

**CITY OF ANNA MARIA
SPECIAL COMMISSION MEETING
JULY 20, 2005
7:00 P.M.**

CALL TO ORDER

PLEDGE TO THE FLAG

ROLL CALL: Commissioner Dale Woodland, Commissioner Carol Ann Magill, Commission Chair John Quam, Deputy Commission Chair Linda Cramer

Absent with excuse: Commissioner Duke Miller

Also present: Jerry Zoller, Architect for the Applicant - Anna Maria Island Community Center, (AMICC); Andy Allison, Engineer for AMICC; Scott Dell, Assistant Executive Director, AMICC; Pierette Kelley, Executive Director, AMICC; Scott Rudacille and Mark Barnebey, counsel for AMICC (Kirk Pinkerton); Penny Zunker, Court Reporter; Mayor SueLynn, Anna Maria City Planner Alan Garrett, AICP; City Attorney Jim Dye, Minutes Clerk Sylvie Reichmann

Press: Sun, Islander, Herald

Commission Chair John Quam requested to hold only the Regular Commission Meeting scheduled for July 28th and to reschedule the Work Session that was to follow for August 4th at 7:00 p.m., and there was consensus for this.

**1. 1st READING AND PUBLIC HEARING ON ORDINANCE NO. 05-641
FOR AN ALLEYWAY VACATION AT 407 MAGNOLIA AVENUE, ANNA
MARIA ISLAND COMMUNITY CENTER**

Chair Quam declared the Public Hearing open. Deputy Commission Chair Linda Cramer read the Ordinance by Title. Commission Chair John Quam indicated that the Commission would vote on this ordinance upon its second hearing at the Regular Commission Meeting on July 28th, 2005.

The Minutes Clerk swore in all those wishing to speak at this evening's Public Hearing.

Anna Maria City Planner Alan Garrett described the platted 10 ft. alleyway, contained solely within Block 5, that runs through the site where a structure is proposed, and noted, per the handout he distributed to the Commissioners at this evening's meeting, that the Planning & Zoning Board (P&Z) had voted 7 – 0 to recommend approval of the alleyway vacation.

Scott Rudacille introduced himself as counsel for the Applicant and introduced the professionals who were sworn to speak on the Applicant's behalf, if needed. He said there were a number of reasons for the vacation request:

- addition of retention in the southern portion of the site
- maintenance of the existing non-conforming setback along Magnolia
- moving the playground, while keeping the existing ball fields

Scott Rudacille reviewed criteria for allowing a vacation and indicated that they had been satisfied:

- Consistency with the traffic circulation element of the Comprehensive Plan
- The right-of-way does not provide sole access to the property
- The vacation does not jeopardize the current or future location of any utility
- No detriment to the public interest. Scott Rudacille said the expansion is toward the center of the property, and as such, better for the public interest.

Public Comment

None offered.

Commission Chair John Quam declared the Public Hearing closed.

The Commissioners had no questions for the Applicant or the City Staff. Commission Chair John Quam restated that the Commission vote would be taken at the Regular Commission Meeting on Thursday, July 28th, 2005 at 7:00 p.m.

2. PUBLIC HEARING ON REQUEST FOR VARIANCES – 407 MAGNOLIA AVENUE, ANNA MARIA ISLAND COMMUNITY CENTER

Anna Maria City Planner Alan Garrett noted that the Applicant was requesting three variances to the City of Anna Maria's Code of Ordinances:

- 1) To waive the 20ft. reservoir parking area required in Section 90-3 (g)
Aisles and driveways
- 2) To allow tandem parking, not specifically allowed in Section 90-3 (m)
General design standards
- 3) To allow a 16.5 ft. front yard setback instead of the 35 ft. setback required in Section 114-332 (4)

Scott Rudacille said that tandem parking was added as a result of public requests for additional on-site parking. The counsel for the Applicant noted, as did City Planner Alan Garrett, that the Code did not specifically prohibit tandem parking. He said the variance allowed the Community Center to have 14 spaces for staff and volunteer parking, as opposed to 10.

Scott Rudacille went on to describe the rationale for the variance request on Magnolia as the attempt to keep the same setback -- in order to make the extended building more aesthetically correct, and also as part of the intent to expand upward instead of outward. He said that noise buffering was going to be added to the walls of the gymnasium, which would mitigate sound heard by residents along Magnolia.

Anna Maria City Planner Alan Garrett corrected for the record that the Community Center was in a Public Recreation Area (PRA) district, not

Public / Semi-Public. He directed the Commissioners to the findings of the P&Z Board contained in their meeting packets.

Public Comment

Hal Badger of 320 Hardin Avenue said his concern was relative to the 20 ft. reservoir. He said that an average SUV was 17 ft. and that the average vehicle would protrude into the road. Mr. Badger noted that Palm Avenue was a one-way street and was not as wide as Magnolia Avenue. He recommended that the fence be moved inward on the property along Palm Avenue. Mr. Badger expressed concern for safety and possible exposure to litigation.

Commission Chair Quam directed the Minutes Clerk to swear in any remaining members of the public wishing to speak that had not already taken the oath at this meeting.

Jeff Ware of 406 75th Street, Holmes Beach recommended closing the area in order to provide more parking. He said it could be possible to create a dead end street with sidewalks.

Scott Rudacille noted that all of the proposed parking spaces were designed to be 20 ft. or more in length.

Commission Chair John Quam declared the Public Hearing closed.

Commissioner Carol Ann Magill asked, relative to Variance Request #2, that the word “only” be added to the stipulation for ‘staff and volunteer parking’.

Deputy Commission Chair Linda Cramer asked, relative to tandem parking, if it co-related to double parking. Anna Maria City Planner Alan Garrett concurred that in essence, this was double parking. Anna Maria City Planner Alan Garrett noted that the district in which AMICC is zoned is very similar to a government district, where minimum parking allowances are not mandated.

Commissioner Dale Woodland suggested including in the motion that the Commission had addressed the eight criteria for approval of variances. Anna Maria City Planner Alan Garrett said that it would be a good idea for the Commission could employ the language “based on public testimony and documents received”.

MOTION: Based upon public testimony and documents received, Deputy Commission Chair Linda Cramer moved to approve the Applicant’s request for a variance to Section 90-3 (g) *Aisles and driveways* with the following stipulation:

The Community Center shall provide parking options for large events (200+ attendees) as follows:

- a. Secure remote parking lots and provide shuttle service to and from the events, or
- b. Provide parking on the ball fields, including appropriate ingress / egress

Commissioner Dale Woodland seconded the motion.

Roll Call Vote: Commissioner Dale Woodland: Aye; Commissioner Carol Ann Magill: Aye; Commission Chair John Quam: Aye; Deputy Commission Chair Linda Cramer: Aye. Motion carried unanimously.

MOTION: Deputy Commission Chair Linda Cramer moved to approve the Applicant's request for a variance to Section 90-3 (m) *General design standards* and to allow tandem parking, with the following stipulation:

Subject to an amendment of the City's parking regulations to authorize perpendicular parking, parking spaces numbered 50 through 63 and 68 through 73 shall be moved a minimum of three (3) feet inward (away from the street). Those parking spaces that cannot be moved three (3) feet shall be designated as parking for compact cars only. In the event the City's parking regulations are not amended, the parking plan shall be amended so that spaces 50 through 73 will be parallel parking spaces.

Commission Chair John Quam seconded the motion.

Roll Call Vote: Commissioner Dale Woodland: Aye; Commissioner Carol Ann Magill: Aye; Commission Chair John Quam: Aye; Deputy Commission Chair Linda Cramer: Aye. Motion carried unanimously.

MOTION: Based upon public testimony and documents received, Commissioner Dale Woodland moved to approve the Applicant's request for a variance to Section 114-332 (4) and to allow a 16.5 ft. front yard setback instead of the 35 ft. setback required, with the following stipulation:

The drop-off / pick-up area shall be signed as one-way, eastbound, and shall include a sign indicating that there is no left turn for exiting traffic.

Commission Chair John Quam made the second.

Roll Call Vote: Commissioner Dale Woodland: Aye; Commissioner Carol Ann Magill: Aye; Commission Chair John Quam: Aye; Deputy Commission Chair Linda Cramer: Aye. Motion carried unanimously.

Deputy Commission Chair Linda Cramer asked if the structural integrity was involved with this particular variance. Anna Maria City Planner Alan Garrett said that, as a degreed architect, he could testify that this variance would improve structural integrity by continuing the existing outer wall and roof lines, adding that he would have hoped the Applicant would have pointed out that by

complying with the setback currently required by the City's Code, the roof line would be broken, making the structure less sound.

MOTION: At 7:45 p.m., Deputy Commission Chair Linda Cramer moved for the meeting to recess for ten minutes, seconded by Commissioner Carol Ann Magill.

Vote: All Ayes. Motion carried.

Commission Chair John Quam called the meeting back to order at 8:07 p.m.

3. PUBLIC HEARING ON PRELIMINARY SITE PLAN APPROVAL – 407 MAGNOLIA AVENUE, ANNA MARIA ISLAND COMMUNITY CENTER

Commission Chair John Quam declared the Public Hearing open and invited City Planner Alan Garrett to take the floor. Anna Maria City Planner Alan Garrett explained that the existing area of the site totals approximately 12,000 ft. He said that with the addition of a second floor, the proposed additions would bring the area of the proposed preliminary site plan to 23,600 sq. ft. The City Planner noted that the parcel was appropriately zoned PRA. He said that he had reviewed the preliminary site plan and found it to be in compliance with the City's Code of Ordinances, provided that the Applicant complied with the variances granted at this evening's meeting. Mr. Garrett said that the property complied in terms of the land use designation in the Comprehensive Plan, and noted that the proposed height had been modified by the Applicant [as requested by the P&Z Board] to comply with the current 37 ft. height restriction.

He noted that the Planning & Zoning Board had voted five to one to recommend approval of the Anna Maria Island Community Center's preliminary site plan, provided it does comply with three stipulations. City Planner Alan Garrett reported for the record that the first hearing to recommend approval of the variances had been attended by seven members of the P&Z Board, while the second hearing held on July 12th, 2005 to recommend approval of the preliminary site plan itself had been attended by six members.

Anna Maria City Planner Alan Garrett reviewed the three stipulations made by the P&Z Board and noted that the first had been satisfied by the Applicant upon presentation of documents / graphics at this evening's meeting. He verified that the Commissioners had reviewed the evidence that vehicular doors are not impeded from opening due to the positioning of security lighting poles in the Community Center parking area. The City Planner reviewed the remaining two stipulations of the P&Z Board and the reasons for them. He noted that the stipulation relating to moving the parking spaces 3 ft. was motivated by safety concerns.

Scott Rudacille, counsel for the Applicant, read aloud language pertaining to the Community Center quoted from the Comprehensive Plan. He explained that the Center had served all residents, young and old, until an amendment to DCF regulations some years ago had prevented adolescent children from being served

at the same time as younger children. He said that since that time, the Community Center had investigated a number of sites for proposed expansion, including the Holmes Beach site. Scott Rudacille noted that the expansion was being funded in large part by donations. He gave an overview of highlights of the proposed preliminary site plan, apart from the addition of a second floor.

Scott Rudacille said that security would be improved with the addition of designated drop-off and pick-up areas. He noted that the playground would be relocated to an area inside the property, and that the entire perimeter of the Center would be locked. He said low-level lighting would help neighboring properties, and that noise buffering would be added to the gymnasium walls.

Scott Rudacille noted that many of the features had been incorporated into the design as a result of input received from neighboring residents. He said that the structure would be more aesthetically pleasing than the present one.

Relative to a question from Commissioner Carol Ann Magill relative to stormwater runoff management, Mr. Rudacille said that retention was to be added between the parking area and the gym, although this was not required by SWFWMD.

Commissioner Magill asked, relative to safety for the children in the drop-off area, if the traffic was to be directed one way, and if so, if a sign would be included to indicate to drivers exiting that there was no left turn allowed. Mark Barnebey and Scott Rudacille agreed that this was a measure they would recommend to the Applicant, and could accept as a stipulation to approval of the plan..

Scott Rudacille observed that the situation relative to parking was not ideal, but said however, that he felt improvements had been made. He mentioned the addition of on-site parking and the possibility of parking on the ball fields for large events, and said that the Applicant had also made parking agreements with Roser and Island Baptist Churches.

Scott Rudacille said that only 40% of the proposed addition would be for program space, with existing programs taking up the majority of that expansion. He said fears about significantly larger numbers of people regularly using the Community Center would be unfounded, and noted that most teenagers using the Center would not be driving themselves there or parking. The counsel for the Applicant noted that the P&Z Board and the Applicant had discussed adding traffic calming measures on Magnolia, such as signage and speed bumps.

Scott Rudacille concluded his presentation by reading a passage from the Recreation and Open Space element of the City of Anna Maria's Comprehensive Plan. He asked the Commission to approve the Anna Maria Island Community Center Preliminary Site Plan.

Public Comment

Jean Murray, of 321 Hardin Avenue described the proposed expansion as a monster building being set in a residential neighborhood. She suggested that this change could affect property values, and cited higher crime rates in the area. She recommended locating the Center in one of the other Island cities.

Christopher Collins of 103 Willow Avenue said he had reviewed the police report information, and that the dates had run from August 1, 2001 for 46 months. Mr. Collins said that during this time, nine traffic complaints had been received, eight people suspicious complaints (ck tape). He concluded that the area had been fairly peaceful over the past 46 months.

Jeff Murray of 321 Hardin Avenue said, relative to the crime statistics quoted, that he had spoken to some police officers and had found that the officers do not report every single time they are called out, if there is only a minor situation to investigate.

Commission Chair John Quam called for rebuttal by the Applicant.

Mark Barnebey, counsel for the Applicant, took the floor and thanked Mr. Collins' for his presentation of an accurate breakdown of the police reports. He said that the P&Z Board and the Applicants were concerned about the speed of traffic on Magnolia Avenue, as well as safety relative to parking. Mr. Barnebey said that approximately 54 parallel spaces would fit in the proposed preliminary site plan if parallel parking was used, and if not, that number would increase from 71 to 87. Mark Barnebey noted that other facilities had agreed to allow AMICC patrons to park on their property for special events. As a Master in urban planning, he offered the point of view that locating a community center in a residential area was very appropriate.

Commission Chair John Quam declared the public hearing closed.

Commissioner Dale Woodland asked Scott Rudacille to repeat the description of the drainage component of the site plan. He noted that the Applicants had not proposed to add much impervious surface to the site.

Commissioner Carol Ann Magill said that she reviewed the January 2005 BDI [City Engineer's] report where it was indicated that details were needed for the proposed retention pond, with a question as to where the overflow was to be directed. She noted that the City Engineer mentioned, relative to the City's requirement (#9) for a proposed stormwater management plan, that no stormwater permit application form or fee for processing had been required per Rule 40D-400-475 (SWFWMD). The BDI report continued, that since the project may be qualified for a noticed general permit for standard minor activities, the City should request a copy of the letter of application to SWFWMD and all the

attachments presented, as well as copies of all approved plans and correspondence from SWFWMD responding to that letter of application. Commissioner Magill, quoting further from the City Engineer's report, indicated that he had called for the use of best management practices in terms of on-site attenuation of stormwater and erosion. Scott Rudacille said he would locate the SWFWMD letter of application for the Commission's review.

Andy Allison of Allison Engineering took the floor and indicated that his firm had applied with SWFWMD in March of 2005.

Applicant's counsel Mark Barnebey confirmed to Commissioner Carol Ann Magill that the problem with the security poles had been resolved. She confirmed with Mr. Barnebey that the drop-off area would be designated one-way, and that there would be a sign read "no left turn". Mark Barnebey said he thought that the sign relative to turning was a good idea.

In response to a question from Commission Chair John Quam, Anna Maria City Planner Alan Garrett said that since Palm Avenue is a one-way street, and the proposed parking spaces are angled appropriately, there would not be a safety problem.

Deputy Commission Chair Linda Cramer asked if the parking would end 30 ft. from the stop sign on that particular corner, noting that State statute standards stated a clearance of 30 ft. from a stop sign and 20 ft. from an intersection. She noted that this parking standard was not reflected in the City's ordinances. Deputy Commission Chair Linda Cramer said that if the City's parking regulations are to be amended to allow angled and perpendicular parking, an allowance could be made to accommodate the State standards. She asked if the requisition of a traffic study could be included with Commission approval as a stipulation. Anna Maria City Planner Alan Garrett confirmed that all the spaces on Palm Avenue were in the right-of-way.

Jerry Zoller displayed a survey prepared by Banks Engineering. He indicated to Mayor SueLynn that the width of the right of way was not on the survey.

Deputy Commission Chair Linda Cramer noted that only one bike rack was included on the site plan. AMICC Executive Director Pierette Kelley said that three bike racks were actually planned. Deputy Commission Chair Linda Cramer asked if outdoor basketball was going to be removed completely. Pierette Kelley said that AMICC is currently in negotiation with Holmes Beach to provide basketball facilities, as she agreed it would be a loss to the community not to have outdoor basketball.

Commissioner Carol Ann Magill asked to have the setback stipulation added by the P&Z Board relative to their recommendation for approval of the variance read 'to be applied only to the proposed building as shown in the site plan'. Anna

Maria City Planner Alan Garrett noted the preliminary site plan was specific to only one building.

There was consensus among the Commissioners that the P&Z Board's first stipulation relative to the security poles had been satisfied, and therefore did not need to be included in their motion.

Commission Chair John Quam asked if the other Commissioners concurred relative to stipulating the traffic study. Commissioner Dale Woodland and Commission Chair John Quam said they were not clear about this.

Mark Barnebey said he believed what the Commission was looking for was for the Applicant to work with the Planners and the Engineers to come up with a traffic plan that would appropriately address the Commission's concerns, and he assured the Commissioners that this certainly could be done.

Anna Maria City Planner Alan Garrett suggested language for a third stipulation to the motion.

MOTION: Based upon public testimony and documents received, Deputy Commission Chair Linda Cramer moved to approve the preliminary site plan for the Anna Maria Island Community Center, in accordance with the stipulations of the Planning & Zoning Board as modified this evening, with the addition of a third stipulation, as follows:

- 1) **The Community Center shall provide parking options for large events (200+ attendees) as follows:**
 - b. **Secure remote parking lots and provide shuttle service to and from the events; or**
 - c. **provide parking on the ball fields, including appropriate ingress / egress.**
- 2) **Subject to an amendment of the City's parking regulations to authorize perpendicular parking, parking spaces numbered 50 through 63 and 68 through 73 shall be moved a minimum of three (3) feet inward (away from the street). Those parking spaces that cannot be moved three (3) feet shall be designated as parking for compact cars only. In the event the City's parking regulations are not amended, the parking plan shall be amended so that spaces 50 through 73 will be parallel parking spaces.**
- 3) **The drop-off / pick-up area shall be signed as one-way, eastbound, and shall include a sign indicating that there is no left turn for exiting traffic.**

Commissioner Carol Ann Magill seconded the motion.

Roll Call Vote: Commissioner Dale Woodland: Aye; Commissioner Carol Ann Magill: Aye; Commission Chair John Quam: Aye; Deputy Commission Chair Linda Cramer: Aye. Motion carried unanimously.

(continued)

ADJOURNMENT

**MOTION: Commissioner Carol Ann Magill moved to adjourn the meeting, seconded by Deputy Commission Chair Linda Cramer.
Vote: All Ayes. Motion carried.**

The meeting adjourned at 9:17 p.m.

**MOTION: Deputy Commission Chair Linda Cramer to re-open the meeting, seconded by Commissioner Carol Ann Magill.
Vote: All Ayes. Motion carried.**

Commission Chair John Quam re-opened the meeting at 9:18 p.m.

City Attorney Jim Dye clarified for architect Jerry Zoller that the preliminary site plan had been approved, and that now the Applicant could secure any additional permits needed and move toward final site plan approval. He recommended that the parking plan be submitted along with the package prepared for the final site plan review.

**MOTION: Deputy Commission Chair Linda Cramer moved to adjourn the meeting, seconded by Commissioner Carol Ann Magill.
Vote: All Ayes. Motion carried.**

The meeting adjourned at 9:20 p.m.