

Palmetto City Commission
June 20, 2005 4:00 PM

Elected Officials present:

Larry Bustle, Mayor
Brian Williams, Vice Mayor
Eric Ball, Commissioner
Tamara Cornwell, Commissioner
Mary Lancaster, Commissioner
Tambra Varnadore, Commissioner

Staff and others present:

Michele Hall, Attorney
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Diane Ponder, Deputy Clerk-Administration

Mayor Bustle called the meeting to order at 4:05 PM.

A moment of silence for overseas military personnel was observed, followed by the Pledge of Allegiance to the United States Flag.

1. APPROVAL OF WORKSHOP AGENDA

MOTION: Ms. Cornwell moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the June 20, 2005 4:00 PM agenda.

2. REPRESENTATIVE BILL GALVANO – LEGISLATIVE UPDATE

Representative Galvano updated Commission on the recent legislative accomplishments.

3. DISCUSSION – MANATEE SCHOOL FOR THE ARTS

Dr. Jones, Manatee School for the Arts, explained the school was again seeking the City's aid in approving an industrial revenue bond, which allows the issuance of a tax exempt bond to complete the school's expansion project. As in the past, the City will be not obligated in any way.

It is anticipated the project will be finished before the beginning of the next school. The eight portable buildings that were located in the parking lot have been removed, which will alleviate the traffic congestion at the school's entrance and along Haben Blvd. Mayor Bustle informed Dr. Jones the City would like to work with the school on parking issues that may be exacerbated by the project planned for the property to the west of the school, as well as open dialogue regarding a school resource officer at the school, given the approximate 1,000 student population.

The item was moved forward to the 7:00 PM agenda for action.

4. DISCUSSION OF FUNDING FOR THE APPROVED CIP

As directed at the June 6, 2005 Commission meeting, Deputy Clerk of Finance Karen Simpson reviewed the amendments staff made to the CIP; projects funded by potential non-city sources were segregated and projects totaling \$1.6 million were shifted back to calendar year 2007 and beyond. The extension of the projects reduced the debt needs to \$5.3 million from the approximate \$7 million. Mr. Free will provide Commission an anticipated debt service schedule based on a 5% interest rate. The item was moved forward to the 7:00 PM agenda for action.

5. DISCUSSION - TERRA CEIA STREET SWEEPING AGREEMENT

Mr. Lukowiak explained representatives of Palms of Terra Ceia had approached the City about the possibility of the City sweeping the CDD's internal streets. If Commission approves the proposed agreement, it will be presented to the CDD's board July 5, 2005 for their approval. Mr. Lukowiak estimates it will cost the City approximately \$3,600 per year to accommodate the request.

Ms. Varnadore commented on the residents paying full City taxes even though the development is a CDD. Discussion ensued on the internal streets being considered private since the resident's taxes paid to the CDD maintain the streets, and the public is only granted limited access.

Commission granted approval to proceed. The topic will be brought back to a subsequent Commission meeting for approval.

6. DISCUSSION - PALMETTO HISTORIC CEMETERY RESTORATION

Deputy Director of Parks Geoff Seger narrated a presentation on the Palmetto Historic Cemetery. Staff is requesting approval to allow Palmetto Christian School's Historical Service Club to participate in the maintenance and restoration project planned for the Palmetto Historic Cemetery. Restoration projects will be completed according to the Department of Interior specifications, generally by a contractor or with City staff. Members of the school's Historical Service Club will perform general maintenance at the cemetery. The City will provide the students with hand tools and necessary safety equipment.

Denise Mazer, Palmetto Christian School, explained an objective of this project is to also identify and mark all the sites in the cemetery. The children will participate in the research necessary to identify the interned and surviving family members.

The item was moved forward to the 7:00 PM agenda for action.

7. DISCUSSION – PLANNING SERVICES CONTRACTED WITH ZNS

The current budget includes the salary of the City Planner, but does not include a line item for the payment of a Planning Consultant. Staff is seeking concurrence to amend the budget by transferring the remaining budget for the City Planner salary line to a Planning Consultant line item.

Mr. Lukowiak discussed the fact the Planning Consultant is an employee of ZNS, the City's engineer, and a lot of the consultation expenses will be passed through to the developers. Commission concurred with staff's request; a budget resolution will be brought to Commission at a subsequent meeting.

Mr. Lukowiak informed the Commission three interviews for the City Planner position were held. An offer has been extended to David Dodes of Connecticut, who has expressed interest in the position. Mr. Dodes has requested to opt out of the retirement plan and to enter the position at the top of the range, \$61,775. Attorney Hall informed the Commission because this position is not a department head, the pension plan document prohibits the opt out provision. Discussion of the expertise Mr. Dodes would bring to the City in the planning area, the salary ranges of the position and options such as an individual contract resulted in Commission approving a beginning salary for Mr. Dodes of \$60,480.

Mr. Lukowiak stated if Mr. Dodes accepts the City's offer he would be able to begin the first of July, thereby negating the need to submit a budget resolution amending the City Planner salary line item.

8. GENERAL DISCUSSION

Ms. Cornwell suggested the City should contact Southwest Florida Water Management District or Manatee High School regarding obtaining bracelets for distribution to the youth of the City.

Mayor Bustle discussed the Manatee County Water Agreement the City recently approved. The County Commission passed the contract but amended the portion discussing the City's two million gallon per day threshold by adding "subject to availability" should the City request additional gallons. He opined that if the City pays for water through the collection and remittance of the facility investment fees, additional water should not be based on someone's "definition of availability". He informed the Commission he is researching historical documents to locate the original water agreement, as he has been told the construction of the dam was dependent upon Palmetto's cooperation in a bond issue and the City's agreement to discontinue its wells.

Attorney Hall discussed viewing an METV telecast covering a presentation by John Zimmerman to the County Commission, during which Mr. Zimmerman stated Manatee County would be able to meet peak water demands for the next twenty years. Mayor Bustle voiced concern that in the absence of a charter government, Manatee County could control development in Palmetto by withholding water. Attorney Hall speculated the County Commission may have a different opinion of the water availability issue after hearing Mr. Zimmerman's presentation. Mayor Bustle suggested it may be easier for the City Commission to suggest to the County Commission that the water contract would be approved as amended, provided language is added ensuring any criteria would be applied equally for Manatee County subscribers. Attorney Hall suggested the Commission may also consider amending the contract to allow an increase in the threshold amount of water provided per day before "subject to availability" would become applicable. It was consensus of the Commission to allow the Mayor and staff to pursue a new proposal to resolve the issue.

9. DISCUSSION – RIVERWALK EAST GDP

CRA Executive Director Tanya Lukowiak identified the Riverwalk project planned for the parcel of land located on the east side of Haben Blvd in front of Manatee School for the Arts. Planning and Zoning reviewed the general develop plan and granted approval, but P&Z Chairman Ugarte had a number of concerns with the proposed project and dissented. A meeting was held with the Mayor, the developer and staff to discuss concerns voiced at the P&Z meeting and staff's concerns. The applicant requested he be allowed to amend the plan to incorporate some of staff's recommendations and present it to the Commission prior to the public meeting scheduled for July 18, 2005. The modified plan before Commission is a result of that meeting.

Ms. Lukowiak explained the original plan approved by P&Z had the same elevation as the modified plan, except that the housing units were separated by a small space (seven feet). Staff felt if the units were joined, more green space would be available. Staff also felt a greater setback from Haben Blvd. was necessary to provide for a safer pedestrian environment enhanced by canopy trees and landscaping buffers from the traffic. Another concern of staff was the internal walkways that had no destination. Staff requested the amenities of the project be moved to an area with a greater concentration of homes and realign the sidewalks so residents can reach the amenities by foot. The developer also realigned the project's driveway to an area further away from a potential future signal or roundabout on Haben Blvd.

Ms. McCann entered the meeting and apologized for not having the materials ready for Commission, stating she understood the modified plan would not be presented until after the DRC review. She confirmed P&Z approved the original drawing for the project at its last meeting. Attorney Hall explained there were concerns significant enough from the Mayor and staff that would probably have resulted in a recommendation to deny approval. Rather than begin the process anew, the developer chose to work with staff in the interim to amend the plan and bring a

modified plan to Commission at a workshop prior to the public hearing. If Commission chooses, they can direct that the proposed changes to the plan be made.

Bruce Danielson of Bellaire Capital Group, developers of the property, reviewed the modified plan as follows:

- The same footprint and exterior elevations of the homes were kept; the modification was the units were attached and clustered in 2, 3 or 4 unit, fee simple townhomes.
- The streets and sidewalks were realigned, which accomplished in a more open layout that created more green space.
- The amenity feature was moved north to allow easier access.
- The southern entrance was moved 15 feet to the north.

The homes are approximately 3,000 square feet and will be sold at a starting price of \$369,000. There will be an air space and fire rated wall between the units.

Ms. McCann confirmed the P&Z Board has not been presented the modified plan. Attorney Hall explained this review is as if Commission were reviewing the original plan and voiced concerns; the only difference is the modified plan is before Commission reflecting changes requested by staff. The next step is for Commission to approve or disapprove the modified plan. If Commission wishes further changes, they would be made and be brought back at the second reading and public hearing July 18, 2005; it would not go back to P&Z.

Commission expressed some discomfort in the fact the entire P&Z Board has not had the chance to review the modified plan that was created because of one dissenting vote. Mr. Lukowiak explained staff agreed with some of the concerns discussed at the P&Z review, and had also voiced additional concerns. He further explained that because the developer has been accommodating and in the interest of time, the modified plan was being presented to Commission at the workshop. Attorney Hall explained bringing the modified plan to Commission at this workshop would be as if they were reviewing it at a second reading and public hearing, they could direct certain amendments be made or remand it back to the P&Z Board; this review was not meant to circumvent the P&Z Board's review. Ms. Lukowiak explained staff was trying to negate the need to remand the project back to P&Z, thereby beginning the review process again with a first reading and further delaying the project.

Several Commissioners maintained the P&Z Board should at least be afforded a review of the modified plan or notified of the changes on the modified plan. Attorney Hall suggested that Ms. McCann should include an information topic on the July 11, 2005 P&Z Board meeting agenda so the P&Z Board members can be notified of the modifications to the plan they approved. Attachments to the agenda topic should include draft minutes of this Commission workshop meeting and the documents provided Commission for review. Ms. McCann should solicit informal comments from the board members regarding the modified plan and submit those comments in her staff report on the topic in the July 18, 2005 City Commission agenda packet. P&Z Board members should also be advised they may submit written comments or personally comment on the modified plan during the July 18, 2005 public hearing.

When questioned if the roads accommodate fire and safety vehicles, Mr. Danielson stated no changes, other than reducing the total length of roads were made to the roads on the modified plan. Mr. Lukowiak confirmed North River Fire approved the roads of the original plan during DRC review. The modified plan will be reviewed by DRC before the public hearing July 18, 2005.

Mr. Danielson discussed the proposed fencing of the project. He informed Commission the ponds will be fenced if necessary.

The visitor parking is meant for the amenities. Each unit has a garage and will accommodate visitor parking.

Attorney Hall advised the Commission the applicant requests conceptual acceptance of the modified plan so the project can move forward to the DRC construction drawing approval stage, and allow the presentation of the modified plan at the July 18, 2005 second reading and public hearing. In the interim staff will solicit informal comments from the P&Z Board for submission in the July 18, 2005 City Commission agenda packet. Commission concurred with Attorney Hall's request.

Meeting adjourned at 6:05 PM.

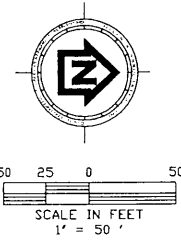
Minutes approved: July 18, 2005

J. E. Free, Jr.
City Clerk



Diane Ponder
Deputy Clerk-Administration

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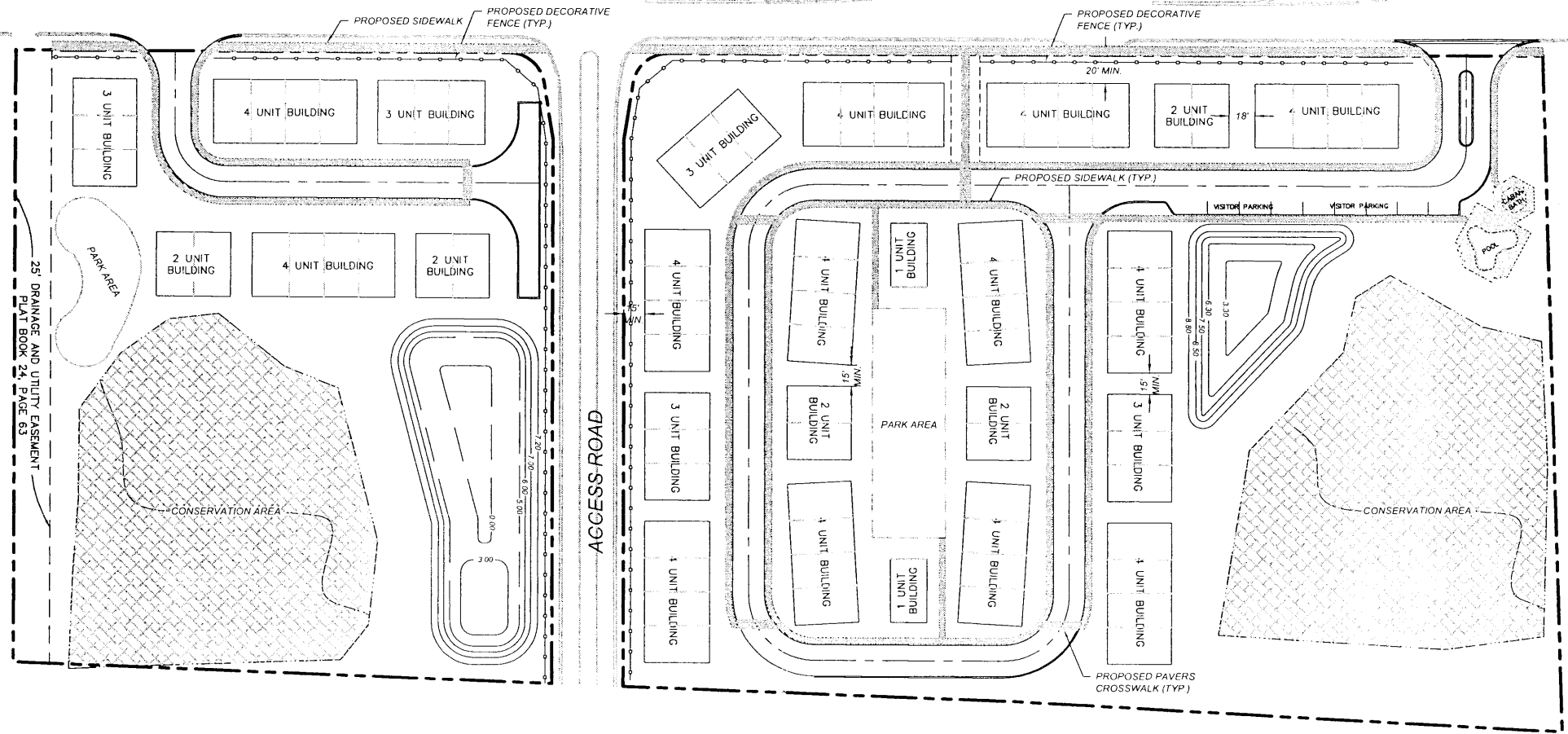


SITE DATA

GENERAL INFORMATION

NAME OF DEVELOPMENT	RIVIERA WALK EAST
SECTION / TOWNSHIP / RANGE	13 / 34S / 17E
TOTAL GROSS AREA	±10.69 AC.
TOTAL NET AREA	±9.148 AC. (UPLAND AREA)
GROSS RESIDENTIAL DENSITY	8.64 (79 UNITS / 9.148 AC.)
DEVELOPMENT SCHEDULE	START DATE : AUGUST 2005 END DATE : DECEMBER 2005

HABEN BOULEVARD



VARIANCE NOTES:

1. DEVELOPER REQUESTING VARIANCE FROM THE 35 FOOT PERIMETER LANDSCAPE SETBACK TO 20 FEET OFF HABEN BLVD. AND 15 FEET OFF PRIVATE DRIVE
2. DEVELOPER REQUESTING VARIANCE FROM THE REQUIRED BUILDING SETBACK OF 25 FEET FROM WALL BETWEEN STRUCTURES TO 15 FEET.
3. DEVELOPER REQUESTING VARIANCE FROM THE REQUIRED PUBLIC OR PRIVATE RIGHT-OF-WAY SETBACK OF 35 FEET TO 20 FEET OFF HABEN BLVD. AND 15 FEET OFF THE PRIVATE DRIVE.

*** PROPOSED DENSITY**

TOTAL GROSS AREA ± 10.70 (8.63 ACRES UPLAND + 2.07 ACRES WETLAND)
 ± 0.01 ACRES WETLANDS ± 0.25 WETLAND TRANSFER + 0.518 WETLAND AC. TRANSFER
 8.63 ACRES UPLAND + 0.518 WETLAND ACRES TRANSFER = 9.148 NET ACRES
 PROPOSED DENSITY = 79 DU / 9.148 AC. = 8.64 DU/AC

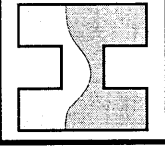
EXISTING DENSITY:

(SURROUNDING RESIDENTIAL DEVELOPMENTS)
 THE HAMMOCKS = 4.6 DU/AC
 COLONIAL / PALM BAY MHP = 10 DU/AC
 REHABILITATION CENTER = 16 DU/AC
 AVERAGE EXISTING DENSITY = 10.20 DU/AC

25' DRAINAGE AND UTILITY EASEMENT
 PLAT BOOK 24, PAGE 63

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REVISIONS: ORIGINAL: 04/28/2004

PROJECT NAME: **RIVIERA WALK EAST**
 City of Palmetto, Florida

SHEET TITLE: **OVERALL SITE PLAN**

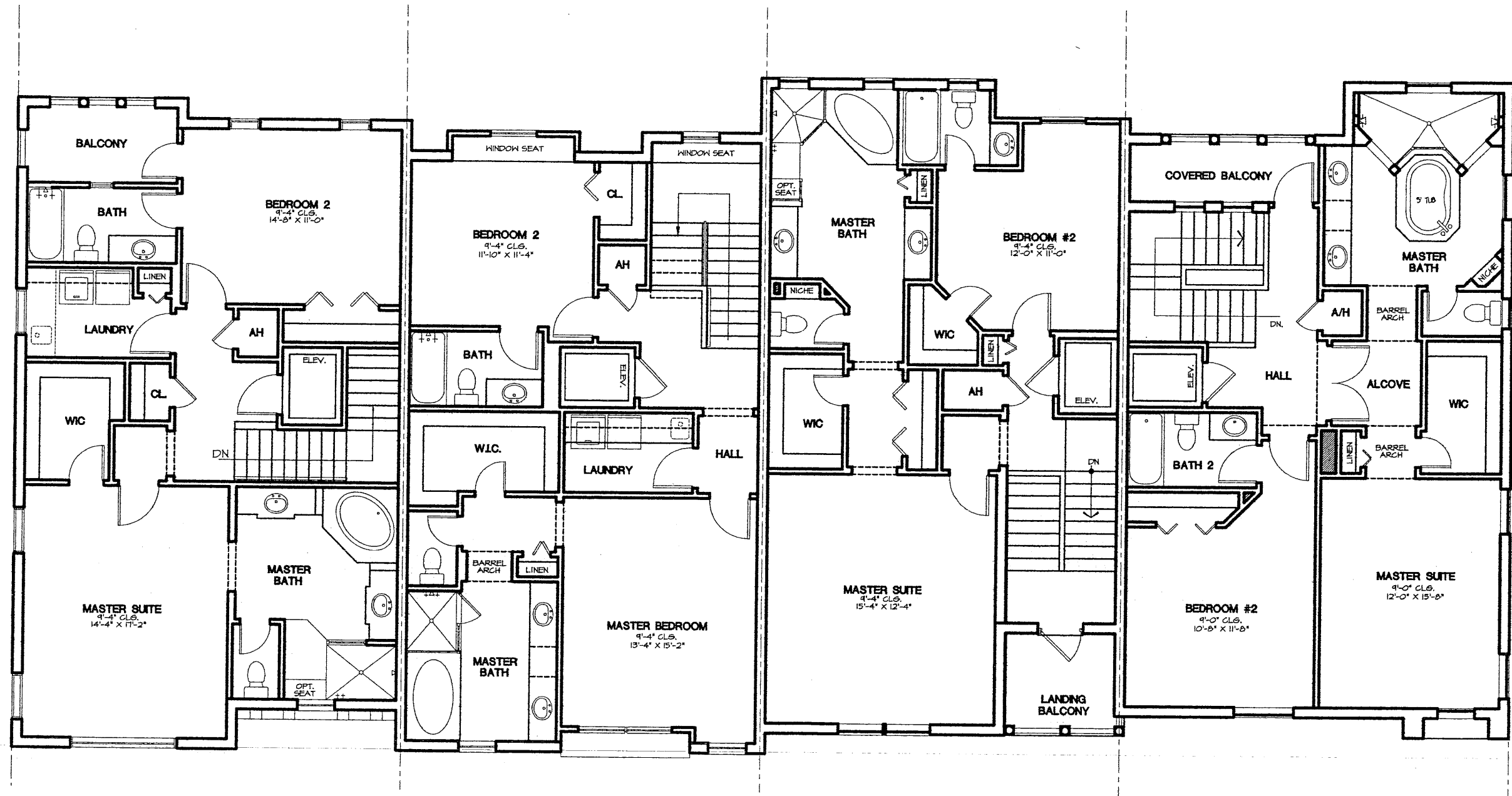
PREPARED FOR: **BELLEAIR CAPITAL GROUP, INC.**
 ADDRESS: P.O. BOX 514
 INDIAN ROCKS BEACH, FL. 33785
 TEL: (727) 461-7653

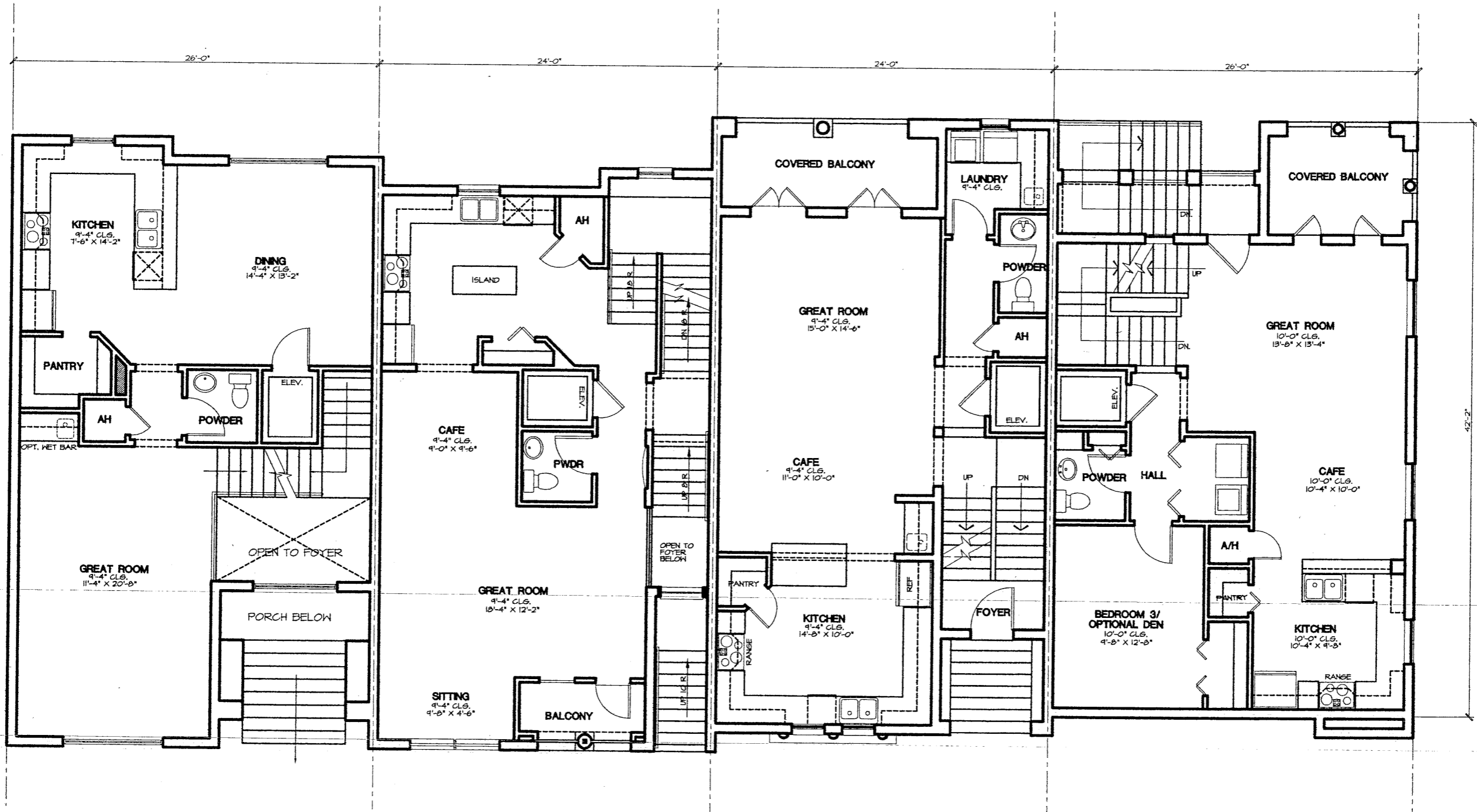
JOB # 2003-0188
 DRAWN I.D.U.
 DESIGNED I.D.U.
 CHECKED J.S.H.

SHEET **1**









KITCHEN
9'-4" CLS.
7'-6" X 14'-2"

DINING
9'-4" CLS.
14'-4" X 13'-2"

PANTRY

POWDER

AH

OPT. WET BAR

GREAT ROOM
9'-4" CLS.
11'-4" X 20'-8"

OPEN TO FOYER

PORCH BELOW

CAFE
9'-4" CLS.
9'-0" X 9'-6"

PWDR

GREAT ROOM
9'-4" CLS.
15'-4" X 12'-2"

SITTING
9'-4" CLS.
9'-8" X 4'-6"

BALCONY

COVERED BALCONY

GREAT ROOM
9'-4" CLS.
13'-0" X 14'-6"

CAFE
9'-4" CLS.
11'-0" X 10'-0"

PANTRY

KITCHEN
9'-4" CLS.
14'-8" X 10'-0"

LAUNDRY
9'-4" CLS.

POWDER

AH

ELEV.

UP

DN

FOYER

BEDROOM 3/
OPTIONAL DEN
10'-0" CLS.
9'-8" X 12'-8"

PANTRY

KITCHEN
10'-0" CLS.
10'-4" X 9'-8"

RANGE

POWDER HALL

AH

CAFE
10'-0" CLS.
10'-4" X 10'-0"

GREAT ROOM
10'-0" CLS.
13'-8" X 13'-4"

COVERED BALCONY

42'-2"

