

**Minutes of Planning Commission Meeting  
Held Monday, November 24, 2008, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order by Chairperson Terry DeLoach.

**Roll Call**

Terry DeLoach (Chairperson)  
Lee Dorson  
Julio Williams (Vice Chairperson)  
Greg Sutton  
Fred Jones  
Bill Callan  
David Dahl

Also present was Steve Lindorff, Planning Director, Bill Mann, Senior Planner and Recording Secretary Amber Lehman.

**Approval of Minutes**

It was moved by Mr. Dorson, seconded by Mr. Williams, and passed, to approve the minutes for the October 13, 2008, meeting, as presented.

**Correspondence**

Mr. Mann stated that there was no correspondence.

**Old Business**

There was no old business.

**New Business**

**(A) PC #30-08 – Conditional Use Approval**

Request to for additional outdoor seating in conjunction with expansion of an existing restaurant in a *Redevelopment: RD* zoning district, pursuant to Section 34-347 of the Jacksonville Beach Land Development Code and specifically pursuant to Ordinance No. 2007-7939.

**Staff Report:**

Mr. Mann read the following staff report into the record:

The applicant currently leases the first floor tenant space facing 1<sup>st</sup> Street in the *Metropolitan* building and operates the Chicago Pizza & Sports Grille. The adjacent tenant space (the subject tenant space) around the corner facing 3<sup>rd</sup> Ave. N. recently became available, and has been leased by the applicant for an expansion of his restaurant. The two spaces will be connected by an internal hallway. The applicant would like to provide outdoor seating on the 3<sup>rd</sup> Ave frontage of the building, as part of that expansion. He currently has approved outdoor seating on 1<sup>st</sup> St. associated with the existing restaurant.(Ref PC#25-07)

The subject tenant space has already been approved for outdoor seating via PC # 26-07, but that applicant did not develop his proposed "Wine and Gourmet" shop.

The tenant space is approximately 2654 s.f. in area, so as additional space for Chicago Pizza; it could have up to 264 s.f. (10%) of that area as outdoor space. The applicant has provided a sketch showing the requested outdoor seating area.

The applicant's existing approved outdoor seating area has been in operation since March of this year, generally without incident. There was a problem with the applicant installing televisions out on that seating area, but they have been removed. The cable connections, electrical boxes, and mounting frames for those televisions, though, still remain in place. The televisions could be re-installed at any time, and the Police Department has indicated that they have been reinstalled on at least one occasion. This presents a code enforcement problem, and the police continue to monitor the situation.

Other than that issue, staff is unaware of any problems associated with the applicant's existing seating area. So long as there are no sound producing devices, including television sets, installed within the outdoor seating area, and provided that the applicant adheres to the Sec 34-407 standards, staff does not object to the request. Adjacent property values should not be affected by approval of this request.

**Recommendation:** Approval, with the conditions that there shall be no televisions or any apparatus currently prohibited by LDC Sec 34-407 placed on either of the applicant's approved outdoor seating areas, and that the existing television cable and television mounting hardware in the applicant's seating area along 1<sup>st</sup> St. be permanently removed prior to the City's approval for occupancy of the subject tenant space.

**Applicant:** The architect for the applicant stated that the outdoor seating area will be similar to the other side of the restaurant.

Mr. DeLoach asked the applicant about the outlets that were still accessible on the patio.

The applicant replied that he was not sure why they were still there, but will ask the owner to remove them or cap them, off so no further use will occur.

### **Public Hearing**

Mr. DeLoach opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. DeLoach closed the public hearing.

**Motion:** It was moved by Mr. Jones, seconded by Mr. Dorson, to recommend approval in accordance with staff's recommendation.

**Roll call vote:** Ayes – DeLoach, Sutton, Dorson, Williams and Jones; motion carried unanimously.

### **(B) PC #31-08 – Land Development Code Text Amendment**

Request to amend Section 34-345. *Central Business District: CBD standards to incorporate recommended site design and lot layout standards resulting from the Downtown Vision Plan process.*

### **Staff Report:**

Mr. Mann read the following staff report into the record:

Staff has drafted the provided set of site design and lot layout standards for inclusion into the Central business District: CBD district standards of our Land Development Code. These guidelines, if approved, would replace the existing section in the CBD zoning standards titled *Dimensional standards* (LDC Sec. 34-345(e)). The need for new development standards for the CBD arose from the adoption of the downtown vision plan.

The proposed standards are essentially the standards presented at an August 18, 2008 Public Meeting on the downtown vision plan by the City's consultants, Glatting Jackson. At that time, it was envisioned that the standards would make up part of a zoning overlay district. However, since they will apply only to the CBD district, it is appropriate to simply incorporate them into our existing CBD district standards.

The only significant changes to the standards, from their original form, consist of:

- Re-formatting to serve as a replacement to existing Sec. 34-345(e) *Dimensional Standards* revisions to reflect the City's 35' maximum building height
- The elimination of references to, and standards for single-family homes (not permitted in the CBD)
- Changes to the accessory structure standards to be consistent with our current accessory structure regulations
- Elimination of reference to a reduced parking requirements for the CBD

With regard to the issue of parking requirements, staff continues to review the public and private parking situation downtown, in order to arrive at a recommended parking strategy to complement the downtown vision plan and these proposed design standards.

If approved, these standards will apply to all new development and substantial redevelopment applications submitted for properties located in the CBD, after adoption of the amendment ordinance.

**Recommendation: Approval**

Mr. Jones asked Mr. Lindorff where staff was on the parking situation.

Mr. Lindorff advised that staff continues to study the parking situation on an administrative level. They are looking at the situation from a public safety and security standpoint, and also evaluating the possibility of paid parking. Mr. Lindorff added that the issue is also being considered from a regulatory standpoint and on whether to recommend relaxing the existing standards by 50 percent, because a suburban standard should not apply within the downtown area. Payment in lieu of balance would allow a developer to put together a project that would require half of the parking or pay for an additional parking structure.

**Public Hearing**

Mr. DeLoach opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Seeing no one who wished to address the board, Mr. DeLoach closed the public hearing.

**Motion:** It was moved by Mr. Dorson, seconded by Mr. Jones, to approve the request.

**Roll call vote:** Ayes – Dorson, Williams, DeLoach, Jones and Sutton; motion carried unanimously.

(C) **PC #04-08 – Evaluation and Appraisal Report (EAR)**

Approve the transmittal the proposed Evaluation and Appraisal Report of the City's 2010 Comprehensive Plan to the Florida Department of Community Affairs for review.

**Staff Report:**

Mr. Mann read the following staff report into the record:

The Planning and Development Division and its consultants, RS&H, Inc., have recently completed the State-mandated Evaluation and Appraisal Report (EAR) of our adopted comprehensive plan. It is now presented to the Planning Commission, acting as the Local Planning Agency, for their recommendation to City Council on its approval.

The EAR contains an analysis of each plan element, in the context of a set of identified local issues. Those issues were identified at a public meeting held on the EAR in March, 2008. The document also contains recommendations for how the comprehensive plan should be amended to address identified deficiencies (road capacity), changed conditions (population, vacant land supply), and new available data and information. Finally, there are recommendations for changes to the plan that must be implemented now due to new or changed statutory requirements relative to all local government comprehensive plans.

**Recommendation: Approval**

Steve Tocknell, Senior Transportation Program Manager, Reynolds, Smith & Hills, Inc., presented a brief PowerPoint presentation on the overview of the EAR.

Mr. Jones asked Mr. Tocknell if he had taken into consideration *MMTD* instead of *TCEA*.

Mr. Tocknell replied that the requirements for *TCEA* are less than *MMTD*.

Mr. Jones stated that there is a grammatical error in reference to the *LEED* section; with it reading *LEEDS* (which is incorrect), it should be *LEED*.

**Public Hearing**

Mr. DeLoach opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

The following person spoke, neither in opposition, nor in favor of the application:

Sandy Golding, 1203 18<sup>th</sup> Avenue, Jacksonville Beach, posed the following questions concerning the EAR.

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1. Text in the document itself does not seem to be clearly defined.

Mr. Mann stated that a year after the document is adopted, the text will be more defined in amendments to the comprehensive plan elements.

2. In reference to the wastewater treatment plant, can the gray water be used in more areas than baseball parks and golf courses?

Mr. Mann responded that it depends on supply and demand, and advised that there tends to be some sensitivity to the use of gray water. He added that a lot of cities are restricting their gray water to just city owned areas.

Mr. Lindorff added that there is a study underway to look at the expansion of gray water distribution.

- Ms. Golding requested that a broader, more encouraging statement, be included in the EAR for reuse/conservation of water.

3. In consideration of the capacities of public services, does the multimodal standard apply to all of Jacksonville Beach?

Mr. Tocknell replied yes, and that it is a requirement to maintain or demonstrate concurrency.

4. In reference to the water supply, is there a way to lower the standard from 140 GPD.

Mr. Tocknell replied that although Jacksonville Beach is currently at 119 GPD, the city would not want to lower as it may hinder the residents' consumption.

5. What will be the next step in regards to a Community Vision?

Mr. Lindorff replied that the staff and city would need to ask "what are we trying to solve", which must be defined. He advised if it is not defined, then a visioning plan couldn't be put into place. The need has to be defined.

Mr. Jones stated that although there is currently no development happening, he is worried that if a plan is not put into place, Beach Blvd and A1A could become more like Ponte Vedra in the way that it is developed.

6. In regards to the building standards, does water conservation and reuse fall under the green building standards?

Mr. Mann replied yes.

Mr. Jones remarked that LEED requirements are more intense than Florida Green Building.

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Seeing no one else who wished to address the board, Mr. DeLoach closed the public hearing.

**Motion:** It was moved by Mr. Jones, seconded by Mr. Dorson, to approve the request.

**Roll call vote:** Ayes – Dorson, Williams, DeLoach, Jones and Sutton; motion carried unanimously.

**Planning & Development Director's Report**

Mr. Mann advised the board that there would be a meeting on December 8 & December 22, 2008, and that officer elections would be on the December 8 agenda.

**Adjournment**

There being no further business coming before the Board, Mr. DeLoach adjourned the meeting at 8:15 P.M.

Submitted by: Amber Maria Lehman  
Recording Secretary

Approval:

/s/Terry DeLoach  
Chairperson

Date: December 22, 2008