

PLANNING COMMISSION
Manatee County Government Administrative Center
1112 Manatee Avenue West
First Floor, Commission Chambers

- AGENDA -
November 10, 2011

8:30 A.M. – PLANNING COMMISSIONERS WORKSHOP

9:00 A. M. PUBLIC HEARING

**PLEDGE OF ALLEGIANCE
MINUTES FOR APPROVAL
SWEARING IN:**

10/13/11

All Staff/Public Wishing to Speak

PLEDGE OF PUBLIC CONDUCT
WE MAY DISAGREE, BUT WE WILL BE RESPECTFUL OF ONE ANOTHER
WE WILL DIRECT ALL COMMENTS TO ISSUES
WE WILL AVOID PERSONAL ATTACKS

PLEASE TURN ALL CELL PHONES AND PAGERS OFF BEFORE ENTERING CHAMBERS

CONSENT AGENDA

PUBLIC HEARING APPLICATIONS (CONSENT) - The following items have no objections from County staff and the applicants concur with the staff recommendations. After opening the public hearing, the Chairman may determine if anyone in the audience or on the Commission has comments or opposition to any of these items. If so, the Chairman may place that item in the regular agenda for further consideration. The remaining items may be acted on in total by using the recommended motion.

1. ORDINANCE 11-18 PARRISH LAKES DRI #28 (TBRPC DRI #269)

Lisa Barrett, Planning Manager (Continued from July 14, 2011 and August 11, 2011) (To be continued to no date set and re-advertised)

Request: Approval of a new Development of Regional Impact to allow:

- a. 3,300 residential units;
- b. 400,000 square feet of retail; and
- c. 50,000 square feet of office.

The applicant also requests approval of a Land Use Equivalency Matrix (LUEM) to allow conversion between various approved uses, within specific ranges.

This DRI is proposed in two phases; Phase 1 which includes 1,500 residential units and 250,000 s.f. of retail, with a buildout date of 2020, and Phase 2, which includes 1,800 residential units, 150,000 s.f. of retail and 50,000 s.f. of office, with a buildout date of 2030. Specific approval is requested for both Phases 1 and 2.

Richard Bedford, Chairman; David Wick, 1st Vice Chairman, Marilyn Stasica; John DeLesline, Timothy Rhoades, George Mendez, Bill Conerly

2. PLAN AMENDMENT PA-12-02 (PROPOSED ORDINANCE 12-02) – COUNTY INITIATED COMPREHENSIVE PLAN AMENDMENT MYAKKA CITY

Kathleen Thompson, Planning Manager

Adoption of a Plan Amendment of Manatee County, Florida amending Ordinance 89-01, as amended, (The Manatee County Comprehensive Plan), providing for a Comprehensive Plan text amendment to the Future Land Use Element to modify the exemption to commercial locational criteria for Myakka City, providing for severability; and providing an effective date.

3. ORDINANCE NO. 11-30 – LAND DEVELOPMENT CODE AMENDMENT FOR SEXUALLY ORIENTED BUSINESS

John Osborne, AICP, Planning and Zoning Official

An Ordinance of Manatee County, Florida, regarding land development; amending Section 201, Land Development Code, to repeal all adult entertainment related definitions; repealing in its entirety Section 707, Land Development Code; creating a new section in the Land Development Code for sexually oriented business related definitions, in Section 201, definitions; creating a new Section 707 in the Land Development Code consisting of sexually oriented business regulations; providing for a purpose and intent; providing for administration and enforcement of the sexually oriented business regulations; amending other sections of the Land Development Code for internal consistency; providing for severability; providing for codification and providing for an effective date.

4. Z-11-07 – TCW INVESTMENTS, LLC

Rossina Leider, Senior Development Review Specialist DTS #20110254

An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the official zoning atlas (Ordinance No. 90-01, the Manatee County Land Development Code), relating to zoning within the unincorporated area; providing for the rezoning of approximately 0.78 acres on the northeast corner of US 41 North and 49th Street East (Experimental Farm Road) at 4908 US 41 N., Palmetto from the NC-S (Neighborhood Commercial-Small) to the LM (Light Manufacturing) zoning district; setting forth findings; providing a legal description; providing for severability, and providing an effective date.

5. ORDINANCE 11-38/COOPER CREEK (DRI #14)

Lisa Barrett, Planning Manager

Request: An Ordinance of the Board of County Commissioners of Manatee County, Florida, amending the Development Order for the Cooper Creek Development of Regional Impact, Ordinance 11-07 as amended, (Manatee County DRI #14 a/k/a Tampa Bay Regional Planning Council TBRPC DRI #103); providing for findings of fact; providing for conclusions of law; providing for definitions; providing for amended limitations on and conditions of approval; providing for severability; and providing for an effective date.

The changes to the Ordinance include a determination of whether the following proposed modifications to DRI #14 constitute a Substantial Deviation to the Cooper Creek DRI Development Order, pursuant to Section 380.06, Florida Statutes:

1. Update the build out date to December 30, 2019 and expiration date to December 30, 2020 pursuant to extensions granted with House Bill 7207.

Richard Bedford, Chairman; David Wick, 1st Vice Chairman, Marilyn Stasica; John DeLesline, Timothy Rhoades, George Mendez, Bill Conerly

2. Extend the CLOS expiration date to December 30, 2019, consistent with the updated Transportation Analysis.
3. Modify Project Summary Table 1 to provide for an additional 20,000 sq. ft. of commercial use and 83,000 sq. ft. office use.
4. Revise Project Summary Table 1 to allow an additional 20,000 sq. ft. of school use permitted with a corresponding reduction of commercial and/or office sq. ft. at a one to one ratio.
5. Amend General Condition A.(4) to revise tradeoffs between land uses set forth in Project Summary Table 1 to reflect the changes to allowable square footage for office and commercial uses as proposed, and allow conversion of residential to an Assisted Living Facility(ALF) use.
6. Amend Map H to permit additional access points from Cooper Creek Boulevard and add Commercial and Assisted Living Facility (ALF) as permitted uses in Parcel K and ALF in Parcel G.
7. Modify the Definition of Conservation Area to mean areas under a Conservation Easement to Manatee County or as shown on Exhibit "C" and delete the reference to TBRPC.
8. Update Exhibit "C" to include post development areas under a Conservation Easement.
9. Amend General Conditions, Section D.(6), to eliminate the reference to Table 3, and change the requirement for mitigation of impacts to wetlands to reference State requirements or Manatee County Comprehensive Plan requirements if mitigation is not required by the state.
10. Delete Table 3 which provides minimum wetland preservation and conservation area ratios.
11. Any other revisions deemed necessary or appropriate during the public hearing process.
12. Various other changes to the Development Order, including recodification of the existing development order; terminology; formatting; departmental references; clarification changes; and to denote stipulations that have been complied with or requirements that have been completed. The Ordinance amends, replaces, and supersedes Ordinance 11-16, DRI #14, as amended; and provides for severability and an effective date.

The Cooper Creek DRI is located northwest of the University Parkway and I-75 interchange. Present zoning is PDMU/WP-E/ST (Planned Development Mixed Use/Watershed Protection-Evers/Special Treatment Overlay Districts) (604.68± acres).

6. PDMU-96-01(G)(R9) – COOPER CREEK CENTER

Lisa Barrett, Planning Manager

An Ordinance of the Board Of County Commissioners of Manatee County, Florida, amending Ordinance PDMU-96-01(G)(R8) to amend the Development Order to extend the build out date, expiration date, and CLOS expiration date pursuant to extensions granted with house bill 7207; allow an additional 20,000 sq. ft. Of commercial use and 83,000 sq. ft. office use; allow a tradeoff allowance for an additional 20,000 sq. Ft. of school use with a corresponding reduction of commercial and/or office; add a tradeoff for an assisted living facility (ALF) for residential; permit additional access points from Cooper Creek Boulevard; add Neighborhood Commercial and ALF as permitted uses in Parcel K, and ALF in Parcel G; modify the definition of Conservation Area to mean areas under a conservation easement to Manatee County or as shown on Exhibit "C"; update Exhibit "C"; delete Table 3; eliminate reference to Exhibit "H"; delete Stipulation B(14); amend the General Development Plan to implement these changes; amend stipulations to facilitate these changes; amend stipulations to update conditions and departmental references; setting forth findings; providing for severability; and providing an effective date. Cooper Creek is generally located northwest of University Parkway and I-75 intersection (604.68 ± acres).

Richard Bedford, Chairman; David Wick, 1 st Vice Chairman, Marilyn Stasica; John DeLesline, Timothy Rhoades, George Mendez, Bill Conerly

REGULAR AGENDA

ELECTION OF OFFICERS

The Planning Commission of Manatee County, Florida, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Commission's functions including one's access to, participation, employment, or treatment in its programs or activities. Anyone requiring reasonable accommodation for this meeting as provided for in the Americans with Disabilities Act, should contact Kaycee Ellis at 742-5800; TDD ONLY 742-5802 and wait 60 seconds; FAX 745-3790

Richard Bedford, Chairman; David Wick, 1st Vice Chairman, Marilyn Stasica; John DeLesline, Timothy Rhoades, George Mendez, Bill Conerly