

Tab 4

PALMETTO TOWN CENTER GDP-PA-Z-07-07

Staff Report
Palmetto Town Center
Comprehensive plan Amendment/ Rezone/Conceptual/General Development
Plan
PA-07-07/Z-07-07GDP-07-07

OWNER/GENERAL LOCATION/PARCEL SIZE:

Owner: William L. Manfull
Heather Lee Cosgrove
Location: 916 4th Street West
Parcel Size: 1.93 acres
PID #s: 2747600050

EXISTING LAND USE/ZONING CATEGORY:

Future Land Use: COMC (Commercial Core)
Zoning: CC (Commercial Core)

REQUESTED LAND USE/ZONING CATEGORY:

Future Land Use: PD (Planned Development)
Zoning: PDMU (Planned Development Multi-Use)

SURROUNDING PROPERTY ZONING DISTRICT(S)/USES:

Future Land Use

North: COMC (Commercial Core)
South: COMC (Commercial Core)
East: COMC (Commercial Core)
West: COMC (Commercial Core)

Zoning

North: CC (Commercial Core)
South: CC (Commercial Core)
East: CC (Commercial Core)
West: CC (Commercial Core)

SUMMARY:

Pursuant to Appendix B: the Zoning Code, Sec. 11.3(d), the property owner has requested an amendment to the zoning code and map.

Each rezoning must meet the requirements pursuant to Appendix B: the Zoning

Code, Sec. 11.4(b):

- (1) The need and justification for the change:
The applicant intends to construct a mixed use project that incorporates 80 multi-family units, 21,840 square feet of commercial/office and a parking garage. The project embraces the concepts identified in the Downtown Design Guidelines.
- (2) The effect of the change, if any, on the particular property and on surrounding properties:
The project could have a positive effect on the downtown core. It is the first project proposed since the Downtown Design Guidelines (DDG) have been adopted. The site plan promotes the concept of mixed uses, pedestrian friendly access, and providing attainable housing downtown. The influx of new residents should initiate interest in commercial businesses that see the opportunity to serve the new residents. The applicant is promoting a series of multi-modal transportation concepts that will reduce traffic congestion in the downtown. With the concept of a hotel in the downtown core gaining momentum, the proposed residential units could provide an excellent opportunity for a work/live environment that could benefit existing commercial businesses as well.
- (3) The amount of underdeveloped land in the general area and in the City having the same classification as that requested:
There is little undeveloped land in this area of the city. There is hope that redevelopment of the downtown core is promoted with the approval of this project. Several properties in close proximity are for sale. The success of this project could have a beneficial effect on the rest of the area.
- (4) The relationship of the proposed amendment to the purposes of the City Comprehensive Plan with appropriate consideration as to whether the proposed change will further the purposes of this code and the comprehensive plan.
The Comprehensive Plan, Land Development Code, and Downtown Design Guidelines all allow higher densities, land use intensities and mixed use projects in the downtown core. The subject property is located in the Midtown area as defined in the DDG and, therefore, qualifies for 35 units per acre and a floor area ratio of 5.0. The proposed attainable housing allows the applicant to request a density bonus of up to 25%. The project is proposed to be developed at a density of 41.5 units per acre. The applicant has justified the density bonus and staff supports the request for the increase. All of the units are proposed to be sold below the \$201,600 threshold for attainable housing. The applicant also proposes an incentive based program for certain qualified residents to additionally reduce the housing costs. The applicant will address those incentives in his

presentation.

The project is proposed to be built well below the maximum Floor Area Ratio (FAR) at 1.18.

The project is proposed to be phased as follows:

Phase I: One (1) three story building with first floor 2,520 s.f. retail/office uses and two floors of 4 residential units per floor – 8 units total.

Phase II: Same as Phase I

Phase III: One (1) five story building with first floor 4,200 s.f. retail/office uses and four floors of residential units per floor – 16 units total.

Phase IV: Same as Phase III, including construction of a parking garage. At this point, the project parking need creates the necessity for the garage. The applicant has agreed to donate the land for the garage to the City of Palmetto for municipal parking. The garage may provide up to 400 parking spaces. Less than half of the spaces are needed for the residential portion of the project. The remainder of the spaces could be used for the projects retail/office users along with surrounding businesses. The applicant is working with staff to agree to the terms of and costs associated with this aspect of the project. Any future agreement will need to be presented at a later date.

Phase V: Same as Phase III.

Phase VI: Same as Phases III and V.

The applicant has requested that the project be phased as proposed and constructed in response to market conditions.

Below is an assessment of other applicable policies of the Comprehensive Plan in analysis of both the Comprehensive plan Amendment and Rezone:

1.0 FUTURE LAND USE

Topography, Soil Conditions and the Availability of Facilities and Services

Policy 1.1.3: Availability of public facilities and services shall be concurrent with the impacts of new development and shall meet established level of service standards. In redevelopment areas, local government shall assist in correcting deficiencies. [9J-5.006(3)(c)3.]

Adequate public facilities exist in the vicinity of the project. Some upgrades will be necessary to the age of the surrounding infrastructure. Details will need to be worked into a development agreement to be presented at a later date.

Policy 1.1.4: New development shall be permitted only where adequate drainage and storm water management, open space and traffic flow and parking are provided. In redevelopment areas, local government shall assist in correcting deficiencies. [9J-5.006(3)(c)4.]

The site has historically been improved with impervious surfaces. The applicant needs SWFWMD approval prior to the approval of construction plans for each phase. It is anticipated that stormwater retention can be provided in connection with the parking garage ramps after the commencement of Phase IV.

Community Redevelopment Area [9J-5.006(3)(b)2.]

Policy 1.2.4: The City shall discourage duplication of the functions of the Commercial Core by avoiding rezoning which permits commercial development or high-density residential development outside the Community Redevelopment Area. **This project is located within the CRA area and promotes its goals.**

2.0 TRANSPORTATION ELEMENT

Level of Service

Policy 2.1.1: The level of service standard for collector and arterial roadways in the City shall be LOS "D", peak hour.

No traffic study has been submitted at this time. The applicant has deferred his request for a Certificate of Level of Service for traffic. When the trip generation rate hits 50 trips for the project, a traffic study will be required. As mentioned, the applicant is proposing a multi-modal element to his plan and will address this in his presentation.

Staff concurs that the nature of the request will result in a project that provides pedestrian opportunities that reduce traffic. The roads in the downtown core are constrained and beneficial for traffic calming. The plans identify the redesign of 10th Avenue West to provide angled parking on both sides of the street along with crosswalks and benches to promote pedestrian activity. These improvements too will require participation by the City and the formulation of a development agreement to define construction responsibility and associated costs.

4.0 SANITARY SEWER

Reclaimed Water Use

Policy 4.3.1: Require the use of reclaimed water to irrigate recreational, agricultural and future development.

The site will be served with reclaimed water. Landscaping associated with the

proposed project will utilize reclaimed water for irrigation.

Policy 4.3.4: Require the construction of an on-site distribution system for the transmission of reclaimed water in all new and future development projects.

Details will be provided with the project construction plans.

6.0 STORM WATER MANAGEMENT

Surface Water

Objective 6.3: To ensure that the quality of surface water within the City is maintained and, where unacceptable, improved.

- Appropriate on-site retention or detention in accordance with adopted local and state regulations including filtration, infiltration, establishment of littoral zones in wetland areas and the use of grassy areas for filtration;
- Protection of wetlands and environmentally sensitive areas; and
- Management and protection of the quantity, timing and quality of water releases and discharges.

Stormwater management plan will be required with the construction plans for the project.

7.0 POTABLE WATER

Maximize Existing Facilities

Objective 7.2: The City shall require that existing and new development maximizes the use of existing potable water facilities.

There is a 10" waterline on 10th Avenue West that needs to be replaced. The details will be presented in a development agreement at a later date.

Policy 7.2.1: The City shall require the use of low-volume plumbing fixtures for all new construction in accordance with the requirements of the most recently adopted Standard Plumbing Code.

Low-volume fixtures will be used in the project.

Policy 7.2.2: The City shall continue to encourage the use of xeriscape in all landscaping projects.

Future landscaping should incorporate xeriscaping.

Policy 7.2.3: Where lines are available, the City shall require new development and redevelopment to connect to the reclaimed water system.

The site will be served with reclaimed water. Landscaping associated with the proposed project will utilize reclaimed water for irrigation.

CONSISTENCY WITH THE DOWNTOWN DESIGN GUIDELINE

Staff has reviewed the initial building elevations and provided comments to the consistencies and inconsistencies of the building design with respect to the Downtown Design Guideline. The revisions to the elevations are not yet available. The applicant has requested time to address this issue in his presentation.

STAFF RECOMMENDATION:

The applicant is applying for a Comprehensive Plan Amendment, Rezone, and General Development Plan. All three applications are necessary in order to take advantage of the incentives provided for increased densities, land use intensities and a mix of uses. The project provides the opportunity to start a trend of new development downtown designed to attract people, improve commerce, and create an urban environment with vitality. The applicant proposes several concepts that are extraordinary in forethought. The City of Palmetto could be the beneficiary of these innovative ideas. With the previous uses and history of the subject property being less than desirable for downtown, the potential benefits appear to be worth the risk. As such, staff recommends approval of these requests.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board shall recommend **APPROVAL, APPROVAL WITH CONDITIONS or DENIAL** of the proposed Comprehensive Plan Amendment, Zoning Atlas Amendment and General Development Plan.

CITY COMMISSION

The City Commission shall **APPROVE, APPROVE WITH CONDITIONS or DENY** the proposed Comprehensive Plan Amendment, Zoning Atlas Amendment and General Development Plan.

**CITY OF PALMETTO
ORDINANCE NO. 08**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A COMPREHENSIVE PLAN AMENDMENT, ZONING ATLAS AMENDMENT, AND CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR PALMETTO TOWN CENTER; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (PA-07-07/Z-07-07/GDP-07-07 William L.Manfull & Heather Lee Cosgrove, PID # 2747600050, approx. 1.93 acres).

WHEREAS, Article VIII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions, and render municipal services; and,

WHEREAS, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof; and,

WHEREAS, the City Commission of the City of Palmetto has certain regulatory authority granted to it by the Florida Constitution, the Florida Statutes and the City Charter to regulate the use of land within its corporate boundaries; and,

WHEREAS, the City of Palmetto has received a complete and timely application for approval of a Comprehensive Plan Amendment, Zoning Atlas Amendment, and Conceptual/General Development Plan for Palmetto Town Center, PID # 2747600050, approx. 1.93 acres (“Project”), more particularly described in **Exhibit A**; and,

WHEREAS, the Planning and Zoning Board of the City of Palmetto reviewed the proposed Comprehensive Plan Amendment, Zoning Atlas Amendment, and Conceptual/General Development Plan, held a properly noticed public hearing on January 14, 2008, received public comment and testimony, and provided its recommendation to the City Commission of the City of Palmetto; and,

WHEREAS, the City Commission of the City of Palmetto held a properly noticed public hearing on _____, 2008, and received public comment and testimony at said hearing; and,

WHEREAS, the City Commission of the City of Palmetto finds that approval of the proposed Comprehensive Plan Amendment, Zoning Atlas Amendment, and Conceptual/General Development Plan benefits the public health, safety, and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, AS FOLLOWS:

Section 1. Finding of Fact.

A. The above-referenced "WHEREAS" clauses are adopted herein as findings of fact.

B. The Planning and Zoning Board, acting as the Local Planning Agency, has recommended approval of the proposed Comprehensive Plan Amendment, Zoning Atlas Amendment, and Conceptual/General Development Plan, a copy of which is attached hereto and incorporated herein as **Exhibit B**.

C. The proposed Comprehensive Plan Amendment, Zoning Atlas Amendment, and Conceptual/General Development Plan is consistent with the City of Palmetto's Comprehensive Plan.

D. The proposed Comprehensive Plan Amendment, Zoning Atlas Amendment, and Conceptual/General Development Plan is compatible with adjacent land uses and complies with all pertinent provisions of the City of Palmetto's Zoning Code.

Section 2. Plan Approval. The proposed Conceptual/General Development Plan is hereby approved with the following stipulations:

1. Construction drawings must be submitted and approved by the City.
2. No Certificate of Occupancy shall be issued for any units within the Project unless and until all applicable requirements of Chapter 17, Article III, Division 1, Sections 17-47 through 17-97 of the City of Palmetto Code of Ordinances, pertaining to the provision of attainable housing, have been satisfied.
3. Approved variances for the lands within this General Development Plan shall be as set forth on **Exhibit B.**
4. Setbacks shall be as described on the approved General Development Plan as further set forth on **Exhibit B.**

Section 3. Repeal of Ordinance. This Ordinance hereby repeals all ordinances and parts of ordinances in conflict herewith to the extent of such conflict.

Section 4. Severability. If any section, sub-section, paragraph, sentence, clause or phrase in this Ordinance shall be held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions hereof.

Section 5. Effective Date. This Ordinance shall take effect as provided for by law and by City Charter, Section 14 upon execution by the Mayor, or if disapproval occurs,

upon reconsideration by the City Commission and passing of the Ordinance by at least four (4) votes.

PASSED AND DULY ADOPTED, by the City Commission, in open session, with a quorum present and voting, this day 2008.

First Reading:

Publication: _____, 2008

Second Reading and

Public Hearing: January _____, 2008

CITY OF PALMETTO, FLORIDA,
BY AND THROUGH THE CITY
COMMISSION OF THE CITY OF
PALMETTO

By: _____

LAWRENCE E. BUSTLE, JR.,
MAYOR

ATTEST: James R. Freeman
City Clerk

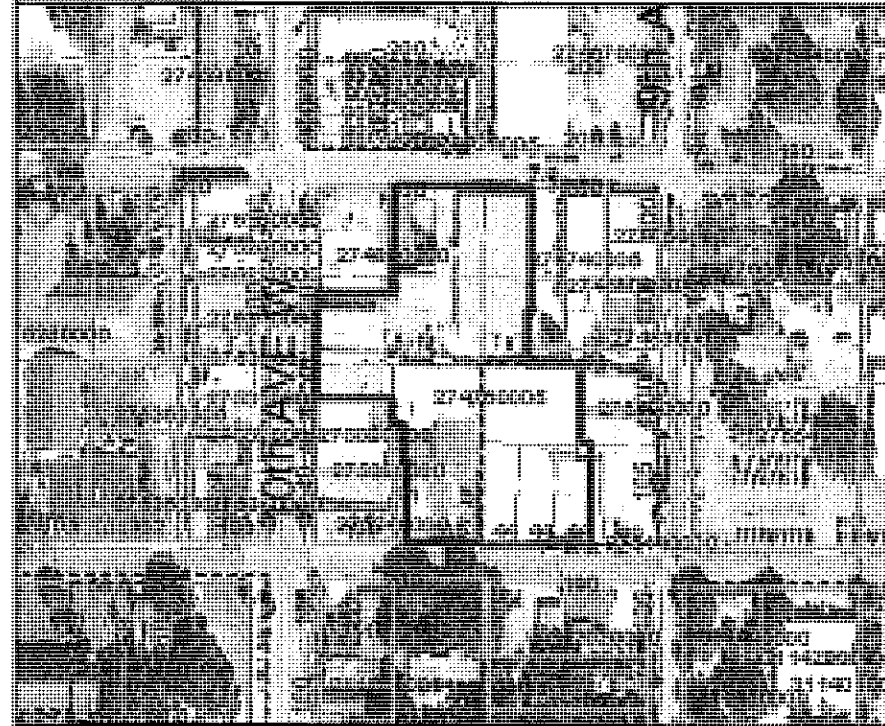
By: _____
City Clerk/Deputy Clerk

MANATEE COUNTY
PROPERTY APPRAISER

2747600050

916 4TH ST W

MANFULL WILLIAM L



Printed on Monday, December 17, 2007, at 10:03:07 AM

Powered by Akanda

Bob Schmitt

From: I c [pebblesandme@yahoo.com]
Sent: Thursday, January 10, 2008 5:28 PM
To: Bob Schmitt
Subject: Palmetto Town Center

Received a public notice on Palmetto Town Center...it's a great project for Palmetto. I've been in the sales office and seen the renderings. The building height and architectural design are both complimentary to the old downtown area. I hope the development will receive the blessings of our City officials. We are fortunate to have this project.

Linda Childs
338 10th Avenue West
Palmetto, FL 34221

Looking for last minute shopping deals? Find them fast with [Yahoo! Search](#).

OLD BUSINESS

NEW BUSINESS

.....

PLANNING AND ZONING BOARD
2008 MEETING SCHEDULE

JANUARY 14, 2008	6:15 P.M.
FEBRUARY 11, 2008	6:15 P.M.
MARCH 10, 2008	6:15 P.M.
APRIL 14, 2008	6:15 P.M.
MAY 12, 2008	6:15 P.M.
JUNE 9, 2008	6:15 P.M.
JULY 14, 2008	6:15 P.M.
AUGUST 11, 2008	6:15 P.M.
SEPTEMBER 15, 2008	6:15 P.M.
OCTOBER 13, 2008	6:15 P.M.
NOVEMBER 10, 2008	6:15 P.M.
DECEMBER 8, 2008	6:15 P.M.

If you are unable to attend any scheduled meeting, please call Linda Butler at 723-4580, or e-mail me at lbutler@palmettofl.org as early as possible. Packets will be delivered Wednesday or Thursday prior to the Monday meeting.

NOTE Meeting dates are subject to change