AGENDA
BRADENTON PLANNING COMMISSION MEETING
2:00 p.m. Wednesday, May 15, 2024
101 OLD MAIN STREET, BRADENTON, FL 34205

1. MEETING CALLED TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MEETING MINUTES

a) Planning & Community Development: Planning Commission meeting minutes of April 17, 2024.
Draft Meeting Minutes - April 17, 2024.pdf

5. PUBLIC COMMENTS

Anyone wishing to address the Planning Commission on any non-agenda item should complete a comment slip and submit it to the Clerk.

6. AGENDA ITEMS

a) Planning & Community Development: **Ordinance 4040, Case RV.24.1517**:

An Ordinance of the City of Bradenton, Florida, vacating a portion of a platted 40-foot wide right-of-way as shown on the plat of Adams Anex to Braidenton Subdivision, recorded in Book 1, Page 158, of the public records of Manatee County, Florida, and more particularly described herein, being generally located south of Manatee Avenue West, east of 3rd Street West, north of 8th Avenue Drive West and west of 2nd Street West; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.
Application - Ord. 4040, Case RV.24.1517.pdf
Staff Report - Ord. 4040, Case RV.24.1517.pdf
Ord. 4040.pdf

b) Planning & Community Development: **Ordinance 4041, Case RV.24.1518**:

An Ordinance of the City of Bradenton, Florida, vacating a portion of a platted 60-foot wide Right-of-way as shown on the plat of Roesch's Subdivision, recorded in Book 1, Page 142, of the public records of Manatee County, Florida, and more particularly described herein, being generally located south Manatee Avenue West, east of 2nd Street West, north of 8th Avenue Drive West and west of 1st Street; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.

Application - Ord. 4041, Case RV.24.1518.pdf
Staff Report - Ord. 4041, Case RV.24.1518.pdf
Ord. 4041.pdf

c) Planning & Community Development: **Ordinance 4042, Case RV.24.1519**:

An Ordinance of the City of Bradenton, Florida, vacating a portion of a platted 15-foot wide alley as shown on the plat of Roesch's Subdivision, recorded in Book 1, Page 142, of the public records of Manatee County, Florida, and more particularly described herein, being generally located south of Manatee Avenue West, east of 3rd Street West, north of 8th Avenue Drive West and west of 2nd Street West; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.
Application - Ord. 4042, Case RV.24.1519.pdf
Staff Report - Ord. 4042, Case RV.24.1519.pdf
Ord. 4042.pdf

d) Planning & Community Development: **Ordinance 4046, Case RV.24.1687:**

An Ordinance of the City of Bradenton, Florida, vacating an 8-foot wide portion of 8th Avenue West (South Street) as shown on the Plat of Black Bear Park Subdivision, recorded in Book 1, Page 283, of the public records of Manatee County, Florida, and particularly described herein, being generally located south of Manatee Avenue West, east of 3rd Street West, north of 8th Avenue Drive West and west of 2nd Street West; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.
Application - Ord. 4046, Case RV.24.1687.pdf
Staff Report - Ord. 4046, Case RV.24.1687.pdf
Ord. 4046.pdf

e) Planning & Community Development: **Ordinance 4035, Case CP.24.0363:**

An Ordinance of the City of Bradenton, Florida, amending Objective 1.5.2 of the Future Land Use Element of the City's Comprehensive Plan and Objective 5.3, Policy 5.3.1, Policy 5.3.2, and Policy 5.3.4 of the Coastal Management and Conservation Element of the City's Comprehensive Plan, to add Policy 5.3.2 and Policy 5.3.3 to the Coastal Management and Conservation Element of the City's Comprehensive Plan, and to remove Policy 6.2.1 and Policy 6.2.5 of the Coastal Management and Conservation Element of the City's Comprehensive Plan; providing for applicability; providing for severability; and providing for an effective date. Application filed by Katie LaBarr of Stantec, agent for Presbyterian Retirement Communities, Inc.

Application - Ord. 4035, Case CP.24.0363.pdf
Strikethru Underline Amendment from Applicant.pdf
Examples of Coastal High Hazard Area Regulations from Applicant
Staff Report - Ord. 4035, Case CP.24.0363.pdf
Ord. 4035 (DRAFT).pdf

f) Planning & Community Development:

Ordinance 4036, Case CP.24.0364:

An Ordinance of the City of Bradenton, Florida, providing for amendment to the City of Bradenton Comprehensive Plan Future Land Use Map; changing the Future Land Use designation from High Density Residential to Urban Central Business District for property located at PIDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000 and more particularly described in the attached "Exhibit A"; providing for applicability; providing for severability; and providing for an effective date. Application filed by Katie LaBarr of Stantec, agent for Presbyterian Retirement Communities, Inc.

Application - Ord. 4036, Case CP.24.0364.pdf
Applicant Narrative.pdf
Development Table Provided by Applicant.pdf
Non-Binding Conceptual Plan.pdf
Staff Report - Ord. 4036, Case CP.24.0364.pdf
Ord. 4036 (DRAFT).pdf

g) Planning & Community Development:

Ordinance 4037, Case LU.24.0361:

An Ordinance of the City of Bradenton, Florida, providing for an amendment to the City of Bradenton Land Use Atlas; changing zoning from T4-O (General Urban – Open) and T4-R (General Urban – Restricted) to T5 (Urban Center) for 15.9 acres located at PIDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3338800000, 3340910052, 3335100059; providing for applicability; providing for severability; and providing for an effective date. Application filed by Katie LaBarr of Stantec, agent for Presbyterian Retirement Communities, Inc.

Application - Ord. 4037, Case LU.24.0361.pdf
Staff Report - Ord. 4037, Case LU.24.0361.pdf
Ord. 4037 (DRAFT).pdf

h) Planning & Community Development: **Ordinance 4044, Case LU.24.1672:**

An Ordinance of the City of Bradenton, Florida, amending Bradenton Land Use Regulations Chapter 4.0 General Regulations, to create Section 4.3.15 to provide regulations for Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens; amending Chapter 10 Definitions to add definitions for Mobile Food Dispensing Vehicles and Temporary Commerical Kitchens and amending the Bradenton Form Based Code to provide a reference to the Land Use Regulations regarding Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens; providing for codification; providing for repeal of Ordinances in conflict; providing for severability; and providing for an effective date.

Application - Ord. 4044, Case LU.24.1672.pdf
Staff Report - Ord. 4044, Case LU.24.1672.pdf
Ord. 4044.pdf

7. DISCUSSION ITEMS

a) Planning & Community Development: Discussion on overall meeting format including presentations by staff and applicants.

8. DIRECTOR'S REPORT

a) Planning & Community Development: Update on City Visioning Project.
Update on Comprehensive Plan Update.
Update on proposed LUR and FBC Code Amendments.

9. ANNOUNCEMENT OF CITY COUNCIL PUBLIC HEARING DATES

a) Planning & Community Development: City Council Schedule for previously reviewed Planning Commission agenda items.

May 22, 2024:
SU.24.0223 - Indoor Amusement Center - 412 12th Street West (Ballerz Pinball and Cafe)
SU.24.0887 - Alternative High School - 817 Manatee Avenue West
SU.24.0894 - Brewing/Distilling - 1008 4th Avenue West (Good Liquid Tap Room)
SU.24.0895 - Sidewalk Cafe - 1008 4th Avenue West (Good Liquid Tap Room)
LU.24.0877 - Zoning Map Amendment - 2310 14th Street West (Bradenton Tropical Palms) - 2nd Reading

10. ADJOURN

All interested persons and parties may appear either in person and be heard or submit written comments regarding the above matter to the Planning and Community Development Director and they will be heard and considered. The hearing may be continued from time to time as necessary. Copies of the application or further information may be obtained from the Department of Planning and Community Development, 101 Old Main Street, Bradenton, Florida, 34205, or by calling (941) 932-9407.

NON-DISCRIMINATION STATEMENT:

The City of Bradenton prohibits discrimination in all of its services, programs or activities on the basis of race, color, age, disability, sex, national origin, religion, genetic information or marital status. Persons with a disability needing a reasonable accommodation to participate in, or who require assistance or an alternative means for communication of program information such as Braille, large print, etc., should contact as soon as possible, but at least 48 hours in advance:

City of Bradenton ADA/Title VI Coordinator
101 Old Main Street
Bradenton, FL 34205
ADACoordinator@cityofbradenton.com
941-932-9470
TTY: 7-1-1 or 1-800-955-8771

La ciudad de Bradenton proveera servicio de interprete a las personas quienes su primer lenguage no es el ingles. Si necesita estos servicios, usted o su representante puede comunicar al ADA/Title VI Coordinator, 101 Old Main Street, Bradenton, FL 34205. Tambien puede llamar al (941) 932-9470 o enviar correo electronico a ADACoordinator@cityofbradenton.com

AGENDA ITEM NO. 4.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Minutes

AGENDA SECTION: **APPROVAL OF MEETING MINUTES**

SUBJECT: Planning Commission meeting minutes of April 17, 2024.

SUGGESTED ACTION: Approve as submitted.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:
Review and approval of the meeting minutes from the April 17, 2024, City of Bradenton Planning Commission meeting.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
N/A

SUGGESTED MOTION:
Motion to approve the meeting minutes from the April 17, 2024, City of Bradenton Planning Commission meeting, as submitted.

ATTACHMENTS:
Draft Meeting Minutes - April 17, 2024.pdf

ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
April 17, 2024

The Planning Commission met in the City of Bradenton Council Chambers, 101 Old Main Street, Bradenton, Florida at 2:00 p.m.

PRESENT

Planning Commission Members: Ben Bakker-Chair, Darin Autrey-Vice Chair, Michael Jones, Michael Neal, Richard Whetstone, Keith Green-Alternate.
City Staff: Scott Rudacille-City Attorney, Robin Singer-Planning and Community Development Director, Greg DeLong-Asst. Director, Planning and Community Development, Jamie Schindewolf-Sr. Planner, Monica Friedl-City Planner, Lori Brunner-Planning and Community Development Administrative Assistant.

REGULAR MEETING

1. Meeting was called to order by the Planning Commission Chair, Ben Bakker at 2:00 p.m.
2. Pledge of Allegiance.
3. Motion to approve the March 20, 2024 Meeting Minutes by Commissioner Autrey, and seconded by Commissioner Green. Motion passed unanimously.

PUBLIC COMMENT

No speakers came forward to speak on non-agenda items.

AGENDA ITEMS:

1. **Special Use Application, Resolution 24-30, Case SU.24.0887:** Request for a Special Use Permit to allow for a high school with accelerated learning; for property located at 817 Manatee Avenue West (Parcel ID 3260500059) in the T6 (Urban Core) transect zoning district. Application filed by Kyle W. Grimes, Esq. with Grimes, Hawkins, Gladfelter & Galvano, P.L., agent for Persistence 247 LLC (owner).

Staff Recommendation: Monica Friedl spoke on behalf of the City. She passed out an updated DRAFT Resolution. Staff recommends approval based on findings.

Applicant: Kyle Grimes, Grimes, Hawkins, Gladfelter & Galvano, 1023 Manatee Ave. W., Bradenton, gave a presentation on behalf of the owner/client, ALS Education, LLC. He stated that this is not a traditional school; it is a Charter School, however, it does not compete with the local school district. They have been working closely with the School District of Manatee County. Bill Galvano has received approval from the School District for ALS to operate in the county. Mr. Grimes discussed the location of the school and partnering with the School District of Manatee County, as well as parking and transportation.
Bill LeClair, Regional Director, 817 Manatee Ave. W., Bradenton, spoke about what ALS is focused on and that they are a true partnership with the School District. He discussed what their school does; they work 1 on 1 with the students.

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Chari Ben Bakker questioned the impacts on the neighborhood, such as bus stops, traffic, safety, adjacent properties, restaurants serving alcohol, etc.

Kyle Grimes and Bill LeClair addressed the questions.

Public Comment: Chair Bakker opened the Public Hearing.
Ron Allen, 2822 Riverview Blvd., Bradenton, stated that he feels this is great for the community. His company is developing across the street and he is concerned about a restaurant coming in that serves alcohol.
Greg DeLong quoted the state statute that states restaurants with sales of 51% or more are exempt. This is regulated by the State.
Scott Rudacille stated that this will need to be looked into further.

Public Hearing was closed.

Kyle Grimes stated that the owner will have no problem with stipulations on nearby restaurants. They can work on the language prior to meeting with the City Council.

Motion: Commissioner Autrey motioned to approve with stipulations from the staff report. Commissioner Whetstone seconded the motion. Motion passed 5 to 1.

2. **Adjustment Application, Resolution 24.0891, Case Number AD.24.0891:** Request granting a Form Based Code adjustment to allow for two projecting signs to exceed the maximum allowable square footage and an adjustment request to allow for a second ground (monument) sign; for property located at 920 Manatee Avenue West (Parcel ID 3293800109) in the T6 (Urban Core) transect zoning district. Application filed by Stacey Friello of Sign Source, agent for owner 920 Manatee Avenue Associates, LLC.

Chair Bakker recused himself from this agenda item.

Staff Recommendation: Monic Friedl spoke on behalf of the City. Staff recommends approval based on criteria and with a stipulation for the ground sign.

Applicant: Stacey Friello of Sign Source, 2045 Lawson Road, Clearwater, FL, presented a description of the signs including lighting, architectural, and presentation.

Public Comment: Chair Bakker opened the Public Hearing.
No one came forward in favor or in opposition.

Public Hearing was closed.

Motion: Commissioner Neal motioned to approve. Commissioner Green seconded. Motion passed unanimously.

3. **Special Use Application, Resolution 24-28, Case SU.24.0894**: Request for a Special Use Permit to allow for a distillery and brew pub; for property located at

1008 4th Avenue West (Parcel ID 3291400004) in the T6 (Urban Core) transect zoning district. Application filed by Margaret Tusing of ZNS Engineering, LC and Michael Krail of GL Distillery BRA, LLC, agents for owner 3rd Avenue Associates, LLLP.

Chair Bakker recused himself from this agenda item.

Staff Recommendation: Greg DeLong spoke on behalf of the City. Staff recommends approval with 6 stipulations.

Applicant: Margaret Tusing, ZNS, Engineering, 1023 Manatee Ave. W., Bradenton, stated that they have already been approved for the restaurant; they are now asking for the special use permit for the distillery.
Michael Krail, GL Distillery, 3411 Motorwood Drive, Parrish, FL, answered some brief questions about the amount of brewing system requirements.

Public Comment: Chair Bakker opened the Public Hearing.
No one came forward in favor or in opposition.

Public Hearing was closed.

Motion: Commissioner Jones motioned to approve with stipulations from staff. Commissioner Neal seconded. Motion passed unanimously.

4. **Special Use Application, Resolution 24-29, Case SU.24.0895**: Request for a Special Use Permit to allow for a sidewalk café with alcoholic beverage sales; for property located at 1008 4th Avenue West (Parcel ID 3291400004) in the T6 (Urban Core) transect zoning district. Application filed by Margaret Tusing and K. Paige Estigarribia of ZNS Engineering, LC and Michael Krail of GL Distillery BRA, LLC, agents for owner 3rd Avenue Associates, LLLP (owner).

Chair Bakker recused himself from this agenda item.

Staff Recommendation: Greg DeLong spoke on behalf of the City. Staff recommends approval with 9 stipulations.

Applicant: Paige Estigarribia, ZNS, Engineering, 1023 Manatee Ave. W., Bradenton, discussed the revised design and showed a map with tables, chairs, and umbrellas.

Public Comment: Chair Bakker opened the Public Hearing.
No one came forward in favor or in opposition.

Public Hearing was closed.

Motion: Commissioner Neal motioned to approve with a stipulation to add words adding bollards and maximum number of tables and chairs. Commissioner Green seconded. Motion passed unanimously.

5. **Zoning Map Amendment, Ordinance 4039, Case LU.24.0877:** An Ordinance of the City of Bradenton, Florida, providing for an amendment to the City of Bradenton Land Use Atlas; changing zoning from UV (Urban Village) to R-4 (Mobile Home) for various properties located in the eastern portion of Bradenton Tropical Palms (east of 15th Street West) and generally bounded on the north by 21st Avenue West, south by 26th Avenue West, east by 14th Street West; providing for applicability; providing for severability; and providing for an effective date. Request filed by Vanguard Management Group; agent for owner Bradenton Tropical Palms.

Staff Recommendation: Jamie Schindewolf spoke on behalf of the City. Staff recommends approval.

Applicant: George (inaudible) resident of Tropical Palms, 2303 16th St. Ct. W., Bradenton, explained the reasoning for the zoning change.

Public Comment: Chair Bakker opened the Public Hearing.
No one came forward in favor or in opposition.

Public Hearing was closed.

Motion: Commissioner Green motioned to approve. Commissioner Whetstone seconded. Motion passed unanimously.

Director's Report:
Robin Singer stated that they have received over 1000 responses to the Visioning survey. She will be meeting with them this week to discuss the outcome and make recommendations to the Comprehensive Plan changes. That will be followed up with changes to the Land Use Regulations and the Form Based Code.

Greg DeLong asked the Board to mark their calendars for the next meeting on May 15th, 2024.

Adjournment: The meeting adjourned at 3:31 p.m.

Ben Bakker, Chair Date

NOTE: This is not a verbatim record. An audio recording of the meeting is available for a fee upon request.

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AGENDA ITEM NO. 6.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT: **Ordinance 4040, Case RV.24.1517**:

An Ordinance of the City of Bradenton, Florida, vacating a portion of a platted 40-foot wide right-of-way as shown on the plat of Adams Anex to Braidenton Subdivision, recorded in Book 1, Page 158, of the public records of Manatee County, Florida, and more particularly described herein, being generally located south of Manatee Avenue West, east of 3rd Street West, north of 8th Avenue Drive West and west of 2nd Street West; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.

SUGGESTED ACTION: Motion to approve.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a portion of a platted 40-foot-wide right-of-way located on property at 705 3rd Street West. The vacation approximately 7,633-sq. ft. or 0.18 acres in size.

The applicant is requesting the vacation in order clear property of unused rights-of-way and to delineate property for future construction of a new Police Headquarters complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend approval to City Council; Ordinance 4040, Case RV.24.1517.

ATTACHMENTS:
Application - Ord. 4040, Case RV.24.1517.pdf
Staff Report - Ord. 4040, Case RV.24.1517.pdf
Ord. 4040.pdf

RECEIVED
By Isabell Salazar at 12:01 pm, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 705 3rd. Street West, Bradenton, FL 34205

Parcel ID: 3267500001 Acreage: 0.18

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

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.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

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/Applicant _____ Date 4/16/24

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: ☐
Incomplete: ☐ _____

APPLICATION #: 241517

CITY STAFF ONLY

CITY COUNCIL: _____
PLANNING COMMISSION: _____
DRC: _____
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

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Request to Vacate

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

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

705 3rd St. W - A

ZNS|ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

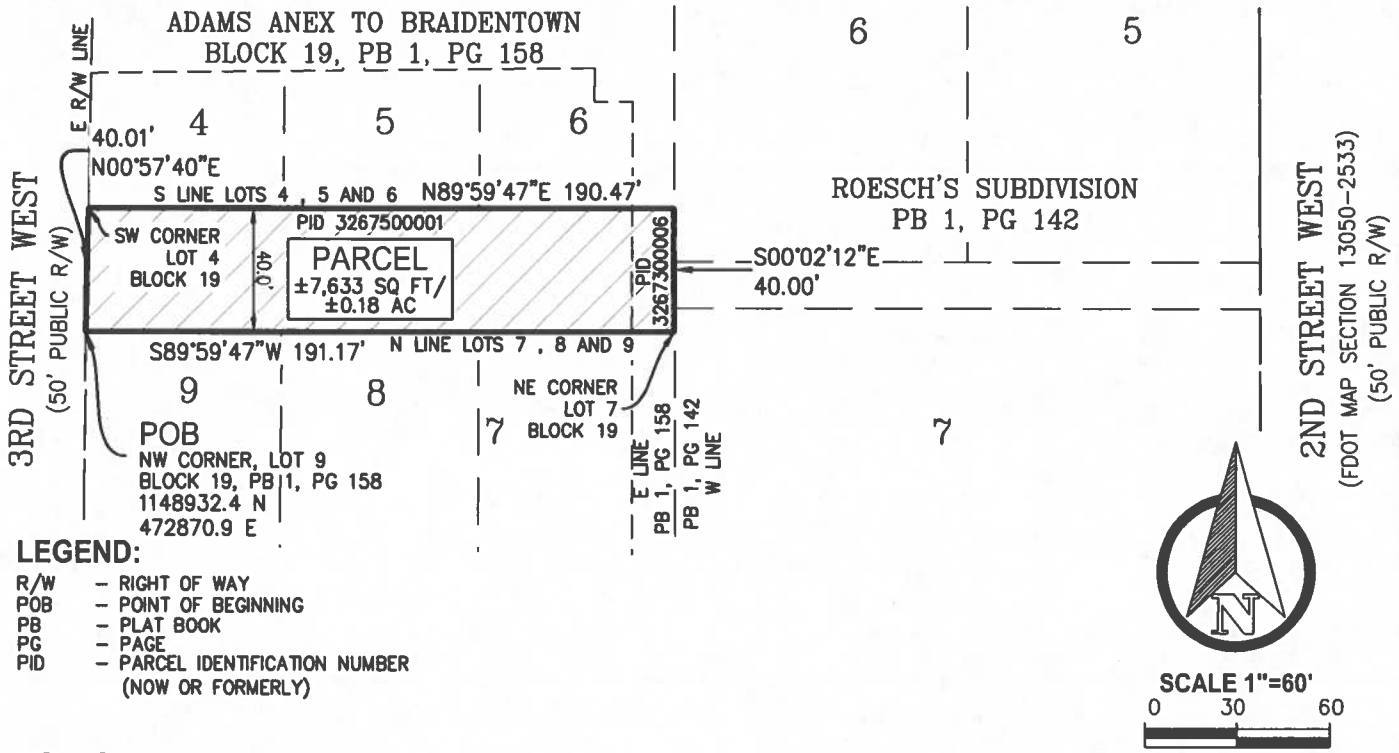
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 40.00 foot wide right-of-way, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northwest corner of Lot 9, BLOCK 19, ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, as described in the Plat Book 1, Page 158, as recorded in the public records of Manatee County, Florida; thence along the East right-of-way line of 3rd Street West, N00°57'40"E, 40.01 feet to the Southwest corner of Lot 4 of said BLOCK 19; thence along South lines of Lots 4, 5 and 6, N89°59'47"E, 190.47 feet to a point on the East line of said Plat Book 1, Page 158, also being West line of Plat Book 1, Page 142 of aforementioned public records; thence along said line S00°02'12"E, 40.00 feet to the Northeast corner of Lot 7 of said BLOCK 19; thence along North lines of Lots 7, 8 and 9, S89°59'47"W, 191.17 feet to the POINT OF BEGINNING.

Containing 7,633 square feet or 0.18 acres, more or less.



LEGEND:

R/W	– RIGHT OF WAY
POB	– POINT OF BEGINNING
PB	– PLAT BOOK
PG	– PAGE
PID	– PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N00°57'40"E FOR THE EAST RIGHT-OF-WAY LINE OF 3RD STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2023\45461 BPD\Sketch & Descriptions\45461 BPD Sketch.dwg, Plot Date: Feb 09, 2024@9:27am, By:KWW

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
BOUNDARY/RIGHT-OF-WAY WORKSHEET
FOR
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from kevin_murphy4@comcast.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from julia.godwin@dot.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

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Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from carlos.santos@swfwmd.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us

Southwest Florida Water Management District
WATERMATTERS.ORG · 1-800-423-1476

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from jean.totti@bradentonfl.gov. Learn why this is important

[EXTERNAL SENDER] Use caution before opening.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

You don't often get email from brian.garver@fpl.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from stanley.schaeffer@manateesheriff.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information.**

Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Ordinance No.: 4040
Case No.: RV.24.1517
Applicant: City of Bradenton
Address: 705 3rd Street West
Parcel ID: 3267500001
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a portion of a platted 40-foot-wide right-of-way located on property at 705 3rd Street West. The vacation approximately 7,633-sq. ft. or 0.18 acres in size.

The applicant is requesting the vacation in order clear property of unused rights-of-way and to delineate property for future construction of a new Police Headquarters complex.

During a site visit to the area, it was noted that 705 3rd Street West is currently a vacant lot.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, the subject right-

of-way are no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize these right-of-way's have agreed to the vacations as they are no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall

be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

Based on staff's review of Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement, staff recommends **Approval** of Ordinance 4040, Case RV.24.1517.

Respectfully submitted,

Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Descriptions – Right-of-Way

Exhibit "A"


64
6TH AVE W
3RD ST W
Right of Way
Pinnacle Office Park
N
W
E
S
Major Adams Cemetery
8TH AVE W
3RD STREET W
8TH AVE DR W
2ND ST W
CITY OF BRADENTON WATER SYSTEM
1ST ST E
41
301
6TH AVE E
8TH AVE E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
Bradenton
RV.24.1517 RoW Police HQ
owner: City of Bradenton
near 705 3rd St W
PID: parts of 3267500001 and 3267300006
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

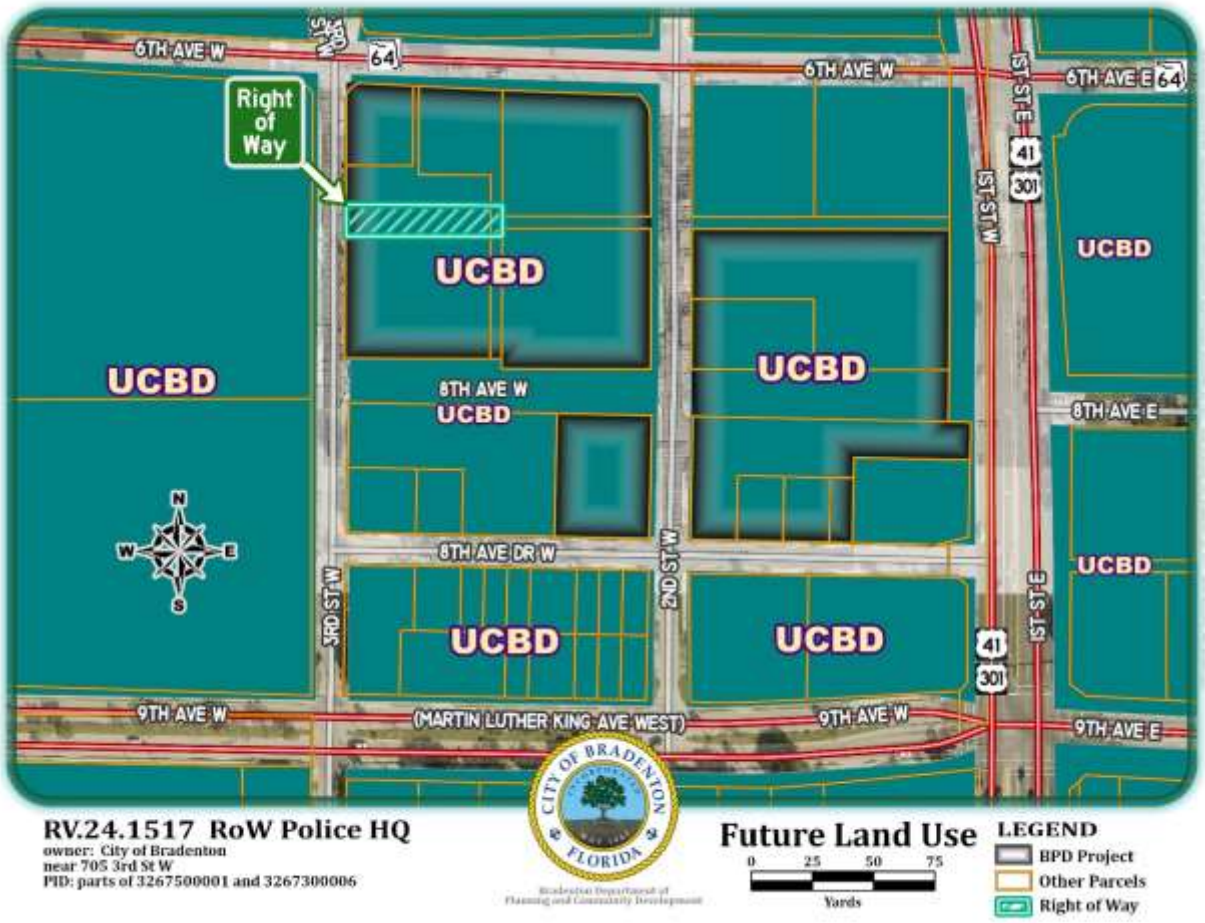

6TH AVE W
6TH AVE E
64
Right of Way
UCBD
8TH AVE W
8TH AVE DR W
8TH AVE E
3RD ST W
2ND ST W
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
S
E
W
RV.24.1517 RoW Police HQ
owner: City of Bradenton
near 705 3rd St W
PID: parts of 3267500001 and 3267300006
CITY OF BRADENTON
FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


T6
6TH AVE W
64
Right of Way
3RD ST W
T5
8TH AVE W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
8TH AVE E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
W
E
S
RV.24.1517 RoW Police HQ
owner: City of Bradenton
near 705 3rd St W
PID: parts of 3267500001 and 3267300006
CITY OF BRADENTON
FLORIDA
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

705 3rd St. W-A

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0007474 LB 0002982 LC 0000365

EXHIBIT A

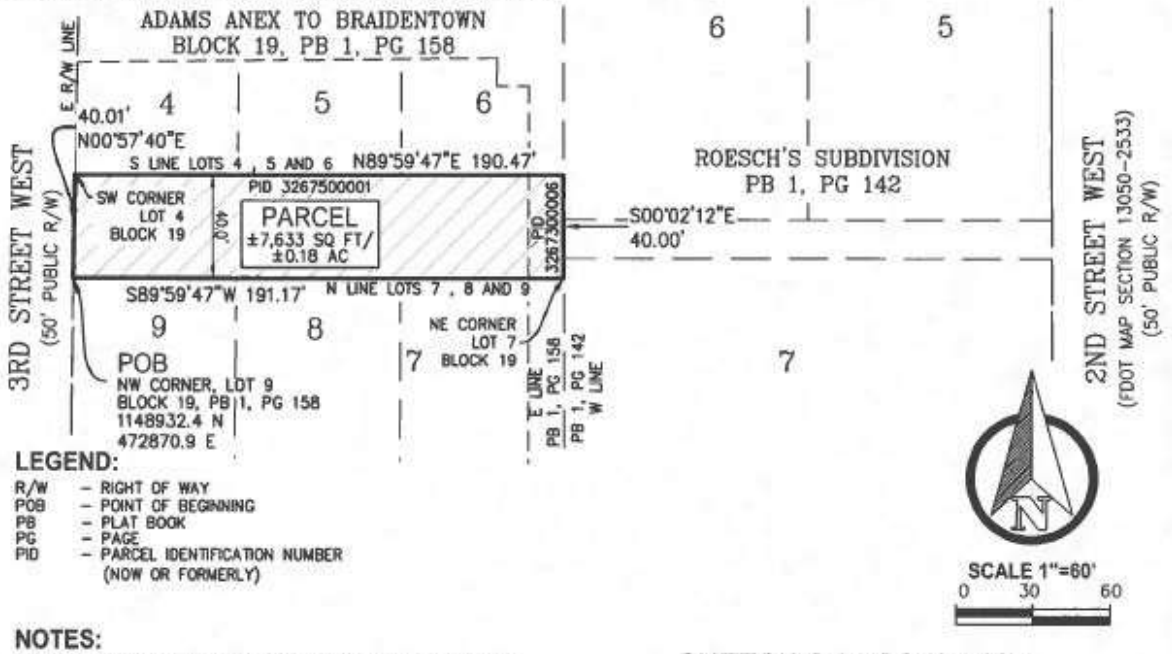
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 40.00 foot wide right-of-way, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northwest corner of Lot 9, BLOCK 19, ADAMS ANEX TO BRAIDENTOWN SUBDIVISION, as described in the Plat Book 1, Page 158, as recorded in the public records of Manatee County, Florida; thence along the East right-of-way line of 3rd Street West, N00°57'40"E, 40.01 feet to the Southwest corner of Lot 4 of said BLOCK 19; thence along South lines of Lots 4, 5 and 6, N89°59'47"E, 190.47 feet to a point on the East line of said Plat Book 1, Page 158, also being West line of Plat Book 1, Page 142 of aforementioned public records; thence along said line S00°02'12"E, 40.00 feet to the Northeast corner of Lot 7 of said BLOCK 19; thence along North lines of Lots 7, 8 and 9, S89°59'47"W, 191.17 feet to the POINT OF BEGINNING.

Containing 7,633 square feet or 0.18 acres, more or less.



LEGEND:

R/W – RIGHT OF WAY
POB – POINT OF BEGINNING
PB – PLAT BOOK
PG – PAGE
PID – PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N00°57'40"E FOR THE EAST RIGHT-OF-WAY LINE OF 3RD STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

Ordinance No. 4040

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 40-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ADAMS ANEX TO BRAIDENTON SUBDIVISION, RECORDED IN BOOK 1, PAGE 158, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns property located at 705 3rd Street West, Bradenton, FL 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate a portion of a platted 40 foot wide right-of-way, as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of a portion of that certain 40 foot wide right of way as shown on the Plat of Adams Anex to Braidenton Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that they meet the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed

to be in the best interest of the public.

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

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	July 12, 2024
SECOND READING	July 24, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 24TH DAY OF JULY, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"

Property Legal Description

[INSERT "BEG AT NW COR OF BLK 19, ADAMS ANNEX, TH S 345.3 FT, TH E 178 FT, TH N 230.84 FT, TH W 89.1 FT, TH N 120 FT TO S LN OF 6TH AVE, TH WLY FOLLOWING S LN OF 6TH AVE, 89 FT TO POB (DB 123/218) ALSO: FROM THE INTERSECT OF THE R/W LN OF 6TH AVE AND THE R/W LN OF 3RD ST GO S 120 FT, TH E 81.9 FT FOR A POB, FROM THERE GO N 11 FT, TH E 81.9 FT, TH S 11 FT, TH W 81.9 FT TO THE POB (DB 300/162) LESS: BEG AT A STAKE LOCATED AT THE INTERSECT OF THE 6TH AVE R/W LN WITH THE 3RD ST R/W LN; TH GO S 109 FT, TH E 81.9 FT, TH GO N 109 FT TO THE R/W LN OF 6TH AVE TH W ALG SD R/W LN 81.9 FT TO THE POB (DB 295/488), LESS RD R/W: THAT PORTION OF LOT 2, BLK 19, ADAMS ANEX TO BRAIDENTOWN (PB 1 PG 158) IN SEC 26; COM AT THE NW COR OF LOT 3 IN SD BLK 19; TH N 88 DEG 59 MIN 25 SEC E, 81.90 FT ALG THE N LN OF SD LOTS 2 & 3 FOR A POB; TH CONT N 88 DEG 59 MIN 25 SEC E, 7.10 FT ALG THE N LN OF SD LOT 2; TH S 00 DEG 10 MIN 54 SEC W, 11.68 FT; TH N 86 DEG 53 MIN 47 W, 7.11 FT; TH N 00 DEG 10 MIN 54 SEC E, 11.16 FT TO THE POB, CONT 81 SF (1425/2342)"] PI#32675.0000/1

EXHIBIT "B"

Property to be Vacated

705 3rd St. W-A

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

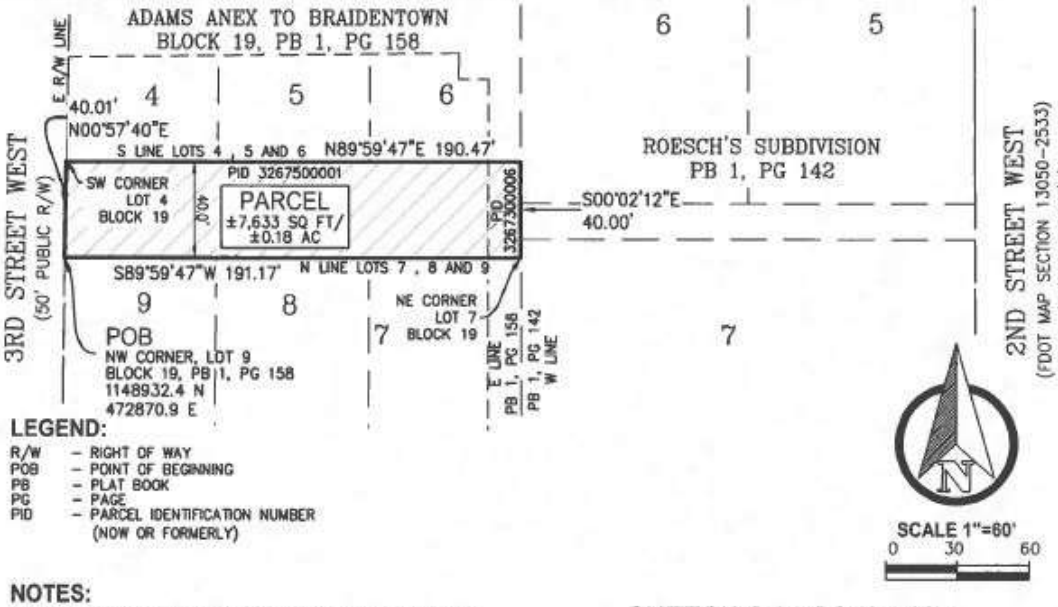
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1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
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FAX (941) 748-3747

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LEGEND:

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POB	– POINT OF BEGINNING
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2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 7,633 Sq. Ft. OR 0.18 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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PID 3267500001
PID 3267300006
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 158
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL / REVIEWED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:11 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 6.b

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT: **Ordinance 4041, Case RV.24.1518**:

An Ordinance of the City of Bradenton, Florida, vacating a portion of a platted 60-foot wide Right-of-way as shown on the plat of Roesch's Subdivision, recorded in Book 1, Page 142, of the public records of Manatee County, Florida, and more particularly described herein, being generally located south Manatee Avenue West, east of 2nd Street West, north of 8th Avenue Drive West and west of 1st Street; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.

SUGGESTED ACTION: Motion to approve.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a 60-foot-wide parcel of land being an unimproved portion of a platted 8th Avenue, otherwise known as 8th Avenue West, that cuts through property located at 707 2nd Street West. The area of the proposed vacation is approximately 18,963-sq. ft. or 0.44 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend approval to City Council; Ordinance 4041, Case RV.24.1518.

ATTACHMENTS:
Application - Ord. 4041, Case RV.24.1518.pdf
Staff Report - Ord. 4041, Case RV.24.1518.pdf
Ord. 4041.pdf

RECEIVED
By Isabell Salazar at 12:02 pm, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 707 2nd. Street West, Bradenton, FL 34205

Parcel ID: 3255500005 Acreage: 0.44

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

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.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

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/Applicant 4/16/24 Date

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: X
Incomplete: ☐ _____

APPLICATION #: 241518

CITY COUNCIL: _____

PLANNING COMMISSION: _____

DRC: _____

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

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

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

707 2nd St. W

ZNS|ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

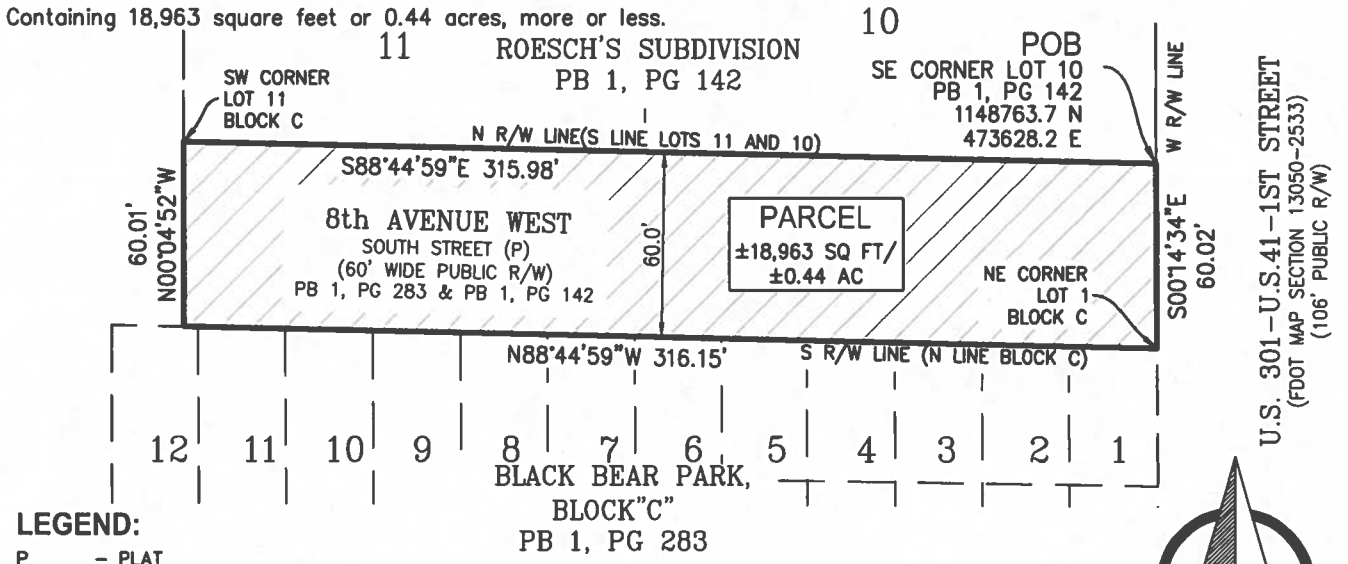
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 60 foot wide parcel of land being a portion of a platted 8th Avenue (South Street), per Plat Book 1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 10, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 1st Street per FDOT Map Section 13050-2533, S00°14'34"E, 60.02 feet to the Northeast corner of Lot 1, Block C, Black Bear Park Subdivision as described in Plat Book 1, Page 283 of aforementioned public records; thence along the North line of said Block C, also being the South right-of-way line of 8th Avenue West per said Plat Book 1, Page 283 and Plat Book 1, Page 142, N88°44'59"W, 316.15 feet; thence N00°04'52"W, 60.01 feet to the Southwest corner of Lot 11, per said Plat Book 1, Page 142; thence along the South lines of said Lots 11 and 10, said lines also being the North line of aforementioned 8th Avenue West, S88°44'59"E, 315.98 feet to the POINT OF BEGINNING.

Containing 18,963 square feet or 0.44 acres, more or less.



LEGEND:

P	–	PLAT
R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
PB	–	PLAT BOOK
PG	–	PAGE
FDOT	–	FLORIDA DEPARTMENT OF TRANSPORTATION
PID	–	PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
▨	–	SITE (AREA)

SCALE 1"=60'
0 30 60

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°14'34"E FOR THE WEST RIGHT-OF-WAY LINE OF 1ST STREET.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 18,963 Sq. Ft. OR 0.44 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

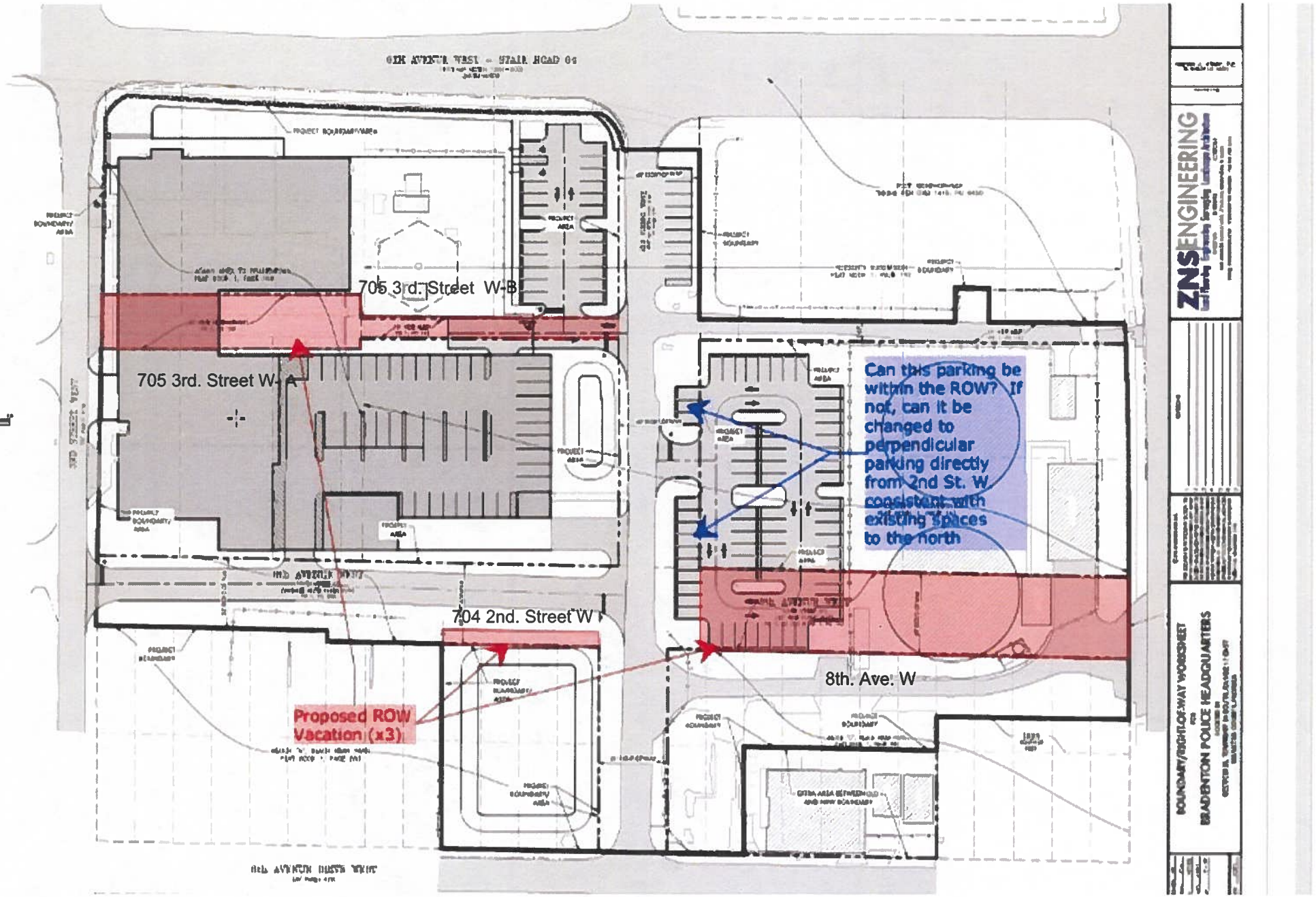
NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2023\45461 BPD\Sketch & Descriptions\45461 BPD Sketch.dwg, Plot Date: Feb 09, 2024@9:28am, By:KWW


705 3rd. Street W-B
705 3rd. Street W-A
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W. consistent with existing spaces to the north
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
ZNS ENGINEERING
BOUNDARY/RIGHT-OF-WAY WORKSHEET
BRADENTON POLICE HEADQUARTERS

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

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Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us

Southwest Florida Water Management District
WATERMATTERS.ORG · 1-800-423-1476

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

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Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY
TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Ordinance No.: 4041
Case No.: RV.24.1518
Applicant: City of Bradenton
Address: 707 2nd Street West
Parcel ID: 3255500005
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a 60-foot-wide parcel of land being an unimproved portion of a platted 8th Avenue, otherwise known as 8th Avenue West, that cuts through property located at 707 2nd Street West. The area of the proposed vacation is approximately 18,963-sq. ft. or 0.44 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

During a site visit to the area, it was noted that the subject area/property is currently occupied by the City of Bradenton Public Works Department / Water System Facility along with additional Public Works ancillary uses.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public rights-of-way. The section calls for the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, this portion of the right-of-way is no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize this right-of-way have agreed to its vacation as it is no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other

dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

Based on staff's review of Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement, staff recommends **Approval** of Ordinance 4041, Case RV.24.1518.

Respectfully submitted,

Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Description – Right-of-Way

Exhibit "A"


6TH AVE W
64
3RD ST W
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
Pinnacle Office Park
N
W
E
S
CITY OF BRADENTON WATER SYSTEM
8TH AVE W
8TH AVE E
Right of Way
Major Adams Cemetery
3RD STREET W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
Bradenton
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1518 RoW Police HQ
owner: City of Bradenton
near 707 2nd St W
PIDs: near 3258200009, 3255500005, & 3255400008
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

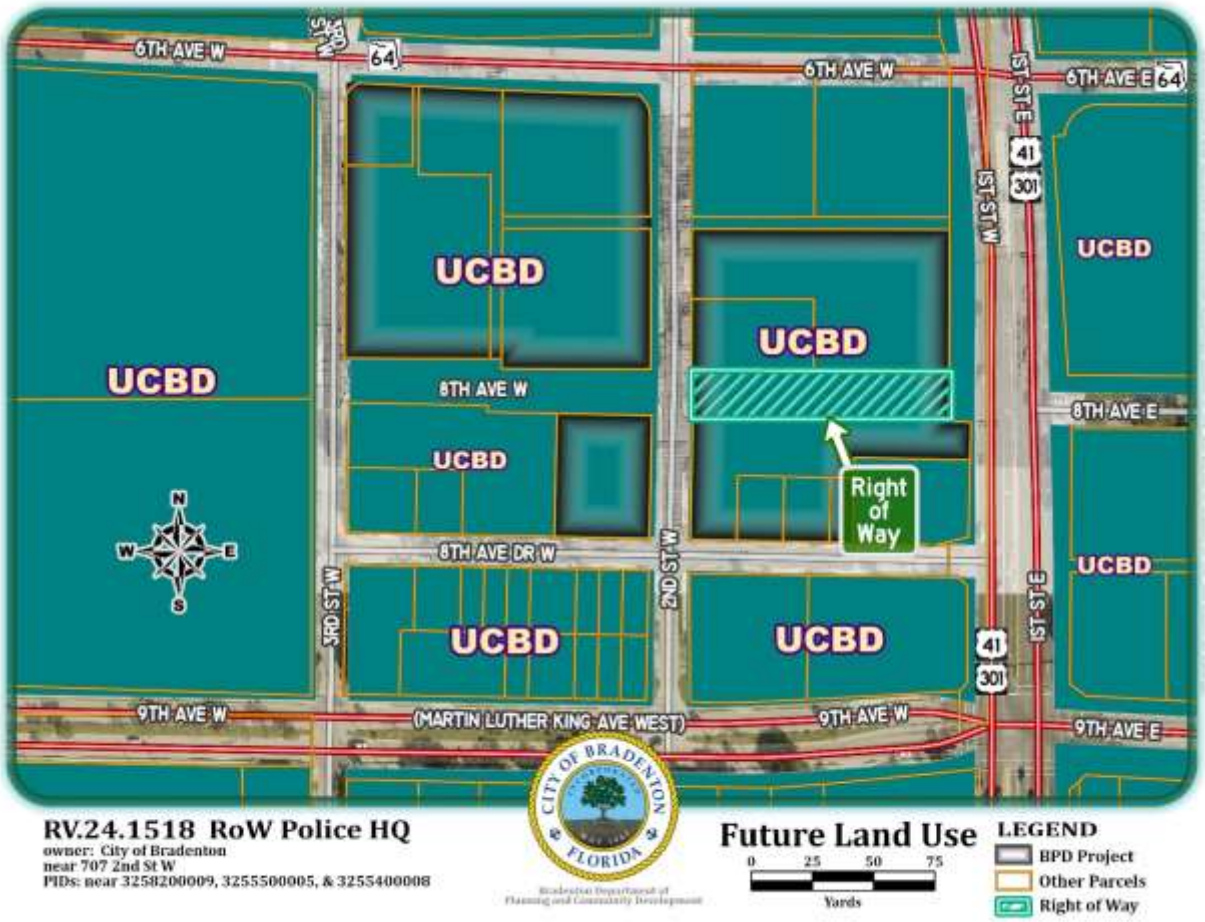

6TH AVE W
6TH AVE E
64
41
301
1ST ST E
1ST ST W
UCBD
8TH AVE W
8TH AVE E
Right of Way
8TH AVE DR W
3RD ST W
2ND ST W
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
W
E
S
RV.24.1518 RoW Police HQ
owner: City of Bradenton
near 707 2nd St W
PIDs: near 3258200009, 3255500005, & 3255400008
CITY OF BRADENTON FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


T6
6TH AVE W
3RD ST W
64
6TH AVE W
6TH AVE E
64
1ST ST E
41
301
1ST ST W
T5
T5
T5
T5
T5
T5
T5
T5
T5
8TH AVE W
8TH AVE E
Right of Way
8TH AVE DR W
3RD ST W
2ND ST W
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
N
W
E
S
RV.24.1518 RoW Police HQ
owner: City of Bradenton
near 707 2nd St W
PIDs: near 3258200009, 3255500005, & 3255400008
CITY OF BRADENTON FLORIDA
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

707 2nd St. W

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

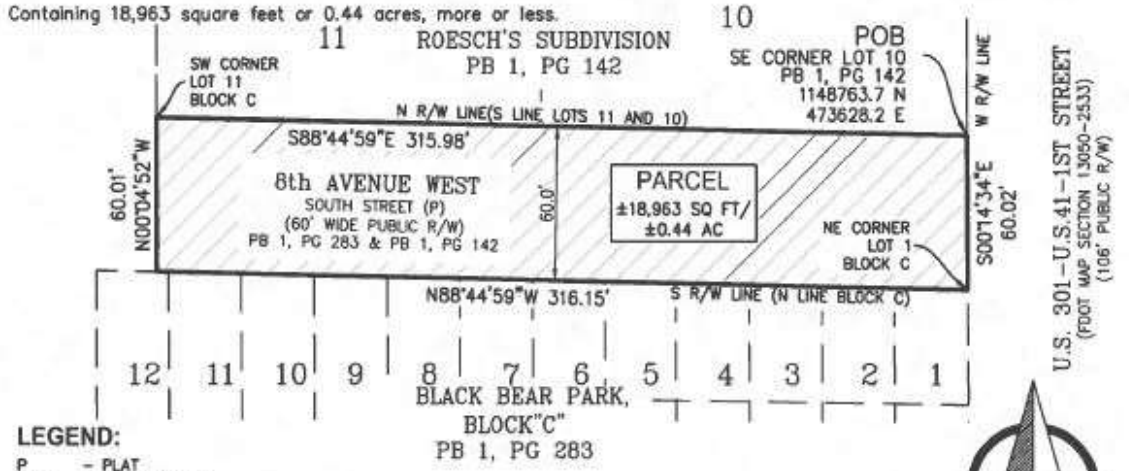
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 60 foot wide parcel of land being a portion of a platted 8th Avenue (South Street), per Plat Book 1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 10, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 1st Street per FDOT Map Section 13050-2533, S00°14'34"E, 60.02 feet to the Northeast corner of Lot 1, Block C, Black Bear Park Subdivision as described in Plat Book 1, Page 283 of aforementioned public records; thence along the North line of said Block C, also being the South right-of-way line of 8th Avenue West per said Plat Book 1, Page 283 and Plat Book 1, Page 142, N88°44'59"W, 316.15 feet; thence N00°04'52"W, 60.01 feet to the Southwest corner of Lot 11, per said Plat Book 1, Page 142; thence along the South lines of said Lots 11 and 10, said lines also being the North line of aforementioned 8th Avenue West, S88°44'59"E, 315.98 feet to the POINT OF BEGINNING.

Containing 18,963 square feet or 0.44 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
☐	- SITE (AREA)

SCALE 1"=60'
0 30 60

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°14'34"E FOR THE WEST RIGHT-OF-WAY LINE OF 1ST STREET.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 18,963 Sq. Ft. OR 0.44 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL APPLIED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

Ordinance No. 4041

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 60-FOOT WIDE RIGHT-OF-WAY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH MANATEE AVENUE WEST, EAST OF 2ND STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 1ST STREET; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns the property located at 707 2nd Street West, Bradenton, FL, 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate a portion of a platted 60 foot wide right-of-way, as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of a portion of that certain 60 foot wide right of way as shown on the Plat of Roesch's Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that it meets the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

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

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	July 12, 2024
SECOND READING	July 24, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 24TH DAY OF JULY, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"

Property Legal Description

LOT 11 ROESCHS SUB PI#32555.0000/5

EXHIBIT "B"

Property to be Vacated

707 2nd St. W

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture

EXHIBIT A

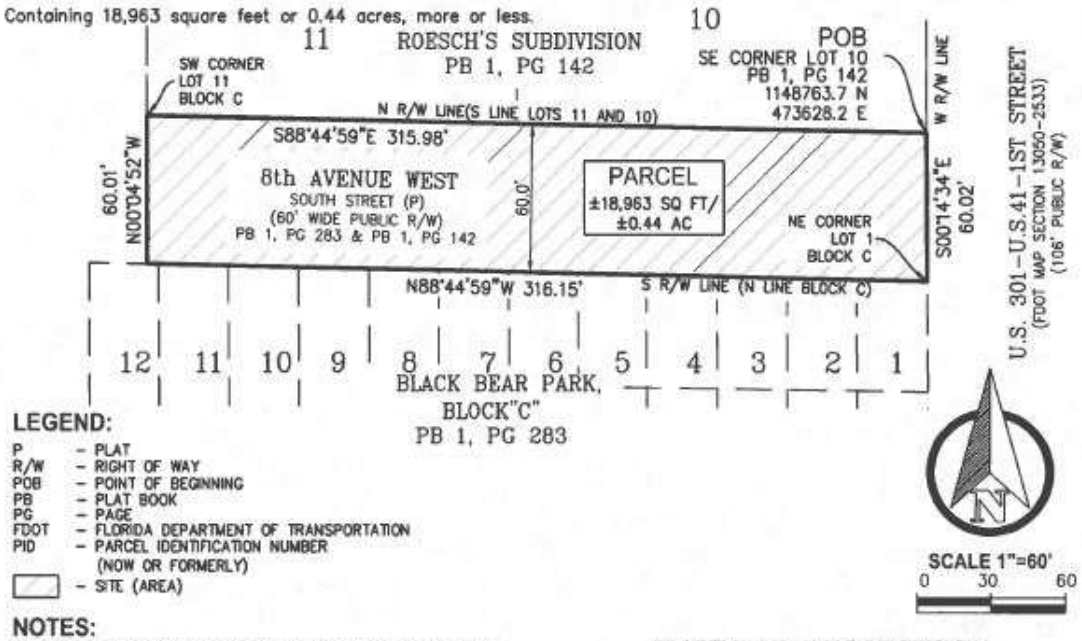
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

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Begin at the Southeast corner of Lot 10, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 1st Street per FDOT Map Section 13050-2533, S00°14'34"E, 60.02 feet to the Northeast corner of Lot 1, Block C, Black Bear Park Subdivision as described in Plat Book 1, Page 283 of aforementioned public records; thence along the North line of said Block C, also being the South right-of-way line of 8th Avenue West per said Plat Book 1, Page 283 and Plat Book 1, Page 142, N88°44'59"W, 316.15 feet; thence N00°04'52"W, 60.01 feet to the Southwest corner of Lot 11, per said Plat Book 1, Page 142; thence along the South lines of said Lots 11 and 10, said lines also being the North line of aforementioned 8th Avenue West, S88°44'59"E, 315.98 feet to the POINT OF BEGINNING.

Containing 18,963 square feet or 0.44 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
▭	- SITE (AREA)

N

SCALE 1"=60'
0 30 60

NOTES:

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2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 18,963 Sq. Ft. OR 0.44 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL ATTACHED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:32:27 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 6.c

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT: **Ordinance 4042, Case RV.24.1519**:

An Ordinance of the City of Bradenton, Florida, vacating a portion of a platted 15-foot wide alley as shown on the plat of Roesch's Subdivision, recorded in Book 1, Page 142, of the public records of Manatee County, Florida, and more particularly described herein, being generally located south of Manatee Avenue West, east of 3rd Street West, north of 8th Avenue Drive West and west of 2nd Street West; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.

SUGGESTED ACTION: Motion to recommend approval.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a platted 15-foot-wide alley that is on property located at 704 2nd Street West. The area of the proposed vacation is approximately 2,851-sq. ft. or 0.07 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend approval to City Council; Ordinance 4042, Case RV.24.1519.

ATTACHMENTS:
Application - Ord. 4042, Case RV.24.1519.pdf
Staff Report - Ord. 4042, Case RV.24.1519.pdf
Ord. 4042.pdf

RECEIVED
By Isabell Salazar at 11:57 am, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 704 2nd Street West, Bradenton, FL 34205

Parcel ID: 3255300000 Acreage: 0.07

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

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.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

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/Applicant _____ Date 4/18/24

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: X
Incomplete: ☐ _____

APPLICATION #: 241519

CITY COUNCIL: _____
PLANNING COMMISSION: _____
DRC: _____
REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

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

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

704 2nd St. W.

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

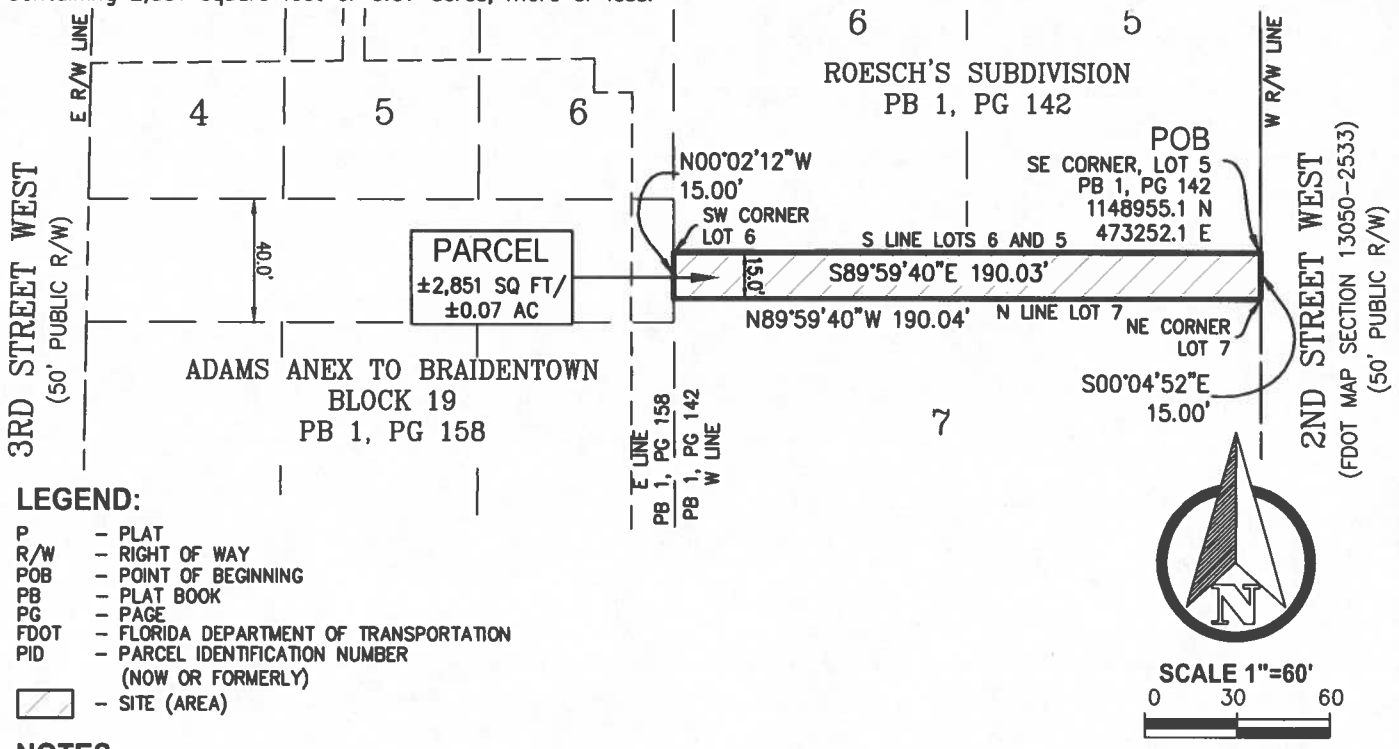
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 15 foot wide ally per Plat Book1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 5, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 2nd Street West per FDOT Map Section 13050-2533, S00°04'52"E, 15.00 feet to the Northeast corner of Lot 7 per said Plat Book 1, Page 142; thence along North line of said Lot 7, N89°59'40"W, 190.04 feet to the West line of said Plat Book 1, Page 142; also being the East line of Plat Book 1, Page 158 of aforementioned public records; thence along said line N00°02'12"W, 15.00 feet to the Southwest corner of Lot 6 of aforementioned Plat Book 1, Page 142; thence along South lines of said Lots 6 and 5, S89°59'40"E, 190.03 feet to the POINT OF BEGINNING.

Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	–	PLAT
R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
PB	–	PLAT BOOK
PG	–	PAGE
FDOT	–	FLORIDA DEPARTMENT OF TRANSPORTATION
PID	–	PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
	–	SITE (AREA)

NOTES:

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3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 2,851 Sq. Ft. OR 0.07 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2025\45461 BPD\Sketch & Descriptions\45461 BPD Sketch.dwg, Plot Date: Feb 09, 2024@9:27am, ByKAVIN

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
BOUNDARY/RIGHT-OF-WAY WORKSHEET
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN="Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN="Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from kevin_murphy4@comcast.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from julia.godwin@dot.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from carlos.santos@swfwmd.state.fl.us. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from jean.totti@bradentonfl.gov. Learn why this is important

[EXTERNAL SENDER] Use caution before opening.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

You don't often get email from brian.garver@fpl.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from stanley.schaeffer@manateesheriff.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Caution: This email originated from an external source. **Be Suspicious of Attachments, Links and Requests for Login Information.**

Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

The City of Bradenton shall not be held liable for use of ANY map or drawing attachment, which is provided as a public service for informational purposes. PLEASE NOTE that this information is NOT intended to be used as an authoritative public record for any geographic location, or as a legal

document and shall have no legal force or effect. The City of Bradenton makes reasonable efforts to provide that data sent as an attachment is virus free, however the City of Bradenton assumes no responsibility for damages caused by the downloading or installation of this data. In addition certain individuals or entities may have proprietary interests in such data and the use of it without such parties' consent may be prohibited. Viewing or Use of the data indicates that user accepts the above conditions.

Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Ordinance No.: 4042
Case No.: RV.24.1519
Applicant: City of Bradenton
Address: 704 2nd Street West
Parcel ID: 3255300000
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate a platted 15-foot-wide alley that is on property located at 704 2nd Street West. The area of the proposed vacation is approximately 2,851-sq. ft. or 0.07 acres in size.

The applicant is requesting the vacation in order clear the property of unused right-of-way and to delineate a portion of the property for the future construction of off-street parking for a new Police Headquarters complex.

During a site visit to the area, it was noted that the subject area/property is currently occupied by the City of Bradenton Public Works Department / Water System Facility along with additional Public Works ancillary uses.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for

the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, this portion of the right-of-way is no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize this right-of-way have agreed to its vacation as it is no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience.

Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

Based on staff's review of Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement, staff recommends **Approval** of Ordinance 4042, Case RV.24.1519.

Respectfully submitted,

Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Description – Right-of-Way

Exhibit "A"


6TH AVE W
64
3RD ST W
Right of Way
Pinnacle Office Park
CITY OF BRADENTON WATER SYSTEM
8TH AVE W
Major Adams Cemetery
3RD STREET W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
8TH AVE E
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
Bradenton
RV.24.1519 RoW Police HQ
owner: City of Bradenton
near 704 2nd St W
PID: near 3255300000
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

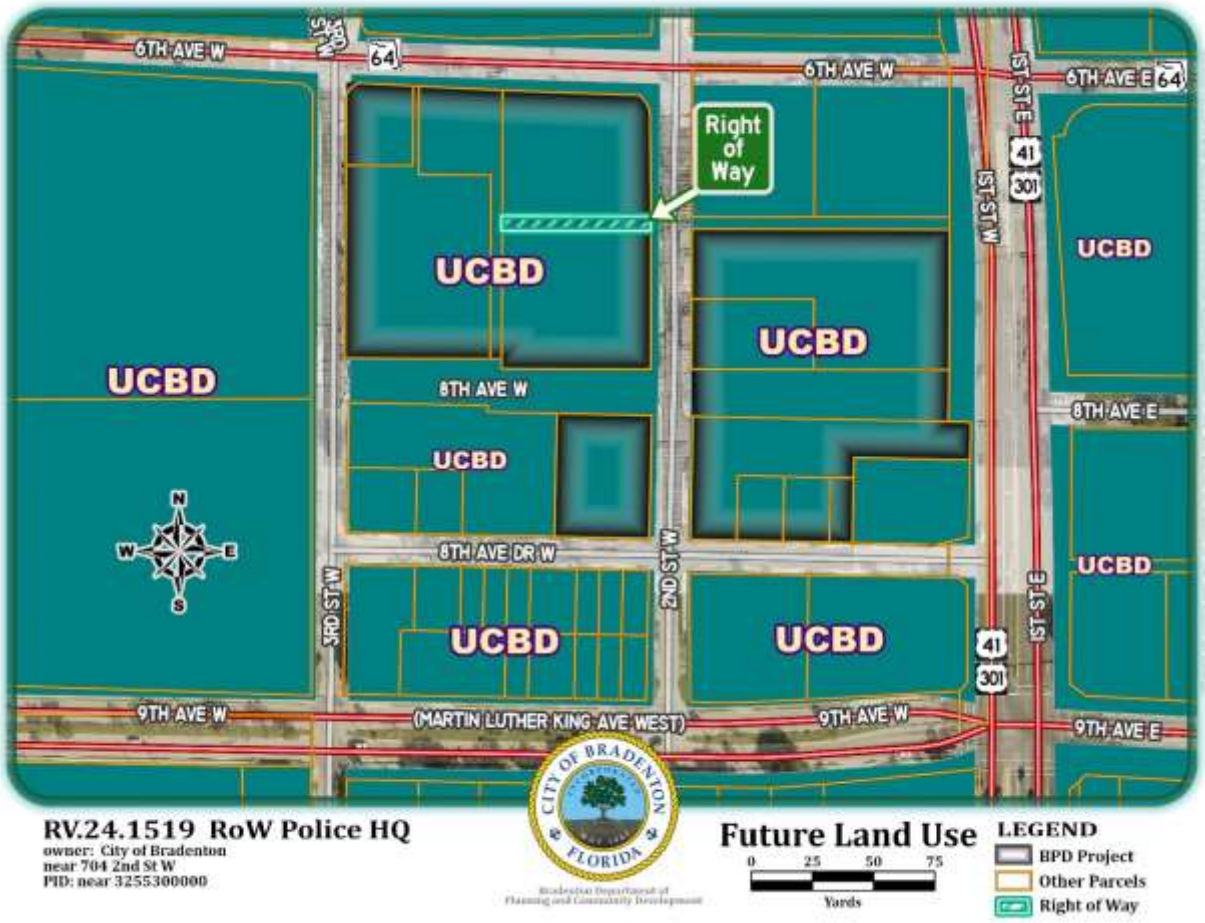

6TH AVE W
6TH AVE E
64
Right of Way
UCBD
8TH AVE W
8TH AVE E
8TH AVE DR W
3RD ST W
2ND ST W
1ST ST E
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE E
N
W
E
S
RV.24.1519 RoW Police HQ
owner: City of Bradenton
near 704 2nd St W
PID: near 3255300000
CITY OF BRADENTON
FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


T6
6TH AVE W
3RD ST W
64
6TH AVE W
1ST ST E
6TH AVE E
64
Right of Way
T5
41
301
1ST ST W
T5
T5
T5
8TH AVE W
8TH AVE E
T5
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8TH AVE DR W
2ND ST W
T5
T5
T5
41
301
1ST ST E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
CITY OF BRADENTON
FLORIDA
RV.24.1519 RoW Police HQ
owner: City of Bradenton
near 704 2nd St W
PID: near 3255300000
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

704 2nd St. W.

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
LB 0027476 LB 0006982 LC 0000368

EXHIBIT A

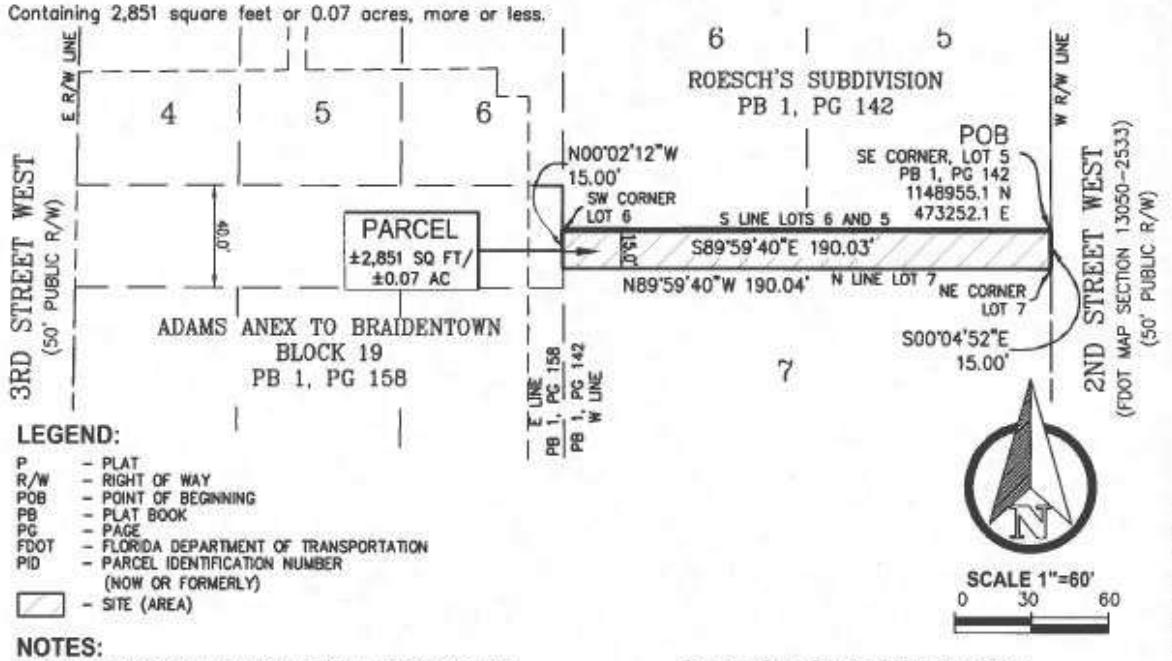
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A parcel of land being a portion of a platted 15 foot wide ally per Plat Book1, Page 142, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Southeast corner of Lot 5, ROESCH'S SUBDIVISION, as described in the Plat Book 1, Page 142, as recorded in the public records of Manatee County, Florida; thence along West right-of-way line of 2nd Street West per FDOT Map Section 13050-2533, S00°04'52"E, 15.00 feet to the Northeast corner of Lot 7 per said Plat Book 1, Page 142; thence along North line of said Lot 7, N89°59'40"W, 190.04 feet to the West line of said Plat Book 1, Page 142; also being the East line of Plat Book 1, Page 158 of aforementioned public records; thence along said line N00°02'12"W, 15.00 feet to the Southwest corner of Lot 6 of aforementioned Plat Book 1, Page 142; thence along South lines of said Lots 6 and 5, S89°59'40"E, 190.03 feet to the POINT OF BEGINNING.

Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
	- SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF S00°04'52"E FOR THE WEST RIGHT-OF-WAY LINE OF 2ND STREET WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 2,851 Sq. Ft. OR 0.07 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER. AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

Ordinance No. 4042

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING A PORTION OF A PLATTED 15-FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF ROESCH'S SUBDIVISION, RECORDED IN BOOK 1, PAGE 142, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns the property located at 704 2nd Street West, Bradenton, FL, 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate a portion of a platted 15 foot wide alley, as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of a portion of that certain 15 foot right of way as shown on the Plat of Roesch's Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that it meets the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

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

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	July 12, 2024
SECOND READING	July 24, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 24TH DAY OF JULY, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

EXHIBIT "A"

Property Legal Description

LOTS 5,6,7,12 ROESCHS SUB LESS FOR RD R/W THAT PART INCLUDED IN THE FOLLOWING: A) THOSE PORTIONS OF LOTS 1 & 2, BLK 19, ADAMS ANEX TO BRAIDENTOWN, AS PER (PB 1 PG 158) AND THOSE PORTIONS OF LOTS 5 & 6, ROESCHS SUB, AS PER (PB 1 PG 142) ALL BEING IN SEC 26 PRMCF BEING DESC AS FOLLOWS: BEG AT THE NE COR OF SD LOT 5; TH S 00 DEG 11 MIN 34 SEC W 53.90 FT ALG THE E LN OF SD LOT 5; TH N 89 DEG 39 MIN 12 SEC W 3.54 FT TO THE BEG OF A CURVE CONCAVE SWLY; TH ALG THE ARC OF SD CURVE TO THE LEFT HAVING A RAD OF 29.50 FT, A C/A OF 63 DEG 04 MIN 09 SEC, AN ARC LENGTH OF 32.47 FT, THE CHORD FOR WHICH BEARS N 31 DEG 11 MIN 16 SEC W TO THE END OF SD CURVE AND THE BEG OF A CURVE CONCAVE NLY; TH ALG THE ARC OF SD CURVE TO THE RIGHT, HAVING A RAD OF 7,663.44 FT, A C/A OF 01 DEG 56 MIN 13 SEC, AN ARC LENGTH OF 259.08 FT, THE CHORD FOR WHICH BEARS N 87 DEG 51 MIN 54 SEC W TO THE END OF SD CURVE; TH N 86 DEG 53 MIN 47 SEC W, 17.35 FT; TH N 00 DEG 10 MIN 54 SEC E, 11.68 FT TO THE N LN OF SD LOT 2; TH N 88 DEG 59 MIN 25 SEC E, 106.05 FT ALG THE N LN OF SD LOTS 1 & 2 TO THE NW COR OF SD LOT 6; TH N 88 DEG 59 MIN 21 SEC E, 189.87 FT ALG THE N LN OF SD LOTS 5 & 6 TO THE POB. CONT 6,338 SF (1419/6450) PI#32553.0000/0

EXHIBIT "B"

Property to be Vacated

704 2nd St W.

ZNS ENGINEERING
Land Planning | Engineering | Surveying | Landscape Architecture

EXHIBIT A

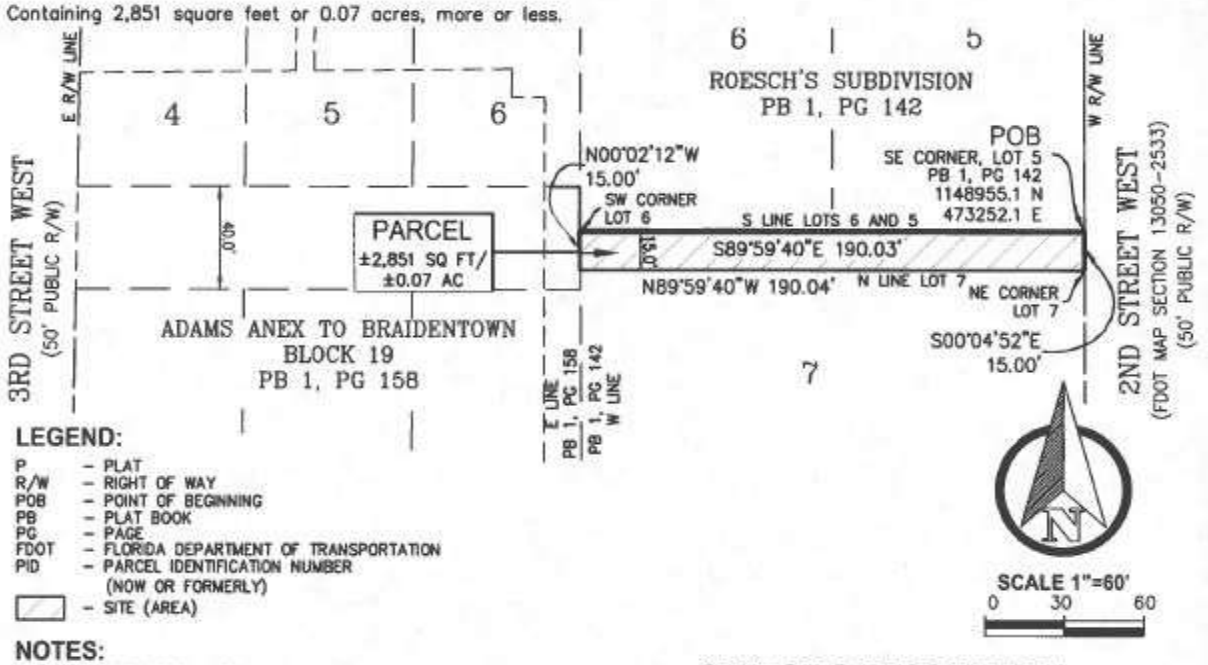
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
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(941) 748-8080
FAX (941) 748-3747

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Containing 2,851 square feet or 0.07 acres, more or less.



LEGEND:

P	-	PLAT
R/W	-	RIGHT OF WAY
POB	-	POINT OF BEGINNING
PB	-	PLAT BOOK
PG	-	PAGE
FDOT	-	FLORIDA DEPARTMENT OF TRANSPORTATION
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	-	SITE (AREA)

NOTES:

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2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 2,851 Sq. Ft. OR 0.07 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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ROESCH'S SUBDIVISION
PB 1, PG 142
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION OF PB 1, PG 142
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:30:16 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 6.d

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT: **Ordinance 4046, Case RV.24.1687:**

An Ordinance of the City of Bradenton, Florida, vacating an 8-foot wide portion of 8th Avenue West (South Street) as shown on the Plat of Black Bear Park Subdivision, recorded in Book 1, Page 283, of the public records of Manatee County, Florida, and particularly described herein, being generally located south of Manatee Avenue West, east of 3rd Street West, north of 8th Avenue Drive West and west of 2nd Street West; providing for recordation in the official records, providing for severability; providing for repeal of Ordinances in conflict; and providing for an effective date. Application filed by the City of Bradenton.

SUGGESTED ACTION: Motion to recommend approval.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate an 8-foot-wide parcel of land being a southern portion of 8th Avenue West (South Street). The area of vacation is approximately 927-sq. ft. or 0.02 acres in size and lies directly north of 800 2nd Street West.

The applicant is requesting the vacation in order clear the area of unused right-of-way and to delineate property for future construction of a new Police Headquarters Complex.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend approval to City Council; approval of Ordinance 4046, Case RV.24.1687.

ATTACHMENTS:
Application - Ord. 4046, Case RV.24.1687.pdf
Staff Report - Ord. 4046, Case RV.24.1687.pdf
Ord. 4046.pdf

RECEIVED
By Isabell Salazar at 12:01 pm, Apr 18, 2024

bradenton
The Friendly City

Request to Vacate

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: City of Bradenton / Rob Perry, City Administrator

Owner Address: 101 Old Main St. W., Bradenton, FL 34205-7865 Telephone: 941-708-6300

Name of Agent: Same

Agent Address: _____ Telephone: _____

Owner/Agent Email: jean.totti@bradnetonFL.gov

PROPERTY INFORMATION (REQUIRED)

Property Address: 705 3rd. Street West, Bradenton, FL 34205

Parcel ID: 3267500001 Acreage: 0.18

Zoning District: T5 *click to view Zoning map

Future Land Use: Urban Center *click to view FLU map

Ward #: 5 *click to view Ward map

Neighborhood #: _____ *click to view Neighborhoods map

REQUIRED

Indicate Type of Vacation Requested: Right-of-Way (Easement)

MATERIALS FOR REVIEW (REQUIRED)

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.

- **Right-of-Way Vacation**
  - Right-of-Way Vacation Application Fee: $1,530
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Right-of-Way to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials
- **Easement Vacation**
  - Easement Vacation Review Fee: $900.
  - Notarized Agent Authorization Form, if applicable
  - Letter of Request
  - Documentation of Approval from Public and Private Utilities (see page 2 for Public and Private Utilities contact list)
  - Legal Description of Easement to be Vacated
  - Property Survey (signed & sealed within the last 3 years)
  - One (1) electronic copy in pdf format of Application and all required support materials

REQUIRED

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/Applicant _____ Date 4/16/24

CITY STAFF ONLY

Application Fees:
Fee Required: **$1,530** (Right-of-Way Vacation) $900 (Easement Vacation)

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: ☐
Incomplete: ☐ _____

APPLICATION #: 241687

CITY COUNCIL: _____

PLANNING COMMISSION: _____

DRC: _____

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

bradenton
The Friendly City

Request to Vacate

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

RIGHT-OF-WAY PROCEDURES

RIGHT-OF-WAY VACATION

The Development Review Committee (DRC), Planning Commission, and City Council shall review a request for right-of-way vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review, and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the right-of-way to the appropriate owner(s). The vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

EASEMENT PROCEDURES

EASEMENT VACATION

The Development Review Committee (DRC) and City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

City Council may approve the vacation of an easement only with a favorable recommendation from the Director of Public Works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended.

The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement to the appropriate owner(s).

UTILITIES CONTACT LIST

PUBLIC AND PRIVATE UTILITIES CHECKLIST

Approval from all public and private utility providers is required with submittal of an application for Easement or Right-of-Way Vacation. Please check the box(es) for those that apply and contact the following utility providers and supply documentation of their consent for vacation.

☐ City of Bradenton
Public Works & Utilities
Jim McLellan, Director
1411 9th Street West Bradenton, FL 34205
941.708.6300

☐ Florida Power and Light
Greg Coker
1253 12th Ave. E. Palmetto, FL 34221
813.422.8232

☐ Frontier Communications
Stephen Waidley, Regional Rights of Way & Municipal Affairs Manager
1280 Cleveland Street, Clearwater, FL 33755
941.266.9218

☐ Spectrum Communication
Alex Fleming, Field Eng.
5413 East State Road 64 Bradenton, FL 34203
941.737.1352

☐ Comcast Cable
Paul Brown, Manager, Construction SWFL
PO Box 1178. Sarasota, FL 34230
941.914.7844

☐ Teco/Peoples Gas
Alex Mcfarlane, Gas Design Tech
Rep. 8261 Vico Ct. Sarasota, FL 34240
813.275.3762

705 3rd St. W-B

ZNS|ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

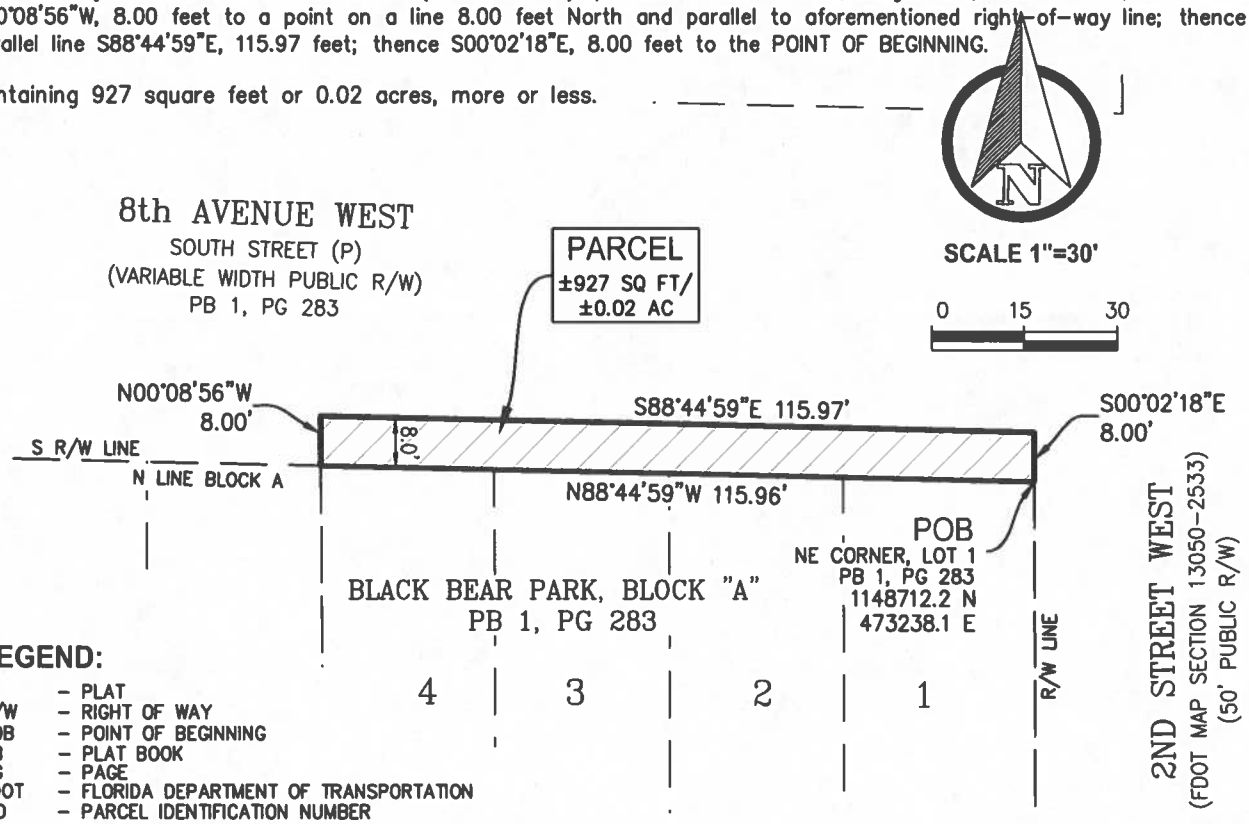
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

P	– PLAT
R/W	– RIGHT OF WAY
POB	– POINT OF BEGINNING
PB	– PLAT BOOK
PG	– PAGE
FDOT	– FLORIDA DEPARTMENT OF TRANSPORTATION
PID	– PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
▨	– SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N88°44'59"W FOR THE SOUTH RIGHT-OF-WAY LINE OF 8TH AVENUE WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL AFFIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

T:_2023\45461 BPD\Sketch & Descriptions\45461 BPD SBD.dwg, Plot Date: Feb 09, 2024@9:28am, By:MMW

705 3rd. Street W-A
705 3rd. Street W-B
704 2nd. Street W
8th. Ave. W
Proposed ROW Vacation (x3)
Can this parking be within the ROW? If not, can it be changed to perpendicular parking directly from 2nd St. W consistent with existing spaces to the north
BOUNDARY/RIGHT-OF-WAY WORKSHEET
FOR
BRADENTON POLICE HEADQUARTERS
ZNS ENGINEERING

bradenton
The Friendly City

February 27, 2024

Michael Decroix
Charter Communications

Electronic Delivery:
michael.decroix@charter.com

re: 4 Right of Way Vacations

Dear Michael Decroix,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

James Fleming
Charter Communications

Electronic Delivery:
James.fleming1@charter.com

re: 4 Right of Way Vacations

Dear James Fleming,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mark Up Division
Charter Communications

Electronic Delivery:
DL-WCEN-FL-FDE-Markup@charter.com

re: 4 Right of Way Vacations

Dear Mark Up Division,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Thomas Mumea
Charter Communications

Electronic Delivery:
thomas.mumea@charter.com

re: 4 Right of Way Vacations

Dear Thomas Mumea,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Kevin Murphy
Comcast

Electronic Delivery:
kevin.murphy4@comcast.com

re: 4 Right of Way Vacations

Dear Kevin Murphy,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Julia Godwin
FDOT

Electronic Delivery:
julia.godwin@dot.state.fl.us

re: 4 Right of Way Vacations

Dear Julia Godwin,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Mike Singer
FDOT

Electronic Delivery:
mike.singer@swfwmd.state.fl.us

re: 4 Right of Way Vacations

Dear Mike Singer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Brian Garver
FPL

REVISED
Electronic Delivery:
brian.garver@fpl.com

re: 4 Right of Way Vacations

Dear Brian Garver,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Ray Vargas
FPL

Electronic Delivery:
ray.vargas.fpl.com

re: 4 Right of Way Vacations

Dear Ray Vargas,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Joy Butler / Stanley Schaeffer
Manatee Sheriff Office

Electronic Delivery:
joy.butler@manateesheriff.com
stanley.schaeffer@manateesheriff.com

re: 4 Right of Way Vacations

Dear Joy Butler / Stanley Schaeffer,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Jamie Fones
Peace River

Electronic Delivery:
jamie.fones@preco.coop

re: 4 Right of Way Vacations

Dear Jamie Fones,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

David McClintock
Peace River

Electronic Delivery:
david.mcclintock@preco.coop

re: 4 Right of Way Vacations

Dear David McClintock,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

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Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

bradenton
The Friendly City

February 27, 2024

Alex McFarlane
Teco Gas

Electronic Delivery:
amcfarlane@tecoenergy.com

re: 4 Right of Way Vacations

Dear Alex McFarlane,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached survey. The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

1. Do you have facilities within the easement to be released?
   ( ) YES (X) NO
   COMMENTS: There is fiber servicing the cell tower but access to the cell tower will not be affected

2. Will subject Easement be needed in the future?
   ( ) YES (X) NO
   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN="Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

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   COMMENTS:

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   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Charter Spectrum

Construction Dept:
5413 E State Rd 64
Bradenton, FL 34208

RELEASE OF EASEMENT REVIEW SHEET

Please review attached information, making comments that pertain to your agency

Property Address: Bradenton Police Headquarters Site- 215 6th Ave. West

Reviewing Agency: SPECTRUM/CHARTER Reviewed By: Patrick Pistner Digitally signed by Patrick Pistner DN: C=US, E=patrick.pistner@charter.com, O=SPECTRUM SUNSHINE LLC, OU="Spectrum ", CN=Patrick Pistner " Date: 2024.03.05 13:19:09-05'00' Date: 03/05/2024

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   COMMENTS:

3. If facilities occupy the Easement to be released, is it possible to have them relocated at the petitioner's expense if they so desire?
   (X) YES ( ) NO
   Contact Person:
   Phone No.
   COMMENTS:

4. Do you object to this easement release?
   ( ) YES (X) NO
   COMMENTS:

Jean Totti

From: Murphy, Kevin <Kevin_Murphy4@comcast.com>
Sent: Monday, March 4, 2024 12:23 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from kevin_murphy4@comcast.com. Learn why this is important

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Hi Jean,

Comcast has no objections to the vacation of Right-of-Way requested herein. Please let me know if you have any questions.

Thank you.

Kevin Murphy
COMCAST
Construction & Relocations
Phone: 941.356.1489
Email: kevin_murphy4@comcast.com
5205 Fruitville Rd, Sarasota, FL 34232

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

bradenton
The Friendly City

Florida has a very broad Public Records Law. This agency is a public entity and is subject to Chapter 119 of the Florida Statutes, concerning public records. E-mail communications are covered under such laws & therefore e-mail sent or received on this entity's computer system, including your e-mail address, may be disclosed to the public or media upon request.

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Jean Totti

From: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Sent: Wednesday, March 13, 2024 9:57 AM
To: Jean Totti
Cc: Lake, Roxann; Bohde, Gregory; Godwin, Julia
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Jean,

Good morning. FDOT has no objection to the vacation request.

Thank you,

Cheryl Quick
Cheryl.quick@dot.state.fl.us
Right of Way Agent III
District One
Office (863) 519-2749

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:23 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Got it.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:17 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Jean,

Cheryl will research the locations and respond to the requests.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Wednesday, March 6, 2024 7:14 AM
To: Godwin, Julia <Julia.Godwin@dot.state.fl.us>; Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>
Subject: RE: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Julia, just to be clear. There's no objection to the vacation of these Rows?

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

---

From: Godwin, Julia <Julia.Godwin@dot.state.fl.us>
Sent: Wednesday, March 6, 2024 7:02 AM
To: Quick, Cheryl <Cheryl.Quick@dot.state.fl.us>
Cc: Lake, Roxann <Roxann.Lake@dot.state.fl.us>; Bohde, Gregory <Gregory.Bohde@dot.state.fl.us>; Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: [EXTERNAL] FW: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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[EXTERNAL EMAIL] This email originated from outside the City's email system, therefore the authenticity of the sender cannot be established. Exercise caution before clicking links, opening attachments or responding.

Good morning, Cheryl.

Please assign a PM log number and process the vacations attached as requested.

If you have any questions or concerns, please let me know.

Thank you.

Julia Godwin, CPM
julia.godwin@dot.state.fl.us
Property Management Administrator
FDOT - District One, Right of Way
801 North Broadway Avenue
Bartow, FL 33830
Office - (863) 519-2786
Cell - (863) 608-3850



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

EXTERNAL SENDER: Use caution with links and attachments.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Jean Totti

From: Carlos Santos <Carlos.Santos@swfwmd.state.fl.us>
Sent: Wednesday, March 13, 2024 10:40 AM
To: Jean Totti
Cc: Mike Singer
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

You don't often get email from carlos.santos@swfwmd.state.fl.us. Learn why this is important

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Good morning Jean,

We, the Land Resources Bureau of SWFWMD, have no objections to the proposed right of way vacations.

Thank you,
Carlos Santos
Real Estate Specialist
Land Resources Bureau
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604
(352)269-3911
carlos.santos@swfwmd.state.fl.us

Southwest Florida Water Management District
WATERMATTERS.ORG · 1-800-423-1476

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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[EXTERNAL SENDER] Use caution before opening.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov



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Jean Totti

From: Garver, Brian <Brian.Garver@fpl.com>
Sent: Friday, March 8, 2024 4:06 PM
To: Jean Totti
Cc: Vargas, Ray
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)
Attachments: BPD-4RoW-FPL-vargas.pdf

You don't often get email from brian.garver@fpl.com. Learn why this is important

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Good afternoon Jean,

FPL has no objection. No facilities are currently within the proposed ROW vacation areas.

Thank you,

Brian Garver
Delivery Assurance Lead / Relocation Coordinator
Whitfield Service Center – FPL
1253 12th Ave E
Palmetto, FL 34221
Office: 941-723-4442 Cell: 239-231-9471
Email: Brian.Garver@fpl.com



Please contact me with any questions or concerns. If you cannot reach me, feel free to contact my Supervisor Stephen Norton at (o) 941-927-4200 or Stephen.Norton@fpl.com.



From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI |M.Arch.-LEED AP|Construction Project Administrator|City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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FRONTIER

2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

3/4/2024

Attn: Jean E. Totti, M.Arch.-LEED AP
Construction Project Administrator
City of Bradenton
1411 9th St W
Bradenton, FL 34205

RE: Vacations of Rights-of-Way – 215 6th Ave W, Bradenton, FL (Bradenton Police Headquarters)

Dear Jean,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☑ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager

bradenton
The Friendly City

February 27, 2024

Stephen Waidley
Frontier

Electronic Delivery:
stephen.waidley@ftr.com

re: 4 Right of Way Vacations

Dear Stephen Waidley,

As part of its plans to construct new Bradenton Police Headquarters at 215 6th Ave. West in Bradenton, the City of Bradenton is seeking to vacate the portion of a Right-of-Way south of the property, as depicted on the attached surveys (4). The vacation is being sought in order to provide clear delineation of the property for the proposed new Bradenton Police Headquarters.

If you could please confirm that there will be no adverse impact on your company's facilities as a result of the proposed vacation. Please respond to jean.totti@bradentonFL.gov . A response must be received in 20 calendar days after mailing of this letter or March 18, 2024. The City will assume there is no objection if a response is not received by March 18, 2024.

Thank you for your assistance with this matter.

Sincerely,

Rob Perry
City Administrator

Jean Totti

From: Schaeffer, Stanley <Stanley.Schaeffer@manateesheriff.com>
Sent: Tuesday, March 5, 2024 3:16 PM
To: Jean Totti
Subject: [EXTERNAL] RE: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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MCSO has no objections.
Thank you
Major Schaeffer
Manatee County Sheriff's Office

From: Jean Totti <Jean.Totti@bradentonFL.gov>
Sent: Monday, March 4, 2024 11:49 AM
To: Jean Totti <Jean.Totti@bradentonFL.gov>
Subject: Bradenton Police Headquarters Site- 215 6th Ave. West- Right of Way Vacations (4)

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Utilize the Phishing Button in Outlook to report suspected phishing emails.

Please see attached letters for consultation on the right of way vacations.

Response is DUE to the City of Bradenton by March 18, 2024.

Thank you,

JEAN E. TOTTI | M.Arch.-LEED AP | Construction Project Administrator | City of Bradenton
1411 9th Street West | Bradenton FL 34205 | 727.420.7832 I ☎ 941.462.1999 I jean.totti@bradentonFL.gov

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Please note: Florida has very broad public records laws. Most written communications to or from the Manatee County Sheriff's Office are public records available to the public upon request. Your e-mail, including your e-mail address, may be subject to public disclosure.

3/5/2024

RE: 215 6th Ave W, Bradenton, FL, 34205

To Whom it May Concern,

TECO Peoples Gas has no objection to proposed Vacation at 6321 16th Ave Dr W

If you have any questions or need additional information, please contact me at (813)275-3762 or amfarlane@tecoenergy.com.

Sincerely,

Alex McFarlane
Project Manager

TECO ENERGY
AN EMERA COMPANY
TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619

TECO Peoples Gas
8416 Palm River Road, Tampa, FL 33619



City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Ordinance No.: 4046
Case No.: RV.24.1687
Applicant: City of Bradenton
Address: 800 2nd Street West
Location: South of Manatee Ave. W., East of 3rd St. W., North of 8th Ave. Dr. W., and West of 2nd St. W.
Current Zoning: T5 (Urban Center Transect District)
Future Land Use: UCBD (Urban Central Business District)
Flood Zone: X

Surrounding Property Zoning:

Current Zoning: North: T5 (Urban Center Transect District)
South: T5 (Urban Center Transect District)
East: T5 (Urban Center Transect District)
West: T5 (Urban Center Transect District)

Future Land Use: North: UCBD (Urban Central Business District)
South: UCBD (Urban Central Business District)
East: UCBD (Urban Central Business District)
West: UCBD (Urban Central Business District)

The City of Bradenton, applicant/owner, has submitted a right-of-way vacation application requesting to vacate an 8-foot-wide parcel of land being a southern portion of 8th Avenue West (South Street). The area of vacation is approximately 927-sq. ft. or 0.02 acres in size and lies directly north of 800 2nd Street West.

The applicant is requesting the vacation in order clear the area of unused right-of-way and to delineate property for future construction of a new Police Headquarters Complex.

During a site visit to the area, it was noted that 8th Avenue West is unimproved with a no curbs, gutters or a storm system in place and the surface consists of primarily sand and rock. It was also noted that the proposed vacation does not appear to negatively impact traffic patterns on the subject road network.

Section 2.2.7 of the City of Bradenton Land Use Restrictions (shown below) details the process for vacation of public right-of-way. The section calls for the consideration of "whether [the] vacation would be detrimental to the public health, safety, welfare or convenience". In this case, the subject right-of-way are no longer being utilized by any public or public-serving agencies, so it appears that the proposed vacation will not be detrimental to public health, safety, welfare, or convenience.

If approved by City Council, the City Clerk shall record the reversion of the subject of right-of-way to adjacent property owners (the applicant).

As exhibited in the submitted application materials, private and public utilities that may utilize these right-of-way's have agreed to the vacations as they are no longer needed for public services.

LAND USE REGULATIONS:

2.2.7 ***Vacation of public rights-of-way or public easements.*** The City Council may, upon its own motion or upon a recommendation by Planning Commission, order the vacation of streets, easements, or other parcels of land dedicated for public purpose.

2.2.7.1 ***Application.*** Owners of property adjacent to right-of-way or owners of property with public easements may request their vacation by applying on forms or electronic media in a PDF format provided by the PCD Director and submitting the fee as required by Appendix A. The PCD Director may request additional information including a legal description of the property as necessary to process the application.

2.2.7.2 ***Public Notice.*** shall be made as required by Section 2.3. A legal description of the applicant property shall be on file with the PCD Director. City Council approval shall be required for the vacation of an easement. For the vacation of a right-of-way or other dedicated property, a public hearing before the Planning Commission and recommendation from that body are also required as well as a public hearing before City Council.

2.2.7.3 ***Review of Application.*** The PCD Director shall report to the Planning Commission and Director of Public Works all known non-City uses of such easement, right-of-way or property. The Planning Commission

shall evaluate any request for vacation of right-of- way or other dedicated property to determine whether vacation would be detrimental to the public health, safety, welfare or convenience. Information presented at the public hearing regarding use of the property for access to other properties or other public purpose shall be considered by the Planning Commission in making its recommendation. In cases where the right-of-way is used only for utilities, the Planning Commission may recommend the vacation provided that an easement is provided for such utilities. The recommendation shall be given to City Council in writing. City Council shall review a request for public easement vacation to determine whether the requested vacation would be detrimental to public health, safety, welfare or convenience.

2.2.7.4 ***Approval/Denial.***

a. Easement. City council may approve the vacation of an easement only with a favorable recommendation from the director of public works. Such approval may be conditioned upon the relocation at the applicant's expense of the easement and the utilities therein if so recommended

b. *Right-of-way or other dedicated parcel.* Upon receipt of the Planning Commission's recommendation, the City Council shall hold a public hearing on the request. The City Council shall make its determination, in light of the recommendation, their review (See Subsection 2.2.7.3 above), and public comments, whether the vacation is in the public interest. If a positive determination is made, City Council may pass a resolution vacating the requested property.

2.2.7.5 ***Public Recording.*** The City Clerk shall correct the records of the Clerk of the Circuit Court as necessary to revert the easement or right-of-way to the appropriate owner(s). In the case of right-of-way, the vacation customarily reverts the right-of-way to all adjacent property owners in equal portions.

Based on staff's review of Section 2.2.7 of the Land Use Regulations, which establishes the criteria for the vacation of a public right-of-way or easement, staff recommends **Approval** of Ordinance 4046, Case RV.24.1687.

Respectfully submitted,

Gregory J DeLong

Gregory J. DeLong
Assistant Director of Planning & Community Development

Exhibits:

Exhibit A: Location Map

Exhibit B: Future Land Use Map

Exhibit C: Zoning Map

Exhibit D: Sketch of Description – Right-of-Way

Exhibit "A"


6TH AVE W
64
3RD ST W
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
Pinnacle Office Park
N
W
E
S
CITY OF BRADENTON WATER SYSTEM
8TH AVE W
Right of Way
8TH AVE E
Major Adams Cemetery
3RD STREET W
8TH AVE DR W
2ND ST W
1ST ST E
41
301
Bradenton
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1687 RoW Police HQ
owner: City of Bradenton
near 8th Ave W
PID: near 3256000005
CITY OF BRADENTON FLORIDA
Location
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "B"

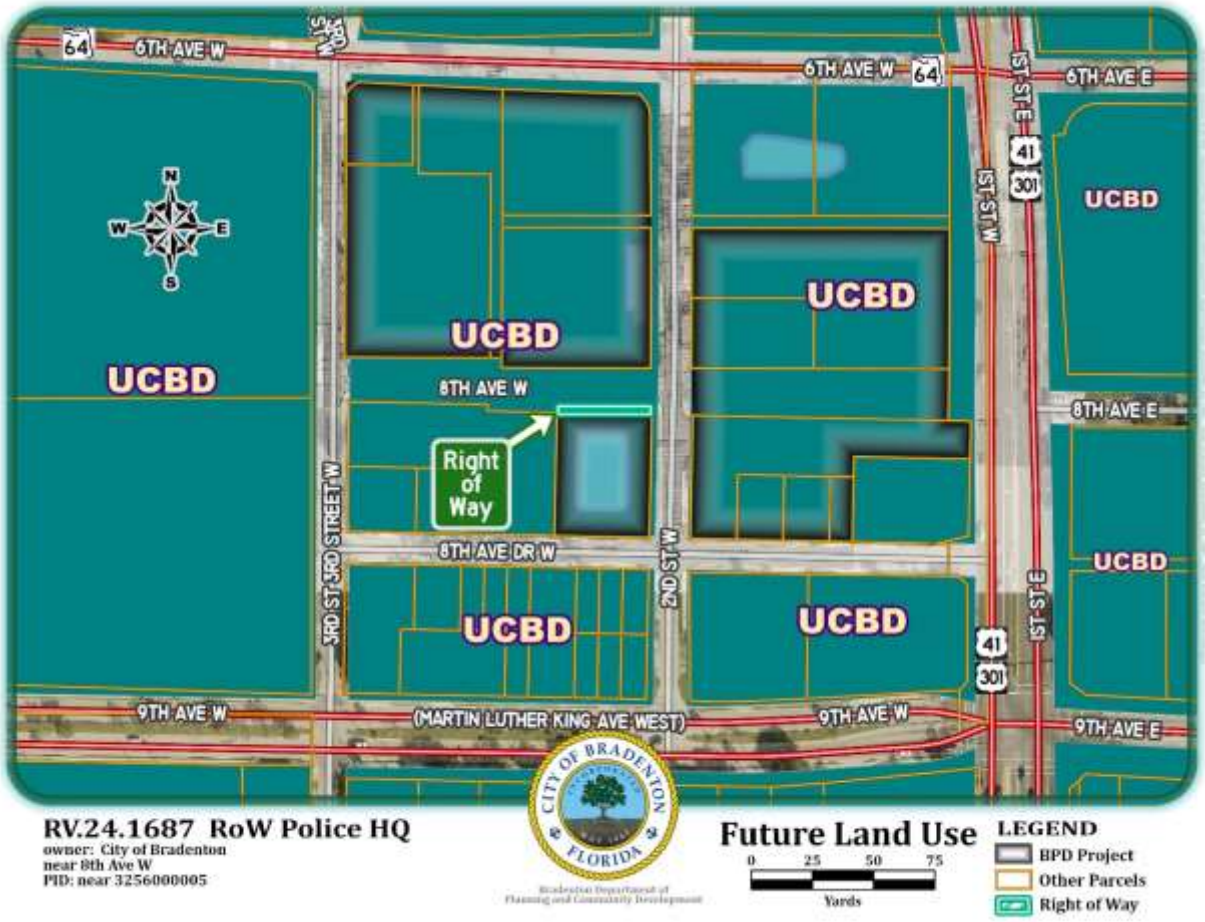

64
6TH AVE W
3RD ST
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
UCBD
UCBD
UCBD
UCBD
8TH AVE W
8TH AVE E
Right of Way
3RD STREET W
8TH AVE DR W
2ND ST W
UCBD
UCBD
UCBD
41
301
1ST ST E
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1687 RoW Police HQ
owner: City of Bradenton
near 8th Ave W
PID: near 3256000005
CITY OF BRADENTON FLORIDA
Future Land Use
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "C"


6TH AVE W
64
3RD ST W
6TH AVE W
64
1ST ST E
6TH AVE E
41
301
1ST ST W
N
W
E
S
T5
T5
T5
T5
8TH AVE W
8TH AVE E
Right of Way
3RD ST STREET W
8TH AVE DR W
2ND ST W
1ST ST E
T5
T5
41
301
9TH AVE W
(MARTIN LUTHER KING AVE WEST)
9TH AVE W
9TH AVE E
RV.24.1687 RoW Police HQ
owner: City of Bradenton
near 8th Ave W
PID: near 3256000005
CITY OF BRADENTON
FLORIDA
Zoning
0 25 50 75
Yards
LEGEND
BPD Project
Other Parcels
Right of Way

Exhibit "D"

705 3rd St. W-B

ZNS ENGINEERING
Land Planning | Engineering | Surveying | Landscape Architecture

EXHIBIT A

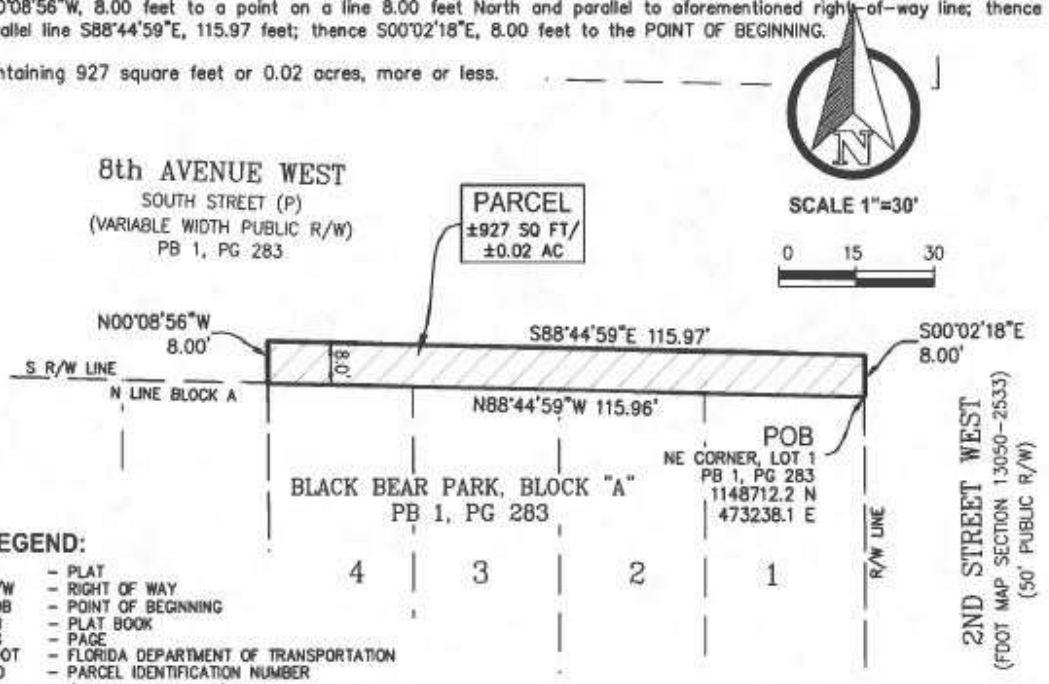
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

P	–	PLAT
R/W	–	RIGHT OF WAY
POB	–	POINT OF BEGINNING
PB	–	PLAT BOOK
PG	–	PAGE
FDOT	–	FLORIDA DEPARTMENT OF TRANSPORTATION
PID	–	PARCEL IDENTIFICATION NUMBER (NOW OR FORMERLY)
	–	SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N88°44'59"W FOR THE SOUTH RIGHT-OF-WAY LINE OF 8TH AVENUE WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
MANATEE COUNTY, FLORIDA

SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
MANATEE COUNTY, FLORIDA

NOTE: THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A LICENSED FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, AN ELECTRONIC COPY MUST HAVE A VERIFIED INDEPENDENT AUTHENTICATED SEAL OR FIXED.

Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

Ordinance No. 4046

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, VACATING AN 8-FOOT WIDE PORTION OF 8TH AVENUE WEST (SOUTH STREET) AS SHOWN ON THE PLAT OF BLACK BEAR PARK SUBDIVISION, RECORDED IN BOOK 1, PAGE 283, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA, AND MORE PARTICULARLY DESCRIBED HEREIN, BEING GENERALLY LOCATED SOUTH OF MANATEE AVENUE WEST, EAST OF 3RD STREET WEST, NORTH OF 8TH AVENUE DRIVE WEST AND WEST OF 2ND STREET WEST; PROVIDING FOR RECORDATION IN THE OFFICIAL RECORDS, PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City of Bradenton (the "Applicant" or "Property Owner"), owns property located at 800 2nd Street West, Bradenton, FL 34205, and legally described in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, the Applicant has filed an application to vacate an 8-foot-wide portion of 8th Avenue West (South Street), as legally described in Exhibit "B" attached hereto; and

WHEREAS, the right-of-way proposed for vacation is adjacent to the Property; and

WHEREAS, all things necessary and required by law have occurred for the vacation of that certain 8 foot wide portion of 8th Avenue West (South Street) as shown on the Black Bear Park Subdivision, and more particularly described on Exhibit "B"; and

WHEREAS, the City Council has reviewed the request for vacation of right-of-way and finds that they meet the criteria established in Section 2.2.7 of the City's Land Use Regulations; and

WHEREAS, the City Council finds that the vacation of right-of-way is consistent with the City of Bradenton Comprehensive Plan, that it will not compromise the public interest nor will it prevent any property from having access to a public right-of-way, and that it will not substantially reduce the market value of abutting property; and

WHEREAS, the City Council has determined said right-of-way is no longer necessary for public purposes and that vacation thereof is deemed to be in the best interest of the public.

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

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Vacated Right-of-Way. Pursuant to due and proper petition, application and other procedures as required by law, the City Council for the City of Bradenton does hereby vacate, close and abandon that right-of-way which is illustrated and described on Exhibit "B" and attached hereto and incorporated herein by reference.

Section 3. Recordation. Upon adoption, the City Clerk shall ensure that this Ordinance is recorded in the Official Records of Manatee County, Florida.

Section 4. Repeal of Ordinances in Conflict. This Ordinance hereby repeals all ordinances, or parts thereof, in conflict herewith to the extent of
such conflict.

Section 5. Severability. It is the intention of the City Council that each provision hereof be considered severable, and, if any section, subsection, sentence, clause, or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

Section 6. Effective Date. This Ordinance shall take effect as provided by law.

FIRST READING	June 12, 2024
PUBLICATION DATE	July 12, 2024
SECOND READING	July 24, 2024

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 24TH DAY OF JULY, 2024.

THE CITY OF BRADENTON, FLORIDA

ATTEST:

Tamara Melton, City Clerk

Gene Brown, Mayor

APPROVED AS TO FORM:

Scott Rudacille, City Attorney

Exhibit "A"

Property Legal Description

LOTS 1,2,3,4,23,24,25,26 BLK A BLACK BEAR PARK PI#32560.0000/

Exhibit "B"

Property to be Vacated

705 3rd St. W-B

ZNS ENGINEERING
Land Planning Engineering Surveying Landscape Architecture
EB 0027476 LB 0006982 LC 0000365

EXHIBIT A

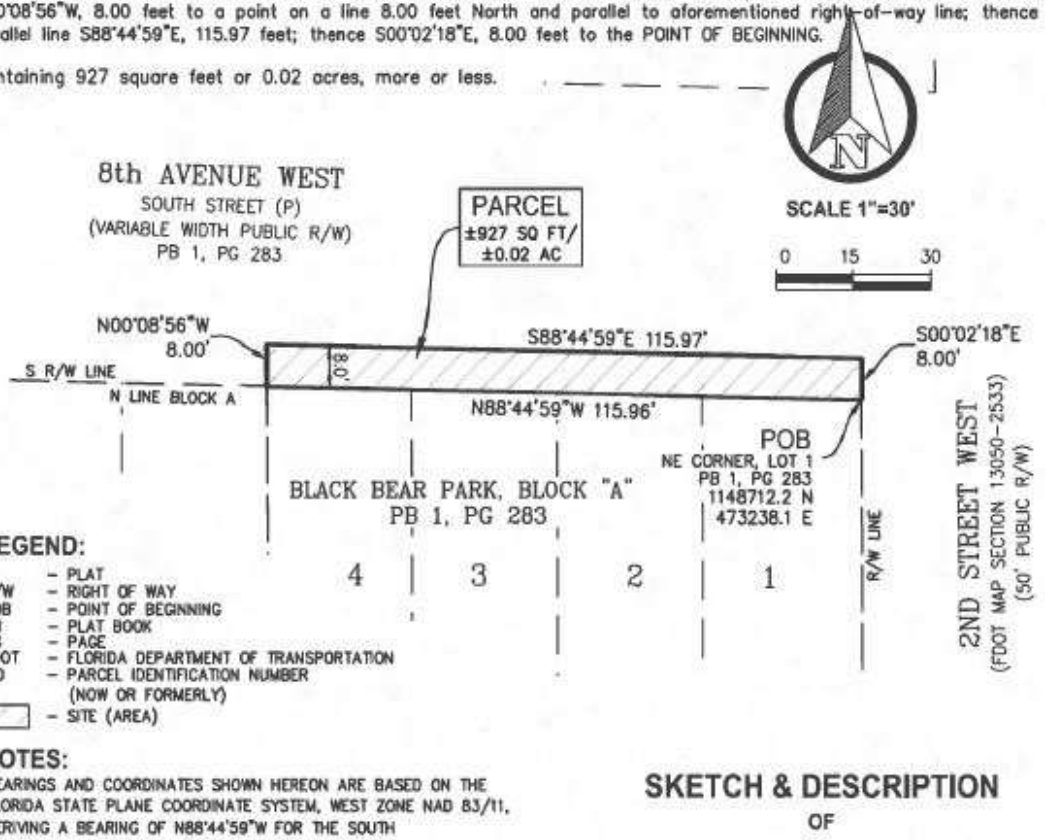
CERTIFICATE OF AUTHORIZATION # LB 6982
1023 MANATEE AVENUE WEST (7TH FLOOR)
BRADENTON, FLORIDA 34205
(941) 748-8080
FAX (941) 748-3747

DESCRIPTION:

A 8 feet wide parcel of land being a portion 8th Avenue, South Street per Plat Book 1, Page 283, lying and being in Section 26, Township 34 South, Range 17 East, Manatee County, Florida, more particularly described as follows:

Begin at the Northeast corner of Lot 1, BLOCK A, BLACK BEAR PARK SUBDIVISION, as described in the Plat Book 1, Page 283, as recorded in the public records of Manatee County, Florida; thence along the North line of said Block A, also being the South right-of-way line of 8th Avenue West (South Street) per said Plat Book 1, Page 283, N88°44'59"W, 115.96 feet; thence N00°08'56"W, 8.00 feet to a point on a line 8.00 feet North and parallel to aforementioned right-of-way line; thence along said parallel line S88°44'59"E, 115.97 feet; thence S00°02'18"E, 8.00 feet to the POINT OF BEGINNING.

Containing 927 square feet or 0.02 acres, more or less.



LEGEND:

P	- PLAT
R/W	- RIGHT OF WAY
POB	- POINT OF BEGINNING
PB	- PLAT BOOK
PG	- PAGE
FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
PID	- PARCEL IDENTIFICATION NUMBER
	(NOW OR FORMERLY)
	- SITE (AREA)

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE NAD 83/11, DERIVING A BEARING OF N88°44'59"W FOR THE SOUTH RIGHT-OF-WAY LINE OF 8TH AVENUE WEST.
2. THIS SKETCH HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT OR ABSTRACT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL THE ENCUMBRANCES ON THE PROPERTY.
3. THIS SKETCH **DOES NOT** REPRESENT A BOUNDARY SURVEY.
4. CONTAINING 927 Sq. Ft. OR 0.02 Ac., MORE OR LESS.

DRAWN: MO DATE: 20240130

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BLACK BEAR PARK, BLOCK "A"
PB 1, PG 283
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SKETCH & DESCRIPTION
OF
A PORTION PB 1, PG 283
LOCATED IN
SECTION 26, TOWNSHIP 34 SOUTH, RANGE 17 EAST
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Kavin Wilmott
c=US, st=Florida, l=Bradenton, o=ZNS Engineering, LC, cn=Kavin Wilmott, email=kavinw@znseng.com
2024.02.09 09:31:56 -05'00'

BY: _____
KAVIN C. WILMOTT, P.S.M.
FLORIDA CERTIFICATE No. PLS 6809

SHEET 1 OF 1

AGENDA ITEM NO. 6.e

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Jamie Schindewolf, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT: **Ordinance 4035, Case CP.24.0363:**

An Ordinance of the City of Bradenton, Florida, amending Objective 1.5.2 of the Future Land Use Element of the City's Comprehensive Plan and Objective 5.3, Policy 5.3.1, Policy 5.3.2, and Policy 5.3.4 of the Coastal Management and Conservation Element of the City's Comprehensive Plan, to add Policy 5.3.2 and Policy 5.3.3 to the Coastal Management and Conservation Element of the City's Comprehensive Plan, and to remove Policy 6.2.1 and Policy 6.2.5 of the Coastal Management and Conservation Element of the City's Comprehensive Plan; providing for applicability; providing for severability; and providing for an effective date. Application filed by Katie LaBarr of Stantec, agent for Presbyterian Retirement Communities, Inc.

SUGGESTED ACTION: Vote to recommend approval or denial of Ordinance 4035.

Is this item Quasi-Judicial?
Yes

Does this item require a public hearing?
Yes

EXPLANATION:

The applicant has submitted a request for text amendments to the Comprehensive Plan. These requests are directly related to the regulation of properties within the Coastal High Hazard Area (CHHA).

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by Attorney Scott Rudacille.

SUGGESTED MOTION:
Motion to recommend Denial of Ordinance 4035.

ATTACHMENTS:
Application - Ord. 4035, Case CP.24.0363.pdf
Strikethru Underline Amendment from Applicant.pdf
Examples of Coastal High Hazard Area Regulations from Applicant
Staff Report - Ord. 4035, Case CP.24.0363.pdf
Ord. 4035 (DRAFT).pdf

Stantec

Westminster Point Pleasant

Comprehensive Plan Text Amendment Application

January 2024

Prepared for:

Westminster Communities of Florida

Prepared by:

Stantec Consulting Services Inc.

6920 Professional Parkway

Sarasota, Florida 34240-8414

Letter of Request

Stantec Consulting Services Inc.
6920 Professional Parkway
Sarasota FL 34240-8414

January 16, 2024

Project/File: Westminster Point Pleasant / 215617665

Robin Singer, Director
Department of Planning & Community Development
101 Old Main Street
Bradenton, FL 34205

Reference: Letter of Request – Comprehensive Plan Text Amendment Application

Dear Ms. Singer,

On behalf of our client, Westminster Communities of Florida, we are submitting a Comprehensive Plan text amendment application. The purpose of the application is to amend certain elements of the Comprehensive Plan to ensure consistency with Section 163.3178(8), Florida Statues, regarding development of properties that are located in the Coastal High Hazard Area (CHHA). In support of this submittal, enclosed please find the following:

1. Comprehensive Plan Text Amendment Application;
2. Application Fee of $6,020;
3. Notarized Agent Authorization Form;
4. Proposed Text Amendment in Strikethrough-Underline;
5. Sketch and Description; and
6. Concept Plan.

Westminster Communities has existed as a progressive care community for over 50 years in the City of Bradenton. The community attracts retirees who desire assurances of the continuum of care as they age. It has attracted residents who call downtown home. They are able to walk to nearby churches, coffee shops and restaurants. They can maintain an active lifestyle and enjoy the views of the Manatee River. Existing residential buildings on the campus are nearing the end of their useful life. A long-range redevelopment program envisions development in the CHHA, consistent with Florida Statutes. Building construction methods, coupled with modern finished floor elevations will ensure redevelopment occurs in a resilient manner, promoting the protection of health, safety, and welfare, for the Westminster population.

Thank you for your assistance in processing this application. Should you have any questions or concerns please do not hesitate to contact me.

Regards,

STANTEC CONSULTING SERVICES INC.

Katie LaBarr

Katie LaBarr, AICP
Principal, Community Development
Katie.LaBarr@stantec.com

Comprehensive Plan Text Amendment Application Forms

Comprehensive Plan Map or Text Amendment Application

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Owner Address: 80 W LUCERNE CIR, ORLANDO FL 32801 Telephone: 407-839-5050

Name of Agent: Stantec Consulting Services Inc, Katie LaBarr, AICP

Agent Address: 6920 Professional Pkwy, Sarasota, FL 34240 Telephone: 941-907-6900

Owner/Agent Email: katie.labarr@stantec.com

PROPERTY INFORMATION (REQUIRED)

Property Address: several addresses

Parcel ID: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000. Total Acreage: 15.9

Existing Future Land Use: RESHIGH Proposed Future Land Use: UCBD

*click to view city FLU map *click to view city FLU map

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

CPA

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

MATERIALS FOR REVIEW (REQUIRED)

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 or Text Amendment Application
- ► Application Fee: *(Tampa Bay Regional Planning Council fee will as be charged, as applicable)*
  - • Large & Small Scale - $6,020*
  - * Tampa Bay Regional Planning Council fee will also be charged (if applicable)
- ► 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)
- ► One (1) electronic copy in pdf format of Application and all required support materials

SIGNATURE (REQUIRED)

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.

Katie Labarr 1-16-2024

Signature of Owner/Applicant Date

CITY STAFF ONLY

Application Fees:
Fee Required: **$6,020**

**Additional TBRPC fees may apply*

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: ☒ X
Incomplete: ☐ _____

APPLICATION #: 240363

CITY STAFF ONLY

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

2nd CC READ: _____

1st CC READ: _____

PC: _____

DRC: _____

Notarized Agent Authorization Form

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

AGENT AUTHORIZATION — REQUIRED

Property Address: Several addresses, see Legal Description attached

I, Presbyterian Retirement Communities, Inc./West, the registered property owner(s) of the above noted property, do hereby authorize

Stephen R. Dye, Esq. & Katie LaBarr, AICP	Dye Harrison Knowles Kirkland, Pratt & DePaola, PLLC St
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.

	80 West Lucerne Cir. Orlando FL 32801
Signature of Owner(s)	Owner(s) Address (if different than property above)
Signature of Agent	1206 Manatee Ave. W. Bradenton, FL 34205/941-748-4411
	Agent Address and Phone

NOTARY — REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me by means of ✓ physical presence or ___ online notarization, this 16 day of January 2024 produced _____ personally known to me respectively, as identification and who did (did not) take an oath:

Geneen D. Scott
Signature

Geneen D. Scott, Notary Public
Print Name

State of Florida
My Commission Expires: 07/20/2024

GENEEN D. SCOTT
Notary Public - State of Florida
My Comm. Expires July 20, 2024
Commission #HH21339

Stantec

Legal Descriptions (Source: Manatee County Property Appraiser)

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF 176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING PI#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SELY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) PI#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Stantec

Description: LOTS 9,10,11,12 & 13, OF E A VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NE1/4 OF SE1/4 & PARTLY IN LOT 4 U S OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE W AS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W 22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FT TO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMD PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THE N LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO A C. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), PI#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MIN E 234 FT TO THE N LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SE COR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BDRY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SE COR. (1651/6744) PI#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MIN E 234 FT TO N

Stantec

LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH E ON S SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SE COR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) PI#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF S C UPHAM REC IN DB G P 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; TH E 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLING S 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THE E BY THE W LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THE W BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, PI#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF H G H REEDS SUB; TH W BDRY LN OF THE E 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS,

Stantec

VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE W1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE W1/2 OF LOT 2 BLK A OF H G H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 P G 806, LESS THE S1/2 OF THE E 90 FT & LESS THE S1/2 OF TH E W 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THEN S 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1 BLK A REED SUB (640/77), TOGETHER WITH THE S1/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. PI#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST W AND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH AVE W A DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A

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PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THE N BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THE W LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALG A LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE E1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. PI#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK C REED SUB PI#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Stantec

Description: LOT 4 BLK C REED SUB PI#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THE E LN OF SD STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THE W 134 FT OF LOT 1, BLK F JOHNSON SUB. PI#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FT TO NW COR OF LOT 3; TH RUN E 134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF SD LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUN S AND PARALLEL TO THE E LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALG A LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), PI#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THE W R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THE W R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S 00 DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF 12.21 FT; TH S 31 DEG 52 MIN 00 SEC W ALG SD LN, A DIST OF 27.92 FT TO THE N R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD N R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED

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BUSINESS #6668 MARKING THE N R/W LN SD MANATEE AVE W AT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALG A SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH A C/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH A C/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THE W R/W LN OF 15TH ST W AND 115 FT WLY THEREOF, A DIST OF 330.99 FT TO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) PI #33351.0005/9

Proposed Text Amendment Language

City of Bradenton Comprehensive Plan

Proposed Text Amendment in Strikethrough-Underline

Future Land Use Element

Policy 1.5.2 Hurricane Evacuation Zone

The City shall consider ~~deny~~ requests for increases in gross density if the property is located in the Coastal High Hazard Area (CHHA) and the request includes demonstration of compliance with Policy 5.3.1. Construction of public facilities in coastal high hazard areas will be in furtherance of one or more of the following: downtown revitalization, efficiencies in the provision of service, or service to existing populations.

Coastal Management and Conservation Element

Objective 5.3 Coastal Area Development

Development in Coastal High Hazard Areas - The City shall minimize flood risk that results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise by directing population concentrations away from the City's coastal high hazard area by limiting new development within the Coastal High Hazard Area (CHHA).

Policy 5.3.1: Comprehensive plan amendments within the CHHA must meet one of the criteria established in Section 163.3178(8)(a), F.S.

~~Severely limit development in low-lying coastal areas.~~

~~**Policy 5.3.1 Coastal High Hazard Area**~~

~~A Coastal High-Hazard area (CHHA) shall be established through the Land Development Regulations to include the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges (SLOSH) computerized storm model. The City council shall deny FLUM applications that increase density in the CHHA.~~

Policy 5.3.2 Conservation Zone

Establish a conservation zone including all conservation lands as shown on the Future Land Use Map and all undeveloped areas below the 2-foot contour line and prohibit construction of buildings, roadways, and parking areas in that zone except to provide shoreline access points as determined necessary or of overriding public interest by City Council. This policy shall not limit or modify the rights of any person to comply with Policy 5.3.1, complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.

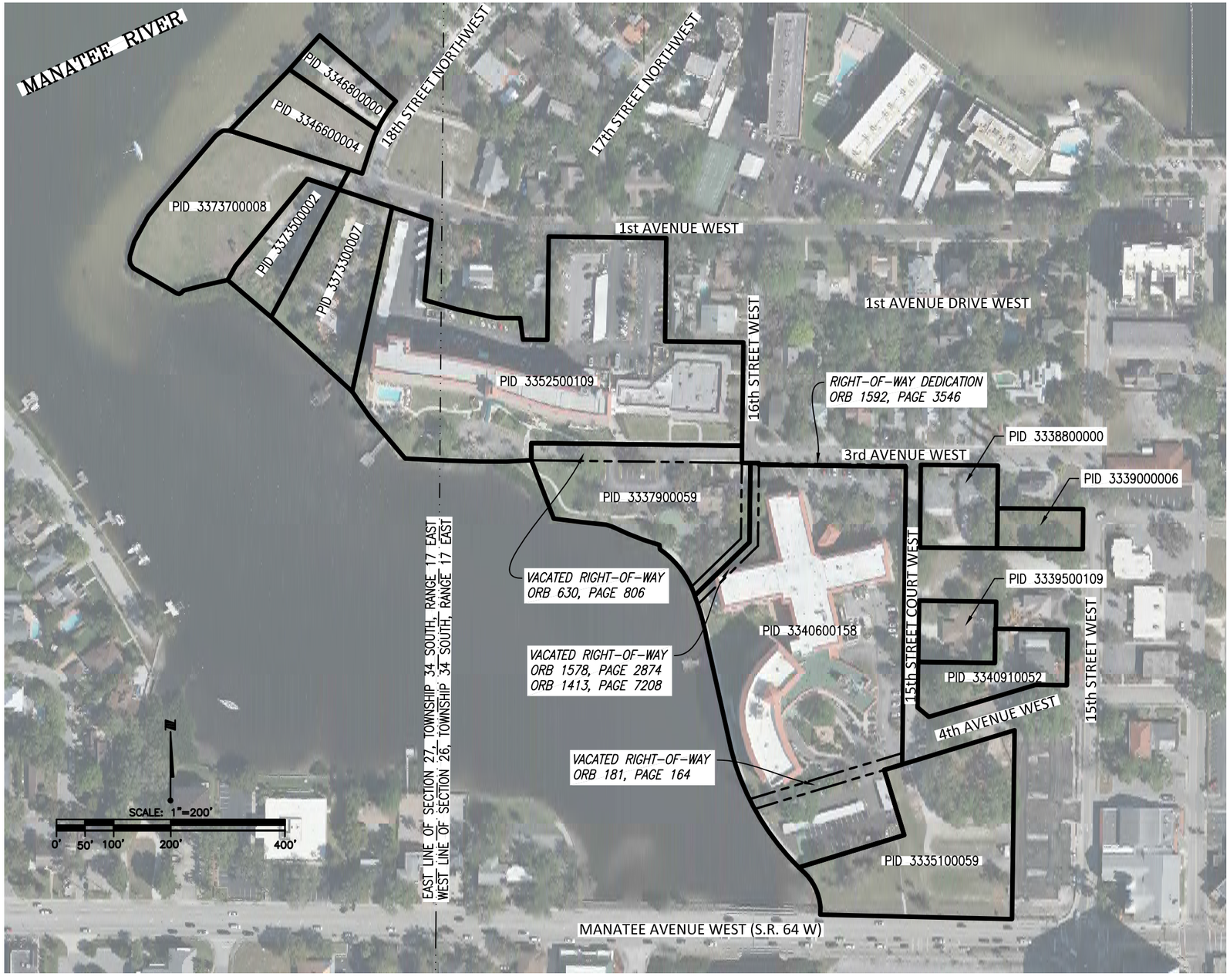
Policy 5.3.4 Funding Priority

The City Council shall establish a lower priority for the funding of public infrastructure with the CHHA as compared to non-CHHA areas, except as follows:

4. Where expenditures are necessary to:
    a. Alleviate dangerously overcrowded or otherwise hazardous roads:
    b. Replace or construct wastewater or potable water facilities;
    c. Alleviate or prevent potential violations or potable water quality standards, or water quality standards applicable to surface waters; or
    d. Construct recreational facilities to coastal sites.

~~For the purpose of determining dwelling unit density in coastal areas, residential or non-residential developments may transfer density to upland portions of the same project site. Such transfers from the coastal area shall be limited to acreages less than or equal to 20% of total gross project acreage. Any such development transfer is subject to project approval through the site plan process, as determined necessary or of overriding pubic interest by the City Council.~~

Sketch and Description



REV NO.	REVISION	DATE	DRAWN BY	EMP. NO.

Jan 26, 2024 – 10:38:23 EDMEJIA|\\Us0227-ppfss01\shared_projects\215617665\survey\drawing\215617665v-spex01.dwg

CLIENT:

ACTIVITY	INITIALS	EMP. NO.	DATE	
DRAWN BY:	EDM		01/26/24	
CHECKED BY:	SE		01/26/24	
COMPUTED BY:	EDM		01/24/24	

Stantec
6920 Professional Parkway East, Sarasota, FL 34240-8414
Phone 941-907-6900 • *Fax* 941-907-6910
Certificate of Authorization #27013 • www.stantec.com
Licensed Business Number 7866

DATE:	HORIZONTAL SCALE:	VERTICAL SCALE:	SEC: TWP: RGE:	FIELD BOOK:	FIELD BOOK PAGE:
01/26/24	1" = 200'	N/A	26&27-34S-17E		

TITLE:

EXHIBIT OF

TRACTS OF LAND LOCATED IN SECTIONS 26 & 27, TOWNSHIP 34 SOUTH, RANGE 17 EAST MANATEE COUNTY, FLORIDA

TASK:	PROJECT NO.:	SHEET NUMBER:	DRAWING NUMBER:
	215617665	1 OF	215617665v-spex01

Concept Plan



Stantec

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WESTMINSTER POINT PLEASANT

CONCEPTUAL PLAN

JANUARY 2024

Stantec Consulting Services Inc.
6920 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

N

0 500 1,000

City of Bradenton Comprehensive Plan

Proposed Text Amendment in Strikethrough-Underline

Future Land Use Element

Policy 1.5.2 Hurricane Evacuation Zone

The City shall consider ~~deny~~ requests for increases in gross density if the property is located in the Coastal High Hazard Area (CHHA) and the request includes demonstration of compliance with Policy 5.3.1. Construction of public facilities in coastal high hazard areas will be in furtherance of one or more of the following: downtown revitalization, efficiencies in the provision of service, or service to existing populations.

Coastal Management and Conservation Element

Objective 5.3 Coastal Area Development

Development in Coastal High Hazard Areas - The City shall minimize flood risk that results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise within the City's Coastal High Hazard Areas (CHHA) by ensuring that new development within the CHHA complies with State Statutes, including, but not limited to, Section 163.3178(8)(a), F.S.

Policy 5.3.1~~:~~ Comprehensive plan amendments within the CHHA must meet one of the criteria established in Section 163.3178(8)(a), F.S.

Policy 5.3.2 Development that proposes to increase density in the CHHA, in compliance with Policy 5.3.1, above, must submit a conceptual master plan to illustrate how the proposed form of development will result in resilient development within the City. The master plan must be reviewed and approved by the City Commission at the adoption hearing for the proposed map amendment.

Policy 5.3.3 Development in the CHHA that is approved, pursuant to Policies 5.3.1 and 5.3.2 may be developed in accordance with the City of Bradenton Form Based Code Land Use and Development Regulations and/or the City of Bradenton Land Use Regulations, as may be amended.

~~Severely limit development in low-lying coastal areas.~~

~~**Policy 5.3.1 Coastal High Hazard Area**~~

~~A Coastal High Hazard area (CHHA) shall be established through the Land Development Regulations to include the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges (SLOSH) computerized storm model. The City council shall deny FLUM applications that increase density in the CHHA.~~

Policy 5.3.2 Conservation Zone

Establish a conservation zone including all conservation lands as shown on the Future Land Use Map and all undeveloped areas below the 2-foot contour line and prohibit construction of buildings, roadways, and

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parking areas in that zone except to provide shoreline access points as determined necessary or of overriding public interest by City Council. This policy shall not limit or modify the rights of any person to comply with Policy 5.3.1, complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.

Policy 5.3.4 Funding Priority

The City Council shall establish a lower priority for the funding of public infrastructure with the CHHA as compared to non-CHHA areas, except as follows:

4. Where expenditures are necessary to:
    a. Alleviate dangerously overcrowded or otherwise hazardous roads:
    b. Replace or construct wastewater or potable water facilities;
    c. Alleviate or prevent potential violations or potable water quality standards, or water quality standards applicable to surface waters; or
    d. Construct recreational facilities to coastal sites.

~~For the purpose of determining dwelling unit density in coastal areas, residential or non-residential developments may transfer density to upland portions of the same project site. Such transfers from the coastal area shall be limited to acreages less than or equal to 20% of total gross project acreage. Any such development transfer is subject to project approval through the site plan process, as determined necessary or of overriding pubic interest by the City Council.~~

~~**Policy 6.2.1 Coastal Density and Intensity**~~

~~The City shall deny applications to increase the density in the CHHA and limit non-residential development below the 2-foot contour line to water dependent uses.~~

~~**Policy 6.2.5 Priority Hurricane Evacuation Zones**~~

~~Discourage the location of high density residential projects, public housing, housing for the elderly, mobile homes and group homes in high priority hurricane evacuation zones through the Land Use Development Regulations.~~

2023 Florida Statutes Section 163.3178 Coastal Management

(8)(a) A proposed comprehensive plan amendment shall be found in compliance with state coastal high-hazard provisions if:

1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or

2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

3. Appropriate mitigation is provided that will satisfy subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by following the process in paragraph (a), the level of service shall be no greater than 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale.

(c) This subsection shall become effective immediately and shall apply to all local governments. Local governments shall amend their future land use map and coastal management element to include the new definition of coastal high-hazard area and to depict the coastal high-hazard area on the future land use map.

Examples of regulatory frameworks in Florida communities allowing increased density in a Coastal High Hazard Area

City of Marco Island:

Conservation and Coastal Management Section

Policy 2.2.1 - Comprehensive plan amendments within the City's Coastal High Hazard Area (CHHA) must meet one of the following criteria in accordance with State statutory requirements in Section 163.3178(8)(a), F.S., as may be amended from time to time.

a. The proposed amendment shall demonstrate that a 16-hour out of county hurricane evacuation time for a category 5 storm event, as measured on the Saffir-Simpson scale, is maintained; or
b. The proposed amendment shall demonstrate that a 12-hour evacuation time to shelter for a category 5 storm event is maintained, and ensure adequate shelter space is available to accommodate the additional residents of the development allowed by the proposed amendment; or
c. The proposed amendment shall provide mitigation to satisfy the provisions of evacuation time and shelter space, which may include payment of money, contribution of land, and/or construction of hurricane shelters and/or transportation facilities. The required mitigation shall be addressed in a binding agreement and shall not exceed the amount required to accommodate the impacts reasonably attributable to the development.

City of Naples

Conservation and Coastal Management Element:

Objective 3: Land uses and population densities shall be coordinated with the City's and Collier County's hurricane evacuation policies and with other relevant plans and policies.

Policy 3-5: Direct new population growth away from known or predicted coastal high hazard areas except for residential development in compliance with the FLUM and as may be further limited by the Code of Ordinances.

Objective 5: Coastal High-Hazard Areas

Policy 5-1: Encourage undeveloped land to be used for preservation of coastal natural areas.

Policy 5-2: Direct new population growth away from known or predicted CHHAs except:

1. Mixed use projects which further economic development and revitalization efforts in the Downtown Mixed Use and Limited Commercial designations; and

2. Residential development in compliance with the FLUM and as further limited by City regulations.

Policy 5-5: Development in the CHHA will be reviewed for significant impacts upon evacuation routes and will require any roadway improvements deemed necessary.

City of Ft. Myers

Future Land Use Element

Action 3.4.5 - The City shall implement measures that require new developments within the entire CHHA of the City of Fort Myers to contribute to the creation of additional public shelters in proportion to the development's identified impacts on Lee County's public shelter space deficit and/or hurricane evacuation clearance times.

Standard 3.4.5.7 - The City shall require when property is conveyed in the Coastal High Hazard Area, the developer must include a disclosure statement in the form of a covenant in the deed, which states that the property is located in the hurricane vulnerability zone, that the hurricane clearance time for the county is high, and that shelter space is limited.

Action 3.4.6 - The City shall ensure that public expenditures within the Coastal High Hazard Area are limited to those expenditures to maintain existing public facilities, and to make such existing public facilities and new private facilities more disaster-resistant, provide or maintain public shoreline access, and restore and protect natural systems.

Standard 3.4.6.2 - The City shall require developers within the CHHA to contribute to a hurricane shelter fund, based upon the formula used by the Lee County Division of Emergency Management for retrofit costs for shelters. This formula shall be re-evaluated on an as needed basis, or if Lee County adjusts its formula.

City of Sarasota

Environmental Protection and Coastal Islands

4.1 Development and Evacuation: The City shall ensure that future development within the Coastal High Hazard Area does not occur in amounts, types, or locations that would cause total evacuation time to exceed those established by the City's Emergency Operations Plan; that is, they shall not exceed more than 16 hours.

City of Bonita Springs

Conservation/Coastal Management

Goal 5: Protection of Life and Property in Coastal High Hazard and Coastal Management Areas. To protect human life and developed property from natural disasters.

Objective 5.1: Development in Coastal High Hazard Areas - The City shall minimize flood risk that results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise by directing population concentrations away from the City's coastal high hazard area by limiting new development within the Coastal High Hazard Area (CHHA).

Policy 5.1.1: Comprehensive plan amendments within the CHHA must meet one of the following criteria in accordance with state statutory requirements in Section 163.3178(8)(a), F.S.

a) The proposed amendment shall demonstrate that a 16-hour out of county hurricane evacuation time for a category 5 storm event, as measured on the Saffir-Simpson scale, is maintained; or

b) The proposed amendment shall demonstrate that a 12-hour evacuation time to shelter for a category 5 storm event is maintained, and ensure adequate shelter space is available to accommodate the additional residents of the development allowed by the proposed amendment; or

c)The proposed amendment shall provide mitigation to satisfy the provisions of evacuation time and shelter space as defined in Policy 5.1.1(a) and (b) above. Mitigation may include payment of money, contribution of land, and/or construction of hurricane shelters and/or transportation facilities. The required mitigation shall be addressed in a binding agreement and shall not exceed the amount required to accommodate the impacts reasonably attributable to the development.

City of Miami

Future Land Use Element

Policy LU-6.1.3 - New development and infrastructure in areas modeled to be within the Coastal High Hazard Area or FEMA flood zones are encouraged to use best practices to address sea level rise. (See Coastal Management Policy CM-6.2.2) Such best practices may include, but are not limited to, low impact development, raising existing development and constructing new development above established flood levels, and discouraging new residential development within areas modeled to be inundated by storm surge or sea level rise related flooding.

City of West Palm Beach

Coastal Management Element

Objective 2.2: The City shall continue monitoring permitted population densities in the coastal areas to ensure that evacuation order times established in the Palm Beach County Emergency Management Plan, as amended, are not increased.

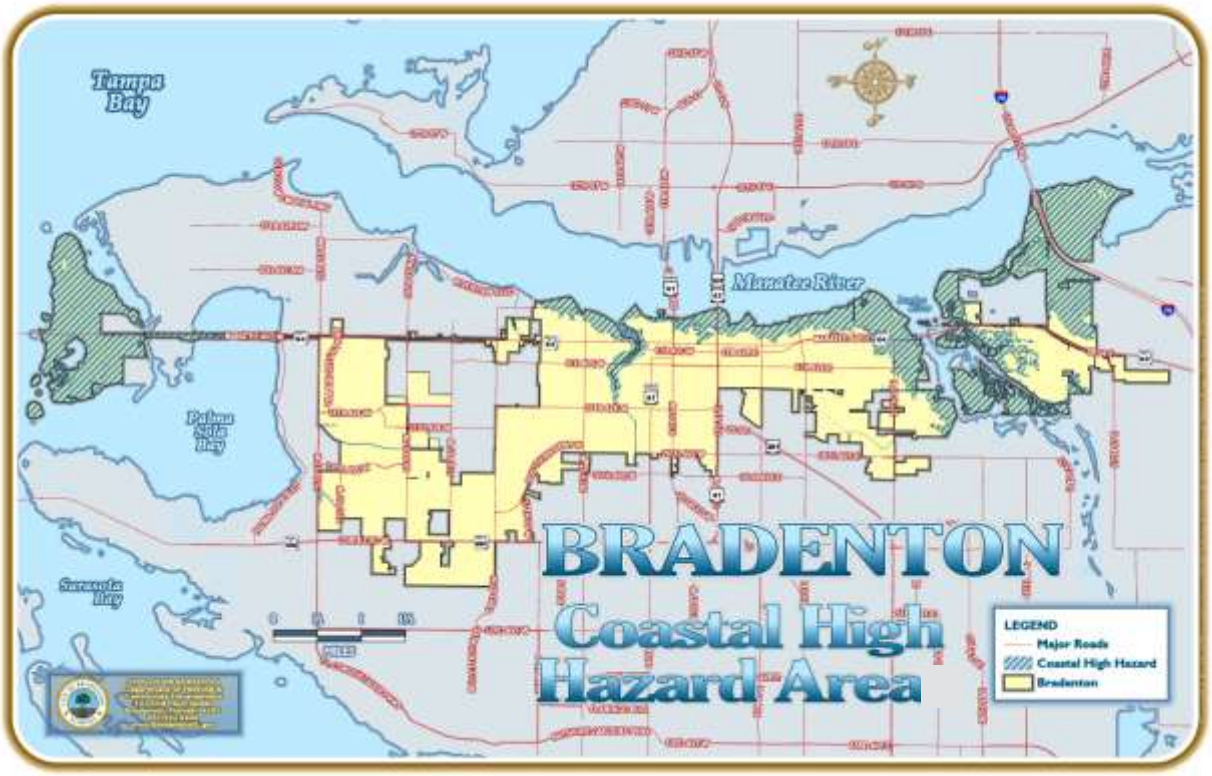
City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Case Number: CP.24.0363
Applicant: Katie LaBarr, Stantec Consulting Services Inc., Agent for Presbyterian Retirement Communities

SUMMARY OF REQUEST

The applicant has submitted a request for text amendments to the Comprehensive Plan. These requests are directly related to the regulation of properties within the Coastal High Hazard Area (CHHA). While particular parcels are called out on the application, the text of the Comprehensive Plan is applicable to the entire City. If approved after review by Planning Commission, applicable state agencies, and City Council, the proposed amendments will impact over 4,000 parcels within the city, representing approximately 28% of the city's total land area. The map below shows the Coastal High Hazard Area, crosshatched in blue-green.



The proposed amendment includes portions of the Future Land Use Element and the Coastal Management and Conservation Element of the Comprehensive Plan. The following analysis includes the current Comprehensive Plan language as well as the proposed language from the applicant.

COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT

Objective 1.5.2 Hurricane Evacuation Zone currently reads:

> *"The City shall deny requests for increases in gross density if the property is located in the Coastal High Hazard Area (CHHA). Construction of public facilities in coastal high hazard areas will be in furtherance of one or more of the following: downtown revitalization, efficiencies in the provision of service, or service to existing populations."*

The applicant has proposed the following changes:

> *"The City shall consider ~~deny~~ requests for increases in gross density if the property is located in the Coastal High Hazard Area (CHHA) and the request includes demonstration of compliance with Policy 5.3.1. Construction of public facilities in coastal high hazard areas will be in furtherance of one or more of the following: downtown revitalization, efficiencies in the provision of service, or service to existing populations."*

COMPREHENSIVE PLAN COASTAL MANAGEMENT AND CONSERVATION ELEMENT

Objective 5.3 Coastal Area Development currently reads:

> *"Severely limit development in low-lying coastal areas.*
>
> *Policy 5.3.1 Coastal High Hazard Area*
>
> *A Coastal High-Hazard area (CHHA) shall be established through the Land Development Regulations to include the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges (SLOSH) computerized storm model. The City council shall deny FLUM applications that increase density in the CHHA.*

Policy 5.3.2 Conservation Zone

Establish a conservation zone including all conservation lands as shown on the Future Land Use Map and all undeveloped areas below the 2-foot contour line and prohibit construction of buildings, roadways, and parking areas in that zone except to provide shoreline access points as determined necessary or of overriding public interest by City Council. This policy shall not limit or modify the rights of any person to complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.

Policy 5.3.3 Land Filling - Coastal Areas

Prohibit the filling of coastal areas below the 2-foot contour line except in cases where the DEP or SWFWMD has issued a permit to fill and donate to a mitigation bank.

Policy 5.3.4 Funding Priority

The City Council shall establish a lower priority for the funding of public infrastructure with the CHHA as compared to non-CHHA areas, except as follows:

4. Where expenditures are necessary to:

a. Alleviate dangerously overcrowded or otherwise hazardous roads:
b. Replace or construct wastewater or potable water facilities;
c. Alleviate or prevent potential violations or potable water quality standards, or water quality standards applicable to surface waters; or
d. Construct recreational facilities to coastal sites.

For the purpose of determining dwelling unit density in coastal areas, residential or non-residential developments may transfer density to upland portions of the same project site. Such transfers from the coastal area shall be limited to acreages less than or equal to 20% of total gross project acreage. Any such development transfer is subject to project approval through the site plan process, as determined necessary or of overriding pubic interest by the City Council."

The applicant has proposed the following changes:

"Objective 5.3 Coastal Area Development

Development in Coastal High Hazard Areas - The City shall minimize flood risk that results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise by directing population concentrations away from the City's coastal high hazard area by limiting new development within the Coastal High Hazard Area (CHHA).

Policy 5.3.1: Comprehensive plan amendments within the CHHA must meet one of the criteria established in Section 163.3178(8)(a), F.S.

~~*Severely limit development in low-lying coastal areas.*~~

~~***Policy 5.3.1 Coastal High Hazard Area***~~
~~*A Coastal High-Hazard area (CHHA) shall be established through the Land Development Regulations to include the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges (SLOSH) computerized storm model. The City council shall deny FLUM applications that increase density in the CHHA.*~~

Policy 5.3.2 Development that proposes to increase density in the CHHA, in compliance with Policy 5.3.1, above, must submit a conceptual master plan to illustrate how the proposed form of development will result in resilient development within the City. The master plan must be reviewed and approved by the City Commission at the adoption hearing for the proposed map amendment.

Policy 5.3.3 Development in the CHHA that is approved, pursuant to Policies 5.3.1 and 5.3.2 may be developed in accordance with the City of Bradenton Form Based Code Land Use and Development Regulations and/or the City of Bradenton Land Use Regulations, as may be amended.

Policy 5.3.~~2~~6 Conservation Zone
Establish a conservation zone including all conservation lands as shown on the Future Land Use Map and all undeveloped areas below the 2-foot contour line and prohibit construction of buildings, roadways, and parking areas in that zone except to provide shoreline access points as determined necessary or of overriding public interest by City Council. This policy shall not limit or modify the rights of any person to comply with Policy 5.3.1, complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.

Policy 5.3.4 Funding Priority

The City Council shall establish a lower priority for the funding of public infrastructure with the CHHA as compared to non-CHHA areas, except as follows:

4. Where expenditures are necessary to:

a. Alleviate dangerously overcrowded or otherwise hazardous roads:

b. Replace or construct wastewater or potable water facilities;

c. Alleviate or prevent potential violations or potable water quality standards, or water

quality standards applicable to surface waters; or

d. Construct recreational facilities to coastal sites.

~~*For the purpose of determining dwelling unit density in coastal areas, residential or non-residential developments may transfer density to upland portions of the same project site. Such transfers from the coastal area shall be limited to acreages less than or equal to 20% of total gross project acreage. Any such development transfer is subject to project approval through the site plan process, as determined necessary or of overriding pubic interest by the City Council."*~~

The applicant also requested the removal of the following policies:

~~Policy 6.2.1 Coastal Density and Intensity~~

~~The City shall deny applications to increase the density in the CHHA and limit non-residential development below the 2-foot contour line to water dependent uses.~~

~~Policy 6.2.5 Priority Hurricane Evacuation Zones~~

~~Discourage the location of high density residential projects, public housing, housing for the elderly, mobile homes and group homes in high priority hurricane evacuation zones through the Land Use Development Regulations.~~

ANALYSIS

The applicant is requesting these changes to support redevelopment to the northwest of downtown Bradenton, as shown by the following map:



The applicant asserts that the proposed changes will make the Comprehensive Plan more consistent with Florida Statute Section 163.3178(8). It appears that the proposal to remove Policy 5.3.1 is in direct contradiction with State Statute 163.3178(2), as shown below. Florida Statute Section 163.3178(2) states (emphasis added):

> *"Each coastal management element required by s. 163.3177(6)(g) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:*
>
> *h. Designation of coastal high-hazard areas and the criteria for mitigation for a comprehensive plan amendment in a coastal high-hazard area as defined in subsection (8). The coastal high-hazard area is the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.* ***Application of mitigation and the application of development and redevelopment policies,***

pursuant to s. 380.27(2), and any rules adopted thereunder, shall be at the discretion of local government."

163.3178(8) addresses how "proposed comprehensive plan amendments shall be found in compliance with state coastal high-hazard provisions". It is not prescriptive for how local governments must structure local provisions. The statute does not seem to indicate that local governments cannot apply a stricter standard for comprehensive plan amendments. The "definition of Coastal High Hazard Area" matches a portion of the Bradenton Comprehensive Plan that the applicant has requested be removed (and is shown in the excerpt from the State Statute above). The criteria for compliance with state coastal high-hazard provisions requires that the following criteria be met for development within a coastal high hazard area:

"1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or

2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

3. Appropriate mitigation is provided that will satisfy subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by following the process in paragraph (a), the level of service shall be no greater than 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale.

(c) This subsection shall become effective immediately and shall apply to all local governments. Local governments shall amend their future land use map and coastal management element to include the new definition of coastal high-hazard area and to depict the coastal high-hazard area on the future land use map."

In the submitted application materials, it is unclear why the City should consider removing the currently available option for transfer of density in areas impacted by the Coastal High Hazard Area, as suggested by these amendments.

The Fire Department has expressed concern with fire water supply to the area. The Fire Marshal has commented that large-scale projects can no longer simply use a fire pump to account for supply concerns, and that water supply, access, and future equipment needs will need to be evaluated for this project and its location.

RECOMMENDATION

The applicant and property owner met with city staff on 10/17/2023 as part of the pre-application review process. During this meeting, city staff shared concerns with amending the Comprehensive Plan, especially areas within the Coastal High Hazard Area (CHHA). While city staff understands the desire for redeveloping the existing Presbyterian Retirement Communities properties (aka Westminster), there are existing available options that can be utilized for redevelopment. Staff finds that the proposed text amendments are inconsistent with the overall goals, objectives, and policies of the Comprehensive Plan. Making major changes to the regulation of all vulnerable coastal lands within the city to accommodate a single user is shortsighted and against the public health, safety, and welfare of the community as a whole. Staff is particularly opposed to removing Policy 6.2.5 regarding vulnerable populations. Staff recommends **DENIAL** of the requested Comprehensive Plan Text Amendments.

Respectfully submitted,



Jamie Schindewolf, Senior Planner

ORDINANCE NO. 4035

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING OBJECTIVE 1.5.2 OF THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN AND OBJECTIVE 5.3, POLICY 5.3.1, POLICY 5.3.2, AND POLICY 5.3.4 OF THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE CITY'S COMPREHENSIVE PLAN, TO ADD POLICY 5.3.2 AND POLICY 5.3.3 TO THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE CITY'S COMPREHENSIVE PLAN, AND TO REMOVE POLICY 6.2.1 AND POLICY 6.2.5 OF THE COASTAL MANAGEMENT AND CONSERVATION ELEMENT OF THE CITY'S COMPREHENSIVE PLAN; 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, 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, Stantec Consulting Services Inc., Agent for Presbyterian Retirement Communities, Inc., initiated the subject petition to amend the Comprehensive Plan, to revise policies and objectives regarding coastal development, as described further herein, ("Amendment"); 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, and opportunity for oral or written comments; and,

WHEREAS, the City of Bradenton's LPA held a public hearing on May 15, 2024, to consider the proposed Amendment; and,

WHEREAS, the LPA, having reviewed and considered all comments received during said hearing, found that the Amendment furthers the goals, objectives and policies of the City's Comprehensive Plan and recommended said Amendment to the City Council for approval; and,

WHEREAS, the City Council held its first of two required public hearings on September 22, 2021, and approved the Amendment for transmittal to applicable reviewing agencies; and,

WHEREAS, based on the matters of record received by the City Council at the required public hearings held on September 22, 2021 and December 15, 2021 after proper notice, including comments received from applicable reviewing agencies, and finding the proposed Amendment meets the requirements of Chapter 163, Florida Statutes, and is consistent with the goals, objectives and policies of the City's Comprehensive Plan, 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.

2. Objective 1.5.2 of the Future Land Use Element of The City's Comprehensive Plan is hereby amended as provided in Exhibit A attached hereto.

3. Objective 5.3, Policy 5.3.1, Policy 5.3.2, and Policy 5.3.4 of The Coastal Management and Conservation Element Of The City's Comprehensive Plan are hereby amended as provided in Exhibit A attached hereto.

4. Policy 5.3.2 And Policy 5.3.3 to the Coastal Management and Conservation Element of the City's Comprehensive Plan are hereby added as provided in Exhibit A attached hereto.

5. Policy 6.2.1 and Policy 6.2.5 of the Coastal Management and Conservation Element of the City's Comprehensive Plan are hereby removed as provided in Exhibit A attached hereto.

6. The applicability and effect of the City of Bradenton Comprehensive Plan shall be as provided by the Chapter 163, Florida Statutes, and this Ordinance. Except to the extent amended hereby, the Comprehensive Plan is hereby ratified, confirmed and remains in full force and effect.

7. 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.

8. This Ordinance adopting the Amendment shall become effective as provided by Florida law.

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL FOR THE CITY OF
BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING, THIS _____ DAY OF OCTOBER 2021.

ATTEST:

_____	_____
Tamara Melton	Gene Brown
CITY CLERK	MAYOR

Planning Commission: May 15, 2024
City Council First Reading:
City Council Second Reading:

DRAFT

LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance No. 4035

_____
Scott Rudacille
CITY ATTORNEY

DRAFT

Exhibit A

Objective 1.5.2 Hurricane Evacuation Zone

"The City shall consider ~~deny~~ requests for increases in gross density if the property is located in the Coastal High Hazard Area (CHHA) and the request includes demonstration of compliance with Policy 5.3.1. Construction of public facilities in coastal high hazard areas will be in furtherance of one or more of the following: downtown revitalization, efficiencies in the provision of service, or service to existing populations."

Objective 5.3 Coastal Area Development

Development in Coastal High Hazard Areas - The City shall minimize flood risk that results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise by directing population concentrations away from the City's coastal high hazard area by limiting new development within the Coastal High Hazard Area (CHHA).

Policy 5.3.1: Comprehensive plan amendments within the CHHA must meet one of the criteria established in Section 163.3178(8)(a), F.S.

~~Severely limit development in low-lying coastal areas.~~

~~Policy 5.3.1 Coastal High Hazard Area~~
~~A Coastal High-Hazard area (CHHA) shall be established through the Land Development Regulations to include the area below the elevation of the category 1 storm surge line as established by a Sea, Lake and Overland Surges (SLOSH) computerized storm model. The City council shall deny FLUM applications that increase density in the CHHA.~~

Policy 5.3.2 Development that proposes to increase density in the CHHA, in compliance with Policy 5.3.1, above, must submit a conceptual master plan to illustrate how the proposed form of development will result in resilient development within the City. The master plan must be reviewed and approved by the City Commission at the adoption hearing for the proposed map amendment.

Policy 5.3.3 Development in the CHHA that is approved, pursuant to Policies 5.3.1 and 5.3.2 may be developed in accordance with the City of Bradenton Form Based Code Land Use and Development Regulations and/or the City of Bradenton Land Use Regulations, as may be amended.

DRAFT

Policy 5.3.~~2~~6 Conservation Zone

Establish a conservation zone including all conservation lands as shown on the Future Land Use Map and all undeveloped areas below the 2-foot contour line and prohibit construction of buildings, roadways, and parking areas in that zone except to provide shoreline access points as determined necessary or of overriding public interest by City Council. This policy shall not limit or modify the rights of any person to comply with Policy 5.3.1, complete any development that has been authorized as a development of regional impact pursuant to Chapter 380 or who has been issued a final local development order and development has commenced and is continuing in good faith.

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The City Council shall establish a lower priority for the funding of public infrastructure with the CHHA as compared to non-CHHA areas, except as follows:

4. Where expenditures are necessary to:

a. Alleviate dangerously overcrowded or otherwise hazardous roads:

b. Replace or construct wastewater or potable water facilities;

c. Alleviate or prevent potential violations or potable water quality standards, or water

quality standards applicable to surface waters; or

d. Construct recreational facilities to coastal sites.

~~*For the purpose of determining dwelling unit density in coastal areas, residential or non-residential developments may transfer density to upland portions of the same project site. Such transfers from the coastal area shall be limited to acreages less than or equal to 20% of total gross project acreage. Any such development transfer is subject to project approval through the site plan process, as determined necessary or of overriding pubic interest by the City Council."*~~

Objective 6.2 Protect Population and Investment

~~*Policy 6.2.1 Coastal Density and Intensity*~~

~~*The City shall deny applications to increase the density in the CHHA and limit non-residential development below the 2-foot contour line to water dependent uses.*~~

~~*Policy 6.2.5 Priority Hurricane Evacuation Zones*~~

~~*Discourage the location of high density residential projects, public housing, housing for the elderly, mobile homes and group homes in high priority hurricane evacuation zones through the Land Use Development Regulations.*~~

AGENDA ITEM NO. 6.f

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Jamie Schindewolf, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT:

Ordinance 4036, Case CP.24.0364:

An Ordinance of the City of Bradenton, Florida, providing for amendment to the City of Bradenton Comprehensive Plan Future Land Use Map; changing the Future Land Use designation from High Density Residential to Urban Central Business District for property located at PIDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000 and more particularly described in the attached "Exhibit A"; providing for applicability; providing for severability; and providing for an effective date. Application filed by Katie LaBarr of Stantec, agent for Presbyterian Retirement Communities, Inc.

SUGGESTED ACTION: Vote to recommend approval or denial of Ordinance 4036.

Is this item Quasi-Judicial?
Yes

Does this item require a public hearing?
Yes

EXPLANATION:
The applicant has submitted a request for a map amendment to the

Comprehensive Plan for parcels listed above, and shown on the attached map. The parcels are currently designated as High Density Residential (RESHIGH). The applicant is requesting a change in the designation to Urban Central Business District (UCBD).

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by Attorney Rudacille.

SUGGESTED MOTION:
Move to recommend denial of Ordinance 4036.

ATTACHMENTS:
Application - Ord. 4036, Case CP.24.0364.pdf
Applicant Narrative.pdf
Development Table Provided by Applicant.pdf
Non-Binding Conceptual Plan.pdf
Staff Report - Ord. 4036, Case CP.24.0364.pdf
Ord. 4036 (DRAFT).pdf

Stantec

Westminster Point Pleasant

Future Land Use Map Amendment Application

January 2024

Prepared for:

Westminster Communities of Florida

Prepared by:

Stantec Consulting Services Inc.

6920 Professional Parkway

Sarasota, Florida 34240-8414

Letter of Request

Stantec Consulting Services Inc.
6920 Professional Parkway
Sarasota FL 34240-8414

January 16, 2024

Project/File: Westminster Point Pleasant / 215617665

Robin Singer, Director
Department of Planning & Community Development
101 Old Main Street
Bradenton, FL 34205

Reference: Letter of Request – Future Land Use Map Amendment Application

Dear Ms. Singer:

On behalf of our client, Westminster Communities of Florida, we are submitting a Comprehensive Plan Future Land Use map amendment application for the Westminster Point Pleasant property generally located on the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton. In support of this submittal, enclosed please find the following:

1. Comprehensive Plan Map Amendment Application;
2. Application Fee of $6,020;
3. Notarized Agent Authorization Form;
4. Community Impact Report with attached maps;
5. Sketch and Description; and
6. Preliminary Concept Plan.

A Comparison of City and County Comprehensive Plan is not applicable as the Subject Property is not adjacent to unincorporated Manatee County.

Thank you for your assistance in processing this application. Should you have any questions or concerns please do not hesitate to contact me.

Regards,

STANTEC CONSULTING SERVICES INC.

Katie LaBarr

Katie LaBarr, AICP
Principal, Community Development
Katie.LaBarr@stantec.com

Comprehensive Plan Map Amendment Application

Comprehensive Plan Map or Text Amendment Application

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Owner Address: 80 W LUCERNE CIR, ORLANDO FL 32801 Telephone: 407-839-5050

Name of Agent: Stantec Consulting Services Inc, Katie LaBarr, AICP

Agent Address: 6920 Professional Pkwy, Sarasota, FL 34240 Telephone: 941-907-6900

Owner/Agent Email: katie.labarr@stantec.com

PROPERTY INFORMATION (REQUIRED)

Property Address: several addresses

Parcel ID: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000. Total Acreage: 15.9

Existing Future Land Use: RESHIGH Proposed Future Land Use: UCBD

*click to view city FLU map *click to view city FLU map

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

CPA

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

MATERIALS FOR REVIEW (REQUIRED)

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 or Text Amendment Application
- ► Application Fee: *(Tampa Bay Regional Planning Council fee will as be charged, as applicable)*
  - • Large & Small Scale - $6,020*
  - * Tampa Bay Regional Planning Council fee will also be charged (if applicable)
- ► 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)
- ► One (1) electronic copy in pdf format of Application and all required support materials

SIGNATURE (REQUIRED)

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.

Katie Labarr 1-16-24

Signature of Owner/Applicant Date

CITY STAFF ONLY

Application Fees:
Fee Required: **$6,020**

**Additional TBRPC fees may apply*

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: X
Incomplete: ☐ _____

APPLICATION #: 240364

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

2nd CC READ:

1st CC READ:

PC:

DRC:

Notarized Agent Authorization Form

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: Several addresses, see Legal Description attached

I, Presbyterian Retirement Communities, Inc./West, the registered property owner(s) of the above noted property, do hereby authorize

AGENT AUTHORIZATION — REQUIRED

Stephen R. Dye, Esq. & Katie LaBarr, AICP	Dye Harrison Knowles Kirkland, Pratt & DePaola, PLLC St
Print Name of Agent	Company Name

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

Signature of Owner(s)	80 West Lucerne Cir. Orlando FL 32801 Owner(s) Address (if different than property above)
Signature of Agent	1206 Manatee Ave. W. Bradenton, FL 34205/941-748-4411 Agent Address and Phone

NOTARY — REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me by means of ✓ physical presence or ___ online notarization, this 16 day of January 2024 produced _____ personally known to me respectively, as identification and who did (did not) take an oath:

Geneen D. Scott
Signature

Geneen D. Scott, Notary Public
Print Name

GENEEN D. SCOTT
Notary Public - State of Florida
My Comm. Expires July 20, 2024
Commission #HH21339

State of Florida
My Commission Expires: 07/20/2024

Stantec

Legal Descriptions (Source: Manatee County Property Appraiser)

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF 176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING PI#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SELY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) PI#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Stantec

Description: LOTS 9,10,11,12 & 13, OF E A VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NE1/4 OF SE1/4 & PARTLY IN LOT 4 U S OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE W AS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W 22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FT TO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMD PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THE N LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO A C. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), PI#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MIN E 234 FT TO THE N LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SE COR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BDRY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SE COR. (1651/6744) PI#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MIN E 234 FT TO N

Stantec

LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH E ON S SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SE COR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) PI#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF S C UPHAM REC IN DB G P 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; TH E 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLING S 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THE E BY THE W LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THE W BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, PI#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF H G H REEDS SUB; TH W BDRY LN OF THE E 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS,

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VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE W1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE W1/2 OF LOT 2 BLK A OF H G H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 P G 806, LESS THE S1/2 OF THE E 90 FT & LESS THE S1/2 OF TH E W 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THEN S 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1 BLK A REED SUB (640/77), TOGETHER WITH THE S1/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. PI#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST W AND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH AVE W A DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A

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PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THE N BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THE W LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALG A LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE E1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. PI#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK C REED SUB PI#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

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Description: LOT 4 BLK C REED SUB PI#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THE E LN OF SD STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THE W 134 FT OF LOT 1, BLK F JOHNSON SUB. PI#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FT TO NW COR OF LOT 3; TH RUN E 134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF SD LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUN S AND PARALLEL TO THE E LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALG A LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), PI#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THE W R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THE W R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S 00 DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF 12.21 FT; TH S 31 DEG 52 MIN 00 SEC W ALG SD LN, A DIST OF 27.92 FT TO THE N R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD N R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED

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BUSINESS #6668 MARKING THE N R/W LN SD MANATEE AVE W AT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALG A SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH A C/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH A C/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THE W R/W LN OF 15TH ST W AND 115 FT WLY THEREOF, A DIST OF 330.99 FT TO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) PI #33351.0005/9

Community Impact Report with Attachments

Westminster Point Pleasant

Future Land Use Amendment Application - Community Impact Report

On behalf of our client, Westminster Communities of Florida, we propose a Comprehensive Plan Future Land Use map amendment for the future redevelopment of the Westminster Point Pleasant property generally located on the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton. The Westminster property is comprised of thirteen (13) parcels totaling to approximately 15.9 acres. Parcel identification numbers for properties that are subject to future redevelopment include the following: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, and 3338800000. The property is currently utilized as a Continuing Care Retirement Community that accommodates independent living, assisted living, and skilled nursing facilities. This future land use map amendment, along with the concurrent Comprehensive Plan text amendment and rezone application, is proposed to support the Westminster retirement community's development program and vision for resilient redevelopment and growth.

With this application, we request a future land use (FLU) map amendment to change the Subject Property's designation from High Density Residential (RESHIGH) to Urban Central Business District (UCBD).

In support of this future land use map amendment, this Community Impact Report includes a detailed analysis on how the amendment complies with each of the following review criteria:

A. Visual Impact Analysis

The concurrent rezone application is proposed to change the Subject Property's zoning designation from General Urban Open (T4-O) and General Urban Restricted (T4-R) to Urban Center (T5). As displayed in the Conceptual Plan, the site plan includes proposed building standards and density information which meets the requirements of the T-5 district and UCBD FLU designation. Design standards will be followed to maximize compatibility with adjacent land uses. Temporary building height incentives that were recently approved for areas to the east are also proposed to be applied to this site. Additionally, other design features such as landscaping, fencing, and other buffering methods will be incorporated into the site plan as required by the City Land Use Regulations.

B. Land Use Assessment

Existing and Proposed Land Use:

The 15.9 acre Westminster Subject Property has been used as a Continuing Care Retirement Community since 1954 and accommodates independent living, assisted living, and skilled nursing facilities. This use is proposed to be maintained while the future land use amendment and concurrent text amendment and rezone applications will support the community's continued expansion and renewal of this existing use. As displayed in the Conceptual Plan, future development will remain consistent with the proposed UCBD district's max density of 40 DU per acre, thus permitting a maximum unit count of approximately 636 dwelling units. The residential component will remain the focus of future development with other potential supporting amenities such as outdoor dining venues, low impact recreational facilities, gardens, and trails.

Future Land Use (FLU) Amendment Request:
The existing FLU designations on the site and adjacent properties are as follows (See Existing Future Land Use Map):

- Subject Property – RESHIGH
- North – RESHIGH
- South – UCBD, RESHIGH
- East – RESHIGH, Urban Core (URBCORE)
- West – No FLU (Manatee River)

This Comprehensive Plan FLU amendment proposes a change to the Subject Property's FLU designation from RESHIGH to UCBD (See propose Future Land Use Map). This designation change is needed to support resilient redevelopment of the site, in order to accommodate the City's growing demand for residential units, especially for retirees and/or with assisted living needs.

C. Traffic Study

Please refer to the Transportation Study, attached to this application package.

D. Environmental Impact Assessment

Please refer to Environmental Narrative, attached to this application package.

E. Area Impact Assessment

With an updated FLU of UCBD, the Subject Property will remain compatible with the surrounding area, as the Westminster Retirement Community has existed in this location for over fifty years. Located on the fringe of the City of Bradenton's Urban Core area, this area is consistent with the intent of the UCBD district.

According to the City of Bradenton Comprehensive Plan, the UCBD FLU designation is the most intensely developed area of the City, supporting a downtown area for social, cultural, and economic interchange. The UCBD encourages mixed-use, walkable development with a variety uses such as heigh density residential, parks, commercial, professional services, and more. The maximum base density in the UCBD is 40 DU per acre. The URBCORE district is located within the City's UCBD and provides the hub for economic development and civic uses. The URBCORE district has an increased density and intensity maximum over the UCBD, allowing a maximum base density of 60 DU per acre with possibility of increased density up to 200 DU per acre is approved by the City Council and following additional criteria.

Consistent with these parameters, the site, with the proposed FLU of UCBD, is located adjacent to the URBCORE district. The proposed development will encourage internal trip capture through the implementation of ancillary support facilities, as well as the inclusion of multi-modal transportation options for internal community movement. Additionally, as stated above, density requirements will be adhered to and remain within the maximum 40 DU per acre standard.

The Subject Property will also remain compatible with adjacent RESHIGH property. The RESHIGH FLU designation generally promotes residential uses with potential neighborhood commercial components, such as light retail, restaurants, personnel services, etc. with a maximum density of 15 DU per acre. The proposed UCBD will be a logical extension of the adjacent UCBD and URBCORE areas, while remaining compatible with adjacent RESHIGH space through the implementation of required buffering, landscaping, and other pertinent building standards associated with the proposed T-5 site zoning designation.

F. Hurricane Evacuation Analysis

The majority of the Subject Property is located within the Zone A Evacuation Level, thus, existing and future residents of the Westminster community are evacuated first in the case of a Hurricane or other Declared State of Emergency that requires physical evacuation. As required by Manatee County, Westminster Communities has an existing Comprehensive Emergency Management Plan (CEMP) Disaster Plan. Please see this CEMP Disaster Plan, attached to this application package for more information on hurricane evacuation methods for the Westminster Point Pleasant community.



LEGEND

Westminster Owned Parcels

Total acreage owned by Westminster: 15.9 acres

Revised: 2024-01-29 By: amoody
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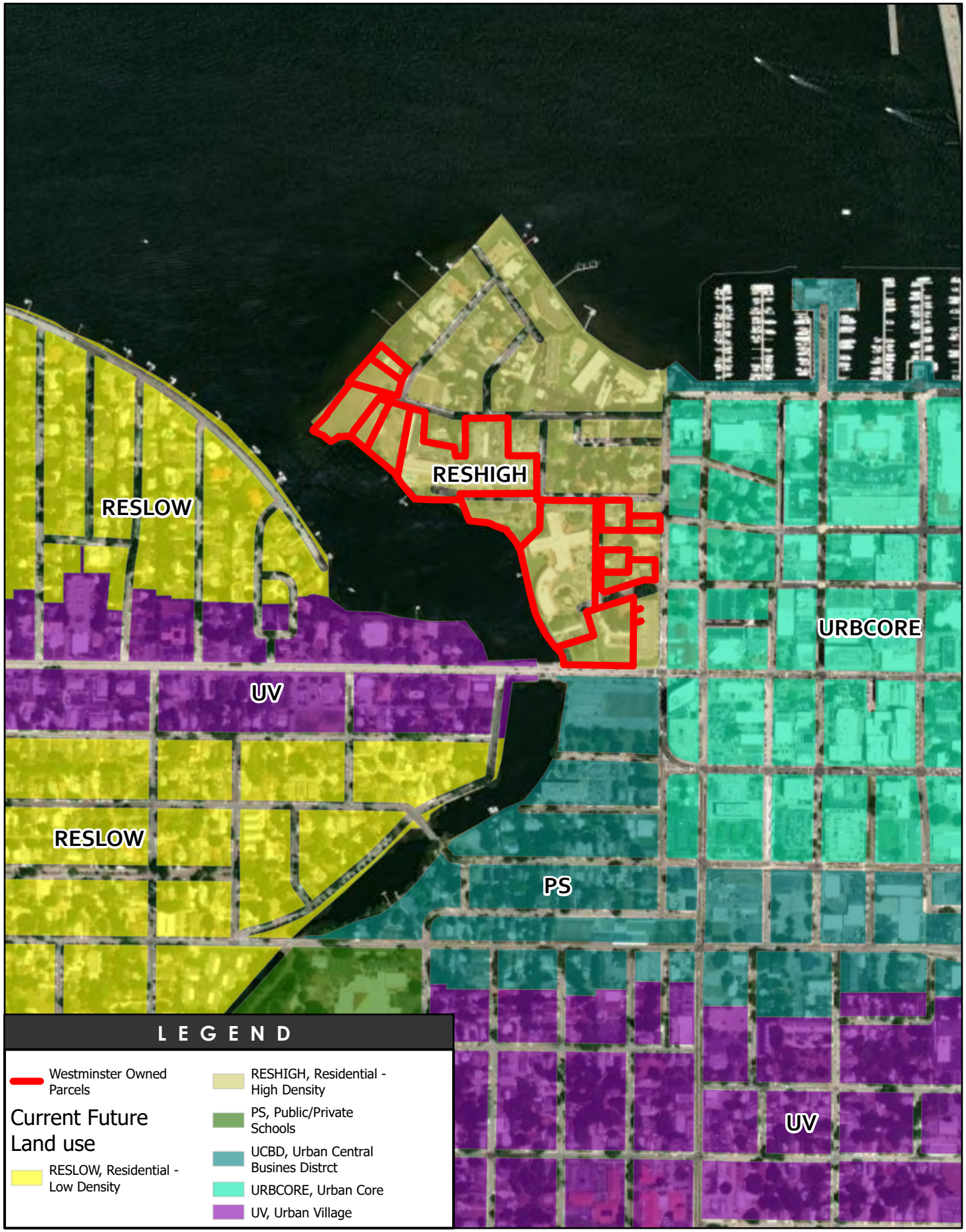
Data Source:
City of Bradenton Data

WESTMINSTER
Aerial View
January 2024

Stantec Consulting Services Inc.
6920 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

N

0 0.02 0.04 0.07
Miles



LEGEND

Westminster Owned Parcels

Current Future Land use

- RESLOW, Residential - Low Density
- RESHIGH, Residential - High Density
- PS, Public/Private Schools
- UCBD, Urban Central Busines Distrct
- URBCORE, Urban Core
- UV, Urban Village

Revised: 2024-01-22 By: amoody
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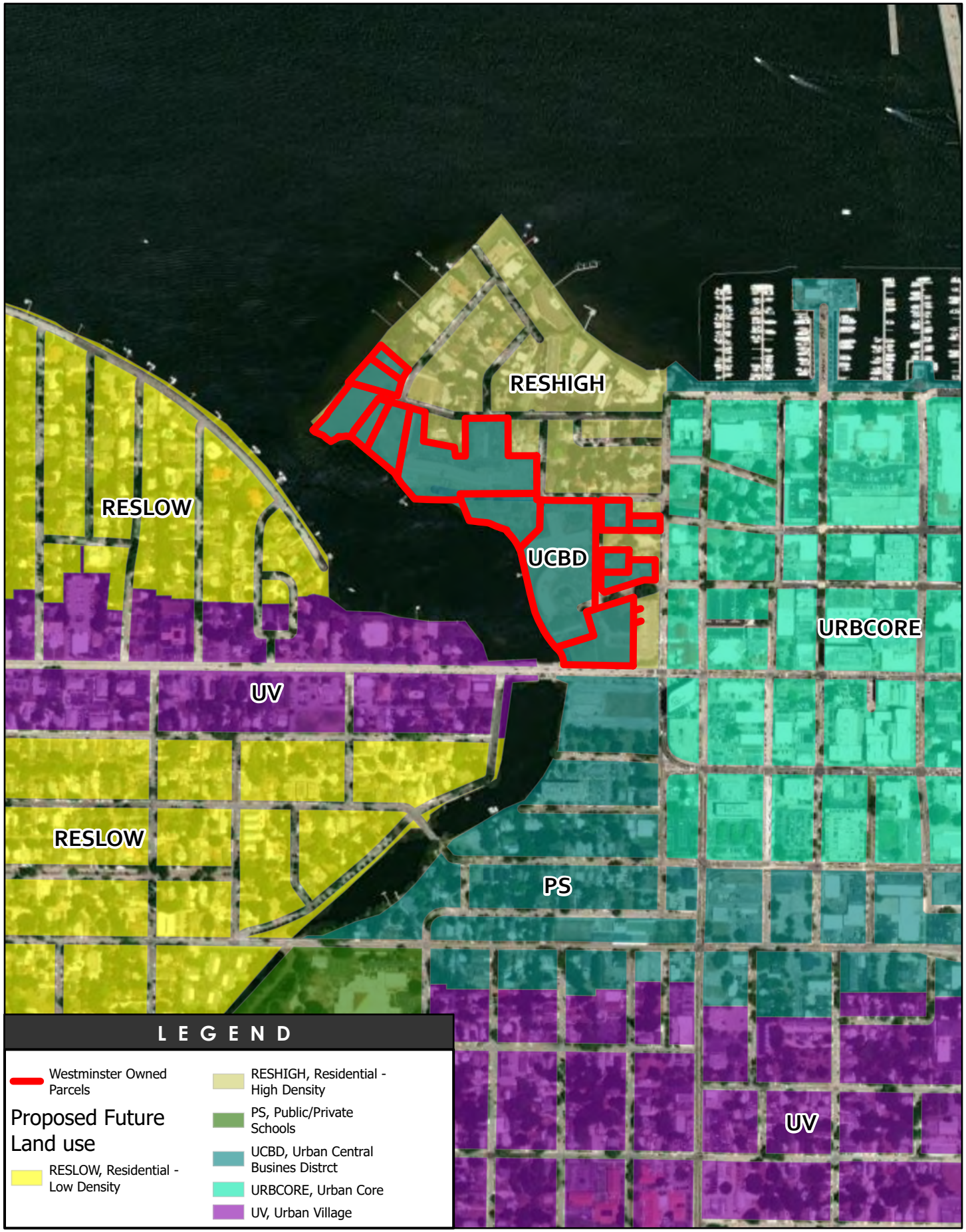
Data Source:
City of Bradenton Data

WESTMINSTER
Current Future Land Use
January 2024

Stantec Consulting Services Inc.
6920 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

N

0 0.04 0.07 0.14
Miles



LEGEND

Westminster Owned Parcels

Proposed Future Land use

- RESLOW, Residential - Low Density
- RESHIGH, Residential - High Density
- PS, Public/Private Schools
- UCBD, Urban Central Busines Distrct
- URBCORE, Urban Core
- UV, Urban Village

Revised: 2024-01-22 By: amoody
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Stantec

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Data Source:
City of Bradenton Data

WESTMINSTER
Proposed Future Land Use
January 2024

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Miles

Westminster Point Pleasant

Comprehensive Plan Amendment
Transportation Impact Analysis



Prepared for:
Westminster Communities of Florida
116 America Street
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January 2024

Westminster Point Pleasant
Comprehensive Plan Amendment
Transportation Impact Analysis

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Professional Engineer's Certification

I hereby certify that I am a Licensed Professional Engineer in the State of Florida practicing with Stantec Consulting Services Inc. and that I have supervised the preparation of and approve the evaluations, findings, opinions, conclusions, and technical advice hereby reported for:

PROJECT: Westminster Point Pleasant
Comprehensive Plan Amendment
Transportation Impact Analysis
215617665

LOCATION: North of SR 64 (Manatee Avenue W) and west of 15th Street W in Bradenton, Florida

This document titled Westminster Point Pleasant Comprehensive Plan Amendment Transportation Impact Analysis was prepared by Stantec Consulting Services Inc. for the account of Westminster Communities of Florida. The material in it reflects Stantec's best judgment in light of the information available to it at the time of preparation. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the responsibilities of such third parties. Stantec Consulting Services Inc. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

Prepared by:



Digitally signed by Matthew Crim
Date: 2024.01.23 17:10:25 -05'00'

Introduction

The purpose of this study is to determine the transportation impacts of the proposed Westminster Point Pleasant Comprehensive Plan Amendment (CPA). The Westminster Point Pleasant property comprises 13 parcels totaling +/- 15.9 acres. The property serves as a Continuing Care Retirement Community accommodating independent living, assisted living, and skilled nursing facilities. The subject parcels are located north of SR 64 (Manatee Avenue W) and west of 15th Street W. The project location is shown in **Figure 1**.

The applicant proposes to amend the City of Bradenton's Comprehensive Plan Future Land Use Map to change +/- 15.9 acres of High Density Residential (RESHIGH) to Urban Central Business District (UCBD). The maximum development intensities allowed by the approved and proposed land use designations are shown in **Table 1**.

Table 1: Approved & Proposed Maximum Development

Scenario	Land Use Designation	Maximum Density	Development Size	
			Acres	Maximum Development
Approved	RESHIGH	15 units / acre	15.9	238 units
Proposed	UCBD	40 units / acre	15.9	636 units

Unlike a rezoning or site plan application, a Comprehensive Plan Amendment application generally does not include a build-out horizon year since at the time of application such a year is typically unknown. In order to evaluate the application beyond the current conditions, future short-term and long-range analysis periods were evaluated. A five-year short-term analysis for the year 2029 and a long-range analysis for the horizon year of 2045 were conducted.



Stantec

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Data Source:
City of Bradenton Data

Figure 1: Project Location

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0 0.02 0.04 0.07
Miles

Trip Generation

Traffic volumes generated by the proposed land use amendment were estimated using the Institute of Transportation Engineers (ITE), *Trip Generation Manual – the 11th Edition (2021)*. Land Use Code 255 (Continuing Care Retirement Community) was used to estimate the trip generation potential from the Comprehensive Plan Amendment. The net change in PM peak-hour trip generation is summarized in **Table 2**.

Table 2: PM Peak-Hour Trip Generation

Scenario	ITE Land Use Category	Variable	Size	Trip Rate/ Equation	Enter Split	Exit Split	PM Peak Total Trips		
							Total	Enter	Exit
Approved Land Use	Continuing Care Retirement Community - 255	Per Unit	238	T = 0.13(x) + 55.26	39%	61%	86	34	52
Proposed Land Use	Continuing Care Retirement Community - 255	Per Unit	636	T = 0.13(x) + 55.26	39%	61%	138	54	84
Net Change							**52**	**20**	**32**

Amendment Traffic Distribution

The project will use 15th Street W to access the functionally classified roadway network. Project traffic was distributed 50% to/from west on SR 64 and 50% to/from the east of SR 64 based on the 2022 daily traffic volumes from the Florida Department of Transportation's (FDOT) Florida Traffic Online (FTO) website. The proposed distribution is summarized in **Table 3** and the FDOT FTO information is provided in **Appendix A**.

Table 3: Project Traffic Distribution

Road Name and Segment	2022 AADT	Percent of Total AADT	Percent Project Traffic
SR 64 (Manatee Avenue W)			
26th St W to 15th St W	45,500	50.0%	50%
15th St W to 9th St W (WB)	24,500	26.9%	25%
SR 64 (6th Avenue W)			
15th St W to 9th St W (EB)	21,000	23.1%	25%
Total	**91,000**	**100%**	**100%**

Study Area

The study area consists of functionally classified roadway segments for which the net change in the proposed amendment's traffic is expected to consume at least 5% of the peak-hour level-of-service target or the first directly accessed functionally classified roadway segment into which the amendment parcels connect.

The amendment parcels will use 15th Street W to access the functionally classified roadway network. West of 15th Street W, SR 64 (Manatee Avenue W) is a four-lane divided roadway. East of 15th Street W, SR 64 splits into a one-way pair with westbound SR 64 using Manatee Avenue W and eastbound SR 64 using 6th Avenue W.

Roadways potentially affected by project traffic are within the adopted Transportation Concurrency Exemption Area (TCEA), within which roadway level-of-service is not applicable. However, to provide an indication of roadway operations and impact area, maximum peak-hour service volumes based on FDOT level-of-service targets for urban roadways were obtained from FDOT's *Generalized LOS Analysis Tables* and are attached in **Appendix B**. The results of the study area determination are provided in **Table 4** and demonstrate that only SR 64 where the amendment parcels will have direct access meets the significance threshold criteria.

Table 4: Study Area Determination

Road Name and Segment	Context Class.	LOS Target	Number of Lanes	Service Volume	Percent Project Traffic	New Project Traffic	% Impact	Significant Impact? (>5%)	Direct Access?
SR 64 (Manatee Avenue W)									
26th St W to 15th St W	C4	D	4	3,250	50%	26	0.8%	No	**Yes**
15th St W to 9th St W (WB)	C5	D	2	1,900	25%	10	0.5%	No	**Yes**
SR 64 (6th Avenue W)									
15th St W to 9th St W (EB)	C5	D	3	2,670	25%	16	0.6%	No	**Yes**

Existing Traffic Conditions

Existing traffic volumes were obtained from FDOT count station data along each roadway segment. Existing PM peak-hour volumes were calculated by multiplying the annual average daily traffic (AADT) volume by FDOT's Standard K of 9%. A review of the existing conditions indicates that the impacted segments of Manatee Avenue W within the study area are currently operating below FDOT level-of-service targets, but are within the City's TECA. **Table 5** summarizes the existing PM peak-hour operating conditions. The FDOT AADT is attached in **Appendix A** as well as shown in **Table 3**.

Table 5: Existing Traffic PM Peak-Hour Operating Conditions

Road Name and Segment	LOS Target	Number of Lanes	Service Volume	Exisiting Traffic	Exceeds LOS Target?
SR 64 (Manatee Avenue W)					
26th St W to 15th St W	D	4	3,250	4,095	**Yes**
15th St W to 9th St W (WB)	D	2	1,900	2,205	**Yes**
SR 64 (6th Avenue W)					
15th St W to 9th St W (EB)	D	3	2,670	1,890	No

Future Traffic Conditions

Unlike a rezoning or site plan application, a Comprehensive Plan Amendment application generally does not include a build-out horizon year since at the time of application such a year is typically unknown. In order to evaluate the application beyond the current conditions, future short-term and long-range analysis periods were evaluated. A five-year short-term analysis for the year 2029 and a long-range analysis for the horizon year of 2045 were conducted.

Historical growth rates were calculated for the roadway segments within the study area. Daily traffic volumes were obtained from FDOT portable monitoring sites. As shown in **Table 6**, the historical growth within the study area has been 1.2% annually for the last five years and -0.6% annually for the last 15 years. A 1.0% annual growth rate was used to forecast existing traffic volumes to the 2029 short-term planning horizon. A 0.5% annual growth was used to forecast the 2029 short-term planning horizon volumes to the 2045 long-range planning horizon. The FDOT AADT is attached in **Appendix A**.

Table 6: Historical Growth Rates

Road Name and Segment	2007 AADT	2017 AADT	2022 AADT	5-Year Growth Rate	15-Year Growth Rate
SR 64 (Manatee Avenue W)					
26th St W to 15th St W	47,500	44,000	45,500	0.7%	-0.3%
15th St W to 9th St W (WB)	24,500	22,000	24,500	2.3%	0.0%
SR 64 (6th Avenue W)					
15th St W to 9th St W (EB)	25,000	20,000	21,000	1.0%	-1.1%
TOTAL	**97,000**	**86,000**	**91,000**	**1.2%**	**-0.6%**

2029 SHORT-TERM ANALYSIS

A short-term analysis was performed for the year 2029. The short-term analysis traffic volumes consist of the existing traffic plus a 1.0% annual growth rate. There are no programmed roadway capacity improvements in the 5-year period for the study area roadways. The 2029 short-term background traffic analysis indicates, that like the existing conditions, that the two segments of Manatee Avenue W within the study area will operate below FDOT level-of-service targets, but are within the City's TECA. **Table 7** summarizes the 2029 short-term background traffic PM peak-hour operating conditions.

Table 7: 2029 Background Traffic PM Peak-Hour Operating Conditions

Road Name and Segment	LOS Target	Number of Lanes	Service Volume	2022 Exisiting Traffic	Bkgd Growth @1%	2029 Bkgd Traffic	Exceeds LOS Target?
SR 64 (Manatee Avenue W)							
26th St W to 15th St W	D	4	3,250	4,095	287	4,382	Yes
15th St W to 9th St W (WB)	D	2	1,900	2,205	154	2,359	Yes
SR 64 (6th Avenue W)							
15th St W to 9th St W (EB)	D	3	2,670	1,890	132	2,022	No

Although the study area roadways are located within the City's adopted TCEA, additional analysis was performed to determine the theoretical improvements necessary for operation within FDOT's level-of-service targets without the proposed comprehensive plan amendment. Widening of the two-way segment of Manatee Avenue W to a six-lane divided roadway and widening the one-way segment of Manatee Avenue W to a three-lane roadway will allow SR 64 to operate within FDOT's level-of-service targets, as reported in **Table 8.** The service volumes were taken from FDOT's *Generalized LOS Analysis Tables*, attached in **Appendix B**, for a C4 and C5 context classification. Again, note that these targets are not adopted standards by the City of Bradenton. Because the roadways are located with the City's adopted TCEA, roadway level of service is not applicable.

Table 8: 2029 Background Traffic PM Peak-Hour Operating Conditions (Improved)

Road Name and Segment	LOS Target	Number of Lanes	Service Volume	2022 Exisiting Traffic	Bkgd Growth @1%	2029 Bkgd Traffic	Exceeds LOS Target?
SR 64 (Manatee Avenue W)							
26th St W to 15th St W	D	6	5,110	4,095	287	4,382	No
15th St W to 9th St W (WB)	D	3	2,670	2,205	154	2,359	No

Please note that three lanes on the one-way segment of Manatee Avenue is consistent with the City of Bradenton's Comprehensive Plan Transportation Element; however, widening of Manatee Avenue W from 26th Street W to 15th Street W beyond four lanes is not identified in the City of Bradenton's Comprehensive Plan Transportation Element.

The net change in traffic created by the proposed amendment was added to the background traffic conditions in 2029. The 2029 short-term total traffic analysis indicates that all roadway segments in the study area will continue to operate within FDOT's level-of-service targets with the identified background improvements. **Table 9** summarizes the 2029 short-term total traffic PM peak-hour operating conditions. The addition of the proposed amendment's traffic will not create any additional roadway deficiencies.

Table 9: 2029 Total Traffic PM Peak-Hour Operating Conditions

Road Name and Segment	LOS Target	Number of Lanes	Service Volume	2029 Bkgd Traffic	CPA Traffic	2029 Total Traffic	Exceeds LOS Target?
SR 64 (Manatee Avenue W)							
26th St W to 15th St W	D	6	5,110	4,382	26	4,408	No
15th St W to 9th St W (WB)	D	3	2,670	2,359	10	2,369	No
SR 64 (6th Avenue W)							
15th St W to 9th St W (EB)	D	3	2,670	2,022	16	2,038	No

2045 LONG-RANGE ANALYSIS

A long-range analysis was performed for the year 2045. The long-range analysis traffic volumes consist of the short-term background traffic plus a 0.5% annual growth rate. The 2045 long-range background traffic analysis indicates that all roadway segments in the study area will continue to operate within FDOT's level-of-service targets with the background improvements identified in the short-term analysis. **Table 10** summarizes the 2045 long-range background traffic PM peak-hour operating conditions.

Table 10: 2045 Background Traffic Peak-Hour Operating Conditions

Road Name and Segment	LOS Target	Number of Lanes	Service Volume	2029 Bkgd Traffic	Bkgd Growth @0.5%	2045 Bkgd Traffic	Exceeds LOS Target?
SR 64 (Manatee Avenue W)							
26th St W to 15th St W	D	6	5,110	4,382	351	4,733	No
15th St W to 9th St W (WB)	D	3	2,670	2,359	189	2,548	No
SR 64 (6th Avenue W)							
15th St W to 9th St W (EB)	D	3	2,670	2,022	162	2,184	No

The net change in traffic created by the proposed amendment was added to the background traffic conditions in 2045. The 2045 long-range total traffic analysis indicates that all roadway segments in the study area will continue to operate within FDOT's level-of-service targets with the identified background improvements. **Table 11** summarizes the 2045 long-range total traffic PM peak-hour operating conditions. The addition of the proposed amendment's traffic will not create any additional roadway deficiencies.

Table 11: 2045 Total Traffic PM Peak-Hour Operating Conditions

Road Name and Segment	LOS Target	Number of Lanes	Service Volume	2045 Bkgd Traffic	CPA Traffic	2045 Total Traffic	Exceeds LOS Target?
SR 64 (Manatee Avenue W)							
26th St W to 15th St W	D	6	5,110	4,733	26	4,759	No
15th St W to 9th St W (WB)	D	3	2,670	2,548	10	2,558	No
SR 64 (6th Avenue W)							
15th St W to 9th St W (EB)	D	3	2,670	2,184	16	2,200	No

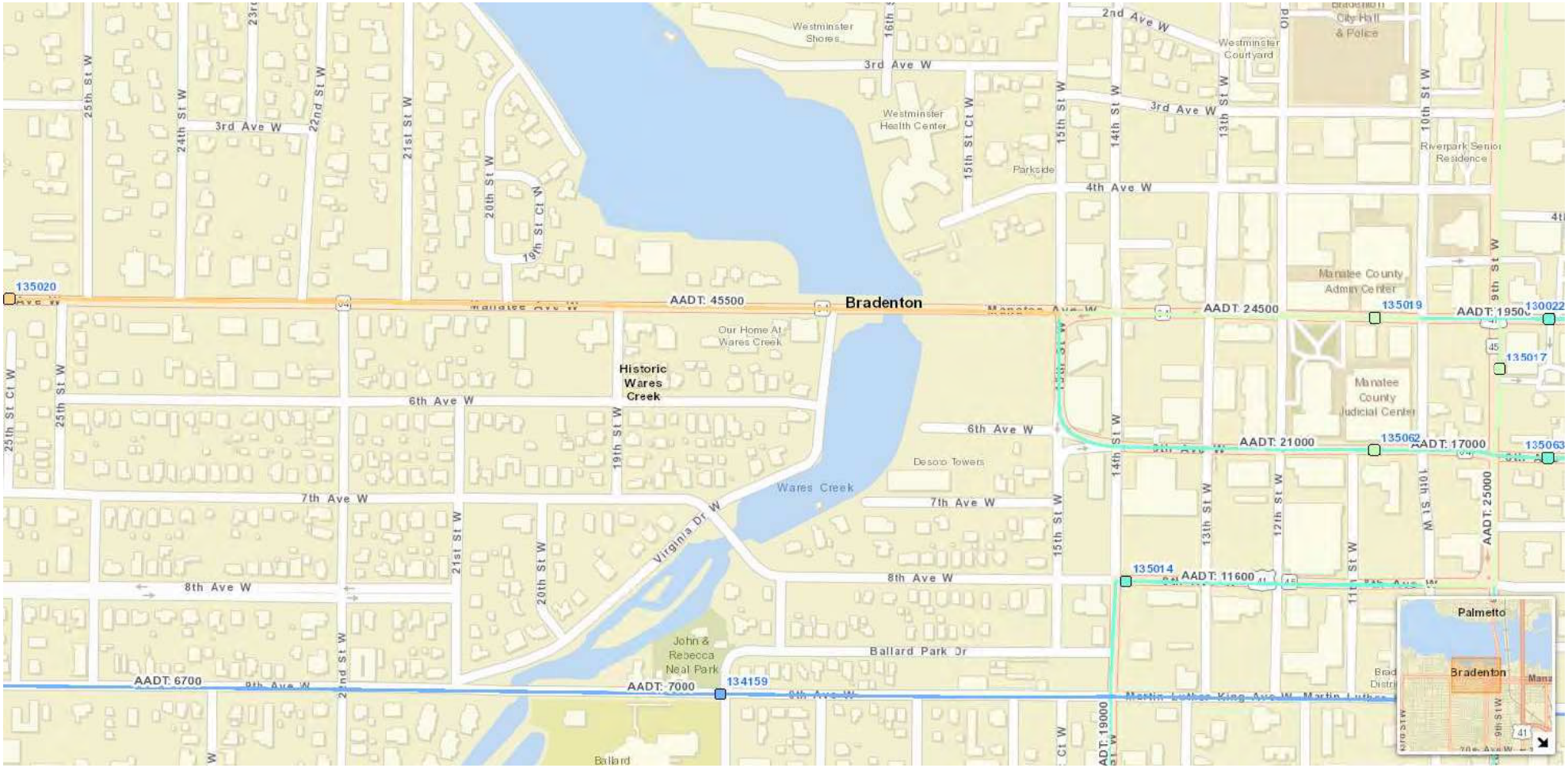
Conclusion

The applicant proposes to amend the City of Bradenton's Comprehensive Plan Future Land Use Map to change the land use designation of +/- 15.9 acres of High Density Residential (RESHIGH) to Urban Central Business District (UCBD). The proposed land use change will result in a net increase of 52 PM peak-hour two-way trip ends. An analysis of the impacts of this proposed change indicates:

- All study area roadways are located within the City's adopted TCEA, and roadway level-of-service is not applicable.
- Currently, SR 64 (Manatee Avenue W) within the study area is operating outside of FDOT's level-of-service targets.
- In order to operate within FDOT's level-of-service targets, widening of the two-way segment of Manatee Avenue W to a six-lane divided roadway and widening the one-way segment of Manatee Avenue W to a three-lane roadway would be needed. Please note this is for information purposes only, as FDOT's level-of-service targets are not adopted by the City of Bradenton for these roadways.
- The three lane improvement on the one-way segment of Manatee Avenue is consistent with the City of Bradenton's Comprehensive Plan Transportation Element. Widening of Manatee Avenue W from 26th Street W to 15th Street W beyond four lanes is not identified in the City of Bradenton's Comprehensive Plan Transportation Element.
- With the identified improvements, SR 64 (Manatee Avenue W) would continue to operate within FDOT's level-of-service targets under total traffic conditions through both the short-term and long-term planning horizons.
- SR 64 (6th Avenue W) is currently operating and will continue to operate within FDOT's level-of-service targets under total traffic conditions through both the short-term and long-term planning horizons.
- The proposed comprehensive plan amendment is consistent with the City of Bradenton's adopted comprehensive plan.

APPENDIX A

FDOT FTO AADT DATA



FDOT AADT DATA

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2022 HISTORICAL AADT REPORT

COUNTY: 13 - MANATEE

SITE: 5020 - SR 64, EAST OF 26TH STREET WEST

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2022	45500 C	E 21000	W 24500	9.00	56.10	2.80
2021	46000 C	E 22500	W 23500	9.00	56.10	4.40
2020	47000 C	E 23000	W 24000	9.00	56.30	4.80
2019	44500 C	E 22000	W 22500	9.00	56.80	3.60
2018	42500 C	E 21500	W 21000	9.00	55.80	3.80
2017	44000 C	E 20500	W 23500	9.00	56.50	2.30
2016	43500 C	E 20000	W 23500	9.00	55.90	2.30
2015	45000 C	E 21000	W 24000	9.00	55.90	2.30
2014	41500 C	E 20500	W 21000	9.00	55.10	2.30
2013	44500 F	E 20500	W 24000	9.00	55.10	2.30
2012	44000 C	E 20500	W 23500	9.00	54.60	2.30
2011	43500 F	E 21000	W 22500	9.00	55.80	2.20
2010	43500 C	E 21000	W 22500	10.92	56.97	2.20
2009	41500 C	E 19500	W 22000	11.15	58.32	2.20
2008	45500 C	E 22000	W 23500	10.91	56.77	2.60
2007	47500 C	E 22500	W 25000	10.37	55.17	2.60

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2022 HISTORICAL AADT REPORT

COUNTY: 13 - MANATEE

SITE: 5019 - SR 64/MANATEE AVENUE WB, WEST OF 10TH STREET WEST

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2022	24500 F	0	0	9.00	99.90	4.30
2021	24000 C	W 24000	0	9.00	99.90	4.30
2020	23000 C	W 23000	0	9.00	99.90	5.40
2019	23000 C	W 23000	0	9.00	99.90	4.10
2018	23000 C	W 23000	0	9.00	99.90	4.20
2017	22000 C	W 22000	0	9.00	99.90	4.40
2016	22000 C	W 22000	0	9.00	99.90	4.00
2015	22500 C	W 22500	0	9.00	99.90	3.60
2014	22500 F			9.00	99.90	4.40
2013	22000 C	W 22000	0	9.00	99.90	4.40
2012	20000 C	W 20000	0	9.00	99.90	3.60
2011	23500 F	0	0	9.00	99.90	2.80
2010	23500 C	W 23500	0	10.92	99.99	2.80
2009	24000 C	W 24000	0	11.15	99.99	2.60
2008	25000 C	W 25000	0	10.91	99.99	3.40
2007	24500 C	W 24500	0	10.37	99.99	2.50

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2022 HISTORICAL AADT REPORT

COUNTY: 13 - MANATEE

SITE: 5062 - SR 64/6TH AV WEST EB, WEST OF 10TH STREET WEST

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2022	21000 C	E 21000	0	9.00	99.90	3.10
2021	19000 C	E 19000	0	9.00	99.90	4.70
2020	20500 C	E 20500	0	9.00	99.90	4.60
2019	18000 C	E 18000	0	9.00	99.90	3.30
2018	20500 C	E 20500	0	9.00	99.90	4.00
2017	20000 C	E 20000	0	9.00	99.90	4.00
2016	22000 C	E 22000	0	9.00	99.90	4.00
2015	20500 C	E 20500	0	9.00	99.90	3.20
2014	22500 F			9.00	99.90	3.20
2013	22000 C	E 22000	0	9.00	99.90	3.20
2012	21000 C	E 21000	0	9.00	99.90	3.30
2011	21500 F	0	0	9.00	99.90	3.30
2010	21500 C	E 21500	0	10.92	99.99	3.30
2009	21000 C	E 21000	0	11.15	99.99	2.70
2008	23000 C	E 23000	0	10.91	99.99	3.00
2007	25000 F	0	0	10.37	99.99	3.20

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE
S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE
V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN
*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

APPENDIX B

FDOT GENERALIZED SERVICE VOLUME TABLES

C2T, C4, C5, & C6

Motor Vehicle Arterial Generalized Service Volume Tables



(C2T-Rural Town)

Peak Hour Directional

	B	C	D	E
1 Lane	*	720	940	**
2 Lane	*	1,140	1,640	**
3 Lane	*	2,120	2,510	**

Peak Hour Two-Way

	B	C	D	E
2 Lane	*	1,310	1,710	**
4 Lane	*	2,070	2,980	**
6 Lane	*	3,850	4,560	**

AADT

	B	C	D	E
2 Lane	*	13,800	18,000	**
4 Lane	*	21,800	31,400	**
6 Lane	*	40,500	48,000	**



(C4-Urban General)

	B	C	D	E
1 Lane	*	*	870	1,190
2 Lane	*	1,210	1,790	2,020
3 Lane	*	2,210	2,810	2,990
4 Lane	*	2,590	3,310	3,510

	B	C	D	E
2 Lane	*	*	1,580	2,160
4 Lane	*	2,200	3,250	3,670
6 Lane	*	4,020	5,110	5,440
8 Lane	*	4,710	6,020	6,380

	B	C	D	E
2 Lane	*	*	17,600	24,000
4 Lane	*	24,400	36,100	40,800
6 Lane	*	44,700	56,800	60,400
8 Lane	*	52,300	66,900	70,900



(C5-Urban Center)

	B	C	D	E
1 Lane	*	*	690	1,080
2 Lane	*	1,290	1,900	2,130
3 Lane	*	1,410	2,670	3,110
4 Lane	*	2,910	3,560	3,640

	B	C	D	E
2 Lane	*	*	1,250	1,960
4 Lane	*	2,350	3,450	3,870
6 Lane	*	2,560	4,850	5,650
8 Lane	*	5,290	6,470	6,620

	B	C	D	E
2 Lane	*	*	13,900	21,800
4 Lane	*	26,100	38,300	43,000
6 Lane	*	28,400	53,900	62,800
8 Lane	*	58,800	71,900	73,600



(C6-Urban Core)

	B	C	D	E
1 Lane	*	***	790	1,030
2 Lane	*	***	1,490	1,920
3 Lane	*	***	2,730	2,940
4 Lane	*	***	3,250	3,490

	B	C	D	E
2 Lane	*	***	1,440	1,870
4 Lane	*	***	2,710	3,490
6 Lane	*	***	4,960	5,350
8 Lane	*	***	5,910	6,350

	B	C	D	E
2 Lane	*	***	16,000	20,800
4 Lane	*	***	30,100	38,800
6 Lane	*	***	55,100	59,400
8 Lane	*	***	65,700	70,600

Adjustment Factors

The peak hour directional service volumes should be adjust by multiplying by 1.2 for one-way facilities
The AADT service volumes should be adjusted by multiplying 0.6 for one way facilities 2 Lane Divided Roadway with an Exclusive Left Turn Lane(s): Multiply by 1.05
2 lane Undivided Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.80
Exclusive right turn lane(s): Multiply by 1.05
Multilane Undivided Roadway with an Exclusive Left Turn Lane(s): Multiply by 0.95
Multilane Roadway with No Exclusive Left Turn Lane(s): Multiply by 0.75
Non-State Signalized Roadway: Multiply by 0.90

This table does not constitute a standard and should be used only for general planning applications. The table should not be used for corridor or intersection design, where more refined techniques exist.
* Cannot be achieved using table input value defaults.
** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached.

Westminster Point Pleasant

Ecological Analysis

Prepared for:
Westminster Communities of Florida

Prepared by:
Stantec Consulting Services Inc.
6920 Professional Parkway
Sarasota, Florida 34240

January 16, 2024

Sign-off Sheet

The conclusions in the Report titled Westminster Point Pleasant – Ecological Analysis are Stantec's professional opinion, as of the time of the Report, and concerning the scope described in the Report. The opinions in the document are based on conditions and information existing at the time the scope of work was conducted and do not take into account any subsequent changes. The Report relates solely to the specific project for which Stantec was retained and the stated purpose for which the Report was prepared. The Report is not to be used or relied on for any variation or extension of the project, or for any other project or purpose, and any unauthorized use or reliance is at the recipient's own risk.

Stantec has assumed all information received from Westminster Communities of Florida (the "Client") and third parties in the preparation of the Report to be correct. While Stantec has exercised a customary level of judgment or due diligence in the use of such information, Stantec assumes no responsibility for the consequences of any error or omission contained therein.

This Report is intended solely for use by the Client in accordance with Stantec's contract with the Client. While the Report may be provided to applicable authorities having jurisdiction and others for whom the Client is responsible, Stantec does not warrant the services to any third party. The report may not be relied upon by any other party without the express written consent of Stantec, which may be withheld at Stantec's discretion.

Prepared by 
(signature)

Elizabeth Eardley

1.0 INTRODUCTION

Westminster Communities of Florida s is requesting a future land use map amendment, along with the concurrent Comprehensive Plan text amendment and rezone application to support the Westminster retirement community's development program and vision for resilient redevelopment and growth.

The project is comprised of thirteen parcels totaling approximately 17.28 acres located on the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton as depicted on the enclosed **FLUCCS Map** included in **Appendix A**.

2.0 SITE CHARACTERIZATION

Habitats and land cover types found within the project area are categorized below using the Florida Department of Transportation's (FDOT) Florida Land Use, Cover and Forms Classification System (FLUCCS). An exhibit of the property which illustrates the extent and location of these habitat and land cover types is depicted on the attached **FLUCCS Map** in **Appendix A**.



FLUCCS 120 and 130 – Residential Medium and High Density

The majority of the project area, approximately 14.14 acres, has been classified medium and high-density residential areas as they are comprised of the existing independent living, assisted living, and skilled nursing facilities and a few residential home sites. A few strands of mangroves were mapped waterward of the surrounding seawalls.



FLUCCS 190 – Open Land

This FLUCCS code comprises approximately 3.14 acres of the project area that historically contained residential dwellings that were cleared in the late 1990's and 2020. These areas are dominated by regularly mowed and maintained open grassy areas with mangroves lying waterward of the surrounding seawalls.

3.0 WILDLIFE UTILIZATION

A Stantec ecologist conducted an ecological assessment of the various habitat components of the site on December 5, 2023 for the purpose of identifying and documenting the occurrence of species listed as endangered or threatened by the Florida Fish and Wildlife Conservation Commission (FWC) or the U.S. Fish & Wildlife Service (FWS) or their habitats. During this preliminary survey, the ecologist looked for individual specimens, scat, or any other identifiable signs of listed species, such as nests or burrows. No such evidence was observed within the project boundary.

The listed species presented below were identified by the Florida Natural Areas Inventory (FNAI) Biodiversity Matrix as having a potential for on-site habitat utilization. Due to historical land alterations and surrounding land uses, the presence of on-site habitats typically used by these species is unlikely.

• **Bald Eagle** (*Haliaeetus leucocephalus*) – The nearest reported bald eagle nest (MN048) is located approximately 2.3 miles north northwest of the project. The nesting status for this location was documented as Occupied for the 2023 nesting season. No additional nests were observed on-site during the preliminary wildlife surveys, thus there are no anticipated impacts to this species.

• **Wood Stork** (*Mycteria americana*) – The adjacent waterways may provide the potential to support utilization by this federally regulated species. However, as there is no proposed in water work, there are no anticipated impacts to this species.

• **Gopher Tortoise** (*Gopherus polyphemus*) – No gopher tortoise burrows were observed on-site during the preliminary wildlife survey. If gopher tortoises or their burrows are discovered within the project limits, appropriate permitting efforts will be undertaken consistent with FWC permitting guidelines.

• **Eastern Indigo Snake** (*Drymarchon corais couperi*) – Due to the existing on-site and surrounding land uses, utilization of onsite habitats by this species is highly unlikely. If the FWS Standard protection Measures for the Eastern Indigo Snake are followed during site preparation and project construction, no adverse impacts to this federally regulated species are anticipated to occur.

4.0 WETLAND PROTECTION

No wetland, mangrove, or other surface water impacts are proposed with this project.

5.0 CONCLUSION

The conceptual site plan associated with the proposed future land use map amendment, concurrent Comprehensive Plan text amendment, and rezone application proposes no impacts to native habitats, wetlands, or regulated wildlife species.

Appendix A MAPS



FLUCCS Code	Description	Acreage
120	Residential, Medium Density	1.85
130	Residential, High Density	12.29
190	Open Land	3.14
	Total	**17.28**

Stantec

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Notes: 1. Coordinate System: NAD 1983 StatePlane Florida West FIPS 0902 Feet
2. Source data: Stantec, Southwest Florida Water Management District
3. Imagery: Manatee County 2023 Aerial

Westminster Point Pleasant Master Project

Florida Land Use & Cover Classification System Map

December 2023

Stantec Consulting Services Inc.
777 S. Harbour Island Blvd. Suite 600
Tampa, FL 33602
tel 813.223.9500
fax 813.223.0009

N

0 125 250 Feet

Prepared by: D.R.I
Technical Review by: C.J.B

WESTMINSTER POINT PLEASANT DISASTER PLAN

COMPRESHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)

I. INTRODUCTION

A. Basic Information

1. Westminster Communities of Bradenton,
Westminster Point Pleasant
Nursing Center and Assisted Living
1533 4th Avenue West
Bradenton, FL 34205
Phone: 941-747-1881
Fax: Administration 941-749-6657

2. Owned by:

Presbyterian Retirement Communities
80 W. Lucerne Circle
Orlando, FL 32801
Phone: 1-800-789-1628
Contact Person: Garry Hennis, Chief Operating Officer

3. Building Information:

Year Built:
2000 - Towers nursing center and assisted living
1995 Shores memory care assisted living

a. Type of Construction
    a. Towers nursing center and assisted living: Stucco & Concrete, metal frame
    b. Shores memory care assisted living Stucco with metal frame
b. Dates of Subsequent Construction:
    1. 2016 redesigned the nursing and living room space

4. ADMINISTRATOR:

TERRY CARR EXECUTIVE DIRECTOR
Work: 941-747-1881
Personal Cell: Information on file at the facility

BRIAN PARKS, ASSISTANT EXECUTIVE DIRECTOR
Work: 941-748-4161, extension 224
Personal Cell: Information on file at the facility

CATHERINE CHABRIER, NURSING CENTER ADMINISTRATOR

Work: 941-747-1881
Personal Cell: Information on file at the facility

GEORGETTE LODWICK, AL COORDINATOR
Work: 941-748-4161, extension 254
Personal Cell: Information on file at the facility

5. The Administrator will implement this plan.

6. This plan was developed with collaboration by management staff at Westminster Point Pleasant.

7. Organizational Chart - - -

B. Reference materials used in the development of the Plan was the facility's previous Policy and Procedure, worksheets from Manatee County Emergency Management and Presbyterian Retirement Communities Corporate office.

C. Hierarchy of authority in place during emergencies is the same as the previous organizational chart -ANNEX #1

1. Departmental Chain of Command - ANNEX #1

2. Incident Command System (ICS) and relevant policies - - - - - - - - -ANNEX #1

III. HAZARD ANALYSIS

A. Westminster Communities of Florida, dba Presbyterian Retirement Communities, dba Westminster Point Pleasant is vulnerable to:

1.	BOMB THREAT	ANNEX P&P #2
2.	WEATHER EVACUATION	ANNEX P&P #3
3.	EXPLOSIONS	ANNEX P&P #4
4.	FIRE	ANNEX P&P #5
5.	FLOOD AND WATER DAMAGE	ANNEX P&P #6
6.	HAZARDOUS MATERIALS (SEWAGE/WASTE)	ANNEX P&P#7
7.	POWER FAILURE	ANNEX P&P #8
8.	SHELTER IN PLACE AGREEMENTS (MATA)	ANNEX P&P #9
9.	TORNADO	ANNEX P& P #10
10.	AC/HEAT FAILURE	ANNEX P&P #11
11.	ELOPEMENT/WANDERING	ANNEX P&P #12
12.	PANDEMIC, INFECTION CONTROL, BIOTERRORISM	ANNEX P&P #13
13.	ACTIVE SHOOTER	ANNEX P&P #14
14.	TEMPERATURE EXTREMES (HEAT/COLD)	ANNEX P&P#15
15.	CYBER ATTACK	ANNEX P&P #16
16.	HIPAA SECURITY	ANNEX P&P #17
17.	EARTHQUAKE	ANNEX P&P #18

B. Site Specific Information

1. The Point Pleasant has dealt with short term power outages, in which our emergency generator came online as planned. The facility's chiller has failed, and we were able to keep the facility within the required temperature zone, and have extra fans in storage as emergency back-up.

2. The Point Pleasant Point Pleasant facility is in Hurricane Evacuation Zone A.

a. The facility is in flood zone AE as identified on a Flood Insurance Rate Map.

b. The Point Pleasant facility is located near State Route 64, Business State Route 41 and within a five-mile radius of railroad tracks, with potential for transportation of Hazardous Materials incidents from all.

c. It is within the range of Tropicana and Manatee Ice for potential Hazardous Materials incidents from fixed facilities.

d. It also has the potential for a Hazardous Materials incident from chemicals used in the Housekeeping and Maintenance Departments.

e. The facility is not within a 50-mile radius of a nuclear power plant.

3. Point Pleasant – Nursing Center

a. The license is active until May, 2025.

b. The Point Pleasant Nursing Center is licensed for 120 beds. There are 16 private rooms and 52 semi-private rooms. These rooms are evenly split on the second and third floors of the Health Center/Towers building.

c. Types of Residents in Nursing Center:

1. On average there are 25 residents who have Alzheimer's or some other type of dementia.

2. On average there are 10 residents that require oxygen. Most use concentrators. There are up to 35 E tanks on site for personal use.

3. Other special equipment that residents may have in use include: mechanical lift, specialty beds/mattresses, IVs, feeding tube and pump, etc.

4. We have no residents that could not be considered self-sufficient with minor assistance.

4. Point Pleasant- Assisted Living

a. The license is active until February, 2024.

b. The Point Pleasant Assisted Living is licensed for 117 beds. Current average number of residents in the Assisted Living is 50. Twenty beds are designated for memory care at the Shores building. There are 34 units in the Health Center/Towers building.

c. Types of Residents in Assisted Living:

1. Some of the residents have Alzheimer's or some other type of dementia.

2. There is 1 residents that currently require oxygen. No other special equipment

3. We have no residents that could not be considered self-sufficient with minor assistance.

1. Point Pleasant- Independent Living

5. Point Pleasant – Independent Living

a. The capacity, at the Point Pleasant, for Independent Living residents is a maximum of 243 residents.

b. The residents may vary from completely independent, to those with minor visual and mobility difficulties, and/or who are on oxygen. Several residents have outside services to support their selfcare and medical needs.

c. The Health Resource Nurse will have a list of those independent residents that may need assistance in an emergency.

IV. CONCEPTS OF OPERATION

A. DIRECTION AND CONTROL:

1. Person in charge during emergencies – Executive Director

2. CHAIN OF COMMAND **Annex #1**

3. The Executive Director, or his designee, will monitor the weather via TV, radio, websites and/or the weather alert radio. He will also be in contact with Manatee County Emergency Management Department for any additional information, and advisements as to when to activate the facility's Storm Plan

a. Departmental staff will be alerted by their supervisors **Annex #1**

4. Each Department has a Standard of Operations **Annex #1A**

5. Procedures to ensure the following are:

a. Food and water supply – Dietary **Annex #1A**

b. Sleeping arrangements – Housekeeping **Annex #1A**

c. 72-hour supply of essential supplies **Annex #1A**

d. Emergency Power – Maintenance **Annex #8**

i. The capacity for the emergency fuel system is 250 gallons.

e. Transportation is covered in the evacuation plan

i. Evacuation **Annex #3**

ii. Contracts **Annex #9**

6. Provisions for continuous staffing

i. All staff is required and expected to report to work during emergency situations. The normal staffing schedules will be followed as closely as possible. Adjustments will be made as necessary.

ii. Common areas and empty apartments in the Point Pleasant building will be prepared to sleep employees.

iii. Staff are to bring their own bedding **Annex #1A**

B. NOTIFICATION:

1. The facility will receive warnings via TV, radio, weather alert radios (on stand-by mode 24 hours at the nurse's station) and through an automated calling system (Call-em-all).

2. The Point Pleasant's 24-hour contact number is 941-747-1881 or after normal business hours, phone calls are directed to security personnel 941-773-4729.

3. The Executive Director or Designee will be alerted by T.V., radio and Manatee County Emergency Management. When the decision has been made to evacuate/expand the facility, the Administrator will initiate the Call Down List, which will be distributed to key personnel when an ALERT is issued by the National Weather Service.

4. Call Down List----------**ANNEX #1**

5. All Department Heads and Supervisors will be on "alert" status with any pending storm. When a "Hurricane Alert" is issued they are to check in with the Administrator or his/her designee on a set schedule, if it occurs after business hours or on a weekend.

6. Alert and oriented residents may be told privately ahead of time. Disoriented or confused residents will not be told too far in advance, as it generally causes more confusion and agitation.

a. Alert and oriented residents may start packing the required materials if they choose to.

b. Staff may start packing clothes for disoriented, confused, or disabled residents, and place them in their closets ahead of time, if the alert may change to a warning.

7. All staff on the Call Down List will be responsible for calling down the call list until they reach staff. For those staff members who either do not have a phone or their phones are not working, they are to report to work for further instructions.

   Call Down List----------**ANNEX #1**

8. The Executive Director will notify Assistant Executive Director Administrator, and Administrative Assistant(s), who will alert Department Heads. The AL Coordinator will alert the rest of the AL nursing staff. The Director of Nursing/designee will alert the rest of the Nursing Center nursing staff. Department heads/designees will alert other staff in their departments.

9. The Assistant Executive Director, AL Coordinator and Administrative Assistant will be responsible for ensuring that families of the residents in Assisted Living are notified of the evacuation, and to where they are being evacuated to. The Director of Social Services will be responsible for ensuring that families of the residents in Nursing Center are notified of the evacuation, and to where they are being evacuated to. The Resident Lifestyles Coordinator and Administrative Assistant at Point Pleasant will be responsible for any calls concerning Independent Residents, if they are unable to do so themselves.

   Standard Operating procedures ANNEX #1A

C. EVACUATION:

1. The Executive Director, or their designee, is responsible for implementing the facility evacuation procedures.

   Hierarchy of Authority **ANNEX #1**

2. Transportation Agreements for evacuation and logistical support **ANNEX #9**

3. Presbyterian Retirement Communities dba, Westminster Point Pleasant, will be evacuated to other Presbyterian Retirement Communities first and then other facilities based on proximity, availability and risk level. Refer to Mutual Aid Transfer Agreements in **ANNEX #9**

4. In the event that there is structural damage to the Point Pleasant, the corporate offices will be notified and arrangements made with other facilities to absorb the Point Pleasant residents. **ANNEX #9**

5. In the event that there is a Class 5 storm approaching, as many Assisted Living residents will be transported to Westminster Towers, 70 W. Lucerne Circle, Orlando, FL 32801, as time permits. Nursing center residents will be transported to confirmed skilled nursing facilities outside of the evacuation zone.

6. There are no facilities between Bradenton and Orlando that are large enough to take all residents and staff.

7. All residents are initially encouraged to evacuate to friends and families, out of the evacuation zones.

8. Evacuation Routes **ANNEX #3**

9. Time needed for evacuation **ANNEX #3**

10. Mutual Aid Agreement **ANNEX #9**

11. It is the facility's policy that the number of staff to go with transferring residents is to be a minimum of one (1) on the transportation vehicle, and the remaining staff will drive their private vehicles, if available, to the evacuation site. The staff is to report to duty with the nurse in charge at the receiving facility.

12. The facility will be using their daily census sheets to check off those residents evacuated. A log system similar to the American Red Cross's may also be used. **ANNEX #3**

    a. Independent residents will be asked to "sign out" of the facility providing destination site with name, address and phone number on the facility's Log System,

    b. Assisted Living and Nursing Center residents will be checked off their census by the Nurses, or their designee.

    c. The Receptionist at the receiving facility will receive a copy of the census sheet listing the incoming residents and where they are located.

    d. AL Coordinator or designee will take incoming calls concerning the evacuated Assisted Living residents after the transfer and placement of residents is completed. Director of Social Services or designee will take incoming calls concerning the evacuated Nursing Center residents after the transfer and placement of residents is completed.

13. List of required items to be taken with residents **ANNEX #3**

14. After all residents' names have been checked off on the Census Sheet (as being transferred), the AL Coordinator and Director of Nursing, or their designees, and Housekeeping personnel, will take another copy of the census sheet.

    a. They then will check each room (including closets, bathrooms, and under beds).

    b. As the check is completed, and the room has been vacated, they will cross the room and bed number off the Census Sheet. The room doors will be closed and a chalk mark placed on the door.

15. The point person to begin pre-positioning of supplies and provision will be determined by the type of emergency.

    a. Point Pleasant will keep 3-5 days of emergency supplies on hand at all times.

b. Supplies needed for flooding, would be called for when Flood Watches and Warnings, due to Storm Surge, were issued by the Emergency Management Department.

c. Supplies will be repositioned to the Point Pleasant Towers building or Westminster Manor when the Storm Surge voluntary evacuation is called for.

d. Dietary will reposition some supplies but will also call for an extra delivery to be made at Point Pleasant.

e. All our suppliers will deliver to either the Towers building or Westminster Manor.

16. All supplies will be checked when a Storm Alert is announced.

a. All suppliers will be placed on stand-by for delivery of goods when Emergency Management calls for a voluntary evacuation, for Storm Surge, to begin..

b. When a Storm Warning is posted, and a voluntary evacuation is called for, suppliers will be called for pre-arranged deliveries.

17. Mutual Aid Agreements for transportation and alternative facilities will be initiated when a "STORM ALERT" is posted by the National Weather Service.

D. RE-ENTRY

1. Maintenance Department is responsible for the initial inspection of the evacuated facility. A verbal and written report will be given to the facility Executive Director, who will notify the county and corporate offices. The administrator will notify AHCA.

2. If the facility is evacuated, it must be inspected, if there has been wind/or water damage, before the building can be re-occupied.

a) Manatee County Building Inspectors

b) Facility's Maintenance Department

c) Corporate Building Inspectors

3. Residents will be transported back from the host facility to their home facility by the same transport systems that originally took them. **ANNEX #3**

E. SHELTERING

1. Receiving Procedures **ANNEX#3**

2. Floor Plans and allocated space **ANNEX #3**

3. Provisions **ANNEX #3**

4. Supplies **ANNEX #1a, 3**

5. All Staff is required to report to work during emergency situations. The normal staffing schedule will be followed as closely as possible. Adjustments will be made as necessary.

6. The Agency for Health Care Administration will be notified of the evacuation/expansion, by the Administrator or designee, as soon as the decision is made. The evacuation status is updated in the Health Facility Reporting System. If internet access is not available, a call will be made to

   Area Supervisor, Agency for Health Care Administration 813.871.7800

7. As staff and residents come into the facility, a staff person will instruct them in filling out a registration form. A notation will be made on the form as to their location. **ANNEX #3**

   a. If a person, who is not a member of the Westminster life plan communities or of a mutual aid facility who has activated the mutual agreement comes, they will be referred to a Red Cross Shelter, if time and transportation are available.

   b. If it is determined by our nursing staff, that a person is too ill for them to be cared for, that person(s) will be transported to a hospital when transportation is available.

V. INFORMATION, TRAINING AND EXERCISE

A. Key worker training during non-emergency times:

   1. At least annually, an in-service will be held concerning:

      a. Fire and Life Safety

      b. Hurricane Preparedness

   2. Maintenance Department performs routine fire drills.

B. Westminster Point Pleasant holds annual ALL STAFF in-services mandated by State authorities. These in-services include fire and life safety and disaster preparedness. Staff is required to sign an attendance roster and department heads are responsible for ensuring that absent staff is in-serviced at a later date.

   1. Safety Committee oversees the coordination and scheduling of these in-services.

   2. The training provider is designated by the Administrator or Safety Committee.

3. A review of the Storm Plan and Staff Responsibility is presented by department supervisors whenever there is enough warning of the anticipated event Includes:

    a. Flood procedures

    b. Tornado

    c. Power Failures

    d. A/C and Heating Equipment Failures, etc.

C. All new staff will receive a brief overview of Emergency Procedures during general orientation.

1. All staff will receive specific instructions of duties during floor orientation.

2. All staff will be shown where to find the Emergency Plan Policies and Procedures, and may examine it, or use it as a reference, at any time.

D. These in-services will include information and mock drills that include bomb threats, evacuation orders, fire and life safety and hurricane preparedness procedures. They will be facilitated by our Safety Committee and various outside professionals. Additional informational sessions and materials will be provided to residents.

E. During the disaster plan in-service, any deficient cited areas of concern will be given to the Executive Director and reviewed with a follow-up plan of correction.

F. Name and address of the facility with which there is an agreement for sheltering residents, if required to evacuate:

Agreements located **ANNEX #9**

G. Name and address of the facility with which there is an agreement for sheltering residents in case of an internal disaster such as a fire:

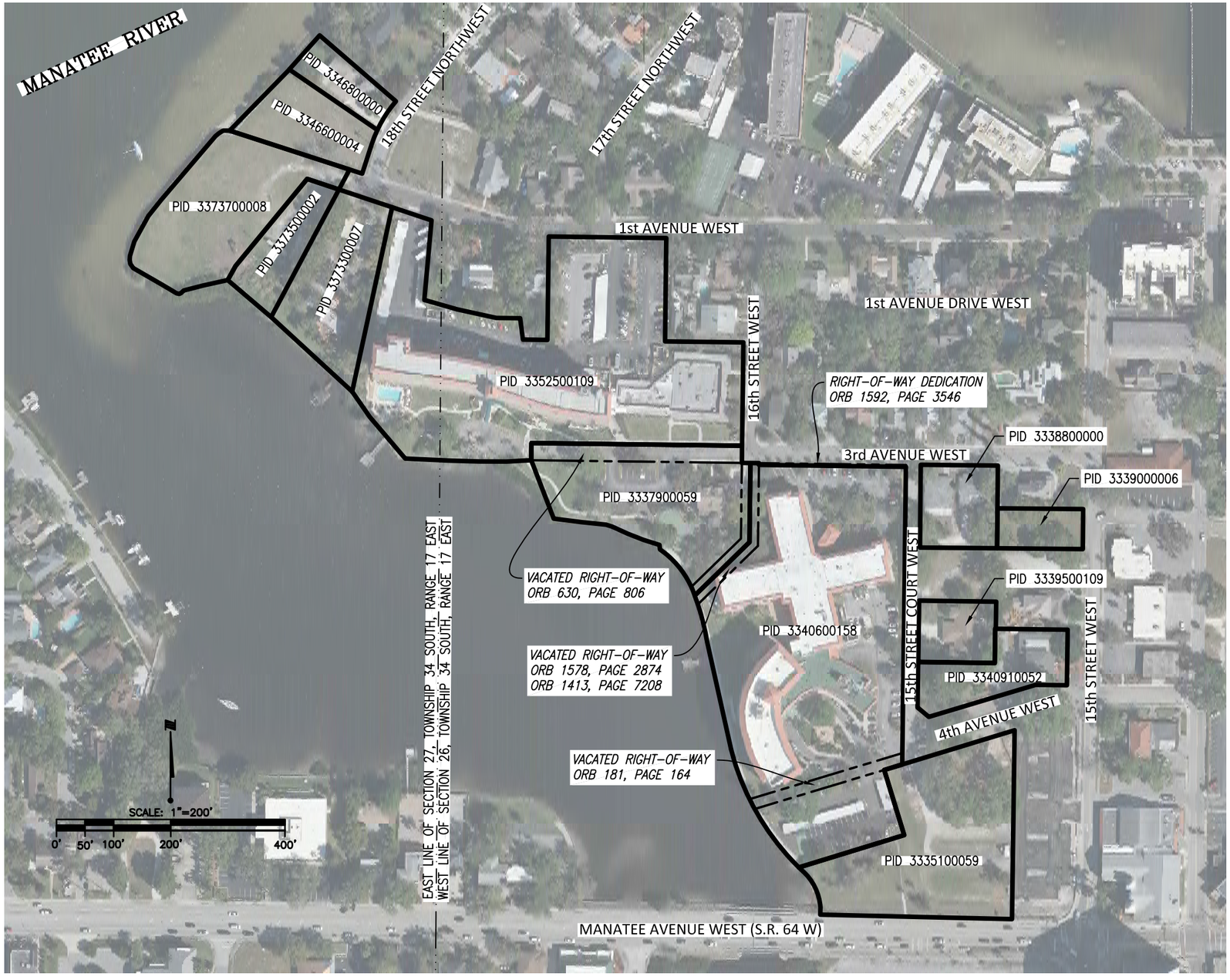
Westminster Manor
1700 21st Avenue West
Bradenton, FL 34205
941-748-4161

Agreement located **ANNEX #9**

H. Residents who are able, will be transported by the facility bus and private cars. Those who are unable to be transported by this means will be transported by a transportation company that is able to provide the appropriate type of transportation (wheelchair, stretcher, ambulatory bus)

See transportation list **ANNEX #9**

Sketch and Description



REV NO.	REVISION	DATE	DRAWN BY	EMP. NO.

Jan 26, 2024 – 10:38:23 EDMEJIA|\\Us0227-ppfss01\shared_projects\215617665\survey\drawing\215617665v-spex01.dwg

CLIENT:

ACTIVITY	INITIALS	EMP. NO.	DATE	
DRAWN BY:	EDM		01/26/24	
CHECKED BY:	SE		01/26/24	
COMPUTED BY:	EDM		01/24/24	

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DATE:	HORIZONTAL SCALE:	VERTICAL SCALE:	SEC: TWP: RGE:	FIELD BOOK:	FIELD BOOK PAGE:
01/26/24	1" = 200'	N/A	26&27-34S-17E		

TITLE:

EXHIBIT OF

TRACTS OF LAND LOCATED IN SECTIONS 26 & 27, TOWNSHIP 34 SOUTH, RANGE 17 EAST MANATEE COUNTY, FLORIDA

TASK:	PROJECT NO.:	SHEET NUMBER:	DRAWING NUMBER:
	215617665	1 OF	215617665v-spex01

Concept Plan



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WESTMINSTER POINT PLEASANT

CONCEPTUAL PLAN

JANUARY 2024

Stantec Consulting Services Inc.
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Sarasota, FL 34240
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0 500 1,000

Stantec

Westminster Point Pleasant

Future Land Use Amendment Application - Community Impact Report

On behalf of our client, Westminster Communities of Florida, we propose a Comprehensive Plan Future Land Use map amendment for the future redevelopment of the Westminster Point Pleasant property generally located on the southwest waterfront of the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton. The Westminster property is comprised of thirteen (13) parcels totaling to approximately 15.9 acres. Parcel identification numbers for properties that are subject to future redevelopment include the following: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, and 3338800000. The property is currently utilized as a Continuing Care Retirement Community that accommodates independent living, assisted living, and skilled nursing facilities. This future land use map amendment, along with the concurrent Comprehensive Plan text amendment and rezone application, is proposed to support the Westminster retirement community's development program and vision for resilient redevelopment and growth.

With this application, we request a future land use (FLU) map amendment to change the Subject Property's designation from High Density Residential (RESHIGH) to Urban Central Business District (UCBD).

In support of this future land use map amendment, this Community Impact Report includes a detailed analysis on how the amendment complies with each of the following review criteria:

A. <u>Visual Impact Analysis</u>

The concurrent rezone application is proposed to change the Subject Property's zoning designation from General Urban Open (T4-O) and General Urban Restricted (T4-R) to Urban Center (T5). As displayed in the Conceptual Plan, the site plan includes proposed building standards and density information which meets the requirements of the T-5 district and UCBD FLU designation. Design standards will be followed to maximize compatibility with adjacent land uses. Temporary building height incentives that were recently approved for areas to the east are also proposed to be applied to this site. Additionally, other design features such as landscaping, fencing, and other buffering methods will be incorporated into the site plan as required by the City Land Use Regulations.

B. <u>Land Use Assessment</u>

Existing and Proposed Land Use:

The 15.8-acre Westminster Subject Property has been used as a Continuing Care Retirement Community since 1954 and accommodates independent living, assisted living, and skilled nursing facilities. This use is proposed to be maintained while the future land use amendment and concurrent text amendment and rezone applications will support the community's continued expansion and renewal of this existing use. As displayed in the Conceptual Plan, future development will remain consistent with the proposed UCBD district's max density of 40 DU per acre, thus permitting a maximum unit count of approximately 636 dwelling units. The residential component will remain the focus of future development with other potential supporting amenities such as outdoor dining venues, low impact recreational facilities, gardens, and trails.

Future Land Use (FLU) Amendment Request:
The existing FLU designations on the site and adjacent properties are as follows (See Existing Future Land Use Map):

- Subject Property – RESHIGH
- North – RESHIGH
- South – UCBD, RESHIGH
- East – RESHIGH, Urban Core (URBCORE)
- West – No FLU (Manatee River)

This Comprehensive Plan FLU amendment proposes a change to the Subject Property's FLU designation from RESHIGH to UCBD (See propose Future Land Use Map). This designation change is needed to support resilient redevelopment of the site, in order to accommodate the City's growing demand for residential units, especially for retirees and/or with assisted living needs.

C. Traffic Study

Please refer to the Transportation Study, attached to this application package.

D. Environmental Impact Assessment

Please refer to Environmental Narrative, attached to this application package.

E. Area Impact Assessment

With an updated FLU of UCBD, the Subject Property will remain compatible with the surrounding area, as the Westminster Retirement Community has existed in this location for over fifty years. Located on the fringe of the City of Bradenton's Urban Core area, this area is consistent with the intent of the UCBD district.

According to the City of Bradenton Comprehensive Plan, the UCBD FLU designation is the most intensely developed area of the City, supporting a downtown area for social, cultural, and economic interchange. The UCBD encourages mixed-use, walkable development with a variety uses such as heigh density residential, parks, commercial, professional services, and more. The maximum base density in the UCBD is 40 DU per acre. The URBCORE district is located within the City's UCBD and provides the hub for economic development and civic uses. The URBCORE district has an increased density and intensity maximum over the UCBD, allowing a maximum base density of 60 DU per acre with possibility of increased density up to 200 DU per acre is approved by the City Council and following additional criteria.

Consistent with these parameters, the site, with the proposed FLU of UCBD, is located adjacent to the URBCORE district. The proposed development will encourage internal trip capture through the implementation of ancillary support facilities, as well as the inclusion of multi-modal transportation options for internal community movement. Additionally, as stated above, density requirements will be adhered to and remain within the maximum 40 DU per acre standard.

The Subject Property will also remain compatible with adjacent RESHIGH property. The RESHIGH FLU designation generally promotes residential uses with potential neighborhood commercial components, such as light retail, restaurants, personnel services, etc. with a maximum density of 15 DU per acre. The proposed UCBD will be a logical extension of the adjacent UCBD and URBCORE areas, while remaining compatible with adjacent RESHIGH space through the implementation of required buffering, landscaping, and other pertinent building standards associated with the proposed T-5 site zoning designation.

F. Hurricane Evacuation Analysis

The majority of the Subject Property is located within the Zone A Evacuation Level, thus, existing and future residents of the Westminster community are evacuated first in the case of a Hurricane or other Declared State of Emergency that requires physical evacuation. As required by Manatee County, Westminster Communities has an existing Comprehensive Emergency Management Plan (CEMP) Disaster Plan. Please see this CEMP Disaster Plan, attached to this application package for more information on hurricane evacuation methods for the Westminster Point Pleasant community.

G. Consistency with Proposed Comprehensive Plan Text Amendment

The concurrent Comprehensive Plan text amendment application proposes updates to objectives and policies that would allow property in the CHHA to be considered for increased gross density when in compliance with certain standards. These standards include the requirement to demonstrate compliance with updated Policy 5.3.1 to be considered for this type of request. Policy 5.3.1 is proposed, as follows:

> *Policy 5.3.1: Comprehensive plan amendments within the CHHA must meet one of the criteria established in Section 163.3178(8)(a), F.S.*

Chapter 163.3178(8)(a) of Florida Statutes reads, as follows:

> *(8)(a) A proposed comprehensive plan amendment shall be found in compliance with state coastal high-hazard provisions if:*
>
> 1. *The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale; or*
> 2. *A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or*
> 3. *Appropriate mitigation is provided that will satisfy subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts*

reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.

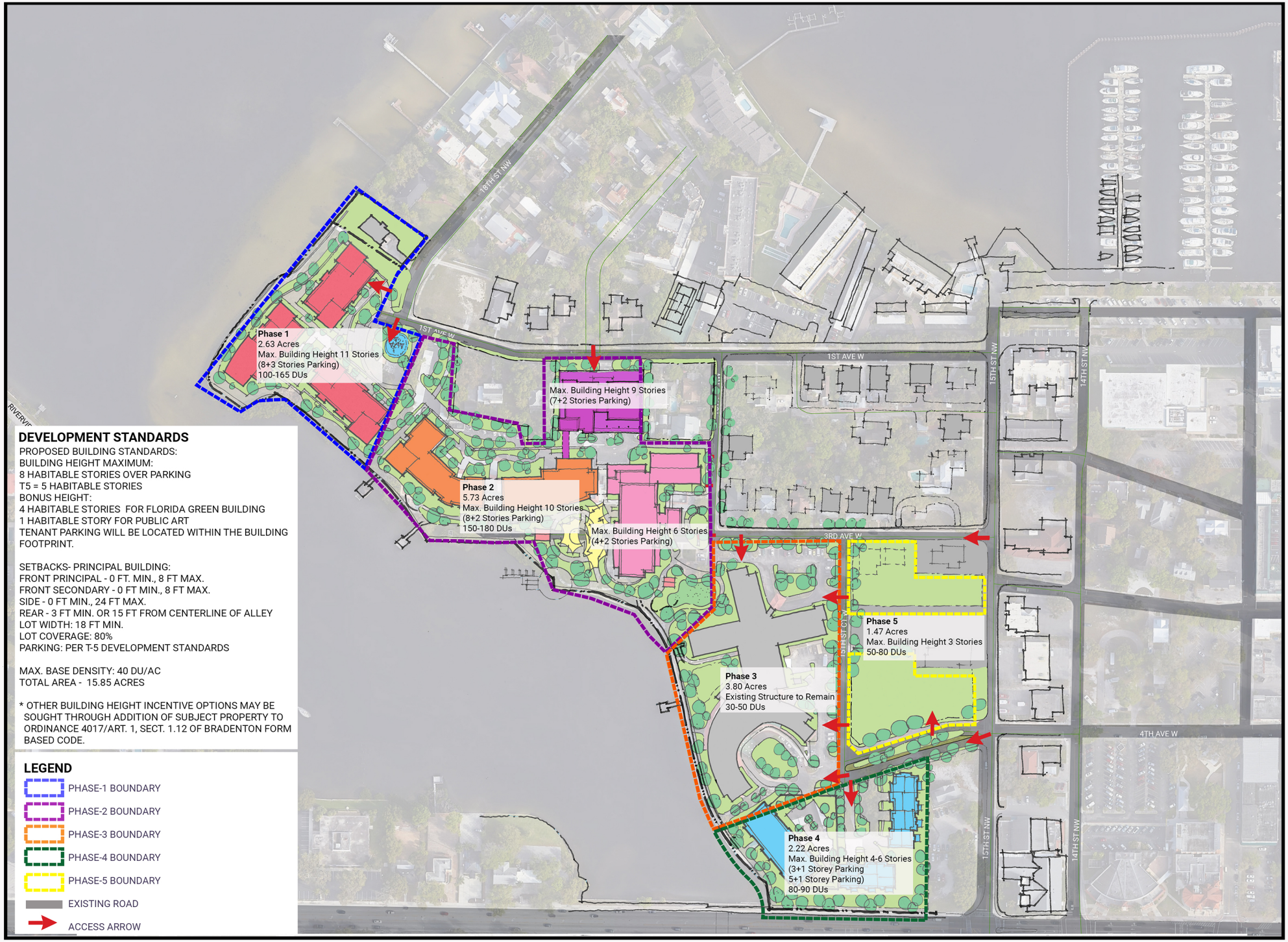
At this time, the proposed development at Westminster complies with Chapter 163.3178(8)(a).2., F.S., as reflected above. Before a Category 1 storm, this community evacuates residents to other Westminster facilities. For that reason, residents of Westminster will not impact existing public shelter space and will not occupy the roads during a 12-hour evacuation for a category 5 storm. Please see the CEMP Disaster Plan, attached to this application package for more information on hurricane evacuation methods for the Westminster Point Pleasant community.

WESTMINSTER DEVELOPMENT TOTALS

Original			**Proposed**	
IL (DUs)			**IL**	
Shores	193			
Towers	149			
Villas	0			
Total Dus	***342***		***IL Total Dus***	**476**
AL (beds)			**AL (beds)**	
			Stewart Home	
Riverview House (Just Like Home)			Riverview House (Just Like Home)	9
Shores MC	46		Shores MC	20
Towers			Towers	34
AL Total	**46**		**AL Total**	**63**
AL EDU (@3 beds/unit)	**15**		**AL EDU (@3 beds/unit)**	**21**
NC (beds)			**NC (beds)**	
Shores NC	21			
Health/NC Total	110		Health/NC	120
NC EDU (@3 beds/unit)	**44**		**NC EDU (@3 beds/unit)**	**40**
Original Bed Total	***177***		***Proposed Bed Total***	***183***
Total DU	401		Total DU	537
Acres	11		Acres	15.8
Density	**36**		**Density**	**34**

*beds were synonymous with units.

For ALF/ILF, Equivalent Dwelling Unit (EDU) is 3 beds = 1 DU



DEVELOPMENT STANDARDS

PROPOSED BUILDING STANDARDS:
BUILDING HEIGHT MAXIMUM:
8 HABITABLE STORIES OVER PARKING
T5 = 5 HABITABLE STORIES
BONUS HEIGHT:
4 HABITABLE STORIES FOR FLORIDA GREEN BUILDING
1 HABITABLE STORY FOR PUBLIC ART
TENANT PARKING WILL BE LOCATED WITHIN THE BUILDING FOOTPRINT.

SETBACKS- PRINCIPAL BUILDING:
FRONT PRINCIPAL - 0 FT. MIN., 8 FT MAX.
FRONT SECONDARY - 0 FT MIN., 8 FT MAX.
SIDE - 0 FT MIN., 24 FT MAX.
REAR - 3 FT MIN. OR 15 FT FROM CENTERLINE OF ALLEY
LOT WIDTH: 18 FT MIN.
LOT COVERAGE: 80%
PARKING: PER T-5 DEVELOPMENT STANDARDS

MAX. BASE DENSITY: 40 DU/AC
TOTAL AREA - 15.85 ACRES

* OTHER BUILDING HEIGHT INCENTIVE OPTIONS MAY BE SOUGHT THROUGH ADDITION OF SUBJECT PROPERTY TO ORDINANCE 4017/ART. 1, SECT. 1.12 OF BRADENTON FORM BASED CODE.

LEGEND

- PHASE-1 BOUNDARY
- PHASE-2 BOUNDARY
- PHASE-3 BOUNDARY
- PHASE-4 BOUNDARY
- PHASE-5 BOUNDARY
- EXISTING ROAD
- ACCESS ARROW

Stantec

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WESTMINSTER POINT PLEASANT

CONCEPTUAL PLAN
April 2024

Stantec Consulting Services Inc.
6920 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

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0 500 1,000

City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Case Number: CP.24.0364/ORDINANCE 4036
Applicant: Katie LaBarr, Stantec Consulting Services Inc., Agent for Presbyterian Retirement Communities
Parcel IDs: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000
Zoning: T4-O (General Urban Open)/T-4R (General Urban Restricted)
Current Future Land Use: High Density Residential
Proposed Future Land Use: Urban Central Business District
Flood Zone: AE, VE, X

Surrounding Property:

Zoning:	North: T4-O General Urban – Open/T4-R General Urban Restricted South: Manatee Avenue/T-5 (Urban Center) East: T-5 (Urban Center) West: Wares Creek
Future Land Use:	North: High Density Residential South: Manatee Avenue/Urban Central Business District East: High Density Residential West: Wares Creek
Uses:	North: Single family residential, condominiums South: Manatee Avenue/vacant East: Offices/Church West: Wares Creek

SUMMARY OF REQUEST

The applicant has submitted a request for a map amendment to the Comprehensive Plan for parcels listed above, and shown on the attached map. The parcels are currently designated as High Density Residential (RESHIGH). The applicant is requesting a change in the designation to Urban Central

Business District (UCBD). This is a large-scale amendment, which will be transmitted to the State for review as well.

The proposed amendment is impacted by a concurrent proposed text amendment to the Comprehensive Plan. The text amendment proposes changes to the Future Land Use Element and the Coastal Management and Conservation Elements of the Comprehensive Plan. These changes will allow for an increase in density in the Coastal High Hazard area if an applicant can prove they will meet standards found in Florida State Statute 163.3178(8).

HIGH DENSITY RESIDENTIAL (RESHIGH) DESIGNATION

The Comprehensive Plan describes the High-Density Residential designation as:

> *"Residential uses, with a potential neighborhood commercial component which will consist of light retail, restaurants, personnel services, office and other similar neighborhood activities. Auto-oriented uses such as gas stations, car washes, vehicles sales, auto repair, vehicle storage, and drive thru's are prohibited.*
>
> *Residential – DU/acre 15 or 20 DU/acre with low- or moderate-income housing bonus (Dwelling units proposed above the base density threshold must meet the City's low- or 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.)*
>
> *Commercial – not to exceed 1 acre*
>
> *Maximum floor area ratio: commercial 0.60"*

URBAN CENTRAL BUSINESS DISTRICT (UCBD) DESIGNATION

The Comprehensive Plan describes the Urban Central Business District designation as:

> *"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 UBCD 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. Permitted Uses include: offices, personal and professional services, commercial, parks, entertainment venues, civic uses, climate controlled mini storage facilities that are vertically mixed with other permitted uses (not permitted as stand-alone uses), retail, public and semi-public facilities, educational, institutional, restaurants, parks, recreation, and entertainment venues, and medium to high density residential uses. Auto-oriented uses such as gas stations, car washes, vehicles sales, auto repair, vehicle storage, and drive thru's are prohibited unless located on US 301 or SR 64 (5th Avenue and 6th Avenue) a specifically authorized and approved by the City Council pursuant to the provision of the Land Use Regulations. Outdoor storage is prohibited.

Maximum floor area ratio: 8.0

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 density threshold must meet the City's low- and 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.)"

ANALYSIS

The applicant is requesting these changes to support development in the northwestern portion of downtown Bradenton, as shown by the following map:



According to the submitted Westminster Point Pleasant Disaster Plan, the Nursing Center is licensed for 120 beds. Assisted Living is licensed for 117 beds. The Independent Living portion of the campus has a maximum of 243 residents. The maximum licensed capacity would be 480 beds, though the application materials appear to indicate that the facility does not operate to full capacity, as described below.

At present, with a Future Land Use Classification of High Density Residential, the maximum number of units allowable on the properties is 238, before any low-moderate income housing bonuses. With a change to Urban Central Business District, 636 dwelling units could be built on the 15.8-acre property. Because the campus does not have traditional dwelling units, the applicant provided numbers using Equivalent Dwelling Units (EDU), where 3 beds equals one dwelling unit. The applicant states that the site was approved for 401 equivalent dwelling units on 11 acres of land, which is approximately 36 EDU/acre. Ultimately, the applicant intends approximately

537 EDU on 15.8 acres, which is approximately 34 EDU/acre. This is below the maximum base density of 40 dwelling units per acre allowed in the UCBD Future Land Use Category.

The proposed Comprehensive Plan Text Amendment by the applicant would change the language of the Comprehensive Plan to include language that states that an amendment shall be found in compliance with the following (emphasis added):

> *"F.S. 163.3178(8)(a) A proposed comprehensive plan amendment shall be found in compliance with state coastal high-hazard provisions if:*
>
> > *1. The adopted level of service for out-of-county hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale;* ***or***
> >
> > *2. A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available;* ***or***
> >
> > *3. Appropriate mitigation is provided that will satisfy subparagraph 1. or subparagraph 2. Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation may not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to memorialize the mitigation plan.*
>
> *(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by following the process in paragraph (a), the level of service shall be no greater than 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale.*
>
> *(c) This subsection shall become effective immediately and shall apply to all local governments. Local governments shall amend their future land use map and coastal management element to include the new definition of coastal high-hazard area and to depict the coastal high-hazard area on the future land use map."*

The Map amendment application includes a general disaster response plan for the Westminster Campus but does not include detailed information regarding evacuation times and the impact on level of service for a category 5 storm event as measured on the Saffir-Simpson scale. It is unclear whether this request is in compliance with F.S. 163.3178(8)(a).

Further, this map amendment is in contradiction with Objective 6.2 of the Comprehensive Plan, which reads:

> *"Keep population and investment low in areas vulnerable to coastal flooding.*
>
> *Policy 6.2.1 Coastal Density and Intensity*
>
> *The City shall deny applications to increase the density in the CHHA and limit non-residential development below the 2-foot contour line to water dependent uses.*
>
> *Policy 6.2.5 Priority Hurricane Evacuation Zones*
>
> *Discourage the location of high-density residential projects, public housing, housing for the elderly, mobile homes and group homes in high priority hurricane evacuation zones through the Land Development Regulations."*

The applicant has proposed to remove the above language with the proposed Comprehensive Plan Text Amendment that was submitted concurrently with this Map Amendment application. Staff does not recommend approval of the removal of this language.

The proposed Comprehensive Plan Text Amendment includes a request to add the following:

> *Policy 5.3.2 Development that proposes to increase density in the CHHA, in compliance with Policy 5.3.1, above, must submit a conceptual master plan to illustrate how the proposed form of development will result in resilient development within the City. The master plan must be reviewed and approved by the City Commission at the adoption hearing for the proposed map amendment.*

An example Conceptual Plan, provided by the applicant, is on the following page. This is presented only to illustrate potential phasing and development plans and is not meant for approval with this series of applications.


Phase 1
2.63 Acres
Max. Building Height 11 Stories
(8+3 Stories Parking)
100-165 DUs
Max. Building Height 9 Stories
(7+2 Stories Parking)
Phase 2
5.73 Acres
Max. Building Height 10 Stories
(8+2 Stories Parking)
150-180 DUs
Max. Building Height 6 Stories
(4+2 Stories Parking)
Phase 5
1.47 Acres
Max. Building Height 3 Stories
60-80 DUs
Phase 3
3.00 Acres
Existing Structure to Remain
30-50 DUs
Phase 4
2.22 Acres
Max. Building Height 4-6 Stories
(3+1 Storey Parking
5+1 Storey Parking)
60-90 DUs
DEVELOPMENT STANDARDS
PROPOSED BUILDING STANDARDS:
BUILDING HEIGHT MAXIMUM:
8 HABITABLE STORIES OVER PARKING
T5 = 5 HABITABLE STORIES
BONUS HEIGHT:
4 HABITABLE STORIES FOR FLORIDA GREEN BUILDING
1 HABITABLE STORY FOR PUBLIC ART
TENANT PARKING WILL BE LOCATED WITHIN THE BUILDING FOOTPRINT.
SETBACKS- PRINCIPAL BUILDING:
FRONT PRINCIPAL - 0 FT. MIN., 8 FT MAX.
FRONT SECONDARY - 0 FT MIN., 8 FT MAX.
SIDE - 0 FT MIN., 24 FT MAX.
REAR - 3 FT MIN. OR 15 FT FROM CENTERLINE OF ALLEY
LOT WIDTH: 18 FT MIN.
LOT COVERAGE: 80%
PARKING: PER T-5 DEVELOPMENT STANDARDS
MAX. BASE DENSITY: 40 DU/AC
TOTAL AREA - 15.85 ACRES
* OTHER BUILDING HEIGHT INCENTIVE OPTIONS MAY BE SOUGHT THROUGH ADDITION OF SUBJECT PROPERTY TO ORDINANCE 4017/ART. 1, SECT. 1.12 OF BRADENTON FORM BASED CODE.
LEGEND
PHASE-1 BOUNDARY
PHASE-2 BOUNDARY
PHASE-3 BOUNDARY
PHASE-4 BOUNDARY
PHASE-5 BOUNDARY
EXISTING ROAD
ACCESS ARROW
Stantec
WESTMINSTER POINT PLEASANT
CONCEPTUAL PLAN
April 2024

The Fire Department has expressed concern with fire water supply to the area. The Fire Marshal has commented that large-scale projects can no longer simply use a fire pump to account for supply concerns, and that water supply, access, and future equipment needs will need to be evaluated for this project and its location.

RECOMMENDATION

The campus was originally approved for 401 equivalent dwelling units on 11 acres of land, which is approximately 36 EDU/acre, though it is unclear in available records if density was considered when the existing campus was approved. With the addition of new property, the campus has 15.8 acres of land. If the campus has maintained 401 EDUs, the current density is approximately 25 units per acre. Changing the future land use category of the area to Urban Central Business District would bring the campus into conformance. This would allow the redevelopment of the site as old buildings could be demolished and rebuilt to higher safety standards.

However, generally, staff finds the proposed map amendment inconsistent with the overall goals, objectives, and policies of the Comprehensive Plan. The Comprehensive Plan discourages increasing density in areas that are vulnerable to coastal threats. The Comprehensive Plan specifically discourages high-density residential projects for the elderly in high-priority hurricane evacuation zones; this area is in Evacuation Zone A, the first zone to evacuate when a tropical system threatens the community. Staff recommends DENIAL of the requested Comprehensive Plan Map Amendment.

Respectfully submitted,



Jamie Schindewolf, Senior Planner

EXHIBIT A: Location Map
EXHIBIT B: Future Land Use Map (Current)
EXHIBIT C: Zoning Map
EXHIBIT D: Legal Descriptions as provided by the applicant

EXHIBIT A


Manatee River
Manatee River
SUBJECT PARCELS
18TH ST NW
1ST AVE
BARCARROTA BLVD
RIVERVIEW BLVD
1ST AVE DR W
16TH ST W
14TH ST W
2ND AVE W
3RD AVE W
20TH ST W
21ST ST W
15TH ST CT W
Wares Creek
4TH AVE W
Bradenton
4TH AVE DR W
15TH ST W
13TH ST W
MANATEE AVE W
64
MANATEE AVE W
CITY OF BRADENTON FLORIDA
CP.24.0364 FLU - RESHIGH to UCBD
owner: Presbyterian Retirement Communities, Inc.
Westminster - Point Pleasant
Location
0 50 100 150
Yards
LEGEND
Westminster Parcels
Other Parcels
Bradenton

EXHIBIT B


Manatee River
Manatee River
18TH ST NW
17TH ST NW
RESHIGH
BARCARROTA BLVD
1ST AVE W
1ST AVE DR W
16TH ST W
RESHIGH
RESHIGH
14TH ST W
2ND AVE W
RIVERVIEW BLVD
3RD AVE W
RESLOW
25ST ST W
SUBJECT PARCELS
Wares Creek
RESHIGH
1ST CT
RESHIGH
URBCORE
4TH AVE W
15TH ST W
4TH AVE DR W
UV
MANATEE AVE W
64
MANATEE AVE W
UCBD
CITY OF BRADENTON FLORIDA
CP.24.0364 FLU - RESHIGH to UCBD
owner: Presbyterian Retirement Communities, Inc.
Westminster - Point Pleasant
Future Land Use
0 50 100 150
Yards
LEGEND
Westminster Parcels
Other Parcels
Bradenton

EXHIBIT C



CP.24.0364 FLU - RESHIGH to UCBD

owner: Presbyterian Retirement Communities, Inc.
Westminster - Point Pleasant

PIDs: 3346808000, 3346680004, 3373780008, 3373500002, 3373300007, 3332580109, 3337900059, 3306680158, 3335300059, 3349910051, 3339560109, 3339000006, 3338800000

Bradenton Department of Planning and Community Development

EXHIBIT D

Legal Descriptions as Provided by the Applicant

(Source: Manatee County Property Appraiser)

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF
176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING Pl#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIE INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SHY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) Pl#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 9,10,11,12 & 13, OF EA VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NEl/4 OF SEl/4 & PARTLY IN LOT 4 US OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE WAS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W
22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FTTO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMO PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THEN LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO AC. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), Pl#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MINE 234 FT TO THEN LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SECOR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BORY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SECOR. (1651/6744) Pl#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD
CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MINE 234 FT TON LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH EONS

SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SECOR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) Pl#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF SC UPHAM REC IN DB GP 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; THE 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLINGS 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THEE BY THEW LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THEW BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, Pl#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF HG H REEDS SUB; TH W BDRY LN OF THEE 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS, VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE Wl/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE

INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE WI/2 OF LOT 2 BLK A OF HG H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THEE LN OF SD WI/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD WI/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 PG 806, LESS THE 51/2 OF THEE 90 FT & LESS THE 51/2 OF THEW 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THENS 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1
BLK A REED SUB (640/77), TOGETHER WITH THE SI/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. P1#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST WAND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH *AVE* WA DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THEN BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THEW LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALGA LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF

IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE El/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FTTO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. Pl#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK CREED SUB Pl#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Description: LOT 4 BLK CREED SUB Pl#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THEE LN OF *SD* STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THEW 134 FT OF LOT 1, BLK F JOHNSON SUB. Pl#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FTTO NW COR

OF LOT 3; TH RUNE
134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF *SD* LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUNS AND PARALLEL TO THEE LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALGA LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), Pl#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THEW R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THEW R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S DO DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF
12.21 FT; TH S 31 DEG 52 MIN DO SEC W ALG SD LN, A DIST OF 27.92 FTTO THEN R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD **N** R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED BUSINESS #6668 MARKING THEN R/W LN SD MANATEE AVE WAT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALGA SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH AC/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH AC/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THEW R/W LN OF 15TH ST WAND 115 FT WLY THEREOF, A DIST OF 330.99 FTTO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) Pl #33351.0005/9

ORDINANCE NO. 4036

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE MAP; CHANGING THE FUTURE LAND USE DESIGNATION FROM HIGH DENSITY RESIDENTIAL TO URBAN CENTRAL BUSINESS DISTRICT FOR PROPERTIES LOCATED AT PIDS 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000 AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED "EXHIBIT A"; 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, 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

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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, Presbyterian Retirement Communities, Inc. owns the properties identified by Manatee County Parcel IDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000, more particularly described in the attached Exhibit "A", consisting of approximately 15.9 acres ("Property"); and,

WHEREAS, Stantec Consulting Services, Inc. agent for Presbyterian Retirement Communities, Inc., initiated the subject petition to amend the Future Land Use Designation for the Property from Conservation to Suburban Commercial Corridor ("Amendment"); 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, and opportunity for oral or written comments; and,

WHEREAS, the City of Bradenton's LPA held a public hearing on August 19, 2020, to consider the proposed Amendment; and,

WHEREAS, the LPA having reviewed and considered all comments received during said hearing, found that the Amendment furthers the goals, objectives and policies of the City's Comprehensive Plan and recommended said Amendment to the City Council for approval; and,

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WHEREAS, based on the matters of record received by the City Council at the required public hearing pursuant to Section 163.3187(2), Florida Statutes, held on February 10, 2021 after proper notice, and finding the proposed Amendment meets the requirements of Section 163.3187(1), Florida Statutes, and is consistent with the goals, objectives and policies of the City's Comprehensive Plan, 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 Future Land Use Map of the City of Bradenton Comprehensive Plan is hereby amended, changing the designation of the Property from Conservation to Suburban Commercial Corridor.

3. The applicability and effect of the City of Bradenton Comprehensive Plan shall be as provided by the Community Planning Act, Sections 163.3161 through 163.3233, 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.

4. 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.

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5. This Ordinance adopting the Amendment shall become effective, as provided by Florida law.

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING, THIS

ATTEST:

_____	_____
Tamara Melton	Gene Brown
CITY CLERK	MAYOR

Planning Commission: May 15, 2024
City Council First Reading:
City Council Second Reading:

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LEGAL NOTE

I hereby certify that I have approved the form of this Ordinance No. 4036.

_____

Scott Rudacille
CITY ATTORNEY

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EXHIBIT “A”

Parcel ID: 3346800000
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER RIVERSIDE

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF 176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING Pl#33468.0000/0

Parcel ID: 3346600004
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SHY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) Pl#33466.0000/4

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Parcel ID: 3373700008
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 9,10,11,12 & 13, OF EA VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NEl/4 OF SEl/4 & PARTLY IN LOT 4 US OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE WAS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W 22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FTTO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMO PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THEN LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO AC. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), Pl#33737.0000/8

Parcel ID: 3373500002
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MINE 234 FT TO THEN LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SECOR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BORY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SECOR. (1651/6744) Pl#33735.0000/2

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Parcel ID: 3373300007
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MINE 234 FT TON LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH EONS SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SECOR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) Pl#33733.0000/7

Parcel ID: 3352500109
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER SHORES

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF SC UPHAM REC IN DB GP 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; THE 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLINGS 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY

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MARCY ST (1ST AVE W) ON THEE BY THEW LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THEW BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, Pl#33525.0010/9

Parcel ID: 3337900059
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA ASBURY TOWERS

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF HG H REEDS SUB; TH W BDRY LN OF THEE 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS, VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF &
ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE Wl/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE Wl/2 OF LOT 2 BLK A OF HG H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THEE LN OF SD Wl/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD Wl/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 PG 806, LESS THE 51/2 OF THEE 90 FT & LESS THE 51/2 OF THEW 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT

FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THENS 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1 BLK A REED SUB (640/77), TOGETHER WITH THE Sl/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. PI#33379.0005/9

Parcel ID: 3340600158
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC
Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7,

BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST WAND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH AVE WA DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THEN BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207 /156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THEW LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALGA LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE El/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB

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(WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FTTO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546
DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. Pl#33406.0010/9

Parcel ID: 3338800000
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK CREED SUB Pl#33388.0000/0

Parcel ID: 3339000006
Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Description: LOT 4 BLK CREED SUB Pl#33390.0000/6

Parcel ID: 3339500109
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UP HAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THEE LN OF SD STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THE W 134 FT OF LOT 1, BLK F JOHNSON SUB. Pl#33395.0010/9

Parcel ID: 3340910052
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FTTO NW COR OF LOT 3; TH RUNE 134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF SD LOT 1; TH RUN E

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ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUNS AND PARALLEL TO THEE LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALGA LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), Pl#33409.1005/2

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Parcel ID: 3335100059
Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THEW R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THEW R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S DO DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF 12.21 FT; TH S 31 DEG 52 MIN DO SEC W ALG SD LN, A DIST OF 27.92 FTTO THEN R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD N R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED BUSINESS #6668 MARKING THEN R/W LN SD MANATEE AVE WAT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALGA SEAWALL
AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH AC/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH AC/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THEW R/W LN OF 15TH ST WAND 115 FT WLY
THEREOF, A DIST OF 330.99 FTTO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) Pl #33351.0005/9

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AGENDA ITEM NO. 6.g

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Jamie Schindewolf, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT:

Ordinance 4037, Case LU.24.0361:

An Ordinance of the City of Bradenton, Florida, providing for an amendment to the City of Bradenton Land Use Atlas; changing zoning from T4-O (General Urban – Open) and T4-R (General Urban – Restricted) to T5 (Urban Center) for 15.9 acres located at PIDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3338800000, 3340910052, 3335100059; providing for applicability; providing for severability; and providing for an effective date. Application filed by Katie LaBarr of Stantec, agent for Presbyterian Retirement Communities, Inc.

SUGGESTED ACTION: Vote to recommend approval or denial of Ordinance 4037.

Is this item Quasi-Judicial?
Yes

Does this item require a public hearing?
Yes

EXPLANATION:
The applicant has submitted a request for a rezoning of the properties listed above from T4-O (General Urban Open) and T4-R (General Urban Restricted) to T-5 (Urban Center). The applicant submitted a concurrent Comprehensive Plan Map

Amendment specifically for these parcels and submitted a general Comprehensive Plan Text Amendment.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend approval of Ordinance 4037.

ATTACHMENTS:
Application - Ord. 4037, Case LU.24.0361.pdf
Staff Report - Ord. 4037, Case LU.24.0361.pdf
Ord. 4037 (DRAFT).pdf

Stantec

Westminster Point Pleasant

Zoning Atlas Amendment Application

January 2024

Prepared for:

Westminster Communities of Florida

Prepared by:

Stantec Consulting Services Inc.

6920 Professional Parkway

Sarasota, Florida 34240-8414

Letter of Request

Stantec Consulting Services Inc.
6920 Professional Parkway
Sarasota FL 34240-8414

January 16, 2024

Project/File: Westminster Point Pleasant / 215617665

Robin Singer, Director
Department of Planning & Community Development
101 Old Main Street
Bradenton, FL 34205

Reference: Letter Of Request - Zoning Atlas Amendment Application

Dear Ms. Singer:

On behalf of our client, Westminster Communities of Florida, we are submitting a zoning atlas amendment application for the Westminster Point Pleasant property generally located on the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton. In support of this submittal, enclosed please find the following:

1. Zoning Atlas Amendment Application;
2. Application Fee of $4,000 (a concurrent FLUM amendment is being submitted alongside this application);
3. Notarized Property Disclosure of Interest Affidavit and Agent Authorization Form;
4. Narrative addressing the Findings of Fact and Review Criteria with attached maps;
5. Property Legal Description; and
6. Concept Plan.

Thank you for your assistance in processing this application. Should you have any questions or concerns please do not hesitate to contact me.

Regards,

STANTEC CONSULTING SERVICES INC.

Katie LaBarr

Katie LaBarr, AICP
Principal, Community Development
Katie.LaBarr@stantec.com

Zoning Atlas Amendment Application Form

Zoning Atlas Amendment Application

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

CONTACT INFORMATION (REQUIRED)

Name of Property Owner: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Owner Address: 80 W LUCERNE CIR, ORLANDO FL 32801 Telephone: 407-839-5050

Name of Agent: Stantec Consulting Services Inc, Katie LaBarr, AICP

Agent Address: 6920 Professional Pkwy, Sarasota, FL 34240 Telephone: 941-907-6900

Owner/Agent Email: katie.labarr@stantec.com

PROPERTY INFORMATION (REQUIRED)

Property Address: several addresses

Parcel ID: See Legal Description document for Parcel IDs Acreage: 15.9

Current Use of Property: Continuing Care Retirement Community

Proposed Use of Property: Continuing Care Retirement Community

Current Zoning: T4-O, T4-R *click to view Zoning map

Proposed Zoning: T-5 *click to view Zoning map

MATERIALS FOR REVIEW (REQUIRED)

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. Include one (1) electronic copy (pdf) of Application and all support materials.

- ► Zoning Atlas Amendment Application
- ► Application Fee: $5,520 ($4,000 if advertised concurrently with a FLUM Amendment)
- ► 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)
- ► Ten(10) copies of Conceptual Plans of Proposed Development, if applicable
- ► Legal Description of Property

SIGNATURE (REQUIRED)

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.

Katie Labarr — 1-16-24

Signature of Owner/Applicant — Date

CITY STAFF ONLY

Application Fees:
Fee Required: **$5,520**
$4,000 (if submitted with FLUM Amendment)

FEE COLLECTED: $ 4,000

RECEIPT #:

Application Sufficiency:
Sufficient: X
Incomplete: ☐

APPLICATION #: 240361

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

2ND CC READ:

1ST CC READ:

PC:

DRC:

Property Disclosure of Interest Affidavit

Zoning Atlas Amendment Application

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

bradenton
The Friendly City

DISCLOSURE AFFIDAVIT — **REQUIRED**

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.*

NAME, ADDRESS, TITLE	PERCENTAGE INTEREST, STOCK, OR OWNERSHIP
Henry T Keith, 80 W Lucerne Cir Orlando FL EVP (owner ___ contract purchaser ___)	0 (Non Profit Corp)
(owner ___ contract purchaser ___)	
(owner ___ contract purchaser ___)	

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

Signature: _____ (Applicant): Henry T Keith, EVP

NOTARY — **REQUIRED**

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 16 day of Jan, 20 24, by Henry T Keith, EVP, who is personally known to me or who has produced _____ as identification.

Geneen D. Scott
Signature

Geneen D. Scott, Notary Public
Print Name

GENEEN D. SCOTT
Notary Public - State of Florida
My Comm. Expires July 20, 2024
Commission #HH21339

State of Florida – My Commission Expires: 07/20/2024

Agent Authorization Form

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

AGENT AUTHORIZATION — REQUIRED

Property Address: Several addresses, see Legal Description attached

I, Presbyterian Retirement Communities, Inc./West, the registered property owner(s) of the above noted property, do hereby authorize

Stephen R. Dye, Esq. & Katie LaBarr, AICP	Dye Harrison Knowles Kirkland, Pratt & DePaola, PLLC Sta
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.

	80 West Lucerne Cir. Orlando FL 32801
Signature of Owner(s)	Owner(s) Address (if different than property above)
Signature of Agent	1206 Manatee Ave. W. Bradenton, FL 34205/941-748-4411
	Agent Address and Phone

NOTARY — REQUIRED

STATE OF FLORIDA, MANATEE COUNTY

The Foregoing instrument was acknowledged before me by means of ✓ physical presence or ___ online notarization, this 16 day of January 2024 produced _____ personally known to me respectively, as identification and who did (did not) take an oath:

Geneen D. Scott
Signature

Geneen D. Scott, Notary Public
Print Name

State of Florida
My Commission Expires: 07/20/2024

GENEEN D. SCOTT
Notary Public - State of Florida
My Comm. Expires July 20, 2024
Commission #HH21339

Stantec

Legal Descriptions (Source: Manatee County Property Appraiser)

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF 176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING PI#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SELY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) PI#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Stantec

Description: LOTS 9,10,11,12 & 13, OF E A VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NE1/4 OF SE1/4 & PARTLY IN LOT 4 U S OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE W AS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W 22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FT TO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMD PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THE N LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO A C. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), PI#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MIN E 234 FT TO THE N LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SE COR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BDRY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SE COR. (1651/6744) PI#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MIN E 234 FT TO N

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LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH E ON S SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SE COR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) PI#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF S C UPHAM REC IN DB G P 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; TH E 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLING S 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THE E BY THE W LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THE W BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, PI#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF H G H REEDS SUB; TH W BDRY LN OF THE E 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS,

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VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE W1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE W1/2 OF LOT 2 BLK A OF H G H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 P G 806, LESS THE S1/2 OF THE E 90 FT & LESS THE S1/2 OF TH E W 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THEN S 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1 BLK A REED SUB (640/77), TOGETHER WITH THE S1/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. PI#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST W AND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH AVE W A DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A

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PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THE N BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THE W LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALG A LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE E1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. PI#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK C REED SUB PI#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Stantec

Description: LOT 4 BLK C REED SUB PI#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THE E LN OF SD STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THE W 134 FT OF LOT 1, BLK F JOHNSON SUB. PI#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FT TO NW COR OF LOT 3; TH RUN E 134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF SD LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUN S AND PARALLEL TO THE E LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALG A LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), PI#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THE W R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THE W R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S 00 DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF 12.21 FT; TH S 31 DEG 52 MIN 00 SEC W ALG SD LN, A DIST OF 27.92 FT TO THE N R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD N R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED

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BUSINESS #6668 MARKING THE N R/W LN SD MANATEE AVE W AT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALG A SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH A C/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH A C/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THE W R/W LN OF 15TH ST W AND 115 FT WLY THEREOF, A DIST OF 330.99 FT TO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) PI #33351.0005/9

Narrative and Attached Maps

Westminster Point Pleasant

Zoning Atlas Amendment Application - Project Narrative and Review Criteria

Stantec Consulting Services Inc., and Dye Harrison, on behalf of the Applicant, Westminster Communities of Florida, request a rezone for the future redevelopment of the Westminster Point Pleasant property generally located on the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton. The Westminster property is comprised of thirteen (13) parcels totaling to approximately 15.9 acres. Parcel identification numbers for properties that are subject to future redevelopment include the following: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, and 3338800000. The property is currently utilized as a Continuing Care Retirement Community that accommodates independent living, assisted living, and skilled nursing facilities. This rezone request, along with the concurrent Comprehensive Plan text and future land use map amendments, is proposed to support the Westminster retirement community's resilient redevelopment goals.

With this application, we propose a rezone of the Subject Property from General Urban Open (T4-O) and General Urban Restricted (T4-R) to Urban Center (T5). In support of the zoning atlas amendment, the following Comprehensive Plan policies and land use regulations were analyzed:

A. <u>Consistency with Comprehensive Plan</u>

All Land Use Regulation Zoning 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 Regulation Zoning District assigned shall be consistent with the land use category of the Future Land Use Map.

The Subject Property is located at the peninsula north of Manatee Avenue West, and east of 15th Street West in the City of Bradenton. The City of Bradenton Comprehensive Plan currently designates the property with the High Density Residential (RESHIGH) Future Land Use Category. A concurrent amendment to the Comprehensive Plan is being submitted along with this rezone application and proposes the Property be designated as Urban Central Business District (UCBD). These amendments are proposed to accommodate the Property in consideration of redevelopment over a long-range time horizon that will result in modern, sustainable, and more resilient senior housing.

With the proposed plan, the total unit count at completion of redevelopment is anticipated to be approximately 636 units, or 40 dwelling units per acre, being primarily independent living but including assisted living memory care and skilled nursing units to serve the Bradenton community. The proposed land use (UCBD) is consistent with this plan that allows 40 dwelling units per acre, encourages medium to high density residential and permits the "Development of a lively, mixed-use, walkable downtown that effectively serves Bradenton residents, merchants, visitors, and employees". Therefore, the Applicant is requesting to rezone this site area to Urban Center (T5), which includes "higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments" as a permitted use pursuant to Table 4.7 of the City of Bradenton's Form Based Code.

With the Comprehensive Plan Amendment that designates the site area as UCBD, the proposed use and zoning district (T5) align appropriately and consistently with the Comprehensive Plan, including adherence to the goals, objectives, and policies outlined in the Future Land Use Element.

FUTURE LAND USE ELEMENT

Goal 1 Future Land Use: Uses and intensities

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

The rezone of the Subject Property to T5 will allow the Subject Property to sustainably redevelop through enhancements to the existing retirement community. The Westminster Community has existed since 1954 in its current location and has remained as a compatible and important community in this part of the City. The proposed rezone will support the Property's continued rehabilitation and redevelopment with independent living, assisted living, memory care, and skilled nursing facilities. Future development may also include ancillary facilities and features such as outdoor dining venues, low impact recreational facilities, gardens, golf cart and pedestrian trails for internal circulation. These features are typical for independent and assisted living facilities and are integral to the mission and success of this important community resource.

Based on the future land use map of the area, the proposed development is compatible with adjacent and nearby uses The site is surrounded by Urban Core (URBCORE) to the east, Urban Central Business District (UCBD) to the South, and Residential High Density to the North. The URBCORE is located within the City of Bradenton's UCBD and provides the hub for economic development and civic uses. With the comprehensive plan amendment to UCBD, the proposed site will be an expansion of UCBD FLU that exists on the south side of Manatee Avenue. Proposed uses, and ancillary uses are compatible with both URBCORE and UCBD permit the uses of 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.

Additionally, the proposed uses on the site, as mentioned above, will be compatible with the existing land uses of adjacent areas. Surrounding land uses include residential, vacant, bed and breakfast, church, office, and institutional uses according to Manatee County Property Appraiser. The proposed expansion and improvement of the Subject Property will blend seamlessly with the mixed-use, residential area.

The proposed redevelopment will be fully surrounded by public rights of way, which will provide appropriate means of ingress/egress to the facility without hazard to the community.

Policy 1.1.3 Urban Center Principles (Urban Core and Urban Central Business District)
The City shall enhance the unique aspects of Downtown Bradenton and address emerging redevelopment opportunities based upon the following design principles for urban centers:

- **Provision of sufficient housing capacity, including affordable and workforce housing.**

  The proposed Comprehensive Plan amendment to UCBD and rezone to T-5 will allow the Westminster retirement community to develop at a density that preserves and expands existing density, while ensuring resilient redevelopment of senior residential units.

- **Optimization of transportation infrastructure that promotes multimodal opportunities and recognizes the functional integration of the downtown urban center with adjacent neighborhoods.**

  The proposed retirement community is located along a major thoroughfare, Manatee Avenue West, which includes bi-directional sidewalks and access to public transit. The site is also surrounded by local streets that also have sidewalks. The proposed plan will not adversely affect the pedestrian walkways within and along the perimeter of the project.

- **Promotion of sustainable development practices; Promotion of historic preservation, including the preservation of historically significant structures in downtown. Encourage an urban scale, form and character that respects and integrates historically significant structures and districts.**

  The subject property has existed since 1954 in its current location and offers a continuum of care from independent living to full skilled nursing accommodations and does not include any historic structures. Moreover, there are no historic structures in the immediately surrounding area, according to the Florida Historical Marker Interactive Map.

- **Maintenance and promotion of aesthetics in design and urban form through height, bulk and scale standards for new development which are consistent with the established cityscape and skyline.**

  The proposed retirement community will be compatible with other buildings in the area, which include but are not limited to adjacent residential, office, church, and institutional uses. The proposed rezoning of the site to T5 will be a compatible extension of the nearby T5 and T6 zoning district in terms of the built environment, massing, and density. Proposed development will be compatible with, and consistent with certain dimensional standards like building height , setbacks, lot width and lot coverage.

- **Provision of public open space and urban recreational opportunities that encourage walkability throughout downtown and adjacent neighborhoods, including a pedestrian infrastructure and open space network that promotes ease of access to the waterfront; and**

  The property will include amenities such as outdoor dining venues, low impact recreational facilities, gardens, golf cart and pedestrian trails for internal circulation of residents, visitors, and staff, and facilities to provide a connection and access to the beautiful waterfront location.

- **Provision of sufficient employment capacity.**

  Redevelopment of Westminster will ensure employment opportunities are maintained in the city to support components of independent living, assisted living, memory care, and skilled nursing facilities as well as all the proposed support uses on-site.

Policy 1.2.1. Establish a Future Land Use Map – Urban Central Business District

The City of Bradenton Comprehensive Plan provides that institutional, high density residential, personal and professional services, parks, and other uses associated with the proposed development are permitted in the Urban Central Business District.

B. Consistency with Land Use Regulations

Land Use Atlas District designations shall be consistent with the purpose and intent of the Land Use Regulations.

The proposed rezone to T-5 and the redevelopment of high density senior residential units are consistent with the applicable Land Use Regulations of the City of Bradenton's Form Based Code.

C. Land Use Compatibility

The assigning of Land Use Regulation Zoning Districts shall promote the compatibility of adjacent land uses.

The proposed zoning district of T5 Urban Center will promote the continued success of Westminster with a modern, dense, progressive senior housing community with associated facilities such as outdoor dining venues, low impact recreational facilities, gardens, golf cart and pedestrian trails to serve residents for years to come. The adjacent zoning districts of the study area are T4-R General Urban Restricted and T5 Urban Center. T4-R consists of mixed-use medium density residential urban fabric where T5 consists of higher density mixed use buildings accommodating retail, offices, rowhouses and apartments. Therefore, the rezoning of the site area to T5 is better aligned with the existing form of development on this site and will promote compatibility with adjacent land uses as the site is redeveloped.

D. Provision of Adequate Public Facilities

The assigning of Land Use Regulation Zoning 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 Land Use Regulations Section 4.1.1.5 shall be considered in assigning Land Use Regulation Zoning Districts and there shall be reasonable assurance that the demand for services allowed in the proposed Land Use Regulation Zoning District can be met.

Existing city water and sewer lines serve the subject property. Improvements to existing infrastructure that is directly attributable to redevelopment or expansion of Westminster will comply with Sections 4.1.1.5.b. and 4.1.1.5.c. During redevelopment, drainage will be designed to meet the requirements of Section 4.1.1.5. During redevelopment, solid waste will be designed to meet the requirements of Section 4.1.1.5.e.

E. Public Interest

Land Use Regulation Zoning District designations shall not be in conflict with the public interest and will promote the public health, safety and welfare.

The proposed zoning atlas amendment supports the goals, objectives, and policies of the Comprehensive Plan and the regulations outlined in the City of Bradenton's Land Use Regulations. The zoning atlas amendment to T-5 implements the proposed Future Land Use Category, with the concurrent amendment to UCBD. This proposed zoning atlas amendment will promote the public health, safety and welfare as regulated by the Comprehensive Plan and the Land Use Regulations. The proposed rezone to T-5 and redevelopment and expansion of an existing and successful progressive care community will promote the health, safety, and welfare of residents in the city.



LEGEND

Westminster Owned Parcels

Total acreage owned by Westminster: 15.9 acres

Revised: 2024-01-29 By: amoody

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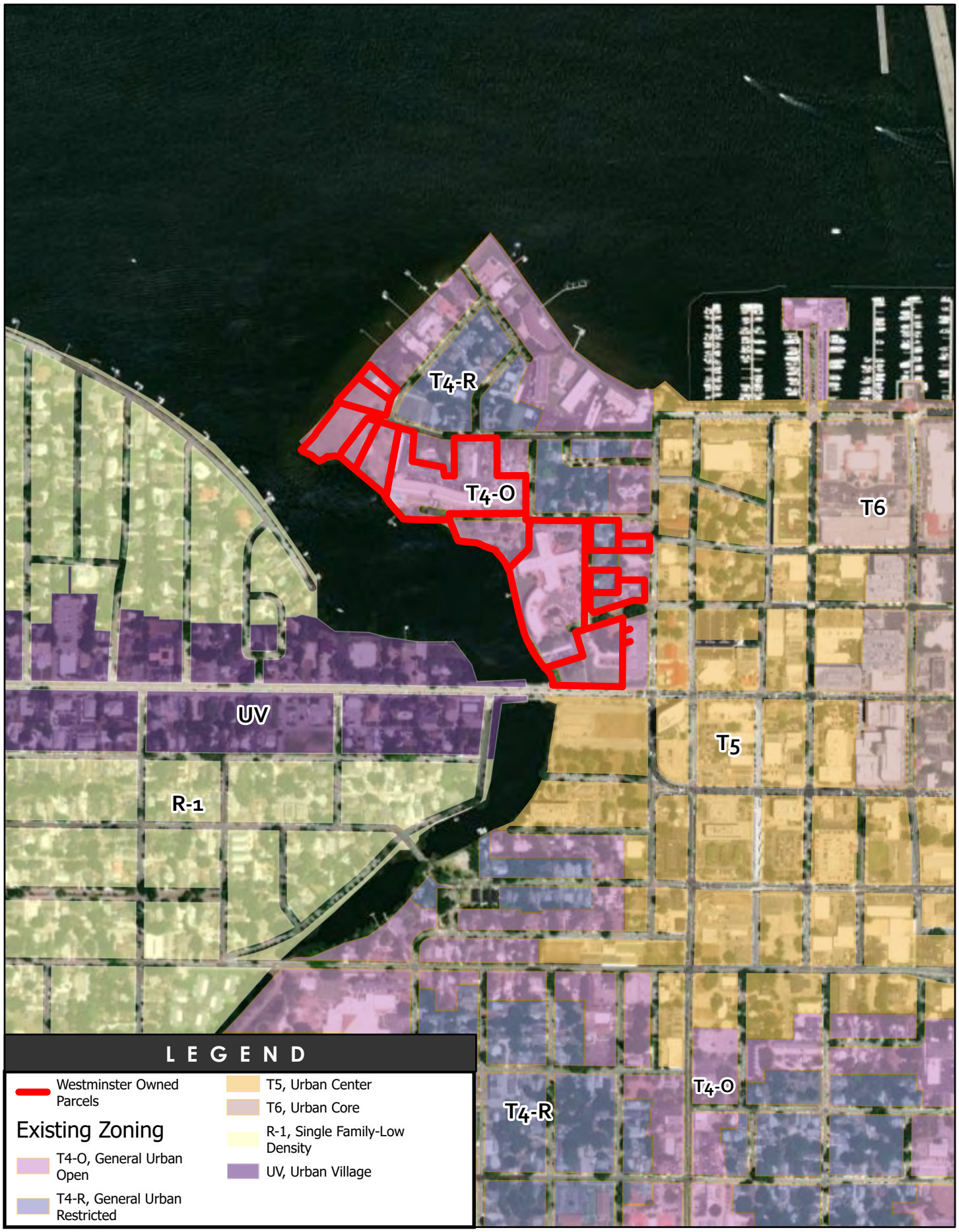
Data Source:
City of Bradenton Data

WESTMINSTER
Aerial View
January 2024

Stantec Consulting Services Inc.
6920 Professional Pkwy E.
Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

N

0 0.02 0.04 0.07
Miles



LEGEND

- Westminster Owned Parcels

Existing Zoning

- T4-O, General Urban Open
- T4-R, General Urban Restricted
- T5, Urban Center
- T6, Urban Core
- R-1, Single Family-Low Density
- UV, Urban Village

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City of Bradenton Data

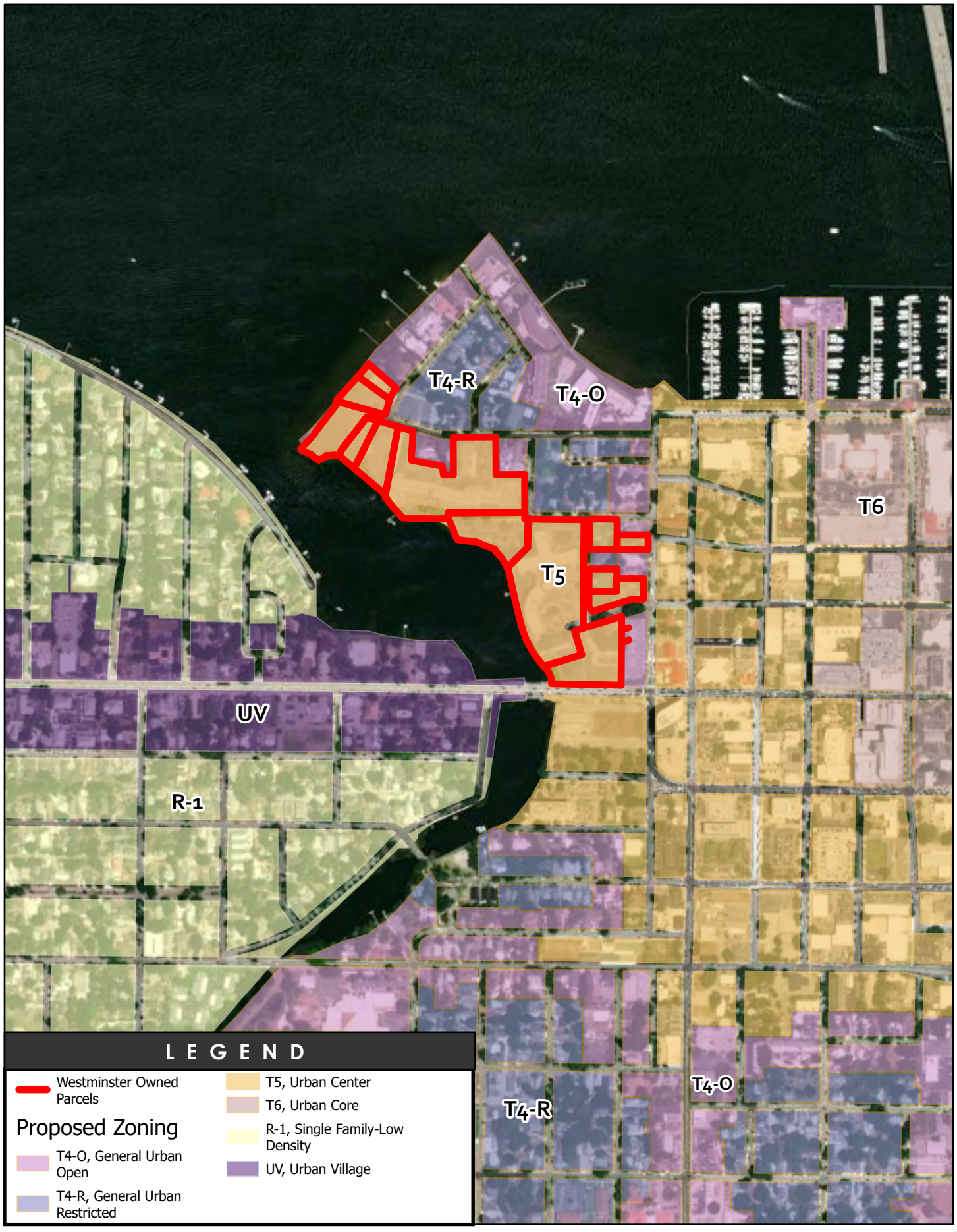
WESTMINSTER
Existing Zoning
January 2024

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Miles

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LEGEND

- Westminster Owned Parcels

Proposed Zoning

- T4-O, General Urban Open
- T4-R, General Urban Restricted
- T5, Urban Center
- T6, Urban Core
- R-1, Single Family-Low Density
- UV, Urban Village

Revised: 2024-01-22 By: amoody

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Data Source:
City of Bradenton Data

WESTMINSTER
Proposed Zoning
January 2024

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Sarasota, FL 34240
tel 941.907.6900
fax 941.907.6910

N

0 0.04 0.07 0.14
Miles

Property Legal Description

Stantec

Legal Descriptions (Source: Manatee County Property Appraiser)

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF 176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING PI#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SELY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) PI#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 9,10,11,12 & 13, OF E A VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NE1/4 OF SE1/4 & PARTLY IN LOT 4 U S OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE W AS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W 22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FT TO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMD PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THE N LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO A C. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), PI#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MIN E 234 FT TO THE N LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SE COR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BDRY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SE COR. (1651/6744) PI#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MIN E 234 FT TO N

LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH E ON S SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SE COR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) PI#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF S C UPHAM REC IN DB G P 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; TH E 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLING S 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THE E BY THE W LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THE W BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, PI#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF H G H REEDS SUB; TH W BDRY LN OF THE E 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS,

VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE W1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE W1/2 OF LOT 2 BLK A OF H G H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD W1/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 P G 806, LESS THE S1/2 OF THE E 90 FT & LESS THE S1/2 OF TH E W 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THEN S 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1 BLK A REED SUB (640/77), TOGETHER WITH THE S1/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. PI#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST W AND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH AVE W A DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A

PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THE N BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THE W LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALG A LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE E1/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE W AND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST W A DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC W A DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE W AND 16TH ST W); TH E A DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. PI#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK C REED SUB PI#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Description: LOT 4 BLK C REED SUB PI#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE F0LLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THE E LN OF SD STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THE W 134 FT OF LOT 1, BLK F JOHNSON SUB. PI#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FT TO NW COR OF LOT 3; TH RUN E 134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF SD LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUN S AND PARALLEL TO THE E LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALG A LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), PI#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THE W R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THE W R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S 00 DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF 12.21 FT; TH S 31 DEG 52 MIN 00 SEC W ALG SD LN, A DIST OF 27.92 FT TO THE N R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD N R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED

BUSINESS #6668 MARKING THE N R/W LN SD MANATEE AVE W AT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALG A SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH A C/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH A C/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THE W R/W LN OF 15TH ST W AND 115 FT WLY THEREOF, A DIST OF 330.99 FT TO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) PI #33351.0005/9

Concept Plan



Stantec

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WESTMINSTER POINT PLEASANT

CONCEPTUAL PLAN

JANUARY 2024

Stantec Consulting Services Inc.
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Sarasota, FL 34240
tel 941.907.6900
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N

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City of Bradenton
Planning and Community Development Department
Planning Commission Public Hearing
May 15, 2024

Staff Report

Case Number: LU.24.0361 – ORD 4037
Applicant: Katie LaBarr, Stantec Consulting Services Inc., Agent for Presbyterian Retirement Communities
Parcel IDs: 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3335100059, 3340910052, 3339500109, 3339000006, 3338800000
Zoning: T4-O (General Urban Open)/T-4R (General Urban Restricted)
Proposed Zoning: T4-5 (Urban Center)
Current Future Land Use: High Density Residential
Proposed Future Land Use (per concurrent ORD 4036): Urban Central Business District
Flood Zone: AE, VE, X

Surrounding Property:

Zoning:	North: T4-O General Urban – Open/T4-R General Urban Restricted, subject to Point Pleasant Neighborhood Conservation District South: Manatee Avenue/T-5 (Urban Center) East: T-5 (Urban Center) West: Wares Creek
Future Land Use:	North: High Density Residential South: Manatee Avenue/Urban Central Business District East: High Density Residential West: Wares Creek
Uses:	North: Single family residential, condominiums South: Manatee Avenue/vacant East: Offices/Church West: Wares Creek

SUMMARY OF REQUEST

The applicant has submitted a request for a rezoning of the properties listed above from T4-O (General Urban Open) and T4-R (General Urban Restricted) to T-5 (Urban Center). The applicant submitted a concurrent Comprehensive Plan Map Amendment specifically for these parcels and submitted a general Comprehensive Plan Text Amendment. The map below shows the area of the request. Most of the parcels are T4-O.



T4-O and T4-R – General Urban *(Current Zoning Classification):*

The Form Based Code states:

> T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, sideyard, and rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized blocks.
>
> > General Character: Mix of Houses, Townhouses & small Apartment buildings, with scattered Commercial activity; balance between landscape and buildings; presence of pedestrians
> > Building Placement: Shallow to medium front and side yard Setbacks
> > Frontage Types: Porches, fences, Dooryards
> > Typical Building Height: 2 to 3-Story with a few taller Mixed-Use buildings
> > Type of Civic Space: Squares, Greens

The T-4 zone has two different subzones: T4-R (General Urban Restricted) and T4-O (General Urban Open). T4-O is more permissive than T4-R, which predominately allows residential uses. The following chart (Table 4.7) describes the allowed uses in each zoning district. The only major difference in use allowance between T4-O and T-5 is that hotels are permitted in T-5 while greenhouses and veterinary clinics are not. T-5 also has some additional uses that are allowed by Special Use approval. There are significant differences between T4-R and T-5.

a. RESIDENTIAL	T3 T4-S	T4-R	T4-O	T5	T6	SD
Multi-Family		P	P	P	P	
Single Family Attached		P	P	P	P	
Single Family Semi-Detached		P	P	P		
Single Family Detached	P	P	P	P		
Accessory Unit	P	P	P	P		
b. LODGING						
Hotel (no room limit)				P	P	SU
Inn (up to 10 rooms)		SU	SU	P	P	
Bed and Breakfast (up to 6 rooms)	SU	P	P	P		
Boarding House		SU	SU	SU	SU	SU
School Dormitory	SU	P	P	P	P	P
c. OFFICE						
Office Building			P	P	P	SU
Live-Work Unit		P	P	P	P	SU
d. RETAIL AND SERVICE						
Special Events		SU	SU	SU	SU	P
Retail Building			P	P	P	SU
Display Gallery			P	P	P	SU
Restaurant			P	P	P	SU
Kiosk			P	P	P	SU
Café/Sidewalk Café<20 seats (1)			P	P	P	P
Push Cart				SU	SU	SU
Lounge			SU	SU	SU	SU
Secondhand Store			P	P	P	SU
Pawnshop						SU
e. CIVIC						
Convention Center				SU	SU	P
Conference Center				SU	P	P
Exhibition Center			SU	SU	SU	P
Fountain or Public Art	P	P	P	P	P	P
Library		P	P	P	P	P
Live Theater			P	P	P	P
Movie Theater			P	P	P	P
Museum			SU	P	P	P
Indoor Amusement Center			SU	SU	SU	SU
Outdoor Amusement Center			SU	SU	SU	SU
Outdoor Auditorium			SU	P	P	P
Passenger Terminal			SU	SU	SU	P
Playground	P	P	P	P	P	P
Sports Stadium			SU	SU	SU	P
Surface Parking Lot		P	P	P	P	P
Club		SU	SU			SU
Religious Assembly (3)	SU	P	P	P	P	P

f. OTHER: URBAN FARMING	T3 T4-S	T4-R	T4-O	T5	T6	SD
Grain/Food Storage						P
Greenhouse <200 SF	P	P	P			P
Veterinary Clinic		P	P			P
g. OTHER: AUTOMOTIVE						
Service Station/Repair			SU	SU		SU
Car Wash						P
Auto Sales/Rental				SU		P
Drive-Through Facility			SU	SU	SU	P
Parking Lot/Garage			P	P	P	SU
Automotive Specialty			SU	SU		SU
Shopping Center						SU
Shopping Mall						SU
h. OTHER: CIVIL SUPPORT						
Fire Station	SU	SU	P	P	P	P
Police Station	SU	SU	P	P	P	P
Cemetery	SU	SU	SU	SU	SU	P
Funeral Home			SU	P	P	P
Hospital				SU	SU	P
Medical Clinic		P SU	P SU	P SU	P SU	P SU
Marina		SU	SU	SU	SU	SU
i. OTHER: EDUCATION						
College			SU	SU	SU	P
Schools, Public & Private (3)	SU	SU	SU	SU	SU	P
Business Training Schools			P	P	P	P
Educational	SU	SU	SU	SU	SU	SU
Cultural			SU	SU	SU	SU
Other – Child Care Center (2)(3)	SU	SU	SU	SU	SU	SU
j. OTHER: INDUSTRIAL						
Heavy Industrial Facility						P
Light Industrial Facility			SU	SU		P
Laboratory Facility			SU	SU		P
Water Supply Facility						P
Sewer Waste Facility						P
Electric Substation	SU	SU	SU	SU	SU	P
Wireless Transmitter			SU	SU	SU	SU
Cremation Facility						P
Warehouse			SU	SU		P
Produce Storage						P
Heating & Fuel Storage						P
Ice Plant				SU		SU
Mini-Storage (4)			SU			P

P = PERMITTED SU = SPECIAL USE BLANK = NOT ALLOWED

1. City Council approval may be required Refer to Section 2.2.20 and 4.3.1 for alcoholic beverage sales and approval requirements. Establishments with alcoholic beverage sales are exempt from distance separation requirements from Religious Assembly uses.

Figure 1Table 4.7 Specific Function and Use

T5 – Urban Center Zoning District *(Proposed Zoning Classification):*

The Form Based Code states:

> T-5 Urban Center Zone consists of higher density mixed use buildings that accommodate retail, offices, rowhouses and apartments. It is meant to have a tight network of streets, with wide sidewalks, steady street tree planning and buildings set close to the sidewalks.
>
> General Character: Shops mixed with townhouses, larger apartment houses, offices, workplace, and civic buildings; predominately attached to buildings; trees within the public right-of-way; substantial pedestrian activity.
>
> Building Placement: Shallow setbacks or none; buildings oriented to street defining a street wall.
>
> Frontage Types: Stoops, Shopfronts, Galleries
>
> Typical Building Height: 3 to 5 story with some variation
>
> Type of Civic Space: Parks, plazas and squares, median landscaping

T4-O zoning allows for a pre-bonus height of up to 3 stories; with all possible bonuses, the tallest a building can be is 6 stories. T4-R allows for a pre-bonus height of 2.5 stories with a maximum potential height of 3.5 stories after LEED Certification or equivalent (the only bonus available in T4-R). T-5 allows a pre-bonus height of 5 stories, with a maximum height of 12 stories with all bonuses. These properties are outside of the area defined in Ordinance 4017 and therefore not eligible for the additional time-limited height incentives.

POINT PLEASANT NEIGHBORHOOD CONSERVATION DISTRICT

This request is adjacent to the Point Pleasant Neighborhood Conservation District. This district was put in place to "protect and preserve the character of the Point Pleasant neighborhood". The Form Based Code states that "it is the express intent of these regulations to further restrict the type of neighborhood commercial uses permitted within the PPNCD". The district is not permitted to utilize any height bonuses.

FUTURE LAND USE

This application was submitted with a concurrent application to change the Future Land Use Designation of the property from High Density Residential to Urban Central Business District.

The Comprehensive Plan describes the High-Density Residential designation as:

> Residential uses, with a potential neighborhood commercial component which will consist of light retail, restaurants, personnel services, office and other similar neighborhood activities. Auto-oriented uses such as gas stations, car washes, vehicles sales, auto repair, vehicle storage, and drive thru's are prohibited.
>
> *Residential – DU/acre 15 or 20 DU/acre with low- or moderate-income housing bonus (Dwelling units proposed above the base density threshold must meet the City's low- or 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.)*
>
> *Commercial – not to exceed 1 acre*
>
> *Maximum floor area ratio: commercial 0.60*

The Comprehensive Plan describes the Urban Central Business District designation as:

> 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 UBCD 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. Permitted Uses include: offices, personal and professional services, commercial, parks, entertainment venues, civic uses, climate controlled mini storage facilities that are vertically mixed with other permitted uses (not permitted as stand-alone uses), retail, public and semi-public facilities, educational, institutional, restaurants, parks, recreation, and entertainment venues, and medium to high density residential uses. Auto-oriented uses such as gas stations, car washes, vehicles sales, auto repair, vehicle storage, and drive thru's are prohibited unless located on US 301 or SR 64 (5th Avenue and 6th Avenue) a specifically authorized and approved by the City Council pursuant to the provision of the Land Use Regulations. Outdoor storage is prohibited.

Maximum floor area ratio: 8.0

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 density threshold must meet the City's low and 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.)

ANALYSIS

Land Use Regulations:

The following sections of the Land Use Regulations describe necessary conditions for assigning or amending land use districts in the City. Staff response is in bold below each criterion.:

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 uses allowed in T-5 are generally consistent with the intent of both High Density Residential and Urban Central Business District land use classifications.

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

The rezoning request is a continuation of existing T-5 zoning to the south and east of the property. However, the Point Pleasant Neighborhood Conservation District is to the north, adjacent to the request. A rezone to T-5 is not inherently incompatible with the District, as there is T-5 zoned property to the east of the District. However, as site plans are developed, the possible impacts to the District should be considered and mitigated if possible (e.g. landscape buffers).

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.

The rezoning request does not increase the allowed density or intensity. These are governed by the underlying future land use. As development moves through the standard review process, proposed uses will be reviewed to ensure there is adequate utility and infrastructure capacity.

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.

The rezoning request does not introduce hazardous or noxious potential uses to the surrounding properties. It should be noted that much of the property is in the Coastal High Hazard Area, which represents the Level A hurricane evacuation zone. A rezone to T-5, particularly with the potential for increased height, may provide flexibility in site planning to direct some of the development to the portions of the property outside of the Coastal High Hazard Area.

3.1.5.5 *Consistency with LURs.* Land use atlas district designations shall be consistent with the purpose and intent of these LURs.

The rezoning request meets the intent of the Land Use Regulations and the Form Based Code, meant to promote a walkable, mixed-use, urban downtown core.

The Fire Department has expressed concern with fire water supply to the area. The Fire Marshal has commented that large-scale projects can no longer simply use a fire pump to account for supply concerns, and that water supply, access, and future equipment needs will need to be evaluated for this project and its location.

RECOMMENDATION

Staff finds the proposed rezoning consistent with the overall goals, objectives, and policies of the Comprehensive Plan and the intent of the Form Based Code. Staff recommends APPROVAL of the requested rezoning.

Respectfully submitted,



Jamie Schindewolf, Senior Planner

EXHIBIT A: Location Map
EXHIBIT B: Future Land Use Map (Current)
EXHIBIT C: Zoning Map
EXHIBIT D: Legal Descriptions as provided by the applicant

EXHIBIT A


Manatee River
Manatee River
SUBJECT PARCELS
18TH ST NW
1ST AVE
16TH ST W
1ST AVE DR W
BARCARROTA BLVD
14TH ST W
2ND AVE W
3RD AVE W
15TH ST CT W
RIVERVIEW BLVD
20TH ST W
25TH ST W
Wares Creek
Bradenton
4TH AVE W
13TH ST W
15TH ST W
4TH AVE DR W
14TH ST W
MANATEE AVE W
64
MANATEE AVE W
12TH ST W
CITY OF BRADENTON FLORIDA
LU.24.0361 Zoning - T4-O/T4-R to T5
owner: Presbyterian Retirement Communities, Inc.
Westminster - Point Pleasant
Location
0 50 100 150
Yards
LEGEND
Westminster Parcels
Other Parcels
Bradenton

EXHIBIT B


Manatee River
Manatee River
18TH ST NW
17TH ST NW
RESHIGH
BARCARROTA BLVD
1ST AVE W
1ST AVE DR W
16TH ST W
RESHIGH
RESHIGH
14TH ST W
2ND AVE W
RIVERVIEW BLVD
3RD AVE W
RESLOW
25ST ST W
SUBJECT PARCELS
Wares Creek
RESHIGH
URBCORE
4TH AVE W
15TH ST W
4TH AVE DR W
UV
MANATEE AVE W
64
MANATEE AVE W
UCBD
LU.24.0361 Zoning - T4-O/T4-R to T5
owner: Presbyterian Retirement Communities, Inc.
Westminster - Point Pleasant
Future Land Use
0 50 100 150
Yards
LEGEND
Westminster Parcels
Other Parcels
Bradenton

EXHIBIT C


Manatee River
Manatee River
T4-O
18TH ST NW
17TH ST NW
T4-R
T4-O
BARCARROTA BLVD
1ST AVE W
1ST AVE DR W
T5
RIVERVIEW BLVD
16TH ST W
T4-R
2ND AVE W
T4-O
3RD AVE W
R-1
T4-R
T4-O
25TH ST W
20TH ST W
SUBJECT PARCELS
15TH ST CT W
T4-R
T5
Wares Creek
T4-O
3RD AVE W
4TH AVE W
13TH ST W
19TH ST CT W
15TH ST W
4TH AVE DR W
UV
14TH ST W
T5
MANATEE AVE W
64
MANATEE AVE W
12TH ST W
CITY OF BRADENTON FLORIDA
LU.24.0361 Zoning - T4-O/T4-R to T5
owner: Presbyterian Retirement Communities, Inc.
Westminster - Point Pleasant
Zoning
0 50 100 150
Yards
LEGEND
Westminster Parcels
Other Parcels
Bradenton

EXHIBIT D

Legal Descriptions as Provided by the Applicant

(Source: Manatee County Property Appraiser)

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF
176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING Pl#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIE INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SHY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) Pl#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 9,10,11,12 & 13, OF EA VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NEl/4 OF SEl/4 & PARTLY IN LOT 4 US OF SEC 27 & BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE WAS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W
22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FTTO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMO PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THEN LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO AC. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), Pl#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MINE 234 FT TO THEN LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SECOR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BORY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SECOR. (1651/6744) Pl#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD
CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MINE 234 FT TON LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH EONS

SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SECOR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) Pl#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF SC UPHAM REC IN DB GP 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; THE 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLINGS 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THEE BY THEW LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THEW BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, Pl#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF HG H REEDS SUB; TH W BDRY LN OF THEE 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS, VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE Wl/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE

INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE Wl/2 OF LOT 2 BLK A OF HG H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THEE LN OF SD Wl/2 OF LOT 2, A DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD Wl/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 PG 806, LESS THE 51/2 OF THEE 90 FT & LESS THE 51/2 OF THEW 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THENS 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1
BLK A REED SUB (640/77), TOGETHER WITH THE Sl/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. P1#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST WAND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH *AVE* WA DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THEN BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THEW LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALGA LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF

IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE El/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FTTO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. Pl#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK CREED SUB Pl#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Description: LOT 4 BLK CREED SUB Pl#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THEE LN OF *SD* STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THEW 134 FT OF LOT 1, BLK F JOHNSON SUB. Pl#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FTTO NW COR

OF LOT 3; TH RUNE
134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF *SD* LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH RUNS AND PARALLEL TO THEE LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALGA LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), Pl#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THEW R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THEW R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S DO DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF
12.21 FT; TH S 31 DEG 52 MIN DO SEC W ALG SD LN, A DIST OF 27.92 FTTO THEN R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD **N** R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED BUSINESS #6668 MARKING THEN R/W LN SD MANATEE AVE WAT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALGA SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH AC/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH AC/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THEW R/W LN OF 15TH ST WAND 115 FT WLY THEREOF, A DIST OF 330.99 FTTO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) Pl #33351.0005/9

ORDINANCE NO. 4037

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE CITY OF BRADENTON LAND USE ATLAS; CHANGING ZONING FROM T4-O (GENERAL URBAN – OPEN) and T4-R (GENERAL URBAN – RESTRICTED) TO T-5 (URBAN CENTER) FOR 15.9 ACRES LOCATED AT PIDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3338800000, 3340910052, 3335100059; 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, 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 Regulations, 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 City has adopted land use regulations and a land use atlas in order to implement the goals, objectives, and policies of the comprehensive plan, and

WHEREAS, the City amends such regulations and atlas from time to time, and has adopted procedures by which to amend these documents, requiring a public hearing before the Planning Commission and City Council; and

WHEREAS, the Presbyterian Retirement Communities, Inc. owns the properties located at PIDs 3346800000, 3346600004, 3373700008, 3373500002, 3373300007, 3352500109, 3337900059, 3340600158, 3338800000, 3340910052, 3335100059, consisting of approximately 15.9 acres, as legally described in Exhibit "A", attached hereto (collectively, the "Property"); and

WHEREAS, Stantec Consulting Services, Inc. agent for the Applicant, submitted a Zoning Atlas Amendment application to rezone the Property from T4-O (General Urban - Open) and T-4R (General Urban Restricted) to T-5 (Urban Center) (the "Amendment"); and

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

WHEREAS, the City of Bradenton's LPA held a public hearing on May 15, 2024 to consider the proposed Amendment; and

WHEREAS, the LPA having reviewed and considered all comments received during said hearing, found that the Amendment furthers the goals, objectives and policies of the City's Comprehensive Plan 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 166.041 Florida Statutes, held on May 22, 2024, after proper notice, and finding the proposed Amendment to be consistent with the goals, objectives and policies of the City's Comprehensive Plan, as well as the requirements of Section 3.1.5 of the City's Land Use Regulations, 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.

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

1. The recitals set forth above are true and correct and are hereby adopted as findings of fact by the City Council for the adoption of this Ordinance. Based on such findings the City Council determines that the City of Bradenton Land Use Atlas should be amended as described in Section 2 below.

2. The Zoning Atlas of the City of Bradenton is hereby amended, changing the classification of the Property from UV, Urban Village, to R-4, Mobile Home.

3. 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.

4. This Ordinance shall become effective as provided by Florida law.

PASSED AND DULY ADOPTED BY THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, WITH A QUORUM PRESENT AND VOTING ON THIS 22nd DAY OF MAY, 2024.

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

ATTEST:

_____ _____

Tamara Melton
CITY CLERK

Gene Brown
MAYOR

APPROVED AS TO FORM:

_____

Scott Rudacille
CITY ATTORNEY

DRAFT

Planning Commission	May 15, 2024
City Council 1st Reading	
City Council 2nd Reading and Public Hearing	
Local Planning Agency ad published	…
City Council hearing ad published	TBD

DRAFT

EXHIBIT A

Parcel ID: 3346800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER RIVERSIDE*

Description: COM AT THE NELY COR OF LOT 2 OF POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT, AND BEING THE PT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3, AS SHOWN ON THE PLAT OF SD SUB, INTERSECTS THE WLY LN OF BAY VIEW DRIVE (NOW N 18TH STREET W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 25 FT THE PT THUS REACHED BEING THE POB; RUN TH NWLY PAR TO & AT A DISTANCE OF 25 FT FROM THE NLY LN OF SD LOT 2 A DISTANCE OF
176.5 FT M/L TO A PT ON THE WATER FACE OF THE SEA WALL; RUN TH SWLY ALG THE WATER FACE OF SD SEA WALL A DISTANCE OF 80 FT; RUN TH SELY 187.3 FT M/L TO A PT ON THE WLY LN OF BAY VIEW DRIVE WHICH PT IS 60 FT MEASURED ON THE ARC ALG THE WLY LN OF SD BAY VIEW DRIVE FROM THE POB; RUN TH NELY ALG THE WLY LN OF SD BAY VIEW DRIVE A DISTANCE OF 60 FT MEASURED ON THE ARC TO THE POB THE LANDS THUS DESC BEING A PORTION OF LOTS 1 & 2 OF SD SUB & BEING BOUNDED ON THE NLY SD BY KIMBALL'S LAND, ON THE WLY SD BY THE WATERS OF THE MANATEE RIVER, ON THE SLY SD BY THE LAND OF HILDA C MURPHY, AND ON THE ELY SD BY BAY VIEW DRIVE, TOGETHER WITH ALL RIPARIAN RIGHTS THEREUNTO BELONGING OR IN ANYWISE APPERTAINING PI#33468.0000/0

Parcel ID: 3346600004

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIE INC

Description: COM AT THE NELY COR OF LOT 2 POINT PLEASANT SUB, SAME BEING THE MOST ELY COR OF SD LOT AND BEING THE POINT AT WHICH THE DIVIDING LN BETWEEN LOTS 2 & 3 AS SHOWN ON THE PLAT OF SD SUB INT THE WLY LN OF BAY VIEW DR (NOW N 18TH ST W); RUN TH SWLY ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 25 FT TO A POINT; TH CONT IN A SWLY DIR ALG THE WLY LN OF SD BAY VIEW DR A DIST OF 50 FT MEASURED ON THE ARC THE POINT THUS REACHED BEING THE POB; RUN TH IN A NWLY DIR A DIST OF 187.3 FT M/L TO A POINT ON THE WATER FACE OF THE SEAWALL WHICH POINT IS 105 FT SWLY FROM THE POINT WHERE THE NLY LN OF SD LOT 2 INT THE WATER FACE OF THE SEAWALL; RUN TH SWLY ALG THE WATER FACE OF THE SEAWALL TO THE SW COR OF LOT 1 OF SD SUB SD COR BEING THE MOST WLY COR OF SD LOT 1; RUN TH SHY ALG THE SLY LN OF SD LOT 1 TO THE SELY COR OF SD LOT 1 RUN TH NELY ALG THE WLY LN OF BAY VIEW DR A DIST OF 81.05 FT M/L MEASURED ON THE ARC TO THE POB; THE LAND THUS DESC BEING IN LOT 1 OF SD POINT PLEASANT SUBD. (1582/5002) PI#33466.0000/4

Parcel ID: 3373700008

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 9,10,11,12 & 13, OF EA VINSONS ADD TO BRADENTON, PB 1 P 136, SAID LAND LYING PARTLY IN NEl/4 OF SEl/4 & PARTLY IN LOT 4 US OF SEC 27 &

BEING DESIGNATED AS DAVID H BARRICK IN THE AMENDED PLAT OF VINSONS ADD, PB 1 P 175 ALSO VACATED PORTION OF 1ST AVE WAS DESC AND REC IN O.R. BOOK 967 PG 393 PRMCF TO WIT: THAT PORTION OF 1ST AVE W DESC AS FOLLOWS: BEG AT A C.M. MARKING THE SELY COR OF LOT 1 POINT PLEASANT SUB AS REC IN P.B. 2 PG 55 PRMCF; TH N 75 DEG 25 MIN 34 SEC W ALG THE S LN OF SD LOT 1 ALSO BEING THE NLY R/W OF 1ST AVE W
22.39 FT FOR A POB; TH CONT N 75 DEG 25 MIN 34 SEC W 50.49 FT TO THE NWLY COR OF SD 1ST AVE W; TH S 37 DEG 00 MIN 00 SEC W ALG THE WLY END OF SD 1ST AVE W 41.63 FTTO AN I. P. MARKING THE NWLY COR OF LOT NO. 3 OF THE AMO PLAT OF VINSON'S ADD TO THE TOWN OF BRADENTON, FL AS REC IN P.B. 1 PG 175 PRMCF; TH S 75 DEG 00 MIN 00 SEC E ALG THEN LN OF SD LOT NO. 3 ALSO BEING THE SLY R/W OF 1ST AVE W 58 FT TO AC. M. MARKING THE NELY COR OF THAT CERTAIN PARCEL OF LAND AS DESC AND REC IN DB 170/534 PRMCF; TH N 26 DEG 42 MIN 18 SEC E ALG THE NLY EXT OF THE ELY LN OF SD PARCEL IN DB 170/534 39.80 FT TO THE POB, (1582/4998), Pl#33737.0000/8

Parcel ID: 3373500002

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: BEG AT NW COR OF LOT 3, OF THE AMENDED PLAT OF VINSON'S ADDITION (PB 1 P 175), RUN S 37 DEG W 197.3 FT TO WARE'S CREEK, TH IN A SELY DIRC ALG SD CREEK TO A PT 100 FT IN A STRAIGHT LN FROM THE LAST MENTIONED PT, TH N 22 DEG 11 MINE 234 FT TO THEN LN OF SD LOT 3, W 15 DEG N 42 FT TO THE POB, TOGETHER WITH ALL RIP RIGHT AND PRIVILEGES IN FRONT OF SD PROPERTY EXTENDING INTO SD WARE'S CREEK THE WIDTH OF THE FRONTAGE OF SD LOT. ALSO: A PARCEL OF LAND DESC AS FOLLOWS: BEG AT THE SECOR OF THE LAND ABOVE CONVEYED; RUN TH NLY ALG THE ELY BORY OF SD LAND TO MARCY ST, (1ST AVE W), TH RUN ELY ALG MARCY ST 16 FT, RUN TH SLY TO THE SD SECOR. (1651/6744) Pl#33735.0000/2

Parcel ID: 3373300007

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOT 3, WITH RIP RTS, OF THE AMENDED PLAT OF VINSON'S ADD TO BRADENTOWN, AS REC IN PB 1, P 175, PRMCF, WITH THE EXCEPTION OF WLY SIDE OF SD LOT SOLD TO ALBERT H MERRITT AS SHOWN BY DEED REC IN DB 14, PG 364 DESC AS FOLLOWS: BEG AT NW COR OF LOT NUMBER THREE (3) OF THE AMENDED PLAT OF VINSON'S ADD TO TOWN OF BRADENTOWN; AS REC IN PB NUMBER ONE (1) ON PG 175 OF PRMCF, AND RUNNING TH S 37 DEG W 197.3 FT TO WARES CREEK, TH IN A SELY DIR ALG SD
CREEK TO A PT 100 FT ON A STRAIGHT LN FROM LAST MENTIONED PT; TH N 22 DEG 11 MINE 234 FT TON LN OF SD LOT NUMBER THREE (3); TH W 15 DEG N 42 FT TO POB; TOGETHER WITH ALL RIP RTS AND PRIVILEGES IN FRONT OF SD PROPERTY EXT INTO SD WARES CREEK THE WIDTH OF THE FRONTAGE OF SD LOT; EXCEPTING FROM THE ABOVE DESC PROPERTY, HOWEVER, A CERTAIN TRIANGULAR SHAPED PARCEL OF LAND PARTICULARLY DESC AS FOLLOWS: BEG AT SW COR OF PROPERTY ABOVE DESC AND RUN TH NLY ALG WLY BDRY THEREOF TO MARCY ST; RUN TH EONS SIDE OF MARCY ST SIXTEEN (16) FT; RUN TH SLY TO SW COR OF PROPERTY HEREBY CONVEYED, WHICH PT IS ALSO THE SECOR OF PROPERTY DESC IN SD DEED TO ALBERT H MERRITT, REC IN DB 14, P 364. (DB 89/147) Pl#33733.0000/7

Parcel ID: 3352500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA WESTMINSTER SHORES*

Description: LOTS 3,4,5,7,8,9,10,11,12 FULLER SUB; TOG WITH THE FOLLOWING DESC PARCEL: LOT 1 BLK 1 SHOWN ON PLAT OF EST OF SC UPHAM REC IN DB GP 830, BEGINNING IN WHAT IS KNOWN AS WARES CREEK, RUNNING N THE DIST OF 6.04 CHAINS TO THE S SIDE OF ST CALLED MARCY ST; THE 2.82 CHAINS; TH S 5.44 CHAINS TO UPHAM STREET; TH IN A WLY DIR ALG THE MEADERINGS OF SD WARES CREEK, 3.08 CHAINS TO THE POB WITH RIP RIGHTS, ALSO: LOT 1 OF VINSONS ADD TO BRADENTON, SD ADD REPRESENTING WHAT IS KNOW AS PRICES POINT, TOGETHER WITH ALL RIP RIGHTS, AS PER PLAT OF SD ADD REC IN PB 1 PG 136, LESS: STARTING AT THE NE COR OF PROP LN OF PATTEN & MARCY ST; TH W ALG PROP LN OF MARCY ST 411.84 FT TO THE POB; TH ANGLINGS 93 DEG 12 MIN A DIST OF 140 FT; TH IN A WLY DIR 93 DEG 12 MIN A DIST OF 20 FT; TH IN A WLY DIR 11 DEG 35 MIN A DIST OF 70 FT; TH IN A WLY DIR 15 DEG 16 MIN A DIST OF 60 FT; TH N 140 FT TO PROP LN OF MARCY ST; TH IN A ELY DIR ALG PROP LN ON MARCY ST A DIST OF 60 FT, 70 FT AND 20 FT TO A POB, ACCORDING TO PLAT OF SURVEY REC IN PB 2 PG 95, ALSO LESS: THAT CERTAIN PARCEL OF LAND LYING IN THE CITY OF BRADENTON, BOUNDED ON THE N BY MARCY ST (1ST AVE W) ON THEE BY THEW LN OF THE PROP OF B H POPE AS DESC IN DB 267 PG 225, ON THE S BY A LN EXTENEDED DUE W FROM THE SW COR OF B H POPES PROP, & ON THEW BY THE W LN OF THE PROP OF E J PRESCOTT & ELIZABETH P PRESCOTT, AS DESC IN DB 240 PG 585 (876/910); ALSO TOG WITH THE FOLLOWING DESC PARCEL: LOT 2 VINSONS SUB OF PRICES POINT PB 1/175, Pl#33525.0010/9

Parcel ID: 3337900059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; *AKA ASBURY TOWERS*

Description: E 1/2 OF LOT 2 & ALL OF LOT 3, BLK A OF HG H REEDS SUB; TH W BDRY LN OF THEE 1/2 OF LOT 2 BISECTS THE WIDTH OF LOT 2 SO AS TO BE EQUI-DISTANT FROM THE EAST AND WEST BOUNDARIES OF SD LOT 2 AT ALL PTS, AND TOGETHER WITH THE S 1/2 OF 3RD AVE, LYING N OF SD LOTS, VACATED IN OR 630 P 806 AND TOGETHER WITH THE NLY 1/2 OF VACATED ST LYING SLY OF & ADJACENT TO THE ABOVE DESC PROPERTY VACATED IN OR 1413 P 7208; TOGETHER WITH THE WI/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FT TO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY R/W/L TO A POINT ON THE NLY R/W/L OF SD STREET; TH N 45 THE SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. TOGEHTER WITH BEG AT THE NE COR OF THE WI/2 OF LOT 2 BLK A OF HG H REEDS SUB, AS PER PLAT REC IN PB 1 PG 139; TH S 00 DEG 22 MIN 01 SEC W, ALG THEE LN OF SD WI/2 OF LOT 2, A

DIST OF 93.10 FT TO AN OLD CONC MON; TH S 46 DEG 27 MIN 01 SEC W, ALG THE E LN OF SD WI/2 OF LOT 2, A DIST OF 71 FT, M/L, TO AN INT WITH A CONC SEAWALL; TH WLY & NLY ALG SD SEAWALL TO A PT ON THE S LN OF 3RD AVE W (NOW VACATED); TH S 89 DEG 44 MIN 48 SEC E, ALG SD S LN OF 3RD AVE W, 238.3 FT TO THE POB; LYING & BEING IN SEC 26 (1426/1386), TOGETHER WITH ALL THAT PART OF VACATED 3RD AVE W R/W LYING W OF 16TH ST W PER RESOLUTION REC IN OR 630 PG 806, LESS THE 51/2 OF THEE 90 FT & LESS THE 51/2 OF THEW 40 FT THEREOF SUBJECT TO A DRAINAGE & UTILITY EASMT ACROSS SUCH ROSS SUCH LANDS, RES LANDS, RESERVED UNTO THE CITY OF BRADENTON. ALSO TOGETHER WITH COM AT NE COR OF LOT 1, BLK A; THEN N 89 DEG 45 MIN W, ALG N LN OF SD LOT 208.3 FT FOR A POB; THEN CONT N 89 DEG 45 MIN W 40 FT; THENS 21 DEG 28 MIN 29 SEC E 109.26 FT TO A SEA- WALL; THENCE N ALG SD SEAWALL 101.5 FT TO THE POB BEING PART OF LOT 1 BLK A REED SUB (640/77), TOGETHER WITH THE SI/2 OF VACATED 3RD AVE W LYING N OF THE ABOVE DESC PROPERTY PER RESOLUTION REC IN OR 630 PG 806. P1#33379.0005/9

Parcel ID: 3340600158

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1, 2 & 3 BLK E, JOHNSON SUB, PB 1 PG 238, TOGETHER WITH LOTS 1,2,3,4,5,6,7, BLK B, REEDS SUB, ALSO: COM AT THE SW INTERSECT OF 15TH ST WAND 4TH AVE W; TH RUN S WLY ALG THE S LN OF 4TH *AVE* WA DIST OF 377 FT TO A POB; TH RUN SELY AT RIGHT ANGLES TO SD 4TH AVE A DIST OF 119.22 FT TO A PT; TH RUN SWLY AND PARALLEL TO SD 4TH AVE A DIST OF 173.46 FT TO A PT ON THE SEAWALL ON THE E SIDE OF WARES CREEK; THE RUN NWLY ALG SD SEAWALL A DIST OF 66.25 FT (CHORD MEASUREMENT) TO A PT WHICH IS 60 FT FROM SD 4TH AVE W; TH RUN NELY AND PARALLEL TO SD 4TH AVE A DIST OF 169.54 FT TO A PT; TH RUN NWLY AT R/A TO THE LAST DESC COURSE A DIST OF 60 FT TO A PT ON THE S LN OF 4TH AVE W; TH RUN NELY A DIST OF 32 FT TO THE POB; BEG AT THE SW THE SW INTERSECT OF 15TH ST AND 4TH AVE W, TH RUN SWLY A LG THE S BNDRY LN OF 4TH AVE 409 FT TO A POB, TH SELY AT RIGHT ANGLES TO 4TH AVE 60 FT, TH SWLY ALG THE LN PARALLEL TO 4TH AVE 169.54 FT M/L TO THE SEAWALL ON WARES CREEK, THIS BEING THE S BNDRY OF THIS PROPERTY; TH STARTING AT THE POB RUN SWLY ALG THE S LN OF 4TH AVE 187.17 FT M/L TO THE SEAWALL ON WARES CREEK THIS BEING THEN BNDRY OF THIS PROPERTY, TH IN A SELY DIR ALG THE SEAWALL ON WARES CREEK TO INTERSECT OF THE S LN OF SD PROPERTY WITH ALL RIPARIAN RIGHTS. (178/649) TOGETHER WITH: BEG AT THE SW INTERSECT OF 15TH ST AND 4TH AVE IN THE CITY OF BRADENTON, TH RUN SWLY ALG THE S BNDRY LN OF 4TH AVE 357 FT FOR THE POB ON THE LAND HEREBY CONVEYED, TH SWLY ALG S LN OF 4TH AVE 20 FT; TH SELY AT RIGHT ANGLES TO 4TH AVE 120 FT; TH IN A NELY DIR AND ON A LN PARALLEL TO 4TH AVE 20 FT; TH IN A NWLY DIR TO POB, (207/156) ALSO: BEG AT A PT ON THE S SIDE OF 4TH AVE AT A PT WHERE THEW LN OF 15TH ST CT INTERSECTS THE S LN OF 4TH AVE FOR A POB; RUN TH N 20 FT, TH SWLY ALGA LN PARALLEL ALG THE SEAWALL OF THE S LN OF 4TH AVE EXTENDED, TH NELY ALG S LN OF 4TH AVE EXTENDED TO POB, WITH ALL RIPARIAN RIGHTS THERETO, (243/649) A PORTION THEREOF IS INCLUDED IN RESOLUTION REC IN (181/164), TOGETHER WITH THE SLY 1/2 OF VAC ST DESC IN (1413/7208) LYING NLY OF AND ADJ TO ABOVE DESC PROPERTY. VAC PER RES NO 93-52; TOGETHER WITH THE El/2 OF 16TH ST W VACATED BY RESO REC IN O.R.1578 PG2874 DESC AS FOLLOWS: BEG AT THE NW COR OF LOT 1 BLK B H.G.H. REEDS SUB (WHICH POINT

IS ALSO THE INT OF THE SLY AND ELY R/W/L OF 3RD AVE WAND 16TH ST W); TH S 00 DEG 12 MIN 36 SEC W ALG THE ELY R/W/L OF 16TH ST WA DIST OF 144.88 FTTO THE SW COR OF THE AFOREMENTIONED LOT 1 (WHICH POINT IS ALSO THE NWLY COR OF LOT 5 BLK B OF AFOREMENTIONED PLAT); TH S 45 DEG 12 MIN 36 SEC ALG THE SLY R/W/L OF SD ST A DIST OF 30 FT; TH N 44 DEG 47 MIN 24 SEC WA DIST OF 30 FT PERPENDICULAR TO SD SLY SELY LN OF LOT 3 BLK A OF SD SUB) A DIST OF 17.57 FT; TH N 00 DEG 12 MIN 36 SEC E ALG THE WLY R/W/L OF SD STREET A DIST OF 132.34 FT TO THE NE COR OF LOT 3 BLK A OF THE AFOREMENTIONED PLAT (WHICH IS ALSO THE INT OF THE SLY AND WLY LN OF 3RD AVE WAND 16TH ST W); TH EA DIST OF 30 FT TO THE POB. LESS 798 SF FOR RD R/W IN O.R. 1592 PG 3546 DESC AS FOLLOWS: THE NLY 3.10 FT LOTS 1,2,3 & 4 BLK B H.G.H. REED'S SUBD. Pl#33406.0010/9

Parcel ID: 3338800000

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: LOTS 1,2 BLK CREED SUB Pl#33388.0000/0

Parcel ID: 3339000006

Ownership: PRESBYTERIAN RETIREMENT COMMUNITES INC

Description: LOT 4 BLK CREED SUB Pl#33390.0000/6

Parcel ID: 3339500109

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC; AKA WESTMINSTER VILLAS

Description: A STRIP OF LAND 47.3 FT WIDE OFF THE ENTIRE LENGTH OF THE S SIDE OF THE FOLLOWING DESC LAND; BEG AT THE NE COR OF LOT 6 IN BLK "C" OF H.G.H. REED'S SUB OF BLK 3 (EXCEPT LOTS 9 & 10) AND BLK 7, OF UPHAM'S ADD TO BRADENTON (PB 1 P 139); AND RUN TH W 150 FT, MAKING THIS THE POB; TH S 141.28 FT; TH W 135 FT, M/L TO STREET, TH N ALG THEE LN OF *SD* STREET 141.28 FT TO A PT DUE W OF THE POB; TH E 135 FT, M/L TO THE POB. (OR 1412 P 3204); TOGETHER WITH THEW 134 FT OF LOT 1, BLK F JOHNSON SUB. Pl#33395.0010/9

Parcel ID: 3340910052

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: THAT PART OF LOTS 1,2,3 & 4, BLK F, JOHNSON SUB, DESC AS FOL: BEG AT A PT ON W LN OF LOT 4, LYING 19.5 FT S OF NW COR OF SD LOT 4; TH RUN N 79.5 FTTO NW COR OF LOT 3; TH RUNE
134.2 FT TO NE COR OF LOT 3; TH RUN N 60.3 FT TO AN IRON PIPE ON N LN OF LOT 1, LYING 150.4 FT W OF THE NE COR OF *SD* LOT 1; TH RUN E ALG N LN OF LOT 1, A DIST OF 126.9 FT; TH

RUNS AND PARALLEL TO THEE LN OF LOTS 1 & 2 A DIST OF 97.3 FT; TH W 54.8 FT; TH RUN SWLY ALGA LN THAT IS 55 FT NLY & PARALLEL TO C/L OF 4TH AVE W, A DIST OF 195.2 FT; TH RUN NWLY A DIST OF 25.4 FT TO THE POB. (OR 2568/884), PI#33409.1005/2

Parcel ID: 3335100059

Ownership: PRESBYTERIAN RETIREMENT COMMUNITIES INC

Description: A PARCEL OF LAND LYING IN SEC 26, TWN 34S, RNG 17E, MANATEE COUNTY, FL BEING MORE PARTICULARLY DESC AS FOLLOWS: COM AT THE PT OF INT OF THEW R/W OF 15TH ST W (40.00 WIDE) AND THE SLY R/W LN OF 4TH AVE W, ALSO KNOWN AS MULLER ST AS PER JOHNSON SUBDIV OF THE REED PL REC IN PB 1 PG 238 PRMCF; TH S 00 DEG 46 MIN 28 SEC W, ALG THEW R/W LN OF 15TH ST W, A DIST OF 15 FT; TH CONT S DO DEG 46 MIN 28 SEC W, ALG SD R/W LN, A DIST OF 317.22 FT; TH S 08 DEG 01 MIN 10 SEC W, ALG SD R/W LN AS SHOWN ON THE R/W OF SR 64 MANATEE AVE W (SEC 1315-183), A DIST OF
12.21 FT; TH S 31 DEG 52 MIN DO SEC W ALG SD LN, A DIST OF 27.92 FTTO THEN R/W LN OF SD MANATEE AVE; TH N 89 DEG 28 MIN 39 SEC W ALG SD **N** R/W LN, A DIST OF 26.03 FT TO A 5/8" IRON ROD LICENSED BUSINESS #6668 MARKING THEN R/W LN SD MANATEE AVE WAT STATION 521+60.33; TH CONT ALG SD R/W LN N 88 DEG 40 MIN 11 SEC W, A DIST OF 73.01 FT FOR A POB; TH CONT N 88 DEG 40 MIN 11 SEC W ALG SD LN A DIST OF 335.90 FT; TH N 01 DEG 30 MIN 55 SEC E, A DIST OF 13.02 FT; TH ALGA SEAWALL AND A CURVE TO THE LEFT HAVING A RAD OF 95 FT, THROUGH AC/A OF 44 DEG 06 MIN 51 SEC, A DIST OF 73.14 FT TO A PT WHICH BEARS N 26 DEG 21 MIN 15 SEC W, A CHORD DIST OF 71.35 FT; TH CONT ALG SD SEAWALL ON A CURVE TO THE LEFT HAIVNG A RAD OF 400 FT THROUGH AC/A OF 01 DEG 12 MIN 11 SEC, A DIST OF 8.40 FT TO A PT WHICH BEARS N 46 DEG 38 MIN 33 SEC W, A CHORD DIST OF 8.40 FT; TH N 72 DEG 54 MIN 59 SEC E, A DIST OF 192.94 FT; TH N 17 DEG 05 MIN 02 SEC W, A DIST OF 119.31 FT TO A PT ON THE WLY EXT OF THE SLY R/W LN OF AFORESD 4TH AVE W; TH N 73 DEG 01 MIN 19 SEC E, ALG SD LN, A DIST OF 238.75 FT; TH S 00 DEG 46 MIN 28 SEC W, PAR TO THEW R/W LN OF 15TH ST WAND 115 FT WLY THEREOF, A DIST OF 330.99 FTTO THE POB. CONT 1.79 AC M/L. (OR 2778/5022) PI #33351.0005/9

DRAFT

AGENDA ITEM NO. 6.h

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Robin Singer, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: AGENDA ITEMS

SUBJECT: **Ordinance 4044, Case LU.24.1672:**

An Ordinance of the City of Bradenton, Florida, amending Bradenton Land Use Regulations Chapter 4.0 General Regulations, to create Section 4.3.15 to provide regulations for Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens; amending Chapter 10 Definitions to add definitions for Mobile Food Dispensing Vehicles and Temporary Commerical Kitchens and amending the Bradenton Form Based Code to provide a reference to the Land Use Regulations regarding Mobile Food Dispensing Vehicles and Temporary Commercial Kitchens; providing for codification; providing for repeal of Ordinances in conflict; providing for severability; and providing for an effective date.

SUGGESTED ACTION: Motion to recommend approval.

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
Yes

EXPLANATION:

The City's land use regulations do not adequately address mobile food trucks. The proposed Ordinance will adopt the State definitions for *mobile food dispensing vehicles* and *temporary commercial kitchens* and limit the hours of operation for mobile food dispensing vehicles. This set of regulations does not change or

replace the allowance for these use during an approved special event.

FINANCIAL IMPACT:
N/A

ATTORNEY REVIEW/RECOMMENDATION:
Reviewed by City Attorney Rudacille.

SUGGESTED MOTION:
Motion to recommend approval to City Council; Ord. 4044, Case LU.24.1672.

ATTACHMENTS:
Application - Ord. 4044, Case LU.24.1672.pdf
Staff Report - Ord. 4044, Case LU.24.1672.pdf
Ord. 4044.pdf

bradenton
The Friendly City

Zoning Text Amendment Application

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

CONTACT INFORMATION — REQUIRED

Name of Applicant: City of Bradenton - Planning & Community Development

Applicant Address: 101 Old Main Street, Bradenton, FL 34205

Applicant Telephone: (941) 932-9408

Applicant Email: Robin.Singer@BradentonFL.gov

Indicate Zoning Ordinance Being Amended: (Land Use Regulations) (Form-Based Code) — REQUIRED

MATERIALS FOR REVIEW — REQUIRED

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.

- ▶ Text Amendment Application
- ▶ Application Fee : $5,520 ($4,000 if advertised concurrently with a FLUM Amendment)
- ▶ Letter of Request
- ▶ Proposed Text Changes in Strikethrough and Underline Format (provide One (1) electronic copy of text changes in Word .doc format
- ▶ Include one (1) electronic copy (pdf) of Application and all support materials.

SIGNATURE — REQUIRED

The applicant agrees to conform to all applicable laws of the City of Bradenton and to all applicable Federal, State, and County laws.

Signature of Applicant — Date: 5/3/24

CITY STAFF ONLY — CITY STAFF ONLY

Application Fees:
Fee Required: **$5,520**
Fee Required: **$4,000** if submitted with FLUM Amendment

FEE COLLECTED: $_____

RECEIPT #: _____

Application Sufficiency:
Sufficient: ☐
Incomplete: ☐ _____

APPLICATION #: 241672

REVIEW DATES – TO BE COMPLETED BY CITY STAFF

DRC: _____ PC REVIEW: _____ 1st CC READ: _____ 2nd CC READ: _____

City of Bradenton

Planning and Community Development Department

Planning Commission

May 15, 2024

LU.24.1672 Staff Report

ORDINANCE NO. 4044

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING BRADENTON LAND USE REGULATIONS CHAPTER 4.0 GENERAL REGULATIONS, TO CREATE SECTION 4.3.15 TO PROVIDE REGULATIONS FOR MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS; AMENDING CHAPTER 5.0, TABLE 5.2.1.1, ACCESORY USES, NON RESDIENTIAL BUILDINGS TO ADD A REFERENCE TO SECTION 4.3.15; AMENDING CHAPTER 10 DEFINITIONS TO ADD DEFINITIONS FOR MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS AND AMENDING THE BRADENTON FORM BASED CODE TABLE 4.7 TO PROVIDE A REFERENCE TO THE LAND USE REGULATIONS REGARDING MOBILE FOOD DISPENSING VEHCILES AND TEMPORARY COMMERCIAL KITCHENS; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City has been tracking and enforcing the Code with respect to mobile food dispensing vehicles or food trucks. The City does not have adequate regulations to address this use and is looking to augment the Code to address food trucks while limiting hours of operation. City regulations prohibit commerce on public property, including the right of way, unless approved as part of a special event or revitalization effort.

The State defines, regulates and licenses both *mobile food dispensing vehicles* and temporary commercial kitchens. The City must, per Statutes, allow *mobile food dispensing vehicles* somewhere in its jurisdiction. *Temporary commercial kitchens* are portable public food service establishments intended to supplement existing food establishments or provide emergency services limited to 60 days.

The proposed Ordinance will adopt the State definitions for *mobile food dispensing vehicles* and *temporary commercial kitchens*, limit the hours of operation for mobile food dispensing vehicles and regulations consistent with Florida Statutes. This set of regulations does not change or replace the allowance for these use during an approved special event.

Recommendation:

Forward Ordinance 4044, Petition LU.24.1672 to City Council with a recommendation of approval.

ORDINANCE NO. 4044

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING BRADENTON LAND USE REGULATIONS CHAPTER 4.0 GENERAL REGULATIONS, TO CREATE SECTION 4.3.15 TO PROVIDE REGULATIONS FOR MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS; AMENDING CHAPTER 5.0, TABLE 5.2.1.1, ACCESORY USES, NON RESDIENTIAL BUILDINGS TO ADD A REFERENCE TO SECTION 4.3.15; AMENDING CHAPTER 10 DEFINITIONS TO ADD DEFINITIONS FOR MOBILE FOOD DISPENSING VEHICLES AND TEMPORARY COMMERCIAL KITCHENS AND AMENDING THE BRADENTON FORM BASED CODE TABLE 4.7 TO PROVIDE A REFERENCE TO THE LAND USE REGULATIONS REGARDING MOBILE FOOD DISPENSING VEHCILES AND TEMPORARY COMMERCIAL KITCHENS; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City wishes to amend the Land Use Regulations and Form Based Code to provide for the regulation of mobile food dispensing vehicles and temporary commercial kitchens to be consistent with State Statutes; and

WHEREAS, the City finds it is in the City's best interest to make these revisions to its Land Use Regulations and Form Based Code.

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

Section 1. Findings of Fact. The foregoing whereas clauses are hereby adopted as findings of fact.

Section 2. Chapter 4.0, Section 4.3.15 of the Land Use Regulations is hereby created to read as follows (underline indicates additions):

4.3.15 *Mobile food dispensing vehicles and temporary commercial kitchens*

4.3.15.1 Mobile food dispensing vehicles and temporary kitchens are prohibited on public lands or property, unless authorized by city council as part of a special event or revitalization initiative.

4.3.15.2 A vending permit is required to locate a mobile food dispensing vehicle on private property whether for a private event or to serve the public.

4.3.15.3 Mobile food dispensing vehicles may be permitted to operate as an accessory use to a permanent food service establishment, brewery or retail store provided is it located on the same property and within 50 feet of the permitted primary use. One mobile food dispensing vehicle may be located on residentially zoned property for a private event not more than one time per calendar month per property. Private events exceeding this limitation will require City Council approval.

4.3.15.4 There shall be no tables, chairs or signage associated with a mobile food dispensing vehicle other than that which may be associated with the primary use or private event.

4.3.15.4 Temporary commercial kitchens, licensed by the State. may be used in conjunction with a permanent food service establishment licensed by the State for the purpose of supplementing the kitchen operations of the licensed permanent food service establishment, according to the limitations in Florida Statutes.

4.3.15.5 Any mobile food dispensing vehicle or temporary commercial kitchen that is operated on the same premises as and by a separately licensed public food service establishment, retail store or brewery may operate during the same hours of operation as the separately licensed public food service establishment, retail store or brewery that operates such mobile food dispensing vehicle or temporary commercial kitchen but not later than 10:00 pm or earlier than 7:00 am.

4.3.15.5 The PCD director may deny or revoke a vending permit for a mobile food dispensing vehicle permit that creates a visual obstruction or traffic hazard or that produces odors or noise that disturbs adjacent residentially zoned property.

Section 3. Chapter 5.0, Schedule 5.2.1.1 Accessory Uses, Non Residential Buildings of the Land Use Regulations is hereby amended to read as follows (underline indicates additions):

SCHEDULE 5.2.1.1 ACCESSORY USES, NON-RESIDENTIAL BUILDINGS	
Allowed Accessory Uses	Standards
Retail sales of items related to the principal use of the property	Sales area is limited to 25 percent of the total building floor area.
Food preparation and service	Such services shall be geared for employees of the principal business and there shall not be exterior signs indicating the service.
Food vending, including ice	Vending shall be located either in the interior of the principal building or within a roofed accessory structure not exceeding 200 square feet in floor area. Such accessory structures shall be landscaped per the requirement of the PCD director. If such

	machines serve the public, as in a gasoline station, they may be located within the front yard but no closer than 15 feet to the front property line. Mobile food dispensing vehicles may be permitted in accordance with section 4.3.15.
Garaging and parking of vehicles	In accordance with section 4.1.4.
Storage and/or display of items related to the principal use, including temporary storage of refuse for collection	Provided that no storage and/or display shall be outside except as otherwise allowed by these LURs and except for dumpsters which are enclosed and screened.
Providing day care for employees' children	Service shall be limited to employees' children and no outside signs indicating the service shall be displayed.
Personal service establishment	Such uses shall be accessory to offices, hotels, motels or health care facilities only which have a minimum gross floor area of 20,000 square feet.
Service and repair of items sold or rented out by the principal business (example, auto service department of an auto sales business)	
Newsracks/modular newsracks	See Section 4.3.7.

Section 4. Chapter 10, Definitions of the Land Use Regulations is hereby created to read as follows (underline indicates additions):

Mixed use development: The development of a tract of land or building or structure with two or more different uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

Mobile food dispensing vehicle: Any vehicle that is a public food service establishment and that is self-propelled or otherwise movable from place to place and includes self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal.

Mobile home: A transportable structure which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities that does not conform to the United States Department of Housing and Urban Development Code (HUD Code) or the local building code.

* * * *

Swimming pool: A water-filled enclosure, permanently constructed or portable, having depth of 24 inches or more, designed, used and maintained for swimming and bathing.

Temporary commercial kitchen Any kitchen that is a public food service establishment used for the preparation of takeout or delivery-only meals housed in portable structures that are movable from place to place by a tow or are self-propelled or otherwise axle-mounted, that include self-contained utilities, including, but not limited to, gas, water, electricity, or liquid waste disposal. Such kitchens are subject to the provisions of State Statutes. The term does not include a tent.

Testing laboratory: An establishment or other facility for the examination and testing of devices, systems and materials to determine their relation to life, fire, casualty hazards and crime prevention.

Section 5. The Bradenton Form Based Code Article 4, Table 4.7 is hereby amended to read as follows:

Live-Work Unit		P	P	P	P	SU
d. RETAIL AND SERVICE (5)						
Special Events		SU	SU	SU	SU	P

* * *

4. Mini storage facilities are permitted when located above ground floor retail, restaurant, or office uses. At least 50% of the ground floor office use must be for a use other than the office for the mini storage facility. Mini storage is not permitted as a stand along use. It must be vertically mixed.
5. Mobile food dispensing vehicles and temporary commercial kitchens will be regulated per Section 4.3.15 of the City of Bradenton Land Use Regulations.

Section 6. Codification. The City Clerk shall ensure that this Ordinance shall be submitted for codification of the language in Section 2, Section 3 and Section 4 herein upon taking effect.

Section 7. Repeal of Inconsistent Ordinances. This Ordinance hereby repeals all Ordinances, or parts thereof, in conflict herewith to the extent of such conflict.

Section 8. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 9. Effective Date. This Ordinance shall take effect as provided by law.

PUBLICATION DATE	
FIRST READING	June 12, 2024
PUBLICATION DATE	
SECOND READING	July 24, 2024

PASSED AND DULY ADOPTED, BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, with a quorum present and voting, this 24th day of July, 2024.

CITY OF BRADENTON, FLORIDA

_____

Gene Brown, Mayor

ATTEST:

By: _____

Tamara Melton, City Clerk

APPROVED AS TO FORM:

By: _____

Scott Rudacille, City Attorney

AGENDA ITEM NO. 7.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Miscellaneous

AGENDA SECTION: **DISCUSSION ITEMS**

SUBJECT: Discussion on overall meeting format including presentations by staff and applicants.

SUGGESTED ACTION:

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

ATTACHMENTS:

AGENDA ITEM NO. 8.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Miscellaneous

AGENDA SECTION: **DIRECTOR'S REPORT**

SUBJECT: Update on City Visioning Project.
Update on Comprehensive Plan Update.
Update on proposed LUR and FBC Code Amendments.

SUGGESTED ACTION:

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

ATTACHMENTS:

AGENDA ITEM NO. 9.a

Item Cover Page

PLANNING COMMISSION AGENDA ITEM REPORT

DATE: May 15, 2024

SUBMITTED BY: Greg DeLong, Planning & Community Development

ITEM TYPE: Miscellaneous

AGENDA SECTION: **ANNOUNCEMENT OF CITY COUNCIL PUBLIC HEARING DATES**

SUBJECT: City Council Schedule for previously reviewed Planning Commission agenda items.

May 22, 2024:
SU.24.0223 - Indoor Amusement Center - 412 12th Street West (Ballerz Pinball and Cafe)
SU.24.0887 - Alternative High School - 817 Manatee Avenue West
SU.24.0894 - Brewing/Distilling - 1008 4th Avenue West (Good Liquid Tap Room)
SU.24.0895 - Sidewalk Cafe - 1008 4th Avenue West (Good Liquid Tap Room)
LU.24.0877 - Zoning Map Amendment - 2310 14th Street West (Bradenton Tropical Palms) - 2nd Reading

SUGGESTED ACTION:

Is this item Quasi-Judicial?
No

Does this item require a public hearing?
No

ATTACHMENTS: