Elected Officials Present:
Larry Bustle, Mayor
Mary Lancaster, Vice Mayor
Shirley Bryant, Council Member
Tamara Cornwell, Council Member
Charlie Grace, Council Member
Brian Williams, Council Member

Staff and others present:
Alan Prather, City Attorney
Karen A. Conlon, City Clerk
Chief Garry Lowe, Palmetto Police Department
Mike Hickey, Public Works Director

Mayor Bustle called the meeting to order at 4:00 p.m.

Pastor Margaret Reed, Drive-In United Methodist Church, gave the invocation followed by the pledge of allegiance to the United States flag.

Mayor Bustle presented a Certificate of Commendation to the City of Palmetto Sanitation Department for its dedicated service.

1. APPROVAL OF AGENDA

   MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to approve the April 8, 2002 agenda.

2. ACCORD
Ms. Bryant commented on the second sentence of the annexation portion of the document. Attorney Prather explained his understanding of the verbiage, stating a more explicit statement would be appropriate. Attorney Williams will be contacted for correction.

Mayor Bustle discussed the City’s representation on the joint planning commission as well as representation on Imagine Manatee, who shall be an elected official. Mayor Bustle expressed his opinion the City should appoint two different individuals as representatives on the two boards.
Mayor Bustle informed Council the ACCORD would be on the April 15, 2002 agenda for approval. Attorney Prather discussed the agreement to abide by concerning annexations after the ACCORD is formalized. The interlocal agreements will be drafted within 60 days of the ACCORD's approval.

Mayor Bustle informed Council a proposed resolution will be brought to them for approval endorsing the School Board’s request for a one-half cent sales tax.

3. RIVERSIDE PLAZA
Alan Zirkelbach informed Council a third party appraiser has been enlisted to appraise the parking lot, the property being discussed in the land exchange. Mr. Zirkelbach also discussed restrictions in the deed relating to the parking lot. Attorney Prather will discuss the document with Attorney Walters.

Mr. Zirkelbach discussed the property being exchanged. The value of the City’s parcel of land was appraised at $9 per square foot or $291,000.00. The value of the Waygood property was appraised at $8.65 per square foot or $292,000.00. A copy of the appraisal information from Realty Appraisal Services of Southwest Florida, Inc. is attached hereto and made a part of these minutes.

Carolyn Waygood, president of Waygood Marine discussed the project timeline, stating the plan called for the project to be up and running within 12 months from April 2002. Mrs. Waygood informed Council they had been presented with two other options located in Sarasota, on land that typically sells in a six-week period.

Mrs. Waygood discussed the preference of developing the land in Palmetto, stating the firm is willing to work with the City in the development of the project. Mrs. Waygood stated the Waygood Marine is seeking an indication from City Council they favor the land swap and project, and if not, indicate disfavor now.

Council discussed the steps that would have to be accomplished by City boards before Council can consider taking a vote on the project. CRA Chairman Langford indicated his favor of the project. Tanya Lukowiak stated that in general conversation with all the CRA board members, she felt there was a consensus for the project among the board members. Mrs. Lukowiak stated she would recommend the project to her board.

Mr. Zirkelbach encouraged the Council Members to individually contact the principals of Waygood Marine with their issues as well as any positive opinions.

Mrs. Tusing discussed the information contained in her memo relating to the parking issue. A copy of the memo is attached hereto and made a part of these minutes. Mrs. Tusing discussed the cooperation the developers has shown the City so far in the planning portion of the project.
Resident Bob Gerring stated his support of the project.

Mrs. Lancaster spoke in support of the project; Ms. Bryant commented she had received no comment from the community; Mr. Grace stated support of the project, not guaranteeing his vote; Ms. Cornwell commented the City has committed staff to work on the project; Mr. Williams encouraged the development team to speak with the condominium association.

4. JOINT VISIONARY DISCUSSION
Planning & Zoning board members Lynn Toombs and Charlie Ugarte and CRA board members Scott Maloney, Cynthia Fobbs, Alan Langford, Alan Zirkelbach, C.J. Czaia and Director Tanya Lukowiak were present for the joint visionary discussion.

Mayor Bustle introduced Russ Kitching, the facilitator for the joint visioning process. He discussed the components involved in a visionary plan.

Council Members, Planning & Zoning board members and the CRA board members listed the following as projects to work on in the next five years:

- Roads; infrastructure and its supporting services
- Lighting
- Garbage
- Benches
- Safety for foot & bike traffic; sidewalks on every street
- Reduce and improve blight-residential & commercial; raise minimum standards; expand code enforcement
- Diversity
- Continuity in architectural construction
- Beautification, curb appeal
- Travel corridors; 17th Street
- Traffic calming on 8th Avenue; stop light at Riverside Drive
- Housing; eliminate neighborhoods becoming nothing but duplexes; curb rentals; mixed affordable housing; neighborhood development
- Control and enforce zoning; performance based zoning district
- Uniform signage
- Schools
- Historic preservation & enhancement
- Recreation areas

Mr. Hickey discussed public works projects that will be completed in the next six months. Mayor Bustle discussed the light at 7th Street and US 41/301.
Mr. Kitching discussed the necessity a developing a priority list for projects that can be completed in the next 12 months as follows:

- Developing the Historic District as a destination point in the City
- Develop a plan for additional traffic lights
- Increase and enforce the City’s minimum standards

Mr. Czaia discussed the areas of the City that have been neglected as a higher priority. Ms. Fobbs stated the agriculture community issue needed to be addressed as a separate issue.

Discussion ensued on addressing the topics of the performance based zoning, minimum standards and code enforcement’s ability to enforce the standards, the paint and sign ordinances, and grants to pursue to help fund the projects.

Mayor Bustle stated that after committees have met and submitted recommendations it would be appropriate to have another joint meeting to further define the City’s short and long-term plans.

5. PUBLIC COMMENT
Mr. William McMillan spoke of the good ideas discussed at the meeting, stating he hoped Council and the City boards won’t let them disappear.

Meeting adjourned at 7:00 p.m.

Minutes approved: May 6, 2002

Karen A. Conlon
City Clerk
Waygood Marine Enterprises, Inc.

City Council Meeting
April 8th, 2002
Proposal of Land Swap for "Riverside Plaza"
PROJECT OVERVIEW “Riverside Plaza”

Site: Riverside Drive, Palmetto FL 34221
Description: approx. 40,000 sqft. of upscale commercial & retail space, anchored by a 15,000 sqft. Wellness Studio & Day Spa (EVOLVE)

1. Overview

The plaza is expected to be an upscale commercial & professional center comprised of about 40,000 sqft. The early stages of the design emphasize pedestrian-friendly areas, preservation of the environment, and an architectural design that complements the existing structures on the Palmetto waterfront skyline.

One of the project’s goals is to increase foot traffic along the Palmetto waterfront, and create a destination for the community.

The wellness studio (the proposed anchor store) will incorporate the services of a fitness facility, a day spa and other services that help people achieve a healthier, more well-balanced lifestyle. It’s expected to be about 15,000 square feet, and will be built to take advantage of the downtown waterfront views.

2. Design

The initial designs of the plaza are centered around inviting more foot-traffic to the Palmetto waterfront. The building(s) will be surrounded by open space and common areas where the community can relax and enjoy the activity of the downtown, as well as the view of the water. The plaza structure(s) will be designed to complement the architecture of the existing structures located on Riverside Drive. The footprint of the plaza is taking into consideration the existing trees on the property, and Waygood Marine is attempting to save some of the older trees that currently need a lot of care. Since one of their goals is to improve the ambiance of the downtown Palmetto waterfront, green space is very important to the developers.
3. Importance of Project

- For the City: Improvement of downtown waterfront district, increase in foot traffic along with addition of pedestrian-friendly spaces, increase in revenue for local businesses due to increase in customers being attracted to the area, additional jobs for the community, additional taxes for the city.

- For WME: An opportunity to positively impact our community, to provide more services locally and draw business back into the city of Palmetto, to provide a location where the community can enjoy Palmetto's waterfront, to help build a pedestrian center in our downtown that draws the entire family, to provide a facility where existing businesses might expand and flourish, and to provide a forum where the community can learn and practice a healthy, well-balanced life.
Memo

To: Mayor and City Council
From: Margaret C. Tusing, City Planner/Zoning Administrator
CC: Waygood Marine Enterprises, Inc.; Alan Zirkebach
Date: April 8, 2002
Re: Riverside Plaza

As requested during the April 1, 2002 presentation for the above referenced property, I have been working with the project team to respond to several issues raised with respect to the exchange of property. The following are my response and recommendation.

1. The proposed exchange of property between the City and Waygood Marine Enterprises will result in no net loss of parking spaces. This condition will be met during the review of the General Development Plan. Assuming that the calculations provided by the developer in the April 1, 2002 handout are correct, the following calculations show that the number of parking spaces will increase.

   Existing Spaces (City Lot): 77 spaces
   On-Street Parking: 13 spaces
   TOTAL EXISTING 90 spaces
   
   Required Project Parking: 100 spaces (40,000 sq.ft. building with a parking ratio of 1 space/400 square feet)
   TOTAL REQUIRED PARKING: 190 spaces
   PROPOSED NUMBER: 206 spaces
   NET INCREASE: 16 spaces

2. All costs incurred with the removal and replacement of the existing parking lot and on-street parking and the construction of the required new parking area and the restriping/reconfiguration of the on-street parking shall be the responsibility of the developer.

3. The value of the City-owned property is __________ per square foot. The value of the Waygood Marine Enterprises, Inc. property is __________ per square foot. As shown, there is no loss of value to the City.
4. The City Attorney has reviewed the proposal for property exchange and has stated that it can be done. The property proposed for exchange is not being declared as surplus, therefore, the bidding provisions of that portion of the Code do not apply.

5. The deed for the city parking lot contains a clause that effectively prevents any development by the City on the property of anything other than a paved parking lot. If the City wanted to sell the property the same constraints would apply to the new owner; nothing but a parking lot. About the only other possibility for a development proposal would be if the property owner just north of the parking lot were to come forward with a proposal that would involve the parking lot. The same deed restriction would exist and in order for that development proposal to move forward, the owner of the Regatta Pointe Marina would have to agree to the development proposal.

6. Unfortunately, the days of convenient boat trailer parking on the vacant lot are gone. The property has been sold and the developer can put any conforming structures on the property. The City is aware of a need for boat trailer parking and will attempt to solve this problem but separate from the proposed Riverside Plaza.

7. We must face the fact that development will come. Our choices are to just let development happen within the existing framework or we can be proactive and recognize the long-term advantages to not only the developer, but to the City as well, of a project that creates a pedestrian environment and uses the existing property to its full potential. In the case of the Riverside Plaza, it would seem that the proposed layout of the project along Riverside Drive, with parking in the rear, meets the objective of designing for the pedestrian.

I trust that the information contained herein, and the knowledge that your staff will work diligently to ensure that the public interest is maintained, will allow you to endorse the idea of the land exchange.
April 6, 2002

Mr. Alan Zirkelbach  
Zirkelbach Construction  
1415 10th Street West  
Palmetto, Fl. 34221

Re: Executive Summary-Consultation  
Waygood Marine-City of Palmetto Properties  
Riverside Drive  
Palmetto, Florida

Dear Mr. Zirkelbach:

Per your request, we have preformed a consultation report on the above captioned properties. You requested that we consider the values of two tracts of land involved in a possible swap involving Waygood Marine and the City of Palmetto. We have labeled the Waygood property as parcel # 1 and the City of Palmetto property as parcel # 2. We will discuss each of the properties separately in detail, but generally they are adjacent properties on the north side of Riverside Drive, across from the waterfront along the south side of Riverside Drive. Neither property is considered waterfront property, as alluded to in an April 2, 2002 article in the Sarasota Herald-Tribune. However, both properties have limited views of the Manatee River.

PARCEL # 1:

The property that is Parcel # 1 in this report is a 32,595 sf tract of land located on the west side of 9th Avenue West, north of Riverside Drive in the City of Palmetto, FL. This property is generally rectangular in shape and zoned CC, Core Commercial District in the City of Palmetto. The property is presently vacant land covered with a variety of native growth. This property was originally a part of the Regatta Pointe Development, but never developed. This site is an interior site with adequate street frontage, and there are no deed restrictions that would impede development to a higher use.

The zoning on the property will permit development of the property in a variety of ways, and the core commercial zoning district allows considerable flexibility in property usage.
PARCEL #2:

The property that is Parcel #2 in this report is a 32,292 square foot tract of land located on the north side of Riverside Drive at the northeast corner 10th Avenue West, in the City of Palmetto, FL. This property is generally rectangular in shape and zoned for public use in the City of Palmetto. The property is presently vacant land covered with a variety of parking lot improvements. This property was originally a part of the Regatta Pointe Development, but never developed, and was transferred to the City of Palmetto from the Palmetto Wharf Company (developers of Regatta Pointe) in April 1988. This site is a corner site with adequate street frontage, but there is a deed restriction that limits the use of the property to a free, public parking facility, for use by the adjoining property owners.

This deed restriction states “no building or other improvements other than the aforementioned parking facility” may be erected on the property. As a free parking lot, this property brings the City of Palmetto no revenues, but the City is responsible for continued maintenance on the parking facility. This deed restriction is a negative factor in estimating the market value of this tract as it, in effect, limits the Highest & Best Use of this property to a free parking lot facility.

VALUATION ANALYSIS:

The value of parcels #1 & #2 has been estimated using the Sales Comparison Approach to value. This is considered the only applicable valuation approach to the valuation of vacant commercial sites.

The Sales Comparison Approach is supported by 5 sales of vacant commercial properties in the general City of Palmetto area. The sales are charted on a spreadsheet and adjusted in an adjustment grid that is attached to this letter. We have utilized a corner adjustment factor of 5%, and an adjustment for the deed restriction of 5%. Logically, one would assume that the deed restriction would be a much higher adjustment. However, as these are the only significant factors of adjustment, other than size, between the two parcels, we decided to keep the adjustments consistent.

PARCEL #1

The five sales indicate an adjusted value range of $199,261 to $353,063, and we have correlated at an estimated value, via the Sales Comparison Approach, as of April 2, 2002 of $8.65/sf or:

$292,000.00
PARCEL # 2

The five sales indicate an adjusted value range of $199,940 to $352,823, and we have correlated at an estimated value, via the Sales Comparison Approach, as of April 2, 2002 of $9.00/sf or:

$291,000.00

Based on the above analysis and conclusions, it is our considered opinion that the parcels are almost equal in value. Parcel # 2, because of the deed restriction for use restricted to a free parking lot is slightly lower in value compared to parcel # 1. Please note that we have not accorded any value to the parking lot improvements on parcel # 2, as it is our understanding that Waygood Marine Enterprises would construct new parking lot improvements on parcel # 1 for the City of Palmetto, if the land swap were consummated. The new parking lot on parcel # 1 would result in an increase of 34 more parking spaces than were on the parking lot area on parcel # 2 that is involved in the proposed swap.

We have attached the Comparable spreadsheets and adjustment grids for your convenience. We have also attached pertinent maps and documents that relate to the parcels discussed in this analysis.

It is a pleasure to be of service and should any questions arise, please don’t hesitate to contact us.

Sincerely,

Gerald O. Russell, President
St. Cert. Gen. R.E.A. RZ 0001616
### COMMERCIAL LAND SALES
**PALMETTO, FLORIDA**

<table>
<thead>
<tr>
<th>SALE #</th>
<th>LOCATION</th>
<th>ZONING</th>
<th>SALE DATE</th>
<th>SALE PRICE</th>
<th>S.F./LAND</th>
<th>$/S.F./LAND</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>1401 8th Avenue W.</td>
<td>CG</td>
<td>11/1/01</td>
<td>$100,000</td>
<td>18,000</td>
<td>$5.6</td>
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<td>2</td>
<td>208 US 41 N.</td>
<td>PD-MU</td>
<td>11/27/01</td>
<td>$1,860,000</td>
<td>46,900</td>
<td>$39.6</td>
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<td>3</td>
<td>417 7th Avenue W.</td>
<td>RM-6</td>
<td>5/21/99</td>
<td>$72,000</td>
<td>15,470</td>
<td>$4.6</td>
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<td>936 8th Avenue W.</td>
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<td>12/14/99</td>
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<td>54,260</td>
<td>$16.3</td>
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<tr>
<td>5</td>
<td>908 Riverside Drive</td>
<td>CC</td>
<td>2/26/02</td>
<td>$537,900</td>
<td>75,600</td>
<td>$7.1</td>
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# LAND SALES ADJUSTMENT GRID

**Waygood Marine Enterprises**  
908 Riverside Drive

<table>
<thead>
<tr>
<th>PROPERTY</th>
<th>SUBJECT</th>
<th>SALES</th>
<th>LS #1</th>
<th>LS #2</th>
<th>LS #3</th>
<th>LS #4</th>
<th>LS #5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of valuation/Sale</td>
<td>Apr-02</td>
<td></td>
<td>Nov-01</td>
<td>Nov-01</td>
<td>May-99</td>
<td>Dec-99</td>
<td>Feb-02</td>
</tr>
<tr>
<td>CEV / Price</td>
<td>$100,000.00</td>
<td>$1,860,000.00</td>
<td>$72,000.00</td>
<td>$886,000.00</td>
<td>$537,900.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land/Square Feet</td>
<td>32,595.00</td>
<td>46,900.00</td>
<td>15,470.00</td>
<td>54,260.00</td>
<td>75,600.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| COMPARISONS: |       |       |       |       |       |
| Number of Months | 6  | 6  | 35  | 28  | 2  |
| Time Adjustment/Year | Varies | 1.00 | 1.00 | 1.03 | 1.03 | 1.00 |
| Time Compared Price | $5.56 | $39.66 | $4.79 | $16.82 | $7.12 |

| Location: | 9th Ave. W., N.of Riverside Dr. | 1.35 | 0.50 | 1.50 | 0.90 | 1.00 |
| Land Size - Square Feet | 32,595 sf | 0.78 | 1.15 | 0.76 | 1.20 | 1.28 |
| Road Frontage: | Adequate | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Utilities: | All | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Zoning: | CC, Core Commercial | 1.10 | 1.00 | 1.50 | 1.10 | 1.00 |
| Utility: | Average | 1.00 | 0.50 | 1.00 | 0.50 | 1.00 |
| Corner Site: | No | 0.95 | 0.95 | 1.00 | 0.95 | 0.95 |
| Flood Zone: | Mostly Zone "B", Pt. A-10 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Deed Restrictions: | None | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| Total Adjustment Factor | 1.10 | 0.27 | 1.71 | 0.56 | 1.22 |
| Adjustment/Acre | $6.11 | $10.83 | $8.20 | $9.49 | $8.65 |

**INDICATED VALUE RANGE** $199,261.38 (TO) $353,063.27

**ESTIMATED VALUE/S.F.** $8.95  
**ESTIMATED SITE VALUE** $291,725 **FEE INTEREST**  
**(Rounded)** $292,000 **PARCEL # 1**
# LAND SALES ADJUSTMENT GRID

**City of Palmetto**  
Riverside Dr. & 10th Ave. W.

<table>
<thead>
<tr>
<th>PROPERTY</th>
<th>SUBJECT</th>
<th>SALES</th>
<th>LS # 1</th>
<th>LS # 2</th>
<th>LS # 3</th>
<th>LS # 4</th>
<th>LS # 5</th>
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<tbody>
<tr>
<td>Date of valuation/Sale</td>
<td>Apr-02</td>
<td>Nov-01</td>
<td>$100,000.00</td>
<td>$1,860,000.00</td>
<td>$72,000.00</td>
<td>$886,000.00</td>
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<tr>
<td>CEV / Price</td>
<td></td>
<td>Nov-01</td>
<td>$32,292.00</td>
<td>$46,900.00</td>
<td>$15,470.00</td>
<td>$54,260.00</td>
<td>$75,600.00</td>
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<td>Land/Square Feet</td>
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<td></td>
<td>18,000.00</td>
<td>46,900.00</td>
<td>15,470.00</td>
<td>54,260.00</td>
<td>75,600.00</td>
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</tbody>
</table>

**COMPARISONS:**

- **Number of Months:** 6 6 35 28 2
- **Time Adjustment/Year:** Varies 1.00 1.00 1.03 1.03 1.00

<table>
<thead>
<tr>
<th>Time Compared Price</th>
<th>$5.56</th>
<th>$39.66</th>
<th>$4.79</th>
<th>$16.82</th>
<th>$7.12</th>
</tr>
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</table>

- **Location:** NEC Riverside Dr. & 10th Ave. W. 1.35 0.50 1.50 0.90 1.00
- **Land Size - Square Feet:** 32,292 sf 0.79 1.16 0.76 1.20 1.29
- **Road Frontage:** Adequate 1.00 1.00 1.00 1.00 1.00
- **Utilities:** All 1.00 1.00 1.00 1.00 1.00
- **Zoning:** Assm. CC, Commercial 1.10 1.00 1.50 1.10 1.00
- **Utility:** Average 1.00 0.50 1.00 0.50 1.00
- **Corner Site:** Yes 1.00 1.00 1.05 1.00 1.00
- **Flood Zone:** A-10 1.00 1.00 1.00 1.00 1.00
- **Deed Restrictions:** Yes - Only use as Parking Lot 0.95 0.95 0.95 0.95 0.95

<table>
<thead>
<tr>
<th>Total Adjustment Factor</th>
<th>$1.11</th>
<th>0.28</th>
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<td>9.49</td>
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**INDICATED VALUE RANGE**  
$199,939.95  
(To) $352,822.81

**ESTIMATED VALUE/S.F.**  
$9.00

**ESTIMATED SITE VALUE**  
$290,628 FEE INTEREST  
(Rounded)  
$291,000 PARCEL # 2
PARCEL #1 & PARCEL #2 AREA CALCULATIONS

Property Address: 908 Riverside Drive

PARCEL # 1

32594.6589 square ft.

PARCEL # 2

32291.6737 square ft.
PROPOSED SITE PLAN

Borrower: 908 Riverside Drive
City: State: FL

Property Address: 908 Riverside Drive
City: Case No.: Zip: 34221

INGS, UND OF 2 TO

VED

TV LINE PROPERTY 32,000 SF

2 OR

ACES IN DIAGONAL REET. NEW

IT SPACES

ST STREET REQUIRE

MANATEE RIVER

RIVERSIDE DRIVE

10th AVENUE WEST

MANATEE RIVER