

**Minutes of Planning Commission Meeting  
Held Monday, December 22, 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 Vice Chairperson Lee Dorson.

**Roll Call**

Terry DeLoach (Chairperson)	Absent
Lee Dorson	
Julio Williams (Vice Chairperson)	Absent
Greg Sutton	Joined Meeting Late 7:02pm
Fred Jones	
Bill Callan	
David Dahl	

Also present was Bill Mann, Senior Planner and Recording Secretary Cathy Martinich.

**Approval of Minutes**

It was moved by Mr. Jones, seconded by Mr. Sutton, to approve the minutes for the November 24, 2008, meeting, as presented. (*Minutes were previously approved at the regular December 8<sup>th</sup> Meeting.*)

**Correspondence**

Mr. Mann stated that there was no correspondence.

**Old Business**

There was no old business.

**New Business**

**(A) PC #34-08 – Conditional Use Approval; Religious Organization in an RM-2 District**

Request for Conditional Use Approval of a proposed religious use in a multiple family: RM-2 zoning district, pursuant to Section 34-340(d) (4) of the Jacksonville Beach Land Development Code.

**Staff Report:**

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

The applicant, *Epic Surf Ministries*, is a local religious organization that currently operates out of the *Ribault Garden Club* facilities at 705 North 2<sup>nd</sup> Avenue. They were approved as a conditional use at the location in February, 2002, and now want to relocate to the former *Foundation Academy* building at 107 3<sup>rd</sup> Ave South (northwest corner of 1<sup>st</sup> Street and 3<sup>rd</sup> Ave South). That building is currently vacant and is for sale.

Adjacent uses to the subject property include multifamily dwellings to the immediate north and west, multi-family condominiums across 1<sup>st</sup> Street to the east, and a single family home and a townhouse development across 3<sup>rd</sup> Avenue to the south.

Staff spoke with Michael Ross, of Epic, on the phone to inquire as to why they wished to relocate, and to learn more about proposed use of the subject property. Mr. Ross indicated that their Tuesday evening bible studies group had outgrown their current facility and they needed more room. As stated in the application materials, the proposed uses of the property include a business office for the ministry (one or two staff), group meetings two nights a week, and equipment storage in support of the summer surf camps they conduct. He confirmed that there would be no residential use of the property, and that the only changes they plan to existing building is some painting before they move in.

Given this that the proposed use, which represents a significant de-intensification of use of the property from its former use as a private school, is not a permanent use proposed for the property, and that *Epic* has operated at their current location since 2002 without incident, staff does not feel that the character of the surrounding neighborhood would be affected by approval of this application. Adjacent property values should not be negatively impacted.

**Recommendation: Approval.**

**Applicant:** The applicant, Michael (Micky) Roth, stated that he concurred with the staff report as presented.

**Public Hearing**

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

The following person spoke in favor of the application:

Rob Holly, Director of Operations of Epic Surf Ministries spoke in favor of the application.

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

**Motion:** It was moved by Mr. Jones, seconded by Mr. Sutton, to recommend approval.

**Roll call vote:** Ayes – Dorson, Jones, Sutton, Callan and Dahl motion carried unanimously.

**(B) PC #35-08 – Conditional Use Approval; Outdoor Seating in Metropolitan RD District**

Request of a Conditional Use Approval of a beer and wine drinking establishment and outdoor bar area in the Metropolitan RD zoning district, pursuant to ORD. No. 2007-7939.

**Staff Report:**

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

This application essentially involves the relocation and change in ownership to previously approved application PC# 26-07. That application was approved in August 2007 for a wine and cheese bar and retail establishment, but the location at that time was Suite 103, the then vacant tenant space immediately west of the *Chicago Pizza* space. However, that business never materialized. You will recall that *Chicago Pizza* came before the Commission on November 24, 2008 and was approved for outdoor seating related to their expansion into that tenant space.

The applicant is seeking approval of a beer and wine drinking establishment in Suite 102, the space originally approved for outdoor seating for the recently closed *Mona Lisa* ice cream shop (PC# 24-07, August 2007). He provided a floor plan for his proposed use of the space that is included with your agenda package. The outdoor seating area is the same size and configuration as it existed for *Mona Lisa*. The inside space offers both bar and restaurant style seating. There is a kitchen/cooler space and a small food preparation area located behind the bar. The applicant has indicated that they initially plan to offer cheese and perhaps light pre-prepared appetizers, but that they might expand into providing other pre-prepared food items as the business developed.

Staff recommended the approval of one beer and wine only drinking establishment when Ordinance No. 2007-7939 was originally processed, and this request is consistent with that recommendation. Our current outdoor seating area regulations should serve to adequately regulate the proposed seating area, especially given its small size. As a drinking establishment, direct outdoor access to and from the outdoor seating will not be permitted. Adjacent property values should not be negatively affected.

**Recommendation: Approval.**

**Public Hearing**

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

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

**Motion:** It was moved by Mr. Jones, seconded by Mr. Sutton, to recommend approval.

**Roll call vote:** Ayes – Jones, Sutton, Callan, Dahl and Dorson, motion carried unanimously.

**(B) PC #37-08 – Land Development Code Text amendment: Sign Standards**

Land Development Code Text Amendment to amend Land Development Code Article VIII, Site Standards, Section 34-450, Nonconforming Signs, Paragraph (1) Continuance restrictions, Subparagraph (d), to delete language prohibiting sign face changes on nonconforming signs.

**Staff Report:**

Mr. Mann referenced the December 11, 2008 memorandum from Steve Lindorff, Director of Planning and Development Director, detailing the requested amendment to the Land Development Code sign standards, relative to nonconforming signs.

He explained that the City Council had adopted an amendment to the sign code provisions of the Land Development Code to prohibit pole-mounted ground signs and only allow monument type signs. One of the consequences of the change was that virtually all of the pole-mounted signs became nonconforming, and over time, each would have to be replaced by a conforming monument sign.

A second consequence of the amendment was created by a little-known provision that would prohibit changing a sign face on a nonconforming sign, which only applies to developments with multiple tenants, as there are different restrictions on freestanding businesses. When there was a business change and a new sign face installed, the development was required to replace the nonconforming sign with a monument sign.

Following review of the provision and considering the current economic conditions, staff is proposing elimination of the prohibition against changing the faces on nonconforming pole signs, which is a first step in an ongoing process of evaluating the existing sign code.

**Recommendation: Approval**

**Motion:** It was moved by Mr. Jones, seconded by Mr. Sutton, to recommend approval of the amendment.

**Roll call vote:** Ayes – Jones, Sutton, Callan, Dahl and Dorson, motion carried unanimously.

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**Planning & Development Director's Report**

Mr. Mann advised the board that there would be a regular meeting on January 16, 2008.

**Adjournment**

There being no further business coming before the Board, Mr. Dorson adjourned the meeting at 7:20 P.M.

Submitted by: Cathy Martinich  
Recording Secretary

Approval:

/s/Lee Dorson  
Acting Chairman

Date: February 23, 2009