



# City of Jacksonville Beach

11 North Third Street  
Jacksonville Beach, Florida

## Agenda

### Planning Commission

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Monday, January 14, 2019

7:00 PM

Council Chambers

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#### 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), Britton Sanders, Margo Moehring  
Alternates: Jon Walker, Bill Spann
3. **Approval of Minutes:** November 13, 2018, November 26, 2018, and December 10, 2018
4. **Correspondence:** None
5. **New Business:**

(A) **PC#31-18 810 3<sup>rd</sup> Avenue South**

**Conditional Use Application** for an existing religious organization, located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-339(d)(4) of the Jacksonville Beach Land Development Code. (*First Missionary Baptist Church*)

(B) **PC#32-18**

**Land Development Code Text Amendment** to modify the definition of “microbrewery” to include a “tasting room”, and to add a definition for “tasting room”, to Article IV. Definitions Section 34-41 of the Jacksonville Beach Land Development Code.

(C) **PC#33-18 602 Shetter Avenue**

**Conditional Use Application** for a proposed microbrewery, located in a *Commercial service: CS* zoning district, pursuant to Section 34-344(d)(6) of the Jacksonville Beach Land Development Code. (Applicant - *Bold Brands*)

**6. Planning Department Report:**

(A) The next meeting is tentatively scheduled for Monday, January 28, 2019.

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**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: January 7, 2019  
RE: January 14, 2019, Planning Commission Staff Report

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The following information is provided for your consideration regarding the following agenda items for the upcoming Monday, January 14, 2019 Planning Commission meeting.

## NEW BUSINESS:

### PC#31-18      **Conditional Use Application**

Owner: First Missionary Baptist Church  
810 3<sup>rd</sup> Avenue South  
Jacksonville Beach, FL 32250

Applicant: Thomas Ceaser, Trustee  
12287 York Harbor Drive  
Jacksonville, FL 32225

Agent: Pastor Marvin A McQueen II

Location: 810 3<sup>rd</sup> Avenue South

Request: **Conditional Use Approval** for an existing religious organization, located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-339(d)(4) of the Jacksonville Beach Land Development Code.

Comments: The subject property is located on the southwest corner of 3<sup>rd</sup> Avenue South and 8<sup>th</sup> Street South and has existed as a church (*First Missionary Baptist Church*) since at least the 1980's. The building was constructed in 1946, and according to the applicant is in need of substantial repairs and renovations to allow its continued use. Additionally, the church would like to add classroom space. Due to the fact that the repairs, renovations and additions would qualify as a substantial improvement pursuant to the Land Development Code, and that the church was constructed prior to the current LDC requirement for conditional use approval, the applicant was advised by staff that approval would be required to proceed with the proposed substantial improvements and expansion of the building.

Adjacent uses include single-family to the west, multiple-family and a church to the south, a church to the east, and single-family to the north. Considering the history of the subject property as a church for decades, with no known problems, its continued should not negatively impact adjacent properties.

**PC#32-18      Land Development Code Text Amendment Application**

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

Request:              **Land Development Code Text Amendment Approval** to modify the definition of “microbrewery” to include a “tasting room”, and to add a definition for “tasting room”, to Article IV. Definitions, Section 34-41 of the Jacksonville Beach Land Development Code.

Comments:            In December, 2018 City Council considered a Land Development Code (LDC) text amendment (Ordinance No. 2018-8114) to add the use of “newspaper and magazine publishing” as a permitted use in the *Commercial service: CS* zoning district, and the uses of “microbrewery” and “bar, lounge, nightclub, tavern or other drinking place” as conditional uses in the CS zoning district. These uses were proposed by *Bold Brands*, the applicant for the text amendment. City Council approved the Ordinance but amended it to remove the use of “bar, lounge, nightclub, tavern or other drinking place”, due to community concerns regarding allowing that use throughout the entire CS zoning district.

City Council also directed staff to prepare a modified definition of microbrewery that would include a tasting room component, and to prepare a definition of a “tasting room” that would satisfy both the request of the applicant and the concerns of the City.

These new definitions have been prepared as follows:

- *Microbrewery* means an establishment which produces, packages, and stores beer or other cereal beverages within an enclosed building, and which produces no more than 8,000 barrels or 248,000 gallons of beverages per year, and which may or may not include a tasting room on premises.
  
- *Tasting room* means the portion of a microbrewery that is located on the premises of the production facility at which guests may purchase and consume beverages produced on-site. Tasting rooms are limited to 800 square feet in area, and hours of operation may not extend past 10:00 PM daily.

The size limitations and hours of operation proposed would apply specifically to approved tasting rooms. Existing microbreweries that serve alcohol currently would not be impacted by this proposed change, as they either also exist as restaurants, or have approval to be drinking establishments.

**PC#33-18      Conditional Use Application**

Owner:            Jeffrey N. Lawler  
Express Mower and Saw Inc.  
7658 Philips Highway  
Jacksonville, FL 32256

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

Location:         602 Shetter Avenue

Request:          **Conditional Use Approval** for a proposed microbrewery located in a *Commercial service:* CS zoning district, pursuant to Section 34-344(d)(6) of the Jacksonville Beach Land Development Code, for property located at 602 Shetter Avenue (Applicant - *Bold Brands*)

Comments:        The subject property is located on the southwest corner of Shetter Avenue and 6<sup>th</sup> Street South, and has existed a lawn mower retail business since 2012. Prior to that the property was occupied by an interior design studio. The applicant, *Bold Brands*, is planning to purchase the property and relocate their magazine publishing offices to the subject property. The use of “newspaper and magazine publishing” was approved as a permitted use in the *Commercial Service: CS* zoning district in December, 2018 via Ordinance No. 2018-8114.

The applicants also desire to operate a “microbrewery” at the new location. Microbrewery was also approved as a conditional use in the *Commercial Service: CS* zoning district by Ordinance No. 2018-8114. The applicant is now applying for approval for a microbrewery use at the subject property. The microbrewery will occupy less than half the available square footage at the new location.

In conjunction with the microbrewery, the applicants wish to have a tasting room where beer can be purchased for consumption on the premises. The proposed use of a “drinking place” that would have permitted a tasting room was not approved as part of Ordinance No. 2018-8114, therefore the use cannot be sought separately for approval at this time. However, following the consideration of Ordinance No. 2018-8114, City Council directed staff to propose a modified definition of “microbrewery” to include a tasting room

component, and also to prepare a new definition for “tasting room” that would satisfy both the City’s concerns and the applicant’s request. The proposed amended definition and new definition are the subject of Application PC#32-18. The outcome of the ordinance associated with PC#32-18 will impact the proposed project that is subject of this application.

Adjacent uses include commercial to the south and east and west and a package store and gas station to the north. The proposed use of a microbrewery at this location should not negatively impact adjacent properties. If application PC#32-18 is approved by City Council, the applicant would be able to include a tasting room as part of their business operations at the subject property according to the final definition of, and conditions placed on, tasting rooms.

**Minutes of Planning Commission Meeting  
held Tuesday, November 13, 2018, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

Mr. Sutton and Mr. Spann were the only two members at the meeting.

**Motion:** It was moved by Mr. Sutton, and seconded by Mr. Spann, to cancel the meeting due to a lack of a quorum.

**Roll Call** *None*

**Approval of Minutes** *None*

**Correspondence** *None*

**Old Business** *None*

**New Business**

Senior Planner Heather Ireland announced PC#26-18 would be heard at the November 26, 2018 meeting.

Submitted by: Sheri Gosselin  
Assistant City Clerk

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**Minutes of Planning Commission Meeting  
Held Monday, November 26, 2018, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:00 P.M. by Vice-Chairman David Dahl.

**Roll Call**

*Chairman:* Greg Sutton (*absent*)  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring Britton Sanders  
*Alternates:* Jon Scott Walker Bill Spann

Also present was Senior Planner Heather Ireland.

**Approval of Minutes** None

**Correspondence** None

**Old Business**

Mr. Dahl moved, with no objection, to move PC#27-18 to the first item heard.

**New Business**

(B) **PC#27-18** 524 3<sup>rd</sup> Street South  
**Owner:** TH&R, LLC  
129 Lamplighter Lane  
Ponte Vedra Beach, FL 32082  
**Applicant:** Jacksonville Academy of Beauty and Esthetics  
2136 Walnut Creek Ct N.  
Jacksonville, Florida 32246

**Conditional Use Application** for an educational service, located in a Commercial, limited: C-1 zoning district, pursuant to section 34-342(d)(12) of the Jacksonville Beach Land Development Code. (*Jacksonville Academy of Beauty and Esthetics*)

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property is located on the west side of South 3<sup>rd</sup> Street, between 5<sup>th</sup> and 6<sup>th</sup> Avenues South. The property exists as a mixed use commercial and residential property and has been the location of a variety of retail and commercial uses on the first and second floors. The applicant wishes to lease a tenant space in the building for her business, the *Jacksonville Academy of Beauty and Esthetics*. The applicant's business is a continuing education institution offering classes for cosmetologists, estheticians, nail technicians and

other beauty professionals. The applicant was informed by staff conditional use approval would be required because her business falls under “educational service.”

Adjacent uses include a heating and air business to the south and west, offices and commercial to the north, and a car rental agency and apartments to the east across 3<sup>rd</sup> Street. The use of the tenant space for the applicant’s business of small educational classes, should not negatively impact adjacent uses.

**Agent:**

The agent, Isabelle Bou Mechrek, is the director of *Jacksonville Academy of Beauty and Esthetics*. She stated the staff report acknowledged the purpose of the business and added her business would provide help to the beauty industry in Jacksonville Beach.

**Public Hearing:**

No one wished to speak at this time about the application.  
Mr. Dahl closed the public meeting.

**Discussion:**

There was no discussion regarding this application.

**Motion:** It was moved by Mr. Sanders and seconded by Ms. Moehring, to approve the Conditional Use Application.

**Roll call vote:** Ayes - Margo Moehring, Britton Sanders, Bill Spann, Jon Scott Walker, and David Dahl.

The application was approved unanimously.

**Old Business**

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

Prior to hearing the case, Ms. Moehring disclosed she received ex-parte communication in the form of an email from Tye Wallace on November 3, 2018, in regards to the postponed November 13, 2018, Planning Commission meeting; she replied she would not be in attendance. Mr. Sanders added he exchanged emails with Mr. Wallace, but did not meet with him. Mr. Spann stated he received the same email, but declined to comment. Mr. Walker announced he received an email and was able to meet with the applicant to observe the establishment.

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

**Land Development Code Text Amendment** to amend Section 34-344 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*) Application deferred from 11/13/18 meeting.

**Staff Report:**

Ms. Ireland read the following into the record:

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 Service: CS* zoning district is bounded by Shetter Avenue, 5<sup>th</sup> Street South, 10<sup>th</sup> Street South, and half the block south of 1<sup>st</sup> Avenue South. As mentioned, to the north of the *CS* zoning 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.

**Agent:**

Tye Wallace, 709 4<sup>th</sup> Avenue North, Jacksonville Beach, referred to PowerPoint slides he constructed to facilitate the understanding of the type of business in the application [*on file*]. He stated he is part of a group of entrepreneurs seeking to grow the Beaches Community with projects like *VOID Magazine*, *Edible Magazine*, and *Bold Brands*. Mr. Wallace explained how their establishments served as a magnet for the cultural community, which has also helped other businesses grow.

He proceeded with explaining their new project involves starting a craft beer movement. The products would be made on-site to add authenticity to the tasting experience and falls under his request for adding “Microbrewery” to the permitted CS zoning district uses. Mr. Wallace emphasized it would not be a late-night drinking establishment, as they plan on closing the establishment at 10:00 pm on weekdays and possibly at 12:00 am on weekends. He referenced to slides containing visuals of the establishment and its location, in addition to on-site and off-site parking plans.

Mr. Spann inquired about an estimate of the taxes the business would pay and the salaries the employees would receive; Mr. Wallace responded he does not have these numbers with him at the moment. Mr. Sanders also asked about the establishment’s hours of operation. Mr. Wallace stated they plan to open from 4:00 to 10:00 pm (Tuesday-Friday), and from 12:00 pm to 12:00 am (Saturday-Sunday); they would close on Monday. They have already hired eight full-time positions and plan to pay employees from a range of \$40,000 to \$50,000.

**Public Hearing:**

The following spoke in favor of the application:

- Terry Deloach, 405 32<sup>nd</sup> Avenue South, Jacksonville Beach
- Mikey Sasser, 208 Oceanwood Drive, Neptune Beach
- Christopher Griffith, 1102 6<sup>th</sup> Avenue North, Jacksonville Beach
- Aaron Meisenheimer, 102 6<sup>th</sup> Avenue North, Jacksonville Beach
- Jay Austin Dodson, 1626 Park Terrace West, Atlantic Beach

The following were in favor of the application, but preferred not to speak:

- Matthew Shaw, 102 6<sup>th</sup> Avenue North, Jacksonville Beach
- Kassandra Ashburn, 405 Lower 8<sup>th</sup> Avenue South, Suite B, Jacksonville Beach
- Scott Whatberg, 102 6<sup>th</sup> Avenue North, Jacksonville Beach
- Nicole Levy Parisher, 13813 Zion Gate Court, Jacksonville
- Kiara Sanchez, 3050 Tamaya Boulevard, Suite 917, Jacksonville
- Casey Bagby, 1709 Tanglewood Road, Jacksonville Beach
- John Persons, 1628 3<sup>rd</sup> Avenue North, Jacksonville Beach
- Haley Guiette, 1716 1<sup>st</sup> Street, Neptune Beach
- Sara Shapiro, 51 Tallwood Road, Jacksonville Beach

The following were opposed to the application, but were not present:

- Debra Waters, 115 3<sup>rd</sup> Street South, Jacksonville Beach

- Mit Pendergraft, 115 3<sup>rd</sup> Street South, Suite 408, Jacksonville Beach
- Bonnie Gulliet, 115 3<sup>rd</sup> Street South, Suite 1411, Jacksonville Beach
- Ellen Hopkins, 1415 Pinewood Road, Jacksonville Beach

The opposed speakers were present at the November 13, 2018 meeting that was postponed until this date. Mr. Wallace stated he spoke with them during the postponed meeting and clarified the purposes of the establishment. He addressed to the Planning Commission those that were previously opposed to the request have changed their minds. He also added he has proof of email contact that indicate they are in favor of the application.

Mr. Dahl closed the public meeting.

**Discussion:**

Ms. Moehring expressed concerns to Ms. Ireland regarding parking if the establishment becomes a popular destination. Ms. Ireland referred to the slides explaining the business is close to meeting the parking requirements, and she added there are informal parking agreements that could help this situation. Mr. Sanders commented he has no doubt the establishment would be good for the community and is in support of it.

**Motion:** It was moved by Mr. Sanders and seconded by Ms. Moehring, to approve the Land Development Code Text Amendment Application.

**Roll call vote:** Ayes - Margo Moehring, Britton Sanders, Bill Spann, Jon Scott Walker, and David Dahl.

The application was approved unanimously. The application will be heard by City Council on December 3, 2018.

**(C) Rules of Procedure Adoption**

Denise May of Marks Gray, P.A., addressed the Planning Commission in regards to updates on the Rules of Procedure first discussed in the September 24, 2018 meeting. She pointed to adjustments made to Section III (Order of Business), Section IV (Hearing), and Section V (Voting).

Mr. Dahl commented it is important to notify those that would approach the commission in the upcoming meetings on these new procedures. Ms. May added this new approach would help the commission distinguish substantial and competent types of evidence.

Mr. Dahl, Mr. Sanders, and Ms. May discussed ways to reform the process of making and amending motions. The commission also discussed in depth the types of testimonials in Section IV, subsection d(i). Ms. Moehring inquired about the voting procedures in Section V, Subsection b, suggesting the words “the conditions” should be added before the phrase, “...can be monitored as required by City Staff,” for clarification purposes.

**Motion:** It was moved by Ms. Moehring and seconded by Mr. Spann, to approve the Rules of Procedure, with the insertion of the words “the conditions” between the words “and” and “can” to Section V, Subsection b.

**Roll call vote:** Ayes - Margo Moehring, Britton Sanders, Bill Spann, and Jon Scott Walker, and David Dahl.

The motion was approved unanimously.

**Planning & Development Director's Report**

Ms. Ireland noted the next meeting is scheduled for Monday, December 10, 2018, with three agenda items.

**Adjournment**

There being no further business coming before the Commission, Mr. Dahl adjourned the meeting at 8:00 P.M. The Board Members decided the Planning Commission meeting for the week of the Christmas Holiday be cancelled.

Submitted by: Sama Kaseer  
Recording Secretary

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

**Minutes of Planning Commission Meeting  
Held Monday, December 10, 2018, at 7:00 P.M.  
in the Council Chambers, 11 North 3rd Street,  
Jacksonville Beach, Florida**



**Call to Order**

The meeting was called to order at 7:00 P.M. by Chairman Greg Sutton.

**Roll Call**

*Chairman:* Greg Sutton  
*Vice-Chairman:* David Dahl  
*Board Members:* Margo Moehring Britton Sanders  
*Alternates:* Jon Scott Walker Bill Spann

Also present was Senior Planner Heather Ireland.

**Approval of Minutes** None

**Correspondence**

Ms. Ireland stated on Monday, December 10, 2018, she received an email regarding PC#29-18 in support of the application.

**Old Business** None

**New Business**

As a matter of order, Mr. Sutton moved Agenda Item C (PC#30-8) to be heard as Item B, and moved Agenda Item B (PC#29-18) to be heard as Item C.

(A) **PC#28-18** 319 23<sup>rd</sup> Avenue South (*Cruisers Grill*)

**Owner:** Handmade Properties  
490 Osceola Avenue  
Jacksonville Beach, FL 32250

**Applicant:** Cruisers Grill J.B., Inc.  
490 Osceola Avenue  
Jacksonville Beach, FL 32250

**Conditional Use Application** for new outdoor restaurant seating at an existing restaurant, located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342 (d)(20) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property (*Cruisers Grill*) is located on the north side of 23<sup>rd</sup> Avenue South, west of 3<sup>rd</sup> Street and has existed as a restaurant since 1996. The restaurant existed since 1996 with legal nonconforming outdoor restaurant seating. The applicant is now planning substantial improvements to the restaurant and plans to relocate and expand its outdoor seating areas. The applicant was advised by staff conditional use approval would be

required for the new and expanded outdoor restaurant area due to the nature and extent of the improvements on the property.

Adjacent uses include commercial to the north, commercial uses in the shopping center to the west, a bank to the south across 23<sup>rd</sup> Avenue South, and commercial uses and condominiums to the east across 3<sup>rd</sup> Street. The reconfiguration of the existing patio and addition of new outdoor restaurant seating at this established restaurant should not negatively impact adjacent properties.

**Applicant:**

The owner of Cruisers Grill, Bobby Handmaker, explained this application is part of a redevelopment project for Pablo Plaza. He wants to shift the building to the west for a new indoor/outdoor bar area separate from the outdoor family area located on the south side of the property.

Mr. Sanders inquired about parking implications, as the construction of the new bar area might eliminate parking spots. The owner explained it would replace two parking spaces and the area for the dumpster and grease trap access, as they would be moved to the north side of the property. There would also be a mural on the south side of the building. Ms. Ireland assured the Planning Commission there would be enough parking, as the Pablo Plaza renovations would add approximately 60 parking spots that would be shared with Cruisers Grill. Mr. Handmaker explained he would sell his restaurant to the shopping center, and it would be leased to him with additional parking. The service area would be fenced.

**Public Hearing:**

No one wished to speak at this time about the application.  
Mr. Sutton closed the public meeting.

**Discussion:**

There was no discussion regarding this application.

**Motion:** It was moved by Mr. Sanders and seconded by Mr. Dahl, to approve the Conditional Use Application.

**Roll call vote:** Ayes – David Dahl, Margo Moehring, Britton Sanders, Jon Scott Walker, and Greg Sutton.  
The application was approved unanimously.

(B) **PC#30-18** 427 2<sup>nd</sup> Avenue North (*previously part of 429 2<sup>nd</sup> Avenue North*)

**Owner/** Carol Stratman and Kevin Keenan  
**Applicant:** 23 Hanover Rd  
Pleasant Ridge, MI 48069

**Applicant:** Mera Keenan  
429 2<sup>nd</sup> Avenue North  
Jacksonville Beach, FL 32250

**Conditional Use Application** for a single-family residential dwelling located in a *Residential, multiple-family: RM-1* zoning district, pursuant to Section 34-339 (d) (12) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property (Lot 9, Block 35, Atlantic Park) is located on the north side of 2<sup>nd</sup> Avenue North between 4<sup>th</sup> and 5<sup>th</sup> Streets North, and previously existed as part of a multi-lot, multiple family residential property that until approximately a year ago was under one ownership (Lots 8-12, Block 35, Atlantic Park). The building on the subject property originally existed as an accessory structure to the house at 429 2<sup>nd</sup> Avenue North, which is located directly to the west.

It is not clear when the residential dwelling unit was added above the detached garage on Lot 9, as the City's permit records do not show the addition. In April of 2018, Lots 8 and 9 were sold to new and separate property owners, creating two non-conforming single-family residential dwellings. The new owners of Lot 9 now wish to make improvements to the property and were advised by staff conditional use approval would be required for the single-family use in a multi-family zoning district in order to apply the permits required for their proposed improvements.

Adjacent uses include single-family homes to the west, a church to the south across 2<sup>nd</sup> Avenue North, a single-family home to the east (that received conditional use approval under PC# 6-18 in March, 2018), and multi-family, office, and parking lot to the north across the alley. The existing use of single-family will not negatively impact adjacent properties and is a decrease in density from what could be permitted in *RM-1* zoning. Approval would allow the new property owner to proceed with planned improvements.

**Agent:**

Agent Mera Keenan stated the goal of the owners is to create a safe structure (deck), where there is not one currently. Discussion ensued between Mr. Walker and Ms. Ireland regarding map confusion, and it was later understood the property was originally an accessory structure to the adjacent single-family dwelling in the lot. The two structures were part of one lot that was later separated into two, changing their use from multi-family to single-family, as each structure occupies one lot now. In the two-story unit that was assigned a new lot, the garage occupies the entirety of the first floor, and the residential area is located on the second floor.

**Public Hearing:**

No one wished to speak at this time about the application.  
Mr. Dahl closed the public meeting.

**Discussion:**

Ms. Moehring asked about the Staff Report referencing no records for the addition. Ms. Ireland explained there are no digital records on file as City records only go back to 1987, but staff believes it is code compliant.

**Motion:** It was moved by Mr. Sanders and seconded by Ms. Moehring, to approve the Conditional Use Application.

**Roll call vote:** Ayes - Margo Moehring, Britton Sanders, David Dahl, Jon Scott Walker, and Greg Sutton.  
The application was approved unanimously.

(C) **PC#29-18** 308 3<sup>rd</sup> Street South (33 Star)

**Owner:** 308 Third Street South, LLC  
24733 Harbour View Drive  
Ponte Vedra Beach, FL 32082

**Applicant:** MME Florida, LLC (Medmen)  
106 E. College Ave, Suite 810  
Tallahassee, FL 32301

**Agent:** Tara Tedrow, Esq.  
215 North Eola Drive  
Orlando, FL 32801

**Conditional Use Application** for a Medical Marijuana Treatment Center Dispensing Facility, located in a *Commercial, limited: C-1* zoning district, pursuant to Section 34-342 (d) (23) of the Jacksonville Beach Land Development Code.

**Staff Report:**

Ms. Ireland read the following into the record:

The subject property is located on the southwest corner of 3<sup>rd</sup> Street South and 3<sup>rd</sup> Avenue South, and most recently existed as a retail establishment (33 Star). The applicants are planning to purchase the property and renovate the building for use as a Medical Marijuana Treatment Center Dispensing Facility (retail). Pursuant to Ordinance 2018-8104, adopted in February of 2018, Medical Marijuana Dispensing Facilities are now listed as a conditional use in *Commercial, limited: C-1* zoning districts. The applicant's agent was advised by staff of the new zoning regulations and has now applied for conditional use approval at this location.

Adjacent uses include a drinking establishment to the immediate the north, a vacant lot and commercial offices to the west, an auto parts store to the immediate south, and a doctor's office and restaurants to the east across 3<sup>rd</sup> Street. Dispensing facilities are subject to limited hours of operation from 7:00 A.M. to 9:00 P.M., and may not be located with 500 feet of another dispensing facility or school. There are no other dispensing facilities in

Jacksonville Beach presently, and no elementary, middle, or secondary schools exist within 500 feet. The proposed use should not negatively impact adjacent properties.

**Agent:**

Agent Tara Tedrow, Esq., addressed the Board on behalf of the applicant, MME Florida, LLC (Medmen). The applicant's preference for the property derives from its pedestrian-friendly design that accommodates retail use, in addition to its proximity to health centers, pharmacies, and commercial areas, that facilitates access to patients in need in the community. The property would undergo code-compliant renovations that serve to enhance its value and the value of the surrounding properties, as well. The site would encompass a 5,690 square foot medical cannabis dispensing facility. Additional parking would replace the grass area located in the rear of the property to provide a more functional upgrade.

While the assessed property value is approximately \$500,000, Medmen would be spending an average of \$900,000 to \$1.3 million in renovations. The interior designs would be minimalistic and in compliance with Florida statutory law; there would be no depictions of cannabis in windows, nor would the real products be displayed inside the facility. Ms. Tedrow referred to a slideshow containing images of existing medical cannabis dispensing facilities constructed by the same company for visual aid [*on file*]. The facility is only accessible for state-registered patients and caregivers. She also stated the correspondence received in email form in support of the application was from the owner of Ginger's Place, the property's neighboring business.

Ms. Tedrow explained Florida state laws reinforce strict security systems in cannabis facilities. Products would be stored in the back with higher-than-required security in accordance with federal law. She followed with an explanation of the site's compliance with setback requirements and permitted conditional uses for the C-1 zoning district, as it resembles a pharmacy and is used for medical purposes.

Ms. Moehring questioned the agent about the number of employees in the facility and the available parking spots. Ms. Tedrow answered the company would have approximately 10-15 employees total, with three to five employees in the facility at one time. The replacement of the grass area with an already-grandfathered in parking area would be adding more parking than is required under the Land Development Code. Mr. Dahl asked about security and the federal banking rules. Ms. Tedrow stated there would be on-site security guards and cameras that would monitor the facility 24/7 in the exterior and interior of the premise. Employees have key card access to different rooms inside the property. Banking of the products is allowed, and Medmen accepts money in cash and debit form. Deliveries would arrive in small cars in the form of odorless, refined oil products. The facility would open in mid-2019.

**Public Hearing:**

No one wished to speak at this time about the application.  
Mr. Dahl closed the public meeting.

**Discussion:**

There was no discussion regarding this application.

**Motion:** It was moved by Ms. Moehring and seconded by Mr. Sanders, to approve the Conditional Use Application.

**Roll call vote:** Ayes - Margo Moehring, Britton Sanders, David Dahl, Jon Scott Walker, and Greg Sutton.  
The application was approved unanimously.

**Planning & Development Director's Report**

Ms. Ireland noted there is no meeting on December 24, 2018. The next meeting is scheduled for Monday, January 14, 2019. Ms. Moehring stated she would be out of the country.

**Adjournment**

There being no further business coming before the Commission, Mr. Dahl adjourned the meeting at 8:45 P.M.

Submitted by: Sama Kaseer  
Recording Secretary

Approval:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date



# CONDITIONAL USE APPLICATION

PC No. 31-18  
AS/400# 18-100230  
HEARING DATE 1/14/19

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts of the City of Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$500.00.

RECEIVED

DEC 13 2018

### APPLICANT INFORMATION

Land Owner's Name: FIRST MISSIONARY BAPTIST CHURCH  
Mailing Address: 810 3RD AVE SOUTH  
JACKSONVILLE BEACH FL 32250

Telephone: \_\_\_\_\_  
Fax: PLANNING & DEVELOPMENT  
E-Mail: \_\_\_\_\_

Applicant Name: THOMAS CEASER  
Mailing Address: 12287 YORK HARBOR DR.  
JACKSONVILLE, FL 32225

Telephone: 904-535-4145  
Fax: \_\_\_\_\_  
E-Mail: TC6792@GMAIL.COM

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

Agent Name: Pastor Marvin A McQueen II  
Mailing Address: \_\_\_\_\_

Telephone: 904 326 9676  
Fax: \_\_\_\_\_  
E-Mail: MCQUEEN.MARVIN@GMAIL.COM

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

### PROJECT DATA

Street address of property and/or Real Estate Number: 810 3rd Ave South

Legal Description of property (attach copy of deed): Lot 1, E 25 Ft Lot 2 B1K 39  
Pablo Beach South

Current Zoning Classification: Rm 1 Future Land Use Map Designation: \_\_\_\_\_

An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.

Code section(s) applicable to the requested conditional use: 34-339 (d) (4) Religious Org.

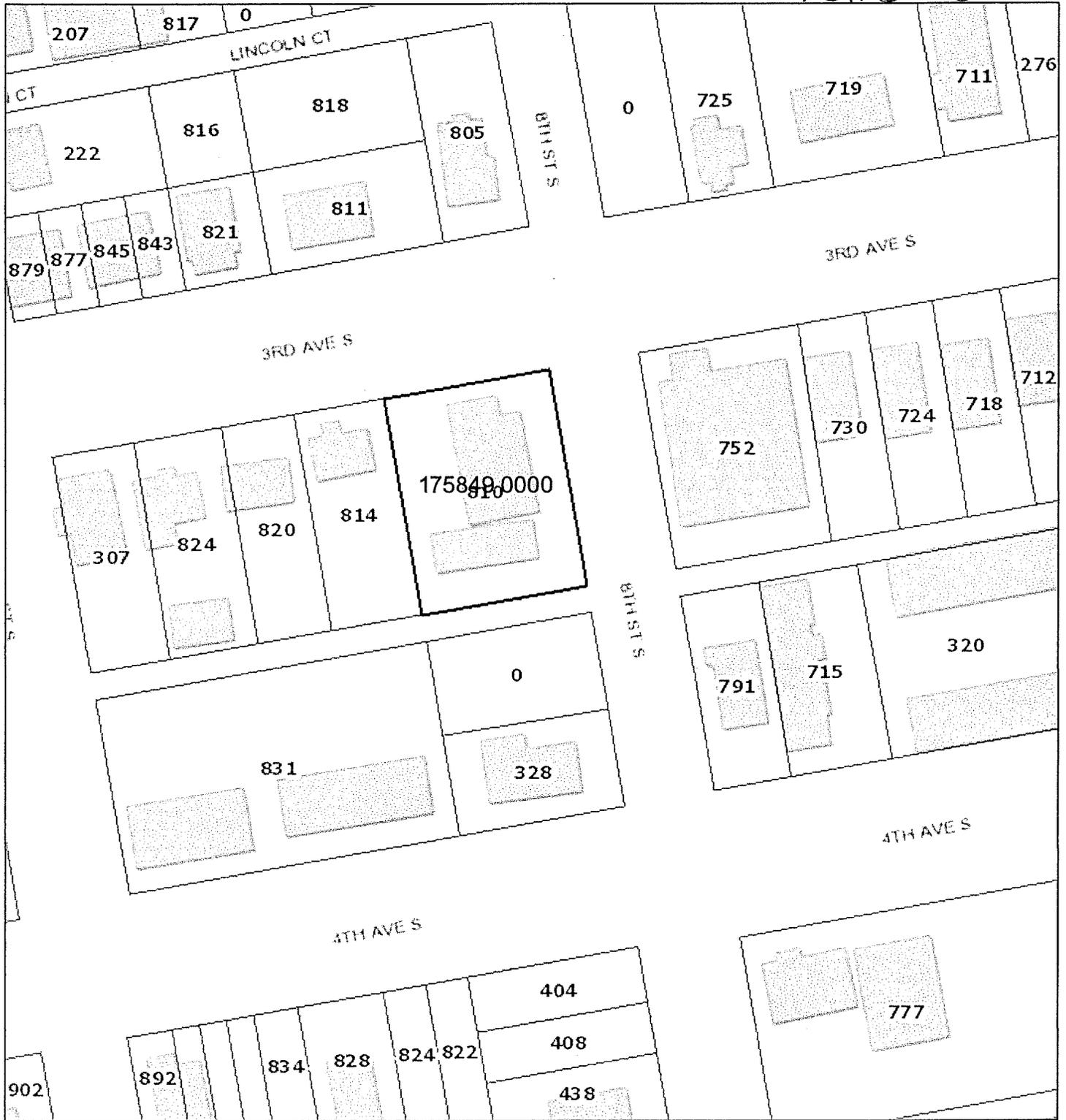
Describe the proposed conditional use and the reason for the request: Remodel Church  
roo F needs replacing - no addition of seating  
if possible add several classrooms

Applicant Signature: Thomas Ceaser

Date: 12/13/2018

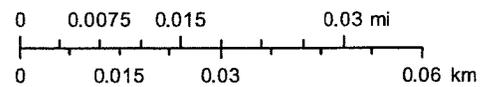
# Duval Map

PC#31-18



December 13, 2018

1:1,128

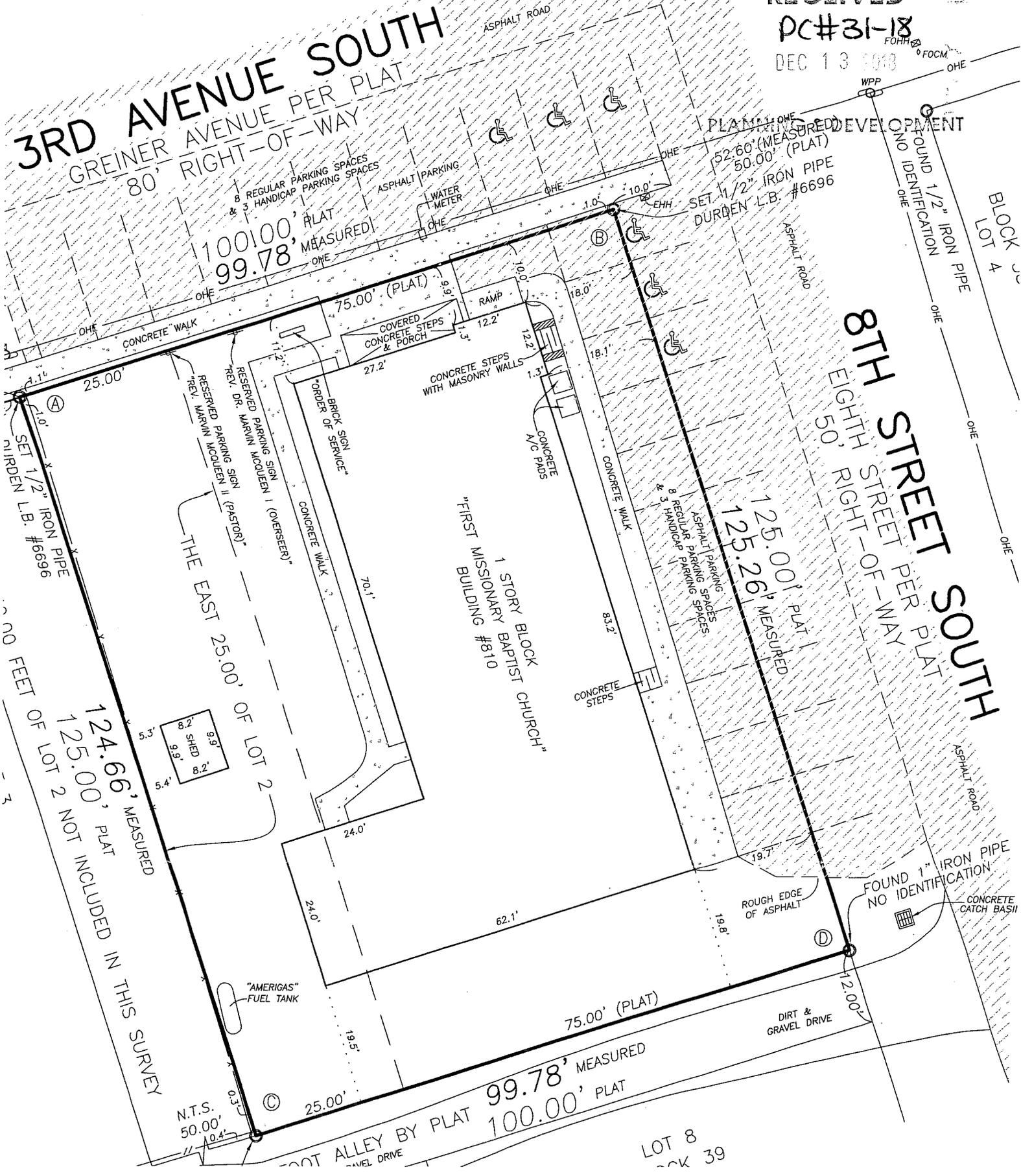


Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

# MAP SHOWING BOUNDARY SURVEY OF:

ER WITH THE EAST 25.00 FEET OF LOT 2, BLOCK 39, PABLO BEACH, AS RECORDE  
 OK 3, PAGE 28 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

RECEIVED  
 PC#31-18  
 DEC 13 2018





# REZONING/TEXT AMENDMENT APPLICATION

PC No. 32-18

AS/400# 18-100233

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: N/A

Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Fax: \_\_\_\_\_

E-Mail: \_\_\_\_\_

Applicant Name: Planning and Development Department

Telephone: (904) 247-6231

Mailing Address: 11 North 3rd Street

Fax: \_\_\_\_\_

Jacksonville Beach, FL 32250

E-Mail: planning@jaxbchfl.net

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

Agent Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

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: N/A

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

Current Zoning Classification: N/A Future Land Use Map Designation: N/A

### TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: Article IC. Definitions. Section 34-41

	<u>REQUESTED INFORMATION</u>		<u>Attached?</u>	
	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 8½" x11" 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: 12/18/18

## **Proposed Draft Definitions – PC#32-18**

### **Modified:**

*Microbrewery* means an establishment which produces, packages, and stores beer or other cereal beverages within an enclosed building, and which produces no more than 8,000 barrels or 248,000 gallons of beverages per year, and which may or may not include a tasting room on premises.

### **New:**

*Tasting room* means the portion of a microbrewery that is located on the premises of the production facility at which guests may purchase and consume beverages produced on-site. Tasting rooms are limited to 800 square feet in area, and hours of operation may not extend past 10:00 PM daily.



# CONDITIONAL USE APPLICATION

RECEIVED

PC No. 33-18  
AS/400# 18-100234  
HEARING DATE 1/14/19

DEC 20 2018

This form is intended for submittal, along with the required attachments, with all requests for approval of a conditional use in a particular zoning classification as listed in Article 7, Zoning Districts & the City of Jacksonville Jacksonville Beach Land Development Code. An application for approval of a conditional use will be evaluated for sufficiency by the Planning and Development Director within five (5) days of receipt. If the application is found to be complete, it will be scheduled for review, public hearing and a decision by the Jacksonville Beach Planning Commission at their earliest meeting following appropriate public notice of the request. All applications for approval of a conditional use shall be accompanied by a nonrefundable fee of \$500.00.

### APPLICANT INFORMATION

Land Owner's Name: Jeffrey B Lawler  
Mailing Address: 7658 Philips Hwy Suite 100  
Jacksonville, FL 32256

Telephone: (904) 309-7160  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Applicant Name: Tye Wallace  
Mailing Address: PO Box 51266, Jacksonville Bch FL 32250

Telephone: (904)477-2728  
Fax: \_\_\_\_\_  
E-Mail: tye@boldbrandsjax.com

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

Agent Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

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

### PROJECT DATA

Street address of property and/or Real Estate Number: 602 Shetter Ave. Jacksonville Beach, FL 32240

Legal Description of property (attach copy of deed): Commercial warehouse. Lots 1, 2. Block 7  
Pablo Beach South

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

*An 8 1/2 x 11-inch vicinity map must be attached showing the location of the proposed conditional use. If the proposed conditional use meets the criteria set forth in Section 34-226 (i), a sketch site plan for the development will be required to be submitted with this application.*

Code section(s) applicable to the requested conditional use: 34-344 (d)(6)

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

Applicant Signature:

Date: 12/20/18

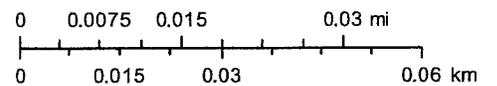
# Duval Map

pc#33-18



December 20, 2018

1:1,128



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, © OpenStreetMap contributors, and the GIS User Community

Introduced by: Council Member Hoffman  
1st Reading: December 3, 2018  
2nd Reading: December 17, 2018

**ORDINANCE NO. 2018-8114**

AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII. ZONING DISTRICTS, DIVISION 2, SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (B) *PERMITTED USES* TO ADD “NEWSPAPER AND MAGAZINE PUBLISHING” AS NEW SUBPARAGRAPH (22); AND AMENDING SECTION 34-344. COMMERCIAL SERVICE: CS, PARAGRAPH (D) *CONDITIONAL USES* TO ADD “MICROBREWERY” AS NEW SUBPARAGRAPH (6) AND TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

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

**SECTION 1.** That Division 2, Section 34-344. Commercial service: CS, Paragraph (b) *Permitted uses* of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida, is hereby amended by adding Subparagraph (22), which shall henceforth read as follows:

**Sec 34-344            Commercial service: CS**

(b)    *Permitted uses*

(22)    Newspaper and magazine publishing.

**SECTION 2.** That Division 2, Section 34-344. Commercial service: CS, Paragraph (d) *Conditional uses* of Article VII. Zoning Districts of the Comprehensive Land Development Regulation of the City of Jacksonville Beach, Florida, is hereby amended by adding Subparagraphs (6) ~~and (7)~~, which shall henceforth read as follows:

**Sec 34-344            Commercial service: CS**

(d) *Conditional Uses*

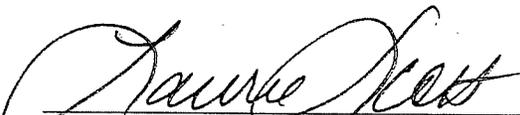
(6) Microbrewery.

**SECTION 3.** That all ordinances or parts of ordinances in conflict with this ordinance are, to the extent that the same may conflict, hereby repealed.

**SECTION 4.** That this ordinance shall take effect upon its adoption by the City Council.

**AUTHENTICATED THIS 17<sup>th</sup> DAY OF December, A.D., 2018.**

  
\_\_\_\_\_  
William C. Latham, Mayor

  
\_\_\_\_\_  
Laurie Scott, City Clerk