

**Minutes of Planning Commission Meeting
held Monday, March 13, 2017, 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 (*absent*)
David Dahl
Georgette Dumont

Alternates
Britton Sanders
Margo Moehring

Also present were Heather Ireland, Senior Planner and Amber Lehman, Recording Secretary.

Approval of Minutes

None

Correspondence

None

Old Business

(A) Findings of Fact – PC #3-17

Ms. Ireland presented the findings of fact for PC #3-17. Ms. Dumont stated that the reasoning was that the applicant was not consistent with the Comprehensive Plan's goals.

New Business

Mr. Sutton stated that item PC #9-17 would be moved up as Item B. Mr. Dahl moved that Item 9, PC #9-17, be moved and addressed as Item B under New Business. The motion was seconded by Mr. DeLoach. The motion was approved unanimously

(A) **PC #6-17- 333 and 335 5th Avenue South**

Conditional Use Application for multiple family residential, for a five-unit townhouse, located in a Commercial, limited: C-1 zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland read the following into the record:

The applicant has purchased two adjacent lots on the north side of 5th Avenue South between 3rd and 4th Streets South, and wishes to redevelop them into a fee-simple five-unit townhouse development pursuant to LDC Section 34-339 Residential, multiple family: RM-1 zoning standard. The subject property previously contained a single-family residential dwelling unit on one lot and a commercial building on the other lot. The application was approved a conditional use for a two-family dwelling on 333 5th Avenue South. A different applicant was approved a conditional use for a two-family dwelling on 335 5th Avenue South. Since conditional use approvals are not transferable, the applicant was advised by staff that he would need to reapply to develop the two lots together for his multifamily residential project.

Adjacent uses include multifamily residential and commercial uses to the east, commercial to the north, commercial and residential to the south, and residential, commercial and new multifamily residential to the west. A five-unit townhouse on the combined subject lots is within the character of the existing mix of multiple-family residential and commercial uses on surrounding properties. The proposed lot sizes are sufficient for a five-unit townhouse project per *RM-1* zoning standards. Adjacent property values should not be negatively impacted by a new five-unit townhouse development.

Applicant:

The agent for the applicant, Mr. Curtis Hart, 8051 Tara Lane, Jacksonville, stated that this is an existing commercial lot with a vacant parcel. The current hair salon will be removed to accommodate the residential development.

Mr. Dahl asked where the garages were. Mr. Hart responded that they are single-garages and are located in the front. He added that they are not asking for any variances.

Public Hearing:

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Ms. Mary Cutter, 330 5th Avenue South, Jacksonville Beach, stated that parking is the main issue. She said that the existing parking at the multifamily next to the parcel is a problem, with many people parking in the street. She stated that more units would just create an additional parking problem.

Mr. Tony Komarek, 533 11th Avenue South, Jacksonville Beach, provided the Commission with handouts that noted that the conditional use has to be consistent with the character of the area. He noted that there are no five-unit dwellings in this area. He thought that this proposal was not consistent with the area and should not be approved.

Mr. Hart stated that there should be plenty of space for two people to park. He then explained the surrounding area. Mr. Dahl asked about the square footage.

Discussion:

Ms. Dumont asked Ms. Ireland about lot coverage for a townhouse. Ms. Ireland responded that it was 65% and that these were fee simple and could be sold on their own.

Mr. DeLoach asked what else could go in C-1 zoning. Ms. Ireland noted the types of uses that could go there.

Mr. DeLoach noted that he was well within his right to develop a project with one-car garages because that is consistent with the code. He added that the zoning is commercial so something that could go in there could be more intense than what was proposed. Ms. Dumont responded that anything commercial there would have to have enough parking as required for the type of commercial. Mr. Dahl noted that we were talking about parking not traffic and he had concerns with the parking from a residential project such as this.

Ms. Dumont stated that she would defer to the people that live in the neighborhood to judge the character of the neighborhood.

Motion: It was moved by Ms. Dumont and seconded by Mr. Dahl, to deny the application.

Roll call vote: Ayes – Dahl and Dumont.
Nays – DeLoach, Sutton, and Sanders.
The motion to deny was denied 3-2.

Second Motion: It was moved by Mr. DeLoach and seconded by Mr. Sanders, to approve the application.

Roll call vote: Ayes – DeLoach, Sutton, and Sanders.
Nays –Dumont and Dahl.
The motion was approved 3-2.

(B) PC #9-17- 322 and 314 12th Avenue North

Concept Plat Application for a proposed five-unit townhouse project, located in a Commercial limited: C-1 zoning district, pursuant to Section 34-503 of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland read the following into the record:

The subject property consists of two adjacent lots, the westerly one with a triplex, and the easterly one is vacant. Both are located on the south side of 12th Avenue North between 3rd and 4th Streets, in a Commercial, limited: C-1 zoning district. The vacant lot previously existed as a single-family residential property, but the house was demolished in 1998. The applicant has received conditional use approval to construct a new five-unit townhouse project on the combined lots via PC#1-17, subject to the RM-1 zoning standards. The subject property meets the minimum lot size and street frontage requirement for the proposed development, pursuant to the RM-1 zoning standards.

Adjacent uses include residential and a church to the west, commercial to the south and east, and residential and commercial uses to the north. A new multiple family dwelling should not negatively impact the existing mixed-use character of the surrounding neighborhood.

Applicant:

The agent for the applicant, Mr. Curtis Hart, 8051 Tara Lane, Jacksonville, stated that this is an existing triplex that they are tearing down, and is adjacent to the commercial projects along 3rd Street. He stated that the conditional use for the project has been previously approved.

Mr. Sutton asked about the commercial use to the south. Ms. Ireland stated that it was a barbershop, with an auto shop to the east.

Public Hearing:

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

There was no one present to speak in favor of or in opposition to the application.

Motion: It was moved by Mr. DeLoach and seconded by Mr. Sanders, to approve the application.

Roll call vote: Ayes – Dumont, Sutton, Sanders, and DeLoach.

Nays – Dahl.

The motion was approved 4-1.

(C) **PC #7-17- 419 5th Avenue North**

Conditional Use Application for a private middle and high school in a Residential, multiple family: RM-1 zoning district, pursuant to Section 34-339(d)(6) 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 5th Avenue North between 3rd Street and 4th Street North. The subject property has existed as a licensed day care center for over 40 years at this location, and has conditional use approval under PC#19-97 for the Red School House. The site was a day care center for 21 years prior to the 1997 conditional use approval. The site was also granted a parking variance in 1998 to accommodate a 1,800 square foot expansion. The applicant wishes to now operate the site as a private middle and high school for students with learning disabilities. She currently operates the school at 1572 Penman Road but would like to relocate the school to the subject property.

Secondary schools are a permitted conditional use in RM-1 zoning districts per Section 34-339(d)(6) of the Land Development Code. According to the applicant, the proposed school will accept a maximum of 24 students, and there will be three staff members on site. They will have two full time class rooms, one small group teaching room, a library room and a lunch room. There are no plans to expand the size of the current facility.

Adjacent uses include residential and commercial to the east, residential to the north and west, and religious use and residential to the south. Continued use of the subject property as a small educational facility for the community, should not negatively impact the mixed-use neighborhood and surrounding properties. There are no records of any problems or issues related to the school's current location on Penman Road since it was established there in 2009 (approved via PC#11-09).

Applicant:

The agent for the applicant, Ms. Lisa Pardee, 10 11th Avenue North, #306, introduced herself.

Ms. Pardee stated that this building will be 3,600 square feet, and currently they use 2,100 square feet. In response to Ms. Dumont, she added that they would not have more than 24 students at the school.

Mr. DeLoach asked if they were going to change the little red schoolhouse façade.

Ms. Pardee stated that she thought that once you remove the children's toys, etc., it shouldn't look like a daycare.

Mr. Dahl asked if there were any fire code rules that would need to be addressed. Ms. Ireland stated that the Fire Marshall would have to address that. Ms. Pardee stated that they would be installing a sprinkler system.

Ms. Dumont asked if there would be traffic issues from the new use versus the daycare. Ms. Ireland stated that the day care was licensed for 75 students currently. Ms. Pardee stated that they only had one student who drove to their current facility.

Public Hearing:

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

Ms. Sharon Hayes, 529 4th Street North, Jacksonville Beach, stated that she was mistaken about the parcel that was under consideration but did note that they had traffic issues in this area. She thought that this proposal might be okay, even though they currently have people parking on her property.

Mr. Rick Knight, 827 8th Avenue North, Jacksonville Beach, expressed his support for this type of learning facility.

Motion: It was moved by Mrs. Dumont and seconded by Mr. DeLoach, to approve the application.

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

(D) PC #8-17- Comprehensive Plan Text Amendment Application

Comprehensive Plan Text Amendment proposing to change Future Land Use Element (FLUE) Policy L.U. 1.2.7 to provide a floor area (FAR) of 0.55 for hospitals and related buildings.

Staff Report:

Ms. Ireland read the following into the record:

The applicant is requesting a text amendment to the Jacksonville Beach 2030 Comprehensive Plan, Future Land Use Element (FLUE) Policy L.U. 1.2.7 to increase floor area ratio (far) for hospitals and related buildings. Floor area ratio is the ratio of a building's total area to the size of a piece of land it is built on. Currently, the FAR for all public and institutional buildings, (not within the Downtown Community Redevelopment Area), within the City is limited to 0.35, pursuant to Policy L.U. 1.2.7 of the 2030 Comprehensive Plan. The hospital parcels (A, B and C) have vested rights set forth through approved Ordinances, (2004-7873, 2005-8907, 2011-8005, and 2017-8086) that if exercised to maximum capacity, would exceed the existing 0.35 FAR limitation of the 2030 Comprehensive Plan. In order for the hospital to maximize the vested rights of square footage and beds, the Comprehensive Plan has to be amended. The applicant is proposing an addition to Policy 1.2.7. of the FLUE that provides 0.55 FAR for Hospitals and related buildings.

Provided in the application materials are several examples of floor area ratios for hospitals in other cities in the area, and they range from 0.50 to 3.00. In order to expand and continue to provide valuable services to the community, the hospital will need to be able to utilize the vested rights provided. This increase to the FAR would provide the opportunity for future services to be located on the main hospital campus, instead of finding new land. This is consistent with FLUE Policy 1.2.5, which states that new institutional uses will locate where sufficient land area is available to provide adequate parking, landscaping, and drainage.

This requested amendment to the Comprehensive Plan to provide for an increase in FAR specifically, and only, for hospitals and related buildings, should not negatively impact the surrounding area, as adequate infrastructure exists for the proposed future development.

Applicant:

The agent for the applicant, Mr. Paul Harden, 501 Riverside Avenue, Suite 901, Jacksonville, stated that they received a change in the site plan a few months ago, and they had plans for additional buildings for what they were vested for.

Public Hearing:

Mr. Sutton opened the public hearing and asked if anyone wished to speak in favor of or in opposition to the application.

There was no one present to speak in favor of or in opposition to the application.

Motion: It was moved by Mr. DeLoach and seconded by Ms. Dumont, to approve the application.

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

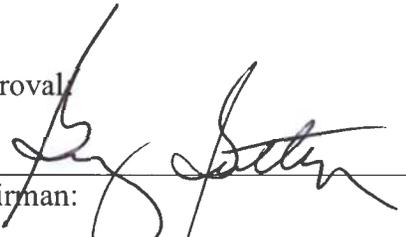
Planning & Development Director's Report

Ms. Ireland announced that the next meeting is April 10 as noted in the agenda.

Adjournment

There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:48 P.M.

Submitted by: Amber Maria Lehman
Recording Secretary

Approval: _____

Chairman: _____
4-24-2017
Date: _____