

DUNEDIN, FLORIDA
MINUTES OF THE CITY COMMISSION REGULAR MEETING
AUGUST 10, 2017
6:00 – 10:00 P.M.

PRESENT:

City Commission: Mayor Julie Ward Bujalski, Vice-Mayor Deborah Kynes, Commissioners Heather Gracy, John Tornga and Maureen “Moe” Freaney.

Also Present: Interim City Manager Doug Hutchens, City Attorney Thomas J. Trask, Deputy City Clerk Sharon E. Toner, Finance Director Joe Ciarro, Planning and Development Director Gregory Rice, Housing and Economic Development/CRA Director Bob Ironsmith, Economic Development Specialist Danny Craig, Communications Director Courtney King, Communications Senior Technical Assistant Justin Catacchio, Parks Superintendent Lanie Sheets, Purchasing Agent Chuck Ankney and approximately twenty-eight people.

The press was represented by the Tampa Bay Newspapers Executive Editor Tom Germond and Tampa Bay Times Reporter Megan Reeves.

CALL TO ORDER

Mayor Bujalski called the meeting to order at 6:00 p.m.

INVOCATION AND THE PLEDGE OF ALLEGIANCE

City Attorney Tom Trask gave the invocation, which was followed by the Pledge of Allegiance.

PRESENTATIONS

1. The John Doglione Government Services Scholarship Award

Commissioner Gracy introduced scholarship recipient Larisa Mendez Cladakis and Mrs. LeeAnn Doglione. Commissioner Gracy gave a brief summary of the accomplishments of Ms. Cladakis, a recent graduate from Clearwater Central Catholic, who will be attending Florida State University. She read comments from teachers and Larisa’s narrative “Good-bye to Fear”.

Miss Cladakis discussed the “Gotta Have Sole” club chapter founded by two of her closest friends which is the only chapter in Florida. They raised money to provide shoes for impoverished children throughout Pinellas County with the goal of keeping it local. They were able to provide more than 800 shoes to needy students throughout their senior year.

Commissioner Gracy acknowledged the Dunedin Youth Guild that administers the scholarship.

2. 8TH ANNUAL ORANGE FESTIVAL - Postponed to the August 24, 2017 Regular Meeting.

ANNOUNCEMENTS For the meeting of August 24, 2017, there will be a public hearing to discuss and receive comment on the **First Reading of Ordinance 17-32**, establishing the annual salary of the City Commission of the City of Dunedin; providing for the effective date of payment of the new salaries; and providing for a review of the salaries every five (5) years.

CITIZEN INPUT

Matthew Stevens of 1250 Palm Blvd invited homeowners to the Dunedin Contractors Fair at the golf course from 11:00 a.m. to 3:00 p.m. with the purpose of assisting in finding contractors with

good performance records. Thirty-six contractors are participating as well as Dunedin Code Enforcement and Permitting Office representatives. The event is open and free to everyone.

Kelly Nelson of 1807 Lake Cypress with People Power Pinellas expressed appreciation for the opportunity to speak on behalf of their campaign to help Dunedin join the list of cities that are Welcoming Cities for immigrants and refugees. She explained:

Their team is comprised of a number of Dunedin residents and groups including the ACLU-People Power Pinellas, Community Protection Coalition and North Pinellas Democratic Club. The National Welcoming City initiative was created to protect neighbors from deportation raids and to stand against attacks on neighbors' civil rights. They hope to build local communities that affirm our American values of respect, equality and solidarity.

Their proposed resolution is based on the ACLU nine model policies and was created by the Florida Immigrant Coalition. They would like to work with the City in tailoring this resolution to suit Dunedin's unique culture. This resolution would put in place protections for the vulnerable parts of the community and insure tax dollars go to keeping Dunedin safe and not tearing families apart. Dunedin could stand to lose a lot in the form of safety, economic contributions, and culture and tourist dollars by not becoming proactive in letting the county, state and country know where they stand.

Since they first addressed the City last month they have canvassed the Dunedin streets for support and would like to present an initial list of Dunedin merchants who support the Welcoming City resolution. She also presented their temporary placards for residents and merchants who support them and they will redesign one that fits into the Dunedin vibe and look forward to support on how that may look.

They look forward to continuing to work toward the goal of having a diverse Dunedin be a safe and welcoming city for all residents and welcome their input into the process. Ms. Nelson provided literature on the initiative.

Larri Gerson of 1310 Overcash Drive thanked the commission for endorsing the Mayors for 100% Clean Energy which is a progressive agenda that will encourage other Florida cities to follow Dunedin and lead to reduced carbon emission, clean air and strengthen the economy and improve lives. She challenged the commission to think outside the box as they did with reclaimed water and the water treatment plant in how this can be done for the citizens and start offering solar power and being able to get that into City rules. She noted not everyone can afford the solar power or meet the tax return of 30%; it is a problem for consideration.

Harry Steinman of 600 Loudon Avenue, on behalf of the 1,033 members of Preserve the Vibe, commented:

They are very excited about the upcoming Visioning Session. He thinks it is one of the best things any citizen can do and they urge everyone to attend at the Hale Center at the end of August.

In reading the 2005 Visioning, several things struck him that could be an issue, not that it is a problem; however, he could not figure it out and is not equipped to determine the significance. The question is whether or not the evidence from the 2005 Visioning suggests that the City should examine the methods and conclusions of the 2017 Visioning and he is also puzzled by the consultant's experience.

He noted some of the conclusions and recommendations in the 2005 Visioning not only did not reflect what the residents reported was important to them, but was the opposite of what the

residents had reported was important to them. Equally important was no explanation as to why a recommendation antithetical to what the residents had indicated; an example is residents indicated clearly and voiced concerns over future and current 2005 development being too dense for the community and buildings too high for the desired scale of the community. The recommendations, for example, state "Apply the Planned Residential, PR1/PR2 zoning designations to specific locations within the study area, for example south side neighborhood study area" and rezoning from Single Family to Planned Residential permits buildings to go higher and in addition they said, "it is rare that a shift from use based zoning to design based zoning has a negative impact on the amount of development that can be built on a site, often this approach allows a smart developer to actually increase that density or intensity of his or her project," he fully believes a developer has the right to do what is within the letter of the law but is concerned the citizens said one thing and the recommendations said another.

Also, there is concern for the methodology used in looking at the Community Character Preference Report. For example one conclusion that the images chosen as acceptable, citizens looked at photographs of buildings, streetscapes, waterfronts, the images chosen as acceptable or appropriate for Dunedin range in scale from 2 stories to 7 stories and include a variety range of masonry materials, etc. The problem is the only visual reference in that report was a comparison of two 7-story buildings and asked citizens which 7-story building do you like better and did not compare a 7-story building with a 2 or 3 story building. All the evidence he can find that supports the claim the residents were happy with the 2 – 7 stories was that one comparison. He urged the commission to go in with an open mind and when reviewing the report at a cost of \$25,000 to be ready to check, prior to publishing, the input and output to make sure they are consistent with the methodology to document what residents want.

Also, in the consultant response to the Request for Proposal (RFP), three clients were listed to use as references; he believes references should be used to reflect the kind of work Dunedin needs to have done. One of the references was the State of New South Wales with a population of 7.5 million which is not characteristic of a city of 37,000. A second reference was the County of Four Fifths Georgia with a density of about ¼ of Dunedin and has a history of racial strife which is not characteristic of Dunedin that represents tolerance. The third reference used was the City of Richardson, Texas with a population of about 113,000, but more importantly a work force from Fortune 500 companies almost equal to the population of Dunedin. His question is are they really prepared to deal with a small city with what they believe to be a unique and eclectic character. One of the consultants was present for the 2005 Visioning providing a little more experience; however, there is the question of the conclusions not being the same as the input.

ACTION ITEMS

1. Third Quarter Report on the Pilot Downtown Parking Management Plan

Housing and Economic Development/CRA Director Bob Ironsmith presented the report from April 2017 to June 30, 2017 and acknowledged members of the parking team who were present. He advised:

Overall the quarter was positive relative to performance numbers.

Off Street Occupancy in the Downtown Core was 37.7%.

On Street Occupancy was 35.7%.

Turnover in the High Demand Area was 3.1 per day meaning if there are 50 spaces that are turning over about 3 times there are about 150 spaces increasing the overall parking supply.

Third Quarter Parking Net Revenue was \$150,621.

Based on commission action to go forward with the Downtown Parking Management Program:

One of the reasons was to manage parking and acquire turnover rather than employees, Jolley Trolley, trail users or others take the most convenient spaces all day. That has been achieved.

Another reason was to put in place a dedicated parking revenue stream that could be used for various things including parking stock and things that would make parking more convenient including a connective service throughout the downtown.

A reason that has not changed and was critical throughout the discussions and the Community Redevelopment Agency has discussed for a number of years, the at-risk parking and the loss of the leases that during the downturn in the economy made for affordable and efficient parking in the downtown. When the economy became stronger the lots began to go away with in-fill development which continues to take place and increased lease rates.

The parking garage on Douglas will be coming on board in late December with a Certificate of Occupancy before the rest of the project is completed. There will be 195 spaces and angled parking on Douglas with 23 spaces; recently 11 spaces have come up on Monroe.

Finance Director Ciurro referred to the schedules provided and advised:

9-Month Allocation Net Revenue projected was approximately \$331,800. The current status for actual is \$345,600.

Expenses had approximately a 5% drop from the 2nd Quarter to the 3rd Quarter, primarily because miscellaneous expenses were managed; many expenses with marketing campaigns and new signage happened in the previous quarter and not much had to be done in the 3rd Quarter. There was a slight decrease in some Operating Expenses that SP+ had with a parking manager.

On the Revenue side going from the 2nd Quarter to the 3rd Quarter there was a decrease in revenues; however, it was roughly 2%, not as much as anticipated for that time frame.

The next schedule illustrates a little more on Revenue. The part that fell in line with what was expected with the parking revenues, April to June, so there was a decrease as summer came and many of the regular visitors vacated as expected.

Quarterly, overall parking fees dropped roughly 11% in total between the quarters. There was some uptick in the parking citation revenue that was primarily related to payment timing; outstanding citation revenue is not recorded until the payment comes in.

Regarding information that came up at the Workshop on Tuesday:

A previous question that did not come up on Tuesday, but at previous meetings was the idea of first time offenders versus multiple offenses for parking. The original analysis was 2%; however, the fiscal year came in at approximately 3% for the entire period, still a low percentage for repeat offenses.

On Tuesday there was discussion regarding the special events/employee pass revenue line and the information for that is approximately \$15,300 in that category and the special event for that piece was approximately \$11,200 associated with Mardi Gras, St. Patrick's Day, Cinco de Mayo and Arts & Crafts Fair. The remainder of about \$4,100 was related to employee parking pass permits. Statistics related to that include over the 9-month period a total of 113 permits purchased which could include repeats and on June 30 there were 30 active permits.

Mr. Ironsmith advised staff is recommending the November 2, 2017 Commission Meeting for the final decision point relative to the Pilot Parking Management Program and also for September 21, 2017 to renew/extend the SP+ contract to get to that evaluation period.

Commission Questions

Commissioner Gracy asked where the program is according to the parameters set of red, yellow or green. Mr. Ciurro advised right now it is in the yellow because to get to green it would have to be at \$442,000 Net Revenue.

Vice-Mayor Kynes referred to the supplement sent out by Mr. Ciurro in response to a citizen's question detailing the costs of the management, salaries and benefits which he reviewed:

Parking Management Enforcement	\$147,360
Parking Management Company	\$129,121
Enforcement Software	\$13,774
Special Magistrate	\$4,465
Salaries	\$2,643
FICA & Retirement	\$418

Commissioner Freaney clarified with Mr. Ciurro the program is on track to be in the green, which is meeting the goal by the end of the annual year, not the fiscal year.

When Commissioner Freaney asked for clarification of the obligation in terms of the resolution as to when there would be a final decision, Mr. Ironsmith acknowledged the resolution provided for the time line noting the pilot program started on October 3, 2016, and concludes on October 5, 2017, and staff is recommending November 2nd in order to review and provide all the data for the Commission deliberation. He read the resolution into the record.

Resolution 16-23 establishing parking performance measures,

Whereas in order to determine the success of the pilot downtown parking plan and to decide whether or not the continuation of the program is merited the City Commission wishes to establish metrics to be used in evaluating the results of the one-year downtown pilot parking plan beginning October 3rd of 2016 and ending October 5th of 2017.

Commissioner Freaney requested a review of what the Commission would be doing on September 21 and referenced the discussion on Tuesday about the ability to extend the contract with the company to continue services for an additional 90 days versus having to renew for a 2-year period and then having to provide 90 day notice.

Mr. Ironsmith stated the reference is to the contract with the parking management vendor which expires September 30, 2017, with the evaluation being on November 2; therefore, their conversation has been regarding an addendum to the contract to extend it for a 90 day period to include a 60-day termination period; therefore, it could run until December 31 and then have 60

days. Should the commission decide to terminate earlier the city would have to pay the cost for the 60 days.

Purchasing Agent Ankney advised the current contract ends on September 30, 2017 and SP+ has agreed to extend the period by 90 days. Part of the original contract says if the City decides to terminate the program it must provide 60 days notice; therefore, if the Commission decides on November 2nd to terminate the program there would be notice the next day and they would have 60 days from that point.

Mr. Ironsmith explained if the program does not continue the city would need the assistance of SP+ to demobilize.

Commissioner Tornga clarified with Finance Director Ciurro:

The estimated projection per quarter was done since it was 75% of the year so they took 75% of the projected numbers for the spread and there was no seasonality or estimation considered.

The changes made to the citations in the 1st Quarter have not been modified in the numbers presented; the projection has not changed.

The change in the hours in some parts of the parking plan also has not been reflected in the numbers.

There was a slight change in employees which was not of concern.

Those were the primary changes.

Commissioner Tornga inquired if there was discussion of the cost of the parking plan and of how the machines were chosen in reference to the cost of the different machines considered. Mr. Ironsmith advised that has not been done as yet.

Mayor Bujalski commented it was very important Mr. Ironsmith was able to work out the 90 days after the discussion on Tuesday in order not to send the wrong message to residents in terms of approving a contract before making a decision.

Mayor Bujalski asked what has been heard over the last quarter from the businesses and residents.

Mr. Ironsmith stated not much has been heard; however, there was a merchant yesterday who was sampling the perspective of some merchants on paid parking and he was leaving that to the Downtown Merchants Association and anyone present who wished to speak. Staff had no direct information relative to that.

Mayor Bujalski suggested, providing the Commission agrees to the November 2, 2017 date, it would be another good opportunity for a listening session with the stakeholders prior to the decision as she would like to hear from the community. It was done after the first quarter and she would like to do it again. She clarified the public would have the opportunity to speak on November 2nd. She thought it important for community input to be part of the staff recommendation and presentation on November 2nd.

Commissioner Freaney noted while community input is important, she wants a focused meeting and that the decision will still come down to the money the City makes, the realistic projection of parking needed, where else to get the money and if it is really worth the aggravation in terms of the division of the community or not. She wants to be sure in hearing the community that the information is provided in terms of the trade offs of the realistic look at the needs and how to fund it and is it worth the aggravation. She wants the community to

share in all the pieces. She does not want the meeting with only people saying they don't like paid parking, because who does? She wants to be sure to have all the pieces for the decision making process.

Mayor Bujalski clarified she was not attempting to determine the format of the listening session right now, just to be sure to have community input and for it not to be at the moment of the vote, but prior to that in order for the commission and staff to reflect so that what is heard is part of the recommendations and deliberation for the vote.

Commissioner Gracy agreed with the comments by Commissioner Freaney in that the listening session be sharply focused and she would like for the community to be aware of the severe challenges of the past year. She also does not like it, but she also doesn't like to raise taxes and the city is running out of room. She would also like for it to have a defined start and end time.

Mayor Bujalski commented the community has also lived with the challenges and she would like to know where they have settled on the issue prior to making a decision. She wants to hear if they are still coming downtown and all their comments. She suggested each commissioner provide their input to Interim City Manager Hutchens in the weeks ahead and he can work with staff to find a good model for the meeting.

Mr. Hutchens explained the reason staff recommended the November 2nd date was because of all the data available for a detailed discussion; however, in October the Commission can get the feel of the community, but staff will not be prepared to make recommendations at that meeting. Staff has no objection to public input if that is the direction of the commission; it will be a piece of the puzzle although staff will have limited value to add to that meeting other than historical information that led the commission to the decision of paid parking.

Mayor Bujalski suggested there might need to be flexibility on the November 2nd date to achieve this and if it goes to the second meeting in November the amendment to the contract covers the City for that window of time.

Commissioner Kynes agreed with the meeting being fact based in order not to get spin but get the focus and speak to that with the facts.

Commissioner Freaney agreed it might push back the decision by two weeks which is okay as it should be a community decision with all the facts on the table even if that means working with the parking management company to add on a couple of weeks.

Commissioner Tornnga reiterated the need for a suite of information and to frame the entire question in terms of what happens if we go forward with the plan and what happens if not. First there needs to be review of the study and send the information for the residents and stakeholders.

Commissioner Freaney commented a big part of her decision will be the staff trending of what has been lost, what has been gained and what they see coming on line in order to understand what the City truly is going to need financially moving into the future for parking. Realizing it will be "guesstimates" as to how many parking spots we will need to add into the future which goes to the heart of how much money and how to find it from somewhere else.

Mr. Ironsmith commented some of parking is fluid and obviously based on demand and development and what occurs, so there might be a range of projections on that.

CONSENSUS: The Commission gave direction for a night listening session in October for the Downtown Parking Management Plan to get the feel of the community.

Public Hearing

Larri Gerson of 1310 Overcash Drive made the following comments:

The report shows a total figure of \$260,146 if you look at the revenue minus the BP and CRA money. She does not understand using that money as revenue because what is trying to be done is look at the success of the parking management system. When the false figure of \$68,000 is put in it shows success and getting to the green light; taking that out leaves a balance of \$260,146.

There is also the 23 spaces in front of the Artisan Apartments and \$63,000 she is sure is not reflected in this estimate, nor is the lease that will be coming on line the City will have to pay \$131,000 a year to Mr. Kokolakis or the Sheriff's Office expense unless she just cannot find it where the City paid for the Mardi Gras and the Dunedin Merchants were going to be reimbursing that.

The residents are paying taxes and they need to decide whether or not they want to pay more taxes. They are already paying \$68,000 in taxes now from the CRA every month. The windfall of BP money of \$2.1 Million and that was the windfall for the City and it is shown as revenue, but is that really a true figure of the parking management system.

She related the experience of her friend who came to the downtown at 4:00 p.m. and spent \$78.00 at a salon and at 6:08 p.m. she had a \$10.00 parking ticket. Then they went out to dinner and in the middle it showed her parking time had expired so she wanted to use the app to put more money in and it said she couldn't do it. It is a big problem with the app and with the numbers.

Finance Director Ciarro responded and explained the primary issue that relates to the transfer which has been repeatedly stated and the position has not changed. As far as analyzing this program the transfer in is basically covering costs; most of the CRA funding is related to parking lot leases that existed before the paid parking program began and they will continue if the parking program goes away. This financial analysis is showing the net cash flow this program is bringing in outside those parking lot lease costs because those costs will be there regardless of whether or not the program goes forward. He acknowledged it is a net loss and transfer in and transfer out so it does not matter if it shows on the report or not.

Sue Adams of 678 Douglas Avenue, business owner, stated she has been doing the survey of the merchants and was disappointed staff said they did not know about what the merchants thought and that no one had come to ask. She stated:

The merchants are on the front lines hearing what people are saying about the paid parking and they are getting the brunt of this.

Merchants are saying their businesses are being impacted by the paid parking.

The two question survey of 26 businesses for 2 days:

Is there a negative impact on your business from the paid parking?

24 of the 26 said yes; 2 said no

Would you like to keep the paid parking in the town?

24 of the 26 said no; 1 said yes; 1 said they were not quite sure.

While doing the survey there were customers in stores making comments.

Some of those surveyed chose to write down some of their concerns which she provided for the Commission review.

Businesses in the downtown need a good season, October to May, to have a buffer for the summer. This year that did not happen for many, they did not make money. The parking rolled out in October and poorly implemented, people were angry.

Her business is across from the free parking lot, but people are still paying because it is so confusing.

The general message from merchants was that the system is convoluted, the meters hard to figure out. While doing the survey she was at stores right at meters and people came in and someone came in and said their card was stuck in the meter and the shop owner said it was the fourth one that week.

There is a negative feeling about Dunedin and instead of numbers maybe there should be talk about other solutions rather than paid parking which is killing businesses. She was surprised to hear how many are not renewing leases and are going to be closing.

Mr. Ironsmith commented the staff did meet with the Downtown Merchants Association at their monthly meeting for their input for the Version 2.0 created based on the input from the merchants.

Kimberly Platt, owner of The Honu restaurant behind City Hall at 516 Grant Street and President of DDMA, speaking on behalf of the DDMA, made the following comments:

They talk with Mr. Ironsmith a lot.

The Merchants are going to be sending out a comprehensive survey so that they find out from the Merchants Association how they feel about parking. The survey will ask questions about the effects or non-effects of the paid parking. They plan to share the information with the City and make sure the Commission is aware of how they feel as a Merchants Association as a whole whether it is good bad or split; it could be either at this point they just won't provide the facts.

They want to make sure that their guests have a place to park and they are putting their faith in the Commission to make sure that they come up with the best solution whatever that may be.

Ms. Platt, speaking for herself, commented that business is up. She has been in business for 18 months at this location and she has the numbers to prove that her business is up, she's thriving and hopefully they will be building a tiki bar in the back.

Commissioner Freaney clarified with Ms. Platt the survey will be differentiating between retail and restaurants and others.

In response to the question from Mayor Bujalski and her concern for merchants who are not members of the DDMA not being surveyed, Ms. Platt explain their intent is just to survey members which is 130 in downtown and they can work with Mr. Ironsmith, but the data they gather would be just for the DDMA.

Mr. Ironsmith advised he can discuss a survey with Interim City Manager Hutchens at the direction of the Commission; they certainly can meet with the merchants and the Chamber of Commerce. Mayor Bujalski clarified she wants to hear from all businesses effected by the paid parking.

Dave Becker, owner of Suncoast Beach Company in the downtown asked if there is information on the revenue generated in the day and during the night. He commented:

The parking lot across from his store is empty 40% -50% of the time and asked if that is being taken into consideration.

He feels the paid parking during the day cannot be generating enough revenue to be effective, during the day they are almost empty every day and the foot traffic in his store is down 40% -50%.

People come in and ask why the town seems so lifeless and without the energy it once had and they are not getting the support from the locals they once had. If this trend continues the town might have a lot of empty stores which will further harm business. People are willing to pay for parking at night, but not during the day when they want to shop.

He thinks the merchants are carrying the burden for the parking and he would like to see the Commission consider the parking fees in the core of the town be removed and reestablished in the evening.

Mr. Ironsmith responded the nighttime and the weekends generate the most revenue.

Frank Mumford of 1108 Austin Court made the following comments:

He is a traveling businessman normally not in Dunedin during the week.

He travels throughout Florida and Georgia and generally tries to stay close to small downtown areas, he likes that feeling and that is why he lives in Dunedin.

He asked if the City has reached out to any cities like Fernandina Beach, FL, LaGrange, Carrolton, GA where they have a thriving downtown and no one pays for parking. He suggested reaching out to these cities in finding out what other revenue are taking place to help the city thrive and not charge for parking.

He used to come to the downtown every Friday and/or Saturday night, but now they go to Safety Harbor and Palm Harbor and the businesses there love what Dunedin has done because now their downtown businesses are thriving. He hates to see that because he loves Dunedin.

The negativity of friends they used to bring here is that they are not going to pay for parking, they don't want to have to worry about how much to pay for parking, they would prefer to spend their money at the restaurants and shops and the bars.

He suggested there must be other alternatives.

Kathy Carlson of 927 Highland Avenue has a business downtown and she loves it and wants to stay. Their business is up and the parking is much more smartly used, people come down and are happy to find a space. She does not think the person exists who says they love paid parking; it is just a necessary evil. Sometimes Parkmobile works sometimes not and sometimes she cannot remember her password. She is surrounded by paid parking and many times those lots are empty during the day; they are full at night and those are the people who are funding the parking garage. If everyone decides they want to pay a surtax she would support that as well.

Dave Barmore of 9 Broadway commented this is really a business decision. The most important thing he saw was the turnover in the parking from the numbers given tonight. If

sales tax revenues in the downtown go up then that is a good indication of the economic health downtown to help in making a decision.

Tim Cunnings of 329 Albert Street, works at Café Alfresco commented:

He has lost over \$2,600 so far this year. He does not have to pay for parking because he can walk to work; however, if he does have to drive he does not want to risk getting a ticket. The people he works with have to pay \$30.00 a month just to come to Dunedin and park. He thinks this is unfair. They have all lost thousands of dollars and cannot afford it, he is not a merchant, and he considers himself self-employed personnel.

Many people come to the restaurant angry that they have to pay for parking, it is a damper to the senior citizens walking back and forth from their cars trying to figure out how to use the machines and then all of a sudden their hour is up and they have to go; it affects his tips.

The paid parking is unfair and needs to be revisited.

The Public Hearing closed.

Mr. Ironsmith summarized what he was hearing in terms of direction from the Commission:

September 21, 2017 for the extension with SP+.

Consider a date for the actual evaluation and before that have the listening session for community input.

Survey of businesses not members of the DDMA who are effected by paid parking.

Commission Comments

Commissioner Gracy advised Fernandina Beach, FL has reached out to Dunedin and she has worked with them and they are considering doing the same thing with parking.

Commissioner Tornga wanted to make sure the document is changed to November 2, 2017, because the Commission did have a consensus on that. Mayor Bujalski commented the discussion must have flexibility so that if staff cannot meet that date to have the listening session it can move to the second meeting in November.

Commissioner Tornga noted the question in terms of a survey needs to be the correct question and they have to have the right information to make a decision and that a presentation is made with everyone understanding on what is intended to be accomplished and the alternatives and then recommendations.

Mayor Bujalski noted the new City Manager will be here at that time and she has done a lot of this type of meeting and is sure in working with staff she will be happy to weigh in on how to get the best results.

Commissioner Freaney commented she was confident everyone on the dais wanted to do what is in the best interest of the community and she is open on making the decision which working together as a community it will get there.

Vice-Mayor Kynes verified with Deputy City Clerk Toner the handouts provided from citizens will be public record, attached to the minutes.

Vice-Mayor Kynes commented on the decision to be made based on what is lost and what is gained and the balance. It has not been an easy decision and everyone has a right to speak. She thinks we have a right to make decisions based on factual, both financial and emotional issues. She questioned making the best decisions based on emotions and commented she

thinks it has to be a fact-based decision. She has thought about in looking at other cities like Del Ray Beach. She has seen there seems to be a disconnect between the retail and when they stay open because when she is downtown on the weekends it is booming and shops are not open, so somehow that audience is not being captured and she does not know how that factors into the decision, but it is part of it.

Mayor Bujalski thanked her colleagues and staff for their willingness to be flexible and have an opportunity for everyone to have a seat at the table and an initial citizen meeting and take that extra step which she thinks is the right thing to do for the community. She agrees everyone is going to try to do what is best for the community and while staff talks a lot about the money and the data; however, people should not think that is the only thing the Commission cares about, it just happens to be what the report is on today; there is a lot more the Commission cares about and they will be looking at all of them.

Public Hearing: Code Change Requests

- a. **First Reading of Ordinance 17-07**, amending Chapter 105, Sections 105-28.3.4 and 105-28.3.5, to remove the 25% reduction in required on-site parking; Changes the permit fee rebates to fixed grants, as building permit fees are no longer General Fund Revenue, which protects the General Fund from potentially large expenditure permit fee rebates that are difficult to forecast and requires certification within 180 days of the Certificate of Occupancy.

City Attorney Trask read Ordinance 17-07 by title only.

MOTION: Motion was made by Commissioner Gracy and seconded by Commissioner Tornga to approve Ordinance 17-07 on first reading.

Planning and Development Director Rice advised:

The main part of this amendment has to do with permit rebates. In the past, permit fees went into the General Fund and now Building Permit Fees go into the Building Fund and Building Permit Fee Rebates have to come out of the General Fund. The rebates could be significant dollars into the 10,000's or 100,000's of dollars; therefore, staff recommends this adjustment because the General Fund would be vulnerable.

The secondary reason for this amendment is to remove the 25% reduction in required on-site parking for green building. A number of incentives were established in an attempt to encourage green building. What has been learned from architects and especially the three architects who sit on the Local Planning Agency (LPA) is that green building is becoming more and more the standard. The City is working with the University of South Florida (USF) on what the City can do in the future to encourage more and focus on renewable energy sources certainly at the municipal project level and whatever the City can do to encourage it in private development as well.

The proposal is, instead of the 25%, 50% and 75%, to align it with a dollar figure grant the City could afford that is \$2,500, \$5,000, \$7,500 and \$10,000.

At the LPA a developer spoke who stated these grants would not come close to being a true incentive for green building; however, the members of the Board thought the green building was happening anyway.

The staff has not budgeted for FY2018 for any of these types of grants; therefore, staff is willing to go either way with establishing the grants or eliminating the grants, but it would be FY2019 to be able to budget for the grants.

Commission Questions

Commissioner Freaney referred to the LPA minutes and inquired whether or not the City should be requiring green building. Mr. Rice explained the first step in that direction was the Sustainability Matrix which attempts to move sustainable development forward by requiring a certain amount of points on an available point total of over 200. The question moving forward, working with USF in a best practices format, is whether or not to increase the points requirements on that matrix or move toward pushing the renewable energy source including solar energy.

Commissioner Freaney clarified with Mr. Rice the LPA voted 4 – 3 to move this forward and the ones who voted nay were in support of not doing it at all.

When Commissioner Freaney inquired how the 25% reduction in the parking requirement falls into this issue, Mr. Rice explained five years ago when this was established there was not the focus on parking there is today in the downtown, so a number of things were done to encourage development including expedited permitting, special banners on the green building sites, recognition at Commission meetings and on the City's website and the 25% was an additional incentive to do green building. Currently what this really does is undermine the Parking Bank; therefore, it was felt it was not appropriate for the downtown.

Vice-Mayor Kynes commented on being on the brink of being Platinum for a Green City which is extraordinary and in terms of solar energy it is a difficult balancing act in determining how far forward is enough with sustainable energy. She was concerned about that.

Mr. Rice commented he thought the question to study with USF is the difference between or balance between an actual requirement in the Land Development Code versus an incentive and whether it will be a requirement of the person building or the tax payers incentivizing that additional requirement for sustainability or energy.

Commissioner Tomnga:

Commented on the complex situation and he is pleased to be asking this as a broad question as it relates to sustainability and he appreciates the input from several people, that this is a small thing right now, but it needs to be reviewed now.

Clarified with Mr. Rice if there are no longer permit fee rebates it effects the General Fund because now all Permit Fees go into the Building Fund and his understanding is the State Statute does not allow for providing rebates from the Building Fund; any rebates would have to come from the General Fund.

Inquired what would be an estimate in a year given the expectation of some results within a year and Mr. Rice advised the Artisan Apartments is doing some level of green building and had a \$200,000 Building Permit Fee which with the 25% would be \$50,000 and so forth; so it is significant dollars and the reason for bringing this forward is because of the sensitivity to the General Fund that cannot sustain those types of surprises.

Questioned about the staff recommendation and Mr. Rice explained the recommendation for the grants would be a difference, for example, the Artisan Apartments of the \$2,500 grant as opposed to the 25% that would be a \$50,000 rebate.

Inquired whether or not Mr. Rice had a rough idea who this action would effect and Mr. Rice advised it would be citywide and development in process today and there was just a rebate on the Wells Fargo building on Alternate 19 that was a small one and when the rebate was done he contacted the Finance Director and Budget Director as the amount to

go in the budget for potential rebates and there is only one he is aware of which is Artisan Apartments. The only other one in the hopper with a successful application is the Courtyard on Main project, but staff is not aware of any green building incentives they are requesting. The current resolution for rebates stands until the second reading of this ordinance.

Mr. Rice explained the staff recommendation agrees with the architects on the LPA that this is the way things are being done now, more sustainable all the time in various ways. He advised so far for the next year staff is not aware of anything coming forward that would come in after this permit fee rebate.

Mayor Bujalski:

Inquired and Mr. Rice advised he was not aware if Sustainability Coordinator Perez took this to the Committee on Environmental Quality (CEQ). Mayor Bujalski commented environmental issues should always be taken to the CEQ in order to determine their support.

Inquired and Mr. Rice explained "fast track permitting" is when the entire Development Review Committee made up of all the review departments comes together to focus on that one permit and get it completed as soon as possible. That is different from the Development Review Committee process. He noted the new software will make a difference in that each department being able to communicate for example a permit application is green built and there needs to be focus to get the review done and also with all permits it will have the capability to go to all departments for simultaneous review, speeding up the permit approval time. He advised the State is requiring accepting permit applications on line and Building Official DiPasqua has developed software to do that; however, it is not as sophisticated as the new software will be.

Inquired if the 10% density bonus should be eliminated as well, going into the Visioning process. Mr. Rice stated staff would be fine with that and explained the County sets the density and the City would need to have 10% additional available in order to give the incentive, so if the density is already maxed out the City cannot give an additional 10%.

Clarified with City Attorney Trask the law about the Building Fund passed probably 2006 or 2007 and the issue came up in discussion of the Gateway Project and he was questioned about refunding various impact fees and rebating some fees and in researching those questions it was learned the Building Permit Fees need to stay in a Building Fund. Mr. Rice added with the new Finance staff they were very uncomfortable with the way things had been done. In response to the question about a "discount" for fees, City Attorney Trask explained that would just be a "shell game" and advised if the City wants to lower the permit fees that can be done by way of ordinance; however, he would not recommend doing that every year.

Asked if for example a permit fee was \$100.00 for a certain type of building and if that building is going to be green that building permit is \$80.00 and City Attorney Trask explained it could be modified in the ordinance that way; however, the question comes about as to whether or not it is being done fairly across the board for the public at large; he has never seen it done that way; however, he does think it is legal having different value permits. He also explained the problem is the certification does not come until the end and the City does not know and the fee has to be collected up front. Mr. Rice

advised the certification is actually 6 months after the Certificate of Occupancy which is why the rebate process as opposed to giving it up front.

The public hearing was opened.

Joe Kokolakis commented:

He does not really want to speak against the ordinance because he understands the statutory limitations on the funding. He does believe this will effectively kill the green building program in Dunedin because the incentives do matter.

While he does agree with the architects on the LPA that it has become the norm, buying the low VOC carpeting and paint is the norm, having the mechanical system certified like they are doing at the Artisan was costing him \$12,000 and they are going for Gold which would be a 50% rebate, so he is trying to get a \$100,000 rebate on his permit fee. It is the incentives that make that worthwhile.

The Stirling Commons is certifiable because he built it green and tracked his points for reclaimed wood and impervious asphalt but never submitted because the cost just for the submission and certification is \$26,000 and add to that sorting trash, the concrete for recycling and the steel all those real expenses and while it is a marketing tool and hopefully people who rent there will value living in a green building.

There is also the other criteria, such as bicycle racks and anything for transportation; there is a value and a value to Dunedin as well.

He agrees if there is any way to figure out how to incentivize green building, it still is important to the city. While he may still build green, for example the Wells Fargo building on Alternate 19, he will not submit for certification because the Sheriff's Office does not care and there is no real incentive, he will get low VOC carpet, but there won't be a plaque in the front.

The public hearing was closed.

Commission Comments

Commissioner Gracy agreed with the point of having the CEQ review and weigh in on this if they meet before the second reading. Mr. Rice commented the CEQ is much further down the road that the City is not doing enough and the sustainability matrix needs to be dramatically pushed and requiring solar across the board; he does not know when they meet.

Commissioner Gracy stated she thinks it is a good change that provides insulation for the General Fund and protects tax dollars.

Commissioner Tomga agreed with Commissioner Gracy in consideration of the study being done by USF.

Vice-Mayor Kynes asked why this is being done now when the best practices will be considered. She thinks the CEQ would not support this. She asked how there will be true best practices and incentives for green building and sustainable energy.

Mr. Rice explained:

The big change is the way permit fees are coming in and going out, if the Commission is willing to allow the permit fees to come in and stay in the Building Fund and then put out potentially \$100's of \$1,000's out of the General Fund it can be kept as it is.

The concern came about in working with the Finance Department regarding when it comes out of the General Fund and no one had budgeted where it was coming from, Planning and Development or is it an economic incentive that comes out of Economic Development.

If it is kept this way while the study is done then several hundred thousand dollars has to be put away as protection for the General Fund, if it is not budgeted it comes to the Commission to come out of Reserves.

Vice-Mayor Kynes stated what she was hearing was this is a financial issue attempting to be resolved legally, but there is still the overriding concern of best management practices in sustainability and solar energy and the importance of green building.

City Attorney Trask stated it is really limiting the dollar amount; right now the dollar amount is based on a percentage of permit fees which is an unknown. The \$2,500 or \$5,000, \$7,500 and \$10,000 that is a known, a set fee so if there is one project that is going to qualify for Bronze, the City will be paying \$2,500 versus a project like Mr. Kokolakis' paying \$50,000.

Mr. Rice commented staff would come back to the Commission with a best practices look at whether the City needs to require more or incentivize in a different way that would not have the impact or surprise the General Fund; however, that will probably be 12 months because it is a second semester project.

Commissioner Freaney stated her understanding of the motion is in favor of the grant program which is more fiscally responsible and better than nothing. Mayor Bujalski noted also the removal of the 25% parking requirement reduction.

When Commissioner Freaney asked Mr. Kokolakis how many communities he does business in give these kinds of incentives, he stated:

He does not really do business in any community except Dunedin and all his projects that are federal are certified, but the Federal Government pays for whatever certification there is because it is a federal mandate.

As a developer he does not do this anywhere else; however, he does know if he is bidding on a Federal barracks job it is going to be LEED – Gold (Leadership in Energy and Environmental Design) and it costs money to do that.

As a developer it does cost money and there is a return in being a green building in terms of marketing, but at this point they are not at the point where that return will offset the cost without the incentives in his opinion and experience.

He feels some sort of program is important, but essentially all you are paying for is an independent certification and it is right that people are building green and he will be using LED lighting no matter what, regardless of the incentive. It is the fact that they are paying so much to be independently certified and get a plaque on the wall, whatever the value of that is.

He thinks working together with USF they will figure out the balance because he does not believe you can mandate solar panels on every home in Dunedin to be green because that will price the city out of the market so there is that extreme to doing nothing. These grants are nominal and really will not do much to encourage.

Commissioner Freaney asked what would have happened if there were no incentives, but it was required for Artisan Apartments to be a green building and Mr. Kokolakis stated it would

drive up the costs by that same \$100,000 and effect rents he supposed and ultimately it would get passed down and there is a point where an economist would say it pushed too far.

Commissioner Freaney explained she was conflicted after reading the LPA minutes and listening to Mr. Kokolakis and she thought it better to go ahead with the grant program until it is better understood with the USF study because the General Fund cannot be put in jeopardy.

Mayor Bujalski recalled the last time this was done it was four or five years ago and inquired if it might be every four or five years there would be these issues and it is not that much money coming out of the General Fund and whether or not staff thinks there will be four or five projects coming up that would be \$50,000 each over the next year until this is figured out to make this change.

Mr. Rice responded no and acknowledged maybe one and Mayor Bujalski commented:

That is why she is concerned with making the change since the staff will be getting into how to do this better in the next 12 months and there is no concern with not that many projects coming forward.

She is concerned with not having incentives until this is all figured out; it is still important and a lot of work went into making this happen.

What needs to be incentivized, as Mr. Kokolakis was mentioning, it needs to be a worthwhile incentive and maybe at some point there is not a Bronze, Silver, Gold, Platinum but just one decent amount of money and as long as it is at the Bronze level the City should be happy.

She does want to eliminate the 25% reduction in the parking requirement until the situation is completely understood and in the meantime shared parking and the Parking Bank will help.

Mr. Rice reiterated the concern when staff began looking at all this was the previous architect on the OceanOptics parking lot is a very green architect that was going to go for a big number and when they thought that was a possibility they knew about the Artisan and started thinking about what happens at the Gateway. He agreed there is probably not a lot that will happen over the next year. As staff was working with Finance they did not want to come to the Commission with a big budget adjustment hitting the Reserves and that is why they were trying to take a pause and really did not know if this is the best approach to incentivizing.

Mayor Bujalski stated she did not want to vote against the ordinance because of the 25% reduction in the parking requirement and before the second reading she would like to hear from the CEQ if possible and possibly staff could look at one percentage reduction with the understanding it is coming from the General Fund and not one that is not going to work but also not too much for the Reserves.

Vice-Mayor Kynes reiterated her concern for preserving the idea of green building and where the balance is and asked if the staff could look at it and come back with a recommendation.

Mayor Bujalski clarified the request is to come back with some options for the second reading.

CONSENSUS DIRECTION: The Commission gave direction for staff to come back with a different option than the small grants proposed that were based on what the General Fund could withstand versus what staff thinks would incentivize a developer for consideration at second reading of Ordinance 17-07.

Mr. Rice stated he would like for Sustainability Coordinator Perez and Development Project Coordinator Giebel to review this and suggested it might be another meeting for the second reading.

Commissioner Freaney agreed with the direction and noted the point of not having any surprises to the General Fund and she appreciated this coming forward in some fashion, but it cannot drag on in case there is a big project that would affect the General Fund.

Mr. Rice noted the big project starts with an acceptable application, so it would not be turning dirt, it would be when the developer starts the process with an application and they are in under the Code that is in effect. If staff thinks there is only one project coming in the next 12 months why not put this on hold for the whole time; if it is done away with the way as it is presented tonight, then wait until the USF study provides a new recommendation that has the General Fund 100% protected instead of rolling the dice with staff coming up with some intermediate program that they do not even think will be used.

Commissioner Freaney reiterated her concern for the surprise that could have a significant impact on the General Fund.

Mayor Bujalski clarified her concern also is in the statement the City would be making in taking away the green incentives.

VOTE: Motion carried 4-1 with Commissioners Freaney, Tornga, Gracy and Mayor Bujalski voting aye. Voting nay: Vice-Mayor Kynes.

There will be a Second Reading of Ordinance 17-07 on August 24, 2017.

- b. **First Reading of Ordinance 17-11**, amending Chapter 103 Permitted Uses, to encourage high quality Bed & Breakfast establishments in multifamily zoning districts using the conditional use permit process as a control measure; and allow high quality indoor storage facilities in a variety of commercial zoning districts using the conditional use permit process as a control measure.

City Attorney Trask read Ordinance 17-11 by title only.

MOTION: Motion was made by Vice-Mayor Kynes and seconded by Commissioner Gracy to approve Ordinance 17-11 on first reading.

Bed & Breakfast:

Planning and Development Director Rice referred to a PowerPoint presentation and advised:

After discussions on Tuesday, Code Enforcement Inspectors and a Bed & Breakfast owner reminded him from the Bed & Breakfast perspective why it was called high quality was that the city has over 30 Air B&B's happening in this general area right now which are not permitted. The City is missing out on the Bed Tax and there is significant a Code Enforcement problem since there has to be evidence from the road and that people are staying less than 90 days.

This ordinance is one way to get the process moved to requiring a conditional use permit from the City. This gives everyone the opportunity to determine if it is the type of B&B we want to see in Dunedin; it will also give everyone in the area affected a chance to weigh in on the subject.

There was discussion brought up by Vice-Mayor Kynes regarding the single-family districts and that in the Historic Preservation work with USF staff will look at districts

and this would be included as a factor in those districts. He does not think the City wants this to be widespread into the traditional neighborhoods; however, as Vice-Mayor Kynes stated it could be a portion in the historic districts.

The process for a conditional use includes a significant fee, approval from the Board of Adjustment and Appeal and it provides staff to recommend and anyone the opportunity to speak.

Commission Questions

Vice-Mayor Kynes noted her question was answered and that in other cities historic-type districts Bed & Breakfasts are seen.

When Vice-Mayor Kynes inquired regarding a registry for the Air B&B, Mr. Rice explained currently Code Enforcement Inspectors go on the website and when they find them have to build a case with evidence. He noted some of the advertisements stated "minimum 90-day rental"; however, when they call and don't identify themselves and say they just want a weekend they are told okay. What will help in these situations is the Code Enforcement Inspector being able to ask to see the conditional use permit which will be the registry.

Mr. Rice commented he had learned from Code Enforcement Inspectors some of these places are not B&B's they are rooming houses and could mean a bad experience for visitors to the city.

In response to the questions from Commissioner Freaney, Mr. Rice advised:

The Air B&B's in the single-family residential areas should not be there as they are not allowed and that can be stopped with the ordinance.

The County is addressing the issue through the Property Appraiser because of the amount of Bed Tax being lost.

The reason for choosing the multifamily zoning districts, which will be addressed in the upcoming Visioning, relates to when the downtown was designed with its height and density there are pockets all around the downtown where MF-15 was just overlaid on single-family neighborhoods. His understanding from the mid-1980's was that this was all going to be revitalized or scraped and redone and that did not happen; people came and improved in order to keep what the city has now. Those multifamily zoning districts are all around the CRA which seems to be where there is a concentration of B&B's and people doing a beautiful job where it is allowed in the CRA, the north side of Scotland it is allowed and on the south side of Scotland it is not. The point is to allow a method to do it legally.

Also, the ordinance provides the opportunity for neighbors to weigh in; staff will be considering whether or not the place has adequate parking spaces for the number of rooms and so forth and how all that works together.

In response to the questions from Commissioner Tornga Mr. Rice explained:

Each conditional use permit will have a yellow sign and there will be notification within 500 feet.

There are criteria for conditional use and in terms of neighbors weighing in for the quasi-judicial process it is to be competent and substantial evidence presented; therefore, if a neighbor is speaking and knows the applicant has no common area or outdoor areas, the parking is going to end up on the street and so forth. The Board of

Adjustment & Appeal has the ability to put conditions on approval including time, hours, how long people are allowed outside and the food situation as to whether it is really a bed and breakfast. Neighbors can provide whether or not they are okay with transients coming in 2 – 3 days at a time; some places it will work and others may not.

Surrounding cities have found this very difficult to handle; however, former City Attorney John Hubbard had the forethought to establish in the majority of districts the 90-day minimum stay, so the vast majority of the city is already protected. When he lived in unincorporated County, a B&B was already in his deed-restricted community because there was no restriction against it. The State Legislature has determined if there is no protection with an ordinance it is too late and it is allowed and that cannot be superseded.

City Attorney Trask explained there is a date certain the Code provision has to have been adopted and if it is not then those things are preempted to the State. Many cities if they do not have those code provisions like the City of Dunedin does they are creating registration requirements and then begin to deal with noise, garbage, traffic, parking and so forth in dealing with the short term rentals in other ways through that registration process.

Mayor Bujalski clarified with Mr. Rice:

The recommendation is to only allow the B&B's in multifamily zoning districts at this time because of those pockets surrounding the CRA.

In going into the single-family residential it is so much more of the city he was not sure most neighborhoods would fit that; it is already allowed in the CRA and he referenced the map provided showing the multifamily sites.

The condominium complexes are zoned and are already restricted by their own homeowners' associations by what can be rented and for how long.

The main focus was to look at the multifamily districts overlaid on top of single family homes around the downtown. In terms of removing the overlay that might be a consideration after the Visioning discussions and he is already working with some neighbors in some areas to determine if they would voluntarily go back to single-family zoning in order to protect the neighborhood. It would be at least a year for rezoning and there are a lot of questions including mandatory or voluntary and some people who might not want to give up development rights. He does not think this action will cause a hardship should the decision be made to remove the overlay, because he thinks the City would want to offer the same opportunity to everyone in that area.

Regarding a house that is not in multifamily zoning, but is on a main road, for example Alternate U.S.19, all the pockets there have been rezoned to FX-M where it is a permitted use.

The public hearing was opened.

Grant Painter of 984 Howard Avenue commented:

When they travel, he and Eunice often stay in B&B's because it puts them more in touch with the neighborhood they want to visit and encouraging people to take part in Dunedin is a big reason why they are so successful.

In terms of wanting one next door to his own home; he is in a place where that can happen and he does think it would be a good fit.

The neighbors being able to weigh in for the conditional use permits, in his experience, that has helped them tailor how to approach their project.

This really helps with historic preservation because the older homes in town are susceptible to being torn down and used for something else, for example four units going in where there could have been one. Being turned into a B&B is often the best case for saving older homes.

Linda Boosinger of 545 Scotland Street gave a brief history of her home and the families who previously owned it and their participation in the city. She explained the very poor condition of the home that is going to be 97 years old and their restoration of the home. She commented:

There are 7 Air B&B's on Scotland Street between the J.O. Douglas House and their house and there are over 700 active Air B&B's in Dunedin. This is another opportunity to house tourists with no large hotels being built in Dunedin.

In terms of the Bed Tax, if the 300 Air B&B's were paying taxes based on the 13.5% it would be \$720,000 a year; that is what the City is giving up by not regulating the Air B&B's.

James McKeever of 160 Florida Avenue commented:

He and his wife travel the state of Florida and always try to stay in a B&B for many of the reasons noted by Mr. Painter. They would love to see them in more than just the downtown core.

There are a lot of B&B's and they have one in their neighborhood and he knows for certain people are there for less than 90 days. That one is not a problem for him; however, it probably is for some others who have them down the street. He is sure not all are responsible owners.

He would like to see the B&B's on the books because the current tax loss is a problem for the City.

Joe stated:

There are quite a few Air B&B's near him and he has one as well. He does travel the world and he only stays in B&B's because the experience is so different. It does not make sense to fight it like they were Uber because it is the wave of the future and is only going to get stronger and benefits everyone.

In terms of qualifying to be an Air B&B, that should be left up to Air B&B because they have very strict restrictions and if you drop below a 4-star rating you are off.

It does not make sense to restrict the B&B's in a city like this where he thinks people prefer them to hotels and there are not many hotel options for the downtown.

He does agree they should be taxed to bring in revenue to the City.

The public hearing was closed.

Storage:

Planning and Development Director Rice referred to a PowerPoint presentation and advised:

The thinking with this portion of the ordinance is about what is happening on some of the City's commercial corridors and realizing how much trouble retail is in nationwide.

He provided some examples of some storage facilities and the map of locations they would be allowed in Commercial zoning districts.

The ordinance provides for conditional use and if it is not in the spot then staff would not recommend it. He does not think the BAA would go against the staff recommendation and also the opportunity for everyone to speak to the application.

He emphasized this would not be permitted use, it would not be allowed by right.

Mayor Bujalski stated she could not support storage facilities on the Causeway.

When Commissioner Freaney inquired if there is total discretion to say no, no matter what, for example there are already 5 and a 6th one makes application, City Attorney Trask explained:

There are 11 criteria listed, quite extensive and in place in the Code for some time, and all have to be met after a complete application conference, a complete list review, a quasi judicial hearing with evidence and testimony and public input and then making sure the 11 requirements are met.

Each application would be treated separately and distinctly. In terms of setting precedence, he thinks the answer is that it does not by approving 5 and not approving a th6.

Mayor Bujalski noted all of the corridors are going to be considered in the Visioning and she struggles with moving forward on this without going through the Visioning process and looking at the corridors. She thinks S.R. 580 is the appropriate place for this type of facility and not necessarily anywhere else; however, there needs to be community input and she is concerned about the limits.

Commissioner Gracy stated she did not have that concern; however, she heard the point on the Causeway although possibly condo owners there could benefit. She is not concerned about the conditional use and thinks it is the best way. She does agree she is not particularly in favor and it could be taken out, but the Bed & Breakfast she is fine with.

Mr. Rice had no problem with waiting on the storage facility portion until after the Visioning.

AMENDED MOTION: Motion on the floor was amended by Vice-Mayor Kynes and seconded by Commissioner Gracy to approve Ordinance 17-11 on first reading eliminating the portion "and allow high quality indoor storage facilities in a variety of commercial zoning districts using the conditional use permit process as a control measure."

The public hearing was opened as to the storage facility portion of the Ordinance 17-11.

Hearing no comments, the public hearing was closed.

VOTE: Motion carried with Commissioners Tornga, Freaney, Gracy, Kynes and Mayor Bujalski voting aye. Voting nay: None.

There will be a Second Reading of Ordinance 17-11 on August 24, 2017.

- c. **First Reading of Ordinance 17-12**, amending Chapter 105, Section 105-23.3.1 to amend cross-access way dimensions to match other portions of the Land Development Code.

City Attorney Trask read Ordinance 17-12 by title only.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Freaney to approve Ordinance 17-12 on first reading.

Planning and Development Director Gregory Rice advised:

This ordinance corrects dimensions that were in two places in the Code; they were different and this makes them the same.

The dimensions were recommended by Traffic Engineer Joan Rice.

The public hearing was opened. Hearing no comments, the public hearing was closed.

VOTE: Motion carried with Commissioners Kynes, Gracy, Freaney, Tornega and Mayor Bujalski voting aye. Voting nay: None.

There will be a Second Reading of Ordinance 17-12 on August 24, 2017.

Commissioner Heather Gracy departed the meeting at 9:41 p.m.

3. **Public Hearing: First Reading of Ordinance 17-13**, a City rezoning initiated for the properties at 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525 and 527 S Paula Drive from Neighborhood Business (NB) to General Business (GB) and the **First Reading of Ordinance 17-14**, rezoning properties at 65, 73 and 79 Patricia Avenue from Single-Family Residential (R-60) to Form-Based Medium (FX-M). Parcel Numbers: 15-28-15-23166-006-0200 (S Paula), 35-28-15-38682-000-1060, 1070, and 1080 (Patricia). Owner: N/ A - City Initiated Rezoning.

Mayor Bujalski commented this is quasi-judicial and requested City Attorney Trask swear in all who wished to provide testimony on these issues. City Attorney Trask swore in Planning and Development Director Greg Rice.

City Attorney Trask read Ordinance 17-13 by title only.

Planning and Development Director Rice advised this City rezoning initiated for the properties at 501, 503, 505, 507, 509, 511, 513, 515, 517, 519, 521, 523, 525 and 527 from Neighborhood Business (NB) to General Business (GB). He explained:

When the rezoning was done to FX-M on the Causeway the owner of this property did not want to be zoned FX-M and at that time the City was trying to eliminate several zoning districts including General Business, Shopping Center, Commercial Parkway, General Office combining them into the Form Based Code.

The City was putting any outlying properties into Neighborhood Business and that is what this property was rezoned to. The owner did not realize that had happened and Neighborhood Business has a less density and less height allowance than General Business. He told the owner he would bring this back to the Commission to request going back because the City did not do anything that was not voluntary in this area. The owner wants it back to the way it was to General Business; the City is not trying to force that zoning on anyone.

Commission Questions

In response to the questions from the Mayor and Commissioners, Mr. Rice advised:

In regard to how the owner was not aware of the zoning change, that the owner was noticed and acknowledged he thought she just missed it and she does not want to go to FX-M and the City was only rezoning those who wanted the change.

Vice-Mayor Kynes clarified with Mr. Rice the point was voluntary rezoning and this was involuntary.

General Business has 5 stories/50 feet in height allowed, and FX-M is 2-3 stories. Neighborhood Business is 25 feet in height/3 stories.

Parcels around the subject property have some of the towers and large condominiums that are tall. Mr. Rice pointed out and described some of the surrounding properties.

There has been no response to the notices to neighbors and obviously no one was in attendance.

Mayor Bujalski expressed significant concern regarding allowing 5 stories on the subject property and also noted many residents in the area are away for the summer.

Vice-Mayor Kynes commented she did not realize the true connotation of how much higher it could be.

Commissioner Freaney stated she did not think she could support it.

Mayor Bujalski opened the public hearing for public input. Hearing no comments, the public hearing was closed.

Commission Comments

Commissioner Tornga stated he did not have a good feeling about this, realizing what is being requested now seems a little extreme and he is surprised no one has responded which he would like to have more information about. In terms of forcing the zoning, the issue was back then and he is not comfortable changing it to something more dense.

Commissioner Freaney commented based on the height difference and what is seen in the area right now she thinks a problem would be created for the City in the future and as long as it was properly noticed that is fine; however, she thinks it would be a mistake to go back.

Vice-Mayor Kynes commented she was not sure the people noticed understand the change or the real connotations of the change; she has a bad feeling as well.

Mr. Rice explained they received the notice because the City was proposing to change them to FX-M and the handout explained Form Based Codes. This property owner told staff she did not want that and as they were trying to remove General Business and consolidate the Commercial categories, the other things that were in unusual places that were not Form Based, the City made Neighborhood Business and again there was notice but he does not know about the notice for Neighborhood Business. He thinks someone must have been interested in the property and looked at the zoning and she questioned what happened because she knew she had 50 feet, but no more and she wants to go back.

City Attorney Trask explained if the property owner was properly noticed, she had the opportunity to speak at that hearing and give her input. If she feels she was not provided notice or it is found later that she did not get notice, for example it is subject to notice, but it can be dealt with at that time.

When Mayor Bujalski asked if Baywood Shores residents would have been noticed on this change, Mr. Rice explained only if the 500-foot radius put them inside and possibly a few would have been touched.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Freaney to pass Ordinance 17-13 on first reading.

VOTE: Motion failed 4 - 0 with Commissioners Kynes, Freaney, Tornga and Mayor Bujalski voting nay.

City Attorney Trask read Ordinance 17-14 by title only. He advised this also was a quasi-judicial hearing and determined there was no one else present to be sworn in as Mr. Rice was already sworn.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Freaney to pass Ordinance 17-14 on first reading.

Planning and Development Director Rice:

Advised this rezoning is for the properties at 65, 73 and 79 Patricia Avenue from Single-Family Residential (R-60) to Form-Based Medium (FX-M).

Presented a PowerPoint including photographs of the properties, a beauty salon where someone lives, a beauty salon with 5 living units attached which is the property where Code Enforcement came into play as the salon and 5 units were done without permits.

Staff began to research how these uses came about in the R-60 single-family residential. A new owner came in and was expecting to keep the 5 units and the commercial space and was told he could not do that as it was never designed for that use. In talking with him the next door neighbor had several people living in the home and he produced a document from the early 1980's from the Planning & Development Department that said he could do commercial use there. Today that would not be done.

The attempt with this ordinance is to make a correction. There are many Patricia Avenue properties moving from the single family home to these commercial type living and commercial work. The request is that these three properties be rezoned to FX-M in order that the living and working situation can be legitimized and basically correct an error to allow these uses to operate the way whoever wrote that letter decided they could do those kinds of things.

Vice-Mayor Kynes clarified with Mr. Rice it is a non-conforming use that has been allowed since the 1980's and he does not think the letter had the authority.

In response to the question from Commissioner Tornga, Mr. Rice stated he thought the letter only pertains to the three properties and only two of the three went that route, but there are no records in the City, just the letter the owner showed staff.

When Commissioner Freaney asked what the legal stance of the letter is, City Attorney Trask advised it was not a permitted use then and it is not a permitted use now. If for example it was residential and they created this commercial activity there, they do not even have grandfathering status because it was not legal at the time they converted it.

When Commissioner Freaney asked what surrounds the properties, Mr. Rice pointed out a single family home that is a daycare center which is allowed with the limited number of children, the Walgreen's that is Neighborhood Business and then some single family homes going north. But there is quite an area that was rezoned at about the next block to FX-M and there are now many single family homes operated as small businesses, doctor's offices, lawyer offices and so forth, and that trend is seen to be continuing and it backs into single family homes. He acknowledged everyone was noticed and he did not think there was any opposition noting there are restrictions in FX-M on the use when adjacent to a neighborhood and any type of retail is limited to 10:00 p.m.

After Mr. Rice described an issue on Albert Street where an owner wanted to be FX-M and to keep some inappropriate uses, Commissioner Freaney asked if these properties were FX-M would all those uses be allowed and Mr. Rice advised they would be.

When Commissioner Freaney asked if something more limited should be considered, City Attorney Trask advised that could not be done with this ordinance.

Vice-Mayor Kynes clarified with City Attorney Trask the letter could not have done what it was trying to do. (There was no copy of the letter.)

Mayor Bujalski verified with Mr. Rice with the Visioning the entire Patricia Avenue Corridor would be addressed and a significant amount of Patricia was already rezoned based on the recommendations of the Corridor Study. She assumed in the Visioning process it would be addressed what that looks like now and what it could be right now and make sure that is okay with everyone and she suggested waiting versus making a little pocket without the broader information and if that is the direction then could the City do something conditional with these property owners temporarily with a conditional use permit or some instrument.

City Attorney Trask noted right now it is R-60, Single Family Zoning, so none of that would be permitted and under the Code no conditional uses would be allowed and Mr. Rice concurred.

When Mayor Bujalski asked if they could go to the Board of Adjustment & Appeals and apply for a variance for these three properties, Mr. Rice stated the BAA would not even give a 2 ½ - foot side variance right now so he sees no chance of that happening. City Attorney Trask stated he did not think the BAA could grant a variance because the powers they have are listed in the Code and rezoning a piece of property for the purposes of what you want to accomplish there is not one of those powers; that is the power the Commission has to rezone a property under R-60, it is not a conditional use.

Mr. Rice added that the dimensional requirements could be varied within a zoning district but going from single family to commercial is not a legitimate variance.

When Commissioner Tornga asked what happens to these residents if this is not passed, Mr. Rice explained for two of the three it does not matter; however, the one gentleman unfortunately bought the house with a salon and 5 rental units and he is the one who got caught up in the Code Enforcement issue and he was not properly informed by the previous owner and neither was the realtor with the correct zoning and he is the one who asked that this be brought forward. The owner wants to create a living unit with a commercial portion that is not retail, a home baking business and he has a buyer.

Mr. Rice explained the lady who has the salon and lives there has been doing that for a long time so he would not want to do any Code Enforcement on that even though it happened through a letter. When Commissioner Tornga asked if that was proper, City Attorney Trask responded, no.

Commissioner Freaney asked if there is a way to allow for the continued nonconformities as they are doing it now and they do not get to change as in add or build more but continue in nonconformity until after the Visioning and the Commission can make a final determination. City Attorney Trask stated, just turn your back and don't enforce the Code is the only thing at this point. He agreed there would be the argument that if you turn your back here then you can turn your back another place. Vice-Mayor commented that is not right.

Mayor Bujalski commented there has been a lot of discussion about the live/work space for artists and how to do that and Mr. Rice advised the live/work unit is in FX-M and explained he does not think the uses the Commission is concerned about would ever fit on the lot.

Commissioner Tornga stated he would like to have more staff input and some options on this issue before moving forward and Mayor Bujalski agreed.

Mayor Bujalski opened the public hearing for public input. Hearing no comments, the public hearing was closed.

AMENDED MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Freaney to postpone Ordinance 17-14 to the Regular meeting of August 24, 2017.

Commissioner Tornga requested staff come back with significant information and expressed his concern regarding not enforcing the Code.

Mr. Rice stated he needed more time to bring the ordinance back.

Discussion ensued as to whether to postpone or table and in order not to place the item on an agenda without knowing the other items and on the advice of City Attorney Trask it was determined the item should be tabled in order to provide time for staff to work on the ordinance and place it on an appropriate agenda.

Commissioner Freaney stated for the record that she obviously is not comfortable not enforcing our codes; however, she is not comfortable being pushed into a decision, she is more uncomfortable making a decision based on the information she has tonight. This is obviously a unique situation balancing different interests to make sure of making the best long term decision and that is the only reason she would second the motion to table. She does not want it to linger as well and it should come back as soon as it reasonably can with all the information including all that FX-M can bring to that location.

Vice-Mayor Kynes reiterated her concern for enforcing the Code either fix it or don't.

Mr. Rice expressed his concern for using the heavy hand of enforcement for the live/work situation with the salon that has gone on and been accepted for over twenty years. Mayor Bujalski agreed. Vice-Mayor Kynes clarified she was not suggesting that; however, this is very concerning.

Commissioner Freaney clarified she did not want anything else to occur on the properties while waiting to make the decision.

AMENDED MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Freaney to table Ordinance 17-14.

VOTE: Motion carried 4-0.

- 4. Public Hearing: First Reading of Ordinance 17-15 (Annexation), 17-16 (Land Use) & 17-17 (Zoning), for Application AN-LUP-ZO S/D-LDO 17-56.01** – Request for Annexation, Land Use & Zoning Designation, Design Review and Parkland Dedication for building 12 townhomes at 1501 San Christopher Drive. Parcel Number: 23-28-15-00000-140-0200. Owner: Karen Sullivan Living Trust / Applicant: Michael Willenbacher, Gulfwind Homes / Representative: Robert Pergolizzi.

Mayor Bujalski commented this is quasi-judicial and requested City Attorney Trask swear in all who wished to provide testimony on these issues. City Attorney Trask swore in Planning and Development Director Greg Rice, Parks Superintendent Lanie Sheets, Applicant: Michael Willenbacher and Robert Pergolizzi, Representative.

Mayor Bujalski inquired if any Commissioner needed to disclose any ex-parte contacts for the record and there were none.

ANNEXATION

City Attorney Trask read Annexation Ordinance 17-15 by title only.

MOTION: Motion was made by Commissioner Tornga and seconded by Vice-Mayor Kynes to pass Ordinance 17-15 on first reading.

Staff Presentation

Planning and Development Director Rice referred to the PowerPoint presentation to orient the Commission to the location of the subject property and provide the survey of the property which has a 1910 single family home with a 1910 orange pickers cottage resembling what would be called a "tiny home" today which will be salvaged.

SITE DATA	EXISTING	PROPOSED	ALLOWED/REQUIRED
USE OF PROPERTY	Single Family	Multi-Family	YES
LAND USE CATEGORY	RM	RM	YES
ZONING	A-E (County)	PRD	YES
LOT AREA	87,773 SF (2.015 AC.)	87,773 SF (2.015 AC.)	YES
UNITS	2	12	30
DENSITY	1 UPA	6 UPA	15 UPA
BLDG COVERAGE	3.2%	67%	YES
GROSS FINISHED FLOOR AREA	1,604 SF	27,222 SF	YES
SETBACKS			
FRONT	N/A	20	Site Plan
SECONDARY FRONT	N/A	N/A	n/a
SIDE	N/A	10	0 ft min-site plan max
SIDE	N/A	5	Site Plan
REAR	N/A	15	Site Plan
BLDG HEIGHT	N/A	25	40
VEHICULAR USE AREA	N/A	N/A	N/A
IMPERVIOUS SURFACE RATIO	UNKNOWN	0.535	0.75
OPEN SPACE	SEE MEMO	SEE MEMO	APPROVED
PARKING AREA INT LANDSCAPING	N/A	N/A	N/A
PARKING	N/A	48	18

Mr. Rice advised:

The application is to annex into the City and build 12 twin villas on the property.

In Planned Residential Development the applicant provides the setbacks for City Commission approval.

Open Space details are provided in the City Arborist memo attached to the staffing.

Parking is 2 spaces in the garage and 2 spaces in the driveway.

The proposed site plan shows the entrance with a T-intersection with retention ponds with 6 – 2-unit villas, 3 on each side of the street.

DESIGN REVIEW STANDARDS ANALYSIS

104-24.7.6 - Traffic Impact Analysis

The applicant provided a traffic analysis using the Institute of Transportation Engineers Trip Manual 9th Edition. This construction generates 6 P.M. peak hour trips.

1. Development projects with less than 10 P.M. peak hour trips are considered de minimis and no further traffic study is needed.

2. Based on the County's Multimodal Impact Fees Chapter, development projects that generate less than 51 new peak hour trips are required to pay a multimodal impact fee and not required to submit a traffic study.

(The Multimodal Impact Fee is the new name for the Transportation Impact Fee)

105-22 Common Open Space

Common Open Space will be created at the southern end of the project and is a condition of approval. This space will not count toward the Land Dedication Ordinance (LDO) requirement.

Green Space plan is provided and conditions from the City Arborist are provided.

There was concern raised at the Local Planning Agency regarding the condominiums to the south in terms of drainage and it was noted there is extensive retention in both the north and south. The residents of the condominiums wish to be involved in the infrastructure process and it is thought their drainage system will improve by this site containing all of the property run off which is not happening currently.

105-28 Building Design

Architectural Renderings were provided indicating one-story garden type units. Renderings were provided from the Massing Study with various views of the project.

Commission Questions

Commissioner Tornga clarified with Mr. Rice the retention ponds do not currently exist and would be an improvement for the flooding problems at the condominiums to the south.

Commissioner Freaney inquired what other zoning designation the property could have had and how it would have changed the density and number of units, why Planned Residential. Mr. Rice advised the biggest reason for the PRD is the setbacks designed by the applicant based on the parcel. She also clarified with the zoning, if the property was sold, the new owner could possibly come in with an application for higher and more units who are not interested in the setbacks.

Mr. Rice explained he did not think there would be any other designation to control the possibility, if the property were to be designated Multi-Family the same thing could happen.

Vice-Mayor Kynes inquired regarding the small house on the property and Mr. Rice advised he spoke with the renter who indicated that it is built very well and there is someone interested in moving it to Wilkie Street. Mr. Rice noted if the applicant becomes the owner they have indicated they are willing to discuss the disposition of the small house on the property.

Mayor Bujalski inquired regarding the trees on the property and how many are planned to be removed which she expects to become a huge issue. Parks Superintendent Sheets advised that component has not been reviewed as yet. Mr. Rice noted the city arborist report is provided with the conditions and that in order to answer those questions he would need to request the arborist attend the meeting. Ms. Sheets explained City Arborist Wilson includes in the conditional approval all the normal code items so the developer will not be able to say they did not know, so if he did not call out any particular issue then she does not foresee any issues about a particular tree or if something has to be moved he would cite that. They can bring in Mr. Wilson for the second reading.

Applicant Presentation

Robert Pergolizzi, Representative advised he made a full presentation to the Local Planning Agency (LPA) last month and the project was approved unanimously and staff recommends

approval. He stated he could provide a full presentation if the commission wished; however, in the interest of time would be happy to answer any questions.

When Commissioner Freaney inquired if there would be a full presentation at the second hearing, City Attorney Trask advised there would not.

Mr. Pergolizzi commented Mr. Rice provided most of the information regarding the project and advised:

The Land Use is Residential Medium/15 Units per acre and the project is the same with no changes to the density with 12 units on the 2 acres which is 6 units per acre, 405 of the maximum density.

The traffic will be minimal and a traffic study is not required

Single family homes are to the north and San Christopher Villas to the west and south and the post office to the east.

The renderings show the single story units that look much like a single family house except with two doors and two garages.

The garages are 2-car and 2 additional cars can fit in the driveway if necessary exceeding the parking requirement.

Public utilities are available from the City on San Christopher, water and sewer.

The property is in Flood Zone X and is a non-evacuation zone for hurricanes.

They feel the project fits very well within the city and would like to be annexed into the city providing a great opportunity for people to move into the area and he has already received phone calls inquiring.

They are in agreement with the conditions set forth.

Commission Questions

Vice-Mayor Kynes clarified the major concern of residents noticed was drainage. Mr. Pergolizzi advised one individual from San Christopher Villas inquired about flooding concerns and as Mr. Rice explained there is no drainage retention on the site and they will have to retain their water and obtain Southwest Florida Water Management (SWFWMD) permits requiring that and it would be an improvement to the drainage situation.

Commissioner Tornga noted his main question was in regard to the retention and was aware of the requirements. Mr. Rice noted the situation will improve for the residents to the south by the developer meeting all City Codes.

When Commissioner Tornga inquired if he would like to make any brief comments about the trees, Mr. Pergolizzi stated they are working with the city arborist and provided an arborist report; there are a lot of trees on the site and there is a payment in lieu of removing trees and they will be preserving as many as possible; in two weeks he could provide that information.

In response to questions from Mayor Bujalski Mr. Pergolizzi explained:

Reclaimed Water is provided with a 12" line at San Christopher Drive.

There are sidewalks on the south side of San Christopher Drive and there will be sidewalks within the private road connecting to those so people can walk to the post office.

The roads will be signed over to the City as public roads.

Mayor Bujalski opened the public hearing for public input. Hearing no comments, the public hearing was closed.

VOTE: Motion carried with Commissioners Freaney, Kynes, Tornga and Mayor Bujalski voting aye. Voting nay: None.

LAND USE PLAN

City Attorney Trask read Ordinance 17-16 by title only.

Residential Medium (RM) land use designation;

MOTION: Motion was made by Commissioner Freaney and seconded by Commissioner Tornga to pass Ordinance 17-16 on first reading.

Mayor Bujalski opened the public hearing for public input. Hearing no comments, the public hearing was closed.

VOTE: Motion carried with Commissioners Kynes, Tornga, Freaney and Mayor Bujalski voting aye. Voting nay: None.

ZONING (Quasi-Judicial)

City Attorney Trask read Ordinance 17-17 by title only.

Zoning is currently A-E (County) and staff is recommending Planned Residential Development (PRD).

MOTION: Motion was made by Vice-Mayor Kynes and seconded by Commissioner Tornga to pass Ordinance 17-17 on first reading.

Mayor Bujalski opened the public hearing for public input. Hearing no comments, the public hearing was closed.

VOTE: Motion carried with Commissioners Freaney, Tornga, Kynes and Mayor Bujalski voting aye. Voting nay: None.

There would be a second reading of Ordinances 17-15, 17-16 and 17-17 on August 24, 2017.

PRELIMINARY CONCEPTUAL PLAN

Mayor Bujalski clarified with Mr. Rice the commission would see the Preliminary Conceptual Plan again.

Mayor Bujalski noted the commission had questions about the small house on the property and the information on the trees will be provided at second reading. She suggested a representative from Engineering be in attendance at the second reading to answer questions about drainage.

MOTION: Motion was made by Vice-Mayor Kynes and seconded by Commissioner Freaney to approve the Preliminary Design Concept with the conditions as set forth in the staff recommendation.

Mayor Bujalski opened the meeting for public input. Hearing no comments, the public input was closed.

VOTE: Motion carried with Commissioners Tornga, Freaney, Kynes and Mayor Bujalski voting aye. Voting nay: None.

PARKLAND DEDICATION

Parks Superintendent Sheets advised this is a very straight forward Land Dedication Ordinance calculation. There are no private recreation credits and no CRA credits. It is a straight acreage requirement for the LDO based on the 12 units with 2 people per unit. Based on the per acre value of the property it is an LDO Fee of \$50,400.

MOTION: Motion was made by Commissioner Tornga and seconded by Commissioner Freaney to approve a fee of \$50,400 in lieu of parkland (LDO).

Mayor Bujalski opened the meeting for public input. Hearing no comments, the public input was closed.

VOTE: Motion carried with Commissioners Kynes, Freaney, Tornga and Mayor Bujalski voting aye. Voting nay: None.

There was discussion from the audience regarding the small house and Vice-Mayor Kynes emphasized she did not want it torn down which was acknowledged and Mr. Rice will work with the applicant on that issue.

There will be a Second Reading of Ordinances 17-15, 17-16 & 17-17, the design review the land dedication on August 24, 2017.

5. Proposed Agendas for the August 22, 2017 Work Session and the August 24, 2017 Regular Meeting

August 22, 2017 Work Session:

Add: Action Item 5 Water Treatment Plant Refurbishment Project from the August 24, 2017 Regular meeting.

August 24, 2017 Regular Meeting:

Delete: Water Treatment Plant Refurbishment Project moved to August 22, 2017 Work Session.

MOTION: Motion was made by Commissioner Freaney and seconded by Commissioner Tornga to approve the revised proposed agendas for the August 22, 2017 Work Session and the August 24, 2017 Regular Meeting.

VOTE: Motion carried unanimously.

INFORMATIONAL ITEMS

Vice-Mayor Kynes requested placing the Historic Preservation on an agenda for a workshop possibly the last meeting of September or first meeting in October.

Vice-Mayor Kynes advised at the Arts Summit there was a very good new fact finding booklet out on the Arts and Economic Development and requested inviting Barbara St. Clair of Creative Pinellas to give a presentation. Mayor Bujalski noted that would be an Informational Item at a Tuesday Work Session.

Mayor Bujalski advised Toronto Blue Jays License Agreement is down to the last small items and a schedule has been created waiting for the Blue Jays approval. The License Agreement has to be completed in order to move forward with the State Application. The recommendation is for a Commission Workshop for Monday, September 11, 2017 from 6:00 p.m. to 9:00 p.m. to review the terms of the agreement in order to be transparent in the public, address any questions on the terms and to provide any input on changing the terms. The actual License Agreement approval is

tentatively scheduled for Tuesday, October 3 and Thursday, October 5 regular Commission meetings.

City Attorney Trask advised he would not be present for the September 11 Workshop as he has plans to be out of state. Mayor Bujalski explained on the 11th there would be no legal documents, just terms that will have been reviewed with him prior to the workshop and there is no other time for that meeting. City Attorney Trask would have someone from his firm in attendance and commented the Commission would be in good hands with Bob Reed present.

ADJOURN MEETING

The meeting adjourned at 11:00 p.m.

NOTE: The meeting was completely recorded and the recording is in the official file. This meeting was also broadcast by *Dunedin TV*.



Julie Ward Bujalski
Mayor

Attest:



Sharon E. Toner
Deputy City Clerk