



**MINUTES**  
**COMMUNITY DEVELOPMENT BOARD**  
**JULY 18, 2018 AT 6:00 P.M.**  
**FLETCHER HIGH SCHOOL AUDITORIUM**  
**116 FIRST STREET**  
**NEPTUNE BEACH, FLORIDA 32266**

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Pursuant to proper notice a public hearing of the Community Development Board (CDB) for the City of Neptune Beach was held July 18, 2018 at 6:00 p.m. at the Fletcher High School Auditorium.

**Attendance**

Board members were in attendance:  
Christopher Goodin, Chair  
Ryan Dill, Vice-chair  
Diana Kelly, Member  
Aaron Evens, Member  
Tony Mazzola, Member  
Nia Livingston, Alternate Member

The following staff members were present:

Amanda Askew, Deputy City Manager & Community Development Director  
Piper Turner, Code Compliance Supervisor  
Denise May, Gary Robinson, Attorney for the board  
Andrew Hyatt, City Manager  
Richard Pike, Chief of Police  
Leon Smith, Director of Public Works  
Megan George, Deputy Director of Public Works  
Catherine Ponson, City Clerk  
Miklos Stoffel, Chief Information Officer

**Call to Order/Roll  
Call**

Chair Goodin called the meeting to order at 6:00 p.m. He indicated that he wanted to get an idea of people in support of the project and asked them to stand and then asked for anyone opposing the application to stand. He stated that public comments would be limited to three minutes per person.

**Disclosure of  
Ex-parte  
communications**

Each member disclosed that they spoke with the representatives from TriBridge and numerous citizens regarding the 500-572 Atlantic Blvd. project. Some members indicated that they have received emails regarding this project.

**Swearing of  
Experts**

City Clerk Catherine Ponson, asked any persons planning to give expert testimony to stand in order to be sworn in. The Clerk read the oath and each person affirmed to tell the truth.

**CDB SE18-02  
Neptune Beach  
FL Realty, LLC  
500-572 Atlantic**

CDB SE18-02 Application for a special exception for Neptune Beach FL Realty, LLC for the property know as 500 through 572 Atlantic Blvd.(RE# 172395-0100 and 172395-0120) is before the CDB for consideration. The applicant is requesting a special exception for a Planned Unit Development (PUD) on approximately 17

Blvd. Planned  
Unit  
Development  
(PUD)

acres of property zoned C-3. The application includes up to 175 multi-family residential units, new retail/commercial uses and a 74-unit hotel.

Andrew Green, Director of Design for TLM Neptune Beach FL Realty, LLC and the property owner, gave a brief history of the property and introduced the proposed project. He indicated the application being presented tonight is the 5<sup>th</sup> version of the project and was submitted on July 2, 2018. There are no variances being requested. TLM Realty purchased the shopping center in 1983 which included the Kmart and A&P grocery stores. In 2016, Lucky's Market was opened in the former A&P store. TLM Realty owns 2000 shopping centers throughout the country. A lot of those are former Kmart sites. This property is close to the Beaches Town Center and would be a similar walkable site. The connection to the Town Center would be through the Lemon Street access point. In 2011 the City passed the PUD ordinance allowing for mixed residential and commercial development.

Ms. Katherine Mosely, Vice-President of Development for TriBridge Residential, addressed the board. She explained that the property at 500-572 Atlantic Blvd. is 55% vacant shopping center and could be developed with 400,000 square feet of commercial. Wants to a creative community. Instead the application for the PUD includes a mixture of uses with residential on top of all commercial uses. The property is in close proximity to the Town Center which is a vibrant walkable district and believes by incorporating the residential component into this project it would compliments the vibrant Town Center vibe. The proposed project would be three stories high, a total of 107,000 square feet of commercial space, 74 room hotel, 175 residential units, public parking garage and several activations of existing parks and trails. Ish Brant Park is severely underutilized park. The project also provides parking for the public to use to visit Ish Brant Park and a connection to the Seminole Shoppes parking lot. Downward directional lighting will be used on the rear of the building to shield light from the neighborhood and they will fund all the items necessary to meet the concurrency requirements. She stated that they will work with the City to fund a trail from the site to Jarboe Park through grants.

Ms. Mosely explained that the designation of residential high allows for densities of 10-17 units per acre, this plan is 10.5 units per acre. 70% of the units will be one bedroom apartments and 30% will be 2 bedroom apartments with an occupancy rate of 1.4 people per unit.

Mr. Steve Broome, Managing Partner for TriBridge, submitted an overview of TriBridge Residential company profile and various completed projects to the board. His presentation is included with the minutes and is labeled as **Exhibit 1** (contains of 10 pages).

Mr. Wyman Duggan, Attorney for Rogers Towers, addressed the board. He explained that there is retail on the ground level of all buildings with residential above. This is a mixed use that complements the Unified Land Use Code and Comprehensive Plan. The Board's discussion must be supported by evidence. He submitted affidavits from experts: Austin Chapman, Transportation Engineer with Prosser (**Exhibit 2-A**), J. Bradford Davis, Civil Engineer with Prosser (**Exhibit 2-B**), Michael Herzberg, Planner, formerly of the City of Jacksonville (**Exhibit 2-C**) and Courtland C. Eyrick, Appraiser (**Exhibit 2-D**). Mr. Duggan pointed out the highlights of each affidavit and how it related to the finding of facts and goals and objectives of the City's Comprehensive Plan. Mr. Herzberg affidavit shows how the project meets the goals and objectives. The project does provide a trail to be used by all the residents of the city, not just the residents of the project. Are not increasing traffic beyond the allowable of the present site. Under the code, to calculations the expert will show that traffic congestion will not be increased.



Redevelopment is allowed by code by PUD as long as it does not exceed the high density limitation. The density is under the limit for a high density designation of 17 units per acre. The proposed is 11 units per acre. The proposed uses are compatible. Sound planning practices will be used to transition between a high density neighbor and the low density neighborhood of Neptune Bu the Sea.

Finding of Fact #2 addresses the general character of the area and property values. The impact on the sales of single family homes adjacent to existing apartments was done by Mr. Eyrick. There were no comparables at the beach so the comparables were for the San Pablo area. Four communities were used. The conclusion was shown on page 7, the present of an existing apartment complex has no effect on the sale of a single family home.

Landscaping will be upgraded and the storm water runoff will be addressed.

Using the traffic engineering manual, will be generate 9,577 less trips than the maximum allowable on the site and 170 less daily trip than the former Kmart.

The proposed use will not have a detrimental effect on the future development. Most of the surrounding area is commercial. The two Belamari properties adjacent to this site are under contract but not part of the special exception being requested tonight. They are commercial and are permitted uses in the C-3 zoning.

The proposed residential and the commercial will have less noise, lights and odors. Of the 107,000 square feet of the proposal, 57,000 square is the existing Lucky's.

The 8 inch asbestos/concrete pipe on the back of the property will be removed and replaced with PVC increased water pressure and the 8 inch sanitary sewer coming off Third St need to be replaced with a new force main.

Amanda Askew, Deputy City Manager, stated the property at 500-572 Atlantic Blvd. is zoned commercial C-3 and Planned Unit Developments (PUD) are only permitted in this zoning district by special exception. She explained that a PUD provides for flexible land uses and is required to have a mix of land uses including residential, commercial and recreational that is determined by the Community Development Board and City Council. The Kmart portion of the shopping center will be demolished, which is approximately 90,000 square feet of retail, and five (5) new buildings will be constructed. The two (2) buildings closest to Atlantic Blvd. will be 2-stories tall and the rest of the buildings will be 3-stories. All buildings are limited to 35 feet in height by code. To meet concurrency the applicant must construct the items outlined in the letter submitted by the director of public works. There is minimal on-site recreational opportunities shown on the site plan. The applicant has agreed to fund a portion of the off-site multi-purpose trail. This trail has not been approved by City Council and the offered funding does not cover the entire cost. The applicant has agreed to bring entire site into compliance with our stormwater code requirements. The application indicates that other than stormwater, the 572 Atlantic Blvd. portion would not be brought into code until the building is either expanded, outparcel is developed or 5 years after the special exception was approved.

The applicant is seeking to use Section 27-546 of the Unified Land Development code for 7.5% of the required parking spaces to be shared jointly between 500 and 572 Atlantic Blvd. The code gives the board option to grant this provided certain requirements are meet. If the CDB recommends approval of the special exception

staff recommends the nine (9) conditions listed in the staff report, be included as part of the approval.

Questions from the Board to the applicants and their representatives:

Why wasn't Ocean Oaks apartments included in the realty appraiser's report? Mr. Duggan stated he would have to consult with the appraiser, Mr. Eyrick, and would get that answer.

How are you intergrading the new plan for the 500 Atlantic Blvd. portions with the existing site at 572 Atlantic? Ms. Mosley stated it would be integrated with landscaping, walking paths, lighting and possible façade changes to the 572 Atlantic Blvd. portion.

There will be a connection made from the Publix shopping center. How will the traffic be handled passing from Seminole Shoppes through the parking lot to the Lemon Street on to Third Street? With landscaping and walking paths.

Is the parking garage for only the hotel, residents and commercial users? Ms. Mosley indicated that the 150 parking spaces will be open to the public but will be overseen by a management service.

How will the Lemon Street crossing be done? Ms. Mosley explained they will working with FDOT to get a safe crossing.

How will the addition to Lucky's comply with section 27-229(6)? Ms. Askew explained that the code limits retail stores to 60,000 square feet in size. Ms. Mosely stated that they would have to take a look at that section to answer the question.

Questions for Staff:

Chief Pike was asked how this project would affect the level of services provided by the Neptune Beach Police Dept. Chief stated that the Police Dept. was stretched thin especially since adding additional duties for school safety. The department had 21 officers but 2 positions were left unfilled. There are 19 officers, 18 assigned to the streets, Officer Dehm is permanently assigned for code enforcement. Additional officers would be needed.

What would be cost to the police department? Chief Pike stated a minimum of two (2) officers would need to be hired at a cost of \$75,000 per officer plus vehicles.

What is the average police response time? 2 minutes

Do you have any safety concerns? Chief Pike explained that Lemon Street would need major renovations to make it safe to cross Third Street. Pedestrians should walk north a block and cross at Atlantic and Third since it has a pedestrian crossing, but no one does that.

Chief Pike stated that since the Kmart has been closed, there has been a 30% increase in crushes at the Third and Atlantic corridor. There has been 1 less call for service to the center since Kmart left. Traffic will increase to 2.1 vehicles per resident plus the cars for the hotel guest.

Mr. Hyatt, City Manager, was asked what tax or property value benefits would City receive if the project was approved? Mr. Hyatt stated that no hard numbers have



been calculated. There would be a revenue increase in property taxes, a hotel bed tax and retail sales taxes.

Would these items offset the cost of services? Mr. Hyatt said that we do not know the answer to that at this time.

Chairman Goodin announced there would be a 10 minute intermission before opening the floor for public comments.

Chair Goodin opened the floor for public comments.

Mary Frosio, 1830 Nightfall Dr, Neptune Beach  
 John Allem, 2304 Alderman Oaks Dr, Jacksonville  
 Mary Branson, 1836 Seagate Ave, Neptune Beach  
 Julio Esteban, 140 sand Castle Way, Neptune Beach  
 Joseph Emmerich, 711 Cherry St, Neptune Beach  
 Lou Allen Aston, 1523 Summer Sands Dr, Neptune Beach  
 Lauren McPhaul, 123 Cedar St, Neptune Beach  
 Hillary Smalling, 728 Palm Tree Rd, Jacksonville Beach  
 Katie Alberti, 809 First St, Neptune Beach  
 Steve Fouraker, 387 6<sup>th</sup> St, Atlantic Beach  
 Ric Dunkin, 407 McCollum Circle, Neptune Beach  
 As a group, each read a section from their presentation relating to the 8 finding of facts. Labeled as **Exhibit 3** (contains 33 pages) and is included with the minutes.

John Weldon, 108 Oak St, Neptune Beach, spoke and submitted a statement to the board. **Exhibit 4.**

Shellie Thole, 217 Oleander St, Neptune Beach, spoke and submitted a statement to the board. **Exhibit 5.**

Emilie Christenson, 112 Oleander St, Neptune Beach and Lynette Dinneen, 110 8<sup>th</sup> Street, Atlantic Beach both spoken in favor of the project. Ms. Christenson, retailer and resident of Neptune Beach, was excited about having new businesses in the area.

**Opposed:**

Jeremy Randolph	1835 Nightfall Dr., Neptune Beach
Michael Hosto	75 12 <sup>th</sup> Street S., Jacksonville Beach
Mike Levine	525 Birch Ct., Neptune Beach
Nadia Ioannides	633 Valley Forge Rd E, Neptune Beach
Harriet Pruette	217 Magnolia St., Neptune Beach
Chris Chin	227 Margaret St., Neptune Beach
Lynda Padrta	1113 First St., Neptune Beach
Michael Aston	1523 Summer Sands Dr., Neptune Beach
Omar Brown	2268 Mayport Rd., Atlantic Beach
Kerry Chin	227 Margaret St., Neptune Beach
Mike Blount	915 Florida Blvd., Neptune Beach
Debbie Hayman	404 McCollum Circle, Neptune Beach
Jim Moore	401 McCollum Circle, Neptune Beach
John Raiti	224 Bowles St., Neptune Beach
Joshua Messinger	220 Hopkins St., Neptune Beach
Dr. Steve Wise	811 First St., Neptune Beach
Carolyn Wagner	312 Sunrise Circle, Neptune Beach
Patricia Ann Pascoe Lawrence	2200 Florida Blvd., Neptune Beach
Ken Price	519 McCollum Circle, Neptune Beach

Leo Hearn  
Vim Wheatley  
David Miller  
Glenn Richardson

1412 Neptune Grove Dr E., Neptune Beach  
P.O. Box 331013, Atlantic Beach  
101 Rose Place Neptune Beach  
538 Hopkins St., Neptune Beach

Some of the topics that was stated by those opposing the project were density, traffic, safety and security for the neighboring properties if a trail to Jarboe Park was created and use of Ish Brant Passive Park.

There being no further comments, the public hearing was closed.

The applicant was given the floor to respond to the comments made by the public.

Brad Davis, Engineer for Prosser stated that recreational models show 2 acres per 1000 people is needed. Ish Brant Park and the trail is not included in the count.

Mr. Duggan stated the applicant is providing access to the Ish Brant park.

Ms. Mosely stated the trail would be on the east side of the ditch.

Board Member Kelly asked Ms. Mosely and Mr. Duggan: If the trail and park are off of the table, what is the percent of recreational is being provided? Response: The pool and fitness is 20-30,000 square feet. Is the pool and fitness for the residents or the hotel? No response given.

Made by Mazzola, seconded by Dill.

**MOTION: COMPLETE THE FINDING OF FACTS**

**APPROVED BY CONSENSUS**

**FINDING OF FACTS FOR SPECIAL EXCEPTION**  
**SECTION 27-160**

- 1) The proposed use is consistent with the comprehensive plan.

Livingston: I do agree that on paper it can fall under exceptions & code could allow; however, what was presented does not fall under out comprehensive plan. The comprehensive plan has been a guide in helping this board reduce density. A main goal being to convert remaining duplex units to single family homes. This goes completely against that goal and is high density.

Kelly: No it is not consistent with the comprehensive plan.

Evens: Ch 27.

Mazzola: The application is consistent with the comp plan.

Dill: 27-215-protects against encroachment of detrimental & non-compatible land uses. Uses are regulated to insure other necessary & desired land uses are regulated.

Goodin: Not consistent with goal a.1 of comp plan. Not compatible with existing developments, & does not retain the unique community identity.

- 2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale,



location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;

Livingston: I do appreciate that generally speaking the applicant is trying to make this flow with existing Town Center but general character of the area is not big apartment complex buildings. Further, I didn't see relevant data that this would raise property values. What was provided were property values from apartments & homes not at the beach. Again, I don't see that the density from this development is compatible with the area.

Kelly: The use would not be compatible.

Evens: Very dense. Uncharacteristic.

Mazzola: The applicant is using both 500 and 572 Atlantic as part of the PUD request. Sec. 27-244(b) stated in "a structure substantially related to the character of the entire development". The structure on 572 Atlantic is out of character compared to 500 Atlantic.

Dill: No compatible w/density, scale, location.

Goodin: Population density being added via # apartments is inconsistent with comp plan & inconsistent with the general character of the community/local area.

3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;

Livingston: From a pure environmental standpoint, I do not believe it would impact health, safety, or welfare of the community as it is undeveloped land that needs to be cared for.

Kelly: Yes, the proposed use would have an impact on health safety and welfare of the community.

Evens: Not with upgraded utilities.

Mazzola: There is a safety concern as communicated by the Neptune Beach Police Department. The applicant stated a goal of the development is to create pedestrian walkways between the CBD and 500 Atlantic. Crossing 3<sup>rd</sup> Street is a safety issue.

Dill: According to data provided-would be less than current.

Goodin: Consistent with other areas of NB from a health & safety perspective along with drainage & lot coverage to be improved & brought up to today's standards.

4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;

Livingston: This proposed use would greatly detriment traffic, pedestrian movement, parking, and safety. As the Chief of Police indicated as of now our Police force wouldn't be able to handle influx of people. There are major concerns for safety of our community.

Kelly: Yes, the proposed use would have a detrimental effect on vehicular traffic, ped movement and welfare of community.

Evens: Increased traffic & pedestrian 3<sup>rd</sup> St. parkings.

Mazzola: Traffic counts are being reduced with this development.

Dill: Would cause conditions that have a detrimental effect on vehicular traffic, pedestrian movement.

Goodin: The proposed project would reduce the daily traffic count as technically calculated for each use type. It will also meet parking requirements.

5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;

Livingston: I don't believe there would be a detrimental effect on future development.

Kelly: Yes, it would have a detrimental effect on future development.

Evens: If succeeds, future development will come.

Mazzola: No impact.

Dill: Would be detrimental to 27-215 intent & PUD language.

Goodin: Would improve currently abandoned building but as a whole as presented would overburden other areas.

6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;

Livingston: It would be adding hundreds of people to a small area, high density will create more noise, than what it's originally zoned for.

Kelly: Yes, would results in objectionable noise, etc.

Evens: Debatably similar to commercial alone.

Mazzola: No impact.

Dill: Retail C3 space.

Goodin: Less noise, odors, & fumes generated from proposed project versus at full commercial site.

7) The proposed use would not overburden existing public services and facilities; and

Livingston: It would over burden public services, ex: police, waste management, etc.

Kelly: Yes, it would overburden public services.

Evens: Police, utilities.

Mazzola: The Police Chief was quite clear, he would need to hire additional officers due to this application. Additionally, it was not clear if incremental tax revenues would cover the cost of the additional officers.

Dill: Would overburden existing public services.

Goodin: Public works improvements met, but project would overburden existing services (Police).

8) The proposed use meets all other requirements as provided for elsewhere in this Code.

Livingston: It's not seeking any other exceptions.

Kelly: No, asking for special exception.

Evens: Does provided.

Mazzola: No impact.

Dill: Does not meet all other codes.

Goodin: PUD is inconsistent with areas of Chapter 27 & does not provide enough detail to clarify multiple aspects of PUD.

Made by Mazzola, seconded by Dill.



**MOTION: TO APPROVE THE FINDING OF FACTS.**

**APPROVED BY CONSENSUS**

Due to an even number of board members, Attorney May instructed the Board Members the proper way to make a motion and how the motion would be decided if they voted ended in a tie.

Made by Evens, seconded by Livingston.

**MOTION: TO DENY CDB SE 18-02, AS SUBMITTED.**

Roll Call:

Ayes: 6-Livingston, Evens, Kelly, Mazzola, Dill, Goodin

Noes: 0

**MOTION APPROVED.**

The applicants were informed that this would be forwarded to the City Council on August 13, 2018 at 6:00 pm at Fletcher High School auditorium and that applicants should attend that meeting.

Adjournment

There being no further business, the meeting was adjourned at 10:48 p.m.

\_\_\_\_\_  
Chairperson Christopher Goodin

ATTEST:

\_\_\_\_\_  
Piper Turner, Board Secretary

\_\_\_\_\_  
Date

## REQUIRED FINDINGS NEEDED TO ISSUE A SPECIAL EXCEPTION

Applicant: Neptune Beach FL Realty, LLC

Case # SE18-02

Public Hearing Date: 7/18/18

Property Address: 500-572 Atlantic Blvd.

Application Request: Special exception for Planned Unit Development (PUD).

Section 27-160. The Community Development Board may not recommend approval of a special exception unless it makes a positive finding, based on substantial competent evidence, on each of the following, to the extent applicable:

### ALL MEMBERS MUST GIVE FINDINGS OF "YES" OR "NO"; YOU MUST JUSTIFY YOUR REASON.

#### Required Findings Section 27-160

		Justification/Reason for Finding	Finding Yes/No
1) The proposed use is consistent with the comprehensive plan;		I do agree that on paper it can fall under exceptions a code could allow; however, what was presented does not fall under our comprehensive plan. <sup>attached</sup>	NO
2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;		I do appreciate that generally speaking the applicant is trying to make this flow with existing town center, but general character of the area is not big apartment complex buildings. further, I didn't see relevant data that this would take property values. <sup>attached</sup>	NO
3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;		from a pure environmental standpoint, I do not believe it would impact health, safety, or welfare of the community as it is undeveloped land that needs to be cared for.	yes
4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;		This proposed use would greatly detriment traffic, pedestrian movement, parking, and safety. As the chief of police indicated, as of now our police force wouldn't be able to handle influx of people. There are major concerns for safety of our community.	NO
5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;		I don't believe there would be a detrimental effect on future development.	NO
6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;		It would be adding hundreds of people to a small area, high density will create more noise, than what it's originally zoned for.	NO
7) The proposed use would not overburden existing public services and facilities; and		It would overburden public services, ex: police, garbage management, etc.	yes NO
8) The proposed use meets all other requirements as provided for elsewhere in this Code.		it's not seeking any other exceptions.	yes

I, Nia Livingston

based on the above findings, recommend (APPROVAL) or (DENIAL) of the Special Exception.

Nia Livingston  
Signature



Cont. LNUA Livingston Finding of Facts

1. The comprehensive plan has been a guide in helping this board reduce density. A main goal being to convert remaining duplex units to single family homes. This goes completely against the goal and is high density.
2. What was provided were property values for apartments & homes not at the beach. Again, I don't see that the density ~~and~~ remains this development is compatible with the area.

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Required Findings Section 27-160		Justification/Reason for Finding	Finding Yes/No
1) The proposed use is consistent with the comprehensive plan;		<u>no it is not consistent with the comprehensive plan</u>	<u>NO</u>
2) The proposed use would be compatible with the general character of the area, considering the population density, the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;		<u>The use would not be compatible.</u>	<u>NO</u>
3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;		<u>The proposed use would have an impact on health safety &amp; welfare of community</u>	<u>YES</u>
4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;		<u>The proposed use would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of community</u>	<u>YES</u>
5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;		<u>The proposed use would have a detrimental effect on future development</u>	<u>YES</u>
6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;		<u>The proposed use would result in objectionable noise, etc.</u>	<u>YES</u>
7) The proposed use would not overburden existing public services and facilities; and		<u>Not overburden public services.</u>	<u>YES</u>
8) The proposed use meets all other requirements as provided for elsewhere in this Code.		<u>No, asking for variance &amp; exceptions</u>	<u>NO</u>

I, Diana Kelly

based on the above findings, recommend (APPROVAL) or (DENIAL) of the Special Exception.

Diana Kelly  
Signature



## REQUIRED FINDINGS NEEDED TO ISSUE A SPECIAL EXCEPTION

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Case # SE18-02

Public Hearing Date: 7/18/18

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Application Request: Special exception for Planned Unit Development (PUD).

Section 27-160. The Community Development Board may not recommend approval of a special exception unless it makes a positive finding, based on substantial competent evidence, on each of the following, to the extent applicable:

**ALL MEMBERS MUST GIVE FINDINGS OF "YES" OR "NO"; YOU MUST JUSTIFY YOUR REASON.**

<b>Required Findings Section 27-160</b>		<b>Justification/Reason for Finding</b>		<b>Finding Yes/No</b>
1) The proposed use is consistent with the comprehensive plan;		<u>Chd7</u>		<u>NO</u>
2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;		<u>very Dense uncharacteristic</u>		<u>NO</u>
3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;		<u>not with upgraded utilities</u>		<u>Yes</u>
4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;		<u>Increased traffic &amp; pedestrian 3rd st parking</u>		<u>NO</u>
5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;		<u>if succeeds - future development will come</u>		<u>Yes</u>
6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;		<u>Debatably similar to commercial alone</u>		<u>Yes</u>
7) The proposed use would not overburden existing public services and facilities; and		<u>police, utilities,</u>		<u>NO</u>
8) The proposed use meets all other requirements as provided for elsewhere in this Code.		<u>POPS - provided</u>		<u>Yes</u>

1. Aaron Even

based on the above findings, recommend (APPROVAL) or (DENIAL) of the Special Exception.

Approval

Signature

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### Required Findings Section 27-160

	Justification/Reason for Finding	Finding Yes/No
1) The proposed use is consistent with the comprehensive plan;		
2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;	The application is consistent with the comprehensive plan. The applicant is using both 500 and 572 Atlantic as part of the PUD request. Sec 27-244(b) states in substance: "Substantially related to the character of the entire development". The area is a safety concern as communicated by the Harrison Beach Police Department. The applicant states a goal of the traffic counts are being reduced with this development.	Yes
3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;		No
4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;		Yes
5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;	No impact	Yes
6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;	No impact	Yes
7) The proposed use would not overburden existing public services and facilities; and	The police chief was given that he would need to hire	No
8) The proposed use meets all other requirements as provided for elsewhere in this Code.	No impact	Yes

I, Anthony Mazzoli, based on the above findings, recommend (APPROVAL) or (DENIAL) of the Special Exception. Anthony Mazzoli Signature



#2) structure on 572 ATLANTIC - is out of character compared to 506 ATLANTIC.

#3) development is to ~~the~~ create pedestrian walkways between the CBO and 506 ATLANTIC. Crossing 3rd Street is a safety issue.

#4) additional officers due to this application. Additionally, it was not clear if incremental Tax revenues would cover the cost of the additional officers.

## REQUIRED FINDINGS NEEDED TO ISSUE A SPECIAL EXCEPTION

Applicant: Neptune Beach FL Realty, LLC

Case # SE18-02

Public Hearing Date: 7/18/18

Property Address: 500-572 Atlantic Blvd.

Application Request: Special exception for Planned Unit Development (PUD).

Section 27-160. The Community Development Board may not recommend approval of a special exception unless it makes a positive finding, based on substantial competent evidence, on each of the following, to the extent applicable:

ALL MEMBERS MUST GIVE FINDINGS OF "YES" OR "NO"; YOU MUST JUSTIFY YOUR REASON.		
Required Findings Section 27-160		Finding Yes/No
1) The proposed use is consistent with the comprehensive plan;		
2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;	27-215 - protect against encroachment of detrimental nonconforming land uses. <del>to insure other necessary &amp; desired land uses are regulated.</del>	No
3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;	Not compatible w/ density, scale, location.	No
4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;	Would be less than according to data provided. Would be less than current.	YES
5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;	Would cause conditions that have a detrimental effect on vehicular traffic, pedestrian movement.	No
6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;	Would be detrimental to 27-215 intent & PUD language	No
7) The proposed use would not overburden existing public services and facilities; and	Re Retail - C-3 space	YES
8) The proposed use meets all other requirements as provided for elsewhere in this Code.	Would overburden <del>existing</del> public services	No
	DOES NOT MEET ALL OTHER CODES	No

1. RYAN DILL

based on the above findings, recommend (APPROVAL) or (DENIAL) of the Special Exception.

[Signature]  
Signature



## REQUIRED FINDINGS NEEDED TO ISSUE A SPECIAL EXCEPTION

Applicant: Neptune Beach FL Realty, LLC

Case # SE18-02

Public Hearing Date: 7/18/18

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Section 27-160. The Community Development Board may not recommend approval of a special exception unless it makes a positive finding, based on substantial competent evidence, on each of the following, to the extent applicable:

ALL MEMBERS MUST GIVE FINDINGS OF "YES" OR "NO"; YOU MUST JUSTIFY YOUR REASON.			Finding Yes/No
Required Findings Section 27-160	Justification/Reason for Finding		
1) The proposed use is consistent with the comprehensive plan;	Not consistent with goal 2.1 of camp plan. Not compatible with existing developments, & does not retain the unique community identity		NO
2) The proposed use would be compatible with the general character of the area, considering the population density; the design, density, scale, location, and orientation of existing and permissible structures in the area; property values; and the location of existing similar uses;	Population density being added via # Apartments is inconsistent with camp-plan & inconsistent with the general character of the community/local area		NO
3) The proposed use would not have an environmental impact inconsistent with the health, safety, and welfare of the community;	Consistent with other areas of APB from a health & safety perspective along with drainage & lot coverage to be improved & brought up to today's standards		YES
4) The proposed use would not generate or otherwise cause conditions that would have a detrimental effect on vehicular traffic, pedestrian movement, or parking inconsistent with the health, safety, and welfare of the community;	The proposed project would reduce the daily traffic count as technically calculated for each use type. It will also meet parking requirements.		YES
5) The proposed use would not have a detrimental effect on the future development of the area as allowed in the comprehensive plan;	We would improve currently abandoned building but as a whole as presented would overburden other areas.		NO
6) The proposed use would not result in the creation of objectionable or excessive noise, light, vibration, fumes, odors, dust or physical activities inconsistent with existing or permissible uses in the area;	Let's noise, odors, & fumes generated from proposed project versus all full commercial site		YES
7) The proposed use would not overburden existing public services and facilities; and	Public works improvements not a PUA but project would overburden existing services (police)		NO
8) The proposed use meets all other requirements as provided for elsewhere in this Code.	PUD is inconsistent as it with areas of Chapter 27 & does not provide enough detail to clarify multiple aspects of PUD		NO

I, Christopher Goodin, based on the above findings, recommend (APPROVAL) or (DENIAL) of the Special Exception. Christopher Goodin Signature