



# City of Jacksonville Beach

## Regular Meeting Agenda

### Community Redevelopment Agency

11 North Third Street  
Jacksonville Beach, Florida

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Monday, April 22, 2024

3:00 PM

Council Chambers

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#### MEMORANDUM TO:

Members of the City of Jacksonville Beach Community Redevelopment Agency

The following Agenda of Business has been prepared for consideration and action at a Regular Meeting of the Community Redevelopment Agency:

#### CALL TO ORDER

#### ROLL CALL

#### COURTESY OF THE FLOOR TO VISITORS

#### APPROVAL OF MINUTES

#### OLD BUSINESS

#### NEW BUSINESS

A. **PC#** 04-24  
**ADDRESS:** 602 1st Street North  
**OWNER:** Jax Beach Investment Holding, LLC & Duck Dive, LLC  
**APPLICANT:** Emily Pierce, Rogers Towers, P.A.

**SUMMARY OF APPLICATION: PC# 04-24: Rezoning Application to Rezone property from Central Business District: CBD and Redevelopment District: RD to Redevelopment District: RD Zoning District,** for property located at: 125 5<sup>th</sup> Ave North, 129 5<sup>th</sup> Ave North, 135 5<sup>th</sup> Ave North, 0 1<sup>st</sup> St. North, and 602 1<sup>st</sup> St. North. (*Mango's bar and adjacent property*), to allow for the redevelopment of the property into a mixed-use restaurant/drinking establishment/office/retail project.

#### ITEMS FOR DISCUSSION

#### ADJOURNMENT

#### NOTICE

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*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 or by sending an e-mail to [CityClerk@jaxbchfl.net](mailto:CityClerk@jaxbchfl.net).*

*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 Agency. 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 Agency 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) Specific Agenda Item(s), and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to the Agency Administrator at [planning@jaxbchfl.net](mailto:planning@jaxbchfl.net), (2) Postal mail to Community Redevelopment Agency Administrator - 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 Agency and attached to the related agenda item before the start of the meeting. Written public comments will be read into the record at the appropriate time and will be limited to three minutes of reading time. All comments received are public record.*

***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.***

cc: City Manager; City Attorney





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| CRA AGENDA ITEM |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TO:             | Community Redevelopment Agency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| FROM:           | Planning and Development Department<br>Christian Popoli   Senior Planner                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| DATE:           | 04/15/2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| SUBJECT:        | <b>Rezoning Application to Rezone property from Central Business District: CBD and Redevelopment District: RD to Redevelopment District: RD Zoning District</b> for property located at: 125 5 <sup>th</sup> Ave North, 129 5 <sup>th</sup> Ave North, 135 5 <sup>th</sup> Ave North, 0 1 <sup>st</sup> St. North, and 602 1 <sup>st</sup> St. North. ( <i>Mango's bar and adjacent property</i> ), to allow for the redevelopment of the property into a mixed-use restaurant/drinking establishment/office/retail project. |

#### BACKGROUND

**Owner:**

Jointly owned by:  
Jax Beach Investment Holding LLC & Duck Dive LLC

**Applicant/Agent:**

Emily G. Pierce  
Rodgers Towers, P.A.  
1301 Riverplace Blvd., Suite 1500  
Jacksonville, FL 32207

**Request:**

Rezoning Application to Rezone property from Central Business District: CBD and Redevelopment District: RD to Redevelopment District: RD Zoning District for property located at: 125 5<sup>th</sup> Ave North, 129 5<sup>th</sup> Ave North, 135 5<sup>th</sup> Ave North, 0 1<sup>st</sup> St. North, and 602 1<sup>st</sup> St. North. (*Mango's bar and adjacent property*), to allow for the redevelopment of the property into a mixed-use restaurant/drinking establishment/office/retail project.

**Staff Analysis:**

The subject property is currently partially occupied by Mangos's Beach Bar, while the remainder to the west is occupied by several small multifamily structures and a small office space. The property has a split zoning, with the western portion used for multifamily being in the Central Business District: CBD zoning district, while the eastern portion is currently in the Redevelopment District: RD zoning district. The current RD zoning is for the portion where Mango's is located. The previous RD zoning district was created in 2014, and was intended to be the home of Surfer the Bar. Surfer has since located to the corner of 1st Street North and 1st Avenue North.



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In the past three years, Mango's has been working to improve the building they are currently in, with internal renovations to provide better bathroom space and better traffic flow for customers. The current RD zoning is tied to a very specific site plan and uses, and this has limited the options for Mango's to expand beyond the current envelope of the existing building. The first reason of this rezoning request is to allow Mango's to expand outside their existing footprint. The owners plan to add an addition to the north side of the current structure to accommodate a new men's restroom, as well as expand the covered outside patio area to the south and east.

Under the proposed site plan, the western portion of the property between Mango's and 2nd Street North would be fully redeveloped, removing the existing multifamily structures, and building a new mixed-use structure with a small first floor footprint, and a larger upstairs area. The design would allow for commercial and retail spaces on the first floor, and new restaurant spaces upstairs, with a large outside seating area all on the second floor. The site plan also addresses traffic circulation and parking. Adequate parking to meet the required parking requirement per the LDC will be provided on site, and a new traffic circulation pattern will be constructed to limit traffic to and from 1st Street North, a predominantly pedestrian oriented street, and make the current driveway on 1st Street a one-way "in only" access. Most traffic will enter and exit on 5th Avenue North and 2nd Street North, as encouraged by the CBD zoning district design standards. Landscaping will be a mix of normally planted landscaping and "urban" or potted landscaping, as is an option allowed in the CBD standards.

The proposed uses outlined in the written description would include a majority of the permitted and conditional uses in the CBD zoning district, but all use would be permitted, and would not require conditional approval, but rather the approval of the RD zoning request would serve as approval. There are a number of specifically prohibited uses as well, and these proposed prohibited uses are those that would be substantially incompatible with their surrounding area and are not intended for the downtown commercial core at large,

**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- 347(i). 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.



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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, involving the construction and maintenance of a privately owned grease trap and waste grease storage tank. 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. The applicant is proposing a single multiple-user compactor facility for all uses on the property.

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. 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. The applicant is proposing a single multiple-user compactor facility for all uses on the property.

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. The subject site is located in the downtown, which has adequate storm water management facilities. 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 affects 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 an existing developed property within the downtown core, and the use of restaurants is one specifically promoted through the recent adoption of the local "J" bill, thus not creating any new development patterns, but focusing on redevelopment of 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.

Although it is possible to site such uses on any vacant lot within the CBD district, the use of RD zoning will allow for the Mango's site to be improved and renovated, and will allow a more cohesive mix of uses sharing a single parking lot and solid waste facility.

**Pursuant to the Land Development Code, the Planning Commission and City Council shall apply the standards in in Section 34- 347(i). to the Preliminary Development Plan.**



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Staff finds that the application's Preliminary Development Plan is consistent with the standards outlined in Section 34-347(i) 1 through 13. Standards include land area, permitted uses, prohibited uses, residential density (not applicable), area and setbacks, traffic circulation and parking, off-street parking and loading, open space (not applicable), signage, landscaping, easements, public facilities, and the comprehensive plan.

### **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 lot in the CBD 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 mixed-use project will be consistent with simpler uses within the CBD future land use category and within the surrounding neighborhood. The infill of commercial spaces, with specifically first floor commercial uses, internal parking and re-investment of existing structures is supported in the Downtown Redevelopment Plan.

#### 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.

The proposed RD rezoning will provide for a more coordinated approach to redevelopment via Council specifically approving a list of permitted uses and allowing for the natural market demand to drive the infill development, so long as it conforms to the uses approved and encouraged by City Council.

#### Policy LU.1.2.6

The City recognizes that urban sprawl; as evidenced by the incidence of "leapfrog" development,



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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.

The proposed mixed use project would encourage a diversity of uses within the downtown core, allow for the continued re-investment of existing developed commercial land within the fully developed CBD district, help to eliminate blight by redeveloping areas within the Downtown CRA, and encourage the use of existing road, water, sewer and storm water infrastructure rather than encouraging the extension or increase of existing systems on the periphery of the City.

### **Consistency with the Downtown Redevelopment Plan**

The proposed redevelopment project serves to meet the following objectives of the Downtown Redevelopment Plan:

- Eliminate the conditions of blight and prevent the spread of blighted conditions
- Encourage the core downtown area to develop as the center for cultural, entertainment, and community activities within the City.
- Increase the tax base in the Community Redevelopment Area to assist in financing public actions to support redevelopment.
- Encourage the re-creation of a compact mixed-use core area, oriented to recreation, entertainment, specialty retail, tourism and housing.
- Encourage the development of a mix of actives in the core area including residential, retail, hotel and office.

### **Staff Recommendation**

Staff has reviewed the rezoning request against the Land Development Code and adopted 2030 Comprehensive Plan, and finds that it is consistent with both. The proposed RD Rezoning would allow for the redevelopment and expansion of commercial uses within an existing property that is currently used for a bar and older multifamily housing stock. The additional uses and new commercial structure will help generate more economic growth in the downtown core, and help to realize the vision of the Council for a thriving downtown area. Staff recommends **approval** of the request.

### FINANCIAL IMPACT

None

### REQUESTED ACTION

Recommendation of approval, denial, or approval with conditions of the rezoning application.



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ATTACHMENTS

1. RD Application





REZONING APPLICATION

RECEIVED

MAR 07 2024

PC No. 4-24  
AS/400# 24-100012  
PC HEARING April 22

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: Jax Beach Investment Holding LLC & Duck Dive, LLC

Mailing Address: 1440 Beach Avenue

Atlantic Beach, FL 32233

Telephone: 904.962.5035

Fax:

E-Mail:

Applicant Name: Emily G. Pierce

Mailing Address: Rogers Towers, P.A.

1301 Riverplace Blvd., Suite 1500

Jacksonville, FL 32207

Telephone: 904.346.5787

Fax:

E-Mail: epierce@rtlaw.com

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

Agent Name: Emily G. Pierce

Mailing Address: Rogers Towers, P.A.

1301 Riverplace Blvd., Suite 1500

Jacksonville, FL 32207

Telephone: 904.346.5787

Fax:

E-Mail: epierce@rtlaw.com

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: #173937-0000; 173938-000; 173939-000; 174174-0000; 174174-0050

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): See legal description attached as Exhibit 5.

Current Zoning Classification: CBD/RD      Future Land Use Map Designation: CBD

Proposed Zoning Classification: RD

| 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;                            |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. An 8½" x11" vicinity map identifying the property proposed for amendment;                                                                                                                      |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;                                                                |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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. |  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Applicant Signature:

Date: 3/7/2024

**Agent Authorization**

Date: 12-20-23

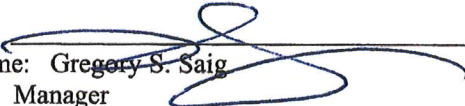
City of Jacksonville Beach  
Planning and Development Department  
11 North 3<sup>rd</sup> Street  
Jacksonville Beach, FL 32250

Re: Agent Authorization for the following site location:

**123 5<sup>th</sup> Avenue North (RE # 173939-0000); 129 5<sup>th</sup> Avenue North (RE # 173938-0000); 135 5<sup>th</sup> Avenue North (RE # 173937-0000); 0 1<sup>st</sup> Street North (RE # 174174-0050); 602 1<sup>st</sup> Street North (RE # 174174-0000)**

You are hereby advised that the undersigned are the owners of the property described above. Said owners hereby authorize and empower Rogers Towers to act as agents to file application(s) for a rezoning 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.

JAX BEACH INVESTMENT HOLDING LLC, a  
Florida limited liability company

By:   
Name: Gregory S. Saig  
Its: Manager

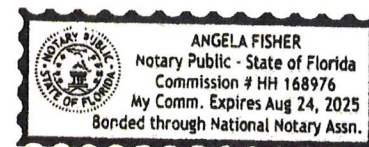
DUCK DIVE, LLC, a Florida limited liability company

By:   
Name: Gregory Saig  
Its: Manager

STATE OF FLORIDA  
COUNTY OF St. Johns

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 20<sup>th</sup> day of December, 2023, by Gregory S. Saig as Manager of both JAX BEACH INVESTMENT HOLDING LLC and DUCK DIVE, LLC, on behalf of the companies. He (check one) ☐ is personally known to me, or ☒ has produced a valid driver's license as identification.

 (SEAL)  
Notary Public, State of Florida and county aforesaid  
Name: Angela Fisher  
My Commission Expires: 8-24-25  
My Commission Number is: HH168976

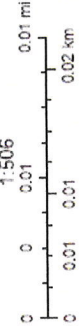




JAXGIS Property Information  
Letter ANSI A Landscape



January 8, 2024



| RE #       | Owner Address              | Zip Code | Transaction Price | Transaction Year | Acres | Map Panel  | Book-Page | Legal Descriptions                      | Flood Zone                         | AshSite | EDA Level      | Evacuation Zone | Planning District | Noise Zone | APZ | Civ HH Zone | MI HH Zone | Lighting Reg | Civ Notice Zone | MI Notice Zone |
|------------|----------------------------|----------|-------------------|------------------|-------|------------|-----------|-----------------------------------------|------------------------------------|---------|----------------|-----------------|-------------------|------------|-----|-------------|------------|--------------|-----------------|----------------|
| 1741740000 | DUCK 602 1ST DIVE ST N LLC | 32250    | \$2500000         | 2020             | 0.16  | 1921001019 | 9433      | 3-28 33-2S-29E .179 PABLO BEACH NORTH S | 0.2 PCT ANNUAL CHANCE FLOOD HAZARD |         | NOT DISTRESSED | ZONE A          | 7                 | NA         | NA  | NA          | NA         | NA           | NA              | NA             |

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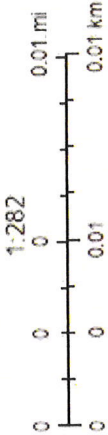
| RE # | Owner Address | Zip Code | Transaction Price | Transaction Year | Acres | Book-Page | Map Panel | Legal Descriptions      | Flood Zone | AshSite | EDA Level | Evacuation Zone | Planning District | Noise Zone | APZ | Civ HH Zone | MI HH Zone | Lighting Reg | Civ Notice Zone | MI Notice Zone |
|------|---------------|----------|-------------------|------------------|-------|-----------|-----------|-------------------------|------------|---------|-----------|-----------------|-------------------|------------|-----|-------------|------------|--------------|-----------------|----------------|
|      |               |          |                   |                  |       |           |           | 73FT LOTS<br>7.8 BLK 62 |            |         |           |                 |                   |            |     |             |            |              |                 |                |



Letter ANSI A Landscape



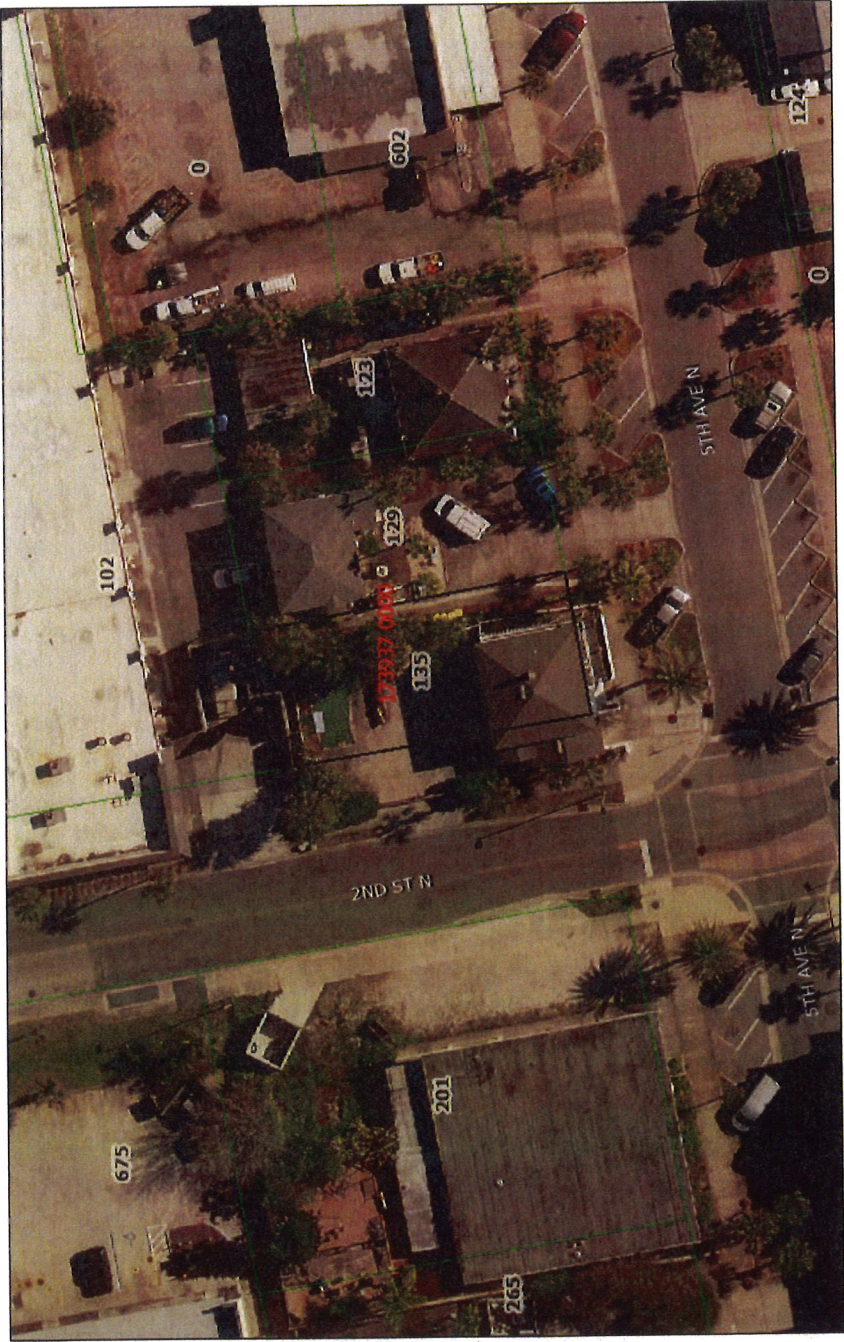
March 7, 2024



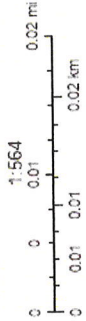
| RE #       | Owner         | Legal Name 2 | Mail Address 1        | Mail Address 2 | Mail Address 3 | Mail City          | Mail State | Mail Zip | Acres | Legal Descriptions                                           | Property Use | Property Use Desc | Exemptions | Building Improvement Value |
|------------|---------------|--------------|-----------------------|----------------|----------------|--------------------|------------|----------|-------|--------------------------------------------------------------|--------------|-------------------|------------|----------------------------|
| 1741740000 | DUCK DIVE LLC |              | 3948 S 3RD ST STE 373 |                |                | JACKSONVILLE BEACH | FL         | 32250    | 0.16  | 3-28 33-2S-29E .179 PABLO BEACH NORTH S 52FT LOTS 7,8 BLK 62 | 3300         | NIGHT CLUB/BAR    | N/A        | 103368                     |



JAXGIS Property Information  
Letter ANSI A Landscape



January 8, 2024



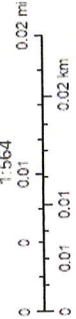
| RE #       | Owner                            | Address       | Zip Code | Transaction Price | Transaction Year | Acres | Book-Page  | Map Panel | Legal Descriptions                   | Flood Zone                         | AshSite | EDA Level      | Evacuation Zone | Planning District | Noise Zone | APZ | Civ HH Zone | MI HH Zone | Lighting Reg | Civ Notice Zone | MI Notice Zone |
|------------|----------------------------------|---------------|----------|-------------------|------------------|-------|------------|-----------|--------------------------------------|------------------------------------|---------|----------------|-----------------|-------------------|------------|-----|-------------|------------|--------------|-----------------|----------------|
| 1739370000 | JAX BEACH INVESTMENT HOLDING LLC | 135 5TH AVE N | 32250    | \$1033300         | 2018             | 0.1   | 1860200721 | 9433      | 15-50 33-2S-29E FLAGLER TRACT LOT 38 | 0.2 PCT ANNUAL CHANCE FLOOD HAZARD |         | NOT DISTRESSED | ZONE A          | 7                 | NA         | NA  | NA          | NA         | NA           | NA              | NA             |



JAXGIS Property Information  
Letter ANSI A Landscape



January 8, 2024



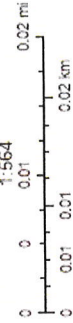
| RE #       | Owner                            | Address       | Zip Code | Transaction Price | Transaction Year | Acres | Book-Page  | Map Panel | Legal Descriptions                        | Flood Zone                         | AshSite | EDA Level      | Evacuation Zone | Planning District | Noise Zone | APZ | Civ HH Zone | MI HH Zone | Lighting Reg | Civ Notice Zone | MI Notice Zone |
|------------|----------------------------------|---------------|----------|-------------------|------------------|-------|------------|-----------|-------------------------------------------|------------------------------------|---------|----------------|-----------------|-------------------|------------|-----|-------------|------------|--------------|-----------------|----------------|
| 1739380000 | JAX BEACH INVESTMENT HOLDING LLC | 129 5TH AVE N | 32250    | \$1033300         | 2018             | 0.1   | 1860200721 | 9433      | 15-50 33-2S-29E .110 FLAGLER TRACT LOT 39 | 0.2 PCT ANNUAL CHANCE FLOOD HAZARD |         | NOT DISTRESSED | ZONE A          | 7                 | NA         | NA  | NA          | NA         | NA           | NA              | NA             |



JAXGIS Property Information  
Letter ANSI A Landscape



January 8, 2024



| RE #        | Owner                            | Address       | Zip Code | Transaction Price | Transaction Year | Acres | Book-Page  | Map Panel | Legal Descriptions                   | Flood Zone                         | AshSite | EDA Level      | Evacuation Zone | Planning District | Noise Zone | APZ | Civ HH Zone | MI HH Zone | Lighting Reg | Civ Notice Zone | MI Notice Zone |
|-------------|----------------------------------|---------------|----------|-------------------|------------------|-------|------------|-----------|--------------------------------------|------------------------------------|---------|----------------|-----------------|-------------------|------------|-----|-------------|------------|--------------|-----------------|----------------|
| 173939 0000 | JAX BEACH INVESTMENT HOLDING LLC | 123 5TH AVE N | 32250    | \$1033300         | 2018             | 0.1   | 1860200721 | 9433      | 15-50 33-2S-29E FLAGLER TRACT LOT 40 | 0.2 PCT ANNUAL CHANCE FLOOD HAZARD |         | NOT DISTRESSED | ZONE A          | 7                 | NA         | NA  | NA          | NA         | NA           | NA              | NA             |



Duval Map



January 8, 2024



## **EXHIBIT 4**

### **NARRATIVE DESCRIPTION**

#### **Jax Beach Mixed-Use Project Proposed Rezoning to RD District and Preliminary Development Plan April 2, 2023**

**Existing FLUM Designation: CBD  
Existing Zoning: CBD/RD  
Proposed Zoning: RD**

### **I. INTRODUCTION**

Jax Beach Investment Holding LLC and Duck Dive, LLC (collectively, "Owner") propose to rezone approximately .76 acres of property from Central Business District ("CBD") to Redevelopment District ("RD"). The property is located at 135 5<sup>th</sup> Avenue North (RE# 173937-0000), 129 5<sup>th</sup> Avenue North (RE# 173938-0000), 123 5<sup>th</sup> Avenue North (RE# 173939-0000), 602 1<sup>st</sup> Street North (RE# 174174-0000), and 0 1<sup>st</sup> Street North (RE# 174174-0050) and sits approximately one block from the Atlantic Ocean (collectively, the "Property").

The Property is located within the CBD functional land use category according to the Future Land Use Map ("FLUM") series adopted as part of the City of Jacksonville Beach ("City") 2030 Comprehensive Plan and is zoned CBD. The Property comprises the southern half of the block bounded by 1st Street North, 6th Avenue North, 2nd Street North, and 5th Avenue North. It is located within the North subdistrict of the RD Zoning District. The Property is within an urban infill area and is currently occupied by Mango's Beach Bar and three (3) two-story residential buildings, two of which are residential and one of which is an office. Due to the location and the unique and innovative development plan, the Owner requests this RD rezoning to permit the redevelopment of the Property into a mixed-use development with the west half of the Property being a multi-tenant plaza intended for a mix of restaurant, office, and commercial retail uses and the east half of the Property remaining as a bar (the "Project").

The eastern half of the Property was previously the subject of Ordinance 2014-8058, which permitted retail commercial uses. That rezoning has since expired.

The following is a description of the proposed RD rezoning with the Preliminary Development Plan ("PDP") in support. Also included is an explanation of why the proposed development complies with the standards governing RD rezonings and PDPs pursuant to the City's Land Development Code ("LDC").

### **II. REDEVELOPMENT DISTRICT**

The proposed development is consistent with the objectives of the Jacksonville Beach Community Redevelopment Plan, is consistent with the 2030 Comprehensive Plan, and furthers the purpose of the RD zoning district by providing for creative design and planning. The proposed development will be constructed in accordance with the following provisions of the PDP set forth below.

**III. PRELIMINARY DEVELOPMENT PLAN**

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

Owner: RE #s 173937-0000, 173938-0000, & 173939-0000  
Jax Beach Investment Holding LLC  
1440 Beach Avenue  
Atlantic Beach, FL 32233

RE #s 174174-0000 & 174174-0050  
Duck Dive, LLC  
3948 S 3<sup>rd</sup> Street Ste 373  
Jacksonville Beach, FL 32250

**B. 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.

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

Applicant/Agent: Rogers Towers, P.A.  
c/o Emily G. Pierce  
1301 Riverplace Blvd., Ste 1500  
Jacksonville, FL 32207  
[epierce@rtlaw.com](mailto:epierce@rtlaw.com)  
904-346-5787

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

Architect: Joe Cronk  
Cronk Duch Architecture, LLC  
1936 San Marco Boulevard, Studio 101  
Jacksonville, FL 32207  
[ioe@cronkduch.com](mailto:ioe@cronkduch.com)  
(904) 302-9848

Engineer: Joseph P. Loretta, V.P., Operations Manager  
Halff  
9995 Gate Pkwy N Suite 200  
Jacksonville, FL 32246  
[jloretta@halff.com](mailto:jloretta@halff.com)  
(904) 441-8365



**E. The name, address and legal description of the land on which the preliminary development plan 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 parcels and addresses set forth above. The legal description and deeds are attached hereto as **Exhibit “5.”**

**F. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for development, with the boundaries already marked.**

The assessment map is attached hereto as **Exhibit “1.”**

**G. 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 “2.”**

**H. A statement of the planning objectives to be achieved by the planned redevelopment activity and its consistency with the Jacksonville Beach Community Redevelopment 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.**

1. *Description of Character of Proposed Development.*

The Property is located within an urban infill area, one (1) block from the Atlantic Ocean. The Property is currently the site of Mango’s Beach Bar and three, two-story units, two of which are residences and one of which is being utilized as office space. Mango’s Beach Bar has been a Jacksonville Beach institution for over sixty-five (65) years. The surrounding zoning districts include: CBD to the north, south, east and west. The eastern half of the Property was rezoned in 2014 to RD pursuant to Ordinance 2014-8058. The 2014 RD zoning permitted a mixed-use development that would have consisted of office/retail space and a new concept bar. Because a building permit was not applied for within eighteen (18) months following the adoption of the rezoning ordinance, the zoning designation of RD is now void.

Following the expiration of the RD zoning on the eastern half of the Property, the Owners decided to address redevelopment of the entire site and engaged architects from Cronk Duch Architecture and engineers from Halff to assist with the development of a cohesive vision for the Property. Consistent with its location and the surrounding uses, the Project concept contemplates a new mixed-use development on the western half of the Property and improvements to the existing use on the eastern half of the Property.

As illustrated on **Exhibit “A”** (the Jax Beach Mixed Use Vision Plan), **Exhibit “B”** (the Parcel 1 Ground Floor and Second Floor Plans), and **Exhibit “C”** (the Jax Beach Mixed Use Site Plan) Parcel 1 (the western portion of the Property) will consist of two (2) new multi-tenant, mixed-use two (2) story buildings connected under one roof intended for office and commercial retail uses on the ground floor and a restaurant use on the second floor including both indoor and outdoor dining space. The ground floor of Parcel 1 will include retail space, the elevator lobby, and a preparation area and cooler/freezer space for the restaurant. The second floor of Parcel 1 will include a mix of both enclosed and open/covered space. The building on Parcel 1 will be approximately 13,500 square feet.

As shown on both **Exhibit “A”** and **Exhibit “C,”** Parcel 2 will consist of the redevelopment and expansion of Mango’s Beach Bar to include a larger outside patio which may be fully or partially covered and which will face both 5<sup>th</sup> Avenue North and 1<sup>st</sup> Street North along with a new men’s restroom. Mango’s will remain the popular “beach dive bar” that it is but will get some much-needed improvements with the addition of a new men’s restroom, the expanded outdoor space and new landscaping.

The Project utilizes varying heights throughout the Property to maximize architectural aesthetics, consumer experiences and ocean views, while ensuring consistent building mass and scale with the surrounding area.

There are three primary access points: one on 2<sup>nd</sup> Street North, one on 5<sup>th</sup> Avenue North; and an entrance-only on 1<sup>st</sup> Street North. There will also be a dedicated covered valet drop-off space on Parcel 1 serving the upstairs restaurant which will exit onto 5<sup>th</sup> Avenue North. The valet design will allow for a covered drop-off area and for staging for the new restaurant. The Property will include 41 on-site parking spaces (inclusive of 2 handicapped accessible spaces). The Property also includes a dedicated bike rack area. There are approximately ten (10) additional angled parking spaces available to patrons immediately adjacent to the Property on 5<sup>th</sup> Avenue North with additional spaces across 5<sup>th</sup> Avenue North and public parking within the Jacksonville Beach Pier lot across 1<sup>st</sup> Street North.

2. Consistency with Jacksonville Beach Community Redevelopment Plan.

The Jacksonville Beach Community Redevelopment Plan, adopted in January 1987 by the Jacksonville Beach Community Redevelopment Agency, sets out specific objectives to guide the redevelopment of the Jacksonville Beach Redevelopment Area (the “Community Redevelopment Plan”). The proposed redevelopment is consistent with the general purpose and intent of the Community Redevelopment Plan and specifically furthers the following objectives:

*General Objectives:*

- a. *Eliminate the conditions of blight and prevent the spread of blighting conditions.*

The Project features a holistic approach to the redevelopment of the Property. The project will provide on-site parking along with new commercial retail and office uses, and a second story restaurant on historically underutilized land. The Project

will also include renovations to a long-standing Jacksonville Beach institution, Mango's Beach Bar. As shown on **Exhibit "A"** the new development and improvements to Mango's Beach Bar will be architecturally compatible with the new development ensuring a cohesive development which will help with the prevention of blighting conditions in the area.

- b. *Encourage the core downtown area to develop as the center for cultural, entertainment and community activities within the City.*

The Project's mix of uses, including both new uses and the preservation of a Jacksonville Beach icon, the removal and replacement of existing rundown buildings with new attractive, site appropriate construction and its proximity to the Jacksonville Beach Pier and Seawalk Pavilion will encourage resident and visitor participation in the area. This mix of uses furthers the Community Redevelopment Plan's vision for the area north of 5<sup>th</sup> Avenue North and east of 2<sup>nd</sup> Street to include a mix of both residential and commercial uses.

*Economic Objectives:*

- a. *Increase the tax base in the Community Redevelopment Area to assist in financing public actions to support redevelopment.*

The Project contemplates new construction along with renovations to Mango's which will result in an increase in the tax base of the CRA.

- b. *Encourage the re-creation of a compact mixed-use core area, oriented to recreation, entertainment, specialty retail tourism and housing.*

The Project features a cohesive compact design that will incorporate new commercial retail and office uses, a restaurant, surface parking and improvements to Mango's Beach Bar all within the Central Business District. This integrated and thoughtfully designed Project should encourage resident and visitor participation in the area.

*Land Use Objectives:*

- a. *Encourage the development of a mix of activities in the core area including residential, retail, hotel and office.*

This Project includes a mix of new retail, office and restaurant uses and the renovation of a popular existing use and has been designed in a cohesive, compact way in order to foster resident and visitor participation in the area and should act as a catalyst to further redevelopment in the core area.

- b. *Provide guidance to moderate building heights in the core oceanfront area and residential densities elsewhere in the community redevelopment area.*

As set forth below, the Project sets a maximum building height of thirty-five (35) feet, less improvements otherwise permitted by the City's Charter and LDC, with



varying roof heights to add architectural interest to the site while ensuring consistent building mass and scale with the surrounding area.

- c. *Control the amount of land zoned for commercial use to stabilize predominately residential areas and concentrate commercial activity in the core area.*

The proposed mix of commercial and office uses are appropriate for the Property and the surrounding location as they are located within the commercial core area of the CBD.

*Circulation and Parking Objectives:*

- a. *Maintain the existing street pattern with improvements as necessary to accommodate new development.*

The existing street pattern will remain. The Project will include a 41-space surface parking area consistent with the requirements of the CBD/RD zoning district. The existing access point on 1<sup>st</sup> Street North will be converted to an entrance-only access and will be signed accordingly.

*Urban Design Objectives:*

- a. *Promote standards of high quality in new development and rehabilitation consistent with the desired image of Jacksonville Beach.*

The Project has been thoughtfully designed to integrate the various proposed uses with each other and with the surrounding area. The proposed design is consistent with the vision for the redevelopment of the CRA area to eliminate “poor building conditions” in the area.

- b. *Promote compatibility and integration among public and private developments.*

The Project includes a mix of commercial, retail and restaurant uses in a compact design that is compatible with the surrounding uses. The mix of uses provides multiple opportunities for interaction by visitors and residents alike.

**I. 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 contemplates leasing to multiple tenants.

**J. A description of the proposed development, including:**

- 1. *The number and type of residential dwelling units.*

The proposed Project does not include residential uses.

2. The approximate gross density for the residential development.

The proposed Project does not include residential uses.

3. The amounts of land and building square footages for nonresidential developments, by type of use, including any portions to be reserved for public use.

The proposed building square footages are consistent with the goals of the Community Redevelopment Plan and are comparable to the existing development in the surrounding area.

*Proposed Square Footage (not to exceed):*

Parcel 1 – 13,500 square feet, includes air-conditioned areas, along with covered and uncovered seating areas as described below (note that specific square footages for the spaces are approximates):

Ground Floor

Retail: ±2,800 heated sq. ft.

Restaurant/Kitchen related uses (dish & primary prep, cooler/freezer, office): ± 1,200 heated sq. ft.

Stairwells and elevator (both floors): ± 1,000 sq. ft.

Covered, unheated space: ± 3,500 sq. ft.

Second Floor

Restaurant: ± 6,000 heated sq. ft.

Restaurant covered, unheated space: ± 2,500 sq. ft.

Parcel 2 (Mango's) – 4,300 square feet, including bar and covered/uncovered seating area:

Night club/bar: ± 2,600 heated sq ft

Covered/uncovered, unheated space: ± 1,700 sq ft

The proposed square footages for each use may be allocated to another use on a one (1) to one (1) square foot basis or as otherwise agreed to by the P&DD.

**K. 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, the traffic circulation, access points and parking is attached hereto as **Exhibit "C"** (Jax Beach Mixed-Use Site Plan)

**L. A tentative development schedule indicating:**

1. The approximate date when construction of the development can be exped to begin.

Development is anticipated to be accomplished in one (1) or more phases. It is contemplated that an application for a development permit for a development plan will be submitted for within one (1) year of the approval of this RD rezoning or as otherwise allowed herein. Construction is expected to begin following issuance of the permit by the City.

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

The development is anticipated to occur in one (1) or more phases. It is contemplated that an application for a development permit for a development plan will be submitted for within one (1) year of the approval of this RD rezoning or as otherwise allowed herein.

3. The approximate date when each stage of development will be completed.

Subject to market conditions and financing, development is anticipated to begin no later than 2025 and subject to the tolling and other time provisions herein is estimated to be completed by 2028.

**IV. STANDARDS**

This RD zoning district shall comply with the following standards:

**A. Permitted Uses.**

1. General commercial retail uses, including, but not limited to specialty retail outlets and similar uses which may include outside sales displays.
2. Bakery products manufacturing, in conjunction with the retail sale of the baker products on the same site.
3. Jewelry manufacturing, in conjunction with the retail sale of the jewelry on the same site.
4. Handbag and other personal leather goods manufactured in conjunction with the retail sale of the finished product on the same site.
5. Travel agencies.



6. Retail trade establishments as follows: Building materials, hardware and garden supplies; general merchandise stores; apparel and accessory stores; home furniture, furnishing and equipment stores; drug stores; florists/plant stores; tobacco stands and newsstands; optical goods stores; and miscellaneous retail goods.

7. Restaurants, cafes, and similar dining/eating establishments with either indoor or outdoor sales and service, or both. Such establishments may also include the sale and service of all alcoholic beverages, including liquor, beer or wine, with indoor or outdoor service, or both. These uses shall be permitted notwithstanding the distance requirements in section 34-393(2) or the supplemental requirements in section 34- 407(a) and (b).

8. A bar, lounge, night club, tavern or similar establishment or facility, which includes the retail sale and service of all alcoholic beverages, including liquor, beer or wine for on-premises or off-premises consumption or both. Such facility may include inside or outside sale and service of such alcoholic beverages, or both. These uses shall be permitted notwithstanding the distance requirements in section 34-393(2) or the supplemental requirements in section 34-407(a) and (b). Additionally, notwithstanding the limitations set forth in section 34-407(b), the outdoor seating area for any such use may exceed twenty-five (25) percent of the total enclosed area of the bar.

9. Microbreweries.

10. Financial institutions, insurance and real estate offices.

11. Personal service establishments as follows: Photographic studios; beauty and barber shops; shoe repair shops and shoe-shine parlors; tax preparation services; and miscellaneous personal services.

12. Business service establishments as follows: Advertising; business and consumer credit reporting and collections; mailing reproduction; commercial art and photography and stenographic services; personnel supply, excluding labor and manpower pools and similar temporary help services; computer programming, data processing and other computer services; and miscellaneous business services.

13. Automotive parking, including surface and/or structured parking.

14. Dance, music, gymnastics, cheer, martial arts, acting, and photography studios/schools and similar uses.

15. Amusement and recreation service establishments as follows: Physical fitness facilities; coin operated amusement devices; or membership sports and recreation clubs.

16. Business and professional offices as follows: Landscape architect; building contractors and subcontractors (no storage of vehicles, equipment, or materials); doctors, chiropractors, dentists and miscellaneous health offices and clinics; legal services; engineering, architecture, accounting, research management, and similar uses.

17. Museums, art galleries, art studios, and similar uses.

18. Government uses.

19. Essential services, including water, sewer, electrical, gas, communications antennae, and similar uses.

20. Pharmacy.

21. Any other permitted use allowed in the CBD or RD zoning districts.

**B. Prohibited Uses:**

The following uses are specifically prohibited:

1. Manufacturing, except for activity related to the production of items designed for sale at retail on the premises such as arts and crafts, jewelry, or bakery goods.

2. Outdoor storage yards of any kind, including junk yards.

3. Wholesale trade, warehouse, and distribution establishments.

4. Cemeteries.

5. Mobile home parks.

6. Motor vehicle repair, services, and garages.

7. Transportation and transportation service establishments, except terminal and service facilities for passenger transportation.

8. Petroleum and petroleum products receiving, storage/and distribution.
9. Veterinary services and kennels.
10. Recreational vehicle or travel trailer parks.
11. Commercial and industrial laundries.
12. Cold storage and ice processing plants.
13. Contract construction establishments.
14. Rooming and boarding houses.

**C. Area and setback requirements:**

1. Minimum lot area and width: None.
2. Maximum lot coverage by buildings: 90%.
3. Building setbacks:
  - a) *Front* - zero (0) feet minimum; ten (10) feet maximum. Outdoor covered areas shall count as the building for purposes of determining the front setback and frontage buildout.
  - b) *Side* - zero (0) feet minimum.
  - c) *Rear* - zero (0) feet minimum.
4. Maximum building height: Thirty-five (35) feet. The height limitation contained in this RD rezoning does not apply to spires, belfries, cupolas, flag poles, antennas, water tanks, fire towers, cooling towers, ventilators, chimneys, radio and television towers, and elevator hoist ways, not intended for human occupancy. Should the maximum height under the City's Charter and/or LDC increase subsequent to the approval of this RD rezoning, the Project may be developed in accordance with those provisions through an RD zoning amendment pursuant to the standards and procedures for a rezoning.

**D. Traffic circulation control and parking.** Vehicular access to the Property shall be by way of 5th Avenue North, 2nd Street North, and 1st Street North, substantially as shown on the site plan. The access on 1<sup>st</sup> Street North shall entrance-only and shall be marked as such. A valet and staging area which will consist of a covered drop-off area for the restaurant with an exit onto 5th Avenue North shall also be permitted substantially as



shown on the site plan.

**E. Building and site design and lot layout standards.** The mixed-use buildings which will include the retail and restaurant uses on Parcel 1 shall be located on the site as generally shown on **Exhibit “B”** (the Ground Floor and Second Floor Plans), and **Exhibit “C”** (the Jax Beach Mixed Use Site Plan) with the architectural character being similar to the renderings set forth in **Exhibit “A”** (the Jax Beach Mixed Use Vision). While there may be multiple building entrances, the “fronts” of all of the buildings on the Property shall be deemed to be that portion of the building facing 5th Avenue North. The fronts of the buildings will include architectural elements such as changes in exterior finish materials, windows, recesses, popouts, covered areas, variations in roof lines, and overhangs that emphasize entrances, include changes in volume, and provide visual interest and relief along the fronts of the buildings. The ground floor of the building at the corner of 2<sup>nd</sup> Street North and 5<sup>th</sup> Avenue North will have a corner entrance. The renovated building on Parcel 2 ties architecturally and aesthetically with the new buildings on Parcel 1. As set forth above, outdoor covered/uncovered seating areas shall count as a part of the building for purposes of determining the front setback and frontage buildout. Therefore, none of the building setbacks vary by more than five (5) feet from the adjacent buildings.

The buildings generally meet the *Storefront Character* standards set forth in section 34-345(e)(7)h, with the exception of the following: (1) section 34-345(e)(7)h.1 requires corner building entrances on corner lots; and (2) section 34-345(e)(7)h.3, which requires large transparent display windows which cover a minimum of forty percent and a maximum of eighty percent of the ground floor of each storefront’s linear frontage.

- With regard to the corner entrance requirement, the new building located on Parcel 1 will include a corner entrance; however, Mango’s Bar on Parcel 2 will not include a corner entrance. Mango’s is an existing building with an existing covered patio and an intervening parking area facing the corner of 5<sup>th</sup> Avenue North and 1<sup>st</sup> Street North. While there will be improvements to the bar in the form of a larger outdoor patio, the addition of a men’s room and exterior/architectural renovations. The renovations will not include major changes to the structure and layout of the existing building, nor will the building be relocated to the corner of the lot.
- With regard to the ground floor display window requirement, those portions of the buildings on Parcel 1 facing 5<sup>th</sup> Avenue North will meet the requirement; however, that portion of the westernmost building facing 2<sup>nd</sup> Street North will not include transparent display windows. That portion of the building will house the restaurant’s coolers, freezers and storage area. This area is critical to support the restaurant but does not lend itself to large transparent windows both for aesthetic reasons and to aid in temperature control. On Parcel 2, Mango’s is an existing building and there are no major structural changes being proposed. The ground floor windows will remain as is.

**F. Screening, mechanical equipment, and rooftop mechanical equipment.** Trash, recycling receptacles, loading docks, service areas and other similar areas shall be located

in the parking areas, shall not be visible from 1st Street North, and shall be screened to minimize sound and visibility from adjacent streets and uses. Mechanical equipment at ground level shall be screened or otherwise incorporated into the building's overall design. Any screening shall be at least one (1) foot higher than the largest object to be screened, but in no event shall be more than ten (10) feet higher. Rooftop mechanical equipment shall be integrated into the overall mass and design of the building by screening or by recessing the equipment into the roof structure.

**G. Off street parking and loading.**

1. The PUD will comply with the City's parking requirements by providing at least forty-one (41) onsite parking spaces (inclusive of two dedicated handicapped parking spaces) along with a dedicated bike parking area. It should be noted that there are an additional ten (10) off-site street parking spaces located immediately in front of the Property along 5th Avenue North with additional street and surface lot parking spaces locating within walking distance of the Property.

2. The parking area shall be setback at least ten (10) feet from the corner and at least one (1) foot from the property line with curbing or wheel stops adjusted accordingly.

3. Subject to review and approval of the Planning Department, as long as the interior landscape area is equal to or greater than ten (10%) percent of the total paved area, interior landscaping for the parking lot may be modified to be located along the perimeter of the parking area or elsewhere within the PUD and landscape islands/areas may be modified, relocated or removed, in order to increase drive-aisle widths, to provide for better turning radii, to facilitate fire access and to enable better onsite maneuverability by vehicles.

**H. Signage:** All signage shall be consistent with the goals, objectives, and policies of the adopted Community Redevelopment Plan and the standards of Chapter 34, Article VIII, Division 4 of the LDC.

**I. Landscaping:** Subject to the modifications permitted in Section IV.G. above, landscaping shall be consistent with the landscape standards for the CBD zoning district as set forth in Section 34-345(e)(6) of the LDC.

**J. Environmental:** The stormwater management and flood protection standards shall be consistent with the goals, objectives, and policies of the Community Redevelopment Plan and the standards in Chapter 34, Article VIII, Division 5 of the LDC.

**K. Utility easements:** Easements for the orderly extension and maintenance of public utility systems shall be required where they are necessary and adequately service the development.

**L. Adequate public facilities:** There shall be adequate potable water, sanitary sewer, stormwater management, solid waste, parks, roads, police, fire and emergency management services facilities to service the development. The application shall comply with the standards in Article X of the LDC, Adequate public facilities standards. Solid waste may be collected in off-site dumpsters and/or trash compactors.

**M. Comprehensive plan consistency.** In addition to furthering the objectives of the Community Redevelopment Plan, 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:*

**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.

The redevelopment of the Property within an urban infill area furthers Goal LU.1 by ensuring that the City continues to grow in a compact, efficient way where there are adequate levels of services and facilities. The Central Business District has been recognized by the City as an appropriate location for retail, restaurant, office and commercial uses.

**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.

The redevelopment of the Property through the conversion of underutilized property into retail, restaurant, office and commercial uses, consistent with the Property's CBD designation and adjacent to similar uses, furthers Policy LU.1.2.2.

**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.

This Project furthers the intent of Policy LU.1.2.3. As set forth above, this infill



redevelopment Project is consistent with the Community Redevelopment Plan and is consistent with the intensity of development in the surrounding CBD/RD designated areas.

**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.

The proposed redevelopment Project is an infill project which will make use of underutilized property located within the CBC FLUM category, thus furthering the intent of Policy LU.1.2.6 to avoid urban sprawl.

**Policy LU.1.3.1** - It is the intent of the City that the land use proposals in the adopted Downtown and South Beach Community Redevelopment plans currently being implemented are made a part of this Future Land Use Element by reference and development within these designated areas shall be carried out under the Planned Unit Development or Redevelopment District provisions in the City's land development regulations.

The Applicant is utilizing the RD zoning district in order to ensure compliance with the intent of the CBD FLUM category, the Community Redevelopment Plan and Policy LU.1.3.1.

**Policy LU.1.3.2** - Future redevelopment activities shall be consistent with sound planning principles; limitations of the natural environment including sensitivity to problems posed by 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; as well as 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.

The proposed redevelopment of the Property furthers the intent of Policy LU.1.3.2 by avoiding any impacts to wetlands or environmentally sensitive areas and by proposing a Project that is consistent with, and complementary to, the surrounding community character.

**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.

The proposed redevelopment of the Property furthers the intent of Objective LU.1.4 by avoiding any impacts to environmentally sensitive areas, by avoiding any impacts to protected historical resources and by proposing a Project that is consistent with, and complementary to, the surrounding community character.

**Policy LU.1.5.10 - Central Business District (CBD):** The Central Business District (CBD) land use category is intended to provide a central core for the city, with a diversity of uses, and to promote flexibility in design and quality in development while preserving public access to the beach recreational area. It is coterminous with the jurisdictional area of those lands within the Downtown Redevelopment Area. The CBD category allows medium to high density residential, commercial, industrial, recreational, and entertainment uses, as well as transportation and communication facilities. The exact location, distribution, and density/intensity of various types of land use in the Redevelopment Area will be guided by the site development plans approved as part of the Downtown Redevelopment Plan.

The proposed redevelopment Project furthers the intent of Policy LU.1.5.10 by utilizing the RD zoning district to specify the site design and lot layout standards for the Project to ensure consistency with the CBD FLUM designated area of the City, along with consistency with the Community Redevelopment Plan and Downtown Redevelopment Plan.

**Policy LU.1.7.2 - Encourage development/redevelopment at an appropriate scale, form, and density/intensity to support more economical and efficient public bus transit service.**

The proposed redevelopment of the Property is at an appropriate scale, form and intensity consistent with the uses located within the Central Business District such that it will support the economical and efficient use of the public bus transit service consistent with Policy LU.1.7.2.

**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.

As demonstrated by the Jax Beach Mixed Use Vision Plan, the Jax Beach Mixed Use Site Plan, and the Parcel 1 Ground Floor and Second Floor Plans attached as **Exhibits “A,” “B,” and “C”** to the application, the design of the Property will result in a positive and attractive built environment which will enhance access and circulation to the site consistent with Objective LU.1.9.

**Policy LU.1.9.1 -** The City shall promote pedestrian amenities and upgrades in association with new development/redevelopment and gateway corridors (Beach Boulevard, A1A, and Penman), including, but not limited to, the provision of sidewalk and bike path connections, walk lights, benches, bus shelters and bicycle parking. The City of Jacksonville Beach Bus Shelter Task Force in cooperation with the JTA will determine the shelter locations and

design suitable to the City's design context, with a goal of upgrading three existing transit stops per year.

The redevelopment Project includes a bike rack and safe and efficient pedestrian circulation to and from the parking lot and the existing sidewalks in furtherance of Policy LU.1.9.1.

#### *Transportation Element*

**Objective TE 1.4** - Provide for safe and convenient traffic flow and parking.

The parking lot and internal circulation for the Project has been designed to provide for the safe and convenient flow of patrons' vehicles, emergency vehicles and pedestrians consistent with Objective TE 1.4.

**Policy TE 1.4.1** - Except in any portions of the City where provisions of the Land Development Code may allow for:

- The provisions of consolidated or free standing parking facilities, or for
- Contributions for the provision of pedestrian, bicycle or transit facilities in lieu of compliance with on-site parking requirements;

The City shall ensure adequate vehicular access to new development by requiring new developments to provide on-site parking.

The proposed redevelopment Project provides on-site parking and bike parking consistent with the requirements of the CBD/RD zoning district and thus, complies with Policy TE 1.4.1.

**Policy TE 1.4.2** - Promote parking strategies that support overall transportation goals and objectives.

The proposed redevelopment Project furthers Policy TE 1.4.2 by providing on-site parking and bike parking consistent with the requirements of the CBD/RD zoning district.

**Policy TE 1.5.1** - The City shall maintain provisions for handicapped access in its site plan review procedures.

The proposed redevelopment Project furthers the intent of Policy TE 1.5.1 by providing for handicapped accessible parking spaces.

**Policy TE 1.5.2** - Parking for disabled persons shall be required in conjunction with new development requiring on-site parking. Specific requirements for handicapped accessible spaces shall be enacted to be consistent with ADA standards, and shall be enforced through provisions of the City's building code.

The proposed redevelopment Project furthers the intent of Policy TE 1.5.2 by providing for handicapped accessible parking spaces.

**Objective TE 1.9** - Provide for a safe, comfortable and attractive pedestrian environment with convenient interconnection to public transportation.

As demonstrated by the Jax Beach Mixed Use Vision Plan and the Jax Beach Mixed Use Site Plan attached as **Exhibits “A” and “C”** to the application, the design of the Property provides for a safe, comfortable and attractive pedestrian environment, including shade structures, well-marked pedestrian paths, and sidewalk connectivity consistent with Objective LU.1.9.

**Policy TE 2.1.2** - The City shall require new development and redevelopment to provide for bicycle access and parking and supporting multimodal connections, where feasible, to the larger, Citywide network.

As demonstrated by the Jax Beach Mixed Use Site Plan attached as **Exhibit “C”** to the application, the Project provides for bicycle access and parking on-site, consistent with Policy TE 2.1.2.

**Policy TE 3.1.3** - The City shall require developers of commercial property to provide for convenient and safe access by and securing of bicycles on-site.

As demonstrated by the Jax Beach Mixed Use Site Plan attached as **Exhibit “C”** to the application, the Project provides for bicycle parking on-site, consistent with Policy TE 3.1.3.

**N. Time limitations.** The receipt of a development order for this RD 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* (2023). 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.

**O. Minor deviation and amendments to PDP.** Minor deviations and amendments to the PDP shall be allowed pursuant to the RD zoning district provisions as provided for in Section 34-347 of the LDC.

**P. Development plan.** An application for development plan shall be filed according to the time limitations set forth in section IV.N. of this RD rezoning.



**Exhibit 5**  
**Legal Description**

LOTS 7 AND 8, BLOCK 62, PABLO BEACH NORTH, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE(S) 28, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

TOGETHER WITH:

LOT 38, 39, AND 40 OF FLAGLER TRACT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGE(S) 50, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

This Instrument Prepared By:

M. Scott Noble  
Edwards Cohen  
200 W. Forsyth Street, Suite 1300  
Jacksonville, Florida 32202

RE Property ID Nos. 173937-0000, 173938-0000, 173939-0000

**SPECIAL WARRANTY DEED**

**THIS INSTRUMENT**, made effective as of the 14 day of November, 2018, between Gregory S. Saig, whose address is 1440 Beach Avenue, Atlantic Beach, FL 32233 and Bryce P. Hadlow, whose address is 114 South Street, Neptune Beach, FL 32266, conveying non-homestead property (collectively, "Grantor"), and Jax Beach Investment Holding LLC, a Florida limited liability company, whose address is 1440 Beach Ave., Atlantic Beach, Florida 32233 ("Grantee").

(When used herein, the terms "Grantor" and "Grantee" shall be construed to include masculine, feminine, singular or plural as the context permits or requires, and shall include heirs, personal representatives, successors or assigns.)

**WITNESSETH:**

That the said Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, to him in hand paid by the said Grantee, the receipt and adequacy of which is hereby acknowledged, has granted, bargained and sold to the said Grantee, its successors and assigns forever, that certain parcel of land located in Duval County, Florida and more particularly described as follows (the "Property"):

*Lot 38, 39, and 40 of FLAGLER TRACT, according to the Plat thereof as recorded in Plat Book 15, Page(s) 50, of the Public Records of Duval County, Florida.*

TOGETHER WITH all the tenements, hereditaments, easements and appurtenances thereto belonging or in anywise appertaining.

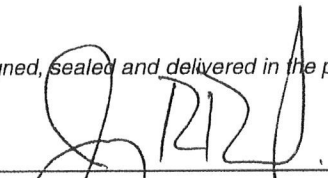
TO HAVE AND TO HOLD, the same in fee simple forever.

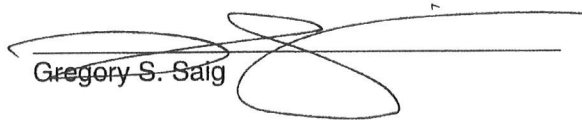
Grantor hereby covenants with said Grantee that Grantor is lawfully seized of the Property in fee simple; that Grantor has good right and lawful authority to sell and convey the Property; and that Grantor does hereby fully warrant title to the Property, and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but none other.

This conveyance of the Property is made subject to taxes for the year 2019 and subsequent years, and restrictions and encumbrances of record which are not reimposed by this reference.

IN WITNESS WHEREOF, Grantor has executed this instrument as of the day and year first above written.

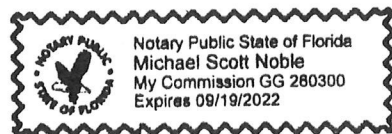
Signed, sealed and delivered in the presence of:

  
Name: Jerry Power Jr  
  
Name: M. S. Noble

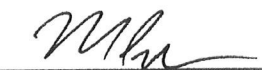
  
Gregory S. Saig

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 14 day of November, 2018, by Gregory S. Saig. He/She ☐ is personally known to me OR ☒ produced FLDL as identification.



[Notary Seal]

  
Notary Public, State of Florida  
Name: \_\_\_\_\_  
Commission Number: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

Signed, sealed and delivered in the presence of:

Leanna Butler

Name: Leanna Butler

Bonnie Kudela

Name: Bonnie Kudela

Bryce P. Hadlow  
Bryce P. Hadlow

STATE OF GEORGIA  
COUNTY OF Colquitt

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of November, 2018, by Bryce P. Hadlow. He/She ☐ is personally known to me OR ☒ produced DRIVERS License as identification.

Dorothy L. Horne  
Notary Public, State of Georgia

Name: Dorothy L. Horne

Commission Number: \_\_\_\_\_

My Commission Expires: Jan. 27, 2022

[Notary Seal]





Prepared By and Return To:  
David T. Abraham, Esq.  
St. Johns Law Group  
104 Sea Grove Main Street  
St. Augustine, Florida 32080

Parcel Nos.: 174174-0000 and 174174-0050  
Consideration: \$2,500,000.00

**PERSONAL REPRESENTATIVE'S DEED**

**THIS DEED** is made and executed as of the 28<sup>th</sup> day of April, 2020, by **John B. Kowkabany and Eva K. Wheatley, Personal Representatives of the Estate of Nadime K. Kowkabany, deceased**, which estate is being administered in the Circuit Court in and for Duval County, Florida, in File Number 2019-CP-398, whose addresses are 1506 Prudential Drive, Jacksonville, Florida 32207 and 321 So. Danbury Road, Fruit Cove, Florida 32259, joined by: (i) **John B. Kowkabany and Eva K. Wheatley, as Trustees of the Nadime K. Kowkabany Revocable Trust dated June 22, 2017 (the "Trust")**, which is the sole direct beneficiary of the Estate; and by (ii) **the beneficiaries of the Trust: (a) John B. Kowkabany, a married man, (b) Eva K. Wheatley, a married woman, (c) Nadiene K. Macomb, a married woman, each individually, and (d) John B. Kowkabany and Eva K. Wheatley, as Trustees of the Donna M. Kowkabany Trust. The foregoing constituting all of the direct and indirect beneficiaries of the Estate of Nadime Kowkabany, deceased**, whose addresses are 1506 Prudential Drive, Jacksonville, Florida 32207, 321 So. Danbury Road, Fruit Cove, Florida 32259, 14 East Bay Street, Jacksonville, Florida, and c/o 1506 Prudential Drive, Jacksonville, Florida 32207, respectively, ("**Grantor**"), to **Duck Dive, LLC, a Florida limited liability company**, whose mailing address is 3948 South 3<sup>rd</sup> Street, Suite 373, Jacksonville Beach, Florida 32250 ("**Grantee**").

**GRANTOR**, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, hereby grants, bargains, sells and conveys to Grantee and Grantee's heirs, executors, administrators, successors and assigns forever, the following described real property located in Duval County Florida:

**Lots 7 and 8, Block 62, Pablo Beach North, according to the map or plat thereof, as recorded in Plat Book 3, Page(s) 28, of the Current Public Records of Duval County, Florida.**

Grantor warrants that the subject property is commercial property, was continuously utilized for business purposes and was not the decedent's homestead or the homestead of any minor child or beneficiary of the Estate, within the meaning set forth in the constitution of the state of Florida, nor is it contiguous to or a part of homestead property.

**TOGETHER** with all the easements, tenements, hereditaments and appurtenances thereto, and all improvements now located on the Land, if any;

**TO HAVE AND TO HOLD** the same in fee simple forever.

This conveyance is made subject to the following:

1. Notice of Recording of City of Jacksonville Beach Ordinance No. 2008-7959 recorded in Official Records Book 14840, Page 1307, Public Records of Duval County, Florida.

2. Ordinance No. 2014-8058 recorded in Official Records Book 18979, Page 905, Public Records of Duval County, Florida.

3. Taxes for the year 2020 and subsequent years, which are not yet due and payable.

Subject to the matters described above, Grantor specially warrants the title to the Land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but against none other.

GRANTOR has caused this instrument to be duly executed as of the day and year first written above.

Signed in the presence of these witnesses:

Witness: Nicole C. Turkel  
Print Name: Nicole C. Turkel

Witness: Renee B. Borchers  
Print Name: Renee B. Borchers

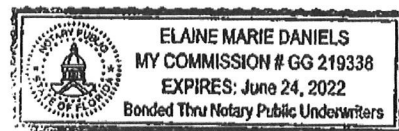
[Signature]  
John B. Kowkabany, as Personal Representative and Beneficiary of the Estate of Nadime K. Kowkabany, deceased, as Trustee of the Nadime K. Kowkabany Revocable Trust dated June 22, 2017, and as Trustee of the Donna M Kowkabany Trust

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 28th day of April, 2020, by John B. Kowkabany, as Personal Representative and Beneficiary of the Estate of Nadime K. Kowkabany, deceased, and as Trustee of the Nadime K. Kowkabany Revocable Trust dated June 22, 2017, and as Trustee of the Donna M. Kowkabany Trust, who is personally known to me or who has produced

[Signature]  
Signature of Notary Public

[NOTARY SEAL]



Witness: Nicole C. Tinsbell  
Print Name: Nicole C. Tinsbell

Witness: Linda Porter  
Print Name: Linda Porter

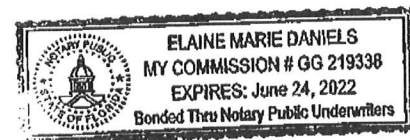
Eva K. Wheatley  
Eva K. Wheatley, as Personal Representative and  
Beneficiary of the Estate of Nadine K.  
Kowkabany, deceased, and as Trustee of the  
Nadine K. Kowkabany Revocable Trust dated  
June 22, 2017, and as Trustee of the Donna M.  
Kowkabany Trust

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐  
online notarization, this 28th day of April, 2020, by Eva K. Wheatley, as Personal Representative and  
Beneficiary of the Estate of Nadine K. Kowkabany, deceased, as Trustee of the Nadine K. Kowkabany  
Revocable Trust dated June 22, 2017, and as Trustee of the Donna M. Kowkabany Trust, who is  
personally known to me or who has produced \_\_\_\_\_.

Elaine Marie Daniels  
Signature of Notary Public

[NOTARY SEAL]



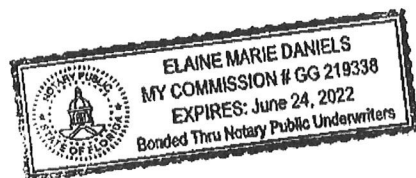
Witness: Nicole C. Timbell  
Print Name: Nicole C. Timbell  
Witness: Imela Bonilla  
Print Name: Imela Bonilla

Nadene K. Macomb  
Nadene K. Macomb, as Beneficiary of the Estate  
of Nadene K. Kowkabany, deceased

STATE OF FLORIDA  
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐  
online notarization, this 29 day of March, 2020, by Nadene K. Macomb, as Beneficiary of the Estate  
of Nadene K. Kowkabany, deceased, who is personally known to me or who has  
produced \_\_\_\_\_.

Elaine Daniels  
Signature of Notary Public  
[NOTARY SEAL]





# JAX BEACH MIXED USE VISION

CRONK **DUCH**  
ARCHITECTURE & PLANNING  
PLANNING • ARCHITECTURE • INTERIOR DESIGN



CD-urban  
studio

EXHIBIT A





















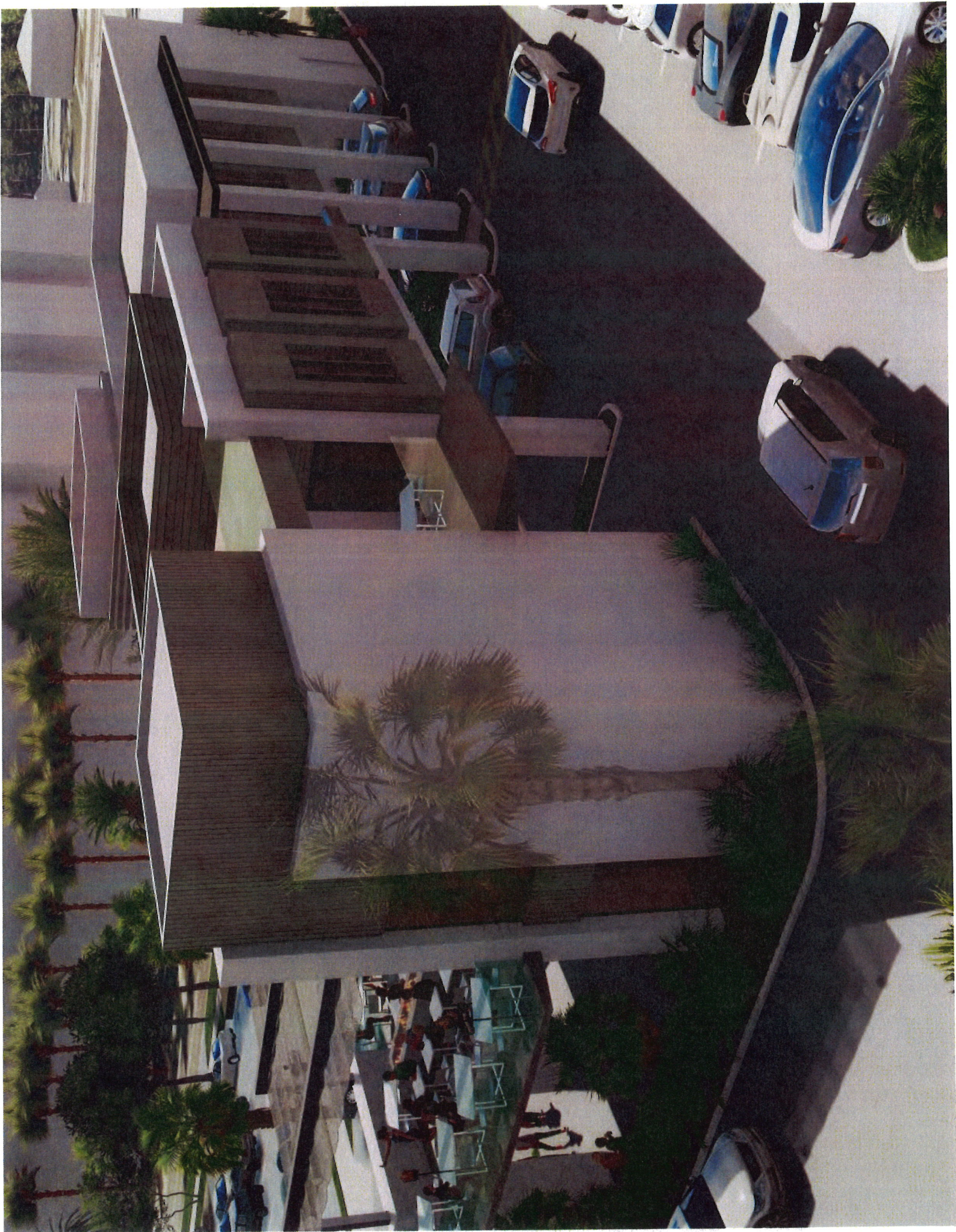




























LAND USE TABLE:

ACREAGE

|             |         |
|-------------|---------|
| Parcel 1 AC | 0.33 AC |
| Parcel 2 AC | 0.43 AC |
| TOTAL       | 0.76 AC |

BUILDING SQUARE FOOTAGE

|                       |               |
|-----------------------|---------------|
| Parcel 1 Building SF* | 13,500 SF +/- |
| Parcel 2 Building SF* | 4,300 SF +/-  |

\*Includes AC area MU, stairwell, along with covered and uncovered seating.

PARKING REQUIREMENTS

|                        |           |
|------------------------|-----------|
| Parcel 1 (1/500 SF-MU) | 27 STALLS |
| Parcel 2 (1/500 SF-MU) | 9 STALLS  |
| TOTAL                  | 36 STALLS |

PROVIDED PARKING 43 STALLS (2HC)

TOTAL LOT COVERAGE

|                   |                  |
|-------------------|------------------|
| SITE IMPERVIOUS   | 29,800 SF / 90%* |
| BUILDING COVERAGE | 12,200 SF / 40 % |

\*Impervious Pavers maybe used for a portion of the parking lot to meet the Impervious criteria.

- PROPOSED UNDER ROOF BUILDING AREA
- PROPOSED CONDITIONED BUILDING AREA
- SIDEWALK

**PUD Note:** This site plan shows the proposed PUD layout, including parking, landscaping and building layouts. The configuration of the development is conceptual and revisions to the Site Plan, including the internal circulation, location of landscaping and final building layouts, may be required to be changed as the proposed development proceeds through final engineering, subject to the review and approval of the Planning Department."

