

**Minutes of Planning Commission Meeting
held Monday, June 22, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



Call to Order

The meeting was called to order by Chairperson Terry DeLoach.

Roll Call

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

Also present was Bill Mann, Senior Planner and Recording Secretary Amber Lehman.

Approval of Minutes

There were no minutes to approve.

Correspondence

Mr. Mann stated that there was no correspondence.

Old Business

There was no old business.

New Business

(A) PC #10-09 – Staples PUD Zoning Amendment

Request to Amend *Planned Unit Development* (PUD) Ordinance No. 7411, as amended, governing the South Beach Regional Shopping Center PUD.

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

The applicant has applied to amend the existing PUD ordinance governing the South Beach Regional Shopping Center to accommodate a proposed new tenant, Staples retail office supplies store.

Specifically, the applicant is requesting to:

1. Amend the current PUD narrative to add SIC code 5112-retail (Stationary and office supplies) to the list of permitted uses within the center.
2. Amend the approved PUD Site and Landscape plans to allow a 13,500 s.f. expansion of tenant space #4106 (formerly *Hooters* restaurant) and associated parking and landscaping modifications;
3. Incorporate a proposed front elevation drawing for the expanded tenant space #4106 into the PUD ordinance.
4. Install one additional ground sign for the shopping center, at the South Beach Parkway access to the center.

In addition to being regulated by PUD ordinance, the subject shopping center is regulated by the Development Order (DO) for the Southend Redevelopment Area DRI. Preceding the filing of this PUD amendment application, the applicant approached the Community Redevelopment Agency, as the DRI's developer, asking for a minor modification to the DRI to allow the requested 13,500 s.f. increase in commercial space. A Notice of Proposed Change for the additional square footage was then filed by the CRA on the applicant's behalf, typifying the request as a minor modification to the DRI Development Order.

The proposed DRI Development Order modification was approved by the reviewing agencies, subject to one condition. The Development Order currently contains a transportation condition whereby no Phase 3 Development within the DRI can occur prior to addition of six lanes to S.R. A1A. In light of the current thinking that S.R. A1A will not be six-lanes, however, the agencies have allowed the City to adopt a substitute condition. The new condition will allow Phase 3 of the DRI to occur only after the City has implemented a Transportation Concurrency Exception Area (TCEA). The agencies also approved viewing the requested 13, 500 s.f. commercial addition as being Phase 2 development, so that it may proceed prior to the effective timing of the new transportation condition. A required Development Order amendment will be prepared for Council consideration prior to their consideration of this application.

The Comprehensive Plan Future Land Use Map designation of the shopping center is *South Beach District*, reflective of its existing in the Southend DRI. The requested commercial addition is consistent with the DRI's designation of the shopping center for commercial use. Parking within the center will remain consistent with the LDC minimum requirement for shopping centers of one space per 250 s.f. A traffic study is required for this application, pursuant to Ord. No. 2006-7915, and staff has secured the services of Prosser Hallock to perform the study. The results of the study will be available for the scheduled Planning Commission Hearing to be held on June 22, 2009. Any new impacts are expected to be minimal, though, given that the former use of the tenant space was a restaurant, with a typically high PM peak hour trip generation rate.

Given the large size of the shopping center, and that it is served by two separate major roadways, the request by the applicant for a new ground sign to be allowed within the PUD, at the center's South Beach Parkway entrance is not unreasonable. The center currently has only one ground sign, at its A1A entrance. That sign conforms to our new monument sign regulations, and the proposed sign would have to be consistent with those standards as well. The other large shopping center in the DRI, south of Butler Blvd. has two permitted ground signs.

Recommendation: Approval.

Applicant:

Agent for the applicant, Brenna Durden, 245 Riverside Avenue, Suite 150, Jacksonville, FL, stated that she was representing Equity One. Ms. Durden also stated that Scott Grady, architect was also present to answer any questions.

Ms. Durden advised that a number of meetings were held with the Regional Planning Council staff and FDOT staff to discuss the proposed change. She added, after working with City staff and other agencies, to her knowledge, all issues have been adequately addressed.

Ms. Durden also informed Board members, that there is a very slight revision to "Exhibit A" on the site plan. She explained that the change consists of a modification to the ramp at the rear of the building. (Exhibit dated 6/1/09); Ms. Durden requested that the revised plan (Exhibit dated 6/1/09) be included in the motion for approval.

Mr. Williams asked if the second sign on South Beach Parkway was necessary.

Ms. Durden responded that the sign will help identify shops in the area. She further explained, most of the stores face inward, and people tend to forget that there is a separate entrance to the shopping center, that allows traffic to avoid A1A.

Mr. Mann assured Board members that the sign would comply with standards and regulations.

Mr. Williams inquired about the location of the sign; Mr. Mann advised that the exact location would be determined in part by its meeting the LDC sight visibility triangle standards. In addition, he stated that that the sign would be located on the north side of the entryway beside the *Bed Bath and Beyond* store, where there is adequate room for the sign.

Public Hearing

Mr. DeLoach opened a 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. Dahl, seconded by Mr. Williams, to recommend approval, with staff's recommendation, including site plan dated 6/1/2009 with the change made to ramp, and with the condition that staff monitor the placement of the approved ground sign outside of any sight visibility triangles.

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

(B) PC #11-09 – Conditional Use Approval

Request for **Conditional Use Approval** for a private school, grades 6-12, in a *Commercial Limited: C-1* zoning district.

Staff Report:

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

The applicant currently operates the *Noble School* in a tenant space in the *Beach Plaza* shopping center on Beach Blvd. She would like to move her small, private 6th through 12th grade school from its current location to a one on Penman Road. The proposed location is a multi-tenant commercial center in the 1500 block of Penman Road. The center is also the home of another small private school, *Montessori Tides*, which was approved by the Planning Commission in 1997, via PC Case #34-97.

The applicant received conditional use approval for her school at its current location in 2006, via PC Case #12-06. The school has operated since that time with no records of incident.

The proposed location of the *Noble School* is a vacant tenant space in the commercial center at 1572 Penman Road. *Montessori Tides* private school currently operates out of the south building on the property, and the *Noble School* would occupy the two tenant spaces in the north building. One space was formerly occupied by *Montessori Tides*, which has since downsized, and the other tenant space was most recently occupied by a real estate firm.

Adjacent uses include the referenced *Montessori Tides* and one other tenant space in the subject center, a medical office to the immediate south, single-family homes behind the

center to the west, a grocery store to the north, and commercial uses across Penman Road to the east.

The applicant indicated that her enrollment is capped at 20 students, which is a reasonable number for the space to be occupied. Parking is adequate for the center now, and that should not change with this proposed new tenant. A total staff of three will be present daily. Given that the *Noble School* has operated as a conditional use in another commercial setting for three years without incident, and that *Montessori Tides* has operated as this location for over 10 years without incident, it is not expected that approval of this application will have any adverse effects on the surrounding neighborhood. Adjacent property values should not be affected.

Recommendation: Approval.

Applicant:

Applicant, Lisa Kamm, 1356 Beach Blvd, Jacksonville Beach, advised that she concurred with the Staff Report.

Mr. Jones asked Ms. Kamm if any of the students would be driving.

Ms. Kamm responded in the negative.

Public Hearing

Mr. DeLoach opened a 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.

Mr. Sutton asked the applicant what type of signage was currently on the property.

Ms. Kamm replied that she was not sure what signage was there now.

Mr. Mann clarified, that the property is allowed one ground sign, and that the applicant can check to see if there is available space on that sign, and also that she would be allowed some amount of wall signage.

Ms. Kamm stated that her school has operated without signage in the past and does not feel that this will hinder her business if a sign does not exist.

Motion: It was moved by Mr. Sutton, seconded by Mr. Jones, to recommend approval, with staff's recommendation.

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

Planning & Development Director's Report

Mr. Mann advised the board that there would be a meeting on July 13, 2009, with three cases.

Adjournment

There being no further business coming before the Board, Mr. DeLoach adjourned the meeting at
7:25 P.M.

Submitted by: Amber Maria Lehman
Recording Secretary

Approval:

/s/Terry DeLoach
Chairperson

Date: July 13, 2009