

DATE AND TIME STAMP

**NOTICE OF APPEAL FROM A
FINAL ORDER OF THE
JACKSONVILLE PLANNING COMMISSION**

I. INSTRUCTIONS

As provided in §656.140, Ordinance Code, any person with standing may appeal a Jacksonville Planning Commission final order with respect to an application for zoning exception, variance, or waiver to the City Council. An appeal must be filed **within 21 calendar days** after the order granting, granting with conditions, or denying an application is signed by the Commission Chairman. To appeal a Commission final order, complete and submit this form to the Legislative Services Division, Suite 430, City Hall-St. James, 117 W. Duval Street, Jacksonville, Florida 32202 with the supporting documents (*see* Section III) and appropriate fees (*see* Section IV). A copy of the order and the list of persons who testified before or wrote to the Commission about the application (*see* Sec. III (1) and (4)) may be obtained from the Secretary to the Planning Commission at the Planning and Development Department, 3rd Floor, Edward Ball Building, 2814 North Hogan Street, Suite 300, Jacksonville, Florida 32202. For questions regarding the Appeal process, please contact the Secretary to the Planning Commission at (904) 255-7800.

II. NOTICE OF APPEAL

I, Yahya Shabazz, hereby file this Notice of Appeal from the final order of
PRINT NAME CLEARLY
the City of Jacksonville Planning Commission concerning Exception/Variance/Waiver Number WLD-22-13.

I am (Please circle one):

- (a) The person who filed the application for the zoning exception, variance, or waiver;
- (b) A person who owns, lives, or operates a business on property within 350 feet of the property which has been granted or denied a zoning exception, variance, or waiver;
- (c) A person, other than a member of the City Council, who provided a qualifying written statement or who testified before the Planning Commission. The statement must have been in writing, expressing a position on the merits of the application for zoning exception, variance, or waiver, other than a petition, such as a letter, a memo or an e-mail, containing a reference to the specific application number and the name and mailing address of the person making the statement. The statement must have been specifically addressed to the City's Chief, Current Planning Division, or any member of the Planning Commission (with a copy to the Chief, Comprehensive Planning Division), and which was delivered to and received by the City's Planning and Development Department by hand delivery, mail, facsimile, or e-mail at least two working days before the public hearing at which the Commission took final action on the application, or which is read into the record at the public hearing, or distributed to the Commission at the hearing with a copy to the Commission's staff.

III. SUPPORTING DOCUMENTS

To complete your Notice of Appeal, you **must** submit the following documents with this form:

- (1) A copy of the Final Order you are appealing.
- (2) If you circled II(c) above, you must provide a statement of your interest sufficient to show how you are or will be *adversely* affected by the Commission's decision. Please provide this statement in the space below:

If you need additional space, please attach a separate sheet.

EXHIBIT

“A”



Jessica A. Cappock
Attorney
Licensed in Florida
jcappock@cobbgonzalez.com

VIA HAND DELIVERY

Attn: Legislative Services Division
City Hall-St. James
117 W. Duval Street
Suite 430
Jacksonville, FL 32202

Re: Yahya Shabazz's Appeal of Final Order on Application No WLD-22-13

Legislative Services Division:

In response to the Final Order of WLD-22-13, ("Final Order") of the Jacksonville Planning Commission ("Planning Commission"), pursuant to Section 656.140 of the City of Jacksonville Ordinance Code, Yahya Shabazz, ("Mr. Shabazz"), appeals the Final Order and in support states the following:

In its Final Order, the Planning Commission approves with condition, Royal House Liquors, Inc.'s ("Liquors") Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-22-13, ("Application"), filed by Anwar's Properties, Inc. ("Owner"), owner of real property located at 5522 Soutel Drive, Jacksonville, FL 32219, on behalf of Liquors. The City Council Committee should reverse the Final Order, because (1) the Application misrepresents Section 656.133(a) and therefore unduly prejudiced the vote of the King/Soutel Advisory Board; (2) the Application misrepresents Section 656.133(a) and therefore unduly prejudiced the vote of the Planning Commission ("Commission"); (3) the Property is within 500 feet of Friendship Missionary Baptist Church (the "Church") in violation of Section 656.805; (4) prior Planning Commission precedent, final orders WLD-12-05, WLD-19-13, and WLD-19-24 are in favor of denial of the Application; (5) Liquors will be directly visible along the line of measurement as defined in Section 656.806; and (6) the detriment to the community outweighs the benefit of the approval of the Application.

This Appeal is filed after the following sequence of events. The Owner filed the Application on March 4th, 2022. Although the Application was filed in March 2022, the Application submitted was a prior version, last updated in 2017 and a misrepresentation of the current applicable version of Section 656.113(a). Multiple advisory boards reviewed the Application, including the Northwest Citizens Planning Advisory Committee ("NWCPAC") and the King/Soutel Advisory Board ("KSAB"). On April 4th, 2022, the NWCPAC issued its opposition to the approval of the Application. The KSAB however voted in favor of the approval of the Application, largely based upon the outdated compulsory language in the Application.

On April 7th, 2022, the Commission reviewed the Application and heard community input and discussion at the Planning Commission Meeting ("First Meeting"). The First Meeting resulted in a four (4) to three (3) vote in favor of approval of the Application, however fell short of the

affirmative five (5) vote requirement. For that reason, the Application was again reviewed at the April 21st, 2022, Planning Commission Meeting (“Second Meeting”). At that meeting, the Planning Commission, in a five (5) to three (3) vote, voted in favor of approval of the Application. Mr. Shabazz files this Appeal in response to the above.

A. The Application Misrepresents Section 656.133

The Application, submitted on March 4th, 2022, attached herein, pages 65-68 of the Appeal Packet, includes a last updated date of January 10th, 2017. The Application date is significant because the criteria language included in the Application was no longer applicable at the time of Application submission. Particularly, the Application criteria requires that:

Section 656.11(a)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the Planning Commission **shall** grant a waiver for minimum distance requirements from a church or school for a liquor license, if there exist one or more circumstances which negate the necessity for compliance with the distance requirements.... (Emphasis added).

Despite the foregoing language in the Application, and used for the Planning Commission and respective advisory board’s review, Section 656.133(a) actually requires that:

The Waiver for minimum distance requirements from a church or school for a liquor license location **may** be granted if there exist one or more circumstances which negate the necessity for compliance with the distance requirements.... (Emphasis added).

The significance of Liquor and Owner’s misrepresentation in the outdated Application submittal is substantial. **While pursuant to Section 656.133(a) the Planning Commission and respective advisory board’s have the discretion to weigh their options in making a decision on approval of an application, the outdated criteria as referenced in the Application does not allow for that discretion.** Instead, under the outdate criteria, the Planning Commission merely acts as fact finder, bound to approve if any of the exempting criteria is met.

The foregoing misrepresentation was discussed at length in the First and Second Meetings and referenced as largely to blame for KSAB’s recommendation to approve the Application. At the Second Meeting, Ms. Cullins-Hopkins, referring to the KSAB, stated that “we were bamboozled by the application we received that used the word ‘shall’ and not ‘may’. And **that’s the only reason why the advisory board recommended the passage.** The community does not want another liquor store.” (emphasis added) (Second Meeting Transcript p. 188). The Planning Commission’s reliance on the outdated Application language, together with reliance on KSAB’s recommendation, with an improper basis pursuant to the misrepresented ordinance code language,



as such, renders the Final Order improper. The Planning Commission's vote was taken based upon a detrimentally flawed KSAB recommendation, rooted in the misrepresented language on the outdated Application.

B. The Property is Within 500 feet of the Church in Violation of Section 656.805

Section 656.805(b) limits the distance for on and off premises consumption of alcohol, beer, and/or wine, requiring that "[t]here shall not be less than 500 feet from an established school or church for the off-premises consumption of alcoholic beverages, including beer and wine...." Pursuant to Section 656.806, "distance shall be measured by following a straight line from the nearest point of the building or portion of the building used as part of the proposed location to the nearest point of **the grounds used as part of the church, school facilities, or adult entertainment facility.**" (emphasis added).

While there was much discussion regarding the measurement from the Church grounds to the proposed Liquors store, the language is clear. Attorney Harden, on behalf of the Owner and Liquors compared the measurement here to an opinion written by Fred Franklin in which the court held that "it's the opinion of this office, that mere ownership of property of that church is not sufficient to render vacant property grounds as used by the established church." At the Second Meeting, Mr. Harden made a bold claim, stating that "the facts in that case were similar. That particular church had **52 acres between the facility and the church. And they claimed that whole 52 acres.**" (Second Meeting Transcript p. 239-240). Moreover, Mr. Harden defined "grounds" through the same opinion as "an area of land designated for a particular purpose, the land surrounding or forming part of the building." (Second Meeting Transcript p. 239).

Clearly the case upon which the Owners and Liquors relies is distinguishable from the facts in this case. A 52-acre unused parcel is hardly analogous to the Church grounds in this action. Here the Church grounds are directly attached and extend outward from the Church building itself. Most importantly, the use of the Church grounds, extending through its legal property perimeter, is set aside for a specific purpose. The Church regularly holds organized church activity on the grounds adjacent to the Property, such as youth events, family events, and even church services throughout the year. As a result of the Covid-19 pandemic, the grounds have become an even more integral part of the Church. There is no doubt that this land does not serve as a mere buffer, but is for the regular use of the Church and its members in furtherance of their mission in the community.

The next distinction is the starting point of measurement from the Property. Under Section 656.806, as referenced above, measurement requires a "straight line from the nearest point of the building...." Here, there is a distance of 401 feet between the Property and the Church grounds, used regularly for worship and youth activities. Therefore, under Sections 656.805(b) and 656.806, the Property is within 500 feet of the Church and approval of the Application is improper.



C. The Prospective Liquors Store will be Directly Visible from the Church

In the Report of the Planning and Development Department Application for Waiver of Minimum Distance Requirements for Liquor License WLD-22-13, (the “Report”), the Planning Commission answered that the “front door of the license location is not visible from the Greater New Hope Missionary Baptist Church.... The Zoning Code requires the measurement be from the proposed business to the **nearest property line of the church**. However, the nearest church property is an undeveloped grassy knoll.... Additionally, to drive or walk to the license location is a distance of 1,000 feet via Soutel Drive then along New Kings Road.”

The foregoing language is littered with errors of fact and application of the zoning code. First and foremost, as referenced throughout the First and Second Meeting transcripts, attached maps, and this Appeal, the church appurtenant to the Property is Friendship Missionary Baptist Church, not Greater New Hope Missionary Baptist Church. Moreover, looking at Section 656.806, and even the language as cited from the Report, the visible line of site is to follow the line of measurement as laid out in detail in Section C of this Appeal above. With that being said, it is not from the front door, nor to the actual church building, but, instead, whether the Property, where the alcoholic beverages are sold is visible from the Church grounds, which is clearly the case here. The sale and consumption of alcohol is by nature not limited to the front door of a liquor store building but instead extends throughout the premises.

D. Prior Planning Commission Precedent, Final Orders WLD-12-05, WLD-19-13, and WLD-19-24 are in Favor of Denial of the Application

In the WLD-19-13 Report (attached herein as Appeal Exhibit “A”), denying an application requesting a reduction from 500 feet to 400 feet from a church for a proposed liquor store, nearly identical to this action, the Staff recommended that “Planning Commission uphold the precedent previously established with WLD-12-05 and **promote more transitional and neighborhood-friendly uses that will complement the abutting residential properties....**” (emphasis added). The Staff made this recommendation to deny, adopted in the Planning Commission’s final order, despite a finding that the proposed liquor store would not be directly visible from the church. While Mr. Shabazz disagrees that the Property is not directly visible from the Church, pursuant to WLD-19-13, this should have no determinative value on the decision for approval of the Application.

Moreover, in the WLD-19-13 Report, the Staff recognized a “similar liquor location directly across the street from the subject property....” but ultimately determined that this finding was in favor of denial, not approval, stating that “granting the proposed waiver at this location will unduly promote a saturation of liquor license locations within the Moncrief commercial node and further exacerbate intensive commercial uses that conflict with the 29th and Chase Neighborhood Action Plan.” Here, in the KingSoutel Crossing Community Redevelopment Plan, 2017 Update, one of the strategic objectives, in response to the high rate of crime incidence in the area is to



“support innovative team policing and explore other avenues to leverage resources to creatively address these issues.” In fact, the KingSoutel Crossing Community Redevelopment Plan, 2017 Update, dedicates numerous pages to Crime Prevention Through Environmental Design. Surely an additional liquor store cannot be aligned with this objective of the community.

In addition to the WLD-19-13 Report, the WLD-19-24 Report (attached herein as Appeal Exhibit “B”), denying an application requesting a reduction from 500 feet to 150 feet from a church for a proposed liquor store, the Staff stated that the “proposed waiver of liquor distance will not promote economic viability in the... neighborhood.” The Final Order should be denied in line with the foregoing final orders.

E. The Detriment to the Community Outweighs the Benefit in Favor of Approval of the Application

Under the current version of Section 656.133(a), the Commission did have, and now under Sections 656.133(a) and 656.140, the City Council Committee does have, the benefit of discretion in its decision to reverse or remand the Final Order. With this discretion, the Planning Commission was able to weigh the detriment to the community against the benefit of the approval of the Application. From a cursory review of the First and Second Meeting transcripts, the support in the community against the approval of the Application is significant, with nearly sixty (60) initial statements made at the hearing and one hundred and sixty (160) signatures on the petition against the approval. The issue has been one riddled with news coverage and an ongoing stream of concern and outcry from the affected community, of which Mr. Shabazz is a member.

The Crime Data, (attached herein as Appeal Exhibit “C”) from November 12th, 2021 through the current date, a period of merely six (6) months, shows thirteen significant crimes, including, but not limited to, a murder and numerous armed burglaries and robberies with a deadly weapon. The Property is clearly a high crime area, that will only be exasperated by the approval of the improper Application as discussed at length above.

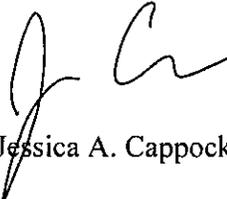
Moreover, the community expressed its growing distress regarding the close proximity to not only S.A. Hull Elementary School but also to the school bus stop located across the street from the Property. Numerous speakers voiced their concern for the adverse effect of the approval upon elementary age children within the community. Particularly, Warren Jones stated in the First Meeting, regarding having a liquor store open during school and bus hours, that it was “a major concern for us, having kids wait there in the morning and – to catch a bus and looking at a liquor store.” (First Meeting Transcript p. 60). Another speaker, Dana Kriznar, the deputy superintendent of Duval County Public Schools, stated that “[t]he students will have to walk down Soutel on the same side of the street as the liquor store because the crosswalk....” (First Meeting Transcript p. 69). The benefit to the elementary age children within the community as a result of denial of the Application, coupled together with the aforementioned community concerns, such as crime rates within the neighborhood, and overall community support is in favor of reversal of the Final Order.



Therefore, pursuant to the foregoing reasons, reversal, and in the alternative remand, of the Final Order is proper.

On behalf of our client, we thank you for the time and attention you give to this serious matter. Please do not hesitate to contact the undersigned if we may be of further assistance.

Very Respectfully,



Jessica A. Cappock

JAC

Enclosures:

Appeal Exhibits "A" – "C"
Notice of Appeal
Appeal Packet

cc: Clients (via email)



APPEAL PACKET

APPEAL EXHIBIT

“A”

BEFORE THE PLANNING COMMISSION
OF THE CITY OF JACKSONVILLE

APPLICATION NO: **WLD-19-13**

IN RE: The Application for Waiver of Minimum
Distance Requirements for Liquor License Location of

BANNER LIQUOR, INC.

**ORDER DENYING APPLICATION FOR ZONING WAIVER
OF MINIMUM DISTANCE REQUIREMENTS
FOR LIQUOR LICENSE LOCATION WLD-19-13**

This matter came to be heard upon the Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-19-13** filed by the Malih Properties, LLC, the owner of certain real property located at 4250 Moncrief Road, on behalf of Banner Liquor, Inc., seeking a waiver to reduce the required minimum distance between a liquor license location to a church or school from 500 feet to 400 feet in the CCG-2 Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on May 23, 2019, including the Report of the Planning and Development Department on Application **WLD-19-13** and all attachments thereto ("Staff Report"), a copy of which is attached as **Exhibit "A"**, the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

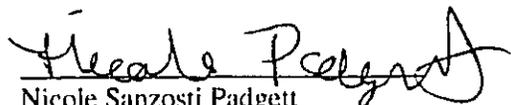
FINDS AND DETERMINES:

1. That the applicant has complied with all application requirements set forth in Section 656.133 of the Zoning Code.
2. That the land which is the subject of application **WLD-19-13** is owned by the Malih Properties, LLC. A copy of the legal description of the subject property is attached as part of the **Exhibit "A"** and incorporated herein by reference.
3. That substantial competent evidence fails to demonstrate that the application **WLD-19-13** meets, to the extent applicable, the standards and criteria set forth in Section 656.133(a) of the Zoning Code.

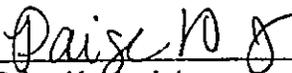
NOW THEREFORE, it is **ORDERED** by the Planning Commission:

1. Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-19-13** is hereby **DENIED**.

Executed this 23rd day of May, 2019.


Nicole Sanzosti Padgett
Chairman, Planning Commission

FORM APPROVED:


Paige Hobbs Johnston
Assistant General Counsel


Dawn Motes
Secretary, Planning Commission

Copies to:

Zach Miller, Esquire
501 Riverside Avenue, Suite 901
Jacksonville, FL 32202
Agent

Malih Properties, LLC
11399 Glen Laurel Oaks Circle
Jacksonville, FL 32257
Owner

NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code.

GC-#1283901-v1-Order_on_WLD-19-13_D_5-23-19.docx

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS
FOR LIQUOR LICENSE LOCATION WLD-19-13

MAY 23, 2019

Location: 4250 Moncrief Road

Real Estate Number: 085106-0000

Waiver Sought: Reduce required minimum distance between a liquor license location to a church/school from 500 feet to 400 feet

Current Zoning District: Commercial Community General-2 (CCG-2)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Urban Core, District 1

Agent: Zach Miller, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Malih Properties, LLC
11399 Glen Laurel Oaks Circle
Jacksonville, Florida 32257

Staff Recommendation: DENY

GENERAL INFORMATION

Application or Waiver of Minimum Distance Requirements for Liquor License Location WLD-19-13 seeks to reduce the required minimum distance between an existing alcohol package sales store and the Harmony Missionary Baptist Church from 500 feet to 400 feet. The agent indicates the existing liquor store at 4220 Moncrief Road will relocate to 4250 Moncrief Road if the application is approved.

In 2018, a waiver of liquor distance was applied for on the same address. The applicant later withdrew the application.

Exhibit A

A waiver of liquor distance was applied for in March 2016 for 4220 Moncrief Road. The Current Planning Division was not in support, however the Planning Commission granted the waiver with the following conditions.

- The package store shall not be open for business before 12:00 noon on Sundays.
- A six foot tall, 95% opaque fence shall be constructed along the southern property line.

It does not appear the establishment opened for business.

The property is located along a commercial corridor within the boundaries of the **29th and Chase Neighborhood Action Plan (NAP)** area. In conjunction with other uses typically found in CCG-2, the intensity of a proposed liquor store raises an immediate conflict with the overall goals of the NAP and its pursuit of “viable revitalization strategies for the community” and “providing retail and neighborhood services that invest in the community.”

The Plan pointed to the fact that a majority of Moncrief Road is zoned Commercial Community General-2 (CCG-2), the most intensive commercial zoning district and recommended zoning changes for the Moncrief Road corridor. CCG-2 is appropriate along arterial roadways, however Moncrief Road is a collector roadway and the appropriate zoning is Commercial Neighborhood (CN) or Commercial Community General-1 (CCG-1). Therefore, the proposed waiver is inconsistent with the **29th and Chase Neighborhood Action Plan** because it will permit the commercial intensification and sale of alcohol less than 500 feet from a church, which inherently conflicts with the economic goals and objectives outlined in the NAP.

DEFINITION

According to Section 656.1601 of the Zoning Code, the term *waiver* means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers are authorized to be granted by the Planning Commission pursuant to the criteria set forth in Section 656.133 of the Zoning Code.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.133 of the Zoning Code, a waiver of minimum distance requirements for liquor license location may be granted if the Planning Commission makes a positive finding based on substantial, competent evidence that the application meets one or more of the following criteria:

- 1) Is the commercial activity associated with the alcoholic beverage use of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license?*

No. The location will operate at a higher intensity than the previous uses, which was a restaurant. The applicant wishes to intensify the use to a commercial establishment with a 4COP (beer, wine and distilled liquor consumed on premises) license.

Given the current saturation of liquor licenses within the vicinity (4211 Moncrief Road – convenience store with 2COP; 4220 Moncrief Road – internet café with 4COP), Staff recommends Planning Commission uphold the precedent previously established with **WLD-12-05** and promote more transitional and neighborhood-friendly uses that will complement the abutting residential properties situated along the periphery of Moncrief Road.

2) Is the alcoholic beverage use designed to be an integral part of a mixed planned unit development?

No. The surrounding neighborhood was platted as a single-family subdivision (Moncrief Heights) in 1912. Some lots along Moncrief were subsequently subjected to commercial development without regard to protection of the surrounding residential character and are currently designated CCG-2. The sale of alcoholic beverages at this location is not designed to be an integral part of a mixed Planned Unit Development. Additionally, the site abuts single-family residences and lacks the uncomplimentary landscape buffer provisions of Part 12.

3) Is the alcoholic beverage use to be located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all out parcels, and meets the definition of a Restaurant as defined in Section 656.805?

No. While the proposed alcoholic beverage use will be located within a shopping center, the aggregate gross leasable area of that shopping center is less than 50,000 square feet and the alcoholic beverage use will not be part of a bona fide restaurant.

4) Is the alcoholic beverage use directly visible along the line of measurement defined in s.656.806 and physically separated from a church or school, thereby negating the distance requirement as a result of the extra travel time?

Yes. The proposed will be physically separated by other building structures and will not be directly visible along the line of measurement.

No, the alcoholic beverage use is not directly visible from the church noted in the attached liquor distance survey.

5) Are there are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided, however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations?

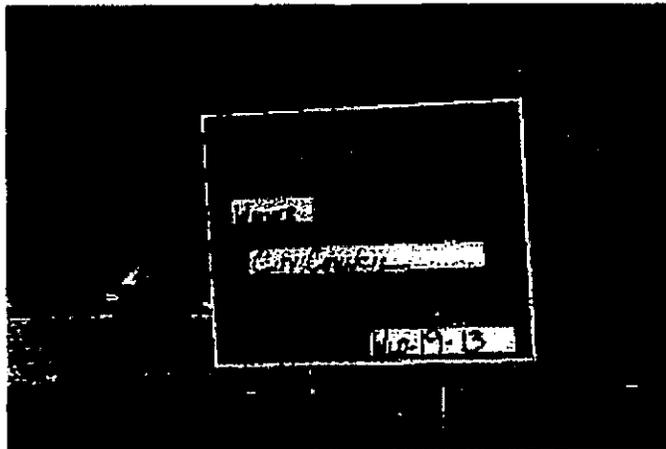
Yes. There is a similar liquor license location directly across the street from the subject property at 4211 Moncrief Road (**WLD-12-05**). Known as "M & A Foodmart," the store currently holds a 2APS (beer and wine package sales) but has also requested a license change to 4COP with

WLD-12-05—which was denied by Planning Commission because it is located closer to a church. Moreover, granting the proposed waiver at this location will unduly promote a saturation of liquor license locations within the Moncrief commercial node and further exacerbate intensive commercial uses that conflict with the **29th and Chase Neighborhood Action Plan**.

No, there are no other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location.

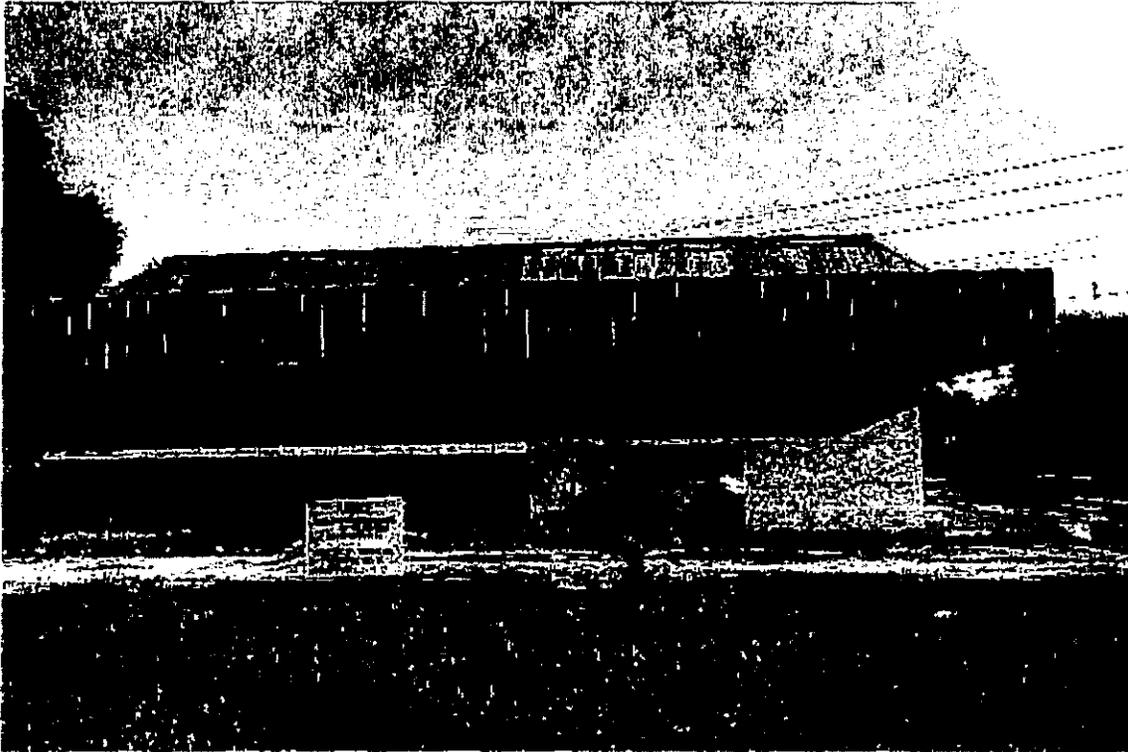
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property May 10, 2019, the Planning and Development Department staff observed that the required Notice of Public Hearing signs were posted.

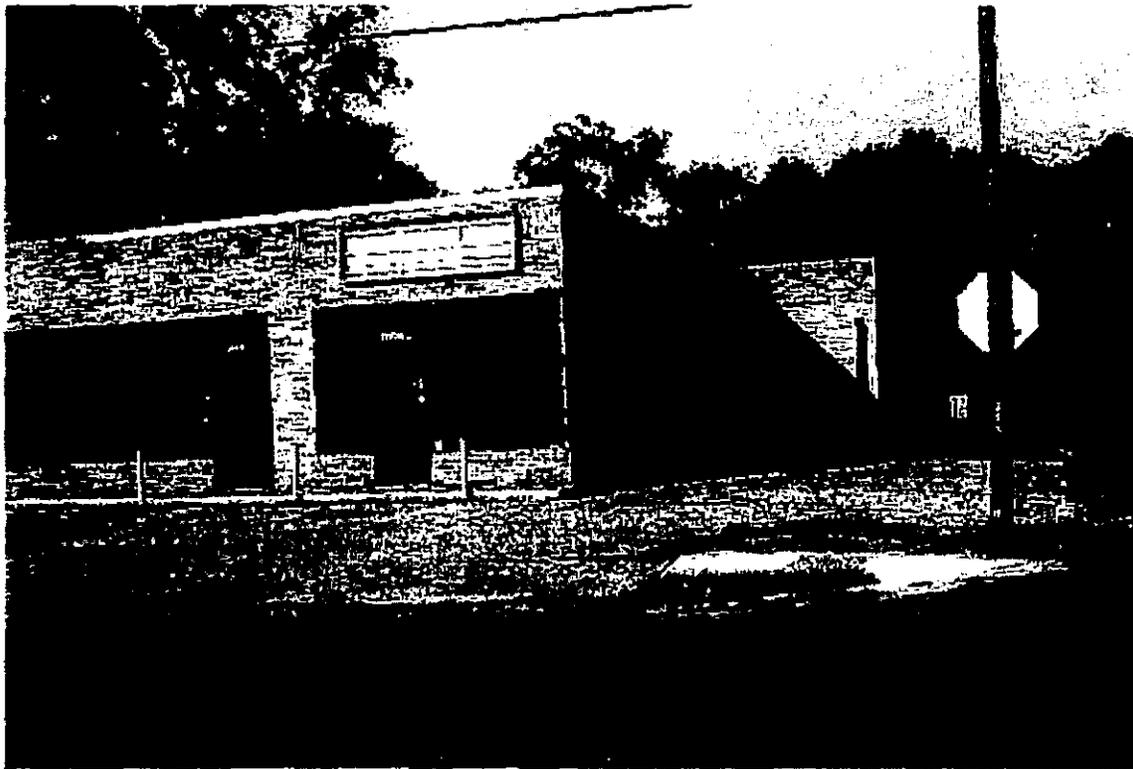


RECOMMENDATION

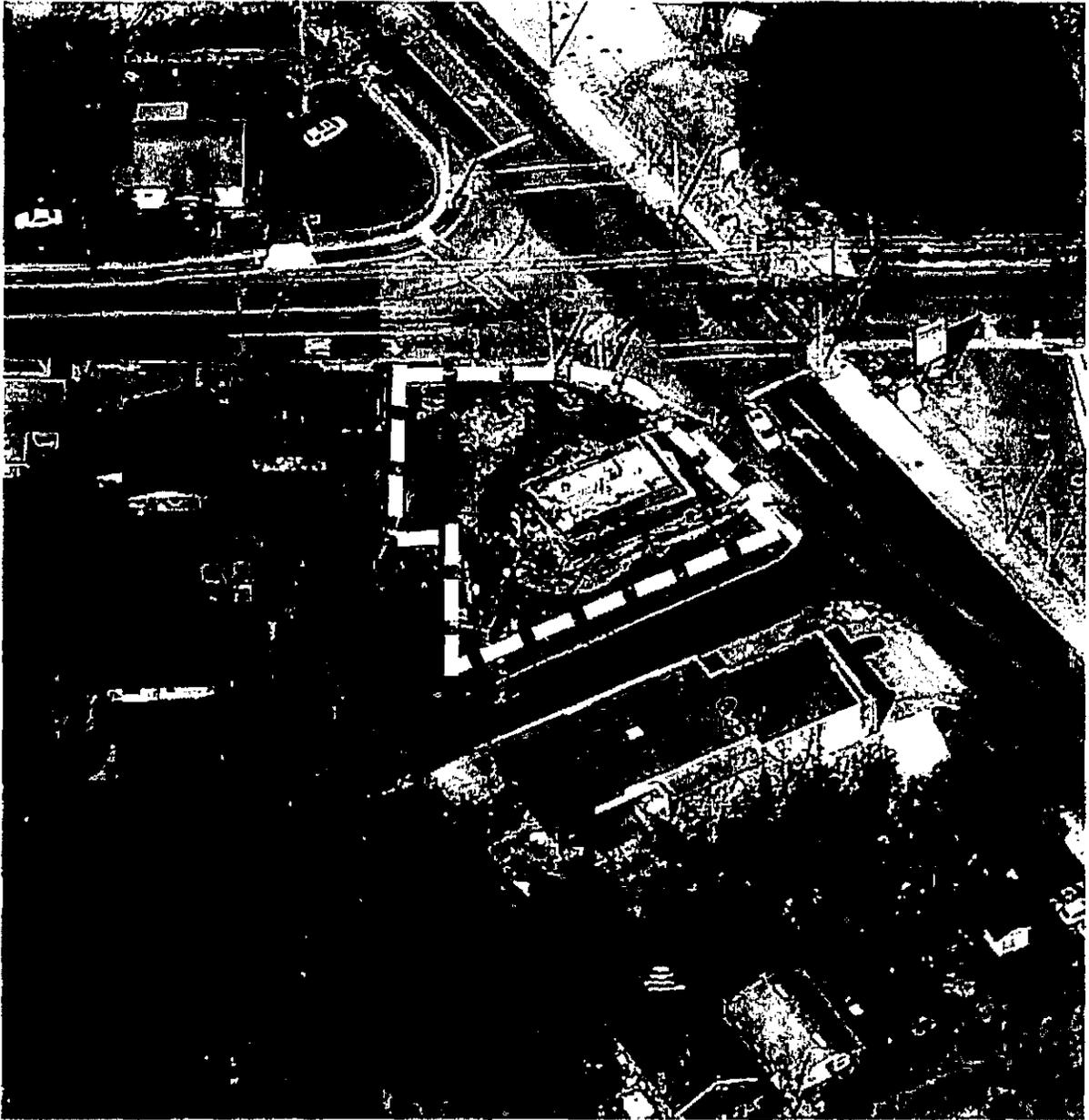
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-19-13** be **DENEID**.



4250 Moncrief Road, proposed location of liquor store



View of 4220 Moncrief Road. Waiver, WLD-16-01 was approved.



Aerial view of subject property



<p>REQUEST SOUGHT:</p> <p>REDUCE REQUIRED MINIMUM DISTANCE BETWEEN LIQUOR LICENSE LOCATION AND CHURCH OR SCHOOL FROM 500 FEET TO 400 FEET</p>	<p>LOCATION MAP:</p>	<p>0 30 60 120 Feet</p> <p>COUNCIL DISTRICT: 8</p>
	<p>APPLICATION NUMBER WLD-19-13</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Date Submitted:	4-24-19
Date Filed:	4-29-19

Application Number:	WLD-19-13
Public Hearing:	5/23/19

**Application for Waiver of Minimum Distance
Requirements for Liquor License Location**
City of Jacksonville, Florida
Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District:	CCG-2	Current Land Use Category:
Council District:	8	Planning District:
Previous Zoning Applications Filed (provide application numbers):		
WLD-18-22		
Applicable Section of Ordinance Code:		
656.805 (b)		
Notice of Violation(s):		
Neighborhood Associations:		
NORTH SIDE MINISTRY ALLIANCE, MONCRIEF IMPROVEMENT ASSN., ROYAL TERRACE COMMUNITY		
Overlay:		
Number of Signs to Post:	Amount of Fee:	Zoning Asst. Initials:
3	1532. ⁰⁰	

PROPERTY INFORMATION	
1. Complete Property Address: 4250 Moncrief Road	2. Real Estate Number: 085106 0000
3. Land Area (Acres): 0.25	4. Date Lot was Recorded: 10/30/19
5. Property Located Between Streets: 33rd and 32nd Street West	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input checked="" type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Distance between liquor license location and church or school from 500 feet to 400 feet.	
8. In whose name will the Waiver be granted? Banner Liquor, Inc.	

Page 1 of 4

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Malih Properties, LLC	10. E-mail: zach_miller@bellsouth.net
11. Address (including city, state, zip): 11399 Glen Laurel Oaks Circle Jacksonville, Florida 32257	12. Preferred Telephone: 904-396-5731

APPLICANT'S INFORMATION (if different from owner)	
13. Name:	14. E-mail:
15. Address (including city, state, zip):	16. Preferred Telephone:

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805, Ordinance Code."</p> <p>Section 656.133(a)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the Planning Commission shall grant a waiver for minimum distance requirements from a church or school for a liquor license location, if there exist one or more circumstances which negate the necessity for compliance with the distance requirements, included but not limited to the following:</p> <ol style="list-style-type: none"> 1. <i>The commercial activity associated with the alcoholic beverage use is of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license;</i> 2. <i>The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;</i> 3. <i>The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all outparcels, and meets the definition of a bona-fide restaurant as defined in Section 656.805(c);</i> 4. <i>The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time; or</i> 5. <i>There are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations.</i>

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

PLEASE SEE ATTACHED

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.

PLANNING AND DEVELOPMENT DEPARTMENT

FILING FEES		
*Applications filed to correct existing zoning violations are subject to a double fee.		
<u>Base Fee</u> Non-residential Districts: \$1,173.00	<u>Public Notices</u> \$7.00 per Addressee	<u>Advertisement</u> Billed directly to owner/agent

AUTHORIZATION	
Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.	
The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.	
I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.	
Owner(s) Print name: _____ Signature: _____	Applicant or Agent (if different than owner) Print name: <u>Zach Miller</u> Signature: <u><i>Zach Miller</i></u>
Owner(s) Print name: _____ Signature: _____	<i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>

SUBMITTAL
This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.
<u>Submit applications to:</u> Planning and Development Department, Zoning Section 214 North Hogan Street, 2 nd Floor Jacksonville, Florida 32202 (904) 255-8300

The applicant is requesting a waiver of liquor distance from 500 feet to 400 feet in order to allow the sale of liquor for off premises consumption, as allowed by right under the CCG-2 zoning.

The applicant is the same applicant (albeit a different entity) that was granted a waiver of liquor distance from 500 feet to 310 feet for the property immediately to the south (4220 Moncrief Road) by WLD 16-01. (See *Exhibit G*). As to that application, the planning commission found competent substantial evidence that 4220 Moncrief Road was not visible from the Harmony Baptist Church located at 4110 Moncrief Road and thereby met the criteria for a waiver. See attached final order (*Exhibit D*) and transcript from planning commission. (*Exhibit E*).

Like the property in WLD 16-01, the subject property in this application is also not visible from the Harmony Missionary Baptist Church. As such, the subject property meets one of the criteria under Section 656.133, Ordinance Code and the need for the distance is negated.

It should be noted that the subject property is within 500 feet of the property boundary of a school. However, as shown on the liquor distance survey, this area is not part of the "grounds" of the school, which are more than 800 feet away.

It also should be noted that the Harmony Missionary Baptist Church is zoned CCG-2 and does not hold church services during the times listed. (See *Exhibit H*).

The "29th and Chase" Neighborhood Action Plan is not one of the listed criteria for evaluation of a waiver of liquor distance application. However, "package store" is not listed as an undesirable use under the NAP. Moreover, the NAP lists as one of its objectives as providing resources to buildings that, "would like to improve the appearance of their buildings." The NAP sets forth as a goal the improvement of lighting and landscaping. (See *Exhibit I*). The NAP lists that one of the biggest problems in the area is vacant lots and buildings. The subject property currently houses a vacant former restaurant. (See *Exhibit G*). As part of this application, the applicant would condition approval upon the landscaping plan attached.

Despite the majority of this section of Moncrief Road being zoned CCG-2, the nearest business which sells liquor for off-premises consumption is located in a shopping center approximately .7 miles away near Moncrief and 20th Street West. Max Liquor near Moncrief Road, Edgewood Avenue is approximately 1.5 miles from the subject property and Moncrief Liquor and Lounge (which has on premises consumption) is approximately 1.1 miles from the subject property.

EXHIBIT 1

Legal Description

A Part of Lot 1, Block 13, Replat Number 2 of Royal Terrace, according to plat thereof, recorded in Plat Book 7, Page(s) 19, current Public Records of Duval County, Florida. Also, part of 32nd Street, as closed by City Ordinance HB-232 and a part of the Charles F. Sibbald Grant, Section 55, Township 2 South, Range 26 East, all being more particularly described as follows; Begin at the Northwest corner of Lot 1, thence East along the Northernly line of said Lot 1, 76.29 feet to a point in the Westerly line of Moncrief Road, as now established, thence Southerly along said Westerly line of Moncrief Road 102.12 feet to a point in the Northernly line of West 32nd Street as now established; thence Westerly along the Northernly line of said West 32nd Street 117.05 feet to a point; thence Northernly parallel with the Westerly line of said Lot 1, 43.13 feet to a point; thence Westerly parallel with the Northernly line of said Lot 1, 30 feet to a point; thence Northernly along the Westerly line of said Lot 1 and a prolongation thereof, 100 feet to the Point of Beginning.

LESS AND EXCEPT:

Parcel 136

A part of Lot 1, Block 13, Replat Number 2 of Royal Terrace, as shown on plat recorded in Plat Book 7 Page, 19 of the current Public Records of Duval County, Florida and more particularly described as follows; Begin at the Southwest intersection of Moncrief Road (an 80 foot right-of-way as now exists) and 33rd Street (a 50 foot right-of-way as now exists); Run thence South $33^{\circ}19'24''$ East, a long the West right-of-way line of Moncrief Road 102.23 feet; thence North $37^{\circ}27'18''$ West 91.20 feet to the point of curvature of a curve to the left, concave Southwesterly and having a radius of 10 feet and a central angle of $52^{\circ}36'38''$; thence Northwestwardly along the arc of said curve 9.18 feet said arc is subtended by a chord bearing a distance of North $63^{\circ}45'36''$ West 8.86 feet to the Point of Tangent; thence South $89^{\circ}56'06''$ West, 67.71 feet to the West line of Lot 1; thence along said West line, North $00^{\circ}32'36''$ West, 9.1 feet to the South right-of-way line of 33rd Street; thence North $89^{\circ}56'06''$ East along said South line 75.04 feet to the Point of Beginning.

AUTHORIZATIONS/PROPERTY
OWNERSHIP
COMPOSITE EXHIBIT A

EXHIBIT A - Property Ownership Affidavit

Date: 3/25/19

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location:
4250 Moncrief Rd. Jax FL 32209

To Whom it May Concern:

I Eyad Malih / Malih Properties LLC hereby certify that I am the Owner of the property described in Exhibit 1 in connection with filing application(s) for Banner's Liquor submitted to the Jacksonville Planning and Development Department. Distance waiver for Liquor Store

If Owner is Individual:

If Owner is Corporate Entity:*

Print Corporate Name:

Malih Properties LLC

By _____

By Eyad Malih

Print Name: _____

Print Name: Eyad Malih

Its: _____

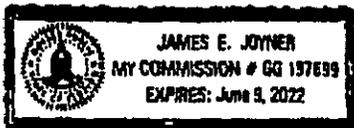
*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 25th day of March 2019, by Eyad Malih, who is personally known to me or who has produced FLD? as identification and who took an oath.

[Signature]
(Signature of NOTARY PUBLIC)

James Joyner
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: June 9, 2022

Prepared by:

River City Title, LLC
11512 Lake Mead Ave, Suite 801
Jacksonville, Florida 32256

File Number: RC18-0645

18105509

\$265000⁰⁰

General Warranty Deed

Made this December 20, 2018 A.D. By Atef Jabbar and Fakhreddine Haouati, 27607 Skyelake Cir, Wesley Chapel, Florida 33544, hereinafter called the grantor, to Malih Properties, LLC, whose post office address is: 11399 GLEN LAUREL OAKS CIR, Jacksonville, Florida 32257, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Duval County, Florida, viz:

A PART OF LOT 1, BLOCK 13, REPLAT NO. 2 OF ROYAL TERRACE, ACCORDING TO PLAT THEREOF, RECORDED IN PLAT BOOK 7 PAGE 19, CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. ALSO, PART OF 32ND STREET, AS CLOSED BY CITY ORDINANCE BB-232 AND A PART OF THE CHARLES F. SIBBALD GRANT, SECTION 55, TOWNSHIP 2 SOUTH, RANGE 26 EAST, ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE NORTHWEST CORNER OF LOT 1, THENCE EAST ALONG THE NORTHERLY LINE OF SAID LOT 1, 76.29 FEET TO A POINT IN THE WESTERLY LINE OF MONCRIEF ROAD, AS NOW ESTABLISHED, THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF MONCRIEF ROAD 102.12 FEET TO A POINT IN THE NORTHERLY LINE OF WEST 32ND STREET AS NOW ESTABLISHED; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID WEST 32ND STREET 117.05 FEET TO A POINT; THENCE NORTHERLY PARALLEL WITH THE WESTERLY LINE OF SAID LOT 1, 43.13 FEET TO A POINT; THENCE WESTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 1, 38 FEET TO A POINT; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 1 AND A PROLONGATION THEREOF, 100 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

PARCEL 136

A PART OF LOT 1, BLOCK 13, REPLAT NUMBER 2 OF ROYAL TERRACE, AS SHOWN ON PLAT RECORDED IN PLAT BOOK 7, PAGE 19 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST INTERSECTION OF MONCRIEF ROAD (AN 80 FOOT RIGHT-OF-WAY AS NOW EXISTS) AND 33RD STREET (A 50 FOOT RIGHT-OF-WAY AS NOW EXISTS); RUN THENCE SOUTH 33°19'24" EAST, A LONG THE WEST RIGHT-OF-WAY LINE OF MONCRIEF ROAD 102.23 FEET; THENCE NORTH 37°27'18" WEST 91.20 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 10 FEET AND A CENTRAL ANGLE OF 52°36'38"; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 9.18 FEET SAID ARC IS SUBTENDED BY A CHORD BEARING A DISTANCE OF NORTH 63°45'36" WEST 8.86 FEET TO THE POINT OF TANGENT; THENCE SOUTH 89°56'06" WEST, 67.71 FEET TO THE WEST LINE OF LOT 1; THENCE ALONG SAID WEST LINE, NORTH 00°32'36" WEST, 9.1 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF 33RD STREET; THENCE NORTH 89°56'06" EAST ALONG SAID SOUTH LINE 75.04 FEET TO THE POINT OF BEGINNING.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 085106-0100

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2017.

EXHIBIT B - Agent Authorization Affidavit- Property Owner

Date: 3/25/19

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location: 4250 Moncrief Rd.
Jax FL 32209

To Whom It May Concern:

You are hereby advised that the undersigned is the owner of the property described in Exhibit 1 attached hereto. Said owner hereby authorizes and empowers Zach Miller to act as agent to file application(s) for waiver of liquor distance for the above-referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

If Owner is Individual:

If Owner is Corporate Entity:

Print Corporate Name:

Malik properties LLC

By _____

By Eyad Malih

Print Name: _____

Print Name: Eyad Malih

Its: _____

*If Owner is Corporate Entity, please provide documentation illustrating that signatory is an authorized representative of Owner; this may be shown through corporate resolution, power of attorney, printout from sunbiz.org, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

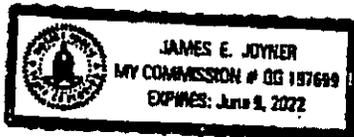
Sworn to and subscribed and acknowledged before me this 25th day of March 2019, by Eyad Malih, who is personally known to me or who has produced FLD as identification and who took an oath.

(Signature of NOTARY PUBLIC)

James Joyner
(Printed name of NOTARY PUBLIC)

State of Florida at Large.

My commission expires: June 9, 2022



Detail by Entity Name

Florida Limited Liability Company
MALIH PROPERTIES, LLC

Filing Information

Document Number L18000222956
FE/EIN Number APPLIED FOR
Date Filed 09/19/2018
Effective Date 09/19/2018
State FL
Status ACTIVE

Principal Address

11399 GLEN LAUREL OAKS CIR
JACKSONVILLE, FL 32257

Mailing Address

11399 GLEN LAUREL OAKS CIR
JACKSONVILLE, FL 32257

Registered Agent Name & Address

ISAAC, BRETT
2151 UNIVERSITY BLVD S
JACKSONVILLE, FL 32216

Authorized Person(s) Detail

Name & Address

Title AMBR

MALIH, EYAD
11399 GLEN LAUREL OAKS CIR
JACKSONVILLE, FL 32257

Annual Reports

Report Year	Filed Date
2019	03/21/2019

Document Images

03/21/2019 - ANNUAL REPORT [View image in PDF format](#)

09/19/2018 - Florida Limited Liability [View image in PDF format](#)

Detail by Entity Name

Florida Profit Corporation
BANNER'S LIQUOR, INC

Filing Information

Document Number P18000079381
FEI/EIN Number APPLIED FOR
Date Filed 09/19/2018
Effective Date 09/19/2018
State FL
Status ACTIVE

Principal Address

11399 GLEN LAUREL OAKS CIR
JACKSONVILLE, FL 32257

Mailing Address

11399 GLEN LAUREL OAKS CIR
JACKSONVILLE, FL 32257

Registered Agent Name & Address

ISAAC, BRETT
2151 UNIVERSITY BLVD S
JACKSONVILLE, FL 32216

Officer/Director Detail

Name & Address

Title

MALIH, EYAD
11399 GLEN LAUREL OAKS CIR
JACKSONVILLE, FL 32257

Annual Reports

Report Year	Filed Date
2019	03/21/2019

Document Images

03/21/2019 - ANNUAL REPORT	View image in PDF format
09/19/2018 - Domestic Profit	View image in PDF format

SURVEY
EXHIBIT B

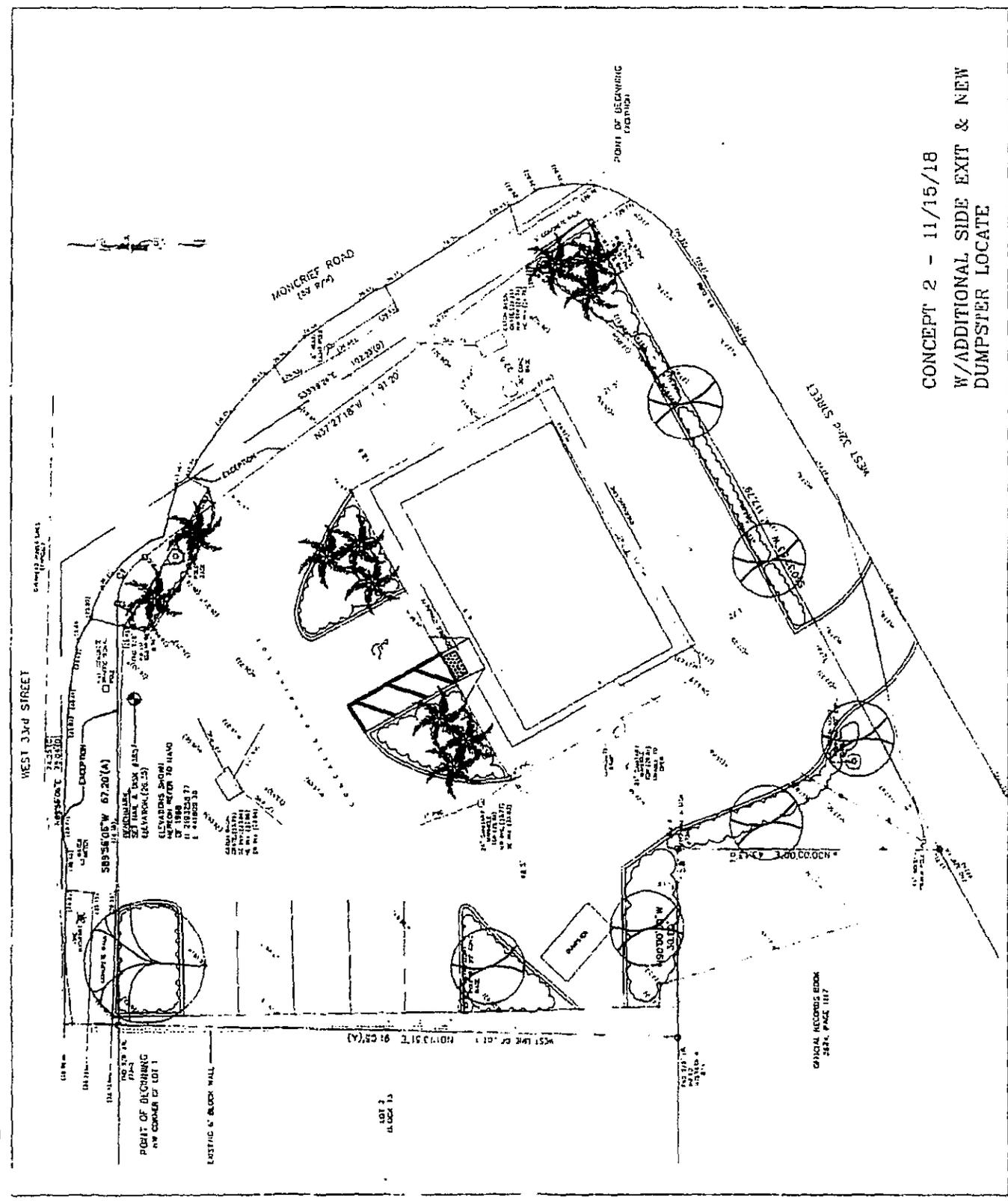
LANDSCAPE PLAN/SITE PLAN
EXHIBIT C

NEW SITE PLAN
4250 MONCREAF ROAD
JACKSONVILLE, FLORIDA

BANKERS UICURS
OWENS, CODE MALIN
JACKSONVILLE, FLORIDA

DIVERSIFIED ENVIRONMENTAL
PLANNING
LAND DEVELOPMENT ARCHITECTURE LAND PLANNERS
1100 N. W. 10TH STREET, SUITE 100
JACKSONVILLE, FL 32209
PHONE 904-744-7417

CONCEPT 2 - 11/15/18
W/ADDITIONAL SIDE EXIT & NEW
DUMPSTER LOCATE



MONCRIEF RD

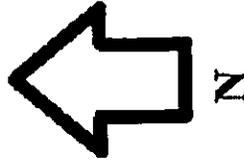
4321

1457

0

100 feet

33RD ST W



Parking

085106 0000

32ND ST W

0

WLD 16-01
FINAL
ORDER
EXHIBIT D

BEFORE THE PLANNING COMMISSION
OF THE CITY OF JACKSONVILLE

APPLICATION NO: WLD-16-01

IN RE: The Application for Waiver of Minimum
Distance Requirements for Liquor License Location of

H AND E BROTHERS, LLC

**ORDER GRANTING APPLICATION FOR ZONING WAIVER
OF MINIMUM DISTANCE REQUIREMENTS
FOR LIQUOR LICENSE LOCATION WLD-16-01 WITH CONDITIONS**

This matter came to be heard upon the Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-16-01 filed by George Safar, the owners of certain real property located at 4220 Moncrief Road, on behalf of H and E Brothers, LLC, seeking a waiver to reduce the required minimum distance between the subject property and a church or school from 500 feet to 310 feet in the CCG-2 Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on March 17, 2016, including the Report of the Planning and Development Department on Application WLD-16-01 and all attachments thereto ("Staff Report"), a copy of which is attached as Exhibit "A", the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

FINDS AND DETERMINES:

1. That the applicant has complied with all application requirements set forth in Section 656.133 of the Zoning Code.
2. That substantial competent evidence demonstrates that the application WLD-16-01 meets, to the extent applicable, the standards and criteria set forth in Section 656.133(a) of the Zoning Code.
3. The land to which this waiver is granted is owned by George Safar. A copy of the legal description of the subject property is attached as part of Exhibit "A" and incorporated by reference herein.

NOW THEREFORE, it is ORDERED by the Planning Commission:

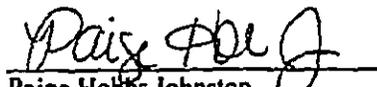
1. A Waiver of Minimum Distance Requirements for Liquor License Location WLD-15-18 is hereby granted to H and E Brothers, LLC, thereby reducing the required minimum distance between the subject property and a church or school from 500 feet to 310 feet in the CCG21 Zoning District. The request is for the package sales of beer and wine for offsite consumption.
2. In conformity with state licensing requirements, the waiver hereby granted shall be personal to H and E Brothers, LLC, the license applicant/holder, non-transferable, and shall not run with the land as provided by Section 656.136(c) of the Zoning Code.

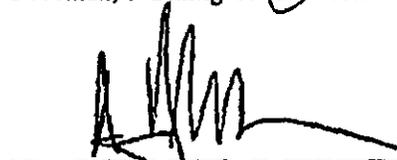
3. The waiver granted herein is subject to the following conditions:
 - (a) The package store shall not be open for business before 12:00 noon on Sundays; and
 - (b) A six foot tall 95% opaque fence shall be constructed along the southern property line.
4. Failure to exercise the waiver herein granted by commencement of the use or action herein approved within one (1) year of the effective date of this order shall render this waiver invalid and all rights arising hereunder shall terminate.
5. The Waiver herein shall not be construed as an exemption from any other applicable local, state or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this Waiver is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this Waiver does not approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.
6. The approval granted herein shall not interfere with or abrogate or annul any easement, covenant or other agreement between any parties. In the event that the provisions of this Order impose a greater restriction upon the use, structures or development of the property than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Order shall control.

Executed this 17th day of March, 2016.


Chris Hagan
Chairman, Planning Commission

FORM APPROVED:


Paige Hobbs Johnston
Assistant General Counsel


Abel Harding
Secretary, Planning Commission

Copies to:

George Safar
2715 Alvarado Avenue
Jacksonville, FL 32217
Owners/Applicants

Paul M. Harden, Esquire
501 Riverside Avenue, Suite 901
Jacksonville, FL 32202
Agents

NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).

G:\Land Use\Planning Commission\2016 Orders\03.17.16\03.17 WLD-16-01 AC.docx

PLANNING COMMISSION
TRANSCRIPT WLD 16-01
EXHIBIT E

CITY OF JACKSONVILLE
PLANNING COMMISSION
MEETING

Proceedings held on Thursday, March 17, 2016,
commencing at 1:08 p.m., City Hall, Council Chambers,
1st Floor, 11 West Duval Street, Jacksonville, Florida,
before Diane M. Tropia, a Notary Public in and for the
State of Florida at Large.

PRESENT

CHRIS HAGAN, Chairman
DANIEL BLANCHARD, Vice Chair
ADEL HARDING, Secretary
MARSHALL ADKISON, Commission Member
DAMIEN NOTES, Commission Member
BEN DAVIS, Commission Member

ALSO PRESENT

JIM LOVE, City Council Member
FOLKS HUXFORD, Chief, Current Planning
KRISTEN REED, Planner Supervisor
BRUCE LEWIS, Planning and Development Dept.
LISA KING, Development Services Division
PAIGE JOHNSTON, Office of General Counsel
TYLER LOEHNERT, Duval County School Board
PATRICIA SALES, Planning and Dev. Dept.

Diane M. Tropia, Inc., P.O. Box 2375, Jacksonville, FL 32203
(904) 821-0300

1 as the City Planning and Development staff and
2 General Counsel staff as well.

3 Thank you for being here.

4 And, Dr. Gaffney, thank you for being here
5 from the mayor's office.

6 And let me recognize Councilman Love being
7 here. We have quite a -- quite a group up here
8 today. Y'all are privileged.

9 Time is granted by this body that each
10 member of the public who wishes to speak before
11 the Commission is limited to a three-minute
12 presentation.

13 And as we go along and we get into the --
14 the last item on the agenda today, we will
15 alter that a little bit, that I've discussed
16 with several of the audience members.

17 It is important that an accurate record
18 must be kept of what the speakers say. So
19 everybody that wishes to fill out -- wishes to
20 speak, please fill out a blue speaker's card.
21 That's up there, with Ms. Patricia Sales. And
22 if you'll put that in her basket, she will give
23 that to me. And so when your item comes up, we
24 will be able to call your name out.

25 Your testimony is taken down by the court
Diane M. Tropia, Inc., P.O. Box 2375, Jacksonville, FL 32203
(904) 821-0300

1 PROCEEDINGS

2 March 17, 2016 1:08 p.m.

3

4 THE CHAIRMAN: All right. We're going to
5 go ahead and get started here. We've got quite
6 a few things on the agenda, and then I know we
7 have one item that's going to probably take up
8 the majority of our time.

9 So welcome to the Jacksonville Planning
10 Commission. Today is March 17, 2016. The time
11 is, I believe, 1:08.

12 As a courtesy, please place any mobile
13 phones and tablets on silent mode.

14 And, if you will, please join me as we
15 stand and recite the Pledge of Allegiance, and
16 remaining standing for a brief moment of
17 silence.

18 (Recitation of the Pledge of Allegiance.)

19 THE CHAIRMAN: Thank you.

20 All right. Let the record reflect that we
21 do have a quorum today with Commissioners
22 Hagan, Blanchard, Adkison, Harding, Davis, and
23 Motes.

24 In attendance also is our Duval County
25 Public Schools representative, Mr. Tyler
Loehnert -- thank you for being here -- as well
Diane M. Tropia, Inc., P.O. Box 2375, Jacksonville, FL 32203
(904) 821-0300

1 reporter, Ms. Diane Tropia. And she does not
2 take anything from anybody, so only one person
3 at a time. And she stops typing after three
4 minutes, right? That's not true. She doesn't.
5 She'll take everything down.

6 Any tangible material submitted with a
7 speaker's presentation will become part of the
8 public record and will be kept by this
9 Commission. Therefore, please retain a copy of
10 anything submitted if it is needed.

11 Decisions by the Commission on rezonings
12 and land use amendments are recommendations
13 only. The recommendations are then transmitted
14 to the Jacksonville City Council's Land Use and
15 Zoning Committee which ultimately votes on
16 these matters.

17 LUZ may or may not follow the
18 recommendation of the Planning Commission.
19 Unless specifically deferred by LUZ, items
20 voted on by the Planning Commission today are
21 heard before the LUZ Committee in two weeks, on
22 Tuesday, April 15th, 2016, for another public
23 hearing. And that meeting is in these council
24 chambers at 5:00 p.m.

25 Any questions on a specific application,
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9

1 of the five criteria. We find that it is
 2 positive on that one. So with that, we
 3 recommend to approve.
 4 THE CHAIRMAN: Thank you, Folks.
 5 Do you want to -- you did both of them.
 6 All right.
 7 Charlie Mann.
 8 (Mr. Harden approaches the podium.)
 9 THE CHAIRMAN: You want to --
 10 MR. HARDEN: I'll just cover for him,
 11 unless anybody has any questions.
 12 THE CHAIRMAN: I appreciate that.
 13 MR. HARDEN: Paul Harden.
 14 I'm here for Charlie because it looks like
 15 the Planning Department recommended approval,
 16 there's nobody in opposition. Even I couldn't
 17 lose this.
 18 THE CHAIRMAN: All right. Anybody else in
 19 the audience wishing to speak on E-15-80 or
 20 WLD-15-18?
 21 AUDIENCE MEMBERS: (No response.)
 22 THE CHAIRMAN: Seeing none, I will close
 23 the public hearing on both those items and
 24 bring it back to the Commission.
 25 COMMISSIONER BLANCHARD: Mr. Chairman, I
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10

1 move approval of E-15-80.
 2 COMMISSIONER HARDING: Second.
 3 THE CHAIRMAN: Do you want to -- do you
 4 have that condition?
 5 COMMISSIONER BLANCHARD: With the one
 6 condition as stated in the staff report.
 7 THE CHAIRMAN: Okay. I've got a motion
 8 and a second for approval of E-15-80 as
 9 conditioned.
 10 Discussion from the Commission?
 11 COMMISSION MEMBERS: (No response.)
 12 THE CHAIRMAN: Seeing none, all those in
 13 favor?
 14 COMMISSION MEMBERS: Aye.
 15 THE CHAIRMAN: Opposed?
 16 COMMISSION MEMBERS: (No response.)
 17 THE CHAIRMAN: That motion passes.
 18 COMMISSIONER BLANCHARD: Mr. Chairman, I
 19 move approval of WLD-15-18.
 20 COMMISSIONER HARDING: Second.
 21 THE CHAIRMAN: I have a motion and a
 22 second for approval of WLD-15-18.
 23 Discussion from the Commission?
 24 COMMISSION MEMBERS: (No response.)
 25 THE CHAIRMAN: Seeing none, all those in
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11

1 favor?
 2 COMMISSION MEMBERS: Aye.
 3 THE CHAIRMAN: Opposed?
 4 COMMISSION MEMBERS: (No response.)
 5 THE CHAIRMAN: That motion passes.
 6 All right. WLD-16-01. And before staff
 7 introduces this item, if you want to take this
 8 opportunity to declare ex-parte communication,
 9 I think this is a great opportunity to kind
 10 of -- to speak about this now.
 11 We need to -- there will be another item
 12 coming up, Commissioners, that we need to make
 13 sure that all of our ex-parte communication
 14 is -- is specific to the matter, and then go
 15 into a detailed description of what was talked
 16 about in the ex-parte communication.
 17 So I will start by saying, I had ex-parte
 18 communication with Mr. Harden today on this
 19 item. We talked about the line-of-sight issue.
 20 And I made some recommendations that I would
 21 like to see -- conditions that I would like to
 22 see within the waiver of liquor -- waiver of
 23 liquor distance application. So those are --
 24 that's what Mr. Harden and I talked about. We
 25 talked about that today.
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12

1 Mr. Harding.
 2 COMMISSIONER HARDING: Mr. Chair, I also
 3 had a brief conversation with Mr. Harden this
 4 morning and specific to the line-of-sight
 5 issue.
 6 COMMISSIONER BLANCHARD: I had a brief
 7 conversation with Mr. Harden on the phone
 8 yesterday regarding the same issues.
 9 COMMISSIONER ADKISON: I had the same
 10 issue, talked to Mr. Harden this morning,
 11 line of sight.
 12 THE CHAIRMAN: Great. Any others? Any
 13 others? Any others?
 14 COMMISSION MEMBERS: (No response.)
 15 THE CHAIRMAN: All right. Folks, do you
 16 want to give us a summary?
 17 MR. HUXFORD: I feel left out. Mr. Harden
 18 didn't talk to me today.
 19 All right. Application for Waiver of
 20 Liquor Distance WLD-16-01 is for property at
 21 4220 Moncrief Road. The request is to reduce
 22 the distance from a package store to a nearby
 23 church from 500 feet to 310 feet.
 24 The property is zoned CCG-2. And so the
 25 use of the liquor store is allowed by right
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13

1 anyway, but they still have to meet the
 2 distance requirement. The church in question
 3 is on the same side of the road as the proposed
 4 liquor store. I have been out to the site.
 5 I know that in our staff report we -- we
 6 have recommended denial. And we maintain that,
 7 but in fairness, I would say that from the
 8 church property to the physical location of the
 9 building that's going to house the package
 10 store, it could potentially meet criteria
 11 number 4 by -- by way of it meeting the
 12 line-of-sight requirement; meaning, it's not
 13 directly visible.

14 However, it is within the boundaries of a
 15 Neighborhood Action Plan, and that's the 29th
 16 and Chase Neighborhood Action Plan. We feel
 17 that this would be -- granting this would be
 18 inconsistent with that. So for that reason, we
 19 are maintaining our recommendation to deny.

20 Thank you.
 21 THE CHAIRMAN: Thank you, Folks.
 22 Mr. Harden.
 23 (Mr. Harden approaches the podium.)
 24 MR. HARDEN: Aaron, could I get you to
 25 pass out some photographs?

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14

1 MR. GLICK: (Complies.)
 2 (Brief pause in the proceedings.)
 3 MR. HARDEN: One for everybody and Folks.
 4 Paul Harden, 501 Riverside Avenue, and
 5 representing the applicant.

6 Interestingly enough, the last item you
 7 considered has the exact same issue, and the
 8 line of sight is the exact same thing. So I
 9 have some quandary as to why the recommendation
 10 of denial on the line-of-sight issue.

11 There is one issue and but one issue for
 12 your consideration on this request: Is the
 13 alcoholic beverage use directly visible along
 14 the line of measurement defined in 656.806 and
 15 physically separated from the church? I'm
 16 passing out some photographs, and I'm going to
 17 ask you to -- to look at that, actually confirm
 18 that fact.

19 By the way, I'm going to talk about the
 20 29th and Chase plan, but the alcohol use itself
 21 is settled. This site is zoned CCG-2. Retail
 22 sale of alcohol is allowed by right in this
 23 location. And it was before the 29th and Chase
 24 plan -- which, by the way, was 14 years ago --
 25 and after the 29th and Chase plan. So the

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15

1 actual use is not required for an exception.
 2 It's allowed by right in the location.

3 While the report suggests the building is
 4 directly visible on the site, I think
 5 Mr. Huxford conceded, after his visit
 6 yesterday -- and that's when I talked to him,
 7 not today -- that you can, in fact, not see the
 8 location.

9 And I'd like to walk quickly through
 10 these -- these photographs. The first
 11 photograph is a Google Earth depiction -- not
 12 depiction, photograph standing at the street,
 13 not even the line-of-sight location. And you
 14 can see, you cannot see the building that we
 15 are requesting because it's straight down
 16 Moncrief, on the same side of the road. But
 17 for your consideration, the line-of-sight is to
 18 be taken from the property line of the church.

19 So you have to move back to that fence,
 20 look through the brick building, look through
 21 the empty lot, look through the car -- used car
 22 location, look through a visual barrier on our
 23 site, and you still -- you can't see the site.

24 The next photograph is a photograph of the
 25 church that's an old house converted to a

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16

1 church that they use, just to give you the
 2 setting. And, by the way, the church itself is
 3 zoned CCG-2, so alcohol sale is allowed by
 4 right on that site as well, as long as every --
 5 as well as everything else in CCG-2 which, as
 6 you know, is the most intensive zoning in the
 7 commercial category.

8 The next photograph is a photograph of the
 9 building that we intend to purchase. And I
 10 will talk to you about that when I talk to you
 11 about the -- the plan.

12 Across the street is the next photograph,
 13 which allows retail sale of alcohol. Now,
 14 that's important because if you go back to the
 15 first photograph and you look, you can't see
 16 our building, but you can look straight at the
 17 building that does, in fact, sell the alcohol.
 18 And there's alcohol sales signs there. They
 19 sell alcohol. They sell it on Sunday morning.
 20 And that's an existing facility across from our
 21 property.

22 The last one is a photograph looking back
 23 at the church, to show that you can't see the
 24 church building from -- it's not visible in the
 25 line of sight from the existing facil- --

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1 proposed facility.

2 And the last map is just to call to your
3 attention this area (indicating). Everything
4 in red is zoned CCG-2. Alcohol sales are
5 allowed by right in everything that's red on
6 that map. That's the -- you see where the
7 site's located. And there are numerous retail
8 sale of alcohol in the CCG-2 area, but it's an
9 unusual location because typically, you might
10 see CN or even CCG-2. This is the most intense
11 commercial category in the zoning code. It
12 allows retail sale of alcohol by right.

13 So I believe with Mr. Huxford conceding
14 that the line of sight, we meet that, and you
15 just having voted on one of similar ilk, the
16 Planning Department report was exactly the
17 opposite.

18 I would like for you to turn -- I'd like
19 to turn to the other issue that they have
20 raised, although I believe it not to be an
21 appropriate issue in this case because once the
22 line of sight is determined, your inquiry
23 should be finished.

24 The Planning Department raises the
25 Neighborhood Plan called 29th and Chase.

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1 I find disconcerting: Although not identified
2 as an undesirable use, the intensity of a
3 package store could be allowed -- to be allowed
4 would be -- could be inconsistent with the
5 plan.

6 How in the world could it be inconsistent
7 with the plan when the site is zoned for that
8 use, has been before the plan, has been for
9 after the plan? I think it -- it's -- it's an
10 opinion of the planner writing this as to the
11 undesirability of -- of retail sales. I hope
12 they don't discover that's the case down by the
13 football stadium. I hope they don't discover
14 that's the case along Bay Street. I hope they
15 don't discover it's the case, you know, at Town
16 Center because those are locations where
17 similar uses have occurred.

18 Retail sale of alcohol is not an
19 undesirable use. It's a regulated use and one
20 that's specifically designated for this site
21 that we're on.

22 So turning to the next two pages that they
23 cite on the -- on the 29th and Chase plan, the
24 goal is to provide retail and neighborhood
25 services through attractive businesses that

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1 That -- that plan was done -- I said 14 years
2 ago; it was 12 years ago -- in 2004.

3 All of these activities that have occurred
4 in this area have taken place since the 29th
5 and Chase plan, but just to give you some
6 perspective, 29th Street is five blocks back
7 south, and Chase is five blocks further to the
8 east. This is -- this is remote from the 29th
9 and Chase plan.

10 There's no map in their plan. They call
11 this the commercial corridor for 29th and
12 Chase. It's -- it's very, very remote, but in
13 that plan, right now, you have retail sale of
14 alcohol. And it has occurred since the --
15 since the implementation of the plan some --
16 some 12 years ago.

17 I'd like to go through the 29th and Chase
18 plan because I believe we comply with that
19 plan. It's in your report package. It's on
20 about the third page. Well, the -- the report
21 is deep in there, but I'm going to refer to
22 some memo from Aaron Glick -- to Aaron Glick,
23 from Lisa Ransom, showing the plan passed in
24 2004, but they say that they don't want to put
25 this because -- and this is language that I --

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1 Invest in the community.

2 My client is investing in a building that
3 was not in use, that they're going to
4 landscape, they're going to clean up, and
5 they're going to invest in the committee -- I
6 mean in the community. That's meeting the goal
7 of the 29th and Chase.

8 And then the objectives are to improve the
9 appearance of the building. You see our
10 building now. We're going to clean it up.
11 We're going to landscape it. We're going to
12 put in signage. It's -- it's -- it's not
13 dilapidated because it's a brick building.
14 It's a pretty nice-looking building, but we're
15 going to spend money changing the appearance of
16 it.

17 Create business opportunities within the
18 community. It's going to be an owner within
19 that community.

20 Increase retail-level opportunities. This
21 is a retail-level opportunity in this
22 community.

23 So in -- in -- in fairness, we meet the
24 goals of the 29th and Chase plan. For some
25 reason, a particular planner believes that

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23

1 retail sale of alcohol is an undesirable use.
2 All I can say is, I beg to differ.
3 The last thing I want to point out is,
4 there's already alcohol sales within 500 feet
5 of the church, straight across the street
6 from -- from our location, and -- and that is
7 visible. Ours is not.

8 And I believe with the concession of the
9 Planning Department that we're not on the
10 visible line of sight and the fact that the
11 other inquires are not appropriate, that I
12 respectfully request your support, but if you
13 want to inquire into the 29th and Chase plan,
14 we meet those goals.

15 And, by the way, the City zoned this site,
16 and as you can see from that red map, about 50
17 other properties in this area, and it allows
18 retail sales by right.

19 With that, I'll sit down and respond to
20 any comments anybody else has.

21 THE CHAIRMAN: Thank you, Mr. Harden.

22 I do not have any more speaker cards on
23 this item. Is there anybody else in the
24 audience that wishes to speak on WLD-16-01?

25 AUDIENCE MEMBERS: (No response.)
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1 approval based on the fact that a church exists
2 just down the street, which is not -- was not
3 necessarily built as a church, obviously, if
4 you look at it, and could easily turn around
5 and sell tomorrow and become a package store
6 itself. So that's why I've chosen to support
7 it.

8 THE CHAIRMAN: Very good comments.
9 Commissioner Blanchard.

10 COMMISSIONER BLANCHARD: Thank you,
11 Mr. Chairman.

12 Through the Chair to the applicant, you
13 know, I'm not thrilled with the idea of a
14 package store in this location, but I think
15 that that's more of a personal opinion of mine.
16 And I think that based on the technical
17 arguments that you've made, I would tend to be
18 in support of the WLD.

19 MR. HARDEN: Mr. Chairman, may I make one
20 point that I didn't make?

21 I represented to Mr. Blanchard and to you
22 and to Mr. Huxford that if it were passed, we
23 would agree to a condition that it doesn't open
24 before noon on Sunday.

25 So even though there's nobody else here,
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22

24

1 THE CHAIRMAN: Seeing none, I will close
2 the public hearing and bring it back to the
3 Commission.

4 COMMISSIONER HARDING: Mr. Chairman, I
5 make a motion that we approve WLD-16-01.

6 COMMISSIONER ADKISON: Second.

7 THE CHAIRMAN: I've got a motion and a
8 second for approval of WLD-16-01.

9 Discussion from the Commission?
10 Mr. Harding.

11 COMMISSIONER HARDING: Mr. Chairman, I
12 guess you know I am very familiar with this.
13 This is, obviously, my planning district. I'm
14 very familiar with this neighborhood and this
15 area.

16 And, you know, I think Mr. Harden makes a
17 very compelling case. The fact is that it
18 would appear, based on the zoning, that this
19 pastor could sell this church tomorrow and
20 someone could put a package store in that site.

21 So -- so it seems a little disingenuous to
22 deny something. I mean, I think you can make a
23 compelling case with the line of sight issue,
24 that it is not within the line of sight, but I
25 think it's a little disingenuous to deny

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1 I'll -- I'm agreeable to that condition,
2 because I've made that representation.

3 THE CHAIRMAN: Okay. Any other comments?

4 COMMISSION MEMBERS: (No response.)

5 THE CHAIRMAN: Well, then I'll make a
6 couple of comments.

7 You know, a lot of times when we have
8 applications come in front of us, you know,
9 I'll look at the staff report. You know, this
10 application, I actually drove out there because
11 I was trying to wrap my head around it. And I
12 can honestly say, I've never been to -- down
13 that street or around that -- where that
14 application is being proposed. So, you know, I
15 wanted to go out there and actually look at it
16 for myself.

17 And, you know, I did have a hard time with
18 the line of sight. You know, I didn't actually
19 get out and put -- stand in front of the
20 church, but if you did, I would have a hard
21 time seeing if there's a line of sight.

22 I did see a lot of activity across the
23 street from where this application is, which I
24 saw more of a nuisance than anything, but when
25 you talk about an individual that's trying to

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1 put something in and it meets the criteria, so,
2 you know -- you know, you'd have to look
3 through a lot of trees, you'd have to look
4 through all the bushes, but I would -- I would
5 offer up, I guess, my -- well, I guess I really
6 can't make an amendment a condition, can I?
7 But I would like -- I would like to see if --
8 you know, if -- if any other commissioners
9 would say, hey, you know, why don't you fence?
10 They've got a wood -- a wood-paneling fence on
11 one side.

12 Folks, you may know whether it's the west
13 or south. I think it's the south side?

14 MR. HUXFORD: I think I know where you're
15 going. I think what you're looking for is a
16 condition that a 6-foot-tall, 95 percent opaque
17 fence be installed and maintained along the
18 southerly property line.

19 THE CHAIRMAN: Southern property line.
20 There you go. You know, I think that might be
21 an opportunity if the applicant was agreeable
22 to that.

23 And then also, I think you did come up
24 here and mention that reduc- -- limit the hours
25 of operation on Sunday to open at 12:00. So

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1 THE CHAIRMAN: Right.
2 COMMISSIONER HARDING: I amend my
3 amendment to say 95 percent opaque and what he
4 just said.

5 THE CHAIRMAN: Paige, you got all that?

6 MS. JOHNSTON: Yes.

7 THE CHAIRMAN: Marshall, you seconded it?

8 COMMISSIONER ADKISON: Yeah.

9 THE CHAIRMAN: All right. Discussion on
10 the amendments?

11 COMMISSION MEMBERS: (No response.)

12 THE CHAIRMAN: Seeing none, all in favor
13 of the two Harding amendments, say aye.

14 COMMISSION MEMBERS: Aye.

15 THE CHAIRMAN: Opposed?

16 COMMISSION MEMBERS: (No response.)

17 THE CHAIRMAN: Those amendments pass.
18 Discussion on the entire application

19 with -- as amended?

20 COMMISSION MEMBERS: (No response.)

21 THE CHAIRMAN: Seeing none, I have a
22 motion and a second for approval on -- on

23 WLD-16-01 as conditioned by amendments.

24 All those in favor?

25 COMMISSION MEMBERS: Aye.

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1 that would kind of, you know, have church, get
2 out -- church gets out. Then you don't have
3 people, you know, drinking, you know, while
4 church is getting out.

5 So those would be two, you know,
6 conditions that I would offer up. I can't make
7 a motion, but if any other commissioners wanted
8 to make that as a motion or amend this
9 application ...

10 COMMISSIONER HARDING: Mr. Chairman, I
11 would amend my recommendation that we put in
12 those two requirements, the 6-foot, 90 percent
13 opaque fence on the south -- on the southern
14 end of the south side of the property, and then
15 that the store not open before noon on Sundays.

16 THE CHAIRMAN: Does the seconder agree to
17 that?

18 COMMISSIONER ADKISON: Second.

19 THE CHAIRMAN: Great. Okay.

20 MR. HUXFORD: Usually, the standard would
21 be not less than 95 percent opaque. And also,
22 while we're throwing that in there, with the
23 caveat that the fence cannot be located in a
24 sight triangle, just so there's no public
25 safety issue.

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1 THE CHAIRMAN: Opposed?

2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: That motion passes.

4 Thank you for being here.

5 All right. Page 3, E-16-06 and AD-16-11.
6 Staff, if you will open those up.

7 MR. HUXFORD: Thank you, Mr. Chairman.
8 Application for Zoning Exception E-16-06
9 and its companion, Administrative Deviation
10 request W- -- not WLD, AD-16-11, for property
11 at 11271 Alumni Way. This is out close to UNF.

12 The zoning exception is requesting a
13 church on less than four acres of property in
14 the CRO zoning district.

15 The deviation is seeking to reduce the
16 amount of parking with the church from 55
17 spaces to 25 spaces, as well as a small
18 reduction in the setback.

19 Staff reviewed the application. As a
20 general rule, we're content neu- -- we're
21 neutral on whatever denomination or faith that
22 we're talking about, even though we call it a
23 church, because that's what the code says. In
24 this case, we recognize, it's -- it's a
25 synagogue that wants to go in.

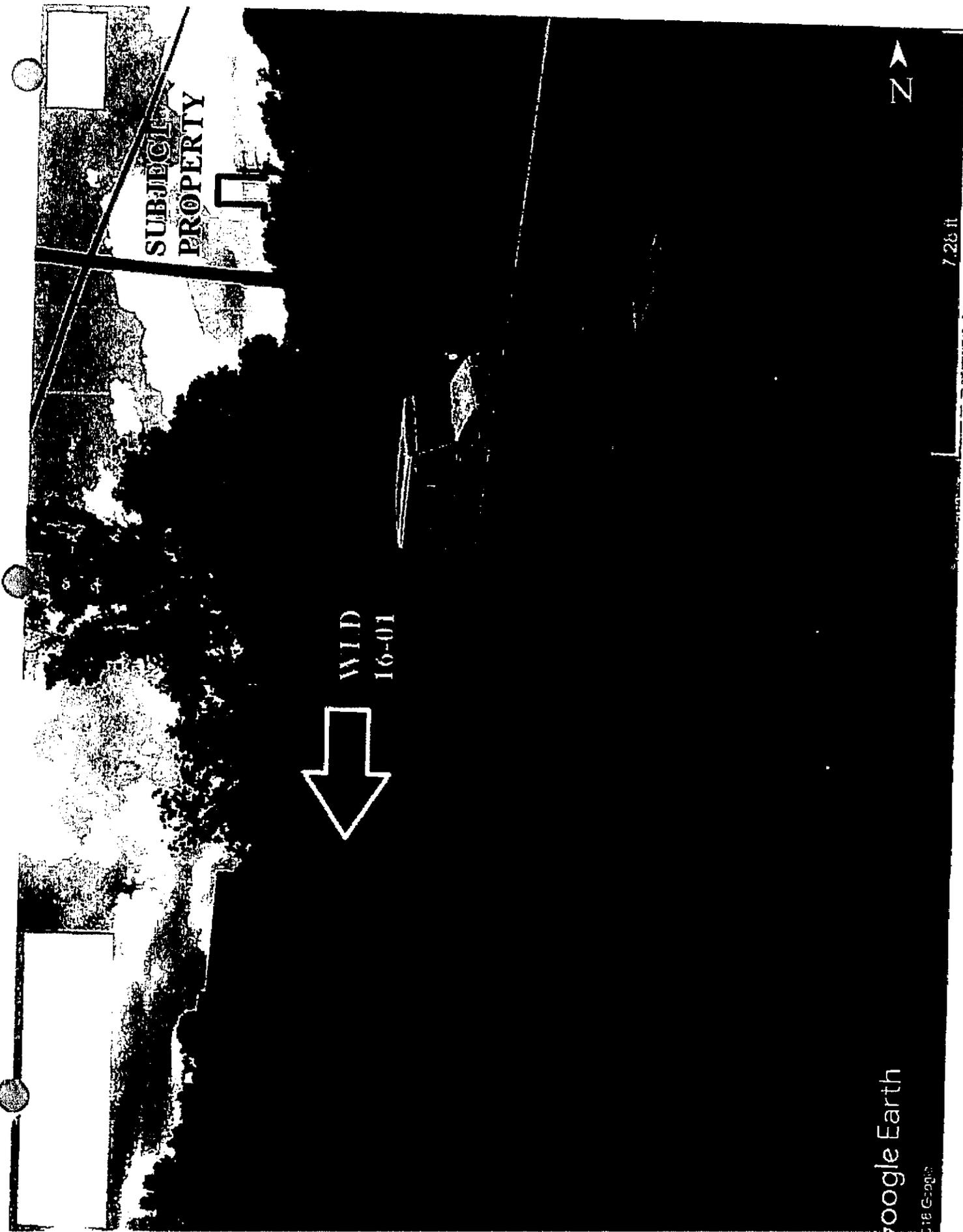
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SOUTHEAST BOUNDARY OF A. PHILLIP
RANDOPH ACADEMIES OF
TECHNOLOGY
EXHIBIT F



Google Earth

WLD 16-01 LOCATION
v.
SUBJECT PROPERTY
EXHIBIT G



SUBJECT
PROPERTY

WID
16-01

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7.25 ft

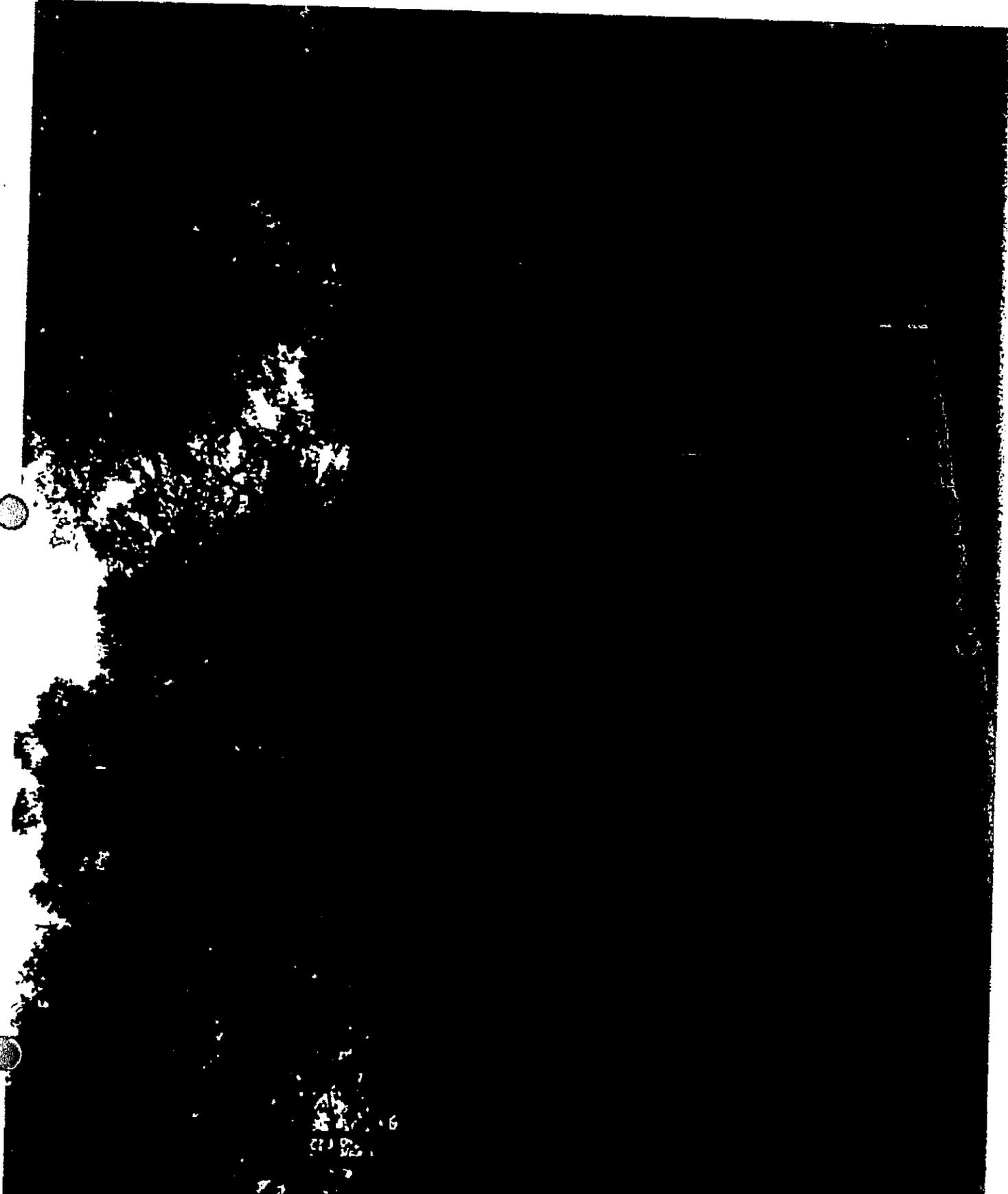
Google Earth

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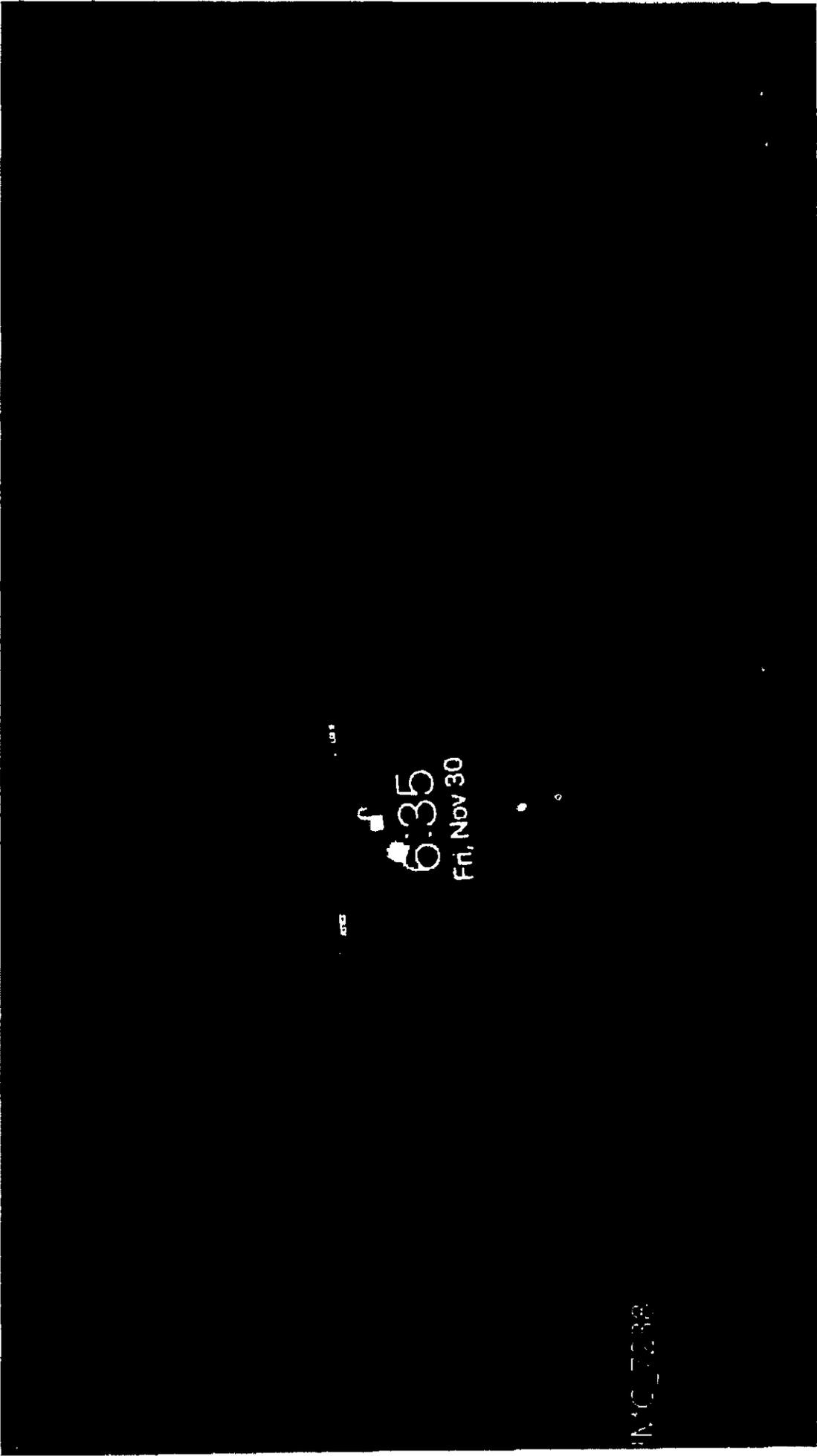




4110 MONCRIEF ROAD
EXHIBIT H



APR 16
1962



USA

and

6:35
Fri, Nov 30

IN 7338



1AG 7276

7:03
Fri, Nov 30

IMG 7240 (2)

7:02

Tuesday, November 27

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29th and Chase
NAP
EXHIBIT I

29th & Chase Neighborhood Action Plan

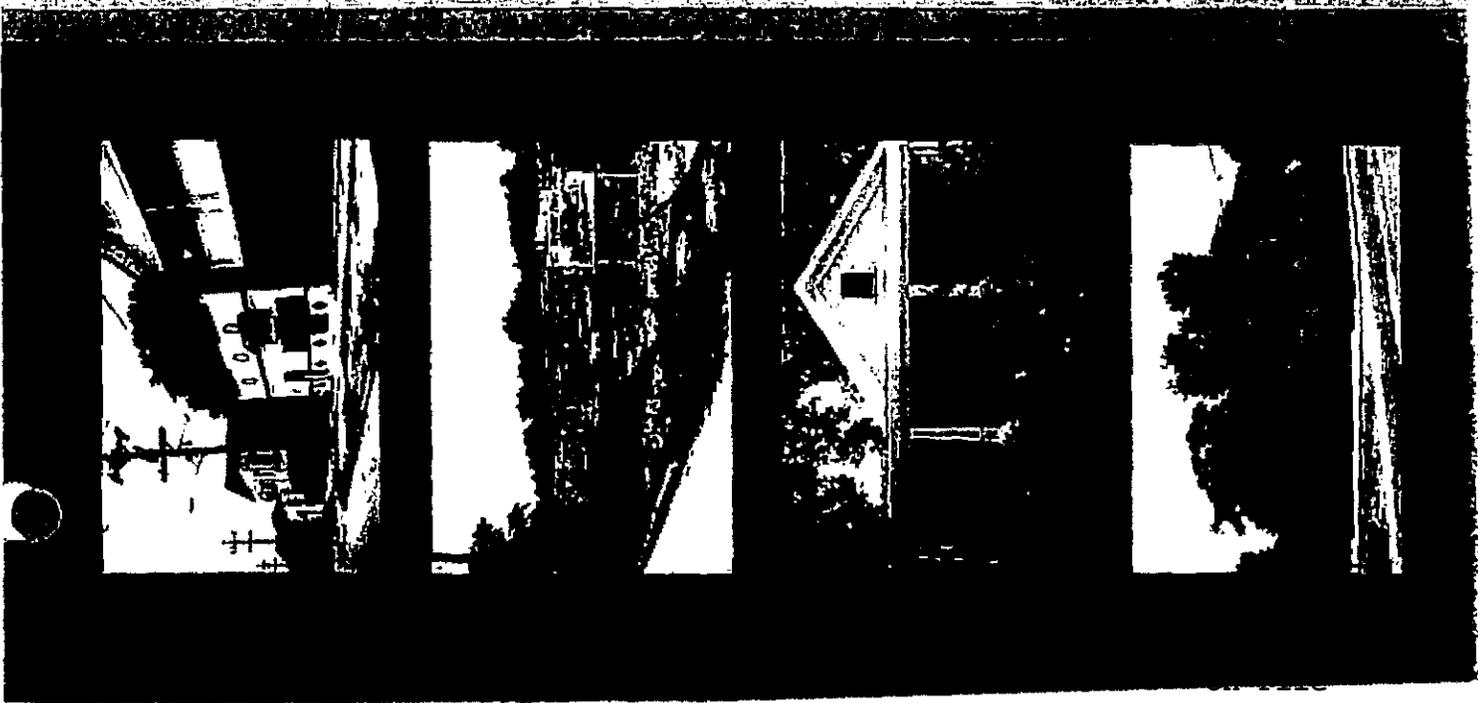
The Vision of a Historic Community

City of Jacksonville
Planning & Development
Department

APD, Inc.

Northwest Jacksonville
Community Development
Corporation

January 2004



The 29th & Chase Neighborhood Action Plan

Mayor John Peyton

Councilwoman Gwen Yates

Planning & Development Department
Director Jeannie Fewell



January 2004

Prepared by
APD, Inc.

INDUSTRIAL DISTRICT

The western portion of the Study Area has a significant amount of industrial related uses. These uses do not appear to be overly intrusive to the neighborhood. However, there is a portion of residential uses that have not converted to industrial remaining. This area is maintained and appears to be a successful industrial park.

SCHOOLS, PARKS, & PUBLIC BUILDINGS

There is one school located in the neighborhood. However, this school has been closed due to ash contamination before the 1999-2000 school year.

Simonds-Johnson Park is located along Moncrief Road, just north of the Myrtle Avenue intersection. The park has a basketball court and a circular track, but is dilapidated. In terms of public buildings, the only public use in the Study Area is the public golf course located in the northern portion.



Simonds-Johnson Park entrance

ZONING

The zoning districts follow the land use patterns closely, and do not seem to impede or hinder development (refer to Map 6). Most of the zoning districts are associated with neighborhood related commercial uses and residential development. Industrial related districts are restricted to the western portion of the Study Area.

Table 6

29th & Chase Zoning Districts

Zoning Category	Description of Uses
RLD-G	Single-family uses only, 6000 sq. ft. minimum lot size
RMD-A	Single-family uses only, 5000 sq. ft. minimum lot size
RMD-B	Single-family uses and multi-family up to 4 units
RMD-E	Multi-family use only
CCG-1	Most commercial related uses with the exception of warehouses and wholesale retail
CCG-2	Most intense commercial category
PBF-1	Public buildings & uses, large structures (over 40,000 sq. ft.), essential services, solid waste, and multiple building development by exception
PUD	Planned Unit Development
IL	Industrial uses with less objectionable impacts, such as odors, noise, and toxic wastes

There are two major zoning issues affecting the neighborhood: the intrusion of multi-family buildings throughout the neighborhood and the current residential designation of RLD-G has a minimum lot size that is too large for the existing parcels. The multi-family structures are typically one to eight units, and were built in the 1950s and

1960s. The buildings are concrete block construction and are architecturally incompatible with the neighborhood. Additionally, the units are not allowable uses under the current zoning district and present problems to the surrounding homes because of parking issues and a general lack of maintenance.

The RLD-G minimum lot size of 6000 square feet is not consistent with the typical lot size of 5000 square feet. There are many vacant lots throughout the Study Area, and any new housing construction project would have to obtain a waiver for the lot size inconsistency.

CIRCULATION

Traffic circulation in the neighborhood does not seem to be compromised with the exception of the Myrtle Avenue and Moncrief Road intersection. Myrtle Avenue is a two-lane collector roadway with peak traffic counts of 8,713 and a Level of Service (LOS) of "C." Moncrief Road is a more traveled two-lane collector with peak traffic counts of 12,652 and a LOS of "D." Both of these corridors are north/south collectors, although Myrtle Avenue ends at the northern boundary of the Study Area. These roadways intersect at the center of the community, and the intersection can be confusing to newcomers.

Most of the roadways in the neighborhood that run east/west can travel the length of the neighborhood uninterrupted with the exception of 27th through 31st Streets due to the park and commercial development. The largest of these roadways is 26th Street, which is wider than the other local roads.

In terms of bicycle and pedestrian traffic, there are not many sidewalks and no bike lanes. Since there is a general lack of

recreational opportunities in the Study Area, linking bike and pedestrian facilities with any park improvements would provide facilities for both circulation and recreation.

Public transit is available throughout the Study Area, with most stops located along the major corridors. Interior bus availability is likely hindered by the narrow streets and sharp turn radius at most intersections.

SURROUNDING AREAS

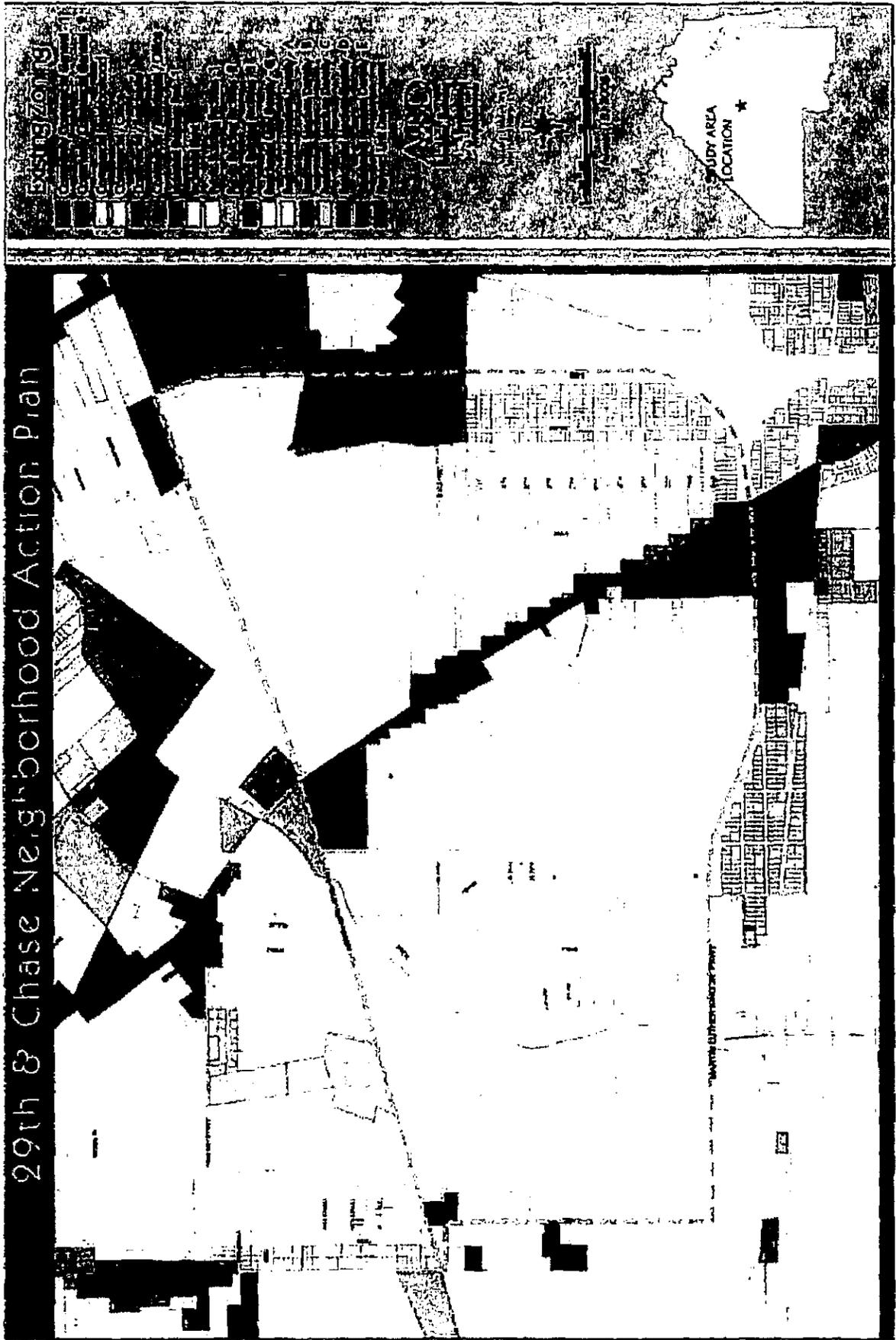
The areas surrounding the Study Area are similar in both housing types and conditions. The Kings Road/Beaver Street area is located to the south of the Study Area, and has very similar characteristics. This group of neighborhoods was the first area to receive a neighborhood plan, and is currently in the implementation stages. The 45th & Moncrief area has less deteriorated conditions and much more vacant land. The community has completed its neighborhood plan and will be continuing with implementation initiatives.



The Moncrief Road and Myrtle Avenue intersection, looking south on Moncrief Road.

Map Six

29th & Chase Neighborhood Action Plan



CONCLUSIONS

The following major conclusions can be drawn from the data and analysis discussed above:

- Population decreasing, with a loss of approximately 670 people in the last ten years
- Ethnic composition has remained fairly the same;
- All poverty indicators have decreased, including female headed households and poverty rates, with an increase in median income;
- Residential and Vacant land are the largest land uses, with vacant land scattered throughout the Study Area;
- Commercial Uses concentrated in the center of the Study Area along Moncrief Road & Myrtle Avenue; and
- Substandard housing scattered throughout, with standard housing concentrated in the northwestern portion of the Study Area.

INTRODUCTION

The 29th & Chase Neighborhood Action Plan began with a public meeting and the creation of the Citizens Planning Team (CPT). The CPT was formed through the board of the NWJCDC, with representatives from the 29th & Chase Neighborhood Association. Meetings were held monthly with the CPT, and public meetings were held to inform the larger community. Additionally, the planning team made presentations to the Urban Core Citizens Planning Advisory Council when requested.

The CPT members were asked to participate in two separate workshops: one workshop to address goals and objectives, and one workshop to discuss design elements. In terms of the goals and objectives, the workshop was combined with the efforts of the 45th & Moncrief Neighborhood Action Plan to allow of continuity and consistency between adjacent Study Areas.

Goals and Objectives were determined through an Asset and Constraints analysis, in which community residents were asked to discuss the strengths and weaknesses of their neighborhood. The responses were collapsed to eliminate repetition (refer to Table 7). The CPT members then formed the goals and objectives for the future development of the Study Area (refer to Table 8).

The 29th & Chase Study Area had a unique opportunity to receive the help of a landscape architecture class from the University of Florida. The class participants based their final projects for the semester on the Study Area, using the research that had been completed, in addition to their research and observations. The students then provided design recommendations through maps and renderings

(refer to Appendix A). These recommendations were incorporated into the Plan's recommendations.



Table 7

29th & Chase: SWOT Analysis Results

<p>Strengths</p> <ul style="list-style-type: none"> • Well kept homes • Clean & Quiet • Community Meetings/Groups • BBIC • Simonds-Johnson Park 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Vacant Homes • Hazardous Housing • Drainage Problems • Waste Areas (Bethune Elementary) • The dilapidated condition of Moncrief Road
<p>Opportunities</p> <ul style="list-style-type: none"> • Vacant lots • Housing Repairs • New Façade Improvements 	<p>Threats</p> <ul style="list-style-type: none"> • People in the streets that are not from the neighborhood (drug dealers) • Wrong type of people that move into the neighborhood • Declining housing conditions • Property values not increasing • Drugs • Prostitution



The condition of Moncrief Road is a concern for both residents and businesses. While there are many successful businesses and some improvements, the roadway remains in deteriorated condition. Since this is the major corridor through the community, the CPT believes this should be a top priority for redevelopment.



Table 8

29th & Chase Goals & Objectives

Goals		Objectives
Housing	Promote homeownership and stable housing conditions, and preserve the historical character of the housing stock.	<ul style="list-style-type: none"> • Enforce the housing code • Provide resources to homeowners to repair code violations • Provide housing to attract a mix of income levels • Repair and resale vacant homes to homeowners • Provide homeownership and home repair training to new and existing homeowners
Transportation	Create safe and attractive streets	<ul style="list-style-type: none"> • Beautify the major commercial corridors • Provide amenities for public transportation • Provide curb and gutter in interior streets to define the street and public realm • Increase lighting along interior roads • Explore traffic calming along interior roadways • Reduce litter and dumping along neighborhood streets
Parks & Open Space	Provide safe and attractive recreational facilities for residents of all ages	<ul style="list-style-type: none"> • Upgrade existing parks to include family-related amenities • Create open space that is available to families and children • Link open space to community landmarks or areas of community pride and history
Economic Development	Provide retail and other neighborhood services through attractive businesses that invest in the community	<ul style="list-style-type: none"> • Provide resources to businesses that would like to improve the appearance of their buildings • Create opportunities for businesses that hire from within the community • Explore job training and business training for new and existing residents • Increase neighborhood level retail opportunities • Buffer heavy commercial and industrial businesses from new and existing residential areas
Community Pride & Aesthetics	Build community pride through beautifying the neighborhood	<ul style="list-style-type: none"> • Increase community capacity and ownership • Organize community clean-ups • Encourage community pride through beautification of parks and open space, as well as along major corridors

ZONING

Zoning districts can be strong tools for redevelopment and revitalization. This section recommends zoning changes that will encourage appropriate commercial uses, and will allow for the construction of single-family homes.

MONCRIEF ROAD

The current zoning along Moncrief Road is Community Commercial General-2, which is the most intense zoning category for commercial uses. This category allows for uses such as retail, automotive repair and service, restaurants, light warehousing, and other commercial related uses. This category, however, is more appropriate for arterial roadways. Moncrief Road is collector roadway, and should have a zoning category more appropriate for neighborhood oriented commercial uses.

It is recommended that all property currently zoned CCG-2 that does not share a boundary with the Dr. Martin Luther King Jr. Expressway be rezoned to CN or CCG-1. This would reflect the fact that Moncrief Road and Myrtle Avenue are not arterial roadways that should not support the larger scale and more intense commercial uses as allowed under CCG-2. It should be noted that the recommended zoning change to CN would require an amendment to the 2010 Comprehensive Plan.

RESIDENTIAL AREAS

29th & Chase is a historic community with a dense pattern of development. The lot sizes are very small, approximately 3000 to 5000 square feet and the current zoning designation requires a 6000 square foot lot. All developers now must apply for a variance to build on the lots.

Therefore, it is recommended that all residential areas currently zoned for RLD-G should be rezoned to RMD-A. Since RLD-G requires a minimum lot size of 6000 square feet, this zoning change will account for the smaller lots in the community of 5000 square feet. This zoning change would prevent builders from having to seek a waiver for each property. It should be noted that the zoning change would require an amendment to the 2010 Comprehensive Plan.

RECOMMENDATIONS

- All property currently zoned CCG-2 that does not share a boundary with the Dr. Martin Luther King Jr. Expressway should be rezoned to CN or CCG-1.
- All residential areas currently zoned for RLD-G should be rezoned to RMD-A.

APPEAL EXHIBIT
“B”

BEFORE THE PLANNING COMMISSION
OF THE CITY OF JACKSONVILLE

APPLICATION NO: **WLD-19-24**

IN RE: The Application for Waiver of Minimum
Distance Requirements for Liquor License Location of

LIQUORS HOUSE, INC.

**ORDER DENYING APPLICATION FOR ZONING WAIVER
OF MINIMUM DISTANCE REQUIREMENTS
FOR LIQUOR LICENSE LOCATION WLD-19-24**

This matter came to be heard upon the Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-19-24** filed by Fla Trust Services, LLC, as Trustee of Florida Land Trust No. 576 Edgewood Ave. South, Jacksonville, Florida, the owner of certain real property located at 576 South Edgewood Avenue, on behalf of Liquors House, Inc., seeking a waiver to reduce the required minimum distance between a liquor license location (3APS) and church or school from 500 feet to 150 feet in the CCG-1 Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on October 17, 2019, including the Report of the Planning and Development Department on Application **WLD-19-24** and all attachments thereto ("Staff Report"), a copy of which is attached as **Exhibit "A"**, the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

FINDS AND DETERMINES:

1. That the applicant has complied with all application requirements set forth in Section 656.133 of the Zoning Code.
2. That the land which is the subject of application **WLD-19-24** is owned by Florida Land Trust No. 576 Edgewood Ave. South, Jacksonville, Florida. A copy of the legal description of the subject property is attached as part of the **Exhibit "A"** and incorporated herein by reference.
3. That substantial competent evidence fails to demonstrate that the application **WLD-19-24** meets, to the extent applicable, the standards and criteria set forth in Section 656.133(a) of the Zoning Code.

NOW THEREFORE, it is **ORDERED** by the Planning Commission:

1. Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-19-24** is hereby **DENIED**.

Executed this 17th day of October, 2019.



Joshua Garrison
Chairman, Planning Commission

FORM APPROVED:



Paige Hobbs Johnston
Assistant General Counsel



David Hacker
Secretary, Planning Commission

Copies to:

Anwar Dakhil
1817 Putney Circle
Orlando, FL 32837
Agent

FLA Trust Services, LLC
Tribhuvan A Patel
6545 Ramona Boulevard
Jacksonville, FL 32205
Owner

NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code.

GC-#1312071-v1-Order_on_WLD-19-24_D_10-17-19.docx

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS
FOR LIQUOR LICENSE LOCATION WLD-19-24

OCTOBER 17, 2019

Location: 576 Edgewood Avenue South; between Roselyn Street and Hamilton Street

Real Estate Number(s): 061987-0000

Waiver Sought: Reduce required minimum distance between liquor license location (3APS) and church or school from 500 feet to 150 feet

Present Zoning: Community Commercial/General-1 (CCG-1)

Current Land Use Category: Commercial General Community (CGC)

Planning District: Northwest, District 5

Agent(s): Anwar Dakhil
1817 Putney Circle
Orlando, Florida 32837

Owner: FLA Trust Services LLC
Tribhuvan A Patel
6545 Ramona Blvd
Jacksonville, Florida 32205

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application or Waiver of Minimum Distance Requirements for Liquor License Location WLD-19-24 seeks to reduce the required minimum distance between the proposed use and the Faith's Realm Ministry International at 597 Edgewood Avenue South from 500 feet to 150 feet to allow for the retail sales of all alcoholic beverages for off-premises consumption. The applicant proposes to convert a convenience store to a liquor store. The site is within a commercial corridor along Edgewood Avenue. Other uses within the area include hair salons, restaurants, movie theatre, offices, churches, and retail shops.

Exhibit A

The goal of infill development is to integrate with, maintain, and improve commercial and residential areas as they have historically existed and to aid in commercial development issues including, but not limited to, site improvements. The proposed waiver of liquor distance will not promote economic viability in the Murray Hill neighborhood. The Faith's Realm Ministry International is separated from the site by only 150 feet, and across the 4-lane Edgewood Avenue.

This waiver has a companion Exception (E-19-57) application that seeks to allow for an establishment with full alcohol sales for off-premises consumption (3APS license). Staff is recommending denial of the exception application.

The property is zoned CCG-1 and is within the CGC functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan.

DEFINITION

According to Section 656.1601 of the Zoning Code, the term *waiver* means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers are authorized to be granted by the Planning Commission pursuant to the criteria set forth in Section 656.133 of the Zoning Code.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.133 of the Zoning Code, a waiver of minimum distance requirements for liquor license location may be granted if the Planning Commission makes a positive finding based on substantial, competent evidence that the application meets one or more of the following criteria:

- 1) *Is the commercial activity associated with the alcoholic beverage use of a lesser intensity than the commercial activity associated with the alcoholic beverage use, which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license?*

No. The historical use for the site was a convenience store (mini-mart) and has been vacant for almost 5 years. The proposed use for the site will be a package store (3APS license). There are no other bars, restaurants or businesses with full liquor licenses in the immediate vicinity. The introduction of this alcohol sales use is no more intense than those existing in the area and will integrate with, maintain, and improve this commercial area. There has never been an Exception granted for a liquor store at this location.

- 2) *Is the alcoholic beverage use designed to be an integral part of a mixed planned unit development?*

No. The subject property is located within the CCG-1 zoning district and is not part of a Planned Unit Development (PUD) district. The subject property is development with a standalone building that was developed as a convenience store in the 1960s. The grant of this waiver does not furthers the goals of the 2030 Comprehensive Plan, as described in the companion Exception application.

3) Is the alcoholic beverage use to be located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all out parcels, and meets the definition of a Restaurant as defined in Section 656.805?

No. The subject property is development with a standalone building that was developed as a convenience store in the 1960s. The site has historically been utilized by a convenience store along a commercial corridor in the Murray Hill neighborhood. The general character of the area along this portion of Edgewood Avenue is commercially zoned, and developed with a variety of permitted uses.

4) Is the alcoholic beverage use directly visible along the line of measurement defined in s.656.806 and physically separated from a church or school, thereby negating the distance requirement as a result of the extra travel time?

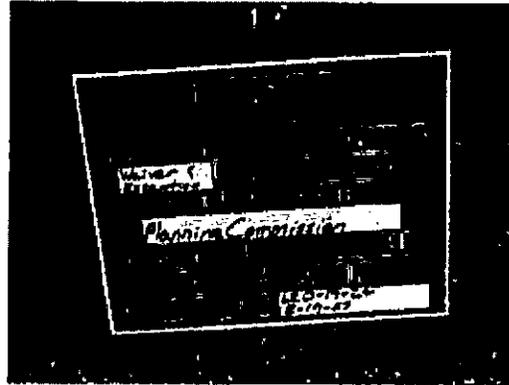
Yes. The proposed establishment is directly visible along the line of measurement defined in Section. 656.806, and is physically separated from the church by Edgewood Avenue; the site can be seen by the public from the front door of Faith's Realm Ministry International. There is no added travel time because of the physical separation.

5) Are there are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided, however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations?

No. There are no other existing liquor license locations of a similar nature closer to the church.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 8, 2019, the Planning and Development Department staff observed that the required Notice of Public Hearing sign was posted. Staff did relocate the sign from its original location as it was not easily visible from the City ROW.



RECOMMENDATION

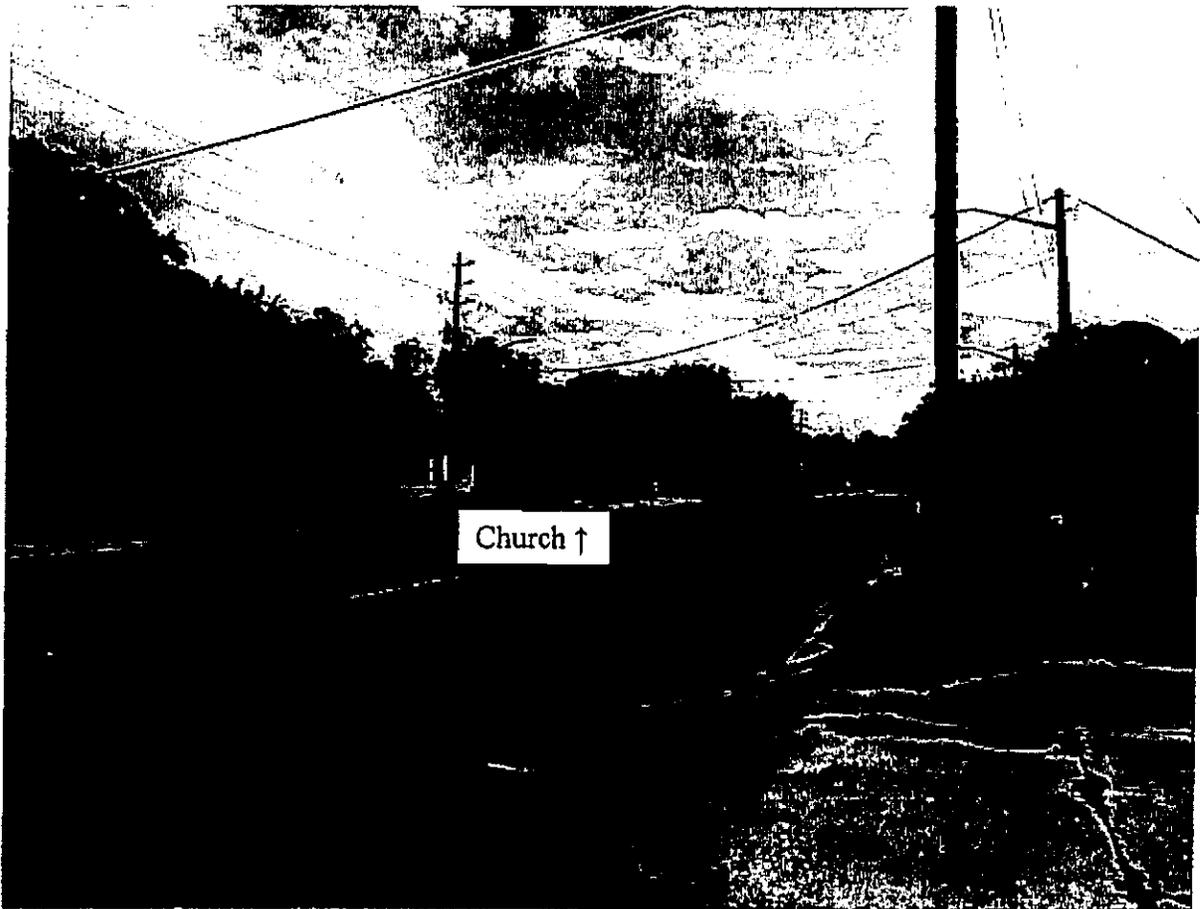
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-19-24 be **DENIED**.



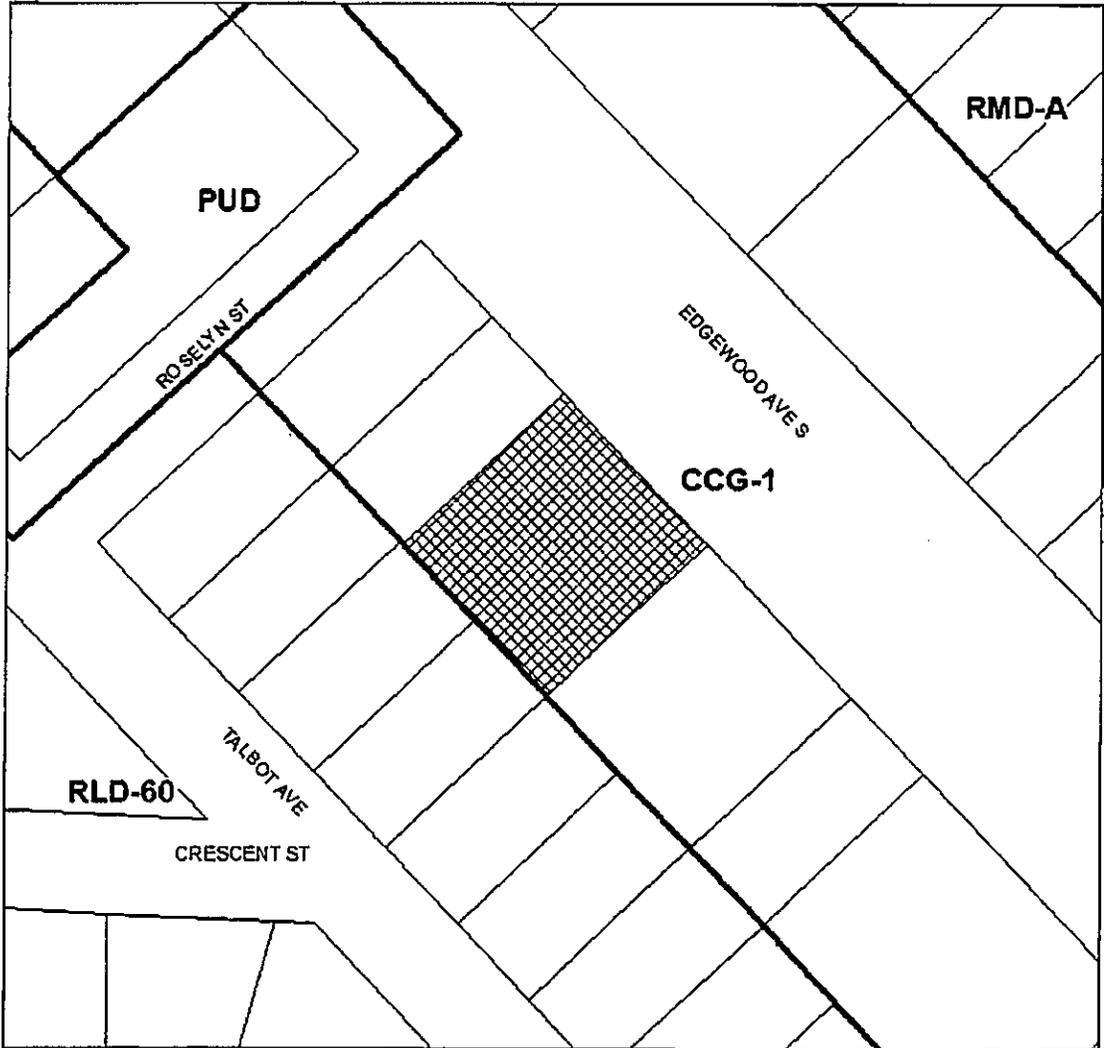
Aerial

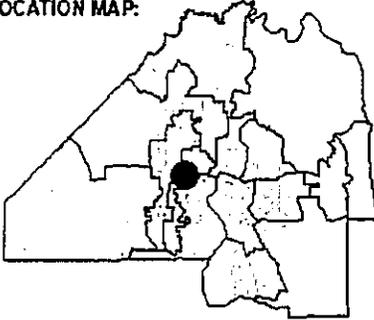


Subject Property



View from subject property parking lot toward Church



<p>REQUEST SOUGHT:</p> <p>REDUCE REQUIRED MINIMUM DISTANCE BETWEEN LIQUOR DISTANCE LOCATION AND CHURCH OR SCHOOL FROM 500 FEET TO 150 FEET</p>	<p>LOCATION MAP:</p> 	  <p>0 25 50 100 Feet</p>
	<p>APPLICATION NUMBER</p> <p>WLD-19-24</p>	<p>COUNCIL DISTRICT:</p> <p>9</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Date Submitted: 8.30.19
 Date Filed:

Application Number: WLD-19-24
 Public Hearing: 10/7/19

**Application for Waiver of Minimum Distance
 Requirements for Liquor License Location** RECEIVED
 City of Jacksonville, Florida
 Planning and Development Department AUG 30 2019

Please type or print in ink. Instructions regarding the completion of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

COMPLAINT APPLICATION
 ZONING SECTION
EL19-57

For Official Use Only		
Current Zoning District:	<u>CCG-1</u>	Current Land Use Category: <u>CCG</u>
Council District:	<u>9</u>	Planning District: <u>5</u>
Previous Zoning Applications Filed (provide application numbers): <u>NONE</u>		
Applicable Section of Ordinance Code: <u>656.805</u>		
Notice of Violation(s): <u>NONE</u>		
Neighborhood Associations: <u>Murray Hill/Murray Hill preservation society</u>		
Overlay: <u>NONE</u>		
Number of Signs to Post:	<u>1</u>	Amount of Fee: <u>\$2717</u> (FOR BOTH)
		Zoning Asst. Initials: <u>blu</u>

PROPERTY INFORMATION	
1. Complete Property Address: <u>576 Edgewood ave, Jacksonville FL 32205</u>	2. Real Estate Number: <u>061987-0000</u>
3. Land Area (Acres): <u>0.241</u>	4. Date Lot was Recorded: <u>NOV-24-2014</u>
5. Property Located Between Streets: <u>Lenox Street and Hamilton/Quincy Streets</u>	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Distance between liquor license location and church or school from <u>500</u> feet to <u>150</u> feet.	
8. In whose name will the Waiver be granted? <u>Liquors House Inc</u>	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Rudra Rentals LLC	10. E-mail: naren0004@gmail.com
11. Address (including city, state, zip): P. O. Box 6367 Jacksonville, FL 32236	12. Preferred Telephone: 904-233-1997

APPLICANT'S INFORMATION (if different from owner)	
13. Name: Anwar Dakhil	14. E-mail: anwraz818@hotmail.com
15. Address (including city, state, zip): 1817 Putney Cir Orlando, FL 32837	16. Preferred Telephone: 407-443-7472

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805, Ordinance Code."</p> <p>Section 656.133(a)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the Planning Commission shall grant a waiver for minimum distance requirements from a church or school for a liquor license location, if there exist one or more circumstances which negate the necessity for compliance with the distance requirements, included but not limited to the following:</p> <ol style="list-style-type: none"> 1. <i>The commercial activity associated with the alcoholic beverage use is of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license;</i> 2. <i>The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;</i> 3. <i>The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all outparcels, and meets the definition of a bona-fide restaurant as defined in Section 656.805(c);</i> 4. <i>The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time; or</i> 5. <i>There are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations.</i>

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

Please see Addendum A

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.

Page 3 of 4

PLANNING AND DEVELOPMENT DEPARTMENT

214 N. Hogan Street, Suite 300 Jacksonville, FL 32202 Phone: 904.255.7800 Fax: 904.255.7884 www.coj.net

last update: 1/10/17

On File
Page 85 of 328

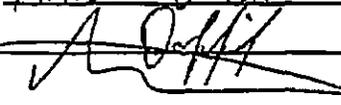
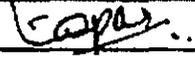
FILING FEES		
*Applications filed to correct existing zoning violations are subject to a double fee.		
<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Non-residential Districts: \$1,173.00	\$7.00 per Addressee	Billed directly to owner/agent

AUTHORIZATION

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s)	Applicant or Agent (if different than owner)
Print name: Rudra Rentals LLC	Print name: Anwar Akhil
Signature: 	Signature: 
Owner(s)	*An agent authorization letter is required if the application is made by any person other than the property owner.
Print name: _____	
Signature: 	

SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

Submit applications to:
 Planning and Development Department, Zoning Section
 214 North Hogan Street, 2nd Floor
 Jacksonville, Florida 32202
 (904) 255-8300

Addendum A

The property is located at 576 Edgewood ave South Jacksonville FL 32205

This area of Edgewood ave is a 4-lane roadway . There are numerous of other retail and commercial uses in the vicinity. And the package store would be in character with other retail commercial use in the vicinity.

It's a one stand building The proposed new use is for the retail sale of alcoholic beverages for off premises consumption only (package store) the land use and zoning classification for the property is CCG1 , respectively.

-The commercial activity associated with alcoholic beverages purchases is a lesser intensity than the commercial activity associated with the alcoholic beverages use in an on premise consumption places .

-Since it's a package store only which the customers will purchase the products then go home to consume it so there will not be any alcoholic beverages consumption on the premises.

All alcoholic beverages will not directly be visible along the line of measurement defined in section 656.806 and is physically separated from the church or school thereby negating the distance requirements . The store is approximately 3166 square feet in size . The building is comprised of one story one unit with total of approximately 3166 square feet of space. The building has 9 parking spaces plus 2 handicap spaces . Ingress and egress on Edgewood ave.

The use is limited to the retail of alcoholic beverages for off premises consumption only. And will not create any objectionable noise , lights or nuisance to the surrounding community or any close churches or schools .

EXHIBIT A

Property Ownership Affidavit – Limited Liability Company (LLC)

Date: 8/24/2019

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 576 Edgewood Ave S, Jacksonville FL 32205 RE#(s): 061987-0000

To Whom it May Concern:

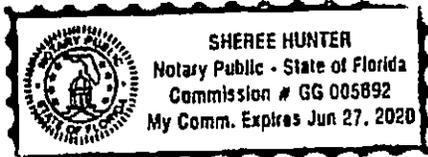
I Tribhuvan Patel, as President of Rudra Rentals LLC, a Limited Liability Company organized under the laws of the state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit 1 in connection with filing application(s) for rezoning DISTANCE LEASE submitted to the Jacksonville Planning and Development Department.

(signature) [Handwritten Signature]
(print name) TRIBHUVAN PATEL

Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney, etc.

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 24 day of August 2019, by Tribhuvan Patel, as President of Rudra Rentals LLC, a Limited Liability Company, who is personally known to me or who has produced FLA as identification and who took an oath.



[Handwritten Signature]
(Signature of NOTARY PUBLIC)

Sheree Hunter
(Printed name of NOTARY PUBLIC)

State of Florida at Large.
My commission expires: 06/27/2020

EXHIBIT B

Agent Authorization – Limited Liability Company (LLC)

Date: 8/24/2019

City of Jacksonville
Planning and Development Department
214 North Hogan Street, Suite 300,
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:
Address: 576 Edgewood Ave S, Jacksonville FL 32205 RE#(s): 061987-0000

To Whom It May Concern:

You are hereby advised that Tribhuvan Patel, as President of Rudra Rentals LLC, a Limited Liability Company organized under the laws of the state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Anwar Dakhil to act as agent to file application(s) for Rezoning for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

(signature) [Handwritten Signature]

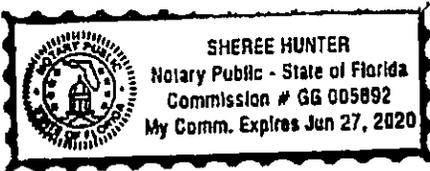
(print name) TRIBHUVAN PATEL

STATE OF FLORIDA
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 24 day of August 2019, by Tribhuvan Patel, as President, of Rudra Rentals LLC, a Limited Liability Company, who is personally known to me or who has produced FL ID as identification and who took an oath.

[Handwritten Signature]
(Signature of NOTARY PUBLIC)

Sheree Hunter
(Printed name of NOTARY PUBLIC)



State of Florida at Large.
My commission expires: 06/27/2020

EXHIBIT 1

Legal Description

**EXHIBIT "A"
Property**

**Lots 159 and 160, Block 78, REPLAT OF PART OF MURRAY HILL HEIGHTS,
according to the plat thereof recorded in Plat Book 5, Pages 86 and 86A, of the current
Public Records of Duval County, Florida**

Property Address: 576 Edgewood Avenue S. Jacksonville, Florida 32205

576 EDGEWOOD AVE. S.

APPLICATION REVIEW SHEET

WLD-19-24

EXCEPTION

VARIANCE

WAIVER

ADMINISTRATIVE DEVIATION

Application _____
Date

0.30.19

Assistant _____
Name

T. HAOLEY

Forward to Planner _____
Date

11x17 Site Plan (or larger)

Legal

Survey

Application Fields Complete

- Property Dimensions
- Building Location
- Parking Spaces depicted
- Adjacent property uses
- Adjacent Streets & ROW
- North Arrow & graphic scale
- Signage depicted
- Ingress & Egress

APPLICATION # E-19-57

Off-site Access Utilized (if "yes", forward to OGC)

PLANNER REVIEW AND OGC REVIEW (IF NECESSARY)

Date In _____

Date Out _____

OK to FILE

Comments: _____ OFF PREMISES CONSUMPTION

_____ 9.6
_____ 9.6

RESUBMIT REVIEW

Date In _____

Date Out _____

Resubmit Comments: _____

APPROVED BY: _____

RE	LNNAME	LNNAMEZ	MAIL_ADDR1	MAIL_ADDR2	MAIL_ADDR3	MAIL_CITY	MAIL_STATE	MAIL_ZIP
002100	0000 45-35 ROYAL AVE TRUST		4111 NE 2ND AVE			HALLANDALE BEACH	FL	33009
002100	0000 583 LARRY TRUST, C/O LYNN MILLER		7643 GATE PKWY SUITE 104-663			JACKSONVILLE	FL	32256
002100	0000 A GALLEY PROPERTIES LLC		542 EDGEWOOD AVE S			JACKSONVILLE	FL	32205
002100	0000 ALEXANDER HANIC		1415 BELVEDERE AVE			JACKSONVILLE	FL	32205-7916
002100	0000 ALLEN JAMES D		P O BOX 37922			JACKSONVILLE	FL	32236
002100	0000 ALLEFI JAMES D		543 TALBOT AVE			JACKSONVILLE	FL	32205
002100	0000 ALTMAY DR ROBERT KEITH SR		255 RIVER RD W			JACKSONVILLE	FL	32205
002100	0000 ARLODAGUE ARNOLD T		561 TALBOT AVE			JACKSONVILLE	FL	32205-4949
002100	0000 BARNES EBENE E		615 TALBOT AVE			JACKSONVILLE	FL	32205-5532
002100	0000 BENAVIDES IUAN		565 EDGEWOOD AVE S			JACKSONVILLE	FL	32236-0009
002100	0000 BONAR ENGINEERING INC		PO BOX 60009			JACKSONVILLE	FL	32205-4918
002100	0000 BOUTAR HENRY B		335 ARTHUR MOORE DR			JACKSONVILLE	FL	32256
002100	0000 LAHIE CHASE A		4554 CRESCENT ST			JACKSONVILLE	FL	32239
002100	0000 CARROLL GALE LINDA KIMBLE ET AL		10520 STANFIELD GLENN CT			JACKSONVILLE	FL	32205
002100	0000 CHONG O KIM JMC		8935 MAGILL RD N			JACKSONVILLE	FL	32205
002100	0000 COMBS FAMILY REVOCABLE TRUST		572 METEOR ST			JACKSONVILLE	FL	32205
002100	0000 COMKAIN MICHELE		528 EDGEWOOD AVE S			JACKSONVILLE	FL	32205
002100	0000 DARBELL HG PROPERTIES LLC		508 TALBOT AVE			JACKSONVILLE	FL	32205
002100	0000 DENNIS LISA M		2975 DELWOOD AVE #1			JACKSONVILLE	FL	32230
002100	0000 RESCHNER JEFFERY		P O BOX 6367			JACKSONVILLE	FL	32205-4963
002100	0000 FLORIDA LAND TRUST NO 576 EDGEWOOD AVE		555 TALBOT AVE			JACKSONVILLE	FL	32205-4918
002100	0000 FULLER JOE LEE JR		4564 CRESCENT ST			JACKSONVILLE	FL	32205
002100	0000 HANNAH CHRISTOPHER		568 METEOR ST			JACKSONVILLE	FL	32205
002100	0000 HAZIMAN HENRY W		P O BOX 2505			OLDSMAR	FL	32677-0047
002100	0000 HAWKING & LENON ACP LLC		P O BOX 2505			OLDSMAR	FL	32677-0047
002100	0000 HODGINS JAMES R		1367 AYONDALE AVE			JACKSONVILLE	FL	32205-7839
002100	0000 JACKSONVILLE FUNERAL SERVICES INC # 2309		SCRIPPS CORP PROP TAX DEPT 8TH FL	PO BOX 1306-48		HOUSTON	TX	77219-0548
002100	0000 JONES ANDRA		587 TALBOT AVE			JACKSONVILLE	FL	32205
002100	0000 KATLAW CURTIS B ET AL		3208 CREEK BEND RD			JACKSONVILLE	FL	32259-2923
002100	0000 KYTT SAUNDRA A		4555 ROYAL AVE			JACKSONVILLE	FL	32205-4549
002100	0000 MCGOVERN JAMES J		3634 RIVERSIDE AVE			JACKSONVILLE	FL	32205
002100	0000 MIDWEST MOUNTAIN SUNSHINE LLC		2705 GRAND AVE			JACKSONVILLE	FL	32205
002100	0000 MILWAY LLC		203 FORT WADE RD SUITE 105			POINTE VEDRA	FL	32081
002100	0000 MUDDY DOUG		5573 HARLEY THRIFT RD			MACCLENNY	FL	32053
002100	0000 NORTH FLORIDA INVESTMENT GROUP LLC		3740 KORI RD STE B			JACKSONVILLE	FL	32257
002100	0000 OWENS KAREEM S		4603 CRESCENT ST			JACKSONVILLE	FL	32205-5457
002100	0000 PARKER KAREEM A		4560 CRESCENT ST			JACKSONVILLE	FL	32205-4919
002100	0000 PHIBROOK FOREST L		516 HAMILTON AVE			JACKSONVILLE	FL	32205-4918
002100	0000 ROUSSAN STACE A		597 TALBOT AV			JACKSONVILLE	FL	32205
002100	0000 SARTAIN JOANIE SARAVIA		4551 ROYAL AVE			JACKSONVILLE	FL	32205
002100	0000 SELLERS CHRISHINE		605 TALBOT AVE			JACKSONVILLE	FL	32205-5456
002100	0000 SHAWERS DIANE H WILLIAMS		585 METEOR ST			JACKSONVILLE	FL	32205
002100	0000 STATE DAVID		590 TALBOT AVE			JACKSONVILLE	FL	32210
002100	0000 STRASSER RYAN		4157 SAN JUAN AVE			JACKSONVILLE	FL	32205
002100	0000 STRINGER SHIRLEY A		548 METEOR ST			JACKSONVILLE	FL	32205-5457
002100	0000 STRINGER SHIRLEY MORGAN		548 METEOR ST			JACKSONVILLE	FL	32205-5457
002100	0000 STEINMAN NICHOLAS		5800 FLORIDA 16			JACKSONVILLE	FL	32205-5382
002100	0000 WADE F G INVESTMENT CO		579 TALBOT AVE			JACKSONVILLE	FL	32205-4990
002100	0000 WHITE JEREMY DAMATH		585 METEOR ST			JACKSONVILLE	FL	32205-5456
002100	0000 WILLIAMS SHAWERS DIANE HOPE		4571 CRESCENT ST			JACKSONVILLE	FL	32205-4917
002100	0000 WOOD JENNIFER L		567 TALBOT AVE			JACKSONVILLE	FL	32205
002100	0000 YOUNG LEANIE					JACKSONVILLE	FL	32205
002100	0000 MURRAY HILL PRESERVATION ASSOC		932 INGLESIDE AV			JACKSONVILLE	FL	32205
002100	0000 MURRAY HILL		932 INGLESIDE AV			JACKSONVILLE	FL	32205
002100	0000 MURTHWEST		1030 DETROIT ST			JACKSONVILLE	FL	32254

Exception
Wanted
Notes
 \$ 173 -
 \$ 173 -
 371 -
 \$ 277 -

APPEAL EXHIBIT
“C”

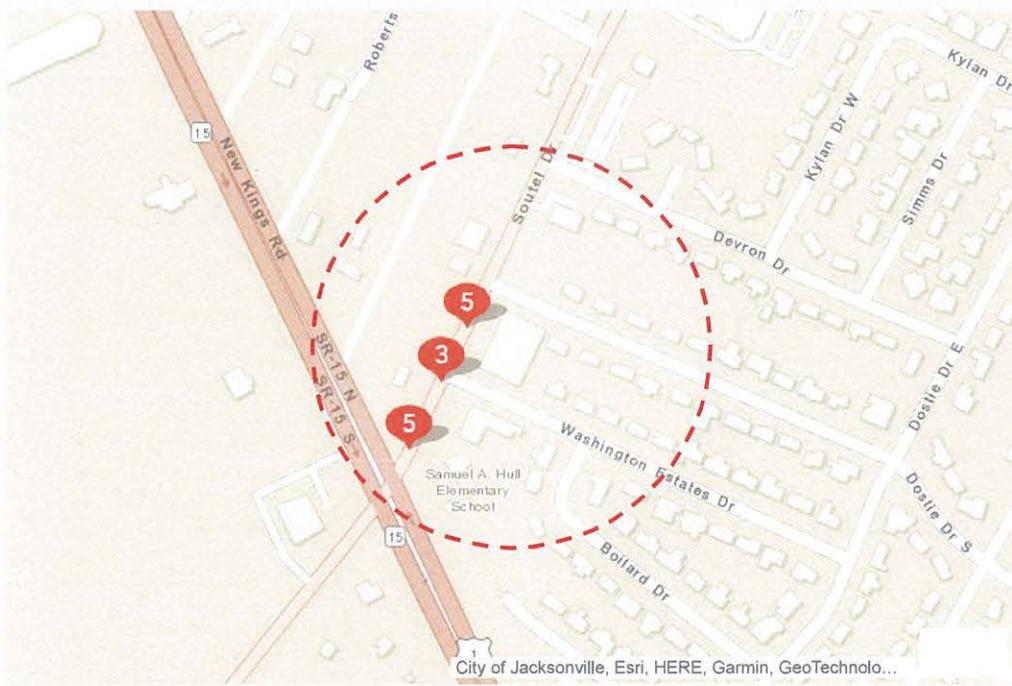
Print

CrimeMapping.com Map

Friday, November 12, 2021 through Tuesday, May 10, 2022

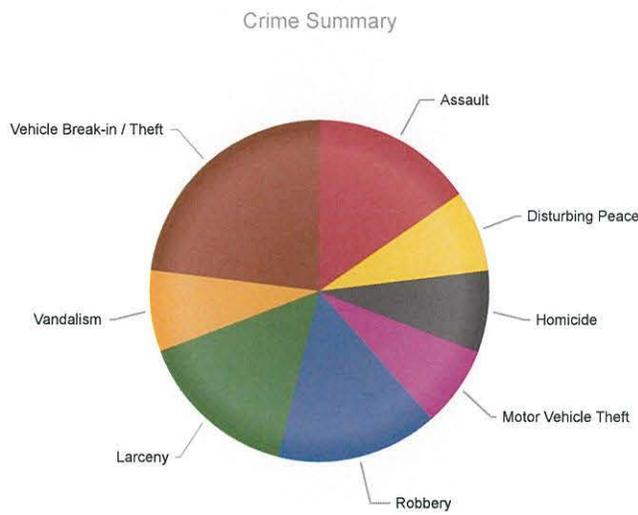
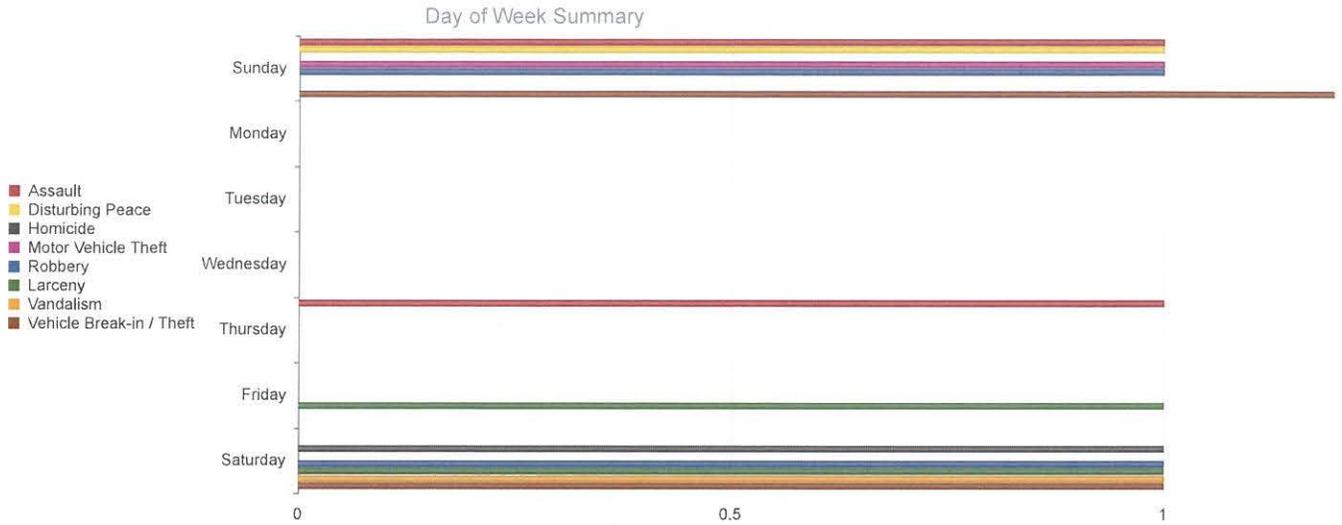
Showing crime types: Arson, Assault, Burglary, Disturbing the Peace, Drugs / Alcohol Violations, DUI, Fraud, Homicide, Motor Vehicle Theft, Robbery, Sex Crimes, Theft / Larceny, Vandalism, Vehicle Break-In / Theft, Weapons

Show crime report Show crime chart



Grab the bottom/right borders to resize the map or the handle in the bottom right corner.

All representations on this map are distributed and transmitted "AS IS" without warranties of any kind, either express or implied including without limitation, warranties of title or implied warranties of merchantability or fitness for a particular purpose. In no event shall CrimeMapping.COM become liable to users of these data for any loss or damages, consequential or otherwise, including but not limited to time, money, goodwill, arising from the use, operation or modification of the data. The visual presentation of data is being provided strictly as a courtesy, not as an obligation to its users.



Crime Report

Type	Description	Incident #	Location	Agency	Date
	RESISTING OFFICER WITHOUT VIOLENCE TO HIS OR HER PERSON	202200269503	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	5/8/2022 10:40 PM
	ASSAULT / AGG / WITH A DEADLY WEAPON WITHOUT INTENT TO KILL	202200253314	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	5/1/2022 3:40 PM
	BURGLARY TO A CONVEYANCE - ARMED/BECOMES ARMED WITH DANGEROUS WEAPON	202200223057	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	4/17/2022 2:00 AM
	BURGLARY / CONVEYANCE NOT OCCUPIED - NO ASSAULT/BATTERY - NO WEAPON	202200209844	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	4/10/2022 1:30 AM
	CRIMINAL MISCHIEF > \$1000. OR INTERRUPTION OF BUSINESS OR UTILITIES	202200207045	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	4/9/2022 9:15 PM
	CARJACKING WITH FIREARM OR DEADLY WEAPON	202200192483	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	4/3/2022 4:10 AM

Type	Description	Incident #	Location	Agency	Date
	MURDER / DANGEROUS ACT EVINCING A DEPRAVED MIND W/O PREMED / 2ND DEG.	202200131901	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	3/5/2022 2:10 AM
	BATTERY- TOUCH OR STRIKE- NO INJURY	202200113802	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	2/24/2022 4:30 PM
	PETIT THEFT - LESS THAN \$100 - 1ST OFFENSE	202200100086	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	2/18/2022 2:00 AM
	PETIT THEFT 1ST DEGREE - \$100 TO LESS THAN \$750	202200087652	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	2/12/2022 1:35 PM
	THEFT OF MOTOR VEHICLE - LESS THAN \$100,000	202100751727	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	12/19/2021 4:00 AM
	BURGLARY TO A CONVEYANCE - ARMED/BECOMES ARMED WITH DANGEROUS WEAPON	202100755634	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	12/11/2021 12:30 AM
	ARMED ROBBERY - FIREARM OR OTHER DEADLY WEAPON	202100734402	5500 BLOCK SOUTEL DR	Jacksonville Sheriff	12/11/2021 12:00 AM

**APPEAL PACKET
CONCLUDED**



ONE CITY. ONE JACKSONVILLE

City of Jacksonville, Florida

Planning and Development Department

Current Planning Division
Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7865
www.coj.net

Notice of Certification

May 4, 2022

RE: Certified Copy of Final Order

I hereby certify that the attached is a true and accurate copy of the Final Order of WLD-22-13.

WLD-22-13 heard on April 21, 2022

Patricia Sales
Executive Secretary, I

PLANNING AND DEVELOPMENT DEPARTMENT

214 North Hogan Street, 3rd Floor | Jacksonville, Florida 32202 | Phone: 904.255.7800 | Fax: 904.255.7884 | www.coj.net

BEFORE THE PLANNING COMMISSION
OF THE CITY OF JACKSONVILLE

APPLICATION NO: **WLD-22-13**

IN RE: The Application for Waiver of Minimum
Distance Requirements for Liquor License Location

ROYAL HOUSE LIQUORS, INC.

**ORDER APPROVING WITH CONDITION APPLICATION FOR
WAIVER OF MINIMUM DISTANCE REQUIREMENTS FOR
LIQUOR LICENSE LOCATION WLD-22-13**

This matter came to be heard upon the Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-22-13** filed by Anwar's Properties Inc., the owner of certain real property located at 5522 Soutel Drive, RE #042013-0000, on behalf of Royal House Liquors, Inc., seeking a waiver to reduce the required minimum distance between liquor license location and church from 500 feet to 401 feet, in the CCG-2 Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on April 21, 2022, including the Report of the Planning and Development Department on Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-22-13** and all attachments thereto ("Staff Report"), a copy of which is attached as **Exhibit "A"**, the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

FINDS AND DETERMINES:

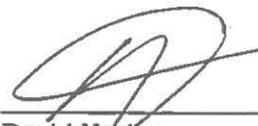
1. That the applicant has complied with all application requirements set forth in Section 656.133 of the Zoning Code.
2. That substantial competent evidence demonstrates that the application **WLD-22-13** meets, to the extent applicable, the standards and criteria set forth in Section 656.133(a) of the Zoning Code.
3. The land to which this waiver is granted is owned by Anwar's Properties Inc. A copy of the legal description of the subject property is attached as part of **Exhibit "A"** and incorporated by reference herein.

NOW THEREFORE, it is **ORDERED** by the Planning Commission:

1. A Waiver of Minimum Distance Requirements for Liquor License Location **WLD-22-13** is hereby granted to Royal House Liquors, Inc., thereby reducing the required minimum distance between liquor license location and church from 500 feet to 401 feet, in the CCG-2 Zoning District.

2. In conformity with state licensing requirements, the exception hereby granted shall be personal to the license applicant/holder, non-transferable, and shall not run with the land as provided by Section 656.136(c) of the Zoning Code.
3. The waiver hereby granted is subject to the following condition:
 - a. The business shall not open before 1:00 PM on Sunday.
4. Failure to exercise the waiver herein granted by commencement of the use or action herein approved within one (1) year of the effective date of this order shall render this waiver invalid and all rights arising hereunder shall terminate.
5. The Waiver herein shall not be construed as an exemption from any other applicable local, state or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this Waiver is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this Waiver does not approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.
6. The approval granted herein shall not interfere with or abrogate or annul any easement, covenant or other agreement between any parties. In the event that the provisions of this Order impose a greater restriction upon the use, structures or development of the property than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Order shall control.

Executed this 21st day of April, 2022.



David Haeker
Chairman, Planning Commission

FORM APPROVED:



Paige Hobbs Johnston
Assistant General Counsel



Ian Brown
Secretary, Planning Commission

Copies to:

Paul M. Harden, Esquire
1431 Riverplace Boulevard, Suite 901
Jacksonville, FL 32207
Applicant/Agent

Anwar's Properties, Inc.
5522 Soutel Drive
Jacksonville, FL 32219
Owner

NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).

GC-#1492106-v1-Order_on_WLD-22-13_AC_4-21-22.docx

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT
APPLICATION FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS

FOR LIQUOR LICENSE LOCATION WLD-22-13

APRIL 7, 2022

Location: 5522 Soutel Drive between Dostie Drive South and
Washington Estates Drive

Real Estate Number: 042013-0000

Waiver Sought: Reduce the required minimum distance between liquor
license location and church from 500 feet to 401 feet

Current Zoning District: Commercial Community/General-2 (CCG-2)

Current Land Use Category: Community/General Commercial (CGC)

Planning District: Northwest, District 5

Applicant/Agent: Paul M. Harden, Esq.
1431 Riverplace Boulevard, Suite 901
Jacksonville, FL 32207

Owner: Anwar's Properties, Inc.
5522 Soutel Drive
Jacksonville, FL 32219

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application or Waiver of Minimum Distance Requirements for Liquor License Location WLD-22-13 seeks to reduce the required minimum distance between the subject property and the Friendship Missionary Baptist Church (7141 New Kings Road), from 500 feet to 401 feet. The church was constructed in the 1970s.

The property is an existing retail center constructed in 1968. An establishment for the retail sale of beer, wine and liquor for off premises consumption is a permitted use in the CCG-2 Zoning District. The present property owners have been operating the business since 1993 and have owned the property since 2002. The following applications have been previously approved related to this property and its current use, E-93-134, V-93-130, E-95-134 which allowed for the sale of beer, wine and liquor for the subject property.

Exhibit A

The property is within the King Soutel Neighborhood Action Plan (NAP) and the Kings Soutel Community Redevelopment Area (CRA). The WLD-22-13 was heard by the King Soutel Crossing CRA Advisory Board on March 24, 2022. The agent explained the application, the need for the waiver and the criteria for evaluation. After discussion, the Advisory Board voted 4-1 to recommend approval of the waiver with three conditions.

1. The license is made personable to the business and cannot be transferred.
2. The license is for off premises consumption only.
3. The business shall not open before 1:00 PM on Sunday's.

The first two conditions are standard with the approved Final Order issued by the Planning Commission. Staff is recommending condition #3.

DEFINITION

According to Section 656.1601 of the Zoning Code, the term *waiver* means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers are authorized to be granted by the Planning Commission pursuant to the criteria set forth in Section 656.133 of the Zoning Code.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.133 of the Zoning Code, a waiver of minimum distance requirements for liquor license location may be granted if the Planning Commission makes a positive finding based on substantial, competent evidence that the application meets one or more of the following criteria:

- (i) *Is the commercial activity associated with the alcoholic beverage use of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license?*

Yes. The existing building has three tenants. There is a restaurant that serves beer, wine and liquor for on premises consumption. The proposed package store, which is for off premises consumption, will operate in a different portion of the building.

- (ii) *Is the alcoholic beverage use designed to be an integral part of a mixed planned unit development?*

No. The subject property is zoned CCG-2 with an existing approximately 15,000 square foot building. The building is located in a commercial corridor that offers a wide range of service garages, motel and institutional uses. The granting of this waiver would further the 2030 Comprehensive Plan by allowing infill and redevelopment of existing

commercial areas in lieu of permitting new areas to commercialize. The proposed waiver of liquor distance will promote economic viability to the New Kings Road commercial corridor.

- (iii) *Is the alcoholic beverage use to be located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all out parcels, and meets the definition of a bona fide restaurant as defined in Section 656.805?*

No. The proposed use is located in a free-standing commercial structure that is approximately 15,000 square feet in size. The property is part of the commercial corridor located along New Kings Road that has historically been utilized by commercial uses.

- (iv) *Is the alcoholic beverage use directly visible along the line of measurement defined in s.656.806 and physically separated from a church or school, thereby negating the distance requirement as a result of the extra travel time?*

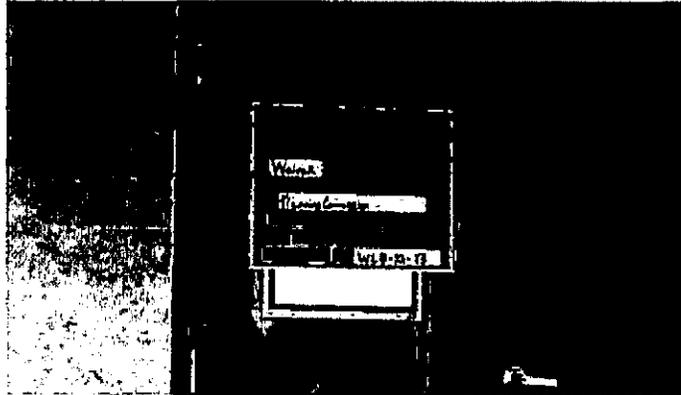
No. The front door of the license location is not visible from the Greater New Hope Missionary Baptist Church. The front door of the license location faces New Kings Road. The Zoning Code requires the measurement be from the proposed business to the nearest property line of the church. However, the nearest church property is an undeveloped grassy knoll and the church building is actually 802 feet away. Additionally, to drive or walk to the license location is a distance of 1,000 feet via Soutel Drive then along New Kings Road.

- (v) *Are there are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided, however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations?*

No. There are no existing liquor license locations in the immediate area. There was a restaurant which allowed the sale of all alcoholic beverages for on premises consumption. That restaurant has since closed.

SUPPLEMENTARY INFORMATION

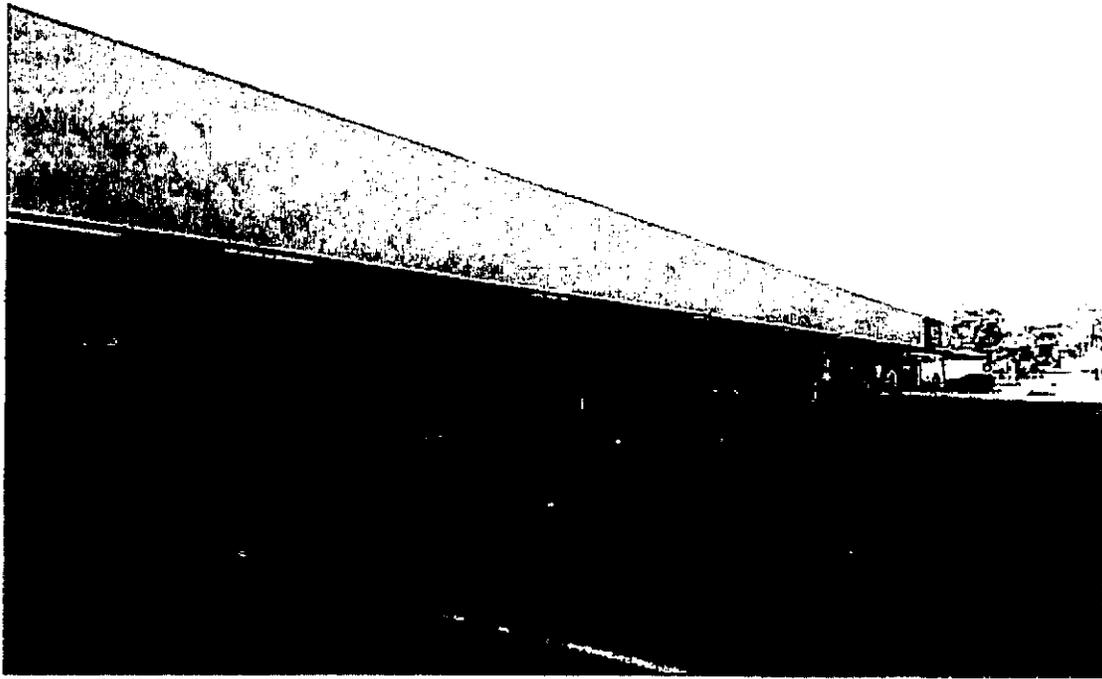
Upon visual inspection of the subject property on March 25, 2022, the Planning and Development Department staff did notice that the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-22-13 be **APPROVED WITH THE FOLLOWING CONDITION.**

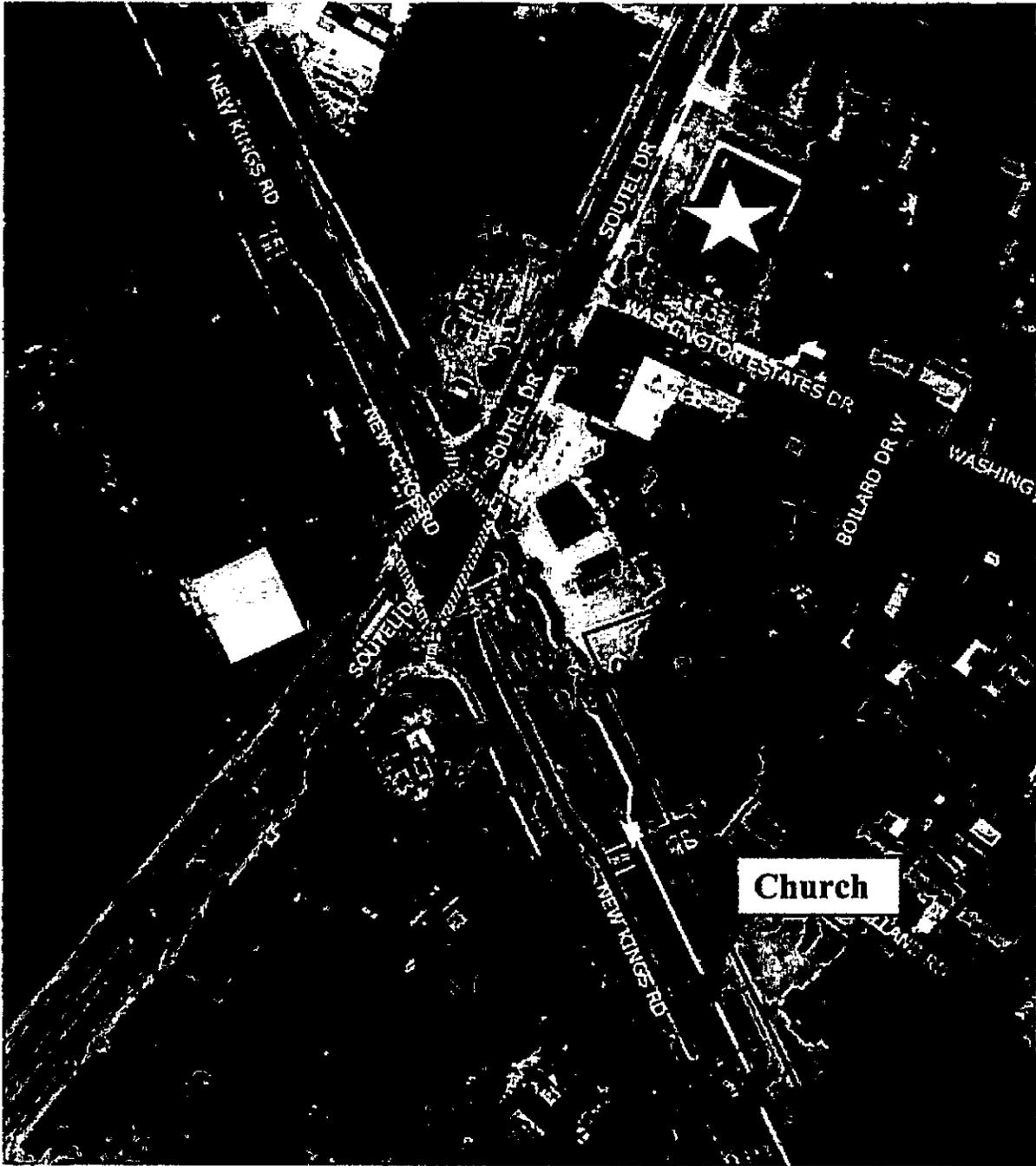
- 1. The business shall not open before 1:00 PM on Sunday.**



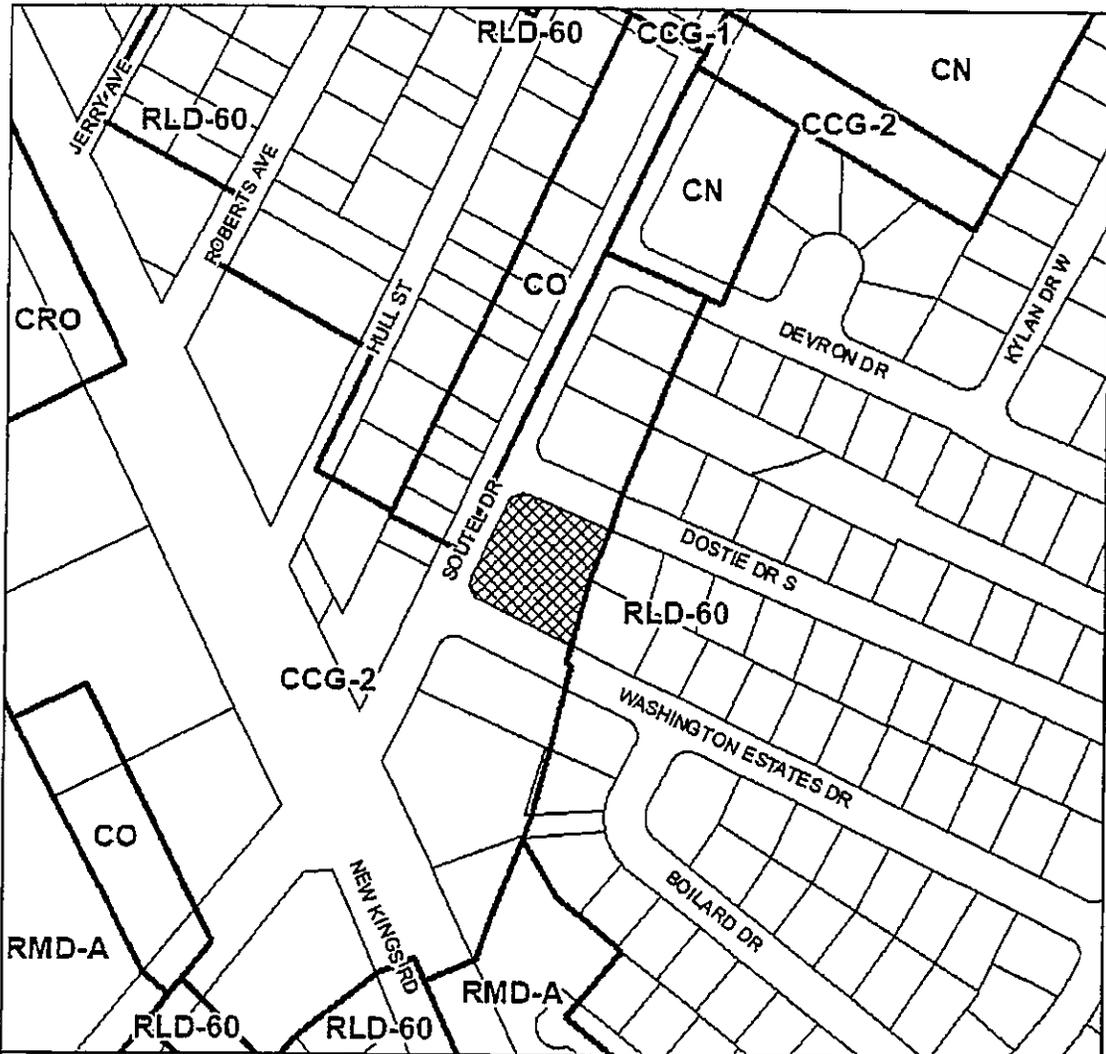
View of subject property

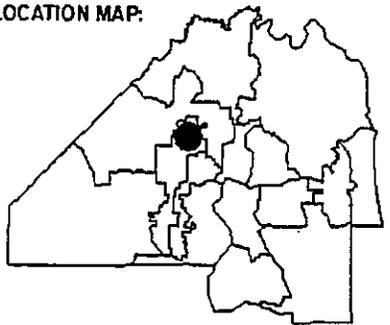


View of subject property



Aerial view of subject property



<p>REQUEST SOUGHT:</p> <p>REDUCE DISTANCE FROM LICENSE LOCATION AND CHURCH FROM 500 FEET TO 401 FEET</p>	<p>LOCATION MAP:</p> 	 <p>0 80 160 320 Feet</p> <p>COUNCIL DISTRICT: 10</p>
<p>TRACKING NUMBER WLD-22-13</p>		<p>EXHIBIT 2 PAGE 1 OF 1</p>

Date Submitted:	3/2/22
Date Filed:	3/4/22

Application Number:	WLD 22-13
Public Hearing:	4/7/22

**Application for Waiver of Minimum Distance
Requirements for Liquor License Location**
City of Jacksonville, Florida
Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only			
Current Zoning District:	CCG-2	Current Land Use Category:	CGC
Council District:	10	Planning District:	5
Previous Zoning Applications Filed (provide application numbers): N/A			
Applicable Section of Ordinance Code: PART 8 656.805(b)			
Notice of Violation(s):			
Neighborhood Associations: KINLOCK CIVIC ASSOC.			
Overlay: KING SOUTEL OVERLAY			
Number of Signs to Post:	3	Amount of Fee:	1,495-
		Zoning Asst. Initials:	<i>[Signature]</i>

PROPERTY INFORMATION	
1. Complete Property Address: 5522 Soutel Dr	2. Real Estate Number: 042013-0000
3. Land Area (Acres): 0.44 acres	4. Date Lot was Recorded: Prior to 1969
5. Property Located Between Streets: New Kings Rd & Moncrief Rd W	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Distance between liquor license location and church or school from 500 feet to 401 feet.	
8. In whose name will the Waiver be granted? Royal House Liquors, Inc.	

Page 1 of 4

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name: Anwar's Properties, Inc.	10. E-mail:
11. Address (including city, state, zip): 5522 Soutel Dr. Jacksonville, FL 32219	12. Preferred Telephone:

APPLICANT'S INFORMATION (if different from owner)	
13. Name: Paul M. Harden	14. E-mail: paul_harden@bellsouth.net
15. Address (including city, state, zip): 1431 Riverplace Blvd., Suite 901 Jacksonville, FL 32207	16. Preferred Telephone: 904-396-5731

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805, Ordinance Code."</p> <p>Section 656.133(a)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the Planning Commission shall grant a waiver for minimum distance requirements from a church or school for a liquor license location, if there exist one or more circumstances which negate the necessity for compliance with the distance requirements, included but not limited to the following:</p> <ol style="list-style-type: none"> 1. <i>The commercial activity associated with the alcoholic beverage use is of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license;</i> 2. <i>The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;</i> 3. <i>The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all outparcels, and meets the definition of a bona-fide restaurant as defined in Section 656.805(c);</i> 4. <i>The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time; or</i> 5. <i>There are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations.</i>

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time.

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.

FILING FEES		
*Applications filed to correct existing zoning violations are subject to a double fee.		
<u>Base Fee</u> Non-residential Districts: \$1,173.00	<u>Public Notices</u> \$7.00 per Addressee	<u>Advertisement</u> Billed directly to owner/agent

AUTHORIZATION	
Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.	
The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.	
<u>I hereby certify that I have read and understand</u> the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.	
Owner(s) Print name: _____ Signature: _____	Applicant or Agent (if different than owner) Print name: <u>Paul M. Harden</u> Signature: <u>Paul Harden</u>
Owner(s) Print name: _____ Signature: _____	<i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>

SUBMITTAL
This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.
<u>Submit applications to:</u> Planning and Development Department, Zoning Section 214 North Hogan Street, 2 nd Floor Jacksonville, Florida 32202 (904) 255-8300

EXHIBIT 1

Legal Description

Lot 1, Block 1, WASHINGTON ESTATES, UNIT 3, as recorded in Plat Book 32, pages 28 and 28A, of the current public records of Duval County, Florida, together with part of Lot 57, Lot 76, and a former road, subdivision of a part of Francis Bagley and Charles Sibbald Grants for H.H. Simmons Realty Co., as recorded in Plat Book 3, page 85, of said public records, all being more particularly described as follows:

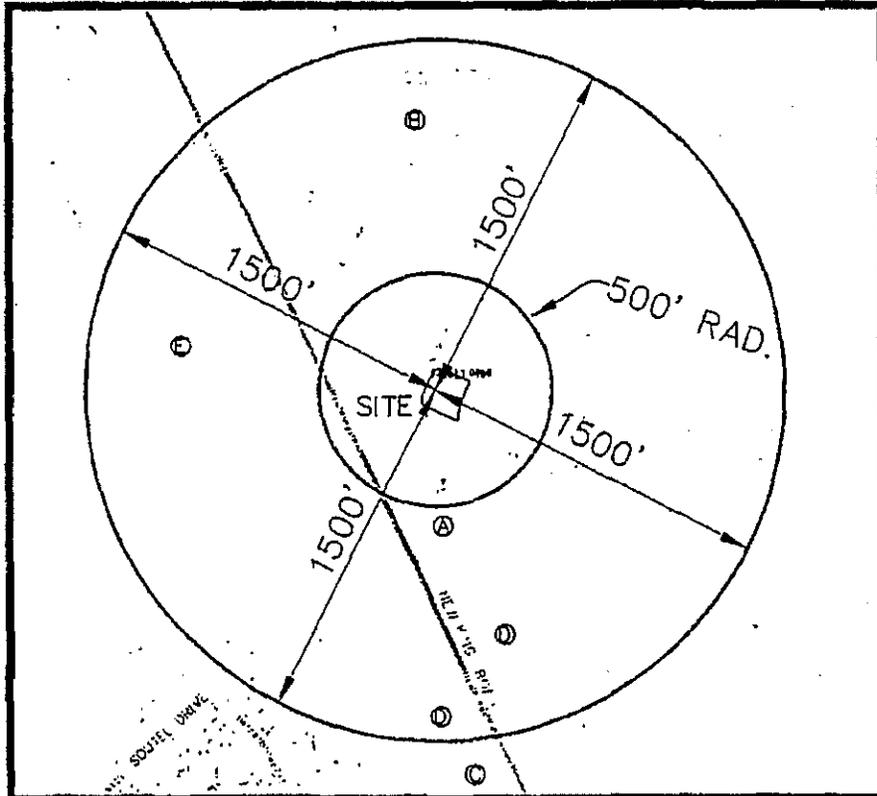
Commencing at the intersection of the Southeasterly right-of-way line of Soutel Drive, a right-of-way of varied width, with the Northwesterly prolongation of the Southwesterly right-of-way line of Dostie Drive South, a 60 foot right of way as now established; thence South 66°19'34" East, by and along said prolongation, a distance of 24.18 feet for a point of beginning; thence continue South 66°19'34" East, by and along said Southwesterly right-of-way, a distance of 129.22 feet to the Southeasterly boundary of said Lot 1, Block 1; thence South 23°05'30" West, by and along said Southeasterly boundary, a distance of 89.45 feet to the Southwesterly boundary of said Washington Estates, Unit 3; thence South 14°37'18" West, by and along the Northwesterly boundary of Lot 12, Block 1, Washington Estates, Unit 4, as recorded in Plat Book 33, pages 43 and 43A, of said public records, a distance of 101.65 feet to the Northeasterly right-of-way line of Washington Estates Drive, a 60 foot right-of-way as now established; thence North 65°04'40" West, by and along said Northeasterly right-of-way line, a distance of 183.80 feet to the Southeasterly right-of-way line of said Soutel Drive; thence North 25°35'30" East, by and along said Southeasterly right-of-way line a distance of 100.00 feet to an angle point in said right-of-way line; thence South 65°04'40" East, a distance of 7.23 feet to an angle point; thence North 25°35'30" East, continuing by and along said right-of-way line, a distance of 61.90 feet to a point of curvature; thence around and along a curve to the right, said curve having a radius of 25.00 feet and a delta of 88° 04'56", an arc distance of 38.43 feet (North 69°37'58" East, 34.76 feet, chord bearing and distance) to a point of tangency and the point of beginning. (Except any portion in road right of way)

MAP SHOWING SPECIFIC PURPOSE SURVEY OF

THE LOCATION OF ALL SCHOOLS, CHURCHES AND ADULT ENTERTAINMENT ESTABLISHMENTS WITHIN A 1,500 FOOT RADIUS OF 5516 SOUTEL DRIVE, JACKSONVILLE, FLORIDA.

THERE ARE NO EXISTING SCHOOLS, CHURCHES, OR ADULT ENTERTAINMENT ESTABLISHMENTS WITHIN A 1,500 FOOT RADIUS OF 5516 SOUTEL DRIVE, JACKSONVILLE, FLORIDA UNLESS SHOWN HEREON.

CERTIFIED TO: ANWAR DAKHIL



- A. FRIENDSHIP MISSIONARY BAPTIST CHURCH - 7141 NEW KINGS RD - 401 FT
- B. S.A. HULL ELEMENTARY SCHOOL - 7528 HULL ST - 898 FT
- C. ST. PAUL AFRICAN METHODIST CHURCH - 6910 NEW KINGS RD - 1435 FT
- D. MISSIONARY AFRICAN UNIVERSAL CHURCH - 0 DABULA DR - 896 FT
- E. PHILIPPIAN COMMUNITY CHURCH - 0 NEW KINGS RD - 538 FT

FEBRUARY 23, 2022; UPDATE SURVEY; WJM
UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAN OR MAP IS FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT VALID.

NOTES

1. Bearings are assumed.
2. This is a MAP SHOWING SPECIFIC PURPOSE SURVEY.
3. The specific purpose of this survey is to depict the location of any schools, churches or adult entertainment establishments within a 1,500 foot radius of the subject building.
4. Unless otherwise noted, any portion of the parcel that may be deemed as Wetlands by State or Governmental Agencies, has not been determined and any liability resulting herefrom is not the responsibility of the undersigned.
5. There may be Restrictions or Easements of Record evidenced by title examination that have not been shown hereon.
6. Property lines referenced from City of Jacksonville property department's records and are for general purposes only.

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

ABBREVIATION	DEFINITION	ABBREVIATION	DEFINITION
P.C.M.	Permanent Control Point	L.B.	Licensed Business
P.R.M.	Permanent Reference Monument	R.L.S.	Registered Land Surveyor
P.O.B.	Point of Beginning	J.E.A.	Jacksonville Electric Authority
P.C.	Point of Curvature	E.Q.P.	Equipment
P.T.	Point of Tangency	A.C.	Air Conditioner
P.R.C.	Point of Reverse Curvature	C.T.V.	Cable Television
P.I.	Point of Intersection	D.H.L.	Overhead Lines
R.O.W.	Right of Way	F.M.S.	Field Measure
O.R.V.	Official Records Volume	R.	Radius equals
D.B.	Deed Book	L.	Arc Length equals
R.	Range	C.D.	Chord Bearing & Distance equals
B.R.L.	Building Restriction Line	O.D. or C.V.L.	Offset or Central Angle equals
E.M.T.	Easement	I.P.	Iron Pipe
		C.C.	Concrete

LEGEND

- ⊙ CONCRETE MONUMENT
- CONCRETE FENCE
- CONCRETE FOUND "FOOT"
- (NO ID.)
- MONUMENT NOT FOUND
- (AS NOTED)

DATE 9-9-21
SCALE 1"=500'
JOB No. 2021-220-2
FB.
page
Comp. File 21-220-2.dwg
Drawn by WJM

MELROSE SURVEYING AND MAPPING, INC.
PROFESSIONAL LAND SURVEYORS
11437 CENTRAL PARKWAY, SUITE 107
JACKSONVILLE, FLORIDA 32224
Fax (904) 721-5758
Tele (904) 721-1228

THIS IS TO CERTIFY THAT THE SURVEY IS A TRUE REPRESENTATION OF AN ACTUAL FIELD SURVEY, MADE UNDER MY SUPERVISION AND IN ACCORDANCE WITH THE USUAL TECHNICAL STANDARDS AS OUTLINED AND SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS, IN CHAPTER 100, PART 17, CURRENT EDITION 2015-16, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.017, FLORIDA STATUTES.

BY: WILLIAM J. MELROSE, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, CERTIFICATE No. 5843



ONE CITY. ONE JACKSONVILLE.

City of Jacksonville, Florida

Planning and Development Department

Current Planning Division
Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7865
www.coj.net

Notice of Certification

May 4, 2022

RE: Appeal of WLD-22-13

Please find attached:

- * **Certified 350 ft. property owner list**
- * **Certified speaker / provider of written statement list**
- * **Copy of Final Order**
- * **Copy of Meeting Transcript**

If there are any further questions, please feel free to contact me at (904) 255-7829

WLD-22-13 Heard on April 21, 2022

Patricia Sales

Executive Secretary, I

PLANNING AND DEVELOPMENT DEPARTMENT

214 North Hogan Street, 3rd Floor | Jacksonville, Florida 32202 | Phone: 904.255.7800 | Fax: 904.255.7884 | www.coj.net



ONE CITY. ONE JACKSONVILLE.

City of Jacksonville, Florida

Planning and Development Department

Current Planning Division
Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7865
www.coj.net

Notice of Certification

May 4, 2022

RE: Certified 350 ft. Property Owner List

I hereby certify that the attached is a true and accurate copy of the owners of real property within three hundred and fifty feet of the boundaries of the land regarding Application:

WLD-22-13 heard on April 21, 2022

Patricia Sales
Executive Secretary, I

PLANNING AND DEVELOPMENT DEPARTMENT

214 North Hogan Street, 3rd Floor | Jacksonville, Florida 32202 | Phone: 904.255.7800 | Fax: 904.255.7884 | www.coj.net

042024 0000 5522 SOUTEL DR LLC 4251 UNIVERSITY BLVD S STE 201 JACKSONVILLE, FL 32216	042016 0000 CALAHAN DELORES 425 CRANBROOK CT ORANGE PARK, FL 32065	041732 0000 CLARK BENNIE JR 5475 SOUTEL DR JACKSONVILLE, FL 32219-3464	042028 0000 COWSER LILLIAN E 5317 DOSTIE DR S JACKSONVILLE, FL 32209-1012	042027 0000 DAVIS JOAN W ESTATE 5329 DOSTIE DR S JACKSONVILLE, FL 32209-1012	041734 0000 GLEND LAKES DEVELOPMENT & WBD AND ASSOC 5521 SOUTEL DR JACKSONVILLE, FL 32219-3466	042015 0000 HILL MELVINA L 5742 ROYALTY RD JACKSONVILLE, FL 32254	042147 0000 HOLSEY CECIL 3683 JULIET LEIA CIR S JACKSONVILLE, FL 32218	042048 0000 JOHNSON PRECIOUS H ESTATE 5350 DEVRON DR JACKSONVILLE, FL 32209-1007	042156 0000 MCGEE SHELLY R LIFE ESTATE 5332 BOILARD DR JACKSONVILLE, FL 32209-1306	042149 0000 MATTHEWS ERNESTINE 5337 BOILARD DR JACKSONVILLE, FL 32209-1306	042155 0000 NEWELL LATRICE 5342 BOILARD DR JACKSONVILLE, FL 32209-1306	042025 0000 REDDISH MINNIE LEE 5349 DOSTIE DR S JACKSONVILLE, FL 32209-1012	041735 0100 SALTER JEWELNE 11826 JOHN WILLIAM TER JACKSONVILLE, FL 32218-7698	041731 0000 ANWARS PROPERTIES INC 1817 PUTNEY CIR ORLANDO, FL 32837	041729 0000 CITY OF JACKSONVILLE C/O CITY REAL ESTATE DIV 214 N HOGAN ST 10TH FL JACKSONVILLE, FL 32202	041725 0020 CLAYTON BERNETHEER 5423 SOUTEL DR JACKSONVILLE, FL 32219-3464	042049 0000 COWART SAMUEL III 5430 SOUTEL DR JACKSONVILLE, FL 32219-3465	041634 0010 FRIENDSHIP MISSIONARY BAPTIST CHURCH INC 7141 NEW KINGS RD JACKSONVILLE, FL 32219-3870	042135 0000 GRIFFIN FRONITA 5315 WASHINGTON ESTATES DR JACKSONVILLE, FL 32209-1338	042136 0000 HOLMES JOYCE E 49 SCOTTSDALE DR ALABASTER, AL 35007	042046 0000 MATHEWS CERRISS A 5332 DEVRON DR JACKSONVILLE, FL 32209	042156 0010 MYERS SCOTT 17100 EAGLE BEND BLVD JACKSONVILLE, FL 32226-1179	042145 0000 PORTER MICHAEL G 5306 WASHINGTON ESTATES DR JACKSONVILLE, FL 32209-1300	042213 0000 WALTON BERNETHEER 5423 SOUTEL DR JACKSONVILLE, FL 32219-3464	041732 0000 CLARK BENNIE 5475 SOUTEL DR JACKSONVILLE, FL 32219	041731 0000 BROWN TAYE B TRUST 5709 EARL CIR N JACKSONVILLE, FL 32219
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WLD-22-13
042029 0000
SANDERS YVONNE ET AL
C/O SYLVIA NORWOOD
5305 DOSTIE DR
JACKSONVILLE, FL 32209-1012

WLD-22-13
041631 0010
SHERWOOD AUTO PARTS INC
7257 NEW KINGS RD
JACKSONVILLE, FL 32219-3872

WLD-22-13
042134 0000
SMITH ALBIRDA E ESTATE
5305 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
042047 0000
SMITH ELEASE
5342 DEVRON DR
JACKSONVILLE, FL 32209-1007

WLD-22-13
041633 0040
SOUTEL L3 HOLDINGS LLC
5359 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209

WLD-22-13
041735 0000
SQUARE HOME SERVICES LLC
2991 NW 44 ST
MIAMI, FL 33142

WLD-22-13
041737 0000
STORE MASTER FUNDING II LLC
9500 S DADELAND BLVD SUITE 800
MIAMI, FL 33156

WLD-22-13
042137 0000
SWAIN LAVERNE T
5335 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
041736 0000
T B TRUST
5521 SOUTEL DR
JACKSONVILLE, FL 32219-3466

WLD-22-13
041754 0000
TNKG LLC
5950 DUNN AVE
JACKSONVILLE, FL 32218

WLD-22-13
042018 0000
WASHINGTON MICHAEL A
1362 SUNNYMEADE DR
JACKSONVILLE, FL 32211

WLD-22-13
042045 0000
WELLS LILLIAN S
5320 DEVRON DR
JACKSONVILLE, FL 32209-1007

WLD-22-13
042138 0000
WILLIAMS DELL JR
5345 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
041727 0000
WILLIAMS EUGENE B
400 E BAY ST STE 1011
JACKSONVILLE, FL 32202-2954

WLD-22-13
042158 0000
WOODARD SHIRLEY
5316 BOILLARD DR
JACKSONVILLE, FL 32209-1306

WLD-22-13

WLD-22-13
KINLOCK CIVIC ASSOCIATION
EARL SIMS
6455 MANHATTAN DR
JACKSONVILLE, FL 32219

WLD-22-13
NORTHWEST
RHONDA BOYD
9381 ARBOR OAK LN
JACKSONVILLE, FL 32208

WLD-22-13

WLD-22-13
ANWAR'S PROPERTIES, INC
5522 SOUTEL DRIVE
JACKSONVILLE, FL 32219

WLD-22-13
PAUL M HARDEN, ESQ
1431 RIVERPLACE BLVD, STE 901
JACKSONVILLE, FL 32207

FRIENDSHIP MISSIONARY BAPTIST CHURCH
7141 NEW KINGS ROAD
JACKSONVILLE, FL 32219

WLD-22-13
ANWAR'S PROPERTIES, INC
5522 SOUTEL DRIVE
JACKSONVILLE, FL 32219

WLD-22-13
PAUL M HARDEN, ESQ
1431 RIVERPLACE BLVD, STE 901
JACKSONVILLE, FL 32207

S.A. HULL ELEMENTARY SCHOOL
7528 HULL STREET
JACKSONVILLE, FL 32219

ST. PAUL AFRICAN METHODIST CHURCH
6910 NEW KINGS ROAD
JACKSONVILLE, FL 32219

MISSIONARY AFRICAN UNIVERSAL CHURCH
O DABULA DRIVE
JACKSONVILLE, FL 32219

PHILIPPIAN COMMUNITY CHURCH
0 NEW KINGS ROAD
JACKSONVILLE, FL 32219

WLD 9489 0090 0027 6101 7922 39 Paul

WLD 9489 0090 0027 6101 7913 31 Paul

Help Us Fight!

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Wavier of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	Barbara Smith	3077 Woodlawn Rd.	Barbara Smith	4-14-22
2.	Lillian Robertson	6266 Duvron		4-14-22
3.	Barbara Williams	4801 Rhod-Island Dr N	Barbara Williams	4-14-22
4.	Dorothy Muller	855 W. 31st St	Dorothy Muller	4-14-22
5.	Debra Cotton	8217 Moncrief Dinsmore Rd	Debra Cotton	4-14-22
6.	HARRIETTE PERIN	5248 Washington ext 6r	Harriette Perin	4-14-22
7.	VAN MOY-HENRY	2731 Eventide Dr.	Van Moy-Henry	4/13/22
8.	Margaret Collins	464 E. 46th Street 3008	Margaret Collins	4/14/2022
9.	Michael Anderson	8433 Southside Blvd 3790	Michael Anderson	4/14/2022
10.	DAVE LINDEN	5007 N Beach St 3206	DAVE LINDEN	4-13-22
11.	CHARLES B. ARBERTH	11376 SECRETSPRING LAKE W65	Charles B. Arberth	4-13-22
12.	Yakya Strabasz	5316 Dossie Dr 80	Yakya Strabasz	4/13/22
13.	Jonas R. Hester	5817 Valley Cove Dr	Jonas R. Hester	4-13-22
14.	Janita Noisette Woods	1591 Lanes Ave S 6W	Janita Noisette Woods	4/13/22
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25.				

Exhibit A B C D E F ()

App./Ord. Number WLD-22-13

Date Submitted 4/21/22 PC mtg.

Submitted by Tyonda Murray

Help Us Fight!

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Wavier of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	Frances Better	6555 Thurgood Cir E	<i>Frances Better</i>	4/13/22
2.	Terna Baker	9111 Greenwood Rd	<i>Terna Baker</i>	4/13/22
3.	Kebe Robinson	723 Edward Ave West	<i>Kebe Robinson</i>	4/13/22
4.	Yuan & Bird Turpin	3928 Victoria Landing Dr S.	<i>Yuan & Bird Turpin</i>	4/13/22
5.	Mahnsan Nyemeter	9918 Rosewood Glen Ln 32219	<i>Mahnsan Nyemeter</i>	4/13/22
6.	DEBORAH CALDWELL	10620 RUSTY PINES 32222	<i>Deborah E Caldwell</i>	4/13/22
7.	REGINA WILLIAM	2020 Talladega Rd 69	<i>Regina Williams</i>	4/13/22
8.	Caprine Nance	5702 Soutel Dr 32219	<i>Caprine Nance</i>	4/13/22
9.	Shawnti Clark	16236 Manorville Dr 32221	<i>Shawnti Clark</i>	4/13/22
10.	CLAUDE F. SCATES	5088 Andrew Robinson Dr	<i>Claude F. Scates</i>	4/13/22
11.	SARAH F. MORRE	5078 Andrew Robinson Dr	<i>Sarah F. Morre</i>	09/13/22
12.	SONYA HOLTON	9130 SPOTTSMOOR PALM	<i>Sonya Holton</i>	4/13/22
13.	William Crauser	5317 DASTIC Dr S. 32209	<i>William Crauser</i>	4/13/22
14.				
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25.				

Exhibit A B C D E F ()

App./Ord. Number WLD-22-13

Date Submitted 4-21-22 PC Mtg.

Submitted by Tyronda Murray

App./Ord. Number WLD-22-13

Help Us Fight!

Date Submitted 4/21/22 ^{pc} mtg.

Submitted by Leola Williams

The property owner at 5516 and 5522 South Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Waiver of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	J. DENISE BLUE	4205 Cota St	<i>Denise Blue</i>	4/17/22
2.	Lea Poch ararings	2542 Royal Park Dr	<i>Lea Poch</i>	4/17/22
3.	Fanny Townsend	235 Amber Ridge Rd	<i>Fanny Townsend</i>	4/17/22
4.	Lea Poch Wesley	235 Amber Ridge Rd	<i>Lea Poch Wesley</i>	4/17/22
5.	Eric Wesley	2716 Amber Ridge Rd	<i>Eric Wesley</i>	4/17/22
6.	Joyce Clemons	1250 Wilk St	<i>Joyce Clemons</i>	4-17-22
7.	EXTENDING AWAYLEY	799 Royal River Dr	<i>Leola Williams</i>	4/17-22
8.	Killie HAYLEY	8467 Finch Ave	<i>Killie Hayley</i>	4-17-2022
9.	Regina Valentins	1169 Evening Strail Lane	<i>Regina Valentins</i>	4-17-2022
10.	FRUBEN HAGONES	5634 KELLAR CIR	<i>FRUBEN HAGONES</i>	4-17-2022
11.	Fakhia Merriwether	2735 Arxasdale Road	<i>Fakhia Merriwether</i>	4-17-2022
12.	Angela Smith	1044 Gullen Street	<i>Angela Smith</i>	4/17/22
13.	Evelyn Beaufort	6323 Cranbury Lane East	<i>Evelyn Beaufort</i>	4/17/22
14.	Odele Beaufort	6323 Cranbury Lane East	<i>Odele Beaufort</i>	4/17/22
15.	Juanes Williams	10217 Naples Court South	<i>Juanes Williams</i>	4/17/22
16.	CRISTINA BASSLEY	2246 Indian Creek Ln #1910	<i>Cristina Bassley</i>	4/17/22
17.	Cathede Pickett	12450 biscaupe Blvd #1116	<i>Cathede Pickett</i>	4/17/22
18.	ELIOT BATTLE	11425 Pinecreek RD NW	<i>Eliot Battle</i>	4/17/22
19.	Jiriana Ramirez	525 Arborwood Dr	<i>Jiriana Ramirez</i>	4/17/22
20.	Shereena Hall	1456 Sunn	<i>Shereena Hall</i>	4/17/22
21.	Beverly Wilkes		<i>Beverly Wilkes</i>	4/17/22
22.	Parco S. Jell	2571 Litmore Ave	<i>Parco S. Jell</i>	4/17/22
23.				
24.				
25.				

Philippian
Community
Church

Help Us Fight!

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Waiver of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

Name (Print)	Street Address	Signature	Date
1. Robert Johnson	3912 Cecoy	Robert Johnson	4/17/22
2. Karen Colona	1744 Sargent St	Karen Colona	4/17/22
3. Gwen Coleman	5152 Johnson Creek Dr	Gwen Coleman	4/17/22
4. Shakira McKean	7222 Brian Peck	Shakira McKean	4/17/22
5. Renee Johnson	1325 High Plains Dr W	Renee Johnson	4/17/22
6. Leah Baldwin	4748 E Among Bird Blvd	Leah Baldwin	4/17/22
7. Pearl Baldwin	4748 E Among Bird Blvd	Pearl Baldwin	4/17/22
8. ALEXANDER WILSON	4748 E Among Bird Blvd	Alexander Wilson	4/17/22
9. Rena Moolley	8383 Denwood Blvd W	Rena Moolley	4/17/22
10. James White	2074 James Road	James White	4/17/22
11. James White	2074 James Road	James White	4/17/22
12. Jerome F Arlene Grant	1402 Summer Town Dr W	Jerome F Arlene Grant	4/17/22
13. DUBOIS LEWIS	3804 SWEETBRIAR BLVD	DUBOIS LEWIS	4/17/22
14. Emma Troutman	8174 Swift Fox Trail	Emma Troutman	4/17/22
15. Lisa Matthews	5234 Kellen Court	Lisa Matthews	4-17-22
16. Audrey Brown	2051 Talladega Rd Fort. St. John	Audrey Brown	4-17-22
17. Joan C. Co. Elliott	P.O. Box 12895	Joan C. Co. Elliott	4-17-22
18. Matt Fields	3804 Sweetbriar Blvd	Matt Fields	4-17-22
19. Frank Henry	11453 Sheppard Ln	Frank Henry	4-17-22
20. Theresa Bypine	156 Spotted Fox Rd	Theresa Bypine	4-17-22
21. CARLETA Young	100 Oak 43500 Ave	CARLETA Young	4-17-22
22. Antonio Napier	4076 Maple Garden Dr	Antonio Napier	4-17-22
23. Jasmine Pickett	12450 Biscayne Blvd	Jasmine Pickett	4-17-22
24. Areesah Napier	407 Gillespie Gardens Dr.	Areesah Napier	4/17/22
25. Leola Williams	5012 Princely Ave 32208	Leola Williams	04/17/22

Help Us Fight!

Philippian
Community Church

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Wavier of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	Antwana Hilton	3808 FREED RD	<i>Antwana Hilton</i>	4-17-22
2.	JOHNIE HARVEY	9631 SAPPINGTON	<i>Johnie Harvey</i>	4-17-22
3.	Langston Williams	7196 Rutland Ct Jacksonville	<i>Langston Williams</i>	4-17-22
4.	Ravell Williams	7196 Rutland Ct Jacksonville	<i>Ravell Williams</i>	4-17-22
5.	Hondra Willis	453 Cherry Point Way Jacksonville	<i>Hondra Willis</i>	4-17-22
6.	Cheryl Townsend	3857 Andrews Woods Dr	<i>Cheryl Townsend</i>	4-17-22
7.	Rose Samuels	8005 Braham Dr	<i>Rose Samuels</i>	4-17-22
8.	Janoria Johnson	1291 Turtel Creek Dr S	<i>Janoria Johnson</i>	4-17-22
9.	Mike B. Barber	8339 Country Club Blvd	<i>Mike B. Barber</i>	4-17-22
10.	James C. Barber	8339 Country Club Blvd	<i>James C. Barber</i>	4-17-22
11.	Alagana Ayre	7811 Feather Lakes Dr	<i>Alagana Ayre</i>	4/17/22
12.	Shirley A. Clark	12424 Wapping Rd	<i>Shirley A. Clark</i>	4-17-22
13.	Sisteria Manns	7616 Sans Souci Rd	<i>Sisteria Manns</i>	4/17/22
14.	Clara Russell	12456 Weeping Branch Circle	<i>Clara Russell</i>	4/17/22
15.	Martine A. Grogan-Wynn	12456 Weeping Branch Circle	<i>Martine A. Grogan-Wynn</i>	4/17/22
16.	Carol M. Walker Jr	12456 Weeping Branch Circle	<i>Carol M. Walker Jr</i>	4/17/22
17.	Lillian Intertee	525 Artwood Dr	<i>Lillian Intertee</i>	4/17/22
18.	Saudja Battle	11425 McCormick Rd NE	<i>Saudja Battle</i>	4/17/22
19.	Corey Hayes	4825 Gate Parkway N	<i>Corey Hayes</i>	4/17/22
20.	Kimberly		<i>Kimberly</i>	4/17/22
21.	Margitta Moore	3432 Natalie Dr S	<i>Margitta Moore</i>	4/17/22
22.	Marilyn Fears	4174 Kingfisher Ln E	<i>Marilyn Fears</i>	4/17/22
23.	Gail Ingram	7601 Reed St	<i>Gail Ingram</i>	4-17-22
24.				
25.				

Sanctuary of
Prayer Church

Help Us Fight!

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Wavier of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	Caprice Nance	5702 Soutel Dr Jacksonville	<i>Caprice Nance</i>	4/19/22
2.	Sahred Hope	9507 Charca Vista Ct	<i>Sahred Hope</i>	4/20/22
3.	Ketrina Hope	9507 Charca Vista Ct 3222	<i>Ketrina Hope</i>	4/20/22
4.	DARIS BESS	2564 Robert St 32209	<i>Daris M. Bess</i>	4/20/22
5.	Verna Gordon	423 garden st 32202	<i>Verna Gordon</i>	4/20/22
6.	ZAMEL WATSON	4124 GARDNER DR 32208	<i>ZAMEL WATSON</i>	4/20/22
7.	ANTHONY HARTRELL	0700 STEVENSON HILLS DR	<i>Anthony Hartrell</i>	4-21-22
8.	DWAYNE LARKINS	702 CHALMETH LN 32218	<i>Dwayne Larkins</i>	4-20-2022
9.	DOROLIND SIBLEY	119 Schexvel Hwy P13218	<i>Dorolind Sibley</i>	4/20/2022
10.	SUNITA LANE	11230 Saddleclub Dr 32219	<i>Sunita Lane</i>	4/20/2022
11.	CHARLES LANE JR.	1230 SADDLE CLUB DR 32219	<i>Charles Lane Jr</i>	4/20/22
12.	RACHAEL LARKINS	902 Chalmeth Ln 32218	<i>Rachael Larkins</i>	4/20/22
13.	SIDDYS DENSON - PUGH	3701 Lowhsend Blvd #253	<i>Siddy Denson - Pugh</i>	04/20/22
14.	ROSALYN HERCE	5755 Soutel Dr 32219	<i>Rosalyn Herce</i>	4-20-22
15.	SHIRLEY F. BAKER	9804 Norfolk Blvd 32208	<i>Shirley F. Baker</i>	4/20/22
16.	MARLB CONBLE	5710 Lenox Ave	<i>Marble Conble</i>	4/20/22
17.	KEVIN HARTY	9628 Sweetbriar Ln 32097	<i>Kevin Hartly</i>	4/20/22
18.	DEBRA WOODKILL	3041 NW 11th St Apt 1013	<i>Debra Woodkill</i>	4/20/22
19.	DAVID BEAN	1050 WADSWORTH AVE	<i>David Bean</i>	4/20/22
20.				
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Help Us Fight!

MARTINDALE TOUCH
church

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Wavier of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	Michael J. Wells Sr.	12364 Biscayne Lake Dr	Michael J. Wells Sr.	4/19/22
2.	Eddie Hunter	11291 Hartz Rd #2201	Eddie Hunter	4/20/22
3.	PATRICIA LASTER	15868 BAXTER CR DR	Patricia Laster	4/20/22
4.	PHYLLINA COLEMAN	15868 BAXTER CR DR	Phyllina Coleman	4/20/22
5.	WILLIAM HURST	15868 BAXTER CR DR	William Hurst	4/20/22
6.	Luis Flowers	2373 BEAUMONT S	Luis Flowers	4/20/22
7.	Anthony T. Thomas	1563 Olive Dr.	Anthony T. Thomas	4-20-22
8.	Barbara Robertson	2031 Danson St	Barbara Robertson	4-20-22
9.	KELAINE BERRY	755 Valley Forge Rd	Kelaine Berry	9-24-22
10.	LAURENCE LESNE	9409 EVESHAM RD	Laurence Lesne	9-24-22
11.	Wendy S. Sphar	25399 Palmetto Dr	Wendy S. Sphar	9-22-22
12.	Gloria C. Mervin	6175 Kithford Dr. W.	Gloria C. Mervin	4-22-22
13.	Donna G. G.	9164 12 Ave	Donna G. G.	4-22-22
14.	Cherryly Jones	9164 12 Ave	Cherryly Jones	4-22-22
15.	JENNIE TALLEY	2265 NETTLEBROOK ST N	Jennie Talley	4-27-20
16.				
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Neighbors

Help Us Fight!

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Waiver of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied! By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	[Redacted]	[Redacted]	[Redacted]	[Redacted]
2.	JASPER GOODMAN	8029 WAXWING AVE	[Redacted]	4/19/22
3.	SHERYL LA ROSA	7388 KYLAND DR	[Redacted]	4/19/22
4.	JAMES E. FRALIN	5065 SOUTEL DR	[Redacted]	4/19/22
5.	KATHI BLACK 'L'	FUTGUS RD 3228	[Redacted]	4/19/22
6.	Deborah Wallace	5221 Fredericksburg Ave.	[Redacted]	4-19-22
7.	AMY W. GARTEN	5221 Fredericksburg Ave.	[Redacted]	4-19-22
8.	NIKKI WALLACE	5221 FREDRICKSBURG AVE.	[Redacted]	4-19-22
9.	Toby Johnson	4409 Soutel Drive	[Redacted]	4/20/22
10.	WILLIAM SNEET	4409 SOUTEL DRIVE	[Redacted]	4/20/22
11.	William Bowens	4572 PRINCEDEN 3217	[Redacted]	4-20/22
12.				
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Neighborhood

Help Us Fight!

The property owner of 5516 and 5522 Soutel Drive wants to open another liquor store in our neighborhood. Unfortunately, the Planning Commission will approve his Wavier of Liquor Distance, WLD, if we don't show them that the residents want the WLD denied. By signing this petition you are telling the City of Jacksonville Planning Commission that you do not want another business in our community that sells alcoholic beverages. This document will serve no other purpose than the purpose described above.

	Name (Print)	Street Address	Signature	Date
1.	Paoline Vance	5709 Soutel Dr Jacksonville	<i>Paoline Vance</i>	4/19/22
2.	Margie Brooks	5739 Dostie Dr S	<i>Margie Brooks</i>	4/19/22
3.	David L. Jones	5320 Dostie Dr S	<i>David L. Jones</i>	4/19/22
4.	Joseph Jones	7355 Dostie Dr S	<i>Joseph Jones</i>	4/19/22
5.	John Jones	5317 Dostie Dr S	<i>John Jones</i>	4/19/22
6.	John Jones	4421 Thomas Dr S	<i>John Jones</i>	4/19/22
7.	Helen J Hamilton	5253 Dostie Dr S	<i>Helen J Hamilton</i>	4.19.22
8.	Marnie LaBrightman	5263 Dostie Dr S	<i>Marnie LaBrightman</i>	4/19/22
9.	Cathy Jones	3045 Dostie Dr S	<i>Cathy Jones</i>	4/19/22
10.	Joseph Jones	5348 Dostie Dr S	<i>Joseph Jones</i>	4/19/22
11.	John Jones	4421 Thomas Dr S	<i>John Jones</i>	4/19/22
12.	Carly Jones	5709 Soutel Dr S	<i>Carly Jones</i>	4-19-22
13.	Leslie Jones	7425 Dostie Dr S	<i>Leslie Jones</i>	4-19-22
14.	Jamdi Suggs	2806 WMA RD	<i>Jamdi Suggs</i>	4-20-22
15.	Barbara Williams	5264 Dostie Dr S	<i>Barbara Williams</i>	4/20/22
16.	Leslie Jones	5306 Dostie Dr S	<i>Leslie Jones</i>	4/20/22
17.	Patricia Bryant	5328 Dostie Dr S	<i>Patricia Bryant</i>	4/26/22
18.	Lainathan King	7153 Richardson Rd	<i>Lainathan King</i>	4/21/22
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25.				



ONE CITY. ONE JACKSONVILLE.

City of Jacksonville, Florida

Planning and Development Department

Current Planning Division
Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7865
www.coj.net

Notice of Certification

May 4, 2022

RE: Certified Speaker / Provider of Written Statement List

I hereby certify that attached are the complete names and mailing addresses of any and all persons who either provided a written statement to, or testified before, the Commission regarding Application:

WLD-22-13 heard on April 7, 2022 & April 21, 2022

Patricia Sales
Executive Secretary, I

PLANNING AND DEVELOPMENT DEPARTMENT

214 North Hogan Street, 3rd Floor | Jacksonville, Florida 32202 | Phone: 904.255.7800 | Fax: 904.255.7884 | www.coj.net

WRITTEN STATEMENTS SUBMITTED FOR WLD-22-13

1. Paige Hyskell, BSN, RN paigepruitt@bellsouth.net
2. Lela Williams leolady2049@gmail.com
3. Tony & Jerri Salter tigersalt@comcast.net
4. Angie Nixon Angie.Nixon@myfloridahouse.gov
5. Tyrona Clark-Murray clarkmurr@comcast.net

WLD-22-13
042024 0000
5522 SOUTEL DR LLC
4251 UNIVERSITY BLVD S STE 201
JACKSONVILLE, FL 32216

WLD-22-13
042013 0000
ANWARS PROPERTIES INC
1817 PUTNEY CIR
ORLANDO, FL 32837

WLD-22-13
041731 0000
BROWN TAYE B TRUST
5709 EARL CIR N
JACKSONVILLE, FL 32219

WLD-22-13
042016 0000
CALLAHAN DELORES
425 CRANBROOK CT
ORANGE PARK, FL 32065

WLD-22-13
041729 0000
CITY OF JACKSONVILLE
C/O CITY REAL ESTATE DIV
214 N HOGAN ST 10TH FL
JACKSONVILLE, FL 32202

WLD-22-13
041732 0000
CLARK BENNIE
5475 SOUTEL DR
JACKSONVILLE, FL 32219

WLD-22-13
041730 0000
CLARK BENNIE JR
5475 SOUTEL DR
JACKSONVILLE, FL 32219-3464

WLD-22-13
041725 0020
CLAYTON BERNEITHER
5423 SOUTEL DR
JACKSONVILLE, FL 32219-3464

WLD-22-13
042049 0000
COWART SAMUEL III
5430 SOUTEL DR
JACKSONVILLE, FL 32219-3465

WLD-22-13
042028 0000
COWSER LILLIAN E
5317 DOSTIE DR S
JACKSONVILLE, FL 32209-1012

WLD-22-13
042027 0000
DAVIS JOAN W ESTATE
5329 DOSTIE DR S
JACKSONVILLE, FL 32209-1012

WLD-22-13
041634 0010
FRIENDSHIP MISSIONARY BAPTIST CHURCH INC
7141 NEW KINGS RD
JACKSONVILLE, FL 32219-3870

WLD-22-13
042157 0000
FYR SFR BORROWER LLC
C/O HAVENBROOK HOMES
3505 KOGER BLVD SUITE 400
DULUTH, GA 30096

WLD-22-13
041734 0000
GLENDA LAKES DEVELOPMENT & WBD AND ASSOC
5521 SOUTEL DR
JACKSONVILLE, FL 32219-3466

WLD-22-13
042135 0000
GRIFFIN FRONITA
5315 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
042015 0000
HILL MELVINA L
5742 ROYALTY RD
JACKSONVILLE, FL 32254

WLD-22-13
042026 0000
HOLLINS DORENE I
7257 OXFORDSHIRE AVE
JACKSONVILLE, FL 32219-4313

WLD-22-13
042136 0000
HOLMES JOYCE E
49 SCOTTSDALE DR
ALABASTER, AL 35007

WLD-22-13
042147 0000
HOLSEY CECIL
3683 JULIET LEIA CIR S
JACKSONVILLE, FL 32218

WLD-22-13
042048 0000
JOHNSON PRECIOUS H ESTATE
5350 DEVRON DR
JACKSONVILLE, FL 32209-1007

WLD-22-13
042046 0000
MATHEWS CERISS A
5332 DEVRON DR
JACKSONVILLE, FL 32209

WLD-22-13
042146 0000
MATTHEWS ERNESTINE
5337 BOILARD DR
JACKSONVILLE, FL 32209-1305

WLD-22-13
042156 0000
MCGEE SHELLY R LIFE ESTATE
5332 BOILARD DR
JACKSONVILLE, FL 32209-1306

WLD-22-13
042156 0010
MYERS SCOTT
17100 EAGLE BEND BLVD
JACKSONVILLE, FL 32226-1179

WLD-22-13
042155 0000
NEWELL LATRICE
5342 BOILARD DR
JACKSONVILLE, FL 32209-1306

WLD-22-13
042014 0000
PETERSON JOENITA RENAYE POTTER
5574 PINE HILL LN
JACKSONVILLE, FL 32244

WLD-22-13
042145 0000
PORTER MICHAEL G
5306 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1300

WLD-22-13
042017 0000
QUINTANILLA THELICIA R/S
5316 DOSTIE DR S
JACKSONVILLE, FL 32209-1013

WLD-22-13
042025 0000
REDDISH MINNIE LEE
5349 DOSTIE DR S
JACKSONVILLE, FL 32209-1012

WLD-22-13
041735 0100
SALTER JEWELENE
11826 JOHN WILLIAM TER
JACKSONVILLE, FL 32218-7698

WLD-22-13
042029 0000
SANDERS YVONNE ET AL
C/O SYLVIA NORWOOD
5305 DOSTIE DR
JACKSONVILLE, FL 32209-1012

WLD-22-13
041631 0010
SHERWOOD AUTO PARTS INC
7257 NEW KINGS RD
JACKSONVILLE, FL 32219-3872

WLD-22-13
042134 0000
SMITH ALBIRDA E ESTATE
5305 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
042047 0000
SMITH ELEASE
5342 DEVRON DR
JACKSONVILLE, FL 32209-1007

WLD-22-13
041633 0040
SOUTEL L3 HOLDINGS LLC
5359 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209

WLD-22-13
041735 0000
SQUARE HOME SERVICES LLC
2991 NW 44 ST
MIAMI, FL 33142

WLD-22-13
041737 0000
STORE MASTER FUNDING II LLC
9500 S DADELAND BLVD SUITE 800
MIAMI, FL 33156

WLD-22-13
042137 0000
SWAIN LAVERNE T
5335 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
041736 0000
T B TRUST
5521 SOUTEL DR
JACKSONVILLE, FL 32219-3466

WLD-22-13
041754 0000
TNKG LLC
5950 DUNN AVE
JACKSONVILLE, FL 32218

WLD-22-13
042018 0000
WASHINGTON MICHAEL A
1362 SUNNYMEADE DR
JACKSONVILLE, FL 32211

WLD-22-13
042045 0000
WELLS LILLIAN S
5320 DEVRON DR
JACKSONVILLE, FL 32209-1007

WLD-22-13
042138 0000
WILLIAMS DELL JR
5345 WASHINGTON ESTATES DR
JACKSONVILLE, FL 32209-1338

WLD-22-13
041727 0000
WILLIAMS EUGENE B
400 E BAY ST STE 1011
JACKSONVILLE, FL 32202-2954

WLD-22-13
042158 0000
WOODARD SHIRLEY
5316 BOILARD DR
JACKSONVILLE, FL 32209-1306

WLD-22-13

WLD-22-13
KINLOCK CIVIC ASSOCIATION
EARL SIMS
6455 MANHATTAN DR
JACKSONVILLE, FL 32219

WLD-22-13
NORTHWEST
RHONDA BOYD
9381 ARBOR OAK LN
JACKSONVILLE, FL 32208

WLD-22-13

WLD-22-13
ANWAR'S PROPERTIES, INC
5522 SOUTEL DRIVE
JACKSONVILLE, FL 32219

WLD-22-13
PAUL M HARDEN, ESQ
1431 RIVERPLACE BLVD, STE 901
JACKSONVILLE, FL 32207

~~FRIENDSHIP MISSIONARY BAPTIST CHURCH
7141 NEW KINGS ROAD
JACKSONVILLE, FL 32219~~

~~WLD-22-13
ANWAR'S PROPERTIES, INC
5522 SOUTEL DRIVE
JACKSONVILLE, FL 32219~~

~~WLD-22-13
PAUL M HARDEN, ESQ
1431 RIVERPLACE BLVD, STE 901
JACKSONVILLE, FL 32207~~

S.A. HULL ELEMENTARY SCHOOL
7528 HULL STREET
JACKSONVILLE, FL 32219

ST. PAUL AFRICAN METHODIST CHURCH
6910 NEW KINGS ROAD
JACKSONVILLE, FL 32219

MISSIONARY AFRICAN UNIVERSAL CHURCH
O DABULA DRIVE
JACKSONVILLE, FL 32219

PHILLIPPIAN COMMUNITY CHURCH
0 NEW KINGS ROAD
JACKSONVILLE, FL 32219

~~WLD-22-13 9489 0090 0027 6101 7922 39 Paul~~

~~WLD-22-13 9489 0090 0027 6101 7913 31 Anwar~~

BHH
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Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Tejmaus Johnson DATE: 4/7
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 220 3939 Roosevelt Blvd Jville FL 32205
(Street) (City) (State) (Zip Code)
PHONE: 904 381 6013
(area code) (Phone Number)

REPRESENTING: State Rep Angie Nixon
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Vanessa Cullig Hopkins DATE: 4-7-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 3283 Edgewood Ave W. Jax FL 32209
(Street) (City) (State) (Zip Code)
PHONE: 904 859-4159
(area code) (Phone Number)

REPRESENTING: myself
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 5
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: Yes - Oppose -
No More Liquor Stores needed 5 mile already
liquor selling establs

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Dana Krizas DATE: 04-07-22
(Last Name) (Month/Day/Year)
ADDRESS: 1701 Prudential Drive Jacksonville FL
(Street) (City) (State) (Zip Code)
PHONE: (904) 390-2046
(area code) (Phone Number)

REPRESENTING: Duval County Public Schools - Deputy Superintendent
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5 of 11
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: This liquor store is within 1500 feet of SA Hall Elementary. 20% of the children walk to school from neighborhoods located behind the proposed

location. School crosswalk SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
clearly in line of PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD \longleftrightarrow
sight with the store. \longleftrightarrow

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: PAUL HARDEN DATE: 7 Apr 22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 1431 Riverplace Blvd
(Street) (City) (State) (Zip Code)
PHONE: ()
(area code) (Phone Number)
REPRESENTING: appt
(example: Client / Organization / Business / Company / Yourself)
1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E-??-?? THIS NUMBER MUST FILLED IN)
I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)
2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Aloysious DENARD DATE: 4/7/2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 16284 Magnolia Grove Way Jax, FL 32218
(Street) (City) (State) (Zip Code)
PHONE: (904) 697-6586
(area code) (Phone Number)
REPRESENTING: Friendship Missionary Baptist Church
(example: Client / Organization / Business / Company / Yourself)
1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 5
(E-??-?? THIS NUMBER MUST FILLED IN)
I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)
2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Leola Williams DATE: 4/7/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: Trinity Ave
(Street) (City) (State) (Zip Code)
PHONE: 1704 305-8884
(area code) (Phone Number)
REPRESENTING: community
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E-??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION
(Check if in support)

I OPPOSE THIS APPLICATION
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Ms Eunice Barnum DATE: 4.7.2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 9129 Spotswood Rd
(Street) (City) (State) (Zip Code)
PHONE: _____
(area code) (Phone Number)
REPRESENTING: NO-FLAC
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-2213 PAGE NUMBER: 5
(E-??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION
(Check if in support)

I OPPOSE THIS APPLICATION
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Ayesha Covington DATE: 4/7/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 1250 W 3rd St Jacksonville FL 32209
(Street) (City) (State) (Zip Code)
PHONE: 904 380-1671
(area code) (Phone Number)

REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: 20 WLD-22-13

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Tyrone Clark-Murray DATE: 4/7/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 1030 Detroit St Jax FL 32254
(Street) (City) (State) (Zip Code)
PHONE: 904 463-7320
(area code) (Phone Number)

REPRESENTING: NWCPAC
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: CHARLES GARRISON DATE: 4/7/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 1729 N MARKET ST JACKSONVILLE FL 32206
(Street) (City) (State) (Zip Code)
PHONE: 904 966-2686
(area code) (Phone Number)
REPRESENTING: SELF
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E-??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION
(Check if in support)

I OPOSE THIS APPLICATION
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: Will speak

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Shebazz Yahya DATE: 04/07/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 5316 POSTER DR SE
(Street) (City) (State) (Zip Code)
PHONE: 1904 433 1965
(area code) (Phone Number)
REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 5
(E-??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION
(Check if in support)

I OPOSE THIS APPLICATION
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: VAN Moy - Henry DATE: 4/7/2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: JAX FL 32209
(Street) (City) (State) (Zip Code)
PHONE: (850) 339 2603
(area code) (Phone Number)
REPRESENTING: Community (Yourself)
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION
(Check if in support)

I OPPOSE THIS APPLICATION
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Kim Stephens - Perry DATE: 4/7/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 501 ESTES RD JAX FL 32208
(Street) (City) (State) (Zip Code)
PHONE: (904) 860 5882
(area code) (Phone Number)
REPRESENTING: NWCPAC - LUZ
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION
(Check if in support)

I OPPOSE THIS APPLICATION
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Debra Cotton DATE: 4/7/2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 8217 Monarch Dismore Rd
(Street) (City) (State) 32219
(Zip Code)
PHONE: (904) 764-9465
(area code) (Phone Number)
REPRESENTING: WLD-22-13
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER _____ PAGE NUMBER: 5
(E- ??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION (Check if in support) I OPPOSE THIS APPLICATION (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: Do NOT wish to speak

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Velma Roundtree DATE: 4/7/2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 3238 Sedona Tr
(Street) (City) (State) FL 32208
(Zip Code)
PHONE: (904) 766 6038
(area code) (Phone Number)
REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 5
(E- ??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION (Check if in support) I OPPOSE THIS APPLICATION (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒ On File
Page 143 of 328

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: WARREN A. JONES DATE: APRIL 7, 2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 1701 PRUDENTIAL DRIVE
(Street) (City) (State) (Zip Code)
PHONE: (904) 390.2179
(area code) (Phone Number)
REPRESENTING: DUVAL COUNTY SCHOOL BOARD
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER 2022-13 WLD-22-13 PAGE NUMBER: FIVE
(E-??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION (Check if in support) I OPPOSE THIS APPLICATION (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: IRIS HINTON DATE: 4/7-2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 7816 Madison at Jay Fla 32209
(Street) (City) (State) (Zip Code)
PHONE: (904) 612-9448
(area code) (Phone Number)
REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 5
(E-??-??? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION (Check if in support) I OPPOSE THIS APPLICATION (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: PAUL KNORDE DATE: 21 Apr 22
(First Name) (Last Name) (Month/Day/Year)

ADDRESS: 1431 Rivertowne (City) (State) (Zip Code)

PHONE: () (Area code) (Phone Number) E-MAIL: _____

REPRESENTING: applicant
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22 13 PAGE NUMBER: 3
(E-77-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Tyrona Clark-Murray DATE: 4/21/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 1030 Detroit St. (City) (State) (Zip Code)
PHONE: 904 463-7320 (area code) (Phone Number)

REPRESENTING: NWCPAC
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION (Check if in support) I OPPOSE THIS APPLICATION (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: JOHN COWSER DATE: 01 April 02
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 5317 DOSTIE DR. SS JAX FL (City) (State) (Zip Code)
(Street) (Area code) (Phone Number) E-MAIL: COWSJ@COMCAST.NET

REPRESENTING: SELF
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-02-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION

(Check if in support) (Check if in opposition)
2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: No COMMENT

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇨ ⇨ ⇨

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Barry Parker DATE: 4/21/2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 5437 Artis Court Jacksonville FL 32219
(Street) (City) (State) (Zip Code)
PHONE: 904 655-0932 E-MAIL: parke.0264@att.net
(area code) (Phone Number)

REPRESENTING: Friendship Miss Beth Church 7141 New Kings Road
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER 2022-0200 / WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION

(Check if in support) (Check if in opposition)
2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Dr. Diana Greene DATE: 4/21/22
(First Name) (Last Name) (Month/Day/Year)

ADDRESS: 1701 Prudential Drive
(Street) (City) (State) (Zip Code)

PHONE: (904) 390-2000 E-MAIL: _____
(area code) (Phone Number)

REPRESENTING: Duval County Public Schools
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WPD 22E13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: William H. FULTON DATE: 4/24/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 2970 Post St PL 32205
(Street) (City) (State) (Zip Code)
PHONE: (904) 803-6230
(area code) (Phone Number)

REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD    

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: DEBORAH CAWELL DATE: 04-21-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 10620 RUSTY PINES JAY FL 32222
(Street) (City) (State) (Zip Code)
PHONE: (904) 278-8110 E-MAIL: DEBCAOW@GMAIL.COM
(area code) (Phone Number)

REPRESENTING: FRIENDSHIP MISSIONARY BAPTIST CHURCH
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION

2. COMMENTS FROM THE PUBLIC: SUBJECT MATTER: _____
(Check if in support) (Check if in opposition)

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇌ ⇌ ⇌

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Vanessa Cullins Hopkins DATE: 4-21-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 3283 Edgewood Ave. West
(Street) (City) (State) (Zip Code)
PHONE: 859-4959
(area code) (Phone Number)

REPRESENTING: Family / Neighborhood
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Brent Hyskell DATE: 4-21-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 502 Estes Rd. Jax, Fl. 32208
(Street) (City) (State) (Zip Code)
PHONE: (904) 859-4210
(area code) (Phone Number)

REPRESENTING: Myself
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇌ ⇌ ⇌ ⇌

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee/Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: DAVE L London DATE: APR 21 22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 5023 N PEARL ST B JACKSONVILLE FL
(Street) (City) (State) (Zip Code)
PHONE: (904) 673-3930
(area code) (Phone Number)
REPRESENTING: WLD-22-13 FRIENDSHIP CHURCH
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3 of 9
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

_____ SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD _____

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Mahnsan Nyenatee DATE: 04/21/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 9918 Rosewood Glen Ln Jacksonville FL (City) (State) (Zip Code)
PHONE: (651) 428 3501 (area code) (Phone Number)

REPRESENTING: Friendship Missionary Baptist Church
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD.22.13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION

2. COMMENTS FROM THE PUBLIC: I do not wish to speak and I oppose the application for the packaged liquor store which is less than 500 feet as required.
(Check if in support) (Check if in opposition)

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda

NAME: Antia Anisette Woods DATE: 4/21/20
(Last Name) (Month/Day/Year)

ADDRESS: 1599 Lakes Ave S 16N (City) (State) (Zip Code)

PHONE: (904) (area code) (Phone Number)

REPRESENTING: Community
(example: Client / Organization / Business Company / Yourself)

1. APPLICATION NUMBER WUD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: Oppose

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Ernice Barron DATE: 4/21/22
(First Name) (Last Name) (Month/Day/Year)

ADDRESS: 9121 Spaffwood (City) (State) (Zip Code)

PHONE: (904) 525-4491 (Phone Number)

REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: WLD-22-13

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Kim S. Perry DATE: 4/21/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 501 ESTERIA FL 32208
(Street) (City) (State) (Zip Code)
PHONE: 904 580 5282
(area code) (Phone Number)

REPRESENTING: NEWCPAC PAGE NUMBER: 3
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-10 (E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Gill (First Name) BUSH (Last Name) DATE: 8-21-22 (Month/Day/Year)
ADDRESS: 5839 Martin Ln (Street) Jacksonville (City) FL (State) 32219 (Zip Code)
PHONE: (904) 307-0070 (area code) (Phone Number)

REPRESENTING: _____ (example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER 5523 Scatter or WLD 22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Karla Ribbens DATE: 4-21-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 224 Education Ave (City) (State) (Zip Code)
PHONE: (201) 877-8606 (area code) (Phone Number)
REPRESENTING: ~~Walden~~ Sherwood Community
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER W1D22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇌ ⇌ ⇌

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Debra Cotton DATE: 4/21/2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 8217 Mordice Dinsmore Rd FL 32219
(Street) (City) (State) (Zip Code)
PHONE: (904) 264-9465
(area code) (Phone Number)

REPRESENTING: _____
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 3
(E-72?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: Do not wish to speak

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Aloysious DENARD DATE: 4/21/22
(Last Name) (Month/Day/Year)

ADDRESS: 16284 Magnolia Grove Way FL 32218
(Street) (City) (State) (Zip Code)

PHONE: (904) 697-6586
(area code) (Phone Number)

REPRESENTING: Friendship Missionary Baptist Church
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER ALD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1. below for Board/Committee Public Hearing
or item 2. below for Public Comments Section of Board/Committee Agenda:

NAME: Yakya Shobazz DATE: 4/21/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 5316 DOSTIE DR 55 (State) (City) (Zip Code)
PHONE: (904) 933-1903 (area code) (Phone Number)

REPRESENTING: WALKER DOSTIE DR SA JACKSONVILLE
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WCD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇌ ⇌ ⇌

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Leo William DATE: 4-21-22
(Last Name) (Month/Day/Year)
ADDRESS: 5012 Pridemly Ave (State) (Zip Code)
PHONE: 1904 305-8884 (City) (area code) (Phone Number)

REPRESENTING: Howard Forest Community
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLP-22-73 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇨ ⇨ ⇨ ⇨

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: BENARD (First Name) Bayser (Last Name) DATE: 4-21-2022 (Month/Day/Year)
ADDRESS: 12325 Perry Lane (Street) Jacksonville (City) FL (State) 32218 (Zip Code)
PHONE: (904) 7659937 (area code) _____ (Phone Number)

REPRESENTING: Friendship Missionary Baptist Church
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD2213 (E-77-???) THIS NUMBER MUST FILLED IN PAGE NUMBER: 3

I SUPPORT THIS APPLICATION (Check if in support) I OPPOSE THIS APPLICATION (Check if in opposition)
2. COMMENTS FROM THE PUBLIC: _____

_____ SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: LARRY Peterson DATE: 4-21-2022
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 7266 LANCASTER CT (City) (State) (Zip Code)
PHONE: (904) 327-6173 (area code) (Phone Number)

REPRESENTING: FRIENDSHIP MISSIONARY BAPTIST CHURCH
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 2213 PAGE NUMBER: 3
(E-77-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: NO PACKAGE LIQUOR STORE

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: JONES Albertie DATE: 4/21/22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 10889 Lydia St. Dr. JAX FL (State)
(Street) (City) (Zip Code)
PHONE: (904) 655-6868
(Area Code) (Phone Number)

REPRESENTING: Community
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: ERIS HUNTER DATE: 4/21
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: BUNCHE DR JAX FL
(Street) (City) (State) (Zip Code)
PHONE: 904 6129495
(area code) (Phone Number)

REPRESENTING: COMMUNITY
(example: Client / Organization Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Mamie L Brightman DATE: 4/21/2022
(Last Name) (Month/Day/Year)
ADDRESS: 5263 Postie Drive South Jacksonville, FL 32209
(Street) (City) (State) (Zip Code)
PHONE: (904) 768-6749
(area code) (Phone Number)

REPRESENTING: Community
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-77-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: BARBARA DeLgado DATE: 4/21/22
(Last Name) (Month/Day/Year)
ADDRESS: 5164 DUSTIE DR SO JAX., FL. 32209
(Street) (City) (State) (Zip Code)
PHONE: () _____
(area code) (Phone Number)

REPRESENTING: COMMUNITY
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: VAN MOY-HEAVY DATE: 4/21/2022
(Last Name) (Month/Day/Year)
ADDRESS: 2731 EVERTSIDE DRIVE JAX FL
(Street) (City) (State) (Zip Code)
PHONE: (850) 339-2603
(area code) (Phone Number)

REPRESENTING: COMMUNITY
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 22-13 PAGE NUMBER: 3
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇌ ⇌ ⇌

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Helen Hamilton DATE: 4-26-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 5253 Dastie Dr Jacksonville, FL 32209
(Street) (City) (State) (Zip Code)
PHONE: (904) 768-7141
(area code) (Phone Number)

REPRESENTING: Community
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-??-?? THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: _____

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇌ ⇌ ⇌ ⇌

Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Nichelle Worky DATE: 4-21-22
(First Name) (Last Name) (Month/Day/Year)
ADDRESS: 3939 Roosevelt Blvd Jacksonville FL
(Street) (City) (State) (Zip Code)
PHONE: (904) 386-6013
(area code) (Phone Number)

REPRESENTING: State Representative Angie Nixon (address above)
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-22-13 PAGE NUMBER: 3
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION I OPPOSE THIS APPLICATION
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: Attached

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD





ONE CITY. ONE JACKSONVILLE.

City of Jacksonville, Florida

Planning and Development Department

Current Planning Division
Ed Ball Building
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7865
www.coj.net

Notice of Certification

May 4, 2022

RE: Certified Transcript of the Planning Commission Meeting

Please find attached:

***Certified Planning Commission Transcript on WLD-22-13**

If there are any further questions, please feel free to contact me at (904) 255-7829

Public Hearing on April 7, 2022 & April 21, 2022

Patricia Sales
Executive Secretary, I

PLANNING AND DEVELOPMENT DEPARTMENT

214 North Hogan Street, 3rd Floor | Jacksonville, Florida 32202 | Phone: 904.255.7800 | Fax: 904.255.7884 | www.coj.net

45

1 THE CHAIRMAN: I have a motion and a
 2 second for approval of 2021-0740.
 3 All those in favor?
 4 COMMISSION MEMBERS: Aye.
 5 THE CHAIRMAN: That motion passes.
 6 And let the record reflect that
 7 Commissioner Blanchard was not here for
 8 testimony nor the vote for this matter.
 9 MR. DUGGAN: Thank you, Mr. Chairman.
 10 THE CHAIRMAN: Appreciate all you do for
 11 us at the state level.
 12 All right. Let's jump back in order,
 13 WLD-22-13, please, Bruce.
 14 MR. LEWIS: You skipped one, E-22-22.
 15 THE CHAIRMAN: I apologize. That was the
 16 third one on Atlantic Boulevard we're hearing
 17 today. So let's backtrack. We'll do E-22-22,
 18 and then WLD-22-13 on Soutel.
 19 (Commissioner Blanchard reenters the
 20 proceedings.)
 21 MR. LEWIS: Application for zoning
 22 exception E-22-22 seeks exception to allow for
 23 a daycare within the CO zoning district. This
 24 is at the corner of White Avenue and Atlantic
 25 Boulevard. It's one acre in size with an
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 (904) 821-0300

46

1 existing 7,000-square-foot building.
 2 DCF has indicated that this -- its
 3 capacity is 113 children and 8 staff.
 4 We have reviewed it, the application. We
 5 find it does meet the criteria. We feel this
 6 proposed use is compatible with the contiguous
 7 commercial area as well as the general
 8 character of the area. The parcel is a
 9 transition from the intensive commercial
 10 properties to the west and the
 11 residential-zoned properties to the south, and
 12 so the Department is recommending approval of
 13 E-22-22.
 14 THE CHAIRMAN: All right. Thank you,
 15 Bruce.
 16 (Audience member approaches the podium.)
 17 THE CHAIRMAN: Sir, give us your name and
 18 address for the record, please.
 19 AUDIENCE MEMBER: Yes, sir.
 20 My name is Joe McClure. I live at 11071
 21 Losco Pines Court, Jacksonville, 32257.
 22 THE CHAIRMAN: Okay. And are you an
 23 attorney?
 24 MR. McCLURE: No, sir.
 25 THE CHAIRMAN: Okay. Ms. Tropa is going
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 (904) 821-0300

47

1 to swear you in.
 2 THE REPORTER: If you would raise your
 3 right hand for me, please.
 4 MR. McCLURE: (Complies.)
 5 THE REPORTER: Do you affirm that the
 6 testimony you are about to give will be the
 7 truth, the whole truth, and nothing but the
 8 truth?
 9 MR. McCLURE: Absolutely.
 10 THE REPORTER: Thank you.
 11 THE CHAIRMAN: Go ahead.
 12 MR. McCLURE: I'm here representing the
 13 applicant, just to answer any questions you
 14 guys have.
 15 THE CHAIRMAN: Thank you.
 16 Is there anyone else here today to speak
 17 on E-22-22?
 18 AUDIENCE MEMBERS: (No response.)
 19 THE CHAIRMAN: Seeing none, I will close
 20 the public comment and bring it back to the
 21 Commission.
 22 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 23 move to approve E-22-22.
 24 COMMISSIONER BROWN: Second.
 25 THE CHAIRMAN: I have a motion and a
 Diane M. Tropa, Inc., Post Office Box 2375, Jacksonville, FL 32203
 (904) 821-0300

48

1 second for approval.
 2 Comments from the Commission?
 3 COMMISSION MEMBERS: (No response.)
 4 THE CHAIRMAN: Seeing none, I have a
 5 motion and a second for approval of E-22-22.
 6 All those in favor?
 7 COMMISSION MEMBERS: Aye.
 8 THE CHAIRMAN: That motion passes.
 9 MR. McCLURE: Thank you very much.
 10 THE CHAIRMAN: Thank you, sir.
 11 All right. Bruce, I think we're there
 12 now. It's WLD-22-13 on Soutel.
 13 MR. LEWIS: Thank you.
 14 This is application of waiver of minimum
 15 distance requirements for a liquor license
 16 location. WLD-22-13 seeks to reduce the
 17 required minimum distance between the subject
 18 property and the Friendship Missionary Baptist
 19 Church from 500 feet to 401 feet.
 20 This property is an existing retail center
 21 constructed approximately in 1968. The
 22 property is zoned CCG-2, and so a liquor -- a
 23 package store or liquor store is a permitted
 24 use in CCG-2. The application is just to
 25 reduce the distance between the church and the
 Diane M. Tropa, Inc., Post Office Box 2375, Jacksonville, FL 32203
 (904) 821-0300

49

1 liquor license location.
 2 There have been other variances and
 3 exceptions approved for this property back in
 4 '90- -- specifically, back in '93 and '95,
 5 which allowed for the sale of beer and wine for
 6 the subject property.
 7 This property is also within the
 8 Kings/Soutel Neighborhood Action Plan and the
 9 Kings/Soutel Redevelopment Area. This
 10 application was heard by the KingSoutel
 11 Crossing CRA Advisory Board on March 24th of
 12 this year. The agent explained the
 13 application, the need for the waiver, and the
 14 criteria for the evaluation.
 15 And after discussion, the advisory board
 16 voted four to one to recommend approval of this
 17 waiver with three conditions: that the license
 18 be made personal to the business and cannot be
 19 transferred; the license is for off-premises
 20 consumption only; and the business shall not
 21 open before 1 p.m. on Sunday.
 22 The first two conditions are standard with
 23 the approval of the final order that's issued
 24 by the Planning Commission, and staff is
 25 recommending that Condition Number 3 be part of
 Diane M. Tropa, Inc., Post Office Box 2375, Jacksonville, FL 32203
 (904) 821-0300

50

1 this application.
 2 We do have a letter from the Northwest
 3 CPAC that does oppose the application. But the
 4 Department finds, like I said, this is property
 5 that is zoned CCG-2; it's a permitted use in
 6 that zoning district; the front door of the
 7 license location is not visible from the
 8 Greater New Hope Missionary Baptist Church.
 9 The zoning code requires that the
 10 measurement be from the proposed business to
 11 the nearest property line of the church.
 12 However, the nearest church property is an
 13 undeveloped grassy knoll and the church
 14 building is actually 802 feet away.
 15 Additionally, to drive or walk to the licensed
 16 location is a distance of a thousand feet via
 17 Soutel Drive and then along New Kings Road.
 18 With those criteria, the Department is
 19 recommending approval with the one condition
 20 that the business shall not open before 1 p.m.
 21 on Sunday.
 22 THE CHAIRMAN: All right. Thank you,
 23 Bruce.
 24 (Mr. Harden approaches the podium.)
 25 THE CHAIRMAN: Mr. Harden, give us your
 Diane M. Tropa, Inc., Post Office Box 2375, Jacksonville, FL 32203
 (904) 821-0300

51

1 name and address for the record, please.
 2 MR. HARDEN: Yes, sir.
 3 Paul Harden, 1431 Riverplace Boulevard.
 4 This site -- I'd like to call your
 5 attention to the aerial in the Planning
 6 Department's report. I also have one, but
 7 theirs is more clear.
 8 This site has been zoned and in use for a
 9 retail sale of alcohol facility since at least
 10 1977. I know that because that's where my law
 11 office was when I came to Jacksonville. I had
 12 Mr. Duke's Seafood Camp on one side of me and a
 13 bar on the other side. It's continually been
 14 in that use.
 15 Currently adjoining us -- and Bruce's
 16 report missed this, but currently adjoining us
 17 is a facility that allows retail sale of
 18 alcohol on site. It's closer to the church,
 19 and then you'll see why I want to point that
 20 out to you. So the site has been in this use
 21 for decades. It's empty right now. We want to
 22 put a package store in, not for on-premises
 23 consumption.
 24 The Zoning Code requires a 500-foot
 25 distance limitation, but there's a waiver
 Diane M. Tropa, Inc., Post Office Box 2375, Jacksonville, FL 32203
 (904) 821-0300

52

1 provision. That's the first thing that's in
 2 the stack that I handed you. There are five
 3 ways to get a waiver. You only have to meet
 4 one of them. We meet two of the five.
 5 The fourth one is the alcoholic beverage
 6 use is not visible along the line of
 7 measurement defined as physically separated
 8 from the church or school, thereby negating --
 9 if you look at the Planning Department's aerial
 10 map, you will see the star where our building
 11 is located. We're in the north 25 percent of
 12 that building. It looks out on Soutel. The
 13 church in question -- and Bruce used the wrong
 14 name. It's -- Friendship is the church that
 15 we're dealing with.
 16 Between us and them, we start with -- at
 17 the back of our property is an 8-foot visual
 18 barrier, then behind that is the treed lot, and
 19 then next to that is -- and I've got pictures
 20 of those in my stack -- is a laundromat and a
 21 car repair operation. And then south of that
 22 is another treed lot that you can't see
 23 through. South of that is another treed lot.
 24 And then the church is about another 500 feet
 25 from there.
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53

1 The measurement that was taken, if you
 2 look at the Planning Department's report, was
 3 taken at the tip of the angle. It's -- Bruce
 4 said 800 feet to the church. It's another
 5 800 feet to the church from that location. If
 6 you actually wanted to physically get from one
 7 door to the other, you go out on Soutel Drive,
 8 go down Soutel, turn left on New Kings and go
 9 down -- it's about a quarter of mile by my
 10 vehicle, not 1,000 feet.

11 So the waiver from 500 to 400 is a little
 12 bit of a misnomer here because of the -- the
 13 actual distance of the facility.

14 The second -- the fifth criteria, also we
 15 meet. It says if there's an existing liquor
 16 license of a similar nature in the immediate
 17 vicinity of the proposed location, you can
 18 grant a waiver.

19 Adjoining this proposed facility in a
 20 building is an existing nightclub/bar/restaurant. And
 21 you're going hear a lot of complaints about
 22 that. But that's an existing facility closer
 23 to the church. And if you read the fifth
 24 criteria, that is a basis for a waiver as well.
 25 And, again, that's been there for more than

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(904) 821-0300

54

1 40 years.

2 I'd like you to look at the handout I
 3 handed to you. And the first thing is -- are
 4 the criteria. I'm glad I didn't discuss these
 5 before the three of you approved at 71 feet,
 6 150 feet, and 100 feet just recently.

7 But the next map is a -- is an aerial
 8 which is intended to point to the same thing
 9 you see on the Planning Department's report.

10 Then you have a stack of pictures. The
 11 first picture is a picture from Soutel Drive.
 12 The parcel is on the left end. As you can see,
 13 right to the right of us you can see the
 14 Tropical Bar and Grill; it's changed names over
 15 the years. And then we've taken down the
 16 colored stuff and painted it.

17 The second picture shows the bar next to
 18 us and then JJ's Crab House, which was formally
 19 Mr. Duke's Seafood.

20 Then is a picture of the strip mall that
 21 is between us and the church; again, to show
 22 that they're on the line of sight, that there's
 23 no visibility.

24 The third picture is the auto repair shop
 25 which is also between this facility and the

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(904) 821-0300

55

1 church, showing you can't see. That picture
 2 also shows you the corner of Soutel and New
 3 Kings. And you can see, even in that picture
 4 looking straight down New Kings, the church is
 5 so far, you can barely see it in that picture.

6 The next picture is a part of the gas
 7 station.

8 The last two pictures are intended to show
 9 you the area that's being measured as part of
 10 the 400 feet. So if we're measured to the tip
 11 of that -- but on the last picture you can see
 12 that the church is about a thousand feet away
 13 after that measurement.

14 So it's not actually 500 feet. It's in a
 15 location that's been in this use for a long
 16 period of time. It's zoned CCG-2; it allows
 17 retail sale by right without an exception.
 18 It's a use that's going to go in there.

19 And I've attended three community meetings
 20 on the matter and some of those came out with
 21 the conditions. But I think most of the
 22 complaints you're going to hear is not related
 23 or doesn't address the criteria of the Zoning
 24 Code, which is what you're supposed to
 25 consider.

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(904) 821-0300

56

1 There's complaints about other users in
 2 the area, other activity in the area, crime in
 3 the area that's apparently occurring. We're
 4 not there. We're not causing that crime. So I
 5 would ask you to focus on the criteria of the
 6 Zoning Code, which are the highlighted stuff I
 7 have in the front.

8 With that, I'll stand by for questions,
 9 Mr. Chairman.

10 THE CHAIRMAN: Thank you, Mr. Harden.
 11 We have, I think, 15 cards in opposition,
 12 so I'll give you an opportunity to address
 13 those once they're done speaking.

14 All right, folks. We've got a
 15 three-minute limit on this. Make sure there's
 16 no talking as we're coming up.

17 First, we'll call Ms. Debra Cotton.

18 AUDIENCE MEMBER: I'm here. I do not want
 19 to speak. I do oppose.

20 THE CHAIRMAN: Okay. Thank you,
 21 Ms. Cotton. Let the record reflect that Debra
 22 Cotton is in opposition.

23 Next, we have Velma, whose last name
 24 starts with an R.

25 Are you here? Would you like to speak?

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57

1 AUDIENCE MEMBER: Roundsville.
2 THE CHAIRMAN: That's it. Roundsville.
3 All right.
4 AUDIENCE MEMBER: I would like to speak.
5 THE CHAIRMAN: Come on up. And then next
6 we're going to hear from Warren Jones.
7 (Audience member approaches the podium.)
8 THE CHAIRMAN: Give us your name and
9 address for the record, please.
10 AUDIENCE MEMBER: Velma Roundsville, 3238
11 Sedona Trail, 32208.
12 THE CHAIRMAN: And Ms. Tropa is going to
13 swear you in.
14 THE REPORTER: If you would raise your
15 right hand for me, please.
16 MS. ROUNDVILLE: (Complies.)
17 THE REPORTER: Do you affirm that the
18 testimony you are about to give will be the
19 truth, the whole truth, and nothing but the
20 truth?
21 MS. ROUNDVILLE: I do.
22 THE REPORTER: Thank you.
23 MS. ROUNDVILLE: Thank you for this time.
24 I'm sure it's, in your mind, a waste of
25 time, but at least you get an opportunity to
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58

1 hear from the residents within the area.
2 All of the criteria and those statistics
3 that Mr. Harden gave are wonderful, but no one
4 is considering the people that live within that
5 area, the residents. And that's what should be
6 considered sometimes.
7 This location, retail, CCG-1, that's
8 wonderful, but it would be nice if there was
9 some retail other than a liquor store. We
10 already have a nightclub there, and he says
11 "slash restaurant," but as a resident within
12 the area, I can tell you it's more of a
13 nightclub that doesn't present good -- there's
14 not good things around there now. There have
15 been many unfortunate incidents.
16 And although they say that a liquor store,
17 there's no outside consumption, you're still
18 going to have -- I'm sorry, but someone will be
19 out there consuming it.
20 It would be nice if they brought in a nice
21 restaurant or the lovely wine and bar that the
22 other gentleman spoke of, but we don't have
23 that in our area. We would love to have a nice
24 retail in there instead of an another liquor
25 store. There are liquor stores within the area
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59

1 already. There's plenty. There's at least two
2 that other people can still go to.
3 This particular owner, I'm sure he could
4 come up with another retail establishment that
5 he could put within the area that would be
6 positive. We would like to have something
7 positive within our area.
8 If you don't live in the area, which I'm
9 sure none of you do, you don't have any idea as
10 to what goes on. And that's what happens a lot
11 of times. Things are approved and you really
12 don't have any idea as to what is already
13 there. We would like to see something
14 positive, as I said.
15 I'm sure, as he said, this is just
16 planning and you have information already, the
17 statistics say it's a great idea. But as a
18 resident within the area, this is not a great
19 idea. We do not need another liquor store.
20 Thank you very much.
21 THE CHAIRMAN: Thank you, Ms. Roundsville.
22 Appreciate you being here.
23 Mr. Jones, would you like to speak?
24 MR. JONES: Yes.
25 THE CHAIRMAN: Come on up.
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60

1 After Mr. Jones, we'll hear from Iris
2 Hinton.
3 (Mr. Jones approaches the podium.)
4 THE CHAIRMAN: Mr. Jones, give us your
5 name and address for the record, please.
6 MR. JONES: Warren Jones, 1701 Prudential
7 Drive, Duval County School Board.
8 I'm the school board representative for
9 that district, and I'm here to oppose the
10 waiver not only because it's close to an
11 elementary school -- S.A. Hull is within
12 1,500 feet, not 500 feet, of course, around
13 800 feet, and I think Mr. Gallup can explain.
14 The main opposition is that we have a bus
15 stop across the street within 200 feet of the
16 sight line of this liquor store. That's a
17 major concern for us, and having kids wait
18 there in the mornings and -- to catch a bus and
19 looking at a liquor store.
20 If you can change the hours of operation,
21 like the other establishments that already
22 exist there, opening after 5 o'clock when
23 school is -- kids are not waiting for a bus or
24 getting off a bus, that would be different.
25 But you have a liquor store proposed waiver
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61

1 that would allow them to open and maintain --
2 and remain open during school hours, which
3 could have a negative impact on the students
4 who live and catch and attend school in that
5 neighborhood.
6 So we ask that you oppose the waiver, and
7 I would be glad to answer any questions.
8 THE CHAIRMAN: Thank you, Mr. Jones.
9 MR. JONES: Thank you.
10 (Audience member approaches the podium.)
11 THE CHAIRMAN: Ms. Hinton?
12 AUDIENCE MEMBER: Yes.
13 THE CHAIRMAN: After Ms. Hinton, we will
14 hear from Charles Garrison.
15 Charles, are you here?
16 Ms. Hinton?
17 AUDIENCE MEMBER: Hi.
18 THE CHAIRMAN: Give us your name and
19 address for the record, please.
20 AUDIENCE MEMBER: My name is Iris Hinton.
21 I live at 7816 Marion Street, Jacksonville,
22 Florida 32209.
23 THE CHAIRMAN: Thank you.
24 Ms. Tropia is going to swear you in.
25 THE REPORTER: If you would raise your
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62

1 right hand for me, please.
2 MS. HINTON: (Complies.)
3 THE REPORTER: Do you affirm that the
4 testimony you are about to give will be the
5 truth, the whole truth, and nothing but the
6 truth?
7 MS. HINTON: Yes.
8 THE REPORTER: Thank you.
9 MS. HINTON: Okay. So we had a meeting on
10 the 31st of March. Soon after the meeting, I
11 went by -- I oppose this -- to see what was
12 really going on up there. So I have a picture
13 I'd like for you-all to consider. I only have
14 two, but you have them.
15 I'm more concerned -- always concerned,
16 always of the safety of our children, the
17 elderly, and our community as a whole. As they
18 stated, that area is a high-crime area.
19 There's nothing nice in that community at all.
20 So I'm asking to you consider, again, the
21 future of our children and our community. Our
22 community need to be lifted up, not brought
23 down. It's enough of that.
24 And I'm asking you seriously to look at
25 those pictures. And maybe -- maybe you-all
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63

1 need to go take a drive out there and look for
2 yourself before you approve this again.
3 This is serious. We have death up there.
4 We have mothers losing their children up there.
5 You had a man a couple of years ago who was
6 kidnapped and someone with a machete got him
7 out of the place. I mean, what's going on in
8 that area?
9 It's not a good area, so please, I beg
10 you all, please don't take my word. You go
11 look at it and see for yourself.
12 Thank you very much.
13 THE CHAIRMAN: All right. Thank you,
14 Ms. Hinton.
15 MS. HINTON: You're welcome.
16 THE CHAIRMAN: Mr. Garrison, come join us.
17 Next, we'll hear from Shabazz Yahya.
18 (Audience member approaches the podium.)
19 THE CHAIRMAN: Mr. Garrison, give us your
20 name and address for the record, please.
21 AUDIENCE MEMBER: Charles Garrison, 1729
22 North Market Street, 32206.
23 THE CHAIRMAN: Thanks.
24 Ms. Tropia is going to swear you in.
25 THE REPORTER: If you would raise your
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64

1 right hand for me, please.
2 MR. GARRISON: (Complies.)
3 THE REPORTER: Do you affirm that the
4 testimony you are about to give will be the
5 truth, the whole truth, and nothing but the
6 truth?
7 MR. GARRISON: I do.
8 THE REPORTER: Thank you.
9 MR. GARRISON: Good afternoon, Mr. Chair,
10 Mr. Immediate Past Chair, and commissioners.
11 My name is Charles Garrison, and I'm here
12 to speak against WLD-22-13.
13 So I serve on the Jacksonville
14 Environmental Protection Board, so we also hear
15 variances, so I know what being on the south
16 end of a northbound mule is like, right? But,
17 you know, serving on these boards, we're
18 entrusted to serve our neighbors and the city
19 to the best of our ability.
20 This request may meet the requirements to
21 grant the waiver, but we must also consider
22 what the community wants. I'm here to support
23 the community that has turned out to voice a
24 desire to make their community into what they
25 want to see. The variance process is in place
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65

1 to allow the opportunity for a community to
 2 participate in making the sausage.
 3 Yes, this is in a CRA, but the community
 4 is saying a liquor package store is not the
 5 type of redevelopment they want to see.
 6 Lord knows I'm not anticapitalism. I'm
 7 not against the American dream of owning and
 8 growing your own business. I'm a leader in a
 9 local small business myself. I'm against
 10 needlessly giving waivers when the community is
 11 against it and there are other alternatives.
 12 As a member on the Commission, you-all
 13 have the ability to help make this city into
 14 the city that we all want to see it become, so
 15 please vote no on WLD-22-13.
 16 Thank you.
 17 THE CHAIRMAN: Thank you, Mr. Garrison.
 18 Mr. Yahya.
 19 (Audience member approaches the podium.)
 20 THE CHAIRMAN: And then after that, we'll
 21 hear from Dana Kriznar.
 22 AUDIENCE MEMBER: Yahya Shabazz, 5316
 23 Dostie Drive South, Jacksonville, Florida
 24 32209.
 25 THE CHAIRMAN: Thank you. She's going to
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66

1 swear you in.
 2 THE REPORTER: If you would raise your
 3 right hand for me, please.
 4 MR. SHABAZZ: (Complies.)
 5 THE REPORTER: Do you affirm that the
 6 testimony you are about to give will be the
 7 truth, the whole truth, and nothing but the
 8 truth?
 9 MR. SHABAZZ: Yes, I do.
 10 THE REPORTER: Thank you.
 11 THE CHAIRMAN: Go ahead, sir.
 12 MR. SHABAZZ: I'm opposed to this package
 13 store, the Royal House Liquors. Anwar Owner
 14 [sic] is the owner of the property. Because
 15 the conditions they are saying they are going
 16 to meet is -- they have already proven that
 17 they cannot keep their promise. There's trash
 18 and there's enough liquor stores around in
 19 there.
 20 We got a -- right on the other side of
 21 Washington Estates Drive, we have a beer and
 22 wine. Right at Dollar General right up the
 23 street, we also have beer and wine. And then
 24 we have a grocery store that serves beer and
 25 wine. We have a liquor store not -- further
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67

1 down that's already have a liquor store. We
 2 have a liquor store also on Kings Road.
 3 So I'm opposed to this. And, you know,
 4 then -- so we already have enough
 5 establishments serving beer and wine in this
 6 area. And that -- and the club that is already
 7 existing there stays open -- beer and wine.
 8 Even though it's on premises, we also have the
 9 other places that have off premises. We have
 10 enough in the area.
 11 And they don't keep their -- it's full of
 12 trash. And then we already have a vagrant
 13 problem with peoples sleeping around that
 14 building now.
 15 THE CHAIRMAN: All right. Thank you, sir.
 16 MR. SHABAZZ: Thank you.
 17 THE CHAIRMAN: Appreciate you being here.
 18 Next, Ms. Dana Kriznar.
 19 (Audience member approaches the podium.)
 20 THE CHAIRMAN: After Ms. Kriznar, we will
 21 hear from Vanessa Hopkins.
 22 Ms. Kriznar, good afternoon.
 23 AUDIENCE MEMBER: Good afternoon.
 24 THE CHAIRMAN: Give us your name and
 25 address for the record, please.
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68

1 AUDIENCE MEMBER: I'm Dana Kriznar. I'm
 2 the deputy superintendent of Duval County
 3 Public Schools, 1701 Prudential Drive.
 4 THE CHAIRMAN: Thanks.
 5 Ms. Tropia is going to swear you in.
 6 THE REPORTER: If you would raise your
 7 right hand for me, please.
 8 MS. KRIZNAR: (Complies.)
 9 THE REPORTER: Do you affirm that the
 10 testimony you are about to give will be the
 11 truth, the whole truth, and nothing but the
 12 truth?
 13 MS. KRIZNAR: I do.
 14 THE REPORTER: Thank you.
 15 MS. KRIZNAR: As I said, I'm the deputy
 16 superintendant of Duval County Public Schools,
 17 and I'm also the district's representative on
 18 the Northwest CPAC, so I attend their meetings
 19 regularly. And I'm also representing S.A. Hull
 20 Elementary and Principal Rashard Willis who
 21 cannot be here today. He's actually probably
 22 preparing for dismissal of his students right
 23 now.
 24 We do oppose the placement of this liquor
 25 store due to the proximity of the S.A. Hull
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69

1 Elementary School. According to Principal
 2 Willis, approximately 20 percent of the
 3 children walk to school. We do transport
 4 students within 1.5 miles of a school, and this
 5 is -- most of the residential community for
 6 that school is actually behind where the
 7 proposed liquor store is scheduled to be.
 8 The students will have to walk down Soutel
 9 on same side of the street as the liquor store
 10 because the crosswalk, which is in clear view
 11 of the liquor store, is on the same side of the
 12 street to get across the street to go to the
 13 school, which is set just back off of Soutel.
 14 In addition, as Board Member Warren Jones
 15 said, we have a bus stop that is right across
 16 the street from this proposed location. We do
 17 have Randy Gallup here, and he is well-prepared
 18 to represent the district, but we wanted to be
 19 here as well to lend our support to the
 20 Northwest CPAC in opposition to this.
 21 Thank you.
 22 THE CHAIRMAN: Thank you, Ms. Kriznar.
 23 Appreciate you being here.
 24 Next, is Vanessa Hopkins.
 25 (Audience member approaches the podium.)
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70

1 THE CHAIRMAN: Ms. Hopkins, after you, we
 2 will hear from Ms. Johnson, Tajmaus Johnson.
 3 Sorry. I butchered that. We'll figure it out
 4 in a minute.
 5 Ms. Hopkins, give us your name and address
 6 for the record, please.
 7 AUDIENCE MEMBER: May I also bring an
 8 exhibit?
 9 THE CHAIRMAN: Sure.
 10 AUDIENCE MEMBER: I'm Vanessa Cullins
 11 Hopkins, 3283 Edgewood Avenue West,
 12 Jacksonville, Florida 32209.
 13 THE CHAIRMAN: Thank you.
 14 Ms. Tropa is going to swear you in.
 15 THE REPORTER: If you would raise your
 16 right hand for me, please.
 17 MS. HOPKINS: (Complies.)
 18 THE REPORTER: Do you affirm that the
 19 testimony you are about to give will be the
 20 truth, the whole truth, and nothing but the
 21 truth?
 22 MS. HOPKINS: I do.
 23 THE REPORTER: Thank you.
 24 MS. HOPKINS: Thank you for allowing me to
 25 speak. I'm here to oppose yet another liquor
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71

1 store on Soutel Drive. I, along with my
 2 neighbors, ask that the City's Planning and
 3 Development Department not grant the waiver of
 4 minimum distance.
 5 The proposed liquor package store is
 6 physically located on a commercial strip which
 7 abuts residential subdivisions of single-family
 8 homes. Nearby churches include not only
 9 Friendship Missionary Baptist, but also
 10 St. Paul AME Church and Philippiian Community
 11 Church. S.A. Hull Elementary School is a
 12 thousand feet away, as the previous speaker
 13 mentioned.
 14 The proposed package store will be
 15 directly adjacent to ICE Lounge Bar and Grill,
 16 which serves alcoholic beverages. Less than a
 17 mile away -- in fact, 0.6 miles -- Soutel
 18 Liquors package store is found. I repeat that.
 19 There is already a package liquor store on
 20 Soutel 0.6 miles from where this proposed
 21 package store is to be.
 22 You can also buy beer and wine at the
 23 Harvey's, which is 0.3 miles from the proposed
 24 establishment. Also, at the BP gas station,
 25 which is less than 0.4 miles away. And as I've
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72

1 learned in listening to the testimony from my
 2 neighbor, at the Dollar General.
 3 Now, a little more than a mile away is
 4 Shores Liquor Store, which is located at 6007
 5 New Kings Road, and you also have American
 6 Legion Post 9, which serves liquor, and it's
 7 1.1 miles away.
 8 So we're surrounded by liquor stores.
 9 Emerald City Learning and Enrichment Center is
 10 one-tenth of a mile away. That's a daycare
 11 center. There are three other daycare centers
 12 that are less than a mile away: La Alpha Early
 13 Learning Center, the Playhouse of Fun, Unique
 14 Childcare and Learning Academy.
 15 Now, the neighborhood has grown
 16 organically since the 1960s. This unplanned
 17 growth has resulted in neighborhood blight and
 18 deterioration which must be reversed. The
 19 first step in this reversal is to limit
 20 additional liquor establishments in this area.
 21 Again, I ask that you-all oppose the
 22 establishment of this package and liquor store.
 23 We don't need any more liquor establishments.
 24 We have enough.
 25 We -- as previous speakers have mentioned,
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73

1 we need some positive business development in
 2 our area. We need food stores that have fresh
 3 food.
 4 Thank you so much for allowing me to
 5 speak.
 6 THE CHAIRMAN: Thank you, Ms. Hopkins.
 7 Appreciate you being here.
 8 Next, let's hear from Tajmaus Johnson.
 9 (Audience member approaches the podium.)
 10 THE CHAIRMAN: After him, we will hear
 11 from Van Moy-Henry.
 12 All right. Tell me how I'm supposed to
 13 say your name.
 14 AUDIENCE MEMBER: It's Tajmaus.
 15 THE CHAIRMAN: Tajmaus, give us your name
 16 and address for the record, please.
 17 AUDIENCE MEMBER: Tajmaus Johnson, 3939
 18 Roosevelt Boulevard, Suite G-21.
 19 THE CHAIRMAN: Thank you.
 20 Ms. Tropa is going to swear you in.
 21 THE REPORTER: If you would raise your
 22 right hand for me, please.
 23 MR. JOHNSON: (Complies.)
 24 THE REPORTER: Do you affirm that the
 25 testimony you are about to give will be the
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74

1 truth, the whole truth, and nothing but the
 2 truth?
 3 MR. JOHNSON: Yes, ma'am.
 4 THE REPORTER: Thank you.
 5 MR. JOHNSON: All right. Well, I'm here
 6 on behalf of State Representative Angie Nixon,
 7 Florida House Representative, Florida House
 8 District 14 on the Northside.
 9 We stand in opposition of this feet
 10 difference today. Within a five-mile radius
 11 there is approximately four liquor stores, not
 12 including the Dollar General and the gas
 13 station that was previously mentioned as
 14 before. However, there's only one big chain
 15 grocery store in the area.
 16 The representative feels this will only be
 17 an oversaturation of liquor and it does nothing
 18 but harm the area within itself.
 19 One of the big things that the
 20 representative is working on right now is
 21 called "Northside Love." Partisan effort to
 22 clean up the neighborhood, as a lot of the
 23 residents previously just mentioned. The
 24 neighborhood is blighted with dirt and a lot of
 25 things that's going on.
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75

1 So we just challenge the sponsor to work
 2 with the existing stores there to clean up the
 3 area and just make it -- and improve the area
 4 for a better "Northside Love" initiative that
 5 we're working on right now.
 6 Thank you.
 7 THE CHAIRMAN: Tajmaus, thank you, sir.
 8 Next, we have Van Moy-Henry. After Van,
 9 we will hear from Kim Stephens-Perry.
 10 (Audience member approaches the podium.)
 11 THE CHAIRMAN: Ms. Moy-Henry, give us your
 12 name and address.
 13 AUDIENCE MEMBER: Van Moy-Henry, 2731
 14 Eventide Drive, Jacksonville 32209.
 15 THE CHAIRMAN: Thanks.
 16 Ms. Tropa is going to swear you in.
 17 THE REPORTER: If you would raise your
 18 right hand for me, please.
 19 MS. MOY-HENRY: (Complies.)
 20 THE REPORTER: Do you affirm that the
 21 testimony you are about to give will be the
 22 truth, the whole truth, and nothing but the
 23 truth?
 24 MS. MOY-HENRY: I do.
 25 THE REPORTER: Thank you.
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76

1 MS. MOY-HENRY: Thank you, Commissioners.
 2 I'm just like everyone else in which you
 3 have heard so far that oppose, and I do oppose
 4 having another liquor store in the area. I
 5 mean, the radius. I notice a lot had been said
 6 about the church. The church -- the church is
 7 there for funerals. The church is there for
 8 service on Sundays. The church is there for
 9 Bible school.
 10 But the community is there for the
 11 duration. Those who live in the surrounding
 12 area, they're there, and they get to see all of
 13 this going on. On the weekends, you can't even
 14 get down the street, you just can't because the
 15 party spills out.
 16 As far as the liquor store, I wanted to
 17 know about zoning, and I did ask the attorney
 18 in the meeting last Thursday: When was this
 19 zoning established? And I may not use the
 20 right term -- forgive, you-me -- however, that
 21 was back -- I think he said in the '80s. This
 22 is 2022. A lot has happened since that time.
 23 And crime has definitely surged. Every time
 24 you look around, something is happening up at
 25 that corner where this strip is.
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77

1 Again, I know you mentioned about the
 2 church, but my observation is the community.
 3 And I know each and every one of you-all that
 4 sit before me, you have an obligation to the
 5 growth, not to the decay and deterioration of
 6 our neighborhoods, but growth within
 7 Jacksonville. I know that's what you're here
 8 for. That's what you are volunteer -- or are
 9 appointed to do. I just ask that you not
 10 approve it.

11 Let me see. I got another minute. Okay.
 12 Let me also go back to the zones and how
 13 you come up with your radius. One thing I've
 14 noticed, whenever a radius is used, usually --
 15 especially with a liquor store, liquor stores
 16 are not in the immediate [sic] of a community.
 17 It could be in the front of a community, on the
 18 side of a community.

19 So your radius is not considering the
 20 people who live within the area. It's not.
 21 That radius picked up that church. Okay.
 22 That's what you're looking at -- and the
 23 school. But I think it needs to go further.
 24 You need to extend that radius to consider
 25 people that are living within the area of these

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78

1 liquor stores.

2 I mean, too many liquor stores. That's
 3 adding to nothing but deterioration. Russian
 4 roulette, a gun and bullet. Russian roulette.
 5 You got liquor stores everywhere in the
 6 community. Tragedy in the making.

7 THE CHAIRMAN: All right, Ms. Moy-Henry.
 8 Thank you.

9 Next, we have Kim Stephens-Perry. After
 10 Ms. Perry, we will hear from Ayesha Covington.
 11 (Audience member approaches the podium.)

12 THE CHAIRMAN: Ms. Perry, good afternoon.
 13 Give us your name and address for the
 14 record, please.

15 AUDIENCE MEMBER: My name is Kim
 16 Stephens-Perry, and I'm here representing the
 17 Northwest CPAC. I am the chairperson for LUZ.

18 THE CHAIRMAN: All right. Appreciate you
 19 being here. Ms. Tropa is going to swear you
 20 in.

21 THE REPORTER: If you would raise your
 22 right hand for me, please.

23 MS. STEPHENS-PERRY: (Complies.)

24 THE REPORTER: Do you affirm that the
 25 testimony you are about to give will be the

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79

1 truth, the whole truth, and nothing but the
 2 truth?

3 MS. STEPHENS-PERRY: Yes.

4 THE REPORTER: Thank you.

5 MS. STEPHENS-PERRY: On April 5th we --
 6 the Northwest CPAC submitted a letter
 7 recommending that this waiver be denied.

8 So on behalf of the Northwest Citizens
 9 Planning Advisory Committee, we voted on
 10 Thursday, March 10th, 2022, to oppose this
 11 waiver located at 5522 Soutel Drive due to the
 12 following: That there are single-family
 13 residential homes located within less than
 14 500 feet of this establishment; the proximity
 15 to a school and church; the safety and crime
 16 concerns; and the existence of already
 17 established businesses in this retail center
 18 that sells alcohol, beer, and wine.

19 We oppose the waiver of the liquor
 20 distance, and we would appreciate the Planning
 21 Commission would support the denial.

22 So since crafting this letter, I went back
 23 over to the retail establishment. And if you
 24 look at whatever document that Mr. Harden gave
 25 you with the picture of the retail space, the

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80

1 proposed liquor package store would face
 2 Soutel, along with -- Nicole's Crab House is
 3 there, and then there's the club.

4 But also over on Washington Estates Road,
 5 which is the side of this retail space, there's
 6 something called Jazzy Krab, and there's also
 7 Quickpic Foodmart, which you can purchase beer
 8 and wine there as well.

9 On the other side of the establishment, on
 10 the Dostie Drive area, the parking lot that's
 11 used for overflow is located there. There's a
 12 mound of garbage sitting there at the curb. I
 13 have a picture of it here in my phone if you
 14 would like to see it.

15 And also, walking away from the retail
 16 space when I pulled up on [sic] last night was
 17 a person of ill repute, someone you would not
 18 want in your communities. Also across the
 19 street were some guys hanging out.

20 So what we see typically when you have
 21 liquor and nothing else to offset the liquor,
 22 you have crime. And our concern as a CPAC is
 23 to see this community come back to the way it
 24 was when this zone was originally developed.
 25 What was the date? 1969 or 1999?

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81

1 I grew up not too far from this area, so I
2 know what this area once was some 40 years ago.
3 Thank you.
4 THE CHAIRMAN: Thank you, Ms. Perry. And
5 appreciate all your work on the CPAC.
6 Next, we have Ayesha Covington, and then
7 we'll hear from Tyrona Clark-Murray.
8 (Audience member approaches the podium.)
9 THE CHAIRMAN: Good afternoon,
10 Ms. Covington. Give us your name and address
11 for the record, please.
12 AUDIENCE MEMBER: Sure. Good afternoon.
13 I'm Ayesha Covington. My address 1293
14 West 3rd Street.
15 I'm the president of the Brooklyn
16 Neighborhood Association.
17 THE CHAIRMAN: Before you get started, let
18 Ms. Tropia swear you in.
19 THE REPORTER: If you would raise your
20 right hand for me, please.
21 MS. COVINGTON: (Complies.)
22 THE REPORTER: Do you affirm that the
23 testimony you are about to give will be the
24 truth, the whole truth, and nothing but the
25 truth?
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82

1 MS. COVINGTON: Yes, ma'am.
2 THE REPORTER: Thank you.
3 MS. COVINGTON: Thank you.
4 I'm Ayesha Covington. I'm the president
5 of the Brooklyn Neighborhood Association. I
6 stand in opposition to any more bars, brewery,
7 and the desecration of our community, the
8 disrespect of our churches, our historic
9 churches. Churches have been an important part
10 of our communities since I can ever remember.
11 I heard Paul Harden say that this was done
12 in the '80s. I didn't graduate until 1985, and
13 in 1985 we still had communities. We still had
14 pastors who were engaged with their community.
15 We still had families that went to church.
16 I'm very disappointed to find out that the
17 school -- which if you come up Soutel, the
18 school is right there. The children have to
19 walk across to the get the school from the
20 neighborhood.
21 A good friend of mine who owned Mackinlaw
22 (phonetic) Trucking, very prosperous man, his
23 son was killed up there at that nightclub. I
24 heard Paul Harden kind of allude to the crime
25 doesn't matter. It does to us. He hadn't
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83

1 recovered from the loss of his only son who was
2 murdered.
3 If we continue to put breweries, bars, and
4 all kinds of debauchery in those small,
5 contained areas, we will never get out of the
6 poverty, crime and the murder that we endure.
7 We're tired of it. Maybe in the '80s they
8 didn't know that this would happen, but we know
9 today, this is not a good decision. We already
10 have one club there that we did not want to
11 reopen. Against the community's wishes, they
12 opened that club again, and the crime rate went
13 right back up.
14 We want this commission to listen to the
15 community. You do not have to do this
16 exception, this waiver. There's a reason why
17 you have the 500 feet. The 500 feet is to
18 protect the public. You don't know what kind
19 of people come through there, predators, the
20 sex predators. You don't know what kind of
21 offenders are coming through there. You don't
22 know what drunk is going to get his morning
23 fix, going to go and buy some beer and run over
24 someone.
25 They don't have to drink it there. They
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84

1 will drink it in the car and then they will go
2 and get some more and they'll drink some more
3 there in their car.
4 So the fact that they're going to say I'm
5 going serve and they're going to go on, they're
6 never going to go on.
7 All throughout the community, you see them
8 lingering around. We see the alcoholics
9 hanging around. They hang out in the
10 laundromat, by the way. I used to live -- my
11 daughter used to live in that area, and I would
12 go late night to do laundry. You had drunks in
13 there. You had -- I mean, people on drugs
14 there at night.
15 At some point you have to give us some
16 relief. We want to live clean, wholesome
17 lives. We deserve to have those services. I'm
18 not against the business owner putting a
19 business, but he has to work in cooperation
20 with the community. The community is saying
21 no. I say no. And I'm standing with the
22 church. I'm standing with the schools.
23 Thank you for your time. Have a great
24 day.
25 THE CHAIRMAN: Thank you, Ms. Covington.
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85

1 Next, Tyrona Clark-Murray, and then Leola
2 Williams.
3 (Audience member approaches the podium.)
4 AUDIENCE MEMBER: I also have some
5 visuals.
6 THE CHAIRMAN: All right. We get to keep
7 those, right? We get to keep those? Okay.
8 AUDIENCE MEMBER: Although I do like my
9 binder; it's one of my favorite binders.
10 Okay. You can keep it.
11 THE CHAIRMAN: Staff, can we give the
12 binder back? Yeah. Keep the contents, give
13 the -- we'll figure that out.
14 Ms. Murray, give us your name and address
15 for the record, please.
16 AUDIENCE MEMBER: My name is Tyrona
17 Clark-Murray. I live at 1030 Detroit Street,
18 Jacksonville, Florida 32254.
19 THE CHAIRMAN: Thank you.
20 And Ms. Tropia is going to swear you in.
21 THE REPORTER: If you would raise your
22 right hand for me, please.
23 MS. CLARK-MURRAY: (Complies.)
24 THE REPORTER: Do you affirm that the
25 testimony you are about to give will be the
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86

1 truth, the whole truth, and nothing but the
2 truth?
3 MS. CLARK-MURRAY: Yes.
4 THE REPORTER: Thank you.
5 MS. CLARK-MURRAY: You're welcome.
6 I have a lot to add to what has been said,
7 but I want to begin with the fact that I know
8 this body, you're listening to our subjective
9 stories, the -- and not necessarily untrue
10 stories, but you're listening to the subjective
11 aspects of why you should not approve this
12 particular measure.
13 I know that you're going to look at
14 actually the elements, that the ordinance -- or
15 that the coding says that you need to -- that
16 you need to consider in order to -- whether or
17 not to approve.
18 Mr. Brown, who happens to be our
19 representative for Planning District 5, he said
20 it best. If you're going to approve this
21 measure, you're going to exacerbate an existing
22 problem.
23 A little more than a month ago, two people
24 lost their lives in that same area because of
25 the existing nightclub. About a
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87

1 week-and-a-half ago, a young lady's body was
2 found on Washington Estates to the right of
3 where the owner of this building and applicant
4 wants to establish an additional liquor and
5 package store. About five years ago, there was
6 a club in that same building where five people
7 were shot, two died.
8 Currently, whenever that lounge/bar is
9 open, parking is filled in their lot, and it's
10 not a large lot. The overflow goes to across
11 the street. Then across New Kings Road at the
12 Dollar Tree, all the way down to Lonnie C.
13 Miller Park. We heard at our community meeting
14 on Monday how the parking and the -- those who
15 want to attend the club, how they walk from the
16 park to the club and how they are parking at
17 the park has created a problem.
18 The other things I want to talk about that
19 are more objective, if you look at the
20 application -- well, first of all, let's talk
21 about the CRA. I talked to some of the members
22 who are members of the CRA, the Kings
23 Road/Soutel CRA. When I held a community
24 meeting about two weeks ago, they said they did
25 not have the documents that I provided at that
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88

1 meeting to make a -- a solid decision. So I
2 would venture that they did not receive all the
3 documents.
4 In addition to that, if you look at the
5 survey, there are two addresses used. There's
6 one used for the actual application, and then
7 there's one used for -- actually, for the
8 survey. So I want you to consider those
9 particular aspects as you decide on this
10 particular measure.
11 And I'm also with those who oppose this
12 measure.
13 Thank you so much.
14 THE CHAIRMAN: Thank you, Ms. Murray. We
15 appreciate you being here.
16 All right. Next, let's hear from Leola
17 Williams. And after that, we'll hear from
18 Ms. Eunice Barnum.
19 (Audience member approaches the podium.)
20 THE CHAIRMAN: Ms. Williams, good
21 afternoon. Give us your name and address for
22 the record, please.
23 AUDIENCE MEMBER: Leola Williams, 5012
24 Princely Avenue 32208.
25 THE CHAIRMAN: Thank you.
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89

1 Ms. Tropia is going to swear you in.
 2 THE REPORTER: If you would raise your
 3 right hand for me, please.
 4 MS. WILLIAMS: (Complies.)
 5 THE REPORTER: Do you affirm that the
 6 testimony you are about to give will be the
 7 truth, the whole truth, and nothing but the
 8 truth?
 9 MS. WILLIAMS: I do.
 10 THE REPORTER: Thank you.
 11 MS. WILLIAMS: I live in the area, the
 12 Soutel area. I'm also a member of the CRA,
 13 Kings/Soutel board. At the time we had our
 14 meeting, I was not privy to all of the
 15 information we have now about what's happening
 16 in the area. I did not know about the murders
 17 or the shootings and the killing. People have
 18 died up there at that club. I was not aware of
 19 that.
 20 And I believe some information was sent to
 21 you-all by Councilman Al Ferraro's office about
 22 an article that was in the Times-Union from
 23 2019. And some other information, I don't know
 24 whether you-all received it, but I was told
 25 that she was going to send it. His secretary,
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90

1 Ms. Connie Holt, was going to send you-all that
 2 information.
 3 Mr. Harden said it's only a package store
 4 in our meeting, but it's more than just a
 5 package store because it affects our children.
 6 It affects the community. The community is
 7 going down in value when we have the club up
 8 there and they party all night or whatever.
 9 I was coming through around 1 o'clock or
 10 2 o'clock in the morning after working with my
 11 son, coming through that area. There were
 12 people up there just parked, drinking. The
 13 policemen were up there. They leave their
 14 trash on the ground. The next day, someone has
 15 to come pick it up.
 16 The gentleman on the corner who has a --
 17 he used to be a service station, but now it's a
 18 repair -- a car repair place, near the ATM for
 19 VyStar, all of that was trashed. All near the
 20 club, trashed, where people put their trash. I
 21 don't believe that this owner has a dumpster to
 22 put the trash in. We've seen trash that hasn't
 23 been picked up set to the side. We've had to
 24 call the City to pick it up.
 25 Also, you-all just approved, I think it
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91

1 was -- well, anyway, it was the Post Street.
 2 You-all just looked at the Post Street and
 3 there -- I guess the measure for their waiver
 4 was 1,500 feet. So why do we have 500 feet?
 5 Why is that -- why is there a difference?
 6 We're all here in Jacksonville. They had a
 7 measure of 1,500 feet that they reduced, but we
 8 only have 500. So I question that.
 9 The club in the area is already a problem.
 10 So if the club is a problem, if we bring a
 11 liquor store, it's going to be more of a
 12 problem. We already have a liquor store up the
 13 street.
 14 Also, on Sundays, because of the club and
 15 the people that come, it's a traffic jam. It's
 16 a safety issue. People will park up and down
 17 Soutel Drive. They going to the Lonnie Miller
 18 Park and to the -- well, anyway, they just
 19 partying in the area. You can't get up and
 20 down the street.
 21 It's a safety issue. If there was an
 22 emergency, then the people couldn't get through
 23 who are coming to take care of the emergency,
 24 the fire department or whatever, because of all
 25 the traffic.
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92

1 THE CHAIRMAN: I got to stop you there,
 2 Ms. Williams.
 3 MS. WILLIAMS: Thank you.
 4 THE CHAIRMAN: Thank you for being here.
 5 Next, Ms. Eunice Barnum. And then,
 6 finally, we'll hear from Aloysious Denard.
 7 (Audience member approaches the podium.)
 8 AUDIENCE MEMBER: Eunice Barnum, 9121
 9 Spottswood Road, Jacksonville, Florida.
 10 THE CHAIRMAN: Thank you. Ms. Tropia is
 11 going to swear you in.
 12 THE REPORTER: If you would raise your
 13 right hand for me, please.
 14 MS. BARNUM: (Complies.)
 15 THE REPORTER: Do you affirm that the
 16 testimony you are about to give will be the
 17 truth, the whole truth, and nothing but the
 18 truth?
 19 MS. BARNUM: I do.
 20 THE REPORTER: Thank you.
 21 MS. BARNUM: And with that being said, let
 22 me begin and talk about what nobody else seems
 23 to talk about, the disparities.
 24 I've sat and I watched disparities, even
 25 among you-all, all white males, do not live in
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93

1 my area. Then I look at the disparity:
 2 Someone's sworn in, some are not; some get
 3 three minutes; some do not.
 4 Then Attorney Paul Harden, I listen to him
 5 talk about the pros for the establishment, but
 6 he didn't mention the murder, the murder rate.
 7 He talks about the owner, but I want to know,
 8 does the owner have insurance? Did the owner
 9 pay the families who lost their loved ones?
 10 There was a murder. They closed it down in
 11 2019. I don't know why you-all didn't know
 12 that.
 13 Again, I sit here and I watch you-all make
 14 decisions about us without us. I don't make
 15 decisions where you live, and you shouldn't
 16 make any for where I live without coming and
 17 listening and taking in consideration what we
 18 have to say.
 19 When Mr. Harden was there, he talked about
 20 his law office. I just wonder how many
 21 lawsuits did he file for any of the people in
 22 that area.
 23 Also, I would love to take you-all on a
 24 tour. I'm the community president, and I am
 25 the one who requested that the CRA -- that we

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94

1 was given an opportunity to have a board
 2 because we were neglected in that area as well.
 3 So when you're trying to make a decision,
 4 it would help you a whole lot if you would see,
 5 you would witness what we live through and see.
 6 And they talked about how bad the area is.
 7 Well, let me tell you something good about
 8 where we are.
 9 We fought for the four-lane highway. And
 10 the area is full of brick homes, nice brick
 11 homes. Elderly people been there years,
 12 donated taxes to the City that pays your
 13 salaries. They're there. They are still
 14 there. I went by, I went and visited, I went
 15 and talked to them. And they, too, are in
 16 opposition.
 17 So I'm saying, as your boss, listen to we,
 18 the people.
 19 Thank you.
 20 THE CHAIRMAN: Ms. Barnum.
 21 Next, we have Aloysious Denard.
 22 (Audience member approaches the podium.)
 23 THE CHAIRMAN: Mr. Denard, tell me how I
 24 mispronounced that first name.
 25 AUDIENCE MEMBER: You actually have it.

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95

1 THE CHAIRMAN: Nailed it? All right.
 2 Thank you.
 3 Give us your name and address for the
 4 record, and then Ms. Tropia is going to swear
 5 you in.
 6 AUDIENCE MEMBER: Aloysious Denard, 16284
 7 Magnolia Grove Way, Jacksonville, Florida
 8 32218.
 9 THE REPORTER: If you would raise your
 10 right hand for me, please.
 11 MR. DENARD: (Complies.)
 12 THE REPORTER: Do you affirm that the
 13 testimony you are about to give will be the
 14 truth, the whole truth, and nothing but the
 15 truth?
 16 MR. DENARD: I do.
 17 THE REPORTER: Thank you.
 18 MR. DENARD: Without exhaustion of what's
 19 already been said, you've heard from several
 20 members of the community, which have all stated
 21 facts.
 22 I stand in opposition today as the
 23 leadership giver, as being pastor of the
 24 Friendship Missionary Baptist Church that is in
 25 that community.

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96

1 I am sad to say that I did not have a lot
 2 of knowledge earlier on considering what was
 3 going on. But I'm kind of a fine-line person.
 4 I think all of us, we may play ignorant to a
 5 lot of things such as the murder, the crime
 6 rate.
 7 The fact are, you cannot drive up that
 8 street, whether it's Soutel, whether it's New
 9 Kings Road, whatever, that is the parking lot.
 10 There is no parking around there. I police the
 11 area all the time. Find already liquor
 12 cartons, condoms. Anything you want to name,
 13 you can find it on property.
 14 But as I said, I'm a fine-line kind of
 15 person. I believe the big question is, what's
 16 to come? Because as the gentleman gave the
 17 facts concerning the waiver and what the
 18 distance is, he factually said that there's a
 19 distance between our church of 800 and, I
 20 believe, 2 or 3 feet from New Kings to Soutel,
 21 1,000 feet from our church.
 22 But the waiver is to reduce it to a
 23 minimum of 401 feet. What is so significant
 24 about that 99 feet if it's well above the
 25 distance?

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97

1 The thing is with 400 feet, it says
 2 "off-premises consumption." But off-premises
 3 consumption becomes a parking lot. It
 4 becomes to these people behind me their
 5 communities. So I could easily go in a package
 6 store and buy and walk down 400 feet or a
 7 parking lot that is in the form of a gas
 8 station or ex-gas station that is now close to
 9 proximity of my church, or I could pass it
 10 through a window of a package store where, on
 11 the other end, there's a strip club or another
 12 club or whatever the case may be, because it's
 13 only 400-and-whatever feet away from whatever
 14 that is.

15 I ask this committee, although you don't
 16 live in these areas that these people live in,
 17 the people that I give leadership to, majority
 18 of, 250-plus. Do I live in that community?
 19 No. But I know that community because I
 20 worship with the very people on a weekly basis.

21 The other thing was, based on one
 22 condition that it do not open before 1:00 p.m.
 23 Well, who says that church ended at 1:00 p.m.?
 24 I mean, there's other things. That field
 25 that's referred to as the grassy knoll, I have

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98

1 got youth that play in that field. I've got
 2 elderly people that walk to church across the
 3 highway. I've got elderly people all around
 4 that community, and it does affect them. It
 5 does affect those in the community.

6 THE CHAIRMAN: All right, Mr. Denard,
 7 thank you for being here this afternoon.
 8 All right. Is there anyone else here
 9 today to speak on WLD-22-13?

10 AUDIENCE MEMBERS: (No response.)
 11 THE CHAIRMAN: Mr. Harden, why don't you
 12 come back up here address some of these
 13 concerns.

14 (Mr. Harden approaches the podium.)
 15 MR. HARDEN: Thank you, Mr. Chairman.
 16 Paul Harden, 1431 Riverplace.
 17 I tried to keep good notes and to go
 18 through each of the issues.

19 The first issue that -- the lady spoke,
 20 talked about CCG-1. It's not CCG-1; it's
 21 CCG-2. It's the most intense zoning category
 22 in the commercial category. This piece of
 23 property is at the intersection of two arterial
 24 highways. It's where commercial activity
 25 occurs. Alcohol sales, package stores are

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99

1 allowed by right in the CCG-2 zoning category.
 2 And it was zoned CCG-2, respectfully, before
 3 the pastor's church was built there at that
 4 location.

5 That was part of the original growth
 6 management in the area, where commercial went
 7 in and they designated it as the most intense
 8 commercial use in the area, which is -- allows
 9 for this use.

10 My friend Warren Jones talked about bus
 11 stops. If you hedged on requirements for bus
 12 stops, you wouldn't be able to put retail sales
 13 anywhere in the city of Jacksonville. The
 14 Zoning Code sets rules.

15 What I do for a living is protect people's
 16 property rights. There is a property right at
 17 issue here. My client has a piece of property
 18 that's designated for a particular use, albeit
 19 a use some people apparently don't like. It's
 20 a legal use in the city of Jacksonville and the
 21 state of Florida and the United States. It's a
 22 legal use.

23 And so we look at the Zoning Code, and the
 24 Zoning Code says for off-premises consumption,
 25 you have to be 500 feet away. But then you

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100

1 look over and notice that we're not 500 feet
 2 away, we're a quarter of a mile away if you
 3 drive the location. And it says here's how you
 4 do the waiver, and I gave you the criteria, and
 5 it was -- no one spoke to any of the criteria
 6 that spoke in opposition. We meet two of the
 7 criteria dead on.

8 My client doesn't own the club. That's an
 9 existing facility that apparently is not a
 10 terrific neighbor. Those are existing
 11 activities on the site.

12 I guess you're wondering why Mr. Garrison
 13 was here, an environmental -- he is running for
 14 City Council in that district. In fact, we've
 15 had several of the candidates, which is
 16 certainly their right to do, but no one of
 17 those people who spoke spoke about the criteria
 18 that you're required to look at to make a
 19 decision.

20 Second criteria, of course, is the
 21 location of an existing facility closer to the
 22 church and which is actually in the line of
 23 sight than my client. They have -- and the
 24 reason for the difference between 1,500 and
 25 500 feet is if it's on-premises consumption,

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101

1 then it's the 1,500 feet. This is off-premises
 2 consumption. That's why -- to answer the last
 3 lady's question.
 4 People spoke about trash and stuff in the
 5 area. That's an existing problem now. That's
 6 not a problem that's being caused by my client.
 7 I have talked to him, and he's agreed that
 8 he'll police it or have someone out there to
 9 police it every day that they're open.
 10 The lady from the school board, her issue
 11 was that there's a crosswalk there. Again, if
 12 you had a crosswalk distance, you couldn't put
 13 a Publix anywhere in Duval County because they
 14 all sell beer and wine.
 15 Ms. Hopkins spoke about other churches in
 16 the area. But we have a map. There was a
 17 survey that was filed. None of those are
 18 within 500 feet, and S.A. Hull is not within
 19 500 feet. Again, the map has to show 1,500 as
 20 well. We don't have to meet 1,500, but it
 21 shows the 1,500 on there. Most of them are
 22 outside of 1,500 feet.
 23 Representative Nixon's aide spoke about
 24 other uses in the area. I don't think of it as
 25 that bad of an area. I don't live there

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102

1 anymore. I don't -- I do go there on a lot of
 2 occasions. I go to the Legends Gym that's out
 3 there and go to meetings, so I do know the area
 4 well. But add an area [sic] at this location,
 5 the uses that you're going to get there are
 6 limited.
 7 My client proposes to put a legal use at
 8 that site. It's allowed by the Zoning Code.
 9 He meets the criteria -- two, actually, of the
 10 criteria of the Zoning Code for waiver of the
 11 distance. I'd ask you to protect his property
 12 rights.
 13 I'd be happy to answer any questions.
 14 THE CHAIRMAN: All right. Thank you,
 15 Mr. Harden.
 16 Anyone else here today to speak on
 17 WLD-22-13?
 18 AUDIENCE MEMBERS: (No response.)
 19 THE CHAIRMAN: Seeing none, I will close
 20 the public comment and bring it back to the
 21 Commission.
 22 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 23 move to approve application WLD-22-13 with the
 24 first two conditions that were recommended and
 25 the advisory board report.

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103

1 COMMISSIONER BROWN: Second.
 2 THE CHAIRMAN: We have a motion and second
 3 for approval.
 4 Before we kick it off with comments from
 5 the Commission, Mr. Gallup, our school district
 6 representative, has a couple of comments.
 7 Go ahead, Mr. Gallup.
 8 MR. GALLUP: Just to reiterate some of the
 9 comments from the school district speakers
 10 earlier, when we're mentioning 20 percent of
 11 the walkers are coming from the area, that's
 12 approximately 48 elementary-school-age students
 13 that are coming from the direction of
 14 Washington Estates Drive, Dostie Drive, and
 15 Devron Drive.
 16 The other issue we have is the bus stop
 17 that is across the street is approximately
 18 180 feet to the front door of this facility.
 19 This bus stops serves as a pick-up and drop-off
 20 for magnet, middle, and high school. So it
 21 addresses three different areas of students in
 22 the district.
 23 And under this waiver, since it is
 24 discretionary, you may choose to deny this. So
 25 just remember that we have "may" as a

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104

1 discretionary term in the waiver process.
 2 I also have some exhibits I could pass out
 3 to you that I would like to put in for the
 4 public record.
 5 Thank you.
 6 THE CHAIRMAN: Thank you, Mr. Gallup.
 7 Pass those document over.
 8 So comments from the Commission?
 9 Commissioner Blanchard.
 10 COMMISSIONER BLANCHARD: Thank you,
 11 Chairman.
 12 This is an interesting one, and I
 13 appreciate all the compelling testimony from
 14 the community. You know, from my perspective
 15 on this, do I think that the community needs
 16 another liquor store there? No, I do not. Do
 17 I think it negatively impacts the community?
 18 Perhaps it does.
 19 Clearly, there's some bad neighbors and a
 20 fair amount of shenanigans and crime issues and
 21 things like that. Generally, I don't think it
 22 is in the best interest of the community.
 23 From a technical standpoint, do I think it
 24 meets the criteria for a waiver? Yes, I do.
 25 The important thing here is that we're not

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105

1 here to decide whether this site should be a
 2 liquor store. That is not why we're here.
 3 That's a zoning function, and they already have
 4 that right. We're here to decide whether the
 5 waiver of liquor distance from the store to the
 6 church is appropriate. That's it.
 7 So respectfully, the school board has sort
 8 of this emotional pull or, you know, this
 9 logical concern of the kids and things. That's
 10 not part of the criteria. We're not supposed
 11 to consider that. It's not part of the law and
 12 the ordinance.
 13 I think the bigger issue here is that
 14 there's probably some reform that's needed in
 15 the Zoning Code. And maybe that's something
 16 you can get with your City Council member or
 17 your future City Council member or whoever and
 18 come up with some strategies to change the
 19 rules.
 20 Because we don't write the rules; we
 21 enforce the rules. City Council writes the
 22 rules. So maybe it's tied to crime, that says
 23 if there's crime greater than X, then, you
 24 know, liquor stores are prohibited. Or maybe
 25 there's an overlay in certain areas that are

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106

1 challenged that says "no new liquor stores" or
 2 something.
 3 But the bottom line today is that we're
 4 here to decide whether or not the distance of
 5 401 feet instead of 500 is acceptable. And the
 6 fact that there is other liquor providers that
 7 are closer means that it is.
 8 And I don't want there to be a liquor
 9 store there, but based on the rules, I'm really
 10 compelled to vote to allow that waiver because
 11 that's what we're voting on today. Not the
 12 use, but just whether that distance is okay.
 13 And the fact that there are other uses that are
 14 closer means that that distance is, then,
 15 acceptable.
 16 So I will vote for it today. I don't
 17 think a liquor store is the right use for that
 18 community or the right use for that site
 19 because of the community. And perhaps greater
 20 reform will help avoid some of the those
 21 concerns in the future.
 22 But it's -- I feel like we're trying to
 23 prohibit the liquor store from that location by
 24 using a technicality because of distance when
 25 the greater concern is really should that place

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107

1 be a liquor store at all? And the answer is
 2 probably no, but that's the Zoning Code.
 3 That's not this waiver today.
 4 So I apologize for voting yes. I will
 5 vote yes, but I want you to understand why.
 6 THE CHAIRMAN: Thank you, Commissioner
 7 Blanchard.
 8 Further comments?
 9 Commissioner Elsbury.
 10 COMMISSIONER ELSBURY: Thank you,
 11 Mr. Chairman.
 12 Just before I talk about my position, I
 13 just want to ask one clarification question.
 14 Simply just because of what Commissioner
 15 Blanchard said, a lot of the testimony relayed
 16 today is unrelated to the facts that we're
 17 considering.
 18 So I do want to lay out one fact that I've
 19 noticed in reviewing these documents. Could I
 20 just get clarification that the distance
 21 requirement that we're looking at isn't
 22 actually related to the physical building of
 23 the church; it's more of a parking lot that the
 24 church owns?
 25 MR. LEWIS: So the Zoning Code -- and let

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108

1 me read it because I knew this was probably
 2 going to come up -- has how to measure the
 3 distance. And it's the distance following a
 4 straight line from the nearest point of the
 5 building or portion of the building used as the
 6 location to the nearest point of the grounds
 7 used as part of the church.
 8 So there is some -- you know, the church
 9 has a large property in this -- the nearest
 10 point is 401 feet from the location.
 11 COMMISSIONER ELSBURY: Which is a parking
 12 lot, correct?
 13 MR. LEWIS: I couldn't tell if it's a
 14 parking lot or just a grassy area.
 15 COMMISSIONER ELSBURY: My point being is
 16 this: We're not being asked to waive the
 17 distance between the front end of a church to a
 18 liquor store. The church happens to own a very
 19 large piece of property that includes a parking
 20 lot that gets closer and encroaches on this
 21 distance requirement.
 22 I'm not inclined to deny someone opening a
 23 business because an adjacent property owns a
 24 large parking lot. And our Zoning Code, for
 25 whatever reason, puts us in this position.

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109

1 But I do want to go over, again, what
2 Commissioner Blanchard mentioned. You know,
3 we're asked to consider a variety of facts,
4 and, you know, the applicant mentioned it.

5 And, Mr. Garrison, who is in attendance, I
6 appreciate your commentary, but I appreciate
7 the neighbors' commentary a lot more. Also
8 appreciate you name-dropping that you're on a
9 regulatory board. And I hope that you
10 understand that what you presented to us is not
11 anything that we're required to weigh in on.

12 And I hope, as a regulatory board
13 representative, you exercise due diligence and
14 actually weigh out what you're prescribed to do
15 by Ordinance Code and not facts that are
16 unrelated to the mission statement of your
17 board.

18 Second, let me close with this. As
19 government, thank God we're not in a position
20 where we regulate new businesses because of bad
21 neighbors, adjacent property owners that are
22 bad actors. I'm never going to be in a
23 position where I tell an applicant coming
24 before this commission that they can't start a
25 business simply because people around them

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110

1 commit crimes and do illegal things. That's
2 not fair to them; that's not what government is
3 supposed to do.

4 I'll be supporting the application, and I
5 encourage my colleagues to do the same.

6 THE CHAIRMAN: Thank you, Commissioner
7 Elsbury.

8 Commissioner Moldovan.

9 COMMISSIONER MOLDOVAN: Thank you,
10 Mr. Chairman.

11 I need to declare ex-parte communications.
12 I spoke with Ms. Tyrona Clark-Murray on Monday,
13 the 4th of April. She was kind enough to
14 provide me with this packet and highlighted
15 some of the most recent fatal incidents in this
16 area. Thank you for that.

17 There's a few things I want to address. I
18 want to answer some of the questions that the
19 community had.

20 Through the Chair to staff, could you help
21 us understand why this application needs to
22 be -- why are we looking at 500 feet as opposed
23 to 1,500 on this application?

24 MR. LEWIS: Again, the Zoning Code
25 classifies different types of alcohol use by

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111

1 distance requirements.

2 So off-premises consumption of beer and
3 wine is 5- -- and liquor is only 500 feet. If
4 you have a restaurant that serves beer, wine,
5 and liquor, then distance is 1,500 feet.
6 That's for on-premises. So this is
7 off-premises consumption. It is a 500-foot
8 limitation.

9 COMMISSIONER MOLDOVAN: Thank you,
10 Mr. Lewis.

11 So if this were a restaurant serving beer
12 and wine, it would have a greater distance
13 requirement. So that's why we're looking at
14 500 on this one.

15 I also heard a comment -- and I hear this
16 pretty often, that we have already made up our
17 minds. And I can assure you, I would not be on
18 this board if we operated in that manner.
19 That's not ethical; it's nothing that I would
20 volunteer to do.

21 There was another comment -- and, of
22 course, this is about this application, but I
23 just want to clear up some concerns. There was
24 another comment about our salary. I don't know
25 if this is widely known, but we are absolutely

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112

1 volunteers. We're not paid a dime for being
2 here. We're not expensed for travel, expensed
3 for our time, any of that. So we're here to
4 serve, and I truly mean that.

5 This application is tough for me. I
6 realize that there are some issues in this
7 neighborhood, and alcohol may not be the best
8 thing or even close to a solution for some of
9 these issues. But as my other commissioners
10 have mentioned, you know, we are to look at the
11 ordinance on this.

12 Commissioner Elsbury summed it up
13 perfectly. If we were ever in a position where
14 we're denying new business based on old
15 business that's not related in any way, how
16 would that be fair? I'm a small business
17 owner, and if I -- you know, and opened up in
18 Murray Hill where it's known -- it's got a
19 history for issues. And if I were declined my
20 opportunity based on its history, you know, how
21 do we get that neighborhood moving forward?

22 You know -- and I'll just reference -- and
23 I'm going to paraphrase the code here that
24 Mr. Harden provided us. The Planning
25 Commission shall -- and that's "shall." It's

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113

1 not "should." It's not, you know, "could, if
2 they'd like."
3 We shall grant a waiver for minimum
4 distance from a church or school for a liquor
5 license location if there exists one or more
6 circumstances. He's highlighted two
7 circumstances where it's fact. This is evident
8 that it's not directly visible. And now, no
9 matter how we measure this, we're 99 feet off.
10 But it's not directly visible. I'm looking at
11 the map. It's absolutely not directly visible.
12 And then many of you mentioned there are
13 already liquor stores all throughout this area.
14 I would argue that it's not proliferation at
15 this point. But you've filled that fifth
16 criteria. You have provided that evidence to
17 us that there are already liquor stores in that
18 area.
19 So Criteria Number 5 says we shall grant
20 this liquor distance if other existing liquor
21 licenses of similar nature or more intense
22 exist in this area.
23 So there are two criteria here that are
24 met, and we have a fiduciary duty to uphold the
25 ordinance. As much as I don't want to see this
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114

1 go in -- I'm right with you guys. I don't want
2 to see this go in. I don't see how it would be
3 anything in the right path to helping the
4 community. But, you know, I signed up to
5 uphold the ordinance.
6 So I'll yield right now. I'd like to hear
7 from my other commissioners, but as of right
8 now, I feel like I'm obligated to support this
9 application.
10 Thank you, Mr. Chairman.
11 THE CHAIRMAN: Thank you, Commissioner
12 Moldovan.
13 I was going to leave this alone, but it
14 was called out. So let me do a code check with
15 Paige on OGC as we have a version that says the
16 Planning Commission shall grant a waiver for
17 minimum distance.
18 Is it "shall" or "may"?
19 (Discussion held off the record.)
20 MS. JOHNSTON: Thank you for the question.
21 I was prompted to look at the Municipal
22 Code as you were having your conversation.
23 I didn't see what was circulated to you
24 from Mr. Harden, but 656.133(a) talks about
25 waivers for minimum distance for a liquor
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115

1 license locations and waiver criteria.
2 In the second paragraph it states, "The
3 waiver for minimum distance requirements from a
4 church or school for a liquor license location
5 may be granted if there exists one or more
6 circumstances which negate the necessity for
7 compliance with the distance requirements,
8 including but not limited the following."
9 And then it gives the criteria that you
10 have in front of you.
11 So essentially your job as members of the
12 Commission is to review the evidence that comes
13 before you, including the staff report and
14 including the testimony of the applicant and of
15 the public, and determine whether you find that
16 any one of these five conditions have been met.
17 And if so, if that is a reason for you to grant
18 the waiver.
19 Is everyone clear on that?
20 I will also add, because there's been
21 testimony about the impacts to the community, I
22 would just caution you. If you are going to
23 determine that the fact that they meet a
24 criteria is not sufficient to grant the waiver,
25 i.e., something else outweighs that, then you
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116

1 would want to focus on the impacts for the
2 church or the school, which you have heard
3 testimony on potential impacts. But I would
4 not advise to focus on general community
5 concerns as that is not part of the language in
6 the code.
7 THE CHAIRMAN: Thank you, Paige.
8 Further comments from the Commission?
9 Commissioner Porter.
10 COMMISSIONER PORTER: Thank you, Chairman.
11 I'd like to stay on this for a second.
12 Through the Chair to Paige, in our packet,
13 Page 2 of 4 of the Planning and Development
14 Department's package to us, it says "The
15 Planning Commission shall grant a waiver for
16 minimum distance if it meets one of the five
17 criteria."
18 It specifically says "shall."
19 MS. JOHNSTON: Are you looking at the
20 staff report or the application itself?
21 COMMISSIONER PORTER: The application.
22 MS. JOHNSTON: The staff report has the
23 criteria that includes "may." If the
24 application states "shall," that's incorrect.
25 And I believe this actually came up --
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117

1 Bruce, this was an issue that came up with
2 another applicant where another applicant said
3 you have to find in our favor because it says
4 "shall." And this was supposed to be
5 corrected, in fact, on the administrative side,
6 to update the application because that is not
7 the language in the Code. Obviously, you go
8 with the language in the code.
9 COMMISSIONER PORTER: Thank you.
10 First of all, putting a liquor store in
11 this area, I just put out that I do not agree
12 with putting a liquor store in this area.
13 What's in our application package needs to
14 be corrected. Several of us have already
15 spoken based off this word "shall," that we're
16 going to put this through. And it just --
17 there's got to be some level of accountability
18 that our package needs to be correct.
19 I'll be voting no on this because the area
20 where children play at the church is within 500
21 feet of the liquor store. I don't have
22 anything else to say.
23 Thank you.
24 THE CHAIRMAN: Thank you, Commissioner
25 Porter.

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118

1 Further comments?
2 Commissioner Brown.
3 COMMISSIONER BROWN: I'd like to thank
4 Commissioner Moldovan, first, for opening this
5 up because it's what I've been staring at
6 highlighted for the better part of an hour or
7 whatever this has been.
8 I didn't see a way out of voting this
9 through because it was it was a "shall." I
10 don't flex about being a lawyer very often, but
11 I'm not going to vote because I'm going to
12 follow the "shall." I can read a code.
13 But anyway, if it is a "may," then I am a
14 no, because I now have discretion. I think it
15 has too much impact on churches and school and
16 I'll leave it at that.
17 THE CHAIRMAN: Further comments?
18 Commissioner Elsbury.
19 COMMISSIONER ELSBURY: Thank you,
20 Mr. Chairman.
21 Let me just make one last point related to
22 this on the "shall" versus "may" thing. Yes,
23 explicitly I believe now we have referenced it
24 as -- say "may," but none of my commentary
25 changes.

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119

1 I was not basing my decision on that. The
2 basis of my decision is what's clearly
3 articulated in the code which permits this as
4 an allowable use. It comes to this board and
5 we look at those facts. A lot of people are
6 talking about schools. Are we asking for a
7 waiver for anything related to a school in
8 this? It's a church. There is a school in the
9 vicinity, but there is a school in the vicinity
10 of every single liquor store in Duval County.
11 Again, the majority of the facts being
12 presented to this body are about crime in the
13 area. I am not declining an application simply
14 because there are bad actors who are breaking
15 existing law. This is an applicant that's
16 trying to follow the law.
17 If you come down here and ask us to deny
18 every single use that's potentially going to
19 drive people to an area where there is existing
20 crime, there would be no development, period.
21 And I'm not going to speak as boldly as some my
22 colleagues and say there shouldn't be a liquor
23 store here.
24 I'm a property-rights/free-market guy. If
25 there's a market for a liquor store, if it's an

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120

1 allowable use, I think it should come to us. I
2 think we should weigh facts. That's what we've
3 done, and the facts clearly say that this
4 should be an approved use.
5 I'll be supporting yes, and I ask my
6 colleagues to do the same.
7 THE CHAIRMAN: Thank you.
8 Commissioner Moldovan.
9 COMMISSIONER MOLDOVAN: Thank you,
10 Mr. Chairman.
11 And thank you, Commissioner Elsbury. I
12 appreciate your opinion on this.
13 You know -- and I apologize. I mean, I'm
14 reading the paper in front of me, and it really
15 did weigh heavily on my opinion on this
16 application.
17 I do think it's unfair to the applicant.
18 I know that if I'm getting ready to activate a
19 property and I've got ideas of what I would
20 like to put in there and open up, and I look at
21 the ordinance or an application for what I'm
22 intending to use it for and it says the board
23 "shall grant with one or more criteria," well,
24 then I'm going to pay the application fee and
25 roll the dice with the application. I think

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121

1 It's a good bet. So it's unfair to the
 2 applicant to have this incorrect application.
 3 But furthermore, I don't think that we can
 4 prohibit this building being activated due to
 5 the history of the area. I truly don't. There
 6 are liquor stores in my community. I don't
 7 think that they have a direct correlation to
 8 the crime that occurs, and I'm going have to
 9 support this.
 10 Thank you, Mr. Chairman.
 11 THE CHAIRMAN: Thank you, Commissioner
 12 Moldovan.
 13 Any other comments from the Commission?
 14 COMMISSION MEMBERS: (No response.)
 15 THE CHAIRMAN: All right. I really
 16 appreciate all the testimony from the
 17 residents. The rest of the Commission did a
 18 good job putting it in perspective.
 19 Ms. Barnum, you came up and were throwing
 20 stones. I guess none of these guys get paid; I
 21 get paid up here. I'm just kidding. I don't.
 22 I don't.
 23 But what we saw today, we don't see often.
 24 MS. BARNUM: Thank you for educating me
 25 because I thought you-all were City employees.
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122

1 THE CHAIRMAN: It's not a conversation,
 2 but thank you. I got you.
 3 We saw a couple of things today that we
 4 don't normally see. We got emails from State
 5 reps, we got staff people for State reps,
 6 assistant school board director, people on the
 7 school board. Mr. Gallup had -- certainly had
 8 some color to add. We don't normally see this.
 9 I'm not going to beat a dead horse with
 10 what my fellow commissioners have already said.
 11 You want my technical reason? It's what
 12 Mr. Porter said, that kids do play at this
 13 church within the 500 foot rule.
 14 But the reality is, I agree with
 15 Commissioner Blanchard, this Zoning Code
 16 probably needs an overhaul for us to say that
 17 the school is outside of what the zoning should
 18 be, yet there's a student bus stop across the
 19 street. I mean, is it the school we're
 20 measuring from? It's the students we're trying
 21 to protect them from.
 22 So it's a neighborhood that already has
 23 issues. This will not improve those issues,
 24 and that's my perspective on this.
 25 So my technical position is that this is
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123

1 within the 500 feet. And as we have mentioned
 2 time and time again, we aren't owed to give
 3 this waiver. It's still subjective. That's
 4 why I appreciate everyone's color coming in
 5 today.
 6 Any other comments from the Commission
 7 before we call a vote?
 8 Commissioner Garrison.
 9 COMMISSIONER GARRISON: Thank you,
 10 Mr. Chairman.
 11 I would just like to go on record. It
 12 seems appropriate as everyone else has gone on
 13 record.
 14 I'm compelled to believe that -- I mean,
 15 this is -- the church is -- you know, by
 16 vehicle, is about, you know, probably 1,400
 17 feet, being a quarter mile away. You know,
 18 there's a lot owned next door with a cul-de-sac
 19 going into it from behind the church. So it --
 20 I mean, it is a lot. To me, it looks like an
 21 asset owned by the church that is contiguous to
 22 the church.
 23 I would beat a dead horse to say I think
 24 there should be tons of community uplift and
 25 involvement. It should be nonprofits,
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124

1 churches, schools doing everything they can to
 2 improve the community.
 3 I am sympathetic to the plight of the
 4 community. I have worked in Soutel, physically
 5 doing labor, throwing sod, and busting up
 6 concrete. As a teenager, I have been to
 7 Soutel. I know the area fairly well.
 8 I've heard a lot of things, and I'm going
 9 gloss over as far as things that, you know, are
 10 implying unfairly, you know, of us that --
 11 we're not here to fix the moral -- to fix the
 12 moral situation in areas of town. That's not
 13 what we're appointed to do here. We're
 14 enforcing the Code. And it's -- I'd be first
 15 in line to help, you know, to volunteer or do
 16 whatever else to help a community. I care
 17 about people.
 18 But this is about 99 feet from the front
 19 door of a church. And this is far greater, in
 20 my opinion, than 99 feet from that front door
 21 of that church, and it meets the criteria. It
 22 is, in fact, further away than the club that
 23 is -- that has been complained about so much.
 24 And I'm going to side with the criteria.
 25 I can separate, you know, following the letter
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125

1 of the law and balancing the property owners'
 2 rights from being sympathetic and civically
 3 involved in helping Northeast Florida and
 4 Jacksonville getting rid of its crime and
 5 thrive.
 6 So it's a hard decision. It's not one I
 7 make easily, but that's where I'm at.
 8 Thank you, Mr. Chairman.
 9 THE CHAIRMAN: Thank you, Commissioner
 10 Garrison.
 11 Final thoughts from the Commission?
 12 COMMISSION MEMBERS: (No response.)
 13 THE CHAIRMAN: Seeing none, we'll call the
 14 question.
 15 All those in favor of WLD-22-13, signify
 16 by saying aye.
 17 COMMISSIONER MOLDOVAN: Aye.
 18 COMMISSIONER ELSBURY: Aye.
 19 COMMISSIONER BLANCHARD: Aye.
 20 COMMISSIONER GARRISON: Aye.
 21 THE CHAIRMAN: All right. Let's see the
 22 hands up.
 23 Commissioner Moldovan, Commissioner
 24 Elsbury, Commissioner Blanchard, and
 25 Commissioner Garrison.
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126

1 Okay. All those opposed?
 2 Aye.
 3 COMMISSIONER PORTER: Aye.
 4 COMMISSIONER BROWN: Aye.
 5 THE CHAIRMAN: Commissioner Porter,
 6 Commissioner Hacker, and Commissioner Brown.
 7 Okay. So the wise Paige says we need five
 8 in one direction to move this out of Planning
 9 Commission.
 10 So, Paige, where do we go?
 11 MS. JOHNSTON: Per the ordinance code -- a
 12 different section of the ordinance code -- a
 13 final decision of the Planning Commission
 14 requires five in one direction. Since you
 15 don't have five in one direction, it's
 16 deferred to be taken up again at the next
 17 meeting unless someone wants to reconsider
 18 their vote.
 19 THE CHAIRMAN: Would anyone like to
 20 reconsider their vote?
 21 COMMISSION MEMBERS: (No response.)
 22 THE CHAIRMAN: Seeing none, we'll move
 23 this to the next Planning Commission meeting.
 24 So this will be deferred.
 25 All right. That seems like a good segue
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127

1 to take a break.
 2 Let's take a 15-minute break. We'll
 3 reconvene at 3:25.
 4 (Brief recess.)
 5 (Mr. Schellhorn exits the proceedings.)
 6 THE CHAIRMAN: All right. We've got some
 7 ground to cover. We've got a quorum here.
 8 Commissioner Porter will be back. He's walking
 9 in now.
 10 Let's move to WLD-22-14, please.
 11 MR. LEWIS: Thank you, Mr. Chairman.
 12 This is for application for a waiver of
 13 minimum liquor distance. WLD-22-14 seeks to
 14 reduce the distance from the restaurant located
 15 at 10244 Atlantic Boulevard to the Atlantic
 16 Boulevard Baptist Church from 500 feet to
 17 275 feet. This will allow for retail sales and
 18 service of alcohol for on-premises consumption
 19 in conjunction with a restaurant in the CCG-2
 20 zoning district.
 21 The subject property is approximately
 22 3 acres and developed with a 39,000-square-foot
 23 neighborhood shopping center. It will have 150
 24 seats -- or I believe -- with the capacity of
 25 150 seats.
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128

1 Staff has reviewed it. We find that this
 2 is an appropriate location for this type of
 3 use, and we are recommending approval. This
 4 proposed establishment is not directly visible
 5 along the line of measurement from the church.
 6 And so with that, we feel it does meet the
 7 criteria and we are recommending approval of
 8 WLD-22-14.
 9 THE CHAIRMAN: All right. Thank you,
 10 Bruce.
 11 (Mr. Yancy approaches the podium.)
 12 THE CHAIRMAN: Mr. Yancy, thank you for
 13 being ready to roll.
 14 Give us your name and address for the
 15 record.
 16 MR. YANCY: 1309 St. Johns Bluff Road
 17 North, Jacksonville, Florida 32225.
 18 THE CHAIRMAN: Okay. Ms. Tropa will
 19 swear you in.
 20 THE REPORTER: If you would raise your
 21 right hand for me, please.
 22 MR. YANCY: (Complies.)
 23 THE REPORTER: Do you affirm that the
 24 testimony you are about to give will be the
 25 truth, the whole truth, and nothing but the
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CITY OF JACKSONVILLE
PLANNING COMMISSION
MEETING

Proceedings held on Thursday, April 21, 2022,
commencing at 1:00 p.m., at City Hall, Council Chambers,
117 West Duval Street, Jacksonville, Florida, before
Diane M. Tropa, FPR, a Notary Public in and for the
State of Florida at Large.

PRESENT:

- DAVID HACKER, Chairman.
- ALEX MOLDOVAN, Vice Chair.
- IAN BROWN, Secretary.
- MARSHALL ADKISON, Commission Member.
- DANIEL BLANCHARD, Commission Member.
- JOSHUA GARRISON, Commission Member.
- JASON PORTER, Commission Member.
- JORDAN ELSBURY, Commission Member.

ALSO PRESENT:

- FOLKS HUXFORD, Chief, Current Planning.
- KRISTEN REED, Chief, Community Planning Div.
- BRUCE LEWIS, Planning and Development Dept.
- LURISE BANNISTER, Transportation Planning Div.
- PAIGE JOHNSTON, Office of General Counsel.
- MATT SCHELLHORN, Military Representative.
- RANDY GALLUP, Duval County Public Schools.
- PATRICIA SALES, Planning and Development Dept.

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1 presentation. It is important that an accurate
2 record must be kept of the speakers and what is
3 said. Everyone who wishes to speak must fill
4 out a blue speaker's card, place them in the
5 basket beside the speakers' podium. The cards
6 are located near the podium and in the back of
7 the room.

8 The speaker's testimony is taken down by
9 the court reporter and it is important that
10 participants speak clearly into the microphone
11 and only one person should speak at a time.

12 Any tangible material submitted with a
13 speaker's presentation will become a part of
14 the public record and will be kept by this
15 commission; therefore, please retain a copy of
16 anything that is submitted if it's needed.

17 The public hearings on exceptions,
18 variances, waivers, administrative deviations
19 and minor modifications are quasi-judicial
20 where you will be sworn in prior to your
21 testimony and the decisions by the Planning
22 Commission today will be final.

23 Decisions by this commission on rezonings
24 and land use amendments are recommendations
25 only. The recommendations are transmitted to

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PROCEEDINGS

1 April 21, 2022 1:00 p.m.

2 ---

3 THE CHAIRMAN: Good afternoon, everybody.
4 Welcome to the April 21st meeting of the
5 Jacksonville Planning Commission.

6 As a courtesy, please place any mobile
7 phones, tablets or audible devices on silent
8 mode.

9 Please join me now as we stand and recite
10 the Pledge of Allegiance and remain standing
11 for a brief moment of silence.

12 (Recitation of the Pledge of Allegiance.)

13 THE CHAIRMAN: Let the record reflect that
14 we have quorum with Commissioners Adkison,
15 Blanchard, Brown, Garrison, Elsbury, Hacker,
16 Moldovan and Porter present.

17 In attendance are also our Duval County
18 Public Schools representative, Mr. Randy
19 Gallup; our military representative, Mr. Matt
20 Schellhorn; and members of the City's Planning
21 and Development Department and the Office of
22 General Counsel.

23 This commission's bylaws provide that each
24 member of the public who speaks before this
25 commission is limited to a three-minute

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1 City Council's Land Use and Zoning Committee
2 which ultimately votes on these matters.

3 LUZ may or may not follow the
4 recommendations of the Planning Commission.
5 Unless specifically deferred by LUZ, items
6 voted on the -- by the Planning Commission
7 today are heard before the LUZ Committee in two
8 weeks. That meeting will take place on
9 Tuesday, May 3rd, 2022, for another public
10 hearing and vote here in Council Chambers at
11 5 o'clock p.m.

12 For any questions regarding a particular
13 application, please see staff.

14 A copy of the agenda is located at the
15 back of the room. Items are generally
16 addressed in the order in which they are listed
17 on the agenda. However, items may be heard out
18 of order for the sake of efficiency or to
19 accommodate scheduling conflicts.

20 At this time, I will ask the members of
21 the Commission to address the minutes from our
22 prior meeting on April 7th, 2022.

23 COMMISSIONER MOLDOVAN: Mr. Chairman, I
24 move to approve the minutes from our meeting on
25 April 7th, 2022.

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5

1 COMMISSIONER BROWN: Second.
 2 THE CHAIRMAN: All right. I have a motion
 3 and a second.
 4 Any comments from the Commission?
 5 COMMISSION MEMBERS: (No response.)
 6 THE CHAIRMAN: Seeing none, we have a
 7 motion and a second.
 8 All those in favor?
 9 COMMISSION MEMBERS: Aye.
 10 THE CHAIRMAN: That motion passes.
 11 All right. Now let's go over the order of
 12 today's agenda. We are first going to hear the
 13 four ordinances. 2022-0122, 2022-0170,
 14 2022-0220, and 2022-0221 are the four
 15 ordinances, and then we'll follow the typical
 16 order of the agenda, starting with E-22-18,
 17 Old St. Augustine Road, WLD-22-13 on Soutel
 18 Drive, E-22-23 on Philips Highway, V-22-05 on
 19 Caldwell Road, MM-22-06 on Main Street,
 20 2021-0572 and -0573 on Ramona Boulevard West,
 21 2022-0189 and -0190 on Florida Avenue,
 22 2022-0191 and -0192 on Dunn Avenue, 2022-0193
 23 and -0194 on 103rd Street, 2022-0195 and -0196
 24 on Broward Road, 2022-0197 and -0198 on North
 25 Main Street, 2022-0201 on Lenox Avenue. And
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6

1 then we have two PUDs, 2022-0199 on Spring Glen
 2 Road and 2022-0200 on Lem Turner Road.
 3 All right. We have a lot of people in the
 4 audience today. We have a lot of people in the
 5 audience today for sure. Glad we're in Council
 6 Chambers instead of the Ed Ball Building.
 7 Just a reminder, everyone's testimony will
 8 be kept to three minutes today. Any of the
 9 applicants will have three minutes initially
 10 when they present the application. They'll
 11 also have an opportunity to address any
 12 concerns that were raised by the public
 13 following the public comment.
 14 So please keep an eye on your time. We
 15 have timers up here, three minutes per person.
 16 And with that, let's get started with the
 17 ordinances. We'll start with 2022-0122, the
 18 package liquor store review procedure.
 19 MR. HUXFORD: Thank you, Mr. Chairman.
 20 This is Ordinance 2022-0122. It would
 21 amend the Zoning Code specifically so that the
 22 chief of Current Planning would be responsible
 23 for initiating direct contact with the district
 24 council member whenever we receive a zoning
 25 application dealing with a liquor store.
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7

1 Staff has reviewed the application -- or
 2 not the application, but the legislation. And
 3 it's my suggestion, since I'm the one that
 4 would be on the hook for that phone call, I
 5 think it would be better to document and -- as
 6 a matter of practice, we already send copies of
 7 every zoning application to the district
 8 council member when we receive it. So what I
 9 would suggest is, in lieu of a phone call,
 10 which may or may not be successful, I would
 11 recommend that we digitize and send a PDF to
 12 the district councilperson, as well as their
 13 assistant. That way we have a paper trail, an
 14 electronic paper trail, to verify that we have
 15 initiated contact with the district councilman,
 16 but that -- that is our recommendation going
 17 forward.
 18 THE CHAIRMAN: All right. Thank you,
 19 Folks.
 20 We had someone here from staff or OGC to
 21 speak on that.
 22 Ms. Grandin, are you coming up?
 23 (Ms. Grandin approaches the podium.)
 24 THE CHAIRMAN: Ms. Grandin, give us your
 25 name and address, please.
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8

1 MS. GRANDIN: Thank you very much.
 2 Is this on?
 3 Susan Grandin, Office of General Counsel.
 4 Thank you and good afternoon,
 5 Commissioners.
 6 So this is Ordinance -0122, and it's -- as
 7 Mr. Huxford said, it requires -- what the
 8 ordinance says is it requires Mr. Huxford,
 9 currently, the Current Planning chief, to
 10 actually call the district council member
 11 whenever there's a rezoning, an exception or
 12 distance waiver just for package stores. So
 13 that's all that it pertains to is just package
 14 stores.
 15 And I heard him -- we see in the Planning
 16 Commission -- I mean, the Planning Department
 17 report to the Commission, to what they would
 18 prefer, so -- but the position of the council
 19 member is he would like a phone call or a
 20 meeting.
 21 THE CHAIRMAN: All right. Thank you,
 22 Ms. Grandin.
 23 Ms. Tropia, can you hear that microphone
 24 okay?
 25 THE REPORTER: No.
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9

1 AUDIENCE MEMBERS: No.
 2 THE CHAIRMAN: No.
 3 MS. GRANDIN: Wow. Okay. Do I need to
 4 push something?
 5 THE CHAIRMAN: That sounds better.
 6 MS. GRANDIN: Somebody pushed something.
 7 Should I start over?
 8 THE CHAIRMAN: Ms. Grandin, just for the
 9 sake of -- an abundance of caution, let's take
 10 it from the top if you don't mind.
 11 Thank you.
 12 MS. GRANDIN: Sure. So this ordinance,
 13 2022-0122, is creating a new subsection in the
 14 Zoning Code and it would require the chief of
 15 Current Planning, which is currently
 16 Mr. Huxford, to give the district council
 17 member a phone call or even have a meeting
 18 whenever there's a rezoning application,
 19 exception or a distance waiver for a package
 20 store. So it just relates to package stores,
 21 but that's what they've asked for.
 22 And the Planning Department recommended an
 23 amendment to make that a -- an email with
 24 the -- a digitized application instead of the
 25 meeting, but the council member would rather
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10

1 have a meeting or a phone call.
 2 THE CHAIRMAN: All right. Thank you,
 3 Ms. Grandin.
 4 That's a bit of a sensitive subject on
 5 today's agenda, so thank you for doing that
 6 again.
 7 MS. GRANDIN: Sure.
 8 THE CHAIRMAN: All right. Is there anyone
 9 else here today to speak on 2022-0122?
 10 AUDIENCE MEMBERS: (No response.)
 11 THE CHAIRMAN: Seeing none, we'll close
 12 the public comment and bring it back to the
 13 Commission.
 14 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 15 move to approve application 2022-0122.
 16 COMMISSIONER BROWN: Second.
 17 THE CHAIRMAN: All right. We have a
 18 motion and second.
 19 Any comments from the Commission?
 20 Commissioner Blanchard.
 21 COMMISSIONER BLANCHARD: Thank you,
 22 Chairman.
 23 This is really strange to me for a couple
 24 of reasons. One -- and no disrespect to the
 25 councilman, whoever that is, who has put this
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11

1 forward, but if he says, "Hey, give me a
 2 special heads up when a package store variance
 3 or ordinance comes through," then it makes it
 4 sound like he's not reading the other ones. It
 5 makes it sound like he's not reading them or
 6 she's not reading them. I mean, their job is
 7 to review each and every one. And, you know,
 8 each one is important in its own way.
 9 So that's a red flag to me that says
 10 something's not going right, so -- or maybe
 11 that person's not following through. I mean,
 12 their aide's job is to review these. Staff
 13 already sends them to each and every
 14 councilperson. So to have to waive the flag
 15 and say, oh, be sure and read this one, I think
 16 that's silly.
 17 And the other thing is that, if a
 18 councilperson wanted the staff to do that, that
 19 should happen administratively. It's bizarre
 20 to me that this is an ordinance. So we're
 21 creating an ordinance that says that the
 22 Planning Department has to remind the City
 23 Councilman to do their job and they also have
 24 to give them a phone call. And that is strange
 25 and it has no place being an ordinance and it
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12

1 is complete nonsense in my opinion.
 2 THE CHAIRMAN: Thank you, Commissioner
 3 Blanchard.
 4 Further comments from the Commission?
 5 Commissioner Adkison.
 6 COMMISSIONER ADKISON: Through the Chair
 7 to everybody, I sort of agree, exactly what was
 8 said. The only thing I was going to say, if
 9 this thing goes forward, council personnel and
 10 their secretaries seem to be out of office a
 11 lot or are on vacation and -- all the time. To
 12 limit five days to make this requirement -- I
 13 think the word "email" does need to go in there
 14 to give to the Department so they're not
 15 spending all their time trying to remember to
 16 make phone calls or remind the councilman to
 17 look in -- look into their district and see
 18 what's going on.
 19 Thank you.
 20 THE CHAIRMAN: Thank you, Commissioner
 21 Adkison.
 22 Further comments?
 23 Commissioner Moldovan.
 24 COMMISSIONER MOLDOVAN: Thank you,
 25 Mr. Chairman.
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13

1 I agree with Commissioner Blanchard. I
 2 think that this prioritizes package stores over
 3 other applications. I don't feel that it's
 4 necessary. I think that it -- it ties up
 5 several people's time, wastes resources,
 6 taxpayers' dollars. I won't be supporting it.
 7 Thank you.
 8 THE CHAIRMAN: Thank you, Commissioner
 9 Moldovan.
 10 Further comments?
 11 Commissioner Garrison.
 12 COMMISSIONER GARRISON: Thank you,
 13 Mr. Chairman.
 14 I'd like to make a friendly motion to
 15 amend the current motion on the floor to a
 16 denial.
 17 COMMISSIONER BROWN: Second.
 18 THE CHAIRMAN: All right. We have a
 19 motion and second for denial of 2022-0122.
 20 Any comments?
 21 Commissioner Elsbury.
 22 COMMISSIONER ELSBURY: Thank you,
 23 Mr. Chairman.
 24 Just a brief thought. I don't necessarily
 25 disagree with what you guys are saying
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14

1 ultimately. I think this probably belongs just
 2 in a negotiation between the Land Use and
 3 Zoning Committee, Council and the
 4 administration so that Folks and the Planning
 5 Department can have a conversation at LUZ and
 6 at Council about how to best transmit
 7 information with one another, but I'll support
 8 it just to get it out, to get it to council.
 9 THE CHAIRMAN: Thank you, Commissioner
 10 Elsbury.
 11 Final comments from the Commission?
 12 COMMISSION MEMBERS: (No response.)
 13 THE CHAIRMAN: All right. We have a
 14 motion and a second on the floor for denial of
 15 2022-0122.
 16 All those in favor?
 17 COMMISSIONER MOLDOVAN: Aye.
 18 COMMISSIONER BROWN: Aye.
 19 COMMISSIONER BLANCHARD: Aye.
 20 COMMISSIONER ADKISON: Aye.
 21 COMMISSIONER PORTER: Aye.
 22 COMMISSIONER GARRISON: Aye.
 23 THE CHAIRMAN: Aye.
 24 Any opposed?
 25 COMMISSIONER ELSBURY: (Indicating.)
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15

1 THE CHAIRMAN: All right. Let the record
 2 reflect that Commissioner Elsbury was the only
 3 vote opposed. So that motion passes,
 4 recommendation of denial.
 5 All right. Let's move to 2022-0170.
 6 MR. LEWIS: Thank you, Mr. Chairman.
 7 2022-0170 legislation is to amend the
 8 Zoning Code, particularly the Part 15 wireless
 9 communication section, to require that cell
 10 tower -- or tower companies place on a cell
 11 tower their contact information.
 12 I won't -- we went into this last session,
 13 and the Department doesn't have any objections
 14 to that, but -- and so we recommended approval
 15 of this.
 16 THE CHAIRMAN: Thank you, Bruce.
 17 Mr. Boylan, would you like to speak on
 18 this?
 19 (Council Member Boylan approaches the
 20 podium.)
 21 THE CHAIRMAN: Councilman, we appreciate
 22 you being here, adding some context to this
 23 legislation -- proposed legislation.
 24 Can you give us your name and address,
 25 please?
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16

1 COUNCIL MEMBER BOYLAN: Certainly.
 2 Thank you, Mr. Chair.
 3 Michael Boylan, 1829 Melrose Plantation
 4 Drive, District 6, council member.
 5 A number of my constituents over the
 6 course of the past six months or so have
 7 contacted me about some disrepair at various
 8 cell tower sites in their general area, but
 9 they didn't have specific information as to
 10 address or who to contact in that process.
 11 A number of those instances, I would turn
 12 them over to Code Enforcement, who basically
 13 said they don't really have a hand in that
 14 area, so I took it upon myself to try and track
 15 down some of these cell tower owners and came
 16 to realize it's a very difficult proposition to
 17 do. It's a fair amount of change in ownership.
 18 And then even when you are able to identify the
 19 owner of a particular tower, the identification
 20 of that tower is difficult to pin down many
 21 times, even in the communications with those
 22 folks.
 23 So the suggestion of asking the cell tower
 24 owners to have conspicuous signage on property
 25 so that people have -- know where -- who to
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17

1 contact and where to contact them so they can
 2 report any kind of condition issues that they
 3 may be experiencing in the neighborhood.
 4 I've had a number of conversations with
 5 various cell tower owners and -- and wireless
 6 communication companies. They didn't feel this
 7 was an issue for them or an overbearing issue
 8 for them to do, so just want to put a -- codify
 9 the habit of getting that information, reported
 10 on an annual basis, and it's actually making it
 11 available to constituents who can contact the
 12 cell tower owner directly.
 13 THE CHAIRMAN: All right. Very good.
 14 Thank you.
 15 Is there anyone else here today to speak
 16 on 2022-0170?
 17 AUDIENCE MEMBERS: (No response.)
 18 THE CHAIRMAN: All right. Seeing none,
 19 we'll close the public comment and bring it
 20 back to the Commission.
 21 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 22 move to approve application 2022-0170.
 23 COMMISSIONER BROWN: Second.
 24 THE CHAIRMAN: We have a motion and a
 25 second.
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18

1 Any comments from the Commission?
 2 Commissioner Blanchard.
 3 COMMISSIONER BLANCHARD: Thank you,
 4 Chairman.
 5 Just quickly, I had -- I guess that would
 6 be considered ex parte communication with
 7 Councilman Boylan last week. He called me on
 8 this matter. And, you know, when it came up a
 9 couple of weeks ago, I was kind of scratching
 10 my head on it. And, you know, the question is,
 11 why do we need it? And, you know, his -- his
 12 point was that, you know, if they had some
 13 towers where the -- the branches were falling
 14 or -- falling down or -- or maybe the -- the
 15 generator there may be in disrepair or making
 16 noise or something. And -- and I thought,
 17 well, yeah, that -- that's a pretty good
 18 reason, so I'm -- I'm in favor of this.
 19 It's not onerous. It's a \$30 sign. It's
 20 not a big deal either way, but I think he -- he
 21 has a pretty good reason why it should be done
 22 and I appreciate the explanation.
 23 THE CHAIRMAN: Thank you, Commissioner
 24 Blanchard.
 25 Commissioner Brown.
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19

1 COMMISSIONER BROWN: Thank you.
 2 Through the Chair, just a point of
 3 clarification, either staff or Councilman
 4 Boylan.
 5 Is this going to apply to all existing
 6 towers?
 7 COUNCIL MEMBER BOYLAN: Yes, sir, it is,
 8 through the Chair.
 9 COMMISSIONER BROWN: Okay. And, again, I
 10 don't think it's too onerous. I tend to not
 11 have much of an issue with it. You know, I --
 12 I do have a 16-year commercial real estate
 13 career. And a lot of these towers -- I'm not a
 14 cell tower guy, but many of them are on the
 15 tops of office towers, deep on private
 16 property. You'd have to, like, trespass to see
 17 them or be on top of them, you know, five-,
 18 six-plus-story buildings, so I just --
 19 pragmatically, it seems a little funny to be
 20 placing signage in these locations on as-built
 21 towers, but I'm just bringing that up.
 22 COUNCIL MEMBER BOYLAN: Sure. Well -- and
 23 actually I'm focusing largely on residential
 24 towers, towers located in residential areas,
 25 which typically are on-the-ground towers.
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20

1 I didn't think to qualify it for those on
 2 top of other buildings, but I think the idea of
 3 having the annual notification of ownership is
 4 probably still a good idea.
 5 COMMISSIONER BROWN: I don't have
 6 heartburn over it. I was just thinking about
 7 the ones that I've seen in my career that
 8 are -- they're usually, like, in the deep
 9 corner -- because you don't want to put them in
 10 the middle of your parcel; you can't develop
 11 it, so they're usually back in a corner, top of
 12 buildings, usually private properties. So I
 13 was just thinking it would be hard to even see
 14 a sign with the location of many of these,
 15 so -- I was just thinking through it.
 16 COUNCIL MEMBER BOYLAN: Thank you.
 17 THE CHAIRMAN: Thank you, Commissioner
 18 Brown.
 19 Further comments from the Commission?
 20 Commissioner Moldovan.
 21 COMMISSIONER MOLDOVAN: Thank you,
 22 Mr. Chairman.
 23 The first time this came through I did not
 24 support it, I didn't understand the necessity
 25 of it. I appreciate Councilman Boylan for
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21

1 being here and better clarifying the need for
 2 this. I have no problem with it. I'll go
 3 ahead and support it.
 4 Thank you.
 5 THE CHAIRMAN: Thank you, Commissioner
 6 Moldovan.
 7 Further comments?
 8 COMMISSION MEMBERS: (No response.)
 9 THE CHAIRMAN: I'll just quickly echo what
 10 my fellow commissioners have said. The cell
 11 towers are one of those things we don't hear of
 12 often. They're a little bit out of the
 13 ordinary. This makes a lot of sense. If
 14 you're getting more than one phone call, the
 15 path of least resistance is for these residents
 16 to call the owner of the tower directly, so I'm
 17 in full support of it.
 18 Mr. Boylan, I appreciate you being here
 19 and adding some context.
 20 COUNCIL MEMBER BOYLAN: Thank you for
 21 taking the time. Appreciate it.
 22 THE CHAIRMAN: All right. So we have a
 23 motion and a second for approval of 2022-0170.
 24 All those in favor?
 25 COMMISSION MEMBERS: Aye.

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22

1 THE CHAIRMAN: Any opposed?
 2 COMMISSION MEMBERS: (No response.)
 3 THE CHAIRMAN: All right. That motion
 4 passes.
 5 Thanks again.
 6 All right. Let's move to 2022-0220 on
 7 Renew Arlington.
 8 MR. HUXFORD: Thank you, Mr. Chairman.
 9 This is Ordinance 2022-0220. This is
 10 amending a portion of the Renew Arlington
 11 zoning overlay. The overlay has been in place
 12 for a few years now and we've seen some tweaks
 13 to try to address unintended consequences.
 14 In this case, that -- that part of
 15 Arlington is known for having businesses that
 16 may very well have parking lots that are
 17 physically separated perhaps by a street or
 18 another property, as well as our service
 19 garages out there that can't comply with the --
 20 some of the zoning requirements.
 21 The goal is to -- of the overlay is to
 22 increase the aesthetics and make the place look
 23 better, but it is not with the intent of making
 24 it where people are afraid to invest in their
 25 businesses, or even run them out of business,

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23

1 we don't want that. So this is a tweak that's
 2 trying to address some of the issues and
 3 hardships that we're seeing with regard to
 4 parking spaces and service garages.
 5 That's just kind of teeing it up, and
 6 Susan Grandin with the Office of General
 7 Counsel is here to provide a little deeper
 8 context as to what -- what caused the need for
 9 the legislation.
 10 THE CHAIRMAN: All right. Thank you,
 11 Folks.
 12 Ms. Grandin, give us your name and
 13 address, please.
 14 MS. GRANDIN: Susan Grandin, Office of
 15 General Counsel.
 16 Can you hear me?
 17 THE CHAIRMAN: Yes, ma'am.
 18 MS. GRANDIN: Okay.
 19 All right. So in -0220, Folks did a great
 20 job of explaining what it is. It does a couple
 21 of things. The first thing it does is -- the
 22 parking lot -- it's a -- it's a change to
 23 what's required in parking lots in the way they
 24 calculate their vehicular use area and the
 25 trees and buffers that go in there.

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24

1 So the first thing that it does,
 2 chronologically, in the ordinance, is it --
 3 because the -- the overlay requires properties
 4 to also adhere to the landscape code. The
 5 landscape code talks about, if you have over 25
 6 parking spaces, then you have to do certain
 7 things. All the little lots that Mr. Huxford
 8 rereferred to in the Renew Arlington overlay
 9 are very small.
 10 So what we've done here is provide in each
 11 character area the ability to -- if it's a
 12 geographically separated parking lot -- like,
 13 for instance, if there's a -- about four spaces
 14 in the front and then in the back there's four
 15 spaces and maybe across a right-of-way there's
 16 some more spaces, you don't combine those into
 17 25 or more, you take them separately so that it
 18 doesn't put you into a higher requirement for
 19 these smaller lots.
 20 So it's really -- the code was kind of
 21 vague on it, so we wanted to make sure that it
 22 was understood that, for these smaller lots in
 23 this area, you don't have to go to the larger
 24 amount of landscaping that you would typically
 25 have to do anywhere else in Jacksonville just

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25

1 because of the smaller lots. So that's one
2 thing it does.
3 The other thing, because of the smaller
4 lots again, in the high-intensity uses, of
5 which an auto service facility is, you don't --
6 currently, you're prohibited from trying to get
7 an administrative deviation for lot size. And
8 because all the lot sizes for auto service
9 facilities existing in the CRA are less than an
10 acre, which is what is the required size, at
11 least -- we are adding the ability for them to
12 at least request an administrative deviation to
13 go through that process, to have a smaller lot
14 size.
15 And it does -- I might add, too, that it
16 does -- it requires that they have to meet all
17 the other criteria within the overlay. So if
18 somebody is trying to do a good job and they've
19 done everything else but the lot size is just
20 too small and you can't really do much about
21 your lot size, then at least it gives them an
22 administrative deviation too as an escape valve
23 for that.
24 THE CHAIRMAN: All right. Thank you,
25 Ms. Grandin.
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26

1 Anyone else here today to speak on
2 2022-0220?
3 AUDIENCE MEMBERS: (No response.)
4 THE CHAIRMAN: Seeing none, we'll close
5 the public comment and bring it back to the
6 Commission.
7 COMMISSIONER MOLDOVAN: Mr. Chairman, I
8 move to approve 2022-0220.
9 COMMISSIONER BROWN: Second.
10 THE CHAIRMAN: I have a motion and a
11 second.
12 Comments from the Commission?
13 COMMISSION MEMBERS: (No response.)
14 THE CHAIRMAN: Ms. Grandin, I've got a
15 couple of questions for you. Out of curiosity,
16 how many properties does this parking rule
17 affect?
18 MS. GRANDIN: We have Karen Nasrallah with
19 the Office of Economic Development and she's
20 the staff person for all the CRAs, so she's got
21 the answer.
22 (Ms. Nasrallah approaches the podium.)
23 THE CHAIRMAN: There she is.
24 Ms. Nasrallah, good to see you again.
25 Give us your name and address --
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27

1 MS. NASRALLAH: Good to see you. Good
2 afternoon.
3 Karen Nasrallah, OED staff.
4 There are approximately 133 parcels within
5 the CRA that -- that the overlay applies to.
6 They are nonresidential commercial properties.
7 A huge number of them are service garages.
8 And the reason this is before you today is
9 because when the overlay was passed, it was
10 mandated that we put together a grant program
11 that would help these property owners come into
12 compliance, that the CRA would reimburse them
13 for their costs for this. And, therefore, not
14 being too burdensome on them.
15 John's Automotive came to us, and they are
16 not only meeting but exceeding what we're
17 asking in the overlay. It is -- they are
18 actually demolishing their existing building.
19 They are building a new structure, which is
20 exactly what we want in a CRA. It's
21 redevelopment at the -- at the highest order.
22 However, they're limited by this one acre
23 parcel rule.
24 It's a -- as Mr. Huxford said, it is an
25 unintended consequence, and we'd like to
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28

1 correct that for this mechanic and auto shop,
2 as well as others. We don't want to burden
3 them any further but want to help them, those
4 that are really abiding by what we have asked
5 them to do.
6 THE CHAIRMAN: Fair enough. Thank you.
7 While I got you, Ms. Nasrallah, what --
8 give me the -- give me the temperature on the
9 success of the CRA as you see it at this point.
10 MS. NASRALLAH: Well, if you haven't
11 driven up Arlington Road and Merrill Road, it's
12 amazing, what's going on out there.
13 The Commission approved the redevelopment
14 plan in 2015. If you drive up Arlington -- or
15 drive up Arlington Expressway, get off at
16 University boulevard, you will see College Park
17 coming to life, which was the former Town and
18 Country. Wawa has started. We have a new
19 academy going on out there. We are flooded
20 with applications for this grant program. It
21 has been a huge success and we have not had to
22 market it at all.
23 THE CHAIRMAN: That's awesome.
24 MS. NASRALLAH: Property owners are coming
25 to us. I mean, you can drive from one corner
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29

1 to the next and see the redevelopment beginning
2 to unfold.

3 THE CHAIRMAN: All right. I appreciate
4 you being here. I know you have a lot of hard
5 work gone into this CRA, so -- sounds like this
6 is a good tweak.

7 MS. NASRALLAH: Thank you very much.

8 THE CHAIRMAN: Any other comments from the
9 Commission?
10 Commissioner Moldovan.

11 COMMISSIONER MOLDOVAN: Thank you,
12 Mr. Chairman.

13 I've always liked this overlay. I went to
14 JU and -- and I firsthand have seen the
15 improvements that it's made.

16 Some of these auto shops, they look like
17 restaurants at this point. They look like
18 little cafes. I mean, the -- the landscaping
19 that's going on around them, so -- I like what
20 it's done, but I -- I do see that -- that
21 there's a need for fine-tuning the parking lot
22 matrix, so I'm in support of this.

23 Thank you, Mr. Chairman.

24 THE CHAIRMAN: Thank you, Commissioner
25 Moldovan.

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30

1 Final comments from the Commission?
2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: All right. Again, I think
4 this is a great idea. Once everyone figures
5 out how the heck to use that roundabout in
6 front of JU without hopping the curb, we're
7 going to be in a great, great spot.

8 All right. We have a motion and a second
9 for approval of 2022-0220.

10 All those in favor?
11 COMMISSION MEMBERS: Aye.

12 THE CHAIRMAN: Any opposed?
13 COMMISSION MEMBERS: (No response.)

14 THE CHAIRMAN: That motion passes.

15 All right. Ms. Grandin, last one for you,
16 I believe, 2022-0221.

17 MR. HUXFORD: Thank you, Mr. Chairman.

18 This is Ordinance 2022-0221. This is an
19 amendment to Chapter 654. You're used to
20 dealing with 656, which is the Zoning Code.
21 But any changes to Chapter 654, the Code of
22 Subdivision Regulations, also require review
23 and comment by the Planning Commission.

24 In this case, this is a bill by Councilman
25 Randy White which would revive a program that

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31

1 existed until about seven years ago for the
2 sidewalk construction deferral program.

3 The goal of rejuvenating this is so that
4 people can -- if -- they wouldn't have to
5 install a sidewalk to nowhere. When it doesn't
6 make sense to install the sidewalk, there would
7 be agreement with the planning director. And
8 at the appropriate time, the property owner or
9 the successor, whoever buys the property, if it
10 changes hands, would be required to install the
11 sidewalk when it's finally deemed to be
12 appropriate, subject to certain standards.

13 But right now there are occasions when it
14 just doesn't make any sense for someone to put
15 in a sidewalk when it doesn't go anywhere
16 because the other properties are undeveloped
17 and it doesn't -- especially in areas where
18 it's not immediately on the horizon where
19 development is coming, so --

20 It's an old program. It seemed to work
21 fine. I don't know why it was repealed seven
22 years ago, but this would simply put something
23 back on the books that appeared to have been a
24 success and hopefully that will help spur
25 development.

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32

1 THE CHAIRMAN: Thank you, Folks.
2 Ms. Grandin.

3 MS. GRANDIN: Susan Grandin, Office of
4 General Counsel.

5 Again, this is 2022-0221 -- -0221 is the
6 bill number.

7 So one of the things that it does -- and I
8 don't know, I guess you guys have a copy of the
9 ordinance there in front of you. I just wanted
10 to direct your attention to -- first, on
11 Pages 4 and 5 there's definitions of infill
12 development. And it's not a new definition.
13 It's actually a definition that was just taken
14 out of the Comprehensive Plan but placed in
15 here because what we're going to be talking
16 about is infill development.

17 So the really pertinent part starts on
18 Pages -- 14, and goes on.

19 So one of the things that it does, in
20 order to get the old program back that
21 Mr. Huxford referenced is we -- well, I'm --
22 let me just say one other quick thing.

23 One of the things that it does on Page 15
24 is it -- there's a table that requires a
25 certain sidewalk width, depending on what

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33

1 development area you're in. And there are five
 2 development areas in Jacksonville. There's
 3 downtown, there's the Urban Priority Area which
 4 covers actually the Renew Arlington area that
 5 Ms. Nasrallah was just talking about. The
 6 Urban Area, the Suburban Area, and the Rural
 7 Area.

8 So as you kind of go out from the center
 9 of town, that's generally where the development
 10 areas fall, but the Urban Priority Area
 11 actually takes in the CRA area, and one of the
 12 issues that actually came up through the CRA
 13 area in Arlington is that we were requiring
 14 even residential roads that -- just imagine a
 15 single-family residential road hitting Merrill
 16 Road or University Boulevard. They were being
 17 required to put in an 8-foot-wide sidewalk in
 18 front of residential property, which doesn't
 19 really make any sense. That's not what this
 20 was supposed to do.

21 So they've changed that. What we're
 22 trying to do here is change that back down to
 23 6 feet, which is going to be the minimum
 24 sidewalk width all throughout Jacksonville. So
 25 that's one of the things it does that's

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34

1 important. That's on Page 15.

2 But then the rest of it is -- goes into
 3 the deviations. So there are -- what we've
 4 done is created three different types of
 5 deviations. There's a waiver of sidewalk
 6 construction, in which you would pay into
 7 what's called the "in lieu sidewalk fund." For
 8 whatever it would cost, there's a -- there's a
 9 per-linear-foot cost that the City has come up
 10 with in terms of what you would pay to
 11 construct a sidewalk.

12 If you don't construct the sidewalk and
 13 are approved to go through this program, then
 14 that's what you pay into the in lieu sidewalk
 15 fund. So that's one deviation, is the waiver
 16 of construction immediately.

17 The second one is a deferral. So there
 18 are set -- set out criteria for -- if you're
 19 going to ask for a deferral, here are the
 20 criteria that the director would consider in
 21 determining whether or not you could get a
 22 deferral.

23 And a deferral really means a deferral, so
 24 you wouldn't have to pay it right now and you
 25 wouldn't have to construct it right now, but

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35

1 the developer, the owner, whoever that is --
 2 and it's for residential -- single-family
 3 residential infill lots. Let me -- I should
 4 have said that in the beginning. It's not for
 5 commercial properties. It's not for
 6 subdivisions that are coming in. It's not
 7 for -- if you're going to do three lots or
 8 more. It's for individual infill lots,
 9 single-family residential.

10 So if you meet the criteria and the
 11 director agrees, what the developer or owner
 12 would do is sign an affidavit, and it would be
 13 recorded in the public records and so it would
 14 run with the land, basically saying we don't --
 15 the City of Jacksonville doesn't believe that
 16 you need to have a sidewalk now, but in the
 17 future, things change, you know, things get
 18 developed out, and we may make you come in and
 19 put a sidewalk.

20 So that would run with the land. Whenever
 21 somebody sold the property, it would go on the
 22 title report, the title commitment, and whoever
 23 buys it would realize -- they'd be on notice
 24 that they may be responsible for putting in a
 25 sidewalk in the future.

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36

1 So that was one way to try to give a
 2 release valve to this because, as Mr. Huxford
 3 says, you don't -- currently, because it -- the
 4 code was changed several years ago. There's no
 5 relief valve at all for a piece of property way
 6 out in the hinterlands that gets redeveloped --
 7 and I'm talking about redevelopment, not -- not
 8 new properties, not a whole new neighborhood,
 9 but an infill lot that's going to have to put
 10 in a sidewalk and there's no connecting
 11 sidewalk for miles around. So that's kind of
 12 the idea for it.

13 And the last type of deviation is a
 14 variance. So that has to do with physical
 15 constraints. There's a huge tree in the way,
 16 there's a bridge, there's something, so it's a
 17 physical constraint.

18 So this went to the Context Sensitive
 19 Streets Standards Committee this morning and
 20 they had a lot of comments about, you know, why
 21 are you giving a deferral for this, why are you
 22 giving a deferral for that, and wanted some
 23 changes. So they're going to meet about it
 24 again, but it's here for your comment if you
 25 care to have any comment for it.

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37

1 That's it.
 2 THE CHAIRMAN: All right. Thank you,
 3 Ms. Grandin.
 4 Anyone else here today to speak 2022-0221?
 5 AUDIENCE MEMBERS: (No response.)
 6 THE CHAIRMAN: Seeing none, we'll close
 7 the public comment and bring it back to the
 8 Commission.
 9 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 10 move to approve 2022-0221.
 11 COMMISSIONER BROWN: Second.
 12 THE CHAIRMAN: I have a motion and a
 13 second.
 14 Comments from the Commission?
 15 Commissioner Blanchard.
 16 COMMISSIONER BLANCHARD: Thank you,
 17 Chairman.
 18 I'm encouraged to see some changes to this
 19 code because I felt that our sidewalk rules
 20 were a bit onerous, especially when compared to
 21 some of the other municipalities across the
 22 state.
 23 Ms. Grandin, I've got a question or two
 24 that -- something I didn't quite understand.
 25 So -- so the deferral only -- would potentially
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38

1 apply to just a single-family lot, not like a
 2 subdivision or anything like that?
 3 MS. GRANDIN: Correct.
 4 COMMISSIONER BLANCHARD: The waiver and
 5 payment into the fund, would that be eligible
 6 for a new subdivision or just for a
 7 single-family lot as well?
 8 MS. GRANDIN: The waiver is for any --
 9 it's not limited to the infill lot.
 10 COMMISSIONER BLANCHARD: Okay.
 11 MS. GRANDIN: And Lurise Bannister is
 12 really the expert on that. So in case you have
 13 any, really, questions, look at Lurise. We can
 14 ask her.
 15 COMMISSIONER BLANCHARD: Okay. So -- and
 16 that's good. And the -- the example why is
 17 that, I built a community on -- in Northwest
 18 Jacksonville and we were required to put a
 19 sidewalk down the entire length of the road and
 20 there were giant oak trees there. And we
 21 didn't want to cut them down. The sidewalk
 22 would lead to a closed dump on one side and an
 23 industrial facility on the other, so it went
 24 nowhere.
 25 So the City made us do that. And, of
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39

1 course, the neighbors are coming out, you know,
 2 why are you cutting down the oak trees? And we
 3 don't want to. We don't want to put in that
 4 sidewalk. So I think this is a fantastic
 5 opportunity to -- to avoid those types of
 6 conflicts where it -- when you look at it, the
 7 code's not one size fits all. It just really
 8 didn't make sense in this instance. Most
 9 instances it does. And I'm not a huge fan of
 10 sidewalks because they're so expensive and
 11 they're hard to maintain for the City, but
 12 there's instances where you just don't need
 13 them, and so I'm -- I'm really encouraged by
 14 this.
 15 The only thing that I would recommend --
 16 and I'll look to staff to put this in the
 17 notes, if you would, is -- and Bill won't --
 18 Bill won't like this, but instead of the waiver
 19 being administrative, it should go to the
 20 Planning Commission like the other waivers do
 21 so that -- so that the community can have a
 22 chance to be heard on those items and that it
 23 can be voted on and not up to just one person
 24 who's a staff member to decide whether or not
 25 it should happen.
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40

1 No further comments, Chairman.
 2 THE CHAIRMAN: Thank you, Commissioner
 3 Blanchard.
 4 Further comments?
 5 COMMISSION MEMBERS: (No response.)
 6 THE CHAIRMAN: Ms. Grandin, I'm going to
 7 take a step back and then ask you something you
 8 probably already said, but does this apply
 9 to -- in any way to new developments, so more
 10 than one parcel, or is this all just infill,
 11 single-lot parcels?
 12 MS. GRANDIN: Currently, if it's three
 13 lots -- and I -- that's actually in the
 14 application for the in lieu sidewalk fund,
 15 though I might get with Council Member White
 16 and ask him if I can put that in this
 17 ordinance, but basically if it's three or more
 18 lots that you're redeveloping that are adjacent
 19 to each other, then you would have to put in a
 20 sidewalk. You couldn't get a deferral or that
 21 type -- you might be able to get an in lieu
 22 sidewalk application done. You might. But if
 23 it's three or more, then this wouldn't apply,
 24 the deferral wouldn't apply.
 25 THE CHAIRMAN: Okay. Gotcha.
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41

1 I don't do this on a day-to-day basis, so
 2 I'm a little -- I feel like I'm a little bit
 3 out of the loop, but it seems really
 4 subjective, though, how -- and, you know, what
 5 rate do you pay into this fund? I mean, the --
 6 the pricing of concrete is dynamic right now.
 7 You don't know when that's actually going to
 8 get built. And then deferring it until it's
 9 ready, that seems -- I guess there will be
 10 criteria there, but that just seems really
 11 subjective, but -- but I do think that there
 12 was definitely an issue there in some of the --
 13 in the neighborhoods surrounding our office,
 14 there was some infill houses that were built
 15 and, yeah, that's the only sidewalk, is in
 16 front of this brand-new single-family home on
 17 this entire road, so there's certainly a need
 18 there.

19 I guess this is a step in the right
 20 direction, but my only comment is that some of
 21 the criteria seems a little -- a little
 22 subjective, but -- but I'm with it.

23 Any other comments from the Commission?
 24 COMMISSION MEMBERS: (No response.)
 25 THE CHAIRMAN: We have a motion and a
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42

1 second for approval of 2022-0221.
 2 All those in favor?
 3 COMMISSION MEMBERS: Aye.
 4 THE CHAIRMAN: Any opposed?
 5 COMMISSION MEMBERS: (No response.)
 6 THE CHAIRMAN: That motion passes.
 7 Ms. Grandin, thank you for being here.
 8 Okay. So that got through our ordinances.
 9 Now it's -- this is where it should get fun.
 10 The good news is we have this all figured
 11 out. So we have two main things today and one
 12 is the school on Old St. Augustine Road that a
 13 lot of the residents are in opposition for.
 14 The second one is a package liquor store on
 15 Soutel Drive that, again, a lot of the
 16 residents are in opposition for. So what we're
 17 going to do is we're going to put the liquor
 18 store in Mandarin and we're going to put the
 19 school on the Northside, and I think we would
 20 all leave here in a pretty good is spot, so --
 21 is that all right? Paige helped me out with
 22 that yesterday.
 23 Okay. So that's what we're up against.
 24 We've got a lot of speakers. I think that's
 25 what the majority of you guys are here to speak
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43

1 on, so -- so just a reminder. You've got three
 2 minutes to speak. The applicants will also
 3 have three minutes to speak at the beginning.
 4 I'm going to let their time run at the end so
 5 they can try to address all the concerns that
 6 you guys have.

7 After we get all of the public comments,
 8 we will -- we will make a motion one way or the
 9 other. That doesn't necessarily mean that's
 10 how we're going to vote. So it's not a done
 11 deal.

12 And one of these we did hear last meeting,
 13 so to hopefully save you guys some time, none
 14 of us get paid up here, none of us are making
 15 any money on any of these projects. We'd have
 16 to recuse ourself. There were some accusations
 17 thrown last meeting, so -- so now we got that
 18 out of the way.

19 Any other housekeeping stuff? Folks, we
 20 had one other -- one other thing.

21 MR. HUXFORD: Thank you, Mr. Chairman.
 22 Just a general announcement. It appears
 23 there's been some confusion about the --
 24 whether or not the Planning Department will
 25 validate parking passes. It appears that
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44

1 somebody on our staff might have said that we
 2 do. I just want to clarify that we are not
 3 authorized to validate people's parking passes.
 4 So I don't want you to sit there and have an
 5 expectation that we're going to stamp something
 6 when we're not allowed to do so. Just wanted
 7 to clarify that. And I'll figure out who on
 8 staff said that and get it corrected.

9 THE CHAIRMAN: Better yet, Folks, how do
 10 we get their parking validated? I mean,
 11 they're -- not to put you on the spot, but
 12 that's what I'm doing. It seems like if
 13 they're coming -- you know, spending part of
 14 their day here to have public comment, we
 15 should at least cover their parking tab.

16 Don't they do that for Council meetings?
 17 MR. HUXFORD: Yeah, I believe they do.
 18 But I'm not City Council. That may be rolled
 19 into the Council budget. I can't say for
 20 certain.

21 THE CHAIRMAN: Do we have a Planning
 22 Commission budget?
 23 MR. HUXFORD: Do you want one?
 24 THE CHAIRMAN: Yeah, I think so. I think
 25 it would be an appropriate time for that.
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45

1 MR. HUXFORD: I'll get with the
2 administration on that.

3 THE CHAIRMAN: Is it the chairman's
4 privilege? We could use that?

5 Okay. Not the news you guys were hoping
6 for. I don't like it either, but nonetheless,
7 let's move on. So we're going to take these in
8 order. We'll start with E-22-18 on Old St.
9 Augustine Road.

10 MR. HUXFORD: Thank you, Mr. Chairman.
11 This is application for zoning exception
12 E-22-18 for property at 12265 Old St. Augustine
13 Road. This is in the Mandarin area,
14 approximately a half mile east of St. Joseph's
15 Catholic Church there at Greenland Road.

16 The request is for a school, meeting the
17 performance standards of Part 4, which is our
18 development criteria for schools. The property
19 is zoned -- split zoned RR-Acre and RLD-70.
20 And in our residential zoning districts, we do
21 allow schools, but they have to get a zoning
22 exception first. We do have other zoning
23 districts that allow schools by right, but in
24 this case they need the exception.

25 Staff has reviewed the application.

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46

1 And I will acknowledge receipt of numerous
2 emails, which we have forwarded to the Planning
3 Commission as well as put in the master file
4 for the official record. And a lot of it seems
5 to be centered on the intensity of the traffic
6 and activities that are out on Old St.
7 Augustine Road.

8 We have reviewed it, and we do have our
9 Transportation chief with us here today if
10 y'all have any questions. But as part of our
11 review, it did include the traffic review, and
12 it was determined that there is capacity on the
13 road, whether it seems like it or not. And
14 again, staff is here to provide clarity on
15 that.

16 There are numerous institutional uses.
17 There's over a half a dozen churches out there.
18 This is the major corridor between that part of
19 Mandarin, near St. Joseph's, going out to
20 Bartram Park. And I know it's a very busy
21 roadway, but it is also where we have a lot of
22 our institutional uses. And viewed in that
23 capacity, we felt that it was appropriate. And
24 so at this time staff is forwarding to you a
25 recommendation to approve.

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47

1 THE CHAIRMAN: All right. Thank you,
2 Folks.

3 (Mr. Hainline approaches the podium.)

4 THE CHAIRMAN: T.R., are you going to --

5 MR. HAINLINE: T.R. Hainline, 1301
6 Riverplace Boulevard.

7 THE CHAIRMAN: Let me stop you there real
8 quick.

9 MR. HAINLINE: Sure.

10 THE CHAIRMAN: I want to go ahead and --
11 we're going to go down the line and declare
12 ex parte. Commissioner Moldovan is supposed to
13 remind me of that and he stepped out.

14 Commissioner Porter, do you have any
15 ex-parte communication you'd like to declare?

16 COMMISSIONER PORTER: I do not.

17 THE CHAIRMAN: Commissioner Elsbury.

18 COMMISSIONER ELSBURY: I do not.

19 THE CHAIRMAN: Commissioner Garrison,
20 immediate past chair.

21 COMMISSIONER GARRISON: I do, Chairman.
22 I spoke with T.R. Hainline. He called me
23 and simply explained the matter would be coming
24 before us.

25 Thank you.

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48

1 THE CHAIRMAN: Commissioner Brown.

2 COMMISSIONER BROWN: I spoke to T.R.
3 Hainline in the past couple of days, just
4 discussing the matter coming before us.

5 THE CHAIRMAN: Commissioner Adkison.

6 COMMISSIONER ADKISON: Negative.

7 THE CHAIRMAN: Mr. Blanchard.

8 COMMISSIONER BLANCHARD: Thank you,
9 Mr. Chairman.

10 Yes, Mr. Hainline is still mad at me for a
11 comment I made four or five months ago, so he
12 had Mr. Jeremy Callaway call me and I had a
13 brief conversation with him about it a few
14 weeks ago.

15 THE CHAIRMAN: Thank you, Commissioner
16 Blanchard.

17 Commissioner Moldovan, we're going over
18 the ex parte. This is the thing you were going
19 to help me remember.

20 Go ahead.

21 COMMISSIONER MOLDOVAN: Thank you,
22 Mr. Chairman.

23 I do need to declare ex-parte
24 communications. I spoke with Mr. Michaelis
25 yesterday. He informed me of some of the

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49

1 concerns from the community, tried his best to
 2 demonstrate how they're addressing those
 3 concerns, and -- and informed me of what would
 4 be before us today.
 5 Thank you, sir.
 6 THE CHAIRMAN: Thank you, Commissioner
 7 Moldovan.
 8 I also spoke with Mr. Michaelis yesterday
 9 on this matter and read all the residents'
 10 emails.
 11 All right. Mr. Hainline, you're up. Give
 12 us your name and address for the record,
 13 please.
 14 MR. HAINLINE: T.R. Hainline, 1301
 15 Riverplace Boulevard, here representing Summit
 16 Construction Group.
 17 Mr. Chairman, what I'd like to do first is
 18 hand out some things. If -- could you all stop
 19 the clock while I hand out some things?
 20 THE CHAIRMAN: Yes.
 21 MR. HAINLINE: One is just a presentation
 22 outline, kind of like a slide show, only
 23 there's no slide show.
 24 Mr. Michaelis is going to help me here.
 25 And then we have their site plan in the
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50

1 show, but we have larger copies of the site
 2 plan there as well for everybody, and then the
 3 third item is a list of proposed conditions to
 4 go with the exception.
 5 And just for the record, I'd also like to
 6 submit this traffic study just as part of the
 7 record.
 8 THE CHAIRMAN: Thank you.
 9 We'll take a look at those as they come
 10 around. Do you want to start the testimony?
 11 MR. HAINLINE: Yes, sir.
 12 Let me go through some process first. We
 13 were scheduled for a hearing on April 7th. And
 14 at Councilman Boylan's request, we agreed to
 15 defer to allow for a community meeting on April
 16 the 14th. We attended that meeting. We made a
 17 presentation when we answered questions for
 18 about two hours.
 19 Since the community meeting, we've made
 20 revisions to the exception's site plan,
 21 primarily to enhance a buffer along the western
 22 boundary of the site, adjacent to a residential
 23 subdivision.
 24 We are also proposing conditions to the
 25 exception today, conditions which are
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51

1 consistent with the commitments we made at the
 2 community meeting.
 3 We sent the revised site plan and the
 4 conditions to Councilman Boylan's office late
 5 yesterday. He said that he would hopefully be
 6 able to distribute those by email to the people
 7 who attended the community meeting.
 8 So we've been through a good process with
 9 citizen input on this.
 10 We're going to cover three issues,
 11 basically traffic, site design, and why this
 12 site. And I'm going to talk about traffic and
 13 some others are going to talk about the other
 14 issues.
 15 So on traffic, throughout this process we
 16 have worked closely with the City's
 17 Transportation Planning Division, that's
 18 Ms. Santana, and the City traffic engineer,
 19 Chris LeDew. We did a detailed traffic study,
 20 including counts, an analysis of peak hours.
 21 And we submitted that to Transportation
 22 Planning and Traffic Engineering during the
 23 process.
 24 The traffic study showed that that
 25 current -- currently, that link of Old St.
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52

1 Augustine is operating at level of service C,
 2 level of service C.
 3 The study recommended improvements, namely
 4 installation of a traffic signal, which will
 5 maintain level of service C at the site.
 6 Signalized pedestrian crossing and a right-turn
 7 lane about 290 feet in length. The total cost
 8 of those improvements is \$1 million.
 9 The study also recommended on-site queuing
 10 capacity to be about 1,700 linear feet, but
 11 actual queuing capacity on the site provided is
 12 about 3,322 linear feet. That's more than
 13 double the queuing capacity recommended in the
 14 study.
 15 The Transportation Planning Division and
 16 the traffic engineer have reviewed the study
 17 and agree with its conclusions. These
 18 improvements and the queuing capacity
 19 recommended in the study are included in our
 20 proposed conditions.
 21 Additionally -- and as a last point,
 22 Mr. Chairman, additionally, we propose a later
 23 start time for the school and a staggered
 24 drop-off time so as not to conflict with a.m.
 25 peak hour. Per the traffic counts, the a.m.
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53

1 peak hour is 7:30. Our school start time will
 2 be no earlier than 8:15. And that later start
 3 time is specified in our conditions.
 4 So just to summarize the traffic, we're
 5 addressing traffic through a million dollars of
 6 improvements at Old St. Augustine; on-site
 7 queuing, more than double the recommended
 8 length; and a later school start time so as not
 9 to conflict with peak-hour traffic.
 10 Todd Lucas will now address site design
 11 and then Chris Klotz will address why this
 12 site.
 13 Thank you very much.
 14 THE CHAIRMAN: Thank you, Mr. Hainline.
 15 Let me pause for a second and ask Paige a
 16 question.
 17 Can we swear everybody in at once?
 18 MS. JOHNSTON: Through the Chair, it has
 19 been done before, if you would like to do that.
 20 Otherwise, you would have to swear in anyone
 21 who's not an attorney.
 22 THE CHAIRMAN: Okay. And how do we do
 23 that? I would like to do that.
 24 MS. JOHNSTON: You would ask everyone --
 25 are you going to do that for the waiver as well
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54

1 or just for this item?
 2 THE CHAIRMAN: Both of them, both items.
 3 MS. JOHNSTON: Okay. I would suggest that
 4 you ask anyone who has filled out speakers
 5 cards and/or intends to speak on these matters
 6 coming before you that are not attorneys for
 7 them to stand up, raise their right hand, and
 8 then Diane can recite that and they can affirm
 9 it.
 10 THE CHAIRMAN: All right. Let's --
 11 MS. JOHNSTON: And she can -- and she'll
 12 put that in the record, that the audience did
 13 it in a combine sense.
 14 THE CHAIRMAN: Ms. Tropa, you okay with
 15 that?
 16 THE REPORTER: Yes.
 17 THE CHAIRMAN: Here's what we're going to
 18 do. We have final action on both of these
 19 items. That means everyone who speaks -- and I
 20 have, like, 50 speaker cards just for this
 21 one -- is going to need to be sworn in. So for
 22 the sake of expediency, we're all going to take
 23 a stretch, stand up if you're going to speak
 24 if -- whether it's this item or the next item
 25 or any of them in the future -- this is a good
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55

1 looking crew here -- and Ms. Tropa is going to
 2 swear all of us in at one time.
 3 Real quick, if you guys -- you all have
 4 the same shirts on, I'm assuming y'all are
 5 going to speak, whether it's this one or the
 6 second -- the liquor store, the waiver, if
 7 you're going to speak at all, we need you to
 8 stand up now so we can swear you in.
 9 AUDIENCE MEMBER: It's another item.
 10 THE CHAIRMAN: That's exactly what I'm
 11 saying. If it's another item, I need you to go
 12 ahead and stand up now. If you're going to
 13 speak at all this meeting, let's go ahead and
 14 do it, stand up now.
 15 I've got a feeling I need you guys in
 16 front to stand up. This sounded good in
 17 theory.
 18 Let me rephrase. If you're sitting down,
 19 you're not going to be able to speak as we move
 20 forward.
 21 We never had this problem when
 22 Commissioner Blanchard was chair.
 23 All right. Let's do this, Ms. Tropa.
 24 THE REPORTER: I need everyone to raise
 25 their right hand for me, please.
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56

1 AUDIENCE MEMBERS: (Comply.)
 2 THE REPORTER: Do you affirm that the
 3 testimony you are about to give will be the
 4 truth, the whole truth, and nothing but the
 5 truth?
 6 AUDIENCE MEMBERS: (Respond
 7 affirmatively.)
 8 THE CHAIRMAN: Beautiful. Nailed it.
 9 All right. Mr. Lucas.
 10 (Audience member approaches the podium.)
 11 THE CHAIRMAN: Give us your name and
 12 address for the record, please.
 13 AUDIENCE MEMBER: Thank you.
 14 Todd Lucas, 421 South Summerlin Avenue,
 15 Orlando, Florida 32801.
 16 I'm the developer on the project. Was
 17 going to very quickly speak about the site
 18 design and a couple of key items that
 19 Mr. Hainline mentioned.
 20 One of the pages in your packets says
 21 "site design," and that's where I'm starting,
 22 if you've received those yet. And the
 23 highlighted is -- it says the site is a
 24 19.1-acre piece of property.
 25 The thing that I want to identify is, if
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57

1 you -- as you look at the queuing around our
 2 property, you'll see that there's a recreation
 3 area defined. That recreation area is
 4 54,028 square feet. In addition to that, we
 5 have a covered recreation area that is another
 6 8,000 square feet, and then an indoor
 7 recreation area that's 9,081 square feet,
 8 totaling 1.44 acres. And I bring that up
 9 because on the second slide, I thought it was
 10 important to point out that in this area we
 11 have -- we've talked to, verified, and actually
 12 built six of these schools.

13 And the -- I went through and broke down
 14 the acreages of open space and recreation area
 15 on these properties. You'll see at the top of
 16 that sheet it shows our project, and then there
 17 are 11 schools after that. Note that it only
 18 looks like there are nine. That's because
 19 there's a couple of K to 8s and then high
 20 schools that are combined because they use the
 21 same rec area even though they're a different
 22 building on a different piece of the property.

23 So if you look at that, you're -- your
 24 average is -- you're between .47 acres and 3.9,
 25 so pretty good spread. But when you average

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58

1 that out, all of the schools that I've got on
 2 this list in the area have a total of
 3 1.13 acres, so we're quite a bit higher than
 4 that.

5 Additionally, if you take the highest and
 6 the lowest out of that, it actually decreases
 7 the average acreage to .89. Just want to point
 8 out that we're exceeding all of those metrics
 9 on that for our open area for our children.

10 The next page is focused on the buffering
 11 area. We -- I had the pleasure of talking to
 12 some of the community after the community
 13 meeting who were specifically concerned about
 14 this as they were the adjacent neighbors.

15 What I'm showing in this slide is a small
 16 plan showing the actual site plan circling the
 17 area that I'm referencing here, which is the
 18 west boundary, and then I rotated that on this
 19 document so it's a little easier to see because
 20 it's hard to blow up a big site plan.

21 But I think the high points of this are
 22 that -- is that the -- when we went to the --
 23 to the community meeting we had a 10-foot
 24 buffer, which is a code requirement. We've now
 25 come in and done a couple of things. We've

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59

1 added an 8-foot-high sound wall -- a decorative
 2 sound wall that will run from the beginning of
 3 the front of the property all the way past the
 4 fields and the -- the drive aisle area to
 5 the -- to the retention area.

6 Secondly, we've increased the landscaping
 7 in this area, not only beyond code, but
 8 we're -- we're exceeding code. And it's a mix
 9 of fast-growing canopy trees, of hedges along
 10 the property, fast-growing hedges and a number
 11 of shrubs in multi-layers.

12 The distance for that buffer was -- as I
 13 said, was at 10 feet. We've now adjusted this
 14 plan and pushed it enough to allow, at the
 15 smallest point, 25 feet of buffering, and at a
 16 larger area, and more of the average is at
 17 52 feet of buffering.

18 THE CHAIRMAN: Thank you, Mr. Lucas. We
 19 appreciate you being here, sir.

20 MR. LUCAS: Thank you.

21 THE CHAIRMAN: Next, we have Nataliya
 22 Safronova.

23 MR. LUCAS: I'm sorry, we have one more --
 24 Chris Klotz is speaking on why we chose -- why
 25 this location.

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60

1 THE CHAIRMAN: Okay. I don't --
 2 Mr. Klotz, come on up here.
 3 (Audience member approaches the podium.)

4 THE CHAIRMAN: Did you fill out a blue
 5 speaker's card, sir?

6 AUDIENCE MEMBER: I did.

7 THE CHAIRMAN: You did. Okay. It must be
 8 in here somewhere.

9 Okay. Go ahead. And then after you,
 10 we'll hear from Nataliya Safronova.

11 Give us your name and address for the
 12 record, please.

13 AUDIENCE MEMBER: Chris Klotz. I'm at
 14 4154 Coquina Drive in Jacksonville.

15 THE CHAIRMAN: Go ahead.

16 MR. KLOTZ: My part of the presentation
 17 here is in your packet. It's a little bit
 18 after the one you just heard. It's titled
 19 Why Here.

20 So I'm -- I'm with Summit, with the
 21 development company. I chose this site for
 22 this charter school. The main reason why we
 23 started looking at southeast Duval County, the
 24 Mandarin area, is the overwhelming population
 25 of both general population and school age, 5 to

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61

1 14 population, so that drew us to this area.
 2 We were also looking for an area with a
 3 large school choice demand and few school
 4 choice options. We're also looking at areas
 5 that have high employment. This area in
 6 particular has over 110,000 jobs. And also
 7 owner-occupied housing percentage is something
 8 else that we look at.
 9 So on your first slide there's a -- really
 10 demonstrates the school choice options in the
 11 area. So we had to go out to over 12 schools.
 12 I was looking for at least one charter school
 13 that had open capacity. You'll see there on
 14 your slide that none have any capacity anywhere
 15 within this school [sic].
 16 So there's, again, 12 schools on that
 17 slide, zero open capacity in those charter
 18 schools, and over 3,000 on the waiting list.
 19 That wait list is a little deceiving because if
 20 parents do what I did this week and they call
 21 each one of those charter schools, they're
 22 quick to tell them that they're full. So often
 23 parents don't make it on the waiting list. So
 24 these 3,257 children that are waiting, there's
 25 really much more than that -- that want school

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62

1 choice in this area, that don't have it now.
 2 Further in the packet we demonstrate that
 3 there is an 8 percent growth anticipated in
 4 this market over the next five years. To
 5 highlight that, we've got listed all of the
 6 coming projects, projects that are under
 7 construction, and -- and different pockets of
 8 massive growth.
 9 This site in particular is right in the
 10 epicenter of that growth. There's more than
 11 3,000 homes that are scheduled, in -- in
 12 construction or at the tail end of planning
 13 that are noted on the map there.
 14 One of the last things -- not the last
 15 things, but the last thing I'll mention here
 16 that we look at is site accessibility. We were
 17 thrilled to find a site that was
 18 well-positioned on a main roadway between two
 19 highways. So that gives us good access for
 20 parents to come in, drop their kids, and head
 21 off to work in the area.
 22 Thank you.
 23 THE CHAIRMAN: Mr. Klotz, thank you for
 24 being here.
 25 Next, let's hear from Nataliya

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63

1 Safronova --
 2 AUDIENCE MEMBER: May I be the last
 3 person, please?
 4 THE CHAIRMAN: I don't have a problem with
 5 that, sure.
 6 AUDIENCE MEMBER: If possible.
 7 Thank you so much.
 8 THE CHAIRMAN: All right. We'll hear from
 9 David Fritsch, and then Donna Perry, and then
 10 Theodore Centerwall.
 11 Those next two, if you guys want to come
 12 on up close to the microphone so we can -- we
 13 can get through these pretty quick, that would
 14 be great.
 15 (Audience member approaches the podium.)
 16 THE CHAIRMAN: Mr. Fritsch?
 17 AUDIENCE MEMBER: Yes. My name is David
 18 Fritsch. I live at 4609 Silverthorn Drive,
 19 which is right across from this proposed site.
 20 THE CHAIRMAN: Did you stand up when we
 21 swore you in earlier?
 22 MR. FRITSCH: Yes, I did.
 23 THE CHAIRMAN: All right. Well done.
 24 Go ahead, sir.
 25 MR. FRITSCH: First, I'd like to ask

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64

1 Mr. Shinelan [sic] a question. In the meeting
 2 last week you said that there was \$800,000
 3 improvements for the traffic light and the
 4 right turn --
 5 THE CHAIRMAN: Sir --
 6 MR. FRITSCH: -- and today he says it's a
 7 million dollars. So I was wondering where the
 8 extra \$200,000 was coming from, just from last
 9 week.
 10 Secondly, there are several teachers in
 11 our neighborhood, one at a public school,
 12 elementary, and the other at a charter school,
 13 and both of them have told me last week at the
 14 charter school they're nowhere near capacity.
 15 And the other one, the -- the public elementary
 16 school, they are not at capacity. So I don't
 17 know where this information is coming from, but
 18 from the teachers I spoke to, the schools are
 19 not at capacity.
 20 We have 14 schools within a four-mile
 21 radius, and that -- they're saying that there's
 22 access to both main highways. This charter
 23 school doesn't require people to send their
 24 kids that live in the neighborhood. You can
 25 live in Orange Park, you can live in St. Johns

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65

1 County, it doesn't matter, you can send your
2 kid to this school.

3 I want to see what kind of planning they
4 did for the residents that have children in our
5 area that have to go to school, not for people
6 that live in St. Johns or Orange Park or
7 north -- northern Jacksonville.

8 The developer is planning this because he
9 found a cheap plot of land to build it on.
10 There's no consideration for any of the
11 residents in the neighborhood.

12 That's all I have to say.

13 Thank you.

14 THE CHAIRMAN: Mr. Fritsch, thank you for
15 being here.

16 Next, we have Donna Perry.
17 (Audience member approaches the podium.)

18 AUDIENCE MEMBER: That would be me.

19 THE CHAIRMAN: Ms. Perry, give us your
20 name and address for the record, please.

21 AUDIENCE MEMBER: My name is Donna Perry,
22 and I live at 12121 Plummer Grant Road, which
23 is right across the street where the school is
24 going to be built.

25 First thing I'm really concerned about is
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66

1 the fact that Plummer Grant Road itself is just
2 a two-lane road with no sidewalks, nothing.
3 And if children have to walk or ride a bicycle
4 to school, there is not a safe area at all. As
5 a matter of fact, it's gotten to the point that
6 I have to stand back away from my mailbox and
7 my -- when I put out my garbage can, I have to
8 stand back away from the street or somebody's
9 going to run over me. They love just kind of
10 whizzing right by you.

11 The second thing is that -- I've been out
12 there for 46 years, so I certainly know what's
13 going on. Been there, seen it, done it.

14 Second thing is -- is that there's a
15 Baptist South hospital right down the road from
16 us. And because of that, there are many, many
17 ambulances going up and down that road all day
18 long. I'm talking about Old St. Augustine
19 Road.

20 It doesn't justify -- I mean, the school
21 doesn't justify having that road just beyond
22 because it's just already very dense, more than
23 you could possibly imagine. So I'd like for
24 you to at least consider that because it is
25 dangerous out there. Everybody that goes down
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67

1 Old St. Augustine treats it like it's
2 Daytona 500. The people that go down Plummer
3 Grant Road do the same thing. It's very
4 dangerous, and you can't -- and you don't even
5 feel safe walking the sidewalks out there.

6 So I'm asking you please to just consider
7 the safety of it, the fact that we've got
8 ambulances running up and down the road all day
9 long and into the night and that there's a lot
10 of school buses and that sort of thing where
11 the kids are jumping off and -- and going to
12 their homes.

13 So it's going to be a nightmare
14 practic-wise [sic] because it already is a
15 traffic-wise nightmare. So if you would
16 consider that, I'd certainly appreciate it.

17 Thank you.

18 THE CHAIRMAN: Thank you, Ms. Perry.
19 Appreciate you being here.

20 Next, Theodore Centerwall, and then we'll
21 hear from Chandler [sic] Hamilton, and then
22 Ashish F.

23 (Audience member approaches the podium.)

24 AUDIENCE MEMBER: Okay. My name is
25 Theodore Hornoi-Centerwall. My address is
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68

1 11166 Cloverhill Circle East, 32257.

2 I'm here as a member of the Mandarin
3 community. I've only been there for five
4 years. Before that, I lived on the Southside.
5 But let me tell you even at five years, Old St.
6 Augustine Road has become largely unmanageable
7 at certain times of the day because of the
8 sheer volume of the traffic of people dropping
9 off or picking up children from the various
10 schools that are already there on this site.

11 So what I'm saying is, we have a lot of
12 schools already. And to add another one at
13 this point does not really make sense,
14 especially in this location.

15 The purpose of Old St. Augustine Road is
16 to give people access to a lot of the important
17 things on there, including the South Baptist
18 Medical Center, but also it gives them access
19 to a lot of other healthcare facilities in
20 that -- in that part. A lot of them for
21 elderly people. And it also gives access to
22 the churches.

23 So there's a lot of institutions that are
24 benefitting from what is there now, but let me
25 tell you in the five years that I lived in
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69

1 Mandarin, I have seen a steady deterioration in
 2 the quality of the traffic in that location.
 3 And when I drive through there at certain times
 4 of the day, it's almost impossible.
 5 I really, really would urge that we not do
 6 this, not just for convenience, but it could
 7 actually result in some serious problems
 8 because there's a lot of school buses that go
 9 through there for the public schools and
 10 there's a lot of emergency vehicles, fire
 11 trucks, ambulances that need this access.
 12 And I live just off of Losco Road,
 13 actually, and that has a lot of traffic. So
 14 there's a lot of traffic coming in Losco,
 15 there's a lot of traffic coming on Old St.
 16 Augustine Road. I think we could do something
 17 better than what we're proposing here.
 18 Thank you very much.
 19 THE CHAIRMAN: Thank you, sir. Appreciate
 20 you being here.
 21 Next, we have Chandler [sic] Hamilton, and
 22 then Ashish F., and then Caitlyn Tomazinis.
 23 (Audience member approaches the podium.)
 24 AUDIENCE MEMBER: I'm Candace Hamilton.
 25 THE CHAIRMAN: I'm sorry.
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70

1 MS. HAMILTON: And I'd like to say -- ask
 2 you to reject this application. It's not the
 3 highest and best use for the --
 4 THE CHAIRMAN: Ma'am, let me get your name
 5 and address for the record, please, before you
 6 start.
 7 MS. HAMILTON: Oh, 11150 Zephyr Way.
 8 That's in Mandarin.
 9 THE CHAIRMAN: All right. Thank you.
 10 MS. HAMILTON: This is not the highest and
 11 best use for this property. I think it's zoned
 12 just as it is, residential, is the best use for
 13 this property given the fact that there are 13
 14 elementary schools within a four-mile radius of
 15 this site. There is plenty of school choice;
 16 religious, nonreligious, public, private.
 17 And as has already been mentioned, traffic
 18 grinds to a halt in Mandarin two times a day
 19 during drop-off and pick-up, and I just see
 20 this additional charter school as unnecessary.
 21 Thank you.
 22 THE CHAIRMAN: Thank you, Ms. Hamilton.
 23 Next, we have Ashish.
 24 (Audience member approaches the podium.)
 25 THE CHAIRMAN: Sir, I apologize. I'm not
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71

1 even going to take a stab at your last name,
 2 but tell me how to say it.
 3 AUDIENCE MEMBER: It's three syllables,
 4 Fulgavkar.
 5 THE CHAIRMAN: Give us your address for
 6 the record as well, please.
 7 MR. FULGAVKAR: My name is Ashish
 8 Fulgavkar. My address 4704 Silverthorn Drive,
 9 and I'm here to ask you to reconsider this --
 10 this application that has been submitted.
 11 The reason behind that is, my property is
 12 right across from this neighborhood. The
 13 proposed traffic light is going to be there.
 14 And I have -- I just started looking for how
 15 people behave in the vicinity of schools. And
 16 what is going to happen is, if the traffic goes
 17 there, people who cannot or don't have the time
 18 to wait to make the left turn towards the
 19 school, they're going to enter my property and
 20 make U-turns right there.
 21 This entire Silverthorn neighborhood is
 22 just a 43-house community. And I have never
 23 seen somebody put a major intersection across a
 24 small neighborhood like ours. That makes us --
 25 that makes this community unsafe. That makes
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72

1 the lives of our children unsafe. And,
 2 practically, it will be a nightmare for every
 3 resident who stays there, but I feel that I
 4 will be the person who will bear the most
 5 burden of this.
 6 The other thing that I wanted to point out
 7 was the traffic study that was done. We have
 8 just gotten out of the pandemic. I -- I
 9 seriously wanted to understand how they have
 10 accounted for all the traffic counts that
 11 have -- that they have summed up and then kind
 12 of presented to this board saying that there --
 13 this will not pose a traffic hazard because --
 14 Because of the pandemic, people are not
 15 going to offices, working from home. If we get
 16 to -- get to a normal routine, we don't know
 17 whether this is going to be -- going to cause
 18 any issues for safety issues, primarily, for
 19 this community.
 20 The other thing that I kind of felt that I
 21 should bring up is -- you know, I come from
 22 India, and there -- there are times when
 23 people -- I've seen people grabbing major
 24 portions of land in prime real estate areas.
 25 They buy something which is considered as -- as
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73

1 a social cause or school, et cetera, and then
 2 when the prices shoot up, they say that the
 3 school is not doing well, so they sell and then
 4 they -- then they basically get the profits.
 5 I just wanted to understand what would
 6 happen in this case if something like this
 7 happens over here, whether this will be a big
 8 community, a rental community that will revert
 9 or -- in case that particular thing happens.
 10 So I just -- I just wanted us all to
 11 consider these -- these aspects that I felt
 12 were important. There are many more, but I'm
 13 out of time, so thank you for the opportunity.
 14 THE CHAIRMAN: All right. Thank you,
 15 Ashish. Appreciate you being here.
 16 Next, we have Caitlyn Tomazinis and then
 17 we'll hear from Jimmy Tomazinis.
 18 (Audience member approaches the podium.)
 19 THE CHAIRMAN: Caitlyn, good afternoon.
 20 Give us your name and address for the record,
 21 please.
 22 AUDIENCE MEMBER: Hi. I'm Caitlyn
 23 Tomazinis. My address is 12661 Del Rio Drive.
 24 THE CHAIRMAN: Go ahead.
 25 MS. TOMAZINIS: So I'm here because I
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74

1 oppose this. The number of issues that arise
 2 with this potential development in my community
 3 are endless; traffic, safety, environmental
 4 protection, already plenty of public education
 5 choice options, and the overall quality of
 6 life. The list could really go on. However,
 7 in my opinion, the biggest and most concerning
 8 is the idea that this applicant truly believes
 9 that this will benefit Mandarin.
 10 Last Thursday at our town hall meeting, it
 11 was told to me that even though the need for
 12 this charter school is not there, the applicant
 13 loves Mandarin and wants to bring this to our
 14 community.
 15 As someone who does love Mandarin and
 16 lives in Mandarin, I find that this is an act
 17 that is truly of selfishness -- excuse me --
 18 selfishness and greed. If the applicant wanted
 19 to bring something positive to our community,
 20 why not provide more greenspace, like a park
 21 that the public can enjoy.
 22 In my opinion, this charter school that
 23 claims to be nonprofit is, in fact, the
 24 complete opposite. The community has spoken
 25 and you'll continue to hear more reasons, but
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75

1 for countless reasons there is an overwhelming
 2 no.
 3 I really hope that the people on this
 4 commission really consider the quality of life
 5 of all the people who came today and those who
 6 couldn't.
 7 Thank you.
 8 THE CHAIRMAN: Thank you, Ms. Tomazinis.
 9 Next, we have Jimmy Tomazinis, and then
 10 we'll hear from Richard Rukab, and then Ray
 11 Evans.
 12 (Audience member approaches the podium.)
 13 THE CHAIRMAN: Jimmy, give us your name
 14 and address for the record, please.
 15 AUDIENCE MEMBER: Yeah. My name is Jimmy
 16 Tomazinis. I live at 12661 Del Rio Drive.
 17 THE CHAIRMAN: All right. Go ahead.
 18 MR. TOMAZINIS: Thank you for this
 19 opportunity today.
 20 As a multigenerational Jacksonville area
 21 resident, I am well aware of the slow decline
 22 and gnawing of your quality of life depending
 23 on where you choose to stay in this city.
 24 And unfortunately -- well, maybe, we'll
 25 see -- my wife and I chose Mandarin because of
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76

1 the roots, the historical aspect, and the
 2 ruralness of that area while still being in the
 3 city, yet here I am today trying to advocate
 4 and protect my quality of life, her quality of
 5 life as we try to have a life together there,
 6 but I will sit here and tell you that our
 7 quality of life, really, you can't put a value
 8 on it to anybody except us.
 9 However, you're going to hear from the
 10 developer and their civil engineers, traffic
 11 engineers, they have something to benefit from
 12 this. I do not.
 13 We have lots of school opportunities in
 14 the Mandarin area. This school is not needed.
 15 It's going to introduce way more traffic than
 16 we already have. It's going to put a new
 17 traffic light on Old St. Augustine that we do
 18 not need.
 19 As much as they want to tell you that it's
 20 not going to impact traffic, they have no
 21 accountability there. If it does, it's already
 22 been built, it's our problem, we live with it
 23 for the rest of our lives until we decide we're
 24 going to move.
 25 Also, I want to talk about environmental
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77

1 issues. There are some large, mature live oaks
 2 as well as other things on that property. The
 3 stormwater pond is going to discharge directly
 4 to wetlands that have no outfall. There's no
 5 creek or tributary where those wetlands lead.
 6 There's a number of flooding issues that
 7 we're concerned about for the neighboring
 8 communities when you introduce that much
 9 impervious surface area. And they're going to
 10 say there's calculations done and everything
 11 else. However, those are all based on
 12 assumptions. And like I said, when those are
 13 wrong, the residents pay the price; they do
 14 not. They have made their money and they have
 15 left. And that's what they're trying to do
 16 here.
 17 They have identified it as an affordable
 18 piece of property that they think they can come
 19 in and build a school on and make money and
 20 then go -- and then move on. We have to live
 21 with all of those mistakes.
 22 Thank you.
 23 THE CHAIRMAN: All right. Thank you,
 24 Mr. Tomazinis.
 25 Next, we have Richard Rukab, and then
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78

1 we'll hear from Ray Evans, and then Linda
 2 Deshauteurs.
 3 (Audience member approaches the podium.)
 4 AUDIENCE MEMBER: Hi. Richard Rukab,
 5 12108 Backwind Drive.
 6 Yeah, I'm against the development of this
 7 charter school at -- at this location for a
 8 couple of reasons. An extra school is not
 9 required in the area. I would just like to
 10 give a little perspective.
 11 I didn't have to Google search this. I
 12 know this. I'm a Mandarin resident. I can
 13 name two each -- two private schools, two
 14 public schools, two charter schools within a
 15 five-mile radius of this site. St. Joseph
 16 Catholic School is one private school. You
 17 have Christ Church, which is across the street
 18 from the River City Science Academy, which
 19 is -- so that's another private school, and
 20 then you have River City Science Academy.
 21 As you know, there's a traffic officer
 22 that has to be in the road over there directing
 23 traffic for both of those schools. I'm not
 24 sure if that's included in the traffic study.
 25 Also, St. Joe's Catholic School also has
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79

1 traffic issues as well. I think the right
 2 turning lane to go to Loretto is -- serves as a
 3 parking lot for people going in to pick up
 4 their children there. So I'm not sure if
 5 that's in the traffic study either.
 6 The other public schools, Loretto
 7 Elementary and then Greenland Pines -- you
 8 could also count Crown Point Elementary and
 9 also Mandarin Oaks, those are just .2 miles
 10 away from the five-mile radius that I checked.
 11 So that's one reason -- one reason that
 12 schools -- a school is not required in that
 13 area.
 14 The second reason is the feasibility of
 15 the site. I looked at COJ maps just today, and
 16 out of a hundred-acre area, wooded -- wooded
 17 area, that includes the development I live in,
 18 Arbor Glade, and also Arbor Oaks, and this
 19 site -- it appears to me that wetlands and
 20 swamps make up most of this property in
 21 question.
 22 So there's one property that's a 10-acre
 23 parcel. It says on COJ that eight units is
 24 swamp, and so there are no other -- it doesn't
 25 seem to me, just from general observance, that
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80

1 there are other wetlands in the other
 2 hundred-acre area. So that -- that would be a
 3 concern.
 4 And the third concern is -- as far as
 5 feasibility, is that the 230 KV JEA corridor
 6 that encompasses this property as well has to
 7 have a 24-hour maintenance access. And I
 8 believe that retention ponds or anything like
 9 that cannot be built under these transmission
 10 lines, so this -- this property is really a
 11 hodgepodge of -- of different uses, and I'm
 12 against the charter school being in that area
 13 for that reason.
 14 Thank you.
 15 THE CHAIRMAN: Thank you, Mr. Rukab.
 16 Appreciate you being here.
 17 Next, we have Ray Evans, and then Lisa
 18 Deshauteurs, and then Dave Hollingshode [sic].
 19 (Audience member approaches the podium.)
 20 AUDIENCE MEMBER: I'm Ray Evans, 5171
 21 Trailing Oaks Court in Mandarin.
 22 I'm here basically to -- you know, because
 23 I would like to -- this project to be denied,
 24 mainly because we already have more than enough
 25 schools there. And some of you may not be
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81

1 aware that currently Christ Academy, which is
 2 across from River City Science, at that
 3 intersection, they're moving to a new structure
 4 that they have built, and we're going to have
 5 another charter school coming in called Seaside
 6 Academy, moving from San Jose, moving to that
 7 location this summer. So there's another
 8 school already coming in. We have more than
 9 enough schools in that area.

10 We don't need to add to that traffic any
 11 more. We don't need to add a traffic light to
 12 that -- where this school is going to be built.
 13 We don't need the headache.

14 I drive on that -- Old St. Augustine a
 15 lot, and most people will speed through that
 16 area going 55, 60 miles an hour, 45 limit. And
 17 where I go -- I access St. Augustine Road at
 18 Karen Drive [sic]. There's a traffic light
 19 there now. We have to be very careful pulling
 20 out of the green light because people speed
 21 through the red lights there often.

22 Now, I'd hate for this to happen down
 23 where -- across the street from the school
 24 where children may be crossing. I'd hate to
 25 see a tragic accident happen there, so please

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82

1 consider denying this.

2 Thank you.

3 THE CHAIRMAN: Thank you, Mr. Evans.
 4 Appreciate you being here.

5 Next, we have Linda --
 6 (Audience member approaches the podium.)

7 THE CHAIRMAN: Tell me how I should be
 8 pronouncing your last name.

9 AUDIENCE MEMBER: Certainly. I'm just
 10 fixing this for short people.

11 It's Deshauteurs. I know it's nothing
 12 like it's written. Just eliminate most of the
 13 vowels.

14 THE CHAIRMAN: Got it. I'm working on it.
 15 I'm not good at it.

16 Give us your address as well, ma'am.

17 MS. DESHAUTEURS: 5349 Pond View Drive,
 18 Jacksonville 32258, and I did the "I do."

19 THE CHAIRMAN: Perfect. Thank you.
 20 You're off to the races. Go ahead.

21 MS. DESHAUTEURS: All right. In 1998,
 22 when I bought my home in Mandarin, I fulfilled
 23 a lifelong dream of home ownership. I
 24 purchased a modest home on .46 acres with tall
 25 pines, mighty oaks, and lots of wildlife.

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83

1 As a single mom, I often work long hours
 2 to pay the mortgage. However, my reward was
 3 the drive home late in the evening along Old
 4 St. Augustine Road. At that time, it was just
 5 a two-lane road lined by huge old oaks,
 6 creating a green canopy, and where in the still
 7 of the night I could actually smell jasmine. A
 8 big city girl like me, I thought this must be
 9 what heaven was like.

10 Over the nearly 25 years I've been here,
 11 Mandarin has grown, and Old St. Augustine Road
 12 is now five lanes with more houses and shops
 13 and, of course, traffic congestion. Heck, we
 14 even have our own exit on I-95.

15 There are now about 3,800 houses zoned
 16 Low Density Residential, and we keep it that
 17 way for a reason.

18 I get it. Lots of people have discovered
 19 the beautiful Mandarin neighborhoods. They
 20 also want their kids to grow up with clean,
 21 sweet air, lots of trees and the occasional
 22 bunny rabbit across their front lawn.

23 Coming from a big city, I recognize the
 24 need for these sometimes intangible features.
 25 What I don't see a need for is another school

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84

1 when, as you've heard, we already have 14
 2 K through 8 schools that are underutilized.
 3 And, frankly, we were told exactly that by
 4 Mr. Hemline [sic] of Rogers Towers, the legal
 5 representation -- I went to that community
 6 meeting, and he told us it wasn't about need,
 7 that Mr. Cortis (phonetic), the builder, liked
 8 the neighborhood.

9 So let me ask, if there's no need, why
 10 would we want nearly a thousand vehicles
 11 tramping through the area twice a day, creating
 12 congestion? If there's no need, why would we
 13 want the air pollution that those hundreds of
 14 cars idling twice a day would release? If
 15 there's no need, why would we subject the
 16 adjoining neighborhoods to flooding issues? If
 17 there's no need, why would I or any of us
 18 wanted to jeopardize our beautiful homes and
 19 their property values?

20 I ask you good people, on behalf of the
 21 needs of Mandarin, not to rubber-stamp this
 22 approved, but to think about our needs and not
 23 the greed of these builders.

24 Thank you.

25 AUDIENCE MEMBERS: (Applause.)

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85

1 THE CHAIRMAN: Well done. I'm reading
2 your address again. I want to find out where
3 that is.
4 All right. Dave Hollingshood [sic],
5 please, and Deborah Desipio, and then Henry
6 Glover.
7 (Audience member approaches the podium.)
8 AUDIENCE MEMBER: I'm only slightly taller
9 than her, so I'll raise it.
10 THE CHAIRMAN: Fair enough.
11 AUDIENCE MEMBER: And the name is
12 Hollingshead, by the way.
13 THE CHAIRMAN: Got it.
14 MR. HOLLINGSHEAD: I've been called a lot
15 of things. Hollingshood wasn't one of them.
16 First thing I'm going to do is say thank
17 you for your service. I doubt you often get
18 thanked for serving us, but I do appreciate
19 what you do. I know it is not an easy job.
20 I appreciate also the opportunity to speak
21 today in regard to this issue.
22 I've lived in our home off of Old St.
23 Augustine Road now for 20-plus years, which,
24 compared to Linda, makes me one of the
25 newcomers, not an old timer. But what made me
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86

1 choose to stay there was the nature of that
2 surrounding. Old growth oak trees has been
3 mentioned by others, teeming and abundant
4 wildlife. For an old country boy like me, this
5 was heaven on earth. Truthfully, I can't
6 imagine anyplace else I really want to live.
7 Not only that, but it's a paradise that is
8 still to this day affordable, and those are
9 rare and hard to find.
10 We, though, now have a rezoning request
11 that is before you. And it is coming from a
12 school that is a for-profit charter school.
13 And guess how they fund most of their payments?
14 It's by taxes collected from Duval County
15 taxpayers like all of us. Thus, this building
16 will be primarily paid for by the Duval County
17 taxpayers, owned by a private school.
18 If there was a need for the school, as
19 many have mentioned, I might take a different
20 point of view on this. However, as has been
21 pointed out, there simply is no need. That's
22 by the builder's own admission, by his -- by
23 his representative.
24 Now, if it's not needed, that makes it
25 unnecessary. So for us residents, what do we
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87

1 get out of this deal? They get a paid-for
2 school, paid for by us. What do we get? More
3 traffic congestion, more pollution, another
4 light that we have to contend with, increased
5 rainwater runoff resulting from three acres of
6 asphalt and concrete, which was formerly tree
7 canopy and grasslands.
8 And God have mercy on the wildlife. We
9 have ducks in our backyard, one of the few
10 places where they feel safe to be able to come.
11 Where are they going to go? Where is it going
12 to be pushed to? There's no place left.
13 The owner gets the building, as I've
14 mentioned, paid for by us. We get from it
15 slower emergency vehicle response times, higher
16 taxes, more pollution, increased flooding. I'm
17 an old country boy, but I'm smart enough to
18 know I'd never agree to a one-sided deal like
19 that.
20 Ladies and gentlemen, I appreciate what
21 you do for us, but I humbly request that you
22 listen to your constituents and do not approve
23 this rezoning request.
24 Thank you.
25 THE CHAIRMAN: Thank you,
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88

1 Mr. Hollingshead.
2 Next, we have Deborah Desipio, and then
3 Henry Glover, Barry Young.
4 (Audience member approaches the podium.)
5 THE CHAIRMAN: Ms. Desipio, give us your
6 name and address for the record, please.
7 AUDIENCE MEMBER: My name is Debbie
8 Desipio, 4525 Crosstie Road North, Jacksonville
9 32257.
10 I oppose this charter school. The
11 location of the charter school -- I'm all for
12 school choice, but this is a bad location. As
13 it's already been stated, just north on Old St.
14 Augustine there's Christ Church and River City
15 Science Academy. And if you're trying to get
16 out in the mornings and either go right or go
17 left on Old St. Augustine, you -- you have a
18 hard time getting through because people stack
19 up in the intersection because they want to get
20 to wherever they're going as well.
21 We do have a number of schools in our
22 area. Something that hasn't been mentioned yet
23 is that parents are going to make these --
24 their children walkers. So they can drop their
25 kids off, they're going to go across Old St.
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89

1 Augustine Road.
 2 I don't know if you've been out there or
 3 not, but it's a wide road. The traffic does
 4 not slow down. It's fast-moving traffic. And
 5 then the parents are going to be sitting in the
 6 neighborhoods, in front of people's homes, and
 7 have their children walk across Old St.
 8 Augustine Road.
 9 I don't want somebody sitting in front of
 10 my house waiting for their child, so I --
 11 anyway, that's -- that's not good.
 12 Even if there is a change in school
 13 time -- and I do appreciate that the -- that
 14 the developer really has tried to accommodate
 15 the concerns that have been brought to them.
 16 That's the middle school bus time, so you're
 17 still going to have a lot of traffic.
 18 That's -- it's a bad area for a school.
 19 They mentioned the churches in the area.
 20 Well, churches meet on Wednesday mornings --
 21 Sunday mornings and Wednesday evenings, so I
 22 don't know how they calculated that into their
 23 equation.
 24 There's a lot of area south on Old St.
 25 Augustine Road, down where Kohl's is. Somebody
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90

1 suggested eTown, that there's a lot of
 2 property, there's a lot of area, and there's
 3 not charter schools over there. So there's a
 4 lot of places that are available. This is just
 5 a really bad location.
 6 Another thing is -- I listened to one of
 7 the school board meetings this week. Parents
 8 line up an hour and a half before school is let
 9 out. They're -- they sit there and they wait.
 10 So where are these people going to be? They're
 11 going to start lining up. I know they've tried
 12 to accommodate that. Are they going to be
 13 parked on Old St. Augustine Road?
 14 So it's just a really bad area for another
 15 school. So I'm a no vote. I'm a hard no on
 16 that one.
 17 Thank you.
 18 THE CHAIRMAN: Thank you, Ms. Desipio.
 19 Next, Henry Glover, then we'll hear from
 20 Barry Young, and then Sara Pack.
 21 (Audience member approaches the podium.)
 22 THE CHAIRMAN: Mr. Glover, give us your
 23 name and address for the record, please.
 24 AUDIENCE MEMBER: Yes. Henry Glover, 4639
 25 Silverthorn Drive.
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91

1 Thank you very much for being here.
 2 I do also oppose this charter school.
 3 I've been in Jacksonville all my life,
 4 35 percent of it -- actually, North Florida,
 5 but 35 percent in Duval County. My wife and I
 6 moved to Mandarin for many of the reasons
 7 you've heard today.
 8 We know that the traffic on Old St.
 9 Augustine Road is bad. We're all telling you
 10 that.
 11 Traffic signals make people run yellow
 12 lights and run red lights rather than stop at
 13 them, and I think we all know that.
 14 Someone mentioned that it's a level C
 15 traffic pattern or capacity on Old St.
 16 Augustine Road right now, something like that.
 17 Coming into our neighborhood and leaving our
 18 neighborhood, Silverthorn, it will be a level F
 19 maybe, or Z, I don't know how bad it can get,
 20 but us trying to get out of that neighborhood
 21 will be terrible.
 22 Again, people coming into that
 23 neighborhood to drop off their children, to
 24 walk across -- because me, as a parent, I don't
 25 want to wait for that light, get onto the
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92

1 property, drop off my child, get back off the
 2 property, turn right or left and go to work.
 3 It's just easier to queue up, as we've all
 4 said.
 5 A lot of institutional uses on that -- on
 6 that street was mentioned, but none of them
 7 have a major intersection in front of a
 8 43-count small neighborhood. It -- this is --
 9 it's got to be unprecedented. I haven't found
 10 any like that, so I think that is wrong.
 11 And I suspect, if you guys allow this and
 12 it is built, in two years from now I'm selling
 13 my house, I doubt any of you would want to come
 14 and buy my house in that neighborhood with that
 15 situation. I could guarantee that.
 16 So thank you for hearing me and please
 17 deny this.
 18 THE CHAIRMAN: Thank you, Mr. Glover.
 19 Appreciate you being here.
 20 Next, Barry Young, then Sara Pack, and
 21 then John-Pierre Comeaux.
 22 (Audience member approaches the podium.)
 23 AUDIENCE MEMBER: Good afternoon.
 24 Barry Young. I reside at 4638 Silverthorn
 25 Drive in the Mandarin area.
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93

1 I live in the Silverthorn community, which
 2 will be impacted in a more unique way than some
 3 of our other neighbors, who will definitely be
 4 impacted as well. Our community, based on the
 5 renderings that I've seen, is going to be
 6 directly across.
 7 As my friend Ashish said, he lives at the
 8 entrance of our subdivision, which is where, as
 9 the previous young lady mentioned, parents line
 10 up at a minimum an hour and a half before, at
 11 all of the local elementary schools. So that
 12 means you have a line of traffic either on Old
 13 St. Augustine or on Silverthorn Drive where we
 14 reside, and that leads to potential damage of
 15 property, litter on the property, and then just
 16 an unwanted presence in front of your home,
 17 where if you do have guests, Amazon deliveries,
 18 anything of that practical nature, it impedes
 19 that and creates more congestion on the -- on
 20 the -- the main street and in the subdivision
 21 itself.
 22 And the question I pose is -- some things
 23 never change. One of those concepts is supply
 24 and demand. So based on all the testimonies
 25 that you've heard, there's no demand for this
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94

1 school. So if that is the case, who is it
 2 being supplied for? If the people in the area
 3 don't want it, who are they building it for?
 4 Who's going to go to this school?
 5 There are many communities in our city
 6 that are in dire need of a school, but Mandarin
 7 is not one of them, not in this immediate area,
 8 nor, as been mentioned, within a five-mile
 9 radius.
 10 The last thing I want to leave you with is
 11 the term of "quality of life," which someone
 12 mentioned. And I state that not from an
 13 elitist standpoint of trying to hold on to what
 14 we have, because we all know that time brings
 15 change and change comes with time. But when I
 16 say "quality of life," I mean it from a
 17 concerned resident standpoint by not wanting to
 18 go to a certain quality of life that no one
 19 wants.
 20 So I thank you for your time and I
 21 strongly admonish you to vote this down.
 22 THE CHAIRMAN: Thank you, sir.
 23 (Audience member approaches the podium.)
 24 THE CHAIRMAN: Sara Pack.
 25 AUDIENCE MEMBER: Hi. I was told that I
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95

1 was going to be able to have a presentation, so
 2 I had a video ready. And since they gave you
 3 handouts, could you just see a still shot of
 4 60 feet from my house yesterday where I'm
 5 standing in at least two-and-a-half feet of
 6 water?
 7 I live directly behind where they're
 8 proposing to put this school in. My land now
 9 is flooded.
 10 AUDIENCE MEMBER: Name and address for the
 11 record.
 12 AUDIENCE MEMBER: I'm sorry.
 13 Sara Pack, 4917 Joseph Creek Drive, 32258.
 14 So can I give this to you guys?
 15 THE CHAIRMAN: So let's see -- Paige, can
 16 she give that to us?
 17 MS. PACK: I'm not asking you to see the
 18 video, but I'd like for you to see the water.
 19 THE CHAIRMAN: Don't do that yet because I
 20 think we've got to keep that. But it's your
 21 tablet, I don't want to do that. So email it
 22 to Ms. Sales. She will give you an email
 23 address.
 24 MS. PACK: Can you see? I mean, do you --
 25 THE CHAIRMAN: We can't -- just get her
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96

1 email address, email it to her, and she will
 2 blast it to all of us up here.
 3 In fact, I'm going to go ahead and move to
 4 the next guy and you guys can get the picture
 5 over to her so we have a minute to review that.
 6 Is that okay with you?
 7 MS. PACK: Of course.
 8 THE CHAIRMAN: All right. Thank you.
 9 John-Pierre.
 10 (Audience member approaches the podium.)
 11 AUDIENCE MEMBER: Good afternoon.
 12 THE CHAIRMAN: Give us your name and
 13 address for the record, please.
 14 AUDIENCE MEMBER: John-Pierre Comeaux,
 15 12102 Backwind Drive.
 16 I'm a resident of Arbor Glade. I'm on the
 17 board and also president of the board. We're a
 18 small community of 56 houses. We're adjacent
 19 to the school property. We question the need
 20 for the school like everyone else does. We
 21 already have so many schools in the area. Many
 22 of these schools have vacancies. Even the
 23 charter schools do have vacancies, maybe not
 24 every grade level, but there are vacancies.
 25 As represented at the last town hall
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97

1 meeting, it was admitted that there was not a
 2 need, as we said before, just a desire to build
 3 there. Why not build at another location
 4 that's already zoned commercial, such as the
 5 old Kmart on San Jose Boulevard and Old St.
 6 Augustine Road? Or better yet, like we said
 7 earlier, to -- to the City of St. Augustine,
 8 St. Johns County, where the building out there
 9 is infinite.

10 For these reasons, you know -- we're the
 11 residents here in our neighborhood, and the
 12 residents in this meeting, you know, ask you,
 13 the council members, to vote no on this unless
 14 there can be a justified reason that it's --
 15 there's a necessity for the school.

16 We were also told in the meeting they were
 17 there to hear our thoughts and concerns. I
 18 think it was pretty unanimous that there was no
 19 need or desire for the school was expressed by
 20 everyone in the meeting.

21 Another concern we found is -- we searched
 22 for the headmaster of the school. We found an
 23 ad online that they're hiring for the
 24 headmaster for the start of the '23 school
 25 year, and it says that the school will be K to

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98

1 8, as previously stated, but they have a desire
 2 to make it K through 12.

3 If the school was going to be a thousand
 4 kids in round numbers now, K to 12 would expand
 5 year by year and become 1,500 students. The
 6 plans don't quite cover all that traffic and
 7 all those kids.

8 We've already addressed the safety.

9 The biggest concern we have are the cars
 10 in the neighborhood, the quality of life in our
 11 neighborhood. Like everyone else has said, you
 12 know, Mandarin is known for the oak trees, the
 13 quiet (inaudible) of the residential area. We
 14 just don't want to see that change.

15 And as the prior lady was stating too, we
 16 had that same problem. In the back of Arbor
 17 Glade, it backs up to Arbor Oaks. All the
 18 nature preserve back there is a wetlands. It
 19 does flood. The homes in the back of our
 20 neighborhood on (inaudible) do have water
 21 encroaching upon their backyards whenever it
 22 does rain. The JEA easement floods.

23 When you build a school there -- we asked
 24 in the last meeting as well -- where would the
 25 water go? And they kept saying in the pond.

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99

1 And then the pond overflows. That's the
 2 problem we have now. There's no other place
 3 for it to go.

4 We ask you to vote no. Thank you for your
 5 time.

6 THE CHAIRMAN: Thank you, Mr. Comeaux.
 7 Appreciate you being here.

8 All right. Ms. Pack --

9 AUDIENCE MEMBERS: (Applause.)

10 THE CHAIRMAN: Guys, hold back on the
 11 applause. We're not -- that is not our rule.
 12 It's -- we're in the chambers. You're not
 13 supposed to have any -- we don't want any
 14 display -- just hold off on the applause,
 15 please. Paige can articulate that if we need
 16 to.

17 Ms. Pack, did we get all that -- get that
 18 worked out?

19 MS. PACK: Yeah. I sent it to her.

20 THE CHAIRMAN: Okay. Excellent. Thank
 21 you for doing that.

22 MS. PACK: Yeah, definitely.

23 I had to -- Sara Pack, 4917 Joseph Creek
 24 Drive. I did it this time.

25 So there's a dirt road directly behind my

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100

1 house and I had to put on waiters up to here
 2 (indicating) yesterday to walk on the dirt
 3 road. I'll start with that.

4 Around 2007, when Lazarette Court was
 5 constructed, and the homes, that -- it created
 6 a flooding issue on the land behind my home.
 7 Again, it's a dirt road. And now every time it
 8 rains, it -- it gets really deep. I mean,
 9 really, really deep. There's -- it's within
 10 60 feet of my house.

11 And in 2015, they -- they built another
 12 road right next to where this proposed school
 13 is going to be. So the school is in the
 14 center. These roads are on either side. And
 15 every time they built these roads, all this
 16 flooding is coming back there.

17 Now they're talking about taking this land
 18 for the proposed charter school, covering it
 19 with this huge building, with two to
 20 three acres worth of structure and parking lot,
 21 and then saying that this pond that they're
 22 going to put there is going to solve all our
 23 problems.

24 They told us last week in the meeting that
 25 we were going to be equal or better with

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101

1 flooding because of this pond they're putting
 2 in. They just kept saying that to us over and
 3 over and over again. Well, it's not true.
 4 When they put in these other roads we were told
 5 we wouldn't have flooding. And you'll see the
 6 picture. It's crazy, the amount of flooding we
 7 have. So now you're going to tell me you're
 8 going to put in this school, but I'm not going
 9 to have flooding problems? I'm sorry, I just
 10 find that ludicrous.
 11 And then who is going to be responsible
 12 for this after the school is built and I have
 13 this flooding problem? And then who is going
 14 to pay me for the value of my home that I'm
 15 going to lose? Because, you know, how am I
 16 going to sell a house that has stagnant water
 17 on all of my land behind it?
 18 Anyway, so mine is a different view from
 19 everybody else. And everybody's talking about
 20 traffic. I have a huge problem with that also.
 21 For me, personally, this is affecting me by
 22 flooding. And I vehemently vote no.
 23 Thank you very much.
 24 THE CHAIRMAN: Thank you, Ms. Pack.
 25 Appreciate you being here, and the picture as
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102

1 well.
 2 Chris Hoiberg, hear from you next, and
 3 then Stacey Walker, and then Darren Schmidt.
 4 (Audience member approaches the podium.)
 5 THE CHAIRMAN: Mr. Hoiberg, give us your
 6 name and address for the record, please.
 7 AUDIENCE MEMBER: Chris Hoiberg, it's
 8 pronounced "i" like a "y," 12148 Backwind
 9 Drive.
 10 THE CHAIRMAN: Go ahead, sir.
 11 MR. HOIBERG: Good afternoon.
 12 I've been living in Mandarin since 1983,
 13 currently off Old St. Augustine Road since '99.
 14 So I've been in this area for about 20 years.
 15 We chose this area for a reason. It's a quiet,
 16 untouched residential area surrounded by plenty
 17 of established schools in the vicinity, public
 18 and charter.
 19 This past Thursday, as many of you are
 20 hearing, we -- we were in attendance at the
 21 meeting. We were told several things that were
 22 factually incorrect. The representatives had
 23 told us there was no need for this school, that
 24 they were actually doing this because they
 25 wanted to. There was not a need.
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103

1 As mentioned earlier by one of the other
 2 residents in our neighborhood, this was
 3 advertised as a K through 8 campus. In
 4 reality, they're hiring for a K through 12. So
 5 that's going to be increased traffic above and
 6 beyond what they've already factored for
 7 because we all know high school students drive
 8 to school.
 9 We were not presented with budget -- plans
 10 for budget for campus security, police or
 11 traffic control, police in surrounding
 12 neighborhoods. And there's no plans to
 13 mitigate children leaving the campus to -- and
 14 entering the surrounding neighborhoods. How
 15 are these issues going to be handled once the
 16 school was built and these arise?
 17 We know of existing issues with other
 18 charter schools in the area and they don't have
 19 mitigation plans for these types of issues and
 20 the principals have said they're unable to do
 21 anything about it.
 22 The consensus from the surrounding
 23 community. At the public hearing, there was
 24 unanimous consent from those homeowners in
 25 attendance that this charter school was not
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104

1 needed or wanted in this community.
 2 Our schools in this area are not at
 3 capacity and the charter school would only be
 4 inviting traffic from other parts of town that
 5 would not normally be in our area.
 6 Specifically, this charter school would even
 7 bring in more traffic from neighboring
 8 St. Johns County by means of Bartram Park,
 9 which already has congestion issues in the
 10 morning, evenings due to the proximity of I-95
 11 and Baptist South.
 12 The real concern. St. Johns County is
 13 where this increased need for schools is, not
 14 Mandarin. This school is going to support
 15 St. Johns County at the expense of Duval County
 16 homeowners and residents, with the stress on
 17 our infrastructure for their out-of-control
 18 growth and lack of planning for schools to
 19 support the influx of students into their area.
 20 Recommended solutions. (Inaudible) should
 21 be looking at property to build their charter
 22 school in St. Johns County where there is a
 23 true need for these schools and not force
 24 disruption to a long-established residential
 25 area of Mandarin where the growth is extremely
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105

1 minimal due to the already -- the area already
2 being built out.

3 They could not tell us they can control
4 the habits of parents, the staggering start
5 times with the queuing lines to accommodate for
6 the -- the amount of cars that are going to be
7 coming into this area.

8 And as a member of the Arbor Glade
9 Homeowners Association, sitting on the board,
10 we do have concerns about the lines backing
11 onto Arbor -- onto St. Augustine Road, blocking
12 our entrance. We have concerns with the
13 overflow parking into our neighborhood and we
14 have concerns with -- the easement would invite
15 traffic from the school for kids to walk and
16 cut through.

17 THE CHAIRMAN: All right. Thank you,
18 Mr. Hoiberg. Appreciate you being here.

19 Next, Stacey Walker, Darrin Schmidt, and
20 Joseph Rossello.

21 (Audience member approaches the podium.)

22 THE CHAIRMAN: Ms. Walker, give us your
23 name and address for the record, please.

24 AUDIENCE MEMBER: Sure thing.
25 Stacey Walker, 12051 Ariana Elyse Drive.

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106

1 I'm calling -- I'm here today. I'm from
2 Sandpiper Cove. I'm on the west side of this
3 property.

4 While I appreciate them taking into
5 account some of the concerns we had last week
6 about the property line and giving us the
7 buffer and the setback -- but our biggest
8 concern is about that pond that is actually
9 coming right up against my property line.

10 I already have flooding. We had to put in
11 French drains and redesign my backyard so the
12 water from that property didn't come to my --
13 onto my side of the property.

14 Now, with this pond, I am very concerned
15 about that water now coming back onto my side
16 of the property, including on their design it
17 shows that they're putting in some upland
18 buffers that are blocking that pond to -- now
19 instead of going to the wetlands, is coming to
20 my side of the property. So again, that
21 flooding from my side of our property is a big
22 concern for us.

23 The other thing is, is about the roads
24 that are on both sides. So the people that are
25 in front of our subdivision, they're going to

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107

1 have roads coming into our subdivision and as
2 well as on the back of their property, so
3 there's no buffer of where their house is.

4 There's roads coming in and out on both sides
5 of their land.

6 The traffic for that subdivision for
7 Sandpiper Cove -- we're a small cul-de-sac of
8 only 26 homes, and people are constantly coming
9 in already, coming in, making U-turns. And so
10 for people coming in that are going to be
11 parking and doing these U-turns again, for a
12 small subdivision, this is not going to be
13 conducive for us.

14 On -- last Thursday, some of the data they
15 did about the traffic was used pre-pandemic, but
16 we know for a fact that my subdivision as well
17 as another one called Riverton Estates was
18 actually built around that time, and so we're a
19 community of 26 and Riverton Estates is a
20 community of 60 that we haven't taken into
21 account of all the additional traffic that was
22 coming through that area.

23 Again, while I appreciate the landscape of
24 being -- put in of pine trees and live oaks,
25 there are currently a whole bunch of pecan

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108

1 trees that are lined on the back of my property
2 that they're actually now going to take away
3 and put these pine trees up there that -- I'm
4 not sure if that's the proper thing to do to
5 stop sound or give us some privacy.

6 With the flooding, these pine trees -- I'm
7 not sure if it is or not, but they could
8 possibly fall because of the flooding and stuff
9 like that. And with these large pine trees,
10 they could potentially fall on the side of
11 my -- side of the property.

12 So again, everybody's been telling you
13 about the same things, about traffic and safety
14 and the need for this. I just feel like we're
15 trying to put a square peg into a round hole in
16 this part -- in this side of town.

17 Thank you for your time.

18 THE CHAIRMAN: Next, we have Darrin
19 Schmidt, and Joseph Rossello, and then
20 Gregory Burton.

21 (Audience member approaches the podium.)

22 AUDIENCE MEMBER: Good afternoon.
23 I'm Darrin Schmidt. I live at 12124
24 Backwind Drive, Jacksonville, Florida 32258.
25 I've been a Jacksonville resident my whole

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109

1 life. My wife and I decided to purchase our
 2 home in the Arbor Glades subdivision because of
 3 its location and the beauty surrounding it.
 4 To find out that we're going to
 5 potentially have a rezoned location for a
 6 neighbor that lives adjacent to our
 7 neighborhood that recently purchased a large
 8 parcel of that property who is not from
 9 Mandarin and now is going to sell to an
 10 individual or a company that wants to put in a
 11 school -- and I'm going to kick the can and the
 12 horse again, but we have 14 schools. We really
 13 don't need another school in Mandarin.
 14 And not to -- you know, to point any
 15 fingers, but why do we need another school?
 16 Why? And the numbers -- as my colleagues and
 17 neighbors have stated, there are openings in
 18 these other schools. There are positions
 19 available. And who -- who's this school going
 20 to cater to, truly?
 21 Ingress and egress is going to be a very
 22 big issue for my neighborhood. If you look at
 23 where you come into my neighborhood at, we have
 24 one ingress and one egress point. That's it.
 25 And it happens to be on the northernmost side
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110

1 of Old St. Augustine Road, on the same side of
 2 the road that the school will be built at.
 3 The problem with that is, is when they
 4 line up, they're going to stack up into my
 5 neighborhood. They're going to block people's
 6 driveways, they're going to, you know, block
 7 emergency vehicles from potentially getting
 8 into my neighborhood in the event that somebody
 9 has a medical emergency.
 10 And if we lose somebody in my
 11 neighborhood -- there's 56 homes there, and
 12 it's very small. To put a school in where it's
 13 not needed would be a travesty. Even if it
 14 slowed down an emergency vehicle, you know, a
 15 minute, two minutes and it cost somebody their
 16 life for a school that we -- that we don't
 17 need, potentially -- there's no -- no numbers
 18 showing that we need another school.
 19 Plummer Grant Road and Old St. Augustine
 20 Road was just shy of being an HFC intersection,
 21 and that's a high frequency crash intersection.
 22 And if you spent any time on Old St. Augustine
 23 Road, council representatives, I'll tell you,
 24 throughout the day it's almost like a NASCAR
 25 race, depending on what time of day you're
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111

1 there. There's cars at 60, 65 miles an hour,
 2 plus.
 3 So I ask that you vote this down. My
 4 neighbors ask that you vote this down. And ask
 5 yourself the question I would humbly ask you,
 6 is, would you want to buy my house -- as
 7 another gentleman stated -- when they put a
 8 school in right next door to your neighborhood
 9 where you can't get in or get out of your
 10 neighborhood because of traffic, people letting
 11 out cars or walking children from our
 12 neighborhood?
 13 And with that, I yield the rest of my
 14 time.
 15 Thank you.
 16 THE CHAIRMAN: Thank you, Mr. Schmidt.
 17 Next, we have Joseph Rossello, and then
 18 Gregory Burton, and then Ruth Burrell.
 19 (Audience member approaches the podium.)
 20 THE CHAIRMAN: Mr. Rossello, give us your
 21 name and address for the record, please.
 22 AUDIENCE MEMBER: Good afternoon,
 23 everyone.
 24 My name is Joseph Rossello. I reside at
 25 11979 Lazarette Court.
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112

1 And I want to thank all the people who
 2 have come here today both on our issue and
 3 other issues. It takes a lot of courage to
 4 stand up in front of people, especially when we
 5 feel like things are rubber-stamped.
 6 I have five issues, many of them have been
 7 addressed; safety, quality of life, unnecessary
 8 need, environmental impact, and is this really
 9 the best use of the land?
 10 Going to a nonprofit school, let's say all
 11 that land becomes tax exempt. If you were to
 12 put a neighborhood in, it'd increase the tax
 13 base, it would actually help the area. That's
 14 my biggest concern. All these people don't
 15 want it. And what do you need from us, the
 16 people that are with me? You want 1,000,
 17 signatures, 5,000, 10,000? We'll get it. I
 18 mean, I know there's only 50 people speaking,
 19 but we can get thousands upon thousands of
 20 signatures.
 21 This is a rhetorical question. I have
 22 kids that went through K through 8 on Old St.
 23 Augustine Road. What time do you get there for
 24 carpool? I can tell you, I'm blessed. My wife
 25 generally picks up the children, but the few
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113

1 times I have, it is so stressful, I literally
 2 get there as early as possible so I'm on that
 3 property and not on the road.
 4 But if you go down Old St. Augustine Road
 5 during those times, it's one of the most
 6 dangerous places possible. Cars stopped on the
 7 side of the road, people -- I mean, human
 8 psychology. People are going to do what's
 9 easiest. And it doesn't matter what you build
 10 in place. Right now they have enough room for,
 11 you know, 150 cars for a thousand students.
 12 Nowhere near enough. Nowhere near enough.
 13 The quality of life. People talk about
 14 different animals. This morning, no joke,
 15 under oath, I feed ducks daily in my front
 16 yard. They come to the door, literally wait at
 17 our door until we feed them. We have wild
 18 turkeys. We see deer. We're going to lose all
 19 that stuff because of a school that is
 20 unnecessary.
 21 That's basically all my points, but I
 22 strongly encourage you guys to vote against
 23 this. Appreciate it.
 24 Thank you. Have a good day.
 25 THE CHAIRMAN: Thank you, Mr. Rossello.
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114

1 Appreciate you being here.
 2 Next, we have Gregory Burton, Ruth
 3 Burrell, and then Joseph Rink [sic].
 4 (Audience member approaches the podium.)
 5 THE CHAIRMAN: Mr. Burton, give us your
 6 name and address for the record, please.
 7 AUDIENCE MEMBER: Thank you.
 8 My name is Gregory Burton. I reside at
 9 4663 Silverthorn Drive. I'm the HOA president
 10 of Silverthorn.
 11 And before I speak, I would like to be --
 12 fully disclose -- full disclosure, I am the
 13 executive director of the school board police
 14 department. I sit on a committee that approves
 15 charter schools. I did not know this charter
 16 school was coming into Mandarin until I sat in
 17 front of -- on the board, and it was known that
 18 they were coming into Mandarin. And at that
 19 time I did recuse myself and had someone else
 20 stand in for me and I had already submitted my
 21 application referral.
 22 So I just wanted that to be known, and I
 23 let the board know that -- some are here
 24 today -- that I would be here to speak on
 25 behalf of my HOA.
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115

1 I am not a traffic engineer and expert. I
 2 have 27 years of law enforcement experience.
 3 Fourteen of those years are as a zone
 4 commander, as an executive in police. I'm not
 5 a traffic engineer and expert, but I am an
 6 expert in addressing traffic problems in
 7 communities. I do that almost every day.
 8 This will be a big traffic problem in our
 9 community, just like it is on Greenland Road,
 10 just like it is on Loretto Road, just like it
 11 is on Old St. Augustine Road in front of River
 12 City Academy, just like it is on Sunbeam Road.
 13 All over this county we create these problems
 14 and then our neighbors have to deal with them.
 15 I would ask that you not approve this
 16 rezoning. The quality of life has been spoken
 17 about. I deal with the quality of life with
 18 citizens every single day. So I would ask that
 19 you don't add the problems of citizens having
 20 these issues with quality of life with a
 21 decision to approve this today.
 22 I'm a big advocate of education. I have a
 23 master's degree in education. I believe in it.
 24 But I believe this is the wrong place for this
 25 school because I know what's going to happen.
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116

1 Thank you for your time.
 2 THE CHAIRMAN: Thank you, Mr. Burton.
 3 Appreciate you being here.
 4 Next, Ruth Burrell, then Joseph Fink, and
 5 then Colleen Rodriguez.
 6 (Audience member approaches the podium.)
 7 THE CHAIRMAN: Ms. Burrell, give us your
 8 name and address, please.
 9 AUDIENCE MEMBER: My name is Ruth Burrell,
 10 4933 Frost Lake Drive in the Arbor Oaks
 11 subdivision, just off of Old St. Augustine
 12 Road, 210 houses there.
 13 Councilman Boylan had a meeting at the
 14 senior center to provide information and
 15 discussion, and what I'm going to say will be
 16 redundant because you've heard a lot of it
 17 among the developers and community.
 18 I now better understand that a zoning
 19 exception for LDR can be a school, a church or
 20 a daycare. The concern neighbors have is the
 21 excess traffic a school would present. If a
 22 church were built, traffic would impact Sunday
 23 mornings, evenings, and possibly Wednesday
 24 evenings. A daycare would have fewer cars and
 25 drop-off and pick-up would not be as congested
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117

1 because of the expanded time frames.
 2 As for school, in addition to traffic
 3 concerns, there appears to be an oversaturation
 4 of them already in the area. These have been
 5 mentioned, but I would like to note these
 6 schools that are there. Within a two-mile
 7 radius of this school, Greenland Pines,
 8 Loretto, Promiseland at Hopewell, Freedom
 9 School, St. Joseph's, River City Science
 10 Academy, Christ Church Academy, San Jose Prep
 11 and Academy, Seaside Community Charter School.
 12 And I had to include Mandarin High School
 13 because this particular charter school does
 14 develop into high school.
 15 If you go to a three- to four-mile radius
 16 there's also Mandarin Oaks, Bartram Springs,
 17 Duval Charter on Shad, Crown Point, Mandarin
 18 Middle and Duval Charter at Flagler.
 19 There appears to be more than an adequate
 20 choice, 16 of them for families without having
 21 another school built.
 22 The builder and charter company presented
 23 the proposal, but the concerns of the residents
 24 were not adequately answered. Everything was
 25 presented from an engineer, traffic, and design
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118

1 point of view.
 2 In addition, it was stated that the
 3 proposal had been presented to our school
 4 board, but when I contacted our member, she was
 5 not aware of this proposal at all.
 6 I'd like to address some of the points in
 7 the proposal but time constraints won't allow
 8 me, other than sections -- I think 4 and 7.
 9 No matter what planning there is, there
 10 will be a spillover awaiting cars onto Old St.
 11 Augustine Road. Witness what happens at
 12 Loretto, St. Joseph, River City Science Academy
 13 at drop-off and dismissal. Traffic is quite
 14 congested during these times.
 15 And Section 7, St. Joseph's RCA and Christ
 16 Church School have hired off-duty police to
 17 keep traffic flowing, which is still not
 18 successful quite often.
 19 This school on Old St. Augustine Road will
 20 cause a backup which would block the abutting
 21 neighborhoods and the excessive traffic
 22 potential might necessitate police assistance
 23 as well.
 24 As you can tell by the above-mentioned
 25 issues, I'm in opposition of this zoning
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119

1 application.
 2 I hope that the zoning board will take
 3 into consideration the excess number of schools
 4 in the area already and the potential for daily
 5 traffic issues on Old St. August Road.
 6 Thank you for your service. I appreciate
 7 it.
 8 THE CHAIRMAN: Thank you, Ms. Burrell.
 9 Appreciate you being here.
 10 Joseph Fink, and then Colleen Rodriguez,
 11 and then Brent Mitchell.
 12 (Audience member approaches the podium.)
 13 THE CHAIRMAN: Mr. Fink, give us your name
 14 and address for the record, please.
 15 AUDIENCE MEMBER: Good afternoon.
 16 My name is Joseph Fink, and I'm a resident
 17 of Arbor Glade. We live on Old St. Augustine.
 18 We've been there for about 15 years. We built
 19 the home and we bought the home because it was
 20 a residential area, and we would like to keep
 21 it a residential area, so we are against
 22 this -- whatever it's going to be -- school.
 23 It's still a mystery to me as to what this
 24 school is going to be. Is it going to be a
 25 K through 8? Is it going to be a K through 12?
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120

1 We've got opposing views or opposing statements
 2 about what it is.
 3 I went to the meeting on 4/14 last week,
 4 last Thursday night, and I was really stunned.
 5 Almost every resident of all of the neighboring
 6 areas were there. All of those people were
 7 adamantly against this school, adamantly
 8 against it for our safety, adamantly against it
 9 because of the traffic, adamantly against it
 10 because of the fact that it is not needed.
 11 It's that simple. It's not -- a school is
 12 not needed and may even be illegal based on the
 13 number of schools that are in the area.
 14 The people that you see here -- and there
 15 are quite a number of them -- are just a small
 16 representative of the people who are
 17 absolutely, as I said, against this and who
 18 came to that meeting on 4/14.
 19 I would like to take up just one or two
 20 issues about the traffic. By their own
 21 admission in that meeting that we had on that
 22 Thursday night, they did not at all take into
 23 consideration what happens when there is an
 24 accident on 295 or a problem or anything on
 25 295.
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121

1 People use Old St. Augustine to connect
 2 between 95 and 295 and the traffic that is
 3 already overburdened on Old St. Augustine is
 4 now just a -- simply a wall of traffic. And
 5 the way people drive, they think they're still
 6 on 295. The 45 mile-an-hour speed limit is
 7 simply a suggestion.

8 So I think that the -- the issues with the
 9 traffic have been understated. My
 10 understanding is the baseline for traffic was
 11 done during COVID and then that number of cars
 12 established a baseline and then a factor was
 13 added to it to come up with the number of cars
 14 that are on Old St. Augustine today, which is
 15 probably a vast understatement of the traffic
 16 that has been estimated by the so-called
 17 experts from the City.

18 So I urge you, please don't let the fix be
 19 in. Please listen to the people who are the
 20 residents and reject this request.

21 THE CHAIRMAN: Thank you, Mr. Fink.
 22 Next, we have Colleen Rodriguez, Brent
 23 Mitchell, David Kaufman, and then we're going
 24 to hear from Nataliya Safronova. That will
 25 conclude our public comments. We'll then do a

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122

1 ten-minute break. T.R., you can address their
 2 concerns after the break. And then we'll bring
 3 it back to the Commission. So that's the game
 4 plan. We've got four more speakers.

5 AUDIENCE MEMBER: Hello. I'm Colleen
 6 Rodriguez. I'm at 12127 Backwind Drive in
 7 Arbor Glade.

8 Everything I'm about to say you've already
 9 heard, but I would like my statement for the
 10 record.

11 I want to thank you for giving us the
 12 opportunity to share our concerns. The two
 13 areas of focus for me and my family are safety
 14 and quality of life.

15 We were intentional, as many of our
 16 neighbors, about selecting a neighborhood that
 17 was small, doesn't have a community pool or a
 18 clubhouse, and where there is limited traffic
 19 so that our children can safely ride their
 20 bikes and our older residents can take their
 21 daily walks.

22 As the majority of us are parents and
 23 grandparents, safety is critical for us. We
 24 know that human nature, regardless of all of
 25 the mitigation work Summit has done to add

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123

1 additional space for parents to drop off and
 2 pick up their students, the addition of this
 3 school will result in parents and children
 4 using the surrounding neighborhoods and
 5 avoiding the long wait times.

6 The roads in Arbor Glade are not wide and
 7 there is almost zero space between Old St.
 8 Augustine Road and Watch Tower, which is the
 9 main and only road into our neighborhood. So
 10 as the parents line up and children run to
 11 their cars or wait for their parents to show
 12 up, they will literally be blocking the only
 13 entrance into our neighborhood. That isn't
 14 safe for the students and it will ultimately
 15 negatively impact the flow into our
 16 neighborhood and will back up onto the flow of
 17 Old St. Augustine Road. The worst nightmare
 18 for all of us is that an incident will occur.

19 During the entire presentation we never
 20 heard how the school was going to address this.
 21 Will JSO be hired? Will the security be hired?
 22 Will there be a line item in their budget that
 23 will be continued not only for the first year
 24 but for years to come?

25 When the children leave the campus during

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124

1 the day -- and let's be real, children leave
 2 the campus during the day even when they are
 3 instructed not to. Where are they going to go?
 4 They're going to wander into surrounding
 5 neighborhoods. It's what they do. How will
 6 this impact crime rates and vandalism? None of
 7 us can predict that.

8 But as someone who has elderly parents who
 9 also live in Arbor Glade that are home during
 10 the day, that is a concern. Again, a concern
 11 not addressed in the presentation.

12 There's a charter school directly across
 13 from my street and my office. Every day I have
 14 to call to say there are students and parents
 15 dropping off and picking up. I have big red
 16 signs that say we are not a drop-off and
 17 pick-up for this charter. The principal kindly
 18 says, "I'm so sorry. Parents will be parents.
 19 And I don't have the funding." So I'm living
 20 that every day. I do not want that in our
 21 neighborhood.

22 The City has done an amazing job of giving
 23 our area of town numerous educational
 24 opportunities, from public to private to
 25 charter schools. We are saturated with

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125

1 schools. To be frank, an additional school is
2 not needed or wanted.
3 We want to maintain the safety and quality
4 of life that we thought we were guaranteed when
5 we chose the neighborhoods in which we live.
6 So I thank you for your time and
7 consideration and I would ask that you would
8 vote no.
9 THE CHAIRMAN: Thank you, Ms. Rodriguez.
10 Brent Mitchell.
11 (Audience member approaches the podium.)
12 THE CHAIRMAN: Mr. Mitchell, give us your
13 name and address, please.
14 AUDIENCE MEMBER: Hi there.
15 Brent Mitchell, 4552 Blueberry Woods
16 Trail.
17 First of all, I'd like to address a couple
18 of items. As we know, since charter schools
19 don't have bus service, all the children, with
20 the exception of those who walk, must be
21 dropped off by their parents.
22 This school -- and you'll see it somewhere
23 in the stack of 8-by-10 colored glossies with
24 circles and arrows on the back depicting the
25 scene of the crime. You will see that they
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126

1 have 950 students. And if we take an
2 assumption of 80 percent being dropped off,
3 that means 760 children will be brought by
4 their parents. That's a potential of 760 cars
5 in the morning and in the evenings.
6 They say they're going to stagger start
7 times to handle this, but they're only
8 staggering them by 20 minutes, so that's really
9 negligible considering most parents line up up
10 to hours before.
11 You'll also notice somewhere in their
12 presentation there that they have 2,640 feet of
13 queuing lines. That equals roughly 180
14 vehicles. So if you have 760 potential cars
15 and you only have room on your premises for
16 180, that leaves 580 cars to queue up somewhere
17 either on Old St. Augustine Road, Plummer Grant
18 Road or over in Silverthorn.
19 So the kids -- the parents will park in
20 these other areas or they will block Old St.
21 Augustine. Kids being kids, they will run
22 across the street to their parents instead of
23 waiting on the lights. And if any of you have
24 ever played the game Frogger, you know how that
25 all ends.
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127

1 Second point is the location of the
2 traffic signal. Why would you put a traffic
3 signal in front of a 47-unit development when
4 you have a relatively main thoroughfare
5 cut-through between Julington Creek Road and
6 Old St. Augustine Road at Plummer Grant? Why
7 would you not put one there? Well, the simple
8 answer is they don't want to put one there
9 because they don't own the property across the
10 street from it. But if you get your City
11 traffic engineers to work on this independently
12 of any input from Summit, I think they will
13 come up with the same assumptions and the same
14 results as I am.
15 If they don't put in a light at Plummer
16 Grant, the people on Plummer Grant will never
17 be able to get out because there's only
18 137 feet between where the light is supposed to
19 be and Plummer Grant. That equals eight or
20 nine cars. You get eight or nine cars backed
21 up at the light, people from Plummer Grant
22 can't get out. So people from Plummer Grant,
23 during hours of high traffic, can't go
24 anywhere.
25 Thank you very much and I hope you turn
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128

1 this down.
2 THE CHAIRMAN: Thank you, Mr. Mitchell.
3 Next, we have David Kaufman.
4 (Audience member approaches the podium.)
5 THE CHAIRMAN: Mr. Kaufman, give us your
6 name and address for the record, please.
7 After you, we will hear from Kelly
8 Biringer and then Nataliya.
9 AUDIENCE MEMBER: Thank you, Mr. Chairman.
10 Dave Kaufman, 4555 Blueberry Woods Circle
11 North. I live off of Plummer Grant Road and
12 have lived there since 1988.
13 Like some of the other residents --
14 Old St. Augustine Road back then was a two-lane
15 road. And, frankly, I have advocated in favor
16 of a lot of the residential growth that we've
17 seen out in this part of Mandarin, largely
18 because that kind of growth has brought some
19 major conveniences for us. I no longer have to
20 get up on the interstate to go to San Jose
21 Boulevard to go grocery shopping or downtown to
22 go to a hospital, but we've, during this time,
23 successfully put those commercial uses at the
24 fringe of this corridor between Loretto Road
25 and Bartram Park, about three miles, which to
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129

1 this day has very few, if any, commercial uses.
 2 And I would argue that while this is a
 3 school, it is very much a private commercial
 4 use and is -- the reason -- I believe one of
 5 the reasons why it is an exception and not an
 6 allowable use under the current zoning, as was
 7 stated initially, the schools are permitted
 8 under other zones, just not under residential,
 9 and this is a largely residential area.
 10 So I would ask, you know, if it's
 11 appropriate in some other zoning category, what
 12 makes it appropriate there, not here, and why
 13 should we accept this exception?
 14 I would also ask if there are 3,000 people
 15 on a waiting list for charter schools in this
 16 area that really want to go to this school --
 17 we haven't heard from one of them today, so I
 18 wonder where -- where all that demand really
 19 is.
 20 Thank you for your time.
 21 THE CHAIRMAN: Thank you, Mr. Kaufman.
 22 Next, Kelly Biringer.
 23 (Audience member approaches the podium.)
 24 THE CHAIRMAN: Ms. Biringer, give us your
 25 name and address for the record, please.
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130

1 AUDIENCE MEMBER: I'm Kelly Biringer. I'm
 2 at 12024 Ariana Elyse Drive.
 3 And this -- this proposal is right next
 4 door to our neighborhood. And I think we -- we
 5 agree with all the other neighbors. You know,
 6 we don't have a problem with the charter
 7 school. This is just the wrong location.
 8 If you look at all the different things
 9 that we've said, we've said everything from
 10 transportation to flooding, but our biggest
 11 risk is the traffic and the headaches that will
 12 come with all of that and flat-out risk that
 13 something could happen to a small child going
 14 across that busy street.
 15 And what we're asking you is just please
 16 don't make us take that risk. Please let us be
 17 safe and not risk any child getting hurt on
 18 that street.
 19 Thank you.
 20 THE CHAIRMAN: Thank you, Ms. Biringer.
 21 Appreciate you being here.
 22 All right. Nataliya Safronova.
 23 (Audience member approaches the podium.)
 24 THE CHAIRMAN: Give us your name and
 25 address, please.
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131

1 AUDIENCE MEMBER: Hi. How are you?
 2 My name is Nataliya Safronova, and I am
 3 the one of 12265 Old St. Augustine Road,
 4 renamed (inaudible).
 5 I really appreciate everybody coming here
 6 and raising the concern. I see that most of
 7 the people that did come don't have small
 8 children or don't actually -- I understand that
 9 the concern of the school and the traffic, I --
 10 I understand.
 11 I have four children and I don't feel
 12 comfortable them going to a public school, so
 13 unfortunately I have to jump through my hat and
 14 out of my skin to provide so they can go to a
 15 public school -- private school, I'm sorry. So
 16 they do go to Christ Church Academy, who is
 17 actually moving now to a different location.
 18 Two years ago, I lost my child,
 19 13-year-old daughter. And when I was
 20 presented -- when I decided to sell my
 21 property, when I was presented with a choice,
 22 with contracts, the first one was to build a
 23 bunch of condominiums, like apartment
 24 complexes, that -- (inaudible) shopping
 25 centers.
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132

1 And when I was presented with a lease
 2 school from -- that would be a charter school,
 3 it was dear to me, it was dear to my heart.
 4 They showed me their plans and how they're
 5 going to make recreational area and they're
 6 going to leave a lot of greenery, trees.
 7 We do have animals coming through the
 8 property, so I really liked how they presented
 9 their plans and how a lot of them, they're
 10 going towards the whole school and the whole
 11 building.
 12 And I believe when it comes to the
 13 traffic, they really have a good plan. As you
 14 look at the plans, it is going all the way
 15 around. They have in and out.
 16 And I personally believe that -- I love
 17 Mandarin. I moved here not long ago and I
 18 absolutely love it, and I believe that the
 19 community and the home values will go up
 20 because as a lot of people move in from up
 21 North, down South -- we all have children, and
 22 we always like to pick a house that is near a
 23 very good school.
 24 So I do believe that charter school --
 25 which you actually have the test for to get in.
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133

1 You can't just be not doing too well at school
 2 and get into a charter school. You have to
 3 apply, you have to go to a test, and so I do
 4 believe that our home values will go up and
 5 that we'll -- we will -- at the end of the day,
 6 we'll all -- going to gain from it.
 7 Unfortunately, a lot of people came here
 8 with negative thoughts, and I'm very sorry you
 9 guys feel this way.
 10 Not many of us knew about the meeting
 11 today, only the people that have a little bit
 12 more time to spare, but I do believe that with
 13 a good plan it will all work out and we're all
 14 going to be happy.
 15 Thank you so much for your time.
 16 THE CHAIRMAN: Thank you, ma'am.
 17 Appreciate you being here.
 18 We have an on-the-record comment from
 19 Mr. Randy Gallup who is our Duval County Public
 20 Schools representative.
 21 So, Mr. Gallup, I'd like to get your
 22 comment. We'll take a break. And then T.R. is
 23 going to come back and make us all feel great
 24 about this.
 25 MR. GALLUP: Mr. Chairman, thank you.
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134

1 Mr. Chairman, members of the Planning
 2 Commission, my name is Randy Gallup. I'm your
 3 school district representative.
 4 I wanted to provide to you all some facts,
 5 information regarding our school capacities
 6 within the immediate and -- immediate area of
 7 this proposed charter school.
 8 You were mentioned today about numerous
 9 public, private and charter schools in the
 10 surrounding area. Specifically, I want to
 11 speak to the public schools that were mentioned
 12 as far as our capacities, utilization and
 13 portables.
 14 First of all, the first school I'd like to
 15 speak about is Greenland Pines, which is an A
 16 school. It currently has an enrollment of 658
 17 with a capacity of 957, which puts it at a
 18 utilization rate of 69 percent. This is
 19 Greenland Pines on Greenland Road, which is
 20 just down from Mandarin High, northwest of this
 21 charter school location. And zero portables at
 22 this school.
 23 The next school is Mandarin Oaks. It has
 24 an enrollment of 940 with a capacity of 1,072,
 25 which gives you a utilization rate of
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135

1 88 percent for this current school year. It
 2 also has zero portables and is also an A
 3 school.
 4 Loretto Elementary, it has enrollment of
 5 964. It has a capacity of 1,208, with a
 6 utilization rate of 80 percent. This school
 7 has 13 portables. However, under the master
 8 facilities plan which was approved by the board
 9 and approved by the half-cent sales tax by the
 10 voters of Duval County, those portables will be
 11 removed from Loretto and they'll be replaced
 12 with a permanent classroom wing to be
 13 determined on the number of rooms at a later
 14 date. So even without the classrooms, you're
 15 still under 100 percent utilization.
 16 The middle school, Mandarin Middle, it is
 17 also an A school. It currently has an
 18 enrollment of 1,199 with a capacity of 1,615,
 19 which is a utilization of 74 percent. It also
 20 has zero portables.
 21 Crown Point, it's a B school. Enrollment
 22 is 775 with a capacity of 1,068, which is a
 23 utilization of 73 percent. The district just
 24 finished removing the last two portables from
 25 that school last summer.
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136

1 Twin Lakes, another elementary school that
 2 services this area on the eastern boundary --
 3 Twin Lakes Middle, excuse me. It has an
 4 enrollment of 1,154 with a capacity of 1,462.
 5 Utilization is 79 percent and it has zero
 6 portables.
 7 Of the charter schools that were mentioned
 8 to y'all, there is a -- a new charter school is
 9 relocating exactly across the street from
 10 another current charter. Seaside, it will be
 11 relocating along Old St. Augustine Road,
 12 immediately across the street from River City
 13 Science Academy. That is because the Christ
 14 Church School will be relocating to its
 15 property on Greenland Road.
 16 So you have four charter schools in the
 17 immediate area and multiple private schools.
 18 One other item that I wanted to bring to
 19 y'all's attention was in this packet that was
 20 provided to you by the applicant, they talk
 21 about the recreational area comparison to other
 22 charters. Well, I would like to provide you
 23 some recreation comparison to other public
 24 schools.
 25 Mandarin Middle has a recreation area of
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137

1 nine acres. Greenland Pines has a recreational
 2 area of five acres. Mandarin Oaks has a
 3 recreational area of 5.5 acres. Crown Point
 4 has a recreational area of 3.34 acres. And
 5 Loretto has a recreational area of 2.96.
 6 Erring on the side of caution, I rounded down
 7 on all of these numbers.
 8 So I wanted to give you an idea of scale
 9 between the .93, 1.44, 2.6-acre comparisons
 10 that you have been given in this packet.
 11 One last item I'd like to provide to you
 12 is a comparison in size of comparable
 13 facilities. This facility is a K-8 as it's
 14 being proposed at 85,000 square feet, 950
 15 students. Our closest K-8, that is Westview
 16 K-8 in Duval County, has a square footage of
 17 153,199 with a capacity of 1,498. So if this
 18 school were to go to a K-12, as it is rumored,
 19 you're going to be adding four additional
 20 grades to this current square footage, which
 21 would cause your utilization to skyrocket at
 22 this facility.
 23 I would just like for you to have these
 24 facts in front of you, but the -- the fact of
 25 the matter is, is that you are dealing with an
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138

1 oversaturation of educational facilities in
 2 this area and it is something that should
 3 really be measured.
 4 Thank you.
 5 AUDIENCE MEMBERS: (Applause.)
 6 THE CHAIRMAN: No clapping.
 7 All right. Thank you, Mr. Gallup. We
 8 appreciate that context.
 9 All right. We're going to take a
 10 ten-minute break. We'll reconvene at 3:35.
 11 And just a reminder, we're still in the
 12 middle of hearing all this. No -- we can't
 13 talk to anyone from the public about this
 14 application we're hearing, so don't bribe us
 15 with candy.
 16 Thank you.
 17 (Brief recess.)
 18 (Mr. Schellhorn exits the proceedings.)
 19 THE CHAIRMAN: Folks, let's get started.
 20 All right. I've been reminded twice that
 21 I hold the record, it sounds like, for the
 22 longest public comment, and this didn't happen
 23 under Commissioner Garrison or Blanchard. So
 24 I'll take that.
 25 We've heard from all the public; we have
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139

1 heard from Mr. Randy Gallup from Duval County
 2 Public Schools.
 3 (Mr. Hainline approaches the podium.)
 4 THE CHAIRMAN: T.R., it looks like you're
 5 locked and loaded almost.
 6 So we heard from, I don't know, 50 people
 7 or so. T.R., I'm going to give him the time he
 8 needs to address all those items that were
 9 brought up because there was quite a few.
 10 Sir, you have the floor.
 11 MR. HAINLINE: Thank you, Mr. Chairman.
 12 I'm trying to make it relatively brief.
 13 First of all, T.R. Hainline,
 14 1301 Riverplace Boulevard, representing Summit
 15 Construction Group.
 16 First, let me point out that we do have
 17 our experts here, Raj Chindalur, our traffic
 18 engineer, and Jeremy Callaway, our civil
 19 engineer. They are available to answer any of
 20 your specific questions about technical issues
 21 on traffic, on stormwater, on wetlands, that
 22 kind of thing.
 23 And by the way, they were also at the
 24 community meeting the other night, and both Raj
 25 and Jeremy answered a lot of questions directly
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140

1 to people. So we've made our experts available
 2 both to the community at the community meeting
 3 and to you here today.
 4 Schools are, of course, are a permissible
 5 use by exception in all residential land use
 6 categories, so are churches, so are daycare
 7 centers. All of those things generate some
 8 traffic at various points in time, but they are
 9 uses which are acknowledged to be appropriate
 10 in residential areas and should be near
 11 residential areas with the right level of
 12 review by this commission as a permissible use
 13 by exception.
 14 And schools are a permissible use by
 15 exception subject to what the staff calls the
 16 Part IV criteria. And those Part IV criteria
 17 focus on size -- by the way, the minimum size
 18 for school is 2 acres in your code, 2 acres.
 19 It focuses on an internal traffic circulation
 20 plan. It focuses on light, and it focuses on
 21 one or two other things that are there in that
 22 Part IV. And there's no suggestion we don't
 23 meet those criteria. We meet those criteria.
 24 Let's talk about traffic. A lot, of
 25 course, said about traffic; it's still the main
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141

1 issue. The first thing I want you all to
 2 realize is what Raj Chindalur goes through when
 3 he does a traffic study.
 4 The first thing he does is he meets with
 5 Transportation Planning and with Chris LeDew
 6 and their folks at Traffic Engineering to get
 7 their input on what he should study. That's
 8 part of his study that's submitted as part of
 9 the record. They have memos to him saying
 10 please include all this.
 11 He includes that in his study and then he
 12 does a very detailed study that looks at all of
 13 these things that have been talked about in a
 14 very detailed way based on his expertise and
 15 based on the manuals, the ITE manuals, the
 16 modeling that's acknowledged by FDOT and
 17 everybody else. He goes through this.
 18 And he uses -- in consultation with the
 19 City Transportation Planning and City Traffic
 20 Engineering, he uses objective, measurable
 21 standards and models. That's why people do a
 22 traffic study. That's why they want a traffic
 23 study done. So that's what he goes through.
 24 Just two little issues that came up that I
 25 want to hit on specifically that -- two or

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142

1 three that Raj just mentioned. First of all,
 2 Old St. Augustine Road today, if you check it
 3 under the City -- and he confirmed all of this
 4 with Laurie Santana -- Old St. Augustine Road
 5 today is at Level of Service C.
 6 You have dealt with zonings and exceptions
 7 that are in F and D areas. This is at Level of
 8 Service C and is at 57 percent of its capacity.
 9 If you look that up on the City, that's what it
 10 will say, Level of Service C, 57 percent of its
 11 capacity. So that's one little fact.
 12 Another fact, on the COVID issue, Raj did
 13 his traffic counts in March of this year, which
 14 is past COVID. But in addition to that, what
 15 they require now to make sure that COVID isn't
 16 influencing his numbers is he has to add
 17 19 percent to the numbers that he got. That's
 18 what FDOT requires. So COVID is definitely --
 19 not only were counts past COVID, but he also,
 20 in addition to that, had to add the percentage
 21 that is required of everyone. So there is no,
 22 you know, COVID trick going on here.
 23 The traffic light. Someone said, why is
 24 this traffic light here? The traffic light is
 25 exactly where the City traffic engineer wants

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143

1 it to be. We went in with our study and said,
 2 here is our study; it recommends a traffic
 3 light. And Chris LeDew said, great, put the
 4 traffic light right here. And that's on your
 5 ticket.
 6 By the way, the cost data -- what we said
 7 at the citizens meeting was \$800,000 is the
 8 cost of the traffic light and \$200,000 is the
 9 cost of the right-turn lane. That's where we
 10 get the million dollars. But the traffic light
 11 is exactly where the traffic engineer said that
 12 it should be.
 13 And finally, on traffic, every school has
 14 to go to what is called the School Safety
 15 Committee to talk about student crossings and
 16 how students get to the school. The chair of
 17 the Student Safety Committee is Chris LeDew,
 18 your City traffic engineer, and the other
 19 participants on that School Safety Committee
 20 are City of Jacksonville, JSO, and FDOT.
 21 So this school, like every school, is
 22 going to have to show its plans and everything
 23 it's doing to the School Safety Committee, and
 24 it will need to have a policeman or a school
 25 crossing guard at the school crossing location

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144

1 there. That's part of what the School Safety
 2 Committee requires and does. So I wanted you
 3 to be aware, too, of that additional reviewing
 4 thing.
 5 So, again, on traffic what we're doing are
 6 improvements -- the traffic signal and
 7 right-turn lane, a million dollars -- far in
 8 excess of anything else in the area, the
 9 queuing capacity on site, which there are
 10 slides in our handout about that. And then,
 11 again, we're delaying the start time to 8:15.
 12 Peak hour is at 7:30; we've delayed the start
 13 time to 8:15. You will see that other schools
 14 in the area start earlier. So we're taking
 15 that into consideration.
 16 Let's, next, talk about need. So what we
 17 said at the community meeting, what we would
 18 say here, too, is that need is not a standard
 19 or criterion in your code as to whether you
 20 grant an exception or as to whether you grant a
 21 school -- an exception to a school. Need is
 22 just not one of the criteria or standards that
 23 you were looking at.
 24 We did have Mr. Klotz speak to why this
 25 site because that was a question that came up a

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145

1 lot at the citizens meeting. And we wanted
 2 people to understand just as human beings why
 3 this site had been picked.
 4 And I do want to call your attention --
 5 because Mr. Gallup went through some of the
 6 traditional public school capacity numbers.
 7 But I want to call your attention to this, what
 8 is a few pages back in the handout, the thing
 9 called "Charter School Market Analysis."
 10 And in the far-right-hand column was
 11 "Number of Students on Wait List" for all of
 12 these charters that are within driving distance
 13 of this site. And this data in this far
 14 right-hand column, what it shows is -- either
 15 it just shows that they are at full capacity or
 16 it has a number there of the people on the wait
 17 list.
 18 So, for example, the River City Science
 19 Academy in Mandarin has 883 people on the wait
 20 list. That information is directly from that
 21 school, and our people can get up and under
 22 oath and say that's where they got it, directly
 23 from that school. And what it's from is the
 24 DOA data that those schools submit to DOE.
 25 I have here as an example -- which I'm
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146

1 happy to submit the data submitted in the
 2 accountability report by River City Science
 3 Academy in Mandarin, and that number, 883,
 4 shows up as the number of students on a wait
 5 list.
 6 So this isn't some number that we just
 7 made up and plugged in here or that we guessed
 8 at. We got those numbers directly from those
 9 schools, and I have the River City Science
 10 Academy example. They have 883 kids on their
 11 wait list. So that's why this site was chosen.
 12 You will see that also in the data we
 13 submitted, within a 5-mile site range from this
 14 site, age 5 to 14 population is 17,000 kids.
 15 And 17,000 kids, that's a lot of kids. And
 16 even if you add up all the capacities at all
 17 these schools, it doesn't get to 17,000.
 18 So that's on this subject of the need.
 19 It's not a criterion, and you shouldn't
 20 evaluate it on it. But as to why this site,
 21 we've given you hard evidence, data reported to
 22 DOE as to why this site was chosen.
 23 Just a couple of more issues. K through
 24 8. One of the conditions that we submitted
 25 that would be binding on us that we propose to
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147

1 you is that this be a K-through-8 school. It's
 2 K through 8. I don't know how to make it more
 3 clear than to propose a written condition which
 4 we have done to you that binds us to it being a
 5 K-through-8 school. So that issue, hopefully,
 6 is addressed.
 7 The issue of recreation space, what we
 8 gave to you, what we submitted to you is we
 9 picked eight or ten charter schools here and
 10 the recreation space that is provided in those
 11 charter schools, and the average being
 12 0.89 acres.
 13 Yes, Mr. Gallup went through some
 14 traditional public schools that had additional
 15 recreation needs. These schools with this
 16 amount of recreation are at a hundred percent
 17 capacity or have wait lists. So it's not some
 18 flaw. The types of recreation space that we're
 19 talking about here, it's not some flaw that
 20 makes people not want to go to these schools.
 21 People want to go to these schools, and they
 22 have good recreation capacity.
 23 As it is here, it's the 1. -- I think it's
 24 1.44 acres, and it includes a gymnasium on site
 25 and other -- it includes a basketball court.
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148

1 It includes a play field. It includes all
 2 kinds of stuff that's shown there on the site
 3 plan. So we have adequate recreation.
 4 And remember, that's not -- the minimum
 5 size of a site -- that's the other thing
 6 Mr. Gallup did. He gave you a bunch of
 7 traditional public schools that are larger in
 8 size. Remember, your code. There's no
 9 standard that says it has to be X size, except
 10 your code, which says minimum of 2 acres. And
 11 there's no standard in your code about how much
 12 recreation.
 13 But those schools with that average
 14 1.13 acres of recreation, those have all been
 15 approved by the City of Jacksonville and by the
 16 Duval County School Board. So that's not --
 17 what we did -- what we have is we have
 18 submitted to you recreation -- a recreation
 19 standard, a recreation measure that has been
 20 approved at several schools by the City and by
 21 the school board, and ours betters that. Ours
 22 is more than that. So that's on the issue of
 23 recreation.
 24 Again, we have our experts here to answer
 25 any questions that you have. We believe -- I
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149

1 guess I also would differ when people said we
 2 don't care what the community thinks. We have
 3 revised our site plan based on the comments we
 4 got last Thursday. We have agreed to a number
 5 of conditions that we've handed out to you
 6 based on that community meeting last Thursday.
 7 This applicant has gone beyond what is required
 8 to attempt to address the concerns of the
 9 community.
 10 So with that, again, our experts and all
 11 are happy to answer any questions, and we
 12 appreciate your time very much.
 13 Thank you.
 14 THE CHAIRMAN: Thank you, T.R.
 15 Is there anyone else here today to speak
 16 on E-22-18?
 17 AUDIENCE MEMBERS: (No response.)
 18 THE CHAIRMAN: Seeing none, I will close
 19 the public comment and bring it back to the
 20 Commission.
 21 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 22 move to approve E-22-18.
 23 COMMISSIONER BROWN: Second.
 24 THE CHAIRMAN: Thank you. We have a
 25 motion and second.
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150

1 Comments from the Commission?
 2 Commissioner Garrison.
 3 COMMISSIONER GARRISON: Thank you,
 4 Mr. Chairman.
 5 A lot of the comments I heard have an
 6 underlying assumption to me. Not all comments,
 7 but quite a few, many have underlying
 8 assumption that the neighbors are somehow
 9 entitled to this property. They don't own this
 10 property. This property is owned by private
 11 landowners.
 12 There is a gentleman who wants to buy it
 13 and improve it, and they have a right to do so.
 14 The property is titled with the people who are
 15 entitled to it, and others are not entitled to
 16 it.
 17 And I'll be supporting this application.
 18 Thank you.
 19 THE CHAIRMAN: Thank you, Commissioner
 20 Garrison.
 21 Commissioner Elsbury.
 22 COMMISSIONER ELSBURY: Thank you,
 23 Mr. Chairman.
 24 I'll just reiterate some of what
 25 Commissioner Garrison said. Yeah, I completely
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151

1 agree. I think that -- I respect the
 2 individuals that are down here testifying that
 3 have lived here. But at the end of the day, a
 4 private developer has purchased the property.
 5 And just trying to address some of the
 6 comments that have been made related to traffic
 7 and safety, if people are speeding down Old St.
 8 Augustine Road and breaking the speed limits,
 9 they are breaking the law. I'm not going to
 10 regulate a private developer and say you can't
 11 build something here because people are
 12 breaking the law and speeding. That's not the
 13 role of government.
 14 Also, just commend the developer for going
 15 above and beyond as it relates to the
 16 infrastructure that you guys are putting in on
 17 your own dollar. A lot of that is actually
 18 required by statute, that local governments do
 19 that for charter schools, so I appreciate the
 20 developer doing that.
 21 And just the last piece I'll address --
 22 and I know it's -- as Mr. Hainline referenced,
 23 it's not something that we consider, but the
 24 conversation around need and saturation.
 25 Mr. Gallup and DCPS don't get to determine
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152

1 need and saturation; parents and markets do
 2 that. It's pretty clear by the numbers that we
 3 have in front of us that there is an
 4 unbelievable need in the charter school thing.
 5 I'm sorry traditional public schools are seeing
 6 declining enrollment. Charter schools aren't.
 7 In fact, it's headed in the opposite direction.
 8 So I'll be wholeheartedly supporting this.
 9 I ask my fellow commissioners to do the same.
 10 THE CHAIRMAN: Thank you, Commissioner
 11 Elsbury.
 12 Further comments?
 13 Commissioner Adkison.
 14 COMMISSIONER ADKISON: Thank you, Chair.
 15 I support what my other two commissioners
 16 have said to the public, but I'm going to put
 17 my spin on it, like I normally do.
 18 First thing is, I believe in "We, the
 19 people." Bottom line, the people have spoken,
 20 the people there. This is a request to change.
 21 And I've said it for so many times sitting up
 22 here for seven years, that the developer is
 23 coming in to change what is already zoned.
 24 To me, it's almost like saying buyer
 25 beware. This is what it is. You can buy it,
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153

1 but you're coming here to change it. The
 2 people that have lived there moved there
 3 because it's residential. And now you're
 4 changing it and they're changing the plan and
 5 you're not offering them a way out.
 6 I'm okay with the way the thought of the
 7 Commission is going, but I cannot move my
 8 conscience past "We, the people," nor that this
 9 is a request.
 10 Secondly, they talked about traffic. We
 11 can't do anything about traffic. I mean, the
 12 public -- and I hope the public understands,
 13 that's not our concern. Like Commissioner
 14 Jordan mentioned a minute ago, we can't control
 15 it. But from January 1st to April 14th, my
 16 company alone has responded to 22 accidents on
 17 Old St. Augustine Road. I'm one of two that
 18 work with JSO on that area, so there's a
 19 possibility of 44 accidents.
 20 There is a problem, and it needs to
 21 be addressed with the police department, maybe
 22 get more officers out there. That is not our
 23 venue to look at and judge.
 24 Safety. I heard one of the individuals
 25 talk about the safety for their elderly
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154

1 parents. Yes, but that's still law
 2 enforcement's job. That's not our job. The
 3 fact is this land -- this owner is wanting to
 4 change something and is asking a request, and
 5 he is allowed to ask for the request.
 6 We, as a commission, have to look to see
 7 if it's good for the community. Is it good for
 8 safety? Is it good for traffic? But we can't
 9 vote on traffic and safety because that's not
 10 in our purview to look at.
 11 I do want to talk about Mandarin High
 12 School. I work out there with a bunch of other
 13 entities and the parking with student drivers.
 14 Now, through the Chair to T.R., you said
 15 this is going to be eighth grade, so we
 16 shouldn't have to worry about teenage drivers
 17 parking in the neighborhoods as was previously
 18 brought. But if it is a problem, I'm just
 19 letting you know -- you've mentioned it up and
 20 I'm grateful. And I'll take your word you're
 21 only going to eighth grade.
 22 But it was a problem at Mandarin High
 23 School to the point we were towing vehicles
 24 every day out of these neighborhoods because of
 25 the parking and the way they were trying to
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155

1 address. So there is a fear out there.
 2 I'm not going to support this on the merit
 3 that "We, the people." And the people, to me,
 4 have spoken. That's simply what it is, and
 5 that's what I feel that we're supposed to be
 6 representing is the people, not the interest.
 7 And this is a residential, and they are asking
 8 for a change, not the City, not the public out
 9 there.
 10 And then secondly, the gentleman -- I do
 11 not want you to identify yourself. If FWC
 12 comes knocking on your door for feeding ducks,
 13 you said the wrong thing under oath. It's
 14 illegal to do that, so don't do it anymore.
 15 THE CHAIRMAN: Thank you, Commissioner
 16 Adkison.
 17 Commissioner Blanchard.
 18 COMMISSIONER BLANCHARD: Thank you,
 19 Chairman.
 20 I appreciate what Commissioner Adkison
 21 said, and the -- you know, I understand the
 22 community's concerns. And I have lived in
 23 Mandarin -- I've lived in Mandarin for
 24 25 years, and I'm pretty familiar with that --
 25 with that area.
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156

1 So through the Chair to staff, you know, I
 2 don't like to get involved with traffic, and --
 3 well, first let me ask this to Mr. Hainline:
 4 These conditions, were these intended to be
 5 conditions that are added to the exception?
 6 MR. HAINLINE: Yes, sir, Mr. Blanchard.
 7 We would propose that if there is a motion
 8 to approve, that it be based -- that it include
 9 those conditions -- which also attached to
 10 those conditions are the -- is the landscape
 11 plan for the buffer and the current site plan
 12 as well.
 13 But, yes. Yes, sir. We intend those
 14 conditions to be -- if there is a motion to
 15 approve, to be part of that motion. And we did
 16 send those conditions to the staff for them to
 17 look at beforehand.
 18 COMMISSIONER BLANCHARD: Thank you.
 19 THE CHAIRMAN: Commissioner Moldovan.
 20 COMMISSIONER MOLDOVAN: Thank you,
 21 Mr. Chairman.
 22 And thank you, Commissioner Blanchard.
 23 I would like to amend my motion to move to
 24 approve application E-22-18 with the eight
 25 conditions proposed by the applicant.
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157

1 Paige.

2 MS. JOHNSTON: Would you also reference

3 the revised site plan and revised landscape

4 plan?

5 COMMISSIONER MOLDOVAN: Could you provide

6 me the date of the revised site plan?

7 MS. JOHNSTON: We'll use today's date as

8 the date, so that would be April 21st. It was

9 circulated to the Commission at the beginning

10 of the presentation.

11 COMMISSIONER MOLDOVAN: Okay. Within that

12 motion I would also like to include the revised

13 site plan and revised written description.

14 COMMISSIONER BROWN: Second.

15 THE CHAIRMAN: Thanks for that update.

16 We have a motion and second.

17 MS. JOHNSTON: Mr. Chair, can I just

18 clarify? It's a revised site plan and it's a

19 revised landscape plan that's part of the site

20 plan, not a written description. Just to

21 clarify the record.

22 COMMISSIONER MOLDOVAN: Allow me to amend

23 my amendment to move to approve application

24 E-22-18 with the eight conditions proposed by

25 the applicant with the revised site plan and

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158

1 the revised landscape plan.

2 COMMISSIONER BROWN: Second.

3 THE CHAIRMAN: Commissioner Blanchard.

4 COMMISSIONER BLANCHARD: Thank you,

5 Chairman.

6 Just to finish my thoughts -- and I

7 appreciate the cleanup there. One of the

8 conditions references some traffic conditions,

9 which -- I'm always really hesitant to include

10 anything traffic-related in our decisions

11 because some of us know a lot about traffic,

12 but we don't always know what the traffic

13 engineer knows. And we don't know whether they

14 need one turn lane or two or whether the light

15 should be 100 feet this way or that way.

16 It does say in here -- I believe the words

17 "otherwise approved" -- or "subject to the

18 review and approval," and that gives me some

19 comfort knowing that the City staff will really

20 be the one determining locations of things if

21 this were to go through.

22 The one question I do have is related to

23 traffic. And I don't think Ms. Santana or

24 Chris LeDew are here; is that correct?

25 But our stunt double for Ms. Santana --

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159

1 that's you. Forgive me. I've forgotten your

2 name. Could you address the traffic just

3 briefly?

4 You know, I know people feel like there's

5 a concern, but the City is saying, hey, the

6 traffic is okay, and we can design around some

7 of the impacts.

8 Can you address the traffic concerns for

9 the community?

10 MS. BANNISTER: Lurise Bannister is my

11 name.

12 Through the Chair, when we have our

13 methodology meeting we meet with our traffic

14 engineer, a traffic technician, a consultant

15 with their own traffic engineer specialist.

16 There are a few things that we normally

17 recommend, and there was a list of items that

18 our traffic technician and engineer provided to

19 them that were required. And through the

20 traffic study, they were able to address all

21 those.

22 COMMISSIONER BLANCHARD: So the City is

23 generally happy with the conditions and the

24 traffic scenario there and does not believe it

25 is a problem; is that true?

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160

1 MS. BANNISTER: Correct.

2 COMMISSIONER BLANCHARD: Thank you.

3 The only last comment that I have -- and I

4 think it's an important differentiation.

5 And to my colleague, Commissioner Adkison,

6 the -- I think one of the differences about

7 expectations with neighbors and change and

8 things like that is, if this was a rezoning

9 going to commercial or something else, I think

10 there's a much higher threshold of obligation.

11 But a school is a use that is currently allowed

12 by exception, and so that threshold is much,

13 much smaller.

14 So if this was a complete rezoning, then I

15 think a lot more of the testimony would be

16 relevant because it's a change; it's a

17 surprise. But schools are allowed in this

18 zoning category by exception, and it is very

19 common.

20 So I am in favor of this. I understand

21 the concerns and look to the City to help

22 address the traffic concerns of the community.

23 Thank you.

24 THE CHAIRMAN: Thank you, Commissioner

25 Blanchard.

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161

1 Commissioner Adkison.
 2 COMMISSIONER ADKISON: Through the Chair
 3 to staff. Based on what Commissioner Blanchard
 4 just brought up -- it's a school. Let's say
 5 this school gets built and fails. Could we
 6 then go open a CDL school on that property then
 7 and run trucks in and out of there?
 8 MR. HUXFORD: If there's a concern about a
 9 successor use of the property -- of course, if
 10 the school fails or leaves, they still can do
 11 what they can do under the current residential
 12 zoning. And that would include, say, a church
 13 could go in there by right because it meets our
 14 locational criteria.
 15 If you're concerned about another type of
 16 school going in there, you do have the option
 17 of making this personal to the license holder,
 18 if you wanted to go there.
 19 COMMISSIONER ADKISON: All right. So if
 20 we didn't make it conditional to the license
 21 holder, then the answer is any type of school
 22 could go in there if this other school failed,
 23 correct?
 24 MR. HUXFORD: Right. If they have a
 25 zoning exception for a school, then it's
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162

1 transferrable. Then any other operator could
 2 come in there. They would have to adhere to
 3 all the conditions, though.
 4 I need to clarify. I didn't realize what
 5 a CDL was. So any charter or public school
 6 could go in there, but, no, not a vocational --
 7 COMMISSIONER ADKISON: So the condition
 8 would be that a school -- any other school
 9 going in there would have to be a school from
 10 K to 8 and not anything higher unless they came
 11 back before the board?
 12 MR. HUXFORD: Right. Is a CDL a
 13 truck-driving school?
 14 COMMISSIONER ADKISON: Right.
 15 MR. HUXFORD: I doubt they are training
 16 eighth graders to drive trucks, but ...
 17 COMMISSIONER ADKISON: You don't know
 18 anymore.
 19 I'm just asking -- I mentioned that --
 20 what type of school is authorized --
 21 MR. HUXFORD: Right.
 22 COMMISSIONER ADKISON: -- under this, and
 23 does it --
 24 MR. HUXFORD: It would have to be a
 25 conventional school, either a charter or a
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163

1 public school.
 2 COMMISSIONER ADKISON: Those are the only
 3 two types of schools that could ever come on
 4 this --
 5 MR. HUXFORD: No vocational schools.
 6 COMMISSIONER ADKISON: That's, I guess,
 7 the word that I was looking for.
 8 MR. HUXFORD: That is a completely
 9 different use in our Zoning Code.
 10 COMMISSIONER ADKISON: All right. Thank
 11 you.
 12 THE CHAIRMAN: Thank you, Commissioner
 13 Adkison.
 14 Further comments?
 15 Commissioner Moldovan.
 16 COMMISSIONER MOLDOVAN: Mr. Chairman, my
 17 initial stance on this -- looking at the
 18 application and the site plan, I see that the
 19 applicant went above and beyond to design this
 20 project as best as possible to be complementary
 21 to the neighbors.
 22 You see there's an excessive amount of
 23 queuing. Most of it is situated to the north
 24 side of the property, next to the retention
 25 pond. They limit it as much as possible to the
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164

1 west because you've got residential abutting
 2 that property line.
 3 You know, you guys have -- you've informed
 4 us that you deferred the community -- you
 5 deferred the application to meet with the
 6 community. You're talking about over a million
 7 dollars in traffic-improving measures. It
 8 looks like you did your best not to impact
 9 wetlands.
 10 But, you know, it's not often that I go
 11 against staff recommendation. Our staff, they
 12 are the experts on these matters. But I'm
 13 going through the criteria, and I just -- I beg
 14 to differ on some of these. You know, will the
 15 proposed use have an environmental impact
 16 inconsistent with health and safety? I think
 17 it will. I mean, we're looking at quite a bit
 18 of impervious material here right next to
 19 wetlands. I just think that naturally that's
 20 going to cause an issue.
 21 I think that the traffic concern -- you
 22 know, I've heard from other commissioners that
 23 we're not to consider traffic, but it's one of
 24 the criteria here, you know.
 25 Let's see. Bear with me, folks.
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165

1 And here is another criteria: "Will the
2 proposed use result in creation of
3 objectionable or excessive noise, lights,
4 vibration, fumes, odors, dust, or physical
5 activities?" Naturally, it will. I mean,
6 we're talking about building a school here.
7 We're talking about hundreds of vehicles
8 converging on this location multiple times a
9 day.

10 I heard what the community had to say. I
11 try not to take some of the comments personal.
12 We do not rubber stamp things here. You can
13 see we have all differing opinions. We all
14 have different backgrounds. Most of us have
15 different professions and we have different
16 perspectives on each and every application that
17 comes before us.

18 I feel for the community on this. I don't
19 think that a traffic light at the ingress and
20 egress of a community is appropriate. I think
21 that this reeks of safety concerns.

22 I know I spoke with Mr. Michaelis on this.
23 You know, I have the utmost respect for you and
24 Mr. Hainline. I know that you guys typically
25 always have fantastic, sound projects that

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166

1 you're representing that come through here.
2 But, unfortunately, I can't get behind
3 this due to the reasons I mentioned.
4 Thank you, Mr. Chairman.

5 THE CHAIRMAN: Thank you, Commissioner
6 Moldovan.
7 Further comments?
8 Commissioner Porter.

9 COMMISSIONER PORTER: Thank you, Chairman.
10 So I initially was agreeing with my fellow
11 commissioner, Mr. Moldovan. I think the
12 applicant has gone above and beyond. An
13 eight-foot sound barrier wall is not cheap,
14 and, you know, it's not required.

15 As far as drainage, you know, another
16 appropriate use for this property could be
17 RLD-60, and you would have a lot of drainage
18 problems to address, and that's what civil
19 engineering is for. I'm not sure how much
20 property is covered with this school, but it
21 doesn't look like it's more than what RLD-60
22 would cover.

23 I'm comfortable with this. I understand
24 the pains of traffic. But any school going in
25 anywhere in the city is going to have traffic

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167

1 concerns.
2 That's all I got. Thank you.

3 THE CHAIRMAN: Thank you, Commissioner
4 Porter.
5 Randy, I didn't see you through the glare
6 in the glass. Go ahead --
7 MR. GALLUP: I have a procedural question.
8 THE CHAIRMAN: Go ahead, Mr. Gallup.
9 MR. GALLUP: Mr. Chairman, I have a
10 question regarding one of the conditions that
11 is put on this exception. Condition Number 8,
12 which is that this will be a K-8 school, I have
13 a question for staff.
14 Where is the regulatory oversight if the
15 school were to go to a K-12, since possibly a
16 permit would not be required? I mean, I could
17 switch a room from eighth grade to twelfth
18 grade overnight.
19 So I just want to see where is the
20 trigger, where is the regulatory oversight if
21 this school were to decide to go to a K-12
22 model instead of a K-8 since, under the Zoning
23 Code, the school is from K to 12?
24 Thank you.
25 MR. HUXFORD: Under the terms of the final

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168

1 order that would be issued, it would be
2 conditioned no higher than eighth grade. If
3 they started doing so, it would be a zoning
4 violation and our Code officers could go after
5 them and cite them.
6 MR. GALLUP: How would you know?
7 MR. HUXFORD: We would have to be told,
8 like so many things.
9 MR. GALLUP: Thank you.
10 THE CHAIRMAN: I'll bet there are some
11 neighbors that would say something.
12 Guys, I just want to share my initial
13 thoughts, and then I'd like to drill down
14 deeper, T.R., to whoever is the best
15 representative from Summit on this, and then
16 I'll close my thoughts.
17 Initially, I wanted to -- a couple of our
18 commissioners referenced it, but Rogers Towers
19 approached me on this process. We were
20 supposed to hear this two weeks ago. They put
21 a pause on it, I think, because your councilman
22 said, hold on, we have a lot of people that we
23 need to explain this to.
24 They had a several-hour-long meeting, and
25 then came out. You know, all this has

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169

1 transpired over the course of two weeks. And
2 then last night we -- or even this morning we
3 get a completely updated landscape plan, a
4 completely updated site plan, self-imposed
5 conditions, all trying to appease the info they
6 got from the community meeting and help the
7 surrounding neighbors feel a little bit better
8 about that.

9 It's a little frustrating to me that
10 that -- it seems like it didn't help at all.
11 And this is stuff that we don't normally see
12 from applicants. So they really tried to get
13 this -- you guys feeling about this, and it
14 didn't work at all. So I don't feel great
15 about that. I think they did a good job on
16 their approach.

17 What we heard consistently for an hour was
18 there's no need for these schools and it will
19 have bad traffic. If there's no need for them,
20 there's not going to be students going there
21 and there won't be any traffic. If there is
22 need for them, there will be traffic, but there
23 is a need.

24 So I don't see how we can have our cake
25 and eat it too. There's either a need and

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170

1 there's going to be traffic or there's no need
2 and there's not going to be traffic.

3 My company, we do a lot of work in --
4 we're new home builders. And a lot of that is
5 going on in St. Johns County. And all the new
6 schools and all the new developments in
7 St. Johns County, all of them -- almost all of
8 them you can walk to, you can ride your bike
9 to, you can ride your golf cart to. And I
10 don't know at what point that became a bad
11 thing.

12 So I don't quite get that perspective. I
13 think if my kid could walk to school, that
14 would be a good thing. I get that Old St.
15 Augustine is a busy road, but also that they're
16 putting in a light. We've heard that they
17 speed down Old St. Augustine Road, and a light
18 should help slow down the speed. But we also
19 heard that a light is extremely dangerous. So
20 I'm getting some mixed signals here.

21 So those are my initial thoughts.

22 T.R., who is the best person for me to
23 talk to from Summit? I just want to go and
24 drill down a little bit more on the need point.
25 I know this isn't your first rodeo of building

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171

1 a school. I would like to talk about what they
2 have done in the past.

3 Is that you?

4 MR. HAINLINE: So the question is ...

5 THE CHAIRMAN: So I know this isn't their
6 first time building a school in Jacksonville
7 and down in Orlando. This is what they do for
8 a living. I would like to hear -- you know, we
9 heard that there's clearly no need. I want to
10 hear from them why there is a need.

11 MR. HAINLINE: Yes, sir.

12 THE CHAIRMAN: Based on their prior
13 experience, if that's all right.

14 (Mr. Klotz approaches the podium.)

15 MR. HAINLINE: While Chris Klotz is coming
16 down here, I'll say, I can't imagine how a
17 school adds four grades secretly. I mean, I
18 don't -- I mean, they would -- if somebody
19 wanted to change a school, they would advertise
20 and they'd put in that they are now open to
21 these things. They would take applications.
22 It would be pretty conspicuous, I would think.
23 I don't think that's something that can happen
24 secretly. Let me just say that.

25 Chris can talk about the need.

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172

1 THE CHAIRMAN: Chris, so I think you guys
2 have built Classical Academy over on McCoy's
3 Creek; is that correct?

4 MR. KLOTZ: We have, just west of
5 downtown.

6 THE CHAIRMAN: Have you built any other
7 schools in Jacksonville?

8 MR. KLOTZ: Sixteen total.

9 THE CHAIRMAN: Sixteen. I had no idea it
10 was that many.

11 MR. KLOTZ: Charter schools.

12 THE CHAIRMAN: Okay. Sixteen schools.
13 So tell me what the capacity looks like in
14 general across those 16 schools. Are they
15 filled up or are you guys struggling to get
16 kids?

17 MR. KLOTZ: For the most part, you know,
18 within two or three years, every school will
19 fill to 100 percent, some much faster. We
20 typically see a very strong demand once the
21 community learns about them and then finds out
22 what they are about and understands charter
23 schools. That's part of the learning curve, as
24 families and parents understand that this is a
25 tuition-free, public choice for their children.

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(904) 821-0300

173

1 THE CHAIRMAN: Okay. So you've had good
2 feedback from parents. You're going to be
3 where you need to be on capacity for these
4 schools?
5 MR. KLOTZ: Absolutely. And like I said
6 earlier today, this school is one of the best
7 sites that we've identified based on the
8 significant over-capacity of charter schools in
9 that area, significant growth in school-age
10 children in the area, and it being located very
11 central and very accessible to the community.
12 THE CHAIRMAN: Okay. Mr. Klotz, I
13 appreciate the perspective on that.
14 MR. KLOTZ: Certainly.
15 And I just want to also mention, we're
16 headquartered here in Jacksonville, Summit is.
17 I live in Jacksonville, born and raised. We've
18 been in the community for years.
19 THE CHAIRMAN: Okay. Thank you.
20 All right. Again, that helps me feel even
21 better about the school here. It's a proven
22 concept. These are professionals. This is
23 what they do for a living. I think there is a
24 need there. I think the need has been
25 underestimated.

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174

1 Guys, I get that you are passionate about
2 where you live. You love where you live. And
3 I get that you don't like change, and this will
4 impact your life and might have caused more
5 traffic, but I do think that there is a need.
6 I think that was underestimated today.
7 But as I'm sitting here listening to all
8 this testimony and I'm thinking about the next
9 item we have on our agenda, and I think -- you
10 know, perspective probably goes a long way.
11 And there are other parts of town and there's
12 things that can be built in other parts of town
13 that are far, far worse than -- in my opinion,
14 than what we have being applied for here.
15 So that's my comments.
16 Any further comments from the Commission?
17 Commissioner Brown.
18 COMMISSIONER BROWN: I'll be brief because
19 I think you guys have your numbers.
20 I'm not going to go into need. It sounds
21 like it's not even a criteria, but I heard it.
22 I think my biggest pause with this one was it's
23 currently zoned RR-Acre and RLD-70. I could
24 see a PUD going in here with 50- or 60-foot
25 lots -- might get you 60 to 80 homes, give or

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175

1 take.
2 I know you can do this by exception in
3 residential land use. I get it. I had this
4 notion, like, if this was a church on this same
5 site with this queuing, would I think that's
6 appropriate? Well, I don't think so. Well,
7 why do I like it for a charter school?
8 So my hesitation is you've got 25 feet to
9 the queuing if you live on, forgive me, Ariana
10 Elyse.
11 I'll be fast because I think you guys have
12 your numbers.
13 I don't feel good about taking RR-Acre,
14 RLD-70 and putting hundreds of cars queuing
15 25 feet behind these people's houses. If it
16 were a spine-road subdivision, 80 new homes, I
17 wouldn't have a problem. I think this is a
18 little much.
19 So ultimately, my opinion might not really
20 sway, but I'm going to stick with my gut. And
21 it really has to do with the intensity of the
22 exception, particularly on the Ariana Elyse
23 community.
24 THE CHAIRMAN: Thank you, Commissioner
25 Brown.

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176

1 Final comments from the Commission?
2 COMMISSION MEMBERS: (No response.)
3 THE CHAIRMAN: We have a motion and a
4 second for approval of E-22-18 with the
5 conditions and the updated landscape and site
6 plan.
7 All those in favor?
8 COMMISSIONER PORTER: Aye.
9 COMMISSIONER ELSBURY: Aye.
10 COMMISSIONER GARRISON: Aye.
11 COMMISSIONER BLANCHARD: Aye.
12 THE CHAIRMAN: Aye.
13 In favor we have Commissioner Porter,
14 Commissioner Elsbury, Commissioner Garrison,
15 Commissioner Hacker, and Commissioner
16 Blanchard.
17 All those opposed?
18 COMMISSIONER ADKISON: (Indicating.)
19 COMMISSIONER BROWN: (Indicating.)
20 COMMISSIONER MOLDOVAN: (Indicating.)
21 THE CHAIRMAN: Commissioner Adkison,
22 Commissioner Brown, Commissioner Moldovan.
23 So we have five in the positive direction.
24 That motion passes.
25 All right. Thank you all for being here.

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177

1 Let's move on to WLD-22-13, please. As
 2 these folks are exiting, just a reminder, guys,
 3 we're going to keep public comments to three
 4 minutes. We will make a motion one way or the
 5 other. That doesn't necessarily mean that's
 6 how we're going to vote at the end.
 7 (Mr. Harden approaches the podium.)
 8 THE CHAIRMAN: Mr. Harden, we'll give you
 9 three minutes on the front end and as much time
 10 as you need on the back end to address their
 11 concerns.
 12 MR. HARDEN: Are you going to have the
 13 staff go first?
 14 THE CHAIRMAN: Yes.
 15 Folks, go ahead.
 16 MR. HUXFORD: Thank you, Mr. Chairman.
 17 This is application for waiver minimum
 18 distance requirements for a liquor license
 19 location, WLD-22-13, for a property at
 20 5522 Soutel Drive in the northwest part of
 21 town.
 22 The request is to reduce the distance from
 23 a proposed liquor store from 500 feet to 401
 24 feet. So the property is zoned CCG-2, which
 25 allows package stores by right. So this is not
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178

1 a use request. This is request for relief from
 2 distance.
 3 And according to the criteria, the
 4 Planning Commission may grant the waiver -- may
 5 grant a waiver if they find in the affirmative
 6 on any one of the five criteria.
 7 The staff has gone through and reviewed
 8 the criteria for you. Based on -- and showing
 9 you some prior activity on the property, the
 10 criteria that we are most concentrating on is
 11 the fourth criteria as to whether the affected
 12 church is visible from a line of sight from the
 13 liquor store and vice versa.
 14 In that, we've noticed that -- we've
 15 written that it is not visible from -- they
 16 can't see each other. And also that the --
 17 while the church property is 401 feet away, the
 18 actual church itself is 802 feet away.
 19 So with that, as we did at our last
 20 meeting -- I wasn't here, but I think Bruce
 21 handled it. Based on that, it is our
 22 recommendation to approve.
 23 THE CHAIRMAN: Thank you, Folks.
 24 Mr. Harden, give us your name and address,
 25 please.
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179

1 MR. HARDEN: Yes, sir, Mr. Chairman.
 2 Paul Harden, 1431 Riverplace Boulevard.
 3 THE CHAIRMAN: Thank you. Go ahead.
 4 MR. HARDEN: Again, because we've been
 5 through this once, I'll try to move quickly,
 6 although I know one of you wasn't here.
 7 But as Mr. Huxford has pointed out, this
 8 is not a change of zoning. This is an
 9 allowable use by right at this location, and
 10 the issue before you is a distance waiver.
 11 And there are five ways to deal with the
 12 distance waiver, and I don't think there's any
 13 dispute nor was there any dispute two weeks ago
 14 that we meet at least two of those five,
 15 starting with the first one, that the use is
 16 not directly visible in the line of measurement
 17 defined in Section 656.
 18 I have the same handout I handed out two
 19 weeks ago, and you can see that between this
 20 site -- which, by the way, has been here for
 21 more than 50 years -- it is an 8-foot fence, a
 22 very wooded area, a second wooded area, and
 23 then I have pictures of all the businesses in
 24 between. So there's no line of sight at the
 25 location.
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180

1 The other one that we meet is -- there's
 2 an existing facility of similar nature between
 3 us and the church location. And I have a
 4 picture of that in there. There isn't any
 5 dispute about it. The neighbors spoke about it
 6 last week. For more than 40 years, there's
 7 been a retail sale of alcohol use closer to the
 8 church than this proposed location. So there
 9 isn't any dispute that we meet the criteria.
 10 The issues that were brought up are not
 11 relevant to those criteria, but I want to talk
 12 about one more thing we didn't talk about last
 13 week. I have a second page in your handout
 14 that has some definitions that I want to talk
 15 about.
 16 There is a definition of "church." Church
 17 means a building. A building. There isn't any
 18 building other than that one location that's
 19 really more than 1,500 feet, not 800 feet, from
 20 the site. So the distance waiver has to be
 21 from the building itself.
 22 The Planning Department has asked us to
 23 measure using what they've called a "grassy
 24 knoll" at the location because they are
 25 describing that as the grounds of the church.
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181

1 But that is not, in fact, what -- that's not a
2 grounds for the church.
3 I litigated this issue with the City of
4 Jacksonville in 1997 on this same exact issue.
5 It's cheaper for my client to come here and try
6 to get a waiver in agreement with the Planning
7 Department than spend \$100,000 litigating. But
8 the General Counsel of the City of Jacksonville
9 issued an opinion at that time -- and I'm going
10 read it.
11 "It's the opinion" -- and this is binding
12 on the City of Jacksonville.
13 "It's the opinion of this office, the mere
14 ownership of property of that church is not
15 sufficient to render vacant property grounds as
16 used by the established church. In the
17 American Heritage Dictionary, grounds means
18 'the area of land designated for a particular
19 purpose.' Therefore, the land surrounding or
20 forming the buffer part of the house or
21 building including grounds or the lands that
22 surround the building designated for a specific
23 use."
24 So the grounds are limited to those
25 grounds around that church --
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182

1 (Timer notification.)
2 MR. HARDEN: That was three minutes
3 already? Okay.
4 So I have that in the file. If you have
5 questions about it, I'll be happy to talk to
6 you.
7 THE CHAIRMAN: Thank you, Mr. Harden.
8 All right. We've going to start with
9 Tyrona Clark-Murray, and then John Cowser, and
10 then Larry Parker.
11 (Audience member approaches the podium.)
12 AUDIENCE MEMBER: Good evening -- I said
13 evening. I feel like it's evening.
14 Tyrona Clark-Murray. My address is on
15 file. I'm representing the Northwest CPAC, and
16 we sent a letter regarding this particular
17 application, that it be denied.
18 So Mr. Harden, the applicant's
19 representative, mentioned something that was
20 very curious to me. He talked about the
21 grounds. So I'm going deviate for just one
22 moment -- and thank you to my lovely
23 (inaudible) who is helping me today.
24 So he said -- so according to Section
25 656.806, this says that "the distance shall be
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183

1 measured by following a straight line from the
2 nearest point of the building or portion of the
3 building used as part of the proposed location
4 to the nearest point of the grounds used as
5 part of the church." It does not say church
6 building.
7 So with that being said, let's look at --
8 this is 5522. This is the church. This is the
9 church grounds. According to the measurement
10 on the straight line, it is 401 feet. The
11 ordinance says that you should not have --
12 allow a waiver of liquor distance less than
13 500 feet from a church. This says "church
14 grounds."
15 So just going back for a few minutes --
16 and let's -- I want to remind this body of what
17 took place two weeks ago.
18 So the applicant -- remember, in his
19 application it's stated that you "shall" grant
20 based on one item, one criteria that the
21 applicant would meet. Remember, that's not the
22 language; it's "may." So I don't know why in
23 his particular application that was dated 2017,
24 and this is 2022, that it said "shall" and he
25 didn't use updated version.
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184

1 I think there's somewhere in the
2 ordinance -- and I can't recall what the number
3 is -- it says that you must use the updated
4 version. This 2017 is not an updated version.
5 With that being said as well -- so let's
6 think about the fact that he talked about,
7 first of all, how the distance is or what the
8 distance is. He also talked about traveling
9 onto New Kings Road and then going to Soutel.
10 That's not what this ordinance says.
11 It says "a straight line from the nearest
12 portion of the building or portion of the
13 building used as part of the proposed location
14 to the nearest part [sic] of the grounds used
15 as part of the church."
16 Nearest part of the grounds used as part
17 of the church.
18 So another element is that -- for
19 Criterion 5, he talked about a business being
20 closer. Those two businesses, the liquor
21 store -- the package liquor store and the
22 current liquor lounge, they are in the same
23 building. So how can one be closer to the
24 other? And the nearest point for measurement
25 to the grounds would be this corner that's in
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185

1 purple. And I know it's hard for you all to
 2 see, but you can you look it up on GIS.
 3 And so there is no current liquor business
 4 that exists closer to this church. That's not
 5 true.
 6 This is an auto shop. This is a Metro
 7 phone place, and that's a laundromat. And they
 8 are not serving liquor at the laundromat.
 9 Thank you.
 10 THE CHAIRMAN: Thank you, Ms. Clark-Murray.
 11 Appreciate you being here.
 12 (Audience member approaches the podium.)
 13 THE CHAIRMAN: John Cowser, and then we'll
 14 hear from Larry Parker, and then Dr. Diana
 15 Green.
 16 AUDIENCE MEMBER: My name is John Cowser.
 17 I live at 5317 Dostie Drive South.
 18 And my concern is the impact of further
 19 facilitating what's going on in the
 20 neighborhood, which I would refer to as a
 21 Orange Crush weekend. Every weekend.
 22 I work night shifts, and by the time I
 23 come home at about 4 a.m., that whole area
 24 where this package store is supposed to set
 25 up -- 4 a.m., the lots are still full of youth.

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186

1 Not inside the clubs, but outside taking up all
 2 areas with their cars open, open containers,
 3 loud music. And that's why I have opposition
 4 to it.
 5 As far as the church is concerned, Jesus
 6 had a lot to say about alcohol. As a matter of
 7 fact, he made wine. But there's a distinction
 8 between wine and strong drink. And this
 9 package store -- we've got a major distributor
 10 in town, and it's called wine and spirits. And
 11 I think that the youth should not be subjected
 12 to the easy consumption and purchase of these
 13 spirits because they might exacerbate the
 14 violence and conditions that we don't desire.
 15 Thank you very much.
 16 THE CHAIRMAN: Thank you, Mr. Cowser.
 17 Mr. Larry Parker. Is Larry here?
 18 AUDIENCE MEMBERS: (No response.)
 19 THE CHAIRMAN: Let the record reflect that
 20 Mr. Parker is in opposition.
 21 Next, Ms. -- Dr. Diana Green. Is she
 22 here?
 23 AUDIENCE MEMBER: She left a card in
 24 opposition.
 25 THE CHAIRMAN: She did leave a card in

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187

1 opposition. I didn't know if she was here to
 2 speak.
 3 Mr. Gallup, do you know if she's coming
 4 back or is she --
 5 MR. GALLUP: (Inaudible.)
 6 THE CHAIRMAN: Let the record reflect
 7 Dr. Diana Green, Duval County Public Schools
 8 Superintendent, is in opposition.
 9 Next, we have William Fulton. Is he here?
 10 AUDIENCE MEMBERS: (No response.)
 11 THE CHAIRMAN: Let the record reflect that
 12 William Fulton is in opposition.
 13 Nest, Deborah Caldwell. Is Ms. Caldwell
 14 here?
 15 AUDIENCE MEMBERS: (Inaudible.)
 16 THE CHAIRMAN: Let the record reflect she
 17 is in opposition.
 18 Vanessa Hopkins.
 19 AUDIENCE MEMBER: Here. It's going to
 20 take me a little bit, but I'm coming down.
 21 (Audience member approaches the podium.)
 22 THE CHAIRMAN: You take your time.
 23 Ms. Hopkins is coming down. After her
 24 we'll hear from Brent Hyskell and then Daryl
 25 London.

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188

1 Ms. Hopkins, good to see you again. Give
 2 us your name and address for the record,
 3 please.
 4 AUDIENCE MEMBER: Vanessa Cullins-Hopkins,
 5 3283 Edgewood Avenue West, Jacksonville,
 6 Florida 32209.
 7 THE CHAIRMAN: Go ahead, ma'am.
 8 MS. CULLINS-HOPKINS: I, along with
 9 countless community and neighborhood residents,
 10 request that the City of Jacksonville's
 11 Planning Commission oppose WLD-22-13.
 12 At the last Planning Commission meeting,
 13 the City of Jacksonville's General Counsel
 14 clarified that distance waivers described in
 15 Section 656.133(a) of the ordinance code are
 16 delineated by "may," and not "shall." Meaning,
 17 the Commission has the discretion to not grant
 18 waivers that may conform to previously granted
 19 waivers.
 20 I'm here speaking for myself, my
 21 community, and my family, but I am a member of
 22 King/Soutel Crossing Community Redevelopment
 23 Advisory Board, and we were bamboozled by the
 24 application we received that used the word
 25 "shall" and not "may." And that's the only

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189

1 reason why the advisory board recommended
 2 passage. The community does not want another
 3 liquor store.
 4 To be consistent with the housing element
 5 of Jacksonville's 2030 Comprehensive Plan,
 6 which was revised December 2013, the waiver
 7 must not be approved -- as a reminder,
 8 Section 1.4.4 of the housing element states:
 9 "Commercial and other nonresidential uses
 10 lying adjacent to residential neighborhoods
 11 shall not be expanded into residential
 12 neighborhoods unless such uses enhance or do
 13 not diminish or degrade residential character
 14 of the neighborhood."
 15 The proposed liquor store diminishes and
 16 degrades the Dostie Drive/Washington Estates
 17 neighborhood, in which low to moderate
 18 middle-class people of color, primarily
 19 African-Americans, live. The nearest house is
 20 less than 10 feet from the back of where the
 21 proposed liquor store is to be.
 22 Liquor-selling establishments within a
 23 mile radius of the proposed liquor store number
 24 more than five. We need whole food, fresh
 25 fruits and vegetables, not another liquor
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190

1 store. Please stop the structural racism. A
 2 liquor store on every corner in our community
 3 is structural, systemic racism. Please do not
 4 approve this. You have the discretion to not
 5 approve this. Please vote no.
 6 Thank you.
 7 AUDIENCE MEMBERS: (Applause.)
 8 THE CHAIRMAN: All right. OGC says I have
 9 to say no clapping.
 10 Thank you, Ms. Cullins.
 11 Next, Brent Hyskell.
 12 (Audience member approaches the podium.)
 13 MS. CULLINS-HOPKINS: Were you speaking to
 14 me?
 15 THE CHAIRMAN: No, ma'am.
 16 MS. CULLINS-HOPKINS: Oh, sorry.
 17 THE CHAIRMAN: That's all right.
 18 Thank you.
 19 Mr. Hyskell, come on up, and then we'll
 20 hear from Mr. London and then Mahnsan Nyenatee.
 21 AUDIENCE MEMBER: Brent Hyskell. Address
 22 on file.
 23 I just wanted to simply say I do oppose
 24 this -- to be this variance. I'm not in favor
 25 of a liquor store really going up in any
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191

1 neighborhood, but when it does compromise a
 2 church or a school, and in this case it seems
 3 like both are in the picture, I even more
 4 oppose it. So I just simply want to say that
 5 I'm here to oppose it.
 6 Thank you so much.
 7 THE CHAIRMAN: Thank you, Mr. Hyskell.
 8 Next, Daryl London.
 9 Mr. London, are you here?
 10 AUDIENCE MEMBERS: (No response.)
 11 THE CHAIRMAN: Let the record reflect that
 12 Mr. London is in opposition.
 13 AUDIENCE MEMBER: I'm here.
 14 THE CHAIRMAN: Oh, I'm sorry. Mr. London,
 15 you are here.
 16 (Audience member approaches the podium.)
 17 AUDIENCE MEMBER: Yeah.
 18 THE CHAIRMAN: Okay. Is Mr. Nyenatee
 19 here?
 20 AUDIENCE MEMBER: Yeah.
 21 THE CHAIRMAN: Come on down, sir.
 22 Your name and address for the record,
 23 please.
 24 AUDIENCE MEMBER: My name is Daryl London.
 25 I live at 5023 North Pearl Street,
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192

1 Jacksonville, Florida 32206.
 2 THE CHAIRMAN: Thank you.
 3 Did we swear you in earlier?
 4 MR. LONDON: Yes, sir.
 5 THE CHAIRMAN: Okay.
 6 MR. LONDON: Basically, as a former
 7 alcoholic -- they say there's no consumption of
 8 alcohol on that premises. I will tell you, as
 9 soon as I get my brown bag, I'm going to take a
 10 drink. So to say that no one is going to drink
 11 on that property, I wouldn't believe that.
 12 As for a member of the church, our
 13 children play out there in that field. We have
 14 Easter egg hunts, anything that we can do to
 15 keep the kids in movement we do out there on
 16 that field and also held church services out
 17 there.
 18 So I don't really believe that -- we
 19 already have liquor stores in that area. You
 20 have Dollar General, Winn-Dixie, Walgreens, and
 21 the gas station -- all in less than a mile -- I
 22 wouldn't even say that -- from each other that
 23 all sell some form of alcohol. I don't
 24 understand why we would need another liquor
 25 store in that area.
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193

1 Thank you.
 2 THE CHAIRMAN: Thank you, Mr. London.
 3 Appreciate you being here.
 4 Mr. Nyenatee.
 5 (Audience member approaches the podium.)
 6 AUDIENCE MEMBER: Thank you for the
 7 opportunity. And I want to thank everybody
 8 from the community that are here.
 9 THE CHAIRMAN: Let's get your name and
 10 address for the record.
 11 AUDIENCE MEMBER: My name is Mahnsan
 12 Nyenatee, and I live at 9918 Rosewood Glen
 13 Lane, Jacksonville.
 14 I am a member of the Friendship Missionary
 15 Baptist Church, a church that has shaped the
 16 life and the spiritual well-being of me and my
 17 family. For us to have another liquor store or
 18 package liquor store pretty close to the church
 19 is something that I oppose.
 20 And I wish that we would look at the value
 21 that is -- what is in the Code. The Code
 22 clearly states -- it does not mention anything
 23 about distance from a building. So the
 24 premises of the church is way within the line
 25 that this should not be approved.
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194

1 Thank you.
 2 THE CHAIRMAN: Thank you, Mr. Nyenatee.
 3 Appreciate you being here.
 4 Next, we have Tanita Woods.
 5 Ms. Woods, are you here?
 6 AUDIENCE MEMBERS: (No response.)
 7 THE CHAIRMAN: Let record reflect that
 8 Ms. Woods is in opposition.
 9 Next, we have Ms. Eunice Barnum.
 10 (Audience member approaches the podium.)
 11 THE CHAIRMAN: Are you going to be nice
 12 today, Ms. Barnum?
 13 Give us your name and address for the
 14 record, please.
 15 AUDIENCE MEMBER: Eunice Barnum,
 16 9121 Spottswood Road.
 17 And I'm going to be kind because I'm going
 18 to educate you today. I must say, I'm tired.
 19 When I look at you all who are supposed to be
 20 the leaders, when I look at City Council who is
 21 supposed to be our legislators, and how -- how
 22 ignorant is it of you when you don't know what
 23 the law says. You're making decisions when you
 24 haven't read.
 25 Number one, the Neighborhood Bill of
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195

1 Rights, you all are violating it. You have
 2 attorneys sitting there getting paid, and they
 3 have not once mentioned that Neighborhood Bill
 4 of Rights. It is a City ordinance since 1995.
 5 Okay. I've had the Attorney General, I
 6 think it was I wrote to. And they wrote back,
 7 well, it's not codified. Duh. You all were
 8 sworn in, were you not? You raise your hand,
 9 you put one on the Bible, you raise the other
 10 one, and you said that you solemnly swear and
 11 affirm that you would follow the United States
 12 Constitution, the Florida Constitution, the
 13 charter, and City ordinances. Get real.
 14 You're sitting here violating City
 15 ordinances, and it isn't cute. It's nothing to
 16 grin about. You're playing with people's
 17 lives.
 18 I applaud the gentleman that says "We, the
 19 people." If you knew anything, that's the
 20 first -- that's Government 101. For the
 21 people, by the people, of the people.
 22 And you sit in here letting power make
 23 decisions. If you had gone to the community in
 24 the first place like the Neighborhood Bill of
 25 Rights says you're supposed to, you would have
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196

1 already known what the neighborhood wanted,
 2 needed, and would have requested.
 3 Then I have my City Council members, they
 4 sit there a hundred years, serve, get paid, and
 5 they don't know nothing either. When I read
 6 the law -- the law says you all are -- the
 7 waivers goes through the Rules Committee. If
 8 you are volunteering and making decisions, I
 9 want to volunteer and make some, too, and they
 10 better pass.
 11 Have a great day.
 12 THE CHAIRMAN: Thank you, Ms. Barnum.
 13 Appreciate you being here.
 14 Next, we have Kim Perry. Is Ms. Perry
 15 here?
 16 While Ms. Perry is coming down, next,
 17 we'll hear from Gill Bush and then Keba
 18 Roberson.
 19 (Audience member approaches the podium.)
 20 THE CHAIRMAN: Ms. Perry, good afternoon.
 21 Give us your name and address for the
 22 record, please.
 23 AUDIENCE MEMBER: Good afternoon.
 24 My name is Kim Stevens-Perry and my
 25 address is on file.
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197

1 I'm a member of the Northwest CPAC. And
 2 I'm the chairperson, recently appointed, for
 3 the land use and zoning. We submitted a letter
 4 to the City in regards to opposing this waiver.
 5 The church should have precedence over a
 6 liquor package store. The church is an active
 7 organization. They utilize all of their land
 8 space. Since COVID, they have been conducting
 9 services on the property. They also use the
 10 external areas for their youth ministry. They
 11 often have activities there for their children.
 12 Meanwhile, the applicant owns the
 13 building. As Ms. Barnum mentioned, had you all
 14 gone out and taken a look at this site, you
 15 would understand that the applicant truthfully
 16 is not a good neighbor. There's no dumpster
 17 there. Trash accumulates on the curb from his
 18 tenants.
 19 So therefore, if this individual is
 20 petitioning for a waiver of distance, it should
 21 not be allowed merely because he's not a good
 22 landlord.
 23 I'm a residential landlord. If my
 24 neighbors complain about my tenants, I take
 25 action, I follow up with my tenants. If they
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198

1 don't correct their issues, I will terminate
 2 the lease immediately or at the end of the
 3 term. This applicant is not a good neighbor.
 4 And you've heard it from previous
 5 individuals here. As they have spoken about,
 6 the parking there when there is activities at
 7 the clubs or probably not any activity.
 8 But anyway, as far as the CPAC is
 9 concerned, we hope that you would with follow
 10 our recommendation. We're volunteers, just as
 11 you. And maybe you may own your own business,
 12 but a lot of us are taking our vacation time to
 13 come here, and this should have been resolved
 14 at the last meeting where it was a four-three
 15 vote. It should have just been a straight
 16 denial.
 17 So with that being said -- and my time is
 18 almost up -- I do hope you will follow the
 19 instructions and the letter to deny this
 20 waiver.
 21 THE CHAIRMAN: Thank you, Ms. Perry.
 22 Mr. Gill Bush, and then we'll hear from
 23 Keba Roberson, and then Debra Cotton.
 24 (Audience member approaches the podium.)
 25 THE CHAIRMAN: Mr. Bush, good afternoon.
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199

1 Give us your name and address, please.
 2 AUDIENCE MEMBER: Yes, sir.
 3 My name is Gill Bush. I stay at 5839
 4 Martin Luther King Drive. I stay in the
 5 community nearby the subject of the -- of the
 6 situation we're talking about.
 7 I'm a member of the church in the
 8 neighborhood not far from that, Phillipian
 9 Community Church. I'm also a minister there.
 10 We work in the community around there, and the
 11 things that we're trying to deal with, and that
 12 there is the problems of the neighborhood.
 13 One of the things that I would just say --
 14 and this will cut it short. Right now we
 15 doesn't need a bar in this neighborhood, not in
 16 this area. We have one.
 17 We trying to deal with the crime. We're
 18 dealing with the City government as far as law
 19 enforcement as well as the community as a
 20 whole. And we need businesses development, but
 21 not one -- because of certain nights that
 22 neighborhood, right at that spot, we have
 23 criminal activities for our young people. And
 24 we're trying to deal with that.
 25 Thank you very much for your time.
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200

1 THE CHAIRMAN: Thank you, Mr. Bush.
 2 Appreciate you being here.
 3 Next, Keba Roberson, then we'll hear from
 4 Debra Cotton.
 5 (Audience member approaches the podium.)
 6 AUDIENCE MEMBER: Good afternoon.
 7 My address is Keba Roberson. Address is
 8 722 Edgewood Avenue West, Jacksonville, 32208.
 9 I'm coming before you today because I
 10 oppose, obviously. I have a few questions.
 11 One is, did the applicant -- when he purchased
 12 this property, did he research what the
 13 ordinances were, what the rules to be close to
 14 a school, to a church? And now they want to
 15 reduce the distance. I'm just wondering. They
 16 want to change the rules and laws that's been
 17 in place.
 18 I have another question. Did the
 19 applicant attempt to deceive the Planning
 20 Department and this board by using a waiver of
 21 liquor distance application that was last
 22 updated January 1st, 2017?
 23 More importantly, the outdated form uses
 24 the word "shall," which in legal jargon,
 25 interpret to mean "must."
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201

1 However, in the 2022 version of the
 2 Section 656.133 waiver for minimum distance
 3 requirements for liquor license location
 4 states: The waiver for minimum distance
 5 requirements from a church or school for a
 6 liquor store license location may -- emphasize
 7 "may" -- be granted.
 8 I urge this board to deny the waiver.
 9 Lastly, good faith is a part of a fair
 10 dealing in contract law. The applicant for
 11 this business owns the building; therefore, he
 12 should know or should have known about the
 13 violent acts and the fatalities that have
 14 occurred over the past three months on his
 15 property.
 16 Although operating a liquor lounge,
 17 package store or a pub is not inherently
 18 violent, the liquor lounge on his property is.
 19 Adding a liquor package store would exacerbate
 20 the current problem, which shows a lack of good
 21 faith on the owner's behalf. Lack of good
 22 faith.
 23 As lawyers, you realize that bad faith is
 24 simply a lack of good faith.
 25 I yield my time.
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202

1 THE CHAIRMAN: Thank you, Ms. Roberson.
 2 Next, Debra Cotton. After Ms. Cotton, we
 3 will hear from Aloysious Denard.
 4 (Audience member approaches the podium.)
 5 AUDIENCE MEMBER: Hello. My name is Debra
 6 Cotton. My address is on file.
 7 City Ordinance Code Section 656.805 point
 8 out the distance limitation. The applicant's
 9 business is 401 feet, less than 500 feet, from
 10 a church. And I'm going to cite, in *Arno*
 11 *versus Alcoholic Beverage Control Commission*,
 12 Massachusetts Supreme Judicial Court opined as
 13 amended by state -- by Statute 1970,
 14 Section 192, Subsection 1, mandated that
 15 premises do not meet 500 -- the 500-foot rule
 16 "shall not be licensed for the sale of alcohol
 17 if the governing body of a church or school
 18 file a written objection."
 19 Unlike Massachusetts law, Florida statutes
 20 do not require a written objection; oral
 21 testimony is sufficient. And Mr. Denard, the
 22 pastor of Friendship Missionary Baptist Church,
 23 has or will submit one.
 24 You, the Planning Commission, is
 25 fulfilling its mission now regarding
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 (904) 821-0300

203

1 Section 30.204, which serves as proof of due
 2 process.
 3 Local zoning ordinances prohibiting the
 4 sale of intoxicating liquor within certain
 5 areas have been withheld. In *Brighton versus*
 6 *Big Standing* [sic], the Court stated: The City
 7 might be legitimately concerned about the
 8 presence of a liquor establishment and its
 9 accompanying treasure in the midst of homes,
 10 churches, and a school.
 11 The Massachusetts Supreme Court added
 12 that -- added and made clear that "Zoning
 13 decisions addressed to family needs are
 14 permissible ones." It is ample to lay out
 15 zones where family values and youth values
 16 quietness and seclusion, along with clean air
 17 make the area a sanctuary for people.
 18 In conclusion, just like the holdings of
 19 *Arno versus Alcoholic Beverages*, where the
 20 Court denied the plaintiff license, I urge this
 21 body to deny this waiver of liquor distances as
 22 well.
 23 And I'm sorry. I did say that I did not
 24 want to speak, but I changed that, if that's
 25 okay.
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204

1 THE CHAIRMAN: You're fine.
 2 MS. COTTON: Thank you.
 3 THE CHAIRMAN: I didn't see that until
 4 just now, so you're fine.
 5 All right, Ms. Cotton. Thank you.
 6 Aloysious Denard and then Yahya Shabazz
 7 afterwards.
 8 (Audience member approaches the podium.)
 9 THE CHAIRMAN: Mr. Denard, good to see you
 10 again. Give us your name and address, please.
 11 AUDIENCE MEMBER: Aloysious Denard,
 12 16284 Magnolia Grove Way, Jacksonville 32218.
 13 In our last setting I learned a few
 14 things, things like there's no room for
 15 personal feelings or emotion, that decisions
 16 and responsibilities of the Commission is to
 17 uphold the law and not do it based on public or
 18 personal emotion, crime, or the like. I
 19 understand that completely.
 20 But even upholding the law, there's a
 21 sense of moral obligation that applies. It was
 22 stated that it's not based upon community
 23 gripes or frustration but rather to approve or
 24 disprove this waiver based on the business
 25 owner's rights.
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205

1 I ask: Does the church or community not
2 have rights?
3 The law says a minimum of 500 feet from
4 the church and/or school, that's the law, the
5 law that we are sworn to uphold, yet we meet to
6 decide whether or not to obey the law.
7 The business owner and his representation
8 only see a grassy knoll, but it's more than a
9 grassy knoll. It's our children's playground.
10 It's our congregants' outside service area.
11 But only if you live in the area would you know
12 that.
13 Before every meeting we recite the Pledge
14 of Allegiance. In that Pledge of Allegiance it
15 says that we are "one nation under God." That
16 simply means that no matter what walk of life
17 we come from, we are all under God.
18 To some, that's just words. But to a
19 double war veteran as myself, it's more than
20 just words. See, like so many others, I served
21 my country proudly, and now I serve God and his
22 people just as proudly.
23 If we can't make it about crime or
24 loitering or littering or a noise ordinance or
25 the many community complaints that you have
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206

1 heard, then as a nation that's under God, we
2 should all agree to show God reverence and
3 respect. Let's uphold the already-implemented
4 law of a minimum distance requirement of
5 500 feet.
6 THE CHAIRMAN: Thank you, Mr. Denard.
7 Next, Mr. Yahya Shabazz, and then we'll
8 hear from Leola William.
9 (Audience member approaches the podium.)
10 THE CHAIRMAN: Mr. Shabazz, good
11 afternoon. Give us your name and address.
12 AUDIENCE MEMBER: Yahya Shabazz,
13 5316 Dostie Drive South.
14 THE CHAIRMAN: Go ahead.
15 MR. SHABAZZ: Okay. I am concerned with
16 Anwar's Properties as -- he's renting from
17 these different tenant areas. Because 5522 is
18 the ICE Lounge. The package store is going to
19 be 5516. And that's one of my concerns. And
20 also some other areas on Washington Estates,
21 which is a store and a minimum distance from
22 the Friendship Baptist Church.
23 Like, who is the real -- who is the real
24 owner? Or who is it going to be? He says he's
25 not going to pass this license off for one of
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207

1 the conditions, and -- I forgot what the other
2 issue is because I didn't bring that paperwork,
3 but I'm opposed to this.
4 And because one of my neighbors who was a
5 new neighbor who's a veteran also, she had
6 moved over there. She says it's a nice
7 neighborhood. She bought a home. She lives --
8 she lives 10 feet because her fence is 10 feet
9 from the building. And she told me she got the
10 shock of her life that at night from the noise,
11 the loitering and the -- I know that's not one
12 of the issues.
13 But I just want to know who the real owner
14 and who this license is going to really be,
15 because, like I said, the ICE Lounge is 5522,
16 which is already an existing club, and the
17 so-called package store is going to be 5516 on
18 my side of the street.
19 That's one of my issues and I yield. And
20 I oppose.
21 THE CHAIRMAN: Thanks. We don't have
22 those answers. Mr. Harden might address
23 those --
24 MR. SHABAZZ: All right.
25 THE CHAIRMAN: Ms. Williams, and then
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208

1 we'll hear from Ronald Raysor.
2 (Audience member approaches the podium.)
3 AUDIENCE MEMBER: Can you hold the clock
4 while I pass these out?
5 THE CHAIRMAN: Is Ronald Raysor here?
6 AUDIENCE MEMBERS: (No response.)
7 AUDIENCE MEMBER: Leola Williams, address
8 5012 Princely Avenue.
9 I live in the neighborhood. I've been in
10 the neighborhood around 14 years. The Bible
11 says the enemy comes in to rob, destroy, and
12 kill. It seems to me that this property owner
13 and the club owner are coming to bring down our
14 community with these activities, such as
15 shootings in the club at 5522 Sherwood Avenue,
16 shootings that result in deaths. There was a
17 shooting in March where three people were shot
18 and two killed.
19 Loitering. People just drinking in the
20 area, leaving their trash on the ground. You
21 come on Monday morning and you see the trash,
22 you see the bottles, you see the -- when they
23 have eaten, they throw stuff on the ground. I
24 know that's not the issue, but all of this
25 affects our community.
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209

1 Then you have children who need to go to
 2 school on Monday morning and they would have to
 3 see all of that.
 4 I looked up this owner, Mr. Dakhil,
 5 Mr. Anwar Dakhil. I found five businesses for
 6 him on Sunbiz. The address listed on the
 7 application for Royal House Liquor is
 8 10999 Mandarin Preserve Drive, but that's not
 9 what he put on the application. He listed his
 10 address in Orlando, and this is discrepancy.
 11 The ICE Lounge Bar and Liquors [sic], in
 12 that name it says "bar," so we know they serve
 13 liquor. But this has really brought down our
 14 community.
 15 The petitions I gave and I'm passing
 16 around, they are from churches in the area,
 17 Philippian Community Church. We have the
 18 Sanctuary of Praise, which is on Soutel Drive.
 19 Philippian is on US-1. We have the Master's
 20 Touch. These people are in objection, about
 21 133 people are in objection. And we gave you
 22 the information about them objecting.
 23 I also sent an email about what I just
 24 stated, about the address. It was taken from
 25 the tax collector's office showing that he gave
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 (904) 821-0300

210

1 a different address of 10999, which I guess is
 2 another address for him, but it's not on the
 3 application.
 4 So I would just ask you all to deny this
 5 variance. It really affects our community. We
 6 would like to redevelop in our community, not
 7 have stuff to go down, not be a good
 8 representative for our youth, our children.
 9 And we just are all concerned, and we ask you
 10 to deny this variance.
 11 Thank you.
 12 THE CHAIRMAN: Thank you, ma'am.
 13 Appreciate you being here.
 14 Next, we will hear from Ronald Raysor. Is
 15 Ronald here?
 16 AUDIENCE MEMBERS: (No response.)
 17 THE CHAIRMAN: Okay. Let the record
 18 reflect that Ronald is in opposition.
 19 Next, we will hear from Larry Peterson.
 20 Is Larry here?
 21 It looks like Larry is coming up. After
 22 Larry, we'll hear from Jonas Albertie.
 23 Is Jonas here?
 24 Are you going to speak, sir?
 25 AUDIENCE MEMBER: Yes.
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211

1 THE CHAIRMAN: You're up after
 2 Mr. Peterson.
 3 (Audience member approaches the podium.)
 4 AUDIENCE MEMBER: How are you all doing?
 5 My name is Larry Peterson. My address is 7266
 6 Lancashire Court, Jacksonville, Florida 32219.
 7 And I am here to -- I guess we trying to
 8 say that we are opposed to another liquor store
 9 in our area. You have a liquor store on New
 10 Kings Road about maybe a half mile down the
 11 street or a mile. You got another one on
 12 Soutel, the same place, just adjacent maybe
 13 about -- I guess it got to be about maybe
 14 800 feet -- maybe 5- or less from the building
 15 where they are trying to get to put this
 16 establishment at.
 17 There's another liquor store right there
 18 on Soutel. And the young lady spoke earlier,
 19 we got the gas station, you got the grocery
 20 stores, all those sell beer and wine. Why do
 21 we need another liquor store in our
 22 neighborhood?
 23 We have -- we have our church. We have
 24 our land. We hold church in the land -- on
 25 grounds out there. Especially when COVID done
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212

1 hit us, we've been having -- holding church
 2 outside. It's less than the footage that the
 3 man gave about it, it's about 1,000. It's not.
 4 It's less.
 5 According to where the fence is at, you
 6 can walk across our parking lot and be to that
 7 establishment within two minutes or a minute
 8 because you just walking right from the land to
 9 it across the street. It don't make no sense
 10 for us to put another liquor store in our
 11 community -- in our community.
 12 Now, if you were there trying to put
 13 something for the kids to do something after
 14 school, the educate them further, that's fine.
 15 We need that in our community. We don't need
 16 the alcohol liquor stores because once we get
 17 that in our community -- we already got guns
 18 and violence.
 19 Look at your records downtown to see how
 20 many shootings been here at this club just
 21 recently. If you come up there on a Sunday, if
 22 you say you all did your homework, and go up
 23 there on a Sunday evening about 6:30 and see
 24 from that place all the way to US-1, cars,
 25 people, drinking, liquor bars, smoking -- all
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213

1 that is in that community.
 2 We're trying to get rid of it. Y'all
 3 trying to put more into it. Liquor bring
 4 violence. We ask you all to consider that we
 5 do not. And I oppose that we put that liquor
 6 store in our community. Y'all think about
 7 that.
 8 Y'all have a blessed day.
 9 THE CHAIRMAN: Thank you, Mr. Peterson.
 10 Next, is Jonas Albertie. After
 11 Mr. Albertie, we'll hear from Iris Hinton.
 12 Is Iris here?
 13 AUDIENCE MEMBER: Yes.
 14 (Audience member approaches the podium.)
 15 THE CHAIRMAN: Okay. Mr. Albertie, good
 16 afternoon. Give us your name and address for
 17 the record, please.
 18 AUDIENCE MEMBER: My name is Jonas
 19 Albertie, 10889 Lydia Estate Drive,
 20 Jacksonville, Florida.
 21 I wasn't going to say anything, and I
 22 don't have too much to say, but I'll tell you
 23 one thing, a vote for this waiver is a vote for
 24 crime. I live in the neighborhood for some --
 25 over 15 years. And we don't need no more
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214

1 crime. Y'all don't live in the neighborhood.
 2 I ain't seen you all there, so I don't know
 3 whether you're good or not. But I tell you one
 4 thing. Like I say, a vote for this means a
 5 vote for crime.
 6 Thanks.
 7 THE CHAIRMAN: Thank you, Mr. Albertie.
 8 Next, is Iris Hinton, and then we'll hear
 9 from Mamie Brightman.
 10 Is Mamie here?
 11 (Audience member approaches the podium.)
 12 AUDIENCE MEMBER: How are you all doing?
 13 My name is Iris Hinton, and maybe I'm not doing
 14 the right -- y'all doing okay?
 15 THE CHAIRMAN: Your name and address for
 16 the record, please.
 17 MS. HINTON: My name is Iris Hinton and
 18 then my address is already on file.
 19 THE CHAIRMAN: Go ahead.
 20 MS. HINTON: I'm here today to ask you
 21 all, again, to not see this go through. And
 22 I'm kind of confused because I want to ask the
 23 lawyer who owned that restaurant, is that
 24 restaurant with that whole building?
 25 Because today, as I was picking up some
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215

1 resident to bring them here -- that's why I'm
 2 going to shut up for a minute because they need
 3 to talk. They never been here before. You had
 4 wrote a rule up there this morning. And the
 5 gentleman told me and I taken pictures that I
 6 didn't have time to pull them out for you all
 7 that the restaurant has been serving -- doing
 8 business without a restaurant. And you've been
 9 having people going behind the building using
 10 the restaurant. They just put -- just finished
 11 the line today. So that's a problem.
 12 And another problem -- one more issue that
 13 I have here -- I don't know about none of y'all
 14 in this building, but I love God. I love Him
 15 with all my soul and my heart. You, uh-uh. We
 16 didn't wake ourself up this morning; He did.
 17 So for him to say a building -- he never
 18 should disrespect the church. We need our
 19 church.
 20 Thank you very much.
 21 THE CHAIRMAN: Thank you, Ms. Hinton.
 22 Is Mamie Brightman here?
 23 AUDIENCE MEMBERS: (No response.)
 24 THE CHAIRMAN: All right. Let the record
 25 reflect that -- Mamie is here?
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216

1 She doesn't want to speak, but she's in
 2 opposition.
 3 All right. Is Barbara Delgado here?
 4 After Ms. Delgado, we're going to hear
 5 from Van Moy-Henry.
 6 Is Van Moy-Henry here?
 7 AUDIENCE MEMBER: (Inaudible.)
 8 THE CHAIRMAN: Is Van Moy-Henry here?
 9 AUDIENCE MEMBER: I am.
 10 THE CHAIRMAN: After Ms. Moy-Henry, we'll
 11 hear from Helen Hamilton.
 12 (Audience member approaches the podium.)
 13 THE CHAIRMAN: All right. Ms. Delgado,
 14 give us your name and address for the record,
 15 please.
 16 AUDIENCE MEMBER: Good afternoon.
 17 I'm Barbara Delgado. My residence is
 18 5264 Dostie Drive. I live five doors from the
 19 proposed establishment. I watched the club go
 20 up. I'm five doors behind it. I'm here in
 21 opposition to it. If they build this, if they
 22 use this place as a bar or a club or whatever,
 23 it will be three bars within a three- to
 24 five-block -- four-block radius. We don't need
 25 that.
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217

1 And I'm here in opposition. I done raised
 2 my children there. It was a quiet
 3 neighborhood. I moved in approximately
 4 60 years ago, and I just want to say -- I'm
 5 short of breath, but I am in opposition of this
 6 variance.
 7 Thank you very much.
 8 THE CHAIRMAN: Thank you, Ms. Delgado.
 9 Next, Van Moy-Henry.
 10 MS. DELGADO: Oh, and one more thing. I'd
 11 like to ask if you all would want it in your
 12 neighborhood or next to your house.
 13 THE CHAIRMAN: Thank you.
 14 Ms. Moy-Henry, come on up. Next, we'll
 15 hear from Helen Hamilton after her, and then
 16 Michelle Worley -- I believe I'm reading hers
 17 for her.
 18 All right. Ms. Moy-Henry, good to see you
 19 again. Give us your name and address for the
 20 record.
 21 AUDIENCE MEMBER: My name is Van
 22 Moy-Henry. My address is already on file.
 23 I thank you, commissioners. I oppose item
 24 WLD-22-13, another liquor store in the area of
 25 Soutel and New Kings Road.
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218

1 In the late 1970s, I believe, or it could
 2 have been early '80s, the liquor license
 3 ordinance came into effect. But just like I
 4 said the last time in which I was in a meeting
 5 with you commissioners -- during that meeting
 6 I said, during that time, you're looking at
 7 over 40 years, a lot of change, a lot.
 8 Community growth, new generation, and more
 9 than anything, there's a surge in crime in our
 10 city. So a lot has changed, a lot.
 11 There's several factors that can add to
 12 the deterioration of a community, and I can
 13 assure you that an overflow of liquor stores in
 14 a small radius can definitely add to this. I
 15 heard Attorney Harden, and I have questions. I
 16 believe he will come back up again. If so, I
 17 do have a few questions.
 18 I know you said that it was 800 feet from
 19 the church. Well, that's if you're going west,
 20 I assume, then north, then east. If you do
 21 that, then maybe it is 800 feet. But that's
 22 not a straight shot. That's not a straight
 23 shot. And the property is much closer.
 24 It was something mentioned -- also he said
 25 about a wooded area. While I'm in the church
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219

1 lot, I can look over at the building. There's
 2 no woods there. So I'm wondering, where did
 3 the woods come from, the wooded area? It's
 4 just not there.
 5 You mentioned about criteria, and I know
 6 you're to focus on the criteria, but some of
 7 these criteria really have left out a few
 8 things such as if there is a license, would
 9 that license result in impacting the community?
 10 Either it's going to build it up or it's going
 11 to add to the downfall.
 12 So these are major criteria that I feel
 13 should have been added. That's me.
 14 I have a question. Is it going to be a
 15 package store/strip club? Is it going to be a
 16 liquor store/strip club? Is it going to be a
 17 package store or is it going to be a liquor
 18 store? Now, I have a question, just what is
 19 it? Because we're hearing so much going on,
 20 especially coming from the builders that's
 21 doing the renovation out there.
 22 More than anything, again, I oppose
 23 WLD-22-13. But I thank you for accepting that
 24 mayor's appointment, each and every one of you
 25 all, as commissioners, a Planning Commissioner,
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220

1 public servant looking at ways to build up the
 2 neighborhood in the city.
 3 Thank you.
 4 THE CHAIRMAN: Thank you, Ms. Moy-Henry.
 5 All right. Next, Helen Hamilton.
 6 AUDIENCE MEMBER: I oppose.
 7 THE CHAIRMAN: Let the record reflect that
 8 Helen Hamilton is in opposition.
 9 And then we have Michelle Worley, who is
 10 in opposition. And you've got the letter
 11 stapled to yours, so I'm going to read that.
 12 Are you here, Ms. Worley? Am I doing the
 13 right thing here?
 14 Okay. Here we go.
 15 "I'm here today on behalf of
 16 Representative Angie Nixon in support of
 17 constituents of House District 14 who have
 18 reached out to us in opposition to WLD-22-13.
 19 "Many residents spoke at the Commission
 20 meeting on April 7th, and Representative Nixon
 21 provided a letter in support of their
 22 objections. Since that time, 130 residents
 23 have signed on to this letter.
 24 "While we respect the rights of business
 25 owners to do business, we also respect the
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221

1 rights of constituents to be heard on matters
 2 affecting their neighborhoods and their daily
 3 lives.
 4 "The close proximity of this business to a
 5 church field for services, youth sports, a
 6 school bus stop, and the surrounding
 7 neighborhoods is reason enough to consider
 8 whether or not this variance should be granted.
 9 "We urge the Commission, before making a
 10 decision, to consider the feedback from
 11 concerned citizens who have taken time out of
 12 their busy lives to speak out.
 13 "Thank you."
 14 THE CHAIRMAN: All right. Is there anyone
 15 else -- let's see -- anyone else here today to
 16 speak on WLD-22-13?
 17 AUDIENCE MEMBERS: (No response.)
 18 THE CHAIRMAN: All right. With that,
 19 Mr. Harden, why don't you come back up and
 20 address these concerns.
 21 (Mr. Harden approaches the podium.)
 22 MR. HARDEN: Thank you, Mr. Chairman.
 23 Paul Harden, 1431 Riverplace Boulevard.
 24 Let me start with the fact that this is a
 25 major commercial area. It's zoned CCG-2. It's
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222

1 zoned the most intense commercial zoning in the
 2 Zoning Code of the City of Jacksonville. A
 3 package store is allowed by right at this
 4 location. So the issue is the distance from
 5 the church.
 6 There is no proposed consumption on
 7 premises. There's no proposed strip club.
 8 There's no proposed use other than a package
 9 store, which does not allow on-site
 10 consumption.
 11 The "grounds" definition is very, very
 12 clear. It's in a letter -- the letter I read
 13 from you is by the City -- the City attorney of
 14 the City of -- Office of General Counsel of the
 15 City of Jacksonville. The grounds includes --
 16 And let me apologize to the lady about the
 17 issue on the church. I was reading from the
 18 Zoning Code where it says a church is a
 19 building. So it has to be a building before
 20 it's considered a church. It can't be an
 21 outside facility. It can't be an open field.
 22 A church is a building as defined in the Zoning
 23 Code.
 24 Now, that may not be the same as people's
 25 spiritual understanding of a church, but I'm
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223

1 reading from the Zoning Code and how it's
 2 defined in that Zoning Code, and that is the
 3 distance from which we should be measuring.
 4 Another lady complained about the
 5 800 feet. That was a measurement done by the
 6 Planning Department, not me. So it's much,
 7 much, much, much further than 500 feet to the
 8 site.
 9 The "may" versus "shall" issue, that's a
 10 document issued by the City of Jacksonville
 11 Planning Department. That's not my document.
 12 I'm not the one who handed that out. That was
 13 a document given to me by the City.
 14 With regard to the Soutel Drive location,
 15 or the description of how to get to it on
 16 Soutel, that's because in the Planning -- I
 17 mean, in the Zoning Code, in dealing with the
 18 criteria, if you have to travel a distance more
 19 than 500 feet, that should be taken into
 20 consideration.
 21 So if you came out the door of the
 22 proposed package store, went out to Soutel
 23 Drive, went left down Soutel -- right down
 24 Soutel Drive, and then left down Old Kings
 25 Road, that is the route that you would normally
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224

1 take without trespassing across somebody else's
 2 property. And that's an important issue with
 3 regard to the criteria.
 4 The first lady that spoke talked about
 5 that there isn't anything closer, but it's
 6 physically in a building which is between the
 7 proposed package store and the church. So by
 8 my understanding, means that it's closer. And
 9 that facility has been there for more than
 10 50 years. No dispute about it. There wasn't
 11 any dispute about it when we talked about it
 12 two weeks ago.
 13 The issue of my client's property rights
 14 is a major issue today. There are First
 15 Amendment rights of religion and being able to
 16 worship, but property rights are included in
 17 there, too. Sometimes it's not a comfortable
 18 situation to be standing up and saying I'm a
 19 property rights advocate, and somebody else is
 20 saying, well, I'm a religious rights advocate.
 21 And you want to be juxtaposed. You can be
 22 both.
 23 And today I'm representing property
 24 rights, and my client has a property right to
 25 use his property as it's zoned. By the way,
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225

1 this building was built prior to residences
 2 that were built behind it on Dostie drive. I
 3 was in that building before any of those houses
 4 were built, and there was a club at that time.
 5 I guess the only other issue I want to
 6 raise is the issue of crime. There's crime in
 7 the area now. That's not being caused by my
 8 client. We had an awful weekend of murders in
 9 the City of Jacksonville. One of them was in
 10 front of a Publix; one of them was in a City
 11 park; one of them was in front of a multifamily
 12 subdivision. And nobody is saying we should
 13 shut all of those businesses down.
 14 I'm sorry for the crime in the area, but
 15 my client shouldn't be stuck with the burden of
 16 what other people do, particularly not near our
 17 property location. But even near our property
 18 location, you heard that there's a lot of
 19 traffic up and down the area.
 20 So I would ask you to consider the
 21 property rights of my client. It's in an area
 22 where we -- we're entitled to have the specific
 23 uses, CCG-2, and we meet two of the five
 24 criteria for the waiver of the liquor distance.
 25 And, again, I would ask you to remind --
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226

1 I'd remind you to look at the definition of
 2 "grounds" in the Zoning Code portion I gave you
 3 because it says the grounds mean land under the
 4 church, not an open area. In fact, it
 5 specifically excludes daycare and community
 6 recreation facilities as being part of the
 7 grounds of a church.
 8 So with that, I'll be happy to answer any
 9 questions, Mr. Chairman.
 10 THE CHAIRMAN: Thank you, Mr. Harden.
 11 Is there anyone else here today to speak
 12 on WLD-22-13?
 13 AUDIENCE MEMBER: (Indicating.)
 14 THE CHAIRMAN: Ma'am, I believe we already
 15 heard from you.
 16 AUDIENCE MEMBER: But I watched that
 17 building come up. I was there before that
 18 building.
 19 THE CHAIRMAN: I'll let you and Mr. Harden
 20 duke that out after this meeting.
 21 But -- so we're going to go ahead and
 22 bring it back to the Commission.
 23 COMMISSIONER MOLDOVAN: Thank you,
 24 Mr. Chairman.
 25 I move to approve application E-22-18. I
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227

1 apologize -- wrong application.
 2 I move to approve application WLD-22-13.
 3 COMMISSIONER BROWN: Second.
 4 THE CHAIRMAN: We have a motion --
 5 COMMISSIONER MOLDOVAN: My apologies.
 6 I need to amend my motion to move to
 7 approve application WLD-22-13 with the
 8 condition in the staff report.
 9 COMMISSIONER BROWN: Second.
 10 THE CHAIRMAN: We have a motion and a
 11 second.
 12 Comments from the Commission?
 13 Commissioner Adkison, why don't we start
 14 with you since you weren't here two weeks ago.
 15 COMMISSIONER ADKISON: I have a couple of
 16 questions to the applicant, through the Chair.
 17 I'm new to this. I wasn't here last week,
 18 so I'm catching up.
 19 MR. HARDEN: Yes, sir.
 20 COMMISSIONER ADKISON: So if I look up --
 21 what I'm looking at on Google here, I see JJ's
 22 Crab House. Is that still there?
 23 MR. HARDEN: Yes.
 24 COMMISSIONER ADKISON: And what is right
 25 next to it?
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228

1 MR. HARDEN: You're talking about is the
 2 building still there?
 3 COMMISSIONER ADKISON: Is the building by
 4 that business still there?
 5 MR. HARDEN: The building is still there,
 6 and there is a business there, yes.
 7 COMMISSIONER ADKISON: Is it JJ's Crab
 8 Shack?
 9 MR. HARDEN: It's a seafood -- I don't
 10 know what the name of it is.
 11 COMMISSIONER ADKISON: But there's a
 12 restaurant there or something right now?
 13 MR. HARDEN: Correct.
 14 COMMISSIONER ADKISON: And then next to
 15 that is the Bar and Grill, right? The --
 16 MR. HARDEN: Yeah, which they were
 17 referring to as the ICE. It has a different
 18 name now. It's --
 19 COMMISSIONER ADKISON: This is a club that
 20 serves liquor already in it, right?
 21 MR. HARDEN: Correct.
 22 COMMISSIONER ADKISON: So your client is
 23 now wanting a liquor license that's on the
 24 other side. So there's already liquor being
 25 sold closer to the church than this other one?
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229

1 MR. HARDEN: Yes, sir.
 2 COMMISSIONER ADKISON: So we're already on
 3 the other side of someone already selling it.
 4 MR. HARDEN: Yes, sir.
 5 COMMISSIONER ADKISON: All right. And
 6 then, second -- one of the last things is -- I
 7 think you addressed it.
 8 It's not going to be a strip club?
 9 MR. HARDEN: No.
 10 COMMISSIONER ADKISON: It's going to be a
 11 package store; is that correct?
 12 MR. HARDEN: Package store with no
 13 on-premises consumption.
 14 COMMISSIONER ADKISON: No on-premises.
 15 So, really, what I'm looking at is there's
 16 already a use of liquor being sold before --
 17 that's closer to the church that's been there
 18 for a long time than this one?
 19 MR. HARDEN: Yes, sir. And that's one of
 20 the --
 21 COMMISSIONER ADKISON: And these are two
 22 different liquor licenses, correct?
 23 Ma'am, you need to -- I'm going to speak
 24 out of turn for the Chair. I'm asking the
 25 questions to Mr. Harden so I can get a -- and
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230

1 you're disrupting me.
 2 MR. HARDEN: There is two separate
 3 businesses, yeah. One of them is an SRX
 4 license; one will be a COP license. It's two
 5 separate --
 6 COMMISSIONER ADKISON: Okay. So it's two
 7 separate licenses. So one's already in place,
 8 that's closest to the church. That's been
 9 operating for -- do you got any idea how long
 10 there?
 11 MR. HARDEN: I had my office in that
 12 building in 1977.
 13 COMMISSIONER ADKISON: And there was a
 14 liquor license there at that time or a bar?
 15 MR. HARDEN: An SRX license, yeah.
 16 COMMISSIONER ADKISON: Probably then y'all
 17 made milk shakes, right? Y'all didn't know
 18 what liquor was?
 19 MR. HARDEN: I didn't, no.
 20 COMMISSIONER ADKISON: All right. So the
 21 only thing we're talking about on this thing
 22 here is the fact that I'm looking at a blue
 23 building, an orange building, and a yellow
 24 building. But the blue building is the
 25 furthest one over, but, yeah, there is a liquor
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231

1 store closer to the church that's operating on
 2 a liquor license right now?
 3 MR. HARDEN: Yes, sir. They've been
 4 painted. They are not that color anymore.
 5 But, yes, you're right.
 6 COMMISSIONER ADKISON: But that's the
 7 order of it, correct?
 8 MR. HARDEN: Yes, sir.
 9 COMMISSIONER ADKISON: Okay. So
 10 obviously, if -- are they using the building of
 11 J -- I'm going to call it JJ's Crab Shack for
 12 this one. When you're measuring that, are they
 13 measuring that point of the foot or are they
 14 going to where your corner of the building is
 15 to get that 401-foot or --
 16 MR. HARDEN: They're using the closer one,
 17 and that's not how it's supposed to be.
 18 COMMISSIONER ADKISON: So I'm clearing up
 19 a couple issues at the same time.
 20 MR. HARDEN: Yes, sir.
 21 COMMISSIONER ADKISON: So if I use
 22 JJ Crab, which is a different business, a
 23 different entity, that's 401 right there to the
 24 property line, to the property building?
 25 MR. HARDEN: Yeah, to the church.
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232

1 COMMISSIONER ADKISON: Okay. So the next
 2 one, what is the distance between the two? We
 3 add another 75 feet?
 4 MR. HARDEN: Well, they have an adjoining
 5 wall, so it may be 50 feet, yeah.
 6 COMMISSIONER ADKISON: 50 feet?
 7 MR. HARDEN: And then another 50 feet to
 8 my proposed location.
 9 COMMISSIONER ADKISON: I think I've heard
 10 enough. Thank you.
 11 THE CHAIRMAN: Thank you, Commissioner
 12 Adkison.
 13 Commissioner Blanchard.
 14 COMMISSIONER BLANCHARD: Thank you,
 15 Chairman.
 16 I'd like to announce, I had ex-parte
 17 communication. I spoke with Mr. Harden maybe
 18 two weeks ago or three weeks ago, and we talked
 19 about distances and how they are measured, just
 20 on the technical aspect.
 21 And then yesterday I received a call from
 22 Ms. Murray, and it was a very good call. She's
 23 very, very smart and really understood the
 24 issues, and I appreciated the conversation.
 25 The great thing about me having a
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233

1 microphone is that you don't get to just come
2 up here and insult us and then go away because
3 I'm not good at backing down.
4 And I just want to say to Ms. Barnum -- I
5 believe it was Ms. Barnum who came up and said
6 that we were ignorant. A, that's insulting and
7 inappropriate in this setting.
8 No, no, no. Please don't speak. You had
9 your turn and it's long gone.
10 The second thing is that last meeting, you
11 came up and said that you were our boss, the
12 City pays us, and we're employees of the City.
13 And all those things were wrong because you
14 didn't do your research.
15 Today you got up and said that we're sworn
16 in to uphold the Constitution and all these
17 other things, and that's wrong, too. We're
18 not.
19 So the only person that's ignorant here
20 today is you, ma'am.
21 It's not your turn to speak, okay? You
22 speak, we're going to have you removed. I just
23 want you to understand that when you say these
24 things, they are insulting. And they're not
25 taken well by people like us. Okay?

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234

1 The folks that are dedicating their time
2 to this community, when you come up and insult
3 us, it doesn't endear us to you, and it doesn't
4 help you get your way. All it does is insult
5 us. Okay? So the ignorant person here is you.
6 Okay?
7 So the other thing that I want to say is
8 the comments from the community are well heard.
9 And, you know, I feel for you. And I said this
10 last time, too. If I got to vote whether or
11 not a liquor store goes here, I might vote no.
12 But that's not what I'm voting on today.
13 So what we're voting on is the waiver of
14 liquor distance, and, A, I'd like to see
15 perhaps the way that staff measure or that
16 survey that we do -- it's kind of fuzzy, and
17 there is always debate about how it's measured.
18 And maybe it's better served in GIS or
19 something where we can get different
20 measurements and really see it because those
21 little surveys that the surveyors do are just
22 hard to see.
23 And so sometimes I wonder if it does meet
24 the requirement, you know. And there's always
25 a little bit of debate, so maybe we can get

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235

1 that noise to go away by changing that somehow.
2 The other thing is that, you know,
3 you're -- the liquor scenario is -- you know,
4 again, is something that I don't think it
5 should go there, but I'm bound to work within
6 the guidelines of the rules. Okay? So what
7 we're voting on today is the waiver of distance
8 from the church, not whether or not we think
9 there should be one there.
10 So the crime and all the other things,
11 they are terrible, but they are not conditions
12 that are supposed to be considered for this
13 waiver. The only thing is, does it meet the
14 conditions for a waiver, and I believe it meets
15 two or three of them. And so because of that,
16 I would be in favor of granting the waiver.
17 I don't think you need another liquor
18 store there, but I'm going to vote for it
19 because it meets the rules. So regardless of
20 what happens today -- and I've told this to
21 Ms. Murray yesterday. Regardless of what
22 happens, go meet with your City Councilperson
23 and talk about changing the rules. That's the
24 problem.

25 The problem is the rules are what they
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236

1 are, and we're bound to work within them.
2 But -- and this may be a property rights
3 issue -- and I apologize, Chairman, I'll wrap
4 it up.
5 This may be a property rights issue for
6 some, but if there's continual issues with
7 liquor stores, maybe there should be no new
8 liquor stores in this ZIP code. Or maybe it
9 should be tied to crime. Or maybe a liquor
10 store by exception only, and then you get to
11 vote on whether or not there should be one.
12 But none of those things are true, so talk
13 to your Councilperson, change the rules if you
14 think they should be. Some folks may fight
15 you.
16 But all we're voting on today is that
17 99 feet and whether that's appropriate. And
18 based on the conditions being met, it is. But
19 I encourage you to look into potentially
20 changing the rules.
21 Thank you, Mr. Chairman. I apologize for
22 rambling.
23 THE CHAIRMAN: Thank you, Commissioner
24 Blanchard.
25 Commissioner Elsbury.

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237

1 COMMISSIONER ELSBURY: Thank you,
2 Mr. Chairman.
3 And just to my fellow commissioner,
4 Commissioner Adkison, you were going down a
5 similar path that I was going down today. And
6 I said some things in the last meeting. I
7 won't reiterate all of it, but I will some.
8 You're exactly right. What we're being
9 asked to consider is distance between two
10 properties, really, as opposed to an
11 institution of what I -- and I think
12 everybody's general consensus is, is what is a
13 church, which is the church and the ground it
14 sits on.
15 The church is blessed to have a very large
16 parcel of land, a parcel of land that extends
17 well down this road, and that's what clips that
18 500 boundary. We're not talking about from
19 door to door. We're talking about the furthest
20 extent of their property and the absolute
21 closest extent of the applicant's property.
22 It is a property rights issue for me. But
23 it meets the criteria. I'll support it.
24 But look, they're allowed to operate by right
25 and put various things there. I think they

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238

1 meet the criteria to do it.
2 I'm not a policy maker. As Commissioner
3 Blanchard said, that's a higher body that can
4 determine whether or not liquor stores can go
5 there or not. Right now, they're allowed to,
6 so I'll be supporting the application.
7 THE CHAIRMAN: Thank you, Commissioner
8 Elsbury.
9 Commissioner Garrison.
10 COMMISSIONER GARRISON: Thank you,
11 Mr. Chairman.
12 Through the Chair to Mr. Harden.
13 Mr. Harden, can you explain to me one more
14 time -- let me make sure I understand the right
15 way about the definition of "building."
16 So -- and there was a 1997 lawsuit, as you
17 mentioned, with the City, litigation, and you
18 prevailed. You were reading something.
19 Could you read that for me one more time,
20 a little slower for me? Because I'm from the
21 Westside.
22 MR. HARDEN: Well, there's three things I
23 read from. One, I read from the Zoning Code,
24 which said by definition a church is a
25 building. So it has to be a building.

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239

1 And then the grounds of the church is what
2 I was reading from. It's an opinion written by
3 Fred Franklin, General Counsel, at the request
4 of then-director of Public Works, Sam Mousa.
5 And it's reading from the American Heritage
6 Dictionary.
7 "Grounds is defined as 'an area of land
8 designated for a particular purpose, the land
9 surrounding or forming part of the building.'"
10 Clearly, grounds are lands that are
11 surrounding a building designated for a
12 specific use. The grounds end at the point
13 where the actual use ends.
14 So where the actual building of the --
15 which is the church, it ends where that
16 building ends.
17 That's Mr. Franklin's opinion in 1997.
18 COMMISSIONER GARRISON: Thank you.
19 Am I understanding rightly that in 1997 we
20 determined that we need to use the vertical
21 building as the distance criteria?
22 MR. HARDEN: Yeah, the facts in that case
23 were similar. That particular church had
24 52 acres between the facility and the church.
25 And they claimed that whole 52 acres. And

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240

1 additionally, that road access is going up near
2 where a shopping center was located.
3 And in that particular case, Mr. Franklin
4 said you can't claim all -- Claude Bagwell
5 said, yes -- he was the building inspector at
6 the time. He said, yes, that counts as part of
7 the grounds of the church. Mr. Mousa asked for
8 a ruling, and I had a pending lawsuit.
9 Mr. Franklin issued an opinion saying, no,
10 that's not part of the grounds. The grounds is
11 where the building is located.
12 COMMISSIONER GARRISON: Okay. Thank you
13 for that clarification.
14 So that gives me all the more reason to
15 stick with my vote last time.
16 And I will just say one thing.
17 Spirituality and Christianity and religion are
18 not -- those are not juxtaposed to this
19 decision for me. I feel no religious burden on
20 myself about this decision. This is a decision
21 about property. This is a decision about the
22 rules of the City of Jacksonville.
23 People are moral creatures. They make
24 their own decisions whether the liquor store is
25 five miles away or, you know, five minutes

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241

1 away. You know, people make their own
2 decisions, and they do what they do. And it's
3 a hard issue. It's a judgment issue. It's a
4 wisdom issue. This is a place that's going to
5 purvey some goods, and I'm okay with that. And
6 I don't appreciate the spirituality being taken
7 as zero sum, either/or. This is not an
8 either/or decision for me.

9 Thank you, Mr. Chairman.

10 THE CHAIRMAN: Thank you, Commissioner
11 Garrison.

12 Commissioner Moldovan.

13 COMMISSIONER MOLDOVAN: Thank you,
14 Mr. Chairman.

15 I've had two weeks to chew on this and
16 really digest my thoughts and the facts about
17 it. I took note here of some of the biggest
18 concerns from the community. Number one is
19 liquor sales close to a church. I'll probably
20 never be able to run for political office in
21 the South after saying this, but I'm a firm
22 believer that a tax-exempt religious
23 institution should not have first right of
24 refusal when it comes to commerce. I don't
25 think that there's any place for that. I'm

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242

1 always going to be on the side of the business
2 when it comes to that.

3 Current crime rates in the area, I don't
4 that think they are correlated to liquor
5 stores. I truly don't. There are multiple
6 liquor stores in my neighborhood. There's a
7 very popular liquor store right on St. Johns
8 Avenue in Avondale, which is one of the most
9 sought-after communities, historic communities
10 in Jacksonville, and they're not realizing this
11 same crime rate.

12 So I would heavily argue that liquor
13 stores have nothing to do with the crime that
14 you're experiencing. Furthermore, I don't see
15 how we could ever deter liquor stores from
16 going in because of historic crime rates.

17 Late-night hangouts, loitering. Where are
18 these folks coming from? They're not -- you
19 know, they are part of your community, I would
20 take it. Are they coming from another
21 neighborhood and hanging out on Soutel Drive?
22 I don't believe so.

23 I think that this is part of the
24 neighborhood and, you know, I don't think that
25 this business should be punished. I don't

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243

1 think that we should take punitive -- and we
2 don't have -- honestly, we don't have the
3 authority to take punitive measures because of
4 loitering. That's a matter for JSO. That's a
5 matter for Code Enforcement.

6 Whatever is going on on properties nearby,
7 people parking in medians, people parking in
8 right-of-ways, we cannot get in the way of
9 commerce because of other jurisdictions, other
10 authorities not upholding the law.

11 Bad landlord. You know, you have probably
12 seen my place of business. My landlord was on
13 the news last year. She was the young lady who
14 coughed in another human being's face in the
15 height of the pandemic. So if you're basing
16 tenants off of their landlord, well, my
17 business would certainly not exist anymore.
18 And that was one of my major concerns when I
19 saw that news clip. I thought that my business
20 would be judged on my landlord, and I'm glad
21 that it wasn't.

22 So just trying to make the point that who
23 owns the property, you can't judge their
24 character. You cannot base judgment on their
25 actions and put it on the tenant.

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244

1 Another concern that several people
2 mentioned are what should go into this
3 building; you know, this should be a grocery
4 store; this should be a school for children;
5 this should be -- you know, we don't -- we're
6 not the applicant. We're not proposing this
7 use. We don't get to decide what should go in
8 there. We have to look at the application and
9 decide whether or not it's fitting.

10 We discussed criteria last time, and I
11 think Commissioner Adkison brought up a good
12 point. One of the criterion is, is there a
13 place of business in closer proximity that
14 operates in greater intensity? You've got the
15 ICE Lounge here. That's for consumption on
16 premise. That's as intense as it gets. Folks
17 are pulling up in their vehicles, consuming
18 alcohol, getting back in their vehicles, and
19 heading home.

20 What the applicant's proposing here is
21 off-premises consumption. It's a lesser
22 intensity. It meets the needs of that
23 criteria.

24 Community rights. You know, you have
25 property rights just like this applicant, but

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1 they don't extend beyond your property, you
2 know what I mean? So how can we take your
3 concerns about what's going on a half mile from
4 your house, a quarter mile from your house and
5 make it to where this applicant can't proceed?

6 I had a tough time with this the first
7 time. I had two weeks to really mull it over,
8 think about it, digest it. I think the
9 applicant has every right to open their
10 business here, and I'll be supporting it.

11 Thank you, Mr. Chairman.

12 THE CHAIRMAN: Thank you, Commissioner
13 Moldovan.

14 Further comments?
15 Commissioner Brown.

16 COMMISSIONER BROWN: Thank you.
17 Through the Chair, I spoke a little longer
18 before. I haven't changed my position from two
19 weeks ago. I'll still be voting against it.

20 However, there's a chance that the
21 applicant doesn't need this, and I would love
22 for staff in this process to maybe clean this
23 up, and the way this is measured, the direct
24 line, the grounds, the building. It's --
25 earlier, it was "shall" and "may." This has

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1 use -- staff, you can correct me if I'm
2 wrong -- the application numbers are like E-93,
3 E-95. They have been here a long time. So
4 here we come in with fresh eyes 27 years later
5 or whatever, it's kind of our chance to
6 reconsider, should it be stamped again?

7 Again, they might not need it. They might
8 work it out and the distance is fine, but since
9 they do need it, and the church did speak out
10 against it, nobody was for it, I'm just going
11 stick with where I was. So I won't be
12 supporting it.

13 THE CHAIRMAN: Thank you, Commissioner
14 Brown.

15 Commissioner Elsbury.

16 COMMISSIONER ELSBURY: Thank you,
17 Commissioner. Last time speaking.

18 I just wanted to address one point from
19 my -- well, points from both of my
20 commissioners. What you said guarantees that
21 I'll never run for political office. I'll say
22 the same thing.

23 To go with what Commissioner Brown said,
24 if we're going to base our decisions of what is
25 allowed to go somewhere by right and look at a

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1 been a soupy application, to say the least.

2 One thing that is -- I guess if I had to
3 boil it down why I'm voting against it, usually
4 when you have these applications close to
5 residences -- what we're talking about, you
6 know, a church obviously. But it's the older
7 neighborhoods that have funny combined uses,
8 like San Marco, Riverside, Avondale,
9 Springfield, Murray Hill. And I wrestle with
10 trying to think of another application where
11 the whole community and the representative of
12 the church -- critical -- objected to it.

13 And if it's in Murray Hill, Riverside,
14 Avondale, Springfield, wherever, where
15 everything is close together, the churches
16 haven't come out, that I can recall in
17 two-and-a-half years, certainly not in any
18 meaningful way in opposition.

19 This one is quite different. Zero support
20 other than the applicant, and the whole
21 community against it, and the church
22 representative, which is really what matters,
23 against it.

24 The previous -- the existing user next
25 door and the previous historical, multi-decade

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1 variance based off of a church leader or people
2 from the community coming out and opposing it,
3 that's not our job. Our job is to listen to
4 them, hear their discrepancies with the
5 criteria, and make a decision.

6 And if a leader from a church shows up or
7 doesn't show up and that's how we're picking
8 and choosing what businesses are by right
9 available to open, I don't think that's what
10 any of us signed up for.

11 I'll be supporting it.

12 THE CHAIRMAN: Commissioner Brown.

13 COMMISSIONER BROWN: Just real quick.

14 If what Commissioner Elsbury said was
15 true, we wouldn't need to sit here, so
16 obviously they can't just open by right. They
17 need us to vote on it, so that's not really
18 true. By right, yes. But they need this, so
19 they can't just go do it, and what you said is
20 inherently false.

21 THE CHAIRMAN: All right. My thoughts.

22 You know, Mr. Harden, I think if I gave
23 you a number, you could, with certainty, give
24 me the math to get to that number. And I think
25 that's a good party trick you have. And we saw

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249

1 it with the San Marco building height. I'm
 2 still trying to wrap my mind around that.
 3 And this the same thing. You might very
 4 well be right, and you certainly know more
 5 about this than just about anyone in the room.
 6 But what we have at hand is a waiver of liquor
 7 distance until staff tells us otherwise. We
 8 have a waiver of distance from this church.
 9 And when the church and community come out in
 10 opposition, you know, it's a simple question:
 11 Is this going to help or hurt this community?
 12 It's a struggling community as it is.
 13 It's not going to help it. It's going to hurt
 14 it, in my opinion. And so if you look at the
 15 simple facts of the waiver of liquor distance,
 16 that's what we're here to answer the question.
 17 You're not entitled to -- if you meet the
 18 criteria, you're not entitled to this waiver.
 19 We may grant it. I don't think it is going to
 20 help the community. We've got to give this
 21 community that opportunity. You know, that is
 22 what we're here for. So I remain in
 23 opposition.
 24 Further comments?
 25 Commissioner Porter.
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250

1 COMMISSIONER PORTER: Thank you, Chairman.
 2 I'm going to stick with my opinion from
 3 last time as well. You know, it comes back to
 4 if they -- if the applicant meets a criteria --
 5 and we may grant a waiver if it seems
 6 appropriate for the community and the area. If
 7 not, these would go through administratively.
 8 There's no reason to vote on these if we're
 9 just sitting here deciding if four and five are
 10 a yes or no. The administration staff can do
 11 that. They're very capable.
 12 This property is within -- the edge of the
 13 grounds is within 500 feet. I don't believe
 14 it's appropriate for the area, and I'll be
 15 voting no.
 16 Thank you.
 17 THE CHAIRMAN: Thank you, Commission
 18 Porter.
 19 Final comments from the Commission?
 20 Commissioner Moldovan.
 21 COMMISSIONER MOLDOVAN: Just briefly.
 22 I'll be quick.
 23 Something I always like to point to is
 24 that supply is driven by demand. And I presume
 25 that the owner of this application studied the
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251

1 demand in the area. These liquor stores exist
 2 because there's demand. The quickest way to
 3 get something to not succeed is to not support
 4 it, you know, so vote with your dollar.
 5 If it goes in, you don't want it there,
 6 band together as a community, don't support it,
 7 it will absolutely dissolve. I mean, you
 8 cannot pay overhead, you can't pay insurance,
 9 you can't do that as a business without sales.
 10 So I just wanted to add that.
 11 I'll be supporting it.
 12 Thank you, Mr. Chairman.
 13 THE CHAIRMAN: All right. Final comments?
 14 COMMISSION MEMBERS: (No response.)
 15 THE CHAIRMAN: Let's call to a vote.
 16 Right now we have a motion and second for
 17 approval, with the conditions, of WLD-22-13.
 18 All those in favor?
 19 COMMISSIONER BLANCHARD: Aye.
 20 COMMISSIONER ADKISON: Aye.
 21 COMMISSIONER MOLDOVAN: Aye.
 22 COMMISSIONER GARRISON: Aye.
 23 COMMISSIONER ELSBURY: Aye.
 24 THE CHAIRMAN: Those in favor, we have
 25 Commissioner Blanchard, Commissioner Adkison,
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252

1 Commissioner Moldovan, Commissioner Garrison,
 2 and Commissioner Elsbury. That's five in one
 3 direction, so that does carry.
 4 For the record, in opposition -- all those
 5 in favor -- in opposition.
 6 COMMISSIONER BROWN: (Indicating.)
 7 COMMISSIONER PORTER: (Indicating.)
 8 THE CHAIRMAN: (Indicating.)
 9 All right. Commissioner Hacker,
 10 Commissioner Brown, Commissioner Porter in
 11 opposition.
 12 All right. Ms. Tropa needs a break.
 13 This is an excellent stopping point. Man, it's
 14 5:45. We got through the first two items.
 15 Okay. I think I continue to hold the
 16 record. Let's give it 10 minutes. Let's just
 17 say be back at 6:00, 13 minutes.
 18 (Brief recess.)
 19 (Commissioner Adkison exits the
 20 proceedings.)
 21 THE CHAIRMAN: When Commissioner Blanchard
 22 was chair, we would always start right on time
 23 and now he's the one we're waiting on. That's
 24 ironic.
 25 All right. Let's roll to E-22-23.
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253

1 Is Folks here? Folks is coming too.
 2 MR. HUXFORD: Thank you, Mr. Chairman.
 3 This is application for zoning exception
 4 E-22-23 for property at 8206 Philips Highway.
 5 Y'all would remember this building as the old
 6 GM plant. It was built back in -- around '58,
 7 at Philips and Baymeadows. It's now been
 8 converted to retail and restaurant use.
 9 The zoning exception is asking for retail
 10 sale of alcohol in conjunction with a
 11 restaurant. They need the zoning exception
 12 because it's zoned Light Industrial.
 13 In the staff report we have noted numerous
 14 zoning exceptions for alcohol that have been
 15 granted through the years. The reason for so
 16 many is because these exceptions are personal
 17 to the license holder. And as businesses come
 18 and go, the new ones have to get exceptions.
 19 This one is no different. We feel this would
 20 continue to promote the adaptive reuse of an
 21 industrial building, and we are recommending
 22 approval.
 23 THE CHAIRMAN: All right. Thank you,
 24 Folks.
 25 (Audience member approaches the podium.)
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254

1 THE CHAIRMAN: Mr. Yancy, good to see you.
 2 This is the only card and this is great. So go
 3 ahead and give us your name and address.
 4 AUDIENCE MEMBER: Lawrence Yancy, 1309
 5 St. Johns Bluff Road North, Jacksonville,
 6 Florida 32225.
 7 THE CHAIRMAN: Thank you.
 8 Did we swear you in earlier?
 9 MR. YANCY: Yes, sir, you did.
 10 THE CHAIRMAN: All right. Go ahead.
 11 MR. YANCY: I support -- I just want to
 12 say I support the (inaudible). I know you guys
 13 are pressed for time and everything, and I'll
 14 leave it at that.
 15 THE CHAIRMAN: All right. Thank you.
 16 Is there anyone else here today to speak
 17 on E-22-23?
 18 AUDIENCE MEMBERS: (No response.)
 19 THE CHAIRMAN: Seeing none, we'll close
 20 the public comment and bring it back to the
 21 Commission.
 22 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 23 move to approve application E-22-23.
 24 COMMISSIONER BROWN: Second.
 25 THE CHAIRMAN: I have a motion and a
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255

1 second.
 2 Any comments from the Commission?
 3 COMMISSION MEMBERS: (No response.)
 4 THE CHAIRMAN: All right. Seeing none,
 5 we've got a motion and a second for approval of
 6 E-22-23.
 7 All those in favor?
 8 COMMISSION MEMBERS: Aye.
 9 THE CHAIRMAN: That motion passes
 10 unanimously with the exception of Commissioner
 11 Adkison, who has left, and Commissioner
 12 Elsbury, who has stepped out, and Commissioner
 13 Garrison was in favor.
 14 Okay. Folks, let's move to V-22-05,
 15 please.
 16 MR. HUXFORD: Thank you.
 17 This is application for zoning variance
 18 V-22-05 for property at 13201 Caldwell Road.
 19 This is up near the Pumpkin Hill Preserve,
 20 north of Cedar Point Road.
 21 The request is to allow for a variance so
 22 they can have a larger accessory structure.
 23 The property owner is seeking to replace a
 24 barn. They'd like to have a little bit larger
 25 structure. This is a piece of property that's
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256

1 about three acres in size. It meets all other
 2 zoning requirements and does not have any
 3 setback relief or anything.
 4 Given the remote location and the desire
 5 to have a workshop and a horse barn seeming
 6 appropriate at this location, we have no
 7 objections and we're recommending approval.
 8 THE CHAIRMAN: All right. Thank you,
 9 Folks.
 10 Is the applicant here today for V-22-05?
 11 AUDIENCE MEMBER: (Indicating.)
 12 THE CHAIRMAN: Sir, come on down.
 13 (Audience member approaches the podium.)
 14 THE CHAIRMAN: Sir, give us your name and
 15 address for the record, please.
 16 AUDIENCE MEMBER: My name is Brian Carter,
 17 13201-1 Caldwell road.
 18 THE CHAIRMAN: Okay. Did we swear you in
 19 earlier?
 20 MR. CARTER: Yes.
 21 THE CHAIRMAN: All right. Perfect.
 22 Anything you would like to add about the
 23 project?
 24 MR. CARTER: No, I don't think so.
 25 THE CHAIRMAN: Okay. We'll take that.
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1 Anyone else here today to speak on
 2 V-22-05?
 3 AUDIENCE MEMBERS: (No response.)
 4 THE CHAIRMAN: Seeing none, we'll close
 5 the public comment and bring it back to the
 6 Commission.
 7 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 8 move to approve V-22-05.
 9 COMMISSIONER BROWN: Second.
 10 THE CHAIRMAN: All right. We've got a
 11 motion and a second.
 12 Sir, Ms. Sales is waving a blue card at
 13 you. Get one of those filled out for me,
 14 please.
 15 All right. We've got a motion and a
 16 second.
 17 Any comments?
 18 COMMISSION MEMBERS: (No response.)
 19 THE CHAIRMAN: Seeing none, we have a
 20 motion and a second for approval of V-22-05.
 21 All those in favor?
 22 COMMISSION MEMBERS: Aye.
 23 THE CHAIRMAN: That motion passes
 24 unanimously.
 25 Okay. Let's move to MM-22-06.

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1 Bruce.
 2 MR. LEWIS: Thank you, sir.
 3 This is application for a minor
 4 modification to a PUD. MM-22-06 seeks to
 5 increase the maximum building height from
 6 50 feet to 66 feet.
 7 During the verification process, it was
 8 noted that the maximum building height was 50
 9 but appears to -- during the permitting
 10 process, the roof pitch was either overlooked
 11 or changed and -- and so the -- the buildings
 12 were constructed with a 66-foot building
 13 height.
 14 Staff has reviewed this application. We
 15 find it does meet the criteria involved. We
 16 don't think that the 66-foot height will be an
 17 issue or cause any adverse impacts and we are
 18 recommending approval without conditions.
 19 THE CHAIRMAN: Thank you, Bruce.
 20 (Mr. Hainline approaches the podium.)
 21 THE CHAIRMAN: Mr. Hainline.
 22 MR. HAINLINE: T.R. Hainline, 1301
 23 Riverplace Boulevard, here representing
 24 Chance Jax MS, LLC.
 25 The Planning Department has recommended

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1 approval. I also met with the CPAC when
 2 they -- when it came before them, and they
 3 heard what happened and decided to take no
 4 action.
 5 Are there any other speakers,
 6 Mr. Chairman?
 7 THE CHAIRMAN: I have about 20 speaker
 8 cards here in opposition.
 9 MR. HAINLINE: Oh, okay. So let me
 10 just explain --
 11 THE CHAIRMAN: I'm just kidding. I don't.
 12 You've been through a lot today. There's just
 13 yours.
 14 MR. HAINLINE: You were kidding? I'm so
 15 gullible. It's unbelievable.
 16 THE CHAIRMAN: It's only because I don't
 17 know what you guys would do if this doesn't go
 18 through, so --
 19 MR. HAINLINE: Okay. I'm happy to explain
 20 what happened if y'all want to hear; otherwise,
 21 I don't need to take your time up with it,
 22 so --
 23 THE CHAIRMAN: Commissioner Blanchard
 24 wants to hear it.
 25 MR. HAINLINE: Okay. So this is Chance

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1 Properties. They've developed a number of
 2 multifamily projects around town that are doing
 3 great. This one got the PUD and we moved
 4 forward wonderfully, and the architect goofed
 5 and the buildings were built over the maximum
 6 height. They were permitted. I mean, it
 7 was -- the maximum -- the height it was built
 8 was shown on the permits, but it was just
 9 missed at permitting.
 10 The developer noticed -- the developer
 11 noticed when the as-builts came in and the
 12 developer said, okay, we need to initiate a
 13 minor mod. So it isn't anything that was
 14 caught by violation or a neighbor or something
 15 like that. The developer said, all right,
 16 we've got to fix this.
 17 You should know that the increased height
 18 allowed for some particularly high gables that
 19 are consistent with the farmhouse style, it
 20 added no habitable space. It added no
 21 additional stories or units or any
 22 air-conditioned space or anything. In fact,
 23 the units developed were four fewer than the
 24 PUD permitted.

25 So it was a goof. The developer stepped

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261

1 forward to fix the PUD. It didn't get him
 2 anything except some particularly large gables
 3 that the architect, I guess, liked. It's just
 4 the architect didn't follow the rules, so --
 5 Anyway, that's -- so they're here to seek
 6 a minor modification to allow what has been
 7 built to be consistent under the PUD. And,
 8 again, we explained all that to the CPAC and
 9 they were -- they said, okay, we're not going
 10 to take any action on it.
 11 So anyway, I'm happy to take any
 12 questions. Oh, and Jeff Rosen from Chance is
 13 here as well to answer any questions if you all
 14 have any.
 15 Thank you.
 16 THE CHAIRMAN: Thanks for the rundown,
 17 Mr. Hainline.
 18 All right. Anyone else here today to
 19 speak on MM-22-06?
 20 AUDIENCE MEMBERS: (No response.)
 21 THE CHAIRMAN: All right. Seeing none,
 22 we'll close the public comment and bring it
 23 back to the Commission.
 24 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 25 move to approve MM-22-06.
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262

1 COMMISSIONER BROWN: Second.
 2 THE CHAIRMAN: I have a motion and a
 3 second.
 4 Any comments from the Commission?
 5 Commissioner Blanchard.
 6 COMMISSIONER BLANCHARD: Thank you,
 7 Mr. Chairman.
 8 Through the Chair to staff, was -- did the
 9 City miss the height on the permit? Was it in
 10 the -- on there properly and the City just
 11 missed it?
 12 MR. LEWIS: I did try to look through the
 13 permits, like I said, during our verification
 14 process. It was noted on there that the -- the
 15 maximum height was 50 feet. At some point
 16 during the permitting process, whether the
 17 staff -- whether the plan reviewer missed or
 18 just didn't check, I -- that I don't know.
 19 COMMISSIONER BLANCHARD: I was just -- the
 20 City does a good job in finding the mistakes in
 21 my plans. I was just wondering -- perhaps on
 22 the things that I do, perhaps if I can just
 23 build it and ask forgiveness. That may be a
 24 new strategy for me.
 25 Maybe they should pay a million dollar
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263

1 fine or something and then they won't do it
 2 again, but I guess it doesn't harm that much
 3 being high, but just -- just curious about
 4 that.
 5 No -- yeah, just a -- yeah, I'll say that
 6 next time, I, you know, build a pond in the
 7 wrong spot or in the -- oh, I goofed, sorry.
 8 Sorry.
 9 No further comments, Chairman.
 10 THE CHAIRMAN: Thank you for that,
 11 Commissioner Blanchard.
 12 COMMISSIONER BLANCHARD: Sorry T.R. You
 13 needed that harassment, so ...
 14 THE CHAIRMAN: T.R., when -- as a
 15 subcontractor, when we screw something up, we
 16 have never been told that we goofed. There's
 17 like ten expletives and then they scream and
 18 it's -- it seems way worse than what this is,
 19 which also seems way worse than what we
 20 normally mess up.
 21 Okay. Any other comments?
 22 COMMISSION MEMBERS: (No response.)
 23 THE CHAIRMAN: Okay. I have a motion and
 24 a second for approval of MM-22-06.
 25 All those in favor?
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264

1 COMMISSION MEMBERS: Aye.
 2 THE CHAIRMAN: That motion passes
 3 unanimously.
 4 Okay. Let's move to 2021-0572 and -0573
 5 on Ramona Boulevard West.
 6 MS. REED: Thank you.
 7 2021-0572 is a 6.7-acre site. It's
 8 located at the southwest corner of the
 9 intersection of Ramona Boulevard West and
 10 Cahoon Road.
 11 The request is to take the land use from
 12 the Low Density Residential to the Medium
 13 Density Residential land use. This increases
 14 the residential development potential from
 15 seven units to the acre to twenty units to the
 16 acre. The companion PUD will allow for 72
 17 townhomes at a density of approximately
 18 11 units to the acre.
 19 The area is characterized by commercial
 20 land use to the north that abuts I-10 and which
 21 transitions to Low Density Residential to the
 22 south of Ramona Boulevard West.
 23 We find this amendment to be consistent
 24 with the Comprehensive Plan because the
 25 amendment to the Medium Density Residential on
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1 this site results in a logical and compatible
 2 transition of densities and intensities between
 3 commercial to the north and Low Density
 4 Residential to the south.
 5 For those reasons and the reasons in the
 6 staff report, we recommend approval.
 7 MR. LEWIS: Ordinance 2021-0573 is the
 8 companion to the land use amendment. It's
 9 rezoning approximately 6.6 acres from RR-Acre
 10 to PUD for the development of 72 townhomes.
 11 With approval of the land use amendment,
 12 this will be consistent with the Comprehensive
 13 Plan. We feel with the site plan and the
 14 written description, it does meet the internal
 15 and external criteria.
 16 We feel this is an appropriate location
 17 because it will offer an alternative form of
 18 infill housing for the area, and the Department
 19 is recommending approval without conditions.
 20 THE CHAIRMAN: Thank you, Bruce, and
 21 Chief Reed.
 22 Is the applicant here? Is Curtis -- this
 23 is Curtis', I believe. Is he here?
 24 MS. REED: I haven't seen him today.
 25 THE CHAIRMAN: Okay.

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1 MR. HUXFORD: This is a recommendation
 2 only and we do not have any conditions he needs
 3 to agree to. So if you wanted to go ahead and
 4 move on this, you could do it. Or if you want
 5 to give Curtis a hard time, you could defer it.
 6 MR. HARDEN: If he's not here, I'll cover
 7 for him.
 8 THE CHAIRMAN: Nice.
 9 MR. HARDEN: We're moving slow.
 10 Anybody have any questions for Mr. Hart?
 11 Honestly, I will, David.
 12 THE CHAIRMAN: That's fine. We'll do
 13 that. It's been a long day.
 14 All right. Do we have -- Mr. Harden, why
 15 don't you tell us about this application.
 16 MR. HARDEN: It's an LDR to an LDR. Yes,
 17 it's a subdivision, single-family subdivision
 18 out on the Westside, out in Councilman White's
 19 district. We talked to Councilman White about
 20 it. He was good with it.
 21 THE CHAIRMAN: This is where the fun ends.
 22 You're not an authorized agent is what Paige
 23 has told me, so --
 24 MR. HARDEN: I'll get an authorization to
 25 you before the next meeting. I'm trying to

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1 help him not have to be deferred.
 2 THE CHAIRMAN: I do believe that.
 3 Okay. I'm going to -- we're going to move
 4 it. We're going to get through it.
 5 All right. Anyone else here today to
 6 speak on 2021-0572?
 7 AUDIENCE MEMBERS: (No response.)
 8 THE CHAIRMAN: Seeing none, let's bring it
 9 back to the Commission.
 10 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 11 move to approve 2021-0572.
 12 COMMISSIONER BROWN: Second.
 13 THE CHAIRMAN: All right. We've got a
 14 motion and a second.
 15 Comments from the Commission?
 16 COMMISSION MEMBERS: (No response.)
 17 THE CHAIRMAN: All right. Seeing none, we
 18 have a motion and a second for approval.
 19 Before we vote, let the record reflect
 20 that Commissioner Blanchard has stepped out. I
 21 think he has a history with this property or
 22 some such, so --
 23 All right. All those in favor?
 24 COMMISSION MEMBERS: Aye.
 25 THE CHAIRMAN: That motion passes

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1 unanimously.
 2 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 3 move to approve 2021-0573.
 4 COMMISSIONER BROWN: Second.
 5 THE CHAIRMAN: Comments from the
 6 Commission?
 7 COMMISSION MEMBERS: (No response.)
 8 THE CHAIRMAN: We have a motion -- an
 9 approval for 2021-0573.
 10 All those in favor?
 11 COMMISSION MEMBERS: Aye.
 12 (Commissioner Blanchard not present.)
 13 THE CHAIRMAN: That motion passes
 14 unanimously as well.
 15 It's been a long day. I really don't want
 16 to get into the point where we start approving
 17 it with people not here, though, so -- we'll
 18 give him a mulligan on this.
 19 (Ms. Trimmer approaches the podium.)
 20 THE CHAIRMAN: All right. Ms. Trimmer,
 21 it's good to see you here.
 22 Let's move to 2022-0189 and -0190, please.
 23 MS. REED: Thank you.
 24 2022-0189 is a .15-acre site. It's
 25 located at 1478 Florida Avenue. That's on the

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269

1 Eastside, between Martin Luther King, Jr.,
 2 Parkway and the Springfield Historic District.
 3 The request for this is to take the land use
 4 from Medium Density Residential to Neighborhood
 5 Commercial.
 6 This site was developed with a commercial
 7 building constructed in 1913 that is considered
 8 both culturally and architecturally
 9 significant. It is one of the few remaining
 10 historic commercial buildings in the Eastside
 11 neighborhood and is believed to be the location
 12 of the longest residentially owned and operated
 13 commercial business in the neighborhood.
 14 The amendment would facilitate the reuse
 15 of the structure and support neighborhood
 16 revitalization efforts. And the intent is to
 17 use the site to offer community services,
 18 including a grocery store and employment and
 19 financial services.
 20 We do find this amendment to be consistent
 21 with the Comprehensive Plan because it promotes
 22 reuse and revitalization of a historic
 23 structure that is located in the Urban Priority
 24 Development Area.
 25 And for those reasons, we recommend
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270

1 approval.
 2 MR. LEWIS: Ordinance 2022-0190 is the
 3 companion. It's, again, rezoning approximately
 4 .15 acres from RMD-A to PUD to allow for the
 5 revitalization of an existing structure for
 6 commercial uses.
 7 We find it is consistent with the
 8 Comprehensive Plan and those reasons given
 9 previously. We feel it meets the internal and
 10 external criteria, and the Department is
 11 recommending approval with the one condition in
 12 your report.
 13 And I would like to point out that the
 14 agent has submitted a revised site plan dated
 15 April 21st, 2022, so that will be the -- a
 16 revised exhibit.
 17 THE CHAIRMAN: Thank you, Bruce, and
 18 Chief Reed.
 19 Ms. Trimmer.
 20 MS. TRIMMER: Good evening.
 21 Cyndy Trimmer, 1 Independent Drive, Suite
 22 1200, on behalf of the applicant.
 23 I have a whole presentation because I am
 24 really excited about this project, but it's
 25 been a long night. So if there are no other
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271

1 speaker cards, I will simply note that I do
 2 have David Garfunkel from LIFT JAX with me
 3 tonight, and that this project has actually
 4 already been evaluated by City Council and
 5 they've awarded over \$600,000 to help
 6 facilitate development of this store to
 7 alleviate food deserts on the Eastside.
 8 So with that, I will answer questions and
 9 appreciate your support.
 10 THE CHAIRMAN: All right. Thank you,
 11 Ms. Trimmer.
 12 Anyone else here today to speak on
 13 2022-0189 and -0190?
 14 AUDIENCE MEMBERS: (No response.)
 15 THE CHAIRMAN: All right. Let's move it
 16 back to the Commission.
 17 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 18 move to approve 2022-0189.
 19 COMMISSIONER BROWN: Second.
 20 THE CHAIRMAN: We've got a motion and a
 21 second.
 22 Any comments from the Commission?
 23 COMMISSION MEMBERS: (No response.)
 24 THE CHAIRMAN: This one did sound out of
 25 the ordinary. Give me the one-minute rundown
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272

1 on it, on why we should be excited about it.
 2 MS. TRIMMER: Sure thing.
 3 So for over 90 years, starting in 1921,
 4 Deb's Store operated in this location, and it
 5 was a very, very traditional local grocer that
 6 catered to the community. It closed around
 7 2011, and since that time there has not been
 8 any fresh produce options.
 9 This is a food desert. It is more than a
 10 mile away from any other accessible fresh
 11 produce and grocer access. LIFT JAX came in
 12 specifically to focus on this community and the
 13 neighborhood. This is their flagship project
 14 to revitalize the community.
 15 Like I said, City Council is in full
 16 support of it. The neighborhood, the community
 17 is in full support of it. They have partnered
 18 with Good Will, so it will be expanding the
 19 footprint of the historic Deb's Store operation
 20 to add jobs and employment services to the
 21 community, as well as partnering with VyStar
 22 Credit Union to bring an ATM and banking
 23 services to this community.
 24 So it has been historically underserved.
 25 This is a transformative project and I believe
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273

1 it's really going to bring momentum to the area
 2 and cast off everything else LIFT is trying to
 3 do in the neighborhood.
 4 THE CHAIRMAN: All right. Well done.
 5 Thank you.
 6 Any other comments from the Commission?
 7 COMMISSION MEMBERS: (No response.)
 8 THE CHAIRMAN: All right. We have a
 9 motion and second for approval of 2022-0189.
 10 All those in favor?
 11 COMMISSION MEMBERS: Aye.
 12 THE CHAIRMAN: That motion passes
 13 unanimously.
 14 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 15 move to approve 2022-0190 with the one
 16 condition and the revised site plan dated
 17 April 21st, 2022.
 18 COMMISSIONER BROWN: Second.
 19 THE CHAIRMAN: I have a motion and a
 20 second.
 21 Any comments?
 22 COMMISSION MEMBERS: (No response.)
 23 THE CHAIRMAN: We've got a motion and a
 24 second for approval.
 25 All those in favor?
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274

1 COMMISSION MEMBERS: Aye.
 2 THE CHAIRMAN: That motion passes
 3 unanimously as well.
 4 MS. TRIMMER: Thank you.
 5 THE CHAIRMAN: Thank you, Ms. Trimmer.
 6 Let's move to 2022-0191 and -0192 on Dunn
 7 Avenue.
 8 MS. REED: Thank you.
 9 2022-0191 is a six-and-a-half-acre site.
 10 This is located on the north side of Dunn
 11 Avenue, about a half mile west of the Dunn
 12 Avenue/I-295 interchange. The request is to
 13 take the land use from the Community/General
 14 Commercial or CGC to the RPI to allow for
 15 multifamily development.
 16 We find the amendment is consistent with
 17 the Comprehensive Plan because the amendment to
 18 the RPI is compatible with the land uses in the
 19 immediate area that include a mix of both the
 20 RPI and CGC commercial. And it's all land
 21 fronting Dunn Avenue, similar to this site.
 22 So for those reasons and the reasons in
 23 the staff report, we recommend approval.
 24 MR. LEWIS: Ordinance 2022-0192 is
 25 rezoning approximately 6.4 acres from PUD to
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275

1 PUD to allow for a maximum of 112 dwelling
 2 units in four buildings.
 3 With approval of the land use amendment,
 4 this will be consistent with the Comprehensive
 5 Plan. We feel this is an appropriate location
 6 because it will support the existing offices,
 7 retail, and other uses in the surrounding area
 8 near the I-295 interchange.
 9 The Department is recommending approval
 10 with a revised written description that's dated
 11 April 1st, 2022, and the one condition in your
 12 staff report.
 13 THE CHAIRMAN: Thank you, Bruce Chief,
 14 Reed.
 15 (Mr. Harden approaches the podium.)
 16 THE CHAIRMAN: Mr. Harden, give us your
 17 name and address, please.
 18 MR. HARDEN: Paul Harden, 1431 Riverplace
 19 Boulevard.
 20 May I ask Kristen a question before I
 21 start?
 22 THE CHAIRMAN: Sure.
 23 MR. HARDEN: I just discovered through
 24 hook and crook that an RPI on the bottom floor,
 25 you're not supposed to have residential if it's
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276

1 on an arterial. A newly discovered rule. What
 2 can I do to solve that right now?
 3 MS. REED: Through the Chair, I thought I
 4 recalled -- I was thinking about that earlier
 5 when I looked at it, that your site plan had a
 6 recreation center and a commercial structure on
 7 the ground floor --
 8 MR. HARDEN: In one of the buildings --
 9 four buildings.
 10 Mr. Killingsworth was going to resolve
 11 this a couple of weeks ago and nothing's
 12 happened, so I'm going to --
 13 MS. REED: So do you have -- I'm sorry,
 14 just going -- jumping to the PUD, so on the
 15 left side you have a commercial structure, a
 16 pond and parking for the commercial. On the
 17 right side you have the pool and community
 18 building; is that correct? I don't see --
 19 MR. HARDEN: Yeah. Okay. All right. If
 20 that's not right, I'll deal with it at LUZ.
 21 MS. REED: Okay. We can talk about it.
 22 And if we need to discuss potentially a
 23 site-specific policy to associate, we can, but
 24 I thought we were okay on this one.
 25 MR. HARDEN: Okay. Thank you.
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277

1 Sorry, Mr. Chairman. Thank you.
 2 THE CHAIRMAN: All right. Anyone else
 3 here to -- do you have -- do you want to give
 4 us a rundown or --
 5 MR. HARDEN: Not unless you have
 6 questions. I'll be happy to answer them.
 7 THE CHAIRMAN: Okay. Anyone else here
 8 today to speak on 2022-0191?
 9 AUDIENCE MEMBERS: (No response.)
 10 THE CHAIRMAN: All right. Let's bring it
 11 back to the Commission.
 12 Bruce, go ahead.
 13 MR. LEWIS: I'm sorry, I didn't know
 14 where -- when to read this. We do have an
 15 email from a Lisa King. She asked that this be
 16 read into the record, so -- it's short, but let
 17 me --
 18 "I have lived within a mile of the
 19 property and the above PUD on a Rural
 20 Residentially zoned property for the past
 21 23 years. I am in opposition to this proposed
 22 PUD to allow multifamily dwellings.
 23 "The properties around this property are
 24 single-family homes with a few scattered
 25 churches, a vision care and Farm Bureau. There
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278

1 are no multiple-family dwellings west of I-295
 2 and only one southeast of I-295, which is
 3 Hidden Oaks apartments on Key Haven. All other
 4 multiple-family dwellings are east of the
 5 intersection of Dunn Avenue and Lem Turner
 6 Road.
 7 "The PUD is not compatible with
 8 surrounding land uses and is not a similar use
 9 in this area. Allowing apartment complexes,
 10 multifamily west of I-295 will ruin the rural
 11 character of the area and open the door for
 12 more and more density, as we have seen with
 13 single-family subdivisions all over
 14 Jacksonville. Once we have one, it sets a
 15 precedent for more and more. Please keep
 16 multifamily east of I-295.
 17 "Thank you."
 18 MR. HARDEN: Mr. Chairman, may I respond
 19 to that?
 20 THE CHAIRMAN: Paige, is that -- is this
 21 an appropriate enough time to respond to that?
 22 MS. JOHNSTON: (Inaudible.)
 23 THE CHAIRMAN: Go ahead, Paul.
 24 MR. HARDEN: It's zoned CGC now. You
 25 could put a gas station there. CGC also allows
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279

1 multifamily use, up to 20 units per acre, but
 2 we're going to RPI so we could not do --
 3 (inaudible) an 80/20 split. It's -- already
 4 allows that at a much more -- it's a very
 5 substantial downzoning, so ...
 6 THE CHAIRMAN: Okay. Fair enough.
 7 I think we've still got to bring it back
 8 to the Commission, right?
 9 COMMISSIONER BROWN: Right.
 10 THE CHAIRMAN: Let's do that.
 11 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 12 move to approve application 2022-0191.
 13 COMMISSIONER BROWN: Second.
 14 THE CHAIRMAN: Comments from the
 15 Commission?
 16 COMMISSION MEMBERS: (No response.)
 17 THE CHAIRMAN: Seeing none, we have a
 18 motion and a second for approval of 2022-0191.
 19 All those in favor?
 20 COMMISSION MEMBERS: Aye.
 21 THE CHAIRMAN: That motion passes
 22 unanimously.
 23 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 24 move to approve application 2022-0192.
 25 COMMISSIONER BROWN: Second.
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280

1 THE CHAIRMAN: We've got a motion and a
 2 second for approval.
 3 Comments?
 4 COMMISSION MEMBERS: (No response.)
 5 THE CHAIRMAN: Okay. All those in favor?
 6 COMMISSION MEMBERS: Aye.
 7 THE CHAIRMAN: That motion passes
 8 unanimously as well.
 9 Does someone need to email back Lisa King
 10 and let her know Paul's reply? Is that the
 11 chair's job? I'm on it.
 12 Let's move swiftly to 2022-0193 and -0194,
 13 please.
 14 MS. REED: Thank you.
 15 2022-0193 is a 4.4-acre site located in
 16 the northeast quadrant of 103rd Street and
 17 Interstate 295. This request takes the land
 18 use from the CGC to the CGC but with a
 19 site-specific policy to allow conversion of the
 20 existing hotel to multifamily. The
 21 site-specific policy permits single-use
 22 residential and exempts development from the
 23 limitation on ground floor residential abutting
 24 roads classified as arterials or higher.
 25 The site is located along a commercial
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281

1 corridor with Low Density Residential, an
 2 elementary school and a middle school to the
 3 north.
 4 We find this amendment consistent with the
 5 Comprehensive Plan because the amendment to the
 6 CGC, with the policy, will be compatible with
 7 and will enhance the mix of commercial,
 8 residential and educational land uses in the
 9 immediate area and it will facilitate
 10 development of additional options to serve
 11 housing needs in the city.
 12 So for those reasons, we recommend
 13 approval.
 14 MR. LEWIS: Application for Planned Unit
 15 Development 2022-0194 is rezoning 4.3 acres
 16 from CCG-1 and CCG-2 to PUD. This is to
 17 convert the motel rooms into 103
 18 micro-apartments. Again, this will be
 19 consistent with the Comprehensive Plan.
 20 With approval of the land use amendment,
 21 we feel this is an appropriate location in this
 22 area and the Department is recommending
 23 approval with the one condition in your report.
 24 THE CHAIRMAN: Thank you, guys.
 25 Mr. Harden.
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282

1 MR. HARDEN: Paul Harden, 1431 Riverplace.
 2 This -- we had this discussion at LUZ the
 3 other night. You're going to start to see a
 4 lot of these. These are relatively rundown
 5 hotel/motels, not all rundown, but some, and
 6 they're converting into single-family -- or,
 7 excuse me, multifamily units. CGC doesn't
 8 allow that use, so we're doing site specific --
 9 in fact, it looks like T.R. has the next one.
 10 It's the same thing. You're going to see a
 11 series of 15 or 20 of these come up over the
 12 next several weeks -- or next several months,
 13 so it's -- it's an opportunity to add some
 14 needed housing stock in the area.
 15 THE CHAIRMAN: Okay. Anyone else here
 16 today to speak on 2022-0195 [sic]?
 17 AUDIENCE MEMBERS: (No response.)
 18 THE CHAIRMAN: Excuse me, -0193.
 19 AUDIENCE MEMBERS: (No response.)
 20 THE CHAIRMAN: All right. Let's bring it
 21 back to the Commission.
 22 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 23 move to approve 22-0193.
 24 COMMISSIONER BROWN: Second.
 25 THE CHAIRMAN: All right. Motion and a
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283

1 second.
 2 Comments from the Commission?
 3 Commissioner Brown.
 4 COMMISSIONER BROWN: Real quick.
 5 I actually facilitated a transaction at
 6 this property. I know it pretty well, walked
 7 it many times.
 8 Out of curiosity to Mr. Harden, a lot of
 9 these already kind of function like apartments;
 10 you know, people stay -- and maybe it's a staff
 11 question, but what triggers the full land use
 12 and PUD? A lot of them stay multi-year and
 13 never change anything.
 14 MR. HARDEN: The construction criteria for
 15 multifamily is different than a commercial
 16 facility, so they want to have those standards
 17 in them. Typically, what they're going to do
 18 on the reconstruction is put kitchens in. A
 19 lot of them don't have kitchens, but it's just
 20 a function of -- it's classified for the
 21 building code purposes.
 22 THE CHAIRMAN: Do they typically stay -- I
 23 mean, these would kind of be studios, I guess,
 24 right, if it's a --
 25 MR. HARDEN: Well, I think Bruce used the
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284

1 word "micro-apartments." Yeah, they're not
 2 going to be big, but you have -- for instance,
 3 somebody's coming in to work on a project for a
 4 year on a construction that's near there, want
 5 a -- an affordable, you know, apartment or --
 6 you know, typically you can't have more than
 7 one or occasionally two people in them, so ...
 8 THE CHAIRMAN: Okay. Looking forward to
 9 it.
 10 Commissioner Moldovan.
 11 COMMISSIONER MOLDOVAN: Thank you,
 12 Mr. Chairman.
 13 Just real quickly, I want to say I like
 14 it. I think that this is a wise use,
 15 progressive redevelopment of these properties.
 16 It addresses the dire need for affordable
 17 housing and I'll be supporting it.
 18 THE CHAIRMAN: Final comments from the
 19 Commission?
 20 COMMISSION MEMBERS: (No response.)
 21 THE CHAIRMAN: We've got a motion and a
 22 second for approval of 2022-0193.
 23 All those in favor?
 24 COMMISSION MEMBERS: Aye.
 25 THE CHAIRMAN: That motion passes
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285

1 unanimously.
 2 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 3 move to approve 22-0194 with the three exhibits
 4 and the one condition in the staff report.
 5 COMMISSIONER BROWN: Second.
 6 THE CHAIRMAN: Comments from the
 7 Commission?
 8 COMMISSION MEMBERS: (No response.)
 9 THE CHAIRMAN: Seeing none, we have a
 10 motion and approval for 2022-0194.
 11 All those in favor?
 12 COMMISSION MEMBERS: Aye.
 13 THE CHAIRMAN: That motion passes as well.
 14 MR. HARDEN: Thank you.
 15 THE CHAIRMAN: Thank you, Mr. Harden.
 16 All right. Let's move to 2022-0195 and
 17 -0196 on Broward Road.
 18 MS. REED: Thank you.
 19 2022-0195 is a 16.2-acre site. It's
 20 located on the east side of Broward Road and
 21 it's bounded by Broward Road, Karp (phonetic)
 22 Road, Zoo Parkway and Interstate 95.
 23 The request is to take this land use --
 24 similar to the last -- from CGC to CGC with a
 25 site-specific policy. And the policy allows
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286

1 single-use multifamily development within the
 2 CGC category.
 3 Residential is the general trend of the
 4 area. The site is located one parcel north of
 5 the site pending approval for a similar
 6 amendment to permit conversion of a hotel to
 7 multifamily. There have also been three other
 8 amendments in the general area to promote
 9 multifamily development.
 10 We do find this amendment to be consistent
 11 with the Comprehensive Plan because the
 12 amendment, along with the site-specific policy,
 13 will be compatible and consistent with
 14 development trends in the area and will also
 15 facilitate development of additional housing
 16 options.
 17 And for those reasons, we recommend
 18 approval.
 19 MR. LEWIS: Application 2022-0196 zoned --
 20 rezone approximately 16 acres from CCG-1 to PUD
 21 to allow for a maximum of 114 duplexes in 57
 22 buildings. We find it is consistent with the
 23 Comprehensive Plan. The subject property is
 24 surrounded on two sides by limited access
 25 roadways, a retention pond and woods.
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287

1 We feel that this proposed development is
 2 not expected to create any adverse impacts to
 3 the surrounding area, and the Department is
 4 recommending approval with the one condition in
 5 your staff report.
 6 THE CHAIRMAN: Thank you, guys.
 7 (Mr. Michaelis approaches the podium.)
 8 THE CHAIRMAN: Mr. Michaelis.
 9 MR. MICHAELIS: William Michaelis, 1301
 10 Riverplace Boulevard, Suite 1500.
 11 As staff said, this is a land use
 12 amendment rezoning to allow for what we like to
 13 call "paired villas" on this site. I won't say
 14 anything else more about that, but there's --
 15 the one condition references a Transportation
 16 memorandum, and the first condition in that
 17 memorandum is that the front building setback
 18 shall be a minimum of 20 feet from the
 19 right-of-way.
 20 I spoke with staff after the agenda
 21 meeting, and that's a little bit -- the code --
 22 our PUD says our front yards will meet code,
 23 and there's some nuance in code, depending on
 24 where your garage is and your facade is. It's
 25 18 feet or 22 feet, just --
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288

1 Anyway, we just want to comply with code.
 2 We don't believe that that condition is
 3 necessary, so we'd ask for that portion of the
 4 condition to be deleted.
 5 And then as to the last bullet point in
 6 that Traffic memorandum, it refers to a traffic
 7 study. And the last bullet point says that if
 8 the traffic engineer does not require a traffic
 9 study, provide documentation and the comment
 10 will be removed. So we take that to mean do a
 11 traffic study if we ask for one, and the client
 12 is definitely willing to do that. I just
 13 wanted to make that -- that clarification on
 14 the record.
 15 So with that, we'd appreciate your support
 16 with the modified condition.
 17 Thank you.
 18 THE CHAIRMAN: All right. Thank you,
 19 Mr. Michaelis.
 20 Anyone else here today to speak on
 21 2022-0195?
 22 AUDIENCE MEMBERS: (No response.)
 23 THE CHAIRMAN: Seeing none, we'll bring it
 24 back to the Commission.
 25 COMMISSIONER MOLDOVAN: Mr. Chairman, I
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289

1 move to approve 22-0195.
 2 COMMISSIONER BROWN: Second.
 3 THE CHAIRMAN: Comments from the
 4 Commission?
 5 Commissioner Brown.
 6 COMMISSIONER BROWN: From this day forward
 7 I will never use the word "duplex." It will
 8 forever be a "paired villa."
 9 MR. MICHAELIS: Thank you.
 10 THE CHAIRMAN: Paired villa. Fair enough.
 11 All right. Further comments?
 12 Commissioner Moldovan.
 13 COMMISSIONER MOLDOVAN: Thank you,
 14 Mr. Chairman.
 15 Just quickly, day one at my position with
 16 Toll Brothers, I was instructed that they are
 17 not called "duplexes," they are called "paired
 18 villas." And it -- I like it too, yeah.
 19 Thank you.
 20 THE CHAIRMAN: Commissioner Garrison,
 21 feelings on paired villas?
 22 COMMISSIONER GARRISON: (Inaudible.)
 23 THE CHAIRMAN: No. We're past that.
 24 All right. We've got a motion and a
 25 second for approval of 2022-0195.
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290

1 All those in favor?
 2 COMMISSION MEMBERS: Aye.
 3 THE CHAIRMAN: That motion passes
 4 unanimously.
 5 And let the record reflect that
 6 Commissioner Elsbury has joined us again.
 7 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 8 move to approve 22-0196 with the modified
 9 condition read into the record by the
 10 applicant.
 11 COMMISSIONER BROWN: Second.
 12 THE CHAIRMAN: Comments from the
 13 Commission?
 14 COMMISSION MEMBERS: (No response.)
 15 THE CHAIRMAN: Seeing none, motion and a
 16 second for approval of 2022-0196.
 17 All those in favor?
 18 COMMISSION MEMBERS: Aye.
 19 THE CHAIRMAN: That motion passes
 20 unanimously as well.
 21 Thank you, Mr. Michaelis.
 22 Let's move to 2022-0197 and -0198 on North
 23 Main Street.
 24 MS. REED: Thank you.
 25 2022-0197 is a 30-acre site. It's located
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291

1 on the east side of Main Street North, just
 2 south of Yellow Water -- Yellow Bluff Road.
 3 The request is to take the land use from Rural
 4 Residential to Low Density Residential, along
 5 with an extension of the Suburban Development
 6 Area to include the site.
 7 The site is located at the northern
 8 boundary of the Suburban Development Area and
 9 abuts land in the Low Density Residential land
 10 use category, and that land is developed with
 11 single-family residential.
 12 We find this amendment to be consistent
 13 with the Comprehensive Plan because the request
 14 would result in a logical extension of the
 15 abutting Low Density Residential land use and
 16 the Suburban Development Area and would result
 17 in a compatible land use pattern.
 18 So for those reasons, we recommend
 19 approval.
 20 MR. LEWIS: Ordinance 2022-0198 is the
 21 companion application. This is to allow for a
 22 maximum of 108 single-family lots. Again, we
 23 find it does meet the internal and external
 24 criteria.
 25 There are -- this area -- the subject
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292

1 property is surrounded by other single-family
 2 subdivisions, and so we are recommending
 3 approval.
 4 The applicant has submitted a revised
 5 written description and site plan, which you
 6 should have in front of you have. Both of
 7 those are dated February 14th, 2022. With
 8 those -- with that revised written description
 9 and site plan, the staff feels there's no need
 10 for Condition Number 1, and so we're
 11 recommending that be deleted, but it will have
 12 the second condition in there.
 13 MR. HARDEN: Bruce, what is the second
 14 condition?
 15 MR. LEWIS: The Transportation Planning
 16 memo.
 17 MR. HARDEN: I'll deal with it at LUZ.
 18 MR. LEWIS: Okay.
 19 MR. HARDEN: Thank you.
 20 THE CHAIRMAN: All right. Mr. Harden.
 21 MR. HARDEN: I don't have anything to add.
 22 I just wanted to make sure we had the new
 23 site plan, which I thought met all the
 24 conditions, but ...
 25 THE CHAIRMAN: Okay. Anyone else here
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1 today to speak on 2022-0197?
2 AUDIENCE MEMBERS: (No response.)
3 THE CHAIRMAN: Seeing none, we'll close
4 the public comment and bring it back to the
5 Commission.
6 COMMISSIONER MOLDOVAN: Mr. Chairman, I
7 move to approve 2022-0197.
8 COMMISSIONER BROWN: Second.
9 THE CHAIRMAN: I have a motion and a
10 second.
11 Comments from the Commission?
12 COMMISSION MEMBERS: (No response.)
13 THE CHAIRMAN: Seeing none, we've got a
14 motion and a second for approval.
15 All those in favor?
16 COMMISSION MEMBERS: Aye.
17 THE CHAIRMAN: That motion passes
18 unanimously.
19 COMMISSIONER MOLDOVAN: Mr. Chairman, I
20 move to approve 2022-0198 with the revised
21 written description and site plan and the
22 second condition.
23 COMMISSIONER BROWN: Second.
24 THE CHAIRMAN: Comments from the
25 Commission?

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1 COMMISSION MEMBERS: (No response.)
2 THE CHAIRMAN: Seeing none, we've got a
3 motion and a second for approval.
4 All those in favor?
5 COMMISSION MEMBERS: Aye.
6 THE CHAIRMAN: That motion passes as well.
7 MR. HARDEN: I'm sorry, I turned around.
8 It was approved with the second condition
9 only?
10 THE CHAIRMAN: Yes.
11 MR. HARDEN: Okay. I want to applaud
12 Mr. Michaelis. He prepared pancakes for our
13 family on Easter for brunch. He's really good
14 at it.
15 THE CHAIRMAN: He cooked you pancakes for
16 Easter; is that what you said?
17 MR. HARDEN: For Easter, yes. He prepared
18 the pancakes himself. I saw him do it.
19 THE CHAIRMAN: All right. I don't know.
20 Well, let's move to 2022-0201, please,
21 Lenox Avenue.
22 MR. HUXFORD: Thank you, Mr. Chairman.
23 This is application for rezoning,
24 Ordinance 2022-0201, for property at 8714 Lenox
25 Avenue, as well as 1301 and 1305 Hammond

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1 Boulevard. This is right at the intersection
2 of Hammond and Crystal Springs on the Westside.
3 The current zoning is RR-Acre. The
4 proposed zoning -- the top piece would be
5 RLD-50 and the bottom piece would be RLD-40.
6 It consists of a total of 17 acres.
7 Staff's reviewed the application. We
8 would note that we are starting to see some
9 infill in the area. Immediately to the west of
10 this is the Levverock subdivision that's gone
11 in. The property to the east -- I'm sorry, the
12 property to the west -- Levverock is to the
13 east. And I'm getting turned around here.
14 Yeah, Levverock is to the east. And to
15 the west, between this property and the Crystal
16 Springs Elementary, there's a PUD that's gone
17 in place for professional and business offices.
18 That has -- that project has not come on line
19 yet. And then to the north, across Lenox
20 Avenue, while it's zoned RR-Acre, there are
21 numerous lots in there that are far smaller,
22 so -- but like I say, we are starting to see
23 infill here. We felt that this was appropriate
24 at this location and we're recommending
25 approval.

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1 THE CHAIRMAN: Thank you, Folks.
2 (Mr. Michaelis approaches the podium.)
3 THE CHAIRMAN: Mr. Michaelis.
4 MR. MICHAELIS: William Michaelis, 1301
5 Riverplace Boulevard, Suite 1500, representing
6 Atlee Development Group.
7 So as Mr. Huxford said, this site is at
8 the corner of Lenox and Hammond. It's kind of
9 an upside down T, so we are proposing RLD-50
10 closer to Hammond, with RLD-40 -- or closer to
11 Lenox, with RLD-40 sort of at the -- the bottom
12 side of it, on the horizontal part.
13 This is heading towards the hard corner,
14 so there is a recent -- I believe it's 2019,
15 professional office, kind of an
16 office-condo-looking PUD directly adjacent to
17 this site on the corner. And caddy-corner
18 across the intersection is a commercial and
19 retail and office PUD within -- and the school
20 on the other corner, and then residential on
21 the other. So it is moving towards that hard
22 corner.
23 With that, we view this -- you know, we
24 believe this is a -- a proper site to get, you
25 know, a little bit more denser in this

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297

1 location.
 2 With that, I'm happy to take any
 3 questions.
 4 Thank you.
 5 THE CHAIRMAN: All right. Thank you,
 6 Mr. Michaelis.
 7 I have one speaker's card in opposition,
 8 so I'll give you an opportunity to address
 9 their concerns when she finishes.
 10 MR. MICHAELIS: Okay.
 11 THE CHAIRMAN: All right. Tina Gasson.
 12 (Audience member approaches the podium.)
 13 THE CHAIRMAN: Ms. Gasson, good evening.
 14 Give us your name and address for the
 15 record, please.
 16 AUDIENCE MEMBER: My name is Tina Gasson,
 17 and I live at 1416 Sharonwood Lane.
 18 I also own a little strip of land right
 19 behind me. It's called Happy Valley Lane.
 20 That touches Mr. Bruce Stutsman's land.
 21 I purchased it in 2006. I haven't been
 22 able to possess it because Mr. Stutsman will
 23 not let me move the fence. And I don't know
 24 what's going on. I just would like for you all
 25 to know that I own the land and I'd like to be
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298

1 made whole --
 2 THE CHAIRMAN: Fair enough. All right.
 3 MS. GASSON: -- if that's okay.
 4 THE CHAIRMAN: Well, we'll drill down on
 5 that.
 6 All right. Mr. Michaelis, do you got the
 7 answer we're looking for for that?
 8 MS. GASSON: Excuse me?
 9 THE CHAIRMAN: If you're wrapped up, I'm
 10 going to pull him back up to try to answer your
 11 question.
 12 MS. GASSON: Okay. Do I need to give them
 13 any paperwork or anything?
 14 THE CHAIRMAN: Possibly after this, but --
 15 MS. GASSON: Okay. Thank you.
 16 (Mr. Michaelis approaches the podium.)
 17 MR. MICHAELIS: Thank you.
 18 All I would say is I -- I didn't
 19 necessarily hear opposition to the use or to
 20 the zoning. This sounds like a private matter.
 21 And hopefully, maybe when the property changes
 22 hands, if it's a personal dispute between these
 23 parties -- it sounds like maybe this is a good
 24 opportunity for a resolution to the -- to that
 25 dispute to the extent there is anything --
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299

1 matters of record, those will be title issues
 2 that need to be worked through from a
 3 transactional perspective. If she's allowed to
 4 access some portion of the property, that is
 5 certainly going to come to light here with this
 6 proposed real estate closing.
 7 Again, I -- I believe these are private
 8 matters and not a part of this zoning.
 9 I'm happy to take any other questions.
 10 Thank you. This is the first I've heard
 11 of it. Thank you.
 12 THE CHAIRMAN: Thank you, Mr. Michaelis.
 13 Anyone else here today to speak on
 14 2022-0201?
 15 AUDIENCE MEMBERS: (No response.)
 16 THE CHAIRMAN: Seeing none, we'll close
 17 the public comment and bring it back to the
 18 Commission.
 19 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 20 move to approve 2022-0201.
 21 COMMISSIONER BROWN: Second.
 22 THE CHAIRMAN: All right. We've got a
 23 motion and a second for approval.
 24 As a housekeeping matter, ma'am --
 25 Mr. Michaelis, do you mind getting with her
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300

1 afterwards and just getting the contact info?
 2 I -- he doesn't -- I don't think he knows
 3 about what -- the issue you guys are having.
 4 This still has another stop to go through, LUZ.
 5 This is the first hearing on it, so there's
 6 still time to get this adjusted, but
 7 Mr. Michaelis -- you're in good hands with him,
 8 so he'll get your info and get that doped out.
 9 Anyone else -- any other comments from the
 10 Commission?
 11 COMMISSION MEMBERS: (No response.)
 12 THE CHAIRMAN: Anyone want to ask
 13 Mr. Michaelis about his pancakes on Easter?
 14 COMMISSION MEMBERS: (No response.)
 15 THE CHAIRMAN: Neither do I.
 16 Okay. We've got a motion and a second for
 17 approval.
 18 All those in favor?
 19 COMMISSION MEMBERS: Aye.
 20 THE CHAIRMAN: That motion passes.
 21 Thank you, Mr. Michaelis.
 22 Let's move to 2022-0199 on Spring Glen
 23 Road.
 24 MR. LEWIS: Thank you.
 25 This is ordinance 2022-0199. Seeks to
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301

1 rezone 3.6 acres from PUD to PUD. This -- the
 2 new PUD will retain the -- all the existing
 3 uses from the current PUD; however, they are
 4 asking for an increase in the square footage of
 5 the building.
 6 The current PUD allows for an industrial
 7 vocational training facility. As I mentioned,
 8 they -- they've now determined they need a
 9 larger building than was originally approved in
 10 the current PUD.
 11 Staff has no objections to this increase
 12 and is recommending approval with the two
 13 conditions in your staff report.
 14 THE CHAIRMAN: All right. Thank you,
 15 Bruce.
 16 (Mr. Duggan approaches the podium.)
 17 THE CHAIRMAN: Mr. Duggan.
 18 MR. DUGGAN: Thank you, Mr. Chairman.
 19 Wyman Duggan, 1301 Riverplace Boulevard,
 20 Suite 1500.
 21 Do you have any other speaker cards on
 22 this one?
 23 THE CHAIRMAN: I don't think so.
 24 Ms. Sales, do I?
 25 MS. SALES: No.
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302

1 THE CHAIRMAN: Nope.
 2 MR. DUGGAN: Then I'm available for
 3 questions.
 4 THE CHAIRMAN: There you go.
 5 All right. Anyone else here today to
 6 speak on 2022-0199?
 7 AUDIENCE MEMBERS: (No response.)
 8 THE CHAIRMAN: Let's bring it back to the
 9 Commission.
 10 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 11 move to approve 2022-0199.
 12 COMMISSIONER BROWN: Second.
 13 THE CHAIRMAN: All right. I got a motion
 14 and a second.
 15 Comments?
 16 Commissioner Moldovan.
 17 COMMISSIONER MOLDOVAN: Mr. Chairman, I
 18 need to amend my motion. I move to approve
 19 application 2022-0199 with the two conditions
 20 in the staff report.
 21 COMMISSIONER BROWN: Second.
 22 THE CHAIRMAN: I've got a motion and a
 23 second for approval.
 24 Commissioner Blanchard.
 25 COMMISSIONER BLANCHARD: Thank you,
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303

1 Chairman.
 2 Point of order. I believe the bylaws
 3 require that when you get to 6:45, you take an
 4 hour and a half dinner break or something like
 5 that. Is that -- I think as chairman you could
 6 waive that, but I just -- just food for
 7 thought. I don't think we would make you do
 8 that.
 9 THE CHAIRMAN: I'm inclined to burn
 10 through this one, the next one, and then --
 11 COMMISSIONER BLANCHARD: Perfect. Thank
 12 you.
 13 Sorry, Wyman.
 14 THE CHAIRMAN: All right. Any other
 15 comments from the Commission?
 16 COMMISSION MEMBERS: (No response.)
 17 THE CHAIRMAN: Very good. We've got a
 18 motion and a second for approval of 2022-0199.
 19 All those in favor?
 20 COMMISSION MEMBERS: Aye.
 21 THE CHAIRMAN: That motion passes.
 22 Mr. Duggan, I hope that was late enough
 23 for you. I totally underestimated at saying
 24 not before 3:00, so --
 25 All right. Let's move to the last item on
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304

1 the agenda, 2022-0200, on Lem Turner Road.
 2 MR. LEWIS: This is application for
 3 Planned Unit Development, 2022-0200. Seeks to
 4 rezone approximately 19 acres from PUD to PUD.
 5 The rezoning is being sought to allow for a
 6 maximum of 300 multifamily apartments. The
 7 current PUD from 2006 was approved for a
 8 maximum of 350 condominiums or townhomes and
 9 399,000 square feet of commercial uses.
 10 Staff has reviewed this application. It's
 11 in -- this is in the MDR land use category
 12 which does allow for the uses. The 300
 13 multifamily dwellings is a density of 15.8
 14 units per acre below the maximum 20 units per
 15 acre that's allowed in that land use category.
 16 Since the current PUD already allows for a
 17 type of multifamily development, staff feels
 18 that this is appropriate at this location and
 19 is recommending approval with the one condition
 20 in your staff report.
 21 THE CHAIRMAN: Thank you, Bruce.
 22 (Mr. Duggan approaches the podium.)
 23 THE CHAIRMAN: Mr. Duggan, this one looks
 24 like it takes some explaining.
 25 MR. DUGGAN: Thank you, Mr. Chairman.
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305

1 Wyman Duggan, 1301 Riverplace Boulevard,
2 Suite 1500.
3 So as Bruce referenced, this is a PUD from
4 2006. It was approved for a mix of uses. It
5 is at the northeast corner of I-295 and
6 Lem Turner. Unfortunately, both the aerial and
7 the site plan crosshatching in your staff
8 report don't show I-295, but it's -- right at
9 the bottom of what you can't see, right below
10 that is I-295, so this is right at the
11 intersection.
12 It was approved in 2006 in a mixed-use PUD
13 for 400,000 square feet of retail and 350
14 multifamily units. This application deals only
15 with the multifamily MDR portion of the PUD.
16 It seeks to decrease the number of units from
17 350 to 300. It is an express request for
18 apartments, so these will be apartment
19 buildings rather than the townhome form of
20 development.
21 I'll point out a couple of salient items
22 in your staff report. First of all, the PUD
23 limits the height to 35 feet, which is the same
24 height as a single-family building would be,
25 and it does observe that this is infill

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306

1 development, consistent with the plans,
2 policies and objectives -- goals, policies and
3 objectives, I should say, of the Comprehensive
4 Plan.
5 I know you -- I'm sure have several
6 speakers, so unless there's any questions, I'll
7 just stand by and -- for rebuttal.
8 THE CHAIRMAN: All right. Thank you.
9 So we'll start with Aritcis Deas and then
10 Willie Alexander and then Tommy Ruffin.
11 Do you guys want to line up and we'll get
12 moving down the road.
13 Is Mr. Deas here? Sir, is that you?
14 AUDIENCE MEMBER: I'm number two.
15 THE CHAIRMAN: Okay. Mr. Deas, it looks
16 like he's not here. Let the record reflect
17 that he is in opposition.
18 So you must be Mr. Alexander.
19 AUDIENCE MEMBER: That would be me.
20 THE CHAIRMAN: All right. Give us your
21 name and address for the record, please.
22 AUDIENCE MEMBER: Willy "Pop" Alexander,
23 12698 Sampson Road, 32218. That's here in
24 Jacksonville, Florida.
25 THE CHAIRMAN: Go ahead, sir.

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307

1 MR. ALEXANDER: All right. I'm going to
2 forego my remarks at this point in time. I was
3 asked about an hour ago by former president of
4 FCJ, which is now a college, Dr. Darby, to make
5 her remarks. And out of respect for her and
6 what she means to our community, I'm going to
7 do just that. And I'll forego my remarks.
8 Okay?
9 THE CHAIRMAN: Okay. So when I call her,
10 you're going to come back up and speak on her
11 behalf; is that right?
12 MR. ALEXANDER: I'm going to -- if you
13 call her, I'll come back and speak on my
14 behalf.
15 THE CHAIRMAN: Okay. Fair enough.
16 All right. So you're in opposition --
17 you're not speaking now. You're --
18 MR. ALEXANDER: I'm in opposition.
19 THE CHAIRMAN: Okay.
20 MR. ALEXANDER: Okay. These are
21 Dr. Darby's remarks.
22 I come before you to request that you
23 support the existing PUD Ordinance 2006-493-E
24 for the property in question and vote no on
25 rezoning Ordinance 2022-200.

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308

1 There's no question that the developer has
2 a right to (inaudible) for the development of
3 the property on Percy and Lem Turner Roads. We
4 support that. Having that right should not
5 infringe or be on behalf of the detriment to
6 the rights of existing homeowners on Percy Road
7 and Lem Turner, to also create wealth by
8 maintaining the property values of our homes as
9 well as our quality of life.
10 The surrounding community to this project
11 are single-family dwellings. It is our request
12 that the proposed developments follow that
13 format.
14 In 2019, you approved the rezoning -- you
15 approved rezoning 2019-0373 to develop a
16 community on Percy Road and Lem Turner. That
17 project is currently underway. It's
18 underdeveloped, and we'll -- while we know it
19 is going to impact our egress and ingress on
20 Percy and Lem Turner, we cannot yet determine
21 the full impact.
22 The development proposed by Ordinance
23 2022-0200 will only add to the traffic concerns
24 for those of us who travel on Percy and Lem
25 Turner Roads on a daily basis. We have not

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309

1 seen any traffic engineering studies that would
 2 tell how the coming congestion from the
 3 addition of 350 apartments would be managed.
 4 The current PUD, 2006-493-E, calls for a
 5 traffic study regarding proposed access points
 6 on Percy Road and states that there would only
 7 be one access point to Percy Road. However, I
 8 have read that there would be two access points
 9 to Percy Road and the proposed PUD request.
 10 As a citizen and a community, we request
 11 to receive clear and consistent information
 12 about this project from those responsible for
 13 advancing this. The developer, the City of
 14 Jacksonville's Planning Department and our City
 15 Council representative --
 16 (Timer notification.)
 17 MR. ALEXANDER: May I?
 18 THE CHAIRMAN: Yeah. Go ahead. It sounds
 19 like you're reading for two people. I'll give
 20 you two more minutes.
 21 MR. ALEXANDER: All right.
 22 While we have initiated requests to meet
 23 to discuss the project prior to today's
 24 meeting, those meetings were not forthcoming
 25 before today's meeting.

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310

1 Additionally, there were to be six
 2 rezoning signs placed in the community, but a
 3 total of five were clustered in one section of
 4 the mile-long stretch on Percy Road and none
 5 were replaced -- were placed, rather, on
 6 Lem Turner.
 7 As a community, we deserve to be involved
 8 in any development that would impact our
 9 quality of life and we have not. Our lived
 10 experience in the community should not be
 11 excluded.
 12 Again, on behalf of Dr. Darby, I make
 13 those remarks. And she also wanted me to pass
 14 each one of you one of these memos from Marvin
 15 Echols of the Planning Department from the
 16 (inaudible) --
 17 THE CHAIRMAN: Bring those up to
 18 Ms. Sales, Mr. Alexander. Thank you for being
 19 here.
 20 All right. Tommy Ruffin, is he here?
 21 AUDIENCE MEMBER: (Indicating.)
 22 THE CHAIRMAN: Mr. Ruffin, would you like
 23 to speak?
 24 AUDIENCE MEMBER: I oppose to the
 25 ordinance.

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311

1 AUDIENCE MEMBER: I think he wants me to
 2 speak for him or for me.
 3 THE CHAIRMAN: I don't want to start
 4 pulling these out of order.
 5 Mr. Ruffin, if you want to speak now -- if
 6 not, I can just say you're in opposition. I'm
 7 not going to start shuffling through all these,
 8 though.
 9 All right. So let the record reflect that
 10 Mr. Tommy Ruffin is in opposition.
 11 Next, we have Adrienne Lathrop.
 12 (Audience member approaches the podium.)
 13 THE CHAIRMAN: After Ms. Lathrop, we're
 14 going to hear from Carl Howell and then Shirley
 15 Ealey.
 16 Ms. Lathrop, give us your name and address
 17 for the record, please.
 18 AUDIENCE MEMBER: Adrienne Lathrop, 12675
 19 Sampson Road, 32218.
 20 THE CHAIRMAN: Thank you. Go ahead.
 21 MS. LATHROP: Okay. So I oppose this
 22 application, and the only thing that I'm asking
 23 is that you would all consider just deferring
 24 this until you get the decision from the State
 25 on whether or not they're going to allow access

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312

1 to Lem Turner.
 2 So I'm sure you all know that Percy is --
 3 what's it called? A local facility. It's not,
 4 like, an arterial or collector road. It's just
 5 a local, small, two-lane road.
 6 And I know that there's probably nothing I
 7 can say as far as the development because --
 8 the way things work, but I would just really
 9 appreciate you waiting until -- we know that
 10 they're going to be able to -- to -- the egress
 11 is going to be on Lem Turner as well as on
 12 Percy, because that's just the -- the density
 13 on both sides, and they already -- this land
 14 was already approved. We've already
 15 compromised and compromised, and so now they
 16 just want more and more density.
 17 So somebody has to solve the problem or
 18 give us a way out. I don't know where, through
 19 the back of the community. So that little
 20 local road -- I'm not -- like I said, that's
 21 going to be a problem for someone else, but at
 22 least --
 23 And I didn't understand in the traffic
 24 review why they mentioned the capacity of
 25 Lem Turner and the trips or whatever, but

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313

1 there's no mention of any type of statistics
 2 for Percy Road.
 3 So that's all I'm asking, is that -- that
 4 you could just be sensitive and not -- so
 5 people aren't spending money also on
 6 development when -- if they can't get out -- if
 7 we all can't get out, I'm not sure what good it
 8 is, but thank you.
 9 THE CHAIRMAN: All right. Thank you,
 10 Ms. Lathrop.
 11 Carl Howell, and then we'll hear from
 12 Shirley Ealey. Is she here?
 13 AUDIENCE MEMBERS: (No response.)
 14 THE CHAIRMAN: Mr. Howell, go ahead. Give
 15 us your name and address for the record,
 16 please.
 17 AUDIENCE MEMBER: My name is Carl Howell.
 18 I live at 125 [sic] Sampson Road, Jacksonville,
 19 Florida 32218.
 20 THE CHAIRMAN: Go ahead.
 21 MR. HOWELL: Chairman and -- Chairman and
 22 body, I ask that you don't approve this request
 23 from PUD to PUD.
 24 The existing homeowners at North Lake,
 25 they've been there for years. It's a beautiful
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314

1 neighborhood and they have took care of their
 2 homes. A lot of them came early because they
 3 wanted to get their opinion. You know, for
 4 years they have worked so hard and kept the
 5 community up. And they couldn't -- you know,
 6 this is the last ordinance on the docket for
 7 tonight and most of them left. Most of their
 8 opinions, I mean, you won't even be able to
 9 hear because, you know, some of them came --
 10 could barely get here, but they came because
 11 their home is something that they work hard
 12 for.
 13 And not only that, that's all I did years
 14 ago, was build apartments, renovate apartments
 15 for Vestcor properties, for Summit
 16 Construction, (inaudible) Construction, South
 17 Carolina, Georgia, all over Florida, Sawgrass,
 18 Amelia Island. I seen what apartments do to
 19 neighborhoods. Don't let this be changed from
 20 a condo/townhomes to apartments.
 21 Respect the community. Respect these
 22 people. Respect my neighbors. You know, all
 23 the years they worked for this community and
 24 you're going to let a developer come in and --
 25 and just change his mind that he want to --
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315

1 instead of building what he say he going to
 2 build from the first application, now he want
 3 to change the application -- request for a
 4 change.
 5 I just pray and hope that you make him
 6 stick to what he say he going to do when he
 7 bought the property. He say he was going to
 8 build condos and townhouses. Let him build the
 9 townhouses or condos, but no apartments. I
 10 mean, I've been in too many bad apartment
 11 complexes. You know, condos would be better.
 12 Respect our community. Respect these
 13 people. Respect my neighbors. Don't do this.
 14 THE CHAIRMAN: Thank you, Mr. Howell.
 15 Appreciate you being here.
 16 It looks like Shirley Ealey is not here.
 17 Let the record reflect that she is in
 18 opposition.
 19 Next, we have Amos Ealey.
 20 AUDIENCE MEMBERS: (No response.)
 21 THE CHAIRMAN: Also not here. Let the
 22 record reflect that he is in opposition.
 23 Betty Hodge, is she here?
 24 AUDIENCE MEMBERS: (No response.)
 25 THE CHAIRMAN: Okay. Let the record
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316

1 reflect that Betty Hodge is in opposition.
 2 Eugene Montgomery.
 3 AUDIENCE MEMBER: Here.
 4 THE CHAIRMAN: Mr. Montgomery, do you want
 5 to come on up?
 6 After Mr. Montgomery, we'll hear from
 7 Barbara Darby.
 8 You spoke on her behalf, right?
 9 MR. ALEXANDER: Yes. But I'll speak on my
 10 behalf when you call her name.
 11 THE CHAIRMAN: So she -- let the record
 12 reflect she is in opposition but had to roll.
 13 (Audience member approaches the podium.)
 14 THE CHAIRMAN: All right. Mr.
 15 Montgomery, give us your name and address,
 16 please.
 17 AUDIENCE MEMBER: Yes. Eugene Montgomery.
 18 I live at 2911 Percy Road.
 19 I'm in opposition to this proposed zoning.
 20 Across the street from where this is
 21 proposed is where they -- originally, they were
 22 going to put townhouses and 40-foot -- square
 23 foot lots, single families. We successfully
 24 got with the developer a year or so ago and he
 25 decided to go ahead and meet our demands and
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317

1 put single-family there. We're just wondering,
 2 why can't we have single-family across the
 3 street? Because all the other development in
 4 the neighborhood is single-family.
 5 As the young lady said before, Percy Road
 6 is a dead-end street. Having 350 apartments or
 7 350 cars come through every morning -- and it's
 8 at the beginning of the neighborhood, right
 9 there at Lem Turner -- is going to cause a
 10 serious traffic problem.
 11 And if you look at the site plan for the
 12 development, it only shows one outlet, which is
 13 right there on Percy Road. There's another
 14 marked development -- I mean, marked outlet on
 15 Lem Turner, but it's not part of this
 16 development and we don't know if that's going
 17 to happen or not. So to have 350 cars come in
 18 every morning, leaving, just like the
 19 neighborhood we have now, it's going to impact
 20 us tremendously.
 21 So we would love to compromise and have
 22 single-family homes because we have no
 23 multi-apartments in the neighborhood. And it's
 24 a beautiful neighborhood, as the other
 25 residents said. And by adding apartments --

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318

1 and I'm not against housing development because
 2 we need it, but 350 apartments is a lot of
 3 apartments right there coming off of a two-lane
 4 highway.
 5 Thank you.
 6 THE CHAIRMAN: Thank you, Mr. Montgomery.
 7 John Darby, did he --
 8 AUDIENCE MEMBER: He left.
 9 THE CHAIRMAN: He left. Okay.
 10 Let the record reflect that he is in
 11 opposition.
 12 Valerie Rodgers.
 13 AUDIENCE MEMBER: I oppose.
 14 THE CHAIRMAN: You oppose. You want to
 15 add anything else or is that it?
 16 AUDIENCE MEMBER: No, that's it.
 17 THE CHAIRMAN: All right. She is here.
 18 She opposes. Thank you, Ms. Rodgers.
 19 Johnny Rodgers.
 20 AUDIENCE MEMBER: Here.
 21 THE CHAIRMAN: Would you like to come up,
 22 sir?
 23 AUDIENCE MEMBER: I oppose.
 24 THE CHAIRMAN: You oppose.
 25 Okay. Let the record reflect that

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319

1 Mr. Johnny Rodgers also opposes.
 2 Gary Thomas.
 3 AUDIENCE MEMBER: I'm here.
 4 THE CHAIRMAN: Would you like to speak,
 5 sir?
 6 (Audience member approaches the podium.)
 7 THE CHAIRMAN: After Mr. Thomas we will
 8 hear from Ronald Raysor and then Larry Parker.
 9 Mr. Thomas, good evening. Give us your
 10 name and address for the record, please.
 11 AUDIENCE MEMBER: Good evening.
 12 My name is Gary Thomas. I live at 12719
 13 Sampson Road in North Lake.
 14 And I'm here this evening to oppose the
 15 ordinance. We have 109 units in North Lake,
 16 Phase II; approximately 43 in North Lake,
 17 Phase I.
 18 The new development that Mr. Montgomery
 19 spoke of, on the north side of Percy Road, I
 20 think is scheduled for 74 units. On the west
 21 side of Lem Turner, right there in the area of
 22 Percy Road on Hemlock, there's another
 23 development going on.
 24 And I casually estimated -- we're talking
 25 about 600 units, give or take a few, trying to

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(904) 821-0300

320

1 access Lem Turner Road, maybe from Hemlock, but
 2 mostly from Percy Road on a two-lane highway
 3 that -- in that area the speed limit is
 4 60 miles an hour. Something has to give.
 5 We had about 50 people here at 1 o'clock.
 6 Our neighborhood is unified in opposition to
 7 this ordinance. I hope that -- based on some
 8 of the -- all of the comments all the people
 9 have made -- and even earlier in the other
 10 parts of town people have been expressing
 11 basically a lot of the same concerns that we
 12 are addressing here tonight.
 13 So thank you for your indulgence and I
 14 hope that you guys rule in our favor.
 15 Thank you.
 16 THE CHAIRMAN: All right. Thank you,
 17 Mr. Thomas.
 18 Is Ronald Raysor here?
 19 AUDIENCE MEMBERS: (No response.)
 20 THE CHAIRMAN: Let the record reflect that
 21 Mr. Raysor is in opposition.
 22 Larry Parker.
 23 AUDIENCE MEMBERS: (No response.)
 24 THE CHAIRMAN: Let the record reflect that
 25 Mr. Parker is also in opposition.

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321

1 William Roberts.
 2 AUDIENCE MEMBER: In opposition.
 3 THE CHAIRMAN: In opposition. Would you
 4 like to speak, sir? Would you like to come up
 5 and speak?
 6 AUDIENCE MEMBER: No.
 7 THE CHAIRMAN: All right. William Roberts
 8 is here and he is in opposition.
 9 (Audience member approaches the podium.)
 10 THE CHAIRMAN: All right. You must be
 11 Bonnie Roberts. You're going to come speak,
 12 right?
 13 And then the final one after that is
 14 Lavernel Schumer [sic]. Is he here?
 15 AUDIENCE MEMBER: Sumlar.
 16 THE CHAIRMAN: I'm sorry. I butchered
 17 that all up. You're going to be next. All
 18 right?
 19 All right. Ms. Roberts, give us your name
 20 and address for the record, please.
 21 AUDIENCE MEMBER: My name is -- actually,
 22 I go by Davine, but it's B. Davine Roberts, and
 23 I live at the corner of Percy Road and Percy
 24 Lane, and that's 12567 Percy Lane.
 25 And I've lived there for 30 years -- over
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322

1 30 years, actually. And we've enjoyed a
 2 wonderful rural community. And what's being
 3 proposed really is -- it's just incompatible
 4 with our surrounding area, which is Rural
 5 Residential, agricultural. And, of course, the
 6 recent Percy Oaks of 2019. They're all
 7 residential. We don't -- we don't have any
 8 apartments in our neighborhood, and 350 is
 9 overwhelming for me to even comprehend. It's
 10 totally detrimental. It will be detrimental to
 11 our neighborhood. There's no doubt about it.
 12 We are a residential area. Residents are
 13 fine. Condominiums are okay. You know, people
 14 that own their homes tend to take care of their
 15 homes.
 16 We live in a neighborhood of an acre- to
 17 two-acre lots. We don't expect people to keep
 18 buying those huge lots, but we do expect to
 19 live in a community that keep up their
 20 property. And we're not so sure that this is
 21 going to happen with the -- with 350
 22 apartments, and I just can't even phantom [sic]
 23 the traffic. That's already been addressed.
 24 But I think what is the integrity in all
 25 of this process is that when the developer is
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323

1 trying to do what he agreed not to do. We've
 2 already gone through this in 2006 where he
 3 agreed to condominiums and townhomes. So we're
 4 just against this, all of us are. And I think
 5 if you lived in our area, you would be too.
 6 Just build something for homeowners.
 7 That's all we're asking. Just somebody to
 8 build something for homeowners, not apartments.
 9 It's just not -- it's just not right.
 10 I don't even know how to speak to the
 11 crime that we might have or any of that, but
 12 I -- I think it would be so detrimental to our
 13 process. And it's just like one of the
 14 councilmen said earlier, we, the people. Don't
 15 we matter? We, the people, who already live in
 16 the neighborhood, don't we have any say?
 17 We already had a PUD agreement. Why do we
 18 have to do this again? Why do we have to keep
 19 going through this? I've spoken here before,
 20 so please do not vote for this, please, I beg
 21 you.
 22 Thank you so much for your time.
 23 THE CHAIRMAN: Thank you, Ms. Roberts.
 24 All right. Finally, we have Ms. Schumer
 25 [sic].
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324

1 AUDIENCE MEMBER: Good evening.
 2 Lavernel Sumlar, 12682 Sampson Road.
 3 THE CHAIRMAN: Thank you.
 4 MS. SUMLAR: I decided at the last minute
 5 to speak because we love our community. We are
 6 proud of our community. We are older
 7 homeowners, 30 years.
 8 But three main things I wanted to mention
 9 that I didn't hear my neighbors mention was,
 10 number one, we are a two-lane road. We don't
 11 even have a dividing line. And that's through
 12 the entire neighborhood.
 13 Number two, we go out onto a two-lane
 14 road, with traffic that is fast, as was stated.
 15 There's been several wrecks coming out of our
 16 neighborhood through the years, horrible
 17 wrecks.
 18 So the last thing I wanted to mention was,
 19 if you think about the number that -- of units
 20 that we have now, homeowners, and you think
 21 about what was just approved, those 75 homes,
 22 and you think about 350 more, you are adding
 23 about a thousand vehicles coming out of that
 24 neighborhood, not including what we already
 25 have.
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325

1 You can think about each unit having two
 2 vehicles per unit, 700 on this side, added to
 3 150 on that side. That's a minimum number of
 4 vehicles added to what we already have in our
 5 neighborhood. That is not conducive to an area
 6 that will last without a lot of fatalities if
 7 this goes through.
 8 I'm in opposition. And I would like to
 9 see homeownership because, as was stated,
 10 apartments, people do not take care of the way
 11 a homeowner should and does.
 12 Thank you.
 13 THE CHAIRMAN: Thank you, ma'am.
 14 MR. ALEXANDER: Mr. Chairman, could I get
 15 those two minutes that you --
 16 THE CHAIRMAN: You had more minutes than
 17 anyone else that came up here, so --
 18 MR. ALEXANDER: I spoke for two people.
 19 MS. SUMLAR: I left some time -- excuse
 20 me, I'm not --
 21 THE CHAIRMAN: If we had to play that game
 22 where we're shifting seconds around, we would
 23 be here all night, so let Mr. Duggan come up
 24 and address all of y'all's concerns. Y'all had
 25 some valid concerns. He's --
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326

1 MR. ALEXANDER: You're going to give the
 2 agent time.
 3 THE CHAIRMAN: Yeah. You guys have a lot
 4 of concerns. He's going to have plenty of time
 5 to --
 6 (Mr. Duggan approaches the podium.)
 7 MR. DUGGAN: Thank you, Mr. Chairman.
 8 Here are my thoughts: First of all,
 9 again, as a reminder, this is not a greenfill
 10 site. It's MDR today. It's not 350
 11 apartments; it's 300 apartments. It's 350
 12 today. We're going down to 300. It's less
 13 density, not more. Somebody said you just keep
 14 adding density. This is a lower density than
 15 what we could do today.
 16 The traffic impacts by definition are
 17 going to be less because it's 300 units, max,
 18 instead of 350. And under the parking code of
 19 Part 6, a townhome requires two parking spaces
 20 because it presumes there are two people who
 21 live there. The apartments, depending on the
 22 number of bedrooms, had a lower parking
 23 generation rate because there's typically fewer
 24 cars. So whatever traffic impacts they're
 25 worried about, that could happen today with 350
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327

1 towns.
 2 We are lowering the density and it should
 3 be less -- fewer cars and less trips, but we're
 4 certainly going to have to pay a fair share --
 5 or, excuse me, a mobility fee that will be
 6 spent in that -- I'm sure, in that Lem Turner
 7 section between Percy and 295 to address some
 8 of the existing site constraints that has been
 9 referenced.
 10 In terms of access, there's one in the
 11 site plan -- there's one direct access from the
 12 property out onto Percy. But if you look at
 13 the site plan, you will also see, as I
 14 referenced at the beginning, this is a
 15 multi- -- a mixed-use approval from 2006.
 16 There's an internal circulation road
 17 network and there will be direct access from
 18 this apartment development out to Lem Turner
 19 through the central internal circulation
 20 network. So not every car that comes to or
 21 leaves the site is going to go all the way
 22 north on Lem Turner to Percy, then all the way
 23 down Percy to come in or go out. They'll have
 24 access out to Lem Turner from that site.
 25 That's an important consideration. That was
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328

1 approved in the 2006 PUD. We're not changing
 2 that at all.
 3 Again, there's -- the balance of the 2006
 4 PUD is still entitled, will not be subject to
 5 this application, it will be developed by
 6 others.
 7 I think, lastly, I will just remind you
 8 that, again, as your staff report references,
 9 this is infill development and it creates a mix
 10 of housing product. Both of those are
 11 specific, direct objectives and policies under
 12 the Comprehensive Plan.
 13 But more importantly, under planning
 14 principles, density like this goes at an
 15 interstate node, and that what's this parcel
 16 is. It's right at an interstate node. This is
 17 where you would put higher density. Again,
 18 we're lower density than what we could do
 19 today, but this is the type of product that
 20 goes at an interstate node. That's where we
 21 are.
 22 You know, you've heard plenty of analysis,
 23 I'm sure, in your roles over the last
 24 18 months, two years, about the growing
 25 affordability crisis for folks who would like
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329

1 to buy a home but can't, or, you know,
2 millennials who move here without a job, they
3 just want to be in Jacksonville and then find a
4 job. This is the kind of product that can help
5 meet that demand.
6 Every part of town has to contribute to
7 the growth that the city is experiencing.
8 We're not going to just rule some areas off
9 limits. This is not a site well down Lem
10 Turner Road or well down Percy Road. This is
11 right at an interstate node. This is where
12 this type of development goes.
13 Thank you.
14 THE CHAIRMAN: All right. Thank you,
15 Mr. Duggan.
16 Anyone else here today to speak on
17 2022-0200?
18 MR. ALEXANDER: Yea, I am.
19 THE CHAIRMAN: Sir, we already heard from
20 you.
21 All right. Let's bring it back to the
22 Commission.
23 COMMISSIONER MOLDOVAN: Mr. Chairman, I
24 move to approve 2022-0200 with the three
25 exhibits and the one condition in the staff
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330

1 report.
2 COMMISSIONER BROWN: Second.
3 THE CHAIRMAN: I have a motion and a
4 second.
5 Comments from the Commission?
6 Commissioner Brown.
7 COMMISSIONER BROWN: Thank you.
8 Through the Chair, I like this. It is a
9 reduction of density by 50. It sounds like a
10 lot of the arguments that the audience has
11 really were sparred out in 2006. We're not
12 exaggerating, elevating or exacerbating them
13 now.
14 The applicant is correct, you're going to
15 have less cars per unit with these apartments
16 versus the townhome and there's less of them.
17 The argument on the fee simple versus
18 rental, it can have validity, but the truth
19 is -- let's leave condos aside because nobody's
20 really doing them right now. Commissioner
21 Blanchard could tell you why. Townhomes are
22 getting built. Many of them are getting built
23 for rent. So the notion that -- just because
24 it's a townhome, not an apartment or vice
25 versa, things are better or worse, it's not
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331

1 really true today. A lot of these are being
2 built for rent. And at the price point you
3 have to rent these out with new construction is
4 not going to be riffraff.
5 I like the application.
6 THE CHAIRMAN: Thank you, Commissioner
7 Brown.
8 I'd like to jump in here too. The -- I
9 totally understand where you guys are coming
10 from. You guys are all homeowners. Y'all have
11 huge lots. You have big, stately houses. And
12 that's one thing we don't see being built very
13 often anymore, large lots, big houses. Even if
14 they have big houses now, they're still really
15 small lots.
16 You guys would probably go crazy in some
17 of this -- these small lots they're doing now.
18 But we also don't see condos often either, and
19 that's for liability sake. And, frankly, if
20 you saw some of the condos that were built in
21 2006, that is certainly not what you would want
22 in your backyard, so --
23 We do see a lot of apartments and they are
24 going for a premium. And as you guys all know,
25 we have a housing affordability issue in town,
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332

1 so this does help that.
2 The thing -- the thing that gives me the
3 most heartburn is, we do have a -- you know, a
4 somewhat dense product in apartments, and then
5 you guys are driving right by those to go to
6 your houses on over an acre that are, you know,
7 large houses. And that's -- that's a pretty
8 stark contrast.
9 So as this thing goes from here to LUZ,
10 Mr. Duggan, I would just encourage you guys --
11 you know, maybe some sort of visual buffer
12 along Percy Road as these guys are driving. I
13 mean, increased landscaping or something.
14 That is a stark contrast. I think it
15 makes sense. I get that it's close to the
16 interstate. They're certainly in demand now,
17 but that -- if I were these guys, that would
18 give me some heartburn for sure.
19 So I wouldn't sweat it, that it's going
20 from townhomes or condos to apartments.
21 There's fewer of them now.
22 And the final thing I'll say, on the site
23 plan, the pool and the clubhouse are usually
24 the front -- the main entrances of the
25 community, so that pool and clubhouse are
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333

1 coming off of the Lem Turner entrance. So I
 2 know you guys have that secondary entrance onto
 3 Percy, but that seems very, very secondary and
 4 probably just for those buildings that are in
 5 that back corner of the lot, so I would -- my
 6 guess would be most of the traffic would come
 7 through that main entrance.
 8 Further comments from the Commission?
 9 Commissioner Moldovan.
 10 COMMISSIONER MOLDOVAN: Thank you,
 11 Mr. Chairman.
 12 Just briefly, I want to mention that if
 13 you look at the design of Jacksonville, it's --
 14 it's sort of a wheel and spoke with -- with the
 15 295 beltway. You can assume that anything on
 16 the fringe of that beltway will eventually be
 17 developed at a higher density.
 18 If you look at the 2030 Comprehensive
 19 Plan, this area is poised for growth. It's
 20 Medium Density Residential, which is pretty
 21 high density.
 22 I know the applicant came through -- you
 23 know, this was entitled in 2006. Correct me if
 24 I'm wrong. The market's changed since then.
 25 Condos are off the table. I don't think it's
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334

1 feasible for developers.
 2 But when you look at this site plan, this
 3 is not a low-end product. They've got an
 4 amenity right at the front entrance. It's a
 5 clubhouse with a pool. Tenants have the option
 6 to rent garages. There's a big, beautiful
 7 retention pond in the middle. I don't think
 8 that this is going to be low end. I think it's
 9 going to meet a lot of the City's needs for
 10 providing more housing. I don't want to call
 11 it affordable, but it's certainly less
 12 expensive than what you'd see in a fee-simple,
 13 stand-alone product.
 14 The concerns about traffic on Percy -- I'd
 15 imagine if anybody turns right and heads
 16 eastbound on Percy, they're only going to do it
 17 once before they realize there's no outlet.
 18 And I'd -- I'd imagine that there probably
 19 needs to be signs put up. Again, we don't deal
 20 with traffic, but I'd imagine that
 21 Transportation would -- would probably put some
 22 signs to let people know there's no outlet.
 23 I feel for you. I understand you're --
 24 you're in a -- what is -- has been a rural
 25 area, but that's been changed, and that's not
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335

1 up to our board. That's, I believe -- correct
 2 me if I'm wrong, someone. The future land use
 3 map is something that City Council hashes out;
 4 is that correct?
 5 MR. LEWIS: Yes.
 6 COMMISSIONER MOLDOVAN: Yeah? Okay.
 7 So we're not here to discuss the future
 8 land use of this. It's already Medium Density
 9 Residential. It's poised for growth. This
 10 seems like a pretty respectable product, and I
 11 don't see how I couldn't support it.
 12 I feel for you all. I understand where
 13 you're coming from. You're living on big lots,
 14 what -- what has been very rural, but it's
 15 right there on the fringe of 295 and you can
 16 probably expect more of this to come.
 17 Thank you, Mr. Chairman.
 18 THE CHAIRMAN: Commissioner Blanchard.
 19 COMMISSIONER BLANCHARD: Thank you,
 20 Chairman.
 21 This was a -- ma'am, the public hearing is
 22 closed.
 23 This is an interesting application for me
 24 because I'm kind of surprised by the -- the
 25 outpouring of the community. I can tell that
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336

1 you guys care about your neighborhood and you
 2 got matching shirts and things, and -- you
 3 know, and I applaud you for that.
 4 The -- I guess the part that confuses me
 5 about your opposition is that -- and I think
 6 this came before us in 2019; is that true,
 7 Bruce, or -- no? Different. Okay. So just
 8 the 2006 one.
 9 But they have the ability today to do 350
 10 townhomes. And I think there's a
 11 misconception, and -- and Commissioner Brown
 12 touched on that a little bit, but there's a
 13 misconception that if -- if they do townhomes,
 14 that they'll be individual owners.
 15 So what's happening in today's market is
 16 that a lot of the townhome communities that you
 17 see are all built by one owner and they all
 18 stay under one owner and they're all rentals.
 19 So there's no prohibition on rentals. And so
 20 if this were to stay townhomes, I guarantee you
 21 there would be 350 townhomes and they'd all
 22 be -- they'd all be rentals. And so it's
 23 essentially the same thing.
 24 I think that if the applicant came forward
 25 and wanted to argue to go from 350 to 400 units
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337

1 for an apartment complex, I think that would be
 2 an interesting argument. I think he would have
 3 standing to do that and you guys would clearly
 4 be upset, but -- but what's happening is just
 5 the opposite where he's going from basically a
 6 different building type but with less units,
 7 and I think that's an enormous win for your
 8 community because you're going to have less
 9 traffic and less -- and less units.

10 And -- and I think sometimes when you win,
 11 maybe everybody doesn't realize that, but it is
 12 a win for you because you're going to have less
 13 traffic. The fact that it goes from townhomes
 14 to apartments essentially means nothing. It's
 15 a technicality. It's going to be rentals
 16 either way. So I just want to share that with
 17 you.

18 As far as traffic and those things, the
 19 City and the engineers will figure that out,
 20 whether you need a turn lane or a light or --
 21 or, you know, a three-lane road or whatever,
 22 they'll figure that out in the design phase.
 23 We don't do that, but they'll figure it out so
 24 this is -- that it's safe and reasonable for
 25 you -- for you guys and operates and functions

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338

1 well, but I think it's a win for y'all with
 2 less traffic and less units.

3 No further questions or comments,
 4 Chairman.

5 THE CHAIRMAN: Thank you, Commissioner
 6 Blanchard.

7 Further comments?

8 COMMISSION MEMBERS: (No response.)

9 THE CHAIRMAN: Okay. Ms. Bannister, have
 10 you been following this one that we're on?

11 MS. BANNISTER: To the Chair, I was just
 12 introduced to it today.

13 THE CHAIRMAN: Okay. Well, I'm going to
 14 put you on the spot for a sec because we've got
 15 some concerned folks here.

16 Guys, she represents the traffic
 17 department of the City, and it -- we're not to
 18 that point yet, technically, but any initial
 19 thoughts on this site plan and -- given the
 20 impact to traffic on Percy Road specifically?

21 MS. BANNISTER: From our department, we
 22 did recommend a traffic study before a civil
 23 plan set is submitted. So we were going to
 24 coordinate that meeting. So -- the details of
 25 what would be needed is not there yet.

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339

1 THE CHAIRMAN: Okay.

2 MS. BANNISTER: But as far as the traffic,
 3 just to explain the difference between a
 4 townhome or the apartment, they would
 5 generate -- would generate the same number of
 6 trips. It's the same trip rate that is used
 7 for apartments and townhomes.

8 The single-family rates is higher versus
 9 an apartment. I just wanted you to know
 10 there's a higher trip rate for a single-family
 11 home versus an apartment is less. It just
 12 depends on number of units.

13 THE CHAIRMAN: Okay. Thank you.

14 And do you know if a traffic study was
 15 done back in '06 on this?

16 MS. BANNISTER: No.

17 THE CHAIRMAN: Okay.

18 MS. BANNISTER: There wasn't anything --

19 THE CHAIRMAN: Okay. So we've got one
 20 more hurdle for them to jump through and see
 21 how that shakes out, but as far as what we're
 22 looking for today, that -- just the use.

23 Okay. Thank you for letting me put you on
 24 the spot.

25 MS. BANNISTER: Yes, sir.

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340

1 THE CHAIRMAN: Any other comments from the
 2 Commission?

3 COMMISSION MEMBERS: (No response.)

4 THE CHAIRMAN: All right. Let's call the
 5 question. We have a motion and approval for
 6 2022-0200.

7 All those in favor?

8 COMMISSION MEMBERS: Aye.

9 THE CHAIRMAN: That motion passes
 10 unanimously.

11 Okay. Appreciate all you guys being here
 12 and sticking it out.

13 As far as new business, Director
 14 Killingsworth and Folks, this surfaced last
 15 meeting that ran late and you had a lot of
 16 people that came out and to speak, and -- and
 17 their items were final action. Is there --
 18 seriously any way we can get some kind of
 19 budget to at least validate these people's
 20 parking? They're -- I don't know if they know,
 21 they're probably going back with \$50 tickets,
 22 you know, right now for parking.

23 (Mr. Killingsworth approaches the podium.)

24 THE CHAIRMAN: Sorry, Director. I don't
 25 mean to put you on the spot.

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341

1 MR. KILLINGSWORTH: That's all right.
 2 Bill Killingsworth, director of Planning
 3 and Development.
 4 It would be something that would require
 5 council action. I mean, we're getting ready
 6 for the budget cycle. I can bring it up to the
 7 administration.
 8 THE CHAIRMAN: Okay. I'd probably
 9 appreciate that.
 10 MR. KILLINGSWORTH: Okay.
 11 MR. HUXFORD: And the reason that City
 12 Council does is because they have built that
 13 into their budget, whereas we don't have it
 14 built into ours, so that's why we can't just
 15 hand them out.
 16 THE CHAIRMAN: I get it. Let's try to
 17 build that in there. I mean, I feel --
 18 especially with the rate increase in the
 19 garages. I mean, it's -- I'm pretty sure
 20 they're all \$50 is what they've got to pay when
 21 they leave here to -- to, you know, exercise
 22 their right to free speech, so --
 23 All right. Any other comments?
 24 What was that, Commissioner Blanchard?
 25 COMMISSIONER BLANCHARD: (Inaudible.)

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342

1 THE CHAIRMAN: All right. We'll adjourn.
 2 Thank you.
 3 (The foregoing proceedings were adjourned
 4 at 7:28 p.m.)
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343

1 CERTIFICATE OF REPORTER
 2
 3 STATE OF FLORIDA)
 4)
 5 COUNTY OF DUVAL)
 6
 7 I, Diane M. Tropa, Florida Professional
 8 Reporter, certify that I was authorized to and did
 9 stenographically report the foregoing proceedings and
 10 that the transcript is a true and complete record of my
 11 stenographic notes.
 12
 13
 14
 15 DATED this 29th day of April 2022.
 16
 17 _____
 18 Diane M. Tropa
 19 Florida Professional Reporter
 20
 21
 22
 23
 24
 25

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\$	207:8, 252:16 10,000 [1] - 112:17 10-acre [1] - 79:22 10-foot [1] - 58:23 100 [3] - 135:15, 158:15, 172:19 101 [1] - 195:20 103 [1] - 281:17 103rd [2] - 5:23, 280:16 108 [1] - 291:22 10889 [1] - 213:19 109 [1] - 319:15 10999 [2] - 209:8, 210:1 11 [2] - 57:17, 264:18 110,000 [1] - 61:6 11150 [1] - 70:7 11166 [1] - 68:1 112 [1] - 275:1 114 [1] - 286:21 117 [1] - 1:8 11979 [1] - 111:25 12 [7] - 61:11, 61:16, 98:2, 98:4, 103:4, 119:25, 167:23 1200 [1] - 270:22 12024 [1] - 130:2 12051 [1] - 105:25 12102 [1] - 96:15 12108 [1] - 78:5 12121 [1] - 65:22 12124 [1] - 108:23 12127 [1] - 122:6 12148 [1] - 102:8 12265 [2] - 45:12, 131:3 125 [1] - 313:18 12567 [1] - 321:24 12661 [2] - 73:23, 75:16 12675 [1] - 311:18 12682 [1] - 324:2 12698 [1] - 306:23 12719 [1] - 319:12 13 [3] - 70:13, 135:7, 252:17 13-year-old [1] - 131:19 130 [1] - 220:22 1301 [9] - 47:5, 49:14, 139:14, 258:22, 287:9, 294:25, 296:4, 301:19, 305:1 1305 [1] - 294:25 1309 [1] - 254:4 13201 [1] - 255:18 13201-1 [1] - 256:17 133 [2] - 27:4, 209:21	137 [1] - 127:18 14 [8] - 32:18, 61:1, 64:20, 84:1, 109:12, 146:14, 208:10, 220:17 1416 [1] - 297:17 1431 [4] - 179:2, 221:23, 275:18, 282:1 1478 [1] - 268:25 14th [3] - 50:16, 153:15, 292:7 15 [7] - 15:8, 32:23, 34:1, 119:18, 213:25, 270:4, 282:11 15-acre [1] - 268:24 15.8 [1] - 304:13 150 [2] - 113:11, 325:3 1500 [4] - 287:10, 296:5, 301:20, 305:2 153,199 [1] - 137:17 16 [3] - 117:20, 172:14, 286:20 16-year [1] - 19:12 16.2-acre [1] - 285:19 16284 [1] - 204:12 17 [1] - 295:6 17,000 [3] - 146:14, 146:15, 146:17 18 [2] - 287:25, 328:24 180 [2] - 126:13, 126:16 1829 [1] - 16:3 19 [2] - 142:17, 304:4 19.1-acre [1] - 56:24 1913 [1] - 269:7 192 [1] - 202:14 1921 [1] - 272:3 1970 [1] - 202:13 1970s [1] - 218:1 1977 [1] - 230:12 1983 [1] - 102:12 1988 [1] - 128:12 1995 [1] - 195:4 1997 [4] - 181:4, 238:16, 239:17, 239:19 1998 [1] - 82:21 1:00 [2] - 1:7, 2:1 1st [3] - 153:15, 200:22, 275:11	20 [7] - 102:14, 126:8, 259:7, 279:1, 282:11, 287:18, 304:14 20-plus [1] - 85:23 2006 [12] - 297:21, 304:7, 305:4, 305:12, 323:2, 327:15, 328:1, 328:3, 330:11, 331:21, 333:23, 336:8 2006-493-E [2] - 307:23, 309:4 2007 [1] - 100:4 2011 [1] - 272:7 2013 [1] - 189:6 2015 [2] - 28:14, 100:11 2017 [3] - 183:23, 184:4, 200:22 2019 [4] - 296:14, 308:14, 322:6, 336:6 2019-0373 [1] - 308:15 2021-0572 [5] - 5:20, 264:4, 264:7, 267:6, 267:11 2021-0573 [3] - 265:7, 268:3, 268:9 2022 [12] - 1:6, 2:1, 4:9, 4:22, 4:25, 183:24, 201:1, 270:15, 273:17, 275:11, 292:7, 343:15 2022-0122 [8] - 5:13, 6:17, 6:20, 9:13, 10:9, 10:15, 13:19, 14:15 2022-0170 [6] - 5:13, 15:5, 15:7, 17:16, 17:22, 21:23 2022-0189 [6] - 5:21, 268:22, 268:24, 271:13, 271:18, 273:9 2022-0190 [2] - 270:2, 273:15 2022-0191 [6] - 5:22, 274:6, 274:9, 277:8, 279:12, 279:18 2022-0192 [2] - 274:24, 279:24 2022-0193 [4] - 5:22, 280:12, 280:15, 284:22 2022-0194 [2] - 281:15, 285:10 2022-0195 [6] - 5:23, 282:16, 285:16,	285:19, 288:21, 289:25 2022-0196 [2] - 286:19, 290:16 2022-0197 [5] - 5:24, 290:22, 290:25, 293:1, 293:7 2022-0198 [2] - 291:20, 293:20 2022-0199 [7] - 6:1, 300:22, 300:25, 302:6, 302:11, 302:19, 303:18 2022-0200 [7] - 6:2, 304:1, 304:3, 308:23, 329:17, 329:24, 340:6 2022-0201 [5] - 5:25, 294:20, 294:24, 299:14, 299:20 2022-0220 [6] - 5:14, 22:6, 22:9, 26:2, 26:8, 30:9 2022-0221 [7] - 5:14, 30:16, 30:18, 32:5, 37:4, 37:10, 42:1 2022-200 [1] - 307:25 2030 [2] - 189:5, 333:18 21 [2] - 1:6, 2:1 210 [1] - 116:12 21st [4] - 2:4, 157:8, 270:15, 273:17 22 [2] - 153:16, 287:25 22-0193 [1] - 282:23 22-0194 [1] - 285:3 22-0195 [1] - 289:1 22-0196 [1] - 290:8 23 [1] - 277:21 230 [1] - 80:5 24-hour [1] - 80:7 25 [7] - 24:5, 24:17, 59:15, 83:10, 155:24, 175:8, 175:15 26 [2] - 107:8, 107:19 27 [2] - 115:2, 247:4 290 [1] - 52:7 2911 [1] - 316:18 295 [8] - 120:24, 120:25, 121:2, 121:6, 280:17, 327:7, 333:15, 335:15 29th [1] - 343:15
0				
1				
2				
3				

<p>3,257 [1] - 61:24 3,322 [1] - 52:12 3,800 [1] - 83:15 3.34 [1] - 137:4 3.6 [1] - 301:1 3.9 [1] - 57:24 30 [3] - 321:25, 322:1, 324:7 30-acre [1] - 290:25 30.204 [1] - 203:1 300 [6] - 304:6, 304:12, 305:17, 326:11, 326:12, 326:17 32206 [1] - 192:1 32208 [1] - 200:8 32209 [1] - 188:6 32218 [4] - 204:12, 306:23, 311:19, 313:19 32219 [1] - 211:6 32225 [1] - 254:6 32257 [2] - 68:1, 88:9 32258 [3] - 82:18, 95:13, 108:24 32801 [1] - 56:15 3283 [1] - 188:5 35 [3] - 91:4, 91:5, 305:23 350 [18] - 304:8, 305:13, 305:17, 309:3, 317:6, 317:7, 317:17, 318:2, 322:8, 322:21, 324:22, 326:10, 326:11, 326:18, 326:25, 336:9, 336:21, 336:25 399,000 [1] - 304:9 3:00 [1] - 303:24 3:35 [1] - 138:10 3rd [1] - 4:9</p>	<p>4154 [1] - 60:14 421 [1] - 56:14 43 [1] - 319:16 43-count [1] - 92:8 43-house [1] - 71:22 44 [1] - 153:19 45 [2] - 81:16, 121:6 4525 [1] - 88:8 4552 [1] - 125:15 4555 [1] - 128:10 46 [2] - 66:12, 82:24 4609 [1] - 63:18 4638 [1] - 92:24 4639 [1] - 90:24 4663 [1] - 114:9 47 [1] - 57:24 47-unit [1] - 127:3 4704 [1] - 71:8 4917 [2] - 95:13, 99:23 4933 [1] - 116:10</p>	<p>286:21 580 [1] - 126:16 5839 [1] - 199:3 5:45 [1] - 252:14</p>	<p>8,000 [1] - 57:6 8-by-10 [1] - 125:23 8-foot [1] - 179:21 8-foot-high [1] - 59:1 8-foot-wide [1] - 33:17 80 [4] - 126:2, 135:6, 174:25, 175:16 80/20 [1] - 279:3 800 [5] - 180:19, 211:14, 218:18, 218:21, 223:5 802 [1] - 178:18 8206 [1] - 253:4 85,000 [1] - 137:14 8714 [1] - 294:24 88 [1] - 135:1 883 [3] - 145:19, 146:3, 146:10 89 [1] - 58:7 8:15 [3] - 53:2, 144:11, 144:13 8s [1] - 57:19</p>	<p>abutting [4] - 118:20, 164:1, 280:23, 291:15 academy [1] - 28:19 Academy [16] - 78:18, 78:20, 81:1, 81:6, 88:15, 115:12, 117:10, 117:11, 118:12, 131:16, 136:13, 145:19, 146:3, 146:10, 172:2 accept [1] - 129:13 accepting [1] - 219:23 access [21] - 62:19, 64:22, 68:16, 68:18, 68:21, 69:11, 80:7, 81:17, 240:1, 272:11, 286:24, 299:4, 309:5, 309:7, 309:8, 311:25, 320:1, 327:10, 327:11, 327:17, 327:24 accessibility [1] - 62:16 accessible [2] - 173:11, 272:10 accessory [1] - 255:22 accident [2] - 81:25, 120:24 accidents [2] - 153:16, 153:19 accommodate [4] - 4:19, 89:14, 90:12, 105:5 accompanying [1] - 203:9 according [4] - 178:3, 182:24, 183:9, 212:5 account [2] - 106:5, 107:21 accountability [2] - 76:21, 146:2 accounted [1] - 72:10 accumulates [1] - 197:17 accurate [1] - 3:1 accusations [1] - 43:16 acknowledge [1] - 46:1 acknowledged [2] - 140:9, 141:16 acre [14] - 25:10, 27:22, 79:16, 80:2, 264:15, 264:16, 264:18, 274:9, 279:1, 304:14, 304:15, 322:16, 322:17, 332:6</p>	
4		5	6	9	
<p>4 [5] - 32:11, 45:17, 118:8, 185:23, 185:25 4.3 [1] - 281:15 4.4-acre [1] - 280:15 4/14 [2] - 120:3, 120:18 40 [2] - 180:6, 218:7 40-foot [1] - 316:22 400 [1] - 336:25 400,000 [1] - 305:13 401 [5] - 177:23, 178:17, 183:10, 202:9, 231:23 401-foot [1] - 231:15</p>	<p>5 [6] - 4:11, 32:11, 60:25, 146:14, 184:19, 211:14 5,000 [1] - 112:17 5-mile [1] - 146:13 5.5 [1] - 137:3 50 [14] - 54:20, 112:18, 139:6, 174:24, 179:21, 224:10, 232:5, 232:6, 232:7, 258:6, 258:8, 262:15, 320:5, 330:9 500 [11] - 67:2, 177:23, 183:13, 202:9, 202:15, 205:3, 206:5, 223:7, 223:19, 237:18, 250:13 500-foot [1] - 202:15 5012 [1] - 208:8 5023 [1] - 191:25 5171 [1] - 80:20 52 [3] - 59:17, 239:24, 239:25 5264 [1] - 216:18 5316 [1] - 206:13 5317 [1] - 185:17 5349 [1] - 82:17 54,028 [1] - 57:4 55 [1] - 81:16 5516 [2] - 206:19, 207:17 5522 [5] - 177:20, 183:8, 206:17, 207:15, 208:15 56 [2] - 96:18, 110:11 57 [3] - 142:8, 142:10,</p>	<p>6 [3] - 16:4, 33:23, 326:19 6.4 [1] - 274:25 6.6 [1] - 265:9 6.7-acre [1] - 264:7 60 [8] - 81:16, 95:4, 100:10, 107:20, 111:1, 174:25, 217:4, 320:4 60-foot [1] - 174:24 600 [1] - 319:25 65 [1] - 111:1 654 [2] - 30:19, 30:21 656 [2] - 30:20, 179:17 656.133 [1] - 201:2 656.133(a) [1] - 188:15 656.805 [1] - 202:7 656.806 [1] - 182:25 658 [1] - 134:16 66 [1] - 258:6 66-foot [2] - 258:12, 258:16 69 [1] - 134:18 6:00 [1] - 252:17 6:30 [1] - 212:23 6:45 [1] - 303:3</p>	<p>9,081 [1] - 57:7 90 [1] - 272:3 9121 [1] - 194:16 93 [1] - 137:9 940 [1] - 134:24 95 [2] - 121:2, 285:22 950 [2] - 126:1, 137:14 957 [1] - 134:17 964 [1] - 135:5 99 [1] - 236:17 9918 [1] - 193:12</p>	A	
4		5	7	8	
<p>4 [5] - 32:11, 45:17, 118:8, 185:23, 185:25 4.3 [1] - 281:15 4.4-acre [1] - 280:15 4/14 [2] - 120:3, 120:18 40 [2] - 180:6, 218:7 40-foot [1] - 316:22 400 [1] - 336:25 400,000 [1] - 305:13 401 [5] - 177:23, 178:17, 183:10, 202:9, 231:23 401-foot [1] - 231:15</p>	<p>4 [5] - 32:11, 45:17, 118:8, 185:23, 185:25 4.3 [1] - 281:15 4.4-acre [1] - 280:15 4/14 [2] - 120:3, 120:18 40 [2] - 180:6, 218:7 40-foot [1] - 316:22 400 [1] - 336:25 400,000 [1] - 305:13 401 [5] - 177:23, 178:17, 183:10, 202:9, 231:23 401-foot [1] - 231:15</p>	<p>4 [5] - 32:11, 45:17, 118:8, 185:23, 185:25 4.3 [1] - 281:15 4.4-acre [1] - 280:15 4/14 [2] - 120:3, 120:18 40 [2] - 180:6, 218:7 40-foot [1] - 316:22 400 [1] - 336:25 400,000 [1] - 305:13 401 [5] - 177:23, 178:17, 183:10, 202:9, 231:23 401-foot [1] - 231:15</p>	<p>7 [2] - 118:8, 118:15 700 [1] - 325:2 72 [2] - 264:16, 265:10 722 [1] - 200:8 7266 [1] - 211:5 73 [1] - 135:23 74 [2] - 135:19, 319:20 75 [2] - 232:3, 324:21 760 [3] - 126:3, 126:4, 126:14 775 [1] - 135:22 79 [1] - 136:5 7:28 [1] - 342:4 7:30 [2] - 53:1, 144:12 7th [4] - 4:22, 4:25, 50:13, 220:20</p>	<p>a.m [4] - 52:24, 52:25, 185:23, 185:25 abiding [1] - 28:4 ability [3] - 24:11, 25:11, 336:9 able [13] - 16:18, 40:21, 51:6, 55:19, 87:10, 95:1, 127:17, 159:20, 224:15, 241:20, 297:22, 312:10, 314:8 above-mentioned [1] - 118:24 absolute [1] - 237:20 absolutely [4] - 120:17, 132:18, 173:5, 251:7 abundance [1] - 9:9 abundant [1] - 86:3 abuts [2] - 264:20, 291:9</p>	<p>8 [10] - 62:3, 84:2, 98:1, 103:3, 112:22, 119:25, 146:24, 147:2, 162:10, 167:11</p>

<p>Acre [6] - 45:19, 174:23, 175:13, 265:9, 295:3, 295:20 acreage [1] - 58:7 acreages [1] - 57:14 acres [27] - 57:8, 57:24, 58:3, 82:24, 87:5, 100:20, 137:1, 137:2, 137:3, 137:4, 140:18, 147:12, 147:24, 148:10, 148:14, 239:24, 239:25, 256:1, 265:9, 270:4, 274:25, 281:15, 286:20, 295:6, 301:1, 304:4 act [1] - 74:16 action [6] - 54:18, 197:25, 259:4, 261:10, 340:17, 341:5 actions [1] - 243:25 active [1] - 197:6 activities [6] - 46:6, 165:5, 197:11, 198:6, 199:23, 208:14 activity [2] - 178:9, 198:7 acts [1] - 201:13 actual [5] - 52:11, 58:16, 178:18, 239:13, 239:14 ad [1] - 97:23 adamantly [4] - 120:7, 120:8, 120:9 adaptive [1] - 253:20 add [20] - 25:15, 68:12, 81:10, 81:11, 115:19, 122:25, 142:16, 142:20, 146:16, 218:11, 218:14, 219:11, 232:3, 251:10, 256:22, 272:20, 282:13, 292:21, 308:23, 318:15 added [10] - 59:1, 121:13, 156:5, 203:11, 203:12, 219:13, 260:20, 325:2, 325:4 adding [8] - 15:22, 21:19, 25:11, 137:19, 201:19, 317:25, 324:22, 326:14 addition [7] - 57:4, 117:2, 118:2, 123:2,</p>	<p>142:14, 142:20, 309:3 additional [10] - 70:20, 107:21, 123:1, 125:1, 137:19, 144:3, 147:14, 260:21, 281:10, 286:15 additionally [5] - 52:21, 52:22, 58:5, 240:1, 310:1 address [100] - 4:21, 6:11, 7:25, 15:24, 16:10, 22:13, 23:2, 23:13, 26:25, 43:5, 49:12, 53:10, 53:11, 56:12, 60:11, 65:20, 67:25, 70:5, 71:5, 71:8, 73:20, 73:23, 75:14, 82:16, 85:2, 88:6, 90:23, 95:10, 95:23, 96:1, 96:13, 102:6, 105:23, 111:21, 114:6, 116:8, 118:6, 119:14, 122:1, 123:20, 125:13, 125:17, 128:6, 129:25, 130:25, 139:8, 149:8, 151:5, 151:21, 155:1, 159:2, 159:8, 159:20, 160:22, 166:18, 177:10, 178:24, 182:14, 188:2, 190:21, 191:22, 193:10, 194:13, 196:21, 196:25, 199:1, 200:7, 202:6, 204:10, 206:11, 207:22, 208:7, 209:6, 209:10, 209:24, 210:1, 210:2, 211:5, 213:16, 214:15, 214:18, 216:14, 217:19, 217:22, 221:20, 247:18, 254:3, 256:15, 275:17, 297:8, 297:14, 306:21, 311:16, 313:15, 316:15, 319:10, 321:20, 325:24, 327:7 addressed [9] - 4:16, 98:8, 112:7, 124:11, 147:6, 153:21, 203:13, 229:7, 322:23</p>	<p>addresses [1] - 284:16 addressing [4] - 49:2, 53:5, 115:6, 320:12 adds [1] - 171:17 adequate [2] - 117:19, 148:3 adequately [1] - 117:24 adhere [2] - 24:4, 162:2 adjacent [8] - 40:18, 50:22, 58:14, 96:18, 109:6, 189:10, 211:12, 296:16 adjoining [2] - 84:16, 232:4 adjourn [1] - 342:1 adjourned [1] - 342:3 adjusted [2] - 59:13, 300:6 ADKISON [41] - 1:14, 12:6, 14:20, 48:6, 152:14, 161:2, 161:19, 162:7, 162:14, 162:17, 162:22, 163:2, 163:6, 163:10, 176:18, 227:15, 227:20, 227:24, 228:3, 228:7, 228:11, 228:14, 228:19, 228:22, 229:2, 229:5, 229:10, 229:14, 229:21, 230:6, 230:13, 230:16, 230:20, 231:6, 231:9, 231:18, 231:21, 232:1, 232:6, 232:9, 251:20 Adkison [18] - 2:14, 12:5, 12:21, 48:5, 152:13, 155:16, 155:20, 160:5, 161:1, 163:13, 176:21, 227:13, 232:12, 237:4, 244:11, 251:25, 252:19, 255:11 administration [4] - 14:4, 45:2, 250:10, 341:7 administrative [5] - 3:18, 25:7, 25:12, 25:22, 39:19 administratively [2] - 11:19, 250:7 admission [2] - 86:22, 120:21</p>	<p>admitted [1] - 97:1 admonish [1] - 94:21 Adrienne [2] - 311:11, 311:18 advancing [1] - 309:13 adverse [2] - 258:17, 287:2 advertise [1] - 171:19 advertised [1] - 103:3 Advisory [1] - 188:23 advisory [1] - 189:1 advocate [4] - 76:3, 115:22, 224:19, 224:20 advocated [1] - 128:15 aerial [1] - 305:6 aesthetics [1] - 22:22 affect [1] - 26:17 affected [1] - 178:11 affecting [2] - 101:21, 221:2 affects [2] - 208:25, 210:5 affidavit [1] - 35:12 affirm [3] - 54:8, 56:2, 195:11 affirmatively [1] - 56:7 affordability [2] - 328:25, 331:25 affordable [5] - 77:17, 86:8, 284:5, 284:16, 334:11 afraid [1] - 22:24 African [1] - 189:19 African-Americans [1] - 189:19 afternoon [17] - 2:3, 8:4, 27:2, 73:19, 92:23, 96:11, 102:11, 108:22, 111:22, 119:15, 196:20, 196:23, 198:25, 200:6, 206:11, 213:16, 216:16 afterwards [2] - 204:7, 300:1 age [3] - 60:25, 146:14, 173:9 agenda [8] - 4:14, 4:17, 5:12, 5:16, 10:5, 174:9, 287:20, 304:1 agent [3] - 266:22, 270:14, 326:2 ago [23] - 18:9, 31:1, 31:22, 36:4, 48:11, 48:14, 131:18,</p>	<p>132:17, 153:14, 168:20, 179:13, 179:19, 183:17, 217:4, 224:12, 227:14, 232:18, 245:19, 276:11, 307:3, 314:14, 316:24 agree [8] - 12:7, 13:1, 52:17, 87:18, 130:5, 151:1, 206:2, 266:3 agreed [4] - 50:14, 149:4, 323:1, 323:3 agreeing [1] - 166:10 agreement [3] - 31:7, 181:6, 323:17 agrees [1] - 35:11 agricultural [1] - 322:5 ahead [32] - 21:3, 47:10, 48:20, 55:12, 55:13, 60:9, 60:15, 63:24, 73:24, 75:17, 82:20, 96:3, 102:10, 167:6, 167:8, 177:15, 179:3, 188:7, 206:14, 214:19, 226:21, 254:3, 254:10, 266:3, 277:12, 278:23, 306:25, 309:18, 311:20, 313:14, 313:20, 316:25 aide's [1] - 11:12 ain't [1] - 214:2 air [4] - 83:21, 84:13, 203:16, 260:22 air-conditioned [1] - 260:22 aisle [1] - 59:4 Albertie [6] - 210:22, 213:10, 213:11, 213:15, 213:19, 214:7 alcohol [9] - 180:7, 186:6, 192:8, 192:23, 202:16, 212:16, 244:18, 253:10, 253:14 alcoholic [1] - 192:7 Alcoholic [2] - 202:11, 203:19 ALEX [1] - 1:13 Alexander [4] - 306:10, 306:18, 306:22, 310:18 ALEXANDER [11] - 307:1, 307:12, 307:18, 307:20,</p>
---	--	--	--	--

<p>309:17, 309:21, 316:9, 325:14, 325:18, 326:1, 329:18</p> <p>Allegiance [4] - 2:10, 2:12, 205:14</p> <p>alleviate [1] - 271:7</p> <p>allow [24] - 45:21, 45:23, 50:15, 59:14, 92:11, 118:7, 157:22, 183:12, 222:9, 255:21, 261:6, 264:16, 270:4, 274:14, 275:1, 277:22, 280:19, 282:8, 286:21, 287:12, 291:21, 304:5, 304:12, 311:25</p> <p>allowable [2] - 129:6, 179:9</p> <p>allowed [12] - 44:6, 154:5, 160:11, 160:17, 197:21, 222:3, 237:24, 238:5, 247:25, 260:18, 299:3, 304:15</p> <p>allowing [1] - 278:9</p> <p>allows [6] - 177:25, 278:25, 279:4, 285:25, 301:6, 304:16</p> <p>almost [9] - 69:4, 110:24, 115:7, 120:5, 123:7, 139:5, 152:24, 170:7, 198:18</p> <p>alone [2] - 153:16, 334:13</p> <p>Aloysious [3] - 202:3, 204:6, 204:11</p> <p>already- implemented [1] - 206:3</p> <p>ALSO [1] - 1:18</p> <p>alternative [1] - 265:17</p> <p>amazing [2] - 28:12, 124:22</p> <p>Amazon [1] - 93:17</p> <p>ambulances [3] - 66:17, 67:8, 69:11</p> <p>Amelia [1] - 314:18</p> <p>amend [7] - 6:21, 13:15, 15:7, 156:23, 157:22, 227:6, 302:18</p> <p>amended [1] - 202:13</p> <p>amending [1] - 22:10</p>	<p>amendment [20] - 9:23, 30:19, 157:23, 264:23, 264:25, 265:8, 265:11, 269:14, 269:20, 274:16, 274:17, 275:3, 281:4, 281:5, 281:20, 286:6, 286:10, 286:12, 287:12, 291:12</p> <p>Amendment [1] - 224:15</p> <p>amendments [2] - 3:24, 286:8</p> <p>amenity [1] - 334:4</p> <p>American [2] - 181:17, 239:5</p> <p>Americans [1] - 189:19</p> <p>Amos [1] - 315:19</p> <p>amount [6] - 16:17, 24:24, 101:6, 105:6, 147:16, 163:22</p> <p>ample [1] - 203:14</p> <p>Analysis [1] - 145:9</p> <p>analysis [2] - 51:20, 328:22</p> <p>Angie [1] - 220:16</p> <p>animals [2] - 113:14, 132:7</p> <p>announce [1] - 232:16</p> <p>announcement [1] - 43:22</p> <p>annual [2] - 17:10, 20:3</p> <p>answer [13] - 26:21, 127:8, 139:19, 148:24, 149:11, 161:21, 226:8, 249:16, 261:13, 271:8, 277:6, 298:7, 298:10</p> <p>answered [3] - 50:17, 117:24, 139:25</p> <p>answers [1] - 207:22</p> <p>anticipated [1] - 62:3</p> <p>Anwar [1] - 209:5</p> <p>Anwar's [1] - 206:16</p> <p>anyplace [1] - 86:6</p> <p>anyway [6] - 89:11, 101:18, 198:8, 261:5, 261:11, 288:1</p> <p>apartment [11] - 131:23, 278:9, 284:5, 305:18, 315:10, 327:18, 330:24, 337:1, 339:4, 339:9, 339:11</p> <p>apartments [30] - 278:3, 281:18,</p>	<p>283:9, 284:1, 304:6, 305:18, 309:3, 314:14, 314:18, 314:20, 315:9, 317:6, 317:23, 317:25, 318:2, 318:3, 322:8, 322:22, 323:8, 325:10, 326:11, 326:21, 330:15, 331:23, 332:4, 332:20, 337:14, 339:7</p> <p>apologies [1] - 227:5</p> <p>apologize [5] - 70:25, 222:16, 227:1, 236:3, 236:21</p> <p>appeared [1] - 31:23</p> <p>appease [1] - 169:5</p> <p>applaud [3] - 195:18, 294:11, 336:3</p> <p>Applause [1] - 84:25</p> <p>applause [5] - 99:9, 99:11, 99:14, 138:5, 190:7</p> <p>applicant [33] - 74:8, 74:12, 74:18, 136:20, 149:7, 156:25, 157:25, 163:19, 166:12, 183:18, 183:21, 197:12, 197:15, 198:3, 200:11, 200:19, 201:10, 227:16, 244:6, 244:25, 245:5, 245:9, 245:21, 246:20, 250:4, 256:10, 265:22, 270:22, 290:10, 292:4, 330:14, 333:22, 336:24</p> <p>applicant's [4] - 182:18, 202:8, 237:21, 244:20</p> <p>applicants [3] - 6:9, 43:2, 169:12</p> <p>application [67] - 4:13, 6:10, 6:25, 7:1, 7:2, 7:7, 9:18, 9:24, 10:15, 17:22, 40:14, 40:22, 45:11, 45:25, 70:2, 71:10, 114:21, 119:1, 138:14, 150:17, 156:24, 157:23, 163:18, 164:5, 165:16, 177:17, 182:17, 183:19, 183:23, 188:24, 200:21,</p>	<p>209:7, 209:9, 210:3, 226:25, 227:1, 227:2, 227:7, 238:6, 244:8, 246:1, 246:10, 247:2, 250:25, 253:3, 254:23, 255:17, 258:3, 258:14, 266:15, 279:12, 279:24, 281:14, 286:19, 291:21, 294:23, 295:7, 302:19, 304:2, 304:10, 305:14, 311:22, 315:2, 315:3, 328:5, 331:5, 335:23</p> <p>applications [4] - 13:3, 28:20, 171:21, 246:4</p> <p>applied [1] - 174:14</p> <p>applies [2] - 27:5, 204:21</p> <p>apply [6] - 19:5, 38:1, 40:8, 40:23, 40:24, 133:3</p> <p>appointed [1] - 197:2</p> <p>appointment [1] - 219:24</p> <p>appreciate [50] - 15:21, 18:22, 20:25, 21:18, 21:21, 29:3, 59:19, 67:16, 67:19, 69:19, 73:15, 80:16, 82:4, 85:18, 85:20, 87:20, 89:13, 92:19, 99:7, 101:25, 105:18, 106:4, 107:23, 113:23, 114:1, 116:3, 119:6, 119:9, 130:21, 131:5, 133:17, 138:8, 149:12, 151:19, 155:20, 158:7, 173:13, 185:11, 193:3, 194:3, 196:13, 200:2, 210:13, 241:6, 271:9, 288:15, 312:9, 315:15, 340:11, 341:9</p> <p>appreciated [1] - 232:24</p> <p>approach [1] - 169:16</p> <p>approached [1] - 168:19</p> <p>approaches [72] - 7:23, 15:19, 26:22, 47:3, 56:10, 60:3,</p>	<p>63:15, 65:17, 67:23, 69:23, 70:24, 73:18, 75:12, 78:3, 80:19, 82:6, 85:7, 88:4, 90:21, 92:22, 94:23, 96:10, 102:4, 105:21, 108:21, 111:19, 114:4, 116:6, 119:12, 125:11, 128:4, 129:23, 130:23, 139:3, 171:14, 177:7, 182:11, 185:12, 187:21, 190:12, 191:16, 193:5, 194:10, 196:19, 198:24, 200:5, 202:4, 204:8, 206:9, 208:2, 211:3, 213:14, 214:11, 216:12, 221:21, 253:25, 256:13, 258:20, 268:19, 275:15, 287:7, 296:2, 297:12, 298:16, 301:16, 304:22, 311:12, 316:13, 319:6, 321:9, 326:6, 340:23</p> <p>appropriate [20] - 31:8, 31:12, 44:25, 46:23, 129:11, 129:12, 140:9, 165:20, 166:16, 175:6, 236:17, 250:6, 250:14, 256:6, 265:16, 275:5, 278:21, 281:21, 295:23, 304:18</p> <p>approval [51] - 15:14, 21:23, 30:9, 42:1, 158:18, 176:4, 251:17, 253:22, 255:5, 256:7, 257:20, 258:18, 259:1, 263:24, 265:6, 265:11, 265:19, 267:18, 268:9, 270:1, 270:11, 273:9, 273:24, 274:23, 275:3, 275:9, 279:18, 280:2, 281:13, 281:20, 281:23, 284:22, 285:10, 286:5, 286:18, 287:4, 289:25, 290:16, 291:19, 292:3, 293:14, 294:3,</p>
---	--	--	--	--

<p>295:25, 299:23, 300:17, 301:12, 302:23, 303:18, 304:19, 327:15, 340:5 approve [41] - 4:24, 10:15, 17:22, 26:8, 37:10, 46:25, 87:22, 115:15, 115:21, 149:22, 156:8, 156:15, 156:24, 157:23, 178:22, 190:4, 190:5, 204:23, 226:25, 227:2, 227:7, 254:23, 257:8, 261:25, 267:11, 268:3, 271:18, 273:15, 279:12, 279:24, 282:23, 285:3, 289:1, 290:8, 293:7, 293:20, 299:20, 302:11, 302:18, 313:22, 329:24 approved [20] - 28:13, 34:13, 84:22, 135:8, 135:9, 148:15, 148:20, 158:17, 189:7, 193:25, 294:8, 301:9, 304:7, 305:4, 305:12, 308:14, 308:15, 312:14, 324:21, 328:1 approves [1] - 114:14 approving [1] - 268:16 April [14] - 1:6, 2:1, 2:4, 4:22, 4:25, 50:13, 50:15, 153:15, 157:8, 220:20, 270:15, 273:17, 275:11, 343:15 Arbor [13] - 79:18, 96:16, 98:16, 98:17, 105:8, 105:11, 109:2, 116:10, 119:17, 122:7, 123:6, 124:9 architect [3] - 260:4, 261:3, 261:4 architecturally [1] - 269:8 Area [9] - 33:3, 33:6, 33:7, 33:10, 269:24, 291:6, 291:8, 291:16 area [147] - 16:8, 16:14, 23:24, 24:11, 24:23, 33:1, 33:4,</p>	<p>33:11, 33:13, 45:13, 57:3, 57:5, 57:7, 57:10, 57:14, 57:21, 58:2, 58:9, 58:11, 58:17, 59:4, 59:5, 59:7, 59:16, 60:24, 61:1, 61:2, 61:5, 61:11, 62:1, 62:21, 65:5, 66:4, 75:20, 76:2, 76:14, 77:9, 78:9, 79:13, 79:16, 79:17, 80:2, 80:12, 81:9, 81:16, 84:11, 88:22, 89:18, 89:19, 89:24, 90:2, 90:14, 92:25, 94:2, 94:7, 96:21, 98:13, 102:14, 102:15, 102:16, 103:18, 104:2, 104:5, 104:19, 104:25, 105:1, 105:7, 107:22, 112:13, 117:4, 119:4, 119:20, 119:21, 120:13, 124:23, 129:9, 129:16, 132:5, 134:6, 134:10, 136:2, 136:17, 136:21, 136:25, 137:2, 137:3, 137:4, 137:5, 138:2, 144:8, 144:14, 153:18, 155:25, 173:9, 173:10, 179:22, 181:18, 185:23, 192:19, 192:25, 199:16, 203:17, 205:10, 205:11, 208:20, 209:16, 211:9, 217:24, 218:25, 219:3, 221:25, 225:7, 225:14, 225:19, 225:21, 226:4, 239:7, 242:3, 250:6, 250:14, 251:1, 264:19, 265:18, 273:1, 274:19, 275:7, 278:9, 278:11, 281:9, 281:22, 282:14, 286:4, 286:8, 286:14, 287:3, 291:25, 295:9, 319:21, 320:3, 322:4, 322:12, 323:5, 325:5, 333:19, 334:25 areas [18] - 19:24,</p>	<p>31:17, 33:2, 33:10, 61:4, 72:24, 120:6, 122:13, 126:20, 140:10, 140:11, 142:7, 186:2, 197:10, 203:5, 206:17, 206:20, 329:8 argue [3] - 129:2, 242:12, 336:25 argument [2] - 330:17, 337:2 arguments [1] - 330:10 Ariana [4] - 105:25, 130:2, 175:9, 175:22 arise [2] - 74:1, 103:16 Arctic [1] - 306:9 Arlington [9] - 22:7, 22:10, 22:15, 24:8, 28:11, 28:14, 28:15, 33:4, 33:13 Arno [2] - 202:10, 203:19 arrows [1] - 125:24 arterial [2] - 276:1, 312:4 arterials [1] - 280:24 articulate [1] - 99:15 as-built [1] - 19:20 as-builts [1] - 260:11 Ashish [6] - 67:22, 69:22, 70:23, 71:7, 73:15, 93:7 aside [1] - 330:19 aspect [2] - 76:1, 232:20 aspects [1] - 73:11 asphalt [1] - 87:6 assistance [1] - 118:22 assistant [1] - 7:13 associate [1] - 276:23 Association [1] - 105:9 assume [2] - 218:20, 333:15 assuming [1] - 55:4 assumption [3] - 126:2, 150:6, 150:8 assumptions [2] - 77:12, 127:13 assure [1] - 218:13 Atlee [1] - 296:6 ATM [1] - 272:22 attached [1] - 156:9 attempt [2] - 149:8, 200:19 attendance [3] - 2:17, 102:20, 103:25</p>	<p>attended [2] - 50:16, 51:7 attention [4] - 32:10, 136:19, 145:4, 145:7 Attorney [2] - 195:5, 218:15 attorney [2] - 53:21, 222:13 attorneys [2] - 54:6, 195:2 audible [1] - 2:7 AUDIENCE [136] - 9:1, 10:10, 17:17, 26:3, 37:5, 55:9, 56:1, 56:6, 56:13, 60:6, 60:13, 63:2, 63:6, 63:17, 65:18, 65:21, 67:24, 69:24, 71:3, 73:22, 75:15, 78:4, 80:20, 82:9, 84:25, 85:8, 85:11, 88:7, 90:24, 92:23, 94:25, 95:10, 95:12, 96:11, 96:14, 99:9, 102:7, 105:24, 108:22, 111:22, 114:7, 116:9, 119:15, 122:5, 125:14, 128:9, 130:1, 131:1, 138:5, 149:17, 182:12, 185:16, 186:18, 186:23, 187:10, 187:15, 187:19, 188:4, 190:7, 190:21, 191:10, 191:13, 191:17, 191:20, 191:24, 193:6, 193:11, 194:6, 194:15, 196:23, 199:2, 200:6, 202:5, 204:11, 206:12, 208:3, 208:6, 208:7, 210:16, 210:25, 211:4, 213:13, 213:18, 214:12, 215:23, 216:7, 216:9, 216:16, 217:21, 220:6, 221:17, 226:13, 226:16, 254:4, 254:18, 256:11, 256:16, 257:3, 261:20, 267:7, 271:14, 277:9, 282:17, 282:19, 288:22, 293:2, 297:16, 299:15, 302:7, 306:14, 306:19, 306:22,</p>	<p>310:21, 310:24, 311:1, 311:18, 313:13, 313:17, 315:20, 315:24, 316:3, 316:17, 318:8, 318:13, 318:16, 318:20, 318:23, 319:3, 319:11, 320:19, 320:23, 321:2, 321:6, 321:15, 321:21, 324:1 Audience [54] - 56:10, 60:3, 63:15, 65:17, 67:23, 69:23, 70:24, 73:18, 75:12, 78:3, 80:19, 82:6, 85:7, 88:4, 90:21, 92:22, 94:23, 96:10, 102:4, 105:21, 108:21, 111:19, 114:4, 116:6, 119:12, 125:11, 128:4, 129:23, 130:23, 182:11, 185:12, 187:21, 190:12, 191:16, 193:5, 194:10, 196:19, 198:24, 200:5, 202:4, 204:8, 206:9, 208:2, 211:3, 213:14, 214:11, 216:12, 253:25, 256:13, 297:12, 311:12, 316:13, 319:6, 321:9 audience [4] - 6:4, 6:5, 54:12, 330:10 August [1] - 119:5 Augustine [58] - 5:17, 42:12, 45:9, 45:12, 46:7, 52:1, 53:6, 66:18, 67:1, 68:6, 68:15, 69:16, 76:17, 81:14, 81:17, 83:4, 83:11, 85:23, 88:14, 88:17, 89:1, 89:8, 89:25, 90:13, 91:9, 91:16, 93:13, 97:6, 97:7, 102:13, 105:11, 110:1, 110:19, 110:22, 112:23, 113:4, 115:11, 116:11, 118:11, 118:19, 119:17, 121:1, 121:3, 121:14, 123:8, 123:17, 126:17, 126:21, 127:6, 128:14, 131:3, 136:11,</p>
--	---	--	---	---

142:2, 142:4, 151:8, 153:17, 170:15, 170:17 authorities [1] - 243:10 authority [1] - 243:3 authorization [1] - 266:24 authorized [4] - 44:3, 162:20, 266:22, 343:8 auto [5] - 25:5, 25:8, 28:1, 29:16, 185:6 Automotive [1] - 27:15 available [7] - 17:11, 90:4, 109:19, 139:19, 140:1, 248:9, 302:2 Avenue [17] - 5:21, 5:22, 5:25, 56:14, 188:5, 200:8, 208:8, 208:15, 242:8, 268:25, 274:7, 274:11, 274:21, 278:5, 294:21, 294:25, 295:20 Avenue/I-295 [1] - 274:12 average [6] - 57:24, 57:25, 58:7, 59:16, 147:11, 148:13 avoid [1] - 39:5 avoiding [1] - 123:5 Avondale [3] - 242:8, 246:8, 246:14 awaiting [1] - 118:10 awarded [1] - 271:5 aware [4] - 75:21, 81:1, 118:5, 144:3 awesome [1] - 28:23 awful [1] - 225:8 aye [17] - 14:18, 14:19, 14:20, 14:21, 14:22, 14:23, 30:11, 176:8, 176:9, 176:10, 176:11, 176:12, 251:19, 251:20, 251:21, 251:22, 251:23 Aye [22] - 5:9, 14:17, 21:25, 42:3, 255:8, 257:22, 264:1, 267:24, 268:11, 273:11, 274:1, 279:20, 280:6, 284:24, 285:12, 290:2, 290:18, 293:16, 294:5, 300:19, 303:20,	340:8 B backed [1] - 127:20 backgrounds [1] - 165:14 backing [2] - 105:10, 233:3 backs [1] - 98:17 backup [1] - 118:20 Backwind [5] - 78:5, 96:15, 102:8, 108:24, 122:6 backyard [3] - 87:9, 106:11, 331:22 backyards [1] - 98:21 bad [11] - 88:12, 89:18, 90:5, 90:14, 91:9, 91:19, 169:19, 170:10, 201:23, 243:11, 315:10 bag [1] - 192:9 Bagwell [1] - 240:4 balance [1] - 328:3 Ball [1] - 6:6 bamboozled [1] - 188:23 band [1] - 251:6 banking [1] - 272:22 Bannister [2] - 38:11, 159:10 BANNISTER [9] - 1:21, 159:10, 160:1, 338:11, 338:21, 339:2, 339:16, 339:18, 339:25 bannister [1] - 338:9 Baptist [6] - 66:15, 68:17, 104:11, 193:15, 202:22, 206:22 bar [4] - 199:15, 209:12, 216:22, 230:14 Bar [2] - 209:11, 228:15 Barbara [3] - 216:3, 216:17, 316:7 barely [1] - 314:10 barn [2] - 255:24, 256:5 Barnum [7] - 194:9, 194:12, 194:15, 196:12, 197:13, 233:4, 233:5 barrier [1] - 166:13 Barry [4] - 88:3, 90:20, 92:20, 92:24 bars [2] - 212:25,	216:23 Bartram [4] - 46:20, 104:8, 117:16, 128:25 base [3] - 112:13, 243:24, 247:24 based [21] - 77:11, 93:4, 93:24, 120:12, 141:14, 141:15, 149:3, 149:6, 156:8, 161:3, 171:12, 173:7, 178:8, 178:21, 183:20, 204:17, 204:22, 204:24, 236:18, 248:1, 320:7 baseline [2] - 121:10, 121:12 basing [1] - 243:15 basis [3] - 17:10, 41:1, 308:25 basket [1] - 3:5 basketball [1] - 147:25 Baymeadows [1] - 253:7 Bear [1] - 164:25 bear [1] - 72:4 beautiful [6] - 56:8, 83:19, 84:18, 313:25, 317:24, 334:6 beauty [1] - 109:3 became [1] - 170:10 become [3] - 3:13, 68:6, 98:5 becomes [1] - 112:11 bedrooms [1] - 326:22 beer [1] - 211:20 beforehand [1] - 156:17 beg [2] - 164:13, 323:20 beginning [7] - 29:1, 35:4, 43:3, 59:2, 157:9, 317:8, 327:14 behalf [11] - 84:20, 114:25, 201:21, 220:15, 270:22, 307:11, 307:14, 308:5, 310:12, 316:8, 316:10 behave [1] - 71:15 behind [11] - 71:11, 95:7, 99:25, 100:6, 101:17, 166:2, 175:15, 215:9, 216:20, 225:2, 297:19 being's [1] - 243:14	beings [1] - 145:2 believer [1] - 241:22 believes [1] - 74:8 belongs [1] - 14:1 below [2] - 304:14, 305:9 beltway [2] - 333:15, 333:16 benefit [2] - 74:9, 76:11 benefitting [1] - 68:24 beside [1] - 3:5 best [11] - 14:6, 49:1, 70:3, 70:11, 70:12, 112:9, 163:20, 164:8, 168:14, 170:22, 173:6 bet [1] - 168:10 better [15] - 7:5, 9:5, 21:1, 22:23, 44:9, 69:17, 97:6, 100:25, 116:18, 169:7, 173:21, 196:10, 234:18, 315:11, 330:25 bettors [1] - 148:21 Betty [2] - 315:23, 316:1 between [24] - 14:2, 46:18, 57:24, 62:18, 121:2, 123:7, 127:5, 127:18, 128:24, 137:9, 179:19, 179:24, 180:2, 186:8, 224:6, 232:2, 237:9, 239:24, 265:2, 269:1, 295:15, 298:22, 327:7, 339:3 Beverage [1] - 202:11 Beverages [1] - 203:19 beware [1] - 152:25 beyond [8] - 59:7, 66:21, 103:6, 149:7, 151:15, 163:19, 166:12, 245:1 Bible [2] - 195:9, 208:10 bicycle [1] - 66:3 big [16] - 18:20, 58:20, 73:7, 83:8, 83:23, 106:21, 109:22, 115:8, 115:22, 124:15, 284:2, 331:11, 331:13, 331:14, 334:6, 335:13 Big [1] - 203:6 biggest [7] - 74:7,	98:9, 106:7, 112:14, 130:10, 174:22, 241:17 bike [1] - 170:8 bikes [1] - 122:20 Bill [6] - 39:17, 39:18, 194:25, 195:3, 195:24, 341:2 bill [2] - 30:24, 32:6 binding [2] - 146:25, 181:11 binds [1] - 147:4 Biringer [5] - 128:8, 129:22, 129:24, 130:1, 130:20 bit [16] - 10:4, 21:12, 37:20, 41:2, 58:3, 60:17, 133:11, 164:17, 169:7, 170:24, 187:20, 234:25, 255:24, 287:21, 296:25, 336:12 bizarre [1] - 11:19 BLANCHARD [24] - 1:15, 10:21, 14:19, 18:3, 37:16, 38:4, 38:10, 38:15, 48:8, 155:18, 156:18, 158:4, 159:22, 160:2, 176:11, 232:14, 251:19, 262:6, 262:19, 263:12, 302:25, 303:11, 335:19, 341:25 Blanchard [34] - 2:15, 10:20, 12:3, 13:1, 18:2, 18:24, 37:15, 40:3, 48:7, 48:16, 55:22, 138:23, 155:17, 156:6, 156:22, 158:3, 160:25, 161:3, 176:16, 232:13, 236:24, 238:3, 251:25, 252:21, 259:23, 262:5, 263:11, 267:20, 268:12, 302:24, 330:21, 335:18, 338:6, 341:24 blast [1] - 96:2 blessed [3] - 112:24, 213:8, 237:15 block [6] - 110:5, 110:6, 118:20, 126:20, 216:24 blocking [3] - 105:11, 106:18, 123:12
--	--	--	--	--

<p>blow [1] - 58:20 blue [5] - 3:4, 60:4, 230:22, 230:24, 257:12 Blueberry [2] - 125:15, 128:10 Bluff [2] - 254:5, 291:2 Board [2] - 148:16, 188:23 board [17] - 72:12, 90:7, 96:17, 105:9, 114:13, 114:17, 114:23, 118:4, 119:2, 135:8, 148:21, 162:11, 189:1, 200:20, 201:8, 335:1 body [5] - 183:16, 202:17, 203:21, 238:3, 313:22 boil [1] - 246:3 Bonnie [1] - 321:11 books [1] - 31:23 born [1] - 173:17 boss [1] - 233:11 bottles [1] - 208:22 bottom [5] - 152:19, 275:24, 295:5, 296:11, 305:9 bought [4] - 82:22, 119:19, 207:7, 315:7 Boulevard [19] - 5:20, 33:16, 47:6, 49:15, 97:5, 128:21, 139:14, 179:2, 221:23, 258:23, 264:5, 264:9, 264:22, 275:19, 287:10, 295:1, 296:5, 301:19, 305:1 boulevard [1] - 28:16 bound [2] - 235:5, 236:1 boundary [5] - 50:22, 58:18, 136:2, 237:18, 291:8 bounded [1] - 285:21 boy [2] - 86:4, 87:17 Boylan [8] - 15:17, 15:19, 16:3, 18:7, 19:4, 20:25, 21:18, 116:13 BOYLAN [5] - 16:1, 19:7, 19:22, 20:16, 21:20 Boylan's [2] - 50:14, 51:4 branches [1] - 18:13 brand [1] - 41:16 brand-new [1] - 41:16</p>	<p>break [6] - 122:1, 122:2, 133:22, 138:10, 252:12, 303:4 breaking [3] - 151:8, 151:9, 151:12 breath [1] - 217:5 Brent [7] - 119:11, 121:22, 125:10, 125:15, 187:24, 190:11, 190:21 Brian [1] - 256:16 bribe [1] - 138:14 bridge [1] - 36:16 brief [6] - 2:11, 13:24, 48:13, 139:12, 174:18, 252:18 Brief [1] - 138:17 briefly [3] - 159:3, 250:21, 333:12 Brightman [2] - 214:9, 215:22 Brighton [1] - 203:5 bring [33] - 10:12, 17:19, 26:5, 37:7, 57:8, 72:21, 74:13, 74:19, 104:7, 122:2, 136:18, 149:19, 207:2, 208:13, 213:3, 215:1, 226:22, 254:20, 257:5, 261:22, 267:8, 272:22, 273:1, 277:10, 279:7, 282:20, 288:23, 293:4, 299:17, 302:8, 310:17, 329:21, 341:6 bringing [1] - 19:21 brings [1] - 94:14 broke [1] - 57:13 Brothers [1] - 289:16 brought [9] - 89:15, 126:3, 128:18, 139:9, 154:18, 161:4, 180:10, 209:13, 244:11 Broward [4] - 5:24, 285:17, 285:20, 285:21 BROWN [45] - 1:14, 5:1, 10:16, 13:17, 14:18, 17:23, 19:1, 19:9, 20:5, 26:9, 37:11, 48:2, 149:23, 157:14, 158:2, 174:18, 176:19, 227:3, 227:9, 245:16, 248:13,</p>	<p>252:6, 254:24, 257:9, 262:1, 267:12, 268:4, 271:19, 273:18, 279:9, 279:13, 279:25, 282:24, 283:4, 285:5, 289:2, 289:6, 290:11, 293:8, 293:23, 299:21, 302:12, 302:21, 330:2, 330:7 Brown [17] - 2:15, 18:25, 20:18, 48:1, 174:17, 175:25, 176:22, 245:15, 247:14, 247:23, 248:12, 252:10, 283:3, 289:5, 330:6, 331:7, 336:11 brown [1] - 192:9 Bruce [15] - 15:16, 178:20, 258:1, 258:19, 265:20, 270:17, 275:13, 277:12, 283:25, 292:13, 297:20, 301:15, 304:21, 305:3, 336:7 BRUCE [1] - 1:20 brunch [1] - 294:13 budget [8] - 44:19, 44:22, 103:9, 103:10, 123:22, 340:19, 341:6, 341:13 buffer [8] - 50:21, 58:24, 59:12, 106:7, 107:3, 156:11, 181:20, 332:11 buffering [3] - 58:10, 59:15, 59:17 buffers [2] - 23:25, 106:18 build [21] - 65:9, 77:19, 97:2, 97:3, 98:23, 104:21, 113:9, 131:22, 151:11, 216:21, 219:10, 220:1, 262:23, 263:6, 314:14, 315:2, 315:8, 323:6, 323:8, 341:17 builder [2] - 84:7, 117:22 builder's [1] - 86:22 builders [3] - 84:23, 170:4, 219:20 Building [1] - 6:6 building [80] - 27:18,</p>	<p>27:19, 57:22, 86:15, 87:13, 94:3, 97:8, 100:19, 132:11, 165:6, 170:25, 171:6, 180:17, 180:18, 180:21, 181:21, 181:22, 183:2, 183:3, 183:6, 184:12, 184:13, 184:23, 193:23, 197:13, 201:11, 207:9, 211:14, 214:24, 215:9, 215:14, 215:17, 219:1, 222:19, 222:22, 224:6, 225:1, 225:3, 226:17, 226:18, 228:2, 228:3, 228:5, 230:12, 230:23, 230:24, 231:10, 231:14, 231:24, 238:15, 238:25, 239:9, 239:11, 239:14, 239:16, 239:21, 240:5, 240:11, 244:3, 245:24, 249:1, 253:5, 253:21, 258:5, 258:8, 258:12, 269:7, 276:18, 283:21, 287:17, 301:5, 301:9, 305:24, 315:1, 337:6 buildings [12] - 19:18, 20:2, 20:12, 258:11, 260:5, 269:10, 275:2, 276:8, 276:9, 286:22, 305:19, 333:4 built [40] - 19:20, 38:17, 41:8, 41:14, 57:12, 65:24, 76:22, 80:9, 81:4, 81:12, 92:12, 100:11, 100:15, 101:12, 103:16, 105:2, 107:18, 110:2, 116:22, 117:21, 119:18, 161:5, 172:2, 172:6, 174:12, 225:1, 225:2, 225:4, 253:6, 260:5, 260:7, 261:7, 330:22, 331:2, 331:12, 331:20, 336:17, 341:12, 341:14 builts [1] - 260:11 bullet [2] - 288:5,</p>	<p>288:7 bunch [4] - 107:25, 131:23, 148:6, 154:12 bunny [1] - 83:22 burden [4] - 28:2, 72:5, 225:15, 240:19 burdensome [1] - 27:14 Bureau [1] - 277:25 burn [1] - 303:9 Burrell [6] - 111:18, 114:3, 116:4, 116:7, 116:9, 119:8 Burton [6] - 108:20, 111:18, 114:2, 114:5, 114:8, 116:2 bus [3] - 89:16, 125:19, 221:6 buses [2] - 67:10, 69:8 bush [1] - 200:1 Bush [4] - 196:17, 198:22, 198:25, 199:3 business [26] - 22:25, 184:19, 185:3, 198:11, 201:11, 202:9, 204:24, 205:7, 215:8, 220:24, 220:25, 221:4, 228:4, 228:6, 231:22, 242:1, 242:25, 243:12, 243:17, 243:19, 244:13, 245:10, 251:9, 269:13, 295:17, 340:13 businesses [10] - 22:15, 22:25, 179:23, 184:20, 199:20, 209:5, 225:13, 230:3, 248:8, 253:17 busy [4] - 46:20, 130:14, 170:15, 221:12 butchered [1] - 321:16 buy [6] - 72:25, 92:14, 111:6, 150:12, 152:25, 329:1 buyer [1] - 152:24 buying [1] - 322:18 buys [2] - 31:9, 35:23 bylaws [2] - 2:23, 303:2</p>
<p>C</p>				
<p>caddy [1] - 296:17 caddy-corner [1] -</p>				

<p>296:17 cafes [1] - 29:18 Cahoon [1] - 264:10 Caitlyn [4] - 69:22, 73:16, 73:19, 73:22 cake [1] - 169:24 calculate [1] - 23:24 calculated [1] - 89:22 calculations [1] - 77:10 Caldwell [5] - 5:19, 187:13, 255:18, 256:17 Callaway [2] - 48:12, 139:18 campus [5] - 103:3, 103:10, 103:13, 123:25, 124:2 Candace [1] - 69:24 candy [1] - 138:15 cannot [7] - 71:17, 80:9, 153:7, 243:8, 243:24, 251:8, 308:20 canopy [3] - 59:9, 83:6, 87:7 capable [1] - 250:11 capacities [3] - 134:5, 134:12, 146:16 capacity [32] - 46:12, 46:23, 52:10, 52:11, 52:13, 52:18, 61:13, 61:14, 61:17, 64:14, 64:16, 64:19, 91:15, 104:3, 134:17, 134:24, 135:5, 135:18, 135:22, 136:4, 137:17, 142:8, 142:11, 144:9, 145:6, 145:15, 147:17, 147:22, 172:13, 173:3, 173:8, 312:24 car [1] - 327:20 card [7] - 3:4, 60:5, 186:23, 186:25, 254:2, 257:12, 297:7 cards [6] - 3:5, 54:5, 54:20, 259:8, 271:1, 301:21 care [7] - 36:25, 149:2, 277:25, 314:1, 322:14, 325:10, 336:1 career [2] - 19:13, 20:7 careful [1] - 81:19 Carl [3] - 311:14, 313:11, 313:17 Carolina [1] - 314:17</p>	<p>carpool [1] - 112:24 carry [1] - 252:3 cars [25] - 84:14, 98:9, 105:6, 111:1, 111:11, 113:6, 113:11, 116:24, 118:10, 121:11, 121:13, 123:11, 126:4, 126:14, 126:16, 127:20, 175:14, 186:2, 212:24, 317:7, 317:17, 326:24, 327:3, 330:15 cart [1] - 170:9 Carter [1] - 256:16 CARTER [2] - 256:20, 256:24 case [10] - 22:14, 30:24, 38:12, 45:24, 73:6, 73:9, 94:1, 191:2, 239:22, 240:3 cast [1] - 273:2 casually [1] - 319:24 catching [1] - 227:18 categories [1] - 140:6 category [5] - 129:11, 160:18, 286:2, 291:10, 304:11, 304:15 cater [1] - 109:20 catered [1] - 272:6 Catholic [3] - 45:15, 78:16, 78:25 caught [1] - 260:14 caused [3] - 23:8, 174:4, 225:7 caution [2] - 9:9, 137:6 CCG-1 [2] - 281:16, 286:20 CCG-2 [4] - 177:24, 221:25, 225:23, 281:16 CDL [3] - 161:6, 162:5, 162:12 Cedar [1] - 255:20 cell [9] - 15:9, 15:10, 16:8, 16:15, 16:23, 17:5, 17:12, 19:14, 21:10 cent [1] - 135:9 Center [1] - 68:18 center [5] - 33:8, 100:14, 116:14, 240:2, 276:6 centered [1] - 46:5 centers [2] - 131:25, 140:7 Centerwall [3] - 63:10,</p>	<p>67:20, 67:25 central [2] - 173:11, 327:19 certain [9] - 24:6, 31:12, 32:25, 44:20, 68:7, 69:3, 94:18, 199:21, 203:4 Certainly [1] - 16:1 certainly [13] - 41:17, 66:12, 67:16, 82:9, 173:14, 243:17, 246:17, 249:4, 299:5, 327:4, 331:21, 332:16, 334:11 certainty [1] - 248:23 CERTIFICATE [1] - 343:1 certify [1] - 343:8 cetera [1] - 73:1 CGC [11] - 274:14, 274:20, 278:24, 278:25, 280:18, 281:6, 282:7, 285:24, 286:2 chair [6] - 16:2, 47:20, 55:22, 143:16, 157:17, 252:22 Chair [18] - 1:13, 12:6, 19:2, 19:8, 53:18, 152:14, 154:14, 156:1, 159:12, 161:2, 227:16, 229:24, 238:12, 245:17, 262:8, 276:3, 330:8, 338:11 chair's [1] - 280:11 CHAIRMAN [480] - 2:3, 2:13, 5:2, 5:6, 5:10, 7:18, 7:24, 8:21, 9:2, 9:5, 9:8, 10:2, 10:8, 10:11, 10:17, 12:2, 12:20, 13:8, 13:18, 14:9, 14:13, 14:23, 15:1, 15:16, 15:21, 17:13, 17:18, 17:24, 18:23, 20:17, 21:5, 21:9, 21:22, 22:1, 22:3, 23:10, 23:17, 25:24, 26:4, 26:10, 26:14, 26:23, 28:6, 28:23, 29:3, 29:8, 29:24, 30:3, 30:12, 30:14, 32:1, 37:2, 37:6, 37:12, 40:2, 40:6, 40:25, 41:25, 42:4, 42:6, 44:9, 44:21, 44:24, 45:3, 47:1, 47:4, 47:7, 47:10, 47:17, 47:19,</p>	<p>48:1, 48:5, 48:7, 48:15, 49:6, 49:20, 50:8, 53:14, 53:22, 54:2, 54:10, 54:14, 54:17, 55:10, 56:8, 56:11, 59:18, 59:21, 60:1, 60:4, 60:7, 60:15, 62:23, 63:4, 63:8, 63:16, 63:20, 63:23, 64:5, 65:14, 65:19, 67:18, 69:19, 69:25, 70:4, 70:9, 70:22, 70:25, 71:5, 73:14, 73:19, 73:24, 75:8, 75:13, 75:17, 77:23, 80:15, 82:3, 82:7, 82:14, 82:19, 85:1, 85:10, 85:13, 87:25, 88:5, 90:18, 90:22, 92:18, 94:22, 94:24, 95:15, 95:19, 95:25, 96:8, 96:12, 99:6, 99:10, 99:20, 101:24, 102:5, 102:10, 105:17, 105:22, 108:18, 111:16, 111:20, 113:25, 114:5, 116:2, 116:7, 119:8, 119:13, 121:21, 125:9, 125:12, 128:2, 128:5, 129:21, 129:24, 130:20, 130:24, 133:16, 138:6, 138:19, 139:4, 149:14, 149:18, 149:24, 150:19, 152:10, 155:15, 156:19, 157:15, 158:3, 160:24, 163:12, 166:5, 167:3, 167:8, 168:10, 171:5, 171:12, 172:1, 172:6, 172:9, 172:12, 173:1, 173:12, 173:19, 175:24, 176:3, 176:12, 176:21, 177:8, 177:14, 178:23, 179:3, 182:7, 185:10, 185:13, 186:16, 186:19, 186:25, 187:6, 187:11, 187:16, 187:22, 188:7, 190:8, 190:15, 190:17, 191:7, 191:11, 191:14, 191:18,</p>	<p>191:21, 192:2, 192:5, 193:2, 193:9, 194:2, 194:7, 194:11, 196:12, 196:20, 198:21, 198:25, 200:1, 202:1, 204:1, 204:3, 204:9, 206:6, 206:10, 206:14, 207:21, 207:25, 208:5, 210:12, 210:17, 211:1, 213:9, 213:15, 214:7, 214:15, 214:19, 215:21, 215:24, 216:8, 216:10, 216:13, 217:8, 217:13, 220:4, 220:7, 221:14, 221:18, 226:10, 226:14, 226:19, 227:4, 227:10, 232:11, 236:23, 238:7, 241:10, 245:12, 247:13, 248:12, 248:21, 250:17, 251:13, 251:15, 251:24, 252:8, 252:21, 253:23, 254:1, 254:7, 254:10, 254:15, 254:19, 254:25, 255:4, 255:9, 256:8, 256:12, 256:14, 256:18, 256:21, 256:25, 257:4, 257:10, 257:19, 257:23, 258:19, 258:21, 259:7, 259:11, 259:16, 259:23, 261:16, 261:21, 262:2, 263:10, 263:14, 263:23, 264:2, 265:20, 265:25, 266:8, 266:12, 266:21, 267:2, 267:8, 267:13, 267:17, 267:25, 268:5, 268:8, 268:13, 268:20, 270:17, 271:10, 271:15, 271:20, 271:24, 273:4, 273:8, 273:12, 273:19, 273:23, 274:2, 274:5, 275:13, 275:16, 275:22, 277:2, 277:7, 277:10,</p>
--	--	--	---	---

<p>278:20, 278:23, 279:6, 279:10, 279:14, 279:17, 279:21, 280:1, 280:5, 280:7, 281:24, 282:15, 282:18, 282:20, 282:25, 283:22, 284:8, 284:18, 284:21, 284:25, 285:6, 285:9, 285:13, 285:15, 287:6, 287:8, 288:18, 288:23, 289:3, 289:10, 289:20, 289:23, 290:3, 290:12, 290:15, 290:19, 292:20, 292:25, 293:3, 293:9, 293:13, 293:17, 293:24, 294:2, 294:6, 294:10, 294:15, 294:19, 296:1, 296:3, 297:5, 297:11, 297:13, 298:2, 298:4, 298:9, 298:14, 299:12, 299:16, 299:22, 300:12, 300:15, 300:20, 301:14, 301:17, 301:23, 302:1, 302:4, 302:8, 302:13, 302:22, 303:9, 303:14, 303:17, 303:21, 304:21, 304:23, 306:8, 306:15, 306:20, 306:25, 307:9, 307:15, 307:19, 309:18, 310:17, 310:22, 311:3, 311:13, 311:20, 313:9, 313:14, 313:20, 315:14, 315:21, 315:25, 316:4, 316:11, 316:14, 318:6, 318:9, 318:14, 318:17, 318:21, 318:24, 319:4, 319:7, 320:16, 320:20, 320:24, 321:3, 321:7, 321:10, 321:16, 323:23, 324:3, 325:13, 325:16, 325:21, 326:3, 329:14, 329:19, 330:3, 331:6, 335:18,</p>	<p>338:5, 338:9, 338:13, 339:1, 339:13, 339:17, 339:19, 340:1, 340:4, 340:9, 340:24, 341:8, 341:16, 342:1 chairman [2] - 303:5, 313:21 Chairman [94] - 1:13, 4:23, 6:19, 10:14, 10:22, 12:25, 13:13, 13:23, 15:6, 17:21, 18:4, 20:22, 22:8, 26:7, 29:12, 29:23, 30:17, 37:9, 37:17, 40:1, 43:21, 45:10, 47:21, 48:9, 48:22, 49:17, 52:22, 128:9, 133:25, 134:1, 139:11, 149:21, 150:4, 150:23, 155:19, 156:21, 158:5, 163:16, 166:4, 166:9, 167:9, 177:16, 179:1, 221:22, 226:9, 226:24, 232:15, 236:3, 236:21, 237:2, 238:11, 241:9, 241:14, 245:11, 250:1, 251:12, 253:2, 254:22, 257:7, 259:6, 261:24, 262:7, 263:9, 267:10, 268:2, 271:17, 273:14, 277:1, 278:18, 279:11, 279:23, 282:22, 284:12, 285:2, 288:25, 289:14, 290:7, 293:6, 293:19, 294:22, 299:19, 301:18, 302:10, 302:17, 303:1, 304:25, 313:21, 325:14, 326:7, 329:23, 333:11, 335:17, 335:20, 338:4 chairman's [1] - 45:3 chairperson [1] - 197:2 chambers [1] - 99:12 Chambers [3] - 1:7, 4:10, 6:6 chance [3] - 39:22, 245:20, 247:5</p>	<p>Chance [3] - 258:24, 259:25, 261:12 Chandler [2] - 67:21, 69:21 change [26] - 16:17, 23:22, 33:22, 35:17, 89:12, 93:23, 94:15, 98:14, 152:20, 152:23, 153:1, 154:4, 155:8, 160:7, 160:16, 171:19, 174:3, 179:8, 200:16, 218:7, 236:13, 283:13, 314:25, 315:3, 315:4 changed [9] - 33:21, 36:4, 203:24, 218:10, 245:18, 258:11, 314:19, 333:24, 334:25 changes [5] - 30:21, 31:10, 36:23, 37:18, 298:21 changing [6] - 153:4, 235:1, 235:23, 236:20, 328:1 Chapter [2] - 30:19, 30:21 character [4] - 24:11, 189:13, 243:24, 278:11 characterized [1] - 264:19 Charter [4] - 117:11, 117:17, 117:18, 145:9 charter [59] - 60:22, 61:12, 61:17, 61:21, 64:12, 64:14, 64:22, 70:20, 74:12, 74:22, 78:7, 78:14, 80:12, 81:5, 86:12, 88:10, 88:11, 90:3, 91:2, 96:23, 100:18, 102:18, 103:18, 103:25, 104:3, 104:6, 104:21, 114:15, 117:13, 117:22, 124:12, 124:17, 124:25, 125:18, 129:15, 130:6, 132:2, 132:24, 133:2, 134:7, 134:9, 134:21, 136:7, 136:8, 136:10, 136:16, 147:9, 147:11, 151:19, 152:4, 152:6, 162:5, 162:25, 172:11,</p>	<p>172:22, 173:8, 175:7, 195:13 charters [2] - 136:22, 145:12 cheap [2] - 65:9, 166:13 cheaper [1] - 181:5 check [2] - 142:2, 262:18 checked [1] - 79:10 chew [1] - 241:15 Chief [5] - 1:19, 1:20, 265:21, 270:18, 275:13 chief [4] - 6:22, 8:9, 9:14, 46:9 child [5] - 89:10, 92:1, 130:13, 130:17, 131:18 children [32] - 58:9, 61:24, 65:4, 66:3, 68:9, 72:1, 79:4, 81:24, 88:24, 89:7, 91:23, 103:13, 111:11, 112:25, 122:19, 123:3, 123:10, 123:25, 124:1, 125:19, 126:3, 131:8, 131:11, 132:21, 172:25, 173:10, 192:13, 197:11, 209:1, 210:8, 217:2, 244:4 children's [1] - 205:9 Chindalur [2] - 139:17, 141:2 choice [10] - 61:3, 61:4, 61:10, 62:1, 70:15, 74:5, 88:12, 117:20, 131:21, 172:25 choose [2] - 75:23, 86:1 choosing [1] - 248:8 chose [5] - 59:24, 60:21, 75:25, 102:15, 125:5 chosen [2] - 146:11, 146:22 Chris [13] - 51:19, 53:11, 59:24, 60:13, 102:2, 102:7, 141:5, 143:3, 143:17, 158:24, 171:15, 171:25, 172:1 Christ [7] - 78:17, 81:1, 88:14, 117:10, 118:15, 131:16, 136:13</p>	<p>Christianity [1] - 240:17 chronologically [1] - 24:2 Church [12] - 45:15, 78:17, 88:14, 117:10, 118:16, 131:16, 136:14, 193:15, 199:9, 202:22, 206:22, 209:17 church [82] - 116:19, 116:22, 161:12, 175:4, 178:12, 178:17, 178:18, 180:3, 180:8, 180:16, 180:25, 181:2, 181:14, 181:16, 181:25, 183:5, 183:8, 183:9, 183:13, 184:15, 184:17, 185:4, 186:5, 191:2, 192:12, 192:16, 193:15, 193:18, 193:24, 197:5, 197:6, 199:7, 200:14, 201:5, 202:10, 202:17, 205:1, 205:4, 211:23, 211:24, 212:1, 215:18, 215:19, 218:19, 218:25, 221:5, 222:5, 222:17, 222:18, 222:20, 222:22, 222:25, 224:7, 226:4, 226:7, 228:25, 229:17, 230:8, 231:1, 231:25, 235:8, 237:13, 237:15, 238:24, 239:1, 239:15, 239:23, 239:24, 240:7, 241:19, 246:6, 246:12, 246:21, 247:9, 248:1, 248:6, 249:8, 249:9 churches [9] - 46:17, 68:22, 89:19, 89:20, 140:6, 203:10, 209:16, 246:15, 277:25 Circle [2] - 68:1, 128:10 circles [1] - 125:24 circling [1] - 58:16 circulated [1] - 157:9 circulation [3] -</p>
--	---	--	---	---

<p>140:19, 327:16, 327:19 cite [2] - 168:5, 202:10 citizen [2] - 51:9, 309:10 citizens [5] - 115:18, 115:19, 143:7, 145:1, 221:11 CITY [1] - 1:1 city [11] - 75:23, 76:3, 83:8, 83:23, 94:5, 166:25, 202:7, 218:10, 220:2, 281:11, 329:7 City [76] - 1:7, 4:1, 11:22, 34:9, 35:15, 38:25, 39:11, 44:18, 51:18, 78:18, 78:20, 81:2, 88:14, 97:7, 115:12, 117:9, 118:12, 121:17, 124:22, 127:10, 136:12, 141:19, 142:3, 142:9, 142:25, 143:18, 143:20, 145:18, 146:2, 146:9, 148:15, 148:20, 155:8, 158:19, 159:5, 159:22, 160:21, 181:3, 181:8, 181:12, 188:10, 188:13, 194:20, 195:4, 195:13, 195:14, 196:3, 197:4, 199:18, 203:6, 222:2, 222:13, 222:14, 222:15, 223:10, 223:13, 225:9, 225:10, 233:12, 235:22, 238:17, 240:22, 262:9, 262:10, 262:20, 271:4, 272:15, 309:13, 309:14, 335:3, 337:19, 338:17, 341:11 City's [3] - 2:20, 51:16, 334:9 civil [4] - 76:10, 139:18, 166:18, 338:22 claim [1] - 240:4 claimed [1] - 239:25 claims [1] - 74:23 clapping [2] - 138:6, 190:9 clarification [3] - 19:3,</p>	<p>240:13, 288:13 clarified [1] - 188:14 clarify [5] - 44:2, 44:7, 157:18, 157:21, 162:4 clarifying [1] - 21:1 clarity [1] - 46:14 Clark [3] - 182:9, 182:14, 185:10 Clark-Murray [3] - 182:9, 182:14, 185:10 class [1] - 189:18 Classical [1] - 172:2 classified [2] - 280:24, 283:20 classroom [1] - 135:12 classrooms [1] - 135:14 Claude [1] - 240:4 clean [3] - 83:20, 203:16, 245:22 cleanup [1] - 158:7 clear [5] - 147:3, 152:2, 203:12, 222:12, 309:11 clearing [1] - 231:18 clearly [5] - 3:10, 171:9, 193:22, 239:10, 337:3 client [7] - 181:5, 224:24, 225:8, 225:15, 225:21, 228:22, 288:11 client's [1] - 224:13 clip [1] - 243:19 clips [1] - 237:17 clock [2] - 49:19, 208:3 close [19] - 10:11, 17:19, 26:4, 37:6, 63:12, 149:18, 168:16, 193:18, 200:13, 221:4, 241:19, 246:4, 246:15, 254:19, 257:4, 261:22, 293:3, 299:16, 332:15 closed [3] - 38:22, 272:6, 335:22 closely [1] - 51:16 closer [14] - 180:7, 184:20, 184:23, 185:4, 218:23, 224:5, 224:8, 228:25, 229:17, 231:1, 231:16, 244:13, 296:10</p>	<p>closest [3] - 137:15, 230:8, 237:21 closing [1] - 299:6 Cloverhill [1] - 68:1 club [12] - 207:16, 208:13, 208:15, 212:20, 216:19, 216:22, 219:15, 219:16, 222:7, 225:4, 228:19, 229:8 clubhouse [4] - 122:18, 332:23, 332:25, 334:5 clubs [2] - 186:1, 198:7 clustered [1] - 310:3 code [21] - 24:4, 24:5, 24:20, 36:4, 37:19, 58:24, 59:7, 59:8, 140:18, 144:19, 148:8, 148:10, 148:11, 188:15, 236:8, 283:21, 287:21, 287:22, 287:23, 288:1, 326:18 Code [21] - 6:21, 9:14, 15:8, 16:12, 30:20, 30:21, 163:9, 167:23, 168:4, 193:21, 202:7, 222:2, 222:18, 222:23, 223:1, 223:2, 223:17, 226:2, 238:23, 243:5 code's [1] - 39:7 codified [1] - 195:7 codify [1] - 17:8 COJ [2] - 79:15, 79:23 colleague [1] - 160:5 colleagues [1] - 109:16 collected [1] - 86:14 collector [1] - 312:4 collector's [1] - 209:25 Colleen [4] - 116:5, 119:10, 121:22, 122:5 college [1] - 307:4 College [1] - 28:16 color [2] - 189:18, 231:4 colored [1] - 125:23 column [2] - 145:10, 145:14 combine [2] - 24:16, 54:13 combined [2] - 57:20, 246:7</p>	<p>Comeaux [3] - 92:21, 96:14, 99:6 comfort [1] - 158:19 comfortable [3] - 131:12, 166:23, 224:17 coming [59] - 7:22, 28:17, 28:24, 31:19, 35:6, 39:1, 44:13, 47:23, 48:4, 54:6, 62:6, 64:8, 64:17, 69:14, 69:15, 81:5, 81:8, 83:23, 86:11, 91:17, 91:22, 100:16, 105:7, 106:9, 106:15, 106:19, 107:1, 107:4, 107:8, 107:9, 107:10, 107:22, 114:16, 114:18, 131:5, 132:7, 152:23, 153:1, 171:15, 187:3, 187:20, 187:23, 196:16, 200:9, 208:13, 210:21, 219:20, 242:18, 242:20, 248:2, 253:1, 284:3, 309:2, 318:3, 324:15, 324:23, 331:9, 333:1, 335:13 commander [1] - 115:4 commencing [1] - 1:7 commend [1] - 151:14 comment [22] - 6:13, 10:12, 17:19, 26:5, 30:23, 36:24, 36:25, 37:7, 41:20, 44:14, 48:11, 133:18, 133:22, 138:22, 149:19, 160:3, 254:20, 257:5, 261:22, 288:9, 293:4, 299:17 comments [69] - 5:4, 10:19, 12:4, 12:22, 13:10, 13:20, 14:11, 18:1, 20:19, 21:7, 26:12, 29:8, 30:1, 36:20, 37:14, 40:1, 40:4, 41:23, 43:7, 121:25, 149:3, 150:1, 150:5, 150:6, 151:6, 152:12, 163:14, 165:11, 166:7, 174:15, 174:16, 176:1, 177:3, 227:12,</p>	<p>234:8, 245:14, 249:24, 250:19, 251:13, 255:2, 257:17, 262:4, 263:9, 263:21, 267:15, 268:5, 271:22, 273:6, 273:21, 279:14, 280:3, 283:2, 284:18, 285:6, 289:3, 289:11, 290:12, 293:11, 293:24, 300:9, 302:15, 303:15, 320:8, 330:5, 333:8, 338:3, 338:7, 340:1, 341:23 commerce [2] - 241:24, 243:9 Commercial [3] - 189:9, 269:5, 274:14 commercial [25] - 19:12, 27:6, 35:5, 97:4, 128:23, 129:1, 129:3, 160:9, 221:25, 222:1, 264:19, 265:3, 269:6, 269:10, 269:13, 270:6, 274:20, 276:6, 276:15, 276:16, 280:25, 281:7, 283:15, 296:18, 304:9 commission [6] - 2:25, 3:15, 3:23, 75:4, 140:12, 154:6 COMMISSION [55] - 1:2, 5:5, 5:9, 14:12, 21:8, 21:25, 22:2, 26:13, 30:2, 30:11, 30:13, 40:5, 41:24, 42:3, 42:5, 176:2, 251:14, 255:3, 255:8, 257:18, 257:22, 263:22, 264:1, 267:16, 267:24, 268:7, 268:11, 271:23, 273:7, 273:11, 273:22, 274:1, 279:16, 279:20, 280:4, 280:6, 284:20, 284:24, 285:8, 285:12, 290:2, 290:14, 290:18, 293:12, 293:16, 294:1, 294:5, 300:11, 300:14, 300:19,</p>
---	---	--	--	---

<p>303:16, 303:20, 338:8, 340:3, 340:8 Commission [85] - 1:14, 1:15, 1:15, 1:16, 1:16, 2:5, 3:22, 4:4, 4:6, 4:21, 5:4, 8:16, 8:17, 10:13, 10:19, 12:4, 14:11, 17:20, 18:1, 20:19, 26:6, 26:12, 28:13, 29:9, 30:1, 30:23, 37:8, 37:14, 39:20, 41:23, 44:22, 46:3, 122:3, 134:2, 149:20, 150:1, 153:7, 157:9, 174:16, 176:1, 178:4, 188:11, 188:12, 188:17, 202:11, 202:24, 204:16, 220:19, 221:9, 226:22, 227:12, 250:17, 250:19, 254:21, 255:2, 257:6, 261:23, 262:4, 267:9, 267:15, 268:6, 271:16, 271:22, 273:6, 277:11, 279:8, 279:15, 282:21, 283:2, 284:19, 285:7, 288:24, 289:4, 290:13, 293:5, 293:11, 293:25, 299:18, 300:10, 302:9, 303:15, 329:22, 330:5, 333:8, 340:2 commission's [1] - 2:23 Commissioner [121] - 10:20, 12:2, 12:5, 12:20, 12:23, 13:1, 13:8, 13:11, 13:21, 14:9, 15:2, 18:2, 18:23, 18:25, 20:17, 20:20, 21:5, 29:10, 29:24, 37:15, 40:2, 47:12, 47:14, 47:17, 47:19, 48:1, 48:5, 48:15, 48:17, 49:6, 55:22, 138:23, 150:2, 150:19, 150:21, 150:25, 152:10, 152:13, 153:13, 155:15, 155:17, 155:20, 156:19, 156:22, 158:3, 160:5, 160:24, 161:1,</p>	<p>161:3, 163:12, 163:15, 166:5, 166:8, 167:3, 174:17, 175:24, 176:13, 176:14, 176:15, 176:21, 176:22, 219:25, 227:13, 232:11, 232:13, 236:23, 236:25, 237:4, 238:2, 238:7, 238:9, 241:10, 241:12, 244:11, 245:12, 245:15, 247:13, 247:15, 247:17, 247:23, 248:12, 248:14, 249:25, 250:20, 251:25, 252:1, 252:2, 252:9, 252:10, 252:19, 252:21, 255:10, 255:11, 255:12, 259:23, 262:5, 263:11, 267:20, 268:12, 283:3, 284:10, 289:5, 289:12, 289:20, 290:6, 302:16, 302:24, 330:6, 330:20, 331:6, 333:9, 335:18, 336:11, 338:5, 341:24 COMMISSIONER [176] - 4:23, 5:1, 10:14, 10:16, 10:21, 12:6, 12:24, 13:12, 13:17, 13:22, 14:17, 14:18, 14:19, 14:20, 14:21, 14:22, 14:25, 17:21, 17:23, 18:3, 19:1, 19:9, 20:5, 20:21, 26:7, 26:9, 29:11, 37:9, 37:11, 37:16, 38:4, 38:10, 38:15, 47:16, 47:18, 47:21, 48:2, 48:6, 48:8, 48:21, 149:21, 149:23, 150:3, 150:22, 152:14, 155:18, 156:18, 156:20, 157:5, 157:11, 157:14, 157:22, 158:2, 158:4, 159:22, 160:2, 161:2, 161:19, 162:7, 162:14, 162:17, 162:22, 163:2, 163:6, 163:10, 163:16, 166:9,</p>	<p>174:18, 176:8, 176:9, 176:10, 176:11, 176:18, 176:19, 176:20, 226:23, 227:3, 227:5, 227:9, 227:15, 227:20, 227:24, 228:3, 228:7, 228:11, 228:14, 228:19, 228:22, 229:2, 229:5, 229:10, 229:14, 229:21, 230:6, 230:13, 230:16, 230:20, 231:6, 231:9, 231:18, 231:21, 232:1, 232:6, 232:9, 232:14, 237:1, 238:10, 239:18, 240:12, 241:13, 245:16, 247:16, 248:13, 250:1, 250:21, 251:19, 251:22, 251:23, 252:6, 252:7, 254:22, 254:24, 257:7, 257:9, 261:24, 262:1, 262:6, 262:19, 263:12, 267:10, 267:12, 268:2, 268:4, 271:17, 271:19, 273:14, 273:18, 279:9, 279:11, 279:13, 279:23, 279:25, 282:22, 282:24, 283:4, 284:11, 285:2, 285:5, 288:25, 289:2, 289:6, 289:13, 289:22, 290:7, 290:11, 293:6, 293:8, 293:19, 293:23, 299:19, 299:21, 302:10, 302:12, 302:17, 302:21, 302:25, 303:11, 329:23, 330:2, 330:7, 333:10, 335:6, 335:19, 341:25 commissioner [2] - 166:11, 237:3 Commissioners [2] - 2:14, 8:5 commissioners [9] - 21:10, 152:9, 152:15, 164:22,</p>	<p>168:18, 217:23, 218:5, 219:25, 247:20 commitment [1] - 35:22 commitments [1] - 51:1 Committee [10] - 4:1, 4:7, 14:3, 36:19, 143:15, 143:17, 143:19, 143:23, 144:2, 196:7 committee [1] - 114:14 common [1] - 160:19 communication [5] - 15:9, 17:6, 18:6, 47:15, 232:17 communications [2] - 16:21, 48:24 communities [6] - 77:8, 94:5, 115:7, 242:9, 336:16 community [121] - 38:17, 39:21, 49:1, 50:15, 50:19, 51:2, 51:7, 58:12, 58:23, 68:3, 71:22, 71:25, 72:19, 73:8, 74:2, 74:14, 74:19, 74:24, 84:5, 93:1, 93:4, 96:18, 103:23, 104:1, 107:19, 107:20, 115:9, 116:17, 122:17, 132:19, 139:24, 140:2, 144:17, 149:2, 149:6, 149:9, 154:7, 159:9, 160:22, 164:4, 164:6, 165:10, 165:18, 165:20, 169:6, 172:21, 173:11, 173:18, 175:23, 188:9, 188:21, 189:2, 190:2, 193:8, 195:23, 199:5, 199:10, 199:19, 204:22, 205:1, 205:25, 208:14, 208:25, 209:14, 210:5, 210:6, 212:11, 212:15, 212:17, 213:1, 213:6, 218:8, 218:12, 219:9, 226:5, 234:2, 234:8, 241:18, 242:19, 244:24, 246:11,</p>	<p>246:21, 248:2, 249:9, 249:11, 249:12, 249:20, 249:21, 250:6, 251:6, 269:17, 272:6, 272:12, 272:14, 272:16, 272:21, 272:23, 276:17, 307:6, 308:10, 308:16, 309:10, 310:2, 310:7, 310:10, 312:19, 314:5, 314:21, 314:23, 315:12, 322:2, 322:19, 324:5, 324:6, 332:25, 335:25, 337:8 Community [5] - 1:20, 117:11, 188:22, 199:9, 209:17 community's [1] - 155:22 Community/General [1] - 274:13 companies [2] - 15:10, 17:6 companion [4] - 264:16, 265:8, 270:3, 291:21 company [5] - 60:21, 109:10, 117:22, 153:16, 170:3 comparable [1] - 137:12 compared [2] - 37:20, 85:24 comparison [3] - 136:21, 136:23, 137:12 comparisons [1] - 137:9 compatible [6] - 265:1, 274:18, 278:7, 281:6, 286:13, 291:17 complain [1] - 197:24 complained [1] - 223:4 complaints [1] - 205:25 complementary [1] - 163:20 complete [4] - 12:1, 74:24, 160:14, 343:10 completely [5] - 150:25, 163:8, 169:3, 169:4, 204:19 complex [1] - 337:1</p>
---	---	---	--	--

<p>complexes [3] - 131:24, 278:9, 315:11 compliance [1] - 27:12 comply [2] - 22:19, 288:1 Comply [1] - 56:1 comprehend [1] - 322:9 Comprehensive [16] - 32:14, 189:5, 264:24, 265:12, 269:21, 270:8, 274:17, 275:4, 281:5, 281:19, 286:11, 286:23, 291:13, 306:3, 328:12, 333:18 compromise [2] - 191:1, 317:21 compromised [2] - 312:15 concentrating [1] - 178:10 concept [1] - 173:22 concepts [1] - 93:23 concern [19] - 80:3, 80:4, 97:21, 98:9, 104:12, 106:8, 106:22, 112:14, 116:20, 124:10, 131:6, 131:9, 153:13, 159:5, 161:8, 164:21, 185:18, 244:1 concerned [13] - 58:13, 65:25, 77:7, 94:17, 106:14, 161:15, 186:5, 198:9, 203:7, 206:15, 210:9, 221:11, 338:15 concerning [1] - 74:7 concerns [34] - 6:12, 43:5, 49:1, 49:3, 89:15, 97:17, 105:10, 105:12, 105:14, 106:5, 117:3, 117:23, 122:2, 122:12, 149:8, 155:22, 159:8, 160:21, 160:22, 165:21, 167:1, 177:11, 206:19, 221:20, 241:18, 243:18, 245:3, 297:9, 308:23, 320:11, 325:24, 325:25,</p>	<p>326:4, 334:14 conclude [1] - 121:25 conclusion [1] - 203:18 conclusions [1] - 52:17 concrete [2] - 41:6, 87:6 condition [22] - 17:2, 147:3, 162:7, 227:8, 270:11, 273:16, 275:11, 281:23, 285:4, 287:4, 287:15, 287:16, 288:2, 288:4, 288:16, 290:9, 292:12, 292:14, 293:22, 294:8, 304:19, 329:25 Condition [2] - 167:11, 292:10 conditional [1] - 161:20 conditioned [2] - 168:2, 260:22 conditions [35] - 50:3, 50:24, 50:25, 51:4, 52:20, 53:3, 146:24, 149:5, 156:4, 156:5, 156:9, 156:10, 156:14, 156:16, 156:25, 157:24, 158:8, 159:23, 162:3, 167:10, 169:5, 176:5, 186:14, 207:1, 235:11, 235:14, 236:18, 251:17, 258:18, 265:19, 266:2, 292:24, 301:13, 302:19 condo [1] - 296:16 condo/townhomes [1] - 314:20 condominiums [4] - 131:23, 304:8, 322:13, 323:3 condos [7] - 315:8, 315:9, 315:11, 330:19, 331:18, 331:20, 332:20 Condos [1] - 333:25 conducive [2] - 107:13, 325:5 conducting [1] - 197:8 confirmed [1] - 142:3 conflict [2] - 52:24, 53:9 conflicts [2] - 4:19, 39:6</p>	<p>conform [1] - 188:18 confused [1] - 214:22 confuses [1] - 336:4 confusion [1] - 43:23 congested [2] - 116:25, 118:14 congestion [6] - 83:13, 84:12, 87:3, 93:19, 104:9, 309:2 congregants' [1] - 205:10 conjunction [1] - 253:10 connect [1] - 121:1 connecting [1] - 36:10 conscience [1] - 153:8 consensus [2] - 103:22, 237:12 consent [1] - 103:24 consequence [1] - 27:25 consequences [1] - 22:13 consider [15] - 34:20, 66:24, 67:6, 67:16, 73:11, 75:4, 82:1, 151:23, 164:23, 213:4, 221:7, 221:10, 225:20, 237:9, 311:23 consideration [7] - 65:10, 119:3, 120:23, 125:7, 144:15, 223:20, 327:25 considered [5] - 18:6, 72:25, 222:20, 235:12, 269:7 considering [1] - 126:9 consistent [18] - 51:1, 189:4, 260:19, 261:7, 264:23, 265:12, 269:20, 270:7, 274:16, 275:4, 281:4, 281:19, 286:10, 286:13, 286:22, 291:12, 306:1, 309:11 consistently [1] - 169:17 consists [1] - 295:6 conspicuous [2] - 16:24, 171:22 constantly [1] - 107:8 constituents [5] - 16:5, 17:11, 87:22, 220:17, 221:1</p>	<p>Constitution [3] - 195:12, 233:16 constraint [1] - 36:17 constraints [3] - 36:15, 118:7, 327:8 construct [3] - 34:11, 34:12, 34:25 constructed [3] - 100:5, 258:12, 269:7 construction [8] - 31:2, 34:6, 34:16, 62:7, 62:12, 283:14, 284:4, 331:3 Construction [4] - 49:16, 139:15, 314:16 consultant [1] - 159:14 consultation [1] - 141:18 consuming [1] - 244:17 consumption [7] - 186:12, 192:7, 222:6, 222:10, 229:13, 244:15, 244:21 contact [8] - 6:23, 7:15, 15:11, 16:10, 17:1, 17:11, 300:1 contacted [2] - 16:7, 118:4 containers [1] - 186:2 contend [1] - 87:4 Context [1] - 36:18 context [4] - 15:22, 21:19, 23:8, 138:8 continual [1] - 236:6 continue [3] - 74:25, 252:15, 253:20 continued [1] - 123:23 contract [1] - 201:10 contracts [1] - 131:22 contrast [2] - 332:8, 332:14 contribute [1] - 329:6 control [4] - 103:11, 104:17, 105:3, 153:14 Control [1] - 202:11 convenience [1] - 69:6 conveniences [1] - 128:19 conventional [1] - 162:25 converging [1] - 165:8 conversation [4] - 14:5, 48:13, 151:24, 232:24</p>	<p>conversations [1] - 17:4 conversion [2] - 280:19, 286:6 convert [1] - 281:17 converted [1] - 253:8 converting [1] - 282:6 cooked [1] - 294:15 coordinate [1] - 338:24 COP [1] - 230:4 copies [2] - 7:6, 50:1 copy [3] - 3:15, 4:14, 32:8 Coquina [1] - 60:14 corner [16] - 20:9, 20:11, 28:25, 184:25, 190:2, 231:14, 264:8, 296:8, 296:13, 296:17, 296:20, 296:22, 305:5, 321:23, 333:5 correct [18] - 28:1, 38:3, 158:24, 160:1, 161:23, 172:3, 198:1, 228:13, 228:21, 229:11, 229:22, 231:7, 247:1, 276:18, 330:14, 333:23, 335:1, 335:4 corrected [1] - 44:8 correlated [1] - 242:4 corridor [4] - 46:18, 80:5, 128:24, 281:1 Cortis [1] - 84:7 cost [7] - 34:8, 34:9, 52:7, 110:15, 143:6, 143:8, 143:9 costs [1] - 27:13 cotton [2] - 202:2, 204:5 COTTON [1] - 204:2 Cotton [4] - 198:23, 200:4, 202:2, 202:6 coughed [1] - 243:14 COUNCIL [5] - 16:1, 19:7, 19:22, 20:16, 21:20 council [12] - 6:24, 7:8, 8:10, 8:18, 9:16, 9:25, 12:9, 14:8, 16:4, 97:13, 110:23, 341:5 Council [17] - 1:7, 4:10, 6:5, 14:3, 14:6, 15:19, 40:15, 44:16, 44:18, 44:19, 194:20, 196:3,</p>
--	--	---	--	---

<p>271:4, 272:15, 309:15, 335:3, 341:12 Council's [1] - 4:1 Councilman [10] - 11:23, 18:7, 19:3, 20:25, 30:24, 50:14, 51:4, 116:13, 266:18, 266:19 councilman [5] - 7:15, 10:25, 12:16, 15:21, 168:21 councilmen [1] - 323:14 Councilperson [2] - 235:22, 236:13 councilperson [3] - 7:12, 11:14, 11:18 Counsel [10] - 1:21, 2:22, 8:3, 23:7, 23:15, 32:4, 181:8, 188:13, 222:14, 239:3 count [1] - 79:8 countless [2] - 75:1, 188:9 country [3] - 86:4, 87:17, 205:21 Country [1] - 28:18 counts [6] - 51:20, 52:25, 72:10, 142:13, 142:19, 240:6 COUNTY [1] - 343:4 county [1] - 115:13 County [21] - 1:22, 2:17, 60:23, 65:1, 86:14, 86:16, 91:5, 97:8, 104:8, 104:12, 104:15, 104:22, 133:19, 135:10, 137:16, 139:1, 148:16, 170:5, 170:7, 187:7 couple [16] - 10:23, 18:9, 23:20, 26:15, 48:3, 56:18, 57:19, 58:25, 78:8, 125:17, 146:23, 168:17, 227:15, 231:19, 276:11, 305:21 courage [1] - 112:3 course [9] - 16:6, 39:1, 83:13, 96:7, 140:4, 140:25, 161:9, 169:1, 322:5 court [2] - 3:9, 147:25 Court [8] - 80:21, 100:4, 111:25, 202:12, 203:6,</p>	<p>203:11, 203:20, 211:6 courtesy [1] - 2:6 Cove [2] - 106:2, 107:7 cover [5] - 44:15, 51:10, 98:6, 166:22, 266:6 covered [2] - 57:5, 166:20 covering [1] - 100:18 covers [1] - 33:4 COVID [9] - 121:11, 142:12, 142:14, 142:15, 142:18, 142:19, 142:22, 197:8, 211:25 Cowser [4] - 182:9, 185:13, 185:16, 186:16 CPAC [5] - 182:15, 197:1, 198:8, 259:1, 261:8 CRA [8] - 25:9, 27:5, 27:12, 27:20, 28:9, 29:5, 33:11, 33:12 Crab [4] - 227:22, 228:7, 231:11, 231:22 CRAs [1] - 26:20 crash [1] - 110:21 crazy [2] - 101:6, 331:16 create [3] - 115:13, 287:2, 308:7 created [2] - 34:4, 100:5 creates [2] - 93:19, 328:9 creating [4] - 9:13, 11:21, 83:6, 84:11 creation [1] - 165:2 creatures [1] - 240:23 Credit [1] - 272:22 creek [1] - 77:5 Creek [4] - 95:13, 99:23, 127:5, 172:3 crew [1] - 55:1 crime [19] - 124:6, 125:25, 199:17, 204:18, 205:23, 213:24, 214:1, 214:5, 218:9, 225:6, 225:14, 235:10, 236:9, 242:3, 242:11, 242:13, 242:16, 323:11 criminal [1] - 199:23 crisis [1] - 328:25 criteria [45] - 25:17,</p>	<p>34:18, 34:20, 35:10, 41:10, 41:21, 45:18, 140:16, 140:23, 144:22, 161:14, 164:13, 164:24, 165:1, 174:21, 178:3, 178:6, 178:8, 178:10, 178:11, 180:9, 180:11, 183:20, 219:5, 219:6, 219:7, 219:12, 223:18, 224:3, 225:24, 237:23, 238:1, 239:21, 244:10, 244:23, 248:5, 249:18, 250:4, 258:15, 265:15, 270:10, 283:14, 291:24 Criterion [1] - 184:19 criterion [3] - 144:19, 146:19, 244:12 critical [2] - 122:23, 246:12 crook [1] - 275:24 crosshatching [1] - 305:7 Crossing [1] - 188:22 crossing [4] - 52:6, 81:24, 143:25 crossings [1] - 143:15 Croston [1] - 88:8 crow [2] - 135:21, 137:3 Crown [2] - 79:8, 117:17 Crush [1] - 185:21 Crystal [2] - 295:2, 295:15 cul [1] - 107:7 cul-de-sac [1] - 107:7 Cullins [2] - 188:4, 190:10 CULLINS [3] - 188:8, 190:13, 190:16 Cullins-Hopkins [1] - 188:4 CULLINS-HOPKINS [3] - 188:8, 190:13, 190:16 culturally [1] - 269:8 curb [2] - 30:6, 197:17 curiosity [2] - 26:15, 283:8 curious [2] - 182:20, 263:3 Current [4] - 1:19, 6:22, 8:9, 9:15 current [19] - 13:15,</p>	<p>51:25, 129:6, 135:1, 136:10, 137:20, 156:11, 161:11, 184:22, 185:3, 201:20, 242:3, 295:3, 301:3, 301:6, 301:10, 304:7, 304:16, 309:4 Curtis [2] - 265:22, 266:5 Curtis' [1] - 265:23 curve [1] - 172:23 cut [4] - 38:21, 105:16, 127:5, 199:14 cut-through [1] - 127:5 cute [1] - 195:15 cutting [1] - 39:2 cycle [1] - 341:6 Cyndy [1] - 270:21 <p style="text-align: center;">D</p> daily [5] - 113:15, 119:4, 122:21, 221:2, 308:25 Dakhil [2] - 209:4, 209:5 damage [1] - 93:14 dangerous [4] - 66:25, 67:4, 113:6, 170:19 DANIEL [1] - 1:15 Darby [4] - 307:4, 310:12, 316:7, 318:7 Darby's [1] - 307:21 Darren [1] - 102:3 Darrin [3] - 105:19, 108:18, 108:23 Daryl [3] - 187:24, 191:8, 191:24 data [7] - 107:14, 143:6, 145:13, 145:24, 146:1, 146:12, 146:21 date [4] - 135:14, 157:6, 157:7, 157:8 DATED [1] - 343:15 dated [5] - 183:23, 270:14, 273:16, 275:10, 292:7 daughter [1] - 131:19 Dave [3] - 80:18, 85:4, 128:10 DAVID [1] - 1:13 David [6] - 63:9, 63:17, 121:23, 128:3, 266:11, 271:2 Davine [2] - 321:22 day-to-day [1] - 41:1 daycare [4] - 116:20,</p>	<p>116:24, 140:6, 226:5 days [2] - 12:12, 48:3 Daytona [1] - 67:2 DCPS [1] - 151:25 de [1] - 107:7 dead [1] - 317:6 dead-end [1] - 317:6 deal [13] - 18:20, 43:11, 87:1, 87:18, 115:14, 115:17, 179:11, 199:11, 199:17, 199:24, 276:20, 292:17, 334:19 dealing [6] - 6:25, 30:20, 137:25, 199:18, 201:10, 223:17 deals [1] - 305:14 dealt [1] - 142:6 dear [2] - 132:3 Deas [3] - 306:9, 306:13, 306:15 deaths [1] - 208:16 Deb's [2] - 272:4, 272:19 debate [2] - 234:17, 234:25 Debbie [1] - 88:7 Deborah [3] - 85:5, 88:2, 187:13 Debra [4] - 198:23, 200:4, 202:2, 202:5 decade [1] - 246:25 deceive [1] - 200:19 deceiving [1] - 61:19 December [1] - 189:6 decide [6] - 39:24, 76:23, 167:21, 205:6, 244:7, 244:9 decided [5] - 109:1, 131:20, 259:3, 316:25, 324:4 deciding [1] - 250:9 decision [9] - 115:21, 221:10, 240:19, 240:20, 240:21, 241:8, 248:5, 311:24 decisions [11] - 3:21, 3:23, 158:10, 194:23, 195:23, 196:8, 203:13, 204:15, 240:24, 241:2, 247:24 declare [3] - 47:11, 47:15, 48:23 decline [1] - 75:21 declining [1] - 152:6 decorative [1] - 59:1 decrease [1] - 305:16</p>
--	---	---	--	---

<p>decreases [1] - 58:6 dedicating [1] - 234:1 deemed [1] - 31:11 deep [4] - 19:15, 20:8, 100:8, 100:9 deeper [2] - 23:7, 168:14 deer [1] - 113:18 defer [2] - 50:15, 266:5 deferral [11] - 31:2, 34:17, 34:19, 34:22, 34:23, 36:21, 36:22, 37:25, 40:20, 40:24 deferred [4] - 4:5, 164:4, 164:5, 267:1 deferring [2] - 41:8, 311:23 defined [5] - 57:3, 179:17, 222:22, 223:2, 239:7 definitely [6] - 41:12, 93:3, 99:22, 142:18, 218:14, 288:12 definition [8] - 32:12, 32:13, 180:16, 222:11, 226:1, 238:15, 238:24, 326:16 definitions [2] - 32:11, 180:14 degrade [1] - 189:13 degrades [1] - 189:16 degree [1] - 115:23 Del [2] - 73:23, 75:16 delayed [1] - 144:12 delaying [1] - 144:11 deleted [2] - 288:4, 292:11 Delgado [5] - 216:3, 216:4, 216:13, 216:17, 217:8 DELGADO [1] - 217:10 delineated [1] - 188:16 deliveries [1] - 93:17 demand [10] - 61:3, 93:24, 93:25, 129:18, 172:20, 250:24, 251:1, 251:2, 329:5, 332:16 demands [1] - 316:25 demolishing [1] - 27:18 demonstrate [2] - 49:2, 62:2 demonstrates [1] - 61:10 Denard [6] - 202:3,</p>	<p>202:21, 204:6, 204:9, 204:11, 206:6 denial [5] - 13:16, 13:19, 14:14, 15:4, 198:16 denied [3] - 80:23, 182:17, 203:20 dense [2] - 66:22, 332:4 denser [1] - 296:25 densities [1] - 265:2 Density [13] - 83:16, 264:12, 264:13, 264:21, 264:25, 265:3, 269:4, 281:1, 291:4, 291:9, 291:15, 333:20, 335:8 density [15] - 264:17, 278:12, 304:13, 312:12, 312:16, 326:13, 326:14, 327:2, 328:14, 328:17, 328:18, 330:9, 333:17, 333:21 deny [8] - 92:17, 198:19, 201:8, 203:21, 210:4, 210:10 denying [1] - 82:1 Department [21] - 2:21, 8:16, 9:22, 11:22, 12:14, 14:5, 15:13, 43:24, 180:22, 181:7, 200:20, 223:6, 223:11, 258:25, 265:18, 270:10, 275:9, 281:22, 287:3, 309:14, 310:15 department [4] - 114:14, 153:21, 338:17, 338:21 depicting [1] - 125:24 Dept [2] - 1:20, 1:23 described [1] - 188:14 describing [1] - 180:25 description [8] - 157:13, 157:20, 223:15, 265:14, 275:10, 292:5, 292:8, 293:21 desert [1] - 272:9 deserts [1] - 271:7 deserve [1] - 310:7 Deshauteurs [3] - 78:2, 80:18, 82:11</p>	<p>DESHAUTEURS [2] - 82:17, 82:21 design [10] - 51:11, 53:10, 56:18, 56:21, 106:16, 117:25, 159:6, 163:19, 333:13, 337:22 designated [4] - 181:18, 181:22, 239:8, 239:11 Desipio [5] - 85:5, 88:2, 88:5, 88:8, 90:18 desire [5] - 97:2, 97:19, 98:1, 186:14, 256:4 destroy [1] - 208:11 detailed [3] - 51:19, 141:12, 141:14 details [1] - 338:24 deter [1] - 242:15 deterioration [2] - 69:1, 218:12 determine [3] - 151:25, 238:4, 308:20 determined [4] - 46:12, 135:13, 239:20, 301:8 determining [2] - 34:21, 158:20 detriment [1] - 308:5 detrimental [3] - 322:10, 323:12 develop [3] - 20:10, 117:14, 308:15 developed [7] - 35:18, 260:1, 260:23, 269:6, 291:10, 328:5, 333:17 developer [21] - 35:1, 35:11, 56:16, 65:8, 76:10, 89:14, 151:4, 151:10, 151:14, 151:20, 152:22, 260:10, 260:12, 260:15, 260:25, 308:1, 309:13, 314:24, 316:24, 322:25 developers [2] - 116:17, 334:1 development [43] - 31:19, 31:25, 32:12, 32:16, 33:1, 33:2, 33:9, 45:18, 60:21, 74:2, 78:6, 79:17, 127:3, 199:20, 264:14, 265:10, 271:6, 274:15,</p>	<p>280:22, 281:10, 286:1, 286:9, 286:14, 286:15, 287:1, 304:17, 305:20, 306:1, 308:2, 308:22, 310:8, 312:7, 313:6, 317:3, 317:12, 317:14, 317:16, 318:1, 319:18, 319:23, 327:18, 328:9, 329:12 Development [12] - 1:20, 1:23, 2:21, 26:19, 269:24, 281:15, 291:5, 291:8, 291:16, 296:6, 304:3, 341:3 developments [3] - 40:9, 170:6, 308:12 deviate [1] - 182:21 deviation [5] - 25:7, 25:12, 25:22, 34:15, 36:13 deviations [3] - 3:18, 34:3, 34:5 devices [1] - 2:7 Diana [3] - 185:14, 186:21, 187:7 Diane [4] - 1:9, 54:8, 343:7, 343:18 Dictionary [2] - 181:17, 239:6 differ [2] - 149:1, 164:14 difference [1] - 339:3 differences [1] - 160:6 different [26] - 34:4, 57:21, 57:22, 62:7, 80:11, 86:19, 101:18, 113:14, 130:8, 131:17, 163:9, 165:14, 165:15, 206:17, 210:1, 228:17, 229:22, 231:22, 231:23, 234:19, 246:19, 253:19, 283:15, 336:7, 337:6 differentiation [1] - 160:4 differing [1] - 165:13 difficult [2] - 16:16, 16:20 digest [2] - 241:16, 245:8 digitize [1] - 7:11 digitized [1] - 9:24 diminish [1] - 189:13 diminishes [1] -</p>	<p>189:15 dinner [1] - 303:4 dire [2] - 94:6, 284:16 direct [6] - 6:23, 32:10, 245:23, 327:11, 327:17, 328:11 directing [1] - 78:22 direction [4] - 41:20, 152:7, 176:23, 252:3 directly [13] - 17:12, 21:16, 77:3, 93:6, 95:7, 99:25, 124:12, 139:25, 145:20, 145:22, 146:8, 179:16, 296:16 director [6] - 31:7, 34:20, 35:11, 114:13, 239:4, 341:2 Director [2] - 340:13, 340:24 dirt [3] - 99:25, 100:2, 100:7 disagree [1] - 13:25 discharge [1] - 77:3 disclose [1] - 114:12 disclosure [1] - 114:12 discovered [3] - 83:18, 275:23, 276:1 discrepancies [1] - 248:4 discrepancy [1] - 209:10 discretion [2] - 188:17, 190:4 discuss [3] - 276:22, 309:23, 335:7 discussed [1] - 244:10 discussion [1] - 48:4 discussion [2] - 116:15, 282:2 dismissal [1] - 118:13 display [1] - 99:14 disprove [1] - 204:24 dispute [8] - 179:13, 180:5, 180:9, 224:10, 224:11, 298:22, 298:25 disrepair [2] - 16:7, 18:15 disrespect [2] - 10:24, 215:18 disrupting [1] - 230:1 disruption [1] - 104:24 dissove [1] - 251:7 distance [37] - 8:12, 9:19, 59:12, 145:12,</p>
---	--	---	---	--

<p>177:18, 177:22, 178:2, 179:10, 179:12, 180:20, 182:25, 183:12, 184:7, 184:8, 188:14, 193:23, 197:20, 200:15, 200:21, 201:2, 201:4, 202:8, 206:4, 206:21, 222:4, 223:3, 223:18, 225:24, 232:2, 234:14, 235:7, 237:9, 239:21, 247:8, 249:7, 249:8, 249:15 distances [2] - 203:21, 232:19 distinction [1] - 186:7 distribute [1] - 51:6 distributor [1] - 186:9 district [10] - 6:23, 7:7, 7:12, 7:15, 8:10, 9:16, 12:17, 134:3, 135:23, 266:19 District [3] - 16:4, 220:17, 269:2 districts [2] - 45:20, 45:23 Div [2] - 1:20, 1:21 dividing [1] - 324:11 Division [2] - 51:17, 52:15 Dixie [1] - 192:20 DOA [1] - 145:24 docket [1] - 314:6 document [5] - 7:5, 58:19, 223:10, 223:11, 223:13 documentation [1] - 288:9 DOE [2] - 145:24, 146:22 dollar [3] - 151:17, 251:4, 262:25 Dollar [1] - 192:20 dollars [5] - 13:6, 53:5, 64:7, 143:10, 144:7, 164:7 done [25] - 18:21, 24:10, 25:19, 29:20, 34:4, 40:22, 43:10, 53:19, 58:25, 63:23, 66:13, 72:7, 77:10, 85:1, 121:11, 122:25, 124:22, 141:23, 147:4, 171:2, 211:25, 217:1, 223:5, 273:4, 339:15</p>	<p>Donna [3] - 63:9, 65:16, 65:21 door [10] - 111:8, 113:16, 113:17, 130:4, 155:12, 223:21, 237:19, 246:25, 278:11 doors [2] - 216:18, 216:20 doped [1] - 300:8 Dostie [5] - 185:17, 189:16, 206:13, 216:18, 225:2 double [4] - 52:13, 53:7, 158:25, 205:19 doubt [4] - 85:17, 92:13, 162:15, 322:11 down [62] - 3:8, 16:15, 16:20, 18:14, 33:22, 38:19, 38:21, 39:2, 47:11, 55:18, 57:13, 66:15, 66:17, 66:25, 67:2, 67:8, 81:22, 89:4, 89:25, 94:21, 110:14, 111:3, 111:4, 113:4, 128:1, 132:21, 134:20, 137:6, 151:2, 151:7, 168:13, 170:17, 170:18, 170:24, 171:7, 171:16, 187:20, 187:23, 191:21, 196:16, 208:13, 209:13, 210:7, 211:10, 223:23, 223:24, 225:13, 225:19, 233:3, 237:4, 237:5, 237:17, 246:3, 256:12, 296:9, 298:4, 306:12, 326:12, 327:23, 329:9, 329:10 downfall [1] - 219:11 downtown [4] - 33:3, 128:21, 172:5, 212:19 downzoning [1] - 279:5 dozen [1] - 46:17 Dr [5] - 185:14, 186:21, 187:7, 307:4, 307:21, 310:12 drainage [2] - 166:15, 166:17 drains [1] - 106:11 dream [1] - 82:23 drew [1] - 61:1</p>	<p>drill [3] - 168:13, 170:24, 298:4 drink [3] - 186:8, 192:10 drinking [2] - 208:19, 212:25 Drive [37] - 5:18, 16:4, 42:15, 60:14, 63:18, 71:8, 73:23, 75:16, 78:5, 81:18, 82:17, 90:25, 92:25, 93:13, 95:13, 96:15, 99:24, 102:9, 105:25, 108:24, 114:9, 116:10, 122:6, 130:2, 177:20, 185:17, 199:4, 206:13, 209:8, 209:18, 213:19, 216:18, 223:14, 223:23, 223:24, 242:21, 270:21 drive [11] - 28:14, 28:15, 28:25, 59:4, 69:3, 81:14, 83:3, 103:7, 121:5, 162:16, 225:2 Drive/Washington [1] - 189:16 driven [2] - 28:11, 250:24 drivers [2] - 154:13, 154:16 driveways [1] - 110:6 driving [4] - 145:12, 162:13, 332:5, 332:12 drop [10] - 52:24, 62:20, 70:19, 88:24, 91:23, 92:1, 116:25, 118:13, 123:1, 124:16 drop-off [5] - 52:24, 70:19, 116:25, 118:13, 124:16 dropped [2] - 125:21, 126:2 dropping [2] - 68:8, 124:15 ducks [3] - 87:9, 113:15, 155:12 due [4] - 104:10, 105:1, 166:3, 203:1 Duggan [11] - 301:16, 301:17, 301:19, 303:22, 304:22, 304:23, 305:1, 325:23, 326:6, 329:15, 332:10 DUGGAN [4] - 301:18,</p>	<p>302:2, 304:25, 326:7 duh [1] - 195:7 duke [1] - 226:20 dump [1] - 38:22 dumpster [1] - 197:16 Dunn [6] - 5:22, 274:6, 274:10, 274:11, 274:21, 278:5 duplex [1] - 289:7 duplexes [2] - 286:21, 289:17 during [17] - 51:22, 70:19, 113:5, 118:14, 121:11, 123:19, 123:25, 124:2, 124:9, 127:23, 128:22, 218:5, 218:6, 258:7, 258:9, 262:13, 262:16 dust [1] - 165:4 duty [1] - 118:16 DUVAL [1] - 343:4 Duval [16] - 1:8, 1:22, 2:17, 60:23, 86:14, 86:16, 91:5, 104:15, 117:17, 117:18, 133:19, 135:10, 137:16, 139:1, 148:16, 187:7 dwelling [1] - 275:1 dwelling [5] - 277:22, 278:1, 278:4, 304:13, 308:11 dynamic [1] - 41:6</p>	<p>218:20, 278:4, 278:16, 285:20, 291:1, 295:11, 295:13, 295:14 East [1] - 68:1 eastbound [1] - 334:16 Easter [5] - 192:14, 294:13, 294:16, 294:17, 300:13 eastern [1] - 136:2 Eastside [3] - 269:1, 269:10, 271:7 easy [2] - 85:19, 186:12 eat [1] - 169:25 eaten [1] - 208:23 echo [1] - 21:9 Echols [1] - 310:15 Economic [1] - 26:19 Ed [1] - 6:6 edge [1] - 250:12 Edgewood [2] - 188:5, 200:8 educate [2] - 194:18, 212:14 education [3] - 74:4, 115:22, 115:23 educational [3] - 124:23, 138:1, 281:8 effect [1] - 218:3 efficiency [1] - 4:18 efforts [1] - 269:16 egg [1] - 192:14 egress [5] - 109:21, 109:24, 165:20, 308:19, 312:10 eight [7] - 79:23, 127:19, 127:20, 147:9, 156:24, 157:24, 166:13 eight-foot [1] - 166:13 elghth [5] - 154:15, 154:21, 162:16, 167:17, 168:2 either [16] - 18:20, 19:3, 45:6, 79:5, 88:16, 93:12, 100:14, 126:17, 145:14, 162:25, 169:25, 196:5, 219:10, 258:10, 331:18, 337:16 either/or [2] - 241:7, 241:8 elderly [3] - 68:21, 124:8, 153:25 electronic [1] - 7:14 element [3] - 184:18, 189:4, 189:8</p>
E				
			<p>E-22-18 [9] - 5:16, 45:8, 45:12, 149:16, 149:22, 156:24, 157:24, 176:4, 226:25 E-22-23 [6] - 5:18, 252:25, 253:4, 254:17, 254:23, 255:6 E-93 [1] - 247:2 E-95 [1] - 247:3 Ealey [4] - 311:15, 313:12, 315:16, 315:19 early [3] - 113:2, 218:2, 314:2 earth [1] - 86:5 easement [2] - 98:22, 105:14 easier [2] - 58:19, 92:3 easiest [1] - 113:9 east [9] - 45:14,</p>	

<p>elementary [6] - 64:12, 64:15, 70:14, 93:11, 136:1, 281:2 Elementary [4] - 79:7, 79:8, 135:4, 295:16 elevating [1] - 330:12 eligible [1] - 38:5 eliminate [1] - 82:12 elitist [1] - 94:13 ELSBURY [9] - 1:16, 13:22, 14:25, 47:18, 150:22, 176:9, 237:1, 247:16, 251:23 Elsbury [15] - 2:15, 13:21, 14:10, 15:2, 47:17, 150:21, 152:11, 176:14, 236:25, 238:8, 247:15, 248:14, 252:2, 255:12, 290:6 Elyse [4] - 105:25, 130:2, 175:10, 175:22 email [10] - 9:23, 12:13, 51:6, 95:21, 95:22, 96:1, 209:23, 277:15, 280:9 emails [2] - 46:2, 49:10 emergency [5] - 69:10, 87:15, 110:7, 110:9, 110:14 emotion [2] - 204:15, 204:18 emphasize [1] - 201:6 employees [1] - 233:12 employment [3] - 61:5, 269:18, 272:20 encompasses [1] - 80:6 encourage [3] - 113:22, 236:19, 332:10 encouraged [2] - 37:18, 39:13 encroaching [1] - 98:21 end [12] - 43:4, 62:12, 133:5, 151:3, 177:6, 177:9, 177:10, 198:2, 239:12, 317:6, 334:3, 334:8 endear [1] - 234:3 endless [1] - 74:3 ends [5] - 126:25, 239:13, 239:15, 239:16, 266:21 enemy [1] - 208:11</p>	<p>enforcement [2] - 115:2, 199:19 Enforcement [2] - 16:12, 243:5 enforcement's [1] - 154:2 engineer [15] - 51:18, 52:16, 115:1, 115:5, 117:25, 139:18, 139:19, 142:25, 143:11, 143:18, 158:13, 159:14, 159:15, 159:18, 288:8 engineering [2] - 166:19, 309:1 Engineering [3] - 51:22, 141:6, 141:20 engineers [4] - 76:10, 76:11, 127:11, 337:19 enhance [3] - 50:21, 189:12, 281:7 enjoy [1] - 74:21 enjoyed [1] - 322:1 enormous [1] - 337:7 enrollment [7] - 134:16, 134:24, 135:4, 135:18, 135:21, 136:4, 152:6 enter [1] - 71:19 entering [1] - 103:14 entire [5] - 38:19, 41:17, 71:21, 123:19, 324:12 entities [1] - 154:13 entitled [8] - 150:9, 150:15, 225:22, 249:17, 249:18, 328:4, 333:23 entity [1] - 231:23 entrance [7] - 93:8, 105:12, 123:13, 333:1, 333:2, 333:7, 334:4 entrances [1] - 332:24 environmental [4] - 74:3, 76:25, 112:8, 164:15 epicenter [1] - 62:10 equal [1] - 100:25 equals [2] - 126:13, 127:19 equation [1] - 89:23 erring [1] - 137:6 escape [1] - 25:22 especially [7] - 31:17, 37:20, 68:14, 112:4, 211:25, 219:20, 341:18</p>	<p>essentially [2] - 336:23, 337:14 established [4] - 102:17, 104:24, 121:12, 181:16 establishment [4] - 203:8, 211:16, 212:7, 216:19 establishments [1] - 189:22 Estate [1] - 213:19 estate [3] - 19:12, 72:24, 299:6 Estates [4] - 107:17, 107:19, 189:16, 206:20 estimated [2] - 121:16, 319:24 et [1] - 73:1 eTown [1] - 90:1 Eugene [2] - 316:2, 316:17 Eunice [2] - 194:9, 194:15 evaluate [1] - 146:20 evaluated [1] - 271:4 Evans [5] - 75:11, 78:1, 80:17, 80:20, 82:3 evening [11] - 83:3, 182:12, 182:13, 212:23, 270:20, 297:13, 319:9, 319:11, 319:14, 324:1 evenings [5] - 89:21, 104:10, 116:23, 116:24, 126:5 event [1] - 110:8 eventually [1] - 333:16 evidence [1] - 146:21 ex [6] - 18:6, 47:12, 47:15, 48:18, 48:23, 232:16 ex-parte [3] - 47:15, 48:23, 232:16 exacerbate [2] - 186:13, 201:19 exacerbating [1] - 330:12 exact [1] - 181:4 exactly [8] - 12:7, 27:20, 55:10, 84:3, 136:9, 142:25, 143:11, 237:8 exaggerating [1] - 330:12 example [4] - 38:16, 145:18, 145:25, 146:10</p>	<p>exceeding [3] - 27:16, 58:8, 59:8 excellent [2] - 99:20, 252:13 except [3] - 76:8, 148:9, 261:2 exception [28] - 8:11, 9:19, 45:11, 45:22, 45:24, 50:4, 50:25, 116:19, 125:20, 129:5, 129:13, 140:5, 140:13, 140:15, 144:20, 144:21, 156:5, 160:12, 160:18, 161:25, 167:11, 175:2, 175:22, 236:10, 253:3, 253:9, 253:11, 255:10 exception's [1] - 50:20 exceptions [5] - 3:17, 142:6, 253:14, 253:16, 253:18 excess [3] - 116:21, 119:3, 144:8 excessive [3] - 118:21, 163:22, 165:3 excited [2] - 270:24, 272:1 excluded [1] - 310:11 excludes [1] - 226:5 excuse [7] - 74:17, 136:3, 282:7, 282:18, 298:8, 325:19, 327:5 executive [2] - 114:13, 115:4 exempt [2] - 112:11, 241:22 exempts [1] - 280:22 exercise [1] - 341:21 exhibit [1] - 270:16 exhibits [2] - 285:3, 329:25 exist [2] - 243:17, 251:1 existed [1] - 31:1 existing [15] - 19:5, 25:9, 27:18, 103:17, 180:2, 207:16, 246:24, 270:5, 275:6, 280:20, 301:2, 307:23, 308:6, 313:24, 327:8 exists [1] - 185:4 exit [1] - 83:14 exiting [1] - 177:2</p>	<p>exits [2] - 138:18, 252:19 expand [1] - 98:4 expanded [2] - 117:1, 189:11 expanding [1] - 272:18 expect [3] - 322:17, 322:18, 335:16 expectation [1] - 44:5 expectations [1] - 160:7 expected [1] - 287:2 expediency [1] - 54:22 expense [1] - 104:15 expensive [2] - 39:10, 334:12 experience [3] - 115:2, 171:13, 310:10 experiencing [3] - 17:3, 242:14, 329:7 expert [4] - 38:12, 115:1, 115:5, 115:6 expertise [1] - 141:14 experts [6] - 121:17, 139:17, 140:1, 148:24, 149:10, 164:12 explain [5] - 168:23, 238:13, 259:10, 259:19, 339:3 explained [2] - 47:23, 261:8 explaining [2] - 23:20, 304:24 explanation [1] - 18:22 expletives [1] - 263:17 express [1] - 305:17 expressed [1] - 97:19 expressing [1] - 320:10 Expressway [1] - 28:15 extend [1] - 245:1 extends [1] - 237:16 extension [2] - 291:5, 291:14 extent [3] - 237:20, 237:21, 298:25 external [4] - 197:10, 265:15, 270:10, 291:23 extra [2] - 64:8, 78:8 extremely [2] - 104:25, 170:19 eye [1] - 6:14 eyes [1] - 247:4</p>
---	--	---	--	--

F				
facade [1] - 287:24	278:13, 282:6, 291:11, 291:22, 292:1, 294:13, 305:24, 308:11, 317:1, 317:2, 317:4, 317:22, 339:8, 339:10	fee-simple [1] - 334:12	182:15, 190:22, 196:25, 202:6, 202:18, 214:18, 217:22	83:12, 94:8, 112:6, 137:2, 176:23, 178:6, 179:11, 179:14, 189:24, 209:5, 216:18, 216:20, 216:24, 225:23, 240:25, 250:9, 252:2, 310:3
face [1] - 243:14	fan [1] - 39:9	feed [2] - 113:15, 113:17	fill [3] - 3:3, 60:4, 172:19	five-block [1] - 216:24
facilitate [4] - 269:14, 271:6, 281:9, 286:15	fantastic [2] - 39:4, 165:25	feedback [2] - 173:2, 221:10	filled [3] - 54:4, 172:15, 257:13	five-mile [3] - 78:15, 79:10, 94:8
facilitated [1] - 283:5	far [18] - 80:4, 134:12, 144:7, 145:10, 145:13, 166:15, 174:13, 186:5, 198:8, 199:8, 199:18, 295:21, 312:7, 337:18, 339:2, 339:21, 340:13	feeding [1] - 155:12	final [12] - 3:22, 14:11, 30:1, 54:18, 167:25, 176:1, 250:19, 251:13, 284:18, 321:13, 332:22, 340:17	fix [3] - 121:18, 260:16, 261:1
facilitating [1] - 185:19	far-right-hand [1] - 145:10	feelings [2] - 204:15, 289:21	finally [3] - 31:11, 143:13, 323:24	fixing [1] - 82:10
facilities [6] - 25:9, 68:19, 135:8, 137:13, 138:1, 226:6	Farm [1] - 277:25	feet [55] - 33:23, 52:7, 52:10, 52:12, 57:4, 57:6, 57:7, 59:13, 59:15, 59:17, 95:4, 95:5, 100:10, 126:12, 127:18, 137:14, 158:15, 175:8, 175:15, 177:23, 177:24, 178:17, 178:18, 180:19, 183:10, 183:13, 189:20, 202:9, 205:3, 206:5, 207:8, 211:14, 218:18, 218:21, 223:5, 223:7, 223:19, 232:3, 232:5, 232:6, 232:7, 236:17, 250:13, 258:6, 262:15, 287:18, 287:25, 304:9, 305:13, 305:23	financial [1] - 269:19	flag [2] - 11:9, 11:14
facility [11] - 25:5, 38:23, 137:13, 137:22, 180:2, 222:21, 224:9, 239:24, 283:16, 301:7, 312:3	farmhouse [1] - 260:19	fellows [4] - 21:10, 152:9, 166:10, 237:3	fine [9] - 29:21, 31:21, 204:1, 204:4, 212:14, 247:8, 263:1, 266:12, 322:13	Flagler [1] - 117:18
fact [22] - 66:1, 66:5, 67:7, 70:13, 74:23, 96:3, 107:16, 120:10, 137:24, 142:11, 142:12, 152:7, 154:3, 181:1, 184:6, 186:7, 221:24, 226:4, 230:22, 260:22, 282:9, 337:13	fast [5] - 59:9, 59:10, 89:4, 175:11, 324:14	fence [4] - 179:21, 207:8, 212:5, 297:23	financially [1] - 269:19	flagship [1] - 272:13
factored [1] - 103:6	fast-growing [2] - 59:9, 59:10	few [18] - 22:12, 48:13, 61:3, 87:9, 112:25, 129:1, 139:9, 145:8, 150:7, 159:16, 183:15, 200:10, 204:13, 218:17, 219:7, 269:9, 277:24, 319:25	fine-tuning [1] - 29:21	flat [1] - 130:12
factors [1] - 218:11	fast-moving [1] - 89:4	fewer [5] - 116:24, 260:23, 326:23, 327:3, 332:21	fingers [1] - 109:15	flat-out [1] - 130:12
facts [5] - 134:4, 137:24, 239:22, 241:16, 249:15	faster [1] - 172:19	field [5] - 148:1, 192:13, 192:16, 221:5, 222:21	finish [1] - 158:6	flaw [2] - 147:18, 147:19
factually [1] - 102:22	fatalities [2] - 201:13, 325:6	fields [1] - 59:4	finished [2] - 135:24, 215:10	flood [1] - 98:19
failed [1] - 161:22	favor [35] - 5:8, 14:16, 18:18, 21:24, 30:10, 42:2, 128:15, 160:20, 176:7, 176:13, 190:24, 235:16, 251:18, 251:24, 252:5, 255:7, 255:13, 257:21, 263:25, 267:23, 268:10, 273:10, 273:25, 279:19, 280:5, 284:23, 285:11, 290:1, 290:17, 293:15, 294:4, 300:18, 303:19, 320:14, 340:7	figure [4] - 44:7, 337:19, 337:22, 337:23	finishes [1] - 297:9	flooded [2] - 28:19, 95:9
fails [2] - 161:5, 161:10	FCJ [1] - 307:4	file [9] - 46:3, 182:4,	fink [1] - 119:13	flooding [16] - 77:6, 84:16, 87:16, 100:6, 100:16, 101:1, 101:5, 101:6, 101:9, 101:13, 101:22, 106:10, 106:21, 108:6, 108:8, 130:10
fair [9] - 16:17, 28:6, 85:10, 201:9, 279:6, 289:10, 298:2, 307:15, 327:4	FDOT [3] - 141:16, 142:18, 143:20		Fink [4] - 116:4, 119:10, 119:16, 121:21	floods [1] - 98:22
faith [5] - 201:9, 201:21, 201:22, 201:23, 201:24	fear [1] - 155:1		fire [1] - 69:10	floor [6] - 13:15, 14:14, 139:10, 275:24, 276:7, 280:23
fall [3] - 33:10, 108:8, 108:10	feasibility [2] - 79:14, 80:5		firm [1] - 241:21	Florida [19] - 1:8, 1:10, 5:21, 56:15, 91:4, 108:24, 188:6, 192:1, 195:12, 202:19, 211:6, 213:20, 254:6, 268:25, 306:24, 313:19, 314:17, 343:7, 343:18
falling [2] - 18:13, 18:14	feasible [1] - 334:1		first [41] - 5:12, 20:23, 23:21, 24:1, 32:10, 45:22, 49:17, 50:12, 61:9, 63:25, 65:25, 85:16, 123:23, 125:17, 131:22, 134:14, 139:13, 139:16, 141:1, 141:4, 142:1, 152:18, 156:3, 170:25, 171:6, 177:13, 179:15, 184:7, 195:20, 195:24, 224:4, 241:23, 245:6, 252:14, 287:16, 299:10, 300:5, 305:22, 315:2, 326:8	FLORIDA [1] - 343:3
false [1] - 248:20	February [1] - 292:7		firsthand [1] - 29:14	flow [2] - 123:15, 123:16
familiar [1] - 155:24	fee [3] - 327:5, 330:17, 334:12		fits [1] - 39:7	flowing [1] - 118:17
families [3] - 117:20, 172:24, 316:23			fitting [1] - 244:9	focus [4] - 122:13, 140:17, 219:6, 272:12
family [29] - 33:15, 35:2, 35:9, 38:1, 38:7, 41:16, 122:13, 188:21, 193:17, 203:13, 203:15, 266:17, 277:24, 278:1, 278:4,			five [29] - 12:12, 19:17, 33:1, 48:11, 62:4, 68:3, 68:5, 68:25, 78:15, 79:10,	focused [1] - 58:10

<p>242:18, 244:16, 328:25, 338:15 Folks [17] - 7:19, 14:4, 23:11, 23:19, 32:1, 43:19, 44:9, 47:2, 138:19, 178:23, 253:1, 253:24, 255:14, 256:9, 296:1, 340:14 FOLKS [1] - 1:19 follow [8] - 4:3, 5:15, 195:11, 197:25, 198:9, 198:18, 261:4, 308:12 following [4] - 6:13, 11:11, 183:1, 338:10 food [4] - 189:24, 271:7, 272:9, 303:6 foot [4] - 34:9, 166:13, 231:13, 316:23 footage [4] - 137:16, 137:20, 212:2, 301:4 footprint [1] - 272:19 for-profit [1] - 86:12 force [1] - 104:23 forego [2] - 307:2, 307:7 foregoing [2] - 342:3, 343:9 forever [1] - 289:8 forgive [2] - 159:1, 175:9 forgiveness [1] - 262:23 forgot [1] - 207:1 forgotten [1] - 159:1 form [4] - 192:23, 200:23, 265:17, 305:19 format [1] - 308:13 former [3] - 28:17, 192:6, 307:3 formerly [1] - 87:6 forming [2] - 181:20, 239:9 forthcoming [1] - 309:24 forward [9] - 7:17, 11:1, 12:9, 55:20, 260:4, 261:1, 284:8, 289:6, 336:24 forwarded [1] - 46:2 forwarding [1] - 46:24 four [19] - 5:13, 5:14, 24:13, 24:14, 48:11, 64:20, 70:14, 117:15, 122:4, 131:11, 136:16, 137:19, 171:17, 198:14, 216:24,</p>	<p>250:9, 260:23, 275:2, 276:9 four-block [1] - 216:24 four-mile [3] - 64:20, 70:14, 117:15 four-three [1] - 198:14 fourteen [1] - 115:3 fourth [1] - 178:11 FPR [1] - 1:9 frames [1] - 117:1 frank [1] - 125:1 Franklin [3] - 239:3, 240:3, 240:9 Franklin's [1] - 239:17 frankly [3] - 84:3, 128:15, 331:19 Fred [1] - 239:3 free [2] - 172:25, 341:22 Freedom [1] - 117:8 French [1] - 106:11 frequency [1] - 110:21 fresh [4] - 189:24, 247:4, 272:8, 272:10 friend [1] - 93:7 friendly [1] - 13:14 Friendship [3] - 193:14, 202:22, 206:22 fringe [3] - 128:24, 333:16, 335:15 Fritsch [4] - 63:9, 63:16, 63:18, 65:14 FRITSCH [3] - 63:22, 63:25, 64:6 Frogger [1] - 126:24 front [28] - 24:14, 30:6, 32:9, 33:18, 41:16, 55:16, 59:3, 83:22, 89:6, 89:9, 92:7, 93:16, 106:25, 112:4, 113:15, 114:17, 115:11, 127:3, 137:24, 152:3, 177:9, 225:10, 225:11, 287:17, 287:22, 292:6, 332:24, 334:4 fronting [1] - 274:21 Frost [1] - 116:10 fruits [1] - 189:25 frustrating [1] - 169:9 frustration [1] - 204:23 fulfilled [1] - 82:22 fulfilling [1] - 202:25 Fulgavkar [2] - 71:4, 71:8 FULGAVKAR [1] -</p>	<p>71:7 full [9] - 21:17, 61:22, 114:12, 145:15, 185:25, 272:15, 272:17, 283:11, 308:21 fully [1] - 114:12 Fulton [2] - 187:9, 187:12 fumes [1] - 165:4 fun [2] - 42:9, 266:21 function [2] - 283:9, 283:20 functions [1] - 337:25 fund [6] - 34:7, 34:15, 38:5, 40:14, 41:5, 86:13 funding [1] - 124:19 funny [2] - 19:19, 246:7 furthermore [1] - 242:14 furthest [2] - 230:25, 237:19 future [5] - 35:17, 35:25, 54:25, 335:2, 335:7 fuzzy [1] - 234:16 FWC [1] - 155:11</p> <p style="text-align: center;">G</p> <p>gables [2] - 260:18, 261:2 gain [1] - 133:6 Gallup [12] - 2:19, 133:19, 133:21, 134:2, 138:7, 139:1, 145:5, 147:13, 148:6, 151:25, 167:8, 187:3 GALLUP [7] - 1:22, 133:25, 167:7, 167:9, 168:6, 168:9, 187:5 game [3] - 122:3, 126:24, 325:21 garage [1] - 287:24 garages [5] - 22:19, 23:4, 27:7, 334:6, 341:19 garbage [1] - 66:7 Garfunkel [1] - 271:2 GARRISON [11] - 1:15, 13:12, 14:22, 47:21, 150:3, 176:10, 238:10, 239:18, 240:12, 251:22, 289:22 Garrison [13] - 2:15,</p>	<p>13:11, 47:19, 138:23, 150:2, 150:20, 150:25, 176:14, 238:9, 241:11, 252:1, 255:13, 289:20 Gary [2] - 319:2, 319:12 gas [3] - 192:21, 211:19, 278:25 Gasson [3] - 297:11, 297:13, 297:16 GASSON [4] - 298:3, 298:8, 298:12, 298:15 General [12] - 1:21, 2:22, 8:3, 23:6, 23:15, 32:4, 181:8, 188:13, 192:20, 195:5, 222:14, 239:3 general [8] - 16:8, 43:22, 60:25, 79:25, 172:14, 237:12, 286:3, 286:8 generally [4] - 4:15, 33:9, 112:25, 159:23 generate [3] - 140:7, 339:5 generation [2] - 218:8, 326:23 generator [1] - 18:15 gentleman [5] - 111:7, 150:12, 155:10, 195:18, 215:5 gentlemen [1] - 87:20 geographically [1] - 24:12 Georgia [1] - 314:17 giant [1] - 38:20 Gill [3] - 196:17, 198:22, 199:3 girl [1] - 83:8 GIS [2] - 185:2, 234:18 given [7] - 70:13, 137:10, 146:21, 223:13, 256:4, 270:8, 338:19 glad [2] - 6:5, 243:20 Glade [8] - 79:18, 96:16, 98:17, 105:8, 119:17, 122:7, 123:6, 124:9 Glades [1] - 109:2 glare [1] - 167:5 glass [1] - 167:6 Glen [3] - 6:1, 193:12, 300:22 glossies [1] - 125:23 Glover [6] - 85:6, 88:3, 90:19, 90:22, 90:24,</p>	<p>92:18 GM [1] - 253:6 gnawing [1] - 75:22 goal [2] - 22:21, 31:3 goals [1] - 306:2 God [7] - 87:8, 205:15, 205:17, 205:21, 206:1, 206:2, 215:14 golf [1] - 170:9 goods [1] - 241:5 goof [1] - 260:25 goofed [3] - 260:4, 263:7, 263:16 Google [2] - 78:11, 227:21 gotcha [1] - 40:25 governing [1] - 202:17 Government [1] - 195:20 government [2] - 151:13, 199:18 governments [1] - 151:18 grabbing [1] - 72:23 grade [6] - 96:24, 154:15, 154:21, 167:17, 167:18, 168:2 graders [1] - 162:16 grades [2] - 137:20, 171:17 GRANDIN [13] - 8:1, 9:3, 9:6, 9:12, 10:7, 23:14, 23:18, 26:18, 32:3, 38:3, 38:8, 38:11, 40:12 Grandin [19] - 7:22, 7:23, 7:24, 8:3, 8:22, 9:8, 10:3, 23:6, 23:12, 23:14, 25:25, 26:14, 30:15, 32:2, 32:3, 37:3, 37:23, 40:6, 42:7 grandparents [1] - 122:23 Grant [12] - 65:22, 66:1, 67:3, 110:19, 126:17, 127:6, 127:16, 127:19, 127:21, 127:22, 128:11 grant [10] - 27:10, 28:20, 144:20, 178:4, 178:5, 183:19, 188:17, 249:19, 250:5 granted [4] - 188:18, 201:7, 221:8, 253:15 granting [1] - 235:16 grasslands [1] - 87:7</p>
---	---	--	--	---

<p>grassy [3] - 180:23, 205:8, 205:9 grateful [1] - 154:20 great [12] - 23:19, 30:4, 30:7, 63:14, 133:23, 143:3, 169:14, 196:11, 232:25, 254:2, 260:3 greater [1] - 244:14 greed [2] - 74:18, 84:23 green [2] - 81:20, 83:6 Green [3] - 185:15, 186:21, 187:7 greenery [1] - 132:6 greenfill [1] - 326:9 Greenland [9] - 45:15, 79:7, 115:9, 117:7, 134:15, 134:19, 136:15, 137:1 greenspace [1] - 74:20 Gregory [4] - 108:20, 111:18, 114:2, 114:8 Grill [1] - 228:15 grin [1] - 195:16 grinds [1] - 70:18 gripes [1] - 204:23 grocer [2] - 272:5, 272:11 grocery [4] - 128:21, 211:19, 244:3, 269:18 ground [6] - 19:25, 208:20, 208:23, 237:13, 276:7, 280:23 grounds [29] - 180:25, 181:2, 181:15, 181:17, 181:21, 181:24, 181:25, 182:21, 183:4, 183:9, 183:14, 184:14, 184:16, 184:25, 211:25, 222:11, 222:15, 226:2, 226:3, 226:7, 239:1, 239:7, 239:10, 239:12, 240:7, 240:10, 245:24, 250:13 Group [3] - 49:16, 139:15, 296:6 Grove [1] - 204:12 grow [1] - 83:20 growing [3] - 59:9, 59:10, 328:24 grown [1] - 83:11 growth [13] - 62:3, 62:8, 62:10, 86:2,</p>	<p>104:18, 104:25, 128:16, 128:18, 173:9, 218:8, 329:7, 333:19, 335:9 guarantee [2] - 92:15, 336:20 guaranteed [1] - 125:4 guarantees [1] - 247:20 guard [1] - 143:25 guess [17] - 18:5, 32:8, 41:9, 41:19, 86:13, 149:1, 163:6, 210:1, 211:7, 211:13, 225:5, 246:2, 261:3, 263:2, 283:23, 333:6, 336:4 guessed [1] - 146:7 guests [1] - 93:17 guidelines [1] - 235:6 gullible [1] - 259:15 guns [1] - 212:17 gut [1] - 175:20 guy [2] - 19:14, 96:4 guys [48] - 13:25, 32:8, 42:25, 43:6, 43:13, 45:5, 55:3, 55:15, 63:11, 92:11, 95:14, 96:4, 99:10, 113:22, 133:9, 151:16, 164:3, 165:24, 168:12, 169:13, 172:1, 172:15, 174:1, 174:19, 175:11, 177:2, 254:12, 259:17, 281:24, 287:6, 300:3, 306:11, 320:14, 326:3, 331:9, 331:10, 331:16, 331:24, 332:5, 332:10, 332:12, 332:17, 333:2, 336:1, 337:3, 337:25, 338:16, 340:11 gymnasium [1] - 147:24</p>	<p>48:10, 49:11, 49:14, 53:14, 56:19, 139:3, 139:13, 151:22, 156:3, 165:24, 258:20, 258:21, 258:22, 261:17 HAINLINE [15] - 47:5, 47:9, 49:14, 49:21, 50:11, 139:11, 156:6, 171:4, 171:11, 171:15, 258:22, 259:9, 259:14, 259:19, 259:25 half [12] - 45:14, 46:17, 90:8, 93:10, 95:5, 135:9, 211:10, 245:3, 246:17, 274:9, 274:11, 303:4 half-cent [1] - 135:9 hall [2] - 74:10, 96:25 Hall [1] - 1:7 halt [1] - 70:18 Hamilton [8] - 67:21, 69:21, 69:24, 70:22, 216:11, 217:15, 220:5, 220:8 HAMILTON [3] - 70:1, 70:7, 70:10 Hammond [4] - 294:25, 295:2, 296:8, 296:10 hand [10] - 16:13, 49:18, 49:19, 54:7, 55:25, 145:10, 145:14, 195:8, 249:6, 341:15 handed [3] - 149:5, 179:18, 223:12 handle [1] - 126:7 handled [2] - 103:15, 178:21 handout [4] - 144:10, 145:8, 179:18, 180:13 handouts [1] - 95:3 hands [3] - 31:10, 298:22, 300:7 hanging [1] - 242:21 hangouts [1] - 242:17 happy [1] - 133:14, 146:1, 149:11, 159:23, 182:5, 226:8, 259:19, 261:11, 277:6, 297:2, 299:9 Happy [1] - 297:19 harassment [1] - 263:13 hard [16] - 20:13, 29:4,</p>	<p>39:11, 58:20, 86:9, 88:18, 90:15, 146:21, 185:1, 234:22, 241:3, 266:5, 296:13, 296:21, 314:4, 314:11 Harden [27] - 177:7, 177:8, 178:24, 179:2, 182:7, 182:18, 207:22, 218:15, 221:19, 221:21, 221:23, 226:10, 226:19, 229:25, 232:17, 238:12, 238:13, 248:22, 266:14, 275:15, 275:16, 275:18, 281:25, 282:1, 283:8, 285:15, 292:20 HARDEN [54] - 177:12, 179:1, 179:4, 182:2, 221:22, 227:19, 227:23, 228:1, 228:5, 228:9, 228:13, 228:16, 228:21, 229:1, 229:4, 229:9, 229:12, 229:19, 230:2, 230:11, 230:15, 230:19, 231:3, 231:8, 231:16, 231:20, 231:25, 232:4, 232:7, 238:22, 239:22, 266:6, 266:9, 266:16, 266:24, 275:18, 275:23, 276:8, 276:19, 276:25, 277:5, 278:18, 278:24, 282:1, 283:14, 283:25, 285:14, 292:13, 292:17, 292:19, 292:21, 294:7, 294:11, 294:17 hardships [1] - 23:3 harm [1] - 263:2 Hart [1] - 266:10 hashes [1] - 335:3 hat [1] - 131:13 hate [2] - 81:22, 81:24 Haven [1] - 278:3 hazard [1] - 72:13 head [2] - 18:10, 62:20 headache [1] - 81:13 headaches [1] -</p>	<p>130:11 headed [1] - 152:7 heading [2] - 244:19, 296:13 headmaster [2] - 97:22, 97:24 headquartered [1] - 173:16 heads [2] - 11:2, 334:15 health [1] - 164:16 healthcare [1] - 68:19 hear [49] - 5:12, 8:23, 21:11, 23:16, 43:12, 60:10, 62:25, 63:8, 67:21, 73:17, 74:25, 75:10, 76:9, 78:1, 90:19, 97:17, 102:2, 121:24, 128:7, 168:20, 171:8, 171:10, 185:14, 187:24, 190:20, 196:17, 198:22, 200:3, 202:3, 206:8, 208:1, 210:14, 210:19, 210:22, 213:11, 214:8, 216:4, 216:11, 217:15, 248:4, 259:20, 259:24, 298:19, 311:14, 313:11, 314:9, 316:6, 319:8, 324:9 heard [36] - 4:7, 4:17, 8:15, 39:22, 60:18, 84:1, 91:7, 93:25, 116:16, 122:9, 123:20, 129:17, 138:25, 139:1, 139:6, 150:5, 153:24, 164:22, 165:10, 169:17, 170:16, 170:19, 171:9, 174:21, 198:4, 206:1, 218:15, 221:1, 225:18, 226:15, 232:9, 234:8, 259:3, 299:10, 328:22, 329:19 hearing [10] - 4:10, 50:13, 92:16, 102:20, 103:23, 138:12, 138:14, 219:19, 300:5, 335:21 hearings [1] - 3:17 heart [2] - 132:3, 215:15 heartburn [3] - 20:6,</p>
H				
<p>habit [1] - 17:9 habitable [1] - 260:20 habits [1] - 105:4 HACKER [1] - 1:13 Hacker [3] - 2:15, 176:15, 252:9 Hainline [18] - 47:3, 47:5, 47:22, 48:3,</p>				

<p>332:3, 332:18 heaven [2] - 83:9, 86:5 heavily [1] - 242:12 heck [2] - 30:5, 83:13 hedges [2] - 59:9, 59:10 height [13] - 243:15, 249:1, 258:5, 258:8, 258:13, 258:16, 260:6, 260:7, 260:17, 262:9, 262:15, 305:23, 305:24 held [2] - 1:6, 192:16 Helen [4] - 216:11, 217:15, 220:5, 220:8 hello [2] - 122:5, 202:5 help [18] - 27:11, 28:3, 31:24, 48:19, 49:24, 112:13, 160:21, 169:6, 169:10, 170:18, 234:4, 249:11, 249:13, 249:20, 267:1, 271:5, 329:4, 332:1 helped [1] - 42:21 helping [1] - 182:23 helps [1] - 173:20 Hemline [1] - 84:4 Hemlock [2] - 319:22, 320:1 Henry [13] - 85:5, 88:3, 90:19, 90:24, 216:5, 216:6, 216:8, 216:10, 217:9, 217:14, 217:18, 217:22, 220:4 Heritage [2] - 181:17, 239:5 hesitant [1] - 158:9 hesitation [1] - 175:8 HFC [1] - 110:20 Hi [1] - 94:25 hi [4] - 73:22, 78:4, 125:14, 131:1 Hidden [1] - 278:3 high [11] - 25:4, 57:19, 58:21, 61:5, 103:7, 110:21, 117:14, 127:23, 260:18, 263:3, 333:21 High [4] - 117:12, 134:20, 154:11, 154:22 high-intensity [1] - 25:4 higher [12] - 24:18, 58:3, 87:15, 160:10, 162:10, 168:2, 238:3, 280:24,</p>	<p>328:17, 333:17, 339:8, 339:10 highest [4] - 27:21, 58:5, 70:3, 70:10 highlight [1] - 62:5 highlighted [1] - 56:23 Highway [2] - 5:18, 253:4 highway [2] - 318:4, 320:2 highways [2] - 62:19, 64:22 Hill [3] - 246:9, 246:13, 255:19 himself [1] - 294:18 hinterlands [1] - 36:6 HINTON [2] - 214:17, 214:20 Hinton [5] - 213:11, 214:8, 214:13, 214:17, 215:21 hired [3] - 118:16, 123:21 hiring [2] - 97:23, 103:4 Historic [1] - 269:2 historic [5] - 242:9, 242:16, 269:10, 269:22, 272:19 historical [2] - 76:1, 246:25 historically [1] - 272:24 history [1] - 267:21 hit [2] - 141:25, 212:1 hitting [1] - 33:15 HOA [2] - 114:9, 114:25 Hodge [2] - 315:23, 316:1 hodgepodge [1] - 80:11 Holberg [4] - 102:2, 102:5, 102:7, 105:18 HOIBERG [1] - 102:11 hold [8] - 94:13, 99:10, 99:14, 138:21, 168:22, 208:3, 211:24, 252:15 holder [3] - 161:17, 161:21, 253:17 holding [1] - 212:1 holdings [1] - 203:18 hole [1] - 108:15 Hollingshead [2] - 85:12, 88:1 HOLLINGSHEAD [1] - 85:14 Hollingshode [1] -</p>	<p>80:18 Hollingshood [2] - 85:4, 85:15 home [23] - 41:16, 72:15, 82:22, 82:23, 82:24, 83:3, 85:22, 93:16, 100:6, 101:14, 109:2, 119:19, 124:9, 132:19, 133:4, 170:4, 185:23, 207:7, 244:19, 314:11, 329:1, 339:11 homeowner [1] - 325:11 homeowners [9] - 103:24, 104:16, 308:6, 313:24, 323:6, 323:8, 324:7, 324:20, 331:10 Homeowners [1] - 105:9 homeownership [1] - 325:9 homes [18] - 62:11, 67:12, 84:18, 89:6, 98:19, 100:5, 107:8, 110:11, 174:25, 175:16, 203:9, 277:24, 308:8, 314:2, 317:22, 322:14, 322:15, 324:21 homework [1] - 212:22 honestly [2] - 243:2, 266:11 hook [2] - 7:4, 275:24 hope [10] - 75:3, 119:2, 127:25, 153:12, 198:9, 198:18, 303:22, 315:5, 320:7, 320:14 hopefully [5] - 31:24, 43:13, 51:5, 147:5, 298:21 Hopewell [1] - 117:8 hoping [1] - 45:5 Hopkins [4] - 187:18, 187:23, 188:1, 188:4 HOPKINS [3] - 188:8, 190:13, 190:16 hopping [1] - 30:6 horizon [1] - 31:18 horizontal [1] - 296:12 Hornoi [1] - 67:25 Hornoi-Centerwall [1] - 67:25 horrible [1] - 324:16</p>	<p>horse [2] - 109:12, 256:5 hospital [2] - 66:15, 128:22 hotel [2] - 280:20, 286:6 hotel/motels [1] - 282:5 hour [14] - 52:25, 53:1, 53:9, 81:16, 90:8, 93:10, 111:1, 121:6, 144:12, 168:24, 169:17, 303:4, 307:3, 320:4 hours [5] - 50:18, 51:20, 83:1, 126:10, 127:23 house [15] - 89:10, 92:13, 92:14, 95:4, 100:1, 100:10, 101:16, 107:3, 111:6, 132:22, 181:20, 189:19, 217:12, 245:4 House [3] - 209:7, 220:17, 227:22 housekeeping [2] - 43:19, 299:24 houses [12] - 41:14, 83:12, 83:15, 96:18, 116:12, 175:15, 225:3, 331:11, 331:13, 331:14, 332:6, 332:7 housing [12] - 61:7, 189:4, 189:8, 265:18, 281:11, 282:14, 284:17, 286:15, 318:1, 328:10, 331:25, 334:10 Howell [5] - 311:14, 313:11, 313:14, 313:17, 315:14 HOWELL [1] - 313:21 huge [9] - 27:7, 28:21, 36:15, 39:9, 83:5, 100:19, 101:20, 322:18, 331:11 human [4] - 113:7, 122:24, 145:2, 243:14 humbly [2] - 87:21, 111:5 hundred [4] - 79:16, 80:2, 147:16, 196:4 hundred-acre [2] - 79:16, 80:2 hundreds [3] - 84:13, 165:7, 175:14</p>	<p>hunts [1] - 192:14 hurdle [1] - 339:20 hurt [3] - 130:17, 249:11, 249:13 Huxford [9] - 8:7, 8:8, 9:16, 24:7, 27:24, 32:21, 36:2, 179:7, 296:7 HUXFORD [25] - 1:19, 6:19, 22:8, 30:17, 43:21, 44:17, 44:23, 45:1, 45:10, 161:8, 161:24, 162:12, 162:15, 162:21, 162:24, 163:5, 163:8, 167:25, 168:7, 177:16, 253:2, 255:16, 266:1, 294:22, 341:11 Hyskell [5] - 187:24, 190:11, 190:19, 190:21, 191:7</p> <p style="text-align: center;"> </p> <p>I-10 [1] - 264:20 I-295 [8] - 275:8, 278:1, 278:2, 278:10, 278:16, 305:5, 305:8, 305:10 I-95 [2] - 83:14, 104:10 IAN [1] - 1:14 ICE [5] - 206:18, 207:15, 209:11, 228:17, 244:15 idea [8] - 20:2, 20:4, 30:4, 36:12, 74:8, 137:8, 172:9, 230:9 identification [1] - 16:19 identified [2] - 77:17, 173:7 identify [3] - 16:18, 56:25, 155:11 idling [1] - 84:14 ignorant [4] - 194:22, 233:6, 233:19, 234:5 Il [1] - 319:16 illegal [2] - 120:12, 155:14 imagine [7] - 33:14, 66:23, 86:6, 171:16, 334:15, 334:18, 334:20 immediate [7] - 47:20, 94:7, 134:6, 136:17, 274:19, 281:9 immediately [5] - 31:18, 34:16,</p>
--	--	--	---	--

<p>136:12, 198:2, 295:9 impact [14] - 76:20, 112:8, 116:22, 123:15, 124:6, 164:8, 164:15, 174:4, 185:18, 308:19, 308:21, 310:8, 317:19, 338:20 impacted [2] - 93:2, 93:4 impacting [1] - 219:9 impacts [5] - 159:7, 258:17, 287:2, 326:16, 326:24 impedes [1] - 93:18 impervious [2] - 77:9, 164:18 implemented [1] - 206:3 important [10] - 3:1, 3:9, 11:8, 34:1, 57:10, 68:16, 73:12, 160:4, 224:2, 327:25 importantly [2] - 200:23, 328:13 imposed [1] - 169:4 impossible [1] - 69:4 improve [1] - 150:13 improvements [7] - 29:15, 52:3, 52:8, 52:18, 53:6, 64:3, 144:6 improving [1] - 164:7 inappropriate [1] - 233:7 inaudible [15] - 98:13, 98:20, 104:20, 131:24, 182:23, 187:5, 187:15, 216:7, 278:22, 279:3, 289:22, 308:2, 310:16, 314:16, 341:25 inaudible [2] - 131:4, 254:12 incident [3] - 123:18 inclined [1] - 303:9 include [9] - 46:11, 117:12, 141:10, 156:8, 157:12, 158:9, 161:12, 274:19, 291:6 included [3] - 52:19, 78:24, 224:16 includes [7] - 79:17, 141:11, 147:24, 147:25, 148:1, 222:15 including [6] - 51:20,</p>	<p>68:17, 106:16, 181:21, 269:18, 324:24 incompatible [1] - 322:3 inconsistent [1] - 164:16 incorrect [1] - 102:22 increase [6] - 22:22, 112:12, 258:5, 301:4, 301:11, 341:18 increased [7] - 59:6, 87:4, 87:16, 103:5, 104:13, 260:17, 332:13 increases [1] - 264:13 Independent [1] - 270:21 Independently [1] - 127:11 India [1] - 72:22 indicating [10] - 14:25, 100:2, 176:18, 176:19, 176:20, 252:6, 252:7, 252:8, 256:11, 310:21 Indicating [1] - 226:13 individual [4] - 35:8, 109:10, 197:19, 336:14 individuals [3] - 151:2, 153:24, 198:5 indoor [1] - 57:6 indulgence [1] - 320:13 Industrial [3] - 38:23, 253:21, 301:6 Industrial [1] - 253:12 Infill [13] - 32:11, 32:16, 35:3, 35:8, 36:9, 38:9, 40:10, 41:14, 265:18, 295:9, 295:23, 305:25, 328:9 infinite [1] - 97:9 influencing [1] - 142:16 Influx [1] - 104:19 info [3] - 169:5, 300:1, 300:8 information [10] - 14:7, 15:11, 16:9, 17:9, 64:17, 116:14, 134:5, 145:20, 209:22, 309:11 Informed [3] - 48:25, 49:3, 164:3 Infrastructure [2] -</p>	<p>104:17, 151:16 infringe [1] - 308:5 ingress [4] - 109:21, 109:24, 165:19, 308:19 inherently [2] - 201:17, 248:20 initial [4] - 163:17, 168:12, 170:21, 338:18 initiate [1] - 260:12 initiated [2] - 7:15, 309:22 initiating [1] - 6:23 input [3] - 51:9, 127:12, 141:7 inside [1] - 186:1 inspector [1] - 240:5 instal [3] - 31:5, 31:6, 31:10 Installation [1] - 52:4 Instance [3] - 24:13, 39:8, 284:2 Instances [3] - 16:11, 39:9, 39:12 Instead [8] - 6:6, 9:24, 39:18, 106:19, 126:22, 167:22, 315:1, 326:18 institution [2] - 237:11, 241:23 institutional [3] - 46:16, 46:22, 92:5 institutions [1] - 68:23 Instructed [2] - 124:3, 289:16 Instructions [1] - 198:19 insult [3] - 233:2, 234:2, 234:4 insulting [2] - 233:6, 233:24 insurance [1] - 251:8 Intangible [1] - 83:24 integrity [1] - 322:24 intend [1] - 156:13 intended [1] - 156:4 Intends [1] - 54:5 intense [2] - 222:1, 244:16 intensities [1] - 265:2 Intensity [5] - 25:4, 46:5, 175:21, 244:14, 244:22 intent [2] - 22:23, 269:16 intentional [1] - 122:15 interchange [2] - 274:12, 275:8</p>	<p>interest [1] - 155:6 interesting [2] - 335:23, 337:2 internal [6] - 140:19, 265:14, 270:9, 291:23, 327:16, 327:19 interpret [1] - 200:25 intersection [11] - 71:23, 81:3, 88:19, 92:7, 110:20, 110:21, 264:9, 278:5, 295:1, 296:18, 305:11 Interstate [2] - 280:17, 285:22 Interstate [6] - 128:20, 328:15, 328:16, 328:20, 329:11, 332:16 intoxicating [1] - 203:4 introduce [2] - 76:15, 77:8 introduced [1] - 338:12 invest [1] - 22:24 invite [1] - 105:14 Inviting [1] - 104:4 involved [3] - 156:2, 258:15, 310:7 Iris [5] - 213:11, 213:12, 214:8, 214:13, 214:17 ironic [1] - 252:24 Island [1] - 314:18 issue [37] - 17:7, 19:11, 41:12, 85:21, 100:6, 109:22, 112:2, 141:1, 142:12, 147:5, 147:7, 148:22, 164:20, 179:10, 181:3, 181:4, 207:2, 208:24, 215:12, 222:4, 222:17, 223:9, 224:2, 224:13, 224:14, 225:5, 225:6, 236:3, 236:5, 237:22, 241:3, 241:4, 258:17, 300:3, 331:25 issued [4] - 168:1, 181:9, 223:10, 240:9 issues [34] - 17:2, 23:2, 33:12, 51:10, 51:14, 72:18, 74:1, 77:1, 77:6, 79:1, 84:16, 103:15,</p>	<p>103:17, 103:19, 104:9, 112:3, 112:6, 115:20, 118:25, 119:5, 120:20, 121:8, 139:20, 141:24, 146:23, 180:10, 198:1, 207:12, 207:19, 231:19, 232:24, 236:6, 299:1 It'd [1] - 112:12 ITE [1] - 141:15 Item [13] - 50:3, 54:1, 54:24, 55:9, 55:11, 123:22, 136:18, 137:11, 174:9, 183:20, 217:23, 303:25 Items [13] - 4:5, 4:15, 4:17, 39:22, 54:2, 54:19, 56:18, 125:18, 139:8, 159:17, 252:14, 305:21, 340:17 itself [4] - 66:1, 93:21, 178:18, 180:21 IV [3] - 140:16, 140:22</p>
J				
<p>JACKSONVILLE [1] - 1:1 Jacksonville [43] - 1:8, 2:5, 24:25, 33:2, 33:24, 35:15, 38:18, 60:14, 65:7, 75:20, 82:18, 88:8, 91:3, 108:24, 108:25, 143:20, 148:15, 171:6, 172:7, 173:16, 173:17, 181:4, 181:8, 181:12, 188:5, 192:1, 193:13, 200:8, 204:12, 211:6, 213:20, 222:2, 222:15, 223:10, 225:9, 240:22, 242:10, 254:5, 278:14, 306:24, 313:18, 329:3, 333:13 Jacksonville's [4] - 188:10, 188:13, 189:5, 309:14 January [2] - 153:15, 200:22 jargon [1] - 200:24 jasmine [1] - 83:7 JASON [1] - 1:16</p>				

<p>Jax [1] - 258:24 JAX [2] - 271:2, 272:11 JEA [2] - 80:5, 98:22 Jeff [1] - 261:12 jeopardize [1] - 84:18 Jeremy [3] - 48:12, 139:18, 139:25 Jesus [1] - 186:5 Jimmy [4] - 73:17, 75:9, 75:13, 75:15 JJ [1] - 231:22 JJ's [3] - 227:21, 228:7, 231:11 job [16] - 11:6, 11:12, 11:23, 23:20, 25:18, 85:19, 124:22, 154:2, 169:15, 248:3, 262:20, 280:11, 329:2, 329:4 jobs [2] - 61:6, 272:20 Joe's [1] - 78:25 John [7] - 92:21, 96:9, 96:14, 182:9, 185:13, 185:16, 318:7 John's [1] - 27:15 John-Pierre [3] - 92:21, 96:9, 96:14 Johnny [2] - 318:19, 319:1 Johns [11] - 64:25, 65:6, 97:8, 104:8, 104:12, 104:15, 104:22, 170:5, 170:7, 242:7, 254:5 JOHNSTON [9] - 1:21, 53:18, 53:24, 54:3, 54:11, 157:2, 157:7, 157:17, 278:22 join [1] - 2:9 joined [1] - 290:6 joke [1] - 113:14 Jonas [4] - 210:22, 210:23, 213:10, 213:18 JORDAN [1] - 1:16 Jordan [1] - 153:14 Jose [4] - 81:6, 97:5, 117:10, 128:20 Joseph [12] - 78:15, 95:13, 99:23, 105:20, 108:19, 111:17, 111:24, 114:3, 116:4, 118:12, 119:10, 119:16 Joseph's [4] - 45:14, 46:19, 117:9, 118:15 JOSHUA [1] - 1:15</p>	<p>Jr [1] - 269:1 JSO [4] - 123:21, 143:20, 153:18, 243:4 JU [2] - 29:14, 30:6 judge [2] - 153:23, 243:23 judged [1] - 243:20 judgment [2] - 241:3, 243:24 Judicial [1] - 202:12 judicial [1] - 3:19 Julington [1] - 127:5 jump [3] - 131:13, 331:8, 339:20 jumping [2] - 67:11, 276:14 jurisdictions [1] - 243:9 justified [1] - 97:14 justify [2] - 66:20, 66:21 juxtaposed [2] - 224:21, 240:18</p>	<p>kids [19] - 62:20, 64:24, 67:11, 83:20, 88:25, 98:4, 98:7, 105:15, 112:22, 126:19, 126:21, 146:10, 146:14, 146:15, 172:16, 192:15, 212:13 kill [1] - 208:12 killed [1] - 208:18 KILLINGSWORTH [2] - 341:1, 341:10 Killingsworth [4] - 276:10, 340:14, 340:23, 341:2 Kim [2] - 196:14, 196:24 kind [24] - 17:2, 18:9, 23:5, 24:20, 33:8, 36:11, 49:22, 65:3, 66:9, 72:11, 72:20, 128:18, 139:22, 194:17, 214:22, 234:16, 247:5, 283:9, 283:23, 296:8, 296:15, 329:4, 335:24, 340:18 kindly [1] - 124:17 kinds [1] - 148:2 King [4] - 199:4, 269:1, 277:15, 280:9 King/Soutel [1] - 188:22 Kings [4] - 184:9, 211:10, 217:25, 223:24 kitchens [2] - 283:18, 283:19 Klotz [9] - 53:11, 59:24, 60:2, 60:13, 62:23, 144:24, 171:14, 171:15, 173:12 KLOTZ [7] - 60:16, 172:4, 172:8, 172:11, 172:17, 173:5, 173:14 Kmart [1] - 97:5 knocking [1] - 155:12 knoll [3] - 180:24, 205:8, 205:9 knowing [1] - 158:19 known [6] - 22:15, 98:12, 114:17, 114:22, 196:1, 201:12 knows [2] - 158:13, 300:2 Kohl's [1] - 89:25</p>	<p>Kristen [1] - 275:20 KRISTEN [1] - 1:20 KV [1] - 80:5</p>	<p>landscaping [4] - 24:24, 29:18, 59:6, 332:13 Lane [5] - 193:13, 297:17, 297:19, 321:24 lane [15] - 52:7, 66:2, 79:2, 83:5, 128:14, 143:9, 144:7, 158:14, 312:5, 318:3, 320:2, 324:10, 324:13, 337:20, 337:21 lanes [1] - 83:12 language [1] - 183:22 large [8] - 61:3, 77:1, 108:9, 109:7, 237:15, 261:2, 331:13, 332:7 Large [1] - 1:10 largely [4] - 19:23, 68:6, 128:17, 129:9 larger [7] - 24:23, 50:1, 59:16, 148:7, 255:22, 255:24, 301:9 Larry [11] - 182:10, 185:14, 186:17, 210:19, 210:20, 210:21, 210:22, 211:5, 319:8, 320:22 last [61] - 15:12, 18:7, 30:15, 36:13, 43:12, 43:17, 52:21, 62:14, 62:15, 63:2, 64:2, 64:8, 64:13, 71:1, 74:10, 82:8, 94:10, 96:25, 98:24, 100:24, 106:5, 107:14, 120:3, 120:4, 135:24, 135:25, 137:11, 149:4, 149:6, 151:21, 160:3, 169:2, 178:19, 180:6, 180:12, 188:12, 198:14, 200:21, 204:13, 218:4, 227:17, 229:6, 233:10, 234:10, 237:6, 240:15, 243:13, 244:10, 247:17, 250:3, 285:24, 288:5, 288:7, 303:25, 314:6, 324:4, 324:18, 325:6, 328:23, 340:14 lastly [2] - 201:9</p>
	K		L	
	<p>K-12 [3] - 137:18, 167:15, 167:21 K-8 [5] - 137:13, 137:15, 137:16, 167:12, 167:22 K-through-8 [2] - 147:1, 147:5 Karen [3] - 26:18, 27:3, 81:18 Karp [1] - 285:21 Kaufman [5] - 121:23, 128:3, 128:5, 128:10, 129:21 Keba [4] - 196:17, 198:23, 200:3, 200:7 keep [12] - 6:14, 83:16, 95:20, 118:17, 119:20, 177:3, 192:15, 278:15, 322:17, 322:19, 323:18, 326:13 Kelly [3] - 128:7, 129:22, 130:1 kept [6] - 3:2, 3:14, 6:8, 98:25, 101:2, 314:4 Key [1] - 278:3 key [1] - 56:18 kick [1] - 109:11 kid [2] - 65:2, 170:13 kidding [2] - 259:11, 259:14</p>			

<p>328:7 late [6] - 51:4, 83:3, 218:1, 242:17, 303:22, 340:15 late-night [1] - 242:17 Lathrop [5] - 311:11, 311:13, 311:16, 311:18, 313:10 LATHROP [1] - 311:21 laundromat [2] - 185:7, 185:8 Laurie [1] - 142:4 Lavernel [2] - 321:14, 324:2 law [18] - 115:2, 151:9, 151:12, 154:1, 194:23, 196:6, 199:18, 201:10, 202:19, 204:17, 204:20, 205:3, 205:4, 205:5, 205:6, 206:4, 243:10 lawn [1] - 83:22 Lawrence [1] - 254:4 laws [1] - 200:16 lawsuit [2] - 238:16, 240:8 lawyer [1] - 214:23 lawyers [1] - 201:23 lay [1] - 203:14 layers [1] - 59:11 Lazarette [2] - 100:4, 111:25 LDR [3] - 116:19, 266:16 lead [2] - 38:22, 77:5 leader [2] - 248:1, 248:6 leaders [1] - 194:20 leads [1] - 93:14 learned [1] - 204:13 learning [1] - 172:23 learns [1] - 172:21 lease [2] - 132:1, 198:2 least [12] - 21:15, 25:11, 25:12, 25:21, 44:15, 61:12, 66:24, 95:5, 179:14, 246:1, 312:22, 340:19 leave [9] - 42:20, 94:10, 123:25, 124:1, 132:6, 186:25, 254:14, 330:19, 341:21 leaves [3] - 126:16, 161:10, 327:21 leaving [4] - 91:17, 103:13, 208:20, 317:18</p>	<p>LeDew [5] - 51:19, 141:5, 143:3, 143:17, 158:24 left [15] - 71:18, 77:15, 87:12, 88:17, 92:2, 186:23, 219:7, 223:23, 223:24, 255:11, 276:15, 314:7, 318:8, 318:9, 325:19 legal [2] - 84:4, 200:24 legislation [5] - 7:2, 15:7, 15:23, 23:9 legislators [1] - 194:21 legitimately [1] - 203:7 Lem [23] - 6:2, 278:5, 304:1, 305:6, 308:3, 308:7, 308:16, 308:20, 308:24, 310:6, 312:1, 312:11, 312:25, 317:9, 317:15, 319:21, 320:1, 327:6, 327:18, 327:22, 327:24, 329:9, 333:1 length [3] - 38:19, 52:7, 53:8 Lenox [6] - 5:25, 294:21, 294:24, 295:19, 296:8, 296:11 Leola [2] - 206:8, 208:7 less [23] - 25:9, 183:12, 189:20, 192:21, 202:9, 211:14, 212:2, 212:4, 326:12, 326:17, 327:3, 330:15, 330:16, 334:11, 337:6, 337:8, 337:9, 337:12, 338:2, 339:11 lesser [1] - 244:21 letter [8] - 182:16, 197:3, 198:19, 220:10, 220:21, 220:23, 222:12 letting [4] - 111:10, 154:19, 195:22, 339:23 Level [3] - 142:5, 142:7, 142:10 level [7] - 52:1, 52:2, 52:5, 91:14, 91:18, 96:24, 140:11</p>	<p>Levverock [3] - 295:10, 295:12, 295:14 LEWIS [16] - 1:20, 15:6, 258:2, 262:12, 265:7, 270:2, 274:24, 277:13, 281:14, 286:19, 291:20, 292:15, 292:18, 300:24, 304:2, 335:5 liability [1] - 331:19 license [18] - 161:17, 161:20, 177:18, 201:3, 201:6, 203:20, 206:25, 207:14, 218:2, 219:8, 219:9, 228:23, 230:4, 230:14, 230:15, 231:2, 253:17 licensed [1] - 202:16 licenses [2] - 229:22, 230:7 lieu [5] - 7:9, 34:7, 34:14, 40:14, 40:21 life [28] - 28:17, 74:6, 75:4, 75:22, 76:4, 76:5, 76:7, 91:3, 94:11, 94:16, 94:18, 98:10, 109:1, 110:16, 112:7, 113:13, 115:16, 115:17, 115:20, 122:14, 125:4, 174:4, 193:16, 205:16, 207:10, 308:9, 310:9 lifelong [1] - 82:23 LIFT [3] - 271:2, 272:11, 273:2 light [26] - 64:3, 71:13, 76:17, 81:11, 81:18, 81:20, 87:4, 91:25, 127:15, 127:18, 127:21, 140:20, 142:23, 142:24, 143:3, 143:4, 143:8, 143:10, 158:14, 165:19, 170:16, 170:17, 170:19, 299:5, 337:20 Light [1] - 253:12 lights [5] - 81:21, 91:12, 126:23, 165:3 limit [5] - 12:12, 81:16, 121:6, 163:25, 320:3 limitation [2] - 202:8, 280:23 limited [6] - 2:25,</p>	<p>27:22, 38:9, 122:18, 181:24, 286:24 limits [3] - 151:8, 305:23, 329:9 Linda [3] - 78:1, 82:5, 85:24 line [25] - 47:11, 90:8, 93:9, 93:12, 106:6, 108:9, 110:4, 123:10, 123:22, 126:9, 152:19, 164:2, 178:12, 179:16, 179:24, 183:1, 183:10, 184:11, 193:24, 215:11, 231:24, 245:24, 295:18, 306:11, 324:11 linear [3] - 34:9, 52:10, 52:12 lined [2] - 83:5, 108:1 lines [4] - 80:10, 105:5, 105:10, 126:13 lining [1] - 90:11 link [1] - 51:25 liquor [79] - 6:18, 6:25, 42:14, 42:17, 55:6, 177:18, 177:23, 178:13, 183:12, 184:20, 184:21, 184:22, 185:3, 185:8, 189:3, 189:15, 189:21, 189:22, 189:23, 189:25, 190:2, 190:25, 192:19, 192:24, 193:17, 193:18, 197:6, 200:21, 201:3, 201:6, 201:16, 201:18, 201:19, 203:4, 203:8, 203:21, 209:13, 211:8, 211:9, 211:17, 211:21, 212:10, 212:16, 212:25, 213:3, 213:5, 217:24, 218:2, 218:13, 219:16, 219:17, 225:24, 228:20, 228:23, 228:24, 229:16, 229:22, 230:14, 230:18, 230:25, 231:2, 234:11, 234:14, 235:3, 235:17, 236:7, 236:8, 236:9, 238:4, 240:24,</p>	<p>241:19, 242:4, 242:6, 242:7, 242:12, 242:15, 249:6, 249:15, 251:1 Liquor [1] - 209:7 liquor-selling [1] - 189:22 Liquors [1] - 209:11 Lisa [3] - 80:17, 277:15, 280:9 List [1] - 145:11 list [12] - 50:3, 58:2, 61:18, 61:19, 61:23, 74:6, 129:15, 145:17, 145:20, 146:5, 146:11, 159:17 listed [4] - 4:16, 62:5, 209:6, 209:9 listen [3] - 87:22, 121:19, 248:3 listened [1] - 90:6 listening [1] - 174:7 lists [1] - 147:17 literally [3] - 113:1, 113:16, 123:12 litigated [1] - 181:3 litigating [1] - 181:7 litigation [1] - 238:17 litter [1] - 93:15 littering [1] - 205:24 live [43] - 63:18, 64:24, 64:25, 65:6, 65:22, 69:12, 75:16, 76:22, 77:1, 77:20, 79:17, 86:6, 93:1, 95:7, 107:24, 108:23, 119:17, 124:9, 125:5, 128:11, 173:17, 174:2, 175:9, 185:17, 189:19, 191:25, 193:12, 205:11, 208:9, 213:24, 214:1, 216:18, 297:17, 313:18, 316:18, 319:12, 321:23, 322:16, 322:19, 323:15, 326:21 lived [12] - 68:4, 68:25, 85:22, 128:12, 151:3, 153:2, 155:22, 155:23, 277:18, 310:9, 321:25, 323:5 lives [10] - 72:1, 74:16, 76:23, 93:7, 109:6, 195:17, 207:7, 207:8, 221:3, 221:12</p>
---	--	---	--	---

<p>living [5] - 102:12, 124:19, 171:8, 173:23, 335:13 LLC [1] - 258:24 loaded [1] - 139:5 local [7] - 93:11, 151:18, 203:3, 272:5, 312:3, 312:5, 312:20 located [16] - 3:6, 4:14, 19:24, 173:10, 240:2, 240:11, 264:8, 268:25, 269:23, 274:10, 280:15, 280:25, 285:20, 286:4, 290:25, 291:7 location [44] - 20:14, 59:25, 68:14, 69:2, 78:7, 81:7, 88:11, 88:12, 90:5, 97:3, 109:3, 109:5, 127:1, 130:7, 131:17, 134:21, 143:25, 165:8, 177:19, 179:9, 179:25, 180:3, 180:8, 180:18, 180:24, 183:3, 184:13, 201:3, 201:6, 222:4, 223:14, 225:17, 225:18, 232:8, 256:4, 256:6, 265:16, 269:11, 272:4, 275:5, 281:21, 295:24, 297:1, 304:18 locational [1] - 161:14 locations [2] - 19:20, 158:20 locked [1] - 139:5 logical [2] - 265:1, 291:14 loitering [5] - 205:24, 207:11, 208:19, 242:17, 243:4 London [8] - 187:25, 190:20, 191:8, 191:9, 191:12, 191:14, 191:24, 193:2 LONDON [2] - 192:4, 192:6 long-established [1] - 104:24 longest [2] - 138:22, 269:12 look [44] - 12:17, 22:22, 29:16, 29:17, 38:13, 39:6, 39:16,</p>	<p>50:9, 57:1, 57:23, 61:8, 62:16, 109:22, 130:8, 132:14, 142:9, 153:23, 154:6, 154:10, 156:17, 160:21, 166:21, 183:7, 185:2, 193:20, 194:19, 194:20, 197:14, 212:19, 219:1, 226:1, 227:20, 236:19, 237:24, 244:8, 247:25, 249:14, 262:12, 317:11, 327:12, 333:13, 333:18, 334:2 looked [3] - 79:15, 209:4, 276:5 looking [20] - 55:1, 60:23, 61:2, 61:4, 61:12, 71:14, 104:21, 144:23, 163:7, 163:17, 164:17, 218:6, 220:1, 227:21, 229:15, 230:22, 284:8, 296:16, 298:7, 339:22 looks [10] - 57:18, 139:4, 141:12, 164:8, 172:13, 210:21, 282:9, 304:23, 306:15, 315:16 loop [1] - 41:3 Loretto [9] - 79:2, 79:6, 115:10, 117:8, 118:12, 128:24, 135:4, 135:11, 137:5 Losco [2] - 69:12, 69:14 lose [3] - 101:15, 110:10, 113:18 lost [1] - 131:18 loud [1] - 186:3 lounge [3] - 184:22, 201:16, 201:18 Lounge [4] - 206:18, 207:15, 209:11, 244:15 love [10] - 66:9, 74:15, 132:16, 132:18, 174:2, 215:14, 245:21, 317:21, 324:5 lovely [1] - 182:22 loves [1] - 74:13 low [3] - 189:17, 334:3, 334:8</p>	<p>Low [8] - 83:16, 264:12, 264:21, 265:3, 281:1, 291:4, 291:9, 291:15 low-end [1] - 334:3 lower [3] - 326:14, 326:22, 328:18 lowering [1] - 327:2 lowest [1] - 58:6 LUCAS [2] - 59:20, 59:23 Lucas [4] - 53:10, 56:9, 56:14, 59:18 ludicrous [1] - 101:10 Lurise [3] - 38:11, 38:13, 159:10 LURISE [1] - 1:21 Luther [2] - 199:4, 269:1 LUZ [9] - 4:3, 4:5, 4:7, 14:5, 276:20, 282:2, 292:17, 300:4, 332:9 Lydia [1] - 213:19 lying [1] - 189:10</p>	<p>Mamie [4] - 214:9, 214:10, 215:22, 215:25 man [2] - 212:3, 252:13 managed [1] - 309:3 Mandarin [49] - 42:18, 45:13, 46:19, 60:24, 68:2, 69:1, 70:8, 70:18, 74:9, 74:13, 74:15, 74:16, 75:25, 76:14, 78:12, 79:9, 80:21, 82:22, 83:11, 83:19, 84:21, 91:6, 92:25, 94:6, 98:12, 102:12, 104:14, 104:25, 109:9, 109:13, 114:16, 114:18, 117:12, 117:16, 117:17, 128:17, 132:17, 134:20, 134:23, 135:16, 136:25, 137:2, 145:19, 146:3, 154:11, 154:22, 155:23, 209:8 mandated [2] - 27:10, 202:14 manuals [2] - 141:15 map [2] - 62:13, 335:3 maps [1] - 79:15 March [2] - 142:13, 208:17 Marco [2] - 246:8, 249:1 marked [2] - 317:14 Market [1] - 145:9 market [3] - 28:22, 62:4, 336:15 market's [1] - 333:24 markets [1] - 152:1 MARSHALL [1] - 1:14 Martin [2] - 199:4, 269:1 Marvin [1] - 310:14 Massachusetts [3] - 202:12, 202:19, 203:11 massive [1] - 62:8 master [2] - 46:3, 135:7 master's [1] - 115:23 Master's [1] - 209:19 matching [1] - 336:2 material [2] - 3:12, 164:18 math [1] - 248:24 matrix [1] - 29:22 Matt [1] - 2:19</p>	<p>MATT [1] - 1:22 matter [17] - 7:6, 18:8, 47:23, 48:4, 49:9, 65:1, 66:5, 113:9, 118:9, 137:25, 186:6, 205:16, 243:4, 243:5, 298:20, 299:24, 323:15 matters [7] - 4:2, 54:5, 164:12, 221:1, 246:22, 299:1, 299:8 mature [1] - 77:1 max [1] - 326:17 maximum [11] - 258:5, 258:8, 260:5, 260:7, 262:15, 275:1, 286:21, 291:22, 304:6, 304:8, 304:14 mayor's [1] - 219:24 McCoy's [1] - 172:2 MDR [3] - 304:11, 305:15, 326:10 mean [37] - 8:16, 11:6, 11:11, 28:25, 29:18, 41:5, 43:9, 44:10, 66:20, 94:16, 95:24, 100:8, 112:18, 113:7, 153:11, 164:17, 165:5, 167:16, 171:17, 171:18, 177:5, 200:25, 223:17, 226:3, 245:2, 251:7, 260:6, 283:23, 288:10, 314:8, 315:10, 317:14, 332:13, 340:25, 341:5, 341:17, 341:19 meaning [1] - 188:16 meaningful [1] - 246:18 means [12] - 34:23, 54:19, 93:12, 104:8, 126:3, 180:17, 181:17, 205:16, 214:4, 224:8, 307:6, 337:14 meanwhile [1] - 197:12 measurable [1] - 141:20 measure [3] - 148:19, 180:23, 234:15 measured [5] - 138:3, 183:1, 232:19, 234:17, 245:23 measurement [4] - 179:16, 183:9,</p>
M				
<p>ma'am [13] - 23:17, 70:4, 82:16, 133:16, 188:7, 190:15, 210:12, 226:14, 229:23, 233:20, 299:24, 325:13, 335:21 mad [1] - 48:10 Magnolia [1] - 204:12 Mahnsan [2] - 190:20, 193:11 mailbox [1] - 66:6 main [11] - 42:11, 60:22, 62:18, 64:22, 93:20, 123:9, 127:4, 140:25, 324:8, 332:24, 333:7 Main [4] - 5:19, 5:25, 290:23, 291:1 maintain [3] - 39:11, 52:5, 125:3 maintaining [1] - 308:8 maintenance [1] - 80:7 major [10] - 46:18, 71:23, 72:23, 92:7, 128:19, 186:9, 219:12, 221:25, 224:14, 243:18 majority [2] - 42:25, 122:22 maker [1] - 238:2</p>				

<p>184:24, 223:5 measurements [1] - 234:20 measures [2] - 164:7, 243:3 measuring [3] - 223:3, 231:12, 231:13 mechanic [1] - 28:1 medians [1] - 243:7 medical [1] - 110:9 Medical [1] - 68:18 Medium [5] - 264:12, 264:25, 269:4, 333:20, 335:8 meet [28] - 25:16, 35:10, 36:23, 89:20, 140:23, 159:13, 164:5, 179:14, 180:1, 180:9, 183:21, 202:15, 205:5, 225:23, 234:23, 235:13, 235:22, 238:1, 249:17, 258:15, 265:14, 287:22, 291:23, 309:22, 316:25, 329:5, 334:9 MEETING [1] - 1:3 meeting [60] - 2:4, 4:8, 4:22, 4:24, 8:20, 9:17, 9:25, 10:1, 27:16, 43:12, 43:17, 45:16, 50:15, 50:16, 50:19, 51:2, 51:7, 55:13, 58:13, 58:23, 64:1, 74:10, 84:6, 97:1, 97:12, 97:16, 97:20, 98:24, 100:24, 102:21, 116:13, 120:3, 120:18, 120:21, 133:10, 139:24, 140:2, 143:7, 144:17, 145:1, 149:6, 159:13, 168:24, 169:6, 178:20, 188:12, 198:14, 205:13, 218:4, 218:5, 220:20, 226:20, 233:10, 237:6, 266:25, 287:21, 309:24, 309:25, 338:24, 340:15 meetings [3] - 44:16, 90:7, 309:24 meets [9] - 141:4, 161:13, 235:14, 235:19, 237:23, 244:22, 250:4,</p>	<p>256:1, 270:9 Melrose [1] - 16:3 member [71] - 2:24, 6:24, 7:8, 8:10, 8:19, 9:17, 9:25, 16:4, 39:24, 56:10, 60:3, 63:15, 65:17, 67:23, 68:2, 69:23, 70:24, 73:18, 75:12, 78:3, 80:19, 82:6, 85:7, 88:4, 90:21, 92:22, 94:23, 96:10, 102:4, 105:8, 105:21, 108:21, 111:19, 114:4, 116:6, 118:4, 119:12, 125:11, 128:4, 129:23, 130:23, 182:11, 185:12, 187:21, 188:21, 190:12, 191:16, 192:12, 193:5, 193:14, 194:10, 196:19, 197:1, 198:24, 199:7, 200:5, 202:4, 204:8, 206:9, 208:2, 211:3, 213:14, 214:11, 216:12, 253:25, 256:13, 297:12, 311:12, 316:13, 319:6, 321:9 MEMBER [103] - 16:1, 19:7, 19:22, 20:16, 21:20, 55:9, 56:13, 60:6, 60:13, 63:2, 63:6, 63:17, 65:18, 65:21, 67:24, 69:24, 71:3, 73:22, 75:15, 78:4, 80:20, 82:9, 85:8, 85:11, 88:7, 90:24, 92:23, 94:25, 95:10, 95:12, 96:11, 96:14, 102:7, 105:24, 108:22, 111:22, 114:7, 116:9, 119:15, 122:5, 125:14, 128:9, 130:1, 131:1, 182:12, 185:16, 186:23, 187:19, 188:4, 190:21, 191:13, 191:17, 191:20, 191:24, 193:6, 193:11, 194:15, 196:23, 199:2, 200:6, 202:5, 204:11, 206:12, 208:3, 208:7, 210:25, 211:4, 213:13, 213:18, 214:12, 216:7,</p>	<p>216:9, 216:16, 217:21, 220:6, 226:13, 226:16, 254:4, 256:11, 256:16, 297:16, 306:14, 306:19, 306:22, 310:21, 310:24, 311:1, 311:18, 313:17, 316:3, 316:17, 318:8, 318:13, 318:16, 318:20, 318:23, 319:3, 319:11, 321:2, 321:6, 321:15, 321:21, 324:1 Member [7] - 1:14, 1:15, 1:15, 1:16, 1:16, 15:19, 40:15 members [5] - 2:20, 4:20, 97:13, 134:1, 196:3 MEMBERS [92] - 5:5, 5:9, 9:1, 10:10, 14:12, 17:17, 21:8, 21:25, 22:2, 26:3, 26:13, 30:2, 30:11, 30:13, 37:5, 40:5, 41:24, 42:3, 42:5, 56:1, 56:6, 84:25, 99:9, 138:5, 149:17, 176:2, 186:18, 187:10, 187:15, 190:7, 191:10, 194:6, 208:6, 210:16, 215:23, 221:17, 251:14, 254:18, 255:3, 255:8, 257:3, 257:18, 257:22, 261:20, 263:22, 264:1, 267:7, 267:16, 267:24, 268:7, 268:11, 271:14, 271:23, 273:7, 273:11, 273:22, 274:1, 277:9, 279:16, 279:20, 280:4, 280:6, 282:17, 282:19, 284:20, 284:24, 285:8, 285:12, 288:22, 290:2, 290:14, 290:18, 293:2, 293:12, 293:16, 294:1, 294:5, 299:15, 300:11, 300:14, 300:19, 302:7, 303:16, 303:20, 313:13,</p>	<p>315:20, 315:24, 320:19, 320:23, 338:8, 340:3, 340:8 memo [1] - 292:16 memorandum [3] - 287:16, 287:17, 288:6 memos [2] - 141:9, 310:14 mention [8] - 62:15, 173:15, 193:22, 313:1, 324:8, 324:9, 324:18, 333:12 mentioned [32] - 56:19, 70:17, 86:3, 86:19, 87:14, 88:22, 89:19, 91:14, 92:6, 93:9, 94:8, 94:12, 103:1, 117:5, 118:24, 134:8, 134:11, 136:7, 142:1, 153:14, 154:19, 162:19, 166:3, 182:19, 195:3, 197:13, 218:24, 219:5, 238:17, 244:2, 301:7, 312:24 mercy [1] - 87:8 mere [1] - 181:13 merely [1] - 197:21 merit [1] - 155:2 Merrill [2] - 28:11, 33:15 mess [1] - 263:20 met [3] - 236:18, 259:1, 292:23 methodology [1] - 159:13 metrics [1] - 58:8 Metro [1] - 185:6 Michael [1] - 16:3 Michaelis [21] - 48:24, 49:8, 49:24, 165:22, 287:7, 287:8, 287:9, 288:19, 290:21, 294:12, 296:2, 296:3, 296:4, 297:6, 298:6, 298:16, 299:12, 299:25, 300:7, 300:13, 300:21 MICHAELIS [5] - 287:9, 289:9, 296:4, 297:10, 298:17 Michelle [2] - 217:16, 220:9 micro [2] - 281:18, 284:1 micro-apartments [2]</p>	<p>- 281:18, 284:1 microphone [4] - 3:10, 8:23, 63:12, 233:1 Middle [4] - 117:18, 135:16, 136:3, 136:25 middle [7] - 20:10, 89:16, 135:16, 138:12, 189:18, 281:2, 334:7 middle-class [1] - 189:18 midst [1] - 203:9 might [18] - 25:15, 40:15, 40:21, 40:22, 44:1, 86:19, 118:22, 174:4, 174:25, 175:19, 186:13, 203:7, 207:22, 234:11, 247:7, 249:3, 323:11 mighty [1] - 82:25 mile [19] - 45:14, 64:20, 70:14, 78:15, 79:10, 94:8, 117:6, 117:15, 121:6, 189:23, 192:21, 211:10, 211:11, 245:3, 245:4, 272:10, 274:11, 277:18, 310:4 mile-an-hour [1] - 121:6 mile-long [1] - 310:4 miles [7] - 36:11, 79:9, 81:16, 111:1, 128:25, 240:25, 320:4 military [1] - 2:19 Military [1] - 1:22 milk [1] - 230:17 millennials [1] - 329:2 million [7] - 52:8, 53:5, 64:7, 143:10, 144:7, 164:6, 262:25 mind [4] - 9:10, 249:2, 299:25, 314:25 mine [1] - 101:18 minimal [1] - 105:1 minimum [13] - 33:23, 93:10, 140:17, 148:4, 148:10, 177:17, 201:2, 201:4, 205:3, 206:4, 206:21, 287:18, 325:3 minister [1] - 199:9 ministry [1] - 197:10 minor [4] - 3:19,</p>
---	---	--	--	---

<p>258:3, 260:13, 261:6 minute [10] - 2:25, 96:5, 110:15, 122:1, 138:10, 153:14, 212:7, 215:2, 271:25, 324:4 minutes [20] - 4:21, 4:24, 6:8, 6:9, 6:15, 43:2, 43:3, 110:15, 126:8, 177:4, 177:9, 182:2, 183:15, 212:7, 240:25, 252:16, 252:17, 309:20, 325:15, 325:16 misconception [2] - 336:11, 336:13 miss [1] - 262:9 missed [3] - 260:9, 262:11, 262:17 mission [1] - 202:25 Missionary [2] - 193:14, 202:22 mistakes [2] - 77:21, 262:20 Mitchell [6] - 119:11, 121:23, 125:10, 125:12, 125:15, 128:2 mitigate [1] - 103:13 mitigation [2] - 103:19, 122:25 mix [5] - 59:8, 274:19, 281:7, 305:4, 328:9 mixed [3] - 170:20, 305:12, 327:15 mixed-use [2] - 305:12, 327:15 MM-22-06 [6] - 5:19, 257:25, 258:4, 261:19, 261:25, 263:24 mobile [1] - 2:6 mobility [1] - 327:5 mod [1] - 260:13 mode [1] - 2:8 model [1] - 167:22 modeling [1] - 141:16 models [1] - 141:21 moderate [1] - 189:17 modest [1] - 82:24 modification [2] - 258:4, 261:6 modifications [1] - 3:19 modified [2] - 288:16, 290:8 MOLDOVAN [46] - 1:13, 4:23, 10:14, 12:24, 14:17, 17:21,</p>	<p>20:21, 26:7, 29:11, 37:9, 48:21, 149:21, 156:20, 157:5, 157:11, 157:22, 163:16, 176:20, 226:23, 227:5, 241:13, 250:21, 251:21, 254:22, 257:7, 261:24, 267:10, 268:2, 271:17, 273:14, 279:11, 279:23, 282:22, 284:11, 285:2, 288:25, 289:13, 290:7, 293:6, 293:19, 299:19, 302:10, 302:17, 329:23, 333:10, 335:6 Moldovan [23] - 2:16, 12:23, 13:9, 20:20, 21:6, 29:10, 29:25, 47:12, 48:17, 49:7, 156:19, 163:15, 166:6, 166:11, 176:22, 241:12, 245:13, 250:20, 252:1, 284:10, 289:12, 302:16, 333:9 mom [1] - 83:1 moment [2] - 2:11, 182:22 momentum [1] - 273:1 Monday [2] - 208:21, 209:2 money [4] - 43:15, 77:14, 77:19, 313:5 Montgomery [7] - 316:2, 316:4, 316:6, 316:15, 316:17, 318:6, 319:18 months [5] - 16:6, 48:11, 201:14, 282:12, 328:24 moral [2] - 204:21, 240:23 morning [11] - 36:19, 104:10, 113:14, 126:5, 169:2, 208:21, 209:2, 215:4, 215:16, 317:7, 317:18 mornings [4] - 88:16, 89:20, 89:21, 116:23 mortgage [1] - 83:2 most [20] - 39:8, 72:4, 74:7, 79:20, 81:15, 82:12, 86:13, 113:5, 126:9, 131:6,</p>	<p>163:23, 165:14, 172:17, 178:10, 222:1, 242:8, 314:7, 332:3, 333:6 mostly [1] - 320:2 motel [1] - 281:17 motion [83] - 5:2, 5:7, 5:10, 10:18, 13:14, 13:15, 13:19, 14:14, 15:3, 17:24, 21:23, 22:3, 26:10, 30:8, 30:14, 37:12, 41:25, 42:6, 43:8, 149:25, 156:7, 156:14, 156:15, 156:23, 157:12, 157:16, 176:3, 176:24, 177:4, 227:4, 227:6, 227:10, 251:16, 254:25, 255:5, 255:9, 257:11, 257:15, 257:20, 257:23, 262:2, 263:23, 264:2, 267:14, 267:18, 267:25, 268:8, 268:13, 271:20, 273:9, 273:12, 273:19, 273:23, 274:2, 279:18, 279:21, 280:1, 280:7, 282:25, 284:21, 284:25, 285:10, 285:13, 289:24, 290:3, 290:15, 290:19, 293:9, 293:14, 293:17, 294:3, 294:6, 299:23, 300:16, 300:20, 302:13, 302:18, 302:22, 303:18, 303:21, 330:3, 340:5, 340:9 Mousa [2] - 239:4, 240:7 move [57] - 4:24, 10:15, 15:5, 17:22, 22:6, 26:8, 37:10, 45:7, 55:19, 76:24, 77:20, 96:3, 132:20, 149:22, 153:7, 156:23, 157:23, 177:1, 179:5, 226:25, 227:2, 227:6, 254:23, 255:14, 257:8, 257:25, 261:25, 264:4, 266:4, 267:3, 267:11, 268:3,</p>	<p>268:22, 271:15, 271:18, 273:15, 274:6, 279:12, 279:24, 280:12, 282:23, 285:3, 285:16, 289:1, 290:8, 290:22, 293:7, 293:20, 294:20, 297:23, 299:20, 300:22, 302:11, 302:18, 303:25, 329:2, 329:24 moved [6] - 91:6, 132:17, 153:2, 207:6, 217:3, 260:3 movement [1] - 192:15 moving [8] - 81:3, 81:6, 89:4, 131:17, 266:9, 296:21, 306:12 Moy [9] - 216:5, 216:6, 216:8, 216:10, 217:9, 217:14, 217:18, 217:22, 220:4 Moy-Henry [9] - 216:5, 216:6, 216:8, 216:10, 217:9, 217:14, 217:18, 217:22, 220:4 MR [161] - 6:19, 15:6, 22:8, 30:17, 43:21, 44:17, 44:23, 45:1, 45:10, 47:5, 47:9, 49:14, 49:21, 50:11, 59:20, 59:23, 60:16, 63:22, 63:25, 64:6, 71:7, 75:18, 85:14, 102:11, 133:25, 139:11, 156:6, 161:8, 161:24, 162:12, 162:15, 162:21, 162:24, 163:5, 163:8, 167:7, 167:9, 167:25, 168:6, 168:7, 168:9, 171:4, 171:11, 171:15, 172:4, 172:8, 172:11, 172:17, 173:5, 173:14, 177:12, 177:16, 179:1, 179:4, 182:2, 187:5, 192:4, 192:6, 206:15, 207:24, 221:22, 227:19, 227:23, 228:1, 228:5, 228:9,</p>	<p>228:13, 228:16, 228:21, 229:1, 229:4, 229:9, 229:12, 229:19, 230:2, 230:11, 230:15, 230:19, 231:3, 231:8, 231:16, 231:20, 231:25, 232:4, 232:7, 238:22, 239:22, 253:2, 254:9, 254:11, 255:16, 256:20, 256:24, 258:2, 258:22, 259:9, 259:14, 259:19, 259:25, 262:12, 265:7, 266:1, 266:6, 266:9, 266:16, 266:24, 270:2, 274:24, 275:18, 275:23, 276:8, 276:19, 276:25, 277:5, 277:13, 278:18, 278:24, 281:14, 282:1, 283:14, 283:25, 285:14, 286:19, 287:9, 289:9, 291:20, 292:13, 292:15, 292:17, 292:18, 292:19, 292:21, 294:7, 294:11, 294:17, 294:22, 296:4, 297:10, 298:17, 300:24, 301:18, 302:2, 304:2, 304:25, 307:1, 307:12, 307:18, 307:20, 309:17, 309:21, 313:21, 316:9, 325:14, 325:18, 326:1, 326:7, 329:18, 335:5, 341:1, 341:10, 341:11 MS [73] - 8:1, 9:3, 9:6, 9:12, 10:7, 23:14, 23:18, 26:18, 27:1, 28:10, 28:24, 29:7, 32:3, 38:3, 38:8, 38:11, 40:12, 53:18, 53:24, 54:3, 54:11, 70:1, 70:7, 70:10, 73:25, 82:17, 82:21, 95:17, 95:24, 96:7, 99:19, 99:22, 157:2, 157:7, 157:17, 159:10, 160:1, 188:8, 190:13,</p>
---	--	--	--	---

N					
190:16, 204:2, 214:17, 214:20, 217:10, 258:24, 264:6, 265:24, 268:23, 270:20, 272:2, 274:4, 274:8, 276:3, 276:13, 276:21, 278:22, 280:14, 285:18, 290:24, 298:3, 298:8, 298:12, 298:15, 301:25, 311:21, 324:4, 325:19, 338:11, 338:21, 339:2, 339:16, 339:18, 339:25	nailed [1] - 56:8 name [86] - 7:25, 15:24, 23:12, 26:25, 49:12, 56:11, 60:11, 63:17, 65:20, 65:21, 67:24, 70:4, 71:1, 71:7, 73:20, 75:13, 75:15, 78:13, 82:8, 85:11, 88:6, 88:7, 90:23, 95:10, 96:12, 102:6, 105:23, 111:21, 111:24, 114:6, 114:8, 116:8, 116:9, 119:13, 119:16, 125:13, 128:6, 129:25, 130:24, 131:2, 134:2, 159:2, 159:11, 178:24, 185:16, 188:2, 191:22, 191:24, 193:9, 193:11, 194:13, 196:21, 196:24, 199:1, 199:3, 202:5, 204:10, 206:11, 209:12, 211:5, 213:16, 213:18, 214:13, 214:15, 214:17, 216:14, 217:19, 217:21, 228:10, 228:18, 254:3, 256:14, 256:16, 275:17, 297:14, 297:16, 306:21, 311:16, 313:15, 313:17, 316:10, 316:15, 319:10, 319:12, 321:19, 321:21	named [1] - 52:3 NASCAR [1] - 110:24 Nasrallah [6] - 26:18, 26:22, 26:24, 27:3, 28:7, 33:5 NASRALLAH [4] - 27:1, 28:10, 28:24, 29:7 Nataliya [7] - 59:21, 60:10, 62:25, 121:24, 128:8, 130:22, 131:2 nation [2] - 205:15, 206:1 naturally [2] - 164:19, 165:5 nature [5] - 86:1, 93:18, 98:18,	122:24, 180:2 near [13] - 3:6, 46:19, 64:14, 113:12, 132:22, 140:10, 225:16, 225:17, 240:1, 255:19, 275:8, 284:4 nearby [2] - 199:5, 243:6 nearest [7] - 183:2, 183:4, 184:11, 184:14, 184:16, 184:24, 189:19 nearly [2] - 83:10, 84:10 necessarily [4] - 13:24, 43:9, 177:5, 298:19 necessary [2] - 13:4, 288:3 necessitate [1] - 118:22 necessity [2] - 20:24, 97:15 need [109] - 9:3, 12:13, 18:11, 21:1, 23:8, 29:21, 35:16, 39:12, 41:17, 45:24, 48:23, 54:21, 55:7, 55:11, 55:15, 55:24, 69:11, 74:11, 76:18, 81:10, 81:11, 81:13, 83:24, 83:25, 84:6, 84:9, 84:12, 84:15, 84:17, 86:18, 86:21, 94:6, 96:19, 97:2, 97:19, 99:15, 102:23, 102:25, 104:13, 104:23, 108:14, 109:13, 109:15, 110:17, 110:18, 112:8, 112:15, 143:24, 144:16, 144:18, 144:21, 146:18, 151:24, 152:1, 152:4, 158:14, 162:4, 168:23, 169:18, 169:19, 169:22, 169:23, 169:25, 170:1, 170:24, 171:9, 171:10, 171:25, 173:3, 173:24, 174:5, 174:20, 177:10, 189:24, 192:24, 199:15, 199:20, 209:1, 211:21, 212:15, 213:25, 215:2, 215:18,	216:24, 227:6, 229:23, 235:17, 239:20, 245:21, 247:7, 247:9, 248:15, 248:17, 248:18, 253:11, 259:21, 260:12, 276:22, 280:9, 284:16, 292:9, 298:12, 299:2, 301:8, 302:18, 318:2, 337:20 needed [12] - 3:16, 76:14, 86:24, 104:1, 110:13, 120:10, 120:12, 125:2, 196:2, 263:13, 282:14, 338:25 needs [12] - 84:21, 84:22, 139:8, 147:15, 153:20, 203:13, 244:22, 252:12, 266:2, 281:11, 334:9, 334:19 negative [2] - 48:6, 133:8 negatively [1] - 123:15 negligible [1] - 126:9 negotiation [1] - 14:2 neighbor [5] - 109:6, 197:16, 198:3, 207:5, 260:14 neighborhood [81] - 17:3, 36:8, 64:11, 64:24, 65:11, 71:12, 71:21, 71:24, 84:8, 91:17, 91:18, 91:20, 91:23, 92:8, 92:14, 97:11, 98:10, 98:11, 98:20, 103:2, 105:13, 109:7, 109:22, 109:23, 110:5, 110:8, 110:11, 111:8, 111:10, 111:12, 112:12, 122:16, 123:9, 123:13, 123:16, 124:21, 130:4, 185:20, 188:9, 189:14, 189:17, 191:1, 196:1, 199:8, 199:12, 199:15, 199:22, 207:7, 208:9, 208:10, 211:22, 213:24, 214:1, 217:3, 217:12, 220:2, 242:6, 242:21,	242:24, 269:11, 269:13, 269:15, 272:13, 272:16, 273:3, 314:1, 317:4, 317:8, 317:19, 317:23, 317:24, 320:6, 322:8, 322:11, 322:16, 323:16, 324:12, 324:16, 324:24, 325:5, 336:1 Neighborhood [4] - 194:25, 195:3, 195:24, 269:4 neighborhoods [18] - 41:13, 83:19, 84:16, 89:6, 103:12, 103:14, 118:21, 123:4, 124:5, 125:5, 154:17, 154:24, 189:10, 189:12, 221:2, 221:7, 246:7, 314:19 neighboring [3] - 77:7, 104:7, 120:5 neighbors [20] - 39:1, 58:14, 93:3, 109:17, 111:4, 115:14, 116:20, 122:16, 130:5, 150:8, 160:7, 163:21, 168:11, 169:7, 180:5, 197:24, 207:4, 314:22, 315:13, 324:9 nest [1] - 187:13 network [2] - 327:17, 327:20 never [13] - 55:21, 71:22, 87:18, 93:23, 123:19, 127:16, 215:3, 215:17, 241:20, 247:21, 263:16, 283:13, 289:7 New [3] - 184:9, 211:9, 217:25 new [27] - 9:13, 27:19, 28:18, 32:12, 36:8, 38:6, 40:9, 41:16, 76:16, 81:3, 136:8, 170:4, 170:5, 170:6, 175:16, 207:5, 218:8, 227:17, 236:7, 253:18, 262:24, 292:22, 301:2, 319:18, 331:3, 340:13 newcomers [1] - 85:25
Diane M. Tropa, Inc., Post Office Box 2375, Jacksonville, FL 32203 (904) 821-0300					

<p>newly [1] - 276:1 news [4] - 42:10, 45:5, 243:13, 243:19 next [68] - 29:1, 54:24, 58:10, 59:21, 62:4, 62:25, 63:11, 65:16, 67:20, 69:21, 70:23, 73:16, 75:9, 77:25, 80:17, 82:5, 88:2, 90:19, 92:20, 96:4, 100:12, 102:2, 105:19, 108:18, 111:8, 111:17, 114:2, 116:4, 121:22, 128:3, 129:22, 130:3, 134:23, 144:16, 163:24, 164:18, 174:8, 186:21, 187:9, 191:8, 194:4, 194:9, 196:14, 196:16, 200:3, 202:2, 206:7, 210:14, 210:19, 213:10, 214:8, 217:9, 217:12, 217:14, 220:5, 227:25, 228:14, 232:1, 246:24, 263:6, 266:25, 282:9, 282:12, 303:10, 311:11, 315:19, 321:17 Next [1] - 190:11 nice [3] - 194:11, 207:6, 266:8 night [12] - 67:9, 83:7, 120:4, 120:22, 139:24, 169:2, 185:22, 207:10, 242:17, 270:25, 282:3, 325:23 nightmare [4] - 67:13, 67:15, 72:2, 123:17 nights [1] - 199:21 nine [4] - 57:18, 127:20, 137:1 Nixon [2] - 220:16, 220:20 nobody [2] - 225:12, 247:10 nobody's [1] - 330:19 node [4] - 328:15, 328:16, 328:20, 329:11 noise [5] - 18:16, 165:3, 205:24, 207:10, 235:1 none [29] - 5:6, 10:11, 17:18, 26:4, 37:6,</p>	<p>43:13, 43:14, 61:14, 92:6, 124:6, 149:18, 215:13, 236:12, 254:19, 255:4, 257:4, 257:19, 261:21, 267:8, 267:17, 279:17, 285:9, 288:23, 290:15, 293:3, 293:13, 294:2, 299:16, 310:4 nonetheless [1] - 45:6 nonprofit [2] - 74:23, 112:10 nonreligious [1] - 70:16 nonresidential [2] - 27:6, 189:9 nonsense [1] - 12:1 normal [1] - 72:16 normally [6] - 104:5, 152:17, 159:16, 169:11, 223:25, 263:20 North [13] - 5:24, 88:8, 91:4, 128:11, 132:21, 191:25, 254:5, 290:22, 291:1, 313:24, 319:13, 319:15, 319:16 north [13] - 65:7, 88:13, 163:23, 218:20, 255:20, 264:20, 265:3, 274:10, 281:3, 286:4, 295:19, 319:19, 327:22 northeast [2] - 280:16, 305:5 northern [2] - 65:7, 291:7 northernmost [1] - 109:25 Northside [1] - 42:19 northwest [2] - 134:20, 177:20 Northwest [3] - 38:17, 182:15, 197:1 Notary [1] - 1:9 note [5] - 57:17, 117:5, 241:17, 271:1, 295:8 noted [4] - 62:13, 253:13, 258:8, 262:14 notes [2] - 39:17, 343:11 nothing [8] - 56:4, 66:2, 82:11, 195:15,</p>	<p>196:5, 242:13, 312:6, 337:14 nothing's [1] - 276:11 notice [2] - 35:23, 126:11 noticed [3] - 178:14, 260:10, 260:11 notification [3] - 20:3, 182:1, 309:16 notion [2] - 175:4, 330:23 nowhere [5] - 31:5, 38:24, 64:14, 113:12 nuance [1] - 287:23 number [35] - 16:5, 16:11, 17:4, 27:7, 32:6, 59:10, 74:1, 77:6, 88:21, 119:3, 120:13, 120:15, 121:11, 121:13, 135:13, 145:16, 146:3, 146:4, 146:6, 149:4, 184:2, 189:23, 194:25, 241:18, 248:23, 248:24, 260:1, 305:16, 306:14, 324:10, 324:19, 325:3, 326:22, 339:5, 339:12 Number [4] - 145:11, 167:11, 292:10, 324:13 numbers [12] - 98:4, 109:16, 110:17, 137:7, 142:16, 142:17, 145:6, 146:8, 152:2, 174:19, 175:12, 247:2 numerous [6] - 46:1, 46:16, 124:23, 134:8, 253:13, 295:21 Nyenatee [5] - 190:20, 191:18, 193:4, 193:12, 194:2</p>	<p>278:3, 322:6 oath [3] - 113:15, 145:22, 155:13 obey [1] - 205:6 objected [1] - 246:12 objecting [1] - 209:22 objection [4] - 202:18, 202:20, 209:20, 209:21 objectionable [1] - 165:3 objections [4] - 15:13, 220:22, 256:7, 301:11 objective [1] - 141:20 objectives [3] - 306:2, 306:3, 328:11 obligation [2] - 160:10, 204:21 observance [1] - 79:25 observe [1] - 305:25 obviously [4] - 200:10, 231:10, 246:6, 248:16 occasional [1] - 83:21 occasionally [1] - 284:7 occasions [1] - 31:13 occupied [1] - 61:7 occur [1] - 123:18 occurred [1] - 201:14 odors [1] - 165:4 OED [1] - 27:3 OF [4] - 1:1, 343:1, 343:3, 343:4 off-duty [1] - 118:16 off-premises [1] - 244:21 offer [2] - 265:17, 269:17 offering [1] - 153:5 Office [8] - 1:21, 2:21, 8:3, 23:6, 23:14, 26:19, 32:3, 222:14 office [13] - 12:10, 19:15, 41:13, 51:4, 124:13, 181:13, 209:25, 230:11, 241:20, 247:21, 296:15, 296:16, 296:19 office-condo-looking [1] - 296:16 officer [1] - 78:21 officers [2] - 153:22, 168:4 offices [3] - 72:15, 275:6, 295:17 official [1] - 46:4</p>	<p>often [10] - 21:12, 61:22, 81:21, 83:1, 85:17, 118:18, 164:10, 197:11, 331:13, 331:18 OGC [2] - 7:20, 190:8 Old [57] - 5:17, 42:12, 45:8, 45:12, 46:6, 51:25, 53:6, 66:18, 67:1, 68:5, 68:15, 69:15, 76:17, 81:14, 83:3, 83:11, 85:22, 88:13, 88:17, 88:25, 89:7, 89:24, 90:13, 91:8, 91:15, 93:12, 97:5, 102:13, 110:1, 110:19, 110:22, 112:22, 113:4, 115:11, 116:11, 118:10, 118:19, 119:5, 119:17, 121:1, 121:3, 121:14, 123:7, 123:17, 126:17, 126:20, 127:6, 128:14, 131:3, 136:11, 142:2, 142:4, 151:7, 153:17, 170:14, 170:17, 223:24 old [9] - 31:20, 32:20, 83:5, 85:25, 86:2, 86:4, 87:17, 97:5, 253:5 older [3] - 122:20, 246:6, 324:6 on-premises [2] - 229:13, 229:14 on-site [3] - 52:9, 53:6, 222:9 on-the-ground [1] - 19:25 on-the-record [1] - 133:18 once [9] - 30:4, 53:17, 103:15, 172:20, 179:5, 195:3, 212:16, 278:14, 334:17 one [194] - 3:11, 7:3, 10:24, 11:7, 11:8, 11:15, 14:7, 21:11, 21:14, 25:1, 27:22, 28:25, 30:15, 32:7, 32:19, 32:22, 32:23, 33:11, 33:25, 34:15, 34:17, 36:1, 38:22, 39:7, 39:23, 40:10, 42:11, 42:14, 43:8, 43:12, 43:20, 44:23,</p>
O				
<p>o'clock [2] - 4:11, 320:5 oak [4] - 38:20, 39:2, 86:2, 98:12 oaks [4] - 77:1, 82:25, 83:5, 107:24 Oaks [10] - 79:9, 79:18, 80:21, 98:17, 116:10, 117:16, 134:23, 137:2,</p>				

<p>49:21, 54:21, 55:2, 55:5, 56:20, 59:23, 60:18, 61:12, 61:21, 62:14, 64:11, 64:15, 68:12, 78:16, 79:11, 79:22, 85:15, 85:24, 87:9, 87:18, 90:6, 90:16, 93:23, 94:7, 94:18, 103:1, 107:17, 109:24, 113:5, 120:19, 127:7, 127:8, 129:4, 129:17, 131:3, 131:22, 136:18, 137:11, 140:21, 142:11, 144:22, 146:24, 153:17, 153:24, 158:7, 158:14, 158:20, 158:22, 160:6, 164:23, 167:10, 173:6, 174:22, 177:4, 178:6, 179:6, 179:15, 180:1, 180:12, 180:18, 182:21, 183:20, 184:23, 192:10, 194:25, 195:9, 195:10, 199:13, 199:16, 199:21, 200:11, 202:23, 205:15, 206:19, 206:25, 207:4, 207:11, 207:19, 211:11, 213:23, 214:3, 215:12, 217:10, 219:24, 223:12, 225:9, 225:10, 225:11, 228:25, 229:6, 229:18, 229:19, 230:3, 230:4, 230:25, 231:12, 231:16, 232:2, 235:9, 236:11, 238:13, 238:19, 238:23, 240:16, 241:18, 242:8, 243:18, 244:12, 246:2, 246:19, 247:18, 252:2, 252:23, 253:19, 257:13, 260:3, 269:9, 270:11, 271:24, 271:25, 273:15, 275:11, 276:8, 276:24, 278:2, 278:14, 281:23, 282:9, 284:7, 285:4, 286:4, 287:4, 287:15,</p>	<p>288:11, 289:15, 297:7, 301:22, 303:10, 304:19, 304:23, 309:7, 310:3, 310:14, 317:12, 321:13, 323:13, 324:10, 327:10, 327:11, 329:25, 331:12, 336:8, 336:17, 336:18, 338:10, 339:19</p> <p>one's [1] - 230:7</p> <p>one-minute [1] - 271:25</p> <p>one-sided [1] - 87:18</p> <p>onerous [3] - 18:19, 19:10, 37:20</p> <p>ones [4] - 11:4, 20:7, 203:14, 253:18</p> <p>online [1] - 97:23</p> <p>open [14] - 57:14, 58:9, 61:13, 61:17, 161:6, 171:20, 186:2, 222:21, 226:4, 245:9, 248:9, 248:16, 278:11</p> <p>openings [1] - 109:17</p> <p>operate [1] - 237:24</p> <p>operated [2] - 269:12, 272:4</p> <p>operates [2] - 244:14, 337:25</p> <p>operating [4] - 52:1, 201:16, 230:9, 231:1</p> <p>operation [1] - 272:19</p> <p>operator [1] - 162:1</p> <p>opined [1] - 202:12</p> <p>opinion [14] - 12:1, 74:7, 74:22, 174:13, 175:19, 181:9, 181:11, 181:13, 239:2, 239:17, 240:9, 249:14, 250:2, 314:3</p> <p>opinions [2] - 165:13, 314:8</p> <p>opportunities [2] - 76:13, 124:24</p> <p>opportunity [11] - 6:11, 39:5, 73:13, 75:19, 85:20, 122:12, 193:7, 249:21, 282:13, 297:8, 298:24</p> <p>oppose [21] - 74:1, 88:10, 91:2, 188:11, 190:23, 191:4, 191:5, 193:19, 200:10, 207:20,</p>	<p>213:5, 217:23, 219:22, 220:6, 310:24, 311:21, 318:13, 318:14, 318:23, 318:24, 319:14</p> <p>opposed [9] - 14:24, 15:3, 22:1, 30:12, 42:4, 176:17, 207:3, 211:8, 237:10</p> <p>opposes [2] - 318:18, 319:1</p> <p>opposing [4] - 120:1, 197:4, 248:2</p> <p>opposite [3] - 74:24, 152:7, 337:5</p> <p>opposition [49] - 42:13, 42:16, 118:25, 186:3, 186:20, 186:24, 187:1, 187:8, 187:12, 187:17, 191:12, 194:8, 210:18, 216:2, 216:21, 217:1, 217:5, 220:8, 220:10, 220:18, 246:18, 249:10, 249:23, 252:4, 252:5, 252:11, 259:8, 277:21, 297:7, 298:19, 306:17, 307:16, 307:18, 311:6, 311:10, 315:18, 315:22, 316:1, 316:12, 316:19, 318:11, 320:6, 320:21, 320:25, 321:2, 321:3, 321:8, 325:8, 336:5</p> <p>option [2] - 161:16, 334:5</p> <p>options [6] - 61:4, 61:10, 74:5, 272:8, 281:10, 286:16</p> <p>oral [1] - 202:20</p> <p>orange [1] - 230:23</p> <p>Orange [3] - 64:25, 65:6, 185:21</p> <p>order [11] - 4:16, 4:18, 5:11, 5:16, 27:21, 32:20, 45:8, 168:1, 231:7, 303:2, 311:4</p> <p>ordinance [25] - 8:8, 9:12, 11:3, 11:20, 11:21, 11:25, 24:2, 32:9, 40:17, 183:11, 184:2, 184:10, 188:15, 195:4,</p>	<p>205:24, 218:3, 265:7, 270:2, 274:24, 291:20, 300:25, 310:25, 314:6, 319:15, 320:7</p> <p>Ordinance [9] - 6:20, 8:6, 22:9, 30:18, 202:7, 294:24, 307:23, 307:25, 308:22</p> <p>ordinances [9] - 5:13, 5:15, 6:17, 42:8, 195:13, 195:15, 200:13, 203:3</p> <p>ordinary [2] - 21:13, 271:25</p> <p>organization [1] - 197:7</p> <p>originally [2] - 301:9, 316:21</p> <p>Orlando [3] - 56:15, 171:7, 209:10</p> <p>otherwise [4] - 53:20, 158:17, 249:7, 259:20</p> <p>ourself [2] - 43:16, 215:16</p> <p>out-of-control [1] - 104:17</p> <p>outdated [1] - 200:23</p> <p>outfall [1] - 77:4</p> <p>outlet [4] - 317:12, 317:14, 334:17, 334:22</p> <p>outline [1] - 49:22</p> <p>outpouring [1] - 335:25</p> <p>outside [4] - 186:1, 205:10, 212:2, 222:21</p> <p>over-capacity [1] - 173:8</p> <p>overall [1] - 74:5</p> <p>overbearing [1] - 17:7</p> <p>overburdened [1] - 121:3</p> <p>overflow [2] - 105:13, 218:13</p> <p>overflows [1] - 99:1</p> <p>overhead [1] - 251:8</p> <p>overlay [10] - 22:11, 22:21, 24:3, 24:8, 25:17, 27:5, 27:9, 27:17, 29:13</p> <p>overlooked [1] - 258:10</p> <p>overnight [1] - 167:18</p> <p>oversaturation [2] - 117:3, 138:1</p> <p>oversight [2] - 167:14,</p>	<p>167:20</p> <p>overwhelming [3] - 60:24, 75:1, 322:9</p> <p>own [15] - 11:8, 83:14, 86:22, 120:20, 127:9, 150:9, 151:17, 159:15, 198:11, 240:24, 241:1, 297:18, 297:25, 322:14</p> <p>owned [4] - 86:17, 150:10, 214:23, 269:12</p> <p>owner [19] - 16:19, 17:12, 21:16, 31:8, 35:1, 35:11, 61:7, 87:13, 154:3, 205:7, 206:24, 207:13, 208:12, 208:13, 209:4, 250:25, 255:23, 336:17, 336:18</p> <p>owner's [2] - 201:21, 204:25</p> <p>owner-occupied [1] - 61:7</p> <p>owners [7] - 16:15, 16:24, 17:5, 27:11, 28:24, 220:25, 336:14</p> <p>ownership [4] - 16:17, 20:3, 82:23, 181:14</p> <p>owns [3] - 197:12, 201:11, 243:23</p>
P				
<p>p.m [4] - 1:7, 2:1, 4:11, 342:4</p> <p>Pack [6] - 90:20, 92:20, 94:24, 95:13, 99:17, 99:23</p> <p>pack [2] - 99:8, 101:24</p> <p>PACK [5] - 95:17, 95:24, 96:7, 99:19, 99:22</p> <p>package [26] - 6:18, 8:12, 8:13, 9:19, 9:20, 11:2, 13:2, 42:14, 177:25, 184:21, 185:24, 186:9, 193:18, 197:6, 201:17, 201:19, 206:18, 207:17, 219:15, 219:17, 222:3, 222:8, 223:22, 224:7, 229:11, 229:12</p> <p>packet [4] - 60:17,</p>				

<p>62:2, 136:19, 137:10 packets [1] - 56:20 Page [2] - 32:23, 34:1 page [2] - 58:10, 180:13 Pages [2] - 32:11, 32:18 pages [2] - 56:20, 145:8 paid [7] - 43:14, 86:16, 87:1, 87:2, 87:14, 195:2, 196:4 paid-for [1] - 87:1 Paige [7] - 42:21, 53:15, 95:15, 99:15, 157:1, 266:22, 278:20 PAIGE [1] - 1:21 pains [1] - 166:24 painted [1] - 231:4 paired [5] - 287:13, 289:8, 289:10, 289:17, 289:21 pancakes [4] - 294:12, 294:15, 294:18, 300:13 pandemic [3] - 72:8, 72:14, 243:15 paper [2] - 7:13, 7:14 paperwork [2] - 207:2, 298:13 paradise [1] - 86:7 parcel [9] - 20:10, 27:23, 40:10, 79:23, 109:8, 237:16, 286:4, 328:15 parcels [2] - 27:4, 40:11 parent [1] - 91:24 parents [26] - 61:20, 61:23, 62:20, 88:23, 89:5, 90:7, 93:9, 105:4, 122:22, 123:1, 123:3, 123:10, 123:11, 124:8, 124:14, 124:18, 125:21, 126:4, 126:9, 126:19, 126:22, 152:1, 154:1, 172:24, 173:2 park [3] - 74:20, 126:19, 225:11 Park [6] - 28:16, 46:20, 64:25, 65:6, 104:8, 128:25 parked [1] - 90:13 Parker [7] - 182:10, 185:14, 186:17, 186:20, 319:8,</p>	<p>320:22, 320:25 parking [29] - 22:16, 23:4, 23:22, 23:23, 24:6, 24:12, 26:16, 29:21, 43:25, 44:3, 44:10, 44:15, 79:3, 100:20, 105:13, 107:11, 154:13, 154:17, 154:25, 198:6, 212:6, 243:7, 276:16, 326:18, 326:19, 326:22, 340:20, 340:22 Parkway [2] - 269:2, 285:22 part [39] - 3:13, 22:14, 32:17, 44:13, 46:10, 46:18, 50:6, 60:16, 68:20, 108:16, 128:17, 141:8, 144:1, 156:15, 157:19, 172:17, 172:23, 177:20, 181:20, 183:3, 183:5, 184:13, 184:14, 184:15, 184:16, 201:9, 226:6, 239:9, 240:6, 240:10, 242:19, 242:23, 296:12, 299:8, 317:15, 329:6, 336:4 Part [6] - 15:8, 45:17, 140:16, 140:22, 326:19 parte [6] - 18:6, 47:12, 47:15, 48:18, 48:23, 232:16 participants [2] - 3:10, 143:19 particular [12] - 4:12, 16:19, 61:6, 62:9, 73:9, 117:13, 181:18, 182:16, 183:23, 239:8, 239:23, 240:3 particularly [5] - 15:8, 175:22, 225:16, 260:18, 261:2 parties [1] - 298:23 partnered [1] - 272:17 partnering [1] - 272:21 parts [4] - 104:4, 174:11, 174:12, 320:10 party [1] - 248:25 pass [4] - 196:10, 206:25, 208:4, 310:13</p>	<p>passage [1] - 189:2 passed [1] - 27:9 passes [26] - 5:10, 15:3, 22:4, 30:14, 42:6, 43:25, 44:3, 176:24, 255:9, 257:23, 264:2, 267:25, 268:13, 273:12, 274:2, 279:21, 280:7, 284:25, 285:13, 290:3, 290:19, 293:17, 294:6, 300:20, 303:21, 340:9 passing [1] - 209:15 passionate [1] - 174:1 past [12] - 16:6, 47:20, 48:3, 59:3, 102:19, 142:14, 142:19, 153:8, 171:2, 201:14, 277:20, 289:23 pastor [1] - 202:22 path [2] - 21:15, 237:5 PATRICIA [1] - 1:23 pattern [2] - 91:15, 291:17 Paul [5] - 179:2, 221:23, 275:18, 278:23, 282:1 Paul's [1] - 280:10 pause [3] - 53:15, 168:21, 174:22 pay [13] - 34:6, 34:10, 34:14, 34:24, 41:5, 77:13, 83:2, 101:14, 251:8, 262:25, 327:4, 341:20 payment [1] - 38:5 payments [1] - 86:13 pays [1] - 233:12 PDF [1] - 7:11 peak [5] - 51:20, 52:25, 53:1, 53:9, 144:12 peak-hour [1] - 53:9 Pearl [1] - 191:25 pecan [1] - 107:25 pedestrian [1] - 52:6 peg [1] - 108:15 pending [2] - 240:8, 286:5 people [120] - 6:3, 6:4, 16:25, 22:24, 31:4, 51:6, 64:23, 65:5, 67:2, 68:8, 68:16, 68:21, 71:15, 71:17, 72:14, 72:23, 75:3, 75:5, 79:3, 81:15,</p>	<p>81:20, 82:10, 83:18, 84:20, 88:18, 90:10, 91:11, 91:22, 94:2, 106:24, 107:8, 107:10, 111:10, 112:1, 112:4, 112:14, 112:16, 112:18, 113:7, 113:8, 113:13, 120:6, 120:14, 120:16, 121:1, 121:5, 121:19, 127:16, 127:21, 127:22, 129:14, 131:7, 132:20, 133:7, 133:11, 139:6, 140:1, 141:21, 145:2, 145:16, 145:19, 145:21, 147:20, 147:21, 149:1, 150:14, 151:7, 151:11, 152:19, 152:20, 153:2, 153:8, 155:3, 155:6, 159:4, 168:22, 189:18, 195:19, 195:21, 199:23, 203:17, 205:22, 208:17, 208:19, 209:20, 209:21, 212:25, 215:9, 225:16, 233:25, 240:23, 241:1, 243:7, 244:1, 248:1, 268:17, 283:10, 284:7, 309:19, 313:5, 314:22, 315:13, 320:5, 320:8, 320:10, 322:13, 322:17, 323:14, 323:15, 325:10, 325:18, 326:20, 334:22, 340:16 people's [8] - 13:5, 44:3, 89:6, 110:5, 175:15, 195:16, 222:24, 340:19 per [8] - 6:15, 34:9, 52:25, 279:1, 304:14, 325:2, 330:15 per-linear-foot [1] - 34:9 percent [16] - 62:3, 91:4, 91:5, 126:2, 134:18, 135:1, 135:6, 135:15, 135:19, 135:23, 136:5, 142:8,</p>	<p>142:10, 142:17, 147:16, 172:19 percentage [2] - 61:7, 142:20 Percy [32] - 308:3, 308:6, 308:16, 308:20, 308:24, 309:6, 309:7, 309:9, 310:4, 312:2, 312:12, 313:2, 316:18, 317:5, 317:13, 319:19, 319:22, 320:2, 321:23, 321:24, 322:6, 327:7, 327:12, 327:22, 327:23, 329:10, 332:12, 333:3, 334:14, 334:16, 338:20 perfect [3] - 82:19, 256:21, 303:11 performance [1] - 45:17 perhaps [4] - 22:17, 234:15, 262:21, 262:22 permanent [1] - 135:12 permissible [4] - 140:4, 140:12, 140:14, 203:14 permit [3] - 167:16, 262:9, 286:6 permits [3] - 260:8, 262:13, 280:21 permitted [3] - 129:7, 260:6, 260:24 permitting [3] - 258:9, 260:9, 262:16 Perry [11] - 63:9, 65:16, 65:19, 65:21, 67:18, 196:14, 196:16, 196:20, 196:24, 198:21 person [9] - 3:11, 6:15, 26:20, 39:23, 63:3, 72:4, 170:22, 233:19, 234:5 person's [1] - 11:11 personal [6] - 161:17, 165:11, 204:15, 204:18, 253:16, 298:22 personally [2] - 101:21, 132:16 personnel [1] - 12:9 perspective [5] - 78:10, 170:12, 173:13, 174:10,</p>
--	---	---	--	--

<p>299:3 perspectives [1] - 165:16 pertains [1] - 8:13 pertinent [1] - 32:17 Peterson [4] - 210:19, 211:2, 211:5, 213:9 petitioning [1] - 197:20 petitions [1] - 209:15 phantom [1] - 322:22 Phase [2] - 319:16, 319:17 phase [1] - 337:22 Philippian [3] - 199:8, 209:17, 209:19 Philips [3] - 5:18, 253:4, 253:7 phone [9] - 7:4, 7:9, 8:19, 9:17, 10:1, 11:24, 12:16, 21:14, 185:7 phones [1] - 2:7 phonetic [2] - 84:7, 285:21 physical [3] - 36:14, 36:17, 165:4 physically [2] - 22:17, 224:6 pick [8] - 70:19, 79:3, 116:25, 123:2, 124:17, 132:22 pick-up [3] - 70:19, 116:25, 124:17 picked [2] - 145:3, 147:9 picking [4] - 68:9, 124:15, 214:25, 248:7 picks [1] - 112:25 picture [5] - 96:4, 101:6, 101:25, 180:4, 191:3 pictures [2] - 179:23, 215:5 piece [8] - 36:5, 56:24, 57:22, 77:18, 151:21, 255:25, 295:4, 295:5 Pierre [3] - 92:21, 96:9, 96:14 pin [1] - 16:20 pine [4] - 107:24, 108:3, 108:6, 108:9 pin [1] - 82:25 Pines [5] - 79:7, 117:7, 134:15, 134:19, 137:1 pitch [1] - 258:10 place [24] - 2:6, 3:4,</p>	<p>4:8, 11:25, 15:10, 22:11, 22:22, 87:12, 99:2, 113:10, 115:24, 183:17, 185:7, 195:24, 200:17, 211:12, 212:24, 216:22, 230:7, 241:4, 241:25, 243:12, 244:13, 295:17 placed [3] - 32:14, 310:2, 310:5 places [3] - 87:10, 90:4, 113:6 placing [1] - 19:20 plaintiff [1] - 203:20 plan [49] - 28:14, 49:25, 50:2, 50:20, 51:3, 58:16, 58:20, 59:14, 122:4, 132:13, 133:13, 135:8, 140:20, 148:3, 149:3, 153:4, 156:11, 157:3, 157:4, 157:6, 157:13, 157:18, 157:19, 157:20, 157:25, 158:1, 163:18, 169:3, 169:4, 176:6, 262:17, 265:13, 270:14, 273:16, 276:5, 292:5, 292:9, 292:23, 293:21, 305:7, 317:11, 327:11, 327:13, 332:23, 334:2, 338:19, 338:23 Plan [16] - 32:14, 189:5, 264:24, 265:13, 269:21, 270:8, 274:17, 275:5, 281:5, 281:19, 286:11, 286:23, 291:13, 306:4, 328:12, 333:19 Planned [2] - 281:14, 304:3 planning [7] - 31:7, 62:12, 65:3, 65:8, 104:18, 118:9, 328:13 PLANNING [1] - 1:2 Planning [45] - 1:19, 1:20, 1:20, 1:21, 1:23, 2:5, 2:20, 3:21, 4:4, 4:6, 6:22, 8:9, 8:15, 8:16, 9:15, 9:22, 11:22, 14:4,</p>	<p>30:23, 39:20, 43:24, 44:21, 46:2, 51:17, 51:22, 52:15, 134:1, 141:5, 141:19, 178:4, 180:22, 181:6, 188:11, 188:12, 200:19, 202:24, 219:25, 223:6, 223:11, 223:16, 258:25, 292:15, 309:14, 310:15, 341:2 plans [10] - 98:6, 103:9, 103:12, 103:19, 132:4, 132:9, 132:14, 143:22, 262:21, 306:1 plant [1] - 253:6 Plantation [1] - 16:3 play [3] - 148:1, 192:13, 325:21 played [1] - 126:24 playground [1] - 205:9 playing [1] - 195:16 pleasure [1] - 58:11 Pledge [4] - 2:10, 2:12, 205:13, 205:14 plenty [5] - 70:15, 74:4, 102:16, 326:4, 328:22 plot [1] - 65:9 plugged [1] - 146:7 Plummer [12] - 65:22, 66:1, 67:2, 110:19, 126:17, 127:6, 127:15, 127:16, 127:19, 127:21, 127:22, 128:11 plus [2] - 19:18, 111:2 pockets [1] - 62:7 podium [74] - 3:5, 3:6, 7:23, 15:20, 26:22, 47:3, 56:10, 60:3, 63:15, 65:17, 67:23, 69:23, 70:24, 73:18, 75:12, 78:3, 80:19, 82:6, 85:7, 88:4, 90:21, 92:22, 94:23, 96:10, 102:4, 105:21, 108:21, 111:19, 114:4, 116:6, 119:12, 125:11, 128:4, 129:23, 130:23, 139:3, 171:14, 177:7, 182:11, 185:12, 187:21, 190:12, 191:16,</p>	<p>193:5, 194:10, 196:19, 198:24, 200:5, 202:4, 204:8, 206:9, 208:2, 211:3, 213:14, 214:11, 216:12, 221:21, 253:25, 256:13, 258:20, 268:19, 275:15, 287:7, 296:2, 297:12, 298:16, 301:16, 304:22, 311:12, 316:13, 319:6, 321:9, 326:6, 340:23 point [42] - 18:12, 19:2, 28:9, 29:17, 52:21, 57:10, 58:7, 59:15, 66:5, 68:13, 72:6, 86:20, 109:14, 109:24, 118:1, 127:1, 139:16, 154:23, 170:10, 170:24, 183:2, 183:4, 184:24, 202:7, 231:13, 239:12, 243:22, 244:12, 247:18, 250:23, 252:13, 262:15, 268:16, 270:13, 288:5, 288:7, 303:2, 305:21, 307:2, 309:7, 331:2, 338:18 Point [5] - 79:8, 117:17, 135:21, 137:3, 255:20 pointed [2] - 86:21, 179:7 points [7] - 58:21, 113:21, 118:6, 140:8, 247:19, 309:5, 309:8 poised [2] - 333:19, 335:9 police [7] - 103:10, 103:11, 114:13, 115:4, 118:16, 118:22, 153:21 policeman [1] - 143:24 policies [3] - 306:2, 328:11 policy [8] - 238:2, 276:23, 280:19, 280:21, 281:6, 285:25, 286:12 political [2] - 241:20, 247:21 pollution [3] - 84:13, 87:3, 87:16</p>	<p>Pond [1] - 82:17 pond [13] - 77:3, 98:25, 99:1, 100:21, 101:1, 106:8, 106:14, 106:18, 163:25, 263:6, 276:16, 286:25, 334:7 ponds [1] - 80:8 pool [5] - 122:17, 276:17, 332:23, 332:25, 334:5 Pop [1] - 306:22 popular [1] - 242:7 population [4] - 60:24, 60:25, 61:1, 146:14 portables [8] - 134:13, 134:21, 135:2, 135:7, 135:10, 135:20, 135:24, 136:6 PORTER [7] - 1:16, 14:21, 47:16, 166:9, 176:8, 250:1, 252:7 Porter [8] - 2:16, 47:14, 166:8, 167:4, 176:13, 249:25, 250:18, 252:10 portion [8] - 22:10, 183:2, 184:12, 226:2, 288:3, 299:4, 305:15 portions [1] - 72:24 pose [2] - 72:13, 93:22 position [3] - 8:18, 245:18, 289:15 positioned [1] - 62:18 positions [1] - 109:18 positive [2] - 74:19, 176:23 possess [1] - 297:22 possibility [1] - 153:19 possible [5] - 63:6, 113:2, 113:6, 163:20, 163:25 possibly [5] - 66:23, 108:8, 116:23, 167:15, 298:14 potential [7] - 74:2, 93:14, 118:22, 119:4, 126:4, 126:14, 264:14 potentially [7] - 37:25, 108:10, 109:5, 110:7, 110:17, 236:19, 276:22 power [1] - 195:22 practic [1] - 67:14 practic-wise [1] -</p>
---	---	--	---	--

<p>67:14 practical [1] - 93:18 practically [1] - 72:2 practice [1] - 7:6 pragmatically [1] - 19:19 Praise [1] - 209:18 pray [1] - 315:5 precedence [1] - 197:5 precedent [1] - 278:15 predict [1] - 124:7 prefer [1] - 8:18 premise [1] - 244:16 premises [8] - 126:15, 192:8, 193:24, 202:15, 222:7, 229:13, 229:14, 244:21 premium [1] - 331:24 Prep [1] - 117:10 prepandemic [1] - 107:15 prepared [2] - 294:12, 294:17 presence [2] - 93:16, 203:8 present [4] - 2:16, 6:10, 116:21, 268:12 PRESENT [2] - 1:12, 1:18 presentation [11] - 3:1, 3:13, 49:21, 50:17, 60:16, 95:1, 123:19, 124:11, 126:12, 157:10, 270:23 presented [9] - 72:12, 103:9, 117:22, 117:25, 118:3, 131:20, 131:21, 132:1, 132:8 preserve [1] - 98:18 Preserve [2] - 209:8, 255:19 president [3] - 96:17, 114:9, 307:3 pressed [1] - 254:13 presume [1] - 250:24 presumes [1] - 326:20 pretty [15] - 18:17, 18:21, 42:20, 57:25, 63:13, 97:18, 152:2, 155:24, 171:22, 193:18, 283:6, 332:7, 333:20, 335:10, 341:19 prevailed [1] - 238:18 previous [4] - 93:9, 198:4, 246:24,</p>	<p>246:25 previously [4] - 98:1, 154:17, 188:18, 270:9 price [2] - 77:13, 331:2 prices [1] - 73:2 pricing [1] - 41:6 primarily [4] - 50:21, 72:18, 86:16, 189:18 prime [1] - 72:24 Princely [1] - 208:8 principal [1] - 124:17 principals [1] - 103:20 principles [1] - 328:14 prioritizes [1] - 13:2 Priority [3] - 33:3, 33:10, 269:23 privacy [1] - 108:5 private [17] - 19:15, 20:12, 70:16, 78:13, 78:16, 78:19, 86:17, 124:24, 129:3, 131:15, 134:9, 136:17, 150:10, 151:4, 151:10, 298:20, 299:7 privilege [1] - 45:4 problem [25] - 21:2, 55:21, 63:4, 76:22, 98:16, 99:2, 101:13, 101:20, 110:3, 115:8, 120:24, 130:6, 153:20, 154:18, 154:22, 159:25, 175:17, 201:20, 215:11, 215:12, 235:24, 235:25, 312:17, 312:21, 317:10 problems [8] - 69:7, 100:23, 101:9, 115:6, 115:13, 115:19, 166:18, 199:12 procedural [1] - 167:7 procedure [1] - 6:18 proceed [1] - 245:5 Proceedings [1] - 1:6 proceedings [4] - 138:18, 252:20, 342:3, 343:9 process [15] - 16:10, 25:13, 50:12, 51:8, 51:15, 51:23, 168:19, 203:2, 245:22, 258:7, 258:10, 262:14, 262:16, 322:25, 323:13</p>	<p>produce [2] - 272:8, 272:11 product [7] - 328:10, 328:19, 329:4, 332:4, 334:3, 334:13, 335:10 professional [2] - 295:17, 296:15 Professional [2] - 343:7, 343:18 professionals [1] - 173:22 professions [1] - 165:15 profit [1] - 86:12 profits [1] - 73:4 program [7] - 27:10, 28:20, 30:25, 31:2, 31:20, 32:20, 34:13 progressive [1] - 284:15 prohibited [1] - 25:6 prohibiting [1] - 203:3 prohibition [1] - 336:19 project [15] - 56:16, 57:16, 80:23, 163:20, 256:23, 270:24, 271:3, 272:13, 272:25, 284:3, 295:18, 308:10, 308:17, 309:12, 309:23 projects [5] - 43:15, 62:6, 165:25, 260:2 Promiseland [1] - 117:8 promote [2] - 253:20, 286:8 promotes [1] - 269:21 pronounced [1] - 102:8 pronouncing [1] - 82:8 proof [1] - 203:1 proper [2] - 108:4, 296:24 properly [1] - 262:10 properties [13] - 20:12, 24:3, 26:16, 27:6, 31:16, 35:5, 36:8, 57:15, 237:10, 243:6, 277:23, 284:15, 314:15 Properties [2] - 206:16, 260:1 property [121] - 16:24, 19:16, 22:18, 27:11, 28:24, 31:8, 31:9, 33:18, 35:21, 36:5,</p>	<p>45:12, 45:18, 56:24, 57:2, 57:22, 59:3, 59:10, 70:11, 70:13, 71:11, 71:19, 77:2, 77:18, 79:20, 79:22, 80:6, 80:10, 84:19, 90:2, 92:1, 92:2, 93:15, 96:19, 104:21, 106:3, 106:6, 106:9, 106:12, 106:13, 106:16, 106:20, 106:21, 107:2, 108:1, 108:11, 109:8, 113:3, 127:9, 131:21, 132:8, 136:15, 150:9, 150:10, 150:14, 151:4, 161:6, 161:9, 163:24, 164:2, 166:16, 166:20, 177:19, 177:24, 178:9, 178:17, 181:14, 181:15, 192:11, 197:9, 200:12, 201:15, 201:18, 208:12, 218:23, 224:2, 224:13, 224:16, 224:19, 224:23, 224:24, 224:25, 225:17, 225:21, 231:24, 236:2, 236:5, 237:20, 237:21, 237:22, 240:21, 243:23, 244:25, 245:1, 250:12, 253:4, 255:18, 255:23, 255:25, 267:21, 277:19, 277:20, 277:23, 283:6, 286:23, 292:1, 294:24, 295:11, 295:12, 295:15, 298:21, 299:4, 307:24, 308:3, 308:8, 315:7, 322:20, 327:12 proposal [5] - 117:23, 118:3, 118:5, 118:7, 130:3 propose [4] - 52:22, 146:25, 147:3, 156:7 proposed [38] - 15:23, 50:3, 52:20, 63:19, 71:13, 100:12, 100:18, 134:7, 137:14, 156:25, 157:24, 164:15, 165:2, 177:23,</p>	<p>180:8, 183:3, 184:13, 189:15, 189:21, 189:23, 216:19, 222:6, 222:7, 222:8, 223:22, 224:7, 232:8, 277:21, 287:1, 295:4, 299:6, 308:12, 308:22, 309:5, 309:9, 316:19, 316:21, 322:3 proposing [6] - 50:24, 69:17, 95:8, 244:6, 244:20, 296:9 proposition [1] - 16:16 protect [1] - 76:4 protection [1] - 74:4 proud [1] - 324:6 proudly [2] - 205:21, 205:22 proven [1] - 173:21 provide [12] - 2:23, 23:7, 24:10, 46:14, 74:20, 116:14, 131:14, 134:4, 136:22, 137:11, 157:5, 288:9 provided [5] - 52:11, 136:20, 147:10, 159:18, 220:21 providing [1] - 334:10 proximity [3] - 104:10, 221:4, 244:13 psychology [1] - 113:8 pub [1] - 201:17 public [54] - 2:24, 3:14, 3:17, 4:9, 6:12, 6:13, 10:12, 17:19, 26:5, 35:13, 37:7, 43:7, 44:14, 64:11, 64:15, 69:9, 70:16, 74:4, 74:21, 78:14, 79:6, 102:17, 103:23, 121:25, 124:24, 131:12, 131:15, 134:9, 134:11, 136:23, 138:13, 138:22, 138:25, 145:6, 147:14, 148:7, 149:19, 152:5, 152:16, 153:12, 155:8, 162:5, 163:1, 172:25, 177:3, 204:17, 220:1, 254:20, 257:5, 261:22, 293:4,</p>
--	--	--	--	--

<p>299:17, 335:21 Public [7] - 1:9, 1:22, 2:18, 133:19, 139:2, 187:7, 239:4 Publix [1] - 225:10 PUD [44] - 174:24, 258:4, 260:3, 260:24, 261:1, 261:7, 264:16, 265:10, 270:4, 274:25, 275:1, 276:14, 277:19, 277:22, 278:7, 281:16, 283:12, 286:20, 287:22, 295:16, 296:16, 296:19, 301:1, 301:2, 301:3, 301:6, 301:10, 304:4, 304:7, 304:16, 305:3, 305:12, 305:15, 305:22, 307:23, 309:4, 309:9, 313:23, 323:17, 328:1, 328:4 PUDs [1] - 6:1 pull [2] - 215:6, 298:10 pulling [3] - 81:19, 244:17, 311:4 Pumpkin [1] - 255:19 punished [1] - 242:25 punitive [2] - 243:1, 243:3 purchase [2] - 109:1, 186:12 purchased [5] - 82:24, 109:7, 151:4, 200:11, 297:21 purple [1] - 185:1 purpose [3] - 68:15, 181:19, 239:8 purposes [1] - 283:21 purvey [1] - 241:5 purview [1] - 154:10 push [1] - 9:4 pushed [3] - 9:6, 59:14, 87:12 put [67] - 10:25, 17:8, 20:9, 24:18, 27:10, 31:14, 31:22, 33:17, 35:19, 36:9, 38:18, 39:3, 39:16, 40:16, 40:19, 42:17, 42:18, 44:11, 46:3, 54:12, 66:7, 71:23, 76:7, 76:16, 95:8, 100:1, 100:22, 101:4, 101:8, 106:10, 107:24, 108:3, 108:15, 109:10,</p>	<p>110:12, 111:7, 112:12, 127:2, 127:7, 127:8, 127:15, 128:23, 143:3, 152:16, 167:11, 168:20, 171:20, 195:9, 209:9, 211:15, 212:10, 212:12, 213:3, 213:5, 215:10, 237:25, 243:25, 278:25, 283:18, 316:22, 317:1, 328:17, 334:19, 334:21, 338:14, 339:23, 340:25 puts [1] - 134:17 putting [6] - 35:24, 101:1, 106:17, 151:16, 170:16, 175:14</p>	<p>55:3, 61:22, 63:13, 248:13, 250:22, 283:4 quickest [1] - 251:2 quickly [6] - 18:5, 21:9, 56:17, 179:5, 284:13, 289:15 quiet [3] - 98:13, 102:15, 217:2 quietness [1] - 203:16 quite [11] - 37:24, 58:3, 98:6, 118:13, 118:18, 120:15, 139:9, 150:7, 164:17, 170:12, 246:19 quorum [1] - 2:14</p>	<p>91:12, 204:23, 305:19, 310:5 Ray [4] - 75:10, 78:1, 80:17, 80:20 Raysor [6] - 208:1, 208:5, 210:14, 319:8, 320:18, 320:21 RCA [1] - 118:15 reached [1] - 220:18 read [14] - 11:15, 49:9, 181:10, 194:24, 196:5, 220:11, 222:12, 238:19, 238:23, 277:14, 277:16, 290:9, 309:8 reading [11] - 11:4, 11:5, 11:6, 85:1, 217:16, 222:17, 223:1, 238:18, 239:2, 239:5, 309:19 ready [3] - 41:9, 95:2, 341:5 real [14] - 19:12, 47:7, 55:3, 72:24, 104:12, 124:1, 195:13, 206:23, 207:13, 248:13, 283:4, 284:13, 299:6 reality [1] - 103:4 realize [7] - 16:16, 35:23, 141:2, 162:4, 201:23, 334:17, 337:11 realizing [1] - 242:10 really [72] - 10:23, 16:13, 24:20, 25:20, 28:4, 32:17, 33:19, 34:23, 38:12, 38:13, 39:7, 39:13, 41:3, 41:10, 61:9, 61:25, 65:25, 68:13, 69:5, 74:6, 75:3, 75:4, 76:7, 80:10, 86:6, 89:14, 90:5, 90:14, 100:8, 100:9, 109:12, 112:8, 120:4, 126:8, 129:16, 129:18, 131:5, 132:8, 132:13, 138:3, 158:9, 158:19, 169:12, 175:19, 175:21, 180:19, 190:25, 192:18, 207:14, 209:13, 210:5, 219:7, 229:15, 232:23, 234:20, 237:10, 241:16, 245:7,</p>	<p>246:22, 248:17, 268:15, 270:24, 273:1, 294:13, 312:8, 322:3, 330:11, 330:20, 331:1, 331:14 reason [19] - 18:18, 18:21, 27:8, 60:22, 71:11, 79:11, 79:14, 80:13, 83:17, 97:14, 102:15, 129:4, 189:1, 221:7, 240:14, 250:8, 253:15, 341:11 reasonable [1] - 337:24 reasons [17] - 10:24, 74:25, 75:1, 78:8, 91:6, 97:10, 129:5, 166:3, 265:5, 269:25, 270:8, 274:22, 281:12, 286:17, 291:18 rebuttal [1] - 306:7 rec [1] - 57:21 recalled [1] - 276:4 receipt [1] - 46:1 receive [3] - 6:24, 7:8, 309:11 received [3] - 56:22, 188:24, 232:21 recent [2] - 296:14, 322:6 recently [3] - 109:7, 197:2, 212:21 recess [2] - 138:17, 252:18 Recitation [1] - 2:12 recite [3] - 2:9, 54:8, 205:13 recognize [1] - 83:23 recommend [10] - 7:11, 39:15, 159:17, 265:6, 269:25, 274:23, 281:12, 286:17, 291:18, 338:22 recommendation [7] - 7:16, 15:4, 46:25, 164:11, 178:22, 198:10, 266:1 recommendations [3] - 3:24, 3:25, 4:4 recommended [10] - 9:22, 15:14, 52:3, 52:9, 52:13, 52:19, 53:7, 104:20, 189:1, 258:25 recommending [13] - 253:21, 256:7,</p>
R				
<p>rabbit [1] - 83:22 race [1] - 110:25 races [1] - 82:20 racism [2] - 190:1, 190:3 radius [10] - 64:21, 70:14, 78:15, 79:10, 94:9, 117:7, 117:15, 189:23, 216:24, 218:14 rain [1] - 98:22 rains [1] - 100:8 rainwater [1] - 87:5 raise [6] - 54:7, 55:24, 85:9, 195:8, 195:9, 225:6 raised [3] - 6:12, 173:17, 217:1 raising [1] - 131:6 Raj [5] - 139:17, 139:24, 141:2, 142:1, 142:12 rambling [1] - 236:22 Ramona [4] - 5:20, 264:5, 264:9, 264:22 ran [1] - 340:15 RANDY [1] - 1:22 Randy [6] - 2:18, 30:25, 133:19, 134:2, 139:1, 167:5 range [1] - 146:13 rare [1] - 86:9 rate [9] - 41:5, 134:18, 134:25, 135:6, 242:11, 326:23, 339:6, 339:10, 341:18 rates [4] - 124:6, 242:3, 242:16, 339:8 rather [5] - 9:25,</p>				
Q				
<p>quadrant [1] - 280:16 qualify [1] - 20:1 quality [20] - 69:2, 74:5, 75:4, 75:22, 76:4, 76:7, 94:11, 94:16, 94:18, 98:10, 112:7, 113:13, 115:16, 115:17, 115:20, 122:14, 125:3, 308:9, 310:9 quarter [1] - 245:4 quasi [1] - 3:19 quasi-judicial [1] - 3:19 questions [26] - 4:12, 26:15, 38:13, 46:10, 50:17, 139:20, 139:25, 148:25, 149:11, 182:5, 200:10, 218:15, 218:17, 226:9, 227:16, 229:25, 261:12, 261:13, 266:10, 271:8, 277:6, 297:3, 299:9, 302:3, 306:6, 338:3 queue [2] - 92:3, 126:16 queuing [13] - 52:9, 52:11, 52:13, 52:18, 53:7, 57:1, 105:5, 126:13, 144:9, 163:23, 175:5, 175:9, 175:14 quick [8] - 32:22, 47:8,</p>				

<p>258:18, 265:19, 270:11, 275:9, 281:22, 287:4, 292:2, 292:11, 295:24, 301:12, 304:19 recommends [1] - 143:2 reconsider [2] - 71:9, 247:6 reconstruction [1] - 283:18 reconvene [1] - 138:10 record [76] - 2:13, 3:2, 3:14, 15:1, 46:4, 49:12, 50:5, 50:7, 54:12, 56:12, 60:12, 65:20, 70:5, 71:6, 73:20, 75:14, 88:6, 90:23, 95:11, 96:13, 102:6, 105:23, 111:21, 114:6, 119:14, 122:10, 128:6, 129:25, 133:18, 138:21, 141:9, 157:21, 186:19, 187:6, 187:11, 187:16, 188:2, 191:11, 191:22, 193:10, 194:7, 194:14, 196:22, 210:17, 213:17, 214:16, 215:24, 216:14, 217:20, 220:7, 252:4, 252:16, 256:15, 267:19, 277:16, 288:14, 290:5, 290:9, 297:15, 299:1, 306:16, 306:21, 311:9, 311:17, 313:15, 315:17, 315:22, 315:25, 316:11, 318:10, 318:25, 319:10, 320:20, 320:24, 321:20, 343:10 recorded [1] - 35:13 records [2] - 35:13, 212:19 recreation [22] - 57:2, 57:3, 57:5, 57:7, 57:14, 136:23, 136:25, 147:7, 147:10, 147:15, 147:16, 147:18, 147:22, 148:3, 148:12, 148:14,</p>	<p>148:18, 148:19, 148:23, 226:6, 276:6 recreational [6] - 132:5, 136:21, 137:1, 137:3, 137:4, 137:5 recuse [2] - 43:16, 114:19 red [4] - 11:9, 81:21, 91:12, 124:15 redesign [1] - 106:11 redevelop [1] - 210:6 redeveloped [1] - 36:6 redeveloping [1] - 40:18 redevelopment [5] - 27:21, 28:13, 29:1, 36:7, 284:15 Redevelopment [1] - 188:22 reduce [2] - 177:22, 200:15 reduction [1] - 330:9 redundant [1] - 116:16 Reed [3] - 265:21, 270:18, 275:14 REED [11] - 1:20, 264:6, 265:24, 268:23, 274:8, 276:3, 276:13, 276:21, 280:14, 285:18, 290:24 reeks [1] - 165:21 refer [1] - 185:20 reference [1] - 157:2 referenced [6] - 32:21, 151:22, 168:18, 305:3, 327:9, 327:14 references [3] - 158:8, 287:15, 328:8 referencing [1] - 58:17 referral [1] - 114:21 referring [1] - 228:17 refers [1] - 288:6 reflect [23] - 2:13, 15:2, 186:19, 187:6, 187:11, 187:16, 191:11, 194:7, 210:18, 215:25, 220:7, 267:19, 290:5, 306:16, 311:9, 315:17, 315:22, 316:1, 316:12, 318:10, 318:25, 320:20, 320:24 refusal [1] - 241:24 regard [4] - 23:3, 85:21, 223:14, 224:3</p>	<p>regarding [6] - 4:12, 134:5, 167:10, 182:16, 202:25, 309:5 regardless [3] - 122:24, 235:19, 235:21 regards [1] - 197:4 regulate [1] - 151:10 Regulations [1] - 30:22 regulatory [2] - 167:14, 167:20 reimburse [1] - 27:12 reiterate [2] - 150:24, 237:7 reject [2] - 70:2, 121:20 rejuvenating [1] - 31:3 related [3] - 151:6, 158:10, 158:22 relates [2] - 9:20, 151:15 relatively [3] - 127:4, 139:12, 282:4 release [2] - 36:2, 84:14 relevant [2] - 160:16, 180:11 relief [3] - 36:5, 178:1, 256:3 religion [2] - 224:15, 240:17 religious [4] - 70:16, 224:20, 240:19, 241:22 relocating [3] - 136:9, 136:11, 136:14 remain [2] - 2:10, 249:22 remaining [1] - 269:9 remarks [5] - 307:2, 307:5, 307:7, 307:21, 310:13 remember [7] - 12:15, 48:19, 148:4, 148:8, 183:18, 183:21, 253:5 remind [7] - 11:22, 12:16, 47:13, 183:16, 225:25, 226:1, 328:7 reminded [1] - 138:20 reminder [6] - 6:7, 43:1, 138:11, 177:2, 189:7, 326:9 remote [1] - 256:4 removed [3] - 135:11, 233:22, 288:10 removing [1] - 135:24</p>	<p>renamed [1] - 131:4 render [1] - 181:15 renderings [1] - 93:5 Renew [4] - 22:7, 22:10, 24:8, 33:4 renovate [1] - 314:14 renovation [1] - 219:21 rent [4] - 330:23, 331:2, 331:3, 334:6 rental [2] - 73:8, 330:18 rentals [4] - 336:18, 336:19, 336:22, 337:15 renting [1] - 206:16 repealed [1] - 31:21 rephrase [1] - 55:18 replace [1] - 255:23 replaced [2] - 135:11, 310:5 reply [1] - 280:10 report [21] - 8:17, 17:2, 35:22, 146:2, 227:8, 253:13, 265:6, 270:12, 274:23, 275:12, 281:23, 285:4, 287:5, 301:13, 302:20, 304:20, 305:8, 305:22, 328:8, 330:1, 343:9 reported [2] - 17:9, 146:21 reporter [1] - 3:9 REPORTER [5] - 8:25, 54:16, 55:24, 56:2, 343:1 Reporter [2] - 343:8, 343:18 representation [2] - 84:5, 205:7 Representative [3] - 1:22, 220:16, 220:20 representative [12] - 2:18, 2:19, 86:23, 120:16, 133:20, 134:3, 168:15, 182:19, 210:8, 246:11, 246:22, 309:15 representatives [2] - 102:22, 110:23 represented [1] - 96:25 representing [8] - 49:15, 139:14, 155:6, 166:1, 182:15, 224:23, 258:23, 296:5</p>	<p>represents [1] - 338:16 request [31] - 25:12, 45:16, 50:14, 86:10, 87:21, 87:23, 121:20, 152:20, 153:9, 154:4, 154:5, 177:22, 178:1, 188:10, 239:3, 255:21, 264:11, 269:3, 274:12, 280:17, 285:23, 291:3, 291:13, 305:17, 307:22, 308:11, 309:9, 309:10, 313:22, 315:3 requested [1] - 196:2 requests [1] - 309:22 require [9] - 9:14, 15:9, 30:22, 64:23, 142:15, 202:20, 288:8, 303:3, 341:4 required [13] - 23:23, 25:10, 31:10, 33:17, 38:18, 78:9, 79:12, 142:21, 149:7, 151:18, 159:19, 166:14, 167:16 requirement [5] - 12:12, 24:18, 58:24, 206:4, 234:24 requirements [5] - 22:20, 177:18, 201:3, 201:5, 256:2 requires [8] - 8:7, 8:8, 24:3, 25:16, 32:24, 142:18, 144:2, 326:19 requiring [1] - 33:13 referred [1] - 24:8 research [2] - 200:12, 233:14 reside [4] - 92:24, 93:14, 111:24, 114:8 residence [1] - 216:17 residences [2] - 225:1, 246:5 resident [9] - 72:3, 75:21, 78:12, 94:17, 96:16, 108:25, 119:16, 120:5, 215:1 Residential [15] - 83:16, 264:12, 264:13, 264:21, 264:25, 265:4, 269:4, 281:1, 291:4, 291:9, 291:15, 322:5, 333:20, 335:9 residential [41] -</p>
--	---	--	--	--

<p>19:23, 19:24, 33:14, 33:15, 33:18, 35:2, 35:3, 35:9, 45:20, 50:22, 70:12, 98:13, 102:16, 104:24, 119:20, 119:21, 128:16, 129:8, 129:9, 140:5, 140:10, 140:11, 153:3, 155:7, 161:11, 164:1, 175:3, 189:10, 189:11, 189:13, 197:23, 264:14, 275:25, 280:22, 280:23, 281:8, 286:3, 291:11, 296:20, 322:7, 322:12</p> <p>residentially [1] - 269:12</p> <p>Residentially [1] - 277:20</p> <p>residents [20] - 21:15, 42:13, 42:16, 65:4, 65:11, 77:13, 86:25, 97:11, 97:12, 103:2, 104:16, 117:23, 121:20, 122:20, 128:13, 188:9, 220:19, 220:22, 317:25, 322:12</p> <p>residents' [1] - 49:9</p> <p>resistance [1] - 21:15</p> <p>resolution [1] - 298:24</p> <p>resolve [1] - 276:10</p> <p>resolved [1] - 198:13</p> <p>resources [1] - 13:5</p> <p>respect [12] - 151:1, 165:23, 206:3, 220:24, 220:25, 307:5, 314:21, 314:22, 315:12, 315:13</p> <p>respectable [1] - 335:10</p> <p>respond [3] - 56:6, 278:18, 278:21</p> <p>responded [1] - 153:16</p> <p>response [83] - 5:5, 10:10, 14:12, 17:17, 21:8, 22:2, 26:3, 26:13, 30:2, 30:13, 37:5, 40:5, 41:24, 42:5, 87:15, 149:17, 176:2, 186:18, 187:10, 191:10, 194:6, 208:6, 210:16, 215:23,</p>	<p>221:17, 251:14, 254:18, 255:3, 257:3, 257:18, 261:20, 263:22, 267:7, 267:16, 268:7, 271:14, 271:23, 273:7, 273:22, 277:9, 279:16, 280:4, 282:17, 282:19, 284:20, 285:8, 288:22, 290:14, 293:2, 293:12, 294:1, 299:15, 300:11, 300:14, 302:7, 303:16, 313:13, 315:20, 315:24, 320:19, 320:23, 338:8, 340:3</p> <p>responsibilities [1] - 204:16</p> <p>responsible [4] - 6:22, 35:24, 101:11, 309:12</p> <p>rest [3] - 34:2, 76:23, 111:13</p> <p>restaurant [8] - 214:23, 214:24, 215:7, 215:8, 215:10, 228:12, 253:8, 253:11</p> <p>restaurants [1] - 29:17</p> <p>result [7] - 69:7, 123:3, 165:2, 208:16, 219:9, 291:14, 291:16</p> <p>resulting [1] - 87:5</p> <p>results [2] - 127:14, 265:1</p> <p>retail [6] - 180:7, 253:8, 253:9, 275:7, 296:19, 305:13</p> <p>retain [2] - 3:15, 301:2</p> <p>retention [5] - 59:5, 80:8, 163:24, 286:25, 334:7</p> <p>reuse [3] - 253:20, 269:14, 269:22</p> <p>reverence [1] - 206:2</p> <p>revert [1] - 73:8</p> <p>review [10] - 6:18, 11:7, 11:12, 30:22, 46:11, 96:5, 140:12, 158:18, 312:24</p> <p>reviewed [8] - 7:1, 45:25, 46:8, 52:16, 178:7, 258:14, 295:7, 304:10</p> <p>reviewer [1] - 262:17</p> <p>reviewing [1] - 144:3</p>	<p>revised [19] - 51:3, 149:3, 157:3, 157:6, 157:12, 157:13, 157:18, 157:19, 157:25, 158:1, 189:6, 270:14, 270:16, 273:16, 275:10, 292:4, 292:8, 293:20</p> <p>revisions [1] - 50:20</p> <p>revitalization [3] - 269:16, 269:22, 270:5</p> <p>revitalize [1] - 272:14</p> <p>revive [1] - 30:25</p> <p>reward [1] - 83:2</p> <p>rezone [3] - 286:20, 301:1, 304:4</p> <p>rezoned [1] - 109:5</p> <p>rezoning [18] - 8:11, 9:18, 86:10, 87:23, 115:16, 160:8, 160:14, 265:9, 270:3, 274:25, 281:15, 287:12, 294:23, 304:5, 307:25, 308:14, 308:15, 310:2</p> <p>rezonings [1] - 3:23</p> <p>rhetorical [1] - 112:21</p> <p>Richard [3] - 75:10, 77:25, 78:4</p> <p>rid [1] - 213:2</p> <p>ride [4] - 66:3, 122:19, 170:8, 170:9</p> <p>riffraff [1] - 331:4</p> <p>right-hand [1] - 145:14</p> <p>right-of-way [2] - 24:15, 287:19</p> <p>right-of-ways [1] - 243:8</p> <p>right-turn [3] - 52:6, 143:9, 144:7</p> <p>rightly [1] - 239:19</p> <p>Rights [3] - 195:1, 195:4, 195:25</p> <p>rights [17] - 204:25, 205:2, 220:24, 221:1, 224:13, 224:15, 224:16, 224:19, 224:20, 224:24, 225:21, 236:2, 236:5, 237:22, 244:24, 244:25, 308:6</p> <p>Rink [1] - 114:3</p> <p>Rio [2] - 73:23, 75:16</p> <p>risk [4] - 130:11, 130:12, 130:16,</p>	<p>130:17</p> <p>River [11] - 78:18, 78:20, 81:2, 88:14, 115:11, 117:9, 118:12, 136:12, 145:18, 146:2, 146:9</p> <p>Riverplace [12] - 47:6, 49:15, 139:14, 179:2, 221:23, 258:23, 275:18, 282:1, 287:10, 296:5, 301:19, 305:1</p> <p>Riverside [2] - 246:8, 246:13</p> <p>Riverton [2] - 107:17, 107:19</p> <p>RLD-40 [3] - 295:5, 296:10, 296:11</p> <p>RLD-50 [2] - 295:5, 296:9</p> <p>RLD-60 [2] - 166:17, 166:21</p> <p>RLD-70 [3] - 45:19, 174:23, 175:14</p> <p>RMD [1] - 270:4</p> <p>RMD-A [1] - 270:4</p> <p>road [34] - 33:15, 38:19, 41:17, 46:13, 66:2, 66:15, 66:17, 66:21, 67:8, 78:22, 83:5, 89:3, 99:25, 100:3, 100:7, 100:12, 110:2, 113:3, 113:7, 123:9, 128:15, 170:15, 175:16, 237:17, 240:1, 256:17, 306:12, 312:4, 312:5, 312:20, 324:10, 324:14, 327:16, 337:21</p> <p>Road [108] - 5:17, 5:19, 5:24, 6:2, 28:11, 33:16, 42:12, 45:9, 45:13, 45:15, 46:7, 65:22, 66:1, 66:19, 67:3, 68:6, 68:15, 69:12, 69:16, 81:17, 83:4, 83:11, 85:23, 88:8, 89:1, 89:8, 89:25, 90:13, 91:9, 91:16, 97:6, 102:13, 105:11, 110:1, 110:19, 110:20, 110:23, 112:23, 113:4, 115:9, 115:10, 115:11, 115:12, 116:12, 118:11, 118:19, 119:5,</p>	<p>123:8, 123:17, 126:17, 126:18, 127:5, 127:6, 128:11, 128:14, 128:24, 131:3, 134:19, 136:11, 136:15, 142:2, 142:4, 151:8, 153:17, 170:17, 184:9, 194:16, 211:10, 217:25, 223:25, 254:5, 255:18, 255:20, 264:10, 278:6, 285:17, 285:20, 285:21, 285:22, 291:2, 300:23, 304:1, 306:23, 308:6, 308:16, 309:6, 309:7, 309:9, 310:4, 311:19, 313:2, 313:18, 316:18, 317:5, 317:13, 319:13, 319:19, 319:22, 320:1, 320:2, 321:23, 324:2, 329:10, 332:12, 338:20</p> <p>roads [9] - 33:14, 100:14, 100:15, 101:4, 106:23, 107:1, 107:4, 123:6, 280:24</p> <p>Roads [2] - 308:3, 308:25</p> <p>roadway [2] - 46:21, 62:18</p> <p>roadways [1] - 286:25</p> <p>rob [1] - 208:11</p> <p>Roberson [5] - 196:18, 198:23, 200:3, 200:7, 202:1</p> <p>Roberts [6] - 321:1, 321:7, 321:11, 321:19, 321:22, 323:23</p> <p>rodeo [1] - 170:25</p> <p>Rodgers [4] - 318:12, 318:18, 318:19, 319:1</p> <p>Rodriguez [5] - 116:5, 119:10, 121:22, 122:6, 125:9</p> <p>Rogers [2] - 84:4, 168:18</p> <p>role [1] - 151:13</p> <p>roles [1] - 328:23</p> <p>roll [2] - 252:25, 316:12</p>
--	---	--	--	---

<p>rolled [1] - 44:18 Ronald [7] - 208:1, 208:5, 210:14, 210:15, 210:18, 319:8, 320:18 roof [1] - 258:10 room [7] - 3:7, 4:15, 113:10, 126:15, 167:17, 204:14, 249:5 rooms [2] - 135:13, 281:17 roots [1] - 76:1 Rosen [1] - 261:12 Rosewood [1] - 193:12 Rossello [6] - 105:20, 108:19, 111:17, 111:20, 111:24, 113:25 rotated [1] - 58:18 roughly [1] - 126:13 round [2] - 98:4, 108:15 roundabout [1] - 30:5 rounded [1] - 137:6 route [1] - 223:25 routine [1] - 72:16 Royal [1] - 209:7 RPI [5] - 274:14, 274:18, 274:20, 275:24, 279:2 RR [6] - 45:19, 174:23, 175:13, 265:9, 295:3, 295:20 RR-Acre [6] - 45:19, 174:23, 175:13, 265:9, 295:3, 295:20 rubber [3] - 84:21, 112:5, 165:12 rubber-stamp [1] - 84:21 rubber-stamped [1] - 112:5 Ruffin [5] - 306:10, 310:20, 310:22, 311:5, 311:10 ruin [1] - 278:10 Rukab [4] - 75:10, 77:25, 78:4, 80:15 rule [8] - 26:16, 27:23, 99:11, 202:15, 215:4, 276:1, 320:14, 329:8 Rules [1] - 196:7 rules [11] - 37:19, 200:13, 200:16, 235:6, 235:19, 235:23, 235:25, 236:13, 236:20,</p>	<p>240:22, 261:4 ruling [1] - 240:8 rumored [1] - 137:18 run [13] - 22:25, 35:14, 35:20, 43:4, 59:2, 66:9, 91:11, 91:12, 123:10, 126:21, 161:7, 241:20, 247:21 rundown [5] - 261:16, 271:25, 277:4, 282:4, 282:5 running [1] - 67:8 runoff [1] - 87:5 Rural [4] - 33:6, 277:19, 291:3, 322:4 rural [4] - 278:10, 322:2, 334:24, 335:14 ruralness [1] - 76:2 Ruth [4] - 111:18, 114:2, 116:4, 116:9</p>	<p>311:19, 313:18, 319:13, 324:2 San [6] - 81:6, 97:5, 117:10, 128:20, 246:8, 249:1 Sanctuary [1] - 209:18 sanctuary [1] - 203:17 Sandpiper [2] - 106:2, 107:7 Santana [4] - 51:18, 142:4, 158:23, 158:25 Sara [5] - 90:20, 92:20, 94:24, 95:13, 99:23 sat [1] - 114:16 saturated [1] - 124:25 saturation [2] - 151:24, 152:1 save [1] - 43:13 saw [4] - 243:19, 248:25, 294:18, 331:20 Sawgrass [1] - 314:17 scale [1] - 137:8 scattered [1] - 277:24 scenario [2] - 159:24, 235:3 scene [1] - 125:25 scheduled [3] - 50:13, 62:11, 319:20 scheduling [1] - 4:19 Schellhorn [2] - 2:20, 138:18 SHELLHORN [1] - 1:22 Schmidt [5] - 102:3, 105:19, 108:19, 108:23, 111:16 School [16] - 78:16, 78:25, 117:9, 117:11, 117:12, 118:16, 136:14, 143:14, 143:19, 143:23, 144:1, 145:9, 148:16, 154:12, 154:23 school [217] - 42:12, 42:19, 45:16, 52:23, 53:1, 53:8, 60:22, 60:25, 61:3, 61:10, 61:12, 61:15, 61:25, 64:11, 64:12, 64:14, 64:16, 64:23, 65:2, 65:5, 65:23, 66:4, 66:20, 67:10, 69:8, 70:15, 70:20, 71:19, 73:1, 73:3, 74:12, 74:22, 76:13, 76:14, 77:19, 78:7, 78:8,</p>	<p>78:16, 78:19, 79:12, 80:12, 81:5, 81:8, 81:12, 81:23, 83:25, 86:12, 86:17, 86:18, 87:2, 88:10, 88:11, 88:12, 89:12, 89:16, 89:18, 90:7, 90:8, 90:15, 91:2, 94:1, 94:4, 94:6, 95:8, 96:19, 96:20, 97:15, 97:19, 97:22, 97:24, 97:25, 98:3, 98:23, 100:12, 100:13, 100:18, 101:8, 101:12, 102:23, 103:7, 103:8, 103:16, 103:25, 104:3, 104:6, 104:14, 104:22, 105:15, 109:11, 109:13, 109:15, 109:19, 110:2, 110:12, 110:16, 110:18, 111:8, 112:10, 113:19, 114:13, 114:16, 115:25, 116:19, 116:21, 117:2, 117:7, 117:13, 117:14, 117:21, 118:3, 118:19, 119:22, 119:24, 120:7, 120:11, 123:3, 123:20, 124:12, 125:1, 125:22, 129:3, 129:16, 130:7, 131:9, 131:12, 131:15, 132:2, 132:10, 132:23, 132:24, 133:1, 133:2, 134:3, 134:5, 134:7, 134:14, 134:16, 134:21, 134:22, 134:23, 135:1, 135:3, 135:6, 135:16, 135:17, 135:21, 135:25, 136:1, 136:8, 137:18, 140:18, 143:13, 143:16, 143:21, 143:24, 143:25, 144:21, 145:6, 145:21, 145:23, 147:1, 147:5, 148:21, 152:4, 160:11, 161:4, 161:5, 161:6, 161:10, 161:16, 161:21, 161:22, 161:25, 162:5,</p>	<p>162:8, 162:9, 162:13, 162:20, 162:25, 163:1, 165:6, 166:20, 166:24, 167:12, 167:15, 167:21, 167:23, 170:13, 171:1, 171:6, 171:17, 171:19, 172:18, 173:6, 173:9, 173:21, 175:7, 191:2, 200:14, 201:5, 202:17, 203:10, 205:4, 209:2, 212:14, 221:6, 244:4, 281:2, 296:19 school-age [1] - 173:9 schools [88] - 45:18, 45:21, 45:23, 57:12, 57:17, 57:20, 58:1, 61:11, 61:16, 61:18, 61:21, 64:18, 64:20, 68:10, 68:12, 69:9, 70:14, 71:15, 78:13, 78:14, 78:23, 79:6, 79:12, 80:25, 81:9, 84:2, 88:21, 90:3, 93:11, 96:21, 96:22, 96:23, 102:17, 103:18, 104:2, 104:13, 104:18, 104:23, 109:12, 109:18, 114:15, 117:6, 119:3, 120:13, 124:25, 125:1, 125:18, 129:7, 129:15, 134:9, 134:11, 136:7, 136:16, 136:17, 136:24, 140:4, 140:14, 144:13, 145:24, 146:9, 146:17, 147:9, 147:11, 147:14, 147:15, 147:20, 147:21, 148:7, 148:13, 148:20, 151:19, 152:5, 152:6, 160:17, 163:3, 163:5, 169:18, 170:6, 172:7, 172:11, 172:12, 172:14, 172:23, 173:4, 173:8 Schools [5] - 1:22, 2:18, 133:20, 139:2, 187:7 Schumer [2] - 321:14, 323:24</p>
S				
<p>sac [1] - 107:7 safe [6] - 66:4, 67:5, 87:10, 123:14, 130:17, 337:24 safely [1] - 122:19 Safety [5] - 143:14, 143:17, 143:19, 143:23, 144:1 safety [17] - 67:7, 72:18, 74:3, 98:8, 108:13, 112:7, 120:8, 122:13, 122:23, 125:3, 151:7, 153:24, 153:25, 154:8, 154:9, 164:16, 165:21 Safronova [6] - 59:22, 60:10, 63:1, 121:24, 130:22, 131:2 sake [4] - 4:18, 9:9, 54:22, 331:19 sale [4] - 180:7, 202:16, 203:4, 253:10 Sales [1] - 301:24 SALES [2] - 1:23, 301:25 sales [6] - 95:22, 135:9, 241:19, 251:9, 257:12, 310:18 salient [1] - 305:21 Sam [1] - 239:4 Sampson [5] - 306:23,</p>	<p>311:19, 313:18, 319:13, 324:2 San [6] - 81:6, 97:5, 117:10, 128:20, 246:8, 249:1 Sanctuary [1] - 209:18 sanctuary [1] - 203:17 Sandpiper [2] - 106:2, 107:7 Santana [4] - 51:18, 142:4, 158:23, 158:25 Sara [5] - 90:20, 92:20, 94:24, 95:13, 99:23 sat [1] - 114:16 saturated [1] - 124:25 saturation [2] - 151:24, 152:1 save [1] - 43:13 saw [4] - 243:19, 248:25, 294:18, 331:20 Sawgrass [1] - 314:17 scale [1] - 137:8 scattered [1] - 277:24 scenario [2] - 159:24, 235:3 scene [1] - 125:25 scheduled [3] - 50:13, 62:11, 319:20 scheduling [1] - 4:19 Schellhorn [2] - 2:20, 138:18 SHELLHORN [1] - 1:22 Schmidt [5] - 102:3, 105:19, 108:19, 108:23, 111:16 School [16] - 78:16, 78:25, 117:9, 117:11, 117:12, 118:16, 136:14, 143:14, 143:19, 143:23, 144:1, 145:9, 148:16, 154:12, 154:23 school [217] - 42:12, 42:19, 45:16, 52:23, 53:1, 53:8, 60:22, 60:25, 61:3, 61:10, 61:12, 61:15, 61:25, 64:11, 64:12, 64:14, 64:16, 64:23, 65:2, 65:5, 65:23, 66:4, 66:20, 67:10, 69:8, 70:15, 70:20, 71:19, 73:1, 73:3, 74:12, 74:22, 76:13, 76:14, 77:19, 78:7, 78:8,</p>	<p>78:16, 78:19, 79:12, 80:12, 81:5, 81:8, 81:12, 81:23, 83:25, 86:12, 86:17, 86:18, 87:2, 88:10, 88:11, 88:12, 89:12, 89:16, 89:18, 90:7, 90:8, 90:15, 91:2, 94:1, 94:4, 94:6, 95:8, 96:19, 96:20, 97:15, 97:19, 97:22, 97:24, 97:25, 98:3, 98:23, 100:12, 100:13, 100:18, 101:8, 101:12, 102:23, 103:7, 103:8, 103:16, 103:25, 104:3, 104:6, 104:14, 104:22, 105:15, 109:11, 109:13, 109:15, 109:19, 110:2, 110:12, 110:16, 110:18, 111:8, 112:10, 113:19, 114:13, 114:16, 115:25, 116:19, 116:21, 117:2, 117:7, 117:13, 117:14, 117:21, 118:3, 118:19, 119:22, 119:24, 120:7, 120:11, 123:3, 123:20, 124:12, 125:1, 125:22, 129:3, 129:16, 130:7, 131:9, 131:12, 131:15, 132:2, 132:10, 132:23, 132:24, 133:1, 133:2, 134:3, 134:5, 134:7, 134:14, 134:16, 134:21, 134:22, 134:23, 135:1, 135:3, 135:6, 135:16, 135:17, 135:21, 135:25, 136:1, 136:8, 137:18, 140:18, 143:13, 143:16, 143:21, 143:24, 143:25, 144:21, 145:6, 145:21, 145:23, 147:1, 147:5, 148:21, 152:4, 160:11, 161:4, 161:5, 161:6, 161:10, 161:16, 161:21, 161:22, 161:25, 162:5,</p>	<p>162:8, 162:9, 162:13, 162:20, 162:25, 163:1, 165:6, 166:20, 166:24, 167:12, 167:15, 167:21, 167:23, 170:13, 171:1, 171:6, 171:17, 171:19, 172:18, 173:6, 173:9, 173:21, 175:7, 191:2, 200:14, 201:5, 202:17, 203:10, 205:4, 209:2, 212:14, 221:6, 244:4, 281:2, 296:19 school-age [1] - 173:9 schools [88] - 45:18, 45:21, 45:23, 57:12, 57:17, 57:20, 58:1, 61:11, 61:16, 61:18, 61:21, 64:18, 64:20, 68:10, 68:12, 69:9, 70:14, 71:15, 78:13, 78:14, 78:23, 79:6, 79:12, 80:25, 81:9, 84:2, 88:21, 90:3, 93:11, 96:21, 96:22, 96:23, 102:17, 103:18, 104:2, 104:13, 104:18, 104:23, 109:12, 109:18, 114:15, 117:6, 119:3, 120:13, 124:25, 125:1, 125:18, 129:7, 129:15, 134:9, 134:11, 136:7, 136:16, 136:17, 136:24, 140:4, 140:14, 144:13, 145:24, 146:9, 146:17, 147:9, 147:11, 147:14, 147:15, 147:20, 147:21, 148:7, 148:13, 148:20, 151:19, 152:5, 152:6, 160:17, 163:3, 163:5, 169:18, 170:6, 172:7, 172:11, 172:12, 172:14, 172:23, 173:4, 173:8 Schools [5] - 1:22, 2:18, 133:20, 139:2, 187:7 Schumer [2] - 321:14, 323:24</p>	

<p>Science [10] - 78:18, 78:20, 81:2, 88:15, 117:9, 118:12, 136:13, 145:18, 146:2, 146:9</p> <p>scratching [1] - 18:9</p> <p>scream [1] - 263:17</p> <p>screw [1] - 263:15</p> <p>seafood [1] - 228:9</p> <p>search [1] - 78:11</p> <p>searched [1] - 97:21</p> <p>Seaside [2] - 81:5, 117:11</p> <p>seaside [1] - 136:10</p> <p>sec [1] - 338:14</p> <p>seclusion [1] - 203:16</p> <p>second [9] - 5:1, 5:3, 5:7, 10:16, 10:18, 13:17, 13:19, 14:14, 17:23, 17:25, 21:23, 26:9, 26:11, 30:8, 34:17, 37:11, 37:13, 42:1, 42:14, 53:15, 55:6, 57:9, 66:11, 66:14, 79:14, 127:1, 149:23, 149:25, 157:14, 157:16, 158:2, 176:4, 179:22, 180:13, 227:3, 227:9, 227:11, 229:6, 233:10, 251:16, 254:24, 255:1, 255:5, 257:9, 257:11, 257:16, 257:20, 262:1, 262:3, 263:24, 267:12, 267:14, 267:18, 268:4, 271:19, 271:21, 273:9, 273:18, 273:20, 273:24, 279:13, 279:18, 279:25, 280:2, 282:24, 283:1, 284:22, 285:5, 289:2, 289:25, 290:11, 290:16, 292:12, 292:13, 293:8, 293:10, 293:14, 293:22, 293:23, 294:3, 294:8, 299:21, 299:23, 300:16, 302:12, 302:14, 302:21, 302:23, 303:18, 330:2, 330:4</p> <p>secondary [2] - 333:2, 333:3</p> <p>secondly [4] - 59:6,</p>	<p>64:10, 153:10, 155:10</p> <p>seconds [1] - 325:22</p> <p>secretaries [1] - 12:10</p> <p>Secretary [1] - 1:14</p> <p>secretly [2] - 171:17, 171:24</p> <p>section [3] - 15:9, 310:3, 327:7</p> <p>Section [9] - 118:15, 179:17, 182:24, 188:15, 189:8, 201:2, 202:7, 202:14, 203:1</p> <p>sections [1] - 118:8</p> <p>security [2] - 103:10, 123:21</p> <p>see [85] - 4:13, 8:15, 12:17, 19:16, 20:13, 26:24, 27:1, 28:9, 28:16, 29:1, 29:20, 37:18, 57:2, 57:15, 58:19, 61:13, 65:3, 70:19, 75:25, 81:25, 83:25, 95:3, 95:15, 95:17, 95:18, 95:24, 98:14, 101:5, 113:18, 120:14, 125:22, 125:25, 131:6, 144:13, 146:12, 154:6, 163:18, 163:22, 164:25, 165:13, 167:5, 167:19, 169:11, 169:24, 172:20, 174:24, 178:16, 179:19, 185:2, 188:1, 204:3, 204:9, 205:8, 205:20, 208:21, 208:22, 209:3, 212:19, 212:23, 214:21, 217:18, 221:15, 227:21, 234:14, 234:20, 234:22, 242:14, 254:1, 268:21, 276:18, 282:3, 282:10, 295:8, 295:22, 305:9, 325:9, 327:13, 331:12, 331:18, 331:23, 334:12, 335:11, 336:17, 339:20</p> <p>seeing [23] - 5:6, 10:11, 17:18, 23:3, 26:4, 37:6, 149:18, 152:5, 254:19, 255:4, 257:4,</p>	<p>257:19, 261:21, 267:8, 267:17, 279:17, 285:9, 288:23, 290:15, 293:3, 293:13, 294:2, 299:16</p> <p>seek [1] - 261:5</p> <p>seeking [1] - 255:23</p> <p>seeks [4] - 258:4, 300:25, 304:3, 305:16</p> <p>seem [2] - 12:10, 79:25</p> <p>seeming [1] - 256:5</p> <p>selecting [1] - 122:16</p> <p>self [1] - 169:4</p> <p>self-imposed [1] - 169:4</p> <p>selfishness [2] - 74:17, 74:18</p> <p>sell [6] - 73:3, 101:16, 109:9, 131:20, 192:23, 211:20</p> <p>selling [3] - 92:12, 189:22, 229:3</p> <p>send [5] - 7:6, 7:11, 64:23, 65:1, 156:16</p> <p>sends [1] - 11:13</p> <p>senior [1] - 116:14</p> <p>sense [10] - 21:13, 31:6, 31:14, 33:19, 39:8, 54:13, 68:13, 204:21, 212:9, 332:15</p> <p>sensitive [2] - 10:4, 313:4</p> <p>Sensitive [1] - 36:18</p> <p>sent [4] - 51:3, 99:19, 182:16, 209:23</p> <p>separate [3] - 230:2, 230:5, 230:7</p> <p>separated [2] - 22:17, 24:12</p> <p>separately [1] - 24:17</p> <p>series [1] - 282:11</p> <p>serious [2] - 69:7, 317:10</p> <p>seriously [2] - 72:9, 340:18</p> <p>servant [1] - 220:1</p> <p>serve [4] - 196:4, 205:21, 209:12, 281:10</p> <p>served [2] - 205:20, 234:18</p> <p>serves [3] - 79:2, 203:1, 228:20</p> <p>Service [3] - 142:5, 142:8, 142:10</p> <p>service [12] - 22:18,</p>	<p>23:4, 25:5, 25:8, 27:7, 52:1, 52:2, 52:5, 85:17, 119:6, 125:19, 205:10</p> <p>services [8] - 136:2, 192:16, 197:9, 221:5, 269:17, 269:19, 272:20, 272:23</p> <p>servicing [3] - 85:18, 185:8, 215:7</p> <p>session [1] - 15:12</p> <p>set [4] - 34:18, 185:24, 338:23</p> <p>setback [3] - 106:7, 256:3, 287:17</p> <p>sets [1] - 278:14</p> <p>setting [2] - 204:13, 233:7</p> <p>seven [4] - 31:1, 31:21, 152:22, 264:15</p> <p>several [12] - 13:5, 36:4, 64:10, 102:21, 148:20, 168:24, 218:11, 244:1, 282:12, 306:5, 324:15</p> <p>several-hour-long [1] - 168:24</p> <p>Shabazz [4] - 204:6, 206:7, 206:10, 206:12</p> <p>SHABAZZ [2] - 206:15, 207:24</p> <p>Shack [2] - 228:8, 231:11</p> <p>Shad [1] - 117:17</p> <p>shakes [2] - 230:17, 339:21</p> <p>shall [11] - 182:25, 183:19, 183:24, 188:16, 188:25, 189:11, 200:24, 202:16, 223:9, 245:25, 287:18</p> <p>shaped [1] - 193:15</p> <p>share [4] - 122:12, 168:12, 327:4, 337:16</p> <p>Sharonwood [1] - 297:17</p> <p>sheer [1] - 68:8</p> <p>sheet [1] - 57:16</p> <p>Sherwood [1] - 208:15</p> <p>shifting [1] - 325:22</p> <p>shifts [1] - 185:22</p> <p>Shinelan [1] - 64:1</p> <p>Shirley [3] - 311:14, 313:12, 315:16</p>	<p>shirts [2] - 55:4, 336:2</p> <p>shock [1] - 207:10</p> <p>shoot [1] - 73:2</p> <p>shooting [1] - 208:17</p> <p>shootings [3] - 208:15, 208:16, 212:20</p> <p>shop [2] - 28:1, 185:6</p> <p>shopping [3] - 128:21, 131:24, 240:2</p> <p>shops [2] - 29:16, 83:12</p> <p>short [4] - 82:10, 199:14, 217:5, 277:16</p> <p>shot [4] - 95:3, 208:17, 218:22, 218:23</p> <p>show [8] - 49:22, 49:23, 50:1, 123:11, 143:22, 206:2, 248:7, 305:8</p> <p>showed [2] - 51:24, 132:4</p> <p>showing [5] - 58:15, 58:16, 110:18, 178:8, 209:25</p> <p>shown [2] - 148:2, 260:8</p> <p>shows [8] - 57:16, 106:17, 145:14, 145:15, 146:4, 201:20, 248:6, 317:12</p> <p>shrubs [1] - 59:11</p> <p>shuffling [1] - 311:7</p> <p>shut [2] - 215:2, 225:13</p> <p>shy [1] - 110:20</p> <p>sic [12] - 64:1, 67:14, 67:21, 69:21, 84:4, 85:4, 184:14, 203:6, 209:11, 282:16, 313:18, 322:22</p> <p>sic [6] - 61:15, 80:18, 81:18, 114:3, 321:14, 323:25</p> <p>side [29] - 38:22, 100:14, 106:2, 106:13, 106:15, 106:20, 106:21, 108:10, 108:11, 108:16, 109:25, 110:1, 113:7, 137:6, 163:24, 207:18, 228:24, 229:3, 242:1, 274:10, 276:15, 276:17, 285:20, 291:1, 296:12, 319:19,</p>
--	---	--	--	---

<p>319:21, 325:2, 325:3 sided [1] - 87:18 sides [4] - 106:24, 107:4, 286:24, 312:13 sidewalk [26] - 31:2, 31:5, 31:6, 31:11, 31:15, 32:25, 33:17, 33:24, 34:5, 34:7, 34:11, 34:12, 34:14, 35:16, 35:19, 35:25, 36:10, 36:11, 37:19, 38:19, 38:21, 39:4, 40:14, 40:20, 40:22, 41:15 sidewalks [3] - 39:10, 66:2, 67:5 sight [2] - 178:12, 179:24 sign [3] - 18:19, 20:14, 35:12 signage [2] - 16:24, 19:20 signal [4] - 52:4, 127:2, 127:3, 144:6 signalized [1] - 52:6 signals [2] - 91:11, 170:20 signatures [2] - 112:17, 112:20 signed [2] - 220:23, 248:10 significant [3] - 173:8, 173:9, 269:9 signs [4] - 124:16, 310:2, 334:19, 334:22 silence [1] - 2:11 silent [1] - 2:7 silly [1] - 11:16 Silverthorn [11] - 63:18, 71:8, 71:21, 90:25, 91:18, 92:24, 93:1, 93:13, 114:9, 114:10, 126:18 similar [7] - 180:2, 237:5, 239:23, 274:21, 278:8, 285:24, 286:5 simple [6] - 120:11, 127:7, 249:10, 249:15, 330:17, 334:12 simply [11] - 31:22, 47:23, 86:21, 121:4, 121:7, 155:4, 190:23, 191:4, 201:24, 205:16, 271:1 single [27] - 33:15,</p>	<p>35:2, 35:9, 38:1, 38:7, 40:11, 41:16, 83:1, 115:18, 266:17, 277:24, 278:13, 280:21, 282:6, 286:1, 291:11, 291:22, 292:1, 305:24, 308:11, 316:23, 317:1, 317:2, 317:4, 317:22, 339:8, 339:10 single-family [21] - 33:15, 35:2, 35:9, 38:1, 38:7, 41:16, 266:17, 277:24, 278:13, 282:6, 291:11, 291:22, 292:1, 305:24, 308:11, 317:1, 317:2, 317:4, 317:22, 339:8, 339:10 single-lot [1] - 40:11 single-use [2] - 280:21, 286:1 sit [7] - 44:4, 76:6, 90:9, 114:14, 195:22, 196:4, 248:15 site [102] - 49:25, 50:1, 50:20, 50:22, 51:3, 51:11, 51:12, 52:5, 52:9, 52:11, 53:6, 53:10, 53:12, 56:17, 56:21, 56:23, 58:16, 58:20, 60:21, 62:9, 62:16, 62:17, 63:19, 68:10, 70:15, 78:15, 79:15, 79:19, 144:9, 144:25, 145:3, 145:13, 146:11, 146:13, 146:14, 146:20, 146:22, 147:24, 148:2, 148:5, 149:3, 156:11, 157:3, 157:6, 157:13, 157:18, 157:19, 157:25, 163:18, 169:4, 175:5, 176:5, 179:20, 180:20, 197:14, 222:9, 223:8, 264:7, 265:1, 265:13, 268:24, 269:6, 269:17, 270:14, 273:16, 274:9, 274:21, 276:5, 276:23, 280:15, 280:19,</p>	<p>280:21, 280:25, 282:8, 285:19, 285:25, 286:4, 286:5, 286:12, 287:13, 290:25, 291:6, 291:7, 292:5, 292:9, 292:23, 293:21, 296:7, 296:17, 296:24, 305:7, 317:11, 326:10, 327:8, 327:11, 327:13, 327:21, 327:24, 329:9, 332:22, 334:2, 338:19 site-specific [5] - 276:23, 280:19, 280:21, 285:25, 286:12 sites [2] - 16:8, 173:7 sits [1] - 237:14 sitting [9] - 55:18, 89:5, 89:9, 105:9, 152:21, 174:7, 195:2, 195:14, 250:9 situated [1] - 163:23 situation [3] - 92:15, 199:6, 224:18 six [5] - 16:6, 19:18, 57:12, 274:9, 310:1 six-and-a-half-acre [1] - 274:9 six-plus-story [1] - 19:18 sixteen [3] - 172:8, 172:9, 172:12 size [13] - 25:7, 25:10, 25:14, 25:19, 25:21, 39:7, 137:12, 140:17, 148:5, 148:8, 148:9, 256:1 sizes [1] - 25:8 skin [1] - 131:14 skyrocket [1] - 137:21 slide [7] - 49:22, 49:23, 57:9, 58:15, 61:9, 61:14, 61:17 slides [1] - 144:10 slightly [1] - 85:8 slow [4] - 75:21, 89:4, 170:18, 266:9 slowed [1] - 110:14 slower [2] - 87:15, 238:20 small [17] - 24:9, 25:20, 58:15, 71:24, 92:8, 96:18, 107:7, 107:12, 110:12, 120:15, 122:17, 130:13, 131:7,</p>	<p>218:14, 312:5, 331:15, 331:17 smaller [7] - 24:19, 24:22, 25:1, 25:3, 25:13, 160:13, 295:21 smallest [1] - 59:15 smart [2] - 87:17, 232:23 smell [1] - 83:7 smoking [1] - 212:25 so-called [2] - 121:16, 207:17 social [1] - 73:1 sold [3] - 35:21, 228:25, 229:16 solemnly [1] - 195:10 solutions [1] - 104:20 solve [3] - 100:22, 276:2, 312:17 someone [12] - 7:20, 31:14, 74:15, 91:14, 94:11, 114:19, 124:8, 142:23, 229:3, 280:9, 312:21, 335:2 something's [1] - 11:10 sometimes [4] - 83:24, 224:17, 234:23, 337:10 somewhat [1] - 332:4 somewhere [6] - 60:8, 125:22, 126:11, 126:16, 184:1, 247:25 soon [1] - 192:9 sorry [23] - 59:23, 69:25, 95:12, 101:9, 124:18, 131:15, 133:8, 152:5, 190:16, 191:14, 203:23, 225:14, 263:7, 263:8, 263:12, 276:13, 277:1, 277:13, 294:7, 295:11, 303:13, 321:16, 340:24 sort [5] - 12:7, 67:10, 296:11, 332:11, 333:14 sought [2] - 242:9, 304:5 sought-after [1] - 242:9 soul [1] - 215:15 sound [8] - 11:4, 11:5, 59:1, 59:2, 108:5, 165:25, 166:13,</p>	<p>271:24 sounded [1] - 55:16 sounds [8] - 9:5, 29:5, 138:21, 174:20, 298:20, 298:23, 309:18, 330:9 soupy [1] - 246:1 Soutel [14] - 5:17, 42:15, 177:20, 184:9, 209:18, 211:12, 211:18, 217:25, 223:14, 223:16, 223:22, 223:23, 223:24, 242:21 south [4] - 89:24, 264:22, 265:4, 291:2 South [9] - 56:14, 66:15, 68:17, 104:11, 132:21, 185:17, 206:13, 241:21, 314:16 southeast [2] - 60:23, 278:2 Southside [1] - 68:4 southwest [1] - 264:8 space [9] - 57:14, 123:1, 123:7, 147:7, 147:10, 147:18, 197:8, 260:20, 260:22 spaces [6] - 23:4, 24:6, 24:13, 24:15, 24:16, 326:19 spare [1] - 133:12 sparred [1] - 330:11 speaker [4] - 54:20, 259:7, 271:1, 301:21 speaker's [5] - 3:4, 3:8, 3:13, 60:5, 297:7 speakers [6] - 3:2, 42:24, 54:4, 122:4, 259:5, 306:6 speakers' [1] - 3:5 speaking [6] - 59:24, 112:18, 188:20, 190:13, 247:17, 307:17 speaks [2] - 2:24, 54:19 special [1] - 11:2 specialist [1] - 159:15 specific [12] - 16:9, 139:20, 181:22, 225:22, 239:12, 276:23, 280:19, 280:21, 282:8, 285:25, 286:12, 328:11</p>
--	--	---	---	--

<p>specifically [9] - 4:5, 6:21, 58:13, 104:6, 134:10, 141:25, 226:5, 272:12, 338:20</p> <p>specified [1] - 53:3</p> <p>speech [1] - 341:22</p> <p>speed [7] - 81:15, 81:20, 121:6, 151:8, 170:17, 170:18, 320:3</p> <p>speeding [2] - 151:7, 151:12</p> <p>spend [1] - 181:7</p> <p>spending [3] - 12:15, 44:13, 313:5</p> <p>spent [2] - 110:22, 327:6</p> <p>spillover [1] - 118:10</p> <p>spin [1] - 152:17</p> <p>spine [1] - 175:16</p> <p>spine-road [1] - 175:16</p> <p>spirits [2] - 186:10, 186:13</p> <p>spiritual [2] - 193:16, 222:25</p> <p>spirituality [2] - 240:17, 241:6</p> <p>split [2] - 45:19, 279:3</p> <p>spoken [6] - 74:24, 115:16, 152:19, 155:4, 198:5, 323:19</p> <p>sports [1] - 221:5</p> <p>spot [8] - 30:7, 42:20, 44:11, 199:22, 263:7, 338:14, 339:24, 340:25</p> <p>Spottswood [1] - 194:16</p> <p>spread [1] - 57:25</p> <p>Spring [2] - 6:1, 300:22</p> <p>Springfield [3] - 246:9, 246:14, 269:2</p> <p>Springs [3] - 117:16, 295:2, 295:16</p> <p>spur [1] - 31:24</p> <p>square [11] - 57:4, 57:6, 57:7, 108:15, 137:14, 137:16, 137:20, 301:4, 304:9, 305:13, 316:22</p> <p>SRX [2] - 230:3, 230:15</p> <p>St [7] - 5:17, 42:12, 45:8, 45:12, 45:14, 46:6, 46:19, 51:25, 53:6, 64:25, 65:6,</p>	<p>66:18, 67:1, 68:5, 68:15, 69:15, 76:17, 78:15, 78:25, 81:14, 81:17, 83:4, 83:11, 85:22, 88:13, 88:17, 88:25, 89:7, 89:24, 90:13, 91:8, 91:15, 93:13, 97:5, 97:7, 97:8, 102:13, 104:8, 104:12, 104:15, 104:22, 105:11, 110:1, 110:19, 110:22, 112:22, 113:4, 115:11, 116:11, 117:9, 118:10, 118:12, 118:15, 118:19, 119:5, 119:17, 121:1, 121:3, 121:14, 123:7, 123:17, 126:17, 126:20, 127:6, 128:14, 131:3, 136:11, 142:2, 142:4, 151:7, 153:17, 170:5, 170:7, 170:14, 170:17, 242:7, 254:5</p> <p>stab [1] - 71:1</p> <p>Stacey [3] - 102:3, 105:19, 105:25</p> <p>stack [3] - 88:18, 110:4, 125:23</p> <p>staff [54] - 4:13, 7:1, 7:20, 11:12, 11:18, 19:3, 26:20, 27:3, 39:16, 39:24, 44:1, 44:8, 45:25, 46:14, 46:24, 140:15, 156:1, 156:16, 158:19, 161:3, 164:11, 167:13, 177:13, 178:7, 227:8, 234:15, 245:22, 247:1, 249:7, 250:10, 253:13, 258:14, 262:8, 262:17, 265:6, 274:23, 275:12, 283:10, 285:4, 287:5, 287:11, 287:20, 292:9, 301:11, 301:13, 302:20, 304:10, 304:17, 304:20, 305:7, 305:22, 328:8, 329:25</p> <p>staff's [1] - 295:7</p> <p>stagger [1] - 126:6</p>	<p>staggered [1] - 52:23</p> <p>staggering [2] - 105:4, 126:8</p> <p>stagnant [1] - 101:16</p> <p>stamp [3] - 44:5, 84:21, 165:12</p> <p>stamped [2] - 112:5, 247:6</p> <p>stance [1] - 163:17</p> <p>stand [14] - 2:9, 54:7, 54:23, 55:8, 55:12, 55:14, 55:16, 63:20, 66:6, 66:8, 112:4, 114:20, 306:7, 334:13</p> <p>stand-alone [1] - 334:13</p> <p>standard [4] - 144:18, 148:9, 148:11, 148:19</p> <p>Standards [1] - 36:19</p> <p>standards [5] - 31:12, 45:17, 141:21, 144:22, 283:16</p> <p>standing [4] - 2:10, 95:5, 224:18, 337:3</p> <p>Standing [1] - 203:6</p> <p>standpoint [2] - 94:13, 94:17</p> <p>stapled [1] - 220:11</p> <p>stark [2] - 332:8, 332:14</p> <p>start [27] - 6:17, 9:7, 45:8, 50:10, 52:23, 53:1, 53:2, 53:8, 70:6, 90:11, 97:24, 100:3, 105:4, 126:6, 144:11, 144:12, 144:14, 182:8, 221:24, 227:13, 252:22, 268:16, 275:21, 282:3, 306:9, 311:3, 311:7</p> <p>started [6] - 6:16, 28:18, 60:23, 71:14, 138:19, 168:3</p> <p>starting [6] - 5:16, 56:21, 179:15, 272:3, 295:8, 295:22</p> <p>starts [1] - 32:17</p> <p>STATE [1] - 343:3</p> <p>state [3] - 37:22, 94:12, 202:13</p> <p>State [2] - 1:10, 311:24</p> <p>stately [1] - 331:11</p> <p>statement [1] - 122:9</p> <p>statements [1] - 120:1</p> <p>states [4] - 189:8, 193:22, 201:4, 309:6</p>	<p>States [1] - 195:11</p> <p>stating [1] - 98:15</p> <p>station [3] - 192:21, 211:19, 278:25</p> <p>statistics [1] - 313:1</p> <p>statute [1] - 151:18</p> <p>Statute [1] - 202:13</p> <p>statutes [1] - 202:19</p> <p>stay [9] - 75:23, 86:1, 199:3, 199:4, 283:10, 283:12, 283:22, 336:18, 336:20</p> <p>stays [1] - 72:3</p> <p>steady [1] - 69:1</p> <p>stenographic [1] - 343:11</p> <p>stenographically [1] - 343:9</p> <p>step [2] - 40:7, 41:19</p> <p>stepped [4] - 47:13, 255:12, 260:25, 267:20</p> <p>Stevens [1] - 196:24</p> <p>Stevens-Perry [1] - 196:24</p> <p>stick [5] - 175:20, 240:15, 247:11, 250:2, 315:6</p> <p>sticking [1] - 340:12</p> <p>still [27] - 20:4, 48:10, 76:2, 83:6, 86:8, 89:17, 95:3, 118:17, 119:23, 121:5, 135:15, 138:11, 140:25, 154:1, 161:10, 185:25, 227:22, 228:2, 228:4, 228:5, 245:19, 249:2, 279:7, 300:4, 300:6, 328:4, 331:14</p> <p>stock [1] - 282:14</p> <p>stop [7] - 47:7, 49:18, 91:12, 108:5, 190:1, 221:6, 300:4</p> <p>stopped [1] - 113:6</p> <p>stopping [1] - 252:13</p> <p>Store [2] - 272:4, 272:19</p> <p>store [54] - 6:18, 6:25, 9:20, 11:2, 42:14, 42:18, 55:6, 177:23, 178:13, 184:21, 185:24, 186:9, 189:3, 189:15, 189:21, 189:23, 190:1, 190:2, 190:25, 192:25, 193:17, 193:18,</p>	<p>197:6, 201:6, 201:17, 201:19, 206:18, 206:21, 207:17, 211:8, 211:9, 211:17, 211:21, 212:10, 213:6, 217:24, 219:17, 219:18, 222:3, 222:9, 223:22, 224:7, 229:11, 229:12, 231:1, 234:11, 235:18, 236:10, 240:24, 242:7, 244:4, 269:18, 271:6</p> <p>store/strip [2] - 219:15, 219:16</p> <p>stores [17] - 8:12, 8:14, 9:20, 13:2, 177:25, 192:19, 211:20, 212:16, 218:13, 236:7, 236:8, 238:4, 242:5, 242:6, 242:13, 242:15, 251:1</p> <p>stories [1] - 260:21</p> <p>stormwater [2] - 77:3, 139:21</p> <p>story [1] - 19:18</p> <p>straight [6] - 183:1, 183:10, 184:11, 198:15, 218:22</p> <p>strange [2] - 10:23, 11:24</p> <p>strategy [1] - 262:24</p> <p>street [20] - 22:17, 65:23, 66:8, 78:17, 81:23, 92:6, 93:20, 124:13, 126:22, 127:10, 130:14, 130:18, 136:9, 136:12, 207:18, 211:11, 212:9, 316:20, 317:3, 317:6</p> <p>Street [8] - 1:8, 5:19, 5:23, 5:25, 191:25, 280:16, 290:23, 291:1</p> <p>Streets [1] - 36:19</p> <p>stress [1] - 104:16</p> <p>stressful [1] - 113:1</p> <p>stretch [2] - 54:23, 310:4</p> <p>strip [3] - 222:7, 229:8, 297:18</p> <p>strong [2] - 172:20, 186:8</p> <p>strongly [2] - 94:21, 113:22</p> <p>structural [2] - 190:1,</p>
---	---	---	--	--

<p>190:3 structure [10] - 27:19, 81:3, 100:20, 255:22, 255:25, 269:15, 269:23, 270:5, 276:6, 276:15 struggling [2] - 172:15, 249:12 stuck [1] - 225:15 student [2] - 143:15, 154:13 Student [1] - 143:17 Students [1] - 145:11 students [12] - 98:5, 103:7, 104:19, 113:11, 123:2, 123:14, 124:14, 126:1, 137:15, 143:16, 146:4, 169:20 studied [1] - 250:25 studies [1] - 309:1 studios [1] - 283:23 study [27] - 50:6, 51:19, 51:24, 52:3, 52:9, 52:14, 52:16, 52:19, 72:7, 78:24, 79:5, 141:3, 141:7, 141:8, 141:11, 141:12, 141:22, 141:23, 143:1, 143:2, 159:20, 288:7, 288:9, 288:11, 309:5, 338:22, 339:14 stuff [7] - 43:19, 108:8, 113:19, 148:2, 169:11, 208:23, 210:7 stunned [1] - 120:4 stunt [3] - 158:25 Stutsman [1] - 297:22 Stutsman's [1] - 297:20 style [1] - 260:19 subcontractor [1] - 263:15 Subdivision [1] - 30:22 subdivision [17] - 38:2, 38:6, 50:23, 93:8, 93:20, 106:25, 107:1, 107:6, 107:12, 107:16, 109:2, 116:11, 175:16, 225:12, 266:17, 295:10 subdivisions [3] - 35:6, 278:13, 292:2 subject [10] - 10:4, 31:12, 84:15, 140:15, 146:18, 158:17, 199:5, 286:23, 291:25, 328:4 subjected [1] - 186:11 subjective [3] - 41:4, 41:11, 41:22 submit [4] - 50:6, 145:24, 146:1, 202:23 submitted [15] - 3:12, 3:16, 51:21, 71:10, 114:20, 141:8, 146:1, 146:13, 146:24, 147:8, 148:18, 197:3, 270:14, 292:4, 338:23 Subsection [1] - 202:14 subsection [1] - 9:13 substantial [1] - 279:5 Suburban [4] - 33:6, 291:5, 291:8, 291:16 succeed [1] - 251:3 success [3] - 28:9, 28:21, 31:24 successful [2] - 7:10, 118:18 successfully [2] - 128:23, 316:23 successor [2] - 31:9, 161:9 sufficient [2] - 181:15, 202:21 suggest [2] - 7:9, 54:3 suggested [1] - 90:1 suggestion [4] - 7:3, 16:23, 121:7, 140:22 Suite [5] - 270:21, 287:10, 296:5, 301:20, 305:2 sum [1] - 241:7 Sumlar [2] - 321:15, 324:2 SUMLAR [2] - 324:4, 325:19 summarize [1] - 53:4 summed [1] - 72:11 summer [2] - 81:7, 135:25 Summerfin [1] - 56:14 Summit [9] - 49:15, 60:20, 122:25, 127:12, 139:14, 168:15, 170:23, 173:16, 314:15 Sunbeam [1] - 115:12 Sunbiz [1] - 209:6 Sunday [4] - 89:21, 116:22, 212:21, 212:23 Superintendent [1] - 187:8 supplied [1] - 94:2 supply [2] - 93:23, 250:24 support [26] - 14:7, 20:24, 21:3, 21:17, 29:22, 104:14, 104:19, 152:15, 155:2, 220:16, 220:21, 237:23, 246:19, 251:3, 251:6, 254:11, 254:12, 269:15, 271:9, 272:16, 272:17, 275:6, 288:15, 307:23, 308:4, 335:11 supporting [9] - 13:6, 150:17, 152:8, 238:6, 245:10, 247:12, 248:11, 251:11, 284:17 supposed [13] - 33:20, 47:12, 99:13, 127:18, 155:5, 168:20, 185:24, 194:19, 194:21, 195:25, 231:17, 235:12, 275:25 Supreme [2] - 202:12, 203:11 surface [1] - 77:9 surfaced [1] - 340:14 surge [1] - 218:9 surprise [1] - 160:17 surprised [1] - 335:24 surround [1] - 181:22 surrounded [3] - 102:16, 286:24, 292:1 surrounding [19] - 41:13, 86:2, 103:11, 103:14, 103:22, 109:3, 123:4, 124:4, 134:10, 169:7, 181:19, 221:6, 239:9, 239:11, 275:7, 278:8, 287:3, 308:10, 322:4 survey [1] - 234:16 surveyors [1] - 234:21 surveys [1] - 234:21 Susan [4] - 8:3, 23:6, 23:14, 32:3 suspect [1] - 92:11 swamp [1] - 79:24 swamps [1] - 79:20 sway [1] - 175:20 swear [8] - 53:17, 53:20, 55:2, 55:8, 192:3, 195:10, 254:8, 256:18 sweat [1] - 332:19 sweet [1] - 83:21 swiftly [1] - 280:12 switch [1] - 167:17 swore [1] - 63:21 sworn [5] - 3:20, 54:21, 195:8, 205:5, 233:15 syllables [1] - 71:3 systemic [1] - 190:3</p>	<p style="text-align: center;">T</p> <p>T.R [18] - 47:4, 47:5, 47:22, 48:2, 49:14, 122:1, 133:22, 139:4, 139:7, 139:13, 149:14, 154:14, 168:14, 170:22, 258:22, 263:12, 263:14, 282:9 tab [1] - 44:15 table [2] - 32:24, 333:25 tablet [1] - 95:21 tablets [1] - 2:7 tail [1] - 62:12 talks [1] - 24:5 tall [1] - 82:24 taller [1] - 85:8 tangible [1] - 3:12 Tanita [1] - 194:4 tax [5] - 112:11, 112:12, 135:9, 209:25, 241:22 tax-exempt [1] - 241:22 taxes [2] - 86:14, 87:16 taxpayers [2] - 86:15, 86:17 taxpayers' [1] - 13:6 teachers [2] - 64:10, 64:18 technical [2] - 139:20, 232:20 technicality [1] - 337:15 technically [1] - 338:18 technician [2] - 159:14, 159:18 teeing [1] - 23:5 teeming [1] - 86:3 teenage [1] - 154:16 temperature [1] - 28:8 ten [4] - 122:1, 138:10, 147:9, 263:17 ten-minute [2] - 122:1, 138:10 tenant [2] - 206:17, 243:25 tenants [5] - 197:18, 197:24, 197:25, 243:16, 334:5 tend [2] - 19:10, 322:14 term [2] - 94:11, 198:3 terminate [1] - 198:1 terms [3] - 34:10, 167:25, 327:10 terrible [2] - 91:21, 235:11 test [2] - 132:25, 133:3 testifying [1] - 151:2 testimonies [1] - 93:24 testimony [8] - 3:8, 3:21, 6:7, 50:10, 56:3, 160:15, 174:8, 202:21 thanked [1] - 85:18 THE [484] - 2:3, 2:13, 5:2, 5:6, 5:10, 7:18, 7:24, 8:21, 8:25, 9:2, 9:5, 9:8, 10:2, 10:8, 10:11, 10:17, 12:2, 12:20, 13:8, 13:18, 14:9, 14:13, 14:23, 15:1, 15:16, 15:21, 17:13, 17:18, 17:24, 18:23, 20:17, 21:5, 21:9, 21:22, 22:1, 22:3, 23:10, 23:17, 25:24, 26:4, 26:10, 26:14, 26:23, 28:6, 28:23, 29:3, 29:8, 29:24, 30:3, 30:12, 30:14, 32:1, 37:2, 37:6, 37:12, 40:2, 40:6, 40:25, 41:25, 42:4, 42:6, 44:9, 44:21, 44:24, 45:3, 47:1, 47:4, 47:7, 47:10, 47:17, 47:19, 48:1, 48:5, 48:7, 48:15, 49:6, 49:20, 50:8, 53:14, 53:22, 54:2, 54:10, 54:14, 54:16, 54:17, 55:10, 55:24, 56:2, 56:8, 56:11, 59:18, 59:21, 60:1, 60:4, 60:7,</p>
---	--

60:15, 62:23, 63:4, 63:8, 63:16, 63:20, 63:23, 64:5, 65:14, 65:19, 67:18, 69:19, 69:25, 70:4, 70:9, 70:22, 70:25, 71:5, 73:14, 73:19, 73:24, 75:8, 75:13, 75:17, 77:23, 80:15, 82:3, 82:7, 82:14, 82:19, 85:1, 85:10, 85:13, 87:25, 88:5, 90:18, 90:22, 92:18, 94:22, 94:24, 95:15, 95:19, 95:25, 96:8, 96:12, 99:6, 99:10, 99:20, 101:24, 102:5, 102:10, 105:17, 105:22, 108:18, 111:16, 111:20, 113:25, 114:5, 116:2, 116:7, 119:8, 119:13, 121:21, 125:9, 125:12, 128:2, 128:5, 129:21, 129:24, 130:20, 130:24, 133:16, 138:6, 138:19, 139:4, 149:14, 149:18, 149:24, 150:19, 152:10, 155:15, 156:19, 157:15, 158:3, 160:24, 163:12, 166:5, 167:3, 167:8, 168:10, 171:5, 171:12, 172:1, 172:6, 172:9, 172:12, 173:1, 173:12, 173:19, 175:24, 176:3, 176:12, 176:21, 177:8, 177:14, 178:23, 179:3, 182:7, 185:10, 185:13, 186:16, 186:19, 186:25, 187:6, 187:11, 187:16, 187:22, 188:7, 190:8, 190:15, 190:17, 191:7, 191:11, 191:14, 191:18, 191:21, 192:2, 192:5, 193:2, 193:9, 194:2, 194:7, 194:11, 196:12, 196:20, 198:21, 198:25, 200:1, 202:1, 204:1, 204:3,	204:9, 206:6, 206:10, 206:14, 207:21, 207:25, 208:5, 210:12, 210:17, 211:1, 213:9, 213:15, 214:7, 214:15, 214:19, 215:21, 215:24, 216:8, 216:10, 216:13, 217:8, 217:13, 220:4, 220:7, 221:14, 221:18, 226:10, 226:14, 226:19, 227:4, 227:10, 232:11, 236:23, 238:7, 241:10, 245:12, 247:13, 248:12, 248:21, 250:17, 251:13, 251:15, 251:24, 252:8, 252:21, 253:23, 254:1, 254:7, 254:10, 254:15, 254:19, 254:25, 255:4, 255:9, 256:8, 256:12, 256:14, 256:18, 256:21, 256:25, 257:4, 257:10, 257:19, 257:23, 258:19, 258:21, 259:7, 259:11, 259:16, 259:23, 261:16, 261:21, 262:2, 263:10, 263:14, 263:23, 264:2, 265:20, 265:25, 266:8, 266:12, 266:21, 267:2, 267:8, 267:13, 267:17, 267:25, 268:5, 268:8, 268:13, 268:20, 270:17, 271:10, 271:15, 271:20, 271:24, 273:4, 273:8, 273:12, 273:19, 273:23, 274:2, 274:5, 275:13, 275:16, 275:22, 277:2, 277:7, 277:10, 278:20, 278:23, 279:6, 279:10, 279:14, 279:17, 279:21, 280:1, 280:5, 280:7, 281:24, 282:15, 282:18, 282:20,	282:25, 283:22, 284:8, 284:18, 284:21, 284:25, 285:6, 285:9, 285:13, 285:15, 287:6, 287:8, 288:18, 288:23, 289:3, 289:10, 289:20, 289:23, 290:3, 290:12, 290:15, 290:19, 292:20, 292:25, 293:3, 293:9, 293:13, 293:17, 293:24, 294:2, 294:6, 294:10, 294:15, 294:19, 296:11, 296:3, 297:5, 297:11, 297:13, 298:2, 298:4, 298:9, 298:14, 299:12, 299:16, 299:22, 300:12, 300:15, 300:20, 301:14, 301:17, 301:23, 302:1, 302:4, 302:8, 302:13, 302:22, 303:9, 303:14, 303:17, 303:21, 304:21, 304:23, 306:8, 306:15, 306:20, 306:25, 307:9, 307:15, 307:19, 309:18, 310:17, 310:22, 311:3, 311:13, 311:20, 313:9, 313:14, 313:20, 315:14, 315:21, 315:25, 316:4, 316:11, 316:14, 318:6, 318:9, 318:14, 318:17, 318:21, 318:24, 319:4, 319:7, 320:16, 320:20, 320:24, 321:3, 321:7, 321:10, 321:16, 323:23, 324:3, 325:13, 325:16, 325:21, 326:3, 329:14, 329:19, 330:3, 331:6, 335:18, 338:5, 338:9, 338:13, 339:1, 339:13, 339:17, 339:19, 340:1, 340:4, 340:9, 340:24, 341:8, 341:16, 342:1	then-director [1] - 239:4 Theodore [3] - 63:10, 67:20, 67:25 theory [1] - 55:17 therefore [5] - 3:15, 27:13, 181:19, 197:19, 201:11 they've [13] - 9:21, 25:18, 33:21, 90:11, 103:6, 180:23, 231:3, 260:1, 271:5, 301:8, 313:25, 334:3, 341:20 thinking [5] - 20:6, 20:13, 20:15, 174:8, 276:4 thinks [1] - 149:2 third [2] - 50:3, 80:4 Thomas [5] - 319:2, 319:7, 319:9, 319:12, 320:17 thoroughfare [1] - 127:4 thoughts [10] - 97:17, 133:8, 158:6, 168:13, 168:16, 170:21, 241:16, 248:21, 326:8, 338:19 thousand [4] - 84:10, 98:3, 113:11, 324:23 thousands [2] - 112:19 three [36] - 2:25, 6:8, 6:9, 6:15, 34:4, 35:7, 40:12, 40:17, 40:23, 43:1, 43:3, 51:10, 71:3, 87:5, 100:20, 117:15, 128:25, 142:1, 172:18, 177:3, 177:9, 182:2, 198:14, 201:14, 208:17, 216:23, 232:18, 235:15, 238:22, 256:1, 285:3, 286:7, 324:8, 329:24, 337:21 three-lane [1] - 337:21 three-minute [1] - 2:25 threshold [2] - 160:10, 160:12 thrilled [1] - 62:17 throughout [3] - 33:24, 51:15, 110:24 throw [1] - 208:23 thrown [1] - 43:17 Thursday [8] - 1:6, 74:10, 102:19,	107:14, 120:4, 120:22, 149:4, 149:6 ticket [1] - 143:5 tickets [1] - 340:21 tied [1] - 236:9 ties [1] - 13:4 timer [2] - 85:25, 309:16 Timer [1] - 182:1 timers [1] - 6:15 Tina [2] - 297:11, 297:16 tired [1] - 194:18 title [3] - 35:22, 299:1 titled [2] - 60:18, 150:14 today [78] - 3:22, 4:7, 6:4, 6:5, 6:8, 10:9, 17:15, 26:1, 27:8, 37:4, 42:11, 46:9, 49:4, 50:25, 64:6, 75:5, 75:19, 76:3, 79:15, 85:21, 91:7, 106:1, 112:2, 114:24, 115:21, 121:14, 129:17, 133:11, 134:8, 140:3, 142:2, 142:5, 149:15, 173:6, 174:6, 182:23, 194:12, 194:18, 200:9, 214:20, 214:25, 215:11, 220:15, 221:15, 224:14, 224:23, 226:11, 233:15, 233:20, 234:12, 235:7, 235:20, 236:16, 237:5, 254:16, 256:10, 257:1, 259:12, 261:18, 265:24, 267:5, 271:12, 277:8, 282:16, 288:20, 293:1, 299:13, 302:5, 326:10, 326:12, 326:15, 326:25, 328:19, 329:16, 331:1, 336:9, 338:12, 339:22 today's [8] - 5:12, 10:5, 157:7, 309:23, 309:25, 336:15 Todd [2] - 53:10, 56:14 together [4] - 27:10, 76:5, 246:15, 251:6 Toll [1] - 289:16 Tomazinis [8] - 69:22,
---	--	---	---	--

<p>73:16, 73:17, 73:23, 75:8, 75:9, 75:16, 77:24 TOMAZINIS [2] - 73:25, 75:18 Tommy [3] - 306:10, 310:20, 311:10 tonight [3] - 271:3, 314:7, 320:12 took [4] - 16:14, 183:17, 241:17, 314:1 top [6] - 9:10, 19:17, 20:2, 20:11, 57:15, 295:4 tops [1] - 19:15 total [5] - 52:7, 58:2, 172:8, 295:6, 310:3 totaling [1] - 57:8 totally [3] - 303:23, 322:10, 331:9 Touch [1] - 209:20 touched [1] - 336:12 touches [1] - 297:20 tough [1] - 245:6 towards [4] - 71:18, 132:10, 296:13, 296:21 tower [12] - 15:10, 15:11, 16:8, 16:15, 16:19, 16:20, 16:23, 17:5, 17:12, 19:14, 21:16 Tower [1] - 123:8 towers [9] - 18:13, 19:6, 19:13, 19:15, 19:21, 19:24, 19:25, 21:11 Towers [2] - 84:4, 168:18 towing [1] - 154:23 Town [1] - 28:17 town [14] - 33:9, 74:10, 96:25, 104:4, 108:16, 124:23, 174:11, 174:12, 177:21, 186:10, 260:2, 320:10, 329:6, 331:25 townhome [6] - 305:19, 326:19, 330:16, 330:24, 336:16, 339:4 townhomes [12] - 264:17, 265:10, 304:8, 323:3, 330:21, 332:20, 336:10, 336:13, 336:20, 336:21, 337:13, 339:7</p>	<p>townhouses [3] - 315:8, 315:9, 316:22 towns [1] - 327:1 track [1] - 16:14 traditional [5] - 145:6, 147:14, 148:7, 152:5, 272:5 Traffic [4] - 51:22, 141:6, 141:19, 288:6 traffic [171] - 46:5, 46:11, 50:6, 51:11, 51:12, 51:15, 51:18, 51:19, 51:24, 52:4, 52:16, 52:25, 53:4, 53:5, 53:9, 64:3, 67:15, 68:8, 69:2, 69:13, 69:14, 69:15, 70:17, 71:13, 71:16, 72:7, 72:10, 72:13, 74:3, 76:10, 76:15, 76:17, 76:20, 78:21, 78:23, 78:24, 79:1, 79:5, 81:10, 81:11, 81:18, 83:13, 87:3, 89:3, 89:4, 89:17, 91:8, 91:11, 91:15, 93:12, 98:6, 101:20, 103:5, 103:11, 104:4, 104:7, 105:15, 107:6, 107:15, 107:21, 108:13, 111:10, 115:1, 115:5, 115:6, 115:8, 116:21, 116:22, 117:2, 117:25, 118:13, 118:17, 118:21, 119:5, 120:9, 120:20, 121:2, 121:4, 121:9, 121:10, 121:15, 122:18, 127:2, 127:11, 127:23, 130:11, 131:9, 132:13, 139:17, 139:21, 140:8, 140:19, 140:24, 140:25, 141:3, 141:22, 142:13, 142:23, 142:24, 142:25, 143:2, 143:4, 143:8, 143:10, 143:11, 143:13, 143:18, 144:5, 144:6, 151:6, 153:10, 153:11, 154:8, 154:9, 156:2, 158:8, 158:10, 158:11, 158:12, 158:23, 159:2,</p>	<p>159:6, 159:8, 159:13, 159:14, 159:15, 159:18, 159:20, 159:24, 160:22, 164:7, 164:21, 164:23, 165:19, 166:24, 166:25, 169:19, 169:21, 169:22, 170:1, 170:2, 174:5, 225:19, 288:6, 288:8, 288:11, 308:23, 309:1, 309:5, 312:23, 317:10, 322:23, 324:14, 326:16, 326:24, 333:6, 334:14, 334:20, 337:9, 337:13, 337:18, 338:2, 338:16, 338:20, 338:22, 339:2, 339:14 traffic-improving [1] - 164:7 traffic-related [1] - 158:10 traffic-wise [1] - 67:15 tragic [1] - 81:25 trail [2] - 7:13, 7:14 Trail [1] - 125:16 Trailing [1] - 80:21 training [2] - 162:15, 301:7 tramping [1] - 84:11 transaction [1] - 283:5 transactional [1] - 299:3 transcript [1] - 343:10 transferrable [1] - 162:1 transformative [1] - 272:25 transition [1] - 265:2 transitlons [1] - 264:21 transmission [1] - 80:9 transmit [1] - 14:6 transmitted [1] - 3:25 transpired [1] - 169:1 Transportation [10] - 1:21, 46:9, 51:17, 51:21, 52:15, 141:5, 141:19, 287:15, 292:15, 334:21 transportation [1] - 130:10 trash [3] - 197:17, 208:20, 208:21</p>	<p>travel [2] - 223:18, 308:24 traveling [1] - 184:8 travesty [1] - 110:13 treasure [1] - 203:9 treats [1] - 67:1 tree [2] - 36:15, 87:6 trees [13] - 23:25, 38:20, 39:2, 59:9, 83:21, 86:2, 98:12, 107:24, 108:1, 108:3, 108:6, 108:9, 132:6 tremendously [1] - 317:20 trend [1] - 286:3 trends [1] - 286:14 trespass [1] - 19:16 trespassing [1] - 224:1 tributary [1] - 77:5 trick [2] - 142:22, 248:25 tried [4] - 49:1, 89:14, 90:11, 169:12 trigger [1] - 167:20 triggers [1] - 283:11 Trimmer [3] - 268:19, 270:21, 271:11 TRIMMER [3] - 270:20, 272:2, 274:4 trimmer [3] - 268:20, 270:19, 274:5 trip [2] - 339:6, 339:10 trips [3] - 312:25, 327:3, 339:6 Tropia [7] - 1:9, 8:23, 54:14, 55:1, 55:23, 343:7, 343:18 tropia [1] - 252:12 truck [1] - 162:13 truck-driving [1] - 162:13 trucks [3] - 69:11, 161:7, 162:16 true [10] - 101:3, 104:23, 159:25, 185:5, 236:12, 248:15, 248:18, 331:1, 336:6, 343:10 truly [4] - 74:8, 74:17, 109:20, 242:5 truth [4] - 56:4, 56:5, 330:18 truthfully [2] - 86:5, 197:15 try [11] - 16:14, 22:13, 36:1, 43:5, 76:5, 165:11, 179:5, 181:5, 262:12,</p>	<p>298:10, 341:16 trying [30] - 12:15, 23:2, 25:6, 25:18, 33:22, 76:3, 77:15, 88:15, 91:20, 94:13, 108:15, 139:12, 151:5, 154:25, 169:5, 199:11, 199:17, 199:24, 211:7, 211:15, 212:12, 213:2, 213:3, 243:22, 246:10, 249:2, 266:25, 273:2, 319:25, 323:1 Tuesday [1] - 4:9 tuition [1] - 172:25 tuition-free [1] - 172:25 tuning [1] - 29:21 turkeys [1] - 113:18 turn [13] - 16:11, 52:6, 64:4, 71:18, 92:2, 127:25, 143:9, 144:7, 158:14, 229:24, 233:9, 233:21, 337:20 turned [2] - 294:7, 295:13 Turner [23] - 6:2, 278:5, 304:1, 305:6, 308:3, 308:7, 308:16, 308:20, 308:25, 310:6, 312:1, 312:11, 312:25, 317:9, 317:15, 319:21, 320:1, 327:6, 327:18, 327:22, 327:24, 329:10, 333:1 turning [1] - 79:2 turns [4] - 71:20, 107:9, 107:11, 334:15 tweak [2] - 23:1, 29:6 tweaks [1] - 22:12 twelfth [1] - 167:17 twenty [1] - 264:15 twice [3] - 84:11, 84:14, 138:20 twin [1] - 136:1 Twin [1] - 136:3 two [78] - 4:7, 6:1, 37:23, 42:11, 50:18, 62:18, 63:11, 66:2, 70:18, 78:13, 78:14, 83:5, 92:12, 95:5, 100:19, 110:15, 117:6, 120:19,</p>
--	---	--	--	--

Diane M. Tropia, Inc., Post Office Box 2375, Jacksonville, FL 32203
(904) 821-0300

<p>122:12, 128:14, 131:18, 135:24, 140:21, 141:24, 141:25, 152:15, 153:17, 158:14, 163:3, 168:20, 169:1, 172:18, 179:13, 179:14, 179:18, 183:17, 184:20, 208:18, 212:7, 224:12, 225:23, 227:14, 229:21, 230:2, 230:4, 230:6, 232:2, 232:18, 235:15, 237:9, 241:15, 245:7, 245:18, 246:17, 252:14, 284:7, 286:24, 301:12, 302:19, 306:14, 309:8, 309:19, 309:20, 312:5, 318:3, 320:2, 322:17, 324:10, 324:13, 325:1, 325:15, 325:18, 326:19, 326:20, 328:24</p> <p>two-acre [1] - 322:17</p> <p>two-and-a-half [2] - 95:5, 246:17</p> <p>two-lane [8] - 66:2, 83:5, 128:14, 312:5, 318:3, 320:2, 324:10, 324:13</p> <p>two-mile [1] - 117:6</p> <p>type [10] - 36:13, 40:21, 161:15, 161:21, 162:20, 304:17, 313:1, 328:19, 329:12, 337:6</p> <p>types [5] - 34:4, 39:5, 103:19, 147:18, 163:3</p> <p>typical [1] - 5:15</p> <p>typically [8] - 19:25, 24:24, 165:24, 172:20, 283:17, 283:22, 284:6, 326:23</p> <p>Tyrona [2] - 182:9, 182:14</p>	<p>unable [1] - 103:20</p> <p>unanimous [2] - 97:18, 103:24</p> <p>unanimously [14] - 255:10, 257:24, 264:3, 268:1, 268:14, 273:13, 274:3, 279:22, 280:8, 285:1, 290:4, 290:20, 293:18, 340:10</p> <p>unbelievable [2] - 152:4, 259:15</p> <p>under [25] - 62:6, 80:9, 113:15, 129:6, 129:8, 135:7, 135:15, 138:23, 142:3, 145:21, 155:13, 161:11, 162:22, 167:22, 167:25, 205:15, 205:17, 206:1, 226:3, 261:7, 326:18, 328:11, 328:13, 336:18</p> <p>underdeveloped [1] - 308:18</p> <p>underestimated [3] - 173:25, 174:6, 303:23</p> <p>underlying [2] - 150:6, 150:7</p> <p>underserved [1] - 272:24</p> <p>understated [1] - 121:9</p> <p>understatement [1] - 121:15</p> <p>understood [2] - 24:22, 232:23</p> <p>underutilized [1] - 84:2</p> <p>underway [1] - 308:17</p> <p>undeveloped [1] - 31:16</p> <p>unfold [1] - 29:2</p> <p>unfortunately [5] - 75:24, 131:13, 133:7, 166:2, 305:6</p> <p>unified [1] - 320:6</p> <p>unintended [2] - 22:13, 27:25</p> <p>Union [1] - 272:22</p> <p>unique [1] - 93:2</p> <p>Unit [2] - 281:14, 304:3</p> <p>unit [3] - 325:1, 325:2, 330:15</p> <p>United [1] - 195:11</p> <p>units [23] - 79:23,</p>	<p>260:21, 260:23, 264:15, 264:18, 275:2, 279:1, 282:7, 304:14, 305:14, 305:16, 319:15, 319:20, 319:25, 324:19, 326:17, 336:25, 337:6, 337:9, 338:2, 339:12</p> <p>University [2] - 28:16, 33:16</p> <p>unless [6] - 4:5, 97:13, 162:10, 189:12, 277:5, 306:6</p> <p>unlike [1] - 202:19</p> <p>unmanageable [1] - 68:6</p> <p>unnecessary [4] - 70:20, 86:25, 112:7, 113:20</p> <p>unprecedented [1] - 92:9</p> <p>unsafe [2] - 71:25, 72:1</p> <p>untouched [1] - 102:16</p> <p>unwanted [1] - 93:16</p> <p>up [145] - 6:15, 7:22, 11:2, 13:4, 18:8, 19:21, 23:5, 28:11, 28:14, 28:15, 33:12, 34:9, 39:23, 42:23, 43:14, 49:11, 54:7, 54:23, 55:8, 55:12, 55:14, 55:16, 57:8, 58:20, 60:2, 63:12, 63:20, 66:17, 67:8, 68:9, 70:19, 72:11, 72:21, 73:2, 79:3, 79:20, 83:20, 88:19, 90:8, 90:11, 92:3, 93:10, 96:2, 98:17, 100:1, 106:9, 108:3, 110:4, 112:4, 112:25, 116:25, 120:19, 121:13, 123:2, 123:10, 123:12, 123:16, 124:15, 124:17, 126:9, 126:16, 127:13, 127:21, 128:20, 132:19, 132:20, 133:4, 139:9, 141:24, 142:9, 144:25, 145:21, 146:4, 146:7, 146:16, 152:21, 154:19, 161:4, 172:15, 180:10, 185:2,</p>	<p>185:25, 186:1, 190:19, 190:25, 197:25, 198:18, 209:4, 210:21, 211:1, 212:21, 212:22, 214:25, 215:2, 215:4, 215:16, 216:20, 217:14, 218:16, 219:10, 220:1, 221:19, 224:18, 225:19, 226:17, 227:18, 227:20, 231:18, 233:2, 233:5, 233:11, 233:15, 234:2, 236:4, 240:1, 244:11, 244:17, 245:23, 248:6, 248:7, 248:10, 255:19, 259:21, 263:15, 263:20, 279:1, 282:11, 298:9, 298:10, 306:11, 307:10, 310:17, 314:5, 316:5, 318:21, 321:4, 321:17, 322:19, 325:17, 325:23, 334:19, 335:1, 341:6</p> <p>update [1] - 157:15</p> <p>updated [7] - 169:3, 169:4, 176:5, 183:25, 184:3, 184:4, 200:22</p> <p>uphold [4] - 204:17, 205:5, 206:3, 233:16</p> <p>upholding [2] - 204:20, 243:10</p> <p>upland [1] - 106:17</p> <p>upset [1] - 337:4</p> <p>upside [1] - 296:9</p> <p>Urban [4] - 33:3, 33:6, 33:10, 269:23</p> <p>urge [5] - 69:5, 121:18, 201:8, 203:20, 221:9</p> <p>US-1 [2] - 209:19, 212:24</p> <p>user [1] - 246:24</p> <p>uses [24] - 25:4, 46:16, 46:22, 80:11, 92:5, 128:23, 129:1, 140:9, 141:18, 141:20, 189:9, 189:12, 200:23, 225:23, 246:7, 270:6, 274:18, 275:7, 278:8, 281:8,</p>	<p>301:3, 304:9, 304:12, 305:4</p> <p>utilization [9] - 134:12, 134:18, 134:25, 135:6, 135:15, 135:19, 135:23, 136:5, 137:21</p> <p>utilize [1] - 197:7</p> <p>utmost [1] - 165:23</p>
V				
<p>V-22-05 [7] - 5:18, 255:14, 255:18, 256:10, 257:2, 257:8, 257:20</p> <p>vacancies [3] - 96:22, 96:23, 96:24</p> <p>vacant [1] - 181:15</p> <p>vacation [2] - 12:11, 198:12</p> <p>vague [1] - 24:21</p> <p>Valerie [1] - 318:12</p> <p>valid [1] - 325:25</p> <p>validate [3] - 43:25, 44:3, 340:19</p> <p>validated [1] - 44:10</p> <p>validity [1] - 330:18</p> <p>Valley [1] - 297:19</p> <p>value [3] - 76:7, 101:14, 193:20</p> <p>values [6] - 84:19, 132:19, 133:4, 203:15, 308:8</p> <p>valve [3] - 25:22, 36:2, 36:5</p> <p>Van [5] - 216:5, 216:6, 216:8, 217:9, 217:21</p> <p>vandalism [1] - 124:6</p> <p>Vanessa [2] - 187:18, 188:4</p> <p>variance [10] - 11:2, 36:14, 190:24, 210:5, 210:10, 217:6, 221:8, 248:1, 255:17, 255:21</p> <p>variances [1] - 3:18</p> <p>various [5] - 16:7, 17:5, 68:9, 140:8, 237:25</p> <p>vast [1] - 121:15</p> <p>vegetables [1] - 189:25</p> <p>vehemently [1] - 101:22</p> <p>vehicle [2] - 87:15, 110:14</p> <p>vehicles [11] - 69:10, 84:10, 110:7,</p>				

<p>126:14, 154:23, 165:7, 244:17, 244:18, 324:23, 325:2, 325:4 vehicular [1] - 23:24 venue [1] - 153:23 verification [2] - 258:7, 262:13 verified [1] - 57:11 verify [1] - 7:14 versa [2] - 178:13, 330:25 version [4] - 183:25, 184:4, 201:1 versus [8] - 202:11, 203:5, 203:19, 223:9, 330:16, 330:17, 339:8, 339:11 vertical [1] - 239:20 Vestcor [1] - 314:15 veteran [2] - 205:19, 207:5 vibration [1] - 165:4 Vice [1] - 1:13 vice [2] - 178:13, 330:24 vicinity [2] - 71:15, 102:17 video [2] - 95:2, 95:18 view [4] - 86:20, 101:18, 118:1, 296:23 View [1] - 82:17 viewed [1] - 46:22 views [1] - 120:1 villa [2] - 289:8, 289:10 villas [3] - 287:13, 289:18, 289:21 violating [2] - 195:1, 195:14 violation [2] - 168:4, 260:14 violence [3] - 186:14, 212:18, 213:4 violent [2] - 201:13, 201:18 visible [3] - 178:12, 178:15, 179:16 vision [1] - 277:25 visual [1] - 332:11 vocational [3] - 162:6, 163:5, 301:7 volume [1] - 68:8 volunteer [1] - 196:9 volunteering [1] - 196:8 volunteers [1] - 198:10</p>	<p>vote [32] - 4:10, 15:3, 43:10, 90:15, 94:21, 97:13, 99:4, 101:22, 111:3, 111:4, 113:22, 125:8, 154:9, 177:6, 190:5, 198:15, 213:23, 214:4, 214:5, 234:10, 234:11, 235:18, 236:11, 240:15, 248:17, 250:8, 251:4, 251:15, 267:19, 307:24, 323:20 voted [2] - 4:6, 39:23 voters [1] - 135:10 votes [1] - 4:2 voting [7] - 234:12, 234:13, 235:7, 236:16, 245:19, 246:3, 250:15 vowels [1] - 82:13 VyStar [1] - 272:21</p>	<p>188:18, 188:19, 196:7 wake [1] - 215:16 Walgreens [1] - 192:20 walk [10] - 66:3, 89:7, 91:24, 100:2, 105:15, 125:20, 170:8, 170:13, 205:16, 212:6 walked [1] - 283:6 walker [1] - 105:22 Walker [3] - 102:3, 105:19, 105:25 walkers [1] - 88:24 walking [3] - 67:5, 111:11, 212:8 walks [1] - 122:21 wall [5] - 59:1, 59:2, 121:4, 166:13, 232:5 wander [1] - 124:4 wants [7] - 74:13, 94:19, 109:10, 142:25, 150:12, 259:24, 311:1 war [1] - 205:19 Washington [1] - 206:20 wastes [1] - 13:5 Watch [1] - 123:8 watched [2] - 216:19, 226:16 Water [1] - 291:2 water [7] - 95:6, 95:18, 98:20, 98:25, 101:16, 106:12, 106:15 waving [1] - 257:12 Wawa [1] - 28:18 ways [3] - 179:11, 220:1, 243:8 wealth [1] - 308:7 Wednesday [3] - 89:20, 89:21, 116:23 week [12] - 18:7, 61:20, 64:2, 64:9, 64:13, 90:7, 100:24, 106:5, 120:3, 180:6, 180:13, 227:17 weekend [3] - 185:21, 225:8 weeks [17] - 4:8, 18:9, 48:14, 168:20, 169:1, 179:13, 179:19, 183:17, 224:12, 227:14, 232:18, 241:15, 245:7, 245:19, 276:11, 282:12 welcome [1] - 2:4</p>	<p>well-being [1] - 193:16 well-positioned [1] - 62:18 west [12] - 58:18, 106:2, 164:1, 172:4, 218:19, 274:11, 278:1, 278:10, 295:9, 295:12, 295:15, 319:20 West [7] - 1:8, 5:20, 188:5, 200:8, 264:5, 264:9, 264:22 western [1] - 50:21 Westside [3] - 238:21, 266:18, 295:2 Westview [1] - 137:15 wetlands [9] - 77:4, 77:5, 79:19, 80:1, 98:18, 106:19, 139:21, 164:9, 164:19 wheel [1] - 333:14 whereas [1] - 341:13 White [3] - 30:25, 40:15, 266:19 White's [1] - 266:18 whizzing [1] - 66:10 whole [15] - 36:8, 56:4, 107:25, 108:25, 132:10, 185:23, 189:24, 199:20, 214:24, 239:25, 246:11, 246:20, 270:23, 298:1 wholeheartedly [1] - 152:8 wide [2] - 89:3, 123:6 width [2] - 32:25, 33:24 wife [4] - 75:25, 91:5, 109:1, 112:24 wild [1] - 113:17 wildlife [3] - 82:25, 86:4, 87:8 William [7] - 187:9, 187:12, 206:8, 287:9, 296:4, 321:1, 321:7 Williams [2] - 207:25, 208:7 Willie [1] - 306:10 willing [1] - 288:12 willy [1] - 306:22 win [4] - 337:7, 337:10, 337:12, 338:1 wine [4] - 186:7, 186:8, 186:10,</p>	<p>211:20 wing [1] - 135:12 Winn [1] - 192:20 Winn-Dixie [1] - 192:20 wireless [2] - 15:8, 17:5 wisdom [1] - 241:4 wise [3] - 67:14, 67:15, 284:14 wish [1] - 193:20 wishes [1] - 3:3 withheld [1] - 203:5 witness [1] - 118:11 WLD-22-13 [12] - 5:17, 177:1, 177:19, 188:11, 217:24, 219:23, 220:18, 221:16, 226:12, 227:2, 227:7, 251:17 wonder [2] - 129:18, 234:23 wonderful [1] - 322:2 wonderfully [1] - 260:4 wondering [5] - 64:7, 200:15, 219:2, 262:21, 317:1 wooded [6] - 79:16, 179:22, 218:25, 219:3 woods [5] - 194:5, 194:8, 219:2, 219:3, 286:25 Woods [3] - 125:15, 128:10, 194:4 word [7] - 12:13, 154:20, 163:7, 188:24, 200:24, 284:1, 289:7 words [3] - 158:16, 205:18, 205:20 Works [1] - 239:4 workshop [1] - 256:5 Worley [3] - 217:16, 220:9, 220:12 worried [1] - 326:25 worry [1] - 154:16 worse [4] - 174:13, 263:18, 263:19, 330:25 worship [1] - 224:16 worst [1] - 123:17 worth [1] - 100:20 wow [1] - 9:3 wrap [2] - 236:3, 249:2 wrapped [1] - 298:9 wrecks [2] - 324:15, 324:17 wrestle [1] - 246:9</p>
<p>W</p>		<p>wait [12] - 61:19, 71:18, 90:9, 91:25, 113:16, 123:5, 123:11, 145:16, 145:19, 146:4, 146:11, 147:17 Wait [1] - 145:11 waiters [1] - 100:1 waiting [8] - 61:18, 61:23, 61:24, 89:10, 126:23, 129:15, 252:23, 312:9 waive [2] - 11:14, 303:6 waiver [39] - 8:12, 9:19, 34:5, 34:15, 38:4, 38:8, 39:18, 53:25, 55:6, 177:17, 178:4, 178:5, 179:10, 179:12, 180:20, 181:6, 183:12, 189:6, 197:4, 197:20, 198:20, 200:20, 201:2, 201:4, 201:8, 203:21, 204:24, 213:23, 225:24, 234:13, 235:7, 235:13, 235:14, 235:16, 249:6, 249:8, 249:15, 249:18, 250:5 waivers [6] - 3:18, 39:20, 188:14,</p>	<p>walk [10] - 66:3, 89:7, 91:24, 100:2, 105:15, 125:20, 170:8, 170:13, 205:16, 212:6 walked [1] - 283:6 walker [1] - 105:22 Walker [3] - 102:3, 105:19, 105:25 walkers [1] - 88:24 walking [3] - 67:5, 111:11, 212:8 walks [1] - 122:21 wall [5] - 59:1, 59:2, 121:4, 166:13, 232:5 wander [1] - 124:4 wants [7] - 74:13, 94:19, 109:10, 142:25, 150:12, 259:24, 311:1 war [1] - 205:19 Washington [1] - 206:20 wastes [1] - 13:5 Watch [1] - 123:8 watched [2] - 216:19, 226:16 Water [1] - 291:2 water [7] - 95:6, 95:18, 98:20, 98:25, 101:16, 106:12, 106:15 waving [1] - 257:12 Wawa [1] - 28:18 ways [3] - 179:11, 220:1, 243:8 wealth [1] - 308:7 Wednesday [3] - 89:20, 89:21, 116:23 week [12] - 18:7, 61:20, 64:2, 64:9, 64:13, 90:7, 100:24, 106:5, 120:3, 180:6, 180:13, 227:17 weekend [3] - 185:21, 225:8 weeks [17] - 4:8, 18:9, 48:14, 168:20, 169:1, 179:13, 179:19, 183:17, 224:12, 227:14, 232:18, 241:15, 245:7, 245:19, 276:11, 282:12 welcome [1] - 2:4</p>	<p>walk [10] - 66:3, 89:7, 91:24, 100:2, 105:15, 125:20, 170:8, 170:13, 205:16, 212:6 walked [1] - 283:6 walker [1] - 105:22 Walker [3] - 102:3, 105:19, 105:25 walkers [1] - 88:24 walking [3] - 67:5, 111:11, 212:8 walks [1] - 122:21 wall [5] - 59:1, 59:2, 121:4, 166:13, 232:5 wander [1] - 124:4 wants [7] - 74:13, 94:19, 109:10, 142:25, 150:12, 259:24, 311:1 war [1] - 205:19 Washington [1] - 206:20 wastes [1] - 13:5 Watch [1] - 123:8 watched [2] - 216:19, 226:16 Water [1] - 291:2 water [7] - 95:6, 95:18, 98:20, 98:25, 101:16, 106:12, 106:15 waving [1] - 257:12 Wawa [1] - 28:18 ways [3] - 179:11, 220:1, 243:8 wealth [1] - 308:7 Wednesday [3] - 89:20, 89:21, 116:23 week [12] - 18:7, 61:20, 64:2, 64:9, 64:13, 90:7, 100:24, 106:5, 120:3, 180:6, 180:13, 227:17 weekend [3] - 185:21, 225:8 weeks [17] - 4:8, 18:9, 48:14, 168:20, 169:1, 179:13, 179:19, 183:17, 224:12, 227:14, 232:18, 241:15, 245:7, 245:19, 276:11, 282:12 welcome [1] - 2:4</p>

<p>written [13] - 82:12, 147:3, 157:13, 157:20, 178:15, 202:18, 202:20, 239:2, 265:14, 275:10, 292:5, 292:8, 293:21 wrote [3] - 195:6, 215:4 Wyman [3] - 301:19, 303:13, 305:1</p>	<p>Yellow [2] - 291:2 yesterday [8] - 42:22, 48:25, 49:8, 51:5, 95:4, 100:2, 232:21, 235:21 yield [3] - 111:13, 201:25, 207:19 Young [4] - 88:3, 90:20, 92:20, 92:24 young [5] - 93:9, 199:23, 211:18, 243:13, 317:5 yourself [2] - 111:5, 155:11 youth [6] - 185:25, 186:11, 197:10, 203:15, 210:8, 221:5</p>	<p>Zoo [1] - 285:22</p>
Y		
<p>y'all [15] - 46:10, 55:4, 136:8, 213:2, 213:6, 213:8, 214:1, 214:14, 215:13, 230:16, 230:17, 253:5, 259:20, 325:24, 338:1 Y'all [1] - 331:10 y'all's [2] - 136:19, 325:24 Yahya [3] - 204:6, 206:7, 206:12 Yancy [2] - 254:1, 254:4 YANCY [2] - 254:9, 254:11 yard [1] - 113:16 yards [1] - 287:22 year [10] - 97:25, 98:5, 123:23, 135:1, 142:13, 243:13, 283:12, 284:4, 316:24 years [44] - 22:12, 31:1, 31:22, 36:4, 62:4, 66:12, 68:4, 68:5, 68:25, 83:10, 85:23, 92:12, 102:14, 115:2, 115:3, 119:18, 123:24, 131:18, 152:22, 155:24, 172:18, 173:18, 179:21, 180:6, 196:4, 208:10, 213:25, 217:4, 218:7, 224:10, 246:17, 247:4, 253:15, 272:3, 277:21, 313:25, 314:4, 314:13, 314:23, 321:25, 322:1, 324:7, 324:16, 328:24 yellow [2] - 91:11, 230:23</p>	<p style="text-align: center;">Z</p> <p>Zephyr [1] - 70:7 zero [8] - 61:17, 123:7, 134:21, 135:2, 135:20, 136:5, 241:7, 246:19 ZIP [1] - 236:8 zone [1] - 115:3 zoned [16] - 45:19, 70:11, 83:15, 97:4, 152:23, 174:23, 177:24, 221:25, 222:1, 224:25, 253:12, 277:20, 278:24, 286:19, 295:20 zones [2] - 129:8, 203:15 Zoning [17] - 4:1, 6:21, 9:14, 14:3, 15:8, 30:20, 163:9, 167:22, 203:12, 222:2, 222:18, 222:22, 223:1, 223:2, 223:17, 226:2, 238:23 zoning [32] - 6:24, 7:7, 22:11, 22:20, 45:11, 45:20, 45:21, 45:22, 116:18, 118:25, 119:2, 129:6, 129:11, 160:18, 161:12, 161:25, 168:3, 179:8, 197:3, 203:3, 222:1, 253:3, 253:9, 253:11, 253:14, 255:17, 256:2, 295:3, 295:4, 298:20, 299:8, 316:19 zonings [1] - 142:6</p>	

Duval County, City Of Jacksonville

Jim Overton , Tax Collector

231 E. Forsyth Street
Jacksonville, FL 32202

General Collection Receipt

Account No: CR635224
User: Smith, Bernadette
Generic CR

Date: 5/12/2022
Email: BDSmith@coj.net

Name: Legislative Services Division
Address: 117 W. Duval Street, Suite 430, Jacksonville, FL 32202
Description: Received check in the Amount of \$1,784.00 (#1213) for Appeal WLD-22-13 from Cobb & Gonzalez, P.A.

Fund	Center	Account	Project	Activity	Interfund	Future	Debit Amount	Credit Amount
00111	000000	104001	000000	00000000	00000	0000000	1784.00	0.00
00111	221001	369050	000000	00000000	00000	0000000	0.00	1784.00

Jim Overton
Duval County

Date/Time: 05/12/2022 03:36PM

Drawer: P04

Clerk: JEB

Transaction: 3822337

Item: Paid \$1,784.00

CR Processing:

CR635224

Legislative Services

Division

117 W. Duval Street, Suite

430, Jacksonville, FL 32202

Total:

\$1,784.00

Receipt: 460-23-0035312

Total Tended:

\$1,784.00

Check:

\$1,784.00

Chk#213

Balance:

\$0.00

Paid By: COBB & GONZALEZ

Total Due: \$1,784.00

Jim Overton , Tax Collector
General Collections Receipt
City of Jacksonville, Duval County

Account No: CR635224
Generic CR

Date: 5/12/2022

Name: Legislative Services Division
Address: 117 W. Duval Street, Suite 430, Jacksonville, FL 32202
Description: Received check in the Amount of \$1,784.00 (#1213) for Appeal WLD-22-13 from Cobb & Gonzalez, P.A.

Total Due: \$1,784.00

Cobb & Gonzalez, P.A.
 4655 Salisbury Rd. Ste 200
 Jacksonville, Florida 32256
 904-822-8001
 IOTA Trust Account

CENTERSTATE BANK OF FL. NA
 63-1403/631

1213

5/12/2022

PAY TO THE ORDER OF Duval County Tax Collectors Office

\$**1,784.00

One thousand seven hundred eighty four and 00/100 ***** DOLLARS

PROTECTED AGAINST FRAUD

Duval County Tax Collectors Office

MEMO Appeal Filing Fee 0629.000

Cobb & Gonzalez, P.A.

1213

5/12/2022 Duval County Tax Collectors Office

Check # 1213

Date	Type	Payee	Description	Payment
5/12/2022	Check	Duval County Tax Collectors Office	Appeal Filing Fee 0629.000	1,784.00

IOTA 1,784.00

Cobb & Gonzalez, P.A.

1213

5/12/2022 Duval County Tax Collectors Office

Check # 1213

Date	Type	Payee	Description	Payment
5/12/2022	Check	Duval County Tax Collectors Office	Appeal Filing Fee 0629.000	1,784.00

IOTA