



*City of Naples*

City Council Chamber  
735 Eighth Street South  
Naples, Florida 33940

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**City Council Workshop Meeting - June 12, 1995 - 9:00 a.m.**

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Mayor Muenzer called the meeting to order and presided.

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**ROLL CALL**

**ITEM 1**

**Present:** Paul W. Muenzer, Mayor

Council Members:

Ronald M. Pennington  
Marjorie Prolman  
Fred Tarrant  
Peter H. Van Arsdale

**Absent:** Alan R. Korest, Vice Mayor  
Fred L. Sullivan

**Also Present:**

Dr. Richard L. Woodruff, City Manager  
Maria J. Chiaro, City Attorney  
Robin Williams, Administrative Assistant  
Flinn Fagg, Planner I  
Jane Weeks, Administrative Assistant  
Mary James, Administrative Assistant  
Charles Andrews  
Other interested citizens and visitors

**Media:**

Amy Chodroff, WNOG

Prior to considering the first agenda item, Mayor Muenzer wished Council Member Prolman and City Clerk McCord a happy birthday. Recess was called to celebrate the occasion with a birthday cake.

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**Recess: 9:00 a.m. to 9:15 a.m.**

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**ITEM 2**

**ITEMS TO BE ADDED**

The following items were added to the agenda:

Item 6: Council Member Pennington requested a discussion of flexibility with respect to zoning, which was considered by Council at the June 7 meeting:

Request by L' Auberge Restaurant, 602 Fifth Avenue South for a wavier from the Fifth Avenue South Overlay District requirements in order to permit the continued existence of a recently installed nonconforming vertical awning.

Item 7: At the request of City Manager Woodruff, results of the Lake Park survey will be reviewed.

**ITEM 3**

**UPDATE ON SUBDIVISION OF BEACHFRONT PROPERTIES**

Dr. Richard Woodruff, City Manager, opened the discussion by stating that Council had directed the planning staff to study the issue of the subdivision of beachfront properties and report back to Council. Several public hearings were held with beachfront property owners and local architects. Those meeting were well attended, said Dr. Woodruff.

Flinn Fagg, Planner I, gave a presentation and reviewed the public hearings which were held on March 23, April 6, and April 20. Based on the input received from residents and Council approval, staff will study the implementation of a 20,000 square foot minimum lot size in the R1-15 zoning district in the beachfront area. The increased lot size will apply to properties north of 1st Avenue South and south of the Beach Club, and between 12th Avenue South and 20th Avenue South. Staff will also investigate the feasibility of implementing a cubic volume limitation for residential construction and remodeling in the beachfront area.

Also, staff will begin the process for issuance of variances seaward of the Costal Construction Control Line. That work will be done in conjunction with the Natural Resources Manager, Dr. Staiger.

Council Member Van Arsdale said that if lot size and cubic volume size are reduced, spacial perception would be lost, essentially creating a small "box" house. Characteristics for the beachfront properties need to be well defined. Mr. Van Arsdale said he had changed his vote on a similar project, Vista Del Mar because of restriction that isolated the immediate area. This type of

subdivision will restrict and isolate the area, which is not Council's intent for Gulf Shore Boulevard. More detail and an approach to identify the characteristics for width, height and elevation is needed, said Mr. Van Arsdale.

Council Member Pennington agreed with Mr. Van Arsdale that an enclave would be created and that the size and cubic area need to be expanded. Mr. Pennington asked if the City had any kind of legal action on this issue. Attorney Chiaro confirmed there was and that the City has a legal right to deny or change the zoning. The time line for that action needs to be acted on immediately by Council because new legislation will go into effect on July 1, 1995. Property value and diminishing properties will be affected by the zoning regulations.

Council Member Prolman asked how the subdivision would affect beachfront properties and what would be the biggest contribution of the project. To have a clearer picture of the project, Ms. Prolman has requested that visuals of the design be produced.

Council Member Tarrant had no opposition to staff's report on the beachfront area. His main concern for beachfront property owners is that properties are not too restrictive and that property rights are preserved.

Council Member Van Arsdale said that the solution is to leave the R1-20 zoning as it is. Property owners are looking for latitude, he noted.

Mayor Muenzer said that there is a concern to protect owner property rights. Council's consensus was to proceed with the study.

#### ITEM 5

##### **DISCUSSION OF VEGETATION HANGING OVER CANALS**

Mr. William Bush, 15th Avenue South, gave a report on the debris in the canals, as requested by the Aqualane Shores Association. Council Member Van Arsdale said that he will provide a report on the vegetative debris in the canals of Aqualane Shores. Mayor Muenzer has requested that Mr. Van Arsdale's report on vegetative debris for Aqualane Shores be provided to Council Members by September 1, 1995.

#### ITEM 4

##### **DISCUSSION OF OUTDOOR DINING ON PUBLIC SIDEWALKS**

City Manager Woodruff stated that three years ago the City approved Wynn's Market's request for outside dining, as well as other requests from Fifth Avenue and other areas throughout the City.

Planner Flinn Fagg said that he had received a number of requests for outdoor dining on public sidewalks. Currently three restaurant owners from the Crayton Cove area are requesting outside dining. There is no additional parking required for outside dining for those three restaurants. Tables may encroach the public sidewalk as long as a five-foot pedestrian path is maintained. Mr. Fagg described proposed options that would allow for outdoor dining in the Crayton Cove area.

It was the consensus of Council to utilize Option C as outlined in the staff recommendations.

#### ITEM 6

##### **(ADDED ITEM) DISCUSSION OF FLEXIBILITY WITH RESPECT TO ZONING**

Council Member Pennington requested that the following item, which was considered by Council at its June 7 meeting, be placed on a July agenda, for reconsideration.

**Request by L' Auberge Restaurant, 602 Fifth Avenue South for a waiver from the Fifth Avenue South Overlay District requirements in order to permit the continued existence of a recently installed nonconforming vertical awning.**

As directed by Mayor Muenzer, this item will be added to the agenda for July 19, 1995.

**ITEM 7**

**(ADDED ITEM) RESULTS OF LAKE PARK SURVEY**

City Manger Woodruff discussed the Lake Park survey results relative to traffic circulation.

**CORRESPONDENCE / COMMUNICATIONS**

Council Member Van Arsdale requested that an analysis be made of the City's parking permits issued annually and the revenue generated annually. Staff should also provide data with regard to beach parking permits issued annually, and the statistics on beach parking which were produced by staff approximately two years ago.

**ADJOURN:** 11:20 a.m.

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**PAUL W. MUENZER, MAYOR**

Marilyn A. McCord  
City Clerk

Mary James  
Administrative Assistant

These minutes of the Naples City Council were approved on 6/21/95.



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**June 12, 1995**  
Convened 9:00 am / Adjourned 11:20 am

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