

**Minutes of Planning Commission Meeting
held Tuesday, November 12, 2013, 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 Chairman Greg Sutton.

Roll Call

Greg Sutton, Chairperson
Terry DeLoach, Vice Chairperson
Bill Callan
David Dahl
Georgette Dumont (*absent*)

Alternates: Rick Knight (*absent*)
Lee Dorson

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

Approval of Minutes

There were no minutes to approve.

Correspondence

There was no correspondence.

OLD BUSINESS

(A) PC #30-13 (13-100194) – 831 North 1st Street – Reconsideration request, pursuant to LDC 34-159

Conditional Use application for outdoor seating for an existing restaurant (Blues Rock Café) located in a Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d) (20) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant has submitted additional and revised materials relative to Application PC# 30-13 for your consideration pursuant to LDC Section 34-159 *Successive applications*. He is asking for the ability to re-apply for Conditional Use approval for outdoor restaurant seating at the subject property, stating that the new submittal "...expressly satisfies the deficiencies that were identified in the prior denial."

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The action required on this item is for the Planning Commission to vote to decide whether or not the application materials submitted for consideration meet the referenced LDC standard. If the Planning Commission decides that they do, then the applicant may apply with a new application, based on the new and revised materials, and staff will process the new application for hearing at the next available meeting following required public notice.

Conversely, if the Planning Commission decides that the additional and revised materials do not satisfy the deficiencies identified in the denial of Application PC#30-13, then the same application may not be re-filed for a period of one year following that original denial.

Applicant:

The agent for the applicant, Jeffrey Tyer, stated that he concurred with the staff report presented by Mr. Mann and is available to answer any questions by the board members.

Mr. Dahl asked if the applicant has met with the neighbors as requested in the previous meeting.

Mr. Tyer replied that meetings have taken place and he has incorporated ideas that have been offered from those meetings.

Mr. Dahl asked if minutes were taken at these meetings.

Mr. Tyer responded no, however, the residents have agreed (verbally) with the renditions/schematics that have been provided. He stated that the residents have said they will support the project and attend the next PC meeting.

Mr. Dahl asked if there would be music on the roof. Mr. Tyer responded no.

Mr. DeLoach asked if there would be seating on the roof. Mr. Tyer responded no.

Mr. DeLoach, through the Chairman, asked Mr. Mann if the Commission would be able to hold the applicant to the elevations/schematics that would be provided at the next meeting.

Mr. Mann responded yes and stated the application will be treated as a new application with new staff report and recommendation. December 9, 2013 will be when the application is presented.

Motion: It was moved by Mr. Dorson, seconded by Ms. DeLoach, to approve the filing of the new application for the hearing at the December 9, 2013 meeting, with the elevations that have been presented.

Roll call vote: Ayes – Callan, Dahl, DeLoach, Sutton, Dorson; motion carried unanimously.

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(B) PC #35-13 (13-100211) – Land Development Code Text Amendment

Land Development Code Text Amendment to replace transportation concurrency regulations in the Land Development Code with Mobility Fee regulations, as stipulated in the adopted Jacksonville Beach 2030 Comprehensive Plan.

Staff Report:

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

This proposed amendment to the Land Development Code (LDC) was carried over to tonight's meeting by the Planning Commission, following their required public hearing and deliberation on the application on October 28, 2013. The carry-over was requested in order that the City's traffic consultant could be present to further describe the proposed Mobility Fee program, and to provide additional information concerning several questions raised at the October 28 meeting.

Recommendation: Approval

Applicant:

The agent, Frederick Jones, 1300 Kings Road, Neptune Beach, FL 32266 with Reynolds, Smith & Hills, explained the background on why the City was considering adopting the mobility fee.

The purpose of the application is to implement the goals, policies and objectives of the Comprehensive Plan's transportation element. The mobility fee ordinance is designed to address multimodal outcomes such as transit stops, signal improvements, etc.

Mr. Jones addressed the legal basis for mobility fee.

Mr. Dahl asked about the policy in the plan that addresses the need for an updated pedestrian and bicycle master plan for the city.

Mr. Mann responded that there is not one at this time, but that there have been significant bike and pedestrian improvements over the last several years. He then addressed the issue of sidewalk connectivity in the city.

Mr. Mann addressed the issues of the greenway plan. He noted that the routing had moved off A-1-A in the city, and emphasis on the plan has shifted towards mainly signage, which is cheaper than the original plan.

Mr. Jones added that the North Florida TPO has been working on updating the regional bicycle plan and have worked in individual communities, such as St. Augustine, and there may be an opportunity for the TPO to fund the bicycle circulation study in Jacksonville Beach.

Mr. Dahl asked about the 2010 data on the vehicle miles traveled.

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Mr. Jones responded that they were using the 2.41 average vehicle miles traveled. The intent is to update it every 5 years.

Mr. Dahl asked about the provision that mobility fees could be adjusted and asked who does it and where is the objective data used to make the adjustment.

Mr. Jones stated that it would be conducted by staff using a trip reduction matrix or spreadsheet that was developed in California. The model is used to lower vehicle trips if there is a good mix of uses. The model looks at density and availability of transit and provides for reduction of project trips.

Mr. Mann noted that the Jacksonville Beach fee is lower than the City of Jacksonville, therefore, adjustments to the fee would not be proposed initially. He is looking at short term ideas such as a minor fee reduction if a developer includes bike racks and sidewalks.

Mr. DeLoach stated that the formula is standard; the calculation of a reduction is not.

Mr. Dahl concurred with Mr. DeLoach and asked if the potential to manipulate the formula is a possibility.

Mr. Mann responded that a credit system has not been codified, at this point.

Mr. Mann stated that fee credits may be introduced in small increments and will be handled administratively.

Discussion followed about the fee credit system and how it will work for development examples in Jacksonville Beach.

Mr. Mann stated that the current proportionate share system was not feasible and compared it to the proposed mobility fee.

Motion: It was moved by Mr. DeLoach, seconded by Ms. Callan, to recommend approval to the City Council of the Land Development Code amendment implementing Mobility Fee Regulations as presented.

Roll call vote: Ayes – Callan, Dahl, DeLoach, Sutton, Dorson; motion carried unanimously.

NEW BUSINESS

(A) PC #36-13 (13-100213) – 1975 South 1st Street

Conditional Use application for a proposed single-family dwelling located in a Residential multiple-family: RM-2 zoning district, pursuant to Section 34-340(d)(12) of the Jacksonville Beach Land Development Code.

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Staff Report:

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

The applicant has recently purchased the vacant lot on the northeast corner of 1st Street South and 20th Avenue South. The lot dimensions are approximately 60' by 70' and the applicant would like to build a single family home on it. He was instructed to apply for conditional use approval. If approved, he could build a single-family house on the lot pursuant to our RS-3 single family standards.

The surrounding neighborhood is a mixture of single and multifamily uses, with a single family home to the immediate north, a duplex and a single-family home next door to the east, a single-family home across 20th Avenue to the south, and a four unit multifamily use across 1st Street to the west. Given the small size of the lot, its development into single-family use is actually more reasonable than if the applicant were to try to develop it into a permitted two-family use. Adjacent property values should not be negatively impacted.

Recommendation: Approval.

Applicant:

The agent for the applicant, William Smith, 2107 9th Avenue North, stated that he concurred with staff report presented by Mr. Mann.

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 people spoke in favor of the application:

- Jeanell Wilson, 2014 Oceanfront South, Jacksonville Beach
- Bill Slaughter, 2004 Ocean Drive South, Jacksonville Beach

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

Motion: It was moved by Mr. DeLoach, seconded by Mr. Callan, to approve the conditional use as requested.

Roll call vote: Ayes – Dahl, Callan, Sutton, DeLoach, Dorson; motion carried unanimously.

(B) PC #37-13 (13-100214) – 1672 South 3rd Street (Jiffy Lube)

Conditional Use application for transfer of ownership of an existing automotive repair facility located in a Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)(6) of the Jacksonville Beach Land Development Code.

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Staff Report:

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

The applicant has recently purchased the *Jiffy Lube* auto service business at the southwest corner of 16th Avenue South and 3rd Street, next to the *Clean Getaway* car wash. The building was built in 1987, and the business has existed as an approved conditional use auto service establishment (PC 1-87) since that time, under the same ownership.

Staff became aware of the recent change in ownership when the applicant's Local Business Tax Form was submitted to the Planning Division for zoning approval. The applicant was instructed that he needed to secure conditional use approval for the business in the new owner's name, as conditional uses were not transferrable.

The business has been operated without incident since it was established in 1987, and the property is maintained in a presentable condition. So long as the applicant continues to maintain the property and facilities in good condition, transfer of ownership of this established business should have no effect on the character of the established commercial character of the surrounding neighborhood. Adjacent property values should not be negatively impacted.

Recommendation: Approval.

Applicant:

The applicant, Jerry Nichols, 15710 Richmond Avenue, Missouri, stated that he concurred with the staff report presented by Mr. Mann.

Mr. Dahl asked about the weekly hours of the employees. Mr. Nichols replied that his full-time employees work 40 hours per week, and part-time employees work 32 hours per week.

Public Hearing

Mr. Sutton 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. Sutton closed the public hearing.

Motion: It was moved by Mr. Dahl, seconded by Mr. DeLoach, to approve the conditional use as requested.

Roll call vote: Ayes – Dahl, Callan, Sutton, DeLoach, Dorson; motion carried unanimously.

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Planning & Development Director's Report

Mr. Mann advised the members that the next meeting is scheduled for November 25, 2013 with two conditional use applications.

Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:55 P.M.

Submitted by: Amber Maria Lehman
Recording Secretary

Approval:


Chairman

Date: November 25, 2013