



City of Jacksonville Beach

Agenda

11 North Third Street
Jacksonville Beach, Florida

Planning Commission

Monday, May 22, 2023

7:00 PM

Council Chambers

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.

CALL TO ORDER

ROLL CALL

Margo Moehring (Chair), Colleen White (Vice-Chair), Dave Dahl, Justin Lerman, Nicholas Andrews
Alternates: Justin Henderson, Debbie Cole

APPROVAL OF MINUTES

A. Planning Commission meeting held on May 8, 2023

CORRESPONDENCE

DISCLOSURE OF EX-PARTE COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

A. **PC# 09-23** ADDRESS: 1618 Penman Road
OWNER: Team Adeeb, Inc.
APPLICANT: Scott Adeeb

SUMMARY OF APPLICATION: **Conditional Use Application** for a new restaurant, bar and brewery with outdoor seating for a property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)(19) and Section 34-342(d)(20) of the Jacksonville Beach Land Development Code. The property is located at 1618 Penman Road (Formerly Terry's Country Store) RE#177628-0300, legally described in O/R 20566-1142 of the Duval Clerk of the Courts Official Records.

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting will be June 12, 2023. There is one scheduled case.

ADJOURNMENT

NOTICE

Information concerning the hearing process is available online at 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, (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.

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.

**Minutes of Planning Commission Meeting
held Monday, May 8, 2023, 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:

Chairperson: Margo Moehring
Vice-Chairperson: Colleen White
Board Members: David Dahl Justin Lerman (absent) Nicholas Andrews
Alternates: Justin Henderson Debbie Cole

Senior Planner Christian Popoli, Administrative Assistant Callie Rayeski-Bowling, Recording Secretary Haley Thomas and City Attorney Sandy Robinson were also present.

APPROVAL OF MINUTES:

It was moved by Mr. Andrews, seconded by Ms. White, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on April 10, 2023
- Regular Planning Commission Meeting held on April 24, 2023

CORRESPONDENCE: None

DISCLOSURE - EX PARTE COMMUNICATION

No Board Member had ex-parte communication.

OLD BUSINESS: None

NEW BUSINESS:

(A) **PC# 08-23** Conditional Use Application

Owner: Perm And Pooja LLC
7545 Centurion Parkway, Suite 204
Jacksonville, FL 32256

Applicant /Agent: Elizabeth Alfuentes
14603 Plumosa Drive,
Jacksonville, FL 32250

Location: 700 Beach Boulevard

Conditional Use approval for outside restaurant seating area for a new restaurant located in the Commercial General: C-2 zoning district, pursuant to Section 34- 343(d)14 of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

The request is for approval for a communal outside seating area between two structures at the soon to be renovated former Sonic location.

The proposed new project would involve a complete renovation of the former Sonic building, removal of much of the awnings used for car parking, a change to the property's traffic flow and driveways, as well as the construction of a second building and additional space for a rotating food truck. The proposed outside seating will be between the former Sonic structure and a new structure to the south. A new patio will be constructed between the two structures, and combined, the proposed outside seating area will be slightly less than 50% of the combined inside area of the two structures, roughly 1,072 square feet of outside seating. The proposed new use will be a shaved ice franchise.

The proposed location is the site of the former Sonic drive-in, located between Beach Boulevard and Shetter Avenue. The site has sat vacant for many years. The new owners intend to renovate the site while upgrading some of the infrastructure, such as stormwater. Additionally, the new project will realign some of the driveways to better accommodate traffic flow. The new site plan also includes a dedicated space for parking a rotation of food trucks, which will also be able to take advantage of the outside seating. There will be adequate parking, vehicle stacking for the drive-thru, and required landscaping provided.

The adjacent properties include a retail gasoline station with a convenience store to the east. A commercial shopping center to the west, light industrial and storage across Shetter Avenue to the south and multifamily residential across Beach Boulevard to the North. The proposed outside seating area should not negatively impact adjacent properties and is consistent with previous uses.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#08-23.

Applicant:

Elizabeth Alfuentes and Matt Wycoff, 14603 Plumosa Drive, Jacksonville, provided background information on the item.

Public Hearing:

The following spoke in support of the application:

- Travis Smith, 2009 Waterway Island Lane, Jacksonville Beach

The following expressed concern about parking:

- Chris Brown, 820 Shetter Avenue, Jacksonville Beach

Mr. Popoli confirmed the applicant meets the parking requirements.

Chair Moehring closed the public hearing.

Motion: It was moved by Mr. Andrews, seconded by Mr. Dahl, to approve #PC 08-23.

Roll Call Vote: Ayes – David Dahl, Nicholas Andrews, Colleen White, Justin Henderson and Margo Moehring.

The application was unanimously approved.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is Monday, May 22, 2023. There is one scheduled case. Mr. Popoli noted the Joint Planning Commission, Board of Adjustment, and Community Redevelopment Agency Board workshop on the Land Development Code and Comprehensive Plan update would be held Wednesday, May 31, at 6:00 p.m. in Council Chambers.

Mr. Dahl requested to revisit the discussion of moving Planning Commission meetings from 7:00 P.M. to 6:00 P.M. Mr. Popoli explained the conflict with the City Council briefings and shared speaker system.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:17 P.M.

Submitted by: Callie Rayeski-Bowling
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli, Senior Planner
DATE:	05/08/2023
SUBJECT:	May 22, 2023 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, May 22, 2023 Planning Commission Meeting.

NEW BUSINESS:

PC# 09-23 Conditional Use Application

OWNER: Team Adeeb INC
Scott Adeeb
1850 N. Main Street
Jacksonville, FL 32206

APPLICANT: Team Adeeb INC
Scott Adeeb
1850 N. Main Street
Jacksonville, FL 32206

AGENT: Scott Adeeb
1507 Kings Road
Neptune Beach, Florida 32266

LOCATION: 1618 Penman Road

REQUEST: Conditional Use approval for a new restaurant, bar and brewery with outdoor seating for a property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)(19) and Section 34-342(d)(20) of the Jacksonville Beach Land Development Code. The property is located at 1618 Penman Road (Formerly Terry's Country Store)

COMMENTS: The proposed outside seating is in conjunction with a new restaurant and microbrewery at the location of the former Terry's County Story at 1618 Penman Road. The former Terry's site includes the existing building, which will be renovated, and the associated parking lot as well as the adjacent vacant lot to the south. The applicant is proposing a complete renovation of the existing structure, which will include the addition of the microbrewery, as well as full restaurant service and outside seating, as noted on the provided renderings.



The intent is to take the existing overhangs and recessed areas in the front of the structure adjacent to the existing main entrance and convert this area to outside seating. Although there is an intent to add additional openings on the front with roll-up walls, the LDC does not define this outside seating, so long as it can be fully enclosed. Additionally, the site will be brought up to current LDC standards with landscaping and a compatibility buffer to the rear of the property, adjacent to existing single family residential uses.

Adjacent property uses include professional offices to the north, a private school to the south, single family residential dwellings to the west, and a commercial retail fuel station and convenience store to the east. Additionally, to the south across Penman Road, is Cinotti's Bakery, with outside seating. Approval of conditional use for a proposed outdoor restaurant area for a new restaurant should not negatively impact adjacent properties. The applicant will construct a compatibility buffer to the rear (west) adjacent to the existing single family dwellings, and all outside seating will be on the east side of the building, facing Penman Road and not facing any residential structures. This is consistent with other existing restaurant's outside seating areas along Penman Road.

Based on the provided application and analysis stated in this report, the Planning and Development Department recommends **Approval of PC# 09-23.**

In accordance with Sec. 286.0105, Fla. Stat., any person who desires to appeal any decision made by the commission at this meeting will need a record of the proceedings. For such purpose, he or she 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. 09-23
AS/400# 23-100043
HEARING DATE 5-22-23

MAR 31 2023

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: SCOTT ADLER
Mailing Address: 1507 KINGS RD.
NEPTUNE BEACH, FLORIDA 32266

Telephone: 904-838-0662
Fax: SCOTT AD
E-Mail: STRINGS SPORTS BREWERY.COM

Applicant Name: _____
Mailing Address: SAME AS ABOVE

Telephone: _____
Fax: SAME AS ABOVE
E-Mail: _____

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

Agent Name: _____
Mailing Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

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

Street address of property and/or Real Estate Number: 1618 PENMAN RD. JAX. BEACH, FL. 32255

Legal Description of property (attach copy of deed): PARCEL 50 # 177628-0300

Current Zoning Classification: C-1 Future Land Use Map Designation: _____

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: _____

Describe the proposed conditional use and the reason for the request: STRINGS SPORTS BREWERY

RENOVATE AND CONVERT THE OLD TERRY'S COUNTRY STORE INTO A RESTAURANT AND BREWERY.

Applicant Signature: [Signature] Date: 3.30.2023

Section 34-231 STANDARDS APPLICABLE TO ALL CONDITIONAL USES

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

- (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.

Prepared By and Return To:

William Li
Landmark Title, LLC
135 Durbin Station Court
Suite 501
Saint Johns, FL 32259

RECEIVED
23-106043
MAR 31 2023

PLANNING & DEVELOPMENT

General Warranty Deed

Made effective the 13th day of January, 2023, by Karen S. Brown, a married person, Jennifer D. Scott, a married person, and Susan Renee Elliott, also known as Susan Renee Elliot, a married person, hereinafter called the Grantor, whose address is 12403 White Feather Drive, Jacksonville, FL 32225 to Team Adeeb, Inc, a Florida Corporation, whose post office address is: 1850 N Main St, Jacksonville, FL 32206, hereinafter called the Grantee:

(Whenever used herein the term "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienates, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Duval County, Florida, more particularly described as follows:

Parcel A:

A part of the Castro Y Ferrer Grant, Section 38, Township 2 South, Range 29 East, Duval County, Florida, more particularly described as follows: Commence at the Southeast corner of Lot 24, Block 6, OCEAN FORUM, UNIT ONE, as recorded in Plat Book 25, page 28A, of the current public records of Duval County, Florida; thence S 00°19'15"E, along the West line of Penman Road a distance of 233.62 feet to the Point of Beginning; thence continue S 00°19'15" E, a distance of 166.00 feet to a point; thence S 89°38'15" W, a distance of 160.00 feet to a point; thence N 00°19'15" W, a distance of 166.00 feet to a point; thence N 89°38'15" E, a distance of 160.00 feet to the Point of Beginning.

Parcel B:

PARCEL 1:

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 SOUTHEAST CORNER OF LOT 24, BLOCK 6, OCEAN FOREST UNIT ONE, AS RECORDED IN PLAT BOOK 25, PAGES 28, 28A AND 28B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 09 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF PENMAN ROAD AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY, A DISTANCE OF 459.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 19 MINUTES 15 SECONDS EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 15 SECONDS WEST, A DISTANCE OF 160.00 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 15 SECONDS WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89 DEGREES 38 MINUTES 15 SECONDS EAST, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

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 SOUTHEAST CORNER OF LOT 24, BLOCK 6, OCEAN FOREST UNIT ONE, AS RECORDED IN PLAT BOOK 25, PAGES 28, 28A AND 28B, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 09 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF PENMAN ROAD AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY, A DISTANCE OF 479.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 19 MINUTES 15 SECONDS EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 15 SECONDS WEST, A DISTANCE OF 160.00 FEET; THENCE NORTH 00 DEGREES 19

MINUTES 15 SECONDS WEST, A DISTANCE OF 20.00 FEET; THENCE NORTH 89 DEGREES 38 MINUTES 15 SECONDS EAST, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

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 SOUTHEAST CORNER OF LOT 24, BLOCK 6, OCEAN FOREST UNIT ONE, AS RECORDED IN PLAT BOOK 25, PAGES 28, 28A AND 283, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE SOUTH 00 DEGREES 09 MINUTES 15 SECONDS EAST, ALONG THE WEST LINE OF PENMAN ROAD AS NOW ESTABLISHED AS A 100 FOOT RIGHT OF WAY, A DISTANCE OF 399.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 19 MINUTES 15 SECONDS EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 89 DEGREES 38 MINUTES 15 SECONDS WEST, A DISTANCE OF 160.00 FEET; THENCE NORTH 00 DEGREES 19 MINUTES 15 SECONDS WEST, A DISTANCE OF 60.00 FEET; THENCE NORTH 89 DEGREES 38 MINUTES 15 SECONDS EAST, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) nor any members of the household of Grantor(s) reside thereon.

Parcel ID Number: 177628-0300

Subject to taxes accruing subsequent to December 31, 2022.

Subject to covenants, restrictions and easements of record, if any; however, this reference thereto shall not operate to reimpose same.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances.

In Witness Whereof, the Grantor has signed and sealed these presents the day and year written below.

Signed, sealed and delivered in our presence:

[Signature]
Witness 1 Signature

[Signature]
Karen S. Brown

DERICK TREUHAARPT
Witness 1 Printed Name

[Signature]
Jennifer D. Scott

[Signature]
Witness 2 Signature

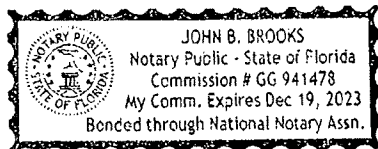
[Signature]
Susan Renee Elliott, also known as Susan Renee Elliot

John B. Brooks
Witness 2 Printed Name

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of (X) physical presence or () online notarization this 13th day of January, 2023, by Karen S. Brown, Jennifer D. Scott, and Susan Renee Elliott, also known as Susan Renee Elliot.

[Signature]
Signature of Notary Public
Print, Type/Stamp Name of Notary
John B Brooks



Personally Known: _____ OR Produced Identification: X

Type of Identification

Produced: Drivers License

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MAR 31 2023

23-100043

PLANNING & DEVELOPMENT



PREVIOUS

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23-100043

MAR 31 2023

PLANNING & DEVELOPMENT



PROPOSED



RECEIVED

MAR 31 2023

23-100043

PLANNING & DEVELOPMENT

PROPOSED

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23-100043
MAR 31 2023

PLANNING & DEVELOPMENT

new day
ARCHITECTURAL DESIGN CO.

