

**ABBREVIATED MINUTES  
PLANNING COMMISSION MEETING  
NOVEMBER 15, 2010**

The Planning Commission met in the City of Bradenton Council Chamber, 101 Old Main Street, Bradenton, Florida on November 15, 2010 at 2:00 p.m.

**Present:**

**Planning Commission Members:** Jason Taylor, Chair; Adam Buskirk, Vice Chair, Diane Barcus, Joseph Thompson, Richard Whetstone, Allen Prewitt

**City Staff:** Tim Polk- Planning Director; Thomas Cookingham-Assistant Director; Ruth Seewer- Development Review Manager; Karen Aihara-Executive Planning Administrator; Arlan Cummings-Public Works; Kenneth Langston-Fire Marshal

**Absent:**

**Planning Commission Members:** Peter Keenan, Allen Yearick, Gregg Guinta (alternate), O.M. Griffith (alternate)

**REGULAR MEETING**

Meeting was called to order by the Planning Commission Chair, Mr. Taylor at 2:01 p.m.

- The Pledge of Allegiance was recited.
- Ms. Aihara swore in all those wishing to speak before the Commission.
- Approval of Minutes – Ms. Barcus made a motion to approve the August 16, 2010 meeting minutes after typographical errors are corrected, second by Mr. Prewitt. Minutes approved 6-0.
- All items considered today, with the exception of variances will be heard by City Council on December 15, 2010, 8:30 a.m.

**NEW BUSINESS**

**SU.10.0082 Ward 4 Neighborhood 7.02A RS**

Request of Thomas Stynes, agent for James M. Wallace, owner, for special use approval to operate a lounge at 302 12th Street West (Old Main Street) zoned UC (Urban Core).

Ms. Seewer read the request. Mary Marsh Lassetter, architect for Thomas Stynes gave an overview of the project.

**Commissioner Questions:**

- Ms. Barcus asked Ms. Lassetter if the lounge would be a full service bar. Yes.
- Mr. Taylor asked Ms. Lassetter if there will be entertainment. Yes, live duo or trio entertainment.

**Public Hearing:**

Mr. Taylor stated for the record that he received, but did not read, an email from Sam Hershfield regarding this project.

**Speaking against project:**

- Steve Kastner, Executive Director of Westminster Tower & Courtyard, stated there are 42 units just north of the proposed lounge. He does not feel the lounge meets the definition of “compatible” or harmonious to senior living. There are six bars currently within 1.5 miles of residence and no need for additional bars at this point.

- Phyllis Doucette, 222 Old Main St. and representing the Westminster Residence Council Association stated that her bedroom window faces the back door of the property. The proposed project is in the historic urban core of Bradenton and asked what are we trying to promote in this area? Morning walks can be hazardous, dodging remains of previous evening.
- Robert Leonard, 1533 4<sup>th</sup> Avenue West, requested commissioners to vote against this project. Westminster is a non-profit organization and has lost residents and currently at 50% occupancy. There are enough bars in the area.
- Doris Blattner, 222 12<sup>th</sup> St. West, lives 40-50 feet from the proposed lounge and has windows onto 3<sup>rd</sup> Avenue. Ms. Blattner asked if there is an ordinance about proximity to residential. Ms. Seewer answered there are no proximity restriction to residential, just schools and churches. Ms. Blattner stated her concern over parking. She hears a lot of noise from the current street parking and parking lots in the middle of the night.

**Speaking in favor of project:**

- Derin Parks, 1023 Manatee Ave. West, works at a local Old Main law firm and is in favor of bringing a new business and more people into the downtown area.
- Mary Lassiter stated that the neighbors will not be unhappy. The lounge is very small, clean and wants to be a good neighbor. There is no plan for outdoor seating.
- Thomas Stynes, 4905 61<sup>st</sup> Ave Dr West and project agent. The hours will be similar to other establishments, opening around noon, closing Wed-Sat at 2 a.m. It is a very small space; Mr. Stynes plans to have folk music and Irish music during January-March.

Public Hearing was closed.

**Public Works:** Mr. Cummings stated that the dumpster could not be relocated and because it is against the building, it will need to be sprinkled.

**Fire:** Requirements of floor plan and dumpster have been met, recommend approval.

**Staff Recommendation:** Mr. Polk stated that Bradenton is seeing a transformation of the downtown and Old Main Street with additional eating and drinking establishments. The challenge of Planning Commission and City Council is how we can respect and balance current residents and business owners with the new applicants. Ms. Seewer commented on the e-mail from Sam Hershfield that was forwarded to Planning Staff from the DDA Director. Staff recommends approval with the following stipulations:

1. Maximum occupancy shall be determined by the Fire Marshal.
2. Prior to occupancy code compliance as required by the Building Official and Fire Marshall shall be completed.
3. Prior to occupancy the existing landscape areas will be upgraded, such upgrades to be approved by the PCD Director. A landscape plan must be submitted with the building permit application.
4. There will be no outdoor seating.
5. Entertainment will be limited to the interior of the facility.
6. The dumpster will be sprinkled as specified on the site plan.

**Commission Questions/Comments:**

- Ms. Barcus asked about the landscaping stipulation. Ms. Seewer replied that the stipulation is referencing the parking lot behind the building with new plantings.
- Mr. Whetstone clarified that it is a special use with stipulations to protect neighboring properties; Ms. Seewer stated that this is not a prohibited use. Previously, this property was used as a private art studio.

## **Mr. Taylor relinquished the Chair to Mr. Buskirk, Vice Chair**

Mr. Taylor asked Ms. Seewer to read the e-mail from Sam Hershfield into the record. Mr. Taylor commented on the unique situation of downtown Bradenton as a resident and member of downtown architecture firm, the city is in a state of flux and at a hinge-point. The Planning Commission needs to look at the technical points and what is right and fits. The city needs to get people downtown, work out the best solution for all, and work together for progress. For the record, Ms. Seewer clarified that Mr. Hershfield's email was as a citizen, not as a Realize Bradenton representative.

### **Planning Commission Action: APPROVED**

Ms. Barcus made a motion to approve SU.10.0082 with the six stipulations and a recommendation that the proprietor of the proposed lounge meet with the residents of Westminster. Mr. Taylor seconded the motion. Motion passed 5-1 with Mr. Whetstone in opposition.

**Mr. Taylor resumed the chair, a five minute intermission was called to allow the room to clear.**

### **CP.10.0029 TC**

Request of the City of Bradenton for a Large Scale Comprehensive Plan Text Amendment to update the Public Schools Facilities Element and Capital Improvements Element.

Mr. Cookingham gave an overview of the request with recommendation for approval as presented. Next step is City Council on December 15, 2010 for approval to transmit to DCA. Final hearing and adoption will be heard by City Council.

**Public Hearing:** No one appeared in opposition or in favor. Public hearing was closed.

### **Planning Commission Action: APPROVED**

Mr. Thompson made a motion to approve CP.10.0029. Mr. Prewitt seconded the motion, vote 6-0, motion carried.

### **REPORT OF PLANNING & COMMUNITY DEVELOPMENT DIRECTOR**

First draft of the Form-Based Code document was presented November 3, 2010 to City Council Workshop and Citizens' Public Meeting. First draft is available at [www.cityofbradenton.com](http://www.cityofbradenton.com). Comments and feedback should be submitted to Ms. Aihara by November 20, 2010.

### **ADJOURNMENT**

Motion to adjourn by Mr. Thompson, second by Mr. Prewitt, 6-0. Meeting ended at 3:26 p.m.

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Jason Taylor, Chairman

PURSUANT TO FLORIDA STATUTE 286.0105, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, COUNCIL, AGENCY OR COMMISSION AT THIS MEETING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO WHICH THE APPEAL IS TO BE BASE