

**Minutes of Planning Commission Meeting  
Held Monday, April 8, 2019, 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 7:05 PM by Vice-Chairman David Dahl.

**Roll Call**

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

Also present was Senior Planner Heather Ireland.

**Approval of Minutes** *None*

**Correspondence** *None*

**Old Business** *None*

**New Business**

It was moved by Mr. Dahl, and approved unanimously, to make PC#3-19 the last item on the agenda.

(A) **PC#4-19** 2309 Beach Boulevard (former *Big Dawgs Pierside* restaurant)

**Owner:** Rose and Ken, Inc.  
2315 Beach Boulevard, #301  
Jacksonville Beach, FL 32250

**Applicant:** Marina Sports Grill, Inc.  
10175 Fortune Pkwy, Suite 705  
Jacksonville, FL 32256

**Agent:** Alex C. Marr  
10175 Fortune Pkwy, Suite 705  
Jacksonville, FL 32256

**Conditional Use Approval** for transfer of existing approved outdoor restaurant seating for a new restaurant, located in a *Planned Unit Development: PUD* zoning district, pursuant to Section 34-343(d)(14) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into record:

The subject property is located at 2309 Beach Boulevard within the *Beach Marine* complex. The most recent use of the applicant's space was for *Big Dawgs Pierside* restaurant that had outdoor

seating approval via PC#17-17. Staff informed the applicant that to be able to use the existing outdoor seating for a new restaurant; he would have to receive conditional use approval, as conditional use approvals are not transferable. In the past, this site has operated as both a nightclub and different restaurants.

The PUD application narrative provides that for this restaurant space, the area of unenclosed, outdoor customer service area shall not exceed 50% of the total indoor area of the adjacent restaurant and bar. The total indoor restaurant space of this location is 12,600 square feet, and the proposed (existing) outdoor seating area is approximately 3,478 square feet, which is well below the 50% allowance.

Additional conditions listed within the *PUD* project narrative for outdoor restaurants and bars include: 1) sound and outdoor music may be allowable within outdoor restaurants and bars, subject to City Codes; 2) hours of operation for restaurants are from 6:00 am to 1:00 am, 7 days a week; and 3) domestic animals are allowed within outdoor restaurant and bar seating areas.

Given the existing and proposed mixed-use nature of the subject property and the former restaurant uses of the subject space, the applicant's request is not out of character with surrounding uses. The outdoor seating area would be subject to the standards provided in the property's *PUD* project narrative adopted by Ordinance No. 2016-8072, and except as superseded by those regulations, by the standards in LDC Section 34-407.

**Agent:**

Alex C. Marr commented he is looking forward to coming to the Jacksonville Beach area and opening his third restaurant, with the other two located at Tinseltown in Jacksonville and International Drive in Florida. He is planning on remodeling the site.

**Public Hearing:**

No one came before the commission to speak about this case.  
Mr. Dahl closed the public meeting.

**Discussion:**

There was no further discussion regarding this case.

**Motion:** It was moved by Mr. Walker and seconded by Mr. Spann, to approve the Conditional Use Application.

**Roll call vote:** Ayes –Margo Moehring, Jon Scott Walker, Bill Spann, and David Dahl.

The application was approved unanimously.

**(B) PC#5-19** 1029 North 3<sup>rd</sup> Street  
**Owner:** PV Commercial Management  
317 Roscoe Blvd N.  
Ponte Vedra Beach, FL 32082

**Applicant:** Pelican's Snoballs, Jax Beach  
112 Osprey Cove Lane  
Ponte Vedra Beach, FL 32082

**Conditional Use Approval** for outdoor restaurant seating 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.

**Staff Report:**

Ms. Ireland read the following into record:

The subject property is located on the southeast corner of North 3<sup>rd</sup> Street and 10<sup>th</sup> Avenue North. The space was previously the location of a pawn shop, and prior to that existed as several retail establishments. The applicant is opening up a shaved ice restaurant with a walk-up window and wants to provide a small area of outdoor seating to its customers in the front of the restaurant. The applicant was advised by staff that conditional use approval for the outdoor seating was required.

Adjacent uses include a dry cleaner to the north on the same property, a retail store and multi-family residential to the north across 10<sup>th</sup> Avenue, multi-family residential to the east, offices to the south, and restaurants with outdoor seating to the west across 3<sup>rd</sup> Street North. The proposed outdoor seating is consistent with the surrounding commercial uses, does not directly face any residential properties, and should not negatively impact adjacent properties.

**Agent:**

Jeremy Resnick, 112 Osprey Cove Lane, Ponte Vedra Beach, stated Pelican's Snoballs is a family-friendly franchise selling New Orleans shaved ice. He has 180 locations nationwide, and this would be his first in Jacksonville Beach. He is requesting to put outdoor tables and chairs for outside seating, which would occupy approximately 150 square feet of the property and would not require usage of parking or the exiting space.

Ms. Moehring questioned Mr. Resnick about the hours of operation. In response, Mr. Resnick stated he is planning on opening at 12:00 PM and closing at 9:00 PM, which may be extended to 10:00 PM for specific holidays and big events, like the July 4<sup>th</sup> weekend. Ms. Moehring praised the owner for the renovations he has installed to beautify the property. Mr. Walker asked about the number of tables and seats that would be placed outside, and the owner responded there would be approximately three to four tables, and each would have three to four chairs. These tables would be 36 to 48 inches.

**Public Hearing:**

No one came before the commission to speak about this case.  
Mr. Dahl closed the public meeting.

**Discussion:**

There was no further discussion regarding this case.

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

**Roll call vote:** Ayes –Margo Moehring, Jon Scott Walker, Bill Spann, and David Dahl.

The application was approved unanimously.

**(C) PC#3-19 Land Development Code Text Amendment Application**

**Applicant:** Baptist Medical Center of the Beaches, Inc.  
3563 Phillips Highway Building F, Suite 608  
Jacksonville, FL 32207

**Agent:** Paul Harden, Esq.  
501 Riverside Avenue, Suite 901  
Jacksonville, FL 32202

**Land Development Code Text Amendment Approval** to provide standards for off-site signage for emergency services only, such as police stations, fire stations, paramedic facilities, and hospitals.

**Staff Report:**

Ms. Ireland read the following into record:

*Baptist Medical Center of the Beaches* has submitted a Land Development Code (LDC) Text Amendment application to amend the City's LDC's sign regulations to provide standards for off-site signage for emergency services only, to include police, fire, paramedic and hospital facilities. Currently, off-site signs are considered billboards and are prohibited city-wide. The purpose of the proposed amendment is primarily to allow *Beaches Baptist* to place and maintain existing wayfinding signage on major roadways to help guide hospital patients and visitors and also to make legal the hospital's existing off-site signs. According to the applicant's narrative submitted with the application, patients have expressed the hospital is difficult to find, and the hospital desires to provide direction and wayfinding signs to aid patients and visitors in locating the facility.

Currently, the only existing off-site signs for the hospital are ones that pre-existed the current sign regulations. These existing off-site signs are "grandfathered" until they are removed, destroyed, or abandoned. As nonconforming signs however, they cannot be modified in any way. Under the applicant's proposed text amendment, "emergency services wayfinding signage" would be made allowable off-site directional signage. The applicant proposes Emergency Services Wayfinding Signage to be permitted in all zoning districts except *Redevelopment: RD districts*.

A new code section, "Section 34-458 – Emergency Services Wayfinding Signage", is proposed to be added to *Division 4. Sign Standards*. The purpose of this new section is to provide detailed standards for the types of emergency services signs permitted, the size of signs permitted, the content of signs, and other details.

The new proposed Section 34-458 would permit the following [*shown on the PowerPoint presentation*]:

- Off-site wayfinding signage that contains directions and distances to emergency services;
- Off-site pole mounted signs with a maximum height of 24 feet and signage area of 54 square feet;
- Off-site monument signs with a maximum height of 16 feet and signage area of 120 square feet;
- Internal or external illumination of signs, except that illuminated signage shall not be located within 50 feet of the property line of a single-family residence;
- Off-site signs located within 50 feet of roadways which serve as a collector, arterial, or highway, or which feature more than 10,000 daily trips; and
- Off-site signs may be located on either private property or public rights-of-way with appropriate City approvals.

Pole mounted signs are no longer permitted in the City generally, so existing pole mounted signs can only be replaced with conforming monument-style signs. Pursuant to the LDC, the maximum height of monument signs is 16 feet. The applicant's proposed pole sign height of 24 feet would exceed the existing sign height standards for commercial signs.

Existing off-site directional signs for the hospital consisting of the standard blue "H" and a directional arrow are located on 9<sup>th</sup> Street South facing both north and south bound lanes [*Ms. Ireland referred to documentation provided by Zack Miller, 501 Riverside Avenue, Suite 901, Jacksonville, which contains visuals and dimensional information of the proposed signs – on file*]. These signs are approximately 8-9 feet tall and 6 square feet each. Other "H" signs are located at South Beach Parkway and Butler Boulevard (northbound), and Beach Boulevard at 9<sup>th</sup> Street facing both east and westbound lanes. Two larger pole mounted signs exist at 13<sup>th</sup> Avenue South and 3<sup>rd</sup> Street (northwest corner), and Beach Boulevard and 9<sup>th</sup> Street (southwest corner), both with approved right-of-way permits. These existing pole signs are each 15 feet tall and approximately 48 square feet in area.

The proposed amendment would allow both pole-mounted emergency wayfinding and monument style wayfinding signs to be located within 50 feet of a roadway that is a collector, arterial or highway, or which have more than 10,000 daily trips. Figure TE-5 from the Transportation Element of the City's 2030 Comprehensive Plan [*attached in the agenda packet*] identifies all of the arterial and collector roadways in the City of Jacksonville Beach. The applicant did not provide a proposed number of, or proposed locations of, potential wayfinding signage, nor was an example of what the proposed signs would look like provided.

While the City has enacted sign regulations to promote the use of monument signs for commercial advertising, the request for pole-mounted emergency wayfinding signage in right-of-way locations is preferable from a safety and visibility standpoint near street intersections. The staff does not feel that it would be appropriate to allow monument style emergency signage in any right-of-way

locations for this same reason. Permits for signs located in rights-of-ways would be issued by the Public Works Department, and permits for signs on private property would be issued by the Planning and Development Department.

**Agent:**

Paul Harden, Esq., 501 Riverside Avenue, Jacksonville, stated *Baptist Medical Center of the Beaches, Inc.* is not an entity attempting to advertise for itself, but it is rather a destination for the different types of emergencies people often endure. He emphasized there is no intention to “pollute” or “denigrate” the area. While recognizing the suitable replacement of the signs may require the prohibited monument-styled signage, Mr. Harden stated he is willing to limit this kind to private properties. He also added, in response to concerns regarding signage height, they would be restricted to areas that feature more than 10,000 daily trips, high traffic areas, and are not meant to compete with other businesses’ signs, as they would be monitored by the City’s Public Works department before their installment. This application derived from complaints about difficulties faced when searching for the emergency department. He spoke of the handout provided by Mr. Miller as a reference for height and overall size dimensions.

Ms. Moehring asked about the frequency of the signs. Mr. Harden responded it is an undetermined matter, but he is willing to negotiate distance regulations if necessary, as signs should be helpful but not proliferating. Mr. Walker acknowledged there is indeed difficulty finding the hospital and commented while observing the designs in the handout; it seems the top right of the signs is advertising. Mr. Harden responded while “advertising” may be the correct description, the signs are meant for wayfaring. Mr. Spann questioned the placement of “Wolfson’s Children’s Hospital” logo on some of the signs in the handout, to which Mr. Harden responded it is provided as a sample sign from the designer. Mr. Dahl stated working with staff at Public Works and Planning & Development would address any issues.

**Public Hearing:**

The following spoke in support of the application:

- Joe Mitrick (President of Baptist Medical Center– Beaches), 1350 13<sup>th</sup> Avenue South, Jacksonville Beach, stated the want for signage improvement stemmed from comments from visitors while the hospital was in the process of renovating. He added about 85% of the patients arrive by car.
- Zack Miller, 501 Riverside Avenue, Suite 901, Jacksonville, stated this is the first step of many, as negotiations with City staff and the Florida Department of Transportation are to follow for final approval. He later shared personal experiences about directional hardships when trying to locate the hospital’s emergency department.
- Jesse Dreicer, 3985 Cattail Pond Circle West, Jacksonville, also shared personal experiences that support the approval of the application.
- Tom Rackley, 917 1<sup>st</sup> Street South, Unit 401, Jacksonville Beach, also shared personal experiences that support the approval of the application.
- Brian Mickley, 148 Natures Isle Drive, Ponte Vedra Beach, represented the volunteers of the medical center and affirmed the hardships finding the emergency room.
- Bill Mann, Director of Planning and Development, stated he is adamant about the issue of not placing monument signs on any rights-of-ways and is uncomfortable about opening a road with a heavy traffic count because he is not yet knowledgeable of the areas encompassing 10,000 daily trips. He spoke of visibility issues resulting from tall monument

signs and commented regardless; the signs would be inspected extensively by the City's Public Works and Planning and Development departments; the Police Department and Fire Department would also have a say during the Public Works Department's reviewal process. Discussion ensued about types of the signs, traffic counts, and the follow-up process(es).

Mr. Harden commented he would be providing further details and calculations pertaining to traffic counts.

Mr. Dahl closed the public meeting.

**Discussion:**

Mr. Walker asked about data representing those negatively impacted by the lack of directional signage to the hospital and was told there is no data collected.

**Motion:** It was moved by Mr. Walker and seconded by Mr. Spann, to approve the Conditional Use Application.

**Roll call vote:** Ayes –Margo Moehring, Jon Scott Walker, Bill Spann, and David Dahl.

The application was approved unanimously.

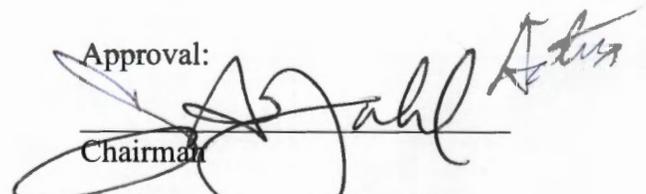
**Planning & Development Director's Report**

Ms. Ireland noted the next meeting is scheduled for Monday, April 22, 2019.

**Adjournment**

There being no further business coming before the Commission, Mr. Dahl adjourned the meeting at 7:50 P.M.

Submitted by: Sama Kaseer  
Administrative Assistant

Approval:   
Chairman  
Date 10 Jun 19