



City of Gulfport Florida
Community Redevelopment Agency Meeting
October 16, 2007

City Hall Immediately following the City Council Meeting which convenes at 7:00 p.m.

Minutes

Mayor Michael J. Yakes, Chairperson, called the meeting to order.

Roll Call: Present were Vice Mayor John E. "Ted" Phillips Councilmembers Michele King, Mary Stull, Robert E. "Bob" Worthington, Mayor Michael J. Yakes, City Manager Thomas E. Brobeil, City Attorney Timothy P. Driscoll and City Clerk Donna Spano.

1. Resolutions:

- a. 2007-13** A resolution of the Community Redevelopment Agency (CRA) of the City of Gulfport, Florida, approving application #S07-05, a Site Plan Application for the creation of a restaurant with outdoor seating generally located at 5731 Shore Boulevard South in the City of Gulfport, Florida Waterfront Redevelopment District (WRD) Mixed Use (MU) Zoning District and more particularly described as Lot 6, Block N, Boca Ceiga Park Subdivision; and providing for an effective date.

City Clerk Spano read Resolution 2007-13 by title only.

Planner Mike Taylor stated the applicant is requesting a conversion from residential to a coffeehouse. The coffeehouse use is closely related to restaurant use, which was used for analysis. The proposal meets all the land use and zoning requirements, except for parking. Two spaces are needed for residential use, which will be in the front. The code in sub-section 22-5.08 exempts the additional parking requirements due to change in use. The space on the west side is going to be a handicapped spot. The applicant is proposing to add four tables, with four seats each, off street parking requirement is not exempt for outside seating. The Board of Adjustment granted a parking variance on October 10, 2007. Staff recommends approval with the following conditions; project must begin within one year, a backflow device must be installed in the residence and the coffeehouse; and a six-foot fence must be placed on three sides for a buffer.

Vice Mayor Phillips asked if the fence could be a chain link fence, also if backflow installation is in the code.

City Attorney Driscoll stated the backflow installation requirement in the code is for new construction, or change of use.

Councilmember King asked if the applicant is the property owner stating that the property owner should be aware of any change in property use. She also inquired whether a fence would be required to conceal trash container and what is the distance between the patio and the residence. She then inquired whether the coffee shop would contain a full kitchen, or have a liquor license.

Councilmember Stull asked about outdoor entertainment stating she would like to make an entertainment application a condition being it is primarily a residential area.

City Attorney Driscoll stated additional conditions should be added before the application is approved.

Councilmember Worthington stated he would like to see the trash area enclosed, and no amplified music be allowed. He asked about upgrades, electrical, sprinklers, and obtaining a beer or wine license so close to the Recreation Center.

City Manager Brobeil stated those issues would be handled with a building permit adding that a fire inspection is required prior to the occupational license being issued.

City Attorney Driscoll stated it might be a problem to impose restrictions on beer and wine permits. A restaurant is typically allowed to have sales of alcohol but a condition could be imposed due to location of Recreation Center. He stated that outdoor cafés are permitted outdoor liquor consumption.

Councilmember King questioned if outdoor liquor consumption could be different than inside consumption.

Mayor Yakes stated the comprehensive land use plan has been there for fourteen years, but had not been expanded and he suggested looking at the site use plan.

The applicant, Ms. Christa Jones, 9162 Enchantment Drive, Largo, Florida, stated that at this time, she has no intention for a liquor license of any kind, no plan for outdoor music and there would be no problem with concealing the trash.

Mayor Yakes opened for public discussion.

Al Davis, 2790 45th Street S stated he has property across the alleyway and he feels it is easier to apply limitations before approval, to avoid problems later. He stated the noise issue should be addressed before approval.

Jean Proach, Town Shores spoke as a representative of the Eaton building, which is the closest building to the proposed coffeehouse. She welcomes the coffeehouse, but is concerned about outdoor music, and if approved for the coffeehouse, and a change of business occurred, it could expand.

Edmund Barry, 3049 Dupont Street S stated he is favor of the coffeehouse, and he agreed it must be in compliance with the law concerning any liquor license. He also feels the noise factor should be addressed before approval.

Seeing no one else wished to speak, Mayor Yakes closed public discussion.

Ms. Christa Jones, 9162 Enchanment Drive, Largo, Florida, stated she understands, and it will be no problem to make sure all music will be indoors, un-amplified acoustic.

City Manager Brobeil questioned City Attorney Driscoll whether the City Council should address what type of indoor music should be approved along with the site plan since outdoor music would require a different application.

City Attorney Driscoll recommended adding these conditions, adding the word “opaque” for the fence, adding “enclose” the trash receptacles, and adding no service or consumption of alcohol in the outdoor seating area. Also, in the absence of a future outdoor entertainment permit, all entertainment shall remain inside with no amplification of any kind. He explained that Council can make a motion to accept with recommendations.

A motion was made by Vice Mayor Phillips to approve Resolution 2007-13 and seconded by Councilmember King.

Mayor Yakes asked for a roll call.

VOTE:

MR. PHILLIPS	YES
MS. KING	YES
MR. WORTHINGTON	YES
MS. STULL	YES
MR YAKES	YES

UNANIMOUSLY APPROVED

2. Public Discussion

There was no public discussion.

3. Any Other Business

Councilmember Worthington stated he would like to invite the police department to a meeting to demonstrate the different decibel levels.

Vice Mayor Phillips asked if the 65-decibel limit would include outside band music.

City Manager Brobeil asked if staff had direction to conduct a demonstration.

Councilmember King stated she would like to have a workshop to address the outside music issue, along with a decibel demonstration.

4. Adjournment.

A motion was made by Vice Mayor Phillips to adjourn and seconded by Councilmember Worthington.

Date Approved

Michael J. Yakes, Chairperson

Donna M. Spano, City Clerk