

**ABBREVIATED MINUTES  
PLANNING COMMISSION MEETING  
MAY 19, 2010**

The Planning Commission met in the City of Bradenton Council Chamber, 101 Old Main Street, Bradenton, Florida on May 19, 2010 at 2:00 p.m.

**Present:**

**Planning Commission Members:** Jason Taylor, Chair; Adam Buskirk, Vice-Chair; Allen Yearick, Peter Keenan, Joseph Thompson, Richard Whetstone

**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:** Diane Barcus, Gregg Guinta (alternate), Allen Prewitt, O.M. Griffith (alternate)

**REGULAR MEETING**

Meeting was called to order by the Planning Commission Chair, Mr. Taylor at 2:02 p.m.

- All items considered today, with the exception of variances, will be heard by City Council on June 9, 2010. Two items will be heard at May 26<sup>th</sup> City Council evening meeting.
- The Pledge of Allegiance was recited.
- Approval of Minutes – Mr. Yearick made a motion to approve the March 17, 2010 meeting minutes as presented, second by Mr. Keenan. Minutes approved and carried, 6-0.
- Ms. Aihara swore in all those wishing to speak before the Commission.

**NEW BUSINESS**

**RV.10.0025 WARD 4 NEIGHBORHOOD 7.02A RS**

Request of Jan Morris Hoey, owner; for vacation of a portion of right of way abutting 335 22nd St. Ct. NE (zoned R-1).

Ms. Seewer read the request.

Mr. Jan Morris Hoey presented his drawing and gave an overview of the project which will correct the historical inconsistency at 335 22nd St. Ct. NE which will connect the property to street. No effect on any other property.

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

**Public Works:** No objections, but would like to transfer to an easement upon completion.

**Fire:** No objections.

**Staff Recommendation:** Ms. Seewer stated that a grant of easement has been prepared for Mr. Hoey and it will be recorded with the resolution for vacation after the City Council meeting. Recommend **APPROVAL** with the stipulation that the area proposed for vacation be designated as an access and utility easement.

**Planning Commission Question and Comments:** Mr. Taylor asked about any improvements to the area, landscaping. Mr. Hoey stated he planned to put in a driveway and has already installed some landscaping.

**Planning Commission Action: APPROVED**

Mr. Yearick made a motion to approve RV.10.0025 with the stipulation that the area be designated as an access and utility easement. Mr. Thompson seconded the motion. Vote 6-0 in approval. Motion carried.

**LU.10.0045 WARD 4 NEIGHBORHOOD 20.04 RS**

Request of Grimes Goebel et al, agent for Bacon, Bennett & Kezar, owners; for a Land Use Atlas Amendment to change the designation from County A-1 and RSF-2 to City SCC (Suburban Commercial Corridor) for the property located at 5704 State Road 64 East.

Ms. Seewer read the request. There will be a first reading of the ordinance on May 26, 6:00 p.m. City Council meeting and public hearing at June 9, 8:30 a.m. City Council meeting.

Ms. Darendra Marvin, Planner, Grimes Goebel with Mr. Richard Bennett, Rick Bennett, and Matt Kezar. This property was annexed into the City in February 2009. This is the final step in process to change land use to suburban commercial corridor and zoning atlas amendment with approval from City Council. Plans have been filed with the City for a special use for a portion of this property.

**Commission Questions/Comments:** None

**Public Hearing:** Jim Toomey, 800 Morgan Johnson Road, requested a clarification of the annexation. His property is not a part of the proposed map amendment, although he would prefer to be reclassified as suburban commercial corridor. Mr. Toomey will meet with Ms. Seewer and did not have any objections. Public hearing closed.

**Public Works/Fire:** No objections.

**Staff Recommendation:**

Ms. Seewer stated that staff recommends **APPROVAL** based on the Findings of Fact and Analysis of the proposed Atlas Amendment, as follows:

1. Consistent with the Future Land Use
2. Consistent with development trends along the SR 64 corridor.

**Planning Commission Action: APPROVED**

Mr. Thompson made a motion to approve LU.10.0045 with the revised stipulations. Mr. Yearick seconded the motion. Vote 6-0 in approval. Motion carried.

**SU.10.0074 WARD 5 NEIGHBORHOOD 1.01 RS**

Request of Don Sturiano, agent for the Hummingbird Industries, owner; for a Special Use to allow a Religious Establishment at 825 9th Street West (zoned UCBD, Urban Central Business District).

Ms. Seewer read the request.

Pastor Don Sturiano requested a five year lease for special use for Kingdom Life Christian Church and presented the church project with interior, exterior, and parking plans.

**Commission Questions/Comments:** Mr. Buskirk verified that this is a five year lease. Mr.

Sturiano stated that around year three (3) that the church would be looking a new location. If unable to locate another location they would appreciate an extension, but he understood that this is for 5 years. Mr. Buskirk asked how an extension would work? Ms. Seewer stated that church could request an extension from City Council at end of five years. Pastor stated that he felt that the church will outgrow the facility in five years.

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

**Public Works:** Request stipulation on parking, traffic circulation needs to increase to 24 foot drive aisle at rear of building.

**Fire:** No objections.

**Staff Recommendation:** Ms. Seewer stated that staff recommends **APPROVAL** with the following stipulations:

1. The approval is for a period not to exceed five (5) years.
2. Maximum occupancy will be determined by the Fire Marshal and Building Official. It is currently limited to 250. Remove 14 fixed seats from the sanctuary.
3. Interior renovations may be phased upon approval of a phasing plan by the Fire Marshal and Building Official. Areas under construction cannot be occupied.
4. Parking on the east side of the subject property will be grassed.
5. No cooking is permitted in the building without upgrade to commercial standards in conformance with building and fire codes.
6. Landscaping around the paved vehicular use areas will be installed and/or replaced in order to meet code requirements.

**Commission Questions/Comments:**

- Mr. Taylor confirmed that there will be no cooking onsite. The public sidewalk runs from the parking lot to the front door and there are two access doors at rear and side of building beside the front door.

**Planning Commission Action: APPROVED**

Mr. Whetstone made a motion to approve SU.10.0074 with the revised stipulations:

1. The approval is for a period not to exceed five (5) years.
2. Maximum occupancy will be determined by the Fire Marshal and Building Official. It is currently limited to 250. Remove 14 fixed seats from the sanctuary.
3. Interior renovations may be phased upon approval of a phasing plan by the Fire Marshal and Building Official. Areas under construction cannot be occupied.
4. Parking on the east side of the subject property will be grassed.
5. No cooking is permitted in the building without upgrade to commercial standards in conformance with building and fire codes.
6. Landscaping around the paved vehicular use areas will be installed and/or replaced in order to meet code requirements.
7. Provide a 24 foot drive aisle on the east side of the building.

Mr. Thompson seconded the motion, vote 6-0, motion carried.

**SU.10.0075 WARD 1 NEIGHBORHOOD 12.05B RS**

Request of Sue Thompson of IDI Group, agent for Manatee County, owner; for a Special Use to allow a passive Recreational Facility to be known as Neal Preserve Nature Park at 12301 Manatee Avenue West (zoned PDP, Planned Development Project).

Ms. Seewer read the request.

Ms. Sue Thompson, IBI Group with Mr. Sosadeeter, Manatee County gave an overview of the proposed project of 120 acre park with mangroves, wetlands, and two archeological sites. Updated site plan submitted.

**Commission Questions/Comments:**

- Mr. Yearick confirmed that there will be a shell trail and boardwalk over the wetland areas. Ms. Thompson commented that the archaeological areas have been worked since the 1930s, may in the future be put on the federal register. The observation tower will be public access and 20 feet tall for an overlook.
- Mr. Buskirk commented that it is unfortunate that SWFMD denied access to water. Ms. Thompson commented that it would be a long haul to drag canoe or kayak to the water and difficult to grade to access water.
- Mr. Taylor asked how the number of parking spaces was determined. Ms. Thompson stated that parking was compared to other park facilities in area and will revisit if necessary. A three point turn can be accommodated in trash area. Dumpster will not be installed, cans only. Joint venture with city/county utilities.

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

**Public Works:** Utilities will be deferred to Manatee County.

**Fire:** No objections.

**Staff Recommendation:**

Ms. Seewer stated that staff recommends **APPROVAL** with the following stipulations:

1. Refuse areas must be screened.
2. Provide a landscape buffer between the parking area and the Manatee Avenue West right-of-way with native materials, subject to approval of the Planning and Community Development Director.
3. The decorative fence and gate must have a Knox lock.
4. The parking area may require expansion if it is determined that visitors are parking vehicles on the right-of-way of Manatee Avenue West creating an unsafe condition. Parking may be increased subject to the approval of the Planning and Community Development Director.

**Planning Commission Action: APPROVED**

Mr. Yearick made a motion to approve SU.10.0075 with the stated stipulations. Mr. Thompson seconded the motion. Vote 6-0 in approval, motion carried.

**SU.10.0077 WARD 5 NEIGHBORHOOD 7.03 RS**

Request of Kimberly Huston, agent for Hilda Zoller, owner; for a Special Use to allow a Child Care establishment at 525 3rd Street East (zoned UCBD, Urban Central Business District).

Ms. Seewer read the request. The second public hearing will be held on May 26, 6 p.m. City Council meeting.

Ms. Kimberly Huston representing Snuggle Bugs Childcare, request to move business to 525 3<sup>rd</sup> Street East.

**Commission Questions/Comments:**

- Mr. Yearick asked if current clients are following and Ms. Huston confirmed that currently 22 out of 24 are moving with business.
- Mr. Taylor asked if play area will be within current fenced area, concerned about storm drain area and electrical. Ms. Huston stated that they were planning to expand fenced area, but

would take safety concerns into consideration.

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

**Public Works:** Need additional stipulations for handicapped parking space and final site plan. Concern over fencing of playground area.

**Fire:** No further objections.

**Staff Recommendation:**

Ms. Seewer stated that staff recommends **APPROVAL** with the following stipulations:

1. The monitoring and fire alarm system will be installed prior to occupancy of the facility.
2. Expansion to 24 hour care is subject to approval of the Building Official and Fire Marshal.
3. The driveway off 3rd Street East will be marked one way for access only and a “no entrance” sign will be installed at the intersection of the parking areas at the southeast corner of the building.
4. Landscaping will be installed where necessary around the vehicular use areas and properly maintained. Any dead materials will be replaced as part of the ongoing maintenance of the exterior.
5. The playground area will be fenced.
6. Provide a 17-foot wide handicap parking space at the main entrance.
7. The fence will be relocated by permit with an overall site plan subject to approval.

**Commission Questions/Comments:**

Mr. Taylor asked if cooking will be onsite. Ms. Huston confirmed not a full kitchen. The rolling gate across the gate, will it be secured after hours? Ms. Seewer will address gate with fence permit. Site plan will be sent to Fire and Public Works for approval.

**Planning Commission Action: APPROVED**

Mr. Thompson made a motion to approve SU.10.0077 with the revised stipulations. Mr. Yearick seconded the motion. Vote 6-0 in approval, motion carried.

**OTHER BUSINESS**

- Recognition of Allen Yearick's service as Planning Commission Chair 2009-2010.

**REPORT OF PLANNING & COMMUNITY DEVELOPMENT DIRECTOR**

- Request for Proposal for Architectural Services for pre-approved house plans to be used in CDBG and SHIP programs, and possibly for Neighborhood Stabilization Program.
- Request for Proposal for Urban Format Grocery Store in CCRA at intersection of 13<sup>th</sup> Avenue West and US 301 closed today with two proposals.
- Request for Qualifications for Consulting Services Form-Based Codes opened on May 17<sup>th</sup> to joint venture with local firms.
- Neighborhood Stabilization Program partnering with Manatee County Housing Authority.
- A lighter note – Zucker Systems humor.
- Mr. Taylor acknowledged Tim Polk regarding his presentation to Manatee Architects Association and heard positive feedback on Form-Based Code.

**ADJOURNMENT**

Next meeting on June 16, workshop will start at 1:50 p.m. Meeting adjourned at 3:17 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**