

Palmetto City Commission
October 25, 2004 7:00 PM

Elected Officials present:

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

Staff and others present:

Attorney Michele Hall
Chief Garry Lowe
Chris Lukowiak, Public Works Director
Jessica McCann, Planner
Diane Ponder, Administrative Assistant

Mayor Bustle called the meeting to order at 7:00 pm.

Commissioner Lancaster gave an invocation followed by the Pledge of Allegiance to the United States Flag.

1) APPROVAL OF AGENDA

MOTION: Mr. Ball moved, Mrs. Lancaster seconded and motion carried 5-0 to approve the October 25, 2004 7:00 p.m. agenda.

Mr. Williams inquired if Resolution No. 04-73 approved October 18, 2004 could be amended to correct a scrivener's error to include an additional polling place, or did the City have to adopt a new Resolution. The item was added to the agenda as a discussion item.

Motion on the floor carried 5-0.

Resolution No. 04-73 was approved contingent upon the Supervisor of Elections supplying the correct polling information. The executed Resolution No. 04-73 contained a typographical error; Palmetto Youth Center was inadvertently left out of the body of the Resolution. Attorney Hall advised the City could amend the Resolution to reflect the correct polling places in the City.

Before entering review and discussion of the following proposed ordinances, Planner Jessica McCann reviewed the Comp Plan amendment process with the Commission. The Department of Community Affairs has reviewed the following proposed Comp Plan amendments and submitted to the City its Objections, Recommendations and Comments (ORC) Report. Ms. McCann informed the Commission the ORC for the two proposed amendments was received by the City on August 27, 2004, with a response due within 60 days. The four objections cited by the ORC are interrelated for both proposed amendments, citing better maps, delineation of the Coastal High Hazard Area (CHHA) and its proposed density and environmental issues. The City Commission must now consider the petitions for the Comp Plan amendments.

2) PUBLIC HEARING - ORDINANCE NO. 04-811

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 624, AS AMENDED BY ORDINANCE 01-702; MAKING CERTAIN FINDINGS OF FACT; AMENDING THE FUTURE LAND USE ELEMENT, INCLUDING THE FUTURE LAND USE MAP; PROVIDING DATA AND ANALYSIS; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN

EFFECTIVE DATE. (PA04-01 Palmetto II, L.P. PID #1015725059, 1015710059 approx. 211 Acres)

Ms. McCann stated Palmetto II, LP property containing 211 acres has petitioned the City for an amendment to the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan from the current Manatee County designations to the City of Palmetto designation of Planned Development (PD).

Ms. McCann summarized the City's response to the ORC as follows:

- The City's Comp Plan allows 1,574 units; gross density is projected at 7.46 units per acre, with only 106 units allowed in the CHHA. Ms. McCann stated the units do not exceed what was permitted by Manatee County for the CHHA. The developer has agreed that they will not exceed 1,194 units as allowed under Manatee County's Comp Plan.
- Environmental issues, including an ecological survey have been addressed. The Commission may require an archeological survey and endangered species survey at the time of development. The developer has indicated an endangered species survey has been completed.
- The proposed total units will not adversely affect the level of service on Highway 301.

Mayor Bustle opened the public hearing.

Attorney Steven Thompson, representing the developer, stated the density of the project is basically the same as when the property was located in Manatee County; the developer is not suggesting a change in density or land use. He stated this item is the first step in the development process and the Commission would consider approval of a site plan at a future date.

Mayor Bustle closed the public hearing.

MOTION: Mr. Ball moved, Mr. Williams seconded and the motion carried 5-0 to adopt City of Palmetto Ordinance 04-811 (PA0401), based upon the evidence presented, comments made at the public hearing, the technical support document, and a finding by staff and the Planning and Zoning Board that the request is consistent with provisions of Chapter 163 Florida Statutes, Chapter 9J-5 Florida Administrative Code, and the City of Palmetto Comprehensive Plan.

3) PUBLIC HEARING - ORDINANCE NO. 04-815

AN ORDINANCE OF THE CITY OF PALMETTO, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, ORDINANCE 624, AS AMENDED BY ORDINANCE 01-702; MAKING CERTAIN FINDINGS OF FACT; AMENDING THE FUTURE LAND USE ELEMENT, INCLUDING THE FUTURE LAND USE MAP; PROVIDING DATA AND ANALYSIS; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Manatee Fruit Company PA-0402, PID #23863.0000/4; 23868.0000/3, 24233.0012/9, approx. 323.9 acres)

Ms. McCann stated Manatee Fruit Company property containing 323 acres has petitioned the City for an amendment to the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan from the current Manatee County designations to the City of Palmetto designation of Planned Development (PD).

Ms. McCann summarized the City's response to the ORC as follows:

- The City's Comp Plan allows 1,652 units; gross density is projected at 5.4 units per acre, with only 559 units allowed in the CHHA. Ms. McCann stated when the development plan is submitted for approval the total density will be reduced to a density of 1,535 to comply with the ACCORD. The City will hold density in the CHHA to what would have been permitted by Manatee County. Ms. McCann confirmed the total units surpassed what would have been allowed by Manatee County due to the fact the City must calculate density based on the criteria set forth in the City's Comp Plan.
- Environmental issues, including an ecological survey have been addressed. The Commission may require an archeological survey and endangered species survey at the time of development. The developer has indicated an endangered species survey has been completed.

Ms. McCann informed the Commission that when a development plan is received Manatee County will be consulted to ensure agreement regarding density in the CHHA as well as stipulations in the ACCORD.

Mayor Bustle opened the public hearing.

Attorney Caleb Grimes, representing Manatee Fruit Company, also spoke of the Comp Plan amendment. He stated his opinion the only land use designation the City can place on the project is Planned Development.

Mayor Bustle closed the public hearing.

MOTION: Mr. Williams moved, Mrs. Lancaster seconded and motion carried 5-0 to adopt City of Palmetto Ordinance 04-815 (PA0402), based upon the evidence presented, comments made at the public hearing, the technical support document, and a finding by staff and the Planning and Zoning Board that the request is consistent with provisions of Chapter 163 Florida Statutes, Chapter 9J-5 Florida Administrative Code, and the City of Palmetto Comprehensive Plan.

Ms. McCann thanked the Commission for the approval of the GIS equipment that created the maps contained in the agenda packet.

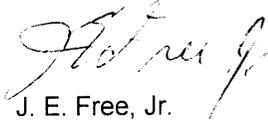
4) COMMISSIONERS' COMMENTS

Mrs. Lancaster

Thanked Mayor Bustle for quickly addressing the voting scam in her ward. His quick response allowed the item to be brought to the attention of the public through the media.

Meeting adjourned at 7:30 pm.

Minutes approved: November 1, 2004


J. E. Free, Jr.
City Clerk