

**CITY OF PALMETTO
PLANNING AND ZONING BOARD MEETING
May 17, 2018 – 5:30 PM**

Planning and Zoning Board Members Present

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

City Staff Present

Scott Rudacille, Assistant City Attorney
Karla Owens, Development Services Director
Kera Hill, Planning Analyst

Chair Iaboni called the meeting to order at 5:33PM, followed by a moment of silence and the Pledge of Allegiance.

Roll call was called, showing all Board members present.

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

1. PLANNING & ZONING BOARD AGENDA APPROVAL

Motion: Mrs. Tarman moved, Mr. Price second, and the motion carried 5-0 to approve with modifications the May 17, 2018 Agenda. Modifications included moving item # 5 up to be heard before # 4 on the agenda. Item #7 was moved up to be heard before item # 6 on the agenda.

2. APPROVAL OF MEETING MINUTES

(TAB 1)

Motion: Mr. Price moved, Mrs. Tarman seconded, and the motion carried 5-0 to approve the April 26, 2018 Minutes.

3. PUBLIC COMMENT

None

4. Ordinance 2018-13 (K. Owens) (TAB 3)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA APPROVING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY'S COMPREHENSIVE PLAN; CHANGING THE FUTURE LAND USE MAP DESIGNATION FOR THE TERRITORY HEREINAFTER DESCRIBED FROM CITY FUTURE LAND USE MAP DESIGNATION PC, PLANNED COMMUNITY, TO CITY FUTURE LAND USE MAP DESIGNATION GCOM, GENERAL COMMERCIAL, CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE ADOPTED COMPREHENSIVE PLAN, AS REQUIRED BY SECTION 163.3187, FLORIDA STATUTES; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (CIVIX PROPERTY)

Mrs. Owens explained that the property was annexed into the City in 2006. The previous developer underwent a Comprehensive Plan Amendment to PC (Planned Community), and was later going to come in with a General Development Plan. The request at hand is to change the FLU from PC (Planned Community) to GCOM (General Commercial).

The Applicant is also requesting a rezoning from no zoning designation to CG (Business and light Commercial). The applicant is also anticipating dividing the property into (3) three parcels. An Extended-Stay-Hotel is projected among the uses.

A CRA (Community Redevelopment Agency) grant is being discussed for the project, and the applicant is intending to participate in the addition of a light signal at the northwest corner of Canal Road and 301 North.

Public Comment

Brian Vance – Has owned the manufacturing business behind the subject property since 1994. Has no objection to commercial zoning, but opposes having childcare or assisted living on the property, due to his existing manufacturing business being adjacent, as there are trucks running into the night.

Mrs. Owens explained that there are several industrial uses surrounding the subject property, and the applicant will have to put in place a buffer as part of their site plan review process.

Rod Connelly, applicant stated that the main components for the site that are proposed at this time are a hotel, restaurants, and storage.

Attorney Rudacille explained that what is before the Board is only the Comprehensive Plan Amendment and a Rezone of the property.

Mrs. Owens explained that the proposed uses that were described were just for information purposes only, not to hold the applicant to them.

Motion:

Mrs. Tarman moved, Mr. Price seconded, and the motion carried 5-0 that based upon the evidence presented and finding the request to be consistent with the Comprehensive Plan and the Code of Ordinance, to recommend approval of the request for Ordinance 2018-13.

5. Ordinance 2018-12 (K. Owens) (TAB 2)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, ZONING APPROXIMATELY 7.6 ACRES OF PROPERTY, GENERALLY LOCATED AT 1550 US 301 NORTH, PALMETTO, FL 34221, PID# 2582900003, FROM COUNTY URBAN DEVELOPMENT ZONE TO CITY BUSINESS AND LIGHT COMMERCIAL (CG), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

This item was continued from the April 26, 2018 Planning and Zoning Board Meeting.

Mrs. Owens explained that her comments for Ordinance 2018-13 carry over to this ordinance.

Motion: Mrs. Tarman moved, Mr. Price seconded, and the motion carried 5-0 that based upon the evidence presented and finding the request to be consistent with the Comprehensive Plan and the Code of Ordinance, to recommend approval of the request for Ordinance 2018-12.

6. Ordinance 2018-09 (K. Owens) (TAB 5)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING ORDINANCE 2010-01; TO APPROVE AN AMENDMENT TO THE FUTURE LAND USE MAP TO CHANGE AN 9.3 ACRES PARCEL, FROM HEAVY COMMERCIAL INDUSTRIAL (HCOMIND) TO PLANNED COMMUNITY (PC), FOR A PARCEL OF LAND GENERALLY LOCATED AT 917 11TH AVENUE WEST, PALMETTO, FL, PID#S 2707900003, 2707500050, 2707500506, AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

This item was continued from the April 26, 2018 Planning and Zoning Board meeting.

Mrs. Owens explained that the applicant is requesting to rezone the property from CHI (Heavy and Light Commercial) to PD-MU (Planned Development Mixed Use), which includes a commercial and residential component.

The FLU map amendment is to change the designation from HCOMIND (Heavy Commercial Industrial) to PC (Planned Community).

Ordinance 2018-10 is for the General Development Plan, and will not be discussed this evening. It recently came to staff's attention, that the legal description for the platted roadway immediately to the south of this property was not included in the FLU Map amendment application. The applicant is attending to vacate the platted roadway. The platted roadway currently has the Heavy Commercial Industrial designations. It is unclear whether the applicant

will revise the current FLU application to include the roadway or if the applicant will come in with a separate FLU amendment later on.

Discussion ensued regarding the commercial component that potentially could be on site, if the ordinances are passed. Mrs. Owens stated that the project is projected to be primarily residential, but a General Development Plan will still have to come to the Board in order to develop the site. Chair laboni and Mrs. Tarman expressed concerns with allowing commercial on the site.

Ed Vogler, Esq. applicant's representative – Explained to the Board that there are many different types of mixed uses that are not retail. Explained the reason for continuing the General Development ordinance, is to work with City Attorney's office and staff, in regards to the parcels that are owned currently by the City, to incorporate the pieces into their project, and the possibility of acquiring the Police Department. The applicant is planning to have a mixed use component on the Police Department parcel. Mr. Vogler detailed some of the projections of the proposed project, such as community trail connection through the site, and a gated community.

Chair laboni opened public comment for both Ordinance 2018-09 and 2018-08.

Suzy Cannon – Lifetime resident and lives on 8th Street West. Has an existing pool, and wouldn't have privacy with the proposed development. She has concerns with the commercial uses that are proposed, and the neighbor's privacy.

Donna Koens – Lives at 1210 8th Street West, and the proposed development will be directly behind her. Ms. Koens expressed concerns with the traffic, and privacy that the proposed development will have on the neighborhood.

Gary Guthrie- Owner of Heartland Fertilizer, still doing business, but not manufacturing.

Mr. Price stated that he would like to see all three components together at once, and to see their overall General Development Plan. Mrs. Tarman opinioned that changing the existing designations would be appropriate, but concerned with the commercial component verses just planned residential. Mr. Moore concurred with Chair laboni, to move the rezoning and FLU forward.

Public Comment continued

Christopher Walker – Recommended the applicant to come back with all the pieces, including the General Development Plan at once.

Mr. Price made a motion to recommend continuance of Ordinance 2018-08 and 2018-09 to the next scheduled Planning and Zoning Board meeting. Attorney Rudacille stated that typically we allow the applicant to request a continuance. Motion was withdrawn.

Mr. Moore made a motion to recommend approval without modifications of ordinance 2018-09, Chair laboni seconded, Mr. Price, Mrs. Tarman, and Mrs. Roberts voting nay.

Attorney Rudacille stated that if another motion was not made, then the item would go on to Commission without a recommendation.

The applicant then requested the Planning and Zoning Board to continue both Ordinances to the next meeting in June.

Motion: **Mrs. Tarman moved, Mr. Price seconded, and the motion carried 5-0 to continue Ordinance 2018-09 to June 14, 2018 at 5:30PM.**

7. Ordinance 2018-08 (K. Owens) (TAB 4)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, REZONING APPROXIMATELY 9.3 ACRES OF PROPERTY, GENERALLY LOCATED AT 917 11TH AVENUE WEST, PALMETTO, FL 34221, PID#S 2707900003, 2707500050, 2707500506, FROM HEAVY COMMERCIAL AND LIGHT INDUSTRIAL (CHI) TO PLANNED DEVELOPMENT MIXED USE (PD-MU), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

This item was continued from the April 26, 2018 Planning and Zoning Board meeting.

Item was discussed under Ordinance 2018-09

Motion: **Mr. Price moved, Mrs. Tarman seconded, and the motion carried 5-0 to continue Ordinance 2018-08 to June 14, 2018 at 5:30PM.**

8. Ordinance 2018-10 (K. Owens) (TAB 6)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR A 204-UNIT, MULTI-FAMILY RESIDENTIAL PROJECT ON AN 9.3-ACRE SITE ZONED PD-MU, AND GENERALLY LOCATED AT 917 11TH AVENUE WEST, PALMETTO, FL, PID#S 2707900003, 2707500050, 2707500506, AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

This item was continued from the April 26, 2018 Planning and Zoning Board meeting.

This item has been requested by staff to be continued to a future Planning and Zoning Board meeting, date and time certain.

Mr. Rudacille requested the board to open public comment, and members of the public that may not be able to attend the June 14, 2018 were invited to speak.

Public comment was left open, with no comments at this time.

Motion: **Mrs. Tarman moved, Mr. Price seconded, and the motion carried 5-0 to continue Ordinance 2018-10 to June 14, 2018 at 5:30PM.**

9. Ordinance 2018-11 (K. Owens)

(TAB 7)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AMENDING CHAPTER 6, ARTICLE I, SECTION 6-1 OF THE PALMETTO CODE OF ORDINANCES, BIRD SANCTUARY, TO PROHIBIT THE HARBORING OR KEEPING OF CHICKENS EXCEPT IN CONFORMANCE WITH CITY REGULATIONS, AMENDING CHAPTER 6, ARTICLE II, SECTION 6-31 OF THE PALMETTO CITY CODE OF ORDINANCES, TO REGULATE CHICKEN-KEEPING WITHIN CITY LIMITS; PROVIDING DEFINITIONS; PROHIBITING ROOSTERS, FOWL, OR POULTRY OTHER THAN CHICKENS; PROVIDING GENERAL REQUIREMENTS FOR ENCLOSURES, LOCATION, AND MAINTENANCE; PROVIDING FOR EXCEPTIONS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mrs. Owens explained that there have been problems with fowl, primarily roosters creating a lot of noise. The City Commission has asked staff to revise our City Ordinance.

Mr. Moore inquired how the ordinance would affect the 4H program. Mrs. Owens explained that schools have facilities to raise the animals there at the school if the students cannot raise them at home. Schools in the City are zoned Public, Public district is exempt from the ordinance.

Motion: **Mr. Price moved, Mrs. Tarman seconded, and the motion carried 5-0 that based upon the evidence presented and finding the request to be consistent with the Comprehensive Plan and the Code of Ordinance, to recommend approval with modifications of the request for Ordinance 2018-11. Modifications included revising Section 3 (d) to read to nearest property line, and Section 6.1 to be looked at by City Attorney and City staff, to strike or rewrite.**

10. Old Business

June Planning and Zoning Board meeting change.

Motion: **Mr. Price moved, Mrs. Tarman seconded, and the motion carried 5-0 to move the Planning and Zoning meeting to June 14, 2018 at 5:30PM.**

11. New Business

Chair laboni inquired about information he read online, regarding the Planning and Zoning Board member requirement. Attorney Rudacille stated that in 2010 amendment was made to change to five Planning and Zoning Board members.

12. Adjournment

Chair laboni adjourned the meeting at 7:18 PM.

Planning and Zoning Board
May 17, 2018
Page 7 of 7

Minutes were approved: June 14, 2018

Randy Iaboni

Randy Iaboni, Planning and Zoning Board Chairman