

Introduced by: Council Member Steve Hartkemeyer
1st Reading: July 21, 2014
2nd Reading: Council Member Tom Taylor
Date: September 15, 2014
Remand Hearing: Council Member Chris Hoffman
Date: July 15, 2019

ORDINANCE NO. 2014-8058

AN ORDINANCE ESTABLISHING A *REDEVELOPMENT DISTRICT: RD* ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.

WHEREAS, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

WHEREAS, the owners of certain lands in the City, more particularly described herein, have applied to the City Council for the rezoning of those lands from *Central business district: CBD* to *Redevelopment District: RD*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. That the City Council has considered the adoption of this ordinance based on one or more of the factors listed in Section 34-211(c) of the Land Development Code and hereby finds that this amendment will not result in an adverse change in the community in which it is located.

SECTION 2. That the Land Development Code and Zoning Atlas previously adopted by the City Council of the City of Jacksonville Beach, Florida, be and the same is hereby amended and, as amended, shall henceforth read as follows:

That all of the certain territory in the City of Jacksonville Beach, Florida, described as follows, to wit:

Lots 7 and 8, Block 62, *Pablo Beach North* according to the Plat thereof as recorded in Plat Book 3, Page 28 of the current records of Duval County, Florida,

Heretofore zoned as *Central business district: CBD*, be and the same is hereby designated as *Redevelopment District: RD*, so that henceforth the same shall be classified and construed to be embraced within the meaning and subject of the general provisions of the *Redevelopment District:*

RD zoning category as provided in Article VII, Section 34-347 of the Jacksonville Beach Land Development Code (Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach, Florida), subject to the following additional limitations:

- A. The rezoning application dated May 19, 2014, including Project Narrative dated September 15, 2014, attached hereto as Exhibit A, and Preliminary *RD* Development Plan and Building Elevation sheets dated September 15, 2014 and together attached hereto as Exhibit B, which have been submitted to the City of Jacksonville Beach Planning and Development Department, are hereby adopted and incorporated as part of this amendment to the Jacksonville Beach Land Development Code and Zoning Atlas.
- B. Notwithstanding Land Development Code Section 34-393, the applicant shall be permitted to locate an alcoholic beverage establishment on the subject property, which exists within 500' feet of two existing similar such establishments.
- C. The project shall be generally carried out in accordance with the presentments of Exhibits A and B to this ordinance, including but not limited to the following:
 - 1. Maximum Building Height –Thirty-five (35) feet.
 - 2. A minimum of twenty-two (22) off-street parking spaces shall be provided, including one (1) designated space for disabled persons.
 - 3. Maximum Area, Bar Building – 6,429 gross square feet. Notwithstanding Land Development Code Section 334-407(b), the maximum area of the Bar Building may include up to 2,033 gross square feet of outdoor bar, patio and lounge area, or thirty-one and six tenths percent (31.6 %) of the total Bar Building area.
 - 4. Maximum Area, Commercial Building – 3,000 gross square feet.
 - 5. Maximum Occupancy, Bar Building – 325 occupants.
 - 6. The one (1) Mobile Food Vending Vehicle permitted on the property described herein shall be regulated by the standards listed in Attachment 7 to the Project Narrative contained in Exhibit A to this ordinance.
- D. Permitted uses of the subject property shall be as described in Exhibit A to this ordinance, and shall not include any uses specifically prohibited within *Redevelopment District: RD* zoning districts pursuant to Land Development Code Section 34-347(c)(3)c. i.2.ii.

- E. The applicant shall be permitted to place televisions or television screens within outdoor bar areas, but no amplified sounds from any devices, including televisions, shall be permitted within any outdoor bar area at any time. No live amplified music shall be permitted within any outdoor bar area at any time.

SECTION 3. In the event that a building permit application for the development proposed in Exhibits A and B to this ordinance has not been accepted by the City within eighteen (18) months following the adoption of this ordinance, this rezoning ordinance shall be rendered null and void, and the *Central business district: CBD* zoning designation of the subject property shall be re-instated.

SECTION 4. All ordinances or parts of ordinances in conflict herewith be, and the same are, to the extent the same may be in conflict, hereby repealed.

SECTION 5. This ordinance shall take effect upon its adoption and recordation with the Clerk of Circuit Court, Duval County, Florida.

AUTHENTICATED THIS 15th DAY OF July, 2019.



William C. Latham, MAYOR



Laurie Scott, CITY CLERK



REZONING/TEXT AMENDMENT APPLICATION

PC No. 15-14

AS/400# 14-100086

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.

APPLICANT INFORMATION

Land Owner's Name: Nadime Karam Kowkabany
 Mailing Address: 815 Waterman Road
Jacksonville, Florida 32207

Telephone: (904) 993-0989
 Fax: _____
 E-Mail: _____

Applicant Name: Surf Works, LLC c/o Robert Tilka
 Mailing Address: 3589 Trident Court
Jacksonville Beach, Florida 32250

Telephone: (904) 465-5280
 Fax: _____
 E-Mail: rctilka@gmail.com

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

Agent Name: Steven Diebenow
 Mailing Address: One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Telephone: (904) 301-1269
 Fax: _____
 E-Mail: sd@dmphlaw.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: 602 & 0 N. 1st Street; 174174-0000, 174174-0050

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): Lots 7 & 8, Block 62, PABLO BEACH NORTH, Plat Bk 3, Page 28, Duval

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

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: _____ N/A

RECEIVED

MAY 19 2014

| | <u>REQUESTED INFORMATION</u> | | Attached? | |
|--|------------------------------|----|-----------|----|
| | Yes | No | 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 8 1/2" 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: 5/19/14

May 19, 2014

Authorization Letter

Surf Works, LLC. is hereby granted written authorization to proceed with the rezoning of said property at 602 North 1st Street, Jacksonville Beach, Florida.

Name: Nadine Karam Kowkabany

Nadine K. Kowkabany
Signature

5-19-14
Date

*SURF WORKS LLC
115 9th Avenue South, Suite 801
Jacksonville Beach, Florida 32250*

RD REZONING – PROJECT NARRATIVE

September 15, 2014

I. INTRODUCTION

Surf Works LLC (the “Applicant”) proposes to rezone approximately 0.49 acres of property from Commercial Business District (“CBD”) to Redevelopment District (“RD”) zoning. The property is located at 602 and 0 North 1st Street in an urban infill setting (the “Property”), as depicted on Attachments 1, 2 and 3, and is the site of “Mango’s Beach Bar and Grille.” As more particularly described below, Applicant requests RD zoning to accommodate the redevelopment of the existing building into a mixed-use facility, including office/retail space and the first Surfer Magazine developed bar concept (the “Development”) in the continental United States. The Development will be a destination for surf enthusiasts and surfers from around the globe.

The Surfer Magazine was founded by John Severson in 1959 as a program to accompany his yearly surf films. Severson's photography, art and sense of humor set the pace for the future of Surfer Magazine, which quickly grew to be a reflection of the sport and culture, as well as a sounding board for surfers and environmental activists. Since 1959, Surfer Magazine has used its publication as a means of bringing readers a slice of the entire surfing world. According to most, Surfer Magazine is the bible of the sport. Attachment 4 attached offers a more detailed description of the history of Surfer Magazine.

II. PROPERTY DATA

| | |
|---|---|
| A. Real Estate Parcel No.: | 174174-0000; 174174-0050 |
| B. Current Zoning District: | CBD |
| C. Requested Zoning District: | RD |
| D. Gross Sqft of Existing Building | ~3,880 sqft (including canopies) |
| E. Gross Sqft of Proposed Bar Space | ~6,429 sqft (including exterior patios) |
| F. Gross Sqft of Proposed Office/Retail Space | ~3,000 sqft maximum |

III. SUMMARY DESCRIPTION OF DEVELOPMENT

The Property is located in an urban pedestrian scale environment, one (1) block from the Atlantic Ocean. The surrounding zoning districts include: CBD to the north, south, east and west.

As illustrated on Attachment 5, the Development will consist of an approximately 6,429 square foot two-story bar (3,727 square foot interior and 278 square foot exterior patio at ground level and 669 square foot interior and 1,755 square foot exterior patio on the second floor) (the “Bar”), and a two-story approximately 3,000 square foot office/retail space, as depicted on the

Preliminary RD Development Plan. The ground floor of the Bar will feature one (1) outdoor patio partially enclosed by a knee wall. The second level of the Bar will include a rooftop lounge. Applicant will provide twenty-two (22) parking spaces on-site. A proprietary mobile food truck will occupy space adjacent to the exterior patio.

The primary goal of the architectural character and visual statement of the Development is to capture the essence of both the North Florida and South/Central American surf culture in the medias of space, form, textures and detail. The building will include a range of interior and exterior spaces on both floors that utilize varying degrees of cover, shade and openness. The materials are proposed to be a mix of organic, natural textures and hues in contrast with light clean white and pastel surfaces. Accents of steel and aluminum will provide details at the railings and signage. Lush tropical landscaping will provide a softening of the structure and define the exterior spaces. Attachment 6 provides a graphic illustration of the elevations of the proposed Development.

Notwithstanding the requirements of Section 34-393 of the Land Development Code ("LDC"), Applicant is proposing to locate a bar within 190' of Lynch's Irish Pub and within approximately 436' of Bo's Lounge. In addition, notwithstanding the requirements of Section 34-407(b) of the LDC, Applicant is proposing to construct a bar with an exterior area/total area ratio of approximately 31.6%. Finally, notwithstanding the requirements of Section 34-407(e) of the LDC, Applicant is proposing to install televisions and music speakers for patrons in the outside bar seating area; however, no live amplified music will be permitted in the outside bar seating area.

Upon successful rezoning, Applicant will commence with a ground lease for the Property with Property owner, Nadime Karam Kowkabany. The retail/office space will be subleased for an undetermined use. Applicant will operate the Bar with a 4-COP liquor license.

Applicant intends to commence construction in 2014. It is anticipated construction will be completed by mid-2015.

IV. COMPLIANCE WITH RD DISTRICT STANDARDS

The RD zoning district classification is designed to achieve a diversity of uses in a desirable environment through the application of flexible land development standards and to foster creative design and planning practices in the Jacksonville Beach Downtown Redevelopment Area in order to encourage economic vitality and redevelopment. The proposed Development complies with the land area, permitted use, area and setback, traffic circulation control and parking, loading, signage, landscape, environmental, utility easement and public facilities standards for the RD zoning district. The Development will be constructed in accordance with the following regulations:

| | |
|-------------------|---|
| Permitted Uses | <p>(1) Restaurant, bar, lounge, nightclub, tavern or other drinking place.</p> <p>(2) Financial institutions, insurance and real estate offices.</p> <p>(3) Personal service establishments as follows: Photographic studios; beauty and barber shops, show repair shops and shoe-shine parlors; tax preparation services; and miscellaneous personal services.</p> <p>(4) 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.</p> <p>(5) Dance studios and schools.</p> <p>(6) Business and professional offices as follows: Landscape architect; building contractors and subcontractors (no storage of vehicles, equipment or materials); doctors, dentists and miscellaneous health offices and clinics; legal services; and engineering, architecture, accounting, research management and related services.</p> <p>(7) One (1) Mobile Food Vending Vehicle, subject to the regulations contained in <u>Attachment 7</u>.</p> |
| Building Envelope | <p>(1) Front Setback – 0 feet minimum; 10 feet maximum</p> <p>(2) Side Setback – 0 feet minimum; no maximum</p> <p>(3) Rear Setback – 10 feet minimum; no maximum</p> |
| Height | Principal Building – 14 feet minimum; 35 feet maximum |
| Signage | In accordance with Land Development Code Article VIII, Division 4 |
| Parking | Amount – 22 parking spaces |
| Building Design | In accordance with Land Development Code Sec. 34-345(e)(7) |
| Landscaping | In accordance with Land Development Code Sec. 34-345(e)(6) |

V. CONSISTENCY WITH JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT PLAN

The Development is consistent with the general purpose and intent of the Jacksonville Beach Community Redevelopment Plan, and specifically contributes to the following objectives:

- A. Encourage the development of a mix of activities in the core area;
- B. Promote standards of high quality in the new development and rehabilitation consistent with the desired image of Jacksonville Beach;
- C. Increase the tax base in the Community Redevelopment Area to assist in financing public actions to support redevelopment;
- D. Encourage the re-creation of a compact mixed-use core area, oriented to recreation, entertainment, specialty retail, tourism and housing;
- E. Promote greater pedestrian circulation in the core area particularly along 1st Street and the boardwalk; and
- F. Maintain the existing street patterns with improvements as necessary to accommodate new development.

VI. COMPLIANCE WITH ORDINANCE MOBILE FOOD VENDING REGULATIONS OF

The Development will comply with mobile food vending regulations based off of the applicable provisions of Ordinance No. 2014-8041 of the City of Jacksonville Beach. Attachment 7 contains the provisions that will govern the mobile food vendor on the Property.

LIST OF ATTACHMENTS

Attachment 1 – Property

Attachment 2 – Vicinity Map

Attachment 3 – Aerial Photograph (Elevation & Site Plan Views)

Attachment 4 – Surfer Magazine history

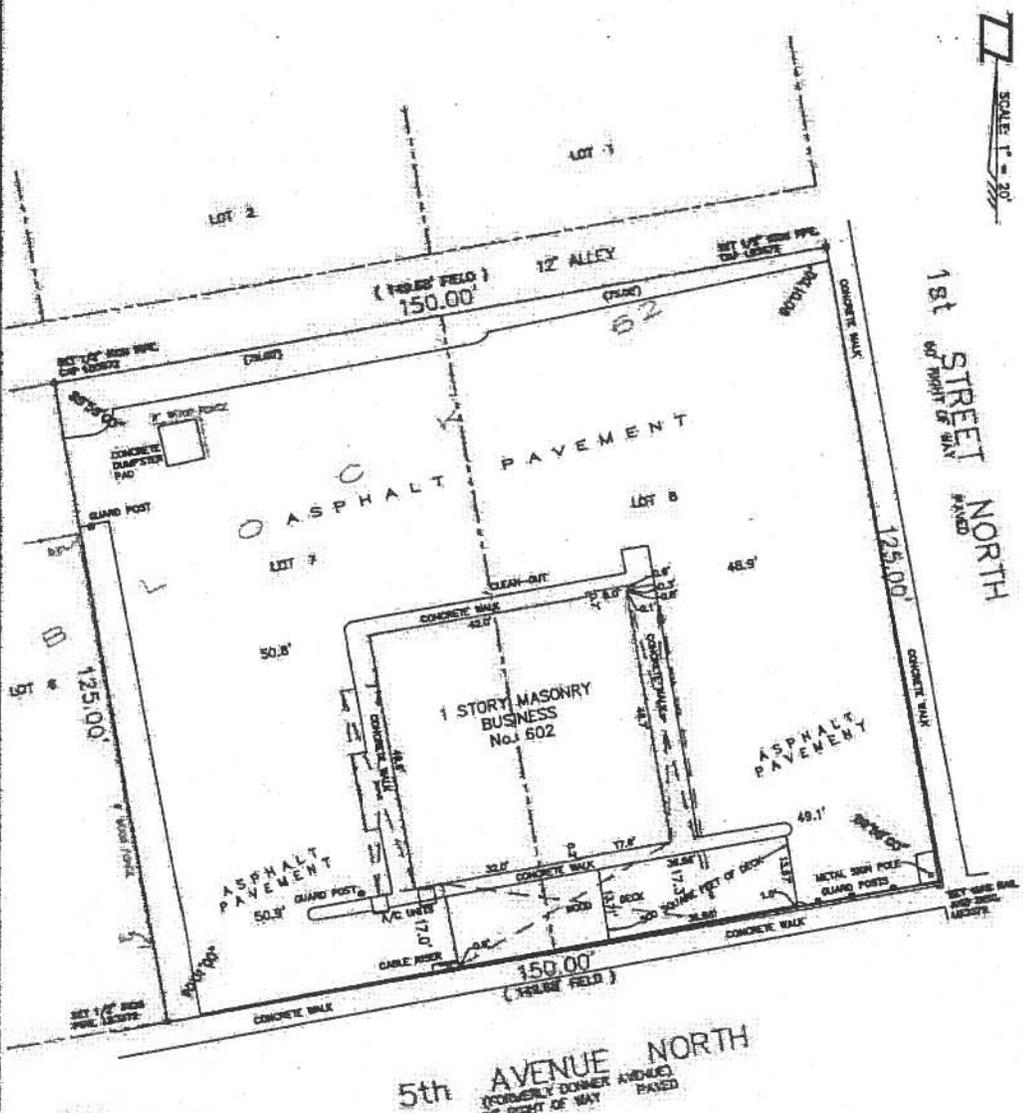
Attachment 5 – Floor Plans

Attachment 6 – Illustrative Building Perspective and Elevation Drawings

Attachment 7 – Mobile Food Vending Regulations

MAP SHOWING SURVEY OF

LOTS 7 AND 8, BLOCK 62, PABLO BEACH NORTH AS RECORDED IN PLAT BOOK 3,
PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



- NOTES**
1. THIS IS A BOUNDARY SURVEY.
 2. ANGLES AS PER FIELD SURVEY.
 3. NORTH PROTRACTED FROM PLAT.
 4. NO BUILDING RESTRICTION LINES PER PLAT.

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X" (AREA OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AS WELL AS CAN BE DETERMINED FROM THE FLOOD INSURANCE RATE MAP No. 12031C0417H, REVISED JUNE 3, 2013 FOR DUVAL COUNTY, FLORIDA.

THIS SURVEY WAS MADE FOR THE BENEFIT OF GREG SAIG.

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

DONN W. BOATWRIGHT, P.S.M.
FLORIDA LIC. SURVEYOR and MAPPER No. LS 3285
FLORIDA LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

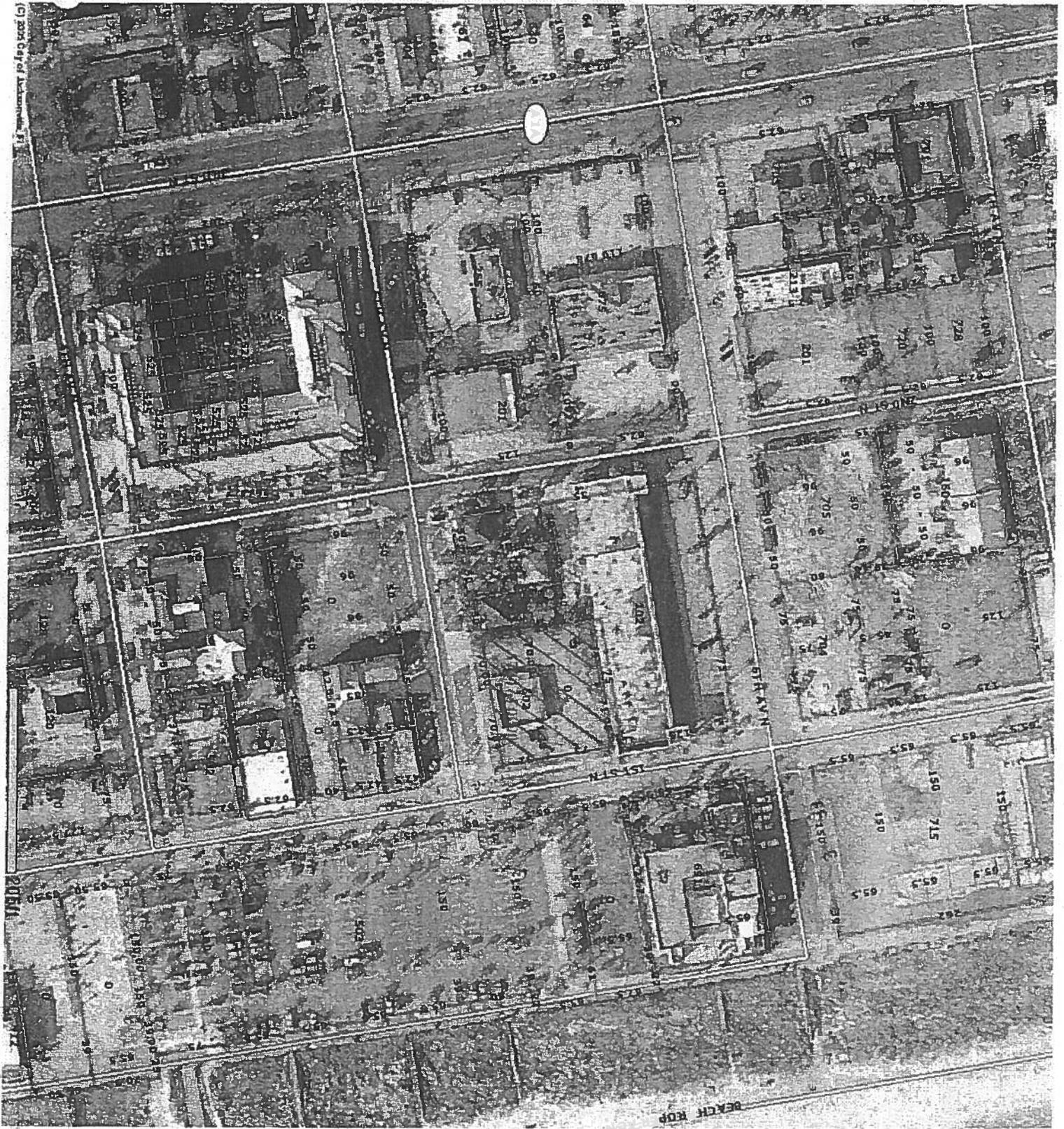
BOUNDARY WITH IMPROVEMENTS—DECEMBER 30, 2013

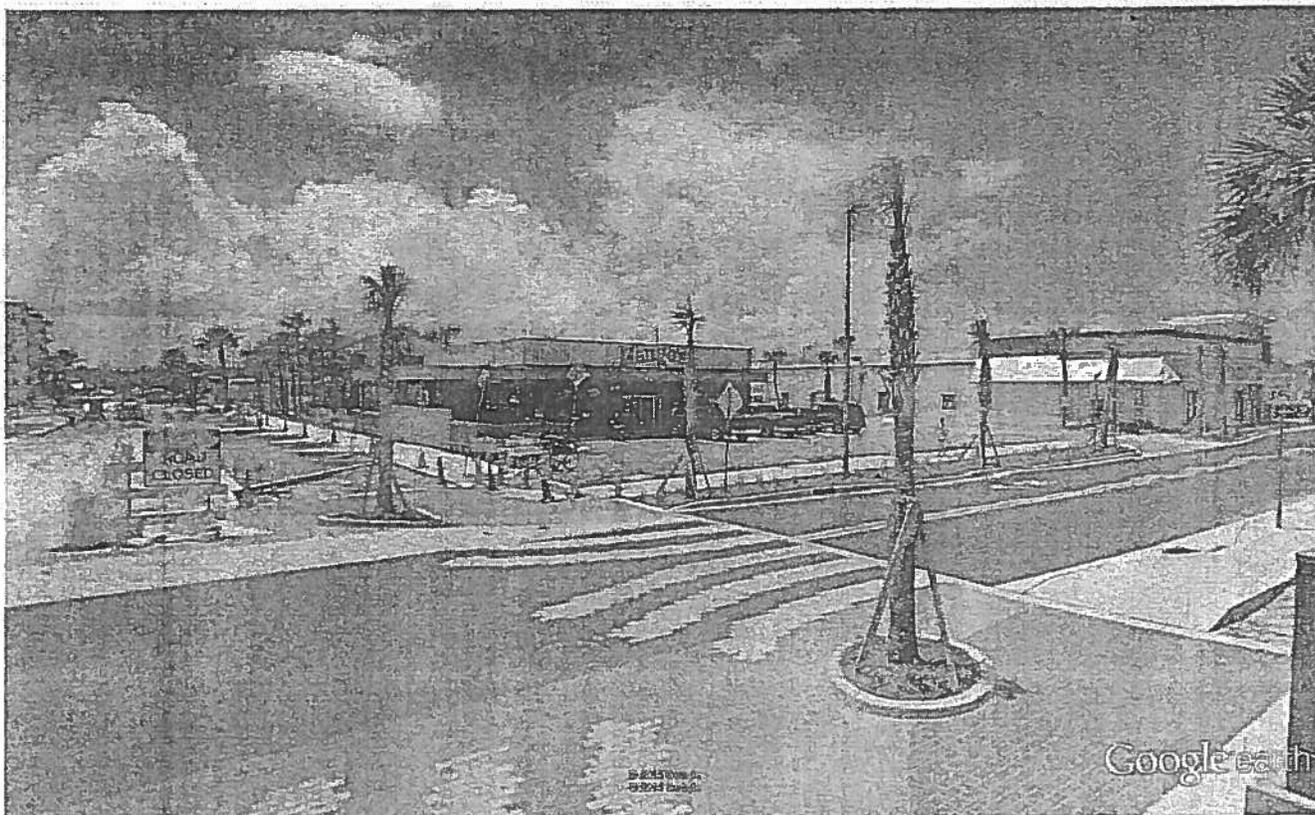
CHECKED BY: _____
DRAWN BY: CL
FILE: 2003-1219

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE, JACKSONVILLE BEACH, FLORIDA 32418-8550

DATE: NOVEMBER 29, 2007
SHEET 1 OF 1

VICINITY MAP





Google earth



Surfer Magazine History | SURFLINE.COM

Surfing A to Z

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z



Surfer Magazine

Sometimes referred to as the "bible of the sport," *Surfer* magazine began life as a modest accompaniment to John Severson's third surf film, *Surf Fever*. Titled *The Surfer*, 10,000 copies of the 32-page First Annual Surf Photo Book were printed in 1960. The little magazine was packed with still photos and screen-grabs from Severson's 16mm footage, depicting surfers and waves of all stripes in a frenzy of stoke, crazy humor and death-defying bit-wave antics.

When the garage-born publication proved an immediate success, Severson -- a painter, art teacher and cinematographer -- was determined to try his hand at serious publishing. He launched *The Surfer Quarterly* (out of the same garage) in 1961, but with rapidly building demand in an expanding niche, he took the young magazine to six times a year in 1962 as *Surfer Bi-Monthly*. In 1976, *Surfer* magazine went monthly and has published 12 issues a year (plus calendars) ever since.

Surfer had competition over the years, but Severson won pole position. Although *Surfer* has been generally recognized as the authority in its field, *Surfing* magazine has an equivalent circulation, and *The Surfer's Journal* has acquired a unique historic authority in its decade of publishing.

But it was arguably *Surfer's* success that spawned the lifestyle and industry now known worldwide as surf culture. The magazine created a medium for advertising, which allowed surf-related businesses to talk to a specific audience. It also allowed editors to give shape to the amorphous and expanding network of surfers.

While polyurethane foam, fiberglass and other developments allowed the manufacturing of lightweight and inexpensive surfboards and Gidget fanned the fires of the sport's growing popularity, *Surfer* was a medium for commerce and information in the new subculture. Severson had opened a forum where money could be made and heroes created. The *Surfer Poll* -- a popularity contest to determine the best male and female surfers of the year -- began in 1964 and became the sport's most prestigious awards ceremony.

Severson's *Surfer* was also the platform that launched the environmental movement in surfing. Assorted articles dealing with harbors, pollution and access issues in the mid- and late-'60s led to a regular editorial section -- *Our Mother Ocean* -- in the '70s, which in turn stoked the fires of the founders of the Surfrider Foundation in the '80s.

John Severson sold *Surfer* to For Better Living, Inc. -- a leisure industries conglomerate -- in 1972, turning the reins over to Steve Pezman, an especially articulate former surfboard shaper. As publisher and editor, Pezman nursed the magazine through the '70s doldrums and into the boom times of the '80s, when surf culture suddenly became hip across the country and around the world.

Over the years, the *Surfer Publishing Group* ventured into other magazine publishing endeavors, some more successful than others. These included *Powder*, *Blitz*, *Skateboarder*, *Snowboarder* and *Beach Culture* magazines, as well as a number of books, including *The Book of Waves* (1989) and *Surfriders: In Search of the Perfect Wave* (1997). *Surfer* also has been involved with creating a number of surfing-related shows for television.

In the late '70s and '80s, Pezman gave over the editorial chores to a succession of talented editors, including Kurt Lederman, Mike Perry, Jim Kempton, Paul Holmes, Matt Warsaw, Steve Hawk and Evan Slater. Under Pezman's publishing tenure, *Surfer* enjoyed several transformations, notably a controversial graphics reworking that came with a new art director, David Carson, in the October 1991 issue. In the following issue, Pezman announced his retirement from *Surfer*. He and his wife, Debbie, now publish *The Surfer's Journal*.

Now past its first half-century, *Surfer* has undergone recent staff and ownership changes but still remains, by most accounts, the bible of the sport. -- Drew Kampton

PC#15-14

NEW DESIGN (PLAN 2)
 MAXIMUM ALLOWABLE OCCUPANCY
 COUNT PER FBC 2010 - TABLE 1004.1.1

1ST FLOOR:
 STANDINGS - 1153 (SQ.FT.) / 5 = 231 PP
 SEATINGS - 1211 (SQ.FT.) / 15 = 81 PP
 TOTAL - 2164 (SQ.FT.) = 296 PP

2ND FLOOR:
 STANDINGS - 610 (SQ.FT.) / 5 = 122 PP
 SEATINGS - 802 (SQ.FT.) / 15 = 53 PP
 TOTAL - 1,412 (SQ.FT.) = 175 PP

TOTAL 1ST AND 2ND FLOOR
 ALLOWABLE OCCUPANCY = 478 PP (1510 PP)

OWNER PROVIDED OCCUPANCY

SURF WORKS LLC. AGREES NOT
 EXCEED A TOTAL OCCUPANT LOAD
 OF 325 PEOPLE.

FINAL DESIGN (PLAN 3)
 MAXIMUM ALLOWABLE OCCUPANCY
 COUNT PER FBC 2010 - TABLE 1004.1.1

1ST FLOOR:
 STANDINGS - 1153 (SQ.FT.) / 7 = 165 PP
 SEATINGS - 648 (SQ.FT.) / 15 = 43 PP
 TOTAL - 1251 (SQ.FT.) = 212 PP

2ND FLOOR:
 STANDINGS - 610 (SQ.FT.) / 7 = 87 PP
 SEATINGS - 802 (SQ.FT.) / 15 = 53 PP
 TOTAL - 1,412 (SQ.FT.) = 140 PP

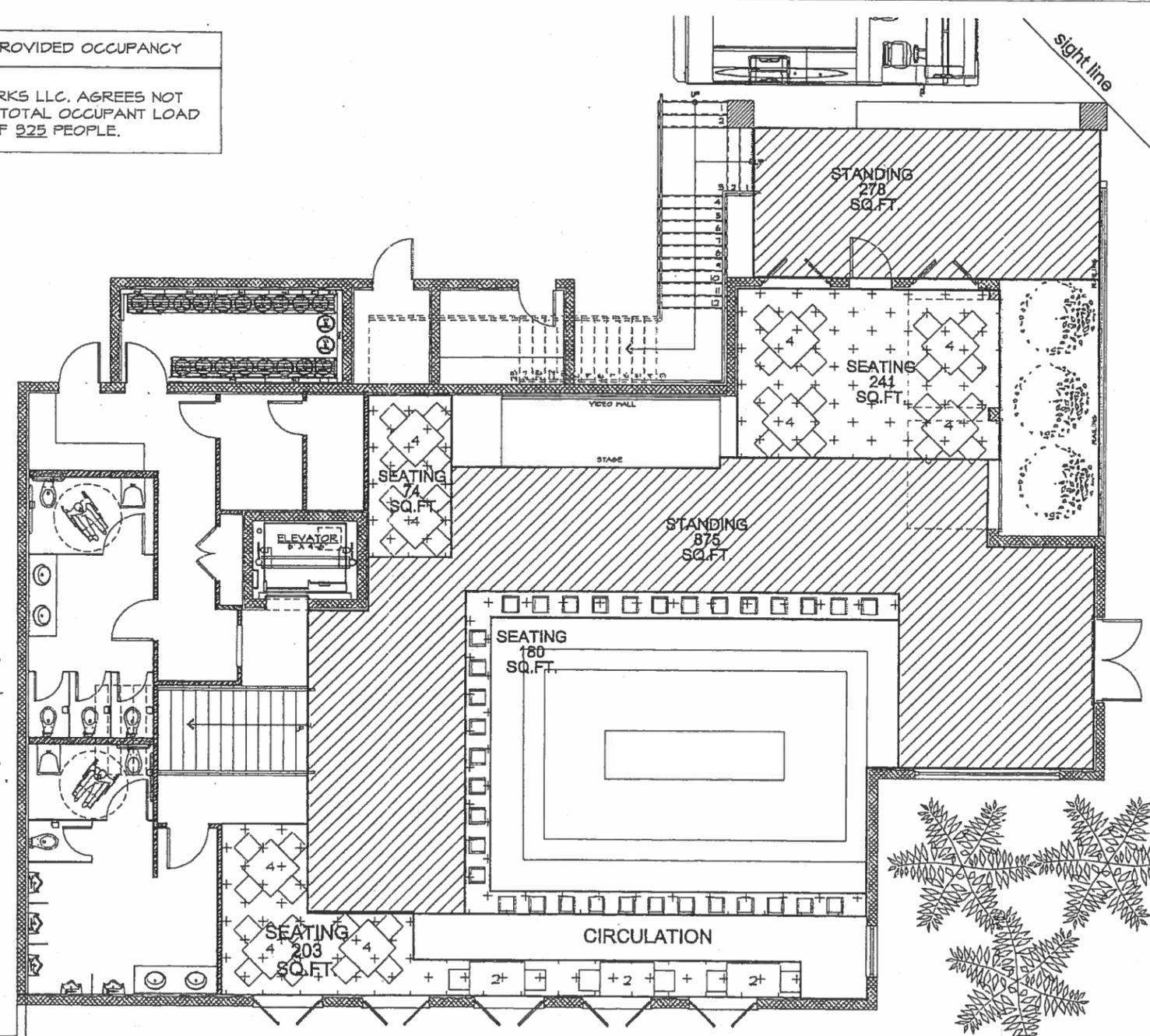
TOTAL 1ST AND 2ND FLOOR
 TOTAL CUSTOMER AREA SQ.FT. = >>>3,263<<<
 ALLOWABLE OCCUPANCY = 352 PP

IN RESPONSE TO
 FIRE MARSHALL
 COMMENT, F.M.
 CHOOSES TO
 IMPLEMENT NFPA
 101 IN LEAU OF
 (FBC 2010)
 RESULTING IN A
 DENOMINATOR OF
 7 INSTEAD OF 5.

FURNITURE LEGEND

| SEATING COUNT | | TYPE |
|---------------|--------------|---|
| FIRST FLOOR | SECOND FLOOR | |
| 4 x 4 = 24 | 4 x 4 = 24 | |
| 11 | 4 | |
| 2 x 3 = 10 | 2 x 3 = 10 | |
| 24 | 2 | |
| 61 | 71 | TOTAL SEAT = 82 SEATS (ON AND 2ND FLOOR) |

OFFICE /
 RETAIL
 UP TO
 1,500 SQ. FT.



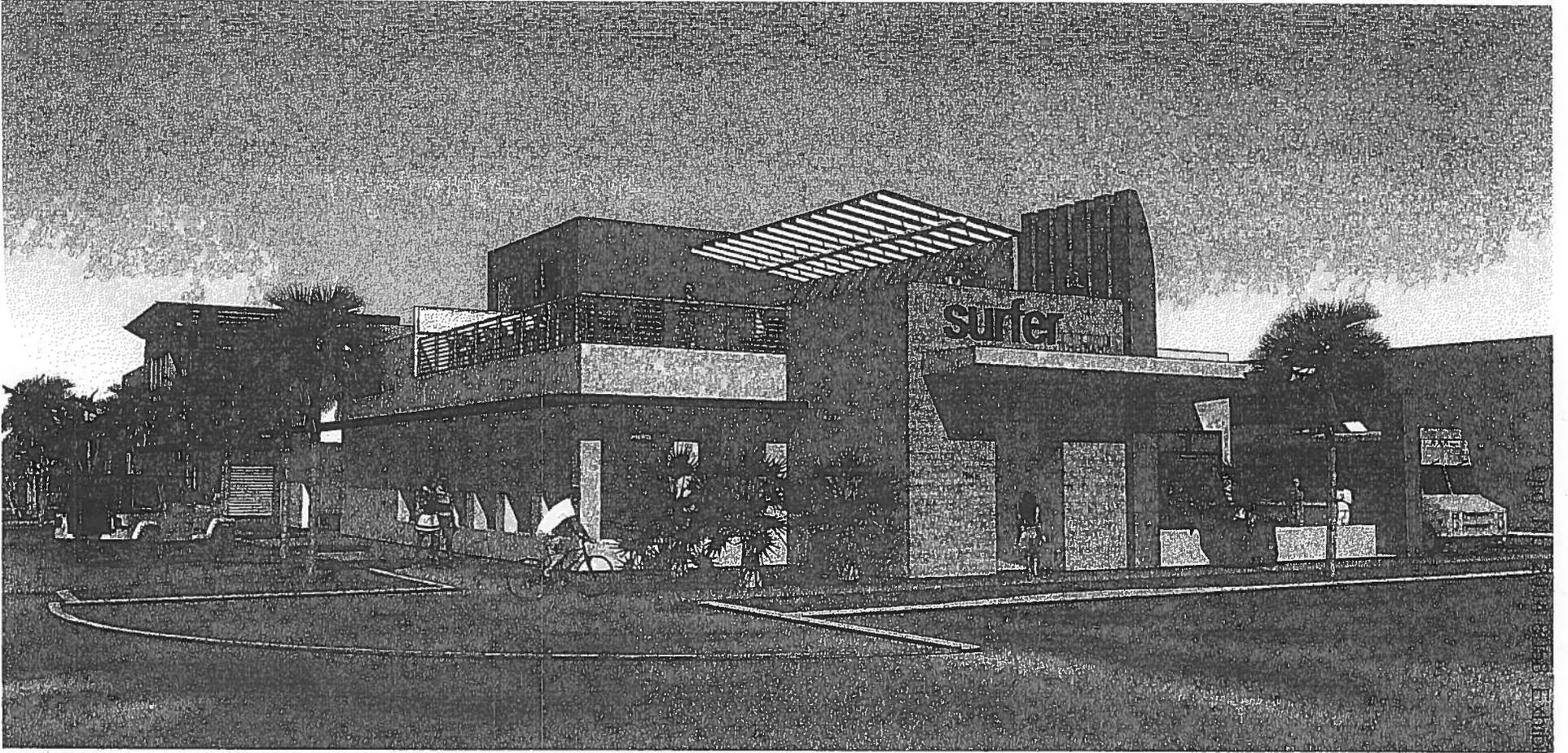
CRONK DUCH
 ARCHITECTURE
 9822 TARBERRY PARK CIR #205
 JACKSONVILLE, FL 32256-3452
 FL ARCH 14227

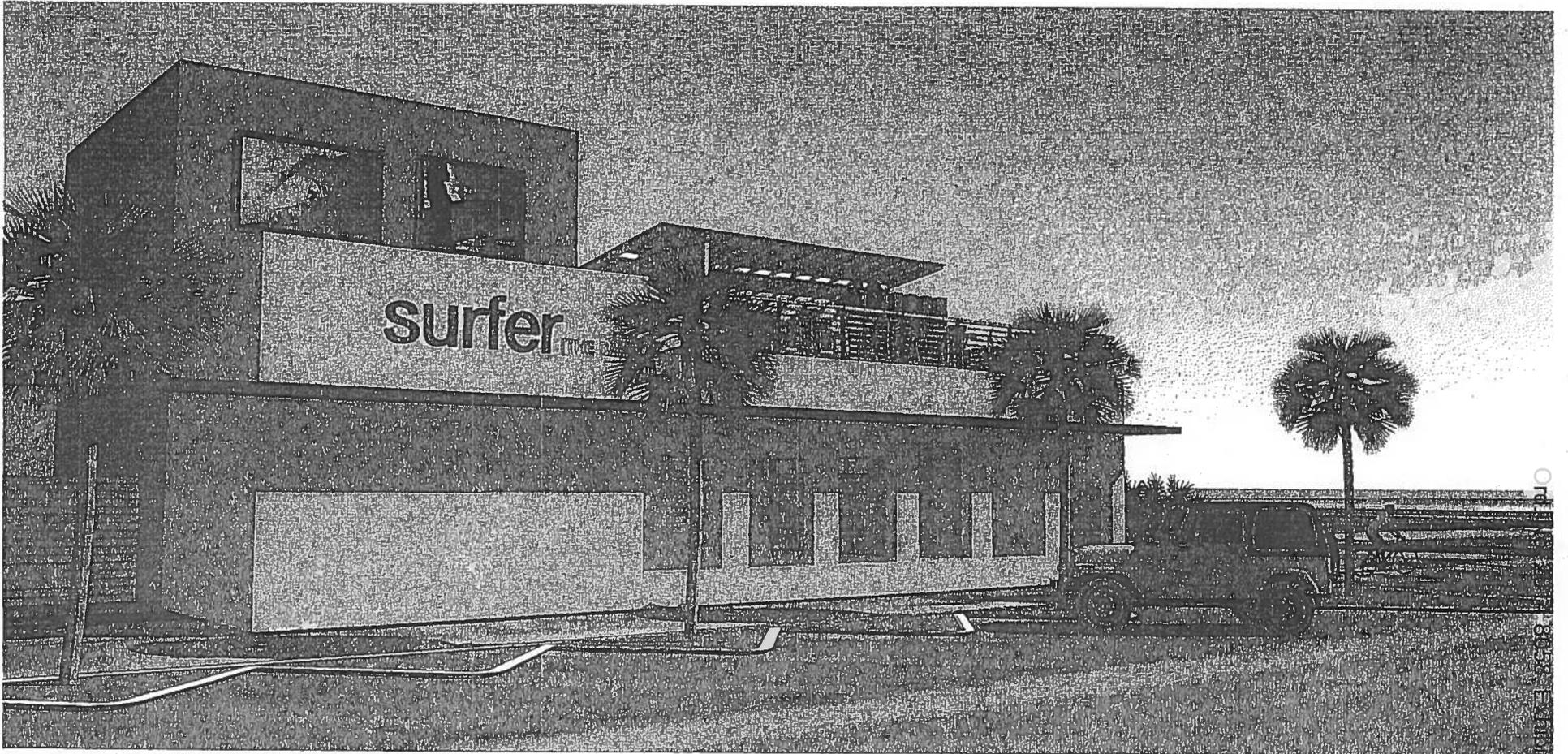
surfer [THE BAR]

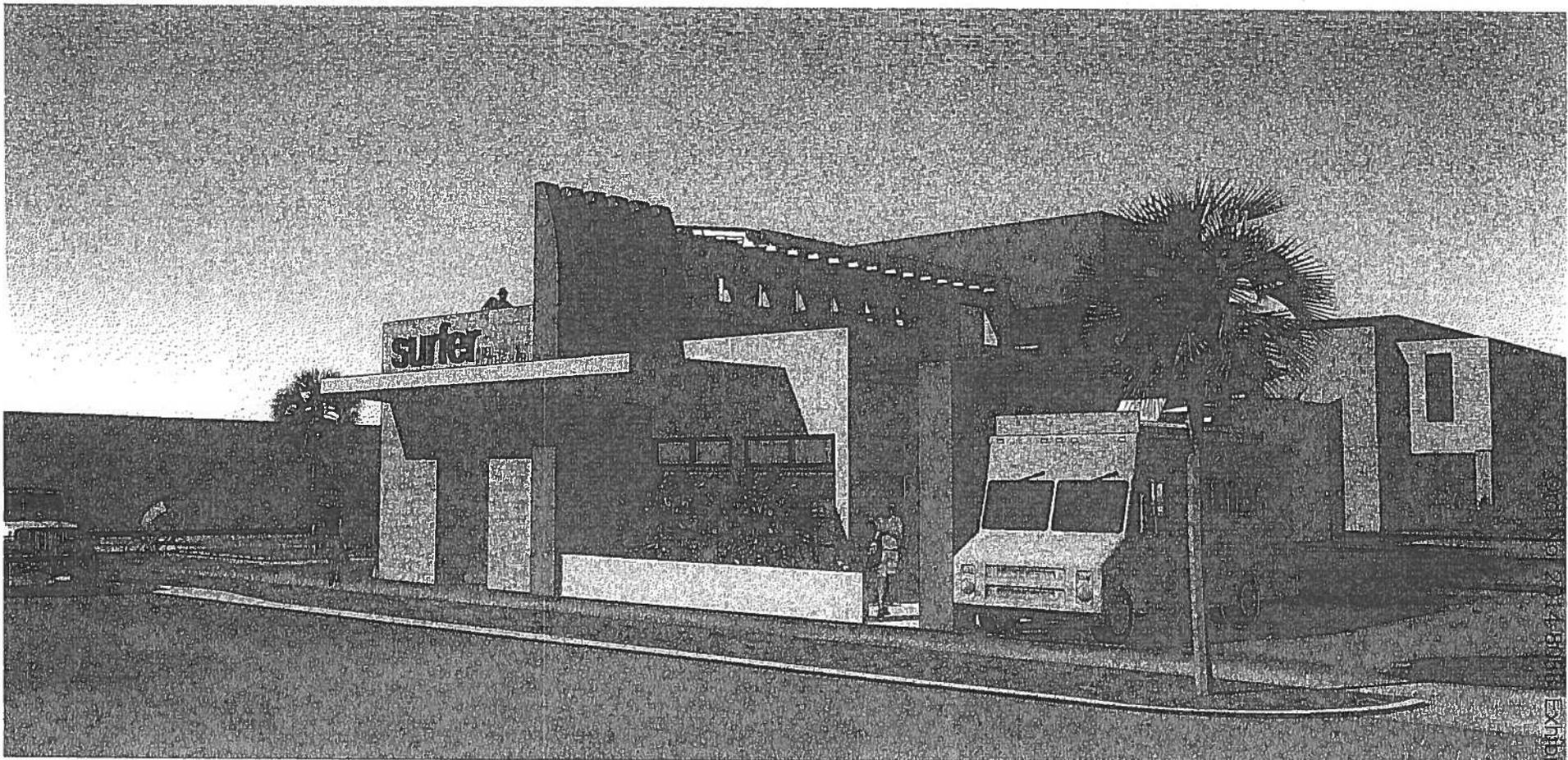
• 1ST FLOOR PLAN •
 OCCUPANCY COUNT
 1/8" = 1'-0"

FIRE MARSHALL REV. 1 - 09/08/14

A1.1







ATTACHMENT 7

MOBILE FOOD VENDING REGULATIONS

Mobile food vending. One proprietary mobile food vendor shall be allowed within this RD zoning district. The mobile food vendor shall conform to the following conditions:

(1) **Definitions.**

- a. *Commissary* means an approved facility that provides support services for specific required functions of a mobile food vendor. Any food establishment permitted or licensed by a regulatory agency, such as a catering operation, restaurant, grocery store, or similar establishment, or any other approved facility where food, containers, or supplies are kept, handled, prepared, packaged, or stored can be considered for approval as a commissary. A private residence may not be used as a commissary.
- b. *Mobile food vending vehicle* means a vehicle-mounted public food service establishment that is either self-propelled or otherwise movable from place to place. A mobile food vending vehicle is further defined as having, as part of the vehicle, a three-compartment sink for washing, rinsing and sanitizing equipment and utensils; a separate hand wash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP-gas, or a portable power generation unit; a potable water holding tank; and a means for liquid waste containment and disposal.
- c. *Mobile food vendor* means any person or business selling food from a mobile food vending vehicle from which food items are sold to the general public.

(2) **Location, permit, and separation requirements.**

- a. The approved permit must be attached to the mobile food vending vehicle where it is readily visible and shall include the name, mailing address, and valid phone number of the mobile food vending vehicle owner and shall list the address and parcel identification number where the permit is valid.
- b. Routine inspections may be conducted by code enforcement inspectors, building code inspectors, fire inspectors, or police officers on the mobile food vending vehicle at any time and at any frequency deemed appropriate by the City.
- c. The mobile food vending vehicle must be located at least one-hundred (100) feet from the main entrance to any eating establishment or similar food service business and one-hundred (100) feet from any outdoor dining area. This separation requirement shall apply only during the normal hours of operation of the eating establishment or similar food service business or outdoor dining area.
- d. The mobile food vending vehicle is not allowed to be located within a required sight visibility triangle at the intersection of a driveway, alleyway, or public street with another public street as set forth in Chapter 34 of this Code of Ordinances; or within five (5) feet of a public sidewalk, utility box or vault, handicapped ramp, building entrance, or exit or emergency access/exit way; and must not locate within any area of the Property that impedes, endangers, or interferes with pedestrian or vehicular traffic. The mobile food

vending vehicle must be located a minimum distance of fifteen (15) feet in all directions away from a fire hydrant.

- e. The mobile food vending vehicle may not occupy or prevent access to any handicap accessible parking space.
- (3) **Signage and noise.** One (1) free-standing sandwich board or A-frame type sign is permitted on the Property. The total size of the sign may not exceed forty-two (42") inches in height or thirty-six (36") inches in width. No audio amplification is permitted as part of the mobile food vending operation.
- (4) **Hours of operation.**
- a. Hours of operation are limited to the hours between 7:00 a.m. and 2:00 a.m.
 - b. The mobile food vending operator or his or her designee must be present at all times.
 - c. The mobile food vending vehicle and any associated outdoor seating must be removed from its permitted location during impermissible hours of operation; and must not be stored, parked, or left overnight on any public street or sidewalk.
- (5) **Waste management.**
- a. The mobile food vendor is responsible for the proper disposal of waste and trash associated with the permitted operation. City trash receptacles shall not be used for this purpose. At a minimum, the vendor must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. The vendor must keep all areas within twenty-five (25) feet of the vehicle and any associated seating areas clean of grease, trash, paper, cups or cans associated with the vending operation.
 - b. Liquid waste or grease shall be disposed of at an approved location (for example, an approved commissary) and shall not be placed in tree pits, storm drains, or onto any sidewalk, street, or any other public space. Under no circumstances shall grease be released or disposed of in the City's sanitary or storm sewer systems. If at any time evidence of the improper disposal of liquid waste or grease is discovered, the responsible mobile food vending business will be required to cease operation immediately, clean up the improperly disposed material to the satisfaction of the City, and shall not resume operation until an alternate method of disposal has been approved by the Public Works Department.
 - c. All equipment required for the operation must be contained within, attached to or within three (3) feet of the mobile food vending vehicle; and all food preparation, storage, and sales/distribution shall be in compliance with all applicable sanitary regulations.
- (6) **Licenses and permits required.** A City of Jacksonville Beach business tax receipt for the mobile food vending business must be obtained; and all required State of Florida, Duval County, and City of Jacksonville Beach permits, licenses, and business tax receipt must be clearly displayed on the mobile food vending unit. Prior to the issuance of a City of Jacksonville Beach mobile food vending business tax receipt, the vendor shall provide evidence of having obtained all applicable State of Florida and Duval County licenses and permits, and obtained approval

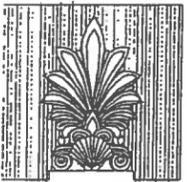
from the City of Jacksonville Beach Public Works Department for the method for the disposal of grease within an approved grease disposal facility if the approved grease disposal facility is within the City of Jacksonville Beach. The mobile food vending business tax receipt shall be renewed annually.

- (7) **Application submittal requirements.** The Application for mobile food vendor permit must include the following information:
- a. Name, address, telephone number, and email address of the applicant and the owner of the vehicle if not the same as the applicant.
 - b. Description of the type of food and/or beverages to be sold.
 - c. Color photograph of the mobile food vending vehicle depicting the current condition of the unit.
 - d. Address of the proposed vending site, including the property address, property owner's name and telephone number, and the name of the principal business located on the property where applicable.
 - e. Site plan for the proposed vending site, drawn to scale, depicting the following information:
 - i. Total square footage of the property;
 - ii. Location and square footage of the existing principal and accessory use(s), where applicable;
 - iii. Proposed location for the mobile food vending vehicle; and
 - iv. Location of ingress/egress to the site.
 - f. Address of proposed location to store the mobile food vending vehicle when not in use.
 - g. Copies of all permits and business licenses required by the State of Florida and Duval County.
 - h. Notarized commissary agreement confirming the mobile food vendor is operating in conjunction with a licensed commissary in accordance with Florida Statutes, where applicable. All commissaries must be pre-approved by the City prior to issuance of a mobile food vendor permit.
 - i. Notarized affidavit signed by each property owner indicating that the vendor has permission to vend on his or her property. The affidavit must also indicate that the property owner acknowledges the following requirements:
 - i. The property owner shall comply with all ordinances regarding solid waste disposal, and shall provide the vendor access to solid waste collection on the subject property.
 - ii. The property owner shall require that the vendors meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes; including but not limited to permitting requirements regarding his or her specific business:
 - iii. The property owner shall acknowledge that she/he understands the regulations governing mobile food vendors and shall be held responsible, along with the vendor, for any code violations; and,
 - iv. The property owner shall ensure that the property is continuously maintained in a neat, clean, and orderly manner.
 - j. Proof of business insurance, issued by an insurance company that is licensed to do business in the State of Florida, and which protects the applicant from all claims for damages

to property and bodily injury, including death, which may arise from operations under or in connection with mobile food vendor.

(8) **Enforcement procedure.**

- a. **Revocation.** If at any time, the State of Florida or Duval County revokes or suspends the issued mobile food vending permit, the City of Jacksonville Beach business tax receipt for the mobile food vending business will be simultaneously revoked or suspended. If mobile food vendor has his or her permit declared null and void or revoked for any of the reasons set forth in this section, the mobile food vendor shall not be allowed to reapply for a mobile food vending permit for a period of ninety (90) days after the effective date of such action.
- b. **Other violations.** If at any time evidence is provided that the mobile food vending business is being operated in a way that does not comply with these regulations, a notice of violation shall be issued to the Property owner and mobile food vendor and the violation shall be referred to the Special Magistrate for a hearing and disposition in accordance with the provisions of Article VI *Code Enforcement* of Chapter 2 *Administration* of this Code of Ordinances.

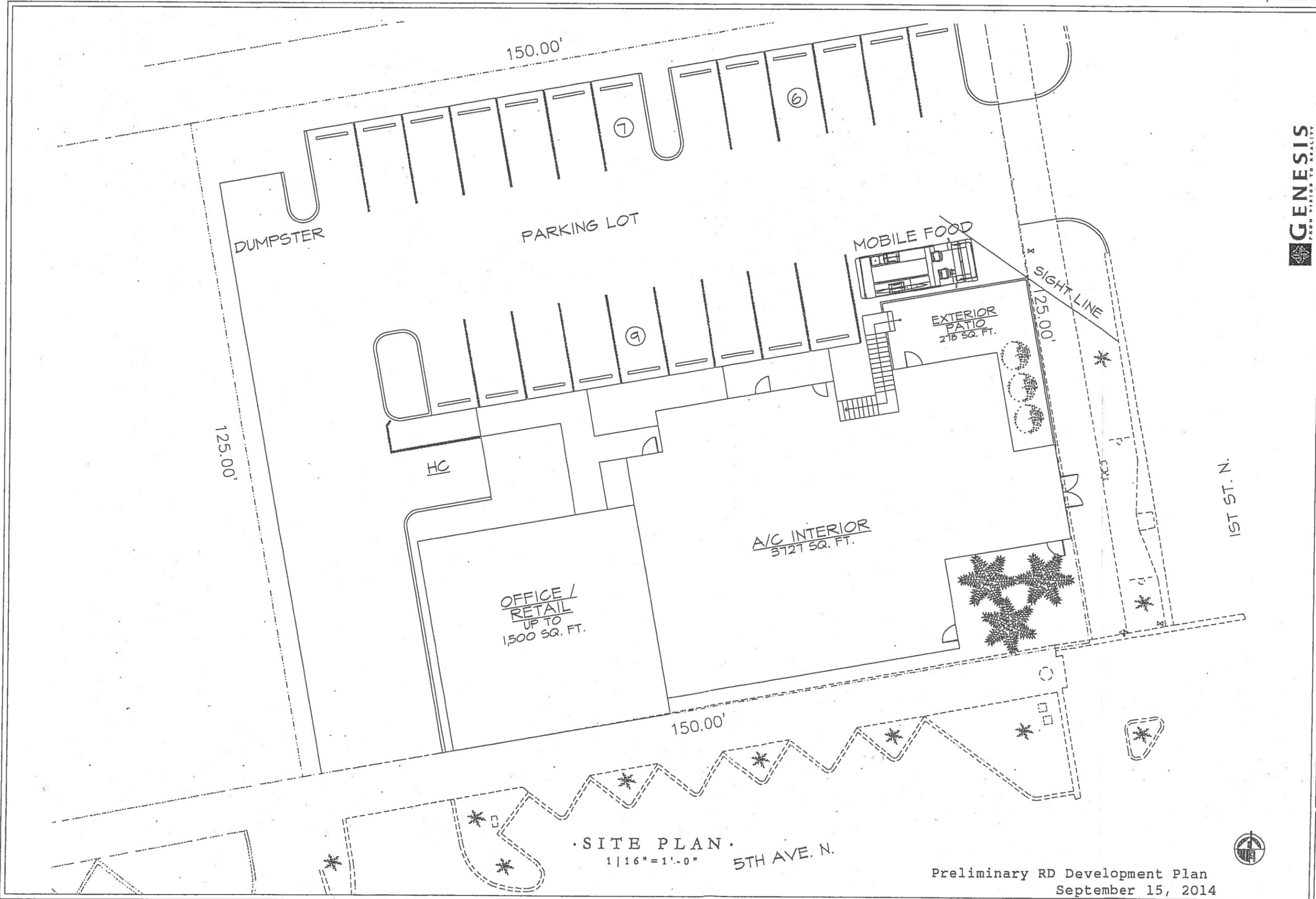


GENESIS
FROM VISION TO REALITY

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FL AR#14227

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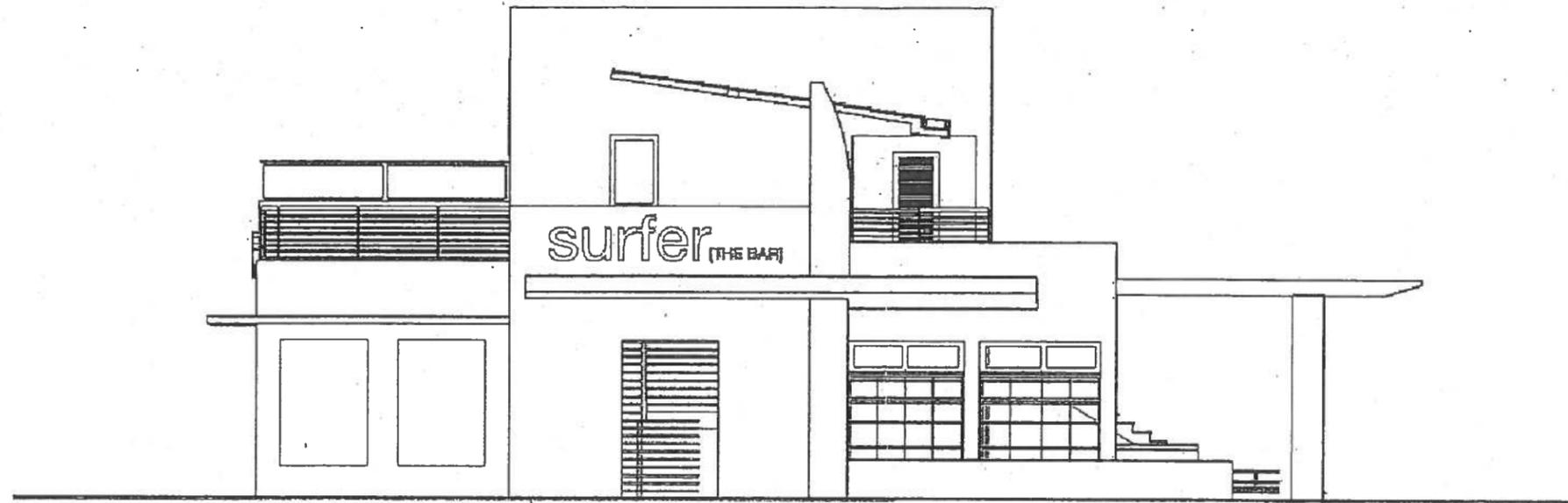


SITE PLAN.
1/16" = 1'-0" 5TH AVE. N.

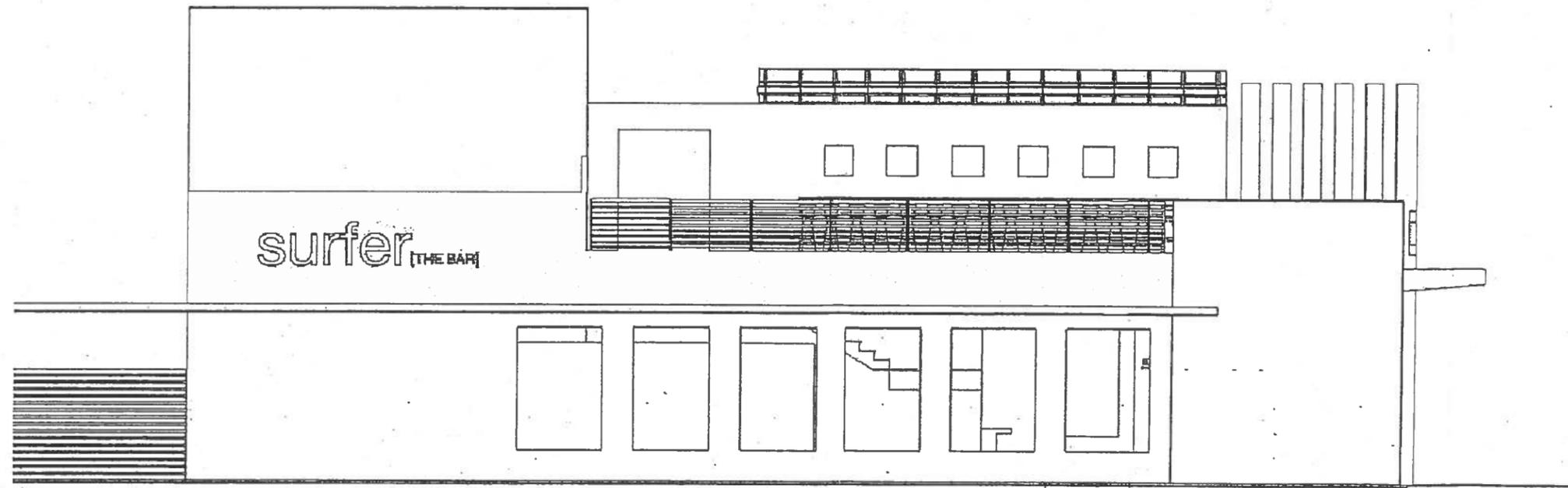
Preliminary RD Development Plan
September 15, 2014



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· EAST ELEVATION ·
N.T.S.

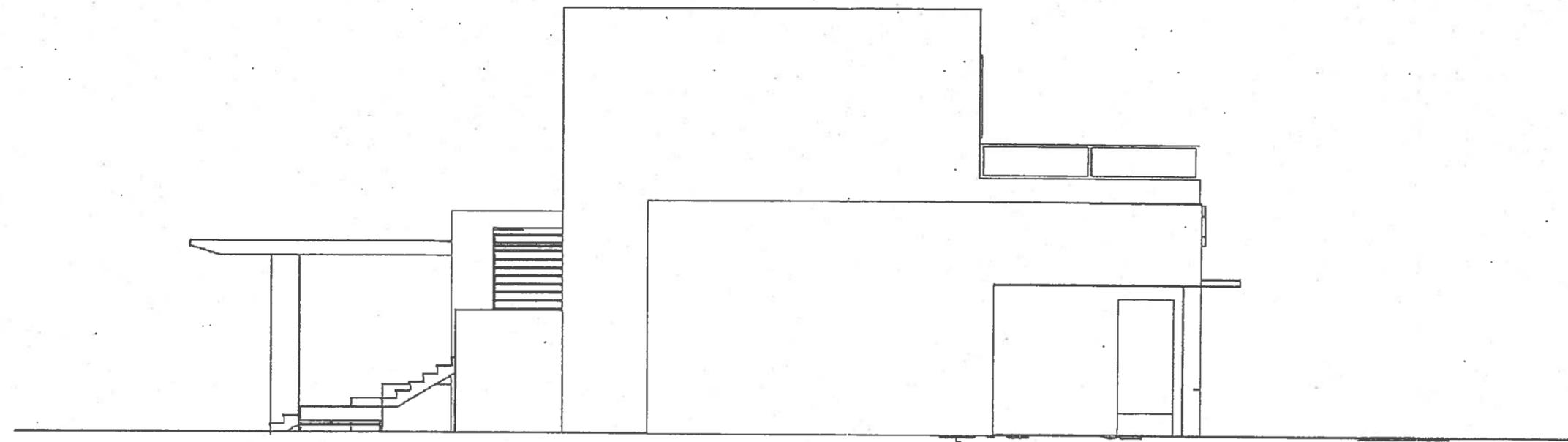


· SOUTH ELEVATION ·
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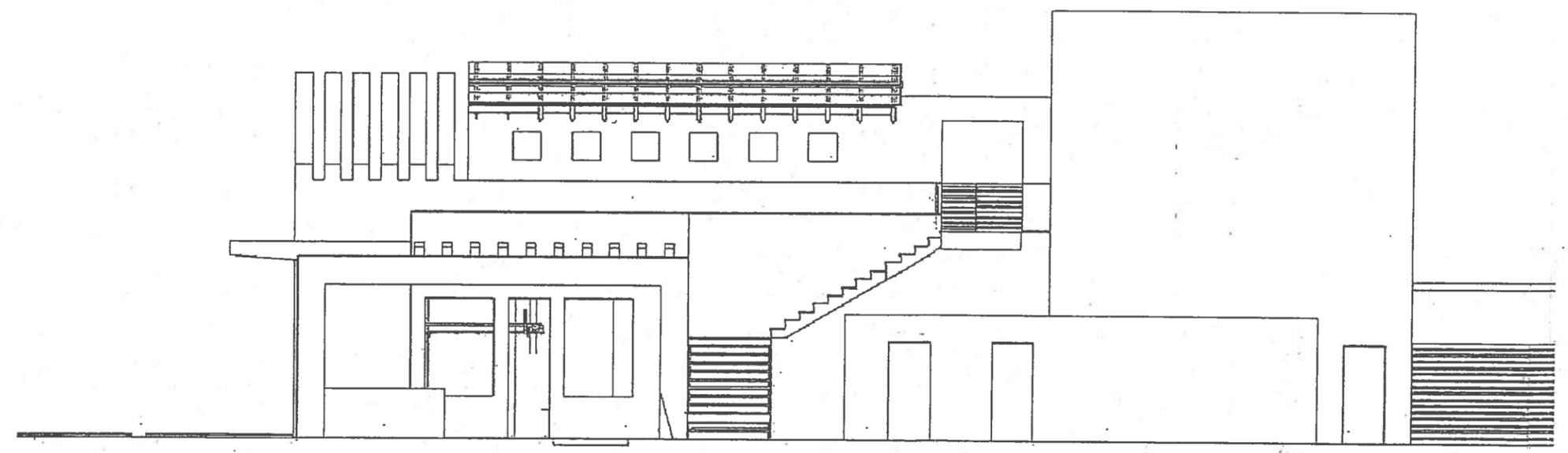
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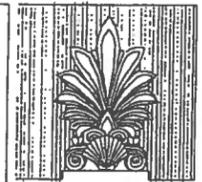
September 15, 2014



· WEST ELEVATION ·
N.T.S.



· NORTH ELEVATION ·
N.T.S.



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September 15, 2014

FINAL BUILDING DATA (PLAN 3)

| SURFER THE BAR SPACE | INTERIOR (SF) | EXTERIOR | CUSTOMER AREA |
|-----------------------------|---------------|----------|---------------|
| 1ST FLOOR (BAR) | 3,727 | 278 | 1,749 |
| 2ND FLOOR (BAR) | 669 | 1,755 | 1,412 |
| TOTAL (NEW SURFER THE BAR) | 4,396 | 2,033 | 3,161 |
| TOTAL (INTERIOR/EXTERIOR) | 6,429 SQFT. | | |
| OFFICE SPACE | | | |
| 1ST FLOOR (OFFICE/RETAIL) | UP TO 1,500 | 0 | |
| 2ND FLOOR (OFFICE/RETAIL) | UP TO 1,500 | 0 | |
| TOTAL (OFFICE/RETAIL SPACE) | UP TO 3,000 | 0 | |
| TOTAL 1ST & 2ND FLOORS | 9,307 sqft. | | |

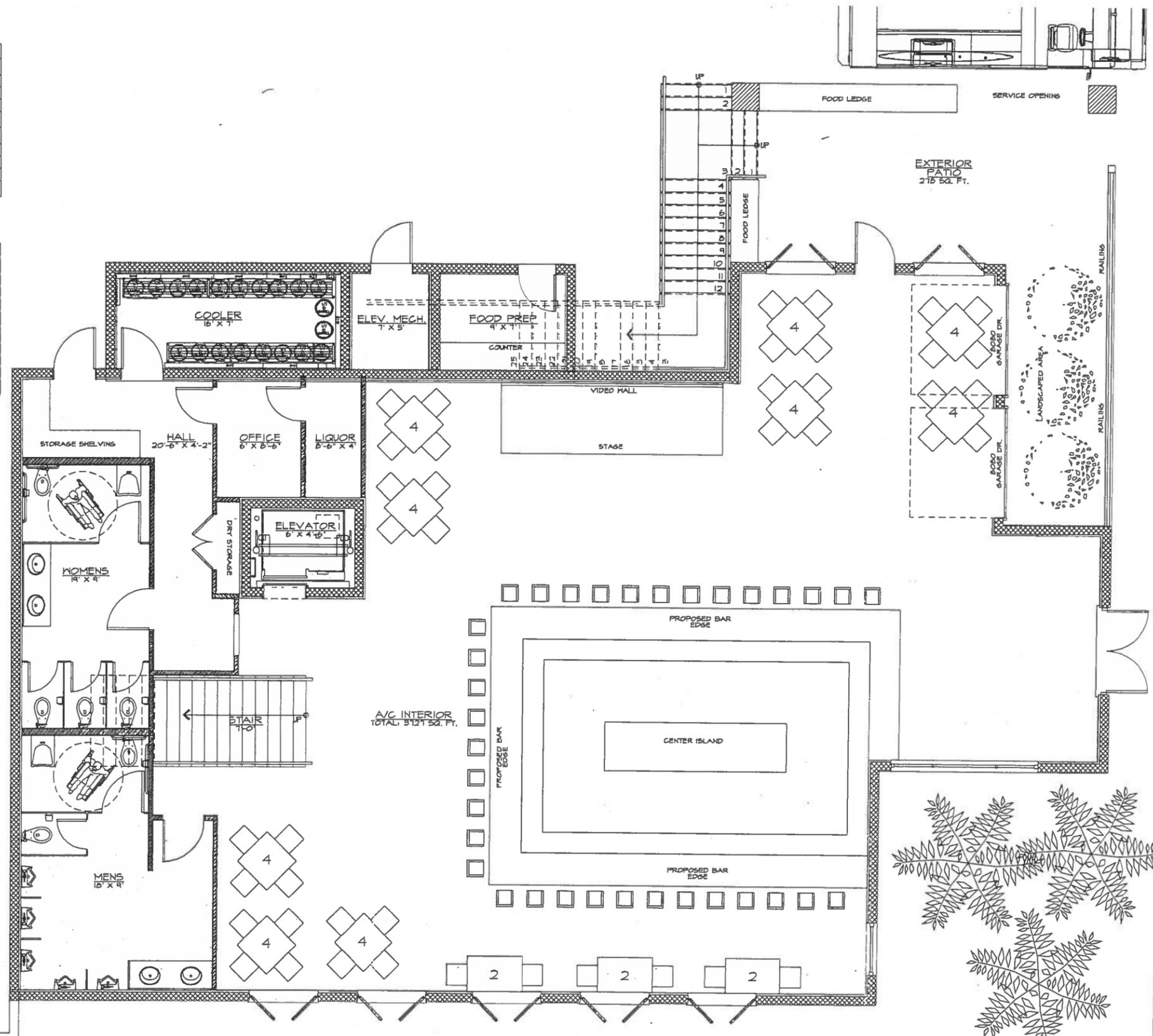
NEW BUILDING DATA (PLAN 2)

| SURFER THE BAR SPACE | INTERIOR (SF) | EXTERIOR | CUSTOMER AREA |
|-----------------------------|---------------|----------|---------------|
| 1ST FLOOR (BAR) | 3,727 | 796 | 2,164 |
| 2ND FLOOR (BAR) | 669 | 1,755 | 1,412 |
| TOTAL (NEW SURFER THE BAR) | 4,396 | 2,551 | 3,576 |
| TOTAL (INTERIOR/EXTERIOR) | 6,947 SQFT. | | |
| OFFICE SPACE | | | |
| 1ST FLOOR (OFFICE/RETAIL) | UP TO 1,500 | 0 | |
| 2ND FLOOR (OFFICE/RETAIL) | UP TO 1,500 | 0 | |
| TOTAL (OFFICE/RETAIL SPACE) | UP TO 3,000 | 0 | |
| TOTAL 1ST & 2ND FLOORS | 9,947 sqft. | | |

OLD BUILDING DATA

| SURFER THE BAR SPACE | INTERIOR (SF) | EXTERIOR |
|-----------------------------|---------------|----------|
| 1ST FLOOR (BAR) | 3,605 | 918 |
| 2ND FLOOR (BAR) | 669 | 2,697 |
| TOTAL (OLD SURFER THE BAR) | 4,274 | 3,615 |
| TOTAL (INTERIOR/EXTERIOR) | 7,889 SQFT. | |
| OFFICE SPACE | | |
| 1ST FLOOR (OFFICE/RETAIL) | UP TO 1,500 | 0 |
| 2ND FLOOR (OFFICE/RETAIL) | UP TO 1,500 | 0 |
| TOTAL (OFFICE/RETAIL SPACE) | UP TO 3,000 | 0 |
| TOTAL 1ST & 2ND FLOORS | 10,889 sqft. | |

OFFICE /
RETAIL
UP TO
1,500 SQ. FT.



• 1ST FLOOR PLAN •
FINAL PLAN 3
1/8" = 1'-0"

SEATING PLAN

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ARCHITECTURE
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FL AR#14227

surfer [THE BAR]

A1.0

FINAL BUILDING DATA (PLAN 3)

| SURFER THE BAR SPACE | INTERIOR (SF) | EXTERIOR | CUSTOMER AREA |
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| TOTAL (OFFICE/RETAIL SPACE) | UP TO 3,000 | 0 | |
| TOTAL 1ST & 2ND FLOORS | 9,307 sqft. | | |

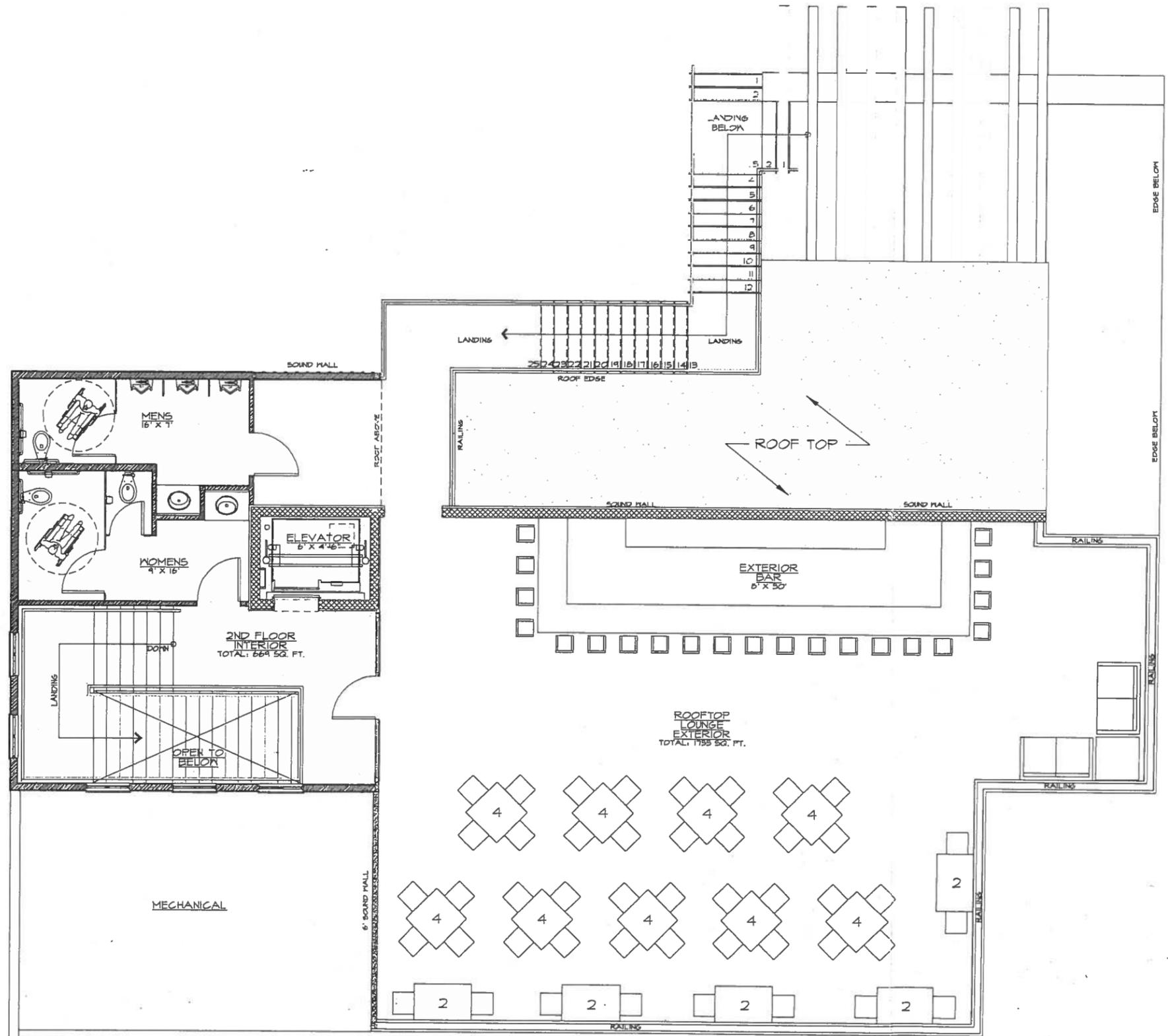
NEW BUILDING DATA (PLAN 2)

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| TOTAL 1ST & 2ND FLOORS | 10,889 sqft. | |

OFFICE /
RETAIL
UP TO
1,500 SQ. FT.



• 2ND FLOOR PLAN •
FINAL PLAN 3
1/8" = 1'-0"

SEATING PLAN



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