

**PARKING MANAGEMENT ADVISORY BOARD MINUTES  
TUESDAY, MAY 25, 2010, 5:30 P.M.  
FIRST FLOOR CONFERENCE ROOM**

**MEMBERS PRESENT:**

Fran Marincola  
Peter Perri

Peggy Murphy  
David Cook  
Cecelia Boone  
Herman Stevens  
Joseph Pike  
Alan Kornblau  
Bruce Gimmy

**MEMBERS ABSENT:**

John Gergen  
George Brewer

**STAFF PRESENT:**

Scott Aronson, Parking Management Specialist

**STAFF ABSENT:**

None

**GUESTS/OTHERS:**

Jason Mankoff  
Jess Sowards

**I. CALL TO ORDER:**

The meeting was called to order by Chairperson, Mr. Fran Marincola, at 5:34 p.m.

**II. APPROVAL OF AGENDA:**

Mr. Aronson asked that the agenda be amended to allow discussion from City Attorney regarding due process of Quasi Judicial Hearings.

Mr. Kornblau made a motion to approve the agenda as amended, seconded by Mr. Pike. Said motion passed unanimously.

**III. APPROVAL OF MINUTES:**

**January 26, 2010**

Mr. Kornblau made a motion to approve the minutes of January 26, 2010, seconded by Mr. Gimmy. Said motion passed unanimously.

#### **IV. OLD BUSINESS:**

Mr. Aronson advised that the request from Bob's Famous Bar for the purchase of eleven in-lieu parking spaces has been approved by City Commission with condition to provide offsite parking spaces.

#### **V. NEW BUSINESS**

##### **A. Review A Request From Lemongrass For The Purchase of Three In-Lieu Parking Spaces To Accommodate A Conversion of Use From Retail To Restaurant**

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

There were no ex parte communication.

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

Mr. Aronson stated that Lemongrass Restaurant, located at 420 East Atlantic Avenue, has submitted a Class III Site Plan Modification for the expansion of the restaurant through conversion of previously established retail space. Parking is established by calculating the difference of one (1) space per 300 square feet of total floor area required for retail use and six (6) spaces per thousand square feet of total floor area for restaurants. The 1,020 square foot conversion of use requires three (3) spaces. The subject property is located in the in-lieu area resulting in a fee of \$46,800 at \$15,600 per space. The owner of the property has agreed to enter into an in-lieu of Parking Fee Agreement which requires 50% payment upon signing of the agreement and two 25% payments on the second and third anniversaries of the agreement. The square footage being converted is the remaining portion of a neighboring retail bay of which 505 square feet had been converted in 2006. Staff recommends approval of the request and associated in-lieu of Parking Fee Agreement.

Mr. Jason Mankoff stated that approving the request will benefit the client and the City. He noted that Lemongrass was one of the first restaurants to be successful in the area and paved a way for other restaurants thereafter.

Mr. Marincola spoke of a sofa with a price tag attached being used by customers in the waiting area.

Mr. Mankoff stated that the sofa was never used for service. He also noted that it was not his client's intention to avoid paying any required fees.

Mr. Gimmy stated that there should be no more conversion of retail to restaurant in Section Four which is on East Atlantic Avenue at 5<sup>th</sup> Avenue. He feels that this particular area is beyond the saturation point.

Mr. Kornblau made a motion to recommend approval of the request from Lemongrass Restaurant for the purchase of three (3) in-lieu parking spaces, and associated In-Lieu of Parking Fee Payment Agreement in the amount of \$46,800. The motion was seconded by Mr. Marincola and passed 9-0.

## **B. Discussion on Rules to be followed – Brian Shutt**

City Attorney, Brian Shutt, explained that the quasi-judicial rules should be reviewed at each meeting and the public allowed to speak along with cross examination if appropriate. Any files available should be entered into the record. He also noted that ex-parte communication should be disclosed as well.

## **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. Cook spoke about an outdoor cafe which just opened (Le Martier). He stated that outdoor cafes should not have more seating outside than inside.

Mr. Perri stated that eating outside is popular in the Downtown area.

Board members spoke about a cafe not requiring parking because patrons are served on the outside only. However, it was mentioned that patrons do sometimes eat at a table in the cafe. They also spoke of how they can prevent future businesses from purchasing retail space without purchasing parking spaces for their customers even though they have a kitchen and may serve some food items.

Scott Aronson advised the Board that Land Development Regulations classify take-out food establishments as a retail use. The code further states that establishments serving take-out food may avail themselves of the sidewalk café ordinance in accordance with LDR Section 6.3. Furthermore, the establishment in question has been monitoring the site to assure the table located inside was not used for service, but rather people waiting for food to be prepared.

Mr. Perri is concerned about creating a traffic hazard for vehicles traveling north on NE 1<sup>st</sup> Avenue with the construction of five (5) on-street parking spaces proposed by the Atlantic Ocean Club as a result of the in-lieu of parking approval associated with the Bob's Famous Bar project.

Mr. Aronson stated that there appeared to be a minimum of twenty feet from the end of the parking space to the intersection of the two property lines. There are also stop signs in the north and south direction. The Board was reminded that the road in question, NE 1<sup>st</sup> Avenue is a two-way street, which is not as critical as a one-way street where drivers are in the left lane thereby minimizing visibility by reducing the trajectory of the visibility triangle.

Mr. Perri stated that twenty feet does not allow for much visibility.

Mr. Aronson stated that there is a possibility of increasing visibility by pushing back the parking spaces if available space is exists.

Mr. Perri feels that the engineering standards should be addressed.

Mr. Jess Sowards feels that the parking spaces provided will be beneficial as on-street parking is more valuable to the public than having parking spaces in a private lot.

The Board members were in consensus with the additional on-street spaces to be built. Mr. Perri requested that the sightline be reviewed with the hopes of gaining additional footage for visibility.

**B. Comments by Citizens**

None

**C. Comments by Staff**

None

There being no further business, Chairperson, Mr. Marincola declared the meeting adjourned at 7:20 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 on May 25, 2010, 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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