

ORDINANCE NO. 2955

AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT 4465 STATE ROAD 64 EAST, PROPERTY IDENTIFIED AS PARCEL #1126900159 AND LEGALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 834, OF RIVERDALE REVISED, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 40, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°14'05"E, ALONG THE EAST RIGHT-OF-WAY LINE OF 43RD STREET BOULEVARD, A DISTANCE OF 260.59 FEET, TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 64; RUN THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; 1) S88°35'57"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 236.85 FEET; 2) CONTINUE THENCE S88°35'57"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 39.85 FEET; 3) S89°13'14"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 120.16 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN N01°32'09"E, A DISTANCE OF 200.43 FEET; THENCE RUN S89°13'14"E, A DISTANCE OF 40.00 FEET; THENCE RUN S06°22'37"E, A DISTANCE OF 50.56 FEET; THENCE RUN S33°28'46"E, A DISTANCE OF 181.79 FEET, TO A POINT ON THE AFOREMENTIONED NORTH RIGHT-OF-WAY LINE; RUN THENCE N89°13'14" W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 151.28 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,143 SQUARE FEET OR 0.394 ACRES MORE OR LESS.

WHEREAS, a request for Annexation to the City of Bradenton has been brought by Bellair Development Group, agent for Nordic of Florida Development Inc., owner; and

WHEREAS, said property petitioned to be annexed is contiguous to the corporate limits of the City of Bradenton, Florida and meets the requirements of Florida Statute 171.044; and

WHEREAS, the property is owned by Nordic of Florida Development Inc.

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

Section 1: That the land herein before referred to and described as follows:

LEGAL DESCRIPTION: COMMENCE AT THE SOUTHWEST CORNER OF LOT 834, OF RIVERDALE REVISED, A SUBDIVISION AS PER PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 40, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA; THENCE S00°14'05"E, ALONG THE EAST RIGHT-OF-WAY LINE OF 43RD STREET BOULEVARD, A DISTANCE OF 260.59 FEET, TO THE INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 64; RUN THENCE ALONG SAID NORTH RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES; 1) S88°35'57"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 236.85 FEET; 2) CONTINUE THENCE S88°35'57"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 39.85 FEET; 3) S89°13'14"E, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 120.16 FEET, TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE DEPARTING SAID NORTH RIGHT-OF-WAY LINE RUN N01°32'09"E, A DISTANCE OF 200.43 FEET; THENCE RUN S89°13'14"E, A DISTANCE

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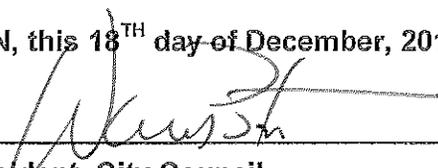
is land sought to be annexed by motion, and the same is hereby annexed to and incorporated within the City of Bradenton, Manatee County, Florida, as fully and effectually as if the same were included within the boundary of the City of Bradenton, Florida, as set forth in its Charter.

Section 2: Such land, above described, shall immediately become subject to the jurisdiction and powers of the City of Bradenton, Florida.

Section 3: Impact fee equivalency will be required in accordance with the definitions of the ACCORD as determined by the Director of the Department of Planning and Community Development subject to City Council approval.

Section 4. This Ordinance shall take effect immediately.

PASSED IN REGULAR SESSION, this 18TH day of December, 2013



President, City Council

ATTEST

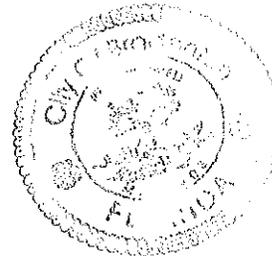


City Clerk

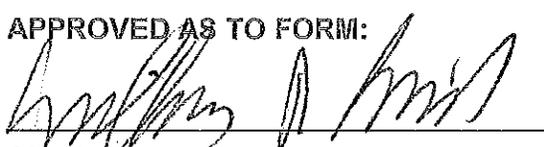
First Reading: November 13, 2013

Advertised: December 4, 2013 & December 11, 2013

Second Reading & Public Hearing: December 18, 2013

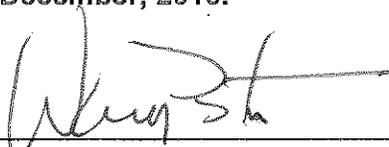


APPROVED AS TO FORM:



City Attorney

APPROVED by me, this 18th day of December, 2013.



Mayor

ANALYSIS

REQUIRED FINDINGS:

COMPREHENSIVE PLAN CONSISTENCY/IMPLICATIONS:

The proposed Annexation does not appear to be inconsistent with Bradenton's Comprehensive Plan.

CONSISTENCY WITH JOINT PLANNING AGREEMENT:

Urban Development Zone/Joint Planning Overlay Considerations: The subject property is not located within the UDZ, thus review by the Joint Planning Committee is required.

Environmental Sensitivity of the Property:

The subject parcel is located in Flood Zone AE with a base elevation of 7 feet. The subject property is heavily wooded; however, it contains no known areas of jurisdictional wetlands.

Historic Resources:

No apparent historic resources present or yet determined.

Compatibility:

Annexation of the subject parcel appears to be compatible with existing and contiguous City jurisdictional properties located immediately west. The applicant intends to develop the parcel commercially, which is in keeping with the commercial development along State Road 64 East.

Emergency Shelter Space:

The subject property is proposed for non-residential development along the State Road 64 East corridor.

Height Provisions (if applicable):

Annexation of the subject parcel would not cause a non-conforming height condition within the City. Height of any potential development shall conform to the SCC standards set forth in the City's Land Use Regulations.

Impact Fee Equivalency:

Pursuant to the ACCORD, Section 4.B(5), the subject parcel is subject to both City and County impact fees, as part of the agreement to annex.

AVAILABILITY OF PUBLIC SERVICES:

Potable Water: Manatee County service is available.

Reclaimed Water: N/A

Sanitary Sewer: Manatee County service is available.

Solid Waste: Manatee County service is available.

Roads: FDOT is currently completing a road improvement project on State Road 64 East in the area of the subject property.

Recreation: N/A

COST/BENEFIT ANALYSIS:

No established procedure currently exists for this type of analysis; however, it is important to note that all utilities and services are provided by Manatee County and the City will provide fire and police protection.

DEVELOPMENT REVIEW COMMITTEE (DRC) COMMENTS (October 22, 2013):

Public Works: No Objections. County approval of utilities shall be due at permitting.

Fire Prevention: No Objections. No Comments.

Police Department: No Comments.

STAFF EVALUATION:

The subject property represents a logical annexation into the City based on locational criteria and the fact that it is located in an area acceptable for annexation under the JPC/UDZ criteria. Staff can find no clear objections or limitations to recommending approval of this annexation request.

JOINT PLANNING COMMITTEE (JPC) REVIEW (November 14, 2013):

SUMMARY OF OUTSIDE AGENCY/PUBLIC NOTIFICATION RESPONSE:

No comments were received as of the date of this report.

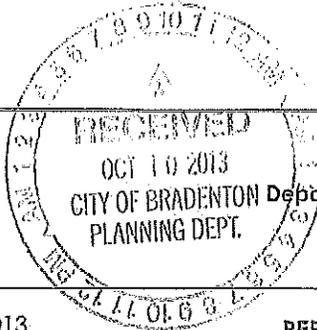
STAFF RECOMMENDATION:

APPROVAL of AX.13.00024 based on the Findings of Fact

CITY COUNCIL ACTION (November 13, 2013):

JOINT PLANNING COMMITTEE RECOMMENDATION: (November 14, 2013):

CITY COUNCIL FINAL DETERMINATION (December 18, 2013):



Annexation Application

Department of Planning & Community Development
101 Old Main Street, Bradenton, FL 34205
Ph: (941) 932-9400 Fax: (941) 932-9534
www.cityofbradenton.com

DATE: September 24, 2013 PERMIT NUMBER: AX 1300024 GN

CONTACT INFORMATION: Name of Property Owner(s): Kenneth Keating of Nordic of Florida Development, Inc.

Owner Address: 3890 SR-64 E, Ste 105 Bradenton, FL Telephone: 941-737-6672

Name of Agent: David Goree

Agent Address: 6654 78th Ave, N Pinellas Park, FL 33781 Telephone: 727-536-8686

Email: dgoree@belleairgroup.com FAX: _____

LOCATION:

Property Address: TBD

Parcel ID: 1126900159 Acreage: 0.394

Existing Use of Property: Vacant

Existing Zoning District: RSF-6 Existing Future Land Use: RES-6

*Existing Zoning and Future Land Use Information may be obtained from Manatee County at 941-748-4501

Proposed Use of Property: Retail

Proposed Zoning District: Suburban Commercial Proposed Future Land Use: Suburban Commercial

*click to view Zoning map

*click to view FLU map

IS THIS A REQUEST FOR CONTRACTION OR DE-ANNEXATION? Yes No

REQUIRED MATERIALS FOR REVIEW:

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

- ▶ Annexation Application
- ▶ Application Review Fees: \$1,000. Estimated Cost of Public Notice: \$1,500. Joint Planning Committee Public Notice: \$100. Hearing Sign: \$7.
- ▶ Notarized Agent Authorization Form, if applicable
- ▶ Thirty-five (35) copies of Letter of Request
- ▶ Thirty-five (35) copies of Legal Description
- ▶ One (1) Property Survey signed & sealed within the last 3 years, and thirty-five (35) copies of survey
- ▶ Thirty-five (35) copies of Aerial Photo of Property
- ▶ One electronic copy of Annexation Application and all required materials for review

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 of Owner: [Signature] Address: 3890 E. ST. RD 64, Bradenton, FL 34208 Phone: 941-737-6672

****CITY STAFF ONLY****

Application Sufficiency: Sufficient: Incomplete: _____

Fees:
Annexation Review Fee: \$1,000
Estimated cost of Notice Publication: \$1,500
Joint Planning Committee Public Notice: \$100
Public Hearing Signs: \$7

Review Dates:
DRC: 10/22/13
Joint Planning Committee: 11/14/13
1st City Council: 11/13/13
2nd City Council: 12/18/13

TOTAL FEES: \$ 2,607 00979.0077

Nordic of Florida Development Inc.
3890 East State Road 64
Bradenton, FL 34208



AGENT AUTHORIZATION

The undersigned, President of Nordic of Florida Development, Inc., being the owner of the Property described in the legal description attached hereto as Exhibit "A," does hereby authorize and consent to David Goree and Carlos Yepes with Belleair Development Group to prepare and submit applications and related documentation to local, state, and federal agencies to obtain permits and approvals, at Belleair's cost, to develop the Property according to its plans.

NORDIC OF FLORIDA DEVELOPMENT, INC.,
a Florida corporation.

Kenneth D. Keating
Typed/Printed Name of Owner, Applicant or Agent

President
Corporate Title, if applicable

[Handwritten Signature]
Signature of Owner, Applicant or Agent

9/20/13
Date

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 20th day of September, 2013, by Kenneth D. Keating, who is personally known to me or who has produced [Handwritten Signature] as identification:



TRUDY M. COMPALIK
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE062036
Expires 2/17/2015

[Handwritten Signature]
NOTARY PUBLIC SIGNATURE

NAME OF NOTARY PRINTED

City Of Bradenton

EXHIBIT C

AX.13.00024

BELLEAIR
DEVELOPMENT GROUP

October 1, 2013

City of Bradenton
c/o Mr. Brady Woods
Development Services & Zoning Manager
101 12th St. W, Bradenton, FL 34205
Bradenton, FL 34205

RECEIVED
OCT 10 2013
CITY OF BRADENTON
PLANNING DEPT.

Subject: Annexation of a Portion of Parcel 1126900159

Dear Mr. Woods

On behalf of BDG SR 64, LLC c/o Belleair Development Group this letter is to request the annexation of a portion of parcel 1126900159 into the city limits for the City of Bradenton. We are currently working on developing the adjacent parcel to the west as a gas station and free-standing retail center. The retail portion consists of utilizing the triangular portion of the lot, currently within the limits for the Manatee County as shown on the attached aerial exhibit and sketch and legal.

Please review the attached application submittal packet, and let me know if there is anything needed to complete the submittal.

Should you have any further questions or concerns, please don't hesitate to contact us at 727-536-8686

Sincerely,
Belleair Development Group, Inc.,



David Goree
Project Manager

City Of Bradenton
EXHIBIT B

AX. 13 . 00024



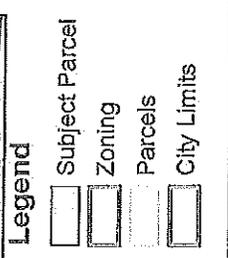
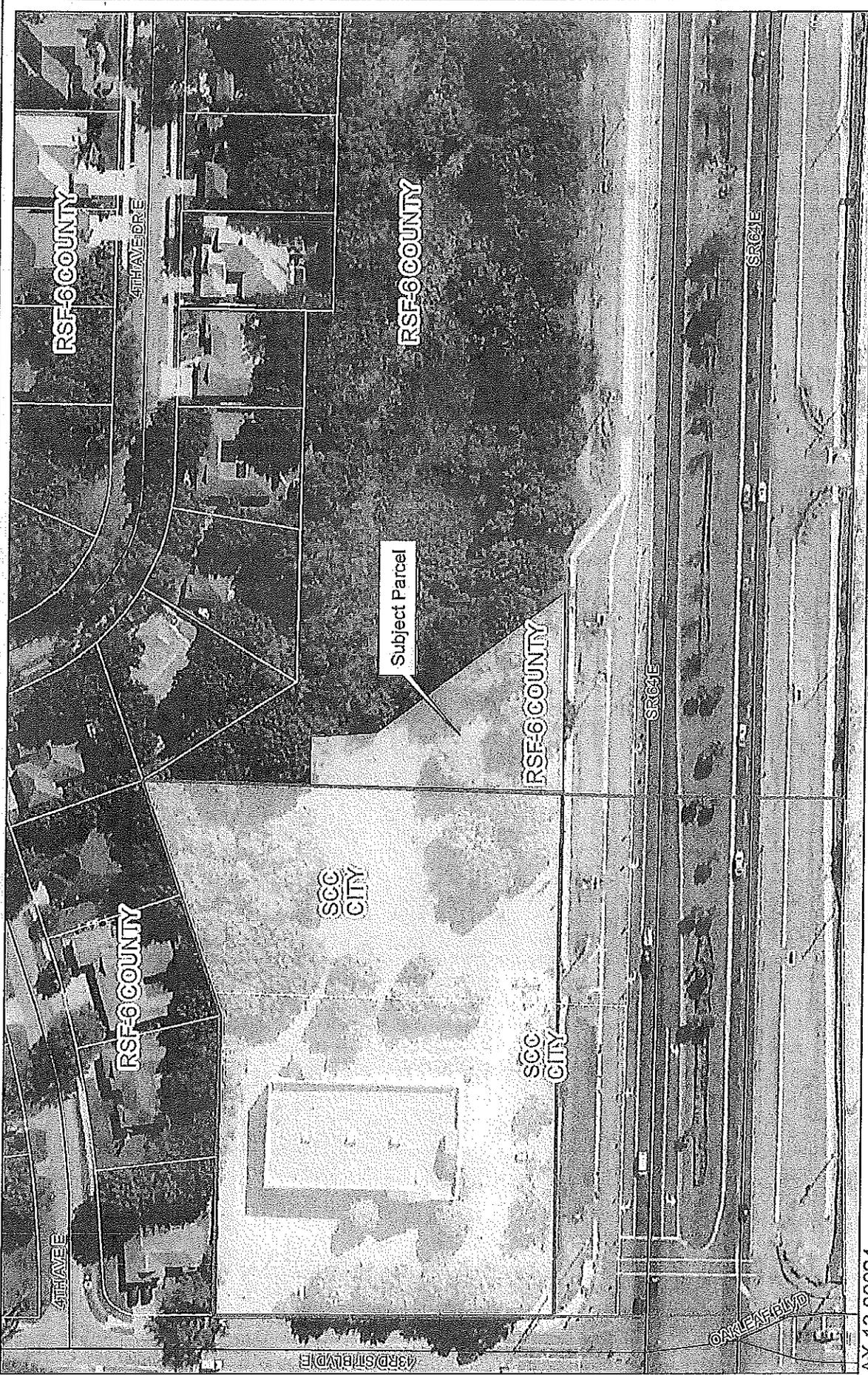
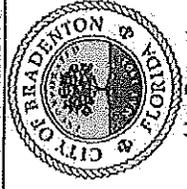


EXHIBIT G

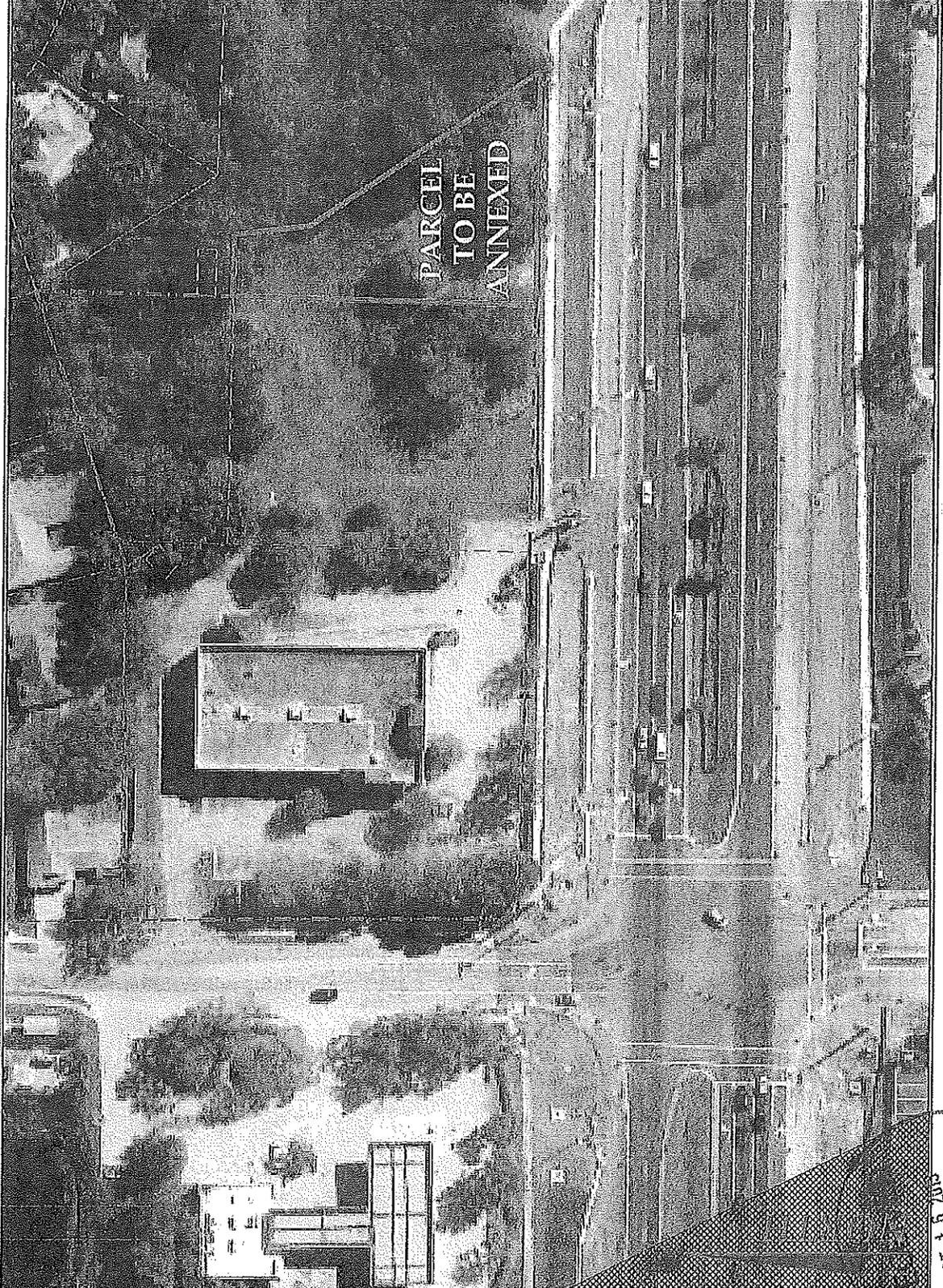


Prepared by Department of
Planning and Community Development

AX 13 00024
 Agent: David Goree
 Owner: Kenneth Keating of
 Nordic of Florida Development, Inc.
 Address: 4465 SR 64 E

Printed: 11/4/2013 11:15:18 AM
 Path: G:\GIS\MXDs\PH_Maps\AX 13 00024.mxd
 GIS Date: Manatee County GIS, City of Bradenton

CONCEPT PLAN

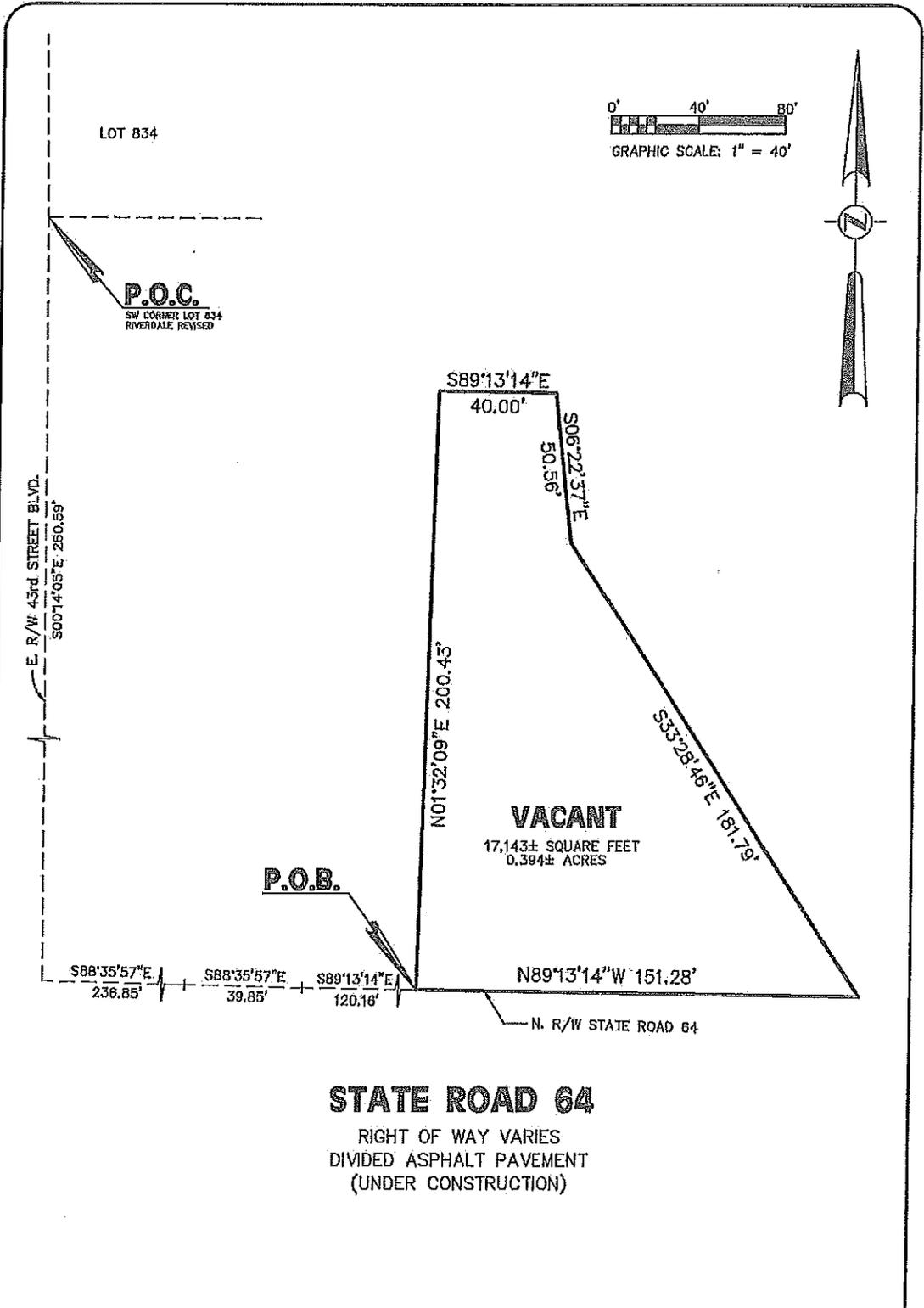


BELLEAIR
DEVELOPMENT GROUP
6654 78TH AVE, N PINELLAS PARK, FL 33781
SR-64 & 47th
MANATEE COUNTY
DATE: 9/30/13
SCALE: 1:60

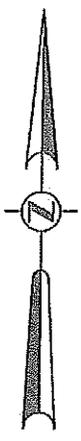
APPROVED FOR
CITY OF BRADENTON
JUL 19 2013

City of Bradenton

EXHIBIT J AX.13.00024



0' 40' 80'
 GRAPHIC SCALE: 1" = 40'



STATE ROAD 64
 RIGHT OF WAY VARIES
 DIVIDED ASPHALT PAVEMENT
 (UNDER CONSTRUCTION)

REV.	DATE	DESCRIPTION	DWG. BY	CHK. BY
REVISIONS				

PREPARED FOR:
BELLEAIR DEVELOPEMENT GROUP
 6854 78th AVENUE NORTH
 PINELLAS PARK, FLORIDA 33781

SHEET TITLE:
SKETCH & LEGAL DESCRIPTION

SCALE: 1"=40'	SHEET 2 OF 2
DATE: 7/2/13	
DWG. BY: T.J.M.	
FIELD DATED: N/A	
COORD. FILE: N/A	
JOB No. 13007.00	



MONAWECK SURVEYING, INC.
 PROFESSIONAL SURVEYORS, SITE DEVELOPMENT CONSULTANTS
 BOUNDARY, CONSTRUCTION & TOPOGRAPHIC SURVEY SERVICES
 16110 N. FLORIDA AVENUE
 LUTZ, FLORIDA 33549
 TELEPHONE: (813) 240-6023
 FAX: (813) 862-7676