

**Minutes of Planning Commission Meeting
held Monday, November 10, 2014, 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

Alternates - Lee Dorson
Britton Sanders

Also present were Bill Mann, Planning Official, and Assistant City Clerk Nancy Pyatte.

Approval of Minutes

It was moved by Mr. DeLoach, seconded by Ms. Dumont, and passed, to approve the minutes of the following meeting, as presented:

- October 27, 2014 Planning Commission Minutes

Correspondence

There was no correspondence.

Old Business

None.

New Business

(A) PC#28-14 205 1st Street North (*Bluewater Daiquiri and Oyster Bar*)

Conditional Use Application for transfer of ownership of an existing outdoor restaurant seating area 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:

The applicant is the new owner of the *Bluewater Daiquiri and Oyster Bar* establishment on the east side of 1st Street North at 1st Avenue North in the Central Business District. That establishment has an approved conditional use second floor outside deck overlooking 1st Street (ref. PC No.'s 59-03, 24-09). Conditional use outdoor restaurant and bar areas are not transferrable from owner to owner,

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so the applicant has applied for approval in his name to allow continued use of this established outside seating area.

Staff has reviewed the application and it has been found sufficient in content for processing and for consideration by the Planning Commission. The application has also been reviewed against Section 34-407 standards, and the existing 760 s.f. outside seating area is within the allowable size for a 4,598 s.f. restaurant. The applicant is aware that no music or amplified sound devices would be allowed within the approved outside seating area. The Police Department was also contacted for information related to any problems with the former use of the outside seating area. The Police Chief indicated that his department did not have any outstanding problems with the outside seating area as compared to other similar establishments downtown, but asked that the applicant be reminded that the conduct of patrons on the outside deck was the applicant's responsibility, and that activity on the deck needed to be supervised by restaurant staff.

Applicant:

The applicant, Chung Ong, 205 1st Street North, had nothing to add to Mr. Mann's report.

Public Hearing:

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application. Two speaker request cards were submitted.

The following people spoke in favor of the application:

Bill Stevens, 234 1st Street North, Jacksonville Beach
Maxwell Dickinson, 1199 Beach Avenue, Atlantic Beach

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

Discussion:

There was a brief discussion about the potential for the applicant to expand the use to include the whole second floor outside deck. Mr. Mann stated that would require a zoning code amendment to the outdoor restaurant and bar standards, which would require Council approval.

Motion: It was moved by Ms. Dumont, seconded by Mr. DeLoach, to approve the conditional use as presented.

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

(B) PC#29-14 2115 12th Avenue North (*Lighthouse Christian Pre-School*)

Conditional Use Application to continue operation of an existing child daycare service (ref. PC#7-10) located in a *Residential Single Family: RS-2* zoning district, pursuant to Section 34-337 (d)(9) 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 applied to continue the use of the existing approved child daycare service it operates on the north side of 12th Avenue N., west of 20th Street N./Pinewood Lane. It was originally approved for educational use in 1999, and most recently in 2010, via Application PC No. 7-10. That most recent approval carried with it an applicant requested expiration date of 12-31-14, because it was the intention of the property owner that the property would be redeveloped into single-family residential use sometime in 2014. The owner is now not certain exactly when he will redevelop the property, and has agreed to allow the property to continue to be used by the applicant. The applicant has applied to continue the conditional daycare use of the property beyond the current 12-31-14 expiration date.

Staff has reviewed the application and it has been found sufficient in content for processing and for consideration by the Planning Commission. There are no records on file of any problems with the applicant's use of the property over the past fifteen years, and no changes to the current use are proposed by the applicant. Adjacent uses in all four directions are established single-family neighborhoods.

Applicant:

The applicant's agent, Daryl Grubbs, explained the December 31, 2014 expiration date (2010 cond. use PC#7-10) was changed to June 30, 2015, to coincide with the end of the school year.

Mr. Mann stated this application, if approved, will eliminate any expiration date.

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 members, Mr. Sutton closed the public hearing.

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

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

(C) PC#30-14 730 Beach Boulevard #102

Conditional Use Application for a proposed package liquor store located in a *Commercial General: C-2* zoning district, pursuant to Section 34-343(d)(2) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant would like to open a wine shop in the recently completed *Paradise Plaza* commercial center on the southeast corner of Beach Boulevard and 8th Street South. He was informed that a retail wine store was classified as a type of package liquor store, and as such would require conditional use approval for the applicant's proposed location in a C-2 zoning district.

Staff has reviewed the application and it has been found sufficient in content for processing and for consideration by the Planning Commission. Adjacent uses include a drive-in restaurant to the immediate east, a bowling alley to the west across 8th Street, a plumbing contractor and a storage yard across Shetter to the south behind the subject property, and the new Bluewater Row apartments across Beach Boulevard to the north.

Applicant:

Tarik Bovslama, 6426 Greenland Chase Blvd., Jacksonville FL 32258, had nothing to add to Mr. Mann's report.

Discussion:

There was a brief discussion about the pedestrian activity in that area, specifically from participants receiving assistance from the Mission House.

Motion: It was moved by Ms. Dumont, seconded by Mr. Callan, to approve the conditional use as presented.

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

Planning Department Report:

The November 24, 2014 meeting is cancelled due to a lack of applications received. The next tentative meeting will be held on Monday, December 8, 2014.

Adjournment

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

Submitted by: Nancy J. Pyatte
Assistant City Clerk

Approval:

/s/Greg Sutton

Chair

Date: December 8, 2014