



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Monday, May 23, 2022

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, Greg Sutton
Alternates: Justin Lerman, Emily Stouffer

APPROVAL OF MINUTES

A. Regular Planning Commission Meeting held on May 9, 2022

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

A. **PC# 8-22** ADDRESS: 312 1st Avenue North
APPLICANT: Parthesh Vakil OWNER: SMV Management, LLC.
SUMMARY OF APPLICATION: **Conditional Use Application** for a two-unit multi-family dwelling for a property located in the Commercial General: C-2 zoning district, pursuant to Section 34-343(d)11 (34-399 standards) of the Jacksonville Beach Land Development Code. The property is located at 312 1st Avenue North, RE# 173766-0000, legally described as Lot 2, Block 14, *Atlantic Park*

PLANNING DEPARTMENT REPORT

A. The next scheduled meeting is Monday, June 13, 2022. There are four scheduled cases.

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 9, 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 7:02 P.M by Chairperson Margo Moehring.

ROLL CALL

Chairperson: Margo Moehring

Vice-Chairman: Vacant

Board Members: David Dahl (late)

Greg Sutton (absent)

Colleen M. White

Alternate: Justin Lerman

Emily Stouffer

Senior Planner Christian Popoli, Administrative Assistant Callie Rayeski, and Deputy City Clerk Jodilynn Byrd were also present.

APPROVAL OF MINUTES:

The following minutes were approved by a voice vote:

- March 28, 2022

ELECTION OF OFFICERS:

Senior Planner Christian Popoli noted Chairman Britton Sanders resigned from his position. He stated Ms. Moehring had moved into the Chair position and a nice Vice-Chair needed to be elected.

Discussion ensued about the position.

Motion: It was moved by Mr. Lerman, and seconded by Mr. Dahl, to nominate Ms. White as Vice-Chair. In a voice vote, the motion passed unanimously.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

(A) **PC# 05-22** Conditional Use Application
Owner: ABC Properties, Ltd.
8989 South Orange Avenue
Orlando, FL 32824

Applicant: ABC Liquors, Inc. / Phyllis Fitzpatrick
8989 South Orange Avenue
Orlando, FL 32824

Agent: KPM Franklin
6300 Hazeltine National Drive, Suite 118
Orlando, FL 32822

Location: 608 Beach Boulevard

Conditional Use Application for an existing package liquor store in a Commercial General: C-2 zoning district, pursuant to Sections 34-343(d)(2) of the Jacksonville Beach Land Development Code.

Staff Report:

Senior Planner Christian Popoli read the following report into the record:

The subject property is an existing package store since at least 1991. The applicant has requested to do a substantial renovation of the existing structure. This would include enclosing the existing drive-thru lane and converting it into retail space as part of the main store. The existing use of package sales is currently a legal nonconforming use. Renovations and repairs are limited to 15% of the structure value, per section 34-622(1) of the land development code. The proposed expansion would exceed this amount. The granting of a Conditional Use approval for package sales would allow the applicant to renovate the structure up to 50% of the structure value. Any work that would exceed that amount would then require compliance with other aspects of the LDC, such as addressing parking, setbacks, and landscaping or to seek a variance to gain relief. Without Conditional Use approval, the use of Package Liquor Store could continue as a legal nonconforming use but would not allow the renovations and substantial maintenance. Disapproval would not eliminate the nonconforming use.

Adjacent uses consist of retail gasoline sales to the west, restaurant use to the east, warehouse and storage to the south, and retail sales to the north. The applicant's continued use of the existing location would not have a negative impact on the surrounding uses.

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

Applicant:

John Kelly, 2848 Aloma Lake Run, Oviedo, clarified the expansion was for storage for the store.

Public Hearing:

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

Discussion: None

Motion: It was moved by Ms. Stouffer and seconded by Mr. Lerman to approve PC# 05-22.

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

The application was unanimously approved.

(B) **PC# 06-22** Conditional Use Application
**Owner/
Applicant:** Coastal Curations LLC
8785 Perimeter Park Boulevard
Jacksonville, FL 32216

Agent: William Sharp
8785 Perimeter Park Boulevard
Jacksonville, FL 32216

Location: 604 3rd Street North

Conditional Use Application for an existing multiple-family dwelling unit development located in a Commercial, limited: C-1 zoning district, pursuant to Section 34-342(d)(15) of the Jacksonville Beach Land Development Code.

Staff Report:

Senior Planner Christian Popoli read the following report into the record:

The subject property is currently occupied by a legal nonconforming use of a multifamily structure. The structure was likely built as a Single-family or duplex building in 1939 and was converted to separate units at a later date. There had been an addition also added to the rear early in the history of the structure based on the architecture. Because of its age, the property was never granted a conditional use approval, as the structure predates the current Land Development Code. As a legal nonconforming structure, the building can remain and can be renovated to an extent, but if the structure would be destroyed, it would need conditional use to be reconstructed. The applicant has requested to have conditional use granted, so the structure would then be conforming, and should the unforeseeable happen, the applicant would then be able to rebuild. The structure will be renovated into four units, with commercial space on the first floor, as it has been historically.

Adjacent property uses include professional and medical offices to the west, retail and office to the north, offices to the south, and restaurant and multifamily to the east. Approval of conditional use for the existing multifamily structure should not negatively impact adjacent properties.

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

Applicant:

Julie Childers, 3889 Poinsettia Boulevard, Jacksonville Beach, said they wanted to increase curb appeal.

A discussion ensued regarding current tenants, density, and dwelling size requirements.

Public Hearing:

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

Discussion: None

Motion: It was moved by Ms. White and seconded by Mr. Lerman to approve PC# 06-22.

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

The application was unanimously approved.

(C) **PC# 07-22** Conditional Use Application
Owner: 1177 Third LLC
40 East Adams Street, Suite 300
Jacksonville, FL 32202

**Applicant/
Agent:** Paul Grainger
40 East Adams Street, Suite 300
Jacksonville, FL 32202

Location: 1177 Third Street South

Conditional Use Application for outdoor restaurant seating at a new restaurant for 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:

Senior Planner Christian Popoli read the following report into the record:

The subject property is currently a defunct carwash facility. The property is located on the corner of 3rd Street South and 12th Avenue South. The proposed new use will be a drive-thru restaurant with outside seating. The concept does not have any indoor seating. Based on the recent amendments to the outdoor restaurant area section of the Land Development Code, the applicant can have up to 50% of the inside gross square footage for outside seating. The structure is proposed at 1,136 square feet, with an outside seating area of 365 square feet. This is well within the 50% maximum. The design calls for outside-accessible bathrooms, a small covered outside seating area with service windows. The seating area will be fenced with a wall and planters. The proposed new business is “Dick Mondell’s.” Any proposed outside music would fall under the City’s existing low-volume music ordinance.

Adjacent uses include Automotive Service to the west, office use to the north, multifamily to the east, and retail sales to the south. The proposed design will include the required compatibility buffer between the multifamily and the restaurant use. The buffer will include a 6-foot fence and a heavily landscaped area. The proposed use of Outside Restaurant Seating is consistent with the C-1 zoning standards and is consistent with surrounding commercial development.

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

Applicant:

Paul Grainger, 42075 Clybourne Lane, Jacksonville, said they bought the property directly from the trust and looked forward to improving the curb appeal.

A discussion ensued about the hours of operation, menu, and seating.

Public Hearing:

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

Discussion:

A discussion ensued regarding parking overflow and a vehicular barrier.

Motion: It was moved by Ms. White and seconded by Mr. Dahl to approve PC# 07-22.

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

The application was unanimously approved.

PLANNING DEPARTMENT REPORT

Mr. Popoli noted a company had been selected for the updating of the City's Land Development Code and Comprehensive Plan. The City expects to begin the process in June 2022.

Additionally, he stated a proposal was presented to the Council regarding the Adventure Landing project regarding the boardwalks in the marsh areas. He stated a future City Council workshop may be scheduled to discuss the proposal and Planning Commission members could attend.

ADJOURNMENT

There being no further business, Ms. Moehring adjourned the meeting at 7:30 P.M.

Submitted by: Callie Rayeski
Administrative Assistant

These minutes were reviewed by Planning and Development.

Approval:

Chairperson

Date



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach FL 32250

PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli, Senior Planner
DATE:	05/12/2022
SUBJECT:	May 23, 2022 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, May 23, 2022 Planning Commission Meeting.

NEW BUSINESS:

PC#08-22 Conditional Use Application

OWNER: SMV Management LLC
10150 Belle Rive Boulevard, Unit 106
Jacksonville, FL 32256

APPLICANT: Parthesh Vakil
10150 Belle Rive Boulevard, Unit 106,
Jacksonville, FL 32256

AGENT:

LOCATION: 312 North 1st Avenue
RE# 173766-0000

REQUEST: **Conditional Use Approval** for a proposed two unit multiple-family dwelling located in a Commercial, general: C-2 zoning district, pursuant to Section 34-343(d)(11) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is located on the south side of 1st Avenue North, just west of A1A, and contains a vacant non-conforming single-family dwelling constructed in 1931. The building sustained fire damage in the summer of 2020. In June of 2020 the electric meter was removed from the building, rendering the structure abandoned. Pursuant to Section 34-622 of the Land Development Code, if a nonconforming use is discontinued or abandoned for a period of more than six consecutive months, then such use may not be re-established or resumed, and any subsequent use shall conform to the provisions specified in the LDC.



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The use of single family home, is not a permitted or conditional use in the C-2 Zoning District. The previous use of single family was a legal nonconforming use.

The owner was advised that the existing nonconforming use could not be re-established, and in order to have a residential use on the property, conditional use approval would be required, and the use would have to be multiple-family. Based on the small lot size, the density and LDC requirements would limit the project to two dwelling units. Given the overall width of the lot, at 25 feet, and the proposed design, a variance would need to be approved as well to address the potential deficiencies in meeting the code dimensional standards.

Adjacent uses include commercial to the east, commercial and multiple-family residential to the north, a mix of single family residential and commercial uses to the west, and a bank / financial institution to the south. Considering the mix of uses in the immediate vicinity, and the fact that the nonconforming single-family use cannot be re-established, the proposed use of a two-unit multiple-family dwelling is not inconsistent with the surrounding uses and should not negatively impact adjacent uses, though the most immediate use to the west is a similar legal nonconforming single family use that is still active and therefore retains its nonconforming status until such time as it is discontinued.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#8-22**

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. 8-22
AS/400# 22-100050
HEARING DATE 5-23-22

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: SMV Management LLC
Mailing Address: 10150 Belle Rive Blvd, Unit 106
Jacksonville FL 32256

Telephone: (904) 859-0169
Fax: _____
E-Mail: _____

Applicant Name: Parthesh Vakil
Mailing Address: 10150 Belle Rive Blvd Unit 106
Jacksonville, FL 32256

Telephone: (904) 859-0169
Fax: _____
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: PLANNING & DEVELOPMENT

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: 312 1st Ave N, Jacksonville Beach, FL 32250

Legal Description of property (attach copy of deed): 173766-0000

Current Zoning Classification: C2 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: Sec. 34-343

Describe the proposed conditional use and the reason for the request:
Existing single family bldg was fire damaged and current use has expired, We applying for duplex
(multi family) because its next least intensive use

Applicant Signature:  Date: 3/28/22

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.



22-100850

[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
SMV MANAGEMENT LLC

Filing Information

Document Number	L12000071278
FEI/EIN Number	45-5379975
Date Filed	05/29/2012
Effective Date	05/28/2012
State	FL
Status	ACTIVE

Principal Address

10150 BELLE RIVE BLVD, UNIT 106
JACKSONVILLE, FL 32256

Changed: 02/13/2020

Mailing Address

10150 Belle Rive Blvd
Unit 106
Jacksonville, FL 32256

Changed: 04/06/2019

Registered Agent Name & Address

VAKIL, PARTHESH M
10150 BELLE RIVE BLVD, UNIT 106
JACKSONVILLE, FL 32256

Address Changed: 02/13/2020

Authorized Person(s) Detail

Name & Address

Title MGR

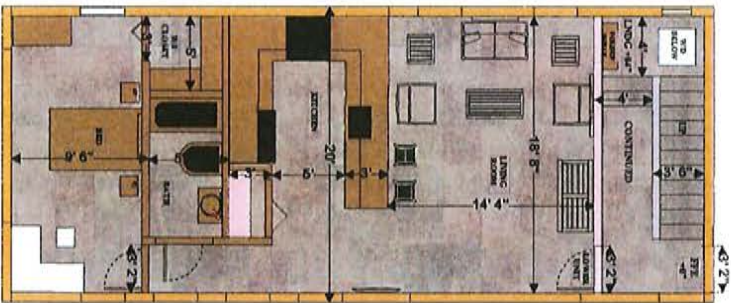
VAKIL, PARTHESH M
10150 BELLE RIVE BLVD, UNIT 106
JACKSONVILLE, FL 32256

Annual Reports

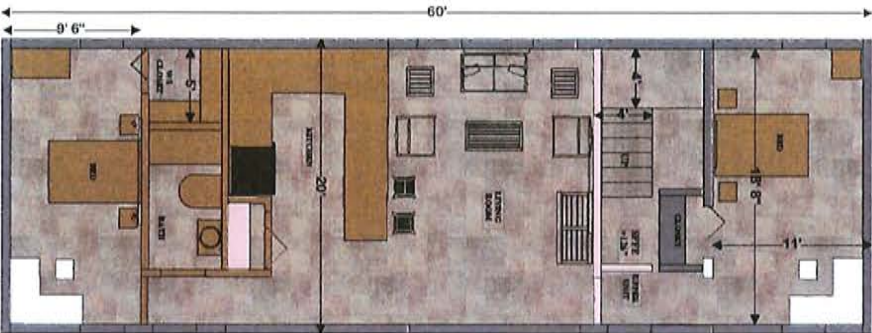
RECEIVED
22-100050

MAR 28 2022

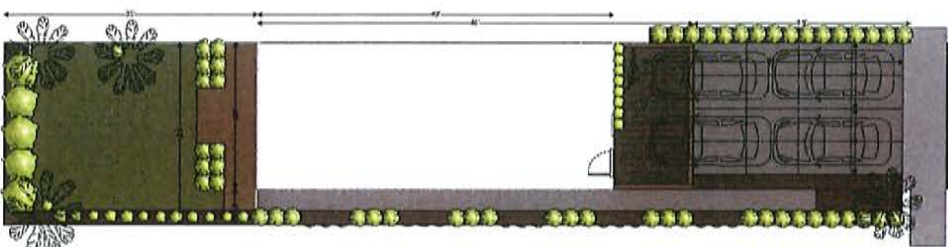
PLANNING & DEVELOPMENT



20' x 49' Lower Unit
1BR/1B



20' x 60' Upper Unit
2BR/1B



SITE PLAN
312 1st AVENUE

Conc Walk

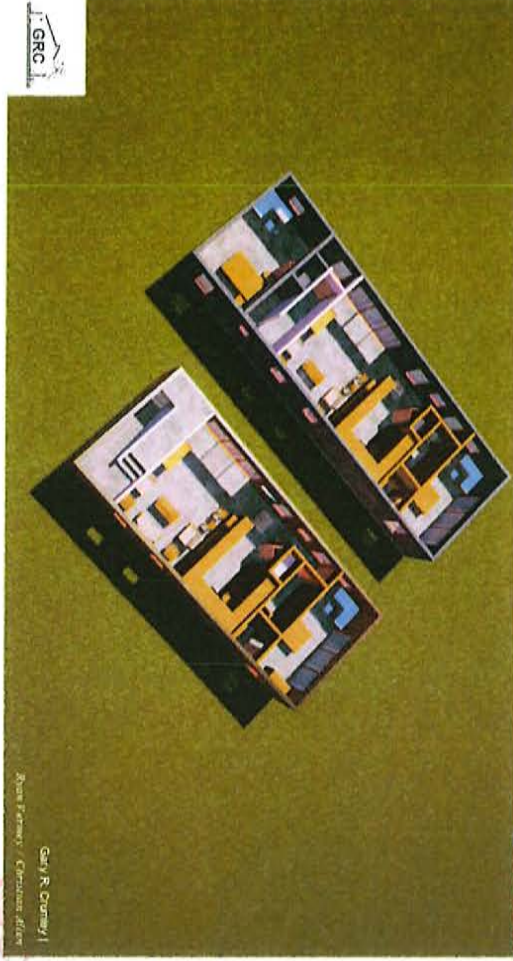
18'x36' Driveway
4 Car Parking

20' x 60' Upper Unit
2BR/1B
20' x 49' Lower Unit
1BR/1B

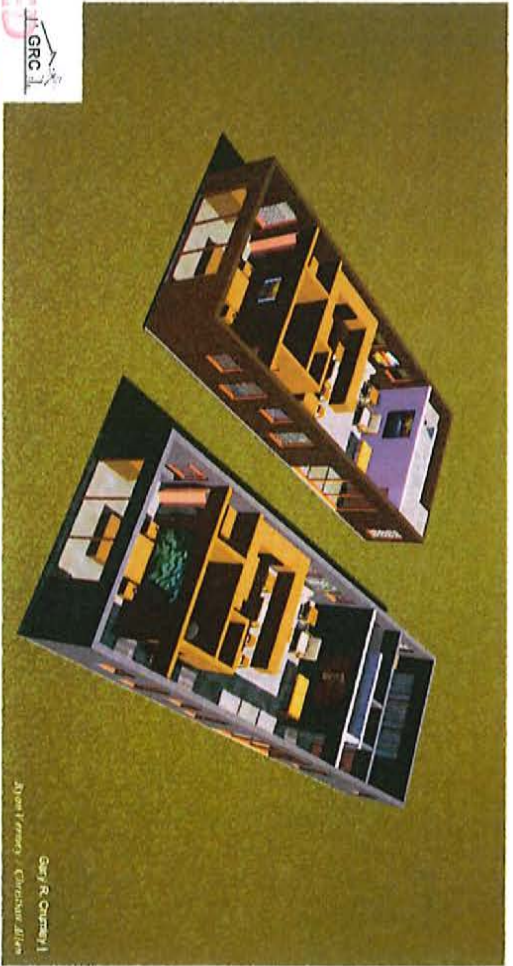
3,125 sf Lot
25' Wide x 125' Lot
30' Front Yard
35' Rear Yard
5' Side Yard

Impervious Area 1,728sf
648 Driveway
100 Walk
980 Building
55% coverage
Pervious Area 1,397sf

Christian Allen Owner
Ryan Verney Architect
Gary R. Crumley LA



Gary R. Conway |
Ryan Petersen / Christiane Allen

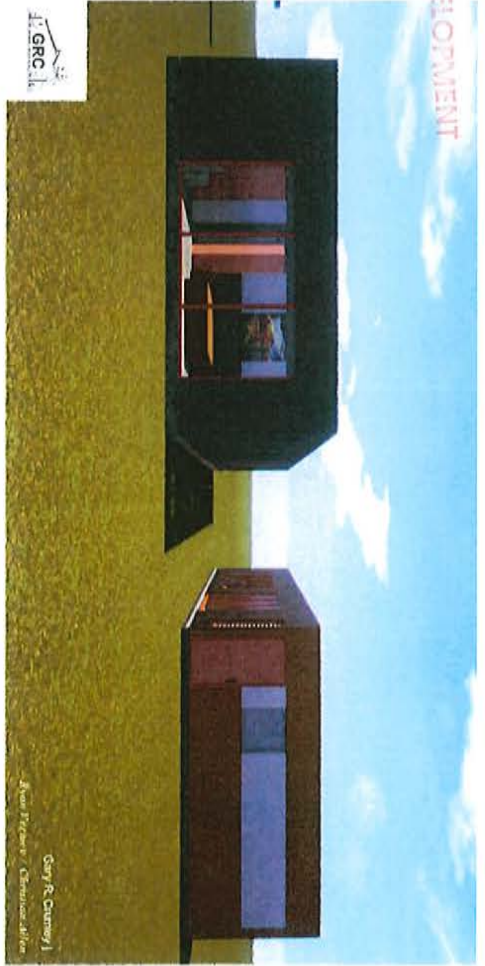


Gary R. Conway |
Ryan Petersen / Christiane Allen

22-160050
MAR 28 2022



Gary R. Conway |
Ryan Petersen / Christiane Allen



Gary R. Conway |
Ryan Petersen / Christiane Allen

PLANNING & DEVELOPMENT

Renderings
312 1st Ave N



Gary R. Cunley |
Ryan Perry / Christian Allen



Gary R. Cunley |
Ryan Perry / Christian Allen

RECEIVED
22-100056
MAR 28 2022

PLANNING & DEVELOPMENT

Renderings
312 1st Ave N

MAP SHOWING BOUNDARY SURVEY OF

LOT 2, BLOCK 14, ATLANTIC PARK, AS RECORDED IN PLAT BOOK 9,
PAGE 15, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

CERTIFIED TO:
CHRISTIAN ALLEN
RICHARD T. MOREHEAD TITLE & ESCROW, INC.
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

RECEIVED

22-100050

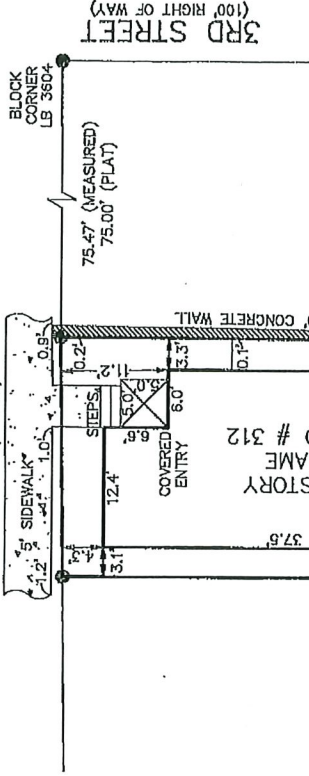
MAR 28 2022

PLANNING & DEVELOPMENT

1ST AVENUE NORTH
(FORMERLY KNOWN AS DICKERSON AVENUE PER PLAT)
(80' RIGHT OF WAY)

N 79°16'34" E
24.78' (MEASURED)

25.00' (PLAT)



125.00' (PLAT)
125.01' (MEASURED)

125.09' (MEASURED)
125.00' (PLAT)

N 09°49'03" W

S 09°41'16" E

S 79°26'56" W
24.50' (MEASURED)
25.00' (PLAT)

LOT 10
BLOCK 14

CURVATURE
CURVATURE

LOT 11
BLOCK 14

LEGEND:

- = SET 1/2" REBAR
STAMPED PS#6146
● = FOUND 1/2" IRON PIPE
NO IDENTIFICATION
(UNLESS OTHERWISE NOTED)
■ = 4"x4" CONCRETE MONUMENT
A/C = AIR CONDITIONER
X = FENCE
PC = POINT OF CURVATURE
PT = POINT OF TANGENCY
PRC = POINT OF REVERSE
FCC = POINT OF COMPOUND
CONCRETE

Ray Thompson
SURVEYING, Inc.
Going the DISTANCE for You!
1825 University Boulevard West
Jacksonville, Florida 32217
(Phone) 904-448-5125
(Fax) 904-448-5178

Richard W. Morehead
Title and Escrow, Inc.
444 THIRD STREET
NEPTUNE BEACH, FLORIDA, 32266
(904)-247-5147 ~ FAX (904)-247-6087

REVISIONS

DATE	DESCRIPTION
02-11-20	UPDATE

JOB # 40350-A

DATE OF FIELD SURVEY: 09-02-20

SCALE: 1" = 20'

NOTES:

- BEARINGS ARE BASED ON THE ASSUMED BEARING OF N 09°49'03" W ALONG THE WESTERLY BOUNDARY LINE OF SUBJECT PARCEL.
- BY GRAPHIC PLOTTING ONLY THE CAPTIONED LANDS LIE WITHIN FLOOD ZONE AS SHOWN ON THE NATIONAL FLOOD INSURANCE MAP.
- THIS SURVEY REFLECTS ALL EASEMENTS & RIGHTS OF WAY AS PER RECORDED PLAT &/OR TITLE COMMITMENT OR OTHER DOCUMENTS PROVIDED BY CLIENT. IF SUPPLIED, UNLESS OTHERWISE STATED, NO OTHER TITLE VERIFICATION HAS BEEN PERFORMED BY THE UNDERSIGNED.
- THIS SURVEY IS NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL

CERTIFICATE

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 54-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.01, FLORIDA STATUTES.

Ray Thompson
RAYMOND THOMPSON
REGISTERED SURVEYOR AND MAPPER
LICENSE # 6146 STATE OF FLORIDA
LICENSE # 7459

Richard W. Morehead
RICHARD W. MOREHEAD
REGISTERED SURVEYOR AND MAPPER
LICENSE # 6146 STATE OF FLORIDA
LICENSE # 7459

LAND SURVEYS

O

CONSTRUCTION SURVEYS

O

SUBDIVISIONS