

**Minutes of Planning Commission Meeting  
held Monday, September 28, 2015, 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 Vice-Chairman DeLoach.

**Roll Call**

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

Alternates  
Britton Sanders  
Jeffrey Jones

Also present were Bill Mann, Director of Planning, Heather Ireland, Senior Planner and Recording Secretary Amber Lehman.

**Approval of Minutes**

There were none.

**Correspondence**

There was no correspondence.

**Old Business**

There was none.

**New Business**

**(A) PC #25-15 - 1728 3<sup>rd</sup> Street North**

**Conditional Use Approval** for a drinking establishment with outdoor seating and a package liquor store located in *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(3), 34-342(d)(4), and 34-342(d)(20) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following staff report into the record:

Due to the *Pablo Plaza* shopping center's owner choosing not to renew the applicant's current lease, the applicant is seeking to relocate his existing drinking establishment and package liquor store, *Monkeys Uncle*, to a vacant tenant space on the north end of the shopping center property located on the west side of 3<sup>rd</sup> Street, between 16<sup>th</sup> and 17<sup>th</sup> Avenues North. The tenant space he would like to occupy was most recently occupied by the *Landshark Café* restaurant.

There is an existing outdoor seating area in front of the tenant space which was most recently approved in 2012, via Application PC# 23-12. The space was originally approved for outdoor seating in 2006 via PC# 36-06 for the *Spare Time Tavern*, with certain conditions, and again in 2008 via PC# 18-08, with the same conditions when the business changed ownership and names. The conditions were that the size of the outdoor space is limited to the size and location approved under PC# 36-06, (700 sq. ft.) and that it must be contained by a minimum of forty-two inch high fence or wall, with no direct egress onto the parking lot.

Adjacent uses to the tenant space include the balance of the shopping center to the south, commercial and office use across 3<sup>rd</sup> Street to the east, a telephone communications facility to the north across 17<sup>th</sup> Avenue North, and residential uses behind the shopping center along 4<sup>th</sup> Street North to the west.

When he filed the application, the applicant expressed to staff that he wanted to operate the establishment as a restaurant and a drinking establishment similar to his existing establishment, and that he would be using the 4-COP Quota and Package Liquor licenses that he already owns in conjunction with the relocated business. This would be similar with the past uses of the tenant space, but with the addition of package sales. He has been provided a copy of Sec 34-407 standards which would be applicable to the outdoor seating area, should the application be approved.

Given the history of use of the subject tenant space, as well as the applicant's positive record of operating *Monkey's Uncle* in its current location for over 30 years, the existing character of the area around the new location should not be negatively affected. Adjacent property values should not be impacted.

**Applicant:**

The applicant, Carter Quillen, 1601 Ocean Drive South, stated that he had to leave his present building, and this new building would be a good fit for his business. This will be a non-smoking bar with more of an emphasis on food. They would like to do something with the package license sometime in the future.

Mr. DeLoach asked if they would acquire additional space for the package store. Mr.

Quillen stated he did not know but wanted to keep it as a possibility.

**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.

**Discussion:**

Mr. Sutton asked about the outdoor seating and ingress and egress issues, noting that there was a public walkway. Mr. Mann responded that when that condition was placed they didn't want access from the outdoor seating area to the parking area. He stated that was not a normal code requirement. Mr. Sutton states that his question was more general – what is the requirement for ingress and egress. Mr. Mann stated that there needed to be a 42 inch wall or fence with a gated egress with a “no alcohol” sign beyond that point. Mr. Mann said that he would look into the code. Mr. DeLoach stated that they didn't want people to exit into the parking lot directly; they wanted them to go through the building and this condition should be maintained.

**Motion:** Mr. DeLoach made a motion to approve the application with the condition that there be no direct pedestrian access from the outdoor seating area to the adjacent parking lot. The motion was seconded by Ms. Dumont.

**Roll call vote:** Ayes – Dahl, DeLoach, Dumont, Sutton, and Sanders.  
The application was approved unanimously.

**(B) PC #26-15 - 215 & 218 8<sup>th</sup> Avenue North, and 214 & 220 9<sup>th</sup> Avenue North**

**Conditional Use Approval** for development of multi-family dwelling units on property located in *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code. The subject property is located at 215 & 281 8th Avenue North, and 214 & 220 9th Avenue North.

**Staff Report:**

Ms. Ireland read the following staff report into the record:

The applicant is seeking conditional use approval to redevelop the four subject properties as a two building multi-family apartment project, with 11 units in each building. The existing use of three of the subject properties is multi-family residential and one property is vacant.

If approved, development of the properties into the applicant's proposed multi-family use would be subject to Section 34-339 *RM-1* standards of the Land Development Code, except that *RM-2* density standards would be applicable since the properties lie east of 3<sup>rd</sup> Street. Per *RM-2* density standards, the combined properties could support a maximum of 22 units. The applicant is aware he may need to apply for certain variances for his project, should this application be approved.

Adjacent uses include offices to the west along 3<sup>rd</sup> Street, and multi-family dwelling units to the north, east and south. Redevelopment of the properties into multi-family dwellings is consistent with the surrounding area, and is consistent with conditional uses permitted pursuant to the Land Development Code. Adjacent property values should not be negatively affected.

**Applicant:**

The applicant, Darrell Grubbs, 1912 Nightfall Drive, Neptune Beach, stated that the staff report covers the issues.

Mr. Sutton asked if there were two stories above the parking. Mr. Grubbs responded 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.

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

**Motion:** Mr. DeLoach moved approval of the application. The motion was seconded by Mr. Dahl.

**Roll call vote:** Ayes – Sutton, Dahl, DeLoach, Dumont and Sanders.  
The application was approved unanimously.

**Planning & Development Department Report**

Ms. Ireland noted that there were no items for the October 12 meeting, so the next meeting will be on October 26.

**Adjournment**

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:20 P.M.

Submitted by: Amber Maria Lehman

Approval:

/s/ Greg Sutton  
Chairman

Date: October 26, 2015