



# City of Sanibel

Planning Department

800 Dunlop Road

Sanibel, FL 33957

Phone-239-472-4136....Fax-239-472-8826

June 5, 2006

Randal Post – Hula Hunters LLC

2499 Periwinkle Way

Sanibel FL 33957

Re: **Gasparilla's Grill, 2499 Periwinkle Way, Sanibel FL 33957.**

Dear Mr. Post,

Thank you for taking time to meet with me at the subject property on Friday June 2<sup>nd</sup> 2006 to review the issues outlined in my May 25<sup>th</sup> correspondence. Based on my inspection the following should be addressed:

**1-The Gasparilla's Grill Sign** has been permitted by approved sign permit #2006-3414. There are several other signs installed on the commercial building for some time and need to be removed. Over three doorway awnings the following signs are in place, BL-Billiard Balls, The Seafood Factory, Aqua Lounge. In addition to the above in the front window are several banners that are hanging and these are prohibited and must also be removed.

**2-Several exterior down lighting fixtures** that are not full cut off fixtures are in place on the eaves. It appears that these fixtures have been in place for some time. I would suggest that you replace each of these fixtures with full cut off fixtures. Any Sanibel licensed electrician can provide you with fixtures that comply with current exterior lighting standards. You will not need a permit if you are only replacing the fixture with a conforming fixture.

**3-Screening for the rear dumpster area.** This will require a short form permit and I will direct my staff to assist you in that process.

**4-Outdoor seating** is not permitted nor is outdoor dining or the outdoor consumption of alcoholic beverages.

**5-Outdoor speakers or music** is not permitted.

I am in receipt of your May 19<sup>th</sup>, 2006 letter and would like to make the following comments regarding your letter.

1-The storm drainage issues you mentioned may require City Permits and you should review your plans with City staff prior to any work taking place.

2-The chairs that are outside are not authorized to be utilized by restaurant customers for consumption of food or alcoholic beverages.

-Code Enforcement Officer

3-Thank you for your action to resolve the pirate issue.

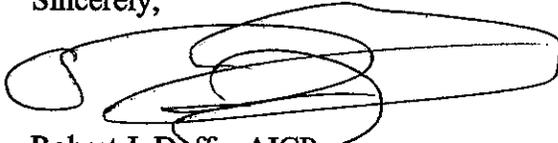
4-Please be advised that the pending application for the entertainment license is not the same as a special event permit. A special event permit is a separate application that must be applied for by the property owner or an authorized representative to conduct activities identified in the permit.

I will work with you to resolve all of the above matters along with any others that may come up in a timely manner.

As I indicated on Friday, the City wishes you success with your business venture.

Please feel free to contact me with any concerns you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Duffy", enclosed within a large, irregular oval scribble.

Robert J. Duffy, AICP  
Planning Director

C: Baileys Center LLP Property Owner  
Judie Zimomra-City Manager  
Bill Tomlinson-Chief of Police  
Gates Castle-Director of DPW  
Harold Law-Building Official  
Ray Hendzel -Code Enforcement Officer  
Terri Cummins-Code Enforcement Officer  
File-06-315



# City of Sanibel

Planning Department

800 Dunlop Road

Sanibel, FL 33957

Phone-239-472-4136...Fax-239-472-8826

May 25, 2006

Randal Post – Hula Hunters LLC  
2499 Periwinkle Way  
Sanibel FL 33957

Re: City Council Meeting on June 6, 2006. Request for an entertainment license for the Gasparilla's Grill

Dear Mr. Post,

On June 6, 2006 Sanibel City Council will be reviewing your application for an entertainment license for the Gasparilla's Grill, located at 2499 Periwinkle Way, Sanibel FL 33957.

You or your representative should be present at the City Council meeting to describe the new restaurant operations and the proposed activities associated with the entertainment license application.

Based on prior Code Enforcement inspections of the property, the issues below were observed and must be addressed.

1. All outdoor lighting must conform to Land Development Code Sections 106-112 and 126-997.
2. No outdoor seating is permitted at the subject property and any outdoor seating that exists must be removed.
3. No outdoor dining or outdoor consumption of alcoholic beverages is permitted.
4. No outdoor music or speakers are permitted, please refer to Land Development Code Section 30-63.
5. Rear dumpster must be screened from public view.
6. No outdoor storage of merchandise or trash except within enclosed area.
7. Rear doors from kitchen must remain closed except for deliveries and trash removal.
8. No disposal of any form of solid or liquid waste from kitchen into storm water drain within parking lot.
9. The Gasparilla's Grill sign is limited by approved sign permit #2006-3414.

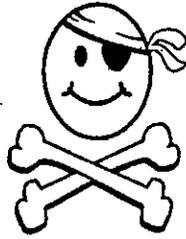
If you have any questions please feel free to contact me at 472-4136.

Sincerely,

Robert J. Duffy AICP

C. Baileys Center LLP Property Owner  
Judie Zimomra City Manager  
Bill Tomlinson Chief of Police  
Gates Castle Director of DPW  
06-315

Gasparilla's Grill  
2499 Periwinkle Way  
Sanibel, Fl. 33957  
239-472-2323 phone  
239-472-2380 fax



May 19, 2006

To whom it may concern,

Just a quick note to inform our city government of intentions and measures already in motion at Gasparilla's Grill to fixing inherited and new concerns. I would like to take the guess work out of any wandering imagination as to motive or agenda I personally might have.

1<sup>st</sup> : issues w/ storm drainage located behind restaurant. This was addressed to previous owners by me, before any negotiations even began. However, was not addressed to Bailey's during the duration of previous tenants by the city until I came into the picture. WE use a detergent that is environmentally sound and push OUR waste water into floor drains, not out the back door. WE also are waiting for 2 bids to install a drain between back door and storm drain that, like all the floor drains, fall into our grease trap. In the 1<sup>st</sup> week of operations, I consulted w/ Bob Himschoot (owner of Crews Environmental) about all drainage issues for 4 hours and had areas of concern treated appropriately. It seems our concern w/ this issue was growing at the same time.

2<sup>nd</sup> : issues w/ "smokers" chairs outside. I do not need/want any more seats then I am licensed for. In fact have a few less then that right now. WE don't refer to these chairs as "drinker/eater" chairs. I don't know how the cow

got what they got, nor do I care. That's what you folks get paid for. Some people need a gimmick or loophole in order to be a success. I choose a more straight forward approach to developing a successful restaurant. All bars were dramatically affected by the new smoking laws when put in effect. To support the law or to disagree w/ it is usually a time consuming and nerve racking debate. What is a lot easier, is to simply conform to it. Save yourself the headaches and use your time wisely. The chairs the Biddles put out there, I know was a way to entice smokers to still spend money at a bar that is primarily serving food not drinks. I instill w/ my staff (especially bartenders), WE are a restaurant 1<sup>st</sup>, and a bar, not second, but last. Another issue Baileys were not informed about until I came into the picture.

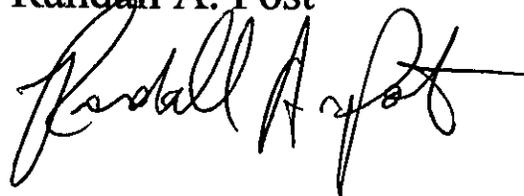
3<sup>rd</sup> : issue w/ pirate outside. One key ingredient to any business on these islands are curb appeal and being seen/noticed. A more important one is communication. I was informed that the pirate was a violation. I have nothing but respect for that. I then communicated that to the staff (except those not working that day). I have a policy w/ the staff to communicate any change in routine, menu or policy to each other. I express this as a huge priority. One employee that didn't get informed, moved the pirate outside. I can appreciate his enthusiasm w/o reservation. I personally called anyone who was not informed about outside pirate. I thought leaving him inside the doorway, would give him visibility. It is not like it is a 100 fish plastered on a building or neon lighting in plain view from

the road. I am not a huge state or national chain.....yet, and totally understand political priorities. These are all issues that are your concern and once again, not mine. We now keep our pirate away from the doorway and out of view from the road.

4<sup>th</sup> : issues w/ elements of running a bar open until 1 a.m.. I have confronted any suspicious character I have noticed and informed them certain behaviors will not be tolerated in my establishment and will generously be divulged to proper authorities. We have noticed a decrease in revenue since then. At the same time, we are noticing a more mature and responsible sort of clientele. I have welcomed law enforcement in any establishment I have operated in the past and was excited to see their presence already here when I took over. I did notice uniformed police walking through the dining room prior to taking over while patrons where dining. I expressed concern to one of the officers, who in turn must have conveyed it to the rest of the force, as I haven't seen that since. Thanks! I have noticed fewer roll-throughs lately. I can not express enough how much I appreciate seeing our islands officers in the building. All officers have always had a more then pleasant and non-harassing disposition. Thanks again.

Thank you for this consideration,

Randall A. Post

A handwritten signature in black ink that reads "Randall A. Post". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.