

**Minutes of Planning Commission Meeting  
held Monday, May 22, 2017, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order Chairman Sutton.

**Roll Call**

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

**Alternates**

Britton Sanders  
Margo Moehring

Also present were Bill Mann, Director of Planning, Heather Ireland, Senior Planner, and Staff Assistant Amber Lehman.

**Approval of Minutes**

Ms. Dumont moved approval of the minutes of April 10, 2017 and April 24, 2017, seconded by Mr. DeLoach. Motion to approve the minutes was approved unanimously.

**Correspondence**

Ms. Ireland reported that there were emails for PC #23-17 and PC # 20-17. Copies were provided.

**Old Business**

There was no old business.

**New Business**

Mr. Sutton moved Item C to Item E on the agenda, with other items moving up.

**(A) PC #18-17 1850 3<sup>rd</sup> Street South**

**Conditional Use Application** for an outdoor restaurant, located in a *Commercial Limited: C-1* zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code. (*Pieology*).

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property is located in Pablo Plaza at 1850 South 3<sup>rd</sup> Street. The tenant, *Pieology* restaurant, would like to provide outdoor seating to its customers. The applicant was informed by staff that conditional use approval would be required for the outdoor seating.

Outdoor seating is subject to the current size limitations provided for in the City's Land Development Code. Pursuant to Section 34-407(b) of the LDC, and based on the size of the associated tenant space, the applicant would be limited to 440 square feet of outdoor restaurant seating, and a 42-inch high wall or fence is required if alcohol is to be consumed in the outdoor seating area.

Adjacent uses include a tire store and auto repair shop to the east, a bank to the north, commercial in the balance of the shopping center to the west, and parking to the south. The addition of outdoor seating at this location should not negatively impact adjacent properties and is consistent with other dining establishments in the vicinity.

**Applicant:**

The applicant was not present.

**Public Hearing:**

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

There was no one present to speak in favor of or in opposition to the application.

**Discussion:**

Mr. DeLoach asked Ms. Ireland about the subject property. Ms. Ireland responded that it was a pizza restaurant.

**Motion:** Ms. Dumont made a motion to approve the application. The motion was seconded by Mr. DeLoach.

**Roll call vote:** Ayes – Callan, Dahl, DeLoach, Dumont, and Sutton. The motion was approved unanimously.

**(B) PC #19-17 217 12<sup>th</sup> Avenue North**

**Conditional Use Application** for multiple family residential use of property located in a *Commercial, Limited: C-1* pursuant to Section 32-342(d)(15) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property is located on the north side of 12<sup>th</sup> Avenue North, between 3<sup>rd</sup> and 2<sup>nd</sup> Streets North. The property currently exists in multi-family residential use, with a two story duplex structure on the north end of the property, constructed prior to 1940. A transfer of conditional use for the existing duplex in C-1 was approved for a previous owner in 2000 via PC#11-00. The current owner would like to maintain the existing duplex on the property and add a third dwelling unit to the property facing 12<sup>th</sup> Avenue North. Since

multi-family conditional uses are nontransferable, the applicant was advised by staff that the proposed improvements would require conditional use approval.

Adjacent uses include multi-family residential and commercial to the west and east, multi-family to the north, and multiple and single-family uses to the south. Based on the historical and current use of the property as multiple family residential, and other adjacent residential properties, proposed use of the subject property should not negatively impact adjacent properties.

**Applicant:**

The applicant's agent, Mr. Steve Jarrett, 3741 South 1<sup>st</sup> Street, stated that this plan would help further the goal for the area to become more family-oriented. He stated that the property was built in the 20's and they are using the front half of the property to allow someone to have an investment property to prevent a teardown.

Mr. Sanders asked about parking for the back building. Mr. Jarrett responded that it was on the street, but they anticipate driveway parking and a garage for this proposal. In response to a question, Ms. Ireland stated that the lot coverage is 65%.

**Public Hearing:**

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

There was no one present to speak in favor of or in opposition to the application.

**Motion:** Mr. DeLoach made a motion to approve the application. The motion was seconded by Ms. Dumont.

**Roll call vote:** Ayes – Callan, Dahl, DeLoach, Dumont, and Sutton. The motion was approved unanimously.

**(C) PC #21-17 136 19<sup>th</sup> Avenue North**

**Conditional Use Application** for a miscellaneous health office located in a *Residential, multiple family; RM-2* zoning district, pursuant to Section 340-340(d)(14) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The applicant owns the subject property on 19<sup>th</sup> Avenue North. She received conditional use approval via PC#17-16 to relocate her existing acupuncture business to a portion of the first floor of the building, while maintaining the upstairs as her primary residence. Business and professional offices, including miscellaneous health offices, are allowable conditional uses in *RM-2* zoning districts. The applicant's request in 2016 was approved with the following conditions: there will be no additional employees, other than the applicant; hours of operation will be Monday through Friday from 12:00 to 7:00 pm; and the conditional use was approved for a period of one year from the date of its approval. The applicant is now seeking continuation of her approved conditional use.

The subject property has adequate residential parking for the second-floor dwelling unit, and the applicant has provided three off-street commercial parking spaces at the rear of the property to accommodate the business use, including one handicapped space. If the office use is continued, its approval would not be transferable to another owner, occupant, or business.

Adjacent uses include multi-family and single-family residential. There have been no documented complaints or issues with the use of the subject property as a miscellaneous health office. Due to the low intensity of the existing and proposed use, adjacent properties should not be negatively impacted by its continuation.

**Applicant:**

The applicant, Ms. Joy Esler, 136 19<sup>th</sup> Avenue North, stated that there was a positive response from the neighbors. She stated that she had been told her business is less noisy than the previous occupants, and she has had positive feedback on exterior renovations. She said that her neighbors signed an affidavit in support of the continuation of the conditional use and provided copies to the Board.

Ms. Dumont inquired whether the hours would remain the same and no new employees would be hired. Ms. Esler affirmed that the hours wouldn't change, but there could be emergency hours in atypical situations. She stated that she would like the hours to be from 8 to 8 in such a situation.

**Public Hearing:**

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

Mr. Sutton noted that he had a number of cards from people who wished not to address the Board but were in favor of the application – Diana McCool, Judy Shaffer, Jill Snodgrass, Dr. Frank Cervone, Ms. Sandra Kirkland-Bunkley, Robert Bunkley, and Ms. Beth Acheson.

Mr. David Kozeruba, 27 Fairway Lane, spoke in favor of the application. He stated he had never seen any issues when he went to his appointments.

Ms. Katherine Kozeruba, 27 Fairway Lane, reiterated her support for the service. She stated that there has never been a parking issue and she is an asset to the community.

**Discussion:**

Ms. Dumont stated that they needed to discuss the hours of operation. She stated that 8:00 a.m. might be a little early. Mr. DeLoach stated that he was hesitant to put guidelines on a business such as this. He stated that he did not think they needed a stipulation on the operating hours. Ms. Dumont asked about weekends. Mr. DeLoach stated that he didn't think it was a problem if she needed to see someone on weekends. Ms. Dumont stated that given the location she would not be comfortable with not putting restrictions on the weekend.

Mr. Dahl concurred with Mr. DeLoach. Ms. Dumont asked about no additional employees. Ms. Esler stated that she did not want employees. Mr. DeLoach asked if Ms. Dumont

would be ok if they dropped the hours but still wanted to prohibit weekend hours. Ms. Esler stated that she was not planning any weekend hours.

**Motion:** Ms. Dumont made a motion to approve the application with the condition that there be no additional employees. The motion was seconded by Mr. Dahl.

**Roll call vote:** Ayes – Callan, Dahl, DeLoach, Dumont, and Sutton. The motion was approved unanimously.

**(D) PC #22-17 520 4<sup>th</sup> Street North**

**Conditional Use Application** for religious organization use by an existing church located in a *Residential, multiple family: RM-1* zoning district, pursuant to Section 34-339(d)(4) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property consists of two contiguous lots located on the southwest corner of the intersection of 4<sup>th</sup> Street North and 5<sup>th</sup> Avenue North. One of the lots currently exists as a single family structure used by the applicant, and the other lot is vacant. The applicant would like to demolish the single-family structure and utilize the two contiguous lots as parking for the adjacent church immediately to the west. The applicant was informed by staff that conditional use approval would be required.

Adjacent uses include a religious organization (applicant) directly to the west, single-family residential to the south, multi-family and an existing daycare center to the north, and residential and commercial uses to the east. Due to the mixed use nature of the surrounding area, and proximity to other surface parking lots, the use of the subject property as parking for the existing church should not negatively impact adjacent properties.

**Applicant:**

The applicant, Mr. Joel Dalrymple, 2160 Covington Circle, East, Jacksonville, stated that the desire to relocate parking was due to some properties of theirs being sold.

Ms. Dumont asked about five spots that were on city easement. Mr. Dalrymple stated that they already exist and were put in at the request from the City.

Mr. Dahl asked if there were any plans to secure the parking when the church is not in use. Mr. Dalrymple stated that they chain it off when the church is not meeting.

Mr. DeLoach asked what the buyer's intentions were with the property. Mr. Dalrymple stated that the buyer would be building town homes.

Mr. Sanders asked if there was an increase in space. Mr. Dalrymple stated the church would be losing a few but was not certain of the exact amount.

**Public Hearing:**

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

Mr. John Tipton, 503 6<sup>th</sup> Street North, stated that if they pave the parking lot there will be a more paved surface that will contribute to flooding. He recommended that they put permeable surface there.

**Discussion:**

Ms. Ireland stated that they were just paving the drive aisle and not the actual parking spaces. Mr. Dalrymple agreed with Ms. Ireland that the parking would be on the grass except the driveway.

Ms. Dumont asked if the current lot is paved. Mr. Dalrymple responded that it was not. Mr. Dahl noted that Naval Air Station Jacksonville had constructed a concrete parking lot with a permeable block, which could be an option for the church. Ms. Dumont asked if a condition to include any covered surface must be permeable be a hardship. Mr. Dalrymple responded that it would not.

**Motion:** Ms. Dumont made a motion to approve the application with the condition that any covered surface had to be permeable. The motion was seconded by Mr. DeLoach.

**Roll call vote:** Ayes – Dahl, DeLoach, Dumont, Sander, and Sutton. The motion was approved unanimously.

**(E) PC #20-17 417 and 429 2<sup>nd</sup> Avenue North**

**Concept Plan Application** for a proposed twelve-unit townhouse project in a *Residential, multiple family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property is located on northwest corner of 2<sup>nd</sup> Avenue North and 4<sup>th</sup> Street North, and consists of five contiguous lots under common ownership. The property currently contains two single-family residential structures with detached garage apartments, all of which were built prior to 1947. The applicant wishes to redevelop the property, providing two multi-family buildings, each containing six attached fee-simple townhomes. The concept plat provided shows 12 townhouse lots that meet the minimum townhouse lot sizes and street frontages for *Residential, multiple family: RM-1* zoning district, (2500 square foot exterior lots, and 1,500 square foot interior lots.) The two six-unit buildings are separated by at least 20 feet as required.

Adjacent uses include religious organization use directly to the west and south, church parking, commercial, and multiple family residential to the north, and commercial to the east. The proposed 12-unit townhouse project is consistent with the mixed use character of the surrounding area, and the proposed plat conforms with *RM-1* zoning district requirements.

**Ex-Parte Communication:**

Mr. DeLoach, Mr. Callan, Mr. Dahl, Ms. Dumont, Mr. Sanders, Ms. Moehring, and Mr. Sutton noted the correspondence via e-mails, letters, and phone calls from the same concerned citizens in opposition. Ms. Ireland also presented correspondence with the same individuals the board received communication from.

**Applicant:**

The agent for the applicant, Mr. D.R. Repass, 4503 Coquina Drive, stated that he represented agent Mr. Ben Ossi. He affirmed that the property is already zoned RM1, the density is there. We are here to answer questions regarding the plat, as well as ensuring the plat approval process is done according to Florida statute 177.

Mr. DeLoach asked if they had to go before the Board of Adjustment for a driveway variance. Mr. Repass stated that they would have to adjust the location of the driveways if application was denied by the Board of Adjustment.

Ms. Dumont asked that if they moved the driveway would it not be in front of the garage. Mr. Repass responded that they would have to brainstorm their options. Ms. Ireland then reviewed the variance needed for the driveways. Mr. Mann stated that the question of variance is premature at this time. Mr. Mann explained the process that will occur if the application is approved tonight, as well as what else could go on the parcel.

Mr. Dahl asked if the parking requirement would be the same for apartments. Mr. Mann stated that it would be the same, but depending on the design they cannot back out into the public right-of-way. Mr. Mann then reviewed the Comprehensive Plan objectives and policies that would pertain to this project.

Mr. DeLoach directed the question of the proposed elevation of the project to the applicant, Mr. Ossi. Mr. Ossi confirmed it was two stories. In response to Mr. Dahl, Mr. Ossi stated that they didn't have the rough elevations so did not have the exact height, but it would be less than 35 feet.

**Public Hearing:**

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

Ms. Mackenzie Robinson, 406 3<sup>rd</sup> Avenue North, stated she is speaking for her mother and provided letters from her, who owned a parcel nearby. She addresses the historical use in this neighborhood was single-family dwellings. Ms. Robinson stated that there were concerns about the increase in traffic in the area.

Mr. Todd Robinson, 406 3<sup>rd</sup> Avenue North, stated that the application is not in keeping with the character of the neighborhood. He stated they chose to raise their family in the City because it was family-friendly, and these developments are not in keeping with that nature.

Mr. Tony Komarek, 533 11<sup>th</sup> Avenue South, requested denial of the application because of concerns about the proposed density. He stated the proposal is out of character with the neighborhood and presents safety issues as well.

Ms. Cheryl Komarek, 533 11<sup>th</sup> Avenue South, agreed that this proposal should not be approved. She agreed that the densities are out of character with the neighborhood.

Mr. Ty Wallace, 709 4<sup>th</sup> Avenue North, expressed concern with the traffic and densities.

Mr. Bill Stevens, 733 2<sup>nd</sup> Avenue North, stated that this project would need a lot of variances. He stated that he thought they needed more than the required setbacks on the side.

Ms. Mary Hall, 614 3<sup>rd</sup> Avenue North, expressed her concerns with the land use and traffic issues. She stated that the project was not compatible with the single-family homes in the neighborhood. She specified that there were already existing traffic and parking problems in the area, which would be made worse by this project.

Ms. Suzanne Ferreira, 523-525 4<sup>th</sup> Avenue North, stated that she agreed with all that was previously stated. She stated that she left South Florida to get away from the congestion and believed that the growth was not well-planned in Jacksonville Beach.

Ms. Monica Bernhardt, 623 2<sup>nd</sup> Avenue North, stated that traffic backs up on many roads in the area because of the schools. She added that all of the construction that is going on has made it tough for residents to back out of their driveways. She added that there are flooding issues as well that will be made worse by the development.

Mr. Sutton stated that he had cards from Connie Rifkin and Penny Yamamoto/Tammy Nishiyama who did not wish to address the Board but were in opposition.

Mr. Art Graham, 602 3<sup>rd</sup> Avenue North, stated that he agreed with what was said earlier. He stated that the number of units should be reduced if the Board approves the application. He asserted that he feared that his property value would go down if these units were approved.

Mr. John Tipton, 503 6<sup>th</sup> Street, North, asked Mr. Mann about the recent discussions about densities in the City. He added that when the plan was written these types of units were never expected for this area.

Ms. Kristi Thompson, 700 Magnolia Street, Neptune Beach, St. Paul's Principal, stated that the Board needed to take into account the safety and security of the school children and expressed concern about parking and traffic.

Mr. Howard Fleming, 523 3<sup>rd</sup> Avenue North, a Developer, stated that there is no reason that the applicant had to maximize the density as was proposed in this amendment. He stated that he was renovating existing homes and they were being overrun by increases in density.

Ms. Donna Delegal, 629 3<sup>rd</sup> Avenue North, a Realtor, stated that, while Mr. Ossi is a respectable builder, this property would be better used to build less, but larger homes.

Mr. Jason Lommel, 630 3<sup>rd</sup> Avenue North, asked the Board to stop developments like this in the neighborhood.

Ms. Whitney Clark, 703 4<sup>th</sup> Avenue North, stated that she was concerned with traffic, housing values, and opposed the proposal.

Mr. Jim Gillis, 800 10<sup>th</sup> Street North, opposed the proposal. He stated that the result would be 24 units in the middle of 3 churches. He stated that while school is in the traffic flow is too much. He stated that this is not in character with the area.

Ms. Sheila Harper, 623 4<sup>th</sup> Avenue North, expressed her concern with safety as a result of the increase in traffic from the project. She stated that the increase in traffic in this 3-block area would increase the number of units for a total of 132 cars. She stated that there were concerns about safety to pedestrians, particularly the students.

Ms. Elizabeth Teague, 612 4<sup>th</sup> Avenue North, expressed concern about the types of people that are coming to the City with all the development. She also stated concern about the safety issue with the traffic.

Mr. Todd Dunavant, 503 4<sup>th</sup> Avenue North, stated that he had submitted a letter to the Board. He stated that the issues in his letter had been brought up tonight. He referred to portions of the Land Development Code that he thought applied to this project. Mr. Sutton noted how some of the portions did not apply to this project.

Mr. Austin Dutcher, 1122 3<sup>rd</sup> Avenue North, expressed his opposition to the proposal. He stated that fewer units on the parcel would be preferable.

Ms. Lisa Sandstrom, 1171 3<sup>rd</sup> Avenue North, stated that there is a lift station at the end of the street and the smell that will increase from more people will be negative.

Mr. Jim Clark, 703 4<sup>th</sup> Avenue North, noted that his family came from Panama City Beach where density became a problem and he didn't want to see the same things happen here.

**Discussion:**

Mr. Ossi stated that the goal was to create a product that was more affordable beach living.

Mr. Mann stated that this is a plat that would subdivide properties. He reviewed the side yard setbacks required for such lots.

Ms. Dumont asked about traffic studies and how they would apply. She asked if they could reduce the number of units. Mr. Mann responded that the charge of the body was to determine if the application was consistent with the Code.

Mr. Dahl asked Mr. Mann to explain how the City got to a mobility fee. Mr. Mann stated that it was in response to the issues of traffic and the greater flexibility in what could be done to address the traffic issue. Mr. Mann stated that the mobility fee is dollar based and the money goes back to transportation facilities.

Mr. DeLoach asked if the Board of Adjustment would be obligated to recognize the hardship if this was approved. Mr. Mann stated that it would not.

Ms. Erdelyi reminded the Board that this was a quasi-judicial hearing and the decision must be made by weighing the evidence. Ms. Dumont stated that if the project follows the LDC it must follow the Comprehensive Plan, so she asked what the function of the Board was? Ms. Erdelyi responded that the hearing provides the public with input on the application. She further explained the process of the hearing. Ms. Dumont responded that the citizens do not have time to hire the experts to provide the evidence. Ms. Dumont asked if she could

use her observations as evidence. Ms. Erdelyi responded that the Court considers the evidence in determining factual testimony versus hearsay.

Mr. Dahl asked about personal knowledge. Ms. Erdelyi explained how personal knowledge could be used and how it differed from hearsay.

Mr. DeLoach asked if a realtor in the audience would qualify as an expert witness. Ms. Erdelyi stated that the witness would have to state that she did not do an assessment but in her experience the property values would be affected.

Mr. Sutton reminded everyone that this was an approved use in the area, and he stated his concern about putting the City at risk if they denied applications consistent with the Code.

Ms. Dumont stated that the density issue in the City made the news tonight. She added that this is a quantity versus quality issue. She expressed her concern about the observations she made on the traffic issues when she went to the location herself. She stated that with cars backing out of the parcel it would present a safety issue especially with the school.

Mr. DeLoach concurred with Ms. Dumont about the parking and driveway issues. He also expressed concern about the effect on property value and the inconsistency of the proposal with the character of the neighborhood.

Mr. Sanders expressed his concern with the property values and safety issues.

**Motion:** Ms. Dumont made a motion to deny the application based on the criteria stated by the Board in their discussion. The motion was seconded by Mr. DeLoach.

**Roll call vote:** Ayes – Callan, Dahl, DeLoach, and Dumont.

Nays – Sutton.

The motion to deny the project was approved 4-1.

(F) **PC #23-17 505 N. 3<sup>rd</sup> Avenue and 426 N. 5<sup>th</sup> Street**

**Concept Plan Application** for a proposed twelve-unit townhouse project in a *Residential, multiple family: RM-1* zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject properties are located on the west side of 5<sup>th</sup> Street North, and consists of four contiguous lots under common ownership. The properties currently exist as two vacant lots to the south of the 12-foot alley, and two lots to the north of the alley, that are all used by the church. The applicant wishes to redevelop the properties into two buildings, each with six attached fee-simple townhomes. The concept plat provided shows 12 townhouse lots that meet the minimum townhouse lot sizes and street frontages for the *Residential, multiple family: RM-1* zoning district, in which they are located (2500 square foot exterior lots, and 1,500 square foot interior lots.) The two six-unit buildings are separated by at least 20 feet as required.

Adjacent uses include single and multi-family to the north and west, church parking and single family to the east, and a religious organization to the south. Fourth Avenue North in this block serves as a boundary between *RM-1*, and *RS-2* zoning districts. The proposed 12-unit townhouse project is consistent with the mixed use character of the surrounding area, and the proposed lots meet the *RM-1* zoning district requirements.

**Applicant:**

The agent for the applicant, Mr. Josh Hogan, 7529 North Coral Street, stated that the proposed 12-unit townhome development is consistent with the surrounding area. He stated that home values are based on square footage, and this development would increase property values. He added that the engineer will address drainage. The purpose of the development is to allow young families move to the Beach community.

Mr. Sanders stated that when you show a property people look at the neighbors. Mr. Hogan stated that they were going fee simple because they recognize that people will get to own the unit. He added that there were one-car garages with driveways.

Mr. DeLoach asked about church parking and the overflow lot and pointed out that these cars would park elsewhere. Ms. Dumont asked Mr. Hogan to explain the parking situation. Mr. Hogan did not know where the overflow parking would go.

**Public Hearing:**

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

Mr. Sutton stated that he had cards from Kristen Brice, Mary Kay Hall, Marcelle Gillis, Connie Rifkin, Penny Yamamoto and Tammy Nishiyama, and Christa Murphy in opposition but did not wish to speak.

Mr. Jason Lommel, 630 3<sup>rd</sup> Avenue North, stated that he had the same concerns as previously addressed with traffic creating safety issues for his children. If the property were established there before, he would not have bought his house there. He added that there were issues with drainage as well.

Mr. Todd Dunavant, 503 4<sup>th</sup> Avenue North, stated that they lived directly to the north and would be looking at the side of a townhome. He stated that the density is not consistent with the area and has submitted a letter to the Board. He stated that people would be parking in his yard. He also expressed concern about the number of garbage cans with the new development as well as traffic.

Ms. Mary Hall, 614 3<sup>rd</sup> Avenue North, stated her concerns were the same as stated for the last project.

Ms. Monica Bernhardt, 623 2<sup>nd</sup> Avenue North, expressed concern about why they were here given the statements of the City Attorney and Planning Director. She wondered why there were no reports on the drainage, etc., with these approvals. She expressed concern with increased traffic from the project.

Mr. Ty Wallace, 709 4<sup>th</sup> Avenue North, stated that he opposed this development for the same reasons as spoken earlier.

Ms. Sheila Harper, 623 4<sup>th</sup> Avenue North, stated that she had the same concerns as earlier, and noted additional issues. She wondered if it was guaranteed that a sidewalk could not be blocked by a parked car. She questioned the year of the traffic study and stated that it might be time to update it. She added that Neptune Beach and Atlantic Beach managed to restrict growth and that kept the values up. She also spoke on her curiosity of the period of when the zoning ordinance was adopted and added that there is not enough time for the citizens to get evidence to oppose these applications.

Mr. John Tipton, 503 6<sup>th</sup> Street, North, reiterated his concerns as expressed before. He added that there are concerns with utilities in this area. He stated that the water line had ruptured three times this month, and this will increase the load on utilities.

Mr. Howard Fleming, 523 3<sup>rd</sup> Avenue North, disagreed that property values are done by the square feet, and these will not compare to the single-family units. He also stated that these units were smaller than the last one.

Mr. Jim Gillis, 800 10<sup>th</sup> Street North, stated that this was not compatible with the neighborhood and requested that it be denied.

Ms. Whitney Clark, 703 4<sup>th</sup> Avenue North, expressed concern with the lack of open space that will result and if they would have known something was going in they wouldn't have bought there.

Ms. Michelle Dunavant, 503 4<sup>th</sup> Avenue North, stated that with all the rain they had recently shown there was flooding in the street, and this would exasperate the situation.

Mr. Todd Robinson, 406 3<sup>rd</sup> Avenue North, stated that same issues that applied previously apply to this application.

Mr. Austin Dutcher, 1122 3<sup>rd</sup> Avenue North, expressed concerns with density and noted that there was a small house near his house that had a number of vehicles parked there and this would make it worse.

Ms. Marcelle Gillis, 800 10<sup>th</sup> Street North, stated that opposed the proposal. She expresses concern about the sidewalk on 4<sup>th</sup> Street. She explains that when events or parties are held, people tend to park on the sidewalks and hedges which limit space on sidewalks for people to walk on.

Ms. Donna Delegal, 629 3<sup>rd</sup> Avenue North, stated that the net from these homes would not be any more than if he built fewer units at better quality.

Ms. Mackenzie Robinson, 406 4<sup>th</sup> Avenue North, agreed with the points made earlier. She noted that the traffic from this proposal would have a negative impact on her house and her business.

**Ex-Parte Communications:**

All Board members stated that they were contacted by the same as stated earlier.

**Discussion:**

Mr. Hogan stated that drainage would be addressed by engineers. He added that we don't

know who will be moving into these townhomes and they may have the same concerns with parking. He added that piece had been zoned for this development already.

Ms. Dumont asked if they could table the application to address the opinions expressed. Mr. Mann stated that they could have asked that before the vote on the first case. Ms. Dumont responded that her first vote was based on what she observed in the morning.

Mr. Sanders asked about abutting the property. Ms. Ireland noted that single-family bordered to the north.

Mr. Dahl stated that he had personal knowledge about traffic and flooding in the area. He stated that the standard 3450, which is based on consistency with the Comprehensive Plan and listed the policies that the project was inconsistent with:

- 1) Quality of Life
- 2) Objective 14.14 Character
- 3) Objective 14.43 Parking Traffic and Traffic Safety
- 4) Objective 14.4.3 Natural aesthetics.

**Motion:** Mr. DeLoach made a motion to deny the application based on the findings noted by Mr. Dahl of those policies that this project was inconsistent with. The motion was seconded by Ms. Dumont.

**Roll call vote:** Ayes – Callan, Dahl, DeLoach, and Dumont.

Nays – Sutton.

The motion to deny the project was approved 4-1.

### **Planning & Development Director's Report**

The next meeting is scheduled for June 12, 2017.

### **Adjournment**

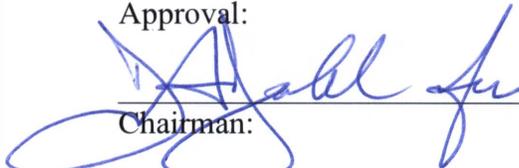
There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 10:47 P.M.

Submitted by: Amber Maria Lehman

Approval:

Chairman:

Date:

  
09 OCT 17