

**Minutes of Planning Commission Meeting
held Monday, November 25, 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 Vice Chairman DeLoach.

Roll Call

Greg Sutton, Chairperson *Absent*
Terry DeLoach, Vice Chairperson
Bill Callan
David Dahl *Absent*
Georgette Dumont

Alternates
Rick Night
Lee Dorson *Absent*

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

Approval of Minutes

It was moved by Ms. Dumont, seconded by Mr. Knight, and passed, to approve the minutes of the October 28, 2013 and November 12, 2013 Planning Commission, as presented.

Correspondence

There was no correspondence.

Old Business

There was no old business.

New Business

(A) PC #38-13 (13-100223) – 11 North 1st Street – (Four Points by Sheraton)

Conditional Use application for outdoor restaurant seating for an existing hotel located in the Central Business District: CBD zoning district, pursuant to Section 34-345(d) (7) of the Jacksonville Beach Land Development Code.

Staff Report:

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

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The applicant owns the Quality Suites hotel on north 1st Street just north of the lifeguard station. The hotel opened in 2002, and since that time the applicant has offered a continental breakfast service to his guest, but the hotel does not contain a full service restaurant.

The applicant is in negotiations with a new franchise, Sheraton – Four Points, under which he would like to operate the hotel. One of the requirements of the new franchise is that the hotel contains a full service restaurant. As part of the restaurant, he is establishing on the hotel's first floor, the applicant would like to provide outdoor restaurant seating. The location and extents of the proposed outdoor seating area shown on the site plan included in the application materials.

Staff has reviewed the application against LDC Section 34-407 standard for outdoor restaurants and bars. As an internal and accessory used to the permitted hotel use, the restaurant and its proposed outdoor seating area would not require any additional parking. The applicant did provide the square footage for the indoor and outdoor restaurant areas, and it appears that the extents of the outdoor seating shown on the application site plan may exceed the maximum allowance. The applicant has been informed of the size limitation for outdoor seating areas, and he acknowledged that, if approved, the outdoor areas would be sized based on the code allowance, and that hit would be located within the general areas shown on the plan. The applicant has been provided with a copy of the Section 34-407 regulations, and he is aware that the outdoor restaurant area must be contained by at least a 42" high fence or wall, and that there can be no music or amplified sound devices within the outside restaurant area.

Adjacent uses remain as they were when the hotel was constructed in 2001. They include the SeaWalk amphitheater to the immediate north, the lifeguard station to the south, and Sneakers restaurant across 1st Street to the west. This hotel is a valuable component of our core downtown area. The applicant will remain as the managing entity of both the rebranded hotel and the new restaurant, and he has an excellent record in managing the hotel property to date. The proposed addition of outdoor restaurant seating along the oceanfront and boardwalk will enhance the overall pedestrian friendly environment that the City is trying to create. Adjacent property values should not be negatively impacted.

Recommendation: Approval

Applicant:

The applicant, Mr. Sonny Bhikha, 3068 Marsh Court, Jacksonville, stated that he concurred with the staff report presented by Mr. Mann. He also stated that he is very excited about bringing Sheraton to the beaches. The restaurant will be primarily for hotel guests and is not going to be run as a nightclub. Mr. Bhikha noted that he will abide by all city codes.

Mr. DeLoach asked if the Sheraton would be an upgrade from Quality Choice Hotel. Mr. Bhikha replied yes.

Ms. Dumont asked if the Sheraton will be a Quality Choice Hotel. Mr. Bhikha replied that it would be a Starwood Hotel.

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 members, Mr. DeLoach closed the public hearing.

Motion: It was moved by Mr. Knight, seconded by Mr. Callan, to approve the Conditional Use as presented.

Roll call vote: Ayes – Callan, DeLoach, Dumont, and Knight; motion carried unanimously.

(B) PC #39-13 (13-100225) – 215 7th Avenue North

Conditional Use application for a proposed multiple family dwelling located in a Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d) (5) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant is under contract to purchase the subject multifamily use property on the north side of 7th Avenue North, one lot west of 2nd Street. The property currently contains a two unit multifamily structure, with a detached, one-story garage in the rear yard.

If the applicant purchases the property, he would like to add a third dwelling unit to it by constructing a second story over the existing detached garage. He was informed that in order to do so, he would first need Conditional Use approval, as the property currently exists as a legal non-conforming use in a C-1 commercial zoning district. He was further informed that if the conditional use application was approved, he would then need to seek certain variances as well, as the placing of a unit over the garage ‘accessory’ structure would convert it to a ‘principal’ structure. Accessory structures are allowed within rear yard setback areas, but principal structures and uses are not, so he would at least need approval for a reduced rear yard setback. He was also informed of the additional two parking spaces required for the new dwelling unit.

Despite its commercial zoning, the subject property is bounded on all four sides by residential uses. There is also a vacant lot on the corner across 7th Avenue North. Property Appraiser data provides that the existing residential structure on the property was built in 1943. The continued use of the property as residential would be consistent

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with the character of the surrounding neighborhood, and the potential of adding one unit to the property would not be in violation of relevant density standards. Adjacent property values could be positively impacted by the applicant/s purchase of the subject property, but they should in no way be negatively impacted by it.

Recommendation: Approval

Applicant:

The applicant, Jim Fletcher, 4115 Gasden Road, Jacksonville, stated that he concurred with the staff report presented by Mr. Mann.

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 members, Mr. DeLoach closed the public hearing.

Motion: It was moved by Mr. Knight, seconded by Mr. Callan, to approve the Conditional Use as presented.

Roll call vote: Ayes – Callan, DeLoach, Dumont, and Knight; motion carried unanimously.

Planning & Development Director's Report

Mr. Mann advised the members that the next meeting is scheduled for December 9, 2013, with two Conditional Use applications.

Adjournment

There being no further business coming before the Planning Commission, Mr. DeLoach adjourned the meeting at 7:15 P.M.

Submitted by: Amber Maria Lehman
City Clerk's Office

Approval:

/s/Greg Sutton

Chair

Date: December 9, 2013