



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

Planning Commission

Tuesday, November 13, 2018

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.

1. **Call to Order**
2. **Roll Call:** Greg Sutton (Chair), Dave Dahl (Vice-Chair), Georgette Dumont, Britton Sanders, Margo Moehring
Alternates: Jon Walker, Bill Spann
3. **Approval of Minutes:** None
4. **Correspondence:** None
5. **Old Business:** *None*
6. **New Business:**

(A) **PC#26-18 Land Development Code Text Amendment**

Land Development Code Text Amendment to amend Section 34-344(d) to add “Newspaper and magazine publishing to the list of Permitted Uses, and “Microbrewery” and “Bar, nightclub, tavern or other drinking establishment” to the list of Conditional Uses in the *Commercial service: CS* zoning district. (*Applicant – Bold Brands*)

7. **Planning Department Report:**

(A) The next meeting is tentatively scheduled for Monday, November 26, 2018.

NOTICE

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. The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request 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. 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, extension 10, no later than one business day before the meeting.

MEMORANDUM



TO: Planning Commission Members
FROM: Heather Ireland, Senior Planner
DATE: November 5, 2018
RE: Tuesday, November 13, 2018; Planning Commission Staff Report

The following information is provided for your consideration regarding the following single agenda item for the upcoming Tuesday, November 13, 2018 Planning Commission meeting.

NEW BUSINESS:

PC#26-18 Land Development Code Text Amendment Application

Applicant: Bold Brands, LLC
PO Box 51266
Jacksonville Beach, FL 32240

Request: **Land Development Code Text Amendment Approval** to amend Section 34-344(d) to add “Newspaper and magazine publishing” to the list of permitted uses, and “Microbrewery” and “Bar, nightclub, tavern or other drinking establishment” to the list of Conditional Uses in the *Commercial service: CS* zoning district. (*Applicant – Bold Brands*)

Comments: The applicants, who represent *Bold Brands* and *Void Magazine*, are looking to purchase a piece of property located at 602 Shetter Avenue for their growing operations. The property they are looking to purchase is located in the *Commercial Service: CS* zoning district, and is currently occupied by a lawn mower retail and repair business. The combination of uses proposed by *Bold Brands* are not currently permitted uses in that zoning district. In addition to the relocation of their office space, the applicants also are interested in adding a microbrewery with a tasting room (drinking establishment) at the same location.

After meeting with staff, the applicants were advised that “publishing”, “microbrewery” and “drinking establishment” uses are not permitted in the *CS* zoning district and that the Land Development Code would have to be amended to allow these uses at their desired location. The applicants have applied to amend the Land Development Code in order to add “Newspaper and magazine publishing” to the list of Permitted Uses, and “Microbrewery” and “Bar, nightclub, tavern, or other drinking establishment” to the list of Conditional Uses, all in the *CS* zoning district.

Currently, restaurants and outdoor restaurants are listed conditional uses in the *CS* zoning district, though none presently exist. Adjacent to the north of the *CS* zoning district boundary is the *Commercial, general: C-2* zoning district, which allows newspaper publishing, and restaurants as permitted uses, and also allows outdoor dining areas, microbreweries, and drinking establishments as conditional uses.

The *Commercial Services: CS* zoning district is bounded by Shetter Avenue on the north, 5th Street South on the east, 10th Street South on the west, and half the block south of 1st Avenue South. As mentioned, to the north of the *CS* district is the *Commercial, general: C-2* zoning district. To the west lies an *Industrial: I-1* district, to the east a PUD district containing the *Publix* shopping center, and to the south are areas zoned *Residential multi-family: RM-1*.

Existing establishments operating in the *CS* zoning district include open storage, building contractors, building material sales, warehousing and storage, auto repair, light manufacturing, retail, dog boarding, floriculture, and a few non-conforming residential properties. A copy of the *CS* district regulations, Section 34-344, is attached for reference.

The proposed permitted use of newspaper and magazine publishing is consistent with other permitted uses in adjacent zoning districts and should not be problematic relative to other uses in the district. Allowing microbrewery and drinking establishment uses as conditional uses would provide the Planning Commission with the opportunity to review any proposed establishment on a location by location basis to determine compatibility in a particular area, and to possibly require certain conditions of use as may be deemed necessary and appropriate.



REZONING/TEXT AMENDMENT APPLICATION

PC No. 26-18

AS/400# 18-100189

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC 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 or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC 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.

RECEIVED

APPLICANT INFORMATION

Land Owner's Name: LAWLER, JEFFREY B
Mailing Address: 7658 PHILIPS HWY SUITE 100
JACKSONVILLE, FL 32256

Telephone: OCT 15 2013
Fax: _____
E-Mail: PLANNING & DEVELOPMENT

Applicant Name: Bold Brands, LLC
Mailing Address: PO BOX 51266
JACKSONVILLE BEACH, FL 32240

Telephone: (904) 395-5628
Fax: (904) 701-7561
E-Mail: TYE@BOLDBRANDSJAX.COM

NOTE: Written authorization from the land 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 professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: _____

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

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

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: 34-344(d)

	<u>REQUESTED INFORMATION</u>	
	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.		✓
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.	✓	

Applicant Signature:

Date: 10/15/18

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Date: Oct 15, 2018

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PLANNING & DEVELOPMENT

To: City of Jacksonville Beach

From: Tye Wallace, Partner



102 6th Ave. N - Suite 10
Jacksonville Beach, FL 32250

RE: Bold Brands Office Space - Code Text Amendment

To whom it may concern,

After an exhaustive search over the past year and a half we have finally found the perfect location for our new office expansion and new venture. Despite our efforts to find something within the C2 district, commercial property that fit our needs has been scarce to non-existent. All of our operations have been at the beach for nearly a decade now so we would love to stay and continue to invest in Jacksonville Beach. The subject property, 602 Shetter Avenue is right on the borderline of C2, with no immediate residential neighbors so we hope that our request to add "Magazine Publishing", "Microbrewery" and "Tasting Room" uses to the CS zone can be approved by *conditional use*.

A little background on our organization and intent for this new location. You may be familiar with our flagship publication, Void Magazine, which was started during the recession in 2010 by a passionate local team when headlines across the country read "Print is Dead". Despite the gloomy economic climate, we opened our doors in Jacksonville Beach and began telling the story of our local beach culture and art. We felt strongly that there was no other publication in the area that was capturing this in a positive and artistic manner. So we took a huge chance, quit our day jobs and began filling that "Void". Yes, that is how the name of the magazine was conceived.

Fast forward 8 years and we now print 30,000 magazines distributed to 400+ locations across the region. Additionally, we've recently acquired another local publication, Edible North Florida Magazine, that tells the story of our regions local food and the culture

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surrounding it. Our current Jacksonville Beach based office is filled with local, passionate folks who care about the growth and sustainability of our community & DEVELOPMENT. Through our media channels combined, we talk with over 100,000+ locals daily. We also offer marketing services and produce two festivals at the Seawalk Pavilion along with a handful of other local venues through our marketing agency, Bold Brands. Everything we do through our publishing, marketing and our events anchors back to one simple goal - to grow and elevate the community we love.

We are now ready for our next chapter. An opportunity to expand our business and the conversation about cuisine, arts and culture. We believe the addition of a small batch brewery and tasting room would give us a unique cultural edge to enhance the conversation and our community mission.

We want this location move to be a unique art & cultural addition to the diverse fabric of Jacksonville Beach. Something local residents are proud of and want to share with their friends and family. Storytelling is the heart of our media company and we want to share these stories and engage with the local community through this unique approach. We hope that the zoning amendment request can be approved to allow us this opportunity to realize this dream, to grow and to keep our business within the Jacksonville Beach city limits for years to come.

Sincerely,



Tye Wallace, Partner

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PC#26-18

OCT 15 2018

Express Mower & Saw Inc.

7658 Philips Hwy Suite 100

Jacksonville, FL 32256

PLANNING & DEVELOPMENT

To The City of Jacksonville Beach:

Legal Description 3-28 33-2s-29e .286 Pablo beach South Lots 1,2 Blk 7

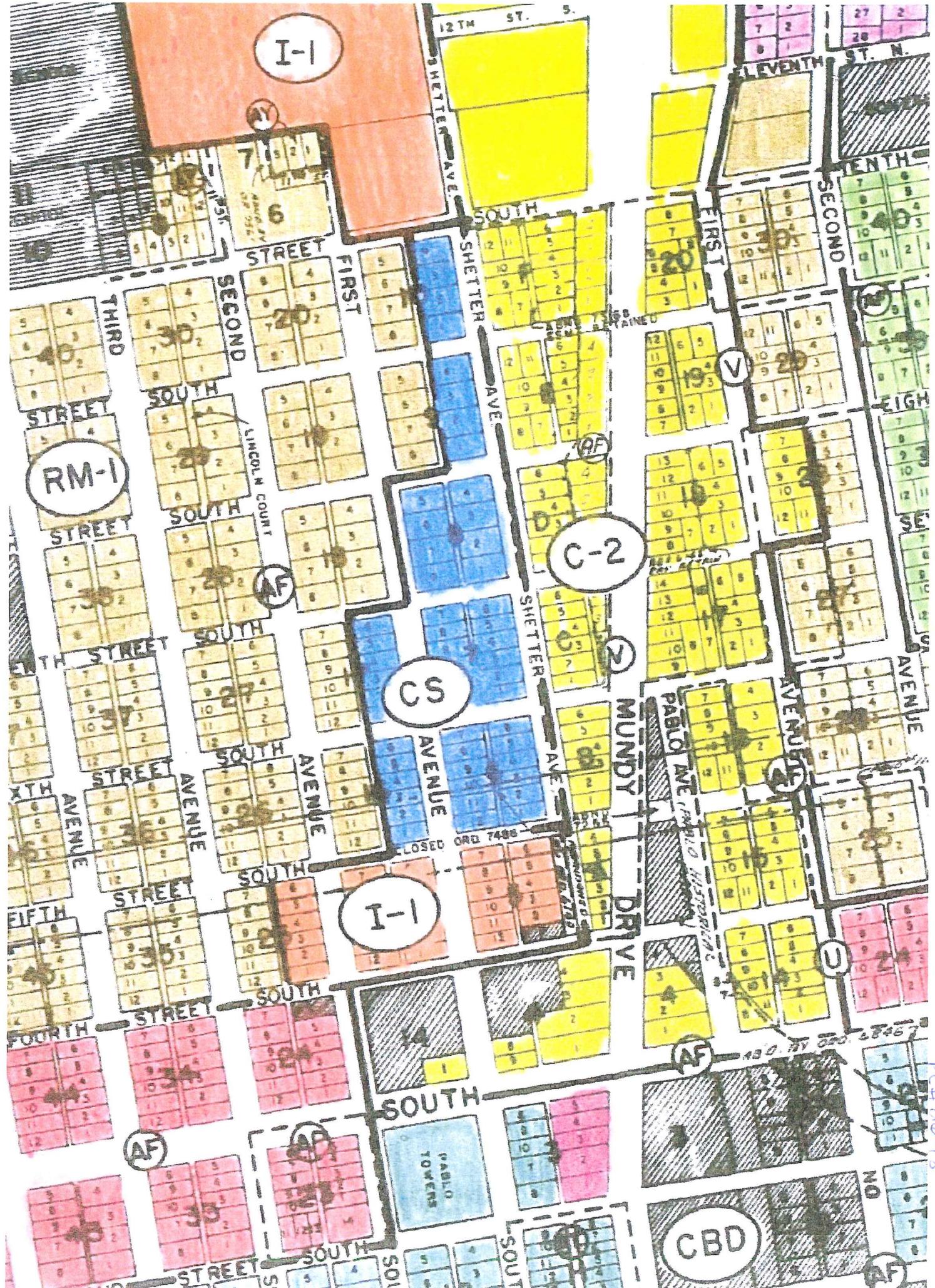
This letter serves as the companies permission for Bold Brands LLC to file an application for code text amendment to the existing CS zone regarding the property located at 602 Shetter Ave, Jacksonville Beach, FL 32250.

Sincerely,

Jeffrey B Lawler

Owner and President

Express Mower & Saw Inc.



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PROPOSED TEXT CHANGES TO COMMERCIAL SERVICE: CS ZONING

Sec. 34-344. Commercial service: CS.

- (a) *Purpose.* The commercial service (CS) zoning district is intended to implement the mixed land use district in the comprehensive plan. It is intended to apply to areas appropriate for general commercial use, wholesale trade and storage, and limited light industrial uses.
- (b) *Permitted uses.* The following uses, not to exceed fifty thousand (50,000) square feet in gross floor area for single or multiple use buildings or developments, are permitted as of right in the CS zoning district. Buildings or developments containing single or multiple uses listed herein and which exceed fifty thousand (50,000) square feet in gross floor area shall only be approved pursuant to section 34-348 planned unit development: PUD district standards and procedures.
- (1) Ornamental floraculture and nurseries.
 - (2) Veterinary services and kennels; provided animals are housed in enclosed, soundproof buildings.
 - (3) Lawn, garden and tree services.
 - (4) Building contractors and subcontractors.
 - (5) Manufacturing establishments as follows: Bakery products, wood cabinet, jewelry, newspaper printing and publishing, and commercial printing.
 - (6) Boat building and repairing.
 - (7) General warehousing and storage.
 - (8) Communications and utility services.
 - (9) Wholesale trade establishments as follows: Motor vehicle supplies and parts; lumber and construction materials; other durable goods, except scrap and waste materials; paper and paper products, drugs, drug propieties and druggists' sundries, apparel, piece goods and notions; beer, wine and distilled alcoholic beverages; and flowers, nursery stock and florists supplies.
 - (10) Retail trade establishments as follows: Building materials, hardware and garden supplies; motor vehicle dealers; auto and home supply stores; gasoline service stations; boat, recreational vehicle and motorcycle dealers; home furniture, furnishing and equipment stores; fuel dealers; and florists.
 - (11) Laundry, cleaning and garment services.
 - (12) Business service establishments as follows: Building services; medical and other equipment rental and leasing; and computer programming, data processing and other computer services; and commercial art, photography, and stenographic services.
 - (13) Automotive rental and leasing, repair shops, or carwashes.

- (14) Electrical, watch, clock, jewelry, upholstery, furniture, and miscellaneous repair shops and related services.
- (15) Medical and dental laboratories.
- (16) Child day care services.
- (17) Adult day care services.
- (18) Civic, social and fraternal associations.
- (19) Government use.
- (20) Mobile food vendors in accordance with the provisions of Section 12-33 *Mobile Food Vending* of Chapter 12 *Food and Food Products* of this Code of Ordinances.
- (21) Physical fitness facilities, excluding weightlifting facilities and weight training apparatus.

(22) Newspaper and magazine publishing.

(c) *Accessory uses.* The following uses are permitted as accessory uses in the CS zoning district.

- (1) Any use customarily accessory to the permitted or conditional uses in the CS zoning district.

(d) *Conditional uses.* The following uses are permitted as conditional uses in the CS zoning district, subject to the standards and procedures established in section 34-221 et seq.

- (1) Handbag and other personal leather goods manufacturing.
- (2) Computer and office equipment manufacturing.
- (3) Religious organizations.
- (4) Restaurants, except drive-ins.
- (5) Outdoor restaurants.

(6) Microbrewery.

(7) Bar, lounge, nightclub, tavern or other drinking place.

(e) *Dimensional standards.* The following dimensional standards shall apply to all permitted, conditional, and accessory uses in the CS zoning district.

- (1) *Minimum lot area:* None
- (2) *Minimum lot width:* None.

- (3) *Minimum yards:*
 - a. *Front yard:* Ten (10) feet.
 - b. *Side yard:* None, except where adjacent to streets. If adjacent to a street, ten (10) feet. For a corner lot, the side yard on the corner shall be ten (10) feet.
 - c. *Rear yard:* None.
 - (4) *Floor area:* None.
 - (5) *Maximum lot coverage:* Eighty-five (85) percent.
 - (6) *Height:* Thirty-five (35) feet.
 - (f) *Off-street parking and loading.* The off-street parking and loading standards for the CS zoning district are found in Article VIII, Division 1.
 - (g) *Supplemental standards.* The supplemental standards for the CS zoning district are found in Article VIII, Division 2.
 - (h) *Landscape standards.* The landscape standards for the CS zoning district are found in Article VIII, Division 3.
 - (i) *Sign standards.* The sign standards for the CS zoning district are found in Article VIII, Division 4.
 - (j) *Environmental standards.* The environmental standards for the CS zoning district are found in Article VIII, Division 5.
- (Ord. No. 7500, § 7.2(I), 8-19-91; Ord. No. 93-7571, § 1, 8-2-93; Ord. No. 99-7774, § 6, 10-18-99; Ord. No. 2001-7810, § 1, 7-16-01; Ord. No. 2003-7860, § 7, 10-6-03, Ord. No. 2017-8092, § 8-7-2017)