

## MEMORANDUM

**TO:** Tom Harmer, Town Manager

**FROM:** Allen Parsons, AICP,  
Director, Planning, Zoning and Building Department

**REPORT DATE:** November 4, 2021

**MEETING DATE:** November 15, 2021

**SUBJECT:** Ordinance 2021-08, Application for Amendment to Chapter 160, Comprehensive Plan for 551 Broadway Street, 7009, and 7017 Longboat Drive North and Ordinance 2021-09, Application for Rezoning, 551 Broadway, 7009, and 7017 Longboat Drive North

### **Recommended Action**

Adopt Order of Denial 2021-01 denying Ordinance 2021-08 and Order of Denial 2021-02 denying Ordinance 2021-09.

### **Background**

The Town Commission held a first public hearing on Ordinances 2021-08 and 2021-09 at their November 1, 2021 Regular Meeting. The Town Commission heard evidence and testimony from staff, the applicant's representatives and legal counsel, legal counsel for adjacent property owners and from members of the public regarding the application requests. After hearing all of the testimony and deliberating the Town Commission voted to deny (7-0) the applications and continued the hearing to November 15, 2021, in order to provide for the preparation of a written order memorializing the Town Commission's decision.

Orders 2021-01 and 2021-02, addressing the denials of Ordinance 2021-08 and 2021-09 respectively, incorporate the Town Commission's findings based on findings of fact. As incorporated in the Orders, the Town Commission, among other findings addressed in the Orders, found that the applications were: not consistent with Comprehensive Plan strategies relating to consistency and neighborhood compatibility; not consistent with the intent of the Conformance Overlay Redevelopment District (CORD); not compatible with surrounding properties and the character of the surrounding area; and contrary to the interests of the Town and would adversely affect the public interest. The specific legal and factual authorities and rationale relied upon in reaching the above conclusions are set forth in the record of the proceedings before the Town Commission on November 1, 2021.

Information regarding the applications requests, along with all of the evidence entered into the record at the first public hearing are a part of the record and are not reproduced again.

Orders of Denial 2021-01 and 2021-02

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**Staff Recommendation**

Adopt Order of Denial 2021-01 denying Ordinance 2021-08 and Order of Denial 2021-02 denying Ordinance 2021-09.

**Attachments**

- A. Order 2021-01 (Available in Town Clerk's Office)
- B. Order 2021-02 (Available in Town Clerk's Office)
- C. Ordinance 2021-08 (Available in Town Clerk's Office)
- D. Ordinance 2021-09 (Available in Town Clerk's Office)

**End of Agenda Item**