#6

SITE PLAN REVIEW

Applicant: Dunkin Donuts - Benderson Plaza

Petition No.: LD16-000011

Scope: Addition of Walk-In Cooler

Staff Report for:

City Commission Work Session, Public Hearing, November 15, 2016

INTRODUCTION

The subject property, part of Benderson Plaza and located at 3302 East Bay Drive, is undergoing a permitted commercial interior completion for a restaurant known as Dunkin Donuts

The Building Official has accepted the site plan application and deemed it to be substantially complete. Currently per LDC sections 3.5.D and E, the site plan must first be reviewed by the City Commission at a work session and then at a public hearing.

GENERAL CONTACT INFORMATION

Owner	Anna Maria Associates, LLP
Agent	WRA, LLC
Site Address	3302 East Bay Drive
Contact Person	Clint R. Cuffle, P.E.
Contact Phone Number	813-265-3130
Contact Email Address	www.morriseingineering.net

GENERAL INFORMATION

	Existing	Proposed
Future Land Use Map Classification	Commercial	Commercial
Zoning District	C-3	C-3 (same)
Use of Property	Commercial/Restaurant	Same no change to existing use
Acreage	6.7 Acres	6.7 Acres

SCOPE OF SITE PLAN REVIEW APPLICATION

The limited scope of the application proposes solely to install a new exterior walk-in cooler immediately abutting the commercial tenancy. The new walk-in cooler will store food for preparation in an interior commercial kitchen which is currently under construction. The cooler is an accessory use to the principal existing allowable restaurant use on the property.

COMPLIANCE WITH FLORIDA BUILDING CODE AND FIRE CODE STANDARDS

The application is for an unoccupied modular engineered structure to be used to store food as an accessory use to a commercial kitchen. As a result, there are no Building or Fire Code issues for the structure. Specific and detailed Building and Fire reviews will be performed at the time of application for a building permit to confirm code compliance.

COMPLIANCE WITH COMMERCIAL C-3 ZONING DISTRICT REGULATIONS

The subject property is located within the Commercial C-3 Zoning District which is the most intensive commercial district in the City. The application was reviewed for the C-3 Zoning District allowable uses and development standards as follows:

1. Allowable Uses: The principal use of a restaurant is an allowable use for the C-3 zoning district per the district regulations. The walk-in cooler is an unoccupied accessory use to this existing principal restaurant use and as a result is compliant with the purpose and intent of the district.

2. Development Standards:

a. Maximum height of buildings: The proposed walk in cooler will not increase or exceed the height of the existing structures.

b. Maximum lot coverage and impervious surface coverage: The proposed walk in cooler will not cause an increase in impervious lot coverage by building and impervious surfaces.

c. Minimum yard requirements: The proposed walk in cooler is compliant as to minimum required yards for the C-3 zoning district.

d. Minimum floor area required for principal buildings: Not applicable. The walk-in cooler is an accessory structure.

e. Buffering: Not applicable. No change of use or increase in intensity of use is proposed.

OTHER COMMENTS:

The proposed installation of a walk-in cooler, which is a minor accessory structure to the principal use and structure of a restaurant, constitutes what many municipalities would consider as a minor site plan amendment. Minor site plan amendments are generally approved administratively by the building official or zoning administrator. The language of our LDC currently does not provide for minor site plan amendments. The addition of a minor accessory structure currently requires full site plan submittal and review. It is recommended that our LDC be updated and criteria be developed which differentiates between minor and major site plan amendments and their respective approval paths.

Submitted by:

James P. McGuinness EI, CBO, CFM, LEED AP
Building Official
November 7, 2016

City Commission Workshop: November 15, 2016
City Commission Public Hearing: Date still to be set

Attachments:

1. Transmittal Letter
2. Authorized Agent Letter
3. Land development Application
4. Site Plan review checklist
5. Site Plans Sheets 1- 3 by WRA Engineering
7. Walk-in cooler floor plan and specifications by American Walk In Coolers, Inc.

8043 Cooper Creek Blvd., Suite 210
University Park, Florida 34201
813-265-3130 phone
813-265-6610 fax
www.wraconsultants.com

Engineering ♦ Planning ♦ Environmental Science

(2ND) **LETTER OF TRANSMITTAL**

To: Jim McGuinness	***Date: 11/8/2016***
City of Holmes Beach	***Project: Holmes Beach- Cooler Addition***
5801 Marina Dr	
Holmes Beach, Fl 34217	

We Transmit:	***The Following:***	***For Your:***	***Action Needed/Taken:***
■ Herewith	■ Drawings/Prints	■ Use	☐ Your Signature
☐ By Separate Cover	■ Correspondence	■ Review &Comment	☐ Revise & Resubmit
☐ As Requested	☐ Disk(s)	■ Reference/Files	☐ Call Upon Receipt
☐ Via Overnight Delivery	☐ Other	☐ Please Return	☐

DESCRIPTION
(8) Signed and Notarized Owner Affidavits
(8) Signed and Sealed 24" x 36" Plan Sets
(8) Cooler Detail Exhibits on 11" x 17"

Jim,

Please see attached application items and plan sets for the cooler addition at the rear of the building located at Anna Maria Island Shops. Should you have any questions regarding this submittal, please do not hesitate to contact us at 813-520-8884.

Sincerely,

John Jenks
WRA, Inc.
Construction Engineer

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PLANNING, PERMITTING & LAND USE DEPARTMENT

AFFIDAVIT OF OWNERSHIP / AGENT AUTHORIZATION

Anna Maria Associates LP

Name of Property Owner(s)

1. That I am (we are) the owner(s) and record title holder(s) of the following described property, to wit: COM AT SW COR OF US GOVT LOT 3, SEC 28; TH N 00 DEG 06 MIN ;

2. That this property constitutes the property for which a request for a Special Exception, Site Plan, Variance, Rezone, Other (Specify what) SITE PLAN has been applied to THE CITY OF HOLMES BEACH ;

3. That the undersigned has (have) appointed and does (do) appoint CLINT R. CUFFLE, P.E., WRA, LLC as agent(s) to execute any petitions or other documents necessary to effect such petition, and request that you accept my agent(s) signature as representing my agreement of all terms and condition of the approval process;.

4. That this affidavit has been executed to induce The City of Holmes Beach, Florida, to consider and act on the foregoing request;

5. That I, (we) the undersigned authority, hereby certify that the foregoing is true and correct.

Owner Signature/ Print Title

David H. Baldauf / Manager Anna Maria Associates, LP

Print Owner Name/ Print Title

STATE OF FLORIDA
COUNTY OF MANATEE

The foregoing instrument was acknowledged before me this 12th *day of* October *20* 16 *, by* David H Baldauf *who is personally known or has produced Identification* _____.

Gina Holzer

Notary Public

My Commission Expires: 6/18/2018

GINA HOLZER
MY COMMISSION #FF133762
EXPIRES: JUN 18, 2018
Bonded through 1st State Insurance

City of Holmes Beach
PLANNING, PERMITTING & INSPECTIONS DEPARTMENT
Land Development Application

FOR STAFF USE ONLY	
Date:	**File Number:** LD16-000011
File Name:	

This application shall be used for all land development applications, including but not limited to rezones, special exceptions, comprehensive plan amendment requests, site plans, & expansions of non- conforming uses.

PLEASE ATTACH APPROPRIATE STANDARDS OR SUPPLEMENTARY INFORMATION, AS APPLICABLE.

TYPE OF APPROVAL DESIRED: SITE PLAN APPROVAL.

List of case numbers of previous approvals: _____.

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PROPERTY INFORMATION

1. Legal Description: LEGAL DESCRIPTION ATTACHED.
2. D.P. #'s: 7404300001.
3. Section: 28 Township: 34S Range: 16E.
4. Subdivision Name (If Platted): _____.
5. Lot: _____ Block: _____.
6. Address or location of Property:
   3200 EAST BAY DR, HOLMES BEACH, FL 34217
7. Present Zoning Classification: C-3
8. (If Rezone), Proposed Zoning Classification: N/A.
9. (If Comprehensive Plan Map Amendment), Proposed Future Land Use Category:
   N/A.
10. Future Land Use Category N/A.
11. Flood Zone Category: AE Map Panel Numbers: 0277E.
12. Property Size (to the nearest tenth of acre or sq. ft.): 6.7 ACRES.
13. Existing Use (s) of Subject Property (i.e.: vacant, residence, commercial, etc.)
    COMMERCIAL.
14. Surrounding Land Use (s) (i.e.: vacant, residence, commercial, etc.):
    North: COMMERCIAL East: EAST BAY DRIVE/VACANT LOTS ACROSS
    South: GULF DRIVE/RESIDENTIAL ACROSS ST West: RESIDENTIAL

15. Description of Proposed Activity or Use:
STAND UP COOLER BEING ADDED TO THE REAR OF THE BUILDING

16. How will this proposal affect the population of the City of Holmes Beach:
N/A

NAMES/ ADDRESSES

1. *Name of Property Owner:* ANNA MARIA ASSOCIATES. LP
   Address: 7978 COOPER CREEK BLVD
   City, State, Zip: UNIVERSITY PARK, FL 34201
   Phone #'s: 941-359-8303
2. *Any other person* having ownership in subject property?: YES _____ NO X
   Name: _____
   Address: _____
   City, State, Zip: _____
   Phone #'s: _____
3. *Agent's name:* CLINT R. CUFFLE, P.E. - VICE PRESIDENT, WRA, LLC
   Address: 4260 W LINEBAUGH AVENUE
   City, State, Zip: TAMPA, FL, 33624
   Phone #'s: 813-265-3130
   CONTACT PERSON: CLINT R. CUFFLE
4. *Name of Engineer:* SAME AS AGENT
   Address: _____
   City, State, Zip: _____
   Phone#'s: _____
   CONTACT PERSON: _____
5. *Name of Architect:* _____
   Address: _____
   City, State, Zip: _____
   Phone #'s: _____
   CONTACT PERSON: _____
6. *Name of Landscape Architect:* _____
   Address: _____
   City, State, Zip: _____
   Phone #'s: _____

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***NOTE:* UNLESS OTHERWISE SPECIFIED, ALL WRITTEN CORRESPONDENCE WILL BE MAILED TO THE AGENT. IF THERE IS NO AGENT, COMMENTS WILL BE SENT TO THE PROPERTY OWNER.**

SIGNATURE

I hereby certify that the information contained in this application is true and correct. I have read this application and understand that other review processes and fees may be required prior to applying for and receiving Building Permits and/or Final Development Approval.

Signature of Property Owner or Agent _____ Date 12/10/16

PRE-APPLICATION CONFERENCE

Pre-Application Conference may be required with the Superintendent of Public Works. If the proposed development takes access on a State Highway, a Pre-Application Conference is suggested with the Florida Department of Transportation (FDOT). Additional, it is suggested that you contact the local fire district where this project is proposed. The purpose of these meetings is to discuss the proposed development and to become more familiar with CODE requirements and approval procedures. For all subdivisions, the applicant will be required to provide proof of ownership or option to purchase the subject property at the Pre-Application Conference.

REZONE INFORMATION

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You will be required to furnish the following to the Superintendent of Public Works.

1. Survey of the Property as it presently exists. Minimum 3 copies.
2. All other information which may apply.

It is suggested for any proposal submitted to the City of Holmes Beach, that the applicant read the Code of Ordinances and the Land Development Code for the City, copies are available in the City Clerk's office.

***PLEASE NOTE:* FURTHER INFORMATION MAY BE REQUIRED AS THE PROCEDURE PROGRESSES.**

PARCEL ID: 7404300001
ANNA MARIA ASSOCIATES LP
LEGAL DESCRIPTION

COM AT SW COR OF US GOVT LOT 3, SEC 28; TH N 00 DEG 06 MIN 31 SEC W ALG W LN OF SD US LOT 3, 86.01 FT TO THE INTERSEC WITH THE MAINTAINED N R/W LN OF GULF BLVD FOR A POB; TH CONT N 00 DEG 06 MIN 31 SEC W 781.99 FT TO THE INTERSEC WITH A LN PARALLEL TO AND 868 FT NLY OF THE S LN OF SD US GOVT LOT NO. 3; TH N 89 DEG 57 MIN 17 SEC E, ALG SD PARALLEL LN, 268.26 FT TO THE INTERSEC WITH THE WLY R/W OF SR NO. 684 (SECTION 13080-2106); TH S 00 DEG 02 MIN 52 SEC E, ALG SD WLY R/W 608.12 FT TO THE PC OF A CURVE CONCAVE TO THE E, HAVING A RADIUS OF 1959.86 FT; TH SLY, ALG SD WLY R/W AND THE ARC OF SD CURVE, THRU C/A OF 04 DEG 27 M IN 49 SEC, 152.68 FT TO THE P.R.C. OF A CURVE CONCAVE TO THE NW, HAVING A RADIUS OF 25 FT; TH SWLY ALG ARC OF SD CURVE (ALSO BEING THE NLY MAINTAINED R/W OF SD "GULF BLVD") THRU A C/A OF 95 DEG 45 MIN 39 SEC, 41.78 FT TO THE P.T. OF SD CURVE; TH N 88 DEG 45 MIN 02 SEC W, ALG SD NLY MAINTAINED R/W, 247.95 FT TO THE POB. ALSO: COM AT THE SW COR OF U.S. LOT 3, SEC 28; TH N ALG THE W LN OF SD U.S. LOT 3 A DIST OF 868 FT FOR THE POB; TH CONT N ALG SD W LN 300 FT; TH E 270.13 FT TO THE W R/W LN OF GULF DRIVE (FORMERLY S.R. 789, A 100 FT WIDE HWY); TH S 00 DEG 01 MIN 40 SEC E ALG SD W R/W LN 300 FT; TH W 270.28 FT TO THE SD POB. THE ABOVE LYING IN U.S. LOT 3, SEC 28 (OR 1421 P 979) SUBJ TO A CONSERVATION EASMT REC IN OR 1662 PG 5249 PI#74043.0000/1

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CITY OF HOLMES BEACH
SITE PLAN REVIEW CHECKLIST

FOR STAFF USE ONLY	
Date:	***File Number*** LD16-000011
File Name:	

ANY APPLICATION FOR SITE PLAN REVIEW SHALL INCLUDE THE FOLLOWING INFORMATION:

✓ 1) The location and size of the site including its legal description and a current certified survey dated within 120 days;

✓ 2) The recorded ownership interests including liens and encumbrances and the nature of the developers interest if the developer is not the owner;

N/A 3) The relationship of the site to existing development in the area including streets, utilities, drainage and water retention, residential and commercial development, and any other pertinent physical feature of the land including soil suitability and relevant ecological features;

N/A 4) The density of land use to be allocated to all parts of the site to be developed together with tabulations by acreage and percentages thereof;

N/A 5) The location, size and character of any recreational open space and the form of the organization proposed for ownership and maintenance thereof if same is not to be dedicated to the public;

N/A 6) The use and approximate height, bulk, and location of all buildings and other structures; for nonexempt properties, provisions for accessibility to buildings by the handicapped;

N/A 7) The substance of covenants, grants, easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including proposed easements or grants for public utilities;

N/A 8) The provisions for the parking of vehicles and the location and width of driveways and other vehicular and pedestrian ways, including, without limitation, handicapped access ways;

N/A 9) The provisions for the disposition of open space, including recreational open space, which includes provisions for tree protection, a landscaping plan prepared in accordance with the provisions in this ordinance, which includes, without limitation, a plan for the use of native vegetation, and provisions for buffering, which comply with the requirements in this ordinance, including proof that the development is in compliance with all state and federal regulations pertaining to species of special status as required under the Florida Endangered and Threatened Species Act of 1977 and the Federal Endangered Species Act of 1973, where necessary as determined by the building official;

N/A 10) Requirements of dedication or reservation of recreation / open space by developer: New residential developments or re-developments shall provide for the recreation / open space needs generated by said development, as required by the comprehensive plan and as set forth herein.

a) ***Purpose and standards.*** The purpose of this requirement is to provide adequate active recreational facilities and open space to serve the residents of the immediately surrounding neighborhood within the development. Each development shall satisfy this requirement by installing the types of recreational facilities that are most likely to be suited to and used by the age bracket of persons likely to reside in that development and shall be subject to site plan review.

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b) ***Amount***. All new residential development and redevelopments shall provide, through payment of a fee as outlined in paragraph 3 [(c)] below or dedication or reservation as outlined in paragraph 4 [(d)] below, recreational open space in an amount equal to 0.0025 acres (108.9 square feet) per person expected to reside in that development. For purposes of this section: one-bedroom dwelling units shall be deemed to house an average of 1.4 persons, two bedroom units shall be deemed to house an average of 2.2 persons, three-bedroom units shall be deemed to house an average of 3.2 persons, and units with four or more bedrooms shall be deemed to house an average of 4.0 persons.

c) ***Fee in lieu of dedication or reservation***. The city council recognizes that any such recreational/ open space area must be of a certain minimum size to be usable and that any such designated area will not serve its intended purpose unless properly maintained. Therefore, for those residential developments and redevelopments that are small enough so that the amount of required recreational/open space area does not exceed 2,000 square feet, the city, at its discretion, may require the developer to pay a fee equal to the fair market value of the land which is required to be dedicated pursuant to this section. Any funds collected by the city pursuant to this section will be utilized to meet the recreational requirements of the comprehensive plan.

d) ***Public dedication or private reservation***. Any recreational/open space provided in compliance with this requirement which is dedicated to the public shall be rezoned as a REC-2 public recreation open space district. Also, any recreation/open space area so provided which is held by private reservation for the use of residents of a particular development shall be so designated on the site plan and may, at the option of the developer, be rezoned as a REC-1 private recreation open space district.

N/A 11) In case of plans which provide for development over a period of years, a schedule showing the proposed times within which application for building permits are intended to be filed.

✓ 12) Any additional data, plans or specifications which the applicant or building official believes is pertinent and will assist in clarifying the application.

N/A 12a) Application for Certificate of level of Service Compliance SUBMITTED with Site Plan.

N/A 12b) Application for Certificate of Level of Service Compliance NOT submitted with Site Plan.

(If application for Certificate of Level of Service Compliance is NOT included in Site Plan application then <u>SITE PLAN APPROVAL MUST CONTAIN A STIPULATION</u> indication that a building permit cannot be issued until an application has been submitted and approved.)

✓ 13) A required fee for site plan review in the amount of **$1,500** 10/13/16.
Date of submission

✓ 14) One copy of the Site Plan is to be furnished to the West Manatee Fire District..

NOTE: <u>IF A SITE PLAN APPLICATION IS FOUND TO BE INCOMPLETE, THE REASONS FOR THAT DETERMINATION ARE TO BE PLACED IN WRITING AND GIVEN TO THE APPLICANT.</u>