City of Naples

City Council Minutes

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Regular Meeting 4/20/88

City Council Chambers 735 Eighth Street South Naples, Florida 33940

City Manager Jones: None. APPROVAL OF MINUTES: March 23, 1988, Weighborhood Town Meeting March 30, 1988, Workshop Meeting April 6, 1988, Regular Meeting PURCHASING -BID AWARD for installing trees on City streets. BESOLUTIONS -APPROVE preliminary and final subdivision plat for a proposed four- lot subdivision, Crystal Sands. -APPROVE preliminary subdivision plat for a four-lot subdivision, Wharfside. -APPROVE preliminary subdivision plat for a four-lot subdivision, Wharfside. -APPROVE conditional use permit to allow the Charter Glades Counseling Center to remain at 4077 Tamiami Trail North. -APPROVE suthorization for staff to approve temporary permits on a case-by-case basis, Naples Players, Inc. -WITHDRAW authorization to execute a contract with the State of Plorida Department of Community Affairs re: corridor management land use study. CRDINANCES - First Reading -APPROVE procoded amendment to the City's Comprehensive Plan to allow bed and breakfast activities as a conditional use within the City's designated historic district. -APPROVE condinance rezoning the Sea Gate subdivision from Rl-15 to Rl-10, single family residential. CRDINANCES - Second Reading -ADPCOVE ordinance rezoning the Soa Construction Sethack Line. -ADPCOVE ordinance rezoning the Coastal Construction Sethack Line. -ADPCOVE ordinance revised application procedures for maintenance dredging of canals and box alips. -TABLE ordinance reyulating the hours of sale of alcoholic beverages	-SUBJECT-	Ord. No.	Res. No.	Pag
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	-TABLE ordinance regulating the hours of sale of alcoholic beverages	88		3-
	 <u>CORRESPONDENCE AND COMMUNICATIONS</u>: <u>-Direction to staff to investigate a newly approved car rental on</u> U.S. 41 which has allowed its landscaping to deteriorate. <u>-Possible workshop discussion items for the May 11, 1988, workshop</u> meeting. 			
-Direction to staff to investigate a newly approved car rental on U.S. 41 which has allowed its landscaping to deteriorate. -Possible workshop discussion items for the May 11, 1988, workshop	-Direction to staff to prepare resolution for cancellation of the first meeting in July due to the holiday.			1

CITY COUNCIL MINUTES Regular Meeting

Time 9:00 a.m.

Date 04/20/88

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ROLL CALL:	Present: Ed	win J. Putzell. Mayor	, Jr., <u>ITEM 2</u>	-	M O T	S E C	
	Wi	m Anderson-McDo lliam E. Barne den R. Crawford	tt	COUNCIL MEMBERS	I O N	O N D	Y E S
	- Jol Pa	hn T. Graver ul W. Muenzer le S. Richardso					T
		Councilmen					
Also Prese Franklin C City Man David W. R	. Jones, ager	Christopher (Community S Steven R. Ba	Services Dir.				
City Atto Frank W. Ha Finance J Gerald L. (anley, Director Gronvold	Chief Plan Stewart K. Ur Purchasing Ann Walker,	nangst,				
Com. Deve Jodie M. O	" McKim Plopment Dir. Driscoll,	Planner II Jon C. Staige					
Deputy C George Hend Sergeant	derson,	Natural Kes	ources Mgr.				
See Suppler	mental Attenda	nce List - Atta	achment #1.				
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INVOCATION	: Lieutenant I Salvation An		ITEM 1				
***		***.	***	· ·			
ANNOUNCEMEN	<u>NTS</u> : .		ITEM 3				
describe e		ounced that he be discusse					
CITY 1	1ANAGER JONES:	None.					
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and to see		AGENDA					
	n 23, 1988, Ne: 1arch 30, 1988, April 6, 1988,	ighborhood Towr Workshop Meet Workshop Meet Regular Meeti	ing ing		•		
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City Council Chambers 735 Eighth Street South Naples, Florida 33940

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CITY OF NAPLES, FLORIDA		м	s	-	Г
City Council Minutes Date 04/20/88	COUNCIL MEMBERS	O T I O N	E C O N D	Y E S	NO
PURCHASING ITEM 5					
RESOLUTION NO. 88-5525					
A RESOLUTION AWARDING CITY BID #88-44 FOR PROVIDING AND INSTALLING TREES ON CITY STREETS; AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER THEREFOR; AND PROVIDING AN EFFECTIVE DATE.	Anderson-				
O'Donnell Landscapes, Inc.	McDonald	x		x	
Estero, Florida \$19,325.85	Barnett Crawford		X	X X	
Title not read.	Graver Muenzer			X X	
MOTION: To APPROVE the Consent Agenda as presented.	Richardson Putzell			X X	
- *** *** ***	(7–0)				
END CONSENT AGENDA					
ADVERTISED PUBLIC HEARINGS					
ORDINANCE NO. 88-5526 ITEM 6					
AN ORDINANCE AMENDING SECTION 11-3.3(c) OF					
NAPLES BY ADDING SUBSECTIONS (4) AND (5); AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PROVIDE FOR ANNUAL REVIEW OF CHARGES TO USERS OF THE CITY'S SEWER SYSTEM AND TO REQUIRE NOTIFICATION TO USERS OF RATE CHANGES BASED ON SAID ANNUAL REVIEWS.					
Title read by City Attorney Rynders.					
PUBLIC HEARING: Opened: 9:05 a.m. Closed: 9:05 a.m.					
No one present to speak for or against.					
Finance Director Hanley advised that this ordinance amendment was required by the Department of Environmental Regulations (DER) so that the City would comply with State grant regulations.	Anderson- McDonald Barnett Crawford Graver Muenzer		x	X X X X X X	
MOTION: To ADOPT the ordinance as presented at second reading.	Richardson Putzell (7-0)	x		X X X	
*** *** . ***	(, , ,				
ORDINANCE NO. 88-5527 ITEM 7					
AN ORDINANCE AMENDING SECTION 7-42 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA, BY ADDING SUBSECTION (h); PROVIDING FOR A LIST OF APPROPRIATE PLANTS FOR LANDSCAPING SEAWARD OF THE COASTAL CONSTRUCTION SETBACK LINE; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO STABILIZE BEACHES	·				
Title read by City Attorney Rynders.					
PUBLIC HEARING: Opened: 9:07 a.m. Closed: 9:07 a.m.					
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City Council Minutes Date 04/20/88 CCUNCIL MEMBERS No one present to speak for or against. No discussion either for or against. MOION: To ADOPT the ordinance as presented at second reading. ***OCODINANCE NO. 89-552 IIEM 8 AN ORDINANCE AMENDING SECTIONS 7-31(8) AND (D) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA; PROVIDING FOR PROVIDING FOR EXCEPTIONS FOR MAINTENANCE OF BOAT SLIPS AND CANALS; AND PROCEDURES; PROVIDING FOR EXCEPTIONS FOR MAINTENANCE DE DEDGING OF CANALS AND PROCEDURES; PROVIDING FOR EXCEPTIONS FOR MAINTENANCE DEDEDGING OF CANALS AND PROCEDURES; PROVIDING FOR EXCEPTIONS FOR MAINTENANCE DEDEGING OF CANALS AND PROCEDURES; PROVIDING FOR EXCEPTIONS FOR MAINTENANCE DREDGING OF CANALS AND BOAT SLIPS. Title read by City Attorney Rynders. PUBLIC MEARING: Opened: 9:08 a.m. No one present to speak for or against. No discussion either for or against. No discussion either for or against. No discussion either for or against. MOIION: To ADDPT the ordinance as presented at second reading. *** ***															
No one present to speak for or against. No discussion either for or against. MOTION: To ADOFT the ordinance as presented at second reading. *** *** *** *** ORDINANCE NO. 88-5528 ITEM 8 AN ORDINANCE AMENDING SECTIONS 7-31(B) AND (D) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA' PROVIDING FOR DEFINITIONS; FROVIDING FOR EXCEPTIONS FOR MAINTENANCE OF BOAT SLIPS AND CANALS; ' PROVIDING FOR REVISED APPLICATION PROCEDURES: FROVIDING FOR FEES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PROVIDING BEAMENTING CHAPTER 3-2 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; INCLUDING BOTE. CLUBES IN THE REGULATION OF HOURS OF SALE OF ALCOHOLIC BEVERAGES; PROVIDING DE SALE OF ALCOHOLIC BEVERAGES; PROVIDING DE SALE OF ALCOHOLIC BEVERAGES; PROVIDING DETE. CLUBES IN THE REGULATION OF HOURS OF SALE OF ALCOHOLIC BEVERAGES; PROVIDING DETE. TO INLLUDE BOTTLE CLUBES IN THE REGULATION OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. TITLE CLUBES IN THE REGULATION OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. TITLE CLUBES IN THE REGULATION OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. THELCHEARING: OPENET 5:09 A.m. Closed: 9:20 A.m. Mr. Jack Schloss, owner of a bottle club called TOP Secret, referred to comments made at a previous sectiong, April 4, 1968, and reitarated his opoosition to the ordinance. This club is used solely for the benefit of those people who work at night, he said. Referring to quotes which appeared in the newspaper, Mr. Sc						20/88	04/20	Date		inute:	cil M	Cound	City	C	
No discussion either for or against. MOTION: To ADOPT the ordinance as presented at second reading. *** *** *** *** ORDINANCE NO. 88-5528 ITEM 8 AN ORDINANCE AMENDING SECTIONS 7-31(B) AND (D) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA: PROVIDING FOR DEFINITIONS; FROVIDING FOR FEES; AND PROVIDING FOR REVISED APPLICATION PROVIDING FOR REVISED APPLICATION PROVIDING FOR REVISED APPLICATION PROVIDING AN EFFECTIVE DATE. PUPPOSE; TO PROVIDING AN EFFECTIVE DATE. PUPPOSE; TO PROVIDE A REVISED APPLICATION PROCEDURES PROVIDE A REVISED APPLICATION PROCEDURE FOR MAINTENANCE DREDGING OF CANALS AND BOAT SLIPS. Title read by City Attorney Rynders. PUELLIC HEARING: Deened: 9:08 a.m. No discussion either for or against. MOTION: To ADOPT the ordinance as presented at second reading. *** *** *** *** ORDINANCE NO. 88- ITEM 9 AN ORDINANCE AMENDING CHAPTER 3-2 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; INCLUDING BOTTLE CLUBS IN THE REGULATION OF HOURS OF SALE OF ALCOHOLIC DEVERAGES; PROVIDING EFINITIONS; AND PROVIDING AN EFFECTIVE DATE. PUPPOSE; TO INCLUDE BOTTLE CLUBS IN THE REGULATION OF HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. Title read by City Attorney Rynders. PUELLIC HEARING: Deened: 9:09 a.m. Closed: 9:20 a.m. Mr. Jack Schloss, owner of a bottle club called Top Secret, referred to comments made at a previous meeting, April 6, 1988, and reiterated his opposition to the ordinance. This club is used solely for the benefit of those people who work at night, he said. Referring to quotes which appeared in the newspaper, Mr. Schloss assured Council that he was quoted out of context and would abide by whatever decision it made. Mr. Crawford asked how many months Top Secret had yet on its lease; Mr. Schloss replied approximately two years.															
MOTION: To ADOPT the ordinance as presented at second reading. *** *** *** *** *** *** *** *** *** *	9						t.	agains	or or	speak	t to	resent	e pr		10 (
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*** *** *** ***ORDINANCE NO. 88-5528 IIEM 8 AN ORDINANCE AMENDING SECTIONS 7-31(8) AND (D) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS FOR MAINTENANCE OF BOAT SLIPS AND CANALS; PROVIDING FOR REVISED APPLICATION PROVEDURES; PROVIDING FOR FREES; AND PROVIDING FOR REVISED APPLICATION PROCEDURE; FOR MAINTENANCE DREDGING OF CANALS AND BOAT SLIPS. Title read by City Attorney Rynders. PUBLIC HEARING; Opened; 9:08 a.m. No one present to speak for or against. No discussion either for or against. MOTION: TO ADOPT the ordinance as presented at second reading. *** *** ***ORDINANCE AMENDING CHAPTER 3-2 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES; INCLUDING BOTTLE CLUBS IN THE REGULATION OF HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC EVERAGES. Title read by City Attorney Rynders. PUBLIC HEARING: Opened: 9:09 a.m. Closed: 9:20 a.m. Mr. Jack Schloss, owner of a bottle club called Top Secret, referred to comments made at a previous meeting, April 6, 1988, and reiterated his opoposition to the ordinance. This club is used soley for the benerit of those people who work at night, he said. Referring to quotes which appeared in the newspaper, Mr. Schloss assure Council that he was quoted out of context and would abide by whatever decision it made. Mr. Crawford asked how many months Top Secret had yet on its lease; Mr. Schloss replied approximately too years.		Muenzer	Mu		t	ted at	esente	as pr	inance				IN:	10ITC	10T
ORDINANCE NO. 88-5528 IIEM 8 AN ORDINANCE AMENDING SECTIONS 7-31(8) AND (D) OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES, FLORIDA; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS FOR MAINTENANCE OF BOAT SLIPS AND CANALS; PROVIDING FOR REVISED APPLICATION PROVEDURES; PROVIDING FOR FREES; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO PROVIDE A REVISED APPLICATION PROCEDURE FOR MAINTENANCE DREDGING OF CANALS AND BOAT SLIPS. Title read by City Attorney Rynders. PUBLIC HEARING: Opened: 9:08 a.m. No one present to speak for or against. No discussion either for or against. MOTION: TO ADDPT the ordinance as presented at second reading. *** *** *** *** ORDINANCE AMENDING CHAPTER 3-2 OF THE CODE OF ORDINANCES DE THE CITY OF NAPLES; INCLUDING BOTTLE CLUBS IN THE REGULATION OF HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. Title read by City Attorney Rynders. PUBLIC HEARING: Opened: 9:09 a.m. MOTION: TO ADDPT the ordinance as presented at second reading. *** *** ORDINANCE AMENDING CHAPTER 3-2 OF THE CODE OF ORDINANCES DF THE CITY OF NAPLES; INCLUDING BOTTLE CLUBS IN THE REGULATION OF HOURS OF SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES. Title read by City Attorney Rynders. PUBLIC HEARING: Opened: 9:09 a.m. Mr. Jack Schloss, owner of a bottle club called Top Secret, referred to comments made at a previous meeting, April 6, 1988, and reiterated his opposition to the ordinance. This club is used solely for the benefit of those people who work at night, he said. Referring to quotes which appeared in the newspaper, Mr. Schloss assure Council that he was quoted out of context and would abide by whatever decision it made. Mr. Crawford asked how many months Top Secret had yet on its lease; Mr. Schloss replied approximately too years.	1						•			laing.	na re	secor			
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alcoholic charged a Schloss a income co said. In respon since his been no c Departmen	gulate the hours beverages. He fee to enter or dvised in the ne mes from the sal se to Mr. Graver club has opene complaints regist t. <u>Mrs. Anders</u> be tabled until	then asked join the c gative; his e of mixers , Mr. Schlo d for busin ered with c on-McDonald	if Mr. Sc lub to which sole source , soda, etc oss advised ess, there in by the Po suggested	hloss h Mr. e of ., he that have olice that					
<u>and staff</u> <u>meeting</u> Mr. Crawf because h	<u>can discuss i</u> <u>May 11, 1988</u> . Ford said that is be believed there to alcohol consu	<u>t at an in</u> he was vo should be	formal wor ting negat some consis	kshop ively	Anderson- McDonald Barnett Crawford Graver Muenzer	x	x	x x x	x
	To <u>TABLE</u> the ord second reading.		resented at		Richardson Putzell (5-2)			x x	x
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Title rea	d by City Attorn	ey Rynders.							
PUBLIC HE		9:25 a.m. 9:35 a.m.							
State sta held prio to approv State. T it will, first rea further a	rney Rynders au tutes there mus or to adoption of al of the City's his hearing will however, reaffir ding. Community dvised that this lan and also exp	t be two this ordin Comprehens not adopt m the Counc Developmen ordinance	public hear ance in add ive Plan by the ordina il's approva t Director N would amend	rings ition the ance; al of McKim					
President ordinance be held f should b Citizen C Brown sp aspects w	ing the Greater Frederick Voss and said that he or referendum. e made by the harles Andrews o oke at great hich bed and be the Naples area	spoke in e did not b This is a City Cou concurred. length reg reakfast f	favor of elieve it s decision ncil, he Ms. Andrea àrding pos	the hould which said. a C. itive					
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CITY OF NAPLES, FLORIDA				vo	TE	
City Council Minutes Date 04/20/88	COUNCIL MEMBERS	T I O	NECOND		N O	A B S I
Referring to his past visits to bed and breakfast facilities, Councilman Graver said that although he believed such facilities presented a positive use of the area, he did not think that the Planning Advisory Board (PAB) or the Council had explored all options available for this historic district. Mr. Muenzer concurred and added that he believed such a use would increase the density of the area. Mrs. Anderson-McDonald advised that Council was in receipt of many letters from citizens regarding this item. This type facility, she said, would create a low impact usage and help maintain the historic value of the area for future generations. The project would have a one-year period with which to determine its viability and ensure that parking requirements and other regulations are adhered to. Mayor Futzell pointed out that this site was in the State designated historic district established by the National Historic Register and said it should be given every economic advantage so that the owner can preserve its character. Upon voting negatively for this issue, Mr. Graver reiterated his belief that other economic options for the area should be considered. Councilman Muenzer concurred. MOTION: To <u>APPROVE</u> the proposed amendment to the City's Comprehensive Flan to allow bed and breakfast activities as a conditional use within the City's designated historic district. *** *** *** END ADVERTISED PUBLIC HEARINGS COMMUNITY <u>DEVELOPMENT DEPARTMENT/</u> NAPLES PLANNING ADVISORY BOARD	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (4-3)	x	x	X X X X X X X X X X X X X X X X X X X	xxx	
<u>ORDINANCE NO. 88-</u> IIEM 11 AN ORDINANCE AMENDING SECTION 6 OF APPENDIX "A" - ZONING OF THE CODE OF APPENDIX A NEW SUBSECTION 4.1; AND PROVIDING A NEW SUBSECTION 4.1; AND PROVIDE ATTENDATION AND ALL AND ALL AND APPENDIX THE READ BY CITY ATTENDE ATTENDED AND ALL AND AND BREAKFAST OPERATIONS. THE READ BY CITY ATTENDE AND ALL AND ALL AND ALL AND ALL APPENDIX AND ADDING A NEW SUBSECTION 4.1; AND AND BREAKFAST OPERATIONS. THE READ BY CITY ATTENDE AND ALL AND AL						A second s

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The petitioner, Ms. Elise Sechrist, referred to comments made at a previous meeting, February 17, 1988, and reiterated her support of the proposed ordinance. She further advised that since the last meeting, she has provided the City with several letters, magazine articles and studies in support of bed and breakfast facilities along with other cities' ordinances and zoning regulations regarding the same. In response to Mayor Putzell, Ms. Sechrist explained that a typical guest of these facilities is quite intelligent, well-educated and rather affluent. Mr. Graver said that he was not against the concept of a bed and breakfast facility; however, he buieved that the PAB's recommendation to limit this use to only four bedrooms was appropriate and supported the same. Councilman Muenzer concurred. In response, Ms. Sechrist, however, pointed out that this venture would not be economically viable if she could not use all six rooms. Morion constrained for the existing that the supported the same. Councilman Muenzer concurred Ms. Sechrist's efforts. Ms. Andrea C. Brown and Mr. Beorge Orbin of St. Petersburg concurred. Morion: To <u>APPROVE</u> the ordinance with the aforementioned amendment at first reading. Mr. ESOLUTION NO. 88–5529 IIEM 120 A RESOLUTION APPROVING THE PRELIMINARY AND FINAL SUBDIVISION PLAT FOR A PROPOSED FORTH STREET SOUTH AND SECOND AVENUE SOUTH, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. Title read by City Attorney Rynders.	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (4-3)	X		x x x x x	xxx	
ownership among the other three. In response to Mr. Crawford, City Attorney Rynders advised that although the City controls use of land through zoning and setback limitations, it cannot restrain or prevent an alienation of land which is available for someone to sell. He suggested that the petitioner add a notation to the plat placing certain restrictions on the fourth lot, the common area for the remaining three units. Mr. Stephen Erek of Bruce Green and Associates, representing the petitioner, advised that the current owner is developing a set of restrictive covenants for these lots and said each would be sold according to those restrictions. Each owner would have one-third ownership of the fourth lot, Mr. Erek concluded.					-	
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4.	MOTION: To APPROVE the resolution as presented. *** *** *** <u>RESOLUTION NO. 88-5530 ITEM 13</u> A RESOLUTION APPROVING THE PRELIMINARY	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell	x	x	X X X X X X X X X X		
	SUBDIVISION PLAT FOR A PROPOSED FOUR-LOT SUBDIVISION TO BE KNOWN AS "WHARFSIDE" LOCATED AT 810-840 RIVER POINT DRIVE; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. Community Development Director McKim explained that this development was currently under construction and the petitioner was requesting approval of a subdivision plat. The Planning Advisory Board (PAB) has recommended approval.	(7-0) Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell	x	x	X X X X X X X X X X X X X X X X X X X		
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	*** *** *** <u>RESOLUTION NO. 88-5531 ITEM 15</u> A RESOLUTION GRANTING A VARIANCE FROM SECTION 5.4(F) OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES IN ORDER TO ALLOW A ROOFED WOOD PORCH TO REMAIN AT 981 EIGHTH TERRACE NORTH; AND PROVIDING AN EFFECTIVE DATE.						
	Title read by City Attorney Rynders. Community Development Director McKim advised that the petitioner was requesting a variance to allow an encroachment of approximately three feet into the setback area. The Planning Advisory Board has recommended approval as it sees no other alternative to the situation. Councilman Graver commented that the lot was unique because it curves at the corner; however, he believed there was another alternative such as reducing the size of the porch's diameter. Mayor Putzell referred to the staff report which indicates that the structure does not meet current wind code requirements. Mrs. McKim, however, noted that it would not be necessary to dismantle the porch to bring it into conformance.						
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	CITY OF NAPLES, FLORIDA City Council Minutes Date 04/20/88	COUNCIL MEMBERS	M O T I O N	E C	YE	N O	A B S E N T
	Referring to poles which support the porch, Mr.						Γ
	Muenzer suggested that since one corner post was in violation, it be moved back onto the porch approximately three feet. Petitioner Lisa Williams, however, pointed out that the porch railing design would be obstructed if the pole were moved back. She further advised that since there was a concrete slab for the porch, she thought could construct the wooden one and not be in violation of the Code. Councilman Graver explained that he was voting in the affirmative because of the unique lot design. MOTION: To <u>APPROVE</u> the resolution as presented.	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0)	x		*****		
	*** *** ***	(,),				ļI	
	DRDINANCE NO. 88- ITEM 16						
	AN ORDINANCE AMENDING SECTION 6.23 (I)(10) AND SECTION 16.11 OF APPENDIX "A" - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES. PURPOSE: TO ESTABLISH SPECIFIC PARKING CRITERIA FOR MENTAL HEALTH PROFESSIONALS.						
1.10.22.2	Title read by City Attorney Rynders.						
	Community Development Director McKim advised that staff was proposing a change in required parking for certain medical professions such as: mental health, physical therapists and other medical practices (Attachment #3). The Planning Advisory Board has recommended changing the criteria for parking from one space per every 300 s.f. to 250 s.f. for mental health facilities. <u>MOTION: To APPROVE</u> the ordinance as presented at first reading.	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell	x	x	*****		x
	*** *** ***	(6–0)					
	ORDINANCE NO. 88- ITEM 17						
	AN ORDINANCE REZONING THE SEA GATE SUBDIVISION FROM "R1-15" SINGLE FAMILY RESIDENTIAL TO "R1-10" SINGLE FAMILY RESIDENTIAL; DIRECTING THAT THE ZONING ATLAS BE REVISED TO REFLECT SAID REZONING; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REZONE THE RECENTLY ANNEXED SEA GATE SUBDIVISION, AT THE REQUEST OF THE CITY, INTO A ZONING DESIGNATION THAT CLOSELY MATCHES THE FORMER COUNTY DESIGNATION.						
	Title read by City Attorney Rynders.						
	In order to make this newly annexed area conform to City regulations, it must be rezoned from the current County zoned R1-15 to the City's designation of R1-10, Community Development Director McKim advised. There are two lots which would be non-conforming in this new designation and would have grandfathered rights as to the previous zoning designation. The City Clerk's Office is to notify the area property owners.					•	
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CITY OF NAPLES, FLORIDA				vor	TE	Π
City Council Minutes Date 04/20/88	COUNCIL MEMBERS	M O T I O N	C O N	Y E S	N O	A B S
MOTION: To APPROVE the ordinance as presented at first reading. *** *** *** END COMMUNITY DEVELOPMENT/P.A,B RESOLUTION NO. 88-5532 ITEM 18	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0)	x	x	x x x x x x x x x x x x x x x x x x x		
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO ALLOW THE CHARTER GLADES COUNSELING CENTER TO COUNSEL INDIVIDUALS AND SMALL GROUPS IN A HIGHWAY COMMERCIAL ZONE DISTRICT LOCATED AT 4077 TAMIAMI TRAIL NORTH (PARK SQUARE); AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. Community Development Director McKim explained that this was a request to renew a conditional use permit. In response to Mr. Richardson, she further advised that she did not know if the counseling center intended to continue their operation at this location. MOTION: TO <u>APPROVE</u> the resolution as presented. *** *** *** <u>RESOLUTION NO. 88-5533</u> ITEM 19 A RESOLUTION EXTENDING AUTHORIZATION FOR ST. JOHN'S EPISCOPAL CHURCH TO USE A TEMPORARY OFFICE TRAILER AT 500 PARK SHORE DRIVE 'UNTIL MAY 21, 1988; AND PROVIDING AN	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0)	x	x	x x x x x x x x x x x x x		5
EFFECTIVE DATE. Title read by City Attorney Rynders. Community Development Director McKim assured Council that the petitioner would not need the use of this trailer any longer than the requested 30 days. MOTION: TO APPROVE the resolution as presented. *** *** *** *** RESOLUTION NO. 88- ITEM 20 A RESOLUTION AUTHORIZING STAFF TO CONTINUE APPROVING TEMPORARY PERMITS ON A CASE-BY-CASE BASIS FOR THE TEMPORARY USE OF A TRAILER AS A DRESSING ROOM IN CONJUNCTION WITH THE NAPLES PLAYERS, INC. THEATRE AT 399 GOODLETTE-FRANK ROAD, SUBJECT TO THE CONDITION SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE. Title read by City Attorney Rynders. Community Development Director McKim commented that staff has been authorized to issue permits to allow trailers to be used for certain performances on a temporary basis and the petitioner was requesting approval of this resolution for another year. She further advised that there have been no complaints received by the City concerning this use.	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (7-0)	x	x	****		
-9-						

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CITY OF NAPLES, FLORIDA				vo	TE	
City Council Minutes Date 04/20/88	COUNCIL MEMBERS	M O T H O N	E C	YES	NO	A B S E N T
Mr. R. B. Tucker, representing Mariner's Cove Condominium, spoke in opposition to the resolution and explained that not only were the trailers an eye-sore, but when placed or removed, must vacate through their property. No amount of landscaping could adequately screen these construction trailers, Mr. Tucker concluded. Mr. Crawford concurred. <u>MOTION</u> : To <u>DENY</u> the resolution as presented. ****	Anderson- McDonald Barnett Crawford Graver Muenzer Richardson Putzell (6-1)	x	x	x x x x x x x x	x	
RESOLUTION NO. 88- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A CONTRACT WITH THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR A GRANT TO FUND A CORRIDOR MANAGEMENT LAND USE STUDY; AND PROVIDING AN EFFECTIVE DATE.					-	
Title read by City Attorney Rynders. City Manager Jones asked that this item be withdrawn from the agenda because the Department of Community Affairs has not yet responded regarding changes to the contract.						
*** *** ***						
CORRESPONDENCE AND COMMUNICATIONS: Mr. Crawford asked staff to investigate a newly approved car rental on U.S. 41 which has allowed its landscaping to deteriorate. He pointed out that when this request was approved by Council, there were strict landscaping requirements which were to be adhered to. Councilman Graver suggested that Council discuss the City's procedures for inspecting construction sites at the next workshop meeting, May 11, 1988, due to the increase of variance requests. It was the consensus of Council to direct staff to						
prepare a resolution cancelling the first meeting in July due to the Fourth of July holiday. Mr. Muenzer suggested that Council discuss the feasibility of cancelling those persons' City Dock lease who receive three or more citations within a one-year period at the next workshop meeting, May 11, 1988. *** ADJOURN: 11:10 a.m.						
JANET CASON JANET CASON CITY CLERK JODIE M. O'DRISCOLL JODIE M. O'DRISCOLL DEPUTY CLERK These minutes of the Naples City Council were approved on <u>May</u> 4, 1985 -10-						

Attachment #1

SUPPLEMENTAL ATTENDANCE LIST

Charles Andrews W. W. Haardt Herb Anderson Robert Galloway Don Bockelman Gil Weil C. Lodge McKee Elise Sechrist R. B. Tucker Harry Hoffmeister Egon Hill Sarah Sauer Jean Snellings Robert N. Bell Robert Schroer Jack Schloss Andrea C. Brown Tony Sciarrino Lt. Don Vick Stephen Erek Robert Flinn M/M Robert Brennan John C. Sturgis C. C. Holland Frederick Voss George Orban

Other interested citizens and visitors.

NEWS MEDIA

Ken Thomas, Palmer TV-10 Denis Husty, Ft. Myers News-Press Bob Goldberger, WINK-TV Pete Scovill, Palmer TV-10 Don Germaise, WEVU-TV Marty Bonvechio, Naples Daily News



MEMO

TO:	HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM:	FRANKLIN C. JONES, CITY MANAGER
SUBJECT:	ZONING ORDINANCE AMENDMENT 88-T1 COMPREHENSIVE PLAN AMENDMENT 88-CPA-1
PETITIONER:	ELISE SECRIST
DATE:	APRIL 8, 1988

BACKGROUND:

The petitioner has requested that the City allow a "Bed and Breakfast" use at her home at 287 llth Avenue South. Several procedural steps are required to provide for such a use. These include: the amendment of the Comprehensive Plan to create an historic district overlay in old Naples and allowing the consideration of the use in the district; the establishment of a specific zoning ordinance which regulates the use, location, and intensity, and which is compatible with the plan; and finally a specific conditional use petition review to examine the specifics of the use as related to the requirements in the zoning ordinance.

PAB RECOMMENDATIONS:

The Planning Advisory Board recently reviewed this request at the meeting on April 7, 1988. Their deliberations focused on the criteria which should be considered in the zoning ordinance to adequately address the use. They specifically debated and discussed each criterion as related, to the use. Much of the discussion related to the number of rooms which should be permitted.

After careful consideration with extensive input from the public, the Planning Advisory Board recommended that the zoning ordinance be approved to establish criteria for the review of Bed and Breakfast operations with the following modifications of the ordinance as presented by staff:

- Subsection (A) under definition: add the words "and operated" to require the :owner to personally occupy and operate the establishment.
- Subsection (B)(1) add the words "a finding must be made to determine it is necessary to preserve the historic structure and allow the use as a tool for preservation."
- Subsection (B)(3) parking: add the words "parking must be designed not to have adverse impacts on the neighborhood."
- Subsection (B)(3) Number of guests and quarters modify to read:

Total area of all dwellings up to 1800 square feet 1800 to 3000 square feet

Eliminate - the words "each cottage shall be considered as a separate area allowed for rental" and establish four as maximum number of rooms.

Max. rooms

2

Page 2

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- Subsection (B)(6) Signs: add the wording 5. "Signs shall be non-illuminating"
- Subsection (B)(7) Cooking Facilities: modify to state 6. "no cooking facilities or cooking shall be allowed in guest bedrooms."
- 7. Subsection (B)(8)(a) modify to state "no alcoholic beverages shall be sold to guest 'or nonguests. "
- Subsection (B(8)(b) define appropriate officials as 8. "zoning enforcement officer."
- 9. Subsection (B)(8)(e) add the words "as approved by the City."

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- Subsection (B)(8)(g) Annual review: eliminate the words 10. "may be required" and replace with "is required. "
- Subsection (C) Limitation: add the following 11. --occupancy will be limited to two adults per bedroom with a maximum stay of 30 days.

If this ordinance is passed, the Council will have one additional public hearing. At that hearing Council will review second readings of the ordinances and a conditional use petition relative to the specifics of the site and the operation.

Respectfully submitted,

Janly

Franklin C. Jones City Manager

Prepared by:

Steve Ball Chief Planner

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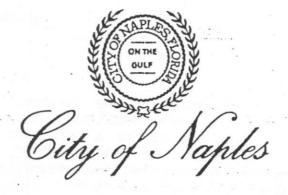
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PAB AGENDA ITEM NO. 11

Attachment #3 - Page 1263



-- MEMO --

TO: Planning Advisory Board

FROM: Community Development Department

SUBJECT: Proposed Zoning Ordinance Amendment - Parking

DATE: March 30, 1988

Background:

Two recent petitions relative to parking requirements for mental health professionals have pointed out a need for specific parking regulations for this group which is currently under the zoning ordinance definition of "clinic" and required to provide the same parking as medical doctors. The need to clarify the definition of "clinic" has also been brought to our attention several times in the past.

Proposed Change:

The staff is proposing the following changes to Section 6.23 (I), Parking, and Section 16.11, Definitions, of the Zoning Ordinance. Proposed deletions are crossed-out and additions are underlined.

(10) Medical offices and clinics:

4-spaces-per-doctor-for-patients'-use;-plus-1 space-per-doctor-for-doctor's-use;-plus-2-spaces for-each-3-employees;-or 1 space for each 200 square feet of gross floor area;-whichever-is greater. For the purposes of this item, the following definition will apply: Clinic: An establishment where persons, who are not lodged overnight, are admitted for examination or treatment by one person or a group of persons practicing any form of the healing arts, including physical-therapists-or-laboratory-technicians under-the-supervision-of-a-doctor, whether such persons be medical doctors, chiropractors, osteopaths, chiropodists, naturopaths, optometrists, podiatrists, dentists, <u>physical</u> <u>therapists</u>, or any such profession, the practice of which is regulated by the State of Florida.

(10.1) Mental health professionals, as licensed by Chapters 490 and 491, Florida Statutes:

1 space per 250 square feet of gross floor area

Recommendation:

This change will recognize the difference in practice of medical doctors and mental health professionals; i.e., medical doctors typically have multiple examination rooms and mental health professionals typically operate on a one-to- one basis. The proposed parking standard is a compromise between the requirements for general commercial uses and medical offices, and we recommend its approval.

Respectfully submitted,

Missy Million

Missy McKim Community Development Director

Prepared by:

ann Walker

Ann Walker Planner I