

**MINUTES
CITY OF PALMETTO
PLANNING AND ZONING BOARD
September 19th, 2013 – 5:30 P.M.**

516 8th Avenue West
Palmetto, FL 34221

www.palmettofl.org
941-723-4570

PLANNING AND ZONING BOARD MEMBERS

ERIC GILBERT, Chair - Absent
CHARLIE UGARTE

JON MOORE
LEON KOTECKI

Anyone wishing to speak before the Planning and Zoning Board must sign in prior to the meeting, stating name, address and topic to address. All comments will be limited to two minutes.

ORDER OF BUSINESS:

1. **Approval of August 15th, 2013 Meeting Minutes** Tab 1

Mr. Kotecki explained that an interim chairman would need to be chosen for tonight's proceedings due to the absence of Chairman Gilbert.

Mr. Ugarte nominated Mr. Kotecki with Mr. Moore seconding. **MOTION CARRIED UNANIMOUSLY.**

Mr. Ugarte motioned to approve the August 15th, 2013 Meeting Minutes. Mr. Moore seconded. **MOTION CARRIED UNANIMOUSLY.**

2. **Cancellation of Development Agreements**

a. Memphis Road Industrial Park, located at 1700 14th Avenue E., approved for 39,000 square feet of commercial/industrial uses on 4.7 acres at a floor-area-ratio of 0.5 and a maximum height of 45 feet. Tab 2

b. 21st Street Industrial Park, located at 1901 14th Avenue E., approved for 54,750 square feet of commercial/industrial uses on 6.0 acres at a floor-area-ratio of 0.5 and a maximum height of 45 feet. Tab 3

Mr. Kotecki inquired whether the developer's obligations with the City have been fulfilled under the agreements.

Ms. Lorraine Lyn, City Planner explained that the development agreements went into effect in 2007 for two industrial parks. The Developer intended to construct a certain amount of square footage of commercial/industrial space and was required to pay all general government and law enforcement impact fees.

The City agreed to construct and install certain facilities commensurate with the developer's desired schedule since there was not enough sewer and potable water capacity in the area to adequately serve the project. In return the developer's share of the improvement costs was \$69,097.25 and \$103,645.88 for Memphis Road and 21st Street industrial parks respectively.

The land is in foreclosure and it was brought to the City's attention that although most of the developer's share of the costs for Memphis Road was paid, no payments were made for 21st Street as development had not yet begun.

Staff recommended cancellation of the agreements to promote a more business friendly environment by relieving the developer of encumbrances in the development agreements and collecting required fees as building permits are issued for future development.

Action request: Motion to approve, approve with modifications or deny the request for cancellation of the Development Agreement for Memphis Road Industrial Park.

Mr. Ugarte motioned to approve the proposed cancellation of the Memphis Road industrial Park Development Agreement. Mr. Moore Seconded. **MOTION CARRIED UNANIMOUSLY.**

Mr. Moore motioned to approve the proposed cancellation of the 21st Street Industrial Park Development Agreement. Mr. Ugarte Seconded. **MOTION CARRIED UNANIMOUSLY.**

3. **Ordinance 2013-13**

Tab 4

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL/GENERAL DEVELOPMENT PLAN FOR 100-ROOM, 3,000 SQUARE FEET OF RETAIL/OFFICE, AND 4 RESIDENTIAL DWELLING UNITS, ON +/- 2.37-ACRE PARCEL LOCATED AT 120 RIVIERA DUNES WAY, PALMETTO, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (GDP 2013-01, Armed Forces Bank, N.A., PID#2581600639)

Mr. Kotecki read Ordinance 2013-13 by title.

Mr. Rudacille explained that the City received an incomplete application for this project and that no action would be taken tonight and a continuance would be in order.

Chairman Kotecki opened the Public Hearing.

Ms. Deborah Sperry, resident at Bel-Mare indicated that the public notice read that the public hearing would be tonight for the Planning & Zoning and the City Commission would hear the issue on September 23rd and inquired whether the public would be noticed again?

Mr. Rudacille explained that once public notice requirements are met, the meetings could be continued to a date and time certain.

Mr. Fred Sperry asked whether the City Commission would continue their public hearing scheduled for September 23, 2103. Mr. Rudacille indicated that the City Commission would not act on this item until the Planning and Zoning Board forwarded its recommendation.

Ms. Sperry asked what time frame could they be looking at? Could this project keep getting continued indefinitely?

Mr. Rudacille explained that it would be up to the Board to continue or not to continue the meeting. Continuance or action would be at this Board's discretion.

Mr. Harold Barr, slip owner at Riviera Dunes Marina and President of the Condominium Association, spoke in opposition of the development. They are against the proposed project eliminating two lanes of the boulevard into the marina. Mr. Hugh McGuire has been retained by the marina as counsel.

Mr. Paul Esposito, resident at Laguna, spoke in opposition of the project citing the noise Ordinance, construction vehicles coming in before 8:00 a.m., concerned with security lighting being left on in the parking lots, hotel parking conditions, safety of Laguna residents, traffic concerns and the selected placement for a Hotel.

Mr. Kotecki explained that these concerns will be kept in mind and he thanked the public for their input.

Mr. James Herston explained that he would be the engineer of record if this project is approved and that he and the applicant were ready to address the concerns and did not want this project to drag on. He requested that the hearing be continued sooner than the next regularly scheduled Planning and Zoning Board meeting on October 17, 2013.

Mr. Kotecki suggested that a feasible date be selected as a deadline for Mr. Herston to provide complete plans for the Public to view at City Hall and at the Planning Department.

Discussion continued regarding the time frame of the project, and that the completed plans would need to be turned in no later than October 1st, 2013 for staff and public review.

Mr. Kotecki explained to the applicant that the complete plans should be made available at City Hall and the Planning Department for public viewing.

Mr. Ugarte motioned to continue the Public Hearing of Ordinance 2013-13 to October 17th, 2013 at 5:30p.m. Mr. Moore Seconded. **MOTION CARRIED UNANIMOUSLY.**

4. **Proposed (DCOMC) Boundary Changes** Tab 5

Discussion of Proposed Downtown Commercial Core (DCOMC) Boundary Changes

Ms. Lyn explained that the City (Palmetto CRA) was awarded a \$25,000 Department of Economic Opportunity grant to study, plan and align City policies to better (re)develop the Downtown Commercial Core. Mr. Burton intends to first address the downtown boundaries before starting the required data collection phase.

Mr. Moore explained that Mr. Burton could not make it to the meeting and asked him to distribute an information packet to the Planning and Zoning Board members covering issues that the Board will be discussing.

Discussion continued regarding allowing time on the October through March agenda to develop a continuing conversation on the boundary changes, verbiage that describes the Downtown Commercial Core, overlay policies, combined meeting with the CRA Board., etc.

5. Old Business: None

6. New Business:

Ms. Lyn explained that there are two (2) possible Alternative Proposals from the Downtown Core Design Code for the Planning and Zoning Board to evaluate and discussed ensued:

1. Olympia Theater – 512 10th Avenue West: Applicant is not proposing windows on the ground floor because of the recording studio use on the ground floor and a loft apartment to the rear.
2. Dr. Constantine Medical Complex – 312 7th Street West.

Discussion continued about adding a meeting on October 10th at 5:30 to discuss the (2) alternative proposals and the DEO grant study to separate these items from the Riviera Dunes hotel project.

It was the General Consensus of the Board to hold a meeting October 10th at 5:30 p.m. after staff confirmation.

7. Adjournment - 6:40 p.m.