

**Minutes of Planning Commission Meeting
held Monday, September 14, 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 Chairman Sutton.

Roll Call

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

Alternates
Britton Sanders
Jeffrey Jones (*absent*)

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

Approval of Minutes

Mr. DeLoach made a motion to approve the minutes of July 13, 2015, July 27, 2015, and August 24, 2015. The motion was seconded by Mr. Callan and all the minutes were approved unanimously.

Correspondence

There was no correspondence.

Old Business

There was none.

New Business

(A) PC #23-15 - 1827 1st Street South

Conditional Use Approval for two proposed single-family dwellings on property located in a *Residential, multiple family: RM-2* zoning district, pursuant to Section 34-340(d)(12) of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant would like the option to replace the existing multi-family unit located on a parcel made up of two adjacent platted lots with two single-family dwelling units. Since the parcel is zoned *Residential, multiple-family: RM-2*, the applicant was informed by staff that conditional use approval would be required, and if the application was approved it would grant the option of constructing two single family dwelling units consistent *Residential, single-family: RS-3* zoning standards.

The redevelopment of the property into single family dwelling units would be consistent with adjacent single family homes in the neighborhood and should positively influence adjacent property values. The applicant understands that given the small size of the two platted lots, redevelopment of the parcel would also be subject to the approval of any required variances.

Applicant:

The applicant, Jack Keiser, 2104 Ocean Drive, stated that he had nothing to add.

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 Ms. Dumont, to approve the application.

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

(B) PC #24-15 - 200 1st Street North

Conditional Use Approval for transfer of ownership of an existing drinking establishment use with outdoor seating located in the *Central Business District: CBD* zoning district, pursuant to Sections 34-345(d)(2) and 34-345(d)(7) respectively, of the Jacksonville Beach Land Development Code.

Staff Report:

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

The applicant is seeking conditional use approval in order to continue use of the subject property as a drinking establishment with outdoor seating. The requested Conditional Use approvals would facilitate the applicant's transfer of the current property owner's Drinking Establishment approval into his name, in conjunction with his purchase of the subject property, and would establish the "grandfathered" 2nd floor Outdoor Bar area associated with the current establishment as an approved Conditional Use as well.

The current business, *Freebird Live*, was approved as a drinking establishment in 1999, via Application PC#41-99. The first drinking establishment application for the subject property was approved in 1994. Application PC#94-15 was approved in conjunction with the opening of the *Tortuga's* brewpub. The developer of that venue also secured the first parking variance for use of the property and building as a bar or tavern with no on-site parking. (Ref. BOA # 94-47) A subsequent variance, BOA #06-10091, was granted to the *Freebird Live* owners in 2006, for a 780 s.f. building addition. Both of these variances remain in place, and would be applicable to the applicant's proposed uses of the subject property.

Adjacent property uses include the Latham Plaza public park and City parking lot across 1st Avenue to the south, a small hotel to the immediate west, restaurants across 1st Street to the east, and a retail store and a small City parking lot to the north across the alley. Given the history of use of the subject property, and that it is the current location of one of the City's Quota Alcoholic Beverage licenses, its continued use as a drinking establishment under new ownership should not negatively impact the existing character of the surrounding properties. Adjacent property values should not be affected.

Mr. Sutton called for declaration of ex parte communications:

Mr. Sutton stated he had none.

Mr. Callan stated that he had received a phone call from Mr. Diebenow.

Ms. Dumont stated that she had met with Mr. Diebenow on September 9th.

Mr. DeLoach stated that they had no face to face conversations.

Mr. Dahl noted that he had met with Mr. Diebenow.

Applicant:

The applicant, Steve Diebenow, One Independent Drive, Suite 1200, Jacksonville, stated that the application meets the criteria and they are just replacing what already exists today. Mr. Diebenow handed out additional information about the plans for the property.

Mr. DeLoach stated that he was pleasantly surprised with the plans and asked if there would be the same type of build-out. Mr. Diebenow reviewed the proposed plans and stated that there would be no variance requests for the balcony. This is the only

requirement they need to transfer the license.

Ms. Dumont stated that she had only minor concerns and that it looked nice.

Mr. Sutton asked if there would be a full kitchen. Mr. Diebenow stated that they would be offering a full menu and serving food as an integral part of this experience. Mr. Sutton said that this should satisfy the concerns with the other location.

Ms. Dumont asked about outdoor amplified sound. Mr. Mann responded that they don't have outside live music now and there will not be any allowed with this transfer.

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 Ms. Dumont, approve the application.

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

Planning & Development Director's Report

Ms. Ireland noted that the next meeting will be September 28, 2015 and there are two items scheduled.

Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:19 P.M.

Submitted by: Amber Maria Lehman
Staff Assistant

Approval:

/s/ Greg Sutton
Chairman

Date: October 26, 2015