



**MINUTES OF THE REGULAR MEETING OF THE  
COMMUNITY DEVELOPMENT BOARD  
April 16, 2013**

**1. CALL TO ORDER. - 6:07pm**

Chair Brea Paul verified the presence of a quorum with the attendance of Jason Burgess, Kelly Elmore, Kirk Hansen, Brea Paul, and Patrick Stratton. The meeting was called to order at 6:07pm. Also present were NS Mayport Liaison and ex-officio board member Matt Schellhorn, Principal Planner Erika Hall, and Building and Zoning Director Michael Griffin. Board members Harley Parkes and Sylvia Simmons were absent.

**2. ADOPTION OF MEETING MINUTES - MARCH 19, 2013.**

Ms. Paul called for a motion to approve the minutes of the March 19, 2013 regular meeting. Mr. Hansen moved that minutes be approved as written. Mr. Elmore seconded the motion and it carried by a vote of 5-0.

**3. OLD BUSINESS. *None.***

**4. NEW BUSINESS.**

**A. ZVAR-13-00100047, 42 East Coast Drive (Shoppes of Lakeside, Inc)**

***Request for variance from Section 24-161(f)(3), to allow non-residential off-street parking that backs into a public right-of-way.***

***Staff  
Report***

Ms. Hall explained that the applicant is proposing to construct a two-story structure, with the first floor dedicated to parking and the second floor dedicated to a seven thousand eight hundred ten ((7,810) square foot restaurant space, including three thousand two hundred forty (3,240) square foot air-conditioned space, a two thousand nine hundred seventy (2,970) square foot open-air dining deck and a one thousand six hundred (1,600) square foot open-air dining deck. The submitted conceptual plan shows a total of one-hundred fifty-six (156) seats, and per Section 24-161(h)(15), required off-street parking for restaurants and bars is one (1) space for each four (4) seats, including any outdoor seating where service occurs. Thus, a minimum of thirty-nine (39) off-street spaces would be required to accommodate the proposed seating. Forty-four (44) off-street parking spaces were shown on the submitted parking level plan, with a total of fourteen (14) accessed directly from, and requiring backing into the Ahern Street public right-of-

way, which Ms. Hall said was contrary to the provisions of Section 24-161(f)(3) which prohibits off-street parking for all uses other than single- and two-family residential backing into public rights-of-way.

Ms. Hall reviewed Section 24-64(d), grounds of approval for a variance, stating that neither (1) exceptional topographic conditions (5) irregular shape of the property or (6) substandard size of a lot of record, were applicable. She then focused on the applicant's statements regarding the applicability of provisions (2), (3) and (4).

The applicant had asserted that Section 24-64(d)(2) – surrounding conditions or circumstances impacting the property disparately from nearby properties – was applicable because there are seventy-five (75) existing spaces serving surrounding properties that are allowed to back onto Ahern Street. Ms. Hall confirmed there are twenty-seven (27) spaces serving the commercial uses at Shoppes of North Shore, located directly west of the subject property, which do back onto Ahern Street. However, that development was constructed in 1990/91, and the parking plan was approved as part of a use-by-exception on June 26, 1989, and later amended on February 26, 1990, more than 27 years prior to the adoption of Ordinance No. 90-07-200 on July 9, 2007, which enacted the provisions of Section 24-161(f)(3). The remaining forty-two (42) spaces with “direct access” to Ahern street serve residential uses that are either single- or two-family, and thus are exempt from the provisions of Section 24-161(f)(3), or are multi-family or condo units that were approved and in process and/or constructed prior to the adoption of Ordinance No. 90-07-200 in 2007.

Ms. Hall reminded the Board that per Section 24-64(b)(4), the nonconforming use of adjacent or neighboring lands, structures or buildings shall not be considered as justification for the approval of a variance.

The applicant also claimed Section 24-64(d)(3) – exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area – was applicable, but failed to explain how. Ms. Hall noted the proposed use was entirely consistent with the permitted uses allowed within the Central Business District, but she explained that the submitted conceptual plan exceeded the development capacity of the site.

Ms. Hall suggested that the property can still be developed to its best and highest use, while respecting the capacity of the site, by (1) reducing the structure size and seating capacity to the minimum required to obtain a Series 4-COP SRX alcoholic beverage license, being two thousand five hundred (2,500) square feet in area and one hundred fifty (150) seats, thereby reducing the required off-street parking to thirty-eight (38) spaces; and (2) reconfiguring parking level design so that vehicular circulation is maintained on the subject property, thus eliminating the need to back into the Ahern Street right-of-way. She projected an alternative parking plan to demonstrate that this could be accomplished.

Finally, the applicant claimed that Section 24-64(d)(4) – onerous effect of regulations enacted after platting or after development of the property or after construction of improvements upon the property – was applicable. Ms. Hall agreed the current provisions of Section 24-161(f)(3) were adopted after the applicant's purchase of the subject property in 2000. However, she noted that the applicant had previously submitted an application for a concurrent rezone and use-by-exception on the subject property just one month after adoption of Ordinance 90-07-200. At that time, and as noted in the official minutes of the August 21, 2007 Community Development Board meeting, the applicant acknowledged the new parking regulation and committed to complying with it. She said the current Board should have the same expectation that the same client would work within the same regulations today.

Ms. Hall then reviewed applicable provisions of Section 24-64-(c) – grounds for denial of a variance – which state no variance shall be granted if the Community Development Board, in its discretion, determines that the granting of the requested variance shall have materially adverse impact upon (2) congestion of streets, or (3) public safety, including traffic safety, risk of fire, flood, crime or other threats to public safety. She then read the Public Safety review comments submitted by Police Chief Michael Classey:

“We have reviewed the request for the variance referenced above. As you know, Sec 24-161(f)(3) specifically prohibits constructing parking spaces which require drivers to back up into the public right-of-way. The applicant characterizes Ahern Street as more of a “service alley”. While a vehicle volume study was not able to be completed due to the very short turnaround time of the evaluation, the police department does not concur with this

description. While not to the level of a thru street such as Seminole or Sherry, Ahern Street is a heavily traveled roadway. It is used for much more than accessing the existing parking spaces as the applicant contends and serves as a cut thru between Sherry, East Coast, Ocean and Beach. Any parking plan that would cause vehicles to back out into the roadway would create an unnecessary hazard that could not be supported from a public safety standpoint.”

Ms. Hall concluded, reminding the Board that also according to Section 24-64(c), variances shall not be granted solely for personal comfort or convenience, for relief from financial circumstances or for relief from situations created by the property owner.

***Applicant  
Comment***

Richard Trendel, Petra Management, Inc (2440 Mayport Road) spoke on behalf of the applicant and reiterated the applicant’s claim that the parking proposed to back onto Ahern Street was consistent existing parking serving other properties which abut Ahern Street.

***Public  
Comment***

No one from the audience came forth to give comment on the request.

***Board  
Discussion***

Mr. Elmore stated that while he would love to see something developed on the site which had long been an eyesore, he could not support this variance request. He disagreed with the characterization of Ahern as a service alley, and he complimented staff for illustrating that parking requirements could be sufficiently met on-site and without backing into the public right-of-way.

Mr. Stratton agreed, noting that the alternative plan drawn by staff would not require a variance.

Mr. Hansen added that the subject property requires a higher degree of compliance with the regulations due to the fact that it is a corner property. Visibility, and thus safety, is further impaired by the jog in Ahern Street.

***Motion***

Mr. Hansen moved that the Community Development Board deny ZVAR-13-00100047, a request for variance from Section 24-161(f)(3), to allow required non-residential off-street parking that backs into a public right-of-way, finding that there are no surrounding conditions or circumstances impacting the property disparately from nearby properties, but that certain other properties were developed before the adoption of Ordinance No.

90-07-200 and in accordance with an approved use-by-exception, or they are exempt from the provisions of Section 24-161(f)(3) due to the nonresidential nature of their use; finding that there are no exceptional circumstances preventing the reasonable use of the property as compared to other properties in the area, but that the applicant's proposal exceeds the physical capacity of the property and there exists alternative design scenarios that would be in accordance with the requirements of Section 24-161(f)(3); finding that though regulation has been enacted after the platting of the property, it does not have an onerous effect on the future development of the property, because it has been demonstrated that the property can be developed to its highest and best use while meeting the requirements of Section 24-161(f)(3); and, finding that proposal would have a materially adverse effect on public safety by creating traffic hazards impacting both motorized and pedestrian traffic. Mr. Elmore seconded the motion and it passed unanimously, 5-0.

- B. REZ-13-00100048, 1600 Selva Marina Drive (Atlantic Beach Partners, LLC)**  
***Request to rezone approximately 33.90 acres from Planned Unit Development (PUD) to Special Planned Area (SPA). The subject property is currently used as a golf course and country club. The proposed project is the redevelopment of the Selva Marina Country Club facilities, including the clubhouse and recreational amenities, which may include a pool, cabana/clubhouse, pro shop(s), health/exercise facility, offices, tennis court(s) and/or field(s), parking, storage, and similar facilities.***

***Staff  
Report***

Mr. Elmore disclosed that he is the landscape architect of record for this project, and having a financial interest, he stated he would abstain from debate and vote on this matter, though he would be happy to answer any questions that the Board might have.

Mr. Hansen disclosed that he is on the Board of Directors of the Selva Marina Country Club and that he has also served on an advisory committee investigating redevelopment options for the property. However, because he does not have a financial interest in the project, he stated he would participate in the debate and vote.

Ms. Hall summarized the applicant's request as being a modification of an existing PUD, and explained that identical documents have been concurrently filed with the City of Jacksonville seeking the following changes: (1) Exclusion of the Selva Preserve parcel (RE# 172027-0100, located within the City of Atlantic Beach) from the overall project; (2) Inclusion of the existing Selva Marina Country Club golf course parcel (RE# 169399-

0000, located within the City of Jacksonville) in the overall project; and (3) reconfiguration of the conceptual site plan, relocating all residential development to the center of the golf course parcel.

She stated that the current application is the pre-cursor to an annexation initiative which would bring the golf course property and the proposed residential development entirely into the Atlantic Beach jurisdiction. As such, compatibility with established development patterns and preservation of the natural environment are significant factors to the residents of Atlantic Beach, and there applicant has indicated that there will be a deed restriction recorded that would designate the remaining undeveloped golf course property as perpetual green space upon the annexation of that property into Atlantic Beach.

She then explained that the proposed modification was consistent with and supported a number of goals, objectives and policies of the adopted Comprehensive Plan, including the Future Land Use Element, the Recreation and Open Space Element, and the Intergovernmental Coordination Element.

Ms. Hall projected a table entitled "Site Summary Comparison" and reviewed the acreage allocation in the approved Selva Marina Country Club (SMCC) Residential PUD as well as the proposed Atlantic Beach Country Club (ABCC) SPA/PUD. She noted the approved SMCC Residential PUD consisted of a total of about forty-nine (49) acres and one hundred fourteen (114) dwelling units, while the proposed ABCC SPA/PUD consists of about one hundred sixty-nine (169) acres and a maximum of one hundred eighty (180) dwelling units. Thus the effective density of the project will be reduced from two and three-tenths (2.3) dwelling units per acre to one and one-tenth (1.1) dwelling units per acre.

Ms. Hall then projected a table entitled "Development Standards Comparison" and reviewed the approved and proposed housing mix, as well as minimum lot standards, yard requirements, maximum height and impervious surface standards. She noted the approved SMCC Residential PUD consists of a mix of single and multi-family units in a compact Neo-Traditional arrangement, whereas the proposed modification consists only of single-family dwellings in an arrangement more characteristic of a suburban subdivision. She stated the lot development standards are generally consistent with the those required by Atlantic Beach single-family zoning districts, with the main differences being a

slight reduction in front yard setbacks, from twenty (20) feet to fifteen (15) feet and rear yard setbacks, from twenty (20) feet to ten (10) feet, as well as a maximum impervious surface area of sixty-five (65) percent as opposed to Atlantic Beach's current fifty (50) percent. However, she explained these were acceptable deviations from Atlantic Beach standards due to the fact that the entire residential development would be surrounded by over one hundred seventeen (117) acres of golf course that would most likely be preserved with a deed restriction or conservation easement.

Ms. Hall then explained staff had collectively identified a number of areas of concern described in her original staff report to the Board. She said the applicant had met with staff and offered a number of concessions based upon those discussions, in the form of a revised narrative (Exhibit D), submitted to staff early this day and provided to the Board tonight in the form of a strike-through/underline draft. She then addressed each of these concerns and how the applicant was addressing each.

- SECTION III-A.1.d: USE OF COURTYARD LOTS FOR DAILY/OVERNIGHT RENTALS. Within the City of Atlantic Beach, short term rentals – being anything less than ninety (90) days – are expressly prohibited in residential zoning districts. Staff had recommended establishing a maximum number of such Courtyard Lots that could be used for short term rentals, as well as the maximum number of guests to be allowed per unit and the minimum stay. The applicant added language stating that (1) the maximum number of Courtyard Lots to be used for daily/overnight rental would be four (4) units located within the same courtyard lot configuration; (2) all such units shall be owned by the same entity, which shall be the owner/operator of a hospitality business, such as hotel(s) or resort(s), and shall be managed by an entity with offices in Duval County; and (3) all such units shall be subject to restrictive covenants, including a provision such that if ownership passes from a hospitality business to an individual, daily/overnight rentals shall no longer be a permitted use.
- SECTION III.A.11: "SPIRES, CUPOLAS, STEEPLES, CHIMNEYS AND OTHER APPURTENANCES NOT INTENDED FOR HUMAN OCCUPANCY MAY BE PLACED

ABOVE THE MAXIMUM HEIGHTS". Within the City of Atlantic Beach, height is defined as the vertical distance from the applicable beginning point of measurement to the highest point of a building's roof structure or parapet, and any attachments thereto, exclusive of chimneys only within the residential zoning districts. Ms. Hall reminded the Board that this provision is included in the City Charter and is non-waiverable within residential zoning districts, though there is a provision for waiver to height, for inclusion of non-habitable architectural features on structures within non-residential zoning districts, and the applicant could seek such a waiver for structures on the non-residential clubhouse parcel. As such, the applicant revised this section to conform to provisions of Article XIV, Section 59 of the Charter of the City of Atlantic Beach and the definition of "height" as provided in Chapter 24 (Land Development Regulations).

- SECTION III-B: IMPACT OF CLUBHOUSE/RECREATIONAL AMENITIES ACTIVITIES ON ADJACENT PROPERTIES. Ms. Hall said that while staff recognizes the applicant has shown consideration for adjacent residential properties with the inclusion of vegetative buffers, directional lighting and lighting timers, there is still concern as to the impact activities held in conjunction with the clubhouse and recreational amenities will potentially have on the surrounding neighborhoods. As such, staff suggested that perhaps hours be established both for normal (daily) operations and for special activities involving additional lighting and public address systems and/or amplified music. The applicant replied that the property already functions as a golf and country club, and there is no anticipated change in the hours of operation. As noted, vegetative buffers, directional lighting and lighting timers will be regularly utilized to temper impact upon adjacent residential properties. Further there will be immediate compliance with any code enforcement directives regarding complaints received.
- SECTION III-D.1.a – DETACHED ACCESSORY STRUCTURES – SPECIFICALLY THOSE WITHOUT A BONUS ROOM ABOVE – MAY BE LOCATED IN A REAR OR SIDE YARD

THREE (3) FEET FROM A LOT LINE. Ms. Hall noted that although most lots within the proposed development back up to the golf course, there are a number of lots which abut other lots. Within the City of Atlantic Beach, all detached accessory structures thirty (30) inches or greater in height are required to comply with a minimum five (5) foot rear and side yard setback. Staff recommended compliance with this provision. The applicant revised this section to comply with Atlantic Beach standards.

- SECTION III-D.3 – LAND CLEARING IS PROPOSED AS AN ACCESSORY USE. Ms. Hall reported that staff had had an extensive discussion with the applicant regarding tree removal and land clearing related to redevelopment of the property versus that which would be considered normal maintenance essential to the operation of the golf course and recreational amenities. This provision remains as originally written, such that, for maintenance purposes of the facilities, land clearing remains an accessory use, subject to applicable fire codes and other land development regulations.
- SECTION III-E.4 – PEDESTRIAN AND VEHICULAR TRAFFIC ACCESS AT DUTTON ISLAND ROAD EAST “MAY” BE SECURED INSIDE THE PROPERTY TO LIMIT ACCESS TO RESIDENTS OF THE DEVELOPMENT AND COMMERCIAL TRAFFIC TO/FROM THE GOLF COURSE, CLUBHOUSE AND RECREATIONAL AMENITIES. Ms. Hall noted that the securing of Dutton Island Road East access had been a major issue in previous proposals and the approved Selva Marina Country Club Residential PUD expressly states that “permanent access and internal roadways shall be designed, developed and maintained such that the development cannot be used as a ‘cut-through’ route from Selva Marina Drive to Mayport Road”. She said she had spoken with the applicant who concurred this provision was supposed to read “shall”, and it was revised accordingly.
- SECTION III-F.7 – AN UNLIMITED NUMBER OF BANNER SIGNS NOT TO EXCEED FIFTY (50) SQUARE FEET IN AREA TO PROMOTE SEASONAL, CIVIC, OR COMMUNITY EVENTS THAT OCCUR ON A TEMPORARY BASIS, AS WELL

AS FESTIVAL BANNERS PLACED ON STREET LIGHT POLES, ARE PERMITTED. Within the City of Atlantic Beach, banners must be registered with the City. Each establishment or organization is limited to thirty (30) consecutive or cumulative days per calendar year, and the banner may neither contain an advertising message nor hang over or extend into rights-of-way. Staff recommended the prohibition of banners on public property, including the placement of festival banners on street light poles located within the public right-of-way, as well as a limitation on the number of events and/or cumulative days that event banners may be displayed, and a requirement that banners shall only be visible internally to the development. The applicant agreed that banners would be permitted pursuant to Section 17-33 and revised this section accordingly.

- SECTION III-H – PROPERTIES WITHIN THE JURISDICTION OF THE CITY OF JACKSONVILLE (GOLF COURSE, RESIDENCES) SHALL BE SUBJECT TO COJ LANDSCAPING AND TREE PROTECTION REGULATIONS, WHILE PROPERTIES LOCATED WITHIN THE JURISDICTION OF THE CITY OF ATLANTIC BEACH (CLUBHOUSE, RECREATIONAL AMENITIES) SHALL BE SUBJECT TO COAB LANDSCAPING AND TREE PROTECTION REGULATIONS. Ms. Hall said staff had several concerns related to this provision. First, there was the concern that the land within Jacksonville would be cleared according to COJ regulations, and there would be a monetary payment to COJ rather than replanting of trees to meet mitigation requirements. Second, there was concern that due to COJ's less stringent minimum tree standards – being one (1) tree per five thousand (5,000) square feet of lot area – as opposed to Atlantic Beach standards – being one (1) tree per two thousand five hundred (2,500) square feet of lot area – the new development would have a residential tree canopy significantly different from adjacent neighborhoods. According to the applicant, the main reason to apply the COJ standards for tree removal from the golf course and residential area was to reduce the burden of mitigation that would be associated with the many pine trees located on the property. However, the applicant expressed a commitment to meeting the Atlantic Beach minimum

tree standards for residential properties. Ms. Hall reported that after a lengthy discussion, a compromise was reached in which it was confirmed that all tree removal, land clearing and landscaping would be reviewed and permitted through the City of Atlantic Beach, though the staff would apply the COJ standards for tree removal on the golf course/residential parcel. The language of this clarified to reflect this.

- EXHIBIT H – TRAFFIC STUDY FOR PLANNED ATLANTIC BEACH COUNTRY CLUB. Ms. Hall said the original traffic study prepared by Transportation Planners Enterprise, Inc, dated March 19, 2013, focused on two intersections only – Mayport Road/Dutton Island Road East and Seminole Road/Selva Marina Drive. Staff found this study to be faulty for three reasons: (1) It assumed all residential traffic would utilize Dutton Island Road for ingress/egress and therefore did not anticipate impacts (from residential units) to Selva Marina Drive and Seminole Road; (2) It did not anticipate impacts to the intersection of Seminole Road/Plaza/Sherry Drive, locally known as “Five Way”; and, (3) It only analyzed the PM rush hour, though staff suggests a significant impact will be on the AM movement through the Five Way intersection. Ms. Hall reported that an updated traffic study, dated April 12, 2013, was submitted and had been included in the materials Board members received at the beginning of the meeting. She said this document addressed staff concerns as follows: (1) The revised model dispersed thirty-three (33) percent of residential traffic to Selva Marina Drive and sixty-seven (67) percent to Dutton Island Road East by year 2016; (2) New traffic counts were taken at the Five Way intersection; and (3) New traffic counts were taken for the AM rush hour. Ms. Hall explained that the projected impact of the project is about a six (6) percent increase in traffic by 2016. She then displayed a table from the updated traffic study summarizing the estimated traffic impacts on level of service, and noted that the overall impact was below the established level of service for each road, as provided in the Transportation Element of the adopted Comprehensive Plan.

***Applicant***

T R Hainline, Rogers Towers, PA, introduced himself as the

***Comment***

authorized agent for the applicant, which he said was a team of local builders and developers with a great track record. He thanked staff for the detailed and thorough review of the project, and said he now wished to provide the Board with a broad view of the goals the applicant wished to accomplish, namely (1) to maintain the viability of the club; (2) to maintain the value of the land; and (3) to maintain the natural environment, particularly the viewsheds, important to this community.

Mr. Hainline noted that the proposed development represents a dramatic change from the approved PUD, in which all the density was loaded into less than a quarter of the land of the new project, but it is the applicant's desire to create a development that is consistent with the existing character of Atlantic Beach. He emphasized that the proposal consists of three distinctive uses – single family residences, the golf course, and the clubhouse and recreational amenities. He reiterated the applicant's commitment to adequate buffers, secured access and a residential tree canopy consistent with adjacent neighborhoods, and he emphasized the updated traffic study's finding that levels of service on impacted roads would remain acceptable.

Mr. Hainline then addressed a citizen concern regarding drainage that was heard at a community meeting held the previous Tuesday (April 9, 2013). He explained that drainage will be reviewed by at least three agencies – the City of Atlantic Beach, the St Johns River Water Management District, and the Florida Department of Environmental Protection – and that the development would comply with all pre-/post-development requirements. Stormwater facilities will be added to accommodate all runoff associated with residential development and the as part of the golf course redesign, the property will be graded and treatment basins will be incorporated. He emphasized that stormwater runoff cannot be added to the creek or adversely impact the storage capacity of the creek.

Mr. Hainline then discussed annexation, stating that it is the applicant's intent to seek annexation of the golf course and residential properties into the City of Atlantic Beach. He said that submittal of this concurrent rezone request to both jurisdictions is the first step. The submittal of an interlocal agreement to each jurisdiction will be an intermediate step.

Mr. Hainline concluded, emphasizing the applicant's commitment

to continue working with staff and residents to meet the overarching goals of the project (1) to maintain viability of the club; (2) to maintain the value of the land; and, (3) to maintain the natural environment, particularly the viewsheds, important to this community.

**Public  
Comment**

James Wheeler (1404 Linkside Drive) stated he was concerned that there would be increased traffic utilizing 11<sup>th</sup> Street and Donner Road as a cut-through between Seminole Road and Mayport Road.

Cindy Cain (1945 Francis Avenue) questioned how Dutton Island Road East, which is now essentially one lane width, would be able to accommodate traffic from the development. Ms. Paul invited Mr. Hainline to respond, and he verified that Dutton Island Road East will be improved to City of Atlantic Beach standards, with a minimum pavement width of twenty (20) feet and secured access.

Janet Allen (1007 Big Pine Key) also expressed concern regarding increased cut-through traffic on 11<sup>th</sup> Street, and she asked why the applicant desired short term stays within the development. Mr. Hainline said that the inclusion of the short term units was to provide an option to collaborate with an established resort/hospitality provider. Mr. Elmore elaborated, stating that the overnight stay concept is part of the rebranding of the club. He said that One Ocean had expressed a desire to market golf junkets, and it is seen as a unique opportunity to benefit both the club and local businesses.

Mary Kring (1580 Selva Marina Drive) asked what else could be developed on the property according to this Special Planned Area zoning, and if it is only single-family, why not change the zoning district classification of the property to one of the conventional single-family zoning districts. Mr. Hainline responded that the portion of the project currently within the City of Atlantic Beach is to be redeveloped with a new clubhouse and recreational amenities, that there will be no residential units on this property (other than the one existing house on the parcel to the north of the clubhouse parcel). He continued, explaining that in a Special Planned Area, as in a Planned Unit Development, the narrative and the site plan are binding. What is constructed must conform to what is shown on the site plan and what is described in the narrative.

Father Mark Water (1243 Linkside Drive) inquired about the proposed Dutton Island Road East access and expressed concern

regarding increased cut-through traffic on 11<sup>th</sup> Street and Parkside Drive, noting that most people try to avoid Five Way. Mr. Hainline responded that the Dutton Island Road East access will be privately owned and maintained, and that it will be a secured ingress/egress for residents and commercial (vendor) traffic only. He added that if staff felt the traffic study needed to be revised to include impacts to 11<sup>th</sup> Street, the applicant would certainly comply.

Monica Hayes (Sevilla) concurred that traffic generally backs up a block or more at the Five Way intersection during rush hour, and most especially during the morning when the school traffic controls are activated. She then asked if consideration had been given as to the number of children this development would generate, thus increasing the traffic with a school destination during the morning rush hour. Ms. Hall told the Board that certain demographic and destination assumptions are built into transportation models, and thus the estimated number of trips provided in the traffic study takes into account these concerns.

***Board  
Discussion***

Mr. Stratton asked what the impact on the project would be if the golf course was not annexed into Atlantic Beach. Ms. Hall responded that the annexation was separate action and there would not be any change in how the land was developed, whether the golf course and residential parcels were located in or out of Atlantic Beach. She reminded the Board that identical documents – including both narrative and site plan – were submitted to both the City of Jacksonville and Atlantic Beach.

Mr. Burgess summarized the differences in what is now approved versus what is proposed, stating that the most striking differences are (1) the change the boundaries and acreage, which is now four times greater the adopted plan, but which also reduces the overall density of the project; (2) the relocation of the residential development to the center of the golf course to create a more conventional residential golf community; and (3) the elimination of multi-family housing.

***Motion***

Mr. Stratton moved that the Community Development Board recommend approval of the Atlantic Beach Country Club SPA (Application REZ-13-00100048) to the City Commission, being a change in zoning district classification from Planned Unit Development (PUD) to Special Planned Area (SPA) for lands described within said application, approving the site development plan and adopting the application and supporting documents, and

all terms and conditions as set forth therein, subject to conditions enumerated, and provided the following findings of fact: (1) The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law; (2) The rezoning to Special Planned Area is consistent with the Comprehensive Plan and the Future Land Use Designation of Residential, Low Density; (3) The rezoning is consistent with the Land Development Regulations, specifically Division 6, establishing standards for Special Planned Areas; (4) The rezoning and the site development plan are consistent with the stated definition, intent and purpose of Special Planned Areas; and, (5) The zoning district classification of Special Planned Area, and the specific uses and special conditions as set forth herein, are consistent and compatible with surrounding development. Mr. Burgess seconded the motion and it passed unanimously, 4-0, with Mr. Elmore abstaining due to his previously stated conflict of interest.

**C. REZ-13-00100049, 0 11<sup>th</sup> Street (Selva Preserve, LLC)**

***Request to rezone approximately 7.05 acres from Planned Unit Development (PUD) to Residential Single Family (RS-1). The subject property is currently part of the Selva Marina Residential PUD as the result of a Joint Venture Agreement. This action seeks to remove the subject property from the PUD approved by Ordinance No. 90-09-209 and revert to the RS-1 zoning designation as previously approved by Ordinance No. 90-08-205.***

***Staff Report***

Ms. Hall reported that this request is incidental to the previous application and should be viewed as merely an issue of housekeeping. She explained this parcel came to be part of the approved Selva Marina Residential PUD in 2009 as the result of a Joint Venture Agreement. However, that venture was not realized and the owners of this parcel are not partners in the Atlantic Beach Country Club SPA request. Because this parcel is less than ten (10) acres in area, and thus does not meet the minimum area requirements of a PUD, it must be rezoned. Because the owners of this parcel do not currently have plans to develop this parcel, they have asked that the zoning simply revert to the previous classification, Residential Single-Family (RS-1).

***Applicant Comment***

T R Hainline, Rogers Towers, P A, stated he was the authorized agent for the applicant in this request also. He concurred with staff's assessment that this request was a matter of housekeeping, stating this property alone does not meet the minimum area requirements to be considered as a Planned Unit Development, and thus must be rezoned. He added the RS-1 zoning is consistent and compatible with surrounding lands, and any future

development of the property would have to comply with all provisions of the adopted Comprehensive Plan and Land Development Regulations for the City of Atlantic Beach.

**Public  
Comment**

Father Mark Waters (1243 Linkside Drive) expressed concern about the impact of future development of the parcel on 11<sup>th</sup> Street and other infrastructure including the water/sewer capacity and sidewalks.

Janet Allen (1007 Big Pine Key) expressed concern regarding any future development on the subject property, and questioned the density.

**Board  
Discussion**

Ms. Hall was asked to respond to the density question. She stated that the Future Land Use Designation is Residential, Low Density, which allows a maximum of six (6) dwelling units per acre, or up to forty-two (42) dwellings, without any consideration being given to environmental factors, infrastructure requirements or other subdivision and land development regulations. However, she told the Board that a preliminary assessment conducted when the land was previously zoned RS-1 estimated that no more than eleven single-family lots could be established on the parcel due to environmental conditions.

Mr. Stratton asked how this compared with what was currently approved for the parcel. Ms. Hall reviewed the approved Selva Marina Country Club Residential PUD site plan and replied that the subject parcel is shown to have a total of twelve (12) complete lots and six (6) partial lots. However, she noted the minimum lot standards for the RS-1 zoning district are greater, and therefore more restrictive, than those for the approved PUD.

**Motion**

Mr. Burgess moved that the Community Development Board recommend approval of Application REZ-13-00100049 to the City Commission, being a change in the zoning district classification from Planned Unit Development (PUD) to Residential, Single-Family (RS-1) for lands described within said application, including all supporting documents and information contained therein, and all terms and conditions as set forth therein, subject to conditions enumerated, and provided the following findings of fact: (1) The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law; (2) The rezoning to Residential, Single-Family (RS-1) is consistent with the Comprehensive Plan and the Future Land Use Designation of Residential, Low Density; (3) Development pursuant to this

rezoning to Residential, Single-Family (RS-1) shall be consistent with the Zoning, Subdivision and Land Development Regulations for the City of Atlantic Beach prior to issuance of local permits authorizing construction or site alteration; (4) The zoning district classification of Residential, Single-Family (RS-1) is consistent and compatible with surrounding development, in that surrounding uses are existing single-family or future single-family residential uses. Mr. Stratton seconded the motion and it carried unanimously, with Mr. Elmore abstaining due to his previously stated conflict of interest.

**5. REPORTS.** *None.*

**6. ADJOURNMENT - 7:50 PM**

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**Brea Paul, Chair**

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**Attest**