

**Minutes of Planning Commission Meeting  
held Monday, September 13, 2010, 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 Sutton.

**Roll Call**

Greg Sutton (Chairperson)  
Terry DeLoach (Vice Chairperson)  
Lee Dorson  
Fred Jones  
Bill Callan - *Absent*  
David Dahl - *Absent*  
Tom Baker

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

**Approval of Minutes**

It was moved by Mr. DeLoach, seconded by Mr. Dorson, and passed, to approve the minutes of the August 9, 2010 meeting, as presented.

**Correspondence**

Mr. Mann stated that there was no correspondence.

**Old Business**

There was no old business

**New Business**

**(A) PC #21-10 (10-100113) – Conditional Use Approval**

Conditional use approval for automotive repair and motor vehicle dealer in a Commercial Limited: C-1 zoning district, pursuant to Sections 34-342(d) (6), respectively, of the Jacksonville Beach Land Development Code. The property is located at 391 North 1<sup>st</sup> Avenue.

**Staff Report:**

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

The applicant currently operates *Cool Cars*, an automotive air conditioning repair shop at 941

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7<sup>th</sup> Avenue South. In his application, he describes that he is also an authorized repair facility for an electric automobile line, *Global Electric Motorcars* (GEM). He would like to relocate his business to the subject property, and also become a dealer for GEM vehicles at this new location. Automotive repair and motor vehicle dealer are listed as conditional uses in C-1 districts.

Adjacent uses include a catering business to the immediate east, an office use across the alley to the north, *St. Paul's School* across 4<sup>th</sup> Street to the west, and *Willard's Automotive* to the south across 1<sup>st</sup> Avenue North.

The subject property does contain a three bay metal building which would be suitable for an auto service business, and there is a paved parking area in front of the building. There is not, however, room for any significant vehicle storage anywhere else on the property, as opposed to *Willard's* across the street, which has a vacant lot to the east of their service building and additional area to the south of it for vehicle storage. Typically though, automobiles that are in need of air conditioning service are otherwise operable, and most air conditioning repair work can be completed on a same-day basis, so the need for vehicle storage would not be as great as that for a full service repair facility. It is not known how many of the GEM cars the applicant would like to have on-site if he does become a dealer for those vehicles, but he would not be able to use the entire parking area in front of the building for new vehicle display.

Provided that the applicant's auto repair, other than that of the GEM vehicles, be limited to air conditioning service and repair, and that some limit could be set as to the number of new vehicles displayed in the parking lot, the applicant's proposed business should be able to operate on the subject property with minimal impact to adjacent properties.

**Recommendation:** Approval for a one year period, with the following conditions:

1. Automotive repair, other than the repair and service of the GEM vehicles, be limited to air conditioning repair and service.
2. There shall be no more than three GEM vehicles displayed for sale at any time within the parking lot in front of the building.

**Applicant:**

Applicant, Milton Knox, 941 7<sup>th</sup> Avenue South, stated that he concurred with the staff report read by Mr. Mann.

Mr. Jones asked Mr. Knox about the facility only conducting air conditioning repairs.

Mr. Knox replied that the facility will also do minor related repairs, but agreed with staff that most vehicles will be finished on the day that they are brought in for service.

Mr. Baker asked Mr. Knox if he was comfortable with the restriction that only three cars would be allowed to be displayed at once.

Mr. Knox replied that he did not have any contention with either the restrictions.

Mr. DeLoach asked Mr. Knox to clarify the amount of cars that will be repaired on-site each day.

Mr. Knox stated that he will typically repair 4-5 cars daily and will display a total of 3 cars.

Mr. DeLoach asked if Mr. Knox would agree that electric cars run more quietly than the traditional gas cars.

Mr. Knox agreed with Mr. DeLoach.

Mr. Dorson asked Mr. Knox if there will be available parking in the rear of the building.

Mr. Knox replied no.

Mr. Sutton asked Mr. Knox if he will access the garage bays from the front of the property.

Mr. Knox replied yes.

### **Public Hearing**

Mr. Sutton 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 opposition to the application:

Jennifer Lobrano, 331 North 1<sup>st</sup> Avenue, Jacksonville Beach. She stated that parking and appearance of the business were her main concerns.

Mr. Milton stated that he will maintain his area and will be a good neighbor.

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

### **Discussion:**

Mr. Sutton asked Mr. Mann if he would clarify the code enforcement process.

Mr. Mann replied that most code enforcement issues are initiated by citizen complaints or concerns, and that code enforcement officers also observe and monitor properties while out in the field.

Mr. Sutton and Mr. Jones stated that they each had a brief voice mail from the applicant regarding his application.

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

the recommended approval conditions proposed by staff.

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

**(B) PC #23-10 (10-100125) – Conditional Use Approval**

Conditional Use approval for a religious organization use in a Commercial Service: CS zoning district, pursuant to Sections 34-344(d) (3) of the Jacksonville Beach Land Development Code. The property is located at 504 South 1st Avenue.

**Staff Report:**

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

The applicant would like to lease 750 square feet of the rear building on the property located at 504 South 1<sup>st</sup> Avenue and use the space for a religious-based personal fitness facility, “Jax Beach Total Control Fitness”. He describes the organization as a Christian ministry with a vision of instilling spiritual, mental, and physical strength in its clients. Religious organizations are listed as conditional uses in the CS zoning district.

The building containing the space the applicant wishes to lease was formerly occupied by a concrete contractor. After that business left, the building was divided into two 750 square foot tenant spaces. The other tenant space is currently used as storage for a pressure cleaning business. A parking variance was approved in 2003 for the building, and the parking diagram from that variance is included in the application materials. A total of five parking spaces are shown on that diagram, and that number is sufficient for the proposed use together with the existing storage use of the other tenant space.

Adjacent uses include a pet sitting service on the northern portion of the subject property and a duplex across 1<sup>st</sup> Avenue, a single family home to the south across the alley, a pool company’s storage yard to the immediate west, and an entire vacant block across 5<sup>th</sup> Street to the east. The applicant’s proposed use of the small tenant space represents a clean, non-intensive type of business in terms of the type of uses otherwise allowed in CS zoning. Adjacent property values should not be impacted. It is suggested, though, that if the application is approved that the applicant provide a bike rack to lessen the strain on the limited on-site parking on the property.

**Recommendation:** Approval.

**Applicant:**

Applicant Paul Villarreal, 9751 Nimitz Court North, Jacksonville, FL stated that he concurred with staff’s report and recommendation.

Mr. DeLoach asked if Mr. Villarreal would be in opposition to the board requiring a bike rack to be placed in front of the facility.

Mr. Villarreal replied that he would agree to put a bike rack in front of the facility.

Mr. Baker asked if the business is a non-profit.

Mr. Villarreal replied that it is a for profit organization.

Mr. Baker asked Mr. Villarreal if the organization is a Church.

Mr. Villarreal replied that he was not at this point, however it will facilitate bible studies.

Mr. Mann stated that religious organizations are not required to register as non-profit organizations in the State of Florida.

Mr. Baker asked if there will be regular church services at the facility.

Mr. Villarreal replied yes, every Sunday for 4<sup>th</sup> through 12<sup>th</sup> graders.

Mr. Jones asked how many will attend.

Mr. Villarreal replied that he was not sure yet.

Mr. DeLoach asked what the hours of operation will be.

Mr. Villarreal replied that until the business is up and running it will be by demand or call ahead.

Mr. DeLoach asked if someone will always be there.

Mr. Villarreal replied yes from 6:00am – 7:00pm.

### **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 people spoke in favor of the application:

Wayne Ramsey, 803 6<sup>th</sup> Avenue North, Jacksonville Beach.

Cookie Villarreal, 9751 Nimitz Court North, Jacksonville.

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

**Motion:** It was moved by Mr. Jones, seconded by Mr. Dorson, to approve the request with the condition that the applicant provides a bike rack in front of the facility for his patrons.

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

**Planning & Development Director's Report**

Mr. Mann advised the members that the next meeting will be on September 27, 2010, with three cases.

**Adjournment**

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:45 P.M.

Submitted by: Amber Maria Lehman  
Recording Secretary

Approval:

/s/Greg Sutton  
Chairperson

Date: November 22, 2010