PLANNING BOARD MINUTES

JANUARY 20, 2015

4:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Tiffany Secka, Chairwoman
Ward Friszolowski, Vice Chairman
Jack Brock, Member
Paul Cuticchia, Member
Ron Holehouse, Member

ALSO PRESENT:

Matt McLachlan, City Planning Consultant
Andrew Dickman, City Attorney
Chelsey S. Welden, Urban Planner
Mary Jo Murphy, Deputy City Clerk

1. **<u>Changes to the Agenda</u>**

There were no changes to the agenda.

2. **<u>Audience Comments</u>**

There were no audience comments.

3. **<u>Review and Approval of December 15, 2014 Meeting Minutes</u>**

Member Holehouse made a motion for the approval of the minutes for December 15, 2014. The motion was seconded by Member Cuticchia and unanimously approved by a roll call vote.

4. **<u>Public Hearings (Legislative)</u>**

a. Proposed Outdoor Dining Ordinance

Matt McLachlan, City Planning Consultant, explained the goal of the proposed Ordinance No. 2015-02 to the Board. Mr. McLachlan stated the first section of the ordinance relates to the definition section of the Code and the second section amends the supplemental regulations contained in Division 6 of the Code to establish requirements for outdoor dining areas. Mr. McLachlan offered to answer any questions posed by Board members.

Member Brock pointed out corrections to be made to the chart in regard to CC2 and TC-2. Mr. McLachlan stated the chart would be corrected accordingly.

Member Brock voiced concerns with prohibiting smoking and outdoor dining areas not extending beyond the sidewalk frontage of the associated business establishment under Section 6.24.

Member Brock pointed out that "take-out only" was not included in the TC-2 section. The Board agreed to list it as a conditional use.

Member Cuticchia voiced a concern about not permitting smoking and believes it could have a negative effect on business establishments.

There was Board discussion in regard to permitting smoking or not permitting smoking.

The Board discussed and agreed that restaurants with drive-thru services should be allowed as a conditional use.

Chairwoman Secka informed the Board of the following errors that need to be corrected on page 13: (e)(2) the word "associated" should be changed to the word "association" and the word "nay" should be changed to the word "any."

There was Board discussion in regard to the ROR (Residential/Office/Retail District) district and the RFM (Resort Facilities Medium District) district.

Chairwoman Secka posed a question about providing a minimum of five bicycle rack spaces. Mr. McLachlan replied that it is listed in the Code. Board discussion followed in regard to bicycle racks.

Chairwoman Secka asked the Board if they were comfortable with the restrictiveness of Commercial Kitchen. The Board was in agreement of listing it as conditional.

Mr. McLachlan informed the Board there was a mass mailing of notices sent to businesses to attend the Planning Board meeting this evening. Several replies from the audience voiced not receiving an invite to the meeting.

Chairwoman Secka asked for audience comments.

Tom Rodgers, President of Corey Avenue Business Association, spoke in opposition of the proposed outdoor dining ordinance. Mr. Rodgers commented that he did not receive a notice to the Planning Board meeting.

Rob Williams, Owner of Swigwam Beach Bar, informed the Board he did not receive notice of the Planning Board meeting. Mr. Williams posed questions in regard to the proposed ordinance to the Board.

Jackie, Owner of Jackie's Bistro, commented on Member Brock stating that her dining area was illegal. Mr. McLachlan verified that it was legal. Jackie spoke in favor of the proposed ordinance.

Lisa Castaneda, Corey Avenue business owner, posed questions in regard to allowing or not allowing smoking.

Tom Rodgers, President of Corey Avenue Business Association, spoke in regard to outdoor dining.

Mr. McLachlan commented that outdoor dining areas relate only to full or limited service restaurants, not bars or lounges.

Chairwoman Secka asked for any additional audience comments.

Jackie, Owner of Jackie's Bistro, explained the State's rules and requirements for her business license. Jackie allows smoking at her bistro but spoke in favor of the ordinance.

Hearing no further audience comments, Chairwoman Secka closed Audience Comments and asked for any additional Board discussion.

Vice-Chairman Friszolowski reviewed the following with the Board:

1. Page 8, Commercial Kitchen will remain allowed where it is has been listed allowed but added as a conditional use where it has not been listed.
2. Page 11, (2)c, add: unless approved by City Commission to encroach beyond boundaries.
3. Page 11, (2)g, no clear agreement with members of the Board.

City Attorney Dickman suggested polling the board to make a decision of whether or not to leave item (2)g in the ordinance. Member Brock and Member Cuticchia voted against and Chairwoman Secka, Vice-Chairman Friszolowski and Member Holehouse voted in favor of prohibiting smoking. Therefore, the decision was made to leave item (2)g in the proposed ordinance.

4. Page 13, correct the typos previously stated by Chairwoman Secka in (e)2.

5. Member Cuticchia commented that the following words, "theater" or "theatre," are spelled two ways in the proposed ordinance and it should be consistent with one spelling.
6. Page 25, Section 18, restaurants with drive-through service should be listed as Conditional use.
7. Page 24, (d), add: take-out only.

Vice Chairman Friszolowski made a motion to approve Ordinance 2015-02 with the amendments. The motion was seconded by Member Holehouse and the motion was unanimously approved by a roll call vote.

b. Proposed Off-Premise, Off-Street, and Commercial parking Ordinance

Mr. McLachlan gave an overview of the proposed Ordinance No. 2015-03 to the Board and offered to answer any questions posed by Board members. Mr. McLachlan recommended adding the following information to the proposed ordinance:

1. Page 39, (a)(1), after "An off-premise," insert the words "or commercial."

In regard to fees charged to a business to offset parking, Member Holehouse made a recommendation that those dollars be protected and only used for parking improvements.

After Board discussion, the following changes were agreed to by the Board:

2. Page 41, Sec. 23.14, (c), insert after the word "facilities," the words "created by the fund."
3. Page 36, change "500 feet" to 800 feet and "800 feet" to 1000 feet.
4. Page 37, correct the spelling of Legitimate "Theatre" or "Theater," Movie.

There was Board discussion in regard to bicycle racks and uniformity.

5. Page 38, (d), insert the word "retail" before projects.
6. Page 38, (a) differs from page 20 of the proposed Outdoor Dining Ordinance 2015-02 which has strikeouts and additional language added. City Attorney Dickman stated that the ordinances need to be consistent and not conflicting.

Chairwoman Secka asked for any further comments from the Board. Hearing none, Chairwoman Secka asked for any audience comments.

Joanne Lentino, 7010 Boca Ciega Drive, discussed the special purpose fund to support future parking structures.

Tom Rodgers, President of Corey Avenue Business Association, posed questions to the Board in regard to the special purpose fund used to support only future parking structures. Mr. Rodgers inquired about the funds being used for different projects. Mr.

Mr. McLachlan replied the funds have to be used for parking but the funds can be part of a larger project.

Chairwoman Secka reviewed the changes to the ordinance with the Board.

> **Member Holehouse made a motion to approve Ordinance 2015-03 with the changes as stated by Chairwoman Secka. The motion was seconded by Member Cuticchia and the motion was unanimously approved by a roll call vote.**

Chairwoman Secka closed the public hearings.

5. **Discussion / Workshop Items**

There was no discussion or workshop item.

6. **February Meeting / Agenda**

Mr. McLachlan informed the Board that Staff is continuing to work on analyzing the existing use classifications within the Code and there were no current applications.

Chairwoman Secka asked about the status of the Blind Pass Road project. Mr. McLachlan stated the City is requesting an amended scope form the design professional. Once there is an agreement of what the additional work will entail, there will be a presentation scheduled in the future.

Chairwoman Secka inquired about meeting with the County in regard to the CRA. Mr. McLachlan informed the Board there was a meeting scheduled on Friday to discuss issues and come up with a definitive action plan. Resolving the current litigation with the comprehensive plan will affect the plan moving forward.

City Attorney Dickman stated they had been meeting with opposing counsel and the petitioners on the DOAH challenge which challenges the 2013 comprehensive plan. The goal is to get an agreement in place and to go through a compliance agreement process that's outlined in the statute.

Chairwoman Secka inquired about the beach ordinance. City Attorney Dickman stated the City retained a surveying company and the survey has been completed.

Mr. McLachlan informed the Board that the City Commission had asked him to review the city sign code and develop some amendments. Therefore, the Board should expect the city sign code as a future agenda item.

Chairwoman Secka mentioned a previous topic of developing a specific process to review projects.

Chairwoman Secka asked for any Board comments.

Vice-Chairman Friszolowski asked for more information on the geographic area planned for Gulf Boulevard with the project of the County beautifying the beaches.

7. Board and Staff Reports

No discussion took place.

8. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 6:08 p.m.

Attest:

Rebecca C. Haynes, City Clerk

Chairwoman Secka, Chairwoman

Minutes approved on: 2/17/15