

**Minutes of Planning Commission Meeting
held Monday, February 23, 2015, 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 Board Member Dave Dahl.

Roll Call

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

Alternates:

Britton Sanders
Jeffrey Jones

Also present were Bill Mann, Planning Official, and Recording Secretary Amber Lehman.

Approval of Minutes

It was moved by Ms. Dumont, seconded by Mr. Sanders, and passed, to approve of the meeting minutes from December 8, 2104 as presented.

Correspondence

There was no correspondence.

New Business

- (A) **PC #1-15 - 1954 3rd Street South #2150**
Conditional Use approval for a proposed package liquor store and drinking establishment in a *Commercial Limited: C-1* zoning district, pursuant to Sections 34-342(d) (4) and 34-342(d)(3) respectively, of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Mann stated that the applicant wished to continue the request to a future meeting.

(B) PC #2-15 - 11 1st Street North

Conditional Use approval for a miscellaneous recreational service, specifically scooter rentals, located in the *Central Business District: CBD* zoning district, pursuant to Section 34-345(d) (4) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant currently operates a beach equipment rental business that he would now like to expand to include scooter rentals at one of our downtown oceanfront hotels, the *Sheraton-Four Points*. Scooter rentals are classified as a “Miscellaneous Recreation Service” in the *Central Business District: CBD* zoning district in which the hotel is located.

If the application is approved, the applicant has indicated that the hotel owner would make on-site accommodations for him to store four or five scooters on-site on a regular basis. No other on-site accommodations would be needed for the rental business. Several of the retail scooter stores in Jacksonville Beach are approved for scooter rentals as well, so this business would just offer a more convenient option for visitors staying downtown.

Adjacent uses include the Seawalk band shell to the north, the Life Guard Station to the south, and Sneakers Restaurant and Latham Plaza across 1st St. to the west. None of these adjacent uses should be negatively impacted by the addition of a small scooter rental business at the existing hotel property, and adequate space exists on that property to accommodate the business. If the Commission feels that the size of the business could potentially be a problem, it might consider placing a maximum on the number of scooters associated with the rental business.

Applicant:

The applicant, Kurt Baker, 1948 Horn Street, stated that he operates an existing beach rental business. The owner of the hotel, *Sheraton-Four Points*, asked him if he could expand the service to include scooter rentals. He stated that there are complete insurance documents available, after researching the insurance requirements. He added that there would not be additional signage at the hotel.

Mr. Callan asked where the scooters would be stored. Mr. Baker responded that this would be a seasonal rental operation between March and October and there would be designated parking spaces for the scooters.

Ms. Dumont asked if there would be 4 to 5 scooters. Mr. Baker responded that there would be no more than 6.

Mr. Mann asked if the vehicles have to be licensed. Mr. Baker responded yes, and all drivers needed a driver's license, but not a motorcycle license.

Mr. Dahl asked about night storage and security. Mr. Baker responded that they have a steering lock as well as a wheel lock.

Public Hearing

Mr. Dahl 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. Dahl closed the public hearing.

Motion: Ms. Dumont made a motion to include a provision that there be a maximum of six scooters, seconded by Mr. Callan.

Roll call vote: Ayes - Callan, Dumont, Sanders, Jones
Nay - Dahl
Motion passed with a 4 to 1 vote.

Amended Motion: An amended motion was made by Ms. Dumont, seconded by Mr. Callan, to approve of the conditional use with a provision that there be a maximum of six scooters for rent.

Roll call vote: Ayes - Dumont, Dahl, Callan, Jones, Sanders
Motion carried unanimously.

(C) **PC #3-15 - 2400 3rd South #201**

Conditional Use approval for transfer of ownership of an existing outdoor restaurant seating area 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 been in business in the *Shoppes at 3rd Street* center since May of last year, and wishes to continue the use of the established outdoor seating area approved for the former tenant, Starbucks. (Ref PC# 23-03).

Staff discussed the use for the outdoor area with the applicant in the course of processing this application. The applicant indicated that they do offer craft beer for sale by the glass in their store, but that they have policy and signage at the front door stating that no alcoholic beverages are allowed outside. Because of this voluntary limitation, the

applicant would not have to fence in the existing outdoor seating area if his application is approved. Otherwise, it would have to be contained by a 42” high wall or fence.

Staff is not aware of any problems with the use of the previously approved outdoor seating area and none are expected from a new similar type of business. Adjacent uses to the shopping center include an auto parts store and office uses to the north, a single-family neighborhood behind the center to the west, a gas station and office uses across Osceola Avenue to the south and a commercial center across 3rd Street to the east. The character of these surrounding uses should not be impacted by the continuation of a previously approved outdoor restaurant seating area at this location, and adjacent property values should not be negatively affected, so long as the area is properly managed and maintained.

Applicant:

The applicant, James Burnett, 3774 Coconut Key, stated that they were asking for the same seating that currently exists. There will be a maximum of 5 tables outside.

Public Hearing:

Mr. Dahl 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. Dahl closed the public hearing.

Motion: It was moved by Ms. Dumont, seconded by Mr. Callan, to approve the request for outdoor seating.

Roll call vote: Ayes - Callan, Dumont, Dahl, Jones, Sanders
Motion carried unanimously.

(D) **PC #4-15 - 2653 Isabella Boulevard**

Conceptual Plat Application for a proposed four unit, fee-simple townhouse development located in a *Residential, multiple family: RM-1* zoning district, pursuant to Section 34-503 of the Land Development Code.

Staff Report:

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

The applicant owns vacant property on the east side of Isabella Blvd., between the Osceola Professional Center office park and St. Augustine Blvd. The property is zoned *Residential, multiple family: RM-1* and the applicant has filed a Development Plan application for a new four unit, fee-simple townhouse project, consistent with LDC Sec. 34-339(e)(4) *RM-1* townhouse standards. One of the initial staff review comments on that

development plan application was that if the applicant contemplated selling each of the townhouse units individually as a fee simple property, then the project would also have to go through the subdivision platting process.

The initial step in the subdivision platting process is the approval of a conceptual plat by the Planning Commission. Per LDC Sec. 34-503(f), the Planning Commission is tasked with the approval, approval with conditions, or denial of a concept plat based on its consistency with the Comprehensive Plan, its compatibility with surrounding land uses, and its design and layout.

In terms of Comprehensive Plan consistency, the Future Land Use category that correlates to the subject property's *RM-1* zoning is *Residential-Medium Density*, with density ranges of seven to twenty units per acre. The four proposed townhouse units on a 12,000 s.f. lot represents a density of approximately 14.5 units per acre.

In terms of compatibility with surrounding uses, the subject property is located in a transitional zone from the adjacent commercial office uses on Almonaster St. and Isabella Blvd. to the single family residential neighborhood on St Augustine Blvd. and those further south. The general location of the subject property is shown on the color aerial photo included with the application materials.

The proposed townhouses are two-story, consistent with the one adjacent single-family home on the south side of the subject property, as well as many other residential structures in the vicinity. The development would respect the same 20' front yard setback as do the residential uses to the south, and would provide a 10' side yard adjacent to the residential property adjacent to the south, and adjacent to the office parcel adjacent to the north. Each unit would provide two on-site parking spaces.

Applicant:

The applicant, Keith Peraeu, 7631 River Avenue, Fleming Island, stated that they had developed some townhouse projects here. This property had commercial on three sides and planned to build structures that were similar to those that were around there.

Mr. Jones asked if the interior units will have firewall. Mr. Peraeu responded that they would, and there would also be a sprinkler system.

Mr. Sanders asked if there was accommodation for overflow parking. Mr. Peraeu responded that parking would be provided per code.

Mr. Mann explained why this proposal needed subdivision approval and that this was the only opportunity for Planning Commission input.

Public Hearing

Mr. Dahl 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. Dahl closed the public hearing.

Discussion

Ms. Dumont asked Mr. Mann if Isabella Blvd. has a break between the residential part and commercial part. Mr. Mann confirmed that there was a barrier in the road, and stated that it was put in at the request of the neighbors in the area to prevent through traffic.

Motion: It was moved by Mr. Jones, seconded by Mr. Sanders, to approve the conceptual plan application use as presented.

Roll call vote: Ayes - Callan, Dumont, Dahl, Jones, Sanders
Motion carried unanimously.

Planning & Development Director's Report

Mr. Mann advised the members that the next meeting is scheduled for Monday, March 9, 2015 with two scheduled cases.

Adjournment

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

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

/s/Terry DeLoach
Chair

Date: April 27, 2015