

**DRAFT MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
DECEMBER 13TH, 2012 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

ERIC GILBERT, Chair	JON MOORE ABSENT	
JAMES PASTOR, Vice Chair	ABSENT	CHARLIE UGARTE
LEON KOTECKI	CHAR PATERSON	
CITY PLANNER, LORRAINE LYN		
ASST. CITY ATTORNEY, SCOTT RUDACILLE		

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. All comments will be limited to two minutes.

“Do you swear or affirm that the evidence or factual representations that you are about to give or present to the Planning and Zoning Board on this 13th day of December 2012 are truthful?”

ORDER OF BUSINESS:

1. Approval of November 8th, 2012 Meeting Minutes

 Tab 1

November 8th, 2012 Meeting Minutes

Mr. Ugarte motioned to approve the minutes dated November 8th, 2012. Mr. Kotecki seconded. **MOTION CARRIED UNANIMOUSLY.**

2. Old Florida Investments, Inc. CU 2012-08 Tab 2

This is a request for a Conditional Use Permit, Application CU 2012-08 by Old Florida Investments, Inc. located at 607 & 609, 608 and 610 11th Street West for Farm Worker Housing.

Ms. Lyn indicated that the purpose of this CU request is to bring these farm worker housing units into compliance with the City's zoning requirements. The code requires a conditional use in the Residential Multi-Family (RM-6) or Residential Duplex (RM-5) zoning districts for farm worker housing. The subject property is zoned RM-6 and is permitted by the Department of Health (DOH).

She explained that the existing land use on the subject property is a 2 story duplex at 607 & 609 11th Street W (on the south side of the street), 608 A&B 11th Street W is a duplex

and 610 A&B 11th Street W is a duplex, both on the north side of the street. The duplexes were reviewed by the Police Department for CPTED (Crime Prevention through Environmental Design) and because the review was conducted by a different staff member, there is a new condition:

Recommendation # 8 states that the property owner shall more clearly define the parking area with either landscaping or posts similar to the style across the street, painted in a contrast color for definition. Ms. Lyn clarified that she has spoken with the applicant and they will be paint the parking posts and install bumper stops.

The request is consistent with the Comprehensive Plan, previous farm worker housing conditional use requests and it meets conditional use standards of the Code. Staff recommends approval with CPTED recommendations.

Mr. Kotecki questioned that there is only one means of ingress and egress access at the property located at 607 & 609 11th Street West which is the two story building and that the CPTED review item#6 requires that there be 2 emergency exits to each apartment, one to the front of the apartment and one to the back of the apartment.

Discussion ensued about whether previous CPTED recommendations required 2 exits per structure; whether the Florida Building Code contained a requirement that bedroom windows function as emergency exits on the 2nd floor; whether 2nd floor bedrooms contained code compliant windows and a reminder that the Department of Health (DOH) also reviews the property. The Board considered adding a stipulation that windows on the 2nd floor would have to meet Building Code.

Ms. Petruff, representative for the applicant said the duplex should have met code when the building was constructed and since there are no building permits produced from the City, she is quite confident that it meets code. However, it would be problematic to meet the 2010 Building Codes and respectfully request that the additional stipulation not be added to the conditional use approval. She and her client had no objections to the other stipulations from staff.

Discussion continued regarding the need for 2nd story sleeping room windows in emergencies; all previous CPTED reports contained recommendation that all doors and windows be in good working order and will open and close; possibility of awning windows and whether the intentions of the CPTED review dealt with safety or crime prevention.

PUBLIC HEARING OPENED

Discussion continued regarding CPTED recommendation #6: Ensure that there are 2 emergency exits to each apartment. One to the front of the apartment and one to the back of the apartment. Continuing the meeting until the windows can be checked for a possible emergency exit.

Ms. Lyn told the Board that she had spoken with Lt. Tyler (preparer of all previous CPTED reviews) and he suggested that she remove the stipulation from staff recommendations as they questioned the extent of the required modifications, noting that none of the previous CPTED reviews had this stipulation.

Mr. Kotecki moved to continue the meeting until the next month regular scheduled meeting.

Mr. Rudacille suggested that if this was the only issue that the Board had with the Conditional Use Permit that the Board could send the conditional use on to the Commission and direct staff to work with the applicant to see if it is feasible to address this issue and then present that to the Commission.

Discussion continued that this issue could be brought to the Building Official Neal Mazzei to take care of the outstanding issues; cost of improvements; fire safety, etc.

PUBLIC HEARING CLOSED

Mr. Kotecki moved to approve CU-2012-08 with the following stipulations:

For 607 & 609 11th Street W (south side of 11th Street), stipulations are as follows:

- 1.The property owner shall maintain doors and windows in good working order with all parts including locking hardware (locks and pry guards), window panes and screens that fit securely and are not torn. Cardboard or other screening material covering windows must be replaced with glass to allow residents to see outside.
- 2.The property owner shall insure that the wooden fence in the rear and west side are in good repair.
- 3.The property owner shall insure that air conditioner units are securely installed to prevent removal and unauthorized entry.
- 4.Install and maintain wide-angle peep hole viewers in all doors.
- 5.The property owner shall insure that there are lights at the front and rear doors of the units and that they are in good working condition.
- 6.Install and maintain dusk to dawn security lighting in the fenced area at the south (rear) and east sides of the building to include either free standing pole lights or wall mounted security lights to illuminate these open areas.
- 7.The property owner shall maintain unit numbers along 11th Street W for better visibility of addresses.
- 8.The property owner shall more clearly define the parking area with either landscaping or posts similar to the style across the street, painted in a contrast color for definition.
- 9.Installation of video surveillance is strongly encouraged for parking areas, front and rear of the building, and open area in the east for the protection of the residents and to aid the protective efforts of the Police Department.

- 10.The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
- 11.The Owner shall have 90 days from the date of approval of the Conditional Use permit to complete required site improvements.

With the additional direction that staff work with the applicant to review the issue of the ingress and egress from the second floor and present that issue in the staff report to the City Commission. Mr. Ugarte seconded. **MOTION CARRIED UNANIMOUSLY.**

For 608 & 610 11th Street W (north side of 11th Street), stipulations are as follows:

- 1.The property owner shall maintain doors and windows in good working order with all parts including locking hardware (locks and pry guards), window panes and screens that fit securely and are not torn. Cardboard or other screening material covering windows must be replaced with glass to allow residents to see outside.
- 2.The property owner shall insure that air conditioner units are securely installed to prevent removal and unauthorized entry.
- 3.Install and maintain wide-angle peep hole viewers in all doors.
- 4.The property owner shall insure that there are lights at the front and rear doors of the units and that they are in good working condition.
- 5.Install and maintain dusk to dawn security lighting at the rear of the units (northwest side of property) below the tree canopy to include either free standing pole lights or wall mounted security lights to illuminate open areas to the north and west.
- 6.Provide and maintain motion activated security lights between buildings to illuminate high traffic areas from dusk to dawn.
- 7.The property owner shall maintain unit numbers along 11th Street W for better visibility of addresses.
- 8.The property owner shall more clearly define the parking area with either landscaping or existing posts painted in a contrast color for definition. Damaged posts must be repaired and missing posts, replaced.
- 9.Installation of video surveillance is strongly encouraged for parking areas and the front, rear and sides of the buildings for the protection of the residents and to aid the protective efforts of the Police Department.
- 10.The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
- 11.The Owner shall have 90 days from the date of approval of the Conditional Use permit to complete required site improvements.

3.Old Florida Investments, Inc. CU 2012-09 Tab 3

This is a request for a Conditional Use Permit, Application CU 2012-09 by Old Florida Investments, Inc. located at 619, 621 and 623 11th Street West and 1010 and 1012 7th Avenue West for Farm Worker Housing.

Ms. Lyn indicated that the purpose of this CU request is to bring these farm worker housing units into compliance with the City's zoning requirements. The code requires a conditional use in the Residential Multi-Family (RM-6) or Residential Duplex (RM-5) zoning districts for farm worker housing. The subject property is zoned RM-6 and is permitted by the Department of Health (DOH).

She explained that the site takes up a block and consists of five total units: 619 & 621 11th Street West (two farm worker housing units), 623 11th Street West (one farm worker housing unit) and 1010 & 1012 7th Avenue West (two farm worker housing units).

The duplexes were reviewed by the Police Department for the CPTED (Crime Prevention through Environmental Design)

The request is consistent with the Comprehensive Plan, previous farm worker housing conditional use requests and it meets conditional use standards. She continued that staff recommended approval with the stated conditions.

Ms. Petrucci, representative for Old Florida Investments, Inc. reviewed the CPTED and staff report recommendation and respectfully requests the Board to approve.

PUBLIC HEARING OPENED

No additional public comments

PUBLIC HEARING CLOSED

Mr. Kotecki moved to approve CU 2012-09 with the following stipulations:

1. The property owner shall maintain doors and windows in good working order with all parts including locking hardware (locks and pry guards), window panes and screens that fit securely and are not torn. Cardboard or other screening material covering windows must be replaced with glass to allow residents to see outside.
2. The property owner shall insure that air conditioner units are securely installed to prevent removal and unauthorized entry.
3. Install and maintain wide-angle peep hole viewers in all doors.
4. The property owner shall insure that there are lights at the front and rear doors of the units and that they are in good working condition.
5. Install and maintain dusk to dawn security lighting at the east side of property below the tree canopy to include either free standing pole lights or wall mounted security lights to illuminate the east side parking area and grassy area between buildings.
6. Provide and maintain motion activated security lights between buildings and the rear of 623 11th St. W to illuminate high traffic areas from dusk to dawn.
7. The property owner shall maintain unit numbers along 11th Street W and 7th Avenue W for better visibility of addresses and an additional unit number on the east side of 623 11th St. W is

recommended.

8. The parking areas shall be defined and given good territorial reinforcement. Posts should be replaced or repaired and painted in a contrast color for definition.
9. Installation of video surveillance is strongly encouraged for parking areas and the front, rear and sides of the buildings for the protection of the residents and to aid the protective efforts of the Police Department.
10. The farm worker housing units may be occupied in accordance with the permit issued by the Florida Department of Health.
11. The Owner shall have 90 days from the date of approval of the Conditional Use permit to complete required site improvements.

Mr. Ugarte seconded. **MOTION CARRIED UNANIMOUSLY.**

4. Blackstone Park Tab 4

This is a request for the expansion project at Blackstone Park of three regulation Little League fields, parking lot, press box/concession facility, storm water management area, bleach, sidewalks, lighting, irrigation, etc.

Ms. Lyn spoke that this is a site plan approval from Manatee County for the expansion of Blackstone Park that is located at 2112 14th Avenue West, approximately 12.13 acres, the Plan category is Public Use, zoning district is Public and the existing land use is vacant.

She continued that this project has been a long time coming and she would not belabor the history, there is adequate water and sewer for this facility, it is compatible with the existing and surrounding uses and staff recommends approval of the site plan.

Ms. Lyn stated that was a representative from Manatee County and Stantec present to answer any questions that the Board may have.

Mr. Tom Yarger, representative from Manatee County Property Management introduced himself and asked if the Board had any questions of him.

Mr. Kotecki asked if there were adequate restroom facilities planned for the expansion. Mr. Yarger replied that they will be located in the concession building, situated between the two ball fields to the north. The concession/restroom building is going to be constructed to be served by the City's sanitary sewer and the existing ball field facilities will also tie into new sewer system rather than use the current septic tank.

Motion by Mr. Ugarte to approve the Blackstone Extension project. Mr. Kotecki seconded.
MOTION CARRIED UNANIMOUSLY.

5.Old Business

a.None

6New Business

a.Complete Streets; Ms. Lyn informed the Board about a County initiated Text Amendment/PA-13-01/Proposed Ordinance 13-03 to include a new definition of Complete Streets in the Definitions Element and providing for an amendment to the Traffic Element to establish a new goal, objective and policy that improves public health, active mobility and environmental quality by creating and maintaining an integrated network of multi-modal roadway for users of all ages and abilities through the Complete Street design, where applicable. This was initiated from a grant to the Health Department. The possibility of including this in the City of Palmettos Comprehensive Plan was discussed.

b.MPO Meeting: Ms. Lyn updated the Board regarding FDOTs tentative work program on several Multi-Modal grants that the CRA and Planning have applied for:

Several of the Multi-Modal Grant monies extend over the next 5 years with most coming through in 2016. CRA applied for several roundabouts on 10th Avenue and Planning applied for grants to improve the US41/US301 intersection by adding sidewalks, crosswalks and improving pedestrian activities with landscaping etc.

c.Blackstone Park Expansion: Ms. Lyn advised the Board that this issue will be going to the City Commission Workshop at 4:30 p.m. and the City Commission meeting at 7:00 p.m.on January 7th, 2012.

7.Adjournment 6:25