



City of Jacksonville Beach

Agenda

11 North Third Street
Jacksonville Beach, Florida

Planning Commission

Monday, September 11, 2023

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, Justin Lerman, Nicholas Andrews
Alternates: Justin Henderson, Debbie Cole

APPROVAL OF MINUTES

A. Planning Commission meeting held on July 24, 2023

CORRESPONDENCE

DISCLOSURE OF EX-PARTE COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

A. **PC# 13-23**
ADDRESS: 3082 3rd Street South
OWNER: Jeanell Wilson
APPLICANT: Laura Gamel & Medley Baumgartner

SUMMARY OF APPLICATION: **Conditional Use Application** for a new two chair hair salon for a property located in the Commercial Professional Office: CPO zoning district, pursuant to Section 34-346(d)(2) of the Jacksonville Beach Land Development Code. The property is located at 3082 3rd Street South RE#180546-0000, legally described as Lot 1 and the South 25 feet of Lot 2, Block 11 *Atlantic Shores Unit 1*

B. **PC# 14-23**
ADDRESS: 500 3rd Street North
OWNER: Lubis, Inc.
APPLICANT: Soberano Restaurant Group III, LLC - Robert Richardson

SUMMARY OF APPLICATION: **Conditional Use Application** for a new restaurant with 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. The property is located at 500 3rd Street North, (Formerly Pita Pit) RE#174106-0000, legally described as Lots 7 and 8, Block 54, *Pablo Beach North*

PLANNING DEPARTMENT REPORT

A. There are no cases scheduled for the next meeting on Monday, September 25, 2023.

ADJOURNMENT

NOTICE

In accordance with Section 286.0114, Florida Statutes, any member of the public can attend a 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, July 24, 2023, 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 7:01 P.M. by Chair Margo Moehring.

ROLL CALL:

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

Director of Planning and Development Heather Ireland, Senior Planner Christian Popoli, City Attorney Sandra Robinson, and Administrative Assistant Lauren Loria were also present.

APPROVAL OF MINUTES:

It was moved by Mr. Lerman, seconded by Mr. Dahl, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on June 26, 2023

CORRESPONDENCE: None

DISCLOSURE - EX PARTE COMMUNICATION:

No Board Member had ex-parte communication.

OLD BUSINESS: None

NEW BUSINESS:

(A)	PC# 12-23	Land Development Code Text Amendment
Owner:	N/A	
Applicant:	City of Jacksonville Beach Planning and Development Department	
Agent:	Heather Ireland, Director	
Location:	N/A	

Land Development Code Text Amendment Approval to amend Chapter 34 - Land Development Code, Article VIII - Site Development Standards, Division 2 - Supplemental Standards, Section 34-393 - Alcoholic Beverage Establishments to maintain consistency with Florida Statutes and 2023 House Bill 1561 and House Bill 639.

Staff Report:

Senior Planner Christian Popoli summarized the following report for the record:

House Bill (HB) 1561, presented during the 2023 legislative session and signed by the Florida Governor on June 20, 2023, establishes an exception to the space and seating requirements for

special restaurant licenses in the Downtown Incentive Zone (DIZ) in order to encourage development and redevelopment in the downtown district. The DIZ is a special zone bounded by Third Street, the Atlantic Ocean, Sixth Avenue North, and Second Avenue South as established by the City Council via Resolution 2121-2022.

Pursuant to HB 1561, within the DIZ, the Florida Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation may issue a special alcoholic beverage license (4COP SFS) to any public food service establishment that is equipped to serve 50 or more persons at one time and occupying not less than 1,200 square feet of service area, which derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages.

HB 639, also presented during the 2023 legislative session with an effective date of July 1, 2023, amends Florida Statutes Section 561.20 to allow the issuance of special alcoholic beverage licenses to bona-fide restaurants that have a minimum of 2,000 square feet of service area (decreased from 2,500 square feet), is equipped to serve meals to 120 (decreased from 150) persons at one time, has at least 120 physical seats available for patrons to use during operating hours, holds itself out as a restaurant, and derives at least 51 percent of its gross revenue from the sale of food and non-alcoholic beverages.

The adoption of these 2023 House Bills requires the City to amend Chapter 4 of the City's Code of Ordinances to be in compliance, by decreasing the space and seating requirements city-wide and in the Downtown Incentive Zone. Additionally, the adoption of these House Bills requires the City to amend Section 34-393 of the Land Development Code to maintain consistency with Florida Statutes and the changes to Chapter 4 of the City's Code of Ordinances. Proposed changes to the Land Development Code include updating the 150 seats to 120 seats pursuant to the Florida Statute and adding an exemption to the 500 ft proximity rule to schools, churches, and bars in the Downtown Incentive Zone only for bona-fide restaurants with 50 or more seats.

The proposed amendments to Section 34-393 provided in the attached ordinance have been prepared for the Planning Commission's consideration for recommendation to the City Council. The proposed changes to Chapter 4 are also provided for reference, although no action is required from the Planning Commission on the changes.

Agent:

Director of Planning and Development Heather Ireland provided background on the item.

A discussion ensued about restaurants near schools, state-wide seating requirements vs. the seating requirements in the Central Business District (CBD), and alcohol license regulation.

Public Hearing:

No one came forward to speak. Chair Moehring closed the public hearing.

Discussion: None

Motion:

It was moved by Mr. Lerman, seconded by Ms. White, to recommend approval of #PC 12-23.

Roll Call Vote:

Ayes – David Dahl, Nicholas Andrews, Colleen White, Justin Lerman, and Margo Moehring.

The application was unanimously approved.

PLANNING DEPARTMENT REPORT:

The August 14th and 28th, 2023, Planning Commission meetings will be canceled for lack of business items.

Motion: It was moved by Mr. Dahl, seconded by Ms. White, to cancel the August 14th and August 28th, 2023 meetings.

In a voice vote, the motion passed unanimously.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:14 P.M.

Submitted by: Lauren Loria
Administrative Assistant

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Christian Popoli: Senior Planner
DATE:	08/24/2023
SUBJECT:	September 11, 2023 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, September 11, 2023 Planning Commission Meeting.

NEW BUSINESS:

PC#13-23: Conditional Use Application

OWNER: Jeanell Wilson
3090 3rd Street South,
Jacksonville Beach, FL 32250

APPLICANT: Laura Gamel & Medley Baumgartner
1302 18th Avenue North,
Jacksonville Beach, FL 32250

AGENT: Alexis Gamel
1302 18th Avenue North,
Jacksonville Beach, FL 32250

LOCATION: 3082 3rd Street South
RE# 180546-0000

REQUEST: **Conditional Use Application** for a new two chair hair salon for a property located in the Commercial Professional Office: CPO zoning district, pursuant to Section 34-346(d)(2) of the Jacksonville Beach Land Development Code

COMMENTS: The subject property is located in the CPO zoning district. The site consists of an existing mixed-use office and commercial structure with several rentable units. The site received a variance in 1988 for parking and landscaping reduction in conjunction with a substantial remodel of the existing structure. In a majority of the commercial zoning districts, personal service is an allowable use without conditional use approval needed. In the CPO zoning district, a conditional use is required for a hair salon. The applicant is proposing a 2 chair hair salon, which is a low intensity use for the CPO district. as part of an existing shopping center, there are no planned external changes. However, internal renovations may be needed. The proposed use will not exceed the minimum parking standard for the existing shopping center.



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

Surrounding uses include a second mixed use commercial structure to the north, owned by the same land owner, a multifamily property to the west, office use located to the south, across 32nd Avenue South, and a single family home, located to the east, across 3rd Street South. Approval of the proposed conditional use for a 2 chair hair salon will not negatively affect the surrounding property or be out of character with the surrounding uses.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#13-23**

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

JUL 31 2023

PC No. 13-23
AS/400# 23-101086
HEARING DATE 9/11/23

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: Jeanell Wilson
Mailing Address: _____
3090 3rd Street South, Jacksonville Beach, FL 32250

Telephone: 904.241.4141
Fax: _____
E-Mail: jeanell@allsouthrealty.com

Applicant Name: Laura Gamel & Medley Baumgartner
Mailing Address: 1302 18th Avenue North
Jacksonville Beach, FL 32250

Telephone: 904.993.2053
Fax: _____
E-Mail: Alexis.gamel@evusa.com

NOTE: Written authorization from the property owner is required if the applicant is not the owner.

Agent Name: Alexis Gamel
Mailing Address: 1302 18th Avenue North
Jacksonville Beach, FL 32250

Telephone: 904.993.2053
Fax: _____
E-Mail: Alexis.gamel@evusa.com

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: 3082 3rd Street South, Jacksonville Beach, FL 32250

RE# 180546-0000

Legal Description of property (attach copy of deed): _____
14-39 09-3S-29E ATLANTIC SHORES UNIT 1 R/P LOT 1, S 25FT LOT 2 (EX PT IN ST RD R/W) BLK 11

Current Zoning Classification: JCPO

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.

Sec. 34-221 et. seq.

d. Conditional uses (2) Personal service establishments as follows: beauty & barber shops, funeral services & miscellaneous personal services.

Code section(s) applicable to the requested conditional use: _____

Describe the proposed conditional use and the reason for the request: Applicants would like to rent the space & operate a 2 station salon at the above referenced address.

Applicant Signature: 

Date: 7/31/23

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.

WILSON JEANELL
3090 S 3RD ST
JACKSONVILLE BEACH, FL 32250

Primary Site Address
3090 S 3RD ST
Jacksonville Beach FL 32250

Official Record Book/Page
03281-00766

Title #
9509

3090 S 3RD ST
Property Detail

RE #	180546-0000
Tax District	USD2
Property Use	1700 Office 1-2 Story
# of Buildings	1
Legal Desc.	For full legal description see Land & Legal section below
Subdivision	03271 ATLANTIC SHORES UNIT 1 RP
Total Area	8874

The sale of this property may result in higher property taxes. For more information go to [Save Our Homes](#) and our [Property Tax Estimator](#). 'In Progress' property values, exemptions and other supporting information on this page are part of the working tax roll and are subject to change. Certified values listed in the Value Summary are those certified in October, but may include any official changes made after certification. [Learn how the Property Appraiser's Office values property.](#)

Value Summary

Value Description	2022 Certified	2023 In Progress
Value Method	Income	Income
Total Building Value	\$0.00	\$0.00
Extra Feature Value	\$0.00	\$0.00
Land Value (Market)	\$215,250.00	\$215,250.00
Land Value (Agric.)	\$0.00	\$0.00
Just (Market) Value	\$335,400.00	\$529,100.00
Assessed Value	\$335,400.00	\$368,940.00
Cap Diff/Portability Amt	\$0.00 / \$0.00	\$160,160.00 / \$0.00
Exemptions	\$0.00	See below
Taxable Value	\$335,400.00	See below

Taxable Values and Exemptions – In Progress

If there are no exemptions applicable to a taxing authority, the Taxable Value is the same as the Assessed Value listed above in the Value Summary box.

County/Municipal Taxable Value
No applicable exemptions

SJRWMD/FIND Taxable Value
No applicable exemptions

School Taxable Value
No applicable exemptions

Sales History

Book/Page	Sale Date	Sale Price	Deed Instrument Type Code	Qualified/Unqualified	Vacant/Improved
03281-00766	10/29/1971	\$33,000.00	MS - Miscellaneous	Unqualified	Improved
03993-00055	8/11/1975	\$49,500.00	WD - Warranty Deed	Unqualified	Improved
04541-00447	12/29/1977	\$50,000.00	WD - Warranty Deed	Unqualified	Improved
05582-00386	10/27/1982	\$65,000.00	WD - Warranty Deed	Unqualified	Improved
06449-01264	12/30/1987	\$180,000.00	WD - Warranty Deed	Unqualified	Improved

Extra Features

LN	Feature Code	Feature Description	Bldg.	Length	Width	Total Units	Value
1	PVCC1	Paving Concrete	1	0	0	4,848.00	\$8,809.00

Land & Legal

Land

LN	Code	Use Description	Zoning Assessment	Front	Depth	Category	Land Units	Land Type	Land Value
1	1700	OFFICE	JCPO	0.00	0.00	Common	8,610.00	Square Footage	\$215,250.00

Legal

LN	Legal Description
1	14-39 09-3S-29E
2	ATLANTIC SHORES UNIT 1 R/P
3	LOT 1,S 25FT LOT 2(EX PT IN ST
4	RD R/W) BLK 11

Buildings

Building 1

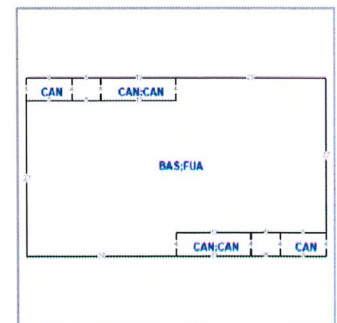
Building 1 Site Address
3090 S 3RD ST Unit
Jacksonville Beach FL 32250

Building Type	1701 - OFFICE 1-2 STY
Year Built	1959
Building Value	\$121,717.00

Type	Gross Area	Heated Area	Effective Area
Base Area	1404	1404	1404
Finished upper story 1	1404	1404	1404
Canopy	52	0	13
Canopy	52	0	13
Unfinished Storage	20	0	8
Canopy	20	0	5

Element	Code	Detail
Exterior Wall	16	16 Frame Stucco
Exterior Wall	17	17 C.B. Stucco
Roof Struct	4	4 Wood Truss
Roofing Cover	3	3 Asph/Comp Shng
Interior Wall	5	5 Drywall
Int Flooring	14	14 Carpet
Heating Fuel	4	4 Electric
Heating Type	4	4 Forced-Ducted
Air Cond	3	3 Central
Ceiling Wall Finish	6	6 NS Ceil Wall Fin
Comm Htg & AC	1	1 Not Zoned
Comm Frame	3	3 C-Masonry

Element	Code	Detail
Stories	2.000	



Canopy	32	0	8	Baths	11.000
Canopy	52	0	13	Rooms / Units	4.000
Canopy	52	0	13	Avg Story Height	9.000
Unfinished Storage	20	0	8		
Canopy	20	0	5		
Canopy	32	0	8		
Total	3160	2808	2902		

2022 Notice of Proposed Property Taxes Notice (TRIM Notice)

Taxing District	Assessed Value	Exemptions	Taxable Value	Last Year	Proposed	Rolled-back
Gen Govt Beaches	\$335,400.00	\$0.00	\$335,400.00	\$2,627.95	\$2,691.99	\$2,475.69
Public Schools: By State Law	\$335,400.00	\$0.00	\$335,400.00	\$1,147.74	\$1,085.35	\$1,050.00
By Local Board	\$335,400.00	\$0.00	\$335,400.00	\$724.76	\$753.98	\$663.05
FL Inland Navigation Dist.	\$335,400.00	\$0.00	\$335,400.00	\$10.32	\$10.73	\$9.63
Jax Beach	\$335,400.00	\$0.00	\$335,400.00	\$1,287.89	\$1,339.82	\$1,218.44
Water Mgmt Dist. SJRWMD	\$335,400.00	\$0.00	\$335,400.00	\$70.57	\$66.21	\$66.21
Urban Service Dist2	\$335,400.00	\$0.00	\$335,400.00	\$0.00	\$0.00	\$0.00
			Totals	\$5,869.23	\$5,948.08	\$5,483.02
Description	Just Value	Assessed Value	Exemptions	Taxable Value		
Last Year	\$322,400.00	\$322,400.00	\$0.00	\$322,400.00		
Current Year	\$335,400.00	\$335,400.00	\$0.00	\$335,400.00		

2022 TRIM Property Record Card (PRC)

This PRC reflects property details and values at the time of the original mailing of the Notices of Proposed Property Taxes (TRIM Notices) in August.

Property Record Card (PRC)

The PRC accessed below reflects property details and values at the time of Tax Roll Certification in October of the year listed.

2022

2021

2020

2019

2018

2017

2016

2015

2014

- To obtain a historic Property Record Card (PRC) from the Property Appraiser's Office, submit your request here: 

More Information

[Contact Us](#) | [Parcel Tax Record](#) | [GIS Map](#) | [Map this property on Google Maps](#) | [City Fees Record](#)

RECEIVED
PC 13-23

JUL 31 2023

23-100086

PLANNING & DEVELOPMENT

Thursday, July 27, 2023

RE: ³⁰⁸²~~3090~~ 3rd Street South, Jacksonville Beach, FL 32250
Parcel ID # 1805460000

I, Jeanell Wilson, owner of the real property located at:

³⁰⁸²~~3090~~ 3rd Street South, Jacksonville Beach, FL 32250
Parcel ID # 1805460000

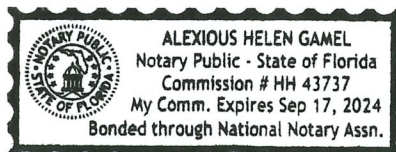
Give permission to:

Laura Gamel & Medley Baumgartner

To apply for a Conditional Use Permit for the above referenced property and to likewise discuss and execute any and all documentation required by the City of Jacksonville Beach or any other municipal entity in conjunction with said application request.

Jeanell Wilson
Jeanell Wilson
Owner

7/28/23
Date



[Signature]
7/28/23

Thursday, July 27, 2023

RE: ³⁰⁸²
~~3090~~ 3rd Street South, Jacksonville Beach, FL 32250
Parcel ID # 1805460000

RECEIVED
23-100086
JUL 31 2023
PC 13-23

We, Laura Gamel & Medley Baumgartner, Conditional Use Applicants for the Real Property located at:

³⁰⁸²
~~3090~~ 3rd Street South, Jacksonville Beach, FL 32250
Parcel ID # 1805460000

Give permission to:

Alexious Gamel

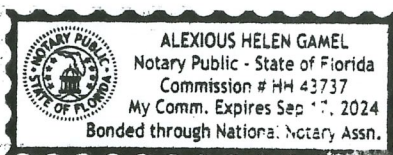
To act on our behalf as our agent in regard to the application for a Conditional Use Permit for the above referenced property and to likewise discuss and execute any and all documentation required by the City of Jacksonville Beach or any other municipal entity in conjunction with said application request.

Laura Gamel
Laura Gamel
Applicant

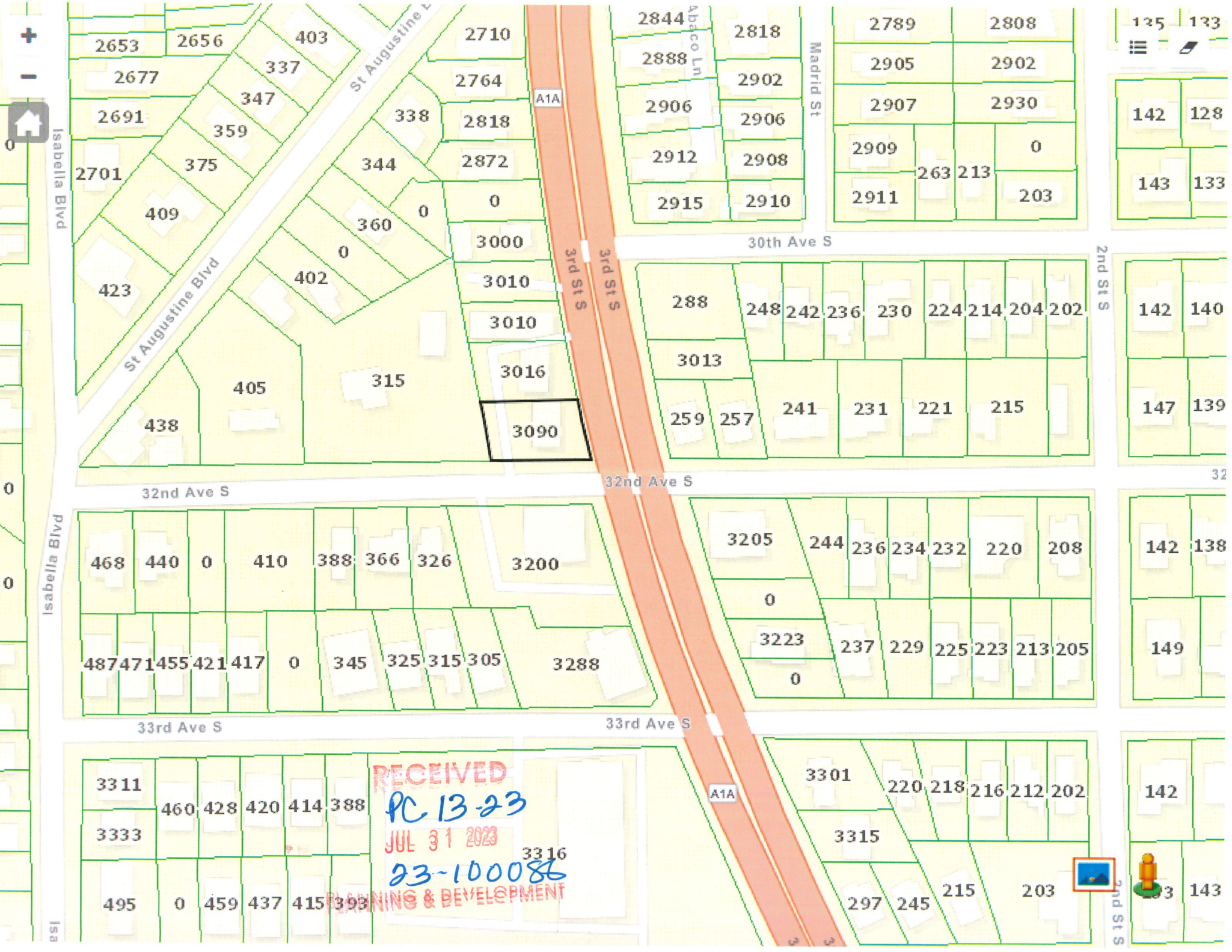
7/28/23
Date

Medley Baumgartner
Medley Baumgartner
Applicant

7/28/23
Date



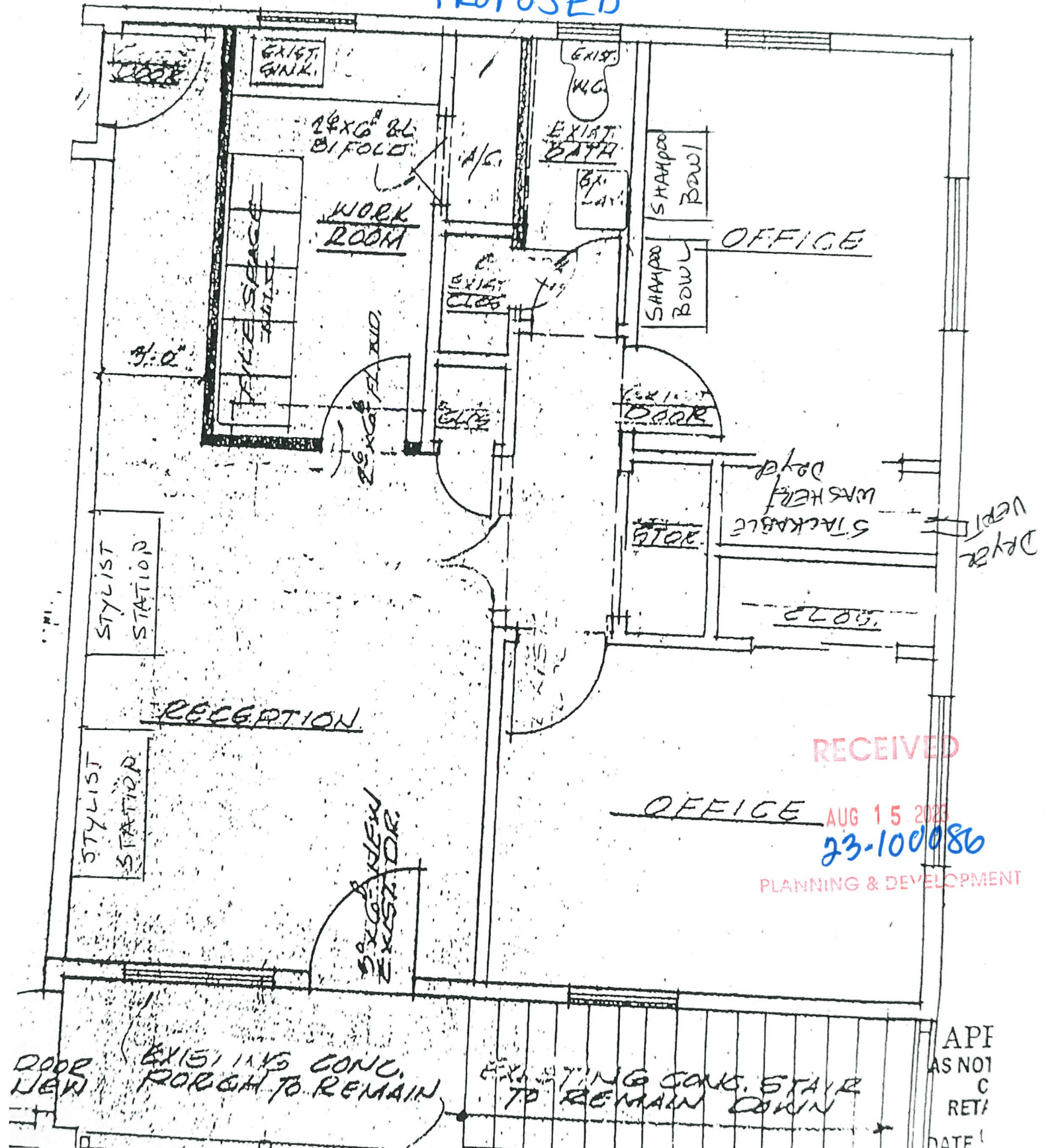
Alexious Gamel
7/28/23



RECEIVED
PC 13-23
JUL 31 2023
23-100086
PLANNING & DEVELOPMENT

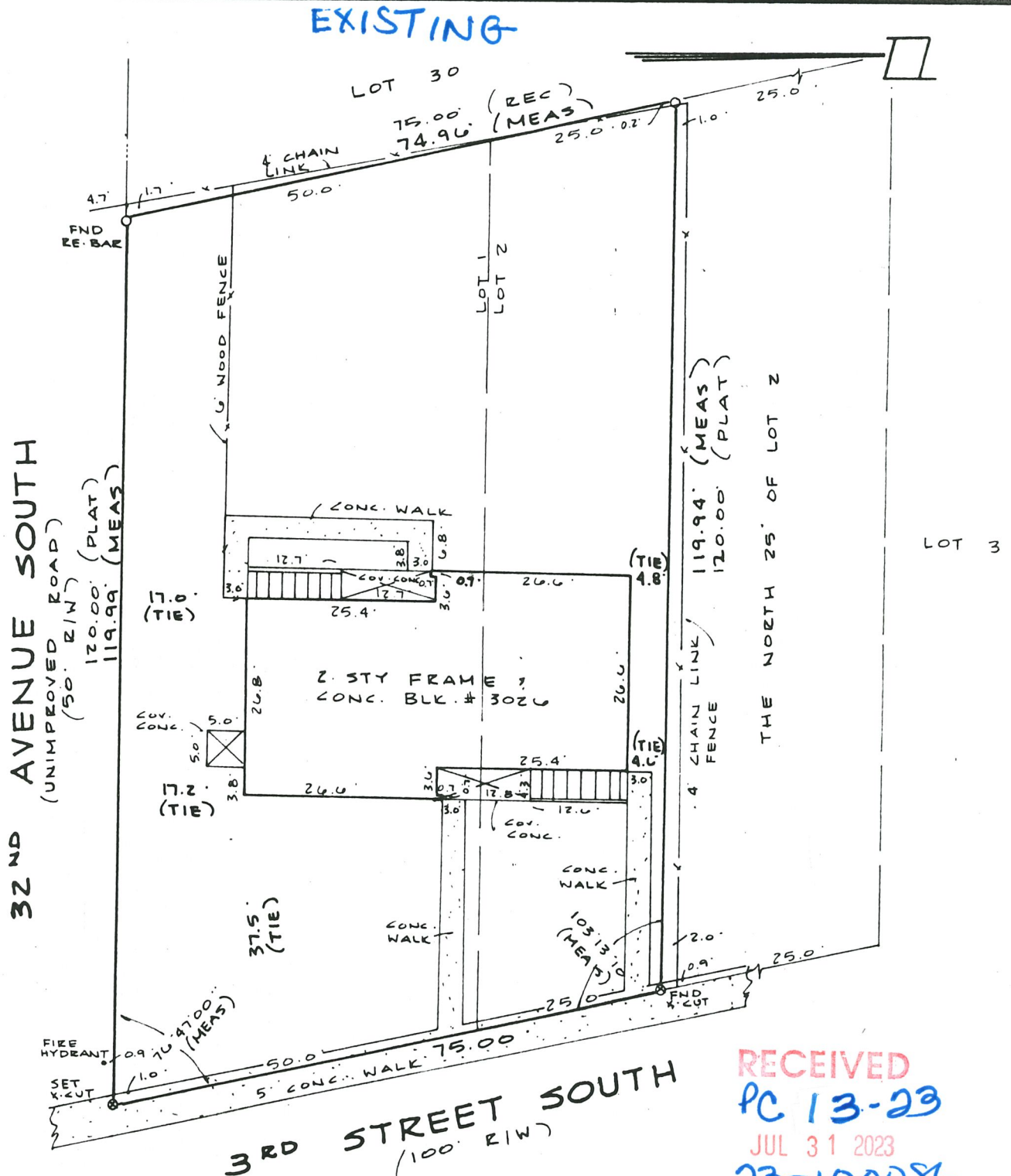
3082 S. 3rd St. Jacksonville Beach, FL

PROPOSED



MAP SHOWING SURVEY OF:

LOT 1, THE SOUTH 25' LOT 2, BLOCK 11, REPLAT UNIT No. 1, ATLANTIC SHORES
according to plat recorded in Plat Book 14, Page 39 of the current public
records of DUVAL County, Florida. Examination of Flood Hazard Boundary Map, Community
No. 120078, Panel 0002C, dated 4-18-83, indicates
that the property shown and described hereon lies within a Zone B area.



PC 13-23

23-100086

PLANNING & DEVELOPMENT



CLARK & SONS, INC.

LAND SURVEYORS-2711-2 ST. JOHNS BLUFF RD.-JACKSONVILLE, FLORIDA-(904) 641-6700



LEGEND

- LEGEND
- CONCRETE MONUMENT
 - METAL STAKE SET
 - METAL STAKE FOUND
 - ⊗ CROSSCUT
 - X— FENCE

THIS IS TO CERTIFY to TITLE INSURANCE CO. OF MINNESOTA that this map is a true representation of an actual BOUNDARY survey made under my supervision in accordance with the minimum technical standards as outlined in Chapter 21HH-6, F.A.C. pursuant to Section 472.027, F.S.; that there are no encroachments except as may be shown hereon; and that, to the best of my knowledge and belief, said survey is correct.

Basis of bearings: N/A

Signed 12-29 19 87

Note: This survey is not valid unless it is embossed with the surveyor's seal.

FL Registered Surveyor No. 1162

DATE:	JOB NO:
12-29-87	12-87-37

SCALE:	FIELD BK NO:
1:20	12:65

DRAWN BY: E.H.	CHECKED BY: J.E.
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PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Chridtian Popoli, Senior Planner
DATE:	08/24/2023
SUBJECT:	September 11, 2023 Planning Commission Staff Report

The following information is provided for your consideration for the following agenda item for the upcoming Monday, September 11, 2023 Planning Commission Meeting.

NEW BUSINESS:

PC#14-23: Conditional Use Application

OWNER: LUBIS Inc.
11633 Beach Blvd
Jacksonville, FL 32246

APPLICANT: Soberano Restaurant Group III LLC
500 3rd Street
Jacksonville Beach, FL 32250

AGENT: Robert Richardson
814 1st Street N, Apt 204
Jacksonville Beach, FL 32250

LOCATION: 500 3rd Street North
RE# 174106-0000

REQUEST: **Conditional Use Approval** for outdoor restaurant seating for a new restaurant on the site of a former restaurant located in the Commercial Limited: C-1 zoning district, pursuant to Section 34-342(d)(20) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is an existing restaurant structure previously occupied by Plta Pit, located at the southwest corner of 3rd Street North and 4th Avenue North and is within the C-1 zoning district. The site was developed as a restaurant originally and has been continuously used as restaurant use. The proposed conditional use would allow the new restaurant to utilize the existing front covered porch facing 3rd Street for outside seating. There is an existing variance for parking off street parking that was utilized in the construction of the building. The applicant is not proposing any changes to the physical site beyond the addition of tables and chairs on the front porch. The proposed outside seating conditional use would not negatively affect the surrounding area.



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

Surrounding uses include commercial / retail to the north, commercial / office use to the south, office use to the west, and office use to the east, across 3rd Street North. The proposed use of a restaurant with outside seating is consistent with the C-1 zoning standards and is consistent with the surrounding commercial development.

Based on the provided application and analysis stated in this report, The Planning and Development Department recommends **Approval of PC#14-23**

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. 14-23AS/400# 23-100087HEARING DATE 9.11.23

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.

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APPLICANT INFORMATION

Land Owner's Name: LUBIS INCMailing Address: 11633 BEACH BLVD, JACKSONVILLE, FL 32246Telephone: - 904-707-2640

Fax: _____

E-Mail: LUBISHOTSUBS@AOL.COMApplicant Name: SOBERANO RESTAURANT GROUP III LLCMailing Address: 500 3RD ST N, JACKSONVILLE BEACH, FL 32250Telephone: - 305-509-9606

Fax: _____

E-Mail: BOBBY@RELISHUSA.COM

NOTE: Written authorization from the property owner is required if the applicant is not the owner.

Agent Name: ROBERT RICHARDSONMailing Address: 814 1ST ST N, APT 204, JACKSONVILLE
BEACH, FL 32250Telephone: - 305-509-9606

Fax: _____

E-Mail: BOBBY@RELISHUSA.COM

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: 174106-0000500 3rd St. N.Legal Description of property (attach copy of deed): 5-66 33-2S-29E .286 PABLO BEACH NORTH
R/P LOTS 7,8 BLK 54Current Zoning Classification: C-1Future Land Use Map Designation: LC

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: CITY ORDINANCE 2021-8168

Describe the proposed conditional use and the reason for the request: _____

ALLOWANCE OF OUTDOOR DINING WITH BEER AND WINE CONSUMPTION ON PREMISES(2COP) ON PRE-EXISTING PATIO. PATIO IS ENCLOSED BY GUARD RAILING ON THE NORTH,EAST, AND SOUTH SIDES, WITH BUILDING ON WEST SIDEApplicant Signature: [Signature]Date: 7/24/23

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.

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PC 14.23

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To whomever it may concern,

The Tenant occupying the building at 500 3rd St N, Jacksonville Beach, FL 32250, Soberano Restaurant Group III LLC, represented by Robert Richardson, has been given permission to use the outdoor patio for the consumption of beer and wine on premises (2-COP License), by the Landlord, Lubis Inc., located at 11633 Beach Blvd, Jacksonville, FL, 32246.

Sincerely,

Nicolas Diramio, Landlord



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Detail by Entity Name

OWNER

Florida Profit Corporation
LUBI'S, INC.

Filing Information

Document Number	H93734
FEI/EIN Number	59-2617689
Date Filed	01/14/1986
State	FL
Status	ACTIVE
Last Event	CORPORATE MERGER
Event Date Filed	01/26/2009
Event Effective Date	NONE

Principal Address

11633 BEACH BLVD
JACKSONVILLE, FL 32246-6604

Changed: 04/17/1996

Mailing Address

11633 BEACH BLVD
JACKSONVILLE, FL 32246-6604

Changed: 04/17/1996

Registered Agent Name & Address

DIRAMIO, NICCOLAS F
11633 BEACH BLVD
JACKSONVILLE, FL 32246

Name Changed: 03/12/2009

Address Changed: 03/12/1998

Officer/Director Detail

Name & Address

Title PS

DIRAMIO, NICCOLAS F
1526 SEAGATE
JACKSONVILLE BEACH, FL 32250

Title VP

DiRamio , Niccolas Fred, II
1526 Seagate Ave
Jacksonville Beach, FL 32250

Annual Reports

Report Year	Filed Date
2021	07/27/2021
2022	04/06/2022
2023	04/22/2023

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Detail by Entity Name

APPLICANT.

Florida Limited Liability Company
SOBERANO RESTAURANT GROUP III LLC

Filing Information

Document Number L22000219250
FEI/EIN Number 92-1943964
Date Filed 05/10/2022
Effective Date 05/09/2022
State FL
Status ACTIVE

Principal Address

500 3RD ST N
JACKSONVILLE BEACH, FL 32250

Changed: 01/25/2023

Mailing Address

500 3RD ST N
JACKSONVILLE BEACH, FL 32250

Changed: 01/25/2023

Registered Agent Name & Address

RICHARDSON, ROBERT
500 3RD ST N
JACKSONVILLE BEACH, FL 32250

Address Changed: 01/25/2023

Authorized Person(s) Detail

Name & Address

Title AMBR

RICHARDSON, ROBERT
500 3RD ST N
JACKSONVILLE BEACH, FL 32250

Title AMBR

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RICHARDSON, THOMAS
500 3RD ST N
JACKSONVILLE BEACH, FL 32250

Title AMBR

MCBRIDE, VALERIE
500 3RD ST N
JACKSONVILLE BEACH, FL 32250

Annual Reports

Report Year	Filed Date
2023	01/25/2023

Document Images

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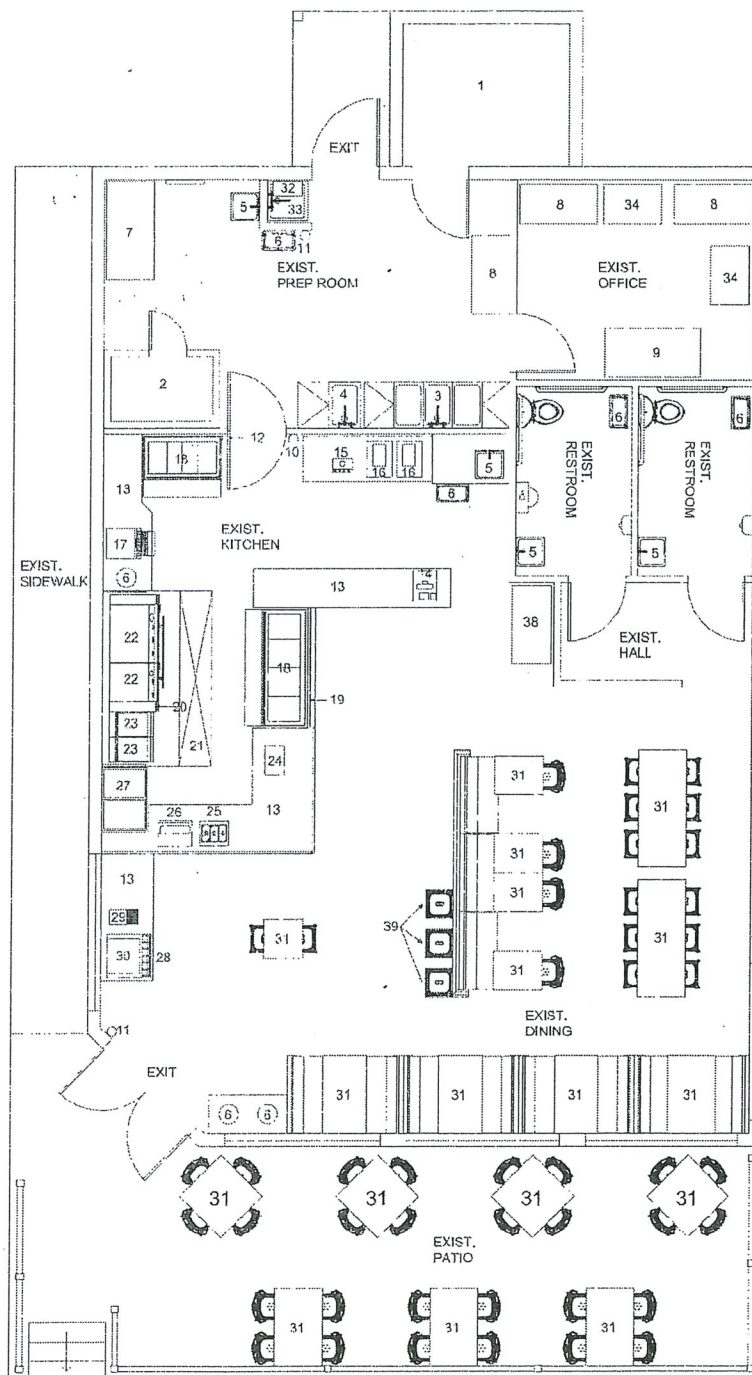
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36

35

37

EXIST.
PARKING
LOT



LEGEND

1. EXIST. WALK-IN COOLER
2. EXIST. WALK-IN FREEZER
3. EXIST. THREE-COMPARTMENT SINK (W/ DRAINBOARDS)
4. EXIST. ONE-COMPARTMENT SINK (W/ DRAINBOARDS)
5. EXIST. HAND-WASH SINK
6. TRASH CAN
7. SS PREP TABLE
8. SHELVING
9. COMPUTER DESK
10. FIRE EXTINGUISHER (CLASS K)
11. FIRE EXTINGUISHER (CLASS ABC)
12. FIRE SUPPRESSION PULL-HANDLE
13. COUNTER
14. CASH REGISTER
15. BEER TAPS
16. MILKSHAKE MACHINE
17. BUN TOASTER
18. SANDWICH COOLER
19. GLASS SNEEZE-GUARD
20. CHEF-BASE COOLER
21. EXHAUST RANGE HOOD (W/ SUPPRESSION)
22. FLAT-TOP GRIDDLE
23. FRYER
24. COMERCIAL MICROWAVE (UNDER COUNTER)
25. FRY-DUMP STATION
26. HOT-FOOD-WELL
27. FREEZER
28. COCA-COLA BEVERAGE DISPENSER
29. TEA DISPENSER
30. TOP-MOUNTED ICE-MAKER (CHUTE DISPENSED)
31. TABLE AND SEATING
32. EXIST. WATER HEATER
33. EXIST. MOP SINK
34. EXIST. AIR HANDLER UNIT
35. GARBAGE DUMPSTER (OUTSIDE)
36. CARDBOARD DUMPSTER (OUTSIDE)
37. 1050 GAL GREASE INCEPTOR (OUTSIDE)
38. BOTTLE COCA-COLA COOLER
39. BAR STOOLS FOR WAITING

PLAN REVIEW

RELISH - 500 3RD ST N, JACKSONVILLE BEACH, FL 32250

1" = 1 FT NORTH →

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