

Tab 1

APPROVAL OF THE P&Z JANUARY 21, 2010
MEETING MINUTES

DRAFT
CITY OF PALMETTO
PLANNING AND ZONING BOARD MINUTES
JANUARY 21, 2010 – 6:15 P.M.

PLANNING AND ZONING BOARD MEMBERS PRESENT

BARBARA JENNINGS
MICHAEL BURTON
CHARLIE UGARTE
JON MOORE

CHRISTOPHER MOQUIN
ED BENNETT

ALTERNATE MEMBERS PRESENT

Eric Gilbert

Swearing in of all persons speaking to the Board:

ORDER OF BUSINESS:

1. Election of 2010 Officers Tab 1
 - a. Election of Chair: Mr. Ugarte nominated Mr. Burton, Mr. Moquin seconded. **Motion Carried Unanimously.**
 - b. Election of Vice-Chair: Mr. Ugarte nominated Mrs. Jennings, Mr. Moquin seconded. **Motion Carried Unanimously.**

2. Approval of December 17, 2009 Meeting Minutes Tab 2

Mr. Bennett motioned to approve the December 17, 2009 meeting minutes. Mr. Ugarte seconded. **Motion Carried Unanimously.**

3. First Baptist Church of Palmetto CU-Z-2010-01 Tab 3

Mr. McCollum informed the board that the rezone CU-2010-01 request has been withdrawn per the applicant. Mr. McCollum gave an overview of the requested Conditional Use Application and listed stipulations. Mr. McCollum informed the Members that churches

are permitted uses in the P- Public Zoning Category. The recommended stipulations are as follows:

1. The location of the structures will comply with the setbacks illustrated on the Site Plan (attached). These are consistent with the setbacks within the RS-3 Zoning Category.
2. Skirting will be provided around the base of the structures to enhance the residential character of the structures.
3. The use of the structures shall be limited to Church-related uses.
4. Front yards (north and west) shall be landscaped to enhance the site.
5. Architectural enhancements such as paint color, trim, window treatment, and the like shall be provided in order to enhance the historic character of the area.
6. Structures that will be used for Program activities shall be ADA compliant.

Mr. Rudacille stated the Board's responsibility is to consider the design and if the use is a compatible use with surrounding area.

Mr. Tim Lewis, resident, A-1 Lawn Service and Building and Grounds Chair for First Baptist Church, stated the use will be to provide a place for youth, a place to mentor children and an enhancement to the City of Palmetto

Mr. Jeff Boyd, Youth Pastor, stated the purpose will be for the church group to expand, provide a place for mentoring youth. The space they are using currently holds 30 and they currently have 35 and are growing.

Mr. Ugarte asked is there any photos to show what the units look like to see if they are compatible to the surrounding area. Mr. Lewis stated the units came from Palmetto High School; they are three of the best units. Mr. Lewis also stated the set back requirements were met, North River Fire requested a 20 ft set back

between buildings, and they complied with a 22 ft set back. The City required 25 ft. front yard setback and they provided approximately 30 ft.

Mrs. Jennings asked if there will be a fenced courtyard, the purpose of the fence and what type of fence. Mr. Lewis stated the fence will serve as a protected area for a multi-purpose court and will be supervised well maintained area. The fence will possibly be a chain link fence.

Public hearing open

Mr. Stan Zablocki, 1107 6th St. W. voiced concerns regarding the area turning into an athletic field, also how much is it going to be utilized. Mr. Zablocki stated he is also concerned about the noise, and the look. Why is church tax exempt, if the use is going to be for the public, and finally what will be the end usage.

Mr. Joseph Spram, 1100 5th St W, voiced concern with the lighting, and stated he is against it entirely.

Mr. Don Olmstead 627 11th Ave W gave the history of the property. Mr. Olmstead stated when the property was sold it was agreed to be used as a parking lot; however there is nothing in the Commission minutes verbatim supporting the agreement. The use is questionable, it the wrong place at the wrong time.

Chair Burton asked Mr. McCollum to address the questions that had been raised.

Mr. McCollum addressed the following:

- The applicants did meet with DRC and was given permission to move the units but not to set them up permanently until a decision was made by the City Commission.
- The church has a right to use the site for what they are purposing; it is a permitted use in the City code, Appendix B, Land Use Table.
- The lights at night are not related directly to the issue at hand. The hours of operation should be considered for the type of athletics use that is going to be provided.
- The appearance of the units will have to be addressed, landscaping and architectural. The stipulation listed in the staff report can require more details to address those issues.

Mr. Ugarte asked for clarification on parking, is it a legal issue. Mr. Rudacille stated there is no legal prohibition on the property to prevent it from being used for what it is proposed for.

Mr. Moore asked what the requirement for a site plan submittal is. Mr. Rudacille stated this is a unique situation; a site plan is not required in a P (Public) zoning category. The applicant was asked to put together a conceptual plan. Mr. McCollum also stated other requirements will have to be met, i.e., landscape, drainage, fire and building.

Chair Burton closed the public hearing.

Action Request: Mr. Moore move to recommend denial based on the information provided. Mr. Moquin seconded.

Discussion:

Mr. Ugarte stated a better site plan and graphics of what the overall project will look like when completed would have been beneficial to assist the Board in making a fair decision. Mr. Ugarte also voiced concerns regarding a chain link fence.

Mrs. Jennings echoed the same concerns, stating more information is needed to determine if the project is appropriate and compatible with the surrounding area.

Mr. Moore withdrew the motion. Mr. Moquin withdrew the second.

Chair Burton offered the applicant an opportunity to request a continuance.

Applicant requested a continuance.

Action: Mrs. Jennings moved to continue the First Baptist Church Conditional Use Permit 2010-01 until February 18, 2010 seconded by Mr. Bennett. MOTION CARRIED UNANIMOUSLY.

4. Continuance City of Palmetto 2030 Comprehensive Plan -
Ordinance No. 2010-01 Tab 4

Mr. McCollum referenced two memorandums in the Members notebook and reviewed the 2030 Comprehensive Plan and received questions and comments.

Chair Burton opened the public hearing.

There were no public comments presented.

Chair Burton closed the public hearing.

Mr. Moore question the intent of the Board regarding the Future Land Use Map issue brought forth with First Baptist Church. Mr. McCollum stated he is not prepared to deal with the issue at tonight's meeting.

Mr. Rudacille stated Mr. Barnebey is going to address the issue when it gets to City Commission, before transmittal. If the Board wants to take on the issue and work through it they have every right.

Chair Burton asked Mr. McCollum is it the City's responsibility to make a map amendment for a private property owner. Mr. McCollum stated it is usually the property owner responsibility.

Mr. Ugarte stated the map should be left as is; Chair Burton agreed and called for a motion.

Action Request: Mr. Bennett: Having considered the Staff Report and the comments at the Public Hearing, I move to recommend approval of the City of Palmetto Ordinance 2010-10, the City of Palmetto 2030 Comprehensive Plan, and finding the proposed City of Palmetto 2030 Comprehensive Plan to be consistent with the requirements of Chapter 163, Florida Statutes, and Chapter 9J-5, Florida Administrative Code. Mr. Moquin seconded. MOTION CARRIED UNANIMOUSLY.

5. Old Business

Mr. McCollum reported on the following:

- Received comments from DCA on the 2010 plan and is now in the process of making minor technical revision. The plan will go before the City Commission in February.
- Staff provided City Commission with a 2010 housing update, which was required to be done by January 1.
- Proposed revision to the review fee is scheduled for the next City Commission workshop
- The Sign Ordinance will be presented to the Board in a draft format for review, discussion and action and then go to the City Commission.

6. New Business

- a. None

7. Adjournment