

MEMORANDUM

DATE: April 1, 2013

TO: Planning and Zoning Board

THROUGH: Robin Meyers, AICP, Director
Planning, Zoning and Building Department

FROM: Steve Schield, AICP, ASLA, CFM, Planner
Planning, Zoning and Building Department

SUBJECT: Mar Vista Restaurant, Site Plan Amendment
Resolution 2013-12

PROPERTY OWNER/
APPLICANT: Ed Chiles, Owner

SITE LOCATION: 760 Broadway, Longboat Key, Florida
Mar Vista Restaurant

EXISTING ZONING: C-1 (Limited Commercial District)

EXISTING USE: Restaurant

REQUEST: The applicant requests approval of a Site Plan Amendment to add 11 seats, make modifications to the second story outdoor dining area and to add a second story deck, along with conversion and renovation of the upstairs apartment to a private meeting room in the existing office/storage building located north of the restaurant building. Redesign existing parking and alter the site's design.

PROJECT SUMMARY

The applicant requests approval of a Site Plan Amendment to modify the previous approval of a second story addition to be used as an outdoor dining area. The previous site plan amendment (Resolution 10-44) approved a second story deck with 59 seats, with seating being relocated from the existing enclosed downstairs area to the second story deck (169 total restaurant seats), leaving the existing bar and a new retail area downstairs. The approved request also included remodeling the kitchen and bathrooms, adding new storage areas, coolers, elevator and dumpster area. The applicant has

completed the remodel of the bathrooms and kitchen, and added the cooler and new dumpster area. As part of this request the applicant is proposing to move the approved second story deck closer to the water over the first floor outdoor dining area to improve the patron's view of the surrounding area. . The new plan also relocates the access stairs and elevator areas. The applicant also proposed to add 11 seats, two within the bar and nine within the downstairs outdoor dining area, for a proposed total of 180 dining seats. They also plan to add another second story deck to be used with a new private meeting room in the existing two-story office/storage building located landward of the existing restaurant building. The new private meeting room will be created by converting an existing legal nonconforming upstairs apartment in the office/storage building. The proposed new private meeting room will be used for private parties and wedding receptions. (see attached site plan). In addition, the applicant proposes to redesign the site to become code compliant for landscaping buffers, drainage and customer parking. Approval of the modification to the proposed second story addition, the creation of the private meeting room, addition of the new deck, and the redesign of the site, requires Site Plan Amendment approval by the Town Commission.

A breakdown in the existing and proposed seating is provided in the chart below.

Location	Existing	Proposed	Difference
Indoor 1 st floor	59	0	-59
Proposed 2 nd story	0	60	+60
1 st floor porch	54	62	+8
Uncovered outdoor area	46	46	No change
Bar	10	12	+2
Total	169	180	+11

As indicated in the above chart, all of the indoor seating from the first floor of the restaurant will be relocated to the proposed second story seating area. The bar area will be available to customers, and the applicant was required to account for this area, and the relocated retail area, in the parking calculations.

Outdoor dining requires a Special Exception approved by the Planning and Zoning Board. An application for a Special Exception for outdoor dining has been submitted for review and approval concurrently with this Site Plan Amendment application. Approval of that Special Exception will be conditioned upon approval of a Site Plan Amendment, as required by the Zoning Code.

STAFF ANALYSIS

Staff met with the applicant's representatives and agent on several occasions, and communicated numerous times by telephone and email to discuss how best to achieve the desired outdoor dining within the requirements of the code. Staff provided the

applicant with photocopies of the applicable code sections, including Sections 158.126, 158.128, and 158.136. Staff worked with the applicant to address the various sections of the code that regulate special exceptions for outdoor dining and site plan amendments.

Upon the initial meeting between staff and the applicant, issues discussed included, but were not limited to, adequate screening and lighting provisions of the second story dining area, the redesign and provision of adequate parking, the redesign of access and entry ways, landscaping buffers, and proper drainage. Other issues addressed, included but were not limited to the need for the applicant to account for the modifications to the second story outdoor dining area and the addition of a second story deck to the existing two-story office/storage building, along with conversion of the upstairs apartment, in the office/storage building, to be renovated and converted to a private meeting room and the use of the revitalization parking provisions to successfully meet the parking requirements of the site.

Consistency with the Comprehensive Plan

Staff found that the modifications that included the proposed second story addition and the conversion of the legal non-conforming apartment to a private meeting room with a deck addition at the Mar Vista Restaurant was consistent with the Comprehensive Plan. The conversion of the legal non-conforming apartment to a meeting room would remove a use that is presently inconsistent with the allowable uses under the Comprehensive Plan. The outdoor dining use is connected to the existing restaurant facilities and is consistent with its principal use. According to the applicant, the proposed addition would increase the economic viability of the restaurant. Increased economic viability of a commercial entity on Longboat Key, while maintaining the health, safety, welfare and property values of the community, is consistent with the Goals, Objectives, and Policies (GOPs) of the Future Land Use Element of the Comprehensive Plan. The provision of outdoor dining at the existing outdoor seating area would not create or alter impacts to the Levels of Service of the Town, including transportation and infrastructure since there are minor increases to the capacity of the restaurant. The proposed Site Plan Amendment is consistent with and promotes the Transportation Element GOPs because the site will provide safe access and accommodation for multi-modal forms of transportation, including pedestrians, bicyclists, and customers arriving by water. The proposed site redesign is consistent with and promotes the Conservation and Coastal Management Element and Infrastructure GOPs by providing for a stormwater redesign through construction of a stormwater retention area. The proposed use complies with and is not inconsistent with all other elements of the Comprehensive Plan.

Parking Analysis

Staff was concerned with the site's ability to provide the parking required by code. The applicant redesigned the parking lot to accommodate a total of 31 parking spaces and using the parking flexibility section of Section 158.178 *Commercial revitalization* –

Waivers, an additional 14 spaces were provided with the 14 boat slips and one with the bike rack for a total of 46 parking spaces. Section 158.128, require that parking for restaurants be provided at “1 space per 4 seats based on maximum allowable capacity.” The restaurant is proposed to have 180 seats, which would require 45 parking spaces under the code. Utilizing the parking provisions in Section 158.178, *Commercial revitalization – Waivers*, the following table shows that the applicant will be able to meet the overall parking required for the proposed second story addition, including the new open patron area and the private meeting room. In this situation, commercial revitalization would require the same number of spaces required by the parking code. In both code sections, the applicant would meet the parking requirements.

Section 158.178(A)(1)(b)(iv)

Restaurant: 1 space per 100 net square feet (restrooms, waiting areas, food preparation and staging areas, hallways and other non-patron areas exempt).

4,454 sq. ft. patron area/100 sq. ft per space - 45 spaces

Spaces provided:

Car parking spaces provided on-site	-	31 spaces
14 boat slips	-	14 spaces
<u>1 bike rack for 5 bikes</u>	-	<u>01 space</u>
Total spaces provided	-	46 spaces

Yard Area Setbacks

The proposed second story outdoor dining patio is approximately 61 feet from the Broadway right-of-way, approximately 60 feet from the Lois Avenue right-of-way, and approximately 49 feet from the Moore’s Stone Crab Restaurant property, which is zoned residential. The proposed second story deck located on existing office/storage building will be located at the same setback as the existing building. The C-1 (Limited Commercial) zoning district requires a 45-foot street setback and a 30-foot side yard setback from a residential property.

Screening

The applicant proposes to screen the second story dining area from adjacent residential properties along Lois Avenue, Broadway, and the adjacent residentially zoned property to the east. The proposed outdoor dining area will be screened by a solid lower wall topped by lattice that is at least 80 percent opaque in compliance with the code. This screening is shown on the architectural drawings included in the application. Further screening of the dining area is currently provided along the site’s eastern boundary adjacent to residentially zoned property and along Lois Avenue by landscaping and trees, adding to the visual protection of these two residential areas.

Lot and Non-Open Space Coverage Analysis

The subject property area at 760 Broadway is 39,941 sq. ft. The maximum lot (structural) coverage allowed in the C-1 (Limited Commercial) zoning district is 30 percent or 11,982 sq. ft. of the subject parcel. The lot coverage proposed by the applicant, including the second story addition, the additional stairways, elevator, second story deck, and bathrooms will be 8,249 sq. ft. or 20.65 percent

The maximum allowable non-open space coverage in the C-1 district is 80 percent or 31,952 sq. ft. of the subject parcel. The non-open space coverage proposed by the applicant, including the second story addition, the additional stairways, elevator, second story deck, and bathrooms will be 26,840 sq. ft. or 67.20 percent.

The site plan coverage calculations demonstrate that the proposed site plan would result in both the lot coverage and non-open space coverage to be in compliance with the maximum coverages set by the Zoning Code.

Traffic

Traffic impacts resulting from the increase of seats and the additional patron area of 1,696 square feet will be an increase of approximately 13 PM peak hour trips per day according to the traffic impact analysis submitted by the applicant based on the Institute of Transportation Engineers *Trip Generation Manual*, 9th ed., analysis for a "High-Turnover (Sit Down) Restaurant." The report indicates that the restaurant will be expected to generate 35 p.m. peak hour trips a day based on the square footage of the restaurant.

Building height

The maximum building height allowed in the C-1 Limited Commercial zoning district is 30 feet from finished grade. The proposed second story addition would result in a building height of 30 feet from the minimum habitable floor, which is at finished grade for commercial structures.

Dumpster

A new dumpster location was approved by Resolution 2010-44 Site Plan Amendment. The dumpster location was moved away from the main parking lot to a location along Lois Avenue near the southwest corner of the property. This location provides adequate access for the waste management company. The dumpster is stored within an enclosure designed to fully screen the dumpster from view. The refuse and service areas for the site are satisfactory and the proposed addition and outdoor dining area do not create a significant increase need for increased refuse and service areas.

Stormwater

As a result of the review by the Public Works Department, the applicant proposes to construct a retention area surrounded by a nine inch berm in the grass area along the Sarasota Bay. In addition, the applicant proposes to construct a six inch deep swale along the eastern property boundary, to sod disturbed areas, berms and swales, and

use liner with the rip-rap in compliance with comments from the town's Public Works Department, which has reviewed and approved the drainage plan.

STAFF RECOMMENDATION

Staff recommends that the Board **approve** the Site Plan Amendment to allow for the modifications of a second story addition over the existing restaurant, addition of 11 patron seats, conversion of non-conforming apartment to a private meeting room, new second story deck, redesigning existing parking, and altering the site's design at 760 Broadway, as proposed by Resolution 2013-12 with the conditions listed in Exhibit "A": Conditions Requisite for Approval.

ATTACHMENTS

Attached, please find a copy of the Site Plan Amendment application and support documentation upon which the staff assessment has been based. A copy of Resolution 2013-12 is also attached. If you should have any questions, or desire any additional information, please do not hesitate to contact the Planning, Zoning and Building Department.

xc: Ed Chiles, Property Owner
David Persson, Town Attorney
Robin Meyer, Director – Planning, Building and Zoning Department