



Legislation Details (With Text)

File #: 20-458 **Version:** 1 **Name:**
Type: Request **Status:** Passed
File created: 6/18/2020 **In control:** City Commission
On agenda: 7/7/2020 **Final action:** 7/7/2020
Title: IN LIEU OF PARKING FEE AGREEMENT FOR ONE (1) SPACE FOR OCEAN CITY LOFTS
LOCATED AT 180 NE 4TH AVENUE.
Sponsors: Development Services Department
Indexes:
Code sections:

Attachments: 1. Agenda Cover Report, 2. In Lieu Parking Agreement Ocean City Lofts 6-16-2020, 3. Ocean City Lofts Class 1 Site Plan Modification, 4. In Lieu Parking Fees and Map, 5. Original Class V Site Plan 2005, 6. Minutes City Commission Approval for In Lieu 2004, 7. Simple Legal Review Approval - In Lieu Parking Ocean City Lofts.pdf

Date	Ver.	Action By	Action	Result
7/7/2020	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Department Director
THROUGH: Jennifer Alvarez, Interim City Manager
DATE: July 7, 2020

IN LIEU OF PARKING FEE AGREEMENT FOR ONE (1) SPACE FOR OCEAN CITY LOFTS
LOCATED AT 180 NE 4TH AVENUE.

Recommended Action:

Review and consider an In Lieu of Parking Fee agreement in the amount of \$10,140 for one (1) parking space for Ocean City Lofts, located at 180 NE 4th Avenue, subject to the condition that full payment be paid with execution of the agreement.

Background:

The subject request is for the approval of one (1) in lieu of parking space associated with a Class 1 Site Plan Modification submitted in May of 2020. The modification was submitted to change and memorialize the parking data chart for the Ocean City Lofts. The Ocean City Lofts was approved as a Class V Site Plan and certified in January 2004. The original approval utilized a shared parking calculation, which requires the spaces to remain un-assigned. The Condominium Association assigned parking spaces. By assigning specific spaces to specific tenants, the shared parking calculation is no longer valid.

In 2003, the applicant initially applied for and was approved for four (4) parking in lieu spaces to provide flexibility in the potential tenants/uses for the new development. Prior to site plan certification, modifications were made to the composition of the retail spaces and the units that reduced the parking requirement by a one (1) space; as a result, at that time, the applicant only executed two of the four in lieu spaces that were approved by the City Commission on April 15, 2003.

The two in lieu spaces were paid for on January 29, 2004 in the amount of \$24,000.

The required parking for the original Class V Site Plan using the shared parking calculation was 126 required spaces. The new calculation not using the shared parking calculation, considering the previous two In Lieu parking space payments, and taking into consideration the reduction in the parking required for small commercial uses that was adopted in 2015, is 127 spaces.

The proposed agreement is for payment of one (1) space to allow for the proposed modification to the site plan, which will allow for assigning specific spaces to specific tenants and posting parking signage. The subject property is within Area 2, which has a fee of \$10,140 per in lieu parking space. Any further changes to the site plan at Ocean City Lofts, 180 NE 4th Avenue, may require a new In Lieu Agreement and approval.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Payment of \$10,140 into the In Lieu Parking Fund

Timing of Request:

The approval is needed to approve the Class 1 Site Plan Modification.