

SITE DEVELOPMENT PLAN ORDER 2023-01

A SITE DEVELOPMENT PLAN ORDER OF THE TOWN OF LONGBOAT KEY, FLORIDA, APPROVING AN AMENDED FINAL SITE DEVELOPMENT PLAN FOR TOWN PLAZA, PHASE II, LOCATED AT 600 BAY ISLES ROAD, ALLOWING FOR THE CONSTRUCTION OF A PAVILLION, STAGE, AND ACCESSORY STRUCTURES; REPEALING AND SUPERCEDING PORTIONS OF PRIOR SITE PLAN DEVELOPMENT ORDERS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Longboat Key (hereinafter the “Owner”) owns certain real property located at 600 Bay Isles Road (hereinafter “Property”); and

WHEREAS, the Property is zoned MUC-1 (Mixed Use Community - Bay Isles District); and

WHEREAS, on August, 6, 1975, the Town of Longboat Key adopted Resolution 75-27, approving an Outline Development Plan for Bay Isles in the PD zoning district; and

WHEREAS, on December 5, 1983, the Town of Longboat Key adopted Resolution 83-48, approving a Site Plan for Town Plaza, Phase II in the PD zoning district; and

WHEREAS, Town Plaza, Phase II, was originally constructed in 1984; and

WHEREAS, since the adoption of Resolution 83-48, the Owner has subsequently sought to develop a Town Center that would serve as a community meeting and gathering location for cultural, art, and park activities; and

WHEREAS, several surveys and public meetings were conducted in 2020 and 2021, which have provided positive feedback regarding the development of a Town Center; and

WHEREAS, the Town of Longboat Key adopted the 2022 Strategic Initiatives, which identifies a specific goal of advancing long-range plans to develop community facilities on the Town Center Green property; and

WHEREAS, from 2014 to 2017, the Owner purchased parcels B-1 South, B-2 and C to utilize for the Town Center Green development; and

WHEREAS, on January 3, 2023, the Town of Longboat Key approved a Lot Consolidation application for the Property, and consolidated parcels B-1 South, B-2, Tract A, and parcel C into one parcel, totaling 4.8 acres; and

WHEREAS, the Owner has submitted a Site Development Plan application requesting Town approval to amend the previously approved site plan to allow for the construction of a pavilion, stage, and accessory structures; and

WHEREAS, the Owner has also filed a concurrent application to amend the Outline Development Plan/Planned Unit Development (ODP/PUD) to assign allowable uses to the Property that are consistent with the Town Center Green development; and

WHEREAS, the Planning and Zoning Official has, in a timely fashion, accepted a Site Development Plan application for the Property and referred the same to the Planning and Zoning Board along with the support documentation and staff recommendations; and

WHEREAS, the Planning and Zoning Board held a properly noticed quasi-judicial public hearing on January 17, 2023, and heard evidence and testimony associated with the Owner's application; and

WHEREAS, the Planning and Zoning Board reviewed the application and after considering all of the competent substantial evidence, including but not limited to the findings and professional analysis of Town Staff in the staff report and presentation, recommended to the Town Commission that the proposed PUD/ODP/Final Site Plan application be approved with certain agreed upon conditions; and

WHEREAS, on _____, 2023, the Town Commission conducted a duly noticed public hearing on Site Development Plan Order 2023-01; and

WHEREAS, after considering all of the competent substantial evidence in the record, including the testimony and documents submitted into the record at the hearing, including the Staff Report submitted on January 10, 2023, and its supplements, and the recommendation of the Planning and Zoning Board, the Town Commission makes these conclusions of law and findings of fact:

- (a) With the recommended conditions of approval, the Site Development Plan is consistent with the Comprehensive Plan, and the purpose and intent of the MUC-1 zoning district.
- (b) With the recommended conditions of approval, the Site Development Plan is in conformance with all applicable regulations of the MUC-1 zoning district.
- (c) With the recommended conditions of approval, the Site Development Plan is in conformance with the Town of Longboat Key's subdivision regulations, Chapter 157, and all other applicable Town of Longboat Key requirements, including the design, adequacy, utility facilities, and other essential services.
- (d) With the recommended conditions of approval, the Site Development Plan is consistent with good design standards in respect to all external relationships, including but not limited to relationship to adjoining properties; internal circulation, both vehicular and pedestrian; disposition and use of open space, provision of screening and buffering, and preservation of existing natural features, including trees; size and apparent bulk of structures; and building arrangements both between buildings in the proposed development and those adjoining the site.
- (e) With the recommended conditions of approval, the Site Development Plan is in conformance with Town of Longboat Key policy in respect to sufficiency of ownership, guarantees for completion of all required improvements, and, if private, the guarantees for continued maintenance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

Section 1. The above recitals are true and correct and are fully incorporated herein by reference.

Section 2. The Site Development Plan application dated October 6, 2022, and amended on November 21, 2022, to construct a pavilion, stage, and accessory structures, located at 600 Bay Isles Road, Longboat Key, Florida 34228 is hereby approved subject to the conditions attached hereto marked Exhibit "A", "Conditions Requisite for Approval" and dated concurrently with this Order.

Section 3. If any section, subsection, sentence, clause or provision of this Site Development Plan Order is held to be invalid or ineffective, the validity of the remaining portions of this Site Development Plan Order shall not be affected.

Section 4. Those portions of prior site development orders in conflict herewith shall be superseded and the same are hereby repealed.

Section 5. This Site Development Plan Order shall become effective immediately upon adoption.

Adopted on the second reading and public hearing this ____ day of _____ 2023.

Kenneth Schneier, Mayor

ATTEST:

Trish Shinkle, Town Clerk

Attachment: Exhibit "A", Conditions Requisite for Approval

EXHIBIT "A"

SITE DEVELOPMENT PLAN ORDER 2023-01

CONDITIONS REQUISITE FOR APPROVAL
SITE DEVELOPMENT PLAN

TOWN CENTER GREEN
600 BAY ISLES ROAD

1. The provisions of the Site Development Plan application for the above referenced subject property, dated and received by the Town October 6, 2022, and amended on November 21, 2022, shall be complied with unless waived, modified, or amended pursuant to Town Code.
2. Approval of this Site Development Plan is subject to the approval of Ordinance 2023-03.
3. The development/construction plans shall conform to all applicable Town codes and ordinances and all other applicable regulations, including but not limited to, FEMA standards/regulations, accessibility, fire code, and life/safety requirements.
4. In accordance with Section 158.029(E) of the Town Code, an approved Site Development Plan for the PUD becomes null and void if:
 - (1) The Owner shall abandon the plan or the Section thereof that has been finally approved, and shall so notify the Town; or
 - (2) Within 24 months of the date of approval of an application for Site Development Plan review, a complete application for Building Permit has not been submitted to the Town and a Building Permit issued; or
 - (3) A final Certificate of Occupancy or Final Building Permit for all phases of the project has not been issued within three years from the date set for receipt of a complete application for Building Permit for the final building or development phase of the project.
5. A licensed surveyor shall verify the Lot Coverage and Non-Open Space calculations upon completion of the project. Certification of the calculations shall be signed and sealed on an as-built survey and submitted to the Town prior to completion of a final building inspection related to the building permit for the project.
6. Approval of the proposed Site Development Plan shall be subject to payment of all staff review charges. Such charges shall be paid prior to issuance of Building Permit.
7. A Special Event Transportation Management Plan shall be required for special events on the site. The requirements of the plan will depend on the type and size of event. Some of the items that may be considered by the Town of Longboat Key in the plan are:

- a. Site access and circulation
- b. Parking management:
 - i. Event parking pricing
 - ii. Off-site parking
 - iii. Other modes of transportation – to reduce vehicular trips to the site
 - iv. Valet locations and operations
 - v. Rideshare drop-off and pick-up locations
 - vi. Disabled passenger drop-off and pick-up areas
- c. Public information
- d. Police control at intersections
- e. Signage
- f. Pedestrian management