

**Ocean Beach Planning Board
 General Meeting Minutes
 Date: February 6, 2019
 Location: OB Recreation Center**

MEMBERS PRESENT (Checked if in attendance / # represents district / Note of arrival time in box if late)			
X 1 Tracy Dezenzo	__ 3 Virginia Wilson	X 5 Numan Stotz	X 7 Andrea Schlageter
__ 1 Anthony Ciulla	X 3 Andrew Waltz	__ 5 Vacant	X 7 Richard Aguirre
__ 2 Elizabeth Felando	X 4 Craig Klein	X 6 Jane Gawronski	X AL Kevin Hastings
X 2 Tom Gawronski	__ 4 Vacant	X 6 Dan Dennison	X AL Richard Merriman 6:04 pm

FINAL

CALLED TO ORDER: 6:03 pm

ADJOURNED: 8:46 pm

AGENDA MODIFICATIONS & APPROVAL

CK 1st KH 2nd 11 Yea 0 Nay

MINUTES MODIFICATIONS & APPROVAL

RM 1st KH 2nd 11 Yea 0 Nay

REPRESENTATIVES REPORT

City Council District 2 Jennifer Campbell - Seamus Kennedy

TPA. Jen Campbell voted no on the TPA. Wanted to make sure that communities like this one. It will come before the council because other members voted for it. **AS:** can we still fight it? **SK:** Yes. We can still bring it up. Please submit a letter. Saratoga stop signs going in soon. Lack of beach access is noted and he is looking into all the structure and development issues. Pier is getting attention.

NON-AGENDA PUBLIC COMMENT

Frank Gromlie: Suggested that we take a look at the unrestricted scooter usage and place on the agenda. RA: made a comment that the board has taken a look at them and feels that scooters are a nuisance and the city needs to do something about them. They put bike companies out of business. Hold the city accountable.

Mike Tajran: Use Robb Field for parking spaces at night for businesses. Handle the overflow of business parking Newport / Voltaire. Feel as though businesses suffer if there is not enough parking for their customers.

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ACTION ITEM #1: 5026 Saratoga Ave.

Motion to approve the project as presented but add a memo asking the city to please consider the additional board concerns below brought forth by KH.

RA 1st JG 2nd 9 Yea 2 Nay

- Project is in a RM2-4 with 25' wide lot and 3' side setbacks
- Attached garage encroaches 2'3" into side setback. (Original garage also encroaches but drawings don't show it being reused.)
- 2nd floor railing encroaches 2'3" into side setback
- 2nd floor wall at balcony encroaches 6" into side setback, railing encroaches further.
- Floor of roof deck is 27'11" with ~2' parapet and no fall protection. Adding railing to achieve 42" minimum would exceed 30ft height limit.

ACTION ITEM #2: 5018 Narragansett Ave.

Motion to approve as presented.

CK 1st NS 2nd 11 Yea 0 Nay

Public Comment: Community Member, will the units will be for STR? Project Rep: No. Owner occupied plus long term rental.

ACTION ITEM #3: Dirty Birds Liquor License

Motion to recommend approval of the application with the condition that alcohol sales are prohibited after 10 pm, 7 days a week.

NS 1st TD 2nd 9 Yea 2 Nay

AS: presented the reasons for vice seeking our advice and the statistics of liquor licenses in track 75.02.

Dirty Birds (DB) and invited supporters presented themselves and why they are excited to be a part of the OB community. They also stated that they consider themselves a family restaurant and has had zero violations at their last 3 locations. They hold themselves to high standards. 2/3 sales are food. 1/3 alcohol but they do need the liquor license to be profitable. They close the doors at midnight. Employ locally. Little bit of liquor sales VS beer and wine makes a big difference in profitability.

Public Comment:

Denny Knox-OBMA, supported Dirty Birds. Discussed how retail is difficult in this economy and OB needs to fill the empty spaces with profitable businesses. **Dave Martin**, supported Dirty Birds. **Shauna Aiken**, supported Dirty Birds as they are a family restaurant. **Other community members concerns and comments:** some community members were on the fence. Why does it have to be a full bar? Why is there a Board of Equalization hold on license? Dirty Birds didn't know about that. Why is hard liquor needed? 21+ needed to sit at the bar. Asked if they knew what PC&N was. They didn't seem to know. Some community members are worried about liquor license saturation of on-site sales in OB. Could it start as beer/wine? Community member discussed of all the non-profits and charities in which Dirty Birds has been involved with. Concern about traffic accidents related to alcohol consumption. Could it close early? Need to look at the other establishments that are creating problems in town. Close at 10?

Board Questions:

TD: Can you make a profit if you close at 10/11 at night? Is 65% food an average across all locations?

DB: high but it ranges **CK:** Is there a procedure to downgrade license to a beer/wine only? **DB:** It would cost prohibitive and time prohibitive **RM:** asked about to hear the license statistics again - 30 on sale/4

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allowed. 6 off sale/2 allowed, 7 manufacturer/no limit **TG**: knows that a restaurant cannot service without a liquor license. 10pm it turns into a bar and would like to have that restriction unless it's restricted...

AW: had you tried to purchase another license or looked for another location that had a license **DB**: they tried but could not find one **AW**: Why did you wait so long to resolve this matter? **DD**: none **NS**: none **JG**: none **RA**: none **KH**: none

Board Comments:

KH: the fact that it's gotten to this point and it's bothersome. OBPB has been conservative in the past. Wishes all of this would have happened sooner and feels that we are being forced to choose between community or DB's losing money and can't open if they couldn't get the license. Senate Bill 1164 was brought up as a warning of further saturation. **CG**: are we going to draw the line and then when do you draw the line? **RA**: He would have made sure a license was going to happen before even attempting to establish the business. Doesn't feel as though DB's is "local". Close at 10 will just move the drunks to the other bars. Locals will determine if the business survives. **JG**: unfortunate that a restaurant needs to have a liquor license to survive but DB's has a wonderful track record for community support and participation. **NS**: believes that DB's is upstanding and thinks it would be a benefit for the community. Concerned that the community has not spoken up louder about all the tasting rooms moving in. DB's location is perfect for them and standing in their way is the wrong fight. Eating food decreases inebriation. Looking forward to DB's participation in the community. Maybe DB's can help the fight against tasting rooms. **TD**: has been struggling with this decision but after DB's presented their food to alcohol sales ratio that made the decision a bit easier. No one has a crystal ball and no one can predict if another liquor establishment is going to increase crime rates but the primary focus of DB's is food and a family restaurant versus the primary goal of a tasting room is to sell booze. Mind was changed based on food percentage sales and willingness to close alcohol sales early. **CK**: Polled business owners in District 4, community was split and didn't get any guidance. He was hoping to have more "tools in the toolbox" to help make his decision: Beer/wine only, close on 10 weeknights and 11 weekends but now sees that the beer/wine restriction is out. So he is hoping for the time restrictions. **RM**: first instinct was to vote no. Has concerns over adding more drunk drivers to his neighborhood. Would prefer beer/wine and time restrictions but is still open and doesn't know how he's going to vote. **AW**: Is concerned about drawing the line with the city about who and when we let in and who and when we don't. Would prefer they seek another license from another business in the city. The purview of the board is to uphold the community master plan if we don't do that, we are crying wolf in the eyes of the city **TG**: without operating hour restriction he will vote no **DD**: strongly support DB's. Their food percentage is amazing. Tasting rooms being pure liquor is a huge concern and because of them the Board took the position of no more. But having a community-focused business that is family oriented is important to him. **AS**: would you be open to stop serving alcohol at 10 but keeping the kitchen open longer? There is a PC&N for a place to get late night food in OB. Vice does take our recommendations seriously so we should write a letter stating clearly why we would approve DB's so that we could hold other businesses to the same levels.

CK: first motion to stop selling alcohol at weekdays at 9 and weekends at 10

TD: amend motion to 10 on weeknights / 11 weekends

TD: amend motion to 10 booze sales ends every night

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ACTION ITEM #3: TPA Regulations

Motion to approve the TPA recommendation letter to the city (with recommendations*).

KH 1st CK 2nd 10 Yea 1 Nay

AS: TPA is a way to lower developers parking requirements in Transit Priority Areas. OB is in the future expansion sites of the TPA's. Adding travel amenities can translate to new parking requirements for developers. It's based on a point system. AS/KH felt that the beach communities should be exempted. Should we fight for a beach exemption? **KH:** Further reviewed the slides. CPC was against this stating that we need transit first. Proposal would reduce parking requirements to zero for multifamily in TPAs. All of OB could eventually be entirely in a TPA. He question what the termed "micromobility" represents. **AS** also brought up "unbundling parking" from housing. **AS:** requests that the beach areas stay exempt and that TIP funds stay reserved for transit projects. **KH:** Mayor has stated that TPA would allow for more affordable housing. **KH:** showed a draft letter that had many recommendations and options that the board discussed, kept and/or dismissed.

Letter was created during the meeting. View *letter online at
http://oceanbeachplanning.org/files/2019/02/OBPB_Letter_TPA_recommendation020719.pdf

ACTION ITEM #5: Establish Election Committee

Motion to form an election committee with Andrea Schlageter, Numan Stotz and Tracy Dezenzo

AS 1st KH 2nd 11 Yea 0 Nay

AS: discussed roles and candidate forum at town council (27th)

ACTION ITEM #6: Appointed Person's Signatures

Motion to allow appointed board members to utilize signatures gathered within a year of appointment.

NS 1st JG 2nd 10 Yea 0 Nay 1 Abstain

Reasons for abstentions: abstaining member is up for election

OFFICER / SUBCOMMITTEE REPORTS:

Chair Announcements & Correspondence: n/a

Treasure Report: \$889.78

Secretary Report: n/a

LIAISON REPORTS: n/a