



Legislation Details (With Text)

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**Type:** Request      **Status:** Agenda Ready

**File created:** 6/8/2017      **In control:** City Commission

**On agenda:** 7/6/2017      **Final action:** 12/31/2023

**Title:** THE GROVE SIDE BAR IN LIEU OF PARKING FEE REQUEST (QUASI-JUDICIAL HEARING)

**Sponsors:** Planning & Zoning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. In lieu parking agreement 183 NE 2nd Avenue Haycock, 2. Exhibit A, 3. 183 survey, 4. in-lieu parking submittal sketch 2, 5. Sidebar SPRAB 5.1.17a, 6. Board order, 7. CAO checklist Parking inlieu 182 NE 2nd Haycock

Date	Ver.	Action By	Action	Result
7/6/2017	1	City Commission	adopted	Pass

**TO:** Mayor and Commissioners  
**FROM:** Timothy R. Stillings, AICP, Planning, Zoning and Building Department  
**THROUGH:** Chief Neal de Jesus, Interim City Manager  
**DATE:** July 6, 2017

THE GROVE SIDE BAR IN LIEU OF PARKING FEE REQUEST (QUASI-JUDICIAL HEARING)

**Recommended Action:**

Motion to Approve In Lieu of Parking Fee request in the amount of \$70,980.00 for 7 parking spaces associated with a Class III Site Plan Modification for the conversion of retail to restaurant at 183 NE 2nd Avenue.

**Background:**

The property is located on the east side of NE 2nd Avenue and south of NE 2nd Street and is zoned Central Business District (CBD). Pursuant to LDR Section 4.6.9(E)(3), In-Lieu Fee, new development, use conversion to existing buildings, building additions and/or renovations, that result in the requirement to provide new parking or additional parking, have the option of requesting some of the parking spaces to be approved by the City Commission through the payment in-lieu of parking program. Required parking for exclusively residential development or residential components of mixed use developments are not eligible for this in-lieu option. A maximum limit of 30% of eligible required parking can be provided under this option, except for use conversions for which there is no maximum. Before granting such approvals, the City Commission must find that adequate public parking options are available and that the request is consistent with the Land Development Regulations, City Comprehensive Plan, and all currently adopted City policies and/or studies.

The current use is retail at 718 sq. ft. which is 1.44 spaces (718 sf / 500 sf). The required parking for the restaurant in the CBD district in the Pineapple Grove Area is 6 spaces per 1,000 sq. ft. of gross floor area. The proposal is the addition of an increase of 636 sq. ft. therefore requiring 8.1 parking spaces (1,354 sf/1,000 sf x 6 = 8.1 spaces). Given the credit of 1.44 spaces, the parking deficiency is 7 spaces. The subject property is located within Area 2, which requires an amount of \$10,140 per in-lieu space. Therefore, the total in lieu of fee is \$70,980.

The Parking Management Advisory Board (PMAB) considered the in lieu of fee request for 7 parking spaces (\$70,980.00) at its meeting of May 23, 2017 and recommended approval (6-0). On June 8th, 2017, the Community Redevelopment Agency (CRA) provided positive consensus in support of the in lieu of fee request. The Downtown Development Authority (DDA) voted (7-0) in favor of the in lieu parking for The Grove Side Bar on June 12, 2017.

Kimley-Horn & Assoc. performed a study in 2016 titled Downtown Parking Core Demand and Utilization Study. The report found that, at peak times which fell on Friday and Saturday between 8 PM - 9 PM, the maximum spaces available at the Old School Parking Garage on Friday was 22 and, on Saturday, a total of 19 spaces were in the available inventory. Therefore, the City Commission can find that adequate public parking options are available and that the request is consistent with the Land Development Regulations, City Comprehensive Plan, and all currently adopted City policies and/or studies.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

N/A

**Funding Source:**

N/A

**Timing of Request:**

The in lieu of parking request is required before consideration of the Class III Site Plan Modification by the Site Plan Review and Appearance Board (SPRAB).