

**Minutes of Planning Commission Meeting
held Monday, December 12, 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 7:00 P.M. by Chair Margo Moehring.

ROLL CALL:

Chairperson: Margo Moehring
Vice-Chairperson: Colleen White
Board Members: David Dahl Justin Lerman
Alternates: Emily Stouffer Nicholas Andrews

Senior Planner Christian Popoli and Administrative Assistant Callie Rayeski-Bowling were also present.

APPROVAL OF MINUTES: None

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

(A) PC# 27-22 Conditional Use Application

**Owner/
Agent:** David Plummer
120 N. 5th Street
Jacksonville Beach, FL 32250

Location: 120 N 5th Street

Conditional Use Application for proposed 2 multi-family dwellings in conjunction with an existing recording studio in the Commercial General: C-2 zoning district, pursuant to Section(s) 34-343(d)11, of the Jacksonville Beach Land Development Code. (Cypress Recording Studio).

Staff Report:

Mr. Popoli summarized the following report for the record:

The property is located on the west side of 5th Street North, between Pablo Avenue and 1st Avenue North. The subject property has been continuously used as an audio recording studio for over 40 years. The subject property is occupied by a two-story commercial building with the recording studio and engineering station on the ground floor with a small office space adjacent to the studio. There is a rear wooden deck that has recently been permitted in the rear yard. The second floor was mostly programmed space that the owner wishes to convert into two multi-family dwelling units. There are several nonconformities on the property as well as a lack of required parking and landscaping. As the structure was built in 1974, it predates the current land development code. The applicant has also applied for a number of variances related to both the existing nonconformities and new relief needed to address the additional dwelling units. The variance request will be considered by the Board of Adjustment on December 20th.

Adjacent uses include a church and private school to the north and west, the Beaches Museum to the south across Pablo Avenue, and a professional office to the east across 5th Street North. The proposed use of Multifamily is consistent with the C-2 zoning standards and is consistent with surrounding commercial and institutional development.

Ex-Parte Communication:

No Board members had ex-parte communication.

Applicant:

David Plummer, 120 N. 5th Street, Jacksonville Beach, provided background on the property and request.

Public Hearing:

The following spoke in opposition to the application:

- Edward Roth, 114 28th Avenue South, Jacksonville Beach
- Wayne Carlisle, 101 Trudee Dee Lane, Jacksonville Beach

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

- Janet S. DeVos, 1800 The Greens Way #1811, Jacksonville Beach
- Karen Caron, 19 Tallwood Road, Jacksonville Beach
- Mary Louise Gallagher, 1301 1st Street South #1008, Jacksonville Beach

Ms. Moehring closed the public hearing.

Discussion:

A brief discussion ensued about parking, setbacks, unit sizes, and the definition of conditional use.

Motion: It was moved by Mr. Dahl, seconded by Mr. Lerman, to approve PC# 27-22.

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

The application was approved 4-1.

(B) **PC# 28-22** Conditional Use Application

Owner: Del Boca Vista LLC
 7843 Old Hwy 99 SE, Suite M5
 Tumwater, WA 98501

**Applicant/
Agent:** Christopher S. Polaszek, Esq.
 C/O Green Sentry Holdings, LLC
 1112 N. Flagler Drive
 Fort Lauderdale, FL 33304

Location: 308 S. 3rd Street

Conditional Use Application for the transfer of ownership of a previously approved medical marijuana treatment center dispensing facility for a property located in the Commercial Limited: C-1 zoning district, pursuant to Section(s) 34-342(d)3 of the Jacksonville Beach Land Development Code. The property is located at 308 3rd Street South (previously MedMen) (Applicant –Green Sentry Holdings, LLC).

Staff Report:

Mr. Popoli summarized the following report for the record:

The subject property is located on the northwest corner of the intersection of 3rd Street South and 3rd Avenue South, on the west side of 3rd Street South. The applicant purchased the assets of the former MedMen location and intends to reopen the facility to once again operate the site as a medical marijuana treatment center dispensing facility (retail establishment) at the subject property. The applicant was advised by staff that conditional use approval would be required for the use.

Adjacent uses include a professional office to the west, a restaurant and drive-thru to the north, a medical office to the east across 3rd Avenue South, and a retail auto parts store to the south. At least four other establishments exist within the City currently. Dispensing facilities must comply with strict State of Florida regulations for access and security. Adjacent uses should not be negatively impacted. The proposed use of medical marijuana treatment center dispensing facility is consistent with the C-1 zoning standards and is consistent with surrounding commercial and institutional development.

Ex-Parte Communication:

No Board members had ex-parte communication.

Agent:

Christopher S. Polaszek, 1112 N. Flagler Drive, Fort Lauderdale, provided background on the property and request. He referenced two additional documents [on file].

Public Hearing:

No one came forth to speak. Ms. Moehring closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Lerman, seconded by Ms. White, to approve PC# 28-22.

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

The application was unanimously approved.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Monday, January 9, 2023, at 7:00 P.M. There is one scheduled case.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:32 P.M.

Submitted by: Callie Rayeski-Bowling
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

C. White

Chairperson

1.23.2023

Date