

CITY OF ST. AUGUSTINE

Planning and Zoning Board Meeting June 1, 2010

The Planning and Zoning Board met in a formal session Tuesday, June 1, 2010 at 2:00 p.m. in the Alcazar Room at City Hall. The meeting was called to order by Carl Blow, Chairperson and the following were present:

1. Roll Call: Carl Blow, Chairperson
Grant Misterly, Vice Chairperson
James McCune
David Toner
Gerry Dixon (arrived at 2:05 p.m.)

Absent: Deltra Long (excused)
John Valdes (excused)

City Staff: Mark Knight, Director, Planning & Building Department
Carlos Mendoza, Assistant City Attorney
Carly Mason, Recording Secretary

2. Approval of Minutes

The minutes of the May 4, 2010 Regular PZB meeting were approved as presented.

3. Preliminary Subdivision Plat Approval/Conservation Zone Development

3. (a) 2010 - 0026 – Duane Hall, Putnam Bank – Applicant Putnam State Bank – Owner Hildreth Drive (PID# 151150 0000)¹ (Previously Tabled)

To subdivide the property into 12 single family residential lots and to remove trees in conjunction with site development.

Mr. Knight stated that based on a review of the applicable City Codes, and without the support of evidence to the contrary, staff found that the board could TABLE the

preliminary subdivision plat, tree removal, and preservation plan for the property until July 6, 2010 meeting in order to finalize the design and tree mitigation details.

Mr. Knight said the board had two options as follows:

- Deny item without prejudice
- Table item until July 6, 2010

Public hearing opened.

Claire Norris said she lived next door to the proposed project, and the construction would cause flooding issues; therefore, and she was not in favor of the proposal.

Mark McHose stated that the project would create a huge drainage problem. He said the runoff into the marsh would not be acceptable, and he questioned the difference between denying the item with or without prejudice.

Mr. Knight defined the following:

¹ Staff report attached to original minutes

- Denying without prejudice allowed an applicant to re-file an application when the applicant was prepared to proceed
- Denial with prejudice required a waiting period of one year and a new application

Public hearing closed.

MOTION

Mr. Misterly MOVED to DENY WITHOUT PREJUDICE application 2010-0026. The motion was SECONDED by Mr. Toner.

VOTE ON MOTION:

AYES: Misterly, Toner, McCune, Dixon, Blow

NAYES: None

MOTION CARRIED UNANIMOUSLY

4. Conservation Overlay Zone Development

**4. (a) 2010-0047 – Michael Rubin, St. Johns County – Applicant
St. Johns County – Owner
180 Marine Street²**

To approve a 1,320 square foot observation platform over the Matanzas River.

Mr. Knight delivered the staff report and said based on a review of Section 11-19, staff found that the board could approve a dock and observation platform (without roof covering) in conjunction with the Council on Aging Planned Unit Development (PUD) with the condition that all necessary federal and state permits and a building permit would be obtained prior to construction.

² Staff report attached to original minutes

Mr. Blow and Mr. Dixon recused themselves due to a conflict of interest.

Mr. Knight said the item would have to be tabled until July 6, 2010, due to a lack of a quorum.

Mr. Misterly said he was a member of a fund raising committee for the Council on Aging and asked if that would pose a conflict of interest, and the response was no.

5. Rezoning

**5. (a) 2010-0046 – Doug Moran – Applicant
KB Homes Jacksonville LLC – Owner
100 Islander Drive³**

Mr. Knight stated that the rezoning process was an act of the City Commission, upon recommendation by the Planning and Zoning Board. Staff would not make recommendations concerning the rezoning of land.

Karen Taylor, applicant, said Jesse Killabrew from KB Homes met with Anastasia Lakes and Islander homeowners. She said some language clarification had been requested by the homeowners, and the corrections were listed in red on page: five of ten. She said fee simple ownership would be more desirable to buyers considering the current market. She said construction included the following:

- 7.53 acre project
- Quadriplex infrastructure
- Roadways
- Underground utilities
- Pond/storm water retention
- Landscaping
- Ten foot front/rear setbacks

³ Staff report attached to original minutes

- Five foot side yard setback
- 15 foot rear setback north boundary
- 15 foot side yard setback north boundary
- 16 buildings including two to eight units
- Minimum lot size of 1,350 square feet
- Colors and architectural style same as current buildings
- Install fencing
- Retaining wall
- Buffer
- Shielded street lights

Public hearing opened.

Mr. Blow said 68 certified notices were mailed and nine were returned in favor, 14 were opposed and seven had comments.

Mary Kerr, Anastasia Lakes resident, questioned the distance between her residence and the proposed buildings. She said trees were also planted next to the fence that would have to be removed. She concluded that she was not in favor of the project.

Nicky Parrone, Islander resident, said KB Homes had worked with each homeowner, and noted she was in favor of the application.

Mr. Blow asked if Ms. Parrone was the first homeowner in the Islander and who controlled the homeowner's association.

Ms. Parrone replied that she was the first homeowner, and the current property owner controlled the homeowner's association.

Raymond Hamilton, Anastasia Lakes resident, said KB Homes had addressed all his concerns, and noted he was in favor of the application.

Jacqueline Lange, Anastasia Lakes resident, expressed concern about the size of the project, traffic pattern, and density.

Public hearing closed.

Mr. Dixon said the original project had been approved under the current zoning, and the proposed density was less than the current zoning.

Ms. Taylor said KB Home representatives met with surrounding homeowners and noted that additional buffers would be provided. She said Mr. Wernick was the President of the Islander homeowners association.

Mr. Blow questioned the project would have multiple property associations, and the response was affirmative.

Mr. Knight questioned the distance from the fence to the condominiums located on the Westside, and the response was 45 feet.

Mr. Misterly questioned the garbage service and whether parking met the Code requirements. He asked if on street parking would be allowed, and the response was no.

Ms. Taylor said the property would have residential trash pick-up and driveway aprons that met Code.

Mr. Knight said a Planned Unit Development (PUD) allowed for flexible parking options. He added that stacked parking would be acceptable for the project.

Mr. Misterly questioned whether the wording for page five of the narrative should read *five foot front yard* instead of a ten foot front yard. He asked for clarification regarding the proposed 30 foot building height and whether the height limit met Code

requirements. He asked that exterior renderings and construction material be provided for the record.

Ms. Taylor said she would correct the error on page five of the narrative. She said the building height would be measured from the finish floor elevation to the roof shingles and would be in compliance with Code. She concluded that renderings and materials would be provided for the record.

Mr. Dixon suggested a 15 foot setback for the buildings.

Mr. Blow said he had not been given adequate time to review the updated documents. He said the (PUD) seemed vague.

Jesse Killabrew, KB Homes, said the project details would be submitted to the City Commission. He said hardy board would be used for the exterior siding.

Mr. Toner questioned the changes to the packet.

Ms. Taylor replied that the changes were as follows:

- Item three, Units 17, and 38 through 47 would have a minimum setback of 15 foot
- Rear and side yard setbacks
- Item six, "*and it's successors*"
- Lots 17, and 38 through 47 would include a 15 foot setback and additional buffering
- Site plan

Mr. Blow clarified that the original owner sold three units, and the new property owner intended to build fee simple townhomes. He suggested that all details be provided, before sending the item to the City Commission.

John Dinkle , Regional Attorney for KB Home, said the development had some areas that had not been annexed. He clarified that the property would have a master association and two sub associations.

Mr. Blow asked if the two associations would include a cost sharing association, and he questioned who would be responsible for the pool.

Mr. Dinkle replied that the townhome association would be responsible for the pool. He said the cost sharing and reciprocal easement agreement would provide the right to include the Islander home owner's with use of the pool. He said the changes to the application had been read into the record and they would be made.

MOTION

Mr. Misterly MOVED to APPROVE application 2010-0046 as follows:

Side yard requirements:

- **Change minimum side yard requirements from 10 to 20 feet**
- **Clarification regarding the unit numbers that would be affected**

Maximum Building Height:

- **Additional detail regarding the 30 feet from the base flood elevation to the peak of the roof**

Architectural Style:

- **Reference the provided renderings**
- **Hardy board**
- **No vinyl siding**

Parking:

- **Additional three parking spaces south of units 39, 40, 41, and 42 for Tract: G**

The motion was **SECONDED** by Mr. McCune.

VOTE ON MOTION:

AYES: Misterly, McCune, Dixon, Toner,

NAYES: Blow

MOTION CARRIED 4/1

6. Other Business

6. (a) Discussion Regarding Regulation of Automobile Sales Lots

Mr. Knight provided a review of the cities parking regulations and automobile sales lots as follows:

- Altamonte Springs required a five acre minimum lot size
- Atlantic Beach only allowed sales in Commercial general or Industrial warehouse zoning, use-by-exception
- Coral Springs no more than 50% used automobiles and various stipulations
- Boca Raton no outside sales lots

Mr. Dixon questioned whether automobile sales were listed as an exception, and the response was affirmative.

Mr. Knight replied that the regulations were not covered under CM-2.

After a brief discussion the board agreed to allow Mr. Knight to bring back aforementioned regarding the regulation of automobile sales and provide the information at a subsequent meeting.

9. Adjournment

Having no further business, Mr. Blow adjourned the meeting at 3:44 P.M.⁴

Carl Blow, Chairperson

⁴ Transcribed by Carly Mason