



**Downtown Development Review Board (DDRB)  
Police and Fire Pension Fund Building  
 1 West Adams Street, Suite 200**

*Thursday, May 28, 2009 – 2:00 p.m.*

<b>Members: Chris Flagg, Chairman</b>		<b>Distribution:</b>
James Bailey, Vice Chairman		Ron Barton, Executive Director
Jonathon Garza, Secretary		Paul Crawford, Deputy Executive Director
Tim Miller, Board Member		Eric Lindstrom, JEDC Staff Liaison
Logan Rink, Board Member		Jim Klement, JEDC Staff Liaison
Montasser Selim, Board Member		Steve Arrington, Ex-Officio Member
Andy Sikes, Board Member		Rick Ferrin, Ex-Officio Member
Roland Udenze, Board Member		Council Member Bill Bishop, Ex-Officio Member
Rose Zurawski, Board Member		Vickie Drake, Ex-Officio Member
		Terry Lorraine, Ex-Officio Member
		William Lyle, Ex-Officio Member
		Joel McEachin, Ex-Officio Member
		Don Roberston, Ex-Officio Member
Don Redman, Member of Council, District 4		Michael Sands, Ex-Officio Member
Jason Teal, Assistant General Counsel		Richard Ball, PW, Traffic Operations Division
Ginny Walthour, JEDC PIO		JEDC Staff Presenting & M. Stephens, Admin Support
<b>I. CALL TO ORDER – Chairman Flagg</b>		
<b>II. ACTION ITEMS – Chairman Flagg</b>		
Approval of the February 26, 2009 Meeting Minutes		
Approval of the April 30, 2009 Meeting Minutes		
DDRB 2009-005, Request for Conceptual Approval for Americana Restaurant and Office located at 1075 Hendricks Ave.		
DDRB 2009-006, Request for Waiver of Minimum Distance Requirements for a Liquor License at 112 East Adams Street (WLD-09-09)		
<b>III. INFORMATION/DISCUSSION ITEMS – Chairman Flagg</b>		
<b>IV. OLD BUSINESS – Chairman Flagg</b>		
<b>V. NEW BUSINESS – Chairman Flagg</b>		
<b>VI. PUBLIC COMMENTS – Chairman Flagg</b>		
<b>VII. ADJOURNMENT – Chairman Flagg</b>		
Next Scheduled Meeting: Thursday, June 25, 2009 at 2:00 p.m.		



**Downtown Development Review Board (DDRB)  
Police and Fire Pension Fund Building  
1 West Adams Street, Suite 200**

*Thursday, February 26, 2009 – 2:00 p.m.*

**MEETING MINUTES**

**Board Members Present:** Acting Chairman Bailey, J. Garza, M. Selim, R. Zurawski, A. Sikes, and R. Udenze

**JEDC Staff Present:** Paul Crawford, Deputy Executive Director; Eric Lindstrom, Staff Liaison; Jim Klement, Staff Liaison; and Michelle Stephens (recording secretary)

**Representing Office of General Counsel:** Jason Teal

**I. CALL TO ORDER**

Acting Chairman Bailey called the meeting to order at 2:06p.m.

**II. ACTION ITEMS**

**APPROVAL OF THE JANUARY 29, 2009 DDRB MEETING MINUTES**

**THE JANUARY 29, 2009 DDRB MEETING MINUTES WERE APPROVED UNANIMOUSLY 6-0.**

**III. INFORMATION/DISCUSSION ITEMS**

Acting Chair Bailey advised that today's meeting is for informational purposes only. There is no vote on this information; this is really to bring before you the Bay Street Town Center Streetscape project. Because this Commission is made up of the party's it is and we know downtown as well as anybody and we have approved, rejected, seen, or been through just about every project that has happened downtown over the last few years, it is imperative that we know what is going on and what is happening with every project.

**REVERSIBLE LANES PRESENTED BY JACOBS ENGINEERING GROUP, INC.  
E. BAY STREET AND GATOR BOWL BOULEVARD**

Mr. John Pappas, City of Jacksonville Public Works Department, introduced Paul Vetter, Senior Project Manager and Traffic and ITS Engineer with Jacobs Engineering, who provided an overview of the reversible lanes project for E. Bay Street and Gator Bowl Blvd.

The following is a summary of comments from the Board:

- There were questions regarding the left center turn lane heading towards the game. It was noted that a lot of pedestrians are along the northside sidewalk of Bay Street who today are controlled by policeman who stops the left turn traffic from turning into those

pedestrians. How are you going to control that free flowing left turn all the time? Mr. Vetter replied that there will be no left turn signs at those side streets or on Bay Street.

- When you get to Maxwell House a lot of people want to make that left to get to the parking garages how are you going to be able to allow that to happen? Mr. Vetter replied that at that intersection they will be able to turn just like they do now.
- How do they know where to turn and where not to turn? Mr. Vetter replied that if there is no turn restriction they can make the movement. Mr. Vetter explained referencing a slide, “this signal here will be displaying a left only as well as this signal at the intersection.” Right now we have three lanes directional and the left lane of the three lanes becomes a left turn lane and we will signalize that as well as a left only.
- If I am a pedestrian how do I know that this is a left turn only all the time or not and if I am in the other direction heading west bound am I going to get a red or is it always green or how does it work. Mr. Vetter clarified that the police will not be eliminated. There will still be police to assist pedestrians.
- It was clarified that the intersection is signalized. The signal he is talking about just tells you what lane to be in not whether you can go or stop. You still have the traffic signal at Philip Randolph. (Too many people talking). It was understood that they are adding more signals. (Too many people talking). Mr. Vetter commented that all of the signals will remain. The blank out signs that he refers to are in addition to those signals. The street name signs are going to get moved to the pole and the blank out signs will be put where the street name signs are. All of the signals will remain.
- How much is currently being spent on police officers per game? Looking at what we are spending on the project and trying to find the trade off where it makes sense dollars and cents wise. Running some quick math, it seems like the project will take an awful long time to pay for itself. Mr. Vetter replied that the bid that is accepted is a little over \$2.4 million. He was not sure about the cost of police officers.
- Are the blank out signs on the post manual or digital? Mr. Vetter replied that everything is going to be controlled by the traffic operation center. How tall are they? Mr. Vetter replied that the ones on the post mound are eight feet with a box on top of it. There will be a UPS (Uninterruptable Power Service) so that if we have a power failure these signals will still stay in operation.
- Will the sidewalks be maintained all the way through on both sides? Mr. Vetter replied yes adding that the only change would be the reduction of three feet on the southside.
- You are enlarging the street and reducing the sidewalk by 3.5 feet in front of the City Hall Annex and the Courthouse only, and 1.5 feet between Ocean and Newnan? Regarding the sidewalks we are going from what to what? Mr. Vetter replied 2 feet and 3 feet.

- The total sidewalk size would go from what to what? Mr. Vetter replied that in front of the City Hall Annex and the Courthouse is pretty wide. About a block between and Ocean and there I think we got it down to about 9 feet maybe a little bit more than that with our initial plan and then this project came along and we had to take some off. Acting Chair Bailey clarified that what remains is 10 feet in front of the JTA lot and that the City Hall Annex and Courthouse doesn't really matter the 3.5 feet won't affect because of the specs.

Acting Chair Bailey suggested proceeding with the Bay Street Streetscaping, tying the two projects together and then taking more questions.

BAY STREET TOWN CENTER STREETSCAPE – PHASE 2 PRESENTED BY HDR, INC.  
E. BAY STREET AND MARKET STREET

Mr. Joe Ehardt, Project Manager with HDR, provided an overview of the Bay Street Town Center Streetscape Phase 2 project. Mr. Ehardt advised that the Bay Street Town Center Phase I project was started prior to Jacksonville hosting the Superbowl. Phase I involved three blocks (Ocean to Liberty on the northside of the street). The Phase II project involves basically three areas: the block between Main St. and Ocean on both sides of the street, the southside between Ocean and Newnan, and one block between Bay and Forsyth north of Bay Street (in this location) on Market St.

Acting Chair Bailey commented that Mr. Ehardt was involved with the Bay Street project from the beginning adding that he thinks the project is absolutely wonderful. It is going to change our special events to just normal events because it is not special anymore. We have events now. Acting Chair Bailey raised a few concerns because it goes back to the whole creation of the Bay Street Town Center, the concept and why we were doing it. We opened it up as a "Town Center" and with that in mind asked businesses to come downtown, set up business and operate as if they were in "Town Center." I understand that the Jaguars are probably the top three or four in getting people home after a game. We are trying to attract businesses downtown – trying to get people down there and utilize it. At the same time we are trying to make sure people are happy getting out of the game, we are trying to take care of the businesses that are downtown, we want them to enjoy the benefits of having 70,000 people downtown and I think it is important that they have that access to the people, but here we are taking them in a "Town Center" area and getting them out past the businesses as fast as possible. Acting Chair Bailey commented that he is not opposed to it, and thinks it is great he just thinks we need to do something like this because he thinks the cones alone are maybe \$70,000 to maintain (all over downtown not just on Bay St.). With that said, he thinks it is wonderful that we are doing the things that they talked about 7 years ago when they were talking about Phase I.

Acting Chair Bailey commented on moving the sidewalk and making it wider. **I don't know how you do that on Howard ?'s building** taking a foot and a half to two feet off, and then the other three and a half.

Acting Chair Bailey commented that in talking about the “Town Center” concept, plans for a median were included with that concept. Will these plans preclude the opportunity to do medians at any time? Mr. Ehardt responded that it would not preclude it, but there is a concern about the operation of reversible lanes. Asking a question back what do you have cones or signals?

Acting Chair Bailey mentioned sidewalk cuts. When we first started we were talking about angled parking on Bay Street, two lanes both ways with a median. Mr. Ehardt responded that we had a lot of different concepts that went through and finally ended up with the one we are perusing now (being presented today). There is on street parking on both sides.

Acting Chair Bailey commented that even the angled parking would become a lane during events so you can still have four lanes going both ways even with a median. Would this plan keep us from being able to do that, if we are only going 3.5 feet, do we need more feet, do we need whatever it takes to be able to come back and do the median plan? Mr. Ehardt responded that as far as the reversible lane with the median with that in mind we will have the mask arms of a length to accommodate that because one of the things that will happen is the parking lane on the north side will become a travel lane during special events. The signals will be aligned with the current paver marker that will be out there, but then would kind of accommodate in the future by moving the signals.

Mr. Pappas added that the mast arms for the reversible lane signals are being placed far enough back that if that curb is moved out that it can be accommodated. They are not being placed in a position that they would have to move. Acting Chair Bailey asked if they would still be functional and if we had a median with trees down the middle. Mr. Pappas responded that we would have to modify them, but the basic structures and the locations of them would accommodate. You would just have to make sure that the signal lined up with the correct lane.

Mr. Udenze commented that when the Board approved the Shipyards they approved with a median. Acting Chair Bailey agreed.

Ms. Zurawski asked why the median is not there now. Mr. Crawford replied because the Shipyards project is not built. Acting Chair Bailey asked Ms. Zurawski if she was asking why they are not part of these plans. Ms. Zurawski agreed. Mr. Pappas replied that it was not a part of the scope of this project.

Mr. Udenze asked if it could be designed to where it can be easily added if we know it is coming. Mr. Pappas replied that you are talking about some significant movements and the curb lines, and there are some challenges also with some underground utilities some of them would have to be relocated.

Ms. Zurawski confirmed that the idea behind the medians originally was to create the “Town Center” feeling. Other than during an event, it would be more park like and slower. Acting Chair Bailey agreed adding that in a lot of places you can park on Bay Street and walk to the

stadium a lot of people do walk that distance and park at the Landing, or the Hyatt, etc. and walk down Bay Street.

Mr. Crawford commented adding to John's comment that the reason why the medians are not a part of this project is timing. There is a necessity to get this installed before the Jaguars begin.

Acting Chair Bailey asked if the start date was April and the end date is August. Mr. Pappas replied early August.

Mr. Crawford advised that there isn't enough time to do a median project and get it done before the next Jaguar game. The JEDC is committed to moving forward with the median project after the last Jaguar game.

Acting Chair Bailey asked John Pappas if even the cutouts on the sidewalk will not preclude us from doing the median after the season. Mr. Pappas responded no, we moved them out far enough to where we will be ok.

Acting Chair Bailey commented that the only problem is we are going to go back out and shut down Bay Street and do the work again. We are going to have the break in action during the season and then come back and do it again. Do you know a timeline for something like that? Mr. Pappas replied, "No."

Mr. Klement commented that they will bring it back to the board as they finish those drawings.

Acting Chair Bailey commented that he thinks having 10 games is great, 16, 20, 30 events is even better if we can have Monster trucks every weekend and have Al Kinard and people like that to know what they are doing with this stuff is great for our City. The mast arms – You had a drawing up there a stickman type picture of the mast arm. Do you have anything with a mast arm how it will look looking down Bay Street. 16 sounds like a lot on top of what we already have. The signals are all going to be there and these are going to be new mast arms. Mr. Pappas replied that there are 16 over 1.4 miles.

Mr. Udenze commented that most of the time they will be off unless there is an event going on. Mr. Pappas replied no they will be on all the time. They will either have an 'X' or an arrow.

Acting Chair Bailey asked if they fit with the existing poles downtown and if black was the best color. Mr. Pappas replied that they will be painted black similar in color to those existing downtown. They will be larger than the ones that are there now because the design load today is more than when those arms were built.

Mr. Sikes asked if anybody has done mast arms that are not black. The black is so stark. Mr. Pappas replied that there are many different colors.

Mr. Garza commented that you will have a mast arm every 462 feet down the road. You mix in then the other intersections that are already there. It seems like an awful lot of stuff in a 1.4 mile stretch.

Acting Chair Bailey asked if that was because of egress and ingress onto Bay Street you have to have one to respond to the people coming onto the road. Mr. Vetter responded yes but those are on existing mast arms. At the intersections you still have the same equipment that is there now.

Acting Chair Bailey commented that he agrees with you on the concept of the plans because he thinks one of the reasons that people rush to leave the stadium is because they want to get out before the lanes go back and they don't want to get stuck down there and you have this feeling when you come out with all the police and everybody that you have to get out of the area. I think knowing that these lights would be in place you would not have to worry about it going back the way it was. It would facilitate people staying in the area longer.

Acting Chair Bailey commented that you are not directing people to stay on Bay and get to Main. We need to make sure because we sold this and we pitched this to all the property owners that we are not trying to drive them out, that people could peel off if they wanted to. You can pull away and park, you can keep going straight and pull into a parking lot. You are not required to leave town and there is no way to get off of here until you reach the Main St. Bridge. Are you going to be able to allow people to pull out and change lanes and get into a parking lot if they want to? Mr. Vetter responded yes keeping in mind that Bay Street is not the only way out.

Mr. Udenze commented that the issue is to encourage street activity. Whatever we can do to slow down traffic we need to encourage that.

Ms. Zurawski asked why Bay Street is not being done two way all the way as opposed to having these lanes. Acting Chair Bailey responded that it will be two way all the time except for special events. Ms. Zurawski asked for clarification if the reason for the proposed lights and lanes was just to get people out of an event. Mr. Garza responded that they are saying that over time it will save overtime with the police, etc.

Acting Chair Bailey added that police will not be used except for a special event.

Mr. Vetter commented that I think you are saying why do you need them for the lane usage. Right now there are three lanes coming in before the game, which will remain, and the four lanes coming out because going in people are more staggered versus coming out everyone is leaving at the same time and if you have any less than the four lanes that are there it is going to be a lot more congested.

Acting Chair Bailey commented that it is a problem.

Ms. Zurawski commented that she understands that, but it's a shame that we are doing this just to accommodate once in a while when we have these big events because it really is going to clutter downtown. I have been on these lanes there is one in Smellville in Atlanta and it makes it feel like this big city congested feeling. It is not the town center feeling at all it's the opposite of that.

Ms. Zurawski asked if the two concepts coexist. I think what they are doing is not going to create the town center feeling even when you come back and put in the medians later. You are going to see all of this stuff and it is always going to be there. And it is a decision we are making to accommodate these events and if that's the priority then that's what it is. You can do it physically (make them coexist) but the feeling of each of them is different.

Acting Chair Bailey replied that as a Bay Street Town Center proponent and wanting to see this and wanting to see the natural look and then all of a sudden we do this on occasion. One, we would like to see this every night if possible. Having special events is a great thing for this city. You got to get the people in and out; we have experienced it just recently when we had the FL/GA game, the fair, etc. it was a catastrophe. We are trying to do everything with this one street. Here we are trying to develop a pedestrian atmosphere with people sitting out, we gave them sidewalk cafe tables, and we created a sidewalk with the pavers. We have created this environment and then 15 – 20 times a year people are going to speed right by them.

Acting Chair Bailey commented that in respect for the project, they do not have to be here presenting. They are here to tell us the information and tell us what they are doing. With that in mind, I still want them to understand we have concerns, and thoughts, and our own personal feelings as a group about what we'd like to see and what we want to see in downtown. We appreciate you being here to help us as we move forward and explain these things to everybody else that comes through here it gets more difficult as we explain these things.

Ms. Zurawski commented that it alerts her to start thinking of alternatives. Instead of Bay Street being the town center what if you branch out and there are other streets involved. I know there are other streets that were looking at doing the treescaping or take the town center concept and expanding it everywhere so Bay Street isn't trying to be both things at once. But you have Bay Street being the thoroughfare and then you have the town center, maybe the medians go somewhere else and the street widening happens somewhere else. You don't want two conflicting concepts in one spot.

Mr. Vetter commented that if the medians can come into play at a later date that will help a lot. I think you have the real opportunities for something. The northside is pretty well fixed with more historic buildings and so forth and offices, hopefully more restaurants and things happen there, with the exception of the City Hall Annex site and Courthouse sites. As those things become available you can get a 30 foot sidewalk wherever you want because you are going to control the site, you can decide where the buildings can go and maybe even the

types of uses that can go on those sites working with the developer who wants to bid on that piece of land. You can set some restrictions.

Acting Chair Bailey added that the Bay Street Town Center was designed to branch out down Newnan and Market. He has plans for what it would look like with angled parking off the side streets. DVI is doing a connect the dots street program that should catch on for Art Walk and other things.

Ms. Zurawski commented that it would be interesting to see it more as a master plan than just this one project.

Acting Chair Bailey commented that he thinks it makes a tremendous difference and when we first did this plan we anticipated the courthouse would not be there right now. We anticipated that it would be a different scenario going down Bay Street. This is trying to accommodate many different projects and I think it is probably a nice blend on one condition that you can tell me that this does not preclude the median project and that we can move forward with it.

Mr. Pappas replied, yea it is not. What we are doing does not preclude it; it actually allows it by putting those mast arms back.

Acting Chair Bailey asked if the sidewalks would have to be changed next April or July. Mr. Pappas replied that the curb will have to move and we will have to provide more travel space to accommodate the median.

Mr. Udenze commented that you have to go from 4 lanes to 5 lanes with a median in the middle as a lane. Mr. Pappas - You lose parking on the northside. Someone - The biggest thing we are going to have to study when we do that is that some left turn lanes off of Bay Street may have to be eliminated because they are short blocks and you cannot get enough room to make the turn. Acting Chair Bailey responded as long as it's not the Hyatt or Berkman. Mr. Vetter commented we have to study that more.

Acting Chair Bailey commented that we do not want to pin our self into a corner asking if property owners have they been notified? (Several people talking).

Acting Chair Bailey thanked HDR for bringing the project to the board because it does put us in a funny position when we are dealing with other people on other projects and what they are trying to do and this can come back and bite us later. So we do like to be a part of it and at least like to have our input, which means we can give our opinion, we can talk about it, we can vote on what we think ought to be done. Obviously, you looked at the black arms, you've looked at the mast arms are the best way to go and Joe you've done this with our Bay Street Town Center and you know whether it will work or not. Want to ensure that we are not looking at something that is just going to be turned on Sunday afternoon or interfere with the feeling we are trying to achieve and I think it does, it changes it. But I agree with you if

we address the side streets and expand and we grow and develop outside of where we are going instead of just Bay Street.

Mr. Vetter added that the more vertical landscaping and the median, etc. the less intrusive that you are going to see the additional arms.

Mr. Garza commented that the streetscaping is important. But disagrees with the mast arms going across the road. He thinks it is going to clutter the whole vision down the street and thinks that it will be a mistake. I understand where it is going to help traffic flow but you made the point earlier we are like #2 or #3 in the NFL in getting people out. Just specifically last year the City was recognized.

Ms. Zurawski commented that that is obviously the priority.

Mr. Pappas replied that he thinks the Board is focusing too much on the Jaguars. JSO and traffic engineering have basically worked the last 10 years to perfect getting people in and out of the stadium. The whole issue is the Martin Luther King, Jr. breakfast, the monster trucks, the Elton John concerts in the arena, etc. where a lot of people think twice before subjecting themselves to the congestion because there were people who sat after the monster truck show two and three hours to get out. You talk about sustainability, the carbon foot print, and the Mayor just signed the agreement with the Mayor's group that there are some other issues that we take a look at as well as when we first started looking at things, City Council put as their number one priority the Intelligent Transportation System as a goal for what the City needed to focus on. There are a lot of players that have immediate impact on the decision making that goes on through the process. I'm saying don't focus entirely on the Jaguar games because that really was not the driver. It basically allows a return on investment to come into play and take a look at it to help things out. By and large that is the only event and FL/GA that JSO gets involved in. They are the big dollar driver. Public Works itself has \$75,000 on an annual basis that we help with cones, and have people physically involved. Our hope is that it will help congestion on the nonevents or allow JSO to get by with only a few officers.

Acting Chair Bailey replied that we don't need to focus on the Jaguars. There are as many events individually as there are Jaguars. It's not about Jaguars we are just using them as an example. But, I think anything we can do to make fans happy is important. I still think getting them in and getting them out is just as important I still think it is an enhancement to have things to do for people to go down and go to the game and walk down Bay Street someday and we are sitting here talking about something. Bay Street Town Center was a different thought 7 years ago then it is now. We have to try and create that kind of environment and live with what we are dealing with.

Mr. Garza commented that it is going to be challenging when you are walking down Bay Street and it is like a drag strip and you are trying to create the feeling that we want yet we have cars blowing by us on the way out.

Acting Chair Bailey commented that naturally we would like to do as much as we possibly can with the median and get it going. I understand the urgency in trying to get it done.

Acting Chair Bailey thanked them for bringing the project to their attention. It will help us as we move forward, its information that will make it easier for us to at least understand why and what is going on. This Committee needs to be able to justify some of the things that happen and this is informative to us whether we agree or disagree. A lot of smart people have thought through this and we would like to have some input as we move forward in the way that we take what we are going to get and make it even better. If you will just include us in the process. And let us know what we can do. We would like to enhance it. Every person that comes through this committee is going to be asking us things that tie into things like this and we have to be able to respond to them and be reasonable with it.

Mr. Pappas responded that the Board's comments are very important to them and they know that the Board knows what is important to the downtown area that is why you are here. We take that back and as things move forward; we will certainly make sure that we keep you guys involved with that.

Mr. Teal asked if the Shipyards project was approved conditioned on the medians. Mr. Garza responded that he thinks we did. Mr. Udenze commented that they are going to have to rework it. Mr. Udenze said these guys have agreed to redo its just weird that we have to do it one way and 12 months later turn around and change it but that is just the nature. There are a lot of forces at play. Mr. Teal commented that his concern is that he doesn't want them to come back and ask for a deviation from their approval because of this. It was noted that they could.

Mr. Udenze noted that our meeting minutes should reflect that it was agreed that later on the median would be looked at and put in place so this is really a temporary fix. From our prospective we want the median in.

Acting Chair Bailey commented that the Shipyards still have to come back to us to ask for another deviation. Their time is going to run out so they have to come back to us anyways so that is not going to be an issue.

Mr. Teal replied that he just did not want that to be an excuse. Because I think the purpose of the median there was because we were trying to resolve the issue with Maxwell House across the street from them, we have this residential that had all these businesses fronting on Bay Street, and how were we going to make that into a neighborhood feel and then to have them come back and say that the City just spent all this money on these arms and now we can't do the median.

Mr. Crawford commented that Shipyards was in favor of the median.

Acting Chair Bailey commented that there was funding for the project. You either use it or lose it so I think the sense of urgency is that we have to get it done otherwise you have to go through a legislative process to change it and it may not be there. Is that correct?

The color of the arm masts were discussed, as well as painting the existing black poles another color (no specific color discussed) just something other than black. Mr. Lindstrom advised the Board that the standard color for downtown was black. Not just traffic signals, but the trash cans, benches, etc. everything is black. We are trying to keep the mast arms complimentary to the existing.

Would like to see the mast arms more ornate.

Thinks it will change everybody's prospective if you saw a view down Bay Street and what this is going to look like. I can visualize it and I think anybody who is an architect really can get a sense for it.

I think if you get past this year and look at next year when there is a median with trees on it I think it changes the whole prospective. No doubt about it, it will definitely change it in that regard and I still don't think it will solve it.

Suggested that if you include other blocks then the feel to downtown is a town center not just one street.

The Board discussed how they could learn from today's exercise and try to improve on the process so everyone is on the same page.

Acting Chair Bailey asked Mr. Klement to explain the role of the DDRB asking for clarification in their role concerning streetscaping. Acting Chair Bailey commented that he thought the Board had a say so in the aesthetics of downtown. Mr. Klement replied that we do want to adopt standards. If you as a Board are informed then as development comes before the Board, the Board can incorporate that new development into these standards or into these products.

Is there a way to see plans such as the one presented today earlier when they are still in conceptual design? Mr. Garza replied not unless we have an approval process that requires them to receive DDRB approval.

The Board talked about their concern for wanting projects such as this to come to them sooner in the process for questions, comments and clarification. They would have preferred for the project to go through the DDRB process.

It was clarified that the reason the project did not come before the DDRB for approval is because it is a streetscape project. They are not requesting a deviation from the streetscape requirements. As long as they comply with the adopted streetscape standards they are not required to come before the DDRB.

Mr. Crawford advised that the JEDC felt like they needed to bring the project to the DDRB. Not just for information but so that they can hear from you the comments and the concerns. We have expressed reservations about the project and we asked them to come to the DDRB to hear your concerns, if any.

Ms. Zurawski asked who the client was. Mr. Crawford replied that Public Works was based on a need based on special events. Acting Chair Bailey added that one of the reasons we wanted them here was to be able to hear them say that this does not preclude the median project otherwise we could be sitting here without a median.

Ms. Zurawski commented that she thinks the good that came out of today's meeting was that they heard our comments and maybe they will look at it more as a master plan in the future and when it comes to staff again we can look at it earlier on the next phase. If we can incorporate it like Jim said when other projects come in we know how it will coordinate.

Mr. Udenze asked Mr. Teal how the rule could be changed that even when following the standards people still come to the DDRB. Because of the standard doesn't mean it is fool proof. Mr. Teal replied that the Ordinance would have to be changed as far as what is allowed to be brought to the Board. This one falls in a gray area because the standards didn't incorporate or anticipate these arms going across the street. They talk about what type of light fixtures you need, street furniture, paving those kinds of things. The only thing that comes close that is something that would come before the DDRB is a pedestrian walk over. Those are specifically identified as having to come before the DDRB. Something more specific would have to be incorporated into the ordinance in order to be required to bring something before the DDRB.

Mr. Lindstrom advised that there are detailed streetscape standards, adding that the Board has to also rely on staff to determine if it is reasonable. If it is not reasonable then they will suggest Board review. Staff has the ability to approve streetscape projects. Additionally, as long as they are following standards staff cannot deny without having a basis to support the denial.

#### **IV. OLD BUSINESS**

No old business was discussed.

#### **V. NEW BUSINESS**

No new business was discussed.

#### **VI. PUBLIC COMMENTS**

There were no comments from the public.

**VII. ADJOURNMENT**

There being no further business, Acting Chair Bailey adjourned the meeting at 3:30 p.m.

The next DDRB meeting is scheduled for Thursday, March 26, 2009 at 2:00 p.m.

Witness

Downtown Development Review Board

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
James Bailey, Acting Chairman

\_\_\_\_\_  
Print Name: \_\_\_\_\_

Vote:

**In Favor:** \_\_\_\_ **Opposed:** \_\_\_\_ **Abstained:** \_\_\_\_



**Downtown Development Review Board (DDRB)  
Police and Fire Pension Fund Building  
1 West Adams Street, Suite 200**

*Thursday, April 30, 2009 – 2:00 p.m.*

**MEETING MINUTES**

**Board Members Present:** Chairman C. Flagg, J. Bailey, T. Miller, L. Rink, M. Selim, and R. Udenze

**JEDC Staff Present:** Ron Barton, Executive Director; Paul Crawford, Deputy Executive Director; Eric Lindstrom, Staff Liaison; Jim Klement, Staff Liaison; and Michelle Stephens (recording secretary)

**Representing City Council:** Council Member Don Redman, District 4

**Representing Office of General Counsel:** Jason Teal

**Representing the Planning and Development Department:** Allison Giordano

**I. CALL TO ORDER**

Chairman Flagg called the meeting to order at 2:05p.m.

**II. ACTION ITEMS**

**APPROVAL OF THE FEBRUARY 26, 2009 DDRB MEETING MINUTES**

Chairman Flagg noted that comments from the Board members related to the Bay Street and reversible lanes project presented as an information item at the February DDRB meeting were not included in the February meeting minutes. Staff responded that they were not included because the item was presented to the Board as an information item and not an action item. The Board requested that staff go back and include their comments related to the Bay Street and reversible lanes project in the February meeting minutes for reintroduction and approval at the May 2009 DDRB meeting. Staff concurred.

Additionally, on page 1 last paragraph the Board requested that the word “concluded” be defined, or changed. Chairman Flagg was not at the February meeting and asked the Board what they concurred with. Mr. Bailey explained that the only thing he thought the Board concurred on was with the sidewalk pavers for the two block area from Main Street to Newnan. Mr. Bailey added that the Board could define it individually as the Bay Street Town Center Project from Main to Newnan.

Chairman Flagg commented that as dealing with Bay Street we are dealing with aesthetics in both cases. Chairman Flagg commented that he would question the aesthetics of the first presentation and being unable to be present at that meeting he was not able to comment, but certainly would have. Although the project was presented for informational purposes only,

he commented that he thinks it is up to the Board to try and judge and manage aesthetics as the Board sees fit adding that he is perplexed as to why the Board does not have more jurisdictions over these types of projects (public works projects).

Mr. Udenze recommended that the Board table Chairman Flagg's comment for new or old business because there are a lot of things that the Board does not have jurisdiction over that comes to the DDRB for information only and the Board tends to react almost the same way which is we should have had some sort of oversight. Mr. Udenze suggested that perhaps the Board needs to go back and look at some of the things they don't have oversight on and see what they can do to get involved in those things so they are not receiving the information at the tail end. Chairman Flagg concurred.

The approval of the February 26, 2009 meeting minutes was deferred to the May 2009 DDRB meeting to ensure that they accurately reflect the Boards understanding of that meeting.

### **III. ACTION ITEMS**

#### DDRB 2009-001, REQUEST FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS FOR A LIQUOR LICENSE AT 521 WEST FORSYTH STREET (WLD-09-05)

Mr. Klement briefly reviewed the request and advised that it is the recommendation of the Planning and Development Department that the application be approved.

Mr. Klement introduced Brennan Hammel, Adam Deli, and Mia Atkins, owners of the subject building, and Lynne Gaitan, consultant for the project. Mr. Hammel advised that they want to open a bar serving beer and wine only, in addition they want to offer a venue that caters to the artistic. They want to provide space for all different art forms to perform on a regular basis. Mr. Hammel shared a few photos of the inside of the bar and outside of the front of the building in addition to the proposed laser cut 3d medallion that will be painted gold and antiqued. The medallion will be suspended from the inside of the front window and lit from underneath.

The following were relative comments from the Board:

- Asked for a diagram showing the nearest religious facility. Mr. Klement advised that as part of the application process the applicant is required to submit a certified survey that shows the location of the property and its relation to the nearest schools and/or churches. Said survey was reviewed with the Board.
- The property's location and its distance from schools and churches was discussed.
- Hours of operation are planned for 4:30 p.m. to 2:00 a.m. weekdays for happy hour and events and Saturday and Sunday 7:00 or 8:00 p.m. to 2:00 a.m. hours that do not coincide with school hours of operation.

- Concerned with the facility, what is going in, what it is going to look like and how it is going to operate, but the location has already had a liquor license. The building is 1,224 feet to the nearest non complying facility (school or church).
- Not that it is in the purview of the DDRB, but it was asked if the owners had a business plan. As much as we are excited about things coming and happening downtown we want them to be successful. Mr. Hammel replied that he has done promotions for several bars and clubs around town and has had success in generating crowds. He has been a bartender for eight years and has learned everything from management to bartending. He is fully aware of running a night club and has done every aspect of it.
- Do not own the building, they are leasing the building.
- Leasehold improvements on the building have already been completed by the owner.
- The signage for the building was shown in black and white and will be a laser cut 3d medallion (made from either wood or foam) that will be painted gold and antiqued. The medallion will be suspended from the inside of the front window and lit from underneath.
- They are not required to return to the DDRB for their signage if the signage is hung inside the building.
- Occupancy of the building is 97, and parking in the vicinity of the building is not an issue.
- There will be no sidewalk seating or consumption of beer or wine outside of the building.
- Benefits for the community are planned at the facility.
- Suggested that the Board think about why this is being presented to them and set the ground rules so they are not granting variances to different people. Great idea what they are asking for, but wish they could do it in a place that does not need the 1,500 foot variance.
- Questioned how the Board justifies approval from the master plan and planning standpoint? Mr. Crawford referenced the report and Section 656.133 of the Zoning Code that a waiver of minimum distance requirements for a liquor license location may be granted if the Planning Commission makes a positive finding based on substantial, competent evidence that the application meets one or more of the five criteria outlined in the report. The applicant meets two of the five.
- Board wants to ensure that they are making exceptions for people to generate business and make something survive. They do not want to come back and make another exception because it's not working at 1,200 feet and have to allow it, and are pinned into a corner. The last thing the Board wants is for people to leave and say the location is not a good place to do business.
- Asked if revenue will be generated from the sale of beer and wine only, or if the performers would generate income from a cover charge? The applicant replied that revenue will be generated from the sale of beer and wine only (the crowd). They have also considered the idea of renting the facility for private parties and recordings. The bands will pay to record in the facility during the day, which will generate some income. Mr. Hammel added that in the business plan sense, the simple numbers all crunch very well.
- It was noted that other buildings in the immediate area are in terrible condition. This project will be the first to bring life back to the area.

Mr. Bailey suggested that it would be helpful if the Board had some kind of overlay that shows where the waiver locations currently exist and how close they are because it seems the Board is picking them out as they go and trying to identify them as opposed to just looking at a map.

Mr. Klement clarified that none are in violation. All have requested and have been approved for the waiver of minimum distance requirements for a liquor license location through the Planning Department and DDRB. Mr. Klement explained that there are a variety of owners, school and churches that are within our downtown core area. Depending on where that specific location is relative to another location there is always going to be that discrepancy between connecting the two dots. Each application is rated on its own merit. Each situation is different based on location.

Mr. Teal added that if you were to take the 1,500 circle and put it around every church and school in the downtown area the Landing is the only location downtown that is free and clear. He reiterated that anything that is going to happen in the downtown area is going to be within 1,500 feet of a church or school.

**A MOTION WAS MADE BY BOARD MEMBER UDENZE AND SECONDED BY BOARD MEMBER MILLER GRANTING DDRB, 2009-01 REQUESTS FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS FOR A LIQUOR LICENSE AT 521 WEST FORSYTH STREET (WLD-09-05). THE MOTION PASSED UNANIMOUSLY 6-0.**

DDRB 2009-002, REMOVAL OF PAYPHONES IN PUBLIC RIGHTS-OF-WAYS

Ms. Nasrallah provided an overview of proposed legislation Ordinance 2009-325. She also introduced Officer James Brunet, Esq., COJ Legal Division, who previously was on bike patrol downtown for six years, and Lt. Michael Bruno, Zone 1 JSO Officer who provided their support and prospective for the proposed Ordinance.

Comments from the public regarding the proposed legislation were made by Bruce Renard of 9432 Baymeadows Rd., Jacksonville, FL; Linda Harper, 1615 Boulevard, Jacksonville, FL; and Ms. Terry Lorince, Executive Director of DVI.

Mr. Udenze asked to be clear, if the Board was present to talk about the language being forwarded to the LUZ Committee, and not to discuss the 14 phones.

Mr. Klement responded yes, what is going to the LUZ and full City Council will be language amending this section of the Zoning Code.

The following were relative comments from the Board:

- Language is too distinct referring to the JEDC resolution approved by the JEDC at its March 12, 2009 meeting starting with the fourth line, "Creating a new code section

prohibiting payphones within City rights-of-way and City parks in the downtown overlay zone.”

- Proposed a revision to read, “Creating a new code section prohibiting payphones within City rights-of-way and City parks in the downtown overlay zone **without a permit.**”
- Thinks the issue is lack of ownership of the phones in the public rights-of-way. Suggested establishing a permitting process along with guidelines and then you either qualify to have the phone or if you don’t meet the criteria for having and maintaining the phone, your permit and the phone are removed.
- The issue from law enforcement is if you do provide a phone it allows the individuals who loiter there or who may be violating the law the cover to stay near the phone and that is the premise behind which we say you should not have a phone in the public rights-of-way because the police are not able to enforce the law of loitering if there is a payphone there. You either allow for loitering because there is a payphone there and the law can’t do anything about it, or you remove the payphone and therefore remove the opportunity to loiter in that particular public rights-of-way.
- It was asked that if a payphone was allowed in City rights-of-way does it become the City’s responsibility to maintain that payphone. The answer is no. Apart from responsibility and maintenance of the phone, it is loitering and the law’s ability to make an arrest or to make someone move along away from the phone and they cannot because the person has a right to say that they are waiting for a call.
- Question was asked what if the payphone was moved two feet from the City rights-of-way onto personal property. It was replied that the difference is that if the private owner finds the phone on his personal property a nuisance, he can call the law and then the police can do something about it. We are trying to create that situation by not allowing the phones on City rights-of-ways with no jurisdiction, but rather allow them on private property so the private property owner can monitor the activities and if there is a problem call the law.
- There is a lack of ownership with the phones located in the City’s rights of way.
- It was clarified that staff is not saying they don’t want public payphones downtown, they just want them on private property so the private property owners can be responsible.
- It was clarified that if a private owner has a problem with a phone on his private property and he calls the law and wants the person using or near the phone to leave the area, the phone, etc. the police can tell them to leave or they go to jail. However, when the phone is located in City public rights-of-way and the person using the phone gives the officer what a reasonable prudent person may deem as an excuse to be near that phone, the police officer can do nothing.
- It was noted that a meeting is scheduled with Mr. Renard and staff to address the problem Citywide.
- It was noted clarified several times through out the meeting that the only public payphones affected are those located in City rights-of-ways.
- Private property owners can have a payphone put in at their discretion. The City has no regulatory authority over private property.

- It was noted that there are no permitting opportunities because Public Works does not want payphones in the public rights of way downtown.
- It was noted that there are approximately 20 phones (some locations have two phones) that are located in City rights of way that are proposed to be removed. There are approximately 10 phones on private property that this will not affect.
- It was noted that none of the phones located in the City rights of way are permitted.
- The question was asked why the City could just not remove the phones without the change to the Ordinance. The reply was that OGC prefers that we follow legislation as they did in Springfield.
- Phones being removed from the parks were questioned as far as having a phone accessible to children who may get detached from their family or guardian.
- Likes the idea of having permitting included in the language rather than excluded.
- It was noted that the opportunity exist for private business owners to have a public payphone on their private property if they desire; however, most do not want them on their property due to the element they bring.
- It was noted that the City is actively pursuing emergency phones that will be strategically located where deemed necessary such as the parks. The emergency phones will not be placed in the same location as the public payphone being removed from the rights-of-way because that may not be the best location for the emergency phone, but the emergency phones will be placed where needed.
- The proposed emergency phones are similar to those on college campuses and business parks with the blue light located at the top. The RFP for the emergency phone is being created.
- The timing of the removal of the public payphones and installment of the emergency phones was discussed. It was determined that the removal of the public payphones being replaced with emergency phones would most likely not occur simultaneously.
- It was suggested that the City and phone company need to meet, discuss and understand each other's issues with the public payphones located in the City's public rights-of-way together with the replacement of the proposed emergency phones. This could be a win – win situation for all.
- It was advised that the debate between the City and the phone company has occurred several months back. After each conversation, staff has concluded that there is no compromise. The City would like the phones removed. It was again noted that a meeting is planned between the City and the phone company for next week.
- It was noted that any time you do work in a rights-of-way, you are required to obtain a rights-of-way permit and that governs whether you are putting in a driveway, or physically erecting something. None of these phones have obtained any sort of rights-of-way permit in order to be there.
- It was clarified that none of the phones proposed to be removed from the City rights-of-way are permitted to be there.
- It was noted that the Zoning Code says the DDRB has to vote the subject up or down, or approve with conditions before it can go to City Council.

- It was suggested that the item be deferred until after staff meets with the phone company next week. It was noted that a deferral would delay the Ordinance from proceeding forward about 6 weeks.
- Would like to see what the options are from a private property prospective and see what the options are from an emergency phone prospective before the Board gets rid of all phones. Obviously there is part of the community that needs the function of a payphone; however, needs to be fair to what the downtown is trying to do.
- It was noted that it would be advantageous to the companies to put the phones on private property because they are paying a percentage to the owner of the property that they put it on whereas the City is receiving nothing for the public phones located in City rights-of-way property.
- Recommend that if the phones in City rights of way are going to be removed, that the emergency phones be in place first or simultaneously.
- The Board was reminded that they are addressing the criteria of evaluation outlined in the Planning and Development Department's report, and make sure that their actions are in relation to that. Additionally, the report from JEDC staff, the Planning and Development Dept, and the Commission itself are to approve.
- The Board was reminded that they are a recommending body so they can as part of the motion include language that they are in support of the motion, but additionally include its own recommendation or conditions.

**A MOTION WAS MADE BY BOARD MEMBER SELIM AND SECONDED BY BOARD MEMBER UDENZE TO APPROVE AMENDING THE DOWNTOWN OVERLAY ZONE SUPBART H, CHAPTER 656, ORDINANCE CODE ADDING A NEW SECTION 656.361.23 WITH THE FOLLOWING CONDITION(S): THE MOTION PASSED UNANIMOUSLY 6-0.**

- 1. That implementation of the removal of payphones from City's rights-of-way and parks not occur until installation of the emergency phones being planned by JEDC are implemented, and**
- 2. That JEDC and the Office of General Counsel meet with representatives from the phone industry in order to determine whether there is a compromise that can be presented to City Council.**

DDRB 2009-003, REQUEST FOR MODIFICATION TO STREETSCAPE STANDARDS FOR THE FLORIDA THEATER SIDEWALK LOCATED AT 128 EAST FORSYTH STREET

Mr. Klement briefly reviewed the request and advised that it is the recommendation of the DDRB staff that the modification to the Downtown Streetscape Design Standards, Application 2009-003 be approved subject to the following condition(s):

1. Applicant receives the appropriate permits for the location and installation of the "stars" and new pavement materials for the sidewalk.

2. Applicant to receive the appropriate approvals from the Planning and Development Department and their historical department prior to issuing permits.

Mr. Eric Hart of the Florida Theater advised that the Florida Theater is conducting a small scale capital campaign to try and meet some of the immediate needs of the theater to cover further restoration, the decorative elements, and the need to upgrade or replace equipment, etc. We have designed a donor recognition program. The stars will recognize donors, provide an incentive for further contributions to the capital campaign, and clean up the sidewalk.

Mr. Hart introduced Bob Perrett, Florida Theater Board member and general contractor with RPC, who described the Florida Theater "Walk of Stars" project in more detail. A sample star was provided for the Board's review. The Florida Theater will incur no cost for the project. RPC General Contractors and their subcontractors who do the project will absorb all costs associated with the project.

Mr. Hart advised that a future project for the theater is to renovate the existing marble on the face of the building.

The following were relative comments from the Board:

- Key word - free, nothing to the City, nobody pays anything, which is important. The building belongs to the City. The City is responsible for the maintenance and everything that goes on with this building. The Theater has gone out of their way to put this together and make it happen. Hopefully, they will return for the sidewalk restoration of the bricks they want to install around it. Project is an asset to the City that people step up and do this sort of project.
- Asked about the idea behind the black stained concrete and where it starts and ends. Mr. Perrett indicated that the black stained concrete will only encompass the three paver sections and from column to column at each section and the same width of the existing columns. The black stained concrete will not extend on either side past the columns. The staining is impervious and goes all the way through. It is not just a top coat.
- A question was asked regarding the 1/8" reveal on the star itself and if that posed a trip hazard. Mr. Hart responded that he did not know for sure, but thought that anything that has any reveal at all could constitute a trip hazard. Mr. Perrett reconfirmed that the project meets all ADA requirements. It was noted that the manhole covers throughout downtown all exceed 1/8 inch reveal.
- A question was asked if a flush design version for the stars was looked at. Mr. Hart responded that they had, but the durability did not compare to the design presented today.
- It was noted that the panel of stars proposed today is already sold out.

**A MOTION WAS MADE BY BOARD MEMBER UDENZE AND SECONDED BY BOARD MEMBER MILLER GRANTING A MODIFICATION TO THE DOWNTOWN STREETScape DESIGN STANDARDS FOR APPLICATION 2009-003 SUBJECT TO THE TWO CONDITIONS NOTED BELOW. FINAL REVIEW OF THE MOTION PASSED UNANIMOUSLY 6-0.**

- 1. Applicant receives the appropriate permits for the location and installation of the “stars” and new pavement materials for the sidewalk.**
- 2. Applicant to receive the appropriate approvals from the Planning and Development Department and their historical department prior to issuing permits**

DDRB 2009-004, CONCEPTUAL/FINAL APPROVAL FOR A ROOF RENOVATION LOCATED AT 1032 HENDRICKS AVE.

Mr. Logan Rink excused himself from voting.

Mr. Klement briefly reviewed the request and advised that it is the recommendation of the DDRB staff that Application 2009-004 be approved.

Mr. Mike Kleinschmidt with Design Cooperative, LLC presented the renovation project to an existing building in more detail with the Board.

**A MOTION WAS MADE BY BOARD MEMBER MILLER AND SECONDED BY BOARD MEMBER SELIM GRANTING CONCEPTUAL AND FINAL APPROVAL OF DDRB 2009-004, REQUEST FOR A ROOF RENOVATION LOCATED AT 1032 HENDRICKS AVE. THE MOTION PASSED 5-0.**

#### **IV. OLD BUSINESS**

Chairman Flagg commented that he would recommend on months with no agenda or a light agenda he would like for the Board to meet anyway. He suggested that Mr. Klement could maintain a “rainy day” agenda list that would cover subjects to review.

Mr. Udenze suggested that before the Board does a rainy day agenda, they do a workshop on what they don't look at. Chairman Flagg agreed. Mr. Udenze commented that when items come before the Board for informational purposes they have comments, but are not allowed to vote, which is bizarre. The Board needs to understand what they do not look at and maybe talk from a procedure standpoint if there are things they do want to look at. Mr. Udenze commented that he thought there was a little bit of miscommunication for informational purposes only that the Board needs to get a better handle on. Chairman Flagg agreed.

Chairman Flagg commented that he is still perplexed and maybe that is part of what this is why it is for informational purposes only. Mr. Udenze responded that they are trying to help us through because we used to be a very busy Board. Chairman Flagg commented that he is not sure why on some of the items why the Board cannot take action.

Mr. Bailey commented that he can understand some of the “for information only” so when we do have issues that come up we know how to tie it in. He thinks it is valuable to have for information only. Chairman Flagg said he wants to know why the Board cannot vote. Mr. Bailey said because Public Works does not have to report to the DDRB. Mr. Udenze stated that is why we need a workshop to understand.

Mr. Bailey requested that the workshop include an update on the projects that have come before the DDRB that will expire, and/or their status or intent. (projects that applied for and were granted final approval, projects not completed yet, projects requesting extensions to approvals, etc.)

The Board noted that for several years they have talked about doing a bus tour. Mr. Teal commented that the Board would all need to be on one bus. You can't have some Board members on one bus and other Board members on a different bus. The meeting has to be noticed, recorded, etc. following FL Sunshine Law. Mr. Udenze suggested a walking tour. Staff will look into the procedures to follow if the Board wants to conduct a bus and/or walking tour.

**V. NEW BUSINESS**

No new business was discussed.

**VI. PUBLIC COMMENTS**

There were no comments from the public.

**VII. ADJOURNMENT**

There being no further business, Chairman Flagg adjourned the meeting at 5:02 p.m.

The next DDRB meeting is scheduled for Thursday, May 28, 2009 at 2:00 p.m.

Witness

Downtown Development Review Board

\_\_\_\_\_  
Print Name: \_\_\_\_\_

\_\_\_\_\_  
Christopher Flagg, Chairman

\_\_\_\_\_  
Print Name: \_\_\_\_\_

Downtown Development Review Board (DDRB)

April 30, 2009

Page 11 of 11

Vote:

**In Favor:** \_\_\_\_\_ **Opposed:** \_\_\_\_\_ **Abstained:** \_\_\_\_\_

# **DOWNTOWN DEVELOPMENT REVIEW BOARD**

## **REQUEST FOR CONCEPTUAL REVIEW**

### **APPLICATION 2009-005**

**May 28, 2009**

**Project Name:** Americana Restaurant and Office

**Location:** The proposed project is located at 1075 Hendricks Avenue. This is the northeast corner of Hendricks Avenue and Louisa Street. The site is south of the existing Redi-Arts operation and building on the east side of Hendricks Avenue.

**Request:** Conceptual Review

**Downtown Overlay District:** District 10, Southbank

**Current Zoning District:** Commercial Community/General -1, (CCG-1)

**Current Land Use Category:** Central Business District (CBD)

**City Council District:** District 4, The Honorable Don Redman

**Applicant/Agent:** Mr. Mike Kleinschmidt  
Design Cooperative, LLC  
1032 Hendricks Avenue  
Jacksonville Florida 32207  
(904) 200-5673

### **GENERAL INFORMATION**

The developer is proposing a new three story building, which is located on the Southbank portion of the Downtown Zoning Overlay at the northeast corner of Hendricks Avenue and Louisa Street. It is proposed that the first floor consist of an 8,000 SF restaurant and a small lobby that allows access to the second and third floor office space. The second and third floors will be office, with approximately 8,000 SF per floor, for a total 16,000 square footage. The total square footage for the building is approximately 26,000 SF. The developer will not provide on-site parking, but rather proposes to use parking in the immediate area to meet parking needs and will require the approval of a parking deviation. The developer also proposes to provide a "valet pull-off lane" on Louisa Street, which will require the approval of the Traffic Engineer, Department of Public Works and a deviation from the Streetscape Design Standards.

## **DEVELOPMENT GUIDELINES AND CRITERIA FOR REVIEW**

Pursuant to the provisions of Section 656.361.8, Powers and Duties of the Zoning Code, the DDRB shall review and make decisions with respect to all applications for development and redevelopment within the Downtown Overlay Zone: (i) to ensure consistency and compatibility of all proposed development and redevelopment with the Downtown Master Plan; and (ii) to consider the design related issues of each application to ensure compliance with these Downtown District Regulations and all related approved design guidelines and standards, to the extent applicable. The review of this DDRB application is based on the following applicable criteria pursuant to Section 656.361.10, Development Guidelines of the Zoning Code.

### **1. Setback or “Build To” Lines**

The intent of the Setback or “Build To” Lines is for buildings to have continuous frontage along sidewalks creating a pedestrian-oriented and pedestrian-scaled environment. The proposed development is located at the setback lines. The Hendricks Avenue frontage also includes a pedestrian plaza to the inside of a planted landscape area adjacent to the building facade. The building frontage on Louisa Street is built to the setback lines and includes a “valet pull-off lane. It is noted that the valet-pull-off lane will need Traffic Engineering input and approval prior to Final review and approval by the DDRB. Also, the site is in close proximity to the proposed replacement work for the Interstate 95 overpass / bridge work. The developer will need to correspond with the FDOT to insure timetables and construction activity will minimize conflicts for both projects. As such, the developer will need to provide documentation and additional information for the Traffic Engineering approval of the valet-pull-off lane prior to final approval and compliance with this design guideline.

### **2. Encroachment**

The intent of this guideline is for building facades to engage the pedestrian on the street. The criteria suggest providing differentiated building walls, open and inviting facades, human/pedestrian scale and varied horizontal and vertical articulation. The proposed development is located on a corner lot and engages the pedestrian on both street frontages. The Hendricks Avenue frontage incorporates a pedestrian plaza in front of the building and the Louisa Street frontage incorporates a lobby for the office suites. As such, the conceptual drawings show compliance with this design guideline.

**3. Entrances**

This criterion requires at least one pedestrian entrance door on each building elevation facing a street. The development is a corner lot development with frontage on both Hendricks Avenue and Louisa Street. The drawings for the facades on both street frontages indicate entrances and therefore, the development is in compliance with this design guideline.

**4. River Views and Height of Buildings and Structures**

The intent of this guideline is to encourage enticing views of the river and encourage building forms and massing that is respectful of their surroundings, and limit building height to the underlying zoning district. The proposed development is not adjacent to the river or of sufficient height to incorporate the design consideration for river views. Therefore, this development guideline is not applicable.

**5. Rooftop Design**

The intent of this guideline is to guide development in screening of rooftop structures. The proposed development indicates that the development will screen the rooftop structures and as such, the development is in compliance with this design guideline. It is noted that the final design and construction drawings will show the specific detail to assure compliance with this guideline.

**6. Off-Street Parking Overlay**

The intent of this guideline is to minimize the impact of parking and service areas. The proposed development does not providing parking for its operation. However, the development is located on primary traffic routes and is adjacent to new urban residential development, the existing Automated Skyway Express station, and associated surface parking and garage parking facilities in the immediate area. Prior to final approval, the developer will need to show that appropriate parking solutions have met the necessary parking requirements and needs for the development. As such, the conceptual presentation is not in compliance with this guideline and a parking plan and deviations may be necessary to comply with this development guideline.

**7. Surface Parking, Trash, Storage, and Loading Area Screening and Landscaping Requirements**

The intent of this guideline is to insure appropriate screening and landscape treatment for parking, trash, storage and loading areas. The development plan does show compliance with this guideline by locating the trash and delivery area adjacent to the easterly property line with screen fencing. Additionally, the development plan does indicate screening from the pedestrian and vehicle paths. The development plan also indicates "valet pull-off lane" on the Louisa Street frontage. It is noted that the developer will need the approval of the Traffic Engineer, Department of Public Works, prior to approval

of this final design. As such, the development is not in compliance with this development guideline and will need to provide additional documentation and design to show compliance with this standard.

**8. Transparency**

The intent of this development guideline is to minimize the percentage of blank wall space on the ground floor level, encourage continuity of retail and pedestrian consumer service uses, and provide a pleasant experience for pedestrians on street frontage. The proposed development indicates frontage on Hendricks Avenue and Louisa Street and both frontages meet the design plan requirements, and as such, the proposed development plan is in compliance with this development guideline.

**9. Grid Pattern**

The purpose and intent of this development guideline is to maintain traditional block patterns with a grid of streets wherever practicable. The proposed development plan does not alter and change the existing street pattern for circulation and therefore this development plan is consistent with this guideline.

**10. Streetscape Design Standards**

The intent of this design guideline is to establish criteria requiring certain levels of quality and street level enhancement for pedestrian use and interaction. The proposed development plan shows compliance on Hendricks Avenue. The Streetscape Design Standard is altered on Louisa Street to accommodate the valet-pull-off lane and as such, the development is not in compliance and the Developer will need to provide additional information and receive a deviation from the Streetscape Design Standards prior to Final approval to be in compliance with this development guideline.

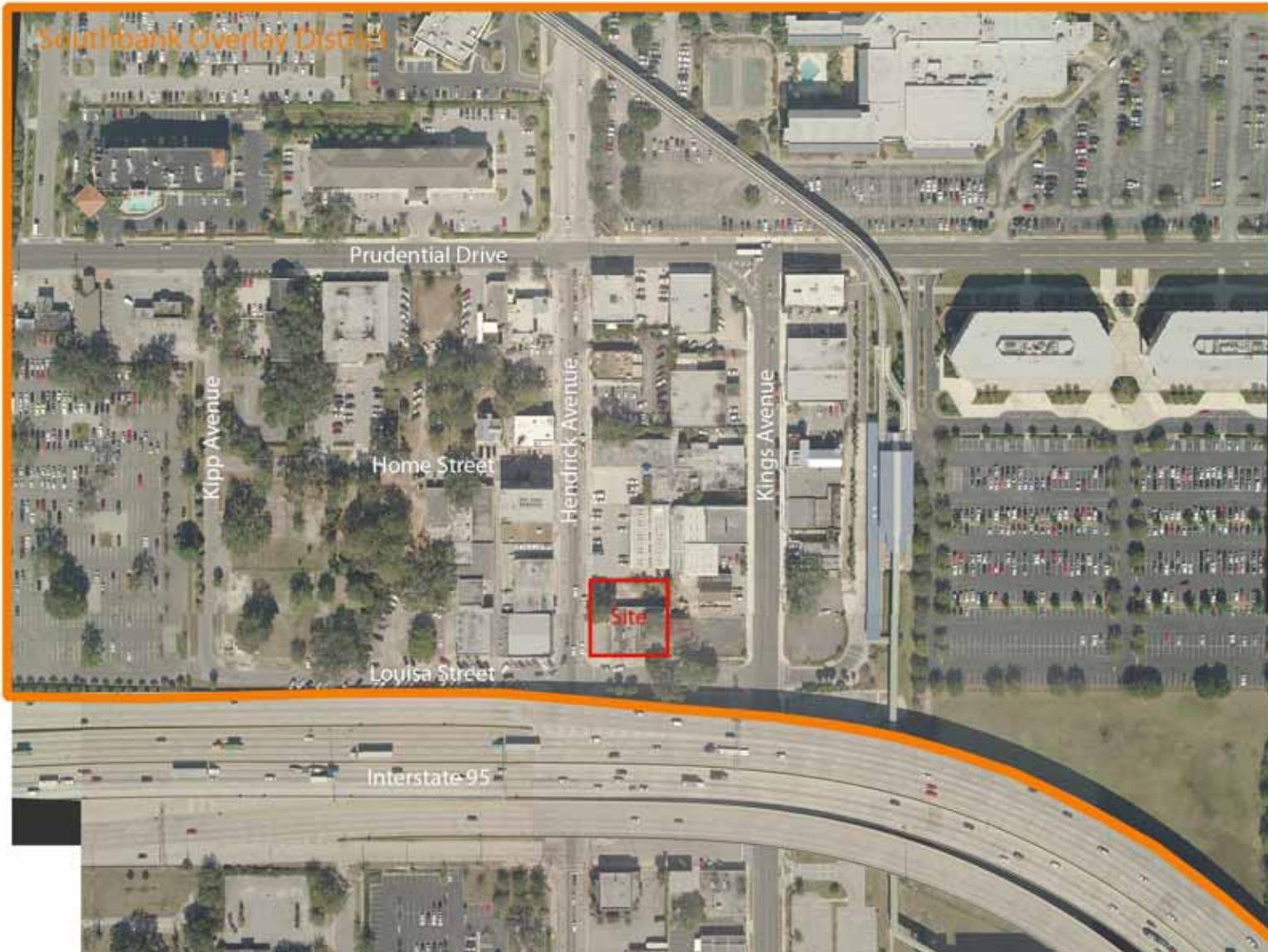
**11. Waterfront Design Regulations**

The intent of this guideline is to establish criteria that protects and promotes the City's waterfront as a community resource, provides for an orderly development, fosters quality design, ensures public access and creates a pedestrian oriented environment. The proposed development is not adjacent to the river and as such, this development guideline is not applicable.

**RECOMMENDATION**

It is the recommendation of the DDRB staff that Conceptual Review of DDRB Application 2009-005, be approved subject to the following condition(s):

1. The developer receive approval from the Traffic Engineer, Department of Public Works, for the valet- pull-off lane prior to Final approval by the DDRB and share documentation indicating communication with the FDOT regarding the time tables and construction activities to the Interstate 95 overpass in the immediate area of the proposed development site.
2. The developer provide a parking plan for the proposed project and receive a deviation to reduce the required parking space requirements from 33 spaces to 0 spaces prior to Final approval.
3. The developer provides detailed drawings and receives a deviation from the Streetscape Design Standards for the altered streetscape design proposed for Louisa Street improvements.







NORTH WEST



SOUTH WEST



WEST



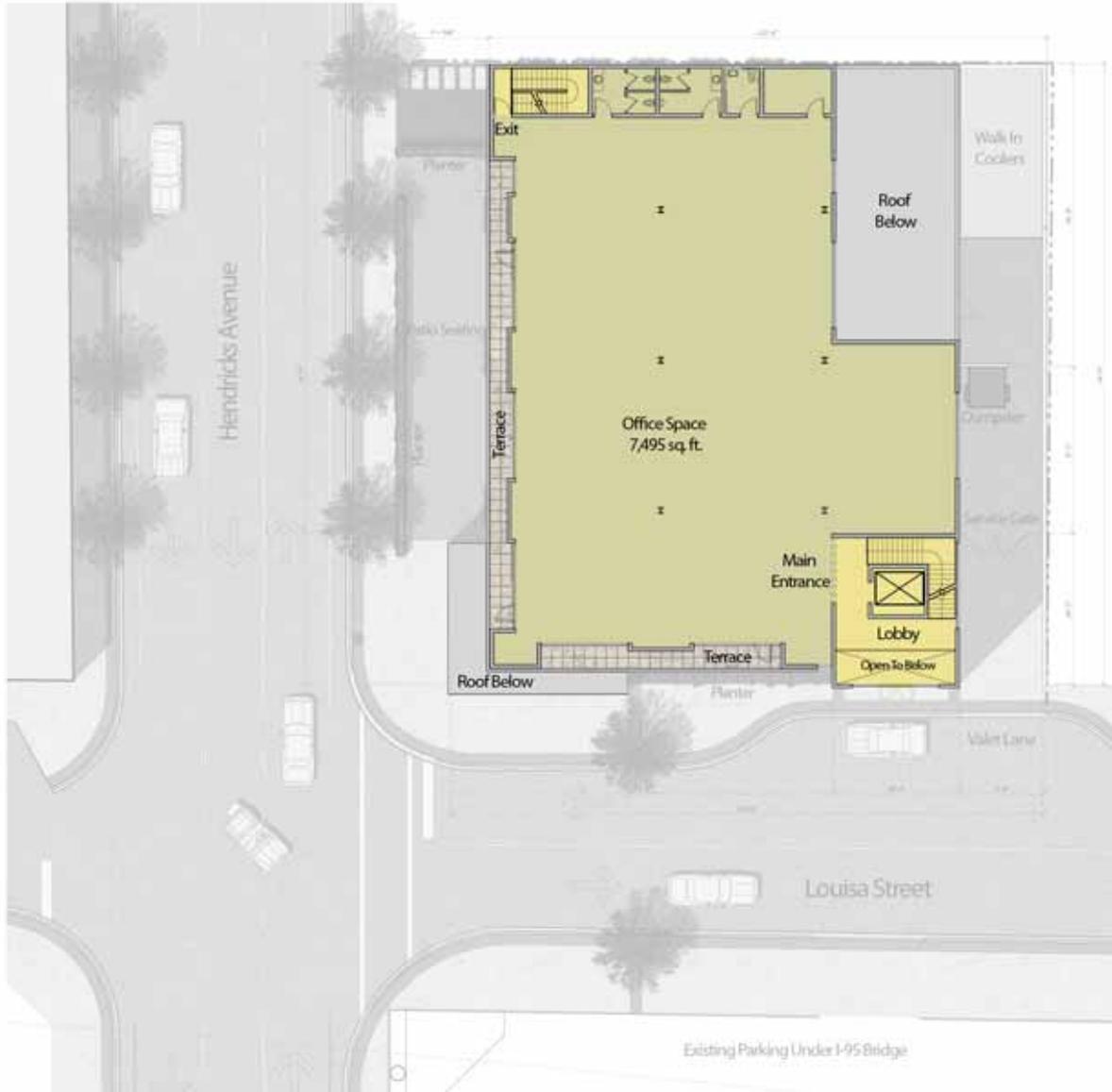
SOUTH EAST

Existing 4,000 sq.ft. building  
to be demolished

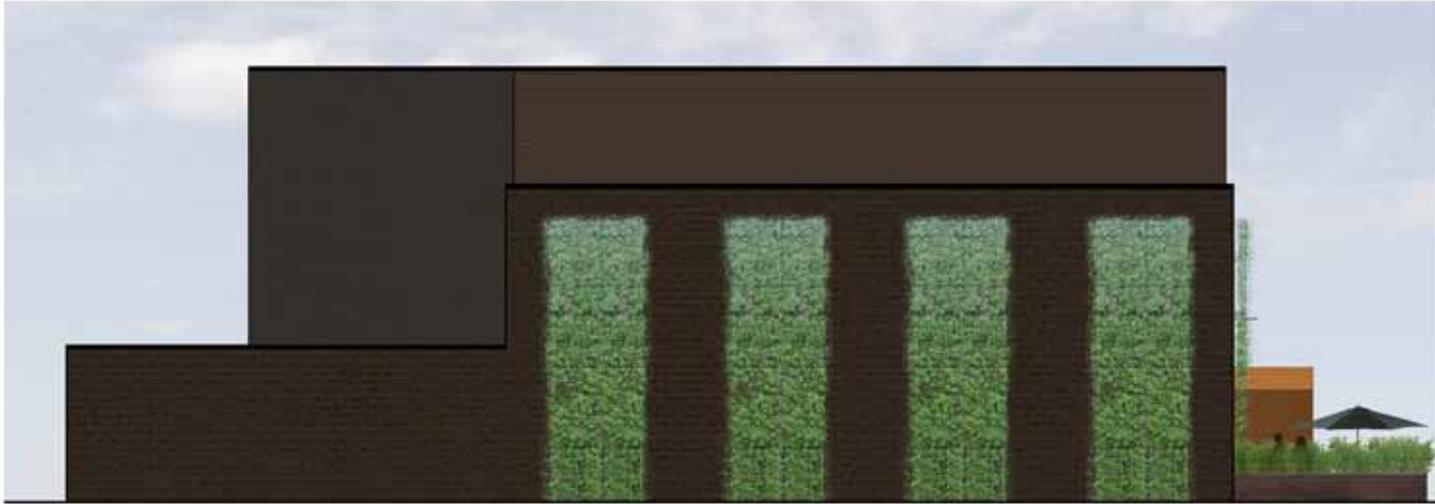


Site is .335 acres.  
Site is flat with very little elevation change.  
A new valet lane located on the South side of the site approximately 80' from the intersection.





Existing Parking Under I-95 Bridge



North Elevation



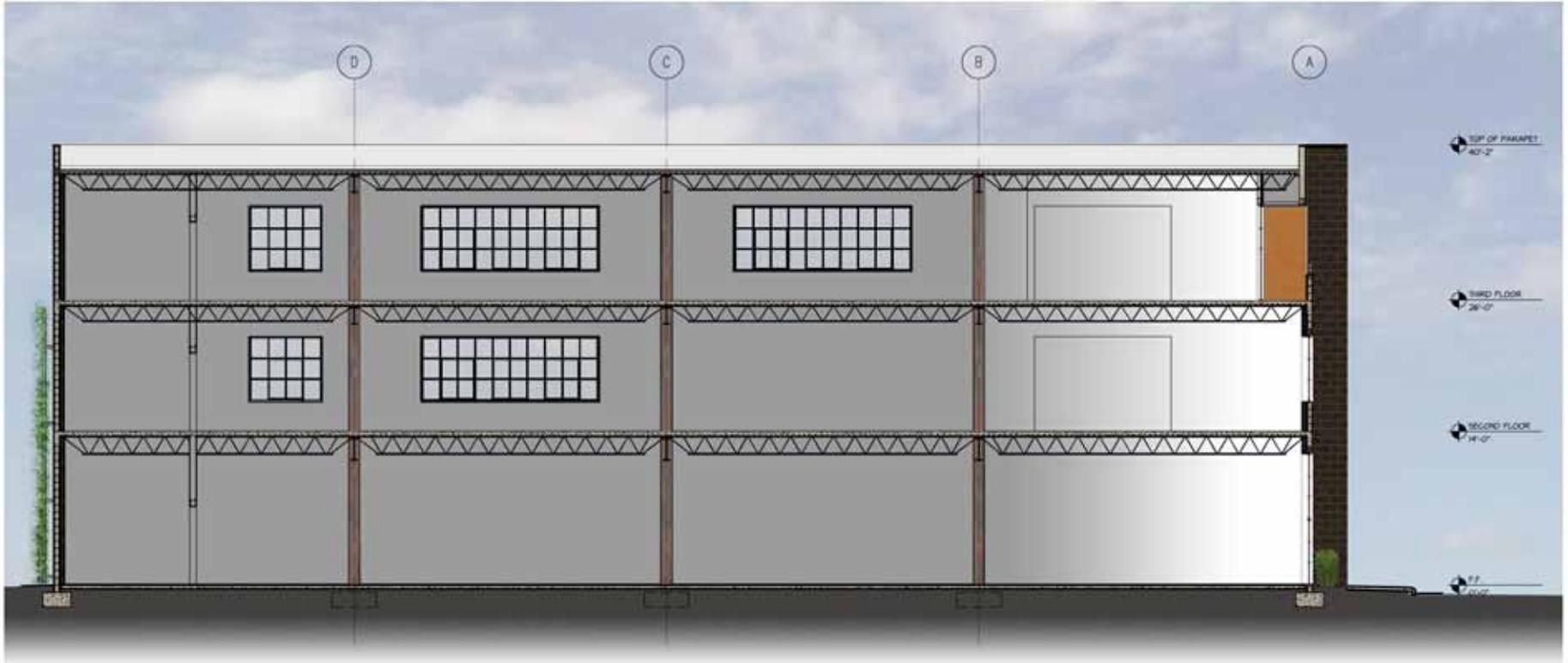
South Elevation



West Elevation



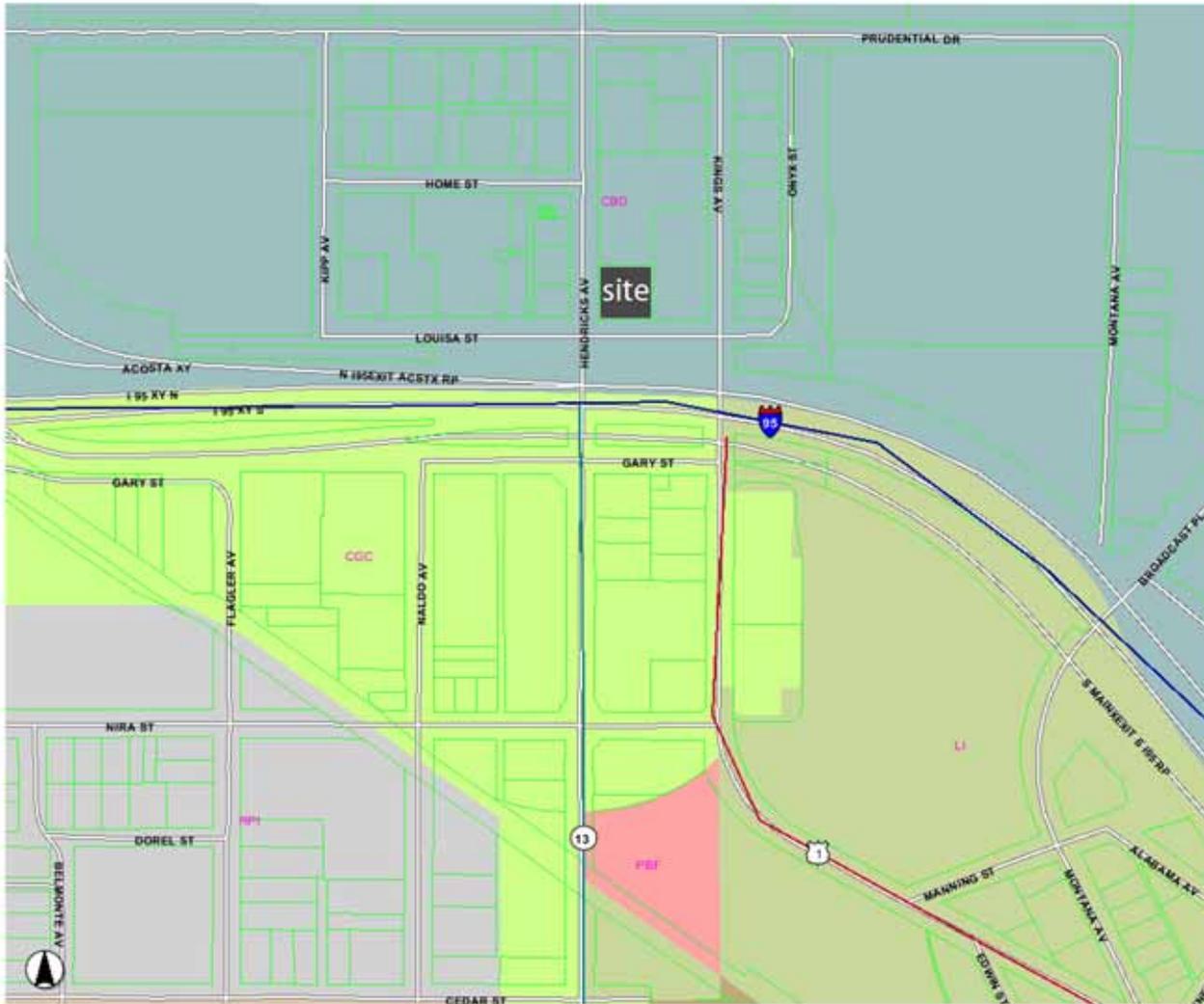
East Elevation



North South Section



Zoning designation is  
CCG-1 - Commercial Community  
General



Land use designation is  
CBD - Central Business District

## **MEMORANDUM**

**TO:** Downtown Development Review Board

**FROM:** Jim Klement, Redevelopment Coordinator

**SUBJECT:** DDRB Application 2009-006; Request for Waiver of Minimum Distance Requirements for Liquor License Location, WLD – 09-09

**DATE:** May 28, 2009

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Attached is the Planning and Development Department's report to the DDRB that includes their comments and recommendation regarding Application for Waiver of Minimum Distance Requirements for a Liquor License Location WLD-09-09. This report along with the DDRB's review and action for approval are necessary, unless appealed to City Council.

Procedurally, the DDRB is involved in this request as the property is in the Downtown Overlay District, which requires staff report and review and action from the DDRB.

As a reminder, all new construction within the Downtown Overlay District is subject to the review and approval by the DDRB including Conceptual and Final review. This project is an internal remodel of an existing building and therefore the Conceptual and Final review is not required.

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**  
**APPLICATION FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS**  
**FOR LIQUOR LICENSE LOCATION WLD-09-09**

**MAY 28, 2009**

***Location:*** 112 East Adams Street  
Between Ocean Street and Newnan Street

***Waiver Sought:*** Reduce Required Minimum Distance Between  
Liquor License Location And Church Or School  
From 1500 Feet To 75 Feet

***Present Zoning:*** Commercial/Residential/Office (CRO)

***Current Land Use Category:*** Central Business District (CBD)

***Planning District:*** Urban Core

***City Council Representative:*** The Honorable Don Redman, District 4

***Owner:*** Adrian B. Plummer  
1830 Seminole Road  
Jacksonville, FL 32233

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application or Waiver of Minimum Distance Requirements for Liquor License Location **WLD-09-09** seeks to reduce the required minimum distance between the proposed use and First Presbyterian Church (118 E. Monroe Street) from 1,500 feet to 75 feet to allow for the service of beer and wine only for on-premises consumption (2COP). The property is zoned CRO and is within the CBD functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2010 Comprehensive Plan. The proposed request meets at least one of the criteria pursuant to Chapter 656.133.

The site is located on East Adams Street within the “Riverfront District” of the Downtown Master Plan. This area is intended for commercial, high density development with a maritime influence including hotels, restaurants, nightclubs, and specialty retail shops. In May of 2003 the Downtown Zoning Overlay (Ordinance 2003-627) was adopted, and later amended in June of 2007 pursuant to Ordinance 2007-564-E. The intent of the overlay is to encourage revitalization and promote uses that are tailored to the sub-district character. More specifically, the Riverfront District promotes high density residential and entertainment oriented uses such as hotels restaurants and nightclubs, which include the retail sale and service of all alcoholic beverages for either on-premises or off-premises consumption or both, subject to the provisions of Part 8 of Chapter 656.

The proposed waiver of liquor distance will promote economic viability by facilitating improvements to an existing commercial structure in the Downtown Riverfront District. Per the attached liquor survey the nearest church is the First Presbyterian Church located at 118 East Monroe. The Church is one block north of the subject property. The reduction in distance is common for many properties within the downtown, given the existing compact urban development pattern and numerous religious and institutional uses. There are six church owned properties within 1,500 feet from the subject property.

The proposed use will be developed in accordance with the Downtown Master Plan and Downtown Design Review Guidelines, as reviewed by the Downtown Development Review Board pursuant to Ordinance 2007-564-E and pursuant to Subpart H, Downtown Overlay Zone and District Regulations.

The Planning Commission has approved similar waiver requests in the vicinity including WLD-04-05, WLD-05-22, and WLD-06-04, & WLD-07-05. *The Downtown Development Review Board* also approved WLD-08-14 for the Ivy Bar located two block south of the proposed location and WLD-08-19 for 119 E. Forsyth which is directly behind the proposed location.

#### **DEFINITION**

According to Section 656.1601 of the Zoning Code, the term *waiver* means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 of the Zoning Code, and for minimum street frontage, pursuant to Section 656.407 of the Zoning Code. Waivers are authorized to be granted by the Downtown Development Review Board pursuant to the criteria set forth in Section 656.133 of the Zoning Code.

#### **STANDARDS, CRITERIA AND FINDINGS**

Pursuant to the provisions of Section 656.133 of the Zoning Code, a waiver of minimum distance requirements for liquor license location may be granted if the Downtown Development Review Board makes a positive finding based on substantial, competent evidence that the application meets one or more of the following criteria:

*1) Is the commercial activity associated with the alcoholic beverage use of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license?*

No. The property was formerly occupied by a retail establishment. There is no known previous commercial activity that included alcohol consumption on this property or liquor license issued to this unit.

*2) Is the alcoholic beverage use designed to be an integral part of a mixed planned unit development?*

No. The subject property is located within the CRO zoning district and is not part of a Planned Unit Development (PUD) district. However, the site is located in the Downtown Zoning Overlay "Riverfront District", which is intended for high density residential and supporting commercial and entertainment uses. In addition, all alcoholic beverage consumption would occur on premises on a property that contains approximately 1,344 square feet. Therefore, although the use is not within a mixed PUD it is an integral part of the downtown vision and Downtown Master Plan. As such, the staff is of the opinion that this is a positive finding to support the request for the Waiver of liquor distance.

*3) Is the alcoholic beverage use to be located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all out parcels, and meets the definition of a bona fide restaurant as defined in Section 656.805?*

No. The site is located in a small neighborhood shopping center that contains eight units totaling 7,499 square feet. Within the same shopping center, an establishment – "London Bridge" holds a 2COP liquor license. This property is an extension of permitted uses allowed on this parcel. The site is located within an emerging urban commercial corridor with similar liquor licensed establishments in the immediate vicinity. The proposed use does not meet the definition of a bona fide restaurant. Restaurants, bars, clubs and other entertainment establishments are identified in the overlay as integral parts of the Riverfront District and are to be promoted to redevelop and revitalize the area.

*4) Is the alcoholic beverage use directly visible along the line of measurement defined in s.656.806 and physically separated from a church or school, thereby negating the distance requirement as a result of the extra travel time?*

Yes, but does not negate the distance requirement as a result of extra travel time. The proposed establishment is in close proximity of the rear of the First Presbyterian Church grounds, and is visible along the line of measurement defined in Section 656.806, but is physically separated from the church building, itself. The proposed use along Adams Street is separated from the nearest church by a one block. (Refer to liquor survey). The unit that would be occupied by the bar is one story in height and is separated from the church by a two-story private law office that is located across the street, along with a

parking lot and a service station. The distance requirement is measured from the Church property and grounds, not the actual structure, itself.

This area of downtown is developed with commercial and office buildings, most of which are several stories in height. It should be noted that the within the same shopping center, an establishment – “London Bridge” holds a 2COP liquor license.

The proposed waiver would allow indoor and outdoor consumption of all alcoholic beverages out of view of any church parishioners. In addition, typical church hours of operation and the typical hours of operation for the sale and service of all alcoholic beverages will not occur concurrently.

*5) Are there are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided, however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations?*

Yes. There are several other existing liquor license locations including The London Bridge (2COP) located on the northwest corner of the block, and adjacent to the proposed unit; and Burrito Gallery (4COP) which is on the adjacent block to the north on Adams Street. As stated earlier, the Downtown Development Review Board recently approved WLD-08-14 for the Ivy Bar which is located two blocks south from the proposed location, as well as WLD-08-19 for 119 E. Forsyth Street which is directly to the rear of the proposed location. The subject property is not readily visible from the entrance of the Church, and is not closer to the church in relation to the Burrito Gallery and The London Bridge.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on May 18, 2009, the Planning and Development Department staff observed that the required Notice of Public Hearing sign **was** posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Waiver of Minimum Distance Requirements for Liquor License Location **WLD-09-09** be **APPROVED**.



**Subject Property- View looking West down Adams Street (as part of the Shopping Center)**



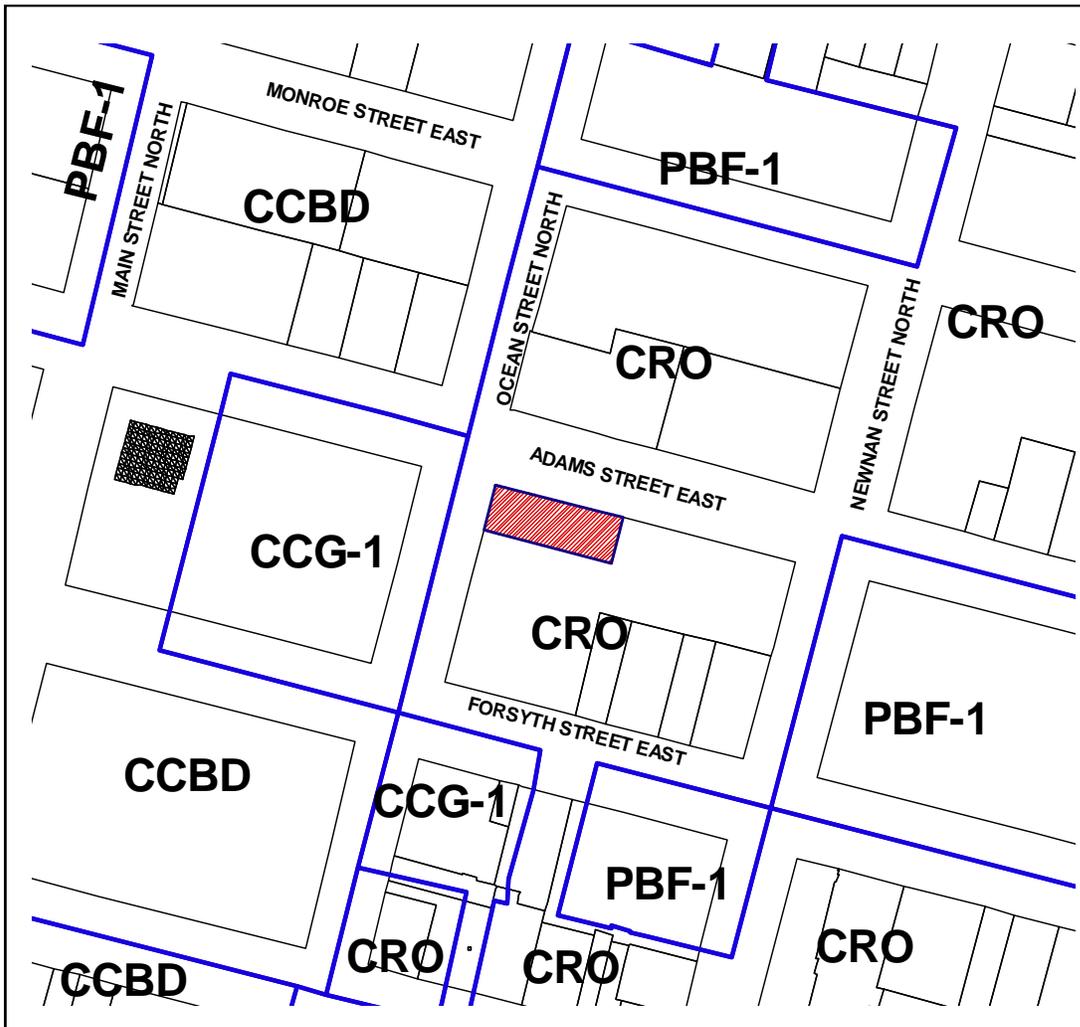
**Parking lot adjacent (east) from subject structure**



**View across the street, church property.**

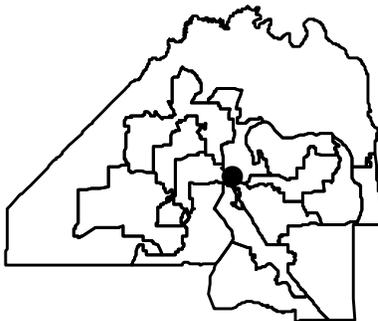


**Aerial View of First Presbyterian Church (118 E. Monroe Street)  
And Proximity to 112 E Adams Street**



REQUEST SOUGHT:

REDUCE DISTANCE BETWEEN LIQUOR LICENSE LOCATION AND A CHURCH OR SCHOOL FROM 1,500 FT. TO 75 FT.



0 100 Feet

COUNCIL DISTRICT:

4

APPLICATION NUMBER:

WLD-2009-0009