

**Minutes of Planning Commission Meeting
Held Monday, December 10, 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 Chairman Greg Sutton.

Roll Call

Chairman: Greg Sutton
Vice-Chairman: David Dahl
Board Members: Margo Moehring Britton Sanders
Alternates: Jon Scott Walker Bill Spann

Also present was Senior Planner Heather Ireland.

Approval of Minutes None

Correspondence

Ms. Ireland stated on Monday, December 10, 2018, she received an email regarding PC#29-18 in support of the application.

Old Business None

New Business

As a matter of order, Mr. Sutton moved Agenda Item C (PC#30-8) to be heard as Item B, and moved Agenda Item B (PC#29-18) to be heard as Item C.

(A) **PC#28-18** 319 23rd Avenue South (*Cruisers Grill*)

Owner: Handmade Properties
490 Osceola Avenue
Jacksonville Beach, FL 32250

Applicant: Cruisers Grill J.B., Inc.
490 Osceola Avenue
Jacksonville Beach, FL 32250

Conditional Use Application for new outdoor restaurant seating at an existing restaurant, 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:

Ms. Ireland read the following into the record:

The subject property (*Cruisers Grill*) is located on the north side of 23rd Avenue South, west of 3rd Street and has existed as a restaurant since 1996. The restaurant existed since 1996 with legal nonconforming outdoor restaurant seating. The applicant is now planning substantial improvements to the restaurant and plans to relocate and expand its outdoor seating areas. The applicant was advised by staff conditional use approval would be

required for the new and expanded outdoor restaurant area due to the nature and extent of the improvements on the property.

Adjacent uses include commercial to the north, commercial uses in the shopping center to the west, a bank to the south across 23rd Avenue South, and commercial uses and condominiums to the east across 3rd Street. The reconfiguration of the existing patio and addition of new outdoor restaurant seating at this established restaurant should not negatively impact adjacent properties.

Applicant:

The owner of Cruisers Grill, Bobby Handmaker, explained this application is part of a redevelopment project for Pablo Plaza. He wants to shift the building to the west for a new indoor/outdoor bar area separate from the outdoor family area located on the south side of the property.

Mr. Sanders inquired about parking implications, as the construction of the new bar area might eliminate parking spots. The owner explained it would replace two parking spaces and the area for the dumpster and grease trap access, as they would be moved to the north side of the property. There would also be a mural on the south side of the building. Ms. Ireland assured the Planning Commission there would be enough parking, as the Pablo Plaza renovations would add approximately 60 parking spots that would be shared with Cruisers Grill. Mr. Handmaker explained he would sell his restaurant to the shopping center, and it would be leased to him with additional parking. The service area would be fenced.

Public Hearing:

No one wished to speak at this time about the application.
Mr. Sutton closed the public meeting.

Discussion:

There was no discussion regarding this application.

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

Roll call vote: Ayes – David Dahl, Margo Moehring, Britton Sanders, Jon Scott Walker, and Greg Sutton.
The application was approved unanimously.

(B) **PC#30-18** 427 2nd Avenue North (*previously part of 429 2nd Avenue North*)

**Owner/
Applicant:** Carol Stratman and Kevin Keenan
23 Hanover Rd
Pleasant Ridge, MI 48069

Applicant: Mera Keenan
429 2nd Avenue North
Jacksonville Beach, FL 32250

Conditional Use Application for a single-family residential dwelling 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 (Lot 9, Block 35, Atlantic Park) is located on the north side of 2nd Avenue North between 4th and 5th Streets North, and previously existed as part of a multi-lot, multiple family residential property that until approximately a year ago was under one ownership (Lots 8-12, Block 35, Atlantic Park). The building on the subject property originally existed as an accessory structure to the house at 429 2nd Avenue North, which is located directly to the west.

It is not clear when the residential dwelling unit was added above the detached garage on Lot 9, as the City's permit records do not show the addition. In April of 2018, Lots 8 and 9 were sold to new and separate property owners, creating two non-conforming single-family residential dwellings. The new owners of Lot 9 now wish to make improvements to the property and were advised by staff conditional use approval would be required for the single-family use in a multi-family zoning district in order to apply the permits required for their proposed improvements.

Adjacent uses include single-family homes to the west, a church to the south across 2nd Avenue North, a single-family home to the east (that received conditional use approval under PC# 6-18 in March, 2018), and multi-family, office, and parking lot to the north across the alley. The existing use of single-family will not negatively impact adjacent properties and is a decrease in density from what could be permitted in *RM-1* zoning. Approval would allow the new property owner to proceed with planned improvements.

Agent:

Agent Mera Keenan stated the goal of the owners is to create a safe structure (deck), where there is not one currently. Discussion ensued between Mr. Walker and Ms. Ireland regarding map confusion, and it was later understood the property was originally an accessory structure to the adjacent single-family dwelling in the lot. The two structures were part of one lot that was later separated into two, changing their use from multi-family to single-family, as each structure occupies one lot now. In the two-story unit that was assigned a new lot, the garage occupies the entirety of the first floor, and the residential area is located on the second floor.

Public Hearing:

No one wished to speak at this time about the application.

Mr. Dahl closed the public meeting.

Discussion:

Ms. Moehring asked about the Staff Report referencing no records for the addition. Ms. Ireland explained there are no digital records on file as City records only go back to 1987, but staff believes it is code compliant.

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

Roll call vote: Ayes - Margo Moehring, Britton Sanders, David Dahl, Jon Scott Walker, and Greg Sutton.
The application was approved unanimously.

(C) **PC#29-18** 308 3rd Street South (33 Star)

Owner: 308 Third Street South, LLC
24733 Harbour View Drive
Ponte Vedra Beach, FL 32082

Applicant: MME Florida, LLC (Medmen)
106 E. College Ave, Suite 810
Tallahassee, FL 32301

Agent: Tara Tedrow, Esq.
215 North Eola Drive
Orlando, FL 32801

Conditional Use Application for a Medical Marijuana Treatment Center Dispensing Facility, located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342 (d) (23) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland read the following into the record:

The subject property is located on the southwest corner of 3rd Street South and 3rd Avenue South, and most recently existed as a retail establishment (33 Star). The applicants are planning to purchase the property and renovate the building for use as a Medical Marijuana Treatment Center Dispensing Facility (retail). Pursuant to Ordinance 2018-8104, adopted in February of 2018, Medical Marijuana Dispensing Facilities are now listed as a conditional use in *Commercial, limited: C-1* zoning districts. The applicant's agent was advised by staff of the new zoning regulations and has now applied for conditional use approval at this location.

Adjacent uses include a drinking establishment to the immediate the north, a vacant lot and commercial offices to the west, an auto parts store to the immediate south, and a doctor's office and restaurants to the east across 3rd Street. Dispensing facilities are subject to limited hours of operation from 7:00 A.M. to 9:00 P.M., and may not be located with 500 feet of another dispensing facility or school. There are no other dispensing facilities in

Jacksonville Beach presently, and no elementary, middle, or secondary schools exist within 500 feet. The proposed use should not negatively impact adjacent properties.

Agent:

Agent Tara Tedrow, Esq., addressed the Board on behalf of the applicant, MME Florida, LLC (Medmen). The applicant's preference for the property derives from its pedestrian-friendly design that accommodates retail use, in addition to its proximity to health centers, pharmacies, and commercial areas, that facilitates access to patients in need in the community. The property would undergo code-compliant renovations that serve to enhance its value and the value of the surrounding properties, as well. The site would encompass a 5,690 square foot medical cannabis dispensing facility. Additional parking would replace the grass area located in the rear of the property to provide a more functional upgrade.

While the assessed property value is approximately \$500,000, Medmen would be spending an average of \$900,000 to \$1.3 million in renovations. The interior designs would be minimalistic and in compliance with Florida statutory law; there would be no depictions of cannabis in windows, nor would the real products be displayed inside the facility. Ms. Tedrow referred to a slideshow containing images of existing medical cannabis dispensing facilities constructed by the same company for visual aid [*on file*]. The facility is only accessible for state-registered patients and caregivers. She also stated the correspondence received in email form in support of the application was from the owner of Ginger's Place, the property's neighboring business.

Ms. Tedrow explained Florida state laws reinforce strict security systems in cannabis facilities. Products would be stored in the back with higher-than-required security in accordance with federal law. She followed with an explanation of the site's compliance with setback requirements and permitted conditional uses for the C-1 zoning district, as it resembles a pharmacy and is used for medical purposes.

Ms. Moehring questioned the agent about the number of employees in the facility and the available parking spots. Ms. Tedrow answered the company would have approximately 10-15 employees total, with three to five employees in the facility at one time. The replacement of the grass area with an already-grandfathered in parking area would be adding more parking than is required under the Land Development Code. Mr. Dahl asked about security and the federal banking rules. Ms. Tedrow stated there would be on-site security guards and cameras that would monitor the facility 24/7 in the exterior and interior of the premise. Employees have key card access to different rooms inside the property. Banking of the products is allowed, and Medmen accepts money in cash and debit form. Deliveries would arrive in small cars in the form of odorless, refined oil products. The facility would open in mid-2019.

Public Hearing:

No one wished to speak at this time about the application.
Mr. Dahl closed the public meeting.

Discussion:

There was no discussion regarding this application.

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

Roll call vote: Ayes - Margo Moehring, Britton Sanders, David Dahl, Jon Scott Walker, and Greg Sutton.
The application was approved unanimously.

Planning & Development Director's Report

Ms. Ireland noted there is no meeting on December 24, 2018. The next meeting is scheduled for Monday, January 14, 2019. Ms. Moehring stated she would be out of the country.

Adjournment

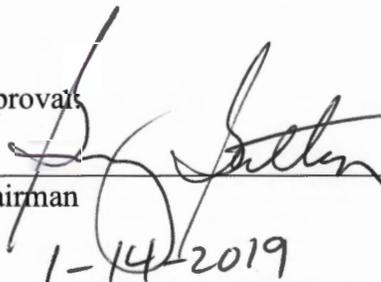
There being no further business coming before the Commission, Mr. Dahl adjourned the meeting at 8:45 P.M.

Submitted by: Sama Kaseer
Recording Secretary

Approval

Chairman

Date



1-14-2019