



Cover Memorandum/Staff Report

File #: 24-1024

Agenda Date: 8/5/2024

Item #: 7.A.

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: August 5, 2024

OFF-SITE PARKING AGREEMENT FOR 324 NE 3rd AVENUE

Recommended Action:

Consideration of an off-site parking agreement associated with the property located at 324 NE 3rd Avenue.

Background:

The building located at 324 NE 3rd Avenue was approved in 2017 and recently constructed. The 14,618 square foot four-story, mixed-use building contains a mix of uses including a restaurant on the first floor, with a yoga studio, office space, and an artist's gallery approved for the upper three floors. At the time of approval, parking was only required for the restaurant use area (21 spaces) since the property measures less than 65 feet wide. As a result, two parking spaces were provided at the rear of the property, and the balance of the parking was provided through two off-site parking agreements.

LDR Section 4.4.13(l)(3)(a)(5) allows off site parking arrangements provided the other property is located within 750 feet, measured along the closest pedestrian route between nearest building entrance and nearest parking entrance. The agreements, which were approved by the City Commission on December 11, 2017, accommodated three of the parking spaces at 325 NE 3rd Avenue and 16 of the parking spaces at 381 NE 3rd Avenue (Bedner's Farm Fresh Market). The property at 324 NE 3rd Avenue has since been redeveloped into a 3,759 sf. three-story building and 52 space automated private parking garage. The development requires 11 parking spaces, thereby resulting in a surplus of 38 parking spaces.

Request

The current request is for a revised off-site parking agreement with 325 NE 3rd Avenue to include an additional nine parking spaces in the agreement, for a total of 12 spaces. The additional nine spaces are required to accommodate the amount of parking required for the expansion of the ground-floor restaurant to the rooftop area of the building.

Staff will inspect the operation of the garage prior to the consideration of this agreement and confirm its operation at the City Commission meeting. If approved, a Zoning Certificate of Use (ZCU) will be required for review and approval of the restaurant expansion prior to the issuance of a Business Tax Receipt or any building permits for the expansion. A ZCU is an administrative action by the Development Services required for any change of use to an allowed use, addition of use(s), or a change in business within an existing building where no exterior site improvements are required or proposed. A ZCU will only be approved for the restaurant use if the automated parking garage is fully

functioning. The agreement includes enforcement provisions in Section 5 to address potential disruptions of parking availability, specifically limiting the use of the expanded restaurant.

City Attorney Review:

Approved as to form and sufficiency.

Finance Department Review:

Not applicable

Funding Source:

Not applicable

Timing of Request:

Approval of agreement will allow property owner to move forward with process for restaurant expansion.