

**CITY OF PALMETTO
PLANNING AND ZONING BOARD MEETING
August 16, 2018 – 5:30 PM**

Planning and Zoning Board Members Present

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

Staff Present

Mark Barnebey, City Attorney
Karla Owens, Development Services Director
Kera Hill, Planning Analyst

Chair Iaboni called the meeting to order at 5:35PM, 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 Board were duly sworn.

1. PLANNING & ZONING BOARD AGENDA APPROVAL

Motion: **Mrs. Tarman moved, Mr. Price seconded, and the motion carried 5-0 to approve the August 16, 2018 Agenda.**

2. APPROVAL OF MEETING MINUTES

(TAB 1)

Motion: **Mr. Price moved, Mr. Moore seconded, and the motion carried 5-0 to approve with modifications the July 10, 2018 Minutes.**

Approved Modification:

Revise No. 9/Ordinance No. 2018-10 - The proposed fifty garage spaces to be enclosed and rented by the residents, is included in the total amount of the proposed 319 parking spaces.

3. PUBLIC COMMENT

None

4. ORDINANCE 2018-14 ANNEXATION (K. Owens)

(TAB 2)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING A .2984 ACRE PARCEL OF UNINCORPORATED MANATEE COUNTY, FLORIDA INTO THE CITY OF PALMETTO WHICH PARCEL IS LOCATED ON THE SOUTH SIDE OF POMPANO LANE IN THE GULF & BAY ESTATES SUBDIVISION, AT 4315 POMPANO LANE, AND WHICH IS REASONABLY COMPACT AND IS LOCATED IN AN ENCLAVE CONTIGUOUS TO THE CITY OF PALMETTO; REDEFINING THE BOUNDARY LINES OF THE CITY OF PALMETTO, FLORIDA TO INCLUDE SAID PARCEL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (LASSEN)

This item was continued from the July 10, 2018 Planning and Zoning meeting.

Mrs. Owens explained that Dr. Keith Lassen applied for a voluntary annexation, comprehensive plan amendment and rezone, to acquire sewer service. He's in the process of constructing a single-family residence and prefers to connect to central sewer service. The Heritage Bay Subdivision is located to the south, and within the City. The City has a force main along Tarpon Avenue, which is located two lots from the subject property. Mrs. Owens explained that the proposed comprehensive and rezoning amendments match as close as possible to the County's existing district requirements, and to the existing construction in the subdivision that the subject property lies within.

Dr. Lassen explained to the Board that he's not wanting to add another septic tank which would add more pollution into the canals, and would prefer central sewer service.

Public Comment

Robert Blenker explained that he's speaking for a group of folks who live on Snead Island. Mr. Blenker stated that he is Dr. Lassen's neighbor. He feels that the annexation violates Florida State Statute 171, stating that the property is not contiguous to the City. Mr. Blenker expressed concerns with any possibilities of an involuntary annexation of contiguous properties, and annexation of all of Snead Island. He has no objection to Dr. Lassen connecting to sewer service, but disagrees with the method of annexation and would like to see an alternative way.

Henry Vaccaro, who lives at 4212 Pompano Lane, opined that he feels the existing septic system on the Lassen property could be refurbished or rebuilt. He's not necessarily opposed to a voluntarily connection to sewer service, but needs clarification and proof that connecting to sewer would reduce the pollution load into Terra Ceia Bay.

Linney Young explained to the Board that she doesn't want the integrity of Snead Island to change.

Chair Iaboni inquired if a study had been done regarding the waters near the subject property. Attorney Barnebey stated that a study was done last year by the University of South Florida for the waters near the subject area, which showed a significant pollutant load into the waters. Chair Iaboni inquired if the septic systems in the area were the cause of pollution, and Mr. Barnebey stated that the septic tanks were a contributing factor to the pollution, but not the only factor. Chair Iaboni inquired about City sewer service being available without annexation. Attorney Barnebey stated that Amberwynd and Mangrove subdivisions were subject to an annexation agreement, in which sewer service would be provided, but that once the properties became contiguous, they would annex into the City. These agreements date back to the early 1990's, and enforcement of the Amberwynd agreement is currently being litigated. The City's policy today is that annexation is required first in order to receive City sewer service. City water service is available without requiring annexation based upon a prior agreement with Manatee County.

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Mrs. Owens explained that the current County future land use designation allows for 3du/acre and the proposed City future land use designation allows for 4du/acre, but that the zoning designation is the more stringent requirement. The proposed City zoning designation matches the existing County's zoning designation requirements and would restrict construction on this lot to one residence. Dr. Lassen has pulled a building permit with Manatee County and has completed some of the construction of his single-family residence. Dr. Lassen's home meets or exceeds the City's zoning setback requirements.

Mrs. Tarman then inquired whether the roads were private or public, and had questions about the sewer line connections. Mrs. Owens explained that the roads are public and the sewer lines were put in during the 1990's.

Chair Iaboni stated how unique and special Snead Island is and opined that whether you're part of the City or not, he doesn't see the community changing. Chair Iaboni stated he feels it would be best if eventually Snead Island as a whole would be connected to central sewer versus septic tanks due to the pollution. Chair Iaboni also has concerns with the impact to the City Police Department for servicing Snead Island even though a mutual agreement is in place with the County.

Mrs. Owens explained that the Planning and Zoning Board is a recommending Board, and that they make recommendations to City Commission. The City Commission meeting on this item has been continued to October 1st.

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 Ordinances, to recommend approval of the request for Ordinance 2018-14.**

5. ORDINANCE 2018-15 MAP AMENDMENT (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 COUNTY FUTURE LAND USE MAP DESIGNATION RES-3 (Residential 3 du/a), TO CITY FUTURE LAND USE MAP DESIGNATION RES-4 (Residential 4 du/acre), 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. (LASSEN PROPERTY)

This item was continued from the July 10, 2018 Planning and Zoning meeting.

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**

Ordinances, to recommend approval of the request for Ordinance 2018-15.

6. ORDINANCE 2018-16 REZONE (K. Owens)

(TAB 4)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY .2984 ACRE OF PROPERTY GENERALLY LOCATED AT 4315 POMPANO LANE, PALMETTO, FLORIDA, FROM COUNTY ZONING RSF-3, SINGLE FAMILY RESIDENTIAL, TO CITY ZONING RS-2, SINGLE FAMILY RESIDENTAL, AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (LASSEN PROPERTY)

This item was continued from the July 10, 2018 Planning and Zoning meeting.

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 Ordinances, to recommend approval of the request for Ordinance 2018-16.

Chair Iaboni recessed the meeting from 6:24 PM to 6:25PM to allow the room to clear.

7. ORDINANCE 2018-17 ANNEXATION(K. Owens)

(TAB 5)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING A .189 ACRE PARCEL OF UNINCORPORATED MANATEE COUNTY, FLORIDA INTO THE CITY OF PALMETTO WHICH PARCEL IS REASONABLY COMPACT AND IS INFILL PROPERTY CONTIGUOUS TO THE CITY OF PALMETTO; REDEFINING THE BOUNDARIES LINES OF THE CITY OF PALMETTO, FLORIDA TO INCLUDE SAID PARCEL; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (VARNADORE PROPERTIES, LLC)

Mrs. Owens explained that Mr. and Mrs. Varnadore own Varnadore Sales and all of the surrounding properties on the block are within the City of Palmetto other than the subject parcel which is the only property on the block that is within the County. The subject property currently has an existing single-family residence on the lot. The existing Varnadore Sales and the existing single-family residence will be demolished, as part of a proposed new project that will encompass all the parcels. Mrs. Owens explained that the proposed amendments match the existing County designations and the surrounding uses.

The property owner, Mr. Varnadore was present and briefly described the location of the property. There was no public comment.

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

Ordinances, to recommend approval of the request for Ordinance 2018-17.

8. ORDINANCE 2018-18 MAP AMENDMENT(K. Owens)

(TAB 6)

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 COUNTY FUTURE LAND USE MAP DESIGNATION ROR (Residential, Office, Retail), 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. (VARNADORE PROPERTIES, LLC)

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 Ordinances, to recommend approval of the request for Ordinance 2018-18.

9. ORDINANCE 2018-19 REZONE (K. Owens)

(TAB 7)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, REZONING APPROXIMATELY .189 ACRE OF PROPERTY GENERALLY LOCATED AT 1705 7TH AVENUE WEST, PALMETTO, FLORIDA, FROM COUNTY ZONING GC, GENERAL COMMERCIAL, TO CITY ZONING CG, BUSINESS AND LIGHT COMMERCIAL, AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (VARNADORE PROPERTIES, LLC)

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 Ordinances, to recommend approval of the request for Ordinance 2018-19.

10. ORDINANCE 2018-21 ANNEXATION (K. Owens)

(TAB 8)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, ANNEXING TWO PARCELS TOTTALLING 2.47 ACRES OF UNINCORPORATED MANATEE COUNTY, FLORIDA INTO THE CITY OF PALMETTO WHICH PARCELS ARE REASONABLY COMPACT AND ARE PROPERTIES CONTIGUOUS TO THE CITY OF PALMETTO; REDEFINING THE BOUNDARY LINES OF THE CITY OF PALMETTO, FLORIDA TO INCLUDE SAID PARCELS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE. (OXENDINE)

Mrs. Owens explained that the request is for two parcels under the same ownership. One parcel is currently being used for scrap metal collection and the other for equipment storage. Staff has recommended a future land use designation and rezone to the City's Heavy Industrial designation category.

A representative for the applicant was present but did not speak. There was no public comment.

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 Ordinances, to recommend approval of the request for Ordinance 2018-21.**

11. ORDINANCE 2018-22 MAP AMENDMENT (K. Owens) (TAB 9)

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 COUNTY FUTURE LAND USE MAP DESIGNATION IH (INDUSTRIAL-HEAVY), TO CITY FUTURE LAND USE MAP DESIGNATION HCOMIND (HEAVY COMMERCIAL INDUSTRIAL), 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. (OXENDINE)

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 Ordinances, to recommend approval of the request for Ordinance 2018-22.**

12. ORDINANCE 2018-23 REZONE (K. Owens) (TAB 10)

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA REZONING APPROXIMATELY 2.47 ACRES OF PROPERTY GENERALLY LOCATED AT 1119 19TH AVENUE EAST AND 1150 19TH AVENUE EAST, PALMETTO, FLORIDA, FROM COUNTY ZONING LM (LIGHT MANUFACTURING) TO CITY ZONING CHI, HEAVY COMMERCIAL AND LIGHT INDUSTRIAL), AND AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE. (OXENDINE)

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 Ordinances, to recommend approval of the request for Ordinance 2018-23.**

13. ORDINANCE 2018-24 CONCEPTUAL DEVELOPMENT PLAN (K. Owens) (TAB 11)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PALMETTO, FLORIDA, PROVIDING FOR FINDINGS OF FACT; APPROVING A CONCEPTUAL DEVELOPMENT PLAN AS DESCRIBED HEREIN FOR A MULTIPLE USE, PLANNED DEVELOPMENT CONTAINING AN EIGHT STORY, 251 ROOM HOTEL INCLUDING A ROOF-TOP LOUNGE, AND ONE OUTPARCEL CONTAINING UP TO 7,500 SQUARE FEET OF RESTAURANT/OFFICE/RETAIL, AND ONE OUTPARCEL CONTAINING UP TO 7,500 SQUARE FEET OF RESTAURANT/OFFICE/RETAIL AND/OR UP TO A 126 KEY, 4 STORY HOTEL ON A 12.53 ACRE TOTAL SITE GENERALLY LOCATED AT THE NORTHEAST CORNER OF U.S. 41 NORTH AND 7TH STREET IN PALMETTO; PROVIDING FOR CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE. (PINZON PROPERTY)

Mrs. Owens explained the developer proposes to construct a full service hotel with a roof top lounge, and further develop two other outparcels with retail, office, restaurant, and/or additional hotel uses. Mrs. Owens discussed some of the stipulations that are in Ordinance No. 2018-24, and explained to the Board that what is before them is a Conceptual Development Plan, and if approved, a formal General Development Plan must be submitted within 1 (one) year or the Conceptual Plan will expire.

Chair Iaboni inquired about the parking count requirements. Mrs. Owens explained that the parking will be confirmed at the General Development phase. The Board discussed various matters including parking.

Bob Gause, representative for the applicant was present and made a brief presentation. There was no public comment.

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 Ordinances, to recommend approval with the below modification of the request for Ordinance 2018-24.

Modifications Approved:

Removal of Stipulation No. 6: All parking areas for the proposed uses must be constructed and completed prior to issuance of a certificate of occupancy for the proposed hotel and all other associated uses.

Remove Typo in Stipulation No. 10: “and” to be removed.

14. Old Business

Mrs. Owens informed the Board that during the July Planning and Zoning meeting, the Board voted to change the meeting time to 5:45PM.

15. New Business

Chair Iaboni inquired about the possibility of reviewing the City's parking requirements, specifically for shopping centers. Karla stated that the parking code as a whole needs to be reviewed.

16. Adjournment

Chair Iaboni adjourned the meeting at 7:22 PM

Minutes Approved: September 20, 2018