

PLANNING & ZONING BOARD MEETING MINUTES
September 10, 2018

Planning and Zoning Board Members:

Regina Dunay, Chairperson (Quorum)
Chris Rader, Co-Chair
David Gragg, Board Member (absent)
Marion Rayburn, Board Member
Aileen Trivedi, Board Member

Staff:

Drew Smith, City Attorney
David Mahler, Sr. Project Engineer, CPH
Sandra Repp, Deputy City Clerk

Applicant:

Leslie Griffith, JWB Architects
Stephen Allen, Civil Corp Engineers
Ryan Davis, Loch Investments

CALL TO ORDER

Chairwoman Dunay called the Planning & Zoning Board meeting to order at 6:30 p.m. and led the Pledge of Allegiance. Deputy City Clerk, Sandy Repp, announced that there was a quorum with Board Member Gragg absent.

APPROVAL OF MINUTES

- *July 9, 2018*

The following changes were requested to the July 9, 2018 minutes - Page 2 changed “has” to “as”. Page 3 paragraph 6, last line “change “set” to “establish”.

Chairwoman Dunay asked for a motion

Board Member Trivedi moved to approve the minutes with changes; Second by Board Member Rayburn. The motion was approved (4/0).

NEW BUSINESS

- **Variance requests 2018-VAR-07, 2018-VAR-08, and 2018-VAR-09 for The Waterfront at 4201 S. Orange Avenue.**
City Engineer Mahler introduced requests for three variances for an existing restaurant, The Waterfront located at 4201 S. Orange Avenue. The applicant has submitted their justification for each variance request.



1. Variance 2018 – 07 request for a reduction in the landscape buffer. The parking lot is existing and does not meet current code and setbacks. The landscape buffer would run parallel to Orange Avenue. CPH does not have objections to the buffer variance request because it is an existing facility and they are trying to make improvements and accommodate more seating.
2. Variance 2018-08 request for reduction in tree placement requirements. The applicant is asking for a variance for the usual spacing of trees along Orange Avenue. Shade trees in limited spaces may not have room to grow and may cause damage to the small area.
3. Variance 2018-09 request to build within the Normal High Water Elevation (NHWE) setback. Per Engineer Mahler, there is not a description in the Code for a parking lot distance from the NHWE. The applicant is asking for a variance in the setback to 20 feet from the NHWE as opposed to 50 feet. The current building is at 20.3 feet from the NHWE. This is based on the existing structure and parking lot as they stand today.

Board Member Rader said that he assumes that the applicant is making application for the variances before returning with the formal site plan but that there is very little detail, such as what would be located in the landscape buffer. He believes there should be conditions of approval.

Board Member Rader asked about current zoning and Attorney Smith responded that the application was submitted as C-1 and will keep that zoning for this application.

Further discussion from Board Member Rader included concerns about the details of tree planting, increasing pavement, stormwater and parking with the addition of seating.

City Engineer Maher said that the applicant may respond to the Board's concerns.

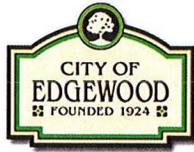
Civil Engineer Stephen Allen approached the podium and said that they are trying to expand with the existing conditions. The owner is not opposed to the hedge or the trees but there is not enough room with sizeable root systems for all the trees required. There would be required shade trees for the landscape island and a tree closer to the road. Mr. Allen continued that there is a lot of work to be done for stormwater and he is aware of the requirements.

Further discussion included the proposed parking islands and the septic tank. Mr. Allen said that they will replace with a lift station and try to be the least invasive as possible in order to protect the large oak tree. Chairwoman Dunay and Board Member Rader said that they would like to see more details before than can agree to an approval in order to craft conditions.

Chairwoman Dunay asked if expansion on Orange Avenue brought the property to its current measurement. Mr. Allen said that he went by old aerials and it appears that Orange Avenue may have expanded in the direction of the restaurant. This concerns Chairwoman Dunay if that is a reason to allow the variance requests.

Ryan Davis of Loch Investments approached the podium. He said the biggest problem is parking and they are asking for the vegetation variances to help alleviate this. They are willing to provide what the Board needs to see.

Mr. Davis responded that they are not seeking to increase the current capacity. Their priority is to get the parking they need and keep vehicles off the grass and also to have handicapped parking. If they get the parking and capacity they need, it will help them get an SRX liquor license, a restaurant



only license, which will help them financially. They are open to what the Board would like to see. He said that more trees can be planted but will leave it to the landscape architect.

Mr. Davis said the priorities are to get on sewer, expand parking and then add handicapped accessible restrooms. Mr. Davis said that they want people to know that they are working on this and to keep the process moving.

Board Member Rader asked Mr. Allen if they are willing to come back with more details. Attorney Smith suggested discussing what the Board would like to see so that applicant can hear and then rework the plan in order to get as close to the intent of the Edgewood Central District (ECD) as they can.

Attorney Smith said it is not a nonconforming use and the nonconforming use is not exacerbating the situation. The expansion can cure the ADA deficiency and Code allows for improvements to be made.

Board Member Rader stated that the Board is concerned about protecting the water body. With the creation of extra pavement, they are concerned about water quality and protecting the water body. There can be no free runoff from the parking lots. Mr. Allen responded that they will need to research the St. Johns Water Management District (SJRWMD) rules for the runoff. Chairwoman Dunay also stated concerns about the parking and asked if people that stay and sit along the lake increases parking. Mr. Davis responded that they want people to stay and enjoy the water. Chairwoman Dunay mentioned safety issues about parking at VanBarry's across the street. Mr. Davis agreed that is a concern and does not encourage across the street parking. He has put up No Parking signs to work with the issue.

The Board asked about the additional parking and special events and the possibility of a valet service. Mr. Davis responded that they are offering specials for people who Uber and they encourage ride sharing. Board Member Trivedi said that she really likes the idea of a valet company without having to make the property all parking. She would like to see the details and see how the company can succeed.

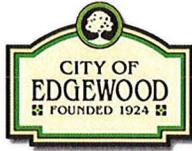
Chairwoman Dunay asked for public comment

Brett Barner – Edgewood resident stated his concerns about protecting the water body and the consequences of a flood for a building built within the NHWE setbacks.

Board Member Rader recalled that on a previous application the swales were discussed to protect the lake from runoff and debris. Mr. Barner agreed that the present septic is heavily utilized. Member Trivedi added that Edgewood needs to be pro-business but that there needs to be requirements for aesthetics and protection of the lake.

Mr. Allen stated his concern about bringing the site design back to the Board could be putting the cart before the horse as the variances are not in place. Attorney Smith said they are focused on the landscaping variances.

Leslie Griffith of JWB Architects came to podium to discuss sidewalks and a proposed ramp. The area between the cars and the sidewalk is the safety concern. The shrubs are a barrier but if they



are doing something different they will build a retaining wall. To the south the existing sewage drainage is higher in grade to the parking lot.

As there was no further discussion, Chairwoman Dunay asked for a motion:

Board Member Rader made the motion to table the three proposed variances until the October 8 2018 meeting; second by Board Member Trivedi. The motion was unanimously passed (4/0).

COMMENTS/ANNOUNCEMENTS

Chairwoman Dunay asked Deputy City Clerk, Sandy Repp for the next meetings who confirmed that the next Planning and Zoning dates would be

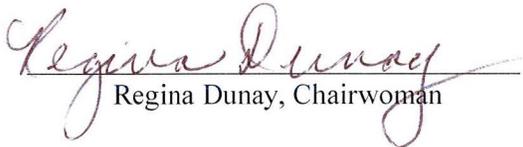
- October 8, 2018
- November 12, 2018

Board Member Rader said the district was created and the resolution for the zoning was read at Council. Attorney Smith said that zoning is the next step and is being prepared for the October Council meeting.

Board Member Trivedi asked about referendum for electronic changeable message signs and that will be placed on the September Council meeting agenda.

ADJOURNMENT:

With no further business or discussion, Board Member Rayburn made the Motion to adjourn the Planning and Zoning Board meeting; second by Board Member Rader. The motion was unanimously approved (4/0). The meeting adjourned at 7:51 pm.


Regina Dunay, Chairwoman


Sandra Repp, Deputy City Clerk