

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

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

**Present:**

**Planning Commission Members:** Allen Yearick, Chair; Jason Taylor, Vice-Chair; Diane Barcus, Adam Buskirk, Joseph Thompson, O.M. Griffith, 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:** Allen Prewitt, Gregg Guinta (alternate)

**REGULAR MEETING**

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

- All items considered today, with the exception of variances, will be heard by City Council on February 10, 2010.
- The Pledge of Allegiance was recited.
- Welcome to new Planning Commissioners, Mr. Richard Whetstone and Mr. Gregg Guinta. Mr. Whetstone and Mr. Guinta were appointed as alternate members at December 9, 2009 by Mayor Poston and City Council.
- Election of officers will postponed to February 17<sup>th</sup> meeting.
- Approval of Minutes – Mr. Thompson made a motion to approve the November 16, 2009 meeting minutes, second by Ms. Barcus. Minutes approved and carried, 7-0.
- The December meeting was a Public Forum to discuss Land Use Regulations. The audio recording is available upon request, no minutes required per City Attorney.
- Ms. Aihara swore in all those wishing to speak before the Commission.
- SA.09.0019 Episcopal Day School agenda item postponed until the February 17<sup>th</sup> meeting.

**NEW BUSINESS**

**VA.09.0059 WARD 5 NEIGHBORHOOD 1.03 RS**

Request of Red Hoagland, lease, agent for Joe Iacuone, owner, for a variance to increase the signage for an automotive sales establishment located at 2202-2212 1st Street West (zoned C-3).

Ms. Seewer read the request.

Mr. George Hoagland, Jr., agent, dba Red Hoagland Automotive, gave an overview of his hardship variance request to increase the signage size in order to reuse his existing wall signage at a new used car lot located at 2212 1<sup>st</sup> Street West.

**Commission Questions/Comments:**

- Mr. Buskirk clarified that the local competitors are new and used car sales dealerships. Mr. Hoagland stated that signage is important, conveying his image, and should be consistent with other dealerships.
- Ms. Barcus clarified that Jenkins dealership is in Manatee County, not City of Bradenton.
- Mr. Taylor observed that 18' x 8' sign is large for the size of the property.
- Mr. Whetstone clarified that this is a totally new sign.

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

**Public Works:** No objections.

**Fire:** No objections.

**Staff Comments:** Ms. Seewer stated the applicant feels he has a competitive hardship because the other automotive dealers to the south and east have greater signage than applicant would be allowed by code. The Firkins property consisting of 4 city blocks to the south has been established for many years with signage larger than 48 sq. ft. and has been grandfathered in. Subaru has a 48 sq. ft. sign. Jenkins Hyundai is under County jurisdiction with two pole signs that are approximately 64 sq. ft. separated by a street. New businesses moving into the City are limited to current code of 48 sq. ft. pole signage.

**Staff Recommendation:**

1. Approval for an increase in the size of the pole sign from 48 square feet to 96 square feet. Hardship is frontage of 300 feet and advertising competition of like businesses within the immediate vicinity.
2. No variance for an increase in the wall signage as no hardship can be determined, compensation is provided in the code for increased size based on setback.

**Commission Discussion:**

- Ms. Barcus commented about the wall signage, this drawing appears to be a free-standing façade attached to the building, and the signage will change the roofline, but is not a second floor. No problem with wall signage.
- Mr. Taylor clarification that the requested pole sign is 96 sq. ft.
- Mr. Yearick commented that software sign to the north is 96 sq. ft. Do not want to set precedence, but also want to give visibility needed for signage.
- The total allowable building wall signage is 410 sign sq. ft. on three sides. If this was redistributed or reallocated among the signs on north, south, and east, could increase the sign square footage to the east side.
- Mr. Taylor commented that reallocation would be a precedence, recommended that it not be granted, and did not find a hardship for this variance.
- Mr. Buskirk commented that the reallocation seemed justified, because it is a small percentage. A percentage of sign reallocation may not be a bad precedence.
- Ms. Seewer stated that there is no change in the new Future Land Use code for signage. The reason the north side larger square footage is permitted is because of the distance from the road to the building (50 feet). To move the square footage to the east side doesn't make sense and would not justify a hardship.

- Ms. Barcus verified that the letters from prior dealer location are “RED HOAGLAND” and are lighted 36” tall and 36’4: wide, total of 108 sq ft. Ms. Barcus suggested moving “Auto Outlet” portion to the sides of building.

**Planning Commission Action: APPROVED**

Mr. Taylor made a motion to approve VA.09.0059 with the two stipulations.

1. Approval for an increase in the size of the pole sign from 48 square feet to 96 square feet. Hardship is frontage of 300 feet and advertising competition of like businesses within the immediate vicinity.
2. No variance or reallocation for an increase in the wall signage per staff recommendation.

Mr. Griffith seconded the motion, vote of 4 in favor, 3 against. Motion carried.

**SU.09.0071 WARD 5 NEIGHBORHOOD 7.03 RS**

Request of Harry Bakker, agent for HTB Properties, owner for a Special Use to allow an automotive repair establishment at 704 Manatee Avenue East (zoned C-1).

Ms. Seewer read the request.

Mr. Stan Rutstein, commercial realtor, agent, for Harry Bakker gave an overview of the project. All-Tune and Lube is interested in this location to open an automotive repair establishment to service the downtown Bradenton area.

**Commission Questions:**

- Mr. Thompson asked if the used cars are part of the business. There are two buildings in the site. The larger building will be the All-Tune and Lube with no overnight outside storage of vehicles.

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

**Public Works:** There are two buildings on the lot; will the smaller repair business remain? Ruth said the smaller building is used for an independent business with leased parking spaces.

**Fire:** Add Stipulation #5 to remove storage area in rear of building.

**Staff Recommendation: APPROVAL** with the following stipulations:

1. No outdoor storage is permitted.
2. No work will be done outside, except that minor repairs, such as battery or cable change replacements may be done under the canopy of the easternmost building.
3. Hours of operation will be maintained as requested in this application.
4. Upgrade the landscaping on the south and east side. Landscaping materials will be subject to the approval of the Planning and Community Development Director.
5. Remove the storage areas at the rear of the building.

**Planning Commission Action: APPROVED**

Ms. Barcus made a motion to approve SU.09.0071 with the five stipulations. Mr. Taylor seconded the motion, approved 7-0. Motion carried.

Mr. Taylor requested a two minute recess.

**LU.09.0044**

Request of the City of Bradenton for certain Land Use Regulation amendments based on the Comprehensive Plan EAR Based amendments, including but not limited to land use atlas designations, development standards, tree protection, level of service standards, design and compatibility standards, public art murals, lighting, signage, food and ice vending, and definitions.

Ms. Seewer reviewed the major changes to the Land Use Regulations distributed to the Planning Commission and answered questions.

Mr. Cookingham stated that the Green Building section will be added in about six months, the State of Florida will be issuing some green building codes that will take precedence over local. Mr. Polk stated that State of Florida is leaning towards LEEDS. City is working with consultants.

Color copies of the Land Use map will be distributed to the Planning Commission after adoption.

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

**Comment:** Mr. Taylor recommended consulting with Miles Gentry, Manatee County, on the county's lighting policies. Mr. Polk stated that the City has ongoing joint meetings with the County and City of Palmetto to discuss planning issues and to avoid cross-purposes.

**Planning Commission Action: APPROVED**

Ms. Barcus made a motion to approve LU.09.0040 with two changes. Mr. Thompson seconded the motion, approved 7-0. Motion carried.

Mr. Yearick, Planning Commission Chair, thanked the staff and acknowledged the body of hard work on the Land Use Regulation amendments.

**REPORT OF PLANNING & COMMUNITY DEVELOPMENT DIRECTOR**

Mr. Polk distributed a presentation on Form Based Code to the commissioners, which wraps around and supports our Land Use Map, Land Use Regulations, Downtown Master Plan, and Realize Bradenton. The form based code will include all three CRAs, Point Pleasant, and Manatee Avenue East. We are putting together an RFQ to select a consultant to joint venture with a local architect or design group. Mr. Taylor suggested the City schedule a presentation to communicate plan and garner support among local firms.

**VA.09.0059 WARD 5 NEIGHBORHOOD 1.03 RS – RECONSIDERATION**

A motion was made by Mr. Taylor with a second by Mr. Yearick to reconsider additional information brought by Mr. Hoagland to the Planning Commission. Carried 7-0.

Mr. Hoagland stated that he has not yet leased this property, but doesn't want to move to Sarasota. The property has been vacant for several years; the Commission's approval would save 10-15 jobs, increase local tax base, and improve the vacant property. Mr. Hoagland is not asking for a variance for façade, asking to reallocate his signage square footage, and reuse his existing letters without a great expense. Mr. Hoagland made a proposal to split the wall signage to 138 sq ft. on east, 136 sq ft. on north, and 136 sq ft. on south side.

Further discussion ensued between the Planning Commission and Mr. Hoagland regarding image, setting a precedent, reuse of existing sign letters, visibility of east wall sign, and proof of hardship.

**Planning Commission Action: APPROVED**

Ms. Barcus made a motion to approve VA.09.0059 with the two stipulations.

1. An increase of 8 square feet for the east side wall sign, allowing the total square footage of 108, in order to allow usage of the existing "RED HOAGLAND" letters.
2. An increase in the pole sign to 96 square feet.

Seconded by Mr. Thompson, motion carried 7-0.

**ADJOURNMENT**

With no further business to come before the Commission, motion to adjourn by Mr. Taylor, second by Ms. Barcus. Meeting adjourned at 4:46 p.m.

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Allen Yearick, 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.