

**PARKING MANAGEMENT ADVISORY BOARD MINUTES  
TUESDAY, DECEMBER 16, 2008, 5:30 P.M.  
ENVIRONMENTAL SERVICES BOARD ROOM**

**MEMBERS PRESENT:**

Peter Perri  
Alan Kornblau  
David Cook  
Charles Halberg  
Fran Marincola  
Nancy Schneider  
John Gergen  
Cecelia Boone  
Mark Denkler

**MEMBERS ABSENT:**

William Branning  
Troy Wheat

**STAFF PRESENT:**

Scott Aronson, Parking Management Specialist  
Ron Hoggard, Senior Planner

**STAFF ABSENT:**

None

**GUESTS/OTHERS:**

Commissioner Eliopoulos  
John Delgado  
Brandon Bellusaio  
Mike Hammad  
Sal Giron  
Joe Grenadier  
Francisco Perez  
Jeff Costello

**I. CALL TO ORDER:**

In the absence of the Chair and Vice Chairperson, the meeting was called to order by Board member, Mr. Charles Halberg, at 5:33 p.m.

**II. APPROVAL OF AGENDA:**

Mr. Cook made a motion to approve the agenda, seconded by Mr. Marincola. Said motion passed unanimously.

**III. PRESENTATION:**

**A. Proposed Modifications to Land Development Regulations Regarding Parking Regulations and Associated Text Amendments (Ron Hoggard, P&Z)**

Mr. Ron Hoggard spoke about recommendations made by the Economic Development Committee to create incentives for office development in the Delray Beach. The recommendations

highlighted a need for Class A office space. The Chamber of Commerce feels that there is opportunity to attract more office development in Delray Beach due to many factors including the fact there is a shuttle system including transportation to the tri-rail station. He noted that the recommendations are aimed to reduce the current parking requirements for offices. Some of the suggestions are to change parking for offices by calculating parking requirements on a net floor area basis, rounding fractions down instead of up. In addition, Mr. Hoggard spoke of the area between Swinton Avenue and the Intracoastal between NE and SE 1<sup>st</sup> Streets where the parking requirements are one (1) space per 300 square feet of gross floor area regardless of use, except restaurants, which remain at 6 spaces per 1,000 sq. ft.. The proposal is to expand the area to two (2) blocks north and south of Atlantic Avenue. The justification for this expansion is the parking garages and lots lie within the first block north and south of Atlantic Avenue which makes the expansion logical as business is now expanding further north and south of Atlantic Avenue the distance for those parking and walking to their destinations is marginal. The Chamber of Commerce recommended expanding to NW and SW 2<sup>nd</sup> Street to promote development off the Avenue.

At this time, Mr. Denkler, Ms. Schneider and Commissioner Eliopoulos arrived at the meeting.

Mr. Aronson spoke about the current commercial employees' inability to purchase homes in the Downtown Core area due to the salary ranges for the nature of the jobs in the area. He noted that the Class A offices are needed to attract the people and employees that can afford to reside in the Downtown area. He went on to advise that a parking study will be done to determine several issues, including how the shuttle interfaces with the parking regulations. A consultant will calculate the utilization in the parking lots, do an inventory of parking and determine how parking should be managed in the future.

Mr. Marincola made a motion to recommend approval of the proposed modifications to Land Development Regulations regarding parking regulations and associated text amendments. The motion was seconded by Mr. Gergen and passed 8-1 with Ms. Schneider Dissenting.

#### **IV. NEW BUSINESS:**

##### **A. Review A Request From Hammad Shoppes To Waive Previously Approved In-Lieu Fees**

Mr. Aronson stated that the request from Hammad Shoppes is to recommend a waiver of previously approved in-lieu fees in the amount of \$16,000.00 to City Commission. At the City Commission meeting of August 5, 2008, approval was granted to Hammad Shoppes for the purchase of four (4) in-lieu parking spaces at a cost of \$16,000.00 to accommodate the construction of a mezzanine affiliated with a previously approved class III site plan modification which mainly consisted of a 1,072 square foot expansion and façade improvements. The 1,152 square foot mezzanine was not included in the approved plans, but was discovered during construction, thereby predicating the in-lieu request. The in-lieu request was approved in accordance with Land Development Regulations 4.6.9(E)(3). Upon remittance of the signed agreement and \$8,000.00 payment, a letter protesting the payment was included. The letter stated that the property would have been able to provide all of its required parking if not for the NW 5<sup>th</sup> Avenue beautification project which required elimination of a six (6) space lot formerly located at the front of the property. Staff states that the parking spaces were relocated to the rear of the property along with four (4) additional spaces to accommodate the 1,072 square foot expansion.

Mr. Aronson spoke about findings that should be made prior to approving the waiver and noted that three out of the four are met. He went on to advise that staff felt the granting of the waiver may confer a special privilege. There have been cases where the waiving of in-lieu fees has been denied in the past.

Ms. Boone inquired as to whether or not the mezzanine was being used for storage.

Mr. Aronson was not sure what the mezzanine was being used for, but stated that the mezzanine had full height clearance and therefore could be used for anything.

Mr. Jeff Costello, Assistant Director of the Community Redevelopment Agency (CRA), stated that the CRA was involved in the NW 5<sup>th</sup> Avenue beautification project. He then noted that the CRA encouraged Mr. Hammad to renovate his building to enhance the neighborhood. The parking spaces located at the front of the convenient store were considered prime spaces and were relocated to the back of the building. A suggestion was made to City staff to process an amendment to the Land Development Regulation relating to property owners with back out parking in front of their property getting credited if the construction of public parking spaces in the right of way in front of the property causes the loss of said back out parking on their property

Mr. Marincola asked if it would be appropriate to request a 50% credit instead of 100% credit.

Mr. Mike Hammad stated that he gave up his parking spaces to the CRA and was advised that the alleyway improvements would be constructed and the parking relocated to the rear of the building. He stated that he was told that the four parking spaces to be constructed to the front of the building would be credited towards his property. He stated further that he was also promised 5-10 minute parking signs for the four (4) spaces constructed in the right of way. Mr. Hammad advised the Board that his business has suffered significantly due to the loss of the spaces in the front of his building.

Mr. Marincola feels that Mr. Hammad should be credited if he was told that the parking spaces would be counted towards his spaces.

Mr. Costello feels that the waiver request should be approved not based on hearsay but because of the mezzanine square footage and because the business owner's existing back out parking were removed for a public improvement.

Mr. Marincola inquired about approving the installation of 5-10 minute parking signs.

Mr. Aronson wanted to know what the mezzanine is used for.

Mr. Hammad advised that the space is used for storage.

Mr. Perri commended the Community Redevelopment Agency and Mr. Hammad for the improvement of the property. He feels that 5-10 minute parking spaces would be convenient and beneficial.

Mr. Marincola inquired as to whether there is sufficient parking to allow for 5-10 minute parking spaces.

Mr. Costello suggested making only two of the four spaces 5-10 minute parking. He advised that parking will be constructed in the area of SD Spady Museum. He added that the Community Redevelopment Agency is trying to acquire another property for the construction of parking spaces in conjunction with other projects such as the Martin Luther King Drive beautification.

Mr. Aronson stated that the Development Services Management Group is responsible for determining the provision of short term parking spaces.

Mr. Marincola made a motion to approve the recommendation to waive previously approved in-lieu fees, seconded by Ms. Boone. Said motion passed 9-0.

### **B. Review A Request From Cut 432 To Establish A Valet Queue On The South Side Of The 400 Block Of East Atlantic Avenue**

Mr. Aronson stated that Cut 432 has submitted a request to establish a valet queue on the south side of the 400 block of East Atlantic Avenue. Mr. Aronson advised that there is already a valet queue on the north side of the 400 Block of East Atlantic Avenue. The Valet License Agreements mandate that all customers from any business are to be serviced by the current valet. The subject property is in the vicinity of the Old City Lot, the Ace Hardware Lot and the old Library lot which all provide public parking. The applicant was advised that consideration would be given to operate a valet queue on the west side of 4<sup>th</sup> Avenue. However, the applicant feels that the business would do well with a valet queue in front of the business. Mr. Aronson went on to advise that there is an ADA compliant space on the south side of the street on the east end. Therefore, the only parking spaces available for a valet queue would be to the west end of the street which is where the current valet is located. The other valet is located on the north side which would place the valet queues directly across the street from each other on the same block.

Mr. Halberg asked about the expiration of the agreement for the valet queue on the north side if the current establishment went out of business.

Mr. Aronson advised that the valet queue would be offered to the next owner of the business.

Mr. Halberg wanted to know what would happen in the event the business was dormant for a period of time.

Mr. Aronson stated that staff would offer the valet queue to another business rather than let it remain dormant. He is not sure as to whether or not staff would recommend relocating the valet queue to the opposite side of the street as to not have all valets on the south side of the street and have no valet queue for westbound traffic.

Ms. Schneider inquired as to whether there was an entrance to the restaurant from the rear.

Mr. Brandon Bellusaio stated that the back entrance is for employee use.

Ms. Schneider asked if the back entrance could be modified and the alleyway used for parking.

Mr. Bellusaio stated that there is no lighting and it would be too congested.

Mr. Marincola recommended that Cut 432 ask the business that currently has the valet service to allow them to extend their operating hours.

Mr. Bellusaio advised that they tend to lose reservations because their customers do not know how to locate the restaurant. He also noted that they cater to an older and more sophisticated clientele and their commute to the restaurant is too far.

Mr. Marincola stated that Cut 432 is in a good position and feels that customers will find the restaurant if they want to dine there.

Mr. John Delgado stated that it seems logical to have the valet queue on the south side being that customers are usually traveling from I-95 eastbound. He noted that eventually the current valet queue will go out of business because they cannot afford to continue the service. He noted that several valet services have gone out of business because they do not have sufficient vehicles to park.

Board members are not in favor of adding a valet queue in front of Cut 432.

Mr. Delgado stated that adding a valet queue in front of Cut 432 will ease a burden from the City. He feels that currently the customers have to leave their cars in the middle of the roadway causing a backup in traffic.

Mr. Marincola feels that there is sufficient parking to accommodate the business.

Mr. Marincola made a motion to table the request from Cut 432 to establish a valet queue on the south side of the 400 block of east Atlantic Avenue, seconded by Ms. Schneider. Said motion passed unanimously.

Mr. Sal Giron gave a brief history of the valet company and its accomplishments. He spoke of why he feels his valet would be successful.

## **VI. COMMITTEE REPORTS ON PARKING RELATED ISSUES:**

Board members Charles Halberg and Peter Perri presented a brief status report of items taking place on their respective Boards. Members agreed due to agendas and minutes available from these other Boards and Committees there was no need for detailed minutes on this agenda item.

## **VII. NON-AGENDA ITEMS:**

### **A. Comments by Board Members**

Ms. Boone spoke about two property listings that are for sale at a reasonable cost.

### **B. Comments by Citizens**

Mr. Francisco Perez, Chairperson of the Economic Development Committee, spoke about other recommendations that have been discussed such as not requiring retail establishments along

Atlantic Avenue to provide additional parking spaces if they decide to expand their office space. He also spoke of allowing only new office developments to purchase in-lieu spaces in the CBD (Central Business District).

**C. Comments by Staff**

Mr. Aronson presented the 2009 meeting dates for the Board members approval.

The 2009 meeting dates were approved.

There being no further business, Mr. Halberg declared the meeting adjourned at 7:03 p.m.

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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 December 16, 2008, which minutes were formally approved and adopted by the Board on

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Venice Cobb, Executive Assistant/Board Liaison

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