

**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.

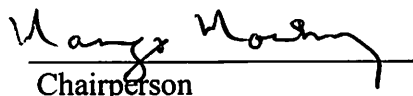
ADJOURNMENT

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

5/23/22
Date