

**PARKING MANAGEMENT ADVISORY BOARD MINUTES  
TUESDAY, SEPTEMBER 23, 2014, 5:30 P.M.  
FIRST FLOOR CONFERENCE ROOM**

**MEMBERS PRESENT:**

Gerald Franciosa  
Bruce Gimmy  
Allen Huntington  
Fran Marincola  
William Morse  
Peter Perri  
Brian Rosen

**MEMBERS ABSENT:**

William Branning  
Albert Richwagen

**STAFF PRESENT:**

Scott Aronson, Parking Management Specialist  
Randal Krejcarek, Environmental Services Director

**STAFF ABSENT:**

None

**GUESTS/OTHERS:**

Fernando Nuñez - CSA Architects  
Peter Humanik  
David Cook  
Rick Burgess

**I. CALL TO ORDER:**

The meeting was called to order by Chairperson, Mr. Bruce Gimmy, at 5:30 p.m.

**II. APPROVAL OF THE AGENDA:**

Mr. Franciosa made a motion to approve the agenda, seconded by Mr. Morse. Said motion passed unanimously.

**III. APPROVAL OF THE MINUTES:**

Mr. Franciosa made a motion to approve the minutes of July 29, 2014, seconded by Mr. Morse. Said motion passed unanimously.

Mr. Marincola stated that the Parking Management Advisory Board advises and makes recommendation to the City Commission with respect to parking management policy and related issues. In the past, the board has made recommendations to be presented to the City Commission however, this has not been the case, and staff recommendations are presented instead. In addition, if changes are made to the board recommendations, staff should notify all board members of such changes so that members can attend the Commission meeting where such recommendations would be presented.

Mr. Aronson stated that he would make that happen.

Mr. Gimmy stated that in the past a board member resigned due to the aforementioned.

Mr. Franciosa asked Mr. Marincola if he would like to make a motion.

Mr. Marincola stated no motion is needed at this time as clarification has been made between board and staff.

Mr. Marincola made a motion to amend the July 29 minutes to reflect his comment regarding the Parking Management Plan Update mentioned on Item VII-C to implement one (1) hour free parking flexible between 8 a.m. to 5 p.m. and to accept the minutes as amended. The motion was seconded by Mr. Morse. Said motion passed unanimously.

Mr. Morse made a motion to approve the minutes of August 26, 2014, seconded by Mr. Franciosa. Said motion passed unanimously.

#### **IV. OLD BUSINESS:**

Mr. Aronson stated that the request from Rocco's Tacos for the purchase of five (5) in-lieu of parking spaces was modified to a conversion of use, reducing to four (4) spaces after applying credit for vested parking.

Mr. Marincola made a motion to amend the agenda to include beach parking hours on the beach area.

At this time, the board had a discussion regarding items added to the agenda without proper public notice.

Mr. Aronson stated that part of the agenda has a discussion on the Parking Management Plan Proposal as well as information provided in Board Packets.

Mr. Marincola stated that he hoped to see beach-parking items on the agenda as he requested it to be added last month.

Mr. Aronson apologized and stated that he would include the item for the next meeting.

#### **V. COMMENTS BY CITIZENS: (non-agenda items)**

Mr. Peter Humanik would like an update regarding meters being placed on Atlantic Avenue. He also stated that the Beach Parking Permit program should be prorated to make it more convenient to the citizens instead of charging full fee days prior to renewal season. The Beach Parking Permit is valid from October 1 to September 30 of each year.

Mr. Aronson stated that a prorated program for the Beach Parking Permit is being considered and it would be presented in a future meeting.

Mr. Humanik stated that prorating the permit would generate an excellent opportunity for the City to generate revenues and help the citizens. He is concerned that this option is not available to the citizens who live in the City and uses the beach permit program. In addition, the building of a

second parking garage is unnecessary as the Old School Square garage is not being utilized. A status report on such items should be available to the citizens on the website or at City Hall as there is no citizens input.

Mr. Cook business owner of Hands has been in Delray Beach since 1987; has been on various committee's thru the 90's, he was on the master plan committee in 2002, tax report for 5 years and served as a liaison to the Parking Management Advisory Board from 2006 until 2010. He would like to add to the meeting the lack of parking enforcement. When he was a member on this board a summary report was provided regarding tickets, meter revenue, exonerated tickets, etc. However, these reports have disappeared from the board through the years. In addition, there is limited parking enforcement in the west Intracoastal area during the weekdays and no enforcement over the weekends. The parking volunteer groups are only available until 3 p.m. and these volunteer groups get smaller during the summer. Residents used the empty lot behind his business and parked there for the entire weekend along with store managers' not enforcing employee parking leaving no parking available to customers.

He presented a report from the Police Department and stated that last December the Police Department issued a study in the downtown area from 3 p.m. to 6 p.m. They issued 256 tickets with revenues to be generated at \$8,925.00. If divided by 10, you get \$892.50 a day for three (3) hours of work by the Police Department; multiply that by 365 a day you get \$325,762.50 for three hours a day. If this study were implemented for longer hours for 10 days, it would generate great revenue. This would be possible by using the rules that are in place right now, without enforcement there is no parking management, the downtown does not have a parking problem they have a parking management problem, the rules that are in place should be used today. Everyone is concerned regarding meters but this issue needs the board's attention; most of the time there is no parking enforcement. In addition, there are golf vehicles for sale driving around the downtown with a for sale sign, with different phone numbers, different colors and parking the cars around town.

Mr. Gimmy stated that the summary update status report has been re-instated.

Mr. Aronson asked if he could provide copies of the statistic report he mentioned.

Mr. Cook stated he had extra copies of the police summary report and could provide them to the Board.

## **VI. NEW BUSINESS:**

### **A. Review of Central Business District Land Development Regulations Modifications**

Mr. Dana Little, Director of Planning & Zoning, provided a status report regarding the Central Business District Land Development Regulations Modifications and reported that some of the recommended conditions made by the board have been incorporated into the draft. A summary of the significant Code changes are:

- Geographic regulations including properties required to have shops/restaurants on the ground floor, areas where increased density may be requested, areas in the West Atlantic Neighborhood appropriate for commercial uses, boundaries of the Pineapple Grove

- Neighborhood Plan (which requires board review) and a portion of Atlantic Avenue in the Central Core with special parking requirements for restaurants.
- Building height maximum of four (4) stories would allow flexibility up to 54 feet of height.
  - All front setbacks are proposed at 10' minimum (previous code had a five (5) minimum for commercial uses).
  - New streetscape design standards organized landscaping and sidewalk areas.
  - All buildings have a step-back at the top of the 3<sup>rd</sup> story
  - Projects greater than 40,000 sq. ft. have a new requirement for Civic Open Space. Five (5%) of the site would be required to be a plaza, green park, etc.
  - Increase in height to five (5) stories and 64 feet is moved to a bonus program, rather than conditional use process.
  - Projects requesting increased height or density under the bonus program will be reviewed by the Site Plan Review and Appearance Board (SPRAB) as a Class 5 with City Commission making the ultimate decision.
  - The criteria for obtaining increased density and height requires 10% of the site as Civic Open Space, Workforce housing and green building practices. Properties that request sidewalk waivers are not eligible for any bonuses.
  - Bike parking is added and vehicular parking requirements are slightly adjusted. The area along Atlantic Avenue with special parking requirements for restaurants has been expanded to the Intracoastal; residential parking standards and other restaurant parking standards remain the same; hotel parking is reduced; and retail and professional office is changed from 1:300 to 1:500.
  - A traffic circulation study is required for large projects or projects that propose removing alleys or closing streets.

Mr. Marincola stated that the plan would be a great idea.

Mr. Gimmy asked when a space is calculated for a new restaurant, if the whole area is included in the calculation.

Mr. Little stated that the whole area is calculated.

At this time, there was a discussion regarding the Atlantic crossing project, Mr. Rosen asked if they are looking for restaurant space, Mr. Little stated that part of it is restaurant and part retail, they are looking into it and modifications are being made.

Mr. Marincola asked if there is some kind of regulations.

Mr. Aronson stated that only if you have conditional use and the conditional use goes away for more than 180 days, then the condition has to meet the zoning requirements allowed.

Mr. Little stated that there has been some discussion regarding the protection and scale of Atlantic Avenue and whether a fifth floor should be allowed. Right now on the document there is a bonus fifth floor with specific criteria that would also not be allowed to avoid pressure to redevelop some of the historic structure.

Mr. Marincola stated that he attended a meeting where there was a discussion regarding the feet high requirement.

Mr. Little stated that the proposal is that four story-building maximum heights would increase 48 feet to 54 feet, which would allow some of the high ceiling a waiver would be required, and you want to be reasonable but also business friendly as well.

Mr. Gimmy spoke regarding a traffic circulation study being required for large projects proposing closing alleys or streets. Was this study required before?

Mr. Little stated that it was not required before and explains that the downtown is a Transportation Concurrency Exception Area (TCEA). However, in certain circumstances or projects where an alley would be relocated and the circulation would be affected then a circulation study would be required. Adding this stipulation would allow flexibility when removing or closing alleyways.

#### **B. Discussion Regarding 4<sup>th</sup> & 5<sup>th</sup> Mixed Use Development – iPic Theater**

Mr. Gimmy asked Mr. Little about iPic Theater project. He spoke on behalf of Dr. George, he stated that the main concern is the alleyways and the vacancy of the marcel alley, he owns a parking lot down there, and he knows the importance of the alleyway system to merchants and restaurants. He is also upset that this project did not have any input of property owners or business owners when the project was proposed. He spoke to Scott Pape, Senior Planner, regarding the calculations for the parking, he understands the calculation is legal and that it meets code but 529 theater seats in 147 parking spaces, 400 employees, a restaurant, a cocktail lounge, a kitchen and a bar seems too much.

Mr. Aronson stated that you have to buy a ticket to the theater in order to access the restaurant. This would not be a walk in restaurant.

Mr. Marincola stated he attended a meeting when the project was presented, the petitioner stated there would be no restaurant, no kitchen, but a bar only.

Mr. Gimmy asked Mr. Little for input.

Mr. Little stated that in the last plans he has seen there is a kitchen. However, it is a wait service, where you purchase a ticket, order food and is brought to your seat. It is not a grab and go. The owner has made it very clear that the difference from the one in Boca is that you would be required to purchase a ticket to access the lobby. Originally, the majority of the access entry and exit was located thru the alleyway in addition to the valet, which was circulating that way as well. Staff was able to recommend switching the garage where entry/exit would be accessed thru 4<sup>th</sup> avenue, which the owner agreed to. However, the north south alley is still unresolved. Staff has worked with them and tried to convince them to redesign and move their core, trying to get the circulation approved but they simply cannot do which staff is not thrilled with the offset. The back alley could be abandoned.

Mr. Gimmy asked who made that decision and went on to say that it was an arbitrated decision.

Mr. Little stated that after a meeting with Mayor Glickstein, the Owner and Owner representative, the owner stated that new plans would be resubmitted however, nothing has been received.

Mr. Marincola asked if they realized that they might be a new parking requirement for that area for restaurants.

Mr. Franciosa stated that is not facing Atlantic Avenue.

Mr. Marincola stated that has nothing to do with facing Atlantic Avenue. It is from Swinton to 5<sup>th</sup> one block north and one block south.

Mr. Little stated that they are within that right now.

Mr. Aronson stated that in the original parking requirement for restaurants it was from Swinton to the Intracoastal and one block north to First Avenue and one block south to First Avenue. The new version is from Swinton to the Intracoastal and from one block north to Second Avenue and one block south to Second Avenue and how the ordinance was written regarding the 12 spaces per 1000 sq. ft. between Swinton to 5<sup>th</sup> Avenue and if it includes the restaurant from Atlantic or if it is a Downtown Development Agency Area.

Mr. Marincola asked if clusters were included

Mr. Aronson stated that the clusters from the DDA do not align with the design district of the Planning & Zoning.

Mr. Little stated that staff has been at the location along with Mr. Jeff Costello. They realized the relief parking lot would be great for the alleyway and staff recommended to the applicant to contact Mr. George to see if they can have some sort of cross easement.

Mr. Aronson stated he would like to see the garage plans and the valet circulation and perhaps they can curve up to the garage, drive into the garage, and make a right for the valet parking area or go straight for self-parking.

Mr. Little stated that was the first thing they were looking into. Unfortunately, there are elevator and fire stairs core, based upon on the increments of the theater sizes, basically pushing out into what is now the existing alleyway.

Mr. Aronson stated that then it is an interior garage configuration. He has not seen the plan but suggested there might be a way to have the valet and the self-parking inside the facility and branch out to the valet attendants, one side can be used for regular parking and few spaces segregated for valet parking.

At this time, there was a discussion between board members and Mr. Cook who asked how a 537-seat theater only needs 180 parking spots.

Mr. Aronson stated that per the Land Development Regulations, all uses except hotel, motels, restaurants, bar, lounges and offices requires one (1) space per 300 sq. ft. of gross floor area, office space is one (1) space per 300 sq. ft. of net floor area.

Mr. Gimmy asked what the net floor area is.

Mr. Aronson stated for net floor area the bathroom, stairwells and closets are not calculated in the square footage just the actual office space. This was designed for Class A building that has large lobby and atrium that it would only count the office space itself. The theater is similar to the aforementioned.

Mr. Marincola stated that originally there was not going to be a restaurant but then suddenly a restaurant has been included.

Mr. Little stated that you would be required to purchase a movie ticket to order food from the restaurant.

Mr. Marincola stated that the restaurant would not be required for parking or in-lieu fee because it is for the movies.

Mr. Gimmy stated that regulations must be implemented in case the owners would try to avoid to paying restaurant and in-lieu fee.

Mr. Gimmy asked if there would be a traffic study on this project.

Mr. Little stated he was not aware a traffic study would be done on the project because the new revisions to the Central Business District Land Development Regulations have not been adapted yet. However, he is aware about the letter from Palm Beach County.

### **C. Discussion Regarding Parking Management Plan Proposal.**

Mr. Aronson stated that the daytime parking for one (1) hour free flexible.

Mr. Krejcarek presented a power point with parking garage revenue comparison for 2012-2014, parking meter revenue comparison for 2010-2014 and the fiscal year parking revenue compilation. The first chart has a total in revenue from Old School Square, Federspiel garage, special events, pom meters and multi space meters combined, the numbers are based on a one (1) hour free parking, utilization rates, weekends and the \$5.00 cap on garages.

At this time, there is a brief discussion in regards to the free flexible parking hour on Atlantic Avenue; Commission should determine the length of flexible free parking hours. Flexibility for customers/citizens to have the option to purchase extra time via cell phone, the need to have turn over parking on the Avenue and the utilization of the parking garage.

Mr. Krejcarek stated that on the study the fee for Atlantic Avenue was \$1.50 on First Street.

Mr. Aronson stated that once the program starts fees would change based on the utilization of the areas. The system would determine those areas based on the data collected.

Mr. Marincola asked if the City wants to add a half hour.

Mr. Aronson stated that the program increases enforcement. The program would be able to provide a parking improvement district. The revenues would be used toward parking enforcement, police patrol, lighting, restriping parking spaces, parking lots, infrastructure, study of the Downtown Core Area and the study area that is part of the Capital Improvement Plan that are pending.

Mr. Gimmy asked if that is a suggestion that would be presented to the City Commission that the program would be used for improvement and policing.

Mr. Krejcarek stated that it would identify areas.

Mr. Morse stated that is what was discussed at the presentation at the Town Hall meeting.

Mr. Marincola stated that they also talked about two parking districts.

Mr. Aronson stated that it would be one parking district divided in two areas.

Mr. Rosen asked what the technology venues are. Considering what meters would be implemented, friendly, and easy payment methods is very important. Consumers do not mind paying it if it is easier and friendly.

Mr. Aronson stated that one of the things they are looking into is license plate recognition for being effective. It is a technology that is taking over. Other municipalities have implemented it.

Mr. Marincola stated that the new technology intimidates him. However, he likes it.

Mr. Aronson stated the staff would look into all other programs like license plate recognition, ground sensors, and pay by phone, etc. Admin fee, user fees, installations and all other would be considered. Three companies would be presenting their products and prices to staff. Staff would like board opinions on specific components of the programs.

Mr. Morse asked if there would be any kind of permit that would be implemented for that area.

Mr. Aronson stated that a resident program would be implemented.

Mr. Gimmy stated it is illegal to implement a program for Delray Beach residents only.

Mr. Aronson stated that the funds received from the State are from the Federal Government for Beach nourishment and it is to provide parking to all on equal basis.

Mr. Rosen asked if there would be a resident program.

Mr. Aronson stated that there would be a resident program, also an employee program would be considered based on the utilization rate of the area.

Mr. Morse stated not to forget the top floor of the Old School Square Garage for employees.

Mr. Marincola stated that you have restaurant employees that work day and night time.

Mr. Aronson stated that after 5 p.m. the two (2) hour limit would no longer be available. For clarification, the fee based parking hours would be 10 a.m. to 5 p.m. daily with one (1) free hour limit with the availability of adding half an hour during the daytime. After 5 p.m., every hour is paid for until 1 a.m.

Mr. Perri stated that most of the restaurant employees use the railroad parking lot and spot are taken by 9 a.m. and asked if they would get the two (2) hours free parking.

Mr. Krejcarek stated that he thought he heard it was just Atlantic Avenue and the first block north and south would have the one (1) hour free parking.

Mr. Perri stated that this is a surface lot.

Mr. Aronson stated that is only side streets and Atlantic Avenue that would get the one (1) hour free.

Mr. Gimmy stated that the proposal has a combination of volunteers and employees.

Mr. Aronson stated that would be the proposal.

At this time, there was a discussion regarding the methods and notifications of payments. Board members would like a presentation from the three vendors, to see the type of products, services, and payments, etc.

Mr. Marincola made a motion to make meters hours consistent throughout from 9 a.m. to 8 p.m. The motion was seconded by Mr. Morris and passed unanimously.

Mr. Aronson asked if the recommendation should be presented as part of the presentation or a separate item to the City Commission.

Mr. Marincola stated to present it as separate item to avoid confusion.

Mr. Gimmy asked who would make a decision on changing the parking meters hours.

Mr. Aronson stated that it would be the City Commission's decisions.

At this time, there was a discussion regarding presenting the proposal to the City Commission, to include plans, actions, employee parking spaces, garage, lots, library parking, revenue, data, etc.

Mr. Marincola stated that staff should present a detailed presentation of the meter parking to the City Commission and to allow them make a decision regarding flexible free parking.

Mr. Krejcarek stated that detailed data would be presented, showing different hours, revenues, etc.

At this time, there was a discussion regarding including a flexible free parking hour in the proposal.

Mr. Aronson stated that if the license plate recognition program were installed then it would automatically give a two (2) hour free parking.

**D. Discussion Regarding Parking Management Plan Proposal.**

Mr. Aronson stated that per the Board members request restarting a monthly report, a report would be available on a monthly basis.

Mr. Marincola would like to save the item for a future meeting and would like to evaluate it.

Mr. Gimmy asked for a quick explanation of the report.

Mr. Aronson stated that two comprehensive reports would be available one report would show citations issued, comparisons from last year, percentage of revenue versus issued citations, violation report, meter's violation, no parking zone, overtime parking, expired meters, handicap parking violations, etc.

Mr. Rosen stated the report is informative.

Mr. Aronson stated that the other report would show detailed data collected from the different garages, lots, on street, single head meters, multi space meters, beach meters along with the revenue collected during the month including data of the special events throughout the years.

**VII. COMMITTEE REPORTS ON PARKING RELATED ISSUES:**

None.

**V. NON-AGENDA ITEMS:**

None.

**A. Comments by Staff**

None.

There being no further business, Mr. Gimmy, declared the meeting adjourned at 7:41 p.m.

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Advisory Board Liaison

The undersigned is the Secretary of the Parking Management Advisory Board and the information provided herein is the minutes of the meeting of said Parking Management Advisory Board on October 28, 2014, which minutes were formally approved and adopted by the Board on

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ATTEST:

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CHAIR

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## Advisory Board Liaison

NOTE TO READER: If the minutes you have received are not completed as indicated above, this means they are not the official minutes of the Parking Management Advisory Board. They will become official minutes only after review and approval, which may involve some amendments, additions or deletions.

S/City Clerk/Boards/Parking Management Board/minutes