



City of Jacksonville Beach

Agenda

11 North Third Street
Jacksonville Beach, Florida

Planning Commission

Monday, December 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. Regular Planning Commission Meeting held on November 13, 2023

CORRESPONDENCE

DISCLOSURE OF EX-PARTE COMMUNICATIONS

OLD BUSINESS

NEW BUSINESS

A.	PC#	19-23
	ADDRESS:	504 1st Avenue South
	OWNER:	South Jax Rentals, LLC
	APPLICANT:	Brad Wester - Driver, Mcafee, Hawthorne & Diebenow, PLLC

SUMMARY OF APPLICATION: **Rezoning Application to Rezone existing Commercial Services: CS Property to Planned Unit Development (PUD)**, to allow for the addition of a proposed "commissary" use as a permitted use, in addition to the current permitted and conditional uses established in the CS zoning district.

B.	PC#	20-23
	ADDRESS:	700 9th Street South
	OWNER:	Nicolas Notaro
	APPLICANT:	Nicolas Notaro - Garrison Moto

SUMMARY OF APPLICATION: **Conditional Use Application** to add a coffee shop and showroom at an existing motorcycle repair shop (Garrison Moto) located in the Industrial: I-1 zoning district, pursuant to Section 34-346(d)(5) of the Jacksonville Beach Land Development Code.

PLANNING DEPARTMENT REPORT

- A. The tentative date for the joint boards and commissions meeting to review the proposed comp plan will be January 10, 2024. The final date will be confirmed and formal outlook invitation sent to all commissioners.
- B. The next scheduled meeting will be January 8, 2024

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, November 13, 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 (absent) Justin Lerman Nicholas Andrews
Alternates: Justin Henderson Debbie Cole

Director of Planning and Development Heather Ireland, Senior Planner Christian Popoli, City Attorney Sandra Robinson, Deputy City Clerk Jodilynn Byrd, and Administrative Assistant Monica McDaniel were also present.

APPROVAL OF MINUTES:

It was moved by Mr. Andrews, seconded by Ms. White, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on October 23, 2023

CORRESPONDENCE:

Senior Planner Christian Popoli noted an email [on file] and an amended site plan [on file] on the dais.

DISCLOSURE - EX PARTE COMMUNICATION:

Chair Moehring disclosed she received a call and email from Mr. Hainline and spoke with him regarding the application process.

OLD BUSINESS: None

NEW BUSINESS:

(A) PC# 17-23 Comprehensive Plan Text Amendment

Owner: N/A

Applicant: Planning and Development Department

Agent: Planning and Development Department Staff

Location: N/A

Comprehensive Plan Text Amendment Application to add a new Marine Mixed Use Land Use Future Land Use Category to the adopted Comprehensive Plan.

Staff Report:

Director of Planning and Development Heather Ireland noted all three agenda items were related.

Ms. Ireland summarized the following report for the record:

The Planning and Development Department has initiated an application for an amendment to the text of the 2030 Comprehensive Plan to add a new future land use category. The Future Land Use Element of the Comprehensive Plan contains policies pertaining to the various commercial land uses including the South Beach District, Commercial Professional Office, Commercial Limited, and Commercial Services, Central Business District, Community Commercial, and Public/Institutional. As part of the on-going updates to the Comprehensive Plan and Land Development Code, amendments to the Comprehensive Plan will include policies related to residential and industrial land uses as well. In an effort to support the redevelopment efforts at the beaches' only marina, including the reconstruction and realignment of Second Avenue North, the Planning and Development Department is sponsoring this Comprehensive Plan text amendment to add a new future land use category and related policies. The Marina Mixed-Use (MMU) future land use category is being created to support the marina's mix of water-dependent and water-related uses that support the one public access marina that supports the residents and visitors of Jacksonville Beach and Duval County.

This Planning and Development Department is proposing four new policies that will be added to the Future Land Use Element, if approved. These policies would address the purpose of the new land use category and the general uses permitted in the land use category, the incorporation of residential uses, the location of the uses and impacts on natural habitat, and provision of public access.

Upon approval by the City Council, the proposed text amendment will be transmitted to the State for official review. Once approved by the State reviewing agency, the amendment will be scheduled to be approved by the City Council within the timelines set by Florida Statutes.

Agent: N/A

Public Hearing:

The following submitted a speaker card and email [on file] in opposition to the application (and PC#15-23), but was not present to speak:

- Valerie Britt, 506 15th Avenue North, Jacksonville Beach

The following spoke on the application:

- Lucille Pendleton, 1700 San Pablo Road South, Jacksonville
- Candice Rue, 1244 10th Street North, Jacksonville Beach

Chair Moehring closed the public hearing.

Mr. Popoli explained a motion should be made prior to discussion. He addressed concerns about the Comprehensive Plan policy.

Motion: It was moved by Mr. Andrews, seconded by Mr. Henderson, to approve #PC 17-23.

Ms. Ireland addressed concerns expressed during the public hearing.

Discussion: A discussion ensued about land conversation, zoning, land use, and the Comprehensive Plan.

Roll Call Vote: Ayes – Nicholas Andrews, Colleen White, Justin Lerman, Justin Henderson, and Margo Moehring.

The application was unanimously approved.

(B) PC# 15-23 Comprehensive Plan Text Amendment

Owner/

Applicant:

Windward Jacksonville Beach Owner, LLC
2999 NE 191st Street Suite 800
Aventura, FL 33180

Agent:

Rogers Towers, P.A.
1301 Riverplace Boulevard Suite 1500
Jacksonville, FL 32207

Location:

2315 Beach Boulevard and Adjacent Properties

Small-Scale Land-Use Comprehensive Plan Amendment Application to Amend Future Land Uses at Winward Marina FROM Commercial, Recreation/Open Space, Conservation, and Low Density Residential TO Marina Mixed-Use, Recreation/Open Space, and Conservation.

Staff Report:

Ms. Ireland summarized the following report for the record:

The City of Jacksonville Beach received a Comprehensive Plan Amendment application from Windward Jacksonville Beach Owner, LLC, the owner of the Winward Marina, located between Beach Boulevard and Second Avenue North. Property ownership at the marina is held primarily by Windward Jacksonville Beach Owner, LLC, with the City of Jacksonville owning a parking area and one boat ramp, and the City of Jacksonville Beach owning a park, the restaurant building and associated parking, and the second boat ramp.

In 2022, Windward Jacksonville Beach Owner, LLC, the City of Jacksonville and the City of Jacksonville Beach entered into a Development Agreement to facilitate reconstruction and realignment to the north of Second Avenue North, a project that is being funded and undertaken by the City of Jacksonville. The design of the reconstructed roadway is being funded by the owner of the marina and construction funding has been appropriated by the City of Jacksonville as a future Capital Improvement Plan project.

The marina, which is publicly accessible, provides water access for residents and visitors to Jacksonville Beach and the beaches via two boat ramps and a kayak launch with associated parking. The owners of the marina property have plans to expand development at the marina by adding additional commercial buildings and commercial uses and multiple-family residential dwelling units. The marina also plans to provide additional trailer parking. The road reconstruction and realignment to the north is a part of the long-term development plans of the new marina owner. When completed, this will change property boundaries and the marina will gain additional

property that is currently the right of way for the existing alignment of Second Avenue North while providing right-of-way to the City of Jacksonville for the new roadway.

As part of the final Development Agreement, Windward is expected to apply for a Comprehensive Plan Amendment to change the land use of the property to the newly created future land use category of Marina Mixed-Use (MMU), as created by the City and approved by the State (pending). The applicant has also submitted a companion rezoning application. Windward is proposing additional future land use amendments to their property, as is detailed in the application package and shown graphically in Exhibit "A".

The majority of the marina property will change from another future land use to Marina Mixed-Use; however, some property will be changed from Low Density Residential to Conservation and from Conservation to Recreation/Open Space. The end result is an overall increase in property identified as Recreation/Open Space and Conservation and a decrease in land identified for Low Density Residential Use. This reduces the overall allowable residential density of the entirety of the property.

Staff has reviewed the small-scale land use amendment request against the adopted Comprehensive Plan and Land Development Code and finds that it is consistent with both. The proposed land use change would decrease the allowable residential density of the overall property and facilitate the future development of vacant portions of the marina. Staff recommends approval of the request.

Agent(s): Karl Masters and T.R. Hainline, 1301 Riverplace Boulevard Suite 1500, Jacksonville, provided background on the item.

Public Hearing:

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

Discussion: Ms. Ireland, Mr. Masters, and Matt Ballard of GAI Consultants addressed questions from the board.

Motion: It was moved by Mr. Andrews, seconded by Mr. Lerman, to approve #PC 15-23.

Roll Call Vote: Ayes – Nicholas Andrews, Colleen White, Justin Lerman, Justin Henderson, and Margo Moehring.

The application was unanimously approved.

(C) PC# 16-23 Rezoning Application

Owner/

Applicant:

Windward Jacksonville Beach Owner, LLC
2999 NE 191st Street Suite 800
Aventura, FL 33180

Agent:

Rogers Towers, P.A.
1301 Riverplace Boulevard Suite 1500
Jacksonville, FL 32207

Location: 2315 Beach Boulevard and Adjacent Properties

Rezoning Application to rezone property from Planned Unit Development (PUD), Commercial, General (C-2) and Residential, single-family (RS-1) to Planned Unit Development (PUD) to allow for the redevelopment of the marina, and to accommodate the realignment and reconstruction of Second Avenue North.

Staff Report:

Ms. Ireland and Mr. Popoli summarized the following report for the record:

The City of Jacksonville Beach received a Rezoning Application from Windward Jacksonville Beach Owner, LLC, the owner of the Winward Marina, located between Beach Boulevard and Second Avenue North. Property ownership at the marina is held primarily by Windward Jacksonville Beach Owner, LLC, with the City of Jacksonville owning a parking area and one boat ramp, and the City of Jacksonville Beach owning a park, the restaurant building and associated parking, and the second boat ramp.

In 2022, Windward Jacksonville Beach Owner, LLC, the City of Jacksonville and the City of Jacksonville Beach entered into a Development Agreement to facilitate reconstruction and realignment to the north of Second Avenue North, a project that is being funded and undertaken by the City of Jacksonville. The design of the reconstructed roadway is being funded by the owner of the marina and construction funding has been appropriated by the City of Jacksonville as a future Capital Improvement project.

The marina, which is publicly accessible, provides water access for residents and visitors to Jacksonville Beach and the beaches via two boat ramps and a kayak launch with associated parking. The owners of the marina property have plans to expand development at the marina by adding additional commercial buildings and commercial uses and multiple-family residential dwelling units. The road reconstruction and realignment to the north is a part of the long-term development plans of the new marina owner. When completed, this will change property boundaries and the marina will gain additional property that is currently the right of way for the existing alignment of Second Avenue North while providing right-of-way to the City of Jacksonville for the new roadway.

As part of the final Development Agreement, Windward is expected to apply for a Rezoning Application and companion Comprehensive Plan Amendment application (PC# 15-23). The proposed rezoning, if approved, would replace the existing Planned Unit Development: PUD zoning district at the marina that was approved in 2016. The new PUD zoning would allow all the existing and future planned commercial uses along with expanded car and boat trailer parking and multiple family residential development.

Staff has reviewed the Rezoning request against the Land Development Code and adopted Comprehensive Plan and finds that it is consistent with both. The proposed PUD Rezoning would decrease the allowable residential density of the overall property and facilitate the future development of vacation portions of the marina. Staff recommends approval of the request.

Ms. Ireland summarized the proposed changes from the new property owner. Ms. Ireland stated staff had two proposed conditions: to ensure the existing restaurant's parking is exclusive to patrons and staff through signage and to require all of the development north of the realigned and reconstructed 2nd Avenue North to be completed in one phase.

Agent: T.R. Hainline, 1301 Riverplace Boulevard Suite 1500, Jacksonville, noted they had no objections to the proposed conditions. Mr. Hainline provided background on the item.

Public Hearing:

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

Discussion: A discussion ensued regarding the proposed plan.

Mr. Popoli noted an error in the total density development calculation. Mr. Popoli, Mr. Masters, Mr. Hainline, and Ms. Ireland addressed questions from the board.

Motion: It was moved by Mr. Andrews, seconded by Mr. Henderson, to approve #PC 16-23 with staff-proposed conditions.

Roll Call Vote: Ayes – Justin Lerman, Nicholas Andrews, and Margo Moehring.
Nays – Colleen White and Justin Henderson

The application was approved 3-2.

PLANNING DEPARTMENT REPORT:

The next scheduled meeting is December 11, 2023. There are two scheduled cases. The November 27 and December 26, 2023 meetings were cancelled.

Ms. Ireland announced a tentative workshop to discuss the Comprehensive Plan on December 6, 2023.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:25 P.M.

Submitted by: Jodilynn Byrd
Deputy City Clerk

These minutes were reviewed by Planning & Development.

Approval:

Chairperson

Date



PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Planning and Development Department Christian Popoli: Senior Planner
DATE:	11/28/2023
SUBJECT:	PC19-23 - Request for Rezoning Staff Report

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

PC19-23 - Request for Rezoning

OWNER: South Jax Rentals, LLC
504 1st Avenue South
Jacksonville Beach, FL 32250

APPLICANT: Brad Wester
Driver, McAfee, Hawthorne & Diebenow, PLLC
1 Independence Drive,
Jacksonville, FL 32202

AGENT: Brad Wester
Driver, McAfee, Hawthorne & Diebenow, PLLC
1 Independence Drive,
Jacksonville, FL 32202

LOCATION: 504 1st Street South (RE#175616-0000)

REQUEST: A request for the rezoning of a property located at 504 1st Street South, from the Commercial Service: CS zoning district to the Planned Unit Development: PUD zoning district, to allow for the addition of a commercial commissary use in addition to all permitted and conditional uses allowed in the CS zoning District.

COMMENTS: BACKGROUND

The subject parcel has been owned by South Jax Rentals, LLC since 2015 when they acquired the property. The property previously consisted of a small office, housed in a converted former residential house, and a metal industrial building used for storage of cold and dry food products, in support of a chain of local restaurants. The Property is located in the CS zoning district, which is intended as a mix of lower intensity commercial and light industrial uses. The owners recently received approval and will soon be under construction of a new two-story metal structure that would expand the storage uses onto the location of the former



residential structure, and allow for some office related use as an accessory to the current storage.

The CS zoning district allows for a mix of uses, which range from commercial uses such as office or restaurant uses, or more commercial uses such as light indoor manufacturing or warehousing. This includes uses such as industrial bakeries. The applicant is permitted in the CS zoning district to have indoor warehouse and storage as well as office uses, but there is no opportunity for any sort of food preparation supportive uses allowed in the CS district.

As the owner stores and distributes food items to their local restaurants, they wish to be able to prepare batch food, such as soups and broths and other items that would fall under commissary use. The request would be for all the proposed activity to occur inside the proposed new storage structure. As a commissary is not a permitted nor conditional use in the CS zoning, nor is it specially a use allowed within any of the City's commercial zoning districts, the applicant is requesting a rezoning of the parcel to PUD, to allow the use of commissary on site in conjunction with their permitted storage and distribution.

Pursuant to the Land Development Code, the Planning Commission and City Council shall apply the standards in section 34-211(c) to the rezoning application and apply the standards in Section 34- 348(j)3. to the Preliminary Development Plan. Factors in Section 34-211(c) Applicable to Rezoning Applications:

(1) Whether the proposed amendment is consistent with the comprehensive plan;

Staff finds that the proposed amendment is consistent with the goals, objectives and policies of the comprehensive plan as identified below.

(2) Whether the proposed amendment is in conflict with any portion of the LDC;

Staff does not find any portions of the proposed rezoning are in conflict with any portion of the Land Development Code.

(3) Whether and the extent to which the proposed amendment is consistent with existing and proposed land uses;

Staff finds that the proposed rezoning is consistent with existing and proposed land uses.

(4) Whether and the extent to which there are any changed conditions that require an amendment;

Staff does not find that 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;

The applicant would be required to meet the City's utility requirements as they relate to pre-treatment for any food related activities, much like a restaurant, involving the construction and maintenance of a privately owned grease trap. Solid waste would also be stored per the City's code requirements.

Staff finds that the proposed PUD would not exceed any established levels of service.

(6) Whether, and the extent to which, zoning district boundaries are not properly drawn on the official zoning atlas;

Staff finds that the zoning district boundaries are 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, vegetation, wetlands, and the natural functioning of the coastal environment;

Staff finds that the proposed rezoning is located within a previously developed area of the City, on a lot currently developed with structures and paved parking and driveways.

Staff Finds that there is no expected impact on the natural environment.

(8) Whether and the extent to which the proposed amendment would adversely affect the property values in the area;

Staff does not have data available to determine that there would be any negative affect on property values in the area.

(9) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern;

Staff finds that the proposed amendment would result in logical development by citing a commercial use within in a previously developed property used for light industrial uses, thus not creating any new development patterns, but focusing on redevelopment previously developed and compatible areas.

(10) Whether it is impossible to find other land in the city for the proposed use in a zoning district that permits such use as of right.

Staff previously noted, the use of a commissary is not a specially permitted or conditional use in any zoning district within the City. As the property is currently owned and used for the storage and distribution of bulk food products, and the fact that the CS zoning would be a compatible zoning district for this type of use, especially indoors, staff finds this is the most logical location, as there are no other places it is allowed by right. Additionally, the proposed use is substantially similar to both a restaurant and an industrial bakery, both of which are allowed by right or conditional use in the CS zoning district.



Standards in Section 34-348(j)3 Applicable to the PUD Preliminary Development Plans:

- a. Area. There shall be no minimum acreage required.

The project area that is the subject of this application is 0.14 acres and one contiguous parcel.

- b. Unified ownership or control. The title to all land that is part of a PUD zoning district designation shall be owned or controlled by one person. A person shall be considered to control all lands in the PUD either through ownership or written consent of the owners of the land to be subject to the conditions and standards of the development order for the development plan for the PUD zoning district designation.

The project area that is the subject of this application is completely owned by South Jax Rentals, LLC

- c. Density. Residential development shall not exceed the maximum densities established in the RM- 2 zoning district.

There are no proposed residential uses as part of this request.

- d. Building height: Thirty-five (35) feet.

The proposed maximum building height of new buildings is 35 feet, in compliance with the City's Charter.

- e. Access. Safe and adequate access shall be provided to all development, either directly or indirectly, by a public right-of-way, private vehicular or pedestrian way or a commonly owned easement. City-owned vehicles shall be permitted access on privately owned roads, easements and common open spaces in order to perform basic municipal services such as fire and police protection and emergency service needs of the residents of the PUD.

Safe and adequate access is provided to the property mainly through the 5th Street South right of way, with secondary access off of 1st Street South.

- f. Off-street parking and loading. The off-street parking and loading standards for the preliminary development plan for PUD shall comply with the requirements of article VIII, division 1. A

The subject parcel is used for warehouse and storage, and the parking requirements are minimal. The applicant will meet the minimum parking requirements as shown in the preliminary site plan. The site is not open to the public and only employees will park on site.

- g. Adequate public facilities. There shall be a demonstration that the development

proposed in the preliminary development plan complies with article X, adequate public facilities standards.

The proposed additional use will not impact public facilities any more than a normal commercial restaurant and therefore, will not have an impact on the public facilities.

h. Common recreation and open space. The preliminary development plan shall comply with the following common recreation and open space standards.

The project is proposing a maximum of roughly 68% lot coverage, reserving more than 20% of the property as open space.

i. Compatibility of open spaces. Open space uses shall be designed in a compatible manner.

Staff finds that the proposed open spaces have been designed in a compatible manner with permitted uses on the property.

j. Compatibility with surrounding land uses. The development proposed in the Preliminary Development Plan shall be consistent with the character of surrounding land uses.

Staff finds that the proposed mix of uses is compatible with surrounding land uses.

k. Beach access. The preliminary development plan shall not diminish existing public beach access.

The proposed development does not have any impact on existing public beach access.

l. Consistency with comprehensive plan. The preliminary development plan shall be consistent with the comprehensive plan.

Staff finds that the preliminary development plan is consistent with the Comprehensive Plan as identified in the following section of this staff report.

Comprehensive Plan Consistency

Policy LU.1.2.2

An adequate amount of land exists in developed areas or areas being developed for neighborhood and general commercial, office and service, lodging, and industrial use in the City, or is planned for assembly and redevelopment to meet the needs of the projected resident, seasonal and day visitor populations through the planning period. Future commercial space needs of this type shall be met through in-fill development adjacent to similar uses or through redevelopment in designated areas.



Staff finds the proposed rezoning request will fulfill this land use policy by allowing for additional commercial uses in an existing developed commercial area and through the redevelopment of an existing commercial and light industrially used lot in the CS Future Land Use category.

Policy LU.1.2.3

The intensity of development in areas where in-fill development for commercial, office, service, or industrial use is proposed shall conform to the level of intensity on adjacent properties or as specified in the adopted Community Redevelopment Plans. A market analysis shall be required to accompany any application involving a proposed Future Land Use Map change from a residential land use category to a commercial land use category.

No proposed changes to the Future Land Use map are proposed. The proposed new use of a commissary will be internal to the new storage facility and will not result in more traffic to and from the site. The surrounding area is a complex mix of uses, some more and some less intense. The current cold storage use has not generated any negative effects on the surrounding neighborhood, and staff's opinion is the internal expansion of uses will not cause any future nuisance issues.

Policy LU.1.2.4

Land development regulations for commercial and industrial areas shall be revised utilizing the Standard Industrial Classification system as the basis for recognizing both the similarities and differences among the various types of economic activity within the community. The range of permitted uses shall be revised and additional zoning classifications created in necessary to acknowledge the performance characteristics of different land uses.

Currently, the use of commissary is not a use specifically enumerated in the City's Land Development Code, and based on the Standard Industrial Classification system, a commissary is unlike a restaurant or commercial bakery. While it may be a use added to future revisions of the Code, staff does not find that the demand for this use warrants a new zoning classification City wide, but rather is best accomplished through the use of a Planned UNIT Development at this time to allow the expansion of uses to meet this policy.

Policy LU.1.2.6

The City recognizes that urban sprawl; as evidenced by the incidence of "leapfrog" development, strip commercial development, and large expanses of low-density, single dimensional land uses presents a fiscally and environmentally unsound urban form. However, in a mature community like Jacksonville Beach, development patterns have long been set. Nevertheless, it is the intent of the City to enforce its land development regulations in a manner which will discourage the development or extension of commercial strips, allow for mixed use development where appropriate, and support the redevelopment or revitalization of existing commercial areas.



Based on the proposed PUD, the new use of commissary added to the existing uses allowed in CS for this specific property, will allow a more efficient use of land, by combining several uses under one ownership, to co-exist within a single building. Though not traditional mixed use in the sense of residential and commercial combined, this additional use will not cause the expansion of any commercial strip centers, but better utilizes floor space inside a permitted cold storage facility, without increasing the intensity of demand on traffic and city infrastructure, locating within a area already served by municipal water and sewer.

Staff has reviewed the Rezoning request against the Land Development Code and adopted Comprehensive Plan, and finds that it is consistent with both. The proposed PUD Rezoning would allow for the expansion of commercial and industrial uses within an existing property that is currently used by the owner for other support uses for retail food sales. The addition of the use for a commissary will allow the applicant to make less trips in delivery vans to the various restaurants they service from this site, by combining cold and dry storage, and now pre-prepared food, all to be picked up at a single location in lieu of two. Staff recommended **approval** of the request.

ATTACHMENTS:

1. PC#19-23 application packet

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.



REZONING APPLICATION

RECEIVED

PC No. 19-23
AS/400# 23-100110
PC HEARING 10/11/23

This form is intended for use by persons applying for a change in the boundaries of a specific property or group of properties under the person or persons control. A rezoning is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning may be approved except in conformance with the Jacksonville Beach 2030 Comprehensive Plan Elements. An application for a rezoning shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance. A separate fee for advertising costs will be assessed accordingly.

APPLICANT INFORMATION

Land Owner's Name: South Jax Rentals, LLC.
Mailing Address: 504 1st Ave. South
Jax Beach, FL. 32250

Telephone: 904-746-7002
Fax: _____

E-Mail: _____

Applicant Name: Brad Wester
Mailing Address: 1 Independent Dr. Suite 1200
Jax, FL. 32202

Telephone: 904 294 3768
Fax: _____

E-Mail: bwester@drivermcafee.com

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

Agent Name: See above.
Mailing Address: _____

Telephone: _____
Fax: _____

E-Mail: _____

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: 175616-0000 (504 1st Ave South)

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): See attached

Current Zoning Classification: CS Future Land Use Map Designation: Commercial

Proposed Zoning Classification: PUD

REQUIRED INFORMATION	Attached?	
	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;	☒	☐
2. An 8½" x 11" vicinity map identifying the property proposed for amendment;	☒	☐
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;	☒	☐
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.	☒	☐

Applicant Signature: [Signature]

Date: Sept 20, 2023

NARRATIVE DESCRIPTION
Southern Provisions Commissary
Proposed Rezoning to PUD District and
Preliminary Development Plan
September 20, 2023

South Jax Rentals, LLC (“Owner”) proposes to rezone approximately 0.14 acres of property from Commercial Service (“CS”) to Planned Unit Development (“PUD”) at 504 1st Avenue South, (RE# 175616-0000, the “Property”). The following is a description of the proposed PUD and the Preliminary Development Plan (“PDP”) supporting same. Also included is an explanation of why the proposed development complies with the standards governing PUD rezonings and PDPs in the City of Jacksonville Beach (“City”) Land Development Code (“LDC”).

I. INTRODUCTION

The Property is located within the Commercial functional land use category according to the Future Land Use Map (“FLUM”) series adopted as part of the 2030 Comprehensive Plan and is zoned CS.

Owner requests this PUD rezoning to permit improvements to the site, including replacing the old converted single-story residential structure (circa 1928) and accessory structures at the corner of 1st Avenue South and 1st Street South with a new building and parking on the Property for the existing allowable uses within CS zoning and add “commissary” use (the “Project”).

Currently, the Property is used for office, warehouse, processing and distribution of provisions for restaurants. However, commissary use, as needed and described specific to cooking, preparation, packaging and distribution of cooked food items, is not a listed use in CS zoning. “Commissary” use will be included in this PUD.

The Property is in a predominantly commercial area generally southwest of the Beach Boulevard and 3rd Street intersection. Other uses in the immediate area include mini-warehouse storage to the east, Publix grocery store and retail shopping center to the northeast, C Side plant and garden nursery to the north, vacant land and Quadraplex residential unit to the west, and an existing residence to the south, separated by a 12’ open alley.

II. PRELIMINARY DEVELOPMENT PLAN

- A. *Submission of application.* Following the preapplication conference, an application for rezoning and a PDP for PUD zoning district classification shall be submitted to the Planning and Development Director, along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.
- B. *Contents of application.* The rezoning and PDP application shall include the following information:

1. The names, address and telephone number of the owners of record of the land proposed for development.

Owner: South Jax Rentals, LLC
504 1st Street South
Jacksonville Beach, FL 32250
(904) 746-7002

2. The name, address, and telephone number of the developer, if different from the owner, and an explanation of the difference.

There is no difference between the Owner and developer.

3. The name, address and telephone number of the agent of the applicant, if there is an agent.

Applicant/Agent: Brad Wester & Steve Diebenow
Driver, McAfee, Hawthorne & Diebenow, PLLC
One Independent Drive, Suite 1200
Jacksonville, FL 32202
sdiebenow@drivermcafee.com
bwester@drivermcafee.com
(904) 301-1269

4. The name, address, and telephone number of all land use, environmental, engineering, economic, or other professionals that are assisting with the application.

General Contractor: Ronnie Leinwohl, PE
Urban Partners
13553 Atlantic Blvd.
Jacksonville, FL 32225
904-270-2225

Civil Engineer: Robert K. Phillips, PE
1550 Selva Marina Drive
Atlantic Beach, FL 32233
904-903-8715

5. The name, address and legal description of the land on which the PDP is proposed to occur, with attached copies of any instruments referenced, such as but not limited to deeds, plats, easements, covenants and restrictions.

The Property includes the addresses as defined above. The legal description and deeds are attached hereto as Exhibit 1.

6. A copy of the relevant Duval County Property Appraiser map, showing the exact location of the land proposed for development, with the boundaries already marked.

The Property Appraiser Map and Aerial is attached hereto as Exhibit 2.

7. An eight and one-half (8 ½) by eleven (11) vicinity map locating the proposed land for development.

The vicinity map is attached hereto as Exhibit 3.

8. A statement of the planning objectives to be achieved by the planned redevelopment activity and its consistency with the Jacksonville Beach Comprehensive Plan. The statement shall include a detailed description of the character of the proposed development, including information relative to the architectural style of the proposed development.
 - i. Description of Character of Proposed Development.

The Property is located generally southwest of the Beach Boulevard and 3rd Street intersection, within a predominantly commercial area and currently designated Commercial by the 2030 Comprehensive Plan and zoned CS. Consistent with its location, the Project proposes to replace the old single-story residential structure and accessory structures with a new two-story metal building and parking on the Property.

Currently, the Property is used for office, warehouse, processing and distribution of provisions for restaurants. The commissary use, to be included in the PUD, is needed for cooking, preparation, packaging and distribution of food items. The existing use and proposed “commissary” use is compatible with various commercial uses in the immediate area, including grocery, restaurant, landscaping/nursery supply, and brewery/distribution type establishments.

The Project contemplates a single phase of development.

- ii. Consistency with Jacksonville Beach Community Redevelopment Plan.

The Project is not within the community redevelopment area.

9. A statement of the applicant’s intention with regard to the form of ownership contemplated for the development when construction is completed, e.g., sale or lease of all or some of the development including rental units, condominiums, or fee simple conveyance.

The Project is intended to remain in a similar form of ownership when constructed for the purposes previously described.

10. A description of the proposed development, including:

- i. The number and type of residential dwelling units. Currently, the Project contemplates the commercial use only, as previously described.

- ii. The approximate gross density for the residential development. The Project does not include any residential use.
- iii. The amounts of land and building square footages for nonresidential developments, by type of use, including any portions to be reserved for public use.

Current Future Land Use:

Commercial – 0.14 Acres

Current Zoning:

CS – 0.14 Acres

Current Square Footage:

±912 sf commercial building (converted residence structure to be replaced with new ±2,046 sf metal building). The existing ±1,515 sf commercial building will remain.

Current Lot Coverage:

67.56%

Proposed Zoning:

PUD – 0.14 acres

Proposed Square Footage:

±2,046 sf commercial building (after replacing the existing ±912 sf converted residence structure).

Proposed Maximum Lot Coverage:

81.25%

- 11. A concept plan showing the location of all proposed buildings, the proposed traffic circulation system, and parking facilities.

The site plan showing the location of structures is attached hereto as Exhibit 4.

- 12. A tentative development schedule indicating:

- i. The approximate date when construction of the development can be expected to begin.

Construction will commence immediately after the PUD and or construction plans are approved.

- ii. The stages in which the development will be built and the approximate date when construction each stage can be expected to begin.

Construction will commence in a single stage with demolition and new construction immediately after the PUD and or construction plans are approved.

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Completion of the single stage demolition and new construction is anticipated to be within 1 year after the PUD and or construction plans are approved.

C. *Standards.* This PUD zoning district shall comply with the following standards:

1. *Land Area.* Development shall be approved only on land having an area which is deemed to be adequate and appropriate.
2. *Uses.* Permitted Uses including the following:
 - a. Commissary use which includes cooking, preparation, packaging and or distribution of provisions for eating either on-premises or off-premises.
 - b. Uses in the CS zoning district as permitted by right and permitted as accessory uses. Conditional uses are allowed subject to the CS zoning district standards and procedures.
3. *Traffic circulation control and parking.* Traffic circulation and parking is to be provided by way of 1st Avenue South and 1st Street South with direct connections to surrounding streets including Beach Boulevard and 3rd Street, as shown on the site plan attached hereto as Exhibit 4.
4. *Site design and lot layout standards.* Site design and lot layout standards are shown on the site plan attached hereto as Exhibit 4.
5. *Off-street parking and loading.* Four (4) parking spaces total to include two (2) standard spaces, one (1) ADA space, and one (1) van parking space. Parking and loading is provided as shown on the site plan attached hereto as Exhibit 4.
6. *Open space requirements.* Not applicable.
7. *Signage.* All signs erected shall be consistent with standards of Article VIII, Division 4.
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12. *Comprehensive plan consistency.* The proposed redevelopment is consistent with and furthers the general purpose and intent of the 2030 Comprehensive Plan, specifically contributing to the following goals, objectives and policies:

Future Land Use Element:

- i. Goal LU.1 – Provide for a continued high quality of life in Jacksonville Beach by planning for population growth, public and private development and redevelopment, energy conservation; and the proper distribution, location, and extent of land uses by type, density, and intensity consistent with efficient and adequate levels of services and facilities, and the protection of natural and environmental resources.
- ii. Policy LU.1.2.2 – An adequate amount of land exists in developed areas or areas being developed for neighborhood and general commercial, office and service, lodging, and industrial use in the City, or is planned for assembly and redevelopment to meet the needs of the projected resident, seasonal and day visitor populations through the planning period. Future commercial space needs of this type shall be met through in-fill development adjacent to similar uses or through redevelopment in designated areas.
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- iv. Policy LU.1.2.4 Land development regulations for commercial and industrial areas shall be revised utilizing the Standard Industrial Classification system as the basis for recognizing both the similarities and differences among the various types of economic activity within the community. The range of permitted uses shall be revised and additional zoning classifications created in necessary to acknowledge the performance characteristics of different land uses.
- v. Policy LU.1.2.6 The City recognizes that urban sprawl; as evidenced by the incidence of "leapfrog" development, strip commercial development, and large expanses of low-density, single dimensional land uses presents a fiscally and environmentally unsound

urban form. However, in a mature community like Jacksonville Beach, development patterns have long been set. Nevertheless, it is the intent of the City to enforce its land development regulations in a manner which will discourage the development or extension of commercial strips, allow for mixed use development where appropriate, and support the redevelopment or revitalization of existing commercial areas.

- vi. Objective LU.1.4 – Future land development activities shall be directed to appropriate areas as described in this Future Land Use Element or as depicted on the Future Land Use Map. All future land use shall be consistent with sound planning principles and the limitations of the natural environment including sensitivity to problems posed by greenhouse gas generation, topographic and soil conditions, conservation-protected lands such as estuarine wetlands and the beach, and conservation-restricted lands such as palustrine wetlands and flood prone areas including the coastal zones. Future land development activities shall be considerate of the need to preserve and protect historic resources; the desired community character, and the goals, objectives, and policies relating to the development of the land embodied in the other Elements of this Plan.
- vii. Objective LU.1.9 – Design of Commercial and Industrial Developments. Commercial and industrial development/ redevelopment will be designed to enhance access and circulation, and result in a positive and attractive built environment.

Transportation Element

- i. Objective TE 1.4 – Provide for safe and convenient traffic flow and parking.
 - ii. Policy TE 1.4.6 – The City shall require all new commercial, institutional, and industrial uses to provide off-street loading zones. Such zones shall have minimum dimensions of twelve (12) feet by forty (40) feet.
13. *Time limitations.* The receipt of a development order for this PUD zoning shall expire at the end of one (1) year after the date of its initial approval, which is to begin the day after the appeal period ends, unless an application for a development permit for a development plan has been submitted to the planning and development director. Only one (1), one (1) year extension shall be granted by the City Council upon written application to the Planning and Development Director. Written application requesting the extension shall be submitted to the Planning and Development Director no later than thirty (30) working days before the date that the development order is to expire. The timelines and year-long extension herein shall be in addition to any pause, tolling and/or extension provided by federal, state or local law regarding state of emergencies, including but not limited to such relief offered in section 252.363, *Florida Statutes* (2021). Once a timely application for a development permit for a development plan has been submitted, any subsequent application may be filed notwithstanding the time provisions herein.
14. *Minor deviation to PDP.* Minor deviations shall be allowed pursuant to the LDC.

15. *Amendments to PDP.* Amendments to the preliminary development plan shall be allowed pursuant to the LDC.
16. *Development plan.* An application for development plan shall be filed according to the time limitations set forth in section III.C.14. of this PUD rezoning.

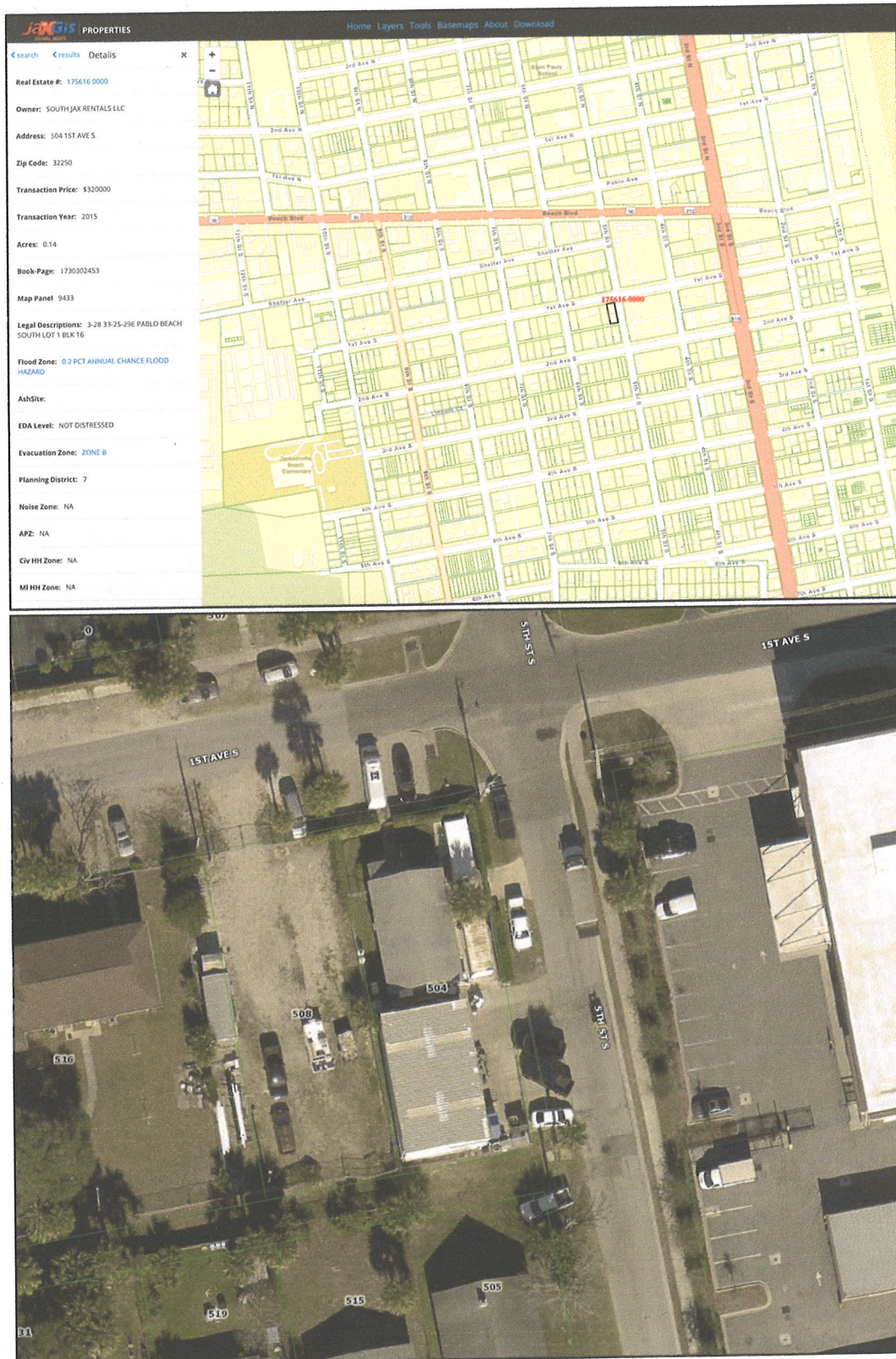
Exhibit 1

Legal Description

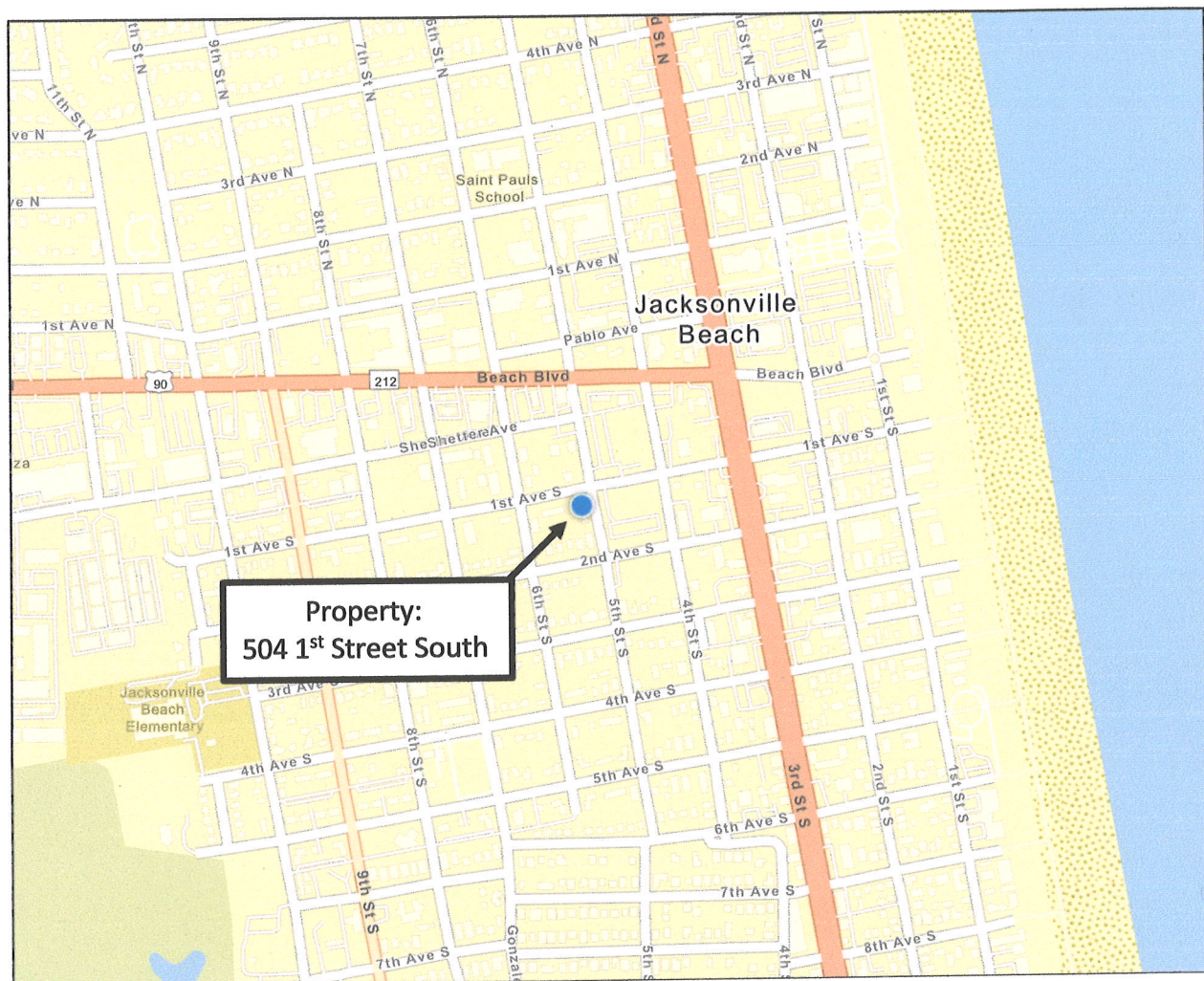
Lot 1, Block 16, Pablo Beach South, according to the map or plat thereof, as recorded in Plat Book 3, Page(s) 28, of the Public Records of Duval County, Florida.

Exhibit 2

Property Appraiser Map & Aerial



Vicinity Map



Agent Authorization

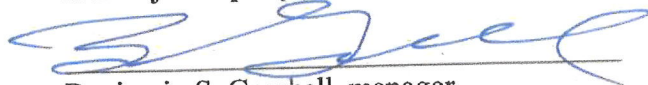
City of Jacksonville Beach
Planning and Development Department
City Hall First Floor
11 North Third Street
Jacksonville Beach, Florida 32250

Re: Agent Authorization for 504 1st Avenue South, Jacksonville Beach, FL 32250
(RE# 175616-0000)

Ladies and Gentlemen:

You are hereby advised that Benjamin S. Groshell, a manager of South Jax Rentals, LLC, a Florida limited liability company, hereby authorizes and empowers Driver, McAfee, Hawthorne & Diebenow, PLLC, to act as agent to file an application for rezoning and such other entitlements as may be required for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change to accommodate a 'commissary' and similar 'provisions' for restaurant operations as submitted to the Jacksonville Beach Planning and Development Department.

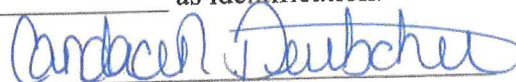
South Jax Rentals, LLC, a Florida limited
liability company

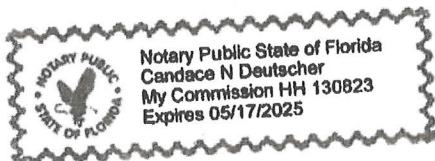

Benjamin S. Groshell, manager

STATE OF Florida
COUNTY OF Duval

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 27th day of October, 2022 by, Benjamin S. Groshell, a manager of South Jax Rentals, LLC, a Florida limited liability company, on behalf of the company, who is ☒ personally known to me or ☐ has produced _____ as identification.

[Notary Seal]


(Notary Signature)



Agent Authorization

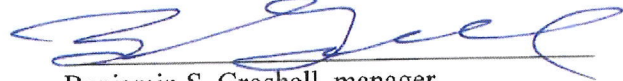
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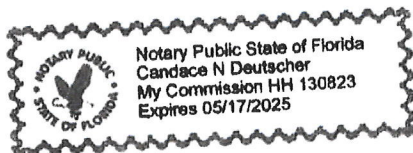

Benjamin S. Groshell, manager

STATE OF Florida
COUNTY OF Duval

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[Notary Seal]

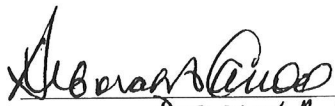

(Notary Signature)



File Number: 15-9642C

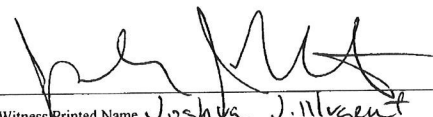
In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

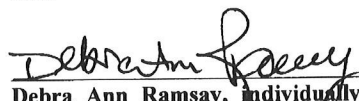
Signed, sealed and delivered in our presence:


 Witness Printed Name DEBORAH A. CARROLL

 (Seal)
Wayne Knight Ramsay, III, individually and as Trustee of the Ramsay Family Revocable Trust under agreement dated September 6, 2012

Address: 803 6th Avenue North, Jacksonville Beach, Florida 32250

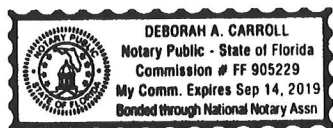

 Witness Printed Name Joshua J. Nugent

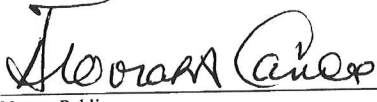
 (Seal)
Debra Ann Ramsay, individually and as Trustee of the Ramsay Family Revocable Trust under agreement dated September 6, 2012

Address: 803 6th Avenue North, Jacksonville Beach, Florida 32250

State of **Florida**
 County of **Duval**

The foregoing instrument was acknowledged before me this **14th** day of **September**, 2015, by **Wayne Knight Ramsay, III, and Debra Ann Ramsay, individually and as Trustees of the Ramsay Family Revocable Trust under agreement dated September 6, 2012**, who are personally known to me or who have produced **drivers license** as identification.




 Notary Public

Print Name: _____

My Commission Expires: _____

Notary Seal

NARRATIVE DESCRIPTION
Southern Provisions Commissary
Proposed Rezoning from CS to PUD District
October 24, 2023

23-100110
5041st Ave S.
OCT 30 2023
Revised
Rezoning

South Jax Rentals, LLC (“Owner”) proposes to rezone approximately 0.14 acres of property from Commercial Service (“CS”) to Planned Unit Development (“PUD”) at 504 1st Avenue South, (RE# 175616-0000, the “Property”). The following is a description of the proposed PUD and the Preliminary Development Plan (“PDP”) supporting same. Also included is an explanation of why the proposed development complies with the standards governing PUD rezonings and PDPs in the City of Jacksonville Beach (“City”) Land Development Code (“LDC”).

I. INTRODUCTION

The Property is located within the Commercial functional land use category according to the Future Land Use Map (“FLUM”) series adopted as part of the 2030 Comprehensive Plan and is zoned CS.

Owner requests this PUD rezoning to permit improvements to the site, including replacing the old converted single-story residential structure (circa 1928) and accessory structures at the corner of 1st Avenue South and 5th Street South with a new building and parking on the Property for the existing allowable uses within CS zoning and add commissary use (the “Project”).

Currently, the Property is used for office, warehouse, processing and distribution of provisions for restaurants. However, commissary use, as needed and described specific to cooking, preparation, packaging and distribution of cooked food items, is not a listed use in CS zoning. Commissary use will be included in this PUD.

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- A. Submission of application.* Following the preapplication conference, an application for rezoning and a PDP for PUD zoning district classification shall be submitted to the Planning and Development Director, along with a nonrefundable application fee which is established from time to time by the City Council to defray the actual cost of processing the application.
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Jacksonville, FL 32225
904-270-2225

Civil Engineer: Robert K. Phillips, PE
1550 Selva Marina Drive
Atlantic Beach, FL 32233
904-903-8715

Architect: Kevin Connors
Connors Design Group, LLC
106B Canal Boulevard
Ponte Vedra Beach, FL 32082
904-484-8659

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The Project contemplates a single phase of development.

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67.56%

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- iii. Policy LU.1.2.3 – The intensity of development in areas where in-fill development for commercial, office, service, or industrial use is proposed shall conform to the level of intensity on adjacent properties or as specified in the adopted Community Redevelopment Plans. A market analysis shall be required to accompany any

application involving a proposed Future Land Use Map change from a residential land use category to a commercial land use category.

- iv. Policy LU.1.2.4 Land development regulations for commercial and industrial areas shall be revised utilizing the Standard Industrial Classification system as the basis for recognizing both the similarities and differences among the various types of economic activity within the community. The range of permitted uses shall be revised and additional zoning classifications created in necessary to acknowledge the performance characteristics of different land uses.
- v. Policy LU.1.2.6 The City recognizes that urban sprawl; as evidenced by the incidence of "leapfrog" development, strip commercial development, and large expanses of low-density, single dimensional land uses presents a fiscally and environmentally unsound urban form. However, in a mature community like Jacksonville Beach, development patterns have long been set. Nevertheless, it is the intent of the City to enforce its land development regulations in a manner which will discourage the development or extension of commercial strips, allow for mixed use development where appropriate, and support the redevelopment or revitalization of existing commercial areas.
- vi. Objective LU.1.4 – Future land development activities shall be directed to appropriate areas as described in this Future Land Use Element or as depicted on the Future Land Use Map. All future land use shall be consistent with sound planning principles and the limitations of the natural environment including sensitivity to problems posed by greenhouse gas generation, topographic and soil conditions, conservation-protected lands such as estuarine wetlands and the beach, and conservation-restricted lands such as palustrine wetlands and flood prone areas including the coastal zones. Future land development activities shall be considerate of the need to preserve and protect historic resources; the desired community character, and the goals, objectives, and policies relating to the development of the land embodied in the other Elements of this Plan.
- vii. Objective LU.1.9 – Design of Commercial and Industrial Developments. Commercial and industrial development/ redevelopment will be designed to enhance access and circulation, and result in a positive and attractive built environment.

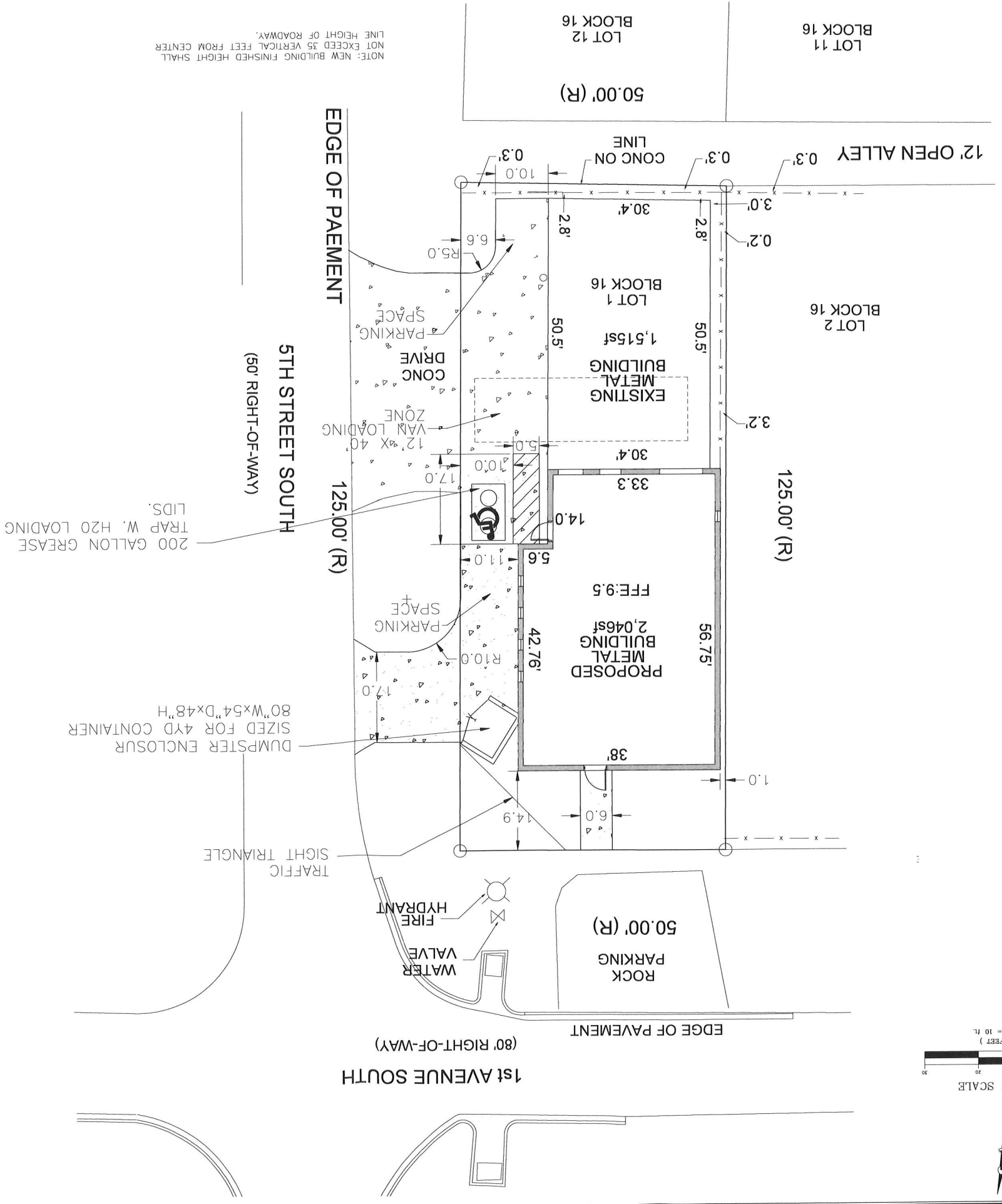
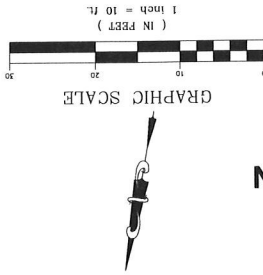
Transportation Element

- i. Objective TE 1.4 – Provide for safe and convenient traffic flow and parking.
 - ii. Policy TE 1.4.6 – The City shall require all new commercial, institutional, and industrial uses to provide off-street loading zones. Such zones shall have minimum dimensions of twelve (12) feet by forty (40) feet.
13. *Time limitations.* The receipt of a development order for this PUD zoning shall expire at the end of one (1) year after the date of its initial approval, which is to begin the day after the appeal period ends, unless an application for a development permit for a development plan has been submitted to the planning and development director. Only one (1), one (1) year extension shall be granted by the City Council upon written application to the Planning

and Development Director. Written application requesting the extension shall be submitted to the Planning and Development Director no later than thirty (30) working days before the date that the development order is to expire. The timelines and year-long extension herein shall be in addition to any pause, tolling and/or extension provided by federal, state or local law regarding state of emergencies, including but not limited to such relief offered in section 252.363, *Florida Statutes* (2021). Once a timely application for a development permit for a development plan has been submitted, any subsequent application may be filed notwithstanding the time provisions herein.

14. *Minor deviation to PDP.* Minor deviations shall be allowed pursuant to the LDC.
15. *Amendments to PDP.* Amendments to the preliminary development plan shall be allowed pursuant to the LDC.
16. *Development plan.* An application for development plan shall be filed according to the time limitations set forth in section III.C.14. of this PUD rezoning.

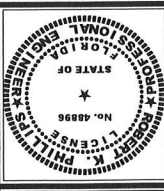
EXHIBIT 4
PUD SITE PLAN



5
DRAWING NUMBER
3000-22
PROJECT No.
SCALE:
1" = 10'
DATE:
SEPT 20 2023
DRAWN: D.B.
CHECKED: M.P.
R.K.P.

504 1ST AVE. S. COMMERCIAL BUILDING
504 1ST AVENUE SOUTH
JACKSONVILLE BEACH, FLORIDA
EXHIBIT 4 PUD SITE PLAN

REVISIONS:
JAX BEACH MOD 6/22



Robert K. Phillips, PE
1550 Selva Marina Drive
Atlantic Beach, Florida 32233
(904) 903-8715 · rtphillipspe@gmail.com
FL PE 48896



PLANNING COMMISSION AGENDA ITEM	
TO:	Planning Commission Members
FROM:	Planning and Development Department Christian Popoli: Senior Planner
DATE:	11/28/2023
SUBJECT:	PC#20-23 - Conditional Use Application Staff Report

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

PC#20-23 - Conditional Use Application

OWNER: Nicolas Notaro
700 9th Street South
Jacksonville Beach, FL 32250

APPLICANT: Nicolas Notaro
700 9th Street South
Jacksonville Beach, FL 32250

AGENT: N/A

LOCATION: 700 9th Street South
RE: 176590-0000

REQUEST: **Conditional Use Application** to add a coffee shop and showroom at an existing motorcycle repair shop (Garrison Moto) located in the Industrial: I-1 zoning district, pursuant to Section 34-346(d)(5) of the Jacksonville Beach Land Development Code.

COMMENTS: The subject property is currently occupied by a metal industrial structure that takes up a majority of the open land. The remainder is mostly paved as driveways. The structure was built for automotive or vehicle repair, and is currently used for motorcycle repair and service. The structure was built in 1950. The applicant and owner is requesting to convert one of the bays used for vehicle repair, to be converted into a coffee shop, which will be open to the public. The bay proposed for the coffee shop is currently unused, partially do to it's decreased size in comparison to the other bays. the coffee shop will be roughly 1,200 square feet, with roughly 500 square feet for seating area. the remainder of the structure, three full sized bays, will remain part of the motorcycle repair shop. The applicant has a companion variance scheduled for December 19th, to address issues related to parking and landscaping. Both approval of the Variance and the Conditional Use request must be granted for the project to move forward. All proposed coffee shop



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

uses will be contained inside the bay.

All requirements of the Building Code, Fire Code and Land Development code must be met, as well as compliance with the Public Works requirements for Grease Interceptors and road work. If both applications are approved, building plans will be reviewed by all agencies.

Adjacent uses include a warehouse and office complex to the north, a vehicle storage yard to the west, a private social club to the south, and multifamily uses to the east, across 9th Street South. As the use will be less intense than the current motorcycle repair use, and given the indoor nature of the proposed coffee shop, in conjunction with the surrounding light industrial uses, the Applicant's request should not negatively impact the surrounding property.

Based on the provided application and analysis stated in this report, the Planning and Development Department recommends **approval of PC#20-23**.

ATTACHMENTS:

1. PC #20-23

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

RECEIVED

OCT 16 2023

PC No. 23-100117
AS/400# 20-23
HEARING DATE 12/11/23

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: Nicolas Notaro
Mailing Address: 700 9th st South Jacksonville beach FL, 32250

Telephone: (904) 742-7472
Fax: _____
E-Mail: garrisonmoto@gmail.com

Applicant Name: Nicolas Notaro
Mailing Address: 700 9th st. South Jacksonville Beach FL, 32250

Telephone: (904) 742-7472
Fax: _____
E-Mail: garrisonmoto@gmail.com

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

Agent Name: _____
Mailing Address: _____

Telephone: _____
Fax: _____
E-Mail: _____

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: 700 9th st south Jacksonville Beach FL, 32250

Legal Description of property (attach copy of deed): 176590-0000

Current Zoning Classification: I-1

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: D-5

Describe the proposed conditional use and the reason for the request: Small Coffee shop / showroom for motorcycle enthusiasts and surrounding local businesses.

Applicant Signature: Nicolas Notaro

Date: 10-16-2023

Prepared by and Return to:
Mary Rathbun, an employee of
First International Title, Inc.
9700 Phillips Highway, Unit 105
Jacksonville, FL 32256
Our File No. 109335.1-43

RECEIVED
23-10017
OCT 16 2023
20-23
PLANNING
DEPARTMENT

WARRANTY DEED

THIS INDENTURE is made on 6th day of April, 2018, between **Deam, Turner, Perkins, LLC, a Florida limited liability company**, having a business address at: 900 7th Avenue South, Jacksonville Beach, Florida 32250 ("Grantor"), and **Nicolas Y. Notaro, a single person**, having a mailing address of: 1648 Evans Drive S., Jacksonville, Florida 32250 ("Grantee"):

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt and sufficiency of which is hereby acknowledged hereby grants, bargains, sells, remises, releases, conveys and confirms unto said "Grantee" all that certain land, situated, lying and being in the County of **Duval, Florida**, to-wit:

Lot 1, Block 80, OCEANSIDE PARK, according to the Plat thereof, recorded in Plat Book 8, Page(s) 13 of the Public Records of Duval County, Florida.

Parcel Identification Number: **176590-0000**

THIS DEED IS GIVEN TO WIND UP THE BUSINESS AND AFFAIRS OF THE LLC

Subject, however, to all reservations, covenants, conditions, restrictions and easements of record and all applicable zoning ordinances and/or restrictions or requirements imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to **December 31, 2017**.

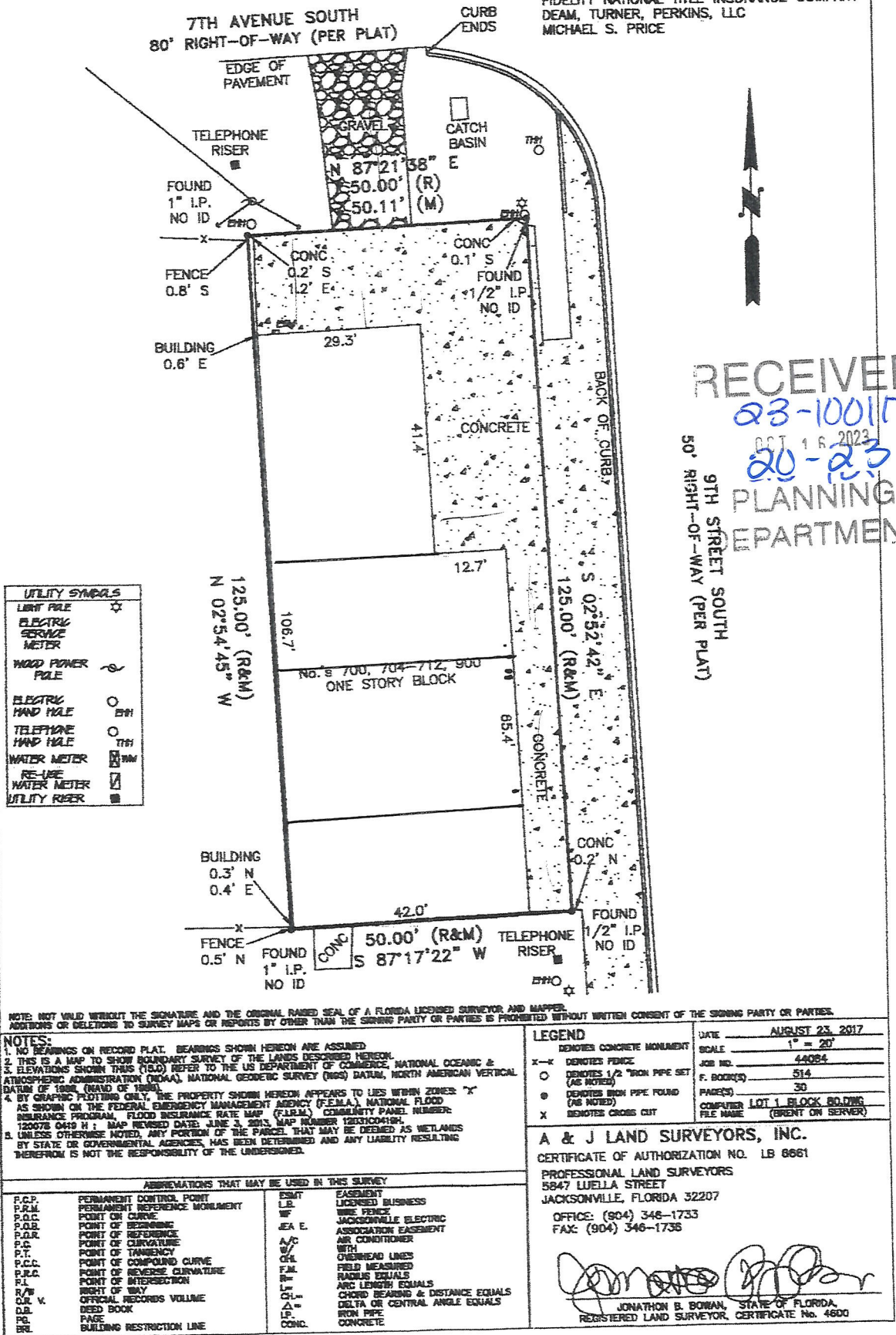
In Witness Whereof, Grantor has signed and sealed these presents on the date first above written.

MAP SHOWING SKETCH OF LOT 1, BLOCK 80

OCEANSIDE

AS RECORDED IN PLAT BOOK 8, PAGES 13 OF THE CURRENT PUBLIC RECORDS OF
DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
DEAM, TURNER, PERKINS, LLC
MICHAEL S. PRICE



RECEIVED
23-10017
OCT 16 2023
20-23
PLANNING
DEPARTMENT

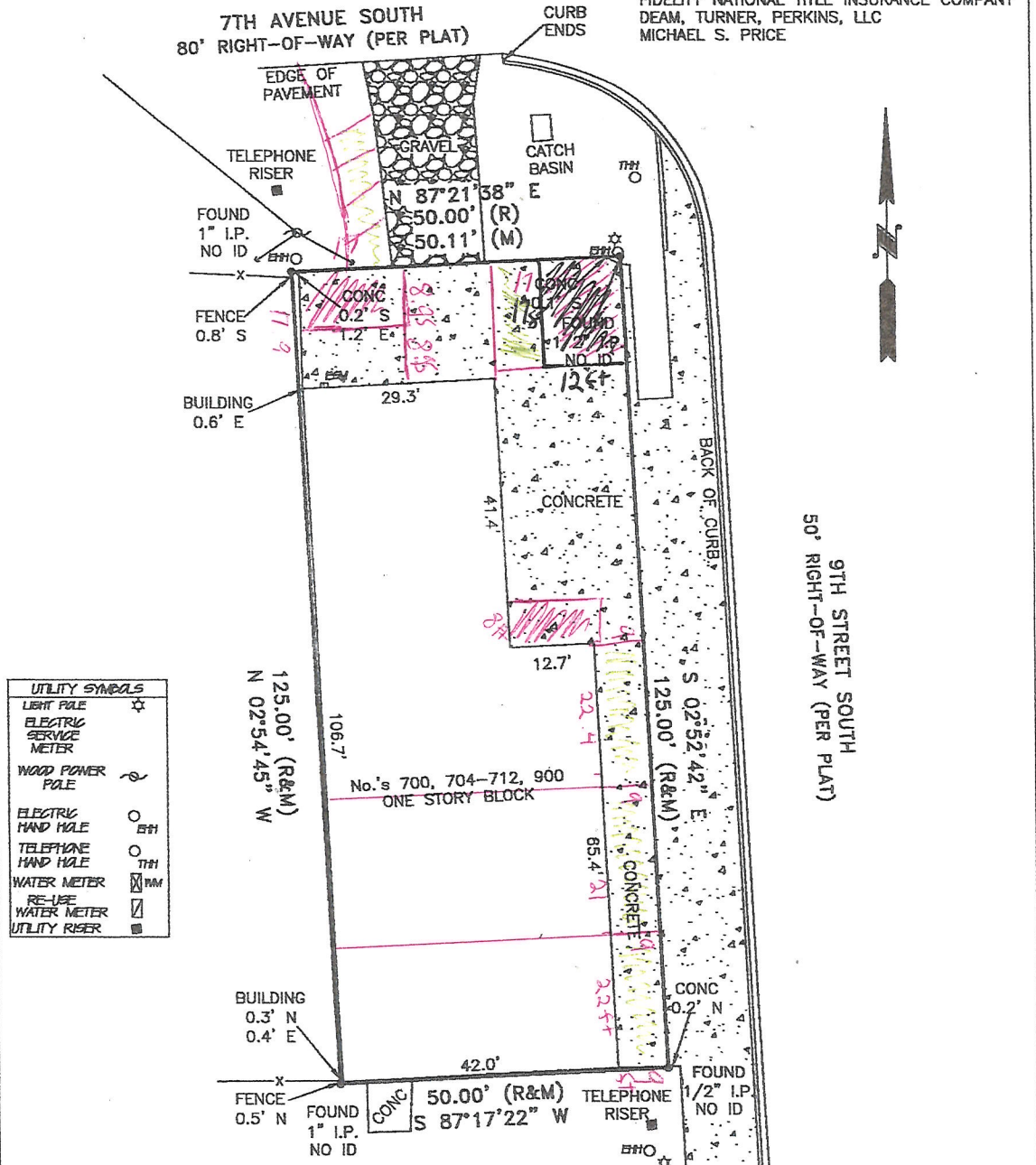
50' RIGHT-OF-WAY (PER PLAT)
9TH STREET SOUTH

RECEIVED
23-100117
OCT 16 2023
20-23
PLANNING
DEPARTMENT

MAP SHOWING SKETCH OF
LOT 1, BLOCK 80
OCEANSIDE

AS RECORDED IN PLAT BOOK 8, PAGES 13 OF THE CURRENT PUBLIC RECORDS OF
DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY
DEAM, TURNER, PERKINS, LLC
MICHAEL S. PRICE



NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

NOTES:
1. NO BEARINGS ON RECORD PLAT. BEARINGS SHOWN HEREON ARE ASSUMED.
2. THIS IS A MAP TO SHOW BOUNDARY SURVEY OF THE LANDS DESCRIBED HEREON.
3. ELEVATIONS SHOWN THUS (15.0) REFER TO THE US DEPARTMENT OF COMMERCE, NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION (NOAA), NATIONAL GEODETIC SURVEY (NGS) DATUM, NORTH AMERICAN VERTICAL DATUM OF 1988, (NAVD 83).
4. BY GRAPHIC PLOTTING ONLY, THE PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN ZONES "X" AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NUMBER: 120078 0419 H; MAP REVISED DATE: JUNE 3, 2013, MAP NUMBER 12031C0419H.
5. UNLESS OTHERWISE NOTED, ANY PORTION OF THE PARCEL THAT MAY BE DEEMED AS WETLANDS BY STATE OR GOVERNMENTAL AGENCIES, HAS BEEN DETERMINED AND ANY LIABILITY RESULTING THEREFROM IS NOT THE RESPONSIBILITY OF THE UNDERSIGNED.

LEGEND
DENOTES CONCRETE MONUMENT
X-X DENOTES FENCE
○ DENOTES 1/2" IRON PIPE SET (AS NOTED)
● DENOTES IRON PIPE FOUND (AS NOTED)
X DENOTES CROSS CUT

DATE: AUGUST 23, 2017
SCALE: 1" = 20'
JOB NO.: 44084
F. BOOK(S): 514
PAGE(S): 30
COMPUTER FILE NAME: LOT 1 BLOCK 80.DWG (BENT ON SERVER)

A & J LAND SURVEYORS, INC.

CERTIFICATE OF AUTHORIZATION NO. LB 6661

PROFESSIONAL LAND SURVEYORS
5847 LUELLA STREET
JACKSONVILLE, FLORIDA 32207

OFFICE: (904) 346-1733
FAX: (904) 346-1736

JONATHAN B. BOWAN, STATE OF FLORIDA,
REGISTERED LAND SURVEYOR, CERTIFICATE No. 4600

ABBREVIATIONS THAT MAY BE USED IN THIS SURVEY

P.C.P.	PERMANENT CONTROL POINT	ESMT	EASEMENT
P.R.M.	PERMANENT REFERENCE MONUMENT	L.B.	LICENSED BUSINESS
P.O.C.	POINT ON CURVE	WF	WIRE FENCE
P.O.B.	POINT OF BEGINNING	JE A E.	JACKSONVILLE ELECTRIC
P.O.R.	POINT OF REFERENCE	A/C	ASSOCIATION EASEMENT
P.C.	POINT OF CURVATURE	W/	WIRE
P.T.	POINT OF TANGENCY	CHL	CHORD BEARING
P.C.C.	POINT OF COMPOUND CURVE	F.M.L.	FIELD MEASURED
P.R.C.	POINT OF REVERSE CURVATURE	R=	RADIUS EQUALS
P.I.	POINT OF INTERSECTION	L=	ARC LENGTH EQUALS
R/W	RIGHT OF WAY	Δ=	DELTA OR CENTRAL ANGLE EQUALS
O.R. V.	OFFICIAL RECORDS VOLUME	I.P.	IRON PIPE
D.B.	DEED BOOK	CONC.	CONCRETE
P.G.	PAGE		
B.R.L.	BUILDING RESTRICTION LINE		

- 594 - Seating area

