

**ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
OCTOBER 20, 2010**

The Planning Commission met in the City of Bradenton Council Chamber, 101 Old Main Street, Bradenton, Florida on October 20, 2010 at 2:00 p.m.

Present:

Planning Commission Members: Jason Taylor, Chair; Diane Barcus, Joseph Thompson, Richard Whetstone, Peter Keenan, 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: Adam Buskirk, Allen Yearick, Gregg Guinta (alternate), O.M. Griffith (alternate)

REGULAR MEETING

Meeting was called to order by the Planning Commission Chair, Mr. Taylor at 2:00 p.m.

- All items considered today, with the exception of the variance and the vacation will be heard by City Council on November 17, 2010, 8:30 a.m.
- The Pledge of Allegiance was recited.
- Approval of Minutes – Mr. Whetstone made a motion to approve the August 16, 2010 meeting minutes as presented, second by Ms. Barcus. Minutes approved 6-0.
- Ms. Aihara swore in all those wishing to speak before the Commission.

NEW BUSINESS

VA.10.0060 Ward 4 Neighborhood 7.02A RS

Request of Todd Ringling, owner, for a rear yard setback variance for the existing residence located at 212 21st Street NE (zoned R-1).

Ms. Seewer read the request. Todd Ringling, owner, gave an overview of the project and distributed a picture of the seawall and records of FEMA claims to the commissioners. Mr. Ringling needs a setback variance to start work on his house.

Commission Questions/Comments:

- Mr. Whetstone asked if this was the original seawall and his future plans. Mr. Ringling stated that he has preliminarily plans to put house on stilts to make it a minimum of 10 ft above sea level with garage and storage under the house.
- Mr. Taylor asked what the elevation is, Mr. Ringling stated it is 3.5-4.5' below base flood elevation and believes the enclosed porches are both non-conforming.
- Ms. Barcus asked if there are plans to fix the sea wall, Mr. Ringling stated that he plans to cap the sea wall during construction.
- Ms. Seewer stated that all neighbors were notified within 300 feet of project address.

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

Public Works and Fire: No objections.

Staff Recommendation: APPROVAL based on the criteria specified in Section 2.2.8 of the Land Use Regulations, the hardship being the existing structure. Additionally the granting of the variance will allow the residence to be elevated, resulting in the removal from the repetitive loss property listing.

Planning Commission Action: APPROVED

Ms. Barcus made a motion to approve VA.10.0060. Mr. Thompson seconded the motion, vote 6-0, motion carried.

MA.10.0025 Ward 4 Neighborhood 20.03 RS

Request of David McNabb of White Oak Development, Ltd., agent for Florida Coast Development Corp, owner, for a Major Planned Development Project (PDP) Amendment to reduce the number of units from 180 attached villas to 108 single family homes for the property located at 209 48th St. Ct. E (zoned R-1).

Ms. Seewer read the request. Mr. Stephen Thompson, representing Mr. McNabb and White Oaks Development reviewed the project, the change in housing type, and reduction in density. Mr. McNabb is in agreement with the stipulations and recommends approval per staff recommendation.

Commission Questions/Comments:

- Mr. Taylor asked for clarification of the product. Mr. Thompson said it will be primarily be single family/single story.

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

Public Works: No major objections to the plan, but on review the drainage easements have to be 20 feet width minimum. Mr. Cummings confirmed that utilities will be public with FPL street lighting.

Fire: No objections. Turnarounds must be 35 ft inside/45 ft outside turn radius.

Staff Recommendation: APPROVAL of the proposed amendment, with the following stipulations:

1. The applicant will provide continuous paved access to the property line for the owner to the north through the existing easement.
2. 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.
3. If any endangered, threatened, or species of special concern listed in Rule 68A-27.003 through 68A-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 Department of Planning and Community Development.
4. The wetlands and wetland buffers 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. Oak tree preservation shall be provided to the fullest extent possible. All oak stands proposed for removal shall require approval by the Planning and Community Development Director. All 16" and larger 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. All trees identified for removal will be replaced in accordance with Section 2.2.3.2 of the Land Use Regulations.
6. The architectural design and features of the proposed residences will be approved by the Design Review Committee.

7. The Final PDP must address all Stipulations and other Staff/DRC recommendations/concerns included in this report, including but not limited to easements and fire separation and access.
8. Front setbacks shall be 15 feet, rear setbacks shall be 10 feet, and side setbacks shall be 6 feet.
9. Overhangs into side yards cannot be located over an easement.
10. 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.
11. Any deviation from the approved requirements, as determined by Planning and Community Development, may require a PDP amendment.

Additional Questions/Comments:

- Ms. Barcus asked about corner lot setbacks, which would be 15 ft on two sides.
- Mr. Taylor asked to add “circulation” to stipulation #7.

Planning Commission Action: APPROVED

Mr. Prewitt made a motion to approve MA.10.0025 with the additional word “circulation” in stipulation #7. Mr. Thompson seconded the motion, vote 6-0, motion carried.

RV.10.0026 Ward 2 Neighborhood 5.01 RS

Request of Mike Pendley, agent for the School Board of Manatee County, for vacation of unimproved right of way (Lalley Drive) located at approximately 3300 9th Avenue West.

Alisa Cline, Planning Specialist, Manatee County Schools and Mark Barnebey, Special Counsel presented the request for vacation of Lalley Drive under the Davis Building of Manatee High School.

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

Public Works and Fire: No objections.

This agenda item will be heard at City Council on October 27, 6:00 p.m.

Staff Recommendation: APPROVAL based upon the General Standards and Regulations requirements pursuant to Section 2.2.7, of the Land Use and Development Regulations.

Planning Commission Action: APPROVED

Mr. Thompson made a motion to approve RV.10.0026. Ms. Barcus seconded the motion, vote 6-0, motion carried.

REPORT OF PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

Thank you to the Commissioners who participated in the Form-Based Code meetings with Dover Kohl & Partners. First draft of the FBC document will be presented at two meetings on November 3. Adoption planned by mid 2011.

CHAIR COMMENTS Welcome back to Allen Prewitt! The 2011 Planning Commission Meeting calendar was distributed. Next meeting will be on Monday, November 15, 2010.

ADJOURNMENT

Motion to adjourn by Ms. Barcus, second by Mr. Thompson, 6-0. Meeting ended at 3:12 p.m.

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