

CITY OF PALMETTO
PLANNING AND ZONING BOARD
JULY 21, 2016 – 5:30 P.M.

ELECTED OFFICIALS PRESENT

RANDY IABONI, CHAIR
EVE JOY
WILLIAM PRICE, III

ELECTED OFFICIALS ABSENT

JON MOORE, VICE CHAIR
SHARON TARMAN

STAFF PRESENT

MARK BARNEBEY, CITY ATTORNEY
DEBRA WOITHE, CITY PLANNER
KERA HILL, PLANNING TECHNICIAN



Chair Iaboni called the meeting to order at 5:32 PM.

All persons intending to address the Planning and Zoning Board were duly sworn in.

1. PLANNING & ZONING BOARD AGENDA APPROVAL

Motion: Mr. Price moved, Ms. Joy seconded, and the motion carried 3-0 to approve the July 21, 2016 Agenda.

3. APPROVAL OF MEETING MINUTES (TAB 1)

Ms. Joy recommended that the minutes be revised to correct the spelling of her name and be consistent throughout.

Motion: Ms. Joy moved, Mr. Price seconded, and the motion carried 3-0 to approve the June 16, 2016 Minutes with modifications.

4. PUBLIC COMMENT

None

5. ORDINANCE 2016-11 (D.WOITHE) (TAB 2)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; REZONING APPROXIMATELY 0.14 ACRES OF PROPERTY GENERALLY LOCATED AT 706 13TH STREET WEST, PALMETTO, FROM MULTIPLE FAMILY RESIDENTIAL (RM-6) TO BUSINESS AND LIGHT COMMERCIAL (CG); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Parcel ID #26302.0000/0; Property Owner: City of Palmetto)

Mrs. Woithe presentation

Mrs. Woithe explained that the 50'x100' property that is currently owned by the city and if zoned to CG could allow for parking as a principle use, or as an accessory use. The warehouse to the west could potentially buy the lot and use it for parking, as the current parking needs for the businesses are constricted.

Ms. Joy inquired about the trees on the lot; Mrs. Woithe explained that 20% of the lot would have to be set aside for landscaping requirements once developed. Mrs. Woithe explained the code encourages keeping as many trees as possible on the site.

Public Hearing

Mary Lancaster - 711 13th Street West.

Ms. Lancaster stated there are parking and delivery truck problems on site, as well as dumpster issues. She expressed an objection to the rezone of the property to CG because a new business could be established that could worsen problems.

Mrs. Woithe explained appears the size of lot would not allow for a commercial business and would limit the potential buyer. Parking and deliveries are a current issue for the business adjacent to the lot. Possibility that the dumpster could be moved from the front of the lot where it currently sits. (Roll outs were mentioned as a possible alternative).

Attorney Barnebey mentioned that the FLU currently is a commercial designation although could be developed as a single family residence.

Motion: **Mr. Price moved, Chair Iaboni seconded, and the motion carried 2-1 that based upon the evidence presented and finding the request to be consistent with the Comprehensive Plan and the Code of Ordinance, and recommended approval of the request for ORDINANCE 2016-11. Ms. Joy voted nay.**

6. VAR 2016-02 (D.WOITHE)

(TAB 3)

VARIANCE REQUEST (VAR 2016-02) BY THE APPLICANT, ALDI INC., LOCATED AT 605 10TH STREET EAST, PALMETTO. THE APPLICANT HAS REQUESTED A VARIANCE FROM SECTION 3-152 OF THE CODE, REQUIRING SIGNS TO BE A MAXIMUM OF 100 SQUARE FEET IN SIZE, IN ORDER TO ALLOW FOR SIGNAGE THAT IS 179.4 SQUARE FEET IN SIZE.

Proposal is for two wall signs. There is a free-standing sign that is part of the shopping center and is being treated as a separate permit. Mrs. Woithe mentioned that the city's sign code is for all businesses regardless of the size of the building. The previous tenant received a variance for additional sign area. Chair Iaboni recommend that in the future to request a rendering of the proposed signage from the applicant, to be able to see what it will look like on the building.

Motion: **Ms. Joy moved, Mr. Price seconded, and the motion carried 3-0 to approve the request for the VAR 2016-02**

7. CU 2016-01 (D.WOITHE)

(TAB 4)

CONDITIONAL USE REQUEST (CU 2016-01) BY THE APPLICANT, BOLLES CONSTRUCTION INC., FOR A DRINKING ESTABLISHMENT AT 615 8TH AVENUE WEST, PALMETTO, FL. IS LOCATED WITHIN TWO HUNDERED (200) LINEAR FEET OF A RESIDENTIALLY ZONED OR USED PROPERTY OR SCHOOL, 6-14 (b) REQUIRES THAT FACILITIES WITH CONSUMPTION OF ALCOHOLIC BEVERAGES ON PREMISES SHALL BE REQUIRED TO OBTAIN A CONDITIONAL USE APPROVAL.

Mrs. Woithe Presentation

There have been some changes in the code since the surrounding businesses have been established. Any drinking establishment within 200' of a residence or school would require a conditional use permit.

The applicant is proposing to have a Spanish night club that would have a bar, dance floor, pool tables and music entertainment. Hours of operation would be from 4:00pm to 2:00am, and applicant is requesting that the conditional use permit be for valid for five years and to run with the land. The building was built in 1936 and was originally used as retail and office. The proposed bar and nightclub would be a more intensive use and requires more parking.

Mrs. Woithe stated that the parking requirements have not been met for the site. The site was grandfathered for 16 parking spaces for the retail and office use as of 1990. After calculating the parking requirements, Mrs. Woithe came up with 26 parking spaces required, with the 16 grandfathered spaces that would leave 10 parking spaces required on site or to have a joint use agreement or an approval of an alternative parking plan.

Currently no agreements have been made for parking. Behind the business there is a City owned lot that could potentially be purchased but at this time it is not set up as a public parking lot. Roof in the rear is missing; possibility of removing that portion of the building to allow additional parking.

It was mentioned that if the applicant wanted to look into parking accommodations the board may make a motion for a continuance.

Chair Iaboni asked if noise would be buffered to protect nearby residences. It was mentioned that could be a requirement as part of the Conditional Use Permit.

Brian Bolles (property owner)

Mr. Bolles mentioned that when 8th Avenue went front 2 lanes to 4 lanes it took away the parking in the front and that there once was diagonal parking to the north of the building. He also stated that the previous city staff gave him approval to park in the city owned lot. According to Mr. Bolles the lot has about 50 spaces and sits between this building and the VFW. Previous city staff use to measure from the front of the building and stated that no alcohol would be in the rear of the building. Mr. Bolles explained the site is considered to have two addresses, the front of the building is 615 8th Avenue West and the rear of the building is addressed as 805 Parkway Drive West but the tenant doesn't plan on doing anything with the rear of the building at this time and would like to purchase the property. Back of building has

three walls and the roof collapsed in a tropical storm, but the walls are connected to the front portion of the building. It was also mentioned that the rear of building has a rollaway door which could allow for a couple employee parking cars.

Luis Perez (tenant)

Mr. Perez would like to be given the opportunity to open up the business and is willing to work with the city to make it happen. This will be Mr. Perez's first alcohol license, will only be selling beer.

Leo Mills

Mr. Mills owns the business at 628 8th Avenue West that is across the street from the business in question. Discussion ensued regarding the parking, Mr. Mills stating there is no parking on site and that the parking from the bar spills over to the Moore and More Insurance parking lot and to his business parking lot. Mr. Mills mentioned they've had many issues with debris left on their property and on Monday mornings his employees would have to spend time picking up lot. Picture of a knife was found stuffed in drain spout at his business was shown and picture has been added into the record.

Jim Moore

Mr. Moore stated they own an insurance company that is right next door to this business and that every bar tenant that has been at this site has caused issues with debris left on their property. They've had to hire people to clean up their parking lot on early Monday mornings. Limited parking creates parking on other residences and businesses.

A letter from VFW has been added into the record.

Mrs. Woithe mentioned that the measurements for the new ordinance are from property line to property line. Also mentioned that for the city to approve parking in the walled area an engineer would have to ensure requirements are met and the structure is safe.

Mr. Barnebey stated that at which time the site was approved the parking requirements were not as significant and was based on the retail use. The proposed use now requires more parking on site. Could have parking agreement with neighboring property or that there could be a possibility of an agreement with the city for a payment in lieu. City Commission is looking into the payment in lieu where the applicant would pay the city to park in other areas in the city off site.

Chair Iaboni stated that the parking needs are more than double what they originally had on site and that the only way it could work is for them to go out and get the parking spaces that are required and submit that has part of their application.

Mr. Price stated he would be open to allow them the opportunity to go and find the required spaces necessary.

Ms. Joy also stated allowing the applicant to have more time to come up with a parking plan.

Mr. Price asked if the meeting could be continued.

Mrs. Woithe explained that when the application was brought forward that the applicant was made aware that the parking needs were not met and that they decided to come forward with the conditional use without any parking agreements.

Mr. Bolles (property owner) stated he needs a week and he can secure additional parking.

It was stated that the next meeting date will be August 18, 2016 at 5:30 PM.

Motion: **Ms. Joy moved, Mr. Price seconded, and the motion carried 3-0 to continue the request for CU-2016-01 to August 18, 2016 at 5:30PM.**

8. Old Business

None

9. New Business

Mrs. Woithe mentioned that Jeff Burton, director of the CRA has given the board members a book.

Chair Iaboni inquired about the drop off and pick up for Palmetto High School problems. Mrs. Woithe stated that she talked to the Public Works Director and there is the possibility to have block off barriers in place for drop off and pick up periods.

10. Adjournment

Chair Iaboni adjourned the meeting at 7:06 PM.

Minutes were approved on: August 18, 2016 by the Planning and Zoning Board.