

**ABBREVIATED MINUTES
PLANNING COMMISSION MEETING
July 8, 2015**

The Planning Commission met in the City of Bradenton Council Chambers, 101 Old Main Street, Bradenton, Florida on July 8, 2015 at 2:00 pm.

Present:

Planning Commission Members: Ben Bakker-Chair, Diane Barcus, Stuart Moon Jr., Veronica Rogers, Richard Whetstone

City Staff: Tim Polk- Planning Director; Chris Gratz-Development Services Manager; Tatiana Gonzalez-GIS/Planner; Ken Langston-Fire Marshal; Karen Aihara-Executive Planning Administrator

Absent:

Planning Commission Members: Darin Autrey (alternate), O.M. Griffith (alternate)

City Staff: Officer Camacho-Police; Kim Clayback-Public Works

REGULAR MEETING

- Meeting was called to order by the Planning Commission Chair, Mr. Bakker at 2:00 p.m.
- Pledge of Allegiance
- Approval of Minutes: May 20, 2015 motion to approve by Mr. Whetstone/second Ms. Barcus, approved 5-0.
- Speakers were sworn in by Ms. Aihara.
- Welcome to Chris Gratz, the new Development Services & Zoning Manager.

NEW BUSINESS

VA.15.2580 WARD 1 NEIGHBORHOOD 4.07

Request of Marshall Gobuty, agent for Michael Gilyardi, owner, and Ferrell Pinson, owner, for Variance approval to allow off-site real estate signage at 7408 18th Avenue West and 1806 74th Street West (zoned PDP).

Mr. Gratz stated that VA.15.2580 has been withdrawn by staff due to technical difficulties with the advertisement. The project will be completely withdrawn; there is no presentation or information to be provided today. This project will be restarted with a new application, staff report, new advertisement mailed out, and a new legal advertisement in the newspaper. Mr. Polk stated that staff has heard major concerns from our citizens and the builder is willing to work with the City and local residents. Mr. Gobuty is aware that the application has been withdrawn by staff.

PUBLIC HEARING:

Opposed

- **Mary Ann Faulkner**, 6903 23 Ave West, stated that she was upset to see Mirabella signage on both sides of 75th Street against City Code. She stated that the developer should advertise as other developers do-- in the newspaper. Ms. Faulkner submitted pictures of the Public Notice posting (attachment A).
- **Linda Babinski**, 1319 72nd St West, stated that she objected to the manner of signage. Will there be a time limit on the signs? Concern on setting a precedent.
- **June Gilley**, 6601 11th Avenue West, was opposed to the signage on 75th Street. There were no directional arrows or the address on signs, just a giant billboard. Owners were paid to post advertisements on their fences. Ms. Gilley stated that Village Green has strict limits on real

estate signs for open houses. 10% of Mirabella units have already sold, even without a model home.

- **Ann Marie Harper**, 7404 15th Avenue West, stated that at a recent business owner meeting the Mirabella signage was discussed and others thought they should use blank fences and walls for advertising their products and services. The notice of public hearing was not posted at the entrance to the project.
- **Jack Rooney**, 7211 13th Avenue Drive West, had questions about the application. How many signs, size of signs, length of time to be displayed, location & maintenance of signs. Concern on setting a precedent. List of seven questions submitted to staff (attachment B).

The public hearing will remain open. Audience for VA.15.2580 was excused.

SA.15.2499 WARD 4 NEIGHBORHOOD 20.03

Request of Belinda Waiters, agent for Juan Curci, owner for Special Use Amendment approval to allow expansion of existing Child Daycare Facility at 5233 4th Circle East (zoned SCC/PDP).

Ms. Gonzalez introduced the Special Use Amendment request with staff presentation, staff evaluation, recommendations with five stipulations:

1. Hours of operation as stated by the applicant: 6:30AM to 10PM.
2. No commercial cooking.
3. Outdoor play area shall be enclosed with a six (6) feet tall, opaque fence. Gate latch shall be out of reach of children.
4. Provide structural bollard in front of entry.
5. Structures cannot be located within any easements.

Planning Commission Questions/Comments to Staff:

- Ms. Rogers asked about the entry doors to the facility. Ms. Gonzalez stated that the entry is limited to parents with a key code. The staff answers an intercom to allow entry for all other visitors. Applicant will answer additional questions.
- Mr. Moon asked about the hours of operation, the staff report states 6:30 am-10 pm. Ms. Gonzalez responded that the hours of operation are set with flexible hours so the applicant will not have to reapply for an extension of hours.
- Ms. Barcus asked if the hours are consistent with the adjacent businesses. Ms. Gonzalez said that Smarty Pants Day Care requested hours until 11 p.m., other businesses close around 6:30 p.m. Is the interior layout the same as the baby/toddler side? Ms. Gonzalez answered, yes.
- Mr. Moon clarified that there is no access between units? Ms. Gonzales answered, yes there is no access. This expansion of her daycare will have children ages 5-12 years.

Planning Commission Questions/Comments to Applicant:

Belinda Waiters, 7163 Chatum Light Run, Bradenton 34212 answered questions:

- Mr. Bakker asked about the hours of operation on "date night" two nights per month. What is the latest that parents will pick up their children? Response was 10:00 p.m. Mr. Bakker recommended an extra window of time to clean up. Ms. Waiters agreed.
- Ms. Rogers clarified that there are two separate reception areas. Ms. Waiters stated that to the exit the facility, the parents must push exit button and open door at the same time.
- Mr. Bakker asked about fire procedures. Fire Marshal stated that the door exit is connected to the fire alarm and the locked door will automatically open.
- Ms. Waiters asked if she needed a fence permit to extend her fence. Ms. Gonzalez stated, yes.

PUBLIC HEARING: No one appeared for or against. Public Hearing was closed.

STAFF RECOMMENDATION

The School District sent a letter that they had no objections to this request. Ms. Gonzalez requested APPROVAL of SA.15.2499 with five amended stipulations:

1. Hours of operation as stated by the applicant: 6:30AM to ~~10~~11PM.
2. No commercial cooking.
3. Outdoor play area shall be enclosed with a six (6) feet tall, opaque fence. Gate latch shall be out of reach of children.
4. Provide structural bollard in front of entry.
5. Structures cannot be located within any easements.

PLANNING COMMISSION RECOMMENDATION

Motion was made to APPROVE SA.15.2499 request of Belinda Waiters, agent for Juan Curci, owner for Special Use Amendment approval to allow expansion of existing Child Daycare Facility at 5233 4th Circle East (zoned SCC/PDP) with five amended stipulations (Moon/Barcus) approved 5-0. The final public hearing is before City Council on August 12, 2015 at 8:30 a.m.

SU.15.2317 WARD 5 NEIGHBORHOOD 1.03

Request of Ella Powell, agent for Leon Foster, owner for Special Use approval to allow a Child Daycare Facility at 2118 1st Street West (zoned UCC).

Ms. Gonzalez introduced the Special Use request with staff presentation, staff evaluation, recommendations with six stipulations:

1. Hours of operation as stated by the applicant: 6AM to 6PM, Monday through Friday.
2. Maximum student capacity and number of employees per state code.
3. Commercial cooking is not permitted.
4. Fire alarm system is required.
5. Provide structural bollards in front of building entrance.
6. Applicant shall provide State DCF documentation of childcare certifications to the PCD Director prior to commencement of operations.

Planning Commission Questions/Comments to Staff:

- Ms. Barcus asked about the configuration of the interior, will there be a separation of infants and toddlers. Applicant will answer.
- Ms. Rogers confirmed that there will be no commercial cooking.

Planning Commission Questions/Comments to Applicant:

Ella Powell, 1525 14th Avenue East, Bradenton clarified that she is changing the age of care to infants to 12 months with no walking children, because she does not have an outdoor play area.

- Ms. Barcus asked about the configuration of the interior. Ms. Powell brought a floor plan to the meeting (Exhibit K).
- Ms. Powell said that a church was the former occupant of the building.
- Fire Marshal stated that the plan shows a stove, it has to be taken out of the building.
- Mr. Bakker asked how the children will be separated for sleeping rooms. Ms. Powell said that the infants to 3 months will be in the Office (4 babies) and Special Classroom (6 babies). The Staff Area will be the daycare office.
- Mr. Bakker asked about the rear door. Ms. Powell said that it will be alarmed.
- Mr. Bakker asked if there will be any extended hours. Ms. Powell said, she does not want any extended hours. The daycare hours will be 6 am to 6 pm.

STAFF: No objections from Fire other than removal of stove.

PUBLIC HEARING: No one appeared for or against. Public Hearing was closed.

STAFF RECOMMENDATION

The School District had no concerns on this request. Ms. Gonzalez requested APPROVAL of SU.15.2317 with six stipulations:

1. Hours of operation as stated by the applicant: 6AM to 6PM, Monday through Friday.
2. Maximum student capacity and number of employees per state code.
3. Commercial cooking is not permitted.
4. Fire alarm system is required.
5. Provide structural bollards in front of building entrance.
6. Applicant shall provide State DCF documentation of childcare certifications to the PCD Director prior to commencement of operations.

PLANNING COMMISSION RECOMMENDATION

Motion to Approve the Request of Ella Powell, agent for Leon Foster, owner for Special Use approval to allow a Child Daycare Facility at 2118 1st Street West (zoned UCC) with six stipulations (Whetstone/Moon), approved 5-0. The next public hearing will be before City Council on August 12, 2015 at 8:30 a.m.

REPORT OF THE PLANNING & COMMUNITY DEVELOPMENT DIRECTOR

- Ward 1 has been active with Village Green signage. Heritage Village went before the City Council this morning with 12 stipulations on the location of their air conditioning units.
- There was an incorrect quote in the newspaper that staff had made a recommendation on the Mirabella signage. Reporter did not talk to Mr. Polk, city staff would not do that.
- Villages of Riverwalk will be coming before the Planning Commission soon.
- Bradenton Herald site is under 60 days of demolition – may be a brownfield site.
- Welcome to our new Development Services and Zoning Manager, Chris Gratz.
- Thank you to Tatiana Gonzalez for 2 years of service with the Planning Commission.
- Donnette Stahnke, Planning Technician was introduced to the Planning Commissioners.
- Interviews are in progress to replace Tatiana's position.

NEXT PLANNING COMMISSION MEETING - Wednesday, August 19, 2015.

ADJOURNMENT – Motion to adjourn at 3:25 p.m. (Whetstone/Barcus).

Benjamin Bakker, Chairman

NOTE: This is not a verbatim record. An audio CD or DVD recording of the meeting is available for a fee upon request.