

**Minutes of Planning Commission Meeting
held Monday, September 25, 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 at 7:00 P.M.

Roll Call

Chairman: Greg Sutton
Board Members: Bill Callan David Dahl Britton Sanders Georgette Dumont
Alternates: Margo Moehring Jason Lee (*absent*)

Also present were Planning and Development Director Bill Mann, and Staff Assistant Amber Lehman.

Approval of Minutes

There were none.

Correspondence

Mr. Mann reported there was no correspondence.

Old Business

There was no old business.

New Business

(A) PC #44-17- 1396 Beach Blvd.

Conditional Use Application for transfer of approved outdoor restaurant use for a new restaurant tenant in a *Commercial, general: C-2* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code. (Beach Plaza, former *Crabcake Factory*). RESCHEDULED FROM SEPTEMBER 11, 2017.

Staff Report:

Mr. Mann read the following into the record:

The subject property is located on the south side of Beach Boulevard, east of Penman Road. The applicant's restaurant is the westernmost tenant space in the shopping center. This location was previously occupied by other restaurants which had approved outdoor seating (PC#32-03, PC#06-08, and PC#14-10). Since conditional use approval for outdoor restaurant seating is non-transferable, the

applicant was informed that conditional use approval in his name would be required to use the existing outdoor patio space with the new restaurant. The existing patio, which is just under 900 square feet in size, is located on the west side of the building along Penman Road and the sidewalk is large enough to accommodate pedestrian through traffic.

Adjacent uses include the balance of the shopping center to the east and south, the Police station to the south across Shetter Avenue, commercial uses and a cemetery to the west, and commercial to the north across Beach Boulevard. The proposed use of the existing outdoor seating area by the new restaurant should not alter the character of the commercial shopping center, and adjacent properties should not be negatively impacted.

Applicant:

The applicant, Mr. Yong Feng Zheng, 2126 Cherokee Cove Trail, Jacksonville, was present.

Mr. Sutton asked if this was the same location as the old Brazilian Steakhouse. Mr. Mann acknowledged it was. Mr. Zheng provided the new name of the business as the *Yummy Crab Seafood Restaurant*.

Public Hearing:

No one wished to come forward and speak on the application.

Motion: It was moved by Ms. Dumont, and seconded by Mr. Callan, to approve PC #44-17.

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

(B) PC #45-17- 1704 N. 3rd Street

Conditional Use Application for outdoor restaurant use for a new restaurant located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code. (*Spicy and Juicy Crawfish*). RESCHEDULED FROM SEPTEMBER 11, 2017.

Staff Report:

Mr. Mann stated the applicant was in Orlando and was requesting a continuance. He noted it could go on the October 9, 2017, agenda but this would be the only case, so they may wish to consider October 23, 2017. Mr. Dahl stated there were instances which the Board heard these cases with the applicant, not present. Mr. Mann stated the applicant requested the continuance. The Board agreed to have the application heard at a later time.

(C) **PC #46-17**

Land Development Code Text Amendment Application to add “Single-family dwellings constructed in accordance with requirements set forth in Section 34-338, Residential, single-family-RS-3” as a Conditional Use to the *Central Business District*; *CBD* zoning district. RESCHEDULED FROM SEPTEMBER 11, 2017.

Staff Report:

Mr. Mann read the following into the record:

Single-family residential is not currently a permitted or conditional use in *Central Business District*: *CBD* zoning. Located in the six-block area bordered by 3rd Street South, Beach Boulevard, the Atlantic Ocean, and 2nd Avenue South, are ten existing non-conforming single-family dwellings. This specific area contains all of the existing single-family dwellings located within the current *CBD* zoning district.

The Planning Department is proposing to add “single family dwellings” to the list of conditional uses in the *CBD* zoning district. Currently, single-family dwellings are listed conditional uses in *RM-1* and *RM-2* zoning districts and when approved are built to *RS-3* standards. Approving this text change would allow property owners of existing non-conforming single-family dwellings, the opportunity to seek conditional use approval in order to bring their property into compliance with the current Land Development Code. It would also allow the potential for new single-family uses in the *CBD*, but only after review by the Planning Commission.

Applicant:

The applicant is the City of Jacksonville Beach.

Mr. Dahl asked if this application was presented for a recommendation to City Council by the Planning Commission. Mr. Mann confirmed that it was, and stated that there are ten single family houses between Beach Boulevard and Third Street that would benefit by adding the language recommended by staff. He added because the units would be approved as a conditional use, it would not open up to others. Mr. Dahl stated his concerns with any new single-family uses in the *CBD*. Mr. Mann noted multi-family is allowed by right in the *CBD*, so this actually could potentially reduce densities.

Mr. Callan asked if they would hold the right to address single-family as a conditional use. Mr. Mann stated they would on a case by case basis, adding that single-family conditional uses were transferable.

Public Hearing:

No one wished to come forward and speak on the application.

Motion: It was moved by Ms. Dumont, and seconded by Mr. Callan, to approve PC# 46-17.

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

(D) PC #47-17- 1560 Roberts Drive

Conditional Use Application for a proposed medical office in an existing commercial building, located in a *Residential, multiple family: RM-1* zoning district, pursuant to Section 34-339(d)(14) of the Land Development Code.

Staff Report:

Mr. Mann read the following into the record:

The subject property is located in a medical office center on the west side of Roberts Drive. The property has been the home to *Hope Adult Day Care* facility since 2004 and had conditional use approval via PC#34-04. The applicant was informed by staff a change in use from adult day care to medical office would require conditional use approval, as they are separate conditional uses listed in the Land Development Code.

Adjacent uses include single-family homes to the south, the balance of the office complex, and an outpatient clinic to the north, the City golf course to the west, and the main hospital across Roberts Drive to the east. A change in use of the subject property to medical office is consistent with the commercial uses in the area, and should not negatively impact adjacent properties.

Applicant:

The agent for the applicant, Mr. Kenneth Tucker, 1527 Summit Creek Road, Jacksonville, stated it was going to be an Ear, Nose and Throat practice adjacent to the hospital.

Public Hearing:

No one wished to come forward and speak on the application.

Motion: It was moved by Mr. Dahl and seconded by Ms. Dumont to approve PC#47-17. The motion was seconded by Ms. Dumont.

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

Planning & Development Director's Report

Mr. Mann noted the moratorium for medical marijuana dispensaries would end in December. He was asked to canvass the Boards on their comments. He explained they could either ban it or would have to allow them in any zoning category where pharmacies are allowed. Mr. Sutton asked if the City Attorney had an opinion. Mr. Mann stated not at this time. Ms. Dumont stated she preferred to wait to see what others are doing. She expressed concerns about allowing it in the CBD. Mr. Dahl asked the benefit of this action. Ms. Dumont responded they could find out the issues facing others who allow it. Mr. Sutton added it would allow the City to see what happens in those communities where it is denied.

Mr. Sutton stated a continued moratorium would be his preference. Discussion followed on the benefit of seeing what other cities and states do and being proactive.

Mr. Mann stated he would notify the Board if there will be a meeting on October 9th, 2017. Mr. Dahl and Mr. Sutton noted they would be absent.

Adjournment

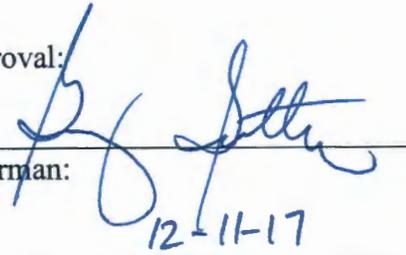
There being no further business coming before the Commission, Mr. Sutton adjourned the meeting at 7:27 P.M.

Submitted by: Amber Maria Lehman

Approval:

Chairman:

Date:



12-11-17