

**Minutes of Planning Commission Meeting
held Monday, August 23, 2021, 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 Chairman Greg Sutton.

Roll Call

Chairman: Greg Sutton
Vice-Chairman: David Dahl
Board Members: Margo Moehring Britton Sanders Colleen Murphy White
Alternates: Justin Lerman

Also present were Senior Planner Christian Popoli and Administrative Assistant Jodilynn Byrd.

Approval of Minutes

It was the consensus of the Board to defer the following minutes for further review and future approval at the September 27, 2021 meeting:

- July 26, 2021

Correspondence - None

New Business

(A) **PC#09-21** Conditional Use Application
Owner: For His Ultimate Glory
238 Ponte Vedra Park Drive, #201
Ponte Vedra Beach, FL 32082

Applicant: Eric Griggs
932 1st Street North, #602
Jacksonville Beach, FL 32250

Location: 134 1st Street South

Conditional Use Application for a single-family dwelling at property located in the Commercial Limited: CBD Zoning District, pursuant to Section 34-345(d)9 of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli read the following report into the record:

The subject property is located on the northwest corner of 1st Street South and 2nd Avenue South. The site currently has a two-unit multifamily structure, which is likely a converted single-family. In 2017, the Land Development Code was amended by Ord. 2017-8097, which added single-family dwellings as a Conditional Use, using the RS-3 zoning district standards. Though the CBD district is predominantly commercial and multifamily structures, there are areas of existing single-family and room for additional infill.

The proposed use would be a three-story single-family home with a two-car garage. Though the home will lack driveway space for overflow parking in on the site, it does have a large driveway apron and access to two on-street parking spaces adjacent to the 2nd Avenue South side of the property. The proposed single-family design reflects a similar footprint to the existing multifamily structure. The new design will take into account the requirements for clear sight triangle visibility by having chamfered first-floor corner at the intersection. For all other uses in the CBD zoning district, lot coverage is 80-90% of the lot, with front and corner side setbacks of zero and rear and a size ranging from zero to five feet. Because the RS-3 zoning standards are more akin to residential subdivision design, this project will require a subsequent variance slated to be heard by the Board of Adjustment early next month. The proposed single-family dwelling is consistent with the mixed residential and commercial character of the area and should not negatively impact adjacent properties.

Public Hearing:

Applicant Eric Griggs, 932 1st Street North, #602, Jacksonville Beach, stated he would be building a single-family home.

Discussion: None

Motion: It was moved by Mr. Sanders and seconded by Mr. Dahl to approve the Conditional Use Application.

Roll call vote: Ayes – David Dahl, Margo Moehring, Britton Sanders, Colleen M. White, and Greg Sutton

The application was unanimously approved.

Old Business

(A) PC#08-21 PUD Amendment Application
Owner: Regency Centers LP
c/o Patrick McKinley
One Independent Drive, Suite 114
Jacksonville, FL 32202

Applicant: Steve Diebenow
One Independent Drive, Suite 1200
Jacksonville, FL 32202

Location: 3818 3rd Street South (South Beach Regional Shopping Center)

Planning Unit Development: PUD Zoning Amendment Approval to amend Ordinance No. 7411, as amended, for the South Beach Regional Shopping Center Planned Unit Development, to allow for outdoor restaurant areas in four (4) locations; and to allow for outdoor retail display and sales areas.

Staff Report:

Mr. Popoli read the following report into the record:

At the previous hearing on July 26, the Planning Commission and the applicant agreed to a deferral of the proposed PUD amendment, allowing the applicant and staff to develop and attempt to reach a consensus on new conditions related to the proposed PUD. The previous memo has been provided for reference.

Staff sent their revised conditions to the Applicant on August 4th Staff has reviewed the proposed conditions with the applicant and believes that the proposed conditions meet the spirit of the Planning Commission's comments and concerns as well as address the concerns of the applicant where appropriate. The applicant may have other concerns to address with the Planning Commission. Staff recommends the following revised conditions:

1. Outdoor restaurant areas shall be allowed as shown on Exhibit H (Site Plan) hereto (Ordinance No. 2021-XXXX) and shall not require a Conditional Use approval but will be permitted. All outdoor restaurant areas shall adhere to the requirements as described in Section 34-407 of the Land Development Code except those portions amended by this ordinance as they pertain to seating and seating allocation.
2. All outdoor restaurant areas shall adhere to the general requirements as described in Section 34-425(h) with regards to visibility at sight triangles at intersections for internal drive lanes and parking isles.
3. Outdoor restaurant areas adjacent to drive aisles shall provide some form of hardened barrier to protect outside dining areas from potential vehicle conflict. Creative forms of barriers may be considered under Crime Prevention through Environmental Design (CPTED) best practices. Final designs of barriers to be determined through the standard design review process.
4. Outdoor restaurant areas may have outside speakers, but shall be limited to Low Volume Outdoor amplified and acoustic sound, as defined in Sec. 18-7 of the municipal code, in effect at the time of adoption.
5. Outdoor restaurant areas shall cease operation at 11:00 p.m. Monday - Saturday and 10:00 p.m. Sundays.
6. Outside display of merchandise shall be permitted at all retail sales locations, as shown on Exhibit H (Site Plan) hereto (Ordinance No. 2021-XXXX), however, clear sidewalk access shall be maintained to the balance of the shopping center spaces at all times, and a clear ADA compliant path be maintained at all times along any sidewalk or walkway.

Mr. Popoli added all sprinkler requirements would go through the Fire Marshall.

Public Hearing:

Applicant Steve Diebenow and Owner Representative Patrick McKinley reviewed the proposed PUD Zoning Amendments. Conversation ensued regarding the proposed amendments to the PUD language. Restrictions and limitations were discussed.

Discussion:

Conversation ensued regarding proposed amendments to the current PUD. The Board came to a consensus to the following:

Motion: It was moved by Mr. Sanders and seconded by Ms. White to approve the PUD Zoning Amendment Application as follows:

As submitted by staff, the Board approves the following changes:

- 1- None
- 2- None
- 3- Outdoor restaurant areas adjacent to the northern drive aisle leading in and out to Jacksonville Drive shall provide protective barriers for the entire exterior perimeter, meaning the side that are not adjacent to the business of the seating area. Barriers should have a minimum ASTM-C40 rating and shall be placed no further than 48 inches apart. Creative forms of barriers may be considered under Crime Prevention through Environmental Design (CPTED) best practices. Final designs of barriers to be determined through the standard design review process.
- 4- As written with the exception of the following sentence: Restaurant areas adjacent to Jacksonville Drive shall have speakers oriented to the South. This condition shall be revisited in 12 months.
- 5- Outdoor restaurant services shall cease operations at 10:00 P.M. Sunday through Thursday, 11:00 P.M. Friday and Saturday.
- 6- As written with the addition of the sentence: There shall be no overnight merchandise or displays left on sidewalks outside of parcel four.

Roll call vote: Ayes – David Dahl, Margo Moehring, Britton Sanders, Colleen M. White, and Greg Sutton

The application was unanimously approved.

Planning & Development Director's Report

Mr. Popoli announced the next meeting was scheduled for Monday, September 27, 2021.

Adjournment

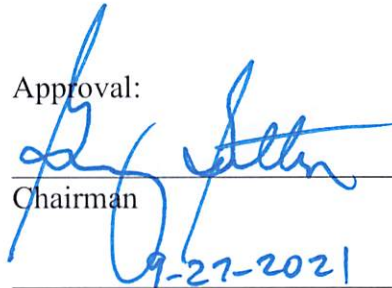
There being no further business coming before the Board, Mr. Sutton adjourned the meeting at 8:18 P.M.

Submitted by: Jodilynn Byrd
Administrative Assistant

Approval:

Chairman

Date


9-27-2021