MINUTES
PLANNING COMMISSION MEETING
MAY 17, 2006

The City of Bradenton Planning Commission met on Wednesday, May 17, 2006 at 2:05 p.m. in City Hall Council Chambers.

ATTENDANCE

Planning Commission Members (Shaded area indicates absence, *Indicates non-voting):

Chairman Diane Barcus	Vice-Chair Richard Barnhill	Carlos Escalante	Lucienne Gaufillet
	Allen Yearick	Allen Prewitt	
Alternate Brady Cohenour	Alternate O.M. Griffith	Alternate Dwight Koch	Alternate Joseph Thompson

City Staff:

Development Services	**Public Works**	**Fire**	**City Attorney** Bill Lisch
Director Tim Polk	Seth Kohn	Kenny Langston	
Assistant Director Matt McLachlan			
Dev. Review Mgr. Ruth Seewer			
Review Coordinator Susan Kahl			

PRELIMINARIES

The meeting was called to order by Chairman Barcus at 2:05 p.m.

1) The Chairman stated that with the exception of variance requests, all items being considered at this meeting would be heard by City Council on Wednesday, June 14, 2006 at 8:30 a.m. unless otherwise announced.
2) Pledge of Allegiance at 2:07 p.m.
3) The Chair stated that since there were so many individuals wishing to speak at this meeting, speakers would be timed. Ms. Barcus previewed how many minutes would be allotted to speakers, and Ms. Kahl swore in all those wishing to speak before the Commission.
4) Mr. Yearick moved, with a second by, Mr. Prewitt, to approve the Minutes of April 19, 2006. Motion carried 5-0. (Ms. Gaufillet not present for the vote.)

OLD BUSINESS

VA.06.0022 WARD 3 NEIGHBORHOOD 6.01 RS
Request of Joseph Curtan, agent for JRC, LLC, owner, for a Setback Variance to build a new home located at 2423 7th Avenue West (Zoned R-1C).

Ms. Seewer read the request stating that it was old business from the March 15, 2006 meeting. She advised that Mr. Curtan was not present at the meeting because he was out of town; however, he had revised his plans for a home which would be compatible for the neighborhood. Ms. Seewer stated that Mr. Curtan would require only one front setback variance from 25 feet to 12 feet on 25th Street as he would be complying with the rest of the setbacks. Ms. Seewer advised that a copy of what the building would look like had been submitted to the Commission, and Mr. Curtain agreed to build that particular house, therefore, staff recommended approval.

Public Hearing
The Chair advised that the Public Hearing had been opened previously so she queried whether there was anyone wishing to speak in favor of the application and no one appeared. The Chair inquired whether anyone wished to speak in opposition to the application.

Mr. George Betts, 2419 7th Avenue West, inquired whether there was a site plan.

Ms. Seewer responded that staff did not make Mr. Curtan re-do the site plan, but from the dimensions of the lot and the dimensions of the house, there would be an eight foot setback from Mr. Betts' house.

Mr. Betts asked whether there would be a standard setback from 7th Avenue, and Ms. Seewer answered that the alley would be a standard setback. She advised that the only variation would be on the 25th Street side.

There being no further individuals wishing to speak, the Chair closed the Public Hearing.

Mr. Prewitt moved, with a second by Mr. Thompson, to approve VA.06.0022 with staff recommendations in place with the inclusion of Exhibit J. Motion carried unanimously.

NEW BUSINESS

SU.06.0023 WARD 3 NEIGHBORHOOD 6.01 RS
Request of John Taylor, owner, for special Use approval for seven (7) room Bed and Breakfast to be called "The Lazy Manatee" for property located at 2423 7th Avenue West (Zoned R-1C).

Ms. Seewer read the request.

Jennifer Taylor, 304 15th Street, presented the request and answered questions of the Commission.

Public Hearing
The Chair opened the Public Hearing. No one appeared to speak in favor or in opposition to the request. There being no one wishing to speak, the Chair closed the Public Hearing.

Public Works
Mr. Kohn stated that Public Works had no objections.

Fire Department
Fire Marshal Langston stated that the Fire Department had no objections.

Staff Report

Ms. Seewer stated that she met with the applicant a few times even prior to the Taylors purchasing the property. She advised that the challenge was the parking and staff requested pavers to keep the residential ambience of the intersection. After Monday's workshop, Ms. Seewer stated that the stipulations were amended with respect to the buffering on the west side of the property and based upon the General Standards and Regulations requirements pursuant to Section 404.A of the Land Use and Development Regulations, staff recommended approval with the following three stipulations:

1. A six foot lattice topped PVC fence will be installed along the west property line from the garage to the landscaped area at the driveway, buffering the parking area. Vines will be directed through the lattice top.
2. A continuous hedge will be installed and maintained at a maximum height of two feet along the north side of the paved parking area.
3. All plant materials will be approved by the Planning and Community Development Director.

Ms. Gaufillet moved, with a second by Mr. Barnhill, to approve SU.06.0023 with the three stipulations. Motion carried unanimously.

PR.06.0023 WARD 4 NEIGHBORHOOD \20.04 RS

Request of Jerry N. Zoller, AIA, agent for Richard Bennett, owner, for preliminary approval of a Commercial Planned Development Project for a two-story 9,976 square foot office building with a 994 square foot bank drive-thru, associated parking and retention areas located at 5310 SR 64 East.

Ms. Seewer read the request.

Mr. Zoller presented his request and answered questions of the Commission.

Public Hearing

The Chair opened the Public Hearing. No one appeared to speak in favor or in opposition to the request, and the Chair closed the Public Hearing.

Public Works

Mr. Kohn stated that Public Works had no objections.

Fire Department

Fire Marshal Langston stated that the Fire Department had no objections.

Staff Report

Ms. Seewer advised that she discussed administrative approval for a minor amendment to change the size of the building when it was discovered that Mr. Zoller's actual plan had expired so he was required to come through the process again. Ms. Seewer stated that staff recommended approval based on the Findings of Fact and Analysis of the proposed Planned Development Project, and pursuant to the General Standards and Regulations requirements of Section 404.A. and the Concurrency requirements of Section 301.A.5 of the Land Use and Development Regulations with the following stipulations:

1. Provide a continuous hedge between the drive-thru lanes and the church parking lot.
2. All proposed trees will be 3" DBH, as previously approved.

Mr. Yearick moved, with a second by Mr. Thompson, to approve PR.06.0023 with the two stipulations. Motion carried unanimously.

CP.06.0014 WARD 4 NEIGHBORHOOD 20.03 RS

Request of Stephen W. Thompson, Esquire, agent for Southern Hospitality Association, LLC, owner, for Small Scale Comprehensive Plan Amendment from County Res-6 to City Res-6 for a 20' strip of property located at 245 48th Street Court East.

LU.06.0026 WARD 4 NEIGHBORHOOD 20.03 RS
Request of Stephen W. Thompson, Esquire, agent for Southern Hospitality Association, LLC, owner, for Land Use Atlas Amendment from County A-1 to City PDP for a strip of property located at 245 48th Street Court East.

PR.05.0020 WARD 4 NEIGHBORHOOD 20.03 RS
Request of Cedarwood Development, Inc., agent, for Preliminary approval of a Planned Development Project known as Magnolia Lakes located at 415 48th Street Court East (Zoned A1).

Ms. Seewer read the three items together advising that they dealt with the same property although the motions would be handled separately.

Stephen Thompson, Esquire, presented the first two requests, the Small Scale Comprehensive Plan Amendment and the Land Use Atlas Amendment, and requested that they be approved prior to the request for the Planned Development Project known as Magnolia Lakes.

Public Works
Mr. Kohn stated that Public Works had no objections.

Fire Department
Fire Marshal Langston stated that the Fire Department had no objections.

Staff Report
Ms. Seewer stated that staff recommended approval.

Public Hearing
The Chair stated that she would open the Public Hearing for the Comp Plan Amendment and the Land Use Amendment first, close it, and then hold a Public Hearing on the last request. No one appeared to speak in favor or in opposition to the requests. The Chair closed the Public Hearing.

Ms. Gaufillet moved, with a second by Mr. Barnhill, to approve CP.06.0014. Motion carried unanimously.

Ms. Gaufillet moved, with a second by Mr. Barnhill, to approve LU.06.0026. Motion carried unanimously.

Dean Myton, Director of Residential Development of Cedarwood Communities, made a presentation to the Commission discussing the company of Cedarwood Communities, the history of 48th Street Court East and the site plan of Magnolia Lakes.

Mr. Myton then answered questions of the Commission Members.

Ms. Gaufillet commended Mr. Myton for the high quality development.

Mr. Myton responded that City staff had been very helpful along with staff assistance from back home.

The Chair commended Mr. Myton for his fine presentation.

Mr. Thompson advised that he was in full agreement with the staff report and stipulations.

Public Hearing
The Chair opened the Public Hearing for the PDP known as Magnolia Lakes. No one appeared to speak in favor or in opposition to the requests. The Chair closed the Public Hearing.

Public Works
Mr. Kohn stated that Public Works has had productive meetings with the applicant from the beginning, and Public Works had no objections.

Fire Department
Fire Marshal Langston stated that the Fire Department also had been involved with numerous meetings and that the developer had met all its requirements.

Staff Report
Ms. Seewer stated that staff had worked with the applicants for over a year, and all the concerns have been met. She recommended approval based on the Findings of Fact and Analysis of the proposed Planned Development Project and Preliminary Subdivision and pursuant to the requirements of Sections 201 and 404.A and the Concurrency requirements of Section 301.A.5 of the Land Use Regulations, with the following stipulations:

1. Any historical or archaeological resources that may be discovered during development must be immediately reported to the Florida Department of State Division of Historical Resources (DHR) and mitigation would be determined by the DHR and the City of Bradenton prior to resuming disturbance activities.
2. If any species listed in Rule 39-27.003 through 39.27-005 of the Florida Administrative Code are observed frequenting the site for nesting or breeding purposes, appropriate mitigation and/or protection measures will be taken, with immediate notification provided to the DDS.
3. The wetland mitigation plan must be approved by the Planning and Community Development Department prior to Final PDP approval.
4. All wetlands, wetlands buffers, and any lands below the 2-foot contour with associated 35-footbuffers shall be designated with a conservation easement, and indicated as preserved and non-disturbed. Any disturbance to the prescribed buffer areas not reviewed as part of this approval will require review and approval by the Planning and Community Development Director.
5. Mangrove and Live Oak tree preservation shall be provided to the fullest extent possible. All existing Mangrove and Live Oak areas proposed for removal shall require approval by the Planning and Community Development Director. All 16” and larger Live Oak trees proposed for removal in the proposed site plan must be individually identified, with removal requiring approval by the Planning and Community Development Director for a determination of preservation versus mitigation.
6. The developer will dedicate a certain amount of land to the City of Bradenton for construction of a municipal services facility, as determined by the City. Construction of such a facility shall be the responsibility of the City. The location shall be mutually agreeable between the developer and the City prior to development permitting.
7. Sanitary sewer and potable water must be provided to the site, at the expense of the developer. These systems shall be approved by the City Public Works Department prior to building construction, and outright dedication of the applicable infrastructure to the City, or access through appropriate access easement, as determined by the City.
8. Adequate infrastructure will be completed, or sufficiently completed prior to the commencement of any phase, as determined and approved by the Planning and Community Development Department and Department of Public Works.
9. The architectural design and features of the proposed buildings shall be adhered to as approved by the City Council. While reasonable administrative modifications may be

allowed, other changes determined by the City not to be reflective of the City Council approved design shall require a PDP Amendment.

10. The Final PDP must address all Stipulations and other Staff/DRC recommendations/concerns included in this report.

11. Impact fee equivalency will be required in accordance with the definitions of the ACCORD prior to the issuance of a Certificate of Occupancy as determined by the City of Bradenton Planning and Community Development Director.

12. The applicant or developer shall submit to the Planning and Community Development Department an Impact Fee Credit application pertaining to Public Safety (Fire and Police), Parks, and Water and Sewer impact fee requirements prior to development permitting. As part of the Impact Fee Credit application, the applicant or developer shall provide assurance of required improvements through submittal of a performance bond, irrevocable letter of credit, or escrow agreement. The appropriate impact fee credits and methodologies for credit, and the type of assurance shall require approval by the Planning and Community Development Director.

13. Any deviation from the approved requirements, as determined by the Planning and Community Development, may require a PDP amendment.

Ms. Gaufillet moved, with a second by Mr. Prewitt, to approve PR.05.0020 with 13 stipulations. Motion carried unanimously.

RV.05.0008 WARD 4 NEIGHBORHOOD 7.03 C

Request of WilsonMiller, agent for Riviera Southshore, owner, for approval of Right-of-Way Vacation at 1203 Manatee Avenue East (Zoned R-1B, C-1A, C-1 & PDP).

RV.05.0009 WARD 4 NEIGHBORHOOD 7.03 C

Request of WilsonMiller, agent for Riviera Southshore, owner, for approval of Subdivision Right-of-Way Vacation at 1203 Manatee Avenue East (Zoned R-1B, C-1A, C-1 & PDP).

LU.05.0020 WARD 4 NEIGHBORHOOD 7.03 C

Request of WilsonMiller, agent for Riviera Southshore, owner, for Land Use Atlas Amendment from R-1B, C-1A, C-1, PDP to PDP for property located at 1203 Manatee Avenue East

PR.05.0017 WARD 4 NEIGHBORHOOD 7.03 C

Request of WilsonMiller, agent for Riviera Southshore, owner, for preliminary approval of a Planned Development Project known as Riviera Southshore located at 1203 Manatee Avenue East (Zoned R-1B, C-1A, C-1 & PDP)

Ms. Seewer read the requests.

Betsy Benac, representing the applicant, requested that the four items be continued until the next regularly scheduled Planning Commission meeting.

The Chair advised that the Public Hearings would have to be opened because they had been advertised. Ms. Barcus stated that although no one had yet heard the presentations, she opened the Public Hearing for those wishing to speak in favor and no one appeared. Ms. Barcus stated that although no one had heard the presentations, she opened the Public Hearing for those wishing to speak in opposition.

Les Atwood, 1010 Riverside Drive East, spoke in opposition stating, although it was not being shown, a circular road was being planned next to his house. He said it had been shown when the developers appeared at the neighborhood's association meeting, and he queried how his house would be affected with three roads going around it. Mr. Atwood took a tape measure and walked eastward to show the distance of his house from the proposed 19 story high rise.

Mary Shultis, 1302 2nd Avenue East, asked for what purpose 11th Avenue East was being vacated. She stated that as it looked from the plans, from 2nd Avenue to 12th would be gone, and she was against that as well as taking trees out of the area. Mrs. Shultis expressed apprehension that in an area where there was flooding, it would cause more flooding with all the concrete because there would be no place for the water to seep down.

Ruth Hess, 619 25th Street West, inquired whether this project would take any more of Riverside Drive. She remarked that there was almost no waterfront land left in the City of Bradenton.

The Chair stated that the developers were requesting that part of it be closed.

Ms. Hess reiterated that there was no more waterfront in the City. She likened Bradenton to becoming like Longboat Key with large condominiums which block out the water. She advised that she recently went from St. Petersburg to Clearwater and there was only one place left, John's Pass, where one could see the water. Ms. Hess stated that the most precious thing in the world - the view of the water, which she likened to diamonds, was just being given away.

Dian Weldon,1212 2nd Avenue East, advised that she was right across the street from where the condominium was proposed. She opined that the condominium was not compatible with the single family neighborhood. She presented photographs of the houses and trees in the neighborhood stating that even though the developer said there was no style, the residents considered old Florida a style. She also remarked that flooding was a concern as well as the traffic, and she stated that the residents did not appreciate being forced out of the neighborhood against their wills.

Lydia Copeland McNeal, 1002 3rd Avenue East, stated that the development would be going in directly behind her house and there were 100 trees behind her house. She queried what kind of buffer would be put in if the park were taken.

Ms. Seewer responded that they were not taking the park.

Ms. McNeal stated that she would like to see a wall go up where townhouses were proposed. She advised that she also noted a storm drain on the plans, but it was a flooding area and she wanted to make sure that water was kept away from her house.

The Chair stated that the applicants have asked for a continuance so they could work out some of the issues of concern from neighbors.

Errol Reed Gifford, 1118 4th Avenue East, advised that the developers have been after him for two or three years to sell his property, but they have not come up with the right price. Mr. Gifford remarked that he has been threatened that they would build around him or have the City use eminent domain. Mr. Reed stated that his biggest concern was to save the trees and requested that the big oak trees be allowed to remain there.

Ms. Seewer advised that the City did not advocate taking property through eminent domain.

Ms. Gaufillet commented that she wished to make it clear that the City of Bradenton Planning Commission or City Council did not in any way support eminent domain of private property for this type of use.

Ms. Gaufillet moved, with a second by Mr. Barnhill, that RV.05.0008, RV.05.0009, LU.05.0020 and PR.05.0017 be continued to the June 21, 2006 Planning Commission Meeting. Motion carried unanimously.

The Chair advised that the items and Public Hearing would remain open until the June 21st meeting.

The Chair called for a recess at 3:50 p.m. and reconvened the meeting at 4:03 p.m.

RV.06.0012 WARD 4 NEIGHBORHOOD 7.03 RS/MM
Request of J. Thomas O'Brien, agent for Tarpon Pointe Properties, LLC, owner, for approval of Vacation of Right-of-Way at 234 6th Street NE.

PR.06.0021 WARD 4 NEIGHBORHOOD 7.03 RS/MM
Request of J. Thomas O'Brien, agent for Tarpon Pointe Properties, LLC, owner, for preliminary approval of a Planned Development Project known as Tarpon Pointe located at 234 6th Street NE.

Ms. Seewer read the two requests.

Stephen Thompson, Esquire, representing the applicant, stated that this development was in an area of the City which was in transition and allowed for downtown mixed use and encouraged higher density development. He stated he believed that higher density and taller buildings should be encouraged which would implement the City's Comprehensive Plan. Mr. Thompson stated that as far as compatibility, Mr. Polk had requested that they take this project through the Architectural Review Board and as a result of that review, the applicants made many changes. He pointed out that there had been three high rise buildings which have now been reduced. He remarked that they generally agreed with the staff report although he would be proffering alternative language.

J. Thomas O'Brien, architect, presented the site plan.

Bill Swan, landscape architect, presented the landscaping plans.

Mr. Thompson advised that significant changes had been made to the project since it went before the Architectural Review Board including the loss of one complete building in consideration of the concerns with that building in relationship to the neighborhood. He opined that this was an appropriate place for the development as the City designated downtown mixed use in its Comprehensive Plan and to further that argument the City would be introducing the Urban Central Business District to this area which would allow up to 40 units wherein the development was less than 25 units per acre. Mr. Thompson pointed out that the area was being clearly designed for redevelopment, and it was always tough being the first development. He requested that the stipulation be revised from the staff recommendation that the north tower be limited to 13 stories to 15 stories over parking and the east tower staff recommended six and they were requesting eight but if they were able to acquire the Robert D. Miller property, the developers would go to 15.

Mr. Prewitt asked whether the marina would have wet slips or dry slips and whether there would be any commercial wet slips involved.

Mr. O'Brien explained that wet slips were already existing but new wet slips would be added. He further explained that commercial wet slips were not contemplated; however, normally in a marina one does see things like charter boats and the like. As far as commercial activity, Mr. O'Brien stated that if there were development on the triangle, they had envisioned a transient boat dock and perhaps a water taxi stop at this location with some kind of round-about or square plaza for the Riverwalk. He explained that the rest of the marina would be privately operated wet slips added to the already existing dry slip marina.

Ms. Gaufillet said that, based on the responses to Mr. Prewitt's questions, she queried whether she was correct in understanding that in this mixed use development the developers were not now providing a public water taxi spot and not providing any public boat dockage.

Mr. O'Brien commented that the mixed use of the project was the existing marina and an expansion of that with a ship's store and office space as well as a dock master's office. He stated that they would have liked to participate in that but there were too many public concerns.

Ms. Gaufillet stated that she understood that what was done was based on concerns of staff and the community; however, she felt they have gotten skewed a little bit. She stated that one of the things which made the height more palatable was the benefits to the residents, and now some of the best aspects of the mixed use were now missing. Ms. Gaufillet inquired what the unit count was when the three towers at 19 stories were planned, and what the difference was in unit count now with two towers.

Darin Autry stated that when presented before the ARB the unit count was 155 but the site area was smaller because the marina was not included, therefore, with the additional area it was now 179 units which was an increase in 24 units.

Ms. Gaufillet stated that they lost a tower and it appeared to her that there was more impervious space and less green space provided with fewer buildings.

Mr. Autry stated that was correct. He stated that they were down to 27% from 31% open space.

Ms. Gaufillet remarked that the development now had more land area, fewer buildings, less open space yet more units with no public amenities, no water taxi stop and the mixed use element for all intensive purposes was gone. Ms. Gaufillet stated that she understood that they were trying to respond to the neighborhood but she was not now seeing huge benefits to the neighborhood. She commented that the development had been so phenomenal and precedent setting with a whole new way to provide great parking which was structured into the building plan and did not look like parking but it was now changed.

Mr. O'Brien responded that they would be glad to put the public uses back in but it would require building on the triangle owned by the City and the citizens of the City were against it. He pointed out on the site plan that three town homes could be transformed into commercial uses in conjunction with what could go on the triangle.

Ms. Gaufillet commented that with all due respect those town home units could go to commercial regardless of what happened on the triangle so there was not a nexus here saying that the only way the developers could give the City the type of development it desired would be to give up its land.

Mr. O'Brien responded that they had envisioned the triangle as the terminus for the Riverwalk, public water taxi, and transient dock facility. He said they were trying to implement redevelopment of this area, and they were open to suggestions as to how the shape of that redevelopment occurred.

Ms. Gaufillet asked whether the trail which went along the river was still for general public access or just for the development.

Mr. O'Brien advised that it was private to the residents for security and safety reasons. He explained that there was no place to go because there were just mangroves there. He said they provided a continuation around the development with a sidewalk to connect to 3rd Avenue and 8th Street.

Mr. Autrey advised that public access was being granted where there was none now through the back path walkway which allowed pedestrians access to the Antiques District without having to go

onto Manatee Avenue.

Ms. Gaufillet asked whether he referred to access by the sidewalks and the pubic rights-of-way, and Mr. Autrey responded affirmatively.

Mr. O'Brien pointed out the sidewalk on the site plan which was in the public right-of-way, but also showed another sidewalk which crossed the project property which connected with 3rd Avenue.

Mr. Autrey explained that not being able to acquire the Miller property caused the project to be redesigned and limited some of the project including a redesign of the parking garage which had a grand entrance up and in that scheme they had three levels of parking while this one only had two.

Public Hearing

The Chair opened the Public Hearing for those wishing to speak in favor. No one appeared. The Chair then opened the Public Hearing for those wishing to speak in opposition.

Bernard Callan, 508 Riverside Drive East, remarked that he did not feel the development was appropriate for the area. He stated that from his home he would be looking at a dock master, a toilet, a water taxi, a bait shop and then he would be overshadowed by a big, tall building. He advised that he lived in a two story house and that was tall enough. He commented that 6th Street was a public highway and there was enough traffic already trying to get onto Manatee Avenue during busy times and the developers wanted to close the road for demolition. Mr. Callan stated that demolition could easily be taken care of from the properties they purchased on the east side of 6th Street. He commented that there was no reason to attack it from the west side. He said the park belonged to the people and should be continued as such.

Robert Miller expressed concern about getting in and out of his property if the vacation of the right-of-way were allowed. He also expressed concern about flooding in his yard. He questioned what would happen to his riparian rights. He stated that they would have to modify the 20 foot wall around his house because he would not be able to see coming out of his driveway.

Chase Landry, 512 3rd Avenue East, showed photographs of the homes in the area pointing out that the development with the towers had no compatibility to what was in the neighborhood.

Mark Martin, 107 6th Street East, representing his parents and his brother, advised that they were life-long residents of Beau Vue. He advised that he grew up in this neighborhood, and Beau Vue was a quiet, safe, no crime area. He said that it was the oldest legally platted subdivision in Manatee County. He stated that construction would be stressful and unsettling to his father who was 80 years old. Mr. Martin stated that all properties which border the south shore of Manatee River would have no access or view of the beautiful waterfront. He queried whether this development would set the tone for the entire north side of East Bradenton to Braden Castle with no public parks, bike paths, etc. He commented that they deleted the high rise on the triangle but placed a two story town house which would block the view as one approached the Manatee River from one of the main entrances to the neighborhood, 6th Street East. Mr. Martin requested that the 6th Street NE right-of-way remain in tact until a much later date. Mr. Martin remarked that since the marina and dry storage were built in their back yards, many of the older residents on 6th Street had no choice but to leave. He stated that if any part of Phase I was approved, the site would require substantial increases to existing grades which meant a lot of fill dirt which would cause run-offs in low areas to the home sites on the east side of 6th Street East. Mr. Martin advised that after the marina was built most of the swales were filled in and after hard summer rains caused water to stand in some of these areas and back yards. He stated that this would have to be addressed.

Dora Friesson, 214 6th Street E, pointed out that she was a native and they were building on filled land. Ms. Friesson stated that prior to the past three months, this was a bike path which the senior

citizens used for their three wheel bikes, and she felt sure that would be eliminated. She advised that since the Riverwalk had been built, every time they put in pile drivings to put buildings up, her windows crack. She stated that all the families used to get together to watch the fireworks from the park and this would be eliminated. Ms. Friesson commented she did not understand how the City fathers could not care about the people who were there forever and still paid taxes. She remarked because it was beautiful there, now people, who have money and ideas, could do whatever they want to do. Ms. Friesson stated that when the marina was put in, the neighbors discussed this might happen but they had no idea it would be as big as it was going to be. She noted that the developers did not care about their quality of life. She commented that for those people who pay a million dollars for a condo caused them to totally forget the little people who were already there.

Joanna Johnson Williams, 219 4th Avenue East, stated that she was a third generation Manatee Countian. She stated that her parents owned this house and she lived there until she went to college. She stated that when her husband retired, they moved back to Florida and into this house. Ms. Williams stated that Beau Vue for many years did nothing and houses were unkempt and many deserted. She advised that then people discovered the quietness and attractiveness of the neighborhood and bought houses, remodeled and made nice homes. Ms. Williams expressed concern that the Tarpon Pointe development with its 17 stories plus two tower-type buildings would be a disaster for the neighborhood especially at 6th Street and Riverview. Ms. Williams said the views would be blocked out and it would be like living in a canyon. She commented that the overall impact on the neighborhood would be disastrous. She remarked that the traffic could not be handled on 6th Street East. She said the road would have to be widened which would again affect the houses. She talked about the traffic pattern and closing of streets. She said they could no longer enjoy the peace and quiet that they once enjoyed and she realized that change was inevitable but she queried whether this development could not be limited to two story townhouses. She requested that they not be allowed to put up towers.

Anita Rogers, 515 1st Avenue East, said the residents were a bit confused and wanted to know the purpose for the vacation of 234 6th Street East. She commented that they were assuming that one of the reasons was to allow traffic of the demolition trucks to come in and out. She stated if that were the case, the neighbors proposed using 7th Street East as an alternate for the construction phase and the residential phase of this project. She stated that with respect to the preliminary approval of Tarpon Pointe Mr. Thompson noted that it would be the standard bearer for future construction of the area between 2nd Street and 6th Street East and Manatee Avenue and Manatee River and it would be an extension of the current renovation of Manatee Memorial Hospital. Ms. Rogers stated that, if that was the case, then she posed the question why the height of Tarpon Pointe would not be compatible with the height of the hospital, i.e., up to five or six stories. Ms. Rogers advised that the proposed circular point on Riverside East would be disruptive to traffic flow. She noted that there would be confusion as how to direct people to their homes and how, in fact, they would get into their homes. Ms. Rogers also pointed out that if the houses which were going to be demolished had asbestos, then the residents wanted protection. She stated that they also had flooding and sewage drainage concerns as well.

Berniece Scott stated that she returned home to Bradenton to retire. She expressed concern that she could not now relax and go fishing. Ms. Scott expressed concern about the park and having a place for the children to ride their bikes and play. She commented that they did not have the money to buy yachts and go out into the Gulf, but they wanted to enjoy their park and this could not happen if the buildings were constructed. Ms. Scott requested that the Board give some consideration to John Q citizen.

Joseph Loccisano, Jr., 514 Riverside Drive East, stated that he supported Tarpon Pointe but he did not want to loose the unobstructed views of the river and liberal access to the riverfront and surrounding area. He stated that in order for him to continue to support Tarpon Pointe he

requested that the Commission insist on the following modifications to the current proposal: that the tower height be no more than eight stories with two stories of parking to prevent shadows, preserve the current right-of-way at the north end of 6th Street East by eliminating or removing the three proposed town homes or be moved back although he would not be opposed to their being used for commercial purposes although he was opposed to their encroaching on the public right-of-way, and finally to move the round-about to 7th Street East because having it in front of his house where it was shown now would be invasive with headlights shining into his home at night. Mr. Loccisano advised that also two tortoises live in the area.

Bryan Zoller advised that he was a professional engineer and development could be a good thing for the area; however, he was divided. He commented that something new could be good but something new must be reasonable and not bring down the spirit of those who lived there. Mr. Zoller stated that after reviewing the plans he had several concerns about the impacts this proposed development would have on the neighborhood. He stated that one main concern was the vacation of the right-of-way. He queried what that meant. He queried if it were vacated whether the developer could build on it, and if so, then it should be all grass. Mr. Zoller stated that he saw people enjoying the park every day and suggested that it be made bigger. Mr. Zoller pointed out that the drawings reflected different access circles wherein the architectural plans showed the circle larger and meandering out into the park while the engineering drawings showed it smaller and there was no meander so he requested clarification. Mr. Zoller advised that right now 6th Street stretched all the way from Manatee River to Manatee Avenue and there was no connection to the east. He opined that this was a great asset to their neighborhood because it secluded them from any cross traffic. He pointed out that the new plans showed three connections to the east and in his professional opinion this would increase traffic in the neighborhood. Mr. Zoller stated that the plans showed town homes on the current right-of-way and he said he preferred that all structures be removed from the right-of-way. Mr. Zoller spoke about density. He stated that currently 125 parcels made up Beau Vue Estates besides the Hospital parcel which was roughly one dwelling unit per parcel. Mr. Zoller pointed out that the developer proposed 180 additional units which would be 150% increase on the Pointe and would dramatically increase traffic flow on Riverside Drive and 6th Street East. He stated that the traffic study indicated that there would be an additional car every 14 seconds and he queried whether that was a correct interpretation. Mr. Zoller stated that height was also a main concern. He stated that the south tower would cast a dark shadow over their homes in the summer. He advised that he had just built a pool and the tower would take away the sun. He presented a model showing how a 19th story tower could cast a shadow and said that legal rights of homeowners must not be compromised.

Jerry Zoller stated that his office was located at 914 14th Street West. He advised that he has been an architect for 30 plus years and had previously been a Member of the Planning Commission. Mr. Zoller commented that the Commission knew about the Comp Plan and how many units were permitted per acre; however, he stated that did not mean the Commission had to allow that many units. Mr. Zoller opined that this plan was one of the worse plans he had ever seen submitted to the City. He said he was not saying the entire plan was bad because some of the buildings were gorgeous, but the actual plan was appalling. He commented that the worst one was that the developers did not know they did not own property in the middle of the site and then have to build a 20 foot wall around a man's property. He commented that he had never seen a 20 foot wall put around someone's house. He stated it was just wrong. Mr. Zoller stated that the residents were lucky to have a park and what did the developer want to do but build a round-about on the park. Mr. Zoller stated anywhere he has been a round-about did not work and would cause even more traffic around people's homes. He opined that these 19 story buildings were totally out of scale. Mr. Zoller noted that whole middle of the site was a two or three story parking garage and on the outside of the parking garage were two story condos. He remarked that they were filling up the entire site with a two story mountain on this piece of property and it was wrong. Mr. Zoller opined that the marina was out of scale. He stated that it was huge and had to be scaled back. Mr. Zoller indicated that the developer tried to confuse the Commission by reducing one of the towers but all

the distances stayed the same which did not make sense.

There being no further individuals wishing to speak, the Chair closed the Public Hearing. The Chair stated that Mr. Thompson and Mr. O'Brien could have rebuttal time.

Mr. Thompson stated that when they presented the plan to the Architectural Review Board, the biggest issue was the western tower and they came away with clear instructions from everyone that the major opposition to this plan was that tower and the impact that tower had on the neighborhood. Mr. Thompson advised that they totally revised the plan to address that concern. Mr. Thompson stated that with regard to commercial they did not want to go forward until there was consensus but the residential component had to be put in first. Mr. Thompson said that they would not sever Mr. Miller's access or any of the owners' access. Mr. Thompson requested that Mr. O'Brien address the issue of the 20 foot wall and what was proposed.

Mr. O'Brien advised that they moved forward with the design presuming certain acquisitions would take place. He stated that when that did not happen, they had to change the plan which posed some problems as to how to develop the property without that homogeneous piece of property. Mr. O'Brien remarked that they tried to work around it trying to minimize how it would affect Mr. Miller. First of all, Mr. O'Brien explained that Mr. Miller did not have a 20 foot wall around his property. He stated that the 20 foot wall was beyond Mr. Miller's rear yard and the 20 foot was not a 20 foot wall. He explained the 20 feet was the ultimate height of the guard rail at the parking deck and was about 50 feet back on the south side of his property. Mr. O'Brien advised that from his living area, Mr. Miller had very good views with no obstruction. Mr. O'Brien explained that it was not a wall but a ramp along the parking deck. He pointed out that as far as scale, a two story home with a building height of 35 feet would not be out of the ordinary and that could be within eight feet of Mr. Miller's property line on either side. He commented that they tried to mitigate the situation as best they could for a parcel which was not included as part of their project.

Mr. Thompson advised a shadow study was done and no one's views would be obstructed.

Mr. O'Brien presented a computer generated study showing the summer and winter solstice. Mr. O'Brien pointed out that it only affected Mr. Miller's property for a brief period in the morning hours.

Mr. Autrey pointed out that the study was done using 19 stories, therefore, it would not be as extreme as shown.

Mr. O'Brien said the project was at the east end of Riverwalk and would not take away any of the public access that they now have.

Public Works

Mr. Kohn stated that Public Works had several concerns which had been discussed with the applicant: (1) the round-about and concern about the traffic movements, and (2) concern about water and the looping of the system. Mr. Kohn commented these were not earth shattering problems because they have had constructive discussions with the applicants and would be able to correct these objections after PDP approval, therefore, Public Works did not have any objections.

Fire Department

Fire Marshal Langston stated that the Fire Department had a few objections to the project: (1) not knowing how the traffic would flow around the round-about, and (2) the parking garages. Mr. Langston stated that he liked the previous plan with the open space; however, the developers have provided access for the Fire Department for all the buildings and have met all its goals as to access and fire-fighting capabilities. He noted that in those type high-rise buildings fire trucks were built right into the buildings with pumps, hose streams, etc. as well as added safety features so that fires could be fought because ladder trucks were no longer made for the height of those type

buildings, therefore, the Fire Department did not have any objections.

Staff Report

Mr. Polk advised that the Planning Staff has had a number of fruitful meetings with the applicants with regard to some of the things staff wanted to see in this development. Mr. Polk pointed out that the applicants did not have to go before the Architectural Review Board; however, they acquiesced. Mr. Polk noted that the west tower was a non-starter with the ARB and the community with regard to water views and access so the applicant acquiesced and removed the tower. He stated that this was the first time staff saw the applicants' recommendation with respect to the height and although it did not concur with staff's recommendation, it was important to note that the Planning Department looked at this development as precedent setting and it was important that it was right. Mr. Polk remarked that staff recognized this particular development as being in the area which it wanted to recommend to City Council as an expansion of downtown. He commented that since this was a peninsular type development, staff felt that some height had to be reduced from the 19 stories for appropriateness as well as compatibility of adjacent land use and for some of the structures nearby. Mr. Polk read staff's recommendation into the record as follows:

STAFF RECOMMENDATION

Staff recognizes that Tarpon Pointe is located in the Downtown Mixed Use land use category and that redevelopment of the area is anticipated in the City's Comprehensive Plan. However, as demonstrated above, Staff concludes that the proposed heights of the two high-rise buildings are not compatible with the existing or planned character of the Subject Property or its environs, especially given proximity of the buildings to a single-family neighborhood and the fact that one building will literally tower over an existing single-family home. Staff therefore recommends that:

- Right-of-way Vacation approval be **granted** based on the public improvements proposed for Riverside Drive East, and that
- Planned Development Project approval be **granted, subject to the following conditions**:

Stipulations

1. The height of the North Tower in the Tarpon Pointe Planned Development Project shall not exceed thirteen (13) residential stories above two (2) floors of structured parking (maximum of twenty (20) feet) and the East Tower shall not exceed six stories (6) residential stories above two (2) floors of structured parking (maximum of twenty (20) feet); provided however, that if the developer of the Tarpon Pointe PDP acquires the outparcel belonging Robert D. Miller and located at 220 6th Street NE, the developer may increase the height of the East Tower to thirteen (13) stories over two floors of structured parking.
2. Roadway improvements as specified by the City of Bradenton traffic consultant will be completed prior to issuance of the Certificate of Occupancy for the first tower constructed.
3. Utility improvements as required by the Public Works Department in order to adequately serve the facility will be the responsibility of the developer.

Mr. Polk stated that staff looked at this project as an expansion of downtown taking into context the last entitlement which was approved by this body and eventually went to City Council, that being the old City Hall which was 15 stories. He advised that staff looked at this project as a bookend to the old City Hall site. Mr. Polk explained that when one talked about appropriateness and compatibility, downtown and height, there needed to be a distinction with regard to downtown from what surrounded downtown. He remarked that Planning staff envisioned taller buildings downtown and less tall buildings outside of downtown.

Ms. Seewer noted that there had been correspondence received from Anita Flenoy Rogers, Robert Miller, Joseph Loccisano, Jr. and two from Bryan Zoller in relation to this project, and a letter from

HMTV regarding a traffic study, copies of which were distributed to the Commission Members.

The Chair stated that she could not make the motion but perhaps a Commission Member would like to add a stipulation that there be 11 stories over two instead of 13 over two on the north tower. The Chair also advised that the triangle was not a legitimately designated park, and Ms. Barcus noted further that she did not think the City had extended the Riverwalk to this area.

Ms. Seewer responded that it had not at this time.

The Chair cautioned future developers and architects from designing for something not yet there.

Mr. Barnhill asked how the density was reduced with each tower coming down one story.

Ms. Gaufillet commented that became completely irrelevant from the change in plans. She explained that they went from three buildings of 19 stories with 155 units to two buildings of 19 stories with 178 units.

Mr. Barnhill remarked that Mr. Polk had something in mind when he recommended reducing 13 residential stories over two levels of parking and six stories over two levels of parking.

Mr. Polk explained that staff looked at compatibility and density. He further explained that the PDP allowed some discretion to get density and there were two ways to do that: (1) vertically, and (2) horizontally. Mr. Polk commented that he felt some of the density was taken by horizontal means as opposed to the vertical format used in the previous plan.

Ms. Gaufillet wondered whether all the discussion regarding stories just muddied the waters when, in fact, it should be just the ultimate height of the building which may be more appropriate since the City Code was set up for additional setbacks for additional height.

Mr. Polk advised that that would be one of the things staff would look at as it worked on guidelines for downtown, the neighborhoods next to downtown, and the waterfront.

Ms. Gaufillet remarked that there was a lot of good in the project and there had to be a way that the developer and the community could work together to make the downtown better and create the bookend environment being talked about to enhance the public realm as stated in the Comprehensive Plan. She opined that the project should have more time to work itself out. Ms. Gaufillet moved to continue the requests for RV.06.0012 and PR.06.0021 until the June 21, 2006 Planning Commission Meeting.

Mr. Thompson stated that they were not looking for a continuation. He remarked that they had already taken another step which they were not required to do, and he opined that they have done everything they could and would do at this time. Mr. Thompson recommended that the Commission agree with the staff report or something less, but the process needed to move on. Mr. Thompson advised that they would continue working with staff until the City Council meeting but he stated that a continuation would not be productive because they have done everything they were able to do and were going to do.

Motion died for lack of a second.

Mr. Barnhill moved, with a second by Ms. Gaufillet, to disapprove applications RV.06.0012 and PR.06.0021.

The Chair instructed that a motion should be made on each application.

Mr. Barnhill withdrew the motion and Ms. Gaufillet withdrew her second.

Mr. Barnhill moved, with a second by Ms. Gaufillet, to disapprove application RV.06.0012, Ward 4, Neighborhood 7.03 RS/MM, request of J Thomas O'Brien, agent for Tarpon Pointe Properties, LLC, owner, for vacation of right-of-way at 234 6th St NE. Voting in favor of the motion to disapprove RV.06.0012: Mr. Barnhill, Ms. Gaufillet and Ms. Barcus. Voting against the motion: Messrs. Yearick, Prewitt and Thompson. There was a 3-3 tie vote, and the Chair inquired of Bill Lisch, City Attorney, what procedure to follow.

Mr. Lisch advised that another motion should be made or if the Commission could not reach consensus, a tie vote would go to City Council without a recommendation from the Planning Commission on RV.06.0012.

Mr. Barnhill moved, with a second by Ms. Gaufillet, to disapprove PR.06.0021 Ward 4 Neighborhood 7.03 RS/MM, request of J. Thomas O'Brien, agent for Tarpon Pointe Properties, LLC, owner, for preliminary approval of a Planned Development Project known as Tarpon Pointe located at 234 6th Street NE. Voting in favor of the motion to disapprove PR.06.0021: Mr. Barnhill, Ms. Gaufillet and Ms. Barcus. Voting against the motion: Messrs. Yearick, Prewitt and Thompson. The vote was tied at 3-3.

The Chair advised that the request would go forward without a recommendation from the Planning Commission.

Mr. Lisch explained that the Chair was allowed to make a motion. He advised that the Chair was a voting Member of the Commission, therefore, was not precluded from making a motion simply because Ms. Barcus was elected Chair although generally procedure allowed for someone to make a motion first.

Ms. Gaufillet expressed concern about the way the recommendation was written, and she queried how that would be presented to the City Council. She queried whether it would say that the Planning Commission did not reach consensus rather than it had no recommendation.

Mr. Lisch explained that it was often not one item which precluded a body from reaching consensus; therefore, the City Council could read the Minutes to see what items were of concern to the Commission.

The Chair called for a break at 6:00 p.m. and reconvened the meeting at 6:07 p.m.

LU.06.0027 WARDS 3 & 5 NEIGHBORHOODS 1.03/1.04, 6.01, 6.02: PROPOSED AMENDMENTS RELATING TO THE URBAN CENTRAL BUSINESS DISTRICT AND CREATION OF AN URBAN VILLAGE ON TAMIAMI TRAIL FROM APPROXIMATELY 9TH AVENUE WEST TO 18TH AVENUE WEST BETWEEN 13TH STREET WEST AND 15TH STREET WEST MM

Request of City of Bradenton to amend its Land Use Atlas for properties generally located immediately south of 9th Avenue West to 18th Avenue West (north to south) and 13th Street West to 15th Street West (east to west) from current Land Use designations to Urban Village; providing for increase in density; providing for potential density bonuses for affordable housing; providing for increased residential density in the Urban Central Business District Overlay with potential bonuses for affordable housing; reducing floor area ratios for nonresidential uses in the C-1 District , and amending permitted and special uses.

Ms. Seewer read the request.

Matt McLachlan advised that this was the final phase of a process that started two years ago. He reviewed the substantive changes relating to the Urban Village and Urban Central Business

District. He explained that the Urban Village ran south of 9th Avenue to 18th Avenue one block deep on both sides of Tamiami Trail from 13th Street West to 15th Street West. He further explained that the Urban Central Business District generally ran from Wares Creek up to 15th Street West forming the western border over to 1st Street on the eastern side and from the northern extension of Urban Village to the Manatee River. Mr. McLachlan stated that Urban Village would be a new Land Use Atlas District to provide a compatible mixed use center of activity, with neighborhood and community service uses providing for permitted and special uses which would include stores, drinking establishments, service establishments, and educational and religious uses, offices, amusement establishments, and residential uses. He remarked that non-residential uses were limited to a frontage of Tamiami Trail with an exception through the PDP process for neighborhood serving commercial uses at the intersections of local streets and that would be with the approval of the Architectural Review Board. Mr. McLachlan reviewed building setbacks, floor ratios, height and density requirements. Mr. McLachlan stated with respect to the Urban Central Business District overlay the use table would change by making cultural uses and amusement uses by right rather than by special use. He advised that the maximum density of dwelling units was being set at 40 units per acre with ten unit bonus for affordable housing dedicated for a time period of not less than five years only inside the Urban Central Business District overlay and exempting out the coastal high hazard area which was one objection that the Department of Community Affairs had with the City's density increases but staff did not see that being a major issue with respect to these amendments.

The Commission Members and staff discussed at length vehicle and pedestrian traffic on Tamiami Trail.

After the discussion, Mr. McLachlan stated he would have no problem with amending his recommendation from five to eight feet from the property line for the front yard setback to provide for a wide sidewalk and landscaping and perhaps even a sidewalk café.

Mr. Barnhill pointed out that the last time this was discussed, the issue was traffic calming and he has not heard anything about how traffic calming could be done. He stated that it was a pretty busy street and all four lanes were used all the time and traffic went down it pretty fast. Mr. Barnhill queried how the traffic would be calmed down with pedestrians there. He noted that that would be a challenge in its own right.

Mr. Polk stated that with respect to traffic calming staff envisioned a transformation of 14th Street becoming more of a residential address and there needed to be great concern about how curb cuts were dealt with, especially, curb cuts that were close to an intersection where there could be vehicular conflicts of people making right turns as well as people making left turns.

The Chair inquired whether the City or the State would maintain the new 14th Street in the City, and Mr. Polk responded that it would be DOT.

The Chair stated then DOT would be telling the City where the curb cuts would be.

After further discussion, Mr. McLachlan stated that the guidelines would be changed to provide for five feet minimum and 15 feet maximum for front yard setbacks on Tamiaimi Trail.

Public Hearing

The Chair opened the Public Hearing.

Ruth Hess, 619 25th Street West, advised that she owned property on 15th Street and a few houses between 10th Avenue and 12th Street on both sides of the street. She stated that these were old houses built back in the 1920's which were converted into duplexes and triplexes. She inquired how these amendments were going to affect her property.

Mr. McLachlan explained that the changes would increase Ms. Hess' options as to what she could do with her property. He advised that Ms. Hess' property on the east side of 15th Street would be part of the Urban Village which would make it eligible for additional housing for residential use. He said Ms. Hess would be able to substantially increase the entitlement of dwelling units per acre if her property qualified under the affordable housing guidelines.

Ms. Hess asked for clarification whether the guidelines applied to the east side but not the west side, and Mr. McLachlan affirmed Ms. Hess' statement.

Scott Russo, representing the Manatee Players, expressed support for the amendments, especially, in light of cultural facilities being a permitted use under the guidelines.
Jerry Zoller, 914 14th Street West, stated that he was concerned that the little houses people have along 15th Street would be rezoned and turned into three, four or five unit houses and becoming more slums. He asked how that would be controlled.

Ms. Seewer explained that it could be controlled by requiring a certain square footage so a little house could not have five units in it if it did not have the required square footage. Ms. Seewer explained that house additions could also be regulated by lot size footage which was what the City presently did.

Mr. Zoller stated that he would like to see the Commission delay its decision until he saw this put on paper. He asked why the City wanted low cost housing on 14th Street.

Mr. McLachlan stated that the City wanted mixed income housing with the opportunity to provide workforce housing given the proximity to downtown as a major employment center. He advised that land costs along Tamiami Trail have dramatically escalated and with high density, the City was promoting a mix, not just low income.

Ms. Gaufillet noted that it was good to have young professionals in this community and one could not buy into Manatee County. She commented that the City was getting rid of its "brain drain", the people that it needed to continue the City's economic revitalization to support the community, such as, the sheriffs, police, and firemen, etc. because they could not afford to live here.

Responding to a question by the Chair, Mr. McLachlan responded that the upper threshold limit for moderate income or workforce housing was $215,000.00. Mr. McLachlan stated that the City's goal was to provide housing opportunities to its workforce in proximity to where people work and that was downtown.

Further general discussion took place.

Mr. Prewitt left the meeting at 6:05 p.m.

Mr. Zoller stated that he thought he was in favor of this amendment but he highly recommended that it be looked at for another month. He stated that he had a couple of 55 foot lots and if he had to use a 15 foot setback, he would loose all use of the lots. He said this was a unique situation on his block only of 15th Street Court. Mr. Zoller also recommended that this be brought before the local Architects' Association because there were many people within that group who were interested in this new urban design. He also suggested that 14th Street have a suicide lane.

The Chair inquired whether Mr. Zoller meant three lanes instead of four, and he responded affirmatively. He said it should be the same as 9th Street.

After the discussion, Mr. McLachlan summarized that Mr. Zollers' concerns were: (1) with the front yard setbacks that were being proposed, (2) the perception that the City was trying to promote all low income housing when, in fact, it was promoting a mix of uses and income ranges, (3) traffic which was a separate issue to these amendments but staff needed to continue working on a streetscape plan with landscape architect, John Moody and the DDA, and (4) size of the buildings which was a function of the market and the ultimate use. He said he would meet with the local Architects' Association to explain the amendments and seek its input that would be used in the design guidelines. Mr. McLachlan pointed out that this was the base and staff would be getting more specific in terms of the character of the buildings the City wanted ultimately developed. Mr. McLachlan recommended approval to the amendments with two changes: (1) relating to the front yard setback in the Urban Village going to a minimum of five feet to a maximum of 15 feet, and (2) incorporating the minimum lot area requirements currently specified in the R-3C for the Urban Village District.

Ms. Gaufillet moved, with a second by Mr. Thompson, to approve LU.06.0027 with the amendments to both the setbacks and including the lot size requirements as detailed by staff. Motion carried 5-0. (Mr. Prewitt was not present.)

ADJOURNMENT

Mr. Yearick moved, with a second by Ms. Gaufillet, to adjourn the meeting at 6:53 p.m. Motion carried unanimously.

_____

Diane Barcus
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 BASED.

Note: This is not a verbatim record. A recorded cd is available upon request for a $10.00 *service charge.*