



# Planning & Zoning Board Work Session Minutes

**August 27, 2024 at 12:00 PM**

City Hall Commission Chambers  
401 S. Park Avenue

## **Present**

Alex Stringfellow, David Bornstein, Jim Fitch, Warren Lindsey, Michael Spencer, Jason Johnson, Bill Segal

## **Absent**

None

## **Staff Present**

Director of Planning & Zoning Allison McGillis, Planning Consultant Jeff Briggs, Senior Planner/Zoning Official John Harbilas, Administrative Coordinator Mary Bush

## **1. Meeting Called to Order**

Chairman Bornstein called the meeting to order at 12:01 p.m.

## **2. Discussion Item (s)**

### **a. Discuss Upcoming Agenda Items:**

- Ordinances to implement the Comprehensive Plan updates related to zoning regulations, subdivision and lot consolidations, affordable and workforce housing, utilities, and vesting agreement of R-4 properties.
- Ordinance to update office O-1 conditional use requirements for restaurants, cafés, coffee shops and other food establishments.
- Ordinance to update off-street parking requirements.
- Conditional use request for Fields BMW for vehicle service and parking expansions.

Mrs. McGillis provided an overview of the intended meeting discussion. She noted that the city's Comprehensive Plan had been updated at the beginning of the year, and it was now time to complete the implementation ordinances. She explained that state statute requires the land development code to be reviewed and made consistent with the Comprehensive Plan after it has been updated. She then noted that based on

direction from the City Commission, changes were to be made to the conditional use requirements for restaurants as well as off-street parking requirements. She went on to indicate that the Board's next meeting's agenda would include a conditional use application for Fields BMW to expand their service area and add additional parking. She added that there would also be two lakefront applications on the agenda.

Mrs. McGillis then went into detailed discussion of the ordinances needed to implement the Comprehensive Plan updates. She explained what was being taken out and what was being added to the following sections:

- Chapter 58 "Land Development Code", Article III "Zoning"
  - Section 58-67. Medium density multi-family residential (R-3) district regarding townhouse development,
  - Section 58-68. Multi-family (high density R-4) district regarding maximum density units per acre and maximum floor-area-ratio,
  - Section 58-69. Planned unit residential development (PURD) district regarding when the district should be utilized and when variances can be requested,
  - Section 58-71. General provisions for residential zoning districts regarding adding clarification that the wall of a breezeway attaching an accessory building to a principal structure has to be connected perpendicular to the principal structure, adding a maximum height and total footprint for play structures, and adding a defined width of driveways and required sidewalk installations,
  - Section 58-75. Commercial (C-2) district regarding renaming it to Central Business District (CBD), clarifying that the district is not categorized as commercial or mixed-use, adding the allowance of nonprofit organizations to the district, clarifying what is considered fine dining and non-fine dining, renaming non-fine dining as fast casual dining, creating a new category to clarify coffee shops, bakeries and dessert shops, allowing accessory uses within an individual business, and eliminating churches as a permitted use,
  - Section 58-78. Limited industrial and warehouse (I-1) district regarding the allowance of tattoo and permanent makeup establishments to comply with freedom of speech laws,
  - Section 58-84. General provisions for non-residential zoning districts regarding adding sidewalk installation requirements and cross access across parking lots,
  - Section 58-89. Zoning changes and amendments, public notice requirements and procedures for zoning amendments and conditional uses regarding when a transportation impact assessment is required,
  - Section 58-95. Definitions regarding the maximum percentage of gross food revenue for take-out orders.
- Chapter 58 "Land Development Code", Article IV "Subdivision and Lot

### Consolidation Regulations"

- Section 58-377. Conformance to the comprehensive plan regarding changes to be consistent with the Comprehensive Plan for subdivisions and lot splits.
- Chapter 102 "Utilities", Article IV "Sewers and Sewage Disposal"
  - Section 102-101. Annexation prerequisite for provision of sewer regarding requiring annexation or a consent to annexation into the city if sanitary sewer is to be provided to property outside the city.
- Chapter 2 "Administration", Article VIII "Affordable and Workforce Housing"
  - Section 2-202. Affordable and workforce housing fee established regarding adding the word "linkage" to affordable housing fee to be consistent with the Comprehensive Plan, adding an amendment requirement to reduce or eliminate the workforce housing linkage fee, and adding an option to opt-out in the event of adoption of an inclusionary housing ordinance.
- Vesting agreement added that identifies all the properties that have R-4 zoning.
- Chapter 58 "Land Development Code", Article III "Zoning"
  - Section 58-72. Office (O-1) District regarding allowing restaurants in Office zoning and the distance to single-family residential requirements.
- Chapter 58 "Land Development Code", Article III "Zoning Regulations" Subsection 58-86 "Off-Street Parking and Loading Regulations" regarding removal of language pertaining to restrictions on the number of parking spaces per square foot for specific areas of the city.

During Mrs. McGillis's detailed review of the ordinances, discussion with the Board ensued regarding whether all zoning categories duplicate the density and intensity in the code, if there has been consideration to remove all density and intensity from the code, staff's review time for PURD applications, removing the requirement for sidewalk installations for residential properties, examples of nonprofit organizations in the CBD, where industrial zoning can be found in the city, the definition for fine dining, clarification of where the City Commission has the authority to allocate the workforce housing linkage fee to, how much the workforce housing linkage fee would be, the difference in parking requirements for restaurants in and outside of Office zoning, and clarifying one bedroom versus studio in the off-street parking and loading regulations.

Mr. Harbilas provided information about the Fields BMW conditional use request. He noted that the applicant wanted to expand their service capacity and gain additional inventory. He indicated that they are proposing a single-story expansion of their

maintenance building with a parking deck on the roof and a bridge that would connect their existing parking garage to the roof parking deck. He explained that the 14,000-square foot expansion falls below the requirement for a community meeting but qualifies for the conditional use requirement. He then noted that all the trees would be preserved, no variances were being requested, and the plans meet all the code requirements.

The Board inquired about whether solar would be included on the parking deck and if there were any adjacent residential properties.

Mr. Lewis then began discussion about the two lake front applications that would be presented at the next regular meeting. He first discussed the 1415 Grove Terrace property. He noted that the proposed home would be further back from the existing home setbacks but would still be well in front of the average setback for the area. He went on to indicate that no trees would be removed, the stormwater requirements would be met, there would be significant landscape buffers on both sides of the house, and there would be no infringement on views from the neighbors. He indicated that staff's recommendation was for approval with the condition that the proposed three-foot four-inch pool deck be reduced to the city's three-foot requirement.

The Board asked if any neighbor letters had been received to which Mr. Lewis responded that staff had not heard from either neighbor.

Mr. Lewis continued discussion on the next lake front application for the property at 2250 Venetian Way. He indicated that the property was on a canal and that the existing house was being proposed to be demoed. He also indicated that there would be no infringement of the views from the neighbors or the views from the lake, the plans meet both stormwater and setback requirements, no trees would be removed, and no variances were being requested. He then noted that staff recommendation was for approval.

### **3. Adjournment**

The meeting adjourned at 1:33 p.m.

ATTEST:

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/s/ Mary Bush, Recording Secretary