

**Minutes of Planning Commission Meeting
Held Monday, March 26, 2018, 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 at 7:00 P.M. by Board Member Greg Sutton.

Roll Call

Chairman: Greg Sutton

Board Members: Bill Callan David Dahl Georgette Dumont Britton Sanders

Alternates: Jason Lee (*absent*) Margo Moehring (*absent*)

Also present were Senior Planner Heather Ireland, and Staff Assistant Mandy Murnane.

Approval of Minutes

It was moved by Mr. Sutton, seconded by Mr. Dahl, and passed unanimously, to approve the following minutes:

- February 12, 2018
- February 26, 2018

Correspondence

Ms. Ireland reported there was a general communication email received but it was unrelated to any Planning Commission case.

Old Business

There was no old business.

New Business

- (A) **PC#5-18** Land Development Code Text Amendment

Land Development Code Text Amendment Approval to revise Section 34-467, Flood Hazard Areas of the City's Land Development Code, to revise cross-references with Section 34-467, and to update references therein to the Florida Building Code.

Staff Report:

Ms. Ireland read the following into the record:

In 2013, the City of Jacksonville Beach adopted the current Flood Hazard Area section of the Land Development Code (LDC), repealing and replacing the previous Section 34-467 with new Floodplain Management Regulations that were consistent with the 2010 Florida Building Code. The 2013 update incorporated the State's "model" language into the LDC. The update also referenced the 2013 Flood Insurance Rate Map (FIRM) panels for the City that were updated at that time.

The current Flood Hazard Area section of the LDC contains several cross-references back to various sub-sections of Section 34-467. These cross-references used the State's model ordinance numbering system as opposed to the City's numbering system. While a cross-reference table was provided as part of Ordinance No. 2013-8025, the State has requested that the City now provide accurate internal cross-references and eliminate the accompanying cross-reference table to avoid confusion and clean up this section of the code. As provided with the application, changes are shown in the underline addition / ~~strike-through~~ deletion format.

These updates do not change the content of Section 34-467. One additional reference to the Florida Building Code was added. The new 2016 Flood Insurance Rate Maps (FIRM) will be adopted this year, and Section 34-467 was already drafted to automatically adopt any map changes after 2013.

Public Hearing:

There was no one from the public present to speak about the amendment.

Mr. Sutton closed the public meeting.

Discussion:

There was no discussion on the agenda item.

Motion: It was moved by Mr. Callan and seconded by Ms. Dumont, to approve the Land Development Code Text Amendment.

Roll call vote: Ayes- Bill Callan, David Dahl, Georgette Dumont, Britton Sanders, and Greg Sutton.
The motion passed unanimously.

(B) **PC#6-18** 417 North 2nd Avenue (*Lot 10, Block 35, Atlantic Park*)

Conditional Use Approval of a single-family residential use located in a Residential, multiple-family: RM-1 zoning district, pursuant to Section 34-339(d)(12) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland read the following into the record:

The subject property is located on the north side of 2nd Avenue North between 4th and 5th Streets North. The property currently consists of three separate lots of record under one address, with a total of two dwelling units. Lot 10, which is the subject of the application, contains a single-family dwelling, and half of a garage apartment that also sits partially on Lot 11. Lot 12 is vacant. The owner plans to build a two-family dwelling on both Lots 12 and 11. In order to build on Lot 11, the encroaching garage apartment must be demolished, which in turn makes the remaining single-family dwelling on Lot 10 a non-conforming use.

The applicant was advised by staff that conditional use would be required to retain the single-family dwelling on Lot 10, because the property is zoned Residential, multi-family: RM-1. Adjacent uses include multiple-family and a church to the west, a church to the south, commercial and multiple-family residential to the north, and commercial to the east.

Retaining the single-family use on the subject property (Lot 10) should not negatively impact adjacent uses.

Applicant:

A representative of Payne Roberts, LLC, Michael O'Neill, 3721 Dupont Station Court South, Jacksonville, FL, 32217, explained that currently, there are two residences located on the property; one on Lot 10, and one straddling Lot 10 and Lot 11. The single-family dwelling located on Lot 10 would remain, however, the garage apartment located on both Lot 10 and Lot 11 would be removed.

Public Hearing:

There was no one from the public present to speak about the application.

Mr. Sutton closed the public hearing.

Discussion:

Ms. Dumont stated she had received a call on March 26, 2018, from a neighbor stating their support for the application.

Motion: It was moved by Ms. Dumont and seconded by Mr. Sanders, to approve the Conditional Use Application.

Roll call vote: Ayes- David Dahl, Georgette Dumont, Britton Sanders, Greg Sutton, and Bill Callan.

The motion was approved unanimously.

(C) **PC#7-18** 1183 Beach Boulevard (*formerly 1001 Nights*)

Conditional Use Approval for transfer of approved outdoor restaurant seating for a new restaurant, located in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland read the following into the record:

The subject property is located on the north side of Beach Boulevard, across the street from the Beach Plaza shopping center. The applicant plans to lease the building to operate a new restaurant at the location. Previous restaurant tenants at the subject property most recently include *1001 Nites, Marlin Moon Grille, and Taco Lu*. In 2014, the *Marlin Moon Grille* received conditional use approval under PC#9-14 to use the existing front patio for outdoor restaurant seating. The applicant was informed by staff that since conditional use approvals are not transferable, that he would need to apply to transfer the approved outdoor seating under the new restaurant's name.

Adjacent uses include a professional office to the west, an office and a restaurant with outdoor seating to the east, single-family homes to the north, and the Beach Plaza shopping center across Beach Boulevard to the south. The subject property has been in restaurant use since at least the early 1990's.

Staff has no records of any problems with prior operations of the outdoor seating area. Given the existing commercial setting of the subject property, the southerly facing outdoor

seating patio location, and former restaurant uses of the property, adjacent properties should not be negatively impacted.

Applicant:

Austin Towery, 115 8th Avenue South, Jacksonville Beach, was present.

Public Hearing:

Michael Gruber, 1175 1st Avenue North, Jacksonville Beach, spoke in support of the agenda item.

Mr. Sutton closed the public hearing.

Discussion:

There was no discussion on the agenda item.

Motion: It was moved by Mr. Sanders and seconded by Mr. Callan, to approve the Conditional Use Application .

Roll call vote: Ayes - Georgette Dumont, Britton Sanders, Greg Sutton, Bill Callan, and David Dahl.

The motion was approved unanimously.

(D) PC#7-18 937 & 939 11th Avenue South

Conditional Use Approval for an educational service, located in an Industrial: I-1 zoning district, pursuant to Section 34-346(d)(9) of the Jacksonville Beach Land Development Code (*Bolts & Bytes Academy* tutoring service).

Staff Report:

Ms. Ireland read the following into the record:

The subject property is located on the north side of 11th Avenue South, between 9th and 10th Streets South. The applicant plans to lease space for his business, *Bolts & Bytes Maker Academy*, an educational service for students in the 6th to 12th grade. Students participate in weekend or after-school classes focusing on science, technology, engineering, and math (STEM) skills. The applicant was informed by staff that conditional use approval would be required for the proposed business since the property was zoned *Industrial: I-1* and educational services are permitted by conditional use only.

Adjacent uses include commercial and light industrial. The applicant has coordinated with the property owner and adjacent existing tenants to ensure there will be minimal conflict with hours of operation and parking. Given the existing commercial and light industrial uses in the immediate area, adjacent uses should not be negatively impacted by the proposed use.

Applicant:

Reed Beaubouef, 1082 Carnation Street, Atlantic Beach, FL, briefly reviewed the after-school enrichment program, modeled from a *Markerspace* movement, and provided a handout to the Board Members of the program activities [*on file*].

Public Hearing:

Harry Schnitzel, 2295 Zephyr Way North, Jacksonville Beach, stated his support of the agenda item.

Mr. Sutton closed the public hearing.

Discussion:

Both Mr. Sutton and Ms. Dumont stated their support for an educational after-school activity.

Motion: It was moved by Ms. Dumont and seconded by Mr. Callan, to approve the Conditional Use Application.

Roll call vote: Ayes - Britton Sanders, Greg Sutton, Bill Callan, David Dahl, and Georgette Dumont.
The motion was approved unanimously.

Planning & Development Director's Report

Ms. Ireland noted the next meeting is scheduled for April 23, 2018.

Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:30 P.M.

Submitted by: Mandy Murnane
Staff Assistant

Approval:


Chairman

Date

4-23-18