

**CITY OF ANNA MARIA
PLANNING & ZONING BOARD
REGULAR MEETING HELD AT ANNA MARIA COMMISSION CHAMBERS
10005 GULF DRIVE – ANNA MARIA, FL
TUESDAY, MARCH 4, 2008
7:00 P.M.**

CALL TO ORDER

Planning and Zoning Chair Doug Copeland called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG

ROLL CALL: Boardmembers Margaret Jenkins, Sandra Mattick, Mike Yetter, Chair Doug Copeland, Frank Pytel, Randall Stover, and Jim Conoly.

Staff present: City Clerk Alice Baird, City Planner Alan Garrett, City Commission Dale Woodland (7:17 p.m.), and Minutes Clerk Stacey Johnston.

Press: Islander

- 1. Public Hearing to Consider Adding Community Center as a Permitted Use in the PRA (Public Recreation Area) District and to Consider Adding a Definition of Community Center in Section 70.1 (General Provisions, Definitions) of the City of Anna Maria Code of Ordinances.**

Chair Copeland officially opened the Public Hearing

Staff Presentation / P&Z Board Discussion

City Planner Alan Garrett informed that the City Commission approved the final site plan for the Island Community Center on January 26, 2006. The Community Center was described using the permitted uses within the PRA district, however, is not specifically called out as a permitted use.

To include the uses as a permitted use in the PRA district, a definition needs to be added to the definition section of the City's Code. He informed that the City Commission feels that by the nature of the use and functions of the Community Center that their fundraising events, camps, workshops, etc. be a normal function of the Center and therefore not having to apply for a Special Use Permit (SUP) through the City. Recognizing that large events will occur at the Community Center, the City Commission originally approved its final site plan with a stipulation requiring the Island Community Center to provide for off-site parking and shuttle service for events over 200 attendees.

Boardmember Pytel felt the Ordinance language was very broad and gave a blank authorization for the Community Center to do whatever they wished to do and whenever. He questioned if it was appropriate for the Center to hold as many fundraisers, for example, per week that they wanted to.

Planner Garrett explained that was what was originally approved and if there was a concern it should have been addressed during the original site plan process.

Boardmember Pytel also addressed the issue of the Center providing liquor at their events and asked if the P&Z should be taking that into consideration. He also asked about holding weddings or flea markets every week. He did not feel that was the way the Center had been used in the past and suggested that language could be placed in the Ordinance at this time of those events they feel should be limited.

Planner Garrett responded that the use of alcohol was not as much a land use issue but more of a moral and disturbance issue. He explained that weddings and flea markets were also a function of the Center and reiterated the approval of the most recent site plan. He suggested not addressing those issues dealing with alcohol.

Boardmember Pytel further expressed his concern for looking out for the rights of the neighbors in the area.

Planner Garrett reminded that the property owners in the area moved around the Center versus the Center moving around the property owners. However, the expansion of the Community Center was granted in 1996, which has made a change in its usage. Planner Garrett suggested if future problems are observed, the Ordinance could always be modified at a later date.

Boardmember Conoly agreed. Using the alcohol as an example, he did not believe the City should grant the Community Center the right to hold any type of event they wished without some limits.

Boardmember Stover felt it was important to understand the framework for which the Community Center functioned. He gave an example of an event allowing for a very large number of participants and having nothing in the Code prohibiting it.

Boardmember Mattick pointed out the issue arose as a result of a recent concert event where participants were allowed to bring their own alcohol. She did not feel restrictions should be placed at this time since there had been no issues in the past.

Boardmember Jenkins said she had heard of no problems at the Community Center. She reminded that the Fire Department regulates the occupancy load limit in the Center.

Boardmember Yetter asked if permits were required for events allowing alcohol, asked how the off-site parking and shuttle service was regulated, and questioned if there had been an increase in events since the Center's recent expansion. Planner Garrett responded.

Chair Copeland officially opened the Public Hearing for public comment

Public Comment

Scott Rudacille, Attorney and Community Center Boardmember, informed that a not-for-profit organization is allowed a permit through the State to sell alcohol three times per year. There is no limit if the participants bring in their own alcohol.

Mr. Rudacille noted that a stipulation in the Center's site plan approval requires if they have over 200 in attendance the parking is enforceable through the Code Enforcement. The Community Center currently has a long-term ground lease with the City.

Community Center Director **Pierrette Kelly** explained that the Center had applied for SUP permits for the recent January and February events. Prior to the expansion, a SUP was only obtained for the Tour of Homes and the Fishing Tournament.

Boardmember Pytel gave the example of residents wishing to hold a weekly wine tasting event or bingo and asked if that type of event would be allowed.

Ms. Kelly informed that all events have to be reviewed by the Board of Directors. Approval of an event is based on the scope of their mission – to build character, provide healthy programs and lifestyles, provide the general good of the community, support volunteerism, and to encourage youth involvement in the community. She pointed out that the recent complaint received of the recent concert was before the event and not during and that two officers were on duty during the event.

Ms. Kelly explained that alcohol usage requires the Center to obtain special event insurance that indemnifies both the City and the Center. Insurance is also required for an event where persons bring their own alcohol. The insurance is either purchased by the group renting the Center or by the Center who in turn charges the group for the cost of the insurance.

Michael Coleman, 311 Pine Ave., stated the Community Center has never been a problem in the community and voiced concern relating to hearing complaints from a couple of neighbors who have now promoted the discussions.

City Commissioner Dale Woodland informed that the City Commission recognized there was a conflict between the uses that are allowed in the PRA District and the definitions in the Special Events Permit and what triggers the requirement to obtain a permit such as alcohol, number of attendees, duration of event, etc. He said after Commission discussion it was agreed that whether or not a SUP would be required should be left up to the City Administration and the Community Center to determine.

Hearing no further Public Comment, Chair Copeland officially closed the Public Hearing

P&Z Board Discussion

Lengthy discussion followed relating to the options for approving or modifying the Ordinance as presented. After discussion, the following motion was approved:

MOTION: Boardmember Mattick moved to approve Ordinance 08-685 and send it forward to the City Commission with the following added language at the end of Sec. 70-1. Definitions and rules of construction - *Community Center* –

- **If an event should have alcohol or an attendance over 200, the Community Center shall notify City Hall in writing one week prior to the event.**

**Boardmember Jenkins seconded the motion.
On Roll Call Vote – Motion carried - All Aye**

- 2. Workshop Discussion:
Chapter 90 Internal Traffic Circulation, Access and Storage.**
City Planner Garrett addressed the following:

Driveways

Usage of the word “driveways” and “access ways” used interchangeably throughout Sec. 90-2. Access and circulation. City Planner Garrett suggested there be a distinction in the two terms and to the language that will separate commercial versus residential.

To clarify the commercial aspects of the section, it was agreed to change “driveways” to “access ways” in Sec. 90-2 (a) through (d).

The only exception (section that relates to the residential aspect) to remain as written will be (2) c. “Driveways shall not be located closer than five feet to a property line....”

Bicycle parking

Planner Garrett informed that bicycle parking is required and is enforced in Anna Maria. He said he has been asked if there should be a reduction in the parking requirements due to bicycles and the trolley service. He informed that the Ordinance allows for a study to be conducted and presented and for the City to look at an alternative-parking plan.

Increase in floor area or capacity

Planner Garrett explained stating he was very pleased with the current language and it had worked extremely well. The Betsy Hill property was used as an example.

Parking space dimensions

It was agreed that (f) *Parking space dimensions* -

(2) Parallel parking space should be changed from eight feet wide by 25 feet long to 10 feet wide by 20 feet long, and

(3) Handicapped parking spaces should be changed from 12 feet wide by 20 feet long to 10 feet wide by 20 feet long.

Commercial uses. Table Inset – Unit of Measurement

Planner Garrett explained there had been some confusion relating to the Table Inset and suggested that the “plus spaces required for employees” language be added after “Each 100 square feet of floor area.”

Lengthy Explanation and discussion followed relating to requirements in the ROR and how the current language may hamper some developments in the ROR District. *Planner Garrett* said he would like direction and it was agreed this aspect would be brought back to the Board for further discussion.

ROR District – 90-degree parking

Planner Garrett informed that at a future meeting the Board would be discussing the 90-degree parking along the frontage as part of the ROR District.

Surfacing

Chair Copeland asked if permeability would be discussed in the future.

Planner Garrett explained it takes care of itself in regard to commercial because of lot coverage.

Lighting

Chair Copeland asked if Turtles would be addressed under Lighting.

Planner Garrett informed Turtles are addressed under a separate Ordinance.

Off-street loading requirements

Planner Garrett informed that the loading space is required for every commercial enterprise or other nonresidential use requiring servicing by tradesmen or loading or unloading vehicles of supplies and materials.

Discussion followed as to what distinguishes off-street and on-street parking spaces.

Public Comment

Michael Coleman, 311 Pine Ave., referenced the Preliminary Site Plan for 315 Pine Ave. previously reviewed by the P&Z Board. He said he had the most ideal parking situation at that location that included vacated and corner property. However, he could barely meet the parking requirements. He stated he would not be able to operate with a more increased parking requirement.

City Commissioner Dale Woodland suggested parking credits be considered in the ROR District.

He also suggested there may be an opportunity to work with Roser church towards a positive impact on the parking situation to include a shuttle to move people up and down Pine Ave.

Planner Garrett stated he would research other communities and bring back ideas towards establishing an alternative-parking plan.

2. Approve Minutes of February 5, 2008.

Chair Copeland asked that page 2 under Lot Coverage - "partial" be corrected to "parcel".

MOTION: On motion made by Boardmember Pytel and seconded by Boardmember Jenkins, the February 5, 2008 Minutes were approved as corrected. Motion carried – All Aye.

3. Old/New Business.

Don Schroeder, Holmes Beach, Realtor representing property at 308 Pine Ave., addressed current Sec. 114-282 of the City Code that limits residences to 7,500 sq. feet and all other buildings are limited to 5,000 sq. feet. He pointed out there are twenty-nine property owners on the north side of Pine Ave. that have 5,100 to 5,400 sq. feet and therefore can not build a residence under the ROR section of the Code.

Mr. Schroeder stated that the limited use of the property takes away the rights of the property owner and felt was discriminatory. He asked that the P&Z Board discuss the issue at their next meeting.

Chair Copeland responded and informed the item would not be on the next meeting agenda, however, would be discussed when reviewing the ROR district.

Planner Garrett acknowledged he would advise Mr. Schroeder in advance when it would be discussed.

4. Adjournment.

On motion made by Boardmember Conoly and seconded by Boardmember Mattick, the meeting was adjourned at 8:41 p.m. Motion carried – All Aye.

The next regular meeting is scheduled for Tuesday, April 1, 2008, 7:00 p.m.

Alice Baird, CMC, City Clerk

MINUTES APPROVED: _____