



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Planning Commission

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Monday, February 22, 2021

7:00 PM

Council Chambers

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#### MEMORANDUM TO:

Members of the Planning Commission  
City of Jacksonville Beach, Florida

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Planning Commission.

1. **Call to Order**
2. **Roll Call:** Greg Sutton (Chair), Dave Dahl (Vice-Chair), Britton Sanders, Margo Moehring, Jon Scott Walker  
Alternates: Colleen White, Justin Lerman
3. **Approval of Minutes:** None
4. **Correspondence:** None
5. **New Business:**
  - (A) **PC# 02-21** 1315 2<sup>nd</sup> Ave North  
**Conditional Use Application** for the transfer of ownership of an approved elderly-oriented group home, at property located in a Residential, multiple-family: RM-1 zoning district, pursuant to Section 34-339(d)(1) of the Jacksonville Beach Land Development Code.  
(Applicant – *FSL Jax Beach Landlord, LLC*)
6. **Planning Department Report:** The next meeting is tentatively scheduled for Monday, March 8, 2021.

#### NOTICE

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*Information concerning the hearing process is available online at [www.jacksonvillebeach.org/publichearinginfo](http://www.jacksonvillebeach.org/publichearinginfo) and a copy is also posted in the City Hall first floor display case. In accordance with Section 286.0114, Florida Statutes, any member of the public can attend the public hearing and can be heard on any matter presented before the Commission. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Commission when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.*

*Alternatively, written public comment can be submitted in advance and must include the following: (1) First Name, (2) Last Name, (3) Address, (4) Public Hearing Date, (5) Case Number, and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to [planning@jaxbchfl.net](mailto:planning@jaxbchfl.net), (2) Postal mail to Planning and Development, Planning Commission - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250, or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be distributed to the Commission and attached to the related agenda item before the start of the meeting. All comments received are public record.*

*In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting.*

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*In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

**MEMORANDUM**



TO: Planning Commission Members  
FROM: Heather Ireland, Senior Planner  
DATE: February 15, 2021  
RE: February 22, 2021 - Planning Commission Staff Report

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The following information is provided for your consideration regarding the following agenda item(s) for the upcoming **Monday, February 22, 2021** Planning Commission meeting.

**NEW BUSINESS:**

**PC#02-21      Conditional Use Application**

Owner: PSL Jax Beach House, LP  
3310 Live Oak Street, Suite 410  
Dallas, TX 75204

Applicant: FSL Jax Beach Landlord, LLC  
420 S. Orange Avenue, Suite 400  
Orlando, FL 32801

Location: 1315 North 2<sup>nd</sup> Avenue (*Beach House Assisted Living and Memory Care*)

Request: **Conditional Use Approval** for the transfer of ownership for an approved elderly-oriented group home, at property located in a Residential, multiple-family: RM-1 zoning district, pursuant to Section 34-339(d)(1) of the Jacksonville Beach Land Development Code.

Comments: The subject property is located on the north side of 2nd Avenue North between Penman Road and Palm Tree Road. The property has been developed with an assisted living and memory care center since 2014. The project originally received approval in 2010 for a 100 bed facility under PC#18-10.

Following the initial approval, ownership of the facility changed and the current owner received transfer of approval under PC#22-14 in 2014. The current applicant is in the process of purchasing the property and was advised by staff that he would have to apply for conditional use approval / transfer of ownership since conditional use approvals are non-transferable.

Adjacent uses include single-family to the south and east, a nonprofit organization and city owned property to the west and a United States Coast Guard Facility to the north. Continued use of the assisted living and memory care facility under new ownership in a residential neighborhood should not negatively impact adjacent uses, as adequate on-site parking and appropriate vegetative buffers are already in place.

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*In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*



# CONDITIONAL USE APPLICATION

PC No. 2-21  
AS/400# 21-100013  
HEARING DATE 2/22/21

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts of the City of Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$500.00.

### APPLICANT INFORMATION

Land Owner's Name: PSL Jax Beach House, LP  
Mailing Address: 3310 Live Oak Street, Suite 410  
Dallas, TX 75204

Telephone: (214) 736-7000  
Fax: \_\_\_\_\_  
E-Mail: dcrutcher@prevarian.com

Applicant Name: FSL Jax Beach Landlord, LLC  
Mailing Address: 420 S Orange Avenue, Suite 400  
Orlando, FL 32801

Telephone: (704) 651-2176  
Fax: \_\_\_\_\_  
E-Mail: chris.mauth@foundrycommercial.com

**NOTE: Written authorization from the property owner is required if the applicant is not the owner.**

Agent Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

JAN 25 2021

Please provide the name, address and telephone number for any other land use, environmental, engineering architectural, economic or other professionals assisting in the application on a separate sheet of paper.

### PROJECT DATA

177574-0000

Street address of property and/or Real Estate Number: 1315 2nd Avenue North, Jacksonville Beach, FL

Legal Description of property (attach copy of deed): 38-2S-29E 1.512 B DE CASTRO Y FERRER GRANT RECD O/R 16520-1464

Current Zoning Classification: RM-1

Future Land Use Map Designation: Low Density Residential

*An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.*

Code section(s) applicable to the requested conditional use: Section 34-339(d)(1) (PC#22-14 & BOA#11-100161)

Describe the proposed conditional use and the reason for the request: FSL Jax Beach Landlord, LLC is purchasing the subject property from the current owner on March 1st, 2021. There is no change in use and it is our intent as the new owner to operate the subject property as an assisted living and memory care facility. The letter of authorization from the seller is attached.

Applicant Signature: Christopher J. Mauth

Date: 1/21/21

**Section 34-231 STANDARDS APPLICABLE TO ALL CONDITIONAL USES**

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When considering an application for development permit for a conditional use, the planning commission shall consider whether and the extent to which:

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- (a) The conditional use is consistent with the goals, objectives and policies of the comprehensive plan, including standards for building and structural intensities and densities, and intensities of use;
- (b) The conditional use is consistent with the character of the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed;
- (c) The design of the proposed conditional use minimizes adverse effects, including visual impact, of the proposed use on adjacent properties, and provides adequate screening and buffering;
- (d) The proposed conditional use will have an adverse effect on the permitted uses of the zoning district where it is located;
- (e) The proposed conditional use will have an adverse effect on the value of adjacent property;
- (f) There are adequate public facilities and services pursuant to Article X, Adequate Public Facility Standards;
- (g) The proposed conditional use will require signs or exterior lighting, which will cause glare or adversely impact area traffic safety;
- (h) There is adequate ingress and egress to the proposed conditional use, and it is designed so as to minimize traffic congestion on the city's roads;
- (i) The proposed conditional use is consistent with the requirements of the LDC;
- (j) The applicant has the financial and technical capacity to complete the conditional use as proposed, and has made adequate legal provision to guarantee the provision of open space and other improvements associated with the proposed conditional use;
- (k) The proposed conditional use complies with all additional standards imposed on it by the particular provision of the comprehensive plan authorizing such use and all other applicable requirement of the LDC.



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January 21, 2021

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City of Jacksonville Beach  
Department of Planning & Development  
11 north Third Street  
Jacksonville Beach, Florida 32250

**Re: Written Authorization from property Owner for Conditional Use Application**

To Whom It May Concern:

PSL Jax Beach House LP is the owner of Beach House Assisted Living & Memory Care located at 1315 2nd Avenue North, Jacksonville Beach, Florida. As an authorized agent of the owner, I hereby authorize FSL Jax Beach Landlord, LLC ("FSL") to submit the conditional use application for your review and approval. We are in the process of selling the asset to FSL and expect the transaction to close on March 1st, 2021.

PSL JAX BEACH HOUSE, LP  
a Texas limited partnership

By: GP JAX Beach LLC,  
A Texas limited liability company,  
its general partner

By: H. Dodd Crutcher  
H. Dodd Crutcher, President

Prepared by and return to:  
H. Dodd Crutcher  
8214 Westchester Dr. #600  
Dallas, TX 75225

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Tax Parcel ID No.: 177574-0000

### SPECIAL WARRANTY DEED

THAT, CeeFam 2, LC, a Texas limited liability company (hereinafter referred to as "Grantor"), whose address is 8808 McCraw Drive, Dallas, TX 75209, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which consideration are hereby acknowledged, has GRANTED, SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto PSL Jax Beach House, LP, a Texas limited partnership having an address at 8214 Westchester Drive, Suite 600, Dallas, TX 75225 (herein referred to as "Grantee"), that certain real property located in Duval County, Florida, being more particularly described by metes and bounds or platted legal description on Exhibit "A" attached hereto and fully made a part hereof by reference for all purposes (the "Land"), together with all improvements located thereon and all rights and appurtenances thereto in anywise belonging to Grantor, including but not limited to, all rights, titles and interests, if any, of Grantor in (a) any land lying in or under the bed of any highway, avenue, street, road, alley, open or proposed, in, on, across, abutting or adjacent to the Land, and (b) all rights, titles and interests of Grantor, if any, in and to any awards made, or to be made in lieu thereof, for damage by reason of change in grade of any such highway, avenue, street, road or alley (all of said Land, property and interest being collectively referred to herein as the "Property"), subject, however, to all exceptions to title set forth on Exhibit "B" attached hereto and fully made a part hereof for all purposes (the "Permitted Exceptions").

TO HAVE AND TO HOLD the above described Property, subject to the Permitted Exceptions, together with any and all the rights and appurtenances thereto in anywise belonging to Grantor, unto the said Grantee, its legal representatives, successors and assigns FOREVER, and Grantor does hereby bind itself and its legal representatives, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto the said Grantee, its successors, legal representatives and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through, or under Grantor, but not otherwise.

Ad valorem taxes applicable to the Property have been paid up to, and including the year 2012, and Grantee hereby assumes payment of ad valorem taxes for the year 2013, there having been a proper proration of the 2013 taxes between the parties.



EXECUTED and EFFECTIVE as of the 5<sup>TH</sup> day of SEPTEMBER 2013. **RECEIVED** 21-100013

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Grantor:

**CeeFam 2, LC,** PLANNING & DEVELOPMENT  
a Texas limited liability company

By: H. Dodd Crutcher  
H. Dodd Crutcher  
Vice President

Witnesses:

Anne L. Crutcher  
Print: Anne L. Crutcher

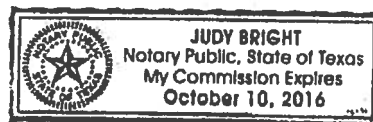
Roger B. Whitt  
Print: ROGER B. WHITT

STATE OF TEXAS  
COUNTY OF DALLAS

The foregoing instrument was acknowledged before me this 4<sup>th</sup> of September, 2013, by H. Dodd Crutcher, as Vice President of CeeFam 2, LC, a Texas limited liability company, on behalf of said company, who is personally known to me.

Judy Bright  
Notary Signature  
Print Name: Judy Bright  
Notary Public, State and County Aforesaid  
My commission expires: October 10, 2016  
Commission Number: 12668704-0

(Notarial Seal)



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Exhibit "A"

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Legal Description of the Land

A part of the CASTRO Y FERRER GRANT, Section 38, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: For a point of reference, commence at the Southwest corner of Lot 15, Block 2, PiNE GROVE UNIT NO. ONE, as recorded in Plat Book 16, Page 65 of the current public records of Duval County, Florida; thence run South 89° 07' 00" West, a distance of 50.20 feet to the intersection of the North Line of Second Avenue North and the West Line of Palm Tree Road (said Palm Tree Road being the unnamed street at the Westerly point of intersection being the Point of Beginning); thence continue South 89° 07' 00" West along the North line of said Second Avenue, a distance of 277.10 feet; thence North 00° 04' 00" West, a distance of 250.03 feet; thence North 89° 07' 00" East, a distance of 250.64 feet to the West line of said Palm Tree Road; thence South 06° 07' 00" East along the West line of said Palm Tree Road, a distance of 251.05 feet to the Point of Beginning.

Said property being the same property as described in those certain Deeds recorded in Official Records Book 1400, page 331, and Official Records Book 1745, page 486, of the public records of Duval County, Florida.

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Exhibit "B"

Permitted Exceptions

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General or special taxes and assessments required to be paid in the year 2013 and subsequent years.



10TH ST N

11TH ST N

6TH AV N

5TH AV N

4TH AV N

3RD AV N

1ST AV N

PALM TR

HOLLY DR

2ND AV N

15TH ST N

6TH AV N

5TH AV N

18TH ST N

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REFERENCE

DEPARTMENT OF PLANNING & DEVELOPMENT

**CERTIFIED MAIL RECEIPT# 7012 2210 0002 4634 9430**

October 15, 2014

PSL Jax Beach House, LP  
H. Dodd Crutcher, President  
8214 Westchester Drive, Suite 600  
Dallas TX 75225

RE: Planning Commission Case PC#22-14  
1315 2<sup>nd</sup> Avenue North  
**Conditional Use Approval** for transfer of ownership of a one-hundred (100) bed elderly-oriented group home located in a *RM-1* zoning district

Dear Mr. Crutcher,

The City of Jacksonville Beach Planning Commission met on Monday, October 13, 2014, to consider your conditional use application for transfer of ownership of a one-hundred (100) bed elderly-oriented group home located in a *Residential, Multiple-Family: RM-1* zoning district, pursuant to Section 34-339(d)(1) of the Jacksonville Beach Land Development Code. The request was approved unanimously.

Please remove the public notice posted on the property. Please submit a copy of this approval letter when applying for any future development or building permit applications. Should you have any questions please feel free to contact our office at (904) 247-6231.

Sincerely,

Chandra M. Tolman  
Permit Specialist

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Fax: 904.247.6107

Planning@jaxbchfl.net

www.jacksonvillebeach.org

