

**Minutes of Planning Commission Meeting
held Monday, July 25, 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 Vice-Chair Colleen White.

ROLL CALL

Chair: Margo Moehring (absent)
Vice-Chair: Colleen White
Board Members: David Dahl (absent) Greg Sutton Justin Lerman
Alternates: Emily Stouffer Nicholas Andrews

Senior Planner Christian Popoli and Administrative Assistant Callie Rayeski were also present.

APPROVAL OF MINUTES:

The following minutes were passed unanimously by a voice vote:

- June 13, 2022
- June 27, 2022

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS:

Ms. White noted PC# 15-22 would be the third case.

(B) PC# 16-22 Conditional Use Application
Owner: Neligan Land Trust No 5
137 Oak Street
St Augustine, FL 32084

**Applicant/
Agent:** Full Armor Tactical
C/O Chris Messinese
P.O. Box 50886
Jacksonville Beach, FL 32240

Location: 910 11th Avenue South

Conditional Use Application for firearms manufacturing and retail sales located in the Industrial: I-1 zoning district, pursuant to Section 34-346(d)12 of the Jacksonville Beach Land Development Code.

Staff Report:

Mr. Popoli summarized the following report for the record:

The applicant is applying for a firearms training and retail sales facility located in the Industrial zoning district, in an existing structure currently used in part, as an office for a building trades contractor. No on-site live firearm discharge will take place; the facility is strictly for classroom-style training and limited firearm transfer and sale.

The proposed location is located in the middle of the block, on the south side of 11th Avenue South, between 9th Street South and 10th Street South. The site is a former residential structure converted to commercial sometime in the past prior to 2007. The area is predominantly for industrial and commercial uses, with warehouse space, telecommunication facilities, and offices. The subject site has paved parking in front of the structure.

Adjacent uses include a large telecommunications switching facility to the west, an electrical contracting facility to the east, warehouse and contractor storage to the south, and commercial office and contractor facilities to the north across 11th Avenue South. The proposed retail sales of firearms should not negatively impact adjacent properties and is consistent with previous uses.

Ex-Parte Communication: None

Applicant:

Chris Messinese, 2218 Fairway Villas Drive, Atlantic Beach, confirmed they were assembling firearms but not fabricating firearms.

Public Hearing:

The following spoke in support of the application:

- Dave Dick, 922 9th Street South, Jacksonville Beach.

Ms. White closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Sutton and seconded by Mr. Andrews to approve PC# 16-22.

Roll Call Vote: Ayes – Greg Sutton, Justin Lerman, Emily Stouffer, Nicholas Andrews, and Colleen White.

The application was unanimously approved.

(C) **PC# 17-22** Conditional Use Application
Owner: Edward Ashurian
1434 Hendricks Avenues, Suite #1
Jacksonville, FL 32207

Applicant: Hospitality Leaders dba World of Beer
C/O Jason Frimmel
9171 Old Chemonie Road
Tallahassee, FL 32309

Location: 1198 Beach Boulevard, Unit 1

Conditional Use Application 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 applicant is a new restaurant to be located in a tenant space of an existing commercial center fronting on Beach Boulevard. The site has an outdoor rooftop terrace of roughly 1,500 square feet, and the applicant is requesting to use it for outside restaurant seating.

The proposed location is on the eastern end of the stand-alone structure located in front of the Beach Plaza commercial center. The new restaurant will be building out the tenant space of what is currently a commercial shell. The new buildout will include rooftop access via stairs and a new elevator. The plaza currently has several restaurants and a microbrewery. There is currently outside seating attached to the Minibar donut shop, Gusto Italian restaurant, Southern Swells microbrewery, Tropical Smoothie, Whit's Custard, and Firehouse Subs. The applicant will be revising the parking and landscaping adjacent to the structure to add additional parking to accommodate the increase in square footage for the outside seating.

The adjacent property uses include a large commercial plaza with a diverse mix of uses to the south, commercial mixed-use structure to the west, automotive repair and service to the east, and office and restaurant space to the north, across Beach Boulevard. The proposed outside seating area should not negatively impact adjacent properties and is consistent with previous uses.

Ex-Parte Communication: None

Applicant:

Gregory Le Counte, 1432-1 Hendricks Avenue, Jacksonville, noted he was representing the owner. He reviewed the project.

Jason Frimmel, 9823 Tapestry Park Circle, #108, Jacksonville, confirmed the ownership was different than the prior franchise owner.

Mr. Popoli reviewed the project parking but noted the final design was not yet approved.

Public Hearing:

No one came forward to speak on the item. Ms. White closed the public hearing.

Discussion: None

Motion: It was moved by Mr. Lerman and seconded by Mr. Sutton to approve PC# 17-22.

Roll Call Vote: Ayes – Justin Lerman, Greg Sutton, Emily Stouffer, Nicholas Andrews, and Colleen White

The application was unanimously approved.

(A) **PC# 15-22** **Redevelopment District: RD Rezoning Application for The Gallery at Jacksonville Beach Project**

Owner/

Applicant: Jax Beach AF LLC
177 4th Avenue North
Jacksonville Beach, FL 32250

Agent: Driver, McAfee, Hawthorn & Diebenow, PLLC
One Independent Drive, Suite 1200
Jacksonville, FL 32202

Location: 177 4th Avenue North

Redevelopment District: RD Rezoning Application to change 1.15 acres of property from Central Business District: CBD Zoning to Redevelopment District: RD Zoning for "The Gallery at Jacksonville Beach Project."

Staff Report:

Mr. Popoli summarized the following report for the record:

The property that is the subject of "The Gallery at Jacksonville Beach" rezoning application is located on the downtown block that is bounded by First Street North, Second Street North, Fourth Avenue North, and Fifth Avenue North and consists of approximately 1.15 acres of contiguous property. The property, which consists of six parcels with unique real estate numbers under common ownership, currently contains the former Johnson Gallery that has been converted to office space, a new restaurant (O-Ku Sushi) with on-site parking across from the pier parking lot, and vacant commercial property. Other uses on the block include an existing drinking establishment, a restaurant/bar, and a mixed-use parcel with offices and residential. Adjacent uses include a bar, multiple-family residential, public parking, and offices.

The applicant is proposing to continue to develop the subject property in phases with a mix of commercial uses in order to further the objectives of the Jacksonville Beach Redevelopment Plan, as outlined in the application, and in accordance with the proposed Redevelopment District: RD zoning. The project contemplates a mix of restaurant, office, and commercial retail uses, developed in phases, with Phase 1 being complete (existing office and restaurant). Proposed permitted commercial uses are listed on page 8 of the project narrative and include the majority of the same uses currently permitted in the CBD zoning district. The applicant has also provided a list of conditional uses that would be permitted in the RD zoning district with approval from the Planning Commission.

Parking is currently provided for in Phase 1 on-site. Parking for Phase 2 would also be provided on-site, as is detailed in the application materials. Parking for Phases 3 and 4 would be provided through a combination of on-site parking, payment-in-lieu-of, share parking agreements, and off-site parking as permitted by the Land Development Code (LDC).

All rezoning applications are to be reviewed and considered by the City Council, the Planning Commission, and Community Redevelopment Agency (CRA), who will each provide a recommendation to the City Council. For rezoning applications that change the designation of a property to Redevelopment District: RD zoning, the CRA shall also consider the application and provide a recommendation to the City Council. The Jacksonville Beach LDC provides standards applicable to all rezoning applications that shall be applied by both the Planning Commission and the City Council in consideration of applications. These standards are as follows:

LCD Section 34-211(c)

1. Whether the proposed amendment is consistent with the Comprehensive Plan;
2. Whether the proposed amendment is in conflict with any portion of the LDC;
3. Whether and the extent to which the proposed amendment is consistent with the existing and proposed land uses;
4. Whether and the extent to which there are any changed conditions that require an amendment;
5. Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether and the extent to which the proposed amendment would exceed the level of service standards established for public facilities in the comprehensive plan;
6. Whether and the extent to which zoning district boundaries are not properly drawn on the official zoning atlas;
7. Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, stormwater management, wildlife, wetlands, and the natural functioning of the coastal environment;
8. Whether and the extent to which the proposed amendment would adversely affect the property values in the area;
9. Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern; and
10. Whether it is impossible to find other lands in the city for the proposed use in a zoning district that permits such use as of right.

Staff has reviewed the applicant's request and finds that the application is consistent with the adopted Comprehensive Plan and does not conflict with the LDC. Staff also finds that the proposed zoning amendment is consistent with the existing land uses in the immediate vicinity and the downtown area. The zoning amendment is required since the proposed project exceeds 50,000 square feet of commercial space at full buildout.

Pursuant to Section 34-347, "the RD zoning district classification is designed to achieve a diversity of uses in a desirable environment through the application of flexible land development standards and to foster creative design and planning practices in the Jacksonville Beach Downtown Redevelopment Area in order to encourage economic vitality and redevelopment pursuant to the objectives of the Jacksonville Beach Community Redevelopment Plan."

The application provides on pages 4 - 6 of the project narrative how the proposed mixed-use project is consistent with the Jacksonville Beach Community Redevelopment Plan for downtown. Staff agrees with the applicant's assessment that the proposed redevelopment project is consistent with the general, economic,

and land use objectives provided for in the application. More specifically, the proposed project is consistent with the objectives of the redevelopment plan because it eliminates blighted conditions, provides for additional commercial area in the downtown core, increases the area's tax base, provides a compact mix of uses in the city's core, provides for moderate building height, and would provide a high-quality new development.

The proposed project contemplates a total of approximately 40,000 square feet of restaurant space, 40,000 square feet of office space, and 25,000 square feet of commercial retail space that includes existing structures and businesses. The project will have a maximum building height of 35 feet in compliance with the City Charter and LDC.

The staff's analysis of this project is that it is consistent with the adopted Comprehensive Plan, the current LDC, and the adopted Jacksonville Beach Community Redevelopment plan for downtown. The proposed project serves to provide a creative and phased development of existing commercial buildings and vacant commercial property in the heart of the Downtown CRA District and on the northern edge of the Central Business District. The proposed mix of commercial uses will serve to support existing and future residential and hotel developments in the downtown area and the City at large and reimagine long-vacant property in the downtown.

Ex-Parte Communication: None

Agent:

Steven Diebenow, One Independent Drive, Suite 1200, Jacksonville, addressed questions about the parking. He briefly summarized all phases of the project.

A discussion ensued about the project concept, zoning, parking variance, and conditional and permitted uses.

Public Hearing:

The following spoke in opposition to the application:

- Robert Ganzelli, 525 3rd Street North, Jacksonville Beach

Ms. White closed the public hearing.

Discussion:

A discussion continued about conditional and permitted uses.

Joe Cronk of Cronk & Duch Architecture (architect on the project), 1036 San Marco Boulevard, Jacksonville Beach, spoke on the activation of the northwest corner of the project. He expressed concern about any design limitation on the western edge.

A discussion ensued about the western side of the project and conditional language.

Motion:

It was moved by Mr. Sutton and seconded by Mr. Lerman to approve PC# 15-22, with the conditional use that in Phase 3 and/or 4, as it relates to the bar and restaurant development, any primary ingress or egress orientation and outdoor seating, will be

orientated to the north, south, or east, and any variation to that would require conditional use approval.

Roll Call Vote: Ayes – Greg Sutton, Justin Lerman, Emily Stouffer, Nicholas Andrews, and Colleen White

The application was unanimously approved.

PLANNING DEPARTMENT REPORT

The next scheduled meeting is Monday, August 22, 2022.

ADJOURNMENT

There being no further business, Ms. White adjourned the meeting at 8:15 P.M.

Submitted by: Callie Rayeski
Administrative Assistant

These minutes were reviewed by Planning and Development.

Approval:

Margo Hooley
Chairperson

August 22, 2022
Date