MINUTES
COMMISSION WORKSHOP
CITY OF HOLLY HILL, FLORIDA

JANUARY 11, 2005

1. CALL TO ORDER

Mayor William D. Arthur called the meeting to order in Room 227 at City Hall, 1065 Ridgewood Avenue at approximately 10:00 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Gilles Blais, Lou Schmitt, and Roland Via. Also attending were the following staff members: City Manager Joe Forte, City Attorney Scott Simpson, City Planner Bob Keeth, Development Code Administrator/Building Official Tim Harbuck, Economic Development Coordinator/Assistant to the City Manager Greg Wood, Economic Redevelopment Coordinator Marsha Radulovich, and City Clerk Valerie Manning. Also attending was Raymond Webb, Kenco Signs and Outdoor Lighting, Inc.

2. OFFSITE SIGNS

City Manager Joe Forte stated this item is a follow up from a workshop that they did involving offsite signs. When it first came to the Commission it was denied. Mr. Webb came to them and asked for them to reconsider and they workshoped it with him once before. Tim, Scott, Bob, and I got together with Mr. Webb and they tried to work out what they found were problems. Bob has put together a synopsis of what they have concluded and at this point they want the Commissioners feedback as to what direction they want them to go in.

City Planner Bob Keeth handed out a copy of the proposed Ordinance to the Mayor and the Commissioners. He stated this proposal is intended to address a hardship Mr. Webb and others on Pine and Garden Avenue have experienced not having exposure to a well traveled road to advertise their businesses; people can't find their businesses because they are off the beaten path. He is proposing that they allow for a shared offsite sign to benefit businesses in a defined area like Pine and Garden Avenue where there is a hardship where they don't have that exposure. There are certain terms that would be required for approval as a special exception. First, it would have to be located within the Community Redevelopment Area (CRA). Second, the applicant would have to define an area which would be served by this sign and the application would have to include most of the businesses within that area. Third, the area should be so defined that it really encompasses all like situated properties. They also put limitations on how much of the sign can be occupied by a single business so that there won't be a single business dominating the sign to the exclusion of other businesses within that defined area that would need the exposure as well. They have chosen 10% of total sign area as the limit for an individual. There is made an allowance where there is a changeable message area that should not be included within the total area for figuring the 10%. In line with what they expect of a shopping center or an industrial park, if they have the shared sign benefiting this group of businesses then they should have to give up the rights to an

individual pole sign on their property. Mr. Webb has raised a concern that some of the businesses on Pine and Garden Avenue would rather have a pole sign than their building sign because a building sign is just not visible at all. There needs to be this exchange, the rights for a sign on the site for the sign off the site.

Mayor Arthur stated anyway you look at it, it looks like a billboard on it to him. When they start saying the CRA people are better than the other people or get the rights, he has a real problem with that. He sees other companies and different people that he knows that aren't on the beaten path that wanted signs as bad as anybody. He thinks this is opening up a can of worms. He doesn't see anything different. The only time when he thinks that this should happen with that piece of property is when that piece of property is an industrial park and when it is, he thinks the City should put up or aid the people into putting up a giant, nice marquee business indicating that is an industrial park like everybody else. He thinks it's unfair when they start allowing people to start sticking signs all over the place and not others.

Mr. Keeth agreed with Mayor Arthur. They don't want these types of signs to come up everywhere and they don't want this to be an addition to what signs they already have. They would have to give up something in exchange for this proposal.

Mayor Arthur stated he would hate for them to give up a sign on their business for anything that isn't hurting anything right now.

Commissioner Byrnes has agreed with the Mayor's comments so far because his concern about this is when people come to City Hall and say, "He has a sign out there and I have a right to have a sign here," when it was actually a privilege to allow them that sign because of extenuating circumstances. He is not sure that staff can give him the assurances that this can be properly policed in a way that's not going to have everybody putting up signs somewhere else. He thinks addressing the problems on Pine and Garden Avenue is a good thing for them to do but he thinks this is the wrong vehicle. He thinks its time for that area to be redeveloped. That needs to become a business park so they can put the business park signs there.

Raymond Webb, Kenco Signs and Outdoor Lighting, Inc., stated the problem that he has with the whole thing is the fact that they are looking for a fairness issue and he understands that and he has no quarrel with that or problem with that and he doesn't think anybody else in that area would either but the biggest problem he thinks they have in this arena is the fact that they have been talking about this for 10 years to change this into the venue that it's so dedicated to be but yet with the mixed housing and residential and commercial in there, they're never going to get a quorum to get everybody to agree to agree. So this proposal is one vehicle to get where they want to be with as a business park. Even if you put one sign up there that says Holly Hill Business Park, the residential people in there are not going to agree to that either. They have been fighting for this for 10-12 years already and with the enlistment of all these people, it's never going to be an approval of anything. So he thinks within the precedence of all of us, they have to start it somewhere. There are no other industrial loops in the whole City like this one. It's a

one-on-one type of thing and he wants them to try to be fair with the one-on-one sense of it. It's not a billboard that he is asking for. This is never going to get anywhere unless they structure some type of signage out there on the street where all the businesses in there have an opportunity to at least put their name out by the road so people know where to turn.

Mayor Arthur stated this is an obscure business place. Very few, and he doesn't know of any business in there that will actually benefit by people shopping. That is a destination business. If people want signs, they're going to call all the sign companies in the phone book and find out where they are located. That is not a shopping district. It's not something someone would drive by and say, "Boy, they got a K-Mart or Wal-Mart." There isn't a single business in there that has a showroom that demonstrates this is their product and it's here for sale. That is a business park.

Mr. Webb stated there's probably on an average of twenty trucks a day going down that route right now and half of them don't know where they're going. He thinks a little sign in front of each business, the same proportion, and a main sign out on the road showing this is what's in here, will work for them.

Mr. Forte stated they have worked this now three times and he thinks they are spinning their wheels if they are going to start to workshop it again. It comes down to one item, does the Commission want to see offsite signs in the City or not. If they do, they'll move forward; if they don't, let's end it. It's time to decide whether they are going to allow offsite signs or they are not.

Commissioner Via asked if this is the first time they have had a solid Ordinance come back before the Commission.

Mr. Forte stated yes it's an Ordinance but it's still the same bottom line. They are either going to have offsite signs or they're not. He doesn't want to go over the same arguments that they have dealt with in the past. They have already been introduced in the past.

Mayor Arthur stated he says they should bring the Ordinance before the Commission and let them vote on it. He thinks they have worked it enough. He is tired of seeing it. Nothing that Mr. Webb has said so far makes this a special exception from anybody else. The Riviera Golf Club is his best friend who is sitting right in the middle of nowhere land, with no signs on either side. He did put out a sign from a car lot, they let him do it, but the City had to make him pull it up. There is no way that his sign isn't as valuable to stick out as anybody else on Pine and Garden Avenue.

Mr. Webb stated give this an opportunity to survive. This is an industrial loop with many hardships. Maybe some of them didn't have the opportunity of buying on U.S. 1 or Nova Road at that point.

Mayor Arthur asked if he thought if he put a Kenco sign sticking right out there on Flomich Avenue, he doesn't care if it's a billboard the size of a building, is it going to bring him one more customer? This is something different that Mr. Webb wants to have.

Mr. Webb stated it's not a separate business for him. This is an entity that is going to help *all* the businesses within the parameter. It's the fact that they need identification out there.

Mr. Forte stated every time they come up with an answer there are ten problems that go along with it.

Mayor Arthur asked if it's in the CRA district.

Commissioner Via stated Mr. Webb's place is in the CRA district.

Mayor Arthur asked can the CRA Board take care of this. Is there grant funds available? He thinks they should ask the Redevelopment Board if this is an appropriate thing or not.

Commissioner Via stated they've already identified that they are not going to have parking on Ridgewood Avenue. They have a lot of businesses that are off the beaten path and there's nothing wrong with identifying where businesses are. It's another way that the City becomes very business friendly. They have gone to the sandwich board where they help people see the business that is right there but off the beaten path they have a lot of business incubators.

Mayor Arthur stated the only way he can see himself favoring something like this is if it went to the CRA Board and they think it's a wise use of money. If they want to help that area out.

Mr. Forte stated but it's within *all* of the CRA not just at Pine and Garden Avenue.

Mayor Arthur stated yes, *all* of the CRA. Because right now the CRA Board makes recommendations on what they think the money should be spent on. If the City Commission gets the final say, they can either say yes or no. Something like this is funded by the CRA.

Mr. Webb stated he just wants to point out that when he moved to Holly Hill there was a pattern for business to grow economically and everybody wanted them to come into Holly Hill. They had opportunities in Ormond Beach and Daytona Beach, anywhere they wanted to go and the fact is, it was more business friendly here. To continue to grow in the strength that they would like to grow and all those little businesses that he speaks for other than just himself, they need some sort of directory sign to allow them the opportunity to let people know where they are at.

Mr. Forte stated there's no question that this idea is a wonderful idea. He thinks it would work great in the Pine and Garden scenario but they are having too much of a difficult time trying to apply those rules Citywide. If they want to make a rule so that Mr. Webb can do this and then cancel the rule and nobody else can do it, that's fine. But outside of that they spent many, many hours trying to work this out so that this application can fit elsewhere in the City if need be. It's impossible.

Commissioner Via asked can the City have a directional sign on City right-of-way that would have that? Can a sign be donated and they can allow that?

Mr. Forte stated, certainly. If they put it in the right-of-way for one business, they'll have to do it for other businesses everywhere in the City.

Mayor Arthur stated the only possible reason that he could see doing that is if it had to do something with the CRA because they already have their parameters. That doesn't open up to everything. The only way he could see it happening is bring it up before the CRA Board, the isolated cases, and then let the Commissioners have the final approval on it.

Commissioner Via stated he doesn't want to only make this a CRA issue.

Mr. Forte stated and he's going to tell them what the CRA Board is going to recommend. "That's a nice idea in this location but no business owner is going to want that sign blocking their business for their sign." If they put that sign up and it's going to interfere with traffic passing by seeing another business or their business' sign, they're going to oppose it. "If you put up a bigger sign next to my sign, I'm going to oppose it." If this goes Citywide no one is going to want to see that next to their business. After their last workshop the direction was to do something to make this work and they sat down and tried to make this work. It is just far too complicated. Doing this opens the door Citywide.

Mr. Webb stated they would donate the lease in order to get a directory sign at the end of the road and he doesn't see where all this is needed.

Mr. Forte stated with that said, does the Commission want to see this sign or any other sign as an offsite sign throughout the City?

City Attorney Simpson asked do they want it to be on City right-of-way or not? Because if they say it's going to be on the right-of-way that's going to dictate a particular type of sign and if they say it's not on the right-of-way then they are going to have other options. If they want it on City right-of-way, that's going to give them substantially more ability to *control* how it works.

Commissioner Byrnes stated the problem is if they help Mr. Webb out then it opens the door for the whole City to have these signs.

City Attorney Simpson stated the fact is whenever they have a business that is down a local road that's not on a major arterial road, it's on a side street, they have basically the same issue in that how does someone know that they are there. If they are going to help *some*, they have to come to the conclusion that they will have to help *all*. If it's going to be in the right-of-way and if it's just going to be limited to the CRA, he would say let's just let this be incorporated through the CRA plan, *if* they are going to limit it through the CRA. If they want it *outside* the CRA, that's different. They're going to have to adopt regulations that are uniform Citywide.

Commissioner Byrnes stated allowing them in the right-of-way is opening a big can of worms. Who is going to own them and who is going to pay for them?

City Attorney Simpson stated the City is going to own them. He would suggest the City charge rent for the space, first come-first serve or they rotate them out.

Mr. Keeth stated he thinks if the City is going to control them, they should not put individual businesses up there at all. That's going to cause a big problem.

Commissioner Schmitt stated he wants to help *all* the businesses because we are a business friendly City.

Mr. Forte stated this is the third time they are discussing this issue. The Commission asked for staff to bring something forward and this is it. This is the least amount of problems that they've come up with. If you start changing it, there is going to be bigger problems.

Mayor Arthur stated he feels this needs to go to the CRA Board and let them give their recommendation to the Commission and then the Commission gets the final approval.

Commissioner Schmitt stated he agrees with the Mayor to let the CRA Board come back with a recommendation to the Commission.

Mayor Arthur stated that Mr. Webb could go to the CRA Board and give his presentation.

Mr. Forte stated they will put it on the next agenda for the CRA Board.

Mayor Arthur stated if Mr. Webb's business is in the CRA district they can be eligible for the $5,000 grant money.

Mr. Webb stated if in fact they go in front of the CRA now, the CRA establishes some criteria?

Mr. Forte stated no. The only thing the CRA Board is going to do is recommend that the Commission move forward and then staff is going to have to come back and do this again.

Mayor Arthur stated every person on Pine and Garden Avenue, residential, it doesn't matter where it is, has the right to go before the CRA Board and ask for $5,000 for signs, parking lot, landscaping, and beautification.

Commissioner Via stated he would like one more set of eyes to go through this and that's the CRA Board.

*At this time there was a **CONSENSUS** to send the offsite Ordinance to the CRA Board for further review.*

TEMPORARY STORAGE UNITS

Mr. Forte stated one of the common terms is PODS. They are talking about these businesses that deliver a storage unit to a property and the property owner fills it and the intent is that it is suppose to go back to the storage place but what's happening is people are leaving it on their property and they are basically living or working out of it and they are there for several months at a time. This is becoming a problem because the accessory structures are being thrown in the front yards and they are turning into nuisances because they are not being used for what they are designed for. He is coming to them tonight to ask if the Commission will allow staff to put together an Ordinance that provides for a 30-day limit to have one of these portable storage units on their property.

Commissioner Schmitt stated he stopped by the PODS place today and spoke to the manager and she suggested 30 days is a good length of time and she said what they can do is go by the zip code and they wire their home office and it shows the restrictions for that area and it will show that they only have 30 days or 25 days.

Mr. Harbuck stated let's forget about PODS for a minute. Let's just say "*any*" box, whether they build it, buy it, or bring it in, it's an accessory structure. It requires a location on the ground and it is a structure. If they are going to have an accessory structure they have to comply with the zoning Ordinance which says they can't put them in the front or side yard, they can only go in the rear of the yard, five feet off the lot line. But that's not what is happening.

Commissioner Via asked an accessory structure needs to be secured?

Mr. Harbuck stated, yes.

Commissioner Byrnes stated what they need to do then is make a law for those portable storage units that are in the driveways or in the front of their yards. Something that specifies the location.

Mr. Forte asked if they wanted to go with 30 days.

Commissioner Via stated he thinks there may be situations where they would have to be there longer than 30 days.

Mayor Arthur stated 30 days is good.

*At this time there was a **CONSENSUS** for a 30 day time period for the temporary storage units.*

3. COMMUNITY REDEVELOPMENT AREA DISCUSSION

Ms. Radulovich handed out the Holly Hill CRA Business Owner Survey Results from 2004 that the Commissioners have seen previously in packets that have gone out with the CRA Board Minutes and this Business Owner Survey was sent out in August before Hurricane Charley.

Mr. Forte stated his purpose for tonight's discussion is what do they want to do in the future? Do they want to have quarterly workshops? Do they want to bring issues to the public and get their input? Do they want to allow him the ability to hire a consultant to do some work on this? Do they need to think about hiring an engineer to design the streetscape of Ridgewood Avenue? This is a handout given to them tonight for them to think about not for the decision tonight.

Ms. Radulovich stated what she was trying to say is they *have* seen this previously before tonight. This is in the Minutes that they get from the Advisory Board. This was in the November Minutes. This is some background information. This is an initial step in surveying what people think about what's going on and how they feel about certain issues. She needs their permission to conduct some community workshops with everybody in the CRA to gather their input to help them update the CRA plan.

Commissioner Via stated community meaning residential and business?

Ms. Radulovich stated yes. It would be all the different components in the CRA. It would be an open discussion. They have twenty more years to go, what would they like to see done? She has put together a rough draft of an updated plan that people can look at it and perhaps get some ideas from it. Bob Keeth and her would facilitate it and draw different ideas out from the people and they just want to have open-ended discussions and it would be educational as well. She would like to go after an opportunity of putting out a request for qualifications that they would have someone come in and based on these open-ended discussions and what the Commission feels as the Agency and what they feel as the Advisory Board, they will eventually end up with something like this that they can have a plan of their City that they know this is where this is going to go and this is where that's going to go and this is what they would like for it to look like. Does she have their permission to go ahead and put some charrettes together, some visioning opportunities for the community that Bob and her would facilitate and then does she have their

permission to put together an updated plan with everybody's input on it and then the Commissioners are the final say so after it goes through little levels of the Advisory Board?

Mayor Arthur asked if the CRA Board asked her to do this?

Mr. Forte stated no.

Mayor Arthur stated he likes the idea about the meetings.

Commissioner Via stated they have a plan. It's just that do they envision other things in that plan?

Mr. Forte stated that plan never envisioned a $4 million revenue stream. Now they have a potential future revenue stream that needs to be thought about how it's going to be spent. Now they need a strategic plan and an implementation plan to get there. Not too long ago the CRA Board set some goals and they brought it before the Commission and the Commission said they weren't going to look at these because the Commission should be setting the goals. So those goals were never adopted. This meeting is here tonight because the CRA Board is having a workshop on Thursday and one of the things he wants to take out of this meeting is an assignment for the CRA Board. What should the CRA Board be workshopping?

Mayor Arthur stated the part that bothers him in the direction that they are going is that Marsha is being paid out of the CRA money. The people who are assigning the work for her to do are the people on the CRA Board.

Mr. Forte stated he assigns her work. He gets that assignment based on the Agency.

Mayor Arthur stated when he goes to those meetings he hears them ask a lot of Marsha.

Mr. Forte stated and anything he doesn't want her to do she won't do. She answers to me and only to me not to the Board. She is assigned to the Board as her duties but she does not work for the Board. She works for me.

Commissioner Via stated what was said about the Commission looking at the goals was that there are two new members on the Commission and that they needed to sit down and look at the entire CRA plan and they needed to look at where the goals were and match them with their own goals.

Mayor Arthur stated he thinks she should go with it but get the blessing from the Board.

Commissioner Byrnes stated the Commission is the Agency and the Commission should be asking the Board for advice but the Commission should also be telling them the direction in which they want to go. The only way to do that is find out what the people

want and that's what Marsha is presenting to them tonight. She is going to meet with all of them and not just the businesses that have time to attend the Board meetings.
Ms. Radulovich stated it would be an open invitation and it would be business and private people.

Mayor Arthur stated he thinks their time is up with the Board and the Commission needs to stay out of it. The Commission needs to get their results and he thinks the Commission has gone in it so far that they are meddling in that Board by attendance. The Commission is taking their time. The Board should bring their results to the Commission and then the Commission takes it from there. He feels the presence of the Commissioners makes them feel uncomfortable and very intimidating to be there when it's their time to discuss business as the CRA Board. They should have their own freewill to think how they want and then bring it to the Commission and then the Commission makes the decision.

Ms. Radulovich stated so what they are saying is to present the ideas or concepts or proposals to the Advisory Board, get their input and direction on that and then come to the Agency with it and say this is what the Advisory Board is recommending and then the Agency will decide whether to proceed or not to proceed.

Mayor Arthur stated yes, get their input and bring it back to the Commission.

Ms. Radulovich stated they have about twenty one years left for the CRA.

Mr. Forte stated the County says the City's CRA expires in 2026. They have to get the County's permission if they are going to go beyond the year 2026 and they're probably not going to give it to them unless it's a very, very good reason. The other thing is they have to stop calling the Marina Grande project the "*Swerdlow project*." It's not the Swerdlow project; it is the Marina Grande project.

Commissioner Via asked when does the consultant come in?

Ms. Radulovich stated the consultant would come in after they gather all the input.

Mr. Forte stated he's not completely sold on the consultant concept. There might be something of that nature in the not so distant future.

4. ADJOURNMENT

The workshop officially adjourned at approximately 11:45 p.m.

Attest: City of Holly Hill

Valerie Manning
City Clerk

William D. Arthur
Mayor