

ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
 October 20, 2004

The City of Bradenton Planning Commission met on Wednesday, October 20, 2004 at 2:00 p.m. in City Hall Council Chambers.

ATTENDANCE

Planning Commission Members (shaded area indicates absence):

<i>Chairman</i> Diane Barcus	<i>Vice-Chair</i> Harry Talley	Jerry Zoller	O.M. Griffith	
Alternate Dwight Koch	Richard Barnhill	Donald Surface		

City Staff:

Development Services	Public Works	Fire	Police	Other
<i>Director</i> Larry Frey	Arlan Cummings	Kenny Langston		
Assistant Director Matt McLachlan				
<i>DRM.</i> Ruth Seewer				
<i>Proj. Coord.</i> Dianna Loudermilk				

PRELIMINARIES

Meeting called to order by Vice-Chairman Harry Talley at: 2:00 P.M.

- 1) Mr. Barnhill made the motion to accept the Planning Commission meeting minutes from 9/15/04 with one change made. Motion seconded by Mr. Zoller, approved unanimously.
- 2) Ruth Seewer introduced Matt McLachlan as the new Assistant Director of DDS.

OLD BUSINESS

PR-04-0005 WARD 3 NEIGHBORHOOD 1.01 RS

Request of Mark A. Jonnatti, AIA, of Jonnatti Architecture Inc., agent for Point Pleasant Partners, LLC, owner for preliminary approval for a 17 unit residential Planned Development Project on the property located at 1618 and 1720 1st Avenue West. (Zoned R-3B)

Ed Vogler attorney for the applicant introduces himself and gives a brief overview of the project. Mr. Vogler presents to the board correspondence from the residents in the neighborhood that are in support of the project.

Mark A. Jonnatti, AIA, of Jonnatti Architecture Inc. agent for Point Pleasant Partners, LLC, presents the changes made on the project. Mr. Jonnatti discusses the changes in the scale of the units. Mr. Jonnatti states that there will also be added lush landscape to the property.

John Moody, Landscape Architect, states that his job is to meld the property into the existing neighborhoods. Mr. Moody discusses in detail the landscape plans.

Commission Discussion: Jerry Zoller questioned the zoning on the project. Larry Frey explained the zoning and the setbacks that are required for this project. Mr. Zoller stated that he feels the project has been well done.

Public Comment: In Favor

Richard Stagner, President of the Pt. Pleasant Homeowners Association spoke in favor of the project, but stated that the association did have concerns regarding the parking, sidewalks, and lighting. Mr. Stagner stated that the association would like to see underground utilities. Mr. Talley discusses with Mr. Stagner the demographics of the neighborhood he is representing.

Barbara McGould states that she feels there has been no problem regarding guest parking and feels very good about the project.

Public Comment: Opposed

William H. Delucca, 1717 First Ave. W., a member of the Pt. Pleasant Home Owners Association representing himself, Debra Schreiber and Ray McGill. Mr. Delucca spoke against the project, discussing the various problems such as the setbacks and space on the site.

Jake Fernandez, 209 17th Street W., speaks against the project stating that he feels the development has too many units.

Public Hearing Closed

Mark Jonnatti answers questions from homeowners stating that yes they will restore sidewalks and the utilities will be underground.

Staff Comment: Matt McLachlan states that staff recommends approval with the following stipulations:

- 1) Entry signage not to exceed 32 square feet.
- 2) Add to landscape plan that a root control barrier will be placed on all live Oak Tress within 10 feet of the masonry walls and sidewalks.
- 3) Swimming pool shall be enclosed in accordance with 501 B-2 & C.
- 4) Make repairs to sidewalks as indicated in the first quarter.
- 5) Utilities will be underground.

- 6) No parking allowed in the street from 17th to 18th on both sides as stated by Arlan Cummings from Public Works.

Mr. Frey has a brief discussion with Mr. Stagner regarding the sidewalk issue. Mr. Stagner states the stipulation regarding the sidewalks is fine.

Action(s) Mr. Barnhill motions to approve PR-04-0005 Ward 3 with the above stated stipulations. Mr. Koch seconds.

Approved: **Yea:** Unanimous
 Nay:

NEW BUSINESS

VA-04-0010 WARD 2 NEIGHBORHOOD 5.03/5.04 MM

Request of Robert Stephenson, owner, for approval of a variance from the City of Bradenton Land Use Regulations to reduce the required setback of 25 feet to 20 feet on the property located at 3308 18th Avenue West. (Zoned R-1B)

Dennis Lutz, Dietrich Construction will be representing the applicants Mr. & Mrs. Stephenson. Mr. Lutz states that the Stephenson's would like to decrease the side setback on the house from 25 feet to 20 feet. Mr. Lutz states that he feels the Stephenson's have a hardship as they have two front yards.

Commission Discussion: Mr. Barnhill comments that it shows on the survey the house is already encroaching on the setback and asks whether or not they would be able to live with that all the way down. Mr. Zoller states that the setback should be equal to the existing house line. Ruth Seewer points out that the design of the addition indicates a second unit is being installed, and that is not acceptable to meet single family zoning requirements. Applicant agrees to re-design floor plan and eliminate exterior door.

Staff recommendation: Staff recommends denial as the staff does not see the two front yard issue a hardship.

Action (s) Mr. Zoller makes a motion to approve a variance of 1.5 feet or the setback equal to existing house. Seconded by Mr. Barnhill.

Approved: **Yea:** Unanimous
 Nay: 0

VA-04-0011 WARD 3 NEIGHBORHOOD 6.01 MM

Request of Richard Black, owner, for approval of a variance from the City of Bradenton Land Use Regulations to increase the height of a fence to six feet in a technical front yard on the property located at 1405 14th Street West. (Zoned C1/R3B/VAO)

Mr. Black state he has had problems with trespassing and thefts on his motel property. Mr. Black states that the existing four foot fence is not enough of a deterrent for the violators. Mr. Black states that it is a hardship for his guests.

- 2) that the site be reviewed in two years
- 3) No storage will extend higher than a six foot fence.

Motion seconded by Mr. Griffith.

Approved: **Yea:** Unanimously
 Nay: 0

AB-04-0004 WARD 4 NEIGHBORHOOD 1.01 RS

Request of Joseph McDonald, Agent for John DeLesline, owner, for alcoholic beverage approval for a 2-COP (sale of beer and wine for consumption on premises) on the property located at 436 Old Main Street. (Zoned PDP)

Mr. Zoller recuses himself from this project as he states he has furnished the applicant with drawings.

Mr. McDonald request a 2-COP on the property located at 436 Old Main Street as he expands his business to a new location.

Commission Discussion: None

Public Hearing: None

Staff recommends approval with the following stipulations:

- 1) Outdoor seating will be cleaned daily.
- 2) The approval is granted in conjunction with the restaurant.
- 3) Sanitation facilities will meet the requirements of the Public Works Department.
- 4) Four tables will be permitted on the sidewalk.
- 5) Sidewalk access will be maintained at a minimum of four feet.
- 6) All tables and chairs will be brought inside at night.

Action (s) Mr. Koch motions approval with the previous stipulations read above. Motion seconded by Mr. Griffith.

Approved: **Yea:** Unanimous
 Nay: 0

AB-04-0005 WARD 1 NEIGHBORHOOD 4.07 RS

Request of Robert Woodson of Woodson Brothers' Seafood Grille, owner, for expansion of a 4-COP/SRX license (sale of beer, wine and liquor for consumption on premises) for outdoor seating on the property located at 7423D Manatee Avenue West (Zoned PDP)
Mr. Woodson states that they would like to provide a smoking area outside for their patrons.

Commission Discussion: Mr. Zoller states that the site needs more landscaping. Mr. Barnhill has a discussion with Mr. Woodson regarding noise management.

Public Hearing: None

Public Hearing: None

Action(s) Mr. Barnhill motions for the approval of AB-04-0007, with the stipulation that if they want outdoor seating they will have to come back for approval. Motion seconded by Mr. Griffith.

Approved: **Yea:** Unanimous
 Nay: 0

SU-04-0007 WARD 4 NEIGHBORHOOD 1.01 RS

Request of Randall W. Patterson, agent for Mike Carter, owner, for Special Use approval to operate a Cigar Bar and Lounge area to be known as LeCigar at the property located at 425 Old Main Street. (Zoned C-1)

Action(s) Motion for approval of SU-04-0007 by Mr. Barnhill. Seconded by Mr. Koch.

Approved: **Yea:** Unanimous
 Nay: 0

AB.04.0008 WARD 4 NEIGHBORHOOD 1.01 RS

Request of Michael Gold, agent for John DeLesline, owner, for alcoholic beverage approval for a 2-COP (sale of beer and wine for consumption on premises) on the property located at 440 Old Main Street. (Zoned C-1)

Mr. Gold discusses his proposal. Mr. Gold proposes that they would like to use the outdoor alley as a café and would like to do some kind of awning.

Board Discussion: There was a lengthy discussion regarding the alley. There was some question as to whether or not the business would be allowed to use the alley as it is city property.

Public Hearing: None

Staff recommends approval with the following stipulations:

- 1) The outdoor seating will be cleaned daily.
- 2) Sanitation facilities will meet the approval of the Public Works Dept.
- 3) Only two tables will be permitted on the East side of the alley.
- 4) Sidewalk access will be maintained at a minimum of four feet at all times.
- 5) Outdoor tables and chairs will be stored inside when the business is closed.
- 6) The awning is not part of the cities stipulations.

Action(s) Mr. Griffith motions to approve AB.04.0008. Mr. Zoller seconds.

Approved: **Yea:** Unanimous
 Nay: 0

SU-04-0008 WARD 4 NEIGHBORHOOD 1.01 RS

Board Discussion: Mr. Barnhill questions the use of the behavioral and redirection room. Kenny Langston discusses the fact that there appears not to be enough room for 100 children. Mr. Barnhill discusses the fact that there are only eight bedrooms.

Kenny Langston of the Fire Department states that the front parking must only be a drop off area.

Action(s) Mr. Griffith motions for approval with the stipulations read from the staff. No one seconded the motion. Mr. Talley steps down and offers Mr. Zoller the Chairperson position. Mr. Talley motions to deny the application due to the fact that the building is not adequate to be conducive to learning. It is difficult to see exactly where the classrooms are in the plan and the board needs to see dimensions in the plans.

Mr. Koch seconds the motion.

Denied: **Yea:** Mr. Talley, Mr. Koch, Mr. Barnhill, Mr. Zoller
 Nay: Mr. Griffith

Ms. Mays is allowed to speak. She states that yes there are classrooms and goes on to name them. Mr. Barnhill states that he would need to see some dimensions showing the detailed classrooms. Mr. Zoller, acting chairman states that Ms. May will have to take this before the City Council Meeting.

AB-04-0009 WARD 4 NEIGHBORHOOD 20.04 RS

Request of Randall W. Patterson, agent for Outback Steakhouse, Inc., applicant, and Benderson Development, owner of Braden River Plaza, for alcoholic beverage approval for a 4-COP/SRX (sale of beer and wine and liquor for consumption on premises) on the property located at 4510 SR 64 East. (Zoned PDP)

Re-advertise as parcel is being changed. No action is necessary from the board at this time.

SU-04-0010 WARD 4 NEIGHBORHOOD 20.04 RS

Request of Randall W. Patterson, agent for Outback Steakhouse, Inc., applicant, and Benderson Development, owner of Braden River Plaza, for Special Use approval to operate an Outback Steakhouse with the sale and consumption of alcoholic beverages on premises only for the property located at 4510 SR 64 East. (Zoned PDP)

Re-advertised as above.

MA-04-0005 WARD 4 NEIGHBORHOOD 20.04 RS

Request of Jerry Zoller, agent for Bradenton 64, Inc., owner for a major amendment to the Planned Development Project located at 5202 S.R. 64 East. (Zoned PDP)

Mr. Zoller recuses himself from the Planning Commission Board as agent for the applicant and proceeds to give a brief presentation of the project. Mr. Zoller states that they are planning a Good Year Building and that there are some concerns regarding the noise issue of tire store.

Darenda Marvin, planner for the law office Grimes, Goebel, Grimes, Hawkins, Gladfelter & Galvano P.A. gives a presentation regarding the Comprehensive Plan. Ms. Marvin states

Harry Talley, Vice-Chairman

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