

**CITY OF ANNA MARIA
PLANNING & ZONING BOARD
WORK SESSION
FEBRUARY 6, 2006
7:00 P.M.**

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL: Margaret Jenkins, Fran Barford, Acting Chair Doug Copeland, Frank Pytel, Randall Stover, Jim Conoly

Absent with excuse: Chair Christopher Collins

Also present: Commissioner Dale Woodland, Building Official Kevin Donohue, Minutes Clerk Sylvie Reichmann

Press: Sun, Islander

MOTION: Frank Pytel moved to accept the minutes of the January 23rd, 2006 meeting of the Planning & Zoning Board, seconded by Fran Barford.

Vote: All Ayes. Motion carried.

2. Preparation of Land Use Map

a. Review of Ad-Hoc Land Use Map

Acting Chair Doug Copeland noted that Conservation and Preservation districts had been combined. On the current map, they are shown as separate (light green and dark green). On the new proposed Ad-Hoc Committee maps the entire Conservation area is light green. Conservation land use is restricted to passive resource use, without the addition of permanent structures. Acting Chair Doug Copeland noted that Gulf Front Park had been added to Conservation.

Frank Pytel asked if the spoil site adjacent to Galati's was being included in the Conservation area, noting that this was included as such on the old map. Tony Arrant said the City may need to get a letter from the DEP identifying the spoil site. Frank Pytel said on the 1992 map the site was shown as Conservation, and on the new one it was just listed as spoil. **Acting Chair Doug Copeland received consensus to include the spoil island in the Conservation district and consensus to approve the revised boundaries of the Conservation district in total.**

Jim Conoly mentioned the lot at 875 North Bay on which there is now a parking lot. Acting Chair Copeland noted the City owns the street from Alamanda to the Pier. Acting Chair Doug Copeland said there is a 50 ft. right of way there

Frank Pytel noted a change from the 1992 map, across the street from Galati's, and asked why it had been changed to Commercial when it was

previously Conservation. Tony Arrant said the Ad-Hoc had determined the change because the land use extended into the water. **There was consensus to accept the change.**

Acting Chair Doug Copeland went on to the Recreation district, and noted it was essentially the same as on the 1992 land use map. Tony Arrant noted that development in Recreation districts is limited to a variety of active and park recreation uses. **There was consensus to accept the proposed Recreation boundaries as defined in the Ad-Hoc Proposed map.**

b. Identify Properties of Interest for P&Z Land Use Designation Discussion

Acting Chair Doug Copeland noted that there was a discrepancy between the two churches that had been designated as Public Use. He said that Tony Arrant had informed the Ad-Hoc Committee that many communities allow conditional uses for their church land. Acting Chair Copeland noted the Board could decide to resolve the discrepancy either way, noting that the proposal was currently to have the conditional use as residential in the Island Baptist Church area.

After discussion, Acting Chair Doug Copeland recommended that the Anna Maria portion of the Island Baptist Church be treated as Public Use land, and there was consensus to accept this change. This consensus included the acceptance of the balance of the Ad-Hoc's proposal for the Public Use category on the Future Land Use Map.

Randall Stover inquired as to the exact number of lots designated as Public Use and belonging to the City in the Historical Museum area. After discussion, it was determined that there were four lots.

Acting Chair Doug Copeland indicated the Low Density Residential and Medium Density Residential areas shown on the 1992 map, and explained that the proposal for future land use was to eliminate the Medium Density Residential category, and there was consensus for this.

Relative to ROR, Acting Chair Doug Copeland noted that this was where the Board had gotten bogged down at last meeting. He asked to open discussion at this evening's meeting with individual opinions of what boundaries the ROR district should have, before getting into discussing individual lots.

Jim Conoly asked if the ROR boundaries could be extended, and Frank Pytel said that he wanted to know this also. Tony Arrant said the data and analysis from the original plan had shown that ROR was to be exclusively along Pine. He said that the City only needed to make a conscious, deliberative, legislative decision, based on planning principles, to expand it. He cited as examples: the existing development pattern extends into a different area, and the City would like to make it conform; advantages to having ROR, such as improving the

economic base; existing mixed uses in proximity to each other, compatibilities, commercial disturbance of a residential neighborhood. He reminded the Board that it needed to be thinking about how it wanted the community to look and how they believed it should function. It needed to examine where it had mixed uses along Gulf Drive, for example, and determine where designating the area as ROR would work, and in doing so, establish a boundary along Gulf Drive where the extended district would end. Logically this would be where there no longer were existing mixed uses, and where the City did not want the use to encroach on the Residential land use district.

Acting Chair Doug Copeland pointed out some Commercial undeveloped lots by the City Pier and near Galati's, and expressed the opinion that essentially whole commercial area is mixed use. Tony Arrant said the red on the map, or exclusively Commercial uses needed to be addressed. He said if Commercial use is changed to ROR, it would essentially be encouraging a change to residential.

Frank Pytel asked what kind of businesses should be encouraged in Anna Maria, and should they not be the same kinds of businesses along Pine as the ones along Gulf. Frank Pytel noted the recommendations the Board had adopted so far in the Plan had already helped business, e.g., three usable floors and larger setbacks.

Margaret Jenkins said she thought ROR district should be extended clear to the Gulf. Acting Chair Doug Copeland noted ROR was a new category created with the 1992 Comprehensive Plan. Tony Arrant noted the City had no legal map until 1989.

Randall Stover said he felt the Board should think carefully as planners and look at how developers are turning Pine into a residential area. He asked if the City is not preventing business developers from building.

Fran Barford noted that what the Board was discussing was the eliminating of a long established, purely Commercial area at the corner of Gulf and Pine, and asked if it would be a detriment to the City, from a planning standpoint, if the Commercial area were eliminated from the City. Tony Arrant said the third floor allowed now in ROR would take away from the visual aspect near the Gulf, and the City would be taking away protection of its commercial node. Tony Arrant noted that usually, the Commercial area is an economic engine for the City. He noted that right now, however, the City was benefiting from the tax rise when a homesteaded residential property turns over. Tony Arrant noted, on the other hand, relative to the long term, that commercial areas get outside visitors to bring money into the community.

Fran Barford said that to a visitor, Pine Avenue had a different aspect, whereas the Commercial area is easily noticed on the approach to the City along Gulf Drive. She agreed that the commercial node should be at Gulf and Pine, and recommended making an ROR district along Gulf Drive, before the Commercial district.

Randall Stover said he felt the north side of Pine Avenue should be ROR, extending clear to the Gulf.

Acting Chair Doug Copeland pointed out the error at the old IGA, and that the Ad-Hoc Committee had recommended that Magnolia and Gulf be designated Commercial.

Discussion followed, with Acting Chair Doug Copeland and Fran Barford noting that the City Hall, the theater, the bars and restaurants at the corner of Gulf and Pine represented the core of the city and were established commercial areas.

Public Comment

Robin Wall said she thought the lots at the corner of Palm and Gulf and the west side of Gulf should be designated ROR, since commercial use is more intense.

Anthony Menali was asked by Acting Chair Copeland his opinion of how to designate Pine Avenue west of Gulf Drive, and Mr. Menali requested it be designated as ROR

Ed Spring of 9707 Gulf Drive noted the land use in the area surrounding the Sign of the Mermaid had been in disarray for many years. He indicated that he thought the Commercial area should extend from Spring, going to the old bistro, and down toward the Chiles group area, with the residences currently there being designated ROR, and the area around the Sign of the Mermaid also, as this had always been a mixed use neighborhood. He acknowledged that the immediate area was Commercial because of the theater, city hall, police department, and renovated businesses surrounding it. Acting Chair Doug Copeland confirmed the Mr. Spring would like to see Gulf Drive to Spring be designated as ROR.

Bob Hynton introduced himself as the owner of the property at Gulf and Magnolia across from the old IGA. Said he would like to have his property go ROR so that he could one day retire here and maintain an accounting office at his residence. He noted that he wished to change his mind from the request for Residential designation he had made in a letter to the City.

Marsha Mattick of 9903 Gulf Drive, an owner of Tropical Treats and Eats, requested ROR designation for her property on which she also has a

residence. She noted that commercial areas are not capped on taxes. She said it would be better for people to come in and be able to homestead a property and run a small business. She said she felt Gulf Drive, where her home and business are located, is already mixed use, and she would like the assurance that if her property is completely destroyed, that she could rebuild her home and business.

Sandy Oldham of 307 Pine asked the Board to consider a Resort category for the motels so that they could rebuild on the ground floor if destroyed. Acting Chair Doug Copeland asked if they could currently rebuild on the ground floor. Tony Arrant said they could re-build if they are in the commercial district.

Joanne Mattick of 9903 and 9901 Gulf Drive, introduced herself as an owner of Tropical Treats and Eats. She pointed out there was already mixed use on Gulf Drive, and read her written statement aloud. She noted her neighbor, Mr. Salinas, had been affected by a land use change the City had approved but never made legally valid.

Mr. Spring asked what the Board was planning, relative to the parking situation in the city. Acting Chair Doug Copeland confirmed that the only parking proposed was what currently existed today. He noted that in order to put this into the Comprehensive Plan, it would obligate the City to buy land for it. Acting Chair Copeland recommended Mr. Spring approach the Commission on this subject.

c. **Motion to Accept the Ad-Hoc Land Use Map Designation on Properties not Identified for Discussion by the P&Z Board**

Randall Stover said if the area goes ROR with the tax situation the way it is, the 3% of the community that is now commercial would probably disappear. He said that in twenty years, the residents of Anna Maria would still need some commercial services.

Fran Barford said she would be willing to extend the ROR district back from Palmetto more toward Holmes Beach to Magnolia, with the Commercial node at Gulf and Spring, and ROR along Pine.

Randall Stover said he would not like to see ROR go any further toward Holmes Beach after Magnolia.

Acting Chair Doug Copeland said that in his opinion, a viable business possibility in twenty years would be a bed and breakfast establishment, currently not allowed by the City's code.

The Board began to examine maps of ROR and Commercial boundaries, as envisioned by each member, at this stage in the meeting. Acting Chair Copeland drew the changes.

Frank Pytel's map would have no red up to the Sandbar (Spring), but ROR designation instead. **He said the only red would be at Galati's, and Fran Barford, Acting Chair Doug Copeland, and Margaret Jenkins agreed.**

Randall Stover's map was supported by no other member of the Board.

Fran Barford only difference between her map and Frank Pytel's was keeping the Commercial area, and Jim Conoly said he would support Ms. Barford. Frank Pytel said he might support her map.

Margaret Jenkins said she would support Fran Barford's map if the corner lot on the south side of Pine was included in ROR.

Acting Chair Copeland asked how the Board would like to treat motels.

Building Official Kevin Donohue asked if an overlay could be put over the adopted Comprehensive Plan. Tony Arrant said it would be better to have language to effect that if there is willful destruction, it could not be rebuilt. Discussion followed regarding motels and duplexes being the major non-conformity types in the city. Building Official Kevin Donohue said multi-family structures and duplexes are non-conforming. Tony Arrant said the spirit of the plan was limiting density and intensity of use. Building Official Kevin Donohue said that a motel is a residential use, not commercial, in that its use was transient residential occupancy.

Relative to Galati's, Frank Pytel said he would like to see the small piece of property at 821 South Bay designated as residential. He said Galati's really ends at the end of 826, where the dumpster is.

Acting Chair Doug Copeland noted that three of the Board members' maps were very similar, and that Randall Stover's map was the only one extending ROR down Gulf Drive, which one else supported.

Randall Stover and Fran Barford said they supported having Commercial from Spring to Magnolia. Jim Conoly and Randall Stover said they were in favor of keeping Commercial from Magnolia to Willow.

Acting Chair Doug Copeland noted the Board now had three options for maps. He noted a crucial question would be what can be done in commercial height-wise. Joanne Mattick confirmed that two stories were allowed by the Code in the commercial area, with a 37 ft. height restriction. Building Official Kevin Donohue said that the number of allowable stories could be put in the

land development code. Acting Chair Doug Copeland said he would feel more comfortable if the Commercial district language in the Future Land Use Element would stipulate two floors. **There was consensus to add language limiting the number of usable floors to two. Acting Chair Doug Copeland received consensus to limiting the height of commercial structures to 27 ft.**

Acting Chair Doug Copeland displayed Margaret Jenkins's map. Jim Conoly and Frank Pytel said they were getting closer to supporting this map. **Acting Chair Doug Copeland took a straw vote, and everyone but Fran Barford voted to support Margaret Jenkins' map.**

Tony Arrant said he would be here on the 27th. Building Official Kevin Donohue advised that there could also be a meeting for a hearing on the 21st, to be advised. Fran Barford said she would not be able attend on 27th.

Tony Arrant said he had read the Traffic, Housing and Infrastructure elements and congratulated the Board on it's good work at this evening's meeting.

MOTION: Jim Conoly moved to adjourn the meeting, and Acting Chair Doug Copeland seconded the motion.

Vote: All Ayes. Motion carried.

Meeting adjourned at 9:20 p.m.