

## M E M O R A N D U M

**To:** Tom Harmer, Town Manager

**From:** Allen Parsons, AICP  
Director, Planning, Zoning & Building Department

**Report date:** May 7, 2021

**Meeting date:** May 18, 2021

**Subject:** Request for Referendum from Mr. Ryan Snyder, Whitney Plaza, LLC. for Property Located at 6810 Gulf of Mexico Drive

### **Recommended Action**

Provide direction to Manager.

### **Background**

Mr. Ryan Snyder, manager/sole member of Whitney Plaza, LLC, owner of the subject properties (Whitney Plaza), located at 6810 Gulf of Mexico Drive (Manatee County Parcel IDs # 7818700059, 7803800007, and 7805000051), has submitted a request for a referendum to be placed before the electors of the Town of Longboat Key to allow the Town to consider conversion of all or a portion of the property to a residential use with a maximum density not to exceed three (3) units per acre. Mr. Snyder, who will be present, requests that the Town Commission place the item before the electors, rather than requiring Mr. Snyder to obtain the requisite number of signatures as provided for in the Town Charter.

The subject properties consist of approximately 5.6 acres of land (approximately 1.5 acres is water for which no density credit is provided). The property currently carries a Future Land Use designation of Commercial General (CG) and is in a Commercial General (C-2) Zoning District. The C-2 Zoning District does not have a residential density allowance. The subject properties have a long history of being the primary commercial and shopping location on the North end of the island. Mr. Snyder's stated intent for the property is development of up to ten (10) residential units and the continuation of commercial use(s) occupying a smaller area.

The Town Charter (Article II, Sec. 22) provides that the density limitations that were in the Comprehensive Plan as adopted on March 12, 1984, "shall not be increased without the referendum approval of the electors of Longboat Key." Because the subject property did not have residential density assigned to it in the 1984 Comprehensive Plan, it is required to seek approval from the electors in order to add residential density.

The next step, if the Town Commission were to accept the request for a referendum to be placed before the electors<sup>1</sup>, would be to direct staff to work with the requestor to develop an ordinance, with a clear and concise statement describing the request that

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<sup>1</sup> The Town Commission has historically approved prior requests for referendums for residential density increases and has not required requestors to provide written petitions.

would cause a referendum to be held. The ordinance would include a provision that the requestor would be responsible for all costs associated with the referendum.

Staff would work to prepare such an ordinance for consideration at the June 7, 2021 Regular Meeting for first reading. If recommended for approval, second reading and public hearing could then be scheduled for the July 6, 2021 Regular Meeting. Staff has been informed that the Supervisor of Elections' deadline for placement of items on the November 2, 2021 ballot is August 28, 2021.

### **Staff Recommendation**

Provide direction to Manager.

### **Attachments**

- A. April 2, 2021 Letter, Mr. Ryan Snyder to Mayor Ken Schneier
- B. Town Charter, Article II, Section 22
- C. Town Code Chapter 160.04
- D. Town Charter, Article VII, Section 2

# WHITNEY PLAZA, LLC

2025 Lakewood Ranch Blvd., Suite 102  
Bradenton, FL 34211  
Phone: 941-224-4272  
Fax: 941-747-6789

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April 2, 2021

SENT VIA U.S. FIRST CLASS MAIL AND EMAIL

Town of Longboat Key  
Attn: Mayor Ken Schneier  
501 Bay Isles Road  
Longboat Key, FL 34228

**RE: Referendum**

Dear Mayor Schneier:

I am the Manager/Sole Member of Whitney Plaza, LLC, which is the owner of the real property located at 6810 Gulf of Mexico Drive, Longboat Key, FL 34228 (Manatee County Parcel ID Numbers 7818700059, 7803800007, and 7805000051). The real property is commonly referred to as "Whitney Beach Plaza."

The Town Charter requires the approval of the electors of the Town be obtained through a referendum before adding residential uses in excess of the density limitations specified in the Comprehensive Plan. I would like to redevelop all or a portion of Whitney Beach Plaza to allow residential uses. The referendum will be to allow the Town to consider a conversion of all or a portion of Whitney Beach Plaza to residential uses, with a maximum density not to exceed three (3) units per acre.

I would like for this referendum to be held at a special election as soon as practical in accordance with the applicable provisions set forth in the Town Code and Town Charter. I acknowledge and agree that Whitney Plaza, LLC will be responsible for all costs associated with the referendum. I also request that the Town Commission place the referendum question before the voters, rather than obtaining the requisite number of signatures. I would respectfully request an opportunity to speak before the Town Commission when it considers this request.

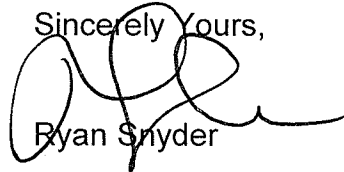
In closing, Whitney Beach Plaza is approaching its 50th birthday and it is overdue to be redeveloped. The Town Commission may recall that I unsuccessfully sought a referendum in 2016 and a couple of Commissioners were critical of my efforts at that time. I agree with the criticisms made by those Commissioners as not enough was done on my part to educate the electors prior to the referendum occurring. With that said, the 2016 referendum occurred on

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the heels of a developer's contentious attempt to obtain approval to construct a 120 unit, four story hotel on the properties just to the north of Whitney Beach Plaza. Simply put, the 2016 referendum occurred at the wrong time. Over the past four (4) years, I've spoken with numerous residents of the Town and have received a lot of positive and constructive feedback. Based on the feedback I've received, I believe the time is right to seek this referendum and a majority of the residents of the Town will support a redevelopment of the site that includes a reduced commercial footprint and no more than ten (10) residential units. A redevelopment of the site will increase green space, reduce traffic, retain commercial services the residents desire, and greatly improve the overall aesthetics of the north end of the Town.

I look forward to discussing the above in more detail with the Town Commission at its earliest opportunity. Thank you for your time and consideration regarding this matter.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Ryan Snyder", written over the typed name.

Ryan Snyder

cc. Allen Parsons  
Tom Harmer

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**Town Charter. Article II. Sec. 22. Comprehensive plan for town.**

- (a) The town commission shall cause plans to be developed on a continuing basis for the future development and maintenance of the town, considering the health, safety, morals, environmental protection, aesthetics, convenience, and general welfare of the town and its residents.
- (b) The present density limitations provided in the existing comprehensive plan as adopted March 12, 1984, shall not be increased without the referendum approval of the electors of Longboat Key.

(Ord. 2017-23, adopted 12-4-17)

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**Town Code Chapter 160.04 Process for referendum.**

The process for referendum as required by article II, section 22(b) of the Charter regarding consideration of density increases shall be by the same methods and in the same manner as set forth in article VII of the Charter.

(Ord. 07-15, passed 4-9-07)

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**Town Code. Article VII. Sec. 2. Methods of referendum.**

Upon adoption of an ordinance by the town commission as provided in Section 1(a) of this Article or upon delivery to the town commission of a written petition as provided in Section 1(b) of this Article, the town commission shall, as authorized by the Supervisor of Elections, cause a referendum to be held on the question of adoption of such proposed amendment in the manner provided by law and this Charter.

(Ord. 2017-23, adopted 12-4-17)

**End of Agenda Item**