

**Minutes of Planning Commission Meeting
held Monday, August 26, 2013, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairman Greg Sutton.

Roll Call

Greg Sutton (*Chairperson*)
Terry DeLoach (*Vice Chairperson*)
Bill Callan
David Dahl
Georgette Dumont

Alternates: Rick Knight
Lee Dorson

Also present were Bill Mann, Senior Planner and Senior Secretary Amber Lehman.

Approval of Minutes

It was moved by Mr. DeLoach, seconded by Mr. Dahl, to approve the meeting minutes for August 12, 2013 as presented.

Correspondence

There was no correspondence.

New Business

- (A) **PC #24--13 (13-100150)– 4020 South Beach Parkway**
Application to rezone a +/- 9.9 vacant parcel of land (more specifically Lots 1 through 24, Block 7; Lots 1 through 10 and 13 through 23, Block 3; and lots 1 through 12, Block 11, Ocean Terrace) located at the southwest corner of South Beach Parkway and Jacksonville Drive from Residential single-family: RS-1 to Planned Unit Development: PUD to allow development of a 59-unit single family residential subdivision.

Staff Report:

Mr. Mann read the following staff report into the record:

The applicant is under contract to purchase the subject property at the northwest corner of Butler Boulevard and South Beach Parkway. It is approximately 9.9 acres in area and is located in a *Residential, single family: RS-1* zoning district. It is currently platted as Blocks 3, and 7, and the easterly half of Block 11 of the *Ocean Terrace* subdivision, and contains 53 lots. The typical size of the existing platted lots is 50' x 125'. If the subject property were to be developed per its current plat, the lots would be served by southerly extensions of Tropical Terrace and Poinciana Boulevard connecting with Sanctuary Parkway. Both of these are paved streets north of Jacksonville Drive, serving the developed lots in Blocks 4, 8, and 12 of the same *Ocean Terrace* subdivision.

Staff met with the applicant's representatives in June of this year to explore the re-platting and development of the subject property into a new 59-lot subdivision. This meeting followed staff's meetings and discussions with a previous developer earlier in the year with a similar, but higher density, plan for the property. That developer was ultimately unable to carry out that plan.

The applicant's representatives were instructed that in order to proceed with their proposed development, they would need to seek rezoning of the subject property, as the proposed lots did not meet minimum RS-1 lot dimensional standards. It was further determined by staff, and acknowledged by the applicant, that the requested lot sizes and other desired departures from the City's traditional Land Development Code standards would best be addressed via the establishment of a *Planned Unit Development: PUD* zoning district for the subject property. This is the same process by which the nearby *Riptide*, *Ocean Cay*, and *Paradise Key* subdivisions had been originally approved for development.

The applicant will provide a full description of the proposed subdivision at the hearing, but the plan provides a total of 59 residential lots and 4 open space tracts. Minimum lot size would be 45'x100' (4,500 square feet). The subdivision would also include new public streets and utilities installed by the developer, with street connections to South Beach Parkway, Jacksonville Drive, and Sanctuary Parkway. All of the horizontal improvements would be developed in a single phase.

Staff has reviewed the application and has found it consistent with relevant zoning and comprehensive plan regulations and policies for residential development. Gross density for the subdivision would be 6.03 units per acre. Adequate public facilities exist to serve the project, and the applicant has obtained a Concurrency Reservation Certificate for the proposed 59 homes (ref. CRC #13-100126). As requested by the Planning and Development Director, the main entrance to the subdivision will be from South Beach Parkway, aligning with the existing entry road to the South Beach Regional Shopping Center, and facilitating the City's signalization of that currently problematic three-way intersection.

PUD regulations stipulate a minimum 20% open space, but in light of accommodating staff's requests for a South Beach Parkway main entrance location, and a donation to the City of a 12' wide strip of the subject property along the west side of South Beach Parkway for a new turn lane addition, the applicant applied for and received a variance from the Board of Adjustment to reduce the amount of open space to 5% (Reference BOA # 12-100203). The applicant's plan was refined further after that variance was granted, and dedicated open space tracts totaling 9.2% will now be provided within the PUD.

The subject property is bounded by single-family residential neighborhoods to the immediate west and to the north, across Jacksonville Drive. Use of the subject property is consistent with those adjacent uses, and represents logical infill development of the last remaining large undeveloped land tract in the city. The proposed residential neighborhood will compliment and support the two major shopping centers in the vicinity. The provision and location of the designated open space tracts within the PUD, especially the tract along the west side of the subject property, will serve to protect a significant stand of old growth live oaks in that area, minimizing impacts to that existing tree canopy. Finally, concessions on the applicant's part in the location of the PUD's main entry drive on South Beach Parkway and the donation of additional South Beach Parkway right-of-way to the City significantly enhance the efforts of the Community Redevelopment Agency related to enhancing the operational efficiency of that roadway south of Jacksonville Drive.

Recommendation: Approval with the condition that any required modifications to the City's stormwater system proposed to receive the PUD's stormwater, as referenced in Paragraph II.O of the PUD application narrative, be the sole responsibility of the applicant.

Applicant:

Agent for the applicant, T.R. Hainline, Jr., 1301 Riverplace Blvd., Jacksonville stated that he is representing Richmond American Homes of Florida, and discussed additional points of interest about the PUD.

1. The land is currently platted for 53 single-family lots, the PUD rezoning will allow for the development of 59 single-family lots.
2. An application to abandon existing platted (but not improved) streets and alleyways has been submitted. However, the alleyway along Palm Way will not be abandoned. The PUD will require all new streets to be built by the applicant and dedicated to the City.
3. The main entrance to the proposed development will be on the South Beach Parkway and will align with the back entrance to the South Beach Regional Shopping Center, where relocated traffic signal is planned by the City.
4. The applicant will dedicate 12 feet of right-of-way along the west side of South Beach Parkway to allow construction of a dedicated left turn lane onto Sanctuary Blvd.

5. The amount of open space will have a dedicated area of 9.2% as opposed to the previous variance request that was granted at 5%. The open space will preserve a number of large trees and canopy.
6. The proposed development has been issued a Concurrency Reservation Certificate (#13-100126).
7. Pricing of the homes will range from \$470,000 - \$520,000 which will contribute to the tax roll approximately 27 million dollars.
8. The applicant has worked with City staff on issues such as traffic, stormwater and design elements of the proposed development, and the Planning Department is recommending approval of the application and the applicant has agreed to the recommendations by staff.

Mr. DeLoach stated that he had communication with Mr. Hainline previously regarding the application and stated that the applicant has achieved more space that is open by maintaining the buffer and trees to the west.

Mr. DeLoach asked what the increase to the tax rolls would be.

Mr. Hainline replied that it should increase from a current value of approximately \$2.75 million to \$27 million.

Mr. Dahl asked Mr. Mann to clarify the concurrency certificate that has been issued.

Mr. Mann replied that the concurrency certificate is based on a review of recreation and open space, water consumption, sewage generation, stormwater, and transportation. There is adequate water capacity to serve this project through 2030. The City recently upgraded the sewage plant with EPA approval. Stormwater issues are addressed through the SJRWMD permit process. As for recreation and open space, there is a level of service for the population and there is adequate availability to meet the project's needs. There will be an increase of six lot, but transportation concurrency standards will not be exceeded.

Mr. Dorson asked Mr. Mann to explain where the stormwater will be directed.

Mr. Mann replied that the stormwater would tie into the existing stormwater pipes in South Beach Parkway, and ultimately drain to the retention pond behind Pier One on Marsh Landing Parkway.

Mr. Knight stated that if this was not a PUD, the developer could just develop 53 lots individually; and we would not receive what they are giving to the City in terms of open space, road improvements, etc.

Mr. Mann concurred with Mr. Knight's assessment of the advantages of the PUD.

Public Hearing

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

The following people spoke neither in favor nor in opposition to the application:

- John Gray, 3972 Poinciana Blvd., Jacksonville Beach
- Mike Chanatry, 4054 Palm Way, Jacksonville Beach
- Cheryl Freudenthal, 4021 Palm Way, Jacksonville Beach
- Chuck Mitzel, 4083 Grande Blvd, Jacksonville Beach

The following person spoke in favor of the application:

- Steve Williams, 3731 Duval Drive, Jacksonville Beach

The following people spoke in opposition to the application:

- Max Johnson, 4062 Palm Way, Jacksonville Beach
- Kathleen Gall, 4059 Palm Way, Jacksonville Beach

Rebuttal:

Mr. Mann stated that the Southend DRI and South Beach Redevelopment Area Master Plan had the property designated for future office use, but that it was still zoned residential single family.

The City adopted the redevelopment plan for the area as part of the Southend DRI and this parcel was designated as Professional Office. The DRI is now essentially built out and the City has abandoned the Southend DRI. Having only 17,000 sq. ft. of office space left in the DRI Development order spread out on a ten-acre parcel is unreasonable, so the DRI was rescinded.

Mr. Mann also explained that if the PUD were approved, specific performance standards would be put in place. He also addressed the issue of water drainage by stating that the applicant will be required meet SJRWMD and City standards for stormwater retention and drainage.

Mr. Hainline pointed out that on Page 3 of the written narrative there is a distinction between open space in Tract D and the other open spaces in Tracts A, B, and C. Tracts A, B, C, allow additional recreational uses to meet the recreation requirements, while Tract D allows no improvements.

Mr. DeLoach asked Mr. Hainline what type of fence would be used along Tract D.

Mr. Hainline replied vinyl fencing would be used.

Mr. Hainline also reiterated, regarding stormwater retention, that the applicant would have to go through both the City and SJRWMD permitting.

Mr. Hainline added that on the issues of stormwater, traffic, and security as it stands, they could currently develop 53 platted lots today, and the additional six lots that will be built as a result of the approval of the PUD meet concurrency standards, including passing the level of service standards on the roads. With this PUD, the City can make operational improvements to South Beach Parkway.

Mr. Knight asked Mr. Hainline to explain the lot coverage that would be granted under the PUD.

Mr. Hainline replied that the PUD would allow for 65% lot coverage consistent with the COJB lot coverage ordinance.

Mr. DeLoach asked the applicant to explain the process from breaking ground to completion.

Mr. Connelly replied that they would work closely with City staff and will have motion detectors, cameras on site to monitor the project. The project will take approximately two and one-half years from start to finish.

Mr. DeLoach asked if the construction site would be fenced.

Mr. Connelly replied that he would prefer not to have it completely fenced.

Mr. Sutton asked about the completion of the project.

Mr. Connelly replied that they would like to close on the property by the end of this year, then there would be a nine-month development period and then a two-year absorption period.

Seeing no one else who wished to address the Commission, Mr. Sutton closed the public hearing.

Discussion

Ms. Dumont stated that other developments had perimeter fencing around the construction area, and asked if the applicant was required to fence the property during construction.

Mr. Mann replied that this is not a requirement.

Mr. Mann asked the applicant if the association would maintain the fence along Jacksonville Drive and Sanctuary Blvd.

Mr. Connelly replied in the affirmative, and added that the plan is for vinyl fencing and a masonry decorative entryway.

Mr. DeLoach asked if there could be enhanced landscaping along Sanctuary Blvd.

Mr. Hainline replied that there will be landscaping on the outside of the fence. There will be no landscaping on the inside of the fence.

Ms. Dumont stated that she would like to see a fence along South Beach Parkway and requested that the Commission require the applicant to install a fence along the perimeter of South Beach Parkway on the westerly side of the five foot non access easement and require landscaping the non-access easement between the fence and the public sidewalk along South Beach Parkway.

Mr. Hainline stated that the applicant would prefer that the fence be placed as far east as possible.

Mr. Mann added that the rear yards along South Beach Parkway may be as little as 10 ft., so Mr. Hainline's request was reasonable.

Motion: It was moved by Ms. Dumont, seconded by Mr. Dahl to recommend approval for the rezoning of 4020 South Beach Parkway to PUD with the following three conditions:

1. Any required modifications the City's stormwater system proposed to receive the PUD's stormwater, as referenced Paragraph II.0 of the PUD application narrative, be the sole responsibility of the applicant.
2. Applicant to install fence along the west side of Tract D prior to commencement of any construction.
3. Fence or wall along South Beach Parkway is to be installed in 5' non-access easement, with appropriate landscaping on east side of fence.

Roll call vote: Ayes – DeLoach, Dahl, Callan, Sutton, and Dumont; motion carried unanimously.

Planning & Development Director's Report

Mr. Mann advised the Commission that the next meeting is scheduled for September 9, 2013 with two conditional use applications.

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Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 8:35 P.M.

Submitted by: Amber Maria Lehman
Senior Secretary

Approval:

/s/Greg Sutton
Chair

Date: September 23, 2013