CITY OF HOLLY HILL, FLORIDA

BOARD OF PLANNING AND APPEALS

MINUTES ● SEPTEMBER 23, 2019

City Commission Chamber	BOPA Regular Meeting	6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	Board Member	Present	
Mike Myer	Chairman	Present	
Robin D. Hanger	Board Member	Present	
Dennis Smith	Board Member	Present	
Tony Cassata	Board Member	Present	

2. INNVOCATION

Invocation was given by Chairman Mike Myer.

3. PLEDGE OF ALLEGIANCE

Board member Arthur Byrnes led in the Pledge of Allegiance.

4. BOPA MINUTES APPROVAL

1. Minutes of August 5, 2019 BOPA Meeting

   (Requested by Brian Walker, City Planner)

   At this time recording secretary Liz Nelson read into the record the fact that we received Form 8B Memorandum of Voting Conflict for County, Municipal and local public officers from Board member Robin Hanger disclosed that on August 5, 2019 a measure came before the Board and the nature of his conflict interest in the measure is that he owns the property.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Arthur J. Byrnes, Board Member
AYES:	Byrnes, Myer, Hanger, Smith, Cassata

Enacted and approved this 23rd day of September, 2019, in Holly Hill

5. AGENDA ITEM(S)

1. An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Rezoning the Parcel Described in Exhibit a from Mpud (Mixed-Use Planned Unit Development) to Mpud (Mixed-Use Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

   (Requested by Brian Walker, City Planner)

   Brian Walker, City Planner, summarized his staff report stating that this is a rezoning from MPUD (Mixed-Use Planned Unit Development) to a MPUD including a density bonus, for approximately 5.4 acres, located on the northeast corner of Ridgewood Avenue and 3rd Street. The property was rezoned from CC-1 (Commercial Corridor) and R-2 (Low Medium Density Single-Family Residential) to MPUD (Mixed-Use Planned Unit Development) on January 24, 2006. The base residential density permitted by the mixed-use II future land use is 20 dwelling units an acre, however performance standard bonuses would allow a density bonus of up to an additional 15 dwelling units an acre, for a total of up to 35 units/acre for innovation and high quality design. The proposed MPUD differs from the current MPUD in a few key areas related to the average unit size, type of development, site area, commercial component and phasing.

   The staff report points out the differences between the current MPUD and the proposed MPUD. He further commented that staff looks at the future land use and zoning of surrounding properties as well as a site analysis. Also, the request is consistent with the Land Development Regulations of Holly Hill and the surrounding area. The proposed affordable senior housing project is consistent with the objective's of the PUD zoning designation in that it supports the goal for integrated developments, which are consistent with the comprehensive plan, and that promote a mixture of housing costs and types and economical and orderly development consisting of a single or mixture of compatible land uses. The proposed Mixed Use Planned Unit Development (MPUD) is compatible with the allowable uses and density provisions of the Mixed Use-II future land use designation, if granted the requested density bonus, as well as with existing adjacent and future land uses, the natural environment and the impact upon supporting public infrastructure.

   Staff has reviewed the applicant's proposed performance standard bonuses and recommends approval of the density bonus. Staff also recommends that the City Commission adopt the Ordinance enacting a Rezoning to the MPUD and approve the associated Development Agreement including a density bonus of 15 dwelling units per acre and the Preliminary Development Plan for approximately 5.4 acres for property located on the northeast corner of Ridgewood Avenue and 3rd Street.

   Chairman Mike Myer asked if the previous PUD stated that it would consist of 55 units per acres, is that still in this PUD? Staff informed him that the Future Land Use Designation never would have allowed 55 units per acres.

   Arthur Brynes asked why the Master Development Agreement states that "residential dwellings to be used for **affordable senior housing**". He suggested a change to the development order to state a specific age requirement. After some discussion with the applicant Michael Sznapstajler, with Cobb Cole, 149 S Ridgewood Avenue, Daytona

Beach, Fl it was agreed to change the development order to specify the age of 55 years and older.

At this time the applicant, Michael Sznapstajler started a power point presentation. Outlining Madison Bay LLC's facilities around the State of Florida and more specific about the location proposed for Holly Hill. He stated that the main element of the development is two (2) multi-story secured residential dwellings with multi amenities. He opened the floor to questions from the Board. He was asked about the smallest unit size. He stated it was 574 sq'...the development agreement states that 574 sq' is the average size per dwelling unit. The development agreement, Section 3(b) needs to be changed, by removing the word **"average"** out of that statement.

Stacy Banach. Madison Bay, LLC, 558 W New England Avenue, Suite 250, Winter Park, FL representing the development company stepped to the podium to answer the question dealing with timing of the project. He informed the board that after dealing with the State of Florida and closing on the property, they should break ground around August 2020.

Chairman Mike Myer questioned the allowable height of the buildings, stating that he believes that these buildings will be 7 stories, however the Development Agreement stated 170 feet high, which is around 17 stories high. Mr. Banach informed the Board that was in the previous Development Agreement and they left that as is. After a brief discussion it was agreed to have the Development Agreement language changed in Section 3(d) from **One Hundred and Seventy (170) feet to Eighty (80) feet**.

Pam & David Shafer, 421 Miram Avenue, stepped to the podium expressing that they are concerned with the project making the flooding in their area worse. They were informed that the project has to meet all state and local stormwater retention regulations and that flooding in that area may improve due to the retention ponds being constructed on the property.

Karen Bruha, 212 3rd Street, stated that she is totally against this project.

Camille Ingham, 334 Daytona Avenue stepped to the podium stating she has concerns with the height as stated in the Development Agreement, she was informed that has been taken care of and it will be changed to reflect 80 ' in height maximum. She further stated concerns with the parking, buffering, trees and flooding. She was informed that there are design standards that the developer will have to meet. She expressed that the City should look more carefully at this project before approving it.

Lynne Smith, 107 7th Street, stated that she is in favor of the project. She questioned about the loan the developer received from the City, what happens to the loan if they do not get approval from the state. She was informed by Scott Simpson, City Attorney that they will not be getting any funding from the City until they have State approval for the project.

Heidi Heller, 460 Ridgewood Avenue, questioned if there will be any mention of Holly Hill on their signage, also will there be a covered bus stop at this location for the development and if the building would be used for an emergency shelter. She was informed that the bus stop would be up to Votran. There is no intention of using these residential buildings as an emergency shelter.

Michael Sznapstajler, Attorney for applicant, stepped to the podium to state that the Development Order will be changed to reflect the building height of eighty (80') feet, there is a parking study that will dictate the parking requirements, there is a 25' rear setback with a substantial buffer, the retention pond in the rear of the property is dry and there should be no flooding, as well as meeting all state and local stormwater regulations.

Arthur Byrnes questioned the phasing of this project. Scott Simpson, City Attorney stated that the Development Order Section 13 lays out the phasing of the project.

Robin Hanger moved, seconded by Tony Cassata to approve the Rezoning and to delete the word "average" in Section 3(b), change Section 3(d) to change the maximum height to eight (80') feet, all discussions will be incorporated within the Development Agreement.

Robin Hanger made a statement that this project will be a vast improvement over the vacant land that is there at this time. This change is good for the citizens of Holly Hill.

RESULT:	**RECOMMEND APPROVAL TO CITY COMMISSION [UNANIMOUS]**
MOVER:	Robin D. Hanger, Board Member
SECONDER:	Tony Cassata, Board Member
AYES:	Byrnes, Myer, Hanger, Smith, Cassata

6. OLD BUSINESS

None

7. BOARD/STAFF COMMUNICATIONS

Members asked if there would be a October BOPA Meeting. Staff informed the Board that there will be no October Meeting.

8. ADJOURNMENT

This meeting adjourned at 7:05 PM