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|  | **MINUTES****COMMUNITY DEVELOPMENT BOARD****OCTOBER 13, 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 October 13, 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, MemberNia Livingston, MemberJonathan Raitti, Alternate MemberGreg Schwartzenberger, Alternate Member |
|  | The following staff members were present:Zach Roth, City Attorney |
|  |  | Kristina Wright, Community Development DirectorPiper Turner, Code Compliance Supervisor |
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| Call to OrderRoll Call | Chairperson Gooding called the meeting to order at 6:00 p.m.  |
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| Ex Parte Communications | There was no communication between the applicants and themselves prior to the meeting.  |
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| Minutes | Made by Livingston, seconded by Randolph. |
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|  **MOTION:** | **TO APPROVE JULY 14, 2021 MINUTES AS SUBMITTED.**  |
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| **Roll Call Vote:** |  |
| **Ayes:** | 5-Randolph, Schwartzenberger, Raitti, Livingston, Goodin |
| **Noes:** | 0 |
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| **MOTION CARRIED** |

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| CDB 21-03 Application for a Special Exception for Outdoor Seating 218 First Street | SE21-03 Application for special exception for outdoor dining as outlined in chapter 27, Article 3 of the United Land Development Code for 218 First Street, LLC and Slider’s restaurant. The request is to create an accessible outdoor seating area on the east side of the existing building and associated landscaping. No additional seating capacity is being requested. |
|  | Kristina Wright that the applicant is seeking to create a safe, accessible outdoor seating area to relocate some of their current seating since their current seating can become periodically affected by stormwater backup. This request will not result in any increased seating and will be part of a larger remodel, involving the replacement of rotten windows with garage door style windows. The applicant seeks to create a more accessible gathering space that encompasses the charm of the First Street Corridor to ensure quality and longevity. According to the Duval County Property Appraiser’s site, the lot measures 12,048 sqft and the structural improvements are 4,072 sqft. The existing impervious surface area measures approximately 1,890.90 sqft with 1,807.2 sqft required to be maintained to continue to meet the 85% maximum lot coverage requirement.  |
|  | **Sec. 27-160 Required Findings Needed to Recommend a Special Exception**1. **Is the proposed use consistent with the Comprehensive Plan?**

*The applicant indicates that the main concerns highlighted in the new community vision plan and comprehensive plan encourage safe pedestrian and bicycling activity to promote the local charm along First Street. According to the applicant, the area they are moving seating from has been affected greatly by stormwater runoff to the extent that seating is lost periodically. In response, the applicant is proposing to relocate this seating to a new landscaped area developed within the property boundaries, featuring eco-friendly, permeable AstroTurf, with drainage. As such, the applicant indicates that this will create an easily maintained, safe seating and gathering place directly off the sidewalk. To further address consistency, the applicant indicates that relocating the seating near the sidewalk will maximize pedestrian and cyclist accessibility through the creation of a walk-up atmosphere and the installation of bicycle racks along the boundary to encourage patrons to take more sustainable forms of transportation, reducing traffic congestion and reducing the need for parking.* 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 indicates that permeability will be maintained using a permeable AstroTurf that will maintain the general character of the beaches community as it is a popular landscaping choice seen in residential and commercial properties in the area such as Brew Hound. The almost maintenance free nature of the product creates an attractive green space all year round, and its use at Sliders will complement green spaces in the opposite and adjacent properties.* 1. **Will the proposed use have an environmental impact that is inconsistent with the health, safety, and welfare of the community?**

*Relocating seating to this new landscaped area would not cause any health concerns consistent with environmental impact. On the contrary the applicant will be replacing a landscaped area and solid structures which have fallen into disrepair caused by years of weather impact and lack of consistent maintenance. Using permeable AstroTurf will allow proper controlled drainage and through measures taken during the installation process there would be an element of absorption and retention which would limit runoff onto sidewalks and roads. This area would be made level and safe for all, unlike the current unlevelled, periodically overgrown state. Further, the applicant states that relocating seating from an area affected by stormwater will also create a safer environment for patrons and employees.*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?**

*According to the applicant, parking is limited to Beaches Town Center and due to the sale of liquor, the applicant seeks to encourage patrons not to walk as much as possible. With the addition of this new outdoor seating area with bike racks, the applicant is taking that effort even farther. Knowing the importance of reducing congestion, the health benefits associated and the wishes of the community to develop more pedestrian-accessible areas, the applicant believes that this would be a great addition. The applicant explains that by opening the restaurant, closer and more easily accessible from the sidewalk will encourage a more walk up/cycle up atmosphere. The applicant emphasizes that they are not proposing to increase seating, only relocate the seating out of areas greatly affected by stormwater runoff. As such, the applicant will not need to create any additional parking spaces.*1. **Will the proposed use have a detrimental effect on the future development of the area as allowed in the Comprehensive Plan?**

*According to the applicant, the proposed changes would have no affect other than making First Street more visually appealing and safely accessible. The project will provide the opportunity for this locally owned business to grow and operate safely, securing its future as a one of the longest standing beach businesses and properties.* 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?**

*The proposed use is to relocate the outdoor seating. As such, this will 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.* 1. **Will the proposed use overburden existing public services and facilities?**

*The applicant indicates that the relocation of seating does not cause any negative impact on public services and facilities. Further, the materials used will enhance drainage and storm water retention and runoff that will have a positive impact on local infrastructure.*1. **Does the proposed use meet all other requirements as provided for elsewhere in the Code?**

*According to the applicant, the proposed changes were designed with full consideration of the current and proposed plans and codes. The applicant is not changing the boundary of the property, and they are not constructing any extension to the current property structure. The applicant emphasizes that they are increasing the percentage of permeable surface area and indicates that they are not increasing seating. The applicant is requesting only to relocate the seating to optimize their business through increased safety and quality. Further, the applicant indicates that the contractors to be used are local to the Beaches and well-practiced in Neptune Beach requirements and have considered all accessibility concerns to ensure the creation of an inclusive gathering space for all to enjoy and to maximize the Beaches Town Center ethos and appeal.*  |
|  | **Staff Recommendation** Staff recommends approval of SE 21-03 218 First Street subject to the maintenance of the required 85% maximum lot coverage requirement.  |
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|  | Mr. Matt Wilson, Restaurant Manager, addressed the board. The interior of restaurant is being remodeled now and the business owners, The Wooten’s, are in the process of purchasing the property. The plan is to remove the windows facing east and install garage doors with a bar that can be used from the outside and from the inside at the same time. The building was originally a vehicle repair stop and the garage door would give the building that retro look. There will be no increase in the number of seats. The lot coverage is over the 85%. The plan is to install astro turf on top of sand for the new seating area and add a drain in the middle. This will allow water to go through the astro turf to improve the stormwater runoff. There will be all new plumbing put in place and will be cutting concrete where the existing outdoor seating is to lay a new pipe to the stormwater system. Currently the rain runoff from the canopy on the north side of the building and the water from the roof of 200 First St is supposed to go to a French drain then into the City’s stormwater basin at the street. This does not work properly.  |
|  | Questions from the board to staff:What is the current lot coverage? Right now, the impervious surface area measures approximately 1,890.90 sqft with 1,807.2 sqft be the maximum allowable. Roughly 84 square feet would need to be removed to comply.  |
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|  | Made by Raitti, seconded by Schwartzenberger . |
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|  |  **MOTION:**  | **TO RECOMMEND APPROVAL OF THE SPECIAL EXCEPTION SE 21-03 FOR 218 FIRST STREET FOR OUTDOOR DINING WITH NO ADDITIONAL SEATING AND PROVIDED THAT THE MAXIMUM LOT COVERAGE DOES NOT EXCEED 85%.**  |
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|  | Roll Call:  |
|  | Ayes: | 5-Randolph, Raitti, Schwartzenberger, Livingston, Goodin |
|  | Noes: | 0  |
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|  | **MOTION APPROVED.** |
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|  | The applicant was informed that the City Council makes the final decision and they should attend the Monday November 1, 2021 meeting at 6:00 pm.  |
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| CDB21-03Preminary Development Order 218 First St | CDB21-03 Pursuant to the approval of SE21-01 an application for Preliminary Development Order for a restaurant as outlined in Chapter 27, Article 3 of the Unified Land Development Code for 218 First Street, LLC. The property is currently known as 218 First St. The request is to remove the existing windows on the east elevation and replace with two garage style doors and mounting a bar top for outdoor seating. Replacement of the wall mounted sign with a new one. No increase in outdoor seating capacity. |
|  | Kristina Wright stated the request is to re-landscape the front area of the property and relocate the seating area. The also plan to replace the current wall mounted sign with a new one. According to the Duval County Property Appraiser’s site, the lot measures 12,048 sqft. and the structural improvements are 4,072 sqft. The existing pervious surface area measures approximately 1,890.90 sqft with 1,807.2 sqft. required to be maintained to continue to meet the 85% maximum lot coverage requirement.The new seating area is not to be covered.  |
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| **MOTION:**  | **TO RECOMMEND APPROVAL OF THE DEVELOPMENT ORDER FOR CDB 21-03 FOR 218 FIRST STREET FOR OUTDOOR DINING WITH NO ADDITIONAL SEATING AND PROVIDED THAT THE MAXIMUM LOT COVERAGE DOES NOT EXCEED 85%.** |
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| Made by Raitti, seconded by Randolph. |
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| Roll Call:  |
| Ayes: | 6-Randolph, Frosio, Raitti Schwartzenberger, Livingston, Goodin |
| Noes: | 0  |
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| **MOTION APPROVED.** |

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| Open Discussion | The Code rewrite is being worked on and there should be workshops scheduled after the holidays. The process needs to be finalized by May of 2022. |
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| Adjournment | There being no further business, the meeting adjourned at 6:42 p.m. |
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|  |  |  Christopher Goodin , Chairperson |
|  | ATTEST: Piper Turner, Board Secretary |  |

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