

Town of Callahan
'A Florida Municipality'

Zoning Board Meeting Minutes
October 8, 2018

Present at meeting: Mr. Kirk, Mr. Knagge, Mr. Mellecker, Mr. Bryan, Mr. Haugh, Mrs. Piipke, Mr. Williams, Mr. Branham

Absent:

Meeting called to order – Mr. Kirk at 7:03 pm

Pledge of Allegiance & Invocation – Mr. Knagge

Persons wishing to address the board – Brenton Franklin Property owner Ewing Park Apartments, Henry Vorde engineer for Ewing Park Apartments

Minutes – Mr. Bryan made a motion to approve the minutes from the last meeting on September 10th and Mr. Knagge 2nd the motion. Motion carried.

Mr. Bryan made a motion to continue the Public Hearing from last month for Ewing Park Apartments. Mr. Knagge 2nd the motion. Motion carried.

Mr. Brenton Franklin addressed the board regarding the changes that have been made in the layout since the last meeting. They have removed one building from the SW end of the development, this will now be for future storage units for the apartments only. Behind the three properties up front, we made those parking spaces parallel to the property line, allowing more width for the drainage for the swell to deviate any water from those properties. We went from 96 to 80 units with the removal of the building so now there are 5 buildings with 16 units each. When we resurface Ewing Park Rd. we're planning to put in a bigger speed bump and adding an additional one in front of the park entrance, also putting in one of those solar panel, LED flashing crosswalks.

Mr. Bryan - How much of the road are you redoing?

Mr. Franklin - Midway from the apartments that are there now about ½ way down their property line. Where the first speed bump is we are planning to resurface all the way back, in front of the park and the cul-de-sac.

Mr. Bryan - Has the fire marshal approved the changes?

Mr. Franklin – Yes, we went through and cut the angles of the curbs, kept the parking a loop system and there are now 2 fire hydrants in the development and 1 outside the development.

Mr. Knagge - We previously discussed additional opportunities for traffic getting in and out of this area and developing alternative access beyond Ewing Park Road. It was mentioned that there was a DOT right of way going out toward Winn Dixie. Mike has found another possibility on the back side of the property. Is there anything that can be expounded on that?

Mr. Williams – There are issues with the property that goes NE, going out towards SR 200. That is not going to work for us. We have looked at an alternative going out between Wells Fargo and Subway which pretty much intersects to the back of his property. The driveway between Wells Fargo and Subway would be wide enough for ingress and egress. I spoke to Mr. Osteen, he owns ½ of that and I will have to deal with Wells Fargo corporate. Mr. Osteen is agreeable to allowing this to happen. This is a shorter route, most of it is already paved, so there is an option there and it would take a lot of the traffic off of Ewing Park Road. It would be an asset to the complex, giving it two ways in and out. With this he wouldn't have to construct that small single lane road. That could be abolished in the drawing.

Mr. Bryan – Would you be agreeable to that?

Mr. Franklin – This is something I would look into. I would like to work with the city on the impact fees and tap fees to see if it's feasible.

Mr. Vorde – The only issue this would add is that if it is over 4,000 square feet of pavement, the Water Management District is going to want retention for that somewhere, unless his pond could be made to handle that. Which right now we are on the brink.

Mr. Williams – We can get with the St. Johns because there may not be a requirement for a retention pond. Most of the road is already there. Maybe 250 to 300 feet of clearing is all that we are looking at and with open cut ditches it already drains back on to wetlands.

Mr. Knagge – Is there a buffer between the project property and the residential properties?

Mr. Franklin – There is a swell that runs between the two properties to keep the drainage off the properties. There is an existing wood line there that will stay and the entire complex will be fenced.

Mr. Williams – I will have to mention to the council that Mr. Franklin is asking for 80 units. The Comp Plan only allows for 10 units per acre. His usable acreage on page 4 is listed at 7.04. I know he is attempting to acquire 2 other residential parcels up front. I don't know what success you have had with that.

Mr. Franklin – They are supposed to let me know next week, but with the revised wetlands that was released a year and a half ago, it brought it up to 7.3 usable acreage.

Mr. Williams – I just need to make the planning board aware that it's in the code that it is 10 units per acre of land. If the planning board chooses to allow and send to the council the recommendation to allow the 80 units, you would have to do a Comp Plan amendment. The board will not be able to just agree to allow him to do 80 units.

Mr. Franklin – The reason I went to 80 is because of how my units are laid out. It will be difficult for me to take out 8 units, when it is 16 units per building.

Mr. Branham – You could do a PUD (Planned Unit Development) and quarter out this particular parcel, you don't have to necessarily change the allowable density for all pieces of RMD (Residential Medium Density) in the town. It would still have to be done by a Comp Plan amendment but the PUD would allow for it to be compartmentalized.

Mrs. Smith – I am still very concerned with the traffic on Ewing Park Road. I think that traffic going in and out of Ewing Park Road with even 70 units would be really tough on the parking at the park because of the way the parking is. The children at the park is my concern.

Mr. Franklin – If parking is an issue in front of the park then this is hindering my project because the parking is actually encroaching on the easement through there. Half of the parking is in the right of way. The town might need to move the parking to allow me access to my development.

Mr. Kirk – Is this right, Mike?

Mr. Williams – The road is very narrow and there is head in parking on the fence line. It does somewhat get in the roads right of way. The whole area is road right of way. The town has chosen to have head in parking from years ago. You can still get two cars down the road very narrowly, but the head in parking does hinder the travel on that road.

Mr. Franklin – I would like to ask for clarification if I'm trying to use my property for what it is zoned for, would that be an issue with the parking holding me back from my project, because it is the right of way?

Mr. Branham – The right of way can be used for parking. On street parking is a common thing. It is a town owned right of way and the town has the discretion to use it how it sees fit. You do have developer rights and you have a property that is in multi-family or is eligible for multi-family at 10 units per acre. Whether you can make the town move or change it could get pretty sticky. There is nothing that really prohibits on street parking.

Mr. Franklin – There is about 15 spaces there, at the end of the road is a large cul-de-sac that could be used to replace those parking spaces, to get them out of the right of way and allow for the safety of the children coming out right there and running around the vehicles. I would be willing to work with the town to get the parking off of the right of way.

Mr. Kirk – Does anyone on the board have any more questions, concerns or input?

Mr. Haugh – All of my questions have been answered and I am for the project.

Mr. Knagge – I am still concerned with the units per acre, based on the traffic patterns, I don't see exceeding the amount allowed on such a small road. It's a very small road, it's already difficult to get in and out without adding 150 or more cars on and off that road every day.

Mr. Bryan – My questions have been answered.

Mr. Knagge – I make a motion to close the public hearing and open the regular meeting.

Mr. Bryan – 2nd the motion.

Motion carried.

Mr. Kirk – Before we do anything, take into consideration that we have to make a recommendation to the council to make an amendment to the Comp Plan for the 80 units.

Mr. Williams – For your motion and vote, if that's what you choose, to allow him to move forward with 80 units at this board, the motion is going to have to be to allow the 80 units with a Comp Plan

amendment and/or do a PUD or you make a motion for less units. You can impose any conditions you want. The council has the ultimate authority.

Mr. Branham – Keep in mind that we are here on a site plan review. You’re going to make a motion to do something, even if it is to deny it or approve it with certain conditions. Then it will go to the council and they will deal with it.

Mr. Knagge – Mr. Franklin, if you were to acquire the additional land, would this change the site plan or just be factored in as additional land? Would you be looking at building additional units or is it more to lower the density?

Mr. Franklin – That isn’t something that I have thought about.

Mr. Bryan – I make a motion to adopt the plan with 2 conditions:

1. Acquiring one or more additional properties or
2. Add an additional access road

Mr. Kirk – 2nd the motion.

Mr. Branham – I am going to ask you to consider changing the motion to give the developer the option to reduce the density. If you are looking for if the developer is acquiring the additional land to meet the density requirements, then there would not be a need for the Comp Plan amendment.

Mr. Bryan – I withdraw my motion.

Mr. Knagge – I make a motion that the developer conforms to these requirements by either reducing the number of units he plans to include, to meet the 10 units per acre or to purchase additional land to bring the density down or add an additional access road to alleviate traffic off Ewing Park Road.

Mr. Bryan – 2nd the motion.

Motion carried

Adjourn – Motion to adjourn by Mr. Haugh and Mr. Knagge 2nd the motion at 8:27 pm.

Motion carried

Mr. Kirk, Zoning President

Lorna Piipke

If a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.