



MINUTES
COMMUNITY DEVELOPMENT BOARD
AUGUST 15, 2018 AT 6:00 P.M.
CITY HALL, 116 FIRST STREET
NEPTUNE BEACH, FLORIDA

Pursuant to proper notice a public hearing of the Community Development Board for the City of Neptune Beach was held August 15, 2018 at 6:00 p.m. in the City Hall Council Chambers.

Attendance: The following Board members were in attendance:

Board members were in attendance:
Christopher Goodin, Chair
Ryan Dill, Vice-chair
Aaron Evens, Member
Bob Frosio, Member
Tony Mazzola, Member
Colin Moore, Alternate Member

The following staff members were present:

Amanda Askew, Deputy City Manager & Community Development Director
Piper Turner, Code Compliance Supervisor

Call to Order
Roll Call Chairperson Chris Goodin called the meeting to order at 6:00 p.m.

Disclosure of
Ex- Parte
Communication Chairperson Goodin stated he had spoken with the applicant and Mr. Jim Gilmore about the project.

Minutes Approval of July 11 and July 18, 2018 minutes.

Moved by Moore, seconded by Evens.

Motion: **TO APPROVE THE JULY 11 AND JULY 18, 2018 MINUTES.**

Roll Call Vote:

Ayes: 6—Dill, Mazzola, Moore, Evens, Frosio, Goodin
Noes: 0

MOTION CARRIED

CBDV18-12 CDB V18-12 Variance request of Huron Sophia, LLC for the property located at 301
Parking Variance Atlantic Blvd. (RE # 172982 0000). The request is to vary section 27-540 to reduce the
301-309 Atlantic Blvd amount of required parking for a restaurant.
Huron Sophia LLC

Ted Stein, 2122 Post Street - Jacksonville, applicant stated they opened The Local restaurant on San Jose Blvd. in 2017. We were approached by the property owners for 301 Atlantic Blvd. to open a second location at this property. This restaurant would offer lunch and dinner options under \$20.

Mr. Jim Gilmore, 143 Oceanwalk – Atlantic Beach, explained the newest plan would involve closing off the Atlantic Blvd. curb cut to create seven (7) new parking spaces onsite giving them a total of 13 regular spaces and 1 handicap parking spaces. In addition, bike racks for 20 bikes will be also added.

Mr. Stein stated that he had spoken with Nick of A1A valet and will be contracting with them to have access to use 10 parking spaces at the Regions Bank property.

Questions from the Board to the applicant:

You need 150 seats to get a SRX (beer, wine & liquor) license. Is outdoor seating planned? It is an option, yes.

What are the hours of the restaurant will be open? Monday-Thursday 11 to 11, Friday 11 to 12:30am, Saturday 8 to 12:30am and Sunday 8 to 10pm.

Amanda Askew stated a survey was submitted with the application showing 6 parking spaces, plus 1 handicap space. On Monday afternoon (8/13), a new plan was submitted showing 7 additional spaces bring the total to 13 regular spaces. This property is required to have 20 spaces after applying the automatic reduction credit given in the Central Business District. The request is for a 7-space reduction. The code allows the Community Development Board to grant the use of offsite parking within 400 feet. The applicant would need to provide documentation to the City Council that an agreement is in place. However, the applicant just presented tonight that they have an agreement for the use of offsite parking. Section 27-546 allows the CDB to authorize a reduction in spaces provided the developer submits data showing the hours don't overlap and the developer submits a legal agreement for the use of the spaces.

Chairperson Goodin opened the floor for public comments.

Tim Bishop, 3316 Hooks - Jacksonville, spoke on behalf of North Beach Fish Camp. He was in favor of the restaurant, but parking is a real problem. North Beach Fish Camp has to shuttle their employees now. The offsite parking that is being offered is already being used by the existing restaurants in the area.

Rene Angers, 219 Cherry St, stated the dumpster appears to be on the City's right-of-way, will it be required to be put on to the property? People are parking in the residential neighborhoods now to get to the existing businesses.

Niall Fallon, owner of Mezza Restaurant 112 First St., stated A1A Valet is already under contract with his landlord, Southcoast Capital, for those spaces. He intends to speak with his landlord regarding the agreement they have in place.

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

Board discussion:

Mr. Mazzola preferred to table the application until a written agreement for parking could be presented to the board. Mr. Stein stated that the landlord gave him until September to complete the approval progress. If this deadline was to pass, the landlord will move onto another tenant most like another convenience store.

Chairperson Goodin liked the proposal including the closing of the Atlantic Blvd. entrance but would like more information on the parking agreement with Regions

Bank/A1A Valet.

Mr. Stein was asked about the dumpster and if there were plans to move it off the City's right-of-way? Mr. Stein stated there was no place on the property to put the dumpster.

Mrs. Askew stated in order for the dumpster to remain on the City's property, the applicant would need to enter into some type of lease agreement with the City, similar to the sidewalk leases for outdoor dining.

Made by Frosio, seconded by Mazzola.

**MOTION: TO DO THE FINDING OF FACT WITH THE FOLLOWING CONDITION:
THE BOARD WILL GO FORWARD WITH THE VARIANCE, IF APPLICANT CAN PROVIDE PROOF OF OFFSITE PARKING SPACES. A LEGAL DOCUMENT MUST BE PROVIDED TO CITY COUNCIL.**

APPROVED BY CONSENSUS.

MOTION CARRIED

STATEMENT OF FACTS

- 1) *The property has unique and peculiar circumstances, which create an exceptional and unique hardship. For the purpose of this determination, the unique hardship shall be unique to the parcel and not shared by other property owners in the same zoning district.*

Goodin: While small parcel of property building plans presented does not present unique hardship.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: There is no unique hardship.

Moore: Offsite parking would provide necessary 20 spaces.

Evens: Not unique to CBD.

Frosio: Yes. It only has 7+1 parking spaces.

- 2) *The proposed variance is the minimum necessary to allow the reasonable use of the parcel of land.*

Goodin: Within code for offsite parking but cannot provide proof.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: Applicant needs 7 additional spots

Moore: The 20 spaces (13 proposed, addition offsite) would meet minimum requirements.

Evens: Can do 98 seats without variance.

Frosio: Yes. It meets code if the 7 parking spaces offsite are contracted.

- 3) *The proposed variance would not adversely affect adjacent and nearby properties or the public in general.*

Goodin: Offsite parking to allow sufficient parking if able to be proven.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: Potential impact to surrounding businesses due to reduced parking.

Moore: Additional bike parking and closing drive onto Atlantic would positively affect nearby properties.

Evens: Not if valet parking does its job.

Frosio: There is no need for a variance if spaces are provided offsite.

- 4) *The proposed variance will not substantially diminish property values in or alter the essential character of the area surrounding the site.*

Goodin: Improve current building.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: No impact.

Moore: Property values will not be diminished, net parking will increase with close drive.

Evens: Will not. 7-11 is an eyesore.

Frosio: Better than previous tenants. Definite improvement.

- 5) *The effect of the proposed variance is in harmony with the general intent of the ULDC and the specific intent of the relevant subject area of the ULDC.*

Goodin: In harmony.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: It is in harmony.

Moore: Will encourage more bicycle/pedestrian activity in CBD, patrons in cars will also be accommodated with offsite parking.

Evens: Is in harmony.

Frosio: Yes. No variance needed.

- 6) *The need for the variance has not been created by the actions of the property owner or developer nor is the result of mere disregard for the provisions from which relief is sought.*

Goodin: Small parcel of land with existing building.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the

motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: The need has not been presented by the applicant.

Moore: With offsite parking provided, owner will meet minimum requirement for # of seats requested.

Evens: Created via SRX license.

Frosio: Yes. No variance need if offsite parking is contracted.

7) *Granting the variance will not confer upon the applicant any special privilege that is denied by the ULDC to other lands, buildings, or structures.*

Goodin: Offsite parking per terms of code.

Dill: The applicant has stated he has secured 10 offsite parking spaces. As the motion was made for the legal & abiding agreement that these spaces are binging & secured, the applicant does not need a variance as meets the code & section 27-546 therefor the answer to all the questions base on the that he has 13 onsite & 10 offsite is that no special privilege of exception have been granted.

Mazzola: No special privilege.

Moore: Other restaurants use offsite parking to meet code requirement.

Evens: Other CBD businesses-but grandfathered in.

Frosio: Yes. No variance needed.

**CONCLUSION ON REQUIRED FININGS
PURSUANT TO SEC. 27-147, ORDINANCE CODE**

Sec. 27-147(1)	Positive 3-3
Sec. 27-147(2)	Positive 5-1
Sec. 27-147(3)	Positive 6-0
Sec. 27-147(4)	Positive 6-0
Sec. 27-147(5)	Positive 6-0
Sec. 27-147(6)	Positive 5-1
Sec. 27-147(7)	Positive 6-0

Mrs. Askew reminded the board that since there was an even number of members present tonight a tie vote was possible. If the motion is made in a positive and the vote is 3-3 then the motion would fail, and the request would be denied. If the motion is made in the negative and there was a tie, the motion would pass and be approved.

Moved by Dill, seconded by Frosio.

MOTION: TO APPROVE CDB V18-12 FOR 7 OFFSITE PARKING SPACES AND NO VARIANCES NEEDED, IF A LEGAL DOCUMENT IS PROVIDED TO CITY COUNCIL SHOWING PARKING IS PROVIDED WITHIN 400 FEET.

Roll Call Vote:

Ayes: 3 –Frosio, Moore, Dill,

Noes: 3– Evens, Mazzola, Goodin

MOTION FAILED AND REQUEST DENIED.

The applicant was informed that their request would be forwarded to the City Council

for their final decision on Tuesday September 4, 2018 at 6:00 pm. The applicant will need to attend this meeting.

Adjournment

The next board meeting will be September 12th at 6:00 pm. There being no further business, the meeting adjourned at 6:48 p.m.

Chairperson Christopher Goodin

ATTEST:

Piper Turner, Board Secretary