

OSPREY REVITALIZATION COMMITTEE

Amended Minutes of the January 28, 2008

2:30 p.m.

A meeting of the Osprey Revitalization Committee (ORC) was held Monday, January 28, 2008 at 2:30 p.m. at The Osprey Inn, South Tamiami Trail, Osprey, FL.

Members Present:

Jay Leland, Chair
Richard Noyes, Vice Chair
Sandy Keith
David Mitchell
Lonie Buchner
George Dellos
Peter Wilson
Jonathan Patrice

Staff Present:

Chris Kohatsu, Planning Services
Matt Lewis, Interim Planning Services Mgr.

Members Absent:

Others Present:

Judy Poplawski, Recording Secretary

Welcome and Introductions

Chairperson Jay Leland called the meeting to order at 2:36 p.m. Jay Leland introduced Chris Kohatsu as the newest Planning Services Committee member from the County. Committee and public members introduced themselves. Jay thanked everyone for being here and once again thanked the Osprey Inn for their patronage and encouraged people to come here.

Approval of the Minutes of November 26, 2007

There being no changes to the minutes, George Dellos made a motion to accept the minutes and David Mitchell 2nded the motion. Approval of minutes passed unanimously.

New Business

▪ Presentation by George Dellos, Southbay Yacht Basin Dredging

Jay Leland stated Southbay is dredging the yacht basin and the spoil was to be dumped across the street. This went before the County Commissioners. He wasn't sure this item should be on the agenda until he spoke with some residents of Southbay. Now, in order to discuss this dredging, he feels a representative from Southbay needs to be present. Jay stated this is public record and he is aware of one meeting with others to follow. He thinks he made a mistake in putting this item on the agenda and offered if anyone would like to have some input on this issue from Southbay or Willow Bend, he would like to invite them to attend the next ORC meeting.

David Mitchell made a motion to remove the item from the Agenda and Rick Noyes 2nded the motion. George Dellos commented his intent was not to make a presentation favoring one side or the other but to give us the facts as to what caused this and where it

stands today. The issue has been tabled by the County Commissioners until February 20, 2008 and he suggested anyone with a concern should attend the meeting. Lonie Buchner is on the Waterways Advisory Board for Sarasota County. He is aware the County Commissioners has essentially tabled all dredging projects at this time. The real purpose is due to the way the contracts are written and they are revising these. George Dellos feels environmental issues should be made part of our discussions. Motion passed unanimously.

- **Report on County Parks & Recreation Improvements to the Main St. Pier and Boat Launch**

Jay Leland discussed the pier on Main St. He engaged in conversation with Linda Eppinger of County Parks and Recreation who assembled a crew and pulled out the concrete, rip rap and asphalt pieces of the former boat launch area. They did landscaping improvements as well. She stated she would like to make this area even more aesthetically pleasing. They are trying to learn the history of that boat launch.

Old Business

- **Discussion of Waterfront Revitalization Area**

Jay asked Matt Lewis to update the Committee since we last visited this issue in November 2007. Matt Lewis pointed out the area we are relating to is the Osprey Waterfront Revitalization Area. The original ORC Plan called for a unified vision. The County wanted to find ways to flesh out what a unified vision would look like. The County held a couple of design workshops (5/07 and 9/07). The goal of the first workshop was to get a vision and a goal from the community. What came out of that meeting was a list of priorities. Number 1 was connectivity and number 9 was old Florida design. There were several others in between. The vision statement the community came up with was “We envision a waterfront area that has a mix of uses, is walkable, has access to the waterfront, enhances environmental assets, allows recreation and is economically viable.” They came up with some design concepts that relate to the vision and develops a spine for the waterfront revitalization area. They have a transition to the single and multi-family residential.

From that workshop, Planning Services took these design concepts and came up with some drawings as they were test driving the development standards. Planning Services took the plans they came up with and shared them with the workshop group in November. Matt Lewis stated what they are looking for today from the ORC is a sign-off on the vision and some discussion of the detail of the standards.

Rick Noyes relayed he met with Ann McClung, Planning Director, regarding his question of what mechanism is in place for this land which is in the waterfront revitalization area and is owned by several different people. Ann McClung told him this portion of the plan will be submitted by the Planning Services to the Bd. of County Commissioners sometime in May, 2008. They, in turn, will have public hearings on this plan at which time interested or impacted people are welcome to attend. After the hearings, they may make some changes to the plan. Once approved that plan becomes overriding on all the owners’ properties. The current owners must comply with the parameters of the approved plan.

Rick Noyes asked Matt Lewis if this is submitted to the BCC in May, 2008, when could we expect it to be adopted? Matt Lewis explained the BCC would theoretically authorize us to come forward with amendments to the ORC Plan to incorporate the concept into it and schedule public hearings for those amendments through the Planning Commission and the Board of County Commissioners. Under reasonable circumstances, he would expect the plan could be adopted during the 4th quarter of 2008.

George Dellos asked Rick Noyes at what point does he see our involvement in establishing some of the criteria as opposed to having a role in enforcing the criteria afterwards. He feels it would behoove us to have some input in establishing the criteria upfront so it remains constant throughout the process. Rick Noyes pointed out that was the purpose of the May and Sept. 07 workshops. Jay Leland also pointed out that at our last meeting Susan Bridges presented the charrette workshops and solicited input from everyone. No one is sure if she received any comments.

There was a lengthy discussion about the ORC's view of the current vision and the standards as presented for the waterfront revitalization area.

Rick Noyes proposed a draft motion for discussion to guide Matt and Chris that reads: "The ORC's preliminary review supports, in principle, the concept that has been presented in the charrette discussion draft with a provision that the ORC does not pretend to be experts in the quantitative details that are expressed here and we would require the opportunity at some future date to propose any further supplementary proposals to the Bd. of County Commissioners." Jay Leland questioned the section around the details of the draft and then re-phrased the draft motion to read: "We support the concept presented in the charrette discussion draft as well as the vision. The implementation plan itself is beyond our purview and more appropriately suited to others (i.e. the Planning Commission and the Board of County Commissioners.) David Mitchell 2nded the motion.

David Mitchell asked if what we are saying is that we are qualified to approve of the concept plan as shown in the charrette discussion on November 26, 2007 but not qualified to approve of all the details required for implementation.

Jay Leland restated the motion as: "After review, the ORC approves the concept presented in the charrette discussion draft. We feel unqualified to comment on the standards as specified in the draft."

Matt Lewis suggested we have two motions – one to support the vision and the second to address the details or standards.

Rick Noyes suggested he would write a proposed motion in 3 parts and send it out via e-mail to the committee. The Committee consensus was it is too late to do this.

Rick Noyes withdrew the previous motion and David Mitchell withdrew his 2nd motion.

Rick Noyes proposed a new motion (part one of three) that states “The Osprey Revitalization Committee supports, in principle, the vision statement as presented in the charrette discussion draft of November 26, 2007.” Peter Wilson 2nded the motion.

Sandy Keith would like to see in this motion a recitation of what is written in the charrette draft as it is possible the draft will be changed. George Dellos agreed with Sandy Keith. Rick Noyes agreed to this and amended his previous motion to include the purpose of the waterfront revitalization area.

Rick Noye’s amended motion now reads: “The Osprey Revitalization Committee supports, in principle, the vision of the Osprey Revitalization Area Waterfront District charrette discussion draft of November 26, 2007, which states: “The purpose of the waterfront district is to ensure that waterfront redevelopment has a mix of uses, is walkable, has access to the waterfront, enhances environmental assets, allows for recreation and is economically viable.” Peter Wilson 2nded the motion. No further discussion and motion passed unanimously.

Jay Leland led the committee to the second point which is the specificity of the standards and asked where the committee stands on this. David Mitchell stated a motion as follows: This Committee feels it is not qualified and it is not within its purview to make detailed comments on the standards incorporated in the charrette discussion draft of November 26, 2007 at this time.” Jonathan Patrice 2nded the motion. Motion passed unanimously.

Jay Leland stated the third component is a motion that states as the property is developed in Osprey, we would like to revisit this. There was some discussion around this point and Sandy Keith developed a motion to read: “This Committee reserves the right to review the specifications as they are established by the County in the waterfront revitalization area project as it moves forward.” Lonie Buchner 2nded the motion. Motion passed 7 to 1 with David Mitchell dissenting as he feels this motion is redundant.

Peter Wilson asked Matt Lewis a question regarding the section in the standards that states there shall be no multi-family residential development in the hurricane vulnerability zones. He wanted to know if any of these areas are in these zones. Matt Lewis stated the areas adjacent to the water are in those zones. Mr. Wilson also stated he understood Matt to say that Dr. Patel’s petition will be continued until April 3, 2008 and he inquired if at that time the Planning Commission could grant him approval. Matt Lewis said at that time he could be granted approval, denial or another contingency.

Rick Noyes stated he has information pertinent to this issue. Mr. Noyes stated Dr. Patel went before the Planning Commission on January 3, 2008 with his three proposals. One is a rezoning petition for 3.89 acres from RMF-1 and RSF-1 to RMF-2 plus 2 special exceptions (increase height of building on US41 by 10’ and another to add additional parking). His attorneys made their presentations and discussion was had amongst the Planning Commissioners and the conclusion was that one of the Commissioners moved to deny all three petitions in accordance with the findings of fact. There are 8 reasons – proposed change would not be consistent with the Comprehensive Plan, would not be

consistent with the existing land use patterns, would have an impact on the availability of adequate public facilities consistent with the level of service standards adopted by the Comprehensive Plan; would adversely influence living conditions in the neighborhood and finally it will create a drainage problem. The substantial reasons why the property cannot be used in accord with existing zoning are: it is not impossible to find other adequate sites in the County for proposed use and the subject parcel is not of adequate size or shape to accommodate the proposed use. The motion was seconded and the attorney withdrew the proposal from consideration by the Planning Commission. It is now being held in continuance. The Planning Commission moved to indefinitely postpone the vote on the motion which applies to all three (rezoning and special exceptions). The developer has been urged to wait until the waterfront revitalization plan is in place. They don't have to – they can take their chance but Mr. Noyes feels there will be a similar decision by the Planning Commission. Mr. Noyes made a motion in view of the challenges Dr. Patel is facing, the ORC invite Dr. Patel and his attorneys or representatives to come to our next meeting to explore further opportunities that may be possible. Mr. Noyes feels, at this point, he needs our support.

Jay Leland reiterated the motion as proposed by Rick Noyes. David Mitchell 2nded the motion. Motion passed unanimously.

Sandy Keith inquired how Rick Noyes found out the above information and he stated he had a meeting with Ann McClung. Sandy stated she has asked several times for this Committee to be notified of any Board of County Commissioner meetings that address Osprey rezone or special exceptions. She asked Chris Kohatsu about this and Chris explained you can sign up on www.scgov.net with your e-mail address which will then put you on a distribution list and you will receive e-mails about future hearings.

Open to the Public

Several public comments related to the desire for a waterfront restaurant to exist in Osprey.

Jay Leland thanked the Planning Services members for all their hard work and expressed appreciation for all they do.

Committee Member Comments

Sandy Keith wanted to bring to the attention of the County about an accident on US41 near the Welcome to Osprey sign and it damaged the barrier and there is a caution barricade in place. She wondered who she can address to get that corrected so the barrier doesn't stay forever. She was told the DOT hotline would be a good place to start.

Ms. Keith also alerted everyone Verizon is installing their Fios and marking Bay Acres. If anyone has a problem with where they are laying lines, please call them.

Adjourn

With no further business, Jay Leland made a motion to adjourn the meeting at 4:22 p.m. Rick Noyes 2nded the motion. Motion passed unanimously.

Future Meeting Dates

Monday, February 25, 2008

6:30 p.m.

The Osprey Inn

Monday, March 31, 2008

2:30 p.m.

The Osprey Inn