

CITY OF PALMETTO
PLANNING AND ZONING BOARD
SEPTEMBER 15, 2016 – 5:30 P.M.

Elected Officials Present

Randy Iaboni, Chair
Jon Moore, Vice Chair
Sharon Tarman
William Price, III

Elected Officials Absent

Eve Joy

Staff Present

Scott Rudacille, Assistant City Attorney
Debra Woithe, City Planner
Kera Hill, Planning Technician

Chair Iaboni called the meeting to order at 5:36 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, Mrs. Tarman seconded, and the motion carried 4-0 to approve the September 15, 2016 Agenda.

2. APPROVAL OF MEETING MINUTES

(TAB 1)

Motion: Mrs. Tarman moved, Mr. Moore seconded, and the motion carried 4-0 to approve the August 18, 2016 Minutes.

3. PUBLIC COMMENT

None

4. ORDINANCE 2016-12 (D.WOITHE)

(TAB 2)

THIS ITEM IS A CONTINUANCE FROM THE AUGUST 18, 2016 PLANNING AND ZONING BOARD MEETING.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; AMENDING ORDINANCE NO. 2006-876 TO APPROVE A CONCEPTUAL/GENERAL DEVELOPMENT PLAN GENERALLY LOCATED ON THE WEST SIDE OF HABEN BOULEVARD ON +/- 6.28 ACRES, ZONED PD-H (PLANNED DEVELOPMENT-HOUSING); PROVIDING FOR REPEAL OF ORDINANCES

IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (GDP 2016-01, RIVIERA WEST LLC, PID#2580010409 AND 2580010509)

Mr. Price abstained from voting.

Mrs. Woithe

A previous General Development plan known as Riviera Walk West was approved in 2006 for the allowance of three story town homes, with 60 units, and a density of 10 dwelling units per acre. The development now being called Riviera West is seeking approval for multi-family with 150 units and 24 dwelling units per acre.

Mrs. Woithe mentioned that the trip generation was calculated at 1,000 trips a day; 77 trips in the morning trips and a peak of 100 trips in the afternoon. There was an acceptable intersection for operations. The turn lane analysis recommended that a new northbound to westbound lane is necessary and Mrs. Woithe stated that would be a requirement for the site plan approval.

Manatee County School District reviewed the development and the school report suggested that it is compatible with the surrounding school sites. A recommendation would be to add bike shelter, bike rack and lighting; Mrs. Woithe stated this would be addressed later in the project once it gets to the site plan phase. Mrs. Woithe stated that recently the high school capacity was exceeded in the county and that are no more high school seats available. School Board is also working through the details of the proportionate fair share fees in interlocal agreements and would be also a requirement to the site plan approval.

A variance is being requested for the density due to the proposed 23.88 dwelling unit per acre that exceeds 16 dwelling unit per acre that is allowed by city code. The proposed building height is 100' and is under the allowed 130'.

Mrs. Layton

Mrs. Layton is with ZNS Engineering and is representing the applicant, Riviera West.

Applicant is proposing a seven story building with 150 units of multi-family residential with a maximum height of 100'. The entrance will be at the northern most of the property near the entrance to MSA on Haben Boulevard. Mrs. Layton stated the proposed setbacks (perimeter setbacks) are 92' from Haben Boulevard, 205' from the south property, 96' from the west property, and 173' from the northern property line. Two parking spaces per dwelling unit are required, the site would require 300 parking spaces; but 324 spaces on site are proposed and 8 will be dedicated to handicap spaces.

There were some impacts to the wetland on the previous order, as project progresses they will ask SWFWMD to for a wetland mitigation offsite to allow for some minor impacts. There is less than an acre of wetland on site. Applicant anticipates a modification to the SWMUD permit.

Courtyard and pool are among the amenities for the site.

Mrs. Layton and Mrs. Woithe have been working with Amy Anderson and Mike Pendley with the school board and at this time the site is within in school service 1 (one) for Tillman Elementary, Lincoln Middle and Palmetto High School and Manatee School for the Arts is across the street.

Dr. Bill Jones (MSA)

Expressed concerns how the traffic will be impacted on Haben Boulevard and the entrance/exit to MSA. Dr. Jones would like the traffic study to be reviewed closely.

Gordon Roberts (Lives off of Haben Blvd)

Discussed concerns he has of the new development and how it will impact during the busy times on Haben Boulevard, which is before and after school hours.

Mrs. Layton offered to send a copy of the traffic study to Dr. Jones and Mr. Roberts and have the traffic study consultant reach out to each of them to discuss further.

Mr. Price expressed concerns with the impacts on traffic and pedestrians. Mrs. Tarman expressed concerns with the proposed density and how that would affect the traffic. Vice Chair Moore also stated his concerns with the traffic concerns.

Motion: **Mrs. Tarman moved, Mr. Moore seconded, and the motion carried 4-0 for a continuance of the request for ORDINANCE 2016-02 to October 20th at 5:30PM, for the engineer who performed traffic study to be present.**

5. CU 2016-03 (D.WOITHE) (TAB 3)

THIS ITEM IS A CONTINUANCE FROM THE AUGUST 18, 2016 PLANNING AND ZONING BOARD MEETING.

CONDITIONAL USE REQUEST (CU 2016-03) BY THE APPLICANT, RESTAURANTE LA RANCHERITA, TO ALLOW THE RESTAURANT TO HAVE CONSUMPTION OF ALCOHOLIC BEVERAGES ON PREMISES AT 1210 8TH AVENUE WEST, PALMETTO, FL. A CONDITIONAL USE APPROVAL IS REQUIRED FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES LOCATED WITHIN TWO (200) HUNDRED LINEAR FEET OF A RESIDENTIALLY ZONED OR USED PROPERTY OR SCHOOL.

Debra Woithe

Mrs. Woithe explained that La Rancherita is a family restaurant, proposing to sell beer and wine with meals, with the Restaurant closing at 9:00PM. More than 50% of sales are for the food.

No public comment

Motion: **Mr. Price moved, Mrs. Tarman seconded, and the motion carried 4-0 that based upon the evidence presented and finding the request to be consistent with the Comprehensive Plan and the Code of Ordinance, moved to recommend approval of the request for CU 2016-03.**

6. CU 2016-01 (D.WOITHE)

(TAB 4)

THIS ITEM IS A CONTINUANCE FROM THE JULY 21, 2016 & AUGUST 18, 2016 PLANNING AND ZONING BOARD MEETING.

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 HUNDRED (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 explained that this item was voted previously by the Board to be continued to give the applicant opportunity to establish a parking plan. The property owner contacted staff after the last meeting to inform of a lease for a lot nearby. The site doesn't have improved parking and the City requires code complaint parking which is paved, appropriate ingress/egress. Improving the lot would require a site plan review process by City staff.

Mr. Bolles went into discussions regarding the advertising of the Ordinance 2014-09 regarding drinking establishments and doesn't feel it was properly advertised or that property owners affected by the ordinance were well noticed. He also went on to list a few businesses in the City that he feels don't meet the code compliant parking.

Public Comment

Leo Mills – 620 8th Avenue West

The maps that Mr. Mills present to board have been saved in the record.

Mr. Mills read some of the City code guidelines for conditional uses and one of the guidelines for the conditional use that applicant have to comply with are the parking requirements. Mr. Mills expressed his concerns of the impact that the proposed bar could have on his business.

Mr. Bolles stated that he can't guarantee that there will not be any problems with the proposed bar. He's aware that they've had problems in the past but would like that to not affect them having an opportunity with a new tenant.

There were discussions regarding City owned parking spaces near the site. Mrs. Woithe explained that there have been discussions of establishing a parking bank but it hasn't been set up yet and Mr. Bolles would have to follow the ordinance related to on-site parking. Mrs. Woithe stated that if the owner decided to have a different use on site, such as retail that they wouldn't need more parking spaces. The proposed drinking establishment is a more intensive use and would require more parking.

Discussion ensued regarding the lot to the west of the subject property. Mr. Price inquired if Mr. Bolles could have some type of agreement since the City owns the parking spaces. Mrs. Woithe explained that the property owner would have to request approval from Commission to enter into an agreement.

Mrs. Tarman expressed concerns with the applicant moving forward with a parking plan and that no applications have been submitted to the City.

Board discussed recommending approval but that the applicant would have to have an agreement to ensure the required dedicated parking spaces are in place. Mrs. Tarman also mentioned giving the applicant time to come up with a site plan using the rear portion of the subject property as dedicated parking as mentioned previously.

Mrs. Woithe explained that there is some flexibility in the code that if the applicant came close enough to meeting the number of parking spaces on site, off site spaces could be considered and approval granted.

Motion: **Chair Iaboni moved, Mrs. Tarman seconded, and the motion carried 4-0 that based upon the evidence presented and finding the request to be consistent with the Comprehensive Plan and the Code of Ordinance, moved to recommend approval with modifications of the request for CU 2016-01, that ten (10) additional code complaint parking spaces within 150ft of the site be provided.**

7. Old Business

Discussion ensued regarding book that was given by CRA Director, Jeff Burton to the board. Mrs. Woithe stated that she will be working on the Comprehensive Plan soon.

8. New Business

9. Adjournment

Chair Iaboni adjourned the meeting at 7:54 PM

Minutes approved: October 27, 2016

By The Planning and Zoning Board