

Tab 4

**ROY'S ANNEXATION, PLAN AMENDMENT,
REZONE AND GENERAL DEVELOPMENT
PLAN 2011-03**

**Staff Report
Roy Family Ranches
2007 & 2011 21st Street W
Annexation, Small Scale Plan Amendment and Rezoning/GDP
AN/PA/Z/GDP 2011-03**

REQUEST:

1. To annex a 4.3 acre tract located at 2007 21st Street W into the City of Palmetto;
 - To change the Plan category of this annexed parcel from a County designation (RES-3) to a City designation (RES-4);
 - To rezone 2 tracts; 1 zoned ER in the City and the other zoned A-1 in the County to PD-H;
 - To approve a General Development Plan for 8 single family lots which will serve as a preliminary subdivision plat

OWNERS: Charles A. and Pamela G. Roy and Brian T. and Heidi A. Allwood

LOCATION/PIN #/PARCEL SIZE OF SUBJECT PROPERTIES

County Parcel: 2007 W 21st Street (PID # 2415410451)/4.33 acres (per survey provided)
City Parcel: 2011 W 21st Street (PID # 2415410379)/3.68 acres (per survey provided)
Total Site: 8.01 acres

PLAN/ZONING/EXISTING USE OF SUBJECT PROPERTIES

County Parcel: Residential-3/A-1 (Suburban Agriculture)/single-family detached unit
City Parcel: Residential-4/ER (Estate Residential)/single-family detached unit, barn, horses, gazebo

PLAN/ZONING/USES OF SURROUNDING AREA

North: RES-3 (County) & RES-4 (City)/A-1 (County) & ER (City)/vacant land
South: RES-3 (County) & RES-4 (City)/A-1 (County) & ER (City)/single family residential
East: RES-3 (County)/A-1 (County)/vacant land
West: RES-4 (City)/ER (City)/single family residential

BACKGROUND

The subject property is located in the northwest section of the City, just south of the Terra Ceia Golf and Country Club planned development. The general area, including an enclave of unincorporated Manatee County is developed with scattered estate/large lot single family residential and zoned for a minimum of one acre lots; A-1 (Suburban Agriculture) in the County and E-R (Estate Residential) in the City. Lake Rowlett which abuts the southern border of the subject property lies between 21st Street W and 17th Street W.

This proposal was presented to the DRC on June 28, 2011 as a private family compound. The

existing family compound consists of 2 large parcels with an existing residence on each and a barn at the end of a private, tree lined driveway. These parcels have over 200 feet of frontage on 21st Street and their southern borders abut Lake Rowlett.

There are 8 lots proposed on 8.01 acres at a gross density of 1.0 du/ac. The existing single family houses are on Lots 3 and 6 and the barn and gazebo are on Lot 4. The smallest lot proposed is 34,199 square feet or 0.79 acres and the largest lot, Lot 6 is 52,719 square feet or 1.21 acres.

COMPREHENSIVE PLAN ANALYSIS

This report covers 4 separate requests and public hearing items:

(1) the annexation of a 4.5 acre parcel into the City; (2) the small scale plan amendment of 4.5 acres from County RES-3 to City RES-4; (3) the rezoning from a City parcel and the newly annexed parcel to PD-H; and (4) the GDP of both parcels for 8 single family lots serving as the preliminary subdivision plat.

1. Annexation

The proposed annexation reduces the size of an existing unincorporated Manatee County enclave consistent with Objective 1.12 of the Future Land Use Plan. This application is also a logical extension of the City's boundaries consistent with the following Plan policy:

Policy 1.12.1: The City shall balance the benefits of future annexations, i.e. to promote the orderly growth of the City with its ability to fulfill other established plans for the City.

The annexation is consistent with the Palmetto 2030 Comprehensive Plan.

2. Plan Amendment

The proposed plan amendment from County RES-3 to City RES-4 meets the requirements of a small scale plan amendment pursuant to Section 18 of Section 163.3187, Florida Statutes in that it is less than 10 acres and does not exceed 120 acres in a calendar year, does not involve a text change and is not located within an area of critical state concern.

Future Land Use Element

The subject properties are designated Residential-4 (Res-4) described in the Plan as areas suitable for single-family detached residential development and areas where environmental conditions or limitations of public infrastructure require low density development. The proposed development of single-family lots at a density of 1.0 du/ac is within the range of densities permitted in the Res-4 plan category which permits up to 4.0 dwelling units per gross acre. The change from RES-3 to RES-4 is a comparable change in plan categories between the County's and City's Plans as the RES-4 permits the lowest residential densities in the City.

The plan amendment is consistent with the Palmetto 2030 Comprehensive Plan.

3. Rezoning

The purpose of the proposed rezoning to PD-H is to consolidate two parcels into a unified development for a family compound consisting of 8 single family lots. A rezoning to PD-H is required due to the existing development already on site. The proposed private stables are a permitted use in the E-R and RS-1 zoning districts.

PD versus Standard Zoning District

An application for rezoning to a PD district over a standard district was likely made for the following reasons:

- 1) To reflect proposed lot sizes which are between E-R (minimum one acre lots) and RS-1 (minimum 15,000 square feet);
- 2) To recognize existing structures on the GDP that may not meet the standard zoning setbacks, e.g. barn requires 30' front setback in RS-1 and the subject PD-H districts but the existing setback is 25';
- 3) To recognize existing accessory uses on the GDP, e.g. equestrian arena and gazebo;
- 4) Because Sec 6-19 (a) requires a minimum of 2 acres for horses in RS-1;
- 5) To process the preliminary plat concurrent with the GDP.

The rezoning is consistent with the Palmetto 2030 Comprehensive Plan.

4. GDP

Per Sec. 26-12, a master plan shall be approved by the City Commission in accordance with the Planned Development Districts - General requirements of the Zoning Code. Following the master plan/GDP approval, the applicant may waive preliminary plat procedures and proceed to the construction drawings review.

Subdivision considerations include:

- The proposed density is 1 du/ac which is consistent with the surrounding E-R zoning district which permits a minimum of one acre lots.
- The additional 6 units will use the existing private street accessing onto 21st Street W which is currently being used by the existing 2 units.

Private Streets

Per Sec. 26-16 (i) Private internal streets are permitted provided that adequate access for police and fire protection is maintained, access for maintaining public infrastructure within the right of way is explicit and provisions for using and maintaining such streets are imposed upon the private users.

The Code contains the following requirements:

- A Subdivisions containing private streets shall not block logical access to adjoining lands;
- B Private streets or drives shall have an impervious travelway width of a minimum of 11 feet per travel lane;
- C Perpetual maintenance, adequate to ensure good travel conditions at all times, must be assured by recorded document;

The site plan/preliminary plat provided does not meet the 11 foot required rights-of-way width for the private drive entering the subdivision requiring a PD deviation from the City Commission.

Sidewalks

Per Sec. 26-22 (a) Sidewalks shall be constructed along the north and west sides of all new or existing public streets, lying adjacent to or within the proposed development. The sidewalk shall be constructed within the right-of-way. Sidewalks are not required on internal private streets within

industrial subdivisions.

The proposed development is located on the south side of 21st Street W.

Phasing

Per Sec. 26-1 of the Code, the PD may be platted as a whole or in phases. The subject property is proposed to be platted as a whole.

Infrastructure

The subject property is served by City water and sewer. Prior to filing this application, the applicant secured a letter from the City of Palmetto Public Works Director, indicating that the City has adequate capacity for water and sanitary sewer, and the availability of reclaimed water to serve the 8 lot subdivision. The addition of 6 single-family units is not expected to generate 50 p.m. peak hour trips required to trigger a transportation study.

According to the information provided, the nearest fire hydrant is located 800 feet east of the northeast property corner. A proposed fire hydrant is shown on the site plan on the south side of 21st Street W, south of 20th Avenue W. North River Fire Department has signed off on the proposed site plan which provides adequate access and turn-around for fire trucks.

Wetlands

According to the Environmental Review submitted, there are no wetlands on the property other than portions of Lake Rowlett; no native upland habitats and no endangered/threatened species were found to utilize the site for nesting or breeding purposes.

Policy 9.2.4: Within Category I and II wetlands, the City shall require a minimum preserve area setback of ten (10) feet or greater if warranted by specific site conditions.

This minimum setback is in addition to the minimum setbacks established in the City's land development regulations for the respective zoning district.

The proposed wetland setback is 25 feet thereby meeting the above referenced Plan policy.

The GDP which serves as the preliminary plat delineating the 8 proposed lots is consistent with the Palmetto 2030 Comprehensive Plan.

CODE COMPLIANCE

The goal of the above referenced applications is to subdivide two lots into 8 proposed single family lots while recognizing 2 existing detached, single-family units. Because one of the two lots is currently located in unincorporated Manatee County, it has to be annexed into the City and assigned a City Plan category and zoning district. If the land was vacant, this project could have been developed under a standard zoning district. The PD zoning district offers the simultaneous review of the general development plan and preliminary plat while recognizing the existing development on the site plan. There are existing 4 foot fences along the entranceway and throughout this project which will remain.

The following dimensional requirements, based on a minimum lot size of half an acre, are specified on the GDP for future single family development since some of the proposed lots are less than one acre in size. It should be noted that the existing barn on Lot 4 will not meet these requirements as it has a front setback of 25 feet.

Lot Dimensions

| Area/sf | Area/du | Width | Front Setback | Side Setback | Rear Setback | Maximum Height |
|---------|---------|-------|---------------|--------------|--------------|----------------|
| 21,780 | 21,780 | 100' | 30' | 10' | 25' | 35' |

Per Sec. 8.5 the following guidelines serve to identify minimum or maximum standards from which the proposal should not deviate, unless otherwise approved by the city commission. The use of the PD zoning district for 8 single-family units at a density of 1.0 du/ac negates many of these guidelines as follows:

(a) Minimum Setbacks

- 1 Perimeter landscaped setbacks: thirty-five (35) feet between the walls of all structures and the perimeter of the district.*

The proposed setbacks shall be 30 feet from the tree-line private road and 25 feet from the rear property lines for each lot. Since the side yards will face 21st Street W, the side yard setbacks will be 10 feet from the northern property line which is approximately 29 feet from the existing right-of-way (21st Street W). There is existing landscaping along the northern side of the existing 4' fencing running along the northern property line.

- 2 Building setback: twenty-five (25) feet from wall-to-wall between structures.*

The minimum side yard setbacks will be 10 feet or 20 feet between structures.

- 3 Public or private right-of-way setback: thirty-five (35) feet from any structure to right-of-way.*

The proposed front yard setbacks shall be 30 feet from the tree-line private road.

- 4 Structures over thirty-five (35) feet in height: Additional one (1) foot of setback at ground level for each additional two (2) feet of height.*

The proposed uses are single family detached structures which will have a maximum height of 35 feet. Requirements for additional setback above 35 feet will not apply.

- (b) Building height: Twelve (12) stories or one hundred thirty (130) feet whichever is less.*

The maximum height is 35 feet.

- (c) Minimum off-street parking and loading requirements: Two (2) spaces per residential unit.*

At least 2 parking spaces will be provided per unit.

- (d) Frontage and accessibility for each use shall be from either a public street directly or via an approved private driveway, pedestrian way, court or other area dedicated to public or private use or common element guaranteeing access.*

Frontage and accessibility for each unit shall be from an approved, existing private driveway.

- (e) *Underground utilities: All utilities, including telephone, television cables, and electrical systems, shall be installed underground. Appurtenances to these systems which require aboveground installation must be screened. Primary facilities providing service to the site of the PD may be excepted.*

The proposed project will have utilities underground.

- (f) *Solid waste containers: All central refuse, trash and garbage collection containers shall be screened from sight or located in such a manner so as not to be visible from any street within or adjacent to the PD district. Individual garbage containers not a twenty-gallon capacity are permissible.*

Each residential unit will have individual garbage containers.

- (g) *Public access to the waterfront, if applicable, shall be dedicated or reserved.*

Not applicable

- (h) *As a minimum, the standard requirement for parkland shall be dedicated through the PD rezoning (e.g., 4 acres/1,000 people; projected population = 500; dedicate 2 acres).*

Not applicable

- (i) *Minimum common open space and recreation areas: Twenty-five (25) percent of the gross site acreage shall be delineated as tracts for common open space and recreation areas.*

The proposed project will consist of private homes; homeowners will continue to provide landscaping.

STAFF RECOMMENDATION:

The proposed applications are intended to create a single-family residential compound consisting of 8 lots at a gross density of 1 du/ac in the Res-4 plan category. The development review process contemplated by these applications is the most effective way for development to take place in a single jurisdiction while recognizing existing development on site.

The proposed single-family residential development is consistent with the City's 2030 Comprehensive Plan in terms of its use and density and is consistent with the surrounding uses and the general area.

Staff recommends APPROVAL of the annexation, small scale plan amendment to Res-4, rezoning to PD-H and the proposed GDP/preliminary site plan with the aforementioned PD deviations.

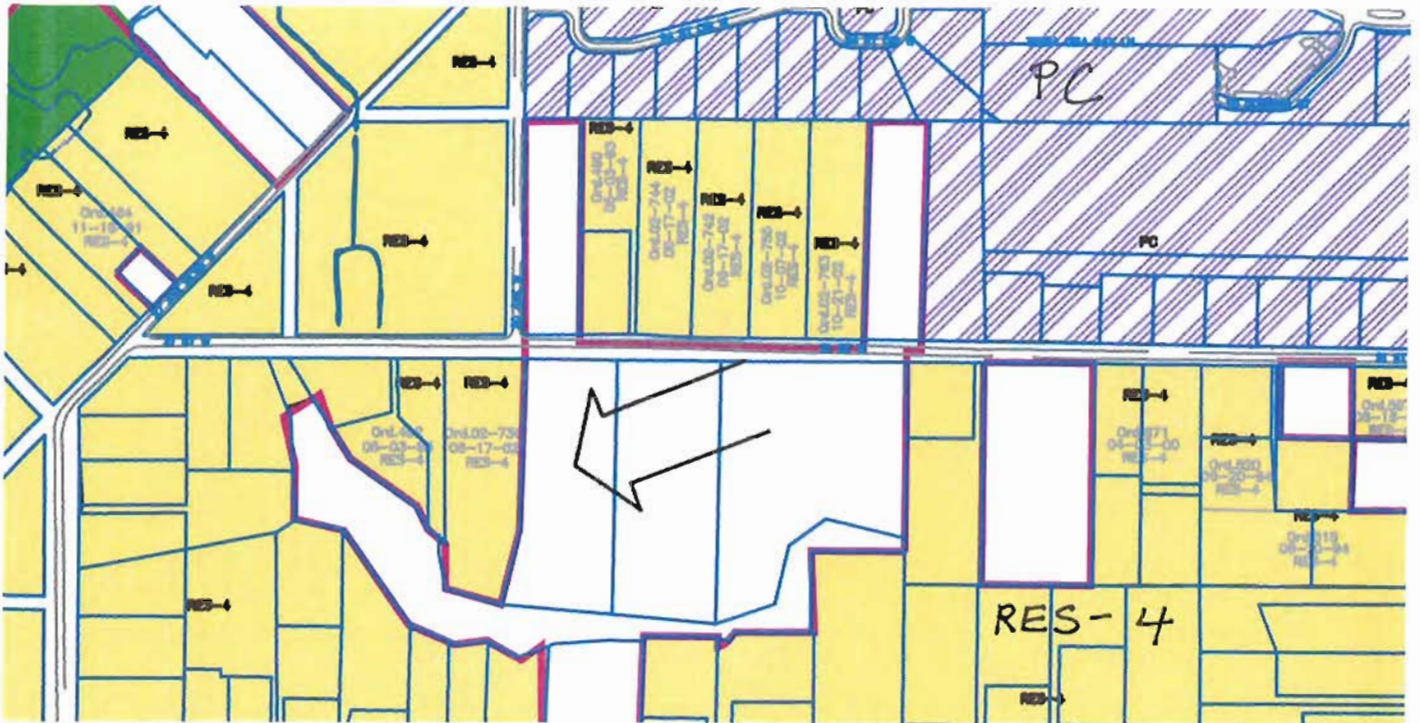
PLANNING AND ZONING BOARD RECOMMENDATION

The Planning and Zoning Board shall recommend APPROVAL, APPROVAL WITH CONDITIONS or DENIAL of the proposed items:

- 1 Annexation of parcel located at 2007 W 21st Street;

- 2 Small scale plan amendment of parcel located at 2007 W 21st Street from Res-3 to Res-4;
- 3 Rezoning from E-R (City) and A-1 (County) to PD-H;
- 4 GDP and preliminary subdivision plat of 8.01 acres for 8 single family detached lots.

CITY OF PALMETTO LAND USE PLAN MAP



CITY OF PALMETTO ZONING MAP



AERIAL PHOTOGRAPH



*Roy Family ranches
2007 21st Street W
August 2, 2011*

