

**MINUTES
PLANNING & ZONING BOARD MEETING
WEDNESDAY, JUNE 21, 2017 @ 1PM
KATIE PIEROLA COMMISSION CHAMBERS**

Pledge of Public Conduct: *We may disagree, but we will be respectful of one another. We will direct all comments to the issues. We will avoid personal attacks.*

NOTE: MORE THAN ONE ELECTED OFFICIAL MAY BE IN ATTENDANCE

CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

PRESENT: Chair John Burns, Vice Chair James Lynch, Reed Mapes, William Vincent; John Metz, Patricia Shay

ALSO PRESENT: Alan Garrett, City Planner

PRESS: ChrisAnn Esformes, The Islander and Joe Hendricks, The Sun.

JOHN BURNS RECOGNIZED A QUORUM PRESENT CALLED THE MEETING TO ORDER AT 1PM.

ORDER OF BUSINESS:

1. APPROVAL OF MINUTES:

Approval of Meeting Minutes dated March 22, 2017.

Approval of Meeting Minutes dated April 12, 2017.

Approval of Meeting Minutes dated April 19, 2017.

MOTION BY JOHN METZ TO APPROVE THE PLANNING & ZONING MEETING MINUTES DATED MARCH 22, 2017, AS WRITTEN. MOTION SECONDED. VOTE: ALL AYE. MOTION PASSES 6-0.

MOTION BY REED MAPES TO APPROVE THE PLANNING & ZONING MEETING MINUTES DATED APRIL 12, 2017, AS WRITTEN. MOTION SECONDED. VOTE: ALL AYE. MOTION PASSES 6-0.

MOTION BY REED MAPES TO APPROVE THE PLANNING & ZONING MEETING MINUTES DATED APRIL 19, 2017, AS WRITTEN. MOTION SECONDED. VOTE: ALL AYE. MOTION PASSES 6-0.

PUBLIC COMMENT OPEN:

PUBLIC COMMENT CLOSED:

NEW BUSINESS

Alan Garrett read into record Ordinance 17-482

- A. A PUBLIC HEARING for a Small-Scale Comprehensive Plan Development Amendment and a Major Development application as noted below:**

Ordinance 17-482 a request for a Small-Scale Development Amendment. The Small-Scale Amendment of the Comprehensive Plan is from the land use designation of Public/Semi-Public to the land use designation of Mixed Use Bridge Commercial.

A Major Development Application for the Bridge Tender Dockside Bar.

Alan Garrett spoke: The Advertising requirements have been met.

The area of the dock side bar is developed. Request the applicants to make the first presentation.

Darenda Marvin spoke: Certified planner with law firm Grimes, Goebel, Grimes, Hawkins, Gladfelter and Galvano. In 2012 wanted to use the bayside for dining. The city advised us to amend the plan on record and put the proper number of seats and show everything that was on the site. The LDC had changed when we got into the process especially the section on open air dining. We worked with staff and the City to amend the regulations and so we could make this application. Discussion continued.

William Vincent spoke: In a weather event, has it been calculated to bring in the tables and chairs?

Darenda Marvin spoke: They are thin metal chairs that stack and the bar is portable and can be taken apart and put into the restaurant.

James Lynch spoke: I don't see the tv's on the map.

Sue Shenka spoke: General Manager Bridge Tender. Everything is secure for weather. The tv's are enclosed in professional boxes.

Ryan Davis Yolo Parasailing spoke: We are based out of Cortez with a kiosk here. I have plenty of parking and a shuttle bus to transport my people.

James Lynch spoke: what is the relation to parasailing and the bridge tender.

Ryan Davis spoke: my floating house boat is base by the water and I have a little kiosk on land side. It's my floating office and retail operation. It's a 26ft boat using for retail. I have a 7 passenger minivan and 13 passenger bus to use for my customers as well for transporting.

John Burns spoke: Do you have an approved site plan registered with Manatee County?

Darenda Marvin spoke: That has nothing to do with the City of Bradenton Beach. Discussion continued.

Discussion continued on the site plan in the packet of the layout of the restaurant.

John Metz spoke: Do you have a site plan of the property showing the psp. Is the whole property psp? Alan replied; it's everything within that would form a triangle with Brigde Street to the north, South Bay Dr. to the west and the cities boundary of what the main high water line to your east. That would encompass the property and city owned property which would be the city's parking spaces and that little area right along the right of way of Bridge Street.

Discussion continued.

John Metz spoke: We have what is called unity of title. Gives the rights to the city that those properties can't be separated. So the part we are talking about does not border Bridge Street.

Discussion continued.

On the current zoning map how much is C2? Darenda Marvin replied, all of it is C2.

John Burns spoke: Is the city right of way being used as parking? Discussion continued on

EXHIBIT A.

John Metz spoke: You said he owns that property and would that also be included in the mixed use. Discussion continued.

Discussion continued on land maps.

Reed Mapes spoke: I would like to ask your manager questions. How many seats do you have on the west side of the road? Darenda replied, in the dining room including bar stools there are 82 seats in the bar there are 50 seats including bar stools. On the deck there are 64 seats open air west side. Reed Mapes asked, how many bath rooms? Sue Shenka replied 4 bathrooms. She

explained there were 3 toilets and a urinal in the bar area and in the inside there is 4 total men's and woman's and 1 urinal, 9 fixtures total. I have 48 employees total not per shift. During a shift on an average day there are 28 on the largest shift.

Reed Mapes asked, Are there any handicap? Yes replied Sue Shenka.

Discussion continued.

Derenda Marvin spoke: The division of hotels and restaurants were here as early as March and there were no issues with the seating capacity and the amount of restrooms.

Reed Mapes spoke: I would like to see what you can do to fix the parking lot and the house in way of landscaping and it has hap hazard parking. I think the Bridge Tender is a major part of Bridge Street and I would like to see us if we're going to go through this and give you what you're asking for, that we get a little bit back in the way of an upgrade of what you have and I don't think that upgrade will hurt Mr. Bartizal one penny in fact I think it will enhance it. It's take the time and think about what just 1 accident would cause and cost Mr. Bartizal it's worth think about some of the changes that John and I have both asked for. I think this is a fair request on the City's part. I would like for Doc Bartizal to consider this and how much better his property would be and how much nicer he can make our city look.

John Burns spoke: Problems that have been brought up.

- The numbers need to be rectified on your business tax license.
- Land use regulation not met at the time. Land is designated public/semi public
- Comp plan doesn't include this piece of property. The City Commission did not address this and it needs to be addressed.
- The clear intent of land use swap, to what extent is the city willing to do this for in the C2 category?
- Restroom count in relation to seating capacity
- Concern of seat count on tax receipt
- Seating capacity on entire operation on business tax receipt as 103 shows 196 internal and 24 externals which total 220 plus staff of 28. This appears to be best address by Mr. Gilbert.
- Fire dept. occupancy #164 to put in the mix. Does that include exterior deck area as well?
- The major congestion within the area, wait staff, traffic flow crossing road.
- Problem to be resolved by the City Attorney, Does unity of title make this part of or adjacent to the bridge street district.
- There are 2 separate business' operating off of the property in question
- We have a parasail boat butting this property with customer going on and off.

Those are for the most part the major issues we need to see addressed should this decision continue to a date certain. I would also like to see for clarification purposes we need a survey that we can read 24x36 is nice. We also need a 2 scale sight plan. If we are looking at this all together I would like to see the written agreement is in place for support facilities if you are going to share them. Also what the usage rate is because if I can walk or drive up to your boating is not exempt from the parking. I also want the City Attorney to look at the corner piece of the lot.

Reed Mapes spoke: I want to see the parking plan.

James Lynch spoke: I want to go on record as sharing the concerns of both John and Reed. With people crossing back and forth on the road. Discussion continued.

CONSENSUS TO HAVE APPLICANT TO ADDRESS THE ISSUES THAT WERE ENUMERATED BY THE CHAIR TOGETHER WITH A SCALE SITE PLAN AS REQUESTED BY MR. LYNCH TO BRING IT BEFORE THE PLANNING AND ZONING BOARD SO WE ARE ABLE TO SEE HOW YOU WISH TO MITIGATE THE ISSUES THAT WERE BROUGHT UP TODAY AND ADDRESS THE ONES THAT AREN'T MITIGATED.

CONSENSUS TO CONTINUE THE DATE TO AUGUST 16TH, 2017 AT 1PM.

MOTION TO CONTINUE ORDINANCE 17-482 TO AUGUST 16, 2017 AT 1PM OR AS SOON THERE AFTER MAY BE HEARD. MOTION SECONDED. VOTE ALL AYE; MOTION CARRIES 6-0.

MOTION TO CONTINUE A MAJOR DEVELOPMENT APPLICATION FOR BRIDGE TENDER DOCKSIDE BAR TO AUGUST 16, 2017 AT 1PM OR SOON THERE AFTER MAY BE HEARD. MOTION SECONDED. VOTE ALL AYE; MOTION CARRIES 6-0.

Opened new business Item B, agenda item read by Alan Garrett.
Chair Burns opened the meeting at 3:04pm, 1 Commissioner and 1 staff person present.

PUBLIC COMMENT OPEN:
PUBLIC COMMENT CLOSED:

MOTION BY CHAIR JOHN BURNS TO CONTINUE ORDINANCE 17-483 TO AUGUST 16, 2017 AT 1PM OR AS SOON THERE AFTER MAY BE HEARD. MOTION SECONDED. VOTE ALL AYE; MOTION CARRIES 6-0.

- B. A PUBLIC HEARING for a Land Development Code Text Amendment relating to swimming pools:
Ordinance 17-483 amending Section 308.6, Setbacks for Swimming Pools.

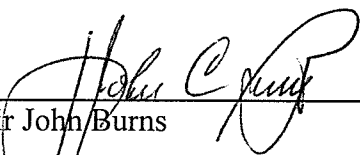
RECOMMEND APPROVAL OF ORDINANCE 17-483 AND THE AMENDMENT COMPLIES WITH THE ADVERTISING REQUIREMENTS OF SECTION 208.2 OF THE LAND DEVELOPMENT CODE.

RECOMMEND DENIAL OF ORDINANCE 17-483.

1. AROUND THE TABLE –
2. ADJOURNMENT – There being no further business, the meeting was adjourned at 3:05 pm.

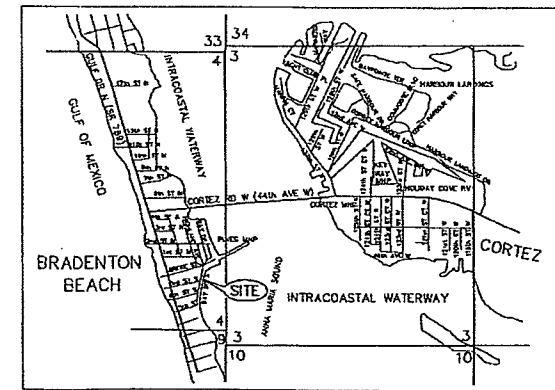
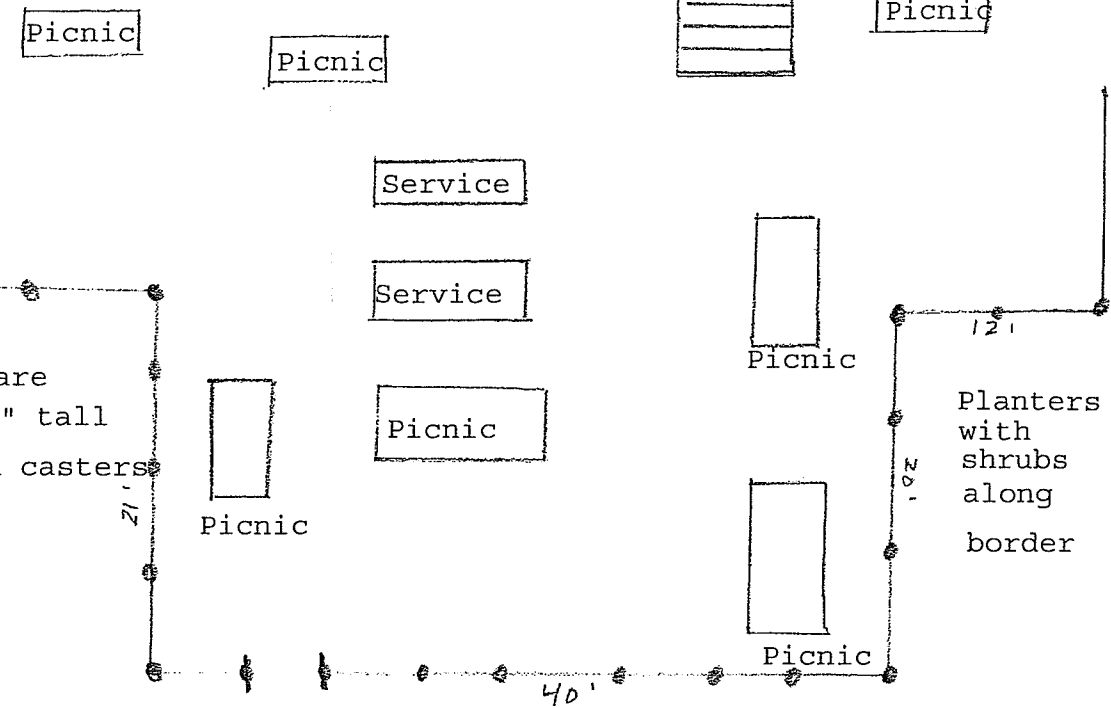
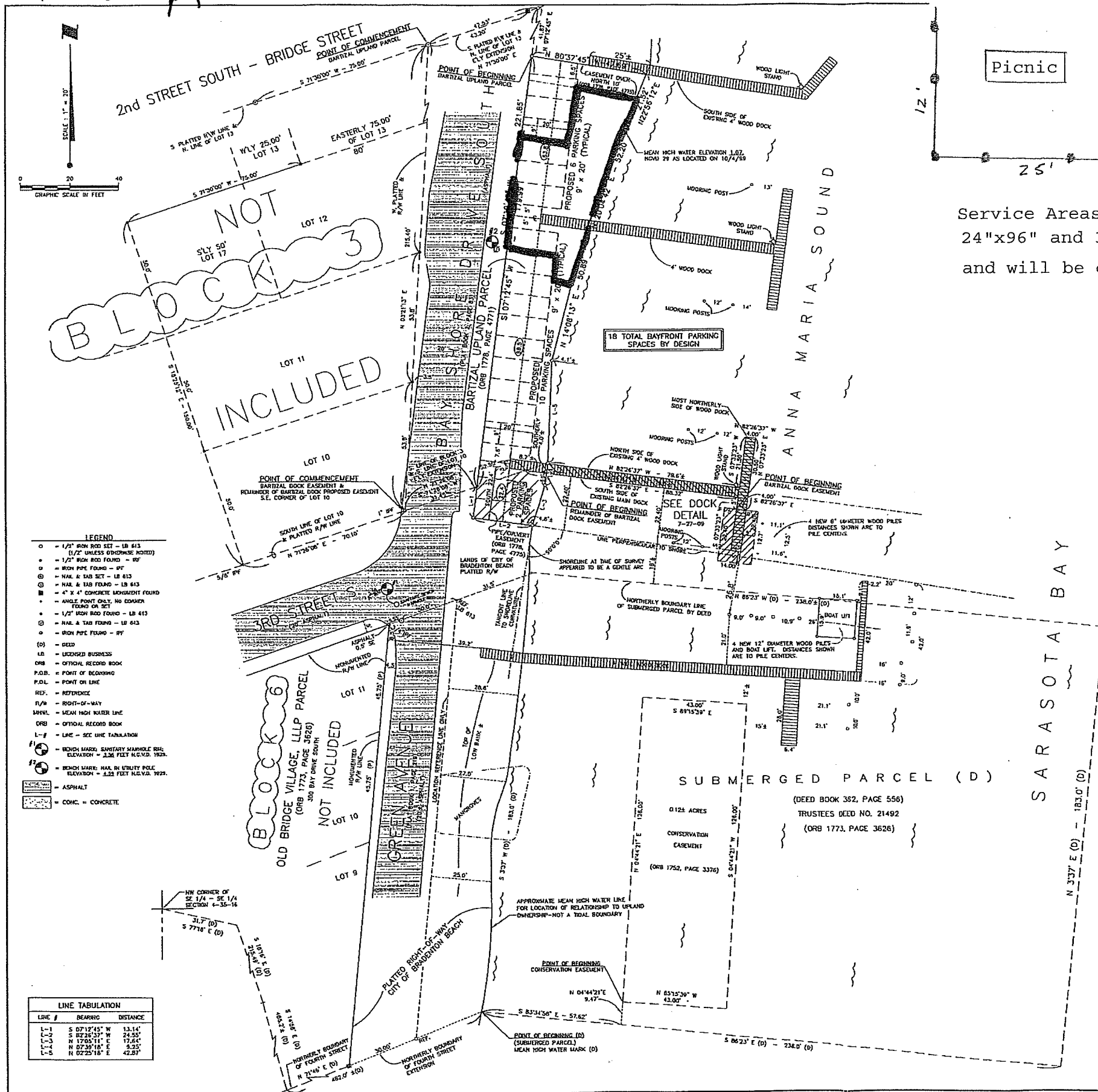
ATTEST:


Christine Watson Deputy Clerk II


Chair John Burns

NOTE: THIS IS NOT A VERBATIM RECORD

Exhibit A



- NOTES:**
- BEARINGS SHOWN HEREON REFER TO THE WEST RIGHT-OF-WAY LINE OF BAY DRIVE SOUTH BEING ASSUMED AS 503°21'13" W.
 - UNDERGROUND ENCROACHMENTS OR IMPROVEMENTS IF ANY, NOT LOCATED FOR PURPOSES OF THIS SURVEY.
 - THIS PLAT IS A SPECIFIC PURPOSE SURVEY ONLY AND IS NOT INTENDED TO BE USED FOR A BOUNDARY SURVEY AS SUCH. THE PURPOSE OF THIS SURVEY IS TO HELP ESTABLISH THE SOUTH RIPARIAN RIGHTS LINES FOR THE BARTIZAL UPLAND PARCEL, SHOWN HEREON.
 - USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE CERTIFIED TO WILL BE AT THEIR SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
 - ELEVATIONS SHOWN HEREON ARE IN FEET/DECIMALS REFERENCED TO THE NATIONAL GEODETIC VERTICAL DATUM (NAD83) OF 1929 AND ARE UNDERLINED.
 - SUBJECT TO EASEMENTS, DEDICATIONS AND RESTRICTIONS OF RECORD.
 - MEAN HIGH WATER ELEVATION 1.02, NOV 1929 BASED ON EXTENSION OF TIDAL DATUM FROM TIDE STATION 872-0217, CORTEZ.
 - LOCATIONS SHOWN HEREON WERE NOT VERIFIED AT THE TIME OF REVISIONS TO THIS SURVEY.
 - BOUNDARY INFORMATION, MONUMENTATION AND LOCATION OF IMPROVEMENTS SHOWN HEREON WAS OBTAINED FROM THE PRIOR BOUNDARY AND MEAN HIGH WATER SURVEY BY THIS FIRM FOR DR. FRED BARTIZAL AND THE CITY OF BRADENTON BEACH, JOB #88883 LAST REVISED ON 8-14-2001 AND THE PRIOR BOUNDARY SURVEY FOR OLD BRIDGE VILLAGE, LLP, JOB #0147 COMPLETED ON 2-26-2002.

SPECIFIC PURPOSE SURVEY		Leo Mills & Associates, Inc.	
LYING IN SECTION 4, TOWNSHIP 33 SOUTH, RANGE 16 EAST, MANATEE COUNTY, FLORIDA		400 BRADENTON AVENUE, PALMETTO, FL 34221 22 NORTH PECK AVENUE, ARCADIA, FL 34964	
FOR: FRED J. BARTIZAL, M.D.		PHONE: (813) 222-2490 FAX: (813) 222-2490 PHONE: (813) 393-1141 FAX: (813) 393-2446	
ADDRESS: BAY SHORE DRIVE SOUTH		LICENSED BUSINESS NO. 815 • SURVEYING • LAND PLANNING	
CERTIFIED TO: FRED J. BARTIZAL, M.D.	DATE: 2-18-04	PREPARED BY: FRED J. BARTIZAL, M.D.	DATE: 2-18-04
BY: LEO MILLS, JR., REGISTERED STATE OF FLORIDA PROFESSIONAL SURVEYOR AND MAPPER No. 5513	DATE OF SURVEY: 2-18-04	THIS SURVEY REPORT IS PROVIDED BY LEAD COMPANY ONLY. ALL GRAPHIC AND TEXT DATA IS COPYRIGHTED.	DATE OF SURVEY: 2-18-04
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PLANNING & DEVELOPMENT DEPT.
FEB 21 2012