERRED TO AS MORGAN JOHNSON ROAD, SAID POINT HEREINAFTER REFERRED TO FOR CONVENIENCE AS POINT A; THENCE RUN S.26°56'00"E., ALONG THE EAST LINE OF MORGAN JOHNSON ROAD 616.80 FEET FOR A POINT OF BEGINNING; THENCE RUN N.67°05'30"E., 157.20 FEET TO AN IRON PIPE; THENCE RUN S.25°50'00"E., 179.29 FEET TO AN IRON ROD; THENCE RUN S.87°20'33"W., 169.65 FEET TO AN IRON ROD; THENCE N.26°56'00"W., 122.20 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING SITUATED IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST.

PARCEL 4

COMMENCE 30 FEET EAST OF THE INTERSECTION OF THE CENTERLINE OF THE EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH THE CENTERLINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD)(WIDTH VARIES), THENCE S.26°56'00"E., PARALLEL TO SAID CENTERLINE OF THE OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD) 583.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.26°56'00"E., ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 33.80 FEET; THENCE N.67°48'31"E., ALONG THE NORTHERLY LINE OF THAT CERTAIN PARCEL 3, AS DESCRIBED AND RECORDED IN O.R. BOOK 2355, PAGE 497 PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 79.78 FEET; THENCE S.90°00'00"W., ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL 2, AS DESCRIBED AND RECORDED IN SAID O.R. BOOK 2355, PAGE 497, A DISTANCE OF 89.18 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 102,457 SQUARE FEET OR 2.35 ACRES MORE OR LESS.

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

Section 1: Ordinance No. 2975, Code of Ordinances of the City of Bradenton, Florida, is hereby amended by a Zoning Atlas Amendment of the following described property from PDC and A-1 County to SCC, Suburban Commercial Corridor.

LEGAL DESCRIPTION:

PARCEL 1:

TRACT 1: BEGIN 30 FEET EAST OF THE INTERSECTION OF CENTERLINE OF EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH CENTERLINE OF OLD ONECO ROAD, AND RUN SOUTHEASTERLY PARALLEL TO SAID CENTERLINE OF OLD ONECO ROAD, 483 FEET; THENCE EAST 175 FEET; THENCE NORTHWESTERLY 411 FEET TO POINT OF CENTERLINE OF EAST AND WEST COAST RAILROAD RIGHT OF WAY 200 FEET

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PARCEL 4

COMMENCE 30 FEET EAST OF THE INTERSECTION OF THE CENTERLINE OF THE EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH THE CENTERLINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD)(WIDTH VARIES), THENCE S.26°56'00"E., PARALLEL TO SAID CENTERLINE OF THE OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD) 583.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.26°56'00"E., ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 33.80 FEET; THENCE N.67°48'31"E., ALONG THE NORTHERLY LINE OF THAT CERTAIN PARCEL 3, AS DESCRIBED AND RECORDED IN O.R. BOOK 2355, PAGE 497 PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 79.78 FEET; THENCE S.90°00'00"W., ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL 2, AS DESCRIBED AND RECORDED IN SAID O.R. BOOK 2355, PAGE 497, A DISTANCE OF 89.18 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

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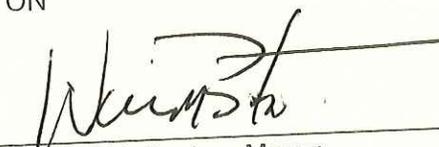
Section 2: This Ordinance shall take effect as provided by law.

PASSED IN REGULAR SESSION, this 9th day of March 2016.

ATTEST: CARL CALLAHAN
City Administrator

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

By: 
City Administrator

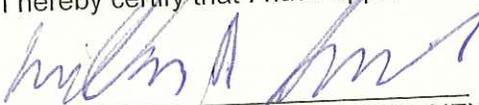
By: 
Wayne H. Poston, Mayor

Planning Commission:
City Council First Reading:
City Council Second Reading:

February 17, 2016
February 24, 2016
March 9, 2016

LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance No. 2979:


WILLIAM R. LISCH, CITY ATTORNEY





EVALUATION AND REPORT

Department of Planning & Community Development

PROJECT #: CP.16.0144 and LU.16.0145 Home Improvement

TO: City Council
FROM: Christopher M. Gratz, AICP, Development Services & Zoning Manager

DATE: 2/17/2016, revised for 2/24/2016

APPLICANT: GreenbergFarrow Architecture, agent for MIMCO Properties, LLC / Kathy & Jack McKendree

WARD: 4 – Bemis Smith

CASE SYNOPSIS:

Applicant's Request:

*Future Land Use Map Amendment (from County Residential-6 to SCC, Suburban Commercial Corridor)
 Zoning Atlas Amendment (from PDC & A-1 (County) to SCC, Suburban Commercial Corridor)
 5700 State Road 64, 711 Morgan Johnson Road et.al.*

Location:

Staff Recommendation:

Planning Commission:

City Council Action:

*Approval
 Approval – February 17, 2016
 TBD – February 24, 2016 (1st Reading)
 TBD – March 9, 2016 (2nd Reading)*

FINDINGS OF FACT

APPLICANT'S REQUESTS:

CP.16.0144 Small Scale Comprehensive Plan Map Amendment from County Residential-6 to SCC, Suburban Commercial Corridor.

LU.16.0145 Zoning Atlas Amendment from PDC, Planned Development Commercial and A-1 (County) to SCC, Suburban Commercial Corridor.

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

LOCATION OF SUBJECT PROPERTY: 5700 State Road 64, 711 Morgan Johnson Road (57th Street East) and two (2) contiguous parcels with no addresses on the east side of Morgan Johnson Road; Assessor Parcel Numbers (APN): 1120300056, 1120900004, 1121700059, 1121710209. A legal description is included in the application. The subject property is also located in Neighborhood 20.12.

ACREAGE: 2.35 ±

FLOOD ZONE: X

CHARACTERISTICS OF THE SUBJECT PROPERTY: The property at 5700 State Road 64 is developed with a 3,870 square foot office building; the others are vacant and heavily vegetated.

EXISTING LAND USE / CURRENT FUTURE LAND USE/ CURRENT ZONING:

5700 State Road 64 (APN 1120300056):

Office/ RES-6 (County)/ PDC, Planned Development Commercial

711 Morgan Johnson Road (57th Street East) APN1120900004 & APN 1121700059:

Vacant/ RES-6 (County)/ PDC, Planned Development Commercial

APN 1121710209: Vacant/ RES-6 (County)/ A-1, Agriculture (County)

PROPOSED FUTURE LAND USE/ZONING: SCC, Suburban Commercial Corridor. A Home Improvement Store requiring Special Use approval is proposed for the property; the application has been filed and will be brought forward in the near future. The attached site plan is conceptual and is not subject to review with these applications.

SURROUNDING USES AND DESIGNATIONS:

Existing: Commercial Zoning: NCM, Neighborhood Commercial-Medium (County) FLU: RES-6 (County)	Existing: Vacant Zoning: PDC (County) FLU: RES-6 (County)	Existing: Vacant Zoning: A-1 (County) FLU: RES-6 (County)
Existing: Commercial, Vacant Zoning: SCC FLU: SCC	SUBJECT PROPERTY	Existing: Vacant Zoning: SCC FLU: SCC
Existing: Vacant, Single Family Dwelling Zoning: SCC FLU: SCC	Existing: Utilities (Verizon) Zoning: A-1 (County) FLU: RES-3 (County)	Existing: Vacant Zoning: SCC FLU: SCC

HISTORY OF PREVIOUS ACTION RELEVANT TO THIS REQUEST: This is a follow up companion request related to AX.15.4756 MIMCO; required by §2.2.6.4.c of the Land Use Regulations.

ANALYSIS

EVALUATION OF THE COMPREHENSIVE PLAN AMENDMENT CP.16.0144:

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 in the vicinity of SR 64 and Morgan Johnson Road intersection and the developer is required to connect to City services pursuant to Policy 5.1.6. The developer is responsible for all efforts and costs to have utilities provided to the property.
- **Solid Waste** – City of Bradenton service is available and there is adequate landfill capacity.
- **Roads** – Morgan Johnson Road is a County roadway and the developer 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 of Bradenton 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.

Public Facilities Element

Policy 5.1.6 Mandatory Connection

The City shall require all new development within the water utility service area to use the City's potable water for consumptive, non-irrigation uses.

SUMMARY OF OUTSIDE AGENCY/PUBLIC NOTIFICATION RESPONSE:

The School District of Manatee County has stated no objection to the application.

COMMUNITY IMPACT REPORT

A. Visual Impact Analysis

Changing the Future Land Use from County Residential-6 to SCC will result in the development of the property with a commercial use that is appropriate along Morgan Johnson Road and State Road 64 corridors.

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 non-residential uses.

C. Traffic Study

A traffic study has been performed; however traffic impacts are not subject to the City's review since Morgan Johnson Road is a Manatee County road. The impacts are the County's responsibility to assess at the time a right-of-way use permit for any development sought. State Road 64 is an essentially built-out Principal Arterial roadway, and improvements to it will relate to turn lanes into the site as determined by FDOT.

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. Morgan Johnson Road is a County Major Collector, and the property is being combined with the parcels to the east to have access to State Road 64, a Principal Arterial roadway, with Morgan Johnson Road at State Road 64 being a signalized intersection.

F. Hurricane Evacuation Analysis

The criterion is mostly applicable to residential development; it is noted that the parcels are being combined with those to the east for access to State Road 64, a primary hurricane evacuation route that connects to I-75.

EVALUATION OF THE ZONING ATLAS AMENDMENT LU.16.0145:

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 the properties meets the intent of the SSC district. Part of it abuts State Road 64 Principal 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. These parcels are all adjacent to properties with non-residential uses.

- 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 the City. 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 Morgan Johnson Road 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.16.0144 based on the Findings of Fact and Analysis of the proposed Small Scale Comprehensive Land Use Plan Amendment.

APPROVAL of LU.16.0145 based on the Findings of Fact and Analysis of the proposed Zoning Atlas Amendment.

PLANNING COMMISSION RECOMMENDATION: February 17, 2016

APPROVAL of CP.16.0144 based on the Findings of Fact and Analysis of the proposed Small Scale Comprehensive Land Use Plan Amendment with a 4-0 vote.

APPROVAL of LU.16.0145 based on the Findings of Fact and Analysis of the proposed Zoning Atlas Amendment with a 4-0 vote.

CITY COUNCIL ACTIONS:

February 24, 2016 (1st Reading)

March 9, 2016 (2nd Reading)



CITY OF BRADENTON
PRE-APPLICATION MEETING
COMMENT SHEET

Application # PM.15.4622 Pre-App Date: November 10, 2015
Applicant: Mimco Properties/ 64 Properties, Home Improvement Center @ SR64
and MJR

PUBLIC WORKS DEPARTMENT: Kim Clayback PE 708-6300 x243
FIRE DEPARTMENT: Fire Marshal Kenneth Langston 932-9603
POLICE DEPARTMENT: Officer K. Camacho 741-3041
PCD DEPARTMENT: Tim Polk, Chris Gratz, Myra Schwarz,
Karen Aihara, Donnette Stahnke
BUILDING DIVISION: Anthony Warren Plans Examiner 932-9404
HEALTH DEPARTMENT: Barbara Wills Env. Supervisor 714-7585 (ABSENT)

COMMENTS

Applications for Annexation, Special Use, Land Use Map Amendment, and Comprehensive Plan Map Amendment required. All applications may be filed concurrently; however the annexation must be approved on 1st reading by the Council for the other applications to be considered by the Planning Commission.

Parcels to be annexed are not in UDZ; will require a recommendation from the Joint Planning Committee.

Include any Outdoor Storage, Outdoor Sales, or Vendors, including food vendors with the Special Use Request.

Clarify Property ownership of small triangle parcel PID# 1121700059. PAO indicates owners are Kathy and Jack McKendree. (Under contract)

Annexation: Three (3) parcels plus McKendree parcel.

FULU: Manatee County- Res-6 to SCC – Consistent.

Res-6 allows for a complement of residential support uses normally utilized during the daily activities of residents in low to low-moderate density urban areas. Range of potential uses include neighborhood retail uses.

Maximum FAR = 0.23 (0.35 for mini-warehouse uses).

Proposed FAR = 0.15

Maximum square footage for Neighborhood Retail uses: 150,000 sf.

Proposed square footage: 136,068 sf.

ZONING: Manatee County- PD-C to SCC – Compatible.

Planned Development - Commercial Zoning is to provide for development of commercial centers in scale with surrounding market areas, at appropriate locations.

A Traffic Study is required, to include impact to City property on the west side of Morgan Johnson Road (MJR). County Right-of-Way use permit for curb cuts and utility construction on MJR will be needed. County may require improvements to MJR.

Parking: 88 spaces short for the square footage noted. There seems to be enough land to meet the parking requirement and avoid a variance through changing the design:

- With the orientation of the building turned, brought to closer the street; more parking can fit. See The Home Depot @ 5801 University Drive, Davie, FL 33328
- Subtract the areas listed below in the parking calculation:
 - One (1) parking space for every 200 sq. ft. of building floor area (excluding restrooms, hallways, stairwells and storage areas).
- Nine (9) accessible parking spaces are required for 401 to 500 parking spaces (10 are indicated on site plan).
- Seasonal Parking and Truck Rental areas do not count towards meeting the parking requirement.
- A design that requires saving existing trees is a justification for a variance.

Curb cuts/Access points: Limited to one 36-foot wide or two 24-foot wide vehicular access points per frontage by City code. §4.1.4.3.c.

Provide impact projection to roadways, water, sewer, drainage & storm water with application.

City water is available to project location. There is a 16" water line at the end of Morgan Johnson Road. Public Works will provide City line plans for the water and sewer. Contact Kim Clayback.

There is a parcel on west side of Morgan Johnson Road that is for a proposed lift station. The City has a parcel for the developer to build a lift station to Public Works specifications. Public works proposes building of the lift station be included with plans and then it be turned over to the City.

What is happening to the Meridian Research Building? Do you intend to share access or parking?

The parcel is heavily forested. A tree survey & tree replacement will be required. Include the outparcel (Meridian Research) tree survey. Since little grading will be required, large existing trees can be designed around, and plan parking aisles and green space to accommodate trees in a manner that does not block signage.

Use Cypress trees as some of the replacement trees in the retention area. Planting area around the building has not been provided, we can consider increasing the width of the perimeter buffer to compensate.

Site Improvement Permit is required at time of permitting for (but not limited to) land alterations that increase the impervious surface, electric and lighting, irrigation. Submit plans for lighting, parking, irrigation and tree removal/landscaping with Site Improvement Permit.

Have a licensed engineer design retention areas, and speak to City Public Works department prior to design. The City requires complete on-site retention.

Add sidewalks to Morgan Johnson Road. Complete the existing sidewalks to extend to east side of project. Create access from sidewalk on SR64 to avoid the ditch, and to include ADA access.

All signage, dumpsters and fences will require separate permits.

Site Plan to also include:

Hours of Operation

Number of employees

Break down interior space.

Include outdoor storage areas.

Exterior Lighting- Refer to Chapter 7 of the City of Bradenton Land Use Code. Police

Department recommends adding security cameras. •

Work from the 2014 Florida Building Code and use electronic permitting. Contact Anthony Warren to get setup on the City's electronic permitting system, Buzzsaw.

Add articulation and design to building plans to avoid a "cookie cutter" look to the project. Bring some uniqueness to the building.



CITY OF BRADENTON
DEVELOPMENT REVIEW COMMITTEE
COMMENT SHEET

Application # LU.16.0145, CP.16.0144, SU.16.01469 **DRC Date:** January 26, 2016
Project Name: MIMCO Properties Home Improvement Store
5704 SR 64 East

PUBLIC WORKS DEPARTMENT Official: K. Clayback, P.E. (941) 708-6300 x243

Coordinate with Manatee County road construction projects, particularly on Morgan Johnson Road.

A pre-construction meeting with Public Works is required.

Please continue to work with Public Works regarding the Lift Station on Morgan Johnson Road.

Obtain Site Improvement Permit prior to obtaining any Building permits. Include SWFWMD documentation as part of your submittal paperwork.

Four (4) sets of plans are required to be submitted, including pdf's of the plans on a CD.

A Temporary Certificate of Occupancy (TCO) is for STOCKING ONLY.

Allow time at the end of the project for the full inspection process, to include Building, Electrical, Engineering/Public Works and finally Zoning. Zoning will require all Landscaping to be complete and according to approved plans prior to issuance of CO.

Construction schedules are per Code, and dictated by the City's noise ordinance, as follows:

Monday – Friday 7AM to 6PM

Saturday - 9AM to 6 PM

No work on Sundays or Federal Holidays.

BUILDING DEPARTMENT Official: Anthony Warren Acting Building Official (941) 932-9404

Coordinate with Manatee County road construction projects, particularly on Morgan Johnson Road.

A pre-construction meeting with Public Works is required.

Call Anthony Warren to obtain access to the BuzzSaw electronic permitting system.

FIRE DEPARTMENT **Official:** K. Langston, Fire Marshall (941) 932-9603

Buildings must be sprinkled.

POLICE DEPARTMENT **Official:** Officer K. Camacho (941) 741-3041

Traffic entry/exits are of concern, whereby people may exit turning the wrong direction. Incorporate some traffic guidance at the entry/exit locations: a bump, median, at least very visible directional painting. Must be FDOT approved. Look at WaWa on SR 64 for an example.

Use the 2-foot/ 7-foot rule (trim 2-ft high, 7-ft low) for trimming vegetation, to allow for casual visibility to property. Choose plants that are easy to maintain to those heights.

Make sure that lighting is below the canopy of vegetation.

For shopping cart retention, add cart corrals with wheel locking systems.

You are encouraged to participate in the Business Trespass Program. Apply on line from the Police Department website. This will allow Bradenton PD to remove trespassers from the property.

Secure the rear and east side unused land to show the perimeter, if not with fencing, then with unfriendly plants/hedges, to prevent vagrancy and discourage entry into unseen areas.

PCD DEPARTMENT **Official:** Official: Tim Polk, Chris Gratz, Karen Aihara, Myra Schwarz, Donnette Stahnke (941) 932-9400

A 10-foot landscape buffer is required around the entire building. On the east side, you may not use the ditch for landscaping. Measure the buffer back from the top of bank.

Include statement regarding plans for Meridian property, with proposed uses.

Include conceptual elevations ASAP to be included in Planning Commission package.

Landscaping: Show calculations. The requirement is 100 sf of foundation plants for every 1500 sf of floor area. Use only areas that are covered for your calculations. This may be approved by the PCD Director per Section 4.1.4.4.d.Landscaping Required, ii.

Put hedging/landscaping to the outside of guardrails to hide the guardrails if possible.

Provide a tree survey with existing tree count, including type and condition. Also provide a tree plan that shows preserved existing trees as well as proposed plantings. You want a tree-filled perimeter, with viewsheds to the building. Use good tree placement that will accommodate tree growth over time.

Parking: Variance will not be required if requirements are shown to be met. However, you may adjust the Variance request to reduce the parking requirement in exchange for tree preservation. A parking requirement reduction may be justified to save trees.

Change parking island sizes to accommodate shade trees. All islands are too small to accommodate any large maturing trees.

Signage:

Revise your signage plans to meet code. Please have the street address number on the sign; does not count towards allowed square footage.

All signage will require a separate permit with Zoning approval. Electrical signs will require Building approval as well.

Monument sign on Morgan Johnson Rd: One monument sign allowed on property. Maximum allowed size is 48 sf, and 25 feet high. The base needs to be as wide as the top of the sign to qualify as a monument. May have two sides, with two identical faces.

Pylon (pole) sign on SR 64: One pylon sign allowed on property. Maximum size is 48 sf, and 25 feet high. May have two sides, two identical faces.

Wall sign: You may have 116 sf wall sign on the front of the building, a 97 sf wall sign on the west side of the building, and no signage is allowed on the east side of the building. You may have an awning sign that is 50% the size of the awning.

It is recommended that the foundation planting Variance be changed to a parking variance to preserve existing trees where feasible.

We will work with you to place foundation planting area required elsewhere on the site. Use larger and less landscape islands to support trees in a sustainable manner. Islands shown can support palms or small trees.

Submit conceptual elevations with plan. A stipulation will be added that "Architecture is to be approved by the PCD Director".

Please engage the community in your project and let people around the site know what is happening. You are encouraged to schedule a public meeting, perhaps in the closest church, to meet for pre-advisement of development.

DRC Determination: Approve Deny Forward to Public Hearing

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 UBCE 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⁾⁽⁵⁾	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						
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 ⁽⁹⁾		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

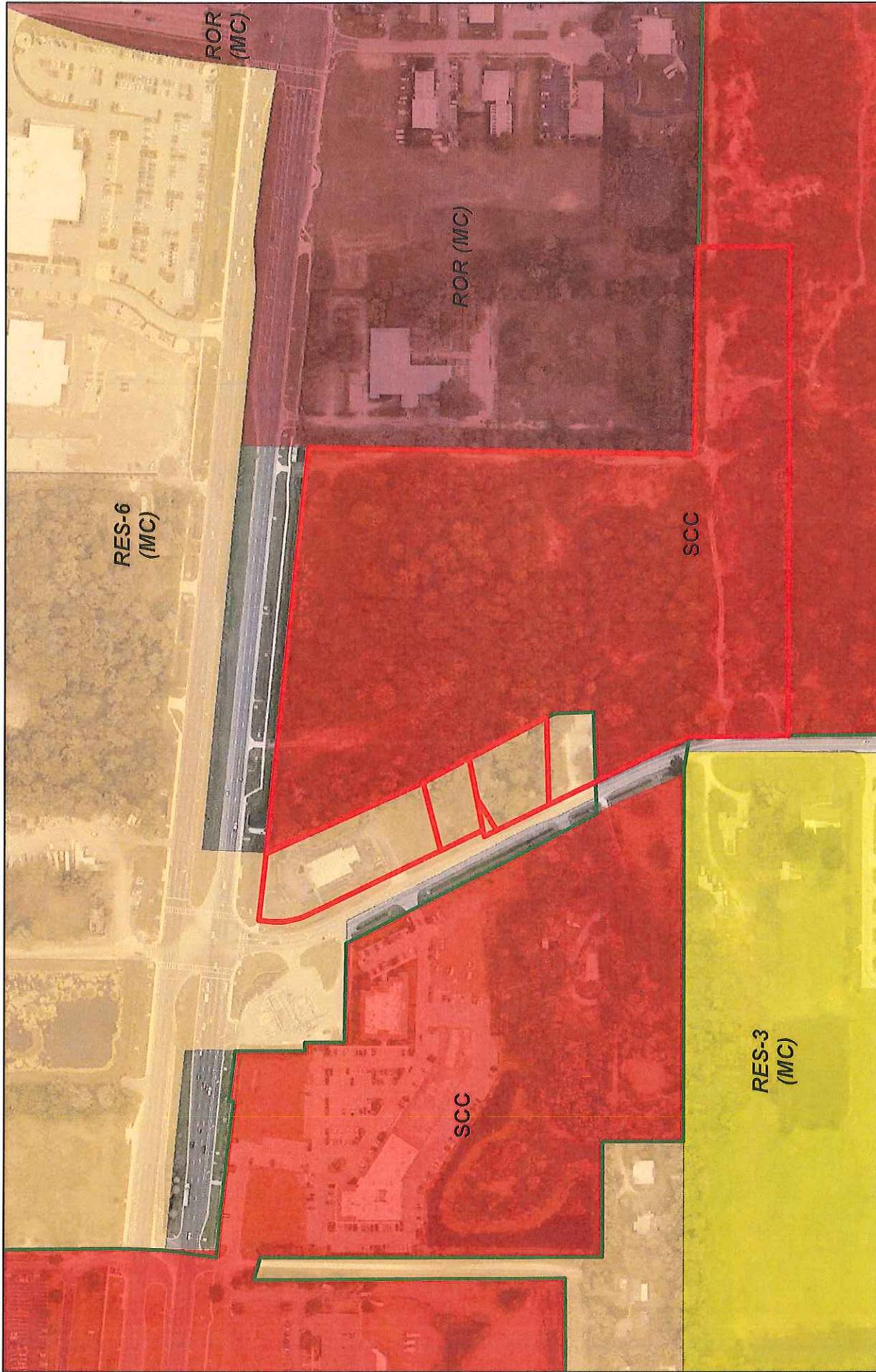
* Indicates that there are specific use regulations pertaining to the use (*Section 4.3*).

- (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
	UV		UCBD					
NON-RESIDENTIAL BUILDINGS (Building Setbacks in Feet) ⁽⁹⁾	Arterial ⁽¹⁾	Non-Arterial ⁽²⁾	UC	UCBD	UCC	SCC	P	I
Front	5 ⁽³⁾	10	none	none	20	35	35	25
Side	0	5	none	none	10	10	10	20
Rear	0	15	none	none	15	25	25	25
Side or rear adjacent to residential district ⁽¹⁰⁾	n/a	n/a	35	35	35	35	35	35
Accessory building/structure setback in feet, side or rear ⁽¹¹⁾	none	none	none	none	10	10	10	10
Maximum floor area ratio ⁽¹²⁾	0.7	0.7	5	5	0.5	0.5	0.35	1
Maximum building height (in feet) ⁽¹³⁾	60 ⁽⁴⁾	35 ⁽⁵⁾	95	95	35	35	45	45
Maximum building height (in stories)	5	3	8	8	2	2	3	4
MAXIMUM RESIDENTIAL DENSITY IN DWELLINGS UNITS PER ACRE (where permitted)	25 ⁽⁶⁾⁽⁷⁾	60 ⁽⁶⁾⁽⁸⁾	40 ⁽⁶⁾⁽⁸⁾	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.



Legend
 COB Boundary
 Subject Parcels

FUTURE LAND USE

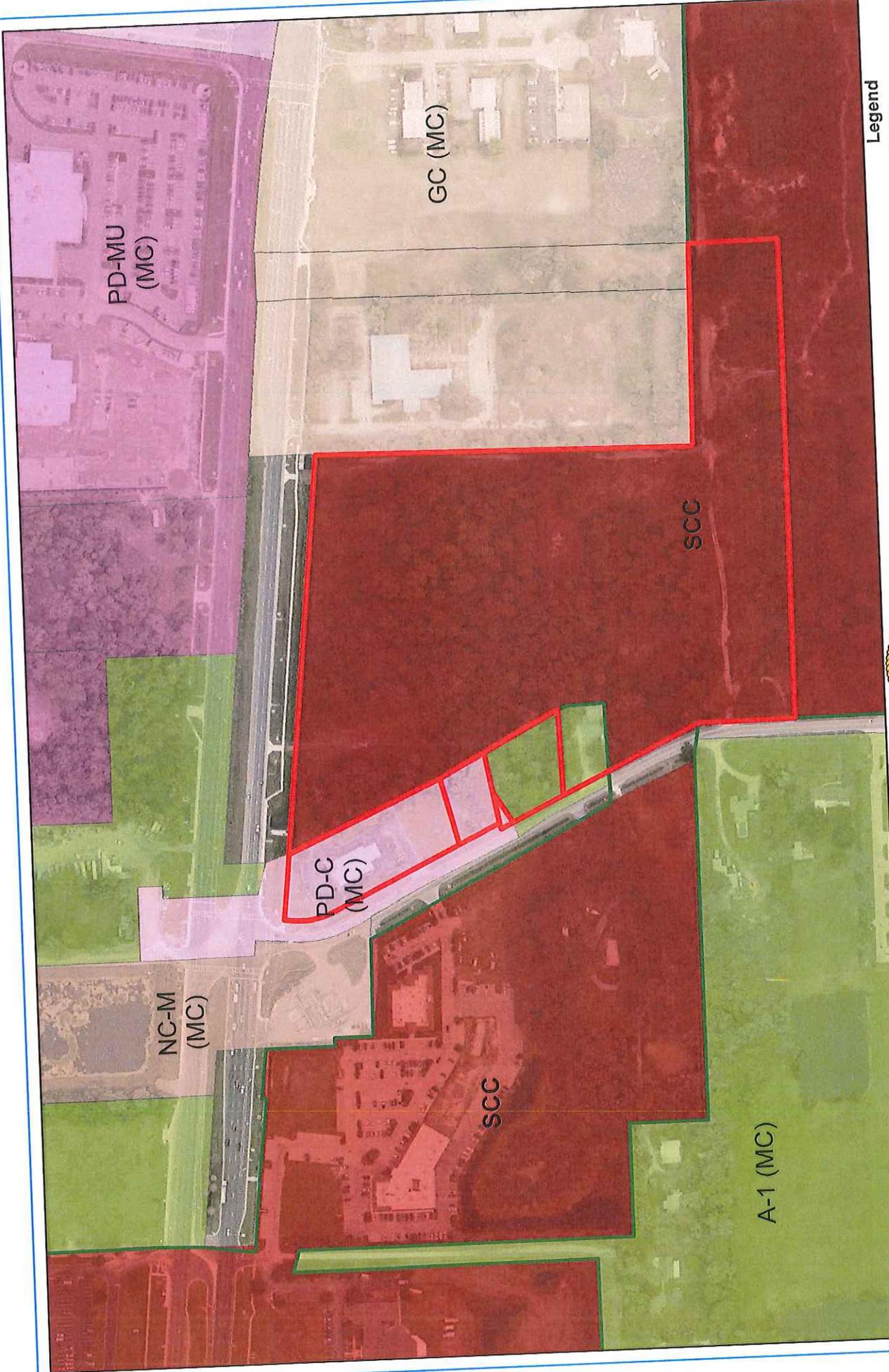


Prepared by Department of
 Planning and Community Development

Application #: LU.16.0145, CP.16.0144
 Owner: Mimco Properties and 64 Properties
 Agent: Edward Allen
 Address: 5700/5704/5820 SR64 E &
 823/907 57th St E



Printed: 11/5/2015 4:05:56 PM
 Path: G:\GIS\MXD\PH_Maps\PM 15 XXXX Home Improvement Center SR64-MUR.mxd
 GIS Data: Manatee County GIS, City of Bradenton



Legend

- COB Boundary
- Subject Parcels

ZONING



Prepared by Department of
Planning and Community Development

Application #: LU.16.0145, CP.16.0144
 Owner: Mimco Properties and 64 Properties
 Agent: Edward Allen
 Address: 5700/5704/5820 SR64 E &
 823/907 57th St E

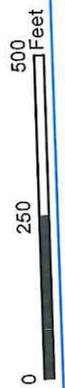
Printed: 11/5/2015 4:37:29 PM
 Path: G:\GIS\WXDs\PH_Imports\15 XXXX Home Improvement Center.mxd
 GIS Data: Manatee County GIS, City of Bradenton



Legend

- Subject Parcels
- Parcels

LOCATION



Prepared by Department of
Planning and Community Development

Application #: LU.16.0145, CP.16.0144
 Owner: Mimco Properties and 64 Properties
 Agent: Edward Allen
 Address: 5700/5704/5820 SR64 E &
 823/907 57th St E

Printed: 11/5/2015 9:50:34 AM
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 GIS Data: Manatee County GIS, City of Bradenton



Comprehensive Plan Map Amendment Application

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

LM

CONTACT INFORMATION

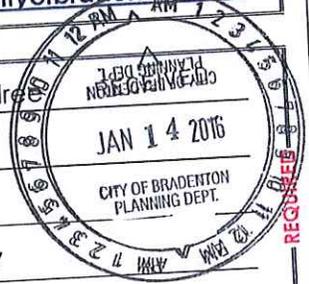
Name of Property Owner: MIMCO Properties, LLC / Kathy & Jack McKendree

Owner Address: 726 19th Ave, St Petersburg FL 33704 / Telephone: 727-560-3626 /
13645 3rd Ave NE, Bradenton, FL 34212

Name of Agent: Edward J. Allen, GreenbergFarrow Architecture

Agent Address: 1430 W Peachtree St Atlanta, GA 30309 Telephone: 678-412-6007

Owner/Agent Email: eallen@greenbergfarrow.com



PROPERTY INFORMATION

Property Address: (5700 SR 64E) & (711 E 57th St) & (Parcels with no address on 57th St)

Parcel ID: see attachment 5704 SR64E Total Acreage: 2.83 acres

Existing Future Land Use: Suburban Commercial Corridor Proposed Future Land Use: Suburban Commercial
*click to view city [FLU map](#)

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

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)

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] 1/14/16
 Signature of Owner/Applicant Date

CITY STAFF ONLY

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

FEE COLLECTED: \$ 4020.00

RECEIPT #: 005074-0004

Application Sufficiency:
 Sufficient:
 Incomplete:

APPLICATION #: CP 160144

REQUIRED

REQUIRED

REQUIRED

REQUIRED

CITY STAFF ONLY

2nd CC READ: 3/19/16

1st CC READ: 2/24/16

PC: 2/17/16

DRC: 1/26/16

REVIEW DATES - TO BE COMPLETED BY CITY STAFF



bradenton
The Friendly City

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: No Address, 57th Street (Morgan Johnson Rd)

I, Kathy and Jack McKendree, the registered property owner(s) of the above noted property, do hereby authorize

Edward J. Allen GreenbergFarrow Architecture
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.

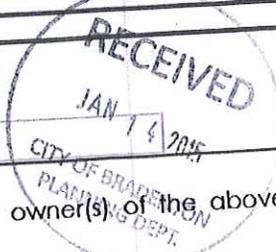
[Signature] [Signature]
Signature of Owner(s) Owner(s) Address (if different than property above)

1430 W. Peachtree Street, NE, Atlanta, GA 30309 (678) 412-6007

[Signature] Agent Address and Phone
Signature of Agent

AGENT AUTHORIZATION

REQUIRED



STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me this 23rd day of Nov. 2015,

produced FL Driver's licenses respectively, as

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

[Signature]
Signature
Randy L Campbell Notary Public
Print Name



State of Florida
My Commission Expires: 10/27/2017

NOTARY

REQUIRED

CP. 16. 0144

City Of Bradenton
EXHIBIT C



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: 5700 SR 64 E Bradenton FL 34208

I, Cathy Collins, the registered property owner(s) of the above noted property, do hereby authorize

Edward J. Allen GreenbergFarrow
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] 726 19th Ave NE St. Pete FL 33704
Signature of Owner(s) Owner(s) Address (if different than property above)

[Signature] 1430 W. Peachtree St Atlanta GA 30309
Signature of Agent Agent Address and Phone

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me this 11th day of November.

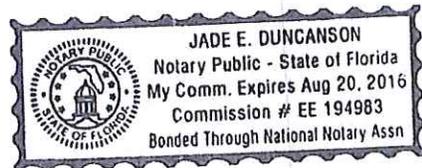
produced personally known to me respectively, as

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

[Signature]
Signature

Jade E. Duncanson, Notary Public
Print Name

State of Florida
My Commission Expires: 8/20/2016



City Of Bradenton

EXHIBIT C

CP. 16. 0144

CITY OF BRADENTON
COMPREHENSIVE PLAN MAP AMENDMENT APPLICATION



Visual Impact Analysis

As identified in the Future Land Use Element of the City's Comprehensive Plan, Corridors are one of the City's key character area types. It goes on to state that "Corridors provide the visual and functional imagery of the community at large." By annexing the MIMCO and McKendree parcels, and assigning a Suburban Commercial Corridor Future Land Use (FLU), the City is in line with the intent of the FLU. This FLU will allow for the development of the proposed Home Improvement Center, along what is already a Commercial Corridor. The proposed development will project positive visual and functional imagery, in that it will be seen as a sign of continued growth within the City of Bradenton.

With the recent completion of a Wal-Mart Supercenter less than a ¼ mile east of the project, an existing gas station immediately west of the site, and an office complex immediately west of the site, the proposed use will conform to existing uses in the area. Additionally, the project will be developed in compliance with the City's development regulations regarding lighting, landscaping, building architecture, and other regulations that govern the aesthetics of the project. Furthermore, the proposed Home Improvement Store will require a Special Use Permit, allowing further scrutiny of the Visual Impact of the project.

The proposed project that will be allowed under the SCC FLU designation, will have not have negative Visual Impact on the area.

Land Use Assessment

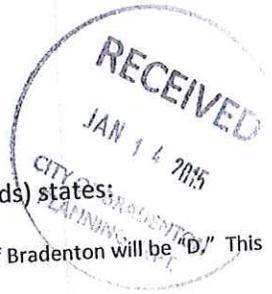
The proposed SCC FLU designation is in compliance with the City's current Future Land Use Map. The properties on the east, south, and west of the parcels that are being annexed are already within the City and all have SCC zoning and FLU designations. Furthermore, this will comply with Comprehensive Plan Policy 1.7.8 – Incorporation of Enclaves, which directs the City to identify and annex enclaves, or areas of the County that are surrounded by areas within the City. The subject properties represent an existing enclave, which will should be incorporated into the City and brought into compliance with the City's Future Land Element.

The proposed SCC Future Land Use designation will allow for development of the proposed Home Improvement Store and the proposed outparcel along a major arterial roadway (SR 64), in compliance with the intent of the Suburban Commercial Corridor, as stated in the FLU Element of the City's Comprehensive Plan – "Commercial uses commensurate with suburban arterial roadways, retail, office, automotive sales, automotive repair and service, hotel, motel, restaurants, social services."

City Of Bradenton

CP. 16. 0144

EXHIBIT F



Traffic Study

The City of Bradenton's Comprehensive Plan Policy 1.4.1 (Level of Service Standards) states: The minimum peak-hour, peak-direction level of service standard for all roadways within the City of Bradenton will be "D." This level of service standard is consistent with FDOT and Manatee County LOS standards.

Kimley-Horn and Associates conducted traffic studies for Manatee County (Morgan Johnson Road) and for FDOT (SR 64). The reports find that, when adding vested development and background growth, as required by both agencies, the adjacent roadways are projected to operate at LOS D at the time of the completion of the Home Improvement Store and Lot B. When adding traffic for the store and a restaurant use, along with extending the existing westbound left turn lane on SR 64, providing a southbound left turn lane from Morgan Johnson into the site, and a right-turn lane into the site's westernmost access from SR 64, the adjacent roadways will still operate at LOS D. The proposed road improvements will mitigate the impacts of traffic from the Home Improvement Store.

Environmental Impact Assessment

The proposed Home Improvement Store's site is located in Flood Zone X – not in a floodplain. Therefore, no floodplains or floodways will be impacted. Subject to State and Federal regulations, impacts to the existing ditches on the site will be avoided and minimized. Where impacts cannot be avoided, on-site mitigation will be provided.

Consistent with Comprehensive Plan Policy 4.1.6 (Survey – Endangered and Threatened Species and Habitats), and Comprehensive Plan Policy 4.2.3 (Habitat Protection), Birkitt Environmental Sciences conducted a Threatened and Endangered Species assessment of the site. No Threatened or Endangered Species were found on the site. However, the wetland on-site was identified as potential woodstork foraging habitat. The USFWS requires compensatory mitigation for wood stork habitat only if impacts exceed 0.5 acres. Since wetland impacts will be under the threshold, no mitigation is required. However, wetland mitigation is proposed on-site, essentially relocating this habitat. USFWS standard protection measures will be implemented during construction to ensure protection of the Eastern Indigo Snake.

Consistent with Policy 4.2.6 (Tree Removal), the site will be developed in a manner that is consistent with the City's Tree Protection and Landscape Ordinances. An arborist has conducted a field assessment to determine which protected trees can be preserved on-site. To the maximum extent feasible, existing trees will be preserved on-site within landscape buffers. All invasive species will be removed. Impacts that cannot be avoided will be mitigated on-site by installing high-quality replacement vegetation or payment-in-lieu-of.

City Of Bradenton
EXHIBIT F

CP. 16. 0144



Area Impact Assessment

The impact to the area will be a net-positive. By annexing the subject parcels and assigning an SSC FLU designation, this will allow for continued commercial growth along a corridor that is designated for such in the City's Comprehensive Plan. The proposed development will spur continued growth, providing services and new infrastructure for the area, and tax revenue for the City.

Current infrastructure (e.g. utilities, roadways) will either be sufficient or will require upgrades (e.g. road widening, new lift station) to offset impacts of the proposed development. Any required upgrades will not be borne by the City.

Hurricane Evacuation Analysis

Assigning an SSC FLU designation to the subject property, will comply with Policy 1.5.2 of the Future Land Use Element, by not increasing density in a Coastal High Hazard area (CHHA). The proposed Home Improvement store is consistent with Goal 6 (Evacuation) since it will *not* negatively impact hurricane evacuation. By improving roads to mitigate the traffic generated by the proposed use, S.R. 64 East, which is a designated Hurricane Evacuation Route, will not be impacted. Consistent with Policy 6.3.10 (Post-Disaster Redevelopment), the store will enhance the City's ability to recover following a storm event by being an immediate source of building materials for public and private structures. Lastly, the proposed Home Improvement store will be designed to their own Coastal Criteria, further ensuring their ability to operate immediately after a severe storm event.

Comparison of City vs County Comprehensive Plan

The subject parcels (2.83 acres) are currently designated as RES-6 Future Land Use (FLU) in the County's Comprehensive Plan. RES-6 designation allows six (6) dwelling units per acre, with a maximum Floor Area Ratio (FAR) of 0.23. The City's Suburban Commercial Corridor (SCC) FLU allows a maximum FAR of 0.5. However, the subject parcels would be part of a larger, approximately 18-acre development, used primarily for parking and drives. The Home Improvement Store proposes an FAR of 0.18, lower than what is allowed in the current and proposed FLU designations. Therefore, there is no net increase in density by annexing the parcels and assigning an SCC designation.

City Of Bradenton

CP. 16. 0144

EXHIBIT F

Owners Contact Information:

MIMCO Properties, LLC
 726 19th Avenue
 St. Petersburg, FL 33704
 (727) 560-3626

Jack & Kathy McKendree
 1364 3rd Avenue NE
 Bradenton, FL 34212



Property Information:

Parcel ID	Owner	Existing Use of Property	Manatee County Existing Zoning	Manatee County Future Land Use	City of Bradenton Proposed Zoning	City Of Bradenton Proposed Future Land Use
11203000056	MIMCO Properties	Medical Research Office	PD-C	RES-6	SCC	Suburban Commercial
1120900004	MIMCO Properties	Medical Research Office	PD-C	RES-6	SCC	Suburban Commercial
1121710209	MIMCO Properties	Vacant and Undeveloped	PD-C	RES-6	SCC	Suburban Commercial
1121700059	Jack & Kathy McKendree	Vacant and Undeveloped	A-1	RES-6	SCC	Suburban Commercial

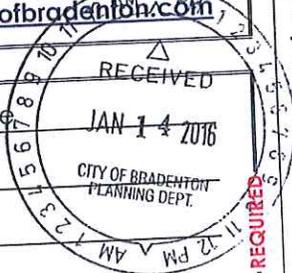
City Of Bradenton
EXHIBIT K

CP. 16. 0144



Zoning Atlas Amendment Application

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



10

CONTACT INFORMATION

Name of Property Owner: MIMCO Properties, LLC / Kathy & Jack McKendree

Owner Address: 726 19th Ave, St Petersburg FL 33704 / 13645 3rd Ave NE, Bradenton, FL 34212 Telephone: 727-560-3626

Name of Agent: Edward J. Allen - GreenbergFarrow Architecture

Agent Address: 1430 W Peachtree St, Atlanta, GA 3030 Telephone: 678-412-6007

Owner/Agent Email: eallen@greenbergfarrow.com

PROPERTY INFORMATION

Property Address: (5700 SR 64E) & (711 E 57th Street) & (Two (2) Parcels w/no address on 57th)

Parcel ID: see attachment 5704 SR 64E Acreage: 2.83 acres

Current Use of Property: Medical Research Office / Vacant

Proposed Use of Property: Home Improvement Store and Outparcels

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

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

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] 1/14/16
 Signature of Owner/Applicant Date

CITY STAFF ONLY

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

FEE COLLECTED: \$ 3270.00

RECEIPT #: 005074-0005

Application Sufficiency:
 Sufficient:
 Incomplete:

APPLICATION #: LU. 160145

REQUIRED

REQUIRED

REQUIRED

REQUIRED

CITY STAFF ONLY

3/9/16

2ND CC READ:

2/24/16

1ST CC READ:

2/17/16

PC:

1/26/16

DRG:

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 owned 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
Kenneth R. Stephens, Jr., Managing Member 549 Riviera Drive, Tampa, FL 33606 (owner <input type="checkbox"/> contract purchaser <input checked="" type="checkbox"/>)	100%
(owner <input type="checkbox"/> contract purchaser <input type="checkbox"/>)	
(owner <input type="checkbox"/> contract purchaser <input type="checkbox"/>)	



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

Signature: [Handwritten Signature] (Applicant): Metro Strategies Real Estate Group, LLC

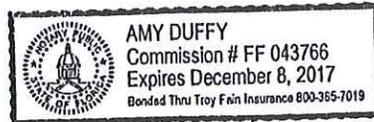
STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 12th day of January, 2016, by Kenneth Stephens, who is personally known to me or who has produced _____ as identification.

NOTARY

[Handwritten Signature]
Signature

Amy Duffy, Notary Public
Print Name



State of Florida My Commission Expires: 12/8/17

LU 16. 0145

City of Bradenton, Florida

EXHIBIT C



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: 5700 SR 64 E Bradenton FL 34208

I, Cathy Collins, the registered property owner(s) of the above noted property, do hereby authorize

Edward J. Allen GreenbergFarrow
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] 726 19th Ave NE St. Pete FL 33704
Signature of Owner(s) Owner(s) Address (if different than property above)

[Signature] 1430 W Peachtree St Atlanta GA 30309
Signature of Agent Agent Address and Phone

AGENT AUTHORIZATION

REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me this 11th day of November

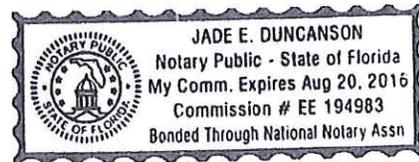
produced personally known to me respectively, as

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

Jade E. Duncanson
Signature

Jade E. Duncanson, Notary Public
Print Name

State of Florida
My Commission Expires: 8/20/2016



City Of Bradenton

EXHIBIT C

NOTARY

REQUIRED



LU 16. 0145



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: No Address, 57th Street (Morgan Johnson Rd)

I, Kathy and Jack McKendree, the registered property owner(s) of the above noted property, do hereby authorize

Edward J. Allen GreenbergFarrow Architecture
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.

Kathy McKendree Jack McKendree
Signature of Owner(s) Owner(s) Address (if different than property above)
1430 W. Peachtree Street, NE, Atlanta, GA 30309 (678) 412-6007

[Signature] Agent Address and Phone
Signature of Agent

AGENT AUTHORIZATION

REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The foregoing instrument was acknowledged before me this 23rd day of Nov. 2015,

produced FL Drivers Licenses respectively, as

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

[Signature]
Signature
RANDY L CAMPBELL Notary Public
Print Name



State of Florida
My Commission Expires: 10/27/2017

City Of Bradenton

EXHIBIT C

LU. 16. 0145



**PROPOSED HOME IMPROVEMENT STORE
SR 64 E & MORGAN JOHNSON ROAD
ZONING ATLAS AMENDMENT APPLICATION
FINDINGS OF FACT**



CONSISTENCY WITH COMPREHENSIVE PLAN

The proposed Home Improvement Store is consistent with Comprehensive Plan Policy 1.2.1 (Suburban Commercial Corridor) of the City of Bradenton's Comprehensive Plan. A building materials establishment use is consistent with both the SCC zoning district and future land use designation. The maximum allowable floor area ratio (FAR) is 0.5 for the SCC zoning district. The proposed Home Improvement Store's FAR is approximately 0.18.

Furthermore, this will comply with Comprehensive Plan Policy 1.7.8 – Incorporation of Enclaves, which directs the City to identify and annex enclaves, or areas of the County that are surrounded by areas within the City. The subject properties are bound on the east, south, and west by parcels that are already within the City and all have SCC zoning and FLU designations. The subject parcels represent an existing enclave, which will should be incorporated into the City and brought into compliance with the City's Future Land Element.

CONSISTENCY WITH LAND USE REGULATIONS

The proposed SCC Future Land Use designation will allow for development of the proposed Home Improvement Store and the proposed outparcels along a major arterial roadway (SR 64), in compliance with the intent of the Suburban Commercial Corridor, as stated in the FLU Element of the City's Comprehensive Plan – “Commercial uses commensurate with suburban arterial roadways, retail, office, automotive sales, automotive repair and service, hotel, motel, restaurants, social services.”

LAND USE COMPATIBILITY

With the recent completion of a Wal-Mart Supercenter less than a ¼ mile east of the project, an existing gas station immediately west of the site, and an office complex immediately west of the site, the proposed use is compatible with existing uses in the area. Additionally, the project will be developed in compliance with the City's development regulations regarding lighting, landscaping, building architecture, and other regulations that govern the aesthetics of the project. Furthermore, the proposed Home Improvement Store will require a Special Use Permit, allowing further scrutiny of the compatibility of the project.

City Of Bradenton

EXHIBIT J

LU. 16. 0145

**PROPOSED HOME IMPROVEMENT STORE
SR 64 E & MORGAN JOHNSON ROAD
ZONING ATLAS AMENDMENT APPLICATION
FINDINGS OF FACT**

PROVISION OF ADEQUATE PUBLIC FACILITIES

Consistent with Comprehensive Plan Policies 1.4.2 (Concurrent Public Facilities) and 1.7.3 (Public Services) of the City of Bradenton Comprehensive Plan, there are adequate public facilities and services (i.e. water, sewer and solid waste disposal) to allow for the development of the proposed Home Improvement Store. There is an existing 24" city water line at the northwest corner of SR 64 and Morgan Johnson road. According to the City's Utilities Department, there is sufficient capacity in the line. Currently, the Home Improvement Store is working with the City to provide a regional lift station, which will provide sewer service for future users. The proposed lift station and force main will connect to the existing 8" City force main at the northwest corner of SR 64 and Morgan Johnson road.

PUBLIC INTEREST

The proposed SCC Zoning designation will allow for the development of the proposed Home Improvement Store, along with two proposed outparcels. The proposed development will spur continued growth, providing services and new infrastructure for the area, and tax revenue for the City. Additionally, this will greatly reduce the distance that residents north of the river have to travel to a Home Improvement Store. The closest store currently is approximately 6 miles south of this site. Lastly, the Home Improvement Store is currently working with the City to provide a regional lift station, which will provide sanitary sewer service for the area.



LU. 16. 0145

City Of Bradenton
EXHIBIT J

Owners Contact Information:

MIMCO Properties, LLC
 726 19th Avenue
 St. Petersburg, FL 33704
 (727) 560-3626

Jack & Kathy McKendree
 1364 3rd Avenue NE
 Bradenton, FL 34212



Property Information:

Parcel ID	Owner	Existing Use of Property	Manatee County Existing Zoning	Manatee County Future Land Use	City of Bradenton Proposed Zoning	City Of Bradenton Proposed Future Land Use
11203000056	MIMCO Properties	Medical Research Office	PD-C	RES-6	SCC	Suburban Commercial
1120900004	MIMCO Properties	Medical Research Office	PD-C	RES-6	SCC	Suburban Commercial
1121710209	MIMCO Properties	Vacant and Undeveloped	PD-C	RES-6	SCC	Suburban Commercial
1121700059	Jack & Kathy McKendree	Vacant and Undeveloped	A-1	RES-6	SCC	Suburban Commercial

City Of Bradenton
 EXHIBIT K

LU. 16. 0145

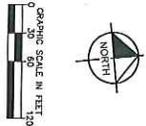
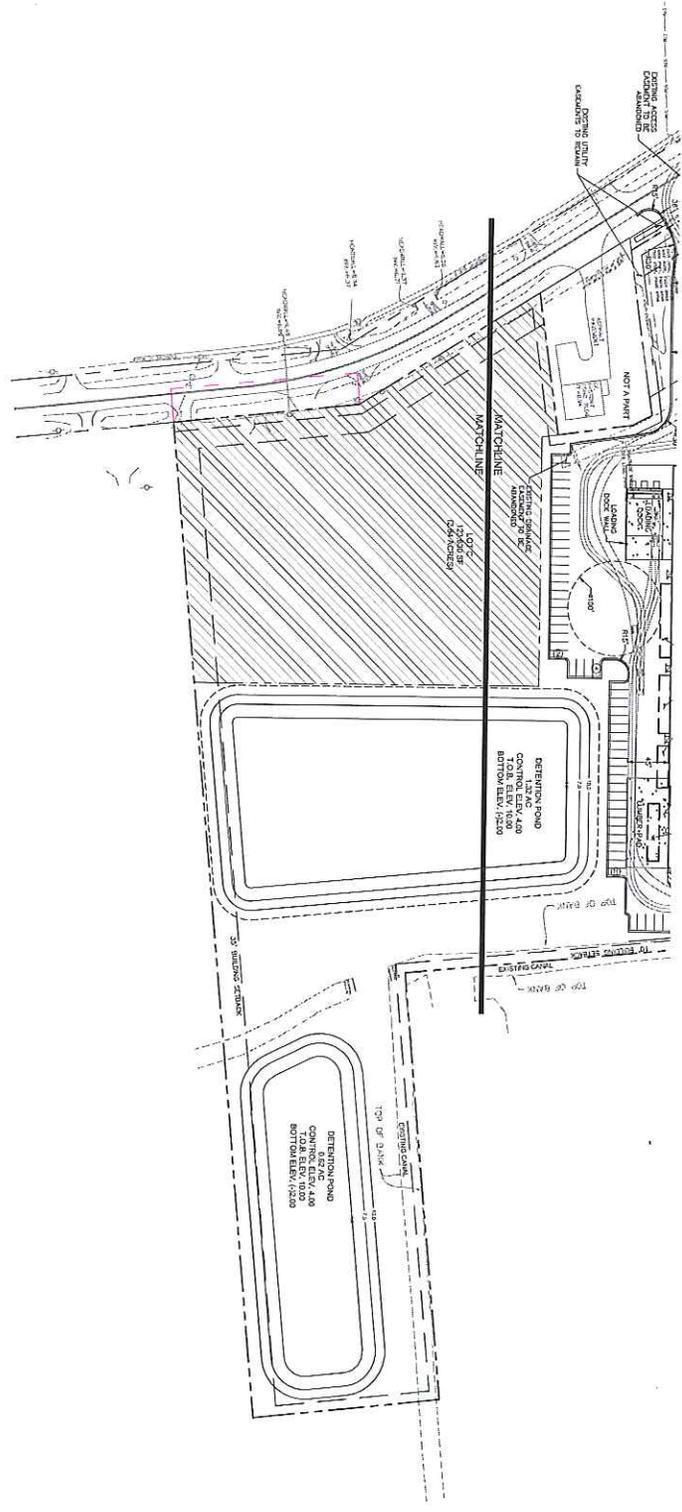
This document, together with the proposals and design presented herein, is an instrument of service, is intended only for the specific purpose and client for which it was prepared. Please do not improve reliance on this document without written authorization and signature by Kimley-Horn and Associates, Inc. and be without liability to Kimley-Horn and Associates, Inc.

FOR THE PURPOSES OF OBTAINING A PERMIT TO CONDUCT ANY WORK UNDER THE JURISDICTION OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT), THE USER OF THIS DOCUMENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE APPROPRIATE AGENCIES.

CALL 48 HOURS BEFORE YOU DIG ITS THE LAW!
 Know what's below. Call 811 before you dig.

811
 Know what's below. Call 811 before you dig.

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)



SHEET NUMBER C-101	RETAIL HOME IMPROVEMENTS PREPARED FOR BRADENTON STORE BRADENTON FLORIDA	SITE PLAN	KHA PROJECT PROJ #	LICENSED PROFESSIONAL	Kimley»Horn © 2018 KIMLEY-HORN AND ASSOCIATES, INC. 445 24TH STREET, SUITE 200, VERO BEACH, FL 32960 PHONE: 772-724-4100 WWW.KIMLEY-HORN.COM CA 00000656	No.	REVISIONS	DATE	BY
			DATE 01-06-2016	PETER J. VAN RENB, P.E. FLORIDA LICENSE NUMBER 55553					
			DESIGNED BY SDS						
			DRAWN BY SDS						
			CHECKED BY PVR						

MIMCO Properties

&

Mckendree

Rezoning

&

Comprehensive Plan Amendment

Bradenton City Council Presentation

March, 2016

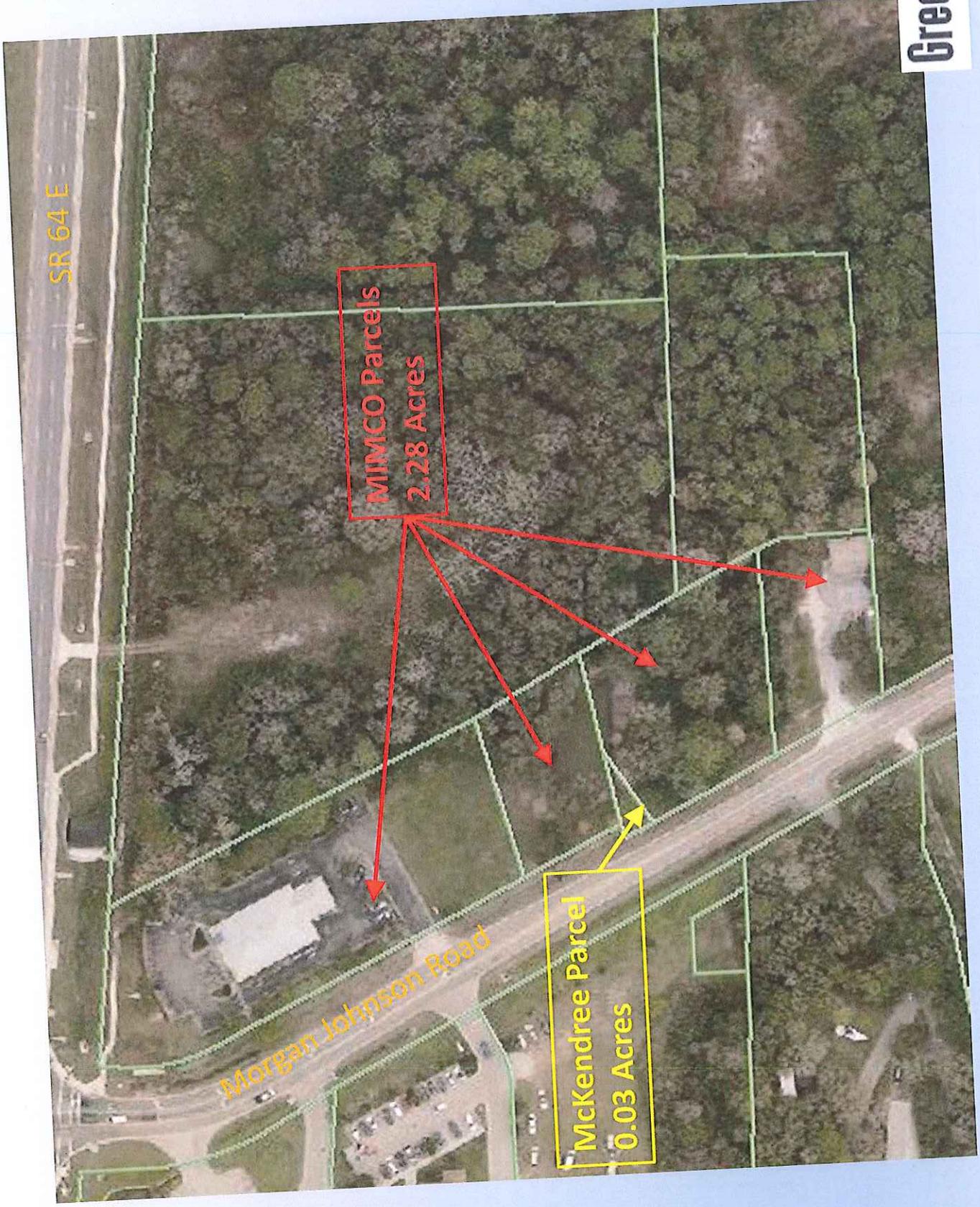
GreenbergF

SUBJECT PROPERTY INFORMATION

Parcel ID	Owner	Existing Use of Property	Previous Manatee County Existing Zoning	Previous Manatee County Future Land Use	City of Bradenton Proposed Zoning	City of Bradenton Proposed Future Land Use
13000056	MIMCO Properties	Medical Research Office	PD-C	RES-6	SCC	Suburban Commercial
19000004	MIMCO Properties	Medical Research Office	PD-C	RES-6	SCC	Suburban Commercial
1710209	MIMCO Properties	Vacant and Undeveloped	PD-C	RES-6	SCC	Suburban Commercial
1700059	Jack & Kathy McKendree	Vacant and Undeveloped	A-1	RES-6	SCC	Suburban Commercial

Former Bradenton City Limits





SR 64 E

MIMICO Parcels
2.28 Acres

Morgan Johnson Road

McKendree Parcel
0.03 Acres

COMPREHENSIVE PLAN MAP AMENDMENT

subject parcels were recently annexed

requesting Suburban Commercial Corridor (SCC) designation

consistent with the FLU element of the City's Comprehensive Plan

- SCC Intent: "Commercial uses commensurate with suburban arterial roadways, retail, office, automotive sales, automotive repair and service, hotel, motel, restaurants, social services."

surrounded by properties with SCC future land use and zoning

Compatible/No conflicts with adjacent properties

Will enhance State Road 64 corridor

No net increase in density

RE-ZONING

- Requesting Suburban Commercial Corridor (SCC) zoning
- Subject parcels were recently annexed
- Surrounded by properties zoned SCC
- Appropriate for proposed use
- Maximum FAR = 0.5 / Proposed FAR = 0.18
- Requesting SCC future land use
- Adequate public facilities
- Net benefit to the City and citizens
 - Spur growth
 - Increased property and sales taxes

BRADENTON HERALD

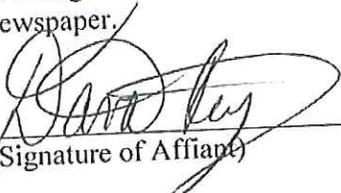
WWW.BRADENTON.COM
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Bradenton, FL 34206-0921
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Bradenton, FL 34205-8894
941-745-7066

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 Small Scale, City Of Bradenton**, was published in said newspaper in the issue(s) of **02/17/2016 & 03/04/2016**.

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
4 Day of Mar, 2016



SEAL & Notary Public
Personally Known 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, February 24 at 6:00 P.M. and Wednesday, March 9, 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. 2978

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTIES LOCATED AT 5700 STATE ROAD 64, 711 MORGAN JOHNSON ROAD AND TWO (2) CONTIGUOUS PARCELS WITH NO ADDRESSES ON THE EAST SIDE OF MORGAN JOHNSON ROAD, 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.16.0144 HOME IMPROVEMENT) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL-6 TO SUBURBAN COMMERCIAL CORRIDOR; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2979

AN ORDINANCE AMENDING ORDINANCE NO. 2975, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING MAP AMENDMENT (LU.16.0145 HOME IMPROVEMENT) TO CHANGE THE DESIGNATIONS FROM PDC AND A-1 (COUNTY) TO SCC, SUBURBAN COMMERCIAL CORRIDOR FOR THE PROPERTIES LOCATED AT 5700 STATE ROAD 64, 711 MORGAN JOHNSON ROAD (57TH STREET EAST) AND TWO (2) CONTIGUOUS PARCELS WITH NO ADDRESSES ON THE EAST SIDE OF MORGAN JOHNSON ROAD, IDENTIFIED AS PARCELS #1120300056, 1120900004, 1121700059, 1121710209 AND LEGALLY DESCRIBED AS FOLLOWS:

PARCEL 1:

TRACT 1: BEGIN 30 FEET EAST OF THE INTERSECTION OF CENTERLINE OF EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH CENTERLINE OF OLD ONECO ROAD, AND RUN SOUTHEASTERLY PARALLEL TO SAID CENTERLINE OF OLD ONECO ROAD, 483 FEET; THENCE EAST 175 FEET; THENCE NORTHWESTERLY 411 FEET TO POINT OF CENTERLINE OF EAST AND WEST COAST RAILROAD RIGHT OF WAY 200 FEET EASTERLY FROM POINT OF BEGINNING; THENCE WESTERLY 200 FEET TO POINT OF BEGINNING ALL IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. LESS RIGHT OF WAY FOR STATE ROAD 64 AS DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1149, PAGE 3935, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

TRACT 2: ALL THAT PART OF THE ABANDONED RIGHT OF WAY OF THE EAST AND WEST COAST RAILWAY LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD #64 AND LYING EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD, SAID ROAD BEING 60 FEET WIDE), AND WESTERLY OF A LINE 200 FEET EASTERLY OF AND PARALLEL TO SAID EASTERLY RIGHT OF WAY LINE OF OLD ONECO ROAD, IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA. LESS RIGHT OF WAY FOR STATE ROAD 64 AS DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 1149, PAGE 3935 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.

LESS AND EXCEPT FROM SAID PARCEL 1 LANDS CONVEYED IN WARRANTY DEED RECORDED IN BOOK 2096, PAGE 6189.

PARCEL 2:

BEGIN 30 FEET EAST OF THE INTERSECTION OF THE CENTERLINE OF THE EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH THE CENTERLINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD), THENCE RUN SOUTHEASTERLY PARALLEL TO SAID CENTERLINE OF THE OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD) 483 FEET TO POINT OF BEGINNING; THENCE SOUTH 100 FEET, THENCE EAST 175 FEET, THENCE NORTHWESTERLY 100 FEET TO A POINT 180 FEET MORE OR LESS WESTERLY FROM POINT OF BEGINNING; THENCE WESTERLY 180 FEET MORE OR LESS TO POINT OF BEGINNING; IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

LESS AND EXCEPT FROM SAID PARCEL 2 LANDS CONVEYED IN WARRANTY DEED RECORDED IN BOOK 2096, PAGE 6189.

PARCEL 3:

COMMENCE AT THE POINT 30 EAST OF THE INTERSECTION OF THE CENTERLINE OF OLD EAST AND WEST COAST RAILROAD RIGHT OF WAY, LONG SINCE ABANDONED, WITH THE INTERSECTION OF OLD ONECO ROAD CENTERLINE, FREQUENTLY REFERRED TO AS MORGAN JOHNSON ROAD, SAID POINT HEREINAFTER REFERRED TO FOR CONVENIENCE AS POINT A; THENCE RUN S.26°56'00"E., ALONG THE EAST LINE OF MORGAN JOHNSON ROAD 616.80 FEET FOR A POINT OF BEGINNING; THENCE RUN N.67°05'30"E., 157.20 FEET TO AN IRON PIPE; THENCE RUN S.25°50'00"E., 179.29 FEET TO AN IRON ROD; THENCE RUN S.87°20'33"W., 169.65 FEET TO AN IRON ROD; THENCE N.26°56'00"W., 122.20 FEET TO THE POINT OF BEGINNING; SAID PROPERTY BEING SITUATED IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST.

PARCEL 4

COMMENCE 30 FEET EAST OF THE INTERSECTION OF THE CENTERLINE OF THE EAST AND WEST COAST RAILROAD RIGHT OF WAY WITH THE CENTERLINE OF OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD) (WIDTH VARIES), THENCE S.26°56'00"E., PARALLEL TO SAID CENTERLINE OF THE OLD ONECO ROAD (NOW MORGAN JOHNSON ROAD) 583.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.26°56'00"E., ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 33.80 FEET; THENCE N.67°48'31"E., ALONG THE NORTHERLY LINE OF THAT CERTAIN PARCEL 3, AS DESCRIBED AND RECORDED IN O.R. BOOK 2355, PAGE 497 PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, A DISTANCE OF 79.78 FEET; THENCE S.90°00'00"W., ALONG THE SOUTH LINE OF THAT CERTAIN PARCEL 2, AS DESCRIBED AND RECORDED IN SAID O.R. BOOK 2355, PAGE 497, A DISTANCE OF 89.18 FEET TO THE POINT OF BEGINNING. BEING AND LYING IN SECTION 27, TOWNSHIP 34 SOUTH, RANGE 18 EAST, MANATEE COUNTY, FLORIDA.

CONTAINING 102,457 SQUARE FEET OR 2.35 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) 932-9400, 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.

