

**ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
JULY 13, 2009**

The Planning Commission met in the City of Bradenton Council Chamber, 101 Old Main Street, Bradenton, Florida on July 13, 2009 at 2:00 p.m.

Present:

Planning Commission Members: Diane Barcus, Adam Buskirk, Allen Prewitt, Joseph Thompson

City Staff: Tim Polk- Planning Director; Ruth Seewer- Development Review Manager; Karen Aihara-Executive Assistant; Arlan Cummings-Public Works

Absent:

Planning Commission Members: Allen Yearick-Chair; Jason Taylor, Brady Cohenour (alternate), O.M. Griffith (alternate)

City Staff: Thomas Cookingham-Assistant Director; Kenneth Langston, Fire Marshal

REGULAR MEETING

Meeting was called to order by the Planning Commission Acting Chair, Ms. Barcus at 2:02 p.m.

- All items considered today will be heard at the August 12, 2009 City Council meeting.
- The Pledge of Allegiance was recited.
- Ms. Aihara swore in all those wishing to speak before the Commission.
- Approval of Minutes – Ms. Barcus requested that the following amendments are made to the June 17 minutes: page 2, paragraph 5 - the “Arden Building is amended to the “Hardin Building” and on page 5, paragraph 3 – “Nearly every day there is a head-on collision” is amended to “Every day there is nearly a head-on collision”. Mr. Prewitt made a motion to approve the amended minutes, second by Mr. Thompson. Motion carried unanimously, 4-0.

NEW BUSINESS

SU.09.0063 WARD 5 NEIGHBORHOOD 7.03 RS

Request of Calvin Bryant, Calvin Bryant Construction, agent for Augustin Portuondo, owner, for a Special Use to allow automotive repair for tire installation for the property located at 820 15th Street East (zoned C-3).

Ms. Seewer read the request.

Calvin Bryant, 2001 Myrtle St, Sarasota, Calvin Bryant Construction appeared to represent Augustin Portuondo, owner. Mr. Bryant is representing Mr. Portuondo who does not speak English very well. Mr. Bryant has been contracted to repair the building to open the tire store. Mr. Portuondo has received a DOT permit. The special use permit will allow him to get into the building which was originally a hardware store.

Commission Questions: No questions.

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

Public Works: Mr. Cummings stated that Public Works does not have any objections to the plan based on the twelve stipulated items.

Fire: Ms. Seewer stated that the Fire recommendations are addressed by the stipulations.

Staff Recommendations: Ms. Seewer stated that Planning has been helping Mr. Portuondo get his business started since he purchased the property last December. The staff recommendation is for APPROVAL of SU.09.0062 with the following twelve stipulations:

1. A Florida Department of Transportation (DOT) permit is required for the improvements to the 15th Street East access.
2. A Southwest Florida Water Management District (SWFWMD) permit or waiver is required.
3. The 14th Street East access drive must be paved.
4. Sanitation pick-up method and location is subject to approval of the Department of Public Works.
5. An enclosed area will be provided at the rear of the building for temporary (30 day) storage of used tires. The enclosed area will be a structure, truck, or 6 ft. high solid fenced enclosure. Tires will not be stacked higher than the top of the fence.
6. No outside display is permitted.
7. All work will take place within the building. Work on customer vehicles will not take place outside or under the canopy.
8. The parking area will be landscaped and irrigated with minimum 5-foot wide buffers on the north and south, and 10 foot wide buffer on the east property line abutting 15th Street.
9. A driveway will be provided on the south side of the structure connecting the east and west paved areas. This will require relocation of the handicap parking space to the north side of the proposed parking lot.
10. Extend the paved area under the canopy an additional 7 feet for the entire length.
11. Hours of operation are as stated in the letter of request, Monday through Saturday, from 8:00 a.m. to 6:00 p.m.
12. Provide a revised drawing indicating the changes as specified in Stipulations 3, 5, 8, 9, & 10.

Additional Questions & Comments:

- Ms. Barcus asked to clarify the stipulation #12 due date and agreed that the revised drawing should be submitted prior to August 12 City Council.
- Mr. Cummings stated that paving will require a site improvement permit.
- Stipulations 9 & 10 will be removed due to the addition of a garage door on east side of building and all work will be done inside the building.
- Dumpster location is still to be determined in the rear of the building.
- No trees will be removed, additional landscaping will be planted.

Planning Commission Action: APPROVED

Mr. Thompson made a motion to approve SU.09.0063 with the following ten revised stipulations:

1. A Florida Department of Transportation (DOT) permit is required for the improvements to the 15th Street East access.
2. A Southwest Florida Water Management District (SWFWMD) permit or waiver is required.
3. The 14th Street East access drive must be paved to the building.
4. Sanitation pick-up method and location is subject to approval of the Department of Public Works.

5. An enclosed area will be provided at the rear of the building for temporary (30 day) storage of used tires. The enclosed area will be a structure, truck, or 6 ft. high solid fenced enclosure. Tires will not be stacked higher than the top of the fence.
6. No outside display is permitted.
7. All work will take place within the building. Work on customer vehicles will not take place outside or under the canopy.
8. The parking area will be landscaped and irrigated with minimum 5-foot wide buffers on the north and south, and 10 foot wide buffer on the east property line abutting 15th Street.
9. Hours of operation are as stated in the letter of request, Monday through Saturday, from 8:00 a.m. to 6:00 p.m.
10. Provide a revised drawing prior to the City Council meeting indicating the changes as specified in Stipulations 3, 5, and 8.

Motion was seconded by Mr. Buskirk. Motion carried, 4-0.

SU.09.0065 WARD 5 NEIGHBORHOOD 1.04 RS

Request of Stanley Thompson, owner, for a Special Use to allow installation of a paint booth for an existing automotive repair facility on the property located at 2801 9th Street West (zoned C-3).

Ms. Seewer read the request and clarified that it is actually an automotive sales facility.

Stanley Thompson, 1827 9th Street West, owner, is requesting the diversification of his business with the addition of a paint booth for his two existing car sales businesses. The paint booth will be for painting of his owned vehicles and vehicles received from auction. The approval of the paint booth will increase his business by an additional two employees, will help grow the business by remodeling the building, and improve the appearance of the lot. The paint booth will service their internal work, not in competition with any other business. Mr. Thompson requests approval of adding the paint booth to his business.

Commission Questions: No questions.

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

Public Works: No objections.

Fire: Fire permit is required.

Staff Recommendation: Ms. Seewer stated that staff has no objections and recommends APPROVAL of SU.09.0065 with the following stipulations:

1. The paint booth is for use as an accessory to the primary automotive sales business, and only those vehicles for sale at the establishment can be repaired and painted on the premises.
2. No signage identifying automotive painting or repair is permitted.

Commission Questions:

- Mr. Prewitt asked why staff is stipulating that vehicles must be owned by primary auto sales. Ms. Seewer answered that paint booth is an accessory to auto sales business, all cars painted must be for sale.

- Ms. Barcus asked staff about landscaping details. Ms. Seewer answered that Mr. Thompson will submit landscape map that matches the property to the north when applying for permit. Irrigation will need to be added.

Planning Commission Action: APPROVED

Mr. Prewitt moved, with a second by Mr. Joseph Thompson, to approve SA.09.0014 with the two stipulations. Motion carried, 4-0.

REPORT OF PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

Mr. Polk gave an update of the current Planning & Community Development projects:

- First reading of Comprehensive Plan amendments on July 15 City Council agenda
- Smart Code and Smart Growth
- Form Based Codes – used in Sarasota County and other Florida cities
- Bids on Pink Palace board-up project

OTHER BUSINESS

Ms. Seewer will notify Code Enforcement to visit Tropicana storm water retention pond. Ms. Barcus reported that the plants are dead.

Dead oak tree requires a permit to remove, no charge if removed by owner.

Next Planning Commission meeting date is Wednesday, August 19.

ADJOURNMENT

With no further business to come before the Commission, motion to adjourn by Mr. Thompson, second by Mr. Prewitt. Meeting adjourned at 2:53 p.m.

Diane Barcus, Acting Chair

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.