

**PARKING MANAGEMENT ADVISORY BOARD MINUTES
TUESDAY, JUNE 23, 2009, 5:30 P.M.
FIRST FLOOR CONFERENCE ROOM**

MEMBERS PRESENT:

Fran Marincola
Alan Kornblau
George Brewer
William Branning
David Cook
Peter Perri
Charles Halberg

MEMBERS ABSENT:

Nancy Schneider
John Gergen
Mark Denkler
Cecelia Boone

STAFF PRESENT:

Scott Aronson, Parking Management Specialist

STAFF ABSENT:

None

GUESTS/OTHERS:

Richard Jones
Francisco Perez-Azua

I. CALL TO ORDER:

The meeting was called to order by Vice Chairperson, Mr. Fran Marincola, at 5:37 p.m.

II. APPROVAL OF AGENDA:

Board members did not vote on this item.

III. APPROVAL OF MINUTES:

April 28, 2009

Mr. Kornblau made a motion to approve the minutes of April 28, 2009, seconded by Mr. Cook. Said motion passed unanimously.

IV. OLD BUSINESS:

Mr. Aronson advised the Board that the request from Cut 432 to establish a valet parking queue on SE 4th Avenue was approved by City Commission on March 17, 2009. Secondly, the request from Linda Bean's Perfect Maine for the purchase of four (4) in-lieu parking spaces was approved by City Commission on April 7, 2009.

V. NEW BUSINESS

A. Review A Request From Beluga Wine Bar For The Purchase of Three In-Lieu Parking Spaces

At this time, Mr. Marincola, reviewed the quasi judicial rules.

Venice Cobb, Board Liaison, swore in those individuals who wished to give testimony.

There were no ex-parte communications disclosed by any Board members.

Mr. Aronson stated that the Beluga Wine Bar, located at 44 SE 2nd Avenue, has submitted a Class III Site Plan Modification for the conversion of use of 588 sq. ft. of retail area to a restaurant and the expansion of the existing second floor, two bedroom residential unit. The parking for residential units, two bedrooms and above, require two parking spaces. Therefore, the expansion of the residential unit requires no additional parking. The proposal includes the expansion of the residential unit upstairs including the installation of a stair and elevator which requires the elimination of one (1) existing parking space which is not permitted by City Code but by a waiver. The eliminated space, if supported by the approval of the waiver, will result in the need of an additional space. The 588 sq. ft. conversion of use requires 1.57 spaces which rounds to two (2) spaces, thereby requiring three (3) spaces. The cost per space in Area 2 is \$15,600 totaling \$46,800. The applicant will be seeking to pay in accordance with Land Development Regulations Section 4.6.9(E)(3) via an in-lieu of Parking Fee Agreement which requires 50% payment upon signing the agreement and two subsequent payments of 25% on the second and third anniversaries of the agreement. The granting of the waiver findings will not adversely affect the neighboring area; will not significantly diminish the provision of the public facilities; will not create an unsafe situation; and does not result in the granting a special privilege in that the same waiver would be granted under similar circumstances for another applicant or owner. Policy C-4.1 of the Future Land Use element of the Comprehensive Plan suggests the accommodating of parking needs through innovative actions such as the in-lieu of parking program. The subject property is located in the vicinity of the Federspiel Garage and two blocks from the Old School Square Parking Garage and six on-street parking spaces constructed by the applicant with the original construction of the restaurant in 2003. Staff recommends approval of the applicant's request to purchase three (3) in-lieu parking spaces to accommodate the conversion of use of 588 sq. ft. from retail to restaurant and the installation of a stair and elevator to the residential unit and associated waiver for the elimination of one (1) space.

Mr. Richard Jones explained that the applicant would like to add height to the subject property by expanding the second floor and putting a new face on the building.

Mr. Marincola asked about the use of the property.

Mr. Jones advised that the use will consist of retail, restaurant and residential. The applicant plans on having a wine room and banquet tables for private parties in the facility.

Mr. Marincola is concerned about mixed use developments because they have the potential to encroach.

Business District, the General Commercial District, the Mixed Residential Office & Commercial District, and the Planned Commercial District. Current regulations require a project to include a residential component to utilize the shared parking matrix. Given today's inventory of residential development in the Downtown area, this is no longer the case. The proposed modifications will provide incentives to develop a wider variety of mixed use developments in the City, including office and hotel uses which have been identified as desired uses within the Downtown area. The text amendment is supported by the Downtown Master Plan which talks about shared parking and a reduction of surface parking lots and the Comprehensive Plan which talks about accommodation of parking needs through innovative actions and incentives for mixed use developments and rehabilitation. The Community Redevelopment Agency, Downtown Development Authority, West Atlantic Redevelopment Coalition and Planning & Zoning Board have recommended approval of the proposed ordinance.

Mr. Brewer suggested addressing medical offices in the Downtown area.

Mr. Aronson stated that medical would be classified as office use and the required parking of 5 parking spaces per 1000 sq. ft. would be sufficient.

Mr. Francisco-Perez Azua stated that medical offices could be discussed with the group of people working with the Parking Study.

Mr. Brewer stated that due to parking, individuals have had to establish businesses outside the City.

Mr. Branning made a motion to recommend approval of the proposed amendment to Land Development Regulations Section 4.6.9(C)(8)(a) to allow the use of the shared parking matrix without providing a residential component and the expansion of its use throughout the City. The motion was seconded by Mr. Kornblau and passed 7-0.

VI. COMMITTEE REPORTS ON PARKING RELATED ISSUES:

Board members presented a brief status report of items taking place on their respective Boards. Members agreed due to agendas and minutes available from the Board, there was no need for detailed minutes on this agenda item.

VII. NON-AGENDA ITEMS:

A. Comments by Board Members

Mr. Marincola suggested considering ways to deter restaurants from encroaching. He mentioned different restaurants that encroach by utilizing retail space as restaurant use.

Mr. Halberg suggested that Code Enforcement monitor the properties that are encroaching.

Mr. Aronson advised that violations have to be brought to the Code Enforcement Board.

Mr. Marincola suggested discussing ways to monitor businesses that encroach at the next Parking Management Advisory Board meeting.

Mr. Aronson advised that there is some concern regarding the entry to the banquet area which will be accessed through the retail area and has potential to be used as a waiting area for the restaurant. If this occurs, the applicant will have to obtain additional parking spaces.

Mr. Halberg made a motion to recommend approval of the applicant's request to purchase three (3) in-lieu parking spaces to accommodate the conversion of use of 588 sq. ft. from retail to restaurant and the installation of a stair and elevator to the residential unit and an associated waiver for the elimination of one (1) space. The motion was seconded by Mr. Branning and passed 7-0.

Mr. Francisco Perez-Azua spoke on behalf of the Economic Development Committee stating that he feels that the waivers are to accommodate business owners who are investing in the City.

Mr. Kornblau asked if the in-lieu fees are placed in a general fund.

Mr. Aronson stated that the in-lieu fees are placed in a separate fund and are used for parking purposes only.

B. Recommend Renewal Of All Valet Parking License Agreements

At this time, Mr. Marincola stepped down as Chairperson because he had a conflict of interest.

Mr. Halberg resumed the meeting as Chairperson.

Mr. Aronson stated that the Valet Parking License Agreements expired on March 30, 2008. Historically, increases have been imposed every other renewal year (2004, 2006 and 2008). He further noted that the Cut 432 agreement became in effect April, 2008. Staff is recommending approval of the renewal of all Valet Parking License Agreements for one (1) year, from April 1, 2009 through March 30, 2010, under the existing terms and conditions.

Mr. Halberg stated that revenue for the valet services has decreased.

Mr. Kornblau made a motion to recommend approval of the renewal of all Valet Parking License Agreements for one (1) year, from April 1, 2009 through March 30, 2010, under the existing terms and conditions. The motion was seconded by Mr. Perri and passed 6-0. Mr. Marincola abstained due to a conflict of interest.

C. Recommend Approval Of A City Initiated Text Amendment To Land Development Regulations Section 4.6.9(C)(8)(a) – Shared Parking

Mr. Aronson stated that the item before the Board is that of making a recommendation to the City Commission regarding removing the requirement to include a residential component in a mixed-use development when utilizing the shared parking matrix. Currently, through the shared parking, the matrix looks at the individual uses in a mixed-use development. The code provides a shared parking matrix, provided by the Urban Land Institute, which identifies and calculates the peak demand of the individual uses and determines where the peak demand is. The matrix accounts for the various demands, allowing the reduction of required spaces accordingly, based on the time of day. The current zoning districts that allow use of the shared parking matrix are the Central

B. Comments by Citizens

None.

C. Comments by Staff

None.

There being no further business, Vice Chairperson, Mr. Fran Marincola declared the meeting adjourned at 6:36 p.m.

Venice Cobb, Executive Assistant/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 of June 23, 2009, which minutes were formally approved and adopted by the Board on

Venice Cobb, Executive Assistant/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.