



STAFF REPORT

DATE: October 12, 2015

TO: Planning and Zoning Board

FROM: Maika Arnold, Planner
Planning, Zoning and Building Department

THROUGH: Alaina Ray, AICP
Director – Planning, Zoning and Building Department

SUBJECT: The Shore Restaurant
Site Plan

APPLICANT: 800 Broadway, LLC

AGENT: Peter Dailey

LOCATION: 800 Broadway St.
Longboat Key, Florida

ZONING DISTRICT: C-1 (Limited Commercial)

EXISTING USE: Restaurant

REQUEST: Construction of new restaurant

SUBJECT PROPERTY

The subject property is a bayside waterfront lot located at 800 Broadway. The property is the site of the former Moore's Stone Crab Restaurant, constructed in 1967. The new owner of the property, 800 Broadway LLC, has proposed to demolish the existing restaurant building and reconstruct a new restaurant on the site, which will include a reconstructed dock. The property is zoned C-1 Limited Commercial and has a Future Land Use (FLU) designation of CL Limited Commercial. The existing use and site conforms to both the Comprehensive Plan and the Land Development Code.

Variance Petition 2-15 was granted on February 2, 2015, to allow a reconstructed restaurant to have a 0-foot waterfront yard setback and a 20-foot street setback from Broadway Street. The cantilever extension of the existing structure will be removed, in order for the proposed restaurant to maintain a 0-foot waterfront setback. The property was also re-zoned from R-6SF to Limited Commercial (C-1) and received a FLU change from RH6 to CL in May 2015.

Moore's Stone Crab Restaurant was an historic asset to the community, which provided waterfront dining and access to the public. The reconstructed restaurant and dock will continue to provide waterfront dining and access for residents and patrons. The Town's adopted Vision Plan recognizes waterfront dining as one of the amenities that makes Longboat Key a special place. The Town's Vision Plan also states that the Town will strive to support restaurants on the island, encouraging viability and diversification, as well as waterfront dining options.

The existing zoning and land uses adjacent to the subject property are as follows:

Northwest: Abuts Broadway Street; Properties across Broadway Street zoned R-6SF (High Density Single Family); Remainder of properties consist of existing single-family homes.

Northeast: Sarasota Bay

Southeast: Zoned C-1, Existing use is Mar Vista Restaurant

Southwest: Zoned R-6SF; Existing use is single-family homes.



PROJECT SUMMARY

The applicant has submitted a separate application for a Special Exception, seeking approval for outdoor dining and to increase the square footage of dock area from the maximum allowed of 500 square feet to 4,116.5 square feet. The existing dock is 4,069 square feet, for an actual increase of 47.5 square feet above what currently exists. The purpose of the Site Plan application is to seek approval to reconstruct a new restaurant.

The former restaurant, Moore's Stone Crab Restaurant, had 185 seats available for indoor dining. If the Special Exception and Site Plan are approved, the applicant plans to divide the 185 seats between indoor and outdoor dining. The total area of the proposed restaurant is 11,157 square feet. The applicant plans to dedicate 3,500 square feet of space for outdoor dining and waiting area. Indoor seating will occupy 1,990 square feet. The interior of the restaurant will also have a bar and retail shop.

The proposed Site Plan includes stair access to the proposed first floor over parking. The Site Plan application proposes extensive landscaping around the perimeter of the property and within the street setback. The applicant is also proposing to resurface and stripe the parking lot, add wheel stops, and provide additional parking underneath the restaurant in a parking garage.

Approval of the concurrent Special Exception will be conditioned upon approval of the Site Plan, as required by the Land Development Code (LDC).

STAFF ANALYSIS

Comprehensive Plan

The proposed restaurant use is allowed under and consistent with the current C-1 Limited Commercial Future Land Use Designation of the subject property. The proposed outdoor dining use is connected to the proposed restaurant facility and is consistent with its principal use. According to the applicant, the proposed restaurant would increase the economic viability within the community and continue to be a staple to the community of Longboat Key. The restaurant will also continue to maintain the health, safety, welfare and property values of the community, and is consistent with the Goals, Objectives, and Policies of the Future Land Use Element of the Comprehensive Plan.

The existing restaurant abuts Broadway Street to the northwest. Properties across Broadway Street are zoned residential and consist of existing single-family homes. The property to the southeast is zoned C-1, and is the location of the existing Mar Vista Restaurant. Sarasota Bay abuts the property to the northeast. The existing Moore's Stone Crab Restaurant has been part of the surrounding neighborhood, known as "The Village," since 1967. It is considered by many to be a historic element of the area and contributes to the unique nature of the historic village setting. The reconstructed

restaurant will provide residents and visitors the opportunity to continue to enjoy the waterfront access the historic restaurant provided. Several design features will minimize any potential external impacts, including indirect lighting, enhanced screening, and additional buffer landscaping.

Parking

The initial Site Plan application submitted to Staff on July 28, 2015, included a request for a total of 299 seats, which was an increase of 114 seats. Staff reviewed the request and indicated to the applicant that Staff could not support the request for additional seats, based on the provisions of the Comprehensive Plan and the Land Development Code. The applicant revised the application to eliminate the request for additional seats and now seeks to maintain the 185 seat allocation; since there is no net increase in seats associated with the applicant's submittal, there is no requirement for additional parking.

The proposed restaurant will have 185 seats and is required to provide 47 parking spaces. According to the Site Plan, the applicant proposes to provide 55 parking spaces (26 garage spaces, 28 regular parking spaces and 1 grass overflow parking space). There will also be slips for boats to dock and a bicycle rack for patrons who wish to utilize alternate methods of transportation.

Yard Area Setbacks

The C-1 (Limited Commercial) zoning district requires a 45-foot street setback and a 30-foot side yard setback from a residential property. Variance Petition 2-15 was granted on February 2, 2015, to allow a reconstructed restaurant to have a 0-foot waterfront yard setback and a 20-foot street setback from Broadway Street, which are the setbacks that are indicated on the Site Plan. The existing restaurant cantilevers out over the water, beyond the Mean High Water Line (MHWL). As proposed, the new structure would not extend beyond the MHWL.

Screening

As shown on sheet L-3, the restaurant and parking will be screened by a buffer that will be planted within the 20-foot street setback. The screening facing adjacent residentially zoned properties will provide a minimum of 80 percent opacity, in compliance with the LDC. The outdoor dining area will be open on the side facing Sarasota Bay.

Lot and Non-Open Space Coverage Analysis

The subject property consists of 38,793 square feet of land. The maximum lot (structural) coverage allowed in the C-1 Limited Commercial zoning district is 30 percent, or 11,637.9 square feet of the subject parcel. The lot coverage proposed by the applicant will be 11,323 square feet, or 29.19 percent of the site.

The maximum allowable non-open space coverage in the C-1 Limited Commercial zoning district is 80 percent, or 31,034.4 square feet of the subject parcel. The non-

open space coverage proposed by the applicant will be 30,555 square feet, or 78.76 percent of the site.

The above calculations demonstrate that the improvements requested through the proposed Site Plan are within the allowable limits for both the lot coverage and non-open space coverage as established by the LDC.

Building height

The maximum building height allowed in the C-1 Limited Commercial zoning district is 30 feet from minimum habitable floor level. The proposed first floor over parking would result in a building height of 30 feet from the minimum habitable floor.

Stormwater

Treatment swales will be constructed adjacent to the right-of-way to capture runoff from the site surface areas. The existing shell driveways will be replaced with concrete. Beyond the concrete driveways, the existing shell parking area will be reconstructed pervious pavement and shall be sloped to drain to proposed swales.

STAFF RECOMMENDATION

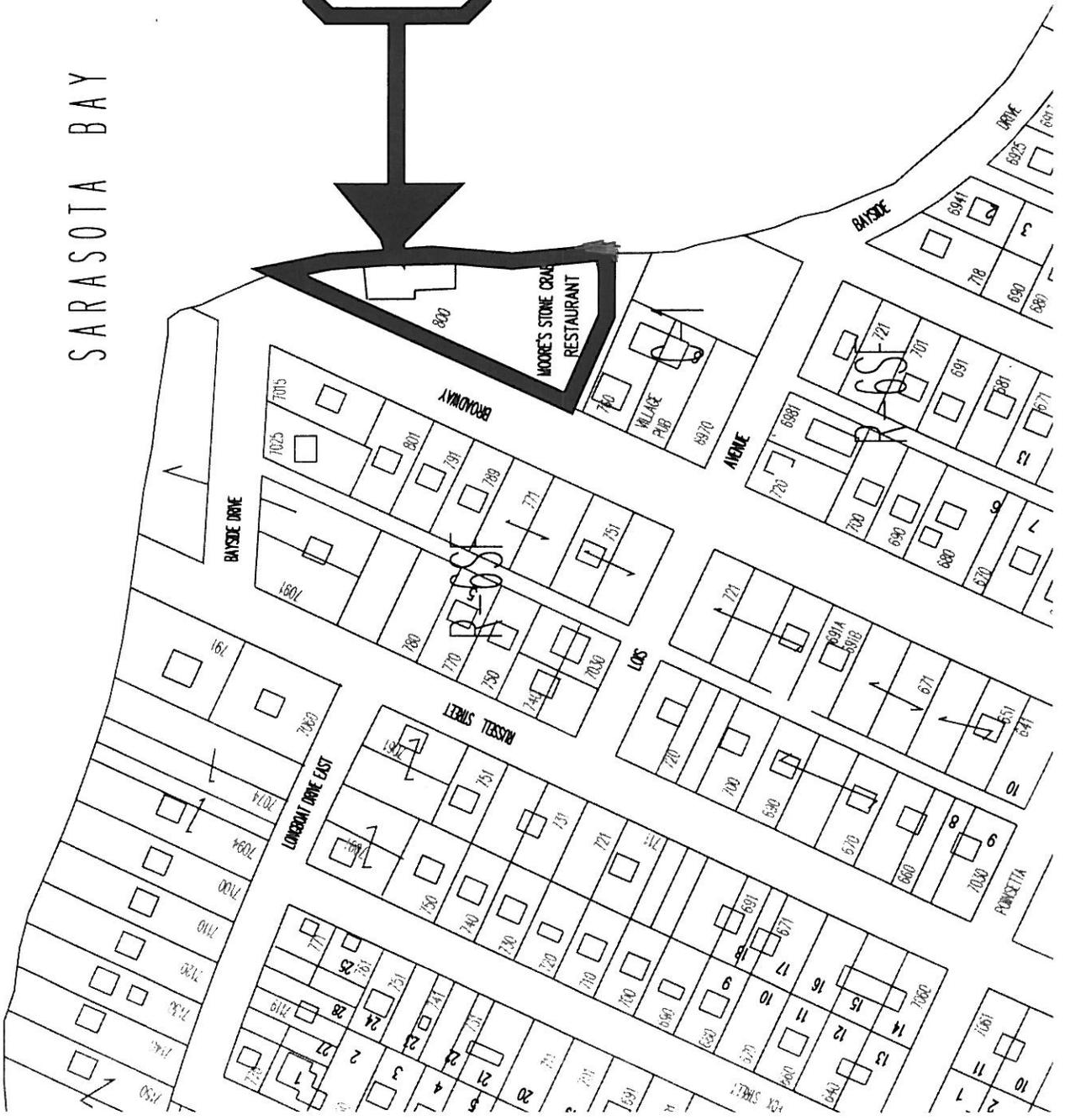
Staff recommends that the Board **approve** the Site Plan Amendment to allow for a reconstructed restaurant at 800 Broadway, as proposed by Site Plan Order 2015-01 with the conditions listed in Exhibit "A": Conditions Requisite for Approval.

ATTACHMENTS

Attached, please find a copy of the Site Plan application and support documentation upon which the staff assessment has been based. A copy of Site Plan Order 2015-01 is also attached.

SARASOTA BAY

Site



**PLANNING AND ZONING BOARD
SITE PLAN ORDER 2015-01**

AN ORDER OF THE PLANNING AND ZONING BOARD APPROVING A SITE PLAN APPLICATION FOR SHORE RESTAURANT, 800 BROADWAY, TO CONSTRUCT A RESTAURANT; PROVIDING FOR REPEAL OF ALL PRIOR SITE PLAN ORDERS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Moore's Stone Crab Restaurant, located at 800 Broadway, Longboat Key, Florida (hereinafter the "Property"), was an historic element of the area known as The Village since 1967; and

WHEREAS, the Property is zoned C-1 (Limited Commercial); and

WHEREAS, the new owner of the Property, 800 Broadway LLC, has proposed to demolish the existing restaurant building and reconstruct a new restaurant on the site; and

WHEREAS, a restaurant is an allowed use on the Property, as permitted in the Town of Longboat Key Land Development Code; and

WHEREAS, 800 Broadway LLC, has submitted a site plan application to approve a reconstructed restaurant on the Property; and

WHEREAS, 800 Broadway LLC is desirous of enhancing the Property through approval of a reconstructed restaurant thereon to provide outdoor dining, in order to provide a better waterfront experience to its patrons; and

WHEREAS, the Planning and Zoning Board approved a Special Exception Order on October 20, 2015, to allow outdoor dining and a 4,116.5 square foot dock at the Shore Restaurant on the Property contingent upon approval of a site plan; and

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

WHEREAS, the Planning and Zoning Board is authorized by the Land Development Code to approve the application as submitted, approve the application with changes or special conditions, or disapprove the application, if the application meets the applicable provisions of the Land Development Code; and

WHEREAS, at a duly notice public hearing held on October 20, 2015, the Planning and Zoning Board makes these conclusions and findings of fact:

- (a) With the recommended conditions of approval the site plan is consistent with the comprehensive plan, and the purpose and intent of the zoning district in which the Property is located.
- (b) With the recommended conditions of approval the site plan is in conformance with all applicable regulations of the zoning district in which it is located.
- (c) With the recommended conditions of approval the site plan is in conformance with the Town's subdivision regulations, Chapter 157, and all other applicable Town requirements, including the design, adequacy, utility facilities, and other essential services.
- (d) With the recommended conditions of approval the site 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 plan is in conformance with Town 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 ORDERED BY THE PLANNING AND ZONING BOARD, THAT:

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

Section 2. The site plan application for the Shore Restaurant located at 800 Broadway Street, 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. All previous resolutions, site plan exemptions and site plan orders for the Property shall be repealed.

Section 4. This Order shall become effective immediately upon adoption.

ADOPTED at a meeting of the Planning and Zoning Board of the Town of Longboat Key on the 20th day of October 2015.

Jim Brown, Chair

ATTEST:

Kenneth Schneier, Secretary

Attachment: Exhibit "A": Conditions Requisite for Approval

EXHIBIT "A"

SITE PLAN ORDER 2015-01

CONDITIONS REQUISITE FOR APPROVAL
SITE PLAN

SHORE RESTAURANT
800 BROADWAY STREET

- 1) The provisions of the site plan application for the above referenced subject property, dated September 21, 2015, and received by the Town on September 22, 2015, shall be complied with unless waived or modified by the following conditions or by written agreement between the Town and the applicant or amended pursuant to Code.
- 2) 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.
- 3) No more than a total of 185 tables shall be utilized for the restaurant as delineated on the submitted plans.
- 4) The existing restaurant structure that extends over the water must be removed.
- 5) The required setbacks for the building are: 0-foot waterfront setback, 20-foot street setback, 15-foot side yard, per Variance Petition 2-15 granted on February 2, 2015.
- 6) The pervious asphalt is a critical component of the on-site drainage system, and must be maintained properly to assure continual functioning. Accordingly, the surface of the asphalt must be vacuumed on a weekly basis to remove all sand and silt which could clog the system. Records of such maintenance must be kept on site and subject to review by Town inspectors.
- 7) The underground storage system must be checked on an annual basis by a Professional Engineer certifying that the system is functioning as designed. It is recommended that at least one (1) location near the center of the underground system is dedicated for this testing. Testing should determine the rate by which a certain column of water (and or volume of water) will be absorbed within the system. Testing should be done once a year at the same date to provide comparable data. Result of such testing, as certified by a

professional engineer, must be provided to the Public Works Department for compliance purposes.

- 8) The owner acknowledges that during higher high tides (elevations 2'+) or summer rainy season, the underground system may not have the designed capacity available for storage of rainfall, and portions of the parking area may be subject to 6" of flooding.
- 9) Applicant shall establish a periodic cleaning and inspection of the restaurant's grease traps. Records of such cleaning shall be kept and provided to the Town upon request.
- 10) Applicant's engineer of record shall visually inspect the existing sewer lateral to confirm the line is obstruction free and appropriately sized to handle flows. A new sewer lateral may be required at the sole discretion of the Town.
- 11) All utilities shall be located underground.
- 12) In accordance with Section 158.099(E) of the Town Code, an approved site plan becomes null and void if:
 - a) The applicant shall abandon the site plan or the section thereof that has been finally approved, and shall so notify the Town Commission in writing; or,
 - b) Within 24 months of the date of approval of an application for site plan review, a complete application for a building permit has not been submitted to the town and a building permit issued; or,
 - c) A final certificate of occupancy 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.
- 13) A licensed surveyor or design professional 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 the approved site plan and submitted to the Town prior to issuance of a Certificate of Occupancy.
- 14) Approval of the proposed site plan shall be subject to payment of all staff review charges. Such charges shall be paid prior to issuance of a Building Permit.

TOWN OF LONGBOAT KEY



Shore Restaurant Site Plan

Planning & Zoning Board

October 20, 2015



Site Plan

- Request to demolish the existing restaurant building and reconstruct a new restaurant on the site, which will include a reconstructed dock.

TOWN OF LONGBOAT KEY



Location Map



TOWN OF LONGBOAT KEY



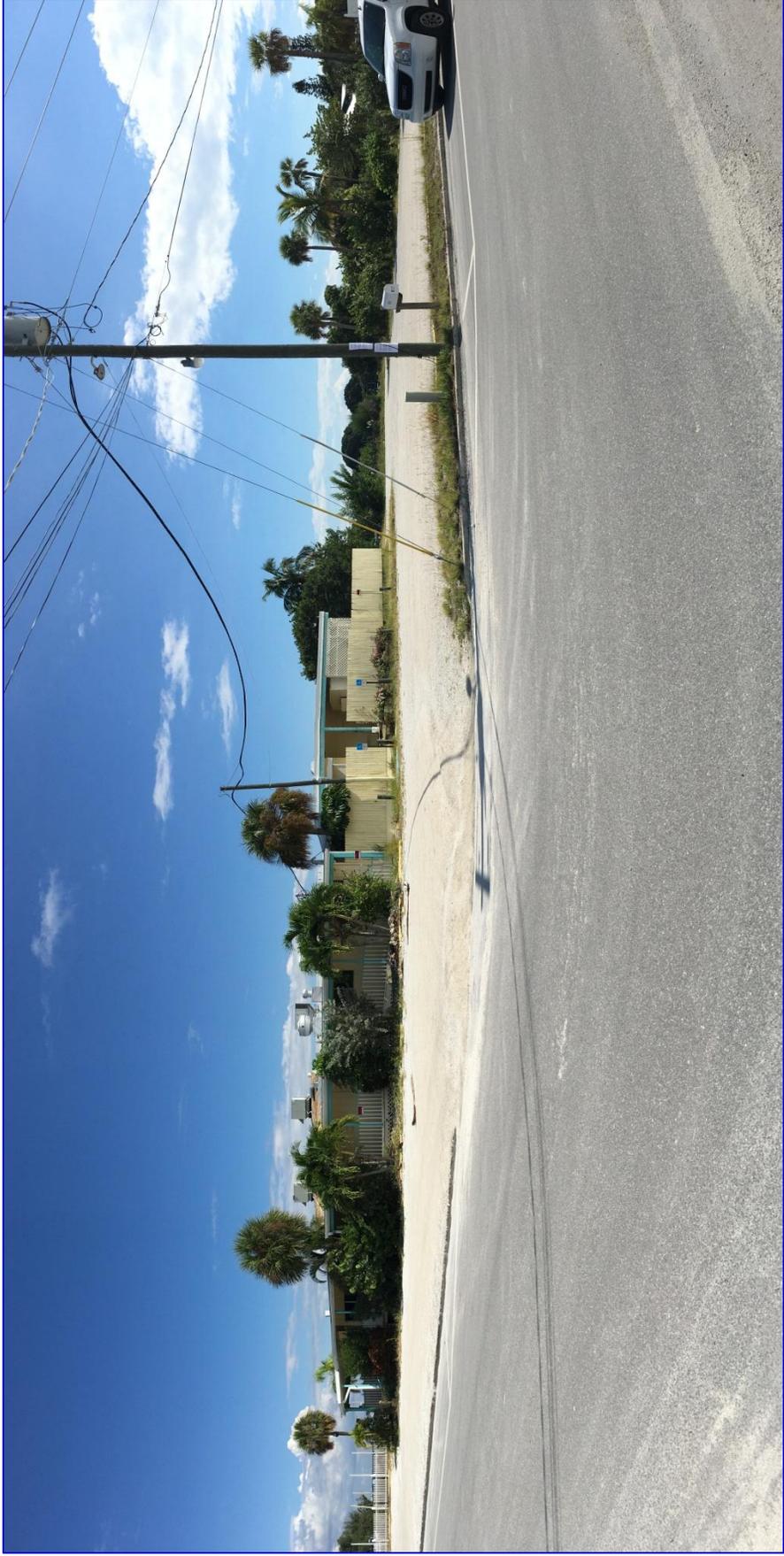
Notification Area



TOWN OF LONGBOAT KEY



View from Broadway



TOWN OF LONGBOAT KEY



Elevation from Broadway



TOWN OF LONGBOAT KEY



View from Bayside Drive



TOWN OF LONGBOAT KEY



Elevation Facing Bayside Drive



TOWN OF LONGBOAT KEY



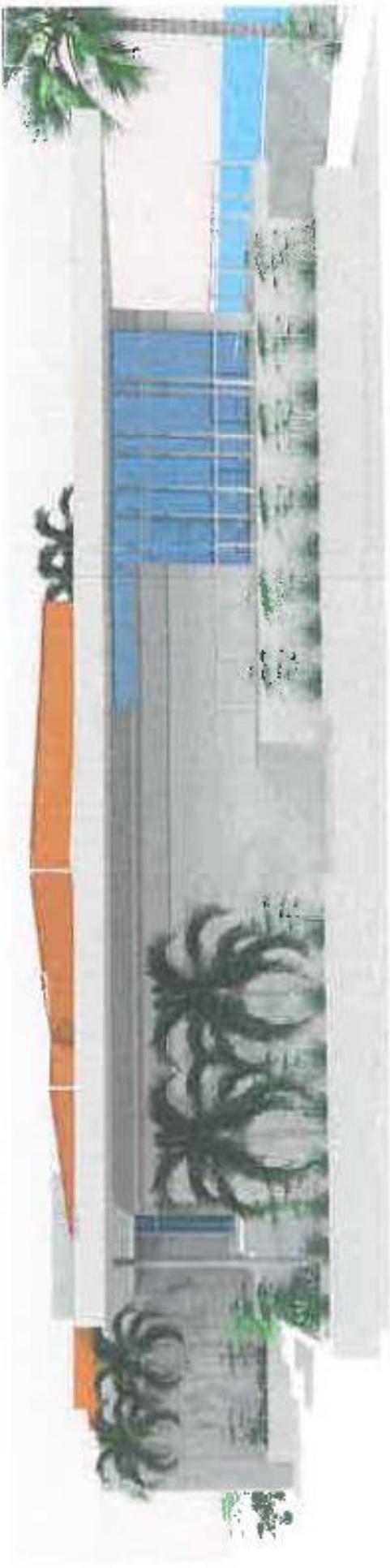
View From South



TOWN OF LONGBOAT KEY



Elevation facing South/Mar Vista



TOWN OF LONGBOAT KEY



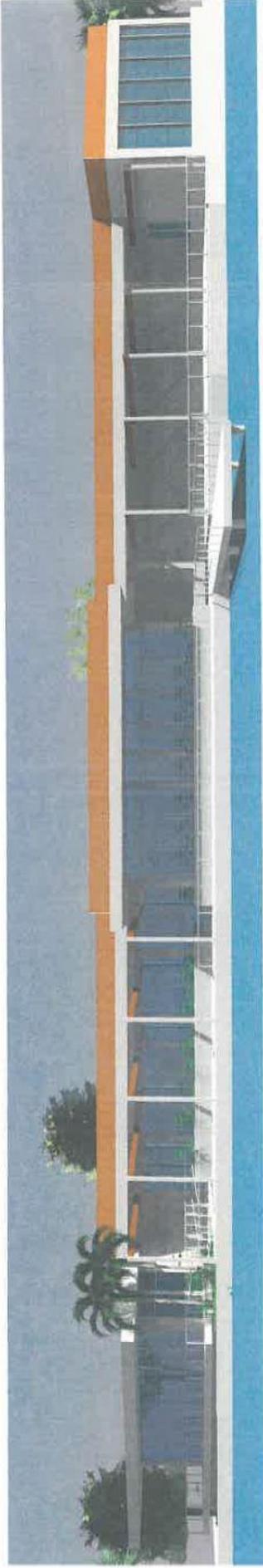
View From Waterside



TOWN OF LONGBOAT KEY



Elevation From Waterfront



TOWN OF LONGBOAT KEY



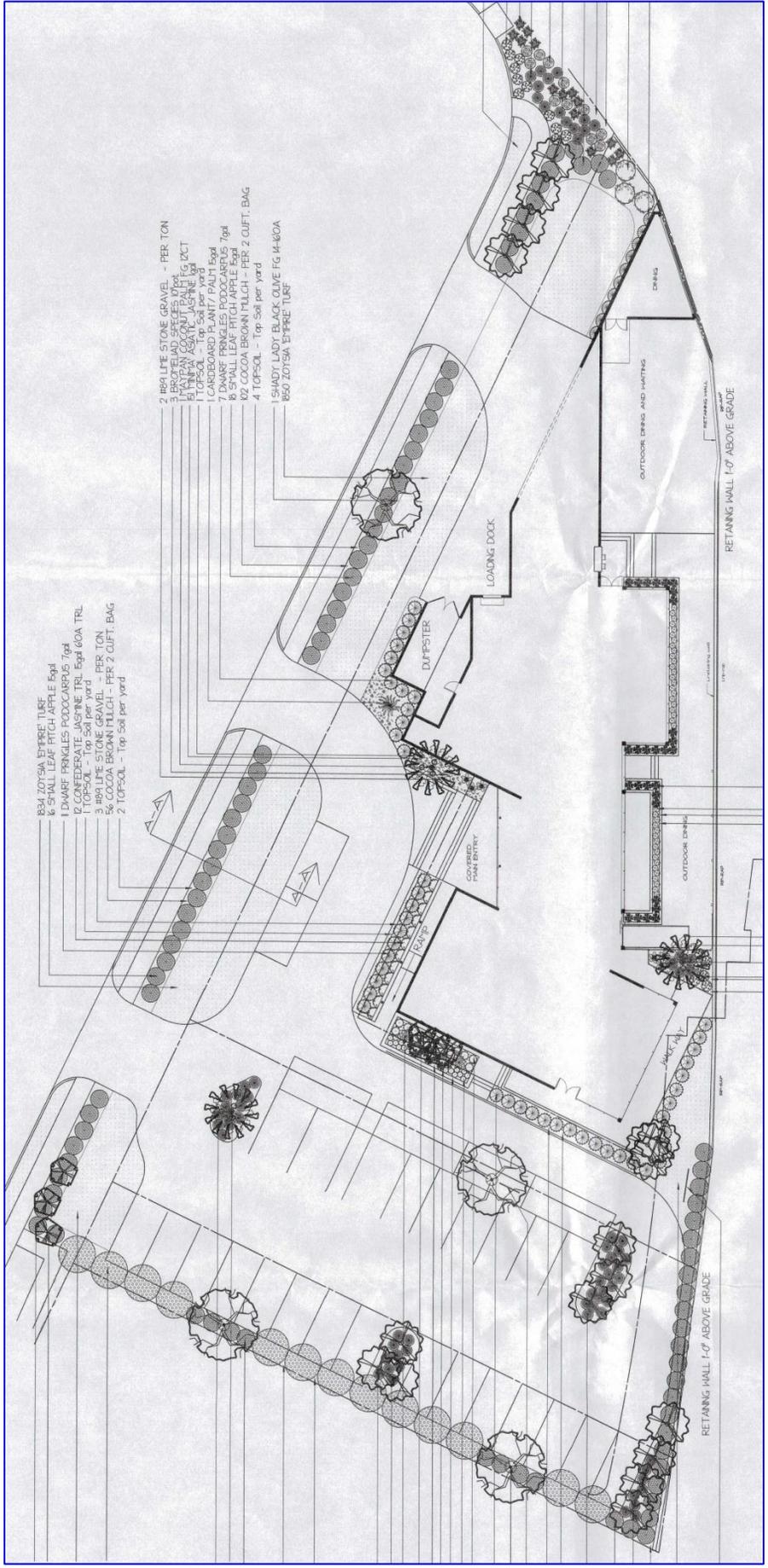
Existing buffer between Mar Vista & Moore's



TOWN OF LONGBOAT KEY



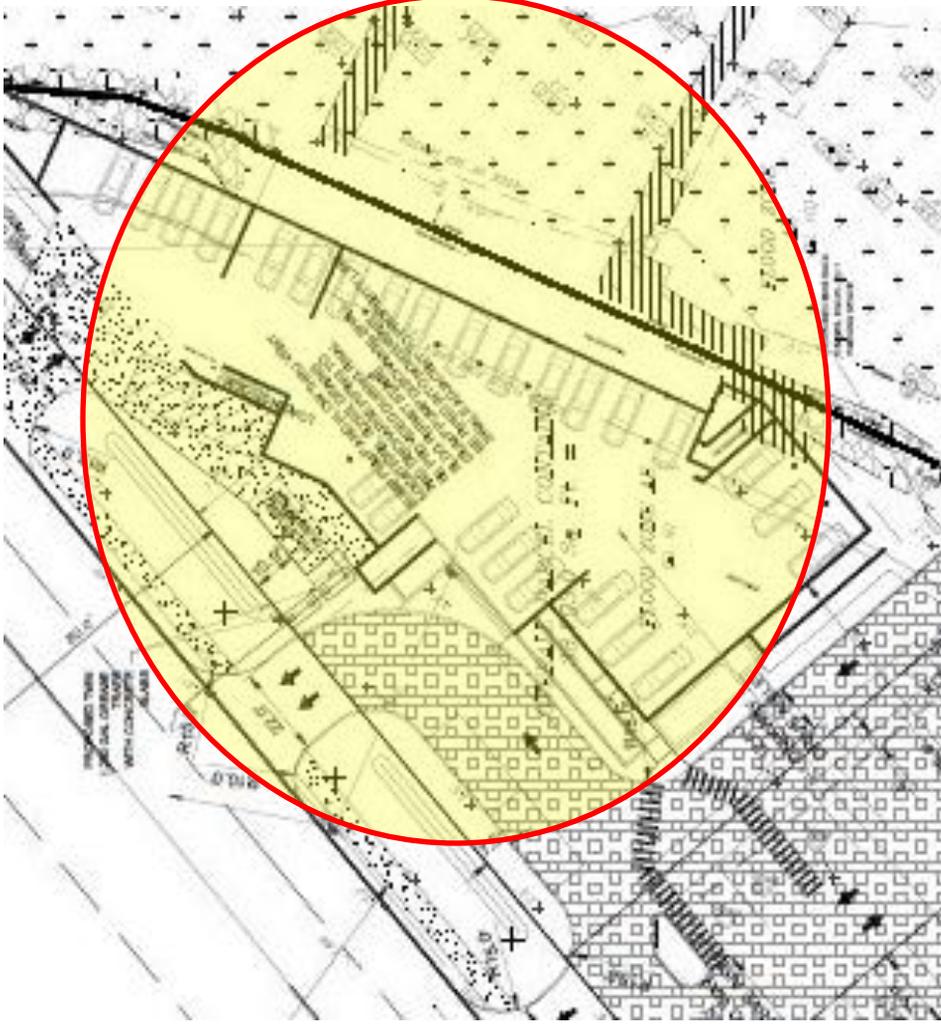
Landscaping Plan



TOWN OF LONGBOAT KEY



Proposed Parking Garage





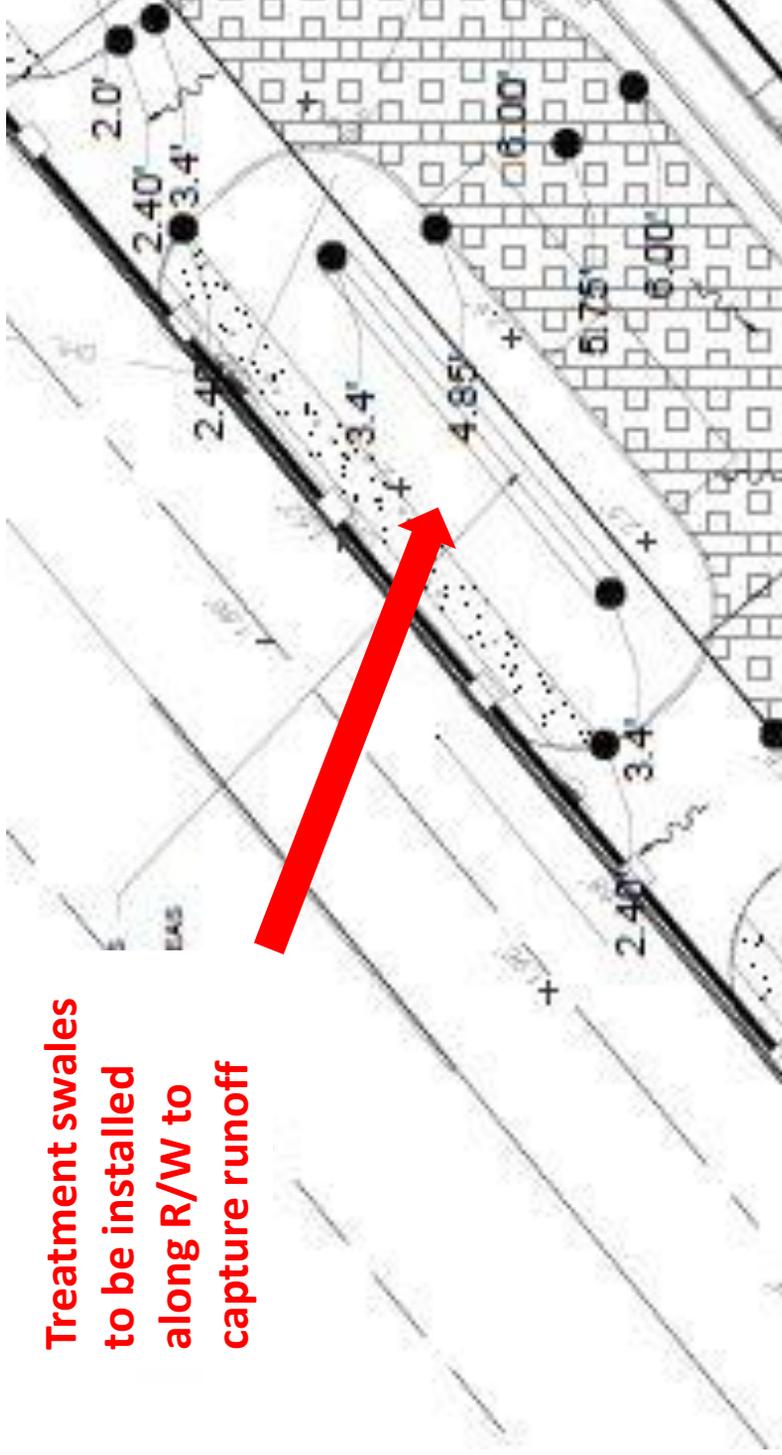
Improved Driveways





Swales to Improve Drainage

Treatment swales to be installed along R/W to capture runoff





Proposed Seating

- No change in the number of seats
- Maximum seating remains at 185 seats

Room	Area
Bar	487 square feet
Indoor Seating and Dining	2,362 square feet
Outdoor dining and waiting area	3,500 square feet



Staff Recommendation

Staff recommends APPROVAL of the

Site Plan to:

- demolish the existing restaurant building and reconstruct a new restaurant on the site, which will include a reconstructed dock.