Minutes of Planning Commission Meeting
held Monday, September 9, 2024, 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 7:03 P.M. by Chair Margo Moehring.

ROLL CALL:

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

Planning Director Heather Ireland and Operations Support Specialist I Monica McDaniel were also present.

APPROVAL OF MINUTES:
It was moved by Ms. White, seconded by Mr. Dahl, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on July 22, 2024
- Minutes for Joint Boards Workshop held on August 22, 2024

CORRESPONDENCE:
Ms. Ireland noted four emails were received regarding PC#11-24.

DISCLOSURE - EX PARTE COMMUNICATION: None

OLD BUSINESS: None

NEW BUSINESS:

(A) PC# 10-24 Conditional Use Application

Owner: 975 S 3rd St LLC
1283 Ponta Vedra Blvd.
Ponte Vedra Beach, FL 32082

Applicant: Starbucks Coffee Co.
319 Elaines Court
Dodgeville, WI 53533

Agent: Michael Martin

Location: 975 S 3rd Street

Conditional Use Application to allow for existing and additional outdoor seating for a property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland summarized the following report for the record:

"The subject property is located on the east side of 3rd Street South, near the intersection with 9th Avenue South. The applicant, Starbucks Coffee Co., is seeking approval to expand their outdoor seating area to accommodate additional patrons. This request follows their recent renovation of the interior space and aims to enhance the customer experience. Additionally, upon review of previous permits, it was discovered that Starbucks was never required to seek Conditional Use approval for the existing outside seating. This application would rectify this existing nonconformity, and allow for additional seating on the south side of the structure, adjacent to the parking lot.

Adjacent uses include an automobile service facility to the north, a multi-tenant commercial shopping center to the south, a vacant commercial lot to the west and a multifamily structure to the east and immediately adjacent. The proposed expansion of outdoor seating is expected to integrate seamlessly with the existing commercial environment and should not negatively impact adjacent properties. The outside seating is to the west and south sides of the building in the proposed application, with the majority of the established seating to the west, facing 3rd Street South.

The proposed use aligns with the C-1 zoning district standards and complements the commercial nature of the surrounding area. The additional seating area will be designed to comply with all relevant city regulations, including safety and accessibility requirements. The proposed design has been reviewed and approved in concept by the Fire Marshal, with final approval pending the outcome of this hearing. No noted code cases we found regarding the existing outside seating, and staff have no reason to assume additional seating would lead to any compliance issues.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#10-24."

Agent: Kimberly Gibbs (on behalf of Michael Martin), 4333 Dunwoody Park #2112, Dunwoody, GA was sworn in and provided background on the item.

A brief discussion ensued about seating.

Public Hearing:
No one came forth to speak. Chair Moehring closed the public hearing.

Motion: It was moved by Mr. Dahl, seconded by Ms. White, to approve #PC 10-24.

Discussion: None.

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

The motion was unanimously approved.

(B) PC# 11-24 Conditional Use Application

Owner: Costa Verde Shops, LLC
Marc Angelo
1283 Ponte Vedra Blvd
Ponte Vedra Beach, FL 32082

Applicant: Southern Grounds Coffee Jax Beach LLC
12620 Beach Blvd.
Jacksonville, FL 32246

Agent: Marc Angelo

Location: 2405 3rd Street South (2415 3rd Street South)

Conditional Use Application to allow for outdoor seating for a new tenant at a property located in the Commercial Limited: C-1 zoning district, pursuant to Section 34- 342(d)(20) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland summarized the following report for the record:

"The subject property is located on the east side of 3rd Street South, north of the intersection with 24th Avenue South. The applicant, Costa Verde Shops, LLC, represented by Marc Angelo, is seeking approval to provide a new outdoor seating area for a new restaurant within the Costa Verde Shops shopping center. This expansion is intended to allow the new tenant, Southern Grounds Coffee, to be able to provide outside seating in additional spots inside the open areas of the first floor of the structure. Casa Maria Mexican Restaurant currently has outside seating that occupies the open center courtyard of the structure.

Adjacent uses include a multifamily complex to the north and east, a commercial fuel sales and convenience store to the south, and a similar mixed commercial use shopping center to the west, across 3rd street, which includes a restaurant with outdoor seating. The proposed outdoor seating expansion is expected to be compatible with the surrounding commercial and multifamily residential uses and is designed to comply with all relevant regulations. The proposed layout of the new seating areas has been tentatively reviewed by the Fire Marshal, and he has approved the layout in concept, pending the outcome of this hearing.

The proposed expansion adheres to the C-1 zoning standards and aligns with the similar internal uses of the shopping center and the surrounding commercial and multifamily uses. No additional parking is required, as the use is included in the shopping center, which has an established overall parking standard.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#11-24."

Agent: Marc Angelo, 1283 Ponte Vedra Boulevard, Ponte Vedra Beach, was sworn in and provided background on the item.

Public Hearing:
The following spoke in opposition to the request:

- Zack Burnett, 3774 Coconut Key, Jacksonville Beach
- Julia Regester Bluett, 2905 Ocean Drive South, Jacksonville Beach
- Ande Bluett, 191 Bermuda Place, Jacksonville Beach

The following submitted a speaker card [on file] in opposition to the request:

- Daniel Bluett, 191 Bermuda Place, Jacksonville Beach

The following submitted emails [on file] in opposition to the request:

- Alex Fisher [no address provided], Jacksonville Beach
- Ande Bluett, 191 Bermuda Place, Jacksonville Beach
- Bill Dopf [no address provided], Jacksonville Beach
- Dona and Brad Tarr, 122 29th Avenue South, Jacksonville Beach

Chair Moehring closed the public hearing.

A discussion ensued about parking, outdoor seating, public concerns, tenants, review criteria, and conditions.

Motion: It was moved by Ms. White, seconded by Mr. Dahl, to approve #PC 11-24 with the condition to review one year following certificate of occupancy.

Discussion: None.

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

The motion was unanimously approved.

(C) PC# 12-24 Conditional Use Application

Owner: Rodger and Jeanine Wood
100 Laguna Villas Blvd., #G14
Jacksonville Beach, FL 32250

Applicant: Rodger and Jeanine Wood
100 Laguna Villas Blvd., #G14
Jacksonville Beach, FL 32250

Agent: N/A

Location: 231 5th Avenue South

Conditional Use Application to address a nonconforming use and allow for the renovation of existing multifamily structures located in the Commercial Limited: C1 zoning district, pursuant to Section 34-342(d)15 (RM-1 Standards) of the Jacksonville Beach Land Development Code.

Staff Report:

Ms. Ireland summarized the following report for the record:

"The subject property is situated on the north side of 5th Avenue South, between the intersections with 2nd Street South and 3rd Street South. The applicants, Roger & Jeanine Wood, propose to renovate one of the existing multifamily structures on the property which they plan to occupy once renovations are complete. As the property consists of a primary structure and several converted accessory structures, all developed before the adoption of the current Land Development Code, the property is currently considered a nonconforming use. Though a multifamily use is an allowed use within the C-1 zoning district, it is a conditional use and requires Planning Commission approval. Without rectifying the nonconforming status of the use, the applicant would be limited to a renovation cost cap of 15% of the value of the structure to be renovated. This margin is so small that there is no practical way to renovate the structure with the current costs for construction. With approval, they would be able to complete their renovation project.

Adjacent uses include a multifamily residential to the east, multifamily residential to the south, across 5th Avenue South, a commercial retail use to the west, and commercial retail to the north.

The proposed renovations are in alignment with the RM-1 standards and the C-1 zoning regulations. The improvements will allow the owners to occupy the older primary structure while bringing it up to internal standards to meet the desires of the applicant and make the structure more livable, while maintaining compatibility with the surrounding area.

The project will still be required to go through a building permit review as well as review by the Fire Marshal, as needed. The renovations will allow the use to become a conforming use and will ensure minimal impact on adjacent properties and contribute positively to the neighborhood's character.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends Approval of PC#12-24."

Applicant: Rodger Wood, 100 Laguna Villas Blvd., #G14, Jacksonville Beach, was sworn in and provided background on the item.

A brief discussion ensued about the proposed renovation.

Public Hearing:
No one came forth to speak. Chair Moehring closed the public hearing.

Motion:	It was moved by Ms. White, seconded by Mr. Henderson, to approve #PC 12-24.
Discussion:	None.
Roll Call Vote:	Ayes – Colleen White, Justin Lerman, David Dahl, Justin Henderson, and Margo Moehring The motion was unanimously approved.

PLANNING DEPARTMENT REPORT:
The meeting scheduled for September 23, 2024 was cancelled.

Discussion: Mr. Lerman informed the Board an internal investigation was being conducted regarding a complaint received about him.

ADJOURNMENT:
There being no further business, the meeting adjourned at 8:05 P.M.

Submitted by: Monica McDaniel
Operations Support Specialist I

Minutes reviewed by Planning & Development.

Approval:

Chairperson

11 | 12 | 24
Date