Minutes of Planning Commission Meeting
held Monday, September 26, 2022, 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 7:01 P.M. by Chair Margo Moehring.

ROLL CALL

Chair:	Margo Moehring		
Vice-Chair:	Colleen White		
Board Members:	David Dahl	Greg Sutton	Justin Lerman
Alternate:	Emily Stouffer	Nicholas Andrews	

Senior Planner Christian Popoli, City Attorney Sandra Robinson, Director of Planning and Development Heather Ireland, Administrative Assistant Callie Rayeski, and Deputy City Clerk Jodilynn Byrd were also present.

APPROVAL OF MINUTES: None

CORRESPONDENCE:
Director of Planning and Development Heather Ireland stated two emails were received for Item B and Item C and were distributed to the Board prior to the meeting. She also noted additional emails from August 2021 and December 2021 were included in the packet.

OLD BUSINESS: None

NEW BUSINESS:

(A) **PC# 22-22** Conditional Use Application
Owner: Jeanell Wilson
3016 3rd Street South
Jacksonville Beach, FL 32250

Applicant: James Nguyen – Beaches Alteration
3016 3rd Street South
Jacksonville Beach, FL 32250

Location: 3016 S 3rd Street #202

Conditional Use Application for a personal service establishment for a property located in the Commercial Professional Office: CPO zoning district, pursuant to Section 34-341(d)2 of the Jacksonville Beach Land Development Code.

Staff Report:
Mr. Popoli summarized the following report for the record:

The subject property is a small commercial structure, predominantly used for offices, located along 3rd Street South. The property is located in a small area of the CPO zoning district along the west side of 3rd Street South, between St. Augustine Boulevard and 33rd Avenue South. The subject property has a small parking area in the rear, with parking spaces that meet the parking requirement for office use, and two additional spaces that will accommodate the change in use to Personal Service. The business has been located in Jacksonville Beach for many years and recently moved to this location. The demand for parking for this type of use is low, and there is no anticipated excessive noise or traffic that will be generated. The business will operate during normal business hours.

The adjacent uses are multifamily to the west, office use to the north and south, and single-family use across 3rd Street to the east. The proposed personal service use is consistent with the CPO zoning standards and is consistent with surrounding commercial and multifamily adjacent uses.

Ex-Parte Communication:
No Board members had ex-parte communication on this item.

Owner:
Jeanell Wilson, 2014 South Ocean Front, Jacksonville Beach, stated she owned the building, and the request seemed to align with the other businesses in the surrounding area.

Public Hearing:
No one came forth to speak on the item. Ms. Moehring closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Sutton and seconded by Mr. Lerman to approve PC# 22-22.

Roll Call Vote: Ayes – David Dahl, Greg Sutton, Colleen White, Justin Lerman, and Margo Moehring

The application was unanimously approved.

Ms. Ireland requested to present PC#12-21 and PC #13-21 together.

(B) PC# 12-21 Small Scale Land Use Amendment

Owner/ Applicant: JB Fair Park MF, LLC and Beaches Preserve, LLC
177 4th Avenue North Suite 200
Jacksonville Beach, FL 32250

Agent: Driver, McAfee, Hawthorne & Diebenow
Steve Diebenow and Cyndy Trimmer
One Independent Drive Suite 1200
Jacksonville, FL 32202

Location: 1944 Beach Boulevard and 0 Beach Boulevard (RE# 177298-0000 and 177494-0100)

Small Scale Land Use Amendment Application to support a mixed-use multiple family / commercial project located at 1944 Beach Boulevard (*Adventure Landing property*).

(C) PC# 13-21 PUD Rezoning

Owner/ Applicant: JB Fair Park MF, LLC and Beaches Preserve, LLC
177 4th Avenue North Suite 200
Jacksonville Beach, FL 32250

Agent: Steve Diebenow and Cyndy Trimmer
Driver, McAfee, Hawthorne & Diebenow, PLLC
One Independent Drive Suite 1200
Jacksonville, FL 32202

Location: 1944 Beach Boulevard and 0 Beach Boulevard

Rezoning Application for a Planned Unit Development: PUD for property located at 1944 Beach Boulevard for the proposed Beach Boulevard Mixed-Use Neighborhood Center.

Staff Report:
Ms. Ireland briefly summarized the Comprehensive Plan, the Land Development Code (LDC), and the following report for the record:

The property has existed as a theme park since the mid-1990s. The Adventure Landing theme park, which was scheduled to close in December of 2021, is under new ownership and was sold in February of 2021 to a development group that plans to build a large multiple-family residential project with supporting commercial uses on the portion of the property with access from Beach Boulevard. City staff hosted two public workshops prior to the submission of the initial application, in June of 2021 and in August of 2021. The original applications in 2021 for Future Land Use Change and Rezoning were requested to allow for 427 apartments, but the original applications were deferred at the December 13, 2021, Planning Commission meeting at the applicant's request.

She reviewed the changes from the original application, existing flood zones, project summary, project location/development area, existing conditions, existing and proposed future land uses, existing and proposed zoning, proposed site plan, and staff analysis.

Ex-Parte Communication:
Ms. Stouffer disclosed she spoke with the agent and applicant about the history of the project and received a follow-up email with the project summary.

Mr. Dahl disclosed he spoke with the agent and received an email from Ken Marsh. He also talked to the applicant about the project approximately nine months ago.

Ms. Moehring disclosed she spoke with the agent multiple times. She also received phone messages from Ken Marsh but did not return the calls.

Ms. White disclosed she received an email from the agent and a text message from Ken Marsh.

Mr. Lerman disclosed he received an email from Mr. Diebenow and Ken Marsh.

Mr. Sutton filed a Form 8B [on file] and recused himself from the vote, not from questions or discussion.

Agent :
Steve Diebenow, One Independent Drive Suite 1200, Jacksonville, addressed previous concerns with the project. He summarized the public benefits, traffic study, conservation area, and property elevations.

The Board took a break at 7:48 P.M.

The Board reconvened at 7:53 P.M.

Public Hearing:
The following spoke in opposition of the application:

- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach
- Duke Lewis, 18 Hopson Road, Jacksonville Beach
- Eileen Kampfe, 118 12th Avenue North, Jacksonville Beach
- Rachel Sawyer, 6761 Long Meadow Circle South, Jacksonville
- Lynn Hileman, 22 Hopson Road, Jacksonville Beach
- Barbara Bauer, 604 13th Avenue South, Jacksonville Beach
- Joe McConville, 619 14th Avenue North, Jacksonville Beach

The following submitted speaker cards in opposition to the application but did not wish to speak:

- Linda Compton, 1227 12th Street North, Jacksonville Beach
- Tina Strong, 1244 12th Street North, Jacksonville Beach

Mr. Diebenow addressed the concerns of the public.

A discussion ensued about drainage, FDOT study, community meetings, recreation use space, conservation, and a traffic analysis.

Ms. Moehring closed the public hearing on PC#12-21 and opened the public hearing on PC#13-21.

Public Hearing:
The following spoke in opposition of the application:

- Duke Lewis, 18 Hopson Road, Jacksonville Beach
- Heather McConville, 619 14th Avenue North, Jacksonville Beach
- Barbara Bauer, 604 13th Avenue South, Jacksonville Beach
- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach

- Lynn Hileman, 22 Hopson Road, Jacksonville Beach
- Rachel Sawyer, 6761 Long Meadow Circle South, Jacksonville

The following spoke in support of the application:

- Gary Paetau, 725 Bonaire Circle, Jacksonville Beach

Ms. Moehring closed the public hearing on PC#13-21.

Mr. Diebenow addressed additional public concerns. He stated they would conduct a traffic study before October 17, 2022, as a condition. He addressed short-term rentals. Ms. Ireland provided additional comments on short-term rentals.

Discussion:
A discussion ensued about protected trees, Parcels 1 and 2, a shade meeting, and workforce housing. City Attorney Sandra Robinson provided clarification regarding a shade meeting.

Motion: It was moved by Ms. White and seconded by Mr. Dahl to defer PC# 12-21 until November 14, 2022, and require the applicant to complete a traffic study, identify the number of workforce housing units, and conduct a tree survey.

A brief discussion continued about the postponement of the item. Ms. Ireland stated the tree survey was required later in the planning process.

Roll Call Vote: Ayes – Colleen White, David Dahl
Nays – Justin Lerman, Emily Stouffer, and Margo Moehring

The motion failed 2-3.

Motion: It was moved by Ms. White and seconded by Mr. Andrews to defer PC# 12-21 until October 24, 2022, and require the applicant to complete a traffic study and identify the number of workforce housing units.

A brief discussion continued about the conditions.

Roll Call Vote: Ayes – Colleen White, David Dahl
Nays – Justin Lerman, Emily Stouffer, and Margo Moehring

The motion failed 3-2.

Motion: It was moved by Mr. Lerman and seconded by Ms. White to deny PC# 12-21.

Roll Call Vote: Ayes – Justin Lerman, Colleen White
Nays – David Dahl, Emily Stouffer, and Margo Moehring

The motion failed 3-2.

A discussion continued about the conditions and the postponement of the item.

Motion: It was moved by Ms. Stouffer and seconded by Ms. Moehring to approve PC# 12-21.

Roll Call Vote: Ayes – Emily Stouffer and Margo Moehring
Nays – Colleen White, Justin Lerman, and David Dahl

The motion failed 3-2.

Ms. Robinson provided additional comments about the motions and split recommendations going to the Council. She stated a motion to reconsider was an option prior to the end of the meeting.

Motion: It was moved by Mr. Andrews and seconded by Ms. Stouffer to approve PC# 13-21.

Roll Call Vote: Ayes – Emily Stouffer and Margo Moehring
Nays – Colleen White, Justin Lerman, and David Dahl

The motion failed 3-2.

PLANNING DEPARTMENT REPORT

Mr. Popoli stated a joint meeting with the Board and the Board of Adjustment would be held on October 27, 2022, to review the Land Development Code and Comprehensive Plan.

The next scheduled meeting is Monday, October 10, 2022. There is one scheduled case.

ADJOURNMENT

There being no further business, Ms. Moehring adjourned the meeting at 10:18 P.M.

Submitted by: Callie Rayeski
Administrative Assistant

These minutes were reviewed by Planning and Development.

Approval:

Margo Moehring
Chairperson

10/24/22
Date