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|  | | | | | **MINUTES**  **COMMUNITY DEVELOPMENT BOARD**  **JUNE 9, 2021 AT 6:00 P.M.**  **COUNCIL CHAMBERS**  **116 FIRST STREET**  **NEPTUNE BEACH, FLORIDA 32266** | | | | |
|  | | | | | Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held on June 9, 2021 at 6:00 p.m. in the Council Chambers. | | | | |
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| Attendance | | | | | Board members were in attendance:  Christopher Goodin, Chair  W. Jeremy Randolph, Member  Nia Livingston, Member  Bob Frosio, Member  Jonathan Raitti, Alternate Member  Greg Schwartzenberger, Alternate Member | | | | | |
|  | | | | | The following staff members were present:  Zach Roth, City Attorney | | | | | |
|  | | | | |  | Kristina Wright, Community Development Director  Piper Turner, Code Compliance Supervisor | | | | | | |
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| Call to Order  /Roll Call | | | | | Chairperson Gooding called the meeting to order at 6:00 p.m. | | | |
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| Minutes | | | | | Made by Livingston, seconded by Randolph. | | | | |
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|  | | | | | |  |  | | --- | --- | | **MOTION:** | **TO APPROVE MAY 12, 2021 MINUTES AS SUBMITTED.** | |  | | | | |  |  |  |  |  | | --- | --- | --- | --- | --- | | Roll Call Vote: | | | | | | Ayes: | 6-Frosio, Randolph, Schwartzenberger, Raitti, Livingston, Goodin | | | | |  | | --- | | Noes: | | | 0 | | | | |  | | | | **MOTION CARRIED** | | | | | | | |
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| Ex Parte Communications | | | | | All board members disclosed that they had received emails concerning 310 Third Street. Mr. Raitti stated he had interest in a property within 300 feet of 310 Third Street. | | | | | | | | |
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| V21-07 228  South St pool setbacks and lot coverage | | | | | V21-07 Application for variance as outlined in Chapter 27, Article III Division 8 of the Unified Land Development Code of Neptune Beach for Gina Cavallo for the property known as 228 South Street (RE#173152-0500). The request is to vary section 27-238(4) Maximum lot coverage and section 27-329(2) Swimming pool setbacks for the construction of a swimming pool. | | | | | | | | |
|  | | | | | Kristina Wright stated that the applicant is seeking a variance for relief from the setback requirements found within Section 27-329(2). If granted, this relief will allow the applicant to offset the pool to provide space to implement a pergola that will result in the following setbacks:  Pool (and Pergola) Setbacks Required Proposed Difference  Rear 5 ft. 3 ft. 2 ft.  Side 7 ft. 3 ft. 4 ft.  Side 7 feet (pool)  3 ft.(pergola) 1 ft. (pergola) 2 ft. | | | | | | | | | | |
|  | | | | | In terms of lot coverage, the property is zoned R-4 and code requires a maximum lot coverage amount of 50%; however, the applicant will remove the slate patio and the walkway on the east side of the property as such the lot coverage will not be exceeded since the applicant is seeking to implement the proposed swimming pool after the walkway and the slate patio are removed. The proposed decking will be raised wood decking and the pavers under the pergola are pervious and spaced to allow additional permeability.  In sum, the pervious surface on the property existing and proposed are as follows:   |  |  |  |  | | --- | --- | --- | --- | | House base area | | 676 sf | | | garage | | 462 sf | | | Finished open porch | | 20 sf | | | driveway | 252 sf | | | **Current Total (without rear porch and walkway)** | **1410 sf** | | | pool | 242 sf | | | Pergola pavers | 177.5 sf | | | **Proposed total** | **1829.5 sf** | | | Slate rear deck (being removed) | 187.5 sf (being removed) | | | Walkway (removed) | 80 sf (being removed) | | | Lot | 3720 sf | | | Lot coverage max | 50% (1860 sf) | | | **Request** (within the limits with the slate rear porch and walkway being removed) | **Total proposed** (with the removal of porch and walkway) **1829.5 sf** = **49%** | |   The Applicant indicates in a written narrative:  *The applicant is seeking a variance to obtain relief from Section 27-329(2) and has made significant effort to attempt to best comply with the existing setbacks. However, the applicant believes that due to the constraints of the lot that these requirements significantly limit the use of the remaining square footage surrounding the pool if the pool were to be centrally located within the backyard. However, staff contends that these are the requirements of the code and while the applicant has demonstrated the ability to comply with lot coverage, the insertion of a pool offset to allow the inclusion of the pergola is creating a circumstance that requires the applicant to seek a variance, which is self-imposed.* | | | | | | | | | | |
|  | | | | | **Required findings needed to issue a variance in Section 27-147 explain the following** | | | | | | | | | | |
|  | | | | | 1. **Indicate how the proposed variance will not adversely affect adjacent or nearby properties or the public in general.**   *The applicant states that the proposed variance will allow for the maximum use of the remaining square footage surrounding the pool. However, the reasonable use of the property is not otherwise restricted.*   1. **Indicate how the proposed variance will not diminish property values nor alter the character of the area.**   *The applicant states that the proposed variance will allow for the maximum use of the remaining square footage surrounding the pool. However, the reasonable use of the property is not otherwise restricted.*   1. **Explain how the proposed variance is in harmony with the general intent of the Unified Land Development Code.**   *The applicant states that the proposed variance will allow for the maximum use of the remaining square footage surrounding the pool. However, the reasonable use of the property is not otherwise restricted.* | | | | | | | | | | |
|  | | | | | 1. **Explain how the need for the proposed variance has been created by you or the developer?**   *The applicant believes that the variance request, if granted, will enhance the property value. Further, since the area will be concealed by a fence the character of the area will not be altered and will be enhanced by further improvements and enhancements, including the removal of additional pervious surface area as a result of removing the rear slate porch and the walkway on the east side of the property.*   1. **Indicate how granting of the proposed variance will not confer upon any special privileges that is denied by the code to other lands, building or structure in the same zoning district.**   *According to the applicant, swimming pools are allowed by the ULDC and are in harmony with beach style living. Further, the applicant states that the granting of the variance will not alter or change the intent of the code.*   1. **Explain how the need for the proposed variance has not been created by the applicant or the developer.**   *The applicant believes that the proposed variance has not been created by the applicant since the existing setbacks do not allow for the best use of the surrounding space. However, staff contends that the request and placement of proposed improvements are being created by the applicant that has created the need for the applicant to seek a variance request.*   1. **Indicate how granting of the proposed variance will not confer upon you any special privileges that is denied by the code to other lands, buildings, or structures in the same zoning district.**   *The applicant believes that the granting of the proposed variance will not confer any special privileges denied to other lands and structures in the same zoning district since the granting of the proposed variance would allow for the best use of the space surrounding the pool. However, staff contends that this will result in a privilege not typically granted within the current LDC.* | | | | | | | | | | |
|  | | | | | **Recommendation of staff:** Staff recommends denial of application V21-07 228 South Street. | | | | | | | | | | |
|  | | | | | Ms. Gina Cavallo, property owner, stated she has lived here since 1995.The code required 7 feet on each side for a pool asking to shift the pool to one side or the other. This would create out move outdoor living space. There would be a pergola attached to the house to some shade. Met with public works and the water line is not located in the 5-foot easement on the north side of the property. The utilities are 3-foot south on the neighbor’s property. | | | | | | | | | | |
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|  | | | | | Chairperson Goodin opened the floor for public comments. There being no comments, the public hearing was closed.   |  | | --- | |  | | | | | | | | | | | |
|  | | | | | Board Discussion: A pool could be built without the need for a variance. Would be reducing the lot coverage to 50% by removing the concrete and install wood decking. | | | | | | | | | | |
|  | | | | | Made by Livingston, seconded by Raitti. | | | | |
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|  | | | | |  |  |  |  |  | | --- | --- | --- | --- | --- | | **MOTION:** | | **TO DENY REQUEST V21-07 FOR 228 SOUTH STREET.** | | | | Roll Call Vote: | | | | | Ayes: | | 6-Frosio, Randolph, Schwartzenberger, Raitti, Livingston,  Goodin | | | | | | Noes: | | 0 | | |  | | | | | | | | | **MOTION APPROVED.** | | | | | | | | |  | | | | | | | | |

Applicant was informed their request has been denied.

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | | | | | |  | | | | | | | | | | | | | | | | | CDB 21-02 Application  for Development Permit 310  Third St | | | | | | CDB 21-02 Application for Development Permit review as outlined in Chapter 27, Article III, Division 2 of the Unified Land Development Code of Neptune Beach for Shorebreak Ventures, LLC for the property formerly known as 310 Third Street (RE# 172912-0010). This property is in the C-1 zoning district. The applicant is proposing to build a new two-story office building with parking under the building. | | | | | | | | | | | | | | | | |  | | | | | | | | Kristina Wright showed renderings and gave a summary of the project:  The applicant is seeking approval of a 23,111-sf commercial building for office use with a total usable area of 17,119 sf as indicated below:  **First Floor:**  Gross Area 940 sf  Less Stairwells: 894 sf  Less elevator: 154 sf  Less mechanical and electrical room 925 sf  **Usable area: 0 sf**  **Second Floor**  Gross Area 10,534 sf  Less Stairwells: 701 sf  Less Elevator: 158 sf  Less Electrical Room: 92 sf  Less Core Toilet Rooms and Exist Access Corridor: 1,503 sf  **Usable area: 8,060 sf**  **Third Floor**  Gross Area: 11,637 sf  Less Stairwells: 701 sf  Less Elevator: 158 sf  Less HVAC Chase: 35 sf  Less Electrical Room: 92 sf  Less Core Toilet Rooms and Exist Access Corridor: 1,592 sf  **Usable Area: 9,059 sf**  The application is accompanied by Special Exception SE21-02 also for 310 Third Street, which includes an executed parking agreement for the provision of 10 additional parking spaces.  Proposed development site characteristics includes:  Zoning: C-1 (Commercial-1)  Future Land Use Designation: Commercial Low  Total proposed sf: 23,111 sf total; 17,119 Office use  Lot size:.70 acres (30,492 sf)  Maximum Lot coverage allowed within C-1: 60%  Lot coverage proposed: 51%  Setbacks:  Front: 25’  Rear: 10’  Sides: 10’  Max. Height: 35’  Proposed Height:34.5’ (5’ parapet)  Use: Office- Business Professional Office  Parking Ratio per office use: 1 per 400 sf  Required Parking: 43 total spaces based on usable office gross floor area (total square footage would otherwise require 58 additional unusable spaces were factored in.  Proposed Parking: 38 (10 spaces via an executed parking agreement for a total of 48 spaces proposed. Additional bike parking has been included. The applicant has included a narrative including incentives for walking and biking to work and that also demonstrates the frequency of employees working remotely and traveling. The application is further strengthened via the request for a deferral of required parking per Section 27-545 through the inclusion of a professional landscape plan that preserves additional pervious surface area and maximizes curb appeal based on the provisions outlined within Section 27-545 Deferral of parking requirements as follows:   1. To avoid requiring more parking spaces than actually needed to serve a development, the community development board may defer a portion of the off-street parking spaces required by this Code, if the developer demonstrates that the number of deferred parking spaces will not be needed for the condition or conditions established. 2. Deferrals shall be based on a deferred parking plan, which shall:    * 1. Include a written agreement between the developer and the city that requires the developer and to convert the deferred parking spaces to conform to this Code at the developer’s expense one (1) year from the date of issuance of certificate of occupancy, if the community development board determines that the additional parking spaces are needed.      2. Include a landscaping plan for the deferred parking area. A deferral of parking area may be offset by an increase of landscaping provided by the development on a ratio of 2:1. For example, if ten (10) parking spaces are deferred that would have corresponded with two thousand (2,000) square feet: one thousand (1,000) square feet of additional landscaping shall be provided beyond which was already required.      3. Be designed to contain sufficient space to meet the full parking requirements of this Code, shall illustrate the layout for the full number of parking spaces, and shall designate which are to be deferred.      4. Not assign deferred spaces to areas required for landscaping buffer zones, setbacks, or other areas that would otherwise be unsuitable for parking spaces because of the physical characteristics of the land or other requirements of this Code.   (c) The Developer may at any time request that the community development board approve a revised development plan to allow converting the deferred spaces to operable parking spaces.  Remaining staff comments that will need to be addressed prior to final development plan approval:   1. On Sheet C-5 the backflow on the dedicated fire line is still labeled as a 6” double check backflow preventer instead of the requested 6” double check detector check backflow preventer. 2. The survey does not show the existing storm sewer to the north. 3. 27-84(a) The survey does not show the ingress and egress of adjacent/nearby properties into 3rd Street or the median cuts. 4. Section 27-84(c)(1)(b) Grading plans specifically including perimeter grading. No existing grades are shown on the adjacent parcel to the north to review perimeter grading. 5. Section 27-84 (a) It is not clear if they have or do not have wetlands, habitats, or endangered species onsite. 6. Section 27-84(a) All existing and proposed land uses not found including a depiction (sketch) of the abutting property in all directions that is within two hundred (200) linear feet of the proposal, showing: Land uses and locations of principal structures and major landscape features, types of residential use, traffic circulation systems, including driveway locations, Fire hydrant locations, and the location of wetland protection zones and wetland buffer zones.   **Staff Recommendation**  Staff recommends approval of application CDB 21-02 310 Third Street subject to the satisfaction of remaining staff comments as part of the submittal of the Final Development Plan and subject to the approval of SE 21-02. | | | | | | | | | | |  | | | | | | | |  | | | | | | | | | | | | |  | | | | | | | | Mike Hand, managing partner for Shoreline Ventures, addressed the board. The top issue in designing the building was green economically minded development. Trying to make it a green building. Will be using semi-pervious pavers for better drainage. | | | | | | | | | | | | |  | | | |  | | | | | | | | | | | | | | | | | | | | | | |  | | | | Questions from the board: Will you be occupying the entire building or will you have tenants? Shorelines will be on the 3rd floor and have a tenant on the second floor. | | | | | | | | | | | | | | | | | | | | | | |  | | | |  | | | | | | | | | | | | | | | | | | | | | | |  | | | | Chairperson Goodin opened the floor for public comments.  Pat Hazouri, 207 Florida Blvd, concerned about the property. This an old dune and the drainage is no longer there. It is premature for this development with the staff’s encouragement. We are headed for a bigger Town Center.  There being no comments the public hearing was closed. | | | | | | | | | | | | | | | | | | | | | | | M | | | | Made by Livingston, seconded by Frosio. | | | | | | | | | | | | | | | | | | | | | | |  | | | |  | | | | | | | | | | | | | | | | | | | | | | |  | | | | **MOTION:** | | | | | | | **TO RECOMMEND APPROVAL OF CDB 21-02 310 THIRD STREET PURSUANT TO THE APPROVAL OF SPECIAL EXCEPTION SE 21-02.** | | | | | | | | | | |  | | | |  | | | | | | | | | | | | | | | | | | | | | | |  | | | | Roll Call: | | | | | | | | | | | | |  | | | | Ayes: | | | | | | | 6-Randolph, Frosio, Raitti Schwartzenberger, Livingston, Goodin | | | | | | | | | | | | | | | |  | | | | Noes: | | | | | | | 0 | | | | | | |  | | | |  | | | | | | | | | |  | | | | | | | |  | | | | | **MOTION APPROVED.** | | | | | | | | | | | | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | | | | | |  | | | | The applicant was informed that the City Council makes the final decision and they should attend the Tuesday July 6, 201 meeting at 6:00 pm. | | | | | | | | | | | | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | | | | | | | | SE21-01 Application for a Special Exception for off-street & deferred parking for 310 Third Street | SE21-02 Application for a special exception as outlined in Chapter 27, Article 3 Division 9 of the Unified Land Development Code for Shorebreak Ventures, LLC for the property known as 310 Third Street (RE# 172912-0010). The request is in response to Section 27-548(a)(1) Off-street parking requirements and Section 27-545 Deferral of parking requirements. | | | | | | | | | | | | | | | | | | | | | |  | Kristina Wright, gave a summary of the proposal:  The application is in response to Section 27-548(a)(1) Off-street parking requirements and Section 27-545 Deferral of Parking Requirements. The building is intended for commercial office space and per Table 27-540-1 the proposed development is required to have 1 parking space for each 400 square feet of gross floor area. The applicant has provided the following delineation of usable space:  **First Floor:**  Gross Area 940 sf  Less Stairwells: 894 sf  Less elevator: 154 sf  Less mechanical and electrical room 925 sf  **Usable area: 0 sf**  **Second Floor**  Gross Area 10,534 sf  Less Stairwells: 701 sf  Less Elevator: 158 sf  Less Electrical Room: 92 sf  Less Core Toilet Rooms and Exist Access Corridor: 1,503 sf  **Usable area: 8,060 sf**  **Third Floor**  Gross Area: 11,637 sf  Less Stairwells: 701 sf  Less Elevator: 158 sf  Less HVAC Chase: 35 sf  Less Electrical Room: 92 sf  Less Core Toilet Rooms and Exist Access Corridor: 1,592 sf  **Usable Area: 9,059 sf**  As such, if we were to base the parking calculations on usable area alone, the project would require 43 spaces (17,119/400= 42.7 spaces). The applicant has provided 38 spaces and has provided a parking agreement for an additional 10 spaces for a total of 48 spaces. Further the applicant has submitted a narrative indicating that this is a project being developed by local residents many of whom plan to walk and bike to work. Further, due to travel and working remotely the building will not be entirely occupied. Even still, the applicant has demonstrated the achievement of 48 spaces through the inclusion of an executed parking agreement as attached within the application package for your review. Further, the applicant has exceeded expectations in terms of onsite stormwater management and have chosen not to max out the amount of lot coverage allowed within the zoning classification and have sought advanced landscape design to maximize pervious surface area and also to provide maximum aesthetics and curb appeal on 3rd Street/A1A to maximize the redevelopment potential of this key commercial property on 3rd Street/A1A.  The applicant has provided the following narrative for further information:   * *32% of the employees live within bike riding distance to the building (bike rack containing room for at least 10 spaces as included in the design).* * *17% of the employees live within walking distance to the building* * *At least 20% of the employees/building owners of the 3rd floor tenant regularly utilize alternative low speed vehicles in and around the beach communities as an alternative means of transportation.* * *Approximately 70% of the 3rd floor tenant travel for work about 35-40% of the time.* * *Approximately 40% of the employees on the second-floor travel approximately 33% of the time for work* * *50% of the 3rd floor tenant employees work on alternative days in the office and do not regularly utilize the office 5 days/week when not traveling.* * *The 3rd flood tenant specifically provides 100% of its employees’ incentives that encourage walking and biking to work.* * *The 2nd floor tenant has developed alternative working models allowing employees to work remotely on various days of the week thus not requiring employees to be in the office five days per week.* * *Tenant office hours are Monday-Friday from 9 AM to 5 PM and flexibility is provided for starting and stopping times at work in professional/financial services firms such as that office hours will not completely overlap.* * *Additionally, the recent pandemic has fundamentally changed office usage space to lighter usage in general.*   Per LDC Section 27-545 Deferral of parking requirements, the code encourages the following:   1. To avoid requiring more parking spaces than actually needed to serve a development, the community development board may defer a portion of the off-street parking spaces required by this Code, if the developer demonstrates that the number of deferred parking spaces will not be needed for the condition or conditions established. 2. Deferrals shall be based on a deferred parking plan, which shall:    * 1. Include a written agreement between the developer and the city that requires the developer and to convert the deferred parking spaces to conform to this Code at the developer’s expense one (1) year from the date of issuance of certificate of occupancy, if the community development board determines that the additional parking spaces are needed.      2. Include a landscaping plan for the deferred parking area. A deferral of parking area may be offset by an increase of landscaping provided by the development on a ratio of 2:1. For example, if ten (10) parking spaces are deferred that would have corresponded with two thousand (2,000) square feet: one thousand (1,000) square feet of additional landscaping shall be provided beyond which was already required.      3. Be designed to contain sufficient space to meet the full parking requirements of this Code, shall illustrate the layout for the full number of parking spaces, and shall designate which are to be deferred.      4. Not assign deferred spaces to areas required for landscaping buffer zones, setbacks, or other areas that would otherwise be unsuitable for parking spaces because of the physical characteristics of the land or other requirements of this Code. 3. The Developer may at any time request that the community development board approve a revised development plan to allow converting the deferred spaces to operable parking spaces.   Further, per Section 27-548(a)(1), the applicant has addressed the following:   1. All required off-street parking spaces and the use they are intended to serve shall be located on the same parcel; provided, however, that the city council, as a special exception, with a recommendation by the community development board, may allow the establishment of off-site, remote off-site, or remote off-street parking facilities provided that all of the following conditions are met:    1. **Practical difficulties prevent the placement of the required parking spaces on the same lot as the premises they are intended to serve.**   *Practical difficulties that prevent the placement of the required parking spaces include lot size, ingress/egress constraints for life safety, visual buffer and screening for curb appeal and pervious surface area preservation.*   * 1. **The off-site parking spaces are located within four hundred (400) feet of the premises they are intended to serve.**   *The location of off-site parking is at 500 Third Street, which is within 400 ft. of the premises.*   * 1. **The off-site parking spaces are located within the same zoning district classification as the premises which the parking spaces will serve or a classification allowing business or commercial activities.**   *The off-site parking spaces are located within the same zoning district classification as the premises which the parking spaces will serve, which is C-1 (Commercial-1).*   * 1. **The off-site parking spaces are not located in any residential district.**   *The off-site parking spaces are not located in any residential district.*   * 1. **The location of the off-site parking spaces will adequately serve the use for which it is intended.**   *The location of the off-site parking spaces will adequately serve the use for which it is intended.*   * 1. **The location of the off-site parking spaces will not create unreasonable:**   *The off-site parking is within 400 feet and is within an established parking area with sidewalks on the same side of the street.*   * + 1. **Hazards to pedestrians.**   *The off-site parking is an established parking area.*   * + 1. **Hazards to vehicular traffic.**   *The off-site parking area is an established parking area.*   * + 1. **Traffic congestion.**   *The off-site parking area is within 400 ft. and features a low ADT count of 166 trips per day, of which the majority of trips are contained onsite.*   * + 1. **Interference with access to other parking spaces in the vicinity.**   *The off-site parking area is within an established parking area.*   * + 1. **Detriment to any nearby use.**   *The off-site parking and use are compatible with the off-site use that has an established parking area.*   * 1. **The developer supplies a written agreement, approved in form by the city attorney, assuring the continued availability of the off-site parking facilities for the use they are intended to serve.**   *A conditioned approval entails a written agreement approved by the City Attorney prior to the City Council meeting that if the lease is terminated, a replacement agreement shall be supplied within 18 months or the Special Exception is revoked and a reapplication for a special exception shall be conditioned with a future revocation if the lease is canceled in the future for any reason and not replaced with an acceptable alternative.* | | | | | | | | | | | | | | | | | | | | | |  | **Sec. 27-160 Required Findings Needed to Recommend a Special Exception**   1. **Is the proposed use consistent with the Comprehensive Plan?**   *The proposed use is consistent with the Comprehensive Plan. The special exception being sought demonstrates the achievement of the criteria within Section 27-548(a)(1) Off-street Parking Requirements and Section 27-545.*   1. **Is the proposed use 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 applicant states that the design and usage is consistent with the overall area, zoning, and the overall use is new commercial development that will enhance property values through redevelopment. The provision of off-site parking meeting the above criteria in Section 27-548(a)(1) is compatible with the general character of the area.*   1. **Will the proposed use have an environmental impact that is inconsistent with the health, safety, and welfare of the community?**   *This special exception request addresses additional off-site parking and not use. The use is consistent. Further, the usable square footage of the building, coupled with bike racks, and an executed parking lease agreement seeks to enhance the public health, safety, and welfare of the community and the overall parking requirements necessary for the building that factors in preserving additional pervious surface area and advanced stormwater management to best advance the public health, safety, and welfare of the community.*   1. **Will the proposed use 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?**   *Again, the use is not the basis for the special exception request, but rather represents a request for additional off-site parking. The additional off-site parking and the usable square footage of the building coupled with bike racks and parking agreements provides for safety and welfare and overall parking requirements necessary for the building. Additionally, a parking deferral is incorporated for the benefit of the community for up to six spaces for which landscaping is provided as opposed to the creation of additional parking to preserve pervious surface area and maximum curb appeal.*   1. **Will the proposed use have a detrimental effect on the future development of the area as allowed in the Comprehensive Plan?**   *Again, the Special Exception request is not for use, but rather it is for additional off-site parking. The request for a Special Exception to address parking will not have a detrimental effect on the future development of the area as allowed in the Comprehensive Plan.*   1. **Will the proposed use 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?**   *Bike racks are being installed which would lessen road noise and in addition parking is occurring and being distributed along the corridor which will create less noise. Again, the use is not the subject of the special exception request, but rather concerns a request for additional off-site parking.*   1. **Will the proposed use overburden existing public services and facilities?**   *According to the applicant this is not applicable as additional public services are not needed due to shifts in parking via the parking lease agreement.*   1. **Does the proposed use meet all other requirements as provided for elsewhere in the Code?**   *All other requirements are met.*  **Conclusion**  In summary, the Special Exception, if granted, would address parking on-site and off-site and a deferral to preserve additional pervious surface area to benefit the public health, safety, and welfare while also enhancing the curb appeal of the project and preserving additional greenspace. The applicant encourages its local partners and employees to use alternative modes of travel due to the proximity of their employees that will walk or bike to work while factoring in employees who frequently travel and work remotely. Even still, the applicant has demonstrated the provision of an executed parking agreement that will provide an additional 10 spaces near the project at 500 Third Street within the same zoning classification.  **Staff Recommendation**  Staff recommends approval of SE 21-02 310 Third Street subject to the developer providing a written agreement between the developer and the city to ensure the adequate provision of parking that may require the conversion of deferred spaces to conform to the LDC at the developer’s expense one (1) year from the date of issuance of a certificate of occupancy if the community development board determines that additional parking spaces are needed.  Further, the approval is also subject to the written agreement being approved by the City Attorney indicating that if the lease agreement is terminated, a replacement agreement is supplied within 18 months or the Special Exception shall be revoked and the applicant would need to reapply for a Special Exception with these conditions.  Ms. Wright explained the difference of the required parking requirement needed if you use the build’s square footage as a whole versus the needs for parking calculating the useable space.  Mr. Hand, many of the employees travel a lot and this is a daytime operation. Must employees live within walking district. Additional landscaping is important to be a green building. Wants to be good neighbors.  Questions from the board for Mr. Hand:  How many clients would expect to have in the building at one time? We partner with other business and are advisor, most of our clients are in other cities. We go to them most of the time. This is true for the other tenant as well.  What is the unique and particular circumstance of the site? The design of the building and the use of green products.  How many employees total? If every employee was there at one time there would be 34. This is the more parking spaces that would need on site.  Is there any thought of renting you’re the parking spaces at night? There has been but the liability issue has not been vetted.  Can you find any additional parking spaces from 500 Third St? We did not want to push the new owners of the bank as we would not even use them. We could ask them for more spaces if the board desires that.  Zach Roth, City attorney, explained the difference between the deferral of the parking from the granting of a special exception for parking within 400 feet. The deferral requires them to put it in writing that if the board determines there is a need at a later date the applicant would have to put them in which is 27-545 while section 27-548 is the special exception. The special exception would  The board agreed the deferral of five (5) space was the better option in accordance with 27-545. | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | | | |  |  |  |  | | --- | --- | --- | --- | |  | |  | | | **MOTION:** | | **TO DEFER THE REQUIREMENT OF FIVE (5) PARKING SPACES PURSUANT TO SECTION 27-545 AS LONG AS THERE IS A WRITTEN AGREEMENT REQUIRED BY 27-545(b)(1) .** | | |  | | | | | | | Made by Frosio, seconded by Randolph . | | | | | | |  | | | | | | | Roll Call: | | | | Ayes: | | 6-Randolph, Frosio, Raitti Schwartzenberger, Livingston, Goodin | | | | Noes: | | 0 | | | | |  | | | | | | | **MOTION APPROVED.** | | | | | | | | | | | | | | | | | | | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | | | | | | | | Review of Comp Plan 2021-2046 | | | | | | | | | Second review of the first draft of the 2021-2046 Comprehensive Plan, to later be known as Ordinance 21-03, along with the Future Land Use Map for The City of Neptune Beach, Florida. The Comprehensive Plan as Ordinance 21-03 and accompanying Future Land Use Map to be considered for transmittal by City Council at a later date as required by Florida State Statute, followed by the consideration of adoption by City Council following the review by the State of Florida. | | | | | | | | | | | | | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | | | | | | | |  | | | | | | | | | The Bank of America property has been removed from the proposed Town Center district and is in the walkable commercial corridor. This was done based on comments from previous meetings.  Kathy Lahn-David, Cherokee Dr, stated she was bothered that residents from west of Third Street have no place to park their cars to go to the beach. There needs to be more bike racks.  Bill Hendrich, 215 Florida Blvd, inquired if there was a resistance from the people who live east of Third St for bike parking? Understood the resistance to car parking at the beach. | | | | | | | | | | | | | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | | | | | | | | Adjournment | | | | There being no further business, the meeting adjourned at 8:01 p.m. | | | | | | | | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | |  | | | | | | |  | | | | | | | | |  | | | | | | | | | | | | |  | | | | | | |  | | | | | | | | | |  | | Christopher Goodin , Chairperson | | | | | | | | | | | | |  | | | | | | | | | | ATTEST:  Piper Turner, Board Secretary | | |  | | | | |  | |